

**Environmental Assessment  
Determinations and Compliance Findings  
for HUD-assisted Projects  
24 CFR Part 58**

**Project Information**

**Project Name:** VOA-North-Project

**HEROS Number:** 900000010370807

**Start Date:** 12/12/2023

**Responsible Entity (RE):** SKAGIT COUNTY, 301 Valley Mall MOUNT VERNON WA,  
98273

**RE Preparer:** Shelley Kjos

**State / Local Identifier:**

**Certifying Officer:** Sarah Hinman

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):** Landau Associates, Inc.

**Point of Contact:** Amy Maule

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

By checking this box, I attest that as a preparer, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

**Project Location:** 1724 E Rio Vista Ave, Burlington, WA 98233

**Additional Location Information:**

The project is a 1.87 acre property located in the city of Burlington, Skagit County parcel 3867-000-058-007.

**Direct Comments to:**

**Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

VOA North is a project of VOA Western Washington located in Burlington, Skagit County. The new construction project will include 42 units, 28 one-bedroom and 14 two-bedroom units, with a focus on serving veterans, including 12 units set aside for veterans who are homeless. Fifty percent of the units will serve households at or below 30 percent of area median income (AMI) ,and 50 percent of the units will serve households at or below 50 percent of AMI. There will also be one onsite resident manager's unit. Resident services will include onsite case management and supportive services through VOA Western Washington and its community partners. VOA North will provide residents of Skagit County who have limited housing options a supportive and affordable community to call home. The project is designed as a cluster of one two-story apartment building and four identical three-story apartment buildings (refer to Appendix B for site plans). The four three-story residential buildings will have eight units each with three units on the first and second floor comprised of two one-bedroom and one two-bedroom units, and a one-bedroom and two-bedroom unit on the third floor. The two-story residential building will have six units; two one-bedroom and one two-bedroom units on each floor. Surrounding each building will be green space, and a play area will be located at one of the green spaces. Resident and visitor parking will be provided via surface spaces off the drive aisles adjacent to the residential buildings. There will also be a community building that will provide a common room and offices for resident services and property management, as well as four additional one-bedroom units, two on the ground floor level and two on the second floor. There are two warehouse structures and an old garage currently onsite that will be demolished as part of the project. The current developed conditions adversely affect the natural and beneficial functions of the floodplain. Furthermore, the Skagit River is located approximately 1,400 linear feet (lf) from the project site, and a levee occurs between the project site and the river. Grading across the 1.87 acre site will occur in the FFRMS floodplain and the building elevations will extend above the FFRMS floodplain. The proposed project includes landscaping that will improve floodplain habitat conditions and includes onsite infiltration of stormwater runoff which will support groundwater recharge in the floodplain and water quality maintenance of surface waters.

**Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:**

The purpose of the VOA North Project is to provide residents of Skagit County who have limited housing options with a supportive and affordable community to call home. Homeless veterans are especially in need of housing stability and additional supportive services. The project is to include that support with an emphasis on veterans, and with the inclusion of onsite case management and other supportive services. The location was selected to meet the needs of the local demographic. The project site is in a residential area that is within walking distance (approximately one mile) from the downtown area of Burlington.

**Existing Conditions and Trends [24 CFR 58.40(a)]:**

The site is located in a residential area and is developed with warehouses. In the absence of the project, the site would likely be developed compatible with current zoning. The need for supportive housing with an emphasis on veterans would persist.

**Maps, photographs, and other documentation of project location and description:**

[F02APEAerial.pdf](#)

[F01APETopo.pdf](#)

[Site Photos\\_source VOA Burlington Final Phase 1.pdf](#)

**Determination:**

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

**Approval Documents:**

**7015.15 certified by Certifying Officer**

on:

**7015.16 certified by Authorizing Officer**

on:

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
M21-DP530210	Community Planning and Development (CPD)	HOME American Rescue Plan (HOME-ARP)	\$1,541,906.00
M23-DC530210	Community Planning and Development (CPD)	HOME Program	\$500,000.00

VOA.North.2025-01	Other	HUD-VASH	\$4,118,400.00
-------------------	-------	----------	----------------

**Estimated Total HUD Funded,  
Assisted or Insured Amount:** \$6,160,316.00

**Estimated Total Project Cost [24 CFR 58.2 (a)  
(5)]:** \$19,637,151.00

**Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. Skagit Regional Airport (a civilian airport) is the closest airport in proximity to the project site and is approximately 25,000 feet from the project site.
<b>Coastal Barrier Resources Act</b> Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
<b>Flood Insurance</b> Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001- 4128 and 42 USC 5154a]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be

		continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b>		
<b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.
<b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act. As of July 22, 2020, Washington State Department of Ecology (Ecology) notified HUD of the following: "Ecology has concluded that it is unnecessary for U.S. Department of Housing and Urban Development (HUD) to continue to send project information in order to receive Ecology's concurrence that the funding phase of the project is consistent with Washington's CZMP. Therefore, we are writing to inform you that HUD no longer needs to require applicants to send Ecology letters seeking our concurrence on projects for which HUD plans to release federal funding." Concurrence from Ecology for Coastal Zone Management (CZM) is no longer required under a Part 58 or Part 50 Environmental Review in Washington State. However, at the time of project development, the activity may trigger review if it falls under other parts of the Coastal Zone Management Act (CZMA) regulations for federal agency activities (Title 15 CFR Part 930, Subpart C), or

		<p>consistency for activities requiring a federal license or permit (Title 15 CFR Part 930, Subpart D) and will be subject to all enforceable policies of the Coastal Zone Management Program. It is during the local permitting process that a project might be subject to CZM and further review by Ecology. Reference: US Department of Housing and Urban Development, Environmental Guidance website.  <a href="https://www.hud.gov/states/shared/working/r10/environment">https://www.hud.gov/states/shared/working/r10/environment</a>. Accessed April 4, 2024.</p>
<p><b>Contamination and Toxic Substances</b>  24 CFR 50.3(i) &amp; 58.5(i)(2)]</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>A Phase I Environmental Site Assessment was completed by Atlas Technical Consultants LLC in August 2023, for the project site at 1724 East Rio Vista Avenue in Burlington, WA. The assessment identified one REC. The assessment found several septic systems, as well as utility sinks discharging to the septic systems that may have been used inappropriately to dispose of materials used at auto maintenance facilities occupying multiple buildings at the project site. This potential improper dumping of chemicals may have resulted in a release to the subsurface, and is therefore considered a REC to the project site. Mitigation is in place via an On Site Sewage System Decommissioning Management Plan, which has been developed to remove all five septic tanks located on the project site. The plan has controls in place for establishing whether the tanks held hazardous contents, and if tanks are found to contain hazardous contents, their removal will comply with UST removal regulations. Atlas also performed a Pre-Demolition Hazardous Materials Survey and UST Assessment. No hazardous building materials were identified in the survey sampling. The</p>

		<p>UST assessed in the report was a septic tank. No testing was performed on septic tank sludge. Review of CDC's publicly available county Radon data shows that in Skagit County, state reported pre-mitigation radon levels have been tested at least 125 times during the most recent 10 year period, and the average result is 1.7 (pCi/L), well below the EPA's recommended limit of 4.0 (pCi/L). Atlas 2023. Phase I Environmental Site Assessment, Industrial Property, 1724 East Rio Vista Avenue, Burlington, WA 98233. Prepared for Volunteer of America Western Washington. Atlas Technical Consultants, LLC. August 24. Atlas 2024. Pre-Demolition Hazardous Materials Survey and UST Assessment, East Rio Vista. Atlas Technical Consultants LLC. December 5. Volunteers of America Western Washington. 2025. Existing Conditions: On Site Sewage System Removal Management Plan, 1724 Rio Vista, Burlington, WA. January 13th. CDC. 2024. National Environmental Public Health Tracking Network. Radon Data. <a href="https://ephtracking.cdc.gov/DataExplorer/?c=31">https://ephtracking.cdc.gov/DataExplorer/?c=31</a>. Accessed September 26, 2024.</p>
<p><b>Endangered Species Act</b> Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. This project is in compliance with the Endangered Species Act without mitigation.</p>
<p><b>Explosive and Flammable Hazards</b> Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Google Earth aerial imagery (image date 2/22/2024) was reviewed to identify tanks within a 1-mile radius of the project location. A screenshot of the aerial imagery is attached showing the location of the tanks identified. The Skagit County permit website was also reviewed for permits related to tank installation and none were identified.</p>

		<p>Aerial review results identified a total of three tanks that met the criteria for calculating an acceptable safe distance from the project. HUD's Acceptable Separation Distance (ASD) Electronic Assessment Tool was used to calculate the ASD for each AST. All tanks were located further away than their ASD, as summarized below: -A tank located at 750 S Spruce St, Burlington, WA. The approximate distance from site is 4643 feet, and the ASD is 773.30 feet. -Two tanks located next to Frank's Custom Upholstery at 712 S Spruce St, Burlington, WA. The approximate distance from site is 4,706 feet from the closest tank and the ASD is 1131.13 feet for the tanks. See attachments for a map, list of locations, illustration of tanks, and a summary table showing distance, volume, and ASD for each tank. Google, Inc. Google Earth Pro. Imagery Date February 22, 2024; accessed February 22, 2024. HUD. 2024. Acceptable Separation Distance Electronic Assessment Tool. <a href="https://www.hudexchange.info/programs/environmental-review/asd-calculator/">https://www.hudexchange.info/programs/environmental-review/asd-calculator/</a>. Accessed February 2024.</p>
<p><b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.</p>
<p><b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>This project is located in the FFRMS floodplain. The 8-Step Process was completed. With the 8-Step Process the project is in compliance with Executive Orders 11988 and 13690.</p>
<p><b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>As noted above, THPOs were sent letters on March 14, 2024. No responses were received within 30 days, and no objections were received at any time. The Washington Department of Archaeological and Historic Preservation (DAHP) was also notified of the project</p>



		<p>on May 15, 2024. The letter sent to DAHP requested concurrence that the buildings on the project site do not qualify for historic eligibility listing, and that no historic resources will be affected by the project. DAHP sent a letter of concurrence on May 16, 2024, noting that if any archaeological resources are uncovered during construction, work shall halt until consultation with DAHP and the appropriate tribal interests is complete. An Archaeological Survey was conducted at the project site by ECRI, dated June 12, 2024. No protected cultural resources were encountered. The survey recommends that an Unanticipated Discoveries Protocol (UDP) be on site at all times and that UDP training be completed for all workers on the site by a Professional Archaeologist. Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.</p>
<p><b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>No railroads are located within 3000 feet of the project site. One airport is located within 15 miles of the project site - Skagit Regional Airport. Attached airport noise worksheet indicates that the noise attributed to airplanes will not extend beyond the boundaries of the airport; therefore, airport noise was not considered in this analysis. Two roadways were identified within 1000 feet of the project site: * South Section Street is approximately 650 feet west of the project site * East Rio Vista Avenue is adjacent to the north of the project site. Google earth was used to measure approximate distances to each roadway. Traffic data was acquired from the Skagit Council of Governments, Traffic Counts website.</p>

		<p>Traffic counts for S Section Street for 2016 and 2022 were used to develop a compound annual increase in traffic volume which was applied to 2022 traffic data to estimate "build year" traffic volumes for 2030. The HUD DNL Calculator was used to calculate noise levels at the point on the property nearest the center of travel lanes for each roadway, using a 10 foot setback from the roadway and 12 foot lane width for East Rio Vista Avenue. The calculated DNL for the project site is 63 dBA at the location on the site nearest both roadways; therefore, all outdoor use areas and living spaces are considered acceptable and no additional mitigation is required. Screen shots of maps and calculations are provided in the attached backup documentation. Sources: NEPA Assist: <a href="https://www.epa.gov/nepa/nepassist">https://www.epa.gov/nepa/nepassist</a>. Accessed 3/7/2024 Airport IQ 5010: <a href="https://www.airportiq5010.com/5010Web/">https://www.airportiq5010.com/5010Web/</a>. Accessed 3/7/2024 Google Earth: Accessed 3/7/2024 Skagit Council of Governments, Traffic Counts: <a href="https://www.scog.net/maps/traffic-counts/">https://www.scog.net/maps/traffic-counts/</a> . Accessed 3/7/2024 HUD DNL Noise Calculator: <a href="https://www.hudexchange.info/environmental-review/dnl-calculator/">https://www.hudexchange.info/environmental-review/dnl-calculator/</a> . Accessed 3/7/2024</p>
<p><b>Sole Source Aquifers</b> Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.</p>
<p><b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. Source: National Wetlands Inventory, U.S. Fish and Wildlife Service. Accessed September 27, 2024. <a href="https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper">https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper</a></p>

<b>Wild and Scenic Rivers Act</b> Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The nearest Wild and Scenic River is the Skagit River east of Sedro-Wooley, approximately 5 miles east of the project site. The project is in compliance with the Wild and Scenic Rivers Act.
<b>HUD HOUSING ENVIRONMENTAL STANDARDS</b>		
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b> Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

**Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]**

**Impact Codes:** An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
<b>LAND DEVELOPMENT</b>			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The project location is zoned MUR-1 (Mixed Use Residential), a zoning category intended to create an environment that accommodates small scale, indoor commercial activities such as offices and professional services that generate limited traffic and noise, and allows a multiunit residential buildings. The zoning is allows for this project's mix of multiunit residential and wrap around onsite services.	
Soil Suitability / Slope/ Erosion / Drainage and	2	Geotechnical evaluation has been completed for the site. The investigation found the site to be	Geotechnical evaluation recommendations

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
Storm Water Runoff		suitable for the proposed construction and provides the following recommendations: a design with shallow foundations, footings that extend to the underlying medium dense soil, retaining geotechnical services to approve all foundation subgrades, excavating and filling potential areas of deeper unsuitable soils, completing construction during summer months when soils are drier, slope cuts no steeper than 1.5H:1V during construction or flatter in wet conditions, and temporary erosion controls. The evaluation also provides recommendations for foundation design, retaining walls, and structural fill. Refer to the Geotechnical Report attached.	will be followed. Refer to the Geotechnical Report attachment.
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	The proposed project includes residences and support areas and poses no hazards or nuisances. No site safety concerns were identified.	
<b>SOCIOECONOMIC</b>			
Employment and Income Patterns	2	The project is not anticipated to significantly impact the existing employment and income patterns of the surrounding area. The project will provide some employment opportunities during construction and after completion.	
Demographic Character Changes / Displacement	1	The project is located in a residential area and conforms to applicable zoning. The project would provide support and housing for residents in need.	
Environmental Justice EA Factor	1	The project will not have any adverse environmental effects. The project design includes green space and a playground, which will be an	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		improvement on the existing development of the property which currently has no green space.	
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and Capacity)	1	Because the proposed project increases residential housing capacity, a demand for educational and cultural services and facilities may be associated with residents. However, services provided by educational facilities will not be adversely affected due to the size of the project and its conformance with zoning requirements, and it is expected that the incremental increase in demand can be met by the existing capacity. Additionally, the project includes a community building that will provide space for educational and cultural services.	
Commercial Facilities (Access and Proximity)	1	The site is located less than a mile from the area of town with the most commercial facilities, and the supportive nature of the project on residents may allow a small, but positive, impact on local commercial businesses.	
Health Care / Social Services (Access and Capacity)	1	This project provides social services by providing wrap around social services and stable housing for local residents, especially veterans. Because the proposed project does not increase residential density but instead serves a portion of the current residential population not currently housed, demand for health care and social services and facilities is expected to stay the same. Further, it is expected that the preventative measures that project will fill will overall decrease health care and social services needs.	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The site has onsite garbage pickup and is in conformance with applicable zoning. Solid waste services will not be adversely affected. Waste created by construction and by the completed project will be hauled offsite and disposed at permitted facilities. Because the proposed project does not increase residential density but instead serves a portion of the current residential population not currently housed, overall community demand for recycling services and facilities is not anticipated.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	Access to municipal waste water/sanitary sewer service will be provided to the proposed project. Waste water/sanitary sewer services will not be adversely affected because the project is in conformance with existing zoning, and it is expected that the incremental increase in demand will be met by the existing system capacity.	
Water Supply (Feasibility and Capacity)	2	Access to City water supply will be provided to the proposed project. Water supply will not be adversely affected as the project is in conformance with existing zoning, and it is expected that water needs at the site will be met by the existing water supply capacity.	
Public Safety - Police, Fire and Emergency Medical	1	Because the proposed project does not increase residential density but instead serves a portion of the current residential population not currently housed, overall community demand for public safety services, including police, fire and emergency medical services, is not expected to increase. In addition, the project will	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		have a small but positive effect on these services as filling the need for permanent housing and social services for residents creates a safer and healthier overall community by reducing downstream causes of public safety and emergency medical incidents.	
Parks, Open Space and Recreation (Access and Capacity)	1	The proposed housing project will increase green space as it includes green space and a playground in the design. In addition, the project houses currently unhoused individuals. This reduces the pressure on these individuals to utilize parks and open space as somewhere to reside for lack of permanent housing. The project also includes a community room that can be used for recreation activities. The project will have a small but positive effect on parks, open space, and recreation.	
Transportation and Accessibility (Access and Capacity)	2	The project area is served by several Skagit Transit bus routes within walking distance, including a stop 250 feet from the project site for Route 101 which connects to the Chuckanut Park & Ride. Because the proposed project does not increase residential density but instead serves a portion of the current residential population not currently housed, there is not expected to be an increase in need for transportation. No adverse impact to transit or other transportation networks are anticipated.	
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources	2	The project is located in an urban setting and there are no unique natural features or agricultural lands in the project vicinity. The proposed	

<b>Environmental Assessment Factor</b>	<b>Impact Code</b>	<b>Impact Evaluation</b>	<b>Mitigation</b>
		project will not discharge or draw from any ground water. No surface waters occur in the project area, and stormwater runoff will be managed as necessary to avoid adverse impact to surface waters. Therefore, no adverse effects on these natural features is anticipated.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	No vegetation or wildlife will be impacted by the project. The project site is already developed, and the proposed plan will include areas of green space and landscaping that will improve vegetation compared to existing conditions.	
Other Factors 1	2	None identified.	
Other Factors 2	2	None identified.	
<b>CLIMATE AND ENERGY</b>			
Climate Change	2	The project will provide landscaping that will include species of deciduous trees. Mature trees may help regulate temperature at the site, thereby offsetting potential impacts associated with extreme heat/urban heat island effects. Geotechnical recommendations will be following to support soil suitability/stability. Flooding impacts of climate change are addressed in the floodplain impacts section. The project is not located in an area that is expected to have extreme weather events, droughts, or wildfires that are outside the range of what normal construction can withstand.	
Energy Efficiency	2	The completed facility will be weatherized/insulated and will include energy efficient lighting and appliances where practical. The project will follow the Evergreen Sustainable Development Standard's	



Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		(DOC website 2017) requirements regarding efficiency, which will exceed applicable local Code requirements.	

**Supporting documentation**

[Geotech VOA E Rio Vista Ave.pdf](#)

[City of Burlington Zoning Map Adopted May 22 2023.pdf](#)

**Additional Studies Performed:**

Atlas Technical Consultants LLC. Phase I Environmental Site Assessment: Industrial Property, 1724 East Rio Vista Avenue, Burlington, Washington 98233. Prepared for Volunteers of America Western Washington. August 24, 2023. Bush, Pinkman, Yates 2024. Archaeological Survey Report: Housing Development, 1724 East Rio Vista Avenue, Burlington, Skagit County, Washington. Kelly R. Bush, Rachel Pinkman and Ashley A. Yates. June 12, 2024. Harmsen Engineers Surveyors. Feasibility Stormwater Pollution Prevention Plan, VOA North, 1724 East Rio Vista Avenue, Burlington, WA. October 20, 2023. Nelson Geotechnical Associates, Inc. Geotechnical Engineering Evaluation, VOA East Rio Vista Avenue Residential Development, 1724 East Rio Vista Avenue, Burlington, WA. March 21, 2024. SMR Architects. Site Plan: VOA North, 1724 E Rio Vista Ave. August 15, 2023.

**Field Inspection [Optional]:** Date and completed

by:

Atlas Technical Consultants LLC

8/4/2023 12:00:00 AM

[Site Photos source VOA Burlington Final Phase 1.pdf](#)

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

Airport IQ 5010 2024. <https://www.airportiq5010.com/5010Web/>. Accessed 3/7/2024 EPA. 2024. NEPAassist Website: <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>. Environmental Protection Agency. Accessed March 7, 2024. EPA 2024. Sole Source Aquifer Map: <https://www.epa.gov/dwssa>. Environmental Protection Agency. Accessed May 9, 2024. Google, Inc. Google Earth Pro. Imagery Date February 22, 2024; accessed February 22, 2024 and March 7, 2024. HUD. 2024. Acceptable Separation Distance Electronic Assessment Tool. <https://www.hudexchange.info/programs/environmental-review/asd-calculator/>. Accessed February 2024. NEPAassist.

<https://nepassisttool.epa.gov/nepassist/nepamap.aspx>. Accessed March through May, 2024. NWSR. 2024. National Wild and Scenic Rivers map: <https://www.rivers.gov/map.php>. National Wild and Scenic Rivers System. Accessed May 9, 2024. US Department of Housing and Urban Development, Environmental Guidance website. <https://www.hud.gov/states/shared/working/r10/environment>. Accessed April 4, 2024. Skagit Council of Governments 2024. Traffic Counts: <https://www.scog.net/maps/traffic-counts/>. Accessed 3/7/2024 HUD. 2024. HUD DNL Calculator: <https://www.hudexchange.info/environmental-review/dnl-calculator/>. Dept of Housing and Urban Development. Accessed March 7, 2024.

**List of Permits Obtained:**

The following permits are required: Demolition Permit (Contractor); Building Data (Architect); Public Notice (Owner); Minor Utility (Owner); Land Use (Architect); Master Use (Architect); Building (Architect); Fire Sprinkler (Contractor); Mechanical (Contractor); Plumbing (Contractor); Electrical (Contractor); Boiler Equipment Certification (City); Electric Meters (City); Tree - Plant, Prune, Remove (Owner); Water Availability Certificate (Owner); Street Improvement Permit (Architect); Minor Utility - Water Hook Up (Owner); Minor Utility - Sewer Hook Up (Contractor); Primary Power (Contractor)

**Public Outreach [24 CFR 58.43]:****Cumulative Impact Analysis [24 CFR 58.32]:**

The proposed project does not cause any adverse environmental impacts and will not result in a significant impact on the quality of the environment.

**Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]**

An initial plan was conceptualized to determine the feasibility of the project for the funding application. Subsequent site plans were developed as a result of an iterative design process between the project's experts and project partners to accurately assess and determine the needs of the project-specific demographic eligible to reside at the project. The project sought design input from the Burlington. The site plan has been refined based on the community-partner feedback, and modifications may occur until the final site plan is complete and approved for permitting.

**No Action Alternative [24 CFR 58.40(e)]**

If no action is taken at the site, the buildings would likely continue as maintenance buildings.

**Summary of Findings and Conclusions:**

The proposed project does not cause any adverse environmental impacts and will not result in a significant impact on the quality of the environment.

**Mitigation Measures and Conditions [CFR 1505.2(c)]:**

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

<b>Law, Authority, or Factor</b>	<b>Mitigation Measure or Condition</b>	<b>Comments on Completed Measures</b>	<b>Mitigation Plan</b>	<b>Complete</b>
Flood Insurance	For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less.	N/A		
Floodplain Management	The proposed project is designed to locate the finished floor elevations at or above the FFRMS floodplain elevation. Site	N/A		

	<p>grading will maintain elevations generally below the FFRMS floodplain elevation. FFRMS floodplain impacts have been minimized to limit fill in the floodplain to raising the building finished floor elevations to/above the FFRMS floodplain.</p> <p>Mitigation for loss of flood storage is not proposed, due to the presence of the levee that disrupts connection to the Skagit River and proposed site improvements to stormwater treatment and landscaping. The project is expected to have a discountable effect on floodplain access, flood flow velocities, and floodplain storage.</p>			
Contamination and Toxic Substances	<p>A Phase I Environmental Site Assessment was completed by Atlas Technical Consultants LLC in August 2023, for the project site at 1724 East Rio Vista Avenue in Burlington, WA. The assessment identified one REC. The assessment found several septic systems, as well as utility sinks discharging to the septic systems that may have been used inappropriately to dispose of materials used at auto maintenance facilities occupying multiple buildings at the project site. This potential improper dumping of chemicals may</p>	N/A	<p>A Phase I ESA for the site identified potential discharge of auto maintenance waste to septic tanks as a REC for the project site. To mitigate the REC, a plan to remove any remaining septic systems is in place. The plan will identify whether hazardous materials are in place and if found, appropriate</p>	

	<p>have resulted in a release to the subsurface, and is therefore considered a REC to the project site. Mitigation is in place via an Onsite Sewage System Removal Plan, which has been developed to remove any remaining septic tanks located on the project site. The plan has a protocol in place to determine whether contents are hazardous, and to implement proper investigation and removal if so.</p>		<p>investigation and disposal will take place following guidelines laid out in the Onsite Sewage System Removal Plan.</p>	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	<p>Geotechnical evaluation recommendations will be followed. Refer to the Geotechnical Report attachment.</p>	N/A	<p>Geotechnical evaluation recommendations will be followed.</p>	

#### **Project Mitigation Plan**

The mitigation plan for identifying and disposing hazardous waste is part of the overall project design plan and will be included in relevant agreements and specifications as project plans are finalized. The Senior Construction Manager, Stacey C. Gordon with Beacon Development Group, will be responsible for ensuring that project agreements and specifications are followed during project construction. [Septic Tank Removal Plan - 1724 Rio Vista Ave Burlington WA \(REV 4\)\(1\).pdf](#)

#### **Supporting documentation on completed measures**

## APPENDIX A: Related Federal Laws and Authorities

### Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

### Screen Summary

#### Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. Skagit Regional Airport (a civilian airport) is the closest airport in proximity to the project site and is approximately 25,000 feet from the project site.

#### Supporting documentation

[Airport Map.JPG](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

**Coastal Barrier Resources**

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

**This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.**

**Compliance Determination**

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

**Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

**1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?**

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

**2. Upload a FEMA/FIRM map showing the site here:**

[Att 2 Flooplain Map.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The [FEMA Map Service Center](#) provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use the best available information to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site. Provide FEMA/FIRM floodplain zone designation, panel number, and date within your documentation.

**Is the structure, part of the structure, or insurable property located in a FEMA-designated Special Flood Hazard Area?**

No

✓ Yes

**3. Is the community participating in the National Flood Insurance Program or has less than one year passed since FEMA notification of Special Flood Hazards?**

✓ Yes, the community is participating in the National Flood Insurance Program.

Based on the response, the review is in compliance with this section. Flood insurance under the National Flood Insurance Program must be



obtained and maintained for the economic life of the project, in the amount of the total project cost or the maximum coverage limit, whichever is less.

Document and upload a copy of the flood insurance policy declaration or a paid receipt for the current annual flood insurance premium and a copy of the application for flood insurance below.

Yes, less than one year has passed since FEMA notification of Special Flood Hazards.

No. The community is not participating, or its participation has been suspended.

### **Screen Summary**

#### **Compliance Determination**

The structure or insurable property is located in a FEMA-designated Special Flood Hazard Area. The community is participating in the National Flood Insurance Program. For loans, loan insurance or guarantees, the amount of flood insurance coverage must at least equal the outstanding principal balance of the loan or the maximum limit of coverage made available under the National Flood Insurance Program, whichever is less. For grants and other non-loan forms of financial assistance, flood insurance coverage must be continued for the life of the building irrespective of the transfer of ownership. The amount of coverage must at least equal the total project cost or the maximum coverage limit of the National Flood Insurance Program, whichever is less. With flood insurance the project is in compliance with flood insurance requirements.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

No

## Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

**1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?**

Yes

No

### Air Quality Attainment Status of Project's County or Air Quality Management District

**2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?**

No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

### Screen Summary

#### Compliance Determination

The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

#### Supporting documentation

[Air\\_NEPAAssist.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

**1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?**

- Yes  
 No

**2. Does this project include new construction, conversion, major rehabilitation, or substantial improvement activities?**

- Yes  
 No

Based on the response, the review is in compliance with this section.

### Screen Summary

#### **Compliance Determination**

Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act. As of July 22, 2020, Washington State Department of Ecology (Ecology) notified HUD of the following: "Ecology has concluded that it is unnecessary for U.S. Department of Housing and Urban Development (HUD) to continue to send project information in order to receive Ecology's concurrence that the funding phase of the project is consistent with Washington's CZMP. Therefore, we are writing to inform you that HUD no longer needs to require applicants to send Ecology letters seeking

our concurrence on projects for which HUD plans to release federal funding." Concurrence from Ecology for Coastal Zone Management (CZM) is no longer required under a Part 58 or Part 50 Environmental Review in Washington State. However, at the time of project development, the activity may trigger review if it falls under other parts of the Coastal Zone Management Act (CZMA) regulations for federal agency activities (Title 15 CFR Part 930, Subpart C), or consistency for activities requiring a federal license or permit (Title 15 CFR Part 930, Subpart D) and will be subject to all enforceable policies of the Coastal Zone Management Program. It is during the local permitting process that a project might be subject to CZM and further review by Ecology. Reference: US Department of Housing and Urban Development, Environmental Guidance website. <https://www.hud.gov/states/shared/working/r10/environment>. Accessed April 4, 2024.

**Supporting documentation****Are formal compliance steps or mitigation required?**

Yes

 No

## Contamination and Toxic Substances

General Requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)
<b>Reference</b>		
<a href="https://www.onecpd.info/environmental-review/site-contamination">https://www.onecpd.info/environmental-review/site-contamination</a>		

**1. How was site contamination evaluated?\* Select all that apply.**

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

\* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.

For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

**2. Were any on-site or nearby toxic, hazardous, or radioactive substances\* (excluding radon) found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)**

Provide a map or other documentation of absence or presence of contamination\*\* and explain evaluation of site contamination in the Screen Summary at the bottom of this screen.

No

Explain:

✓ Yes

\* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.

\*\* Utilize EPA's Enviromapper, NEPAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

**3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions\* from having to consider radon in the contamination analysis listed in CPD Notice [CPD-23-103](#)?**

Yes

Explain:

✓ No

\* Notes:

- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance: test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

**4. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?**

Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

✓ No

**5. Was radon testing or a scientific data review conducted that provided a radon concentration level in pCi/L?**

✓ Yes

No

If no testing was conducted and a review of science-based data offered a lack of science-based data for the project site, then document and upload the steps taken to look for documented test results and science-based data as well as the basis for the conclusion that testing would be infeasible or impracticable.

Explain:

File Upload:

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Non-radon contamination was found in a previous question.

**6. How was radon data collected?**

All buildings involved were tested for radon

✓ A review of science-based data was conducted

Enter the Radon concentration value, in pCi/L, derived from the review of science-based data:



1.7

Provide the documentation\* used to derive this value:

Review of CDC's publicly available county Radon data shows that in Skagit County, state reported pre-mitigation radon levels have been tested at least 125 times during the most recent 10 year period, and the average result is 1.7 (pCi/L), well below the EPA's recommended limit of 4.0 (pCi/L).

File Upload:

[Radon Data\\_SkagitCounty.pdf](#)

Based on the response, the review is in compliance with this section. Continue to the Screen Summary at the bottom of this screen.

Radon concentration value is greater than or equal to 4.0 pCi/L and/or non-radon contamination was found in a previous question. Continue to Mitigation.

\* For example, if you conducted radon testing then provide a testing report (such as an ANSI/AARST report or DIY test) if applicable (note: DIY tests are not eligible for use in multifamily buildings), or documentation of the test results. If you conducted a scientific data review, then describe and cite the maps and data used and include copies of all supporting documentation. Ensure that the best available data is utilized, if conducting a scientific data review.

## 8. Mitigation

Document the mitigation needed according to the requirements of the appropriate federal, state, tribal, or local oversight agency. If the adverse environmental impacts cannot be mitigated, then HUD assistance may not be used for the project at this site.

For instances where radon mitigation is required (i.e. where test results demonstrated radon levels at 4.0 pCi/L and above), then you must include a radon mitigation plan\*.

### Can all adverse environmental impacts be mitigated?

No, all adverse environmental impacts cannot feasibly be mitigated.  
Project cannot proceed at this location.

- ✓ Yes, all adverse environmental impacts can be eliminated through mitigation, and/or consideration of radon and radon mitigation, if

needed, will occur following construction.  
Provide all mitigation requirements\*\* and documents in the Screen Summary at the bottom of this screen.

\* Refer to CPD Notice [CPD-23-103](#) for additional information on radon mitigation plans.

\*\* Mitigation requirements include all clean-up requirements required by applicable federal, state, tribal, or local law. Additionally, please upload, as applicable, the long-term operations and maintenance plan, Remedial Action Work Plan, and other equivalent documents.

**9. Describe how compliance was achieved. Include any of the following that apply: State Voluntary Clean-up Program, a No Further Action letter, use of engineering controls\*, or use of institutional controls\*\*.**

A Phase I Environmental Site Assessment was completed by Atlas Technical Consultants LLC in August 2023, for the project site at 1724 East Rio Vista Avenue in Burlington, WA. The assessment identified one REC. The assessment found several septic systems, as well as utility sinks discharging to the septic systems that may have been used inappropriately to dispose of materials used at auto maintenance facilities occupying multiple buildings at the project site. This potential improper dumping of chemicals may have resulted in a release to the subsurface, and is therefore considered a REC to the project site. Mitigation is in place via an Onsite Sewage System Removal Plan, which has been developed to remove any remaining septic tanks located on the project site. The plan has a protocol in place to determine whether contents are hazardous, and to implement proper investigation and removal if so.

If a remediation plan or clean-up program was necessary, which standard does it follow?

Complete removal

Risk-based corrective action (RBCA)

Other

\* Engineering controls are any physical mechanism used to contain or stabilize contamination or ensure the effectiveness of a remedial action. Engineering controls may include, caps, covers, dikes, trenches, leachate collection systems, radon mitigation systems, signs, fences, physical access controls, ground water monitoring systems and ground water containment systems including, slurry walls and ground water pumping systems.

\*\* Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

### **Screen Summary**

#### **Compliance Determination**

A Phase I Environmental Site Assessment was completed by Atlas Technical Consultants LLC in August 2023, for the project site at 1724 East Rio Vista Avenue in Burlington, WA. The assessment identified one REC. The assessment found several septic systems, as well as utility sinks discharging to the septic systems that may have been used inappropriately to dispose of materials used at auto maintenance facilities occupying multiple buildings at the project site. This potential improper dumping of chemicals may have resulted in a release to the subsurface, and is therefore considered a REC to the project site. Mitigation is in place via an On Site Sewage System Decommissioning Management Plan, which has been developed to remove all five septic tanks located on the project site. The plan has controls in place for establishing whether the tanks held hazardous contents, and if tanks are found to contain hazardous contents, their removal will comply with UST removal regulations. Atlas also performed a Pre-Demolition Hazardous Materials Survey and UST Assessment. No hazardous building materials were identified in the survey sampling. The UST assessed in the report was a septic tank. No testing was performed on septic tank sludge. Review of CDC's publicly available county Radon data shows that in Skagit County, state reported pre-mitigation radon levels have been tested at least 125 times during the most recent 10 year period, and the average result is 1.7 (pCi/L), well below the EPA's recommended limit of 4.0 (pCi/L). Atlas 2023. Phase I Environmental Site Assessment, Industrial Property, 1724 East Rio Vista Avenue, Burlington, WA 98233. Prepared for Volunteer of America Western Washington. Atlas Technical Consultants, LLC. August 24. Atlas 2024. Pre-Demolition Hazardous Materials Survey and UST Assessment, East Rio Vista. Atlas Technical Consultants LLC. December 5. Volunteers of America Western Washington. 2025. Existing Conditions: On Site Sewage System Removal Management Plan, 1724 Rio Vista, Burlington, WA. January 13th. CDC. 2024. National Environmental Public Health Tracking Network. Radon Data. <https://ephtracking.cdc.gov/DataExplorer/?c=31>. Accessed September 26, 2024.

#### **Supporting documentation**

[Radon Data-SkagitCounty.pdf](#)

[Septic Tank Removal Plan - 1724 Rio Vista Ave Burlington WA \(REV 4\).pdf](#)

[East Rio Avenue Burlington HAZMAT report.pdf](#)  
[VOA Burlington Final Phase 1 - Condensed.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i> ); particularly section 7 (16 USC 1536).	50 CFR Part 402

**1. Does the project involve any activities that have the potential to affect species or habitats?**

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

**2. Are federally listed species or designated critical habitats present in the action area?**

No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

- ✓ Yes, there are federally listed species or designated critical habitats present in the action area.

**3. What effects, if any, will your project have on federally listed species or designated critical habitat?**

No Effect: Based on the specifics of both the project and any federally listed species in the action area, you have determined that the project will have absolutely no effect on listed species or critical habitat. in the action area.

- ✓ May Affect, Not Likely to Adversely Affect: Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant.

Likely to Adversely Affect: The project may have negative effects on one or more listed species or critical habitat.

**4. Informal Consultation is required**

Section 7 of ESA (16 USC. 1536) mandates consultation to resolve potential impacts to endangered and threatened species and critical habitats. If a HUD-assisted project may affect any federally listed endangered or threatened species or critical habitat, then compliance is required with Section 7. See 50 CFR Part 402 Subpart B Consultation Procedures.

**Did the Service(s) concur with the finding that the project is Not Likely to Adversely Affect?**

- ✓ Yes, the Service(s) concurred with the finding.

Based on the response, the review is in compliance with this section. Document and upload the following below:

- (1) A biological evaluation or equivalent document
- (2) Concurrence(s) from FWS and/or NMFS
- (3) Any other documentation of informal consultation

Exception: If finding was made based on procedures provided by a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office, provide whatever documentation is mandated by that agreement.

No, the Service(s) did not concur with the finding.

**6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review. If negative effects cannot be mitigated, cancel the project using the button at the bottom of this screen.**

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

NOAA Fisheries and USFWS issued separate concurrences of No Adverse Affects.

#### **Screen Summary**

##### **Compliance Determination**

This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted. This project is in compliance with the Endangered Species Act without mitigation.

##### **Supporting documentation**

[Landau VOA North BA\\_Final 20240820.pdf](#)

[WCRO-2024-02085\\_VOAHousing\\_20241121.pdf](#)

[2024-0135217\\_HUD\\_SkagitCo\\_VOA-North\\_LOC\\_Signed.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

- ✓ No

## Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

**1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?**

No

Yes

**2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?**

No

Yes

**3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:**

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR
- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

No

Yes



**4. Based on the analysis, is the proposed HUD-assisted project located at or beyond the required separation distance from all covered tanks?**

Yes

Based on the response, the review is in compliance with this section.

No

**Screen Summary**

**Compliance Determination**

Google Earth aerial imagery (image date 2/22/2024) was reviewed to identify tanks within a 1-mile radius of the project location. A screenshot of the aerial imagery is attached showing the location of the tanks identified. The Skagit County permit website was also reviewed for permits related to tank installation and none were identified. Aerial review results identified a total of three tanks that met the criteria for calculating an acceptable safe distance from the project. HUD's Acceptable Separation Distance (ASD) Electronic Assessment Tool was used to calculate the ASD for each AST. All tanks were located further away than their ASD, as summarized below: -A tank located at 750 S Spruce St, Burlington, WA. The approximate distance from site is 4643 feet, and the ASD is 773.30 feet. -Two tanks located next to Frank's Custom Upholstery at 712 S Spruce St, Burlington, WA. The approximate distance from site is 4,706 feet from the closest tank and the ASD is 1131.13 feet for the tanks. See attachments for a map, list of locations, illustration of tanks, and a summary table showing distance, volume, and ASD for each tank. Google, Inc. Google Earth Pro. Imagery Date February 22, 2024; accessed February 22, 2024. HUD. 2024. Acceptable Separation Distance Electronic Assessment Tool. <https://www.hudexchange.info/programs/environmental-review/asd-calculator/>. Accessed February 2024.

**Supporting documentation**

[Explosives and Flammable Hazards.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No



## Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	<a href="#">7 CFR Part 658</a>

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Project site has no history of agricultural use, is currently in use as commercial. See attached Phase I ESA.

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

### Screen Summary

#### **Compliance Determination**

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

#### **Supporting documentation**

[VOAWW Burlington WA\\_Phase I ESA.pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

No



## Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires Federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

**1. Does this project meet an exemption at 24 CFR 55.12 from compliance with HUD's floodplain management regulations in Part 55?**

Yes

(a) HUD-assisted activities described in 24 CFR 58.34 and 58.35(b).

(b) HUD-assisted activities described in 24 CFR 50.19, except as otherwise indicated in § 50.19.

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:

(1) The property is cleared of all existing buildings and walled structures; and

(2) The property is cleared of related improvements except those which:

(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);

(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and

(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance,

or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

No

**2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.**

Yes

Describe:

No

**3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination**

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information<sup>1</sup> to determine flood elevation. Include documentation and an explanation of why this is the best available information<sup>2</sup> for the site. Note that newly constructed and substantially improved<sup>3</sup> structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool, data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

- ✓ FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

<sup>1</sup> Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

<sup>2</sup> If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your [local environmental officer](#) with additional compliance questions.

<sup>3</sup> Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at [24 CFR 55.2\(b\)\(12\)](#).

5. Does your project occur in the FFRMS floodplain?

Yes

No

6. Is your project located in any of the floodplain categories below?

Select all that apply:

Floodway.

Do the floodway exemptions at 55.8 or 55.21 apply?

Yes

No

Coastal High Hazard Area (V Zone) or Limit of Moderate Wave Action (LiMWA).

Yes

No

None of the above.

7. Does the 8-Step Process apply? Select one of the following options:

8-Step Process is inapplicable per 55.13.

(a) HUD's mortgage insurance actions and other financial assistance for the purchasing, mortgaging, or refinancing of existing one- to four-family properties in communities that are in the Regular Program of the NFIP and in good standing ( i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24), where the action is not a critical action and the property is not located in a floodway, coastal high hazard area, or LiMWA;

(b) Financial assistance for minor repairs or improvements on one- to four-family properties that do not meet the thresholds for "substantial improvement" under § 55.2(b)(12);



(c) HUD or a recipient's actions involving the disposition of individual HUD or recipient held, one- to four-family properties;

(d) HUD guarantees under the Loan Guarantee Recovery Fund Program (24 CFR part 573), where any new construction or rehabilitation financed by the existing loan or mortgage has been completed prior to the filing of an application under the program, and the refinancing will not allow further construction or rehabilitation, nor result in any physical impacts or changes except for routine maintenance;

(e) The approval of financial assistance to lease units within an existing structure located within the floodplain, but only if;

- (1) The structure is located outside the floodway or coastal high hazard area, and is in a community that is in the Regular Program of the NFIP and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24); and
- (2) The project is not a critical action; and
- (3) The entire structure is or will be fully insured or insured to the maximum extent available under the NFIP for at least the term of the lease.

(f) Special projects for the purpose of improving efficiency of utilities or installing renewable energy that involve the repair, rehabilitation, modernization, weatherization, or improvement of existing structures or infrastructure, do not meet the thresholds for "substantial improvement" under § 55.2(b)(12), and do not include the installation of equipment below the FFRMS floodplain elevation;

5-Step Process is applicable per 55.14.

(a) HUD actions involving the disposition of HUD-acquired multifamily housing projects or "bulk sales" of HUD-acquired one- to four-family properties in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and in good standing (i.e., not suspended from program eligibility or placed on probation under 44 CFR 59.24).

(b) HUD's actions under the National Housing Act (12 U.S.C. 1701) for the purchase or refinancing of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, and intermediate care facilities, in communities that are in good standing under the NFIP.

(c) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing multifamily housing projects, hospitals, nursing homes, assisted living facilities, board and care facilities, intermediate care facilities, and one- to four-family properties, in communities that are in the Regular Program of the National Flood Insurance Program (NFIP) and are in good standing, provided that the number of units is not increased more than 20 percent, the action does not involve a conversion from nonresidential to residential land use, the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10), and the footprint of the structure and paved areas is not increased by more than 20 percent.

(d) HUD's (or the recipient's) actions under any HUD program involving the repair, rehabilitation, modernization, weatherization, or improvement of existing nonresidential buildings and structures, in communities that are in the Regular Program of the NFIP and are in good standing, provided that the action does not meet the thresholds for "substantial improvement" under § 55.2(b)(10) and that the footprint of the structure and paved areas is not increased by more than 20 percent.

(e) HUD's or the recipient's actions under any HUD program involving the repair, rehabilitation, or replacement of existing nonstructural improvements including streets, curbs and gutters, where any increase of the total impervious surface area of the facility is de minimis. This provision does not include critical actions, levee systems, chemical storage facilities (including any tanks), wastewater facilities, or sewer lagoons.

✓ 8-Step Process applies.

#### 8. Mitigation

For the project to comply with this section, all adverse impacts must be mitigated. Explain in detail the measures that must be implemented to mitigate the impact or effect, including the timeline for implementation. Note: newly constructed and substantially improved structures within the FFRMS floodplain must be elevated to the FFRMS floodplain elevation or floodproofed, if applicable.

Explain:

The proposed project is designed to locate the finished floor elevations at or above the

FFRMS floodplain elevation. Site grading will maintain elevations generally below the FFRMS floodplain elevation. FFRMS floodplain impacts have been minimized to limit fill in the floodplain to raising the building finished floor elevations to/above the FFRMS floodplain. Mitigation for loss of flood storage is not proposed, due to the presence of the levee that disrupts connection to the Skagit River and proposed site improvements to stormwater treatment and landscaping. The project is expected to have a discountable effect on floodplain access, flood flow velocities, and floodplain storage.

Which of the following if any mitigation/minimization measures have been identified for this project in the 8-Step or 5-Step Process?

Buyout and demolition or other supported clearance of floodplain structures.

Insurance purchased in excess of statutory requirement th eunder the Flood Disaster Protection Act of 1973.

Permeable surfaces.

Natural landscape enhancements that maintain or restore natural hydrology.

✓ Planting or restoring native plant species.

Bioswales.

Stormwater capture and reuse.

Green or vegetative roofs with drainage provisions.

Natural Resources Conservation Service conservation easements or similar easements.

Floodproofing of structures as allowable (e.g. non-residential floors) .

✓ Elevating structures (including freeboard above the required base flood elevations) .

Levee or structural protection from flooding.

Channelizing or redefining the floodway or floodplain through a Letter of Map Revision (LOMR).

### Screen Summary

**Compliance Determination**

This project is located in the FFRMS floodplain. The 8-Step Process was completed. With the 8-Step Process the project is in compliance with Executive Orders 11988 and 13690.

**Supporting documentation**

[VOA North - Floodplain 8 Step TM.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" <a href="https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf">https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf</a>

### **Threshold**

#### **Is Section 106 review required for your project?**

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA ). (See the PA Database to find applicable PAs.)  
 No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

### **Step 1 – Initiate Consultation**

#### **Select all consulting parties below (check all that apply):**

- ✓ State Historic Preservation Offer (SHPO)    Completed
- ✓ Advisory Council on Historic Preservation    Completed
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)
- ✓ Jackie Ferry, THPO, Samish Indian Nation    Completed

✓ Joseph Kevin, THPO, Swinomish	Completed
✓ Josephine Jefferson, THPO, Sauk-Suiattle Tribe	Completed
✓ Kate Valdez, THPO, Yakama Nation	Completed
✓ Kerry Lyste, THPO, Stillaguamish	Completed
✓ Lena Tso, THPO, Lummi Nation	Completed
✓ Robert Brunoe, THPO, Warm Springs	Completed
✓ Rose Ferri, Interim THPO, Yakama Nation	Completed

#### Other Consulting Parties

#### **Describe the process of selecting consulting parties and initiating consultation here:**

HUD's Tribal Directory Assessment Tool was used to identify THPOs at tribes with an interest in the project area. THPOs were sent letters on March 14, 2024. The Washington Department of Archaeological and Historic Preservation (DAHP) was also notified of the project on May 15, 2024. Results of the consultations are described further below.

Document and upload all correspondence, notices and notes (including comments and objections received below).

#### **Was the Section 106 Lender Delegation Memo used for Section 106 consultation?**

Yes

No

#### ***Step 2 – Identify and Evaluate Historic Properties***

- 1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**

1724 East Rio Vista Avenue Burlington WA 98233 Skagit County Parcel P62688

**In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.**

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination

below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
1724 East Rio Vista Avenue	Not Eligible	Yes	✓ Not Sensitive

**Additional Notes:**

**2. Was a survey of historic buildings and/or archeological sites done as part of the project?**

✓ Yes

Document and upload surveys and report(s) below.

For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

Additional Notes:

No

***Step 3 –Assess Effects of the Project on Historic Properties***

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

**Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.**

✓ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload

concurrence(s) or objection(s) below.

**Document reason for finding:**

- ✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

**Screen Summary**

**Compliance Determination**

As noted above, THPOs were sent letters on March 14, 2024. No responses were received within 30 days, and no objections were received at any time. The Washington Department of Archaeological and Historic Preservation (DAHP) was also notified of the project on May 15, 2024. The letter sent to DAHP requested concurrence that the buildings on the project site do not qualify for historic eligibility listing, and that no historic resources will be affected by the project. DAHP sent a letter of concurrence on May 16, 2024, noting that if any archaeological resources are uncovered during construction, work shall halt until consultation with DAHP and the appropriate tribal interests is complete. An Archaeological Survey was conducted at the project site by ECRI, dated June 12, 2024. No protected cultural resources were encountered. The survey recommends that an Unanticipated Discoveries Protocol (UDP) be on site at all times and that UDP training be completed for all workers on the site by a Professional Archaeologist. Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

**Supporting documentation**

[TribalNotificationLetters\\_combined\\_VOANorth.pdf](#)  
[VOA 1724 Rio Vista Archaeology Survey Report Revised.pdf](#)  
[HistoricPreservationChecklistWashingtonState2023.pdf](#)  
[2024-05-03510\\_NotEligible.pdf](#)

**Are formal compliance steps or mitigation required?**

- ✓ Yes

No





## Noise Abatement and Control

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972  General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B

**1. What activities does your project involve? Check all that apply:**

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster  
None of the above

**4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).**

**Indicate the findings of the Preliminary Screening below:**

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

- ✓ Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here: 63

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 63

Document and upload noise analysis, including noise level and data used to complete the analysis below.

### **Screen Summary**

#### **Compliance Determination**

No railroads are located within 3000 feet of the project site. One airport is located within 15 miles of the project site - Skagit Regional Airport. Attached airport noise worksheet indicates that the noise attributed to airplanes will not extend beyond the boundaries of the airport; therefore, airport noise was not considered in this analysis. Two roadways were identified within 1000 feet of the project site: \* South Section Street is approximately 650 feet west of the project site \* East Rio Vista Avenue is adjacent to the north of the project site. Google earth was used to measure

approximate distances to each roadway. Traffic data was acquired from the Skagit Council of Governments, Traffic Counts website. Traffic counts for S Section Street for 2016 and 2022 were used to develop a compound annual increase in traffic volume which was applied to 2022 traffic data to estimate "build year" traffic volumes for 2030. The HUD DNL Calculator was used to calculate noise levels at the point on the property nearest the center of travel lanes for each roadway, using a 10 foot setback from the roadway and 12 foot lane width for East Rio Vista Avenue. The calculated DNL for the project site is 63 dBA at the location on the site nearest both roadways; therefore, all outdoor use areas and living spaces are considered acceptable and no additional mitigation is required. Screen shots of maps and calculations are provided in the attached backup documentation. Sources: NEPA Assist: <https://www.epa.gov/nepa/nepassist>. Accessed 3/7/2024 Airport IQ 5010: <https://www.airportiq5010.com/5010Web/>. Accessed 3/7/2024 Google Earth: Accessed 3/7/2024 Skagit Council of Governments, Traffic Counts: <https://www.scog.net/maps/traffic-counts/> . Accessed 3/7/2024 HUD DNL Noise Calculator: <https://www.hudexchange.info/environmental-review/dnl-calculator/> . Accessed 3/7/2024

**Supporting documentation**

[Noise Backup\\_VOA-North.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No

## Sole Source Aquifers

General requirements	Legislation	Regulation
<b>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</b>	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

✓ No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

✓ No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

### Screen Summary

#### Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements.

#### Supporting documentation

[SSA\\_Voa-North.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

No

## Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

**1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order**

No

Yes

**2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.**

**"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."**

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

### **Screen Summary**

#### **Compliance Determination**

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. Source: National Wetlands Inventory, U.S. Fish and Wildlife Service. Accessed September 27, 2024. <https://www.fws.gov/program/national-wetlands-inventory/wetlands-mapper>

**Supporting documentation**

[Wetlands-Backup\\_NWI\\_USFWS.pdf](#)

**Are formal compliance steps or mitigation required?**

Yes

✓ No



## Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

### 1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

### Screen Summary

#### **Compliance Determination**

This project is not within proximity of a NWSRS river. The nearest Wild and Scenic River is the Skagit River east of Sedro-Wooley, approximately 5 miles east of the project site. The project is in compliance with the Wild and Scenic Rivers Act.

#### **Supporting documentation**

[Wild\\_and\\_Scenic\\_Backup-VOA-North.pdf](#)

#### **Are formal compliance steps or mitigation required?**

Yes

No

## Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

**HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.**

**1. Were any adverse environmental impacts identified in any other compliance review portion of this project's total environmental review?**

Yes

No

Based on the response, the review is in compliance with this section.

### Screen Summary

#### **Compliance Determination**

No adverse environmental impacts were identified in the project's total environmental review. The project is in compliance with Executive Order 12898.

#### **Supporting documentation**

**Are formal compliance steps or mitigation required?**

Yes

No