

DRAFT TECHNICAL MEMORANDUM

TO: Shelley Kjos, Skagit County Public Health Housing Resource Coordinator

Cc: Geoffrey Taylor, Beacon Development Group

FROM: Steven Quarterman

DATE: December 18, 2024

RE: Floodplain Management 8-Step Decision-Making Process
VOA North
1724 East Rio Vista Avenue
Burlington, Washington
Landau Project No. 2116001.010

INTRODUCTION

Volunteers of America (VOA) will be receiving Project-Based Veterans Affairs Supportive Housing (VASH) Vouchers for the project listed above from the US Department of Housing and Urban Development (HUD). Under HUD regulation 24 Code of Federal Regulations (CFR) 58.4, Skagit County (the County) has assumed HUD's environmental review responsibilities for the project, including floodplain management. Executive Order (EO) 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. EO 13690 (Establishing a Federal Flood Risk Management Standard [FFRMS] and a Process for Further Soliciting and Considering Stakeholder Input) revised EO 11988 and established a new FFRMS to address current and future flood risk, improve resiliency, and ensure that projects funded with taxpayer dollars last as long as intended. EO 14030 (Climate-Related Financial Risk) subsequently furthered measures to address climate-related financial risk.

HUD's regulations in 24 CFR Part 55 outline HUD's procedures for complying with EO 11988, EO 13690, and EO 14030. HUD's Final Rule to implement FFRMS was published on April 23, 2024; it defines a new floodplain of concern, the FFRMS floodplain, which extends beyond the 100-year floodplain.

This technical memorandum provides the decision-making process for the above-referenced EOs as provided in 24 CFR 55.20 (Decision-Making Process).

PROJECT DESCRIPTION

VOA North (the project) is a project of VOA Western Washington (VOAWW) located at 1724 East Rio Vista Avenue in the City of Burlington (the City), Skagit County, Washington (Figure 1). 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 that 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 VOAWW and its community partners. VOA North will provide residents of the County who have limited housing options with 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. The four three-story residential buildings will have eight units each, with three units on the first and second floors 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 greenspace while a play area will be located at one of these greenspaces. 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.

8-STEP DECISION-MAKING PROCESS

The following steps have been modified from 24 CFR 55.20.

Step 1. Determine whether the proposed action is located in the FFRMS floodplain or wetland

The project site is within the Federal Emergency Management Agency (FEMA) 100-year floodplain of the Skagit River, with corresponding base flood elevation (BFE) of approximately 39 feet (ft) in the National Geodetic Vertical Datum of 1929 (NGVD29); 43 ft in the North American Vertical Datum of 1988 [NAVD88]¹. The FFRMS floodplain elevation applied for this project is the freeboard value approach (FVA), which applies an additional 2 ft of elevation above the BFE for noncritical actions.

The project site does not contain any wetlands.

Step 2. Early public and agency notification

A public notice describing the project was published in English and Spanish in the Skagit Valley Herald, the local and regional paper, and the Skagit County HOME Consortium on October 3, 2024 (Attachment 1). The ad targeted local residents, including those in the floodplain, and the required 15 calendar days were allowed for public comment. As required by regulation, the notice also included the name,

¹ FEMA. 1985. Flood Insurance Rate Map, Skagit County, Washington; Panel No. 5301510250C. Federal Emergency Management Agency. January 3.

proposed location and description of the activity, total number of floodplain acres involved, and the County contact for information, as well as the location and hours of the office at which a full description of the proposed action can be viewed.

There were no comments received from the publication of the notice on October 3, 2024.

Step 3. Identify and evaluate practicable alternatives to locating the proposed action in the FFRMS floodplain or wetland

VOAWW considered three sites in addition to the 1724 East Rio Vista Avenue site. Site alternatives were limited to areas within the City to meet the programmatic needs of the project, which include but are not limited to having access to the following:

- Groceries, farmers markets, and food banks
- Licensed childcare
- Medical care
- Employment opportunities
- Libraries
- Outdoor parks and nature trails
- Places of worship
- Public transportation
- Schools
- Senior centers

Nearly the entirety of the City is located in the 100-year floodplain (Attachment 2).

The alternative sites included the following:

- **Location #1, 721 East Fairhaven** – This property is on an active street in the core of downtown Burlington. The property was going to be donated by the American Legion Post 91, as a partnership with VOAWW. After conducting feasibility studies, it was determined that the site was too small for the needs of the project. This property was also located in a 100-year floodplain.
- **Location #2, 406 East Fairhaven** – This property has a permanently closed restaurant located on it and the City is currently using it for a public parking area. The owner was out of the country and was not willing to sell within the time needed for acquisition in order to make the construction schedule.
- **Location #3, 467 Pease Road** – This property is in the industrial area of Burlington. It was decided that the area was too far removed from the programmatic needs of the project. This property is also located in a 100-year floodplain.

A No Action Alternative was also considered. Under the No Action Alternative, FFRMS floodplain impacts would be avoided; however, affordable housing would not be constructed, so the programmatic needs of the project would not be met.

There is no practicable alternative to locating the proposed action in the FFRMS floodplain.

Step 4. Identify potential direct and indirect impacts associated with floodplain development

The proposed project is designed to locate the finished floor elevations at or above the FFRMS floodplain elevation. Furthermore, the project proponent completed a floodplain no-rise analysis evaluating the effect of development on flood elevations and provided opinion that new development would not cause an increase in flood levels during the Base Flood Discharge Event (Attachment 3). Site grading beyond the proposed buildings will maintain elevations generally below the FFRMS floodplain elevation.

The site is currently used as a commercial operation with several large structures on the site with gravel and paved access from East Rio Vista Avenue to the north. The Skagit River is located approximately 1,400 linear ft (lf) from the project site and a levee occurs between the project site and the river. Proposed landscaping for the site includes a mix of deciduous and coniferous trees with shrubs and groundcover, whereas existing landscaping is limited to areas of grass.

The project design incorporates Low-Impact Development (LID) methods for stormwater treatment. The stormwater system will infiltrate all onsite runoff and will be located in the 100-year floodplain. The rim elevations of the new storm system will be in the range of elevation 42.2 to 42.5 ft compared to BFE of approximately 43 ft. Infiltration systems are prone to plugging by suspended sediment particles and floods are known for having significant suspended sediments. It is preferable to have the infiltration system protected from inundation by floodwaters as a means to preserving its function. The proposed site grading would reduce the threat of inundation of this system.

The project location and setting are an existing degraded floodplain condition due to existing development, distance to the mainstem of the Skagit River (i.e., approximately 1,400 lf), and separation from the river by an existing levee. As a result, the project is expected to have a discountable effect on floodplain access, flood flow velocities, and floodplain storage. In regard to salmon habitat, the proposed project includes landscaping that will improve habitat conditions in the event that flooding occurs and the site is accessible to salmonids.

Step 5. Where practicable, design or modify the proposed action to minimize the potential adverse impacts to and from the FFRMS floodplain

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.

Step 6. Reevaluate the alternatives

The proposed action remains practicable based on raising the finished floor elevations of the proposed buildings so that the newly constructed housing units will be above the FFRMS floodplain elevation, thereby reducing the exposure risk to the housing unit occupants and employees. The proposed action will not result in a change of base flood elevation in the area.

Step 7. Final public and agency notification

A final notice was published in English and Spanish in the Skagit Valley Herald on January 9, 2025. The notice explains the reasons why the modified project must be located in the floodplain, offers a list of alternatives considered at Steps 3 and 6, and describes all mitigation measures at Step 5 taken to minimize adverse impacts and preserve natural and beneficial floodplain values. The required 7 calendar days were allowed for public comment; **xx public comments were received about the published notification.**

Step 8. Project implementation

The County will assure that this plan, as modified and described above, is executed and necessary language will be included in all agreements with participating parties. The County will also take an active role in monitoring the construction process to ensure no unnecessary impacts occur and no unnecessary risks are taken. The flood insurance requirement for the useful life of the property will be monitored by the County as detailed in the monitoring requirements of the Skagit County Project-Based VASH Vouchers and by placing a covenant on the property that lasts for the useful life of the property.

* * * * *

CLOSING

This document has been prepared under the supervision and direction of the following key staff.

LANDAU ASSOCIATES, INC.

Name

Title

SJQ/BMB/kee

[\\EDMDATA01\PROJECTS\2116\001\R\VOA\FLOOD 8-STEP\VOA NORTH - FLOODPLAIN 8 STEP TM_DRAFT_CLIENT COPY.DOCX

Attachments

Figure 1. Vicinity Map

Attachment 1 – Early Notice

Attachment 2 – FEMA Floodplain Map for City of Burlington

Attachment 3 – VOAWW North No Rise Analysis

Attachment 4 – Final Notice