

**JOINT NOTICES OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICES OF INTENT TO REQUEST RELEASE OF FUNDS**

12/12/2024

King County Dept. of Community and Human Services Housing and Community Development Division 401 Fifth Avenue, Suite 500  
Seattle, WA 98104  
Telephone Number (206) 263-9105

12/12/2024

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the King County Department of Community and Human Services (DCHS), Housing and Community Development Division (HCDD).

**REQUEST FOR RELEASE OF FUNDS**

On or about 12/31/2024, King County DCHS/ HCDD, having completed an environmental review of the project described below, will submit a request to the Department of Housing and Urban Development (HUD) for the release of HOME funds under Title II of the National Affordable Housing Act (NAHA) of 1990 as amended AND for the release of funds under HOME-ARP Section 3205 of the American Rescue Plan Act of 2021 (P.L. 117-2) (“ARP”) AND for the release of funds under Section 8 of the Housing Act of 1937, as amended Project Based Vouchers which will be provided by HUD to the King County Housing Authority (KCHA) to undertake a project known as Burien Family Supportive Housing being proposed by Mercy Housing for the purpose of providing housing to low- and very low-income households. The total of HUD funding is approximately \$3,683,736. The overall total cost of the project at 4315 129th PI SE, Bellevue, WA 98006 is \$58,048,463.

The proposed project will construct 90 units of affordable housing, and Mary's place will construct a group-home facility on a 4.23-acre parcel. The site is currently developed with a 2-story office building / group shelter and paved parking. The existing building will be demolished. Ground disturbance will occur as part of grading, utility installation, and building construction. Notifications under Section 106 and erosion control plans to prevent damage from ground disturbance have been developed. The project sponsor owns the property and operates programs from the current building. Lot lines will be reconfigured for ease of administration between the affordable housing and family shelter facilities.

**FINDING OF NO SIGNIFICANT IMPACT**

The Environmental Review Record (ERR) documents the environmental review determinations for the proposed project described above. King County has determined a Finding of No Significant Impact (FONSI) on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR). The ERR will be made available to the public electronically. The King County ERR can be accessed online at the following website: <https://kingcounty.gov/en/dept/dchs/human-social-services/housing-homeless-services/funding-opportunities/environmental-review>. Scroll to the bottom of page and open “2024 Environmental Assessments” menu to view ERR for this project. The Review Record may also be viewed as an attachment to these Notices below.

## **PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the ERR to King County Community Development Project/Program Manager David Mecklenburg via email at [Community.Development@kingcounty.gov](mailto:Community.Development@kingcounty.gov). All comments received by 5:00 PM PDT December 30th, 2024 will be considered by HCD prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

## **ENVIRONMENTAL CERTIFICATION**

HCDD certifies to HUD that Simon Foster in his capacity as Director - Housing, Homelessness and Community Development Division, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows King County use Program funds.

## **OBJECTIONS TO RELEASE OF FUNDS**

HUD will accept objections to its release of funds and the King County's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of King County; (b) King County has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to: HUD Region X Community Planning and Development (CPD) office: U.S. Department of Housing and Urban Development, 909 First Avenue, Suite 310, Seattle, WA 98104 OR [SEACPDRROF@hud.gov](mailto:SEACPDRROF@hud.gov) regarding HOME funds; AND the HUD Seattle Office of Public Housing at U.S. Department of Housing and Urban Development, 909 First Ave., Suite 320 Seattle, WA 98104-1000 [Seattlepublichousing@hud.gov](mailto:Seattlepublichousing@hud.gov) regarding Project Based Vouchers. Potential objectors should contact HUD via email to verify the actual last day of the objection period.

*Simon Foster – Director* — King County Housing, Homelessness and Community Development Division

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

**Project Information**

**Project Name:** Burien-Family-Housing

**HEROS Number:** 900000010402587

**Responsible Entity (RE):** KING COUNTY, 401 Fifth Avenue SEATTLE WA, 98104

**RE Preparer:** David Mecklenburg

**State / Local Identifier:**

**Certifying Officer:** Simon Foster

**Grant Recipient (if different than Responsible Entity):** King County Housing

**Authority Point of Contact:** Kathleen Arledge

**Consultant (if applicable):** PBS Engineering and Environmental

**Point of Contact:** Susan Garland

**Project Location:** 12845 Ambaum Blvd SW, Burien, WA 98146

**Additional Location Information:**

The project will be located at 12845 Ambaum Blvd., in Burien, King County Washington. Figure 1 shows the site location, and Figure 2 shows the current site configuration. Photos of the current site conditions are attached, and Figure 3 shows the future site layout at completion of this project. The location is along a busy arterial street, heading upgrade from Ambaum. The Crest of the Hill is a hundred yards or so west from the site. The neighborhood west of the site is residential.

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

For the Burien Family Housing Project, Mercy Housing will construct 90 units of affordable housing, and Mary's place will construct a group-home facility on a 4.23-acre parcel. The site is currently developed with a 2-story office building / group shelter and paved parking. The existing building will be demolished. See the attached Project Design Plan (Figure 3) for a depiction of the buildings. Ground disturbance will occur as part of grading, utility installation, and building construction. Notifications under Section 106 and erosion control plans to prevent damage from ground disturbance have been developed. The project sponsor owns the property and operates programs from the current building. Lot lines will be reconfigured for ease of administration between the affordable housing and family shelter facilities. King County Housing and Community Development Division is providing \$2,727,567 in HOME Funding and King County Housing Authority is assisting with finance of the project with 34 project based vouchers. The annual value of KCHA's contribution is \$956,160 (or \$28,122 per unit).

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

Affordable housing and emergency shelters are in critically short supply in King County. This project will provide permanent housing to low-income families and individuals. The project will also construct a new and upgraded supportive family shelter facility. Supportive services are typically difficult to access; tying them in with housing helps to ensure connection between the families in need and the services they may be able to access.

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

Affordable housing and emergency shelters are in critically short supply in King County. This project will provide permanent housing to low-income families and individuals. The project will also construct a new and upgraded supportive family shelter facility. Supportive services are typically difficult to access; tying them in with housing helps to ensure connection between the families in need and the services they may be able to access. The U.S. Federal Housing Finance Agency reports that home purchase prices in King County have doubled in the last 10 years<sup>1</sup>. Median rents have risen by 50 percent. The King County Comprehensive Plan outlines the County's commitment to creating and preserving affordable housing for lower-income households. The plan specifies that lower-income housing will ideally be located by frequent transit, public services, and near places of employment. This project meets all of those goals. Far fewer new housing and community services projects have been constructed than needed to keep pace with the increase in population, with the result that lower-income residents are becoming displaced or unhoused as the cost of housing increases in King County. In the absence of this project, mixed use development by private developers is likely to continue. Private development typically

constructs market rate or luxury housing options as these projects typically have greater profit margins. 1. Federal Reserve Bank of Saint Louis. 2022. All Transactions House Price Index for King County, Washington. <https://fred.stlouisfed.org/series/ATNHPIUS53033A> 2. Department of Numbers, 2022. King County Washington Residential Rent and Rental Statistics. <https://www.deptofnumbers.com/rent/washington/king-county/>

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

- [Figure 3.pdf](#)
- [Figure 2.pdf](#)
- [Figure 1 Vicinity.pdf](#)
- [Photos.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 |
|---------------------------------------|--|--------------------------------------|----------------|
| 14.871                                | Public Housing                           | Project-Based Voucher Program        | \$956,160.00   |
| M-21-DP-530200                        | Community Planning and Development (CPD) | HOME American Rescue Plan (HOME-ARP) | \$400,519.00   |
| M-21/22/23-DC-53-0200                 | Community Planning and Development (CPD) | HOME Program                         | \$2,327,057.00 |

**Estimated Total HUD Funded, Assisted or Insured Amount: \$3,683,736.00**

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$58,048,463.00

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

|   |  |  |
|---|--|--|
| <p><b>Compliance Factors:</b><br/>Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6</p>                                  | <p>Are formal compliance steps or mitigation required?</p>                 | <p>Compliance determination (See Appendix A for source determinations)</p>   |
| <p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b></p>   |  |  |
| <p><b>Airport Hazards</b><br/>Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D</p>  | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>The nearest airport to the project site is SeaTac International Airport, which is located approximately 3 miles (15,840 feet) from the project site. There are no military airports within 15,000 feet or civilian airports within 2,500 feet. Figure 4 shows the location of the project with respect to airports in the area.</p>   |
| <p><b>Coastal Barrier Resources Act</b><br/>Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]</p>      | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>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.</p>   |
| <p><b>Flood Insurance</b><br/>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area, nor in a 500 Year/FFMRS Flood Plain. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.</p> |
| <p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b></p>   |  |  |
| <p><b>Air Quality</b><br/>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>                                      | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Burien is located in a former air quality maintenance area, the Seattle-Tacoma nonattainment air quality maintenance area for ozone and carbon monoxide. This area reached full attainment in 2016. Figure 6 shows the current and former air quality maintenance areas around Burien. The jpeg image is a</p>  |

|  |  |   |
|--|--|---|
|  |  | <p>screen shot from NEPA Assist that provides concurrence. Other Sources include: air quality main page <a href="https://ecology.wa.gov/regulations-permits/plans-policies/areas-meeting-and-not-meeting-air-standards-non-attainment-and-maintenance-map">https://ecology.wa.gov/regulations-permits/plans-policies/areas-meeting-and-not-meeting-air-standards-non-attainment-and-maintenance-map</a>: <a href="https://ecology.wa.gov/regulations-permits/plans-policies/state-implementation-plans/maintenance-sips">https://ecology.wa.gov/regulations-permits/plans-policies/state-implementation-plans/maintenance-sips</a> The project is in compliance with the Clean Air Act.</p>   |
| <p><b>Coastal Zone Management Act</b><br/>Coastal Zone Management Act, sections 307(c) &amp; (d)</p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Per HUD Region X Environmental Website: Sept. 23, 2024: As of July 22, 2020, Washington State Department of 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." Inclusion of the following statement in the Environmental Review Record is strongly encouraged to ensure projects are aware that CZM may still apply at the time of local and/or national permitting. "Concurrence from Dept. of Ecology for Coastal Zone Management 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 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</p> |

|  |  |   |
|--|--|---|
|  |  | <p>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 the Dept of Ecology."</p>  |
| <p><b>Contamination and Toxic Substances</b><br/>24 CFR 50.3(i) &amp; 58.5(i)(2)]</p>                            | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. Radon testing indicated radon levels below 4.0 pCi/L. The project is in compliance with contamination and toxic substances requirements.</p>  |
| <p><b>Endangered Species Act</b><br/>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>The United State Fish and Wildlife Service (USFWS) issued an IPaC letter for the project on June 15, 2024. The following special-status species were listed as potentially occurring near the project location. * North American Wolverine * Marbled Murrelet * Yellow-billed Cuckoo * Northwestern Pond Turtle * Bull Trout * Monarch Butterfly USFWS Species: No suitable habitat of any of these species is located on or near the project area. Habitat requirements are summarized here and provided in detail in the attached species profiles. * North American Wolverines are a carnivorous species that requires large territories for hunting, and winter denning sites that are located beneath the snow pack. The project site is located in a densely developed location in the greater Seattle area. No wolverines are found on or near the project site's location. * The marbled murrelet is a seabird that relies on nesting sites near the ocean in mature and old growth conifer forests to breed. This project will repair and remodel an existing apartment complex within the developed town of Langley.</p> |



|  |  |   |
|--|--|---|
|  |  | <p>No old growth or mature stands of conifers are located near the project site and no such locations will be impacted by the repairs planned for the existing apartment complex. No murrelets are likely to be found on or near the project site. * The yellow-billed cuckoo has not been known to breed in Washington State since 1940, and WDFW describes it as a "very rare migrant". Only four sightings in Western Washington were recorded between 1974 and 2016. WDFW reports that the species' preferred habitat is forested riparian corridors with willow and cottonwood. The project is not located near or in such a habitat, and so is unlikely to have any effect on yellow-billed cuckoos. * Critical Habitat for the bull trout has been designated in Puget Sound, which is located east and north of the project site. Stormwater from this project will discharge to a municipal stormwater pond system. Best management practices will be used during construction to ensure that no sediment has the potential to enter stormwater discharge. No impacts to bull trout or their habitat are anticipated. * The monarch butterfly is a migratory species that relies on certain host plant species (milkweed, <i>Asclepias</i> spp.) for food in the caterpillar stage. In Washington, almost all monarchs migrate to the east side of the State for summer breeding. Very few reportedly are found west of the Cascade Mountains. As the project involves rehabilitation of a western Washington property with minimal existing native plants, there is no suitable habitat at the project area for monarch butterflies. * The Northwestern pond turtle is a recently proposed threatened species. In Washington State there are only six</p> |
|--|--|---|

|  |  |   |
|--|--|---|
|  |  | <p>non-captive populations: two naturally occurring populations in the Columbia Gorge, and four reintroduced populations (USFWS, 2023). None of the reintroduced populations are located in King County. New reintroduction sites are required to be located more than one-quarter mile from roadways. Treated stormwater from this project will eventually be discharged into two infiltration ponds in Burien. These are both adjacent to busy roadways. There are no current populations of Northwestern pond turtles in the area, and this site is ineligible for reintroduction of a turtle population in the future. No impacts to Northwestern pond turtles will occur from this project. NOAA Fisheries Species King County notified NOAA fisheries of the project on June 17, 2024 .Upon review of the Action Form Submitted, NMFS replied ""[...] as treatment has been included before discharging to the municipal system, we consider all requirements of the parent programmatic to be satisfied, and no additional conservation recommendations are offered." Details for the response may be found in: WAHUSBurienSH Project NMFSWCRO-2020-00512-7457.pdf</p> |
| <p><b>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</b></p> | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>One location with potential above-ground storage tanks was identified within one mile of the project site. The Salmon Creek Sewage Treatment plant is located approximately 2500 feet northwest. Because the above-ground tanks at this location hold water in various stages of treatment, it does not pose an explosives hazard to the project site. See the attached map and photos. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements.</p>   |

|  |   |  |
|--|---|--|
| <p><b>Farmlands Protection</b><br/>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>              | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <p>The project site is within a developed urban location in Burien. Farmland subject to FPPA requirements does not have to be currently used for cropland. USDA/NRCS regulations contained at 7 CFR Part 658.2 define "committed to urban development" as land with a density of 30 structures per 40-acre area; lands identified as "urbanized area" (UA) on the Census Bureau Map which is the dataset for the NEPA Assist map included as attachment. TigerWEB map added for concurrence. The project is in compliance with the Farmland Protection Policy Act.</p> |
| <p><b>Floodplain Management</b><br/>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <p>The project site is located in Zone X outside of any 500 year floodplains per FEMA, and is therefore not in a FFRMS floodplain. The attached figure shows the location of the project site with respect to mapped flood hazard areas. The project is in compliance with HUD floodplain guidelines. The project is in compliance with Executive Orders 11988 and 13690.</p>  |
| <p><b>Historic Preservation</b><br/>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>             | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <p>Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. As mentioned above, the SHPO has designated the building as non-historic and the project will not affect historic resources. Tribal consultation was in concurrence with SHPO Determination. The project is in compliance with Section 106.</p>   |
| <p><b>Noise Abatement and Control</b><br/>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <p>The U.S. Department of Transportation models noise levels from roadways, railroads, and airports on its National Transportation Noise Map. The attached figure shows this data. The HUD DNL Calculator for total noise is at 63 dB. The project site is in compliance with HUD noise guidelines. The project is in compliance with HUD's Noise regulation.</p>  |

|   |  |   |
|---|--|---|
| <p><b>Sole Source Aquifers</b><br/>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 attached figure shows the location of the project with respect to sole source aquifers. The nearest sole source aquifer is located approximately 5 miles to the west, and across from Puget Sound. This project will have no impacts on sole source aquifers. The project is in compliance with Sole Source Aquifer requirements.</p>  |
| <p><b>Wetlands Protection</b><br/>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. No wetlands are located in or near the project's location. The attached figure shows wetlands mapped in the area by the national wetland inventory. No indications of wetlands were identified during previous Phase I site visits. The project is in compliance with Executive Order 11990.</p>   |
| <p><b>Wild and Scenic Rivers Act</b><br/>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>                | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>No nominated or designated wild and scenic rivers are located near the project site. The nearest Wild and Scenic river reach is the Middle Fork Snoqualmie River, which is located more than 30 miles east of the project site. Figure 12 shows the location of the project site with respect to Wild and Scenic Rivers. The project is in compliance with the Wild and Scenic Rivers Act.</p>   |
| <p><b>HUD HOUSING ENVIRONMENTAL STANDARDS</b></p>   |  |   |
| <p><b>ENVIRONMENTAL JUSTICE</b></p>   |  |   |
| <p><b>Environmental Justice</b><br/>Executive Order 12898</p>   | <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | <p>No adverse environmental impacts were identified during this NEPA review. The U.S. Environmental Protection Agency EJScreen for this vicinity indicates that there are environmental justice populations in the neighborhood. 68% of the population are persons of color, versus 33% statewide and 40% nationally. Households with limited English make up 11% of the community, versus 4% state wide and 5% nationally. Low income households make up 27% of the local population vs 23% statewide, and 30% nationally. The</p> |

|  |  |  |
|--|--|--|
|  |  | <p>Project assists low-moderate income households by increasing affordable housing and is not placing low-moderate income people in an at-risk environment. Because no adverse environmental impacts were identified in the project's total environmental review, the project is in compliance with Executive Order 12898.</p> |
|--|--|--|

**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.

| Environmental Assessment Factor  | Impact Code | Impact Evaluation   | Mitigation |
|--|-------------|---|------------|
| <b>LAND DEVELOPMENT</b>  |             |   |            |
| Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design | 2           | <p>King County adopted its current Comprehensive Plan in 2020. Chapter 4 of the Comprehensive Plan lays out the goals and policies of King County with regard to Housing and Human Services. Policy H-102 applies directly to the proposed project: H-102 King County shall work with jurisdictions, the private sector, state and federal governments, other public funders of housing, other public agencies such as the Housing Authorities, regional agencies such as the Puget Sound Regional Council, intermediary housing organizations, and the non-profit sector, to encourage a wide range of housing and to reduce barriers to the development and preservation of a wide range of housing, at an appropriate size and scale, that: a. Provides housing choices for people of all income levels, particularly in areas with existing or planned high-capacity and frequent public transportation access where it is safe and</p> |            |

| Environmental Assessment Factor  | Impact Code | Impact Evaluation   | Mitigation |
|--|-------------|---|------------|
|  |             | <p>convenient to walk, bicycle, and take public transportation to work and other key destinations such as educational facilities, shopping and health care; b. Meets the needs of a diverse population, especially families and individuals who have very-low to moderate incomes, older adults, people of color, children and vulnerable adults (including victims and survivors of domestic violence, human trafficking, and commercial sexual exploitation), people with developmental disabilities, people with behavioral, physical, cognitive and/or functional disabilities, and people who are experiencing homelessness; c. Supports economic growth; d. Supports King County's Equity and Social Justice Initiative and Health and Human Services Transformation Plan goals, for an equitable and rational distribution of low-income and high-quality affordable housing, including mixed-income housing, throughout the county. The proposed project complies with the current King County Comprehensive Plan for low-income housing development as summarized above and in the subsequent specific goals and policies listed in the Comprehensive Plan. Private housing development is ongoing in the area for both single-family and multifamily projects, but the majority of these focus on the upper price end of the housing market. The proposed project will meet the King County goal of facilitating a range of housing options to accommodate all income levels of its residents, and to ensure equity in provision of services.</p> |            |
| <p>Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff</p> | <p>2</p>    | <p>Soils on the project site are mapped as Urban Land-Alderwood complex, 5 to 12 percent slopes. This soil type is made up of very gravelly sandy loam, which is well drained and has no construction limitations listed. The project site is located on a moderate slope, the building locations are</p>   |            |

| Environmental Assessment Factor   | Impact Code | Impact Evaluation  | Mitigation |
|---|-------------|--|------------|
|   |             | <p>relatively flat, and erosion is not anticipated to be significant. Best management practices during construction and stormwater management plus vegetated landscape features during operation will ensure that erosion does not impact the soil stability. See the attached Technical Information Report for a detailed analysis of project drainage and stormwater analysis. All stormwater falling on impervious surfaces will be managed for both volume and quality, no adverse impacts are anticipated. The project will also improve co-mingled stormwater quality from up-slope properties by installing Contech Stormwater Filters in the municipal line on 130th Street. Per the site plan, there will be no encroachment by the project upon the east-slope facing Ambaum Blvd.</p> |            |
| <p>Hazards and Nuisances including Site Safety and Site-Generated Noise</p> | <p>1</p>    | <p>No new hazards or nuisances such as noise are anticipated from the proposed project. Operations will be multi-family residential in nature. The existing building on the site was constructed in the 1950s and is 70 years old. It will be replaced by a new structure that meets modern seismic, fire, and energy codes. Any potential hazardous building materials, such as lead paint, asbestos-containing building materials, PCB-light ballasts, or lead-containing water pipes will be removed and properly handled and disposed. This will result in a safer housing facility than the one currently on site.</p>  |            |
| <p><b>SOCIOECONOMIC</b></p>   |             |  |            |
| <p>Employment and Income Patterns</p>                                       | <p>2</p>    | <p>Short term employment associated with the project will include architectural, engineering, planning, permitting and other development professionals. Construction of the project will create short term jobs for graders, builders, trades, deliveries, and materials suppliers. Long-term employment directly associated with the</p>  |            |

| Environmental Assessment Factor              | Impact Code | Impact Evaluation  | Mitigation |
|--|-------------|--|------------|
|  |             | <p>project site will increase slightly as a result of the proposed project. Following construction, the building will provide onsite employment for family shelter staff, residential property management, and property maintenance staff. Indirect employment and income patterns will also likely improve as a result of the project. This affordable housing will be located in a mixed commercial use area and adjacent to frequent public transportation. This will provide opportunities for the residents to affordably commute to where they work or to find employment close to their homes.</p>  |            |
| Demographic Character Changes / Displacement | 2           | <p>The project is not anticipated to have an adverse impact on the demographic character of the neighborhood as the property is in an existing mixed-use neighborhood. The proposed development will provide affordable housing to low-income people. No residents will be permanently displaced as a result of the project as the project site property is vacant. Although the current building containing a multi-person shelter will be demolished, a new family shelter facility is proposed for construction as well as 90 units of affordable housing. A central goal of this project is to prevent the displacement of lower-income populations from urban King County as regional housing costs continue to rise.</p> |            |
| Environmental Justice EA Factor              | 2           | <p>The neighborhood around the project site has low income populations, people of color, limited English households, and those with less than high school educations at much higher rates than the state averages. No adverse impacts were identified during the environmental assessment. Because there were no adverse impacts and several likely positive impacts, there is no disproportionate adverse impact on environmental justice populations.</p>  |            |
| <b>COMMUNITY FACILITIES AND SERVICES</b>     |             |  |            |



| Environmental Assessment Factor                           | Impact Code | Impact Evaluation  | Mitigation |
|---|-------------|--|------------|
| Educational and Cultural Facilities (Access and Capacity) | 2           | The project site is part of the Highline School district. Several Catholic schools are also located within a mile of the project. Hazel Valley Elementary School is located approximately one quarter mile to the east. Cascade Middle School and Evergreen Highschool are located less than one mile to the north, and school bus service is available. Bilingual and biliterate programs are offered, as well as an online academy. While the number of students in these schools is likely to slightly increase as the number of family shelter and long-term housing residents with children will rise from the project, this increase will be relatively small. There are approximately 17,500 students served by this school district. The vicinity within approximately two miles of the project site also offers a large variety of houses of worship, a public library, a performing arts center, and a community center. |            |
| Commercial Facilities (Access and Proximity)              | 2           | No commercial facilities are included in the proposed project. Supermarkets, services, laundromats, automotive businesses, and restaurants are located throughout the area on commercial street such as Ambaum Blvd  |            |
| Health Care / Social Services (Access and Capacity)       | 1           | The project will include a new family shelter facility as well as long-term affordable housing units, which will assist families struggling with housing. The project does not include health care facilities on site. Burien is well served for health care and social services. The nearest hospital is St. Anne's, located approximately 2.5 miles southeast of the project site. Ambulance service is available. There are also four urgent care facilities in Burien, as well as many private doctor's offices. The Navos Health and Wellness center is located just a few blocks south of the project site and offers assistance for mental illness, addiction, and behavioral health.   |            |

| Environmental Assessment Factor                               | Impact Code | Impact Evaluation  | Mitigation |
|---|-------------|--|------------|
|   |             | HealthPoint and the White Center Community Development Association are nearing completion of the White Center HUB located a mile north of the facility which will also be able to serve a manifold of health care and social service needs for low-moderate income families. The Family shelter planned on site will help connect residents with social services and housing placement. In addition, the City of Burien human services office has multi-lingual support available to connect residents with support services that they need. |            |
| Solid Waste Disposal and Recycling (Feasibility and Capacity) | 2           | Garbage collection and recycling will be provided at the redeveloped site. Waste Management Northwest will provide these services. No unusual types or volume of waste will be generated by construction or operations of the proposed project. All construction wastes generated during the building process will be handled and disposed properly according to Washington Department of Ecology and OSHA regulations.  |            |
| Waste Water and Sanitary Sewers (Feasibility and Capacity)    | 2           | The project site is on a previously developed parcel within an existing urban neighborhood. Following construction, only ordinary domestic sanitary wastes are anticipated to be generated on the property. The project will utilize the Burien municipal sanitary and stormwater systems following construction. No impacts from the project to the capacity of these systems is anticipated.   |            |
| Water Supply (Feasibility and Capacity)                       | 2           | The site is served by municipal water provided by Burien public utilities. The Water is sourced from Seattle Public Utilities, which treats it for public distribution. This project is not anticipated to impact the capacity of the water system, which currently serves approximately 1,200,000 households. Water-efficient landscaping and appliances will be incorporated into the project design.  |            |

| <b>Environmental Assessment Factor</b>                 | <b>Impact Code</b> | <b>Impact Evaluation</b>   | <b>Mitigation</b> |
|--|--------------------|--|-------------------|
| Public Safety - Police, Fire and Emergency Medical     | 2                  | No increased burden on public safety is anticipated as a result of this residential project. Public safety services are available nearby and response times are anticipated to be good when services are needed. The nearest police station is located approximately 1.5 miles south, and the nearest fire station is just one mile to the south. 911 emergency services are available to dispatch first responders in the event of a safety, fire, or health emergency.   |                   |
| Parks, Open Space and Recreation (Access and Capacity) | 2                  | Parks, open spaces, and recreation opportunities are available close to the project site and accessible easily from nearby transit. The Salmon Creek Ravine Park is a very large natural area that offers trails and is located just two blocks from the project site. Jacob Ambaum park, located a few blocks north of the site, is developed with playgrounds and picnic areas. Several sports playing fields are located within a mile of the project. Seahurst Park and Beaches are within a half mile to the west of the site. Burien offers recreation programs for arts, sports, wellness, and afterschool and has activities geared to children, teens, adults, and seniors. |                   |
| Transportation and Accessibility (Access and Capacity) | 2                  | Transportation in the project area is administered by King County and is primarily provided by bus. The H express bus line stops on Ambaum Road near the project site and provides frequent service (15 minute intervals) to downtown Seattle to the north and the Burien Transit Center to the south. Connections to bus and light rail lines throughout the region can be made from the Burien Transit Center or Seattle. Dial-A-Ride Transit offers services on defined routes that include wheelchair lift and can pick up and drop off passengers at requested locations within specific distances of these routes.   |                   |
| <b>NATURAL FEATURES</b>                                |                    |  |                   |

| Environmental Assessment Factor   | Impact Code | Impact Evaluation   | Mitigation |
|---|-------------|---|------------|
| Unique Natural Features /Water Resources                                      | 2           | There are no unique natural features or water resources to be impacted by the proposed redevelopment activity. There are no sole source aquifers located in this part of King County. The property is within a largely developed mixed-use area.  |            |
| Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.) | 2           | Currently, the majority of the site is vegetated by lawn grasses, with mature trees at the north end of the property. Tree species include douglas fir, maple, and alder, with an understory of Himalayan blackberry. Small wildlife species such as squirrels, coyotes, racoons, and songbirds are likely to use the area. No special-status animal or plant species are known to occur on the property. As shown on the attached Project Design Plan, some trees at the north end of the property will be removed to construct the new family shelter building. Additional trees will be planted to ensure the benefits to stormwater and canopy cover. No significant impacts to vegetation or wildlife are anticipated from this project. |            |
| Other Factors 1   | 2           | No additional factors pertinent to this Environmental Assessment have been identified.  |            |
| Other Factors 2   |             |   |            |
| <b>CLIMATE AND ENERGY</b>   |             |   |            |
| Climate Change  | 2           | This project will construct affordable and emergency housing closely near public transportation, education, and job opportunities. While there will be short term energy use to construct the facility, it is designed to be energy efficient during operation, does not expand the urban footprint, and will not generate significant new vehicle trips. No measurable impacts to climate change are anticipated from this project.  |            |
| Energy Efficiency   | 2           | The proposed buildings are designed to meet the 2018 Washington State Energy code, which provides modern standards for insulation and efficient for building  |            |

| Environmental Assessment Factor | Impact Code | Impact Evaluation  | Mitigation |
|---------------------------------|-------------|--|------------|
|                                 |             | operations. Appliances and lighting throughout the building will be energy-efficient. When constructed, the project will have an increased energy use compared to the current operations, as the number of residents will increase. This use is unlikely to have an impact on the local or regional energy supply. |            |

**Supporting documentation**

[EJScreen Community Report\(1\).pdf](#)

**Additional Studies Performed:**

AHBL. 2022. Construction Stormwater Pollution Prevention Plan, Mary's Place, Burien.  
 AHBL. 2024. Technical Information Report. Mercy Housing and Mary's Place. February.  
 Aspect Consulting. 2018a. Phase I Environmental Site Assessment, Former Lakeside Milan Recovery Center. March 27. Aspect Consulting. 2018b. Phase II Environmental Site Assessment, 12845 Ambaum Avenue, Burien, WA. April 10. GeoEngineers. 2022. Geotechnical Engineering Services. Mary's Place Burien. July 14. PBS. 2022. Phase I Environmental Site Assessment, Mary's Place Burien. May.

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

[Photos.pdf](#)

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

1. King County, 2020. 2016 King County Comprehensive Plan, Updated July 24, 2020. <https://kingcounty.gov/depts/executive/performance-strategy-budget/regional-planning/king-county-comprehensive-plan/CurrentAdoptedPlan.aspx>
2. Natural Resources Conservation Service, 2022. Web Soil Survey, Urban Land-Alderwood Complex. <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>
3. State Building Code Council, 2018. 2018 Washington State Energy Code (effective February 1, 2021) <https://www.sbcc.wa.gov/state-codes-regulations-guidelines/state-building-code/energy-code>
4. King County Water District 20, 2022. 2022 Annual Water Quality Report. [https://www.kcwd20.com/\\_files/ugd/1787a6\\_ac7d996ee0e744d08d3b8997b2d81480.pdf](https://www.kcwd20.com/_files/ugd/1787a6_ac7d996ee0e744d08d3b8997b2d81480.pdf)
5. King County Public Health Division of Emergency Services, 2020. Overview of the MedicOne EMS System. [https://kingcounty.gov/depts/health/emergency-medical-services/~media/depts/health/emergency-medical-](https://kingcounty.gov/depts/health/emergency-medical-services/~/media/depts/health/emergency-medical-)

services/documents/EMSAdvisoryTaskForceOverview.ashx 6. King County Transit Metro System. 2022 System Map.  
<https://kingcounty.maps.arcgis.com/apps/webappviewer/index.html?id=3e239c9048604de8a1c73b72679bc82e>

**List of Permits Obtained:**

Federal Permits: No federal construction or operating permits are anticipated to be required for this project. State Permits: A construction stormwater permit will be required for this project. Local Permits: City of Burien Construction permits and certificates of occupancy will be required, as will utility connection permits and right-of-way construction permits for new driveway alignments and sidewalks.

**Public Outreach [24 CFR 58.43]:**

Since Mary's Place acquired the property in 2018 and began operating the existing shelter, they have conducted quarterly outreach with the community to be good neighbors and keep them apprised of their plans for the shelter and larger site. In mid-2021, Mary's Place informed members of the community of their intentions to seek an affordable housing development partner to construct new affordable housing on a portion of the property. Since Mercy Housing Northwest was selected as a development partner in late 2021, the two organizations have conducted joint outreach with members of the community. To date, two neighborhood meetings were held in 2022, with another in late 2023 and additional meetings planned throughout the pre-development phase of the project to keep neighbors aware of the project scope and timeline. Additionally, understanding the importance of meaningful and inclusionary community participation in the development process, Mercy Housing and Mary's Place created a special Burien Family Design Focus Group, comprised of neighbors, staff with lived experience from the Mary's Place Burien shelter, service providers and community stakeholders to help ensure that the project's design and programs meet a real need in the community. The Design Focus Group is structured to ensure that a wide variety of perspectives are represented, including people of color, people with lived experience, and people who serve those with disabilities so that their input can be implemented in the design and programming of the development. This group continues to meet at various points in the predevelopment and development process to provide reactions and feedback to the project design to ensure that as the design progresses the development team takes diverse insights under consideration. To date, this group has met three times, with 4 subsequent meetings anticipated prior to the completion of construction. We have also held a Community Open House that was publicized in the well-read B-town Blog and through our Design Focus Group (representing multiple communities and groups in Burien) members, where the community could see and learn about project

plans and talk to the developers and architects. Feedback received and being considered by the design team includes having safe outdoor spaces for children to play, public art, community gardens/landscaping, and a community room for resident programming. This Environmental Assessment and proposed finding of No Significant Impact will be publicized by posting a public notice in the Seattle Time newspaper. The public will have a minimum of 15 days for review and comment on the EA prior to submittal to HUD. Any substantive comments would be addressed, as appropriate, in revised final documents. Following submittal to HUD and request for release of funds, HUD will administer a 15-day public comment period. Any substantive comments received would be addressed as determined by HUD.

**Cumulative Impact Analysis [24 CFR 58.32]:**

Private residential development is ongoing in Burien and the City has re-zoned several areas to allow for additional housing within its geographical constraints. The addition of this and other residential developments near and in the City will have a beneficial economic and socio-economic impact for populations in the area, as affordable housing near transit and available jobs is in short supply. The existing geographical constraints prevent sprawl and limit any impacts to nearby natural resources. No negative cumulative impacts associated with this project were identified during the NEPA analysis.

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

No other locations were considered for this project. The project was selected for this location to help address the lack of high-quality, affordable, family-sized housing in the City of Burien; the site is near the RapidRide H bus line and close to numerous local amenities in a well-established neighborhood. Further, the project, in its proximity to the adjacent shelter which will be developed by Mary's Place, will allow for a pathway to stability for families in shelter that are exiting homelessness. In 2018, Mary's Place purchased the property and converted the existing building to a shelter facility to serve up to 70 families or roughly 200 guests on any given night. Mercy Housing Northwest and Mary's Place are expanding our long-term partnership to redevelop the property into a master planned campus providing for a range of housing options for families and their children. The cost-savings for this established location ruled out acquisition and development of similar properties.

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

If the project is not constructed, the project site property will likely remain in its current group housing use for the next several years. No long-term affordable housing units would be constructed and the group shelter facility would remain in an older, less energy efficient building that was not originally designed for this purpose. Any hazardous building materials present in the current building would likely remain.

**Summary of Findings and Conclusions:**

This project will redevelop the site of an existing group home to provide long-term affordable housing and a new family shelter facility that has improved safety, efficiency, and will be better able to provide supportive services. No adverse environmental or socioeconomic impacts are anticipated from the project. It conforms to local land use plans, helps to meet City and County housing goals, and is easily accessible to transit, parks, schools, and employment. New stormwater management facilities will be constructed as part of the project, and their long-term maintenance requirements will be recorded with the county as part of the property deed. No Significant Impacts were identified by this NEPA Environmental Assessment.

**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.

| Law, Authority, or Factor | Mitigation Measure or Condition | Comments on Completed Measures | Mitigation Plan | Complete |
|---------------------------|---------------------------------|--------------------------------|-----------------|----------|
|---------------------------|---------------------------------|--------------------------------|-----------------|----------|

**Project Mitigation Plan**

No necessity for mitigation was identified during the NEPA environmental assessment.

**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 nearest airport to the project site is SeaTac International Airport, which is located approximately 3 miles (15,840 feet) from the project site. There are no military airports within 15,000 feet or civilian airports within 2,500 feet. Figure 4 shows the location of the project with respect to airports in the area.

#### Supporting documentation

[Figure 4.pdf](#)

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:**

[Figure 5.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

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

Yes

**4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?**

Yes

✓ No

**Screen Summary****Compliance Determination**

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area, nor in a 500 Year/FFMRS Flood Plain. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with flood insurance requirements.

**Supporting documentation**

[FIRM-53033C0955G.pdf](#)

**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**

Burien is located in a former air quality maintenance area, the Seattle-Tacoma nonattainment air quality maintenance area for ozone and carbon monoxide. This area reached full attainment in 2016. Figure 6 shows the current and former air quality maintenance areas around Burien. The jpeg image is a screen shot from NEPA Assist that provides concurrence. Other Sources include: air quality main page <https://ecology.wa.gov/regulations-permits/plans-policies/areas-meeting-and-not->

meeting-air-standards non-attainment and maintenance map:  
<https://ecology.wa.gov/regulations-permits/plans-policies/state-implementation-plans/maintenance-sips> The project is in compliance with the Clean Air Act.

**Supporting documentation**

[NEPA-Assist-BFSH-Attainment.jpg](#)

[Figure 6.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

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**

Per HUD Region X Environmental Website: Sept. 23, 2024: As of July 22, 2020, Washington State Department of 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." Inclusion of the following statement in the Environmental Review Record is strongly encouraged to ensure projects are aware that CZM may still apply at the time of local and/or national permitting. "Concurrence from Dept. of Ecology for Coastal Zone Management 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 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 the Dept of Ecology."

**Supporting documentation**

[Figure 7.pdf](#)

**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<br>58.5(i)(2)<br>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:

No. See summary and uploaded Phase I and II ESA's.

Yes

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

\*\* Utilize EPA's Enviromapper, NEPAassist, 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:

0.8

Provide the documentation\* used to derive this value:

The CDC Tracking Network State by County procedure shows that the map for King County is at .8 pCi/L level. Further work by consultant shows lower Radon testing levels.

File Upload:

[RAdon-CDC-Map.jpg](#)

[Radon-Testing-Disparity-report-for-Washington-2022-08-14.pdf](#)

[zone 3 radon.pdf](#)

[radon\(1\).png](#)

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.

### **Screen Summary**

#### **Compliance Determination**

Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. On-site or nearby toxic, hazardous, or radioactive substances that could affect the health and safety of project occupants or conflict with the intended use of the property were not found. Radon testing indicated radon levels below 4.0 pCi/L. The project is in compliance with contamination and toxic substances requirements.

#### **Supporting documentation**

[2022 Phase I letter-update-to-2024.pdf](#)

[2022 Phase I ESA.pdf](#)

[2018 Phase I ESA.pdf](#)

[RBMS Final Report 2018-03-29.pdf](#)

[2018 Phase II ESA.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.

Document and upload all documents used to make your determination below. Documentation should include a species list and explanation of your conclusion, and may require maps, photographs, and surveys as appropriate

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.

**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:

No special-status species mitigation is required because none occur or are likely to occur in the future within the project area, and because stormwater from this project will not discharge to waters supporting migratory fish. See NMFS Correspondence for more details.

**Screen**  
**Compliance Determination**

**Summary**

The United State Fish and Wildlife Service (USFWS) issued an IPaC letter for the project on June 15, 2024. The following special-status species were listed as potentially occurring near the project location. \* North American Wolverine \* Marbled Murrelet \* Yellow-billed Cuckoo \* Northwestern Pond Turtle \* Bull Trout \* Monarch Butterfly

USFWS Species: No suitable habitat of any of these species is located on or near the project area. Habitat requirements are summarized here and provided in detail in the attached species profiles.

\* North American Wolverines are a carnivorous species that requires large territories for hunting, and winter denning sites that are located beneath the snow pack. The project site is located in a densely developed location in the greater Seattle area. No wolverines are found on or near the project site's location.

\* The marbled murrelet is a seabird that relies on nesting sites near the ocean in mature and old growth conifer forests to breed. This project will repair and remodel an existing apartment complex within the developed town of Langley. No old growth or mature stands of conifers are located near the project site and no such locations will be impacted by the repairs planned for the existing apartment complex. No murrelets are likely to be found on or near the project site.

\* The yellow-billed cuckoo has not been known to breed in Washington State since 1940, and WDFW describes it as a "very rare migrant". Only four sightings in Western Washington were recorded between 1974 and 2016. WDFW reports that the species' preferred habitat is forested riparian corridors with willow and cottonwood. The project is not located near or in such a habitat, and so is unlikely to have any effect on yellow-billed cuckoos.

\* Critical Habitat for the bull trout has been designated in Puget Sound, which is located east and north of the project site. Stormwater from this project will discharge to a municipal stormwater pond system. Best management practices will be used during construction to ensure that no sediment has the potential to enter stormwater discharge. No impacts to bull trout or their habitat are anticipated.

\* The monarch butterfly is a migratory species that relies on certain host plant species (milkweed, *Asclepias* spp.) for food in the caterpillar stage. In Washington, almost all monarchs migrate to the east side of the State for summer breeding. Very few reportedly are found west of the Cascade Mountains. As the project involves rehabilitation of a western Washington property with minimal existing native plants, there is no suitable habitat at the project area for monarch butterflies.

\* The Northwestern pond turtle is a recently proposed threatened species. In Washington State there are only six non-captive populations: two naturally occurring populations in the Columbia Gorge, and four reintroduced populations (USFWS, 2023). None of the reintroduced populations are located in King County. New reintroduction sites are required to be located more than one-quarter mile from roadways. Treated stormwater from this project will eventually be discharged into two infiltration ponds in Burien. These are both adjacent to busy roadways. There are no current populations of Northwestern pond turtles in the area, and this site is ineligible for reintroduction of a turtle population in the future. No impacts to Northwestern pond turtles will occur from this project. NOAA Fisheries Species King



County notified NOAA fisheries of the project on June 17, 2024 .Upon review of the Action Form Submitted, NMFS replied ""[...] as treatment has been included before discharging to the municipal system, we consider all requirements of the parent programmatic to be satisfied, and no additional conservation recommendations are offered." Details for the response may be found in: WAHUBurienSH Project NMFSWCRO-2020-00512-7457.pdf

**Supporting documentation**

[Burien-FSH-NMFS-WA-ActionForm.docx](#)

[WAHUBurienSH Project NMFSWCRO-2020-00512-7457.pdf](#)

[planting plan.pdf](#)

[Storm maintenance plan.pdf](#)

[EFH Mapper - Reporting Page.pdf](#)

[species profiles.pdf](#)

[Burien-SWDMP-2020-10-19.pdf](#)

[MarysPlace MercyHouse TIR.pdf](#)

[WPT PHVA FINAL 26Sept2013 0.pdf](#)

[Species List Washington Fish And Wildlife Office.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**

One location with potential above-ground storage tanks was identified within one mile of the project site. The Salmon Creek Sewage Treatment plant is located approximately 2500 feet northwest. Because the above-ground tanks at this location hold water in various stages of treatment, it does not pose an explosives hazard to the project site. See the attached map and photos. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements.

**Supporting documentation**

[Tank Photos.pdf](#)

[Figure 8.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:

The project site is within a developed urban location in Burien. There is no agricultural activity located on or nearby the project site. No farmland will be impacted by the proposed project.

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**

The project site is within a developed urban location in Burien. Farmland subject to FPPA requirements does not have to be currently used for cropland. USDA/NRCS regulations contained at 7 CFR Part 658.2 define "committed to urban development" as land with a density of 30 structures per 40-acre area; lands identified as "urbanized area" (UA) on the Census Bureau Map which is the dataset for the NEPA Assist map included as attachment. TigerWEB map added for concurrence. The project is in compliance with the Farmland Protection Policy Act.

**Supporting documentation**

[NEPA-Assist-BFSH-UrbanizedArea.jpg](#)

TigerWEB-UrbanizedArea-BurienFSH.jpg

**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<br>* Executive Order 13690<br>* 42 USC 4001-4128<br>* 42 USC 5154a<br>* 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

#### **Screen Summary**

##### **Compliance Determination**

The project site is located in Zone X outside of any 500 year floodplains per FEMA, and is therefore not in a FFRMS floodplain. The attached figure shows the location of the project site with respect to mapped flood hazard areas. The project is in compliance with HUD floodplain guidelines. The project is in compliance with Executive Orders 11988 and 13690.

##### **Supporting documentation**

[FIRM-53033C0955G\(1\).pdf](#)

[Figure 5\(1\).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”<br><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 Not Required
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)
- ✓ Confederated tribes of the Warm Springs Response Period Elapsed

|                           |                         |
|---------------------------|-------------------------|
| ✓ Duwamish Tribe          | Completed               |
| ✓ Muckleshoot Tribe       | Response Period Elapsed |
| ✓ Puyallup Tribe          | Response Period Elapsed |
| ✓ Snoqualmie Indian Tribe | Completed               |
| ✓ Stillaguamish Tribe     | Response Period Elapsed |
| ✓ Suquamish Tribe         | Completed               |
| ✓ Tulalip Tribe           | Response Period Elapsed |
| ✓ Yakama Nation           | Response Period Elapsed |

Other Consulting Parties

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

All tribes listed in the TDAT list for this location were notified regarding the project. The County supplements this with Tribes not included in TDAT reports. The Duwamish (non-federal, but recognized by KC Government) requested notification in case of discovery of cultural resources. This is a standard specification we include in any County-Federal pass through project that involves ground disturbance. UDP shall be in construction docs, was sent to tribes and is attached below. No other substantive comments.

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:**

The attached figure shows the APE.

**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 |
|-------------------------------|--------------------------|------------------|-----------------------|
| 12845 SW Ambaum Blvd, Burien  | Not Eligible             | Yes              | ✓ Not Sensitive       |

**Additional Notes:**

One structure is located in the APE. DAHP made a determination in January 2021 that this structure is not an eligible historic resource.

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

Yes

✓ 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**

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. As mentioned above, the SHPO has designated the building as non-historic and the project will not affect historic resources. Tribal consultation was in concurrence with SHPO Determination. The project is in compliance with Section 106.

**Supporting documentation**

[Burien-FSH-StormDrainagePlan.pdf](#)  
[TDATPintPage-6-18-2024.pdf](#)  
[DAHPP Letter No Historic Properties Affected.pdf](#)  
[planting plan\(1\).pdf](#)  
[Burien-FH-Unanticipated Discovery Plan.pdf](#)  
[Burien-FH-WISAARD-Record.pdf](#)  
[When-to-Consult-with-Tribes-Under-Section-106-Checklist.pdf](#)  
[Duwamish--BFSH-Tribal Comments\(1\).msg](#)  
[Duwamish--BFSH-Tribal Comments1.msg](#)  
[Snoqualmie--BFSH-Tribal Comments\(1\).msg](#)  
[Snoqualmie--BFSH-Tribal Comments2.msg](#)  
[Suquamish--BFSH-Tribal Comments.msg](#)  
[Suquamish-BFSH-Tribal Comments2.msg](#)  
[Stillaguamish-BFSH-Tribal Comments.msg](#)  
[Tulalip-BFSH-Tribal Comments.msg](#)  
[Yakama-BFSH-Tribal Comments.msg](#)  
[Muckleshoot-BFSH-Tribal Comments.msg](#)  
[WarmSprings-BFSH-Tribal Comments.msg](#)  
[Puyallup-BFSH-Tribal Comments.msg](#)  
[inventory.pdf](#)  
[Figure 9.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<br><br>General Services Administration<br>Federal Management Circular<br>75-2: “Compatible Land Uses at Federal Airfields” | Title 24 CFR 51<br>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**

The U.S. Department of Transportation models noise levels from roadways, railroads, and airports on its National Transportation Noise Map. The attached figure shows this data. The HUD DNL Calculator for total noise is at 63 dB. The project site is in compliance with HUD noise guidelines. The project is in compliance with HUD's Noise regulation.

**Supporting documentation**



[DNL Calculator - Burien.pdf](#)  
[traffic counts.pdf](#)  
[Figure 10.pdf](#)

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

Yes

✓ No

**Sole Source Aquifers**

| General requirements  | Legislation   | Regulation             |
|---|---|------------------------|
| <p><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></p> | <p>Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)</p> | <p>40 CFR Part 149</p> |

**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 attached figure shows the location of the project with respect to sole source aquifers. The nearest sole source aquifer is located approximately 5 miles to the west, and across from Puget Sound. This project will have no impacts on sole source aquifers. The project is in compliance with Sole Source Aquifer requirements.

**Supporting documentation**

[Figure 11.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. No wetlands are located in or near the project's location. The attached figure shows wetlands mapped in the area by the national wetland inventory. No indications of wetlands were identified during previous Phase I site visits. The project is in compliance with Executive Order 11990.

**Supporting documentation**

[Figure 12.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**

No nominated or designated wild and scenic rivers are located near the project site. The nearest Wild and Scenic river reach is the Middle Fork Snoqualmie River, which is located more than 30 miles east of the project site. Figure 12 shows the location of the project site with respect to Wild and Scenic Rivers. The project is in compliance with the Wild and Scenic Rivers Act.

**Supporting documentation**

[Figure 13.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 during this NEPA review. The U.S. Environmental Protection Agency EJScreen for this vicinity indicates that there are environmental justice populations in the neighborhood. 68% of the population are persons of color, versus 33% statewide and 40% nationally. Households with limited English make up 11% of the community, versus 4% state wide and 5% nationally. Low income households make up 27% of the local population vs 23% statewide, and 30% nationally. The Project assists low-moderate income households by increasing affordable housing and is not placing low-moderate income people in an at-risk environment. Because no adverse environmental impacts were identified in the project's total environmental review, the project is in compliance with Executive Order 12898.

**Supporting documentation**

[EJScreen Community Report.pdf](#)

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

Yes

✓ No





**U.S. Department of Housing and Urban Development**  
 451 Seventh Street, SW  
 Washington, DC 20410  
[www.hud.gov](http://www.hud.gov)  
[espanol.hud.gov](http://espanol.hud.gov)

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

**Project Information**

**Project Name:** Burien-Family-Housing

**HEROS Number:** 900000010402587

**Project Location:** 12845 Ambaum Blvd SW, Burien, WA 98146

**Additional Location Information:**

The project will be located at 12845 Ambaum Blvd., in Burien, King County Washington. Figure 1 shows the site location, and Figure 2 shows the current site configuration. Photos of the current site conditions are attached, and Figure 3 shows the future site layout at completion of this project. The location is along a busy arterial street, heading upgrade from Ambaum. The Crest of the Hill is a hundred yards or so west from the site. The neighborhood west of the site is residential.

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

For the Burien Family Housing Project, Mercy Housing will construct 90 units of affordable housing, and Mary's place will construct a group-home facility on a 4.23-acre parcel. The site is currently developed with a 2-story office building / group shelter and paved parking. The existing building will be demolished. See the attached Project Design Plan (Figure 3) for a depiction of the buildings. Ground disturbance will occur as part of grading, utility installation, and building construction. Notifications under Section 106 and erosion control plans to prevent damage from ground disturbance have been developed. The project sponsor owns the property and operates programs from the current building. Lot lines will be reconfigured for ease of administration between the affordable housing and family shelter facilities. King County Housing and Community Development Division is providing \$2,727,567 in HOME Funding and King County Housing Authority is assisting with finance of the project with 34 project based vouchers. The annual value of KCHA's contribution is \$956,160 (or \$28,122 per unit).

**Funding Information**

| Grant Number          | HUD Program                              | Program Name                         |                |
|-----------------------|--|--------------------------------------|----------------|
| 14.871                | Public Housing                           | Project-Based Voucher Program        | \$956,160.00   |
| M-21-DP-530200        | Community Planning and Development (CPD) | HOME American Rescue Plan (HOME-ARP) | \$400,519.00   |
| M-21/22/23-DC-53-0200 | Community Planning and Development (CPD) | HOME Program                         | \$2,327,057.00 |

**Estimated Total HUD Funded Amount:** \$3,683,736.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$58,048,463.00

**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.

| Law, Authority, or Factor       | Mitigation Measure or Condition  |
|---------------------------------|--|
| Permits, reviews, and approvals | Federal Permits: No federal construction or operating permits are anticipated to be required for this project. State Permits: A construction stormwater permit will be required for this project. Local Permits: City of Burien Construction permits and certificates of occupancy will be required, as will utility connection permits and right-of-way construction permits for new driveway alignments and sidewalks. |

**Project Mitigation Plan**

No necessity for mitigation was identified during the NEPA environmental assessment.

**Determination:**

|                                     |   |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | 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 |
| <input type="checkbox"/>            | Finding of Significant Impact   |

Preparer Signature: David Mecklenburg Date: 11/6/2024

Name / Title/ Organization: David Mecklenburg / / KING COUNTY

Certifying Officer Signature: Kristin Pula Date: 11/06/2024  
Kristin Pula (Nov 6, 2024 13:19 PST)

Name/ Title: Kristin Pula /Capital Programs Manager

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environment Review Record (ERR) for the activity / project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).






# Burien-FSH-EA-SignaturePage-KP

Final Audit Report

2024-11-06

|                 |  |
|-----------------|--|
| Created:        | 2024-11-06   |
| By:             | Dave Mecklenburg (dave.mecklenburg@kingcounty.gov) |
| Status:         | Signed   |
| Transaction ID: | CBJCHBCAABAAAn9tHCDjIQ3wGDflQBPZ9iwDwDWJLBZk0      |

## "Burien-FSH-EA-SignaturePage-KP" History

-  Document created by Dave Mecklenburg (dave.mecklenburg@kingcounty.gov)  
2024-11-06 - 8:07:02 PM GMT
-  Document emailed to Kristin Pula (kpula@kingcounty.gov) for signature  
2024-11-06 - 8:07:12 PM GMT
-  Email viewed by Kristin Pula (kpula@kingcounty.gov)  
2024-11-06 - 9:19:01 PM GMT
-  Document e-signed by Kristin Pula (kpula@kingcounty.gov)  
Signature Date: 2024-11-06 - 9:19:41 PM GMT - Time Source: server
-  Agreement completed.  
2024-11-06 - 9:19:41 PM GMT