

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

9/5/2024

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

10/8/2024

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, Homelessness, and Community Development Division (HCDD).

REQUEST FOR RELEASE OF FUNDS

On or about 10/24/2024, 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 to undertake a project known as Orchard Gardens/Holy Cross Affordable Housing being proposed by Habitat for Humanity of Seattle-King and Kittitas Counties for the purpose of providing housing to low- and moderate-income households. The total of HUD funding is approximately \$ \$1,066,850. The overall total cost of the project at 4315 129th PI SE, Bellevue, WA 98006 is \$21,600,876.

The proposed project will remove existing buildings (community building, childcare facility, two accessory service structures, multiple storage sheds, a small pavilion structure, and 6,000 square foot parking lot. A new planned unit development will be constructed containing 25 residential units, a multi-family play area, new religious facility, and associated parking, driveways, and utilities.

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/legacy/depts/community-human-services/housing/services/community-development/cd-environmental-review.aspx> Scroll to the bottom of page and open "2024 Environmental Assessments" menu to view ERR for this project.

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. All comments received by 5:00 PM PDT October 23rd, 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

HHCDD 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 at SEACPDRROF@hud.gov regarding HOME funds 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: Habitat-for-Humanity-SKC-Orchard-Gardens

HEROS Number: 900000010399398

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):

Point of Contact:

Consultant (if applicable): Perteet Inc.

Point of Contact: Andy Yim

Project Location: 4315 129th Pl SE, Bellevue, WA 98006

Additional Location Information:

The project is located at 4315 129th Place SE, Bellevue, King County, Washington. The PLSS location is NE 1/4 of Section 16, Township 24N, Range 05E W.M. The Area around the site is primarily residential. A large high school (Newport) is located immediately to the West across Factoria Boulevard. Factoria Mall is located 2,167 feet to the North.

Direct Comments to: David Mecklenburg:
Community.Development@kingcounty.gov

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

The proposed project will remove existing buildings (community building, childcare facility, two accessory service structures, multiple storage sheds, a small pavilion structure, and 6,000 square foot parking lot. A new planned unit development will be constructed containing 25 residential units, a multi-family play area, new religious facility, and associated parking, driveways, and utilities.

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

The cost of rent and home prices in the City of Bellevue is rising faster than income making housing unaffordable to many people in the City. Bellevue's City Council has recognized that it is critically important to provide a safe, healthy, and affordable place to live for people of all income levels to sustain Bellevue's livability and economic vitality. This proposed project will add 25 affordable homes to help alleviate the affordable housing shortage.

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

The project is located within the City of Bellevue's Somerset neighborhood, which features upscale homes with mountain, lake, and city views. The median home price in the neighborhood ranges from \$1.8-\$1.9 million and home prices increasing approximately 16.8% within the last year. In the absence of this project, the number of affordable homes will continue to be insufficient to support the neighborhood's needs. Without re-development of this property, the site would likely be subdivided into lots supporting market rate housing such as that described above.

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

[9 Project Summary Plan.pdf](#)

[Imap-02.jpg](#)

[Imap-01.jpg](#)

[Factoria-MallDistance.jpg](#)

[Area-Google-Map.jpg](#)

[HolyCross_APE_Map.pdf](#)

[West-NewportWay.jpg](#)

[View-to-West-July2024.jpg](#)

[Viewto-SSE.jpg](#)

[View-to-East2.jpg](#)

[View-to-East.jpg](#)

[NorthBuilding.jpg](#)

[Landuse-Sign-Northend.jpg](#)

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
M23-DC-530200	Community Planning and Development (CPD)	HOME Program	\$1,066,850.00

Estimated Total HUD Funded, Assisted or Insured Amount: \$1,066,850.00



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

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

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Funding Information

Grant Number	HUD Program	Program Name	
M23-DC-530200	Community Planning and Development (CPD)	HOME Program	\$1,066,850.00

Estimated Total HUD Funded Amount: \$1,066,850.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$21,600,876.00

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
Contamination and Toxic Substances	The recognized environmental Conditions described on Page 13 of the Phase I ESA led to the Phase II testing. Contamination for the soil yielded no concern for the historic orchard (levels being below Ecology's MTCA Method A cleanup levels (WAC 173-340-900 Table 720-1 and 740-1). The UST was not discovered, but should it be, the Phase II recommendations on page 5 shall be followed. "Conclusions and Recommendations."
Solid Waste Disposal and Recycling (Feasibility and Capacity)	The City of Bellevue offers customized help to reduce waste, including staff training and support to begin composting service by contacting recycle@bellevuewa.gov.
Climate Change	The Project shall comply with Washington State Energy Code and Energy Star requirements.
Environmental Justice EA Factor	During the course of construction, if Underground Storage Tanks (USTs) are discovered to be USTs, or if other historic USTs are discovered on the Property in the course of redevelopment, such USTs should be properly decommissioned and removed in accordance with the applicable city, county, and/or state requirements. Following its removal, a UST Site Assessment should be performed in accordance with the Ecology Guidance for Site Checks and Site Assessment for Underground Storage Tanks. The project owner shall furnish to King County project manager(s) proof at close of construction that USTs did not exist or were properly remediated. This requirement and notification shall be appropriately highlighted under condition in the Construction Documents.
Permits, reviews, and approvals	The City of Bellevue will require standard permits, including overall, stormwater, erosion control, and traffic. Permits have been applied for and are expected in January 2025.

Project Mitigation Plan

The Project Owner will ensure that any potential underground storage tanks are discovered and removed (if extant) in accordance with State, Local and Federal procedures and will notify the Responsible Entity if the tanks are discovered or not. The project owner and its contractor will carry out removal and mitigation of USTs according to WA State Ecology guidance as directed above. For potential discoveries of cultural resources and human remains, an unanticipated discovery plan (which can be found in the Historic Preservation Documents) will be part of construction documents. Additionally, mitigation plans described above for Solid Waste and Climate change shall be followed.

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: 10/8/2024

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

Certifying Officer Signature: Kristin Pula Date: Oct 8, 2024
Kristin Pula (Oct 8, 2024 10:03 PDT)

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).






EA-OrchardGardens-SignaturePage

Final Audit Report

2024-10-08

Created:	2024-10-08
By:	Dave Mecklenburg (dave.mecklenburg@kingcounty.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAQd9ftlzPprIDG1F6pvmG5yKZrh5sOk0

"EA-OrchardGardens-SignaturePage" History

-  Document created by Dave Mecklenburg (dave.mecklenburg@kingcounty.gov)
2024-10-08 - 4:51:39 PM GMT
-  Document emailed to Kristin Pula (kpula@kingcounty.gov) for signature
2024-10-08 - 4:52:06 PM GMT
-  Email viewed by Kristin Pula (kpula@kingcounty.gov)
2024-10-08 - 5:03:08 PM GMT
-  Document e-signed by Kristin Pula (kpula@kingcounty.gov)
Signature Date: 2024-10-08 - 5:03:27 PM GMT - Time Source: server
-  Agreement completed.
2024-10-08 - 5:03:27 PM GMT

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$21,600,876.00

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

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. NEPA Assist indicates Renton Municipal Airport as the closest major airport at 7.7 miles. Joint Base Lewis-McChord is over 47 miles to the south. The project is in compliance with this law and authority.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A review of FEMA Flood Insurance Rate Map (FIRM) Panel 53033C0658G dated August 19, 2020 revealed the project is not located within a FEMA-designated Special Flood Hazard Area. A FIRMette downloaded from the FEMA Map Service Center (https://msc.fema.gov/portal/home) confirms the structure or insurable property is in Zone X and not located in a FEMA-designated Special Flood Hazard Area. 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.

STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>A review of the Washington Department of Ecology Maintenance and Nonattainment data revealed the project is not located within a current non-attainment or maintenance. The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act. NEPA Assist confirms this save for Particulate Matter (see attachments) which is in maintenance state.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>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. Based on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: ASTM Phase I ESA. The Phase I has been confirmed and updated in September 2024. (See "update" attachment.) On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. Radon analysis indicated</p>

		<p>elevated levels of radon or consideration of radon will occur following construction. Adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.</p>
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act. Under HUD's Programmatic Opinion for Actions in Washington State, this project is not in proximity to riparian area, does not include large infrastructure projects, is not in a floodplain, and does not remove 5 or more acres of mature trees, therefore, the project qualifies for inclusion under the NMFS programmatic biological opinion. A review of the U.S. Fish and Wildlife iPaC identified five species potentially affected within the project's action area. Due to their range and specific habitat requirements, the species are unlikely to occur within the action area. No designated critical habitat or suitable habitat for the five species occurs within the action area. NMFS responded to the programmatic Action form with the mitigation conditions to be met per design and construction follow through. (1) Galvanized metals in roofing or gutters must be painted to prevent rain from introducing zinc into the runoff. If paint begins to flake or peel, paint must be refreshed. (2) Any rooftop HVAC system must be under a roofed structure or painted. If it's painted it requires regular maintenance to ensure</p>

		<p>paint is not chipping or peeling due to the potential of galvanized metals releasing zinc into the runoff</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. A Phase 1 ESA was conducted which identified one former above ground tank on the property, but has since been removed. No above ground tanks currently exist on the property. A review of the City of Bellevue fuel tank records did not identify any * Containers more than 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 more that meet the requirements of the 2017 version of National Fire Protection Association (NFPA) Code 58. Note: in an aerial reconnaissance of the area, a very large tank was identified at the perimeter of the 1 mile radius. This is actually a water reservoir for the City of Bellevue. Records of confirmation are attached.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. 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. Per project summary screen, the apple orchard and pea-patch onsite will not be changed.</p>

		The project is in compliance with the Farmland Protection Policy Act.
<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The following exception applies, therefore the project is in compliance with Executive Orders 11988 and 13690: 55.12(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. (There is no wetland, see that Law and Authority for Mapping.) The project is located in the FEMA Zone X. See Flood Insurance for Mapping Info.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. As standard policy and procedure, an Unanticipated Discovery Plan naming King County Housing and Community Development Staff along with King County Historic Preservation program staff will be part of construction conditions. The three Tribes who responded did not have further comments or concerns. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.</p>
<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>A Noise Assessment was conducted. The noise level was acceptable: 65.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. A review of SeaTac Airport, King County International</p>

		Airport/Boeing Field, and Renton Municipal Noise Contour maps revealed the project site is outside these airports noise contours. A review of WSDOT Rail data revealed the railroad located within 3,000 feet of the project site is abandoned and converted to a trail. Traffic counts from Bellevue's Annual Average Weekday Traffic (2019) map was inputted into the HUD DNL Calculator to analyze major roadway noise levels. The combined DNL was 65, which is at the Acceptable level.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. Per the EPA Sole Source Aquifer Mapper, the project site is not located in sole source aquifer.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. A review of King County wetlands, NWI, and City of Bellevue wetlands revealed no wetlands exists on the project site. The project site has been previously developed and landscaped. No wetland exists on property and no wetlands will be impacted by the proposed project.
Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. A search of National Wild and Scenic Rivers System W.S.R. Designated Rivers Map, Wild & Scenic River Studies, and the National Park Service Nationwide Rivers Inventory (NRI) revealed the project is not located on or within 20+ miles of a designated river.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Adverse environmental impacts are not disproportionately high for low-income

		<p>and/or minority communities. The project is in compliance with Executive Order 12898. Adverse impact is localized on the subject property. Two geophysical anomaly suggestive of a UST are located on the project site which we be decommissioned and removed in accordance with applicable city, county, and/or state requirements prior to construction. Testing showed the soil and groundwater were in compliance with Ecology's MTCA Method A cleanup levels. No properties or populations outside of the subject properties will be affected.</p>
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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
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The City of Bellevue adopted the Affordable Housing Strategy in 2017 with the goal of providing affordable housing across a range of incomes and community needs. This project uses Bellevue Land Use Code (20.20.128) which allows code modification to encourage development of affordable housing. The project will increase the	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		supply of affordable housing within the City.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	A Geotech report found soils and slope conditions to be suitable for conventional footings. An Infiltration report found the infiltration at the site to be infeasible. Stormwater infrastructure will be constructed to manage and convey to City's existing system per Ecology's standards. BMP's will be utilized during construction to minimize erosion.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	The project site is not anticipated to be affected by natural hazards. The site is not within a FEMA flood hazard, steep slope, liquefaction hazard, or severe soil erosion hazard per City of Bellevue's Critical Hazards Map. No air pollution generators or nuisances are located in the project vicinity. The project is not a noise-generating facility. Noise from project be similar to existing residential use.	
SOCIOECONOMIC			
Employment and Income Patterns	2	This project will not significantly increase or decrease employment opportunities. The project will temporarily provide construction jobs but will cease at the completion of the project. At the completion of the project,	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		no jobs will be added or displaced.	
Demographic Character Changes / Displacement	1	According to the U.S. Census, within a half mile of the project area, there is an approximately 66% minority population and 19% Low-income population within a half mile of the project site is a minority. The neighborhood includes upscale homes with views and median home prices from \$1.8-\$1.9 million. This project will help low-income populations by providing affordable housing. The project will not result in physical barriers, racial/income segregation, housing/job displacement, or concentration of low-income/disadvantaged people.	
Environmental Justice EA Factor	3	The only adverse impact identified are two potential UST located on the subject property. UST's will be decommissioned and removed. Site will be cleaned to Ecology's MTCA prior to construction. With cleanup, adverse impacts will not be disproportionately high for low-income or minority populations.	During the course of construction, if Underground Storage Tanks (USTs) are discovered to be USTs, or if other historic USTs are discovered on the Property in the course of redevelopment, such USTs should be properly decommissioned and removed in accordance with the applicable city, county, and/or state requirements. Following its removal, a UST Site Assessment should be performed in accordance with the Ecology Guidance for Site Checks and Site Assessment for Underground Storage Tanks.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
			The project owner shall furnish to King County project manager(s) proof at close of construction that USTs did not exist or were properly remediated. This requirement and notification shall be appropriately highlighted under condition in the Construction Documents.
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	A Demographic and Enrollment Study dated October 6, 2022, found the Bellevue School District has had declining enrollment 3 years in a row, with the cost of housing as one of the reasons why enrollment has decreased. This project will add to the stock of affordable housing.	
Commercial Facilities (Access and Proximity)	2	The proposed project will not displace any commercial facilities. The project site is located within walking distance (<0.5 Miles) to retail, groceries, restaurants, banking, and other commercial businesses in Factoria. The proposed project will provide additional customers to local businesses.	
Health Care / Social Services (Access and Capacity)	2	Kaiser Permanente, UW Medicine, and Swedish all have medical centers located approximately 1 mile from the project site. Each medical center is accepting new patients. King County Metro operates buses to	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		walking distances of medical centers. Police and fire stations are located within 1/2 mile of the project.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	Solid waste and recycling will be provided by the City of Bellevue via Republic Services. In addition, the recently constructed Factoria Recycling & Transfer Station is located within a 1.5-mile drive from the project site. The addition of new residents will add to solid waste, however the addition of such a small number should be negligible.	The City of Bellevue offers customized help to reduce waste, including staff training and support to begin composting service by contacting recycle@bellevuewa.gov .
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	The project will tie into existing municipal sanitary sewer system. Stormwater will be collected separately conveyed to existing municipal stormwater system.	
Water Supply (Feasibility and Capacity)	2	Water will be provided by the City of Bellevue. The City's water quality meets or exceed all state and federal drinking water standards. The City of Bellevue's 2016 Water System Plan found funded CIP projects satisfied the needs of projected growth through the 20-year planning period.	
Public Safety - Police, Fire and Emergency Medical	2	The project site is located less than 1/4 mile from Fire Station 4, approximately 1/2 mile from the Factoria Community Police Station, and less than 5 miles from Overlake Hospital. The	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		nearest hydrant is located adjacent to the project site.	
Parks, Open Space and Recreation (Access and Capacity)	2	The project will include a multifamily play area and open space. Other recreational opportunities in the area include the sports fields and courts located at Newport High School (<0.5 miles from the project site), and South Bellevue Community Center (approx.. 1.2 miles from the project site).	
Transportation and Accessibility (Access and Capacity)	2	A total of 13 parking stalls are required for dwelling units and 25 stalls are proposed. The project also includes 30 parking stalls for the religious facility. Sidewalks and bicycle lanes exist on SE Newport Way King County Metro provides transit service with stops located on SE Newport Way adjacent to the project site.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	The project is located on a previously disturbed site. No unique natural features exist on site. The project will tie into the City's Sewer System. No septic tanks are proposed. Groundwater is not anticipated to be encountered, impacted by the project, or impact the project. All pollution generating impervious surface runoff will be collected and treated prior	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		to conveyance to the City's storm drainage network.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The project occurs on previously disturbed site. The only vegetation to be removed are existing landscaped areas that was part of the existing church. A total of 19 trees are proposed for removal and a total of 50 trees are proposed for planting. A review of the WA Dept. of Natural Resources Natural Heritage data and the U.S. Fish and Wildlife iPac did not find any rare plant species or threatened or endangered species or critical habitat in the project's action area. No rare, threatened, or endangered species or habitat will be impacted.	
Other Factors 1			
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	3	The project location is not in an area that will be affected by coastal or inland flooding, sea level rise, landslides, or wildfires due to climate change. The site may experience increase in extreme temperatures due to climate change. The proposed site is located adjacent to transit routes to encourage lower greenhouse emission-transportation. Building envelopes will comply with the Washington State Energy Code for	The Project shall comply with Washington State Energy Code and Energy Star requirements.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		protection from heat and cold.	
Energy Efficiency	2	The project site is conveniently located close to transit, shopping, schools, and services to reduce transportation. Building envelopes and heating systems will comply with the Washington State Energy Code which includes Energy Star requirements.	

Supporting documentation

[Bellevue Drainage.JPG](#)

[Swedish.JPG](#)

[UW.JPG](#)

[Kaiser.JPG](#)

[Bellevue Solid waste Plan.pdf](#)

[2024-city-of-bellevue-water-quality-report-english-1.pdf](#)

[Fire Station.pdf](#)

[Factoria Police Station.pdf](#)

[2021 Washington Energy Code.pdf](#)

[KCM Route 989.jpg](#)

[KCM Route 241.jpg](#)

[Commercial Map.jpg](#)

[KCM Route 246.jpg](#)

Additional Studies Performed:

Appraisal Attached.

[230719200103Appraisal-OG.pdf](#)

Field Inspection [Optional]: Date and completed by:

[West-NewportWay.jpg](#)

[View-to-West-July2024.jpg](#)

[Viewto-SSE.jpg](#)

[View-to-East2.jpg](#)

[View-to-East.jpg](#)

[NorthBuilding.jpg](#)

[Landuse-Sign-Northend.jpg](#)

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

City of Bellevue, King County, Bellevue School District NEPA Assist CDC National Environmental Public Health Tracking Network USFWS iPAC tool NOAA/NMFS: Logan Kent Tribes (See Historic Preservation for Detailed communications) Washington State Department of Archaeology and Historic Preservation HUD Region X Website Riley Group USFWS Wetlands Mapping Service FEMA Map center

List of Permits Obtained:

The City of Bellevue will require standard permits, including overall, stormwater, erosion control, and traffic. Permits have been applied for and are expected in January 2025.

Public Outreach [24 CFR 58.43]:

Habitat held two public meetings in May 2023 at Holy Cross Lutheran Church. We also circulated fliers and solicited survey responses from local residents regarding the development.

Cumulative Impact Analysis [24 CFR 58.32]:

The current use of the project is as a religious service location (church). While the addition of increased density, low-moderate income housing will have effects on the site, it is unlikely they would be different, if not better, than if the property was sold off for market rate development that would remove the church and maximize development footage by removal of the orchard. Environmental treatment and controls can be better mitigated through the requirements of this review. Lastly, while small in number, Bellevue suffers from crushing gentrification that has made most affordable housing unavailable. This project does not increase the relatively unsustainable model of Single Family Residency, but allows for a long-term affordable location for families and households to access non-multifamily-building-housing in an otherwise unaffordable location.

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

This property became available through a partnership with Holy Cross Lutheran Church, which was willing to sell the property below market value in order to provide affordable home ownership in their community. In addition, there was an opportunity

to use new provisions in Bellevue's land use code to create more housing on the property. For all of these reasons, this location was chosen for a Habitat development. Furthermore, owing to the special arrangement that Habitat has arrived at with the current property owners, other alternatives in similar locations on the East Side are prohibitively expensive in terms of developing affordable housing. This particular location, in easy walking access of a school and transit rose to the top as an ideal location for this project and clientele.

No Action Alternative [24 CFR 58.40(e)]

In the no-action alternative, the already shortage of low-income affordable housing supply will be less capable of meeting the demand. Low-income individuals and families may experience homelessness, lack of basic necessities, and lower access to health insurance and quality of medical care. Low-income individuals and families may be forced to move to more affordable locations, creating a less diverse workforce and population. Commuting from farther affordable housing locations creates increase in greenhouse gas emissions. Urban sprawl, where natural and rural environments will be impacted, furthering greenhouse gas emissions that causes climate change. Bellevue's Affordable Housing Strategy seeks to provide affordable homeownership options at a range of incomes that support its varied population and workforce and meets the high demand of the community. Habitat's Orchard Gardens community perfectly aligns with Bellevue's strategy by adding 25 units to the local affordable housing stock, thereby retaining 25 families in the community who would otherwise be at considerable risk of displacement due to Bellevue's high housing costs.

Summary of Findings and Conclusions:

Given the City of Bellevue's desire to increase affordable housing densities and the availability of this particular parcel in an affluent, expensive real estate market, the project should not unduly affect the human, built, or natural environment. Mitigation of risks such as potential USTs are a useful outcome of this development. The alternatives, such the parcel becoming more expensive land out of reach for most first time and low-moderate income homeowners and developed without environmental oversight argues in favor of the project. Mitigation factors (on the next screen) are achievable and there is not outstanding reason for cancelling or relocating the project.

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
Contamination and Toxic Substances	<p>The recognized environmental Conditions described on Page 13 of the Phase I ESA led to the Phase II testing. Contamination for the soil yielded no concern for the historic orchard (levels being below Ecology's MTCA Method A cleanup levels (WAC 173-340-900 Table 720-1 and 740-1). The UST was not discovered, but should it be, the Phase II recommendations on page 5 shall be followed.</p> <p>"Conclusions and Recommendations."</p>	N/A	<p>During the course of construction, if USTs are discovered to be USTs, or if other historic USTs are discovered on the Property in the course of redevelopment, such should be properly decommissioned and removed in accordance with the applicable city, county, and/or state requirements. Following its removal, a UST Site Assessment should be performed in accordance with the Ecology Guidance for Site Checks and Site Assessment for Underground Storage Tanks. This requirement and notification shall be appropriately highlighted under condition in the Construction Documents.</p>	

<p>Environmental Justice EA Factor</p>	<p>During the course of construction, if Underground Storage Tanks (USTs) are discovered to be USTs, or if other historic USTs are discovered on the Property in the course of redevelopment, such USTs should be properly decommissioned and removed in accordance with the applicable city, county, and/or state requirements. Following its removal, a UST Site Assessment should be performed in accordance with the Ecology Guidance for Site Checks and Site Assessment for Underground Storage Tanks. The project owner shall furnish to King County project manager(s) proof at close of construction that USTs did not exist or were properly remediated. This requirement and notification shall be appropriately highlighted under condition in the Construction Documents.</p>	<p>N/A</p>	<p>Compliance with Contamination and Toxic Substances Mitigation shall satisfy this condition.</p>	
<p>Solid Waste Disposal and Recycling (Feasibility and Capacity)</p>	<p>The City of Bellevue offers customized help to reduce waste, including staff training and support to begin composting service by contacting recycle@bellevuewa.gov.</p>	<p>N/A</p>	<p>The project owner shall contact City of Bellevue to determine a feasible waste reduction plan. Results and efforts of outreach to City will be sent to Responsible Entity (King County) no less than 3 months</p>	

			after construction is complete for plan. The County recognizes the plan may not be detailed, but can illustrate a course of action that will be followed.	
Climate Change	The Project shall comply with Washington State Energy Code and Energy Star requirements.	N/A	Upon completion, the Project Owner shall provide proof to Responsible Entity that project met Washington State Energy Code and Energy Star requirements.	

Project Mitigation Plan

The Project Owner will ensure that any potential underground storage tanks are discovered and removed (if extant) in accordance with State, Local and Federal procedures and will notify the Responsible Entity if the tanks are discovered or not. The project owner and its contractor will carry out removal and mitigation of USTs according to WA State Ecology guidance as directed above. For potential discoveries of cultural resources and human remains, an unanticipated discovery plan (which can be found in the Historic Preservation Documents) will be part of construction documents. Additionally, mitigation plans described above for Solid Waste and Climate change shall be followed.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

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

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

No

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

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. NEPA Assist indicates Renton Municipal Airport as the closest major airport at 7.7 miles. Joint Base Lewis-McChord is over 47 miles to the south. The project is in compliance with this law and authority.

Supporting documentation

[NEPA-Assist-RentonMuni.jpg](#)

[Nepa-Assist-JBLM.jpg](#)

[NEPA-Assist-BoeingField.jpg](#)

[1 GoogleMaps DistanceRentonMunicipalAirport.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:

[10 FEMA FIRM 53033C0658G.tif](#)

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

A review of FEMA Flood Insurance Rate Map (FIRM) Panel 53033C0658G dated August 19, 2020 revealed the project is not located within a FEMA-designated Special Flood Hazard Area. A FIRMette downloaded from the FEMA Map Service Center (<https://msc.fema.gov/portal/home>) confirms the structure or insurable property is in Zone X and not located in a FEMA-designated Special Flood Hazard Area. 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

[FIRMETTE_4b027e08-af7b-42ab-9d80-d3295abb8675.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

A review of the Washington Department of Ecology Maintenance and Nonattainment data revealed the project is not located within a current non-attainment or maintenance. The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

NEPA Assist confirms this save for Particulate Matter (see attachments) which is in maintenance state.

Supporting documentation

[PM Maintenance-OrchardGardens.jpg](#)

[Layer PM10 \(1987 standard\) \(ID 8\).pdf](#)

[4 WA Ecology Maintenance and Nonattainment Areas.pdf](#)

[4 WA Ecology Air Quality Standards.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Zone Management Act

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

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

Yes

No

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

Yes

No

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

Screen Summary

Compliance Determination

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. Based

on the project description the project does not include any activities that would affect a Coastal Zone. The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No

Contamination and Toxic Substances

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

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

ASTM Phase I ESA

ASTM Phase II ESA

Remediation or clean-up plan

ASTM Vapor Encroachment Screening.

None of the above

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

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

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

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

No

Explain:

Yes

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

** Utilize EPA's Enviromapper, 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 RE used the CDC Radon testing maps as per HUD training. King County is at .8 pCi/L The owner's consultants also conducted Radon testing finding nothing over .4pCi/L

File Upload:

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

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

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

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

8. Mitigation

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

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

Can all adverse environmental impacts be mitigated?

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

- ✓ Yes, all adverse environmental impacts can be eliminated through mitigation, and/or consideration of radon and radon mitigation, if needed, will occur following construction.
Provide all mitigation requirements** and documents in the Screen Summary at the bottom of this screen.

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

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

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

The recognized environmental Conditions described on Page 13 of the Phase I ESA led to the Phase II testing. Contamination for the soil yielded no concern for the historic orchard (levels being below Ecology's MTCA Method A cleanup levels (WAC 173-340-900 Table 720-1 and 740-1). The UST was not discovered, but should it be, the Phase II recommendations on page 5 shall be followed. "Conclusions and Recommendations."

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

- ✓ Complete removal

Risk-based corrective action (RBCA)

Other

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

** Institutional controls are mechanisms used to limit human activities at or near a contaminated site, or to ensure the effectiveness of the remedial action over time, when contaminants remain at a site at levels above the applicable remediation standard which would

allow for unrestricted use of the property. Institutional controls may include structure, land, and natural resource use restrictions, well restriction areas, classification exception areas, deed notices, and declarations of environmental restrictions.

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA. The Phase I has been confirmed and updated in September 2024. (See "update" attachment.) On-site or nearby toxic, hazardous, or radioactive substances were found that could affect the health and safety of project occupants or conflict with the intended use of the property. Radon analysis indicated elevated levels of radon or consideration of radon will occur following construction. Adverse environmental impacts can be mitigated. With mitigation, identified in the mitigation section of this review, the project will be in compliance with contamination and toxic substances requirements.

Supporting documentation

[2022-222 Environmental Letter 2024 update-Phase1.pdf](#)

[6 WA Ecology Toxics Cleanup Sites.pdf](#)

[6 Riley Group Phase II ESA.pdf](#)

[6 Holy Cross - Geophysical Survey.pdf](#)

[6 Enviromapper Hazardous Waste Sites.pdf](#)

[6 2022-222-1 Phase I Environmental Site Assessment.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

Explain your determination:

This project is not in proximity to riparian area, does not include large infrastructure projects, is not in a floodplain, and does not remove 5 or more acres of mature trees. Therefore, the project qualifies for inclusion under the NMFS programmatic biological opinion. A review of the U.S. Fish and Wildlife iPaC identified five species potentially affected within the project's action area. Due to their range and specific habitat requirements, the species are unlikely to occur within the action area. No designated critical habitat or suitable habitat for the five species occurs within the action area.

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

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

Screen Summary

Compliance Determination

This project will have No Effect on listed species based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office. This project is in compliance with the Endangered Species Act. Under HUD's Programmatic Opinion for Actions in Washington State, this project is not in proximity to riparian area, does not include large infrastructure projects, is not in a floodplain, and does not remove 5 or more acres of mature trees, therefore, the project qualifies for inclusion under the NMFS programmatic biological opinion. A review of the U.S. Fish and Wildlife iPaC identified five species potentially affected within the project's action area. Due to their range and specific habitat requirements, the species are unlikely to occur within the action area. No designated critical habitat or suitable habitat for the five species occurs within the action area. NMFS responded to the programmatic Action form with the mitigation conditions to be met per design and construction follow through. (1) Galvanized metals in roofing or gutters must be painted to prevent rain from introducing zinc into the runoff. If paint begins to flake or peel, paint must be refreshed. (2) Any rooftop HVAC system must be under a roofed structure or painted. If it's painted it requires regular maintenance to ensure paint is not chipping or peeling due to the potential of galvanized metals releasing zinc into the runoff

Supporting documentation

[Coal Creek5.msg](#)

[Coal Creek4.msg](#)

[Coal Creek3.msg](#)

[Coal Creek2.msg](#)

[Coal Creek1.msg](#)

[Coal Creek.msg](#)

[WA HUD Orchard Gardens Housing \(NMFSWCRO-2020-00512-7555\).msg](#)

[WA HUD Orchard Gardens Housing \(NMFS WCRO-2020-00512-7555\) Planting Information.msg](#)

[FW WA HUD Orchard Gardens Housing \(NMFSWCRO-2020-00512-7555\).msg OrchardGardens-NMFS-ActionForm.docx](#)

[OG-Landscape-Plan.pdf](#)

[22177 Landscape letter 2024-08-23.pdf](#)

[7 BlueLine Prelim Drainage Report.pdf](#)

[7 Species List Washington Fish And Wildlife Office.pdf](#)

[7 PHS Report Half Mile.pdf](#)

[7 HUD NMFS WA State Appendix Checklist.docx](#)

[7 FWS Endangered Species Act 2020.docx](#)

[7 FWS Species No Effect determination.docx](#)

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

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

Yes

Screen Summary

Compliance Determination

There are no current or planned stationary aboveground storage containers of concern within 1 mile of the project site. The project is in compliance with explosive and flammable hazard requirements. A Phase 1 ESA was conducted which identified one former above ground tank on the property, but has since been removed. No above ground tanks currently exist on the property. A review of the City of Bellevue fuel tank records did not identify any * Containers more than 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 more that meet the requirements of the 2017 version of National Fire Protection Association (NFPA) Code 58. Note: in an aerial reconnaissance of the area, a very large tank was identified at the perimeter of the 1 mile radius. This is actually a water reservoir for the City of Bellevue. Records of confirmation are attached.

Supporting documentation

[AboveGround-Tank-Factoria.png](#)

[6 Bellevue Public Regeust - Water Tank - Permit Report.pdf](#)

[Factoria-WaterTank.pdf](#)

[8 Bellevue Tank Records.xlsx](#)

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.)	7 CFR Part 658

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

2. Does your project meet one of the following exemptions?

- Construction limited to on-farm structures needed for farm operations.
- Construction limited to new minor secondary (accessory) structures such as a garage or storage shed
- Project on land already in or committed to urban development or used for water storage. (7 CFR 658.2(a))

Yes

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

No

Screen Summary

Compliance Determination

This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. 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. Per project summary screen, the apple orchard and pea-

patch onsite will not be changed. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Urbanized-Area.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 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

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

✓ Yes

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

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

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is placed on the property's continued use for flood control, wetland protection, 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:

Per 24 CFR 55.7(b)(2), the Project is located in a Zone X (outside the old old FEMA 100 year and the 0.2-percent-annual-chance floodplain.

No

Screen Summary

Compliance Determination

The following exception applies, therefore the project is in compliance with Executive Orders 11988 and 13690: 55.12(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. (There is no wetland, see that Law and Authority for Mapping.) The project is located in the FEMA Zone X. See Flood Insurance for Mapping Info.

Supporting documentation

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" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

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

- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)

- ✓ Duwamish Tribe Completed
- ✓ Muckleshoot Tribe Response Period Elapsed
- ✓ Puyallup Tribe Response Period Elapsed

- ✓ Snoqualmie Tribe Completed
- ✓ Suquamish Tribe Completed
- ✓ Tulalip Tribe Response Period Elapsed
- ✓ Warm Springs Tribes Response Period Elapsed
- ✓ Yakama Nation Response Period Elapsed

Other Consulting Parties

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

RE used TDAT and KC Records to determine Tribal Outreach. Standard EZ-1 Procedures for Section 106 initiated, even though this had been review before, since there as no designation of the property in WISAARD.

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:**
See document uploads

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
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Additional Notes:

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

No Adverse Effect

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

Document reason for finding:

The State Historic Preservation Officer confirmed in letter (attached) that there were no Historic Properties and no adverse effect. Additionally, non of the Tribes requested formal monitoring or concern. See more in summary.

Does the No Adverse Effect finding contain conditions?

Yes (check all that apply)

No

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

concurrence(s) or objection(s) below.

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: None. As standard policy and procedure, an Unanticipated Discovery Plan naming King County Housing and Community Development Staff along with King County Historic Preservation program staff will be part of construction conditions. The three Tribes who responded did not have further comments or concerns. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.

Supporting documentation

[RE Orchard Gardens HOME LMI Housing Project Request for Tribal Comments3.msg](#)
[RE Orchard Gardens HOME LMI Housing Project Request for Tribal Comments1.msg](#)
[RE Orchard Gardens HOME LMI Housing Project Request for Tribal Comments.msg](#)
[Orchard Gardens Holy Cross Bellevue Redevelopment Project consultation.msg](#)
[Orchard Gardens HOME LMI Housing Project Request for Tribal Comments2.msg](#)
[Orchard Gardens HOME LMI Housing Project Request for Tribal Comments\(6\).msg](#)
[Orchard Gardens HOME LMI Housing Project Request for Tribal Comments 9.msg](#)
[Orchard Gardens HOME LMI Housing Project Request for Tribal Comments 8.msg](#)
[Orchard Gardens HOME LMI Housing Project Request for Tribal Comments 7.msg](#)
[Orchard Gardens HOME LMI Housing Project Request for Tribal Comments 6.msg](#)
[Orchard Gardens HOME LMI Housing Project Request for Tribal Comments 5.msg](#)
[Orchard Gardens HOME LMI Housing Project Request for Tribal Comments 4.msg](#)
[FW Orchard Gardens HOME LMI Housing Project Request for Tribal Comments.msg](#)
[When-to-Consult-with-Tribes-Under-Section-106-Checklist.pdf](#)
[TDAT-PrintPage.pdf](#)
[TDAT-OG-Report-6-18-2024.xlsx](#)
[SEC106-DAHPlatter-OrchardGardens.pdf](#)
[RE Orchard Gardens Holy Cross Redevelopment Project \(WISAARD 2024-06-04319\).msg](#)
[2024-06-04319 NoHistoricResourcesAffected.pdf](#)

Are formal compliance steps or mitigation required?

Habitat-for-Humanity-SKC-
Orchard-Gardens

Bellevue, WA

900000010399398

Yes

✓ No

Noise Abatement and Control

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

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

- New construction for residential use

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

Rehabilitation of an existing residential property

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

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

None of the above

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

Indicate the findings of the Preliminary Screening below:

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

- ✓ Noise generators were found within the threshold distances.

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

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

Indicate noise level here: 65

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: 65

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

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was acceptable: 65.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. A review of SeaTac Airport, King County International Airport/Boeing Field, and Renton Municipal Noise Contour maps revealed the project site is outside these airports noise contours. A review of WSDOT Rail data revealed the railroad located within 3,000 feet of the

project site is abandoned and converted to a trail. Traffic counts from Bellevue's Annual Average Weekday Traffic (2019) map was inputted into the HUD DNL Calculator to analyze major roadway noise levels. The combined DNL was 65, which is at the Acceptable level.

Supporting documentation

[12 Airport Map.pdf](#)

[12 Bellevue Traffic Volumes Map.pdf](#)

[12 Bellevue Truck Routes.pdf](#)

[12 BFI Airport Noise Analysis.pdf](#)

[12 DNL Calculator - HUD Exchange.pdf](#)

[12 Rail Major Roadways Map.pdf](#)

[12 Renton Airport Pilot Info 2021 WEB.pdf](#)

[12 Seatac Noise contoursMap 13.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

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

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

Yes

✓ No

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

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

✓ No

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

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. Per the EPA Sole Source Aquifer Mapper, the project site is not located in sole source aquifer.

Supporting documentation

[SSAs.jpg](#)

[13 EPA Sole Source Aquifer Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

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

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

No

Yes

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

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

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

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

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

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. A review of King County wetlands, NWI, and City of Bellevue wetlands revealed no wetlands exists on the project site. The project site has been previously developed and landscaped. No wetland exists on property and no wetlands will be impacted by the proposed project.

Supporting documentation

[14 Bellevue Comp Plan Environmental Critical Areas Map.pdf](#)

[14 King County Wetlands Map.pdf](#)

[14 National Wetland Inventory Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

✓ No

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

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

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. A search of National Wild and Scenic Rivers System W.S.R. Designated Rivers Map, Wild & Scenic River Studies, and the National Park Service Nationwide Rivers Inventory (NRI) revealed the project is not located on or within 20+ miles of a designated river.

Supporting documentation

[15 National Park Service Wild and Scenic Rivers\(1\).pdf](#)

[15 National Park Service Wild and Scenic Rivers.png](#)

[15 National Wild and Scenic Rivers Map.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

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Yes

No

Explain:

While low-income and minority populations are present in the project's action area, the adverse impact are two geophysical anomaly suggestive of a UST located on the project site. Testing of soil and groundwater were found to be in compliance with Ecology's MTCA Method A cleanup levels. Prior to redevelopment, both geophysical anomaly will be decommissioned and removed in accordance with applicable city, county, and/or state requirements. No properties or populations residing outside of the subject property are anticipated to be affected.

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

Screen Summary

Compliance Determination

Adverse environmental impacts are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898. Adverse impact is localized on the subject property. Two geophysical anomaly suggestive of a UST are located on the project site which we be decommissioned and removed in accordance with applicable city, county, and/or state requirements prior to construction. Testing showed the soil and groundwater were in compliance with Ecology's MTCA Method A cleanup levels. No properties or populations outside of the subject properties will be affected.

Supporting documentation

[16 EJScreen Community Report.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No