

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

Project Information

Project Name: Horizon-Housing-Totem-Lake

HEROS Number: 900000010263789

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):

Point of Contact:

Project Location: 12335 120th Ave NE, Kirkland, WA

Additional Location Information:

The Current Site (pre-construction) is a large car dealership, located within a primarily commercially zoned retail area west of Interstate 405 in the City of Kirkland. The site consists of two KC Parcels: 2826059225 and 2926059232

Direct Comments to:

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

Horizon Housing Alliance received an award for 40 units of affordable housing as part of a larger development proposed at 12335 120th Avenue Northeast, Kirkland, Washington 98034. The larger development, Polaris at Totem Lake, consists of 3 buildings of nearly 460 units and includes three levels of below grade parking structure and five levels of affordable multi-family housing units. The site is currently developed with a car dealership and contains a greenbelt easement. The proposed project will limit redevelopment to that portion of the site containing the car dealership. The HUD specific component of the project consists of 8 project-based vouchers.

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

As affordable housing inventory is still badly needed in the United States, and King County this project creates 40 units for very low income and extremely low-income households, including 30 units for households exiting homelessness serving households at the 0-50% AMI levels. For these most at-risk populations, who face significant barriers and challenges, dedicated affordable housing is a key foundation for resident health, wellness and resiliency.

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

The proposed project location was most recently the location of Buick GMC of Kirkland, and contains a greenbelt easement that will remain in the southern portion of Parcel 2826059225. The parcels are zoned as T1 4B Commercial Mixed Use in the Totem Lake Business District, which allows for high density residential development. In the absence of the grant to Horizon Housing Alliance, the site would likely still be developed as Polaris at Totem Lake or other development compatible with current zoning.

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

- [Propid369952-25-TotemLake-OutlineSpecifications-2373795\(1\).pdf](#)
- [kirkland-zoning-map.pdf](#)
- [ProjectSite-Photos.pdf](#)
- [HorizonHousingTotemLake-ParcelMap.jpg](#)
- [Detail_2926059232_10-19-2022.PDF](#)
- [Detail_2826059225_10-19-2022.PDF](#)

Determination:

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

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
14.871	Public Housing	Project-Based Voucher Program

Estimated Total HUD Funded, Assisted or Insured Amount: \$250,000.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$17,201,170.00

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	Per NEPA Assist, Kenmore Airport is located 35,851 feet from the project site and Snohomish County Airport is located 107,522 feet from the project site (refer to attached). Joint-Base Lewis-McChord is over 60 miles away. 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.
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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Per FEMA (see attached FIRMette) The structure or insurable property is not

<p>1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>		<p>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.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<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>Attached screenshots from NEPAAssist website show that the Horizon Housing at Totem Lake is located within maintenance areas for carbon monoxide (CO) and Ozone. However, both of these maintenance areas ended in 2016. The Washington State Department of Ecology Maintenance State Implementation Plan website show that the CO maintenance area for Seattle-Tacoma, which encompasses the project location, ended on October 11, 2016, and that the Ozone Maintenance Area ended on November 25, 2016. Reference: NEPAAssist, https://nepassisttool.epa.gov/nepassist/nepamap.aspx. Accessed May 4, 2022. Washington State Dept. of Ecology, https://ecology.wa.gov/Regulations-Permits/Plans-policies/State-implementation-plans/Maintenance-SIPs. Accessed May 4, 2022 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.</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>Per the HUD Region X Website: https://www.hud.gov/states/shared/working/r10/environment As of July 22, 2020, Washington State Department of Ecology notified HUD of the following: Ecology has concluded that it is unnecessary for U.S. Department of Housing and Urban Development (HUD)</p>

		<p>to continue to send project information in order to receive Ecology's concurrence that the funding phase of the project is consistent with Washington's CZMP. Therefore, we are writing to inform you that HUD no longer needs to require applicants to send Ecology letters seeking our concurrence on projects for which HUD plans to release federal funding. Concurrence from 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.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project will have No Effect on listed species based on checklists and processes from the local HUD Region X Environmental Website. www.hud.gov/states/shared/working/r10/environment. For more details on USFWS determination please see PolarisTotemLk - FWS_Endangered_Species_Act_2020.docx. For NMFS procedures and determinations please see HUD_NMFS_WA_State_Appendix_Checklist_HHATotemLk.docx and PR_KingCo_TotemLake_WCRO-2020-00512-4585.pdf. Correspondence for these processes is also included for</p>

		reference along with supporting materials such as GeoTech and Drainage Reports. This project is in compliance with the Endangered Species Act.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A 1-mile radius around the subject property was searched on Google Earth for potential hazardous liquid storage. There were five locations where containers potentially holding hazardous liquids were found. Only four locations had tanks with capacity over 100 gallons. The locations were all located beyond the acceptable separation distances calculated for the worst-case scenario. See Explosives Summary for details and calculation examples. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project includes activities that could potentially convert agricultural land to a non-agricultural use, but an exemption applies. The project is located within a Census Designated Urbanized Area. References include NEPA Assist and the Census 2010 Urbanized Area map, which are attached. The project is in compliance with the Farmland Protection Policy Act.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	RE submitted an EZ-1 form to the Washington State SHPO per standard Section 106 consultation procedures. The SHPO responded (220502987.pdf) that there were no properties affected. Concurrently, the nine tribes listed above were also contacted with the same EZ-1 form and information (uploaded below. Tribal Consultation was carried out with 9 Tribes. 3 Tribes responded, two with substantive comments. The third did not have any comments. The 6 remaining Tribes did

		<p>not respond in the communication deadline. A Cultural Resources Survey was carried out at the behest of 1 Tribe but returned no historic property determination. The Tribe accepted this. 2 of the contacted Tribes, the Duwamish and Snoqualmie Tribes will have access to the project site during excavation proceedings. The Unanticipated Discovery Plan, which is a standard for any King County HHCDD/HUD Funded Project that involves ground disturbance will be in place on the project as part of the Construction Documents. For More Information See TotemLake-Tribal-ConsultationSummary.pdf. (Full correspondence with Tribes is included) No formal mitigation measures are required since there are no indicators of cultural resources or historic properties at the site. The project is in accordance with this Law & Authority.</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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>A Noise Assessment was conducted. The majority of the information regarding airports and railroads are in the Partner Worksheet (attached) HUD DNL Calculator was used to estimate noise levels at a hypothetical location with the potentially highest noise impacts from all roadways (the northern/northeastern building face) and three courtyards (Resident Courtyards 2, 3 and 5) open to the north. See supporting documentation for figures illustrating locations and distances to roadways. The Day-Night Average Sound Level (DNL) at the site was estimated to be 76 dB at the maximally impacted building face. STraCAT was used to estimate attenuation provided by building materials. A 34 dB sound transmission class (STC) was required to mitigate noise in the building interior. Based on specified wall and window types, a STC of 46.25 dB was modeled; therefore,</p>

		<p>building materials will provide sufficient attenuation. DNL at the three outdoor use areas (Resident Courtyards 2, 3 and 5) was calculated to be 68 dBA, 65 dBA, and 70 dBA respectively. The Barrier Performance Module (BPM) was used to estimate the attenuation provided by barriers. BPM considers the barrier height, the noise source height, the observer height, the distance from the source to the barrier, the distance from the observer to the barrier, and the line-of-sight angle between the observer of the source. Based on these input values, the sound DNL was reduced to 60 dBA and 65 dBA at Courtyards 2 and 5 respectively; therefore, barriers will provide sufficient attenuation. No barrier was considered for Courtyard 3 as the DNL was not greater than the limit of 65 dBA and therefore did not require attenuation. With building mitigation measures in place and confirmed, the courtyard locations will be at or less than 65.0 db. The project is in compliance with HUD's Noise regulation.</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project is not located on a sole source aquifer area. See EPA Map (attached). The project is in compliance with Sole Source Aquifer requirements.</p>
<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>USFWS NWI and KC IMAP mapping shows that the project footprint does not overlap any wetlands areas. Reference: USFWS. Wetlands Mapper. https://www.fws.gov/wetlands/data/mapper.html. Accessed May 6, 2022 KC IMAP: https://kingcounty.gov/services/gis/Maps/imap.aspx. Accessed October 20, 2022 The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.</p>
<p>Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The Middle Fork of the Snoqualmie River is 28 miles away (and in a different watershed) This project is not within</p>

		proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. Reference: National Wild and Scenic Rivers System. https://www.rivers.gov/map.php . Accessed May 5, 2022.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No adverse environmental impacts were identified in the project's total environmental review. The mitigation measures for Noise are part of construction specifications and will not result in any adverse impacts. The project is in compliance with Executive Order 12898.

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

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	The project is zoned TL 4B, which is compatible with multi-family residential development. In addition, the project is located in an area targeted by the City of Kirkland for improvement, the Totem Lake Business District. The planned project includes elements which are included in the stated goals for the Totem Lake Business District, such as providing a safe and reliable residential community, using quality materials	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		and craftsmanship to create a visual landmark in unity with the district, and enhancing the pedestrian realm along 120th Avenue NE by creating opportunities for public and resident seating and reflection. The City of Kirkland Comprehensive Plan also provides goal to promote affordable and special needs housing through the City for all economic segments of the population.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	Geotechnical evaluation determined the site to be suitable for the proposed construction and provides recommendations for ensuring suitable bearing conditions, and temporary shoring and related geotechnical design considerations. Refer To GeoTech Report.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	The proposed project includes residences and support areas and poses no hazards or nuisances. No site safety concerns were identified. Noise mitigation measures are addressed in corresponding Law and Authority entry. Building materials and architectural design ensures that the maximum noise levels are below HUD's interior and exterior thresholds.	See "Noise" in Law and Authorities for more information on design and construction mitigation process.
Energy Efficiency	2	The proposed project will be provided electricity and natural gas. The project is to comply with Evergreen Sustainable Development Standard (ESDS). The ESDS criteria enhances the quality of life of occupants, increases project durability, sustainability, and environmental consciousness through increased energy and water efficiency.	
SOCIOECONOMIC			

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Employment and Income Patterns	2	The project is not anticipated to significantly impact the existing employment and income patterns of the surrounding area. The project will provide some employment opportunities during construction and after completion.	
Demographic Character Changes / Displacement	2	The project is located in a developed urban area near businesses. The project would not displace any current residents and conforms to applicable zoning.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	Because the proposed project increases residential housing capacity, an increase in demand for educational and cultural services and facilities may be associated with residents. However, services provided by educational facilities will not be adversely affected due to the size of the project and its conformance with zoning requirements, and it is expected that the incremental increase in demand can be met by the existing capacity.	
Commercial Facilities (Access and Proximity)	1	The site is located close to commercial facilities, and new residents are likely to have a positive impact on local commercial businesses, both in terms of custom and potential employment.	
Health Care / Social Services (Access and Capacity)	2	Because the proposed project increases local residential housing capacity, a demand for health care and social services and facilities may be associated with residents. However, health care services will not be adversely affected due to the size of the project and its conformance with zoning requirements, and it is	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		expected that the incremental increase in demand can be met by the existing capacity.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The site has onsite garbage pickup and is in conformance with applicable zoning. Solid waste services will not be adversely affected. Waste created by construction and by the completed project will be hauled offsite and disposed at permitted facilities. Because the proposed project increases residential population, a demand for recycling services and facilities may be associated with residents. However, recycling services will not be adversely affected due to the size of the project and its conformance with zoning requirements, and it is expected that the incremental increase in demand can be met by the existing capacity.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	Access to municipal waste water/sanitary sewer service will be provided to the proposed project. Waste water/sanitary sewer services will not be adversely affected because the project is in conformance with existing zoning, and the City's permitting review expects that the incremental increase in demand will be met by the existing system capacity.	
Water Supply (Feasibility and Capacity)	2	Access to City water supply will be provided to the proposed project. Water supply will not be adversely affected as the project is in conformance with existing zoning, and the City's permitting review expects that the incremental increase in demand will be met by the existing system capacity.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Public Safety - Police, Fire and Emergency Medical	2	Because the proposed project increases local residential housing capacity, a demand for public safety services, including police, fire and emergency medical services may be associated with residents. However, public safety services will not be adversely affected due to the size of the project and its conformance with zoning requirements, and it is expected that the incremental increase in demand can be met by the existing capacity.	
Parks, Open Space and Recreation (Access and Capacity)	1	The proposed housing project will be constructed on a lot that is not currently used for recreation. A greenbelt easement will be preserved on the south end of the project footprint. The project will provide landscaped areas, tree lined pedestrian improvements on 120th Avenue NE, and will provide courtyards and terraces for use by residents.	
Transportation and Accessibility (Access and Capacity)	2	The project is located within walking distance of many businesses and services such as grocery stores, childcare, and medical facilities. King County Transit Route 255 is located less than a quarter-mile from the project, at NE 124th and 116th Ave NE. The project will be accessible from existing roadways.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	An existing greenbelt easement with undeveloped land will remain in place in the southern portion of the property. The proposed project will not discharge or draw from any ground water. No surface waters occur in the project area, and	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		stormwater runoff will be managed as necessary to avoid adverse impact to surface waters. Therefore, no adverse effects on these natural features are anticipated.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The proposed project is located within a developed urban corridor. The site will replace an automotive service and dealership. An existing greenbelt easement with undeveloped land will remain in place in the southern portion of the property. Trees in current landscaped areas will be removed and replaced with new native-species street trees as part of the planned improved pedestrian corridor on 120th Avenue NE. There are also trees planned for installation as part of the onsite project landscaping. The site does not contain habitat associated with species of local importance, and no adverse impacts to significant vegetation or wildlife is anticipated.	
Other Factors	2	No other factors were identified.	

Supporting documentation

[Propid369952-25-TotemLake-OutlineSpecifications-2373795.pdf](#)

[GeoTech Report-03102021\(1\).pdf](#)

[Stride bus rapid transit _Project map and summary_ Sound Transit.pdf](#)

[hfu-esds-v3-0-1.pdf](#)

Additional Studies Performed:

Cultural Resources Consultants. 2022. Cultural Resources Overview for Horizon Housing at Totem Lake Project, Kirkland, King County Washington. June 13. Earth Solutions 2021. Geotechnical Engineering Study, Totem Lake Mixed Use, 12335 120th Avenue NE, Kirkland, WA. Earth Solutions NW, LLC. March 10. Olson Projects 2022. Polaris at Totem Lake Conceptual Design Conference Package, 12335 120th Avenue NE, Kirkland, WA 98034. March 25. SoundEarth Strategies 2018. Phase I Environmental Site Assessment, GMC of Kirkland Property. SoundEarth Strategies, Inc. October 26. SoundEarth Strategies 2018. Phase II Environmental Site

Assessment, GMC of Kirkland Property. SoundEarth Strategies, Inc. November 27. ZipperGeo 2020. Phase I Environmental Site Assessment, Commercial Property, 12335 120th Avenue Northeast, Kirkland, King County, Washington. ZipperGeo Geoprofessional Consultants. December 2. The studies listed above have been previously uploaded under Project Summary/Description and Laws and Authorities Sections

Field Inspection [Optional]: Date and completed
by:

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

City of Kirkland 2019. City of Kirkland Zoning Code, Use Zone Chart, Section 55.33, Zone TL 4A 4B, 4C 55-33.pdf (codepublishing.com). Revised April. City of Kirkland. 2022. City of Kirkland Zoning Map. <https://www.kirklandwa.gov/files/sharedassets/public/it/gis/gis-maps/kirkland-zoning-map.pdf> March 15. City of Kirkland 2020. Design Guidelines for Totem Lake Business District. The City of Kirkland. September 1. EPA 2022. Map of Sole Source Aquifer Locations. <https://www.epa.gov/dwssa/map-sole-source-aquifer-locations>. United States Environmental Protection Agency. Accessed May 5, 2022. FEMA Flood Map Service Center. <https://msc.fema.gov/portal/home>. Accessed May 4, 2022. Google, Inc. Google Earth Pro. Imagery Date August 14, 2020; accessed May 5, 2022. HUD. 2022. Acceptable Separation Distance (ASD) Electronic Assessment Tool. Acceptable Separation Distance (ASD) Electronic Assessment Tool - HUD Exchange. United States Department of Housing and Urban Development. Accessed March 4, 2022. National Wild and Scenic Rivers System. <https://www.rivers.gov/map.php>. Accessed May 5, 2022. NEPAssist website. <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>. Accessed May 4, 2022. U.S. Department of Housing and Urban Development, Environmental Guidance website. <https://www.hud.gov/states/shared/working/r10/environment>. Accessed May 4, 2022. USFWS. Wetlands Mapper. <https://www.fws.gov/wetlands/data/mapper.html>. Accessed May 6, 2022. Washington State Dept. of Ecology, <https://ecology.wa.gov/Regulations-Permits/Plans-policies/State-implementation-plans/Maintenance-SIPs>. Accessed May 4, 2022. Sound Transit. 2022. <https://www.soundtransit.org/system-expansion> See source documentation under Project Summary/Description screens and specific Laws and Authorities, and EA-Factors Screens

List of Permits Obtained:

The City of Kirkland is continuing its permit process. A permit will be uploaded to this EA Record once complete. The City has not indicated any barriers to permit issuance.

Public Outreach [24 CFR 58.43]:

The FONSI and RROF notice will be published in the Seattle Times at: <https://classifieds.seattletimes.com/wa/public-notice/search?>. The ERR will be available for view at King County Community Development Program's Environmental Review page at: <https://kingcounty.gov/depts/community-human-services/housing/services/community-development/cd-environmental-review.aspx>
Public Meetings for the project were held at: Hopelink Market Kirkland 6/1, 6/14 of 2021 Salt House Church-6/12 of 2021

Cumulative Impact Analysis [24 CFR 58.32]:

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

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

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

No Action Alternative [24 CFR 58.40(e)]

If no action is taken related to the grant for Horizon Housing at Totem Lake, the larger Polaris at Totem Lake development likely would proceed, but without an affordable housing component, which is vitally needed in King County.

Summary of Findings and Conclusions:

The proposed project does not cause any adverse environmental impacts and will not result in a significant impact on the quality of the environment. Small beneficial results, such as an improved pedestrian way, modern stormwater pre-treatment strategies, along with an increase in residential density in a transit corridor will likely occur.

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
Hazards and Nuisances including Site Safety and Site-Generated Noise	See "Noise" in Law and Authorities for more information on design and construction mitigation process.	N/A		
Soil suitability/Slope/Erosion/Drainage/Stormwater runoff	Geotechnical engineering recommendations for ensuring suitable bearing conditions, and temporary shoring and related geotechnical design considerations.	N/A		

Project Mitigation Plan

Per Construction Documents and Design Specifications, the current building materials and architectural plans will lower the Noise levels to below HUD Thresholds. Since the building plans will be part of final permitting by the City of Kirkland and under the responsibility of the architect engineer, the funding agency will provide documentation of successful permit signoff at project completion. This documentation will be added to this EA at that time. The same set of conditions for ensuring erosion control, and construction best practices will be part of the City of Kirkland's permitting and inspection process. Documentation of the successful completion of the permit and inspection process will be uploaded to this EA once the project is complete. Certified as-built stormwater plans will be forwarded to NMFS as part of the standard HUD Programmatic Agreement discussed under "Endangered Species Act" screens in Laws and Authorities section.

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

Per NEPA Assist, Kenmore Airport is located 35,851 feet from the project site and Snohomish County Airport is located 107,522 feet from the project site (refer to attached). Joint-Base Lewis-McChord is over 60 miles away. 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.

Supporting documentation

[Airport-Runway-Clear-Zones-Partner-Worksheet.docx](#)

[Lewis-McChord-JB-Distance.jpg](#)

[Airport-Backup.docx](#)

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:

[Flood-Insurance-Backup.pdf](#)

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

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

No

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

Yes

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

Yes

✓ No

Screen Summary

Compliance Determination

Per FEMA (see attached FIRMette) The structure or insurable property is 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

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

Attached screenshots from NEPAassist website show that the Horizon Housing at Totem Lake is located within maintenance areas for carbon monoxide (CO) and Ozone. However, both of these maintenance areas ended in 2016. The Washington State Department of Ecology Maintenance State Implementation Plan website show that the CO maintenance area for Seattle-Tacoma, which encompasses the project

location, ended on October 11, 2016, and that the Ozone Maintenance Area ended on November 25, 2016. Reference: NEPAssist, <https://nepassisttool.epa.gov/nepassist/nepamap.aspx>. Accessed May 4, 2022. Washington State Dept. of Ecology, <https://ecology.wa.gov/Regulations-Permits/Plans-policies/State-implementation-plans/Maintenance-SIPs>. Accessed May 4, 2022. The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.

Supporting documentation

[Air-Quality-Backup.docx](#)

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

Per the HUD Region X Website:

<https://www.hud.gov/states/shared/working/r10/environment> As of July 22, 2020, Washington State Department of Ecology notified HUD of the following: Ecology has concluded that it is unnecessary for U.S. Department of Housing and Urban Development (HUD) to continue to send project information in order to receive Ecology's concurrence that the funding phase of the project is consistent with Washington's CZMP. Therefore, we are writing to inform you that HUD no longer needs to require applicants to send Ecology letters seeking our concurrence on

projects for which HUD plans to release federal funding. Concurrence from Dept. of Ecology for Coastal Zone Management is no longer required under a Part 58 or Part 50 Environmental Review in Washington State. However, at the time of project development, the activity may trigger review if it falls under other parts of the CZMA regulations for federal agency activities (Title 15 CFR Part 930, subpart C), or consistency for activities requiring a federal license or permit (Title 15 CFR Part 930, Subpart D) and will be subject to all enforceable policies of the Coastal Zone Management Program. It is during the local permitting process that a project might be subject to CZM and further review by the Dept of Ecology.

Supporting documentation

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)

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
 - Remediation or clean-up plan
 - ASTM Vapor Encroachment Screening
 - None of the Above

2. Were any on-site or nearby toxic, hazardous, or radioactive substances 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?)

- No

Explain:

The use of the project site as an automotive service facility from at least 1990 through present was stated to be a REC in the Phase I ESA conducted by SoundEarth Strategies, Inc. in 2018. A Phase II ESA was conducted to assess whether the automotive service facility had any impacts to the subsurface. The subsurface investigation soil samples were well below WA State Model Toxics Control Act cleanup levels. The Phase II ESA concluded that the automotive repair facility identified as a REC in SoundEarth's Phase I ESA does not appear to have adversely impacted soil or groundwater at the Property. Another Phase I ESA conducted in December 2020 found no RECs on the property.

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

Yes

Screen Summary

Compliance Determination

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

Supporting documentation

[Zipper Geo Totem Lake - Phase I ESA.pdf](#)

[SoundEarth Phase 2 ESA.pdf](#)

[SoundEarth - Phase 1 ESA -.pdf](#)

[Propid369952-28-TotemLake-PhaseIESA-2373799.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:

The Project satisfies US Fish and Wildlife Table A No Effect criteria. The National Marine Fisheries Services has issued an Action Item Response concurring that the design aspects of the site and conditions constitute a No Effect. Please see accompanying documentation and correspondence for more information.

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 checklists and processes from the local HUD Region X Environmental Website. www.hud.gov/states/shared/working/r10/environment. For more details on USFWS determination please see [PolarisTotemLk - FWS_Endangered_Species_Act_2020.docx](#). For NMFS procedures and determinations please see [HUD_NMFS_WA_State_Appendix_Checklist_HHATotemLk.docx](#) and [PR_KingCo_TotemLake_WCRO-2020-00512-4585.pdf](#). Correspondence for these processes is also included for reference along with supporting materials such as GeoTech and Drainage Reports. This project is in compliance with the Endangered Species Act.

Supporting documentation

[PR_KingCo_TotemLake_WCRO-2020-00512-4585.pdf](#)
[PolarisTotemLk - FWS_Endangered_Species_Act_2020.docx](#)
[PolarisTotemLake_DrainageReport_20220614.pdf](#)
[IPaC_Explore_Location_resources.pdf](#)
[HUD_NMFS_WA_State_Appendix_Checklist_HHATotemLk.docx](#)
[GeoTech_Report-03102021.pdf](#)
[Email-NMFS-Totemlake-07.pdf](#)
[Email-NMFS-Totemlake-06.pdf](#)
[Email-NMFS-Totemlake-05.pdf](#)
[Email-NMFS-Totemlake-04.pdf](#)
[Email-NMFS-Totemlake-03.pdf](#)
[Email-NMFS-Totemlake-02.pdf](#)
[Email-NMFS-Totemlake-01.pdf](#)
[Drainage_Map.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

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

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

- No
- Yes

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

- No
- Yes

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

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

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

- No
- Yes

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

Yes

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

No

Screen Summary

Compliance Determination

A 1-mile radius around the subject property was searched on Google Earth for potential hazardous liquid storage. There were five locations where containers potentially holding hazardous liquids were found. Only four locations had tanks with capacity over 100 gallons. The locations were all located beyond the acceptable separation distances calculated for the worst-case scenario. See Explosives Summary for details and calculation examples. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

[Explosives Summary.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	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. The project is located within a Census Designated Urbanized Area. References include NEPA Assist and the Census 2010 Urbanized Area map, which are attached. The project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[TotemLake2010-Census-UrbanAreaMap.pdf](#)
[NEPA-Assist-TL-UrbanizedAreas.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	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

None of the above

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

[Flood-Insurance-Backup.pdf](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

No

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

Yes

Screen Summary

Compliance Determination

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988.

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
- ✓ Advisory Council on Historic Preservation Not Required
- ✓ 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
- ✓ Stillaguamish Response Period Elapsed
- ✓ 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:

Per Standard SHPO procedures, the RE submitted an EZ-1 Form and attachments (see below) to Washington State Dept. of Archaeology and Historic Preservation. Tribal list came from HUD's TDAT database, cross checked for accuracy, along with the Duwamish Tribe per King County prerogative.

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:**

APE demonstrated in attachments F01APETopo.pdf and F02APEAerial.pdf and in the Totem-Lake-EZ1 FORM-Sec106.pdf submitted to WA DAHP.

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
----------------------------------	-----------------------------	---------------------	--------------------------

Additional Notes:

No Historic Properties are affected.

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

Yes

Document and upload surveys and report(s) below.
For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

Additional Notes:

See CulturalResources-Memo-TL.pdf and 220502987.pdf (DAHP response letter indicating no historic properties)

No

Step 3 –Assess Effects of the Project on Historic Properties

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

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

No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

No historic properties present.

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

No Adverse Effect

Adverse Effect

Screen Summary**Compliance Determination**

RE submitted an EZ-1 form to the Washington State SHPO per standard Section 106 consultation procedures. The SHPO responded (220502987.pdf) that there were no properties affected. Concurrently, the nine tribes listed above were also contacted with the same EZ-1 form and information (uploaded below. Tribal Consultation was carried out with 9 Tribes. 3 Tribes responded, two with substantive comments. The third did not have any comments. The 6 remaining Tribes did not respond in the communication deadline. A Cultural Resources Survey was carried out at the behest of 1 Tribe but returned no historic property determination. The Tribe accepted this. 2 of the contacted Tribes, the Duwamish and Snoqualmie Tribes will have access to the project site during excavation proceedings. The Unanticipated Discovery Plan, which is a standard for any King County HHCDD/HUD Funded Project that involves ground disturbance will be in place on the project as part of the Construction Documents. For More Information See TotemLake-Tribal-ConsultationSummary.pdf. (Full correspondence with Tribes is included) No formal mitigation measures are required since there are no indicators of cultural resources or historic properties at the site. The project is in accordance with this Law & Authority.

Supporting documentation

[TotemLake-Tribal-ConsultationSummary.pdf](#)
[Suquamish-Response-01.pdf](#)
[SnoqualmieCorrespondence-01.pdf](#)
[Initial-TribalNotifications-01-Totem-Lake-TribalCorrespondence.pdf](#)
[Initial-LandauLetterInfo-01-Totem-Lake-TribalCorrespondence.pdf](#)
[Horizon-Correspondence-01.pdf](#)
[DuwamishCorrespondence.pdf](#)
[Totem-Lake-EZ1 FORM-Sec106.pdf](#)
[Totem Lk Concept Plans.pdf](#)
[Totem Lake - Photos.pdf](#)
[SEC106-DAHPlatter-HHA-Totem-Lk.pdf](#)
[KC-UDP-TotemLake.pdf](#)
[F02APEAerial.pdf](#)
[F01APETopo.pdf](#)
[EZ1 FORM - 106 fillable.pdf](#)
[CulturalResources-Memo-TL.pdf](#)
[220502987.pdf](#)

Are formal compliance steps or mitigation required?

Horizon-Housing-Totem-
Lake

Kirkland, WA

900000010263789

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 majority of the information regarding airports and railroads are in the Partner Worksheet (attached) HUD DNL Calculator was used to estimate noise levels at a hypothetical location with the potentially highest noise impacts from all roadways (the northern/northeastern building face) and three courtyards (Resident Courtyards 2, 3 and 5) open to the north. See supporting documentation for figures illustrating locations and distances to roadways. The Day-Night Average Sound Level (DNL) at the site was estimated to be 76 dB at the

maximally impacted building face. STraCAT was used to estimate attenuation provided by building materials. A 34 dB sound transmission class (STC) was required to mitigate noise in the building interior. Based on specified wall and window types, a STC of 46.25 dB was modeled; therefore, building materials will provide sufficient attenuation. DNL at the three outdoor use areas (Resident Courtyards 2, 3 and 5) was calculated to be 68 dBA, 65 dBA, and 70 dBA respectively. The Barrier Performance Module (BPM) was used to estimate the attenuation provided by barriers. BPM considers the barrier height, the noise source height, the observer height, the distance from the source to the barrier, the distance from the observer to the barrier, and the line-of-sight angle between the observer of the source. Based on these input values, the sound DNL was reduced to 60 dBA and 65 dBA at Courtyards 2 and 5 respectively; therefore, barriers will provide sufficient attenuation. No barrier was considered for Courtyard 3 as the DNL was not greater than the limit of 65 dBA and therefore did not require attenuation. With building mitigation measures in place and confirmed, the courtyard locations will be at or less than 65.0 db. The project is in compliance with HUD's Noise regulation.

Supporting documentation

[Totem Lake Noise-EA-Partner-Worksheet.docx](#)

[Noise Backup.pdf](#)

[Excerpt-Propid369952-21-TotemLake-SitePlanElevations-2373777.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Sole Source Aquifers

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

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

- Yes
- ✓ No

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

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

- ✓ No

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

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. See EPA Map (attached). The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[Sole Source Aquifers - Backup.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**

USFWS NWI and KC IMAP mapping shows that the project footprint does not overlap any wetlands areas. Reference: USFWS. Wetlands Mapper. <https://www.fws.gov/wetlands/data/mapper.html>. Accessed May 6, 2022 KC IMAP: <https://kingcounty.gov/services/gis/Maps/imap.aspx>. Accessed October 20, 2022 The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

Supporting documentation

[Totem-Lake-KCIMAP-Wetlands.jpg](#)
[Wetlands-Backup.docx](#)

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

The Middle Fork of the Snoqualmie River is 28 miles away (and in a different watershed) This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. Reference: National Wild and Scenic Rivers System. <https://www.rivers.gov/map.php>. Accessed May 5, 2022.

Supporting documentation

[Wild-and-Scenic-Rivers-Backup.docx](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

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

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

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

Yes

No

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

Screen Summary

Compliance Determination

No adverse environmental impacts were identified in the project's total environmental review. The mitigation measures for Noise are part of construction specifications and will not result in any adverse impacts. The project is in compliance with Executive Order 12898.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

No