

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

Project Information

Project Name: Samma-Senior-Apartments

HEROS Number: 900000010119995

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

RE Preparer: Quincy Williams

State / Local Identifier:

Certifying Officer: Mark Ellerbrook

Grant Recipient (if different than Responsible Entity): A Regional Coalition for Housing

Point of Contact: Lindsay Masters

Consultant (if applicable): Imagine Housing

Point of Contact: Allen Dauterman

Project Location: 17816 Bothell Way NE, Bothell, WA 98011

Additional Location Information:

See attached documents below.

Direct Comments to:

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

Imagine Housing (IH), the developer, is proposing a 76-unit affordable senior rental project utilizing 4% tax credits and tax-exempt bond financing. The project includes set asides of units for disabled persons. The project would be built on land to be acquired from the City of Bothell at a reduced price. The site is located on the Bus Rapid Transit corridor which is being expanded with ST3 funding. The City has indicated its strong support for the project. The proposed affordable building is five levels of wood construction. Imagine is pursuing an Ultra High Energy Efficiency (UHEE) rating for this building. The design envisions around 40 surface parking spaces. The project is eligible based on 24 CFR 570.201(c); HUD Matrix Code 01. The project scope is acquisition of land for affordable housing development. The project also will meet the national objective benefit criteria 24 CFR 570.208(a)(3) for an award of CDBG "for the purpose of providing or improving permanent residential structures which, upon completion, will be occupied by low- and moderate-income households. " The project will serve low-income seniors and the proposed CDBG funds will be used for acquisition of the site.

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

The project site currently has an abandoned commercial structure built in the 1960's. With Mitigation the structure will be demolished. The rest of the property is on land that includes open grass and rock/dirt parcel. Trees located near/next to adjacent street will not be removed or damaged as a result of project. The project will include environmentally friendly actions such as 100 percent infiltration of storm water runoff on site as well as noise attenuation features such as well insulated walls and noise reducing windows. The project will have 76 units that will house seniors ages 55 and older. The overall impact is that this population which will include veterans and those with disabilities will be a valuable resource for those marginalized groups. This site also includes an office for counseling those in the facility. Cumulatively the project will be an asset for North King County Residents because it provides an affordable housing resource specifically for Seniors. The City of Bothell has made it a priority to make City owned surplus properties available in their Downtown Area, the proposed Samma property has been the only property available for the development of a simple cost efficient affordable housing building. The remaining City owned surplus properties either require contaminated soil cleanup performed by the City, or the properties are larger and higher priced requiring additional parties to develop a mixed use facility with costly underground parking. The initial planning for the Samma site placed the building along the east property line where the parking lot would be between Highway SR-522 and the building, see Samma Feasibility Plan D . This solution would have been most cost efficient where all of the required parking would have been at grade and uncovered by the building. Though discussions with the City Planning department, it was determined the initial proposed location was not feasible for two reasons, 1. The proposed building location was too close to the Sammamish River, the building would have overlapped the 200 foot Shoreline Master Program buffer line, and 2. City zoning code would not allow parking between the building and Highway SR-522. The Current proposed plan places the building outside of the 200 foot Sammamish River Shoreline buffer and conforms to City zoning code with the building adjacent to Highway SR-522. The property had been

available on the market for purchase to anyone who wished to develop the property with uses allowed in the zoning code. The City policy was to prioritize offers for the property from affordable housing developers and was willing to sell the property for less than fair market value for affordable housing. The City had received 2 previous inquiries to purchase by buyers who intended to develop a multifamily residential facility and no potential buyers came forward interested in developing other uses on the property. In the absence of action to develop affordable housing on the proposed property, the property will remain vacant until a buyer comes forward who is willing to re-develop the property. No action will mean this current opportunity to help meet the affordable housing demand in the region may be lost.

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

The property had been available on the market for purchase to anyone who wished to develop the property with uses allowed in the zoning code. The City policy was to prioritize offers for the property from affordable housing developers and was willing to sell the property for less than fair market value for affordable housing. The City had received 2 previous inquiries to purchase by buyers who intended to develop a multifamily residential facility and no potential buyers came forward interested in developing other uses on the property. The project is located next to Bothell Landing Park, Sammamish River Trail. Project location is within walking distance to stores and restaurants. The project is on a busy street. A bus stop is near the site and a convenience store is across the street. The project is included in the Downtown Subarea Action Plan. University of Washington-Bothell is located in project area. Trends that will continue include increased residential units and usage of natural resources. Increased business development in the core of Bothell. Increased transit due to upgrade of Bothell Way.

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

[Bothell Parcel Report.pdf](#)

[Samma - ALTA Title Assessor Map.pdf](#)

[2020-02-06 Bothell Par A Topo.pdf](#)

[Samma - Photos of Proposed Site.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
CDBG 2019-2020	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

Estimated Total HUD Funded, Assisted or Insured Amount: \$750,000.00

This project anticipates the use of funds or assistance from another federal agency in addition to HUD in the form of:

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$23,726,283.00

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.
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 (Washington) that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.
Flood Insurance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The structure or insurable property is

Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]		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		
Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project's county or air quality management district is in attainment status for all criteria pollutants. The project is in compliance with the Clean Air Act.
Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project is located in a Coastal Zone, but it has been determined to be consistent with the State Coastal Management Program. Please see attached documents regarding State Ecology and HUD 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." The project is in compliance with the Coastal Zone Management Act.
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Site contamination was evaluated as follows: ASTM Phase I ESA, ASTM Phase II ESA. 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. The 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.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted with Fish and Wildlife and NOAA. Documents to support documentation are attached. This project is in compliance with the Endangered Species Act without mitigation.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project was not initially acceptable. With mitigation, identified in the mitigation section of this review, the project will be in compliance with explosive and flammable hazard requirements. The mitigation will include replacement of existing tank with one that is under 1000 gallons. The owner of the tank (mini mart) has agreed to the replacement.
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 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 area is in Zone X - Areas determined to be outside of 500 year 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Based on Section 106 consultation the project will have an Adverse Effect on historic properties. The County will mitigate project by producing a Memorandum of Agreement (MOA).

		<p>The County in partnership with DAHP has produced an MOA that will produce the following: Level II documentation, Interpretive Display of the sites history which includes Tack Shack and monitoring. This MOA will include agreement between Housing, Homelessness and Community Development Division(HHCDD), Imagine Housing (Developer) and DAHP. Advisory Council on Historic Preservation (ACHP) has provided a response to this project and has determined that they do not believe that their participation in the consultation to resolve adverse effects is needed. Implementation of these measures must be completed within 5 years of execution of document. Successful completion of MOA will result in project compliance with Section 106. MOA was signed by all parties and completed on March 31, 2021. See attachment.</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. Property is next to a major roadway. The noise level was normally unacceptable: 71.0 db. See noise analysis. Mitigation measures will include double paned windows with added gaskets in the window assembly to reduce noise transmission through the window. Also, Samma will have thicker walls with more insulation. Attached is document "Noise Analysis report used at Totem Lake recommendations for Samma" include noise attenuation measures that will be used at Samma. These measures comply with HUD requirements. Also, regarding nearest airport, Paine Field is within 15 miles of location. Supporting documentation includes Paine Field Noise Exposure Map which shows project is not within vicinity of noise generator from airport. The project is in</p>

		compliance with HUD's Noise regulation with mitigation.
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.
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.
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.
HUD HOUSING ENVIRONMENTAL STANDARDS		
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The Explosive and Flammable Hazards Law and Historic Preservation sections produced potentially adverse environmental impacts that will be mitigated. Please see mitigation plans for both the Explosive/Flammable Hazards and Historic Preservation Laws/Authorities and Noise Abatement and Control of this review. An archeological survey was performed on the site. An artifact was discovered. Tribes were contacted and support the Memorandum Of Agreement document signed by the City of Bothell, Imagine Housing, DAHP and King County. This document detailed how the artifact is handled and curated. All other Laws and Authorities did not produce/demonstrate actions that would be disproportionately high for low-income and/or minority communities. 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	2	The proposed affordable housing project on the property is supported by the City of Bothell elected Mayor and City Councilmembers, through their Comprehensive Plan, Downtown Revitalization Plan and Municipal Code. Site plan and building design will conform to City of Bothell Municipal Code Title 12 Zoning Code and Downtown Sub-area Regulations.	N/A.
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	Soil Sustainability, Slope Stability, Erosion Control, Drainage, and Storm Water runoff during and after construction shall comply with City of Bothell Municipal Code Title 18.	The drainage design for the project must comply with the City of Bothell Drainage Manual time of the first submittal. The site is within the City's Downtown Direct Discharge area. A drainage report documenting the project drainage system requirements for water quality must be prepared, signed and stamped by a licensed Civil Engineer in the State of Washington. This report must be provided with the first submittal. The drainage design for the project must comply with the new drainage manual. Full drainage review is required.
Hazards and Nuisances	3	Site contains an abandoned	Asbestos and lead based

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
including Site Safety and Site-Generated Noise		building to be demolished prior to construction of the new project. The abandoned building is suspected to contain asbestos and lead based paint. DAHP has determined that the building (Tack Shack) would produce an adverse affect by its demolition/removal.	paint to be removed and disposed within the requirements and guidelines of the Washington State Department of Ecology. Mitigation for Tack Shack includes approval of Memorandum Of Agreement (MOA)between King County, Imagine Housing and Department of Archeological and Historic Preservation (DAHP). This MOA includes mitigation actions such as Interpretive Panel, Inventory of buildings and interior photographs.
Energy Consumption/Energy Efficiency	1	Site and building is being designed to meet Washington State Department of Commerce Ultra High Energy Efficiency standards. Site and building will be all electric with no equipment operated with fossil fuels.	N/A.
SOCIOECONOMIC			
Employment and Income Patterns	1	This project will create temporary construction jobs for area residents, and at least one permanent full-time property management position to manage the property and residents	N/A.
Demographic Character Changes / Displacement	1	The property is currently vacant, formerly the site of highway commercial uses vacated for realignment of state highway SR-522 through downtown Bothell in 2012 to 2014. SR522 Highway	N/A.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		realignment and vacation of properties impacted by the realignment were completed as a Planned Action through the City of Bothell Downtown Subarea Plan and Regulations and the April 2009 Final Environmental Impact Statement. The property is within the Bothell Downtown Revitalization area and the City has intended the property to be re-developed bringing a new high density urban character to the property and adjacent properties in downtown and along the highway corridor.	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	1	This project is meant to serve adults without children so we project no additional access needed or burden to the local school system. The project is exempt from school impact fees normally collected by the City for new developments.	N/A.
Commercial Facilities (Access and Proximity)	3	The existing building now vacant and yellow tagged was once a commercial building. The discontinued use was caused by the Planned Action for the SR-522 re-alignment. The building was to be demolished during the re-alignment, however, it remained intact to be used for the re-alignment job site office. On the Northwest side of SR-522 is the Bothell Landing 76 fuel station with an above grade free standing 1,150 LPG tank. The LPG tank is	To mitigate the ASD for Thermal Radiation to People distance will be mitigated by replacing the 1,150 gallon tank with a smaller 1,000 gallon tank prior to the project receiving final certificate of occupancy. The fuel station owner with the LPG tank owner has agreed to allow Imagine Housing to replace the tank at no cost to the fuel station owner.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		too close to the Samma property to meet acceptable separation distance for thermal radiation to people on the Samma property.	
Health Care / Social Services (Access and Capacity)	1	The Bothell/Kenmore area has a variety of health care, social, and senior services within a 15 minute bus ride. Residents will be provided with a directory and contact information for services in the Bothell/Kenmore area. Bothell is home to one of the largest senior centers in the country, Northshore Senior Center is less than a mile from the Samma property and caters to the low income senior population in the Bothell/Kenmore area with a wide variety of senior, healthcare, and transportation services.	N/A.
Solid Waste Disposal and Recycling (Feasibility and Capacity)	1	Recology CleanScapes will be Solid Waste Disposal and Recycling provider. Company will have the capacity to provide services to this multifamily facility.	N/A.
Waste Water and Sanitary Sewers (Feasibility and Capacity)	1	This property will be connected to the City of Bothell sewer district.	N/A.
Water Supply (Feasibility and Capacity)	1	Seattle Public Utilities provides water to the City of Bothell from the Tolt River Watershed and Cedar River Watershed. The City of Bothell is responsible for the operation and maintenance of more than 93 miles of water mains, four reservoirs, four pumping	N/A.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		stations, and bi-monthly reading of over 4,000 meters. The Samma project will be connected to the Bothell water system.	
Public Safety - Police, Fire and Emergency Medical	1	City of Bothell Police station is located in City Hall less than 1/2 mile from the Samma property. City of Bothell Fire and EMS operates out of three stations all located in the City.	N/A.
Parks, Open Space and Recreation (Access and Capacity)	1	The City of Bothell has a wide variety of park facilities that include 400 acres of parks including 265 acres of open space, 135 acres of active parklands, and four trail systems throughout the City. The Samma property is surrounded on three sides by the Bothell Landing Park adjacent to the Sammamish River, and providing access to the regional Burke Gilman Trail system that connecting Bothell to Seattle and Issaquah.	N/A.
Transportation and Accessibility (Access and Capacity)	1	The Samma property will be accessed by two driveways from SR-522, the south access will be right-in right-out and the north access will be at the existing signalized intersection. Both of these access points will be approved by the City of Bothell and WSDOT. Both access points will be designed to meet the anticipated traffic demand generated by the new project, and to accommodate emergency vehicle access. The Samma property has a wide variety of public transportation options to be available to	N/A.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		residents when the project is placed in service in 2023. At the signalized intersection there is King County Metro bus access servicing the Sr-522 corridor and the City of Bothell. Less than a half mile away is a King County Metro park and ride with connections to regional transit options. In 2024 the future Sound Transit - Bus Rapid Transit (BRT) system will be operation along SR-522 with the Bothell BRT station located adjacent to City Hall less than 1/2 mile from the Samma property.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	1	The Samma property is surrounded on three sides by the Bothell Landing Park. The 5.87 acre park is an open space adjacent to the Sammamish River with trails along the river, through forested areas, and an elevated trail through a large wetland located Southeast of the property. The Samma project will include public open space and trail access to the park trail system and a dedicated viewing area adjacent to the wetland Southeast of the property.	N/A.
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	1	The Samma project is determined to have no negative impact on wildlife or vegetation. The project site currently has very little in the way of natural non-invasive vegetation. The existing building to be demolished is within the wetland buffer,	N/A.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
		once the building is demolished the wetland buffer will be restored with native plantings. Since the property was cleared by the demolition of abandoned buildings and parking lots for the SR-522 re-alignment, young small caliper volunteer Cottonwood and Alder trees have grown in the area of the project parking lot and will be removed. The larger mature trees adjacent to the property will be protected according the City of Bothell tree retention and landscaping requirements.	
Other Factors			

Supporting documentation

[Signed Memorandum Of Agreement\(1\).pdf](#)

[Noise Analysis Report From Totem Lake recommendations used at Samma\(1\).pdf](#)

[Revised Samma Apts Bothell Parcel A BA APPNs 10 19 2020 p\(1\).pdf](#)

[Samma Senior Apartments Unanticipated Recovery Plan.docx](#)

[Propane Tank IMG_20200605_103751\(1\).jpg](#)

[Stormwater for Samma\(1\).pdf](#)

[2020 12 15 Samma IH DAHP MOA - Draft.docx](#)

[Tack Shack historical report\(1\).pdf](#)

Additional Studies Performed:

In addition to the Bothell Downtown Subarea Plan and Regulations Planned Action Final Environmental Impact Statement and the City's property offering memorandum, there are two known studies to re-develop the property. 1. Windward 2016 Pre-Application plan to develop a 50 unit apartment building. It is unknown why this development did not proceed. 2. Samma Feasibility Plan D - Imagine housing initial plan proposed to the City with 54 affordable housing units.

[Samma Feasibility Plan D - 4 Story.pdf](#)

[Windward-Preapplication-Lot-A.pdf](#)

[Downtown Subarea Planned Action Final Environmental Impact Statement.pdf](#)

Field Inspection [Optional]: Date and completed

by:

Allen Dauterman

1/15/2020 12:00:00 AM

[Samma - Photos of Proposed Site.pdf](#)

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

(Apart from agencies involved with the NEPA effort) Washington State Department of Commerce, Housing Trust Fund, Housing Finance Unit, Sean Harrington, Projects Manager 360-725-2995. King County Housing, Homelessness and Community Development Division, Jaclyn Moynahan, Assistant Director 206-477-7524. ARCH - A Regional Coalition for Housing - Lindsey Master, Executive Manager, 425-861-3677 City of Bothell, Community Development, Michael Kattermann, Community Development Director, 425-471-8630. City of Bothell, Economic Development, Jeanie Ashe, Economic Development Manager, 425-806-6149. Washington State Department of Transportation, NW Region Development Services, Peter Alm, 206-440-4711. Sound Transit, Planning Environmental and Project Development, Lucien Bruno, East Corridor Project Manager, 206-370-5561

[Signed Memorandum Of Agreement\(2\).pdf](#)

[DAHP Determination for building 2020-07-04804 091020\(1\).pdf](#)

[Copy of Samma - UHEE Forms.xlsx](#)

[Letter to Tribes Samma.docx](#)

[City of Bothell Offering Memorandum.pdf](#)

List of Permits Obtained:

Washington State Department of Transportation, SR-522 Channelization Permit for intersection improvements proposed at property access. City of Bothell, Community Development Site Plan Review and Approval, includes SEPA process require under existing Planned Action EIS. City of Bothell, Shoreline Master Program Site Plan Review and Approval City of Bothell, Building Department Demolition Permit, to demolish existing building City of Bothell, new construction building permits, all onsite and offsite permits necessary to construct and occupy the proposed multifamily apartment building.

Public Outreach [24 CFR 58.43]:

The proposed affordable housing project conforms to current City zoning code and site plan approvals are administrative, not requiring City Council or Hearing Examiner review and approval. At a minimum, required public outreach and notification will occur through the Community Development and Shoreline Master Program site plan review. King County HHCCD will advertise in the Seattle Times a joint FONSI/NOI describing the project and requesting comments from the public. The comment period will be for a minimum of 16 days starting on April 2, 2021.

Cumulative Impact Analysis [24 CFR 58.32]:

The project site currently has an abandoned commercial structure built in the 1960's. With Mitigation the structure will be demolished. The rest of the property is on land that includes open grass and rock/dirt parcel. Trees located near/next to adjacent street will not be removed or damaged as a result of project. The project will include environmentally friendly actions such as 100 percent infiltration of storm water runoff on site as well as noise attenuation features such as well insulated walls and noise reducing windows. The project will have 76 units that will house senior citizens. The overall impact is that this population which will include veterans, those with disabilities will be a valuable resource for those marginalized groups. This site also includes an office for counseling those in the facility. Cumulatively the project will be an asset for North King County Residents because it provides an affordable housing resource specifically for Seniors.

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

The proposed Samma property has been the only property available for the development of a simple cost efficient affordable housing building. The remaining City owned surplus properties either require contaminated soil cleanup performed by the City, or the properties are larger and higher priced requiring additional parties to develop a mixed use facility with costly underground parking. The initial planning for the Samma site placed the building along the east property line where the parking lot would be between Highway SR-522 and the building, see Samma Feasibility Plan D. This solution would have been most cost efficient where all of the required parking would have been at grade and uncovered by the building. Though discussions with the City Planning department, it was determined the initial proposed location was not feasible for two reasons, 1. The proposed building location was too close to the Sammamish River, the building would have overlapped the 200 foot Shoreline Master Program buffer line, and 2. City zoning code would not allow parking between the building and Highway SR-522. The Current proposed plan places the building outside of the 200 foot Sammamish River Shoreline buffer and conforms to City zoning code with the building adjacent to Highway SR-522. The property had been available on the market for purchase to anyone who wished to develop the property with uses allowed in the zoning code. The City policy was to prioritize offers for the property from affordable housing developers and was willing to sell the property for less than fair market value for affordable housing. The City had received 2 previous inquiries to purchase by buyers who intended to develop a multifamily residential facility and no potential buyers came forward interested in developing other uses on the property.

No Action Alternative [24 CFR 58.40(e)]

Should the project not move forward to develop affordable housing on the proposed property, the property will remain vacant until a buyer comes forward who is willing to

re-develop the property. No action (not purchasing and developing property) will mean that this current opportunity to help meet the affordable housing demand in the region may be lost.

Summary of Findings and Conclusions:

The development of Samma Senior Apartments project will produce the following beneficial impacts: * Environmentally friendly structure will assist Seniors and other vulnerable persons with housing. Alternative is persons using places not meant for human habitation (parks, cars, open spaces which adds to adverse environmental conditions (trash). Site will provide much needed affordable housing option for north King County. * Community vision of housing affordability is consistent with community development and housing goals described in the Washington Growth Management Act, King County Comprehensive Plan and County wide Planning Policies. The following describes changes to the proposed project necessary to avoid significant impacts. * The abandoned/vacant existing structure will be torn down. Due to the age of the structure, it is assumed that Lead and Asbestos is present. Asbestos and Lead abatement will be required during demolition as well as the safe removal of any equipment that may contain toxic substances.

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	Complete
Historic Preservation	Asbestos and lead based paint to be removed and disposed within the requirements and guidelines of the Washington State Department of Ecology for abandoned structure on site (Tack Shack). Mitigation for Tack Shack includes approval of Memorandum Of Agreement (MOA) between King County, Imagine Housing and Department of Archeological and Historic Preservation (DAHP). This MOA includes mitigation actions such as Interpretive Panel, Inventory of	N/A	

	<p>buildings created by architect who designed Tack Shack and interior photographs. The structure will be demolished. The MOA will take effect April 1, 2021. Follow up will the responsibility of Imagine Housing and King County CDBG Team.</p>		
<p>Contamination and Toxic Substances</p>	<p>The following is a summary of conclusions from PBS Engineering and Environmental for Imagine Housing (Developer) regarding toxic substances at site. The following is from Page 6 of Phase II document.</p> <p>CONCLUSIONS AND RECOMMENDATIONS</p> <p>5.1 Findings and Conclusions</p> <p>A summary of the pertinent findings of this Subsurface Investigation are presented below:</p> <p>* On January 30, 2020, seven direct-push borings (SB-1 to SB-7) were advanced to depths between 15 and 20 feet bgs for observations and collection of soil and groundwater samples at the Subject Property. Groundwater was encountered in five borings, at depths ranging from 8 to 12 feet below ground surface.</p> <p>* In the absence of field indications of contamination, soil samples were collected from 0.5 to 2.5 feet bgs and 7 to 15 feet bgs in each of the seven borings. Total petroleum hydrocarbons, PAHs, and select metals were not detected above the laboratory method detection level (MDL) and/or the MTCA Method A Cleanup Levels. Therefore, analytical results indicate that the previously identified on- and off-site environmental concerns have not adversely affected the Subject</p>	<p>N/A</p>	

	<p>Property.</p> <p>* Groundwater samples collected for laboratory analysis from eight locations on the site did not detect constituents above the laboratory method detection level (MDL) and/or the MTCA Method A Cleanup Levels.</p>		
Explosive and Flammable Hazards	<p>On the Northwest side of SR-522 is the Bothell Landing 76 fuel station with an above grade free standing 1,150 Propane tank. The tank is within 234 feet of the Samma property. This distance is within blast radius of thermal radiation to people on the Samma property. By HUD standards this ratio of distance to tank size is unacceptable. For the project to be brought into compliance, Imagine Housing will replace the tank with one that is under 1000 gallons. The mini mart which owns/leases the tank has agreed to this action. The installation of this tank will take place prior to occupancy of apartments.</p>	N/A	
Noise Abatement and Control	<p>The project will include double paned windows with added gaskets in the window assembly to reduce noise transmission through the window. Also, Samma will have thicker walls with more insulation. Also the attached document entitled "Noise Analysis report from Totem Lake recommendations used at Samma" is from Totem Lake Multifamily project developed by Imagine. On Page 4 starts the description of the noise attenuation measures used to comply with HUD standards. These same measures will be used at Samma project site.</p>	N/A	
Conformance with Plans / Compatible Land Use and Zoning	N/A.	N/A	

/ Scale and Urban Design			
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	The drainage design for the project must comply with the City of Bothell Drainage Manual time of the first submittal. The site is within the City's Downtown Direct Discharge area. A drainage report documenting the project drainage system requirements for water quality must be prepared, signed and stamped by a licensed Civil Engineer in the State of Washington. This report must be provided with the first submittal. The drainage design for the project must comply with the new drainage manual. Full drainage review is required.	N/A	
Hazards and Nuisances including Site Safety and Site-Generated Noise	Asbestos and lead based paint to be removed and disposed within the requirements and guidelines of the Washington State Department of Ecology. Mitigation for Tack Shack includes approval of Memorandum Of Agreement (MOA) between King County, Imagine Housing and Department of Archeological and Historic Preservation (DAHP). This MOA includes mitigation actions such as Interpretive Panel, Inventory of buildings and interior photographs.	N/A	
Energy Consumption/Energy Efficiency	N/A.	N/A	
Employment and Income Patterns	N/A.	N/A	
Demographic Character Changes / Displacement	N/A.	N/A	
Educational and Cultural Facilities (Access and Capacity)	N/A.	N/A	
Commercial Facilities (Access and Proximity)	To mitigate the ASD for Thermal Radiation to People distance will be mitigated by replacing the 1,150 gallon tank with a smaller 1,000 gallon	N/A	

	tank prior to the project receiving final certificate of occupancy. The fuel station owner with the LPG tank owner has agreed to allow Imagine Housing to replace the tank at no cost to the fuel station owner.		
Health Care / Social Services (Access and Capacity)	N/A.	N/A	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	N/A.	N/A	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	N/A.	N/A	
Water Supply (Feasibility and Capacity)	N/A.	N/A	
Public Safety - Police, Fire and Emergency Medical	N/A.	N/A	
Parks, Open Space and Recreation (Access and Capacity)	N/A.	N/A	
Transportation and Accessibility (Access and Capacity)	N/A.	N/A	
Unique Natural Features /Water Resources	N/A.	N/A	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	N/A.	N/A	
Permits, reviews and approvals	Washington State Department of Transportation, SR-522 Channelization Permit for intersection improvements proposed at property access. City of Bothell, Community Development Site Plan Review and Approval, includes SEPA process require under existing Planned Action EIS. City of Bothell,	N/A	

	Shoreline Master Program Site Plan Review and Approval City of Bothell, Building Department Demolition Permit, to demolish existing building City of Bothell, new construction building permits, all onsite and offsite permits necessary to construct and occupy the proposed multifamily apartment building.		
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Mitigation Plan

We have a project mitigation file (electronic). Allen Dauterman of Imagine Housing (Developer) as well as Quincy Williams or another Project Manager of King County will track the mitigation actions and update the file and HEROS. King County will update HEROS when goals described in the Memorandum of Agreement are accomplished. The actions described in the MOA will be completed prior to completion of construction. Additional mitigation features such as replacement of propane tank across street will be completed prior to completion of construction. Noise mitigation measures such as added layer of insulation and thicker windows will be included in construction. Estimated completion of construction is June or July 2023.

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.

Supporting documentation

[Airport Hazards Map.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 (Washington) that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[Coastal Barrier Map.docx](#)

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 FEMA Map.docx](#)

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

Screen Summary

Compliance Determination

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

[Flood Map Ecology.docx](#)

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):

4. Determine the estimated emissions levels of your project. Will your project exceed any of the de minimis or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

Screen Summary**Compliance Determination**

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

Supporting documentation

[Washington Nonattainment Maintenance Status for Each County by Year for All Crit.pdf](#)
[Air Quality Compliance Letter from PSCleanair.pdf](#)
[Air Quality Map.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

3. Has this project been determined to be consistent with the State Coastal Management Program?

Yes, without mitigation

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

Yes, with mitigation

No, project must be canceled.

Screen Summary**Compliance Determination**

This project is located in a Coastal Zone, but it has been determined to be consistent with the State Coastal Management Program. Please see attached documents regarding State Ecology and HUD 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." The project is in compliance with the Coastal Zone Management Act.

Supporting documentation

[SammaSeniorApartmentsCZMLetter.pdf](#)

[CZM HUD Funding Letter.pdf](#)

[Samma Senior Apartments CZM Letter Ecology \(Sadie\).pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 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

- Yes

3. Mitigation

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

Can adverse environmental impacts be mitigated?

Adverse environmental impacts cannot feasibly be mitigated.

- ✓ Yes, adverse environmental impacts can be eliminated through mitigation.
Document and upload all mitigation requirements below.

4. Describe how compliance was achieved in the text box below. 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 following is a summary of conclusions from PBS Engineering and Environmental for Imagine Housing (Developer) regarding toxic substances at site. The following is from Page 6 of Phase II document. CONCLUSIONS AND RECOMMENDATIONS 5.1 Findings and Conclusions A summary of the pertinent findings of this Subsurface Investigation are presented below: * On January 30, 2020, seven direct-push borings (SB-1 to SB-7) were advanced to depths between 15 and 20 feet bgs for observations and collection of soil and groundwater samples at the Subject Property. Groundwater was encountered in five borings, at depths ranging from 8 to 12 feet below ground surface. * In the absence of field indications of contamination, soil samples were collected from 0.5 to 2.5 feet bgs and 7 to 15 feet bgs in each of the seven borings. Total petroleum hydrocarbons, PAHs, and select metals were not detected above the laboratory method detection level (MDL) and/or the MTCA Method A Cleanup Levels. Therefore, analytical results indicate that the previously identified on- and off-site environmental concerns have not adversely affected the Subject Property. * Groundwater samples collected for laboratory analysis from eight locations on the site did not detect constituents above the laboratory method detection level (MDL) and/or the MTCA Method A Cleanup Levels.

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

Complete removal

Risk-based corrective action (RBCA)

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 were found that could affect the health and safety of project occupants or conflict with the intended use of the property. The 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

[Samma Environmental Justice and Facilities.docx](#)

[2019 09 09 Samma ESA Phase 1 Limited Wetland Corrected Final.pdf](#)

[2020 02 26 Samma ESA Phase II Report.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

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

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

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

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

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

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

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

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

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

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

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

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

4. Informal Consultation is required

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

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

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

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

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

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

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

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

Mitigation as follows will be implemented:

- ✓ No mitigation is necessary.

Explain why mitigation will not be made here:

Determinations from DFW and NOAA concur that project will not adversely impact/effect critical habitats or species. See attached documents.

Screen Summary

Compliance Determination

This project May Affect, but is Not Likely to Adversely Affect, listed species, and informal consultation was conducted with Fish and Wildlife and NOAA. Documents to support documentation are attached. This project is in compliance with the Endangered Species Act without mitigation.

Supporting documentation

[PR Samma Apartments WCRO 2020 00512 2505 fnl NOAA Concurrence.pdf](#)

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

[Revised Samma Apts Bothell Parcel A BA APPNs 10 19 2020 p.pdf](#)

[February 26 2020Samma ESA Phase II Report.pdf](#)

[HWA-Lot-A-Environmental-Summary-1-11-19.pdf](#)

[Stormwater for Samma.pdf](#)

[DFW Determination No Adverse.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

✓ No

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Mitigation measures may include both natural and manmade barriers, modification of the project design, burial or removal of the hazard, or other engineered solutions. Describe selected mitigation measures, including the timeline for implementation, and attach an implementation plan.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an unacceptable separation distance, upload approval from a licensed professional engineer in the Screen Summary at the conclusion of this screen.

On the Northwest side of SR-522 is the Bothell Landing 76 fuel station with an above grade free standing 1,150 Propane tank. The tank is within 234 feet of the Samma property. This distance is within blast radius of thermal radiation to people on the Samma property. By HUD standards this ratio of distance to tank size is unacceptable. For the project to be brought into compliance, Imagine Housing will replace the tank with one that is under 1000 gallons. The mini mart which owns/leases the tank has agreed to this action. The installation of this tank will take place prior to occupancy of apartments.

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

Screen Summary

Compliance Determination

There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project was not initially acceptable. With mitigation, identified in the mitigation section of this review, the project will be in compliance with explosive and flammable hazard requirements. The mitigation will include replacement of existing tank with one that is under 1000 gallons. The owner of the tank (mini mart) has agreed to the replacement.

Supporting documentation

[1 mile radius base map.jpg](#)

[Property Across from Site Detail_0726059114_06-08-2020.pdf](#)

[Samma Aerial 1.jpg](#)

[Samma Aerial 2.jpg](#)

[Propane Tank IMG_20200605_103751.jpg](#)

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 in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Farmlands Addendum Document.docx](#)

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 FEMA Map.docx](#)

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 area is in Zone X - Areas determined to be outside of 500 year floodplain. The project is in compliance with Executive Order 11988.

Supporting documentation

[Samma Floodplain Management Map.docx](#)

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" http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html

Threshold

Is Section 106 review required for your project?

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

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

Step 1 – Initiate Consultation

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

- ✓ State Historic Preservation Offer (SHPO) Completed
- ✓ Advisory Council on Historic Preservation Completed
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)
 - ✓ Duwamish Tribe Completed
 - ✓ Muckelshoot Tribe Completed

- ✓ Puyallup Tribe Completed
- ✓ Snoqualmie Tribe Completed
- ✓ Stillaquamish Tribe Completed
- ✓ Suquamish Tribe Completed
- ✓ Tulalip Tribe Completed

✓ Other Consulting Parties

- ✓ City of Bothell Completed
- ✓ King County Historic Preservation Program Completed
- ✓ Tierra Right of Way Completed

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

City of Bothell was required for consultation since it is the owner of property. The City of Bothell Public Works Department contracted Tierra Right of Way (Tierra) to complete a historic property report for the property at 17816 Bothell Way NE in Bothell, WA (property) in support of a demolition permit application. The City determined that this building is potentially eligible for listing on Bothell Register of Historic Landmarks. According to the Bothell Municipal Code

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

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 Samma APE document attachment below.

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
17816 Bothell Way NE Bothell, WA	Eligible	Yes	✓ Not Sensitive

98011/Tack Shack			
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Additional Notes:

DAHP letter of determination for Eligibility for National Register is attached below.

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 Tack Shack Historical Report pdf document done by Tierra Right of Way. Also see ESA Phase II Report.

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

Adverse Effect

Document reason for finding; upload the criteria with summary and justification.

Criteria of Adverse Effect 36 CFR 800.5.

800.5 Assessment of adverse effects. (a) Apply criteria of adverse effect. In consultation with the SHPO/THPO and any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to identified historic properties, the agency official shall apply the criteria of adverse effect to historic properties within the area of potential effects. The agency official shall consider any views concerning such effects which have been provided by consulting parties and the public. (1) Criteria of adverse effect. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative. (2) Examples of adverse effects. Adverse effects on historic properties include, but are not limited to: (i) Physical destruction of or damage to all or part of the property;

Step 4 – Resolve Adverse Effects

Work with consulting parties to try to avoid, minimize or mitigate adverse effects. Refer to ATEC guidance and 36 CFR 800.6 and 800.7.

Were the Adverse Effects resolved?

✓ Yes

Describe the resolution of Adverse Effects, including consultation efforts and participation by the Advisory Council on Historic Preservation:

A Memorandum Of Agreement (MOA) between Imagine Housing, King County and DAHP was created. This document details the mitigation actions that will need to be completed by the end of the MOA term (2025). MOA was signed by all parties and completed by King County (HHCDD and Historic Preservation), City of Bothell, Imagine Housing and Washington State Department of Archeology and Historic Preservation (DAHP) on March 31, 2021. See attachment.

**For
the**

project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

Asbestos and lead based paint to be removed and disposed within the

requirements and guidelines of the Washington State Department of Ecology for abandoned structure on site (Tack Shack). Mitigation for Tack Shack includes approval of Memorandum Of Agreement (MOA) between King County, Imagine Housing and Department of Archeological and Historic Preservation (DAHP). This MOA includes mitigation actions such as Interpretive Panel, Inventory of buildings created by architect who designed Tack Shack and interior photographs. The structure will be demolished. The MOA will take effect April 1, 2021. Follow up will be the responsibility of Imagine Housing and King County CDBG Team.

Based on the response, the review is in compliance with this section. Document and upload the signed Memorandum of Agreement (MOA) or Standard Mitigation Measures Agreement (SMMA) below.

No

Screen Summary

Compliance Determination

Based on Section 106 consultation the project will have an Adverse Effect on historic properties. The County will mitigate project by producing a Memorandum of Agreement (MOA). The County in partnership with DAHP has produced an MOA that will produce the following: Level II documentation, Interpretive Display of the sites history which includes Tack Shack and monitoring. This MOA will include agreement between Housing, Homelessness and Community Development Division(HHCDD), Imagine Housing (Developer) and DAHP. Advisory Council on Historic Preservation (ACHP) has provided a response to this project and has determined that they do not believe that their participation in the consultation to resolve adverse effects is needed. Implementation of these measures must be completed within 5 years of execution of document. Successful completion of MOA will result in project compliance with Section 106. MOA was signed by all parties and completed on March 31, 2021. See attachment.

Supporting documentation

[Signed Memorandum Of Agreement.pdf](#)

[Samma Senior Apartments Unanticipated Recovery Plan\(1\).docx](#)

[King County Historic Preservation Response 20 188 1.pdf](#)

[ACHP Notification and Invite for Samma Senior Apartments Email.pdf](#)

[Samma IH DAHP MOA Draft No Signatures.docx](#)

[King County Historic Preservation New request for HPP \[samma senior apartments 20-188\].pdf](#)

[Samma APE.jpg](#)

[EZ-1 Form Samma.pdf](#)

[HistoricPreservationChecklistWashingtonState.pdf](#)

[Samma Senior Apartments Letter to Tribes Email.pdf](#)

[Bothell_Parcel_Report\(1\).pdf](#)

[DAHP Determination for building 2020-07-04804_091020.pdf](#)

[Tack Shack historical report.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Noise Abatement and Control

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

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

- New construction for residential use

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

Rehabilitation of an existing residential property

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

An interstate land sales registration

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

None of the above

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

Indicate the findings of the Preliminary Screening below:

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

- ✓ Noise generators were found within the threshold distances.

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

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

- ✓ 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))

Is your project in a largely undeveloped area?

- ✓ No

Indicate noise level here: 71

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

Yes

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: 71

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

6. **HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or**

effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.

✓ Mitigation as follows will be implemented:

The project will include double paned windows with added gaskets in the window assembly to reduce noise transmission through the window. Also, Samma will have thicker walls with more insulation. Also the attached document entitled "Noise Analysis report from Totem Lake recommendations used at Samma" is from Totem Lake Multifamily project developed by Imagine. On Page 4 starts the description of the noise attenuation measures used to comply with HUD standards. These same measures will be used at Samma project site.

Based on the response, the review is in compliance with this section. Document and upload drawings, specifications, and other materials as needed to describe the project's noise mitigation measures below.

No mitigation is necessary.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. Property is next to a major roadway. The noise level was normally unacceptable: 71.0 db. See noise analysis. Mitigation measures will include double paned windows with added gaskets in the window assembly to reduce noise transmission through the window. Also, Samma will have thicker walls with more insulation. Attached is document "Noise Analysis report used at Totem Lake recommendations for Samma" include noise attenuation measures that will be used at Samma. These measures comply with HUD requirements. Also, regarding nearest airport, Paine Field is within 15 miles of location. Supporting documentation includes Paine Field Noise Exposure Map which shows project is not within vicinity of noise generator from airport. The project is in compliance with HUD's Noise regulation with mitigation.

Supporting documentation

[Noise Analysis Report From Totem Lake recommendations used at Samma.pdf](#)
[HUD DNL Calculator.pdf](#)
[Paine Field Noise Exposure Maps Update_201312261051022772 Page 28.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.

Supporting documentation

[SoleSourceAquifersChecklist.doc](#)

[Sole-Source-Aquifers.docx](#)

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.

Supporting documentation

[Samma Wetlands Addendum .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

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.

Supporting documentation

[Samma Wild Scenic Rivers.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

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

Yes

No

Explain:

At the Explosive and Flammable Hazards portion of this review, a 1150 gallon propane gas tank was discovered with the blast radius of the proposed site. The size of the tank would prohibit construction of project. The owner of the tank agreed to allow developer Imagine Housing replace tank with a 1000 gallon tank. This tank size is allowable for HUD compliance. A mitigation plan will permit the project to proceed. The attached document from EPA Environmental Justice Screening and Mapping tool demonstrates that the proposed property will NOT adversely impact low income and /or minority communities.

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

Screen Summary**Compliance Determination**

The Explosive and Flammable Hazards Law and Historic Preservation sections produced potentially adverse environmental impacts that will be mitigated. Please see mitigation plans for both the Explosive/Flammable Hazards and Historic Preservation Laws/Authorities and Noise Abatement and Control of this review. An archeological survey was performed on the site. An artifact was discovered. Tribes were contacted and support the Memorandum Of Agreement document signed by the City of Bothell, Imagine Housing, DAHP and King County. This document detailed how the artifact is handled and curated. All other Laws and Authorities did not produce/demonstrate actions that would be disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898.

Supporting documentation

[Samma Senior Environmental Justice and Facilities .pdf](#)
[Samma Environmental Justice Demographics.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No