



# CITY OF WALLA WALLA

## NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS



May 22, 2020  
City of Walla Walla  
15 N. 3<sup>rd</sup> Ave.  
Walla Walla, WA 99362  
509-527-4540

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the City of Walla Walla.

### REQUEST FOR RELEASE OF FUNDS

On or about June 8, 2020 the City of Walla Walla will submit a request to HUD for the release of CDBG funds under Title 1 of the Housing and Community Development Act of 1974, as amended, to undertake a project known as Lowden Street Sidewalk Improvement project for the purpose of installing new sidewalk, curb, and ADA accessible ramps on Lowden and Military Streets in Walla Walla, for approximately \$90,000.

### FINDING OF NO SIGNIFICANT IMPACT

The City of Walla Walla has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) that can be found online at [www.wallawallawa.gov](http://www.wallawallawa.gov) or requested via email from [jbeckmeyer@wallawallawa.gov](mailto:jbeckmeyer@wallawallawa.gov).

### PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the Support Services Department. All comments received by June 7<sup>th</sup> will be considered by the City of Walla Walla prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

### ENVIRONMENTAL CERTIFICATION

HUD will accept objections to its release of fund and the City of Walla Walla's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Walla Walla; (b) the City of Walla Walla has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD at 909 1<sup>st</sup> Ave, Suite 255, Seattle, WA 98104. Potential objectors should contact HUD to verify the actual last day of the objection period.

***Elizabeth Chamberlain, Development Services Director, Certifying Officer***

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

**Project Information**

**Project Name:** Lowden-Street-Sidewalk-Improvements

**HEROS Number:** 900000010100419

**Responsible Entity (RE):** WALLA WALLA, 15 N 3rd Ave Walla Walla WA, 99362

**RE Preparer:** Jennifer Beckmeyer

**State / Local Identifier:**

**Certifying Officer:** Elizabeth Chamberlain

**Grant Recipient (if different than Responsible Entity):**

**Point of Contact:**

**Consultant (if applicable):**

**Point of Contact:**

**Project Location:** 1012 Lowden St, Walla Walla, WA 99362

**Additional Location Information:**

This project will take place on the North side of Lowden Street from South 13th Avenue to South 12th Avenue, at the intersection of South 12th Avenue and Emma Street, and on West Maple Street.

**Direct Comments to:** jbeckmeyer@wallawalla.gov

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

Sidewalk improvements on Lowden Street include building 215 linear feet of new sidewalk in an area that currently has no sidewalk. There will be improvements made to the storm water system by adding a catch basin and installing 8 feet of storm pipe. There will also be new driveway, pedestrian curbs and 4 ADA ramps added to the intersection of Lowden and S. 12th Ave and at S. 12th Ave and Emma St. Old sidewalk and curb that is non-ADA compliant along S. 12th Ave will be removed and replaced with ADA compliant sidewalk and curbs. New sidewalk, driveway, and cement concrete ADA ramps will also be installed on West Maple Street. Ground disturbance for the project will be excavation in order to remove old sidewalk, install new sidewalk, and install ADA ramps, curbs, and gutters. All planned excavations are within previously disturbed areas with a maximum depth of approximately 24". Excavation depth for new curb and gutters is approximately 12"-18" below existing grade. All work will be done in the right-of-way and does not require acquisition

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

The sidewalks on Lowden Street are non-existent and the public right-of-way is not ADA compliant. The city has received numerous calls from residents that live on Lowden Street expressing concern for residents with disabilities that live on Lowden that have difficulty accessing public transportation due to the inadequate public facilities. Military Street is another area that has high pedestrian volume due to its proximity to Public Housing Authority units and a public park. There are no pedestrian facilities or curb to provide access from the housing units to the sidewalk that leads to the park.

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

Lowden and W. Maple St. are both small pockets in low-income neighborhoods. Due to lack of investment in public infrastructure, the conditions of existing sidewalk are poor and many areas lack any sidewalk. Where there are curbs they are not ADA accessible. Some areas do not have any curb, which means pedestrians including people with disabilities and small children walk in the street to get from one place to another. Without the public improvements proposed by this project, vulnerable populations will continue to be put at risk with subpar public facilities - namely sidewalks and curb cuts with ADA ramps.

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

**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:**

[heros signature page Lowden ER.pdf](#)

**7015.15 certified by Certifying Officer  
on:**

**7015.16 certified by Authorizing Officer  
on:**

**Funding Information**

Grant / Project Identification Number	HUD Program	Program Name
B-19-MC-53-0025	Community Planning and Development (CPD)	Community Development Block Grants (CDBG) (Entitlement)

**Estimated Total HUD Funded, Assisted or Insured Amount:** \$90,000.00

**Estimated Total Project Cost [24 CFR 58.2 (a) (5)]:** \$90,000.00

**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)
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.6</b>		
<b>Airport Hazards</b> 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.
<b>Coastal Barrier Resources Act</b> 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.
<b>Flood Insurance</b> Flood Disaster Protection Act of	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The public facility is not located in a FEMA-designated Special Flood Hazard

<p>1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>		<p>Area. Community ID Number is 530197 and there is no panel # for the City of Walla Walla. Map Date is 7/18/75. The project is in compliance with flood insurance requirements.</p>
<p><b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 &amp; § 58.5</b></p>		
<p><b>Air Quality</b> Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project's county is in attainment status for all criteria pollutants. Attached is a map from the Washington State Department of Ecology that tracks areas of concern for criteria pollutants and reports those findings to the EPA. The project is in compliance with the Clean Air Act.</p>
<p><b>Coastal Zone Management Act</b> Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not located in a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.</p>
<p><b>Contamination and Toxic Substances</b> 24 CFR 50.3(i) &amp; 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Site contamination was evaluated as follows: None of the above - this project does not include residential property. 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.</p>
<p><b>Endangered Species Act</b> 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 because there are no listed species or designated critical habitats in the action area. The new impervious surface added to a previously developed area does not remove trees or streamside/riparian vegetation, complies with all state and local building codes and stormwater regulations, and discharges treated stormwater to non-salmonid-bearing stream within the same sub basin. This project is in compliance with the Endangered Species Act.</p>
<p><b>Explosive and Flammable Hazards</b></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>There are stationary aboveground</p>

<p>Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>		<p>storage containers of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements.</p>
<p><b>Farmlands Protection</b> Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.</p>
<p><b>Floodplain Management</b> Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. Attached is the FEMA map for Walla Walla dated 7/18/75.</p>
<p><b>Historic Preservation</b> National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: Other - develop and follow an Inadvertent Discovery Plan. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.</p>
<p><b>Noise Abatement and Control</b> Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.</p>
<p><b>Sole Source Aquifers</b> 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. The project is in compliance with Sole Source Aquifer requirements.</p>
<p><b>Wetlands Protection</b> Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.</p>
<p><b>Wild and Scenic Rivers Act</b> 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>This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act.</p>
<p><b>HUD HOUSING ENVIRONMENTAL STANDARDS</b></p>		
<p><b>ENVIRONMENTAL JUSTICE</b></p>		
<p><b>Environmental Justice</b></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project area is a low-income</p>

Executive Order 12898		neighborhood and the project itself will improve public facilities in the area (added curb, gutter, sidewalk, and ADA ramps). Adverse environmental impacts are related to the potential of uncovering cultural resources and are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898.
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**Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]**

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

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

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	1	Consistent with the Walla Walla 2040 Comprehensive Plan Update adopted June 2018. This project improves public infrastructure and supports multimodal travel. Land is in the public right-of-way and the planned activity will have no change in land use. The project is located in a residential area and the added sidewalk and ADA ramps will be an improvement to the current conditions of the area. Sidewalk and ADA design is consistent with city and state engineering standards that are uniformly applied to all new sidewalks and ADA ramps citywide.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	Ground disturbing activity will be at a depth of approximately 18 to 24 inches. All of the project area has previously been disturbed. The project area is not on a slope. There are no signs of erosion or sedimentation. Storm drainage and	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		stormwater runoff will be improved at one section of this project and all other areas of the project are in compliance with storm water regulations. Permitting for these improvements will be handled by the Development Services Department.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	1	There are no hazards that could affect the project or surrounding area currently present. There are no nuisances that could have a negative impact on the project. The project itself will eliminate hazardous conditions by improving safety of intersections and creating a safe separation distance between pedestrians and vehicle traffic by adding sidewalk to areas that currently have no sidewalk.	
Energy Consumption/Energy Efficiency	2	This project requires no energy consumption.	
<b>SOCIOECONOMIC</b>			
Employment and Income Patterns	2	Jobs created by this project will be temporary for the purposes of building the sidewalk and ADA ramps. Local contractors must be registered with the statewide roster to be eligible to bid on the project. There are no registered Section 3 businesses in Walla Walla County, however there are local contractors that often hire low-income and minority workers.	
Demographic Character Changes / Displacement	1	The project location is in an area that is considered to be low- to moderate-income. The improvements to the public infrastructure will have a positive impact and improve connectivity to other areas of town for residents and improving access to services like medical facilities, parks, and grocery stores. There will be no displacement as a result of this project.	
<b>COMMUNITY FACILITIES AND SERVICES</b>			
Educational and Cultural Facilities (Access and	2	This project will not result in an increase in student population and will have no effect	



Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
Capacity)		on educational and cultural facilities.	
Commercial Facilities (Access and Proximity)	2	This project will have no effect on commercial facilities in the area.	
Health Care / Social Services (Access and Capacity)	2	This project will not result in a need for health care services beyond the current capacity. Emergency and non-emergency health services are within five minutes of the project and the location is easily accessible by first responders. Social services in this area will not be impacted by this project.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	Waste generated during construction will be limited to dirt as a result of earth removal. The contractor will be responsible for taking care of all construction debris appropriately. The city landfill is located on Sudsbury Road, approximately 4 miles from the project site. The project does not require a solid waste permit and there is no hazardous waste that will be generated as a result of this project. There will not be an increase in waste because of this project.	
Waste Water and Sanitary Sewers (Feasibility and Capacity)	2	This project requires no wastewater/sewer system service. During constructions portable toilets will be onsite temporarily for contractors to use and will be serviced regularly during construction.	
Water Supply (Feasibility and Capacity)	2	This project does not require the use of clean water and will not impact access or levels of water consumption in the area.	
Public Safety - Police, Fire and Emergency Medical	2	Emergency services are available and adequate for this project site. This project will not increase the need of emergency services. Response time to this site for fire, police, and emergency medical is approximately five minutes or less.	
Parks, Open Space and Recreation (Access and Capacity)	1	Currently there are recreational spaces close by to the project location but there are no pedestrian facilities that connect residents with these areas. The addition of	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
<b>LAND DEVELOPMENT</b>			
		sidewalks and ADA ramps will improve nearby residents' connectivity to recreational spaces.	
Transportation and Accessibility (Access and Capacity)	1	This project has a positive impact on transportation and accessibility in this area. It facilitates pedestrian movement and is accessible to elderly and disabled by adding sidewalk on frequently transited routes and ADA ramps to intersections. It creates no barriers to emergency vehicle access and does not impact the transportation system other than the abovementioned accessible pedestrian improvements.	
<b>NATURAL FEATURES</b>			
Unique Natural Features /Water Resources	2	There are no unique or locally important natural features on or near the site. This project will not impact unique natural features. This project will not impact the water table or aquifer as it does not require the use of any water. The increase in impervious surface area from the added sidewalk has been addressed and this project also includes added stormwater capacity that is compliant with local and state regulations.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The sidewalk and ADA ramps will be installed in the public right-of-way and will not disrupt, damage, or destroy any plant communities. No wildlife habitats will be impacted by this project. It will not damage or destroy trees without replacement and landscaping.	
Other Factors	2	No other factors that have not been considered elsewhere in this review will be impacted by this project.	

**Supporting documentation**

**Additional Studies Performed:**

Project determined SEPA exempt 2/19/2020

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

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

[Sources Contacted Lowden ER.docx](#)

**List of Permits Obtained:**

Engineering review and approval is required for construction and will be obtained before proceeding with the project.

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

FONSI notice dissemination list is attached. No other public meetings or hearings were held or required as a part of this environmental review.

[FONSI dissemination list for Lowden ER.docx](#)

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

There will be no cumulative negative impact to the area. Ground disturbance for the project would only occur in areas that have already been heavily disturbed by prior development and land use activities.

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

None.

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

No action would result in continued difficulties in multi-modal transportation in the area particularly for families with small children and people with disabilities.

**Summary of Findings and Conclusions:**

There will be no significant adverse impact on the environment. Installation of sidewalks and ADA ramps will be installed in areas that have already had ground disturbance and will provide for positive socioeconomic and health care benefits.

**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	Develop and follow an Inadvertent Discovery Plan	N/A	
Permits, reviews and approvals	Engineering review and approval is required for construction and will be obtained before proceeding with the project.	N/A	

**Mitigation Plan**

Engineering department will develop and follow an Inadvertent Discovery Plan for the duration of the project. Engineering will review and approve this project prior to proceeding with construction.

**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 Distance.jpg](#)

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:**

[FEMA Map City of Walla Walla.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

**Screen Summary**

**Compliance Determination**

The public facility is not located in a FEMA-designated Special Flood Hazard Area.

Community ID Number is 530197 and there is no panel # for the City of Walla Walla.  
Map Date is 7/18/75. 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**

The project's county is in attainment status for all criteria pollutants. Attached is a map from the Washington State Department of Ecology that tracks areas of concern for criteria pollutants and reports those findings to the EPA. The project is in compliance with the Clean Air Act.

**Supporting documentation**

[Air Quality map from WA DOE.pdf](#)

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

Yes

✓ No

### Coastal Zone Management Act

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

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

Yes

No

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

**Screen Summary**

**Compliance Determination**

This project is not located in a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act.

**Supporting documentation**

[Coastal Counties WA State.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

**Explain:**

No toxic, hazardous, or radioactive substances were found. The final use of this project is not residential.

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

Yes

**Screen Summary**

**Compliance Determination**

Site contamination was evaluated as follows: None of the above - this project does not include residential property. 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**

**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

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below. Documentation may include letters from the Services, species lists from the Services’ websites, surveys or other documents and analysis showing that there are no species in the action area.

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

**Screen Summary**

**Compliance Determination**

This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. The new impervious surface added to a previously developed area does not remove trees or streamside/riparian vegetation, complies with all state and local building codes and stormwater regulations, and discharges treated stormwater to non-salmonid-bearing stream within the same sub basin. This project is in compliance with the Endangered Species Act.

**Supporting documentation**

[Stream Net Mapper - Bull Trout Lowden.jpg](#)  
[storm water network - Bull Trout Lowden.jpg](#)  
[endanger species act LOWDEN.docx](#)  
[Critical Habitat Bull Trout Lowden.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**

There are stationary aboveground storage containers of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements.

**Supporting documentation**

[google map lowden maple\(1\).jpg](#)

[NEPAssist Lowden Maple.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.)	<a href="#">7 CFR Part 658</a>

**1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?**

Yes

No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

Project includes new construction on land already in an urbanized area. There is no change in use of the property.

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

**Screen Summary**

**Compliance Determination**

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act.

**Supporting documentation**

- [LOWDEN CDBG-MILITARY.pdf](#)
- [LOWDEN CDBG-LOWDEN.pdf](#)

**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:

[FEMA Map City of Walla Walla.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. Attached is the FEMA map for Walla Walla dated 7/18/75.

**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" <a href="http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html">http://www.access.gpo.gov/nara/cfr/waisidx_10/36cfr800_10.html</a>

**Threshold**

**Is Section 106 review required for your project?**

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

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

**Step 1 – Initiate Consultation**

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

- ✓ State Historic Preservation Offer (SHPO) Completed
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)
  - ✓ Confederated Tribes of Warm Springs Response Period Elapsed
  - ✓ Nez Perce Tribe Response Period Elapsed

- ✓ Umatilla Indian Reservation      Completed
- ✓ Yakama Nation                      Response Period Elapsed

Other Consulting Parties

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

Letters send via email to tribal contacts and SHPO

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 attached map.

**In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.**

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
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**Additional Notes:**

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

Yes

✓ No

***Step 3 –Assess Effects of the Project on Historic Properties***

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

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

No Historic Properties Affected

✓ No Adverse Effect

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

**Document reason for finding:**

Confederated Tribes of Umatilla Indian Reservation and DAHP requested this project follow an Inadvertent Discovery Plan, which was drafted and approved by both parties.

**Does the No Adverse Effect finding contain conditions?**

✓ Yes (check all that apply)

Avoidance

Modification of project

✓ Other

Describe conditions here:

Develop and follow an Inadvertent Discovery Plan

No

Adverse Effect

**Screen Summary**

**Compliance Determination**

Based on Section 106 consultation the project will have No Adverse Effect on historic properties. Conditions: Other - develop and follow an Inadvertent Discovery Plan. Upon satisfactory implementation of the conditions, which should be monitored, the project is in compliance with Section 106.

**Supporting documentation**

[CDBG Lowden St IDP rev 2042020.pdf](#)

[SHPO DAHP Response to IDP request.pdf](#)

[RE Section 106 Review Walla Walla WA DAHP response 1212020.pdf](#)

[RE Section 106 Review Walla Walla WA CTUIR letter 1092020.pdf](#)

[Section 106 letter Nez Perce Tribe.pdf](#)

[Section 106 letter WARM SPRINGS.pdf](#)

[Section 106 letter YAKAMA NATION.pdf](#)

[Section 106 letter CTUIR.pdf](#)

[CTUIR letter Jan 7 2020.pdf](#)

[google map lowden maple.jpg](#)

**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

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

**Screen Summary**

**Compliance Determination**

Based on the project description, this project includes no activities that would require further evaluation under HUD's noise regulation. The project is in compliance with HUD's Noise regulation.

**Supporting documentation**

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

Yes

✓ No

**Sole Source Aquifers**

General requirements	Legislation	Regulation
<b>The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.</b>	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**

[Sole Source Aquifer Map WW.pdf](#)

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

Yes

✓ No

**Wetlands Protection**

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

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

No

✓ Yes

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

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

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

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

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

**Screen Summary**

**Compliance Determination**

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990.

**Supporting documentation**

[NEPAssist Lowden Maple\(1\).jpg](#)

**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**

[Walla Walla is not within proximity to a NWSRS river.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:**

The adverse environmental impact is in relation to cultural resources. The likelihood of this project having an adverse environmental impact on these historic cultural resources is very low because the project is taking place in previously disturbed areas. This project will be making improvements to pedestrian facilities in low-income areas and will have a positive impact on the community overall.

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

**Screen Summary**



**Compliance Determination**

The project area is a low-income neighborhood and the project itself will improve public facilities in the area (added curb, gutter, sidewalk, and ADA ramps). Adverse environmental impacts are related to the potential of uncovering cultural resources and are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898.

**Supporting documentation**

[enviro justice LOWDEN.docx](#)

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

Yes

✓ No