U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
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Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name: Mulberry-Village-

HEROS Number: 900000010516778

Start Date: 01/22/2026

Responsible Entity (RE): SKAGIT COUNTY, 301 Valley Mall MOUNT VERNON WA, 98273

RE Preparer: Shelley Kjos

State / Local Identifier:

Certifying Officer: Sarah Hinman

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): Landau Associates, Inc.

Point of Contact: Alyssa Johnson

40 CFR 1506.5(b)(4): The lead agency or, where appropriate, a cooperating agency shall prepare a disclosure statement for the contractor's execution specifying that the contractor has no financial or other interest in the outcome of the action. Such statement need not include privileged or confidential trade secrets or other confidential business information.

- ✓ By checking this box, I attest that as a consultant, I have no financial or other interest in the outcome of the undertaking assessed in this environmental review.

Project Location: 1215 Southwest Swantown Avenue , Oak Harbor, WA 98277

Additional Location Information:
The proposed project is located at 1215 Southwest Swantown Avenue in Oak Harbor, Island County, Washington (ZIP Code 98277), located in Section 3, Township 32 North, Range 1 East, Island County parcel no. R13203-110-1730. The site is generally bounded by Southwest Swantown Avenue to the northeast and Southwest Fort Nugent Road to the southeast, with adjacent residential development to the west and south. The project site comprises approximately 5.57 acres and is currently vacant, with remnants of a former mobile home park including paved areas, concrete foundations, and utility infrastructure. The site is relatively flat with minor topographic variation and gently sloping areas toward the east and southwest.

Direct Comments to:

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:
Mulberry Village is a new construction project located at 1215 Southwest Swantown Avenue, Oak Harbor in Island County, Washington. The project will comprise four apartment buildings totaling ninety-six residential units and a 4,000 square foot community club which will serve as a central hub for resident activities. The site will also feature a dedicated play area with a large play structure and extensive landscaped open spaces, providing residents with opportunities for recreation and relaxation across the 5.57-acre property. The ninety-six residential units at Mulberry Village will be dedicated affordable housing in a range of unit sizes: twenty-four one bedrooms; forty-eight two bedrooms; and twenty-four three bedrooms. Parking totaling 168 residential spaces will be included in project development.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:
Mulberry Village directly addresses a critical housing shortage in Island County, where rising rents and limited supply have disproportionately affected low-income families, single-parent households, people with disabilities, and individuals experiencing homelessness. With strong local support and a partnership structure that combines Opportunity Council's services capacity with Shelter Resources, Inc.'s development expertise, the project is well positioned for timely implementation. The project reflects both the community's need and the development organization's commitment to expanding affordable housing opportunities in rural and high-cost markets, while also dedicating permanent supportive housing units for households exiting homelessness. The project will serve low- to very low-income households with incomes ranging from 30% to 80% of Area Median Income (AMI). Eight one-bedroom

units will be reserved as permanent supportive housing for homeless households, paired with comprehensive supportive services and case management designed to improve health, education, and employment outcomes for residents.

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

Populations targeted for Mulberry Village face significant barriers to accessing safe and affordable housing. Island County's limited housing supply and steadily rising rents have forced many low- to moderate-income households to pay more than they can afford or live in overcrowded or unsuitable conditions. Larger families in particular struggle to find affordable two- and three-bedroom units. Households experiencing homelessness face additional barriers, including restrictive screening criteria, gaps in rental history, and the lack of low-barrier housing options. These challenges often prevent them from securing stable housing even when income or rental assistance is available. Mulberry Village is designed to reduce these barriers by providing deeply affordable homes across a range of unit sizes, including dedicated permanent supportive housing for very low-income households who are homeless at entry. On-site supportive services will further promote housing stability by helping residents overcome barriers and sustain their housing long term. Mulberry Village will serve low- to moderate-income households, with a unit mix designed to accommodate a range of household sizes--from individuals in one-person households to larger families of up to seven persons in the three-bedroom units. The project is also intended to expand access for socially disadvantaged groups disproportionately affected by housing instability, including households of color, single-parent households, and people with disabilities, by providing stable, affordable homes across multiple unit sizes and affordability levels.

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

F02APEAerial(1).pdf
F01APETopo(1).pdf
SitePhotos_from_Phase_I_Report_Mulberry_Village_Oak_Harbor_WA_052826.pdf

Determination:

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

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name	Funding Amount
M21-DP530210	Community Planning and Development (CPD)	HOME American Rescue Plan (HOME-ARP)	$710,157.26

Estimated Total HUD Funded, Assisted or Insured Amount: $710,157.26

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: $40,225,011.00

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	☐ Yes ☑ No	There are no civilian airports within 2,500 feet of the Mulberry Village location. Parts of military airports Ault Field (NAS) and OLF Coupeville are located within 15,000 feet. However, the attached maps show that the project location is outside of the RPZs/AZs and CZs. Sources and documentation are attached. 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]	☐ Yes ☑ No	This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	☐ Yes ☑ No	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.
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	☐ Yes ☑ 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)	☐ Yes ☑ No	This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. As of July 22, 2020, Washington State Department of Ecology notified HUD of the following: "Ecology has concluded that it is unnecessary for U.S. Department of Housing and Urban Development (HUD) to continue to send project information in order to receive Ecology's concurrence that the funding phase of the project is consistent with Washington's CZMP. Therefore, we are writing to inform you that HUD no longer needs to require applicants to send Ecology letters seeking our concurrence on projects for which HUD plans to release federal funding." Inclusion of the following statement in the Environmental Review Record is strongly encouraged to ensure projects are aware that CZM may still apply at the time of local and/or national permitting. "Concurrence from Dept. of Ecology for Coastal Zone Management is no longer required under a Part 58 or Part 50

		Environmental Review in Washington State. However, at the time of project development, the activity may trigger review if it falls under other parts of the CZMA regulations for federal agency activities (Title 15 CFR Part 930, subpart C), or consistency for activities requiring a federal license or permit (Title 15 CFR Part 930, Subpart D) and will be subject to all enforceable policies of the Coastal Zone Management Program. It is during the local permitting process that a project might be subject to CZM and further review by the Dept of Ecology."
Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]	☐ Yes ☑ No	Site contamination was evaluated as follows: ASTM Phase I ESA. No RECs were identified, therefore no mitigation is required. However, an Environmental Media Management (EMMP) was recommended in the more recent Phase I ESA by Partner. An EMMP (attached) will be in place in the case of unexpected contamination during ground disturbing activities. Radon testing indicated radon levels below 4.0 pCi/L. See attached documents for supporting materials and references. The project is in compliance with contamination and toxic substances requirements.
Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	☑ Yes ☐ No	The Project received verification for coverage under NMFS' HUD Programmatic Biological Opinion for Projects in Washington (NMFS# WCRO-2020-00512-11269). The project will have no effect to species and critical habitat under jurisdiction of the USFWS.
Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C	☐ Yes ☑ No	There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. Aerial review results identified a total of four possible tanks that met the criteria for calculating an acceptable safe distance from the project. All were located further away than their acceptable separation distance, as

		summarized in the supporting documentation. The Island County permit website was also reviewed for permits related to tank installation and none were identified. See supporting documentation for a full analysis summary, map, list of locations, references, illustration of tanks, and a summary table showing distance, volume, and ASD for each tank. The project is in compliance with explosive and flammable hazard requirements.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	☐ Yes ☑ No	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.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	☐ Yes ☑ No	This project does not occur in the FFRMS floodplain. The Mulberry Village Project is located well above the FVA of 20 feet above sea level. See attached documentation for full summary and documentation. The project is in compliance with Executive Orders 11988 and 13690.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	☐ Yes ☑ No	Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	☑ Yes ☐ No	A Noise Assessment was conducted. The noise level was normally unacceptable: 72.0 db. The STC ratings of the construction design provide adequate noise reduction at all indoor locations where noise was modeled to exceed 65 dB by 2036, and noise sensitive outdoor areas are modeled not to exceed 65dB. Therefore, noise at the project location is adequately mitigated from the surrounding noise sources by existing design plans. Full analysis and screen shots of maps and calculations are provided in the attached backup documentation. See noise analysis. The

		project is in 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	☐ Yes ☑ No	The project is located on a sole source aquifer.The Mulberry Village project is a new construction multifamily housing development and is meeting all applicable local/state groundwater regulations. The project is connected to public water. Stormwater runoff from the completed project will be conveyed through storm drainage facilities to onsite treatment systems and underground infiltration vaults. The Stormwater Drainage Report and a Washington State specific checklist for sole source aquifers are attached. The project is in compliance with Sole Source Aquifer requirements.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	☐ Yes ☑ No	The project will not impact wetlands. A Wetlands Assessment, attached, was completed by Shelterwood Consulting on September 4, 2024. The assessment concluded that no wetland conditions are on the site. 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)	☐ Yes ☑ 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 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 Project is consistent with current zoning and the City of Oak Harbor Comprehensive Plan, which includes goals and policies supporting the development of housing to meet current and future community needs, including affordable housing opportunities. The project is located within the ''High-Intensity Res/Low-Intensity Comm'' land use designation, which allows for higher-density residential development and community-serving uses.	
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	2	Geotechnical evaluation has been completed and found the site to be suitable for the proposed Project if recommendations are followed. The geotechnical engineering recommendations will be followed.	
Hazards and Nuisances including Site Safety and Site-Generated Noise	2	Noise, explosive and flammable hazards, and potential environmental conditions have been evaluated, and no hazards or safety concerns were identified.	
SOCIOECONOMIC			
Employment and Income Patterns	2	The Project would not have any negative effects on commercial space and is expected to have a minor but beneficial impact to the existing employment and income patterns of the surrounding area by increasing patronage to local businesses.	
Demographic Character Changes / Displacement	2	The Project is located in a developed residential area, would not displace any current residents and conforms to applicable zoning.	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	The proposed Project adds additional residential housing; therefore, there may be a small increase in demand for educational and cultural services and facilities. It is expected that the incremental increase in demand from the additional housing can be met by the existing educational and cultural facility capacity. The proposed Project design includes gathering spaces that may serve the need for cultural spaces.	
Commercial Facilities (Access and Proximity)	2	The site is located within a mile of existing commercial facilities. New residents may have a small but positive impact on local commercial businesses.	
Health Care / Social Services (Access and Capacity)	1	Because the proposed Project increases residential population, a demand for healthcare and social services and facilities may be associated with residents. However, healthcare services will not be adversely affected due to the size of the Project, and it is expected that the incremental increase in demand can be met by the existing capacity. The project includes integration with social services. In addition, stable housing provided by the proposed project will have a preventative effect on health care and social services.	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	The site will be provided with onsite garbage pickup. Solid waste services will not be adversely affected. Waste created by construction and by the completed Project will be hauled offsite and disposed at permitted facilities. Because the proposed Project increases residential population, a demand for recycling services and facilities may be associated with residents. However, recycling services will not be adversely affected due to the scale of the Project, and it is expected that the incremental increase in demand can be met by the existing capacity.	
Waste Water and Sanitary Sewers	2	Access to municipal wastewater/sanitary sewer service will be provided to the	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
(Feasibility and Capacity)		proposed Project. Wastewater/sanitary sewer services will not be adversely affected because it is expected that the incremental increase in demand will be met by the existing system capacity.	
Water Supply (Feasibility and Capacity)	2	Access to the City water supply will be provided to the proposed Project. Water supply will not be adversely affected as it is expected that water needs at the site will be met by the existing water supply capacity.	
Public Safety - Police, Fire and Emergency Medical	2	Public safety services, including police, fire, and emergency medical services, will be available to residents. However, public safety services will not be adversely affected due to the size of the Project, and it is expected that the incremental increase in demand can be met by the existing capacity.	
Parks, Open Space and Recreation (Access and Capacity)	2	The proposed housing Project will be constructed on a previously developed property. The Project includes landscaped open space, a community building, and dedicated indoor and outdoor children's play areas for residents. No designated recreation areas or parks will be removed as part of the Project. Recreational facilities will not be adversely affected by the Project.	
Transportation and Accessibility (Access and Capacity)	2	Residents utilizing the completed Project may use local roadways and transit. The Project area is served by Island Transit with regular stops along SW Swantown Ave and SW Fort Nugent Ave, as close as 150 feet from the project. Many services, such as grocery stores, parks, and schools, are within a mile of the project. It is expected that transportation needs at the Project will be met by existing transportation capacities. Due to the limited size of the proposed Project, no adverse impacts to transportation networks or services are anticipated.	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	The Project is located in an area of Oak Harbor designated for growth and there are no unique natural features in the Project	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		vicinity. The proposed Project will not withdraw groundwater. Stormwater runoff will be collected through an engineered drainage system, treated by Modular Wetland Systems, and conveyed to underground infiltration vaults designed in accordance with applicable local and state stormwater requirements. As a result, no adverse effects on natural features or water resources are anticipated.	
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	2	The site where the proposed Project will be constructed is a previously developed property and does not contain habitat associated with species of local importance. Therefore, no adverse impacts to significant vegetation or wildlife are anticipated.	
Other Factors 1			
Other Factors 2			
ENERGY			
Energy Efficiency	2	The Project exceeds Evergreen Sustainable Design Systems (ESDS) building performance design standards. The project follows 2021 residential energy code for apartment buildings and 2021 commercial code for amenity buildings. The building includes solar arrays.	

Supporting documentation
Geotech Report S25110 Final - 2025-5-14.pdf
Zoning_MulberryVillage.pdf
OakHarbor_ComprehensivePlan_Map_2016.pdf

Additional Studies Performed:
Dahlin Group Architecture Planning. Mulberry Village Site and Building Plans. August 2026. Geotech Consultants, Inc. Geotechnical Engineering Study: Proposed Affordable Housing Project, ~1200 Southwest Swantown Avenue, Oak Harbor, Washington. Job No. 25110. May 14, 2025. Geotech Consultants, Inc. Infiltration Evaluation Report for Mulberry Village, Oak Harbor, Washington. August 2026. Partner Engineering and Science, Inc. Phase I Environmental Site Assessment for Mulberry Village, 1215 SW Swantown Avenue, Oak Harbor, Washington. August 2026. Partner Engineering and Science, Inc. Environmental Media Management Plan for Mulberry Village, Oak Harbor, Washington. August 2026. Shelterwood Consulting.

Limited Wetland Survey of One Parcel, 1215 SW Swantown, Oak Harbor, Island County, Washington for Shelter Resources, Inc. September 4, 2024.

Field Inspection [Optional]: Date and completed by:
AJ Carter 5/28/2026 12:00:00 AM

SitePhotos_from_Phase_I_Report_Mulberry_Village_Oak_Harbor_WA_052826.pdf

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

Centers for Disease Control and Prevention. Environmental Public Health Tracking Network, Radon Data for Island County. https://ephtracking.cdc.gov/DataExplorer/?c=31. Accessed April-August, 2026. City of Oak Harbor. Comprehensive Plan. Updated to incorporate the 2022 Comprehensive Plan Amendments per Ordinance No. 1966. Accessed August 13, 2026. City of Oak Harbor. Housing Needs Assessment. Comprehensive Plan Periodic Update. Accessed August 13, 2026. DAHP. Washington State Department of Archaeology and Historic Preservation. RE: Swantown Housing (Mulberry Village) Project, Log # 2024-08-05953-COMM. April 16, 2026. Federal Aviation Administration. Airport Data (Form 5010), AirNav Database. https://www.airnav.com/. Accessed March - August 2026. Federal Emergency Management Agency. FEMA Flood Map Service Center. https://msc.fema.gov/portal/home. Accessed March - August 2026. Federal Emergency Management Agency. National Flood Hazard Layer Viewer. https://hazardsfema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd. Accessed March - August 2026. Google LLC. Google Earth Pro. Imagery dated June 29, 2025. Accessed March-May 2026. HUD (U.S. Department of Housing and Urban Development). Acceptable Separation Distance (ASD) Electronic Assessment Tool. https://www.hudexchange.info/programs/environmental-review/asd-calculator/. Accessed March - August 2026. HUD (U.S. Department of Housing and Urban Development). Day/Night Noise Level (DNL) Calculator. https://www.hudexchange.info/environmental-review/dnl-calculator/. Accessed March - August 2026. HUD STraCAT tool: https://www.hudexchange.info/programs/environmental-review/stracat/. Accessed 1/9/2026. National Wild and Scenic Rivers System. Rivers.gov Interactive Map. https://www.rivers.gov/map. Accessed March - August 2026. U.S. Environmental Protection Agency. NEPAssist Environmental Mapping Tool. https://nepassisttool.epa.gov/nepassist/nepamap.aspx. Accessed March-May 2026. U.S. Environmental Protection Agency. Sole Source Aquifer Program. https://www.epa.gov/dwssa. Accessed April-August, 2026. Washington State Department of Ecology. State Implementation Plans (Maintenance SIPs). https://ecology.wa.gov/Regulations-Permits/Plans-policies/State-implementation-

plans/Maintenance-SIPs. Accessed April-August, 2026. WSDOT. 2026. Traffic GeoPortal Website. https://www.wsdot.wa.gov/data/tools/geoportal/?config=traffic. Washington State Department of Transportation. Accessed January 1, 2026. U.S. Navy. 2019. ''Navy Announces Record of Decision for Growler Environmental Impact Statement'' Press Releases, Official Statements and Communication. U.S. Navy NEPA Projects Environmental Planning and Compliance. March 13. U.S. Navy. 2018. Final Environmental Impact Statement for EA-18G Growler airfield Operations at the NAS Whidbey Island complex, Washington. Available at https://www.nepa.navy.mil/Completed-Projects/Aircraft-Home-Basing-Ship-Homeporting/EA-18G-Growler-Airfield-Operations-EIS-NAS-Whidbey-Island/

List of Permits Obtained:

The following required permits are pending with the City of Oak Harbor: Building A - YS0TDM (2608-0567-NEWC) Building B - NU8C1Q (2608-0570-NEWC) Building C - F7X8EW (2608-0571-NEWC) Building D - AUDJ17 (2608-0572-NEWC) Building E-Clubhouse - TZN1DW (2608-0563-NEWC) Civil Permit - 7PTUVY (2608-0559-CIV)

Public Outreach [24 CFR 58.43]:

Public outreach regarding the project has occurred through City Council consideration of project-related funding and infrastructure improvements, providing opportunities for public feedback. The project team has also engaged community stakeholders and service providers to help inform project design, including resident service spaces, family-oriented amenities, and supportive housing components. As part of the environmental review process, a Finding of No Significant Impact (FONSI) notice will be disseminated to interested parties, agencies, and stakeholders in accordance with HUD requirements.

Cumulative Impact Analysis [24 CFR 58.32]:

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

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

The project site was selected through an Island County Request for Qualifications process for the development of affordable housing on county-owned property. Opportunity Council and Shelter Resources, Inc. were selected as the development team, and site control was subsequently secured through a transfer agreement with Island County. During project planning, the development team evaluated project feasibility, funding requirements, site constraints, and community needs. The site plan and building layout were refined through an iterative design process involving the

development team, technical consultants, regulatory agencies, and local stakeholders. Design modifications were incorporated to address engineering, stormwater management, permitting, accessibility, and resident service considerations while maintaining the project's goal of providing affordable multifamily housing. The current site plan was selected because it balances housing needs, site constraints, and environmental considerations while remaining consistent with local development requirements.

No Action Alternative [24 CFR 58.40(e)]

In the case of a no-build alternative, the site would remain in its current vacant condition or could be redeveloped in the future consistent with applicable zoning regulations. If the Project were not constructed, the need for affordable housing would remain in the community.

Summary of Findings and Conclusions:

The proposed Mulberry Village Project will have primarily beneficial impacts by increasing the availability of affordable multifamily housing in Island County, including dedicated cultural and recreational spaces. Stormwater runoff from the completed development will be treated onsite, and conveyed to underground infiltration systems. Adverse impacts will be minimized through adherence to applicable regulations, implementation of best management practices during construction (including erosion and sediment control, dust suppression, and spill prevention), and incorporation of geotechnical engineering recommendations into project design. No significant changes to the proposed project are required to avoid significant impacts. Based on the analysis, the project will not result in significant adverse environmental impacts, and a Finding of No Significant Impact (FONSI) is appropriate.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Endangered Species Act	Stormwater design will be followed as noted in the Stormwater Drainage Report.	N/A	Stormwater design will be followed as noted in the	

			Stormwater Drainage Report.	
Noise Abatement and Control	A worst-case scenario for STC ratings of the construction design provide adequate noise reduction at all indoor locations where noise was modeled to exceed 65 dB by 2036. Building materials in the design as planned will be sufficient to mitigate noise.	N/A	Building materials will follow current design plans.	

Project Mitigation Plan

The mitigation plan for the project consists of implementing geotechnical recommendations, stormwater management requirements, and applicable construction best management practices. These measures will be incorporated into project plans and specifications and monitored during construction by the development and construction management team with Shelter Resources, Inc., overseen by Jenifer Vanway, Vice President of Development with Shelter Resources. An Environmental Media Management Plan will be followed if unexpected environmental conditions are encountered during 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

✓ **Yes**

2. Is your project located within a Runway Protection Zone/Clear Zone (RPZ/CZ) or Accident Potential Zone (APZ) ?

Yes, project is in an APZ

Yes, project is an RPZ/CZ

✓ No, project is not within an APZ or RPZ/CZ

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within either zone below.

Screen Summary

Compliance Determination

There are no civilian airports within 2,500 feet of the Mulberry Village location. Parts of military airports Ault Field (NAS) and OLF Coupeville are located within 15,000 feet. However, the attached maps show that the project location is outside of the RPZs/AZs and CZs. Sources and documentation are attached. The project is in compliance with Airport Hazards requirements.

Supporting documentation

NASWI AICUZ_POSTER 4 NOISE AND ACCIDENT POTENTIAL ZONES.pdf
Airports_Summary.pdf
15000-ft-radius_Airports_MulberryVillage.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

General requirements	Legislation	Regulation
HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.	Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)	

This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Compliance Determination

This project is located in a state that does not contain CBRS units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

No. This project does not require flood insurance or is excepted from flood insurance.

✓ Yes

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

Mulberry Village Firmette.pdf
Mulberry Village FIRM.png

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

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

✓ No

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

Yes

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

Yes

✓ No

Screen Summary

Compliance Determination

The structure or insurable property is not located in a FEMA-designated Special Flood Hazard Area. 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

Mulberry Village Firmette(1).pdf
Mulberry Village FIRM(1).png

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 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

Mulberry Village Air Quality.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 or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. As of July 22, 2020, Washington State Department of Ecology notified HUD of the following: "Ecology has concluded that it is unnecessary for U.S. Department of Housing and Urban Development (HUD) to continue to send project information in order to receive Ecology's concurrence that the funding phase of the project is consistent with Washington's CZMP. Therefore, we are writing to inform you that HUD no longer needs to require applicants to send Ecology letters seeking our concurrence on projects for which HUD plans to release federal funding." Inclusion of the following statement in the Environmental Review Record is strongly encouraged to ensure projects are aware that CZM may still apply at the time of local and/or national permitting. "Concurrence from Dept. of Ecology for Coastal Zone Management is no longer required under a Part 58 or Part 50 Environmental Review in Washington State. However, at the time of project development, the activity may trigger review if it falls under other parts of the CZMA regulations for federal agency activities (Title 15 CFR Part 930, subpart C), or consistency for activities requiring a federal license or permit (Title 15 CFR Part 930, Subpart D) and will be subject to all

enforceable policies of the Coastal Zone Management Program. It is during the local permitting process that a project might be subject to CZM and further review by the Dept of Ecology."

Supporting documentation

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

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

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

- ✓ ASTM Phase I ESA
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening.
- None of the above

* HUD regulations at 24 CFR § 58.5(i)(2)(ii) require that the environmental review for multifamily housing with five or more dwelling units or non-residential property include the evaluation of previous uses of the site or other evidence of contamination on or near the site.
For acquisition and new construction of multifamily and nonresidential properties HUD strongly advises the review include an ASTM Phase I Environmental Site Assessment (ESA) to meet real estate transaction standards of due diligence and to help ensure compliance with HUD's toxic policy at 24 CFR §58.5(i) and 24 CFR §50.3(i). Also note that some HUD programs require an ASTM Phase I ESA.

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

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

✓ No

Explain:

A Phase I ESA was completed for 1215 SE Swantown Avenue (the Mulberry Village location) by Adapt Environmental & Geotech (Adapt) in August 2024, and by Partner Engineering and Science, Inc. (Partner) on May 28, 2026 (attached). No recognized environmental conditions (RECs) were identified for the site in either of the Phase I ESAs.

Yes

* This question covers the presence of radioactive substances excluding radon. Radon is addressed in the Radon Exempt Question.
** Utilize EPA's Enviromapper, NEPAssist, or state/tribal databases to identify nearby dumps, junk yards, landfills, hazardous waste sites, and industrial sites, including EPA National Priorities List Sites (Superfund sites), CERCLA or state-equivalent sites, RCRA Corrective Action sites with release(s) or suspected release(s) requiring clean-up action and/or further investigation. Additional supporting documentation may include other inspections and reports.

3. Evaluate the building(s) for radon. Do all buildings meet any of the exemptions* from having to consider radon in the contamination analysis listed in CPD Notice CPD-23-103?

Yes

Explain:

✓ No

* Notes:
- Buildings with no enclosed areas having ground contact.
- Buildings containing crawlspaces, utility tunnels, or parking garages would not be exempt, however buildings built on piers would be exempt, provided that there is open air between the lowest floor of the building and the ground.
- Buildings that are not residential and will not be occupied for more than 4 hours per day.
- Buildings with existing radon mitigation systems - document radon levels are below 4 pCi/L with test results dated within two years of submitting the application for HUD assistance and document the system includes an ongoing maintenance plan that includes periodic testing to ensure the system continues to meet the current EPA recommended levels. If the project does not require an application, document test results dated within two years of the date the environmental review is certified. Refer to program office guidance to ensure compliance with program requirements.
- Buildings tested within five years of the submission of application for HUD assistance:

test results document indoor radon levels are below current the EPA's recommended action levels of 4.0 pCi/L. For buildings with test data older than five years, any new environmental review must include a consideration of radon using one of the methods in Section A below.

4. Is the proposed project new construction or substantial rehabilitation where testing will be conducted but cannot yet occur because building construction has not been completed?

Yes

Compliance with this section is conditioned on post-construction testing being conducted, followed by mitigation, if needed. Radon test results, along with any needed mitigation plan, must be uploaded to the mitigation section within this screen.

✓ No

5. Was radon testing or a scientific data review conducted that provided a radon concentration level in pCi/L?

✓ Yes

No

If no testing was conducted and a review of science-based data offered a lack of science-based data for the project site, then document and upload the steps taken to look for documented test results and science-based data as well as the basis for the conclusion that testing would be infeasible or impracticable.

Explain:

File Upload:

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

Non-radon contamination was found in a previous question.

6. How was radon data collected?

All buildings involved were tested for radon

✓ A review of science-based data was conducted

Enter the Radon concentration value, in pCi/L, derived from the review of science-based data:

1.2

Provide the documentation* used to derive this value:

Review of CDC's publicly available county Radon data shows that on Island County, state reported pre-mitigation radon levels have been tested at least 108 times during the most recent 10-year period, and the average result is 1.2 (pCi/L), well below the EPA's recommended limit of 4.0 (pCi/L). Radon maps available through the Washington Department of Health show that Island County is not in a geologically high-risk area for Radon.

File Upload:

Radon Data_IslandCounty.pdf

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

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

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

Screen Summary

Compliance Determination

Site contamination was evaluated as follows: ASTM Phase I ESA. No RECs were identified, therefore no mitigation is required. However, an Environmental Media Management (EMMP) was recommended in the more recent Phase I ESA by Partner. An EMMP (attached) will be in place in the case of unexpected contamination during ground disturbing activities. Radon testing indicated radon levels below 4.0 pCi/L. See

attached documents for supporting materials and references. The project is in compliance with contamination and toxic substances requirements.

Supporting documentation

Phase I Environmental Site Assessment_Adapt.pdf
26-594183_Phase_I_Report_-_Mulberry_Village_Oak_Harbor_WA_052826.pdf
26-594183 Oak Harbor Draft EMMP 260626.pdf
Radon Data_IslandCounty(1).pdf
Contamination-and-Toxic-Substances_Summary.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 *et seq*.); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect specifies 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:

Stormwater design will be followed as noted in the Stormwater Drainage Report.

No mitigation is necessary.

Screen Summary

Compliance Determination

The Project received verification for coverage under NMFS' HUD Programmatic Biological Opinion for Projects in Washington (NMFS# WCRO-2020-00512-11269). The project will have no effect to species and critical habitat under jurisdiction of the USFWS.

Supporting documentation

Verification WA HUD Mulberry Village Project NMFS WCRO20200051211269.pdf
NMFS-HUD-consultation-MulberryVillage.docx
Landscape - 60_ CD Set.pdf
NMFS_WCRO-2020-00512-11269_ Verification_Correspondence.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 is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. Aerial review results identified a total of four possible tanks that met the criteria for calculating an acceptable safe distance from the project. All were located further away than their acceptable separation distance, as summarized in the supporting documentation. The Island County permit website was also reviewed for permits related to tank installation and none were identified. See supporting documentation for a full analysis summary, map, list of locations, references, illustration of tanks, and a summary table showing distance, volume, and ASD for each tank. The project is in compliance with explosive and flammable hazard requirements.

Supporting documentation

Explosives Backup_MulberryVillage.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

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

Yes

✓ No

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

The project is a new construction activity. Site was used for early light agriculture activities including a small orchard. However documentation of historic site use demonstrates residential use and major development of the site beginning in 1968.

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

Phase I Environmental Site Assessment.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 * Executive Order 13690 * 42 USC 4001-4128 * 42 USC 5154a * only applies to screen 2047 and not 2046	24 CFR 55

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

Yes

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

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

(c) The approval of financial assistance for restoring and preserving the natural and beneficial functions and values of floodplains and wetlands, including through acquisition of such floodplain and wetland property, where a permanent covenant or comparable restriction is place on the property's continued use for flood control, wetland projection, open space, or park land, but only if:
(1) The property is cleared of all existing buildings and walled structures; and
(2) The property is cleared of related improvements except those which:
(i) Are directly related to flood control, wetland protection, open space, or park land (including playgrounds and recreation areas);
(ii) Do not modify existing wetland areas or involve fill, paving, or other ground disturbance beyond minimal trails or paths; and
(iii) Are designed to be compatible with the beneficial floodplain or wetland function of the property.

(d) An action involving a repossession, receivership, foreclosure, or similar acquisition of property to protect or enforce HUD's financial interests under previously approved loans, grants, mortgage insurance,

or other HUD assistance.

(e) Policy-level actions described at 24 CFR 50.16 that do not involve site-based decisions.

(f) A minor amendment to a previously approved action with no additional adverse impact on or from a floodplain or wetland.

(g) HUD's or the responsible entity's approval of a project site, an incidental portion of which is situated in the FFRMS floodplain (not including the floodway, LiMWA, or coastal high hazard area) but only if: (1) The proposed project site does not include any existing or proposed buildings or improvements that modify or occupy the FFRMS floodplain except de minimis improvements such as recreation areas and trails; and (2) the proposed project will not result in any new construction in or modifications of a wetland .

(h) Issuance or use of Housing Vouchers, or other forms of rental subsidy where HUD, the awarding community, or the public housing agency that administers the contract awards rental subsidies that are not project-based (i.e., do not involve site-specific subsidies).

(i) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and persons with disabilities.

Describe:

✓ No

2. Does the project include a Critical Action? Examples of Critical Actions include projects involving hospitals, fire and police stations, nursing homes, hazardous chemical storage, storage of valuable records, and utility plants.

Yes

Describe:

✓ No

3. Determine the extent of the FFRMS floodplain and provide mapping documentation in support of that determination

The extent of the FFRMS floodplain can be determined using a Climate Informed Science Approach (CISA), 0.2 percent flood approach (0.2 PFA), or freeboard value approach (FVA). For projects in areas without available CISA data or without FEMA Flood Insurance Rate Maps (FIRMs), Flood Insurance Studies (FISs) or Advisory Base Flood Elevations (ABFEs), use the best available information[1] to determine flood elevation. Include documentation and an explanation of why this is the best available information[2] for the site. Note that newly constructed and substantially improved[3] structures must be elevated to the FFRMS floodplain regardless of the approach chosen to determine the floodplain.

Select one of the following three options:

CISA for non-critical actions. If using a local tool , data, or resources, ensure that the FFRMS elevation is higher than would have been determined using the 0.2 PFA or the FVA.

0.2-PFA. Where FEMA has defined the 0.2-percent-annual-chance floodplain, the FFRMS floodplain is the area that FEMA has designated as within the 0.2-percent-annual-chance floodplain.

✓ FVA. If neither CISA nor 0.2-PFA is available, for non-critical actions, the FFRMS floodplain is the area that results from adding two feet to the base flood elevation as established by the effective FIRM or FIS or — if available — a FEMA-provided preliminary or pending FIRM or FIS or advisory base flood elevations, whether regulatory or informational in nature. However, an interim or preliminary FEMA map cannot be used if it is lower than the current FIRM or FIS.

[1] Sources which merit investigation include the files and studies of other federal agencies, such as the U. S. Army Corps of Engineers, the Tennessee Valley Authority, the Soil Conservation Service and the U. S. Geological Survey. These agencies have prepared flood hazard studies for several thousand localities and, through their technical assistance programs, hydrologic studies, soil surveys, and other investigations have collected or developed other floodplain information for numerous sites and areas. States and communities are also sources of information on past flood 'experiences within their boundaries and are particularly knowledgeable about areas subject to high-risk flood hazards such as alluvial fans, high velocity flows, mudflows and mudslides, ice jams, subsidence and liquefaction.

[2] If you are using best available information, select the FVA option below and provide supporting documentation in the screen summary. Contact your local environmental officer with additional compliance questions.

[3] Substantial improvement means any repair or improvement of a structure which costs at least 50 percent of the market value of the structure before repair or improvement or results in an increase of more than 20 percent of the number of dwelling units. The full definition can be found at 24 CFR 55.2(b)(12).

5. Does your project occur in the FFRMS floodplain?

Yes

✓ No

Screen Summary

Compliance Determination

This project does not occur in the FFRMS floodplain. The Mulberry Village Project is located well above the FVA of 20 feet above sea level. See attached documentation for full summary and documentation. The project is in compliance with Executive Orders 11988 and 13690.

Supporting documentation

Mulberry Village FIRM_FullPanel.pdf
Floodplain Backup_Mulberry Village.pdf
Mulberry Village Firmette(2).pdf
Mulberry Village FIRM(2).png

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

	No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)
	No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].
	No, because the project consists solely of activities covered by the ACHP's PROGRAM COMMENT ON CERTAIN HOUSING, BUILDING AND TRANSPORTATION UNDERTAKINGS, as demonstrated in the ACHP PC Checklist.
✓	Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

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

✓ State Historic Preservation Offer (SHPO) Completed

✓ Advisory Council on Historic Preservation Not Required

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

✓ Confederated Tribes and Bands of the Yakama Nation	Completed
✓ Samish Indian Nation	Completed
✓ Snoqualmie Indian Tribe	Completed
✓ Stillaguamish Tribe of Indians of Washington	Completed
✓ Suquamish	Completed
✓ Swinomish Indian Tribal Community	Completed
✓ Tulalip	Completed

Other Consulting Parties

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

TDAT

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

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes
No

Step 2 – Identify and Evaluate Historic Properties

1. **Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**
   1215 SW Swantown Ave, Oak Harbor, Island County, Washington.

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

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

below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information

Additional Notes:

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

Yes

✓ No

Step 3 –Assess Effects of the Project on Historic Properties

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

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

✓ No Historic Properties Affected

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

Document reason for finding:

✓ No historic properties present.

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

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

F02APEAerial.pdf
F01APETopo.pdf
4-2026 DAHP Response.pdf
Combined Mulberry Village Section 106 Ltrs.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

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.

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:

A worst-case scenario for STC ratings of the construction design provide adequate noise reduction at all indoor locations where noise was modeled to exceed 65 dB by 2036. Building materials in the design as planned will be sufficient to mitigate noise.

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. The noise level was normally unacceptable: 72.0 db. The STC ratings of the construction design provide adequate noise reduction at all indoor locations where noise was modeled to exceed 65 dB by 2036, and noise sensitive outdoor areas are modeled not to exceed 65dB. Therefore, noise at the project location is adequately mitigated from the surrounding noise sources by existing design plans. Full analysis and screen shots of maps and calculations are provided in the attached backup documentation. See noise analysis. The project is in compliance with HUD's Noise regulation with mitigation.

Supporting documentation

SSA Acoustics_Proposal for Services - Mulberry Village Site Noise Study.pdf
Noise Analysis Summary and Backup Documentation.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

✓ Yes

3. Does your region have a memorandum of understanding (MOU) or other working agreement with Environmental Protection Agency (EPA) for HUD projects impacting a sole source aquifer?

Yes

✓ No

5. Will the proposed project contaminate the aquifer and create a significant hazard to public health?

Consult with your Regional EPA Office. Your consultation request should include detailed information about your proposed project and its relationship to the aquifer and associated streamflow source area. EPA will also want to know about water, stormwater and waste water at the proposed project. Follow your MOU or working agreement or contact your Regional EPA office for specific information you may need to provide. EPA may request additional information if impacts to the aquifer are questionable after this information is submitted for review.Does your MOU or working agreement exclude your project from further review?

✓ No

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

Yes

Screen Summary

Compliance Determination

The project is located on a sole source aquifer.The Mulberry Village project is a new construction multifamily housing development and is meeting all applicable local/state groundwater regulations. The project is connected to public water. Stormwater runoff from the completed project will be conveyed through storm drainage facilities to onsite treatment systems and underground infiltration vaults. The Stormwater Drainage Report and a Washington State specific checklist for sole source aquifers are attached. The project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

Mulberry Village Apartments - Drainage Report - 2026-08-14.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 requires avoiding to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands, and avoiding actions that directly or indirectly support new construction in wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory must be used as a primary screening tool, but observed or known wetlands not delineated on NWI maps must also be evaluated.	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 24 CFR 55.10 and referenced in Executive Order 11990? The term "new construction" shall include grading, clearing, draining, dredging, channelizing, filling, diking, impounding, and related activities for any structure or facilities, including the siting of new manufactured housing units.

No

✓ Yes

2. Will the new construction activities directly impact an onsite 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, prairie potholes, wet meadows, river overflows, mud flats, and natural ponds. This definition includes those wetland areas separated from their natural supply of water as a result of activities such as the construction of structural flood protection methods or solid fill roadbeds and activities such as mineral extraction and navigation improvements. This definition includes both wetlands subject to and those not subject to Section 404 of the Clean Water Act as well as constructed wetlands.

✓ No, an onsite wetland will not be directly impacted by new construction activities, as defined in 24 CFR 55.10.

Yes, there is an onsite wetland that will be directly impacted by new construction activities, as defined 24 CFR 55.10.

3. Will the proposed project indirectly affect wetlands by modifying the flow of stormwater, releasing pollutants, or otherwise changing conditions that contribute to wetlands viability?

Yes, wetlands may be indirectly affected by changing conditions that contribute to wetlands viability.

✓ No, wetlands will not be indirectly affected by changing conditions that contribute to wetlands viability.

4. Will the proposed project indirectly affect off-site wetlands?

Yes, off-site wetlands may be indirectly affected.

✓ No, off-site wetlands will not be indirectly affected by changing conditions that contribute to wetlands viability.

Screen Summary

Compliance Determination

The project will not impact wetlands. A Wetlands Assessment, attached, was completed by Shelterwood Consulting on September 4, 2024. The assessment concluded that no wetland conditions are on the site. The project is in compliance with Executive Order 11990.

Supporting documentation

Wetland Assessment -2024-09-04 1215.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

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

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

✓ No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.
Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

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

Supporting documentation

Mulberry Village WS Rivers(1).png
Mulberry Village WS Rivers Map.pdf

Are formal compliance steps or mitigation required?

Yes

✓ No