CITY OF
MUKILTEO

Determination of Mitigated Non-Significance (MDNS) Routing Form

DATE: February 5, 2020

	Alderwood Water District – Mike Graves		Pilchuck Audubon Society (President)
	Burlington Northern Santa Fe Railway (Marvinique Hill)		Port of Everett (Laura Gurley)
	City of Edmonds (Rob Chave)	X	Puget Sound Clean Air Agency (SEPA Email / Air Resource Specialist)
	City of Everett (Allan Giffen)	X	Puget Sound Energy (Dom Amor)
	City of Everett (Steve Ingalsbe)	X	Puget Sound Regional Council
	City of Lynnwood (Todd Hall)		Seattle Dist. Corps of Engineers (Dept. Army-Reg. Branch)
	City of Mill Creek (Tom Rogers)		Snohomish Co. Airport/Paine Field (A. Rardin/R. Zulauf)
X	City of Mukilteo (Building Official)		Snohomish Co. Assessor's Office *(Ordinances Only)*
X	City of Mukilteo (Fire Chief)		Snohomish Co. Conservation District
X	City of Mukilteo (Fire Marshal)		Snohomish Co. PW/ Environmental (Shannon Flemming)
X	City of Mukilteo (Engineering)		Snohomish Co. Marine Res. Comm. (Kathleen Herrmann)
X	City of Mukilteo (Com. Dev. Dir.)		Snohomish Co. Planning & Dev. Srvc. (Ryan Countryman)
X	City of Mukilteo (Police, Cheol Kang, Myron Travis)	X	Snohomish Co. PUD: Dist. Eng. Services (Mary Wicklund)
X	Comcast of Washington (Casey Brown, John Warrick)		Snohomish Health District (Bruce A. Straughn)
X	Community Transit (Kate Tourtellot)		Sound Transit Authority (Perry Weinberg)
X	Dept. of Commerce (Growth Mgmt. Svcs Rev. Team)		South Snohomish Co. Fire Dist. (Kevin Zweber)
	Dept. of Natural Resources (James Taylor)	X	Tulalip Tribes – (Zachary Lamebull)
	Economic Alliance of Snohomish County	X	Tulalip Tribes – (Richard Young)
	FAA/Air Traffic Division, ANM-0520 (Daniel Shoemaker)		United States Postal Service (Soon H. Kim)
X	FEMA (John Graves)	X	Verizon Company of the NW, Inc. (Tim Rennick.)
	Island County MRC (Rex Porter) *(Shoreline Only)*	X	Washington Dept. of Ecology (Peg Plummer)
X	Master Builders King/Sno. Counties (Mike Pattison)	X	Washington Dept of Fish & Wildlife (Jamie Bails)
X	Mukilteo School District (Cindy Steigerwald)	X	WSDOT (Leah Bolotin)
X	Mukilteo School District (Josette Fisher)		WSDOT (Ramin Pazooki)
X	Mukilteo Water & Wastewater District (Jim Voetberg, Manager; Rick Matthews; Kendra Chapman)		WSDOT Ferries(Kevin Bartoy) *(Shoreline Only)*
	National Marine Fishery Service	X	WRIA 8 Water Resources
X	Office of Archaeology & Historic Pres. (Allyson Brooks)		Other:
	Ogden, Murphy, Wallace (Daniel Kenny) *(Ordinances Only)*		

FILE NO.: PPR-2019-002 PROPONENT: City of Mukilteo Public Works Department

PROJECT NAME: 61st Place West Retaining Wall

PROJECT DESCRIPTION: Repair and reinforce an existing 90-foot-long soldier pile retaining wall and roadway with associated grading, landscaping, and street improvements. The retaining wall will be extended an additional 30-40 feet at each end. This project will also repair a segment of the existing failed roadway adjacent to the existing wall and install surface and subsurface stormwater management systems. A wetland was identified downslope of the retaining wall and was classified as a Category III, with a 60 foot wide buffer width. Any disturbed vegetated areas will be restored.

FILE NO.: PPR-2019-002 PROPONENT: City of Mukilteo Public Works Department

PROJECT NAME: 61st Place West Retaining Wall

ATTACHED IS:

	Notice of Application		Plat Map (Reduced)
X	MDNS (issued 2/7/2020)		Site Plan (Reduced)
	Environmental Checklist		Location Map
	Application		Vicinity Map
	Narrative Statement(s)		Other:

COMMENT PERIOD: This MDNS is issued under WAC 197-11-350 and MMC 17.84.100; the lead agency will not act on this proposal for 14 days from Friday, February 7, 2020. Comments must be submitted by **Friday, February 21, 2020**.

APPEAL PERIOD: Parties of record may appeal this determination by filling out the appeal form and submitting it with the applicable appeal fee, which is non-refundable, to the "City of Mukilteo." Submit the appeal form and fee to the City of Mukilteo Planning Department at 11930 Cyrus Way, Mukilteo, WA 98275 by written comment no later than **4:30 pm. on Friday, March 6, 2020**.

Linda Ritter

Linda Ritter
Senior Planner

2/5/2020
Date

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RESPONSE SECTION:

_____ Comments Attached _____ No Comments

COMMENTS: _____

_____

_____ _____
Signature Date

_____
Company

DO YOU WANT A COPY OF OUR NOTICE OF DECISION YES __ NO __

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

PROJECT NAME: 61st Place West Retaining Wall

FILE NO(S): PPR 2019-002 and ENG-2019-004

DESCRIPTION OF PROPOSAL:

Repair and reinforce an existing 90-foot-long soldier pile retaining wall and roadway with associated grading, landscaping, and street improvements. The retaining wall will be extended an additional 30-40 feet at each end. This project will also repair a segment of the existing failed roadway adjacent to the existing wall and install surface and subsurface stormwater management systems.

To strengthen the existing wall, tie-back anchors and walkers will be installed at the face of the wall and will extend under the roadway and uphill slope to an appropriate bonded length of approximately 55 feet. Additionally, subsurface drains will extend under the roadway and uphill slope to an approximate length of 80 feet to 120 feet. These subsurface anchors and drains required permanent subsurface slope easements from two (2) uphill property owners. A wetland was identified downslope of the retaining wall and was classified as a Category III, with a 60 foot wide buffer width. Any disturbed vegetated areas will be restored.

PROPONENT: City of Mukilteo Public Works Department

DATE OF ISSUANCE: February 7, 2020

LOCATION OF PROPOSAL:
Located near the intersection of 61st Place West and 91st Place SW, Mukilteo, Washington.

LEAD AGENCY: City of Mukilteo

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement is not required under RCW43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency.

PUBLIC COMMENT:
This MDNS is issued pursuant to WAC 197-11-350 and MMC 17.84.100; the lead agency will not act on this proposal for 14 days from Friday, February 7, 2020. Comments must be submitted no later than **4:30 p.m. on Friday, February 21, 2020**. After February 21, 2020, this determination becomes final.

APPEAL PERIOD:
An appeal of this MDNS must be submitted to the city no later than **4:30 p.m. on Friday, March 6, 2020** which is fourteen days of the date the-MDNS becomes final. Parties of record may appeal this determination by filling out the appeal form and submitting it with the applicable appeal fee, which is non-refundable, to the "City of Mukilteo." Submit the completed appeal form and fee to the City of Mukilteo Community Development Department at 11930 Cyrus Way, Mukilteo, WA 98275 no later than **4:30 pm. On Friday, March 6, 2020**.

A SEPA appeal hearing, if held, requires all testimony to be given "under oath". You should be prepared to make specific factual objections. Contact the Community Development Department to read or ask about the procedures for SEPA appeals.

MDNS AVAILABILITY:
Copies of the MDNS are available on the City of Mukilteo website at https://mukilteowa.gov/land-use-action-notices/ and from the City of Mukilteo Community Development Department, 11930 Cyrus Way, Mukilteo, WA 98275, (425) 263-8000.

DOCUMENTS INCORPORATED BY REFERENCE:
In order to evaluate proposed actions, alternatives, or environmental impacts, an agency may use previously prepared environmental documents when issuing an environmental threshold determination (WAC 197-11-600 & 635). The following environmental documents, available for review at Mukilteo City Hall (address below), have been reviewed:

- Environmental Checklist prepared by Randall Roberts dated January 14, 2019
- Biological Evaluation prepared by Northwest Environmental Consulting, LLC dated May 2018
- Request for a National Environmental Policy Act (NEPA) Determination of Categorical Exclusion prepared by Northwest Environmental Consulting, LLC dated August 1, 2018
- Wetland Determination prepared by Northwest Environmental Consulting, LLC, dated May 24, 2016
- Stabilization Alternatives Feasibility and Evaluation prepared by GeoDesign, dated April 27, 2018
- Mukilteo 61st Place Retaining Wall Critical Areas Report prepared by Northwest Environmental Consulting, LLC, dated August 2018
- Stormwater Report 61st Place West Retaining Wall Project prepared by Tuttle Engineering, dated July 12, 2018

SUBSTANTIVE AUTHORITY:
The mitigation measures required for the proposal are issued in accordance with the substantive authority in Mukilteo Municipal Code 17.84.160.

The following policies from the Mukilteo Comprehensive Plan form the basis for the mitigation measures:

LU9: The City shall manage and regulate development in critical areas and the shoreline to allow reasonable and appropriate uses in those areas while protecting them against adverse effects and shall regularly evaluate these regulations and programs to ensure they continue to use the best available science to protect environmentally sensitive areas from negative impacts associated with development.

LU9a: These wetlands and other critical areas which contribute to the City's stormwater management program should be protected by delineating their locations, adopting

relevant land use regulations, purchasing of development rights, and other protective techniques.

LU9b: Maintaining the natural hydrological functions of each watershed, and where appropriate and possible, restoring them along with freshwater and marine habitats to a more natural state and ecological functionality should be a consideration of all City of Mukilteo actions.

UT7: Surface water management planning and operations shall comply with City, State, and Federal surface water regulations and be consistent with the City of Mukilteo Comprehensive Plan.

UT7d: Drainage, flooding, and stormwater run-off impacts shall be minimized to the maximum extent practical in land use development proposals and City operations.

UT8: Streams and wetlands should be an integral part of the stormwater management program, provided they are protected from the negative impacts created by altered flow regimes and pollutant sources.

MITIGATION MEASURES:

The lead agency for this proposal has determined that it (the proposal) does not have a probable significant adverse impact on the environment if the following mitigation measures are followed:

1. The applicant shall comply with to the Critical Areas Report prepared by Northwest Environmental Consulting, LLC dated August 2018, for any permanent or temporary impacts to the wetland and its associated buffer.
2. Mitigation plantings shall be installed in accordance with the approved Critical Areas Mitigation Plan, and shall be subject the following:
    a. The mitigation and/or buffer enhancement site(s) shall be monitored for a minimum of five (5) years. The monitoring period required may be extended an additional two (2) years if the wetland or stream buffer is not performing as expected by the mitigation or enhancement plan. The monitoring reports shall be submitted on August 1st of each year during the monitoring period. Monitoring reports shall follow the recommendations contained in the Department of Ecology's publication "Guidance on Wetland Mitigation in Washington State," Part Two.
    b. The applicant shall be responsible for ensuring that the monitoring reports are prepared, submitted, and any corrections are made as required by the reports.
    c. Prior to final inspection, all plantings associated with a project permit shall require the submittal of an acceptable maintenance agreement to warrant all required plantings against defects in labor and materials for a period of five (5) years after acceptance of those improvements.
    d. All plantings shall be maintained in healthy growing condition. A final inspection will be performed at the end of the five (5) year period and any dead, dying or diseased plant material shall be replaced prior to release from the agreement.
3. Minor modifications of the mitigation plans submitted may be approved by the Community Development Director at his/her discretion and provided that the minor modification is supported by additional critical areas analysis.
4. Development shall follow recommendations presented in the Stabilization Alternatives Feasibility and Evaluation prepared by GeoDesign dated April 27, 2018.

5. Stormwater improvements shall be in accordance with the approved Stormwater Report for the 61st Place West Retaining Wall project prepared by Tuttle Engineering and Management dated July 12, 2018.
6. Construction noise for the project shall be allowed between the hours of seven (7) a.m. to six (6) p.m. on weekdays. No construction is allowed on weekends and holidays.

PROJECT CONTACT:

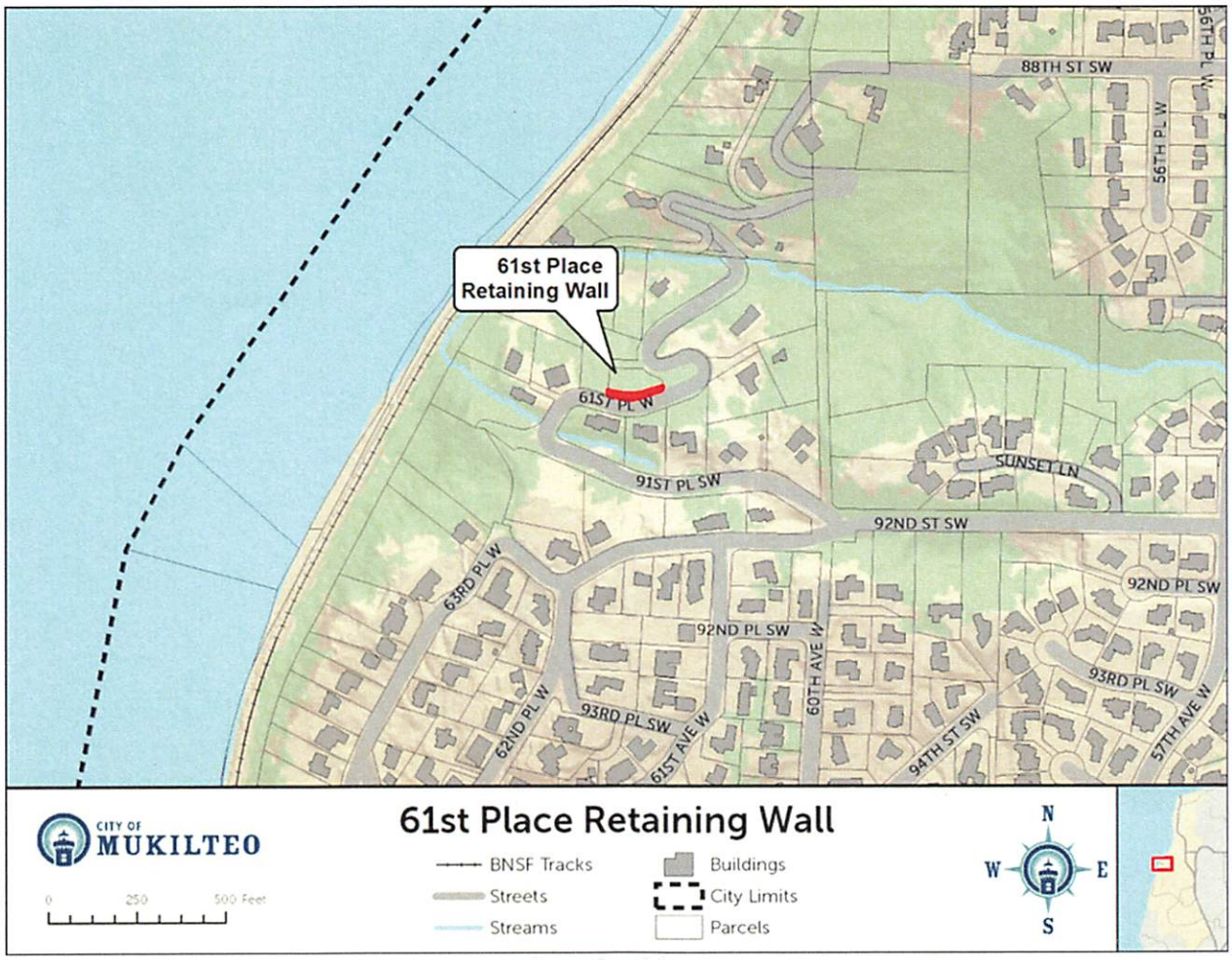
Linda Ritter, Senior Planner (425) 263-8043

RESPONSIBLE OFFICIAL:

David Osaki
Community Development Director
11930 Cyrus Way, Mukilteo, WA 98275
(425) 263-8042

Signature: _____ Date: FEB 7, 2020
Responsible Official

pc:	Review Agencies	Tribune	Permit Services Personnel
	Project File	CDD Director	Mukilteo Beacon
	Applicant/Contact Person		Parties of Interest / Record



Location Map