

From: [Eric Hovland](#)
To: [Sarah Kress](#)
Subject: Comment, Harbor Grove
Date: Tuesday, September 12, 2023 4:09:39 PM
Attachments: [muk1.png](#)
[muk2.png](#)
[muk3.png](#)
[muk4.png](#)
[Critical Infiltration Zone!.png](#)
[NOT a rain garden!.png](#)
[Current Infiltration INFEASIBLE to maintain!.png](#)
[Muk MAGIC.png](#)

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]

To begin with, most people, including me, don't like being told by "the government" what they can and cannot do. America was founded as a free country, but today we suffer from local, state, and federal tyranny. The power of "NO" is strong and addicting but money talks!

I wasted many hours in the past volunteering with the city on a LID / stormwater team. I learned a lot, but it doesn't seem like "the city" did. In hindsight I think it was just a box to check off to obtain more state and federal grants, rarely referred to as our hard-earned tax dollars, for pet projects.

One of the things I learned was the importance of recharging the ground water. This long dry summer for example, I'm sure the big trees of Mukilteo were happy to have some ground water available, as were the local streams fed by seepage/springs.

A lot of attention seems to be given to wetlands, but more important, natural infiltration zones seem to get ignored. My property borders a swamp/wetland/bog/infiltration zone whatever you want to call it. It has no outlet, all the surrounding properties flow into it, yet has never come close to a flood level in the 35 years I've lived here. Per geotech report an "infeasible" LID process just on the other side of the street!

The property in question was inspected for wetland conditions but the fact that the inspected locations were ignored as infiltration zones seems against LID science. When the property is filled and leveled all the water that was once absorbed will now become surface water, collected, detained then added to the already overloaded storm drain system. Even the "rain garden" is designed to have a liner and drainpipe!!! All referred to as "IMPROVEMENTS" by the city!

While trying to find where I read previously the wetland report and surveyor notes were both lost, I ran across another doozy!

I'd like to meet State of Washington Registered Professional Engineer, Brett K Pudists, whose stamp appears on an utterly magical report, so he could explain to me how the current eastern surface runoff flows east UPHILL from the depression approximately 8 feet to get over a berm into the ditch along 53rd, then south UPHILL a few more feet to eventually make its way down to the storm drain system on 92nd St. Per the description in the Preliminary Storm Drain Report (pdf p10). \$\$\$?

I'm a licensed aircraft mechanic, If I stamped off work like that, I'd be subject to fines, jail time, and/or losing my license! God forbid the plane crash!

I don't want to tell the developer he cannot build over the infiltration zone, the depression near 53rd, I just wish the city would practice what they preach, and developers would have more respect for the natural beauty and workings of the land and neighborhood and design around and work with it. I live in a small Daffron home amongst the trees and swamp, not clear-cut and leveled.

Harbor Grove is a beautiful descriptive name of what will soon be lost!

Fortunately, I have limited time to address this!

Low Impact Development is just a dream in Mukilteo.

Eric Hovland
5219 92nd St.
eahovland@yahoo.com



The ordinary high-water marks (OHWM) of streams and waterbodies were identified using the methodology described in *Determining the Ordinary High-Water Mark for Shoreline Management Act Compliance in Washington State* (Anderson et al. 2016). Streams and lakes were classified according to the water typing system provided in Mukilteo Municipal Code (MMC) 17B.52C.080.

FINDINGS

No wetlands, streams or buffers are located on the subject property. No areas on or near the site exhibit the combined positive indicators of hydrophytic vegetation, hydric soils, and wetland hydrology. A depressional area in the eastern portion of the property, adjacent to 53rd Ave W, contains a non-hydrophytic vegetation community and bright, non-hydric soils. Buffers from off-site critical areas do not reach the site.

USE OF THIS REPORT

This Critical Area Reconnaissance Report is supplied to Sea Pac Homes as a means of determining the presence of on-site and nearby critical areas. This report is based largely on readily observable conditions and, to a lesser extent, on readily ascertainable conditions. No attempt has been made to determine hidden or concealed conditions.

Per the Geotechnical Report prepared by Earth Solutions NW, LLC., dated July 30, 2021, onsite soils consist of medium dense to very dense silty sand. Due to the presence of glacial till soils at shallow depths, onsite infiltration or low impact development (LID) is infeasible. The full geotechnical report can be found in Section 6.

The existing and developed basins are part of the Snohomish River drainage basin. In the existing condition, runoff sheet flows to the west and to the east from a natural ridge in the center portion of the property. The downstream paths for both subbasins discharge to Smuggler's Gulch Creek. In the developed condition, the majority of onsite runoff will be routed to a detention vault.

The proposed improvements for this project are greater than 5,000 sf of new impervious area, thus the project, per the Department of Ecology's 2012 Stormwater Management Manual for Western Washington as amended in 2014 (DOE Manual), is categorized as a Large Project and required to meet Minimum Requirements 1 – 9 as detailed in Chapter 2 of the DOE Manual. The project was designed to satisfy the requirements of the DOE



TASK 3: FIELD INSPECTION:

A field inspection was conducted for the project at 9110 53rd Ave W on June 4th, 2021. The weather was sunny with temperatures around 56°F. See below for detailed descriptions of the onsite and upstream basins. Task 4 of this section contains a detailed description of the downstream drainage path as well as a *Downstream Path Exhibit*.

Onsite Basin

The site contains an existing single-family residence, garage structure, driveway, and associated residential landscaping, including rockery and fencing. The site is bound to the north, west, and south by single-family residences. The site is bound to the east by 53rd Ave W. The site is located in the Snohomish River drainage basin and onsite runoff is ultimately tributary to the Puget Sound. See *Existing Conditions Exhibit* provided in Section 4.1 of this report.

The site consists of an east and west subbasin, where their downstream paths combine within a quarter mile. Runoff from the site generally sheet flows east and west from the natural ridge onsite located in the center portion of the site. Runoff travelling both east and west sheet flows across existing topography and vegetated landcover before entering conveyance systems on the respective property edges.

Per the Geotechnical Report provided by Earth Solutions NW, LLC., dated July 30, 2021, soils are dense to very dense silty sand, consistent with glacial till soil classification.

Upstream Area

In the existing condition, surface runoff from adjacent properties sheet flows away from the site. It is expected that there is no upstream area that will be tributary to the site. Refer to the *Upstream Areas Exhibit* provided in Section 4.1 of this report.

TASK 4: DRAINAGE SYSTEM DESCRIPTION

The downstream drainage path was investigated approximately ¼ mile downstream from the site. Refer to the *Downstream Drainage Exhibit* for the path and photo locations referred to in this section.

Existing Downstream Drainage Path**East Subbasin**

A portion of runoff generated on-site sheet flows east across vegetated landcover (*Photo 1*). Runoff travelling southeast enters a culvert on the southeastern corner of the site and travels south through the existing drainage swale (*Photo 2*) within the west side of 53rd Ave W. Flows eventually reach the north side of 92nd St SW and enter a catch basin (*Photo 3*) before crossing and travelling along the south side of 92nd St SW via the existing tightlined storm system (*Photo 4*). Runoff is conveyed north, crossing 92nd St SW and travelling along the west side of Hargreaves Pl (*Photo 5*) before eventually discharging to vegetated understorey (*Photo 6*). Runoff combines with Smuggler's Gulch Creek and travels west to the quarter-mile downstream location.

West Subbasin

The majority of the on-site runoff sheet flows west across vegetated landcover (*Photo 1 – 3*). Runoff travelling west continues across Parcel No. 01116500000600, Parcel No. 01116500000500, Parcel No. 01116500000400, and Parcel No. 01116500000300 before entering a catch basin on the east side of Hargreaves Pl (*Photo 4 – 5*). Flow continues west through the existing tightlined storm system, travelling underneath Hargreaves Pl. Flow





11930 Cyrus Way
Mukilteo, WA 98275
(425) 263-8000

DETERMINATION OF NON-SIGNIFICANCE

Harbor Grove Subdivision Preliminary Plat

9110 53rd Avenue W, Mukilteo, Washington 98275

File Nos. SD-2021-001 / ENG-2021-019 /
SEPA-2021-010

DESCRIPTION OF PROPOSAL: This proposal is for the development of a seven-lot (7) subdivision on 2.43 acres of land with associated grading, drainage improvements, landscaping, and street frontage improvements. The subject property is located at 9110 53rd Avenue W and is within the RD 12.5 zoning district. The proposal includes grading quantities more than 1,000 cubic yards.

| | |
|-------------------------------|---|
| PROJECT NAME: | Harbor Grove Subdivision |
| PROONENT: | Jake Drake of Blueline Group LLC |
| DATE OF ISSUANCE: | Wednesday, August 30, 2023 |
| END OF COMMENT PERIOD: | Wednesday, September 13, 2023 (4:30 PM) |
| END OF APPEAL PERIOD: | Wednesday, September 27, 2023 (4:30 PM) |

LOCATION: 9110 53rd Avenue W, Mukilteo, Washington 98275; otherwise known as Snohomish County Assessor

Section 16 Township 28 Range 4 Quarter NW WEST & WHEELERS
SEAVIEW FIVE AC TRS BLK 000 D-01 PAR B CITY OF MUK LLA REC AFN
201606300224 & AS DELINEATED ON ROS REC AFN 201606305002
BEING A PTN OFLOTS 159 & 166 SD PLAT

LEAD AGENCY: City of Mukilteo

The City of Mukilteo has reviewed the applicant's SEPA checklist and other application materials and determined that this proposal will not have a probable significant adverse impact on the environment that won't be adequately mitigated through application of existing city procedures and regulations (e.g., clearing and grading, critical areas, established impact fees). Pursuant to WAC 197-11-350, the proposal has been clarified and changed by the applicant, and conditioned to include necessary mitigation measures to avoid, minimize or compensate for probable significant impacts. An environmental impact statement (EIS) is not required under RCW 43.21C.030.

S 01°58'54" W
239.84'

1
12,620 SF
PAD 403.5

EX SSMH
RIM 39.68
18" CPP IE 388.18 (N)
18" CPP IE 388.08 (S)

ROW
DEDICATION
2,399 SF

N 01°58'54" E 1269.58'

PROPOSED RAINGARDEN
(W/LINER & UNDERDRAIN)
PER DETAIL, SHEET UT-01
(TYP)

53RD AVE W

EG 401.19

The term *low impact development* (LID) refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. EPA currently uses the term green infrastructure to refer to the management of wet weather flows that use these processes, and to refer to the patchwork of natural areas that provide habitat, flood protection, cleaner air and cleaner water. At both the site and regional scale, LID/GI practices aim to preserve, restore and create green space using soils, vegetation, and rainwater harvest techniques. LID is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions.

You will find fact sheets and technical reports both here and on EPA's [Green Infrastructure](#) pages.

[Green Streets Handbook](#): This handbook is intended to help state and local transportation



LINKS FOR WHAT IS LID?

- LID Projects in Mukilteo
- LID Resources
- Watershed Based Planning

GLOBAL LINKS

- Home
- 2023 Master Fee Schedule
- Accessibility
- Ask Mukilteo
- Business Licenses
- City Calendar
- City Council
- Employment
- Facilities & Rentals
- Fix It Public Works!
- Land Use Action Notices
- Meeting Agendas, Minutes, Audio & Video

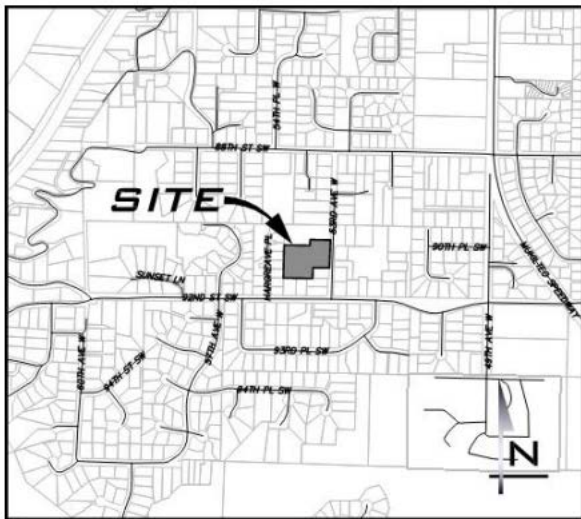


[Home](#) » [City Departments](#) » [Public Works](#) » [Surface Water Utility](#) » [Mukilteo Watersheds](#) » [Watershed Based Planning](#) » What is LID?

What is LID?

- **Low Impact Development (LID)** or green infrastructure is a stormwater management philosophy that attempts to mimic and work with nature by capturing surface water over a small area as close to its source as possible and facilitating its infiltration into the ground. “Green infrastructure” encompasses approaches and technologies to infiltrate, evapotranspire, capture, and reuse stormwater to maintain or restore natural hydrologies. In doing so, the impact of development is reduced and the natural movement of water is promoted. When applied on a wide scale it can maintain or restore a watershed’s hydrologic and ecological functions. LID is in contrast to the current prevalent stormwater management practice of capturing surface water over a large area and directing it into large detention ponds and vaults where it is retained and released into a stormwater conveyance system (either pipes or streams) in a controlled manner.

- **LID Benefits**



Vicinity Map – Not to Scale

homes with associated access drives, utilities, and landscaping. Refer to the **Developed Conditions Exhibit** included in Section 4.4.

The project site consists of a single 2.43-acre parcel (#00611600015901) and frontage improvements along 53rd Ave W. In the developed condition, there will be 0.05 acres of dedicated right-of-way (ROW), leaving the parcel to be 2.38-acres post-dedication. As discussed at pre-application meeting, the effective frontage, 0.07 acres, post dedication, will not be included in the flow control and water quality analysis as the frontage in the developed condition will be contained and conveyed via a proposed rain garden. The lot is generally forested with understory vegetation. The site includes one single family home, garage, and driveway. The site consists of an east and west subbasin, where their downstream paths combine within a quarter mile and are ultimately tributary to the Puget Sound. Therefore, the site is subject to one threshold discharge area. Refer to the **Existing Conditions Exhibit** included in Section 4.1. The project proposes the construction of 7 single-family

Engineer claims currently water flows up and out of the depression, over the berm, into the ditch, then uphill more on its way to 92nd st. It must, because they found no evidence of wetland and say the soil does not perk!

Elevation
Increase

Depression /
Infiltration Zone

Berm

Ditch



From: [Sarah Kress](#)
To: [Erich Volkstorf](#)
Cc: [Kristina Cerise](#); [Andrew Galuska](#)
Subject: RE: Comments for Sea Pac Homes proposal
Date: Wednesday, September 13, 2023 8:31:35 AM

Erich,

Thank you for submitting comments on Harbor Grove (SD-2021-001) Your comments have been received and you are listed as a party of interest on this project.

Your comments raise questions about the timing of recent submittals as well as concerns about stormwater aspects of the project. I want to share an excerpt of correspondence sent from our Director, Andy Galuska, to someone who had similar concerns so that you have the same information:

In regard to some of the concerns you have raised by the timing of the issuance of determination of nonsignificance while the project is under review, I wanted to clarify the difference between an environmental determination and a project decision. This determination only states that the project is not likely to have any significant adverse environmental impact under Chapter 197-11 WAC. Our locally adopted regulations address the impact of development on issues such as drainage, traffic, and grading and the project cannot be approved unless it complies with these regulations, and compliance with these regulations will mitigate these environmental impacts.

The applicant has submitted plans to address some minor comments related to labeling of the plans, but the neat and approximate design of the plat is understood by the city and has been reviewed for compliance. We have adequate information to issue an environmental determination. We are currently reviewing the recent resubmittal materials and if all of the city's comments have been addressed, we would move forward with a public hearing on the proposal. At the public hearing, the Hearing Examiner will hear the merits of the case and accept public comment on the proposal. After the hearing, the Hearing Examiner will issue a decision on the project. This decision is based on the currently adopted regulations and standards.

This is your requested confirmation that comments have been received and will be added to the record.

Sincerely,

Sarah Kress C.P.T. | Associate Planner

Community Development Department
(425) 263-8044 skress@mukilteowa.gov

My normal hours are Monday – Thursday 6:30am-5pm

All email, including attachments, sent to or from the City of Mukilteo are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

Mukilteo 2044: Help determine the future of our community.

We are planning for the next 20 years – right now. Please visit our [project website](#) for more information.

From: Erich Volkstorf <evolkstorf@earthlink.net>

Sent: Tuesday, September 12, 2023 10:15 PM

To: Sarah Kress <skress@mukilteowa.gov>

Subject: Comments for Sea Pac Homes proposal

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]

Hi Sarah,

Please find attached, a PDF of my comments on the Sea Pac Homes proposal for their development at 9110 53rd Ave. W., Mukilteo.

Please confirm your receipt of this.

Regards,

Erich

September 12, 2023

Sarah Kress, Associate Planner
City of Mukilteo
11930 Cyrus Way
Mukilteo, WA 98275

Re: Project Harbor Grove Subdivision Preliminary Plat
Sea Pac Homes
9110 53rd Ave. W.

Dear Ms. Kress,

I am writing in reference to the above listed project proposed by Sea Pac Homes and Jake Drake of the BlueLine Group LLC. I have a number of concerns regarding this project, some current, and others extending to the initial proposal by Sea Pac Homes.

This proposed development, as all such projects in the City of Mukilteo, are governed by the Mukilteo Municipal Code. It is, as you know, how cities and towns in the United States, and even elsewhere in the world, govern their districts. Such codes are composed of ordinances or laws which are written and adopted by the governing authority to regulate both itself, as well as the citizens and businesses of the district. This includes development of private and public lands. Such ordinances are to be applied equally to all parties so as to benefit the citizens of the municipality. Applying such ordinances in a fair and unbiased way, is beneficial and essential to maintaining trust in the governing authority, and also ensuring that such governing authority does not govern extralegally.

To date, the City of Mukilteo and its representatives have not overseen the proposed development by Sea Pac Homes within the letter of the law. To wit, representatives of the City of Mukilteo have waived a number of requirements for Sea Pac Homes that would be required under the Mukilteo Municipal Code. These are not limited to waiving application deadlines for Sea Pac Homes, an occurrence which has happened repeatedly in this process. Further, much information which is required to be publicly accessible has been delayed or not forthcoming. In the last several days, more information from the developer has been added to the file and which is, as yet, not publicly available. This information has come in just days before the deadline for the comment period.

If there were no other issues, some of which I will delineate below, the violations by both the City of Mukilteo and Sea Pac Homes, of the Mukilteo Municipal Code should be enough to at the very least, require the application to be restarted from scratch. Violation of Mukilteo Municipal Codes is a violation of our local laws. To let this project proceed as it is will be a violation of the laws and ordinances set forth by the City of Mukilteo.

My other concerns are as follows and require addressing in turn by both the developer and the City of Mukilteo.

1. The proposed development by Sea Pac Homes for the site at 9110 53rd Ave. W., Mukilteo, proposes the removal of more than 70% of the tree canopy on the site. The removal of this buffer of tree canopy will adversely affect the tree canopy on the surrounding parcels. To date, no study has been initiated by the City of Mukilteo or Sea Pac Homes to assess the impacts of such tree canopy removal, and what possible mitigation efforts may be required to protect the forest canopy on other parcels. Such a study must be required for this project to proceed.

2. The Sea Pac Homes Harbor Grove Proposal details a stormwater plan which includes storage vaults and an electric pump to evacuate stormwater to the already existing City of Mukilteo stormwater systems. There are a number of issues with this submitted plan.

A. There is no redundant system proposed. This violates Mukilteo Municipal Code which requires that any stormwater system have a redundant or back up system should the primary system fail. Again, there is no back system proposed. Therefore, the application is incomplete and must be rejected.

B. The Sea Pac Homes proposal for the primary stormwater system does not include any provision or detail as to what entity or individuals will be responsible for maintaining the system. Such maintenance will include servicing the vaults and removing sediment and debris from said vaults, servicing the pump to ensure operation, and finally, financing such operations. This is a proposed stormwater system which has not been adequately detailed in its entirety and as such is not a complete proposal and must be rejected as incomplete.

C. The stormwater system as proposed, sending stormwater from the site to, primarily, 92nd St., will overload the current capacity of the stormwater system which exists there. Sea Pac Homes has not submitted a proposal for the expansion of the stormwater system on 92nd St., nor who would be responsible for financing such an expansion project. Therefore, this part of the proposal is incomplete and must be rejected.

3. Finally, in the proposal to the City of Mukilteo by Sea Pac Homes and Jake Drake of Blueline Group LLC, there is in the file, no evaluation of this project by the City of Mukilteo under Mukilteo Municipal Code and SEPA requirements. If the City of Mukilteo has conducted such an evaluation, which is required, it should be available to the public, and as, yet, no such evaluation is available publicly. The City of Mukilteo has therefore violated its own laws and ordinances and therefore the City of Mukilteo has conducted itself extralegally.

4. The Sea Pac Homes proposal for the site includes the removal of thousands of cubic yards of soil from the site, grading and filling and replacement of such soil. This traffic, both in volume and weight will have a significant impact on the surrounding neighborhood, including, but not limited to, dirt and debris on the surrounding streets, impact on the street structures due to the weight and volume of the loads transported, noise, and danger to local citizens who use these streets for walking. How will the City of Mukilteo and Sea Pac Homes work to mitigate these impacts and who will finance said mitigation?

5. The proposed site at 9110 53rd Ave W., Mukilteo, includes up to seven homes. Stormwater runoff from the site feeds into Puget Sound through riparian zones which incorporate active salmon habitat, as well as habitats which support other aquatic or semi-aquatic species, as well as animal and birdlife. Most important is our salmon which are depended on by our resident orca, for sustenance. Sea Pac Homes has not submitted, nor have their past developments, used environmentally sensitive construction methods and materials. Materials such as pressure treated wood, plastics, etc. will leach into the soil and water system. Pressure treated wood commonly used on decks and fences, contains CA(copper azole) which is known to inhibit growth of salmon sprat. Sea Pac Homes must be required required to conform to Department of Ecology guidelines regarding materials and methods that do not affect aquatic habitats.

Respectfully submitted.

Erich C. Volkstorf
9005 53rd Ave. W.
Mukilteo, WA 98275
<evolkstorf@earthlink.net>

From: [Andrew Galuska](#)
To: swisslife@gmail.com
Cc: [Sarah Kress](#); [Kristina Cerise](#)
Subject: RE:
Date: Tuesday, September 12, 2023 3:26:29 PM
Attachments: [image001.png](#)

Mr. Boyce,

Thank you for providing comments on this project. Your comments will be added to the record and reviewed and considered by the Hearing Examiner before issuing a decision on the project. You have also been added to the parties of record list so you will receive future notifications about the process.

In regard to some of the concerns you have raised by the timing of the issuance of determination of nonsignificance while the project is under review, I wanted to clarify the difference between an environmental determination and a project decision. This determination only states that the project is not likely to have any significant adverse environmental impact under Chapter 197-11 WAC. Our locally adopted regulations address the impact of development on issues such as drainage, traffic, and grading and the project cannot be approved unless it complies with these regulations, and compliance with these regulations will mitigate these environmental impacts.

The applicant has submitted plans to address some minor comments related to labeling of the plans, but the neat and approximate design of the plat is understood by the city and has been reviewed for compliance. We have adequate information to issue an environmental determination. We are currently reviewing the recent resubmittal materials and if all of the city's comments have been addressed, we would move forward with a public hearing on the proposal. At the public hearing, the Hearing Examiner will hear the merits of the case and accept public comment on the proposal. After the hearing, the Hearing Examiner will issue a decision on the project. This decision is based on the currently adopted regulations and standards.

Andy Galuska

Community Development Director



11930 Cyrus Way

Mukilteo, WA 98275

Ph: (425) 263-8084

Cell: (425) 866-9129

From: swisslife@gmail.com <swisslife@gmail.com>
Sent: Tuesday, September 12, 2023 8:27 AM
To: Sarah Kress <skress@mukilteowa.gov>; Elected <elected@mukilteowa.gov>
Subject:

[WARNING: THIS MESSAGE HAS COME FROM A SENDER OUTSIDE THE CITY OF MUKILTEO NETWORK,]

September 12, 2023

TO: City of Mukilteo

ATTN: Mayor Joe Marine
Entire City Council

Comm. Dev. Director Andrew Galuska

Associate Planner Kress

RE:

DETERMINATION OF NON-SIGNIFICANCE dtd 8/30/23

SD-2021-001

ENG-2021-019

SEPA-2021-10

City CDD Galuska has signed off on the DNS yet...

Further large documents have been received by the City from Jake Drake of Blueline Group LLC **AFTER** the issuance of the DNS and to date are unavailable for review during the present comment period ending 13 Sept 23.

Sadly, this lack of attention to MCC has existed throughout the history of this project. For example, when the developer submits late and incomplete responses to the City, MCC gets conveniently overlooked (ignored) and the project allowed to proceed. Why even have a MCC if it can be routinely ignored? Sure looks like Mukilteo is The Promised Land for Wild West developers!

At a minimum... ALL MCC MUST be adhered to by all developers. Including this one. One might ask, why have so many usual and customary procedures not been followed? At a minimum, this smells of a hidden Quid pro Quo. Why the exceptions? Why? Why? Why?

When Mr. Galuska was hired, Mr. Blue of Seapac homes told me, "We have worked with Andy many times and he will make sure this project gets through." To date, sure does seem so. To overlook MCC, ignore procedures, and shove this horrible project down our throats seems the plan to date. At a minimum, Mr. Galuska should recuse himself from further participation in this project.

Also at a minimum... the comment period MUST be extended. Concerned citizens must have the opportunity to review ALL documents submitted to the city AFTER THE FACT of a DNS. Does the MCC allow the cart to be put before the horse? We all know... it does not. It's a complete disservice to Mukilteo residents to require them to hit a moving target

For many more reasons than those listed below, numerous concerned stakeholders have submitted both well-researched and substantial criticisms of this inept proposal.

First of all, this drainage basin of Mukilteo has an extensive history of water issues and is a part of the LID area. This proposal is MAX-Impact Development. Should this HGAP be approved, the City of Mukilteo should scrap any further Smuggler's Gulch LID regulations. There is no way this is a low-impact development.

First Off... Short of canning the project as drawn, change the name. While the Daffron Property is a grove at this time, SEAPAC's removal of 75% of the trees makes it an UnGrove, DeGrove, a Hot Mess Grove. How about Ecocide Acres? Seriously, who thinks such misnomers up?

How about an informative roadside memorial plaque with photos of the pre-existent grove. Before and after? Proly nothing SEAPAC wants their name on.

Associated Grading: Completely Unacceptable. Hundreds and hundreds of dump-truck loads of fill material? At what environmental cost? The carbon-footprint of moving and grading 10,000 yards of fill dirt has to be enormous. Presently, the State of Washington auctions carbon at a recent price of \$63.00 per ton of carbon. One gallon of Diesel emits 22.44 pounds of CO₂ when combusted. It's simple math to determine the excess carbon footprint of this environmental dinosaur. At a minimum 5000 tons of carbon will be emitted, or about \$315,000. Future RCW must end this carbon folly by making developers pay for the excess carbon caused by unintelligent development.

The plan as submitted destroys a largely functioning environment. Seven houses, averages 30 (!!!) loads of fill per house. In 2021, such wild-west get-away-with-as-much-as-possible developments are anachronistic. In an age of scientific consensus at all levels of government to reduce carbon-emissions, this project as drawn is a carbon-pig.

Drainage Improvements - There are none. There is only drainage destruction. The developer addresses through alterations, drainage mitigation and drainage work-arounds, but none of their proposed work constitutes "Improvements". They pass along drainage water off site to the 92nd street storm sewer. LID proposals for flow monitoring of the creek passing under 53rd Ave W. supported by neighborhood residents and promised by the city have NEVER been installed. How is it possible to adequately design mitigation without having a scientifically measured baseline specific to this already compromised drainage basin? The project cannot help but affect nearby streams and wetlands in a negative manner.

LOT 1 works quite well to mitigate off-site drainage. It should be left as is, undeveloped. It ain't broke. Don't fix it. Deforestation followed by hundreds of loads of trucked-in fill makes no ecological sense. Bioretention onsite is 100% feasible!

Simply do not develop Site 1. Sell it to the city as an example of intelligent development, or responsible development.

Landscaping - Seriously? Plant sixty 6 foot western reds? This is a SAP and nothing more. HGSP owners will not want 80' tall mature trees close to their house. This is normal "developer speak" to appease the eco-illiterate. Looks good on paper, sounds good in a presentation, but as a real-world post-development situation... these trees are better off never planted because they face certain death. Homeowners routinely chop these down.

Street Frontage Improvements -

None. There are none! Unbelievable!

There are NO sidewalks and provisions for public safety? 53rd Ave West between 88th and 92nd has a decades long safety issue. Only recently, through the installation of speed bumps, has it become moderately more safe for pedestrians, children, and bicyclists. This proposal adds more than 100 daily car trips without any mitigation for pedestrian safety. So much for Determination of Non-Significance. These additional car trips ARE SIGNIFICANT:

Sheet UT-01 Rain Garden Proposal -

I was a member of the city's LID citizens committee. The proposed rain garden is in the 10 foot ROW. Where is there room for pedestrians? Add over 100 car trips per day (both projects) yet NO mitigation for increased traffic? The proposed RG location means that at such time when MUK does put in sidewalks, the RG will be removed. Also, given the existent grading (not the "improved grading") they look good on paper, but are not an improvement.

Site Plan - Out of context of the built environment. Except to the west, this site is surrounded by non-tract homes. To the west, residents of Hargraves Place are enduring the egregious consequences of a poorly designed yet city-approved drainage infrastructure. The HG proposal looks to compound the troubles by inadequate soils and perc analysis. Too often Mukilteo developers get it wrong, and the city of Mukilteo spends hundreds of thousands of dollars to correct the permitted as-builts. In the case of HG, SEAPAC should be required to submit a 10 year \$1,000,000 Performance Bond, to get the city off the hook for correcting as-built mistakes and misdesigns.

Wildlife Impact - Bald Eagles use the two OLD GROWTH firs on a daily basis. This is a critical habitat! As a 28 year resident, the HG site has a migration corridor for rabbits, deer, coyotes, mountain beaver, norway rats, possums, weasels, and amphibians. The on-site forest is home to not only Bald Eagles, but hawks and herons.

Environmental Health - Slight increase in noise levels? How determined? What is the ambient noise level now? Removal of scores of sound absorbing trees is not insignificant.

The property has perhaps the two oldest trees in the entire city of Mukilteo! Almost 30 years ago, Mrs. Daffron told me the two large fir trees had been cored. They were about 250 years old. These are Old Growth trees! Now nearly 300 years old! Do these get the axe? Are they and the wildlife they support Non-Significant? It sure as hell IS significant to the present site ecosystem. Where's the mitigation?

Numerous Critical Areas exist on the site. Wetland, drainage, slope, and wildlife.

Item 14 - Transportation - "Lot structures are conceptual and subject to change" At best, this is a weasel-worded description. Does this mean it is not possible to accurately determine the number of cars or residents in said houses at this time. Is it possible there will be "home square foot creep", "three car garage creep", and "number of residents creep"? Specifics are necessary so concerned stakeholders can accurately assess and address numerous negative impacts.

Removal of Forest Canopy - At minimum, what are the developer's mitigation plans for removal of the forest canopy for adjacent properties? To date they ordered such a study and submitted the results for public comment? LOL! Removal of the forest canopy of scores of 100 foot tall trees WILL affect surrounding properties. They will be subject to far more winds, with attenuant damage to 100 foot tall trees on adjoining properties.

There are many more comments that could be made, but the due date for this comment period is at hand. As I have already noted, this should NOT be so! The present DOS is defective and must be withdrawn. Too many unknowns!

The mistakes of this project will long outlast all of us. The environment will suffer, the built environment of the neighborhood will be negatively affected,

Ultimately the reason we are even here, is the MCC is behind the times. It's an artifact of earlier thinking, of failure to implement better constraints on projects which are so clearly a carbon catastrophe.

This is a brilliant site, with a decidedly UNbrilliant site plan. This project as submitted is Do Not Pass Go, Do Not Collect Three Million Dollars!

The Developer has been given a pass time and time again on MCC procedures. At a minimum they must start over. Perhaps next time submit a project that respects and protects the environment, and provides the developer with a better legacy than scrap-and-rape, then head for the hills.

Respectfully submitted,

B. Jon Boyce
9011 53rd Ave. W.
Mukilteo, WA 98275
425-625-5278

swisslife@gmail.com

The HGSP proposal by SEAPAC homes = EPIC FAIL!