



SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE THRESHOLD DETERMINATION (MDNS)

File Name: Arlington Center
File Number: PWD #1079
Owner: Balbir Singh
Applicant: Alexey Ancheyev
Location: 2127 State Route 530
Parcel No.: 31050800201000
Date of Application: April 26, 2023
Date SEPA Checklist Prepared: December 26, 2023 and Revised in July 2024
Date of Threshold Determination: August 15, 2024
Lead Agency: City of Arlington
Lead Agency Contact: Amy Rusko, arusko@arlingtonwa.gov

PROJECT DESCRIPTION: The applicant is proposing to mitigate a floodplain violation in the City of Arlington by submitting the following documents: SEPA Checklist, Grading Permit Application, Hydraulic Analysis, Stormwater Analysis, and Grading Plans. The project site lies within the area of the city known as Island Crossing. This entire area is designated by the Federal Emergency Management Agency (FEMA) as Zone AE and is within the 1-percent-annual-chance floodplain of the Stillaguamish River, also known as the special flood hazard area. The proposed site grading disturbed approximately 5 acres on one parcel. The grading quantities include 5,265.05 cubic yards of cut and 167.52 cubic yards of fill. The proposed cut and grading on the site will remove the soils of the illegal fill and restore the ground to the original elevation and natural drainage patterns. After grading is complete the project site will be planted with native grass.

APPROVALS REQUIRED: SEPA Decision and Grading Permit.

SEPA THRESHOLD DETERMINATION: The City has determined that with the mitigation measures identified herein, this proposal would not have a probable and unavoidable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. However, we have identified impacts by the proposed project that requires mitigation. In addition to the requirement that the development must comply with all City of Arlington zoning and development regulations, the following conditions of approval of the permit decision apply:

(B)(1) Earth: To mitigate for potential earth impacts, the Applicant shall implement Best Management Practices per Department of Ecology for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after grading. The applicant shall comply with all regulations and information provided on the grading plans. The plans shall be approved by the City of Arlington prior to grading activities. Grading activities shall not commence on the property during the wet weather period of October 1st – April 30th.

(B)(2) Air: To mitigate for potential air impacts, the Applicant shall implement dust control measures during dry periods to reduce fugitive dust emissions during construction. A Construction Management Plan shall be submitted to the City prior to commencement of construction to ensure these measures are met. Construction equipment emissions shall comply with all State and Federal regulations for emissions.

(B)(3)(b) Ground Water: To mitigate for potential impacts to ground water the Applicant shall employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.

(B)(3)(c) Water Runoff: To mitigate for potential impacts to water runoff the Applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater. All onsite stormwaters shall be collected, treated, and detained or infiltrated to match preexisting runoff conditions on the site.

(B)(4) Plants: To mitigate noxious weeds and invasive species the Applicant shall remove all blackberry bushes on site and replant the site with a native grass seed. Trees that were previously removed from the site are proposed to be planted along property border at a 3:1 ratio.

(B)(7)(a) Environmental Health: Applicant shall comply with current codes to reduce or control environmental health hazards. The Applicant shall have a spill prevention plan in place according to local, State and Federal policies and said plan shall be kept on-site during construction.

(B)(7)(b) Environmental Health – Noise: City of Arlington noise standards found in AMC 11.01.110 shall be complied with. Specifically, in section 11.01.110 (4) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday shall be prohibited. No construction or development activity or use of heavy equipment may occur on Sundays or holidays observed by the city. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements.

(B)(8) Land and Shoreline Use: To mitigate potential impacts to neighboring properties, the Applicant shall follow the grading plans approved by the City of Arlington. City inspectors will monitor the removal of the fill on the site to ensure all fill is removed and the site is restored to the original ground elevation (native soil). This may result in additional cubic yards of fill being removed from the site than what was listed in the application and shown on the site plans.

(B)(11)(a) Light and Glare: To mitigate for potential light pollution during construction, the Applicant shall only have temporary light fixtures that are down shielded, if needed. The property is located within the Arlington Airport Protection District – Subdistrict D.

(B)(13) Historic and Cultural Preservation: If historical, cultural, or archaeological sites or artifacts are discovered in the process of development, work on that portion of the site shall halt immediately, the site secured, and the find reported as soon as possible to the planning director. The property owner also shall notify the Washington State Department of Archaeology and Historic Preservation Officer, Stillaguamish Tribe, and the City of Arlington.

(B)(14) Transportation: To mitigate traffic and roadway impacts, the Applicant shall install a construction entrance for the ingress and egress of trucks to the property and provide a haul route to the city prior to the commencement of construction.

DISCLAIMER: The determination that an environmental impact statement does not have to be filed does not mean there will be no adverse environmental impacts. The City of Arlington codes governing noise control, land use performance standards, construction and improvements of roads, off site road improvement obligations, drainage control, traffic, school, park, stormwater, and utility mitigations, fire protection; and building practices will provide substantial mitigation of the aforementioned impacts. The issuance of this MDNS should not be interpreted as acceptance or approval of this proposal as presented. The City of Arlington reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interest of the city and/or necessary for the general health, safety, and welfare of the public to do so.

Public SEPA Threshold Determination Comment Period: There is a 14-day comment period for this MDNS. If you would like to comment on this Threshold Determination, written comments must be received by **5:00 PM on Wednesday, September 4, 2024**. The Responsible Official may incorporate any substantial comments into the MDNS. If the MDNS is substantially modified, it will be reissued for further public review.

SEPA Responsible Official: Marc Hayes, Director of Community and Economic Development

8/15/2024

DATE

Marc Hayes

Marc Hayes (Aug 15, 2024 10:21 PDT)

SIGNATURE OF SEPA RESPONSIBLE OFFICIAL

TO APPEAL A DECISION: An agency or person may appeal the City's procedural compliance with WAC Chapter 197-11 (SEPA) for issuance of this MDNS. The MDNS is appealable to the Hearing Examiner. An appeal shall be considered filed when a written notice of appeal, specifying the grounds and arguments, therefore, is delivered to the Department of Community and Economic Development by **5:00 PM on Wednesday September 4, 2024**, and the appeal fee as set by resolution is paid.