

**From:** [Todd Gray](#)  
**To:** [Amy Rusko](#)  
**Subject:** RE: City of Arlington - Harmony at Arlington Project Notice  
**Date:** Tuesday, November 5, 2024 7:46:49 AM  
**Attachments:** [image004.png](#)  
[image005.png](#)  
[image006.png](#)

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Sounds great! Thanks, Amy!

**Todd Gray**

Environmental Protection Ecologist  
The Tulalip Tribes | Natural Resources Dept.  
360-716-4620 | [toddgray@tulaliptribes-nsn.gov](mailto:toddgray@tulaliptribes-nsn.gov)

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**From:** Amy Rusko <arusko@arlingtonwa.gov>  
**Sent:** Monday, November 4, 2024 1:24 PM  
**To:** Todd Gray <toddgray@tulaliptribes-nsn.gov>  
**Subject:** RE: City of Arlington - Harmony at Arlington Project Notice

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Todd,

That is a great idea, and I can support that 100%. I will request them to show this on their landscape plan so we can ensure that the trees and shrubs are planted on the site. I will also add condition on the land use permit. Thank you for taking the time to review and provide comments.

Sincerely,  
*Amy Rusko*



Amy Rusko, AICP, CNU-A  
Deputy CED Director  
Community & Economic Development  
Phone: 360-403-3550  
Email: [arusko@arlingtonwa.gov](mailto:arusko@arlingtonwa.gov)

Website: [www.arlingtonwa.gov](http://www.arlingtonwa.gov)

18204 59<sup>th</sup> Ave NE, Arlington, WA 98223

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**From:** Todd Gray <[toddgray@tulaliptribes-nsn.gov](mailto:toddgray@tulaliptribes-nsn.gov)>

**Sent:** Monday, November 4, 2024 9:52 AM

**To:** Amy Rusko <[arusko@arlingtonwa.gov](mailto:arusko@arlingtonwa.gov)>

**Subject:** RE: City of Arlington - Harmony at Arlington Project Notice

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Hi Amy!

I've taken a look at Acre's response to my comments, and I appreciate the consideration of our concerns. I can accept their justification of a 75ft reduced buffer. I can also accept their habitat protection plan in lieu of a downstream analysis pursuant to AMC 20.93.440 (d). I am, however, still unsure if maintaining existing protections will adequately address the added pressure on the stream from the substantial increase in human traffic likely to result from this development. I would still like to ask the City to at least require a smattering of trees and shrubs to be planted along the south pedestrian trail, and maybe the roadway across the stream. Perhaps Nootka Rose would be a good choice. The thought is to go the extra mile in discouraging folks from wandering around in the stream buffer, or dropping garbage off the bridge into the stream. If the City can agree to ensure this type of added protection, I'm satisfied, and have no further comments at this time.

Thank you,

**Todd Gray**

Environmental Protection Ecologist

The Tulalip Tribes | Natural Resources Dept.

360-716-4620 | [toddgray@tulaliptribes-nsn.gov](mailto:toddgray@tulaliptribes-nsn.gov)

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**From:** Amy Rusko <[arusko@arlingtonwa.gov](mailto:arusko@arlingtonwa.gov)>

**Sent:** Thursday, September 26, 2024 9:01 AM

**To:** Todd Gray <[toddgray@tulaliptribes-nsn.gov](mailto:toddgray@tulaliptribes-nsn.gov)>

**Subject:** RE: City of Arlington - Harmony at Arlington Project Notice

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Todd,

I wanted to follow up on this email. I sent your comments to the applicant and the city is requiring additional mitigation through plantings on Tract A. I have attached the Binding Site Plan that was approved and completed in 2020 for the site, which went off the previous established stream corridor, from what I am told. There was also a previous senior apartment development approved at the same time as the Binding Site Plan (this is shown on page 3 of the attached document). When we receive the resubmittal on the project I will send you the updated mitigation plan.

Thank you!

Sincerely,

**Amy Rusko**



Amy Rusko | Planning Manager

Phone: 360-403-3550

Email: [arusko@arlingtonwa.gov](mailto:arusko@arlingtonwa.gov)

Website: [www.arlingtonwa.gov](http://www.arlingtonwa.gov)

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**From:** Todd Gray <[toddgray@tulaliptribes-nsn.gov](mailto:toddgray@tulaliptribes-nsn.gov)>

**Sent:** Friday, August 9, 2024 11:02 AM

**To:** Amy Rusko <[arusko@arlingtonwa.gov](mailto:arusko@arlingtonwa.gov)>

**Cc:** Merle Ash <[merle@landtechway.com](mailto:merle@landtechway.com)>

**Subject:** RE: City of Arlington - Harmony at Arlington Project Notice

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Hi Amy,

Please see the attached comments from The Tulalip Tribes.

Thank you,

**Todd Gray**

Environmental Protection Ecologist

The Tulalip Tribes | Natural Resources Dept.

360-716-4620 | [toddgray@tulaliptribes-nsn.gov](mailto:toddgray@tulaliptribes-nsn.gov)

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**From:** Amy Rusko <[arusko@arlingtonwa.gov](mailto:arusko@arlingtonwa.gov)>**Sent:** Tuesday, July 30, 2024 12:44 PM**To:** Alex VanDuine <[avanduine@lwsd.wednet.edu](mailto:avanduine@lwsd.wednet.edu)>; Andrea Pellham <[apellham@snohd.org](mailto:apellham@snohd.org)>; Antonia Weiss <[antonia.weiss@co.snohomish.wa.us](mailto:antonia.weiss@co.snohomish.wa.us)>; Bob Hubenthal <[Robert.hubenthal@dshs.wa.gov](mailto:Robert.hubenthal@dshs.wa.gov)>; Brad Ball <[brad.ball@co.snohomish.wa.us](mailto:brad.ball@co.snohomish.wa.us)>; Brad Zahnow <[bzahnow@marysvillewa.gov](mailto:bzahnow@marysvillewa.gov)>; Brian Lewis <[blewis@asd.wednet.edu](mailto:blewis@asd.wednet.edu)>; Chris Holland <[cholland@marysvillewa.gov](mailto:cholland@marysvillewa.gov)>; Clarissa Stenstrom <[clarissa.stenstrom@snoco.org](mailto:clarissa.stenstrom@snoco.org)>; CNG Service <[service@cngc.com](mailto:service@cngc.com)>; Community Transit <[sepa@commtrans.org](mailto:sepa@commtrans.org)>; Corinna Ong <[corinna.ong@co.snohomish.wa.us](mailto:corinna.ong@co.snohomish.wa.us)>; Derek Marks <[dmarks@tulaliptribes-nsn.gov](mailto:dmarks@tulaliptribes-nsn.gov)>; Darin Klein <[darin.klein@doc1.wa.gov](mailto:darin.klein@doc1.wa.gov)>; Anderson, Dawn <[AnderDM@wsdot.wa.gov](mailto:AnderDM@wsdot.wa.gov)>; Department of Fish and Wildlife <[R4Cplanning@dfw.wa.gov](mailto:R4Cplanning@dfw.wa.gov)>; DOC Review Team <[reviewteam@commerce.wa.gov](mailto:reviewteam@commerce.wa.gov)>; EFSEC <[efsec@utc.wa.gov](mailto:efsec@utc.wa.gov)>; Eric Heinitz <[efheinitz@doc1.wa.gov](mailto:efheinitz@doc1.wa.gov)>; Erika Harris <[eharris@psrc.org](mailto:eharris@psrc.org)>; Erin Kelly <[erin.kelly@bnsf.com](mailto:erin.kelly@bnsf.com)>; Haylie Miller <[hmillier@marysvillewa.gov](mailto:hmillier@marysvillewa.gov)>; Joseph Norris <[joseph.norris@usps.gov](mailto:joseph.norris@usps.gov)>; Julie Davis <[jdavis@marysvillewa.gov](mailto:jdavis@marysvillewa.gov)>; Kurt Nelson <[knelson@tulaliptribes-nsn.gov](mailto:knelson@tulaliptribes-nsn.gov)>; Kelly Cooper <[kelly.cooper@doh.wa.gov](mailto:kelly.cooper@doh.wa.gov)>; Kelly McLain <[kmclain@agr.wa.gov](mailto:kmclain@agr.wa.gov)>; Kerry Lyste <[klyste@stillaguamish.com](mailto:klyste@stillaguamish.com)>; Krista Gessner <[kgessner@marysville.gov](mailto:kgessner@marysville.gov)>; Larry Covey <[Larry.covey@dshs.wa.gov](mailto:Larry.covey@dshs.wa.gov)>; Lucas Larson <[llarson@snohd.org](mailto:llarson@snohd.org)>; Randy Kline <[randy.kline@parks.wa.gov](mailto:randy.kline@parks.wa.gov)>; Sam Barr <[sbarr@stillaguamish.com](mailto:sbarr@stillaguamish.com)>; SEPA Center <[sepacenter@dnr.wa.gov](mailto:sepacenter@dnr.wa.gov)>; SEPA DAHP <[sepa@dahp.wa.gov](mailto:sepa@dahp.wa.gov)>; SEPA PSCAA <[sepa@psc Cleanair.org](mailto:sepa@psc Cleanair.org)>; SEPA Review Team <[sepa.reviewteam@doh.wa.gov](mailto:sepa.reviewteam@doh.wa.gov)>; Snohomish County Public Works <[SPW-ExternalRFR@snoco.org](mailto:SPW-ExternalRFR@snoco.org)>; Snohomish County PUD <[cmmurphy@snopud.com](mailto:cmmurphy@snopud.com)>; Stacey Abbott <[stacey.abbott@snoco.org](mailto:stacey.abbott@snoco.org)>; Stephanie Jolivette <[stephanie.jolivette@dahp.wa.gov](mailto:stephanie.jolivette@dahp.wa.gov)>; Steve Rice <[srice@snohd.org](mailto:srice@snohd.org)>; Stillaguamish Tribe <[sepa@stillaguamish.com](mailto:sepa@stillaguamish.com)>; Stillaguamish Tribe of Indians <[permitting@stillaguamish.com](mailto:permitting@stillaguamish.com)>; Todd Gray <[toddgray@tulaliptribes-nsn.gov](mailto:toddgray@tulaliptribes-nsn.gov)>; Waste Management <[eniguidula@wm.com](mailto:eniguidula@wm.com)>; WSDOT Aviation <[AviationLandUse@wsdot.wa.gov](mailto:AviationLandUse@wsdot.wa.gov)>**Subject:** City of Arlington - Harmony at Arlington Project Notice

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Review Agencies –

The City of Arlington has issued a Notice of Application, Notice of Neighborhood Meeting, and Notice of SEPA Mitigated Determination of Non-Significance for Harmony at Arlington Preliminary Unit Lot Subdivision – PLN#1234.

To review the submittal documents please use this link:

<https://www.arlingtonwa.gov/310/Public-Notices-Hearings> and scroll down to the project labeled Harmony at Arlington Preliminary Unit Lot Subdivision – PLN#1234.

The City invites affected agencies, tribes, and special districts to review the documents for potential impacts and provide the City Staff contact with any comments by the close of the comment period as indicated on the Notice of Application. Agency comments are to be submitted to the City Staff Contact via email or through the postal service. Regardless of the method, the City asks that Notice of Application comments be provided on their respective agency's formal letterhead.

Once received, comments will be made part of the official record on file with the City. After the close of the comment period, the City will review all comments received, and may, at its discretion, modify, or add conditions to mitigate for newly identified environmental impacts. Please note that the City will only accept written Notice of Application comments. Following City review, all comments received within the comment period will be forwarded directly to the project applicant.

Comments received outside of the comment period will not be considered or made part of the record.

**The due date for this review is 5:00 pm on Thursday, August 13, 2024.**

Sincerely,

**Amy Rusko**



Amy Rusko | Planning Manager

Phone: 360-403-3550

Email: [arusko@arlingtonwa.gov](mailto:arusko@arlingtonwa.gov)

Website: [www.arlingtonwa.gov](http://www.arlingtonwa.gov)

18204 59<sup>th</sup> Ave NE, Arlington, WA 98223



Natural Resources Department  
Environmental Division  
6406 Marine DR NW  
Tulalip, WA 98271

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August 9, 2024

Amy Rusko | Planning Manager  
City of Arlington

Re: Harmony at Arlington | PLN #1234

The Tulalip Tribes appreciates the opportunity to comment on this permit application. Our natural resources are of paramount importance to us, and we strive to maintain, restore, and protect ecological processes in our watersheds wherever possible. We believe that with any land development proposal adjacent to or within fish-bearing waters, special care must be taken to maintain or restore the natural environment, to allow these processes to continue.

This project is proposed in close proximity to an important salmonid stream within our usual and accustomed area. In the interest of assuring protection of these resources, we present the following questions and recommendations:

Please describe the provisions by which Tract A has been given a 75ft buffer instead of a 100ft buffer. There does not appear to be any buffer averaging proposed, nor is there a discussion of administrative buffer reductions, such as fencing and signage, or other justifications, in the critical areas report. AMC 20.93.290(c) states "Such easements or tracts shall cover the environmentally critical area as delineated by their defined boundaries and their buffers". This NGPA should provide a 100ft buffer unless approved reductions can be demonstrated.

Will a habitat protection plan be prepared and submitted by a qualified biologist, as recommended pursuant to AMC 20.93.440 (a)(2)?

This reach of Portage Creek is upstream from ESA listed species presence, and may be subject to the requirements of AMC 20.93.440(d): "For streams upstream from an endangered or threatened salmonid fish and wildlife conservation area, if requested by the city, applicants shall have prepared a report analyzing potential downstream impacts to the FWCA and propose appropriate measures to mitigate any identified significant impacts. Such reports shall be prepared by a qualified biologist." If buffers are to be reduced to 75ft, we recommend such an analysis.

Due to the potential increase in human presence within the adjacent riparian zone of Portage Creek, we recommend the City provide complete enhancement of Tract A, and include trees and shrubs on the south side of Portage Creek, in order to provide sufficient protection from human use of the riparian area.

There is an existing roadway heading north from the site, and crossing Portage Creek. It seems likely this roadway would be subject to a considerable amount of increased foot or vehicle traffic, unless

The Tulalip Tribes are federally recognized successors in the interest to the Snohomish, Snoqualmie, Skykomish, and other allied tribes and bands signatory to the Treaty of Point Elliott.



6406 Marine DR NW  
Tulalip, WA 98271  
360-716-4617

restrictions are provided. How will Portage Creek and its riparian zone be protected from such increased pressure?

Though there are currently no significant trees on the development tract, is this site subject to canopy requirements pursuant to AMC 20.76.124? Are these being met?

We appreciate the City of Arlington's diligence in addressing potential impacts to fish habitat and Tribal fisheries interests. Thank you for considering our concerns, and we look forward to continuing our shared commitment to conservation together.

Todd Gray  
Environmental Protection Ecologist  
The Tulalip Tribes | Natural Resources Dept.  
360-716-4620 | toddgray@tulaliptribes-nsn.gov

**From:** [Todd Gray](#)  
**To:** [Amy Rusko](#)  
**Cc:** [Merle Ash](#)  
**Subject:** RE: City of Arlington - Harmony at Arlington Project Notice  
**Date:** Friday, August 9, 2024 11:03:06 AM  
**Attachments:** [image002.png](#)  
[TTT\\_HarmonvatArlington\\_Comments.pdf](#)

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Hi Amy,

Please see the attached comments from The Tulalip Tribes.

Thank you,

**Todd Gray**

Environmental Protection Ecologist  
The Tulalip Tribes | Natural Resources Dept.  
360-716-4620 | [toddgray@tulaliptribes-nsn.gov](mailto:toddgray@tulaliptribes-nsn.gov)

---

**From:** Amy Rusko <arusko@arlingtonwa.gov>  
**Sent:** Tuesday, July 30, 2024 12:44 PM  
**To:** Alex VanDuine <avanduin@lwsd.wednet.edu>; Andrea Pellham <apellham@snohd.org>; Antonia Weiss <antonia.weiss@co.snohomish.wa.us>; Bob Hubenthal <Robert.hubenthal@dshs.wa.gov>; Brad Ball <brad.ball@co.snohomish.wa.us>; Brad Zahnow <bzahnow@marysvillewa.gov>; Brian Lewis <blewis@asd.wednet.edu>; Chris Holland <cholland@marysvillewa.gov>; Clarissa Stenstrom <clarissa.stenstrom@snoco.org>; CNG Service <service@cngc.com>; Community Transit <sepa@commtrans.org>; Corinna Ong <corinna.ong@co.snohomish.wa.us>; Derek Marks <dmarks@tulaliptribes-nsn.gov>; Darin Klein <darin.klein@doc1.wa.gov>; Anderson, Dawn <AnderDM@wsdot.wa.gov>; Department of Fish and Wildlife <R4Cplanning@dfw.wa.gov>; DOC Review Team <reviewteam@commerce.wa.gov>; EFSEC <efsec@utc.wa.gov>; Eric Heinitz <efheinitz@doc1.wa.gov>; Erika Harris <eharris@psrc.org>; Erin Kelly <erin.kelly@bnsf.com>; Haylie Miller <hmiller@marysvillewa.gov>; Joseph Norris <joseph.norris@usps.gov>; Julie Davis <jdavis@marysvillewa.gov>; Kurt Nelson <knelson@tulaliptribes-nsn.gov>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kelly McLain <kmclain@agr.wa.gov>; Kerry Lyste <klyste@stillaguamish.com>; Krista Gessner <kgessner@marysville.wa.gov>; Larry Covey <Larry.covey@dshs.wa.gov>; Lucas Larson <llarson@snohd.org>; Randy Kline <randy.kline@parks.wa.gov>; Sam Barr <sbarr@stillaguamish.com>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA DAHP <sepa@dahp.wa.gov>; SEPA PSCAA <sepa@psc Cleanair.org>; SEPA Review Team <sepa.reviewteam@doh.wa.gov>; Snohomish County Public Works <SPW-ExternalRFR@snoco.org>;

Snohomish County PUD <cmmurphy@snopud.com>; Stacey Abbott <stacey.abbott@snoco.org>;  
Stephanie Jolivette <stephanie.jolivette@dahp.wa.gov>; Steve Rice <srice@snohd.org>;  
Stillaguamish Tribe <sepa@stillaguamish.com>; Stillaguamish Tribe of Indians  
<permitting@stillaguamish.com>; Todd Gray <toddgray@tulaliptribes-nsn.gov>; Waste  
Management <eniguidula@wm.com>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>  
**Subject:** City of Arlington - Harmony at Arlington Project Notice

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Sincerely,  
**Amy Rusko**



Amy Rusko | Planning Manager

Phone: 360-403-3550

Email: [arusko@arlingtonwa.gov](mailto:arusko@arlingtonwa.gov)

Website: [www.arlingtonwa.gov](http://www.arlingtonwa.gov)

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