



# CITY OF SNOHOMISH

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## MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS) 1200 Bonneville Ave Industrial Site Preparation File #13-17-VAR/SDP

**Date Issued:** May 20, 2019

**Proposal Name:** 1200 Bonneville Avenue Site Prep (City file no. 13-17-VAR/SDP)

**Proponent:** Reid Shockey, Shockey Planning Group  
2716 Colby Ave | Everett, WA 98201 | (425) 258-9308

**Lead Agency:** City of Snohomish

**Description of Proposal:** Application for a critical areas variance and site development plan to prepare 4.13 acres of land for future industrial development on an overall 16.76-acre site. The proposal would reduce the buffer of a Category II wetland by approximately 95% to allow development of the upland portion of the site, with a retaining wall of up to 34 feet in height in order to create a level building pad.

**Location of Proposal:** The site is addressed as **1200 Bonneville Avenue**, on Snohomish County tax parcels 28051200400300, 28051200400400, 28051200400600, and 28051200401100, in the SE quarter of Section 12, Township 28 N, Range 5 E, W.M.

**Threshold Determination:** The lead agency for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment if the following mitigation measures are followed. 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 City of Snohomish. This information is available for review at the Snohomish City Hall, 116 Union Avenue, Snohomish, Washington 98290 between the hours of 8:00 a.m. and 4:00 p.m. Monday through Thursday, excluding holidays.

### **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 and 635). The Variance/Site Development Plan applications have been compared to the following documents for consistency:

- Environmental Checklist dated 4/29/19
- Critical Areas Report and Mitigation Plan dated 3/28/19
- Geotechnical report dated 11/19/18
- Cultural Resources Report dated 4/29/19

**Mitigation Measures:** Issued in accordance with the substantive authority described in Snohomish Municipal Code 14.90.080. The basis supporting imposition of the following mitigation measure is found in RCW 43.21C.020(2).

### Geotechnical:

1. All recommendations regarding site preparation and wall construction in the Sept. 16, 2016 geotechnical report (revised Dec. 1, 2017 and Dec. 8, 2017) prepared by Terra Associates, Inc., or as revised by a qualified professional engineer licensed in the State of Washington, shall be implemented including, but not limited to:

- a. Prior to wall construction, unsuitable soils shall be removed to expose all wall foundation bearing surfaces and areas of reinforced wall fill construction bearing soil. A qualified professional engineer licensed in the State of Washington shall verify the soil conditions are suitable for support of the new wall and structural fill before any structural fill is imported. A written report with photographic documentation of the engineer's observations shall be provided to the City.
  - b. Wall foundation and reinforced fill zone subgrades shall be restored with structural fill consisting of granular soil containing a maximum particle size of 3 inches and containing a maximum of 30% by weight of fines (percent passing the #200 sieve). These standards may be revised as deemed necessary by a qualified professional engineer licensed in the State of Washington if approved by the City. Prior to use of structural fill, the fill shall be examined by a qualified professional engineer licensed in the State of Washington to verify the fill is suitable for use as structural fill. A weekly written report with photographic documentation shall be provided to the City of all structural fill used to ensure the suitability of the structural fill materials.
  - c. A log of the source of all imported structural fill placed on the site shall be maintained and verified by a qualified professional engineer licensed in the State of Washington and kept on site at all times so it is available for review by City inspectors. A copy of this log shall be provided to the City at the end of the project. The log shall, at a minimum, include the following information:
    - i. The point of origin of the material;
    - ii. The date the fill was excavated and delivered;
    - iii. The quantity of fill in cubic yards; and
    - iv. Statement that the fill is suitable for use as structural fill as specified in 1b above.
  - d. Structural fill shall be placed in uniform loose layers not to exceed 12 inches in depth and compacted to a minimum of 95% of the soil's maximum dry density, as determined by American Society for Testing and Materials (ASTM) Test Designation D-698 (Standard Proctor). The moisture content of the soil at the time of compaction shall be within 2% of its optimum, as determined by the ASTM standard. These standards may be revised as deemed necessary by a qualified professional engineer licensed in the State of Washington if approved by the City. Placement of fill and geogrid material shall be regularly observed by a qualified professional engineer licensed in the State of Washington to ensure there was adequate compaction and proper installation of the geogrid material required for wall construction. A weekly written report with photographic documentation shall be provided to the City.
2. Wall construction shall be done pursuant to the following phases:
- a. Phase 1 shall include the subgrade preparation, footing foundation, a minimum of five-foot-height wall as measured above finished grade for the full length of the wall, and backfill with appropriate structural fill as approved by a qualified professional engineer licensed in the State of Washington.
  - b. Phase 2 and each subsequent phase shall be a minimum of five-foot-height construction and backfill with appropriate structural fill for the full length of the wall.
  - c. Each construction phase shall be completed within six months of the start of construction of that phase.

3. Pursuant to Snohomish Municipal Code 14.20.120A, if “substantial progress” is not achieved within two years of approval of the Site Development Plan and Variance the approval shall expire. A one-year extension may be granted if approved for good cause by the Director of Planning & Community Development. “Substantial progress” shall mean all wetland mitigation has been installed and accepted by the City.
4. Pursuant to Snohomish Municipal Code 14.20.120A, the approval of the Site Development Plan and Variance shall expire if all of the elements of the approved site development plan have not been completed and accepted by the City within five years of approval of the Site Development Plan and Variance.

A one-year extension may be granted if approved for good cause by the Director of Planning & Community Development.

5. Wetland mitigation activities as described in the March 19, 2019 “Revision 4” to the March 26, 2018 “Critical Areas Report and Mitigation Plan for the 1200 Bonneville Ave. Project” prepared by Wetland Resources, Inc. shall be started no later than the first appropriate planting season (October-November or March-April) after Phase 1 of the retaining wall is completed.
6. The boundary of the wetland shall be marked with construction fencing to guard against encroachment prior to the start of any grading or excavation activity.
7. Prior to the start of any grading or excavation activity or wall construction, separate performance sureties shall be posted with the City as follows:
  - a. Wetland mitigation performance surety in the amount of 150% of the estimated total cost of implementing the wetland mitigation plan as described in the Wetland Resources, Inc. plan; and
  - b. Construction performance surety in the amount of 150% of the estimated total cost of the:
    - i. temporary erosion and sediment control BMP materials and installation; and
    - ii. retaining wall construction (including all associated materials); and
    - iii. right-of-way disturbance that may be done as part of the project construction.
8. If “substantial progress” is not achieved within two years or project completion is not achieved within five years, and no extension or permit amendment has been granted, the applicant shall submit a closure plan approved by the Director of Planning & Development Services for completion of wall construction to date or removal of the wall and imported fill and a return of unmitigated wetland areas to their original pre-wall construction condition.

A condition of approval shall be attached to the approved Administrative Development Plan addressing this issue.

9. Any and all damage to the right-of-way shall be repaired at the expense of the property owners.
10. The property owners or their agent shall take proactive measures to protect the structural stability of Bonneville Avenue during construction as determined to be necessary by a qualified engineer licensed in the State of Washington. A written

analysis of the potential of destabilizing Bonneville Avenue and recommendations to prevent it shall be submitted to the City for review and approval prior to the start of any grading or excavation activity.

11. The property owners or their agent shall obtain a NPDES construction stormwater general permit from the Washington State Department of Ecology, and a copy of the permit shall be provided to the City prior to the start of any grading or excavation activity.
12. Erosion and sedimentation control devices, in accordance with best management practices and approved by the City, shall be installed prior to the start of any grading or excavating activity.
13. Prior to the start of any grading or excavation activity the property owners or their agent shall submit a truck haul route plan to the City for approval. City designated truck routes must be used. A truck special permit shall be required.
14. Prior to the start of prior to the start of any grading or excavation activity or wall construction , the site shall be secured with fencing and/or other means, including warning signage, to prevent potential injury to the public.
15. In the event that any ground-disturbing or other construction activities result in the unanticipated discovery of archeological resources, work shall be halted in the immediate area, and contact made immediately with City officials, the technical staff at DAHP, and tribal representatives. Work shall not resume until further investigation and appropriate consultation have concluded. In the unlikely event of the inadvertent discovery of human remains, work shall be immediately halted in the area, the discovery covered and secured against further disturbance, and contact effected with law enforcement personnel, consistent with provisions set forth in RCW 27.44.055 and RCW 68.60.055.

**Comment Period:** This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days from Monday, May 20, 2019. **Written comments may be submitted to the lead agency to the attention of Brooke Eidem, at the address below. Comments must be received by 4:00 p.m. Tuesday, June 4, 2019.**

**SEPA Responsible Official:** Glen Pickus, AICP

**Position/Title:** Planning Director **Phone:** (360) 282-3173 **E-mail:** pickus@snohomishwa.gov

**Address:** City of Snohomish, 116 Union Avenue, Snohomish, WA 98290

**Signature:** \_\_\_\_\_

Glen Pickus, Planning Director

**APPEALS:**

Unless withdrawn or revised pursuant to comments received within the comment period above, this Mitigated Determination of Non-Significance shall be final on June 4, 2019. Appeals of this SEPA threshold determination must be filed in writing with the City Clerk for the City of Snohomish by 4:00 p.m. on **June 4, 2019**. Appeals must be made in accordance with the provisions of SMC 14.20.170. A \$500 appeal fee must be filed with the appeal. Appeals must be in writing and received as original documents by the close of the appeal period. Fax, e-mail and similar forms of document transmission shall not be accepted and shall not be considered as meeting the filing requirements. Appeals must state the section of the SMC being appealed, the specific determination or mitigation being appealed and the form of relief requested.