



# SEPA THRESHOLD DETERMINATION

## Mitigated Determination of Non-Significance (MDNS)

**FILE NAME:** 173<sup>RD</sup> STREET NE ROADWAY IMPROVEMENTS

**FILE NUMBER:** PLN #819

**LEAD AGENCY:** City of Arlington Community and Economic Development Department

**DESCRIPTION:** The Applicant, City of Arlington, proposes to construct approximately 2,600 Linear Feet of a new two lane roadway with multi-use trail along the 173<sup>rd</sup> Street alignment, between Smokey Point Boulevard and 40<sup>th</sup> Avenue (Phase 1), 40<sup>th</sup> and 43<sup>rd</sup> (Phase 2). The purpose of the project is to improve safety and mobility for vehicles, pedestrians, and bicyclists within the Smokey Point neighborhood. The project will install LED lighting and new water main, and include curb, gutter, and sidewalk, along with a 12-ft trail and a natural drainage method of capturing, treating and infiltrating storm water on site, and associated landscaping.

**LOCATION:** The project extends between Smokey Point Boulevard and 43<sup>rd</sup> Avenue in the City of Arlington, Snohomish County, Washington. The project is located in the SW  $\frac{1}{4}$ , and SE  $\frac{1}{4}$  sections of Section 21, Township 31N, and Range 5 East of the Willamette Meridian.

**APPLICANT:** Ryan Morrison, City Engineer, [rmorrison@arlingtonwa.gov](mailto:rmorrison@arlingtonwa.gov)

**STAFF CONTACT:** Josh Grandlienard, Planner II, [joshg@arlingtonwa.gov](mailto:joshg@arlingtonwa.gov)

**DATE CHECKLIST PREPARED:** March 1, 2021

**APPROVALS REQUIRED:** City of Arlington: SEPA, Clearing and Grading Permit, Other Agencies: Stormwater General Permit

**SEPA THRESHOLD DETERMINATION:** The City of Arlington has determined that with the mitigation measures identified herein, this proposal would not have a probable and unavoidable significant adverse impact on the environment. Pursuant to WAC 197-11-350(3), the proposal has been clarified, changed, 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 (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:** In order 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 construction. A construction Stormwater General Permit is required through the Department of Ecology.

**(B)(2) Air:** In order to mitigate for potential air impacts, the Applicant shall implement dust control measures 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.

**(B)(3)(b) Ground Water:** In order to mitigate for potential impacts to ground water the Applicant shall employ best design practices meeting the current D.O.E Stormwater Manual.

**(B)(3)(c) Water Runoff:** In order 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 stormwater will be collected, treated, and detained or infiltrated to match preexisting runoff conditions on site.

**(B)(6) Energy:** The project will comply with the latest Washington State Energy Code requirements.

**(B)(7)(A) Environmental Health:** Applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies.

**(B)(7)(b) Noise:** The applicant shall comply with the City of Arlington noise standards found in AMC 9.20.060. Specifically, in section 9.20.060(8) noises resulting from any construction activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday and all day Sunday shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements. Noise from light vehicle traffic will be generated during business hours at project completion.

**(B)(11)(a) Light and Glare:** In order to mitigate for potential light pollution the Applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistrict B.

**(B)(13) Historic and Cultural Preservation:** There are no known buildings, structures, or sites located on or near the site that are in (or candidates for) the local historic preservation register. There are no known landmarks, features, or other evidence that would indicate Indian or historic use or occupation. Local registries were searched and it appears that no impacts to existing cultural and historic resources are anticipated to occur as a result of the proposed project. None the less, an Unintended Discovery Plan will be required, and if any potential evidence is encountered during the site work, work will be halted and the State Historical Preservation Officer, Stillaguamish Tribe, and the City of Arlington will be contacted, and measures taken to implement the UDP.

**(B)(16)(b) Utilities:** The Applicant shall construct all existing, extended, and new electrical power lines (not to include transformers or enclosures containing electrical equipment including but not limited to, switches, meters, or capacitors which may be pad mounted), telephone, gas distribution, cable television, and other communication and utility lines in or adjacent to any land use or building permit approved after the effective date of this chapter shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the administrative guideline entitled "Public Works Construction Standards and Specification." Even in the event the distribution line originates from a point opposite any public roadway from the new construction the service lines shall be placed beneath said roadway by means of boring or surface excavation across said roadway.

**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.

**DATE OF MITIGATED DETERMINATION OF NONSIGNIFICANCE:** March 18, 2021

**COMMENT PERIOD:** There is a 14-day comment period for this MDNS. If you would like to comment on this Application or Threshold Determination, written comments must be received prior to 5:00 p.m. on April 1, 2021. 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

March 15, 2015 DATE	 SIGNATURE OF SEPA RESPONSIBLE OFFICIAL
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**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. Appeal of the final MDNS must be made to the Hearing Examiner within 10 days of the date the MDNS is final (see WAC 197-11-390(2) (a)). The MDNS is a final MDNS when the City issues the land use permit. Appeal of the land use permit must be made to the Hearing Examiner within 14 days of the date the permit is issued.