

September 18, 2017

John Laufenberg  
Wetland Resources  
9505 19<sup>th</sup> Ave SE, Suite 106  
Everett, WA 98208

Re: Cultural Resources Assessment for the Hayho Creek Commerce Center Project, Snohomish County, WA

Dear John,

At your request, Tierra has completed fieldwork and background review for the above-referenced project. Work included background research, pedestrian survey, and shovel testing of the project area totaling approximately 53 acres. The survey and 194 shovel test probes were conducted during the week of 9/11/17.

One small portion of the project area was inaccessible for shovel testing and survey due to a large apiary being present. This area, in the southeast corner of the north field, was the location of a potentially historic house (construction date unknown). The structure itself is no longer present. The house location itself was not tested due to the presence of the apiary. One shovel probe near this area, #153, was positive for cultural material which consisted of historic brick fragment, melted glass, a ceramic sherd, and charcoal.

No additional cultural material was noted from the survey. However, STP #187 was positive for a thick peat layer at 65-80cm. This is significant because it is evidence of a deeply buried organic layer that could contain preserved cultural material.

The Stillaguamish Tribe was notified of the project prior to fieldwork and visited the site on 9/14/17. The Tribe was satisfied with the level of effort and methodology, and has asked to contribute some ethnographic information to our report. They also informed us that there is a longhouse location just north of the project and that the area should be considered high risk for encountering resources.

The complete report for this project is currently in process, but our recommendations will be as follows:

Due to the high potential of encountering cultural material, Tierra recommends monitoring by a professional archaeologist for any ground disturbing activities associated with this project. This recommendation due to several factors including: the recorded longhouse approximately one mile north of the project area and known tribal use of this area in the past; the inability to survey the southeast corner of the north field where there was a positive STP (#153) and evidence of possible historical structures; and positive STP #187 (for peat). Additionally, the Stillaguamish Tribe has expressed a general concern that there is a risk for cultural resources in this area.



US Army Corps  
of Engineers®  
Seattle District

**BIOLOGICAL EVALUATION  
FOR INFORMAL ESA CONSULTATION**  
For: NWS-2012-912 (Corps Reference Number)  
Version: *May 2012*



**\*\* This form is for projects that have insignificant or discountable impacts on listed species. It contains all the information required for a biological evaluation, but in abbreviated form and with minimal instructions on how to fill it out. For more detailed instructions, a format for development of a biological assessment or biological evaluation can be found on the Seattle District Corps website ([www.nws.usace.army.mil](http://www.nws.usace.army.mil) – click on regulatory and then on endangered species, BA Template). You may also contact the Corps at 206-764-3495 for further information.**

**Drawings and Photographs - Drawings and photographs must be submitted.** Photographs must be submitted showing local area, shoreline conditions, existing overwater structures, and location of the proposed project. Drawings must include a vicinity map; plan, profile, and cross-section drawings of the proposed structures; and over- and in-water structures on adjacent properties. (For assistance with the preparation of the drawings, please refer to our *Drawing Checklist* located on our website at [www.nws.usace.army.mil](http://www.nws.usace.army.mil) Select Regulatory – Regulatory/Permits – Forms.) Submit the information to: U.S. Army Corps of Engineers, Regulatory Branch, P.O. Box 3755, Seattle, Washington 98124-3755.

**Date: September 15, 2017**

<b>SECTION A - General Information</b>			
<b>1. Applicant name:</b> Echelbarger Company, Attn: Nicholas Echelbarger			
Mailing address: P.O. Box 1088, Edmonds, WA, 98020			
Work phone: 206-909-3616	Home phone:	Email: nich@ech-cpm.com	Fax:
<b>2. Joint-use applicant name (if applicable):</b>			
Mailing address:			
Work phone:	Home phone:	Email:	Fax:
<b>3. Authorized agent name:</b> John Laufenberg			
Mailing address: 9505 19 <sup>th</sup> Ave SE, Suite 106, Everett, WA, 98208			
Work phone: 425-337-3147	Home phone:	Email: john@wetlandresources.com	Fax:
<b>4. Location where proposed work will occur</b>			
Address: 15908 47 <sup>th</sup> Avenue NE, Marysville, WA 98271			
Closest Waterbody: Hayho Creek (Quilceda Creek sub-basin, WRIA 7)			
The subject property includes two tax parcels, 31052800400300 and 31053300100700, and is 57.48 acres in size. The proposed development area covers a majority of the property area outside the 150-foot Hayho Creek buffer (approximately 48.5 acres).			
¼ Section: NE, SE	Section: 33N, 23N	Township: 31	Range: 05E
Latitude: 48.138518 N		Longitude: -122.170518 W	

A. Construction sequencing and timing of each stage (duration and dates):

Construction activities are anticipated to begin in August 2018, and continue through August 2019. Permanent impacts to Wetland A and Ditch 2 will occur during the dry season.

B. Site preparation:

Standard BMP and TESC measures will be implemented prior to and during construction. See Appendix G for SWPPP.

C. Equipment to be used:

Heavy equipment typical for land clearing, grading, and structural development includes: backhoes, concrete trucks, dump trucks, dozers, excavators, front end loaders, pavers, and pneumatic tools.

D. Construction materials to be used:

Standard building materials will be used, including wood, concrete, masonry, steel, asphalt, glass, sheet rock, etc. Standard TESC materials, such as silt fences, will also be installed.

E. Work corridor:

Construction activities will occur at 15908 47<sup>th</sup> Avenue NE, Marysville, WA 98271. This property contains two tax parcels, 31052800400300 and 31053300100700, and is 57.48 acres in size. The proposed development area covers a majority of the property area outside the 150-foot Hayho Creek buffer (approximately 48.5 acres).

F. Staging areas and equipment wash outs:

All staging and equipment wash out areas will be located within the subject property, outside aquatic areas and their buffers.

G. Stockpiling areas:

Minor stockpiling of materials may be necessary during construction. No large, atypical or prolonged stockpiling is proposed. All stockpiling will occur outside aquatic areas and their buffers.

H. Running of equipment during construction:

Construction equipment will only be run during active operation and turned off when not in use. Work will take place during normal daylight hours.

density was obtained from the ESRI 2012 Population Density Data (ESRI 2017). Traffic noise was determined to be 54.5 dBA based on Average Daily Traffic (ADT) counts for 152<sup>nd</sup> Street (2015 Marysville Comprehensive Plan) and an average speed limit of 35 miles per hour. Based on the calculation methodology provided by WSDOT, construction noise associated with the proposed project will attenuate to background noise levels at a distance of 2,393 feet. This figure defines the terrestrial extent of the action area because it extends beyond the effect area of structural alterations to the terrestrial environment. Likewise, the long-term effects of increased traffic noise and volume are captured within this 2,393-foot extent.

The aquatic portion of the action area is defined by the area of effect of structural alterations to the aquatic environment (fill of Wetland A and Ditch 2). Given that standard BMP and TESC procedures will be implemented during construction, and no hydrologic connections to other aquatic areas is present\*, there will be no measurable impacts to downstream waters from the proposed action. In addition, the use of TESC measures like silt fencing, all fill activities will occur during the dry season. These measures will prevent the movement of sediment into downstream aquatic areas (i.e. Hayho Creek). The stormwater functions of Ditch 2 and Wetland A will be replaced as shown within the attached Stormwater Site Plan (see Appendix G).

#### *Determination of Action Area Extent*

The overland construction noise described above will extend over an area that includes the effect areas of all other potential disturbances to the terrestrial environment (structural alterations and long-term increases in traffic noise and volume). Therefore, the effect area associated with overland construction noise was used to determine the extent of the terrestrial portion of the project action area. An effect distance of 2,393 feet was projected in all directions from the subject site.

Filling Wetland A and Ditch 2 will only measurably affect the subject aquatic areas and their extents, given the considerations above. Thus, the aquatic portion of the action area is limited to the Wetland A and Ditch 2 footprints.

*\*A site investigation in September 2017 by WRI found that the defined bed and bank of Ditch 2 stops short (by 30 to 50 feet) of Hayho Creek. A rise in elevation (berm) of at least one foot occurs in this gap between Hayho Creek and Ditch 2. Thus, there is no direct surface water connection between the two features.*

**9. Existing Environmental Conditions:**

*Describe existing environmental conditions for the following:*

**A. Shoreline riparian vegetation and habitat features**

Vegetation on site is currently composed of maintained pasture grasses, with forested fringe areas along the property's north, east, and west boundaries. Ditch 2 is surrounded by reed canarygrass and Himalayan blackberry (*Rubus armeniacus*).

**B. Aquatic substrate and vegetation (include information on the amount and type of eelgrass or macroalgae present at the site)**

Wetland A is fully vegetated with non-persistent vegetation consisting of reed canarygrass (*Phalaris arundinacea*) and swamp smartweed (*Persicaria hydropiperoides*). Ditch 2 bed and bank mostly consists of bare soil. No eelgrass or macroalgae is present at the site.

**C. Surrounding land/water uses**

All adjacent properties are currently used for agriculture, particularly for hay, sod, corn, and canola. Beyond that, land uses consist of agriculture, light industrial, open space, and residential.

**D. Level of development**

The applicant proposes to develop this agricultural lot with light industrial warehouses, a land use consistent with Marysville's Comprehensive Plan.

**E. Water quality**

Water quality is of concern within the Allen Creek/Quilceda Creek sub-basin (WRIA 7), which includes TMDLs for bacteria and dissolved oxygen. While Hayho Creek does not appear on the 303(d) listed waters, downstream waters (Quilceda Creek) do occur on the 303(d) list. See Figure 5 within Appendix A of this application for a water quality map of the site vicinity.

**F. Describe use of the action area by listed salmonid fish species.**

Washington Department of Fish and Wildlife (WDFW) Priority Habitat and Species as well as the SalmonScape interactive web map document and model fish presence within Hayho Creek, located immediately west of the project site (WDFW 2017a). These resources indicate that Hayho Creek may contain Coho salmon (Federal Candidate), Puget Sound Chinook salmon (Federally Threatened), Puget Sound Steelhead trout (Federally Threatened), Chum salmon, pink salmon, resident coastal cutthroat, and Dolly Varden/Bull Trout (Federally Threatened). See Appendix B for these species' mapped locations.

their life history needs. The nearest critical habitat is located east of the project site in the Cascade Range foothills.

- L. **For marine areas only:** Describe use of action area by Southern Resident killer whales. How often have they been seen in the area and during what months of the year? For information on noise impacts on killer whales and other marine mammals, please see the National Marine Fisheries website: <http://www.nwr.noaa.gov/Marine-Mammals/MM-consults.cfm>.

N/A. Action area does not contain any marine areas.

- M. **For marine areas and Columbia River:** How far is the nearest steller sea lion haulout site from the action area? Describe their use of the action area. See the National Marine Fisheries website: <http://www.nwr.noaa.gov/Marine-Mammals/MM-consults.cfm> for information on the steller sea lion and location of their haulout sites.

N/A. Action area does not contain any marine areas.

- N. **For marine areas only: Forage Fish Habitat** – only complete this section if the project is in tidal waters.

N/A. The project action area does not contain any marine areas or tidal waters.

## 12. Determination of Effect:

*Provide a summary of impacts concluding with statement(s) of effect, by species. Even projects that are intended to benefit the species might have short-term adverse impacts and those must be addressed. Only the following determinations are valid for listed species or designated critical habitat:*

**No effect.** Literally no effect. No probability of any effect. The action is determined to have 'no effect' if there are no proposed or listed salmon and no proposed or designated critical habitat in the action area or downstream from it. This effects determination is the responsibility of the action agency to make and does not require NMFS review.

**May Affect, Not Likely to Adversely Affect (NLAA)** – Insignificant, discountable, or beneficial effects. The effect level is determined to be 'may affect, not likely to adversely affect' if the proposed action does not have the potential to hinder attainment of relevant properly functioning indicators and has a negligible (extremely low) probability of taking proposed or listed salmon or resulting in the destruction or adverse modification of their habitat. An insignificant effect relates to the size of the impact and should never reach the scale where take occurs. A 'discountable effect' is defined as being so extremely unlikely to occur that a reasonable person cannot detect, measure, or evaluate it. This level of effect requires informal consultation, which consists of NMFS and/or USFWS concurrence with the action agency's determination.

**May Affect, Likely to Adversely Affect (LAA)** This form is not appropriate for use with a project that is LAA listed species. Please see the Biological Assessment (BA) template on the Corps website: [http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage\\_ESA](http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_ESA)

The proposed project is anticipated to have No Effect on listed species.

A No Effect determination is warranted based on the following rationale:

- No listed salmonid species are expected to occur within the aquatic portion of the project action area. No listed species are expected to occur within the terrestrial portion of the project action area.
- No designated critical habitat, or areas that meet the parameters of critical habitat, for any listed species are present within the aquatic or terrestrial portions of the project action area.
- There are no direct hydrologic connections between the aquatic portion (Wetland A, Ditch 2) of the action area and any down-gradient aquatic resource containing possible listed species (Hayho Creek).
- As no species or critical habitats are present within the project action area, there is no possibility of measurable changes occurring to them.

#### **D. Proposed Conservation Measures**

The following conservation measures shall be implemented to reduce any possible adverse impacts to the surrounding environment. However, as no effects to listed species or critical habitats are present within the project action area, adverse effects to these protected entities are already avoided.

- Prior to construction work, those areas that are to remain undisturbed shall be clearly marked by flagging or the use of high-visibility fencing. During the construction period, no disturbance beyond the marked limits shall be permitted. The flagging/fencing shall be maintained by the owner/contractor for the duration of construction.
- Erosion and sediment control measures (TESC) and best management practices (BMP) will be employed in such a manner to ensure that sediment-laden water does not enter adjacent/off-site waterbodies. See Appendix G: Stormwater Site Plan/SWPPP.

#### **E. Conclusions by EFH (taking into account proposed conservation measures)**

The proposed project is anticipated to have No Effect on EFH.

A No Effect determination is warranted based on the following rationale:

- No species of the Pacific Salmon Fishery are present within the aquatic portion of the action area, thus the EFH for Pacific salmon will not be affected as a result of the proposed project.
- Clearing and grading is proposed adjacent to Hayho Creek. However, no direct surface water connections between the aquatic portion of the action area (Wetland A, Ditch 2) and any down-gradient aquatic resource (Hayho Creek) exist. As such, no clearing and grading will affect this adjacent to waterway.
- Standard BMP and TESC measures will be implemented to ensure that off-site environments are protected.

Additionally, there will be No Effect on the EFH for groundfish or coastal pelagic because these species do not occur in or near the action area.



- NMFS. 2005b. *Endangered and Threatened Species: Final Listing Determinations for 16 ESUs of West Coast Salmon, and Final 4(d) Protective Regulations for Threatened Salmonid ESUs*. 70 Fed. Reg. § 37,160 (final rule Jun. 28, 2005) (to be codified at 50 C.F.R. pt. 17).
- NMFS. 1999. *Essential Fish Habitat Consultation Guidance*. Office of Habitat Conservation, Portland, Oregon.
- NMFS. 1996. *Making Endangered Species Act Determinations of Effect for Individual or Grouped Actions at the Watershed Scale*. Environmental and Technical Services Division, Habitat Conservation Branch. August 1996.
- NOAA (National Oceanic and Atmospheric Administration). 2017. *Critical Habitat*. West Coast Region. <http://www.nmfs.noaa.gov/pr/species/criticalhabitat.htm>. Accessed August 2017.
- Pearson and Altman. 2005. *Range-wide Streaked Horned Lark (*Eremophila alpestris strigata*) Assessment and Preliminary Conservation Strategy*. WDFW Wildlife Program. Science Division. Olympia, WA.
- Pearson, S.F., and M. Hopey. 2005. *Streaked Horned Lark nest success, habitat selection, and habitat enhancement experiments for the Puget lowlands, coastal Washington and Columbia River Islands*. Natural Areas Program Report 2005-1. Washington Dept. of Natural Resources. Olympia, WA.
- PSMFC (Pacific States Marine Fisheries Commission). 2017. *StreamNet Mapper*. <http://www.streamnet.org/data/interactive-maps-and-gis-data/>. Accessed August 2017.
- Pearson, S.F., M. Hopey, W. D. Robinson, R. Moore. 2005. *Range, abundance and movement patterns of wintering Streaked Horned Larks in Oregon and Washington*. Natural Areas Program Report 2005-2. Washington Dept. of Natural Resources. Olympia, WA.
- Pacific Fishery Management Council. Aug 1999. Identification and Description of Essential Fish Habitat, Adverse Impacts, and Recommended Conservation Measures for Salmon- Appendix A. Amendment 14 to the Pacific Coast Salmon Plan. [http://www.westcoast.fisheries.noaa.gov/publications/habitat/essential\\_fish\\_habitat/salmon\\_efh\\_amendment\\_14\\_appendix\\_a.pdf](http://www.westcoast.fisheries.noaa.gov/publications/habitat/essential_fish_habitat/salmon_efh_amendment_14_appendix_a.pdf)
- Tweit, B. 2005. *Yellow-billed cuckoo *Coccyzus americanus**. In T. R. Wahl, B. Tweit, and S. G. Mlodinow, editors. *Birds of Washington: status and distribution*. Oregon State University Press, Corvallis, Oregon.
- USFWS (United States Fish and Wildlife Service). 2017. *IPaC: Information for Planning and Conservation project planning tool*. <http://ecos.fws.gov/ipac/>. Accessed August 2017
- USFWS. 2016a. *Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Oregon Spotted Frog; Final Rule*. 81 Fed. Reg. § 29,336. (final rule May 11, 2016) (to be codified at 50 C.F.R. pt. 424).
- USFWS. 2016b. *Listing Endangered and Threatened Species and designating Critical Habitat; Implementing Changes to the Regulations for Designating Critical Habitat*. 81 Fed. Reg. § 7,414 (final rule Feb. 11, 2016) (to be codified at 50 C.F.R. pt. 424).
- USFWS. 2014. *Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Western Distinct Population Segment of the Yellow-Billed Cuckoo*. 79 Fed. Reg. § 48,547 (proposed rule Aug. 15, 2014) (to be codified at 50 C.F.R. pt. 17).



## MITIGATED DETERMINATION OF NON-SIGNIFICANCE

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270  
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION			
<b>Project Title</b>	Veritas/Echelbarger Grading	<b>File No.</b>	PA 19-011
<b>Detailed Project Description</b>	The applicant is requesting issuance of a grading permit in order to place approximately 333,500 to 500,000 cubic yards of structural fill material for future development of a 57.48 acre site. The truck haul route will be from I-5 via the 116 <sup>th</sup> Street NE interchange then north on Smokey Point Blvd (State) and east on 152 <sup>nd</sup> St to the site and vice-versa. The applicant has an existing USACE Corp permit #2012-912 that authorizes the applicant to fill one 1,400 SF wetland and 850 LF of wetland ditch.		
<b>Site Address</b>	15908 47 <sup>th</sup> Ave NE	<b>APN(s)</b>	31052800400300 31053300100700 31053300100400
<b>Legal Description (abbreviated)</b>	See PA file #19-011		
	OWNER	APPLICANT	CONTACT
<b>Name</b>	Four Peaks, LLC; Lindsey & Carolyn Echelbarger; Patrick & Marylyn Echelbarger; Bluffs End Trust	Veritas Construction, Inc	Bluffs End Trust Michael Neagle
<b>Address</b>	PO Box 1088	19305 Olympic View Dr	20622 86 <sup>th</sup> Pl West
<b>City, State, ZIP</b>	Edmonds, WA 98020	Edmonds, WA 98020	Edmonds, WA 98026
THRESHOLD DETERMINATION			
<b>Lead Agency</b>	<input checked="" type="checkbox"/> City of Marysville		
<p>The lead agency has determined that this proposal does not have a probable 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 by the City of Marysville of a completed environmental checklist and other information on file with this agency. This information is available for public review upon request.</p> <p><input type="checkbox"/> There is no comment period for this DNS</p> <p><input type="checkbox"/> This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on this DNS.</p> <p><input type="checkbox"/> This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14-days from the date below. Comments must be submitted by:</p> <p><input checked="" type="checkbox"/> This MITIGATED DNS is issued under WAC 197-11-350; the lead agency will not act on this proposal for 14-days from the date below. Comments must be submitted by: <b>May 17, 2019</b></p>			
SEPA CONTACT			
<b>Name</b>	Cheryl Dungan	<b>Title</b>	Senior Planner
<b>Phone</b>	360 363 8206	<b>E-mail</b>	cdungan@marysvillewa.gov

RESPONSIBLE OFFICIAL			
Name	David Koenig	Title	Community Development Director
Address	80 Columbia Avenue, Marysville, WA 98270		


5/3/2019  
 \_\_\_\_\_  
**Dave Koenig, CD Director** **Date**

**Reviewed by: CMH**

**Prepared by: COB**

**ENVIRONMENTAL IMPACTS**

The proposed construction and subsequent use of the property could result in the following adverse environmental impacts

- |    |   |
|----|---|
| 1. | Increase in erosion, surface water pollutants, siltation and sedimentation as a result of site preparation and construction.  |
| 2. | Increase in the amount and rate of storm water runoff and attendant pollutants from the introduction of fill material.  |
| 4. | Increase in noise, dust, light and glare from grading activity.   |
| 5. | Increase in vehicular traffic on 116 <sup>th</sup> St NE, State Ave/Smokey Point Boulevard, 152 <sup>nd</sup> St NE as well as other City streets and roadways in the vicinity. |
| 6. | Change in character of the site from agricultural/open space to an urban use.   |

**MITIGATION MEASURES**

The following mitigation measure is required to minimize the probable significant adverse environmental impacts as a result of the proposed development activity:

- |    |   |
|----|---|
| 1. | If at any time during construction archaeological resources are observed in the project area, work should be temporarily suspended at that location and a professional archaeologist should document and assess the discovery. The Department of Archaeology and Historic Preservation (DAHP) and all concerned tribes should be contacted for any issues involving Native American sites. If project activities expose human remains, either in the form of burials or isolated bones or teeth, or other mortuary items, work in that area should be stopped immediately. Local law enforcement, DAHP, and affected tribes should be immediately contacted. No additional excavation should be undertaken until a process has been agreed upon by these parties, and no exposed human remains should be left unattended. |
| 2. | Prior to commencement of grading activity the applicant shall provide certification that the fill material is clean and suitable site development.  |
| 3. | Prior to any land disturbing activity, the applicant shall provide written documentation from Snohomish County Assessor's Office that the Open Space designation has been removed and can be converted for industrial purposes.   |
| 4. | Prior to commencement of construction activity the applicant shall be required to provide a recorded ingress/egress easement on any portion of the existing dirt road that is not located within APN 31053300100400 as referenced in the title report.  |
| 5. | Prior to commencement of grading activity the applicant shall enter into a truck haul agreement with the City of Marysville Public Works Department.  |

6.	The applicant shall strictly adhere to the recommendations outlined in the Geotechnical Report prepared by NGA, Inc. dated February 19, 2019, or as amended.
7.	No grading activity, parking of equipment, shall be permitted in the 150' stream buffer. Prior to grading activity orange silt fence shall be installed to delineate the stream buffer from the grading area.
8.	Prior to commencement of grading activity the applicant shall provide written documentation from Olympic Pipeline that their easement, as referenced in the title report has been abandoned and they have no objection to the grading activity.

**APPEALS**

This DNS may be appealed pursuant to the requirements of MMC 22E.030.180. There is a 14 day appeal period on the DNS that commences from the date the DNS was issued. Any appeal must be addressed to the responsible official, accompanied by a filing fee of \$500.00, and be filed in writing at the City of Marysville Community Development Department, 80 Columbia Avenue, Marysville, WA 98270. The appeal must be received by 4 p.m., **May 17, 2019**. The appeal must contain the items set forth in MMC 22G.010.530. The comment period runs concurrently with the appeal period.

**DISTRIBUTION**

Marysville	Local Agencies & Districts	State & Federal	County	Other
<input checked="" type="checkbox"/> Building <input type="checkbox"/> Fire District <input checked="" type="checkbox"/> LD (Anne Miller) <input type="checkbox"/> LD (Deryl Taylor) <input type="checkbox"/> LD <input type="checkbox"/> Parks <input type="checkbox"/> Police <input type="checkbox"/> Public Works Util. <input checked="" type="checkbox"/> Public Works SW <input checked="" type="checkbox"/> Public Works (City Engineer) <input checked="" type="checkbox"/> Public Works (Traffic Engineer) <input type="checkbox"/> Public Works	<input checked="" type="checkbox"/> Arlington (city) <input checked="" type="checkbox"/> Arlington Airport <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Frontier <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> Marysville SD 25 <input type="checkbox"/> PUD No. 1 (electric) <input type="checkbox"/> PUD No. 1 (water) <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> DOE (Bellevue) <input checked="" type="checkbox"/> DOE (Olympia - Env. Review) <input type="checkbox"/> DOE (SEPA - Greta Stough) <input type="checkbox"/> DOE (Shorelands - G. Tallent) <input checked="" type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> Olympic Pipeline <input type="checkbox"/> Puget Sound Energy <input checked="" type="checkbox"/> Stillaguamish Tribe <input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> DHAP <input type="checkbox"/> Parties of Record

# **SEPA ENVIRONMENTAL CHECKLIST**

**UPDATED 2014**

## ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements -that do not contribute meaningfully to the analysis of the proposal.

## **A. BACKGROUND**

1. Name of proposed project, if applicable:

*Echelbarger Property*

2. Name of applicant:

*Veritas Construction, Inc.*

3. Address and phone number of applicant and contact person:

**Ashley Fancher, President  
19305 Olympic View Drive  
Edmonds, WA 98020  
Phone #: 206.817.6357**

4. Date checklist prepared:

**February 2, 2019**

5. Agency requesting checklist:

**City of Marysville Planning and Community Development**

6. Proposed timing or schedule (including phasing, if applicable):

**Construction Start: May 2019**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

**No**

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

**Fill soils Report / Biological Evaluation / Archaeological Evaluation  
Site Soils Report / Wetland Report**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

**NONE**

10. List any government approvals or permits that will be needed for your proposal, if known.

**Joint Aquatic Resources Permit Application,  
United States Army Corps of Engineers NWP 39 Permit for filling of  
wetlands issued 10/02/2018.**

**City of Marysville Grading Permit  
SEPA**

**CDR  
5-3-19**

**Storm Water Discharge Permit- Washington State Department of Ecology**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

*to 8 feet*  
**Raise site grade 5 feet. Comply with terms of JARPA (Nationwide Permit) to fill a wetland. Total site area is 57.48 acres**

*Comply with conditions of grading permit / S EPA.*

*CDW  
5-3-19*

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

**The proposed project is located at 15908 - 47th. Avenue NE, Marysville, WA.**

**Legal description:**

**PARCEL A:**

**THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 31 NORTH, RANGE 5 EAST W.M., IN SNOHOMISH COUNTY WASHINGTON;**

**EXCEPT the West 30 feet thereof conveyed to Drainage Improvement No. 5 of Snohomish County by Deed recorded under Recording No. 236004;**

**SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.**

**B. ENVIRONMENTAL ELEMENTS**

1. Earth

a. General description of the site

(underline one): Flat, rolling, hilly, steep slopes, mountainous,  
other \_\_\_\_\_

b. What is the steepest slope on the site (approximate percent slope)?

*Under 1%*

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

***surficial layer of topsoil underlain by a layer of loose to medium dense, fine to coarse sand with gravel consistent with the description of the Marysville Sand at depth.***  
*See geotech report CD# 5-3-19*

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

***None known.*** *See Geotech report*

*CD# 5-3-19*

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

***Approximately 49 acres (see attached engineering plan), source of fill is from the Microsoft site. (see attached soils report)*** *Site area ~ 57 ac CD# 5-3-19*

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

***Temporary Erosion and Sedimentation Control measures will be implemented in accordance with the Washington State Dept. of Ecology (DOE) and City of Marysville requirements to minimize short term construction impacts. See attached engineering plan and TESC.***

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

***None, site will be seeded with grass.***



- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

**A stormwater pollution prevention plan (SWPPP) will be prepared in accordance with the Washington State Dept. of Ecology's NPDES permit requirements. Approved erosion mitigation measures will be implemented prior to and during construction. The erosion control plan will include filter fabric fencing, a construction entrance, temporary swales and sediment ponds, and the employment of Best Management Practices during construction. The NPDES permit will be secured through the Washington State Dept. of Ecology prior to construction.**

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

**Construction vehicles and equipment will result in increased emissions and dust into the air. After project completion, emissions to the air will be limited to the vehicle exhaust generated by employees and customers of the industrial development and sports complex.**

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

**No.**

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

**Site will be sprinkled with water during dry construction months as necessary to control dust. Construction vehicles are typically equipped with factory-installed mufflers and spark arresters that will control excessive emissions.**

3. Water

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

*wetland ditch.*  
**There is one small wetland on site, Category IV. Wetland is located on the central west side.** *wetland ditch*

**One stream is located near the site. Hayho Creek, a seasonal Type F stream, is located 6 feet inside the west property line of the site. This stream flows to Puget Sound, which is located approximately 5 miles southwest of the site.**

*Stream is being protected with 150' buffer per MMC 22E.010* *EDW 5-3-19*

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

**Yes, grading and fill will occur to the east edge of the 150' buffer (see engineers plan).**

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

**A small wetland and the central ditch will be filled in compliance with the issued Army Corp of Engineers Nationwide Permit. Excavation and removal of ditch bottom silt will be approximately 30 cubic yards.**

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

**No**

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

**No.**

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

**No.**

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

**No.**

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

**No waste discharge into the ground is proposed.**

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

***Stormwater will infiltrate into the site as is the current condition. Detention will be provided as designed in the TESC.***

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

***No.***

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

***No.***

ci. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

***See TESC***

4. Plants

- a. Check the types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other  
evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

orchards, vineyards or other permanent crops.

wet soils plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

***Ditch brush and trees, pasture grass***

- c. List threatened and endangered species known to be on or near the site.

***No threatened or endangered plant species are known to be on or near the site.***

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

***Site landscaping will be provided, as required by the City of Marysville Municipal Code.***

- e. List all noxious weeds and invasive species known to be on or near the site.

***There are no noxious weeds or invasive species known to be on or near the site.***

5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other: rabbits, coyotes, skunks

fish: bass, salmon, trout, herring, shellfish, other \_\_\_\_\_

- b. List any threatened and endangered species known to be on or near the site.

***No threatened or endangered species are reported to occur on site.***

- c. Is the site part of a migration route? If so, explain.

***Western Washington is included within the Puget Flyway, which is a migratory bird route.***

- d. Proposed measures to preserve or enhance wildlife, if any:

***None.***

- e. List any invasive animal species known to be on or near the site.

***There are no invasive animal species known to be on or near the site.***

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

**None**

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

**No.**

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

**None**

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

**No.**

- 1) Describe any known or possible contamination at the site from present or past uses.

**None known.**

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

**None**

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

**Not applicable.**

- 4) Describe special emergency services that might be required.

**Not applicable.**

5) Proposed measures to reduce or control environmental health hazards, if any:

**Not applicable.**

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

**Minor traffic noise from the adjacent roadways and businesses should not affect the proposed project.**

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

**On a short term basis, construction noise at levels typically associated with grade and fill construction will occur. On a long term basis; None**

3) Proposed measures to reduce or control noise impacts, if any:

**None**

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

**The site is currently in pasture. Surrounding properties are a combination of single family residence to the east and south, commercial property to the south and west, and forested properties to the west.**

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

**Yes. The site is a combination of pasture/hay ground and commercial grass-sod uses.**

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

**No.**

c. Describe any structures on the site.

**No structures exist on site.**

d. Will any structures be demolished? If so, what?

**No.**

e. What is the current zoning classification of the site?

**Light Industrial**

f. What is the current comprehensive plan designation of the site?

**Light Industrial**

g. If applicable, what is the current shoreline master program designation of the site?

**Not applicable.**

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

**Yes. One small category IV wetland to be filled.** *or ditched wet land. C.O.D. 5-3-19*

i. Approximately how many people would reside or work in the completed project?

**None**

j. Approximately how many people would the completed project displace?

**None.**

k. Proposed measures to avoid or reduce displacement impacts, if any:

**None.**

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

**The proposed fill project is consistent with the current zoning and future development needs.**

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

***Not applicable. Project is within the Smokey Point Master Plan***

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

***Not applicable.***

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

***None.***

- c. Proposed measures to reduce or control housing impacts, if any:

***Not applicable.***

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

***None***

- b. What views in the immediate vicinity would be altered or obstructed?

***Views in the immediate vicinity are not anticipated to be altered.***

- c. Proposed measures to reduce or control aesthetic impacts, if any:

***Reseeding the site***

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

***Truck and equipment lights at night for the short term. No light after completion.***



b. Could light or glare from the finished project be a safety hazard or interfere with views?

**No.**

c. What existing off-site sources of light or glare may affect your proposal?

**None anticipated.**

d. Proposed measures to reduce or control light and glare impacts, if any:

**None**

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

**Several soccer/athletic fields to the southeast**

b. Would the proposed project displace any existing recreational uses? If so, describe.

**No.**

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

**Not applicable.**

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

**None known to be on site.**

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

**None known to be on site. See archeological study attached.**

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

***A Cultural Resources Assessment was provided by Tierra Right of Way Services, Ltd. see wetland report.***

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

***Not applicable.***

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

***Project access will be provided by 152nd. St. NE***

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

***Yes.***

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

***None***

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

***No***

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

***No.***

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

**The City of Marysville will determine the applicable trips per day and the project will comply with the applicable traffic impact fees.**

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

**No.**

h. Proposed measures to reduce or control transportation impacts, if any:

**None**

15. Public services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

**No**

b. Proposed measures to reduce or control direct impacts on public services, if any.

**None**

16. Utilities

a. Underline utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

**None**

**C. Signature**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signer Ashley Fancher

Position and Agency / Organization President / Veritas Construction

Date Submitted: 2/15/19