

**MITIGATED
DETERMINATION OF NON-SIGNIFICANCE
SEPA14-027 & COMP14-003
Waterfront Place Central
September 26, 2014**



Description of Proposal: Amendments to the Planned Development Overlay Rezone approved in 2005 for Port Gardner Wharf/North Marina Development, now named Waterfront Place Central. Also includes a Shoreline Master Plan (SMP) and zoning text amendment to allow residential use in shoreline jurisdiction.

Applicant: Port of Everett
PO Box 538
Everett, WA. 98206

Representative: Terrie Battello, Chief of Business Development
Port of Everett
PO Box 538
Everett, WA. 98206

Location: Everett Waterfront from 1100 to 1500 blocks west of West Marine View Drive

Zoning: W-C Waterfront Commercial

General Plan: 4.5 - Waterfront Commercial

Lead Agency: City of Everett Planning Department

Contact Person: Jim Hanson Phone: (425)257-8731

Mitigation Measures:

The environmental impacts of this proposal are documented in the Environmental Checklist and other information on file with the City. The listed requirements are placed in response to our review of this information:

AGENCIES WITH JURISDICTION

1. A Hydraulics Project Approval (HPA) from the State Department of Fish and Wildlife is required for this project due to discharge of stormwater to a Snohomish River/Port Gardner. A copy of the HPA should be included along with the plans for Public Works review.
2. A National Pollutant Discharge Elimination System (NPDES) permit, a 401 Water Quality Certification Permit, approval to allow Temporary Exceedance of Water Quality Standards, Individual Stormwater Discharge Permit, Construction Stormwater General Permit, Voluntary Cleanup Plan Letter of No Further Action and a Coastal Zone Management Act Consistency

Determination administered by the Washington State Department of Ecology, may be required for clearing, grading and redevelopment activities on this site.

3. The proposal will need Endangered Species Act (ESA) Compliance and Biological Evaluation/Biological (BE/BA) Assessments with the Army Corps of Engineers, National Marine Fisheries and U.S. Fish and Wildlife Service.
4. A Notice of Construction and Consistency with the Clean Air Act must be obtained from the Puget Sound Air Pollution Control Agency for this project.
5. An U.S. Army Corps of Engineers Section 10 Permit for stormwater outfall may be required for this project. The applicant/owner is responsible for obtaining all necessary permits.

MITIGATION OF ADVERSE IMPACTS BY SEPA

EARTH RESOURCES

1. Any grading/fill and redevelopment activities on this site shall implement best management practices (BMPs) so as to eliminate potential impacts of this project. (SEPA Earth, Land and Shoreline Use Policies.)
2. Development of comprehensive temporary erosion and control plan (TESCP) for master planned redevelopment of the site in compliance with City of Everett and Ecology requirements.
3. Port BMPs to control erosion and sedimentation, potentially including but not limited to clearing limits, cover measures, perimeter protections, traffic area stabilization, sediment ponds, portable filter system, surface water collection, and dust control.
4. Installation of a coordinated set of ground improvements on all required portions of the redeveloped site prior to construction of infrastructure and new buildings to minimize potential damage from a major seismic event.
5. Inclusion of structural design components in all new buildings, consistent with City of Everett building code requirements, to minimize damage from a major seismic event.

AIR QUALITY

6. Comply with PSCAA recommendations for managing construction dust and US EPA and PSCAA regulations for handling potential airborne hazardous substances.
7. Pave construction access roads.
8. Use emission reducing equipment/practices for construction.
9. Use carpooling or other trip reduction strategies for construction workers.
10. Route and schedule construction trucks to reduce delays to traffic.

11. Provide on-site transit access, enhanced pedestrian and bicycle circulation system and transportation management program (TMP) for project employees to reduce single occupant vehicle trips within and to the site.
12. Use Port BMPs for control of dust, painting, sand blasting, and fuels/solvents in the new boatyard. Limit boatyard spray painting to licensed operators.
13. Use of proposal's compact transit and pedestrian oriented, mixed use site design to promote non-personal vehicle forms of transportation to reduce greenhouse gas (GHG) and other air emissions.
14. Low impact, sustainable design of the proposal to meet the equivalent of one of the recognized levels of LEED certification to reduce energy consumption and resulting GHG and other air emissions.
15. Develop and use of a menu of coordinated transportation and non-transportation mitigation strategies to reduce air and GHG emissions.
16. Set higher elevations (18.5' MLLW) of first floors of all significant buildings in the proposal and other related design measures that provide additional protection from future increases in 100-year flood elevations that could impact the site.

WATER RESOURCES

17. Ecology Stormwater Permit and controls for sites greater than 5 acres.
18. Construction BMPs such as silt fencing, plastic covering for exposed ground, straw mulch, hydroseeding, sediment traps, rock lined channels, check dams and temporary detention basins.
19. Cleaning construction equipment and vehicles before they leave the site.
20. Implementation of a City of Everett approved Temporary Erosion and Control Plan.
21. Project operation runoff would be collected and treated for 100 percent of the site. A spill response program would be developed and implemented.
22. A stormwater pollution prevention plan would be developed and implemented.
23. Energy dissipating armoring around new and expanded stormwater outfalls would be provided.
24. Obtain coverage under a Stormwater General Permit and use of operational BMPs to meet required water quality standards.

PLANTS AND ANIMALS

25. Add project landscaping to existing unvegetated shoreline edges of the site.
26. Wherever feasible, remove all remaining creosote wood piling and bulkheads and replace with non-contaminating materials.

ENERGY AND NATURAL RESOURCES

27. Adopt and follow City, State and Federal energy conservation guidelines.
28. City of Everett building code energy conservation measures will be used in the development.
29. Port of Everett energy conservation BMPs.
30. Use of low-impact, sustainable design features in new buildings and site improvements.
31. Use of pedestrian and transit-oriented designs in the project and buildings to reduce auto use.

ENVIRONMENTAL HEALTH AND NOISE

32. Ecology approved cleanup plan under its Voluntary Cleanup Program implementation for entire site.
33. Use of approved abatement plan for removal of hazardous materials from demolished buildings.
34. Health and safety procedures to protect workers from exposed contaminated soils during construction.
35. Use of appropriate contaminated soil management practices.
36. Deed restrictions on areas of the redeveloped site with permanently contained hazardous substances.
37. Conduct groundwater compliance monitoring, as needed.
38. Use properly sized/maintained mufflers. Use engine enclosures and intake silencers.
39. Use standard construction site noise reduction techniques including use of electric or hydraulic impact tools.
40. Use of alternatives to impact pile driving where feasible.
41. Use of pile driving sound absorbing barriers and/or other sound reducing measures.
42. Adhere to City noise ordinance hours and other applicable requirements.
43. Incorporate special acoustical design features in all buildings located close to West Marine View Drive to protect uphill homes from noise as per noise studies.

LAND AND SHORELINE USE

44. Incorporation of transit and pedestrian oriented design features.
45. Inclusion of an integrated mix of land uses.
46. Enhanced on-site circulation for pedestrians and bicycles.
47. Provision of new and enhanced pedestrian and transit linkages to downtown Everett and surrounding areas.
48. Inclusion of traffic-calming design features balancing pedestrian and vehicle circulation.
49. Provision a variety of new public gathering places as per approved plan.
50. Provision of public access to previously restricted shoreline areas on the site.
51. The following regulations and commitments will apply to mitigating land use and shoreline impacts: City of Everett Comprehensive plan; zoning and development regulations; City of Everett Shoreline Master Program; City of Everett/Port of Everett Planned Development Overlay (PDO) Development Agreement (DA) and Urban Design Guidelines; and the Port of Everett Project Covenants, Conditions and Restrictions (CC&Rs).
52. Incorporation of feasible sustainable and low-impact development methods and techniques.
53. Provision of orderly, multi-phase site redevelopment timetable.
54. West Marine View Drive is designated as a "Gateway" corridor in the City's General Plan. The General Plan states, "Because Everett wants to develop and promote an attractive image, all entry corridors into the City should be designated as "Gateways" and standards should be applied to developments along such "Gateways" relating to building design, landscaping, signage, outdoor storage and other aesthetic considerations that will serve to upgrade Everett's image." To meet the intent of the policy, landscaping in excess of Type III must be provided along West Marine View Drive adjacent to the "Craftsman District".

AESTHETICS/VISUAL QUALITY

55. Removal or major renovation of remaining older buildings, and removal of remaining outdoor storage areas.
56. Removal of all overhead utilities.
57. Removal of all potential taller view blocking trees.
58. Construction of master designed urban activity center with: fully landscaped streets and entryways; pedestrian orientation; network of open spaces/plazas; unified landscaping, lighting and signage; architecturally thematic building designs for each district.

59. Reduced large surface parking areas.
60. Attractive rooftop design treatments.
61. The following regulations and commitments will apply to mitigating aesthetic and visual quality impacts: City of Everett Comprehensive plan; zoning and development regulations; City of Everett/Port of Everett PDO DA and Urban Design Guidelines, and Port of Everett Project CC&Rs.

LIGHT, GLARE AND SHADOWS

62. Coordinated site lighting/shielding and landscaping plan to minimize on and off-site light and glare impacts.
63. Use of non-reflective roofing and façade materials on all buildings.
64. Locate, design and orient all buildings to minimize light, glare and shadow impacts on the most sensitive receiving areas including the site's shoreline walkways and public spaces.
65. The following regulations and commitments will apply to mitigating light and glare impacts: City of Everett Comprehensive plan; zoning and development regulations; City of Everett zoning code and Shoreline Master Program, City of Everett/Port of Everett PDO DA and Urban Design Guidelines, Port of Everett Project CC&Rs.

PARKS AND RECREATION

66. New system of shoreline access areas, expanded public walkways, public spaces and recreational facilities (more than 21 new total acres).
67. New park, pathway and plaza improvements in early project phases.
68. The following regulations and commitments will apply to mitigating parks and recreation impacts: City of Everett zoning code and Shoreline Master Program, City of Everett/Port of Everett PDO DA and Urban Design Guidelines, Port of Everett Project CC&Rs.

HISTORICAL AND CULTURAL RESOURCES

69. Archeologist review of geotechnical data and final design plans with any appropriate follow-up actions. Archeological monitoring during any major excavations with potential for disturbance.
70. Documentation of historical and cultural resources that cannot be retained, and consideration of on or off-site relocation of resources that otherwise would not be retained.
71. Interpretive signage on use of site and lost resources.
72. Inclusion of referential building to commemorate lost resources.

TRANSPORTATION

73. No traffic mitigation fees are due for this project at this time. Traffic mitigation fees will be assessed in accordance with EMC 18.40, as amended, as individual projects or phases are brought forward.
74. City of Everett traffic mitigation ordinance fee payments for each project element.
75. Use of a coordinated set of mitigation measures based on the proposal's form of compact, transit and pedestrian oriented, mixed use site redevelopment with opportunities to live, work, obtain essential services and recreate on a single site.
76. Installation of traffic signal at 13th Street and West Marine View Drive.
77. Lane improvements on Alverson Boulevard at West Marine View Drive intersection.
78. Provision of a parking management plan for all site uses to maximize efficient use of all of the proposal's parking facilities.
79. Elimination of up to 18 existing driveways on West Marine View Drive.
80. Elimination of remaining industrial use generated heavy vehicle traffic on weekdays.
81. Provision of on-site transit access and layover ability.
82. Provision of on-site enhanced pedestrian and bicycle circulation system.
83. Provision of a transportation management program (TMP) for project employees.

PUBLIC SERVICES AND UTILITIES

84. The Everett Fire Department has commented that the project needs to have adequate access to all buildings, with 20 feet of unobstructed width, minimum clearance of 13'6", inside and outside turn radii of 35 feet and 55 feet respectively. Slope and grade to EFD standards and all fire lanes, including grasscrete and esplanade, must meet weight requirements. The Applicant has been in contact with fire department, access plans and proposed fire hydrant locations are acceptable. Required improvements will be subject to field inspection at each phase of construction.
85. Provision of well-designed internal street system to facilitate efficient emergency services access to all parts of site.
86. Provision of new, fully looped water distribution and fire hydrant system to provide adequate fire flow.
87. Removal or substantial renovation of all remaining older, non-current code compliant buildings and major structures on the site.
88. City of Everett zoning and building codes and payment of applicable school impact mitigation and utility design and connection requirements.

89. Payment of substantial new state and local property, leasehold, business and occupation and sales taxes during construction and operation of the project.
90. Snohomish County PUD No. 1 has commented that an additional substation is required in the area to handle built-out peak demand and electrical system infrastructure improvements that will result from this project. The PUD and the Port have been in consultation regarding the need for a new substation and examining alternative site locations.

The lead agency for this proposal has determined that it 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 of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2). The City as the lead agency will not act on this proposal for 21 days from the date below. Comments must be submitted by October 17, 2014.

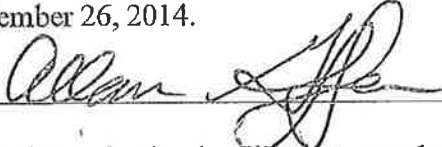
Responsible

Official: Allan Giffen, Director Phone: (425)257-8731

Title: Planning and Community Development Interim Responsible Official

Address: 2930 Wetmore Avenue, Suite 8-A, Everett, WA 98201

Date: September 26, 2014.

Signature: 

You may appeal this determination by filing an appeal on forms provided by the Planning Department and a fee to the Planning/Community Development Permit Services Counter at 3200 Cedar Street, 2nd Floor. The appeal period ends on October 17, 2014.

Contact Jim Hanson to read or ask about the procedures for SEPA appeals.

NOTE: A DNS may be withdrawn in the event of significant changes in the proposal, disclosure of new significant information, misrepresentation by the applicant, or failure to comply with the conditions upon which this Determination of Non-Significance is predicated.