CITY OF LAKE FOREST PARK
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
WAC 197-11-350

Description of proposal: Environmental determination for a reasonable use exception proposal to construct a new single-family home on a vacant site covered with a stream (Lyon Creek), steep slopes, and associated buffers.
File number: 2024-SEPA-0001
Proponent: Mark Garey, pinematrix@outlook.com; 206-446-9090
Location of proposal, including street address, if any: Address not assigned, corner of NE 205 ST and 37 AVE NE; parcel number: 4022900497.
Lead Agency: City of Lake Forest Park, 17425 Ballinger Way NE, Lake Forest Park, WA 98155

The lead agency has determined that this proposal, as designed, revised, and conditioned, will not have a probable 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. The necessary mitigation measures are listed below. This decision was made after reviewing a completed environmental checklist (attached) and other information on file with the lead agency. Information related to this decision is available to the public upon request (contact Mark Hofman, AICP, Community Development Director at mhofman@cityoflfp.com) and is available online at https://www.cityoflfp.com/313/Notices-and-Announcements.

Public Comment: This MDNS is issued under WAC 197-11-350. The lead agency will not act on this proposal until the comment period has expired. Comments on this determination must be submitted by: **Tuesday, August 6, 2024 at 5pm**. In addition to this period for sending comments, the city's Hearing Examiner will hold a public hearing for this project application, which will be separately noticed. Written public comment will be allowed prior to that hearing and testimony will be allowed at the hearing.

Mitigating Conditions: This determination is based on findings and conclusions that the project design minimizes impacts within the stream buffer with a greatly reduced footprint and conditions, including that critical areas left unencumbered by project impacts shall be protected in perpetuity via a critical area easement. The proposal shall also include stream buffer mitigation at a ratio of greater than 1:1 to ensure an increase in buffer function (3,728 square feet of buffer enhancement to compensate for 2,619 square feet of permanent buffer impacts per the Revised Critical Areas Report dated September 23, 2022, by The Watershed Company). The mitigation compensates for significant tree removal and buffer intrusion and is conditioned to comply with the Arborist Report dated revised August 18, 2022, from the Watershed Company. Mitigation is required to be monitored for a period of ten years to ensure successful establishment of native species. Enhancement areas and remaining unencumbered buffer areas will be disclosed as a notice to title, preserving these areas from future development. Degraded stream channels and corridors shall be rehabilitated to maintain water quality, reestablish habitat and prevent erosion. A restoration plan is required and shall be prepared by a qualified fisheries biologist and shall be

approved by the Washington Department of Fisheries and Game. Parameters considered by the rehabilitation plan should include: salmonid habitat enhancement, erosion control, channel integrity preservation, aesthetics and hydraulics. Stream improvements shall not create problems elsewhere in the stream system. Additionally, the project shall follow all conditions imposed by the city's Hearing Examiner.

Responsible Official: Mark Hofman **Position/Title:** Community Development Director

Address: 17425 Ballinger Way NE, Lake Forest Park, and WA 98155

Date Issued: July 19, 2024 **Signature:** Mark Hofman

You may file an appeal of this determination with Matthew McLean, City Clerk, at 17425 Ballinger Way NE, Lake Forest Park, WA 98155, within 14 days of the determination. A $500 filing fee must be submitted at the same time. You should be prepared to make specific factual objections. Contact Mark Hofman at mhofman@cityoflfp.com to ask about the procedures for SEPA appeals.

Notice date: July 22, 2024 **Comments due:** Tuesday, August 6, 2024 at 5pm.

Permits

SEPA Checklist

LAKE FOREST PARK
Washington
17425 Ballinger Way NE
Lake Forest Park, WA 98155
206-368-5440

RECEIVED
MAR 20 2024
City of Lake Forest Park

Permit # SEPA-2024-0001

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.

STAFF REDLINES

Owner of Record:	Mark Garey		
Property Address:	not assigned; parcel: 4022900497		
Property Owner Phone:	206-446-9090	**Email:**	pinematrix@outlook.com
Property Owner Mailing Address (if different than project address):			
Tax Parcel No:	4022900497		

Owner's Authorized Agent:	Same as applicant		
Authorized Agent Phone:	n/a	**Email:**	pinematrix@outlook.com

PERMIT APPLICATION FEES

Fees must be paid at time of application

Application Fee	$ 700
Signage Fee	$ 200
Additional Signage (if required) - - - - - - - - $25 each	
SUBTOTAL	
Technology Fee (10% of Subtotal)	
TOTAL FEES	

Please complete the attached checklist & submit to:

City of Lake Forest Park, City Hall
17425 Ballinger Way NE
Lake Forest Park, WA 98155
Attn: Planning and Building Department

Questions?

For more information, please contact the Planning Department
aplanner@cityoflfp.com
206-957-2837

Access to Information

Electronic versions of all forms, permits, applications, and codes are available on the Lake Forest Park website:
http://www.cityoflfp.com/
Paper copies of all of the above are available at City Hall:
17425 Ballinger Way Northeast, Lake forest Park, WA 98155
206-368-5440

Instructions for application:

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.

A. Background

1. Proposed Project:

2. Date checklist prepared: March 19, 2024

3. Agency requesting checklist: City of Lake Forest Park

4. Proposed timing or schedule (including phasing, if applicable): Summer 2024

5. Do you have any plans for future additions, expansion or further activity related to or connected with proposal? If yes, please explain. No — APPLIED FOR RUE

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

   The site has steep slopes, a stream and associated stream and slope buffers; THEY ENCUMBER THE ENTIRE PROPERTY

7. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain: No

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

   RUE, building permit, grading permit, ROW PERMIT

9. Give a 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.

   Construction of a new SFR with an 1,100 sf footprint; associated access/utility improvement CRITICAL AREA MITIGATION, STORMWATER SYSTEM

10. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address. 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. 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.

parcel number: 4022900497; just off of NE 205 ST at the northern city line

B. Environmental Elements

1. Earth

a.) General description of the site (circle one)
Flat Rolling Hilly Steep Slopes Mountainous Other slopes

b.) What is the steepest slope on the site, and its approximate percent slope?
roughly 70% (WESTERN PORTION OF SITE)

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

unknown

d.) Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe
No / FREQUENTLY FLOODED AREAS

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

excavation to construct footprint and driveway and storm improvements

f.) Could erosion occur as a result of clearing, construction, or use? If so, generally describe
Yes potential for erosion exists; BMPs will be during construction / BMPS FOR EROSION CONTROL

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

approximately 1,500 sf

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

general BMPs

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

exhaust from construction equipment;

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:

minimize to the extent feasible the use of heavy equipment

3. Water

a.) Surface water

i. 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.

Yes; LYON CREEK IS PIPED AND FLOWS THROUGH THIS SITE.

yes, storm drains and a stream exist

ii. 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

yes, work will occur in the stream's buffer

iii. 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

the eastern portion of the site will be graded; fill not yet known; THE RUE & SEPA SUPPORT A PROPOSED SITE LAYOUT.

iv. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known No

the least amount of impact is planned for surface waters

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

No

vi. 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

i. 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

ii. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing 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 N/A

c.) Water Runoff (including stormwater)

i. 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 THE PROJECT HAS PERFORMED A DRAINAGE ANALYSIS AND THE SYSTEM HAS BEEN DESIGNED TO COMPLY W/ THE KING COUNTY STORM WATER MANUEL.
A stormwater system that complies with the standards will be installed

ii. Could waste materials enter ground or surface waters? If so, generally describe
No

iii. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe
No

none anticipated with the storm system installed

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

A stormwater system using infiltration will be installed per stormwater standards

4. Plants

a) Check the types of vegetation found on the site:

- [x] Deciduous tree: alder, maple, aspen, other
- [ ] Evergreen tree: fir, cedar, pine, other
- [x] Shrubs
- [ ] Grass
- [ ] Pasture
- [ ] Crop or grain
- [ ] Orchards, vineyards or other permanent crops.
- [ ] Wet soil 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?

only tree removal necessary to construct the residence and access ; TREES ARE GENERALLY IN POOR HEALTH; QUANTITY OF SIGNIFICANT TREES IS LOW.

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

n/a

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

A significant amount of buffer mitigation is proposed for the site ; THE MITIGATION AS DESIGNED WILL INCREASE STREAM BUFFER FUNCTION.

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

n/a

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. (I.e. any birds, fish, mammals, specifics if possible)

n/a

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

n/a

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

n/a

d) Proposed measures to preserve or enhance wildlife, if any

n/a

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

n/a

6. Energy & 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.

it is anticipated that natural gas will be used with electricity as well

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:

energy code requirements will be used / STRUCTURE WILL BE REQ'D TO COMPLY W/ ENERGY CODE STANDARDS.

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

n/a

b) Describe any known or possible contamination at the site from present or past uses

n/a

c) 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

n/a

d) 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

n/a

e) Describe special emergency services that might be required

general emergency services from fire/police etc...

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

n/a

8. Noise

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

Traffic noise is present, but not thought to affect the project

b) 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.

short-term; non-permanent noises shall occur as a result of construction EQUIPMENT

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

observing hours for construction in LFP city limits

9. Land & 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 vacant and adjacent to single family uses; the proposed use is similar

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 non-farm or non-forest use?

no.

c) 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

d) Describe any structures on the site.

n/a

e) Will any structures be demolished? If so, what?

n/a

f) What is the current zoning classification of the site?

RS 9.6

g) What is the current comprehensive plan designation of the site?

Residential Mod/High

h) If applicable, what is the current shoreline master program designation of the site?

n/a

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

Yes

steep slopes and a stream/buffer is present

j) Approximately how many people would reside or work in the completed project?

a single family

k) Approximately how many people would the completed project displace?

n/a

l) Proposed measures to avoid or reduce displacement impacts, if any:

n/a

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

The new home will be designed to fit in with the existing neighborhood

THE PROPOSED STRUCTURE HAS BEEN DESIGNED TO INTEGRATE INTO EXISTING NEIGHBORHOOD.

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

n/a

10. Housing

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

one

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

n/a

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

mitigation for impacts to critical areas are planned

11. Aesthetics

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

30-feet is the height limit in this zone, although a home design has not been finalized

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

n/a

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

n/a

12. Light & Glare

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

lighting for typical residential unit

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?

street lighting, but not thought to affect proposal

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

attempts to keep light produced on the property will be made

13. Recreation

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

parks

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:

n/a

14. Historic & 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 No

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

No

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.

If any evidence is found, construction will stop to assess the conditions; APPROPRIATE AGENCIES AND TRIBES WILL BE NOTIFIED.

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.

ONLY AREA REQ'D TO CONSTRUCT THE RESIDENCE & ACCESS WILL BE DISTURBED.

Only the minimum amount of area will be disturbed for the construction process

15. 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

the site is served by public streets; NE 205 ST and 37 AVE 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? No

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

Two additional for the garage; none displaced

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 Yes

new water service is anticipated; certificates of water availability have been secured FROM THE LOCAL WATER PROVIDER.

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 non-passenger vehicles). What data or transportation models were used to make these estimates?

Unknown, but it is not anticipated to be more than a typical new SFR

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:

we proposed to use concrete that will absorb water in the driveway - PERVIOUS CONCRETE DRIVEWAY IS PLANNED.

16. 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

Yes

it is anticipated that fire and police services will be utilized

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

n/a

17. Utilities

a. Circle utilities currently available at the site:

electricity - natural gas - water - refuse service - telephone - sanitary sewer - septic system - other all

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.

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 mal

Signature: Mark J. Garey

Name of sig Mark Garey

Position and Agency/Organization: Property Owner

Date Submitted: 3/20/2024

D. Supplemental Sheet for Non Project Actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented.

Respond briefly and in general terms

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life? Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources? Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities? Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.