

EVERETT SCHOOL DISTRICT NO. 2  
RESOLUTION NO. 469

A Resolution of the Board of Directors (the "Board") of the Everett School District No. 2 (the "District") to construct Middle School No. 5, and to implement certain mitigation measures in accordance with the State Environmental Policy Act ("SEPA").

WHEREAS the Board has considered the need to construct a fifth middle school ("Middle School No. 5") on a 61-acre site located at the east terminus of 156th Street SE, south of the Silver Firs area;

WHEREAS the District has prepared an environmental impact statement ("EIS") with respect to the construction of Middle School No. 5 (the "Proposed Action"); and

WHEREAS the Board has fully reviewed and considered the impacts of the Proposed Action, alternatives thereto, and the mitigation measures described in the EIS;

NOW THEREFORE BE IT RESOLVED that:

**1. Findings of Fact**

The Board make, and hereby makes, the following findings of fact with respect to the construction of Middle School No. 5:

- A. The District's anticipated enrollment of middle school students will exceed the current capacity of the District in 1993.
- B. The Proposed Action is to construct a new middle school on approximately 19.2 acres of the 61 acre site. The Proposed Action will include (i) approximately 95,000 square feet of building space for classrooms, offices, learning resource center, gymnasium, kitchen and a cafeteria; (ii) tennis courts, ball fields, a multi-use field, an activity shelter, play areas, and related facilities; and (iii) one primary point of vehicular access, an emergency access, and an internal system of roads, walkways, parking and loading areas. EIS at 1-4.
- C. The EIS identifies a range of environmental impacts, diverse in kind and severity, which could occur as a result of the Proposed Action. Such impacts include:
  - (1) With respect to earth, the Proposed Action will change the topography of the site, will require the removal of some organic soils and the import of approximately 37,700 cubic yards of fill material, and construction activities could lead to soil



erosion and sedimentation without appropriate erosion controls. EIS at 29-33.

- (2) With respect to surface water, the Proposed Action will affect both the volume and pattern of surface runoff, and could affect water quality without appropriate controls. EIS at 36-51.
  - (3) With respect to wetlands, the Proposed Action will convert 0.07 acres of wetland into developed area. EIS at 46.
  - (4) With respect to ground water, the potential for direct, deep infiltration appears to be low for much of the site as the till soils are relatively impermeable and recharge from surface water is seasonal. Groundwater impacts from the Proposed Action may be controlled by biofiltration swales, structural controls, proper management measures, and by retaining native vegetation. EIS at 46-47.
  - (5) With respect to plants and animals, the Proposed Action will remove or alter portions of existing vegetation on the site, eliminate some wildlife habitat and cause mortality or dispersal of some existing wildlife populations. EIS at 52-62.
  - (6) With respect to noise, the Proposed Action will result in noise from site generated activities, traffic and construction activities. EIS at 65-74.
  - (7) With respect to land use, the Proposed Action will convert a portion of the undeveloped 61-acre site into a school campus, require a height variance, and could result in impacts on steep slope areas if appropriate controls are not implemented. EIS at 83-84.
  - (8) With respect to on-site transportation, the Proposed Action could result in pedestrian/vehicular conflict without appropriate controls. EIS at 97-134.
- D. To the extent any one or more of the impacts identified in Finding C are significant adverse environmental impacts, reasonable mitigation measures are sufficient to mitigate the identified impact.
- E. The EIS identifies licenses, permits, and other approvals required for construction of Middle School No. 5, which list includes, but is not limited to, a Conditional Use Permit from Snohomish County. In connection with its review of the District's Conditional Use Permit application, the Snohomish County staff has recommended certain conditions. A list of such recommended conditions, as understood by the District, is attached hereto as Exhibit A.



- F. The Board has previously adopted Board Policy No. 9280, which establishes, in Section 7.23, policies to be considered by the Board in connection with the exercise of substantive SEPA authority.

## **2. Conclusions**

The Board make, and hereby makes, the following conclusions based upon the foregoing findings of fact:

- A. The Board concludes that the District must build a new middle school in order to meet enrollment expectations for the 1993 school year and beyond.
- B. In consideration of the District's educational needs and in furtherance of the District's SEPA policies (Sections 7.231 and 7.232), the Board concludes that the District must proceed with the Proposed Action.
- C. Pursuant to WAC 197-11-660(1)(e), in determining mitigation to be implemented in connection with the Proposed Action, the Board must consider whether local, state or federal requirements would mitigate an identified significant impact. For purposes of this Resolution No. 469, the Board concludes that the conditions identified in Finding E will be imposed by Snohomish County and corresponding impacts identified in the EIS will be fully mitigated thereby; however, the Board recognizes that Snohomish County is not bound by the referenced staff recommendations. Therefore, if the conditions imposed by the appropriate authority for Snohomish County differ from those identified in Finding E, the Board may consider the need (if any) to implement additional mitigation for the Proposed Action.
- D. The EIS recommends mitigation measures for a full range of identified potential impacts of the Proposed Action. Measures are authorized, in accordance with WAC 197-11-660, to mitigate significant adverse environmental impacts. WAC 197-11-660 also authorizes voluntary mitigation in instances where the severity of the impact would not otherwise support the imposition of mitigation. Therefore, as may be necessary to mitigate any significant adverse environmental impacts or as voluntary mitigation, the Board concludes that the District shall implement the following measures:
- (1) With respect to earth and in consideration of the District's SEPA policies (Sections 7.234, 7.235, 7.237 and 7.238), the District shall:
    - utilize as much natural topography and ground cover as is reasonably possible in the development of the site;



- leave as much undisturbed vegetation along drainage swales and wet depressions as is reasonably possible;
  - stockpile topsoil and organic matter (away from slopes) from the grading operation for later resspreading over exposed soils to provide a medium for revegetation;
  - protect stockpiled soils with temporary seeding or covering;
  - minimize, to the extent reasonably possible, the interval between site clearing and grading, and permanent revegetation activities;
  - provide temporary sedimentation ponds to collect silt;
  - provide filter fabric fences to control off-site erosion;
  - implement an approved grading/drainage plan (including a temporary erosion and sedimentation control plan); and
  - maintain erosion control facilities.
- (2) With respect to surface water and in consideration of the District's SEPA policies (Sections 7.234, 7.235, 7.237 and 7.238), the District shall:
- implement an approved drainage control plan incorporating control of increased storm water runoff and non-point pollutants (including some retention of native vegetation, biofiltration swales, structural controls and proper management measures); and
  - provide detention designs for Basins A, B, and C that would include: for Basin A, conveyance of development storm water to a two-cell wet pond for pretreatment of the water; for Basin B, detention storage provided by a combination of closed and open systems; and for Basin C, a small back-up storage pond along the south property line.
- (3) With respect to wetlands and in consideration of the District's SEPA policies (Sections 7.234, 7.235, 7.237 and 7.238), the District shall:



- provide a fifty-foot buffer around Wetland C and place Wetland C and its buffer in a Native Growth Protection Area (NGPA);
  - establish a NGPA on the southeastern corner of the site, associated with the intermittent drainage channel and easterly sloped area, as mitigation for the removal of Wetland D (0.07 acres); and
  - not disturb Wetlands A and B in connection with construction of the middle school.
- (4) With respect to ground water and in consideration of the District's SEPA policies (Sections 7.234, 7.235, 7.237 and 7.238), the District shall:
- limit removal of existing vegetation, to the extent reasonably possible, to construction areas and re-vegetate the site as soon as reasonably possible after construction;
  - limit construction of impervious surfaces in the northwest portion of the site to roadway and utility placement;
  - implement erosion and sedimentation control plans and implement the proposed drainage plan;
  - implement measures to direct all surface water away from sloped areas during construction;
  - connect permanent, post-construction drain outlets to the storm drainage system, and slope and grade impermeable surfaces to avoid sheet wash onto the sloped areas;
  - implement measures to ensure that all surface and subsurface drainage used during and after construction are controlled and tightlined away from slope faces to the drainage system for the site, and that no drains outlet at the top, or on the face, of a slope; and
  - perform a soils analysis of the soils in the proposed detention pond locations to develop specific construction plan details for the site.
- (5) With respect to plants and animals and in consideration of the District's SEPA policies (Sections 7.234, 7.235, 7.237 and 7.238), the District shall:



- leave as much of the site as is reasonably possible in its natural state, preserve Wetland C with a fifty-foot vegetative buffer in an NGPA, and place the southeast portion of the site into a NGPA, to provide habitat for site species; and
  - provide a minimum fifty-foot buffer around the perimeter of the site, except that if an additional 30 feet of right-of-way is required by public works, the buffer along the southern boundary of the site may be reduced to 20 feet.
- (6) With respect to noise and in consideration of the District's SEPA policies (Sections 7.234, 7.235, 7.237, 7.238 and 7.2310), the District shall:
- for site generated noise, install and/or retain plantings along the property line to help provide noise attenuation;
  - for traffic noise, support proposals from Snohomish County to reduce speeds on the site and adjacent roadways, as reducing the speed limit could result in a reduction in traffic noise levels; and
  - for construction noise, request that the construction contractor take reasonable steps to reduce noise during working hours; such steps may include any one or more of the following:
    - a. use mufflers and other sound suppressing devices;
    - b. shut off idling equipment;
    - c. use portable sound barriers around noisy operations; and
    - d. route construction traffic along the PUD right-of-way.
- (7) With respect to land use and in consideration of the District's SEPA policies (Sections 7.231, 7.232, 7.234, 7.235, 7.237 and 7.238), the District shall:
- limit development on steep slopes;
  - retain or replant native vegetation where reasonably possible, and provide a minimum fifty-foot buffer around the perimeter of the site (except that the buffer may be reduced to



20 feet along the southern border of the site if the County needs to expand its right-of-way to the south of the site); and

- locate buildings as proposed so as to minimize affect on surrounding development and to keep site development out of sloped areas.
- (8) With respect to on-site transportation and in consideration of the District's SEPA policies (Sections 7.234, 7.235, and 7.238), the District shall:
- construct private access road connection to Silver Firs Drive, and an emergency access connection to 156th Street SE;
  - construct internal intersections and all parking lot entrances to safely accommodate two-way operations by school buses;
  - construct pavement transition section near the north site boundary to match proposed street section for Silver Firs Drive;
  - provide separate bus loading and parent drop-off/parking areas at the middle school entrance to minimize conflicts between school buses and parent traffic;
  - provide on-site paved parking for 179 spaces at the middle school with 60 more spaces (bus loading area) available p.m. event parking;
  - provide a concrete sidewalk or asphalt walkway along one side of all access drives, to safely accommodate pedestrians and bicyclists on the site;
  - provide appropriate pedestrian crosswalks near Silver Firs Drive access onto school property and mark them per MUTCD standards; and
  - provide a 20-foot minimum width access road along the perimeter of the middle school site for emergency vehicles and for access to staff parking areas at rear of school buildings.

### **3. Authorization**

Based upon the foregoing findings of fact and conclusions, the Board shall, and hereby does, authorize and direct the District Superintendent (or his or her designee), on behalf of the District, subject to and in accordance with



all applicable law, to proceed with the Proposed Action on the condition that the mitigation measures identified above are implemented.

ADOPTED this 16 day of March, 1992

By:

R. Peter  
President

By:

Sam M. Conner  
Director

By:

Paul B. Bordin  
Director

By:

Charles E. Betts  
Director

By:

Shirley Anderson  
Director

ATTEST:

Paul Sjunnesen  
Dr. Paul Sjunnesen,  
Superintendent and  
Secretary for the Board



## EXHIBIT A

1. The applicant shall make (under protest) a payment of \$109,280 for impacts on road system capacity in TSA "D". This is to be reduced by the value of right-of-way dedicated by the developer.
  2. The applicant shall dedicate 30 feet of additional right-of-way along the subject property frontage on 160th Street S.E. to provide for future road needs.
  3. The applicant shall construct an emergency vehicle access to the site from 156th Street S.E. meeting the requirements of the Fire Marshall.
  4. Site access to Silver Firs Drive shall be constructed to match the urban standard improvements proposed on that roadway and shall provide pedestrian access from Silver Firs Drive to the school buildings.
  5. Silver Firs Drive in the plat of Silver Firs Sector 3, Division 6A must be constructed and accepted by the county prior to the issuance of occupancy permits; provided, however, if for any reason such work is not completed in a timely manner to the county's satisfaction, the county shall cooperate with the District in any effort the District may undertake to secure completion of such work.
  6. Prior to the initiation of any site work and/or prior to issuance of any development/construction permits by the county:
    - a. A detailed drainage plan, including a Temporary Erosion and Sedimentation Control Plan (TESCP), shall have been submitted and approved pursuant to Chapter 24.16 SCC and as amended by Ordinance 87-09j5. Biofiltration shall be incorporated into the drainage discharge facilities.
    - b. A grading permit issued pursuant to Title 17 SCC and Chapter 70 UBC shall have been obtained for any on-site grading which is not expressly exempted by Section 7003 UBC, as amended by Ordinance 87-029.
    - c. At the sole discretion of Community Development Division, limited site work may be allowed prior to fulfillment of condition a and b above, if and only if a grading permit and TESCP have first been approved by the county for the limited site work. Any approved grading permit and TESCP for the site work must be consistent with any and all clearing limitations and/or plans imposed and/or required herein.
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- d. A detailed landscaping/buffer plan shall be submitted to the Planning Department.
  7. All site development work must comply with the recommendations of:
    - a. an approved grading permit.
    - b. an approved clearing plan by the Planning Department.
    - c. a detailed drainage plan approved pursuant to Chapter 24.12 SCC.
    - d. mandatory and special drainage requirements of Chapter 24.20 SCC.
    - e. a biofiltration system.
    - f. a hydraulic projects approval (HPA) for discharging of stormwater to Little Bear Creek or provide a copy of a letter from Washington State Department of Fisheries stating that an HPA is not necessary for the site discharge.
  8. The applicant shall establish and maintain a 50 foot buffer along all perimeters except to the south where additional right-of-way is required by Snohomish County. The buffer then may be revised to 20 feet from a 60 foot right-of-way.
  9. The areas to be left as Native Growth Protection Areas (N.G.P.A.) shall be clearly delineated on the site plan and a note shall be placed on the face of the site plan which reads as follows:

"No clearing, grading, filling or construction of any kind shall be permitted within the "Native Growth Protection Areas" except for necessary utility installations. Removal of trees by the property owner shall be limited to those which are dead, diseased or hazardous."
  10. The outlet to the proposed detention pond in Wetland "C" shall be shown on the site plan and be made part of the N.G.P.A.
  11. A Land Use Permit Binder, shall be recorded with the Snohomish County Auditor and a copy of said recorded document submitted to Planning Department for inclusion within the case record prior to initiation of any site work.
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