

PRESS RELEASE

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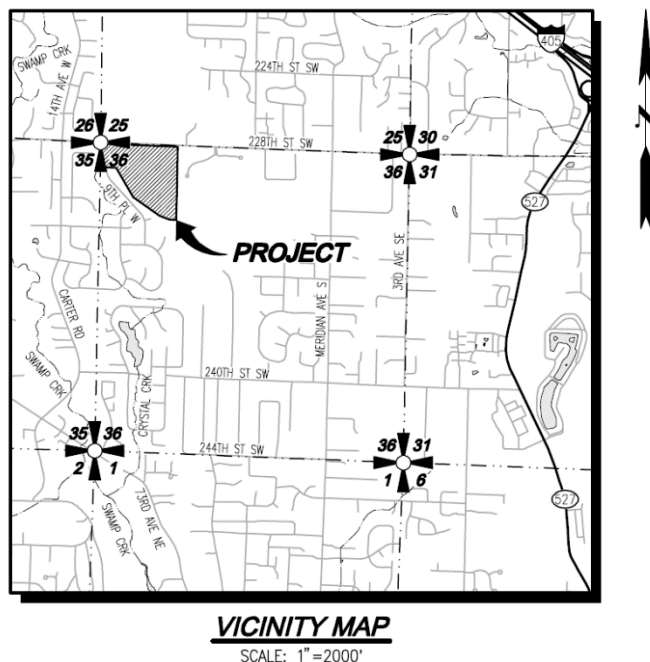
On April 24, 2024 the Eastglen Homeowners Association and SaveBothell, a non-profit local environmental group filed a Land Use Petition Act (LUPA) lawsuit in Snohomish County Superior Court seeking to reverse Snohomish County’s approval of a code waiver denying protection to sensitive, high value wetlands on Eastglen’s property.

Developer Northpoint 228TH Apartments, a Delaware Limited Liability Company out of Missouri, seeks to construct eight, five-story apartment buildings with a total of 544 residential dwelling units at former Fruhling aggregate mine at 1010—228th Street SW, Bothell in unincorporated Snohomish County. Under Fruhling’s operations, thousands of cubic yards of waste soil was brought in to fill in the excavated mine pit. Northpoint purchased the property from Fruhling in July, 2021. The composition and suitability of this soil is questionable and organic materials decomposing in the soil continues to generate explosive levels of dangerous methane gas that resulted in an onsite methane explosion in September, 2021 injuring one worker.

According to William Lider, a local Lynnwood professional civil engineer, Northpoint incorrectly modeled the stormwater runoff at the site by identifying the existing soil as glacier till or hard pan, making it erroneously appear that the stormwater is not infiltrating into the soil that would help to maintain the seasonal water levels in Eastglen’s wetlands. According to Lider, the County is required to measure and monitor the water levels in Eastglen’s wetlands for a period of one year to confirm compliance with the County’s Drainage Manual. Eastglen has offered site access to monitor their wetlands for the mandatory 1-year period, but Snohomish County and Northpoint have refused their offer due to the potential to identify unmitigated impacts to the Eastglen wetlands.

Instead Snohomish County issued a code modification eliminating the required protection to the wetlands. Under Snohomish County Code, PDS Director Mike McCrary’s decision cannot be administratively appealed and can only be appealed at the Superior Court level.

A preliminary hearing date has yet to be set.



NP 228TH APARTMENTS ADMINISTRATIVE SITE PLAN

