



SEPA ENVIRONMENTAL REVIEW STAFF REPORT

A. BACKGROUND

APPLICANT & APPLICATION NAME/NUMBER:

	PROPERTY OWNER:	APPLICANT	CITY STAFF CONTACT:
NAME:	Thomas Little	Ravnik & Associates	Development Services Department Contact: Marianne Manville-Ailles
ADDRESS:	101 N Sunset Dr. Camano Island, WA 98282	P.O. Box 361 Burlington, WA 98233	910 Cleveland Ave Mount Vernon, WA 98273
TELEPHONE:			(360) 336-6214

PROJECT DESCRIPTION: The proposal seeks to redevelop a parcel to construct a 57,500 square foot commercial building and associated site improvements. The proponents intend to develop the area in two phases. Phase I will include site preparation and utility improvements. Phase II will involve construction of the building itself along with loading docks and pedestrian walkways. The site is located within the 100-year floodplain and designated as an A02 flood zone. No wetlands, streams, or critical area buffers were identified on the project site.

The Cedardale Road right-of-way adjoining the project will require widening. Frontage improvements including curb, gutter, sidewalk, catch basins, and 12" diameter storm pipe may be required to Hickox Road. An estimated 700 linear feet of up to 12-inch water main will need to be upgraded in Hickox Road. An estimated 7,900 cubic yards (cy) of material will be cut and an estimated 29,000 cy of material will be imported for structural fill. In addition to the fill, an estimated 4,100 cubic yards of crushed rock and asphalt will be used to complete the surfacing on-site.

PROJECT LOCATION: The project site is addressed as 1005 E Hickox road and is identified by the Skagit County Assessor as parcels P29588, P29364, and a portion of P29353 that are located within the SW ¼ of Section 32, Township 34 North, Range 04 East, W.M.

B. RECOMMENDATION

Based on analysis of probable impacts from the proposal, the Responsible Official has made the following Environmental Determination:

DETERMINATION OF NON-SIGNIFICANCE	
<input type="checkbox"/>	Issue DNS with a 10 day Appeal Period.

DETERMINATION OF NON - SIGNIFICANCE - MITIGATED.	
<input checked="" type="checkbox"/>	Issue DNS-M with a 10 day Appeal Period.
<input type="checkbox"/>	Issue DNS-M with 14 day Comment Period followed by a 10 day Appeal Period.

C. SEPA PROCESS TIMELINE

Benchmark:	Date:	Authority:
Application Submitted	August 7, 2019	MVMC 14.05.110(C)(1) to (3)
Application Deemed Technically Complete	August 23, 2019	MVMC 14.05.110(D) RCW 36.70B.070
NOA/Optional MDNS Issued	October 7, 2019	MVMC 14.05.150(A) RCW 36.70B.110 WAC 197-11-355
NOA/Optional MDNS Comment Period Ended	October 24, 2019	MVMC 15.06.120 WAC 197-11-355 RCW 43.21C.110
MDNS Issued with Appeal Period – Accompanied by Environmental Report	December 2, 2019	MVMC 15.06.215 WAC 197-11-355(4)

D. MITIGATION MEASURES

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158.

The following conditions have been identified that will be used to mitigate the impacts of the proposal¹:

1. The applicant must submit a completed Biological Opinion Checklist to the satisfaction of the Development Services Department documenting that the project does not have an adverse effect on endangered species or their critical habitat prior to any permits authorizing land disturbing activities being issued.
2. An Historic Property Inventory must be completed and submitted to DAHP for the barn, attached wood shed and detached storage shed, prior to their demolition.
3. The proposed project may proceed as planned with a Unanticipated Discoveries Protocol (UDP) training for all construction personnel prior to any hand or machine digging.
4. A copy of the Unanticipated Discoveries Protocol (UDP) contained as Appendix 3 of the approved Cultural Resources Report must be on site at all times.
5. In the event that any ground-disturbing activities or other project activities related to this development or in any future development uncover protected cultural material (e.g., bones, shell, stone or antler tools), all work in the immediate vicinity must stop, the area must be secured, and any equipment moved to a safe distance away from the location. The on-site superintendent must then follow the steps specified in the UDP.
6. In the event that any ground-disturbing activities or other project activities related to this development or in any future development uncover human remains, all work in the immediate vicinity must stop, the area must be secured, and any equipment moved to a safe distance away from the location. The on-site superintendent must then follow the steps specified in the UDP.

¹ These SEPA mitigation measures (conditions) are in addition to conditions and/or mitigation measures that will be applied through the City's existing development regulations.

ADVISORY NOTES TO APPLICANT

The following notes are supplemental information provided in conjunction with the environmental determination. Because these notes are provided as information only, they are not subject to the appeal process for environmental determinations.

E. ENVIRONMENTAL IMPACTS AND MITIGATION

In compliance with RCW 43.21C. 240, project environmental review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

1. EARTH

Impacts: Grading activities: the first phase of the project is pre-loading the site. The pre-loading phase will consist of 7,900 cubic yards of excavation and 29,000 cubic yards of fill.

Mitigation Measures: Listed within the applicant's environmental checklist as well as required compliance with the City's existing standards and regulations for land disturbing. Construction best management practices will be utilized to minimize potential impacts from earthwork grading and clearing on the site.

The applicant's contractor(s) will be required to comply with the City's code requirements related to stormwater runoff and site grading.

Nexus: MVMC Chapters 13.33 (Storm Water Drainage Utility), 15.04 (Building Code), 15.16 (Grading, Excavation and Fill), 15.18 (Land Clearing), and Mount Vernon Engineering Standards.

2. STORMWATER

Impacts: The majority of developed surface runoff waters are to be infiltrated into the ground as identified in the drainage summary report prepared for this project. Any stormwater leaving the site will be directed to the existing storm drainage network at the intersection of Cedardale Road and Hickox Road, which will convey runoff waters downhill to the west for a distance of approximately 560 feet where the runoff waters will enter the Maddox Creek drainage system. Temporary erosion protection may be necessary to reduce sedimentation transport until vegetation is established or permanent surfacing is applied.

Mitigation Measures: Listed within the applicant's environmental checklist, detailed within their Stormwater Analysis prepared by a licensed Professional Engineer, shown on their construction plans, and the mitigation measures outlined with this MDNS. In addition, the applicant will comply with City, State and Federal regulations. Runoff during construction will be handled in conformance with the City's regulations and standards.

Nexus: MVMC Chapters 13.33 (Storm Water Drainage Utility), 15.16 (Grading, Excavation and Fill), and Mount Vernon Engineering Standards.

3. CULTURAL RESOURCES

Impacts: At the request of the Washington Department of Archaeology and Historic Preservation (DAHP) an archaeological inventory for the site was prepared. This was based on the professional opinion of DAHP that the project area had the potential to contain archaeological resources. The project is located in an area determined to be of high to very high risk of containing precontact archaeological resources according to the DAHP predictive model. In addition, the former presence of multiple historical period buildings on the property increases the likelihood that historical period artifacts and features may be located on the property. In addition, this area of south Mount Vernon is known to be of cultural and historic significance to local Tribes. No protected cultural resources were identified during the field work. The archeological consultant suggested a series of management recommendations that have been included as mitigation measures.

Mitigation Measures: Detailed in the Cultural Resources report prepared by ERCI (copy on file at City of Mount Vernon). The recommendations have been included in the Mitigation Measures identified in Section D above.

Nexus: The State Environmental Policy Act (SEPA) requires that all major actions sponsored, funded, permitted, or approved by state and/or local agencies undergo planning to ensure environmental considerations such as impacts on historic and cultural resources are given due weight in decision-making. State implementing regulations are in WAC 197-11 and WAC 468-12 (WSDOT). For details on SEPA procedures see Chapter 400.

4. TRAFFIC

Impacts: an estimated 36 new PM peak hour traffic trips will be generated from the proposed project. There will also be construction related traffic that will occur as this site is being developed. The proposal will provide a total of 70 parking spaces. The proposed parking is adequate to serve the peak parking demand.

Mitigation Measures: Included in the applicant's SEPA checklist and the Transportation Concurrency report prepared by TSI (copy attached to this report).

Nexus: MVMC Title 12, Chapter 14.10 (Concurrency Management), Chapter 3.40 (Impact Fees), 15.16 (Grading, Excavation and Fill), 16.16 (Design Standards for Non-arterial Streets) and Mount Vernon Engineering Standards.

F. CITY & AGENCY COMMENTS

The proposal has been circulated internally to applicable City Departments and to all of the following agencies, districts, utility companies and tribes: WA State Department of Ecology, Federal Army Corps of Engineers, WA State Department of Commerce, Cascade Natural Gas, WA State Department of Fish and Wildlife, WA State Department of Natural Resources, WA State Department of Transportation, WA State Department of Archeology and Historic Preservation, NW Clean Air Agency, Skagit Council of Governments, Port of Skagit County, Skagit County Planning and Development Services, Samish Tribe, Skagit River System Cooperative, Skagit River Systems, Skagit Valley College, Skagit Transit, Swinomish Tribe, Upper Skagit Tribe, Frontier, Frontier Northwest, Puget Sound Energy, Public Utility District #1, and the Dike and Drainage Districts the subject site is located within.

Copies of all Comments are contained in the Official File

Copies of Comments received from City Staff and Agencies are attached to this report

Following is a list of the comments received from City Staff and Agencies:

- Engineering email dated 2-7-2019—Building permit required.
- Fire email dated 2-4-2019—No comments.
- Letter from Department of Ecology SEPA Coordinator date May 3, 2019—information regarding proximity to contaminated properties.

G. ENVIRONMENTAL DETERMINATION COMMENT & APPEAL PROCESS

The City is using its discretion under WAC 173-11-355(4) to issue a MDNS with a 10-day appeal period. Appeals of the environmental determination must be filed in writing on or before **5:00 PM on DECEMBER 16, 2019**. Appeals must be filed in writing together with the required \$100.00 application fee to: Hearing Examiner, City of Mount Vernon, 910 Cleveland Ave, Mount Vernon, WA 98273.

Appeals to the Examiner are governed by City of Mount Vernon Municipal Code Section 15.06.215. Additional information regarding the appeal process may be obtained from the City of Mount Vernon Development Services Department by calling (306)336-6214.