



SEPA ENVIRONMENTAL REVIEW STAFF REPORT

A. BACKGROUND

APPLICANT & APPLICATION NAME/NUMBER: 1835 Riverside SEPA Review PL19-005

	PROPERTY OWNER:	APPLICANT	CITY STAFF CONTACT:
NAME:	Eddie Hansen E & R Management	J.P. Slagle Freeland & Associates, INC.	Development Services Department Contact: Marianne Manville-Ailles
ADDRESS:	2351 Northshore Road Bellingham, WA 98226	220 West Champion Street; Suite 200 Bellingham, WA 98225	910 Cleveland Ave Mount Vernon, WA 98273
TELEPHONE:			(360) 336-6214

PROJECT DESCRIPTION: The proposal is a two phased project. Phase 1 is the pre-loading of the site in preparation for construction. The pre-loading phase will consist of 400 cubic yards of excavation and 1,200 cubic yards of fill. Phase 2 is the construction of an 8,500 square foot commercial building with associated utilities and a driveway on the west side of the new building connecting to Commercial Street.

PROJECT LOCATION: The project site is addressed as 1835 Riverside Drive and is identified by the Skagit County Assessor as parcels P104774, P26188, and P26267 that are located within the NE ¼ of Section 18, 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	January 4, 2019	MVMC 14.05.110(C)(1) to (3)
Application Deemed Technically Complete	February 14, 2019	MVMC 14.05.110(D) RCW 36.70B.070
NOA/Optional MDNS Issued	April 18, 2019	MVMC 14.05.150(A) RCW 36.70B.110 WAC 197-11-355
NOA/Optional MDNS Comment Period Ended	May 6, 2019	MVMC 15.06.120 WAC 197-11-355 RCW 43.21C.110
MDNS Issued with Appeal Period – Accompanied by Environmental Report	May 23, 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. Install 2 evenly spaced monitoring plates on prepared fill surface prior to placing pre-load fill.
2. Initial readings of settlement plates will be taken before and immediately after pre-load placement. Weekly readings will be taken for the duration of the pre-load period.
3. Protection of the settlement plates and measuring rods is critical. The contractor will need to exercise care to avoid damaging the rods.
4. Downspouts must be tight lined away from foundation.
5. Existing soils have high susceptibility to erosion when disturbed. Temporary erosion and sedimentation control are important. Best management practices must be incorporated as appropriate.
6. After stripping soils must be evaluated for structural suitability. If they are not suitable, over excavation and imports of structural fill may be required.
7. Permanent fill slopes are limited to 2H:1V.
8. The existing on-site soils are moisture sensitive and may become muddy during wet weather. Earthwork should be planned for drier summer months. In the event this is not practical, wet weather construction is subject to the following conditions:
 - a. Construction activities be scheduled so that the length of time that the soils are left exposed to moisture is reduced to the extent practical and limit the size of areas that are stripped of topsoil or asphalt pavement and left exposed.
 - b. The ground surface in and around the work area be sloped so that surface water is directed to a sump or discharge location. The ground surface be graded such that areas of ponded water do not develop.
 - c. Temporary sumps could be used to prevent water from ponding and damaging exposed subgrades in excavations.

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.

- d. The site soils should not be left uncompacted and exposed to moisture. Sealing the surficial soils by rolling with a smooth-drum roller prior to periods of precipitation will reduce the extent to which these soils become wet or unstable.
 - e. Limit construction traffic over unprotected soil and limit the size and type of construction equipment used.
9. Outdoor lighting must be shielded and directed downward.
 10. Signage must be added to the parking lot indicating that additional parking is available in the adjacent Safeway Parking lot. Shared parking is subject to the provisions of the shared parking agreement.
 11. Any person engaged in ground disturbing activity who encounters or discovers historical and/or archeological materials in or on the ground shall:
 - a. Immediately cease any activity which may cause further disturbance;
 - b. Make a reasonable effort to protect the area from further disturbance; and,
 - c. Report the presence and location of the material to the proper authorities in the most expeditious manner possible.

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 400 cubic yards of excavation and 1,200 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: Site stormwater will be collected in roof downspouts and catch basins and routed to the existing municipal stormwater system. The municipal stormwater facilities discharge directly to the Skagit River—a flow control exempt water body. The proposal creates less than 5,000 square feet of pollution-generating impervious surface and as such does not require stormwater treatment. Temporary erosion protection may be necessary to reduce sedimentation transport until vegetation is established or permanent surfacing is applied. Berms or other provisions will be installed along the top of the excavation to intercept surface runoff to reduce the potential for sloughing and erosion of cut slopes during wet weather.

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. TRAFFIC

Impacts: an estimated 88 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 56 parking spaces. The new uses will require a total of 63 spaces. The property has a shared parking agreement with Safeway where there is an excess of 65 spaces. Any additional parking required by the proposal can be provided in the adjacent Safeway parking lot.

Mitigation Measures: Compliance with the City's MVMC provisions. Signage indicating that additional parking is available in the adjacent Safeway parking lot.

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 JUNE 6, 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.