



REVISED MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

APPLICATION NAME & NUMBER: Preliminary Plat for Blackburn Village, PLAN19-0111

PROJECT DESCRIPTION: The Blackburn Village (previously named Iris Meadows) Preliminary Plat is comprised of 47 single-family detached residential lots, one stormwater pond tract, one wetland buffer tract, and three landscaping tracts over approximately 12.7 acres. The single family lots range in size from 6,600 to 16,654 square feet.

Approximately 2,608 linear feet of new public roads will be constructed, and 790± linear feet of road improvements will be made to East Blackburn Road spanning the frontage of the project site. Utilities will consist of 2,822± linear feet (lf) of 6- and 8-inch potable water lines, 3,200± lf of 8- and 15-inch sanitary sewer lines and structures, and 3,400± linear feet of 8-, 12- and 18-inch storm sewer conveyance lines. Dry utilities (power, cable, fiber, etc) will also be constructed/installed to serve the proposed residential development.

Approximately 9,900 cubic yards of material will be excavated from this site and approximately 8,800 cubic yards of fill material will be brought to the site.

Near the northwest corner of the site an approximate 15,000 square foot wetland exists; and there is an off-site wetland near the southeast corner of the site. The Applicant plans on purchasing wetland credits for the wetland near the NW corner of the site and is observing a 100-foot buffer from the wetland near the SE corner of the site.

PROJECT LOCATION: The Skagit County Assessor describes the site as parcels: P28019, P27975, P27965, P28018, P28021, and P27988; the site is located north of East Blackburn Road and northeast of Little Mountain Road within a portion of Section 28, Township 34 North, Range 04 East, W.M.

APPLICANT:	PROPERTY OWNER:
NORDCO Group LLC (Attn: Craig Cammock)	Same as Applicant
P.O. Box 37	
Bow, WA 98232	
(360) 336-1000	

STAFF CONTACT: Rebecca Lowell, Principal Planner
Development Services Department
City of Mount Vernon
910 Cleveland Avenue
Mount Vernon, WA 98273
(360) 336-6214

The City of Mount Vernon has revised its SEPA threshold mitigated determination of Non-Significance issued on June 15, 2007 in consideration of the following changes:

1. The Applicant will be purchasing wetland credits for the on-site wetland located at the northwest corner of the site instead of trying to mitigate potential impacts to this wetland. The 2007 mitigation measures #2, #7, and #8 no longer apply and have been removed.
2. Existing conditions topographic information has been submitted. The 2007 mitigation measure #9 has been satisfied and has been removed.
3. The Applicant has decided which road connection will be made; and as such, the 2007 mitigation measure #10 no longer applies and has been removed.
4. The Applicant will be connecting to South 30th Street which means that the 2007 mitigation measure #11 no longer applies and has been removed.
5. An updated Transportation Impact Fee has been adopted by the City; and as such, the 2007 mitigation measure #12 no longer applies and has been removed.
6. The Applicant has submitted information to the Public Works Department to justify not having to complete the sanitary sewer improvements outlined in the 2007 mitigation measure #14; and as such, it has been removed.

The project proposal has been changed in the below listed ways:

1. The number of lots has decreased from 58 to 47.
2. The Applicant has obtained rights to construct an extension of 30th Street that will serve the plat.
3. The on-site wetland was re-delineated and found to be larger than what existed as part of the 2007 preliminary plat approval. Instead of trying to mitigate impacts to this wetland the Applicant will be purchasing credits from a wetland mitigation bank.
4. The stormwater analysis has been redone resulting in a much larger on-site detention pond.

The City has reaffirmed that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This determination is based on the following findings and conclusions:

1. The above-listed mitigation measures adequately address potential impacts.
2. The Applicant has submitted the following technical reports as part of this new proposal: civil plans, Geotechnical Evaluation, Drainage Report, Traffic Concurrency Report, Archaeological Report, and Wetland Delineation Review and Update.

This "modified" MDNS is issued under WAC 197-11-340(2)(f) and does include additional notice and comment periods. The comment and appeal periods are listed near the end of this notice.

CONDITIONS BEING CONSIDERED TO MITIGATE ENVIRONMENTAL IMPACTS:

1. A truck route plan, indicating times of day and days of the week shall be submitted for review and approval by the City Engineer. Peak traffic hours during the A.M. (±7:00 – 9:00) and P.M. (±4:00 – 6:00) are to be avoided.
2. A copy of all permits required by agencies other than the City of Mount Vernon shall be submitted to the City prior to construction. The applicant shall consult with the following agencies to ascertain whether or not permits from these agencies are necessary: Federal Corps of Engineers, Washington State Department of Natural Resources, the Washington State Department of Ecology, and the Washington State Department of Fish & Wildlife. This is not an all-inclusive list of agencies that may regulate the activities proposed by the applicant. It is the applicant's sole responsibility to ensure that they are complying with all Federal, State and local permit requirements.
3. A detailed erosion control plan is required. Specific emphasis shall be placed on the construction entrance and the protection of existing streets, drainage systems, on-site critical areas and adjacent properties. The Best Management Practices (BMPs) found within the Stormwater Management Manual for Western Washington dated 2005, within Volume II, Chapter 4 shall be implemented on the site. The following erosion hazard mitigation measures shall also be implemented; however, if other measures are deemed necessary by the City they shall also be immediately implemented:

4. Wetland boundaries must be clearly marked with construction fencing in the field and then inspected by the City prior to commencing any construction activities, i.e. grading, installing utilities, etc. The flagged delineations must be maintained for the duration of the clearing and all construction activities.
5. Silt fencing shall be placed around the lower perimeter of the cleared areas. The fencing shall be regularly inspected and maintained as necessary to ensure proper function.
6. Site runoff shall be controlled by use of temporary drainage swales with rock check dams directed to temporary sediment and erosion control ponds. Construction entrances shall be stabilized with gravel pads to minimize tracking sediment off site.
7. Areas stripped of vegetation during construction shall be mulched and hydroseeded, replanted as soon as possible, or otherwise protected. During winter construction, hydroseeded areas shall be covered with clear plastic to facilitate grass growth.
8. Erosion control measures shall be immediately implemented for excavated soils that are stockpiled on the site, including but not limited to: covering the piles with plastic sheeting, the use of low stockpiles in flat areas and the use of straw bales/silt fences around pile perimeters.
9. Construction shall proceed during the drier periods of the year. Exceptions may be granted, in writing only, by the Engineering Services Manager and/or the Public Works Director.
10. A split rail fence shall be installed along all wetland boundaries and, in a prominent location, a wetland identification sign shall be placed every 150 feet or every platted lot, as applicable. Any proposed alternative to the split rail fence requirement shall be approved by the Community & Economic Development Director.
11. The current interior road design does not provide all of the plat lots with a secondary access point (on the current plat lots 1 to 34 do not have a second access point). The plat shall either be changed to include a code compliant secondary emergency vehicle access; or the future buildings on lots without two access points shall be required to install sprinkler systems.
12. East Blackburn Road along the project frontage (790± linear feet) shall be improved with a ¾ street improvement of a Minor Arterial. A ¾ street improvement consists of sidewalk, curb, gutter, all utilities, and appurtenances, and one-half of the ultimate pavement width on the development side of the right-of-way, plus a minimum 14-foot pavement width on the opposite side of the street. Additionally, the 390± linear foot portion of South 30th shall be improved with a ¾ street improvement of an Urban Collector.
13. The intersection of East Blackburn and Little Mountain Roads shall have traffic control measures installed and travel lanes reconfigured at the direction of the Engineering Services Manager.
14. Utility lines shall not be located within three feet of the 4-foot wide area where street trees will be installed.
15. An 8-foot wide sidewalk shall be installed on the east and south sides of Maddox Creek Road. This 8-foot wide sidewalk shall connect to an 8-foot wide paved trail in a 10-foot wide (minimum) tract that shall connect to East Blackburn Road. The portion of the future trail not within to-be dedicated right-of-way shall be dedicated for public access with the final plat.
16. This project includes improvements to 30th Street. All areas of 30th Street within the project shall be included in the drainage study; and the stormwater report submitted with the application shall be revised to include the project's complete drainage basin.
17. A perimeter drain shall be installed along the entire north side of the plat with the exception of the area to the north of the stormwater pond.
18. At any point during the first year following final plat approval the City's Engineering and/or Fire Departments shall be able to require that new traffic control signs be installed within the plat or adjacent to off-site road improvements that the plat was responsible for constructing if either department deems additional signs necessary. The applicant shall be responsible for installing the new traffic control signs within 30 days of an official request from the City to do so. To ensure that the new signs will be promptly installed, prior to final plat approval, the applicant shall provide the City with a financial security (bond, letter of credit, et cetera) in the amount of 150% of the actual cost for the existing traffic control signs and the cost of the installation of these signs.
19. The wetland buffer from the easterly adjoining property that extends onto the subject site shall be located within a separate tract and not be part of a residential lot. In addition, a split rail fence and wetland signage shall be placed along the landward edge of the wetland buffer area.
20. 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.

Comments on the Revised Mitigated Determination of Non-Significance (MDNS) must be submitted, in writing, no later than **OCTOBER 24, 2019**. Comments should be as specific as possible and include: your full name, your mailing address, and the name of the proposal you are commenting on. **PUBLIC COMMENTS ARE NOT ACCEPTED BY THE DEPARTMENT THROUGH EMAIL**. Comments submitted on paper are required to be mailed or delivered to the Development Services Department at the address listed above. Comments not meeting the requirements of this section are considered as not being received by the city.

Appeals of the environmental determination must be filed in writing on or before **NOVEMBER 4, 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 staff 'Contact Person' listed above; or by downloading a copy of the referenced MVMC at www.mountvernonwa.gov

Any person may comment on the application, receive notice and request a copy of the decision once it is made. To receive additional information regarding this project contact the Development Services Department and ask to become a party of record.

City staff has created a page on the City's website where the site plans, technical reports, and other pertinent information can be viewed. This webpage can be viewed as follows: navigate to: www.mountvernonwa.gov; once here click on 'Departments' then 'Development Services' then then 'News Notices' then scroll down the page to find the project name/number.

RESPONSIBLE PERSON: Rebecca S. Bradley-Lowell, Principal Planner



October 8, 2019

SIGNATURE

DATE

ISSUED: October 8, 2019

PUBLISHED: October 11, 2019

SENT TO: CORPS OF ENGINEERS, WA AGRICULTURE, DAHP, WA COMMERCE, WA CORRECTIONS, WA EFSEC, WDFW, WA HEALTH, DNR, STATE PARKS, PARKS COMMISSION, PSP, PSRC, WA DOT, DOE, DSHS, NW CLEAN AIR, SEPA REGISTER, SEPA UNIT, SKAT, COUNTY PDS, COUNTY ASSESSOR, DIKE AND DRAINAGE DISTRICT, SCOG, PORT OF SKAGIT, MVSD, SVC, SKAGIT COOP, SWINOMISH, UPPER SKAGIT, SAMISH, SAUK-SUIATTLE, TULALIP, AND STILLAGUAMISH TRIBES