



**NOTICE OF APPLICATION &
PROPOSED OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS)**

APPLICANT & APPLICATION NAME/NUMBER: PL18-033 Dike District #1 Seepage Berm Shoreline Exemption and SEPA Review

PROJECT DESCRIPTION: Dike District No. 1 operates a flood control levee along portions of now vacated Behrens-Millett Road. This proposal seeks to add approximately 1000 lineal feet of 15 foot wide rock seepage berm at the toe of the levee. A soil cap will be added over the rock widening the top of the levee to 20 feet across.

An estimated 6,697 cubic yards of fill is required for the project of which 2,843 will be rock and 3,854 will be soils. Stockpiling of soils is anticipated and will likely occur at the district maintenance facility on parcels P22515, P108418, P116028, and P108417.

An additional 1500 LF of seepage berm expansion is planned for the dike on parcels further west located outside the city limits for which permits will be obtained through Skagit County.

This site is located within a regulated floodplain within flood zones AO (Depth 3, Velocity 5 FPS). The site is accessed from the east off Behrens-Millet Road.

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.

PROJECT LOCATION: Site is located to the north of the Skagit River, west of Edgewater Park, in a portion of Government Lot 13, Section 19, T. 34 N, R. 4 E, W.M. The work will take place in easements across parcels P26638, P26397, and P26391.

APPLICANT:	MOUNT VERNON STAFF CONACT:
John Semrau	Rebecca Lowell, Principal Planner
Semrau Engineering	Development Services Department
2118 Riverside Drive #208	910 Cleveland Ave.
Mount Vernon, WA 98273	Mount Vernon, WA 98273
(360) 424-9566	(360) 336-6214

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS): As the Lead Agency, the City of Mount Vernon has determined that significant environmental impacts are unlikely to result from the proposed project. Therefore, as permitted under the RCW 43.21C.110, the City of Mount Vernon is using the Optional DNS process to give notice that a DNS is likely to be issued. Comment periods for the project and the proposed DNS are integrated into a single comment period. There will be no comment period following the issuance of the Threshold Determination of Non-Significance (DNS). A 10-day appeal period will follow the issuance of the DNS.

DETAILS:			
Permit Application Date:	January 29, 2018	Counter & Technically Complete:	February 8, 2018
Permits/Review Requested:	SEPA, Shoreline Exemption, and Fill & Grade	Other Permits that may be Required:	Bi-Op Compliance
CONSISTENCY OVERVIEW:			

Zoning:	Residential (R-1,7.0) Public (P)	Comprehensive Plan:	Single-Family High Density (SF-HI) Schools (SCH)
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Environmental Documents that Evaluate the Proposed Project:	Completed SEPA Checklist completed 01.18.2018; Site Plans and Associated Supporting Materials Provided by the applicant
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Development Regulations Used for Project Mitigation:	The project is subject to the City's SEPA Code, Critical Areas Ordinance, the Comprehensive Plan, Subdivision and Zoning Code, Drainage, Engineering and Concurrency Requirements and other applicable local, state and federal regulations as appropriate.
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Vicinity Map: Project parcels highlighted in yellow.



Comments on the Notice of Application and Proposed Determination of Non-Significance (DNS) must be submitted, in writing, no later than **5:00 p.m. on March 22, 2018**. Comments should be as specific as possible. 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.

ISSUED: March 6, 2018
PUBLISHED: March 9, 2018

SENT TO: Owners within 300 feet of the project site, applicant, property owner, CNG, WDFW, DNR, DIKE AND DRAINAGE DISTRICTS (as applicable), FRONTIER, FRONTIER NW, DAHP, NW CLEAN AIR AGENCY, PORT OF SKAGIT COUNTY, PSE, SAMISH TRIBE, SCOG, SKAGIT COUNTY PDS, PUD #1, SKAGIT RIVER SYSTEM COOPERATIVE, SKAGIT RIVER SYSTEMS, SVC, SKAT, SWINOMISH TRIBE, AND UPPER SKAGIT TRIBE



FINAL DETERMINATION OF NON-SIGNIFICANCE (DNS)

DATE: May 29, 2018

APPLICATION NAME/NUMBER: PL18-033 Dike District #1 Seepage Berm Shoreline Exemption and SEPA Review

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LEAD AGENCY: Mount Vernon Development Services Department, the lead agency for this proposal, has determined that this project does not have a probable adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency.

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.

ENVIRONMENTAL DETERMINATION APPEAL PROCESS: Appeals of the environmental determination must be filed in writing on or before 5:00 PM on **June 11, 2018** (10 days from the date of publication). 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 below.

The application and supporting documentation are available for review at the Development Services Department located at City Hall. Copies will be provided upon request at the cost of reproduction.

CONTACT PERSON: Rebecca Lowell, Senior Planner, Development Services Department, 910 Cleveland Ave; Mount Vernon WA 98273; 360-336-6214.

RESPONSIBLE PERSON: Rebecca Lowell, Senior Planner



SIGNATURE

May 29, 2018

DATE

ISSUED: May 29, 2018

PUBLISHED: June 1, 2018



SHORELINE EXEMPTION

DATE: May 31, 2018

FILE NUMBER/PROJECT: PL18-033 Dike District #1 Seepage Berm Shoreline Exemption

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ADDITIONAL PERMIT REQUIREMENTS: None from the City of Mount Vernon

SHORELINE DESIGNATION: Shoreline Residential

WATER BODY: Skagit River

SECTION/TOWNSHIP/RANGE: Section 19, Township 34 North, Range 04 East

DATES OF PROPOSED WORK: July through September 2018

An exemption from a Shoreline Management Substantial Development Permit is hereby granted on the proposed project described herein for the following reasons:

- Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment [Mount Vernon SMP (III.B.1.a.ii) page 7]

The proposed development is:

<u>Consistent</u>	<u>Inconsistent</u>	<u>Exempt</u>	<u>With</u>
X			Policies of the Shoreline Management Act
X			Skagit County Shoreline Master Program
X		X	Mount Vernon Critical Areas Ordinance
		X	State Environmental Policy Act (SEPA)



Rebecca Lowell
Community and Economic Development

5-31-2018

Date

RIGHT TO APPEAL: to appeal this 'type 1 permit' determination, a written appeal accompanied by the required \$100.00 fee must be filed with the City's Hearing Examiner at City Hall; 910 Cleveland Ave; Mount Vernon, WA no more than 14 days from the date of this decision. The appeal submittal must explain the basis for the appeal; and must include the materials required as listed in MVMC 14.05.160(C)(3). Contact the Community and Economic Development Department (360-336-6214) for more information about the appeal process.