



MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

APPLICATION NAME & NUMBER: Polaris SEPA & Site Plan, PLAN19-0033

PROJECT DESCRIPTION: Proposed is the phased construction of two commercial buildings totaling approximately 29,500 square feet with 40 parking stalls that will be connected to existing utility stubs.

The first proposed building will be approximately 12,900 s.f. and is anticipated to be built in 2019. The second proposed building that is approximately 16,600 s.f. is anticipated to be built four or more years after the first building.

Approximately 5,200 cubic yards of structure fill will be imported to the site to support the proposed buildings and parking lot.

PROJECT LOCATION: The project site is addressed as 107 Sundquist Drive, is identified by the Skagit County Assessor as: P127852, and is located within a portion of the SE ¼ of the SE ¼ of Section 31, Township 34N, Range 04E, W.M.

PROPERTY OWNER/APPLICANT:

Dan Jantz
111 Stewart Road
Mount Vernon, WA 98273
(360) 848-6384

CONSULTANT CONTACT:

Ravnik & Associates, Attention: John Ravnik, P.E.
P.O. Box 361
Burlington, WA 98233
(360) 707-2048

STAFF CONTACT:

Rebecca Lowell, Principal Planner
Development Services Department
City of Mount Vernon
910 Cleveland Avenue, Mount Vernon WA 98273
Telephone - 360-336-6214

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.

CONDITIONS NECESSARY TO MITIGATE ENVIRONMENTAL IMPACTS:

1. 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.

ENVIRONMENTAL DETERMINATION APPEAL PROCESS: 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 staff 'Contact Person' listed above.

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



May 28, 2019

SIGNATURE

DATE

ISSUED: May 28, 2019

PUBLISHED: May 31, 2019

SENT TO: COE, Agriculture, DAHP, Commerce, Corrections, EFSEC, WDFW, Health, DNR, Parks & Rec. Commission, PSP, WSDOT, Parks, DOE, DSHS, NW Clean Air, SKAT, Skagit County PDS & Assessor, Dike and Drainage Districts, Port of Skagit, MVSD #320, SVC, Skagit PUD, PSE, Frontier, CNG, Skagit River System Coop, Swinomish, Upper Skagit, Samish, Sauk Suiattle, Tulalip and Stillaguamish Tribes



SEPA ENVIRONMENTAL REVIEW STAFF REPORT

A. BACKGROUND

APPLICANT & APPLICATION NAME/NUMBER: Polaris SEPA & Site Plan, PLAN19-0033

	PROPERTY OWNER/APPLICANT:	CITY STAFF CONTACT:
NAME:	Dan Jantz	Development Services Department Contact: Rebecca Lowell
ADDRESS:	111 Stewart Road Mount Vernon, WA 98273	910 Cleveland Ave Mount Vernon, WA 98273
TELEPHONE:	(360) 848-6384	(360) 336-6214

PROJECT DESCRIPTION: Proposed is the phased construction of two commercial buildings totaling approximately 29,500 square feet with 40 parking stalls that will be connected to existing utility stubs.

The first proposed building will be approximately 12,900 s.f. and is anticipated to be built in 2019. The second proposed building that is approximately 16,600 s.f. is anticipated to be built four or more years after the first building.

Approximately 5,200 cubic yards of structure fill will be imported to the site to support the proposed buildings and parking lot.

PROJECT LOCATION: The project site is addressed as 107 Sundquist Drive, is identified by the Skagit County Assessor as: P127852, and is located within a portion of the SE ¼ of the SE ¼ of Section 31, Township 34N, Range 04E, 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		DETERMINATION OF NON - SIGNIFICANCE - MITIGATED.	
<input type="checkbox"/>	Issue DNS with a 10 day Appeal Period.	<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	2.22.2019	MVMC 14.05.110(C)(1) to (3)
Application Deemed Technically Complete	3.21.2019	MVMC 14.05.110(D) RCW 36.70B.070
NOA/Optional MDNS Issued	4.22.2019	MVMC 14.05.150(A) RCW 36.70B.110 WAC 197-11-355
NOA/Optional MDNS Comment Period Ended	5.8.2019	MVMC 15.06.120 WAC 197-11-355 RCW 43.21C.110
MDNS Issued with Comment and Appeal Period – Accompanied by Environmental Report	5.28.2019	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. 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: approximately 5,200 cubic yards of structure fill will be imported to the site to support the proposed buildings and parking lot.

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.

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.

The applicant's contractor(s) will be required to comply with the City's code requirements related to stormwater runoff and site grading. The applicant will also be required to obtain and comply with the WA State Department of Ecology's NPDES permit and their associated requirements.

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 routed to a vault that will clean site runoff generated from pollution generating impervious surfaces. After being cleaned, site stormwater will be routed to an 18-inch pipe that will convey this water to an existing, off-site stormwater detention pond.

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. A NPDES permit from the State of Washington Department of Ecology for construction activities will be required as part of this project.

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 6 new PM peak hour traffic trips will be generated from the Phase 1 project and an estimated 24 new PM peak hour traffic trips will be generated from the Phase 3 project. Please see the accompanying Traffic Concurrency Review for additional details.

There will also be construction related traffic that will occur as this site is being developed.

Mitigation Measures: Compliance with the City's MVMC provisions.

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.

4. CRITICAL AREAS

Impacts: there are no streams, wetlands, or their associated wetlands located on/abutting the project site. However, the site is located in a FEMA regulated floodplain.

Mitigation Measures: The applicant will be required to comply with the City's Floodplain Management Requirements and FEMA's floodplain regulations.

Nexus: MVMC Chapter 15.36 (Floodplain Management Standards), FEMA and WA Department of Ecology rules and requirements

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:

- Letter dated May 8, 2019 from the WA Department of Ecology
- Alan Danforth, City's Engineering Review Manager: 1. Drainage Report and Site Plan docs are subject to review and approval through a fill and grade permit; and 2. The pond that the site is conveying stormwater to will be required to be thoroughly cleaned/maintained as part of this projects development.

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.

H. NOTES TO THE APPLICANT

Following is a list of the permits/approvals that will be required for the development presented to the City to-date. Please note that there are a number of permits that are pending, and/or still need to be submitted to the City.

PERMITS/ID	STATUS	ADD. INFORMATION
PLANNING PERMITS/APPROVALS:		
SEPA (PLAN19-0033)	Issued, appeal period tolling	NA
Site Plan (TBD)	NA	The applicant will need to submit this permit to the City
ENGINEERING PERMITS/APPROVALS:		
Traffic Concurrency (ENGR19-0047)	Issued	The applicant will need to submit this permit to the City
Fill & Grade Permit (TBD)	NA	The applicant will need to submit this permit to the City
Right-of-Way Permit (TBD)	NA	The applicant will need to submit this permit to the City
BUILDING PERMITS/APPROVALS		
Building Permit (TBD)	NA	The applicant will need to submit this permit to the City
Floodplain Development Permit (BLDG19-0294)	Submitted	The applicant will need to submit this permit to the City
FIRE DEPARTMENT PERMITS/APPROVALS		
Sprinkler System Permit (TBD)	NA	The applicant will need to submit this permit to the City
Commercial Fire Alarm Permit (TBD)	NA	The applicant will need to submit this permit to the City

- The Applicant will be required to receive permits/approvals through Skagit PUD #1.
- This SEPA document does not authorize earth disturbing activities, the removal of vegetation, or the construction of any type of structure. Applicant's will be required to have approved Building and/or Engineering permits before any earth disturbing, removal of vegetation or construction of any type of structure commences.
- The Applicant is solely responsible for providing complete and accurate information to the City as part of the SEPA process. If incomplete or inaccurate materials are found to be part of the materials upon which this SEPA process was completed this approval could be deemed null and void.
- Should conditions change from that which was originally represented all, or part of the SEPA process may need to be amended or resubmitted as a new application.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000
711 for Washington Relay Service • Persons with a speech disability can call (877) 833-6341*

May 8, 2019

Rebecca Lowell, Principal Planner
Development Services Department
City of Mount Vernon
910 Cleveland Avenue
Mount Vernon, WA 98273

**Re: Skagit Valley Polaris-Kawasaki Project
Polaris SEPA & Site Plan, Plan19-0033, Ecology SEPA #201902194**

Dear Rebecca Lowell:

Thank you for the opportunity to provide comments on the **Skagit Valley Polaris-Kawasaki Project**. Based on review of the State Environmental Policy Act (SEPA) checklist associated with this Project, the Department of Ecology (Ecology) has the following comments:

There are four cleanup sites listed with Ecology within a mile of this property. Two of the four sites have received No Further Action determinations from Ecology. The remaining two sites that are still undergoing cleanup are closest to the property, within a quarter mile. All four sites are potentially hydraulically upgradient of the property. Although unlikely, it is possible that ground water, if encountered during construction, could be contaminated. The two sites are described below.

Gai's Northwest Baking Facility is located approximately 0.25 mile north of this property at 1772 Old Hwy 99 in Mount Vernon. The Facility Site ID No. is 88274654 and the Cleanup Site ID No. is 10923. This is a leaking underground storage tank (LUST) site and petroleum hydrocarbons have been confirmed in soil and groundwater at concentrations exceeding cleanup levels. The status of this site in Ecology's data base is 'cleanup started'.

Yorkston Oil Cedardale Cardlock is approximately 0.6 mile northeast of this property at 3408 Cedardale Road in Mount Vernon. The Facility Site ID No. is 45587675 and the Cleanup Site ID No. is 12440. This is a LUST site and petroleum hydrocarbons in the gasoline and diesel ranges and benzene have been confirmed in soil and groundwater at concentrations exceeding cleanup levels. The status of this site in Ecology's data base is 'cleanup started'.

Rebecca Lowell, Principal Planner

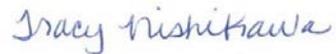
May 8, 2019

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For more information about SEPA and Ecology, please visit <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>.

Thank you for considering these comments from Ecology. If you have any questions or would like to respond to these comments, please contact Heather Vick from the Toxics Cleanup Program at (425) 649-7064 or by email at heather.vick@ecy.wa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Tracy Nishikawa".

Tracy Nishikawa
SEPA Coordinator

Sent by email: Rebecca Lowell, rebeccab@mountvernonwa.gov

cc: John Ravnik, Ravnik & Associates, Inc.

ecc: Heather Vick, Ecology