



# REVISED MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

City of Blaine CDS *or* 435 Martin Street, Suite 3000 *or* Blaine, Washington 98230

<b>Project Name</b>	Semiahmoo Zone 3 Planned Unit Development and Plat
<b>SEPA File Number</b>	SEP-8-16
<b>Project Description</b>	An application for permits to develop 19.4 acres at the southwest corner of Semiahmoo Parkway and Drayton Harbor Road. The development proposes 40 housing units in Phase 1 and up to an additional 79 units in future phases. The project also includes potential commercial space for various neighborhood commercial uses and a personal, indoor storage facility. Open space, roads, utilities and a potential park site are included in the project.
<b>Proponent</b>	Wayne Schwandt Rimland Pacific 965 Grand Ave Bellingham WA 98229
<b>Location</b>	Southwest corner of Semiahmoo Parkway and Drayton Harbor Road, a portion of the N ½ of the SE ¼ of Section 10 Township 40N, Range 1W, W.M.
<b>Lead Agency</b>	City of Blaine
<b>Documents Considered</b>	Preliminary Plat Planned Unit Development Submittal City of Blaine Comprehensive Plan (2016) Traffic Impact Analysis – Resort Semiahmoo Zone 3 (Transpo Group, June 2016) Transpo Group Memos (August 1, 2016, August 10, 2016, Sept. 15, 2016) Traffic Impact Analysis – Resort Semiahmoo Zone 3 (Transpo Group, Sept. 2016) Archeological and Cultural Resources Assessment (Alfred Reid, et al, January 2006) Wetland and Wildlife Determination Update (Cantrell and Assoc., April 2016) Preliminary Stormwater Design Report (Cascade Design Group, June 2016) Draft and Final Environmental Impact Statement (Whatcom County, 2015/16) Whatcom County Comprehensive Plan, Approved Draft (2016) SEPA Checklist (June 2016)

## Determination

The lead agency has determined that this project is not likely to have a probable significant adverse impact on the environment with the addition of mitigating conditions to the development approval. 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. That information is available to the public upon request at the City of Blaine, Community Development Services office.

## Mitigation Measures

### Air Quality

Prior to commencing land disturbance activity, the Applicant shall prepare and submit a Dust Suppression Plan (DSP) as part of the SWPPP to the City for review and approval by the City Public Works Director. The Applicant shall not commence land disturbance activity until the City approves a Final DSP. The DSP shall address methods to control dust generated on and off the site during construction.

### Stormwater

Prior to approval of civil construction plans, the Applicant shall submit to the City a Final Stormwater Design Report consistent with the latest edition of the Stormwater Management Manual for Western Washington for review and approval by the Public Works Director. The Final Stormwater Design Report and associated stormwater site plan must respond to all relevant conditions attached to preliminary plat and PUD approval.

Prior to commencing land disturbance activity, the Applicant shall submit a Construction Stormwater Pollution Prevention Plan (SWPPP) to the City for review and approval by the City Public Works Director. The final approved SWPPP shall demonstrate, in detail, how Applicant will manage the site during the time that land disturbing activity is taking place, including; measures to protect disturbed areas, control and direct storm water runoff through construction areas, and provide water quality treatment for runoff from the site. Best Management Practices (BMPs) associated with the SWPPP shall comply with the latest edition of the Washington State Department of Ecology’s Stormwater Management Manual for Western Washington.

### Cultural Resources

Inadvertent Discovery:

At any time during excavation, site clearing, or preparations, if archaeological resources (e.g. shell midden, faunal remains, stone tools) be observed during project activities, all work in the immediate vicinity should stop, and the area should be secured. The Washington State Department of Archaeology and Historic Preservation (Gretchen Kaehler, Local Government Archaeologist 360-586-3088) and the Lummi Nation Tribal Historic Preservation Office (Lena Tso, THPO 360-312-2257; Tamela Smart, Deputy Compliance Officer 360-312-2253); and the City of Blaine SEPA Official (Michael Jones, 360-543-9981) shall be contacted immediately in order to help assess the situation and to determine how to preserve the resource(s). In the event that the find includes human remains the Blaine Police Department shall be called immediately at 360-332-6769. Compliance with all applicable laws pertaining to archaeological resources is required. The Applicant shall ensure that all equipment operators and site managers are advised of the following archeological resources mitigation

Monitoring: The Applicant shall ensure that grading, excavating, and trenching within the utility corridors and private road tracts are monitored by a professional archaeologist, and that the archaeologist is present on-site at all times to monitor all such activities. If the archaeologist observes any pre-contact or historic period archaeological deposits and/or human remains in any part of the project area, all work in the immediate vicinity shall stop, and the area shall be secured. The Washington State Department of Archaeology and Historic Preservation (Gretchen Kaehler, Local Government Archaeologist 360-586-3088) and the Lummi Nation Tribal Historic Preservation Office (Lena Tso, THPO 360-312-2257; Tamela Smart, Deputy Compliance Officer 360-312-2253); and the City of Blaine SEPA Official (Michael Jones, 360-543-9981) shall be contacted immediately in order to help assess the situation and to determine how to preserve the resource(s). In the event that the find includes human remains the Blaine Police Department shall be called immediately at 360-332-6769. Compliance with all applicable laws pertaining to archaeological resources is required.

#### **Emergency Services**

Capital Facilities: The project proponent shall pay emergency services mitigation fees to Fire District #21 according to a rate and schedule as determined by the North Whatcom Fire and Rescue Capital Facilities Plan and any associated, applicable mitigation fee schedule.

#### **Traffic**

Intersections in Whatcom County jurisdiction: Development on the project site shall contribute fair-share funding for off-site transportation improvements at the Lincoln Road/Harborview Road intersection, the Drayton Harbor Road/Blaine Road intersection, and the Birch Bay-Lynden Road/Blaine Road intersection as evaluated in the Transportation Impact Analysis Resort Semiahmoo Zone 3 (Transpo Group, September 2016) based on a percentage contribution of vehicle trips through the intersection in 2023 at the following peak hour vehicle trip rates:

- Lincoln Road/Harborview Road intersection at \$3.00 per trip
- Drayton Harbor Road/Blaine Road intersection at \$32.00 per trip
- Birch Bay-Lynden Road/Blaine Road intersection at \$174.00 per

The Developer/applicant shall execute a voluntary mitigation agreement with either the City or Whatcom County in a form approved by the City and subject to RCW 82.02.020 prior to building permit issuance. The above fees shall be paid prior to building permit issuance for each dwelling unit or commercial space. The funds may only be used for a project approved by the City at one of the above intersections. The City and Whatcom County may by interlocal agreement provide for the payment of the funds towards a County project or agree to transfer funds to the County through interlocal agreement for a project at one of the above intersections approved by the City. In the event that the funds are transferred to the County, the funds will remain subject to RCW 82.02.020.

Bell Road/Blaine Road/Peace Portal Drive Intersection: Development on the project site shall contribute fair-share funding for off-site transportation improvements at the Bell Road/Blaine Road/Peace Portal Drive intersection as estimated in the City's 2016 Transportation Improvement Plan based on a percentage contribution of vehicle trips through the intersection in 2023. Fees shall be paid at the time of building permit issuance for each dwelling unit or commercial space at a \$135.20 per peak hour vehicle trip rate. Such funds shall be held by the City for improvements to the specific intersection and remain subject to RCW 82.02.020.

#### **Aesthetics**

Landscape Maintenance A landscape maintenance plan shall be created, which is an obligation of the homeowner's association and enforceable by the City through the development's Covenants, Conditions, and Restrictions (CC&Rs). The applicant shall include a section in the CC&R's for the project that specifically addresses the maintenance requirements of this Landscape Plan. The maintenance plan and CC&R's shall be reviewed and approved by the Department of Community Development prior to occupancy of the first dwelling unit.

Open Space: The land disturbance and clearing plans shall include preservation of all viable/non-hazardous trees and understory vegetation in the perimeter buffer and open space areas. A final landscape plan shall be developed for open space areas adjacent to and included in each phase prior to issuance of land disturbance permits for those phases. Said plan shall include an enhanced density of native vegetation, primarily evergreens, that will screen between approximately 50-percent and 75-percent of the view into residential lots

on the site from Semiahmoo Parkway and Semiahmoo Drive, at a minimum

Tree Preservation: Tree removal and clearing for Phase 1 in areas designated for residential lot development will be conducted after on-site consultation with the Community Development Director/SEPA Official with the intent to preserve trees and vegetation that are outside the future building and appurtenance development footprints. Tree removal and clearing for future phases will be conducted after approval of Site Plan Review or other development permits such that these areas are left in a forested state until time of development and are not prematurely cleared.

**Comment Period**


This MDNS is issued under WAC 197-11-340 (2). The lead agency will not act on this proposal for 14 days from the date of issuance. No comment period is provided for this revised threshold determination.

**Responsible Official**

Michael Jones  
Community Development Director, City of Blaine  
435 Martin Street, Suite 3000, Blaine, WA 98230  
Phone: 360-543-9981 Fax: 360-543-9978  
Email: [mjones@cityofblaine.com](mailto:mjones@cityofblaine.com)

**Appeal**

This determination may be appealed by letter to the SEPA Official at the address noted above. Such an appeal would need to be made by 4:30 pm on October 3, 2016. Appeals must include a specific factual objection. Questions should be directed to the responsible official noted above.

Signature:  Date: 9/19/16