



# NOTICE OF MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

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

<b>Project Name</b>	Mary Ave Multifamily
<b>SEPA File Number</b>	2022118
<b>Project Description</b>	<p>Proposal to construct a multifamily project containing 25 units, located at the northeast corner of Mary Avenue and Bayview Avenue. The multifamily development would be comprised of five fourplexes, one triplex, and one duplex, and includes associated driveways and parking. Existing houses on the site will be removed. City road improvement will be required for Mary Avenue and Bayview Avenue.</p> <p>The site is approximately 2.21 acres in size and is located in the residential medium-density (RM) district. The site contains three wetlands, two proposed as Category III wetlands, with a required 50-foot buffer, and one proposed as a Category IV wetland, with a required 25-foot buffer. An unregulated pond is also located on the property, which is proposed to be filled. The proposal includes wetland buffer modifications, with buffer averaging and buffer reduction with mitigation proposed.</p> <p>Application materials are available at: <a href="https://www.ci.blaine.wa.us/1106/Mary-Ave-Multifamily">https://www.ci.blaine.wa.us/1106/Mary-Ave-Multifamily</a></p>
<b>Proponent</b>	<p>Jesse Stoner  Larry Stoner Land Development Consultants  4340 Pacific Hwy Ste 202  Bellingham, WA 98226</p>
<b>Location</b>	Northeast corner of Mary Avenue and Bayview Avenue, Blaine, WA; Parcels # 4001062791610000, 4001063261590000, and 4001063321690000
<b>Lead Agency</b>	City of Blaine.
<b>Determination</b>	The lead agency has determined that this project does not 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. Information on the process and the project is available to the public upon request at the City of Blaine, Community Development Services office.

### Mitigation Measures

#### Permitting

1. The applicant is responsible for complying with any other federal, state or local statutes, ordinances, or regulations applicable to this project and obtaining other necessary permits or approvals. The applicant shall provide a copy of state and federal required authorizations to the City of Blaine prior to conducting work on site. Other requirements may include:
  - a. Compliance with the rules and regulations concerning asbestos removal and demolition established by the Northwest Clean Air Agency under [NWCAA Section 570 - Asbestos Control Standards](#). Prior to demolition of existing structures, applicant shall coordinate with Northwest Clean Air Agency on an asbestos survey and appropriate mitigation, if required.
  - b. Coverage under the Washington State Department of Ecology Construction Stormwater General Permit (CSWGP).

#### Cultural Resources:

The following Inadvertent Discovery Plan (IDP) shall be maintained on-site and followed should archaeological resources or human remains be encountered:

- 1) **Inadvertent Discovery of Archaeological Resources:** Should archaeological resources (e.g. shell midden, animal 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 (Stephanie Jolivette, Local Government Archaeologist 360-628-2755) and the Lummi Nation Tribal Historic Preservation Office (Lena Tso, THPO 360-961-7752; Tamela Smart, Deputy THPO 360-927-

2944) should be contacted immediately in order to help assess the situation and to determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources is required.

- 2) **Inadvertent Discovery of Human Skeletal Remains on Non-Federal and Non-Tribal Land in the State of Washington (RCWs 68.50.645, 27.44.055, and 68.60.055)** If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains" (DAHP).

Light and Glare:

Exterior lighting from the residences and on-site light fixtures shall be directed and/or shielded to reduce glare.

Air:

The project proponent shall implement dust control measures to reduce fugitive dust emissions during construction.

**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. Comments must be submitted by **May 18, 2023** at 4:30 PM.

**Responsible Official**

Stacy Clauson  
SEPA Official, City of Blaine  
435 Martin Street, Suite 3000, Blaine, WA 98230  
Phone: (360) 332-8311  
Fax: 360-332-8330  
Email: cdscomments@cityofblaine.com

**Appeal**

This determination is appealable pursuant to 17.80.090 of Blaine Municipal Code. Such an appeal would need to be made by the end of the business day on **May 18, 2023**. Appeals must include a specific factual objection. Questions should be directed to the responsible official noted above.

Signature: \_\_\_\_\_ Date: May 4, 2023