

Department Report
for Bay View Watershed Stormwater Management Plan Phase I:
The Bayview Ridge Urban Growth Area
and Addendum to Bayview Ridge Subarea Plan
Environmental Impact Statement (EIS)
February 21, 2007

1. Proposal

On December 5, 2006, the Skagit County Board of County Commissioners adopted the *Bayview Ridge Subarea Plan* (Plan) to guide future development within the 4,011-acre subarea (Ordinance No. O20060007). The Plan established a 3,633-acre Bayview Ridge Urban Growth Area (UGA) within the slightly larger Subarea. New land use regulations implement the Plan, including concurrency requirements for stormwater management. This proposal is a plan to manage the stormwater in a manner that will protect the downstream farmland.

2. Location

The Bayview Ridge Subarea is located approximately one mile west of the City of Burlington, and 1 1/2 miles northwest of the City of Mount Vernon. The Subarea is bounded by Ovenell Road and SR 20 on the south, Farm to Market Road on the west, Josh Wilson Road and the hillside on the north, and by Avon-Allen Road on the east.

3. Adopted Findings: Stormwater Management

The Skagit County Board of Commissioners adopted the following findings in Ordinance O20060007 as recommended by the Planning Commission:

Regarding potential impacts of the proposed Bayview Ridge Urban Growth Area on downstream agricultural drainage facilities, the Planning Commission specifically finds:

C-1. Skagit County has established goals and policies limiting the intrusion of non-agricultural uses into designated agricultural lands. Stormwater drainage from the Bayview Ridge UGA must pass through designated agricultural lands to reach its ultimate outlet; if the drainage system is not properly designed, the drainage will impact both private agricultural lands and the Drainage District facilities. This impact to agricultural lands is a major concern.

C-2. The Subarea Plan and Development Regulations require that both the Bayview Watershed Stormwater Management Plan and the Planned Residential Development (PRD) zoning regulations be adopted prior to construction of any new residential project containing five or more dwelling units or any new residential land division creating five or more lots.

C-3. Adoption of the Subarea Plan will require that the Bayview Watershed Stormwater Management Plan be adopted prior to any further land divisions in the Bayview Ridge Community Center, or Bayview Ridge Industrial, Heavy Industrial or Aviation Related zoning districts except those approved Industrial and Heavy Industrial districts established by Skagit County Ordinances No. 17938 and No. 18264.

C-4. Completion of the *Bayview Watershed Stormwater Management Plan* will result in a Plan for accommodating urban stormwater drainage, identification of needed drainage improvements, a financing plan and cost-sharing arrangements, and provision for interlocal agreements between Skagit County and the receiving Drainage Districts. Adoption of this Plan will provide for agreement by receiving Drainage Districts.

The findings listed above support the following objective and policies in the Bayview Subarea Plan:

Objective 2A-3 The Bayview Watershed Stormwater Management Plan shall be adopted prior to any further land divisions in the Bayview Ridge Community Center, or Bayview Ridge Industrial, Heavy Industrial or Aviation Related zoning districts except those approved Industrial and Heavy Industrial districts established by Skagit County Ordinances No. 17938 and No. 18264. After adoption of the Bayview Watershed Stormwater Management Plan, all new development shall comply with this Plan.

- Policy 2A-3.1* Establish limits on new impervious surfaces created within the Subarea.
- Policy 2A-3.2* Require all new development to comply with the Bayview Watershed Stormwater Management Plan.
- Policy 2A-3.3* Encourage the use of permeable surfaces and other new technologies in building construction and property development, consistent with County drainage regulations.
- Policy 2A-3.4* Require cost-sharing arrangements which include Skagit County, Drainage District, and developer participation in the funding of required drainage improvements.
- Policy 2A-3.5* Provide adequate enforcement, maintenance, and inspection services for storm drainage facilities.
- Policy 2A-3.6* Provide businesses and residents of the Subarea with information regarding water quality and potential impacts to water quality from new development.

4. Bay View Watershed Stormwater Management Plan Phase I: The Bayview Ridge Urban Growth Area

The proposed stormwater management plan is Phase I of the Bay View Watershed Stormwater Management Plan. The larger plan for Bay View Watershed evaluates drainage impacts due to development of the entire Bay View Watershed drainage basin, including the UGA. Phase I is limited to the impacts of stormwater on agricultural lands due to future development within the Bayview Ridge UGA. Projects were identified to mitigate for the increased stormwater resulting from UGA development. Cost estimates were prepared, and the funding sources evaluated.

5. Major Concepts of the Phase I Stormwater Plan

The Bay View Watershed Stormwater Management Plan Phase I: The Bayview Ridge Urban Growth Area addresses Planning Commission findings number C-1 through C-4:

C-1: The Plan analyzes the impacts of development within the UGA on downstream agricultural lands. The stormwater was modeled under both future and pre-development conditions. The pre-development conditions assumed fully forested within the UGA, and existing farmland was considered existing under pre-development conditions. The future conditions assumed full build-out of the Bayview Ridge UGA, under the zoning identified in the Subarea Plan. This showed the impact due solely to development within the UGA, at the time when the UGA is fully developed. The criteria for the Plan was to propose projects that would maintain 25-year storm event water elevations in the conveyance systems at or below current water levels subject to such an event, and to safely discharge stormwater to the Sound.

C-2: Adoption of the Bayview Ridge UGA Stormwater Management Plan is required prior to construction of any new residential project containing five or more dwelling units or any new residential land division creating five or more lots. The Bayview Ridge UGA Stormwater Management Plan is submitted to the Planning Commission for adoption.

C-3: Adoption of the Bayview Ridge UGA Stormwater Management Plan is required prior to any further land divisions in the Bayview Ridge Community Center, or Bayview Ridge Industrial, Heavy Industrial or Aviation Related zoning districts except those approved Industrial and Heavy Industrial districts established by Skagit County Ordinances No. 17938 and No. 18264. The Bayview Ridge UGA Stormwater Management Plan is submitted to the Planning Commission for adoption.

C-4: The Bayview Ridge UGA Stormwater Management Plan proposes projects to be constructed to mitigate for the impacts due to development of the Bayview Ridge UGA. Cost estimates were prepared, and several funding options were evaluated. The County Drainage Utility, UGA Developers, Drainage District #14, Drainage District #19, and Dike and Drainage District #12 all have responsibility for a portion of project financing. The County

has met with each of the Drainage Districts, and is working to implement interlocal agreements with each District.

In addition to the measures in the Bay View Watershed Stormwater Management Plan Phase I: The Bayview Ridge Urban Growth Area, implementation measures include:

- a) Designation of the Bayview Ridge Urban Growth Area as a critical drainage area under Skagit County Code 14.32; and
- b) Requirement to use the 2005 DOE Stormwater Management Manual for Western Washington via administrative rule as authorized in SCC 14.32.110; and
- c) Concurrency requirement for storm drainage in SCC 14.28.105.

6. Amendment to Skagit County Drainage Ordinance

The following amendment to the Skagit County Drainage Ordinance is proposed:

Skagit County Code (SCC) 14.32.110 Critical drainage areas.

- (1) Special Drainage Improvements. In order to mitigate or eliminate potential drainage related impacts on Critical Drainage Areas, the Administrative Official may require drainage improvements in excess of those required in other sections of this Chapter.
- (2) Designation. The following are designated as Critical Drainage Areas:
 - (a) All areas designated as Critical Areas under SCC 14.24;
 - (b) All lands within 200 feet of the ordinary high water mark of bodies of water possessing fish spawning and rearing habitat for anadromous and resident fish species, as designated by the State Department of Fish and Wildlife;
 - (c) Any lands that drain to a natural feature that is a closed depression;
 - (d) Any lands that are established by law as fish or shellfish protection areas; ~~and~~
 - (e) The Bayview Ridge Urban Growth Area, and;
 - (f) Any lands determined by the Administrative Official to have a high potential for drainage and water quality problems and/or are sensitive to the effects of construction or development.
- (3) Conflicting Information. In the event of conflict between maps or other available information resources, the Administrative Official shall make the final determination of whether or not certain lands are Critical Drainage Areas. In making such a final determination, the Administrative Official may use detailed site surveys and/or other topographic data as required at the Applicant's expense. (Ord. 17938 Attch. F (part), 2000)

7. Stormwater Concurrency Requirement

The Skagit County Board of Commissioners adopted the following development regulation in Ordinance No. O2006007:

Skagit County Code 14.28.105

(3) Storm Drainage in the Bayview Ridge UGA. As a condition of any development approval for any of the listed permitted, accessory or special uses, other than for interim agricultural uses, the property owner shall construct surface and storm water management improvements as determined by the County to be consistent with the surface water management standards found in Chapter 14.32 SCC, Drainage Ordinance. Proposed residential subdivisions shall construct surface and storm water management improvements consistent with the adopted Bayview Watershed Stormwater Management Plan. In addition, as a condition of development approval, and for all property owned by the same owner in the UGA, the owner shall sign an agreement not to protest a future LID or other pro rata sharing of costs to upgrade the surface water management system or install additional urban standard storm water management improvements within 20 years, if such are determined necessary as part of surface or stormwater management standards in the Subarea Plan process for the Bayview Ridge UGA. Credit for prior contributions and improvements that are included in the Subarea facilities plan shall be provided as set forth in Subsection (6) of this Section.

8. Public Notice

Notice for this Planning Commission Public Hearing was provided pursuant to SCC 14.08. Information on the proposed Bay View Watershed Stormwater Management Plan Phase I: The Bayview Ridge Urban Growth Area has been posted on the Skagit County website.

9. Department Recommendation

The Skagit County Planning and Development Services Department recommends ADOPTION of the following:

1. Bay View Watershed Stormwater Management Plan, Phase 1: The Bayview Ridge Urban Growth Area; and
2. Amendment to Skagit County Code 14.32.110 Critical Drainage Areas.

NOTICE OF AVAILABILITY
ADDENDUM TO BAYVIEW RIDGE SUBAREA PLAN ENVIRONMENTAL IMPACT STATEMENT (EIS)
ISSUED FEBRUARY 26, 2007
SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

Description of Proposal: The proposal is to adopt Bay View Watershed Stormwater Management Plan Phase I: The Bayview Ridge Urban Growth Area and a drainage ordinance amendment to implement the Bayview Ridge Subarea Plan, Ordinance O20060007.

Proponent/Lead Agency: Skagit County Planning and Development Services

Location of Proposal: The Bayview Ridge Subarea is located in the Skagit Valley approximately one mile west of the City of Burlington and 1.5 miles northwest of the City of Mount Vernon. The Subarea generally lies between the Farm to Market Road on the west and Avon Allen Road on the east, and between Josh Wilson Road on the north and Ovenell Road on the south.

Title of Documents:

Department Report for Bay View Watershed Stormwater Management Plan Phase I: The Bayview Ridge Urban Growth Area and Addendum to Bayview Ridge Subarea Plan Environmental Impact Statement (EIS)

Bay View Watershed Stormwater Management Plan Phase I: The Bayview Ridge Urban Growth Area
Bayview Ridge Subarea Plan, Skagit County Ordinance O20060007

Bayview Ridge Subarea Plan – Final Environmental Impact Statement (FEIS), April 2004

Bayview Ridge Subarea Plan – Draft Environmental Impact Statement (DEIS), April 2003

Documents are available at: Skagit County Planning and Development Services Department, 1800 Continental Place, Mount Vernon, WA 98273. The proposal is available on the Skagit County website at www.skagitcounty.net.

Findings: The lead agency for this proposal has determined that it does 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 addendum adds information about the proposal but does not substantially change the analysis of significant impacts or alternatives in the existing environmental documents. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comment Period: There is no comment period or appeal of a SEPA Addendum. This addendum is issued under WAC 197-11-600(4)(c).

SEPA Responsible Official: Gary R. Christensen, AICP, Director

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Signature: _____
Gary R. Christensen

Date: February 26, 2007