



WITHDRAWAL and REISSUANCE*

DETERMINATION OF NONSIGNIFICANCE (DNS)

File: SEP2007-00074

Project Description: Preliminary Plat approval, including clearing and associated land disturbance for infrastructure improvements, of 103 clustered single-family residential lots and 12 tracts for open space and storm drainage on approximately 103 acres. The project includes an approximately 4,000 square foot community center with associated parking.

Proponent: Lily Point, LLC and Cassimar US, Inc.

Location: Point Roberts, located on the south side of APA Road, bordered on the west side by Paul's Road and east of Claire Lane. Within Township 40N, Range 3W, Section 11 and 12, APN # 405311506427, 405312065477, 405312014420.

Lead Agency: Whatcom County Planning and Development Services

Zoning: Transitional (TZ) **Comp Plan:** Point Roberts

The lead agency for this proposal has determined that with proper mitigation as required by applicable Whatcom County Code, no significant adverse environmental impacts are likely. The following elements have been identified and will be addressed pursuant to the Whatcom County Shoreline Management Program (SMP), Whatcom County Critical Areas Ordinance (CAO), Whatcom County Development Standards, Whatcom County Zoning Code, and Whatcom County Transportation Concurrence:

- **Ecological protection including water quality and quantity and vegetation conservation;** and (Talesaea Consultants, Inc. critical areas assessment report and mitigation plan August 2007)
- **Geological areas and Hydrogeology assessment;** and (Golder Associates geotechnical report June 2006)
- **Tree Canopy;** and (Gilles Consulting arborist report December 2009)
- **Archaeological, historic and cultural resources;** and (ERCI archaeological report March 2007)
- **Stormwater controls;** and (Core Design preliminary drainage report December 2009)
- **Traffic Concurrence** and (Transpo Group revised traffic impact analysis February 2010)
- **Public access, including bike and trail plan.**

Pursuant to RCW 43.21C.030(2)(c), an environmental impact statement (EIS) is not required. This decision was made following review of a completed SEPA environmental

checklist and other information on file, see referenced documents above, with the lead agency. This information is available to the public on request.

There is no comment period for this MDNS.

Pursuant to WAC 197-11-340(2), the lead agency will not act on this proposal for 14 days from the date of issuance indicated below. Comments must be received by June 18, 2010 and should be sent to:

Responsible Official: Tyler Schroeder
Title: Current Planning Supervisor
Telephone: 360.676.6907
Address: 5280 Northwest Drive
Bellingham, WA 98226



Date of Issuance: June 4, 2010

Signature: _____

An aggrieved agency or person may appeal this determination to the Whatcom County Hearing Examiner. Application for appeal must be filed on a form provided by and submitted to the Whatcom County Current Planning Division located at 5280 Northwest Drive, Bellingham, WA 98226, during the ten days following the comment period, concluding June 28, 2010.

You should be prepared to make a specific factual objection. Contact Whatcom County Current Planning Division for information about the procedures for SEPA appeals.

***Please note the original SEPA has been withdrawn and a new SEPA issued to include notification of all parties of record.**