

**Balfour Village/Aiki Homes, Inc.**  
**SEPA 2006-00192**  
**Mitigated Determination of Nonsignificance (MDNS)**

**Mitigating Conditions**

1. Traffic

A revised traffic impact analysis will be required including:

- A. county adopted growth rates
- B. assessing areas wide impacts at build out and each phase of project,
- C. propose solutions and timing to traffic improvements
- D. proposal for developer to assume a pro rata share of traffic improvements

2. Provision of Services

Sewer Services:

- A. A general sewer plan to address expansion of sewer capacity
- B. Confirmed arrangements and agreement for sewer services delivery from the water and sewer utility stating that states its capacity to serve all proposed 667 residential units and commercial development at each phase of development and at buildout.

Emergency/Fire Service:

- A. Emergency/Fire Service and response capability and service confirmation agreement from the Fire district that states its capacity to serve all proposed 667 residential units and commercial development at buildout will be provided.

4. Engineered channel

- A. The placement of an engineered channel must be developed as a soft channel and must not conflict with a natural protected area.
- B. A permanent maintenance agreement shall be established for maintenance of the channel.
- C. The channel will not be connected to Sprague Lake and remain at least 150' from the lake's edge.

5. Archaeology

- A. To prevent the risk of damage to cultural resources, as required under RCW 27.44.40, RCW 27.53.040 and WAC 25-48-020 applicants shall be required to ensure that the identification, interpretation, protection, notification, monitoring measures are addressed so that the proper management of cultural resources are protected. Therefore, if archaeological materials (bone, shell midden, cobble tools, etc.) are observed during the site work, work in the area of discovery shall cease and the Whatcom County SEPA Administrator (676-6907), Nooksack Tribe (592-5176), LNTHPO (384-2298) and Washington State Department of Archaeology and Historic Preservation (360-586-3065) are all the parties that shall be contacted immediately to determine the significance of the discovery on a collaborative basis. An informed determination must be made by the collective parties so that the necessary conditions are in place to prevent damage. Additionally, if human remains are observed, the Lummi Repatriation Office (384-2298, ext. 2665), the Whatcom County Sheriff (911), and the Whatcom County Medical Examiner (738-4557), shall be contacted immediately. Compliance with all other applicable laws pertaining to archaeological resources is required.

**MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)**

**File:** SEP 2006-00192

**Description of proposal:** Balfour Village is a proposed planned unit development and subdivision to create a mixed-use development on a 272-acre site near Kendall in Whatcom County. Proposed uses include 667 single-family residential lots together with park and open space tracts and approximately 100 units of multi-family housing. Non-residential uses include a community center, grocery store, retail and office commercial and site for an elementary school. The project will include the construction of interior roadways, utilities, open space and stormwater treatment to serve the lots and tracts.

**Proponent:** Aiki Homes, Inc

**Location:** 272-acre site in the community of Kendall. Site covers portions of sections 21, 22 and 27 of Township 40N Range 5E. Site fronts Kendall Road and is currently the site of the Peaceful Valley Golf Course located at 8225 Kendall Road.

**Lead Agency:** Whatcom County Planning and Development Services

**Zoning:** UR4                      **Comp Plan:** Urban Growth Area

The lead agency for this proposal has determined that with the proper mitigation, no significant adverse environmental impacts are likely. 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 with the lead agency. This information is available to the public on request.

\_\_\_ There is no comment period for this DNS.

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 January 10, 2007 and should be sent to:

**Responsible Official:** Robert Martin, AICP

**Title:** Land Use Division Manager

**Telephone:** 360.676.6907

**Address:** 5280 Northwest Drive  
Bellingham, WA 98226

**Date of Issuance:** December 27, 2006

**Signature:** [ SIGNED BY ROBERT MARTIN ]

**WHATCOM COUNTY**  
**PLANNING & DEVELOPMENT SERVICES**  
5280 Northwest Drive  
Bellingham, WA 98226

**Hal H. Hart, A.I.C.P.**  
Director  
**Robert C. Martin, A.I.C.P.**  
Land Use & Natural Resource Division  
Manager

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 Land Use Division located at 5280 Northwest Drive, Bellingham, WA 98226, no later than the end of the business day on January 22, 2007

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