

**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
And NOTICE OF DECISION**

For

Shell Puget Sound Refinery: File #PL14-0077

PROJECT DESCRIPTION: Notice is hereby given that on April 15, 2014, Skagit County Planning and Development Services approved the independent State Environmental Policy Act (SEPA) checklist review #PL14-0077 for the PSR Feedstocks Import (PFI) project. The project proposal includes the development of an additional rail car unloading facility consisting of two 14 car tacks, approximately 1,000 lineal feet each, with 7 unloading spots on each track. The proposal will include a new pipe bridge and associated building/support structures at the north end of the high pressure unloading rack which will support all piping, power and signal lines that must reach over the rail tracks to the ISBL/OSBL interface. The proposed development calls for an additional impervious area of 0.6 acres, which makes up approximately 15-percent of the total project site. The additional unloading facility is located adjacent to and surrounded by existing rail facilities on the west side of the refinery. All work associated with this project is within the existing refinery fence line and in the immediate vicinity of areas already utilized for heavy industrial activity. The project proposal includes the placement of approximately 11,000 cubic yards of material and the excavation of approximately 1,500 cubic yards of material. The project is located within the Anacortes Urban Development District (A-UD) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted September 20, 2011, and as thereafter amended.

PROPOSER: Shell Puget Sound Refinery, c/o Mark Boger, 8505 South Texas Road (P.O. Box 1229), Anacortes, WA 98221.

PROJECT LOCATION: The project is located at the Anacortes Shell Puget Sound Refinery, 8505 South Texas Road, Anacortes, within a portion of Section 34, Township 35 N, Range 2 E W.M., situated within Skagit County, Washington. (P33502)

LEAD AGENCY: Skagit County Planning and Development Services.

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 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. This determination is subject to the mitigated measures as identified below and shall be deemed conditions of approval of the land use and/or permit pursuant to Skagit County Code 14.12. Such conditions are considered binding and may not be altered by subsequent decisions unless a threshold determination is re-issued.

1. Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the placement of any fill material. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage Ordinance. Said measures shall remain in place until completion of the project.
2. The applicant shall comply with Northwest Clean Air Agency requirements.
3. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Drainage Ordinance, as it relates to increased runoff resulting from additional

impervious surfaces.

4. The applicant shall comply with Fire Code Standards.
5. An engineered soils compaction report shall be required for all structures placed on fill material.
6. The applicant shall comply with all relevant provisions of 14.24 (Skagit County Critical Areas Ordinance) and 14.26 (Shoreline Management Master Program) of the Skagit County Code.
7. A Construction, or Industrial, Stormwater General Permit (NPDES) may be required by the Department of Ecology (WSDOE) for this project. Contact the WSDOE Bellingham Field Office at (360) 715- 5200 to determine if an NPDES permit is required.
8. Cascade Natural Gas company shall be notified of any proposed work within 35 feet of their pipeline.
9. Should any human remains, archaeological, historic or cultural materials be discovered during construction, work in the affected area shall cease immediately and the area shall be secured. Within 24 hours, of the discovery, or as soon thereafter as possible, the developer shall notify the Skagit County Sheriff's office, Skagit County Planning and Development Services, the Washington State Department of Archeology and Historic Preservation and affected tribes. If following consultation with the above parties it is determined that an archaeological and cultural resource assessment is required, the project developer shall retain the services of a professional archaeologist to prepare such an assessment. Project work in the affected area shall only continue when in conformance with applicable state and federal laws.

The Lead Agency previously issued a comment period for this proposal under the Optional DNS process outlined under WAC 197-11-355.

You May appeal this threshold determination in accordance with Skagit County Code 14.06 and 14.12 and then by filing such with the Skagit County Planning and Development Services for service to the SEPA responsible official within fourteen (14) calendar days after the date of the threshold determination.

Appeals must be submitted no later than: **May 1, 2014.**

RESPONSIBLE OFFICIAL: Director of Planning and Development Services
CONTACT PERSON: Brandon Black, Senior Planner – Team Supervisor
MAILING ADDRESS: 1800 Continental Place, Mount Vernon, WA 98273.
PHONE: (360) 336-9410

Date: 4-15-14 Signature Brandon Black
On behalf of Dale Pernula
AICP, Planning and Development Services Director

cc: WDOE, Public Works, NW Clean Air Agency, Fire Marshal, WSDF&W, Skagit Systems Coop, City of Anacortes, Swinomish Tribal Community, EFSEC, Army Corps., Cascade Natural Gas, Olympic Pipeline, Applicant, Parties of Record

Please Publish: 4-17-14
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