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05/03/2022 09:34 AM Pages: 1 of 3 Fees: \$205.50
Skagit County Auditor

AFTER RECORDING RETURN TO:
SKAGIT COUNTY HEARING EXAMINER
700 S. SECOND STREET, ROOM 100
MOUNT VERNON, WA 98273

DOCUMENT TITLE: Shoreline Substantial Development Permit PL21-0587

HEARING OFFICER: SKAGIT COUNTY HEARING EXAMINER

APPLICANT: Washington State Department of Fish and Wildlife

PARCEL NO(S): P16113, P16115, P16120, P16122, P16123, and P16124

LOCATION: Located at 21961 Wylie Road, on property situated within Skagit County, Washington, identified as tax assessor parcel numbers P16113; P16115; P16120; P16123; and P16124; and minimally described as:

P16113 – (25.5300 ac) NW1/4 NW1/4, SECTION 25, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., LESS DIKE 18

P16115 – (34.0000 ac) GOVERNMENT LOT 2, SECTION 26, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., LESS DIKE 18

P16120 – (5.0000 ac) NE1/4 NE1/4, SECTION 26, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., S OF WYLIES SLO

P16123 – (14.0000 ac) SE1/4 NE1/4, SECTION 26, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., N & W OF SLO EXC DK 18

P16124 – (25.0000 ac) SE1/4 NE1/4, SECTION 26, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., S OF SLO

Permits Plus Receipt(s) Dated: 11/08/2021

**NOTICE OF DECISION
BEFORE THE SKAGIT COUNTY HEARING EXAMINER**

Applicant: Sara Kuhn, on behalf of the Washington State Department of Fish and Wildlife (WDFW)

Request /File No: No. PL21-0587

Location: Located at 21961 Wylie Road, on property situated within Skagit County, Washington, identified as tax assessor parcel numbers P16113; P16115; P16120; P16123; and P16124; and minimally described as:

P16113 – (25.5300 ac) NW1/4 NW/14, SECTION 25, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., LESS DIKE 18

P16115 – (34.0000 ac) GOVERNMENT LOT 2, SECTION 26, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., LESS DIKE 18

P16120 – (5.0000 ac) NE1/4 NE1/4, SECTION 26, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., S OF WYLIES SLO

P16123 – (14.0000 ac) SE1/4 NE1/4, SECTION 26, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., N & W OF SLO EXC DK 18

P16124 – (25.0000 ac) SE1/4 NE1/4, SECTION 26, TOWNSHIP 33 NORTH, RANGE 3 EAST, W.M., S OF SLO

Land Use Designation: Public Open Space of Regional/Statewide Importance

SEPA Determination: WDFW acted as lead agency and analyzed the environmental impacts of the proposal, as required by the State Environmental Policy Act (SEPA), Chapter 43.21C Revised Code of Washington (RCW). WDFW determined the proposal would not have a probable significant adverse impact on the environment. Accordingly, it issued a Determination of Nonsignificance (DNS) on November 16, 2021. The DNS was not appealed.

Public Hearing: The Skagit County Hearing Examiner held an open record hearing on the application on April 13, 2022, as required by SCC 14.06.160(1)(b).

Summary of Decision: The request for a shoreline substantial development permit to raise, by approximately three feet, the height of an existing 5,600-foot dike, the Wiley Setback Dike abutting the Skagit River, at 21961 Wylie Road, is **APPROVED**, with conditions.

Decision Date: **May 2, 2022**

Appeal: As provided in Section 13.01 of the County's Shoreline Master Program, any person aggrieved by the granting of a shoreline permit by the Skagit County Hearing Examiner may request a reconsideration before the Examiner or submit an appeal to the Board of Commissioners in accordance with Title 14 of the Skagit County Code. All requests for reconsideration or appeals must be submitted in writing within five (5) days of the date of the Examiner's written decision or decision after reconsideration.

Any person aggrieved by the granting of a shoreline permit may seek review from the State Shoreline Hearings Board by filing a written request for review with the Hearings Board within thirty (30) days of receipt by the Department of Ecology of the final order of the Hearing Examiner or Board of County Commissioners. The requester shall also file a copy of such request with the Department of Ecology, the Attorney General and the Board of County Commissioners. All procedures for appeal shall comply with RCW 90.58.180.

The entire decision can be obtained at Skagit County Planning and Development Services, 1800 Continental Place, Mount Vernon, WA.