

ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Name of proposed project, if applicable:

Proposal to amend Skagit County Code Chapter 14.24 (Critical Areas Ordinance) and Chapter 14.44 Enforcement to establish the Salmon Heritage Program and in response to the Western Washington Growth Management Hearing Board's Order in Case No. 02-2-0012c.

2. Name of Applicant:

Skagit County Planning & Development Services

3. Address and phone number of applicant and contact person:

Skagit County Planning & Development Services
1800 Continental Place
Mt. Vernon, WA 98273
(360) 419-3373
Contact: Tom Karsh, Special Projects Administrator

4. Date checklist prepared:

March 16, 2007

5. Agency requesting checklist:

Skagit County Planning & Development Services

6. Proposed timing or schedule (including phasing, if applicable):

There will be a public hearing before the Skagit County Planning Commission to take comments on the proposal. The public hearing date has been set for April 24, 2007 to consider amendments to Skagit County Code Title 14 (Unified Development Code) including Chapter 14.24 the Critical Areas Ordinance and Chapter 14.44 Enforcement. Planning Commission will consider public comment and forward findings and recommendations to the Skagit County Board Commissioner for final action on the proposal.

7. Do you have any plans for future additions, expansion or further activity related to or connected with this proposal? If yes, explain.

This proposal is related to actions to establish a Skagit County Salmon Heritage Program and to amend Resolution R20040211 related to monitoring and adaptive management for ongoing agriculture. Separate SEPA documents are being issued on this same date for those actions.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

1. Best Available Science Report. Use of Best Available Science in Skagit County Critical Areas Ordinance (Wetlands and Fish & Wildlife Habitat Conservation Areas). The Watershed Company. January 17, 2007.
2. Final Programmatic Environmental Impact Statement evaluating alternative approaches that Skagit County may implement to protect critical areas and lands in on-going agriculture under the Growth Management Act issued June 12, 2003.
3. Skagit County Salmon Habitat Monitoring Program – 2004/2005 Baseline Report. Skagit County Public Works. December 2006
4. Skagit County Monitoring Program Annual Report – 2006 Water Year (October 2005 – September 2006). Skagit County Public Works. February 2007.
5. Lower Skagit River Tributaries Temperature Total Maximum Daily Load Study. Department of Ecology. January 2004.

The information listed above is available to view on Skagit County's website at skagitcounty.net

9. Do you know of pending applications for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known

10. List any government approvals of permits that will be needed for your proposals, if known.

Skagit County Board of Commissioner's approval is required for any amendments to Skagit County Code.

11. Give a complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist which ask you to describe certain aspects of your proposal. You do not need to repeat those answers of this page.

The proposal consists of the following components and is intended protect salmon habitat and ongoing agricultural in Skagit County by establishing a Salmon Heritage Program that would acquire riparian habitat (buffer) conservation easements and to comply with the Western Washington Growth Management Hearings Board Order in Case No. 02-2-0012c.

Amendments are being proposed to Skagit County Code Chapter 14.24.120 (Ongoing Agriculture) in order to: 1) Provide for the adoption of the Salmon Heritage Program (a separate but related action); 2) Acknowledge the new drainage maintenance agreement reached between the local drainage districts and the State Department of Fish and Wildlife; 3) Amend watercourse protection measures to require best management practices consistent with the Natural Resource Conservation Service's Field Office Technical Guide Practice Standards; and 4) Remove do no harm standards and provide for changes to the habit and water quality monitoring and adaptive management program requirements (a separate but related action) no longer necessary due to the proposed conservation easement buffer acquisition program. Chapter 14.44 Enforcement is being amended to enhance the compliance monitoring and enforcement associated with the ongoing agriculture regulations and to ensure that best available science has been incorporated to protect ongoing agriculture and salmon habitat in agricultural areas.

See attached staff report and proposed code amendments for more specific information.

12. Location of the proposal. Please give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any. If a proposal would occur over a

range of area, please provide the range or boundaries of the site(s). Please provide a legal description, site plan, vicinity map, and topographic map if possible. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. (Indicate if maps or plans have been submitted as part of a permit application.)


Lands zoned Agriculture-NRL and Rural Resource-NRL inside the unincorporated areas of Skagit County, WA located within Ranges 1-12 East and Townships 33-36 North, W.M., Skagit County, WA.

B. ENVIRONMENTAL ELEMENTS

Not Applicable

C. SIGNATURE

The above answers are true to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  _____

Date: March 16, 2007

D. SUPPLEMENT SHEET FOR NON-PROJECT ACTIONS

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposed amendments are not likely to result in any increase in discharge, emission, production or release any of the above beyond what is already occurring or permitted. In fact, acquisition and protection of riparian buffers under the related Salmon Heritage Program is likely to result in a decrease in such discharges. Any specific development resulting from these amendments shall be subject to all applicable codes, regulations and statutes from the local, state and federal jurisdictions.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed amendments are not likely to have any adverse effect on any of the above beyond what is already occurring or permitted. The amendments are intended to protect the functions and values of critical areas including wetland, fish and wildlife habitat conservation, geologically hazardous, critical aquifer recharge, and frequently flooded areas. Any specific development resulting from these amendments shall be subject to all applicable codes, regulations and statutes from the local, state and federal jurisdictions.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed amendments will not facilitate any depletion of energy or natural resources beyond what is already occurring or permitted.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed amendments are not likely to have any negative effects. The amendments are intended to protect the functions and values of critical areas including wetland, fish and wildlife habitat conservation, geologically hazardous, critical aquifer recharge, and frequently flooded areas. Any specific development resulting from these amendments shall be subject to all applicable codes, regulations and statutes from the local, state and federal jurisdictions.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The proposed amendments greatly expand the existing County regulations meant to protect critical areas within the County adjacent to ongoing agricultural activities. Any possible use or affect from any specific development resulting from the proposed amendments shall be subject to all applicable codes, regulations and statutes from the local, state and federal statutes.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed amendments intend to strengthen environmental protection of the shorelines based on recommendations included in the Best Available Science Review documents. The related Salmon Heritage Program and buffer acquisition is likely to result in a reduction of total acreage in agricultural production. The amendments work in conjunction with the existing Shoreline Management Master Program. The Shoreline Management Master Program and the Shoreline Element of the Comprehensive Plan remain unchanged. Any specific development resulting from the amendments shall be subject to all applicable codes, regulations and statutes from the local, state and federal statutes including the Shoreline Management Master Program.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The County will acquire conservation easements on riparian habitat in Agricultural-NRL and Rural Resource-NRL zoned land and increase compliance monitoring to better protect riparian habitat. To mitigate impacts from reduction of lands in agricultural production, the Salmon Heritage Program will provide compensation and will fund ongoing maintenance, fencing and removal of noxious weeds in the buffer area. Any possible use or affect from any specific development resulting from the amendments shall be subject to all applicable codes, regulations and statutes from the local, state and federal jurisdictions including the Shoreline Management Master Program.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed amendments will not effect demands on transportation or other public services or utilities.

Proposed measures to reduce or respond to such demand(s) are:

None required. Any possible use or effect from any specific development resulting from the amendments shall be subject to all applicable codes, regulations and statutes from the local, state and federal jurisdictions.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None anticipated