

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

For

Whistle Lake LLC File # **BP17-0635**

PROJECT DESCRIPTION: Notice is hereby given that on October 2, 2017, Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist review completed in conjunction with Grading Permit application #BP17-0635 for the placement of approximately 5,000 cubic yards of material and the excavation of approximately 15,000 cubic yards of material for the construction completion of 2,300 linear feet of roadway to access a proposed 8 lot land division. The proposed project is located within the Rural Intermediate (RI) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016 and as thereafter amended.

PROPONENT: Whistle Lake LLC, P.O. Box 319, Anacortes, WA 98221. Project Contact: Strandberg Construction Inc., c/o Nels Strandberg, P.O. Box 319, Anacortes, WA 98221.

PROJECT LOCATION: The project is located south of Whistle Lake Road and Whistle Lake Terrace on approximately 19.93 acres, south of 11575 Whistle Lake Road, Anacortes, within a portion of Section 31 Township 35N, Range 2E W.M., situated within Skagit County, Washington. (P33437).

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 16.12. 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 Stormwater Management 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 Stormwater Management 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) 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.

**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 16.12 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 **October 19, 2017.**

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) 416-1326

Date: 10-3-17 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 River Systems Coop, DAHP, Upper Skagit Indian Tribe, Samish Indian Nation, City of Anacortes, Applicant, Parties of record.

**Please Publish: 10-5-17**

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