

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
PL17-0272

PROJECT DESCRIPTION: Mr. David Lindsey applied for a waiver of forest practice moratorium with Skagit County Planning and Development Services. The applicant obtained a renewed class III forest practice permit on July 22, 2013. The approval of this class III forest practice permit is subject to the provisions of SCC 14.24.110(4), including a 6 year development moratorium. The applicant is seeking a waiver of the development moratorium in preparation for subdivision of two parcels included in the moratorium. The applicant is proposing a Conservation and Reserve Development (CaRD) under the provisions of SCC 14.18.300 to create 19 residential parcels onsite. The project will require excavation of approximately 4,700 cubic yards of soil for roads and detention pond development and require the placement of approximately 2,100 cubic yards of fill. The subject site is located within the Rural Reserve (RRv) zoning/comprehensive plan designated area. For additional information contact the County.

Proponent: Mr. David Lindsey, 20479 Comet Lane, Mount Vernon, WA 98274

Location of proposal: The site is located on Lake Sixteen Road, Conway; within a portion of Section 21, Township 33 North, Range 4 East, Skagit County, WA (Parcels: P17100 & P17076).

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 Drainage Ordinance. Said measures shall be maintained and 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 the Skagit County Stormwater Management Ordinance, SCC 14.32, as it relates to increased runoff 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 of the Skagit County Code (Skagit County Critical Areas Ordinance).
7. The land division proposal shall comply with **all** applicable requirements of SCC 14.16 and SCC 14.18. Most notably, SCC 14.16.830 Landscaping, SCC 14.16.840 Performance standards, and SCC 14.16.850 General provisions.
8. A Construction Stormwater General or Industrial Permit 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.
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.
 10. A level 1 traffic analysis shall be completed to the satisfaction of Skagit County Public Works for the subdivision proposal, consistent with Skagit County Road Standards. In the event the analysis indicates that the subdivision will generate more than 50 vehicle trips during the peak hour, the level 1 traffic analysis shall be expanded to a level 2.
 11. The applicant shall be responsible for ensuring that all development activities do not encroach into wetlands and the 112.5-foot buffers. Any impact to the wetlands or associated buffers from development activities shall be immediately restored.

A Copy of this MDNS shall be kept on site and made available to inspecting agencies during all phases of development.

Failure to comply with any of these conditions will result in all work on the site being stopped until the condition is remedied.

This MDNS is issued under 197-11-350(2). The lead agencies will not act on this proposal for 15 days from the date of publication.

Written comments must be received no later than 4:30 pm on: **October 13, 2017**
Email correspondence **will not be accepted**, however comments may be submitted via the PDS website under the "current legal notices" tab. (www.skagitcounty.net/pdscomments)

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 (14) calendar days after the date of the threshold determination.

Appeals must be submitted by **October 27, 2017**.

RESPONSIBLE OFFICIAL: Director of Planning and Development Services

CONTACT PERSON: John Cooper, Natural Resource Planner

MAILING ADDRESS: Skagit County Planning and Development Services, 1800 Continental Place,
Mount Vernon, WA 98273

Phone: (360) 416-1334

Date: 9-26-2017 Signature John Cooper
On behalf of Dale Pernula, AICP,
Planning and Development Services Director

cc: North West Clean Air Agency, Wash. Dept. of Archaeology & Historical, Wash. Dept. of Natural Resources, Wash. Dept. of Ecology, Wash. Dept. of Transportation, Wash Dept. of Fish & Wildlife, Skagit Co. Public Works, Skagit Co. Fire Marshal, Skagit River Systems Cooperative, Swinomish Tribal Community, Samish Indian Nation Tribal Council, Upper Skagit Tribal Council, Army Corps, Public Utility Dist. #1, Applicant, Parties of Record

Please publish September 28, 2017.

Lindsey.john.c.09.29.17