

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
File No. PL17-0627

PROJECT DESCRIPTION: The Upper Skagit Indian Tribe filed an application for a forest practice conversion to harvest 32,000 board feet of timber on 4.14 acres of a 19.70 acre parcel. The applicant proposes to prepare the site for development as a tribal cemetery with access roads and a columbarium. After harvesting the timber, the applicant will remove the stumps in preparation for grading the access road and clearing an area for columbarium construction. The applicant proposes to excavate approximately 2,200 cubic yards of soil from the site and import 2,300 cubic yards of gravel, amended soils, concrete and asphalt to complete the project. Parcel P40955 is located within the Rural Reserve zoning/comprehensive plan designated area. For additional information contact the County.

Proponent: Ms. Jennifer Washington representing the Upper Skagit Indian Tribe, 15944 Community Plaza Way, Sedro-Woolley, WA 98284

Location of proposal: The subject site is located at 33425 Hamilton Cemetery Road, within a portion of the southwest quarter of Section 10, Township 35 North, Range 6 East, Skagit County, WA (Parcel P40955).

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.

- Skidder, tractor, cat and/or shovel yarding shall be prohibited at times of high soil moisture. Skidding shall stop if soil rutting exceeds 10 inches in depth.
- The public right-of-way shall be kept clean. Tracking of mud and debris off site shall not be allowed.
- Temporary erosion/sedimentation control measures, as approved by the Skagit County Department of Public Works, shall be in place prior to the initiation of the project pursuant to Skagit County Code (SCC) 14.32, Drainage Ordinance. The applicant shall maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Drainage/Erosion/Sedimentation Control Ordinance. Said measures shall remain in place until completion of the project.
- The project shall comply with noise, vibration, and light/glare limitations as per SCC 14.16.840.
- The project is limited to those activities described in the SEPA checklist and supporting documents. Significant deviation from the proposal may require additional review and approval by Skagit County Planning and Development Services.
- The applicant shall comply with the provisions of Washington State Administrative Code (WAC) 173-200 & 173-201A as required to prevent surface water quality and groundwater impacts. Best management practices shall be utilized to prevent interference and/or degradation of water quality.

- 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.

A Copy of this MDNS and the approved Department of Natural Resources Forest Practice permit shall be kept on site and made available to inspecting agencies during all phases of harvest activity.

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 **February 2, 2018**. 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 by addressing those criteria as set forth in SCC 14.06 and 16.12 and then by filing such with the Skagit County Planning and Permit Center for service to the SEPA responsible official within (14) calendar days after the date of the threshold determination.

Appeals must be submitted by **February 16, 2018**.

RESPONSIBLE OFFICIAL: Director of Planning and Development Services

CONTACT PERSON: John Cooper, Natural Resource Planner

Address: Skagit County Planning and Development Services
1800 Continental Place
Mt. Vernon, WA 98273

Phone: (360) 416-1334

Date: _____ Signature _____

cc: WSDOE, WSDFW, WSDNR, WSDAHP, NWCAA, SCHD, SCPW, SC Fire marshal, Skagit River System Coop, Samish Indian Nation Tribal Council, Sauk-Suiattle Tribal Council, Swinomish Tribal Community, Town of Hamilton, Applicant

Please publish January 18, 2018.
UpperSkagitIndianTribe.johnc.01.19.18