

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

For

Skagit County Dike District #1
File # **BP19-0472 / FP19-0037**

PROJECT DESCRIPTION: Notice is hereby given that on August 6, 2019, Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist review completed in conjunction with Grading Permit application #BP19-0472 for the placement of approximately 3,450 cubic yards of material (1,860 cubic yards of rock and 1,590 cubic yards of soil) to improve approximately 740 linear feet of levee by adding a 30 foot wide seepage berm to the southern side of the existing dike. The proposed project is located within the Rural Reserve (RRv) and Agricultural Natural Resource Lands (Ag-NRL) zoning/comprehensive plan designated areas as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016 and as thereafter amended.

PROPONENT: Skagit County Dike District #1, 17208 Bradshaw Road, Mount Vernon, WA 98273. Contact Person: Semrau Engineering and Surveying, c/o John Semrau, 2118 Riverside Drive, Suite 208, Mount Vernon, WA 98273.

PROJECT LOCATION: The project is located along the south side of the South River at 17621 State Route 536, Mount Vernon, within a portion of Section 13, Township 34N, Range 3E W.M., situated within Skagit County, Washington. (P21703 and P21699).

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 14.12. 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 Planning and Development Services, 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 of the Skagit County Code (Skagit County Critical Areas Ordinance).
7. This project may be subject to one of Ecology's National Pollutant Discharge Elimination Systems (NPDES) permits. 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.

8. 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.

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: **August 22, 2019**

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) 416-1320

Date: 8-6-19 Signature Brandon Black .

On behalf of Hal H. Hart

Planning and Development Services Director

cc: WDOE, Public Works, NW Clean Air Agency, Fire Marshal, WSDF&W, Skagit River Systems Coop, DAHP, Army Corps., Upper Skagit Indian Tribe, Samish Indian Nation, WSDOT, City of Mount Vernon, Applicant, Parties of record

Please Publish: 8-8-19

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