

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

For
Mr. Joseph Neff
File # **PL19-0225**

PROJECT DESCRIPTION: Notice is hereby given that on May 3, 2019 Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist review completed in conjunction with Forest Practice Conversion Application PL19-0225. The proposal includes the harvest of approximately 100,000 board feet of timber on a 2 acre portion of a 5.69 acre parcel. The applicant proposes to convert the area for residential use and includes future construction of a residence and a shop. After harvesting the timber, the applicant will remove stumps and level the area by excavation and fill of approximately 200 cubic yards of soil from the topographic high points and placing in depressions. The parcel is located within the Rural Reserve zoning/comprehensive plan designated area.

Proponent: Mr. Joseph Neff, 2911 Arapaho Place, Mount Vernon, WA 98274

Location: The subject site is located at 20939 Starbird Road, near Conway within a portion of the northeast quarter of Section 33, Township 33 North, Range 4 East, Skagit County, WA (Parcels *P113097* & *P113056*).

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). 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 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, SCC 14.32.060. Said measures shall remain in place until completion of the project.
- 2) An engineered soils compaction report shall be required for all structures placed on fill soils greater than 18 inches deep.
- 3) No disturbance, including timber harvest, excavation or placement of fill, shall occur within any fish and wildlife habitat conservation areas and associated buffers or within any wetlands and associated buffers, as identified onsite. The applicant shall be responsible for ensuring that all timber harvest and grading activities do not encroach into wetlands and associated buffers. Signs or markers indicating the fish and wildlife habitat conservation areas and associated buffers, and wetlands and associated buffers shall be posted onsite prior to harvest.
- 4) Should any human remains, archaeological, historic or cultural materials be discovered during grading and construction activities, 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 Archaeology and Historic Preservation and affected tribes. Following consultation with the above parties, if 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 & grading activity.

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

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 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 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 August 1, 2019.

RESPONSIBLE OFFICIAL: Hal Hart, Director SC Planning & 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, NWCAA, WSDAHP, SCPW, SC Fire marshal, Samish Indian Nation, Swinomish Indian Tribal Community, Upper Skagit Indian Tribe, Skagit River System Cooperative, Applicant

Please publish July 18, 2019.

Neff.johnc.07.19.19