

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

For
The Port of Skagit County
File # **PL19-0555 & BP19-0720**

PROJECT DESCRIPTION: Notice is hereby given that on October 7, 2019 Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist review completed in conjunction with Forest Practice Conversion Application PL19-0555 and Grading Application BP19-0720. The proposal includes the harvest of approximately 68,000 board feet of timber on a 7.8 acre portion of a 278 acre parcel. The applicant proposes to convert the area for a 7,900 square foot research and testing facility on a 3.5 acre portion of the parcel. Future development plans include construction of a 24,000 square foot storage building and 75,000 square feet of paved surface on a 4.3 acre portion of the parcel. After harvesting the timber, the applicant will remove stumps and level the area by excavating approximately 20,000 cubic yards of soil and fill approximately 9,900 cubic yards of soil within the 7.8 acre portion of the parcel to accommodate a research and test facility. The parcel is located within the Aviation Related Limited (AVR-L) zoning/comprehensive plan designated area.

Proponent: Port of Skagit County, 15400 Airport Road, Burlington, WA 98233

Location: The subject site is located at 11941 Farm to market Road within a portion of the western half of Section 33, Township 35 North, Range 3 East, Skagit County, WA (Parcel P35302).

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 any ground disturbance. 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. The applicant shall comply with Northwest Clean Air Agency requirements.
3. The applicant shall comply with the provisions of SCC 14.32 of the Skagit County Stormwater Management ordinance as it relates to increased runoff resulting from additional impervious surfaces.
4. An engineered soils compaction report shall be required for all structures placed on fill soils greater than 18 inches deep.
5. The applicant shall comply with all relevant provisions of 14.24 of the Skagit County Code (Skagit County Critical Areas Ordinance). No disturbance, including timber harvest, excavation or placement of fill, shall occur 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 150-foot buffers. Any unintended impact to the wetlands or associated buffers from development activities shall be immediately restored.

6. This project is subject to Ecology's National Pollutant Discharge Elimination Systems (NPDES) permits. A Construction Stormwater General permit is required by the Department of Ecology (WSDOE) for this project.
7. 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. 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 & 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.

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.

Comments must be submitted by October 25, 2019.

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 November 7, 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 Coop, Dike, Drainage and Irrigation District 12 & 19, ACOE, Applicant

Please publish October 10, 2019.

