

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS) &
NOTICE OF DECISION
PL19-0344

PROJECT DESCRIPTION: Notice is hereby given that on June 30, 2020, Skagit County approved the State Environmental Policy Act checklist review completed in conjunction with forest practice application PL19-0344 submitted by Robert Atterberry. The forest practice conversion application indicates a proposal to harvest approximately 145,000 board feet of timber on a 6.7 acre portion of 6.72 acre Parcel 19171. The applicant proposes to prepare the site for subdivision and related residential development. After harvesting the timber, the applicant will remove stumps and complete some minor grading to fill the stump holes and level the area.

Proponent: Robert Atterberry, 13841 Eagle Crest Lane, Anacortes, WA 98221

Location of proposal: The subject site is located at 13841 Eagle Crest Lane, Skagit County, within a portion of Section 11, Township 34 North, Range 1 East, Skagit County, WA (Parcel P19171).

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. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Stormwater Management Ordinance. 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.
2. The 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.
3. The proposal shall comply with **all** applicable requirements of SCC 14.24.
4. The recommendations of the geotechnical report prepared by Edison Engineering, dated June 20, 2020, are considered conditions of this approval including but not limited to a 30 foot setback from the top of the steep slope.

5. A Construction Stormwater General or Industrial Permit may be required by the Department of Ecology (WSDOE) for this project. If the proposed selective logging results in an earth disturbance greater than 1 acre and stormwater associated with the construction activity discharges off-site, a Construction Stormwater General Permit (CSWGP) is required.
6. 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 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.

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

Appeals must be submitted by **July 14, 2020**.

RESPONSIBLE OFFICIAL: Director of Planning and Development Services

CONTACT PERSON: Leah Forbes, Senior Planner

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

Phone: (360) 416-1320

Date: _____ Signature _____
On behalf of Hal Hart,

Planning and Development Services Director

cc. WDOE, WDFW, WDNR, WDOT, DAHP, NWCAA, SRSC, Skagit County Public Works, Skagit County Assessor, Skagit County Fire Marshal, Fire District #11, Swinomish Tribal Community, Samish Indian Nation, Applicant.

Please publish: July 2, 2020

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