

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

For
Skagit Soils Inc.
File # **BP21-0339**

PROJECT DESCRIPTION: Notice is hereby given that on June 1, 2021, Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist for review in conjunction with Grading permit application #BP21-0339 to improve the working surface at an existing composting operation and install additional industrial wastewater collection capability by way of an additional storage pond. The proposal is to replace graveled surface with hard surface in two phases and install an additional 285,000 gallon wastewater storage pond. Phase II hard surface includes 68,400 square feet of hard surface, Phase III will include an additional 83,800 square feet. The proposal will include the excavation of approximately 1,400 cubic yards for material for the construction of the wastewater holding pond and the overall site grading will involve approximately 152,200 square feet. The areas to be converted from gravel to solid surface will require minimal surface grading from the existing contours. The proposed project is located within the Bayview Ridge Urban Growth Area (UGA) within the Bayview Ridge Heavy Industrial (BR-HI) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016 and as thereafter amended.

PROPONENT: Skagit Soils Inc., c/o Craig Culmback, 13260 Ball Road, Mount Vernon, WA 98273.

PROJECT LOCATION: The project is located at 13260 Ball Road, Mount Vernon, within a portion of Section 9, Township 34N, Range 3E W.M., situated within Skagit County, Washington. (P130705)

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. 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 the completion of the project.
2. The applicant shall comply with Northwest Clean Air Agency (NWCAA) 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. Best Management practices shall be utilized throughout the life of the project.

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. The project shall comply with the State call-before-you-dig laws (Chapter 19.122 RCW). Call 811 prior to the start of construction.
8. The proposal, and site development, shall comply with all applicable requirements of SCC 14.16, and specifically SCC 14.16.190, SCC 14.16.210, SCC 14.16.215 and SCC 14.16.830.
9. 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.

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: **June 17, 2021**

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: 6-1-21 Signature Brandon Black
On behalf of Hal Hart
Planning and Development Services Director

cc: WDOE, Public Works, NW Clean Air Agency, Fire Marshal, Stormwater and Critical area review staff, Water review staff, WSDF&W, Skagit River Systems Coop, DAHP, Army Corps., Public Health, Upper Skagit Indian Tribe, Samish Indian Nation, Drainage Dist. #'s 12 and 19, City of Burlington, Port of Skagit, Jenna Friebel, Kinder Morgan Pipeline, Applicant

Please Publish: 6-3-21