

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

For
Rick Clark
File # **PL23-0169**

PROJECT DESCRIPTION: Notice is hereby given that on May 22, 2023, Skagit County Planning and Development Services approved the independent State Environmental Policy Act (SEPA) checklist (#PL23-0169) for creation of a “Critter Pad” to provide an area for livestock to congregate during times of heavy rains and saturated soils during the winter months. The applicant intends to elevate an approximate 1 – 1 ½ acre area by approximately 4 – 5 feet on a portion of a 20-acre parcel. The project anticipates the placement of approximately 5,000 cubic yards of material. The proposed project is located within the Rural Reserve (RRv) 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: Rick Clark, 14771 E. Edison Road, Bow, WA 98232.

PROJECT LOCATION: The site is located at 36569 State Route 20, Sedro-Woolley, within a portion of Section 18, Township 35N, Range 7E W.M., situated within Skagit County, Washington. (P43014).

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. 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.

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 8, 2023.**

RESPONSIBLE OFFICIAL: Director of Planning and Development Services

CONTACT PERSON: Brandon Black, Current Planning Manager

MAILING ADDRESS: 1800 Continental Place, Mount Vernon, WA 98273.

PHONE: (360) 416-1320

Date: 5-23-23 Signature Brandon Black.

On behalf of Jack Moore

Planning and Development Services Director/Administrative Official

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, Critical Areas and Stormwater review staff, Health Dept., Water Resources, Applicant

Please Publish: 5-25-23

Clark.brandonb.05.26.23

