

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

For

Pacific Dream Seafoods

File # **BP22-0754 (Grading) & BP22-0864 (Building)**

PROJECT DESCRIPTION: Notice is hereby given that on October 2, 2023, Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist review for the Pacific Dream Seafoods Site Development Project (File #'s BP22-0754 & BP22-0864). The project proposal includes the initial construction of a 61,700 square foot processing facility to process various seafood products. The second phase includes the construction of a 74,000 square foot refrigerated storage structure to be located east of the processing facility. Construction of the refrigerated structure is anticipated within 5-10 years. The total anticipated square footage of onsite finished structures is 135,700 square feet. The project includes the excavation of approximately 13,730 cubic yards of material and the placement of approximately 18,410 cubic yards of material for both combined phases. Development will include all underground utilities, landscaping, and stormwater conveyance facilities. The proposed project is located within the Bayview Ridge Light Industrial (BR-LI) 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: Pacific Dream Seafood, c/o Jerod Goodin, 1004 Commercial Ave., Anacortes, WA 98221.
OWNER: J & J Property Holdings LLC., 830 Kline Road, Bellingham, WA 98226. **CONTACT PERSON:** Ravnik & Associates, c/o John Ravnik, P.O. Box 361, Burlington, WA 98233.

PROJECT LOCATION: The proposed project is located on 6 acres described as Lot 5A of Bay Ridge Business Park Binding Site Plan #PL07-0733 (AFN 200801220120) addressed at 11731 Bay Ridge Drive, Burlington, within a portion of Section 34, Township 35N, Range 3E W.M., situated within Skagit County, Washington. (P127385).

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, must be in place prior to the placement of any fill material. The applicant must maintain all temporary erosion/sedimentation control measures in accordance with the Skagit County Stormwater Management Ordinance. Said measures must remain in place until the completion of the project.
2. The applicant must comply with Northwest Clean Air Agency (NWCAA) requirements.
3. The applicant must 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 must comply with Fire Code Standards.
5. An engineered soils compaction report must be required for all structures placed on fill material.
6. The applicant must comply with all relevant provisions of 14.24 of the Skagit County Code (Skagit County Critical Areas Ordinance).
7. The proposal, and site development, must comply with all applicable requirements of SCC 14.16, and specifically SCC 14.16.180 (BR-LI), SCC 14.16.210 (Airport Environs), SCC 14.16.215 (Bayview Ridge UGA), SCC 14.16.800 (Parking), and SCC 14.16.830 (Landscaping).
8. Pursuant to SCC 14.16.210(3)(c)(ii), any proposal that includes construction or alteration of a significant exhaust-producing element must provide the County and Port of Skagit an assessment of the vertical velocity of the existing exhaust using a recognized plume rise equation or equivalent source testing. Specifically, if applicable, the Port will need information on: Stack height and diameter, efflux velocity and temperature, and the number and location of stacks.
9. In the event that exhaust velocities are determined to be of a magnitude and height of significance to aircraft, the project proponent must evaluate mitigating design measures in consultation with the County and Port of Skagit.
10. Pursuant to SCC 14.16.210(3)(c)(iii), stormwater management features, including stormwater detention or retention ponds, must be designed in accordance with the WSDOT Airport Stormwater Guidance manual.
11. Right of Way permit(s) must be obtained for all work proposed within the County Right-of-Way.
12. Bay Ridge Drive will be required to be improved to current County Road standards (full frontage improvements) from the intersection of Peterson Road, through the full lot width of the site frontage, prior to final permit approval and occupancy. In lieu of full road frontage improvements during the time of site development, the owner may choose to participate in a cost sharing agreement with Skagit County, along with future developers using Bay Ridge Drive (per Section 13.02(c) and 13.03(2) of the Skagit County Road Standards), to defer the required frontage improvements. Such share shall be equal to the County's costs for installing the deferred frontage improvements at the time of the projects design.
13. The project requires connection to the City of Burlington sanitary sewer system and must comply with City of Burlington sewer system design, construction, and approval requirements. Prior to issuing any building or grading permits, plans depicting any sewer connections, extensions, or related infrastructure shall be submitted to the City of Burlington for review and approval. The sewer plans shall be prepared by a civil engineer licensed in the State of Washington and shall demonstrate compliance with all applicable City of Burlington requirements.
14. Prior to approving any final occupancy certificate or final building inspections the following shall be completed: (a) All completed sewer work shall be inspected and approved by the City of Burlington; and (b) "As-built" drawings depicting the completed sewer work shall be prepared by the civil engineer responsible for the design drawings and shall be submitted to the City of Burlington for review and approval.
15. All applicable City of Burlington fees shall be paid in accordance with the City's adopted fee schedule and code requirements.
16. 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) 927- 4900.
17. 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.

This MDNS is issued under WAC 197-11-350. The lead agency will not act on this proposal for 15 days from the date of the publication below.

Written comments must be received no later than 4:30 pm on: **October 20, 2023**

*Email correspondence **will not be accepted***, however comments may be submitted via the PDS website under the “recent legal notices” tab. (www.skagitcounty.net/pdscomments)

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: **November 3, 2023**

RESPONSIBLE OFFICIAL: Director of Planning and Development Services

CONTACT PERSON: Brandon Black, Senior Planner

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

PHONE: (360) 416-1320

Date: 10-3-23 Signature: Brandon Black.

On behalf of Jack Moore

Planning and Development Services Director

cc: WDOE, Public Works, NW Clean Air Agency, Fire Marshal, Stormwater and Critical area review staff, WSDF&W, Skagit River Systems Coop, DAHP, Army Corps., Public Health, PUD, Upper Skagit Indian Tribe, Samish Indian Nation, City of Burlington, Port of Skagit, Drainage Dist. #14 and #19, Dike Dist. #12, Jenna Friebe, Applicant, Parties of Record

Please Publish: 10-5-23

