

**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
And NOTICE OF DECISION
For
Port of Skagit c/o Sound Development Group
Systima Fill and Grade Permit #BP24-0527**

PROJECT DESCRIPTION: Notice is hereby given that on 6 August 2024, Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist review in conjunction with the grading permit application #BP24-0527 associated with the extension of the existing asphalt access road, construction of two new buildings, and all required utility extensions associated with the Systima Site Expansion. The project involves the excavation of approximately 21,000 cubic yards of material and 9,600 cubic yards of fill. The project is located part within the Aviation Related – Limited (AVRL) and part Aviation Related (AVR) zoning/comprehensive plan designated areas as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016.

PROPONENT: Port of Skagit c/o Sound Development Group, 15400 Airport Drive, Burlington, WA 98233.

PROJECT LOCATION: The project is located at 11941 Farm to Market Road, Burlington, WA, 98233 within a portion of Section 33, Township 35N, Range 03E, W.M., situated within Skagit County, Washington (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)(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 Department of Planning and Development Services, must be in place prior to any land disturbing activity. The applicant must maintain all temporary erosion/sedimentation control measures in accordance with the approved Construction Stormwater Pollution Prevention Plan, provisions of Skagit County Code 14.32, and provisions of the 2019 Stormwater Management Manual for Western Washington. These measures must be used effectively until completion of the project.
2. No track out of dirt onto any county road is permitted. For the duration of construction activities, the applicant shall sweep track out dirt and debris from any county roadways/right of ways adjacent to the subject property.
3. The applicant shall comply with Northwest Clean Air Agency requirements.
4. The applicant shall comply with the provisions of Skagit County Code Chapter 14.32, Stormwater Management, and comply with all applicable Minimum Requirements specified in the NPDES Phase II Municipal Stormwater Permit for Western Washington and the Stormwater Management Manual for Western Washington.
5. The applicant shall comply with Fire Code Standards.
6. An engineered soils compaction report shall be required for all structures placed on fill material.
7. The applicant shall comply with all relevant provisions of 14.24 of the Skagit County Code (Skagit County Critical Areas Ordinance).

8. A Construction Stormwater General Permit (NPDES) may be required by the Department of Ecology (WSDOE) for this project. Contact the WSDOE Bellingham Field Office at (360) 715- 5200 to determine if an NPDES permit is required.
9. The applicant must comply with provisions of Skagit County Code Chapter 14.22, Land Disturbance.
10. 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 4.30pm on **23 August 2024**.

*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 14.12 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: **6 September 2024**.

RESPONSIBLE OFFICIAL: Director of Planning and Development Services
CONTACT PERSON: Angus Bevan, Senior Planner
MAILING ADDRESS: 1800 Continental Place, Mount Vernon, WA 98273.
PHONE: (360) 416-2025

Date: August 8, 2024

Signature:



Angus Bevan, Senior Planner
Planning and Development Services

cc: Public Works, Fire Marshall, Stormwater Review, Critical Area Review, Water Resources Review, Public Health, NW Clean Air Agency, WDOE, WDF&W, DAHP, WSDOT, Samish Indian Nation, Upper Skagit Indian Tribe, Skagit River Systems Coop, Swinomish Indian Tribal Community, Army Corps. of Engineers, Drainage District #14 and #19, Dike District #12, Applicant

Please Publish: August 8, 2024