

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
And NOTICE OF DECISION
For
Michele Cherchi, US Golden Eagle Farms LP
File # **PL24-0181**

PROJECT DESCRIPTION: Notice is hereby given that on August 6, 2024, Skagit County Planning and Development Services approved the independent State Environmental Policy Act (SEPA) checklist review (#PL24-0181) for the "US Golden Eagle Farms LP" project. The project includes the creation of an "Irrigation Pond" at the site of a decommissioned manure lagoon to support agricultural needs during the growing season. The project includes the installation of 850 feet of buried 8-inch diameter HPDE, or PVC plastic, pipe between the irrigation pond and the temporary floating pump placed in the Skagit River during in-water work window times. The proposed pond will be approximately 350 feet wide and 350 feet long. The project includes the excavation of approximately 23,159 cubic yards of material and the placement of approximately 29,068 cubic yards of material. The proposed project is located within the Agricultural-Natural Resource Lands (AG-NRL) 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: US Golden Eagle Farms LP, 89 West Georgia ST, Vancouver, BC V6B 0N8,
CONTACT: Michele Cherchi (Farm Manager), 33083 Cockerham Island Road, Sedro Woolley, WA 98237.

PROJECT LOCATION: The projects are located at 33399 Snider Road, Sedro-Woolley, within a portion of Section 15, Township 35N, Range 6E W.M., situated within Skagit County, Washington. (Parcel #'s 41246, 41240, and 41249).

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 reviewing 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. No track out of dirt onto county roads is permitted. For the duration of construction activities, the applicant shall sweep track out dirt and debris from county roadways/right of ways adjacent to the subject property.
2. Development Services mentation control measures, as approved by the Skagit County Planning and Development Services, must be in place prior to the proposed land disturbance activity. 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.
3. The applicant must comply with Northwest Clean Air Agency (NWCAA) requirements.
4. 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. All activities must be consistent with Stormwater Pollution Prevention Plan prepared by a registered Professional Engineer on March 2024.
5. The applicant shall comply with the provisions of Chapter 14.34 of the Skagit County Code (Flood Damage Prevention).

6. The applicant must comply with Fire Code Standards.
7. The applicant shall comply with all relevant provisions of 14.24 of the Skagit County Code (Skagit County Critical Areas Ordinance). Critical Areas and Shoreline Review of the Wetland Delineation and Critical Areas Report prepared by Anchor QEA, LLC dated November 2023 was completed with PL24-0180. The proposed irrigation pond and water conveyance pipe are approved for critical areas compliance provided that the recommended Best Management Practices (BMPs) outlined in the report are followed. This includes, but is not limited to:
 - All areas disturbed or newly created by project construction will be stabilized as soon as possible to prevent erosion.
 - Temporarily disturbed vegetation must be replanted with native species following construction.
 - The floating pump must be removed from the river when not in use. The centrifugal pump must be transported and used on a dedicated trailer and stored at a Cockerham Farm building away from the Skagit River when not in use.
 - The BMPs outlined on page 45 and 46 of the Anchor QEA report must be complied with at all times.
 - Washington State Department of Ecology and U.S. Army Corps of Engineers confirmation that the wetland described as Wetland A within the report is non-jurisdictional for their agencies is required.
 - Confirmation from Washington State Department of Fish and Wildlife (WDFW) that a Hydraulic Project Approval (HPA) is or is not required must be provided. An approved HPA or documentation from WDFW stating that a HPA will not be required must be submitted to comply with Skagit County's Shoreline Master Program.
8. 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 Northwest regional Office at (360) 927- 4900. Any ground or surface water appropriation will require a water right issued by the WA Department of Ecology. The project must obtain and comply with all requirements of the Washington State Department of Ecology sand and gravel permit.
9. Should any human remain, 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.
10. The applicant must obtain all applicable state and federal permits before beginning any phase of construction.

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: **August 22, 2024**

RESPONSIBLE OFFICIAL: Director of Planning and Development Services
CONTACT PERSON: Deepti Khanna, Assistant Planner
MAILING ADDRESS: 1800 Continental Place, Mount Vernon, WA 98273.
PHONE: (360) 416-1397

Date: 08-05-2024

Signature: 
On behalf of Jack Moore
Planning and Development Services Director

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, DNR, Applicant, Parties of Record

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