

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

For

**HF Sinclair Puget Sound Refining, LLC - State Environmental Policy Act (SEPA) Permit # PLAN2-2026-0004**

**PROJECT DESCRIPTION:** Notice is hereby given that on April 21, 2026, Skagit County Planning and Development Services approved the independent State Environmental Policy Act (SEPA) checklist review (#PLAN2-2026-0004) for the “HF Sinclair Puget Sound Refining, LLC”. The project is replacement of the existing three-bay API oil/water separator due to age and reduced performance and to construct two new API oil/water separators (each sized for 50% capacity) east of the existing units, along with a new sludge tank, carbon canisters, pumps, a recovered oil tank, and an inlet diversion box for flow control and surge/bypass. Existing abandoned and obsolete equipment will be demolished to accommodate the new system, and associated improvements will include rerouting of underground piping, stormwater infrastructure, and electrical systems, as well as installation of new instrumentation tied to the refinery control system. Construction will require approximately 8,500 cubic yards of excavation and 3,500 cubic yards of imported fill, with minor grading changes but no net increase in impervious surface area.

**Project Location and Zoning:** The project site is located within the Anacortes UGA – Urban Development (UD) zoning district in unincorporated Skagit County. The site is addressed as 8505 South Texas Road, Anacortes, and is situated in a portion of Section 34, Township 35 North, Range 02 East, Willamette Meridian (Parcel No. P33502).

**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 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. Temporary erosion/sedimentation 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.
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).
8. This project may be subject to one Department of Ecology’s National Pollutant Discharge Elimination Systems (NPDES) permit. 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. Based on comments received from the Department of Ecology, the applicant shall continue coordination with Ecology and must submit engineering reports, plans and specifications to Ecology prior to constructing or modifying industrial wastewater facilities. In accordance with Washington Administrative Code (WAC) Chapter 173-240 WAC must meet the reporting requirements in accordance with WAC 173-340-300.
10. Based on comments received from the Department of Ecology, the applicant shall ensure protection of human health and the environment. Prior to ground disturbance, the applicant shall investigate site conditions where contamination may be present. If contamination is encountered, the Washington State Department of Ecology shall be notified. Any impacted soil, groundwater, or other environmental media shall be characterized and, if present, remediated in accordance with applicable environmental regulations. Appropriate mitigation measures may include sampling to determine the nature and extent of contamination, removal and proper disposal at an approved facility, confirmational testing, and implementation of worker health and safety measures.
11. 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.
12. The applicant must obtain all required local, state, and federal permits prior to 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 publication of the threshold determination.

Appeals must be submitted no later than: **May 07, 2026**

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

Date: April 21, 2026, Signature: Deepti Khanna  
*On behalf of Jack Moore*  
Planning and Development Services Director

cc: WDOE, NW Clean Air Agency, WSDF&W, Skagit River Systems Coop, DAHP, Army Corps, Upper Skagit Indian Tribe, Samish Indian Nation, Swinomish Indian Tribal Community, WSDOT, Skagit Public Utility District, City of Anacortes, Fire District # 13, Port of Anacortes, EFSEC, BP Olympic Pipeline, Trans Mountain Pipeline, Cascade Natural Gas Pipeline, Applicant, and Parties of Record.

Date Transmitted to Skagit Valley Herald and Mailed to applicant: **April 21, 2026**  
Date Published in Skagit Valley Herald: **April 23, 2026**