

MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
PL03-0363

PROJECT DESCRIPTION: Special Use permit application (SPU) PL03-0363 to expand the existing Butler Mine to the west of its current location. The expansion will create an additional mining site approximately 20 acres in size with an expected removal of approximately 3.9 millions tons of material over a seven (7) to ten (10) year period. The proposed mining is to be completed in four (4) phases. The southeast portion of the expanded mine will be wet-mined while the remainder of the site will be dry-mined. During the fourth phase of mining, the existing Butler Mine access road will be relocated so it bounds the northern extent of the wet mining area.

PROPONENT: Concrete Nor'West, a division of Miles Sand & Gravel Company, C/O Ken Coats, 663 Pease Road, Burlington, WA 98233. Contact Person: Leonard, Boudinot & Skodje, Inc., C/O Rebecca Bradley, 603 South First Street, P.O. Box 1228, Mount Vernon, WA 98273. Contact Phone: (360) 336-5751.

PROJECT LOCATION: The proposed project is located within the Rural Resource-Natural Resource Lands (RRc-NRL) Zoning/Comprehensive Plan district with a Mineral Resource Overlay zone as designated on the July 24, 2000 Zoning/Comprehensive Plan map. The proposed project is located at 19801 Kelleher, Road Burlington, Washington, within a portion of Section 17, Township 35 North, Range 4 East W.M., Skagit County, Washington.

LEAD AGENCY: Skagit County Planning and Permit Center.

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 14.12. 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 Public Works, 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 Drainage Code 14.32. Said measures shall remain in place until completion of the project.
2. The applicant shall comply with Northwest Air Pollution Authority requirements.
3. The applicant shall comply with the provisions of Chapter 14.32 of the Skagit County Code, the Skagit County Drainage Ordinance, as it relates to increased runoff resulting from additional impervious surfaces.
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 (Skagit County Critical Areas Ordinance).

This MDNS is issued under WAC 197-11-350(2). The lead agency will not act on this proposal for fifteen

(15) days from the date of publication below.

Comments must be submitted by 10-24-03.

You May appeal this threshold determination in accordance with Skagit County Code 14.12 and 14.06 and then by filing such with the Skagit County Planning and Permit Center for service to the SEPA responsible official within fourteen (14) calendar days after the date of the threshold determination comment period.

Appeals must be submitted no later than 11-7-03.

RESPONSIBLE OFFICIAL: Planning Director

CONTACT PERSON: Brandon Black, Associate Planner

ADDRESS: 200 West Washington Street, Mount Vernon, WA 98273.

PHONE: (360) 336-9410

Date 10-7-03 Signature _____.

David W. Blane

cc: WDOE, Public Works, NWAPA, Fire Marshal, WSDF&W, Skagit Systems Coop, DNR, Drainage District #14, LB&S, Applicant

Please publish: 10-9-03

MilesSand&Gravel.brandonb.10.10.03