

**BEFORE THE SKAGIT COUNTY HEARING EXAMINER**

**Applicant:** Washington State Department of Fish and Wildlife  
600 Capitol Way North  
Olympia, WA 98501

**Contact:** [Stephanie.Kuhns@dfw.wa.gov](mailto:Stephanie.Kuhns@dfw.wa.gov)

**Request:** Shoreline Substantial Development Permit, PL20-0131

**Location:** 21961 Wylie Road, within NW1/4 sec. 25, T33N, R3E, W.M.  
Parcel Nos: P16106 and P16113.

**Shoreline Designation:** Rural, Shoreline of Statewide Significance

**Summary of Proposal:** To replace the boat launch and ramp approach at the Skagit Wildlife Area Headquarters Unit. A new ADA accessible loading platform and vehicle turnaround area will be added in the adjacent parking area.

**Public Hearing:** May 12, 2021 via electronic means. Testimony by Planning and Development Services (PDS) staff and Applicant's representative. No public testimony.

**Decision/Date:** The application is approved, subject to conditions. Date: May 19, 2021

**Reconsideration/Appeal:** Reconsideration may be requested by filing with PDS within 5 days of this decision. Appeal is to the Board of County Commissioners by filing within 5 days of this decision, or decision on reconsideration if applicable.

**Online Text:** The entire decision can be viewed at:  
[www.skagitcounty.net/hearingexaminer](http://www.skagitcounty.net/hearingexaminer)

## **FINDINGS OF FACT**

1. The Washington State Department of Fish and Wildlife (WDFW) seeks a Shoreline Substantial Development permit to replace a boat launch and ramp and construct a new ADA accessible loading platform and vehicle turnaround in the adjacent parking area.
2. The project is located near 21961 Wylie road, within NW1/4 sec. 25, T33N, R3E, W.M. The site is within the Skagit Wildlife Headquarters Unit. Parcel numbers P1606 and P16113.
3. The site is designated Rural in the Skagit County Shoreline Management Master Program (SMP). The Skagit River is a Shoreline of Statewide Significance.
4. The site is on a WDFW acreage on Freshwater Slough of the Skagit River. The property contains the onsite manager's residence, a covered area/building, a mobile trailer that serves as office space, and a shed. The area is surrounded with dikes. It is used by the public for bird watching, waterfowl hunting and other light recreation. Neighboring lands are in agricultural and residential use.
5. The existing boat ramp, of precast concrete planks, is cracked and failing. It is 20 feet wide by 56 feet long. The top of the ramp is on a bench that floods at higher flows making launching difficult. The inlet between the ramp and river varies in width and depth, depending on silt and water elevation. Wetlands are located on all sides of the approach area.
6. The new ramp will be of precast concrete planks that are 12 feet wide, abutted on either side by articulated concrete matting, providing a total width of 20 feet. It will be about 112 feet long. A new ramp approach will allow boats to be launched at all water elevations.
7. The ramp is located in an area where sediments accumulate against the bank. Over time this can result in a shoal that blocks boat access. Periodic dredging will be required to maintain access at the base of the boat ramp. Dredging is proposed to be conducted yearly during the fish window, or as needed.
8. In the parking area, an ADA accessible loading platform will be constructed. The platform itself will be six feet wide and 46.5 feet long. The total footprint will include an 18' by 70' asphalt loading lane that will disturb the parking area to a depth of two feet. The footing of the loading platform will be six inches of gravel and 18 inches of concrete. The parking lot will be graded and augmented with gravel as needed. The approach area will be asphalt.
9. After construction of the landing platform adequate parking and turning space will remain. The project will make it easier for vehicles towing boat trailers to turn and will improve ramp safety while accomplishing ADA compliance. The improvements will provide accessibility for users that are now excluded.
10. A vault toilet is currently on site. No changes are proposed.

11. Approximately 2,366 square feet of onsite wetland will be impacted. The proposal calls for enhancement of approximately 8385 square feet of wetland immediately adjacent to the launch ramp.

11. The only above ground feature of the project will be the new ADA accessible loading platform, it will be five feet four inches above finished grade. Aesthetic impacts will be minimal.

12. A Determination of Non-Significance (DNS) was issued on February 13, 2020. The DNS was not appealed.

13. Notice of Development application was published on December 24 and December 31, 2020. Notice was mailed to nearby owners as required by law. No comments were received.

14. Proper notice was made of the public hearing. At the hearing no members of the public testified.

15. The application was circulated to various local departments and agencies. There were no critical comments.

16. The project will require approval by the Washington State Department of Ecology and the U.S. Army Corps of Engineers. These approvals will effectively substitute for the requirements of the Critical Areas Ordinance.

17. The County Staff evaluated the application in light of local Shoreline Master Program (SMP) and determined that, as conditioned, the proposal will be consistent with applicable shoreline requirements. The Hearing Examiner concurs with this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.

18. The proposed improvements to the launch ramp will improve the safety of watercraft launching. The ADA-compliant loading platform will open the site to users that have in the past been excluded, increasing accessibility for the public.

19. Any conclusion herein which may be deemed a finding is hereby adopted as such.

### **CONCLUSIONS OF LAW**

1. The Hearing Examiner has jurisdiction over these proceedings. SMP 9.06.
2. The procedural requirements of the State Environmental Policy Act (SEPA) have been satisfied.
3. The proposal, as conditioned, is consistent with the requirements of the SMP for a Shoreline Substantial Development Permit. SMP 9.02(1). In particular, the policies for Shorelines of Statewide Significance are met.

4. Any finding herein which may be deemed a conclusion is hereby adopted as such.

### **CONDITIONS**

1. The proposal shall be carried out as described in the application materials, except as the same may be modified by these conditions.

2. The applicant shall obtain all other required permits and approvals and shall abide by the conditions of same. A building permit shall be required for the loading platform.

3. Prior to final inspection of the grading permit, the applicant shall submit an as-built site plan of the mitigation plantings. The grading permit will include addressing all nine minimum stormwater requirements.

4. Temporary erosion/sedimentation control measures shall be used in accordance with Chapter 14.32 SCC (Stormwater Management).

5. The applicant shall comply with all other relevant County and State regulations.

6. The applicant shall submit a copy of this decision with the grading permit application.

7. The project shall be commenced within two years of final shoreline permit approval and shall be completed within five years thereof.

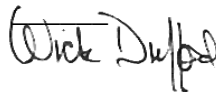
8. If the applicant proposes any modification of the subject proposal, as approved, it shall notify Planning and Development Services prior to the start of construction.

9. Failure to comply with any permit condition may result in permit revocation.

### **ORDER**

The requested Shoreline Substantial Development Permit (PL20-0131) is approved, subject to the conditions set forth above.

**SO ORDERED**, this 19<sup>th</sup>, day of May, 2021.



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Wick Dufford, Hearing Examiner

Transmitted to Applicant and County Staff May 19, 2021.