



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

Notice of Availability

including notice of SEPA threshold determination, written comment period, and public hearing

Proposal Information

Publish date: September 8, 2022

Proposal name: Amendments to Skagit County Code 14.04 and 14.16 Off-Site Mitigation on Agricultural Lands

Documents available: www.skagitcounty.net/Departments/PlanningAndPermit/Mitigation2022.htm

Lead Agency: Skagit County Planning & Development Services

Contact Person: Jenn Rogers, Assistant Long Range Planner

Public hearing Body: Skagit County Planning Commission

Public hearing Date: September 27, 2022 at 6:00 p.m.

**Written comment
deadline:** September 29, 2022 at 4:30 p.m.

Proposal Description

The County is proposing an amendment to the Unified Development Code, SCC Title 14. The proposed code change: (1) amends SCC 14.16.400(4)(d), Ag-NRL hearing examiner special uses, to exclude projects involving offsite compensatory mitigation; and (2) adds a definition of “offsite compensatory mitigation” to SCC 14.04.020. The proposed amendments would effectively prohibit the use of agricultural lands for large-scale habitat enhancement projects that involve hydrological modification and/or terraforming as mitigation for environmental impact to non-agricultural land or lands otherwise outside Skagit County. This will help enable the County to ensure major habitat enhancement projects, which involve major modification to diking and drainage infrastructure, are planned and executed in a rational, orderly, and professional manner.

SEPA Threshold Determination

Skagit County has determined that this proposal does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under the State Environmental Policy Act, RCW 43.21C.030(2)(c). This determination was made after review of a completed environmental checklist and other information on file with the lead agency and is available upon request and at the above listed website.

This determination is issued pursuant to WAC 197-11-340(2). Skagit County will not act on this proposal for at least 14 days from the publish date indicated in the table above. Written comments regarding this Determination of Nonsignificance must be submitted by the written comment deadline (above) and in the same manner as other comments. Pursuant to SCC 16.12.210, no administrative appeal process is available for this legislative action.

SEPA Responsible Official: Hal Hart, AICP, Director/Administrative Official,
Skagit County Planning & Development Services

Signature 
Hal Hart, Director

Date of Decision: September 2, 2022

How to Comment

Option 1: Email comments are preferred and must be sent to pdscomments@co.skagit.wa.us with the proposal name (“Amendments to Skagit County Code 14.04 and 14.16 Off-Site Mitigation on Agricultural Lands”) in the subject line. Include your comments in the body of your email message rather than as attachments.

Option 2: Paper comments must be printed on 8½x11 paper and mailed or delivered to:

Planning and Development Services
Comments on “Amendments to Skagit County Code 14.04 and 14.16 Off-Site
Mitigation on Agricultural Lands”
1800 Continental Place
Mount Vernon WA 98273

All comments must be received by the deadline referenced above, and include your full name and mailing address. Comments not meeting these requirements will not be considered.

Option 3: You may also comment in person. If you wish to provide verbal testimony, please send an email to pdscomments@co.skagit.wa.us, with your name, phone number, and include a request to be added to the speakers list in the body of the email. Public hearing testimony is usually limited to three minutes, so written comments are preferred.

Anyone who plans to attend the public hearing and has special needs or disabilities should contact Planning and Development Services at (360) 416-1320 at least 96 hours before the hearing to discuss and arrange any special accommodations.