



# Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273  
office 360-416-1320 ▪ [pds@co.skagit.wa.us](mailto:pds@co.skagit.wa.us) ▪ [www.skagitcounty.net/planning](http://www.skagitcounty.net/planning)

## STATE ENVIRONMENTAL POLICY ACT Determination of Non-Significance (DNS) [Not issued with NOA]

**Description of Proposal:** 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.

**Proponent:** Skagit County Planning and Development Services

**Location of Proposal:** Skagit County

**Lead Agency:** Skagit County Planning & Development Services

**Threshold Determination:** Skagit County has determined that this non-project proposal 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 completed environmental checklist. This information is available to the public on request and on the project website here:

<https://www.skagitcounty.net/Departments/PlanningAndPermit/Mitigation2022.htm>

This determination of non-significance is issued under WAC 197-11-340(2); Skagit County will not act on this proposal for at least 14 days from the date of this notice. Written comments on this threshold determination must be submitted by September 29, 2022, at 4:30 p.m.

**Appeals process:** Pursuant to SCC 16.12.210, no administrative appeal process is available for this DNS on this legislative action. Appeals may be filed with the Western Washington Growth Management Hearings Board, following final Board of County Commissioner action on the proposal, based on written comments submitted on the DNS by the deadline noted above.

**Comments:** Comments are accepted digitally or on paper, please include (1) your full name, (2) your mailing address, and (3) the proposal name in the subject line. Email comments are preferred and must be sent to [pdscomments@co.skagit.wa.us](mailto:pdscomments@co.skagit.wa.us). Include your comments in the

body of your email message rather than as attachments. Please direct any comments concerning this threshold determination to:

Skagit County Planning & Development Services  
Re: Amendments to SCC 14.04 and 14.16 Off-Site Mitigation on Agricultural Lands  
1800 Continental Place  
Mount Vernon, Washington 98273  
(360) 416-1320

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

**Signature** 

Hal Hart, Director/Administrative Official  
Skagit County Planning & Development Services

**Date of Decision:** September 2, 2022