

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
And NOTICE OF DECISION
For
Skagit County Public Works
File # PL20-0250

PROJECT DESCRIPTION: Notice is hereby given that on July 14, 2020 Skagit County Planning and Development Services approved independent State Environmental Policy Act (SEPA) checklist review #PL20-0250 submitted by David Walde, on behalf of Skagit County Public Works, for the Bow Hill Road Reconstruction Project. The project proposal provides for the improvement of approximately 0.6 miles of Bow Hill Road from Darrk Lane (M.P. 0.610) to Old Highway 99 North (M.P. 0.000). The work will include, but is not limited to: installation of soil nail walls north of the road; installation of soldier pile wall south of the road; roadway and structure excavation; removal of existing soldier pile wall and concrete barriers; removal of existing guardrail; cooperative work with utilities and transfer existing services to a joint utility trench; installation of new guardrail and concrete barriers; clearing and grubbing; removal of a portion of the existing storm sewer pipes and catch basins; installation of new storm sewer pipes and catch basins; placing HMA; installing fencing; striping; erosion control, and other work as needed to repair Bow Hill Road. The project will generate approximately 7,400 cubic yards of unsuitable soils, and will import approximately 8,750 cubic yards of sand, gravel and rock for incorporation into the project. The proposed project is located within the Rural Reserve (RRv) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016 and as thereafter amended.

PROPOSER: Skagit County Public Works, c/o David Walde, 1800 Continental Place, Mount Vernon, WA 98273.

PROJECT LOCATION: The project is located approximately 4.6 miles north of Burlington, Washington. The work will take place on Bow Hill Road between Darrk Lane (48° 55' 656" -122° 34' 380") and Old Highway 99 North Road (48° 55' 860" -122° 33' 243") Bow and Burlington, within a portion of Section 6, Township 35N, Range 4E W.M., and portion of Section 31, Township 36N, Range 4E W.M., situated within Skagit County, Washington. (Adjacent to P123324, P123310, P118026, P118034, P113488 P50417 and P35872).

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 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 16.12. 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 Planning and Development Services, 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 Stormwater Management Ordinance. Said measures shall remain in place until completion of the project.
2. The applicant shall comply with Northwest Clean Air Agency requirements.
3. The applicant shall 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.
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 of the Skagit County Code (Skagit County Critical Areas Ordinance).
7. This project may be subject to one of Ecology's National Pollutant Discharge Elimination Systems (NPDES) permits. A Construction Stormwater General or Industrial Permit may be required by the Department of Ecology (WSDOE) for this project. Contact the WSDOE Bellingham Field Office at (360) 715- 5200.
8. Should any human remains, archaeological, historic or cultural materials be discovered during construction, work in the affected area shall cease immediately and the area shall be secured of adequate size to protect it from further disturbance until the State provides a notice to proceed. 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. The discovery of any human skeletal remains must be reported to law enforcement immediately. If following consultation with the above parties it is determined that further archaeological and cultural resource assessments are 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.

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 the threshold determination.

Appeals must be submitted no later than: **July 30, 2020**

RESPONSIBLE OFFICIAL: Director of Planning and Development Services
CONTACT PERSON: Brandon Black, Senior Planner – Team Supervisor
MAILING ADDRESS: 1800 Continental Place, Mount Vernon, WA 98273.
PHONE: (360) 416-1320

Date: 7-14-20 Signature Brandon Black.
On behalf of Hal Hart
Planning and Development Services Director

cc: WDOE, Public Works, NW Clean Air Agency, Fire Marshal, WSDF&W, Skagit River Systems Coop, DAHP, Army Corps., Upper Skagit Indian Tribe, Samish Indian Nation, Critical Areas and Stormwater review staff, WSDOT, PUD Cascade Natural Gas, Puget Sound Energy, Applicant

Please Publish: 7-16-20

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