

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
And NOTICE OF DECISION
For
Diking District #1
File #PL22-0141

PROJECT DESCRIPTION: Notice is hereby given that on April 25, 2022, Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist review (#PL22-0141) to improve approximately 10,600 linear feet of levee between Calhoun Road and Marsh Road along the landward side of the levee. The project will cover the existing rock seepage berm with fill material, widening the dike top, and will include the placement of approximately 42,000 cubic yards of material. The project is located within the Agricultural Natural Resource Lands (Ag-NRL), and a portion within the Public Open Space of Regional/Statewide Importance (OSRSI), zoning/comprehensive plan designated areas as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016, and as thereafter amended.

PROPONENT: Dike District #1, c/o Jason VanderKooy, 17208 Bradshaw Road, Mount Vernon, WA 98273. Contact Person: Semrau Engineering and Surveying, c/o John Semrau, 2118 Riverside Drive, Suite 208, Mount Vernon, WA 98273.

PROJECT LOCATION: The project is located between Calhoun Road at the northern portion of the project, and Marsh Road at the southern portion of the project, between 17584 Calhoun Road (P23238) and 16092 Marsh Road (P15300) Mount Vernon, within a portion of Sections 35 and 36, Township 34 N, Range 3 East W.M., and Section 2, Township 33 N, Range 3 East W.M., situated within Skagit County, Washington.

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 the completion of the project.
2. The applicant shall comply with Northwest Clean Air Agency (NWCAA) 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. Best Management practices shall be utilized throughout the life of the project.
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 Sylvia Graham at the WSDOE Bellingham Field Office at (360) 927-4900.

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: **May 12, 2022.**

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

Date: 4-26-22 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, DHAP, Upper Skagit Indian Tribe, Samish Indian Nation, Critical Areas and Stormwater review, Water Resources, Army Corps., Jenna Friebel, Drainage District #15, Applicant, Parties of Record

Please Publish: 4-28-22

DikeDist#1.brandonb.04.29.22

