

**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
And NOTICE OF DECISION
For
Dike, Drainage & Irrigation District #12
File #BP21-0968**

PROJECT DESCRIPTION: Notice is hereby given that on May 2, 2022, Skagit County Planning and Development Services approved the State Environmental Policy Act (SEPA) checklist review completed in conjunction with Grading permit application #BP21-0968 for the construction of approximately 900 linear feet of 40-foot-wide rock seepage berm along the landward side of the levee. The project will include the placement of approximately 4,274 cubic yards of material. The project is located within the Agricultural Natural Resource Lands (Ag-NRL) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps adopted July 5, 2016, and as thereafter amended.

PROPONENT: Dike, Drainage, & Irrigation District #12, c/o Dan Lefeber, 1317 S. Anacortes Street, Burlington, 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 south and east of Lafayette Road, nearest address at the access is 20312 Lafayette Road, Burlington, within a portion of Section 33, Township 35 N, Range 4 East W.M., Skagit County, Washington. (P38227)

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 19, 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: 5-3-22 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 Friebe, City of Burlington, Applicant

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