

SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

For: Skagit Farmhouse, LLC

File Numbers: SEPA: PLAN2-2025-0038 & Building Permit: BP24-0898

PROJECT DESCRIPTION:

On September 24, 2025, Skagit Farmhouse, LLC applied for SEPA environmental review (PLAN2-2025-0038) associated with an application for a Commercial Building Permit (BP24-0898) for the construction of an approximate 1,500 square-foot single-style coffee shop/drive-thru, associated parking, and drive lanes. The proposed coffee shop is proposed to be located on the southeastern corner of the same subject property where Shawn O'Donnell's American Grill and Irish Pub (formerly the Farmhouse Restaurant) is located. SEPA environmental review is required due to the cumulative square footage of the existing and proposed restaurant(s) square footage and off-street parking spaces located on the subject property. The property in question is located in the **Rural Business Zoning District** of unincorporated Skagit County. The SEPA application was deemed complete on October 9, 2025.

PROJECT LOCATION:

The subject property is addressed 13724 LaConner Whitney Road, Mount Vernon, Washington; located in a portion of the Southeast Quarter of Section 07; Township 34 North, Range 03 East; Willamette Meridian situated in unincorporated Skagit County, Washington (Parcel P21183).

APPLICANT/LANDOWNER:

Skagit Farmhouse LLC; Shawn O'Donnell; 122 128th Street Southeast, Everett, WA

LEAD AGENCY:

Skagit County Planning and Development Services Department

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.

TRANSPORTATION IMPACT ANALYSIS/TRAFFIC STUDY:

The applicant submitted a **Transportation Impact Analysis (TIA)** with their applications for both a Building Permit and SEPA environmental review. A revised TIA was submitted in December of 2025 per the Public Works Department's request.

PIPELINE EASEMENT:

Trans Mountain was **solicited** (Patricia Eng, Property Representative; Burnaby Regional Office; Trans Mountain; W: 604.268.3097; C: 604.250.0678; Email: patricia_eng@transmountain.com) for comment as part of the applications for both SEPA environmental review and the associated building permit. Trans Mountain has a 16-inch (406 mm) diameter pipeline that crosses through the southern-central portion of the Property. Trans Mountain has a Right of Way Easement (ROW), ROW charge 510272, on the Property for the pipeline. The ROW has a width of 20 feet to the left (south of the pipeline) and 30 feet to the right (north of the pipeline) for a total of 50 feet in width. Trans Mountain ROW provides Trans Mountain with the right to construct, operate, and maintain the pipeline and for access and egress across the Property to and from the pipeline for the purposes of operation, maintenance, vegetation management, and repairs of the pipeline. Trans Mountain infrastructure is located in the southern portion of the Property. The proposed restaurant design includes the entire ROW through the southeastern corner of the lot. The proposed parking lot and drive-through queue falls atop the pipeline and ROW along with potentially some of the building footprint. The subject SEPA MDNS has been conditioned below accordingly.

MITIGATION MEASURES:

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. No track-out of dirt/debris onto county roads is permitted. For the duration of construction activities, the applicant shall sweep track out dirt and debris from county roadways/right of ways adjacent to the subject property as needed.
3. The applicant shall comply with the Northwest Clean Air Agency (NWCAA). Please contact the Northwest Clean Air Agency to determine if any permits &/or requirements are required.
4. The project will need to meet all applicable requirements of Skagit County Code, Chapter 14.32 regulating Stormwater Management. Best Management Practices (BMPs) shall be utilized throughout the life of the project.
5. The applicant shall comply with Fire Code Standards.
6. The applicant shall comply with all relevant provisions of 14.40 of the Skagit County Code (Skagit County Critical Areas Ordinance).
7. The proposal, and site development, shall comply with all applicable requirements of SCC Chapter 14.12, and specifically SCC 14.12.100.
8. This project may be subject to Ecology's National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit (CSGP).
9. 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. 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. If following consultation

with the above parties it is determined that an archaeological and cultural resource assessment is 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.

10. Development shall comply with all **recommendations, conclusions, and improvements per the revised Transportation Impact Analysis (TIA) dated December 2025, or amended thereafter prepared by Heath and Associates**. All improvements suggested in the revised TIA shall be constructed, permitted, and inspected by Skagit County prior to Certificate of Occupancy (CO) being issued.
11. Development shall comply with all requirements and recommendations of **Trans Mountain** including but not limited to those listed below.
 - A. No permanent structures or parts from structures are permitted within the ROW Easement Area (including foundations, footings, window wells, or roof overhangs).
 - B. For the parking lots, a layout should be utilized that avoids parking within 3 meters (10 feet) of the pipeline. If this is not possible, then utilize a layout that will minimize disruptions to the development's operations if Trans Mountain needs to do maintenance on the pipeline.
 - C. A profile drawing will be required showing the road structure. All materials and compaction will need to be up to Trans Mountain's MP3120D standards (attached). The maximum weight of vehicles in the area will be to highway legal load.
 - D. Alternative drive-through access should be considered if pipeline maintenance is required and access is blocked.
 - E. Every 10 meters (33 feet) over the pipeline will need to have inspection cut-outs installed in the pavement. These inspection cut-outs should consist of a 150 millimeter (6-inch) diameter cast iron grate in a concrete or rigid PVC collar filled with free draining gravel. The layout of the inspection cut-outs may be determined by Trans Mountain.
 - F. The final minimum depth of cover permitted over the pipeline is 1.2 meters.
 - G. Any fence posts will need to be a minimum of 1.5 meters offset from the pipeline. All posts within 1.5 meters of pipeline will need to be on floating type supports. All posts within the ROW must be hand-installed in the presence of the Inspector.
 - H. No streetlights, manholes, valves, junction boxes, hydrants, catch basins, cleanouts, kiosks, or any other structures are permitted within the ROW.
 - I. No parallel utility works are permitted within the ROW.
 - J. All utility crossings of the pipeline will need to cross under the pipeline with a minimum clearance of 0.3 meters (1 foot) and must maintain a constant elevation throughout the entire ROW.
 - K. All perpendicular works must cross the pipeline at an angle of 90 degrees.
 - L. The trash bins and menu board will need to be relocated to outside of the ROW Easement Area.
 - M. A permit will be required for all ground disturbance within 30 meters (100 feet) of the pipeline.

A field permit will be issued on-site. Trans Mountain will need to be notified of any electrical work that is to be done within 30 meters of the pipeline. Trans Mountain will need to know if there will be any grounding and if so, what the line to ground current (in amps) would be in the event of a fault.

- N. Trash Enclosure: CMU walls to be modified to removable panel style
- O. Landscaping: Tree Species to be reviewed for canopy cover and root structure
- P. Utilities: Utility crossings to cross under the pipeline.
- Q. Parking Lot: Built to MP3120D Standards
- R. No permanent structures (Menu board, ordering kiosk, trash bins, enclosure gate, roof overhangs, footings, etc.) are permitted within the easement area.
- S. For future reference of any additional activity on the noted property, all ground disturbance, including above and underground installs within the ROW or within 7.5 meters of the pipeline a proximity installation permit from Trans Mountain will be required. This includes any utility lines, fences, parking lots, sidewalks, and landscaping. Please contact Trans Mountain's Pipeline Protection department at 1.888-767-0304 for further details and the process to make application for proximity permits. All construction activity along, across, under or over the pipeline and its right of way (ROW) or within 7.5m (24 feet) of the pipeline require a proximity permit from Trans Mountain and an inspector on site.
 - Please refer to our [Permit Application Guidelines](#) for information on Permitting requirements.
 - Please refer to our [Landscaping Guidelines](#) for information on Landscaping Guidelines within the ROW.
- T. Trans Mountain and its pipelines and rights-of-way are subject to the provisions of the US Department of Transportation Pipeline and Hazardous Material Safety Administration (PHMSA) and the Washington Utilities and Transportation Commission. In accordance with Washington's Dig Law, no excavation is permitted without contacting 811 or visiting www.digsafewa.com in Washington State and obtaining prior written consent from Trans Mountain. Separate permission is required to install any permanent facility such as a fence, driveway, road, utility or even landscaping within the right-of-way. Enquiries in this regard should be directed to the attention of our Pipeline Protection Department at 1.888-767-0304.
- U. The Pipelines and Informed Planning Alliance (PIPA) has developed recommended practices to help in making decisions about what, where and how to build safely near transmission pipelines. The goal of the PIPA is to reduce risks and improve the safety of affected communities and transmission pipelines through implementation of recommended practices related to risk-informed land use near transmission pipelines. Please consider visiting PIPA for more information.

The Lead Agency previously issued a comment period for this proposal under the Optional DNS process outlined under WAC 197-11-355. The comment period ended on October 23, 2025.

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: **February 05, 2026**

RESPONSIBLE OFFICIAL: Director of Planning and Development Services
CONTACT PERSON: Kevin Cricchio, AICP, ISA, Senior Planner
MAILING ADDRESS: 1800 Continental Place, Mount Vernon, WA 98273
PHONE: (360) 416-1423

Date Issued: **January 20, 2026** **Signature:** **Kevin Cricchio, AICP, ISA**
(On behalf of Jack Moore, Planning Director)

CC: Public Works Department, Fire Marshall, Stormwater Review, Critical Area Review, Water Resources Review, Public Health, NW Clean Air Agency, WDOE, WDFW, WDNR, DAHP, SEPA Register, Samish Indian Nation, Upper Skagit Indian Tribe, Skagit River Systems Coop, Swinomish Indian Nation, WSDOT, Drainage District #19, & Dike District #12

Date Transmitted to Skagit Valley Herald: **January 20, 2026**

Please Publish in the Skagit Valley Herald: **January 22, 2026**