SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES
SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
For: Skagit County Public Works Department
SEPA Environmental Review, File #: PLAN2-2025-0036

PROJECT DESCRIPTION:

On October 30, 2025, the Skagit County Public Works Department applied for SEPA environmental review (File #: PLAN2-2025-0036) associated with the Thomas Creek bridge replacement project. The existing Thomas Creek bridge (No. 40113) is a 3-span 91-year-old timber trestle bridge that measures 52 feet long and 32 feet wide. This bridge carries Old Highway 99 North (Old Hwy 99) over Thomas Creek north of the City of Burlington, Washington. The primary goal of the Thomas Creek Bridge replacement project is to replace the existing bridge with a new bridge that significantly reduces maintenance and operation needs from the County.

The replaced bridge will be a precast girder superstructure supported on drilled shaft foundations, which will be installed above the Ordinary High-Water Mark (OHWM). The proposed bridge length is 77' long with two 25' long approaches, for an overall length of 127'. The width inside the concrete barriers is 40' wide, including the barriers it is 42' 2" wide. The bridge height is 2' 6" of voided slab girders with a minimum of 5" cast in place concrete deck on top, and then the concrete barriers on the edge of the bridge is 3' 6". An overall bridge height including the concrete barriers is 6' 5".

FILLING ACTIVITIES:

Filling is required for widening the road fill prism to support the increased height of the new bridge structure. The total road fill is ~4,279 cubic yards (CY) and includes the gravel road shoulder and fill associated with installing the stormwater treatment infrastructure which are compost-amended vegetated filter strips (CAVFS) (8,327 SF). Under the bridge, streambed mix (20 CY) is proposed within the channel waterward of the Ordinary High-Water Mark (OHWM) to fill the voids following excavation of the timber piles and abutment. Above the OHWM at the abutments, a 1-foot layer of cobbles (50 CY) is proposed to prevent scour. Fill materials will be sourced from a licensed facility with streambed mix and cobble rock washed and free of fines.

EXCAVATION ACTIVITIES:

Under the bridge, the project includes removal of relic creosote treated timber piles and timber abutment. There are (20) 12-inch creosote treated piles located below the OHWM. Approximately 100 CY will be excavated to remove the existing south timber abutment, and 108 CY will be excavated to remove the existing north timber wall for a total of ~208 CY of timber abutment excavation. Approximately 50 CY of topsoil will be excavated near the bridge abutments below the proposed final grade prior to installation of proposed cobble armoring. An additional 15 CY of existing silty streambed material will be excavated in areas of proposed regrading.

GRADING ACTIVITIES:

Regrading is proposed within the channel under the bridge at a 1.5:1 and will tie into the upstream and downstream banks within the limits of the road right of way. The total grading footprint below OHWM is approximately 4,449 feet.

CRITICAL AREAS REVIEW:

This project will not require standard critical areas review pursuant to SCC 14.24.070(3) as it's normal maintenance and repair of the existing road right-of-way. The project also falls under SCC 14.24.040(3) for jurisdictional substitution with the HPA from WDFW and permits required from Ecology and/or the Corps of Engineers for wetland impacts.

ZONING DISTRICT:

The proposed bridge replacement project is located in the **Agricultural Natural Resource Lands Zoning District** of unincorporated Skagit County.

COMPLETENESS: The SEPA application was **deemed complete on November 12, 2025.**

PROJECT LOCATION:

The proposed project is located at the Old Hwy 99 crossing over Thomas Creek in Skagit County within a portion of Section 18, Township 35 North, Range 4 East, Willamette Meridian. The project is within the public road right-of-way (ROW) but is adjacent to the following parcels: P36849, P36854, P103111 and P36855.

APPLICANT/LANDOWNER:

Skagit County, Public Works Department, 1800 Continental Place, Mount Vernon, WA 98273

REQUIRED PROJECT PERMITS/APPROVALS:

The following permits/approvals may be required in addition to the above: Commercial Building Permit, Grading Permit, Construction Stormwater Permit, Floodplain Development Permit, HPA Permit, CWA Section 401 Water Quality Certification, CWA Section 404 Permit, Section 7 Endangered Species Act Compliance, NEPA Approval

EXISTING ENVIRONMENTAL DOCUMENTS:

SEPA environmental checklist; Site Plan; Wetland and Fish and Wildlife Habitat Conservation Areas Report; Wetland Mitigation Bank Use Plan; Joint Aquatic Resource Permit Application; Biological Evaluation; NEPA Categorical Exclusion Documentation; Hazardous Material (Hazmat) Technical Report; Geotechnical Engineering Report; Archaeological Survey and Monitoring Report; & Stormwater Site Plan. This information is available to the public on request.

TRAFFIC/DETOUR ROUTE:

The official signed detour will be Old Highway 99 North over the Samish River Bridge which will be reduced to one lane and have a temporary signal that alternates traffic.

STORMWATER RUNOFF & BMPs:

There will be no excess water created as a result of this project. The project site's impervious area is staying virtually the same. An addition, the roadway embankments are being extended utilizing a 3:1 side slope (as opposed to the existing 1.5:1 side slopes), which will aid in the minimal infiltration capability of the site.

TIMING & DURATION OF PROJECT:

The anticipated construction schedule is May through December of 2027, although the project will go out to ad in 2026.

STAGING AREA:

All staging will occur within the existing right-of-way

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.

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 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.
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 Chapter 14.32 of Skagit County Code regulating Stormwater Management. Best Management Practices (BMPs) shall be utilized throughout the life of the project.
5. The applicant shall comply with Skagit County adopted Fire Code standards.
6. The proposal, and site development, shall comply with all applicable requirements of SCC 14.16, and specifically SCC 14.16.220.
7. This project may be subject to Ecology's National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit (CSGP).
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. 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.
9. Development shall comply with all requirements of Skagit County Code Division 4 regulating Critical Areas & Shorelines in unincorporated Skagit County.

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 December 1, 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: **March 19, 2026**

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

Date Issued: March 5, 2026 **Signature**: **Kevin Cricchio, AICP, ISA, Senior Planner**
(On behalf of Jack Moore, Planning Director)

AGENCIES & DEPARTMENTS SOLICITED:

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 #14 & #25, Dike District #25, Fire District #6, Army Corps of Engineers

Date Emailed to Applicant: **March 5, 2026**

Date Transmitted to Skagit Valley Herald: March 3, 2026

Please Publish in the Skagit Valley Herald: March 5, 2026