Exhibit "23"

SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)
For

Wilbur Ellis Co., LLC
File # PLAN2-2026-0003

PROJECT DESCRIPTION: Notice is hereby given that on June 9, 2026, Skagit County Planning and Development Services completed the State Environmental Policy Act (SEPA) review (PLAN2-2026-0003) associated with Hearing Examiner Special Use Permit application (PLAN3-2026-0004) for the expansion of the existing agricultural support service business previously approved with Special Use Permit PL14-0433. The project includes construction of a new liquid tank farm consisting of a concrete containment (approximately 70' x 111' in size) with concrete load pads along the north and east sides (20' in width), 24 storage tanks ranging from 30,000 gallons to 6,000 gallons; with 13 being constructed at the time of permit issuance, an 8' x 11' equipment shed, and tote racks. In addition, approximately 1,000 cubic yards will be excavated to prepare for the concrete pads and gravel subgrade, and 1,125 cubic yards of finish material to be imported. The proposed project is located within the Agricultural– Natural Resource Lands (AG–NRL) and 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.

APPLICANT/LANDOWNER: Wilbur Ellis Co., LLC, 13586 Bay View Edison Rd, Mount Vernon, WA 98273.
PROJECT CONTACT: Sound Development Group, c/o Tammy Zempel, 1111 Cleveland Ave, Ste 202, Mount Vernon, WA 98273.

PROJECT LOCATION: The project is located at 13586 Bay View Edison Rd, Mount Vernon, WA 98273, within the southeast quarter and the northeast quarter of Section 7, Township 34N, Range 03 E W.M., situated within Skagit County, Washington (P21188 and P21190).

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.

MITIGATION MEASURES:

1. Temporary erosion/sedimentation control measures, as approved by the Skagit County Planning and Development Services, must be in place prior to the proposed land disturbance activity. 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 must comply with Northwest Clean Air Agency (NWCAA) requirements.
3. The applicant must 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 must comply with Fire Code Standards.

5. The applicant must comply with all relevant provisions of 14.24 of the Skagit County Code (Skagit County Critical Areas Ordinance).
6. The applicant must comply with SCC 14.27.030(d) Pipeline Safety Boundary Markers and 14.27.040 State call-before-you-dig laws.
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 Northwest regional Office at (360) 927- 4900.
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.
9. The applicant must obtain all applicable state and federal permits before beginning any phase of construction.

The Lead Agency previously issued a comment period for this proposal under the Optional DNS process outlined under WAC 197-11-355.

Appeal: 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: **June 25, 2026**

RESPONSIBLE OFFICIAL:	Director of Planning and Development Services
CONTACT PERSON:	Jeanne Aungst, Associate Planner
MAILING ADDRESS:	1800 Continental Place, Mount Vernon, WA 98273.
PHONE:	(360) 416-1320

Date: June 9, 2026

Signature: Jeanne Aungst, Associate Planner
On behalf of Jack Moore
Planning and Development Services Director

CC: WDOE, Public Works, NW Clean Air Agency, Fire Marshal, Stormwater and Critical area review staff, Water Resources, Public Health, WSDF&W, Skagit River Systems Coop, DAHP, Upper Skagit Indian Tribe, Samish Indian Nation, Lummi Nation, Swinomish Tribe, PUD, Cascade Natural Gas, WSDOT, Army Corp, Skagit Dike District 12, Drainage District 19, Contact, Applicant

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