



Island County Planning and Community Development

Jonathan Lange, AICP, CFM

Director

1 NE 7th St., Coupeville, WA 98239

Ph: Whidbey 360-679-7339 | Camano 360-387-3443 | Fax: 360-679-7306

Email: PlanningDept@islandcountywa.gov |

<https://www.islandcountywa.gov/Planning/Pages/Home.aspx>

Notice of Application - Optional DNS Process

Date of issuance: 09/24/2025

Island County has received a permit application for the following project.

Date of notice of application: 09/16/2025 **Comment due date:** 10/07/2025

Staff Contact: Austin Hoofnagle **email:** a.hoofnagle@islandcountywa.gov **phone:** 360-678-7814

File Number: 050/25 SHE-II **Applicant:** Joseph Erickson

Location: 3715 BELLS LN., Langley, WA 98260 (S8085-00-0B406-0)

Proposal – After-the-fact permitting for the repair, maintenance, and 6" height increase of an existing bulkhead. The proposal also includes repair and maintenance of an existing beach access/boat launch through resurfacing, with some of the work occurring partially below the ordinary high water mark (OHWM).

Island County has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS). The optional DNS process established by WAC 197-11-355 is being used. The determination is based on the following findings and conclusions from the submitted Biological Site Assessment (BSA) prepared by FACET LLC in August of 2025:¹

BSA Findings/Conclusion: *The proposed project was for the reconstruction of the existing 66 linear foot (LF) bulkhead which involved the permanent removal of eight creosote piles and wood planks. These materials were replaced with a new concrete bulkhead of the same style construction and appearance as the remaining lower portion of the bulkhead, without changing the footprint and occurred waterward of the OHWM. Work was conducted in April of 2024. Based on the analysis of this document, the project development was unlikely to have caused a significant impact on any critical areas or vegetation due to the project occurring within the same footprint as the existing structures.*

Construction activities occurred outside the WDFW recommended protection window for salmonid species, potentially resulting in adverse effects from water quality impacts and disruption to forage fish populations in the area. The repair work was necessary to prevent ongoing indirect environmental damage and risk to private structures on the property. While construction timing presented short-term risks, the project is expected to maintain existing habitat, with any adverse impacts being temporary and of minimal significance. The project represents one component of existing shoreline armoring infrastructure that extends along this residential coastline for property protection purposes. No additional interrelated actions that could impact ESA-regulated species are anticipated as a result of

¹ 050-25 ERICKSON - BSA REV2 at 29

this project completion. The overall project outcome balances immediate construction impacts against pre-existing conditions, with the bulkhead repair serving as a necessary intervention to prevent progressive environmental degradation in the nearshore environment.

Within the limitations of schedule, scope of work, and seasonal constraints, Facet warrants that this study was conducted in accordance with generally accepted investigation practices, including the technical guidelines and criteria in effect at the time this study was performed.

Island County regulations under ICC 17.02B (Critical Areas), Title XI (Land Development Standards) & other applicable regulations are used to review and condition development to protect critical areas affected by this proposal. The proposal may include mitigation & the project review process may incorporate or require mitigation measures regardless of whether an EIS is required.

Public, Agency, and Tribal Comments: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. Public comments must be received by 4:30 pm on **October 7, 2025**; mail to Island County Planning Department 1 NE 7th St., Coupeville, WA 98239; deliver to 1 NE 6th St, Coupeville, WA 98239; or 121 N. East Camano Drive, Camano Island; or Fax (360) 679-7306. This may be the only opportunity to comment on the environmental impacts of the proposal.

To request notice of hearings, to receive a copy of the decision, or for information on appeals, contact us at the above address.

The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal:

N/A – work as been conducted. Hence the after the fact permitting. However, the BSA describes BMPs that may have been implemented during construction including the following:

- All work on the bulkhead and pedestrian access ramp was completed by equipment operating in the upper intertidal area during periods of low tides. No in-water work occurred.
- All construction debris was collected and not allowed to reenter waters of the state.
- No debris or spill material accidentally entered the waterway.
- Care was taken in all work to prevent debris, oils, and grease from entering the water.
- All debris or spill material was properly disposed of at an approved off-site disposal facility.
- When heavy equipment was needed, refueling was conducted away from the shoreline in accordance with the Washington State Department of Ecology.
- All equipment was checked daily for leaks and any necessary repairs were made prior to commencement of work.

Island County staff cannot confirm if these BMPs were in fact implemented.

Required Permits: Island County Shoreline Exemption, WDFW HPA

Required Studies: Geocoastal Report, Biological Site Assessment

Notice of Application - Optional DNS Process

Date of issuance: 09/24/2025

Island County has received a permit application for the following project.

Date of notice of application 09/16/2025 **Comment due date:** 10/07/2025

Staff Contact: Austin Hoofnagle **email:** a.hoofnagle@islandcountywa.gov **phone:** 360-678-7814

File Number: 141/25 SHE-II **Applicant:** MARY ANN ELBERT

Location: 3705 BELLS LN LANGLEY, WA 98260 (S8085-00-0B403-0)

Proposal – After-the-fact permitting for the repair, maintenance, and 1' height increase of an existing bulkhead. The proposal also includes repair and maintenance of an existing beach access/boat launch through resurfacing, with some of the work occurring partially below the ordinary high-water mark (OHWM).

Island County has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS). The optional DNS process established by WAC 197-11-355 is being used. The determination is based on the following findings and conclusions from the submitted Biological Site Assessment (BSA) prepared by FACET LLC in August of 2025:²

BSA Findings/Conclusion: *The proposed project was for the repair of a deteriorated bulkhead within the same footprint as the existing and resurfacing of a boat ramp waterward of the OHWM. Work was conducted from February to April of 2024. Based on the analysis of this document, project development was unlikely to cause a significant impact on any critical areas or vegetation due to the project occurring within the same footprint as the existing. As construction did occur outside of the recommended window for the protection of salmonid species, these species may have experienced adverse effects due to potential water quality impacts. All other species were given a not likely to adversely affect or no effect determination. Potential impacts during construction include water quality impairments and noise disturbances.*

Within the limitations of schedule, scope of work, and seasonal constraints, Facet warrants that this study was conducted in accordance with generally accepted investigation practices, including the technical guidelines and criteria in effect at the time this study was performed.

Island County regulations under ICC 17.02B (Critical Areas), Title XI (Land Development Standards) & other applicable regulations are used to review and condition development to protect critical areas affected by this proposal. The proposal may include mitigation & the project review process may incorporate or require mitigation measures regardless of whether an EIS is required.

Public, Agency, and Tribal Comments: Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. Public comments must be received by 4:30 pm on **October 7, 2025**; mail to Island County Planning Department 1 NE 7th St., Coupeville, WA 98239; deliver to 1 NE 6th St, Coupeville, WA 98239; or 121 N. East Camano Drive, Camano Island; or Fax (360) 679-7306. This may be the only opportunity to comment on the environmental impacts of the proposal.

² 141-25 ELBERT BSA at 25

To request notice of hearings, to receive a copy of the decision, or for information on appeals, contact us at the above address.

The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal:

N/A – work as been conducted. Hence the after the fact permitting. However, the BSA describes BMPs that may have been implemented during construction including the following:

- All work on the bulkhead and pedestrian access ramp was completed by equipment operating in the upper intertidal area during periods of low tides. No in-water work occurred.
- All construction debris was collected and not allowed to reenter waters of the state.
- No debris or spill material accidentally entered the waterway.
- Care was taken in all work to prevent debris, oils, and grease from entering the water.
- All debris or spill material was properly disposed of at an approved off-site disposal facility.
- When heavy equipment was needed, refueling was conducted away from the shoreline in accordance with the Washington State Department of Ecology.
- All equipment was checked daily for leaks and any necessary repairs were made prior to commencement of work.
-

Island County staff cannot confirm if these BMPs were in fact implemented. Should the development proposal be approved, standard conditions will be included in the final decision to ensure consistency with the intent and requirements of Island County Code (ICC) Shoreline Master Program 17.05A.

Required Permits: Island County Shoreline Exemption, WDFW HPA

Required Studies: Geocoastal Report, Biological Site Assessment