



**ISLAND COUNTY
PLANNING & COMMUNITY DEVELOPMENT**

PHONE: 360.679.7339 ■ from Camano 360.629.4522, Ext. 7339 ■ from S. Whidbey 360.321.5111 x 7339
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Internet Home Page: <https://www.islandcountywa.gov/Planning/Pages/Home.aspx>

Notice of Application - Optional DNS Process

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

Date of issuance: February 15, 2023

Date of notice of application: February 7, 2023

Comment due date: March 17, 2023

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

File Number: 031/23 SDP

Applicant: Brad Thompson

Location: S6020-00-00016-0 northeast along shoreline to parcel R22922-038-0700 (14 properties in total)

Proposal: The applicants propose the installation of a vinyl sheet piling bulkhead placed landward of the ordinary high-water mark across 14 parcels in Mutiny Bay. NOT SEPA exempt, requires BSA and geo-coastal reports. Located in FEMA flood zone, Feeder Bluff, and moderate/high liquefaction area.

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 BSA report conducted in October of 2022, Geo-Coastal report conducted on January 20, 2023 and :

BSA: Based on the analysis of this document, the project development is unlikely to cause a significant impact on any critical areas, species, or vegetation. The discussion areas above concludes that all species were given a May Affect, but Not Likely to Adversely Affect or No Effect determination. The shoreline and species that utilize the habitat will be protected by the proposed best management practices. Impacts during construction will be negligible and temporary. Within the limitations of schedule, scope of work, and seasonal constraints, DCG 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.

GEO-Coastal: Structures at risk of damage due to ongoing erosion include the residence structures on each property, hardscape features, irrigation systems, decks, septic tanks and drain fields. If no action is taken, it is our opinion that within the next three years the ongoing shoreline erosion will compromise the existing residences, septic systems, hardscaping, and irrigation systems in this area of Mutiny Bay. The number and severity of storms and king tides in this area has increased over the past few years and will continue to do so as a result of ongoing climate change. NGA considers the risk to structures within this site to be high in response to the shoreline erosion and sea level rise

WDFW Letter: Given the differences between each of the 64 parcels outlined in Mr. Thompson's report regarding shoreline elevation, setback distance, and infrastructure type, each of the 64 identified parcels will have a different site and risk assessment, resulting in a different alternatives analysis and subsequent mitigation

requirements (e.g., some parcels may qualify for hard armor installation, while others may not). It is unlikely WDFW would be able to authorize this work as a multi-site HPA given the different parcel-to parcel site characteristics and the subsequent need for site-specific HPA provisions. However, WDFW is willing to work with the landowners of Mutiny Bay South Community through individual HPA applications to discuss options for protecting their shoreline. WDFW recommends each landowner submits an HPA pre-application to the Habitat Biologist for early feedback and review of their individual site assessment, alternative analysis, and design rationale prior to landowner investment in bank protection design and project plans.

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 **March 17, 2023**; mail to Island County Planning Department PO Box 5000, 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.

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:

The following measures and BMPs will be incorporated by the applicant in order to avoid, reduce intensity, or otherwise minimize potential site impacts:

1. Construction timing will adhere to the work window provided by WDFW to ensure limited impact to salmonoid species in the area.
2. All work on the bulkhead will be completed by equipment operating in the upper intertidal area during periods of low tides. No in-water work will occur.
3. All construction debris will be collected and not allowed to reenter waters of the state.
4. If debris or spill material accidentally enters the waterway, immediate actions will be taken to remove the material, and the proper entities will be notified.
5. Care will be taken in all work to prevent debris, oils, and grease from entering the water.
6. All debris or spill material will be properly disposed of at an approved off-site disposal facility.
7. Should heavy equipment be needed, refueling will be conducted away from the shoreline in accordance with the Washington State Department of Ecology.
8. All equipment will be checked daily for leaks and any necessary repairs will be made prior to commencement of work

Required Permits: HPA Permits, Shoreline Development Permit

Required Studies: BSA, Geo-coastal



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Notice of Application - Optional DNS Process

Date of issuance: February 15, 2023

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

Date of notice of application: February 15, 2023

Comment due date: March 17, 2023

Staff Contact: Brent Ryan

email: b.ryan@islandcountywa.gov

phone: 360.678.7258

File Number: 341/22 S-VAR

Applicant: Mark Christ

Location: R13303-390-3950, Oak Harbor, 98277

Proposal: New single-family residence, with deck, driveway, & septic system. Site is in or near: Flood Hazard Area, Shoreline Jurisdiction, AICUZ Noise Zone, Feeder Bluff, Vicinity of Cultural Resources.

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: The Biological Site Assessment prepared by Hamer Environmental, dated May 13, 2022, determined the proposal will have no effect on ESA-listed species and no effect on upland occurrences of western toad or their breeding habitat.

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 **March 27, 2023**; mail to Island County Planning Department PO Box 5000, 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.

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:

- **Conservation & Minimization Measures:**
 - The study area is outside of green sturgeon critical habitat and the species' PCEs were not present within the study area. There is no direct surface water connection from the site to the shoreline.
 - This project does not propose any in-water work.

- This project does not propose any in-stream, riparian, riparian habitat, or shoreline impacts. Because of this, there is no anticipated loss of shading, water temperature regulation functions, organic matter input or habitat for fish prey species including macroinvertebrate species.
- There is no intent to disrupt the shoreline or remove LWD from the site.
- Construction impacts will be confined to the minimum area necessary to complete the project. No tree clearing is proposed.
- The driveway will be composed of pervious concrete ensuring there is no added sediment run-off to effect spawning and rearing habitat in the event of flooding.
- The septic system will be gravity-fed and professionally designed and installed to ensure it is fit for purpose. Regular maintenance of the septic system as required by law will ensure there are no leaks impacting groundwater.
- Stormwater control during construction using BMPs such as secondary containment, high visibility silt fencing, and straw wattle (BMPs adapted as needed), as well as equipment checks for leaks, will ensure that no foreign material enter the river so that there are no water quality impacts during construction. No exposed soils will be left on site, uncovered, for more than seven (7) days or during rainfall events.
- Staging and temporary storage of materials will not occur within 200 feet of the shoreline. The shoreline has been denoted on the Site Plan. Any excavated materials will be removed to an upland location where they cannot enter the water body.
- Once constructed, stormwater will be treated and reinfiltreated on site in natural and planted vegetated areas. Water will be routed to upland areas and away from the shoreline.
- The project does not result in fill of jurisdictional waters or the nation or waters of the state.
- The project will not use pesticides, herbicides within 150 feet of an aquatic resource, or 24 hours prior to heavy storm events.
- The project is in a developed, well-lit area. Lights will not be directed towards the shoreline.

Required Permits: Island County Shoreline Variance

Required Studies: SEPA Checklist, BSA