



Island County Planning and Community Development

Mary Engle, Director

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Notice of Application - Optional DNS Process

Date of issuance: 9/12/2023

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

Date of notice of application: 9/20/2023

Comment due date: 10/04/2023

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

File Number: 174/22 SHE II

Applicant: Timothy Wilbur

Location: 107 UTSALADY RD CAMANO ISLAND WA 98282 (S8345-00-17016-0)

Proposal: Emergency bulkhead repair granted preliminary approval 6/16/2022. Current permitting for bulkhead replacement.

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 as expressed in the **Biological Site Assessment provided by Polymer Land Consultants, LLC:**

BSA: The redevelopment of this site is not expected to permanently alter existing shoreline conditions as it replaces an existing bulkhead in situ. Based on our evaluation of the project including timing, location, size, bulk, the species known to utilize the site and its surroundings and current conditions we must conclude that the repairs as proposed will not adversely affect listed species including their resources. We further conclude that any effects of the redevelopment should be considered insignificant based on criteria described by the National Fisheries service (NMFS) and the development is not likely to result in a "take" of any kind. Proposed mitigation shall include approx. 12 yds of course sand and gravel fill and the removal of beach stairs waterward of the existing bulkhead.

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 **10/04/2023** 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:

Mitigation in the form of beach nourishment equal to that of the proposed replacement bulkhead volume (12 cubic yards of course to medium sand and gravels)

Required Permits: Shoreline Exemption Type-II

Required Studies: Biological Site Assessment, Geocoastal Report, State Environmental Policy Act (SEPA) Review.



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Notice of Application - Optional DNS Process

Date of issuance: 9/20/2023

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

Date of notice of application: 9/20/2023

Comment due date: 10/04/2023

Staff Contact: Renee Zavas Silva

email: r.zavassilva@islandcountywa.gov

phone: 360-678-7800

File Number: 246/23 RST

Applicant: Lynn Harenberg-Miller

Location: R32933-413-1140

Proposal – Restoration of 32,670-square feet of wetland and stream buffers with native vegetation including the addition of snags and woody debris.

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:

Applicants submitted a wetland report, biological site assessment (BSA), and restoration plan. The restoration plan includes the replanting of the native plant community, restoring the structural diversity of the site (trees, snags, shrubs, forbs, and downed logs), and avoiding and minimizing impacts to water quality. An additional 0.66 acres of compensatory off-site mitigation is suggested for temporal losses in the submitted BSA.

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 **9/13/2023**; 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:

Required Permits: Restoration Permit with SEPA review

Required Studies: Wetland Report, Biological Site Assessment, Restoration Plan



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Notice of Application - Optional DNS Process

Date of issuance: 9/11/2023

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

Date of notice of application: 9/20/2023

Comment due date: 10/04/2023

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

File Number: 263/23 SHE-II

Applicant: Myles Yu

Location: 937 5th St, Camano Island, WA 98282 (S7440-00-03016-1)

Proposal: In kind replacement of a failed concrete bulkhead placed directly behind the existing structure.

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 as outlined in the Biological Site Assessment dated August 15, 2022, provided by Davido Consulting Group, Inc.:

BSA: Construction activities will likely have temporary direct impacts on habitat through increases in sound. The proposed project will be within the same footprint as the existing so no habitat will be lost as part of the proposed project. Best management practices and mitigation methods will be used to minimize impacts to the shoreline during construction activities. The level of disturbance and habitat alteration in the project area will be insignificant and discountable, especially when considered in relation to the activity already taking place in developed area. While it is possible that species avoid the project area during construction, they are not likely to abandon the site altogether.

Likely indirect effects of the proposed action on listed species may include habitat disruptions due to noise during construction activities. Physical elements of habitat will not be significantly affected by the proposed action. Turbidity should be minimal or avoided due to construction occurring during low tides. However, if present, turbidity may also temporarily disperse prey in the water column, and burial of non-motile prey species will remove them from the prey field. ESA-listed species may experience some energetic cost from dispersal of prey, resulting in short-term expenditure of energy seeking other sources or browsing while waiting for prey to re-aggregate following noise and turbidity effects.

Based on the previously discussed project effects and conservation measures, this project will have no adverse effect on designated EFH; in the project and action areas may affect the mentioned ESA listed species (Puget Sound ESU Chinook (*Oncorhynchus tshawytscha*), Puget Sound DPS Steelhead Trout (*Oncorhynchus mykiss*), Southern Resident DPS Killer Whale (*Orca orcinus*)) due to the proximity of disturbance, but the project will not likely adversely affect these species because short-term and minor impacts to water quality could occur during construction but are reasonably unlikely as all work will occur during low tides and with conservation measures in place. No adverse indirect, interrelated, and/or interdependent effects of the action were identified. Therefore, the effect determination is that this project may affect, but is not likely to adversely affect those species.

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 **10/04/2023** 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:

Best Management Practices: The proposed project avoids impacts to the extent practicable, but some impacts cannot be avoided entirely as this project is dependent upon maritime access and construction activity. The following measures and best management practices will be incorporated by the applicant to avoid, reduce intensity, or otherwise minimize potential impacts:

- Potential adverse effects of this project on listed salmonids will be avoided or minimized through the adherence to agency-approved work windows when few juvenile salmonids are present in the action areas (August 1 to February 15).
- All construction debris will be collected and not allowed to reenter waters of the state.
- The contractor will prepare a spill prevention control and countermeasures plan.
- If debris or spill material accidentally enters the waterway, immediate actions will be taken to remove the material, and proper entities will be notified.
- Care will be taken in all work to prevent debris, oils, and grease from entering the water.
- All debris or spill material will be properly disposed of at an approved off-site disposal facility.
- Refueling will be conducted away from the project site in accordance with the Washington State Department of Ecology.
- All equipment will be checked daily for leaks and any necessary repairs will be made prior to commencement of work.
- If fish are observed to be in distress or if a fish kill occurs, work will be stopped immediately. USACE and WDFW will be contacted by the applicant and work will not resume until approval is given by all of these agencies.

Required Permits: Shoreline Exemption Type-II

Required Studies: Biological Site Assessment, Geo-Coastal Report, State Environmental Policy Act (SEPA) Review



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Notice of Application - Optional DNS Process

Date of issuance: September 1, 2023

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

Date of notice of application: September 20, 2023 **Comment due date:** October 4, 2023

Staff Contact: Cindy White **email:** cindyw@islandcountywa.gov **phone:** 360-678-7818

File Number: 270/23 SHP **Applicant:** Kearney & Gail Hammer

Location: R 23123-302-4610

Proposal – short plat a 20 acre parcel, zoned Rural, into four – 5 acre parcels. The lot has mapped wetlands, streams and possible buffers, along with steep slopes.

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:

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 4, 2023**; 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:

Required Permits: Preliminary short plat and SEPA

Required Studies: Wetland Report



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Notice of Application - Optional DNS Process

Date of issuance: 09/12/2023

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

Date of notice of application: 9/20/2023

Comment due date: 10/04/2023

Staff Contact: Austin Hoofnagle **email:** a.hoofnagle123@gmail.com **phone:** (360)678-7814

File Number: 281/23 SHE-II

Applicant: Brain Owner

Location: 330 MARINE DR COUPEVILLE, WA 98239 (S7400-00-01027-0)

Proposal: Replacement of failed wooden bulkhead and wooden beach access stairs.

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 as outlined the **Biological Site Assessment provided by Davido Consulting in July of 2023:**

BSA: Construction activities will likely have temporary direct impacts on habitat through reductions in overall habitat quality for shorebirds, small mammals, fish, and any invertebrates/amphibians in the area. No habitat known to be used by any listed or sensitive species will be directly affected. However, surf smelt spawning is documented in the area, therefore timing and other protective measures will be required to minimize and avoid impacts to the species. The project will occur slightly landward of the existing footprint; therefore, no additional nearshore habitat will be impacted.

Likely indirect effects of the proposed action on listed species may include temporary behavioral responses to non-injurious noise from construction activities. Physical elements of habitat will not be significantly affected by the proposed action. Should ESA listed species be present they may experience some energetic cost from dispersal of prey, resulting in short-term expenditure of energy seeking other sources or browsing while waiting for prey to re-aggregate following noise effects.

Based on the guidance and definitions provided and the previously discussed project effects, the project may affect the mentioned ESA listed species (Puget Sound ESU Chinook (*Oncorhynchus tshawytscha*), Puget Sound DPS Steelhead Trout (*Oncorhynchus mykiss*), Coastal Puget Sound Bull Trout (*Salvelinus confluentus*)) due to the proximity of disturbance, but the project will not be likely to adversely affect these species because short-term and minor impacts to water quality could occur during construction but are reasonably unlikely as all work will occur in the dry during low tides. Conservation measures employed during construction are expected to maintain aquatic habitat at the baseline condition for the long-term. No adverse indirect, interrelated, and/or interdependent effects of the action are identified. Therefore, the effect determination is that this project may affect, but is not likely to adversely affect ESA listed species.

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 conclude that all species were given a 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.

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 **10/04/2023**; 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:

In order to minimize potential impacts to listed species and habitat associated with this project, the following conservation measures are recommended by DCG/Watershed for implementation at the site.

- **Construction timing will adhere to the work window provided by WDFW to ensure limited impact to salmonoid species, sand lance, and herring in the area. A forage fish survey may be needed prior to construction.**
- **All work on the bulkhead will be completed by equipment operating in the upland area and during periods of low tides. No in-water work will occur.**
- **All construction debris will be collected and not allowed to reenter waters of the state.**
- **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.**
- **Care will be taken in all work to prevent debris, oils, and grease from entering the water.**
- **All debris or spill material will be properly disposed of at an approved off-site disposal facility.**
- **Should heavy equipment be needed, refueling will be conducted away from the shoreline in accordance with the Washington State Department of Ecology.**
- **All equipment will be checked daily for leaks and any necessary repairs will be made prior to commencement of work.**

Required Permits: Shoreline Exemption Type-II

Required Studies: Biological Site Assessment (BSA), Geotechnical Report, State Environmental Policy Act (SEPA) Review