



Island County Planning and Community Development

Mary Engle, Director

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Notice of Application - Optional DNS Process

Date of issuance: December 13, 2023

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

Date of notice of application: November 11, 2023

Comment due date: December 27, 2023

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

File Number: SHE-II 385/23

Applicant: Robert Anderson

Location: 5844, 5848 Mutiny Bay RD. Freeland, WA 98249 (R22915-184-1590, R22915-177-1660, R22915-167-1350)

Proposal – Vinyl sheet pile bulkhead installation placed landward of the ordinary high-water mark, approx. 400 linear FT.

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 outlined in the Biological Site Assessment (BSA) conducted by Raedeke Associates, Inc. on October 11, 2023:

BSA:

- No direct impacts to marine species from the project are expected, as all work will be conducted landward of the marine OHWM of the Puget Sound. The only possible direct impact would be incidental discharge of construction-impacted stormwater as a result of the bulkhead installation but the proposed BMPs and TESC control measures are intended to avoid such impacts.
- Indirect impacts to marine and terrestrial wildlife species include behavioral responses to non-injurious noise and increased human presence during terrestrial construction activities. These effects are expected to be minor and temporary and normal wildlife behavior is expected to resume upon commencement of the construction activities.
- Regarding Fish and Wildlife Habitat Conservation Areas, we did not find evidence of any threatened or endangered wildlife species at the project site, nor any streams. Marine species and eelgrass beds will not be disturbed by the proposed project as the proposed 14 Tsunami Docks – Mutiny Bay Properties Raedeke Associates, Inc. Biological Site Assessment October 11, 2023 bulkhead and construction activities will occur above the marine OHWM. BMPs and TESC measures will be used to prevent sediment runoff into the Puget Sound. As a result, we do not anticipate any negative impacts to FWHCAs as a result of the proposed activities.
- No wetlands or streams were identified within or in the immediate vicinity of the boundaries of the project site and therefore we do not anticipate any adverse impacts to wetlands or streams in association with the proposed project.

- With regard to the shoreline and the Puget Sound, in order to avoid negative impacts to the shoreline and Puget Sound waters, the following measures are recommended: implementation of proposed BMPs, and timing of the project within the dry season to avoid sediment runoff during the proposed activities.

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 **DECEMBER 27, 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:

The proposed bulkhead project will include the following best management practices (BMPs) intended to avoid and minimize impacts to fish and wildlife habitat:

1. Construction timing will adhere to the work window provided by WDFW to ensure limited impact to fish species in the area.
2. All work will be completed landward the marine OHWM. No in-water work or work seaward of the marine OHWM will occur.
3. Project boundaries will be clearly marked prior to construction to prevent inadvertent impacts seaward of the marine OHWM.
4. Temporary and permanent soil erosion control measures (TESC Plan) will be installed and maintained during and after construction, consistent with best management practices, as required by Island County. Erosion protection measures will be implemented to limit potential impacts. These measures include covering soil stockpiles if inclement weather is anticipated and silt fencing the project perimeters to protect the Puget Sound and adjacent properties from erosion run-off.
5. Any areas of exposed soils that will not be worked for seven (7) consecutive days during the dry season, or two (2) consecutive days during the wet season, shall be immediately stabilized with the approved TESC methods (e.g. seeding, mulching, plastic covering, etc.).
6. At no time shall vehicle fluids, chemicals, debris, or other polluting matter be permitted to discharge from the project site. Emergency spill response and cleanup equipment would be available on site during all work activities. At a minimum, this kit will include material for containment and clean-up of petroleum products. If debris or spill material unintentionally enter the Puget Sound, immediate action will be taken to remove the material and proper entities will be notified.
7. All debris or spill material will be properly disposed of at an approved off-site disposal facility.
8. All work on site would be completed with clean equipment in good condition with no evidence of petroleum product leakage. All equipment would be inspected, serviced, and cleaned off-site to prevent leakage or any contamination of the water.
9. All equipment will be checked daily for leaks and any necessary repairs will be made prior to the commencement of work.

Required Permits: Shoreline Exemption Type-II

Required Studies: Biological Site Assessment, Geocoastal Report, SEPA Checklist,



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Notice of Application - Optional DNS Process

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

Date of issuance: 12/5/23

Date of notice of application: 12/13/23

Comment due date: 12/27/23

Staff Contact: Kayla Johnson

E-mail: kayla.johnson@islandcountywa.gov

Phone: (360) 678-7258

File Number: 390/23

Applicant: Joel and Cheryl Dahlke

Location: 7377 Rock Ridge Ln., Clinton, WA 98236; R32801-270-4800

Proposal: Replacement of deck in the existing footprint in the marine buffer.

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:

Applicant will adhere to best management practices (BMPs) outlined in the Biological Site Assessment (BSA) and SEPA Checklist. The BSA prepared by Principal Ecologist, Matt Kukuk, with Saratoga Environmental determined that no significant impacts to vegetation, soils, protected species, or habitats is expected, nor will there be a net loss to the ecological function and value of the shoreline environment.

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 **December 27, 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:

BSA:

- Erosion and sedimentation control BMP's should be implemented prior to initiating any ground disturbing activities and monitored/maintained throughout the project's construction activities.
- No demolition debris or construction materials should be stored on the waterward side (east side) of the existing vertical piling bulkhead/retaining wall.
- Any exposed soils should be reseeded at the end of the project and/or vegetated with native shrubs and herbs.

SEPA Checklist

- ESC BMP's will be implemented (as necessary) throughout the course of construction to prevent any exposed soils from draining to the adjacent marine waters.

Required Permits: Shoreline Exemption Type-II

Required Studies: BSA and SEPA Checklist