



## Island County Planning and Community Development

*Jonathan Lange, AICP, CFM  
Director*

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### **Notice of Application - Optional DNS Process**

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

**Date of issuance:** July 25, 2024

**Date of notice of application:** August 7, 2024

**Comment due date:** September 6, 2024

**Staff Contact:** Kayla Johnson

**E-mail:** [kayla.johnson@islandcountywa.gov](mailto:kayla.johnson@islandcountywa.gov)

**Phone:** (360) 678-7258

**File Number:** 024/24 SHE-II

**Applicant:** Kathleen and Christopher Robertson

**Location:** 5279 Bercot Rd., Freeland, WA 98249; S8290-00-00008-0

**Proposal:** Applicants propose to construct a grated deck along the length of the 100-foot bulkhead, the deck will be two feet above the existing bulkhead.

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 will adhere to best management practices (BMPs) and construction sequencing during the construction of the deck. Applicants submitted a SEPA Checklist, Biological Site Assessment (BSA) prepared by Allison Martin of DCG/Watershed in December of 2023; revised June of 2024 and a Geotechnical Report prepared by Sarah L. Dunn of Nelson Geotechnical Associates, INC. on October 20, 2022. The BSA determined that the project development is unlikely to cause a significant impact on any critical areas, species, or vegetation and 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 **September 6, 2024**; mail to Island County Planning Department 1 NE 7<sup>th</sup> St., Coupeville, WA 98239; deliver to 1 NE 6<sup>th</sup> 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:**

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

**Required Permits:** Shoreline Variance Type-II (submitted)

**Required Studies:** BSA (submitted), Geotechnical Report (submitted), SEPA Checklist (submitted)