



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: August 6, 2024

Date of notice of application: August 14, 2024

Comment due date: September 13, 2024

Staff Contact: Kayla Johnson

E-mail: kayla.johnson@islandcountywa.gov

Phone: (360) 678-7258

File Number: 234/24

Applicant: Lori and Paul Gross

Location: 1924 N Bluff Rd, Coupeville, WA 98239

Proposal: Demo and rebuild of existing SFR in the floodplain and 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:

Applicants will avoid impacts to the shoreline and where avoidance isn't reasonable, minimization of impact will be employed. Applicants have also submitted a SEPA Checklist. The Biological Site Assessment prepared by Polymer Land Consultants, LLC determined that the redevelopment is not likely to adversely effect any critical area functions or any listed species. The redevelopment will reduce the impervious surface area by approximately 2,674 square feet on the subject parcel which will enhance the shoreline environment and processes. Applicants have submitted a shoreline enhancement plan to include approximately 721 square feet of native plantings in areas that was previously gravel.

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 13, 2024**; 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:

Proposed conservation measures will be employed during all phases of construction. Conservation efforts have been prioritized; avoiding where possible and minimizing where avoidance is not reasonable or feasible.

- Avoidance
 - Avoidance has been achieved by avoiding any direct intrusion into any critical area, most notably an intrusion into the shoreline.
- Minimization
 - Minimization is achieved by locating the development as proposed; specifically, locating all of the redevelopment within the confines of the existing structure. No expansion of the existing structure's footprint is proposed.
 - Other minimization efforts include proper timing of all construction activities. Construction should coincide with favorable weather conditions. Timing the project in this manner further minimizes risks associated with localized erosion.
 - Construction should occur only during typical workday periods when fish and wildlife are least likely to be actively utilizing habitats found on or near the site.

Required Permits: Shoreline Variance Type II, Shoreline Mitigation

Required Studies: *Biological Site Assessment* (submitted), *SEPA Checklist* (submitted)



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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 31, 2024

Date of notice of application: August 14, 2024

Comment due date: August 28, 2024

Staff Contact: Kayla Johnson

E-mail: kayla.johnson@islandcountywa.gov

Phone: (360) 678-7258

File Number: 238/24 SHE-II

Applicant: Island County Public Works

Location: S7700-00-0000B-0; R13332-262-0320

Proposal: The south tide gate box is malfunctioning, and it is unclear what exactly the malfunction is but, it's likely that a hinge is jammed, there is debris lodged in the tide gate, or there are corroded or broken components that need to be repaired. The repair will consist of dewatering and de-fishing the south tide gate box followed by removing any lodged debris and repairing any damaged components. All work will take place at low tide and located within the south tide gate box.

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 and submitted a SEPA Checklist. Potential impacts from construction will be controlled through proper implementation of the temporary erosion and sediment control (TESC) Plan. Critical habitat and species that may be in the action area were given a "no effect" determination.

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 **August 28, 2024**; 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:

Biological Site Assessment:

Minimization measures and BMPs will be utilized during maintenance activities to avoid impacts to listed species and their habitat. Conservation measures will focus on minimizing construction noise and the possibility of spills, preventing soil erosion and minimizing impacts to vegetation. Special measures will be taken to ensure that all waste materials will be disposed of offsite and in accordance with applicable regulations. Adequate materials and procedures will be readily available on the site to respond to unanticipated weather conditions or accidental releases of materials. In addition, a protocol for contacting WDFW will be readily available in the event activities are observed to result in fish kills, fish in distress or other water quality problems.

- Construction techniques will utilize BMPs such as those described in the Washington State Department of Transportation (WSDOT) Standards and Specifications for Road, Bridge, and Municipal Construction (WSDOT 2024) and Ecology's Stormwater Management Manual for Western Washington (Ecology 2024b). Appropriate erosion control measures will be implemented at appropriate locations.
- A Spill Prevention, Control and Countermeasures (SPCC) Plan will be prepared for this project and reviewed and overseen by Island County. Any potential spills will be handled and disposed of in a manner that does not contaminate the surrounding area. Adequate materials and procedures to respond to unanticipated weather conditions or accidental releases of materials (sediment, petroleum hydrocarbons, etc.) will be available on site. The SPCC Plan will also ensure the proper management of oil, gasoline and solvents used in the operation and maintenance of construction equipment, and that equipment remains free of external petroleum-based products prior to entering the work area and during the work, and for making any necessary repairs prior to returning the equipment to operation in the work area.
- An emergency spill containment kit must be located on site along with a pollution prevention plan detailing planned fueling, materials storage and equipment storage. Waste storage areas must be prepared to address prevention and cleanup of accidental spills.
- All construction-related debris will be cleaned up on a daily basis. Proper conservation measures will be taken to ensure that debris will not contaminate the Strait of Juan de Fuca or Swantown Lake waters.
- Waste materials, miscellaneous garbage and/or other debris removed from the project site will be transported off site for disposal in accordance with applicable regulations.
- Work will be in compliance with all other local, state and federal regulations and restrictions.
- Work will be conducted during low tides.
- Adequate materials will be maintained on site to respond to weather conditions and modify the construction plan as needed to accommodate unanticipated events.
- Routine inspections of the erosion control measures will be conducted daily during construction (if activities last more than 1 day) to ensure the effectiveness of the measures and to determine the need for maintenance or additional control measures.
- Disturbance will be limited to the smallest area feasible for each part of the project and element under construction and will stay within the limits of construction as identified on the site plans.
- Fueling areas will be distinctly identified and established outside of sensitive areas. These areas will be equipped with spill prevention and control devices.
- The project will obtain and comply with conditions that will be outlined in project permits.
- There will be no work below/waterward of the OHWM or high tide line (HTL) of Strait of Juan de Fuca, or below the OHWM of Swantown Lake.

- Construction procedures have been developed to minimize the opportunity for erosion to occur or sediment-laden water to enter the Strait of Juan de Fuca or Swantown Lake.
- If at any time, as a result of project activities, fish are observed in distress, a fish kill occurs or water quality problems develop (including equipment leaks or spills), immediate notification shall be made to Ecology at 1.800.258.5990 and the WDFW Area Biologist that will be listed in the Hydraulic Project Approval (HPA).

Required Permits: Shoreline Exemption Type II

Required Studies: *Biological Site Assessment* (submitted); *SEPA Checklist* (submitted)