



Island County Planning and Community Development

Jonathan Lange, AICP, CFM
Director

1 NE 7th St., Coupeville, WA 98239

Ph: Whidbey 360-679-7339 | Camano 360-387-3443 | Fax: 360-679-7306

Email: PlanningDept@islandcountywa.gov | <https://www.islandcountywa.gov/Planning/Pages/Home.aspx>

Notice of Application - Optional DNS Process

Date of issuance: 02/05/2025

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

Date of notice of application 01/28/2025 **Comment due date:** 03/06/2025

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

File Number: 013/23 S-CUP-II **Applicant:** Henny Testamentary Trust

Location: 6290 Bayview RD., Langley, WA 98260

Proposal – Construction of approximately 201 linear feet of vinyl sheet pile bulkhead to protect an existing single-family residence and its appurtenances.

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 the submitted Biological Site Assessment prepared by Cedarock Consultants, Inc on January 11, 2023, the Wetland Delineation & Mitigation Plan Report prepared by Marine Surveys and Assessments on December 24, 2024 and the SEPA checklist:

BSA Findings/Conclusions: *Based on the analysis in this document, it is expected that implementation of the proposed action will have No Effect on existing EFH for salmonid species. Adverse effect as defined under the MSA "means any impact which reduces quality and/or quantity of EFH". The proposed action will temporarily disturb about ¼-acre of nearshore area, but no permanent work is proposed below OHW and no natural vegetation will be removed. The final shoreline condition will contain the same quantity and quality of habitat that existed prior to construction. No change in water quality is expected. With proposed conservation measures, long term impacts to salmonid EFH are not expected. The proposed action will have No Effect on EFH for groundfish and pelagic species (pg. 16).*

Wetland Report/Mitigation Plan: *The project proposes to remove buried logs and creosote timbers and to replace them with a combination of hard and soft shore armor including beach nourishment and native plantings landward of the OHWM. These changes will provide a net gain for the environment compared to what currently exists on site.*

The buffers are currently not high-functioning habitat since they are developed with a singlefamily residence (beach house) and non-native landscape. A much larger buffer area (more than 28 times the size of the project footprint) will be restored adjacent to the lagoon wetland and within the overlapping buffers. The restored buffer will be monitored for a period of five years.

To achieve No Net Loss of ecological function or value within the wetland and marine buffers, it is recommended that an area of approximately 6,203 ft² be planted with native plant species known to occur on or near the site. This planting to impact ratio is approximately 28:1. The planting will take place within the inner buffer immediately adjacent to the lagoon wetland

and the marine shoreline (Figure 14). Most of the buffer areas that will be disturbed by construction are currently of poor quality and primarily covered in nonnative species such as grasses, graveled parking areas and existing shoreline protection. The mitigation site will be monitored for at least five years as per ICC 17.02B.08 & 17.02B.510. Additional years will be added along with contingency measures if the performance standards are not met. Pg. 21-22

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 6, 2025**; 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:

Standard Shoreline Conditional Use conditions shall be applied, along with site-specific conditions as they relate to the project. It is anticipated that conditions requiring BMPs, conservation measures, and those ensuring that the proposed mitigation is carried out correctly will also be applied. Additionally, the applicant has proposed the following conservation measures:

- No vegetation other than turf grass shall be disturbed. All areas of disturbed vegetation shall be replaced. Trees in the area shall be protected from damage.
- No ground disturbance shall occur more than 25 feet waterward of the OHWM.
- All work shall be completed with Island County approved TESC measures placed as necessary to prevent any runoff from reaching Puget Sound waters or the coastal lagoon.
- No equipment storage or stockpiling shall be located within 100 feet of the coastal lagoon. All equipment and material will be delivered via existing roads.
- The lagoon shall be protected behind erosion control fencing and no drainage from the project site shall be directed that way.
- All work shall be completed with clean equipment in good condition with no evidence of petroleum product leakage. All equipment shall be inspected, serviced, and cleaned off site as necessary to prevent leakage or any contamination of the beach or water.
- Emergency spill response and clean-up equipment shall be available on site during all work activities. At a minimum, this kit will include material for containment and clean-up of petroleum product. Telephone numbers of appropriate agency/department contacts shall be readily available on-site in case a spill should occur (e.g., Ecology, County Fire Department Hazmat Team, County Fire and Rescue).
- Logs on the beach may be moved as necessary to complete construction but they will be restored to the beach after work on the beach has been completed.

Required Permits: Shoreline Conditional Use Permit, HPA (WDFW)

Required Studies: Biological Site Assessment (BSA), Geocoastal Report, Mitigation Report, FEMA Floodplain Habitat Assessment

