



**ISLAND COUNTY
PLANNING & COMMUNITY DEVELOPMENT**

PHONE: 360.679.7339 ■ from Camano 360.629.4522, Ext. 7339 ■ from S. Whidbey 360.321.5111 x 7339
FAX: 360.679.7306 ■ 1 NE 6th Street, P. O. Box 5000, Coupeville, WA 98239-5000
Internet Home Page: <http://www.islandcountywa.gov/planning>

Notice of Application

Optional DNS Process

(Note: The optional process can only be used for project proposals – non-project decisions such as code amendments and GMA actions must use regular DNS or DS process.)

Date of issuance: December 7, 2022

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

Date of permit application: October 27, 2022 **Date of determination of completeness:** November 29, 2022

Date of notice of application: December 7, 2022 **Comment due date:** January 6, 2023

Staff Contact: Brent Ryan email: b.ryan@islandcountywa.gov phone: (360) 678-7258

File Number: 327/22 S-CUP **Applicant:** Island County Parks Department

Location: R22910-293-4500, S6655-00-01008-0, S6655-00-01006-0, S6655-00-01005-0, Freeland

Proposal – Repair of Freeland Park dock. Repair will consist of removing the dock to the Freeland Park parking lot & replacing the original wood decking with 60% + light emitting grating, repairing structural members, & replacing all dock connectors and float feet. Project is within or near a flood hazard area, critical drainage area, mapped streams, & within Urban Conservancy & Aquatic shoreline jurisdiction.

Island County has reviewed the proposed project for probably 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:

The Biological Site Assessment prepared by GeoEngineers, Inc., dated October 18, 2022, determined No rooted eelgrass was identified within 25-ft of the pier and the project will avoid and minimize impacts to listed species and habitats through design elements and impact minimization measures described below.

Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. **Comments must be submitted by the date & to the agency contact noted above.**

The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: *Applicant will adhere to the recommended best management practices & construction impact minimization measures detailed in the Biological Site Assessment prepared by GeoEngineers, Inc., dated October 18, 2022:*

- *The contractor will comply with all local, state and federal permit restrictions.*
- *The contractor will prepare a construction Spill Prevention, Control and Countermeasures (SPCC) Plan for this project according to relevant guidance. 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 remain 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. The SPCC Plan will be consistent with 40 Code of Federal Regulations (CFR) 112.3 as well as the State of Washington Oil Spill Contingency Plan (WAC 173-182).*
- *Care will be taken in all work to prevent debris, oils and grease from entering the water.*
- *All equipment used for transporting the old floats to land and the updated floats back to the original locations on the dock will be cleaned and inspected prior to arriving at the project site to ensure no potentially hazardous materials are exposed, no leaks are present and the equipment is functioning properly.*
- *Waste materials, miscellaneous garbage and/or other debris will be removed from the shoreline environment and transported off site for disposal in accordance with applicable regulations.*
- *Apart from removing old floats and then installing the repaired floats, the project does not include any in-water work.*
- *Work will be in compliance with all local, state and federal regulations and restrictions, including but not limited to WDFW HPA, local Shoreline Master Plan and Critical Areas ordinance and land use regulations, SEPA, 401 WQC and USACE Permit [Rivers and Harbors Act]].*
- *The project will obtain required permits and comply with conditions and provisions of those permits.*
- *All debris shall be removed from the project area and prevented from entering the water.*

Required Permits: Type-2 Shoreline Conditional Use with SEPA Checklist.

Required Studies: Biological Site Assessment

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 Comments: Must be received by 4:30 pm on January 6th, 2023; mail to Island County Planning Department PO Box 5000, 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.

To request notice of hearings, to receive a copy of the decision, or information on appeals, contact us at the above address.



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Staff Contact: Brent Ryan email: b.ryan@islandcountywa.gov phone: (360) 678-7258

File Number: 328/22 S-CUP **Applicant:** Island County Parks Department

Location: R13436-480-1390, 296 Cornet Bay Rd., Oak Harbor

Proposal – Replacement of Cornet Bay dock. Project will consist of replacing one third of the dock per year for 3 years. Project is within or near the vicinity of cultural resources, flood hazard area, habitats of local importance, natural heritage program, feeder bluff, AICUZ noise zone, & within Shoreline Residential & Aquatic shoreline jurisdiction.

Island County has reviewed the proposed project for probably 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:

The Biological Site Assessment prepared by GeoEngineers, Inc., dated September 14, 2022, proposes impact minimization measures to avoid and minimize impacts to listed species and habitats.

Agencies, tribes, and the public are encouraged to review and comment on the proposed project and its probable environmental impacts. **Comments must be submitted by the date & to the agency contact noted above.**

The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal: *Applicant will adhere to the recommended best management practices & construction impact*

minimization measures detailed in the Biological Site Assessment prepared by GeoEngineers, Inc., dated September 14, 2022:

- *The contractor will comply with all local, state and federal permit restrictions.*
- *The contractor will prepare a construction Spill Prevention, Control and Countermeasures (SPCC) Plan for this project according to relevant guidance. 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 remain 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. The SPCC Plan will be consistent with 40 Code of Federal Regulations (CFR) 112.3 as well as the State of Washington Oil Spill Contingency Plan (WAC 173-182).*
- *Care will be taken in all work to prevent debris, oils and grease from entering the water.*
- *All equipment used for transporting the old floats to land and the new floats back to the original locations on the dock will be cleaned and inspected prior to arriving at the project site to ensure no potentially hazardous materials are exposed, no leaks are present and the equipment is functioning properly.*
- *Waste materials, miscellaneous garbage and/or other debris will be removed from the shoreline environment and transported off site for disposal in accordance with applicable regulations.*
- *Apart from removing old floats and then installing the new floats, the project does not include any in water work.*
- *Work will be in compliance with all local, state and federal regulations and restrictions, including but not limited to WDFW HPA, local Shoreline Master Plan and Critical Areas ordinance and land use regulations, SEPA, 401 WQC and USACE Permit [Rivers and Harbors Act]).*
- *The project will obtain required permits and comply with conditions and provisions of those permits.*
- *All debris shall be removed from the project area and prevented from entering the water.*

Required Permits: Type-2 Shoreline Conditional Use with SEPA Checklist.

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