



Island County Planning and Community Development

Mary Engle, Director

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Notice of Application - Optional DNS Process

Date of issuance: November 8, 2023

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

Date of notice of application: November 8, 2023 **Comment due date:** November 22, 2023

Staff Contact: Cindy White **email:** cindyw@islandcountywa.gov **phone:** 360-678-7818

File Number: 350/23 SHE **Applicant:** 5586 Mutiny Bay Rd LLC

Location: 5586 Mutiny Bay Rd. LLC

Proposal – interior remodel, including an addition to reconfigure the front entry on the existing residence. Refinish and add new retaining walls to terrace the yard. The draining will be directed into a new engineered stormwater outfall over the bluff to the beach.

The parcel is in the Rural zone, located within the Rural Conservancy shoreline designation, adjacent to a feeder bluff, FWHCA, steep and unstable slopes

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:

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 **November 22, 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:

Required Permits: Shoreline permitting, SEPA, building permits, septic permit possible State

Required Studies: biological site assessment, Geotech report, drainage narrative



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Notice of Application - Optional DNS Process

Date of issuance: 10/30/23

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

Date of notice of application: 11/8/23

Comment due date: 11/22/23

Staff Contact: Kayla Johnson, Cambria Edwards
c.edwards@islandcountywagov

email: kayla.johnson@islandcountywa.gov,
phone: (360) 678-7258, (360) 678-7938

File Number: 351/23 SHE-II, 362/23 CGP-II

Applicant: Jerome and Theresa Frigillana

Location: 4386 Krieg Ln., Oak Harbor, WA 98277, R23308-508-2040

Proposal: Applicants propose to install a drainage outfall into Dugualla Bay and to grade 2,960 cubic yards for a new single-family residence (SFR) and appurtenances. A Biological Site Assessment (BSA) with Reconnaissance Wetland Evaluation and a Mitigation Plan, Geotech Report, and Drainage Reports have been submitted. The subject parcel is in the marine buffer, shoreline jurisdiction, flood hazard area, AICUZ noise zone, geologically hazardous area, on a feeder bluff, has steep slopes, FWHCA, and wetland.

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 Geotechnical Report conducted on October 8, 2023 by Project Geologists Carston T. Curd and Alex B. Rinaldi and Principal Engineer Khaled M. Shawish. Also outlined in the BSA conducted by Polymer Land Consultants, LLC:

Steep Slopes, Cliffs and Bluff and Ravines:

Because most of the development is proposed inland of the bluff and the storm pipe is being laid entirely atop the bluff face, the development is not expected to alter any sediment supply functions. Vegetation on the bluff will for the most part be maintained in its existing condition. No water quality/quantity functions will be lost because of the proposal. Habitat conditions will be maintained as they currently exist.

Recruitment and maintenance of woody and organic debris

The shoreline riparian areas contain functional vegetation. As mentioned, much of the riparian vegetation found on the bluff is comprised of native shrubs and tree species. The pipe, where located within the marine buffer, will be laid atop the bluff face in a manner where little or no riparian vegetation will be removed. Considering the above conditions including the mitigation proposed in section 3 of this report, we find no reason to conclude that the project as proposed will result in any further diminishment in woody debris recruitment function(s) currently found on site.

Sediment recruitment:

When one considers the condition of the bluff and the activities taking place on the bluff, we find no reason to conclude that any sediment recruitment functions will be lost. The proposal does not include any shoreline armoring. Sediment recruitment functions are expected to remain unchanged.

Removal of Pollutants:

The above stated, the proposal results in only minimal excavations within the shoreline riparian zone. No viable trees or shrubs require removal. The pipe can be located in a manner where it meanders around any functional trees and shrubs such that no removal is required. When one considers the above conditions including the pipe being laid entirely atop the ground surface, we have no reason to conclude that any pollutant retention functions will be lost as a result of the development as it is proposed.

Maintenance of water temperatures:

The proposal results in only small areas of clearing within the shoreline riparian area(s). Any temporal losses to water temperature maintenance functions will be offset by the proposed mitigation contained in section 3 of this report.

Habitat, Reproduction, Foraging and Nesting

When one considers the specific proposal, we find no reason to believe that any riparian habitat functions will be lost as a result of the development as it is proposed. Only minimal disturbances on the bluff are needed as the pipe will be laid atop the bluff face. We further suggest that the mitigation contained in section 3 will offset any temporal impacts to any habitat functions.

Eel Grass (*Zostera*) Beds

When evaluating the specific project, including its location, we have no reason to believe that these habitats will be adversely effected by the development as it is proposed. The project does not require any dredging or excavations within the shoreline, nor will it result in additional alterations to the shoreline sediment supply dynamics beyond the conditions that currently exist. All considered, we have no reason to conclude that the development will result in an impact to any Eel Grass habitats.

Fresh-water Wetlands

Because all development is proposed well outside the required regulatory buffer for these types of wetlands, we have no reason to conclude that off-site wetland functions will be lost as a result of the development in its proposed location.

Forage Fish: Sand Lance (*Ammodytes hexapterus*), Surf Smelt (*Hypomesus pretiosus*) & Pacific Herring (*Clupea pallasii*):

As mentioned elsewhere, the development of the property is limited in its duration, and it does not require any intrusions into the shoreline itself. Further, the development as proposed including the mitigation, can be expected to maintain existing on-site riparian conditions such that no functional shoreline riparian losses occur. Based on these factors, we have no reason to conclude that any forage fish species will be adversely effected by the proposed development activities.

Other Salmonids

As previously mentioned, this project does not alter any sediment supply condition, nor does it result in permanent losses to any functional shoreline riparian vegetation. It does not diminish the existing water quality conditions currently found on the site nor is it expected to result in losses to any prey sources that

these species depend upon. All considered, we have no reason to conclude that the development as proposed will result in any impact to these species.

Shorebirds/Waterfowl

When the location of these habitats is compared to the location of the proposed development, we have no reason to suspect any adverse effects on these species will occur as a result of the project. As mentioned elsewhere in this report, the habitats that these species depend upon are either distant from the site or will remain unaltered.

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 **November 22, 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.

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The following conditions have been identified that may be used to mitigate the adverse environmental impacts of the proposal:

BSA:

In total a 3 x 6 ft rock-lined trench is needed to support the proposed storm-water diffuser. A 4-inch pipe itself will be laid atop the bluff face. An area equal to the size of the anchor, pipe and the diffuser will be replanted as shown on mitigation plans. In total 185 square feet of mitigation is proposed. We feel this mitigation effort will adequately ensure that no "net loss" occurs.

The following table identifies the specific goals and objectives for site mitigation. Suggested monitoring is included in the table. Overall project success is dependent upon proper project phasing, construction, maintenance, and monitoring.

Table 1: Goals, objectives, maintenance, and monitoring requirements:

Restoration Goal 1	Reestablish 185 square feet of critical area (bluff) with native vegetation.
• Objective a	Reestablish 185 square feet of a forested/scrub shrub bluff.
Performance Standard	<p>Year 1: 80 % survival rate of plants & < 30% cover with invasive or non-native species.</p> <p>Year 3: 80% survival rate of plants & < 20% cover with invasive or non-native species.</p> <p>Year 5: 90% survival rate of plants, < 10% cover with invasive. Native plants provide >90% aerial cover.</p>
Required Maintenance	Ongoing weed eating, cutting, and trimming of non-natives / invasive species. Watering and mulching of reestablished vegetation.
Monitoring Method(s)	Aerial coverage estimates

CONSTRUCTION PLAN & PHASING

The following table represents construction planning and phasing. Appropriate Best Management Practices (BMPs) must be installed prior to construction. All BMPs will be employed and maintained until the site is fully stabilized. BMPs may include but are not limited to silt fences, covering of earthen stockpiles and the implementation of temporary water management strategies.

Table 2: Construction elements

Activity	Quantities, Volumes, etc.
Install minimum BMP's	Silt fence, straw, plastic coverings, and other equipment. Quantities TBD.
Construction Activities	Construct buildings and utilities as needed.
Reestablish a forested, scrub shrub canopy. (Goal #1)	Reestablish thru plantings 185 square feet of scrub shrub bluff.
Remove BMP's only after site if fully stabilized	Silt fence, straw, plastic coverings, and other equipment. Quantities TBD.
Monitoring & site management	Monitor vegetation for 5 years. Maintain native species within buffer in perpetuity.

SWPPP ELEMENTS

1 – PRESERVE VEGETATION/MARK CLEARING LIMITS

The land disturbance activities for development requires the consideration to be given to minimize the removal of existing trees, disturbance and compaction of native soils, except as needed for building purposes. The duff layer, native soil and vegetation shall be retained in an undisturbed state to the minimum degree practicable.

Best Management Practices (BMPs) to be used:

- Preserving Natural Vegetation
- BMP C233: Silt Fence

2-ESTABLISH CONSTRUCTION ACCESS

A temporary construction entrance will be required.

Best Management Practices (BMPs) to be used:

- BMP C105: Stabilized Construction Entrance/Exit

3-CONTROL FLOW RATES

Flow rates will be controlled by using SWPPP Element #4, sediment controls.

4-INSTALL SEDIMENT CONTROLS

Due to the permeability of the site soils, surface flows from the site are expected to be negligible and therefore no sediment controls are needed. If the contractor notices that dirty storm water is leaving the site, then the contractor shall place silt fencing down slope from the disturbed areas as shown on the SWPPP.

Best Management Practices (BMPs) to be used:

- BMP C233: Silt Fence

5-STABILIZED SOILS

We do not expect any stockpiles on this project. All new exposed areas are expected to be covered with sand or building within 48 hours of exposure. If required, all exposed soil and any soil stockpile will be stabilized. The soil stockpile will be located within the disturbed area shown on the SWPPP plan. Any stockpiles will be covered in plastic if left un-worked. No soils shall remain exposed and unworked for more than 2 days between October 1 and April 30. Any land disturbed areas outside of the proposed development will be permanently seeded.

Best Management Practices (BMPs) to be used:

- BMP C120: Temporary and Permanent Seeding

6-PROTECT SLOPES

There are cut and fill slopes associated with this project.

Best Management Practices (BMPs) to be used:

- BMP C120: Temporary and Permanent Seeding

7-PROTECT PERMANENT DRAIN INLETS

There are existing and proposed storm drains, and storm drain inlet protection will be required.

Best Management Practices (BMPs) to be used:

- BMP C220: Storm Drain Inlet Protection

9-CONTROL POLLUTANTS

Any and all chemicals, liquid projects, petroleum projects, and other materials that have the potential to pose a threat to human or the environment will be covered, contained and protected from vandalism. All such products will either be locked in a trailer or locked in a leak proof container. Any on-site fueling will have

secondary containment to prevent possibility of spills. Any heavy equipment/vehicles will only be on-site temporarily. Any spills will be cleaned immediately. Fertilizers and pesticides will be applied per the manufacturers label requirements for application rate and procedures. No pH modifying sources such as cement kiln dust, fly ash, concrete washing treatment, curing waters, etc. are anticipated; if however they are, we will contain and/or remove the polluted substance from the site per manufacturer's recommendations.

10-CONTROL DEWATERING

For the proposed building, dewatering is not expected to be required; thus, dewatering control will not be required for this project.

Best Management Practices (BMPs) to be used:

- None Required

11-MAINTAIN BEST MANAGEMENT PRACTICES

BMPs will be inspected and maintained after storms and during construction.

12-MANAGE THE PROJECT

This SWPPP will be implemented at all times and will be modified whenever there is a significant change to the site conditions. The Erosion control BMPs will be implemented in the following sequence:

1. Mark the clearing limits.
2. Establish staging areas for storage and handling polluted materials and BMPs.
3. Install sediment control BMPs.
4. Hand grade and install stabilization measure for disturbed areas
5. Maintain BMPs until final site stabilization, at which time they may be removed.

13-PROTECT ON-SITE STORMWATER BMPS

On-site storm water BMPs, existing and proposed, will be protected at all times from siltation and compaction during construction. The approved plans have both construction sequencing and appropriate SWPPP BMPs to minimize the risk to storm water BMPs.

Best Management Practices (BMPs) to be used:

- None Required

Required Permits: SHE Type-II, CGP Type-II

Required Studies: BSA (submitted), Geotechnical Report (submitted), Wetland Report (Submitted), Stormwater Management Report (submitted)



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Notice of Application - Optional DNS Process

Date of issuance: 10/27/23

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

Date of notice of application: 11/8/23

Comment due date: 11/22/23

Staff Contact: Chloe Bensen

email: c.bensen@islandcountywa.gov **phone:** 360-678-7822

File Number: 353/23

Applicant: Edward Hill

Location: R23224-379-5010; Camano Island

Proposal – Raising of Bulkhead by 18 inches and adding deck within shoreline buffers. Site is in or near: Flood Hazard Area, Feeder Bluff, Shoreline Jurisdiction, Critical Drainage Area, in the vicinity of Cultural Resources.

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: Standard BPM's will be applied. Biological Site Assessment suggested conservation measures to include formal mitigation, voluntary measures include removal of all unnecessary hardened surfaces, reestablish the site using native vegetation, continued septic maintenance, limit pesticides and herbicides, outdoor lighting directed away from the shoreline, and all copper plumbing and other ornamental fixtures should be removed.

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 **11/22/23**; 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:

Required Permits: Shoreline Exemption, Building Permit

Required Studies: Geo-Coastal report, Biological Site Assessment, and SEPA Checklist



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Notice of Application - Optional DNS Process

Date of issuance: November 8, 2023

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

Date of notice of application: November 8, 2023 **Comment due date:** November 22, 2023

Staff Contact: Cambria Edwards **email:** c.edwards@islandcountywa.gov **phone:** 360-678-7938

File Number: 357/23 CGP **Applicant:** Nathan & Elya Howat

Location: 1385 Hersig Rd Oak Harbor

Proposal

Clearing and grading permit to remove the 6-year moratorium imposed on the 24-acre parcel, zoned Rural Forest, after a non-conversion permit was issued by DNR in 2019. Portions of the timber removal and installation of the haul route may have been within a wetland or its buffers.

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:

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.

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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:

Required Permits: clearing and grading, SEPA,

Required Studies: wetland delineation, drainage narrative`