



**ISLAND COUNTY
PLANNING & COMMUNITY DEVELOPMENT**

PHONE: 360.679.7339 ■ from Camano 360.629.4522, Ext. 7339 ■ from S. Whidbey 360.321.5111 x 7339
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Internet Home Page: <https://www.islandcountywa.gov/Planning/Pages/Home.aspx>

Notice of Application - Optional DNS Process

Date of issuance: March 22, 2023

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

Date of notice of application: March 22, 2023

Comment due date: April 21, 2023

Staff Contact: Chloe Bensen **email:** c.bonsen@islandcountywa.gov

phone: 360.678.7822

File Number: 062/23 S-VAR **Applicant:** Alicia & Mark Litton

Location: R32902-460-4020; 4279 Wateredge Dr. Langley

Proposal – Replace existing deck and pilings including additional support for existing SFR and slab foundation and replace existing access stairs with spiral staircase. Project is at least partially within the Marine buffer and steep slope buffer. Site is in the vicinity of Steep Slopes, Flood Zone, Feeder Bluff, and Shoreline.

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: According to the Biological Site Assessment prepared by Davido Consulting Group on August 6, 2022; the proposal will have no effect on habitat or species in the project action area. The proposed project deals with an already developed area and consists of repair and replacement not new development. No vegetation in the project area will be removed, only minor trimming may occur. All equipment will be used from a barge only at high tide.

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 **April 21, 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 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:

The following best management practices will be followed:

1. Potential adverse effects of this project on listed salmonids will be avoided or minimized through the adherence to agency-approved work windows when few juvenile salmonids are present (July 15 to February 15).
2. Potential adverse effects of this project on sand lance will be avoided or minimized through the adherence to agency-approved work windows (March 1 to October 15).
3. All construction debris will be collected and not allowed to enter waters of the state.
4. The contractor will prepare a spill prevention control and countermeasures plan.
5. If debris or spill material accidentally enters the waterway, immediate actions will be taken to remove the material, and proper entities will be notified.
6. Care will be taken in all work to prevent debris, oils, and grease from entering the water.
7. All debris or spill material will be properly disposed of at an approved off-site disposal facility.
8. Refueling will be conducted away from the project site in accordance with the Washington State Department of Ecology.
9. All equipment will be checked daily for leaks and any necessary repairs will be made prior to commencement of work.
10. All work on the deck will be completed by equipment operating on the upland property area above the OHWM.
11. Vessels will not be grounded.
12. The barge will not ground out nor will it spud down in an eelgrass bed.

Required Permits: Shoreline Variance, Building, Flood Development Permit

Required Studies: SEPA Checklist, Biological Site Assessment



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Notice of Application - Optional DNS Process

Date of issuance: March 22, 2023

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

Date of notice of application: March 22, 2023

Comment due date: April 21, 2023

Staff Contact: Malene Garcia-DeBoard **email:** m.garcia-deboard@islandcountywa.gov **phone:** (360) 678-7817

File Number: 064/23 S-CUP II **Applicant:** John Porter III

Location: R33004-332-4320

Proposal – Replacement of timber bulkhead one foot landward of original footprint with soldier pile and pre-cast concrete lagging bulkhead and replacement of upland beach access stairs

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:

Applicant will adhere to best management practices and submitted a SEPA Checklist. The Biological Site Assessment prepared on February 17, 2023 by Davido Consulting Group, Inc. determined that the project is not likely to adversely affect any critical habitats used by Endangered Species Act listed species. Temporary impacts can be reduced by implementing specific mitigation measures. The Geocoastal Report prepared on October 27, 2022 by Aspect Consulting determined that the project would not further impact the ecological processes of the shore, but would improve them by relocating the shoreline stabilization landward of the existing alignment, straightening out the 45-degree angle of the bulkhead. Removal of the existing bulkhead will also reduce exposure of the marine environment to releases of environmental toxins from the existing creosote-treated timbers.

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 **April 21, 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 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:

The project will follow all best management practices. Construction timing will adhere to the work window provided by WDFW to ensure limited impact to salmonoid species and surf smelt in the area. All debris or spill material will be properly disposed of at an approved off-site disposal facility. Refueling will be conducted away from the project site in accordance with the Washington State Department of Ecology. All equipment will be checked daily for leaks and any necessary repairs will be made prior to commencement of work. The contractor will prepare a spill prevention control and countermeasures plan.

Required Permits: Shoreline Conditional Use Type II

Required Studies: Biological Site Assessment, Geocoastal Report, SEPA Checklist