



## ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

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### 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:** July 20, 2022

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

**Date of permit application:** March 23, 2022 **Date of determination of completeness:** July 12, 2022

**Date of notice of application:** July 20, 2022 **Comment due date:** August 19, 2022

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

**File Number:** 093/22 S-VAR **Applicant:** William Bacon & Holle Bacon

**Location:** S6250-02-03009-1, Beach Dr., Camano Island

**Proposal** – New SFR & septic system. Parcel may contain wetlands, is within a flood hazard area, & within the Shoreline Residential shoreline environment designation.

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 Wetlands & Wildlife, Inc., dated December 18, 2022, proposed a mitigation plan to offset impacts to the wetland buffer.*

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 following conditions & recommendations outlined in the Biological Site Assessment prepared by Wetlands & Wildlife, Inc., dated December 18, 2022:*

- *The proposed project will impact some existing forest cover (existing trees) as outlined previously in this report. However, in order to offset this project's impact to forested vegetation within the Shoreline Environment, the*

applicant is proposing to install tree plantings at a ratio of 3:1, planting 3 trees for each tree impacted by this proposal outside of areas already accounted for through permanent wetland buffer impacts. The proposed mitigation plan includes planting native vegetation to create a more native vegetative condition over the long-term, including the addition of 29 total tree plantings.

- No change in shoreline stabilization measures will occur as a result of this project. No new bulkheads, revetments, or retaining walls are proposed.
- No clearing or disturbance of any marine or freshwater riparian vegetation is proposed as part of this project. The proposal does not include any work near the OHWM where any such vegetation would be located. In fact, the applicant is proposing to plant 29 native trees and 53 native shrubs within the standard wetland buffer as part of this proposal.
- No acreage of permanently protected areas (public ownership, PBRS, conservation easements, etc.) will be modified or disturbed as a result of this proposal
- No new piers, docks, floats, or overwater structures are proposed as part of this project. No work is proposed to be located waterward of the OHWM for this project.
- No new road development is associated with this proposal. The applicant is proposing to construct a single-family residential driveway associated with the new residence as part of this project. This driveway will not constitute a new roadway and will be used only for access to the new single-family residence.
- The proposal does not include any road crossings of water bodies. All proposed work will occur landward of the OHWM.
- The Washington Department of Ecology maps the entire project section (Section 19 of Township 31N, Range 03E) as being listed as a Category 5 (303(d)) water for bacteria. The assessment unit ID is listed as "unmappable-Unnamed creek (Trib to Port Susan)" and remarks include "due to the salinity profile of this waterbody, marine criteria are applied." As a result, it is implied the Coastal Lagoon near the project site is already on the Water Quality 303(d) list. This project proposal is not expected to impact any water quality parameters in the Coastal Lagoon, and the applicant has retained TerraVista NW, LLC to prepare project-related materials in accordance with the current required stormwater manual.
- No new levees or dikes are proposed as part of this project.
- In accordance with the NFIP-ESA Model Ordinance and the Endangered Species Act as clarified in the Biological Opinion issued by the National Marine Fisheries Service (NMFS) on September 22, 2008, the project will abide by all mitigation requirements required under the FEMA Region 10's Floodplain Habitat Assessment and Mitigation Regional Guidance for the Puget Sound Basin (2013). This will require the project applicant to provide compensatory storage for any lost floodwater storage capacity resulting from the project. Compensatory flood storage has been designed by TerraVista NW, LLC and thus the project has been designed to provide no change in floodplain area or total acres allowed to flood. Please see the Floodplain Habitat Assessment Report prepared by Wetlands & Wildlife, Inc. for more information regarding compensatory Wetlands & Wildlife, Inc. December 18, 2021 Critical Areas & Biological Site Assessment Report—Bacon Proposed Shoreline Variance Island County, Washington (Geographic ID: S6250-02-03009-1) Page 23 floodwater storage and our detailed evaluations related to the proposed development within mapped FEMA Flood Hazard Areas.
- During field evaluations, no bald eagle, osprey, or great blue heron nests or roost sites were detected on or near the project site. As part of this project evaluation, Wetlands & Wildlife, Inc. also reviewed the Priority Habitats and Species (PHS) database (PHS on the Web) which is produced and maintained by the Washington Department of Fish and Wildlife (WDFW). A PHS report was generated using the WDFW's online screening tool within 1000 feet of the subject property. Only marine species located within Puget Sound (across Beach Drive, on the other side of the peninsula) appeared in this report. As none of the following species were listed or mapped within 1000 feet of the subject property, the proposed project is not expected to have any adverse impacts on the nests, roosts, or rookeries of bald eagles, osprey, or great blue herons.
- The applicant is proposing to remove any non-native, invasive vegetation among the on-site buffer and maintain those areas to ensure no dominance of non-native, invasive vegetation. The applicant is also proposing to plant 29 native trees and 53 native shrubs to deter the establishment of any non-native, invasive vegetation on the project site.

- *The applicant is proposing to increase the amount of impervious surface area within 200 feet of the Type S waterbody (unavoidable impacts to accomplish the proposed project). In order to do so, the applicant is requesting a Shoreline Variance, is abiding by the adopted mitigation hierarchy to minimize impacts to Critical Areas and Shoreline buffers, and is proposing compensatory mitigation for all impacts. As previously discussed, the design of the project is compatible with authorized uses within the area and with uses planned for the area under the Island County comprehensive plan and SMP, and in an attempt to further reduce any impacts associated with the proposed project, the applicant has designed the project to be located as far as possible from the OHWM. In doing so, the applicant will not be using a common line setback, which may be applied in Shoreline Environments, and will instead locate the proposed development as far away from the OHWM as possible. The proposed single-family residential development will allow the applicant to enjoy the same privileges that are enjoyed by adjacent and nearby property owners, while minimizing impervious surface area within the Shoreline Jurisdiction and providing compensatory mitigation.*
- *No loss of wetland acreage will occur, as no fill among the wetland is proposed. All project work is proposed greater than 30 feet from the OHWM of the Shoreline / Coastal Lagoon Wetland.*
- *No seagrass, kelp, or emergent aquatic vegetation will be impacted through implementation of the project, as the project will not result in any work near the shoreline where such vegetation would occur. All project work will be located landward of the OHWM.*

**Required Permits:** Shoreline Variance with SEPA Checklist.

**Required Studies:** Biological Site Assessment, Wetland Report w/Mitigation Plan, & Arborist Report

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 August 19<sup>th</sup>, 2022; mail to Island County Planning Department PO Box 5000, Coupeville, WA 98239; deliver to 1 NE 6<sup>th</sup> 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.