



## Island County Planning and Community Development

Mary Engle, Director

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### Notice of Application - Optional DNS Process

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

**Date of issuance:** January 18, 2024

**Date of notice of application:** January 31, 2024

**Comment due date:** February 14, 2024

**Staff Contact:** Donah Dunn

**E-mail:** [d.dunn@islandcountywa.gov](mailto:d.dunn@islandcountywa.gov)

**Phone:** (360) 678-7812

**File Number:** 034/24

**Applicant:** Scott Flynn and Claire Tien

**Location:** R22912-230-4870; Whidbey Island

**Proposal:** Cut and fill of 3,371 cy for a single-family residence, barn, swimming, pool, ADU, and driveway. ADU and swimming pool to be permitted at a future date.

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:

Total tree removal includes four trees that are in poor condition, outside of critical areas, for driveway installation for a single-family residence, swimming pool, ADU, and barn. Total cut and fill include 1,130 cy of excavation and 2,241 cy pf fill total for all proposed structures plus the driveway. Applicants propose to remove invasive Himalayan Blackberry and plant native trees and shrubs to enhance the property's ecosystem.

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 **February 14, 2024**; mail to Island County Planning Department 1 NE 7<sup>th</sup> St., 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. 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:

SEPA Checklist:

- Vegetation buffers will be maintained around cleared areas.
- The ground surface within the construction area will be graded to prevent water ponding and to prevent runoff from reaching the top of the site slopes or temporary excavation slopes.
- Soil stockpiles and temporary excavation slopes will be covered with plastic sheeting.
- Hydroseed or straw will be placed in areas where grading is completed.
- Water will be diverted away from the top of slopes.
- Silt fencing will be used on the downslope side of grading areas.

Geotechnical Report:

- Where practical, maintain vegetation buffers around cleared areas.
- The ground surface within the construction area should be graded to prevent ponding of water and to prevent runoff from reaching the top of site slopes or temporary excavation slopes.
- Adequately cover soil stockpiles and temporary excavation slopes with plastic sheeting.
- Hydroseed or place straw in areas where grading is completed.
- Divert water away from the top of slopes.
- Use silt fencing on the downslope side of grading areas.
- If possible, stage construction such that the amount of exposed soil and exposure time is minimized.

**Required Permits:** Clearing and Grading Permit Type-II

**Required Studies:** *SEPA Checklist* (submitted) and *Geotechnical Report* (submitted)



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### Notice of Application - Optional DNS Process

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

**Date of issuance:** January 17, 2024

**Date of notice of application:** January 31, 2024

**Comment due date:** February 14, 2024

**Staff Contact:** Kayla Johnson

**E-mail:** [kayla.johnson@islandcountywa.gov](mailto:kayla.johnson@islandcountywa.gov)

**Phone:** (360) 678-7258

**File Number:** 024/24 SHE-II

**Applicant:** Kathleen and Christopher Robertson

**Location:** 5279 Bercot Rd., Freeland, WA 98249; S8290-00-00008-0

**Proposal:** Applicants propose to remove the existing bulkhead and construct a deck along the shoreline where the bulkhead was. The proposal also includes the replacement of the existing drainage outfall in which the PVC pipes will be replaced with HDPE pipe and installation of an outfall with an energy dissipator to discharge at the toe of the slope.

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:

Applicants are removing the existing bulkhead which will help to restore the shoreline ecosystem processes in this area. Applicants will adhere to best management practices (BMPs) and construction sequencing during the removal of the bulkhead, construction of the deck, and replacement of the drainage outfall. Applicants submitted a submitted SEPA Checklist, Biological Site Assessment (BSA) prepared by Allison Martin of DCG/Watershed in December of 2023, and a Geotechnical Report prepared by Sarah L. Dunn of Nelson Geotechnical Associates, INC. on October 20, 2022. The BSA determined that the project development is unlikely to cause a significant impact on any critical areas, species, or vegetation.

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 **February 14, 2024**; mail to Island County Planning Department 1 NE 7<sup>th</sup> St., 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. 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:

BSA:

1. Construction at the worksite should be limited to daylight hours.
2. Construction timing will adhere to the work window provided by WDFW to ensure limited impact to salmonoid species and Pacific herring in the area.
3. All work on the project will be completed by equipment operating during periods of low tides. No in-water work will occur.
4. Emergency spill response and clean-up equipment shall be available on site during all construction activities.
5. All construction debris will be collected and not allowed to reenter waters of the state.
6. If debris or spill material accidentally enters the waterway, immediate actions will be taken to remove the material, and proper entities will be notified.
7. Care will be taken in all work to prevent debris, oils, and grease from entering the water.
8. All debris or spill material will be properly disposed of at an approved off-site disposal facility.
9. Should heavy equipment be needed, refueling will be conducted away from the shoreline in accordance with the Washington State Department of Ecology.
10. All equipment will be checked daily for leaks and any necessary repairs will be made prior to commencement of work.

**Required Permits:** Shoreline Exemption Type-II (submitted)

**Required Studies:** BSA (submitted), Geotechnical Report (submitted), SEPA Checklist (submitted)