



ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

PHONE: (360) 679-7339 ■ from Camano (360) 629-4522, Ext. 7339 ■ from S. Whidbey (360) 321-5111, Ext. 7339 FAX: (360) 679-7306 ■ 1 NE 6th Street, P. O. Box 5000, Coupeville, WA 98239-5000
Internet Home Page: <http://www.islandcounty.net/planning/>

SEPA THRESHOLD DETERMINATION MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS) 086/14 SPR, 087/14 VAR, 088/14 S-VAR, 089/14 SDP Real Ice, LLC / Ice Floe LLC

Date issued: June 2, 2016

Proposal Name: Master Use Permit application by Real Ice, LLC. The proposal includes applications for Site Plan Review (SPR 086/14), Variance (087/14), Shoreline Variance (088/14), and Shoreline Substantial Development Permit (SDP 089/14).

I – SUMMARY

Description of Proposal:	Applicant is seeking master permit to authorize all existing uses and structures, and to consolidate, supersede and replace all previous permits and approvals. In addition, applicant is proposing to expand permitted hours of operation by one hour each day and reconfigure structures within existing production area. Work will include demolition and construction of structures, noise attenuation walls, retaining walls and other site improvements. Several structures are expected to exceed the maximum height permitted by Island County zoning regulations and will require a variance. Modification to storm-water systems, paving, screening and noise mitigation measures are also anticipated. The project site is within the jurisdiction of the Island County Shoreline Master Program and is on or near the following critical areas: wetlands, fish and wildlife habitat conservation areas, critical drainage area, and flood hazards.
Applicant:	Real Ice, LLC / Ice Floe LLC (dba Nichols Brothers Boat Builders (NBBB) P.O. Box 580 5400 Cameron Road Freeland, WA 98249 (360) 331-5500 www.NicholsBoats.com

Location of Proposal:	The subject site is addressed as 5400 Cameron Road and is located in the south end of Holmes Harbor in Freeland, WA and consists of the following parcel numbers: S8290-00-00022-4, S8290-00-00021-1, S8290-00-00021-2, S8290-00-00021-3, S8290-00-00053-2, S8290-00-00053-3, S8290-00-00053-4, S7085-00-00014-0, S6655-00-04000-0.
Owner:	Real Ice, LLC / Ice Floe LLC
Lead Agency:	Island County Planning and Community Development
Responsible Official:	Hiller West, Community Development Director
Determination:	Mitigated Determination of Non-Significance (MDNS)

II – DETERMINATION

The Lead Agency for this proposal has determined that it will not have a probable significant adverse impact on the environment. The requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in conditions below, development regulations, and in the comprehensive plan adopted under 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21.C.240 and WAC 197-11-158. An environmental impact statement is not required under RCW 43.21.030(2)©. This conclusion was made after review of a completed environmental checklist, applicable regulations, and other information on file with the lead agency. The Draft and Final Environmental Impact Statement (D/FEIS) issued in 1982 for the Nichols Bros. Boat Builders proposed Contract Rezone and Shoreline Management Substantial Development Permit are adopted by reference for this Mitigated Determination of Non-Significance. This information is available for review by the public on request at Island County Planning and Community Development offices, 1 NE 6th Street, Coupeville, WA 98239, and by contacting Patricia Shults at (360) 678-7800 during regular business hours.

III – CONDITIONS

1. Compliance with the conditions required by Island County Public Works in the memorandum dated April 13, 2016 and the memorandum dated September 17, 2015 by Bill Poss is required (see Exhibit "A").
2. Compliance with the conditions required by Island County Public Health in the memorandum dated April 20, 2016 and memorandum dated September 21, 2015 by Aneta Hupfauer is required (see Exhibit "B").

3. A Wetland Report by Grette Associates dated December 22, 2015 was submitted as additional information. The report identifies one wetland on site (W1). The wetland is divided into two classifications, therefore it has two different buffers, 220 feet and 110 feet. The majority of new development is occurring outside of the wetland and associated buffers. All work shall conform to the Revised Site Plan dated 2/29/2016.
4. Compliance with the conditions required by Island County Building Division in the memorandum dated September 25, 2015 by Tamra Patterson is required (see Exhibit "C").
5. Compliance with the noise standards of WAC 173-60-040 and ICC 9.60 shall be required, in particular subsection 030 listing examples of public disturbance noise and the hours when such noise shall be prohibited. No later than 60 days following issuance of the Master Permit, the applicant shall contract with a professional noise monitoring service to establish a protocol for noise level measurement at the exterior boundaries of the site. The protocol shall be provided to Island County Community Development for review, and shall be implemented upon construction and inspection of sound walls and other noise reduction measures. A record of noise measurement shall be provided to Island County Community Development every ninety (90) days thereafter.
6. The applicant shall inspect, and replace as needed, all exterior light fixtures, to ensure they are shielded and focused downwards. Horizontal light escape shall be minimized. A request for inspection by Island County shall be made within ninety (90) days following issuance of the Master Permit.
7. Within ninety (90) days of issuance of the Master Permit, the environmental shelters shall be covered with an opaque, dark material to minimize or eliminate light and/or glare through the canopy. A request for inspection by Island County shall be made prior to the conclusion of the ninety (90) day period.
8. The applicant shall contact the Washington State Department of Archeology and Historic Preservation (DAHP) to determine their requirements for an archeological survey of the site. The applicant shall provide required information to the Department of Archeology and Historic Preservation.

This MDNS is issued under WAC 197-11-350; the Lead Agency will not act on this proposal for 14 days from the date shown below. Written comments may be submitted to the Responsible Official by 3:00 p.m. on June 22, 2016.

IV – SEPA APPEAL PROCEDURES

Decisions by the Examiner on Type III applications shall be final and conclusive unless within fourteen (14) days following mailing of such decision a written statement of appeal is filed with the Board by the Applicant, a Department of the County, or Party of Record, who is also an Aggrieved Person. Said statement shall set forth any alleged errors and/or the basis for appeal and shall be accompanied by a fee pursuant to the fee schedule adopted by the Board; provided that such appeal fee shall not be charged to a Department of the County or to other than the first appellant. The appeal of a Type III decision shall be a closed record appeal. Any appeal of this threshold determination shall be heard by the Island County Hearing Examiner with the underlying permit action.

SEPA RESPONSIBLE OFFICIAL:

SIGNED THIS 2nd DAY OF JUNE 2016



Hiller West, AICP
Director of Island County Planning and Community Development
P.O. Box 5000
Coupeville, WA 98239-5000

Enclosures:

Exhibit "A" – Memorandum by Bill Poss, Island County Public Works, dated 4/13/16
Exhibit "B" – Memorandum by Aneta Hupfauer, Island County Public Health, dated 4/20/16
Exhibit "C" – Memorandum by Tamra Patterson, Plans Examiner/Building Inspector, dated 9/25/15
Exhibit "D" – Inadvertent Archaeological and Historic Resources Discovery Plan for Island County



ISLAND COUNTY PUBLIC WORKS
ROADS DIVISION

P.O. BOX 5000, COUPEVILLE, WA 98239
(360) 679-7331

William E. Oakes, P.E., Director/County Engineer
Connie W. Bowers, P.E., Asst. County Engineer

April 13, 2016

TO: Hiller West, Planning and Community Development

FROM: Bill Poss, Public Works Department Development Coordinator

SUBJECT: Real Ice LLC, Ice Floe LLC.
Consolidated permit review including:
Site Plan Review 086-14, Shoreline Substantial Development SDP 089-14,
Shoreline Variance 088-14 and Variance 087-14
Phased reconfiguration of existing boatyard, extend hours of operation, and
associated operation infrastructure improvements
Parcel Nos. S8290-00-00022-4, 00021-1, 00021-2, 00021-3, 00053-2, 00053-3,
00053-4, S7085-00-00014-0, S6655-00-04000-0,

The Public Works Department has reviewed the recently submitted new information for the subject applications for consistency with its development standards and provides the following comments:

A. Transportation Concurrency (ICC 11.04)

The application noted that the owner requests a determination of whether the proposal is exempt from Concurrency review pursuant to ICC 11.04.050.A.2.F. The Public Works Director determined that a Concurrency application is not required Per ICC 11.04.050 Concurrency Exemptions as the proposal is not anticipated to change the traffic volumes and flow patterns in the afternoon peak travel period.

Note: The submitted drainage plan by DCG Inc. indicates future 520 x 130 fabrication building and a 150 x 130 future shop, office and storage building in the South Yard area - are these part of the proposal? If so a Concurrency application is required.

Note: recent site visit observed a number of apparent office type trailers on parcel no.S8290-00-00053-3. If additional office space proposed on an undeveloped parcel a Concurrency application is typically required.

B. Entry Permits (ICC 12.12)

A submitted undated map shows all existing access locations with associated Access to County Right-of-Way Permits and existing access locations without permit records. Access to County Right-of-Way Permit Applications have been recently submitted to address these three locations.

However there is also a location for an access to a parking lot on the west side of Cameron Road on parcel no.S8290-00-00053-3 with no Access Permit application

submitted. An Access to County Right-of-Way Permit Application is required for the access to S8290-00-00053-3.

The roadside parking area configuration considered under Access to County Right-of-Way Permit Application PW16-0048 requires backing in or out of the traffic lanes. This was reviewed with the Public Works Director and was determined to not be a safe use of the public right-of-way and will not be approved. The Site plan shall to be revised to remove the roadside parking or re-configure such that access to the parking area is from within the NIBB property.

All access permit numbers for each location shall be shown on the Site Plan map.

C. Stormwater and Surface Water Ordinance (ICC 11.03)

We understand all boatyard area industrial runoff is regulated via the Washington State Department of Ecology (DOE) NPDES Wastewater Permit and that non-industrial stormwater runoff is managed separately from industrial runoff.

Recently submitted is a Drainage Report by DCG Inc. dated November 4 2015. Said report provides design guidance for management of stormwater run off from the South Yard areas. The proposed stormwater management includes use of existing infrastructure and new components to meet the requirements of the Island County Stormwater Ordinance.

The report notes the runoff from the South yard is currently isolated from the North Yard by a series of drainage trenches that convey to an undersized pond. The proposal is to utilize the existing control trenches and pond and install a new storage reservoir for detention and a bio-swale for treatment.

The following clarifications are requested regarding the existing and proposed drainage systems:

- The Drainage Plans by DCG do not show the location of components of the existing South yard storm water capture and conveyance system nor does the report indicate whether these existing components are adequate to capture and control runoff from the South Yard.
- The existing trench drain at the north side of the South yard appears to have gaps where runoff could run through to the North yard. Per the photo in the Drainage Report the trench drain appears to be periodically covered for vehicle traffic and would preclude capture during coverage or large storm events. Given the existing drain is within an area proposed to be covered with asphaltic paving the civil engineer to provide a new collection system drain design and confirm the south yard plan is adequate to capture and convey all runoff to the proposed re-configured drainage system.
- The existing settling pond appears to be covered or proposed to be covered as noted on the Site Plan by FlatRock. The pond appears to be quite small and possibly subject to overtopping and appears to be substantially altered in recent aerial imagery. However, the Drainage Improvement plan in the Drainage Report by DCG appears to show an open settling pond-please confirm intended design

- The proposed 2 inch conveyance line from the settling pond to the new detention tank will require a pump system-how will this be supported during power outages?
- Site Plans by FlatRock show proposed drainage features in different configurations than the DCG drainage plan.
- Details or notes on the DCG drainage plan are not legible or were cut off-provide full size plan to include all notes and details, including the conveyance from the proposed bio-swale to the storm water discharge location.

Previously Public Works understood the NIBB *State Waste Discharge Permit Number ST-7396* issued by the Washington Department of Ecology addressed treatment and discharge of industrial stormwater and rinse water from NBBBI facilities. However, Condition S.9 of said permit required NBBBI to modify the wastewater treatment system including the following:

- a. *"Separating the fixed building roof drains and administrative parking lot stormwater from the vault, filtration and infiltration system"*. Public Works previously noted under SPR 387-04 that "Prior to implementation of said plan Island County requires for review/approval an engineered preliminary Drainage Plan to demonstrate feasibility of said system per ICC 11.03. Additional permit(s) may be required for any work within County Right-of-Way and/or discharges into Holmes Harbor".
- b. *"NBBBI shall construct a barrier to prevent run-on of tidal marine water into the shipyard and in the stormwater collection system"*. Public Works previously noted under SPR 387-04 that "All components of said system shall be constructed outside of and not impact the County Right-of-Way unless an approved Application to Work in the County Right-of-Way is obtained".
- c. *"NBBBI shall increase the storage capacity of their current treatment system to minimize overflows of stormwater"*. Public Works previously noted under SPR 387-04 that "NBBBI shall provide Island County a copy of all future submittals to DOE related to modifications/revisions to runoff treatment and discharge operations".

A copy of the current, DOE NPDES Industrial Boatyard Wastewater Permit was recently provided however it is not clear how these measures were addressed. Please address.

Recently submitted Narrative by Saratoga Environmental dated February 28, 2016 notes that an easement as off-site conveyance as proposed across parcel S6655-00-12000-0 was acknowledged by that property owner in a letter dated February 8, 2016.

However, said letter was not in the recently submitted materials. Please provide a copy for the record.

D. Land Development Standards (ICC 11.01)

Per Subsection 11.01.060.D.2 the proposed site development access alignment and width shall provide *safe and convenient access* to the site.

The proposed sound walls along Cameron and Shoreview Road appear to meet the requirements for Clear Zone per Chapter 1600 WSDOT Design Manual (attached). However in order to meet Sight Triangle per ICC 17.03.180.S a pruning and/or removal of existing vegetation on the corner will be required.

E. Clearing and Grading Ordinance (ICC 11.02)

The application materials indicate future site grading for proposed yard reconfiguration and building construction that will total approximately 4100 cumulative cubic yards. Grading to be designed to be consistent with the DOE NPDES Stormwater permit for the industrial boat yard areas and to support the proposed stormwater controls to be designed by the project civil engineer.

Fills for structural support will require engineered grading pursuant to ICC 11.02.290 and to meet the requirements of the Building Codes.

Application noted landscaping berms to be supplemented with fill soils. Landscaping berm slopes to be constructed consistent with ICC 11.02.300 *Slope requirements* and 11.02.310 - *Setbacks for cuts or fills*.

If landscape berms (or bio-swale) are to encroach into required setbacks for fill slopes or be located off-site as appears to be reflected on the Site Plan by Flatrock an easement is required.

F. Fire Flow (ICC 13.03A)

Previously under SPR 387-04 application the applicant provided a letter from Fire Protection District No. 3 dated March 17, 2005 indicating the water system providing fire flow to the subject parcels can provide capacity to meet industrial fire flow requirements (1000 gallons per minute for 60 minutes per ICC 13.03A.100.C.5.b.ii). Note: Additionally per referenced code; *Fire flows for industrial structures may be subject to higher fire flow requirements, and shall be determined by the Building Official based on occupancy hazard classification in NFPA 1231.*

Submitted letter from Saratoga Environmental dated Febraury28, 2016 mentions an updated letter from Fire Protection District No. 3 indicating the water system provides capacity to meet industrial fire flow requirements. However, said letter was not included in the application package.

In summary, Public Works requests the following prior to issuance of a SEPA Determination and permit decisions:

- Note: The drainage plan by DCG Inc. indicates future 520 x 130 fabrication building and a 150 x 130 future shop, office and storage building in the South Yard area -are these part of the proposal? If so a Concurrency application is typically required for the expanded uses.

- Note: recent site visit observed a number of apparent office type trailers on parcel no.S8290-00-00053-3. If additional office space proposed on an undeveloped parcel a Concurrency application is typically required for the new site uses.
- An Access to County Right-of-Way Permit Application is required for the access to S8290-00-00053-3
- The roadside parking area configuration considered under Access to County Right-of-Way Permit Application PW16-0048 requires backing in or out of the traffic lanes. This was reviewed with the Public Works Director and was determined to not be a safe use of the public right-of-way and will not be approved. The Site plan shall to be revised to remove the roadside parking or re-configure such that access to the parking area is from within the NIBB property.
- Show all Access to County Right-of-Way permit numbers and locations on the Site Plan map.
- The Site plan shall to be revised to address the requirements for a Sight Triangle at Cameron and Shoreview Road per ICC 17.03.180.S.
- The civil engineer (DCG Inc.) is asked to respond to the comments above regarding the existing and proposed site storm water management.
- Applicant is asked to respond to the questions regarding the north yard drainage management
- The proposed conditions Site Plan by Flatrock to reflect the proposed drainage system components consistent with the recommendations of the DCG plan.
- Submitted letter from Saratoga Environmental dated Febraury28, 2016 mentions a letter referring to proposed easement for off-site conveyance across parcel S6655-00-12000-0. However said letter not included in the application package-However, a formal recorded easement is required to demonstrate off-site conveyance is confirmed.
- If landscape berms are to encroach into required setbacks for fill slopes or be located off-site as appears to be reflected on the Site Plan by Flatrock, an easement is required.
- Submitted letter from Saratoga Environmental dated Febraury28, 2016 mentions an updated letter from Fire Protection District No. 3 indicating the water system provides capacity to meet industrial fire flow requirements. However said letter was not included in the application package.
- Identify locations of fire hydrants in the vicinity of the properties on the Flatrock Site Plan.

Please feel free to call me at 360 678-7813 or e-mail me at billp@co.island.wa.us if you have any questions regarding the above comments.



ISLAND COUNTY PUBLIC HEALTH

Environmental Health

PO Box 5000

Coupeville, WA 98239

P: 360.679.7350 F: 360.679.7390

TO: Hiller West, Planning & Community Development

FROM: Aneta Hupfauer, Land Use Coordinator *AH*

DATE: April 20, 2016

RE: SPR Nichols Brothers - SPR 086/14; VAR 087/14; SVAR 088/14; SDP 089/14
Parcel Nos: S8290-00-00022-4; S8290-00-00021-1, S8290-00-00021-2; S8290-00-00021-3;
S8290-00-00053-2; S8290-00-00053-3; S8290-00-00053-4; S6655-00-04000-0 & S7085-00-
00014-0

Rec'd Island County

APR 20 2016

Community Development

After reviewing the referenced proposal, this office offers the following:

1. The applicant is seeking approval to expand an existing boat building business.
2. The existing business is served by the Freeland Water District and an on-site sewage disposal system (As-built PT2009-387). The septic system has been design for 180 employees and 1908 gallons per day (projected water use). Portable toilets are also used on site to accommodate additional employees.
3. The accounting building is served by the Harbor Shores water system and an on-site sewage disposal system (As-built PT2016-078).
4. A septic system as-built certification showing all existing septic system elements serving the accounting office on parcel S8290-00-00053-2 has been submitted to this office.
5. Soil log data showing area capable of supporting a reserve drainfield for the accounting building located on parcel S8290-00-00053-2 has been received in this office (SR2016-069).

Prior to the approval of the referenced proposal, the following requirements must be met:

1. It seems that proposed 120,000 gallon above-ground holding tank is located in the area of the existing drainfield (As-built PT2009-387). A site plan must be revised to show all septic system components as depicted in As-built PT2009-387 and a holding tank must be shown at least 10 feet away from the edge of the drainfield.
2. A Solid Waste Management Plan (SWMP) needs to be revised to include additional information (See attached copy of the email from Andrea Krohn).

The above comments are subject to change as additional information is received about the proposal. If you have any questions regarding the above comments, please feel free to contact me at 360-678-7995 or AnetaH@co.island.wa.us.

/ah

Cc: file

Aneta Hupfauer

From: Andrea Krohn
Sent: Wednesday, April 20, 2016 7:34 AM
To: gavin@nicholsboat.com
Cc: Aneta Hupfauer
Subject: Solid Waste Management Plan

Hi Gavin,

After reviewing NBBB solid waste management plan there are a few items that should be discussed in the plan. The dredge material quantity from the maintenance of the boat launch ramp and stormwater system needs to be listed. In addition, the source (i.e. boat launch ramp/stormwater system) and process of characterizing the dredge material should also be described. In the 2011 NBBB solid waste management plan fueling station were mentioned. Fueling stations and secondary containment should be discussed if these tanks still being used by NBBB. If they exist, are the fueling tanks above or below ground? It would also be beneficial to mention protocols for spill response and the stormwater drainage system under the best management practice. Under section the BMP section you mention NBBB Solid Waste Control Plan is attached, but I am not seeing this plan. If you could email me the control plan I would appreciate it.

If you have any question please don't hesitate to contact me.

Andrea Krohn
Environmental Health Specialist
Solid & Hazardous Waste Coordinator
Island County Public Health
P.O. Box 5000
Coupeville, WA 98239-5000
(360) 679-7309
(360)679-7390 Fax
A.Krohn@co.island.wa.us



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September 25, 2015

TO: Brad Johnson

FROM: Tamra Patterson, Plans Examiner/Building Insp.

SUBJECT: 086/14 SPR, 087/14 VAR, 088/14 SVAR, 089/14 SDP
Nichols Brothers Boat Builders
Contact: Matt Kukuk
Master Permit Resubmittal
Parcel #S8290-00-00022-4, S8290-00-00021-1, S8290-00-00021-2,
S8290-00-00021-3, S8290-00-00053-2, S8290-00-00053-3, S8290-00-00053-4,
S7385-00-00014-0, S6655-00-04000-0

The building department has reviewed the package information submitted and has no objections with the following comments:

Per Island County Records of Building Permits listed in Consolidated Permit Narrative:

Building Permit	Current Status	Requirements
09-0654	Closed	None
09-0753	Closed	None
09-0857	Expired	Needs new building permit
09-0752	Expired	Needs new building permit
09-0116	Closed	None
10-0341	Expired	Needs new building permit
12-0920	Closed	None
12-0921 (correct #12-0919)	Closed	None

Per Island County Records, there are several additional building permits that have expired without an approved final inspection. Please address these permits so that each is a legally permitted structure.

1. A building permit will be required for the new sound walls.
2. A building permit will be required for the new structural slabs for the Environmental Shelters.
3. A building permit will be required for retaining walls over 4 feet in height or that retain a surcharge.
4. All work in the Flood Zone requires a Flood Development Permit.
5. Per FEMA DFirm map #53029C0320E, parts of this proposal will be in Flood Zone A and will require a Flood Development Permit (FDP) for each proposal in the Flood Zone. This can be submitted at the same time of the building permit submittal.

6. A Habitat Impact Assessment is required per the FEMA Region 10 Floodplain Managements and the Endangered Species Act. This should include all aspects of these proposals that are in the Flood Zone. The review fee for this process is \$515.00. This can be submitted with the FDP. Additional information for this can be found on the FEMA website:
<https://www.fema.gov/national-flood-insurance-program-endangered-species-act>

NOTE: This is general information for your use to aid in the planning of your building, not a complete plan review. Complete code requirements will be addressed during the Building Permit review process.

Please feel free to contact me at (360) 678-7806, or email tamrap@co.island.wa.us, if you have any questions regarding these comments.



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Inadvertent Archaeological and Historic Resources Discovery Plan for Island County

In the event that any ground-disturbing activities or other project activities related to this development or in any future development uncover protected cultural material (e.g., bones, shell, antler, horn or stone tools), the following actions will be taken:

1. When an unanticipated discovery of protected cultural material (see definitions below) occurs, the property owner or contractor will completely secure the location and contact:
 - a. The property owner and project manager;
 - b. A professional archaeologist;
 - c. The Department of Archaeology and Historic Preservation (DAHP) (Gretchen Kaehler, 360-586-3088, 360-628-2755 cell);
 - d. The Swinomish Indian Tribal Community (Larry Campbell, 360-840-4127);
 - e. The Tulalip Tribes (Richard Young, 360-716-4635); Scott Schuyler, Upper Skagit Tribe (360-854-7090, cell 360 630 3680),
 - f. Jackie Ferry, Samish Tribe (360-293-6404 x215), and Tara Duff, Stillaguamish Tribe (360-652-7362), Kerry Lyste, Stillaguamish Tribe (360-652-7362 ext. 226)
 - g. Island County Community Development Department (360-679-7339).
2. If the discovery is human remains, the property owner or contractor will stop work in and adjacent to the discovery, completely secure the work area by moving the land-altering equipment to a reasonable distance, and will immediately contact:
 - a. The property owner;
 - b. The Island County Sheriff's Department (360-629-4523 x7310) and;
 - c. The Island County Coroner, Robert Bishop (360-679-7358) to determine if the remains are forensic in nature;
 - d. If the remains are not forensic in nature the Department of Archaeology and Historic Preservation (DAHP) (Gretchen Kaehler 360-586-3088 and Guy Tasa 360-586-3534); will take the lead on determining the appropriate method of treatment for the remains and will consult with the affected tribes;
 - e. A professional archaeologist; and
 - f. Island County Planning and Community Development (360-679-7339).
3. Cultural material that may be protected by law could include but is not limited to:
 - a. Buried layers of black soil with layers of shell, charcoal, and fish and mammal bones (Figure 1).
 - b. Non-natural sediment or stone deposits that may be related to activity areas of people;

- c. Stone, bone, shell, horn, or antler tools that may include projectile points (arrowheads), scrapers, cutting tools, wood working wedges or axes, and grinding stones (Figures 2 and 3);
 - d. Stone tools or stone flakes (Figures 2 and 3);
 - e. Buried cobbles that may indicate a hearth feature (Figure 4);
 - f. Old ceramic pieces, metal pieces, tools and bottles (Figures 5 and 6); and
 - g. Perennially damp areas may have preservation conditions that allow for remnants of wood and other plant fibers; in these locations there may be remains including:
 - Fragments of basketry, weaving, wood tools, or carved pieces; and
 - Human remains.
- 4. COMPLIANCE WITH ALL APPLICABLE LAWS PERTAINING TO ARCHAEOLOGICAL RESOURCES (RCW 27.53, 27.44 and WAC 25-48) AND WITH HUMAN REMAINS (RCW 68.50) IS REQUIRED. FAILURE TO COMPLY WITH THESE REQUIREMENTS COULD RESULT IN A MISDEMEANOR AND POSSIBLE CIVIL PENALTIES AND/OR CONSTITUTE A CLASS C FELONY.**



Figure 1: Shell midden



Figure 2: Example of stone tool



Figure 3: Example of stone flake.



Figure 4: Example of hearth (oven) feature.



Figure 5: Example of historic artifacts from debris scatter.

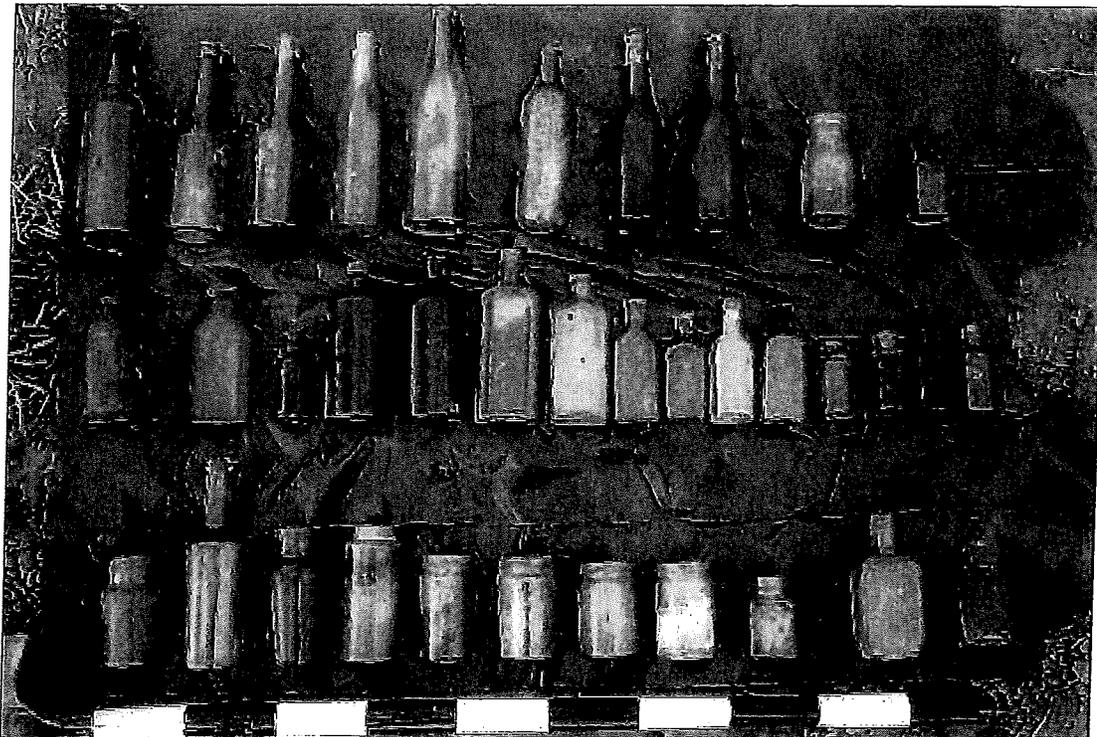


Figure 6: Example of bottle from historic debris dump.