ISLAND COUNTY
PLANNING & COMMUNITY DEVELOPMENT

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Internet Home Page http.//www islandcounty.net/planning/

STAFF REPORT & RECOMMENDATION
TYPE III SITE PLAN REVIEW –
SPR 027/16
ISLAND COUNTY SEPTAGE PLANT EXPANSION

I – PROJECT SUMMARY

Joantha Guthrie, Island County Solid Waste Manager representing the property owner, Island County, requests a site plan review for a Type III application. The septage plant is considered an Essential Public Facility, Class B as defined under 17.03.040. The property is located off of State Route 20, at 20018 SR 20. The Septage Plant is next to the Island County's Solid Waste Transfer Station and shares the same access.

Island County issued an Environment Impact Statement (EIS) in 1991 for the plant. The County approved the Site Plan Review for the new Septage Plant in 1991 (047/91 and 034/90). The plant was built in 1992.

The septage plant takes in influent from pumped septic systems. The County is not able to keep up with the demand for the area. The County proposes to add a new pump building, expand the two existing storage lagoons into one large lagoon, and add two additional aerobic digesters to meet the increased demand.

The septage plant is in Ebey's Landing National Historical District and received a Certificate of Appropriateness for the new building (EBY-16-010).

ICC 17.19.060 requires a Class B Essential Public Facility to have a community meeting. The community meeting was held on November 18, 2015. No one from the public attended the meeting. The applicant attended a pre-application meeting with staff on January 14, 2016. SEPA was issued on March 18, 2016. The county did not receive comments regarding the SEPA application or Site Plan Review application.

The site is 16.5 acres which exceeds the 5 acre minimum lot size. The applicants propose a new building, two additional aerobic digesters and enlarging the lagoon. The applicants propose to keep and maintain the existing vegetation on the property which includes a 150 foot vegetated tree buffer along the north property, 100 foot vegetated tree buffer along the west property line, and a 150 foot tree buffer to the south. The property is abutting other county owned property to the north. The plant is not seen from the public right-of-way.

Subject: SPR 027/16
Exhibit #: 1
Date 4/15/16
Entered by: AC

ICC 17.03.180 A.2 states, "except for those Essential Public Facilities for which alternative requirements are stated herein, structures and uses shall comply with lighting, site coverage and non-residential design and screening guidelines." Staff finds that ICC 17.03.180 exempts design standards for the building as listed in section P: non-residential design, landscape and screening guidelines. The plant met the standards at the time of development in 1991. The standards for setbacks and site coverage changed in 1998.

The proposal does not meet the maximum impervious surface ratio for non-residential uses within the Rural Zoning District. ICC 17.03.230.H states that a legally established existing use or structure may be expanded, enlarged or extended provided that the expansion conforms to the land use standards in ICC 17.03.180 for parking and setbacks. The applicant proposes to expand 6,500 square feet of the existing use. The proposal meets the parking and setback requirements.

II – PERMIT DATA

Permit Type	Site Plan Review Type III
Permit Number	SPR 027/16
Date of Complete Application	1/26/16
Decision	Approved, with Conditions
Applicant/Owner	Island County
Agent	Joantha Guthrie, Island County Solid Waste Manager

III – SITE DATA

Address	20018 SR 20 Coupeville, WA
Parcel Number(s)	R13235-033-2900
Parcel Area(s)	16.5 acres
Zone Designation	Rural (R)
Allowable Density	1DU/ 5AC
Critical Areas/Overlays	Ebey's Landing National Historic District, AICUZ Noise Zone and within designated mineral lands

IV – STAFF CONTACTS

Department	Name	Phone	Email
Planning	Michelle Pezley	360-678-7817	m.pezley@co.island.wa.us
Public Health	Aneta Hupfauer	360-678-7995	AnetaH@co.island.wa.us
Public Works	John Bertrand	360-678-7812	johnb@co.island.wa.us
Building	Tamra Patterson	360-678-7806	tamrap@co.island.wa.us

V – REGULATORY COMPLIANCE

Regulatory Requirement	Complies (Y/N)	Comments
A. Rural (R)- ICC 17.03.060	Yes	Meets all applicable criteria
B. Site Plan Approval – ICC 16.15	Yes	Complies with all regulations
C. Land Use Standards – ICC 17.03.180 P., Q., R., & S.	Yes	Pre-existing; legally established use; Project may comply, with conditions
D. Procedural requirements for essential public facilities (ICC 16.19.060)	Yes	Project may comply, with conditions
Building	Yes	Approved, with conditions (see Attachment B)
Public Health/Sanitation	Yes	Approved, (see Attachment C)
Public Works/Engineering	Yes	Approved, with conditions (see Attachment D)
SEPA (WAC 197-00-800)	Yes	Applicant proposes about 19,000 cubic yards of cut to be removed. DNS issued March 18, 2016

VI – PUBLIC COMMENTS

Island County did not receive any public comment during the public comment period of February 17, 2016 to March 2, 2016.

VII – FINDINGS

A. Rural (R) Zone (ICC 17.03.060)

1. The project site is zoned "Rural" (R)

2. Essential Public Facilities are allowed within the Rural Zoning District upon site plan approval processes as a Type III decision and requiring a community meeting per ICC 17.03.060.B.2.d.

3. Minimum lot size within the Rural Zoning District is five acres. The lot is 16.5 acres.

4. Setbacks for the project are five feet minimum on the side and rear and twenty feet minimum in the front (south property line). (ICC 17.03.180.S). The proposal complies with the setback requirements. The closest building that is one the property is 75 feet from the side yard (east) property line.

5. Maximum height is three stories not to exceed 35 feet (ICC 17.03.120.F). The applicant proposes a one story building.

The project is subject to site plan review per ICC 17.03.060.B

B. Site Plan Approval – ICC 16.15

ICC 16.15.040 Application Requirements

Finding: The applicants submitted the application on January 25, 2016. Michelle Pezley, Associate Planner, deemed the application complete on January 26, 2016.

ICC 16.15.060 Conditions of Approval for NR Uses in the R, RR, RA, RF, and CA Zones
Except for essential public facilities, no application for a NR use in the rural, rural residential, rural agriculture, rural forest or commercial agriculture zones shall be approved unless a specific finding is made that the proposed conditional use is appropriate in the location for which it is proposed.

Finding: Applicant proposes an essential public facility; and exempt this section of review.

16.15.070 Decision Making Authority

In approving an application for a Nonresidential conditional use in the R, RR, RA, RF, or CA Zones, including home industries, the decision-making authority may impose conditions to protect the rural character surrounding the proposed use and to preserve the purpose of the underlying zone. Any such conditions shall be supported by a written finding and have a direct nexus to and be limited to those specific actions necessary to protect the rural character for any specific project. These conditions may include, but are not limited to, the following:

Staff finds that the expansion proposal does not warrant addition conditions to protect the rural character.

ICC 16.15.080 Criteria for Approval

An application for Site Plan Review shall not be approved unless it meets the requirements of this section. No development pursuant to an approved Site Plan shall be undertaken unless it meets the requirements of Titles 8, 11, 13 and 17 of ICC pertaining to such development.

Finding: Public Works provided review of Titles 11 and 13 and findings are found in Attachment D. Public Health reviewed the proposal and found that proposal meets Title 8 criteria with a condition found in Attachment C. The Findings of Fact for Title 17 are within this report.

1. **Open Space:**
   Finding: Section 17.03.180.S requires 50 percent of the site to remain in open space. The site consists of 55,000 square feet of all structures, 282,000 square feet of total impervious surface of the site. The remaining 436,740 square feet (10.03 acres) will be left as native landscaping. The applicants propose 60.8% of the site to remain as landscaping and/or open space.

2. **Site Lay-Out:**
   Finding: The applicants propose to develop an additional 6,100 square feet of the property or 0.008% of the property. The County approved the Site Plan Review for the septage plant in 1991 (047/91). The use is legally established and existing use. The Maximum Impervious Surface Ratio (% of Gross Site Area) limit for a non-residential use in the rural zoning district is 10%. The lot has about 40% impervious surface ratio. According to ICC 17.03.230 an

existing legally established use may expand if the use meets the parking and setback standards. The proposal meets the parking and setback standards. The property is not classified as agricultural land. The applicant does meet the standards for site lay-out.

3. **Lighting:**
   Finding: The applicants did not submit a lighting plan. Lighting fixtures must be a full cut-off design that is shielded, hooded, and oriented in such a way as to not be visible past the property boundaries. (See Condition 12)
4. **Building Design:**
   Finding: The applicant proposes an Essential Public Facility which is exempt from building design per ICC 16.15.080.4. However, the pump building was reviewed by the Historic Preservation Commission as required under 17.04A. The HPC found that the proposed building met the Ebey's Landing National Historical Reserve Guidelines, under EBY-16-027.

5. **Surface Water Drainage:**
   Finding: John Bertrand, Public Works Development Coordinator reviewed the stormwater drainage plan as indicated in his memo (see Attachment D)

6. **Utility Services:**
   Finding: The applicant does not propose to change the utilities.

7. **Advertising Features:**
   Finding: The applicants do not propose a sign.

8. **Traffic and Circulation:**
   Finding: Parking, traffic, and circulation will be reviewed in the next section below. (ICC 17.03.180.P)

ICC 16.15.160 Expiration of Site Plan Approval
Finding: The applicants do not propose the project to be phased; therefore, phasing is not approved for this project. The site plan review for development of the parcel to enhance the use and expires five years after approval. (See Condition 14)

C. Land Use Standards – ICC 17.03.180 P., Q., R., & S.

1. **ICC 17.03.180.P Non-Residential Design, Landscaping, and Screening Guidelines**

ICC 17.03.180.P.1: Building Design in the R zone:
Finding: The applicant proposes an Essential Public Facility which is exempt from building design per ICC 16.15.080.4. The pump building was reviewed by the Historic Preservation Commission as required under 17.04A. The HPC found that the proposed building met the Ebey's Landing National Historical Reserve Guidelines, under EBY-16-027.

ICC 17.03.180.P.3: Landscaping and Screening in R zone:
Finding: The applicants propose to maintain the existing 100 to 150 foot buffers. The facility is not seen from the public right-of-way. The landscaping meets the goals of screening and buffering. The existing security fencing proposes to stay. Landscaping Maintenance is required per ICC 17.03.180.P.3.b(vi). Dead or dying vegetation must be replaced immediately or if in winter, within the next planting season. (See Condition 8)

ICC 17.03.180.P.5: Screening:
Finding: The applicants propose to keep existing landscaping along the north, east, and south of the building for screening, and open space.

2. **ICC 17.03.180.Q Parking, Access and Circulation**

   ICC 17.03.180.Q.2. Minimum Requirements
   Finding: One employee staffs the septage plant during normal hours. The proposed expansion will not increase the number of employees at the septage plant. The applicant propose parking in front of the new building which will be adequate space for use. The applicants meet the parking requirements.

   ICC 17.03.180.Q.7 Access and Circulation
   Finding: Access and circulation was approved by Public Works. Public Works found that the access proposed will meet the county standards for the proposed traffic count of the development.

3. **ICC 17.03.180.R Signs and Outdoor Lighting**
   Finding: The applicants are not proposing a sign for the business.

4. **ICC 17.03.180.S Site Coverage and Setbacks**
   Finding: As mentioned above, the use is legally established and existing use. The Maximum Impervious Surface Ratio (% of Gross Site Area) limit for a non-residential use in the rural zoning district is 10%. The lot has about 40% impervious surface ratio. According to ICC 17.03.230 an existing legally established use may expand if the use meets the parking and setback standards. The proposal meets the parking and setback standards. The proposed building and location of existing structures meet the setbacks of 20 feet from south property line, and five feet from side and rear property lines. The applicants meet all setback requirements.

D. Procedural requirements for essential public facilities. ICC 16.19.060

Applications for essential public facilities. Applications for uses which qualify as essential public facilities are subject to the following requirements.

Finding: the applicant provided a detail description on how the use meets the criteria and qualifies for a Class B essential public facility. The applicant met the criteria for Class B essential public facility by holding a community meeting on November 18, 2015 and attending a pre-application conference with staff on January 14, 2016.

Staff finds that the existing site is centrally located on Whidbey Island and the plant is the only one on the island. The expansion will enable to county to serve the area for the next 20 years.

VII – RECOMMENDATION

Based upon the above review, Island County staff concludes the proposed SPR 027/16 consistent with all applicable zoning, land use, and environmental regulations; and hereby, makes the recommendation to approve Site Plan Review application SPR 027/16 subject to the following conditions of approval:

VIII – CONDITIONS OF APPROVAL

General Conditions:

1. Site development activities approved by this decision shall be in substantial conformance to the site plan submitted on January 25, 2016 (Attachment A).

2. Deviation from the approved plans must be reviewed and approved through a formal site plan amendment process. Further, if the use of the approved structure changes, site plan review, and additional requirements may apply.

3. The applicants must adhere to all conditions and requirements outlined in the attached memorandum from Island County Public Building Department (See Attachment B).

4. The applicants must adhere to all conditions and requirements outlined in the attached memorandum from Island County Public Works (See Attachment D).

5. All development activities on and use of the subject parcel shall be in compliance with all applicable Washington State laws and Island County codes.

6. The conditions of approval identified in this report are subject to change if any information provided by the applicants or their authorized representative are found to be inaccurate.

7. All noise must cease from 10:00 p.m. until 7 a.m. as required by ICC 9.60.030.

8. Dead or dying vegetation must be replaced immediately, or if in winter, within the next planting season per ICC 17.03.180.P.3.b(vi).

9. In the event that any ground-disturbing activities, other project activities related to this development, or in any future development uncover protected cultural materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.), the actions as listed in Attachment E must be followed. Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) and human remains (RCW 68.50) is required. Failure to comply with this requirement could constitute a Class C Felony.

Prior to Building Permit:

10. Site plan approval does not guarantee the issuance of a building permit. The applicants shall submit an application and applicable fees for building permits under a separate application, required for any building or construction activity on the subject property.

Prior to Occupancy

11. Prior to occupancy, the property owners shall sign and record an agreement that is in conformance to ICC 17.03.180.J.2.a.

12. Lighting fixtures must be a full cut-off design that is shielded, hooded, and oriented in such a way as to not be visible past the property boundaries.

Expiration of Site Plan Approval

13. This approval is valid for a period of five (5) years. The building permits for development of the site shall be obtained pursuant thereto being utilized within five years after the effective date of site plan approval per ICC 16.15.160.

IX – APPEALS

Decisions of 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 Applicants, 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.

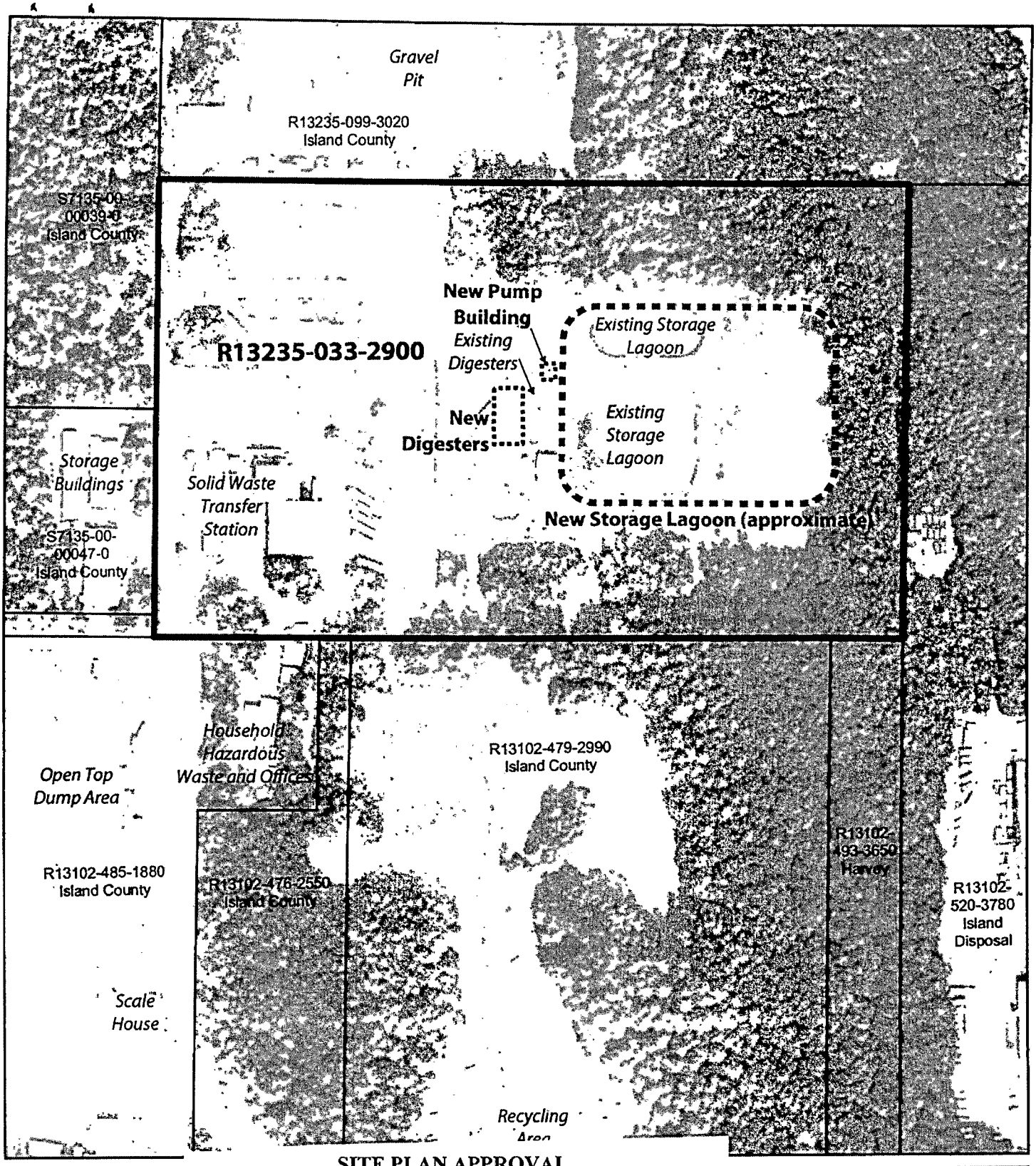
SIGNED THIS 16th DAY OF APRIL 2016

Michelle Pezley

Michelle Pezley, Senior Planner

Attachments.

- A- Site Plan
- B- Memorandum from Tamra Patterson,
- C- Memorandum from Aneta Hupfauer
- D- Memorandum from John Bertrand
- E- Inadvertent Archaeological and Historic Resources Discovery Plan for Island County



SITE PLAN APPROVAL

0 50 100
Feet
1/25/201

This site plan, as modified by all conditions of approval listed in the Staff Report and Decision, conforms to the requirements of Chapter 16.15 Island County Code, and is hereby approved this 7th day of April, 2016. All work must be in conformance with the conditions of approval.

Island County Solid Waste
eptage Plant Upgrade Project
Parcel No. R13235-033-2900

Aerial Photograph
and Site Plan

Michelle Perley Senior Planner
Island County Planning and Community Development

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/

February 17, 2016

TO: Michelle Pezley

FROM: Tamra Patterson, Plans Examiner/Building Insp.

SUBJECT: 027/19 SPR, Island County
Contact: Joantha Guthrie
Upgrade existing septage treatment plant
Parcel #R13235-033-2900

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

1. A building permit will be required for the new steel structure.
2. A building permit is required for retaining walls over 4 feet in height.

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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ISLAND COUNTY PUBLIC HEALTH

P.O. Box 5000
Coupeville, WA 98239
www islandcountyhealth.org

TO Michelle Pezley, Planning & Community Development

FROM. Aneta Hupfauer, Land Use Coordinator

DATE: February 8, 2016

RE: SPR 027/16 - ICPW
Parcel No R13235-033-2900

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

1 The applicant is proposing to upgrade existing septage treatment plant.

2 There is one existing office serving the septage treatment facility The office is served by the bottled water as a source of potable water and an on-site sewage disposal system (no as-built on file)

This office has no objections to the approval of the referenced proposal

This office recommends the applicant identify the location of the existing on-site sewage disposal system and have the system inspected by a licensed professional to ensure the system is operating properly.

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

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., Assistant County Engineer

February 18, 2016

TO: Michelle Pezley

FROM: John Bertrand, Development Coordinator

SUBJECT: SPR 027/16 - Island County Septage Treatment Facility
Site Plan Review
Parcel No. R13235-033-2900

Public Works has visited the site and reviewed the information submitted for the above referenced application, for consistency with our development standards, and has the following comments:

- The applicants, the Island County Solid Waste Division, will be upgrading their existing septage treatment plant at the Coupeville Island County Landfill campus by significantly enlarging its storage lagoon and adding two new digesters and a new steel building to the immediate north of the existing digesters to house new stationary pumps. There is currently now one large biosolids lagoon and one smaller supernatant lagoon that will be replaced with the one much larger and double-lined storage lagoon mentioned above.
- The site has no known critical areas, and the project will take place within the already cleared area surrounding the current plant without needing to clear and take out any more of the surrounding vegetation to accommodate it.
- This proposed development's subject Site Plan Review has passed the Test for Transportation Concurrency (Certificate No. 10272015 CC).
- Existing utilities are located underground at the site, and no additional utility lines are being proposed.
- As traffic control signage and traffic flow channelization already exist in the Coupeville Landfill complex, no additional such signage and/or traffic channelization plans will be needed for it. The site's entrance with State Route 20 is already clearly demarcated and channelized, and it already has the required Access Connection Permit with the state highway department.
- Additionally, per Island County Code 11.01.060.D.2 the site's access "shall be constructed in alignment and width to provide safe and convenient access", and that requirement has already been achieved here by the landfill complex's existing traffic flow and channelization plan, so no alterations to it are really necessary at this time.

With the above stated, Public Works has No Objection to approval of Site Plan Review application SPR 027/6, provided that the following conditions are and continue to be met:

- No new areas of pavement are being proposed, but note that prior to Final Building Occupancy for the site's new structure and lagoon, the applicants shall surface its internal driveways, private access roads and parking lot areas with paving, as applicable.

- Upon their completion, the site's internal driveway, private access roadway and parking lot areas shall require a site inspection approval, if applicable.
- Should the proposed usage change for the new structures being planned, the applicants shall submit a new Traffic Concurrency Application and Traffic Report addressing that proposed usage change to Island County Public Works for our additional review and approval. (However, at this time Island County has no work that needs to be performed on any nearby county roads, under any Mitigated SEPA Determination of Non Significance. Nor does the Washington State Department of Transportation have any future, applicable State Highway improvement projects that would need to be addressed through either the Traffic Concurrency process or under a mitigated SEPA Determination of Non Significance, either.)
- Prior to Final Building Occupancy for the site's structures, the applicants shall submit either a stamped as-built plan or a letter of certification by a qualified engineer certifying the installation and operation of any fire protection facilities that were required and have been installed for its structures. **(Any proposed fire hydrant or other fire suppression system must be certified capable of supplying an adequate hose lay distance of no more than 500 feet to each face of the site's new structures, and must also be certified as supplying the requisite fire flow pressure and capacity needed.)**
- Additionally, before Final Building Occupancy may be granted for the site's new structures, the applicants shall submit a revised Site Plan, as applicable, indicating any other changes that may have occurred.
- The anticipated grading quantity for this development proposal is about 19,000 cubic yards of material. Therefore, the total grading quantity shall not exceed about 20,000 accumulative cubic yards of material unless Island County has first been notified, and approval has been received for modification to this Site Plan Review approval. **Excavated material shall either be spread around onsite, disposed of in the active mine to the north or exported to the old mine area on the Island County-owned parcel lying directly to the south.**
- A Clearing and Grading Plan will be approved & attached as part of this Site Plan Review approval that only authorizes clearing & grading within the proposed development area, and note that all clearing and grading must only occur within those approved clearing and grading limits established on it. **Also, further note that prior to site clearing and grading activities, all temporary ESC measures shall be in place.**
- **Prior to any site clearing and grading activities, a temporary ESC measures and facilities installation inspection is required from Island County Engineering. Please call Island County Engineering 1 to 2 days before needing a site inspection.**
- Prior to Final Building Occupancy for the site's new structures, the Engineering Department will require final grading review, and the submittal requirements shall include as-built documentation. The 'Civil Engineer of Record' must certify that to the best of his knowledge the work within his area of responsibility was done in accordance with the approved engineered Grading Plan and approved Clearing and Grading Plan, and/or shall otherwise show any significant deviations from those approved plans.
- A Drainage Plan prepared in-house was submitted for this Site Plan Review application, and it is now approved as submitted. That Drainage Plan's proposal consisted basically of installing drywells to handle the storm-water runoff generated from the new steel building's roof. Also note that the biosolids lagoon would not be considered to be an impermeable surface area, so it does not need to be mitigated in any way. Additionally, no other changes are occurring at this site now that would require any drainage impact mitigation. No storm-water runoff leaves the site now and/or will be leaving this site in the future.

- Prior to Final Building Occupancy of the site's new structures, the Engineering Department shall also require final drainage review, and the submittal requirements for final drainage review shall include as-built documentation, if applicable. The 'Civil Engineer of Record' must certify that to the best of his knowledge the work within his area of responsibility was done in accordance with the approved Drainage Plan, and/or the civil engineer shall show any significant deviations from that approved plan.
- Prior to Final Building Occupancy of the site's new structures, the Engineering Department must also be contacted for a drainage facilities installation inspection. The drainage facilities must be found to be in general compliance with the site's approved Drainage Plan. Please call Island County Engineering 1 to 2 days before needing that site inspection.
- If during construction there is a need for substantial change to that Drainage Plan already approved, then this proposed change must be submitted to Island County Engineering for additional approval prior to its installation.
- That approved Drainage Plan's proposed new drainage system components should be able to mitigate the potential impacts to the site that will result after site development occurs here. However, there is always a possibility that they won't wind up completely addressing the drainage requirements for rate and volume control needed for this site and its new development. If a situation like that were to actually occur here, then the applicants would need to further address it by submitting additional evaluations/proposals for modifying their new drainage system to Island County Engineering for review and approval before installing any such proposed new changes, whether or not it's ultimately during or after completion of the project's construction.
- Final drainage system approval will be in accordance with section 2.5 of the Island County Drainage Manual.
- The applicants shall follow all of the conditions and design specifications of their engineered drawings from PACE Engineering during their project installation process.
- Final approval (Final Building Occupancy) shall not be given until all work, including installation of both all drainage facilities & their protective devices and of all erosion control measures has been completed in accordance with the approved Drainage Plan and Clearing and Grading Plan, and any required reports have been submitted.

Please feel free to call me at extension 7812 or e-mail me at johnb@co.island.wa.us if you have any questions regarding the above comments.

Standard 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 (360679-7358) 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. Buried cobbles that may indicate a hearth feature;
    c. Non-natural sediment or stone deposits that may be related to activity areas of people;
    d. 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);
    e. Stone tools or stone flakes (Figures 2 and 3);
4. 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
    a. Fragments of basketry, weaving, wood tools, or carved pieces; and
    b. Human remains.

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 CONSTITUTE A CLASS C FELONY.

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

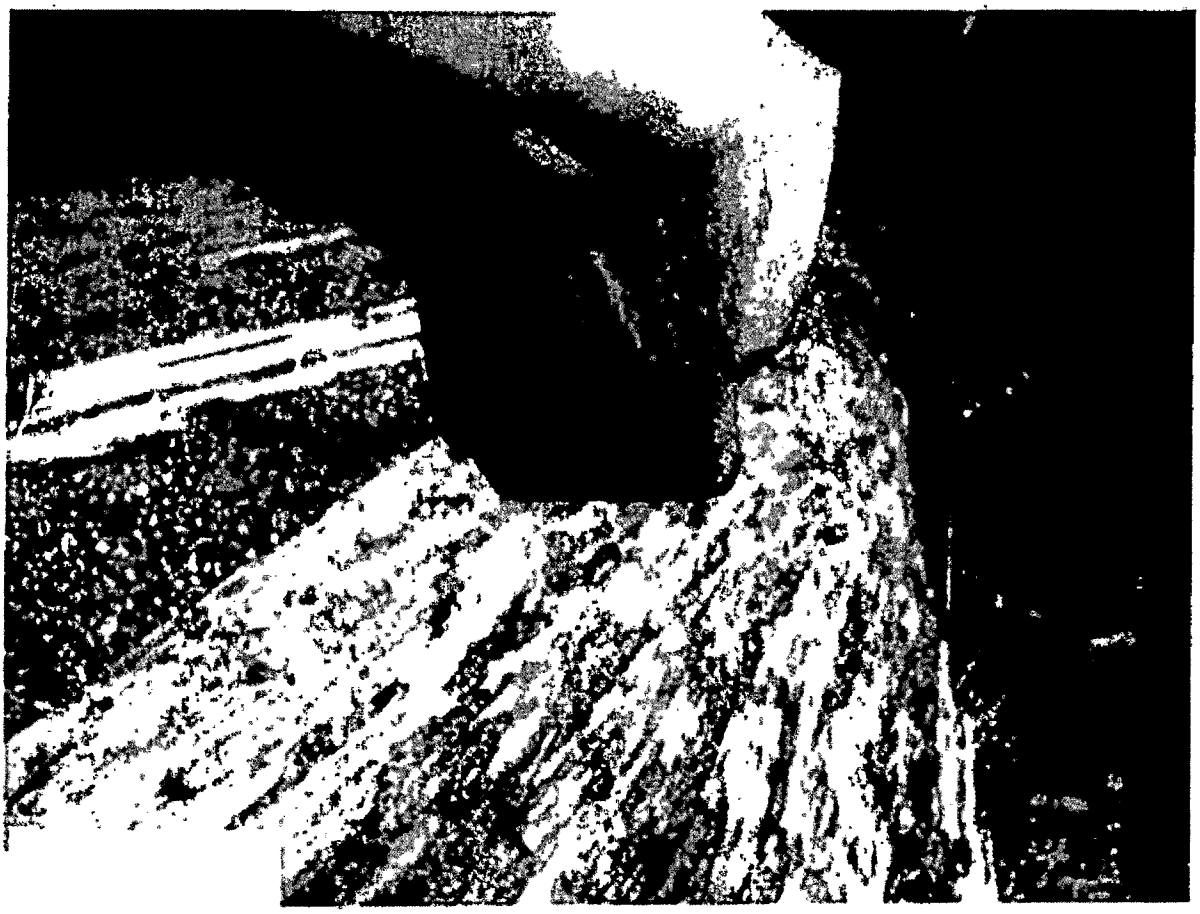

Figure 2: Example of stone tool

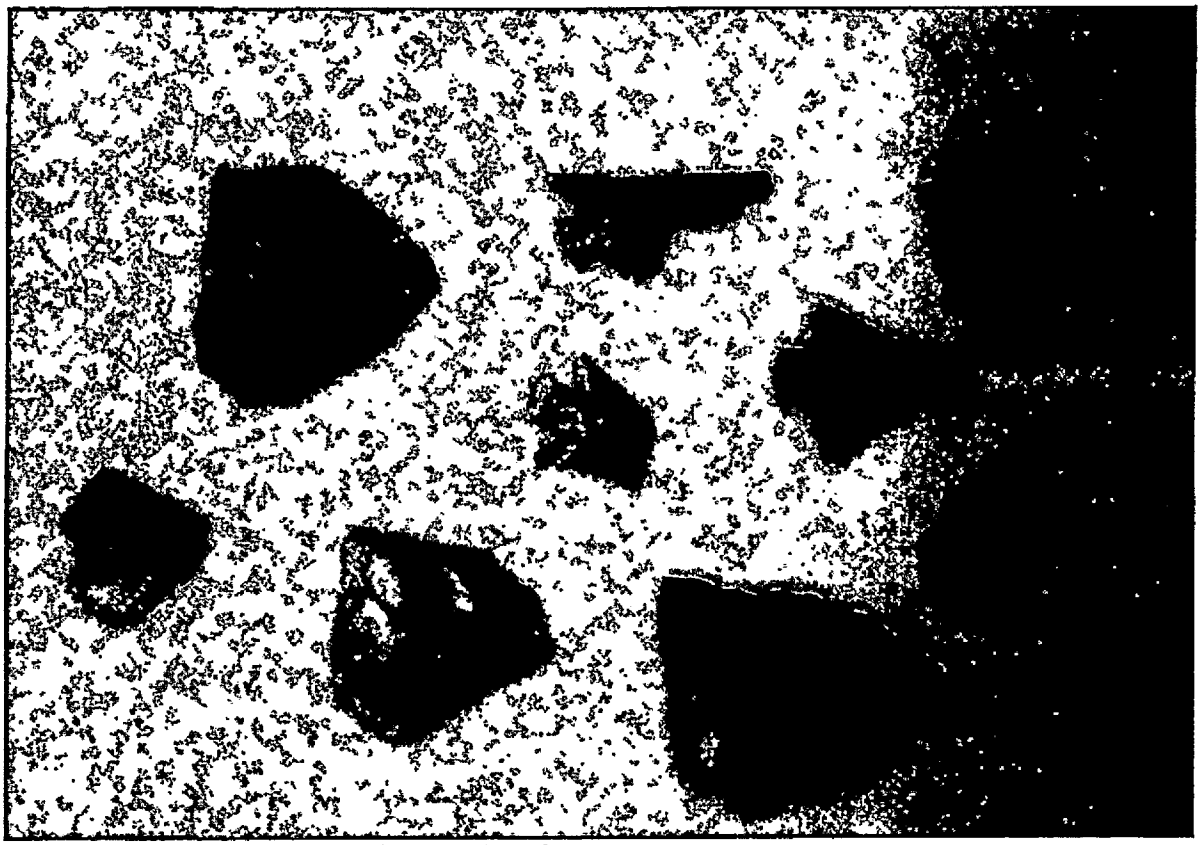

Figure 3: Example of stone flake and tools.

3

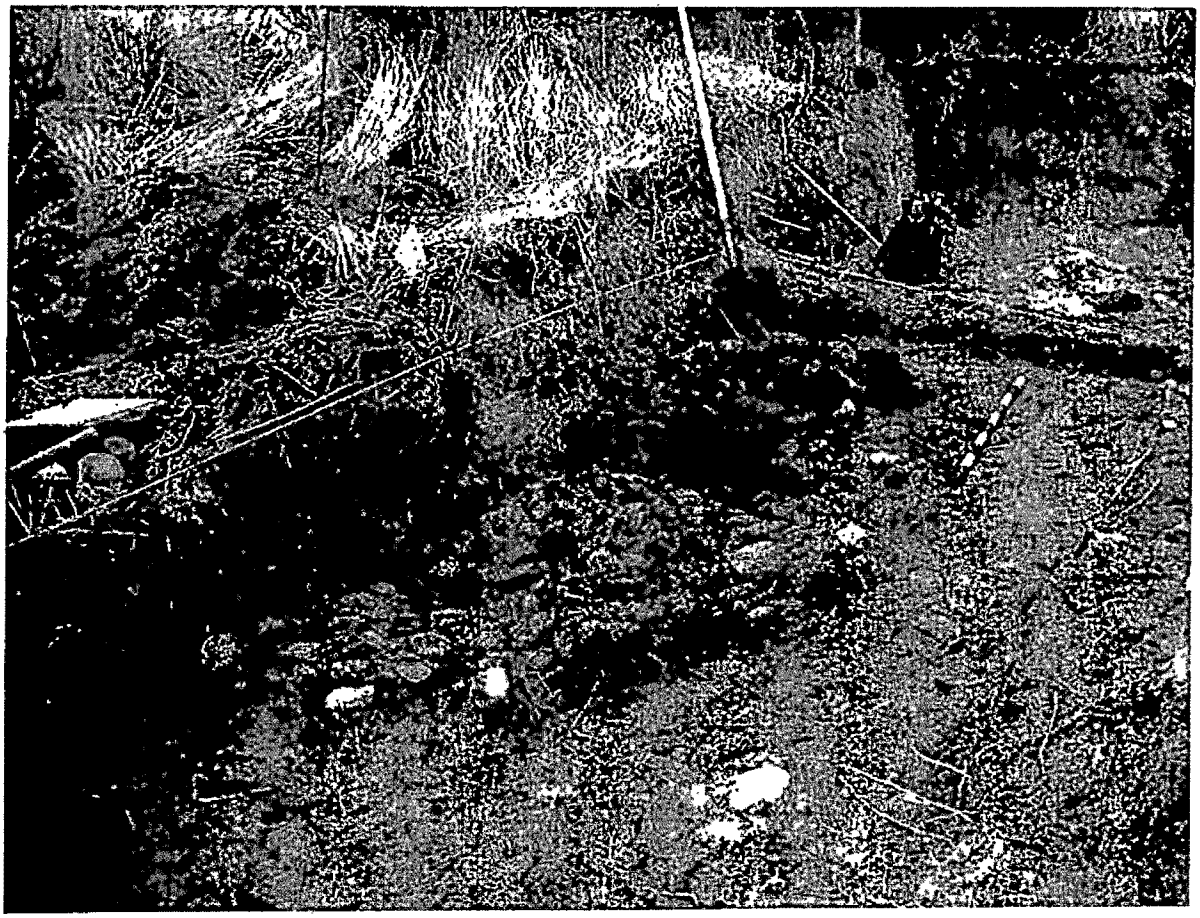

Figure 4: Example of hearth (oven) feature.

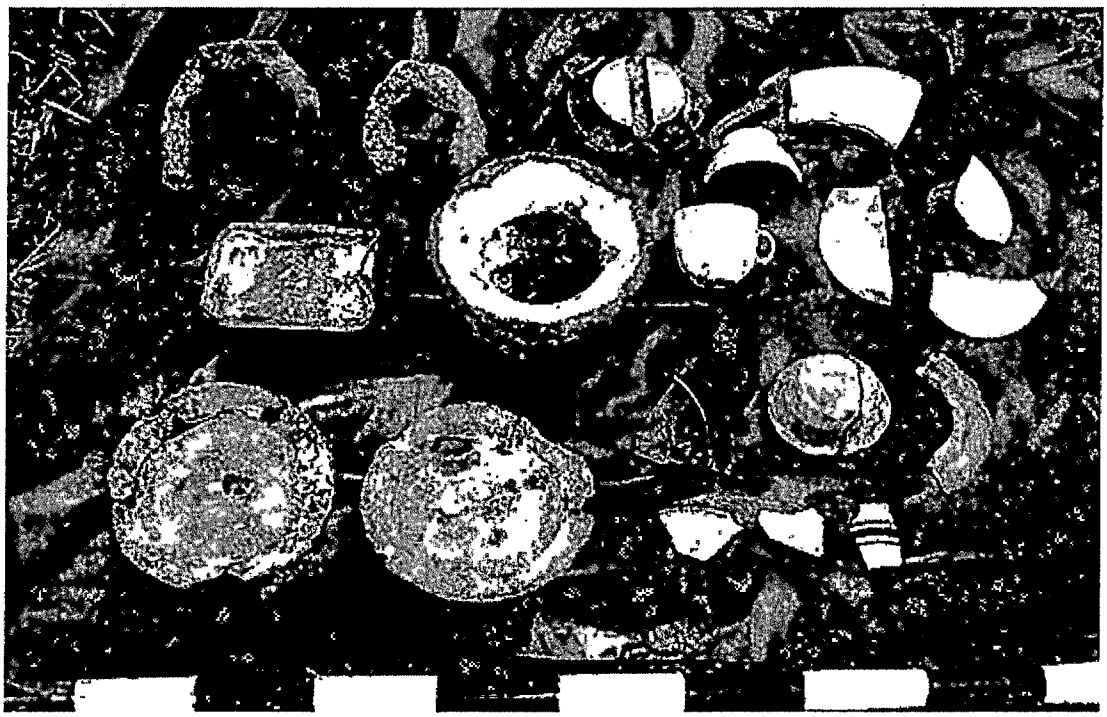

Figure 5: Example of historic artifacts from debris scatter.

Figure 6: Example of bottle from historic debris dump.