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S.J.C. DEPARTMENT OF

MAR 03 2017

COMMUNITY DEVELOPMENT

March 3, 2017

Ms. Erika Shook, Director  
San Juan County Community Development and Planning Department  
P.O. Box 947  
Friday Harbor, WA 98250

RE: Orca Dreams LLC Joint-Use Community Dock and RO Desalination System Application  
TPNs 353344008, 340411003 and 340411004; San Juan Island

Dear Ms. Shook:

On behalf of Orca Dreams LLC, please find enclosed a Shoreline Substantial Development Permit application for the construction of a four slip joint-use community dock and reverse osmosis desalination system on San Juan Island (TPNs 353344008, 340411003 and 340411004). Included are the following items:

1. Shoreline Substantial Development Permit Application;
2. Letter of Authorization;
3. Detailed Project Description and Regulatory Analysis;
4. Full Set of Dock Drawings;
5. Full Set of RO Desalination System Drawings;
6. SEPA Environmental Checklist;
7. Biological Assessment;
8. 2016 Aerial Photograph of Entire Property;
9. 2016 Aerial Photograph of TPNs 340411003 and 340411004;
10. 2016 Aerial Photograph of Dock Site (TPN 340411003 – 241 Golden Paintbrush Lane);
11. Comprehensive Land Use Map;
12. Contour Map;
13. Geohazard Bedrock Map;
14. DCD Critical Area Review;
15. Wetland Evaluation;
16. Site Plan showing existing and proposed residential development;
17. Assessor's records for 2014 -2015 identifying eight piles on the property;
18. 1947 News Article identifying a dock at the old Mar Vista Resort;
19. Well Information (Well ID# BBM 060) and Water Right;

20. Certificate of compliance (Stormwater Management Requirement #2);;
21. Assessor's Property Search Information for all three TPNs;
22. Statutory Warranty Deed (AFN 2013-0710010);
23. Quit Claim Deed for Second Class Tidelands (AFN 2014-1203014);
24. Waterfront Titles in the State Of Washington;
25. Land patent;
26. Boundary Line Modification (File No. PBLM00-14-0023 – AFN 2014-0929019);
27. Email RE: Roche Harbor Marina Moorage Availability;
28. Email RE: Port of Friday Harbor Moorage Availability;
29. Email RE: Jensen's Marina Moorage Availability; and
30. A check made payable to the San Juan County CD&PD in the sum of \$4,500.00.

The application proposes two alternatives for construction. Alternative 1 is to construct the dock and connect the proposed RO desalination system electrical conduit, and the seawater intake and brine discharge lines to the underside of the fixed pier section. Alternative 2 is a fallback position if the proposed joint-use dock is not but the desal system is approved.

Alternative 1 is the preferred alternative because it would eliminate about 144 linear feet of trenching on the seafloor in which the desal lines are proposed to be placed under Alternative 2 resulting in less environmental impacts. It would eliminate disruption of the macroalgae that exists within the trenching site, eliminate the potential for sedimentation created when the trench was excavated from reaching eelgrass located within the area, and disruption of the beach which is potential forage fish spawning habitat.

The information itemized above provides a complete application for the proposed joint-use community dock and reverse osmosis desalination system. Please contact me with any questions you may have or if you need additional information.

*Sincerely,*



Francine Shaw

Cc: Orca Dreams LLC C/O David Honeywell



# SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250  
(360) 378-2354 | (360) 378-2116  
dcd@sanjuanco.com | www.sanjuanco.com

## Land Use Project Permit Application

<b>PROPERTY INFORMATION</b>		Land Use/Shoreline	
Tax Parcel Number: <b>353344008</b>	Designation: <b>RFF-10</b>	Water Body: <b>Haro Strait</b>	
Island: <b>San Juan</b>	Subdivision: <b>NA</b>	Lot Number: <b>NA</b>	
Property Size: <b>40+ Acres</b>	Application Type: <b>SSDP</b>		
Existing and Proposed Use:		Existing: <b>Residential</b>	Proposed: <b>Joint-Use Dock and RO Desalination System</b>
Directions to Property: <b>57 Island Marble Lane</b>		S.J.C. DEPARTMENT OF	

<b>OWNER AND AGENT INFORMATION:</b>			
Name of Owners: <b>Orca Dreams, LLC</b>	Name of Agent: <b>Francine Shaw</b>	COMMUNITY DEVELOPMENT	
Address: <b>PO Box 928</b>	Address: <b>PO Box 2112</b>		
City, State, Zip: <b>Friday Harbor, WA 98250</b>	City, State, Zip: <b>Friday Harbor, WA 98250</b>		
Phone Number: <b>Please contact agent</b>	Phone Number: <b>(360) 378-6278</b>		
Email: <b>Please contact agent</b>	E-mail: <b>fshaw@rockisland.com</b>		

NOTE: A timely appeal of Shoreline Exemptions will stay the effective date of the granting of the exemption until the appeal has been resolved at the County level. (SJCC 18.80.140A(7))

<b>PERMIT CERTIFICATION (Must be signed by all property owners of record or a notarized agent signature provided.)</b>		
I have examined this application and attachments and know the same to be true and correct, and certify that this application is being made with the full knowledge and consent of all owners of the affected property. (Signed by property owner or agent. For agent signature, notarized authorization must be attached.)		
<i>Francine Shaw</i> Signature	Francine Shaw Printed Name	3-3-17 Date
_____ Signature	_____ Printed Name	_____ Date
_____ Signature	_____ Printed Name	_____ Date
<b>For CD&amp;P Use Only</b>	Complete Application: <input type="checkbox"/> YES <input type="checkbox"/> NO	Receipt Number: 0000
Amt. Paid:	Date Received:	

<b>FOR STAFF USE ONLY</b>		
Date Received: <b>3/3/17</b>	Amount Paid: <b>\$4,500</b>	Receipt #: <b>00013036</b>
SEPA Exempt Code Citation: _____	Inspection Required: <input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	By: _____	Date: _____

NOTE: The Application Submittal Checklist for Land Use Review is a separate form that must be completed and attached to all applications. This checklist, along with other forms that might be needed, and current fees, may be found at: <http://sanjuanco.com/permitcenter/applicationforms.aspx>

Agent Authorization

We the undersigned hereby authorize LAW OFFICES OF STEPHANIE O'DAY to

Name of agent

act as our agent, and authorize them to apply for

DOCK PERMIT

Type of permit

For the following parcel(s) of land:

TPN 353344008

Parcel numbers

Signature of all property owners:

ORCA DREAMS LLC BY [Signature] MANAGER  
Property owner signature

ORCA DREAMS LLC BY: DAVID HONEYWELL (MANAGER)  
Property owner name (printed)

VIRGINIA  
~~STATE OF WASHINGTON~~  
COUNTY OF SPOTSYLVANIA

On this day personally appeared before me David Eugene Honeywell, to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed, for the uses and purposes herein mentioned.  
Given under my hand and seal of office this 15th day of April, 2014.

Sonia L. Thomas  
Notary Public residing at Lassen Ln. Fredericksburg, VA (Stellarone)  
Printed Name: Sonia L. Thomas  
My Commission Expires: 7/31/14



S.J.C. DEPARTMENT OF  
03 08 2017  
COMMUNITY DEVELOPMENT

## Detailed Project Data, Description and Regulatory Analysis

### Shoreline Substantial Development Permit Proposed Joint-Use Community Dock and Reverse Osmosis Desalination System

**Applicant:** Orca Dreams, LLC  
David Honeywell, Managing Member  
P.O. Box 928  
Friday Harbor, WA 98250

S.J.C. DEPARTMENT OF

MAY 19 2017

COMMUNITY DEVELOPMENT

**Agent:** Francine Shaw, Land Use Consultant  
Law Office of Stephanie Johnson O'Day  
P.O. Box 2112  
Friday Harbor, WA 98250  
Phone: (360) 378-6278  
Email: fshaw@rockisland.com

**Project Description:** Orca Dreams proposes the construction of 1) a four-slip joint-use dock for the purpose of providing residential recreational boat moorage for five single-family residences and 2) a reverse osmosis desalination system for the purpose of providing potable water to six single-family residences.

**Project Location:** The project site consists of three waterfront parcels; including TPN 353344008, a 5.04 acre parcel (287 Golden Paintbrush Lane); TPN 340411003, a 10.33 acre parcel (61 Island Marble Lane and 241 Golden Paintbrush Lane); and TPN 340411005, a 25.20 acre parcel (137 Golden Paintbrush Lane and 54 Island Marble Lane), for a total of 40.57 acres. All three parcels front Haro Strait on the southwest side of San Juan Island in Government Lot 1; Section 3, Township 34 North, Range 3 West, W.M., San Juan County.

A vicinity map, topographical map and legal descriptions are attached to the Shoreline Substantial Development Permit Application (BLM File No. PBLM00-17-0012/AFN 2017-0503003)

**Background:** This property was once occupied by the Mar Vista Resort which was developed in the late 1940's. Originally, the resort hosted a mix of 11 vacation cabins and single-family residences.

Orca Dreams, LLC purchased the property in 2013 with the intent of converting the resort into a residential family compound. Their plan was to build a new main residence, restore the old 1889 homestead, permanently remove five of the old cabins on the property, and replace about five others. Since their purchase, Orca Dreams has completed construction of their new

main residence, replaced two 624 sq. ft. shoreline cabins with slightly larger, 1080 sq. ft. single-family residences, and demolished an old church, one old upland cabin and the caretaker's residence. Currently there are 10 single-family residences/cabins on their 40+ acre property. They plan to demolish three cabins located on the east side of Golden Paintbrush Lane and convert two cabins on TPN 340411005 into residential accessory structures leaving a net total of five single-family residences on the entire property once redevelopment is complete.

## **I. Proposed Joint-Use Community Dock Regulatory Analysis**

### ***A. Detailed Project Description***

Orca Dreams proposes the construction of a four-slip joint-use community dock on TPN 340411003 that will serve five existing single-family residences (two located on TPN 340411005, two single-family residences on TPN 340411003 and one single-family residence on TPN 353344008). The majority of the dock will be constructed on privately owned tidelands as shown on the detailed dock drawings.

This dock will be sited where remnants of the old Mar Vista Resort dock are located (an existing wooden shore mount and eight creosote piles as per San Juan County Assessor's records) and will provide moorage to four boats ranging between 18 to 35 feet in length. The purpose of the proposed pier structure is to provide safe moorage and recreational boating opportunities for the residents of the compound. The float will be removed and stored at Snug Harbor Resort from early November through the end of April of each year to prevent damage that could be caused to the float by extreme wind and wave action that this site may experience during the stormy season. The seaward end of the ramp will be lifted out of the water and secured to the two landward float support piles during this time.

The joint-use community dock will consist of:

- A new 6'-9" X 2' concrete abutment landward of the OHWM which supports an;
- Existing 10'-6" X 6' wooden pier head shore mount (63 sq. ft.) which remains from the old Mar Vista Resort dock;
- Four fixed 6'-9" X 36' long pier sections totaling 144 feet in length (972 sq. ft. cumulatively) connecting with
- A 4'-9" X 60' long fully grated ramp (285 sq. ft.) attached to the seaward end of the pier and connecting to
- An 8' X 60' long (480 sq. ft.) moorage float with float anchors attaching the seaward end of the float to the seafloor to keep the float steady;
- Twelve 10"-diameter galvanized steel piles (9.42 sq. ft.); and a

- Private navigation buoy located approximately 95 feet seaward from the seaward end of the float that will mark the proximity of underwater rocks that may be a navigational hazard.

The total area of the pier, ramp and float will be 1,729.8 sq. ft. (excluding the 19.7 sq. ft. ramp-float overlap area, the 6' -9 " concrete abutment and the existing 63 sq. ft. wooden pier shore mount). The total length of the dock will be approximately 260 feet.

All decking on the fixed pier, ramp and float will be constructed with state-of-the-art "Sun Walk" light penetrating grating with 46% open area that allows 69.9% of available light to penetrate to 18" below each panel and 86.2% of available light measured 60" below the panel.

The fixed pier will be elevated approximately 5 feet above the beach at the landward end and 14 feet above the seafloor at the waterward end. Eight 10" diameter galvanized steel piles will support the fixed pier.

The ramp will be welded aluminum with fiberglass grating decking and will span approximately 60 feet between the fixed pier and the float. Functional grating of the ramp is 96.5%.

The float will be constructed with a treated wood frame with "Sun Walk" molded plastic grating decking and plastic encapsulated, foam-filled float tubs. Four epoxy guide piles and two anchors with elastic cords will hold the float in place. These anchors will be either auger or duckbill type earth anchors.

Water and electrical lines will be extended to the dock as well.

### Construction Technique & Sequencing

1. *Pre-fabrication:* The new pier, ramp, float and navigation buoy will be prefabricated in the contractor's Seattle yard and transported to the site on the construction barge.
2. *Site Preparation:* The shoreline slopes downward to the tidelands in front of the project site. The tidelands vary from solid rock to a mixed sand, gravel and mud bottom. Remnants of an existing pier structure (eight creosote pilings) will be removed and placed on the construction barge and transported to contractor's yard for upland disposal. (The existing wooden shore mount will be retained and used as the water- land interface for this structure.)
3. *On-Site Construction:* On-site construction will consist first of pulling the eight existing creosote piles from the seafloor with a vibratory hammer. If any one of the piles cannot be pulled, it will be cut off 1-foot below the mudline. Then, the eight 10" steel pier piles near shore and the four 10" steel outboard piles will be driven into the seafloor. Pile driving is expected to take 30-45 minutes per pile with 4 to 5 piles being driven in one day. This equates to three hours of pile driving per day for three days.

4. Once piles are installed the barge mounted construction crane will be used to set the pier sections in place. Once the pier is in place, the moorage float will be set in the water and bolted together, then positioned in place. The float will be secured using steel guide piles and two auger duckbill anchors using the barge mounted construction crane. Once the float sections are bolted together and secured to the float piles, the crane will lift the ramp into place. The shoreward end of the ramp will be bolted to the pier and the water-ward end set on the moorage float. Plan view and cross sections of the proposed project are shown in project drawing packet. (See project drawings for more details.)

The navigation buoy will be anchored with an imbedded earth anchor and a series of mid-water floats will elevate the anchor line to avoid scouring of the seafloor

4. *Equipment Used:* All construction equipment and materials used in this project would be stationed on the construction barge. A barge mounted crane will be used to set the pier and float piles, pier, moorage float and ramp in place. Portable power tools and hand tools will also be used to connect the pier to the piles, and to secure the floats and ramp in place.
5. *Materials Used:* Piles will be driven with a vibratory hammer with cushion block between the pile (for noise attenuation) and the hammer into the existing bottom; the pier will have a welded aluminum frame with a molded plastic or fiberglass grated deck; the ramp will be welded aluminum with fiberglass grated deck; the float will have a treated wood frame with a molded plastic grated deck with molded plastic, foam-filled float tubs. (See Material List below for more details).
6. *Work Corridor:* The barge will operate offshore to avoid bottom and shoreline disturbances that could occur with ground-based equipment.
7. *Staging Area and Equipment Wash Outs:* All staging area activities will occur on the barge with no need for equipment washouts.
8. *Stockpiling Areas:* The barge will hold all construction materials during project and all construction debris will be held in a 20 c/y steel garbage container secured on the crane barge for disposal upland later.
9. *Running of Equipment During Construction:* Equipment will be running off and on throughout the on-site construction phase. All equipment will be kept in good running order and will only be operating when required.
10. *Clean-Up and Re-vegetation :* All construction debris will be removed and loaded into a 20 c/y steel garbage container secured on the crane barge for holding during construction, then transported by the crane barge to the contractor's Seattle yard, off-loaded into trucks and shipped to an approved upland disposal site. No re-vegetation is proposed at this time.

11. *Project Timing:* All proposed construction will take place in approved work windows during daylight hours unless work needs to be coordinated with evening low tides to facilitate construction.

In-water work will only be allowed from September 1 through March 1 for the protection of salmon and bull trout.

Pile driving operation will occur between 2 hours after sunrise and 2 hours before sunset from April 1 through September 15 to protect marbled murrelet during nesting season.

Pile driving will cease when whales are within 1.34 miles of the project site and when Stellar sea lions are within 200-feet, their specific Zone of Influence (ZOI) as per the marine mammal monitoring plan that is included in the BA. Pile driving will not resume until these mammals have passed outside their ZOI.

12. *Duration of Construction:* Onsite project construction will take a maximum of 3-4 weeks.

Materials List and Specification

<b>ORCAS DREAMS PIER MATERIAL LIST</b>		
<b>PART</b>	<b>SPECIFICATIONS</b>	<b>TREATMENT</b>
Auger or Duckbill Anchors	Solid steel shaft and flutes	Galvanized
Anchor Cables	Elastic bungee cords	None
Pre-fab Pier Sections	4 X 4 & 4 X 6 welded aluminum square tube	None
Pile Cap Beam	W6X15 steel "I"-Beam	Galvanized
Float Nailers	2 X 4 #2 or better	ACZA (Chemonite)
Float Joist	2 X 8 & 2 X 6 #2 or better	ACZA (Chemonite)
Float Blocking	2 X 8 #2 or better	ACZA (Chemonite)
Float Walers	4 X 12 #2 or better	ACZA (Chemonite)
Float Flotation	High-density foam-filled plastic tubs	None
Ramp Framing	4 X 4 & 4 X 6 welded aluminum square tube	None
Float and Ramp Grating	Molded plastic or fiberglass	None
Compression Rods	1/2 " &/or 3/4 " solid steel	Galvanized
Piles	10" diameter steel pipe	Galvanized
Hardware, Nuts and Bolts	Solid steel	Galvanized or Stainless

### Proposed Navigation Buoy

A navigation buoy is proposed to mark a rock outcropping that is located about 95' seaward off the seaward end of the proposed joint-use dock. The rock outcropping is exposed during most tidal elevations but is submerged during high tides which creates a boating hazard to the users of the proposed dock.

The buoy will consist of a 36" diameter float with mooring ring, attached to a six foot length of ½ inch chain, and an undetermined length of 1" braided rope (the length will be determined at the time of construction depending on water depth at high tide) and 8" diameter non-compressible mid-line float and helix anchor.

### Proposed Conservation Measures for Dock Construction:

The following 14 conservation measures have been incorporated into the project to protect and minimize the impact to the aquatic habitat.

1. Timing limitations: In-water work will only be allowed from September 1 through March 1 for the protection of salmon and bull trout.
  - a. Work below the ordinary high water line shall not occur from March 2 through August 31 of any year for the protection of migrating juvenile salmonids.
1. A qualified diver will mark the margins of the eelgrass beds to ensure that the dock is positioned with a minimum 25-foot buffer from the eelgrass beds.
2. Pile removal will follow the EPA Best Management Practices for Pile Removal & Disposal (EPA 2007) (attached as Appendix E).
3. A rubber cushion will be placed between the vibratory pile driver and the pile to reduce the generation of both airborne and underwater noise.
4. A collar will be placed around existing creosote-treated piles prior to removal to capture sediment and minimize any increase of turbidity associated with pile removal.
5. Observers qualified in identification of marine mammals and seabirds will be on-site during pile driving operations to watch for presence or absence of killer whale, and other marine mammals and marbled murrelet within the 1.34-mile action area. Observers will check for presence of marine mammals within the action area 30 minutes prior to and during operations and advise operators of presence of marine mammals. Presence/absence of marine mammals will be recorded and reported.
  - a. One observer will be stationed at the top of the bluff at the promontory just south of the project site (Figure 7). Two additional observers will be stationed in a boat and will be cruising in Haro Strait along the boundary of the ZOI.

- b. Observers will communicate with the contractor with both cellular telephones and VHF radios. Communication checks will occur daily.
  - c. Pile driving or removal will not occur if killer whales or humpback whales are within the 1.34-mile zone of influence.
  - d. Pile driving will not occur when other marine mammals are within 200 feet of the Project site, or when marbled murrelet are within 160 feet of the project.
  - e. Pile driving/removal operations will occur between 2 hours after sunrise and 2 hours before sunset from September 1 through September 15 to protect marbled murrelet during nesting season of April 1 through September 15.
6. The contractor will have a prepared Spill Control and Countermeasure Plan (SCC Plan) that addresses specific actions to prevent petroleum products from being discharged into surface waters. The contractor will also have oil-absorbent materials on site to be used in the event of a petroleum product spill and measures to avoid petroleum products or other deleterious materials from entering surface waters will be taken. This plan is attached as Appendix F of the attached Biological Assessment.
7. Eelgrass and macroalgae will not be adversely impacted due to any project activities:
- a. The construction barge will not be allowed to ground in the Project area.
  - b. Prop wash will not be directed toward eelgrass bed that are mapped near the Project area
  - c. Barge anchors and cables will not be placed in the eelgrass bed that is mapped to the south of the dock alignment.
8. The following BMPs described in Stormwater Management Manual for Western Washington Volume II; Construction Stormwater Pollution Prevention (Ecology 2014) will be followed to minimize the amount of fine sediment from entering marine water due to disturbance of soil as part of improvements to the access trail.
- a. BMP C101: Preserve Natural Vegetation
  - b. BMP C153 Material Delivery
  - c. BMP C230: Straw Bale Barrier
  - d. BMP C233: Silt Fence
  - e. BMP C235 Straw Wattles

9. All construction materials will be removed from the work site and natural material will be return to their original position at the end of construction.
10. Petroleum products will not be transferred on or near the joint-use dock. Fuel and lubricating oil will be purchased and transferred at licensed fuel stations.
11. A private navigation buoy will be installed to mark the location of rocks that are seaward of the proposed float.
12. Boat operators will use the clear channel along the southern approach to the proposed dock to prevent collision with submerged rocks and avoid impacts to the False Bay Reserve.
13. The float and ramp will be removed from the site on or near November 1 and reinstalled on or near May 1.
14. The BMPs in the Orca Dreams Spill Containment, Prevention and Control Plan (Appendix D of the BA) will be strictly followed

### ***B. Joint-Use Dock Regulatory Analysis***

The proposed joint-use community dock will be located within two different shoreline environments. The portion of the dock lying at and landward of the OHWM is within the Rural Farm Forest shoreline environment. The portion of the dock located seaward of the OHWM is within the Aquatic environment. Both environments allow for the construction of a residential use dock as long as the goals and policies of the Shoreline Master Program are met, particularly Element 3.5.C of the San Juan County Comprehensive Plan, and the regulations of Section 18.50.190 of the San Juan County's Unified Development Code.

The proposal must also demonstrate compliance with Section 18.35.110 through 18.35.135, Fish and Wildlife Habitat Conservation Areas, of the San Juan County Critical Areas Ordinance due to the presence of protected marine species and habitats within 50-feet of the proposed development.

Each of the applicable policies and development standards are identified below and are followed by an explanation of how the proposal complies; or can be conditioned to comply with these policies and development regulations.

#### **I. Section 18.35.110 SJCC; Critical Areas Regulations for Fish and Wildlife Habitat Conservation Areas**

The Biological Assessment prepared by Fairbanks Environmental Services identifies the following animals and habitats as listed under the federal Endangered Species Act within the vicinity of the proposal:

Marbled murrelet, Coastal Puget Sound Bull Trout, Coastal Puget Sound Bull Trout critical habitat, Puget Sound ESU Chinook salmon, Puget Sound ESU Chinook salmon critical habitat, Hood Canal summer-run chum salmon, Hood Canal summer-run chum salmon habitat, Puget Sound steelhead trout, Bocaccio rockfish, Canary rockfish, Yelloweye rockfish, Stellar sea lion, Southern Resident killer whale and Southern Resident killer whale critical habitat, Humpback whale, the Yellow-billed Cuckoo and the Streaked Horned lark

The San Juan County Critical Areas maps identify Net Shore Drift and a Feeder Bluff, Northern Abalone, Dungeness Crab, Red Sea Urchin, Eelgrass Outer Line, and Bald Eagle Nest Buffer within the vicinity of the proposed joint-use dock location. Eelgrass and bluff backed beaches including associated feeder bluffs are considered protected fish and wildlife habitat conservation areas in the San Juan County Critical Areas Ordinance. Northern abalone, Dungeness crab and red sea urchin are not. In addition, the entire County is a migratory route for Bald eagles, Chinook salmon and Southern Resident killer whale. Although the Critical Areas Ordinance does not recognize the migratory routes for these species as protected habitat, this analysis takes into account protection of all endangered species.

- **Section 18.35.110(G.1.b) SJCC – Mitigation Sequencing:** *Per WAC 173-26-201(2)(e) adverse impacts associated with new, expanded or replacement shoreline modifications must be mitigated consistent with the requirements of SJCC 18.35.020 through 18.35.050 and the following sequence.*
  - i. *Avoiding the impact by not taking the action or part of the action.*
  - ii. *Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts.*
  - iii. *Rectifying the impact by using appropriate technology or by repairing, rehabilitating, or restoring the affected environment.*
  - iv. *Reducing or eliminating the impact overtime by preservation and maintenance operations.*
  - v. *Compensating for the impact by replacing or providing substitute resources or environments.*
  - vi. *Monitoring the impact and compensation projects and taking appropriate corrective measures.*

*Response:* The proposed dock lies within the 200 foot fish and wildlife habitat conservation buffer area associated with eelgrass and bluff backed beaches including associated feeder bluffs. A Preliminary Underwater Survey, and Video and Dive Survey conducted by Fairbanks Environmental Services in August 2014 and February 2016, respectively, for this proposal shows only sparse areas of ulva (seaweed), fucus (brown algae) and kelp (not Bull kelp) within 25 feet of the proposed dock location. The limited amount of kelp present in this area does not warrant the description of these areas as “beds.” Native eelgrass was found both north and south of the proposed dock with the densest “bed” lying 25-feet to the south.

The dock will lie over sparse patches of ulva, fucus and kelp. The impact of any dock construction on eelgrass and kelp is primarily the dock's shading effect. Eelgrass and kelp need sunlight in order to grow and flourish. Docks can cast shadows on these habitats causing these species to decrease in density, retreat or, in the worst case scenario, even die. The float's location 25-feet north of the eelgrass bed assures that it will never block sunlight from reaching the eelgrass because sunlight shines from the south to the north. Although the dock will cast shadows, these shadows will lie to the north of the dock, not to the south where the eelgrass bed is located. Therefore, the dock location avoids impact to the eelgrass beds.

Fourteen (14) additional impact avoidance, minimization and conservation measures have been proposed as previously discussed herein.

The proposed joint-use dock will be located within designated migratory routes for Southern Resident killer whale, Chinook salmon and Bald eagle. The dock will not create a barrier preventing migration of any of these species because it will not be in deep enough water (≈ 20 feet) to impact migrating whales and the float won't ground creating a barrier to migrating salmon.

Short term noise sources will be associated with the construction of the dock when the existing creosote piles are removed from the seafloor, new steel piles are driven, the barge mount crane sets the fixed pier, ramp and float sections in place and dock components are connected by hand held power tools. Operation of the vibratory pile driver will not reach the SPL that can cause injury to marine mammals (180dBRMS)

After construction is complete, noise sources will be from boat motors and voices from people using the dock.

Project noise will not reach the threshold of harm to fish (183 dB). However, noise will be greater than the distance threshold for fish for a distance of 71 feet from the work site. Project noise will not reach the threshold for harm 180dBRMS for whales and 190 dBRMS for pinnipeds. Using the practical spreading loss model (NMFS 2102) underwater noise will fall below the disturbance threshold of 120dBRMS for marine mammals at a distance of 1.34 miles.

There will be no ground disturbing activities or new impervious surface associated with construction of the dock which would require temporary and permanent erosion and sedimentation controls.

A site inspection conducted by marine biologist, Chris Fairbanks, revealed no evidence of a feeder bluff at the dock site.

There will be no impact to the functions and values of the migratory routes.

- **Section 18.35.110(G.2) SJCC - Additional Standards for Docks**

- a. *Private, noncommercial docks and associated piers and floats for individual residential use, or for community use by the owners of no more than four adjacent or nearby residences, will be permitted over critical salt and fresh water habitats if the application complies with the applicable federal and state regulations and shows that:*
  - i. *Avoidance of impacts to critical salt and fresh water habitats by an alternative alignment or location is not feasible; and*
  - ii. *The project, including any required mitigation, will result in no net loss of ecological functions associated with critical salt water habitat.*

*Response:* This dock will serve a total of five existing residences. However, the dock will provide only four moorage slips.

All the marine waters surrounding the San Juan Islands are designated as critical saltwater habitat under the County's Critical Areas Ordinance; Chapter 18.35. The County is fully aware of this but, has not prohibited dock construction in their codes.

The fact is that any construction in any critical saltwater habitat will create an impact. In order to mitigate impacts, the proposed joint-use dock is sited at the seaward end of an existing beach access road in the area where the prior Mar Vista Resort dock was located. This is evident from the existence of eight creosote piles and a wooden shore mount left over from the resort dock in areas that have already been impacted by development.

The dock has been heavily mitigated, as previously discussed, to the point that it will create no significant long term impact. There will be no net loss of ecological functions. Please see attached revised Biological Assessment dated February 24, 2017.

The dock requires permit approval from the Washington State Department of Fish and Wildlife and US Army Corps of Engineers, both who also look at the environmental impacts of the proposal. These agencies typically place additional mitigating measures on a dock permit if necessary.

## **II. SMP Policies of Element 3.5.C of the Comprehensive Plan; Boating Facilities**

### **A. Policies of Element 3.5.C of the Comprehensive Plan; Boating Facilities**

**Policy 3.5.C.1:** *Locate, design and construct boating facilities to minimize adverse impacts upon, and to protect all forms of aquatic, littoral or terrestrial life including animals, fish, shellfish, birds and plants, their habitats and migratory routes.*

*Response:* All of the San Juans are considered a migratory route for Southern Resident killer whales, Bald eagle and various species of salmon. The San Juan County Critical Area maps show Dungeness Crab, Northern abalone, Bull kelp and eelgrass habitat within or adjacent to the project site.

The proposed joint-use community dock has been specifically positioned centrally along the waterfront of TPN 340411003 in the area where remnants of the old Mar Vista Resort dock are located to take advantage of existing infrastructure including the existing beach road and pedestrian path providing access to the proposed dock location. An existing pier head shore mount is also located in this area which will be incorporated into the dock design. This location is ideal from a habitat perspective because: 1) it avoids location over any eelgrass or kelp beds, 2) requires no vegetation removal except for native grasses where the concrete abutment will be constructed, 3) uses an existing beach road and pedestrian pathway providing access to the dock requiring no additional construction within the riparian area, 4) the pier head shore mount already exists, and 5) it is situated in an area protected from wave action caused by storm events due to the location of the dock in a protected cove and the presence of a large outcropping about 95 feet seaward of the proposed float which acts as a natural breakwater.

The entire deck of the proposed dock (pier, ramp and float) will be constructed with light penetrating grating which allows for 69.9% of sunlight to penetrate through the dock and reach the seafloor to support the health and growing habits of sparse patches of ulva, focus and kelp that exist in this area.

Eight existing creosote piles from the old Mar Vista Resort dock will be pulled from the seafloor with a vibratory hammer to accommodate the new dock construction. If they cannot be pulled, they will be cut off 1-foot below the seafloor and placed on the barge for disposal at a County approved disposal site.

The west side of San Juan Island is a significant migratory site for Southern Resident killer whale and Chinook salmon. A Marine Mammal Monitoring Plan has been prepared for this proposal and is attached to the application. The Marine Mammal Monitoring Plan requires surveillance for Southern Resident killer whales, Stellar sea lions and marbled murrelet during dock construction. In order to avoid potential acoustical impacts caused by pile driving and other noise associated with construction, pile driving or removal will not occur if killer whales or humpback whales are within the 1.34-mile zone of influence. Pile driving will not occur when other marine mammals are within 200 feet of the project site, or when marbled murrelet are within 160 feet of the project. Further acoustical protective measures will include the use of a cushion block to reduce noise caused by equipment used to install the piles. Once construction is complete there will be no impact to wildlife habitat caused by noise.

Work windows placed on the development by WDFW and US Army Corps of Engineers to eliminate adverse impacts that could occur to protected habitat during construction activities will be strictly followed.

***Policy 3.5.C.2:*** *Protect beneficial shoreline features and processes including erosion, littoral or riparian transport and accretion shoreforms, as well as scarce and valuable shore features including riparian habitat and wetlands.*

*Response:* The shoreline of the project site consists of a mix of steeply sloping rock outcroppings, heavily vegetated areas and low level gravel beaches. The shoreline is considered stable with a modified drift cell and no feeder bluffs as per the Coastal Zone Atlas. There will be no potential for the cessation or increase of existing erosion because dock construction will not require any vegetation removal, excavation or shoreline armoring. The natural habitat on and surrounding the dock site will be protected 1) by the placement of the dock on an existing pier head shore mount, 2) through retention of marine and terrestrial vegetation (riparian areas), 3) by mooring boats 25-feet away from eelgrass beds and 4) by the inclusion of light penetrating grating decking on the entire surface of the dock.

**Policy 3.5.C.3:** *The location, design, configuration and height of boathouses, piers, ramps and docks should both accommodate the proposed use and minimize obstructions to views from the surrounding area.*

*Response:* There is no element of the proposed dock that isn't necessary. The float needs to be placed at the proposed location 175 feet seaward of the existing pier head so that it is in deep enough water to prevent grounding of boats that moor there. The proposed dock will be visible from only one adjacent parcel to the north (TPN 353344007) due to the concave configuration of the shoreline along this area of San Juan Island. The dock will not be in the direct view of this property because it will be located about 300 feet south of this property. The dock will not be visible from False Bay. As such, the dock will not "obstruct" views currently enjoyed from this property.

The dock will be located in an area on San Juan Island where no docks currently exist and will be a new fixture along the shoreline as viewed from the water. The most visually obvious portion of the dock will be the fixed pier which will be located about 3.2+/- feet above the line of Extreme High Tide (EHT - 10.50 feet) and the ramp will connect the fixed pier to the float that rests on the surface of Haro Strait. The float will be practically invisible because of its position on the surface of the water. Due to the high bank waterfront, the pier and ramp will blend in with the surrounding landscape due to the heavily treed shoreline.

In *Inskeep*, a joint-use community dock was found to be low profile and to minimize visual impact due to its location in an area described as high bank waterfront in which the structure blended. The proposed dock is no different than the *Inskeep* proposal except that it is significantly smaller and the bank where it is located is significantly higher. It, too, can be considered low profile due to its location in an area that can be described as high bank heavily vegetated waterfront which allows the dock to blend in with the shoreline backdrop. See the Shoreline Hearings Board (SHB) decision for the Inskeep Dock; SHB No. 98-033.

**Policy 3.5.C.4:** *Boating facilities should be designed to optimize the trade-offs between the number of boats served and the impacts on the natural and visual environments.*

*Response:* The proposed joint-use community dock is designed modestly to serve five residences. A building permit was recently submitted to the Department of Community Development for replacement of the most northerly cabin located on TPN 353344008 (BUILDG-17-0021). The float is sized to moor four boats varying from 18 to 35 feet in length.

It will have no significant impact on the natural and visual environments if it is constructed in the proposed location, away from eelgrass, and if construction techniques, proposed mitigation and the Marine Mammal Monitoring Program are followed. The removal of eight existing creosote piles will be an environmental improvement over existing conditions.

The dock will have a visual impact simply due to its presence along the shoreline in an area where no dock exists today. The size of the dock is not predicated on the number of boats served but rather the need to place the float at an appropriate water depth to avoid grounding of the float and the boats at extreme low tide. For this reason, the pier and ramp would be the same size regardless of the number of boats moored at the site.

**Policy 3.5.C.5:** *In providing boating facilities, the capacity of the shoreline to absorb the impact should be considered.*

*Response:* The proposed dock will have no impact on the shoreline. The fixed pier will be accessed by an existing beach road and connect to the shoreline via an existing pier head shore mount. It will require no land disturbance to the surrounding marine or terrestrial vegetation or animals. It will not require the removal of any vegetation along the shoreline. Dock construction will not require any excavation that could weaken the integrity or cause sediment or erosion of the shoreline. It will not disturb the natural ebb and flow of the tides.

**Policy 3.5.C.6:** *The use of mooring buoys should be encouraged in preference of piers or floating docks.*

*Response:* The use of mooring buoys at this site would require the placement of four buoys within Haro Strait and the construction of an area on the uplands above EHT to safely store four dinghies. This would require, at a minimum, the clearing and grading of an area about 36+ feet in width and a minimum of 10 feet in depth (360 square feet) that is currently covered in native vegetation and the installation of a pulley system to get the dinghies up and over the driftwood line to the storage area. It would likely eliminate the proposed removal of the eight creosote piles because it would not be necessary to remove the piles in order to accommodate the proposed dock construction.

While the dock location is protected by a large rock outcropping, the installation of four buoys would by necessity be placed, at least partly, in an area subject to extreme wave action simply due to the long unobstructed fetch that exists between the site and Vancouver Island, B.C, to the west, especially during winter and spring storm events. (See attached map.) This would require the buoys to be placed near the shoreline within the cove that this property surrounds to provide some protection from extreme wave action. The swing radius associated with four boats moored on buoys requires the boats to spread out over a large area which would likely cause some of the buoys to be anchored within or near eelgrass beds or not moored at all.

The Department of Natural Resources (DNR) limits four buoys per acre. An acre equals 43,560 sq. ft. of land (an area about 208.7' wide X 208.7' long). Furthermore, DNR will not issue a license for any residential use buoy where the boat will ground at low tide. This will require the buoys to be placed further seaward than what is required from a safety standpoint

due to the need to place the boats in an area with an appropriate water depth (typically the -16 tidal elevation) and away from rock outcroppings which are exposed during low tide. It would place the buoys seaward of the rock outcropping in an area that is not protected from storm waves. Although this is not the concern of San Juan County, it would be fruitless for the applicant to seek buoy permit approval from San Juan County if the buoys could never be installed due to DNR guidelines.

Considering all of these variables, a joint-use community dock is the most safe and ecologically viable solution.

***Policy 3.5.C.7:*** *The use of floating docks should be encouraged in those areas where scenic values are high and serious conflicts with recreational boaters and fisherman will not be created.*

*Response:* A floating dock would need to be sized large enough to accommodate four boats and the storage of four dinghies which would cumulatively be larger than the proposed 8' X 60' float. It would require clearing and grading for an appropriate dinghy storage area on the upland and the construction of a pulley system on the shoreline so dinghies could be lifted up and over driftwood and up the steep shoreline bank to the storage area. Although the creosote piles would be removed, the impact created by construction of the floating dock would be greater than the proposed joint-use dock.

***Policy 3.5.C.8:*** *Piers should be encouraged where there is significant littoral drift and where scenic values will not be impaired.*

*Response:* There is no significant littoral drift at this site. The shoreline of this site is described by the Coastal Zone Atlas as being a modified drift cell.

The presence of a dock at this location will not significantly impair the views of Haro Strait or the Strait of Juan de Fuca from adjacent properties since only one parcel to the north will have sight of the dock. Although this will be the only dock along this length of shoreline, it is low in profile and set against a fully vegetated high-bank waterfront which allows the dock to blend in with the surroundings.

***Policy 3.5.C.9:*** *In many cases, a combination of fixed and floating structures on the same dock may be desirable given tidal currents, habitat protection and topography, and should be considered.*

*Response:* The proposal includes a fixed pier, ramp and moorage float. This is the most desirable and suitable design for this section of shoreline considering that the property is: 1) exposed to wave action due to the extreme fetch that exists between the project site and Vancouver Island during storm events, 2) the proposed dock location avoids impact to wildlife habitat and 3) the dock can be accessed by an existing beach road.

**Policy 3.5.C.10:** *The County should attempt to identify those shorelines where littoral drift is a significant factor and where, consequently, fixed piers probably would be preferred to floating docks.*

*Response:* Littoral drift is not a significant factor at the project site.

**Policy 3.5.C.11:** *To spare San Juan County from the so-called “porcupine effect” created by dozens of individual private docks and piers on the same shoreline, preference should be given to the joint-use of a single structure by several waterfront property owners, as opposed to the construction of several individual structures.*

*Response:* The proposed joint-use community dock eliminates, in perpetuity, the potential for three additional single-use docks to be built along the shoreline of San Juan Island.

**Policy 3.5.C.13:** *The capacity of the shoreline site to absorb the impacts of waste discharges from boats and gas and oil spills should be considered in evaluating every proposed dock or pier:*

*Response:* There will be no intentional discharge of waste or gas and oil spills from any boat moored at the proposed dock. However, if there happens to be an accidental discharge or spill, it will be promptly cleaned up as spelled out in the proposed Waterfront Construction and Orca Dreams spill prevention plans.

**Policy 3.5.C.14:** *Expansion or repair of existing facilities should be encouraged over construction of new docks and piers.*

*Response:* There are no private docks within the vicinity of the property that could moor four additional boats.

**Policy 3.5.C.15:** *To reduce the demand for single-user docks, multi-user docks should be encouraged through construction and dimensional incentives.*

*Response:* As an incentive for joint-use, the San Juan County Code allows the size of a dock to increase based on the number of users it will serve. The size of this dock falls within the parameters for a residential use dock serving more than two single-family residences found in SJCC, Section 18.50.190(G.2.c) which limits the dock area to a maximum of 2,000 sq. ft. and dock length to 300 feet in length. This dock will be 1,729.8 sq. ft. in area (including the ramp-float overlap area and the shoreline concrete abutment) and approximately 260 feet in total length.

## **B. Section 18.50.190 of the Shoreline Master Program; Boating Facilities**

### **I. Section 18.50.190; General Regulations**

- **Section 18.50.190(B.1)** – *Boating facilities shall be designed to minimize adverse impacts on marine life and the shore process corridor and its operating systems.*

*Response:* The proposed dock will not upset the shore process corridor because the shoreline consists primarily of base rock transitioning into areas of mixed sand and mud. The fixed pier will remain elevated 3.2+ feet above EHT at all times. The piles supporting the float will include stops so it will never ground and obstruct existing water circulation patterns or the migration of Dungeness crab or juvenile salmon under said dock. No eelgrass is located within 25 feet of the proposed structure. Sparse patches of macro algae are located under the proposed pier section. However, the entire decking of the dock will be constructed with 69.9% light penetrating grating so there will be no significant shading impacts to seafloor below. All construction materials are free of pollutants.

- **Section 18.50.190(B.2)** – *Boating facilities shall be designed to make use of the natural site configuration to the greatest degree possible:*

*Response:* The dock has been specifically positioned along the shoreline where the previous Mar Vista Resort dock once existed as is evident by the existing pier head shore mount and the eight creosote pilings. It is located within a cove and landward of a rock outcropping; both which act to provide some protection from storm events that originate out of the southwest. The existing beach road that lead to the old Mar Vista dock was recently repaired under Shoreline Exemption, File No.PSJXMP-16-0021, and remains in good condition and can continue to be used to access this dock. It is the most suitable location along this shoreline to construct the dock. Placing the dock at this location will not require any excavation or removal of vegetation along the shoreline.

- **Section 18.50.190(B.3)** – *All boating facilities shall comply with the design criteria established by the State Department of Fish and Wildlife relative to the disruption of currents, restrictions of tidal prisms, flushing characteristics, and fish passage to the extent that those criteria are consistent with projection of the shore process corridor and its operating systems.*

*Response:* In order for the dock to be constructed, an HPA (Hydraulic Project Approval) from the Department of Fish and Wildlife (WDFW) must be received.

- **Section 18.50.190(B.4):** *Areas with poor flushing action shall not be considered for overnight or long term moorage facilities.*

*Response:* There is no evidence of poor flushing activity in the vicinity of the project site.

- **Section 18.50.190(B.5):** *In general, only one form of moorage or other structure for boat access to water shall be allowed on a single parcel: a dock or a marine railway or a boat launch may be permitted subject to the applicable provisions of this code. (A mooring buoy may be allowed in conjunction with another form of moorage.) However, multiple forms of moorage or other structures for boat access to water may be allowed on a single parcel if:*

- a. *Each form of boat access to water serves a public or commercial recreational use, provides public access, is part of a marina facility, or serves an historic camp or historic resort; or*
- b. *The location proposed for multiple boat access structures is common area owned by or dedicated by easement to the joint use of the owners of at least 10 waterfront parcels.*

*Response:* The proposal complies with these criteria. It will be the only form of moorage available to serve the Orca Dreams three parcels.

- **Section 18.50.190(B.6):** *Structures on piers and docks shall be prohibited except as provided by the San Juan County Shoreline Master Program.*

*Response:* No structures are proposed as part of the joint-use community dock.

## **II. Section 18.50.190(C) General Regulations – Docks, Piers and Recreational Floats**

- **Section 18.50.190(C.1):** *Multiple use and expansion of existing facilities are preferred over construction of new docks and piers.*

*Response:* There are no private docks existing within the vicinity of the project site. (See attached aerial photograph.)

Roche Harbor Resort, Jensen's Marina and Snug Harbor Resort were contacted on January 30, 2017 and asked if these facilities had available moorage for four boats ranging between 20 to 35 feet in length. Kevin Carlton, with Roche Harbor Resort, stated that there will be no moorage available for between 10 and 15 years for 30 foot boats at the Roche Harbor Marina. Alisa Schoultz, with Jensen's Marina, indicated they have only one covered space to accommodate a boat up to 25' in length with a narrow beam around 6.5'. There were no slips available to accommodate all four boats. (See attached emails.) Michael Long, with the Port of Friday Harbor, was contacted on February 24, 2017 regarding the availability of moorage for four boats. While the Port has moorage available for boats 20', 24' and 40', there are no slips available for a boat ranging in length from 24' to 35' in size. (See attached emails.)

Snug Harbor Resort has availability for only two boats in the 28' range and under.

No marina has slips available for boats ranging between the 28' and 35' in length.

- **Section 18.50.190(C.2):** *Mooring buoys shall be preferred over docks and piers on all marine shorelines except in the case of port, commercial or industrial development in the urban environment.*

*Response:* The location of four mooring buoys in Haro Strait is not feasible as previously discussed. The wave action during storms is extreme and can cause boats moored on the buoys to be damaged and the anchor system for the buoy to dislodge.

- **Section 18.50.190(C.3):** *Moorage floats, unattached to a pier or floating dock, are preferred over docks and piers.*

*Response:* Please see response to Policy 3.5.C.7 above.

- **Section 18.50.190(C.4):** *Every application for substantial development permit for dock or pier construction shall be evaluated on the basis of multiple considerations, including but not limited to the potential impacts on littoral drift, sand movement, water circulation and quality, fish and wildlife, navigation, scenic views, and public access to the shoreline.*

*Response:* There will be no impact on littoral drift because the dock will present no obstruction to existing water circulation and sand movement patterns in this area. The pier is fixed at a distance of 10.5 feet above MLLW. Stops will prevent the float from grounding thus eliminating any barrier to migration. Water, fish and other marine animals will be able to circulate under and around the dock at all times. During construction the proposed dock may impact sand movement simply due to disruption of the seafloor when creosote piles are removed and piles are driven. However, water quality disruption will quickly return to normal conditions once pile removal and driving is complete. The applicant agrees to work 'in the dry' whenever possible (during low tides) and within designated construction windows imposed by WDFW and the US Army Corps of Engineers to protect sensitive wildlife species and habitats during migration and spawning, and to help prevent sediment caused by pile driving/removal from entering and disturbing the water quality.

Materials used in the construction of the dock will not contaminate surrounding waters because the materials will be free of pollutants. To avoid pollutants from the creosote piles from entering marine water during removal, the piles may be required to be cut off just below the seafloor rather than being pulled out. This will reduce the amount of creosote polluted sediments from being released into marine waters.

No impact to public access to the shoreline will occur since there is no public dock or land devoted to public use in this area. The majority of the dock will be placed over privately owned tidelands. Scenic views will be slightly altered simply due to the presence of the dock in an area where none exists today.

Wildlife in the area consists of eelgrass (forage fish habitat), ulva, fucus, Dungeness crab, Northern abalone, Southern Resident killer whale and Chinook salmon. The dock location is 25 feet to the north of the eelgrass bed. Macroalgae is found in the area where the dock will be constructed. Macroalgae needs sunlight in order to grow. Impacts to macroalgae will be mitigated through the construction of a fixed pier head at a height that will allow sunlight to reach the seafloor beneath the pier. The inclusion of 69.9% light penetrating grating on the entire surface of the dock will also allow sunlight to reach the macro algae on seafloor.

- **Section 18.50.190(C.5):** *Docks or piers which can reasonably be expected to interfere with the normal erosion-accretion process associated with feeder bluffs shall not be permitted.*

*Response:* The area where the proposed dock will be located is not considered a feeder bluff.

- **Section 18.50.190(C.6):** *Abandoned or unsafe docks and piers shall be removed or repaired promptly by the owner. Where any such structure constitutes a safety hazard to the public, the County may, following notice to the owner, abate the structure if the owner fails to do so within a reasonable time and may impose a lien on the related shoreline property in an amount equal to the cost of abatement.*

*Response:* There are remnants of an old dock at the proposed dock site. The eight remaining creosote piles will be removed. Waterfront Construction inspected the existing wooden shore mount during their site visit and it was found to be structurally stable. Because of this, the existing shore mount will be utilized in this dock construction.

- **Section 18.50.190(C.7):** *Unless otherwise approved by a shoreline conditional use permit, boats moored at residential docks shall not be used for commercial overnight accommodations.*

*Response:* The applicants have no intention of using the dock for commercial overnight accommodations.

- **Section 18.50.190(C.8):** *Use of a dock for regular float plane access and moorage shall be allowed only by shoreline conditional use permit and shall be allowed only at commercial or public moorage facilities or at private community docks.*

*Response:* The applicants have no intention of using the dock for moorage of float planes at this time.

### **III. Section 18.50.190(D); Regulations, General Design and Construction Standards**

- **Section 18.50.190(D.1):** *Pilings must be structurally sound prior to placement in the water:*

*Response:* The 12 proposed pilings consist of 10" diameter steel posts, which Waterfront Construction has determined to be structurally sound for supporting a dock of this size at this location.

- **Section 18.50.190(D.2):** *Chemically treated or coated piles, floats or other structural members in direct contact with the water shall be as approved by the Environmental Protection Agency.*

*Response:* ACZA pressure treated wood will be used to construct the frame of the float.

- **Section 18.50.190(D.3):** *Pilings employed in piers or any other structure shall have a minimum vertical clearance of one-foot above extreme high water.*

*Response:* The proposed pilings will have a minimum clearance of at least two-feet above the water level at extreme high tide (EHT). Extreme High Tide for this area is 14.30 feet. (See Sheet 4 of 9 of the dock design drawings.)

- **Section 18.50.190(D.4):** *All floats shall include stops, which serve to keep the bottom off tidelands at low tide.*

*Response:* Stops will be provided as required.

- **Section 18.50.190(D.5):** *When plastics or other non-biodegradable materials are used in float, pier or dock construction, full containment features in the design of the structure shall be required.*

*Response:* The float will be constructed with foam encased entirely in a molded plastic tub. No other non-biodegradable material will be used to construct the dock.

- **Section 18.50.190(D.6):** *Overhead wiring or plumbing is not permitted on docks or piers.*

*Response:* The proposed dock does not include overhead wiring or plumbing. Electrical and water lines will be placed in conduit attached to the side of or under dock decking until reaching the float where they will connect with a hose bib(s) and electrical outlet(s) for use by boat owners. In addition, utility lines for a proposed RO Desalination System (seawater intake, brine discharge and electrical conduit) will be attached to the underside of the fixed pier section of the dock if it is approved.

- **Section 18.50.190(D.7):** *New boathouses or covered moorages are prohibited on floats, piers, and docks. Other structures on floats, piers and docks shall be limited to three feet in heights.*

*Response:* No boathouses or covered moorage are proposed.

- **Section 18.50.190(D.8):** *A pier shall not extend offshore farther than 50 feet beyond the extreme low tide contour.*

*Response:* The pier is located approximately 48-feet landward of the extreme low tide contour.

- **Section 18.50.190(D.9):** *Dock lighting shall be designed to shine backwards, be of a low wattage, and shall not exceed a height of three-feet above the dock surface.*

*Response:* The applicant agrees to comply with this regulation.

- **Section 18.50.190(D.10):** *All construction related debris shall be disposed of properly and legally. Any debris that enters the water shall be removed promptly. Where feasible, floats shall be secured with anchored cables in place of pilings.*

Response: The applicant agrees to comply with this development regulation. Item 10 of the proposed construction sequence states:

*All construction debris will be removed and loaded into a 20 c/y steel garbage container secured on the crane barge for holding during construction, then transported by the crane barge to the contractor's Seattle yard, off-loaded into trucks and shipped to an approved upland disposal site.*

- **Section 18.50.190(D.11):** *Materials used in dock construction shall be of color and finish that will blend visually with the background.*

Response: Construction materials will remain unpainted and in a natural condition (wood, aluminum and galvanized steel) with colors resembling earth tones.

**IV. Regulations: Section 18.50.190(E); Joint-Use Community Piers, Docks and Floats**

- **Section 18.50.190(E.1):** *No more than one moorage facility shall be allowed as an accessory to any hotel, motel, multi-family residential development, or similar development.*

Response: This proposed dock will serve three parcels and five existing single family residences and, potentially, one future residence for a total of six residences on the Orca Dreams 40+ acre property

- **Section 18.50.190(E.2):** *Proposals for joint-use community piers and docks shall demonstrate and document that adequate maintenance of the structure and the associated upland area will be provided by the responsible parties.*

Response: Because the proposal will serve a family compound there is no need for a joint-use agreement. However, if the property owner ever decides to sell the residences in the future, a joint-use agreement will be necessary. The applicant agrees that a condition be placed on the dock approval to this effect.

- **Section 18.50.190(E.3):** *Recreational floats shall be placed off-shore no farther than 200-feet beyond extreme low tide, the minus 3 fathom contour, or the line of navigation, whichever is closest to shore (WAC 332-30-148(2))*

Response: NA

- **Section 18.50.190(E.4):** *All waterfront subdivisions approved after the adoption of this SMP shall include or provide for construction of a single joint-use moorage facility by the lot owners if moorage is desired by the owners, in a designated, reserved area of the waterfront. . .*

Response: NA

**V. Section 18.50.190(G.2.c); Regulations; Residential Docks**

- **Section 18.50.190(G.2.c):** *The maximum dimensions for a joint-use community dock (including the pier, ramp, and float) associated with more than two single-family residences shall not exceed 2,000 square feet in total area. In addition, the length of the dock (including the pier, ramp, and float) may not extend more than 300 feet in length seaward of the ordinary high water mark. If a variance is granted to allow a dock exceeding these dimensions, its construction may only be authorized subject to the regulations for a marina.*

*Response:* The total area of the dock (excluding the ramp/float overlap, existing pier head shore mount, and proposed concrete abutment) is 1,729.8 sq. ft. The total length of the dock is approximately 260 feet. The dock falls within the size limits for a dock serving more than two residences.

- **Section 18.50.190(G.3) – Docks shall be setback a minimum of 10-feet from side property lines.**

*Response:* The dock is set back about 10 feet from the north property line of the privately owned tidelands and about 240 feet from the south property line of TPN 340411003.

- **Section 18.50.190(G.4):** *Development of a dock on a lot intended for single-family residential purposes shall require a shoreline substantial development permit or statement of exemption.*

*Response:* The applicant has complied with this regulation by submitting this Shoreline Substantial Development Permit Application.

- **Section 18.50.190(G.5):** *Applications for non-exempt docks and piers associated with single-family residences shall not be approved until:*

*a. It can be shown by the applicant that existing facilities are not adequate or feasible for use;*

*Response:* There are no existing facilities on San Juan Island that can guarantee long term moorage to serve all four boats. There are no private moorage facilities within a reasonable distance that are available to the applicants. Roche Harbor Resort Marina, Jensen's Marina and the Port of Friday Harbor do not have permanent moorage available to accommodate the applicant's boats. Snug Harbor Resort marina has two slips available but for boats only 28 feet in length. The marina at Snug Harbor Resort is located in shallow water and the landward side of the marina often grounds out, making slips at the marina less than desirable. However, Snug Harbor Resort recently received approval from San Juan County to modernize their marina by pushing it into deeper water to prevent grounding of boats that occurs during low tide. Permitting activity at the US Army Corps of Engineers and the WA Department of Natural Resources has been tied up due to on-going negotiations with the tribes and no approval has been given by these agencies at this time.

*b. Alternative moorage is not adequate or feasible: and*

*Response:* There is no adequate or feasible alternative moorage available (mooring buoy or mooring float) to serve all four boats. Buoys and floats require the use of dinghies. The launching of dinghies on the beach could cause damage to potential surf smelt spawning habitat located along this shoreline by dragging them across the sand to the water's edge. Storage of four dinghies would require clearing an area along the shoreline in the Critical Areas Ordinance 110 foot tree protection zone. Considering tree removal is prohibited in the first 35 feet of the tree protection zone (Zone 1) as measured landward of the OHWM (see SJCC 18.35.130. B.1) and this shoreline is high bank, some sort of mechanical system would be required to pull the dinghies 35 feet up the steep embankment and outside Zone 1 to an area where clearing is allowed. This would have greater detrimental impacts than the proposed dock.

- c. *The applicant shall have the burden of providing the information requested for in Subsections (a) and (b) of this section, and shall provide this information in a manner subscribed by the administrator.*

*Response:* Please see responses to Subsections a and b as well as the attached email responses to the applicants inquiry regarding available moorage at San Juan Island marinas.

## **II. Proposed RO Desalination Plant and Regulatory Analysis**

When Orca Dreams purchased the land in 2013, there were two wells serving the property; one for potable water and the other for irrigation. Because the only potable water source did not produce enough water during the summer to serve existing development on their land, Orca Dreams drilled a new well (Well #1 - see attached information regarding Well ID # BBM 060) on the northeast corner of the property. The pump tests conducted for Well #1 showed insufficient quantity to serve the site.

### ***A. Detailed Project Description***

Orca Dreams proposes to construct a reverse osmosis (RO) seawater desalination system sized to augment drinking water obtained from Well #1 to serve a total of six residences.

Based on the State Department of Health's requirements, the maximum system demand for six residences, including irrigation around the main house existing on TPN 353344008, will be about 2,310 gallons of water per day. The system will be capable of producing about 3,000 gallons of fresh water per day.

The reverse osmosis seawater desalination (RO) system will draw seawater from Haro Strait and pump it about 1,030 feet to a treatment room that will be installed within an existing barn located on the northeasterly corner of the property. The seawater will be treated and the resulting product (fresh) water will be pumped about 360 feet to the existing 40,000 gallon concrete storage tank where it will be available for distribution in the water system. The

resulting brine water will be conveyed back to the shoreline via a dedicated pipe. The brine will pass through a diffuser before being released into Haro Strait.

The RO system will be used to augment the supply of existing Well #1. In case of well failure, the RO system has been designed to provide all of the water needed for the fully developed property. The well capacity is 1.1 gpm or 1,584 gallons per day. Therefore, when the well is operating normally and under maximum daily demand conditions the RO system would produce just 726 gallons of fresh water per day to meet the expected demand of 2,310 gallons per day. However, if the well yield is reduced for some reason, the RO system could supply the additional water or in fact the entire 2,310 gallons needed for one day's use if required. The water from Well #1 will also be pumped to the treatment house where it will be mixed with RO product water. The blended water will be chlorinated and pumped to the water storage tank.

Orca Dreams is proposing two alternatives for installation of the desal utility lines.

*Preferred Alternative 1:* If construction of the dock is authorized and all permits are issued at the same time as the RO desalination system, the two projects will be integrated and construction will be completed at the same time. On-site construction will consist of driving or drilling the pump and diffuser support piles. Two 6" steel piles will be driven with a vibratory hammer or, where bed rock is encountered, the pilings will be set in drilled holes. The pump support piling will be located at the -7 tidal elevation and the saltwater (brine) diffuser piling will be located at about the -5 tidal elevation, both within the footprint of the proposed joint-use community dock. Once the piles are installed, the contractor will install the pump and diffuser assemblies on the pilings. (The configuration of seawater intake and brine return pipes, and electrical conduit is illustrated on Sheets 5 and 6 of the attached drawings.) Seawater intake and brine discharge pipes, and electrical conduit will then be connected to the underside of the fixed pier from the head of the pier to the seaward end of the pier. From there, the pipes and conduit will extend to the seafloor on a pier support piling at approximately -3 feet MLLW. The saltwater (brine) return line will extend about 56-feet seaward to the diffuser support piling at the -5 tidal elevation and the seawater intake line will then extend about 112-feet seaward and connected to the pump support piling -7 tidal. The pipelines will then be secured to the seafloor with earth anchors set 10' on-center. The work will be completed from the deck of a small boat and/or by divers where appropriate. The 2.5' X 3' pipe trench will be excavated with a small track hoe when the tide is low so that digging and filling of the trench between MLLW and MHHW will be completed in one tidal cycle.

*Alternative 2:* If the joint-use dock application is not approved or if it is appealed and the desalination system is permitted, then on-site construction will consist of driving or drilling the pump and diffuser support piles. Two steel piles will be driven with a vibratory hammer or where bed rock is encountered, the pilings will be set in drilled holes. The pump support piling will be located at the -7 tidal elevation and the saltwater (brine) diffuser piling will be located at about the -5 tidal elevation. Once the piles are installed the contractor will install the pump and diffuser assemblies on the pilings and install the seawater supply pipe, saltwater return pipe and electrical power conduit on the seafloor extending about 160 feet landward from the pump/diffuser assembly support pilings then be buried below the seafloor for the remaining

115 feet to the valve vault on the shore. The pipeline will be secured with earth anchors set 10' on-center where it is exposed above the seafloor. The work will be completed from the deck of a small boat and/or by divers where appropriate. The near shore (and upland) pipe trench will be excavated with a small track hoe when the tide is low so that digging and filling of the trench between MLLW and MHHW will be completed in one tidal cycle.

When the storage tank volume drops to a level of about 75% the RO system will run continuously for a number of days until the tank is full. It will then be shut down. Under these conditions a maximum of 12,068 gallons of seawater will be drawn from Haro Strait each day of operation. This will be used to produce about 2,996 gallons of potable water each day of operation. The resulting brine, about 9,072 gallons per day, will drain back into Haro Strait.

The only elements of the reverse osmosis desalination system that will extend over public tidelands and into marine waters are the utility lines (saltwater intake, brine discharge and electrical lines), the saltwater intake pump and brine diffuser. The utility lines will extend about 80 lineal feet onto public tidelands and public waters (initially on the seafloor and ultimately under the proposed dock) and will not impede public access to public tidelands or materially interfere with normal public use of public waters due to their location on the seafloor or on the bottom of the proposed joint-use dock if it is approved for construction.

The system has been designed by Hart Pacific Engineering to include two 1,500 gpd RO units with the primary elements as follows:

1. A 10-gpm 3/4 hp submersible pump mounted inside a 6" HDPE pipe section which is secured to a new 6" steel marine piling. The intake will be screened as required by Washington State Department of Fish and Wildlife. The piling will be located two feet seaward of the seaward end of the proposed float. The pump and screen will be accessible for removal and cleaning from a boat. Diving should not be necessary.
2. The seawater intake, brine discharge and electrical lines will be installed in an underground trench, 2.5 feet wide X 3 feet deep, extending about 1,030 feet from the treatment that will be located in an existing barn on the uplands to the flushing valve vault on the shoreline just above the beach. From the flushing valve vault, the preferred alternative ("Alternative1") is to attach the seawater intake, brine discharge and electrical lines under the proposed pier deck to the seaward end of the pier. At the seaward end of the pier the utility lines will run straight down a pile supporting the pier to the tidelands below where the lines will be anchored to the seafloor using earth anchors. The brine return line will extend further seaward about 55-feet to a 6" diffuser piling at the -5 tidal elevation where water depth and currents are sufficient to allow for mixing the brine with seawater at all tidal elevations. The seawater intake line will extend about 115 feet from the pier support pile to a 6" intake pump assembly piling at the -7 tidal elevation.

The Orca Dreams property needs an additional source of good drinking water to augment their existing system. If the proposed joint-use dock is not approved or appealed, the applicants propose "Alternative 2" which consists of burying the seawater intake, brine discharge and electrical lines below the bottom of the tidelands in a trench about 2.5 feet

wide X 3 feet deep (this is intended to protect it from wave action) and extending them seaward about 115 feet from the flushing valve vault where they will emerge at the -0 tidal elevation and extend an additional 160 seaward. From there, the saltwater intake line and pump will attach to a 6" steel piling located at the -7 tidal elevation and the brine discharge line and diffuser will connect to a second piling located at the -5 tidal elevation.

For both alternatives the pump control relay and emergency pump power switch is located at the valve vault area. From here the 2" seawater delivery pipe extends up to the barn and connects to the new desalination equipment.

3. Desalination equipment will consist of a seawater strainer, a sand filter with backflushing capability, an 80-gallon fiberglass pressure tank, two bag filters in plastic housings using a 10-micron and a 2-micron filter, two 1,500 gallon per day USWatermaker desalination units in parallel (seawater flow to each unit is 4.2 gpm) - these RO units will be USWatermaker's Workboat Series units, a 2-cubic foot acid neutralizing unit, 40-gallon chlorine batch tank with chlorine injection pump mounted on top, a Seametrics pulse meter for controlling the pump injection rate, a 120 gallon product water accumulation tank and a 5 gpm ½ hp submersible product water pump.
4. A 1.5" HDPE pipe from Well #1 to the barn and a 1.5" HDPE combination product water and well water pipe from the barn back to the 40,000 gallon storage tank.
5. 2" HDPE saltwater return pipe from the RO units in the barn to the valve vault on the shoreline and on to the saltwater diffuser.
6. The saltwater diffuser will be mounted inside a 6" HDPE pipe section which is secured to a new 6" steel marine piling. The piling will be located at the landward end of the proposed dock. The diffuser design allows it to be accessible for removal and cleaning from a boat. Diving should not be necessary.

**Construction Sequence:** Construction of the RO desalination system will be completed in the following sequence:

1. *Pre-Fabrication:* The pump and diffuser assemblies, the stainless steel sleeve straps and the concrete pipe anchors will be prefabricated in the contractor's yard in Friday Harbor. They will be transported to the site by truck.
2. *Site Preparation:* The pipeline route and vault site will be cleared of vegetation (grasses and a few shrubs) prior to trench excavation for the pipelines.
3. *On-Site Construction:* On-site construction will be conducted as described above depending upon the approved alternative. The work will be completed from the deck of a small boat and/or by divers where appropriate. The near shore (and upland) pipe trench will be excavated with a small track hoe when the tide is low so that digging and filling of the trench between MLLW and MHHW will be completed in one tidal cycle.

4. *Equipment:* All construction equipment (except for the small track hoe) and materials used in this project will be stationed on either a construction barge or a small boat. A barge mounted crane will be used to set the steel piles. Portable power tools and hand tools will also be used to secure the pump and diffuser assemblies in place on the pilings.
5. *Materials:* Piles will be 6-inch galvanized or epoxy-coated steel. The submersible pump will have a stainless steel shell, screen, suction and discharge housing. The diffuser, the 6-inch protective pump and diffuser sleeve, the seawater and saltwater return piping and electrical conduit will all be HDPE pipe. The straps used to secure the protective sleeves to the pilings will be stainless steel.
6. *Work Corridor:* The small boat and barge will operate offshore to avoid grounding and disturbing bottom sediment. A small track hoe will be used when the tide is low to excavate the pipe trench above the zero-tide mark.
7. *Staging Areas and Equipment Wash Outs:* All staging areas for the setting of the steel pilings and the installation of the pump and diffuser assemblies will occur on the barge or small boat with no need for equipment wash outs. The staging area for the pipe trenching will be in the upland area at least 200' from the shoreline.
8. *Stockpiling Areas:* The barge will hold all construction materials during the setting of the pilings and all construction debris will be held in a 20 c/y steel garbage container secured on the crane barge for disposal upland later. Construction debris from the installation of the pump and diffuser assemblies as well as the pipe laying operation will be collected on board the small boat for disposal upland later. All other construction debris from the construction of the pipelines in the trench will be collected on shore and hauled to an approved upland disposal site.
9. *Running of Equipment:* Equipment will be running off and on throughout the on-site construction phase. All equipment will be kept in good running order and will only be operating when required.
10. *Clean-Up and Re-Vegetation:* All construction debris will be removed and disposed of as described above. Other than reseeding and regravelling the disturbed shore and upland areas after construction activities are completed, no other re-vegetation is proposed at this time.
11. *Project Timing:* All proposed construction will take place in approved work windows during daylight hours unless work needs to be coordinate with evening low tides to facilitate construction. Pile driving will occur only 2 hours after sunrise and will stop at 2 hours before sunset.
12. *Duration of Construction:* On-site construction will take a maximum of 3-4 weeks. The two 6" diameter seawater intake pump and brine diffuser support piles will be driven in one day for a total of 1.5 hours.

existing barn located about 600 feet landward of the OHWM, where the saltwater treatment house will be located. The trench will extend along the side of the existing beach access road until it reaches the top of bank where the trench will then extend further landward through an existing field to the treatment house. As previously discussed, seaward of the flushing valve vault the utility lines will either be attached to the bottom of the fixed pier portion of the proposed joint-use community dock (preferred Alternative 1) or will be submerged about 2.5 feet below the seafloor until they reach the -0 tidal elevation where they will emerge and be anchored to the seafloor via earth anchors (Alternative 2).

- **Section 18.50.350(B.2):** *Desalination and reverse osmosis systems on shorelines that are known or demonstrated to be eroding bluffs, unstable bluffs, eroding beaches, or exposed cliffs, will require design and engineering which will assure that no significant visual or environmental impacts will be created and that effects on the natural shoreline conditions be minimized.*

*Response:* Review of the San Juan County Critical Areas Map for geo-hazardous areas does not indicated the presence of eroding bluffs, unstable bluffs, eroding beaches, or exposed cliffs. Rather, the shoreline along this property is identified as bedrock. There is no evidence of erosion in the location of the proposed desalination system.

The proposed desalination system has been designed by Hart Pacific Engineering who took potential erosion into consideration when siting the utility lines. The lines will be located underground in a utility trench and will not cause any visual impact along the shoreline. They will be located in an environmentally sensitive area (Fish and Wildlife Habitat Conservation Area). In order to avoid adverse impacts to the environment the following conservation measures have been proposed by marine biologist Chris Fairbanks with Fairbanks Environmental Services. (See attached BE)

#### Proposed Conservation Measures for RO Desalination System Construction

1. Timing limitations: In-water work will only be allowed from September 1 through March 1 for the protection of salmon and bull trout.
  - a. Work below the ordinary high water line shall not occur from March 2 through August 31 of any year for the protection of migrating juvenile salmonids.
2. A qualified diver will mark the margins of the eelgrass bed to ensure that the dock is positioned with a minimum 25-foot buffer from the eelgrass beds.
3. An observer qualified in identification of marine mammals and seabirds will be on site during pile driving operations to watch for presence or absence of killer whale, and other marine mammals and marbled murrelet within the 1.34-mile action area. The observer will check for presence of marine mammals within the action area 30 minutes prior to and during operations and advise operators of presence of marine mammals. The presence/absence of marine mammals will be recorded and reported.

Little to no clearing will be required to install the proposed desalination system. The only areas that will be disturbed by construction will be areas where the utility trench will be excavated. The trench will be 2.5 feet wide X 3 feet deep and about 1,030 feet long which accounts for about 2,575 sq. ft. of disturbed land area. The dirt excavated from the utility trench will be saved and used as backfill. The portion of the trench located within the beach access road will be re-covered with a gravel driving surface. The portion of the trench located within the upland field will be seeded with native grasses and then mulched to hold the seeds in place until they sprout and stabilize the disturbed soil. Little to no clearing will be required to install the proposed desalination system.

## **B. Regulatory Analysis**

The proposed RO desalination system will be located within both the 200-foot Shoreline Management Act jurisdictional area and the uplands of the property. The elements of the system that will be in the shoreline include the flushing valve vault, seawater intake, brine discharge and electrical lines, the seawater intake pump, brine diffuser and two support pilings. The portions of the system located in the uplands include seawater intake, brine discharge and electrical lines, treatment house and the existing 40,000 gallon concrete water storage tank. The portion of the desalination system that is located within 200-feet of the OHWM is subject to the permitting requirements of the San Juan County Shoreline Master Program, Chapter 18.50 SJCC. Regulations for utility installation in the uplands are found in SJCC 18.60.150. An analysis of how the proposed RO desalination system meets these development criteria is provided below.

### ***Shoreline Master Program***

The shoreline along the waterfront of the project site from the OHWM landward is designated "Rural Farm Forest." Seaward of the OHWM the shoreline is designated "Aquatic." Section 18.50.350(C) SMP, Utility Regulations by Environment allows for the construction of a Reverse Osmosis Desalination System in both environments if the policies and regulations of the Master Program can be met and a Shoreline Substantial Development Permit (SSDP) is obtained.

Section 3.5.O of the Comprehensive Plan Element of the Shoreline Master Program (SMP) provides 13 policies for constructing desalination systems within the shoreline. These policies are enumerated in Section 18.50.350(B) of the San Juan County Code, Regulations – Desalination, which sets forth development criteria which desalination plants must comply.

- ***Section 18.50.350(B.1):*** *Desalination water system lines must be located along existing paths, trails or connected to existing docks and beach access structures whenever possible.*

*Response:* The seawater intake, brine discharge and electrical lines will be located underground in a 2.5 foot wide X 3 foot deep X 1,030 foot-long trench that will extend from the flushing valve vault mounted on the shore just above the beach up to an

- a. One observer will be stationed at the top of the bluff at the promontory just south of the project site.
  - b. The observer will communicate with the contractor with both cellular telephones and VHF radios. Communication checks will occur throughout the pile driving operation.
  - c. Pile driving will not occur when other marine mammals other are within 200 feet of the Project site, or when marbled murrelet are within 160 feet of the project.
4. Pile driving/removal operations will occur between 2 hours after sunrise and 2 hours before sunset from September 1 through September 15 to protect marbled murrelet during nesting season of April 1 through September 15.
5. Excavation in the intertidal zone will be completed 'in the dry' during low-tide events and when the work area is exposed. A small track-hoe will be used to dig a trench for placement of pipes and electrical conduit between the valve vault and MLLW. The trench will be filled before being inundated by the rising tide.
6. The contractor will have a prepared Spill Control and Countermeasure Plan (SCC Plan) that addresses specific actions to prevent petroleum products from being discharged into surface waters. The contractor will also have oil-absorbent materials on site to be used in the event of a petroleum product spill and measures to avoid petroleum products or other deleterious materials from enter surface waters will be taken. This plan is attached as Appendix F.
7. Eelgrass and macroalgae will not be adversely impacted due to any project activities because:
  - a. The construction barge will not be allowed to ground in the Project area except to off load and load equipment to be used on the beach.
  - b. Prop wash will not be directed toward eelgrass bed that are mapped near the Project area
  - c. Barge anchors and cables will not be placed in the eelgrass bed that is mapped to the south of the dock alignment.
8. The following BMPs described in Stormwater Management Manual for Western Washington Volume II; Construction Stormwater Pollution Prevention (Ecology 2014) will be followed to minimize the amount of fine sediment from entering marine water due to disturbance of soil as part of improvements to the access trail.
  - a. BMP C101: Preserve Natural Vegetation
  - b. BMP C153 Material Delivery
  - c. BMP C230: Straw Bale Barrier
  - d. BMP C233: Silt Fence
  - e. BMP C235 Straw Wattles

9. All construction materials will be removed from the work site and natural material will be returned to their original position at the end of construction.

- **Section 18.50.350(B.3):** *All desalination and reverse osmosis production equipment and necessary pumping equipment, utility connections and pipelines must be located and designed to blend in with the natural surroundings to the extent feasible to reduce visual impacts. Existing vegetation and terrain features must be used whenever possible for screening.*

*Response:* The portion of the desalination plant located within the 200-foot shoreline jurisdictional area consists of piping (intake and discharge lines), electrical conduit, the flushing valve vault and the seawater pump and brine diffuser systems. Considering the utility lines will be located underground in a trench and attached to the underside of the fixed pier portion of the proposed joint-use community dock or submerged in marine waters, and the flushing valve vault that will be mounted below grade, the only visible portion of the system will be the existing barn in which the treatment house will be located and the existing 40,000 gallon concrete water storage tank.

- **Section 18.50.350(B.4):** *Desalination and reverse osmosis facilities must not impede on public access to public tidelands or materially interfere with normal public use of public waters.*

*Response:* The Orca Dreams property was patented on June 13, 1883, before statehood, which occurred on November 11, 1889. Waterfront boundaries of properties that were patented before statehood extend landward from either the OHWM or the meander line, whichever is further seaward. (See attached document titled Waterfront Titles in the State of Washington, and Homestead Deed #1648.) In this case, the waterfront boundary varies between the OHWM and meander line as shown on the site plan. In addition, Orca Dreams owns a portion of the second class tidelands that run along their waterfront. (See attached Quit Claim Deed (AFN 2014-1203014).)

The only elements of the reverse osmosis desalination system that will extend over public tidelands and into marine waters are the utility lines (seawater intake, brine discharge and electrical lines), the saltwater intake pump, brine diffuser and two support pilings. Under both Alternative 1 and Alternative 2, the utility lines will extend about 80 lineal feet onto public tidelands in waters of the state. The utility lines will not impede public access to public tidelands or materially interfere with normal public use of public waters due to their location on the seafloor and/or under the dock.

- **Section 18.50.350(B.5):** *Desalination and reverse osmosis systems will not be allowed for the purpose of providing primary water supply within new subdivisions and short subdivisions. Such facilities may be allowed for the purpose of supplying water for an established community water system.*

*Response:* There are no plans to subdivide the land. The facility will provide water to augment an existing water system.

- **Section 18.50.350(B.6):** *Desalination intake and discharge lines shall be located underground wherever feasible, except for that portion located underneath or along any docks, piers, walkways, stairs, or other shoreline improvements located on site.*

*Response:* As proposed in both alternatives, the desalination system utility lines will be located underground in a trench that will extend from the treatment house in the barn to the shore mount flushing valve vault. Alternative 1 proposes to locate the utility lines under the fixed pier section of the proposed joint-use community dock and then route them down to the seafloor on a pier support piling where they will extend seaward on the seafloor to the seawater intake pump support piling and the brine diffuser support piling. If the proposed SSDP application for the dock is not approved, then Alternative 2 proposes to locate the desalination utility lines underground in a 115-foot long, 3' deep X 2.5' wide trench that will extend seaward from the flushing valve vault on the shoreline to MLLW where they will daylight and extend an additional 160 feet seaward to the support pilings.

- **Section 18.50.350(B.7):** *Desalination and reverse osmosis brine discharge is not considered to be potentially harmful to aquatic life or water quality provided all require state and federal requirements are met.*

*Response:* All state and federal requirements will be met.

- **Section 18.50.350(B.8):** *All desalination and reverse osmosis installations shall comply with the following regulations:*

- a. The intake and discharge lines must be trenched, run or located together except where necessary to provide adequate separation between intake and discharged water.*

*Response:* The intake, discharge and electrical lines will run together in a trench both on the upland as well as within the 200-foot shoreline jurisdictional area as discussed above. The lines will separate at about the -4 tidal elevation where the brine discharge line and diffuser will connect to a new 6" steel piling at the -5 tidal elevation and the seawater intake pump, seawater water intake line and electrical conduit will connect to a new 6" steel piling at about the -7 tidal elevation.

- b. The intake and discharge lines must be engineered so as not to materially interfere with normal public use of public tidelands or navigation. The intake point shall not float on the surface.*

*Response:* The proposed RO desalination system was designed by Hart Pacific Engineering, a reputable civil engineering firm located here in San Juan County. The system is designed to use 2" HDPE piping to assure that wave action will not cause breakage of the intake and discharge lines or electrical conduit. The location of these lines underground, on the seafloor and/or beneath the proposed dock are

such that they will not float and interfere with normal public use of public tidelands or navigation.

- c. *Intake and discharge lines must not be placed through or over any known or discovered archeological resources, unless the location is approved by the Washington Office of Archaeology and Historic Preservation.*

*Response:* There are no historical and cultural sites or associated buffer areas on the project site.

- d. *The use of existing wells with saltwater contamination or intrusion as the intake source for desalination and reverse osmosis systems is prohibited unless specifically authorized by the County Department of Health and Community Services.*

*Response:* Well #BBM 060, has good quality water, will contribute about 1.1 gpm to the system. The well water and desal product water (potable water) will be blended and then treated with chlorine before being pumped into the 40,000 gallon water storage tank.

- e. *The use of pre-filtration beach wells located landward of the line of mean lower low water is allowed provided all state and federal requirements are met.*

*Response:* There are no pre-filtration beach wells existing or proposed.

#### **SJCC 18.60.150 – Utility Service Lines and Facilities – General Regulations**

- **SJCC 18.60.150(A):** *Utility service lines and secondary connections shall be placed underground, unless otherwise approved by the permitting agency.*

*Response:* All service lines for the desalination system will be installed underground in a trench as previously described.

- **SJCC 18.60.150(B):** *Environmental impacts resulting from installation or maintenance of utilities shall be minimized. Areas disturbed during construction shall be replanted with native vegetation and maintained until firmly established. Clearing shall be confined to that necessary to allow installation and to prevent interference by vegetation once the system is in operation.*

*Response:* Little to no clearing will be required to install the proposed desalination system. The trench portion of the system that will be located within the upland field will require removal of some grasses and shrubs that are in the proposed trench path. Areas of the property will be disturbed by construction where the utility trench will be excavated. The trench will be 2.5' wide X 3' deep and about 1,030' long which accounts for about 2,575 sq. ft. of disturbed land area. The dirt excavated from the utility trench will be saved and used as backfill. After the trench is backfilled, it will be seeded with

native grasses and mulched to hold the seeds in place until they sprout and stabilize the disturbed soil.

The portion of the trench located within the beach access road will be re-covered with a gravel driving surface.

- **SJCC 18.60.150(C):** *Utilities and transportation facilities shall be installed in the same rights-of-way when the effect will be to reduce the adverse impacts on the physical environment.*

*Response:* See response to SJCC 18.60.150(D) above.

- **SJCC 18.60.150(D):** *Solid waste transfer and disposal facilities shall be located and designed in accordance with Chapter 173-301 WAC, Department of Ecology Minimum Functional Standards for Solid Waste Handling, the San Juan County Comprehensive Solid Waste Management Plan, and applicable local health, safety, and fire protection codes.*

*Response:* NA – this is neither a solid waste transfer nor disposal facility.

- **SJCC 18.60.150(E):** *Utility lines within agricultural resource lands shall be designed and located to minimize disruption of existing and potential agricultural uses.*

*Response:* NA

# SEPA ENVIRONMENTAL CHECKLIST

## **Purpose of checklist:**

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

## **Instructions for applicants:**

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

## **Instructions for Lead Agencies:**

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

## **Use of checklist for nonproject proposals:**

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements -that do not contribute meaningfully to the analysis of the proposal.

## **A. Background**

1. Name of proposed project, if applicable:

*Orca Dreams Four-Slip Joint-Use Community Dock and Reverse Osmosis Desalination System*

2. Name of applicant:

*Orca Dreams, LLC*

S.J.C. DEPARTMENT OF  
MAY 19 2017  
COMMUNITY DEVELOPMENT

3. Address and phone number of applicant and contact person:

*Applicant: Orca Dreams LLC  
C/O David Honeywell, Managing Member  
P.O. Box 928  
Friday Harbor, WA 98250*

*Agent: Francine Shaw, Land Use Consultant  
Law Offices of Stephanie Johnson O'Day  
P.O. Box 2112  
Friday Harbor, WA 98250  
Phone: (360) 378-6278  
Email Address: fshaw@rockisland.com*

4. Date checklist prepared:

*March 2017 - Revised May 2017*

5. Agency requesting checklist:

*San Juan County Department of Community Development*

6. Proposed timing or schedule (including phasing, if applicable):

*The applicant would like to build the proposed joint-use community dock including a navigational warning buoy and RO desalination system as soon as all appeal periods have passed. The applicable construction windows will be strictly observed as noted in the proposed conservation measures in the project description.*

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

*No.*

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

*A revised Biological Assessment dated February 24, 2017 addressing potential impacts created by the proposed joint-use dock and reverse osmosis desalination system has been prepared and includes the following information:*

- 1. Marine Mammal Monitoring Plan (Section 7.4 and Figure 7);*
- 2. A list of proposed conservation measures (Section 9.0);*
- 3. Seafloor soundings (topography) and lateral boundaries of Orca Dreams' privately owned tidelands prepared by San Juan Surveying on November 9, 2015 (See Figure 6);*
- 4. Appendix A – Light Availability Test of Sun Walk Decking;*
- 5. Appendix B - Preliminary Underwater Survey conducted by Bob Wells with Wells Construction dated August 24, 2014;*
- 6. Appendix C – Orca Dreams, LLC Video and Dive Survey conducted by Fairbanks Environmental Services Inc. dated February 2016;*

7. *Appendix D – Orca Dreams Spill Prevention Containment and Control Plan which addresses impacts (or lack thereof) to the False Bay Preserve;*
8. *Appendix E – EPA BMPs for Pile Removal and Disposal;*
9. *Appendix F – Waterfront Constructions BMPs and Spill Control and Countermeasures Plan;*
10. *Appendix G – Request for Temporary Incidental Harassment Authorization from NOAA.*

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

*A building permit application was recently submitted to the San Juan County Department of Community Development for the demolition and replacement of one existing shoreline cabin on TPN 353344008 (BUILDG-17-0021).*

10. List any government approvals or permits that will be needed for your proposal, if known.

*The proposed dock, navigation buoy and RO desalination system will require the following permit approvals:*

- *Shoreline Substantial Development Permit from San Juan County Department of Community Development;*
- *Hydraulic Project Approval (HPA) from the Washington State Department of Fish and Wildlife;*
- *Certificate of CZMA Consistency from the Washington State Department of Ecology;*
- *Section 10 Permit and SPIF from the US Army Corps of Engineers;*  
*and*
- *Easement for the desal lines to be located on state owned tidelands from the Washington State Department of Natural Resources.*

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

*Orca Dreams, LLC is proposing the construction of a four-slip joint-use community dock and associated navigational buoy as well as a reverse osmosis desalination system to serve their three waterfront parcels (TPNs 353344008, 340411003 and 340411005) and five existing single family residences as described in more detail below.*

#### *Joint-Use Community Dock*

*A four-slip joint-use community dock is planned for construction on TPN 340411003 and will serve five existing residences on the Orca Dreams' 40+ acre property.*

*This dock will be sited where remnants of the old Mar Vista Resort dock are located (an existing wooden shore mount and eight creosote piles as per San Juan County Assessor's records) and will provide moorage to four boats ranging between 18 to 35 feet in length. The purpose of the proposed pier structure is to provide safe moorage and recreational boating opportunities for the five residences. The float will be removed and stored at Snug Harbor Resort from November*

through the end of April of each year to prevent damage to the float that could be caused by extreme wind and wave action that this site experiences during the stormy season. The seaward end of the ramp will be lifted out of the water and secured to the two landward float support piles during this time.

The joint-use community dock will consist of:

- A new 6'-9" X 2' concrete abutment landward of the OHWM providing access to the dock from the shoreline (13.5 sq. ft.);
- An existing 10'-6" X 6' wooden pier head shore mount (63 sq. ft.) which remains from the old Mar Vista Resort dock that has since been removed from the site;
- Four fixed 6'-9" X 36' long pier sections totaling 144 feet in length (972 sq. ft. cumulatively) connecting with
- A 4'-9" X 60' long fully grated ramp (285 sq. ft.) attached to the seaward end of the pier and connecting to
- An 8' X 60' long (480 sq. ft.) moorage float with float anchors attaching the seaward end of the float to the seafloor to keep the float steady;
- Twelve 10"-diameter galvanized steel piles (9.42 sq. ft.); and a
- Private navigation buoy located approximately 95 feet seaward from the seaward end of the float that will mark the proximity of underwater rocks that may be a navigational hazard.

The total area of the pier, ramp and float will be 1,729.8 sq. ft. (excluding the 19.7 sq. ft. ramp-float overlap area, the 13.5 sq. ft. concrete abutment, and the existing 63 sq. ft. wooden pier shore mount). The total length of the dock will be approximately 260 feet.

The entire deck of the fixed pier, ramp and float will be constructed with "Sun Walk" light penetrating grating with 46% open area that allows 69.9% of the available sunlight to penetrate to 18" below each panel and 86.2% of available light measured 60" below the panel.

The fixed pier will be elevated approximately 5 feet above the beach at the landward end and 14 feet above the seafloor at the waterward end. Eight 10" diameter galvanized steel piles will support the fixed pier.

The ramp will be welded aluminum with fiberglass grated decking and will span approximately 60 feet between the fixed pier and the float. Functional grating of the ramp is 96.5%.

The float will be constructed with a treated wood frame with "Sun Walk" molded plastic grated decking and plastic encapsulated, foam-filled float tubs. Four epoxy guide piles and two anchors with elastic cords will hold the float in place. These anchors will be either auger or duckbill type earth anchors.

Water and electrical lines will be extended to the dock as well.

### Construction Technique & Sequencing

#### 1. Pre-fabrication

The new pier, ramp, float and navigation buoy will be prefabricated in the contractor's Seattle yard and transported to the site on the construction barge.

#### 2. Site Preparation

The shoreline slopes downward to the tidelands in front of the project site. The tidelands

vary from solid rock to a mixed sand, gravel and mud bottom. Remnants of an existing pier structure (eight creosote pilings) will be removed and placed on the construction barge and transported to contractor's yard for upland disposal. (The existing wooden shore mount will be retained and used as the water- land interface for this structure.) There will be no upland disturbance.

### 3. On Site Construction

On-site construction will consist first of pulling the eight existing creosote piles from the seafloor with a vibratory hammer. If any one of the piles cannot be pulled, it will be cut off 1-foot below the mudline. Then, the eight 10" steel pier piles near shore and the four 10" steel outboard piles will be driven into the seafloor. Pile driving is expected to take 30-45 minutes per pile with 4 to 5 piles being driven in one day. This equates to three hours of pile driving over a three day period.

Once piles are installed the barge mounted construction crane will be used to set the pier sections in place. Once the pier is in place, the moorage float will be set in the water and bolted together, then positioned in place. The float will be secured with steel guide piles and two auger duckbill anchors using the barge mounted construction crane. Once the float sections are bolted together and secured to the float piles, the crane will lift the ramp into place. The shoreward end of the ramp will be bolted to the pier and the water-ward end set on the moorage float. Plan view and cross sections of the proposed project are shown in project drawing packet. (See project drawings for more details.)

The buoy will be anchored with an imbedded anchor and a series of mid-water floats that will elevate the anchor line off the seafloor to avoid scouring.

### 4. Equipment Used

All construction equipment and materials used in this project would be stationed on the construction barge. A barge mounted crane will be used to set the pier piles, pier, moorage float and ramp in place. Portable power tools and hand tools will also be used to connect the pier to the piles and to secure the floats and ramp in place.

### 5. Materials Used

Piles will be steel driven with a vibratory hammer with cushion block between the pile and the hammer; the pier will have a welded aluminum frame with a molded plastic or fiberglass grated deck; the ramp will be welded aluminum with fiberglass grated deck; the float will have a treated wood frame with a molded plastic grated deck with molded plastic, foam-filled float tubs. (See Material List below for more details).

### 6. Work Corridor

The barge would operate offshore to avoid bottom and shoreline disturbances that could occur with ground-based equipment.

### 7. Staging Area and Equipment Wash outs

All staging area activities will occur on the barge with no need for equipment washouts.

### 8. Stockpiling Areas

The barge will hold all construction materials during project and all construction debris will be held in a 20 c/y steel garbage container secured on the crane barge for disposal upland later.

9. Running of Equipment During Construction

Equipment will be running off and on throughout the on-site construction phase. All equipment will be kept in good running order and will only be running when required.

10. Clean-Up and Re-vegetation

All construction debris will be removed and loaded into a 20 c/y steel garbage container secured on the crane barge for holding during construction, then transported by the crane barge to the contractor's Seattle yard, off-loaded into trucks and shipped to an approved upland disposal site. No re-vegetation is proposed at this time.

11. Project Timing

All proposed construction will take place in approved work windows during daylight hours unless work needs to be coordinated with evening low tides to facilitate construction.

In-water work will only be allowed from September 1 through March 1 for the protection of salmon and bull trout.

Pile driving operation will occur between 2 hours after sunrise and 2 hours before sunset from ~~April~~ <sup>Sept.</sup> 1 through September 15 to protect marbled murrelets during nesting season.

Pile driving will cease when whales are within 1.34 miles of the project site and when seals are within 200-feet, their specific Zone of Influence (ZOI) as per the marine mammal monitoring plan that is included in the BA. Pile driving will not resume until these mammals have passed outside their ZOI.

12. Duration of Construction

Onsite project construction will take a maximum of 3-4 weeks.

Materials List and Specification

ORCAS DREAMS PIER MATERIAL LIST		
PART	SPECIFICATIONS	TREATMENT
Auger or Duckbill Anchors	Solid steel shaft and flutes	Galvanized
Anchor Cables	Elastic bungee cords	None
Pre-fab Pier Sections	4 X 4 & 4 X 6 welded aluminum square tube	None
Pile Cap Beam	W6X15 steel "I"-Beam	Galvanized
Float Nailers	2 X 4 #2 or better	ACZA (Chemonite)
Float Joist	2 X 8 & 2 X 6 #2 or better	ACZA (Chemonite)

Float Blocking	2 X 8 #2 or better	ACZA (Chemonite)
Float Walers	4 X 12 #2 or better	ACZA (Chemonite)
Float Flotation	High-density foam-filled plastic tubs	None
Ramp Framing	4 X 4 & 4 X 6 welded aluminum square tube	None
Float and Ramp Grating	Molded plastic or fiberglass	None
Compression Rods	1/2 " &/or 3/4 " solid steel	Galvanized
Piles	10" diameter steel pipe	Galvanized and Epoxy Coated
Hardware, Nuts and Bolts	Solid steel	Galvanized or Stainless

Proposed Navigation Buoy

The applicant proposes the installation of a navigation buoy to mark a rock outcropping that is located about 95' seaward of the seaward end of the proposed joint use dock. The rock outcropping is exposed during most tidal elevations but is submerged during high tides which creates a boating hazard to the users of the proposed dock.

The buoy will consist of a 36" diameter float with mooring ring, attached to a six foot length of 1/2 inch chain, and an undetermined length of 1" braided rope (the length will be determined at the time of construction depending on water depth at high tide, and 8" diameter non-compressible mid-line float and helix anchor.

Proposed Conservation Measures for Dock Construction:

The following 16 conservation measures have been incorporated into the project to protect and minimize the impact to the aquatic habitat.

1. *Timing limitations: In-water work will only be allowed from September 1 through March 1 for the protection of salmon and bull trout.*
  - a. *Work below the ordinary high water line shall not occur from March 2 through August 31 of any year for the protection of migrating juvenile salmonids.*
2. *Pile driving/removal operations will occur between 2 hours after sunrise and 2 hours before sunset from September 1 through September 15 to protect marbled murrelet during nesting season of April 1 through September 15. Pile driving will occur 3 hours per day for three days*
3. *A qualified diver will mark the margins of the eelgrass beds to ensure that the dock is positioned with a minimum 25-foot buffer from the eelgrass beds.*
4. *Pile removal will follow the EPA Best Management Practices for Pile Removal & Disposal (EPA 2007) (attached as Appendix F to the BA)*
5. *A rubber cushion will be placed between the vibratory pile driver and the pile to reduce the generation of both airborne and underwater noise.*
6. *A collar will be placed around existing creosote-treated piles prior to removal to capture sediment and minimize any increase of turbidity associated with pile removal.*
7. *Observers qualified in identification of marine mammals and seabirds will be on-site during pile driving operations to watch for presence or absence of killer whale, and other marine mammals*

*and marbled murrelet within the 1.34-mile action area. Observers will check for presence of marine mammals within the action area 30 minutes prior to and during operations and advise operators of presence of marine mammals. Presence/absence of marine mammals will be recorded and reported.*

- a. *One observer will be stationed at the top of the bluff at the promontory just south of the project site (Figure 7). Two additional observers will be stationed in a boat and will be cruising in Haro Strait along the boundary of the ZOI.*
  - b. *Observers will communicate with the contractor with both cellular telephones and VHF radios. Communication checks will occur daily.*
  - c. *Pile driving or removal will not occur if killer whales or humpback whales are within the 1.34-mile zone of influence.*
  - d. *Pile driving will not occur when other marine mammals are within 200 feet of the Project site, or when marbled murrelet are within 160 feet of the project.*
8. *The contractor will have a prepared Spill Control and Countermeasure Plan (SCC Plan) that addresses specific actions to prevent petroleum products from being discharged into surface waters. The contractor will also have oil-absorbent materials on site to be used in the event of a petroleum product spill and measures to avoid petroleum products or other deleterious materials from entering surface waters will be taken. This plan is attached as Appendix F.*
9. *Eelgrass and macroalgae will not be adversely impacted due to any project activities:*
- a. *The construction barge will not be allowed to ground in the Project area.*
  - b. *Prop wash will not be directed toward eelgrass bed that are mapped near the Project area.*
  - c. *Barge anchors and cables will not be placed in the eelgrass bed that is mapped to the south of the dock alignment.*
10. *The following BMPs described in Stormwater Management Manual for Western Washington Volume II; Construction Stormwater Pollution Prevention (Ecology 2014) will be followed to minimize the amount of fine sediment from entering marine water due to disturbance of soil as part of improvements to the access trail.*
- a. *BMP C101: Preserve Natural Vegetation*
  - b. *BMP C153 Material Delivery*
  - c. *BMP C230: Straw Bale Barrier*
  - d. *BMP C233: Silt Fence*
  - e. *BMP C235 Straw Wattles*
11. *All construction materials will be removed from the work site and natural material will be returned to their original position at the end of construction.*
12. *Petroleum products will not be transferred on or near the joint-use community dock.*

*Fuel and lubricating oil will be purchased and transferred at licensed fuel stations.*

- 13. A private navigation buoy will be installed to mark the location of rocks that are seaward of the proposed float.*
- 14. Boat operators will use the clear channel along the southern approach to the proposed dock to prevent collision with submerged rocks and avoid impacts to the False Bay Reserve.*
- 15. The float and ramp will be removed from the site on or near November 1 and reinstalled on or near May 1.*
- 16. The BMPs in the Orca Dreams Spill Containment, Prevention and Control Plan (Appendix D) will be strictly followed*

#### *Reverse Osmosis Desalination System*

*Orca Dreams proposes to construct a reverse osmosis (RO) seawater desalination system sized to augment drinking water for a total of six single-family residences (five existing and one future residence). The system which has been designed by Hart Pacific Engineering will be submitted to San Juan County and the Washington State Departments of Health for review and approval once permits have been approved.*

*Based on the State Department of Health's requirements, the maximum system demand for six residences, including irrigation around the main house existing on TPN 340411005, will be about 2,310 gallons of water per day. The system will be capable of producing about 3,000 gallons of fresh water per day.*

*The reverse osmosis seawater desalination (RO) system will draw seawater from Haro Strait and pump it about 1,030 feet to a treatment room that will be installed within an existing barn located upland on the northeasterly corner of the property. The seawater will be treated and the resulting product (fresh) water will be pumped about 360 feet to an existing 40,000 gallon concrete storage tank where it will be available for distribution in the water system. The resulting brine will be conveyed back to the shoreline via a dedicated pipe. The brine will pass through a diffuser before being released into Haro Strait.*

*The RO system will be used to augment the water supply produced by an existing well (Well ID #BBM 060 – see enclosed well report and supporting documentation). In case of well failure, the RO system has been designed to provide all of the water needed for the fully developed property. The well capacity is 1.1 gpm or 1,584 gallons per day. Therefore, when the well is operating normally and under maximum daily demand conditions the RO system would produce just 726 gallons of fresh water per day to meet expected demand of 2,310 gallons per day. However, if the well yield is reduced for some reason, the RO system could supply the additional water or, in fact, the entire 2,310 gallons needed for one day's use. The water from the well will also be pumped to the treatment house where it will be mixed with RO product water. The blended water will be chlorinated and pumped to the water storage tank.*

*In practice it is expected that when the storage tank volume drops to a level of about 75% the RO system will be running continuously for a number of days until the tank is full. It will then be shut down. Under these conditions a maximum of 12,068 gallons of seawater will be drawn from Haro Strait each day of operation. This will be used to produce about 2,996 gallons of potable water each day. The resulting brine, about 9,072 gallons per day during operation, will drain back into Haro Strait.*

Orca Dreams is proposing the following two alternatives for locating the desal utility lines.

Preferred Alternative 1: If construction of the dock is authorized and all permits are issued at the same time as the RO desalination system, the two projects will be integrated and construction will be completed at the same time. On-site construction will consist of driving or drilling the pump and diffuser support piles. Two 6" steel piles will be driven with a vibratory hammer or, where bed rock is encountered, the pilings will be set in drilled holes. The pump support piling will be located at the -7 tidal elevation and the saltwater (brine) diffuser piling will be located at about the -5 tidal elevation within the footprint of the proposed joint-use community dock. Once the piles are installed, the contractor will install the pump and diffuser assemblies on the pilings. (The configuration of seawater intake and brine return pipes, and electrical conduit is illustrated on Sheets 8 and 9 of the attached drawings.) Seawater intake and brine discharge pipes, and electrical conduit will then be attached to the underside of the fixed pier from the pier head to the seaward end of the pier. From there, the pipes and conduit will extend down a pier support piling to the seafloor below at approximately -3 feet MLLW. The saltwater (brine) return line will extend about 56-feet seaward to the diffuser support piling at the -5 tidal elevation and the seawater intake line will then extend about 112-feet seaward and connect to the pump support piling located at the -7 tidal elevation. The pipeline will then be secured to the seafloor with earth anchors set 10' on-center. The work will be completed from the deck of a small boat and/or by divers where appropriate. The near shore (and upland) pipe trench will be excavated with a small track hoe when the tide is low so that digging and filling of the trench between MLLW and MHHW will be completed in one tidal cycle.

Alternative 2: If construction of the dock is not authorized but the RO Desalination System is, then on-site construction will consist of driving or drilling the pump and diffuser support piles. Two steel piles will be driven with a vibratory hammer, or where bed rock is encountered, the pilings will be set in drilled holes. The pump support piling will be located at the -7 tidal elevation and the saltwater (brine) diffuser piling will be located at about the -5 tidal elevation. Once the piles are installed the contractor will install the pump and diffuser assemblies on the pilings and install the seawater supply pipe, saltwater return pipe and electrical power conduit on the seafloor for about 160 feet from the pump/diffuser assembly support pilings where they will then be buried below the seafloor for the remaining 115 feet to protect them from damage caused by wave action landward to the flushing valve vault located on the shoreline above the beach. The pipeline will be secured with earth anchors set 10' on-center where it is exposed above the seafloor. The work will be completed from the deck of a small boat and/or by divers where appropriate. The near shore (and upland) pipe trench will be excavated with a small track hoe when the tide is low so that digging and filling of the trench between MLLW and MHHW will be completed in one tidal cycle.

The only elements of the reverse osmosis desalination system that will extend over public tidelands and into marine waters are the utility lines (saltwater intake, brine discharge and electrical lines), the saltwater intake pump and brine diffuser, and two 6" support pilings. The utility lines will extend seaward from the shoreline flushing valve for about 200 feet over privately owned tidelands and then another 80 feet onto state owned tidelands within public water where they will terminate at the -7 tidal elevation. It will not impede public access to public tidelands or materially interfere with normal public use of public waters due to their location on the seafloor or on the bottom of the proposed joint-use dock as discussed later in this project description.

The system has been designed by Hart Pacific Engineering to include of two 1,500 gpd RO desalination units with the primary elements of the system consisting of the following:

1. A 10-gpm 3/4" hp submersible pump mounted inside a 6-inch HDPE pipe section which is secured to a new 6-inch steel marine piling. The intake will be screened as required by

Washington State Department of Fish and Wildlife. The piling will be located near the seaward end of the proposed floating dock. The RO system will be independent from the proposed dock but within the footprint of the dock. The pump and screen will be accessible for removal and cleaning from a boat.

2. A 2-inch diameter HDPE pipe will be placed on the sea bottom and secured with concrete pipe anchors, or soil-anchors embedded into the sea floor. At MLLW, the pipe will be buried about 2.5 feet below the seafloor and beach. A valve vault will be buried landward of the MHHW. The water pipes and electrical conduit will be buried from the valve vault to the barn/desalination facility.
3. Desalination equipment will consist of a seawater strainer, a sand filter with backflushing capability, an 80-gallon fiberglass pressure tank, two bag filters in plastic housings using a 10-micron and a 2-micron filter, two 1,500 gallon per day USWatermaker desalination units in parallel (seawater flow to each unit is 4.2 gpm) - these RO units will be USWatermaker's Workboat Series units, a 2-cubic foot acid neutralizing unit, 40-gallon chlorine batch tank with chlorine injection pump mounted on top, a Seametrics pulse meter for controlling the pump injection rate, a 120 gallon product water accumulation tank and a 5 gpm ½ hp submersible product water pump.
4. A 2-inch HDPE saltwater return pipe from the desalination plant in the barn will be installed parallel with the seawater pipe to the valve vault and to the saltwater diffuser installed on a second piling placed 60 feet landward of the seawater intake at the -5 tidal elevation (sheet 6 of 8).
5. The brine diffuser will be mounted inside a 6" HDPE pipe section which is secured to a new 6" steel piling. The piling will be located at the landward end of the proposed dock. The diffuser design allows it to be accessible for removal and cleaning from a boat.

### Construction Sequence

The preferred alternative is to connect the desal lines (seawater intake, brine return and electrical conduit) to the bottom of the proposed pier. However, a second alternative is being proposed if the dock component of this application is denied and the desal system is approved. In this situation, the seawater intake, brine discharge pipes and electrical conduit will be installed underground, in a trench, extending from the treatment facility to the flushing valve vault on the shoreline. From the valve vault, the pipes and conduit will continue seaward in a trench for about 115 feet where they will daylight at the MLLW elevation. The pipes and conduit will extend an additional 160 feet seaward to the depth of -7 feet MLLW and will be anchored to the seafloor with soil-anchors embedded in the seafloor (sheet 6). The pilings and RO system will be within the footprint but independent from the proposed joint-use community dock.

Construction of the RO desalination system will be completed with the following sequence:

#### 1. Pre-Fabrication

The pump and diffuser assemblies, the stainless steel sleeve straps and the concrete pipe anchors will be prefabricated in the contractor's yard in Friday Harbor. They will be transported to the site by truck.

#### 2. Site Preparation

*The pipeline route and vault site will be cleared of vegetation prior to excavating the trench for the pipelines.*

### 3. On Site Construction

*On-site construction will be conducted as described above depending upon the approved alternative. The work will be completed from the deck of a small boat and/or by divers where appropriate. The near shore (and upland) pipe trench will be excavated with a small track hoe when the tide is low so that digging and filling of the trench between MLLW and MHHW will be completed in one tidal cycle.*

### 4. Equipment

*All construction equipment (except for the small track hoe) and materials used in this project will be stationed on either a construction barge or a small boat. A barge mounted crane will be used to set the steel piles. Portable power tools and hand tools will also be used to secure the pump and diffuser assemblies in place on the pilings.*

### 5. Materials

*Piles will be 6-inch galvanized or epoxy-coated steel. The submersible pump will have a stainless steel shell, screen, suction and discharge housing. The diffuser, the 6-inch protective pump and diffuser sleeve, the seawater and saltwater return piping and electrical conduit will all be HDPE pipe. The straps used to secure the protective sleeves to the pilings will be stainless steel.*

### 6. Work Corridor

*Work in the water will be conducted between Septmeber 1 and March 1 of any given year. Between March 2 and Augst 31, in-water work will be prohibited. The small boat and barge will operate offshore to avoid grounding and disturbing bottom sediment. A small track hoe will be used when the tide is low to excavate the pipe trench above the zero-tide mark.*

### 7. Staging Areas and Equipment Wash Outs:

*All staging area activities for setting of the steel pilings and the installation of the pump and diffuser assemblies will occur on the barge or small boat with no need for equipment wash outs. The staging area for the pipe trenching will be in the upland area at least 200' from the shoreline.*

### 8. Stockpiling Areas

*The barge will hold all construction materials during the setting of the pilings and all construction debris will be held in a 20 c/y steel garbage container secured on the crane barge for disposal upland later. Construction debris from the installation of the pump and diffuser assemblies as well as the pipe laying operation will be collected on board the small boat for disposal upland later. All other construction debris from the construction of the pipelines in the trench will be collected on shore and hauled to an approved upland disposal site.*

## 9. Running of Equipment

*Equipment will be running off and on throughout the on-site construction phase. All equipment will be kept in good running order and will only be running when required.*

## 10. Clean-Up and Re-Vegetation:

*All construction debris will be removed and disposed of as described above. Other than reseeded the disturbed shore and upland areas after construction activities are completed, no other re-vegetation is proposed.*

## 11. Project Timing

*All proposed construction will take place in approved work windows during daylight hours unless work needs to be coordinate with evening low tides to facilitate construction. Pile driving will occur only 2 hours after sunrise and will stop at 2 hours before sunset.*

## 12. Duration of Construction

*On-site construction will take a maximum of 3-4 weeks. If the joint-use community dock component of this application is approved, the desal system will be constructed simultaneously with the dock.*

### Conservation Measures

*The following 14 conservation measures have been incorporated into the project to protect and minimize the impact to the aquatic habitat.*

1. *Timing limitations: In-water work will only be allowed from September 1 through March 1 for the protection of salmon and bull trout.*
  - b. *Work below the ordinary high water line shall not occur from March 2 through August 31 of any year for the protection of migrating juvenile salmonids.*
1. *A qualified diver will mark the margins of the eelgrass beds to ensure that the dock is positioned with a minimum 25-foot buffer from the eelgrass beds.*
2. *Pile removal will follow the EPA Best Management Practices for Pile Removal & Disposal (EPA 2007) (attached as Appendix E).*
3. *A rubber cushion will be placed between the vibratory pile driver and the pile to reduce the generation of both airborne and underwater noise.*
4. *A collar will be placed around existing creosote-treated piles prior to removal to capture sediment and minimize any increase of turbidity associated with pile removal.*
5. *Observers qualified in identification of marine mammals and seabirds will be on-site during pile driving operations to watch for presence or absence of killer whale, and other marine mammals and marbled murrelet within the 1.34-mile action area. Observers will check for presence of*

*marine mammals within the action area 30 minutes prior to and during operations and advise operators of presence of marine mammals. Presence/absence of marine mammals will be recorded and reported.*

- a. *One observer will be stationed at the top of the bluff at the promontory just south of the project site (Figure 7). Two additional observers will be stationed in a boat and will be cruising in Haro Strait along the boundary of the ZOI.*
  - b. *Observers will communicate with the contractor with both cellular telephones and VHF radios. Communication checks will occur daily.*
  - c. *Pile driving or removal will not occur if killer whales or humpback whales are within the 1.34-mile zone of influence.*
  - d. *Pile driving will not occur when other marine mammals are within 200 feet of the Project site, or when marbled murrelet are within 160 feet of the project.*
  - e. *Pile driving/removal operations will occur between 2 hours after sunrise and 2 hours before sunset from September 1 through September 15 to protect marbled murrelet during nesting season of April 1 through September 15.*
6. *The contractor will have a prepared Spill Control and Countermeasure Plan (SCC Plan) that addresses specific actions to prevent petroleum products from being discharged into surface waters. The contractor will also have oil-absorbent materials on site to be used in the event of a petroleum product spill and measures to avoid petroleum products or other deleterious materials from entering surface waters will be taken. This plan is attached as Appendix F of the attached Biological Assessment.*
7. *Eelgrass and macroalgae will not be adversely impacted due to any project activities:*
- a. *The construction barge will not be allowed to ground in the Project area.*
  - b. *Prop wash will not be directed toward eelgrass bed that are mapped near the Project area*
  - c. *Barge anchors and cables will not be placed in the eelgrass bed that is mapped to the south of the dock alignment.*
8. *The following BMPs described in Stormwater Management Manual for Western Washington Volume II; Construction Stormwater Pollution Prevention (Ecology 2014) will be followed to minimize the amount of fine sediment from entering marine water due to disturbance of soil as part of improvements to the access trail.*
- a. *BMP C101: Preserve Natural Vegetation*
  - b. *BMP C153 Material Delivery*
  - c. *BMP C230: Straw Bale Barrier*
  - d. *BMP C233: Silt Fence*
  - e. *BMP C235 Straw Wattles*
9. *All construction materials will be removed from the work site and natural material will be return to their original position at the end of construction.*
10. *Petroleum products will not be transferred on or near the joint-use dock. Fuel and lubricating oil*

will be purchased and transferred at licensed fuel stations.

11. A private navigation buoy will be installed to mark the location of rocks that are seaward of the proposed float.
12. Boat operators will use the clear channel along the southern approach to access the proposed dock to prevent collision with submerged rocks and avoid impacts to the False Bay Reserve.
13. The float and ramp will be removed from the site on or near November 1 and reinstalled on or near May 1.
14. The BMPs in the Orca Dreams Spill Containment, Prevention and Control Plan (Appendix D of the BA) will be strictly followed

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

*The project site includes TPNs 353344008 (5.04 acres –287 Golden Paintbrush Lane), TPN 340411003 (10.33 acres – 241 Golden Paintbrush Lane and 16 Island Marble Lane) and TPN 340411005 (25.20 acres – 137 Golden Paintbrush Lane and 16 Island Marble Lane). All three parcels are waterfront and are located along the shoreline of Haro Strait on the southwest side of San Juan Island in Government Lot 1; Section 3, Township 34 North, Range 3 West, W.M., San Juan County. A vicinity map, topographical map and legal description are attached to the Shoreline Substantial Development Permit application (AFN 2013-0710010 and 2017-0503003.)*

## **B. ENVIRONMENTAL ELEMENTS**

### **1. Earth**

- a. General description of the site  
(circle one): **Flat**, rolling, hilly, **steep slopes**, mountainous,  
other \_\_\_\_\_

*The upland portion of the property is generally flat and slopes modestly from False Bay Drive on the northeast corner of the property to the west shoreline where it drops off steeply about 50 feet to the beach below.*

- b. What is the steepest slope on the site (approximate percent slope)?

*The steepest slope on the property is the shoreline bank which slopes at about 30% from the top of bank to the beach below.*

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

*The San Juan County Soil Survey shows four soil types existing on the property; 1) Coveland loam at 0 to 5% slopes, 2) Pilepoint loam at 2 to 8% slopes, 3) Alderwood, warm-hoypus complex at 5 to 20% slopes, and 4) Roche-Killebrew-Rock Outcrop complex at 5 to 35 % slopes.*

*Coveland loam is considered prime farmland if drained, Pilepoint loam is prime farmland if irrigated, and Alderwood, warm Hoypus complex is farmland of statewide importance.*

*This property was used in the past as a commercial resort. The proposed desalination system will not remove any land on this site from farming because the site has never been used for farming other than recently by the applicants for growing lavender for distilling purposes and vegetables for their personal use.*

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

*San Juan County's Critical Area Map for geohazardous areas and the Washington State Department of Ecology's Coastal Zone Atlas do not show this site as being unstable. The site is identified as containing net drift and a feeder bluff.*

*There is evidence of recent and historical slides along the south end of the marine bluff but not in the vicinity of the dock or desal lines. Some of this has been contributed to the topography of the bluff and groundwater flow. A drainage plan was prepared in May 2014 and updated in January 2016. Pipe slope drains and interceptor trenches were installed to control stormwater runoff to increase the stability of the bluff. (See attached drainage plan and amendment.)*

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

*The proposed dock construction will not require any filling, grading or excavation. No fill is anticipated for construction of the desal system. Excavation will be required to construct a 2.5 foot wide X 3 foot deep trench in which a PVC Saltwater Transmission Main, PVC RO Brine Return Pipe and PVC Power Conduit will be installed. The trench will extend about 1,030 feet from the treatment house in the existing barn to the shoreline where the utility lines will either be connected to the underside of the fixed pier portion of the proposed joint-use community dock or continue to extend seaward in a trench below the seafloor until they reach MLLW where they will emerge and be anchored to the seafloor. The trench will then be backfilled with material excavated from the trench, land contours will be returned to their original condition and the trenches will either be covered with gravel (where located within existing roads) or seeded and mulched until the disturbed soils stabilize.*

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

*Yes, temporary sedimentation will be apparent when the eight creosote piles are removed and the 12 new steel piles are driven during dock construction. The sediments will quickly settle back onto the seafloor once this element of the dock construction is complete.*

*Also, there could be erosion of exposed soils caused by wind and stormwater run-off during excavation of the utility trench and installation of the desalination utility lines. Temporary sedimentation will also be apparent when the desal utility lines are submerged below and attached to the seafloor, and the two independent piles for supporting the seawater intake pump and brine diffuser are driven. Like the dock, sediments will quickly settle back onto the seafloor once installation is complete.*

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

*In the Rural Farm Forest land use district in which this property is located, no lot may be covered with more than 30% impervious surface (exclusive of driveways and roads) as per the San Juan County Code. That means 12 acres of this property could be covered with impervious surface.*

*In 2013, when Orca Dreams purchased the property, lot coverage was 18,519 sq. ft. (exclusive of driveways and roads). After redevelopment is complete there will be a total of 23,535 sq. ft. of lot coverage which accounts for only 1.35 % (a little over ½ acre) of the 40+ acre property.*

*Neither the dock nor the proposed desalination system will add any new impervious surface to the site. A dock is not considered an impervious surface and the treatment house for the desal system will be located inside an existing barn. The 40,000 gallon concrete desal water storage tank is already constructed and considered in the impervious surface counts.(See File No. BUILDG-14-0221.)*

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

*During dock construction, a collar will be placed around existing creosote-treated piles prior to removal to control and minimize any increase in turbidity associated with pile removal.*

*During construction of the desal system excavation in the intertidal zone will be completed 'in the dry' during low-tide events and when the work area is exposed. A small track-hoe will be used to dig a trench for placement of pipes and electrical conduit between the valve vault and MLLW. The trench will be filled before being inundated by the rising tide.*

## **2. Air**

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

*Emissions created from the dock construction will be strictly exhaust fumes generated by construction equipment. After the construction is complete, emissions will consist of boat exhaust fumes.*

*Emissions to the air will be generated during excavation of the trenches in which the RO desal seawater intake, brine discharge and electrical lines will be placed. Emissions will consist of exhaust fumes from construction equipment and dust from exposed soils when the trenches are dug and backfilled. After construction is complete, the desal system will not produce any emissions.*

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

*None known.*

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

*Construction equipment and boats will be maintained and kept in good working order.*

*Soils disturbed during construction will be covered with mulch if left exposed for over seven days to prevent wind erosion and dust emission as per the DOE Stormwater Management Manual for Western Washington.*

### 3. Water

- a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

*Yes, the project site fronts Haro Strait which is classified as a Type 2 marine water. It is sited along the SW shore of San Juan Island, about 1/4 mile south of False Bay and lies southeast and outside of the False Bay Biological Preserve. In addition, there are two man-made ponds built as landscape features on the upland.*

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

*Yes, the proposed four-slip joint-use community dock will be constructed mostly within privately owned tidelands with a small portion of the float being located over the state owned tidelands of Haro Strait (an approximate 80-foot length).*

*The utility lines (seawater intake, brine discharge and electrical) will be installed underground from the treatment house to about the -0 tidal elevation where they will emerge and be anchored to the seafloor with earth anchors placed on 10-foot intervals for an addition 160 feet. The seawater intake pump and brine diffuser each will be attached to two new 6" steel pilings. A majority of the utility lines will be located within privately owned tidelands with a small portion (80 feet) being located over the state owned bedlands of Haro Strait.*

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

*This project will not require any placement of fill into or dredge from any surface water.*

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

*Yes. A maximum of 12,068 gallons per day of seawater will be withdrawn from Haro Strait for treatment as drinking water. This will result in the possible production of*

*about 2,996 gallons of potable water each day. An additional 1,584 gallons of water from Well #1 will be mixed with the treated seawater for the total production of 4,580 gallons of new fresh water each day. This is over twice as much water as the engineer expects to be used.*

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

*The San Juan County Critical Area Maps do not show this property as being located within the 100-year flood plain. However, the area of the shoreline that experiences tidal change and wave surge is considered to be a FEMA flood plain. The landward end of the proposed pier and shore mount elements of the proposed dock, and the desal system valve vault and utility lines will be within the flood plain.*

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

*As is true of any dock, there is the potential for accidental fuel leaks associated with the boats moored at the dock. Since leaks are accidental, the volume cannot be determined. However, fuel leaks will be highly unlikely at this dock since there will be no fueling of boats or the maintenance of boats at the dock. Boats will be dry docked when the float is removed during the stormy season. While dry docked, boats will be checked for loose hoses, fuel tank damage, etc. and will be maintained and repaired accordingly.*

*The float will be removed and stored at Snug Harbor Resort from about November through the end of April thus eliminating any chance for accidental spills and leaks for half of the year (6 months). Use of upland restroom facilities will be encouraged instead of use of the heads on the boats. Heads will be pumped at either the Port of Friday Harbor or at other state approved pump out facilities. No waste will be intentionally disposed into surface water.*

*About 9,072 gallons per day of brine resulting after treatment of the seawater will be returned and discharged into Haro Strait for any day the system is operating.*

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

*Yes, 1,584 gallons of ground water will be withdrawn from an existing well (about 1.1 gpm) that will be mixed with the treated seawater to provide the site an adequate supply of potable water.*

*No water will intentionally be discharged into ground water.*

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the

number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve

*Orca Dreams encourages the use of the restroom facilities within the homes on the project site and use of the toilets on boats moored at the dock only when necessary. Waste from holding tanks on the boats will be disposed at an approved sewage disposal site, most likely the Port of Friday Harbor.*

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

*Run-off is generated by: 1) rainwater from storm events and 2) ground water. This water runs into Haro Strait.*

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

*No waste materials will be placed into ground water. Up to 9,072 gpd of brine may be disposed into Haro Strait .*

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

*No, the topography of the site will not change. Drainage patterns will remain the same.*

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

*Extensive stormwater controls have recently been installed by Orca Dreams including overbank protection to protect erodible shoreline slopes per geologist's recommendations and as part of the current DOE Construction Stormwater Monitoring Plan.*

*During construction of the dock, the following BMPs from DOE's Stormwater Management Manual for Western Washington will be implemented:*

- *BMP C101: Preserve Natural Vegetation*
- *BMP C153: Material Delivery*
- *BMP C230: Straw Bale Barrier*
- *BMP C233: Silt Fence*
- *BMP C235: Straw Wattles*

#### 4. Plants

a. Check the types of vegetation found on the site:

- deciduous tree: alder, maple, aspen, other Willow  
 evergreen tree: fir, cedar, pine, other Madrone  
 shrubs Nootka rose, Elderberry, Serviceberry, Snowberry, Himalayan  
blackberry, Sword fern, lavender  
 grass

- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other bull kelp, marine algae (Ulva, Laminaria and Fucus)
- other types of vegetation Oaks, Grasslands, Golden Paintbrush

b. What kind and amount of vegetation will be removed or altered?

*Native grasses, shrubbery and marine algae will be removed in the area where the RO desalination system utility trench will be excavated.*

c. List threatened and endangered species known to be on or near the site.

*San Juan County Critical Area Maps identify various eelgrass and Bull kelp beds seaward of the project site and Oaks, Prairie (Golden paintbrush) and Grasslands on the uplands. Eelgrass and Bull kelp are not identified as threatened or endangered species but rather "protected habitat." Golden paintbrush is a threatened species. This habitat is located on the southwest corner of the Orca Dreams property and outside all construction areas.*

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

*The entire decking of the dock will consist of light penetrating grating to allow sunlight to reach the seafloor macroalgae as noted in the project description.*

*Eelgrass and macroalgae will not be adversely impacted due to any project activities if the following conservation measures are followed.*

- a. *The eelgrass bed is marked by a diver before the start of construction;*
- b. *No portion of the dock or proposed desal system is located closer than 25-feet to the bed;*
- c. *The construction barge will not be allowed to ground in the project area;*
- d. *Prop wash will not be directed in the eelgrass bed that is mapped to the south of the dock alignment;*
- e. *Barge anchors and cables will not be placed in the eelgrass bed that is mapped to the south of the dock alignment;*
- f. *Excavation activity for installation of desal lines on the seafloor is conducted "in the dry" and collars are placed around the existing creosote piles when they are pulled to prevent sedimentation from reaching the eelgrass bed.*

*Project activities will be conducted to minimize siltation of the beach area and bed.*

*After the desal utility trenches are backfilled, the exposed soils will be seeded with native grasses and mulched until the seeds sprout and stabilize the soil. To assure no impacts occur to the eelgrass beds that would affect spawning activity, the dock as well as the points of saltwater intake and brine discharge will be located at least 25-feet away from the eelgrass bed as shown on the attached drawings.*

e. List all noxious weeds and invasive species known to be on or near the site.

Unknown

## 5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other: loons, seagulls, marbled murrelet, Streaked Horned lark, Yellow billed cuckoo

mammals: deer, bear, elk, beaver, other: River otter, Harbor seal, Stellar sea lion, Southern Resident killer whale, Humpback whale, rabbit, fox, rat, bat

fish: bass, salmon, trout, herring, shellfish, other: Bocaccio rockfish, Canary rockfish, Yelloweye rockfish, Northern Abalone, Dungeness crab

- b. List any threatened and endangered species known to be on or near the site.

*Marbled murrelet, Coastal Puget Sound Bull Trout, Coastal Puget Sound Bull Trout critical habitat, Puget Sound ESU Chinook salmon, Puget Sound ESU Chinook salmon critical habitat, Hood Canal summer-run chum salmon, Hood Canal summer-run chum salmon habitat, Puget Sound steelhead trout, Bocaccio rockfish, Canary rockfish, Yelloweye rockfish, Stellar sea lion, Southern Resident killer whale and Southern Resident killer whale critical habitat, Humpback whale, the Yellow-billed Cuckoo and the Streaked Horned lark.*

*Pinto abalone habitat is also in the vicinity of the dock but there is no abalone present. The abalone are not currently listed as threatened or endangered, but are a species of concern.*

- c. Is the site part of a migration route? If so, explain.

*Yes, Haro Strait is a migratory route for Southern Resident killer whale and salmon. The entire County is also considered a migratory route for Bald eagle.*

- d. Proposed measures to preserve or enhance wildlife, if any:

*An observer qualified in identification of marine mammals and seabirds will be on site during pile driving operations to watch for presence or absence of killer whale, and other marine mammals and marbled murrelet within the 1.34-mile action area. The observer will check for presence of marine mammals within the action area 30 minutes prior to and during operations and advise operators of presence of marine mammals. Presence/absence of marine mammals will be recorded and reported.*

- a. One observer will be stationed at the top of the bluff at the promontory just south of the project site.*
- b. The observer will communicate with the contractor with both cellular telephones and VHF radios. Communication checks will occur throughout the pile driving operation.*
- c. Pile driving will not occur when other marine mammals are within 200 feet of the Project site, or when marbled murrelet are within 160 feet of the Project site.*
- d. Barge anchors and cables will not be placed in the eelgrass bed that is mapped to the south of the dock alignment.*

*All construction materials will be removed from the work site and natural material will be return to their original position at the end of construction.*

*Pile driving will occur for three hours a day over a three day period between 2 hours after sunrise and 2 hours before sunset to protect Marbled murrelet.*

- e. List any invasive animal species known to be on or near the site.

*None known.*

## **6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

*Fossil fuels will be used to operate construction equipment and boats moored at the proposed dock. Electricity is necessary to operate the desalination system treatment facility, pumps and alarm lights.*

*The roof of the existing barn is covered with solar panels. Energy produced by these panels peaks at 30Kw, usually in the summer. The surplus energy is sold to OPALCO, the service provider.*

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

*No.*

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

*Construction equipment will be properly maintained.*

## **7. Environmental health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

*There are no environmental health hazards associated with this development proposal if the mitigation proposed in the plans prepared for this development are followed.*

- 1) Describe any known or possible contamination at the site from present or past uses.

*Prior to purchase of the project site by the applicant, the property was occupied by the Mar Vista Resort, which was originally constructed in 1947. It is unlikely that there was any contamination created by use of the site as a destination resort.*

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

*There are no hazardous chemicals/conditions associated with this development proposal.*

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

*There will be no toxic or hazardous chemicals used or stored on site during construction of the dock other than the typical solvents and fluids used to maintain equipment during construction. These chemicals will be stored within an enclosed area on the construction barge. Once construction is complete, no toxic or hazardous chemicals will be used at the dock or stored within the boats moored there.*

*No toxic or hazardous chemical are necessary for constructing the proposed RO desalination system .*

- 4) Describe special emergency services that might be required.

*There will be no need for "special emergency services." Typical EMT and fire protection services may be required in the event of an accident or medical emergency during construction.*

*It will be highly unlikely that special emergency services will be required while boats are moored at the proposed joint-use community dock. Boating emergencies typically occur while a boat is in operation away from the dock and the project site.*

- 5) Proposed measures to reduce or control environmental health hazards, if any:

*An extensive Spill Prevention, Containment and Control Plan has been prepared by both the contractor and Orca Dreams to assure that no hazardous, toxic or polluting materials enter the waters of Haro Strait. See attached revised BA.*

**b. Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

*The average ambient noise levels on the west side of San Juan Island were reported by Veirs and Veirs (2005 as cited in WSDOT 2012) to be 118dB<sub>RMS</sub> during the summer months of July and August and 116dB<sub>RMS</sub> during the non-summer months of October through April. Applying the practical spreading loss model, underwater noise will attenuate to background level over a distance of 1.8 miles through open water during July and August and 2.5 miles from October through April.*

*The only noise in the area of the project site is that associated with residential use of adjoining properties and heavy boating activity within Haro Strait.*

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

*Short term noise sources will be associated with the construction of the dock when the existing creosote piles are removed from the seafloor, new steel piles are driven, the barge mount crane sets the fixed pier, ramp and float sections in place and dock components are connected by hand held power tools. Operation of the vibratory pile driver will not reach the SPL that can cause injury to marine mammals (180dB<sub>RMS</sub>)*

*Short term noise sources associated with the construction of the desal plant will be from excavation equipment when trenches are dug for installation of underground pipelines and backfilled, and when the two piles used for supporting the seawater intake pump and brine diffuser are driven.*

*After construction is complete, noise sources will be from boat motors and voices from people using the dock and a low audible hum from operation of the RO desalination system.*

*Project noise will not reach the threshold of harm to fish (183 dB). However, noise will be greater than the distance threshold for fish for a distance of 71 feet from the work site. Project noise will not reach the threshold for harm 180dB<sub>RMS</sub> for whales and 190 dB<sub>RMS</sub> for pinnipeds. Using the practical spreading loss model (NMFS 2102) underwater noise will fall below the disturbance threshold of 120dB<sub>RMS</sub> for marine mammals at a distance of 1.34 miles.*

3) Proposed measures to reduce or control noise impacts, if any:

*Construction activities will be limited to day light hours between 8:00 a.m. and 5:00 p.m. and noise regulations found in WAC 173-60 and within the San Juan County Code will be followed.*

*Pile driving/removal operations will occur between 2 hours after sunrise and 2 hours before sunset from September 1 through September 15 to protect marbled murrelet during nesting season of April 1 through September 15.*

*A rubber cushion will be placed between the vibratory pile driver and the pile to reduce the generation of both airborne and underwater noise.*

*Observers qualified in identification of marine mammals and seabirds will be on-site during pile driving operations to watch for presence or absence of killer whale, and other marine mammals and marbled murrelet within the 1.34-mile action area. Observers will check for presence of marine mammals within the action area 30 minutes prior to and during operations and advise operators of presence of marine mammals. Presence/absence of marine mammals will be recorded and reported.*

- a. One observer will be stationed at the top of the bluff at the promontory just south of the project site (Figure 7). Two additional observers will be stationed in a boat and will be cruising in Haro Strait along the boundary of the ZOI.*
- b. Observers will communicate with the contractor with both cellular telephones and VHF radios. Communication checks will occur daily.*
- c. Pile driving or removal will not occur if killer whales or humpback whales are within the 1.34-mile zone of influence.*

- d. *Pile driving will not occur when other marine mammals are within 200 feet of the Project site, or when marbled murrelet are within 160 feet of the Project site.*

## 8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

*The site and surrounding properties are used for rural residential development. The False Bay Preserve, which is located ¼ mile north of the dock site, is used by the public for recreation and students, primarily from the University of Washington labs, for research. There will be no disruption caused by this development to the residential use of adjoining properties or the use of the False Bay Preserve.*

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

*No.*

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

*No.*

- c. Describe any structures on the site.

*The site is occupied by the original 1887 homestead (which has recently been returned to period appropriate architecture), a newly constructed residence, eight cabins, a barn and a 40,000 gallon concrete water storage tank. Remnants of the old Mar Vista Resort Dock include a wooden shore mount and eight creosote pilings.*

- d. Will any structures be demolished? If so, what?

*Yes, the three waterfront cabins that remain from the Mar Vista Resort will be torn down (or burned as training for fire fighters) and replaced with new structures; one as a residence and the other two for residential accessory uses. Three upland cabins will be torn down and permanently removed from the property. (See attached site plan.)*

*In addition, eight existing creosote pilings located in the area of the proposed dock will be removed to accommodate the new dock. (The shore mount will be retained and will be used as an element of the proposed dock construction.)*

- e. What is the current zoning classification of the site?

*Rural Farm Forest-5 (RFF-5)*

- f. What is the current comprehensive plan designation of the site?

*Rural*

- g. If applicable, what is the current shoreline master program designation of the site?

*Rural Farm Forest*

- i. Has any part of the site been classified as a critical area by the city or county? If so, specify.

*Yes, the portion of the property located at and 200 feet landward of the OHWM is within a buffer area for a marine fish and wildlife habitat conservation area including Northern abalone, Dungeness crab, Southern Resident killer whale, salmon, eelgrass and kelp beds. On the upland is Garry Oak/Prairie/Golden paintbrush habitat.*

- i. Approximately how many people would reside or work in the completed project?

*NA – This is not a housing project or commercial development.*

- j. Approximately how many people would the completed project displace?

*None.*

- k. Proposed measures to avoid or reduce displacement impacts, if any:

*None proposed.*

- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

*The proposed dock and desalination system are allowed to be constructed on this property if it can be shown they are consistent with the goals, policies and implementing regulations of the County's Shoreline Master Program (SMP) and Critical Areas Ordinance (CAO). Both codes allow for the construction of a dock and desal system as long as it can be shown that they will not create significant adverse impacts. With the extensive mitigation proposed, the impacts of the proposed dock and desal system will be insignificant and, therefore, are consistent with the SMP and CAO.*

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

*The project site does not abut any lands zoned for long-term agricultural or forestry uses, although there are lands designated for these purposes within the vicinity of the property to the north and northeast.*

## **9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

*NA – this is not a housing project.*

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

*Three upland cabins that remain from the Mar Vista Resort will be demolished and not replaced. One existing shoreline cabin on TPN 353344008 will be demolished and replaced with a new residence (BUILDG-17-0021).*

- c. Proposed measures to reduce or control housing impacts, if any:

*None proposed.*

## 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

*The fixed pier will be the tallest portion of the joint-use dock. It will extend about 3+ feet above EHT (10.5').*

*The tallest structure associated with the proposed desalination system is the existing barn in which the treatment house will be located.*

- b. What views in the immediate vicinity would be altered or obstructed?

*The proposed dock and the associated navigation buoy will not "obstruct" views of Haro Strait from adjacent properties although the dock and buoy will be new fixtures along the shoreline. (A set of beach access stairs exists along the shoreline of the adjacent property to the north.)*

*No new structure is proposed with the construction of the desalination system. Infrastructure will be installed underground or within existing buildings and will not be visible.*

- c. Proposed measures to reduce or control aesthetic impacts, if any:

*The four-slip joint-use community dock will be built with natural materials that do not reflect light or create glare.*

## 11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

*No lighting fixtures are proposed as part of the dock construction. Alarm lights will be installed on the desal plant to alert the property owner in the event the system was to shut down. The alarm lights will be apparent during hours of darkness.*

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

*In the event the desal system was to shut down, alarm lights will engage which could temporarily interfere with views into the site from adjacent properties. The alarm lights are not a safety hazard but will actually act as a safety measure to assure the*

*water system is functioning adequately.*

- c. What existing off-site sources of light or glare may affect your proposal?

*There are no off-site sources of light or glare that affect this property.*

- d. Proposed measures to reduce or control light and glare impacts, if any:

*None.*

## **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

*Pleasure cruises, fishing, diving, hiking, biking, kayaking and whale watching excursions are typical recreational activities experienced in this area of San Juan Island.*

- b. Would the proposed project displace any existing recreational uses? If so, describe.

*No. The proposed joint-use dock is located mostly over privately owned tidelands reducing impact to state owned tidelands.*

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

*There are portions of the beach along the Orca Dreams property that cannot be accessed due to the steep, and in places, rocky terrain of the shoreline bank. The restoration of the old resort trails along the shoreline is planned to provide residents of the Orca Dreams family compound access to isolated areas along the beach that they would not have access to otherwise. The proposed dock will provide five families direct access to the marine waters in front of the property for cruising, kayaking, fishing and crabbing.*

## **13. Historic and cultural preservation**

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

*Possibly the old homestead that was constructed in 1887.*

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

*No.*

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

*San Juan County was contacted and they confirmed this property does not lie in an area of archaeological or cultural significance or a buffer area. However, an archaeological survey was conducted as requested by the Lummi Tribe and the Washington State Department of Archaeology and Historical Preservation. The survey found no cultural resources or historic artifacts on the property. (See enclosure.)*

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

*Recently, Orca Dreams renovated the old homestead back to period appropriate architecture, with construction materials and appliances that replicate that which would have originally occupied the home.*

#### **14. Transportation**

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

*The property is accessed by an internal private road system that intersects with False Bay Drive, a County owned and maintained right-of-way, near the northeast corner of the Orca Dreams property.*

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

*There is no public transit system available in San Juan County.*

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

*No new parking is proposed or required by the San Juan County Code.*

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

*The desal utility trench will be placed in the existing gravel surfaced private beach access road. The utility trench will require resurfacing with gravel after the seawater intake, brine discharge and electrical lines are installed and the trench is backfilled.*

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

*Yes, the site fronts Haro Strait. The proposed dock will provide residents direct access to these marine waters, primarily for recreational purposes.*

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

*The proposed dock and RO desalination system will not generate additional vehicular traffic to or from this property. However, it is anticipated the dock will generate a maximum of 368*

round trips per year (2 per day) if all four slips are occupied and all four boats are used 50% of the time they are moored at the dock (from May through October.) This is a "worst case scenario" analysis. It is highly unlikely all four boats will be used on a daily basis. It is more likely they will be used only two or three times a week and closer to 200 round trips per year.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No.

- h. Proposed measures to reduce or control transportation impacts, if any:

None proposed.

## 15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

If an accident were to occur during the use of the dock, there could be the need for EMT service.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed.

## 16. Utilities

- a. Circle utilities currently available at the site:  
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,  
other \_\_\_\_\_

There are no utilities currently available at the dock site.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

The applicant intends to extend water and electricity service to the proposed dock.

As stated previously, the reverse osmosis desalination plant is necessary to assure a potable water source exists to serve the Orca Dreams properties. Electricity is the only utility required to operate the plant.

## C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_

*Francine Shaw*

Name of signee: Francine Shaw

Position and Agency/Organization: *Land Use Planner- Law Office of Stephanie Johnson O'Day*  
Date Submitted: *Revised May 11, 2017*



PSJ000-17-0003  
ORCA DREAMS LLC

### Orca Dreams Property Boundaries

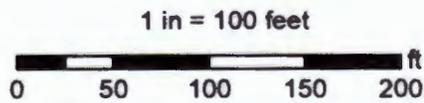


Pictometry International Corp.

PSJ000-17-0003  
ORCA DREAMS LLC



*This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to survey accuracy. The information represented on this map is subject to change without notice.*



**Orca Dreams Property**

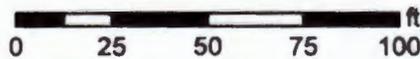


PSJ000-17-0003  
ORCA DREAMS LLC



*This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed for survey accuracy. The information represented on this map is subject to change without notice*

1 in = 50 feet



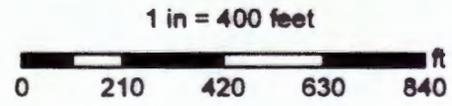
**241 Golden Paintbrush Lane**

*DOCK SITE*



Pictometry International Corp.

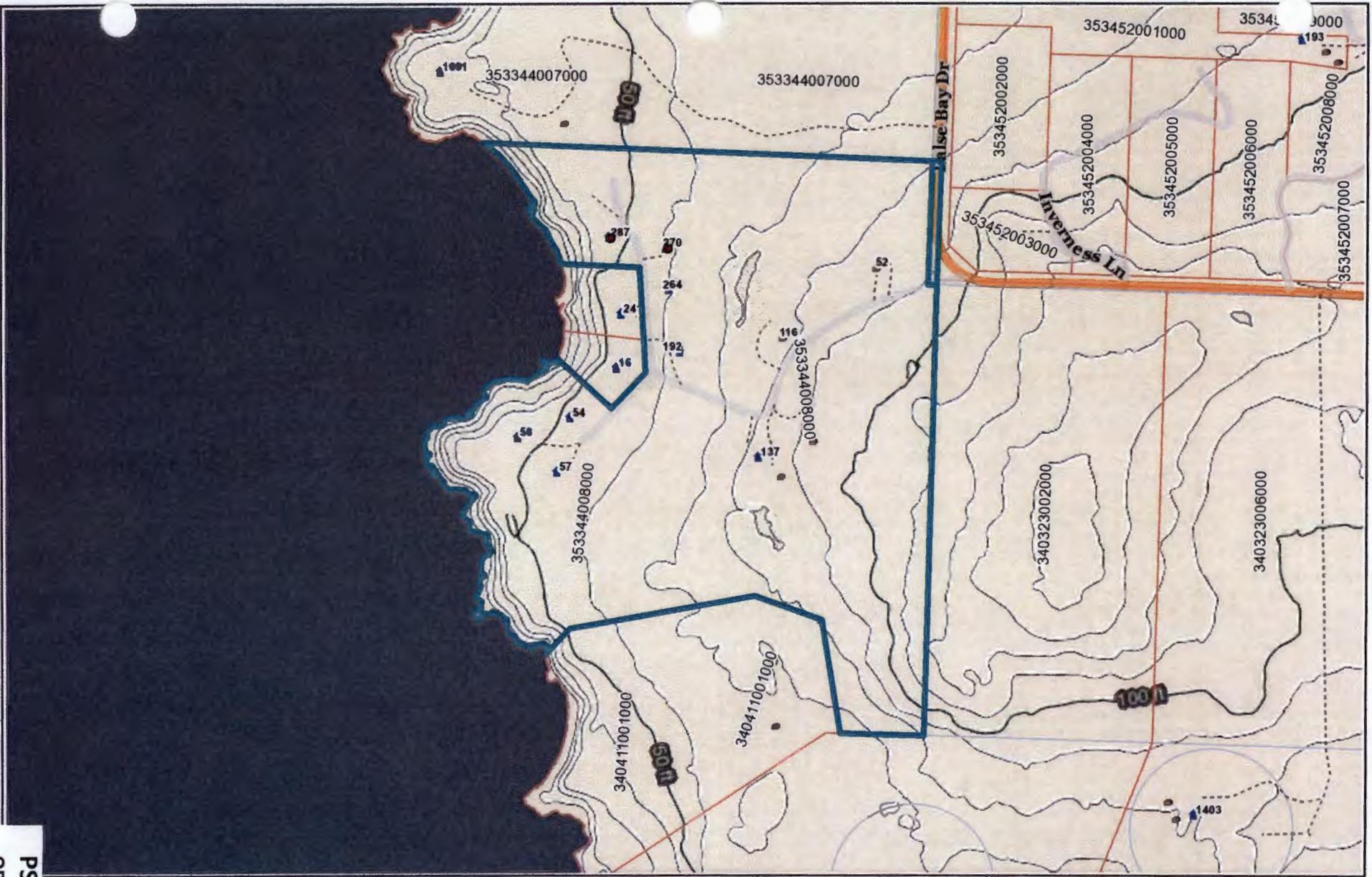
*This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to survey accuracy. The information represented on this map is subject to change without notice*



### Orca Dreams Comp Plan



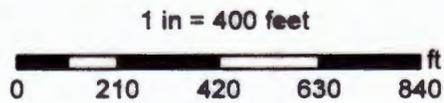
PSJ000-17-0003  
ORCA DREAMS LLC



PSJ000-17-0003  
ORCA DREAMS LLC



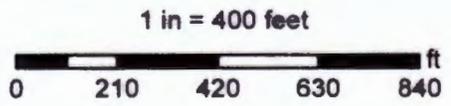
This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to survey accuracy. The information represented on this map is subject to change without notice.



**Orca Dreams Contours**



This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to survey accuracy. The information represented on this map is subject to change without notice.



**Orca Dreams Bedrock Soils**

PSJ000-17-0003  
ORCA DREAMS LLC



**Francine Shaw**

---

**From:** Chris Laws <ChrisL@sanjuanco.com>  
**Sent:** Monday, March 17, 2014 2:15 PM  
**To:** Francine Shaw  
**Subject:** RE: Honeywell Critical Areas Review  
**Attachments:** New Picture (5).bmp; New Picture.bmp

See attached

Christopher S. Laws  
Code Enforcement Officer  
San Juan County  
(360) 370-7587  
[chrisl@sanjuanco.com](mailto:chrisl@sanjuanco.com)

**From:** Francine Shaw [<mailto:fshaw@rockisland.com>]  
**Sent:** Monday, March 17, 2014 12:57 PM  
**To:** Chris Laws  
**Subject:** RE: Honeywell Critical Areas Review

Thanks for the help Chris. Can you give me the specific marine habitat that is there. I need to be specific in my SEPA analysis. Also, do you have a map of the flood plain location tshat you could send me, please?

**From:** Chris Laws [<mailto:ChrisL@sanjuanco.com>]  
**Sent:** Monday, March 17, 2014 12:18 PM  
**To:** Francine Shaw  
**Subject:** RE: Honeywell Critical Areas Review

Possible non-tidal wetland  
Marine habitat  
Priority Habitat (Gary Oak)  
FEMA FZ (South west portion of shoreline)  
Shoreline Habitat associated with juvenile salmon  
Blue Heron within 800 feet of northern property line  
No Archy

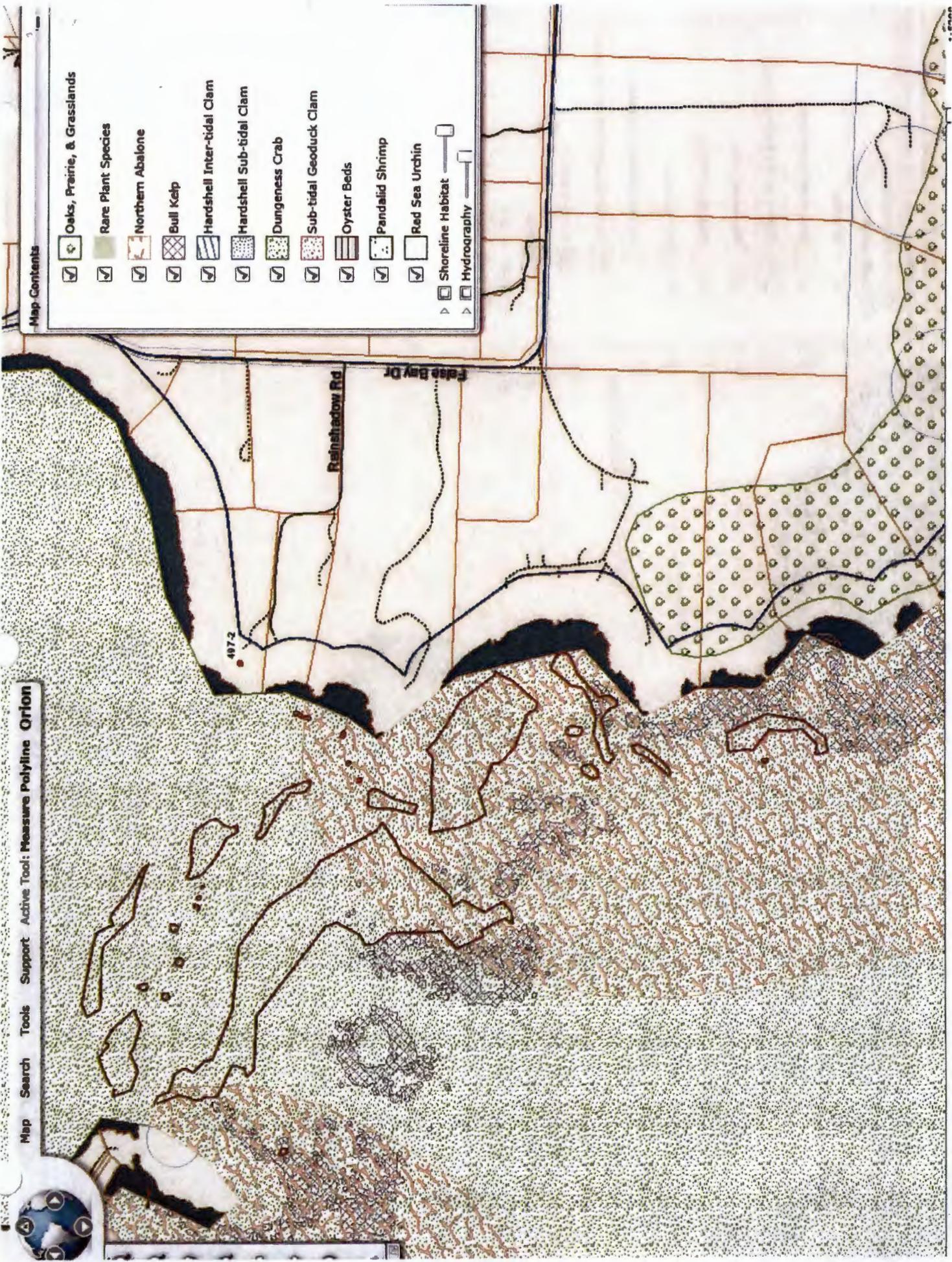
Christopher S. Laws  
Code Enforcement Officer  
San Juan County  
(360) 370-7587  
[chrisl@sanjuanco.com](mailto:chrisl@sanjuanco.com)

**From:** Francine Shaw [<mailto:fshaw@rockisland.com>]  
**Sent:** Monday, March 17, 2014 12:03 PM  
**To:** Annie Matsumoto-Grah; Chris Laws  
**Subject:** Honeywell Critical Areas Review

Hi:

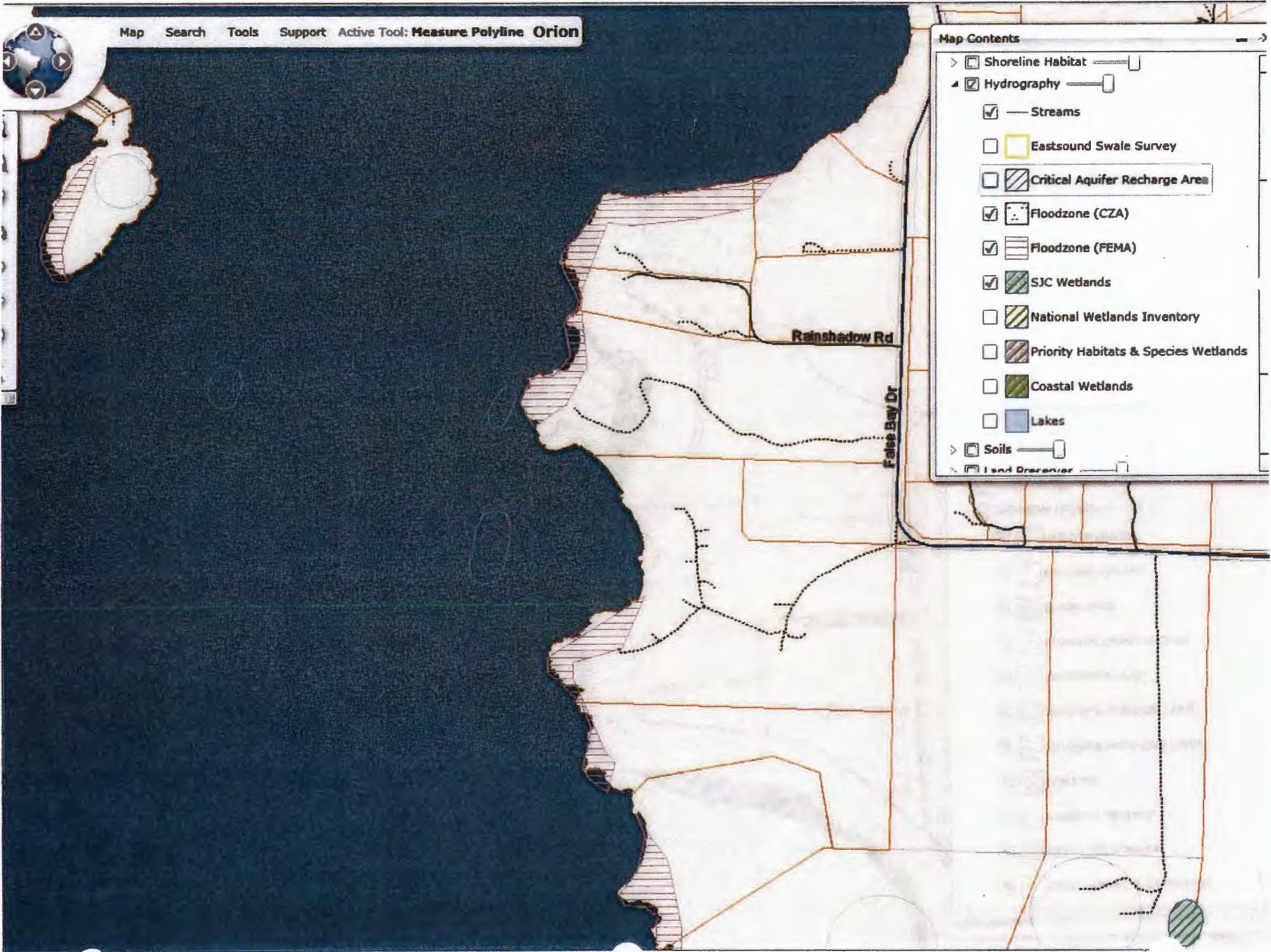
Would you please review TPN353344008 for critical areas and archaeology, please?

Thank you,  
Francine Shaw, Land Use Planner  
Law Offices of Stephanie Johnson O'Day  
P.O. Box 2112  
Friday Harbor, WA 98250  
Phone: (360) 378-6278



Map Contents

- Oaks, Prairie, & Grasslands
- Rare Plant Species
- Northern Abalone
- Bull Kelp
- Hardshell Inter-tidal Clam
- Hardshell Sub-tidal Clam
- Dungeness Crab
- Sub-tidal Geoduck Clam
- Oyster Beds
- Pandalid Shrimp
- Red Sea Urchin
- Shoreline Habitat
- Hydrography



Map Contents

- >  Shoreline Habitat
- ▲  Hydrography
  - Streams
  - Eastsound Swale Survey
  - Critical Aquifer Recharge Area
  - Floodzone (CZA)
  - Floodzone (FEMA)
  - SJC Wetlands
  - National Wetlands Inventory
  - Priority Habitats & Species Wetlands
  - Coastal Wetlands
  - Lakes
- >  Soils
- >  Land Drainage



June 19, 2015

Dave Honeywell  
Orca Dreams LLC  
P.O. Box 928  
Friday Harbor, WA 98250

**SUBJECT: EVALUATION OF SMALL POND**

Dear Mr. Honeywell:

Please find attached a letter report reviewing the regulatory and hydrogeologic characteristics of the small pond found on your property on False Bay Road. This study was undertaken in an effort to assess the regulatory status of the pond.

Please do not hesitate to contact me if you have any questions or concerns.

Respectfully,

A handwritten signature in black ink that reads "Ed Kilduff". The signature is written in a cursive style.

Ed Kilduff, LG, LHG, LEG  
CEO Camassia

S.I.C. DEPARTMENT OF  
JUN 23 2015  
COMMUNITY DEVELOPMENT

**Farm Pond Evaluation Letter Report**  
prepared for  
**Orca Dreams LLC**  
**San Juan Island, Washington**  
**June 19, 2015**

- 1.0 General Information**
- 2.0 Regulatory Review and Analysis**
- 3.0 Photo Research and Analysis**
- 4.0 Hydrogeologic Research and Analysis**
- 5.0 Other Factors**
- 6.0 Conclusions and Recommendations**
- 7.0 Limitations**
- 8.0 Signature and Stamp**
- 9.0 References**

**Figure 1 – Historical Photos**

**Figure 2 – Subsurface Water and Pressure Relationships**

**Attachment 1 – Site Features Foldout**

## **1.0 General Information**

The purpose of this report is to assess the regulatory status of a small farm pond on San Juan County parcel 353344008000. The parcel is located on property owned by Orca Dreams LLC. The pond and parcel are located in Section 4 T35NR3W. The pond is in an upland location, not subject to the jurisdiction of the Shoreline Management Act (SMA).

The pond is man-made. Local contractor, Jeff Evans<sup>1</sup>, excavated the feature sometime prior to 1977. Another, larger excavated pond exists on the same parcel, approximately 300 feet to the northwest and approximately 20 feet downslope of the subject pond. The larger pond appears on aerial photographs as early as 1990, but not before. The larger pond was lined and reconditioned in 2014 by Mike Carlson.

The focus of this evaluation is to assess the regulatory status of the subject pond by analyzing the regulations and pertinent lines of evidence.

## **2.0 Regulatory Review and Analysis**

The U.S. Clean Water Act has jurisdiction over waters of the United States (WOUS). Under 40 CFR Part 230.3, small man-made ponds like the one on the subject property are specifically excluded from consideration as WOUS (48 CFR 230.3(2)), as long as they were constructed in dry land:

*The following are not "waters of the United States" even where they otherwise meet the terms of paragraphs (1)(iv) through (viii) of this section.*

*(B) Artificial, constructed lakes and ponds created in dry land such as farm and stock watering ponds, irrigation ponds, settling basins, fields flooded for rice growing, log cleaning ponds, or cooling ponds;*

*(D) Small ornamental waters created in dry land;*

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The Washington State Growth Management Act (GMA) contains a definition for wetlands that specifically excludes farm ponds, as long as they were created from non-wetland sites. The GMA definition for wetlands can be found at RCW 36.70A.030(21):

*"Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites,*

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<sup>1</sup> Personal communication from Mike Carlson 6/18/15.

*including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.*

---

The San Juan County Code (SJCC) uses the GMA wetland definition (SJCC 18.20.030), and the SJCC also includes provisions related to development, which serve to emphasize the CAO-exempt nature of the subject pond and any activities associated with it.

SJCC 18.20.040 provides the following definitions:

*“Development” means the division of a parcel into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any grading, draining, dredging, drilling, filling, paving, excavation, mining, landfill; or any extension of the use of land. (See also “Shoreline development.”) Not all development requires a permit or review.*

*“Development area” means the area that is directly altered as a result of development. This includes, but is not limited to, the area containing structures, driveways, gardens, landscaped areas, areas of grading, excavation, or fill.*

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SJCC 18.35.045 describes the policies applying to developed areas:

*It is the policy of San Juan County that existing legally established structures, uses and activities existing on the effective date of the ordinance codified in this section may continue in perpetuity and will not be considered nonconforming as a result of critical area requirements. Existing structures, uses and activities located within shorelines of the state are addressed separately as described in SJCC 18.35.025.*

*Because they provide diminished support of the habitat, water quality and hydrologic functions and values of wetlands and FWHCAs, structures and development areas lawfully established prior to the effective date of the ordinance codified in this section are excluded from critical areas, their buffers or tree protection zones.*

*To determine the applicable critical area, buffer, or tree protection zone relevant to this section, the area should be drawn to exclude all existing development areas.*

---

*Any legally established structures, uses, and activities within this area may be modified, replaced, relocated, or expanded within the development area existing on the effective date of the ordinance codified in this section in conformance with the procedures and requirements of subsections (A) through (C) of this section.*

---

### **3.0 Photo Research and Analysis**

Since man-made ponds are excluded from regulation if constructed in dry land/non-wetland locations, current and historical photos were examined for evidence of pre-excavation conditions and potentially relevant nearby existing conditions.

The following map-based data sources were reviewed:

- San Juan County Possible Wetlands CAO Map
- San Juan County Polaris Online GIS System
- National Wetlands Inventory Map, U.S. Fish & Wildlife Service
- SalmonScape Map, Washington State Department of Fish & Wildlife
- Washington State Coastal Atlas
- Google Earth Pro Historical Imagery
- 1962 San Juan County Soil Survey Map, US Department of Agriculture Map

In addition, recent maps of the subject parcel, produced by San Juan Surveying, were also reviewed for general site features, topography, pond placement.

The reviewed maps indicate that no wetlands or streams are to be found in the immediate vicinity of the subject pond/parcel. With the exception of the San Juan County CAO map, which reflects only current conditions not historical details, none of the maps suggest the presence of historic wetlands or streams.

The 1962 San Juan County Soil Survey contains the most extensive early aerial photographic record of the county. It contains a map of the county compiled from 1949 aerial photographs. This is an important line of evidence because this map shows neither of the two existing ponds on the subject property (providing photographic confirmation that both ponds are man-made), and it shows no wetlands or streams in the immediate vicinity of the subject pond/property in 1949. This data provides strong support that the subject pond was constructed in a dry land/non-wetland location. Select photos are compiled and presented in Figure 1.

### **4.0 Hydrogeologic Research and Analysis**

According to the definition of a wetland, saturated soil conditions are a necessary condition for their occurrence. The official 1987 Army Corps of Engineers Wetland Manual (1987 Corps Manual) defines "saturated soil conditions" to have the same meaning as "groundwater" and "water table." In other words, for a wetland to occur, according to the

1987 Corps Manual definitions, the wet area under consideration has to be hydraulically connected to groundwater.

*Wetlands. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. (p. A14, Appendix A, Glossary)*

*Saturated Soil Conditions. A condition in which all easily drained voids (pores) between soil particles in the root zone are temporarily or permanently filled with water to the soil surface at pressures greater than atmospheric. (p. A11, Appendix A, Glossary)*

*Ground water. That portion of the water below the ground surface that is under greater pressure than atmospheric pressure. (p. A5, Appendix A, Glossary)*

*Water table. The upper surface of ground water or that level below which the soil is saturated with water. It is at least 6 in. thick and persists in the soil for more than a few weeks. (p. A14, Appendix A, Glossary)*

---

Furthermore, the definition for “saturated soil conditions” in the 1987 Corps Manual is the same definition found in the 1988 Water Supply Paper from the USGS, *Definitions of Selected Ground-Water Terms-Revisions and Conceptual Refinements*. In particular, the official USGS definitions for “water table” and “saturated zone” include the same reference (often misunderstood by wetland scientists) to “atmospheric pressure” which is further defined in the 1988 USGS document as the level at which water stands in a well (p. 14). For an illustration of the types of subsurface water and their pressure relationships, please refer to Figure 2.

There are two wells on the subject property (a third is currently being installed). The well construction logs indicate that there is no near surface groundwater table (i.e., no near surface saturation). The depth to the water bearing layers (confined aquifer) is 105 feet in one well and 500 feet in another. Neither well shows any indication that the near surface is “temporarily or permanently filled with water to the soil surface at pressures greater than atmospheric.” The locations of the wells and the depth to water is noted on the attachment, which shows site features for the subject parcel and vicinity.

## **5.0 Other Factors**

The well construction logs, the 1962 San Juan County Soil Survey (USDA), and the 2006 San Juan County Soil Survey (USDA/NRCS) all suggest that the surficial geology on the subject parcel is gravel/loam underlain by relatively impermeable layers. This type of near surface

geology (alternating sand-gravel underlain by clay) along coastal bluffs is a well – documented geologic hazard, similar to the Esperance Sand-Lawton Clay sequence in the Puget Sound area.

This landslide-prone stratigraphy, when combined with water and the slopes found on the property (varying from 50% slopes along coastal bluffs to 10% slopes in the flatter areas) put the subject parcel at risk for slope failure. In fact, the nearby coastal bluffs have noticeable seeps of throughflow exfiltration (refer to Figure 2) and evidence of recent slope failures.

Other investigators, such as Ted Hammer of Western Geotechnical Consultants, have noted these landslide-related features as well. In response, the owners of the subject parcel, have undertaken appropriate steps to drain and divert water from the shallow subsurface.

## **6.0 Conclusions and Recommendations**

Based on my review of the available evidence, there is no historical or hydrogeologic evidence that the subject pond was excavated in a wetland area. Therefore, based on my review of the federal, state, and local laws/regulations, the subject pond is not WOUS; is not subject to the GMA; is not subject to the San Juan County wetland CAO; and is part of the developed area of the site.

Furthermore, because of the potential geologic hazards found on the subject parcel, I recommend that the subject pond be lined (in the same manner as the other on-site pond) in order to reduce the likelihood of seepage, which could contribute to slope instability further downslope.

## **7.0 Limitations**

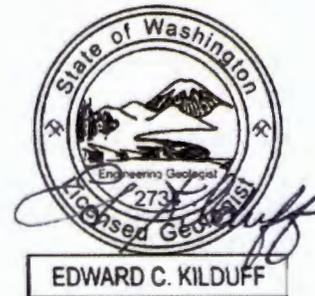
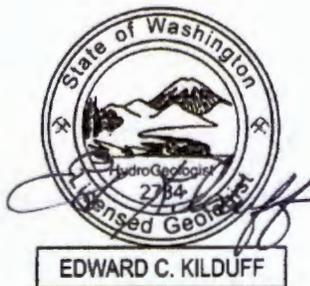
1. The field studies and research conducted for this study have been conducted in general accordance with standard and accepted practices for conducting Critical Areas Studies and for the identification of potential geologic hazards and in accordance with the general requirements set forth by the Washington State Geologist Licensing Board per WAC 308-15-020 – 140; Chapter 18-220 RCW; the Washington State Growth Management Act of 1990 as amended; Chapter 36.70A RCW.
2. This type of investigation was undertaken with the calculated risk that the presence, full nature, and extent of potential geologic hazards and other critical areas may not be revealed by visual observation, field studies, and research alone. Although thorough site reconnaissance activities were conducted and field studies performed in accordance using standard accepted procedures and employing a professional standard of care, no warranty is given; either expressed or implied that potential unobservable geologic, hydrogeologic, or other critical areas conditions are not present on the site. Therefore, the data obtained are clear and accurate only to the degree implied by the sources and methods used.

3. The findings presented in this report were based upon field observations and the review of available, reasonably ascertainable data and references. Camassia's observations describe only the conditions present at the time of this investigation. The data reviewed and observations made are limited to accessible areas and currently available records searched. Camassia cannot guarantee the completeness or accuracy of the files, maps, and records reviewed. Additionally, in evaluating the property, Camassia has relied in good faith upon representations and information provided by others with respect to present operations and existing property conditions, and the historic uses of the property.
4. It must also be understood that changing circumstances in the property use, proposed property use, subject site zoning, and changes on the other nearby properties can alter the validity of Camassia's conclusions and information contained in this report. Therefore, the data obtained are clear and accurate only to the degree implied by the sources and methods used, and should be considered reliable for a period not longer than one year from the date of report submission.
5. This report is provided for the exclusive use of the client and shall be subject to the terms and conditions in the applicable service agreement between the client and Camassia. Any third party use of this report shall also be subject to the terms and conditions in the contract between the client and Camassia governing the work. The unauthorized use of, reliance on, or release of the information contained in this report without the expressed written consent of Camassia is strictly prohibited and will be without risk or liability to Camassia.
6. Conclusions and recommendations contained in this report are based on the evaluation of information made available during the course of this study. It is not warranted that such data cannot be superseded by future geologic, environmental, ecologic, legal, geotechnical, hydrologic, or technical developments.

**8.0 Signature and Stamp**



Ed Kilduff – LHG, LEG, PG  
Principal Hydrogeologist/Engineering Geologist  
State of Washington License Number 2734



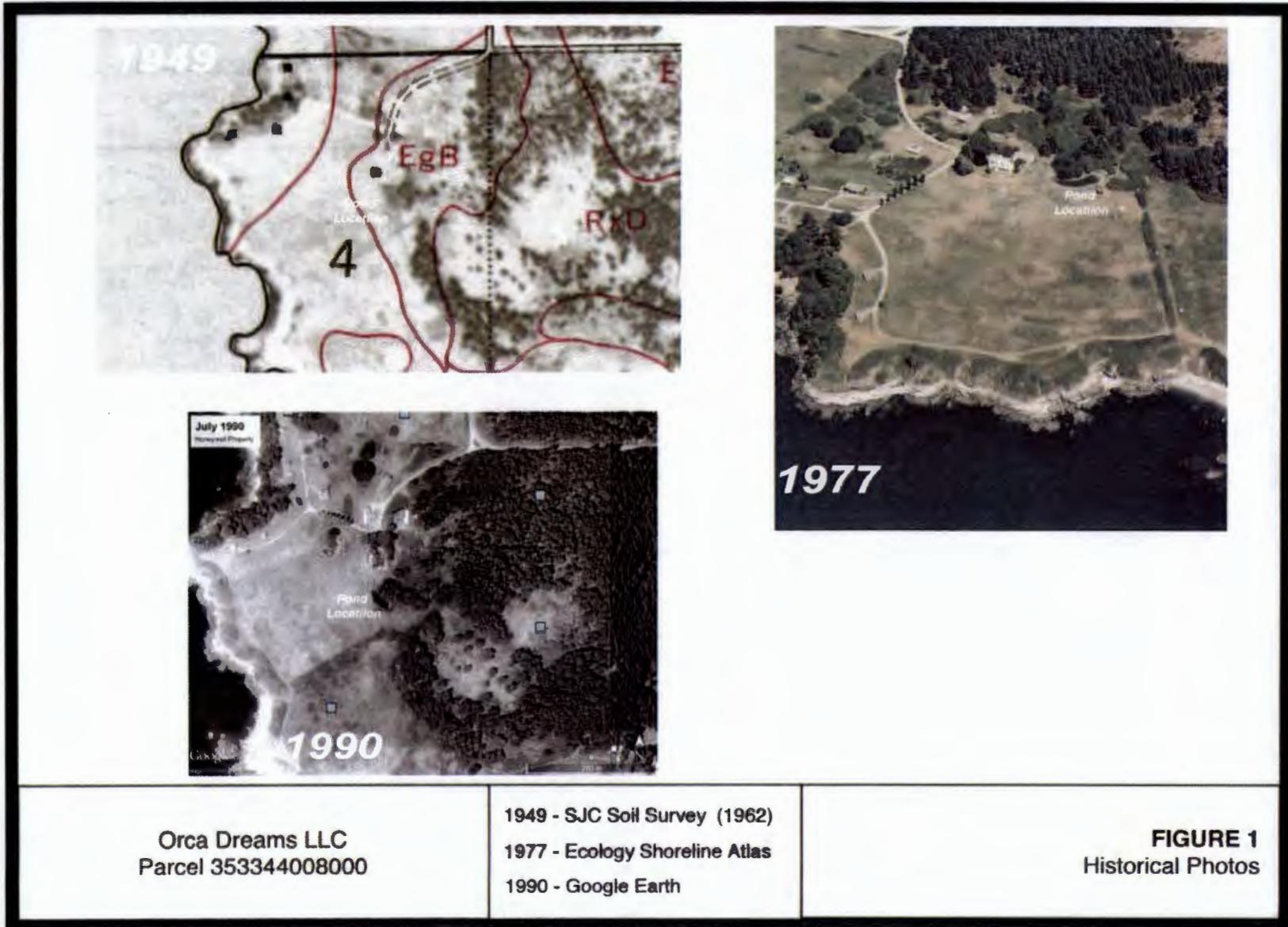
Date Stamp Applied: June 19, 2015

## 9.0 References

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## ***FIGURES***

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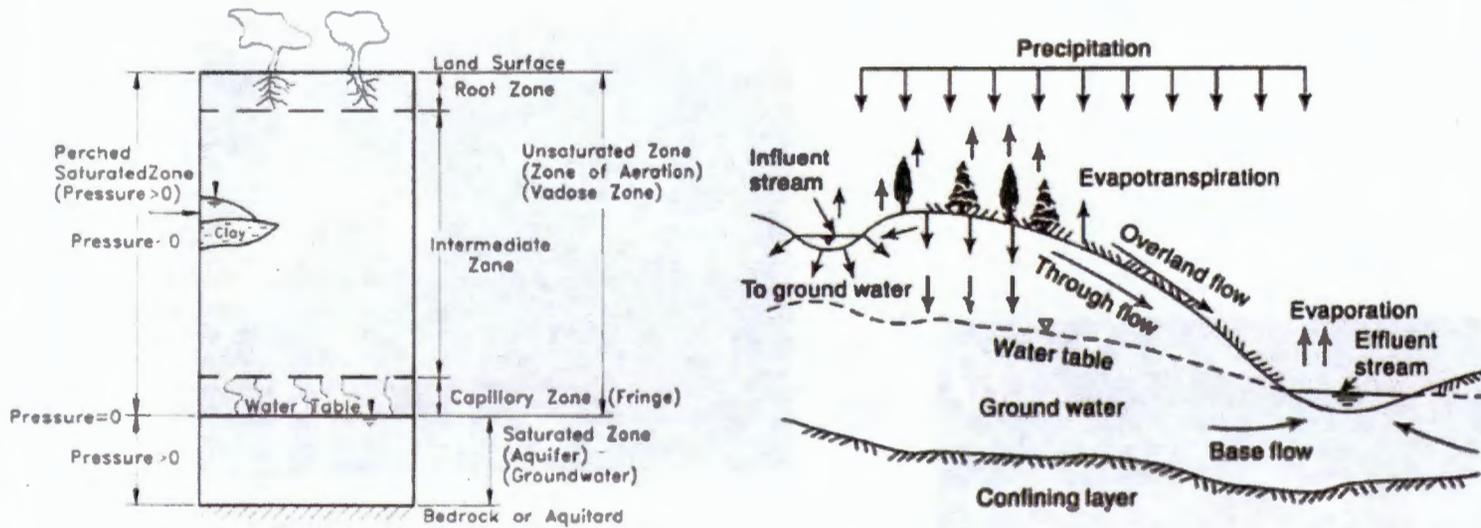


Figure 1.2: Classification of subsurface water

Orca Dreams LLC  
Parcel 353344008000

**FIGURE 2**  
Subsurface Water/Pressure Relationships

## ***ATTACHMENT***

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## MARVISTA RESORT

### OPEN FOR BUSINESS

A RESORT MODERN IN EVERY  
DETAIL — OWNERS EXPECT  
LARGE TOURIST BUSINESS

Robert L. Murray and Lloyd D. Martin, who have been working diligently for several months, developing MARVISTA, one of the Northwest's newest and modern resorts, announce they are now open for business. The resort is located on the southwest shore of San Juan Island about five miles from Friday Harbor.

The new cottages, built last winter, are equipped with electric stoves, electric hot water heaters, bathrooms complete with showers, fireplaces, Simmons mattresses and beds. Each cottage has a garage attached.

A dock is being driven so as to provide moorage for the four new 16-foot boats equipped with inboard engines. The resort will also have one 14-foot boat powered by an outboard motor, and two 22-foot boats which may be used for cruising or fishing.

The dining room of MARVISTA is decorated in old-fashioned splendor and is rapidly being completed, and is expected to open in July. Mrs. Hazel Murray, known throughout the Northwest for her culinary art, will preside over the kitchen.

Murray & Martin, the owners, report that reservations are coming in and they predict that the coming tourist season will be the largest in the history of Friday Harbor.

Group codes: (WATERFRONT)

Property Information	Owner Name / Situs	Legal Description
PID: 17126	(52605) ORCA DREAMS LLC	PR GL 9 SEC 33 T34N R3W PR GL
GEO ID: 353344008000	1601 A False Bay Dr	PER BLM AFN 2014-0929019) S
Tax Area: 0498	SAN JUAN ISLAND,	T34N, R3W
		Nbhd: 16012 (SJ South- Area
		01-MB)

Improvement Detail: (118898) Property: (17126) Year: (2014)

General

Units:	<input type="checkbox"/>	Stories:	<input type="text" value="1"/>	Floor #:	<input type="text" value="0"/>	<input checked="" type="checkbox"/> Use stories as multiplier		
Type:	Dock(DOCK)					Replacement Cost New:	<input type="text" value="0"/>	
Method:	R(Residential)					Depreciated RCN:	<input type="text" value="0"/>	
Class/Sub:	S(Average)					Condition:	<input type="text" value="02(Fair)"/>	
Lease Class:						Actual Year Built:	<input type="text" value="0"/> <input checked="" type="checkbox"/> Override	
Unit Price:	<input type="text" value="\$0.00"/>	<input type="button" value="Show Schedule..."/>					Actual Age:	<input type="text" value="2014"/>
Adj Factor:	<input type="text" value="100.00 %"/>	<input checked="" type="checkbox"/> Override					Effective Year Built:	<input type="text" value="0"/> <input checked="" type="checkbox"/> Override
Description:	<input type="text" value="old creosote wood pilings in bay &amp; qty 40% good"/>						Effective Age:	<input type="text" value="2014"/>

Area

Area (sq. ft.)	<input type="text" value="0.0"/>	<input checked="" type="checkbox"/> Override
Sketch Area	<input type="text" value="0.0"/>	
Cubic Area:	<input type="text" value="0.0"/>	<input checked="" type="checkbox"/> Override
Adjusted Area:	<input type="text" value="0.0"/>	
Load Factor:	<input type="text" value="100 %"/>	NRA: <input type="text" value="0"/>

Dimensions (In ft)

Length:	<input type="text" value="0.0"/>	Width:	<input type="text" value="0.0"/>
Height:	<input type="text" value="0.0"/>		
Perimeter:	<input type="text" value="0.0"/>	<input checked="" type="checkbox"/> Override	

Depreciation / Adjustment Factors

Base Depre Pct:	<input type="text" value="40.00 %"/>	<input checked="" type="checkbox"/> Override
<input type="button" value="Physical..."/>	<input type="text" value="100.00"/>	<input type="checkbox"/> Override
<input type="button" value="Functional..."/>	<input type="text" value="100.00"/>	<input type="checkbox"/> Override
<input type="button" value="Economic..."/>	<input type="text" value="100.00"/>	<input type="checkbox"/> Override
Size Adjustment:	<input type="text" value="100.00 %"/>	<input type="checkbox"/> Override
Other Adj. %:	<input type="text" value="100.00"/>	<input type="button" value="Other Adj."/>
<input type="button" value="% Complete..."/>	<input type="text" value="100.00"/>	<input type="checkbox"/> Override
Adjusted Pct Good:	<input type="text" value="40.00%"/>	
Other Adj. Amt:	<input type="text" value="0.00"/>	

S.I.C. DEPARTMENT OF COMMUNITY DEVELOPMENT

PSJ000-17-0003 ORCA DREAMS LLC



Health & Community Services  
San Juan County

315.00

P.O. Box 607 ♦ 145 Rhone, Friday Harbor, WA 98250  
Phone: (360) 378-4474 Fax: (360) 378-7036

JUN 16 2015  
HEALTH & COMMUNITY SERVICES

COMMUNITY WATER SYSTEM  
WELL SITE INSPECTION APPLICATION

Fee: \_\_\_\_\_ Receipt Date: \_\_\_\_\_

I. INSTRUCTIONS:

1. Complete sections II, III, IV, VI & VII. In addition, all applications must attach a detailed plot plan that shows all potential sources of contamination within 600 feet of the well (see section V. for checklist).
2. Place a stake in the proposed well site to mark the location.
3. Sign and submit application along with the appropriate fee to the San Juan County Health & Community Services Department.

II. PROPERTY INFORMATION:

Tax Parcel Number: 3 5 3 3 4 4 0 0 8  
 Island: SAN JUAN Subdivision: \_\_\_\_\_ Lot Number: \_\_\_\_\_  
 Property Size: 38.7 (acres/square feet) Site Address (if known): 1601 False Bay  
 Directions to Property: \_\_\_\_\_

III. APPLICANT INFORMATION:

Name of Applicant: Orca Dreams LLC #1 Telephone: 370-5771  
 Address: PO Box 928  
 City: Friday Harbor State: WA Zip Code: 98250

ENTERED  
6/16/15

S.J.C. DEPARTMENT OF

IV. WELL INFORMATION:

Well:  Existing (attach well log)  Proposed (stake property)

JUN 16 2015  
COMMUNITY DEVELOPMENT

- |  | Yes   | No                                  |
|--|-------|-------------------------------------|
| 1) Is there bacteriological contamination within the sanitary control area (100 foot radius) (e.g.; septic tanks, drainfields, manure piles, sewer lines, animal enclosures etc.)? ..... | _____ | <input checked="" type="checkbox"/> |
| 2) Is there chemical contamination within the sanitary control area (100 foot radius) (e.g.; underground storage tanks, public roads, chemical storage, garbage etc.)? .....             | _____ | <input checked="" type="checkbox"/> |
| 3) Is the well within 1000 feet of a solid waste landfill? .....   | _____ | <input checked="" type="checkbox"/> |
| 4) Is the property line within 100 feet of the well site? .....  | _____ | <input checked="" type="checkbox"/> |

If the answer to questions 1, 2 OR 3 is yes, then the well site cannot be approved for a community water supply without obtaining a waiver from the sanitary control area regulation. Waivers must be obtained from the San Juan County Health Officer and must be supported by engineering justification including geological and hydrological data. If the answer to question #4 is yes, the owner of the neighboring property must be notified and asked to grant a restrictive covenant. If a restrictive covenant cannot be obtained, then a waiver must be sought.

**V. PLOT PLAN:**

Attach a scaled plot plan showing the location of the proposed well in relation (600-foot radius) to any existing or proposed septic systems (include any septic tanks, treatment components, drainfields & transport lines), houses, buildings, animal holding pens, property lines, wells, streams, lakes, ditches, wetlands, roads, driveways and/or other potential sources of contamination. The plot plan must include a 100-foot radius and a 600-foot radius around the well. Provide a scale bar and north seeking arrow.

- Plot Plan Checklist:**
- Scale & scale bar       North arrow       Well location       100-foot radius
  - 600-foot radius       Property Lines       Buildings       Animal enclosures
  - Septic systems (existing & proposed)       Water bodies       Roads & driveways
  - Other potential sources of contamination

**VI. WATER SYSTEM INFORMATION:**

Proposed Water System Name: Orca Dreams # of Proposed Connections: 8

Proposed Water System Type:       Existing/Non-Expanding       Existing/Expanding       New

**VII. SIGNATURE:**

I hereby certify that I have read the information submitted on this document and know the same to be true and correct. All provisions of laws and ordinances governing this project will be complied with whether specified herein or not.

*Debra Middleton / F*      4-16-15  
 Signature of property owner, well driller, designer, or engineer      Date

Official Use Only

- |    |   |     |    |
|----|---|-----|----|
| 1) | The sanitary control area (100-foot radius) was reviewed with no signs of chemical, bacteriological or other sources of contamination observed? ..... | Yes | No |
|    | If no, list potential sources of contamination below: .....   |     |    |
| 2) | The sanitary control area (100-foot radius) is completely contained on applicant's property? .....  |     |    |
|    | If no, are restrictive covenants for neighboring properties signed & attached? .....  |     |    |
| 3) | Waiver to sanitary control area requested? .....  |     |    |
|    | If yes, does application contain the required engineering justification? .....  |     |    |
- If applicable:       Waiver Granted       Waiver Denied

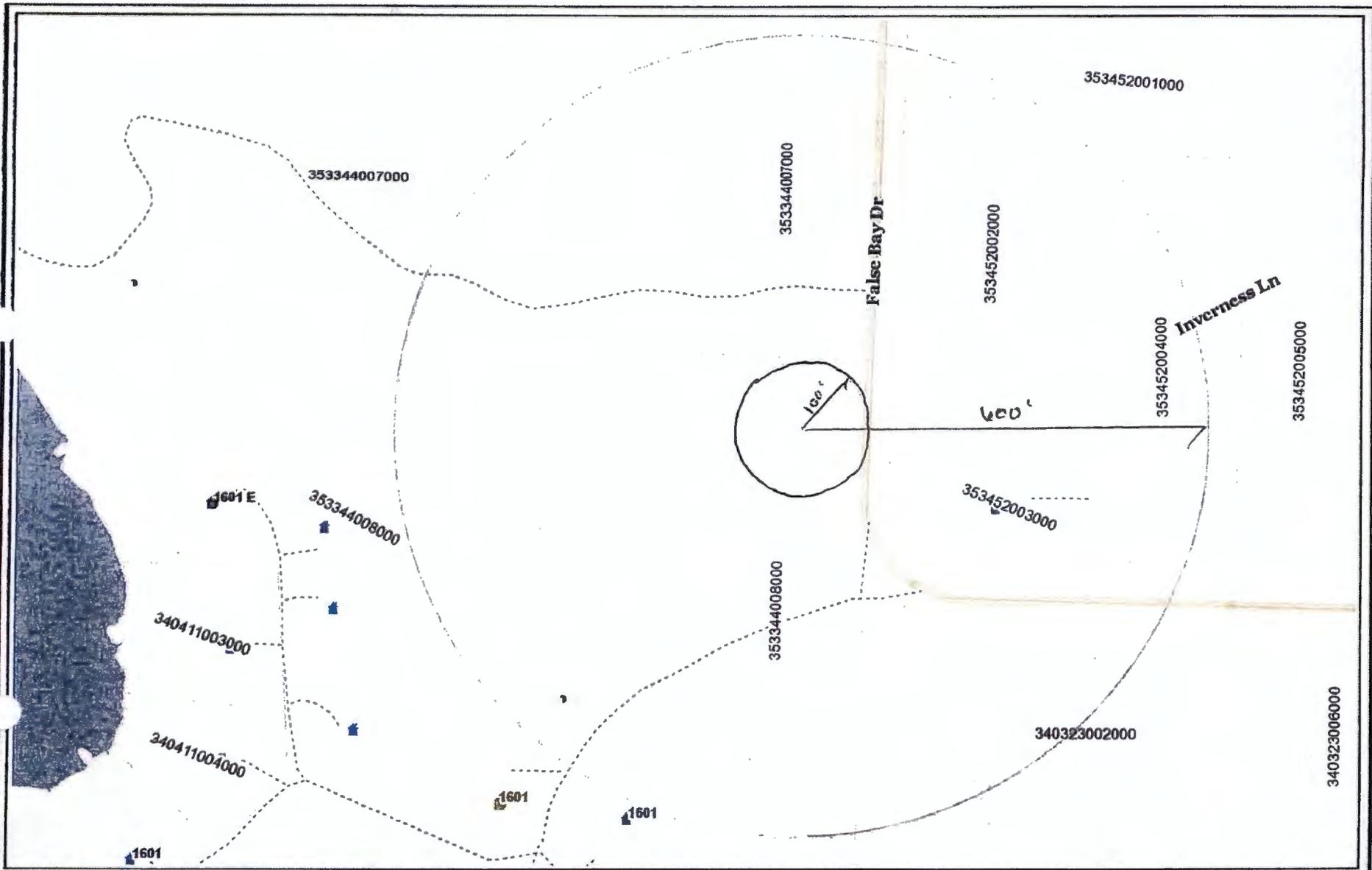
Comments and/or observations: \_\_\_\_\_

\_\_\_\_\_

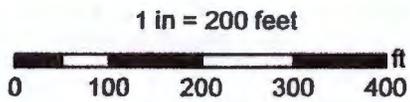
Well Site Approved       Well Site Denied

Conditions for Approval/Reason Site Denied: \_\_\_\_\_

*V. Schmitt*      6-17-2015  
 Signature of Health Official      Date



*This map is derived from San Juan County's Geographic Information System (GIS). It is intended for reference only and is not guaranteed to survey accuracy. The information represented on this map is subject to change without notice.*



**My Map**



Well #1



Burlington, WA	Corporate Laboratory (a)	1629 N Victoria St	Bellingham, WA 98225	800.701.8266 • 360.761.1489
Bellingham, WA	Microbiology (a)	805 Orchard Dr Ste 4	Bellingham, WA 98225	360.735.3712
Portland, OR	Microbiology/Chemistry (a)	8450 SW Pasteur Ct Ste W	Wavona, OR 97170	503.882.7882
Corvallis, OR	Microbiology (a)	540 SW Third Street	Corvallis, OR 97333	541.753.4946

### Washington State Department of Health WATER BACTERIOLOGICAL ANALYSIS

Client Name: Mauldin's Well Service  
PO BOX 2960  
Friday Harbor, WA 98250

Reference Number: 15-17773  
Project: Orca Dreams #1

System Name:  
System ID Number:  
DOH Source Number:  
Sample Type: D - Drinking Water  
Sample Purpose: Investigative or Other  
Sample Location: Well Head  
County:  
Sampled By: AJ  
Sampler Phone: 360-378-6975

Repeat Sample Number:  
Lab Number: 164-39520  
Field ID: Orca Dreams #1  
Date Collected: 8/20/15 11:30  
Date Received: 8/21/15  
Date Analyzed: 8/22/15 15:31  
Report Date: 8/24/15  
Comment:  
Approved By: dml

Authorized by: *Danielle Love*  
Danielle Love  
Chief Microbiologist

DOH#	PARAMETER	RESULT	UNITS	Analyst	METHOD	Batch	COMMENT
1	TOTAL COLIFORM	Satisfactory, Coliforms Absent	per 100mL	c/c	SM9223 B	m_150821s	
3	E. COLI	Absent	per 100mL		SM9223 B	m_150821s	

If the sample is unsatisfactory you can get information at the following health department websites or phone numbers:

- Island Co: <http://www.islandcounty.net/health/Envh/DrinkingWater/index.htm>
- San Juan Co: <http://www.sanjuanco.com/health/ehswater.aspx>
- Skagit Co: <http://www.skagitcounty.net/drinkingwater> or 360-336-9380
- Snohomish Co: 425-339-5250
- Whatcom Co: [http://www.co.whatcom.wa.us/health/environmental/drinking\\_water/index.jsp](http://www.co.whatcom.wa.us/health/environmental/drinking_water/index.jsp)
- WSDOH: <http://www.doh.wa.gov/ehp/dw/Programs/coliform.htm>

**NOTES:**

If the result is Unsatisfactory a repeat sample is required for Public Water Systems. Private individuals should investigate the cause of the unsatisfactory result and resample. If E. Coli or Fecal Coliform are present in sample do not drink the water until it is properly treated.



Burlington, WA Corporate & Laboratory (9) 2020 S. Walnut St. Bellingham, WA 98203 888.753.8285 • 360.737.1400  
 Bellingham, WA Microbiology (6) 400 (Industrial Dr) Ste 4 Bellingham, WA 98226 360.735.1212  
 Portland, OR Microbiology/Chemistry (6) 2150 NE Vancouver St. Ste W Wilsonville, OR 97170 503.682.7007  
 Corvallis, OR Microbiology (6) 500 19th Street Corvallis, OR 97331 541.753.4946



## INORGANIC COMPOUNDS (IOC) REPORT

Client Name: **Mauldin's Well Service**  
 PO BOX 2960  
 Friday Harbor, WA 98250

Reference Number: **15-17649**  
 Project: **Orca Dreams #1**

System Name:  
 System ID Number:  
 DOH Source Number:  
 Multiple Sources:  
 Sample Type:  
 Sample Purpose: **Investigative or Other**  
 Sample Location: **Well Head**  
 County:

Sample Number: **Orca Dreams #1**  
 Lab Number: **046-39265**  
 Collect Date: **8/20/15 11:30**  
 Date Received: **8/21/15**  
 Report Date: **9/8/15**  
 Sampled By: **Jlm**  
 Sampler Phone:  
 Approved by: **bj,mvp,sps**  
 Authorized by:

*Bryce Jensen*  
**Bryce Jensen**  
 Chemist

DOH#	ANALYTES	RESULTS	UNITS	SRL	Trigger	MCL	Analyst	METHOD	Lab	Analyzed	COMMENT
<b>EPA Regulated</b>											
4	ARSENIC	0.003	mg/L	0.001	0.010	0.010	mvp	200.8	a	08/03/15	
5	BARIUM	0.331	mg/L	0.001	2	2	bj	200.7	a	08/28/15	
6	CADMIUM	ND	mg/L	0.001	0.005	0.005	mvp	200.8	a	08/03/15	
7	CHROMIUM	0.010	mg/L	0.001	0.1	0.1	mvp	200.8	a	09/03/15	
11	MERCURY	ND	mg/L	0.0002	0.002	0.002	mmh	245.1	a	08/01/15	
12	SELENIUM	ND	mg/L	0.002	0.05	0.05	mvp	200.8	a	08/03/15	
110	BERYLLIUM	ND	mg/L	0.001	0.004	0.004	mvp	200.8	a	08/03/15	
112	ANTIMONY	0.001	mg/L	0.001	0.006	0.006	mvp	200.8	a	08/03/15	
113	THALLIUM	ND	mg/L	0.001	0.002	0.002	mvp	200.8	a	08/03/15	
116	CYANIDE, AVAILABLE	ND	mg/L	0.01	0.2	0.2	anp	OIA-1677-DW	a	08/28/15	
19	FLUORIDE	ND	mg/L	0.1	2	4	bj	300.0	a	08/21/15	
114	NITRITE-N	ND	mg/L	0.1	0.5	1	bj	300.0	a	08/21/15 20:00	
20	NITRATE-N	ND	mg/L	0.1	5	10	bj	300.0	a	08/21/15 20:00	
161	TOTAL NITRATE/NITRITE	ND	mg/L	0.50	5	10	bj	300.0	a	08/21/15 20:00	
<b>EPA Regulated (Secondary)</b>											
8	IRON	2.53	mg/L	0.100	0.3	0.3	bj	200.7	a	08/28/15	
10	MANGANESE	0.286	mg/L	0.001	0.050	0.05	bj	200.7	a	08/28/15	
13	SILVER	ND	mg/L	0.010	0.05	0.05	mvp	200.8	a	08/03/15	
21	CHLORIDE	50.7	mg/L	0.1	250	250	bj	300.0	a	08/21/15	
22	SULFATE	45	mg/L	0.2	250	250	bj	300.0	a	08/21/15	
24	ZINC	0.020	mg/L	0.005	5	5	mvp	200.8	a	09/03/15	
14	SODIUM	35.1	mg/L	5.0			bj	200.7	a	08/28/15	
15	HARDNESS as Calcium Carbonate	284.5	mg/L	10			bj	200.7	a	08/28/15	
16	ELECTRICAL CONDUCTIVITY	688	uS/cm	10	700	700	rhf	SM2510 B	a	08/21/15	
17	TURBIDITY	17.2	NTU	0.10	1.0	1.0	rhf	180.1	a	08/21/15 14:08	
18	COLOR	ND	Color Units	5	15	15	rhf	SM2120 B	a	08/21/15 13:05	pH:7.5
26	TOTAL DISSOLVED SOLIDS (TDS)	370	mg/L	10	500	500	nco	SM2540 C	a	08/27/15	
111	NICKEL	0.008	mg/L	0.005	0.1	0.1	mvp	200.8	a	08/03/15	
<b>State Unregulated</b>											
9	LEAD	ND	mg/L	0.001		0.015	mvp	200.8	a	08/03/15	
23	COPPER	0.011	mg/L	0.005		1.3	mvp	200.8	a	08/03/15	

**NOTES:**  
 SRL (State Reporting Level): indicates the minimum reporting level required by the Washington Department of Health (DOH).  
 MCL (Maximum Contaminant Level) maximum permissible level of a contaminant in water established by EPA; Federal Action Levels are 0.015 mg/L for Lead and 1.3 mg/L for Copper. Sodium has a recommended limit of 20 mg/L. A blank MCL value indicates a level is not currently established.  
 Trigger Level: DOH Drinking Water Response level. Systems with compounds detected in excess of this level are required to take additional samples. Contact your regional DOH office.  
 ND (Not Detected): indicates that the parameter was not detected above the Specified Reporting Limit (SRL).  
 a: in front of the parameter name indicates it is not NELAP accredited but it is accredited through WRD204, or USEPA Region 10.  
 These test results meet all the requirements of NELAC, unless otherwise stated in writing, and relate only to these samples.  
 If you have any questions concerning this report contact Bryce Jensen, Chemist, at the toll-free phone number above.  
 FORM: IOC\_BT

8:15

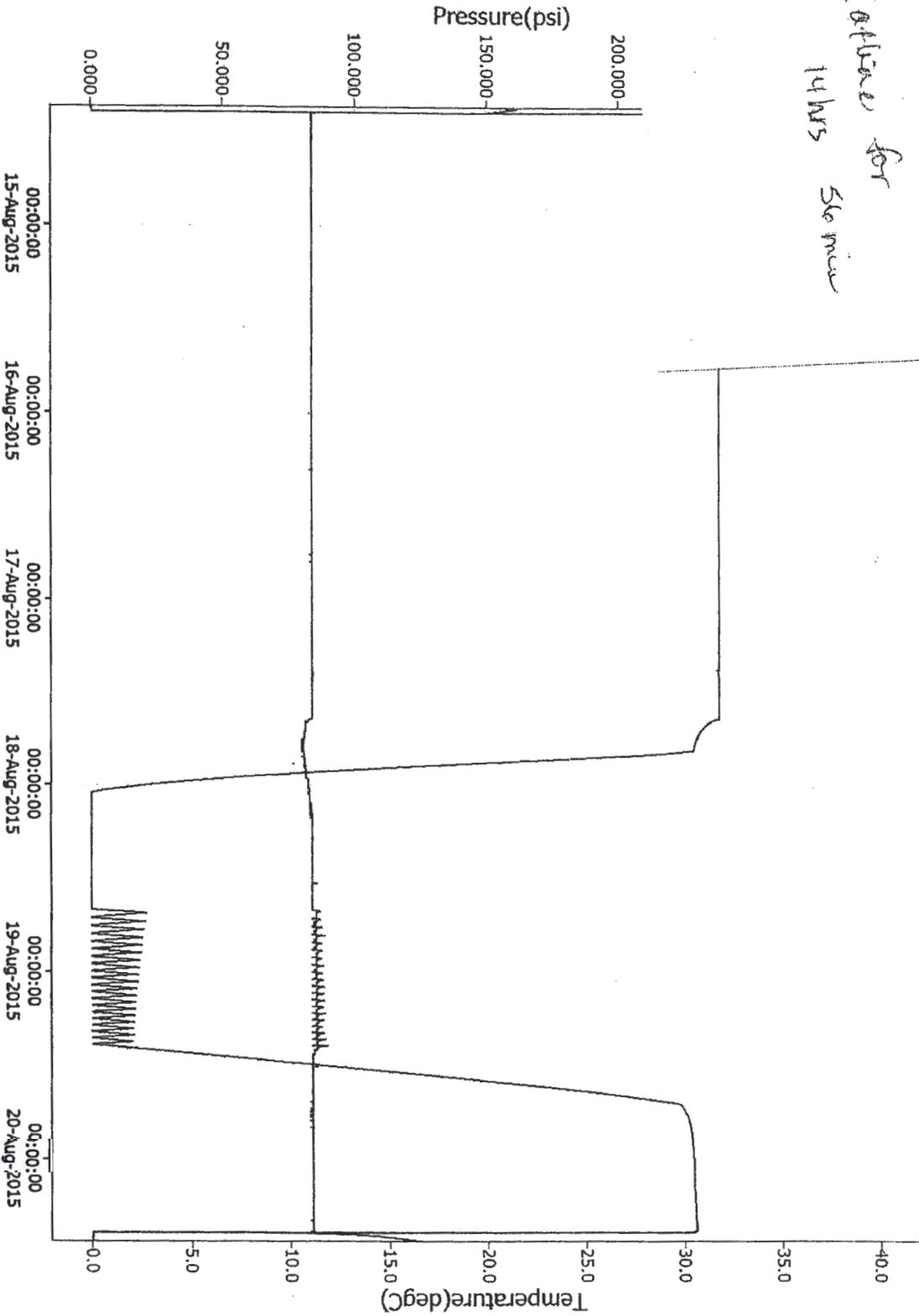
10:3 AM

to

3:59 PM

flattened for  
14 hrs Stepped

### Orca Dreams 1.a4d

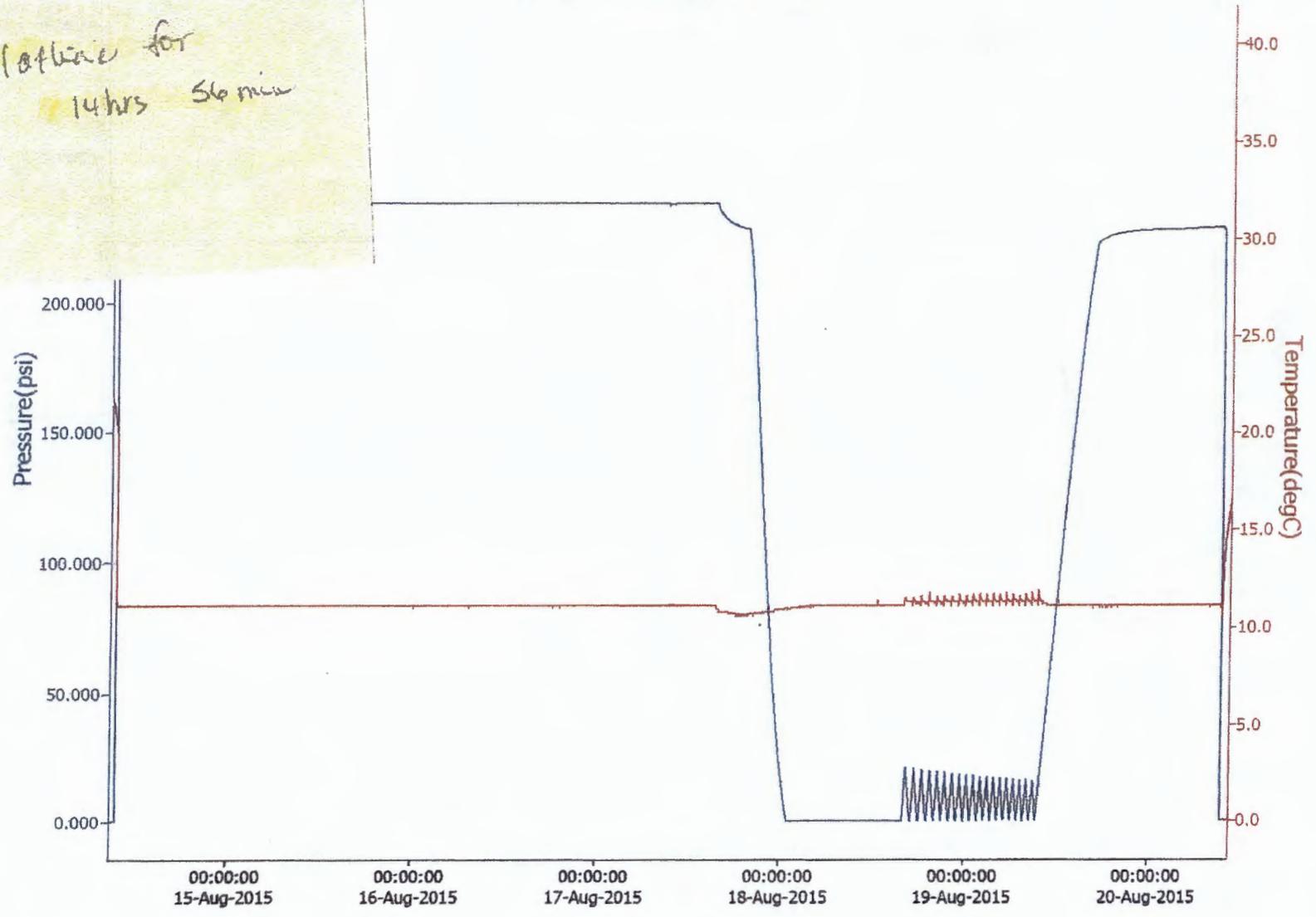


8-18-15

103 AM  
to  
359 PM

flatline for  
14 hrs 56 min

### Orca Dreams 1.a4d



GI-077529CL

State of Washington  
Department of Ecology



RECEIVED  
DEPARTMENT OF ECOLOGY

MAY 31 74 11 58 AM '74

CASH OTHER / NONE

Water Right Claims Registration

# Water Right Claim

Name MILTON M. BAVE

(Short Form) 02

Address MARVISTA RESORT

FRIDAY HARBOR WASH. Zip Code 98250

Phone No. 378-4448

1) Source from which the right to take and make use of water is claimed:  Surface Water  Ground Water  
If surface water, please indicate source; give name if known:

(River, stream, lake, pond, spring, etc.)

2) Purpose(s) for which water is used:

Domestic  Stockwatering  Irrigation (lawn and garden)  Other Use (specify) Resort Use

3) Legal description of lands on which water is used: NE 1/4 NE 1/4 of Sec 4 T34N R3W

If located within the limits of a recorded platted property:

Lot: \_\_\_\_\_ Block \_\_\_\_\_ of \_\_\_\_\_  
(Give name of plat or addition)

In addition, please indicate Sec. 4 T. 34 N., R. 3 W. W.M.

County in which lands are located San Juan

### DO NOT USE THIS SPACE

The filing of a statement of claim does not constitute an adjudication of any claim to the right to use of waters as between the water use claimant and the state or as between one or more use claimants and another or others. This acknowledgment constitutes receipt for the filing fee.

Date Registered \_\_\_\_\_ This has been assigned  
Water Right Claim Registry No. \_\_\_\_\_

SEP 18 74 77529

Director, Department of Ecology John Biggs

I hereby swear that the above information is true and accurate to the best of my knowledge and belief.

X Milton M. Bave

Date May 30 1974

If claim filed by designated representative print or type full name and mailing address of agent below.

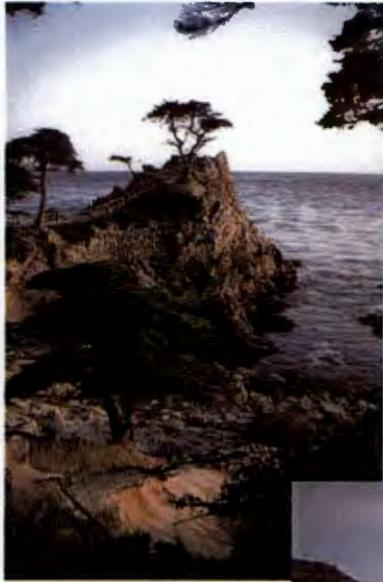
Additional information relating to water quality and/or well construction is available.

A FEE OF \$2.00 MUST ACCOMPANY THIS WATER RIGHT CLAIM

ORIGINAL DOE

Return all three copies with carbons intact, along with your fee to:  
Department of Ecology, Water Right Claims Registration, Olympia, Washington 98504





# Waterfront Titles in The State of Washington

S.J.C. DEPARTMENT OF

1 0 2017

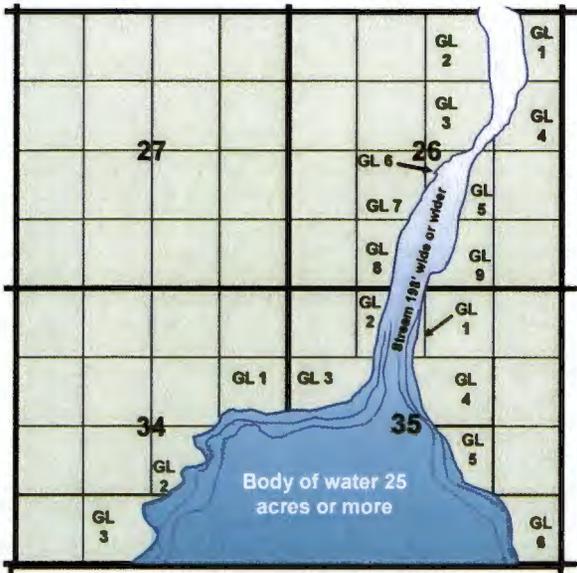
COMMUNITY DEVELOPMENT

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## Chicago Title Insurance Company

George N. Peters Jr.  
701 Fifth Avenue, Suite 3300  
Seattle, Washington 98104  
800-627-0530 (Toll Free)  
206-628-8796 (Direct)  
206-628-8732 (Facsimile)  
[george.peters@ctt.com](mailto:george.peters@ctt.com)

PSJ000-17-0003  
ORCA DREAMS LLC



**Diagram No. 1**  
 Showing Government Lots in Sections 26, 34 and 35 created by the presence of a large body of water and a wide stream.

by laying out *meander lines*. Meander lines were intended to approximate the shoreline (partly to be able to compute the area for valuation purposes) not only for all *navigable* bodies of water but also for smaller lakes (25 acres or larger) and streams (198 feet or more in width) even if not navigable. A parcel number, called a *government lot*, was then assigned to each of the fractional subdivisions of a section created by the body of water.<sup>2</sup> See DIAGRAM NO. 1 for a typical group of sections where bodies of water required the creation of government lots.

**GOVERNMENT LOT BOUNDARIES**

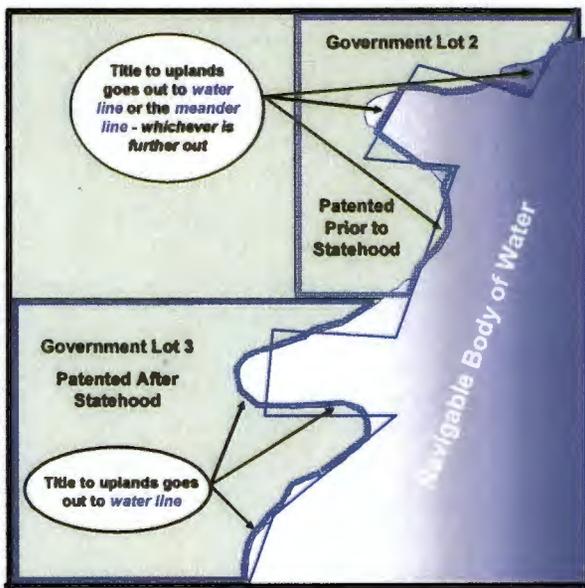
The location of the outer boundary of a government lot varies according to the date on which the *patent* (the conveyance document from the United States for Federally owned lands) issued by the Federal Government was earned. Prior to statehood the Federal Government claimed title to the uplands and held title to the beds of navigable bodies of water in trust for the future State. It had the power to define the outer limits of the government lot. The Constitution of the State of Washington disclaimed title to submerged lands that were patented prior to statehood.<sup>3</sup>

**PATENTS BEFORE STATEHOOD**

A *government lot* which borders on Puget Sound or on a *navigable* lake and which was *patented* prior to statehood extended to either the water line or to the *meander line*, whichever was *further out*.<sup>4</sup> This rule does *not* apply to properties on the Pacific Ocean nor to properties bounded by *navigable* rivers.<sup>5</sup>

Thus it is possible for an upland owner (who did not receive any separate conveyance of *tidelands* or *shorelands* from the State of Washington) to own some portion of the abutting submerged land *if* the patent to a government lot was earned prior to statehood *and* also if the meander line was further out than the water line. As can be observed from DIAGRAM NO. 2, it is possible for properties originating from *patents* earned prior to statehood to run well out into the water.

Note that the meander line is never the outer boundary of a government lot if it is located on the *upland* portion of the government lot. In fact, our Supreme Court has held that even where a legal description uses a meander line in a metes and bounds type of description and the meander line is located in the upland portion of the government



**Diagram No. 2**  
 Enlarged detail of Government Lots 2 and 3, Section 34, from Diagram 1 showing differences in the outer limits of Government Lots patented before and those patented after statehood.



lot, it will be construed against the grantor. The description in such cases is therefore interpreted to run to the water line, unless there is a very clear intent to the contrary.<sup>6</sup>

## PATENTS AFTER STATEHOOD

**G**overnment lots abutting *navigable* waters patented after statehood run only to the line of *ordinary high tide* (where abutting on tidelands) or to the line of *ordinary high water* (where abutting on shorelands). The reason lies in the fact that under the Federal Enabling Act and our State Constitution, the beds and shores of all navigable bodies of water within the State were granted to the State in trust (this trust is commonly referred to as the *Public Trust Doctrine*) for navigation and commerce. Therefore, after the date of statehood the Federal Government no longer held in trust those portions of the beds of navigable water within the State which fell below either the line of *ordinary high water* or the line of *ordinary high tide*. Consequently, federal patents to government lots earned and issued after that date carry title only to the water's edge.<sup>7</sup> See DIAGRAM NO. 2.

Determining the date of the federal patent relative to the date of statehood becomes significant when *upland* property and the adjoining tidelands or shorelands are not in common ownership. Also the key date is the date the patent was **earned** relative to the date of statehood not the date the patent was issued or recorded, either of which might have been much later than the date it was earned.

## CONVEYANCE BY THE STATE

**A**fter statehood the State was free to sell *tidelands* and *shorelands*. Private ownership of either tidelands or shorelands is limited to those parcels which have been sold by the State of Washington prior to 1971, after which the Legislature prohibited all further sales of such property except to public entities.

Private parties can now secure leases for up to 55 years, and it is still possible to acquire title to tidelands or shorelands by exchange for other tidelands or shorelands.<sup>8</sup> This 1971 statute also permits the sale of formerly *submerged lands* that,

based on permanent shifting of the water, now have the characteristics of *uplands*. This Act also prohibited the sale of shorelands; however, the State Legislature in 1979



removed the prohibition as to the sale of shorelands on *navigable* lakes, which "would not be contrary to the public interest."<sup>9</sup> Generally, tidelands or shorelands have been conveyed by the State to the owner of the abutting uplands, but could have been conveyed to someone else.

State-owned submerged lands, including *harbor areas*, are leased from the State's Department of Natural Resources;<sup>10</sup> however, if the land is within a port district<sup>11</sup> the Department and the port may enter into a management agreement giving the port certain authority and jurisdiction over the property.<sup>12</sup> Rents will be paid to the municipality if the lands lie within a town.<sup>13</sup> Preference is given to the abutting upland owner when leasing *first class tidelands* or *shorelands* and *second class shorelands* (but not *second class tidelands*).<sup>14</sup>

While *submerged lands* can be leased from the State, under certain circumstances an abutting residential upland owner may install and maintain, without charge, a dock and moorage buoy for private recreational purposes on State-owned submerged lands.<sup>15</sup>

Owners of shorelands or tidelands own such land in fee. However, their interest, and that of lessees of State owned submerged lands, is subject to the limitations embodied in the *Public Trust Doctrine*, including the provisions of the *Shoreline Management Act*, and to statutory reservations appearing in the deeds from the State.

## RESERVATIONS

**P**rior to 1907 the State made no reservations in its deeds. Beginning June 11, 1907, the deeds began reserving oil, gas, coal and minerals.<sup>16</sup> After June 7, 1911, the State deeds were also required to reserve rights-of-way for private railroads, skid

Property Search Results > 17126 ORCA DREAMS LLC for Year 2016 - 2017

Property

Account

Property ID:	17126	Legal Description:	PR GL 9 SEC 33 T34N R3W PR GL 1 SEC 4 T34N R3W (PARCEL C PER BLM AFN 2014-0929019) Sec 33, T35N, R3W & SEC 4, T34N, R3W
Tax Parcel #:	353344008000	Agent Code:	
Type:	Real	Land Use Code	11
Tax Area:	0498 - SAN JUAN - SOUTH	DFL	N
Open Space:	N	Remodel Property:	N
Historic Property:	N		
Multi-Family Redevelopment:	N		
Township:	35	Section:	33
Range:	3	Legal Acres:	38.7312

Location

Address:	1601 A False Bay Dr SAN JUAN ISLAND,	Map ID:	SAN JUAN ISLAND
Neighborhood:	SJ South- Area 01-Waterfront		
Neighborhood CD:	16012		

Owner

Name:	ORCA DREAMS LLC	Owner ID:	52605
Mailing Address:	PO BOX 928 FRIDAY HARBOR, WA 98250-0928	% Ownership:	100.0000000000%
		Exemptions:	

- 57 Island Marble Lane  
- 137 Golden Paintbrush Lane  
- 287 Golden Paintbrush Lane

Pay Tax Due

Select the appropriate checkbox next to the year to be paid. Multiple years may be selected.

Year - Statement ID	Tax	Assessment	Penalty	Interest	Total Due
2017 - 13918 (First Half/Next)	\$24615.02	\$34.53	\$0.00	\$0.00	\$24649.55
2017 - 13918 (Balance)	\$49229.95	\$68.95	\$0.00	\$0.00	\$49298.90

Total Amount to Pay: \$

\*Convenience Fee not included

Taxes and Assessment Details

Property Tax Information as of 03/02/2017

Amount Due if Paid on:  - **NOTE:** If you plan to submit payment on a future date, make sure you enter the date and click RECALCULATE to obtain the correct total amount due.

Click on "Statement Details" to expand or collapse a tax statement.

Year	Statement ID	First Half Base Amt.	Second Half Base Amt.	Penalty	Interest	Base Paid	Amount Due
▶ Statement Details							
2017	13918	\$24649.55	\$24649.35	\$0.00	\$0.00	\$0.00	\$49298.90
▶ Statement Details							
2016	13945	\$17849.64	\$17849.45	\$0.00	\$0.00	\$35699.09	\$0.00
▶ Statement Details							
2015	13946	\$12047.68	\$12047.50	\$0.00	\$0.00	\$24095.18	\$0.00

S.J.C. DEPARTMENT OF  
COMMUNITY DEVELOPMENT  
MAY 10 2017

Values

(+) Improvement Homesite Value:	+	\$0
(+) Improvement Non-Homesite Value:	+	\$3,293,180
(+) Land Homesite Value:	+	\$0
(+) Land Non-Homesite Value:	+	\$3,190,000
(+) Curr Use (HS):	+	\$0 \$0
(+) Curr Use (NHS):	+	\$0 \$0
-----		
(=) Market Value:	=	\$6,483,180

PSJ000-17-0003  
ORCA DREAMS LLC

(-) Productivity Loss:	-	\$0
(=) Subtotal:	=	\$6,483,180
(+) Senior Appraised Value:	+	\$0
(+) Non-Senior Appraised Value:	+	\$6,483,180
(=) Total Appraised Value:	=	\$6,483,180
(-) Senior Exemption Loss:	-	\$0
(-) Exemption Loss:	-	\$0
(=) Taxable Value:	=	\$6,483,180

**Taxing Jurisdiction**

Owner: ORCA DREAMS LLC  
 % Ownership: 100.0000000000%  
 Total Value: \$6,483,180  
 Tax Area: 0498 - SAN JUAN - SOUTH

Levy Code	Description	Levy Rate	Appraised Value	Taxable Value	Estimated Tax
CC EXP	COUNTY CURRENT EXPENSE	0.8743781161	\$6,483,180	\$6,483,180	\$5,668.75
CC RD SHFT	CO CURRENT RD SHIFT	0.0000000000	\$6,483,180	\$6,483,180	\$0.00
CO ROAD	ROAD DISTRICT #1	0.6595396416	\$6,483,180	\$6,483,180	\$4,275.91
DVCORDSH	DIVERTED ROAD FUNDS	0.1091558345	\$6,483,180	\$6,483,180	\$707.68
CON FUT	CONSERVATION FUTURES	0.0478949507	\$6,483,180	\$6,483,180	\$310.51
PRT FH	PORT OF FRIDAY HARBOR GEN'L	0.1770389149	\$6,483,180	\$6,483,180	\$1,147.78
SJ FIRE	FIRE #3 SAN JUAN GENERAL	0.5916467356	\$6,483,180	\$6,483,180	\$3,835.75
SJ LB	SAN JUAN LIBRARY DISTRICT	0.4982653427	\$6,483,180	\$6,483,180	\$3,230.34
SJ SC CP	SJ SCH DIST 149 CAP PROJ	0.4489131958	\$6,483,180	\$6,483,180	\$2,910.39
SJ SC SP	SAN JUAN SCHOOL DIST 149 SPEC	0.7688310273	\$6,483,180	\$6,483,180	\$4,984.47
SJI CEM	CEMETERY DIST.#1 GEN'L	0.0219975247	\$6,483,180	\$6,483,180	\$142.61
SJI EMS	SAN JUAN IS EMERGENCY SERVICES	0.5000000000	\$6,483,180	\$6,483,180	\$3,241.59
SJI HSP	SAN JUAN HOSPITAL DISTRICT #1	0.4386711548	\$6,483,180	\$6,483,180	\$2,843.98
SJI P&R	SAN JUAN ISLAND PARK & REC	0.3376450443	\$6,483,180	\$6,483,180	\$2,189.01
ST LEVY	STATE LEVY	2.1195124583	\$6,483,180	\$6,483,180	\$13,741.18
Total Tax Rate:		7.5934899413			
				Taxes w/Current Exemptions:	\$49,229.95
				Taxes w/o Exemptions:	\$49,229.95

**Improvement / Building**

<b>Improvement #1:</b> 1 Story		<b>State Code:</b> 1130 1152.0 sqft		<b>Value:</b> \$47,120	
Appliance:	FAN	Appliance:	DISHW		
Bathroom:	2	Bedroom:	3		
Dining:	1	Exterior wall:	SI/ST		
Fireplace:	FS-A	Fixtures:	8		
Flooring:	VINYL/PERGO	Flooring:	CARPET		
Foundation:	PERIM	Heating/cooling:	ELBB		
Interior finish:	FINISH	Kitchen:	1		
Living:	1	Plumbing:	TUBSHWR		
Plumbing:	TOILET	Plumbing:	LAVATORY		
Plumbing:	WTRHEAT	Plumbing:	KSINK		
Plumbing:	UTIL	Roof covering:	SHAKE		
Septic:	YES	Sub floor:	FRAME		

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	4		1981	1152.0
CARPORT	CARPORT	4		1981	80.0
Deck-Wood	WOOD DECK	4		1981	352.0

<b>Improvement #2:</b> 1 Story		<b>State Code:</b> 1130 624.0 sqft		<b>Value:</b> \$23,050	
--------------------------------	--	------------------------------------	--	------------------------	--

Bathroom:	1	Bedroom:	2
Exterior wall:	SI/ST	Fixtures:	5
Flooring:	VINYL/PERGO	Flooring:	CARPET
Foundation:	PERIM	Heating/cooling:	ELBB
Interior finish:	FINISH	Kitchen:	1
Living:	1	Plumbing:	SHOWER
Plumbing:	TOILET	Plumbing:	LAVATORY
Plumbing:	WTRHEAT	Plumbing:	KSINK
Roof covering:	SHAKE	Septic:	YES
Sub floor:	FRAME		

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	4-		1980	624.0
CARPORT	CARPORT	3-		1980	1536.0
Deck-Wood	WOOD DECK	4-		1980	102.0

**Improvement #3:** 1 Story    **State Code:** 1130 624.0 sqft    **Value:** \$18,560

Bathroom:	1	Bedroom:	2
Exterior wall:	SI/ST	Fixtures:	5
Flooring:	VINYL/PERGO	Flooring:	CARPET
Foundation:	PERIM	Heating/cooling:	ELBB
Interior finish:	FINISH	Kitchen:	1
Living:	1	Plumbing:	SHOWER
Plumbing:	TOILET	Plumbing:	LAVATORY
Plumbing:	WTRHEAT	Plumbing:	KSINK
Roof covering:	SHAKE	Septic:	YES
Sub floor:	FRAME		

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	4-		1980	624.0
Deck-Wood	WOOD DECK	4-		1980	48.0

**Improvement #4:** 1 Story    **State Code:** 1130 340.0 sqft    **Value:** \$11,110

Exterior wall:	SI/ST	Fixtures:	5
Flooring:	VINYL/PERGO	Flooring:	CARPET
Foundation:	PO&BL	Heating/cooling:	ELBB
Interior finish:	FINISH	Other:	1
Plumbing:	SHOWER	Plumbing:	TOILET
Plumbing:	LAVATORY	Plumbing:	WTRHEAT
Plumbing:	KSINK	Roof covering:	SHAKE
Septic:	YES	Sub floor:	FRAME

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	3+		1940	340.0
Deck-Roof	ROOF	3+		1940	100.0
Deck-Wood	WOOD DECK	3+		1940	220.0

**Improvement #5:** 1 Story    **State Code:** 1130 340.0 sqft    **Value:** \$10,630

Bathroom:	1	Bedroom:	1
Exterior wall:	SI/ST	Fixtures:	5
Flooring:	VINYL/PERGO	Flooring:	CARPET
Foundation:	PO&BL	Heating/cooling:	ELBB
Interior finish:	FINISH	Kitchen:	1
Living:	1	Plumbing:	SHOWER
Plumbing:	TOILET	Plumbing:	LAVATORY

Plumbing: WTRHEAT    Plumbing: KSINK  
 Roof covering: SHAKE    Septic: YES  
 Sub floor: FRAME

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	3		1940	340.0
Deck-Roof	ROOF	3		1940	100.0
Deck-Wood	WOOD DECK	3		1940	220.0

**Improvement #6:** 1 Story    **State Code:** 1130 340.0 sqft    **Value:** \$10,630  
 Bathroom: 1    Bedroom: 1  
 Exterior wall: SI/ST    Fixtures: 5  
 Flooring: VINYL/PERGO    Flooring: CARPET  
 Foundation: PO&BL    Heating/cooling: ELBB  
 Interior finish: FINISH    Kitchen: 1  
 Living: 1    Plumbing: SHOWER  
 Plumbing: TOILET    Plumbing: LAVATORY  
 Plumbing: WTRHEAT    Plumbing: KSINK  
 Roof covering: SHAKE    Septic: YES  
 Sub floor: FRAME

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	3		1940	340.0
Deck-Roof	ROOF	3		1940	100.0
Deck-Wood	WOOD DECK	3		1940	220.0

**Improvement #7:** 2 Story    **State Code:** 1130 2861.0 sqft    **Value:** \$524,400  
 Appliance: FAN    Bathroom: 1.50  
 Bedroom: 3    Dining: 1  
 Exterior wall: SI/ST    Fireplace: SNG-1-G  
 Fixtures: 8    Flooring: HARDWOOD  
 Flooring: TILE    Foundation: PERIM  
 Heating/cooling: HPUMP    Interior finish: FINISH  
 Kitchen: 1    Living: 1  
 Other: 2    Plumbing: TUBSHWR  
 Plumbing: TOILET    Plumbing: LAVATORY  
 Plumbing: WTRHEAT    Plumbing: KSINK  
 Plumbing: UTIL    Plumbing: ROUGHIN  
 Roof covering: CO/BU    Septic: YES  
 Sub floor: FRAME

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	7		1900	1957.0
MA2	SECOND FLOOR	7		1900	904.0
Deck-Wood	WOOD DECK	7		1900	168.0
Deck-Roof	ROOF	7		1900	168.0
Deck-Con	SLAB	7		2016	1789.3

**Improvement #8:** Residential    **State Code:** 1130 0.0 sqft    **Value:** \$80,790

Type	Description	Class CD	Sub Class CD	Year Built	Area
Barn	BARN	5+		1984	2908.0
Deck-Con	SLAB	5		2015	1096.0

**Improvement #9:** Residential    **State Code:** 1130 0.0 sqft    **Value:** \$8,350

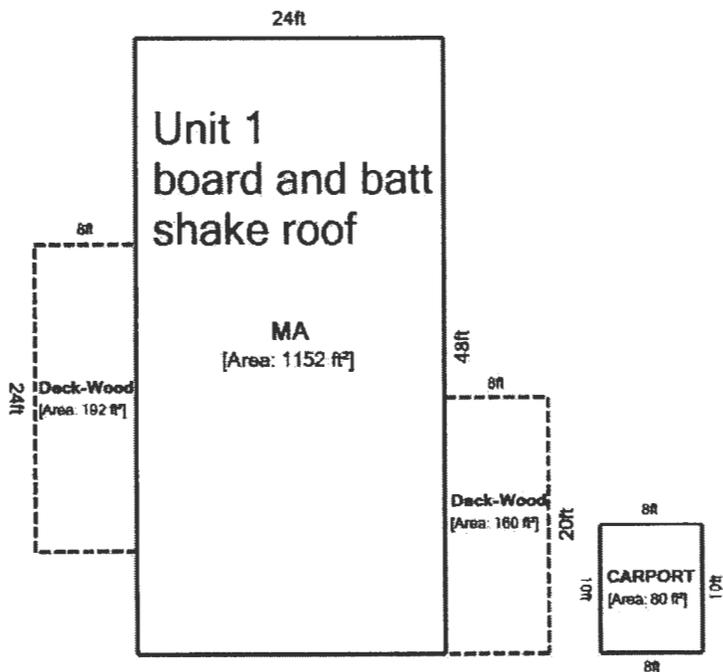
Type	Description	Class CD	Sub Class CD	Year Built	Area
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OTHER OTHER 5 1980 0.0

<b>Improvement #10:</b>	2 Story	<b>State Code:</b>	1130 8899.2 sqft	<b>Value:</b>	\$2,558,540
Appliance:	DISHW	Appliance:	FAN		
Appliance:	RANGEOVEN	Appliance:	OTHER		
Bathroom:	6	Bathroom:	.50		
Bathroom:	.50	Bathroom:	.50		
Bedroom:	5	Ceiling:	YES		
Dining:	1	Exterior wall:	MASON		
Fireplace:	SNG-1-G	Fixtures:	30		
Flooring:	HARDWOOD	Flooring:	TILE		
Foundation:	PERIM	Great Room:	1		
Heating/cooling:	RADNT	Interior finish:	UNFIN		
Kitchen:	1	Other:	5		
Plumbing:	KSINK	Plumbing:	LAVATORY		
Plumbing:	ROUGHIN	Plumbing:	SHOWER		
Plumbing:	TOILET	Plumbing:	TUBSHWR		
Plumbing:	UTIL	Plumbing:	WTRHEAT		
Roof covering:	METAL	Septic:	YES		
Utility:	1				

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	8		2015	5149.0
ATTGARFIN	ATTACHED GARAGE FINISHED	8		2015	1408.0
Deck-Roof	ROOF	8		2015	2292.0
MA2	SECOND FLOOR	8		2015	3750.2
Deck-Con	SLAB	6		2015	2553.5
Shed	SHED	7		2015	112.0
Deck-Flags	FLAGSTONE/SLATE	8		2015	5317.0
Pool	POOL	8		2015	0.0

**Sketch**



**Property Image**



Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	WF	Waterfront	10.4700	456073.20	0.00	0.00	\$2,420,000	\$0
2	BL	Backland	28.0500	1221858.00	0.00	0.00	\$770,000	\$0

Roll Value History

Year	Improvements	Land Market	Current Use	Total Appraised	Taxable Value
2017	N/A	N/A	N/A	N/A	N/A
2016	\$3,293,180	\$3,190,000	\$0	\$6,483,180	\$6,483,180
2015	\$1,699,620	\$3,190,000	\$0	\$4,889,620	\$4,889,620
2014	\$359,370	\$2,900,000	\$0	\$3,259,370	\$3,259,370
2013	\$385,990	\$2,079,080	\$0	\$2,465,070	\$2,465,070
2012	\$0	\$688,500	\$0	\$688,500	\$688,500
2011	\$0	\$765,000	\$0	\$765,000	\$765,000
2010	\$0	\$993,150	\$0	\$993,150	\$993,150
2009	\$0	\$993,150	\$0	\$993,150	\$993,150
2008	\$0	\$993,150	\$0	\$993,150	\$993,150
2007	\$0	\$993,150	\$0	\$993,150	\$993,150
2006	\$0	\$639,990	\$0	\$639,990	\$639,990
2005	\$0	\$639,990	\$0	\$639,990	\$639,990

2004	\$0	\$639,990	\$0	\$639,990	\$639,990
2003	\$0	\$365,150	\$0	\$365,150	\$365,150
2002	\$0	\$365,150	\$0	\$365,150	\$365,150
2001	\$0	\$365,150	\$0	\$365,150	\$365,150
2000	\$0	\$319,500	\$0	\$319,500	\$319,500
1999	\$0	\$319,500	\$0	\$319,500	\$319,500
1998	\$0	\$319,500	\$0	\$319,500	\$319,500

**Deed and Sales History**

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Sale Price	Excise Number	LI
1	07/09/2013	STATUTORYW	STATUTORY WARRANTY DEED	DAVID E KETTER TTEE	ORCA DREAMS LLC			\$6,000,000.00	73914	2
2		QUITCLAIMD	QUIT CLAIM DEED	E BAVE & KETTER, TTEE	DAVID E KETTER, TTEE	0	0	\$0.00	54158	1
3		QUITCLAIMD	QUIT CLAIM DEED	E BAVE & KETTER, TTEE	DAVID E KETTER, TTEE	0	0	\$0.00	54159	1
4		QUITCLAIMD	QUIT CLAIM DEED	E BAVE & KETTER, TTEE	DAVID E KETTER, TTEE	0	0	\$0.00	54160	1

**Payout Agreement**

No payout information available..

[Search Help](#)

**San Juan County**

Assessor Homepage | Treasurer Homepage

**Property Search Results > 25332 ORCA DREAMS LLC for Year 2016 - 2017**

**Property**

**Account**

Property ID:	25332	Legal Description:	PR GL 1 (PARCEL B PER BLM AFN 2014-0929019) SEC 4, T34N, R3W
Tax Parcel #:	340411004000	Agent Code:	
Type:	Real		
Tax Area:	0498 - SAN JUAN - SOUTH	Land Use Code:	11
Open Space:	N	DFL:	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	35	Section:	33
Range:	3	Legal Acres:	0.8341

*16 Island Marble Lane*

**Location**

Address:		Mapsco:	
Neighborhood:	SJ South- Area 01-Waterfront	Map ID:	SAN JUAN ISLAND
Neighborhood CD:	16012		

**Owner**

Name:	ORCA DREAMS LLC	Owner ID:	52605
Mailing Address:	PO BOX 928 FRIDAY HARBOR, WA 98250-0928	% Ownership:	100.0000000000%
		Exemptions:	

**Pay Tax Due**

Select the appropriate checkbox next to the year to be paid. Multiple years may be selected.

Year - Statement ID	Tax	Assessment	Penalty	Interest	Total Due
2017 - 19716 (First Half/Next)	\$2512.02	\$25.58	\$0.00	\$0.00	\$2537.60
2017 - 19716 (Balance)	\$5023.95	\$51.05	\$0.00	\$0.00	\$5075.00

Total Amount to Pay: \$

\*Convenience Fee not included

S.J.C. DEPARTMENT OF  
COMMUNITY DEVELOPMENT

**Taxes and Assessment Details**

Property Tax Information as of 03/02/2017

Amount Due if Paid on:  **NOTE:** If you plan to submit payment on a future date, make sure you enter the date and click RECALCULATE to obtain the correct total amount due.

Click on "Statement Details" to expand or collapse a tax statement.

Year	Statement ID	First Half Base Amt.	Second Half Base Amt.	Penalty	Interest	Base Paid	Amount Due
▶ Statement Details							
2017	19716	\$2537.60	\$2537.40	\$0.00	\$0.00	\$0.00	\$5075.00
▶ Statement Details							
2016	19769	\$2290.71	\$2290.53	\$0.00	\$0.00	\$4581.24	\$0.00
▶ Statement Details							
2015	19850	\$2092.86	\$2092.68	\$0.00	\$0.00	\$4185.54	\$0.00

**Values**

(+) Improvement Homesite Value:	+	\$0
(+) Improvement Non-Homesite Value:	+	\$56,610
(+) Land Homesite Value:	+	\$0

**PSJ000-17-0003  
ORCA DREAMS LLC**

(+) Land Non-Homesite Value:	+	\$605,000
(+) Curr Use (HS):	+	\$0 \$0
(+) Curr Use (NHS):	+	\$0 \$0
<hr/>		
(=) Market Value:	=	\$661,610
(-) Productivity Loss:	-	\$0
<hr/>		
(=) Subtotal:	=	\$661,610
(+) Senior Appraised Value:	+	\$0
(+) Non-Senior Appraised Value:	+	\$661,610
<hr/>		
(=) Total Appraised Value:	=	\$661,610
(-) Senior Exemption Loss:	-	\$0
(-) Exemption Loss:	-	\$0
<hr/>		
(=) Taxable Value:	=	\$661,610

**Taxing Jurisdiction**

Owner: ORCA DREAMS LLC  
 % Ownership: 100.000000000000%  
 Total Value: \$661,610  
 Tax Area: 0498 - SAN JUAN - SOUTH

Levy Code	Description	Levy Rate	Appraised Value	Taxable Value	Estimated Tax
CC EXP	COUNTY CURRENT EXPENSE	0.8743781161	\$661,610	\$661,610	\$578.50
CC RD SHFT	CO CURRENT RD SHIFT	0.0000000000	\$661,610	\$661,610	\$0.00
CO ROAD	ROAD DISTRICT #1	0.6595396416	\$661,610	\$661,610	\$436.36
DVCORDSH	DIVERTED ROAD FUNDS	0.1091558345	\$661,610	\$661,610	\$72.22
CON FUT	CONSERVATION FUTURES	0.0478949507	\$661,610	\$661,610	\$31.69
PRT FH	PORT OF FRIDAY HARBOR GEN'L	0.1770389149	\$661,610	\$661,610	\$117.13
SJ FIRE	FIRE #3 SAN JUAN GENERAL	0.5916467356	\$661,610	\$661,610	\$391.44
SJ LB	SAN JUAN LIBRARY DISTRICT	0.4982653427	\$661,610	\$661,610	\$329.66
SJ SC CP	SJ SCH DIST 149 CAP PROJ	0.4489131958	\$661,610	\$661,610	\$297.01
SJ SC SP	SAN JUAN SCHOOL DIST 149 SPEC	0.7688310273	\$661,610	\$661,610	\$508.67
SJI CEM	CEMETERY DIST.#1 GEN'L	0.0219975247	\$661,610	\$661,610	\$14.55
SJI EMS	SAN JUAN IS EMERGENCY SERVICES	0.5000000000	\$661,610	\$661,610	\$330.81
SJI HSP	SAN JUAN HOSPITAL DISTRICT #1	0.4386711548	\$661,610	\$661,610	\$290.23
SJI P&R	SAN JUAN ISLAND PARK & REC	0.3376450443	\$661,610	\$661,610	\$223.39
ST LEVY	STATE LEVY	2.1195124583	\$661,610	\$661,610	\$1,402.29
Total Tax Rate:		7.5934899413			
				Taxes w/Current Exemptions:	\$5,023.95
				Taxes w/o Exemptions:	\$5,023.95

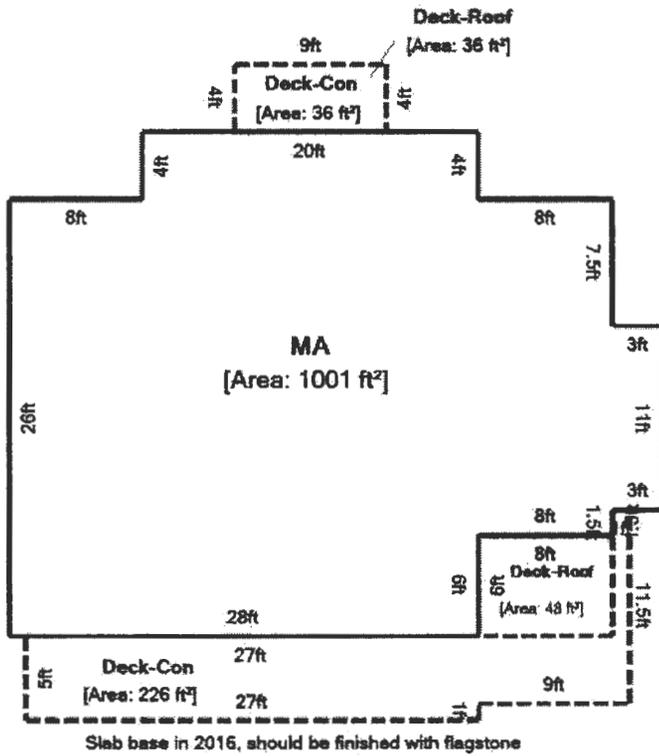
**Improvement / Building**

<b>Improvement #1:</b>	1 Story	<b>State Code:</b>	1100 1001.0 sqft	<b>Value:</b>	\$56,610
Appliance:	DISHW	Appliance:	FAN		
Appliance:	HOODFAN	Appliance:	RANGEOVEN		
Bathroom:	1.50	Bedroom:	1		
Dining:	1	Exterior wall:	SI/ST		
Fireplace:	DBL-1-G	Fixtures:	8		
Flooring:	NONE	Foundation:	PERIM		
Heating/cooling:	RADNT	Interior finish:	FINISH		

Kitchen:	1	Living:	1
Plumbing:	KSINK	Plumbing:	LAVATORY
Plumbing:	ROUGHIN	Plumbing:	SHOWER
Plumbing:	TOILET	Plumbing:	WTRHEAT
Roof covering:	METAL	Septic:	YES

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	6		2016	1001.0
Deck-Roof	ROOF	6		2016	84.0
Deck-Con	SLAB	6		2016	262.5

Sketch



Property Image



**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	WF	Waterfront	0.8300	36154.80	0.00	0.00	\$605,000	\$0

**Roll Value History**

Year	Improvements	Land Market	Current Use	Total Appraised	Taxable Value
2017	N/A	N/A	N/A	N/A	N/A
2016	\$56,610	\$605,000	\$0	\$661,610	\$661,610
2015	\$16,380	\$605,000	\$0	\$621,380	\$621,380
2014	\$10,880	\$550,000	\$0	\$560,880	\$560,880

**Deed and Sales History**

---

**Payout Agreement**

No payout information available..

[Search Help](#)

Website version: 9.0.40.29

Database last updated on: 3/2/2017 4:18 AM

© N. Harris Computer Corporation

Property Search Results > 25331 ORCA DREAMS LLC for Year 2016 - 2017

Property

Account

Property ID:	25331	Legal Description:	PR GL 1 (PARCEL A PER BLM AFN 2014-0929019) SEC 4, T34N, R3W
Tax Parcel #:	340411003000	Agent Code:	
Type:	Real		
Tax Area:	0498 - SAN JUAN - SOUTH	Land Use Code:	11
Open Space:	N	DFL:	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	35	Section:	33
Range:	3	Legal Acres:	1.0535

Location

Address:	1601A False Bay Dr SAN JUAN ISLAND,	Mapsc0:	
Neighborhood:	SJ South- Area 01-Waterfront	Map ID:	SAN JUAN ISLAND
Neighborhood CD:	16012		

*241 Golden  
Paint brush Lane*

Owner

Name:	ORCA DREAMS LLC	Owner ID:	52605
Mailing Address:	PO BOX 928 FRIDAY HARBOR, WA 98250-0928	% Ownership:	100.0000000000%
		Exemptions:	

Pay Tax Due

Select the appropriate checkbox next to the year to be paid. Multiple years may be selected.

Year - Statement ID	Tax	Assessment	Penalty	Interest	Total Due
2017 - 19715 (First Half/Next)	\$2581.51	\$25.58	\$0.00	\$0.00	\$2607.09
2017 - 19715 (Balance)	\$5162.96	\$51.05	\$0.00	\$0.00	\$5214.01

Total Amount to Pay: \$

\*Convenience Fee not included

S.J.C. DEPARTMENT OF  
08 17  
COMMUNITY DEVELOPMENT

Taxes and Assessment Details

Property Tax Information as of 03/02/2017

Amount Due if Paid on:  **NOTE:** If you plan to submit payment on a future date, make sure you enter the date and click RECALCULATE to obtain the correct total amount due.

Click on "Statement Details" to expand or collapse a tax statement.

Year	Statement ID	First Half Base Amt.	Second Half Base Amt.	Penalty	Interest	Base Paid	Amount Due
▶ Statement Details							
2017	19715	\$2607.09	\$2606.92	\$0.00	\$0.00	\$0.00	\$5214.01
▶ Statement Details							
2016	19768	\$2390.98	\$2390.76	\$0.00	\$0.00	\$4781.74	\$0.00
▶ Statement Details							
2015	19849	\$2185.00	\$2184.84	\$0.00	\$0.00	\$4369.84	\$0.00

Values

(+) Improvement Homesite Value: + \$0  
 (+) Improvement Non-Homesite Value: + \$47,420

PSJ000-17-0003  
ORCA DREAMS LLC

(+) Land Homesite Value:	+	\$0
(+) Land Non-Homesite Value:	+	\$632,500
(+) Curr Use (HS):	+	\$0 \$0
(+) Curr Use (NHS):	+	\$0 \$0
<hr/>		
(=) Market Value:	=	\$679,920
(-) Productivity Loss:	-	\$0
<hr/>		
(=) Subtotal:	=	\$679,920
(+) Senior Appraised Value:	+	\$0
(+) Non-Senior Appraised Value:	+	\$679,920
<hr/>		
(=) Total Appraised Value:	=	\$679,920
(-) Senior Exemption Loss:	-	\$0
(-) Exemption Loss:	-	\$0
<hr/>		
(=) Taxable Value:	=	\$679,920

**Taxing Jurisdiction**

Owner: ORCA DREAMS LLC  
 % Ownership: 100.0000000000%  
 Total Value: \$679,920  
 Tax Area: 0498 - SAN JUAN - SOUTH

Levy Code	Description	Levy Rate	Appraised Value	Taxable Value	Estimated Tax
CC EXP	COUNTY CURRENT EXPENSE	0.8743781161	\$679,920	\$679,920	\$594.51
CC RD SHFT	CO CURRENT RD SHIFT	0.0000000000	\$679,920	\$679,920	\$0.00
CO ROAD	ROAD DISTRICT #1	0.6595396416	\$679,920	\$679,920	\$448.43
DVCORDSH	DIVERTED ROAD FUNDS	0.1091558345	\$679,920	\$679,920	\$74.22
CON FUT	CONSERVATION FUTURES	0.0478949507	\$679,920	\$679,920	\$32.56
PRT FH	PORT OF FRIDAY HARBOR GEN'L	0.1770389149	\$679,920	\$679,920	\$120.37
SJ FIRE	FIRE #3 SAN JUAN GENERAL	0.5916467356	\$679,920	\$679,920	\$402.27
SJ LB	SAN JUAN LIBRARY DISTRICT	0.4982653427	\$679,920	\$679,920	\$338.78
SJ SC CP	SJ SCH DIST 149 CAP PROJ	0.4489131958	\$679,920	\$679,920	\$305.23
SJ SC SP	SAN JUAN SCHOOL DIST 149 SPEC	0.7688310273	\$679,920	\$679,920	\$522.74
SJI CEM	CEMETERY DIST.#1 GEN'L	0.0219975247	\$679,920	\$679,920	\$14.96
SJI EMS	SAN JUAN IS EMERGENCY SERVICES	0.5000000000	\$679,920	\$679,920	\$339.96
SJI HSP	SAN JUAN HOSPITAL DISTRICT #1	0.4386711548	\$679,920	\$679,920	\$298.26
SJI P&R	SAN JUAN ISLAND PARK & REC	0.3376450443	\$679,920	\$679,920	\$229.57
ST LEVY	STATE LEVY	2.1195124583	\$679,920	\$679,920	\$1,441.10
Total Tax Rate:		7.5934899413			
Taxes w/Current Exemptions:					\$5,162.96
Taxes w/o Exemptions:					\$5,162.96

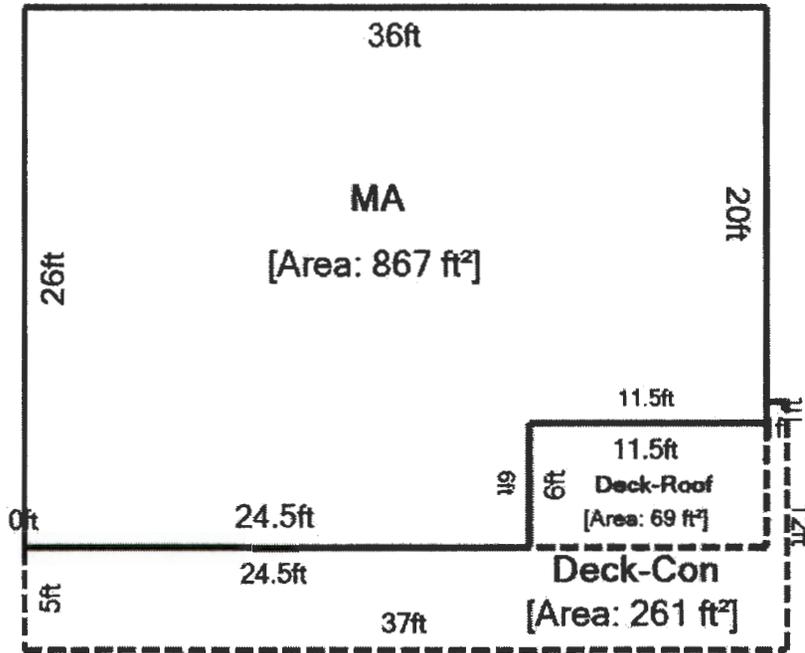
**Improvement / Building**

<b>Improvement #1:</b> 1 Story	<b>State Code:</b> 1100	867.0 sqft	<b>Value:</b> \$47,420
Appliance:	FAN	Bathroom:	2
Bedroom:	2	Exterior wall:	SI/ST
Fixtures:	10	Flooring:	NONE
Foundation:	PERIM	Heating/cooling:	RADNT
Interior finish:	FINISH	Kitchen:	1
Plumbing:	SHOWER	Plumbing:	TOILET

Plumbing:	WTRHEAT	Plumbing:	KSINK
Plumbing:	LAVATORY	Plumbing:	ROUGHIN
Roof covering:	METAL	Septic:	YES

Type	Description	Class CD	Sub Class CD	Year Built	Area
MA	MAIN FLOOR	6		2016	867.0
Deck-Roof	ROOF	6		2016	69.0
Deck-Con	SLAB	6		2016	261.0

Sketch



Slab base in 2016, should be finished with flagstone

Property Image



**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	WF	Waterfront	1.0500	45738.00	0.00	0.00	\$632,500	\$0

**Roll Value History**

Year	Improvements	Land Market	Current Use	Total Appraised	Taxable Value
2017	N/A	N/A	N/A	N/A	N/A
2016	\$47,420	\$632,500	\$0	\$679,920	\$679,920
2015	\$16,380	\$632,500	\$0	\$648,880	\$648,880
2014	\$10,880	\$575,000	\$0	\$585,880	\$585,880

**Deed and Sales History**

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Sale Price	Excise Number	Deed Number
1	10/08/2014	DEED	DEED	MAR VISTA RESORT	ORCA DREAMS LLC				0	2014-1203013

**Payout Agreement**

No payout information available..

[Search Help](#)



Recorded at the request of:  
**CHICAGO TITLE**

**When recorded return to:**  
Orca Dreams LLC  
718 E 35th Ave.  
Spokane, WA 99203

Filed for record at the request of:



**CHICAGO TITLE  
COMPANY**

315 Court Street, PO Box 790  
Friday Harbor, WA 98250

Escrow No.: 245357343

SAN JUAN COUNTY WASH.  
REAL ESTATE EXCISE TAX  
AMOUNT PAID \$ 166,810.00  
**073914**  
JUL 10 2013  
JAN SEARS  
COUNTY TREASURER

**STATUTORY WARRANTY DEED**

THE GRANTOR(S)

DAVID E. KETTER, Trustee of the Milton M. Bave Credit Trust under Will dated February 17, 1983; LISA OBLAD, a married woman, as her separate property; KELLIE BAVE, an unmarried woman who acquired title as KELLIE BAVE KOUGIOULIS, a married woman, as her separate property; DAVID E. KETTER, Trustee of the Peter M. Bave Irrevocable Trust dated August 31, 1989; DAVID E. KETTER, Trustee of the Marsha L. Bave Irrevocable Trust dated August 31, 1989; REBECCA S. BAVE Wagner, a married woman, as her separate property, who acquired title as REBECCA S. BAVE, a single woman; YOLANDA BAVE CREED, a married woman, as her separate property; and DAVID E. KETTER, Trustee of the Emelia L. Bave Revocable Trust dated May 22, 1989; as their interests appear of record, AS TO A PORTION OF PARCEL A ;

DAVID E. KETTER, Trustee of the Milton M. Bave Credit Trust under Will dated February 17, 1983; DAVID KETTER, Trustee of the Marsha L. Bave Irrevocable Trust dated August 31, 1989; DAVID E. KETTER, Trustee of the Emelia Bave Revocable Trust dated May 22, 1989; as their interests appear of record, AS TO THE REMAINDER OF PARCEL A,

DAVID E. KETTER, Trustee of the Peter M. Bave Trust dated May 22, 1989; and DAVID E. KETTER, Trustee of the Emelia L. Bave Revocable Trust Agreement dated May 22, 1989; as their interests appear of record, AS TO PARCEL B

for and in consideration of Ten And No/100 Dollars (\$10.00) and other good and valuable consideration

in hand paid, conveys, and warrants to Orca Dreams LLC, a Washington limited liability company

the following described real estate, situated in the County of San Juan, State of Washington:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Abbreviated Legal: (Required if full legal not inserted above.)

Ptn Gov. Lot 1, 4-34-3 & Ptns Gov. Lot 9, 33-35-3

Tax Parcel Number(s): 340411002000, 353344008000, 353344005000

**Reserving unto the Grantor, their successors and/or assigns, an easement for roadway and utility purposes as described as the TOGETHER WITH easement for roadway and utility purposes, within the legal description of that certain Statutory Warranty Deed recorded January 17, 1989 under San Juan County recording no. 89155419, and as further described within the Revised Parcel A**

S.J.C. DEPARTMENT OF  
COMMUNITY DEVELOPMENT

STATUTORY WARRANTY DEED  
(continued)

land description as the SUBJECT TO easement for roadway and utility purposes, within that certain Boundary Line Modification recorded on July 10, 2013, under San Juan County recording no. 2013-0710009.

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

Dated: 7/9/13

David E. Ketter, Trustee of the Milton M. Bave Credit Trust under will dated February 17, 1983

By: David E. Ketter  
David E. Ketter, Trustee

Lisa Oblad by David E. Ketter, Attorney in Fact  
Lisa Oblad, by David E. Ketter, as her Attorney in Fact

Kellie Bave by David E. Ketter, Attorney in Fact  
Kellie Bave, by David E. Ketter, as her Attorney in Fact

David E. Ketter, Trustee of the Marsha L. Bave Irrevocable Trust dated August 31, 1989

By: David E. Ketter  
David E. Ketter, Trustee

Rebecca S. Bave Wagner by David E. Ketter, Attorney in Fact  
Rebecca S. Bave Wagner, by David E. Ketter, as her Attorney in Fact

Yolanda Bave Creed by David E. Ketter, Attorney in Fact  
Yolanda Bave Creed, by David E. Ketter, as her Attorney in Fact

David E. Ketter, Trustee of the Emelia L. Bave Irrevocable Trust dated May 22, 1989

By: David E. Ketter  
David E. Ketter, Trustee

David E. Ketter, Trustee of the Peter M. Bave Irrevocable Trust U/A/D 8/31/89

By: David E. Ketter  
David E. Ketter  
Trustee

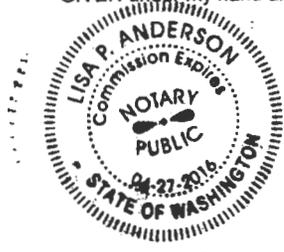
UNOFFICIAL COPY

STATUTORY WARRANTY DEED  
(continued)

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SAN JUAN )

I certify that I know or have satisfactory evidence that David E. Ketter is the person who executed the foregoing instrument as Attorney in Fact for Kellie Bave and acknowledged that he signed the same as his free and voluntary act and deed, as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that said principal is now living and is not incompetent.

GIVEN under my hand and official seal this 9 day of July, 2013.



[Signature]  
Notary Public for the State of Washington,  
residing at: Friday Harbor  
My commission expires: 4-27-2016

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SAN JUAN )

I certify that I know or have satisfactory evidence that David E. Ketter is the person who executed the foregoing instrument as Attorney in Fact for Yolanda Bave Creed and acknowledged that he signed the same as his free and voluntary act and deed, as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that said principal is now living and is not incompetent.

GIVEN under my hand and official seal this 9 day of July, 2013.



[Signature]  
Notary Public for the State of Washington,  
residing at: Friday Harbor  
My commission expires: 4-27-2016

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SAN JUAN )

I certify that I know or have satisfactory evidence that David E. Ketter is the person who executed the foregoing instrument as Attorney in Fact for Lisa Oblad and acknowledged that he signed the same as his free and voluntary act and deed, as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that said principal is now living and is not incompetent.

GIVEN under my hand and official seal this 9 day of July, 2013.



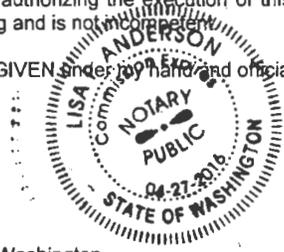
[Signature]  
Notary Public for the State of Washington,  
residing at: Friday Harbor  
My commission expires: 4-27-2016

STATUTORY WARRANTY DEED  
(continued)

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SAN JUAN )

I certify that I know or have satisfactory evidence that David E. Ketter is the person who executed the foregoing instrument as Attorney in Fact for Rebecca S. Bave Wagner and acknowledged that he signed the same as his free and voluntary act and deed, as Attorney in Fact for said principal for the uses and purposes therein mentioned, and on oath stated that the Power of Attorney authorizing the execution of this instrument has not been revoked and that said principal is now living and is not incompetent.

GIVEN under my hand and official seal this 9 day of July, 2013.



[Signature]  
Notary Public for the State of Washington,  
residing at: Friday Harbor  
My commission expires: 4-27-2016

State of Washington  
County of San Juan

I certify that I know or have satisfactory evidence that David Ketter is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as Trustee of the Emelia L. Bave Revocable Trust dated May 22, 1989 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

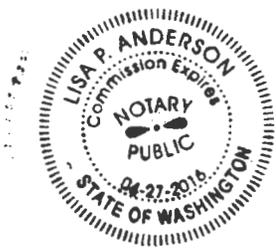
Dated: 7-9-13  
State of Washington  
County of San Juan



[Signature]  
Name: LISA P. ANDERSON  
Notary Public in and for the State of Washington  
Residing at: Friday Harbor  
My appointment expires: 4-27-2016

I certify that I know or have satisfactory evidence that David Ketter is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as Trustee of the Marsha L. Bave Irrevocable Trust dated August 31, 1989 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 7-9-13

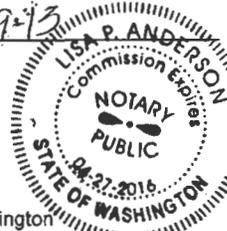


[Signature]  
Name: LISA P. ANDERSON  
Notary Public in and for the State of Washington  
Residing at: Friday Harbor  
My appointment expires: 4-27-2016

STATUTORY WARRANTY DEED  
(continued)

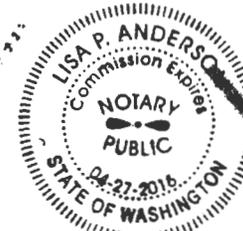
State of Washington  
County of San Juan

I certify that I know or have satisfactory evidence that David Ketter is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as Trustee of the Milton M. Bave Credit Trust under Will dated February 17, 1983 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 7-9-13  
  
Name: LISA P. ANDERSON  
Notary Public in and for the State of Washington  
Residing at: Friday Harbor  
My appointment expires: 4-27-2016

State of Washington  
County of San Juan

I certify that I know or have satisfactory evidence that David Ketter is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as Trustee of the Peter M. Bave Irrevocable Trust U/A/D 8/31/89 to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 7-9-13  
  
Name: LISA P. ANDERSON  
Notary Public in and for the State of Washington  
Residing at: Friday Harbor  
My appointment expires: 4-27-2016

UNOFFICIAL COPY

**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 340411002000, 353344008000 and 353344005000**

**PARCEL A:**

That portion of Government Lot 9 in Section 33, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, described as follows:

Beginning at the Southeast corner of said Government Lot 9; thence West along the South line thereof a distance of 626 feet to the True Point of Beginning; thence North 39 degrees West 54.5 feet; thence North 0 degrees 20 minutes East along a fence line to an intersection with the North line of the South 345.16 feet of said Government Lot 9; thence West along said North line to the Westerly boundary of said Government Lot 9; thence Southerly along said Westerly boundary to the South line of said Government Lot 9; thence East along said South line to the True Point of Beginning; AND

ALSO that portion of Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., in San Juan County, Washington, lying northerly of the following described line:

Commencing at the Northeast corner of said Section 4; (from which point the Southerly Meander corner common to Sections 4 and 3 of said Township and Range bears South 1°30'39" West); thence along the East line thereof, also being the East line of said Government Lot 1, South 1°30'39" West 724.45 feet to the True Point of Beginning of said line; thence leaving said East line North 88°08'38" West 1358 feet, more or less to a point on the westerly outer boundary of said Government Lot 1, and the terminus of said line.

**PARCEL B:**

A portion of Government Lot 9, Section 33, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, described as follows:

Beginning at the Southeast corner of said Government Lot 9, which is the TRUE POINT OF BEGINNING; THENCE West 626 feet; THENCE North 39° West 54.5 feet; THENCE North 0°20' East along a fence line a distance of 812.86 feet; THENCE North 1°22' West along the fence line 674.7 feet, more or less, to the West line of said Government Lot 9; THENCE North along said Westerly line to a point on a line which is parallel with and 35 feet North of the last said fence line; THENCE South 81°26' East to a point 652.5 feet West of the East line of said Government Lot 9; THENCE South 135 feet; THENCE East 652.5 feet to the East line of said Lot 9, THENCE South along the center line of County Road to the POINT OF BEGINNING;

EXCEPT any portion lying North of the South 345.16 feet of said Government Lot 9.

LESS ROADS AND LESS ANY MOBILE OR MANUFACTURED HOMES LYING ON THE ABOVE DESCRIBED PARCELS A AND B.

**EXHIBIT "B"**  
Exceptions

1. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:  
  
Purpose: Roadway and utility  
Recording Date: January 17, 1989  
Recording No.: 89155419  
Affects: Easterly portion of Parcel A
  
2. Agreement for Use and Maintenance of a Water System  
  
Executed by: Emelia L. Bave and Catherin Linn Gould  
Recording Date: January 17, 1989  
Recording No.: 89155419  
Affects: Northerly portion of Parcel A and other property
  
3. An apparent roadway across the northerly portion of Parcel A for the benefit of other properties as shown on the aerial map accessed through the county assessor's website. We find no recorded easement or agreement relating to this roadway area.
  
4. As to any portion of said land now, formerly or in the future covered by water: Questions or adverse claims related to (1) lateral boundaries of any tidelands or shorelands; (2) shifting in course, boundary or location of the body of water; (3) rights of the State of Washington if the body of water is or was navigable; and (4) public regulatory and recreational rights (including powers of the USA) or private riparian rights which limit or prohibit use of the land or water.  
  
Affects: Parcel A
  
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:  
  
Purpose: roadway and utility  
Recording Date: April 6, 2008  
Recording No.: 2008 0409008 and various other instruments of record  
Affects: easterly portion of Parcel A for the benefit of the parcel lying directly south of Parcel A

Unofficial  
Copy

SAN JUAN COUNTY WASH.  
REAL ESTATE EXCISE TAX  
AMOUNT PAID \$ 0



Filed for Record at Request of:  
Mimi M. Wagner, Attorney at Law  
When recorded return to:  
Law Offices of William J. Weissinger  
425-B Caines Street  
Friday Harbor, WA 98250

DEC 03 2014  
075625  
JAN SEARS  
COUNTY TREASURER

Recorded at the request of:  
WEISSINGER LAW OFFICES

### Quit Claim Deed

Grantors:

- (1) David E. Ketter, as Trustee of Milton M. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 02/17/1983, as to a 28.75% interest;
- (2) David E. Ketter, as Trustee of the Milton M. Bave GST Exempt Trust FBO Peter M. Bave UAD 02/17/1983, as to a 28.75% interest;
- (3) David E. Ketter, as the Trustee of the Emelia L. Bave GST Exempt Trust FBO Peter M. Bave UAD 05/22/1989, as to a 21.25% interest;
- (4) David E. Ketter, as Trustee of Emelia L. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 05/22/1989, as to a 21.25% interest.

Grantee: Orca Dreams LLC, a Washington limited liability company

Legal Description: Second class tidelands abutting the north 132 feet of GL 1, Sec 4, Twp 34 N, R 3 W, W.M.

Assessor's Tax Parcel Number: 340445 002 000

Reference Auditor File Numbers of Documents assigned, released or amended:

S.J.C. DEPARTMENT OF

### Background

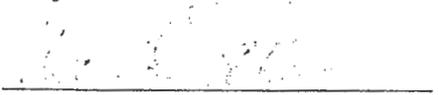
- 1. By statutory warranty deed dated July 9, 2013, and recorded under AFN 2013-0710010 and real estate excise tax affidavit number 073914, Grantor and others conveyed a portion of Government Lot 1 in Section 4, Township 34 North, Range 3 West, W.M., in San Juan County, to Grantee Orca Dreams LLC.
- 2. Since that conveyance, Grantors and Grantee have learned that 132 feet of second class tidelands abutting the north 132 feet of said Government Lot 1 should have been included with the property conveyed by that deed.
- 3. Because Grantors are the sole testate heirs of Milton and Emilia Bave, both deceased, and want to give a quit claim deed for these 132 feet of tidelands, rather than a statutory warranty deed, and for other reasons, re-recording the statutory warranty deed to make this conveyance is not an option, and Grantors are giving Grantee this quit claim deed.

Now, therefore, the Grantors, David E. Ketter, as Trustee of the Milton M. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 02/17/1983, as to a 28.75% interest, David E. Ketter, as Trustee of the Milton M. Bave GST Exempt Trust FBO Peter M. Bave UAD 02/17/1983, as to a 28.75% interest; David E. Ketter, as the Trustee of the Emelia L. Bave GST Exempt Trust FBO Peter M. Bave UAD 05/22/1989, as to a 21.25% interest, and David E. Ketter, as Trustee of the Emelia L. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 05/22/1989, as to a 21.25% interest, for and in consideration of **WAC 458-61A-201 (transfer without consideration) and WAC 458-61A-217 (re-record to correct a legal description), convey and quit claim to Orca Dreams LLC**, a Washington limited liability company, the following described real estate, situated in the County of San Juan, State of Washington, together with all after acquired title of the grantor(s) therein:

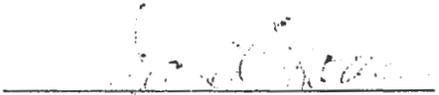
The tidelands of the second class, situate in front of, adjacent to, or abutting upon the north 132 feet of Government Lot 1, Section 4, Township 34 north, Range 3 West, W.M., with a frontage of 2.00 lineal chains, more or less.

DATED this 21<sup>st</sup> day of October, 2014.

David E. Ketter, Trustee of the Milton M. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 02/17/1983, as to a 28.75% interest:

  
\_\_\_\_\_  
David E. Ketter, as Trustee of the Milton M. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 02/17/1983

David E. Ketter, Trustee of the Milton M. Bave GST Exempt Trust FBO Peter M. Bave UAD 02/17/1983, as to a 28.75% interest:

  
\_\_\_\_\_  
David E. Ketter, as Trustee of the Milton M. Bave GST Exempt Trust FBO Peter M. Bave UAD 02/17/1983

David E. Ketter, Trustee of the Emelia L. Bave GST Exempt Trust FBO Peter M. Bave UAD 05/22/1989, as to a 21.25% interest:

  
\_\_\_\_\_  
David E. Ketter, as Trustee of the Emelia L. Bave GST Exempt Trust FBO Peter M. Bave UAD 05/22/1989

David E. Ketter, Trustee of the Emelia L. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 05/22/1989, as to a 21.25% interest:

  
\_\_\_\_\_  
David E. Ketter, as Trustee of the Emelia L. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 05/22/1989

STATE OF WASHINGTON

SS

COUNTY OF KING

On this day personally appeared before me **David E. Ketter**, to me known to be the individual described in and who executed the within and foregoing instrument, as **Trustee of the Milton M. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 02/17/1983**, and acknowledged that he signed the same as his free and voluntary act and deed, for the purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument as the Trustee of said Trust.

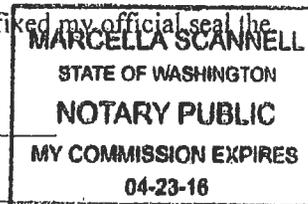
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the 21 day of November, 2014.

*Marcella Scannell*

Notary signature

Marcella Scannell

Name printed



NOTARY PUBLIC in and for the State of Washington,  
residing at Seattle, Washington.  
My appointment expires on 04/23/16.

STATE OF WASHINGTON

SS

COUNTY OF KING

On this day personally appeared before me **David E. Ketter**, to me known to be the individual described in and who executed the within and foregoing instrument, as **Trustee of the Milton M. Bave GST Exempt Trust FBO Peter M. Bave UAD 02/17/1983**, and acknowledged that he signed the same as his free and voluntary act and deed, for the purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument as the Trustee of said Trust.

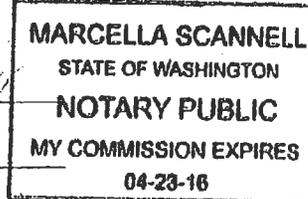
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the 21 day of November, 2014.

*Marcella Scannell*

Notary signature

Marcella Scannell

Name printed



NOTARY PUBLIC in and for the State of Washington,  
residing at Seattle, Washington.  
My appointment expires on 04/23/16.

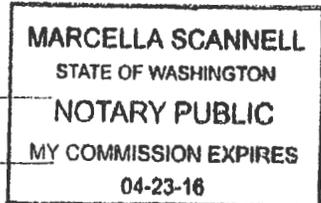
STATE OF WASHINGTON  
COUNTY OF FRASER

ss

On this day personally appeared before me **David E. Ketter**, to me known to be the individual described in and who executed the within and foregoing instrument, as **Trustee of the Emelia L. Bave GST Exempt Trust FBO Peter M. Bave UAD 05/22/1989**, and acknowledged that he signed the same as his free and voluntary act and deed, for the purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument as the Trustee of said Trust.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the 21 day of November, 2014.

Marcella Scannell  
Notary signature  
Marcella Scannell  
Name printed



NOTARY PUBLIC in and for the State of Washington,  
residing at Seattle, Washington.  
My appointment expires on 04-23-16.

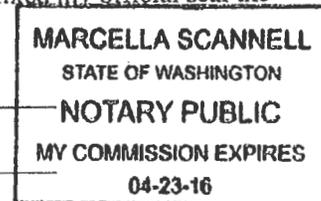
STATE OF WASHINGTON  
COUNTY OF KING

ss

On this day personally appeared before me **David E. Ketter**, to me known to be the individual described in and who executed the within and foregoing instrument, as **Trustee of the Emelia L. Bave GST Exempt Trust FBO Marsha L. Bave Fuller UAD 05/22/1989**, and acknowledged that he signed the same as his free and voluntary act and deed, for the purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument as the Trustee of said Trust:

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the 21 day of November, 2014.

Marcella Scannell  
Notary signature  
Marcella Scannell  
Name printed



NOTARY PUBLIC in and for the State of Washington,  
residing at Seattle, Washington.  
My appointment expires on 04-23-16.

San Juan County, WA  
F. Milene Henley, Auditor  
DEED  
Pge=3 KIRAB

2014-1203013  
12/03/2014 01:51 PM  
Total:\$74.00



Recorded at the request of:  
**WEISSINGER LAW OFFICES**

Filed for Record at Request of: SAN JUAN COUNTY WASH.  
William J. Weissinger, Attorney at Law REAL ESTATE EXCISE TAX  
When recorded return to: AMOUNT PAID \$ 0  
Law Offices of William J. Weissinger, P.S.  
425-B Caines Street  
Friday Harbor, WA 98250

DEC 03 2014  
JP 075624  
JAN SEARS  
COUNTY TREASURER

### Deed

Grantor: State of Washington

Grantee: Lloyd D. Martin and Robert L. Murray, doing business as Marvista Resort, a partnership, their heirs and assigns

Legal Description: Second class tidelands abutting the north 132 feet of GL 1, Sec 4, Twp 34 N, R 3 W, W.M.

Assessor's Tax Parcel Number: 340445 002 000

Reference Auditor File Numbers of Documents assigned, released or amended:



SECOND-CLASS TIDE ~~LANDS~~ LANDS sold subsequent to June 7, 1911.  
S. F. No. 42-101, IN-3-11-15, 1911.

# State of Washington

IN CONSIDERATION of Seventy and no/100 (\$70.00) Dollars,

the receipt of which is hereby acknowledged, the STATE OF WASHINGTON does hereby grant, bargain, sell and convey unto Lloyd D. Martin and Robert L. Murray, doing business as Marvista Resort, a partnership, their heirs and assigns, the following described tide ~~lands~~ lands of the second class, as defined by Chapter 266 of the Session Laws of 1927, situate in Sep. Juan County, Washington, to-wit:

The tide lands of the second class, owned by the State of Washington, situate in front of, adjacent to and abutting upon the north 132 feet of lot 1, section 4, township 34 North, range 3 West, W.M., with a frontage of 2,000 lineal chains, more or less.

The above described lands are sold subject to all the provisions of Chapter 312 of the Session Laws of 1927, to which reference is hereby made, and which shall be as binding upon the grantee and any successors in interest of said grantee as though set out at length herein.  
The grantee hereby expressly covenants, excepts and reserves out of the grant hereby made, unto itself, its successors and assigns forever, all oils, gases, coal, ores, minerals and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oil, gases, coal, ores, minerals and fossils; and it also hereby expressly states and reserves out of the grant hereby made, unto itself, its successors and assigns forever the right to enter by itself, its agents, attorneys and servants upon said lands or any part or parts thereof, at any and all times, for the purpose of opening, developing and working mines thereon, and taking out and removing therefrom all such oil, gases, coal, ores, minerals and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its successors and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain and use all such buildings, machinery, roads and railroads, with such shafts, remove such soil, and to remain on said lands or any part thereof, for the business of mining and to occupy so much of said land as may be necessary or convenient for the successful prosecution of such mining business hereby expressly reserving to itself, its successors and assigns, as aforesaid, generally all rights and powers in, to and over said lands, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved: Provided, That no rights shall be exercised under this reservation by the state, its successors or assigns, until provision has been made by the state, its successors or assigns to pay to the owner of the land upon which the rights herein reserved to the state, its successors or assigns are sought to be exercised, full payment for all damages sustained by said owner, by reason of entering upon said land.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Lloyd D. Martin & Robert L. Murray, doing business as Marvista Resort, a partnership, their heirs and assigns, forever.

WITNESS, The Seal of the State, affixed this 18th day of December, 1914.

/s/ Mon. C. Wallgren Governor.

Attest: /s/ Ray J. Yeoman Assistant Secretary of State.

Deed No. 19827  
Cont. No. -  
App. No. 11481



Land Patent

(4-196.)

U.S. DEPARTMENT OF

HOMESTEAD.

COMMUNITY DEVELOPMENT

Land Office at OLYMPIA, W. T.

June 13<sup>th</sup> 1905

FINAL CERTIFICATE,

No. 1648

APPLICATION,

No. 2938

It is hereby certified That, pursuant to the provisions of Section No. 2291, Revised Statutes of the United States, Elmore Nelson, widow of Peter Nelson, dec<sup>d</sup> has made payment in full for

Lots 8 & 9 of Sec. 33. T<sup>h</sup>. 35 N. R. 3 West  
Lot 4 of Sec. 3. and lots 1 & 2

of Section No. 4, in Township No. 34 North, of Range No. 3 West, of the Willamette Principal Meridian W. 2, containing 15 1/4 acres.

Now, therefore, be it known, That on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said Elmore Nelson, widow of Peter Nelson, dec<sup>d</sup> shall be entitled to a Patent for the Tract of Land above described.

John F. Gorrey  
Register.

ELECTOR'S

2

Final Certificate No. 1648

Homestead Application No. 3936

LAND OFFICE

AT

OLYMPIA, W. T.

June 13<sup>th</sup>, 1883

Sect 8.4, Town 3.4, Range 1.1

Approved Sept 8<sup>th</sup>, 1883

Clerk

Division

Patented June 20<sup>th</sup>, 1884

Recorded, Vol. 4, page 395

**PBLM00-14-0023**  
**ORCA DREAMS LLC**

San Juan County, WA 2014-0929019  
 F. Milene Henley, Auditor 09/29/2014 01:44 PM  
 BOUND Total: \$128.00  
 Pgs=11 KIRAS



Recorded at the request of:  
**ORCA DREAMS LLC**

Return to:  
 San Juan Surveying  
 P.O. Box 611  
 Friday Harbor, WA. 98250

**BOUNDARY LINE MODIFICATION**

**THIS BOUNDARY LINE MODIFICATION WILL NOT BE VALID UNLESS IT IS RECORDED WITH THE SAN JUAN COUNTY AUDITOR WITHIN SIX MONTHS OF THE APPROVAL DATE.**

Because a boundary line modification (BLM) is not a conveyance there is no Grantee. For purposes of recording a BLM, the Auditor's Office treats all parties as both Grantors and Grantees.

Grantor(s) statement: I certify that all of the information submitted herewith is true and correct. I understand that this application is for boundary alterations between adjacent parcels and that approval does not constitute approval for creation of additional parcels or lots.

A. Grantor(s) Name Orca Dreams, LLC  
 and address: P.O. Box 928  
 (please print) Friday Harbor, Wa. 98250

A. Grantor(s) signature: *ORCA DREAMS MANAGER*

B. Grantor(s) Name \_\_\_\_\_  
 and address: \_\_\_\_\_  
 (please print) \_\_\_\_\_

B. Grantor(s) signature: \_\_\_\_\_

S.J.C. DEPARTMENT OF  
 COMMUNITY DEVELOPMENT

S.J.C. COMMUNITY  
 SEP 04 2014

Parcel Number	Abbreviated Legal Description	Auditor's File Number of Latest Deed	Existing Area	DEVELOPMENT & PLANNING New Area
A. 353344005000	PTN S33, T35 N, R3W PTN S4, T34N, R3W	2013-0710010	5.22 Acres	1.06 Acres
B. 353344008000	PTN S33, T35 N, R3W PTN S4, T34N, R3W	2013-0710010	24.96 Acres	0.84 Acres
C. 340411002000	PTN S4, T34N, R3W	2014-0620003	10.40 Acres	38.68 Acres

Has either parcel in the proposed change been involved in any way in a Simple Land Division in the last five years? Yes  No

Is any of the property classified as "Open Space" or "Designated Forest Land" for taxation purposes? Yes  No

Date received: 9/4/14 Receipt Number: 00008385

*Pd 545.*

ISLAND San Juan

SUBMITTAL DATE \_\_\_\_\_

COMPREHENSIVE PLAN DESIGNATION RFF 5

SHORELINE DESIGNATION RFF

**Approval does not change ownership of land. If ownership is to be conveyed, the applicant shall effect an appropriate legal instrument for conveyance.**

**Approvals of boundary line modifications shall expire if the authorized deeds transferring property ownership, together with a copy of the approved boundary line modification and map, are not recorded within six months of the approval, unless the application identified the modification as subject to a pending development permit application as a documented contingency agreement between the prospective land seller and purchaser. In that event, the recordings required above shall be filed within 30 days of the effective date of the approved development permit or shall become void upon the denial of a development permit. Documentation authorizing the transfer of property ownership may be placed on the original boundary line map along with the legal descriptions of those portions of land being transferred. (SJCC 18.70.030G)**

LAND DIVISION ADMINISTRATOR'S CERTIFICATE: Pursuant to SJCC 18.70.030 Community Development & Planning has reviewed this application and found it in compliance with the codes applicable at the time of the application. All boundary line modifications are subject to SJCC 18.70.030(A)5 " Pursuant to RCW 58.17.060 the property subject to this authorization may not be divided in any manner within a period of five (5) years without the filing of an application for a long subdivision unless eligible for redivision by short plat in accordance with state law.

TREASURER'S CERTIFICATE: All taxes and assessments of the current year, \_\_\_\_\_, including advance taxes per RCW 58.08.040, for current year tax not yet levied or certified and any delinquent taxes or assessments which have become a lien upon the lands herein described have been fully paid and discharged according to the records of my office. If any penalty fees are due under the provisions of the Open Space or DFL Law (84.33 and 84.34RCW) this does not guarantee that they have been paid.

Approved

Denied

Julie Thompson 9-25-14  
Administrator Date

Linda Beavall 9/29/14  
San Juan County Treasurer Date

**NOTE: This modification is not valid unless it is recorded with the San Juan County Auditor within 6 months of the approval date, together with a map (8 1/2"X11") containing an original approval stamp signed by the Director of Community Development & Planning or designee.**

S.J.C. COMMUNITY

SEP 04 2014

DEVELOPMENT & PLANNING

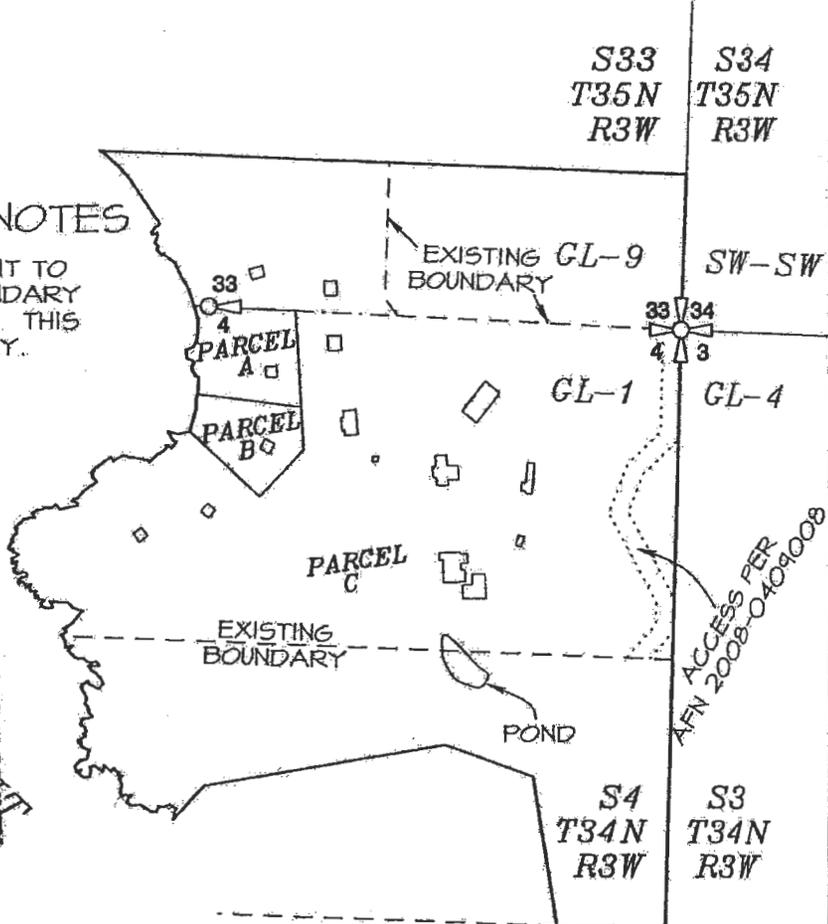
2014-0929019 Page 2 of 11  
SAN JUAN COUNTY, WASHINGTON

# BOUNDARY LINE MODIFICATION

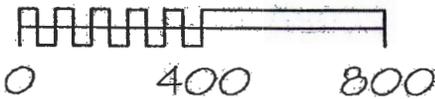
## SURVEYOR'S NOTES

1. THIS IS AN EXHIBIT TO ACCOMPANY A BOUNDARY LINE MODIFICATION. THIS IS NOT A SURVEY.

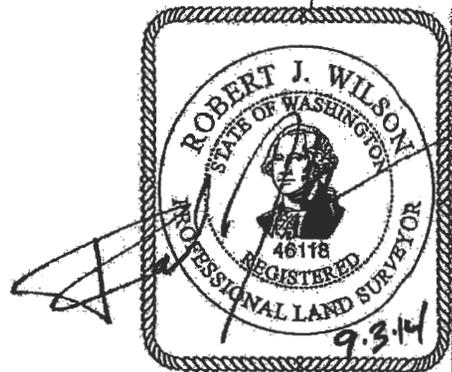
Approved by: *[Signature]*  
 Permit No. 00239-25814  
 SAN JUAN COUNTY  
 COMMUNITY DEVELOPMENT AND PLANNING  
 APPROVED SITE PLAN  
 This site plan is consistent with the County land use and development codes, subject to the terms and conditions of:



PARCEL 'A' = 1.06 AC. +/-  
 PARCEL 'B' = 0.84 AC. +/-  
 PARCEL 'C' = 38.68 AC. +/-



13-039.PRO(BLM) - 9/2/2014 - RJW



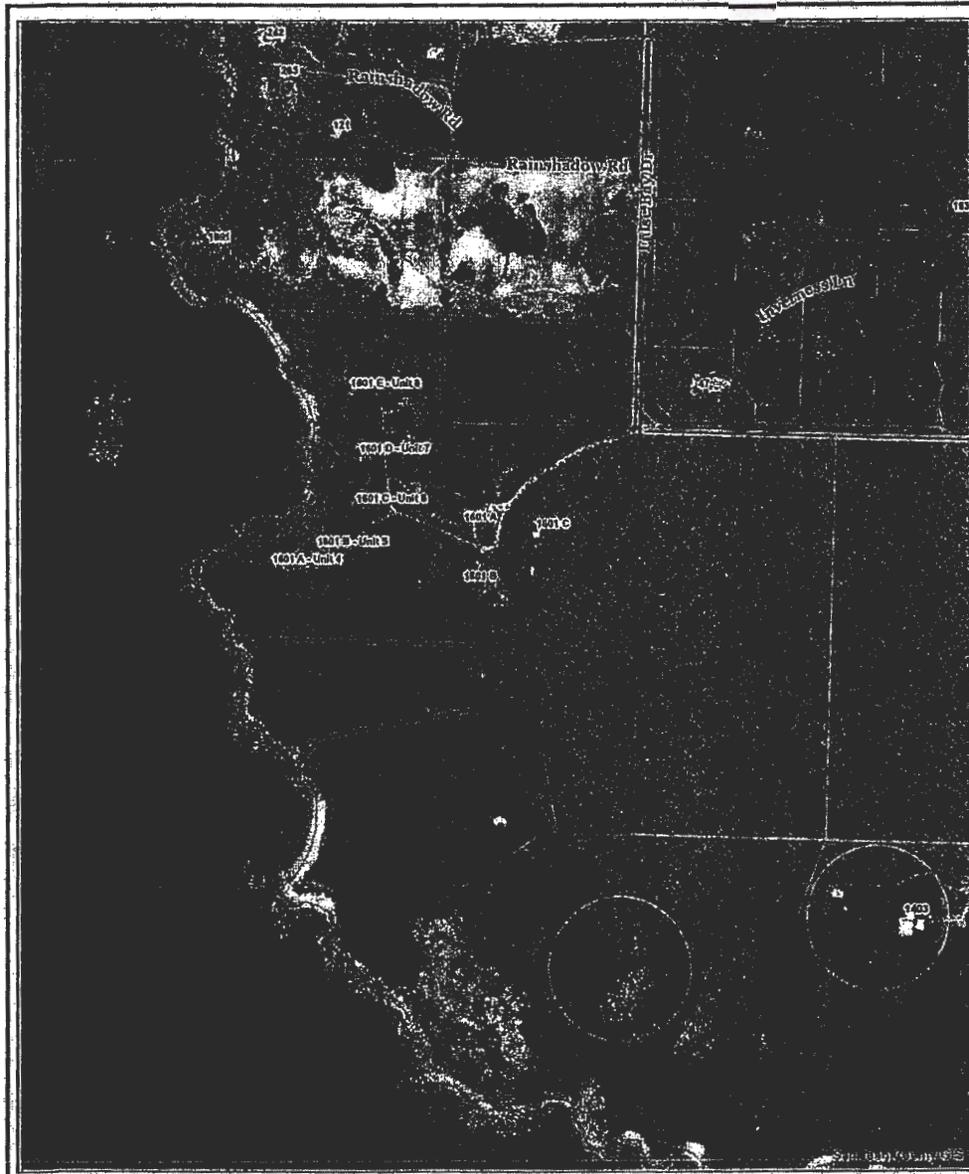
S.J.C. COMMUNITY

SEP 04 2014

DEVELOPMENT & PLANNING

2014-0929019 Page 3 of 11  
 SAN JUAN COUNTY, WASHINGTON

**ASSESSOR'S MAP OF  
EXISTING PARCELS  
BEFORE  
BOUNDARY LINE MODIFICATION**



File was derived from San Juan County's Geographic Information System (GIS) and is intended to serve as a reference. The information is provided as is without warranty.

1 in = 400 feet



**HONEYWELL**

SEP 04 2014

INSTRUMENT OF CONVEYANCE  
PARCEL A - BEFORE  
TAX PARCEL 353344005

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**2013-0710010** Page 6 of 7  
SAN JUAN COUNTY, WASHINGTON

A portion of Government Lot 9, Section 33, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, described as follows:

Beginning at the Southeast corner of said Government Lot 9, which is the TRUE POINT OF BEGINNING; THENCE West 626 feet; THENCE North 39° West 54.5 feet; THENCE North 0°20' East along a fence line a distance of 812.36 feet; THENCE North 81°26' West along the fence line 674.7 feet, more or less, to the West line of said Government Lot 9; THENCE North along said Westerly line to a point on a line which is parallel with and 135 feet North of the last said fence line; THENCE South 81°26' East to a point 652.5 feet West of the East line of said Government Lot 9; THENCE South 135 feet; THENCE East 652.5 feet to the East line of said Lot 9, THENCE South along the center line of County Road to the POINT OF BEGINNING;

EXCEPT any portion lying North of the South 345.16 feet of said Government Lot 9.

LESS ROADS AND LESS ANY MOBILE OR MANUFACTURED HOMES LYING ON THE ABOVE DESCRIBED PARCELS A AND B.

**2014-0929019** Page 5 of 11  
SAN JUAN COUNTY, WASHINGTON

S.J.C. COMMUNITY

SEP 04 2014

DEVELOPMENT & PLANNING

INSTRUMENT OF CONVEYANCE  
PARCEL B - BEFORE  
TAX PARCEL 353344008

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2013-0710010 Page 6 of 7  
SAN JUAN COUNTY, WASHINGTON

That portion of Government Lot 9 in Section 33, Township 35 North, Range 3 West, W.M., in San Juan County, Washington, described as follows:

Beginning at the Southeast corner of said Government Lot 9; thence West along the South line thereof a distance of 626 feet to the True Point of Beginning; thence North 39 degrees West 54.5 feet; thence North 0 degrees 20 minutes East along a fence line to an intersection with the North line of the South 345.16 feet of said Government Lot 9; thence West along said North line to the Westerly boundary of said Government Lot 9; thence Southerly along said Westerly boundary to the South line of said Government Lot 9; thence East along said South line to the True Point of Beginning; AND

ALSO that portion of Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., in San Juan County, Washington, lying northerly of the following described line:

Commencing at the Northeast corner of said Section 4; (from which point the Southerly Meander corner common to Sections 4 and 3 of said Township and Range bears South 1°30'39" West); thence along the East line thereof, also being the East line of said Government Lot 1, South 1°30'39" West 724.45 feet to the True Point of Beginning of said line; thence leaving said East line North 88°08'38" West 1358 feet, more or less to a point on the westerly outer boundary of said Government Lot 1, and the terminus of said line.

S.J.C. COMMUNITY

SEP 04 2014

DEVELOPMENT & PLANNING

2014-0929019 Page 6 of 11  
SAN JUAN COUNTY, WASHINGTON

INSTRUMENT OF CONVEYANCE  
PARCEL C - BEFORE  
TAX PARCEL 340411002

**2014-0620003** Page 7 of 9  
SAN JUAN COUNTY, WASHINGTON

Government Lot 1 in Section 4 of Township 34 North, Range 3 West, W.M. in San Juan County, Washington, except those portions described by instrument recorded as Auditor's file No. 88154838, records of San Juan County, and attached as Exhibit A in that instrument recorded under Auditor's file No. 2008 0409008 described as follows:

Commencing at the Northeast corner of said Section 4; which point is marked by a spike in the county road; THENCE along the East line of said Section, South 00°03'55" East (erroneously shown as South 00°33'55" East per prior deed AFN 2008 0409008), 1324.63 feet to the Southeast corner of said Government Lot 1; THENCE leaving said East line and along the North boundary of that parcel of land described as Parcel A in that deed recorded under Auditors File No. 86139611, records of San Juan County, Washington, North 89°50'32" West, 241.61 feet to the True Point of Beginning of the parcel to be described; THENCE leaving said North boundary, North 10°46'53" West, 335.65 feet to a point herein designated Point "A" for reference purposes; THENCE North 71°44'50" West, 206.33 feet; THENCE South 78°26'32" West, 544.45 feet; THENCE South 41°01'26" West, 100 feet, more or less to a point on the line of ordinary high tide; THENCE Southerly along said Line of Ordinary High Tide to a point on the Northwesterly boundary of said Parcel A described in Auditors File No. 86139611; THENCE leaving said Line of Ordinary High Tide and along said Northwesterly Boundary, North 55°09'24" East, 51 feet, more or less, to a point marked by a concrete monument on the bank above the beach; THENCE continuing North 55°09'24" East, 733.40 feet, THENCE South 89°50'32" East, 40.00 feet to the True Point of Beginning AND; EXCEPT any portion thereof lying Northerly of the following described line:

Commencing at the Northeast corner of said Section 4; (from which point the Southerly Meander corner common to Sections 4 and 3 of said Township and Range bears South 1°30'39" West; thence along the East line thereof, also being the East line of said Government Lot 1, South 1°30'39" West 724.45 feet to the True Point of Beginning of said line; thence leaving said East line North 88°08'38" West 1358 feet, more or less to a point on the westerly outer boundary of said Government Lot 1, and the terminus of said line.

(The above described property also being known as Parcel B of Boundary Line Modification recorded under San Juan County recording no. 2013-0710009)

S.J.C. COMMUNITY

SEP 04 2014

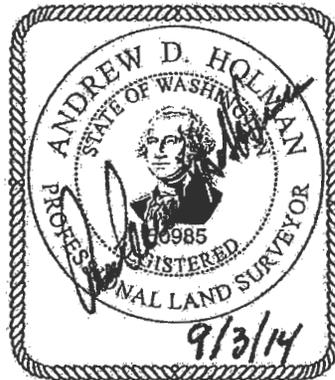
DEVELOPMENT & PLANNING

**2014-0929019** Page 7 of 11  
SAN JUAN COUNTY, WASHINGTON

**LAND DESCRIPTION**  
**Modified Parcel A**

That portion of Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., San Juan County, Washington described as follows:

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4 said Township and Range, South 01°31'07" West; thence South 78°27'19" West 863.36 feet to the True Point of Beginning; thence North 03°22'29" West 209.82 feet to a point on the North boundary of said Section 4, thence along said North boundary North 87°33'14" West 227 feet, more or less, to the line of Mean High Tide, thence leaving said North boundary, southerly along said line of Mean High Tide to a point which bears North 83°29'58" West of said True Point of Beginning; thence leaving said line of Mean High Tide South 83°29'58" East 233 feet, more or less to the True Point of Beginning.



S.J.C. COMMUNITY

SEP 04 2014

DEVELOPMENT & PLANNING



**San Juan Surveying, LLC**

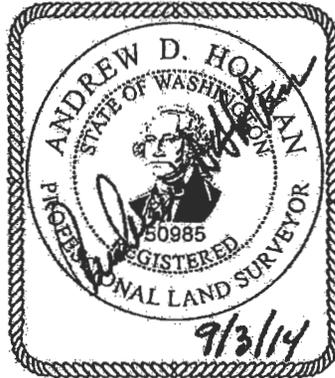
*P.O. Box 611 Friday Harbor, WA 98250*  
*(360) 378-2300 [www.sanjuanurveying.com](http://www.sanjuanurveying.com)*

**2014-0929019** Page 8 of 11  
SAN JUAN COUNTY, WASHINGTON

**LAND DESCRIPTION**  
**Modified Parcel B**

That portion of Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., San Juan County, Washington described as follows:

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4 said Township and Range, South  $01^{\circ}31'07''$  West; thence South  $78^{\circ}27'19''$  West 863.36 feet to the True Point of Beginning; thence South  $03^{\circ}22'29''$  East 95.12 feet; thence South  $43^{\circ}54'00''$  West 142.64 feet; thence North  $47^{\circ}27'07''$  West 211 feet, more or less to the line of Mean High Tide; thence northerly along said line of Mean High Tide to a point which bears North  $83^{\circ}29'58''$  West from said True Point of Beginning; thence leaving said line of Mean High Tide South  $83^{\circ}29'58''$  East 233 feet, more or less to the True Point of Beginning.



S.J.C. COMMUNITY

SEP 04 2014

DEVELOPMENT & PLANNING



San Juan Surveying, LLC

P.O. Box 611 Friday Harbor, WA 98250  
(360) 378-2300 [www.sanjuaisurveying.com](http://www.sanjuaisurveying.com)

**LAND DESCRIPTION**  
**Modified Parcel C**

The South 345.16 feet of Government Lot 9, Section 33, Township 35 North, Range 3 West, W.M., San Juan County, Washington; AND

ALSO Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., San Juan County, Washington;

EXCEPT that portion of said Government Lot 1 lying southerly of the following described line:

Commencing at the northeast corner of said Section 4; thence along the East boundary of said Section 4 South 0°03'55" East 1324.63 feet to the southeast corner of said Government Lot 1 which is also a point on the northerly boundary of Parcel A as described under Auditor's File No. 86139611 and the True Point of Beginning; thence leaving said East boundary and along said northerly boundary of Parcel A North 89°50'32" West, 241.61 feet to a point on the East boundary of that parcel of land described under Auditor's File No. 89155419; thence leaving northerly boundary of said Parcel A and along the boundary of said parcel described under Auditor's File No. 89155419 North 10°46'53" West, 335.65 feet; thence North 71°44'50" West 206.33 feet; thence South 78°26'32" West 544.45 feet; thence South 41°01'26" West 100 feet, more or less, to a point on the line of Ordinary High Tide and the terminus of said line; AND

EXCEPT that portion of Government Lot 1, said Section 4, described as follows:

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4 said Township and Range, South 01°31'07" West; thence South 78°27'19" West 863.36 feet to the True Point of Beginning; thence North 03°22'29" West 209.82 feet to a point on the North boundary of said Section 4, thence along said North boundary North 87°33'14" West 227 feet, more or less, to the line of Mean High Tide, thence leaving said North boundary, southerly along said line of Mean High Tide to a point which bears North 83°29'58" West of said True Point of Beginning; thence leaving said line of Mean High Tide South 83°29'58" East 233 feet, more or less to the True Point of Beginning; AND

ALSO EXCEPT that portion of Government Lot 1, said Section 4, described as follows:

SEP 04 2014

Continued.....



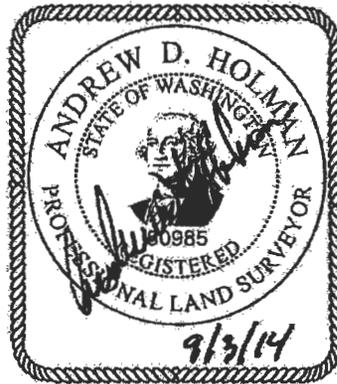
**San Juan Surveying, LLC**

DEVELOPMENT & PLANNING

P.O. Box 611 Friday Harbor, WA 98250  
(360) 378-2306 [www.sanjuansurveying.com](http://www.sanjuansurveying.com)

Parcel C Continued....

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4 said Township and Range, South 01°31'07" West; thence South 78°27'19" West 863.36 feet to the True Point of Beginning; thence South 03°22'29" East 95.12 feet; thence South 43°54'00" West 142.64 feet; thence North 47°27'07" West 211 feet, more or less to the line of Mean High Tide; thence northerly along said line of Mean High Tide to a point which bears North 83°29'58" West from said True Point of Beginning; thence leaving said line of Mean High Tide South 83°29'58" East 233 feet, more or less to the True Point of Beginning.



S.J.C. COMMUNITY

SEP 04 2014

DEVELOPMENT & PLANNING



San Juan Surveying, LLC

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2014-0929019 Page 11 of 11  
SAN JUAN COUNTY, WASHINGTON

Rf

COPY

Return to:  
San Juan Surveying  
P.O. Box 611  
Friday Harbor, WA. 98250

San Juan County, WA  
F. Milene Henley, Auditor  
BOUND  
Pgs=11 JOG

2017-0503003  
05/03/2017 10:27 AM  
Total:\$147.00



Recorded at the request of:  
STEPHANIE JOHSON O'DAY

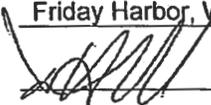
**BOUNDARY LINE MODIFICATION**

**THIS BOUNDARY LINE MODIFICATION WILL NOT BE VALID UNLESS IT IS RECORDED WITH THE SAN JUAN COUNTY AUDITOR WITHIN SIX MONTHS OF THE APPROVAL DATE.**

Because a boundary line modification (BLM) is not a conveyance there is no Grantee. For purposes of recording a BLM, the Auditor's Office treats all parties as both Grantors and Grantees.

Grantor(s) statement: I certify that all of the information submitted herewith is true and correct. I understand that this application is for boundary alterations between adjacent parcels and that approval does not constitute approval for creation of additional parcels or lots.

A. Grantor(s) Name Orca Dreams, LLC  
and address:  
(please print) P.O. Box 928  
Friday Harbor, Wa. 98250

A. Grantor(s) signature:  MANAGER ORCA DREAMS

B. Grantor(s) Name DAVID HONEYWELL  
and address:  
(please print) SAME

B. Grantor(s) signature: \_\_\_\_\_

S.J.C. DEPARTMENT OF  
COMMUNITY DEVELOPMENT  
APR 13 2017  
MAY 19 2017

Parcel Number	Abbreviated Legal Description	Auditor's File Number of Latest Deed	Existing Area	New Area
A. 340411003000	PARCEL A PER BLM AFN 2014-0929019	2013-0710010	1.06 Acres	5.04 Acres
B. 340411004000	PARCEL B PER BLM AFN 2014-0929019	2013-0710010	0.84 Acres	10.33 Acres
C. 353344008000	PARCEL C PER BLM AFN 2014-0929019	2014-0620003	38.67 Acres	25.20 Acres

Has either parcel in the proposed change been involved in any way in a Simple Land Division in the last five years? Yes  No

Is any of the property classified as "Open Space" or "Designated Forest"? Yes  No

PBLM00-17-0012  
ORCA DREAMS LLC

Date received: 4/13/17 Receipt Number: 00013301

ISLAND San Juan

SUBMITTAL DATE \_\_\_\_\_

COMPREHENSIVE PLAN DESIGNATION RFF 5

SHORELINE DESIGNATION RFF

S.J.C. DEPARTMENT OF

Approval does not change ownership of land. If ownership is to be conveyed, the applicant shall effect an appropriate legal instrument for conveyance.

Approvals of boundary line modifications shall expire if the authorized deeds transferring property ownership, together with a copy of the approved boundary line modification and map, are not recorded within six months of the approval, unless the application identified the modification as subject to a pending development permit application as a documented contingency agreement between the prospective land seller and purchaser. In that event, the recordings required above shall be filed within 30 days of the effective date of the approved development permit or shall become void upon the denial of a development permit. Documentation authorizing the transfer of property ownership may be placed on the original boundary line map along with the legal descriptions of those portions of land being transferred. (SJCC 18.70.030G)

LAND DIVISION ADMINISTRATOR'S CERTIFICATE: Pursuant to SJCC 18.70.030 Community Development & Planning has reviewed this application and found it in compliance with the codes applicable at the time of the application. All boundary line modifications are subject to SJCC 18.70.030(A)5 " Pursuant to RCW 58.17.060 the property subject to this authorization may not be divided in any manner within a period of five (5) years without the filing of an application for a long subdivision unless eligible for redivision by short plat in accordance with state law.

TREASURER'S CERTIFICATE: All taxes and assessments of the current year, 2017, including advance taxes per RCW 58.08.040, for current year tax not yet levied or certified and any delinquent taxes or assessments which have become a lien upon the lands herein described have been fully paid and discharged according to the records of my office. If any penalty fees are due under the provisions of the Open Space or DFL Law (84.33 and 84.34RCW) this does not guarantee that they have been paid.

Approved  Denied

Julie Thompson 5-2-17  
Administrator Date

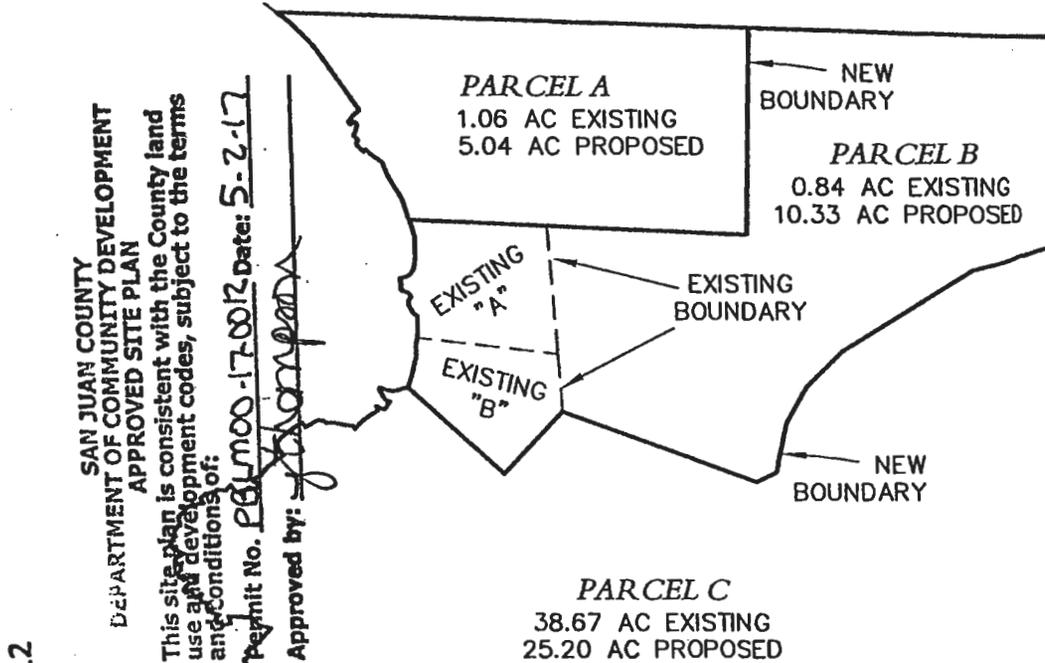
[Signature] 5/3/17  
San Juan County Treasurer Date  
*Deputy*

NOTE: This modification is not valid unless it is recorded with the San Juan County Auditor within 6 months of the approval date, together with a map (8 1/2"X11") containing an original approval stamp signed by the Director of Community Development & Planning or designee.

**PBLM00-17-0012**  
**ORCA DREAMS LLC**

# BOUNDARY LINE MODIFICATION EXHIBIT

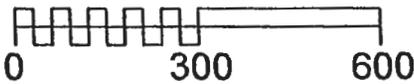
A PORTION OF GOVERNMENT LOT 9, SECTION 33, TOWNSHIP 35 NORTH, RANGE 3 WEST, AND A PORTION OF GOVERNMENT LOT 1, SECTION 4, TOWNSHIP 34 NORTH, RANGE 3 WEST, W.M.



PBLM00-17-0012  
ORCA DREAMS LLC

SAN JUAN COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
APPROVED SITE PLAN

This site plan is consistent with the County land use and development codes, subject to the terms and conditions of:

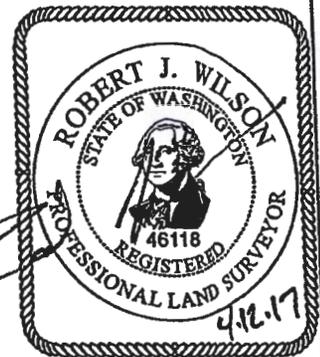


13-073 (BLM) - 4/12/17 - NSR

SAN JUAN COUNTY  
DEPARTMENT OF  
COMMUNITY DEVELOPMENT

## SURVEYOR'S NOTES

1. THIS IS AN EXHIBIT TO ACCOMPANY A BOUNDARY LINE MODIFICATION APPLICATION. THIS IS NOT INTENDED TO BE A "SURVEY" AS DEFINED BY RCW 58.09.020(3) AND IS EXEMPT FROM THE REQUIREMENTS FOR FILING UNDER RCW 58.090.040.
2. NO CURRENT TITLE REPORT WAS AVAILABLE. THERE ARE OR MAY BE ACCESSES, UTILITIES, IMPROVEMENTS AND STRUCTURES UPON AND ADJACENT TO THE LANDS SHOWN HEREON WHICH HAVE NOT BEEN LOCATED AND/OR SHOWN ON THIS EXHIBIT.



**LAND DESCRIPTION**  
**Existing Parcel A**

That portion of Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., San Juan County, Washington described as follows:

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4 said Township and Range, South 01°31'07" West; thence South 78°27'19" West 863.36 feet to the True Point of Beginning; thence North 03°22'29" West 209.82 feet to a point on the North boundary of said Section 4, thence along said North boundary North 87°33'14" West 227 feet, more or less, to the line of Mean High Tide, thence leaving said North boundary, southerly along said line of Mean High Tide to a point which bears North 83°29'58" West of said True Point of Beginning; thence leaving said line of Mean High Tide South 83°29'58" East 233 feet, more or less to the True Point of Beginning.

P.L.C. DEPARTMENT OF

PLANNING

COMMUNITY DEVELOPMENT

**PBLM00-17-0012**

**ORCA DREAMS LLC**



**San Juan Surveying, LLC**

*P.O. Box 611 Friday Harbor, WA 98250*  
*(360) 378-2300 [www.sanjuansurveying.com](http://www.sanjuansurveying.com)*

**2017-0503003** Page 4 of 11  
SAN JUAN COUNTY, WASHINGTON

**LAND DESCRIPTION**  
**Existing Parcel B**

That portion of Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., San Juan County, Washington described as follows:

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4 said Township and Range, South  $01^{\circ}31'07''$  West; thence South  $78^{\circ}27'19''$  West 863.36 feet to the True Point of Beginning; thence South  $03^{\circ}22'29''$  East 95.12 feet; thence South  $43^{\circ}54'00''$  West 142.64 feet; thence North  $47^{\circ}27'07''$  West 211 feet, more or less to the line of Mean High Tide; thence northerly along said line of Mean High Tide to a point which bears North  $83^{\circ}29'58''$  West from said True Point of Beginning; thence leaving said line of Mean High Tide South  $83^{\circ}29'58''$  East 233 feet, more or less to the True Point of Beginning.

P.L.O. DEPARTMENT OF

A. 100

COMMISSIONER OF LANDS



**San Juan Surveying, LLC**

*P.O. Box 611 Friday Harbor, WA 98250*  
*(360) 378-2300 [www.sanjuansurveying.com](http://www.sanjuansurveying.com)*

**2017-0503003** Page 5 of 11  
SAN JUAN COUNTY, WASHINGTON

**LAND DESCRIPTION**  
**Existing Parcel C**

The South 345.16 feet of Government Lot 9, Section 33, Township 35 North, Range 3 West, W.M., San Juan County, Washington; AND

ALSO Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., San Juan County, Washington;

EXCEPT that portion of said Government Lot 1 lying southerly of the following described line:

Commencing at the northeast corner of said Section 4; thence along the East boundary of said Section 4 South 0°03'55" East 1324.63 feet to the southeast corner of said Government Lot 1 which is also a point on the northerly boundary of Parcel A as described under Auditor's File No. 86139611 and the True Point of Beginning; thence leaving said East boundary and along said northerly boundary of Parcel A North 89°50'32" West, 241.61 feet to a point on the East boundary of that parcel of land described under Auditor's File No. 89155419; thence leaving northerly boundary of said Parcel A and along the boundary of said parcel described under Auditor's File No. 89155419 North 10°46'53" West, 335.65 feet; thence North 71°44'50" West 206.33 feet; thence South 78°26'32" West 544.45 feet; thence South 41°01'26" West 100 feet, more or less, to a point on the line of Ordinary High Tide and the terminus of said line; AND

EXCEPT that portion of Government Lot 1, said Section 4, described as follows:

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4 said Township and Range, South 01°31'07" West; thence South 78°27'19" West 863.36 feet to the True Point of Beginning; thence North 03°22'29" West 209.82 feet to a point on the North boundary of said Section 4, thence along said North boundary North 87°33'14" West 227 feet, more or less, to the line of Mean High Tide, thence leaving said North boundary, southerly along said line of Mean High Tide to a point which bears North 83°29'58" West of said True Point of Beginning; thence leaving said line of Mean High Tide South 83°29'58" East 233 feet, more or less to the True Point of Beginning; AND

ALSO EXCEPT that portion of Government Lot 1, said Section 4, described as follows:

**PBLM00-17-0012**

**ORCA DREAMS LLC**

Continued.....



**San Juan Surveying, LLC**

*P.O. Box 611 Friday Harbor, WA 98250*  
*(360) 378-2300 www.sanjuansurveying.com*

Parcel C Continued.....

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4 said Township and Range, South 01°31'07" West; thence South 78°27'19" West 863.36 feet to the True Point of Beginning; thence South 03°22'29" East 95.12 feet; thence South 43°54'00" West 142.64 feet; thence North 47°27'07" West 211 feet, more or less to the line of Mean High Tide; thence northerly along said line of Mean High Tide to a point which bears North 83°29'58" West from said True Point of Beginning; thence leaving said line of Mean High Tide South 83°29'58" East 233 feet, more or less to the True Point of Beginning; AND

ALSO EXCEPT County roads.

P.L.S. RECORDS OF

OF SAN JUAN COUNTY

**PBLM00-17-0012**

**ORCA DREAMS LLC**



**San Juan Surveying, LLC**

*P.O. Box 611 Friday Harbor, WA 98250*  
*(360) 378-2300 www.sanjuansurveying.com*

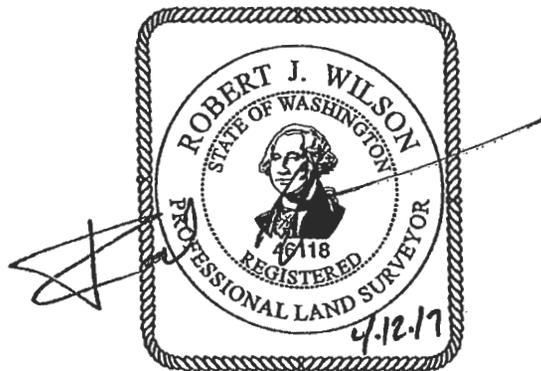
**2017-0503003** Page 7 of 11  
SAN JUAN COUNTY, WASHINGTON

**LAND DESCRIPTION  
MODIFIED PARCEL A**

The South 345.16 feet of Government Lot 9, Section 33, Township 35 North, Range 3 West,  
W.M., San Juan County, Washington.

EXCEPT the East 526.14 feet thereof.

PBLM00-17-0012  
ORCA DREAMS LLC



*San Juan Surveying*

815A Spring Street, Suite 3 • P.O. Box 611 • Friday Harbor, WA 98250 • (360)378-2300 • [www.sanjuansurveying.com](http://www.sanjuansurveying.com)



2017-0503003 Page 8 of 11  
SAN JUAN COUNTY, WASHINGTON

**LAND DESCRIPTION  
MODIFIED PARCEL B**

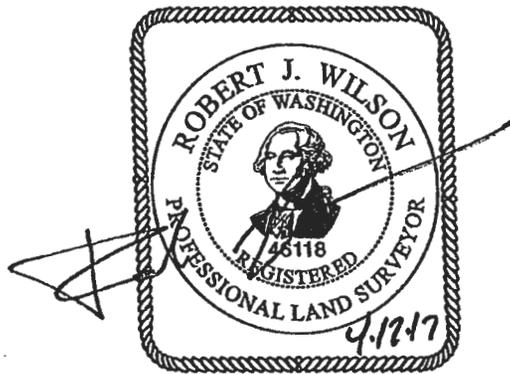
The East 526.14 feet of the South 345.16 feet of Government Lot 9, Section 33, Township 35 North, Range 3 West, W.M., San Juan County, Washington.

AND that portion of Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., San Juan County, Washington lying northerly of the following described line:

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4, said Township 34 North and Range 3 West, South 01°31'07" West; thence South 76°29'51" West 155.44 feet; thence South 59°00'52" West 256.28 feet; thence South 46°39'29" West 84.90 feet; thence South 30°46'00" West 70.43 feet; thence South 12°53'11" West 83.63 feet; thence South 65°30'42" West 36.08 feet; thence North 70°07'37" West 340.48 feet; thence South 43°54'00" West 142.64 feet; thence North 47°27'07" West 210 feet, more or less, to the outer boundary of said Government Lot 1, and the terminus of this line description.

EXCEPT County Roads.

PBLM00-17-0012  
ORCA DREAMS LLC



*San Juan Surveying*

815A Spring Street, Suite 3 • P.O. Box 611 • Friday Harbor, WA 98250 • (360)378-2300 • www.sanjuansurveying.com



**LAND DESCRIPTION  
MODIFIED PARCEL C**

---

Government Lot 1, Section 4, Township 34 North, Range 3 West, W.M., San Juan County, Washington;

EXCEPT that portion of said Government Lot 1 lying southerly of the following described line:

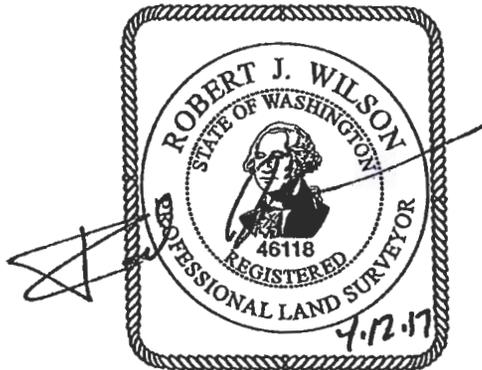
Commencing at the Northeast corner of said Section 4; thence along the East boundary of said Section 4 South 0°03'55" East 1324.63 feet to the Southeast corner of said Government Lot 1 which is also a point on the northerly boundary of Parcel A as described under Auditor's File No. 86139611 and the True Point of Beginning; thence leaving said East boundary and along said northerly boundary of Parcel A North 89°50'32" West, 241.61 feet to a point on the East boundary of that parcel of land described under Auditor's File No. 89155419; thence leaving northerly boundary of said Parcel A and along the boundary of said parcel described under Auditor's File No. 89155419 North 10°46'53" West, 335.65 feet; thence North 71°44'50" West 206.33 feet; thence South 78°26'32" West 544.45 feet; thence South 41°01'26" West 100 feet, more or less, to a point on the line of Ordinary High Tide and the terminus of said line; AND

EXCEPT that portion of said Government Lot 1, lying northerly of the following described line:

Commencing at the Northeast Section corner of said Section 4, from which bears the Meander Corner common to Sections 3 and 4, said Township and Range, South 01°31'07" West; thence South 76°29'51" West 155.44 feet; thence South 59°00'52" West 256.28 feet; thence South 46°39'29" West 84.90 feet; thence South 30°46'00" West 70.43 feet; thence South 12°53'11" West 83.63 feet; thence South 65°30'42" West 36.08 feet; thence North 70°07'37" West 340.48 feet; thence South 43°54'00" West 142.64 feet; thence North 47°27'07" West 210 feet, more or less, to the outer boundary of said Government Lot 1, and the terminus of this line description.

EXCEPT County Roads.

**PBLM00-17-0012**  
**ORCA DREAMS LLC**



*San Juan Surveying*



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**2017-0503003** Page 10 of 11  
SAN JUAN COUNTY, WASHINGTON



**San Juan County Public Works Department**

Location:  
915 Spring Street  
Friday Harbor, WA 98250  
www.sanjuanco.com

Mail:  
P. O. Box 729  
Friday Harbor, WA 98250  
pubwks@sanjuanco.com

Contact:  
P: (360) 370-0500  
F: (360) 378-6405

**MEMORANDUM**

DATE: May 1, 2017  
TO: Julie Thompson, DCD  
FROM: *JS* Jeff Sharp, Assistant County Engineer

S.J.C. DEPARTMENT OF  
MAY 01 2017  
COMMUNITY DEVELOPMENT

RE: Permit No.: PBLM00-17-0012 Date Received: 4/14/17

TPN(s): 340411003 / 340411004 / 353344008

Applicant Name(s): Orca Dreams, LLC

*The County Engineer shall review all Boundary Line Modifications to ensure that adequate future driveway access can be provided. SJCC 18.70.030(D)(3)*

Acceptable:  Yes  No

*The County Engineer shall review and approve all legal descriptions. SJCC 18.70.030(D)(4)*

Acceptable:  Yes  No

Comments: PW has reviewed the proposed BLM and takes no exception.

## Francine Shaw

---

**From:** Kevin Carlton <kevin@rocheharbor.com>  
**Sent:** Wednesday, February 08, 2017 12:14 PM  
**To:** 'Francine Shaw'  
**Subject:** RE: Available Moorage

Dear Francine:

Sorry to inform you but at this time all slips from 20' to 36' have an extensive wait list. 20' to 30' slips could be 15 to 20 years. 36' slips could be at least 10 years maybe up to 15 years.  
Any further questions please let me know.

Thanks again,  
Kevin Carlton  
Harbormaster  
Roche Harbor Marina

---

**From:** Francine Shaw [<mailto:fshaw@rockisland.com>]  
**Sent:** Monday, January 30, 2017 1:51 PM  
**To:** [kevin@rocheharbor.com](mailto:kevin@rocheharbor.com)  
**Subject:** Available Moorage

S.J.C. DEPARTMENT OF

Hi Kevin:

COMMUNITY DEVELOPMENT

Do you have year round moorage available at Roche Harbor for four boats ranging from 20 to 35 feet?

Francine Shaw, Land Use Planner  
Law Offices of Stephanie Johnson O'Day  
P.O. Box 2112  
Friday Harbor, WA 98250  
Phone: (360) 378-6278

This message is confidential, is protected by the attorney-client privilege and other privileges, and is intended for the exclusive use of the listed recipient(s). If you have received this message in error, please so indicate in a reply message to the sender and delete the contents of this message. Any reproduction, use, or retransmission of this message, other than as specified above, is prohibited.

## Francine Shaw

---

**From:** Alisa Schoultz <alisa@jensenshipyard.com>  
**Sent:** Monday, January 30, 2017 3:33 PM  
**To:** fshaw@rockisland.com  
**Cc:** mike@jensenshipyard.com  
**Subject:** FW: Available Moorage

Hi Francine,

We have one covered space that would accommodate a boat up to 25' with a narrow beam around 6.5.' The price is \$280/mo. If this might meet your needs for one of the boats, I can take more precise measurements.

Have you already checked with Arne at Shipyard Cove Marina (378-5101)?

Hope you are well,  
Alisa Schoultz  
Vice President  
Jensen Shipyard

360-378-4343

----- Original message -----

**From:** Francine Shaw <[fshaw@rockisland.com](mailto:fshaw@rockisland.com)>  
**Date:** 1/30/17 1:53 PM (GMT-08:00)  
**To:** 'Mike Ahrenius' <[mike@jensenshipyard.com](mailto:mike@jensenshipyard.com)>  
**Subject:** FW: Available Moorage

S.J.C. DEPARTMENT OF

COMMUNITY DEVELOPMENT

Hi Mike:

Do you have year round moorage available for four boats ranging from 20 to 35 feet at Jensen's Cove Marina?

Francine Shaw, Land Use Planner

Law Offices of Stephanie Johnson O'Day

P.O. Box 2112

Friday Harbor, WA 98250

Phone: (360) 378-6278

## Francine Shaw

---

**From:** Michael Long <michaell@portfridayharbor.org>  
**Sent:** Friday, February 24, 2017 4:23 PM  
**To:** fshaw@rockisland.com  
**Subject:** Moorage

We currently have 20', 24', and 40' slips available. We allow 2 feet of overhang in a slip and there is a waitlist for 30' and 32' slips.

Michael Long, Assistant Harbormaster  
Port of Friday Harbor  
[michaell@portfridayharbor.org](mailto:michaell@portfridayharbor.org)  
360-378-2688

S.J.C. DEPARTMENT OF  
COMMUNITY DEVELOPMENT

## Francine Shaw

---

**From:** Francine Shaw <fshaw@rockisland.com>  
**Sent:** Friday, March 03, 2017 11:50 AM  
**To:** 'Erik Nelson'  
**Subject:** FW: Available Moorage

Hi Erik:

Could you respond to my email below, please?

Thank you,  
Francine

---

**From:** Francine Shaw [<mailto:fshaw@rockisland.com>]  
**Sent:** Monday, January 30, 2017 1:45 PM  
**To:** 'Erik Nelson'  
**Subject:** Available Moorage

Hi Erik:

Do you have year round moorage available for four boats ranging from 20 to 35 feet?

Francine Shaw, Land Use Planner  
Law Offices of Stephanie Johnson O'Day  
P.O. Box 2112  
Friday Harbor, WA 98250  
Phone: (360) 378-6278

S.J.C. DEPT. OF  
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COMMUNITY DEVELOPMENT

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## Francine Shaw

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**From:** Erik Nelson <erik@snugresort.com>  
**Sent:** Monday, March 06, 2017 8:10 AM  
**To:** 'Francine Shaw'  
**Subject:** RE: Available Moorage

Good Morning Francine,

We have availability for two boats in the 28' range and under. Nothing 28 or larger.

Erik Nelson, Owner  
Snug Harbor Resort

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**From:** Francine Shaw [<mailto:fshaw@rockisland.com>]  
**Sent:** Friday, March 03, 2017 11:50 AM  
**To:** 'Erik Nelson' <[erik@snugresort.com](mailto:erik@snugresort.com)>  
**Subject:** FW: Available Moorage

Hi Erik:

Could you respond to me email below, please?

Thank you,  
Francine

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**From:** Francine Shaw [<mailto:fshaw@rockisland.com>]  
**Sent:** Monday, January 30, 2017 1:45 PM  
**To:** 'Erik Nelson'  
**Subject:** Available Moorage

Hi Erik:

Do you have year round moorage available for four boats ranging from 20 to 35 feet?

Francine Shaw, Land Use Planner  
Law Offices of Stephanie Johnson O'Day  
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