



SAN JUAN COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT

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MITIGATED DETERMINATION OF NONSIGNIFICANCE
Shoreline Permit Application for Orca Dreams LLC
Community Use Dock and Beach Access Structures, San Juan Island

Project Description: A community dock is proposed on tax parcel number 340411003 to serve a proposed 8-lot subdivision. The dock will provide moorage for kayaks and boats ranging between 20 and 35 feet in length. The purpose of the proposed moorage structure is to provide safe moorage and recreational boating opportunities for the residential lots. The ramp and float will be removed and stored on an upland site from October through May of each year to prevent damage caused by extreme wind and wave action that this site experiences during the stormy season.

The total area of the pier, ramp, and float as proposed is 1,560.8 square feet and the total length is approximately 240 feet. The entire decking of the fixed pier, ramp, and float will be constructed of light penetrating grating which will allow a significant amount of sunlight to reach the water.

Included in the proposal are three sets of beach access stairs within the shoreline common area tract. The stairs are planned to connect lower and upper existing pedestrian paths to provide direct access to the beach down the steeply sloping shoreline bank. Some brush removal and trimming will be required to allow for construction of these structures.

Proponent: Orca Dreams LLC, David Honeywell, Managing Member, PO Box 928, Friday Harbor, WA 98250

Agent: Francine Shaw, Land Use Planner, Law Office of Stephanie Johnson O'Day, PO Box 2112, Friday Harbor, WA 98250.

Project Location: San Juan Island, 1601 False Bay Drive

Lead Agency: San Juan County Department of Community Development

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This determination is subject to the mitigating measures as identified below. If this application is approved, these measures shall be deemed conditions of approval of the land use and/or permit pursuant to San Juan County Code 18.80.050. Such conditions are considered binding and may not be altered by subsequent decisions unless a threshold determination is re-issued.

1. Timing limitations: In-water work shall only be allowed from July 16 through February 15 for the protection of salmon and bull trout.
 - a. Work below the ordinary high water line shall not occur from March 2 through July 15 of any year for the protection of migrating juvenile salmonids.

- b. Work below the ordinary high water line shall not occur from February 16 through July 15 of any year for the protection of bull trout.
2. Pile driving operation shall occur between 2 hours after sunrise and 2 hours before sunset from April 1 through September 15 to protect marbled murrelet during nesting season.
3. Pile driving shall not occur when southern resident killer whale or Steller sea lion are within 300 feet of the Project site, or when marbled murrelet are within 160 feet of the project.
4. A qualified observer shall be on site during pile driving operations to watch for presence or absence of killer whale and Steller sea lion within the 300-foot buffer zone and marbled murrelet within the 160-foot buffer zone.
5. A collar shall be placed around existing creosote-treated piles prior to removal to control and minimize any increase of turbidity associated with pile removal.
6. A qualified observer shall be on site during pile driving operations to watch for presence or absence of killer whale and humpback whale within the 200-foot buffer zone and marbled murrelet within the 160-foot buffer zone.
7. The contractor shall have prepared a Stormwater Pollution Prevention Plan (SWPPP) as required by the Washington State Department of Ecology. Element 9 of this plan would address 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.
8. Project activities shall not degrade water quality to the detriment of fish life.
9. Eelgrass and macroalgae shall not be adversely impacted due to any project activities:
 - a. The construction barge will not be allowed to ground in the Project area.
 - b. Propwash will not be directed in the eelgrass bed that is mapped to the south of the dock alignment.
 - c. Barge anchors and cables will not be placed in the eelgrass bed that is mapped to the south of the dock alignment.
10. Project activities will be conducted to minimize siltation of the beach area and bed.
11. The following BMPs described in the Stormwater Management Manual for Western Washington Volumell; Construction Stormwater Pollution Prevention (Ecology 2012) shall 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
12. All construction materials shall be removed from the work site and natural material will be returned to their original position at the end of construction.
13. Common saltwater technical provisions (WAC 220-110-270) shall be strictly adhered to.

14. The project shall comply with all applicable provisions of the Unified Development Code, Title 18 San Juan County Code.

This determination is issued pursuant to WAC 197-11-350. San Juan County will not act on this proposal for 14 days from the date of publication. Comments must be submitted in writing to the Department of Community Development no later than October 7, 2015. Appeals must be submitted in writing to the Department of Community Development no later than October 28, 2015.

Responsible Official: Sam Gibboney, Director
Department of Community Development
(360) 378 2354



By Julie Thompson
Planner III

Date: September 23, 2015

Permit # PSJ000-14-0008

