WHATCOM COUNTY

Planning & Development Services 5280 Northwest Drive Bellingham, WA 98226-9097 360-778-5900, TTY 800-833-6384 360-778-5901 Fax



Mark Personius, AICP
Director

REVISED SEPA Distribution List SEP2018-00001 SEP2018-00003 Date of Issuance: February 9, 2018 March 16, 2018

Please review this determination. If you have further comments, questions or would like a copy of the SEPA checklist, phone the responsible official at (360) 778-5900. Please submit your response by the comment date noted on the attached notice of determination.

WA State Department of Archaeology and Historic Preservation via email Gretchen Kaehler, gretchen.kaehler@dahp.wa.gov

SEPA Unit, WA State Department of Ecology, Olympia via email sepaunit@ecy.wa.gov

WA State Department of Fish and Wildlife via email Joel Ingram, joel.ingram@dfw.wa.gov

WA State Department of Natural Resources via email Rochelle Goss, sepacenter@dnr.wa.gov
Brenda Werden, Brenda.werden@dnr.wa.gov

Lummi Nation Natural Resources

Merle Jefferson, Sr. via email - merlej@lummi-nsn.gov

Tamela Smart - tamelas@lummi-nsn.gov

Nooksack Indian Tribe

George Swanaset, JR via email - george.swanasetjr@nooksack-nsn.gov Trevor Delgado via email - tdelgado@nooksack-nsn.gov

City of Blaine

Michael Jones, AICP via email mjones@cityofblaine.com

Applicant

Birch Bay Village Community Club, Inc. via email - manager@bbvcc.com

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Mark Personius, AICP
Director

REVISED SEPA Determination of Nonsignificance (DNS)¹

File: SEP2018-00001 SEP2018-00003

Project Description: Replacement of two sections of an existing dock within the same

footprint in the Birch Bay Village Community Club Marina. One

section is 154'3" x 6'3" and the other is 143'9" x 6'3".

Proponent: Birch Bay Village Community Club, Inc.

Address and Parcel #: Birch Bay Village Marina APN#: 405126153439

Lead Agency: Whatcom County Planning & Development Services

Zoning: UR4 Comp Plan: UGA Shoreline Jurisdiction: Aquatic

The lead agency for this proposal has determined that with proper mitigation, no significant adverse environmental impacts are likely. Pursuant to RCW 43.21C.030(2)(c), an environmental impact statement (EIS) is not required. This decision was made following review of a completed SEPA environmental checklist and other information on file with the lead agency. This information is available to the public on request.

X There is no comment period for this DNS.

Pursuant to WAC 197-11-340(2), the lead agency will not act on this proposal for 14 days from the date of issuance indicated below. Comments must be received by 4:00 p.m. on February 23, 2018 and should be sent to: Kyla Walters, kwalters@whatcomcounty.us

Responsible Official: Mark Personius, mpersoni@whatcomcounty.us

Title: Interim Director

Telephone: 360-778-5900

Address: 5280 Northwest Drive

Bellingham, WA 98226

Date of Issuance: March 16, 2018 Signature:

An aggrieved agency or person may appeal this determination to the Whatcom County Hearing Examiner. Application for appeal must be filed on a form provided by and submitted to the Whatcom County Current Planning Division located at 5280 Northwest Drive, Bellingham, WA 98226, during the ten days following the comment period, concluding March 30, 2018.

You should be prepared to make a specific factual objection. Contact Whatcom County Current Planning Division for information about the procedures for SEPA appeals.

REVISION – Originally noticed under the wrong SEPA permit number. SEPA Determination of Nonsignificance (DNS) PL4-83-005E

WHATCOM COUNTY

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WHATCOM COUNTY PLANNING & DEVELOPMENTS EN Ryan Director

JAN 1 0 2018 MJK

RECEIVED

SEP 2018 - 00003

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 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.

Use of Checklist for Non-Project Proposals:

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the Supplemental Sheet for Non-project Actions (Part C). 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.

19: 25:

A Background

1	Name of proposed project, if applicable: Guest Dock Repair & Replacement
2	Name of applicant: Birch Bay Village Community Club, Inc
	Applicant phone number: 360-371-7744
	Applicant address: 8055 Cowichan Road
	City, State, Zip or Postal Code: Blaine, WA 98230
	Applicant Email address: manager@bbvcc.com
3	Contact name: Jen Callaghan
	Contact phone number: 360-371-7744
	Contact address: 8055 Cowichan Road
	City, State, Zip or Postal Code: Blaine, WA 98230
	Contact Email address: manager@bbvcc.com
4	Date checklist prepared: 1/10/18
5	Agency requesting checklist: Whatcom County Building Dept
6	Proposed timing or schedule (including phasing, if applicable): Pre-build through 3/31/18, Installation 4/1 - 5/1, physical removal of existing and demolition 5/1-5/11
7	Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? Yes No VIII yes, explain:
8	List any environmental information you know about that has been prepared or will be prepared, directly related to this proposal: Existing wood decking is being replaced with 40% permeable grating.
9	Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? Yes No V

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

WDFW Hydraulic Project Permit Whatcom County Building Permit

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.)

Replacing an existing wood dock structure (excluding the pilings) with new structure including permeable grating. The two sections being replaced are 143'9" and 154'3" (nothing additional) and serves as guest boat dock for temporary usage.

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.

Parcel ID 405126153439 Property ID 152409 NW 1/4 of the SE 1/4 of Section 26 TWP 40N Range 1W WM BBV DIV 15A Tract C

Only portion affected is guest/fuel dock shown on site plan (no other docks included)

1

B Environmental Elements

E	arth
a.	General description of the site:
	Flat Rolling Hilly Steep Slopes Mountainous V Other
b.	What is the steepest slope on the site (approximate percent slope)?
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.
	No soil to be disturbed
d.	Are there surface indications or history of unstable soils in the immediate vicinity? Yes No 🔽
	If so, describe.
e.	Describe the purpose, type, total area, approximate quantities and total affected area of any filling excavation or grading proposed.
	Indicate source of fill.

Indicate were excavation material is going.

	f.	Yes No No
		If so, generally describe.
	g.	About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Project will reduce impervious surface existing by 40%
	h.	Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
2.	Ai	r
	a.	What types of emissions to the air would result from the proposal during construction, operation and maintenance when the project is completed (i.e., dust, automobile, odors, or industrial wood smoke)?
		2 days of fork lift usage.
		If any, generally describe and give approximate quantities if known.
	b.	Are there any off-site sources of emissions or odor that may affect your proposal? Yes No
		If so, generally describe.
	c.	Proposed measures to reduce or control emissions or other impacts to air, if any: Minimal usage of equipment
		Section 1 de Processo

water	3.	Water
-------------------------	----	-------

a.	a. Surface:						
	(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)? Yes 🔽 No					
		If yes, describe type and provide names. If appropriate, state what stream or river it flows into. Dock over marina					
	(2)	Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? Yes V No					
		If yes, please describe and attach available plans. Installation of 20ft pre-assembled dock sections will be over water/in place.					
	(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. None					
		Indicate the source of fill material.					
	(4)	Will the proposal require surface water withdrawals or diversions? Yes No V					
		Give general description, purpose, and approximate quantities if known.					
		Does the proposal lie within a 100-year floodplain? Yes No					
		If so, note location on the site plan.					

	(5) Does the proposal involve any discharges of waste materials to surface waters? Yes No V If so, describe the type of waste and anticipated volume of discharge
	if so, describe the type of waste and anticipated volume of discharge
b.	Ground Water:
	(1) Will ground water be withdrawn from a well for drinking water or other purposes? Yes No
	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.
(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 houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

- 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).

 NA

		Where will this water flow?	
		Will this water flow into other waters? Yes No No	
		If so, describe.	
	(2)	Could waste materials enter ground or surface waters? Yes No No If so, generally describe.	
	(3)	Does the proposal alter or otherwise affect drainage patterns in th vicinity of the site: Yes No 🗸 If so, describe.	e
		oosed measures to reduce or control surface, ground, and rur er impacts, if any:	noff /
Plar	nts		
a. C	hec	k types of vegetation found on the site:	
]		Deciduous tree: alder, maple, aspen, other	
	\exists	Evergreen tree: fir, cedar, pine, other	
l r		Shrubs Grass	
l I	=	Pasture	
l [=	Crop or grain	
,	=	Orchards, vineyards or other permanent crops	
ĺ	$\vec{\exists}$	Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other	er
j		Water plants: water lily, eelgrass, milfoil, other	
Ì		Other types of vegetation	

4

b.	What kind and amount of v	vege	tation will be removed or altered?	/
C.	List threatened or endange See biological evaluation for BBV		species known to be on or near the caintenace dredge	e site.
d.	Proposed landscaping, us preserve or enhance veget None		f native plants, or other meas on the site, if any:	sures to
e.	List all noxious weeds and site. None	inva	sive species known to be on or	near the
5. Ar	nimals			
a. Check any birds and animals, which have been observed on site or are known to be on or near the site:				
	Birds: Hawk, Eagle, Other:	\ \ \	Heron, Songbirds;	
	Mammals: Deer, Elk, Other:	7	Bear, Beaver;	/
	Fish: Bass, Trout, Shellfish;	\ \ \	Salmon, Herring, Other:	
b.	List any threatened or endo site. See biological evaluation	ange	red species known to be on or nea	r the

	C.	Is the site part of a migration route? Yes No 🗹 If so, explain.
	d.	Proposed measures to preserve or enhance wildlife, if any:
	e.	List any invasive species known to be on or near site. None
6.	Er	nergy 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. NA
	b.	Would your project affect the potential use of solar energy by adjacent properties? Yes No
		If so, generally describe.
	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: None
7.	En	vironmental Health
		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? Yes No
		If so, describe.
		(1) Describe any known or possible contamination at the site from present or past uses. Site has been used as a marina for 40+ years

- (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.

 None
- (3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the projects development or construction, or at any time during the operating life of the project.

 None
- (4) Describe special emergency services that might be required.

 None
- (5) Proposed measure to reduce or control environmental health hazards, if any:
 NA

b. Noise

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

 Forklift operation for loading and unloading 2 days only.
- (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 over 2 days only, no more than usual during normal construction hours.

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

Minimal usage

8 Land and Shoreline Use a. What is the current use of the site and adjacent properties? Marina Will the proposal affect current land uses on nearby or adjacent

properties? Yes | No 🖌

If so, describe.

b. Has the project site been used as working farmlands or working forest lands? Yes No V

If so, describe.

How much agriculture 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 non-farm or non-forest use?

(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? Yes No

If so, how:

c. Describe any structures on the site.

Marina Docks

d.	Will any structures be demolished? Yes No If so, what? Existing dock pieces will be removed from the water and hauled away for disposal.
e.	What is the current zoning classification of the site? UR4
f.	What is the current comprehensive plan designation of the site?
g.	If applicable, what is the current shoreline master program designation of the site? Aquatic/Rural
h.	Has any part of the site been classified as a critical area by the city or county? Yes No \[\bigcup \text{No } \Bigcup \text{No } \Bigcup \text{If so, specify.} \]
i.	Approximately how many people would reside or work in the completed project?
j.	Approximately how many people would the completed project displace?
	Proposed measures to avoid or reduce displacement impacts, if any:
l.	Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
m.	Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any?

NA

10

11

9 H	ousing
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a.		•	how many middle, or lo				vided,	if any?	Indicate
		High Middle Low-inco	ome	Number	of Units	; 0			
b.		•	how many middle, or lo	-			be eli	minated?	Indicate
		High Middle Low-inco	ome	Number	of Units	; 0			
c.	Propo NA	sed meas	ures to redu	ice or c	ontrol h	ousing i	mpacts	s, if any:	\smile
Αe	esthetic	cs							
a.	anten	nas; what	allest heigh t is the princ e added - char	cipal ext	terior bu	uilding n	nateria	l(s) propo	
b.	What No	views in t	the immedia	ite vicin	ity wou	ld be alt	ered o	r obstruc	ted?
c.	Propos NA	sed meas	ures to redu	ice or c	ontrol a	esthetic	impac	ts, if any	/
Lig	ght and	d Glare							
a.		type of li it mainly	ght or glare occur?	e will th	e propo	osal prod	duce?	What tin	ne of day
b.	Could	light or	glare from	the fi	inished	project	be a	safety h	azard or

Reviewed by initials Page 14 of 20
Rev October 2015

No

interfere with views?

	c.	What existing off-site sources of light or glare may affect your proposal? None
	d.	Proposed measures to reduce or control light and glare impacts, if any: NA
12	Re	ecreation
	a.	What designated and informal recreational opportunities are in the immediate vicinity? Boating
	b.	Would the proposed project displace any existing recreational uses? If so, describe.
	c.	Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
13	Hi	storic 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? Yes No If so, specifically describe.
	b.	Are there any landmarks, features, or other evidence of Indian, historic use or occupation, this may include human burials or old cemeteries? Yes No Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Yes No Please list any professional studies conducted at the site to identify such resources.

c.	Describe the methods used to assess the potential impacts to cultural an	ıd						
	historic resources on or near the project site. Examples: Include	le						
	consultation with tribes and the Department of Archeology and Historia	ic						
	Preservation, archaeological surveys, historic maps, GIS data, etc.							
	Basic replacement of existing floating structure							

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.

NA

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 plan, if any.

b.	Is site or geographic area currently served by public transit? Yes No								
	If not, what is the approximate distance to the nearest transit stop?								
c.	How many parking spaces would the completed project have? How many								
	would the project eliminate?								
	None								
	Will the proposal require any new or improvements to existing roads,								

streets, pedestrian, bicycle or state transportation facilities, not including

driveways? Yes No 🗹
If so, generally describe (indicate whether public or private).

	e.	Will the project use (or occur in the immediate vicinity of) Water, Rail, or Air transportation? If so, generally describe. Dock is over water					
	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 non-passenger vehicles). What data or transportation models were used to make these estimates? None					
	g.	Proposed measures to reduce or control transportation impacts, if any:					
15	Pı	ublic Services					
	a.	Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? Yes No In so, generally describe.					
	b.	Proposed measures to reduce or control direct impacts on public services, if any.					
16	Ut	tilities					
	a. Check utilities currently available at the site:						
		 ✓ Electricity, ✓ Water, ✓ Telephone, ✓ Septic system, Natural gas, Refuse service, Sanitary sewer, Other 					

b.	Describe	the	utilities	that	are	proposed	for	the	project,	the	utility
	providing	the s	service, a	nd th	e ger	neral consti	ructio	on ac	tivities or	the	site or
	in the imr	media	ate vicinit	y whi	ch m	ight be nee	eded.				

No utilities proposed

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: Walts

Date Submitted: 3|15|18

FOR OFFICE USE ONLY

Reviewed by Whatcom County Planning & Development Services Staff

Staff Signature

Date

C Supplemental Sheet for Non-project Actions

(It is not necessary to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1 How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

No increase in discharges

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Project will not affect plants, fish, or marine life

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Project will not deplete energy or natural resources

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Project will enhance environmentally sensitive area by incorporating permeable grating into an existing wood structure.

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Project will improve and encourage compatible usage with an quality dock structure replacing an existing wooden one.

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Project will not increase demands.

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No conflict that we are aware of.



8055 Cowichan Road Blaine, WA 98230 Phone (360) 371-7744 Fax (360) 371-3254

September 21, 2015

Biological Evaluations for Maintenance Dredging Project in same Tract (Tract "C")
Threatened or Endangered Species

*Marbled Murrelet	Brachyramphus marmor atus	(USFWS)
*Bull Trout	Salvelinus Confluentus	(USFWS)
*Chinook Salmon	Oncorhynchus Tshawytscha	(NMFS)
*Coho Salmon	Oncorhynchus Kisutch	(NMFS)
*Puget Sound Steelhead Trout	Oncorhynchus Mykiss	(NMFS)
*Yelloweye Rockfish	Sebastes Ruberrimus	(NMFS)
*Canary Rockfish	Sebastes Pinniger	(NMFS)
*Bocaccio	Sebastes Puacispinus	(NMFS)
*Southern Resident Killer Whale	Orcinus Orca	(NMFS)
*Humpback Whale	Megapters Novaeangliae	(NMFS)
*Leatherback Turtle	Dermochelys Coriacea	(NMFS)
*Stellar Sea Lions	Eumetopias Jubatus	(NMFS)

The Biological Evaluations (BE) were also prepared to provide a resource document for concurrent consultation with NMFS for compliance with the Magnuson-Stevens Fishery Conservation and Management Act (also known as the Magnuson-Stevens Act). The Magnuson-Stevens Act requires an assessment of potential project effects on EFH for species managed under a Federal Management Plan (FMP). This assessment of the potential effects of EFH by the proposed project determined that the proposed project (BBV Maintenance Dredge) will not adversely affect EFH for Pacific salmon, groundfish, or anchovy, a coastal pelagic fish.

The BE assesses effects of the project (dredging) on critical area habitat. The project will not adversely affect (proposed) critical area habitat for yelloweye rockfish, Boccaccio, or canary rockfish. The project will not adversely modify or destroy critical area habitat for Puget Sound Chinook or bull trout, and will have no effect on southern resident killer whale critical area habitiat.



- Vicinity Map



Subject Area APN#: 405126 153439

USE OF WHATCOM COUNTY'S GIS DATA IMPLIES THE USER'S AGREEMENT WITH THE FOLLOWING STATEMENT:

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February 2018





Geographic Information Systems

2018