

ISLAND COUNTY COMMUNITY DEVELOPMENT DEPARTMENT REQUEST FOR COMMENT

Contact: Joe B E-Mail Joe B @co.island.wa.us 678-7810 Date: 10-24-05

Island County Agencies	State Agencies	Other Agencies
<input type="checkbox"/> Building Div	<input type="checkbox"/> Dept of Ecology-Bellevue	<input type="checkbox"/> City of Oak Harbor
<input checked="" type="checkbox"/> Health Dept	<input checked="" type="checkbox"/> Dept of Ecology-Olympia	<input type="checkbox"/> Town of Coupeville
<input type="checkbox"/> Comm Development	<input checked="" type="checkbox"/> Dept of Natural Resources	<input type="checkbox"/> City of Langley
<input checked="" type="checkbox"/> Engineering	<input type="checkbox"/> Arch. & Hist Preservation	<input type="checkbox"/> NAS Whidbey
<input type="checkbox"/> Crit. Areas/Natural Res.	<input checked="" type="checkbox"/> Dept of Fish & Wildlife	<input type="checkbox"/> Ebey's Nat'l Hist Pres.
<input type="checkbox"/> Critical Drainage	<input checked="" type="checkbox"/> Swinomish	<input type="checkbox"/>
<input type="checkbox"/> HAC	<input checked="" type="checkbox"/> Tulalip	<input checked="" type="checkbox"/> <u>NBBB1</u>

PERMIT CATEGORY: Scoping (Limited Scope - EIS) [Site Plan Review] PROCESS TYPE: Type III

PERMIT #: 387/04 SEPA: Yes No RELATED PERMITS: See list within application

OWNER(S): Nichols Brothers Boat Builders Inc. CONTACT PERSON: Bryan Nichols

PROPOSAL: Reconfiguration of boatyard, extended hrs of operation, construction of marine rail launch system

SITE DATA

Parcel Number(s) (18-parcels) see list within application Size: see list in application Plat: Harbor Shores & Freeland

Parcel Number(s) _____ Parcel Number(s) _____

Range: 2E Township: 29N Section: 10 ¼: NE,NW,SE,SW WHIDBEY ISL: SW _____ CW _____ NW _____

CAMANO ISL: _____

UGA? Yes No

Joint Planning Area? Yes No

For which City: _____

For which City: _____

Zoning: RC RAID Name: Freeland Comp Plan Designation: _____

Adjacent to RA/RF/CA N/A Adjacent to Mine Yes No

FIRM Zone: Portions map #320 Soil: _____

<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wetland Type _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Natural Heritage Program _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Stream Type _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Habitat of Local Importance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Marine FWHCAs _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	AICUZ Noise Zone Level _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Shoreline Jurisdiction _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Bald Eagle Habitat
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Critical Drainage Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Blue Heron Habitat
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Flood Hazard Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Historic Preservation Dist. & Ebey's Nat'l
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Steep Slope	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Archaeological Site
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Geologically Hazardous Area	<input type="checkbox"/>	<input type="checkbox"/>	OTHER _____

Please send written or e-mail comments to the Planning Contact by: November 23, 2005
(Don't forget to include the Applicant name and the Application Number under the Subject Line.)



ISLAND COUNTY PLANNING & COMMUNITY DEVELOPMENT

Phillip Bakke, AICP
Director

PHONE: (360) 678-7810 ■ from Camano (360) 629-4522 ■ from S. Whidbey (360) 321-5111
FAX: (360) 679-7306 ■ P. O. Box 5000, Coupeville, WA 98239-5000
Internet Home Page: <http://www.islandcounty.net/planning/>

WAC 197-11-980 DETERMINATION OF SIGNIFICANCE AND SCOPING NOTICE (DS).

DETERMINATION OF SIGNIFICANCE & REQUEST FOR COMMENTS ON SCOPE OF EIS

Description of proposal:

A 15-YEAR PHASED DEVELOPMENT PLAN REQUESTING THE FOLLOWING APPROVALS;

- (SPR) RECONFIGURATION OF EXISTING BOAT YARD BY RELOCATING VESSEL PRODUCTION AREAS, OPEN STORAGE AND ADMINISTRATIVE BUILDINGS;
- (SPR) CONSTRUCTION OF UP TO (11) 65' x 150' MODULAR BUILDINGS, SOME OF THE BUILDINGS WOULD BE LOCATED WITHIN SHORELINE JURISDICTION;
- (SPR) EXPANSION OF OPERATING HOURS TO ALLOW LIGHT AND QUIET WORK WITHIN ENCLOSED BUILDINGS 24-HOURS A DAY;
- (SCUP IN-WATER WORK) CONSTRUCTION OF A 1,400-FOOT LONG PILE SUPPORTED MARINE RAIL SYSTEM THAT IS PARTIALLY LOCATED WITHIN A MARINE FISH & WILDLIFE HABITAT CONSERVATION AREA (EELGRASS BED);
- (SCUP IN-WATER WORK) MITIGATION AND BEACH RESTORATION CONSISTING OF REMOVAL OF THE EXISTING LAUNCH RAMP;
- (PERMITTED USE, UPLAND) CONSTRUCTION OF UP TO (11) 65' x 150' MODULAR BUILDINGS, SOME OF THE BUILDINGS WOULD BE LOCATED WITHIN SHORELINE JURISDICTION;
- (PERMITTED USE, UPLAND) RECONFIGURATION OF EXISTING BOAT YARD BY RELOCATING VESSEL PRODUCTION AND ADMINISTRATIVE BUILDINGS NOT ALL OF WHICH ARE LOCATED WITHIN SHORELINE JURISDICTION;
- (VAR) A HEIGHT VARIANCE THAT WOULD ALLOW THE 11-PROPOSED MODULAR BUILDINGS TO EXCEED THE 40-FOOT HEIGHT LIMIT (WITHIN THE RURAL CENTER ZONE) BY 25-FEET DURING VESSEL CONSTRUCTION;

Proponent: NICHOLS BROTHERS BOAT BUILDING INC.

Location of proposal: NICHOLS BROTHERS BOAT BUILDERS, INC 5400 CAMERON ROAD FREELAND, WA 98249

Lead agency: ISLAND COUNTY DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Background:

Nichols Brothers Boat Builders, Inc (NBBBI) submitted a Master Permit Application (MPA) on November 1st, 2004 in compliance with a June 2003 Notice of Penalty and Order¹ jointly issued by Island County and Washington State Department of Ecology (DOE). The order required NBBBI to submit the following:

“...an application for a new shoreline permit to supersede and replace all existing shoreline permits and to authorize all present and future proposed uses and activities on the Nichols Brothers Boat Builders site, including but not limited to launch systems, buildings within the boatyard, parking and storage areas and fabrication areas.”

The comprehensive MPA is intended to supersede and consolidate all of the past land-use permits into a single approval resulting in a permanent launch system that will not require maintenance dredging while

¹ Notice of Penalty & Joint Order #03SEANR-5565/COV 255/03

mitigating noise/aesthetic impacts to acceptable levels for the surrounding community. In this pursuit NBBBI is seeking to reconfigure the existing boatyard in a manner to comply with the above listed goals, increase production efficiencies, and protect employees from inclement weather. The MPA will consist of the individual approvals listed above under "Description of Proposal" as well as review under the State Environmental Policy Act (SEPA).

Island County advertised the proposal and accepted public comments on the project over a 49-day period running from December 1st, 2004 through January 15th, 2005. During this time frame, Island County received over 1000-comments both in support and opposition to the proposal. Island County (Departments of Planning, Public Works & Health) and the Washington State Departments of Ecology, Natural Resources, and Fish & Wildlife (the reviewing agencies) completed their initial review of the proposal through the end of the public comment period and requested additional information from the applicant in a review letter dated January 25th, 2005. Because of the relatively large scope of the project, the applicant was asked to first submit a schedule for re-submittal of the requested information in three phases. The applicant submitted the requested information consistent with that schedule on March 28th, April 25th, and May 25th, 2005.

Based on review of all of the information submitted by the applicant, Island County has determined that all probable adverse environmental impacts have not been mitigated to a level of non-significance. Island County Department of Planning & Community Development (County), as lead agency, has determined that this proposal is likely to have significant adverse impacts on the environment and is requiring the preparation of a limited scope environmental impact statement (EIS) as required by the State Environmental Policy Act (SEPA) (RCW 43.21C). The County also has asked the applicant to explore reasonable alternatives to the proposed building design and launch system and the impacts of those alternatives on the specific elements of the environment identified below.

The Lead Agency (Island County) through review of 1000+ public comments, review agency comments, the Master Permit application as well as professional reports and supplemental information submitted by the applicant have identified the following areas for discussion in the required EIS:

- | | |
|-----------------------|--|
| (NATURAL ENVIRONMENT) | AIR (AIR QUALITY) |
| (NATURAL ENVIRONMENT) | PLANTS/ANIMALS (FISH & WILDLIFE) |
| (BUILT ENVIRONMENT) | ENVIRONMENTAL HEALTH (NOISE) |
| (BUILT ENVIRONMENT) | AESTHETICS AND LAND-USE (BUILDING;
HEIGHT/DESIGN/ LIGHTING & LANDSCAPING) |
| (BUILT ENVIRONMENT) | RECREATION (NAVIGATION) |

Scoping: Agencies, affected tribes, and members of the public are invited to comment on the scope of the EIS. You may comment on alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required. Please provide written comments via email, fax or mail to the contact listed below. All scoping comments related to this proposal need to be provided to the Lead Agency (Island County) prior to November 23rd, 2005.

From: NOVEMBER 2ND, 2005 To: NOVEMBER 23RD, 2005
Responsible official: PHILLIP BAKKE, DIRECTOR – ISLAND COUNTY
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
Email: JoeB@co.island.wa.us Phone: 360-678-7800
FAX: 360-679-7306

Address: P.O. BOX 5000 COUPEVILLE, WA 98239

Date: Signature



You may appeal this determination of significance:

To: Island County Hearing Examiner
P.O. Box 5000
Coupeville, WA 98239
Fax: 360-679-7306 no later than **DECEMBER 7TH, 2005**

You should be prepared to make specific factual objections to the Lead Agencies Determination of Significance (DS).

EIS Required: The lead agency has determined this proposal is likely to have a significant adverse impact on the environment. A limited scope environmental impact statement (EIS) is required under RCW 43.21C.030 (2) (c) and will be prepared. The application materials, including the environmental checklist, written comments or other materials indicating likely environmental impacts can be reviewed at our offices.

[Statutory Authority: RCW 43.21C.110. 84-05-020 (Order DE 83-39), § 197-11-980, filed 2/10/84, effective 4/4/84.]