

To: LEGAL NOTICES

Publication Date:

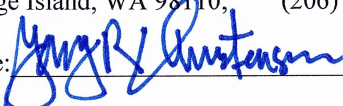
May 15, 2018

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## NOTICE OF MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

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The City of Bainbridge Island has made a decision concerning the following land use application:

<b>Date of Issuance:</b>	May 15, 2018
<b>Project Name &amp; Number:</b>	Soundview Drive Lot 5 RUE & Variance (PLN50850A RUE & PLN50850A VAR) and Soundview Drive Lot 6 RUE & Variance (PLN50850B RUE & PLN50850B VAR)
<b>Project Type:</b>	Reasonable Use Exception and Zoning Variance
<b>Applicant:</b>	Inhabit Limited Liability Company
<b>Owner:</b>	Inhabit Limited Liability Company
<b>Project Site &amp; Tax Parcel:</b>	Lot 5: 2171 Soundview Dr. NE, TA# 41460040050004 Lot 6: *no situs address*, TA# 41460040060003
<b>Project Description:</b>	Construct two SFRs on Lots 5 and 6 (Block 4) of Fort Ward Estates, on Soundview Drive NE. Lot 5 contains a mapped wetland on its eastern edge, and both lots are encumbered by associated wetland buffers. Requesting variance from front setback.
<b>SEPA Decision:</b>	<p>The City of Bainbridge Island (lead agency) has determined that the proposal does not have a probable significant impact on the environment if measures to mitigate the proposal are used. This MDNS is issued under WAC 197-11-340 (2) &amp; WAC 197-11-350. This determination was made and mitigation measures were applied after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) c.</p> <p><b>The lead agency will not act on this proposal for 14 days. Comments must be submitted by no later than 4:00 p.m. on Tuesday, May 29, 2018.</b></p>
<b>Responsible Official:</b>	Gary R. Christensen, AICP, Director
<b>Address:</b>	City of Bainbridge Island Department of Planning and Community Development 280 Madison Avenue North Bainbridge Island, WA 98110, (206) 842 - 2552
	Signature:  Date: <u>5/15/18</u>
<b>APPEAL:</b>	<p>You may appeal this determination by filing a written appeal and paying the \$530.00 appeal fee to the City Clerk, at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 16.04.170 by no later than <b>4:00 p.m. Tuesday, May 29, 2018</b>. You should be prepared to make specific factual objections</p>

**If you have any questions, contact:**

**Annie Hillier**

City of Bainbridge Island

Department of Planning & Community Development

280 Madison Avenue North

Bainbridge Island, WA 98110

(206) 780-3770 or [pcd@bainbridgewa.gov](mailto:pcd@bainbridgewa.gov)

**Mitigation Measures for Inhabit Limited Liability Company SEPA Determination**

This threshold determination is for file numbers PLN50850A RUE & PLN50850A VAR and PLN50850B RUE & PLN50850B VAR. A threshold determination under the State Environmental Policy Act in no way allows construction work to commence without appropriate construction permits, such as a building or grading permit. Mitigation measures become conditions of approval for the permit.

Mitigation measures to ensure no probably adverse environmental impact will occur during project construction:

1. In order to protect the ground water and the wetland flora and fauna from the proposed development, the roofing shall be of a non-leaching material that is not harmful to the environment. Examples of non-leaching materials are, but not limited to, metal and tile roofs. Any alternative method proposed requires approval by the City prior to final building permit issuance, and must address BIMC water quality standards, Chapter 13.24, to assure that wetland flora and fauna functions and values are maintained/enhanced.
2. Prior to commencing any construction activity, the applicant shall have the wetland buffer temporarily fenced between the areas of construction activity, a maximum of 15 feet from the proposed residence. The fence shall be made of durable material and shall be highly visible. The fence shall be inspected as part of the building permit. The temporary fencing shall be removed once the construction activity is complete and replaced with permanent fencing (see condition #3, below).
3. A split-rail type fence shall be installed along the edge of the native vegetation buffer area. The rails shall be high enough to allow small mammals and wildlife to pass through. The fence shall be indicated on the building permit application and in place prior to final inspection on the building permit.
4. A minimum of two signs per lot indicating the presence of a protected wetland buffer shall be placed on the fence, prior to final inspection on the building permit. Signs shall be made of metal or a similar durable material and shall be between 64 and 144 square inches in size.
5. The wetland mitigation plan, including mitigation goals and objectives, performance standards, maintenance and monitoring measures, and contingency actions, shall be submitted with the building permit application and approved prior to final building inspection. All plantings shall be installed prior to final building permit inspection, or an assurance device shall be provided in accordance BIMC 16.20.180.
6. Any modification to the culvert must be supported with a hydraulic and hydrologic analysis consistent with the Department of Ecology's 2014 Stormwater Management Minimum Requirement #8 (MR #8), Wetlands Protection and must include a quantitative downstream analysis of the downstream system. The quantitative downstream analysis shall demonstrate that the storage of stormwater and attenuation of peak flows will not be altered to the detriment of the downstream property owners, wetlands, and drainage channels and conveyances. The Wetlands Protection analysis must demonstrate compliance with Guide Sheet 3B to maintain the existing hydroperiod of the wetlands; the analysis shall demonstrate that daily and monthly inputs to the adjacent wetland and downstream wetlands do not vary by more than 20% and 15% respectively, compared to existing conditions. Any anticipated impacts to landowners or downstream flow increases must be mitigated up to the 100-year storm discharge. These analyses shall be submitted with the Critical Areas permit applicant (Condition #7).
7. All required permits and approvals shall be obtained prior to culvert replacement, including a Right-of-Way (ROW) Permit from the Department of Public Works, a Hydraulic Project Approval (HPA) from the

Department of Fish and Wildlife, and Critical Areas Permit from the Department of Planning and Community Development. A copy of the HPA shall be included in the materials submitted with the Critical Areas Permit application and ROW Permit application.

8. The replacement culvert shall be installed prior to final building permit inspection for the first SFR, or an assurance device shall be provided in accordance with BIMC 16.20.180.
9. If the required analyses (Condition #6) prove the culvert replacement infeasible or the applicant decides to retract the culvert replacement proposal, an amendment to the RUE with an alternative mitigation proposal shall be approved prior to building permit issuance, and conditions 6-8 do not apply.
10. If the performance standards in the mitigation plan are not met, a contingency plan shall be submitted to the Department of Planning and Community Development for approval. Any additional permits or approvals necessary for contingency actions shall be obtained prior implementing the contingency plan.
11. To reduce impacts to the wetland, the applicant shall limit the amount of lighting on the exterior of the residence to the minimum necessary, shall install motion sensor lights to the rear of the house facing the wetland, and record a covenant to limit the use of pesticides on the properties.
12. Disturbance to the 60-foot wide right-of-way (ROW) from construction activities shall be restored in accordance with the Public Works ROW restoration requirements. Disturbed road shoulders and vegetation strips shall be replaced with the standard 3-foot wide crushed surfacing top course gravel ballast shoulder. Disturbed areas beyond the road prism shall be regraded to provide drainage via grassed swales and/or replanted. The house construction shall allow drainage from the ROW to continue to the wetlands along the sideyards to match existing drainage patterns, where it occurs.
13. Each lot shall submit a bid comparison/analysis to demonstrate that the applicant has considered utilizing the minimal excavation foundation systems per the 2012 Low Impact Development Guidance Manual for Puget Sound as a means of minimizing impacts to the site and adjacent wetlands. The bid/comparison analysis shall demonstrate that the applicant has engaged with the appropriate design and construction professionals to explore this foundation system option. The bid shall be obtained from a designer or installer with previous experience building with this technology.
14. Surface stormwater from driveway and parking spaces shall receive pre-treatment prior to discharging to the wetlands or leaving the site by directing stormwater to vegetated dispersion strips, rain gardens where soils allow, or the use of permeable pavement (outside of the ROW only), or other alternatives consistent with MR #5, On-Site Stormwater Management of the stormwater manual.
15. Hardscaping shall be constructed of permeable materials or contain wide permeable jointing where feasible to allow infiltration or shallow subsurface filtration of surface stormwater.
16. Diffuse flow methods (i.e. BMP C206: Level Spreader, or BMP T5.10B: Downspout Dispersion Systems) shall be used to discharge roof surface stormwater into the wetland where full-infiltration on-site is not feasible.