

**WHATCOM COUNTY**

Planning & Development Services  
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**J.E. "Sam" Ryan**  
Director

**Natural Resource Assessment  
Notice of Additional Requirements (NOAR)**

**TO:** Bill Dierdorff  
**FROM:** Natural Resource Staff  
**DATE:** July 28, 2017  
**SUBJECT:** CA2017-00214  
Address: 4470 Castlerock Drive  
APN: 400117 013245

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Staff has reviewed the information you submitted with the Natural Resource (NR) Assessment Checklist and have determined that additional information is required prior to NR approval and **prior** to submittal of a building permit application.

Please submit a copy of this letter and **all** of the required information listed below to PDS in one complete package within 180 days of this notice or your Natural Resource Assessment application will expire. Once received by PDS, the information package will be re-reviewed in the order in which it was received.

Please wait to submit your building permit application until you have received NR approval via a NR Assessment Determination.

For specific requirement questions, please contact the applicable NR staff person listed below by email or at (360) 778-5900.

**Please note:** This document and attachments may include appealable decisions pursuant to the applicable regulations. Please contact the reviewing staff person for additional information and associated time limitations.

**Watersheds/NPDES Phase II (Title 20)** -Belinda Jaeger: [bjaeeger@whatcomcounty.us](mailto:bjaeeger@whatcomcounty.us)

More information required for review:  Yes (if yes list what is needed below)  No

Review completed date: July 2017  
Date of inspection: July 2017  
Inspection Findings:

-This property is located within the Birch Bay or Drayton Harbor watershed.  
-Prior to NR Assessment approval, the following information is needed.

- A stormwater system designed to WCC 20.80.630(1) (c). Please refer to <http://www.whatcomcounty.us/890/Birch-Bay-Drayton-Harbor> and <http://www.whatcomcounty.us/892/Stormwater-Facilities> for more information.

- An Erosion and Sedimentation Control (ESC) plan
- A completed and unrecorded "Stormwater Facility Location Site Plan" document. This document shall have the property owners' notarized signatures when submitted. You can download this document at <http://www.whatcomcounty.us/920/Applications-FormsLinks>.
- A recordable site plan to accompany the "Stormwater Facility Location Site Plan" document. A recordable site plan is a site plan that has one-inch margins on all sides, is on legal (8.5" x 14") or letter size (8.5" x 11") paper, and has text that is greater than 8-point in size.

**Wetlands and HCA (WCC 16.16) – Matt Mahaffie – [mmahaffi@whatcomcounty.us](mailto:mmahaffi@whatcomcounty.us)**

More information required for review:  Yes  No

The project proposes direct impact to wetland buffer. The wetland boundary has not been delineated as part of this project, but can be readily inferred. As such, assumptions have been made, chiefly that the property is fully encumbered by wetland buffer and that a reasonable sized home cannot be placed on the property within the standard buffer reductions allowed by Whatcom County Code (WCC). Such assumptions are based upon the best professional judgement of PDS staff. That being said, there are several options forward at this point to permit the construction of a home, to include the following:

- 1) Modify the proposal to avoid and minimize critical area impacts and mitigate for impacts under the guidance of a qualified critical area consultant within the standard allowances of WCC 16.16.

Modification of the project is not foreseen by staff to be able to place a single family home onsite within the standard provisions of WCC 16.16, but it may be possible. Minimizing and avoiding impacts as reasonable and possible need be shown regardless of the permitting pathway.

- 2) If it is satisfactorily shown that modification of the project is not sufficient to meet the standard provisions of WCC 16.16, the reasonable use provisions of WCC 16.16.270 would likely be the most viable and feasible option. If the project is designed to fulfill the reasonable use requirements, complemented by satisfactory fulfillment of mitigation sequencing, the County may grant a reasonable use exception from select standards for the construction of a single family home. If such is the chosen pathway, a reasonable use supplement will be required for submittal (applicable fees apply), available at:

<http://www.whatcomcounty.us/documentcenter/view/2211>

Or;

Alternatively, the option is available to apply for a variance rather than reasonable use. The decision for a variance request would be made following public notice and a hearing held by the Hearing Examiner. Please discuss the necessary steps with staff if this is to be a chosen pathway.

Regardless of the permitting pathway, the following information will also still be required:

- A mitigation plan consistent with the applicable provisions of WCC 16.16. for all unavoidable impacts to critical areas and/or regulated buffers. A separate review fee (\$370) will apply for compensatory mitigation proposals. Mitigation plans shall be prepared by a qualified consultant. A list of consultants who have submitted their qualifications to Whatcom County is available here: <http://www.co.whatcom.wa.us/DocumentCenter/View/2359>

Review completed date: July 27, 2017

Date of inspection: June 26, 2017

Inspection Findings: Sizable wetland area encompasses much of the open space north of the subject property. No wetland appears to impact the property directly, but the wetland edge is very close to the northern property line with a regulated buffer that would effectively encompass the property as a whole. It does not appear under cursory review that the standard buffer reductions available within Whatcom County Code would be adequate to allow for the construction of a single family home.