



Shoreline Substantial Development Permit  
Notice of Additional Requirements (NOAR)

TO: Rick Faber

FROM: Andrew Hicks - Shoreline Administrator

DATE: February 6, 2018

SUBJECT: Applications: SHR2017-00006, SHV2017-00001, SHC2017-00002, SEP2017-00038  
Address: 990 Lake Whatcom Blvd / APN: 370420475090, 370420488084

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Staff has reviewed the revised application materials you submitted for the permit applications referenced above and has determined that additional information is required prior to approval.

Please submit a copy of this letter and **all** of the required information listed below to Planning and Development Services (PDS) in one complete package within 180 days of this notice or your Shoreline Substantial Development, Shoreline Variance, and Shoreline Conditional Use applications will expire. Once received by PDS, the information package will be re-reviewed in the order in which it was received.

**Watersheds/NPDES Phase II (Title 20)** – Michael Kershner

[mkershne@whatcomcounty.us](mailto:mkershne@whatcomcounty.us)

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

Comments:

On December 28, 2017, information was submitted in response to the Notice of Additional Requirements (NOAR), dated August 28, 2017. As part of this NOAR, the Watersheds office asked for specific information regarding stormwater and Erosion and Sedimentation Controls.

It has been indicated that no trees will be removed as part of this project. Therefore, the proposed project is consistent with WCC 20.51.440.

The response narrative submitted with the newest information indicates that, within shoreline jurisdiction, 15 lots (lots 2, 49, 50-54, 56, 62, 65, 67, 68, 79, 81, and 83) still have not had patio covers constructed. The current proposal requests that the patio covers on these lots be approved for future construction. This information was not shown on the site plan. This information must be shown on a revised site plan.

None of the other requested information was submitted.

It should be noted that the submitted site plan shows many revisions outside of Shoreline Jurisdiction. None of those changes will be reviewed or approved through this permit. Revisions outside of Shoreline Jurisdiction will be reviewed under CUP2017-00002. The removal of all non-shoreline revisions from the site plan will be required.

Therefore, prior to Shoreline permit approvals, the following information is required:

- Documentation and details showing that the installation of the fire infrastructure will not impair the performance of the previously approved stormwater system.
- An Erosion and Sedimentation Control (ESC) Plan which indicates how sediment laden water will be prevented from entering Lake Whatcom, critical areas, or adjacent properties.
- A site plan showing the location of all proposed patio canopy covers. The site plan shall also have a table of contents which identifies all applicable map elements.
- Revise the site plan to show only work proposed within Shoreline Jurisdiction.

If you, or the applicant, should have any questions, feel free to contact me at 778-5948 or at [mkershne@co.whatcom.wa.us](mailto:mkershne@co.whatcom.wa.us).

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

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

Comments:

In the Notice of Additional Requirements (NOAR) dated August 28, 2017, it was requested that at a minimum to begin review for compliance with WCC 16.16 that a Critical Areas Assessment Report be prepared and submitted to show how the various proposals met the requirements for compliance with applicable critical area regulations. The report was specifically requested to be prepared to the standards put forth in WCC 16.16.255 and/or WCC 16.16.750 as a Habitat Management Plan.

In response to the NOAR, the applicant has provided a memorandum providing an update to the wetland extent and wetland ratings forms which is helpful to know in relation to the overall resort project and ongoing status. However, this supplied memo does not address the proposals at hand in any relevant fashion, nor does it meet the minimum reporting requirements put forth in WCC 16.16.255 as required for this new and unique proposal. As such, review of the proposals has yet to commence and will not begin until the requested documentation is substantially supplied.

Again, at a minimum, to begin review for compliance with WCC 16.16, a Critical Areas Assessment Report shall be prepared pursuant to the standards found in WCC 16.16.255 and/or as a Habitat Management Plan as outlined in WCC 16.16.750. In addition to the basic reporting requirements, all relevant provisions of WCC 16.16 Articles 6 & 7 shall be addressed in relation to all proposals.

Reporting shall be completed by a qualified professional. Whatcom County carries a list of qualified wetland and stream specialists; however, no list is carried for qualified professionals in the Habitat Conservation Areas (HCA's) associated with the project. It is incumbent upon the applicant to choose a professional that is qualified for such work. As stated in previous correspondence in an effort to prevent such misappropriation of time and energy, it would behoove the applicant to ensure that **the project and reporting scope be reviewed by PDS staff in conjunction with the retained consultant prior to commencement of work and/or study.**

**Geohazards (WCC 16.16)** – Andrew Wiser – [awiser@whatcomcounty.us](mailto:awiser@whatcomcounty.us)

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

**Flood (WCC 17)** – Denise Doezema – [ddoezema@whatcomcounty.us](mailto:ddoezema@whatcomcounty.us)

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

**Shorelines (Title 23)** – Andrew Hicks- [ahicks@whatcomcounty.us](mailto:ahicks@whatcomcounty.us)

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

Comments:

Revision materials for the shoreline permits referenced above were submitted on December 28, 2017 in response to a Notice of Additional Requirements (NOAR) that was issued on August 28, 2017. The new information indicates that multiple revisions have been made to the original proposal, including:

- The stream dredging that was originally proposed within the recreational swim area has been withdrawn from the application.
- The placement of seven (7) new log boom pilings is now proposed at various locations around the marina and existing log booms are proposed for relocation.
- The proposed location of 12 new jet ski/sail boat slips has been identified on the site plan. The jet ski/sail boat slips are proposed on the shallow end of dock #s 1, 2, 3, and 4.
- A feature referred to as an “added existing gravel bar” now appears on the site plan.
- 15 park model lots within shoreline jurisdiction (#s 2, 49, 50, 51, 52, 53, 54, 56, 62, 65, 67, 68, 79, 81, and 83) have been identified for re-approval of a patio canopy.
- Two (2) new public emergency phones are being proposed. One is proposed to be located adjacent to the pool and one is proposed to be located on the fuel dock.
- The re-configuration of four (4) park model lots within shoreline jurisdiction (lot #s 49, 62, 65, and 76). The re-configuration includes flipping the R.V. pad and patio from the originally proposed layout.
- A new fire department connection line is proposed along the shoreline to connect four (4) new standpipes located on dock #s 1, 2, 3, and 4, to a new proposed fire hydrant located along the roundabout.

In addition to the revisions made to the original application (listed above), the new materials maintain the following proposed modifications to the Wildwood Resort Marina:

- Increase the length of Dock #1 by approximately 81’ (according to the new site plan), add two (2) new piles, and add six (6) new boat slips.
- Add two (2) boat slips to the fuel dock (Dock #2).
- Increase the length of Dock #3 by approximately 53’ (according to the new site plan), add two (2) new piles, and add eight (8) new boat slips.
- Increase the length of Dock #4 by approximately 30’ (according to the new site plan), add two (2) new piles, and add eight (8) new boat slips.
- Increase the length of Dock #6 by approximately 9’ (according to the new site plan), add one (1) new pile, and add four (4) new boat slips.

Some of the proposed revisions do not appear to relate to the shoreline applications referenced above, as they are either outside of shoreline jurisdiction or are not eligible for

revision through the shoreline permit review process. Those revisions are being reviewed under a separate Conditional Use Permit and include:

- Shop (A) to be remodeled.
- Lot 7 & 8 to be combined into Lot 7. Lot 8 moved to Shop (A) and lot numbers rearranged.
- Proposed re-authorization of patio canopies for park model lot #s 20, 23, 28, and 34.
- The proposed re-configuration of park model lots for the purpose of flipping the R.V. pad and patio for lot #s 15, 16, 20, 21, 22, 23, 28, 34, 36, 37, 38, 39, and 46.

The new project narrative states that the proposed marina expansion will include 28 new boat slips proposed with dock extensions into deeper water and 12 sail boat or jet ski moorage slips that are to be attached to existing dock structures. Additionally, the new information provided by the applicant indicates that there are 83 total R.V. pad sites and 41 of which are within Shoreline Jurisdiction. Pursuant to WCC 23.100.090.B.3.c, camping clubs and subdivisions may provide up to 1.25 moorage spaces per total lots. With 41 sites within Shoreline Jurisdiction, this would allow 51 total moorage slips. Currently, Wildwood Resort provides 36 boat slips and 15 mooring bouys for a total of 51 total moorage slips. It seems Wildwood resort has already capped out the allowed moorage.

The site plan indicates that the existing log booms flanking the marina will be relocated to the locations shown. However, the existing locations of log booms near the ends of dock # 3 and 4 are not shown.

Pursuant to WCC 23.90.080, consideration of public access shall be required for all substantial developments and conditional use permits. Additionally, per WCC 23.100.040.B.2, marinas shall provide public access for as many water-dependent recreational uses as possible, commensurate with the scale of the proposal. No information was provided with the revised materials that show how public access is currently accommodated nor if/how additional public access will be provided to account for the proposed increase in scale of the marina that is consistent with WCC 23.100.040.B.2. Please provide this information.

The following information is required:

1. Revise the site plan to identify both the existing and proposed location for all log booms.
2. If any modifications are being proposed to the feature identified on the site plan as "added existing gravel bar" please provide a description of the modification.
3. Provide a statement on how public access is currently being accommodated and how public access will be increased commensurate with the proposed increase in scale of the marina.

If you have any questions regarding these requirements please feel free to contact me. If needed, staff can set up a meeting to discuss the requirements listed above.

**Fire Marshal (International Fire Code)** – Will Anderson – [wanderso@whatcomcounty.us](mailto:wanderso@whatcomcounty.us)  
More information required for review:  Yes (if yes list what is needed below)  No

Comments:

*Fire Marshal's staff has reviewed the revised materials submitted on December 28, 2017 and amended their original comments in red below.*

The Whatcom County Fire Marshal's Office requires that the applicant demonstrate compliance with the following requirements prior to permit approval. A revised site plan is required to show where, if applicable, each of the required fire protection components listed below will be located.

1. Fire Protection Equipment- per IFC 2015 Edition Chapter 36 Section 3604- docks servicing fire or more vessels and marine motor fuel-dispensing facilities shall be equipped with fire protection equipment.
2. Separate Fire Marshal's Office permit is required for the installation of underground fire lines, hydrant(s), and Standpipe system to all docks including the fuel dock. Plans, Calculations, and cuts sheets shall be provided by a licensed Washington State Engineer for the standpipe system. Standpipe system must meet NFPA 303. **Deferred Submittal ok.**
3. Fire hydrant(s) shall be located with 100' feet of standpipes. **Addressed**
4. Fire Access is required with 150' of all docks. **Not Addressed in new plans**
5. Fire access road width is 20' feet wide. **Not Addressed in new plans**
6. Fire access road width in front of hydrants is required to 26' wide for a total of 40' feet. 20' feet in each direction on center of the hydrants. **Not Addressed in new plans**
7. Dead end roads over 150' long are required to have an approved Fire truck turn-a-round. **Not Addressed in new plans submittal**
8. Fire extinguishers are required at each required standpipe connection of ordinary moderate hazard type. **At time of final ok.**
9. Communications. A telephone shall be provided and maintained on the site in a location approved by the fire code official. **At time of final ok.**

The proposal shall comply with all applicable codes and ordinances adopted by Whatcom County. Any overlooked hazardous condition and/or violation of applicable code does not imply approval of such condition or violation.

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Please wait to submit your building permit application until you have received approval via a Shoreline Substantial Development permit.

For specific requirement questions, please contact the applicable NR staff person listed above 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.