

## Lee McEnery

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**From:** Lee McEnery  
**Sent:** Thursday, January 23, 2014 10:24 AM  
**To:** 'Joe Brogan'  
**Subject:** RE: Runstad SDP Application

I wish I could provide an example but have had no luck coming up with one.

Other examples of BAs tied solely to complying with the FEMA BiOp Guidance – I am not able to recall any other bulkheads where this was required. We have had no residential construction in the FEMA flood zone, either.

I don't recall other proposals (aside from a dock) located in a FEMA flood zone so I also don't recall any others required to perform this.

Lee

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**From:** Joe Brogan [mailto:Broj@foster.com]  
**Sent:** Thursday, January 23, 2014 8:55 AM  
**To:** Lee McEnery  
**Cc:** Amy Vira  
**Subject:** RE: Runstad SDP Application

Does the County have any examples of BA's tied solely to complying with your FEMA BiOp Guidance? Has the County ever required this of any other shoreline applicant?

**Joseph (Joe) A. Brogan**  
Attorney  
FOSTER PEPPER PLLC  
1111 Third Avenue, Suite 3400  
Seattle, WA 98101-3299  
Phone: 206-447-6407  
Fax: 206-749-1935  
[broji@foster.com](mailto:broji@foster.com)  
[www.foster.com](http://www.foster.com)



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**From:** Lee McEnery [mailto:LeeM@sanjuanco.com]  
**Sent:** Thursday, January 23, 2014 8:51 AM  
**To:** Joe Brogan  
**Subject:** RE: Runstad SDP Application

Because it was a dock, they needed a Corps permit (federal.)  
Lee

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**From:** Joe Brogan [<mailto:BroGJ@foster.com>]  
**Sent:** Wednesday, January 22, 2014 4:58 PM  
**To:** Lee McEnergy  
**Cc:** Amy Vira  
**Subject:** Re: Runstad SDP Application

Thanks Lee. Was the Spirits Cove dock BA triggered solely as a result of your FEMA BiOp guidance or was there a federal permit also?

Joe

Sent from my iPhone

On Jan 22, 2014, at 1:15 PM, "Lee McEnergy" <[LeeM@sanjuanco.com](mailto:LeeM@sanjuanco.com)> wrote:

Hi  
No, the SMP has not changed.  
Sample biological assessment- Swindells/Spirit Cove dock, PSJ000-13-0005. It is too large to scan - shall I mail you a copy?- Let me know.  
Lee

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**From:** Joe Brogan [<mailto:BroGJ@foster.com>]  
**Sent:** Wednesday, January 22, 2014 11:10 AM  
**To:** Lee McEnergy  
**Cc:** Amy Vira; Rene Beliveau  
**Subject:** Runstad SDP Application

RE: Runstad SDP Application PSJ000-12-0009

Hi Lee,

I wanted to give you an update on the Runstad SDP application and ask a couple of questions.

Since our last report, the applicant proceeded to work through mitigation issues with WDFW. That process will be concluding shortly (likely within 45 days). We will supplement the County's SDP application file with information resulting from our meetings with WDFW. We also pursued the issue of obtaining a Base Flood Elevation at the site and will conclude that process in January.

My questions relate to the potential requirement for a habitat assessment as noted in Rene's e-mail below. Has the County adopted a Shoreline Update and is the biological assessment still required? If it is required, can you identify recent County SDP application files that include examples of biological assessment studies acceptable to the County?

**From:** Rene Beliveau  
**Sent:** Friday, March 01, 2013 11:04 AM  
**To:** Lee McEnergy; Julie Thompson; Annie Matsumoto-Grah  
**Cc:** Shireene Hale; Colin Maycock; Linda Ann Kuller; Chris Laws; Lisa Brown  
**Subject:** FW: FEMA Region X Biological Opinion update

Please review the following e-mail and attached documents.

*Until the SMP is updated the County is operating under Door Number 3.*

*It is extremely important that any and all permits authorizing work in a FEMA designated Flood Hazard Area and located at or landward of Ordinary High Water Mark provide a biological assessment and opinion on its potential adverse impacts or effects to salmon and salmon habitat. All these permit must be tracked and reported on an annual basis to FEMA. Annie is currently responsible (Fay and Chris before Annie) for tracking and filling out and sending the annual report.*

*I don't believe we have been properly evaluating, tracking, and reporting on all shoreline permits or exemptions that do not require a building permit.*

*Please make sure that all such permits are in full compliance with the Biological Opinion requirements and Department Policies.*

*Also make sure that Annie is informed on all such permits so that she can properly and accurately track and report to FEMA.*

*Thanks  
René*

Thanks, Joe Brogan

**Joseph (Joe) A. Brogan**

Attorney

FOSTER PEPPER PLLC

1111 Third Avenue, Suite 3400

Seattle, WA 98101-3299

Phone: 206-447-6407

Fax: 206-749-1935

[brogj@foster.com](mailto:brogj@foster.com)

[www.foster.com](http://www.foster.com)

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