

Draft minutes* for
 Quarterly Kitsap All Ports Meeting
 October 25, 2021 at the Port of Brownsville

Attendees:

Lary Coppola	Allyn – staff via ZOOM
James Weaver	Bremerton - staff
Kathy Garcia	Bremerton – staff via ZOOM
Jack Bailey	Brownsville
Joseph DaBell	Brownsville – staff
Sally Hass	Brownsville - citizen
Jon Buesch	Illahee
John Burton	Illahee
Brian Watne	Keyport via ZOOM
Mary McClure	Kingston via ZOOM
Greg Englin	Kingston – staff via ZOOM
Robert Ballard	Manchester via ZOOM
James Strode	Manchester via ZOOM
Doug Kitchens	Silverdale
Caleb Reese	Silverdale
Ed Scholfield	Silverdale
Phil Best	Silverdale – attorney via ZOOM
Theresa Haaland	Silverdale, Tracyton, Illahee – staff
Randle Kuhn	Assoc of WA Business – via ZOOM
Troy Wood	Washington State DRN – via ZOOM

PLEDGE OF ALLEGIANCE – those in attendance stood for the pledge.

INTRODUCTIONS were made.

MUTUAL ITEMS OF INTEREST

Randle Kuhn, Association of Washington Business (AWB) Membership Manager, introduced himself (randlek@awb.org). He explained that AWB (<https://www.awb.org/>) is basically the chamber of commerce for the State of Washington and they have a long history of partnering with Ports throughout Washington State. He would like to see every Port in the State of Washington become a member of AWB. Mr. Kuhn explained that AWB basically acts as a liaison between its members and the State, addressing issues that are of concern. He said that the membership pricing schedule is flexible and encouraged Port representatives to contact him with any questions and/or to become a member.

Troy Wood, Program Manager Derelict Vessel Removal Program, Aquatic

Resources Division, Washington State Department of Natural Resources (DNR), was introduced (Troy.Wood@dnr.wa.gov). Commissioner Jack Bailey provided those in attendance with a DNR “Sustainable Funding for Derelict Vessel Removals” handout. Mr. Wood provided the history of the DNR’s Derelict Vessel Removal Program (DVRP) [Recovering Derelict Vessels | WA - DNR](#). It began in 2002 and there have been lots of changes through the years. Approximately \$3.00 of every vessel registration fee is added to the DVRP account. The programs biennial budget is approximately \$2.6 million. Last year 125 derelict vessels were safely removed from Washington State waters through the program. He explained that every derelict vessel within Washington State waters, that has been reported to the DNR, is prioritized by considering human safety and environmental risk on a one to five priority scale. One being an immediate threat to human safety and five is maybe just a boat tied to a buoy and not in danger of sinking. Authorized agencies, such as Ports, remove vessels within their jurisdiction and receive ninety percent reimbursement. The vessel first needs to meet criteria related to abandoned vessels, such as, it is in danger of sinking and/or running aground. If it meets any one of the definitions it can be added to the DNR’s DVRP database and then it gets prioritized. The number of derelict vessels continues to increase. There is a proposal to increase a portion of the watercraft excise tax of 15% to be added to the DVRP’s account. If approved, it will increase the program’s biennium budget with an additional \$5,000,000, increasing the total biennium budget to approximately 7.5 million. Mr. Wood said that currently the program only covers the expenses of one employee, although there are three DNR employees who work on the program. Mr. Wood explained that there is also a \$50,000 grant program for local law enforcement, so that they can be more involved with derelict vessels or soon-to-be derelict vessels on the water. It has been noticed that there is a drastic reduction of issues when law enforcement is involved and that is why the local law enforcement grant program is so important. The DNR also offers the Vessel Turn-In Program (VTIP) ([Vessel Turn-In Program | WA - DNR](#)) to owners of boats that are on the way to becoming a derelict and/or abandoned. There is no cost to the owners. It is estimated that each boat costs approximately \$4,000 to remove safely. It was asked if area residents can report vessels. Mr. Wood said yes, but reminded everyone that there are just three employees working this program and so they are unable to inventory the entire State. Apparently, there are anywhere between twenty to thirty derelict boats in Sinclair Inlet alone. Mr. Wood explained that they are only aware of eight vessels of concern in Sinclair Inlet. Commissioner Jon Buesch asked Mr. Wood if he finds a lot of commercial vessels that are basically at the end of their useful life getting sold for recreational purposes. Mr. Wood explained that once a commercial boat is sold to a private party it is no longer considered a commercial vessel. There was an instance where a tugboat was sold to a private individual. The DNR ended up calling the original owner and telling him/her that they would be required to pay for the removal, if the new owner was unable or

unwilling to pay. Commissioner Brian Watne said that Keyport has used the DNR DVRP. He thanked Mr. Wood for his help on that. He explained that it's a life saver for small Port's like Keyport. They currently have three more wooden vessels that they are very concerned about. Two of the three are not meeting Keyport's rules and regulations. He questioned if the Port has the authority to ask them to leave and who determines whether the vessel is a derelict or not. Mr. Wood explained that the Washington Administrative Code (WAC) 79.100.010 ([RCW 79.100.010: Definitions. \(wa.gov\)](#)) provides the definitions related to derelict vessels. He explained that if the vessels in question are actually tenants of the Port, then they wouldn't meet the definition because ultimately, they are moored with permission, but within the Port's rules and regulations they may be able to evict them and/or encourage them to take advantage of the DNR's VTIP. James Weaver, Director of Marine Facilities with the Port of Bremerton, said that he really appreciates the DNR's help. One big problem they have determined is that the United States Coast Guard (USCG) tows vessels in and ties them up at the public facilities and leaves without any information or notice and basically then the problem is left with the Port to figure out. Mr. Wood agreed that this is a problem and he has talked with upper management about it and they are trying to determine a way to alleviate this issue. The Federal rules allow for the USCG to bring vessels that are in trouble to the nearest safe haven. Mr. Wood said that once a vessel is dropped off at a Port, the Port can definitely begin the DVRP process. He would suggest, in this event, that the DNR be contacted at the onset because there is a good chance that the DNR has already been working on the vessel and if it isn't, they can help from there. Although, the staff that works on the DVRP and VTIP are quite busy, they are always there to help where they can. Kathy Garcia, with the Port of Bremerton, said that years ago she met with Mr. Wood, several other State Agency representatives as well as the Kitsap County Sheriff's Department and found the meeting to be very beneficial in learning the basics of derelict reporting, etc. She said that nowadays there are a lot of new players that don't understand the process, and that seems to create a lot of finger-pointing. She suggested a roundtable of some sort, not a gripe-session, be set up for those interested in learning more about the process so that we are all on the same page. Mr. Wood said that he is always willing to work on things, although his plate is so full right now especially with the grants and the pilot program, he would be willing to do it. He said that they used to have a taskforce meeting in Seattle at least once a year, sometimes twice a year. It included the Department of the Navy (DON) and the USCG and it does seem the information hasn't gotten passed to the next generation. It probably is time to build new relationships with new personnel and he agreed that he definitely would want to be part of that conversation. Ms. Garcia said that she is willing to help with some of the local contacts. Commissioner Ed Scholfield of Silverdale said that there were about twelve boats in the north end of Dyes Inlet prior to the storm we recently had. He gave an example of a family that had two boats that

they were living on in 2020, both of which they ended up turning into the DNR after one ran aground during a storm. That same family has apparently been gifted two more boats and are back living on them in the Dyes Inlet area. Mr. Wood suggested Commissioner Scholfield talk to the Port of Kingston as they have had similar issues with liveaboards for the past two years. Mr. Wood explained that he basically works for the Governor, an elected official, and the governor has repealed the moratorium regarding evictions, so if there are issues a Port may be able to trespass individuals from being on Port property. He said that it's really a juggling act that he hasn't found the solution to, but one hopeful thing is if the grant for the local law enforcement is agreed to, it will help tremendously as there has been proof that the law enforcement presence out on the water helps, because they can even go out and ticket if a vessel registration is out-of-date. Commissioner Scholfield said that two of the boats have dragged anchor onto the Port of Silverdale DNR leased area and a third boat is beached, but not on Port property. Mr. Weaver said that he thinks the eviction moratorium ends on October 30th and from what he has heard it will not be extended, so at some point the moratorium will be lifted. Mr. Wood said that it's a definition issues because it's against the law to have a liveaboard on State-owned land, but it's semantics because if you say anything to the owners, they claim you are evicting them and goes against the eviction moratorium. Mr. Wood suggested any Port in this situation talk to their risk managers before taking any action and talk to the County about the problem. Mr. Wood thanked the Commissioners and told them to contact him with any further questions and/or issues regarding derelict boats.

Commissioner Bailey thanked Mr. Wood for attending the meeting and said that the Kitsap Ports appreciate the DVRP and the support of the DNR.

INDIVIDUAL PORT UPDATES

Port of Silverdale (www.portofsilverdale.com) – Commissioner Scholfield said that derelict boats are becoming more of an issue for the Port. A total of twelve showed up last night with a few that were already there. Three decided to tie up to the pier overnight, smashing into the finger piers all night. Two of the vessels were towed in by a motorboat and come to find out the owners of the two that were towed, were new to sailing. One was using gas cans as bumpers, which didn't work well. The owner of the big motorboat, that towed them in, seemed to be in a hurry to get out of there. Another item is that one of the Port's Clam Island Rowing (CIR) Program's chase boats caught fire, which totaled the boat and damaged the dock. The incident is under investigation as it is believed to be arson. It took place on/or around 3:20AM on Monday, October 4, 2021. At 4:22AM a Safe Security guard alerted the police of the fire. Thankfully, the engine was salvaged and undamaged. It is estimated that the repairs to the dock will be \$10,000. It looks as if someone poured gas, using the gas can that was in the boat, all over the boat with a stream of gas along the dock leading to the gangway. Commissioner Scholfield said that the surveillance in the Port's

parking lots showed several cars coming and going around the estimated time of the fire. Unfortunately, due to the construction in that area the surveillance camera on the dock is not up and running. Since it is an ongoing investigation the police report is not available at this time. Commissioner Caleb Reese reported that the Port continues to work with its architect, Patano Studio Architecture (PSA) on the future Waterfront Activities Center. Art Anderson Associates (AAA) is working on the design for the new partially grant-funded non-motorized float. There is an ongoing lawsuit for the dredge permit. When the Port applied for the Recreation Conservation Office (RCO) grants, one thing the RCO had asked is what is the Port doing to mitigate dredging. Commissioner Reese said that he and Commissioner Scholfield started talking more about dredging and the difficulties and expense of it, then the discussion moved to the possibility of moving the entire floating moorage facility out into deeper water, which would alleviate the need to dredge in the future. After reviewing the estimated costs from AAA, it has been decided to move forward with having AAA provide a design to move the facility out roughly 150 feet and including a slight rotation. Commissioner Reese said that the Port will be looking for a new attorney as Phil, who has worked for the Port for many years, has plans to retire on December 31, 2021. Commissioner Baily said that there are many attorneys in Old Town Silverdale, which could prove beneficial. He said that the arson sounds pretty serious. Commissioner Scholfield said that Island Lake also had a fire at their dock a couple weeks prior to Silverdale's fire. Commissioner John Burton said that on October 6th before daybreak he caught individuals on the Illahee dock and one was trying to start a fire. He confronted the individuals and heard two of them call the other one, that tried to start the fire, Jordan. They said something to the effect that he likes playing with fire and that he did the same thing in Port Orchard without incident. Commissioner Burton told them to leave Port property. He noticed they all got into two separate vehicles with Jordan entering one with the Washington license plate number BZJ8940 and the two other individuals entered a vehicle with the Washington license plate number BJZ8242. On October 8th, Commissioner Burton saw Jordan's car parked at the Illahee store parking area and Jordan seemed to be sleeping in the car while the engine was running. Commissioner Burton was able to take a picture of the vehicle showing the plate and vehicle make and model.



A sheriff deputy was in the area and Commissioner Burton was able to talk to him. He informed the deputy that there have been many complaints of drug selling/use activity within the area and also told the sheriff about the fire incident and that it was the individual who was sleeping in the nearby car. The sheriff informed Commissioner Burton that he couldn't do anything about the drug issues and offered to knock on the individual's car and ask him to move along, which he did. Commissioner Doug Kitchens told everyone that there was apparently an incendiary device found near the Silverdale Tractor Supply store. Apparently, the bomb squad was called in to take care of it. There seems to be a local problem. Commissioner Scholfield said that he plans to provide the Fire Marshall with the information Commissioner Burton shared.

Port of Illahee (www.portofillahee.com) – Commissioner Burton further explained the incident on October 6th when he confronted the individuals. He said that when he first saw them on the dock in the very early morning hour, he thought they were setting up to fish. As he watched he saw an open flame and another one shortly afterwards. That is when he took action and confronted them and told them to leave. Commissioner Burton explained that for quite sometime now, there have been complaints about drug activity in and around the dock parking lot and the Illahee store parking lot. Commissioner Scholfield said that drug activity is a very difficult issue the police can help on nowadays and basically it is up to the Port to enforce rules such as this area is closed after hours and you must leave.

Commissioner Burton reported that Illahee was successful in being awarded two RCO grants and is moving forward to a ninety percent design and permitting completion. Illahee is also starting to get reimbursement for the engineering costs up until this point. They hired John Piccone of SoundWest Engineering as the Port's grant writer and he is also an engineer and completing that work as well. Mr. Piccone has already submitted the long lead permit requests and will now move forward with the other required permits as well as following up with the tribes so that by November all of the initial permit requests should be submitted. It is estimated that by the third quarter 2022, bid requests will begin. In hearing about all the problems other Ports have had with the issuance of the Army Corps of Engineers (ACE) permit, Illahee, through Mr. Piccone, is trying to get ahead of it and get all the necessary engineering done. Commissioner Burton explained that there haven't been any major renovations with Illahee's facility in the past seventy years, so it is well past due for some major rebuilding and maintenance.

Port of Bremerton (www.portofbremerton.org) – Mr. Weaver reported that they just lost one of their work boats recently. It was stolen while it was on its trailer. A brand-new Monsoon engine was on the boat. They retrieved the boat the next day – it was missing the engine. Ironically the boat and trailer were parked near the police station and this happened during daylight. Mr. Weaver explained that

lots of projects are taking place, including the roof replacement, which was the result from the boat fire of a Ranger tug that burned to the waterline. The \$15,000,000 breakwater project continues to move forward. They have partnered with Kitsap Transit to determine ways to lessen the wave action caused by Kitsap Transit's day-use ferry. They are installing enhanced programmable LED Christmas lights in and around the facilities, similar to the Port of Kingston. They plan to keep them up year-round, which will save staff time. Mr. Weaver asked if any other Ports are planning to attend the Seattle boat show. Masks will be mandatory to attend the event, so staff would have to wear masks all-day each of the ten days. Port of Bremerton staff are willing to do it and the Port has been a vendor at the event for many years now, but he was just curious if any other Kitsap Ports are planning to attend. He has heard that the Port of Anacortes has pulled out of the event. Ms. Garcia said that she has heard from another Port that the City of Des Moines is not joining in the boat show this year, she is still waiting to hear back from others. Mr. Weaver said that they are also taking an internal look at position descriptions and wages/benefits for many of the positions.

Port of Kingston (www.portofkingston.org) – Greg Englin, Executive Director of the Port of Kingston, reported that with the recent storm the owner of a 70' tender asked to tied up to the Port facility. Kingston had to turn them away because the facility is not built to handle that kind of load. Kingston is looking to redevelop the uplands right across from the toll booth. The area used to be a couple of restaurants and a laundry mat. They have submitted for a rezone of the area to the County. Mr. Englin said that the County accepted an urban port overlay concept, which should be seen within the 2024 Comp Plan effort that begins next year. Kingston has also completed a moorage rate analysis and he will share that information to all the Ports. It is hoped it will give everyone an idea of where their rates fall and possibly make competitive changes. Mr. Englin explained that this is Kingston's third year of a three-year effort to raise their rates. Between ten to fifteen years Kingston is going to have to replace the entire marina. The revenue rates that were being charged were going to make it very difficult to rebuild the marina, simple arithmetic proved they would fall short and since Kingston doesn't have any bonding capacity it was important to get the rates up to the average rate. They also have the problem of bad debt and vessels that are slow in paying. Mr. Englin said that they will share information about that issue as well. Ms. Garcia commended Mr. Englin on his presentation at the recent marina committee meeting, he did an excellent job sharing the marina rates information and the process of it. Mr. Englin sees his efforts as a fiduciary responsibility to the future and planning for the replacement of the moorage facility is key.

Port of Keyport (www.portofkeyport.com) – Commissioner Brian Watne reported that things are going pretty steady at Keyport. They are still in the process of the

marina pier upgrade project. The project includes a new boat ramp, pier renovations and floating walkway to launch boats. There were issues in receiving the ACE permit. ACE authorized an emergency permit for the boat ramp portion of the project only. The second phase of the project, pier renovations and the floating walkway, has taken approximately one and a half years with Mr. Piccone's help. So, phase two of the project will begin and include redoing the pier with installation of more pilings and new deck surface of the pier and floating walkway. Commissioner Bailey asked if Keyport received the mitigation report from National Marine Fisheries Service (NMFS). Commissioner Watne said that as far as he is aware it has not yet been received, but he has been out for the last three weeks as he had neck surgery (get well!). He thought Mr. Piccone might have the report. Commissioner Bailey suggested that Keyport have a marine biologist complete the report, because there are things a biologist knows how to say that will satisfy NMFS. Commissioner Watne said on a very sad note, former Port of Keyport Commissioner Jay Melrose, who was a lifetime resident of Keyport, was struck and killed by a car in the Keyport area yesterday. Condolences to Mr. Melrose's family and friends.

Port of Allyn (www.portofallyn.com) – Lary Coppola, Executive Director at the Port of Allyn reported that they have the staging area finished and had a ribbon cutting ceremony which is great. The main pump of the water system recently failed and now the Port is scrambling to find emergency funding to pay for it. They are working on the budget and update to the Port of Allyn's Comprehensive Plan, both of which should be completed this week. Mr. Coppola said that he too saw Mr. Englin's presentation at the marina committee meeting and also thought he did a great job and found it very comprehensive. A lawsuit that has been ongoing for the past six months is coming to an end with a summary judgment in the Port's favor, but it did hurt the Port's finances a lot, so the Port is trying to recover from that as well.

Port of Manchester (www.portofmanchester.com) – Commissioners James Strode and Bob Ballard had nothing to report.

Port of Brownsville (www.portofbrownsville.org) – Commissioner Bailey said that last Monday evening sometime between 4:00PM and 5:00PM he was sitting in his living room and heard five large caliber shots go off believed to be from an automatic weapon. He looked out his window in the direction of the sound and saw a guy running out of the woods. The guy jumped into a car that was parked on the side of the road and he took off. Commissioner Bailey decided to get in his car and drive over to the area, because he was concerned someone may be injured in the woods. A police officer was stopped in the area when Commissioner Bailey approached. Commissioner Bailey told the police officer everything he knew. The police officer trekked up into the woods, but didn't find anything or anyone. So that was a concerning event that took place in the area

recently. Commissioner Bailey reported that Brownsville finally, after two and a half years, received the NMFS permit. He did a little digging and reviewed the last biological survey, which showed many errors made by the engineer. There are now questions regarding mitigation and costs. Brownsville is working on getting rid of the deadwood in the marina by pulling out many boats that are not paying. Joe DaBell, who is filling in for Port Manager Jerry Williams while he is on leave, reported that they have gotten rid of three derelict boats through the DNR's DVRP.

Commissioner Bailey asked if anyone attended the recent Washington Public Ports Association (WPPA) Small Ports Seminar in Leavenworth. Commissioners from the Ports of Illahee and Silverdale had all attended the seminar. Commissioner Reese said there were some really good, informative presentations. Commissioner Kitchens added that it was his first time attending and he found everything to be excellent and well done. Commissioner Bailey said that is how the WPPA does things. Commissioner Burton said that he found really good information about the importance of the Port's online presence and how to make it more affective and searchable. He also found information of businesses that provide website services for Ports on a regular basis and they understand all the rules and regulations that go with it. Commissioner Reese said that on Thursday morning there was an optional presentation that was separate from the seminar. It was related to employees and the COVID19 vaccine mandate. It outlined what can and can't be asked to employees. Commissioner Scholfield asked the others about employee health insurance. It seemed many Ports that have employees offer benefits.

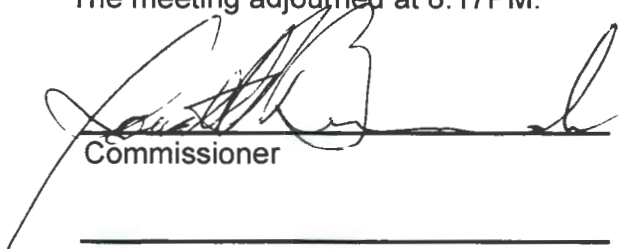
Commissioner Kitchens asked Mr. Englin about Kingston's Tuesday morning work studies. Commissioner Englin said that he has been doing this for almost three years, ever since he began working for Kingston. It allows him to go over everything on a weekly basis with the Commissioners. It is conducted over Zoom and lasts about an hour and a half. It is open to the public as a lot of people have voiced that they want more public involvement, so this gives the public just one more opportunity to connect with the Port. Commissioner Bailey asked if Kingston posts the notice in the newspaper. Mr. Englin said that they post the notice on the office door and update the website regularly. The website seems to be the most effective way to communicate with the public as it is real time up-to-date information

Commissioner Bailey reminded everyone that the WPPA is hosting the Finance and Administration Seminar this December at the Hyatt Regency Hotel Bellevue ([Upcoming Events — Washington Public Ports Association \(washingtonports.org\)](https://www.washingtonports.org)). He suggested to those planning to attend, that they reserve their rooms soon as they are filling up quickly.


PUBLIC COMMENT

Sally Hass introduced herself. She explained that she attended the last Kitsap All Ports meeting and has a liveaboard at the Port of Brownsville. She helped found the Kitsap Peninsula National Water Trails. She reported that a boat trailer was recently stolen from the Port of Brownsville parking lot and later found at Evergreen Park in Bremerton. There is increased crime around the area. A citizens group has formed in the Brownsville area. It includes approximately 100 taxpaying members, who focus on stewardship. They report things to the Port that they think the Commissioners should be aware of. They are focused on governments and community building. Ms. Hass is meeting with the Keyport Improvement group next week to learn about the association and how it works with the Port of Keyport. She plans to contact other ports in the area to determine if they have partnerships with citizens groups that might help with the Ports. Ms. Hass informed everyone that the Brownsville Haunted Harbor will again be in full swing this year on Friday, October 29th from 6:00PM to 8:00PM. It is asked that brave little ghosts and goblins, planning to walk the haunted docks, bring a can of food to be donated to the Bremerton Food Bank. Commissioner Bailey said that he wasn't sure of ¹how many boats would be decorated for Halloween, but it is sure to be a fun family event.

The meeting adjourned at 8:17PM.



Commissioner



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