



**AGENDA FOR
PORT OF ILLAHEE COMMISSION
Wednesday, August 10, 2022 - 6:30PM
ZOOM MEETING #715 0997 5823 / Password: Illahee**

1. CALL TO ORDER

2. CONSENT AGENDA

1. Agenda

- *2. The July 13, 2022 Regular Meeting minutes
- *3. The July 25, 2022 Kitsap All Ports Meeting minutes
- *4. Pay Bills with check numbers 4910 through 4921 totaling \$ 30,966.96

3. SIGNING OF DOCUMENTS

Determine when/how to have at least 2 Commissioners sign the documents

4. PUBLIC COMMENT

5. REPORTS/UNFINISHED BUSINESS

Aho/ *1. Grants/Waterfront Access Improvements

- Piccone
- Status of project permits and design – County’s staff report dated July 27th recommended approval
 - Notice from Department of Ecology dated August 4th that they received the notice of Kitsap County’s approval
 - Commissioner Aho’s email dated July 14th to Tribal biologist Alison O’Sullivan any response/follow-up phone call?
 - Options/costs to the inspection report of the pier/dock/piling/cross-bracing
 - Department of Natural Resources (DNR) proposed leased area for review
 - Any update on the County’s filtration project

Aho/ 2. Illahee Store Project

- Piccone
- Status of the topographical survey
 - Pollution Liability Insurance Agency (PLIA) – recap of meeting with contractor
 - Septic designer contacted?

3. Treasurer’s Report as of July 31, 2022 General Fund \$ 109,762.39 Investments \$ 278,150.32
Good Property Management (GPM) Account \$ 200.00 (total: \$ 388,112.71)

4. Reports

Aho a. Website

- Status of the Illahee Creek Watershed Report/Surface Water Management Plan (SWMP) and the mussel sampling (PSNS & County) results being added to the website
- Changing to .gov?

Bartz *b. Properties

5560 Ocean View Boulevard/Rental

- Anything to report?

5500 Illahee Road/Rental

- Anything to report?

5507 Illahee Road/Illahee Store Property

- Anything to report?

Illahee Road Lot

- Anything to report?

Burton c. Dock/Pier

- Anything to report?

Tabled 5. Surveillance cameras

All 6. Illahee Day – last year was held on Saturday, September 11th



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6. NEW BUSINESS

- All *1. Email dated July 29, 2022 from Cory Pollard explaining he is considering making an offer on a neighboring property of the pier/dock. He wanted to make sure there wouldn't be any restrictions on adding and anchoring a sailboat on the property.

7. PUBLIC COMMENT

8. EXECUTIVE SESSION-Property negotiation or Potential litigation?

9. ADJOURN – Regular Meeting – September 14, 2022 @ 6:30PM – via ZOOM



Port of Illahee – Minutes of Regular Meeting on July 13, 2022

Port of Illahee
Minutes of Regular Meeting
July 13, 2022

The Regular Port of Illahee meeting was held virtually through the ZOOM app (meeting id# 71509975823 / Password: Illahee). Notice of the virtual meeting was posted near the kiosk at the head of the pier and on the Port's website – portofillahee.com.

CALL TO ORDER

Commission Chairman James Aho called the meeting to order at 6:30 PM. Also, in attendance were Commissioner Amber Bartz; Commissioner John Burton; Administrator Theresa Haaland; John Piccone of Sound West Engineering; Roy Barton; Jon Buesch; and Ed Seal.

CONSENT AGENDA

The following consent agenda items were approved: July Meeting Agenda as submitted; June 8, 2022 Regular Meeting minutes; July 13, 2022 checks numbering 4899 through 4909 totaling \$10,558.69 as outlined in the attached Voucher Approval (motion by Burton; second by Bartz; unanimous).

SIGNING OF DOCUMENTS – Commissioners agreed to stop by the Port of Silverdale office within the next couple of days to sign documents.

PUBLIC COMMENT – None

REPORTS/UNFINISHED BUSINESS

Grants/Waterfront Access Improvements – John Piccone provided a summary of the pier inspection conducted by a structural inspector. The concrete columns near the entrance of the pier have some major defects. A discussion of

the options for replacement will eventually be necessary. The ZOOM screen was shared with Mr. Piccone and he provided pictures of the deteriorating pilings. He explained that of all of the timber support pilings, thirteen have major to severe damage. However, of those thirteen several have a somewhat healthy piling adjacent to them. So of the thirteen, it is anticipated that eight will need to be replaced immediately. Mr. Piccone explained that this was pretty much expected. He went on explaining that numerous fender piles are severely decayed and some pose a navigational hazard. All along it was planned to remove them. A couple of the timber piling cross bracings need to be replaced, but overall the cross bracings are in pretty good shape. The timber piling caps, the horizontal beams spanning between the pilings, are in pretty good condition with just some minor to moderate degradation. They will be monitored. Mr. Piccone said that the one big unexpected takeaway is the concrete columns, as they are not actually pilings, but rather precast in place, which is not adequate. He provided pictures of these columns. Horizontal lines were evident on them and Mr. Piccone explained that those lines are an indication that they were cast in place. Besides the lines there was noticeable rust, which Mr. Piccone explained was from rebar that is somewhat close to the surface and once the rebar is compromised the load capacity is radically reduced, which is extremely concerning. He said that he has noticed some potential inconsistencies between the current inspection and the original 2010 inspection report. He plans to look into those inconsistencies prior to generating a high-level breakdown of options to provide to the Commissioners along with the structural



Port of Illahee – Minutes of Regular Meeting on July 13, 2022

report. Commissioner Aho questioned how many of the columns will need replacement. Mr. Piccone provided a schematic of the current pilings and explained that ten of those columns need to be replaced. He explained that is his main concern at this point. He said he will provide the Commissioners with the final report and his preliminary recommendations with costs sometime within the next three weeks.

Mr. Piccone said that the Department of Ecology (ECY) contacted Kitsap County about the Waterfront Improvements. ECY requested that the vault restroom be relocated to the back side of the lower parking area, moving it further from the shore. Mr. Piccone provided a schematic of the land portion of the project via the ZOOM screen. The schematic showed the new location of the restroom in an effort to accommodate ECY's wishes. Mr. Piccone explained that because of the grading issues it was a difficult request, but he was able to provide a solution as shown in the schematic. He explained that the overall footprint stayed about the same. He didn't want the parking and viewing area behind the restroom so shifted things north a bit and added some additional bench seating throughout. He added shoreline planting where the restroom was originally placed, which ECY usually favors. The updated design has been submitted to the County for approval. Mr. Piccone reported that he spoke to the County a few days ago and although they were non-committal, they were somewhat positive indicating that they were nearing the end and may not have many more comments so basically getting close to finalizing the staff report, which means they are almost done with

finalizing the shoreline permit. He said that he will keep the Commissioners informed if there are additional comments/issues or if/when he is notified it has been finalized.

Mr. Piccone reported that the United States Army Corps of Engineers (USACE) permit is completely stalled as a result of the Suquamish Tribe's objection. A letter was sent to the Tribe on June 10, 2022 requesting a meeting. The Tribe has not responded. Mr. Piccone suggested Commissioner Aho send an email to the Tribe in hopes that correspondence directly from a Port Commissioners might have a stronger impact in an effort to receive a response. Mr. Piccone plans to coordinate with Commissioner Aho tomorrow to draw up the letter. Mr. Piccone spoke with attorney Tim Schermetzler of Chmelik Sitkin and Davis, the law firm that is going to assist the Port with this issue if it doesn't resolve itself. It was suggested that if there is no response from Commissioner Aho's request that an additional request be sent at the end of July. Every contact to the Tribe will be documented, as it may be needed to provide to the USACE if it gets to that point. A meeting with the Tribe is necessary because without that communication the Port can't really assess what adjustments are needed to alleviate their concerns. Mr. Piccone said that he plans to continue to work with attorney Schermetzler and Commissioner Aho in an effort to contact the Tribe and hopefully set up a meeting. The whole intent of the meeting would be to determine the details of the Tribe's concerns.

Commissioner Burton explained that in viewing the updated Waterfront Improvement schematic, he noticed that the location of the



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new restroom is in the area of the current septic system at the 5500 Illahee Road property. Mr. Piccone agreed and explained that during the demolition all of the septic system will be removed as he doesn't want all of those parts and pieces under the new infrastructure. All of that will be removed.

Roy Barton suggested the Port call the Tribe and maybe follow-up with a letter as a personal phone call might help. Mr. Piccone said that we could try that, although in the past he hadn't had success with a phone call. He had called the Tribe early on to inform them of the project and invite them to an on-site meeting. Although it wasn't everything Mr. Piccone had hoped for, they did respond at that time, but since then there has been little to no response.

Apparently, there has been some turn around at the Tribe and it is thought they are very busy. Mr. Piccone said that he thought having Commissioner Aho sending an email to the Tribe and then maybe following-up with a phone call, might be a good avenue to take.

Mr. Piccone reported that he performed an in-depth review of the County code in relation to the Illahee Store site renovation and he saw nothing that would prevent the maintenance project approach as discussed during last month's meeting. He plans to proceed and order a detailed topographical survey of the store site. From there a detailed maintenance renovation plan, septic design, water design (if needed), and any minor drainage improvements can all be prepared so that a right-of-way, building and septic permit applications can be prepared. It is hoped the County will agree to the maintenance project, which will alleviate having to deal with more in-

depth requirements such as stormwater requirements. Commissioner Aho is hopeful that when the County realizes the Port is working with the Pollution Liability Insurance Agency (PLIA) to clean up the property and doing a service to the area, they will be more willing to work with the Port on this project.

Mr. Piccone said that they plan to submit another grant reimbursement request in August for design and permitting work to date. He recapped upcoming milestones and action items. He plans to schedule a topographical survey of the store site and has a meeting scheduled with the PLIA contractor on July 29th. He also will contact a certified septic designer. He explained that he has worked with two septic designers and knows that they both do good work. Mr. Piccone said that he would like to get a septic designer on board within the next month or two. He plans to explore the septic design, existing water service and anticipated future wet utility needs. After that the building and site permits will be pursued. And in the meantime, he will continue to push forward with the USACE and the Tribe and keep Commissioner Aho informed with the status with hopes to have some sort of response from the Tribe by next month's meeting. Mr. Piccone said that he is hopeful the County will finalize the shoreline permit by next meeting. The design is currently at sixty percent, he has held off on it until things are more finalized. Once the shoreline permit is final, he will move forward with a ninety-five percent design for the upland work. After that a County Site Development Activity Permit will need to be pursued. It's mainly related to stormwater. Mr. Piccone hopes the upland work can begin in early 2023.



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Once he receives the indication from the County that there are no additional big changes, he will begin moving forward with the ninety-five percent design. Unfortunately, the dock improvements are slowed down since the USACE permit is basically on hold until the Tribe's concerns are determined, addressed and alternative options are agreed upon.

Jon Buesch asked if the concrete columns might actually be wood pilings covered in the concrete cast. Mr. Piccone said that it does not look like there is timber under the columns. Commissioner Burton said that the refuse from the old concrete pilings, that the columns probably replaced, were left on the beach which tells him they put in a new design piling and that there is no wood inside, but rather they just replaced some of the already failing concrete pilings. Mr. Piccone said that the old concrete refuse has been identified for mitigation credit towards this project. Mr. Buesch asked if a picnic table could be installed in the area where the restroom was originally going to go, in addition to some vegetation. Mr. Piccone said that he thought that was a great idea, but at this point wouldn't want to muddy the waters related to the permit phase.

Mr. Buesch addressed Commissioner Aho saying that since Commissioner Aho volunteers with the Illahee Preserve and has worked with Allison O'Sullivan of the Tribe in the past, maybe within the email that is going to be sent to the Tribe, it can be mentioned that Commissioner Aho also volunteers with the Preserve, reminding the Tribe of all the good work that has been done within the Preserve and maybe persuading their offense of the

Port's Waterfront Improvement Project. Mr. Piccone said that at this point it seems to be a communication issue with the Tribe. His intention is to document every attempt the Port has made reaching out to the Tribe as there may come a day that the Port is making its case to the USACE.

Mr. Buesch asked Mr. Piccone if he was ever able to contact Dave of Dave's Septic. Mr. Piccone said that he didn't as he had heard that although Dave is still in business, he has had some personal trouble making him unavailable.

Mr. Piccone said that he and Commissioner Aho have talked to the County about the hope that they will get their outfall filtration system figured out in coordination with the Port while the area is under construction. Another benefit of moving the restroom is that it frees up a lot of space in that general area. He said that he plans to keep communicating with the County about the project.

Mr. Barton asked that if the Tribe doesn't change their stance against the Waterfront Improvement project, making it so the project cannot move forward, will the Port be required to return the grant money to the RCO? Mr. Piccone said that he doesn't see the RCO requiring the money to be repaid and he would be very surprised if the Port were to lose all of the grant money. The County's Shoreline permit is on course for finalization, which is related to the upland work. The USACE permit is for the overwater work. Basically at this point, if the Tribe continues to ignore the Port's request for a meeting then the Port will approach the USACE and explain the situation.



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From there it would be up to the USACE to make a decision. If it is agreed that treaty rights are being infringed, the USACE would inform the Port as to how they are being infringed upon at which time the Port should be provided a chance to make changes. If it comes to that the RCO would need to be involved at that time. It could impact the amount of grant funding, but Mr. Piccone doesn't believe the entire grant would be nullified.

Commissioner Aho said that regarding Ms. O'Sullivan, in the past she generally hasn't responded via phone. He said that he thought that she is probably just so busy with work, but an email might generate a response from her. The letter the Port initially received was from the Tribe's legal counsel. Mr. Buesch said that he might be personally meeting with someone affiliated with the Tribe in the near future and he might mention the issue to that person in hopes to receive some insight. If he does, he will inform Commissioner Aho about it outside of a regular meeting.

Mr. Piccone reiterated that at any time anyone has any questions and/or concerns to please don't hesitate to call him.

Chmelik Sitkin and Davis had provided an Engagement Letter dated June 21, 2022. The Commissioners were provided the letter via email prior to the meeting and had reviewed it. No signature was required.

Illahaee Store Project

Discussed under 5.1.

Treasurer's Report

As of June 30, 2022 the General Fund totaled \$116,946.65, Investments totaled \$277,917.68

and the balance of the Good Property Management (GPM) account totaled \$200.00 for a total of \$395,064.33.

Reports

Website – Commissioner Aho continues to regularly update the website.

Properties

5560 Ocean View Boulevard/Rental Property –

The Port received an email dated June 20, 2022 explaining that the overgrowth along the Ocean View property was causing a sight visibility hazard. GPM had been contacted as it was believed to be the tenants responsibility. Commissioner Bartz explained that she had followed up with GPM and believes it has been taken care of as she has driven that way many times since and hasn't noticed a problem with sight visibility in that area. She also talked to GPM about the electrical work that was supposed to take place at the premises. Commissioner Bartz reminded everyone that the last time the electrician was scheduled to go to the house the tenants were not home. GPM then informed the tenants that they will need to call the office to set up a time for the electrical repair. They haven't called GPM, so it is believed the electrical repair needed is minimal.

5500 Illahaee Road/Rental Property – nothing to report.

5507 Illahaee Road/Illahaee Store Property –

The Port received a letter dated June 6, 2022 from North Perry Avenue Water District informing that the meter to the Illahaee store property will be taken out of dormant status, so the Port can anticipate receiving a bi-monthly



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bill of approximately \$56, not including consumption.

Illahsee Road Lot – Commissioner Aho said that if all goes as planned and the Illahee store septic can be installed onsite, it will free up this lot to possibly be sold in the future.

Dock/Pier – Commissioner Burton reported that the most used day for the porta-potty is July 4th. The current facility seems adequate as there were no issues during that time. He has noticed in the past that people will sometimes bring up bikes and other debris they found in the water and leave them near the garbage receptacle. Not too much lately though. He explained that he responded to an email from Thomas Goodham a project manager of Biomass asking if it was possible to moor a 52' vessel for two nights at the dock and if not, can the vessel be anchored out near the dock. Commissioner Burton response explained to Mr. Goodham that the floats are not generally able to handle such a large boat and that the outboard float is only 53' feet long. He added that the real limitation is the weight of the vessel and if it is a heavy draft then it could not be moored at the Port as the pilings are very old and the Port is looking at replacing them. He also informed Mr. Goodham that anchorage is available.

Commissioner Aho explained that just minutes before tonight's meeting he received a call from a community member informing that there is a board loose on the outer float. Commissioner Burton said that he will check it out and if he can't repair it himself, he will contact TIKAR.

Surveillance cameras – tabled.

NEW BUSINESS

Illahsee Day – Commissioner Burton said that he had hoped we would have been further along with the grant process as we are not yet ready to claim success. Commissioner Aho said that Illahee Day is normally held in September and maybe by then we will have more of a definitive idea of where we are headed. He knows a lot of people in the community look forward to the event. He suggested it remain on the agenda for further discussion next month. Commissioner Bartz asked about the details of the event in the past. It was explained the event normally takes place on a Saturday afternoon. Commissioner Aho said that it really takes a lot of work and coordination. Ms. Bartz explained that since the event would fall on a Saturday in order for her to be able to attend, she would need at least a month's notice. Mr. Barton said that with possible cost overruns on the Waterfront Project the \$500 - \$600 normally used for Illahee Day may be needed. Commissioner Aho said that if he is approached by community members about the event he will ask if they want to spearhead it and a budget will be determined. This will remain on the agenda for next month.

PUBLIC COMMENT – Mr. Buesch explained that regarding the vegetation overgrowth at the 5560 Ocean View property, in the past that has been the tenant's obligation as outlined within the lease and that the Port should not be paying for it. Commissioner Bartz said that as far as she knew GPM took care of it. GPM was alerted to it upon receipt of the email complaint and GPM was told that it was believed to be the tenant's responsibility. It was noted that the July rental payment was for the full amount



Port of Illahee – Minutes of Regular Meeting on July 13, 2022

EXECUTIVE SESSION – At 7:43PM it was announced the meeting would enter into Executive Session for approximately ten minutes to discuss real estate.

At 7:53PM the meeting returned to Regular Session. No public were waiting to reenter the ZOOM meeting.

ADJOURN

At 7:54PM the meeting adjourned (motion Bartz; second Burton; unanimous).

Approved:

Commissioner

Commissioner

Commissioner

DRAFT

PORT OF KINGSTON
 COMMISSION WORK SESSION
 July 25, 2022; 06:30 p.m. – 8:00 p.m.
 AGENDA

In Attendance	Name	Port	Email
	Judy Scott	Allyn	jscott@portofallyn.com
	John Sheridan	Allyn	jsheridan@portofallyn.com
	Ted Jackson	Allyn	tjackson@portofallyn.com
X	Lary Coppola	Allyn	lfc@portofallyn.com
X	James Weaver	Bremerton	jamesw@portofbremerton.org
	Cary Bozeman	Bremerton	caryb@portofbremerton.org
	Gary Anderson	Bremerton	garya@portofbremerton.org
	Axel Strakeljahn	Bremerton	axels@portofbremerton.org
	Jim Rothlin	Bremerton	jimr@portofbremerton.org
	Matt Messing	Brownsville	mmessing@portofbrownsville.org
X	Jerry Williams	Brownsville	jwilliams@portofbrownsville.org
	Shaun Nye	Brownsville	shaun@portofbrownsville.org
	Kenneth McEwan	Brownsville	
X	Jim Aho	Illahee	illaheeporthree@gmail.com
X	John Burton	Illahee	illaheeport1@gmail.com
	Amber Bartz	Illahee	illaheeport2@gmail.com
	Eric Cookson	Indianola	ecookson@portofindianola.com
	Jeff Henderson	Indianola	jhenderson@portofindianola.com
	Gary Walker	Indianola	gwalker@portofindianola.com
X	Greg Englin	Kingston	grege@portofkingston.org
X	Steve Heacock	Kingston	stevh@portofkingston.org
	Mary McClure	Kingston	MaryMc@portofkingston.org
	Laura Gronnvoll	Kingston	laurag@portofkingston.org
X	James Strode	Manchester	strodecompany@hotmail.com
X	Bob Ballard	Manchester	manchesterrealty@wavecable.com
X	Jamie Green	Poulsbo	commissioner.green@portofpoulsbo.com
	Tom Rose	Poulsbo	commissioner.rose@portofpoulsbo.com
	Mark Singer	Poulsbo	commissioner.singer@portofpoulsbo.com
	Carol Tripp	Poulsbo	carol.tripp@portofpoulsbo.com
X	Doug Kitchens	Silverdale	doug.portofsilverdale@wavecable.com
X	Ed Scholfield	Silverdale	escholfield@wavecable.com
X	Caleb Reese	Silverdale	caleb.portofsilverdale@wavecable.com
	Brian Davison	Tracyton	tinman77@comcast.net
	William Wright	Tracyton	billwright65@gmail.com
	Ken Griffin	Tracyton	catsnilamas@comcast.net

Start 6:30PM

Meeting minutes next meeting Port of Allyn Oct

Port of Allyn

- POA is water provider for development.
- Mandate by DOE for new well and working on funding and permitting.
- Mason County – POA will provide water to entire UGA of 1,000 customers when UGA built out.
- POA also operates 12 slip marina.
- Someone rented slip out as Air BnB. New set of marina rules excludes Airbnb sublets or use.
- ED can do up to \$40K without bids so give EDs \$40K spending authority potentially is thought.
- Moorage off a little this year. Believe cost of fuel is issue reducing (power) boating.
- Primary moorage is sailboats this year. LC not seeing power boats moored off Manchester where he lives.
- Salmon Center (business park / mall) in Belfair. Site was brownfield and EPA cleaned up and took out 2 tanks. Need to see if any tanks still located underground. Could have been cleaned and filled with sand and abandoned.

Port of Bremerton

- Events are at a record.
- 45-50% turnover in staffing. 37 FTEs. Had at least 20 turnover finance, airport manager. Competing with Amazon (and everywhere for that matter).
- Diner at airport is being rebuilt with old time air in early Oct.
- Marina work. Meet with tribes later this week. Breakwater is guinea pig for new manual.
- Go to bid July next year. Construct off site. Plate driven anchors with anchor chains tied to it.
- \$15M project has funding of \$4.5M so far. KT gave \$1M. POB is pursuing \$9.4M WSDOT grant. Ports are not just cargo but tourism too.
- Maintenance – vandalism and homeless really making it tough. Three port vehicles stolen out parking lot.
- Working with Alison O'Sullivan. She has been main contact 20+ years with Suquamish tribe.

Port of Illahee

- Tribe came down hard on grant. No sport fishing should be allowed. No reply or correspondence from the tribe. Setting up meeting with Alison. No response at all so wondering what to do. POI communicating with ACOE as well.
- Illahee store. Vacant for 22 years. Has UST 4K gal and 6K gal tanks and now hit #16 with PLIA to get their work done. Look at repurpose for Port office.
- Dock. Part of grant had survey done of dock. Pilings. 18" diameter much worse shape than thought before survey. Breaking off (spauling) stuck tape measure in so pilings are really bad and past service life. Held up - but almost have County permit in hand. Need ACOE and tribe approval. No known schedule.
- Recreational fishing has been popular and going strong this year.
- Maintenance contractor came down to encase light poles with black plastic to kid proof the poles. Preventing vandalism from kids shinnying up the pole at this time.

Port of Brownsville

- North breakwater chains are reinforced to preserve breakwater.

- Dozen old piles on marina going to do HTPE wrap and encase in Epoxy grout. Hopefully keep pilings going for many years.
- CERB grant being applied for outbuildings.
- Tough job market. Need inside office staffer.
- Homeless problem worse than ever. Some vandalism.
- June numbers - very slow but July really strong.
- 4 empty perm slips.
- Trying to get more community events.
- Rent pavilion for events at \$25 in district or \$50 out of district

Kingston

- Contract for architectural services for redeveloping restaurants that were torn down or burned down.
- Redevelop the former Dickinson's site.
- IDD. Looking at an IDD issuance.
- Rate payers
- Lots of yacht clubs on guest dock.
- Parking is bouncing back, and KT is running on Saturdays. Two nights of parking if headed to Seattle.
- High fuel costs have softened boating demand.
- Cash flow model ran out 30 years require us to grow and develop.

Poulsbo

- Working on breakwater Elliott Float refurbishment.
 - July - Sept.
 - Piling start in Aug to Oct.
 - Old breakwater demo Sep-Nov.
 - Utilities finger piers Nov-Feb.
- Homeless. Downtown parking lot vehicle break-ins.
- Interview Wed for new ED.
- Carol is still with Poulsbo and will be Controller and will retire in couple years.

Manchester

- Lost part of north park due to King tides.
- WDFW is primary concern with dealing with issue.
- Received emergency permit within a month. Soft bank armoring. Wanted benchmarked done.
- Draw it and sent to her (WDFW) and she took care of it. Window of Aug 9.
- Alexea Henderson is rep from WDFW south end.
- Nam is north end representative at WDFW.

Keyport

N/A

Tracyton

N/A

Silverdale

- Working on grants ALEA and 60% design for new non-motorized float and relocation of marina for one permit app.
- Old pub getting redeveloped.
- Closing out litigation - Pollution Sound Hearing Board - \$24K legal fees plus \$22K disposal.
- Remove five boats – use only square area for calculation for environmental mitigation credits. Amy at MSA advocated for better approach but rejected. Receiving one for one equal mitigation credit – equal to concrete.

- Dredge under boat ramp. Not sure about mitigation for 150 LF of added dock - because really just relocated dock - not new or additional dock.
- Next weekend is Whaling Days. If not currently registered, then out in 4 hours. Lots of people anchored out. Kitsap County Sheriff asked about working together.
- DNR is paying \$50K to Kitsap Sheriff to tag vessels on their behalf.
- Diagrams from James Strode would be appreciated for soft bank mitigation.

Adjourn 7:46PM



**ADMINISTRATIVE
STAFF REPORT**

Report Date: July 27, 2022

Application Submittal Date: July 27, 2021
Application Complete Date: September 17, 2021

Project Name: Port of Illahee Public Pier and Dock Rehabilitation
Type of Application: Shoreline Substantial Development (SSDP) - Administrative (Type II)
Permit Number: 21-04129

Project Location
5500 Illahee Rd NE
Bremerton, WA

Assessor's Account #
4429-001-011-0000

Applicant/Owner of Record
Port of Illahee
PO BOX 2357
Bremerton, WA 98310

Recommendation Summary
Approved subject to conditions listed under section 13 of this report.

VICINITY MAP



1. Background

Port of Illahee (hereafter, "the Applicant") proposes improvements to the existing Port of Illahee pier as well as associated parking and access.

2. Project Request

The proposal will maintain existing water access facilities by replacing the existing floats and gangways. Existing solid-decked timber floats and gangways will be removed and replaced. New floats will include 60% open grated decking. A total of 24 creosote timber piles will be removed and 15 galvanized steel piles will be installed. Additional debris will be removed from the site.

Additionally, project uplands will be improved to meet current safety and design standards for public access, including provisions expected with an urban level of service. Within the 100-foot shoreline buffer, work includes removal of existing residential house, removal of

paving, adding 7 new parking stalls including a lower parking area with one ADA stall, right-of-way road improvements, repair of broken concrete on an existing concrete boat launch (above the OHWM), new concrete sidewalk and stairway, a new vault restroom, a new storm drainage and water quality system, and buffer revegetation. The required shoreline buffer is 100 feet and improvements landward of the buffer include the 14-stall upper parking area and right-of-way improvements. Proposed redevelopment below the 100-foot buffer will result in a net reduction in impervious surfaces, and 5,132 square feet of native plantings will be installed within the buffer.

3. SEPA (State Environmental Policy Act)

A SEPA Determination of Non-Significance was issued on April 21, 2022 under KCC 18.04 State Environmental Policy Act. The County used the optional DNS process in WAC 197-11-355. Opportunities for public comment were combined with the Notice of Application issued on December 14, 2021. Four comments were received which are summarized in Section 9 below.

4. Physical Characteristics

The site is currently developed and includes two parcels. Facilities at the Port include existing Port-owned uplands; roadway access and parking within Kitsap County right-of-way; and the “Illahee Dock” which consists of a timber pier and two recreational floats and gangways that are operated within County tidelands and a Department of Natural Resources (DNR) aquatic lease. The Port-owned upland property was previously a single-home residential property and includes a residential house, garage, and small concrete boat ramp which will be redeveloped by the Port to provide improved public access to existing Port facilities.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Rural Residential Zone: Urban Restricted (UR)		
Minimum Density	1 dwelling unit/ acre	N/A - Subject property is an existing lot.
Maximum Density	5 dwelling units/ acre	
Minimum Lot Size	5,800 square feet	N/A
Maximum Lot Size	NA	N/A
Minimum Lot Width	60 feet	N/A
Minimum Lot Depth	60 feet	N/A
Maximum Height	35 feet	N/A
Maximum Impervious Surface Coverage	N/A	N/A
Maximum Lot Coverage	50%	69%*

Applicable footnotes: None

Staff Comment: *The site is already developed at 61% impervious surface which does not

conform to the zoning standard. The proposal removes and adds impervious surfaces and results in an overall coverage of 69%, however, the amount of existing impervious surface that is within the buffer has been reduced and native plantings will be installed. See analysis in section 10.

Table 2 - Setback for Zoning District

Front (West)	20 feet	N/A
Side (North and South)	5 feet	N/A
Rear (East)	10 feet. Shoreline Buffer: 100 feet (standard); 85 feet (reduced)	The proposal includes impervious surface and a vault toilet within the shoreline buffer. See Section 10 for analysis.

Staff Comment: N/A

Table 3 - Surrounding Land Use and Zoning

North	Single-family residences	Urban Restricted (UR)
South	Single-family residences	Greenbelt (GB)
East	Puget Sound	N/A
West	Convenience Store; Single-family residences	Neighborhood Commercial (NC); Greenbelt (GB)

Table 4 - Public Utilities and Services

Water	Onsite system
Power	Puget Sound Energy
Sewer	Vault Restroom
Police	Kitsap County Sherriff
Fire	Central Kitsap Fire & Rescue
School	Central Kitsap School District #401

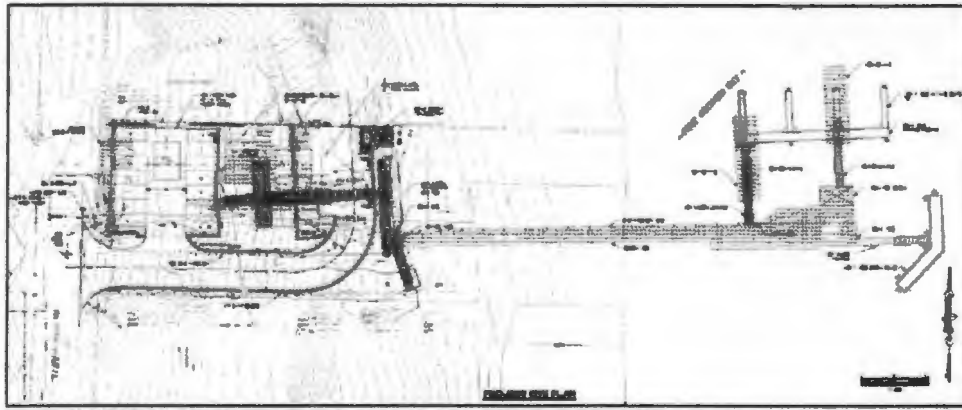
5. Access

The site has existing access from the West via Illahee Rd NE.



6. Site Design

The site has an existing pier and dock which will be rehabilitated. The submitted site plan shows this as well as upland improvements to parking, landscaping, access and a vault toilet. On the site is an existing home which will be demolished.



7. Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted June 30, 2016 and amended April 27, 2020.

The following Comprehensive Plan goals and policies are most relevant to this application:

Chapter 3- Environment, incorporates by reference the goals and policies of the Kitsap County Shoreline Master Program.

Land Use Policy 51: Permit residential uses in rural areas consistent with the planned rural character of the surrounding area.

Policy SH-1. Protect and conserve shoreline areas that are ecologically intact and minimally developed or degraded. Develop incentives and regulations for privately owned shorelines that will protect and conserve these areas while allowing reasonable and appropriate development.

Policy SH-2. Recognize that nearly all shorelines, even substantially developed or degraded areas, retain important ecological functions.

Policy SH-4. Permitted uses and developments should be designed and conducted in a manner that protects the current ecological condition, and prevents or mitigates adverse impacts. Mitigation measures shall be applied in the following sequence of steps listed in order of priority:

1. Avoid the impact altogether by not taking a certain action or parts of an action;
2. Minimize impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
3. Rectify the impact by repairing, rehabilitating or restoring the affected environment;
4. Reduce or eliminate the impact over time by preservation and maintenance operations;
5. Compensate for the impact by replacing, enhancing, or providing substitute resources or environments, including utilization of the in-lieu fee process where appropriate; and
6. Monitor the impact and the mitigation projects and take appropriate corrective measures.

Policy SH-7. In assessing the potential for new uses and developments to impact ecological functions and processes, the following should be considered:

1. On-site and off-site impacts;
2. Immediate and long-term impacts;
3. Cumulative impacts, from both current and reasonably foreseeable future actions, resulting from the project; and
4. Any mitigation measures or beneficial effects of established regulatory programs to offset impacts.

Policy SH-8. Critical areas in the shoreline jurisdiction shall be protected in a manner that

results in no net loss to shoreline ecological functions. Pursuant to RCW 36.70A.030(5), critical areas include:

1. Wetlands.
2. Frequently flooded areas.
3. Fish and wildlife habitat conservation areas.
4. Geologically hazardous areas.
5. Critical aquifer recharge areas.

Policy SH-9. Preserve native plant communities on marine, river, lake and wetland shorelines to maintain shoreline ecological functions and processes, development along the shoreline should result in minimal direct, indirect, or cumulative impacts. This includes:

1. Keeping overhanging vegetation intact along the shoreline edge to provide shading and other ecological functions;
2. Preserving established areas of native plants and minimizing clearing and grading near bluff edges and other erosion or landslide-prone areas in order to maintain slope stability and prevent excess surface erosion and stormwater runoff;
3. Designing and placing structures and associated development in areas that avoid disturbance of established native plants, especially trees and shrubs; and
4. Removal of noxious weeds in accordance with WAC 16-750-020.

Policy SH-10. Shoreline landowners are encouraged to preserve and enhance native woody vegetation and native groundcovers to stabilize soils and provide habitat. When shoreline uses or modifications require a planting plan, maintaining native plant communities, replacing noxious weeds and avoiding installation of ornamental plants are preferred. Nonnative vegetation requiring use of fertilizers, herbicides/pesticides, or summer watering is discouraged.

Policy SH-13. Ensure mutual consistency with other regulations that address water quality and stormwater quantity, including standards as provided for in Title 12 (Storm Water Drainage) and Chapter 173-201A WAC (Water Quality Standards).

Policy SH-16. Accommodate and promote, in priority order, water-dependent, water-related and water-enjoyment economic development. Such development should occur in those areas already partially developed with similar uses consistent with this program, areas already zoned for such uses consistent with the Kitsap County Comprehensive Plan, or areas appropriate for water-oriented recreation.

Policy SH-21. Give preference to water-dependent uses and single-family residential uses that are consistent with preservation of shoreline ecological functions and processes. Secondary preference should be given to water-related and water-enjoyment uses. Non-water-oriented uses should be limited to those locations where the above-described uses are inappropriate or where non-water-oriented uses demonstrably contribute to the objectives of the Act. For

use preference within shorelines of statewide significance, see Section 22.300.145(B).

Policy SH-23. Through appropriate site planning and use of the most current, accurate and complete scientific and technical information available, shoreline use and development should be located and designed to avoid the need for shoreline stabilization or actions that would result in a net loss of shoreline ecological functions.

The County’s development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Title 19	Critical Areas
Title 22	Shoreline Master Program
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

8. Documents Consulted in the Analysis

A complete index of exhibits is located in the project file. To date, the index to the record consists of Exhibits listed below.

1	Project Narrative	July 6, 2021
2	Site Photos	N/A
3	Permit Questionnaire	N/A
4	SEPA Checklist	June 16, 2021
5	Habitat Management Plan	June 30, 2021
6	Landscaping Plan	April 15, 2022
7	JARPA	June 17, 2021
8	JARPA Drawings	April 15, 2022
9	Engineered Plans 60%	April 15, 2022
10	Engineered Drainage Report	August 23, 2021
11	Geotechnical Report	August 23, 2021
12	Response to Information Request Memo	April 18, 2022
13	Request for Technical Deviation	June 14, 2022
14	Public Comments Received	Varies

9. Public Outreach and Comments

A Notice of Application was distributed pursuant to Title 21 Land Use and Development Procedures, which provided recipients with project information and an opportunity for public comment. The comments received by the department are included in the exhibits listed above and also are summarized below.

1.	1/3/22 - Department of Ecology: A letter informs the County that the Illahee Foods Site is located 300 feet to the west and is a contaminated site caused by a leaking underground storage tank.
2.	1/7/22 – Department of Ecology: A letter describes various concerns including <ul style="list-style-type: none"> • New parking within the shoreline buffer (not a permitted use) • Seeking clarity of use of boat launch in NE of site • The project does not appear to adequately address mitigation sequencing requirements of KCC 22.400.110.
3	1/2/2022 - A neighbor submitted comments concerned with the request. Concerns include speeding vehicles, safety, illegal fishing and various activities at the dock that negatively impacts neighbors and will increase as a result the proposal. The tearing down of a house to replace with parking will also increase traffic and use of the pier.
4	1/7/2022 - The Suquamish Tribe provided an Inadvertent Discovery Plan (IDP) and requested the Tribe is notified prior to construction.

1.	No further action is required at this time.
2.	<ul style="list-style-type: none"> • Parking can be allowed in the buffer in some cases, as this is an accessory use to the primary use, which is a water-dependent use. The applicant reduced the amount of parking within the buffer and only two ADA accessible sites are now proposed. • The boat launch will be used primary by hand-launched vessels but may also be able to support launching small boats. The ramp itself does not need to be enlarged. • The applicant submitted a response to mitigation sequencing criteria (exhibit 12), which is also analyzed in Section 10.i of this report. • The applicant moved the vault toilet to the west of the access road, away from the shoreline, after Ecology request.
3.	The County acknowledges these concerns but does not have a direct response.

4.	A condition of approval is added to require an Inadvertent Discovery Plan (IDP) as well as notification of the Tribe.
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10. Analysis

a. Planning/Zoning

The proposal is within Urban Restricted Zoning (UR) as well as Urban Conservancy Shoreline designation. Public piers are a permitted use in the Urban Conservancy designation per KCC 22.600.105. As described in Table 1 and 2 of this report, the proposal meets zoning dimensional standards of the UR zoning designation.

b. Lighting

Lighting was not analyzed as part of this proposal.

c. Off-Street Parking

Currently 9 parking stalls exist on the site. The proposal aims to improve existing parking and will include an ADA stall in the lower parking area and 14 standard stalls in the upper parking area. There is no set parking standard as the shoreline access and dock are not a classified use in KCC 17.490. The proposed parking arrangement is sufficient.

d. Signage

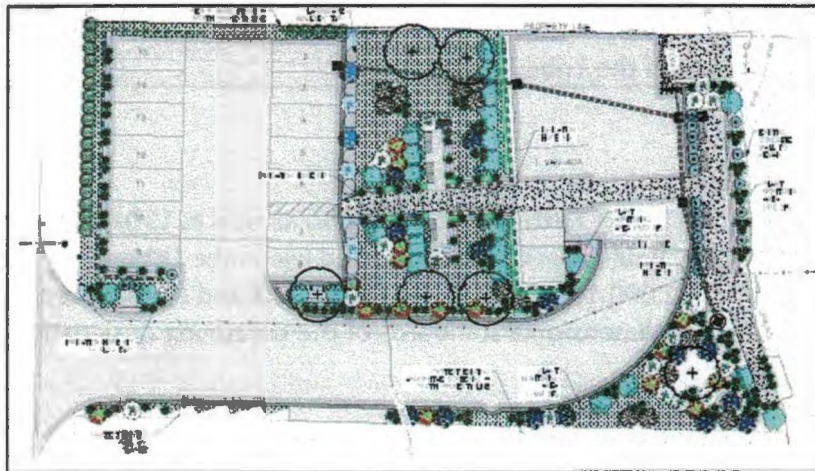
No signage is proposed or required. Future signage will need to be consistent with application requirements of Title 17 Zoning.

e. Landscaping

As the project abuts residential areas, some landscape buffering is required. The northern property line includes a 6-foot solid wood fence. The southern property line has an existing arborvitae hedge. Additional plantings will be included along the southern lot line to achieve functional screening.

Per KCC 17.500.060 additional façade plantings are required along the vault restroom and the landscaping plan was revised to include native plantings that will mature at a height of 12-feet.

As mitigation for shoreline impacts, the proposal will include installation of native landscaping. This is shown in the landscape plan below and additional analysis included in Section 10.i of this report.



f. Frontage Improvements

The site is located in the Central Kitsap Urban Growth Area and requires improvements to Illahee Road, which include 12-foot travel lanes, 5-foot bike lane and 6-foot sidewalk. Due to topography constraints, the applicant states that these improvements are not feasible and there is not sufficient right-of-way.

The County met with the applicant onsite on June 2, 2022. Following the meeting, the applicant submitted a technical deviation request. The request stated that due to topographical constraints, utility constraints, and lack of available right-of-way, the frontage improvements are not feasible. The technical deviation was approved.

g. Design Districts/Requirements

The subject property is not within a design district.

h. Development Engineering/Stormwater

Development Services and Engineering has reviewed the land use proposal and finds the concept supportable in its approach to civil site development. Further review will occur with associated site development or building permits.

i. Environmental

Regulations:

KCC 22.400.105 Proposed Development

A. Location.

1. New development shall be located and designed to avoid or, if that is not possible, to minimize the need for new and maintenance dredging.
2. New development shall be located and designed to avoid the need for future shoreline stabilization for the life of the structure. Likewise, any new development

- which would require shoreline stabilization which causes significant impacts to adjacent or down-current properties shall not be allowed.
3. New development on lots constrained by depth, topography or critical areas shall be located to minimize, to the extent feasible, the need for shoreline stabilization.
 4. New development on steep slopes or bluffs shall be set back sufficiently to ensure that shoreline stabilization is unlikely to be necessary during the life of the structure, as demonstrated by a geotechnical analysis.
 5. Subdivision shall be planned to avoid the need for shoreline stabilization for newly created lots, utilizing geotechnical analysis where applicable.
 6. Non-water-oriented facilities and accessory structures, except for preferred shoreline uses, such as single-family residences and single-family residential appurtenances when consistent with buffer provisions in this chapter, must be located landward of buffers and adjacent water-oriented uses, or outside shoreline jurisdiction, unless no other location is feasible.

Staff Comment: The proposal is found to be consistent with the above regulations.

KCC 22.400.115 Critical Areas

The site is located with the Urban Conservancy shoreline environment and partially within the FEMA Floodplain. A Habitat Management Plan (HMP) was submitted in accordance with requirements of the Shoreline Master Program 22.400.115.B and KCC 15.13. For impacts with the Urban Conservancy Shoreline Buffer, mitigation sequencing is addressed and analyzed in this report in the sub-section below.

The site slopes moderately from west to east toward the water, and parts of the site are mapped as 'Moderate Erosion Hazard Area' as defined in Kitsap County Code 19.400. This classification required the submittal of a Geotechnical Report.

The report has concluded that the development as proposed is feasible when the recommendations of the report are implemented during construction. Other recommendations of the report are required to be incorporated in construction as a conditional of approval.

KCC 22.400.110 Mitigation

Kitsap SMP section 22.400.110 requires that proposed uses and development implement mitigation sequencing and ensure the proposal will achieve no net loss of shoreline ecological functions. The applicant provided the following responses.

Avoidance.

Applicant comment: Upland structures are accessory to the use of the principal water-oriented structures and provide required ADA public access for the Port pier, docks, and boat launch. Site topography precludes relocation of proposed

access roadway, launch staging area, and ADA parking stalls. The restroom can feasible be moved outside the buffer to the upper parking area however, this would effectively prevent direct ADA restroom access (i.e., a handicap person would need to drive to the upper restroom) and defeat the purpose of providing a convenient restroom that shoreline users will actually use (as opposed to under the pier, bushes, etc.). Appendix B of KCC 22.800 was used to determine mitigation requirements to result in no net loss of habitat (see Habitat Management Plan for further detail).

Minimization.

Applicant comment: The majority of all site parking is proposed outside the shoreline buffer. Only ADA accessible stalls and the minimum area necessary for launch staging and turn-a-round maneuvering are proposed within the buffer.

Numerous alternatives for the access roadway alignment were considered including "a straight drive" directly from Illahee road. The proposed alignment is the only feasible alignment which does not result in an increased profile grade (relative to existing conditions). From an engineering perspective, any alignment which increases the profile grade beyond existing is strongly discouraged and would result in unsafe conditions. Regarding "a straight drive", it is unlikely the County would consider such a significant variance to standard roadway geometry and equally unlikely any engineer would be willing to certify such a design. Moving the access roadway further upland from the OHWM is not feasible.

Native plantings have been maximized between the access road and existing concrete bulkhead at the OHWM in combination with the proposed sidewalk design. The proposed sidewalk between the access road and existing bulkhead can feasibly be further reduced in footprint, but only at the expense of providing a suitable public access facility.

Proposed redevelopment in the buffer will result in an 892 ft² reduction of impervious surfaces at the site and a sitewide increase of 6,328 ft² in native plantings (see Habitat Management Plan for further detail) and tables 1-3 above. Redeveloped conditions are anticipated to not only result in no net loss to ecological functions but also provide a net benefit to the shoreline environment.

Mitigation

Applicant comment: As described in the project Habitat Management Plan, proposed conditions will reduce impervious surface within the buffer. As previously described, the Port made further efforts to reduce impervious surfaces

where feasible by eliminating a parking stall in the lower parking lot and moving the vault toilet further from the shoreline; see revised drawings.

Approximately 5,132 ft² of native vegetation (groundcover, shrubs, and trees) will be planted within the buffer area resulting in a significant increase of native vegetation within the 100-ft shoreline buffer. Appendix B of KCC 22.800 was used to determine mitigation requirements for proposed vegetation clearing. Approximately 2,107 ft² of native vegetation was required to mitigate for the proposed upland work. Proposed native plantings significantly exceed this requirement. Native vegetation required to compensate for upland work is proposed immediately along or in close proximity to the shoreline to the greatest extent feasible given the limitations of site topography previously described.

KCC 22.400.120 Vegetation Conservation Buffers

The site is currently developed as a public pier with associated parking within the buffer. Associated vegetation conservation buffer standards for this proposal are analyzed under the Shoreline Residential buffer criteria in 22.400.120.B.1.cb requiring an 100-foot standard buffer and 22.400.120.B.2.b requiring a 85-foot reduced buffer (or 50 feet where net ecological gain is achieved).

The existing use of the shoreline within the buffer will remain. As analysis earlier in this section, impervious surface within the buffer will be reduced and native plantings installed.

KCC 22.600.160 Mooring Structures and Activities

The proposal will maintain existing water access facilities by replacing the existing floats and gangways. Existing solid-decked timber floats and gangways will be removed and replaced. Public Piers are an allowed use in the Urban Conservancy Zone per KCC 22.600.105. The rehabilitation of the existing pier will meet development standards in KCC 22.600.160. New floats will include 60% open grated decking. A total of 24 creosote timber piles will be removed and 15 galvanized steel piles will be installed. Additional debris will be removed from the site.



KCC 22.400.125 Water Quality and Quantity

A preliminary drainage plan was submitted. The project as proposed has been reviewed under KCC Title 12 and will require further review and approval under the associated Building Permit. If stormwater is discharged to the shoreline, a Hydraulic Project Approval (HPA) will be required from the Washington State Department of Fish and Wildlife.

KCC 22.400.130 Historic, Archaeological, Cultural, Scientific and Ed. Resources

The Suquamish Tribe submitted a comment related cultural resources and the preparation of an Inadvertent Discovery Plan. A condition of approval has been added that Kitsap County DCD, the Washington State Office of Archaeology and Historic Preservation, and the affected tribes must be notified if archaeological resources are uncovered during excavation. The project proponent and contractor shall notify Suquamish Tribe archaeologists of the planned start date of construction at least two weeks prior to the start of ground disturbing activities.

KCC 22.400.135 View Blockage

Properties to the north and south are developed with single-family homes and subject to the view blockage per the requirements of KCC 22.400.135.A.3. It is not expected that the proposal will result in any view blockage concerns.

KCC 22.400.140 Bulk and Dimension Standards

The proposed residence meets the criteria under this code.

j. Access, Traffic and Roads

No comments at this time.

k. Fire Safety

No comments at this time.

l. Solid Waste

No comments at this time

m. Water/Sewer

No comments at this time.

n. Kitsap Public Health District

No comments at this time.

11. Review Authority

The Director has review authority for this Shoreline Substantial Development Permit application under KCC 21.04.100. The Director may approve, approve with conditions, or deny this application.

12. Findings

1. The proposal is consistent with the Comprehensive Plan and the zoning standards for the Urban Restricted (UR) zone in Title 17.
2. The proposal is consistent with policies, standards, and development regulations of the Shoreline Master Program, Title 22.

13. Recommendation

Based upon the analysis above and the decision criteria found in KCC 19.100.135, the Department of Community Development recommends that the Shoreline Substantial Development Permit be **approved**, subject to the following conditions:

a. Planning/Zoning

1. All required permits shall be obtained prior to commencement of landclearing, construction and/or occupancy.
2. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.
3. The decision set forth herein is based upon representations made and exhibits contained in the project application Permit #21-04129. Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.

b. Development Engineering

General

4. Construction plans and profiles for all roads, storm drainage facilities and appurtenances prepared by the developer's engineer shall be submitted to Kitsap County for review and acceptance. No construction shall be started prior to said plan acceptance.

Stormwater

5. The information provided demonstrates this proposal is a *Major Development*

as defined in Kitsap County Code Title 12, and as such will require a Site Development Activity Permit (SDAP) from Development Services and Engineering.

6. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Shoreline Substantial Development Permit application was deemed complete on September 17, 2021. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of SDAP application.
7. Any project that includes off site improvements that create additional hard surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12 effective at the time this permit application was deemed fully complete.
8. All publicly maintained drainage systems outside public dedicated right of way shall be located either in a tract dedicated to Kitsap County or in an easement, granted to Kitsap County, for ingress, egress, operations and maintenance of the stormwater facilities contained therein.
9. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of Occupancy Permits for this development, the person or persons holding title to the subject property for which the storm drainage facilities were required shall record a Declaration of Covenant that guarantees the County that the system will be properly maintained. Wording must be included in the covenant that will allow the County to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should County forces be required to do the work, the owner will be billed the maximum amount allowed by law.
10. If the project proposal is modified from that shown on the submitted and approved site plan, Development Services and Engineering will require additional review and potentially new conditions.

Traffic and Roads

11. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process (or building permit if no SDAP is required). The need for and scope of bonding will be determined at that time.
12. A technical deviation was requested for (1) the required frontage improvements and (2) minimum 35' turning radius. The technical deviation

request was approved by the County Engineer on June 15, 2022.

Other

13. This project includes the construction of rock walls or other retaining facilities that either exceed four feet in height or sustain a surcharge. A separate building permit with an engineered design is required for such walls. This note shall be placed on the face of the final construction drawings.

c. Environmental

14. A Hydraulic Project Approval (HPA) permit is required for work below the ordinary high water mark or associated with the outfall. Prior to SDAP or Building Permit approval, the applicant shall submit an approved HPA from the Washington Department of Fish and Wildlife (WDFW), or documentation from WDFW specifying that a HPA is not required. Information regarding HPA's can be found at <http://www.wdfw.wa.gov/hab/hpapage.htm> or by calling the Office of Regulatory Assistance at (360) 407-7037.
15. Construction techniques shall implement best management practices to ensure protection of the shoreline, its associated buffer, and local water quality. Such best management practices shall include protective silt fencing, protective orange construction fencing along defined work areas, working during periods of limited rainfall or potential for adverse erosion, and seeding of exposed soils as needed to prevent adverse erosion.
16. Approval and subsequent development is subject to the conditions and recommendations of the Geotechnical Report associated with this permit and on file at the Department of Community Development.
17. As shown on the approved site plan, 5,132 square feet of native plantings shall be installed within the shoreline buffer.
18. The project shall adhere to the mitigation measures and recommendations within the approved Habitat Management Plan (HMP) prepared by Marina Survey and Assessments dated June 2021. Per the report areas within the buffer shall be revegetated.
19. Vegetation planting shall occur as specified in the approved planting plan produced in support of this permit. Planting of native vegetation shall occur within the first dormant season once the permitted project has been constructed and approved. When planting is complete, the applicant must contact Development Service and Engineering Staff at (360)337-5777 for a site inspection and as-built approval. Monitoring and maintenance of the planted area shall be conducted for three years after DCD staff approves planting. Monitoring includes live and dead vegetation counts and records of all maintenance activities. Maintenance activities can be defined as, but are not limited to, removal practices on invasive or nuisance vegetation and watering schedules. Monitoring information shall be summarized in a letter with

photographs depicting conditions of the vegetation and overall site. Monitoring reports are due to Kitsap County Department of Community Development Services and Engineering Division by December 31 of each monitoring year. If more than 20 percent of the plantings do not survive within any of the monitoring years, the problem areas shall be replanted, and provided with better maintenance practices to ensure higher plant survival.

d. Cultural Resources

20. The project shall adhere to the Inadvertent Discovery Plan (IDP) provided by the Suquamish Tribe dated 1/7/2022.
21. The project proponent and contractor shall notify Suquamish Tribe archaeologists of the planned start date of construction at least two weeks prior to the start of ground disturbing activities.
22. Archaeological monitoring is required per the letter received from Department of Archaeology and Historic Preservation (DAHP) dated April 29, 2022.

e. Fire Safety

23. None at this time.

f. Solid Waste

24. None at this time.

g. Kitsap Public Health District

25. None at this time.

Report prepared by:



Colin Poff / Project Lead

July 27, 2022

Date

Report approved by:



Scott Diener, DSE Manager

July 26, 2022

Date

Attachments:

Attachment A – Zoning Map

Attachment B – Critical Areas Map

CC:

Port of Illahee: Jim Aho: illaheeportthree@gmail.com

Southwest Engineering: Lauren Swanson: lswanson@soundwesteng.com

Department of Ecology

WDFW: DFW Region 6; R6CSplanning@dfw.wa.gov

Chris Waldbillig; chris.waldbillig@dfw.wa.gov

Adam Brown; adam.brown@dfw.wa.gov

Interested Parties

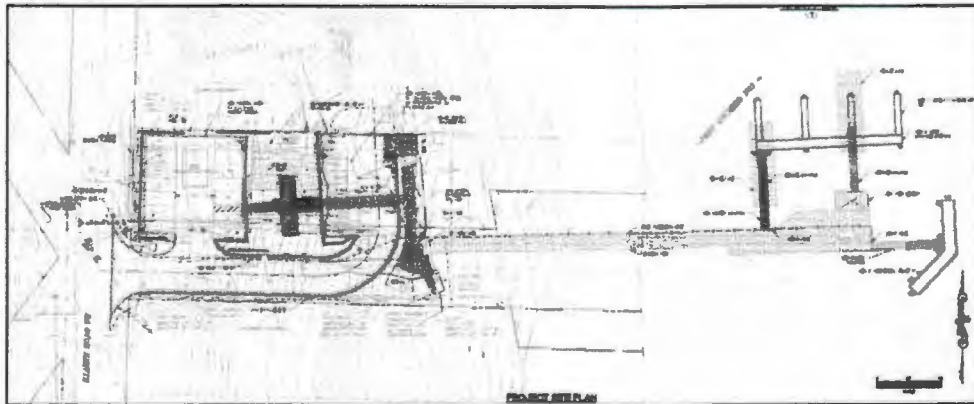
Suquamish Tribe

Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

DCD Staff Planner: Colin Poff

Site Plan



Attachment A – Zoning Map



Attachment B – Critical Areas Map





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office

PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

August 4, 2022

Port of Illahee
PO Box 2357
Bremerton, WA 98310

**Re: Kitsap County Substantial Development Permit No. 21-04129
Ecology Permit No. 2022-NWRO-6314**

Dear Port of Illahee:

On August 3, 2022, the Department of Ecology (Ecology) received notice that Kitsap County (County) has approved with conditions your application for a Substantial Development Permit (SDP) to remove and replace existing solid-decked timber floats and gangways. The new floats will include 60% open grated decking. A total of 24 creosote timber piles will be removed and 15 galvanized steel piles will be installed. Within the 100-foot shoreline buffer, work includes removal of an existing residential house, removal of paving, adding 7 new parking stalls, right-of-way road improvements, repair of broken concrete on an existing concrete boat launch (above the OHWM), new concrete sidewalk and stairway, a new vault restroom, a new storm drainage and water quality system, and buffer revegetation. Improvements landward of the buffer include the 14-stall upper parking area and right-of-way improvements. The project is located at 5500 Illahee Rd NE within an Urban Conservancy shoreline environment designation along Puget Sound.

By law, local governments must review all SDPs for compliance with:

- The Shoreline Management Act (Chapter 90.58 RCW),
- The SDP approval criteria (WAC 173-27-150), and
- The Kitsap County Shoreline Master Program.

Local governments, after reviewing SDPs for compliance, are required to submit them to Ecology. We have received your SDP.

What Happens Next?

Before you begin activities authorized by this permit, the law requires you wait at least 21 days from August 3, 2022 the "date of filing." This appeal period allows anyone (including you) who disagrees with any aspect of this permit to appeal the decision to the state Shorelines Hearings

Port of Illahee
August 4, 2022
Page 2 of 2

Board (SHB). You must wait for the conclusion of an appeal before you can begin the activities authorized by this permit.

The SHB will notify you if they receive an appeal. We recommend that you contact the SHB before you begin permit activities to ensure they have not received an appeal. You may reach them at 360-664-9160, eluho@eluho.wa.gov, or <https://eluho.wa.gov/content/12>.

If you want to appeal this decision, you can find appeal instructions at the SHB website above or on the website of the Washington State Legislature at: <http://apps.leg.wa.gov/wac> (Chapter 461-08 WAC).

Please note, other federal, state, and local permits may be required in addition to this shoreline permit.

If you have any questions about this letter, please contact Rebekah Padgett at 425-365-6571 or rebekah.padgett@ecy.wa.gov

Sincerely,



Administrative Assistant
Shorelands and Environmental Assistance Program

cc: John Piccone, Soundwest Engineering
Colin Poff, Kitsap County
Rebekah Padgett, Department of Ecology





Theresa Haaland <portofillahee@gmail.com>

NWS-2021-861 - Suquamish Tribe objection to Port of Illahee public pier & float rehabilitation

Jim Aho <illaheeporthree@gmail.com>

Thu, Jul 14, 2022 at 9:51 PM

To: aosullivan@suquamish.nsn.us

Cc: daniel.a.krenz@usace.army.mil, Theresa Haaland <portofillahee@gmail.com>, John Piccone <jpiccone@soundwesteng.com>, CSD - Tim Schermetzler <tschermetzler@chmelik.com>

Alison -

As you know, the Suquamish Tribe has objected to the Port of Illahee's pier and float improvement project and on June 10 we requested a meeting with you to better understand the details of the objection.

The attached letter generally explained that we do not understand how the project interferes with Tribal fishing and it appears certain elements of the project may be misunderstood.

We'd very much appreciate a response and would like to coordinate a time when we can meet and discuss the details of the Tribe's concern.

Do you perhaps have an opening in your schedule the week of July 25th? If not, perhaps the week of August 1st?

Thank you Alison!

Jim Aho

 NWS-2021-861_Illahee Response 061022.pdf
192K



Approximate Proposed
New Agreement Limits

PRELIMINARY
DESIGN
NOT FOR
CONSTRUCTION



PORT OF CLATSOP
FIELD: PER & SO'S REGISTRATION SECTION

PRELIMINARY LAYOUT

LEGEND



NEW OVERWATER COVERAGE (1,970 SF)



EXISTING OVERWATER COVERAGE TO BE REMOVED (1,875 SF)

**PROPOSED SITE PLAN
PLAN**





Theresa Haaland <portofillahee@gmail.com>

Inquiry

3 messages

Cory Pollard <smiley_cory@hotmail.com>

Fri, Jul 29, 2022 at 8:56 AM

To: "illaheeportone@gmail.com" <illaheeportone@gmail.com>, "illaheeport2@gmail.com" <illaheeport2@gmail.com>, "illaheeportthree@gmail.com" <illaheeportthree@gmail.com>, "portofillahee@gmail.com" <portofillahee@gmail.com>

Port of Illahee commissioners/administrators,

We are considering offering on a property (5510 Illahee Rd NE) that is close to the Illahee Community dock, so I just wanted to make sure that there would be no restrictions on adding and anchoring a sailboat on the property. The property lines in the water are adjacent to the dock, so I just wanted to see if there would be any issues or restrictions you know of. Thank you for your time.

Jim Aho <illaheeportthree@gmail.com>

Sat, Jul 30, 2022 at 12:30 PM

To: Theresa Haaland <portofillahee@gmail.com>
Cc: John Piccone <jpiccone@soundwesteng.com>

fyi

[Quoted text hidden]

John Burton <illaheeportone@gmail.com>

Tue, Aug 2, 2022 at 6:14 AM

To: Cory Pollard <smiley_cory@hotmail.com>
Cc: "illaheeport2@gmail.com" <illaheeport2@gmail.com>, "illaheeportthree@gmail.com" <illaheeportthree@gmail.com>, "portofillahee@gmail.com" <portofillahee@gmail.com>

Mr. Pollard,

There are no restrictions that would be imposed by the Port of Illahee, short of adequate access for boats to be able to moor and operate safely around the dock floats. There is adequate room in front of that property.

Regards,

John Burton
Illahee Port Commissioner and Dock Manager

[Quoted text hidden]