



## Notice of Administrative Decision

**Date:** 11/18/22

**To:** Anchor QEA, LLC, [jjensen@anchorqea.com](mailto:jjensen@anchorqea.com)  
Kitsap County Public Works, [svakarcs@co.kitsap.wa.us](mailto:svakarcs@co.kitsap.wa.us)  
Interested Parties and Parties of Record

**RE:** **Permit Number:** Permit #21-04080  
**Project Name:** Kitsap County Suquamish Regional Stormwater Treatment Facility  
**Type of Application:** SSDP

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit #21-04080: Kitsap County Suquamish Regional Stormwater Treatment Facility– SSDP**, subject to the conditions outlined in this Notice and included Staff Report.

**THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY APPEALED TO THE KITSAP COUNTY HEARING EXAMINER ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.**

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <https://www.cognitofirms.com/KitsapCounty1/RequiredPermitQuestionnaireAppealObjectionOfAnAdministrativeDecision>.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.

The complete case file is available for review by contacting the Department of Community Development; if you wish to view the case file or have other questions, please contact [help@kitsap1.com](mailto:help@kitsap1.com) or (360) 337-5777.

**CC:** Interested Parties:  
Alexander, Larry, [LarryBAlexander@outlook.com](mailto:LarryBAlexander@outlook.com)  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Steve Heacock  
Parks  
Navy  
DSE

Permit #21-04080, Kitsap County Suquamish Regional Stormwater Treatment Facility  
11/18/22

Kitsap Transit  
North Kitsap Fire District  
North Kitsap School District  
Puget Sound Energy  
Water Purveyor  
Sewer Purveyor  
Point No Point Treaty Council  
Suquamish Tribe  
Port Gamble S'Klallam Tribe  
Squaxin Island Tribe  
Puyallup Tribe  
WA Dept of Fish & Wildlife  
WA Dept of Transportation/Aviation  
WA State Dept of Ecology-SEPA  
WA State Dept of Ecology-Wetland Review  
WA State Dept of Transportation  
DCD File # 21-04080



## ADMINISTRATIVE STAFF REPORT

**Report Date:** November 14, 2022

**Application Submittal Date:** July 23, 2021

**Application Complete Date:** August 26, 2021

**Project Name:** Kitsap County Suquamish Regional Stormwater Treatment Facility

**Type of Application:** Shoreline Substantial Development (SSDP) - Administrative (Type II)

**Permit Number:** 21-04080

### Project Location

18118 Sealth Lane NE  
Suquamish, WA

### Assessor's Account #

212602-3-006-2007

### Applicant/Owner of Record

Kitsap County Public Works  
614 Division Street, M/S-26  
Port Orchard, WA 98366

### Project Contact

Josh Jensen, Anchor QEA, LLC

### VICINITY MAP



### Recommendation Summary

Approved subject to conditions listed under Section 13 of this report.

#### 1. Background

Kitsap County Public Works (hereafter, “the Applicant”) proposes improvements to a 183-acre area in the unincorporated area of Suquamish within four sub-basins for installation of a regional stormwater treatment facility and associated outfall conveyance system improvements. The existing outfalls will be enhanced to convey treated stormwater into Port Madison/Puget Sound.

#### 2. Project Request

The applicant is proposing to construct a regional stormwater treatment facility to treat and discharge stormwater from four drainage basins (Suquamish, Augusta, Angeline, and Parkway). Stormwater runoff from these basins is currently collected and conveyed in conventional systems with minimal water quality treatment. The proposed stormwater treatment facility includes tying in existing stormwater conveyance infrastructure along Augusta Avenue NE and Suquamish Way NE, and connecting it to a proposed stormwater

treatment facility composed of two pretreatment vaults and a treatment vault. An outfall structure with a dissipation pad will be installed at the discharge location, located at the toe of the bluff and partially waterward of the ordinary high water mark (OHWM) on the shoreline of Port Madison.

The new stormwater treatment facility will be connected to the four stormwater basins via existing stormwater infrastructure. The existing concrete will be demolished using standard concrete breaking equipment. Trenching down to the existing stormwater pipes along Augusta Avenue NE and up to Suquamish Way NE will be completed using backhoe or trackhoe excavators. Once the old PVC pipes are removed, 18-inch diameter, high-density polyethylene stormwater pipes will be installed to replace them and connect to the stormwater treatment facility. The area where the existing stormwater infrastructure is replaced will be backfilled and repaved to existing grades and condition. All excavated material will either be reused on site or disposed of at an approved off-site landfill. The stormwater treatment facility will include two pretreatment vaults. The north vault will be approximately 16 feet long by 10 feet wide (160 square feet [sf]) and 9 feet deep. The south vault will be approximately 19 feet long and 13 feet wide (247 sf) and up to 12 feet deep. The vaults will be installed underneath the Augusta Avenue and Northeast Parkway Street intersection. The two pretreatment vaults will connect to a water quality treatment vault installed underneath the Northeast Parkway Street parking lot. The water quality treatment vault will be approximately 175 feet long by 27 feet wide (4,725 sf) and up to 12 feet deep. This facility is designed to treat low stormwater flows; high stormwater flows will be directed to the existing stormwater outfall to the south via a flow splitter. The pretreatment and treatment vaults will be largely pre-cast concrete structures, designed to filter pollutants out of stormwater and capture sediment, heavy metals, floatable litter, and other pollutants that would otherwise go directly to Port Madison without any treatment.

Once the water quality facility and conveyance pipes are installed, the area will be repaved and returned to a parking lot with ADA curb ramp upgrades and landscaping. Temporary grading and sidewalk repairs will occur over an easement on Suquamish Tribe-owned land to the south. To convey water from the stormwater treatment facility, a new outfall structure and dissipation pad will be installed by trenching the area from the stormwater treatment facility to the bluff and installing an 18-inch-diameter pipe that extends along the face of the bluff and waterward toward the shoreline. The stormwater will be discharged through the outfall to an approximately 7.3- by 5.5-foot concrete outfall structure and dissipation pad that will be installed on the shoreline. The structure will either be pre-cast, or the concrete will be poured on site but protected in place until the concrete cures. The discharged stormwater will be directed toward an approximately 6- by 8.5-foot dissipation pad consisting of a mix of beach cobble and 4-inch riprap. The outfall structure and dissipation pad will be protected by large wood pieces between 24 and 36 inches in diameter to be installed along the north and south sides. Each of the large wood pieces will be anchored and supported by approximately four large boulders. The large woody debris and boulders will be field located pending the final orientation of the outfall structure and dissipation pad and available

materials. The existing 12-inch-diameter outfall located to the north will be decommissioned. Exposed materials will be removed from the shoreline to the extent practicable.

### **3. SEPA (State Environmental Policy Act)**

A SEPA Determination of Non-Significance was issued on November 17, 2021, under KCC 18.04 and the 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 October 13, 2021. No comments were received. The decision is considered final.

### **4. Physical Characteristics**

The Project is located in the community of Suquamish, on Port Madison near Agate Passage. The project is within paved right-of-way, with limited vegetated areas that are primarily located along the top of the bluff. The Suquamish Tribe owns property immediately to the south of the Project area. If construction activities are required to partially extend south onto Suquamish Tribe-owned property, work will be completed under an easement in coordination with the Tribe.

Conveyance facilities associated with the four drainage basins currently include a series of catch basins, stormwater pipes, and stormwater ditches that convey stormwater to two existing outfalls, located to the north and south of the Suquamish Dock. The existing outfall located north of the Suquamish Dock (Outfall ID unknown) drains the Parkway Basin to an existing 12-inch-diameter outfall that discharges waterward of the existing bluff into an energy dissipation pad located on the beach. The existing outfall to the south of the Suquamish Dock (Outfall ID 0314) is located along the shoreline east of the Suquamish House of Awakened Culture. This outfall includes a 36-inch diameter, corrugated polyethylene pipe that discharges into an open-water, channelized concrete conveyance system that discharges stormwater to Puget Sound. The Angeline Basin currently sheet flows from Harris Avenue and Angeline Avenue NE to Northeast Parkway Street and is connected to the existing 12-inch-diameter outfall. The project area includes a paved street end that currently serves as a parking lot for approximately 20 vehicles. The right-of-way is bordered by the Suquamish House of Awakened Culture (Suquamish Community House) to the south, and commercial and residential uses to the north.

Vegetation within the project area includes a variety of native, non-native, and ornamental trees, shrub, grass, and herbaceous species associated with residential and commercial development and Angeline Park. Landscaped vegetation and mowed lawns are the dominant vegetation communities. Dominant plant species within the Project area include the tree species red alder, bigleaf maple, Douglas fir, and western red cedar. A majority of the larger (over 20 inches diameter at breast height) native trees occur within private lots or park areas. Shrub species include the native species vine maple and western azalea. Non-native invasive species are also on-site, such as Himalayan blackberry and holly and a variety of ornamental shrubs. Ground cover species include sword fern, English ivy, and a variety of common grass

and herbaceous plants.

The shoreline within the Project area includes a steep bluff protected by segments of riprap and concrete debris. The Suquamish Dock extends east from the end of the Northeast Parkway Street right-of-way over tidelands owned by the Washington Department of Natural Resources and Kitsap County. Two existing outfalls, located to the north and south of the Suquamish Dock extend past the bluff and onto the shoreline. Non-native invasive plant species are the dominant vegetation on the shoreline, including Himalayan blackberry, Scotch broom, English ivy, and orchard morning glory. Native vegetation includes red alder, Scouler willow, and Nootka rose. A variety of common native and non-native grass and herbaceous plants are also present. The Project area provides habitat for native and non-native bird, amphibian, reptile, insect, and large and small mammal species to breed, forage, and rest. Wildlife species that would potentially occupy habitat in these areas include birds, amphibians, reptiles, and mammals typically associated with residential and commercial development and parks in Kitsap County. The marine habitat in the Project area provides foraging habitat for waterfowl and other birds and aquatic species typically found in the marine environment of Puget Sound.

Port Madison is a marine waterbody connected to Puget Sound. The marine shoreline at the toe of the bluff includes boulders, cobbles, gravel, sand, shell hash, and large and small woody debris. The toe of the bluff is intermittently lined with riprap and concrete debris placed along the shoreline for protection or remaining from relict structures. The waters of Port Madison provide a productive habitat for a variety of fish, marine mammals, and other aquatic species. Eelgrass beds are located in lower intertidal areas offshore of the Port Madison shoreline, from approximately 0.2 to -13.4 feet mean lower low water (MLLW; WDNR 2021). Eelgrass beds near the project area are located approximately 40 feet waterward of the proposed project footprint.

**Table 1 - Comprehensive Plan Designation and Zoning**

| Comprehensive Plan:<br>LAMIRD-1<br>Zone:<br>Suquamish Village<br>Residential | Standard               | Proposed   |
|--|------------------------|--|
| Minimum Density  | N/A                    | N/A - Subject property is within the County ROW. |
| Maximum Density  | 2 dwelling units/ acre |  |
| Minimum Lot Size   | 4,000 square feet      | N/A  |
| Maximum Lot Size   | NA                     | N/A  |
| Minimum Lot Width  | 40 feet                | N/A  |
| Minimum Lot Depth  | 75 feet                | N/A  |
| Maximum Height   | 30 feet                | N/A  |
| Maximum Impervious Surface Coverage  | 40%                    | N/A*   |

|                      |     |     |
|----------------------|-----|-----|
| Maximum Lot Coverage | N/A | N/A |
|----------------------|-----|-----|

Applicable footnotes: None

*Staff Comment:* \*The site is located within the right of way of Parkway Street and as such is existing developed area. The proposal removes and adds impervious surfaces and results in an overall coverage of 65%, 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**

|                        | Standard  | Proposed  |
|------------------------|---|---|
| Front (West)           | 20 feet   | N/A   |
| Side (North and South) | 5 feet  | N/A   |
| Rear (East)            | 5 feet and Shoreline High Intensity Buffer: 50 feet (standard); 50 feet (reduced) | The proposal includes existing impervious surfaces as an existing roadway; ADA accessible sidewalks will be incorporated with shoreline restoration within the shoreline buffer. See Section 10 for more details. |

*Staff Comment:* N/A

**Table 3 - Surrounding Land Use and Zoning**

| Surrounding Property | Land Use                                    | Zoning                              |
|----------------------|---|-------------------------------------|
| North                | Commercial buildings                        | Suquamish Village Residential (SVR) |
| South                | Tribal development                          | Tribal                              |
| East                 | Puget Sound                                 | N/A                                 |
| West                 | Convenience Store; Single-family residences | Suquamish Village Residential (SVR) |

**Table 4 - Public Utilities and Services**

|        | Provider               |
|--------|------------------------|
| Water  | PUD 1                  |
| Power  | Puget Sound Energy     |
| Sewer  | Kitsap County          |
| Police | Kitsap County Sherriff |

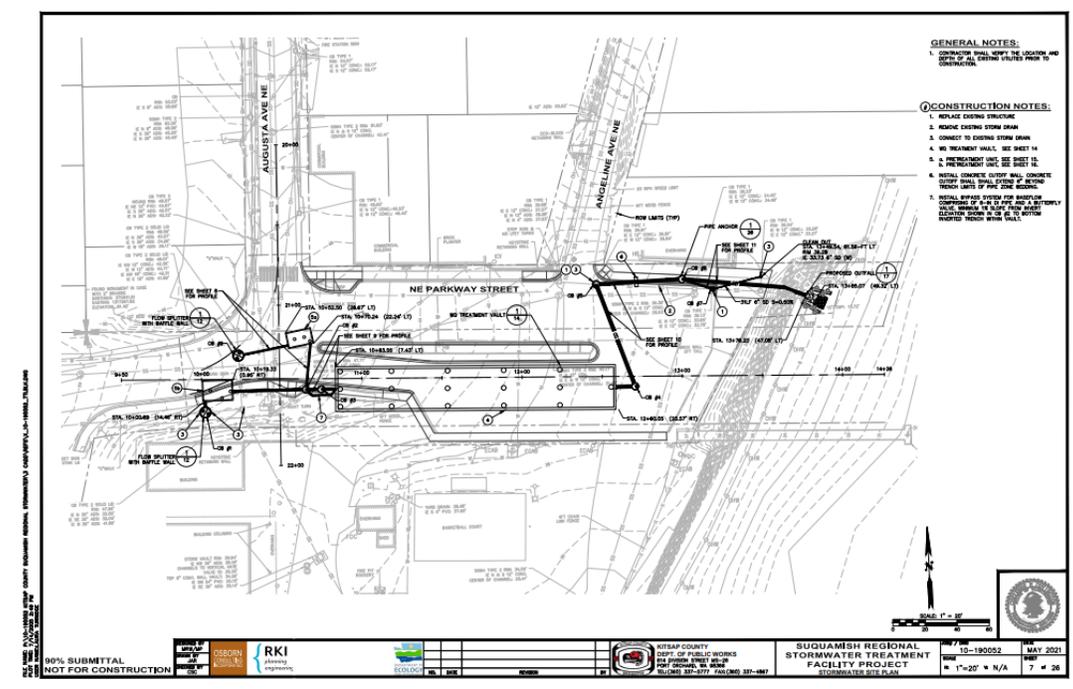
|        |                                   |
|--------|-----------------------------------|
| Fire   | North Kitsap Fire & Rescue        |
| School | North Kitsap School District #400 |

**5. Access**

The site is located on NE Parkway Street and has existing access from Augusta Avenue NE, Angeline Avenue NE, and Suquamish Way NE.

**6. Site Design**

The site has an existing pier, ramp, and floating dock. The submitted site plan shows this as well as upland improvements, landscaping, ADA-compliant walkways and access, and shoreline restoration. The site plan below is the stormwater design site plan, sheet 7 of 26 sheets.



**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; 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:

| Code Reference | Subject   |
|----------------|---|
| 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.

| Exhibit # | Document                            | Dated            |
|-----------|-------------------------------------|------------------|
| 1         | JARPA and Project Narrative         | July 28 2021     |
| 2         | Project Description                 | July 28 2021     |
| 3         | Permit Questionnaire                | July 28 2021     |
| 4         | SEPA Checklist                      | July 28 2021     |
| 5         | Habitat Management Plan/No Net Loss | July 28 2021     |
| 6         | Biological Evaluation, Consultation | July 28 2021     |
| 7         | Cultural Resources Report           | July 28 2021     |
| 8         | Shoreline CUP/SSDP staff letter     | July 28 2021     |
| 9         | Engineered Plan set 90%             | November 15 2021 |
| 10        | Engineered Drainage Report          | November 15 2021 |
| 11        | Geotechnical Report                 | July 28 2021     |
| 12        | Stormwater Memo                     | November 16 2021 |
| 13        | Notice of Application               | November 16 2021 |
| 14        | SEPA DNS                            | November 17 2021 |
| 15        | Public Comments Received            | N/A              |

**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. There were no public comments received by the department. If any comments are provided after the 3 day review, we will include them here.

| Issue Ref. No. | Summary of Concern          |
|----------------|-----------------------------|
|                | <i>No comments received</i> |

| Issue Ref. No. | Staff Response |
|----------------|----------------|
|                | NA             |

**10. Analysis**

**a. Planning/Zoning**

The proposal is within the Suquamish Village Residential (SVR) zone and the High Intensity Shoreline designation. Public stormwater facilities (Utilities) are a permitted use in the High Intensity shoreline designation per KCC 22.600.185. As described in Table 1 and 2 of this report, the proposal meets zoning dimensional standards of the SVR zoning designation.

**b. Lighting**

Lighting was not analyzed as part of this proposal.

**c. Off-Street Parking**

The installation of the facility will not impact existing parking. Approximately 20 parking stalls exist on the site, including dedicated tribal elder parking and ADA parking spaces.

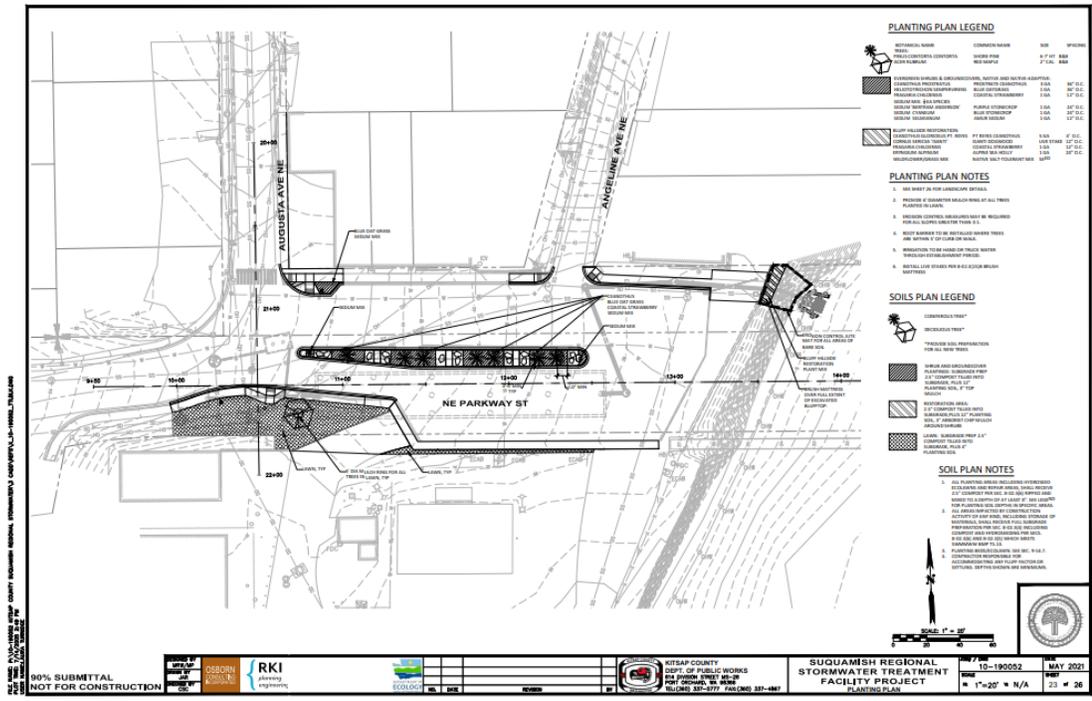
**d. Signage**

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

**e. Landscaping**

The project abuts residential areas, but these are commercially developed. Some landscape buffering is proposed, including shoreline enhancements.

As mitigation for minor 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 Suquamish Limited Area of More Intensive Rural Development (LAMIRD). Road improvements have been analyzed and are not required at this time as the existing road includes 12-foot travel lanes, 5-foot bike lanes and a 6-foot sidewalk. Internal sidewalks are incorporated in the design.

**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 the associated site development permit (20-04521). See the Stormwater Memo (Exhibit 12).

**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 High Intensity 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 High Intensity 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.

*Staff comment: Upland parking areas are accessory to the use of the principal water-oriented structures on site. Parking is also essential to the water oriented businesses in the immediate vicinity. ADA public access for the Suquamish Tribal pier, docks, and boat launch will be incorporated in the design. 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 or within existing parking areas. Only the outfall and basin collection features are proposed within the buffer. Native plantings have been maximized between the parking area and top of bluff in combination with the proposed sidewalk design. To offset the installation of new fill material, beach cobble, and riprap that will be placed for the dissipation pad, a commensurate amount of riprap and concrete debris along the beach will be removed or reused for the Project. The exact location of riprap and debris to be removed or reused will be determined in the field. Riprap or concrete debris that provides protective function to the bluff will not be removed or reused. The large woody debris and boulders that will be installed on both sides of the outfall structure and dissipation pad will also be field located pending the final orientation of the outfall structure and dissipation pad and available materials.*

#### Mitigation

*Applicant comment: To offset areas disturbed by construction, the Project includes a planting plan to restore and enhance the Project area. The planting plan includes an approximately 2,830-sf lawn area with trees to the south of the intersection of Augusta Avenue NE and Northeast Parkway Street. To install the proposed outfall, approximately 190 sf of existing vegetated area at the top of the bluff will be temporarily cleared and subsequently replanted with native and native-adaptive species. The bluff restoration area will be planted with species including Point Reyes Ceanothus (*Ceanothus gloriosus*), Isanti dogwood (*Cornus sericea 'Isanti'*), coastal strawberry (*Fragaria chiloensis*), alpine sea holly (*Eryngium alpinum*) and a native, salt-tolerant wildflower/grass mix. The median planter and lawn areas will be planted with native or native-adaptive plants. The planted areas will provide habitat for a variety of birds, amphibians, reptiles, and mammals typically associated with residential and commercial development and parks in Kitsap County.*

#### **KCC 22.400.120 Vegetation Conservation Buffers**

The site is currently developed as a pier with associated parking within the buffer. Associated vegetation conservation buffer standards for this proposal are analyzed under the Urban High Intensity buffer criteria in 22.400.120.B.1.a requiring a 50-foot standard buffer.

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

**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 be reviewed as a minor project, requiring a Site Development Activity Permit (see Exhibit 12, Stormwater Memo for more details). 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 Educational Resources**

A Cultural Resources Study has been conducted. 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**

N/A. No structures are proposed.

**KCC 22.400.140 Bulk and Dimension Standards**

N/A

**KCC Title 22.600 Use Review****KCC 22.600.160 Mooring Structures and Activities**

The proposal will maintain existing water access facilities.

**KCC 22.600.175 Utilities**

As detailed in KCC 22.600.105, utilities are permitted uses in the Urban High Intensity environment. KCC 22.600.185(8) indicates all applications for utility facilities shall include, at a minimum, the following items, which include responses associated with the proposed project:

1. Reason why facility must be located in the shoreline jurisdiction.  
*The proposed project is a water quality and outfall system designed to convey treated stormwater from the Suquamish Area drainage basin to Puget Sound. There is no other alternative to the proposal; the current drainage system is confined by topography to this alternative.*
2. Alternative locations considered and reasons for their rejection.  
*The proposed project is needed to provide for a regional stormwater improvement outlet for treated water from the Suquamish drainage area. There was no other practical or reasonable alternative.*



Photograph 1: New outfall structure Project area beach and shoreline bluff habitat, facing south.

3. Location of other facilities near the proposed project and if the location is to include other types of facilities.  
*N/A. The proposed project does not include any additional facilities.*
4. Proposed method of construction and plans to control erosion and turbidity during construction.  
*Installation of the water quality treatment system, drain pipes and outfall structure is proposed at or above the ordinary high water line (OHWL). Turbidity is not anticipated as the facility is providing treated stormwater to Puget Sound. Once the infrastructure work is completed, restoration and replanting of the disturbed areas will be restored.*
5. Plans for restoration of areas disturbed during construction.  
*The project has been designed to avoid work below the OHWL of the marine shoreline. The proposed buffer enhancement and shoreline restoration actions include, but may not be limited to, the following recommendations:*
  - a. *Enhance the onsite buffer areas.*
  - b. *Remove any trash and other debris within the shoreline, or shoreline buffer areas.*
  - c. *Pre-treat invasive plants with a Washington Department of Agriculture approved herbicide or hand remove invasive plants; any pre-treatment of the invasive plants should occur a minimum of two weeks prior to removal.*
  - d. *Apply topsoil and/or compost as needed to provide a suitable substrate in the restoration and enhancement areas.*
  - e. *Replant all restoration and enhancement areas with a suite of native plants listed within the HMP/No Net Loss Report (exhibit 5) or substitutes approved by the responsible Project Scientist, to help retain soils, filter stormwater, and increase biodiversity.*
  - f. *Replant native plants along the shoreline around the existing impervious surfaces.*
  - g. *An approved native seed mix may be used to seed the restoration and enhancement areas after planting.*
  - h. *Maintain and control invasive plants annually, at a minimum, or more frequently if necessary. Maintenance to reduce the growth and spread of invasive plants is not restricted to chemical applications and may include hand removal, if warranted.*
  - i. *Provide dry-season irrigation as necessary to ensure native plant survival.*
  - j. *Direct exterior lights away from the critical areas wherever possible.*
  - k. *Place all activities that generate excessive noise (eg, generators other temporary construction equipment) away from the onsite critical areas where feasible.*

6. Possibility of locating proposed facility within existing right-of-way.  
*Much of the project will be located in an existing right of way. The proposed outfall will be located on Tribal property, or in provided easement areas.*

7. Geotechnical report required when proposed in a geologically hazardous area.  
*A Geotechnical report (Exhibit 11) has been prepared for the project and is included with the application package. The report meets all County guidelines, per KCC 19.400.415 Designation of Geologically Hazardous Areas, and KCC 19.700, Special Reports.*

**j. Access, Traffic and Roads**

No comments at this time. Traffic review will occur with the associated Site Development Activity Permit, under permit 20-04521.

**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**

The proposal is consistent with the Comprehensive Plan and the zoning standards for the Suquamish Village Residential (SVR) zone in Title 17.

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 22.500.100.B and 21.04, 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 land clearing, 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. 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. 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 offsite 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.

#### **Other**

12. This project may include the construction of rock walls or other retaining facilities. Should those feature 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**

13. A Hydraulic Project Approval (HPA) permit is required for work at or 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.
14. 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 and minimizing potential for adverse erosion, and seeding of exposed soils as needed to prevent adverse erosion.

15. 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.
16. As shown on the approved site plan, 190 square feet of native plantings shall be installed within the shoreline buffer. Other re-vegetation includes disturbed landscaping, for a total replanting for the project of 3,980 square feet.
17. The project shall adhere to the mitigation measures and recommendations within the approved Habitat Management Plan (HMP) prepared by Anchor QEA dated June 2021. Per the report, areas within the buffer and project perimeter shall be revegetated.
18. 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 and higher gain maintenance practices to ensure higher plant survival.

**d. Cultural Resources**

19. The project shall adhere to the Cultural Resources Assessment provided by the Suquamish Tribe and Anchor QEA, dated September 2020.
20. 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.

**e. Fire Safety**

None at this time.

**f. Solid Waste**

None at this time.

**g. Kitsap Public Health District**  
None at this time.

**Report prepared by:**

  
\_\_\_\_\_  
Steve Heacock / DSE Planner

November 8, 2022  
Date

**Report approved by:**

  
\_\_\_\_\_  
Scott Diener, DSE Manager

November 8, 2022  
Date

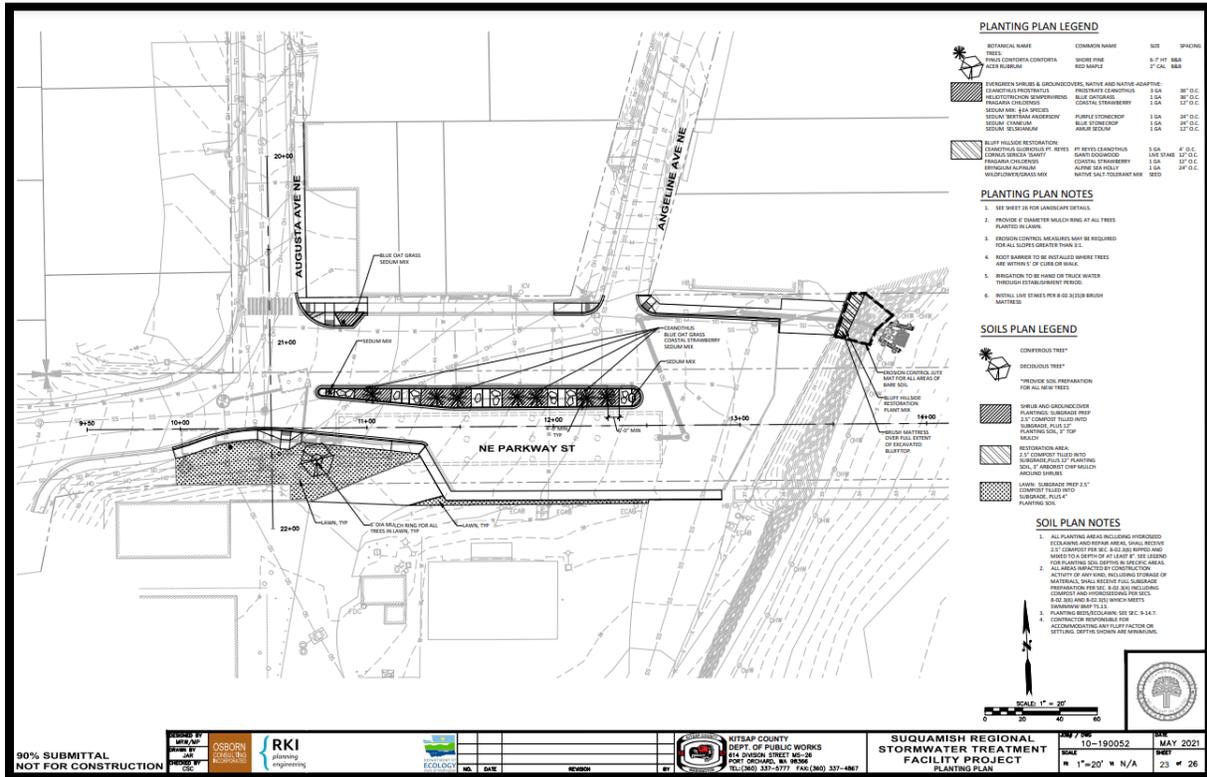
**Attachments:**

- Attachment A – Zoning Map
- Attachment B – Critical Areas Map

**CC:**

Kitsap County Public Works: Dave Tucker  
Project lead: Josh Jensen, Anchor QEA [jjensen@anchorqea.com](mailto:jjensen@anchorqea.com)  
Department of Ecology, Shoreline Division  
Rebekah Padgett; [rp461@ecy.wa.gov](mailto:rp461@ecy.wa.gov)  
Department of Fish and Wildlife  
Nam Sui; [nam.sui@dfw.wa.gov](mailto:nam.sui@dfw.wa.gov)  
Suquamish Tribe  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Steve Heacock

Site Plan



Attachment A – Zoning Map



Attachment B – Critical Areas Map

