



Staff Report for the Hearing Examiner

Report Date: March 15, 2018

Application Submittal Date: September 11, 2017

Hearing Date: March 22, 2018

Application Complete Date: September 11, 2017

Permit Number: 17 03737 and 17 03738

Project Name: City of Poulsbo – Johnson Parkway Stormwater Outfall Project

Type of Application: Shoreline Substantial Development Permit (SSDP) and Shoreline Conditional Use Permit (SCUP)

This staff report was prepared by Katharine Shaffer, Planner, based on information available up until the time the report was prepared. New information relevant to review of this application may become available prior to the hearing or at the hearing. Staff may wish to change their analysis based upon that new information, and reserves the right to do so.

Proposal Summary:

The Department of Community Development is recommending approval of the Shoreline Substantial Development Permit (SSDP) and the Shoreline Conditional Use Permit (SCUP), with 19 conditions, of the applicant's request to reconstruct an existing stormwater conveyance system and outfall between the intersection of Johnson Road and State Route 305. The existing out fall and conveyance system has been in place for over 50 years and is undersized, deteriorated and experiences periodic flooding. Current stormwater discharges are untreated and flow into Liberty Bay.

Transportation improvements occurring within the City of Poulsbo jurisdiction are triggering the need to upgrade this conveyance system. Environmental review of these improvements are being reviewed under an application with the City of Poulsbo and is not part of this proposal. A portion of the conveyance ditch and outfall associated with these improvements is located within the City of Poulsbo and extends into unincorporated Kitsap County. The improvements are within 200' of the shoreline which is under the jurisdiction of Kitsap County's Shoreline Management Program.

Included in this proposal consist of the following primary elements:

- Re-construct approximately 200-ft of the existing eroded and incised stormwater ditch between Lemolo Shore Drive and the future outfall channel by establishing a new and stable hydraulic flow line, installing round rock channel substrate and installing several pieces of large woody debris.
- Construct a new boulder and stream cobble lined outfall channel with a minimum 7H:1V profile and boulder flow spreader weirs to dissipate stormwater flows.
- Install large woody debris (LWD) and native vegetation plantings as soft armoring to stabilize and protect the outfall channel 2:1 side slopes.
- Remove rock and concrete rubble debris from the former bulkhead area and restore 1,204 square foot of intertidal habitat.
- Reconstruct 195 lineal feet of deteriorated rock, concrete and asphalt bulkhead with new rock bulkhead.
- Restore native vegetation within the right of way and the 85' shoreline buffer zone, and within 10' of each side of the new enhanced ditch channel.

The original proposal included the installation of a new 24 to 30-inch diameter stormwater pipe instead of an open conveyance system. The proposal was reconsidered after a site visit with the Squamish Tribe and Washington Department of Fish and Wildlife on January 29, 2018. The new open conveyance was suggested in the field because it would provide more habitat to the area. The amended proposal was received by the Department of Community Development on February 15, 2018.

Because the project is located within 200' of the shoreline, a Shoreline Substantial Development Permit is needed. The conveyance system is located within the Shoreline Residential shoreline jurisdiction but the discharge occurs waterward of ordinary high-water mark and is considered within the "Aquatic" shoreline designation. The use associated with this application is considered "utilities." Kitsap County Code 22.150.630 defines "Utilities" as "services and facilities that produce, convey, store or process electric power, gas, sewage, water, communications, oil, and waste. This includes drainage conveyances and swales." Kitsap County Code 22.600.105 Shoreline Use and Modification Matrix requires a Shoreline Conditional Use Permit for utilities in the Aquatic designation. Both permits were reviewed concurrently.

Project Request:

The City of Poulsbo is requesting approval of the submitted Shoreline Substantial Development Permit and Shoreline Conditional Use Permit to reconstruct and upgrade an existing stormwater conveyance system between Johnson Road and State Route 305.

Project Location:

County right of way located between 17019 and 17029 Lemolo Shore Drive in Poulsbo, WA

Assessor's Account #:

Because this is a county right of way, there is no associated parcel number.

Applicant/Owner of Record:

Owner: Kitsap County Public Works
507 Austin Ave
Port Orchard, WA 98366

Applicant:

City of Poulsbo
200 NE Moe Street
Poulsbo, WA 98370



SEPA (State Environmental Policy Act):

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of "major" environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Non-significance (MDNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing record as it was issued, since it

cannot be changed by the Hearing Examiner.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Notice of Application dated September 29, 2017 (Exhibit 12). A Mitigated Determination of Non-significance (MDNS) was issued on January 16, 2018. A SEPA Addendum was issued on March 5, 2018 to address the modifications of the project (Exhibit 29). SEPA noted the following information/SEPA mitigation conditions have been imposed and are listed under conditions 19 at the end of this report.

The SEPA appeal period expired January 30, 2018. No appeals were filed; therefore, the SEPA determination is final.

Physical Characteristics:

The parcel is approximately 36 feet by 309 feet sloping down from Lemolo Shore Drive NE to Liberty Bay.

Comprehensive Plan Designation and Zoning:

Rural Residential

Minimum Lot Size - 5 acres
 Minimum Lot Width - 140 feet
 Minimum Lot Depth - 140 feet
 Maximum Height - 35 feet

Standard Rural Residential Zoning Setbacks

Front - 50 feet
 Side - 20 feet
 Rear - 20 feet

Surrounding Land Use and Zoning:

The subject parcel is highlighted in red in the zoning map. The surrounding areas are zoned Rural Residential until State Highway 305 is reached. After State Highway 305 the zoning becomes Residential Low in the Poulsbo Urban Transition Area (UTA). The purpose of the Poulsbo UTA is to provide for development within the UGA that is consistent with the city of Poulsbo's existing development standards, thereby allowing for a smooth transition of the UGA into the city's corporate limits through future annexations. Zoning beyond the Poulsbo UTA represented in the gray below is the City of Poulsbo.



Public Utilities and Services:

Water: PUD
Power: Puget Sound Energy
Sewer: Sewer
Police: Kitsap County Sheriff
Fire: North Fire District
Schools: North Kitsap School District

Access:

Access to the site is off Lemolo Shore Drive NE and Johnson Way NE.

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 2016

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

Environment Goal 1. Formally treat natural environments, including forest lands, shorelines, freshwater systems, intact ecosystems, and other critical areas, as an essential asset that is planned for, managed, and invested in to meet the needs of current and future generations.

Environment Policy 2. Establish a formal mechanism to coordinate, prioritize actions, report on and continually improve processes to treat the natural environment as an essential asset. Leverage established programs in land use, transportation, economic development and other areas to achieve managing the natural environment as an essential asset.

Environment Policy 3. Identify, document, and evaluate how the natural environment is measured or categorized in land use, transportation, stormwater utility, parks and other County plans.

Environment Policy 11. Identify areas of joint interest among County programs, state agencies, tribes, conservation land trusts, and federal departments, including Defense, which may facilitate partnerships in data sharing, funding and stewardship for the environment.

Environment Policy 17. Safeguard the quality and quantity of long-term water supplies by identifying and protecting critical aquifer recharge areas, and utilizing Low Impact Development (LID) site planning principles to the greatest extent possible for reducing stormwater runoff.

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

Kitsap County Code (KCC)

- Title 12 Storm Water Drainage
- Title 13 Water and Sewers
- Title 14 Buildings and Construction
- Title 17 Zoning

Chapter 18.04 State Environmental Policy Act (SEPA)

Chapter 20.04 Transportation Facilities Concurrency Ordinance

Chapter 21.04 Land Use and Development Procedures

- Title 22 Shoreline Master Program

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 1-32.

Exhibit #	Document	Date or date stamped
1	Project Application – Land Use Environmental & Site Development	09/11/17
2	Joint Aquatic Resources Permit (JARPA) Application	09/11/17
3	SEPA Environmental Checklist	09/11/17
4	Project Narrative	09/11/17
5	Current/Future Use Narrative	09/11/17
6	Site Plans	09/11/17
7	Drainage Plans	09/11/17
8	Drainage Report	09/11/17
9	Habitat Management Plan & FEMA Biological Evaluation	09/11/17
10	Cultural Resources Assessment	09/11/17
11	Site Photos	09/11/17
12	Notice of Application	09/19/17
13	Stormwater Memo from C. Vickery	10/24/17
14	Geotechnical Report	01/08/18
15	SEPA Mitigated Determination of Nonsignificance	01/16/18
16	Map – Zoning	01/23/18
17	Map – Critical Area	01/23/18
18	Map – Aquifer Recharge Area	01/23/18
19	Map – Comprehensive Plan	01/23/18
20	Map – Shoreline Designation	01/23/18
21	Map – Aerial	01/23/18
22	Map – Assessor Parcel	01/23/18
23	Email – Public Works Approval from J. Brand	02/01/18
24	Updated – Project Narrative	02/15/18
25	Updated – Site Plan	02/15/18
26	Updated JARPA Application	03/01/18
27	Updated SEPA Checklist	03/01/18
28	Email – Stormwater Preliminary Conditions from C. Vickery	03/05/18
29	SEPA Addendum to Mitigated Determination of Nonsignificance	03/05/18
30	Notice of Public Hearing	03/07/18
31	Certification of Public Notice	03/08/18
32	Staff Report	

Public Comments:

Calls were received regarding the Notice of Application. One person was requested to be an interested party but had no comments on the project.

Analysis:

Land Use and Zoning Analysis

22.500.100(B). Substantial Development Permit.

1. The Act provides that no substantial development shall be undertaken on the shorelines of the state without first obtaining a substantial development permit (SDP).

Staff Comment: *The applicant has applied for a Shoreline Substantial Development Permit.*

2. A SDP shall be classified as a Type III permit under Chapter [21.04](#).

Staff Comment: *This Shoreline Substantial Development Permit is a Type III permit.*

3. An SDP shall be granted only when the applicant can demonstrate that the proposed development is consistent with the policies and procedures of the Act and this program, as well as criteria in WAC [173-27-150](#).

Staff Comment: *The applicant has met these requirements, as shown in this staff report.*

4. WAC 173-27-150

Review criteria for shoreline substantial development permits

1. A substantial development permit shall be granted only when the development proposed is consistent with:

(a) The policies and procedures of the act;

(b) The provisions of this regulation; and

(c) The applicable master program adopted or approved for the area. Provided, that where no master program has been approved for an area, the development shall be reviewed for consistency with the provisions of chapter [173-26](#) WAC, and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.

Staff Comment: *Kitsap County approved the shoreline master program and adopted it on December 24, 2014.*

2. Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program.

Staff Comment: *A total of 19 conditions have been added to the staff report in order to assure consistency of the project with the act and the local master program.*

4. The Act provides a limited number of exceptions to the definition of substantial development. Those exceptions are contained in RCW [90.58.030](#) and in the section below, and do not require a Substantial Development Permit (SDP). Whether or not a development constitutes a substantial development, all development must comply with the requirements contained in the Act and this program and may require other permits or approvals under this master program. Permits may be issued with limitations or conditions to assure consistency with the Act and this program.

Staff Comment: *This proposal does not qualify as an exemption and requires a Substantial Development Permit.*

5. All applications for shoreline substantial development permits or permit revisions shall be submitted to the Department of Ecology upon a final decision by local government pursuant to WAC [173-27-130](#). "Final decision by local government" shall mean the order of ruling, whether it be an approval or denial, that is established after all local administrative appeals related to the permit have concluded or the opportunity to initiate such appeals has lapsed.

Staff Comment: *Once all local administrative appeals related to the permit have concluded or the opportunity to initiate such appeals has lapsed, portions of the project file will be forwarded to Department of Ecology for their 21-day review and appeal period.*

22.500.100(D). Conditional Use Permits, Including Administrative Conditional Use Permits.

1. The purpose of a CUP is to provide flexibility in authorizing uses in a manner consistent with RCW [90.58.020](#). Accordingly, special conditions may be imposed to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the Act and this program.

Staff Comment: *This project has 19 number of conditions to prevent undesirable effects while allowing for flexibly.*

2. CUPs shall be classified as a Type III permit under Chapter [21.04](#). Where administrative CUPs are allowed, they shall be classified as a Type II permit under Chapter [21.04](#). Unless specified otherwise in this program, the CUP criteria apply in addition to the applicable SDP criteria, and shall be combined into a single review process.

Staff Comment: *This application for a Shoreline Conditional Use Permit is being reviewed concurrently with the Shoreline Substantial Development Permit as a Type III permit.*

3. Shoreline CUPs shall be granted only after the applicant can demonstrate compliance with WAC [173-27-160](#) and this section as follows:

a. That the proposed use is consistent with the policies of RCW [90.58.020](#) and this program;

Staff Comment: *This proposal is consistent with the policies of RCW.90.58.020 which are the following:*

- 1) *Recognize and protect the statewide interest over local interest;*
- 2) *Preserve the natural character of the shoreline;*
- 3) *Result in long term over short term benefit;*
- 4) *Protect the resources and ecology of the shoreline;*
- 5) *Increase public access to publicly owned areas of the shorelines;*
- 6) *Increase recreational opportunities for the public in the shoreline;*
- 7) *Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.*

b. That the proposed use will not interfere with the normal public use of public shorelines and does not conflict with existing water-dependent uses;

Staff Comment: *Presently, there is an outfall ditch in the subject property. The proposal seeks to enhance the existing system and will not change the surrounding public use or water-dependent uses.*

c. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and this program;

Staff Comment: *The use of the subject property is considered "utilities" under Kitsap County Code 22.150.630 and is surrounded by properties with residential uses. Both uses are authorized under the Kitsap County's Shoreline Master Program. The design of the proposal is an enhancement to the existing system and compatible with the residential uses.*

d. That the proposed use will not result in significant adverse effects or a net loss to the shoreline ecosystem functions in which it is to be located;

Staff Comment: *The Habitat Management Plan and FEMA Biological Evaluation Report submitted with this permit addresses the effects and mitigation measures. The result of the project will include an additional 1,204 square foot of intertidal habitat and will not result in a loss to shoreline ecosystems functions.*

e. That the public interest suffers no substantial detrimental effect;

Staff Comment: *The outfall from the existing drainage ditch is under-sized and deteriorated. Current stormwater discharges are untreated. The new stormwater facilities will improve capacity, reduce erosion/scour, improve nearshore habitat and provide stormwater treatment facilities that meet the State Department of Ecology 2012 standards for Enhance Treatment. The project has been conditioned to follow recommendations to minimize and mitigate for construction impacts. Hence, the public be provided with an improvement to the subject location and no substantial detrimental effect.*

f. That consideration has been given to the cumulative impact of additional requests for like actions in the area and shall not result in substantial adverse effects or net loss of shoreline ecosystem functions. For example, if CUPs were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the use preference policies and shall not produce substantial adverse impacts to the shoreline environment. Consideration shall be demonstrated through preparation of a cumulative impacts report, if requested, that substantially conforms to the applicable provisions of Chapter [22.700](#) (Special Reports);

Staff Comment: *Staff did not request a cumulative impact report. The vast amount of the surrounding area is development with residential uses and not utilities. The cumulative amount of properties with this use did not seem large enough to trigger a cumulative impact report. The submitted Habitat Management Plan and FEMA Biological Evaluation Report (Exhibit 9) addresses direct effects on permanent habitat alteration and temporary construction impacts with analysis of in-direct effects on interrelated and interdependent actions. Staff examined this data to determine the different effects of the project.*

g. Other uses which are not classified or set forth in this program may be authorized as conditional uses provided the applicant can demonstrate consistency

with the requirements of this section and the requirements for conditional uses contained in the master program;

Staff Comment: *No other uses are proposed with this project.*

h. Uses which are specifically prohibited by this master program may not be authorized pursuant to this section.

Staff Comment: *No prohibited uses are proposed with this project.*

4. All applications for shoreline CUPs, including administrative CUPs, approved by the county shall be forwarded to Ecology pursuant to WAC [173-27-200](#), for final approval, approval with conditions, or denial. No approval shall be considered final until it has been acted upon by Ecology.

Staff Comment: *After the Hearing Examiner has issued a discussion, Kitsap County Environmental Staff will send a permit package to the Department of Ecology for their review.*

22.600.185 Utilities

A. Environment Designations Permit Requirements. Where utilities are proposed in the following designations, the identified permit requirements shall apply.

1. Natural: prohibited, except to serve essential utility corridors or in support of permitted uses and activities, and then with a CUP. Utilities associated with single-family residences are exempt.
2. Rural conservancy, urban conservancy, shoreline residential, high intensity: SDP. Utilities associated with single-family residences are exempt.
3. Aquatic: CUP.

Staff Comment: *The shoreline designation for the subject property is Shoreline Residential. The purpose of this designation is to accommodate residential development and appurtenant structures that are consistent with this program, and to provide appropriate public access and recreational uses. Utilities proposed in this designation require a Shoreline Substernal Development Permit (SSDP) which was submitted by the applicant on September 11, 2017. Because the stormwater outfall occurs waterward of the ordinary high-water mark, the Aquatic shoreline designation is also considered. Utilities proposed in this designation require a Shoreline Conditional Use Permit which the applicant filed concurrently with the SSDP on September 11, 2017. All necessary shoreline permits have been filed with the Department of Community Development.*

B. Application Requirements. All applications for utility facilities shall include, at a minimum, the following:

1. Reason why facility must be located in the shoreline jurisdiction;

Staff Comment: *The proposed project is required to be located within the Shoreline jurisdictions due to the existing stormwater conveyance system.*

2. Alternative locations considered and reasons for their rejection;

Staff Comment: *The proposed project is an upgrade to an existing system. Alternative locations were not considered feasible.*

3. Location of other facilities near the proposed project and if the location is to include other types of facilities;

Staff Comment: *The proposed upgraded outfall ditch is served by a culvert under Lemolo Shore Drive NE. There are other culverts that flow under Lemolo Shore Drive NE. The two closest to the facility are approximately 523 feet to the northwest and approximately 390 feet to the southeast. No other types of facilities are proposed.*

4. Proposed method of construction and plans to control erosion and turbidity during construction;

5. Plans for restoration of areas disturbed during construction;

Staff Comment: *Section 5.6 of the Habitat Management Plan and FEMA Biological Evaluation Report submitted with the application addresses temporary mitigation and erosion control measures during construction. The project has been conditioned to follow these measures.*

6. Possibility of locating proposed facility within existing utility right-of-way; and

Staff Comment: *The existing location and proposal are within an existing utility right-of-way.*

7. Geotechnical report when proposed in a geologically hazardous area.

Staff Comment: *With the application, there is a Geotechnical Report prepared by Landau Associates dated January 3, 2018 (Exhibit 14). The application addresses drainage and shoring armoring.*

Agency Recommendation

Development Engineering has 14 conditions of **approval**. Environmental Review recommends **approval** with 5 conditions.

Staff Evaluation of Decision Criteria

1. The Hearing Examiner has review authority for this permit application under KCC, Sections 17.410.010(C) and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Hearing Examiner. The Hearing Examiner

may approve, approve with conditions or deny a permit. The Hearing Examiner may also continue the hearing to allow for additional information necessary to make the proper decision. The powers of the Hearing Examiner are at KCC, Chapter 2.10.

2. The proposal is consistent with the comprehensive plan and the Shoreline Master Program.
3. The proposal complies with or will comply with requirements of Title 17 and complies with or will comply with all of the other applicable provisions of the KCC and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report. The proposal is consistent with the code and provisions of the Kitsap County Shoreline Master Program.
4. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity.
5. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

Recommendation:

Based upon the information above, the Department of Community Development recommends that the Shoreline Substantial Development Permit and Shoreline Conditional Use Permit request for the City of Poulsbo Johnson Parkway Stormwater Outfall be **approved**, subject to the following 19 conditions:

Development Engineering

1. 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

2. The information provided demonstrates this proposal is a Large Project as defined in **Kitsap County Code Title 12**, and as such will require a Full Drainage Review Site Development Activity Permit (**SDAP**) from Development Services and Engineering.
3. 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/Shoreline Conditional Use Permit application was deemed complete, September 13, 2017. 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.
4. Any project that includes off site improvements that create additional impervious 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 the Shoreline Substantial Development Permit/Shoreline Conditional Use Permit application was deemed complete, September 13, 2017.
5. The Washington State Department of Fish and Wildlife may require a Hydraulic

Project Approval for the work required at the proposed outfall.

6. During the construction of the proposed permeable pavement infiltration facilities, the Project Engineer shall provide an inspection to verify that the facilities are installed in accordance with the design documents and that actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to Development Services and Engineering.
7. The design of the infiltration facilities will be accordance with Vol. II, Chapter 5.3 of the Kitsap County Stormwater Design Manual.
8. The infiltration facilities shall remain off line until the drainage areas are stabilized and the water quality treatment facility is adequately established. Temporary erosion and sedimentation ponds shall not be located over infiltration facilities. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.
9. Upon completion of the storm drainage facilities, the developer will be responsible for operations and maintenance of the storm drainage facilities.
10. Prior to issuance of the Site Development Activity Permit, provide a recorded easement in favor of Kitsap County Public Works, addressing ownership and maintenance of the storm drainage facilities within unincorporated Kitsap County. Kitsap County Public Works Department will prepare the easement document; recording fees are the applicant's responsibility.
11. If the project proposal is modified from that shown on the submitted site plan dated September 11, 2017, Development Services and Engineering will require additional review and potentially new conditions.

TRAFFIC AND ROADS

12. Traffic analysis of the roundabout operations with respect to the intersections of Johnson Way and Peterson Way, Johnson Way and Lemolo Shore Drive, and Peterson Way and Lemolo Shores Drive should be performed to verify if proposed roadway configuration is an acceptable long-term solution. Submit the analysis with the required Site Development Activity Permit.
13. Before SDAP acceptance, the applicant shall submit a set of drawings to the Washington State Department of Transportation for review. The applicant shall notify Development Services and Engineering in writing when the plans have been submitted to WSDOT. Development Services and Engineering shall coordinate with WSDOT to determine if WSDOT has any comments to the submittal, but responsibility for obtaining concurrence from WSDOT lies with the property owner.
14. Prior to completion of the SDAP permit with the Department of Community Development, the Applicant shall apply for and satisfy all conditions of a Right-of-Way Permit through the Department of Public Works for any and all work performed in the county Right-of-Way associated with this project. You may contact Kitsap County Public Works, Right-of-Way Division at (360) 337-5777 to obtain a Right-of-Way permit.

Environmental

15. The project shall follow the recommendations of the Geotechnical Report prepared by Landau Associates, INC dated January 3, 2018.

16. Recommendations and mitigation shall conform to the Habitat Management Plan and FEMA Biological Evaluation Report prepared by Sealaska Environmental Services and dated June 2017 and shall guide all construction activities.
17. The project shall follow the recommendations of the Cultural Resources report prepared by Margaret Berger, Project Archaeologist dated March 28, 2016.
18. With the submittal of the SDAP, all updated materials showing the open conveyance system must be received.
19. An United States Army Corps of Engineers permit shall be obtained for all work done below the Mean High-Water Mark.



Katharine Shaffer, Staff Planner

3/15/18
Date



Shawn Alire, Development Services and Engineering Supervisor

3.15.18
Date

CC: City of Poulsbo, Diane Lenius and Phil Struck: dlenius@cityofpoulsbo.com,
pstruck@cityofpoulsbo.com

Interested Parties:

Doug Johnson: CAR71@msn.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Katharine Shaffer
DCD File: 17-03737 and 17-03738