

KRRC

Public Records Requests

Email

April 2010

(2 of 2)

Search all emails where the Subject OR Body contains all of the following 'KRRC' OR "gun club" OR "revolver club" OR "4900 Seabeck" OR "safety complaint"

In accordance with RCW 42.56.210 Personal Records Exemption (Personal addresses, phone numbers, email addresses, etc.) have been redacted from the attached record.

**KRRC Email APRIL 2010 (2 of 2) - Exemption Log**

Pursuant to RCWs 42.56.070 and 5.60.060(2) (a), the records listed below are exempt from disclosure:

DATE	EMAIL AUTHOR	EMAIL RECIPIENT	SUBJECT	REMARKS
4/15/2010	Cindy Read	Kevin Howell, Neil Wachter	Re: Privileged Information: Kitsap Rifle Club	Attorney Client Privilege
4/15/2010	Cindy Read	Larry Keeton, Scott Diener	Re: Privileged Information: Kitsap Rifle Club	Attorney Client Privilege
4/15/2010	Kevin M. Howell	Christian C. Casad	Fwd: POSSIBLE SPAM! SCORE = 8.1 Oversight Response	Attorney Work Product
4/15/2010	Kevin M. Howell	Christian C. Casad	Fwd: Re: Privileged Information: Kitsap Rifle Club	Attorney Work Product
4/16/2010	Russell D. Hauge	Carol I. Maves	Re: KRRC - confidential attorney work product communication	Attorney Work Product
4/16/2010	Rebecca J. Jolliff	Christian C. Casad, Kevin Howell, Neil Wachter, Russell D. Hauge	Re: KRRC - confidential attorney work product communication	Attorney Work Product
4/16/2010	Neil Wachter	Kim Dunn	Request for a meeting re KRRC - Confidential Attorney-Client Communication	Attorney Client Privilege
4/16/2010	Tracey L. Hamilton-Oril	Neil R. Wachter	Bargain & Sale Deed - Final.pdf	Attorney Work Product
4/19/2010	Kim Dunn	Neil Wachter	Re: Request for a meeting re KRRC - Confidential Attorney-Client Communication	Attorney Work Product
4/20/2010	Kevin M. Howell	Christian C. Casad	Fwd: Navy Shooting	Attorney Work Product
4/20/2010	Kevin M. Howell	Christian C. Casad	Fwd: Fw: Photos of Navy Personnel Shooting at KRRC 1300 19 April 2010	Attorney Work Product
4/20/2010	Holly Parker-Harden	Kevin Howell	Re: KRRC - Confidential Attorney-Client Communication	Attorney Client Privilege
4/21/2010	Kevin M. Howell	Christian C. Casad	Fwd: Re: Navy Meeting	Attorney Work Product
4/21/2010	Neil R. Wachter	Tracey L. Hamilton-Oril	KRRC Meeting	Attorney Work Product
4/21/2010	Tracey L. Hamilton-Oril	Kevin M. Howell	Allison PDRs	Attorney Client Privilege
4/21/2010	Christian C. Casad	Kevin M. Howell	Fwd: Re: Navy Meeting	Attorney Work Product
4/21/2010	Kevin M. Howell	Christian C. Casad	Fwd: Photos of KRRC Site	Attorney Work Product
4/21/2010	Christian C. Casad	Kevin M. Howell	Re: Fwd: Photos of KRRC Site	Attorney Work Product
4/21/2010	Neil R. Wachter	Tracey L. Hamilton-Oril	Fwd: Photos of KRRC Site	Attorney Work Product
4/22/2010	Kevin M. Howell	Molly Foster, Randy Casteel	Re: Ron Ross/So Central FM Project	Attorney Client Privilege
4/22/2010	Molly Foster	Kevin M. Howell, Randy Casteel	Re: Ron Ross/So Central FM Project	Attorney Client Privilege
4/22/2010	Kevin M. Howell	Molly Foster	Re: Ron Ross/So Central FM Project	Attorney Client Privilege
4/22/2010	Molly Foster	Kevin M. Howell	Re: Ron Ross/So Central FM Project	Attorney Client Privilege
4/22/2010	Steve Mount	Neil R. Wachter	Kitsap_Rifle_Revolver_Club_ENF.pdf	Attorney Client Privilege
4/23/2010	Neil R. Wachter	Tracey L. Hamilton-Oril	KRCC Attorney Client Confidential Work Product, Contact Info	Attorney Work Product
4/23/2010	Neil R. Wachter	Christian C. Casad, Kevin Howell, Russell D. Hauge	Kitsap_Rifle_Revolver_Club_ENF.pdf	Attorney Work Product
4/23/2010	Neil R. Wachter	Neil R. Wachter	KRRC Meeting	Attorney Work Product
4/25/2010	Russell D. Hauge	Christian C. Casad, Kevin Howell, Neil R. Wachter	Fwd: Re: Navy Meeting	Attorney Work Product
4/26/2010	Russell D. Hauge	Christian C. Casad, Kevin Howell, Neil R. Wachter, Rebecca J. Jolliff	Meeting re: KRCC	Attorney Work Product
4/26/2010	Christian C. Casad	Kevin Howell, Neil R. Wachter, Rebecca J. Jolliff, Russell D. Hauge, Tracey L. Hamilton-Oril	Meeting re: KRCC	Attorney Work Product
4/26/2010	Christian C. Casad	Rebecca J. Jolliff	Final Statement Letter.wps	Attorney Work Product
4/26/2010	Christian C. Casad	Rebecca J. Jolliff	Re: Fwd: POSSIBLE SPAM! SCORE = 5.0 request for County action concerning Kitsap Rifle and Revolver Club	Attorney Work Product
4/26/2010	Jacquelyn M. Aufderheide	Kevin M. Howell, Neil R. Wachter, Russell D. Hauge	Fwd Re: Noise Issues	Attorney Work Product
4/26/2010	Neil R. Wachter	Russell D. Hauge	Re: request for action 2nd attempt- Confidential Attorney Client Communication	Attorney Work Product
4/26/2010	Pros-Conf Rm Civil Division	Tracey L. Hamilton-Oril	Re: Meeting Re: KRRC (Civil Div Conf Rm Reservation)	Attorney Work Product
4/26/2010	Tracey L. Hamilton-Oril	Russell D. Hauge	KRRC - Bargain & Sale Deed	Attorney Work Product
4/26/2010	Neil R. Wachter	Tracey L. Hamilton-Oril	KRRC - confidential attorney work product	Attorney Work Product
4/27/2010	Kevin M. Howell	Christian C. Casad	Fwd: Re: POSSIBLE SPAM! SCORE = 5.5 Fw: Newberry hill Heritage Park	Attorney Work Product
4/27/2010	Steve Mount	Christian C. Casad, Neil R. Wachter	KRRC Attorney Client Confidential Work Product	Attorney Client Privilege
4/27/2010	Neil R. Wachter	Tracey L. Hamilton-Oril	Fwd: KRRC Attorney Client Confidential Work Product	Attorney Client Privilege
4/27/2010	Christian C. Casad	Neil R. Wachter	Re: Fwd: KRRC Attorney Client Confidential Work Product	Attorney Work Product
4/27/2010	Christian C. Casad	Neil R. Wachter	Fwd: KRRC Attorney Client Confidential Work Product	Attorney Work Product
4/27/2010	Neil R. Wachter	Christian C. Casad	Fwd: KRRC Attorney Client Confidential Work Product	Attorney Work Product
4/27/2010	Neil R. Wachter	Grant Holdcroft	Re: Fwd:Childress - confidential attorney client communication	Attorney Client Privilege
4/27/2010	Steve Mount	Christian Casad, Neil Wachter	KRRC Attorney Client Confidential Work Product	Attorney Client Privilege
4/29/2010	Steve Mount	Christian Casad, Neil Wachter	Attorney Client Confidential Work Product KRRC	Attorney Client Privilege
4/30/2010	Kevin M. Howell	Christian C. Casad	Fwd: Lead Pollution-Clean Water Act etc	Attorney Work Product
4/30/2010	Christian C. Casad	Kevin M. Howell	Re: Fwd: Lead Pollution-Clean Water Act etc	Attorney Work Product
4/30/2010	Christian C. Casad	Kevin M. Howell	Re: Fwd: Lead Pollution-Clean Water Act etc	Attorney Work Product
4/30/2010	Steve Mount	Christian Casad, Neil Wachter	KRRC Attorney Client Work Product Confidential	Attorney Client Privilege
4/30/2010	Neil R. Wachter	Neil R. Wachter	note to file for krcc	Attorney Work Product

## Don Burger

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**From:** Jim Barnard [JBarnard@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 7:38 AM  
**To:** Wade Larson  
**Cc:** Karen Ashcraft  
**Subject:** Re: KRRC possible boundary line adjutment

Dear Mr. Larson:

Kitsap County does not presently have a Code adopted for review of Boundary Line Adjustments (BLA). Any BLA involving the KRRC would mostly likely effect the County Parks Department or Washington State DNR. The Department of Community Development will not be part of any review of a BLA with the KRRC property.

Jim Barnard, PLS  
Department of Community Development  
Development Engineering  
614 Division Street MS-36  
Port Orchard, WA 98366-4682  
Phone 360.307.4336  
FAX 360.337.4415  
[www.kitsapgov.com/DCD](http://www.kitsapgov.com/DCD)

>>> Wade Larson <[wadelarson2@\[REDACTED\]](mailto:wadelarson2@[REDACTED])> 4/14/2010 6:45 AM >>>  
Karen,

Please make me an interested party regarding the KRRC property, and any changes that are being proposed. Parcel number 362501-4-002-1006 (2524163)  
Thank you,  
Wade Larson  
[REDACTED]  
[REDACTED]

## Don Burger

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**From:** Karen Ashcraft [KAshcraf@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 7:48 AM  
**To:** Jim Barnard  
**Subject:** Re: KRRC possible boundary line adjutment

Thank you

>>> Jim Barnard 4/15/2010 7:38 AM >>>  
Dear Mr. Larson:

Kitsap County does not presently have a Code adopted for review of Boundary Line Adjustments (BLA). Any BLA involving the KRRC would mostly likely effect the County Parks Department or Washington State DNR. The Department of Community Development will not be part of any review of a BLA with the KRRC property.

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[www.kitsapgov.com/DCD](http://www.kitsapgov.com/DCD)

>>> Wade Larson < [wadelarson2@](mailto:wadelarson2@) > 4/14/2010 6:45 AM >>>

Karen,

Please make me an interested party regarding the KRRC property, and any changes that are being proposed. Parcel number 362501-4-002-1006 (2524163)

Thank you,  
Wade Larson

██████████  
██████████

## Don Burger

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**From:** Wade Larson [wadelarson2@██████████]  
**Sent:** Thursday, April 15, 2010 8:34 AM  
**To:** Martha Droge  
**Subject:** 5th meeting comments you made

Martha,

Here is a response from DCD as to their involvement in any oversight of BLA.

Dear Mr. Larson:

Kitsap County does not presently have a Code adopted for review of Boundary Line Adjustments (BLA). Any BLA involving the KRRC would mostly likely effect the County Parks Department or Washington State DNR. The Department of Community Development will not be part of any review of a BLA with the KRRC property.

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[www.kitsapgov.com/DCD](http://www.kitsapgov.com/DCD)

I am asking you to reflect on your comments at the planning meeting as to the these points that could cloud the thoroughness, transparency, and public trust in our process.

1. Will the County be safeguarding land sale, swaps, or other transfers of future Park land adjoining KRRC?
2. Were statements made by Mr. Carter regarding their 8 acre footprint true?
3. Isn't the land presently owned by KRRC ( and the subject of a potential BLA) that is wetland; already protected by land use rules? So his statement that the County would gain "some benefit it did not already have", by doing a BLA, might not be accurate.

I am making this points partially to serve another agenda, only to the extent to make sure the public is confident in the planning process. I kept my mouth shut the other night on these issues, since I was not 100% sure of my facts. At this point the peoples perception of the planning record may lead them to believe there is not a large group of people who feel the KRRC's claim of reaching out to the community is true. The fact of the matter is, I asked Mr. Carter if I could address the members at an open meeting, and his response was. We only have about 15 to 30 attendees, and a lot of them are officers so you will not be talking to that many members. Also this activity would need to be approved by the board.

In short I am not trying to drag you into anything. I am only asking you to review your statements, check validity of statements made by others, and make whatever corrections you see fit to preserve the integrity of the planning process, and make those corrections a part of the record posted on the website.

Thank you,  
Wade Larson

## Don Burger

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**From:** Gail and Kevin Gross [kevinandgail@██████████]  
**Sent:** Thursday, April 15, 2010 11:21 AM  
**To:** Kevin M. Howell  
**Subject:** POSSIBLE SPAM! SCORE = 8.1 Oversight Response

Mr. Howell, I am forwarding this piece of information that one of our group has uncovered. Although Commissioner Brown has specifically stated in an e-mail that the County has no intent or plans to make or consider the land exchange that Mr. Carter proposed at Monday's meeting, there appears to be no County Ordinance allowing or promoting Boundary Line Adjustments. So is this an issue if the land exchange proposal arose again?

Sincerely,  
Kevin T. Gross

----- Original Message -----

**From:** Wade Larson  
**To:** Terry Allison ; Skip Junis ; gail gross  
**Sent:** Thursday, April 15, 2010 8:02 AM  
**Subject:** FYI Oversight response

To My Comrades in Arms (wait we're not the ones with guns!)

I wanted you to have this response from DCD. Martha probably will not be keeping us comprised of future negotiations..... since no one is minding the store.

Dear Mr. Larson:

Kitsap County does not presently have a Code adopted for review of Boundary Line Adjustments (BLA). Any BLA involving the KRRC would mostly likely effect the County Parks Department or Washington State DNR. The Department of Community Development will not be part of any review of a BLA with the KRRC property.

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[www.kitsapgov.com/DCD](http://www.kitsapgov.com/DCD)

These are some of the people to send your statements to:

The three commissioners

([sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us)) ([cgarrido@co.kitsap.wa.us](mailto:cgarrido@co.kitsap.wa.us)) ([iwbrown@co.kitsap.wa.us](mailto:iwbrown@co.kitsap.wa.us))

[parks@co.kitsap.wa.us](mailto:parks@co.kitsap.wa.us) attn Jim Dunwiddie, Martha Droge

## Don Burger

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**From:** Martha Droge [MDroge@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 1:40 PM  
**To:** Steve Ottmar  
**Cc:** Lori Raymaker; Tom - KSS Coleman  
**Subject:** Re: Newberry Hill Heritage Park

Thanks Steve. I appreciate your hard work on behalf of the volunteer groups/efforts at the park.

For the wetlands delineation we may well hire those services (rather than use volunteer labor) and no decision has yet been made. I appreciate your offer and enthusiasm.

Thanks, Martha

Martha J. Droge, AICP, ASLA, LEED AP  
Park Projects Coordinator  
Kitsap County Dept. of Parks & Recreation  
614 Division Street MS-1  
Port Orchard, WA 98366  
360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

>>> "Steve Ottmar" <[aes@bainbridge.net](mailto:aes@bainbridge.net)> 4/14/2010 7:57 AM >>>

We appreciate the opportunity to provide professional land surveying for your upcoming projectMartha-

I live next to the park, attended all the meetings, an avid walker and hiker and walk the trails almost every week-end, and also volunteer my time with Tom Coleman on trail maintenance. You will be seeing my work on the proposed BLA with the gun club. I'm walking a fine line because I also belong to the gun club. I wanted you to be aware of that in case someone sees a conflict of interest. Also, I'm not sure who to contact, but I would also like to volunteer my time for the mapping of the trails and working with your GIS person.

STEVEN E. OTTMAR, PLS

AES CONSULTANTS, INC.

PROFESSIONAL LAND SURVEYORS

P.O. BOX 930

3472 NW LOWELL ST.

SILVERDALE, WA 98383

360 692 6400

(F) 360 692 8927

## Don Burger

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**From:** Martha Droge [MDroge@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 1:57 PM  
**To:** Newberryhill  
**Subject:** Fwd: POSSIBLE SPAM! SCORE = 8.3 Newberry Hill Heritage Park Meeting of 13 April 2010

Martha J. Droge, AICP, ASLA, LEED AP  
Park Projects Coordinator  
Kitsap County Dept. of Parks & Recreation  
614 Division Street MS-1  
Port Orchard, WA 98366  
360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

>>> "Gail and Kevin Gross" <[kevinandgail@](mailto:kevinandgail@)> > 4/14/2010 11:34 AM >>>

----- Original Message -----

**From:** Gail and Kevin Gross  
**To:** Jim Dunwiddie ; [jwbrown@co.kitsap.wa.us](mailto:jwbrown@co.kitsap.wa.us) ; [sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us) ;  
[cgarrido@co.kitsap.wa.us](mailto:cgarrido@co.kitsap.wa.us) ; [KMHowell@co.kitsap.wa.us](mailto:KMHowell@co.kitsap.wa.us)  
**Cc:** Peggy Kermath ; Terry Allison ; Wade Larson ; Skip Junis  
**Sent:** Wednesday, April 14, 2010 11:28 AM  
**Subject:** Newberry Hill Heritage Park Meeting of 13 April 2010

I was among several property owners who attended last night's meeting of the Fifth Newberry Hill Heritage Park Workshop.

At that meeting Mr. Marcus Carter, Executive Officer of the Kitsap Rifle and Revolver Club (KRRC), announced that he will be proposing for consideration by the County a 14.3 acre swap of wetlands at the west side of the KRRC property, with 14.3 acres adjacent to the northwest corner of the KRRC property, currently belonging to Kitsap County. Since the 14.3 acres that Mr. Carter wishes to obtain in this swap is currently part of the Newberry Hill Heritage Park, this is certainly an issue in which the Stewardship Committee and the residents of this community should be involved and allowed to register comments. The facilitator of last night's Workshop, Ms. Martha Droge, affirmed that she would publish the review process in the Newberry Hill Heritage Park web site in order that the residents of our community may exercise our right to comment on Mr. Carter's proposal.

Mr. Carter proposed an equal swap of the two land parcels. In my experience with Federal real estate actions I know that land transactions of this nature, at least for Federal agencies, require fair market value appraisals on which to base the transaction. Since Mr. Carter wishes to swap an equal size property that is mostly wetlands and is inundated most of the year with an equal size parcel of higher elevation and well forested, I can see no clear equality on a fair market basis. Mr. Carter's argument is seriously flawed on this account.

Mr. Carter premised his proposal on the benefit of widening the wildlife corridor between the County/DNR property to the north of Seabeck Highway with the Newberry Hill Heritage Park natural area to the south of Seabeck Highway. This is a fallacy since the property Mr. Carter wishes to dispose is already protected wetland and already supports the wildlife corridor. Mr. Carter would be well to recognize this in his current effort to completely fence the KRRC property.

I and many other community residents seriously oppose any disposition of Newberry Hill Heritage Park property supporting realignment of the KRRC property.

Sincerely,  
Kevin T. Gross  
CAPT(ret.), Civil Engineer Corps, U.S. Navy  
[REDACTED]  
Bremerton, Washington  
[REDACTED]

## Don Burger

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**From:** Martha Droge [MDroge@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 2:07 PM  
**To:** Gail and Kevin Gross  
**Subject:** Re: POSSIBLE SPAM! SCORE = 8.3 Kitsap Rifle and Revolver Club Land Swap Proposal

Kevin,

We've received both emails. This particular matter will not be decided by me, but I wanted to you to know that your messages have been received and are being heard.

Thanks, Martha

Martha J. Droge, AICP, ASLA, LEED AP  
Park Projects Coordinator  
Kitsap County Dept. of Parks & Recreation  
614 Division Street MS-1  
Port Orchard, WA 98366  
360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

>>> "Gail and Kevin Gross" <[kevinandgail@\[REDACTED\]](mailto:kevinandgail@[REDACTED])> 4/14/2010 1:48 PM >>>  
With regard to my earlier message, in the event that anyone has any delusions as to the ultimate objective of the Kitsap Rifle and Revolver Club (KRRC) in proposing the 14.3 acre land swap which Mr. Carter presented at last night's Newberry Hill Heritage Park Workshop #5, I submit the two attachments cited from the KRRC's own newsletter The BULLETin:

A. In the first attachment, the photo and caption at the bottom of page 5 in KRRC BULLETin of March/April 2004 presents the KRRC's master development plan for expanding and re-orienting the firing range to include a several-hundred meter rifle range at the east end of their property. The proposed 14.3 acre 'land swap' would promote this development.

B. In the second attachment, from the September/October 2006 BULLETin, the second bullet states that the KRRC has refused to enter into a Conditional Use Permit (CUP) with the County as that would constrain the KRRC to operating within specific conditions which they believe to be inconsistent with their historical practice. To our knowledge the KRRC has not to this date effected any permit with the County on use of the existing property. Can there be any doubt that the KRRC would refuse to exercise a CUP for the new land swap?

Sincerely,  
Kevin T. Gross  
[REDACTED]

## Don Burger

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**From:** Martha Droge [MDroge@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 2:12 PM  
**To:** Wade Larson  
**Subject:** Re: 5th meeting comments you made

Hmmm...thank you Wade. I'm surprised. I was on a project out of the office yesterday and 1/2 of today. I'll get on this now to find out the process. I'll create a diagram for the website once I find it out. Standby for more information and thanks, Martha

Martha J. Droge, AICP, ASLA, LEED AP  
Park Projects Coordinator  
Kitsap County Dept. of Parks & Recreation  
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360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

>>> Wade Larson <[wadelarson2@](mailto:wadelarson2@)> 4/15/2010 8:33 AM >>>

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Here is a response from DCD as to their involvment in any oversight of BLA.

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Thank you,  
Wade Larson



**Don Burger**

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**From:** Cindy Read [Cread@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 2:42 PM  
**To:** Kevin Howell; Neil Wachter  
**Subject:** Re: Privileged Information : Kitsap Rifle Club

Neil:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

FYI:

[Redacted]

[Redacted]

-Cindy Read

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Cindy Read - GIS Analyst III  
Kitsap County Dept. of Community Development  
614 Division St, MS-36  
(360) 337-5777  
Port Orchard, WA 98366-4682  
337-4555

E-Mail: [cread@co.kitsap.wa.us](mailto:cread@co.kitsap.wa.us)  
Voice:  
Fax: (360)

<http://www.kitsapgov.com/dcd/>

**Don Burger**

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**From:** Cindy Read [Cread@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 2:49 PM  
**To:** Larry Keeton; Scott Diener  
**Subject:** Fwd: Re: Privileged Information : Kitsap Rifle Club  
**Attachments:** Re: Privileged Information : Kitsap Rifle Club

This was my response per Neil's request.

Neil:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

FYI:

[Redacted]

[Redacted]

-Cindy Read

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Cindy Read - GIS Analyst III  
Kitsap County Dept. of Community Development  
614 Division St, MS-36  
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Port Orchard, WA 98366-4682  
337-4555

E-Mail: [cread@co.kitsap.wa.us](mailto:cread@co.kitsap.wa.us)  
Voice:  
Fax: (360)



**Don Burger**

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**Sent:** Thursday, April 15, 2010 2:49 PM  
**To:** Larry Keeton; Scott Diener  
**Subject:** Fwd: Re: Privileged Information : Kitsap Rifle Club  
**Attachments:** Re: Privileged Information : Kitsap Rifle Club

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Neil:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

FYI:

[Redacted]

[Redacted]

-Cindy Read

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Cindy Read - GIS Analyst III  
Kitsap County Dept. of Community Development  
614 Division St, MS-36  
(360) 337-5777  
Port Orchard, WA 98366-4682  
337-4555

E-Mail: [cread@co.kitsap.wa.us](mailto:cread@co.kitsap.wa.us)  
Voice:

Fax: (360)

<http://www.kitsapgov.com/dcd/>

**Don Burger**

---

**From:** Kevin M. Howell [KMHowell@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 3:42 PM  
**To:** Christian C. Casad  
**Cc:** Neil R. Wachter; Russell D. Hauge  
**Subject:** Fwd: POSSIBLE SPAM! SCORE = 8.1 Oversight Response

>>> "Gail and Kevin Gross" <kevinandgail@[REDACTED]> 4/15/2010 11:20 AM >>>

Mr. Howell, I am forwarding this piece of information that one of our group has uncovered. Although Commissioner Brown has specifically stated in an e-mail that the County has no intent or plans to make or consider the land exchange that Mr. Carter proposed at Monday's meeting, there appears to be no County Ordinance allowing or promoting Boundary Line Adjustments. So is this an issue if the land exchange proposal arose again?

Sincerely,  
Kevin T. Gross

----- Original Message -----

**From:** Wade Larson  
**To:** Terry Allison ; Skip Junis ; gail gross  
**Sent:** Thursday, April 15, 2010 8:02 AM  
**Subject:** FYI Oversight response

To My Comrades in Arms (wait we're not the ones with guns!)

I wanted you to have this response from DCD. Martha probably will not be keeping us comprised of future negotiations..... since no one is minding the store.

Dear Mr. Larson:

Kitsap County does not presently have a Code adopted for review of Boundary Line Adjustments (BLA). Any BLA involving the KRRC would mostly likely effect the County Parks Department or Washington State DNR. The Department of Community Development will not be part of any review of a BLA with the KRRC property.

Jim Barnard, PLS  
Department of Community Development  
Development Engineering  
614 Division Street MS-36  
Port Orchard, WA 98366-4682  
Phone 360.307.4336  
FAX 360.337.4415  
[www.kitsapgov.com/DCD](http://www.kitsapgov.com/DCD)

These are some of the people to send your statements to:

The three commissioners

([sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us)) ([cqarrido@co.kitsap.wa.us](mailto:cqarrido@co.kitsap.wa.us)) ([jwbrown@co.kitsap.wa.us](mailto:jwbrown@co.kitsap.wa.us))

[parks@co.kitsap.wa.us](mailto:parks@co.kitsap.wa.us) attn Jim Dunwiddie, Martha Droge

**Don Burger**

---

**From:** Kevin M. Howell [KMHowell@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 3:44 PM  
**To:** Christian C. Casad  
**Cc:** Neil R. Wachter; Russell D. Hauge; Tracey L. Hamilton-Oril  
**Subject:** Fwd: Re: Privileged Information : Kitsap Rifle Club

>>> Cindy Read 4/15/2010 2:41 PM >>>

Neil:

[Redacted]

[Redacted]

[Redacted]

[Redacted]

FYI:

[Redacted]

[Redacted]

-Cindy Read

-----  
Cindy Read - GIS Analyst III  
Kitsap County Dept. of Community Development  
614 Division St, MS-36  
Port Orchard, WA 98366-4682  
<http://www.kitsapgov.com/dcd/>

E-Mail: [cread@co.kitsap.wa.us](mailto:cread@co.kitsap.wa.us)  
Voice: (360) 337-5777  
Fax: (360) 337-4555

## Don Burger

---

**From:** Gail and Kevin Gross [kevinandgail@██████████]  
**Sent:** Thursday, April 15, 2010 4:52 PM  
**To:** Martha Droge  
**Subject:** POSSIBLE SPAM! SCORE = 6.9 Kitsap Rifle and Revolver ClubLand Swap Proposal

Thanks, Martha. As I said to you after the Monday night meeting I believe you are one of the best facilitators I have seen in my 33 years of Federal service, including service at the Office of the Secretary of Defense.

Sincerely,  
Kevin Gross

----- Original Message -----

**From:** "Martha Droge" <mdroge@co.kitsap.wa.us>  
**To:** "Gail and Kevin Gross" <kevinandgail@██████████>  
**Sent:** Thursday, April 15, 2010 2:06 PM  
**Subject:** Re: POSSIBLE SPAM! SCORE = 8.3 Kitsap Rifle and Revolver ClubLand Swap Proposal

Kevin,

We've received both emails. This particular matter will not be decided by me, but I wanted to you to know that your messages have been received and are being heard.

Thanks, Martha

Martha J. Droge, AICP, ASLA, LEED AP  
Park Projects Coordinator  
Kitsap County Dept. of Parks & Recreation  
614 Division Street MS-1  
Port Orchard, WA 98366  
360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

>>> "Gail and Kevin Gross" <kevinandgail@██████████> 4/14/2010 1:48

>>> PM >>>

With regard to my earlier message, in the event that anyone has any delusions as to the ultimate objective of the Kitsap Rifle and Revolver Club (KRRC) in proposing the 14.3 acre land swap which Mr. Carter presented at last night's Newberry Hill Heritage Park Workshop #5, I submit the two attachments cited from the KRRC's own newsletter The BULLETin:

A. In the first attachment, the photo and caption at the bottom of page 5 in KRRC BULLETin of March/April 2004 presents the KRRC's master development plan for expanding and re-orienting the firing range to include a several-hundred meter rifle range at the east end of their property. The proposed 14.3 acre 'land swap' would promote this development.

B. In the second attachment, from the September/October 2006 BULLETin, the second bullet states that the KRRC has refused to enter into a Conditional Use Permit (CUP) with the County as that would constrain the KRRC to operating within specific conditions which they believe to be inconsistent with their historical practice. To our knowledge the KRRC has not to this date effected any permit with the County on use of the existing property.

Can there be any doubt that the KRRC would refuse to exercise a CUP for the new land swap?

Sincerely,  
Kevin T. Gross



## Don Burger

---

**From:** Martha Droge [MDroge@co.kitsap.wa.us]  
**Sent:** Thursday, April 15, 2010 4:55 PM  
**To:** kevinandgail@  
**Subject:** RE: POSSIBLE SPAM! SCORE = 6.9 Kitsap Rifle and Revolver ClubLand Swap Proposal

Thanks - that is high praise indeed. Much appreciated.

-----Original Message-----

**From:** Gail and Kevin Gross <kevinandgail@wavecable.com>  
**Sent:** Thursday, April 15, 2010 4:52 PM  
**To:** Martha Droge <MDroge@co.kitsap.wa.us>  
**Subject:** POSSIBLE SPAM! SCORE = 6.9 Kitsap Rifle and Revolver ClubLand Swap Proposal

Thanks, Martha. As I said to you after the Monday night meeting I believe you are one of the best facilitators I have seen in my 33 years of Federal service, including service at the Office of the Secretary of Defense.

Sincerely,  
Kevin Gross

----- Original Message -----

**From:** "Martha Droge" <mdroge@co.kitsap.wa.us>  
**To:** "Gail and Kevin Gross" <kevinandgail@>  
**Sent:** Thursday, April 15, 2010 2:06 PM  
**Subject:** Re: POSSIBLE SPAM! SCORE = 8.3 Kitsap Rifle and Revolver ClubLand Swap Proposal

Kevin,

We've received both emails. This particular matter will not be decided by me, but I wanted to you to know that your messages have been received and are being heard.

Thanks, Martha

Martha J. Droge, AICP, ASLA, LEED AP  
Park Projects Coordinator  
Kitsap County Dept. of Parks & Recreation  
614 Division Street MS-1  
Port Orchard, WA 98366  
360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

>>> "Gail and Kevin Gross" <kevinandgail@> 4/14/2010 1:48  
>>> PM >>>

With regard to my earlier message, in the event that anyone has any delusions as to the ultimate objective of the Kitsap Rifle and Revolver Club (KRRC) in proposing the 14.3 acre land swap which Mr. Carter presented at last night's Newberry Hill Heritage Park Workshop #5, I submit the two attachments cited from the KRRC's own newsletter The BULLETin:

A. In the first attachment, the photo and caption at the bottom of page 5 in KRRC BULLETin of March/April 2004 presents the KRRC's master development plan for expanding and re-orienting the firing range to include a several-hundred meter rifle range at the east end of their property. The proposed 14.3 acre 'land swap' would promote this development.

B. In the second attachment, from the September/October 2006 BULLETin, the second bullet states that the KRRC has refused to enter into a Conditional Use Permit (CUP) with the County as that would constrain the KRRC to operating within specific conditions which they believe to be inconsistant with their historical practice. To our knowledge the KRRC has not to this date effected any permit with the County on use of the existing property. Can there be any doubt that the KRRC would refuse to exercise a CUP for the new land swap?

Sincerely,  
Kevin T. Gross

[REDACTED]

## Don Burger

---

**From:** Paul Dorn [pdorn@██████████]  
**Sent:** Friday, April 16, 2010 7:12 AM  
**To:** Keith Folkerts; Tom Ostrom  
**Cc:** Kathleen Peters; Rob Purser; rbrooks@suquamish.nsn.us  
**Subject:** FW: Contamination of soil and wetlands

Hi Tom and Keith,

The potential lead contamination of the Kitsap Rifle and Revolver Club Chico Creek watershed property is the subject of the email below that has been forwarded to me. Given the importance of our on-going Chico restoration efforts, I was wondering if either of you knew anything about the unnamed agencies (EPA? DOE?) that have apparently been unsuccessful at gaining access to their property. Seems to me this property was in the news a year or two ago about transferring ownership between the County or Navy and the Club. Do either of you know anything about possible brownfields or other issues involved with the transfer? I'll check with the sports clubs and will get back to you. This may be another potential watershed restoration project.

Thanks,

Paul

---

**From:** wickerwagon@██████████ [mailto:wickerwagon@██████████]  
**Sent:** Thursday, April 15, 2010 2:46 PM  
**To:** Patrick 'Allen; Paul Dorn; Ray Frederick; webmaster@mountaineers.org; cascade.chapter@sierraclub.org  
**Subject:** Fwd: Contamination of soil and wetlands

I recieved this email from a friend this week who is very concerned about the contamination of the wetlands from years of lead being left in the soil. Since this affects Chico Creek which most of you have some dealings with, I thought I should foward the info so your groups might be able to look into it. If you want to just send me the requested information, I will be happy to forward it to my friend who initiated this email. I am sending it to you because:

The Pogie club is very involved with fishing in Chico Creek, especially at the mouth  
The Suquamish tribe, i know should be concerned due to the potential contamination to the fish leaving Gorst Hatchery which is close by.  
The Sierra Club due to their known concerns about the environment and impacts made by contamination  
The Mountaineers because Chico Creek runs through the property at the Kitsap Lodge and Trout Unlimited due to all the things we do with the streams and wanting them to be clean

Perhaps some or all of those listed could research this futher.

This does not address the individuals I am sending this to but those on the list know which entities they represent.

Thanks so much  
Ruth Greb  
TU

And, Dawn, please add Dave's and my names to your list

Ruth

Subject: Contamination of soil and wetlands

We

have found out that the Kitsap Rifle and Revolver Club has been operating at their current location since, I believe, the 40's and has never performed any type of cleanup of their property. Chico Creek and wetlands abut their property. On average, shooting ranges can have up to 1 million pounds of lead in the soil after a few decades of operation. Kitsap County has been aware of the problem and in the past has ignored it. Recently, several agencies have attempted to go onto the property to collect soil and water samples for testing and KRRC has refused access.

There is a petition circulating to keep pressure on the County to follow-up on this and take the appropriate steps.

If

you would like your name added to the petition, please let me know and I can do so. The petition asks for name, address, email and phone number.

Also, please pass this on to anyone you think might be interested. Thanks.

**Don Burger**

---

**From:** Rebecca J. Jolliff [R.Jolliff@co.kitsap.wa.us]  
**Sent:** Friday, April 16, 2010 10:44 AM  
**To:** Christian C. Casad; Kevin M. Howell; Neil R. Wachter; Russell D. Hauge  
**Cc:** Carol I. Maves  
**Subject:** Re: KRRC - confidential attorney work product communication

I'll work with Commissioner Brown's assistant next week when she returns. Thank you!

>>> Neil Wachter 4/14/2010 11:11 AM >>>

Becca - [REDACTED]

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> Rebecca Jolliff Wednesday, April 14, 2010 8:40 AM >>>

[REDACTED]

Thank you!

>>> Kevin Howell 4/14/2010 8:17 AM >>>

[REDACTED]

>>> Rebecca Jolliff 4/13/2010 4:59 PM >>>

Set for Friday at 10:00 a.m.

Thank you!

>>> Neil Wachter 4/13/2010 4:19 PM >>>

Becca - [REDACTED]

[REDACTED]

Thanks,

Neil

**Don Burger**

---

**From:** Russell D. Hauge [RHauge@co.kitsap.wa.us]  
**Sent:** Friday, April 16, 2010 10:56 AM  
**To:** Christian C. Casad; Kevin M. Howell; Neil R. Wachter; Rebecca J. Jolliff  
**Cc:** Carol I. Maves  
**Subject:** Re: KRRC - confidential attorney work product communication

[REDACTED]  
Thanks,  
Russell

>>> Rebecca Jolliff 4/16/2010 10:43 AM >>>  
[REDACTED]

>>> Neil Wachter 4/14/2010 11:11 AM >>>  
Becca - [REDACTED]  
[REDACTED]

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> Rebecca Jolliff Wednesday, April 14, 2010 8:40 AM >>>  
[REDACTED]

[REDACTED]  
Thank you!

>>> Kevin Howell 4/14/2010 8:17 AM >>>  
[REDACTED]

>>> Rebecca Jolliff 4/13/2010 4:59 PM >>>  
[REDACTED]

Thank you!

>>> Neil Wachter 4/13/2010 4:19 PM >>>  
Becca - [REDACTED]  
[REDACTED]

Thanks,

Neil

**Don Burger**

---

**From:** Rebecca J. Jolliff [RJolliff@co.kitsap.wa.us]  
**Sent:** Friday, April 16, 2010 10:57 AM  
**To:** Christian C. Casad; Kevin M. Howell; Neil R. Wachter; Russell D. Hauge  
**Cc:** Carol I. Maves  
**Subject:** Re: KRRC - confidential attorney work product communication

[REDACTED]  
>>> Russell Hauge 4/16/2010 10:55 AM >>>  
[REDACTED]

Thanks,  
Russell

>>> Rebecca Jolliff 4/16/2010 10:43 AM >>>  
[REDACTED]

>>> Neil Wachter 4/14/2010 11:11 AM >>>

Becca - [REDACTED]

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> Rebecca Jolliff Wednesday, April 14, 2010 8:40 AM >>>  
[REDACTED]

[REDACTED]  
Thank you!

>>> Kevin Howell 4/14/2010 8:17 AM >>>  
[REDACTED]

>>> Rebecca Jolliff 4/13/2010 4:59 PM >>>  
[REDACTED]

Thank you!

>>> Neil Wachter 4/13/2010 4:19 PM >>>

Becca - [REDACTED]  
[REDACTED]

Thanks,

Neil

**Don Burger**

---

**From:** Neil Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Friday, April 16, 2010 11:09 AM  
**To:** Kim Dunn  
**Cc:** Kevin Howell; Tracey Hamilton-Oril  
**Subject:** Request for a meeting re KRRC - Confidential Attorney-Client Communication

Kim:



Thanks,

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

**Don Burger**

---

**From:** Tracey L. Hamilton-Oril [THamilto@co.kitsap.wa.us]  
**Sent:** Friday, April 16, 2010 3:21 PM  
**To:** Neil R. Wachter  
**Subject:** Re: KRRC - confidential attorney client communication  
**Attachments:** Bargain & Sale Deed - Final.pdf

[REDACTED]

>>> Neil Wachter 4/13/2010 9:31 AM >>>

Hi - [REDACTED]  
[REDACTED] Thx

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

FILED FOR RECORD AT REQUEST OF:  
Kevin M. Howell  
Kitsap County Prosecuting Attorney's Office  
614 Division Street, MS-35A  
Port Orchard WA 98366

**BARGAIN AND SALE DEED  
WITH RESTRICTIVE COVENANTS**

---

**GRANTOR:** Kitsap County

**GRANTEE:** Kitsap Rifle and Revolver Club, a Washington Non-Profit Corporation

**LEGAL DESCRIPTION:** A Portion of 36251W Bldg Value (Land Value Carried Under Acct. No. 362501-2-001-1001)

**ASSESSOR'S TAX PARCEL NO:** 362501-2-002-1000

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For and in consideration of \$10.00 and other good and valuable consideration, Kitsap County, as Grantor, bargains, sells and conveys all of it's right, title and interest in and to the real property described on Exhibit A hereto to the Kitsap Rifle and Revolver Club, a Washington Non-Profit Corporation, as Grantee.

This conveyance is made subject to the following covenants and conditions, the benefits of which shall inure to the benefit of the public and the burdens of which shall bind the Grantee and the heirs, successors and assigns of the Grantee in perpetuity.

1. Grantee for and on behalf of itself, its heirs, successors and assigns, and each subsequent owner of the property described in Exhibit A hereto, hereby releases and agrees to hold harmless, indemnify and defend Kitsap County, its elected officials, employees and agents from and against any liabilities, penalties, fines, charges, costs, losses, damages, expenses, causes of actions, claims, demands, orders, judgments, or administrative actions, including, without limitation, reasonable attorneys' fees, arising from or in anyway connected with (1) injury to or

the death of any person or the physical damage to any property, resulting from any act, activity, omission, condition or other matter related to or occurring on or about the property, regardless of cause, unless due solely to the gross negligence of any of the indemnified parties; (2) the violation or alleged violation of, or other failure or alleged failure to comply with, any state, federal, or local law, regulation or requirement, including, without limitation, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC Sec. 9601, et seq. and Model Toxics Control Act (MTCA), RCW 70.105 D, by any indemnified person or entity in anyway effecting, involving, or relating to the property; (3) the presence or release in, on, from, or about the property, at any time, past or present, of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state or local law regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or anyway harmful or threatening to human health or the environment.

2. Grantee shall maintain commercial general liability insurance coverage for bodily injury, personal injury and property damage, subject to a limit of not less than \$1 million dollars per occurrence. The general aggregate limit shall apply separately to this covenant and be no less than \$2 million. The grantee will provide commercial general liability coverage that does not exclude any activity to be performed in fulfillment of Grantee's activities as a shooting range. Specialized forms specific to the industry of the Grantee will be deemed equivalent, provided coverage is no more restrictive that would be provided under a standard commercial general liability policy, including contractual liability coverage.

3. Grantee shall confine its active shooting range facilities on the property consistent with its historical use of approximately eight (8) acres of active shooting ranges with the balance of the property serving as safety and noise buffer zones; provided that Grantee may upgrade or improve the property and/or facilities within the historical approximately eight (8) acres in a manner consistent with "modernizing" the facilities consistent with management practices for a modern shooting range. "Modernizing" the facilities may include, but not be limited to: (a) construction of a permanent building or buildings for range office, shop, warehouse, storage, caretaker facilities, indoor shooting facilities, and/or classrooms; (b) enlargement of parking facilities; (c) sanitary bathroom facilities; (d) re-orientation of the direction of individual shooting bays or ranges; (e) increasing distances for the rifle shooting range; (f) water system improvements including wells, pump house, water distribution and water storage; (g) noise abatement and public safety additions. Also, Grantee may also apply to Kitsap County for expansion beyond the historical eight (8) acres, for "supporting" facilities for the shooting ranges or additional recreational or shooting facilities, provided that said expansion is consistent with public safety, and conforms with the terms and conditions contained in paragraphs 4, 5, 6, 7 and 8 of this Bargain and Sale Deed and the rules and regulations of Kitsap County for development of private land. It is the intent of the parties that the activities of Grantee shall conform to the rules and regulations of the Firearms Range Account, administered by the State Recreation and Conservation Office. This account

is established by the legislature upon the following finding: "Firearms are collected, used for hunting; recreational shooting, and self-defense, and firearm owners as well as bow users need safe, accessible areas in which to shoot their equipment. Approved shooting ranges provide that opportunity, while at the same time, promote public safety. Interest in all shooting sports has increased while safe locations to shoot have been lost to the pressures of urban growth." (Wash. Laws 1990 ch. 195 Section 1.)

4. Grantee's activities shall also conform to the Firearms and Archery Range (FARR) Program as found in Chapter 79A.25 RCW. The primary goals of this program are to assist with acquisition, development, and renovation of firearm and archery range facilities to provide for increased general public access to ranges. This includes access by a) law enforcement personnel; b) members of the general public with concealed pistol or hunting licenses; and c) those enrolled in firearm or hunter safety education classes. Access by the public to Grantee's property shall be offered at reasonable prices and on a nondiscriminatory basis.

5. Grantee agrees to operate the shooting range at all times in a safe and prudent manner and conform its activities to accepted industry standards and practices.

6. Mineral Reservations, held by the State of Washington, that run with the land.

7. Existing Habitat Conservation Plan (HCP), as detailed below:

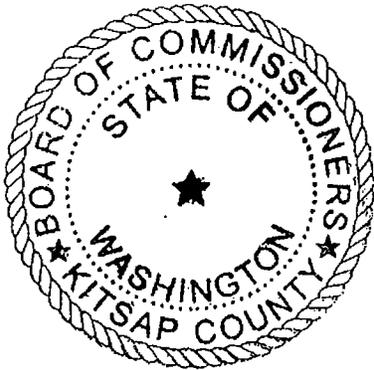
The site has been publicly identified for conservation provisions applying to, but not limited to: murrelet habitat; spotted owl nest sites; wolves; grizzly bears; nests, communal roosts, or feeding concentrations of bald eagles; peregrine falcon nests; Columbian white-tailed deer; Aleutian Canada geese; and Oregon silverspot butterflies. The existing Habitat Conservation Plan is to remain in effect, regardless of parcel segregation or aggregation or potential sale or land transfer.

8. Riparian Management Zones, as detailed below:

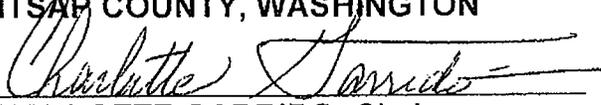
Bodies of water, including but not limited to those streams, rivers and lakes and other lakes and wetlands have been identified and/or may be located on the Premises. All activities within the Riparian Management Zone, as defined in the existing and publicly-filed Habitat Conservation Plan (HCP) and including that portion of the inner riparian ecosystem between the aquatic zone and the direct influence zone (uplands) and including the outer wind buffer, must comply with and remain in compliance with the current HCP Procedures. Activities in a Riparian Management Zone, including but not limited to cutting or removing any tree and/or timber (including hardwood, merchantable and unmerchantable timber, downed timber, windthrow and snags), and road, trench and/or trail use, and/or maintenance, may be restricted or not permitted during specific times. All activities must provide for no overall net loss of naturally occurring wetland function. These protective measures are to run with the

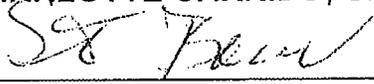
land, regardless of parcel segregation or aggregation or potential sale or land transfer.

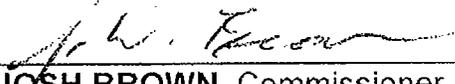
DATED this 13<sup>th</sup> day of May, 2009.



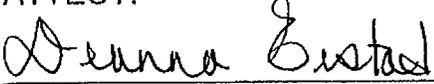
**BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY, WASHINGTON**

  
\_\_\_\_\_  
**CHARLOTTE GARRIDO, Chair**

  
\_\_\_\_\_  
**STEVE BAUER, Commissioner**

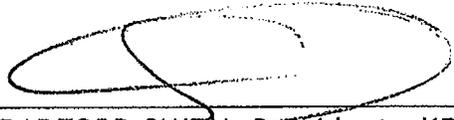
  
\_\_\_\_\_  
**JOSH BROWN, Commissioner**

ATTEST:

  
\_\_\_\_\_  
Opal Robertson, Clerk of the Board

**ACCEPTANCE OF BARGAIN AND SALE DEED  
WITH RESTRICTIVE COVENANTS**

By signature affixed below, the Kitsap Rifle and Revolver Club by and through \_\_\_\_\_, its President/Executive Officer hereby and with full authority of the Board of Directors of said corporation, hereby accept the terms and conditions of the Deed with Restrictive Covenants above dated this 13<sup>th</sup> day of May, 2009.

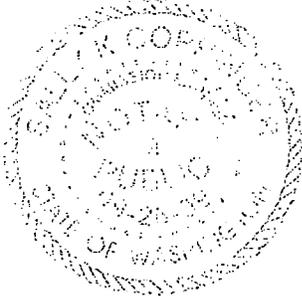
  
\_\_\_\_\_  
BRADFORD SMITH, President - KRRC

  
\_\_\_\_\_  
MARCUS A. CARTER, Executive Officer - KRRC

STATE OF WASHINGTON )  
 ) ss:  
COUNTY OF KITSAP )

I certify that I know or have satisfactory evidence that Brad Smith is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the President of the Kitsap Rifle and Revolver Club, to be the free and voluntary act of the KRRC for the uses and purposes mentioned in the instrument.

Dated this 13 day of May, 2009.



Sally K. Coppinger  
PRINT NAME: Sally K. Coppinger  
Notary Public in and for the State of Washington;  
residing at: Port Orchard 98366  
My Commission Expires: 9/26/09

STATE OF WASHINGTON )  
 ) ss:  
COUNTY OF KITSAP )

I certify that I know or have satisfactory evidence that Marcus Carter is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Executive Director of the Kitsap Rifle and Revolver Club, to be the free and voluntary act of the KRRC for the uses and purposes mentioned in the instrument.

Dated this 13 day of May, 2009.



Sally K. Coppinger  
PRINT NAME: Sally K. Coppinger  
Notary Public in and for the State of Washington;  
residing at: Port Orchard 98366  
My Commission Expires: 9/26/09

## EXHIBIT A

### Legal Description of Premises & Reservations

Part of the Southwest quarter of the Southeast quarter and part of the Southeast quarter of the Southwest quarter of Section 36, Township 25 North, Range 1 West, W.M., lying northerly of the North lines of an easement for right of way for road granted to Kitsap County on December 7, 1929, under Application No. 1320, said road being as shown on the regulation plat thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington, the above described lands having an area of 72.41 acres, more or less.

#### RESERVATIONS/SUBJECT TO:

Easement #50-CR1320: Road granted to Kitsap County on 12/07/1927 for an indefinite term.

Easement #50-047116: Road granted to E.F. Howerton on 05/09/1985 for an indefinite term.

## Don Burger

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**From:** Keith Folkerts [KFolkert@co.kitsap.wa.us]  
**Sent:** Friday, April 16, 2010 4:45 PM  
**To:** Patty Charnas  
**Subject:** Another Chico "opportunity"

The main thrust of yesterday's meeting with WSDOT's Tribal Liaison & Federal Liaison was that the more compelling and multi-faceted the story line, the more likely we are to attract the funds necessary to accomplish the desired actions (such as the \$30M for the bridge). The story line should address communities, bikes, pedestrians, shellfish, salmon, parks, schools, exercise, environmental justice, etc.

Perhaps we can add another element to that story line: lead clean up.

As described below, it is entirely possible that the soils and groundwater at the gun club have elevated levels of lead. It certainly warrants the proper folks doing the necessary studies. If lead levels are elevated, it may present an opportunity to clean up and refurbish the gun club to a better condition (for shooters and the environment) than it is today.

Lead in groundwater is a serious issue. If we hold that Water Is A Resource, we really should do what we can to facilitate an assessment and resolution.

Perhaps we should consider doing what some other Puget Sound jurisdictions have done: create a position of Watershed Steward to coordinate all of these sorts of activities. (Paul Nelson's job title was Watershed Steward and he was assigned exclusively to Chico when he worked here).

Keith Folkerts  
Natural Resources Coordinator  
(360) 337-7098

><{ }> ><{ }> ><{ }> ><{ }>

>>> "Paul Dorn" <pdorn@[REDACTED]> > 4/16/2010 7:11 AM >>>  
Hi Tom and Keith,

The potential lead contamination of the Kitsap Rifle and Revolver Club Chico Creek watershed property is the subject of the email below that has been forwarded to me. Given the importance of our on-going Chico restoration efforts, I was wondering if either of you knew anything about the unnamed agencies (EPA? DOE?) that have apparently been unsuccessful at gaining access to their property. Seems to me this property was in the news a year or two ago about transferring ownership between the County or Navy and the Club. Do either of you know anything about possible brownfields or other issues involved with the transfer? I'll check with the sports clubs and will get back to you. This may be another potential watershed restoration project.

Thanks,

Paul

---

**From:** wickerwagon@[REDACTED]: [mailto:wickerwagon@[REDACTED]]  
**Sent:** Thursday, April 15, 2010 2:46 PM  
**To:** Patrick 'Allen; Paul Dorn; Ray Frederick; webmaster@mountaineers.org ; cascade.chapter@sierraclub.org  
**Subject:** Fwd: Contamination of soil and wetlands

I recieved this email from a friend this week who is very concerned about the contamination of the wetlands from years of lead being left in the soil. Since this affects Chico Creek which most of you have some dealings with, I thought I should foward the info so your groups might be able to look into it. If you want to just send me the requested information, I will be happy to forward it to my friend who initiated this email. I am sending it to you because:

The Pogie club is very involved with fishing in Chico Creek, especially at the mouth The Suquamish tribe, i know should be concerned due to the potential contamination to the fish leaving Gorst Hatchery which is close by. The Sierra Club due to their known concerns about the environment and impacts made by contamination The Mountaineers because Chico Creek runs through the property at the Kitsap Lodge and Trout Unlimited due to all the things we do with the streams and wanting them to be clean

Perhaps some or all of those listed could research this futher.

This does not address the individuals I am sending this to but those on the list know which entities they represent.

Thanks so much  
Ruth Greb  
TU

And, Dawn, please add Dave's and my names to your list Ruth

Subject: Contamination of soil and wetlands

We have found out that the Kitsap Rifle and Revolver Club has been operating at their current location since, I believe, the 40's and has never performed any type of cleanup of their property. Chico Creek and wetlands abut their property. On average, shooting ranges can have up to 1 million pounds of lead in the soil after a few decades of operation. Kitsap County has been aware of the problem and in the past has ignored it. Recently, several agencies have attempted to go onto the property to collect soil and water samples for testing and KRRC has refused access.

There is a petition circulating to keep pressure on the County to follow-up on this and take the appropriate steps.

If you would like your name added to the petition, please let me know and I can do so. The petition asks for name, address, email and phone number.

Also, please pass this on to anyone you think might be interested. Thanks.

## Don Burger

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**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Friday, April 16, 2010 5:23 PM  
**To:** Kevin M. Howell  
**Cc:** Tracey L. Hamilton-Oril  
**Subject:** KRRC - Confidential attorney work product  
**Attachments:** Purchase & Sale Deed with Covenants 200906180292.pdf; Release of Howerton Easement to KRRC County and DNR 200908120115.pdf; Assignment from State to Kitsap 200906180291.pdf

Kevin: I've been looking over what I think are the pertinent transactional documents. I have two questions or thoughts for you:

1. Assignment and assumption of leases - Does this act to transfer the fee from the State to the County? I ask because (a) the document does not itself purport to operate to that effect (I could be missing something) and (b) the document does not have the described Exhibit A. Is there a window to argue that the document only served to transfer the rights to administer the lease?
2. Purchase and sale deed . . . - Does this document act to create a defeasible fee? Should any court action be couched in terms of reversion (assuming we actually have standing pursuant to concern no. 1)?

I'm out of the office for much of Monday but I'm anxious to speak with you about this. See attached.

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

FILED FOR RECORD AT REQUEST OF:  
Kevin M. Howell  
Kitsap County Prosecuting Attorney's Office  
614 Division Street, MS-35A  
Port Orchard WA 98366

LAND TITLE 200906180292

Deed Rec Fee: \$ 89.00

06/18/2009 03:15 PM

Walter Washington, Kitsap Co Auditor

Page: 1 of 6



**BARGAIN AND SALE DEED  
WITH RESTRICTIVE COVENANTS**

E-230260

**GRANTOR:** Kitsap County

**GRANTEE:** Kitsap Rifle and Revolver Club, a Washington Non-Profit Corporation

**LEGAL DESCRIPTION:** SE/SW&SW/SE 36-25N-1W KITSAP COUNTY TREASURER EXCISE 06/18/2009

2009EX03102

Total : \$10.00

Clerk's Initial 

**ASSESSOR'S TAX PARCEL NO:** 362501-4-002-1006

For and in consideration of \$10.00 and other good and valuable consideration, Kitsap County, as Grantor, bargains, sells and conveys all of it's right, title and interest in and to the real property described on Exhibit A hereto to the Kitsap Rifle and Revolver Club, a Washington Non-Profit Corporation, as Grantee.

This conveyance is made subject to the following covenants and conditions, the benefits of which shall inure to the benefit of the public and the burdens of which shall bind the Grantee and the heirs, successors and assigns of the Grantee in perpetuity.

1. Grantee for and on behalf of itself, its heirs, successors and assigns, and each subsequent owner of the property described in Exhibit A hereto, hereby releases and agrees to hold harmless, indemnify and defend Kitsap County, its elected officials, employees and agents from and against any liabilities, penalties, fines, charges, costs, losses, damages, expenses, causes of actions, claims, demands, orders, judgments, or administrative actions, including, without limitation, reasonable attorneys' fees, arising from or in anyway connected with (1) injury to or

the death of any person or the physical damage to any property, resulting from any act, activity, omission, condition or other matter related to or occurring on or about the property, regardless of cause, unless due solely to the gross negligence of any of the indemnified parties; (2) the violation or alleged violation of, or other failure or alleged failure to comply with, any state, federal, or local law, regulation or requirement, including, without limitation, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC Sec. 9601, et seq. and Model Toxics Control Act (MTCA), RCW 70.105 D, by any indemnified person or entity in anyway effecting, involving, or relating to the property; (3) the presence or release in, on, from, or about the property, at any time, past or present, of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state or local law regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or anyway harmful or threatening to human health or the environment.

2. Grantee shall maintain commercial general liability insurance coverage for bodily injury, personal injury and property damage, subject to a limit of not less than \$1 million dollars per occurrence. The general aggregate limit shall apply separately to this covenant and be no less than \$2 million. The grantee will provide commercial general liability coverage that does not exclude any activity to be performed in fulfillment of Grantee's activities as a shooting range. Specialized forms specific to the industry of the Grantee will be deemed equivalent, provided coverage is no more restrictive that would be provided under a standard commercial general liability policy, including contractual liability coverage.

3. Grantee shall confine its active shooting range facilities on the property consistent with its historical use of approximately eight (8) acres of active shooting ranges with the balance of the property serving as safety and noise buffer zones; provided that Grantee may upgrade or improve the property and/or facilities within the historical approximately eight (8) acres in a manner consistent with "modernizing" the facilities consistent with management practices for a modern shooting range. "Modernizing" the facilities may include, but not be limited to: (a) construction of a permanent building or buildings for range office, shop, warehouse, storage, caretaker facilities, indoor shooting facilities, and/or classrooms; (b) enlargement of parking facilities; (c) sanitary bathroom facilities; (d) re-orientation of the direction of individual shooting bays or ranges; (e) increasing distances for the rifle shooting range; (f) water system improvements including wells, pump house, water distribution and water storage; (g) noise abatement and public safety additions. Also, Grantee may also apply to Kitsap County for expansion beyond the historical eight (8) acres, for "supporting" facilities for the shooting ranges or additional recreational or shooting facilities, provided that said expansion is consistent with public safety, and conforms with the terms and conditions contained in paragraphs 4, 5, 6, 7 and 8 of this Bargain and Sale Deed and the rules and regulations of Kitsap County for development of private land. It is the intent of the parties that the activities of Grantee shall conform to the rules and regulations of the Firearms Range Account, administered by the State Recreation and Conservation Office. This account

is established by the legislature upon the following finding: "Firearms are collected, used for hunting; recreational shooting, and self-defense, and firearm owners as well as bow users need safe, accessible areas in which to shoot their equipment. Approved shooting ranges provide that opportunity, while at the same time, promote public safety. Interest in all shooting sports has increased while safe locations to shoot have been lost to the pressures of urban growth." (Wash. Laws 1990 ch. 195 Section 1.)

4. Grantee's activities shall also conform to the Firearms and Archery Range (FARR) Program as found in Chapter 79A.25 RCW. The primary goals of this program are to assist with acquisition, development, and renovation of firearm and archery range facilities to provide for increased general public access to ranges. This includes access by a) law enforcement personnel; b) members of the general public with concealed pistol or hunting licenses; and c) those enrolled in firearm or hunter safety education classes. Access by the public to Grantee's property shall be offered at reasonable prices and on a nondiscriminatory basis.

5. Grantee agrees to operate the shooting range at all times in a safe and prudent manner and conform its activities to accepted industry standards and practices.

6. Mineral Reservations, held by the State of Washington, that run with the land.

7. Existing Habitat Conservation Plan (HCP), as detailed below:

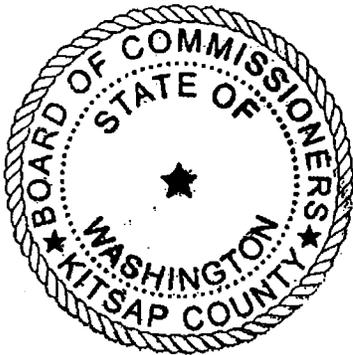
The site has been publicly identified for conservation provisions applying to, but not limited to: murrelet habitat; spotted owl nest sites; wolves; grizzly bears; nests, communal roosts, or feeding concentrations of bald eagles; peregrine falcon nests; Columbian white-tailed deer; Aleutian Canada geese; and Oregon silverspot butterflies. The existing Habitat Conservation Plan is to remain in effect, regardless of parcel segregation or aggregation or potential sale or land transfer.

8. Riparian Management Zones, as detailed below:

Bodies of water, including but not limited to those streams, rivers and lakes and other lakes and wetlands have been identified and/or may be located on the Premises. All activities within the Riparian Management Zone, as defined in the existing and publicly-filed Habitat Conservation Plan (HCP) and including that portion of the inner riparian ecosystem between the aquatic zone and the direct influence zone (uplands) and including the outer wind buffer, must comply with and remain in compliance with the current HCP Procedures. Activities in a Riparian Management Zone, including but not limited to cutting or removing any tree and/or timber (including hardwood, merchantable and unmerchantable timber, downed timber, windthrow and snags), and road, trench and/or trail use, and/or maintenance, may be restricted or not permitted during specific times. All activities must provide for no overall net loss of naturally occurring wetland function. These protective measures are to run with the

land, regardless of parcel segregation or aggregation or potential sale or land transfer.

DATED this 13<sup>th</sup> day of May, 2009.



**BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY, WASHINGTON**

*Charlotte Garrido*  
\_\_\_\_\_  
CHARLOTTE GARRIDO, Chair

*Steve Bauer*  
\_\_\_\_\_  
STEVE BAUER, Commissioner

*Josh Brown*  
\_\_\_\_\_  
JOSH BROWN, Commissioner

ATTEST:

*Opal Robertson*  
\_\_\_\_\_  
Opal Robertson, Clerk of the Board

**ACCEPTANCE OF BARGAIN AND SALE DEED  
WITH RESTRICTIVE COVENANTS**

By signature affixed below, the Kitsap Rifle and Revolver Club by and through its President/Executive Officer hereby and with full authority of the Board of Directors of said corporation, hereby accept the terms and conditions of the Deed with Restrictive Covenants above dated this 13<sup>th</sup> day of May, 2009.

*Bradford Smith*  
\_\_\_\_\_  
BRADFORD SMITH, President - KRRC

*Marcus A. Carter*  
\_\_\_\_\_  
MARCUS A. CARTER, Executive Officer - KRRC

STATE OF WASHINGTON )  
 ) ss:  
COUNTY OF KITSAP )

I certify that I know or have satisfactory evidence that Brad Smith is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the President of the Kitsap Rifle and Revolver Club, to be the free and voluntary act of the KRRC for the uses and purposes mentioned in the instrument.

Dated this 13 day of May, 2009.



Sally K. Coppinger  
PRINT NAME:  
Notary Public in and for the State of Washington,  
residing at: Port Orchard 98366  
My Commission Expires: 9/26/09

STATE OF WASHINGTON )  
 ) ss:  
COUNTY OF KITSAP )

I certify that I know or have satisfactory evidence that Marcus Carter is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Executive Director of the Kitsap Rifle and Revolver Club, to be the free and voluntary act of the KRRC for the uses and purposes mentioned in the instrument.

Dated this 13 day of May, 2009.



Sally K. Coppinger  
PRINT NAME:  
Notary Public in and for the State of Washington,  
residing at: Port Orchard 98366  
My Commission Expires: 9/26/09

**EXHIBIT A**

**Legal Description of Premises & Reservations**

Part of the Southwest quarter of the Southeast quarter and part of the Southeast quarter of the Southwest quarter of Section 36, Township 25 North, Range 1 West, W.M., lying northerly of the North lines of an easement for right of way for road granted to Kitsap County on December 7, 1929, under Application No. 1320, said road being as shown on the regulation plat thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington, the above described lands having an area of 72.41 acres, more or less.

**RESERVATIONS/SUBJECT TO:**

Easement #50-CR1320: Road granted to Kitsap County on 12/07/1927 for an indefinite term.

Easement #50-047116: Road granted to E.F. Howerton on 05/09/1985 for an indefinite term.

Unofficial

Copy

**B REGINA TAYLOR 200908120115**

Relinquish Rec Fee: \$ 64.00

08/12/2009 11:18 AM

Walter Washington, Kitsap Co Auditor

Page: 1 of 3



WHEN RECORDED RETURN TO:  
**B. REGINA TAYLOR, Attorney at Law, PC**  
9353 Central Valley Road NW, Suite 2  
Bremerton, WA 98311

### RELINQUISHMENT OF ROAD EASEMENT

**GRANTOR(S):** SAMUEL COREY AND COLETA COREY

**GRANTEE(S):** KITSAP COUNTY, KITSAP RIFLE & REVOLVER CLUB, DEPARTMENT OF NATURAL RESOURCES

Assessor's Parcel ID #	Process No.	Abbreviated Legal Description
252501-1-010-1005	1260058	E 1/3 OF W 1/2 OF S 3/4 SW 1/4 NE 1/4 SUBJ TO A PERM ESMT TO THE ST OF WA UPON OVER AND ALG R/W 15FT IN WIDTH OVER ACROSS S 15FT PER AUD NO 8504300094
252501-3-011-1000	2295533	THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 1 WEST, W.M., KITSAP COUNTY, WASHINGTON. PARCEL 2> THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 25 NORTH, RANGE 1 WEST, W.M., KITSAP COUNTY, WASHINGTON;
362501-1-002-1002	2524155	PARCEL I: THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, WEST HALF OF THE EAST HALF AND THE WEST HALF, ALL IN SECTION 36, TOWNSHIP 25 NORTH, RANGE 1 WEST, W.M., IN KITSAP COUNTY, WASHINGTON; EXCEPT SEABECK ROAD AND N.W. HOLLY ROAD. ALSO EXCEPT THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 36, LYING NORTHERLY OF ROAD GRANTED TO KITSAP COUNTY ON DECEMBER 7, 1929, UNDER APPLICATION NO. 1320, SAID ROAD BEING SHOWN ON THE REGULATION PLAT THEREOF ON FILE IN THE OFFICE OF THE COMMISSIONER OF PUBLIC LANDS AT OLYMPIA, WASHINGTON. PARCEL II: THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, SECTION 25, TOWNSHIP 25 NORTH, RANGE 1 WEST, W.M., KITSAP COUNTY, WASHINGTON.
362501-4-002-1006	2524163	PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 36, TOWNSHIP 25 NORTH, RANGE 1 WEST, W.M., KITSAP COUNTY, WASHINGTON, LYING NORTHERLY OF THE NORTH LINES OF AN EASEMENT FOR RIGHT OF WAY FOR ROAD GRANTED TO KITSAP COUNTY ON DECEMBER 7, 1929, UNDER APPLICATION NO. 1320, SAID ROAD BEING AS SHOWN ON THE REGULATION PLAT THEREOF ON FILE IN THE OFFICE OF THE COMMISSIONERS OF PUBLIC LANDS AT OLYMPIA, WASHINGTON.*****IMPROVEMENTS CARRIED UNDER TAX PARCEL NO. 362501-2-002-1000*****

**REFERENCE NO. OF DOCUMENTS ASSIGNED OR RELEASED:** 8506040145

SAMUEL COREY and COLETA COREY hereby abandon, vacate and relinquish all interest in the Easement for the road described in Easement Agreement: Application Number 47116, Document Number 8506040145, dated May 9, 1985 (see Exhibit A attached hereto), between previous owner Ernest Howerton and the State of Washington acting through the Department of Natural Resources.

*Samuel M. Corey*  
SAMUEL COREY

*Coleta M. Corey*  
COLETA COREY

**STATE OF WASHINGTON  
COUNTY OF KITSAP**

On this day personally appeared before me SAMUEL COREY and COLETA COREY to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 6<sup>th</sup> day of July, 2009.



*Susmi Rachelle Dall*  
Notary Public in and for the State of Washington  
Residing at Kitsap County  
My commission expires: Nov 28, 2012

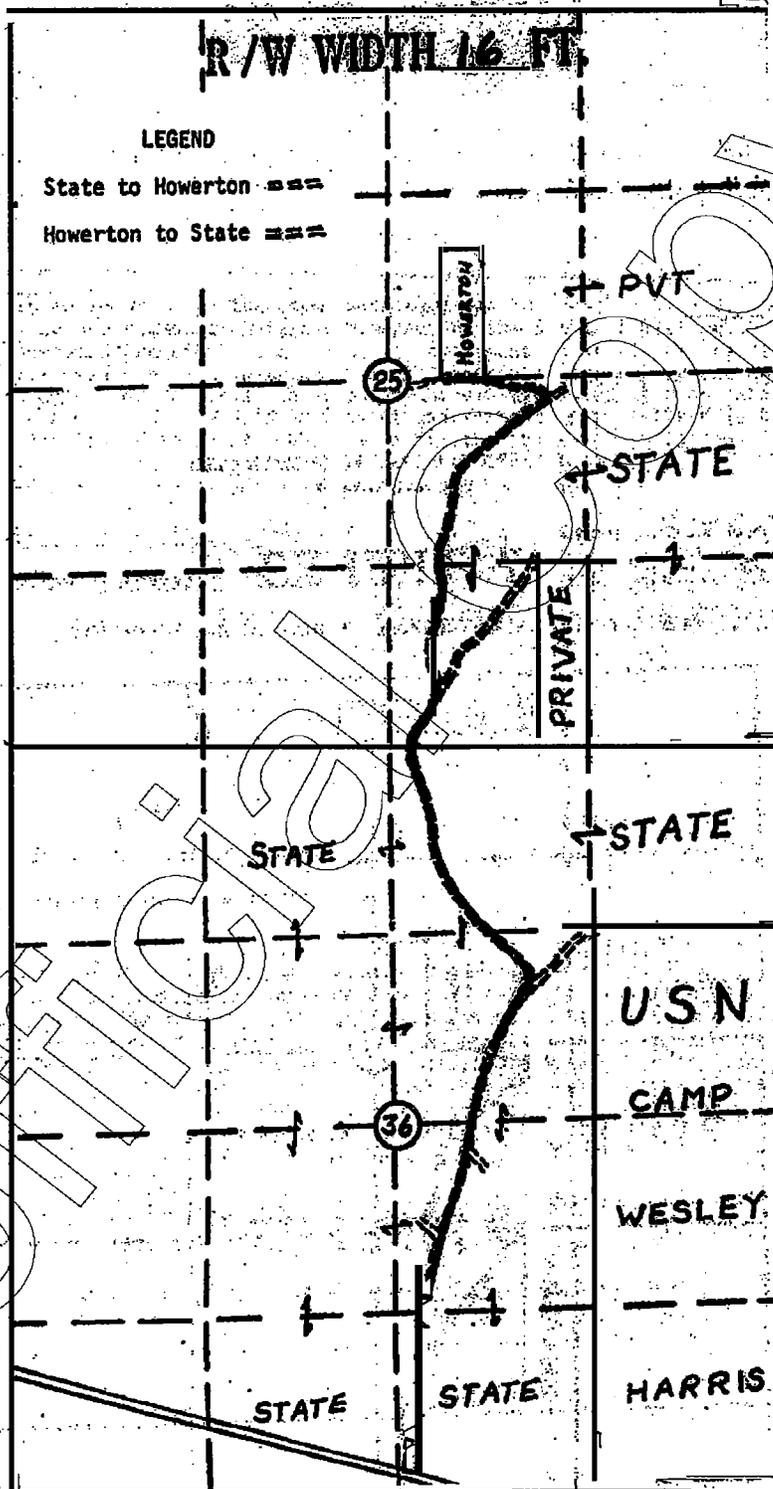
DEPARTMENT OF NATURAL RESOURCES

Continuation of Public Land

Application No. \_\_\_\_\_ County **KITSAK**

Applicant **HOWERTON** **EXHIBIT A** Area **SOUTH PUEBLO**

TOWNSHIP **25** NORTH, RANGE **1** (W) W.M.



SCALE:  
Drawn By:  
Date:

REEL 342FR 338

8506040145

Unofficial

After Recording Return To:  
Department of Natural Resources  
Asset Management and Protection Division  
Asset Planning and Transactions Section  
PO Box 47014  
Olympia, WA 98504-7014

LAND TITLE 200906180291  
Assignment & Assumption Acmt Rec Fee: \$ 59.00 Page: 1 of 4  
06/18/2009 03:15 PM  
Walter Washington, Kitsap Co Auditor

E-230251

EXCISE TAX EXEMPT JUN 18 2009

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES

ASSIGNMENT AND ASSUMPTION OF LEASE

This Agreement is between the State of Washington, acting through the Department of Natural Resources ("Assignor") and Kitsap County, a Political Subdivision of the State of Washington ("Assignee").

Assignor will transfer certain real property to the Assignee, the legal description which is contained in that certain lease (attached Exhibit A) between State of Washington as landlord and KITSAP RIFLE AND REVOLVER CLUB as lessee dated November 17, 2003 under Lease No. 60-B068979. Assignor wishes to assign its rights under the lease as landlord to Assignee and Assignee is willing to assume all of Assignor's obligations under the lease.

NOW THEREFORE, the parties agree as follows:

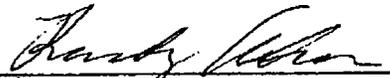
Ref# n/a

1. Assignment. Assignor hereby assigns to Assignee all of Assignor's rights, obligations and interests in and to the lease.
2. Assumption. Assignee hereby assumes any and all of Assignor's obligations arising under the lease after the date of this assignment and agrees to indemnify Assignor against and hold Assignor harmless from any and all liabilities, costs, losses, damages, claims or expenses, including, without limitation, reasonable attorney's fees, arising out of the obligations assumed herein.



ASSIGNOR  
State of Washington  
Department of Natural Resources

ASSIGNEE  
Kitsap County  
a Political Subdivision of the  
State of Washington

  
Randy Acker, SPS Region Manager

Charlotte Garrido, Chair  
Kitsap County  
Board of County Commissioners

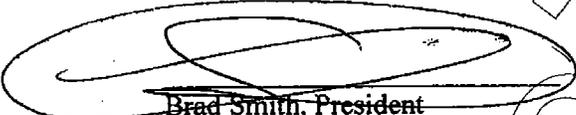
6/8/09  
Date

\_\_\_\_\_  
Date

CONSENT AND RELEASE

The lessee, Kitsap Rifle and Revolver Club hereby consents to the transfer of the property to Assignee subject to the lease and releases Assignor from any and all liability arising under the lease after the date of this agreement.

LESSEE  
Kitsap Rifle and Revolver Club

  
Brad Smith, President

6-18-09  
Date

Pre-approved as to Form  
February 12, 2001 by  
James Schwartz  
Assistant Attorney General

UNOFFICIAL COPY

ASSIGNOR  
State of Washington  
Department of Natural Resources

  
\_\_\_\_\_  
Randy Acker, SPS Region Manager

6/8/09  
\_\_\_\_\_  
Date

ASSIGNEE  
Kitsap County  
a Political Subdivision of the  
State of Washington

\_\_\_\_\_  
Charlotte Garrido, Chair  
Kitsap County  
Board of County Commissioners

\_\_\_\_\_  
Date

Pre-approved as to Form  
February 12, 2001 by  
James Schwartz  
Assistant Attorney General

Unofficial Copy

## Don Burger

---

**From:** Josh W. Brown [JWbrown@co.kitsap.wa.us]  
**Sent:** Saturday, April 17, 2010 6:43 PM  
**To:** rpkermath@[REDACTED]  
**Subject:** Re: Newberry Hill Heritage Park Meeting of 13 April 2010

Thanks for your feedback. The County is not interested in any swaps with the KRRC and we look forward to completing the Newberry Hill Heritage Park Master Plan soon. I hope this answers your concerns. Warm regards, Josh -----Original Message-----

**From:** Robert and Peggy Kermath <rpkermath@[REDACTED]>  
**To:** Howell, Kevin <KMHowell@co.kitsap.wa.us>  
**To:** Garrido, Charlotte <CGarrido@co.kitsap.wa.us>  
**To:** Brown, Josh <JWbrown@co.kitsap.wa.us>  
**To:** Bauer, Steve <SBauer@co.kitsap.wa.us>  
**To:** <jdunwiddi@co.kitsap.wa.us>  
**Cc:** <sjunis@[REDACTED]>  
**Cc:** <kevinandgail@[REDACTED]>

**Sent:** 4/14/2010 3:10:25 PM  
**Subject:** Fw: Newberry Hill Heritage Park Meeting of 13 April 2010

To all concerned,

We were also at the Newberry Hill Heritage Park meeting last night and completely concur with the attached email!

Sincerely,

Robert and Peggy Kermath

----- Forwarded Message -----

**From:** Gail and Kevin Gross <kevinandgail@[REDACTED]>  
**To:** Jim Dunwiddie <jdunwiddie@co.kitsap.wa.us>; jwbrown@co.kitsap.wa.us;  
sbauer@co.kitsap.wa.us; cgarrido@co.kitsap.wa.us; KMHowell@co.kitsap.wa.us  
**Cc:** Peggy Kermath <rpkermath@[REDACTED]>; Terry Allison <tncallison@[REDACTED]>; Wade Larson  
<wadelarson2@[REDACTED]>; Skip Junis <sjunis@[REDACTED]>  
**Sent:** Wed, April 14, 2010 11:28:41 AM  
**Subject:** Newberry Hill Heritage Park Meeting of 13 April 2010

I was among several property owners who attended last night's meeting of the Fifth Newberry Hill Heritage Park Workshop.

At that meeting Mr. Marcus Carter, Executive Officer of the Kitsap Rifle and Revolver Club (KRRC), announced that he will be proposing for consideration by the County a 14.3 acre swap of wetlands at the west side of the KRRC property, with 14.3 acres adjacent to the northwest corner of the KRRC property, currently belonging to Kitsap County. Since the 14.3 acres that Mr. Carter wishes to obtain in this swap is currently part of the Newberry Hill Heritage Park, this is certainly an issue in which the Stewardship Committee and the residents of this community should be involved and allowed to register comments. The facilitator of last night's Workshop, Ms. Martha Droge, affirmed that she would publish the review process in the Newberry Hill Heritage Park web site in order that the residents of our community may exercise our right to comment on Mr. Carter's proposal.

Mr. Carter proposed an equal swap of the two land parcels. In my experience with Federal real estate actions I know that land transactions of this nature, at least for Federal

agencies, require fair market value appraisals on which to base the transaction. Since Mr. Carter wishes to swap an equal size property that is mostly wetlands and is inundated most of the year with an equal size parcel of higher elevation and well forested, I can see no clear equality on a fair market basis. Mr. Carter's argument is seriously flawed on this account.

Mr. Carter premised his proposal on the benefit of widening the wildlife corridor between the County/DNR property to the north of Seabeck Highway with the Newberry Hill Heritage Park natural area to the south of Seabeck Highway. This is a fallacy since the property Mr. Carter wishes to dispose is already protected wetland and already supports the wildlife corridor. Mr. Carter would be well to recognize this in his current effort to completely fence the KRRC property.

I and many other community residents seriously oppose any disposition of Newberry Hill Heritage Park property supporting realignment of the KRRC property.

Sincerely,  
Kevin T. Gross  
CAPT(ret.), Civil Engineer Corps, U.S. Navy  
[REDACTED]  
Bremerton, Washington  
[REDACTED]

## Don Burger

---

**From:** Kim Dunn [KDunn@co.kitsap.wa.us]  
**Sent:** Monday, April 19, 2010 10:15 AM  
**To:** Neil Wachter  
**Cc:** Kevin Howell; Tracey Hamilton-Oril; Holly Anderson  
**Subject:** Re: Request for a meeting re KRRC - Confidential Attorney-Client Communication

Neil... [REDACTED]

Thanks

Kim Dunn  
Program Specialist  
Code Enforcement & Fire Marshal  
360-337-5738 - Telephone  
360-337-4925 - Fax  
[kdunn@co.kitsap.wa.us](mailto:kdunn@co.kitsap.wa.us)

>>> Neil Wachter 4/16/2010 11:09 AM >>>  
Kim:

[REDACTED]

Thanks,

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

## Don Burger

---

**From:** Kim Dunn [KDunn@co.kitsap.wa.us]  
**Sent:** Monday, April 19, 2010 12:05 PM  
**To:** Holly Parker-Harden  
**Subject:** Fwd: Request for a meeting re KRRC - Confidential Attorney-Client Communication  
**Attachments:** Request for a meeting re KRRC - Confidential Attorney-Client Communication

here you go...sorry

Kim Dunn  
Program Specialist  
Code Enforcement & Fire Marshal  
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## Don Burger

---

**From:** sjunis@[REDACTED]  
**Sent:** Monday, April 19, 2010 1:32 PM  
**To:** Josh Brown  
**Cc:** Kevin Howell; Steve Mount  
**Subject:** Navy Shooting

Josh,

Just wanted to let you know the Navy is shooting @ KRRC today, Monday 19th and are scheduled for 4 days this week. The Navy has told you and our group that the shooting would stop. In fact, the Navy is coming out to my house to night to address our groups concerns.

We have pictures of the servicemen, in uniform, taking a break from their scheduled shooting. The photos can be enlarged to clearly identify the group or units name.

On the Web site it is listed as Firearms of Hawaii, which is an outside contractor taking Navy servicemen to at KRRC. We have helped the Navy by tracking this group down and have provided the information.

We can provide if necessary names and addresses for this group. Our group is not very happy and we will be expressing this to the Public Affairs Officer and the representative from the Admiral's Office tonight.

---

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## Don Burger

---

**From:** sjunis@[REDACTED]  
**Sent:** Monday, April 19, 2010 1:42 PM  
**To:** Josh Brown  
**Cc:** Kevin Howell; Steve Mount  
**Subject:** Fw: Photos of Navy Personnel Shooting at KRRC 1300 19 April 2010  
**Attachments:** TEXT.htm; A Navy Shooting KRRC 19 April 2010 001.jpg; B Navy Shooting KRRC 19 April 2010 002.jpg; USS KENTUCKEY Shooting at KRRC 19 Apr 2010.pptx

Josh,

Here are the pictures. The group is from the "Kentucky" which is out of Sub Group 9. They were one of the groups that said no more shooting.

As I'm typing this I can hear automatic gun fire - 1.65 miles away.

Please note: forwarded message attached

**From:** "Gail and Kevin Gross" <kevinandgail@[REDACTED]>  
**To:** "Skip Junis" <sjunis@[REDACTED]>, "Terry Allison" <tncallison@[REDACTED]>  
**Subject:** Photos of Navy Personnel Shooting at KRRC 1300 19 April 2010  
**Date:** Mon, 19 Apr 2010 13:28:59 -0700

---

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## Don Burger

---

**From:** Martha Droge [MDroge@co.kitsap.wa.us]  
**Sent:** Monday, April 19, 2010 3:40 PM  
**To:** Lori Raymaker; Dorothy Leckner; Jim Dunwiddie  
**Cc:** Terri Lyman  
**Subject:** Newberry Hill & boundary line adjustment process

FYI, after checking with various departments, and most recently Jim Barnard, DCD, it appears that there is no County ordinance requiring that proposals for boundary line adjustments be reviewed by DCD. An ordinance is being prepared that may make DCD review mandatory, but that won't go before the BOCC until later in the year.

The typical process between two willing parties is outlined below:

- Hire surveyor to write legal description, prepare a notarized boundary line adjustment document, and create an exhibit map
- Deeds are prepared to transfer X square footage for Y square footage once the boundary line adjustment is finalized
- Taxes must be paid in full for both parties
- The hired surveyor records the boundary line adjustment with the auditor's office on behalf of the parties
- No public notice or comment is required

If we do receive a proposal for a BLA from the KRRC, I suggest that we go the extra step and allow public notice/comment after an initial review by the Commissioners.

Do you agree? Can I post something to this effect on our website in response to the question from last week's master plan meeting?

Thanks, Martha

Martha J. Droge, AICP, ASLA, LEED AP  
Park Projects Coordinator  
Kitsap County Dept. of Parks & Recreation  
614 Division Street MS-1  
Port Orchard, WA 98366  
360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

## Don Burger

---

**From:** Martha Droge [MDroge@co.kitsap.wa.us]  
**Sent:** Monday, April 19, 2010 3:58 PM  
**To:** Dana Daniels; Jim Dunwiddie  
**Cc:** Dori Leckner  
**Subject:** Newberry Hill MP in the Sun?

Dana and Jim, This is just a head's up that Brynn Grimley called today. She may run a story soon about the Master Plan. She had reviewed the website and had a couple of clarifying questions. Brynn did not ask about the gun club (and I didn't bring it up), and she seemed to have a favorable impression overall of the project and process. Martha

Martha J. Droge, AICP, ASLA, LEED AP  
Park Projects Coordinator  
Kitsap County Dept. of Parks & Recreation  
614 Division Street MS-1  
Port Orchard, WA 98366  
360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

## Don Burger

---

**From:** Dana Daniels [DDaniels@co.kitsap.wa.us]  
**Sent:** Monday, April 19, 2010 4:02 PM  
**To:** Josh W. Brown  
**Subject:** Fwd: Newberry Hill MP in the Sun?

FYI - see below

>>> Martha Droge 4/19/2010 3:58 PM >>>

Dana and Jim, This is just a head's up that Brynn Grimley called today. She may run a story soon about the Master Plan. She had reviewed the website and had a couple of clarifying questions. Brynn did not ask about the gun club (and I didn't bring it up), and she seemed to have a favorable impression overall of the project and process. Martha

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614 Division Street MS-1  
Port Orchard, WA 98366  
360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

## Don Burger

---

**From:** Dana Daniels [DDaniels@co.kitsap.wa.us]  
**Sent:** Monday, April 19, 2010 4:02 PM  
**To:** Martha Droge  
**Subject:** Re: Newberry Hill MP in the Sun?

thanks Martha

>>> Martha Droge 4/19/2010 3:58 PM >>>

Dana and Jim, This is just a head's up that Brynn Grimley called today. She may run a story soon about the Master Plan. She had reviewed the website and had a couple of clarifying questions. Brynn did not ask about the gun club (and I didn't bring it up), and she seemed to have a favorable impression overall of the project and process. Martha

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Kitsap County Dept. of Parks & Recreation  
614 Division Street MS-1  
Port Orchard, WA 98366  
360.337.5361 (o)  
[MDroge@co.kitsap.wa.us](mailto:MDroge@co.kitsap.wa.us)

## Don Burger

---

**From:** Kevin M. Howell [KMHowell@co.kitsap.wa.us]  
**Sent:** Tuesday, April 20, 2010 9:41 AM  
**To:** Christian C. Casad  
**Cc:** Neil R. Wachter; Russell D. Hauge  
**Subject:** Fwd: Navy Shooting

■■■■  
>>> "sjunis@■■■■" <sjunis@■■■■> 4/19/2010 1:31 PM >>>

Josh,

Just wanted to let you know the Navy is shooting @ KRRC today, Monday 19th and are scheduled for 4 days this week. The Navy has told you and our group that the shooting would stop. In fact, the Navy is coming out to my house to night to address our groups concerns.

We have pictures of the servicemen, in uniform, taking a break from their scheduled shooting. The photos can be enlarged to clearly identify the group or units name.

On the Web site it is listed as Firearms of Hawaii, which is an outside contractor taking Navy servicemen to at KRRC. We have helped the Navy by tracking this group down and have provided the information.

We can provide if necessary names and addresses for this group. Our group is not very happy and we will be expressing this to the Public Affairs Officer and the representative from the Admiral's Office tonight.

---

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**Don Burger**

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**Sent:** Tuesday, April 20, 2010 9:41 AM  
**To:** Christian C. Casad  
**Cc:** Neil R. Wachter; Russell D. Hauge  
**Subject:** Fwd: Fw: Photos of Navy Personnel Shooting at KRRC 1300 19 April 2010  
**Attachments:** A Navy Shooting KRRC 19 April 2010 001.jpg; TEXT.htm; USS KENTUCKEY Shooting at KRRC 19 Apr 2010.pptx; B Navy Shooting KRRC 19 April 2010 002.jpg

■■■■■  
>>> "sjunis@■■■■■" <sjunis@■■■■■> 4/19/2010 1:42 PM >>>

Josh, Here are the pictures. The group is from the "Kentucky" which is out of Sub Group 9. They were one of the groups that said no more shooting. As I'm typing this I can hear automatic gun fire - 1.65 miles away. Please note: forwarded message attached From: "Gail and Kevin Gross" To: "Skip Junis" , "Terry Allison" Subject: Photos of Navy Personnel Shooting at KRRC 1300 19 April 2010 Date: Mon, 19 Apr 2010 13:28:59 -0700

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**Don Burger**

---

**From:** Holly Parker-Harden [HPharden@co.kitsap.wa.us]  
**Sent:** Tuesday, April 20, 2010 11:03 AM  
**To:** Kevin M. Howell  
**Cc:** Jeff Rowe-Hornbaker; Larry Keeton; Neil R. Wachter  
**Subject:** Re: KRCC - Confidential Attorney-Client Communication

[REDACTED]

>>> Kevin Howell 4/20/2010 10:56 AM >>>

[REDACTED]

>>> Holly Parker-Harden 4/20/2010 10:52 AM >>>

[REDACTED]

>>> Kevin Howell 4/20/2010 10:50 AM >>>

[REDACTED]

Kevin M. Howell  
Deputy Prosecuting Attorney for Kitsap County Civil Division  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
Email: [kmhowell@co.kitsap.wa.us](mailto:kmhowell@co.kitsap.wa.us)  
Phone: (360) 337-7268  
Fax: (360) 337-7083

>>> Holly Parker-Harden 4/20/2010 10:48 AM >>>

## Don Burger

---

**From:** sjunis@[REDACTED]  
**Sent:** Tuesday, April 20, 2010 7:50 PM  
**To:** JWbrown@kcgw1\_do.kcgw2\_po  
**Cc:** Kevin Howell; Steve Mount  
**Subject:** Re: Navy Meeting

Josh,

The Public Affairs Office and Head of Base Security came out to my house last night and met with a portion of of our group concerning the Rifle Club. We had a great turn out.

The meeting went very well and I can report that the Navy is rewriting their perimeters for using civilian ranges. It seems our voices have been heard all the way to the Admiral. They relayed Admiral Symonds concerned about our complaints and the problems regarding the situation involving the Navy and KRRC.

They were taken back when we showed them the photographs of their people at the club on Monday. Interesting, they did not show up today for their scheduled shoot. They are also scheduled for Thursday and Friday, so we'll see what happens.

I can safely say the Navy is not only concerned about the noise, but very concerned about safety and the environmental problem. They told us they have their environmental folks looking at the data we provided, plus they have a large number of folks working to redo their outside shooting evaluation of ranges. I am pretty confident the Navy wants no part of this range and will no longer utilize the facility. They said they should have a final resolution in 30 days or less. They emphasized this is top priority as ordered from the Admiral.

It seems the groups that are still using the club are part of outside contractor from Pearl Harbor. They are looking at that contract as well.

The Navy representatives also express concern about the danger and potential liability with the Gun Club being adjacent to the New Heritage Park, especially when they reviewed the Google Photos showing the new firing lanes illegally cut into the terrain.

They acknowledged the problem with pollution and their possible responsibility for part of the clean up.

Overall, our group was very please with the sincere concern shown by the representatives and their willingness to meet again to listen to additional information we offered to provide. Coupling their concern, with your commitment, and the concerned shown by several County Agencies to correct this situation, I believe we are on the right track to eliminate the Noise, and solve the environmental and safety issues.

Just wanted to update you. Thanks

Skip and Doris Junis

Concerned Citizens for Safe and Quiet Neighborhoods

---

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## Don Burger

---

**From:** Terry Allison [tncallison@████████]  
**Sent:** Wednesday, April 21, 2010 6:39 AM  
**To:** Newberryhill  
**Cc:** Commissioner Kitsap County  
**Subject:** POSSIBLE SPAM! SCORE = 5.5 Newberry Hill Heritage Park

Martha

Last night's local newspaper said the NHHP master plan is ready to go to the county Parks and Recreation Advisory board for approval. I suggest and request than any further action involving public funds expenditures on NHHP be suspended until allegations of unacceptable hazards to public and environmental health and safety in the proposed park and surrounding areas are resolved.

Information obtained from county and state sources via public disclosure request indicate Kitsap Rifle and Revolver Club has in recent years added a number of new firing lines, some of which are oriented to fire directly into the proposed park, and has significantly expanded active use areas of the range. Lead and other heavy metals contamination of the range and surrounding wetlands is unquestioned. No permits for range expansion or firing line reorientation have been obtained as is required by county code. That means that there has been no review, evaluation, approval, or even consideration of the effects of this work on the surrounding environment or public and residential areas by responsible public officials.

There is a large and very convincing body of public records that support the presence of potentially major, or even lethal, hazards presented by continued activities at KRRC to the public and to the environment. County, state, and even federal officials have reportedly been denied access to club property for investigation of complaints and allegations. The County, as original authority for most of the problem resolution process, has been unacceptably reluctant to address the issues at KRRC, possibly due to the potentially high liability concerns.

Until these concerns and issues are resolved, it seems irresponsible for the County Parks Department to continue with development of a public park that presents such a large potential hazard to the public and irreplaceable wetlands areas. Again, I request no further action on development of NHHP involving public funding be taken until this is resolved.

I request you present this e-mail to the Advisory Board for today's meeting and post it on the NHHP web site.

Sincerely  
Terry Allison

## Don Burger

---

**From:** Kevin M. Howell [KMHowell@co.kitsap.wa.us]  
**Sent:** Wednesday, April 21, 2010 10:06 AM  
**To:** Christian C. Casad  
**Cc:** Jeff Rowe-Hornbaker; Larry Keeton; Neil R. Wachter; Russell D. Hauge  
**Subject:** Fwd: Re: Navy Meeting

■■■■■  
>>> "sjunis@■■■■■" <sjunis@■■■■■> 4/20/2010 7:50 PM >>>

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Skip and Doris Junis

Concerned Citizens for Safe and Quiet Neighborhoods

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## Don Burger

---

**From:** Kevin M. Howell [KMHowell@co.kitsap.wa.us]  
**Sent:** Wednesday, April 21, 2010 10:10 AM  
**To:** sjunis@[REDACTED]  
**Subject:** Re: Navy Meeting  
**Attachments:** Header

Thank you for the continuing information Skip.

Next week I am to meet with Josh, Russ Hauge, Larry Keeton (Director of DCD) and others on the issues relating to KRRC. Your efforts and input provide very valuable resources to all of us here at the county.

Best regards,

Kevin M. Howell  
Deputy Prosecuting Attorney for Kitsap County  
Civil Division  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
Email: [kmhowell@co.kitsap.wa.us](mailto:kmhowell@co.kitsap.wa.us)  
Phone: (360) 337-7268  
Fax: (360) 337-7083

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## Don Burger

---

**From:** sjunis@[REDACTED]  
**Sent:** Wednesday, April 21, 2010 10:41 AM  
**To:** Kevin M. Howell  
**Subject:** POSSIBLE SPAM! SCORE = 5.5 Re: Navy Meeting  
**Attachments:** Re: Navy Meeting

Kevin,

When can we expect to have the meeting with Russ on the additional information we have to present. If you recall, Neil had called me to say Russ wanted to meet with us but wanted that summary document we provided.

Will we have a meeting with you and Chris at some time in the near future as well?

Thanks for your efforts. Our group looks forward to working with you and Chris to get a satisfactory result.

Oh, I almost forgot to tell you. We are getting a great response to information we're sending out regarding the Wetland destruction as seen on the series of Google Earth pictures. We talked with a source who has been monitoring this and he estimated there has been a 40 to 60% reduction in wetland habitat ( water bodies ) since KRRC started their major non permitted range expansion.

Please note: message attached

From: "Kevin Howell" <kmhowell@CO.KITSAP.WA.US>  
To: <sjunis@juno.com>  
Subject: Re: Navy Meeting  
Date: Wed, 21 Apr 2010 10:09:47 -0700

---

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## Don Burger

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**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Wednesday, April 21, 2010 11:15 AM  
**To:** Tracey L. Hamilton-Oril  
**Subject:** Fwd: KRRRC Meeting  
**Attachments:** KRRRC Meeting

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

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**Subject:** Fwd: KRRC Meeting  
**Attachments:** KRRC Meeting

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
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614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

**Don Burger**

---

**From:** Tracey L. Hamilton-Oril [THamilto@co.kitsap.wa.us]  
**Sent:** Wednesday, April 21, 2010 12:28 PM  
**To:** Kevin M. Howell  
**Subject:** Fwd: Allison PDRs  
**Attachments:** Allison PDRs

---

**Don Burger**

---

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**Attachments:** Allison PDRs

---



**Department of Administrative Services  
Kitsap County Administration Building**

614 Division Street, MS-20, Port Orchard, Washington 98366-4676  
Phone (360) 337-7150 • Fax (360) 337-7052

---

January 27, 2010

Terry Allison  
[REDACTED]

Bremerton, WA 98312

RE: Public Records Request

Dear Mr. Allison,

Thank you for your public records request dated and received in our office on January 27, 2010.

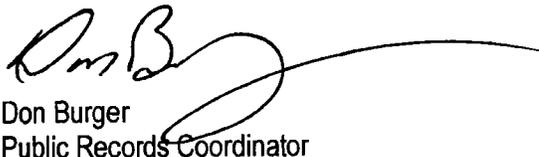
You have requested:

"Gun Range Permit / permit required by Kitsap County Code 10.24.103 for Kitsap Rifle and Revolver Club located at 4900 Seabeck Hwy NW, Bremerton, WA"

The records you reviewed in our offices this morning (as per your request of December 3, 2009) reflect all the records Kitsap County currently has on file regarding the Kitsap Rifle and Revolver Club. Our files do not hold the record you have currently requested.

If you have additional questions or concerns please feel free to contact me at any time.

Sincerely,



Don Burger  
Public Records Coordinator

cc: R'Lene Orr, Purchasing and Records Manager  
Carolyn Gourley, Department of Community Development

Instructions: 1. Complete Section A of following form.  
 2. Return completed form to the appropriate Kitsap County Department.

Section A - Requestor/Records Request Information		
Requestor Name <i>Terry Allison</i>	Phone Number [REDACTED]	Today's Date <i>3 Dec 09</i>
Mailing Address [REDACTED], Bremerton, Wa	City <i>98312</i>	State Zip Code
This is a request to: <input checked="" type="checkbox"/> Inspect and/or <input checked="" type="checkbox"/> Copy the records described below: (Please describe in the space below the records you are requesting and any additional information that will assist in quickly locating them.)		
Title of Record(s): <i>unknown</i>	Description: <i>Any records relating to the transfer of 70± acres located at 4900 Seabeck Hwy. from Kitsap County to Kitsap Rifle and Revolver Club, including, but not limited to, contract terms, limitations, restrictions, covenants, legal opinions, meeting minutes, e-mails, surveys, assessments, valuations, mitigation findings or other information related from County Commissioners, Department of Community Development, Planning, Parks, County Attorneys and Public Health.</i>	Date(s) of Record(s): <i>March 09 to present</i>
If record(s) concern individual(s) other than requestor, please state names(s):	Special Handling: <input type="checkbox"/> Please mail copies. (Payment is required before copying or mailing) <input type="checkbox"/> Please hold for pick-up.	
Signature of Requestor <i>T Allison</i>	Request was Made <input type="checkbox"/> In person <input type="checkbox"/> By Phone <input checked="" type="checkbox"/> By Mail (Attach Request)	
I certify that the photocopies of the records received as listed above will not be used for commercial purposes. I agree to pay a reasonable standard charge of \$.15 per copy plus cost of mailing.		
Signature <i>T Allison</i>	Date <i>3 Dec 09</i>	E-Mail Address <i>tncallison@ [REDACTED]</i>
Section C - Department Use Only		
Department	Signature	Date



**Department of Administrative Services  
Kitsap County Administration Building**

614 Division Street, MS-20, Port Orchard, Washington 98366-4676  
Phone (360) 337-7150 • Fax (360) 337-7052

---

Shawn A. Gabriel  
Director

December 8, 2009

Terry Allison

[REDACTED]

Bremerton, WA 98312

RE: Public Records Request

Dear Terry,

Thank you for your public records request dated December 3, 2009 and received in our offices on December 8, 2009.

You have requested:

*"Any records relating to the transfer of 70 +/- acres located at 4900 Seabeck Hwy. from Kitsap County to Kitsap Rifle and Revolver Club, including, but not limited to, contract terms, limitations, restrictions, covenants, legal opinions, meeting minutes, e-mails, surveys, assessments, valuations, mitigation findings, or other information relating from County Commissioners, Department of Community Development, Planning, Parks, County attorneys, and Public Health./March 09 to present"*

All records responsive to this request will be reviewed and prepared for release. We hope to release these records no later than January 21, 2010. Once the records are ready for release we will notify you as to the cost for copying all responsive documents.

If for any reason we must withhold or redact information from a document, you will be notified as to which document this applies, and the reason why.

Please note, the Kitsap County Health District is a separate entity from Kitsap County. We recommend you contact the County Health District directly for any records you may wish them to provide.

If you wish to review the documents at no cost please contact me at, 360-307-4261 to schedule an appointment.

If you have additional questions or concerns please feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Burger", with a long horizontal flourish extending to the right.

Don Burger, Records Coordinator  
[dburger@co.kitsap.wa.us](mailto:dburger@co.kitsap.wa.us)

cc: R'Lene J. Orr, Purchasing & Records Manager  
Kevin Howell, Kitsap County Prosecutor's Office (Civil Division)

## Don Burger

---

**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Wednesday, April 21, 2010 12:36 PM  
**To:** Kevin M. Howell  
**Subject:** Fwd: Re: Navy Meeting

[REDACTED]

Chris

>>> Kevin Howell 4/21/2010 10:06 AM >>>

[REDACTED]

>>> "sjunis@[REDACTED]" <sjunis@[REDACTED]> 4/20/2010 7:50 PM >>>

Josh,

The Public Affairs Office and Head of Base Security came out to my house last night and met with a portion of of our group concerning the Rifle Club. We had a great turn out.

The meeting went very well and I can report that the Navy is rewriting their perimeters for using civilian ranges. It seems our voices have been heard all the way to the Admiral. They relayed Admiral Symonds concerned about our complaints and the problems regarding the situation involving the Navy and KRRC.

They were taken back when we showed them the photographs of their people at the club on Monday. Interesting, they did not show up today for their scheduled shoot. They are also scheduled for Thursday and Friday, so we'll see what happens.

I can safely say the Navy is not only concerned about the noise, but very concerned about safety and the environmental problem. They told us they have their environmental folks looking at the data we provided, plus they have a large number of folks working to redo their outside shooting evaluation of ranges. I am pretty confident the Navy wants no part of this range and will no longer utilize the facility. They said they should have a final resolution in 30 days or less. They emphasized this is top priority as ordered from the Admiral.

It seems the groups that are still using the club are part of outside contractor from Pearl Harbor. They are looking at that contract as well.

The Navy representatives also express concern about the danger and potential liability with the Gun Club being adjacent to the New Heritage Park, especially when they reviewed the Google Photos showing the new firing lanes illegally cut into the terrain.

They acknowledged the problem with pollution and their possible responsibility for part of the clean up.

Overall, our group was very please with the sincere concern shown by the representatives and their willingness to meet again to listen to additional information we offered to provide.

Coupling their concern, with your commitment, and the concerned shown by several County Agencies to correct this situation, I believe we are on the right track to eliminate the Noise, and solve the environmental and safety issues.

Just wanted to update you. Thanks

Skip and Doris Junis

Concerned Citizens for Safe and Quiet Neighborhoods

---

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<http://thirdpartyoffers.juno.com/TGL3141/4bce684c27139e60a3st05duc>

Instructions: 1. Complete Section A of following form.  
 2. Return completed form to the appropriate Kitsap County Department.

Section A - Requestor/Records Request Information		
Requestor Name <i>Terry Allison</i>	Phone Number [REDACTED]	Today's Date <i>27 Jan 10</i>
Mailing Address [REDACTED]	City <i>Bremerton, Wa.,</i>	State <i>98312</i>
This is a request to: <input checked="" type="checkbox"/> Inspect and/or <input checked="" type="checkbox"/> Copy the records described below: (Please describe in the space below the records you are requesting and any additional information that will assist in quickly locating them.)		
Title of Record(s): <i>Gun Range Permit</i>	Description: <i>permit required by Kitsap County Code 10.24.103 for Kitsap Rifle and Revolver Club located at 4900 Seabeck Hwy NW, Bremerton, Wa.</i>	Date(s) of Record(s): <i>unknown</i>
If record(s) concern individual(s) other than requestor, please state names(s):	Special Handling: <input type="checkbox"/> Please mail copies. (Payment is required before copying or mailing) <input type="checkbox"/> Please hold for pick-up.	
Signature of Requestor <i>T Allison</i>	Request was Made <input type="checkbox"/> In person <input type="checkbox"/> By Phone <input checked="" type="checkbox"/> By Mail (Attach Request)	
I certify that the photocopies of the records received as listed above will not be used for commercial purposes. I agree to pay a reasonable standard charge of \$.15 per copy plus cost of mailing.		
Signature <i>T Allison</i>	Date	E-Mail Address <i>tnallison@ [REDACTED]</i>
Section C - Department Use Only		
Department	Signature	Date

2010 JAN 27 AM 10:29  
 RECEIVED BY  
 KITSAP COUNTY

Pursuant to RCW 42.56, with limited exception, Kitsap County and all of its departments and offices are required to disclose all identifiable "public records" that are related to the conduct of the County when such records are requested by

## Don Burger

---

**From:** sjunis@[REDACTED]  
**Sent:** Wednesday, April 21, 2010 2:35 PM  
**To:** Kevin M. Howell  
**Subject:** Photos of KRRC Site  
**Attachments:** Wetland destruction.jpg; Aerialcollage3.jpg

Kevin,

Just wanted to be sure you've seen these photos.

1. 4 shoots over 5 year period which clearly shows the elimination of all the surrounding Wetlands. This reduction can easily be traced back to the non-permitted expansion of the club starting in 2005.

You have other photos from the County showing the heavy equipment demolishing the wetlands. KRRC was ordered to stop any further work at that point...go to next photo.

2. This shows the existing site and all the firing lanes, equipment storage areas plus expanded areas.

KRRC was "grandfathered" in 1993 with One Pistol Lane and One Rifle Lane.

Look at what they have done since 1993.

The question that I keep asking myself: Why hasn't the County done anything to stop this over the years? How can County Officials who are on record knowing about this abuses let them continue?

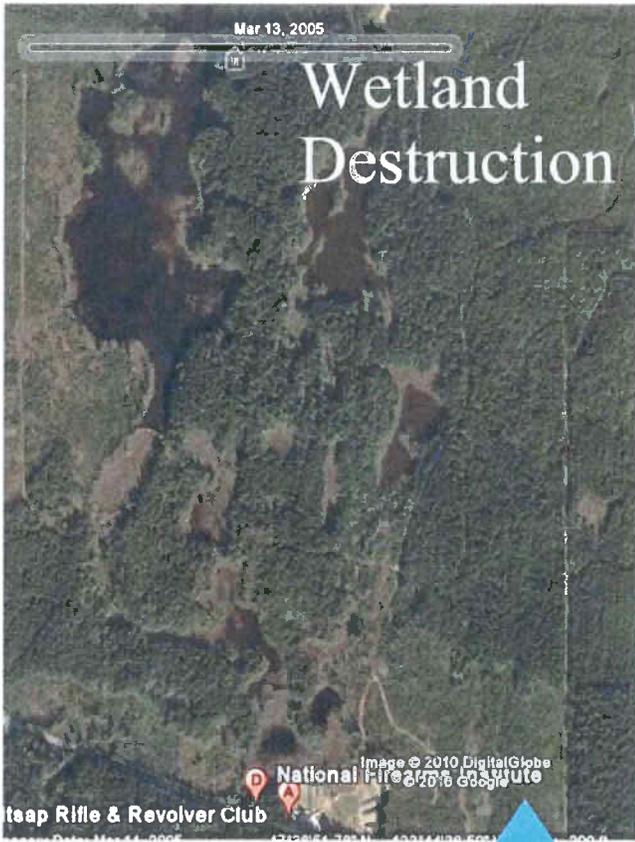
I have come across another document from KRRC to County Commissioners which is one of the more amazing documents I've read yet. I will be sending this along with my dissection of the material for your review a little later.

---

Penny Stock Jumping 2000%

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<http://thirdpartyoffers.juno.com/TGL3141/4bcf6faceb1d010e844st03duc>



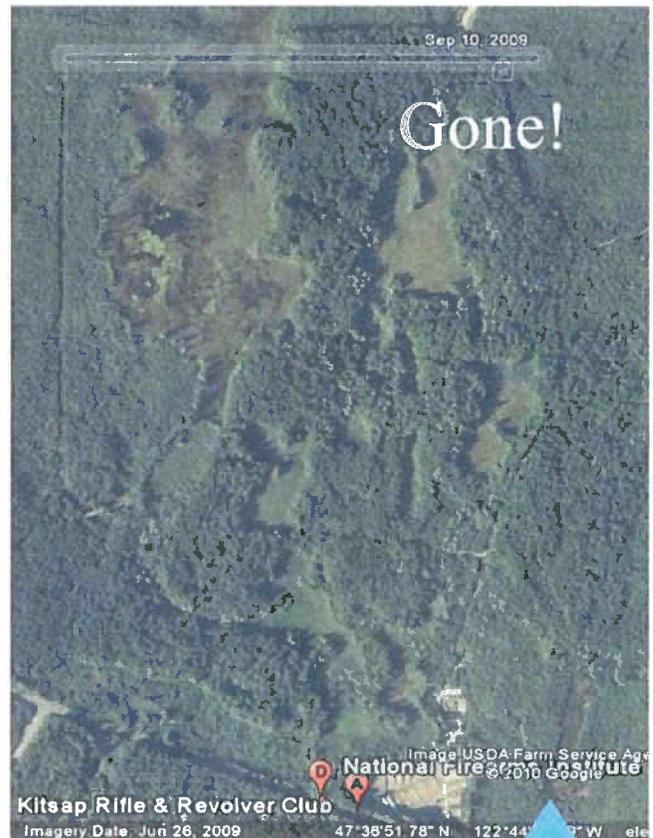
March 2005



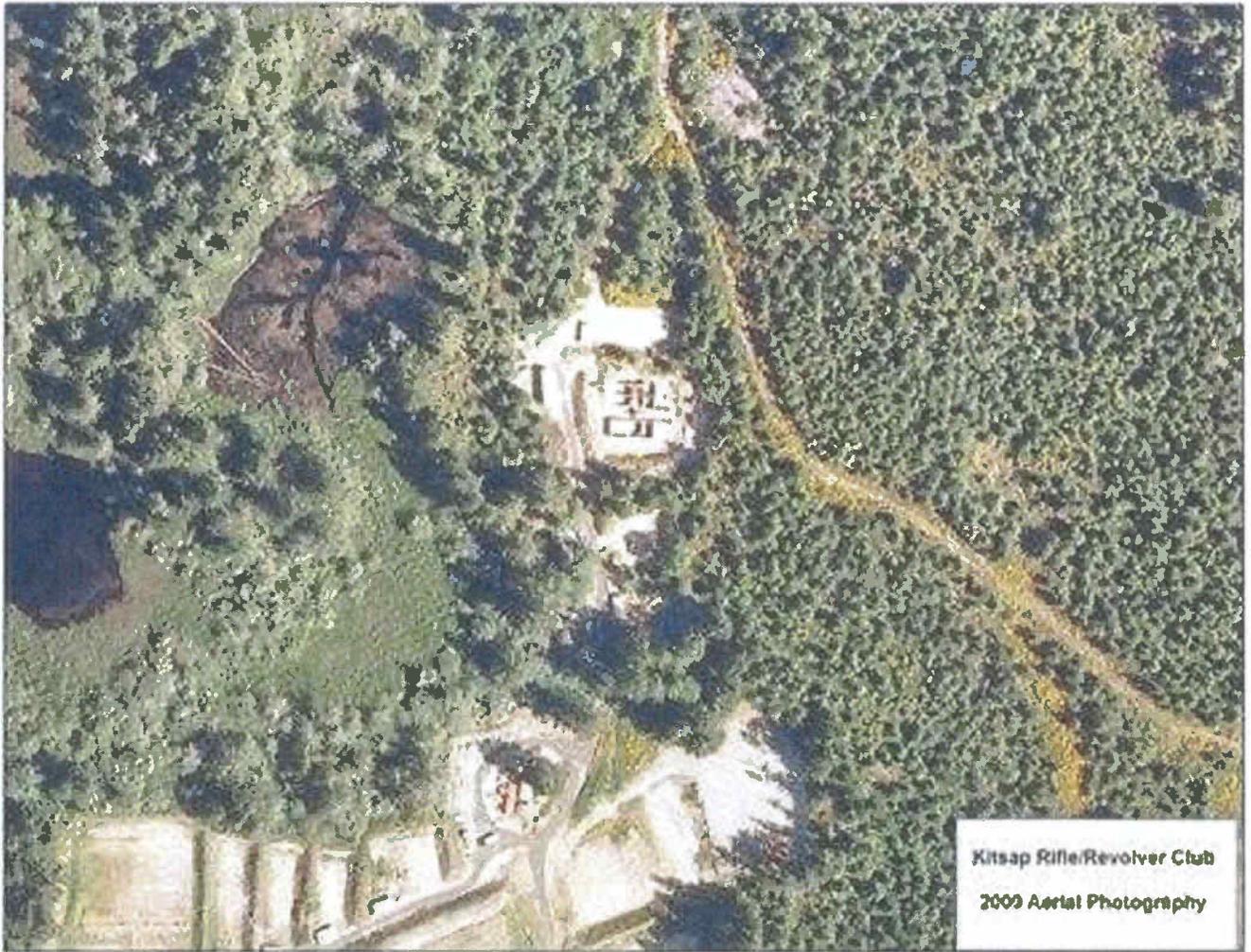
July 2005



Aug 2006



Sept 2009



## Don Burger

---

**From:** Kevin Howell [/O=KITSAP/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=E50CEDA-3DD05540-48E0CE0-DEBBD048@]  
**Sent:** Wednesday, April 21, 2010 3:11 PM  
**To:** Christian Casad  
**Cc:** Jeff Rowe-Hornbaker; Larry Keeton; Neil Wachter  
**Subject:** Fwd: Photos of KRRC Site  
**Attachments:** Areialcollage3.jpg; Wetland destruction.jpg

>>> "sjunis@[REDACTED]" <sjunis@[REDACTED]> 4/21/2010 2:34 PM >>>

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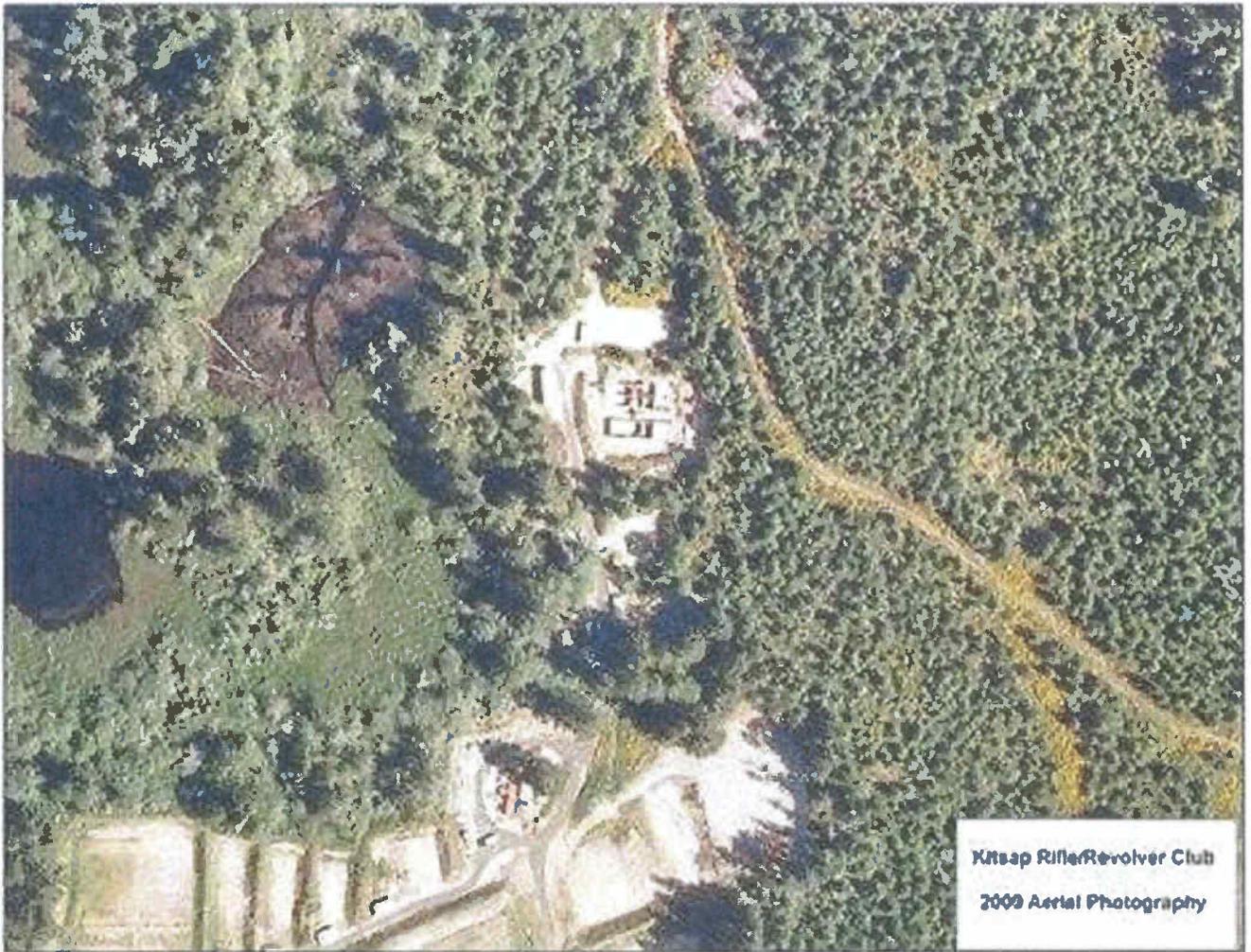
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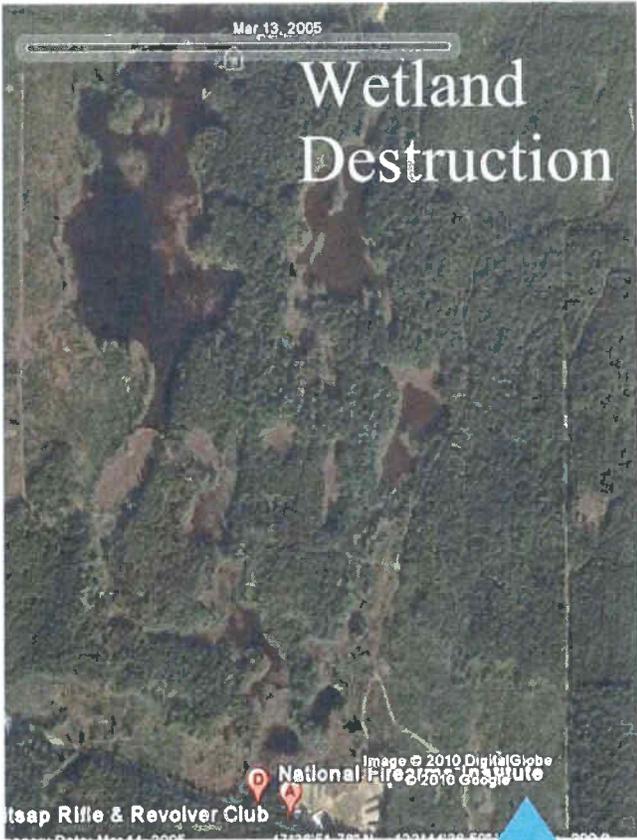
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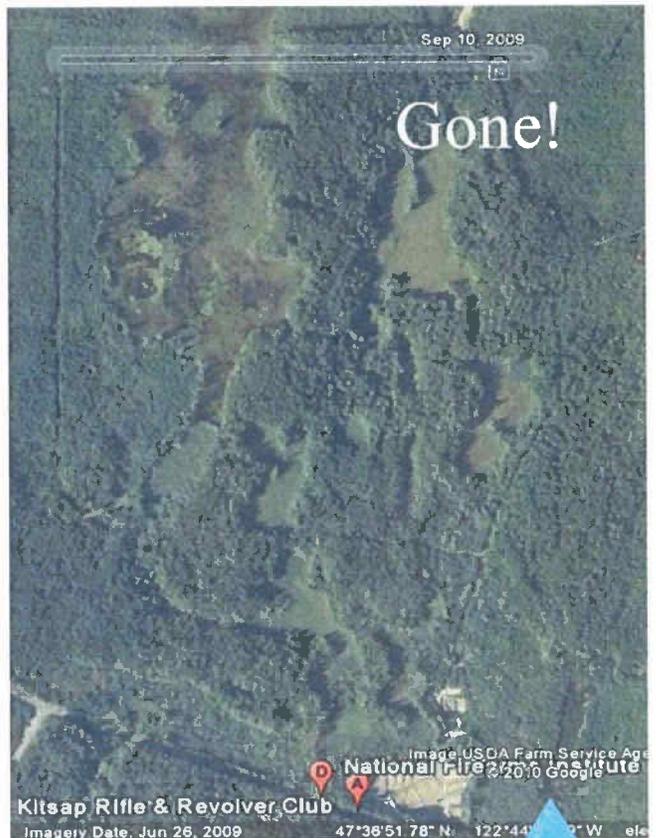
March 2005



July 2005



Aug 2006



Sept 2009

## Don Burger

---

**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Wednesday, April 21, 2010 3:12 PM  
**To:** Kevin M. Howell  
**Subject:** Re: Fwd: Photos of KRRC Site

[REDACTED]  
>>> Kevin Howell 4/21/2010 3:11 PM >>>  
fyi

>>> "sjunis@[REDACTED]" <sjunis@[REDACTED]> 4/21/2010 2:34 PM >>>  
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<http://thirdpartyoffers.juno.com/TGL3141/4bcf6faceb1d010e844st03duc>

## Don Burger

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Wednesday, April 21, 2010 3:17 PM  
**To:** Tracey L. Hamilton-Oril  
**Subject:** Fwd: Photos of KRRC Site  
**Attachments:** Fwd: Photos of KRRC Site

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

## Don Burger

---

**From:** Kevin Howell [KMHowell@co.kitsap.wa.us]  
**Sent:** Thursday, April 22, 2010 9:09 AM  
**To:** Molly Foster; Randy Casteel  
**Cc:** Stella Vakarcs  
**Subject:** Re: Ron Ross/So. Central FM Project

>>> Randy Casteel 4/22/2010 8:22 AM >>>  
I could meet Tuesday at 8:30.

>>> Molly Foster 1:38 PM 4/21/2010 >>>  
Hi Randy,

Could you set aside about a 1/2 hour next Monday or Tuesday morning for Kevin and I to discuss with you the outcome of this morning's meeting with Mr. Ross and his attorney? Basically, we would like to fill you in on the details of the meeting and talk to you about approaching the BoCC regarding Mr. Ross' proposal for a "trade."

Thank you,  
Molly

## Don Burger

---

**From:** Molly Foster [MFoster@co.kitsap.wa.us]  
**Sent:** Thursday, April 22, 2010 9:23 AM  
**To:** Kevin M. Howell; Randy Casteel  
**Cc:** Stella Vakarcs  
**Subject:** Re: Ron Ross/So. Central FM Project

Kevin,

[REDACTED]

Molly

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[REDACTED]

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**Don Burger**

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**Cc:** Tracey L. Hamilton-Oril  
**Subject:** Re: Ron Ross/So. Central FM Project

yes

>>> Molly Foster 4/22/2010 9:22 AM >>>  
Kevin,

[REDACTED]

Molly

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## Don Burger

---

**From:** Larry Keeton [LKeeton@co.kitsap.wa.us]  
**Sent:** Thursday, April 22, 2010 9:35 AM  
**To:** Larry Keeton  
**Subject:** Fwd: Photos of KRRC Site  
**Attachments:** Areialcollage3.jpg; Wetland destruction.jpg

Larry,  
I tried to print these photos off for you but my computer will not let me do it. Sorry!  
Holly

>>> Kevin Howell 4/21/2010 3:11 PM >>>

>>> " [sjunis@\[REDACTED\]](mailto:sjunis@[REDACTED]) " < [sjunis@\[REDACTED\]](mailto:sjunis@[REDACTED]) > 4/21/2010 2:34 PM >>>

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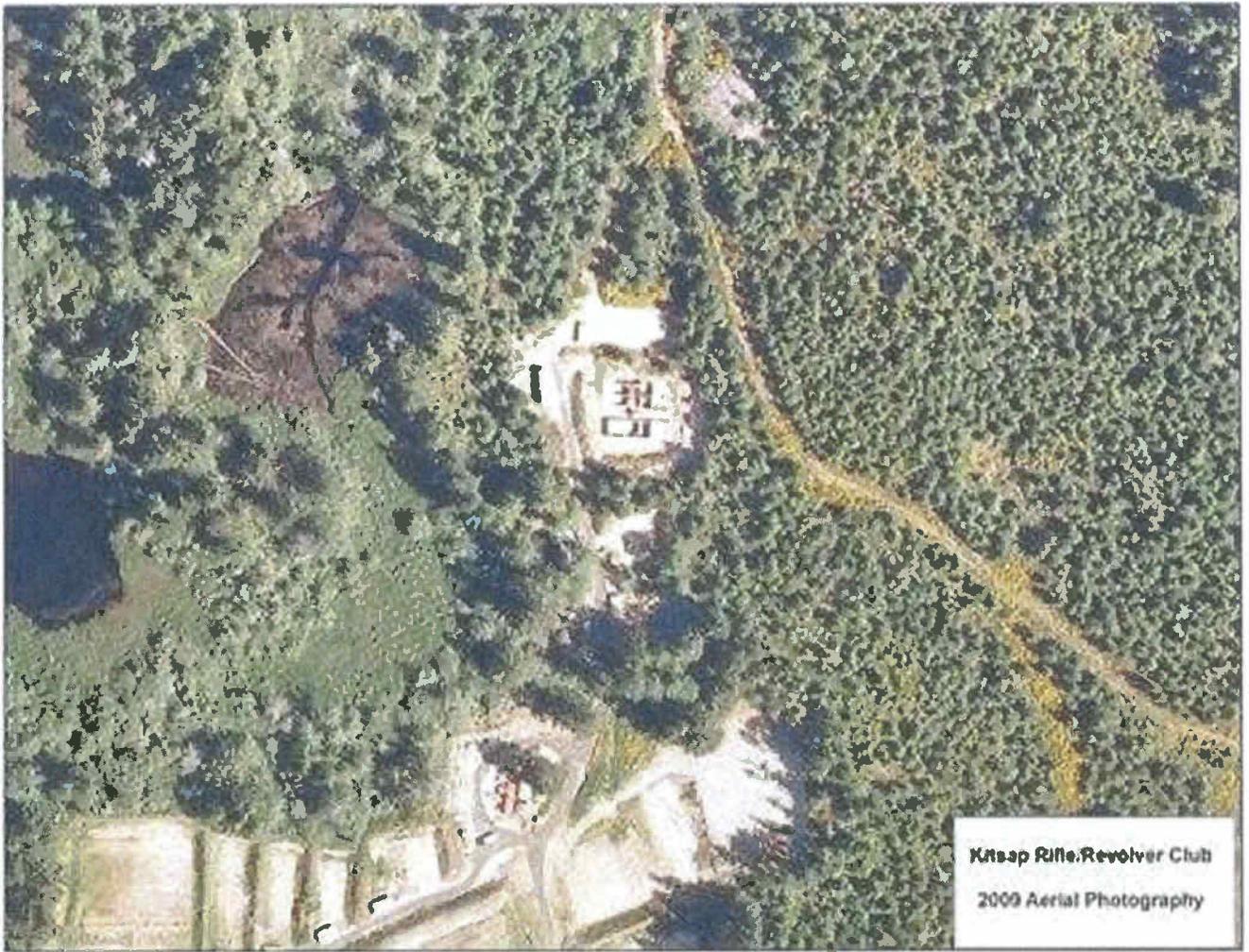
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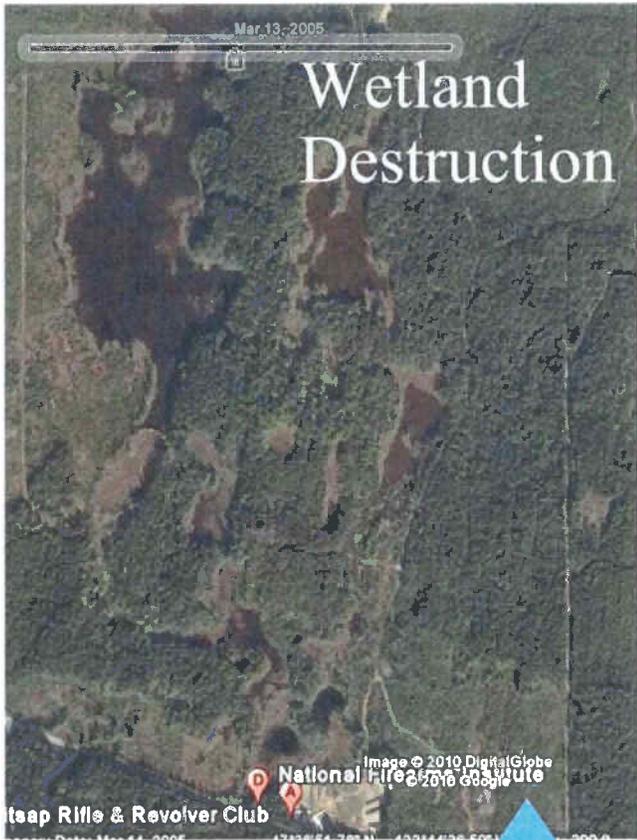
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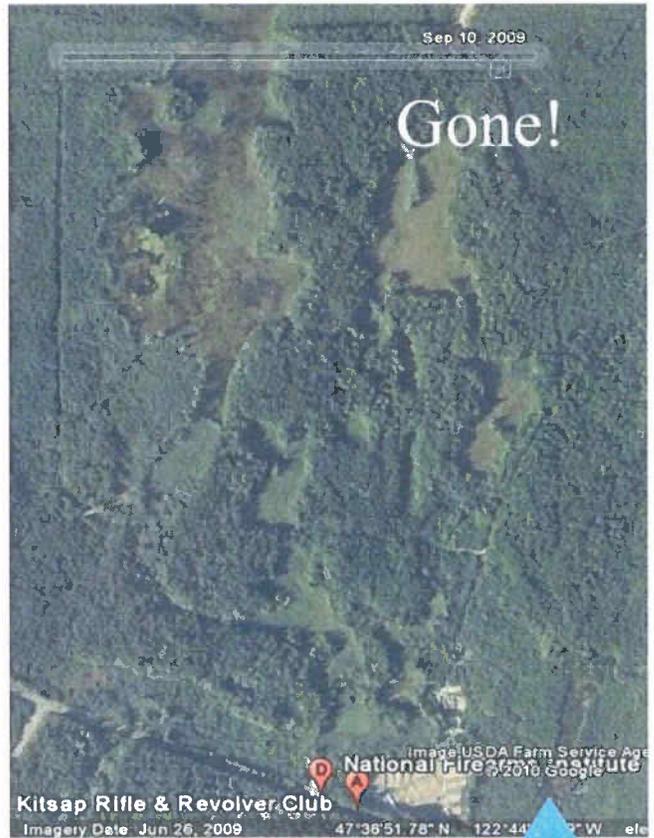
March 2005



July 2005



Aug 2006



Sept 2009

**Don Burger**

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**Cc:** Tracey L. Hamilton-Oril  
**Subject:** Re: Ron Ross/So. Central FM Project

[REDACTED]  
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[REDACTED]

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Kevin,  
[REDACTED]

Molly

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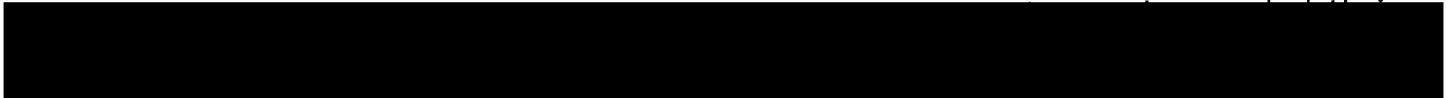
Thank you,  
Molly

**Don Burger**

---

**From:** Steve Mount [SMount@co.kitsap.wa.us]  
**Sent:** Friday, April 23, 2010 3:53 PM  
**To:** Neil R. Wachter  
**Subject:** KRRC Attorney Client Confidential Work Product, Contact info  
**Attachments:** Kitsap\_Rifle\_Revolver\_Club\_ENF.pdf

here is the letter and phone number for Dale Jordan



SM

>>> "Jordan, Jess NWS" < [Dale.J.Jordan@usace.army.mil](mailto:Dale.J.Jordan@usace.army.mil) > 3/30/2010 5:15  
>>> PM >>>

Dear Members of the Board for the Kitsap Rifle and Revolver Club,

Please find the attached letter from the U.S. Army Corps of Engineers requesting a site visit at the Kitsap Rifle and Revolver Club. I look forward to your cooperation.

Sincerely,

Jess Jordan  
Ecologist  
U.S. Army Corps of Engineers  
Seattle District- Regulatory Branch  
4735 East Marginal Way South  
Seattle, Washington 98134-2385  
[Dale.J.Jordan@usace.army.mil](mailto:Dale.J.Jordan@usace.army.mil)  
Phone: (206) 439-4536  
Fax: (206) 764-6602

CERTIFIED MAIL



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
SEATTLE DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 3755  
SEATTLE, WASHINGTON 98124-3755

MAR 30 2010

Regulatory Branch

Kitsap Rifle and Revolver Club  
4900 Seabeck Highway Northwest  
Bremerton, Washington 98312

Reference: NWS-2010-449  
Kitsap Rifle & Revolver Club

Dear Executive Committee for the Kitsap Rifle and Revolver Club:

We recently received a complaint that you placed fill in wetlands and re-routed a stream on the Kitsap Rifle and Revolver Club property located at 4900 Seabeck Highway Northwest near Bremerton, Washington. Under Section 404 of the Clean Water Act, a Department of the Army (DA) permit issued by the U.S. Army Corps of Engineers (Corps) is normally required for the discharge of dredged or fill material (e.g., fill, excavation, or mechanized land clearing) into waters of the U.S., including wetlands and navigable waters of the U.S. Placing fill in wetlands or other waters of the U.S. without a valid DA permit or permit exemption would be a violation of Federal law. For more information, please see the enclosure entitled *Clean Water Act and Rivers and Harbors Act Extracts and Definitions* which describes laws that may apply to the work.

On March 2, 2010, I viewed a portion of the Kitsap Rifle and Revolver Club property from an adjacent property. I observed that you recently cleared and graded along the Kitsap Rifle and Revolver Club property line and may have done this work through a stream that runs from the Kitsap Rifle and Revolver Club property onto an adjacent landowner's property. I also understand you plan to install a road around the perimeter of the Kitsap Rifle and Revolver Club property. The Kitsap Rifle and Revolver Club website indicates a work party is scheduled for April 17-18, 2010, with one of the proposed actions being to "blaze a perimeter road/brushing out property line". Based on available information and after viewing the site from the adjacent property it appears there are wetland and stream areas on the Kitsap Rifle and Revolver Club property.

Please note, the proposed road or other work on this property may result in a discharge of dredged or fill material (e.g., fill, excavation, or mechanized land clearing) into wetlands or other waters of the U.S. Under the Corps' Regulatory Program most proposed work in waters of the U.S. requires that you submit a permit application and receive a valid DA permit prior to performing the work. For additional information on the Corps' Regulatory Program please visit

our website at <http://www.nws.usace.army.mil/> and select Regulatory / Permits from the main menu. For assistance in determining other permit requirements, we recommend you contact the Washington State Office of Regulatory Assistance via their website at <http://www.ora.wa.gov/>.

It appears you may have recently performed work in a water of the U.S. without a valid DA permit. I request an opportunity to inspect this work and to discuss your proposed projects with you or a club representative(s) at a time convenient for you during week of April 12<sup>th</sup>. Upon receiving this letter please contact me to schedule a site visit.

Your cooperation will be beneficial in resolving this matter. If you have any questions and to schedule a site visit, please contact me at (206) 439-4536 or via email at [Dale.J.Jordan@usace.army.mil](mailto:Dale.J.Jordan@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to be 'Jess Jordan', written over the word 'Sincerely,'.

Jess Jordan, Project Manager  
Regulatory Branch

Enclosure

## Don Burger

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Friday, April 23, 2010 3:58 PM  
**To:** Tracey L. Hamilton-Oril  
**Subject:** Fwd: KRRC Attorney Client Confidential Work Product, Contact info  
**Attachments:** KRRC Attorney Client Confidential Work Product, Contact info

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

**Don Burger**

---

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**To:** Tracey L. Hamilton-Oril  
**Subject:** Fwd: KRRC Attorney Client Confidential Work Product, Contact info  
**Attachments:** KRRC Attorney Client Confidential Work Product, Contact info

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

CERTIFIED MAIL



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
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P.O. BOX 3755  
SEATTLE, WASHINGTON 98124-3755

MAR 30 2010

Regulatory Branch

Kitsap Rifle and Revolver Club  
4900 Seabeck Highway Northwest  
Bremerton, Washington 98312

Reference: NWS-2010-449  
Kitsap Rifle & Revolver Club

Dear Executive Committee for the Kitsap Rifle and Revolver Club:

We recently received a complaint that you placed fill in wetlands and re-routed a stream on the Kitsap Rifle and Revolver Club property located at 4900 Seabeck Highway Northwest near Bremerton, Washington. Under Section 404 of the Clean Water Act, a Department of the Army (DA) permit issued by the U.S. Army Corps of Engineers (Corps) is normally required for the discharge of dredged or fill material (e.g., fill, excavation, or mechanized land clearing) into waters of the U.S., including wetlands and navigable waters of the U.S. Placing fill in wetlands or other waters of the U.S. without a valid DA permit or permit exemption would be a violation of Federal law. For more information, please see the enclosure entitled *Clean Water Act and Rivers and Harbors Act Extracts and Definitions* which describes laws that may apply to the work.

On March 2, 2010, I viewed a portion of the Kitsap Rifle and Revolver Club property from an adjacent property. I observed that you recently cleared and graded along the Kitsap Rifle and Revolver Club property line and may have done this work through a stream that runs from the Kitsap Rifle and Revolver Club property onto an adjacent landowner's property. I also understand you plan to install a road around the perimeter of the Kitsap Rifle and Revolver Club property. The Kitsap Rifle and Revolver Club website indicates a work party is scheduled for April 17-18, 2010, with one of the proposed actions being to "blaze a perimeter road/brushing out property line". Based on available information and after viewing the site from the adjacent property it appears there are wetland and stream areas on the Kitsap Rifle and Revolver Club property.

Please note, the proposed road or other work on this property may result in a discharge of dredged or fill material (e.g., fill, excavation, or mechanized land clearing) into wetlands or other waters of the U.S. Under the Corps' Regulatory Program most proposed work in waters of the U.S. requires that you submit a permit application and receive a valid DA permit prior to performing the work. For additional information on the Corps' Regulatory Program please visit

our website at <http://www.nws.usace.army.mil/> and select Regulatory / Permits from the main menu. For assistance in determining other permit requirements, we recommend you contact the Washington State Office of Regulatory Assistance via their website at <http://www.ora.wa.gov/>.

It appears you may have recently performed work in a water of the U.S. without a valid DA permit. I request an opportunity to inspect this work and to discuss your proposed projects with you or a club representative(s) at a time convenient for you during week of April 12<sup>th</sup>. Upon receiving this letter please contact me to schedule a site visit.

Your cooperation will be beneficial in resolving this matter. If you have any questions and to schedule a site visit, please contact me at (206) 439-4536 or via email at [Dale.J.Jordan@usace.army.mil](mailto:Dale.J.Jordan@usace.army.mil).

Sincerely,

A handwritten signature in black ink, appearing to read 'Jess Jordan', with a large, sweeping flourish extending upwards and to the right.

Jess Jordan, Project Manager  
Regulatory Branch

Enclosure

**Don Burger**

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**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Friday, April 23, 2010 4:36 PM  
**To:** Christian C. Casad; Kevin M. Howell; Russell D. Hauge  
**Cc:** Tracey L. Hamilton-Oril  
**Subject:** Fwd: KRRC Attorney Client Confidential Work Product, Contact info  
**Attachments:** Kitsap\_Rifle\_Revolver\_Club\_ENF.pdf

[REDACTED]

[REDACTED]

[REDACTED]

Thanks,

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> Steve Mount Friday, April 23, 2010 3:52 PM >>>  
Here is the letter and phone number for Jess at the Corp. Here are the other agency reps:

Gina Piazza, DFW (360) 895-3965  
Patrick McGraner, DOE (425) 649-4447  
Allison O'Sullivan, Suquamish Tribe (360) 394-8447 Roger Chick, State L&I, (360) 415-4034  
Jess Jordan, Corp (206) 439-4536 Jan Brower, Health District (360) 337-5672

My contact is looking for the names and addresses of those who claim ammo has reached their homes. Also, groups using the trails have claimed to find stray casing and material on the trails.

SM

>>> "Jordan, Jess NWS" < [Dale.J.Jordan@usace.army.mil](mailto:Dale.J.Jordan@usace.army.mil) > 3/30/2010 5:15  
>>> PM >>>

Dear Members of the Board for the Kitsap Rifle and Revolver Club,

Please find the attached letter from the U.S. Army Corps of Engineers requesting a site visit at the Kitsap Rifle and Revolver Club. I look forward to your cooperation.

Sincerely,

Jess Jordan  
Ecologist  
U.S. Army Corps of Engineers  
Seattle District- Regulatory Branch  
4735 East Marginal Way South

Seattle, Washington 98134-2385

Dale.J.Jordan@usace.army.mil

Phone: (206) 439-4536

Fax: (206) 764-6602

CERTIFIED MAIL



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
SEATTLE DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 3755  
SEATTLE, WASHINGTON 98124-3755

MAR 30 2010

Regulatory Branch

Kitsap Rifle and Revolver Club  
4900 Seabeck Highway Northwest  
Bremerton, Washington 98312

Reference: NWS-2010-449  
Kitsap Rifle & Revolver Club

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A handwritten signature in black ink, appearing to be 'Jess Jordan', written over the word 'Sincerely,'.

Jess Jordan, Project Manager  
Regulatory Branch

Enclosure

## Don Burger

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Friday, April 23, 2010 4:58 PM  
**To:** Neil R. Wachter  
**Subject:** krrc

## Don Burger

---

**From:** Steve Bauer [SBauer@co.kitsap.wa.us]  
**Sent:** Saturday, April 24, 2010 1:16 PM  
**To:** Jerome Carbone  
**Cc:** Jacquelyn M. Aufderheide; Deanna Erstad; Josh W. Brown  
**Subject:** Re: Noise Issues

Hi Jerome,

I agree with you on all counts. This is a very suburban county with increasing trails access and use in many parts. I grew up around guns and in a hunting family so I am no "anti gun nut" either. But I do worry about their use near many of our developed areas. I also agree that the noise can be an issue for nearby residents but I think this is a harder issue to control. First, it seems hard to imagine that the noise from KRRC could be significant over 3 miles away. For nearer neighbors, we have the same issue as people who build next to airports (I know because I used to be one) and then complain about the noise. Still, we could think about hours of operation or some other items. The bigger issue for me is one of public safety and discharge of firearms in rural areas where there is trail use or nearby homes.

I am copying my assistant, Deanna Ersted on this email and asking her to do some research on just what restrictions currently exist and what kinds of limits might be explored to deal with these issues.

Thanks again for writing.

Steve Bauer

>>> Jerome Carbone < jecarbone@██████████ > 4/12/2010 12:13 PM >>>

Dear Commissioner Bauer:

I have lived at my current address for over 24 years. We have enjoyed the peaceful visual beauty of Hood Canal and the Olympics as well as the sounds of the forest. For the past 6 or 8 months we have been subjected to incessant sounds of gunfire. It is as though we have been transported to Kandahar or Baghdad. I have discussed it with my neighbors and they are also unhappy about this development.

On two occasions my wife and I called 911 to report gunshots, as we were concerned that someone was shooting in the woods near residential areas. I was told by the deputy who took the second of the calls that it wasn't illegal to shoot near residential areas and that they didn't have the resources to track it down. In other words, "Don't bother us!"

I don't know where the gunshots are originating. They might be coming from people shooting in the woods or they may be coming from the Kitsap Rifle and Revolver Club. We are located about 3.5 miles from the KRRC, so it seems unlikely that the loud gunfire is originating there, especially since we never heard it before and the club has been there for many years.

My concerns are twofold.

1. The population density of our county is such that it should be illegal to discharge firearms anywhere near residential areas. Rifle bullets can travel well over two miles before they fall to the ground. I doubt there are very many places in Kitsap County where there are no homes or businesses within a two-mile radius.
2. The noise pollution caused by firearms is quite unpleasant. If the gunfire is coming from KRRC, it would suggest that people who live within a

3.5 mile radius of KRRC would also be subjected to the same degree of noise pollution as we are. That includes a lot of people, and it isn't right that we should all have to live with this degree of noise pollution.

Let me assure you that I am not an anti-gun nutcase. I am a gun owner and a former member of KRRC. I have no objection to a properly operated gun range. I know that KRRC is here to stay and I feel strongly that there should be a place for people to safely handle firearms. My concern is that the discharge of firearms is regulated to maximize safety for the public and minimize noise pollution.

Accordingly, I would like to suggest that the commissioners consider changing the county code to make it illegal to discharge firearms within at least 2 miles of a building or public place (such as a hiking trail) to minimize the risk to the public as well as the attendant noise pollution.

I would also like to see the county code changed to regulate noise pollution generated by gun ranges. I am aware that the current county code exempts gun ranges from any noise pollution regulations. I would suggest that the regulations be changed to require that outdoor ranges take steps to minimize noise pollution for their neighbors. For ideas about what steps can be taken to minimize noise pollution, I have included a link\* to a document produced by the Interstate Technology Regulatory Council. I know that KRRC will say that they could not possibly afford to make alterations to their ranges that decrease noise pollution. Perhaps the county could help with the financial burden. This could be a win-win for the gun club and it's neighbors.

Thank you for your attention to this matter.

Sincerely,  
Jerome E. Carbone, M.D.  
[REDACTED]  
Silverdale, WA 98383

\*[www.itrcweb.org/Documents/SMART-2.pdf](http://www.itrcweb.org/Documents/SMART-2.pdf)

## Don Burger

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[REDACTED]  
Silverdale, WA 98383

\*[www.itrcweb.org/Documents/SMART-2.pdf](http://www.itrcweb.org/Documents/SMART-2.pdf)

## Don Burger

---

**From:** Terry Allison [tncallison@████████]  
**Sent:** Saturday, April 24, 2010 4:29 PM  
**To:** Jim Dunwiddie  
**Cc:** Josh Brown; Commissioners@co.kitsap.wa.us; PARKS  
**Subject:** POSSIBLE SPAM! SCORE = 5.5 Fw: Newberry Hill Heritage Park

Mr. Dunwiddie

I owe you and Martha Droge an apology. I sent the following e-mail to Martha instead of addressing it to you and cc to Martha. My only excuse is that Martha has been such a strong and well-respected public contact for the Newberry Hill Heritage Park development process that it just didn't occur to me that as the senior official responsible I should have addressed my concern and request to you.

Most of the NHHP is in the downrange bullet impact area from several unauthorized firing lines at KRRC. This gun range has never been evaluated by any competent range design professional. When these lands were DNR property public access to what is now Parks property was incidental - not prohibited, but certainly not encouraged. With development of NHHP the County and Parks Department are essentially taking the position that it is acceptable and safe for the public to enter areas that anywhere else in the country would be off limits due to the dangers of accidental gun fire. KRRC has on other other occasions stated that areas outside the active area of the range require exclusion for public safety due to possible accidental fire or ricochets.

I had assumed this fact would have been addressed during the public hearing phase of park development. For whatever reason, it wasn't. I request additional investigation and review of the impact of KRRC operations on HIP with the public be completed before further park development.

Sincerely  
Terry Allison  
████████

----- Original Message -----

**From:** Terry Allison  
**To:** [NewberryHill@co.kitsap.wa.us](mailto:NewberryHill@co.kitsap.wa.us)  
**Cc:** [kitsap county commissioners](mailto:kitsap_county_commissioners)  
**Sent:** Wednesday, April 21, 2010 6:38 AM  
**Subject:** Newberry Hill Heritage Park

Martha

Last night's local newspaper said the NHHP master plan is ready to go to the county Parks and Recreation Advisory board for approval. I suggest and request that any further action involving public funds expenditures on NHHP be suspended until allegations of unacceptable hazards to public and environmental health and safety in the proposed park and surrounding areas are resolved.

Information obtained from county and state sources via public disclosure request indicate Kitsap Rifle and Revolver Club has in recent years added a number of new firing lines, some of which are oriented to fire directly into the proposed park, and has significantly expanded active use areas of the range. Lead and other heavy metals contamination of the range and surrounding wetlands is unquestioned. No permits for range expansion or firing line reorientation have been obtained as is required by county code. That means that there has been no review, evaluation, approval, or even consideration of the effects of this work on the surrounding environment or public and residential areas by responsible public officials.

There is a large and very convincing body of public records that support the presence of potentially major, or even lethal, hazards presented by continued activities at KRRC to the public and to the environment. County, state, and even

federal officials have reportedly been denied access to club property for investigation of complaints and allegations. The County, as original authority for most of the problem resolution process, has been unacceptably reluctant to address the issues at KRRC, possibly due to the potentially high liability concerns.

Until these concerns and issues are resolved, it seems irresponsible for the County Parks Department to continue with development of a public park that presents such a large potential hazard to the public and irreplaceable wetlands areas. Again, I request no further action on development of NHHP involving public funding be taken until this is resolved.

I request you present this e-mail to the Advisory Board for today's meeting and post it on the NHHP web site.

Sincerely  
Terry Allison

## Don Burger

---

**From:** Russell D. Hauge [RHauge@co.kitsap.wa.us]  
**Sent:** Sunday, April 25, 2010 12:55 PM  
**To:** Christian C. Casad; Kevin M. Howell; Neil R. Wachter  
**Cc:** Jeff Rowe-Hornbaker; Josh Brown; Larry Keeton; Rebecca J. Jolliff; Tracey L. Hamilton-Oril  
**Subject:** Fwd: Re: Navy Meeting

[REDACTED]

Russell

>>> Kevin Howell 4/21/2010 10:06 AM >>>  
FYI.

>>> " [sjunis@\[REDACTED\]](mailto:sjunis@[REDACTED]) " < [sjunis@\[REDACTED\]](mailto:sjunis@[REDACTED]) > 4/20/2010 7:50 PM >>>

Josh,

The Public Affairs Office and Head of Base Security came out to my house last night and met with a portion of of our group concerning the Rifle Club. We had a great turn out. The meeting went very well and I can report that the Navy is rewriting their perimeters for using civilian ranges. It seems our voices have been heard all the way to the Admiral. They relayed Admiral Symonds concerned about our complaints and the problems regarding the situation involving the Navy and KRRC. They were taken back when we showed them the photographs of their people at the club on Monday. Interesting, they did not show up today for their scheduled shoot. They are also scheduled for Thursday and Friday, so we'll see what happens.

I can safely say the Navy is not only concerned about the noise, but very concerned about safety and the environmental problem. They told us they have their environmental folks looking at the data we provided, plus they have a large number of folks working to redo their outside shooting evaluation of ranges. I am pretty confident the Navy wants no part of this range and will no longer utilize the facility. They said they should have a final resolution in 30 days or less. They emphasized this is top priority as ordered from the Admiral. It seems the groups that are still using the club are part of outside contractor from Pearl Harbor. They are looking at that contract as well. The Navy representatives also express concern about the danger and potential liability with the Gun Club being adjacent to the New Heritage Park, especially when they reviewed the Google Photos showing the new firing lanes illegally cut into the terrain.

They acknowledged the problem with pollution and their possible responsibility for part of the clean up. Overall, our group was very please with the sincere concern shown by the representatives and their willingness to meet again to listen to additional information we offered to provide. Coupling their concern, with your commitment, and the concerned shown by several County Agencies to correct this situation, I believe we are on the right track to eliminate the Noise, and solve the environmental and safety issues. Just wanted to update you. Thanks  
Skip and Doris Junis  
Concerned Citizens for Safe and Quiet Neighborhoods

---

Free Penny Stock Alerts

Join our free newsletter and get stock alerts that gain up to 3550%!  
<http://thirdpartyoffers.juno.com/TGL3141/4bce684c27139e60a3st05duc>

## Don Burger

---

**From:** Terry Allison [tncallison@████████]  
**Sent:** Sunday, April 25, 2010 5:52 PM  
**To:** Charlotte Garrido; Jim Dunwiddie; Russell D. Hauge; Steve Bauer; Scott Linqvist; Unspecified Name; Larry Keeton  
**Cc:** Christian C. Casad; Steve Mount; Kevin Howell; Sarah Thirtyacre  
**Subject:** POSSIBLE SPAM! SCORE = 5.0 request for County action concerning Kitsap Rifle and Revolver Club  
**Attachments:** Final Statement Letter.wps

Attachment is request from Kitsap County citizens for action by Kitsap County Commissioners, Prosecuting Attorney, Department of Community Development, County Health Department, and the County Department of Parks and Recreation to address unacceptable hazards to the environment, the public, and Chico Creek head water wetlands caused by unpermitted construction, expansion, and realignment of KRRC range facilities.

We request the County take immediate and decisive action to enforce County Code, land use, and critical areas ordinances at Kitsap Rifle and Revolver Club (KRRC), located at 4900 Seabeck Highway, Bremerton, Kitsap County, Washington. Research and review by concerned citizens validates the position that the expansion ( 14 new firing lanes ) and realignment (North to Northeast) of KRRC presents a clear and immediate hazard to public and environmental health and safety.

We request KRRC be immediately restricted or “rolled back” to the configuration of the one pistol and one rifle line that existed when the range was “grandfathered” into the County's comprehensive use plan in September 1993. We request that the immediate restrictions be in place until all investigations and evaluations of KRRC by all responsible agencies are completed and all corrective actions identified by these inspections are implemented.

Communities and public use areas around KRRC have grown and evolved in accordance with, and in compliance to the laws of the County and State. Since KRRC's expansion and construction have not complied with County, State, or Federal land use laws, we strongly urge the County to make the “grandfathered,” historic range configuration used by KRRC for almost their entire existence permanent.

We urge the County to require KRRC to restore all range areas, except the original one pistol and one rifle line active use area back to the land's natural state and condition as it existed in September 1993 when grandfathered. Restoration will significantly reduce the impact of range operations and activities on the health and safety of surrounding wetlands, the environment, and the public.

Since publicly available correspondence between the County, KRRC, and several state agencies indicates expansion and realignment of KRRC was done deliberately and with full prior knowledge of code requirements by club officials, we also request the County impose the maximum penalties, sanctions, and fines specified in County Code to confirmed violations.

We request to be informed of County actions on this request as authorized by the public disclosure laws. Points of contact are Terry Allison, P.O. Box 4088, Bremerton, Wa. 98312; Skip Junis, 5624 NW Iskra Blvd., Silverdale, Wa. 98312.

Sincerely,

Terry Allison	John Blair	Ron Ballesteros	Paula Ballesteros
Sandy Beattie	Nina Beheim	Andrea Bastien	Andy Bloom
Kenzie Bly	Nicholas Chang	Wendell Crim	Eva Crim
Cassie Cantu	Ed Deloach	Marsha Deloach	Bill Dowell
Peggy Dowell	Gary Fisher	Dawn Fisher	Dan Frum
Tom Flores	Aldona Flores	Marian Fuller	Kevin Gross
Gail Gross	Michelle Grejon	Cathy Hall	Jeff Hall
Victoria Hoisington	Greg Hoisington	Mary Jo Huff	Bruce Huff
Craig Hughes	Pamela Hughes	Skip Junis	Doris Junis
A. Kershaw	Lisa Kliens	Robert Kermath	Peggy Kermath
Wade Larson	Mike Livick	Kevin Magnuson	Tom McArthur
Anne Plummer	Mike Plummer	Karen Purdin	Charles Purdin
Jeff Pearson	Teresa Pearson	Jon Pearson	Celeste Rahal
Randy Trott	Joe Velasquez	Judy Velasquez	Dave Schwab
Ruth Greb	Tecla Legge	Mike Legge	Brenda O'Neil
Danielle Clothier	Cindy Allison		

Note: this is not a complete list of persons who have signed the petition



**Don Burger**

---

**From:** Terry Allison [tncallison@  
**Sent:** Sunday, April 25, 2010 7:34 PM  
**To:** Josh W. Brown  
**Subject:** POSSIBLE SPAM! SCORE = 5.0 Fw: request for County action concerning Kitsap Rifle and Revolver Club  
**Attachments:** Final Statement Letter.wps

----- Original Message -----

**From:** Terry Allison  
**To:** Josh Brown ; Steve Bauer ; Charlotte Garrido ; Russ Hauge ; Larry Keeton ; Scott Linqvist ; Jim Dunwiddie  
**Cc:** Cris Casad ; Kevin Howell ; Steve Mount ; Sarah Thirtyacre  
**Sent:** Sunday, April 25, 2010 5:52 PM  
**Subject:** request for County action concerning Kitsap Rifle and Revolver Club

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We request to be informed of County actions on this request as authorized by the public disclosure laws. Points of contact are Terry Allison, P.O. Box 4088, Bremerton, Wa. 98312; Skip Junis, 5624 NW Iskra Blvd., Silverdale, Wa. 98312.

Sincerely,

Terry Allison	John Blair	Ron Ballesteros	Paula Ballesteros
Sandy Beattie	Nina Beheim	Andrea Bastien	Andy Bloom
Kenzie Bly	Nicholas Chang	Wendell Crim	Eva Crim
Cassie Cantu	Ed Deloach	Marsha Deloach	Bill Dowell
Peggy Dowell	Gary Fisher	Dawn Fisher	Dan Frum
Tom Flores	Aldona Flores	Marian Fuller	Kevin Gross
Gail Gross	Michelle Grejon	Cathy Hall	Jeff Hall
Victoria Hoisington	Greg Hoisington	Mary Jo Huff	Bruce Huff
Craig Hughes	Pamela Hughes	Skip Junis	Doris Junis
A. Kershaw	Lisa Klions	Robert Kermath	Peggy Kermath
Wade Larson	Mike Livick	Kevin Magnuson	Tom McArthur
Anne Plummer	Mike Plummer	Karen Purdin	Charles Purdin
Jeff Pearson	Teresa Pearson	Jon Pearson	Celeste Rahal
Randy Trott	Joe Velasquez	Judy Velasquez	Dave Schwab
Ruth Greb	Tecla Legge	Mike Legge	Brenda O'Neil
Danielle Clothier	Cindy Allison		

Note: this is not a complete list of persons who have signed the petition



## Don Burger

---

**Subject:** Meeting re: KRCC  
**Location:** Russ' Office

**Start:** Thu 4/29/2010 1:15 PM  
**End:** Thu 4/29/2010 2:15 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Rebecca J. Jolliff

Please accept this appointment. If this needs to happen sooner, please let me know. This date and time was the first that all players are available.

Thank you!

Thanks for keeping me informed. Becca, I need a meeting with Kevin and Neil, Chris should come, too. I need a brief affirmation of my understanding of the ownership of the properties in question. I'm particularly concerned given that I just received correspondence documenting reasoned complaints—and public disclosure requests—going back several years.

Russell

Kevin Howell 4/21/2010 10:06 AM >>>

FYI.

" sjunis@[REDACTED] " < sjunis@[REDACTED] > 4/20/2010 7:50 PM >>>

Josh,

The Public Affairs Office and Head of Base Security came out to my house last night and met with a portion of our group concerning the Rifle Club. We had a great turn out.

The meeting went very well and I can report that the Navy is rewriting their perimeters for using civilian ranges. It seems our voices have been heard all the way to the Admiral. They relayed Admiral Symonds' concern about our complaints and the problems regarding the situation involving the Navy and KRRC.

They were taken back when we showed them the photographs of their people at the club on Monday. Interesting, they did not show up today for their scheduled shoot. They are also scheduled for Thursday and Friday, so we'll see what happens.

I can safely say the Navy is not only concerned about the noise, but very concerned about safety and the environmental problem. They told us they have their environmental folks looking at the data we provided, plus they have a large number of folks working to redo their outside shooting evaluation of ranges. I am pretty confident the Navy wants no part of this range and will no longer utilize the facility. They said they should have a final resolution in 30 days or less. They emphasized this is top priority as ordered from the Admiral.

It seems the groups that are still using the club are part of outside contractor from Pearl Harbor. They are looking at that contract as well.

The Navy representatives also express concern about the danger and potential liability with the Gun Club being adjacent to the New Heritage Park, especially when they reviewed the Google Photos showing the new firing lanes illegally cut into the terrain.

They acknowledged the problem with pollution and their possible responsibility for part of the clean up.

Overall, our group was very please with the sincere concern shown by the representatives and their willingness to meet again to listen to additional information we offered to provide.

Coupling their concern, with your commitment, and the concerned shown by several County Agencies to correct this situation, I believe we are on the right track to eliminate the Noise, and solve the environmental and safety issues.

Just wanted to update you. Thanks

Skip and Doris Junis

Concerned Citizens for Safe and Quiet Neighborhoods

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## Don Burger

---

**From:** Jim Dunwiddie [JDunwiddie@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 7:46 AM  
**To:** Terry Allison  
**Subject:** Re: POSSIBLE SPAM! SCORE = 5.5 Fw: Newberry Hill Heritage Park

Terry,

There is no reason to apologise....

The situation you raise has never been a topic discussed by my staff and/or county officials with me. I will try to gather information and details of the piecing together of the park, prior to my arrival in Kitsap.

Jim

>>> "Terry Allison" <tncallison@██████████> 4/24/2010 4:28 PM >>>  
Mr. Dunwiddie

I owe you and Martha Droge an apology. I sent the following e-mail to Martha instead of addressing it to you and cc to Martha. My only excuse is that Martha has been such a strong and well-respected public contact for the Newberry Hill Heritage Park development process that it just didn't occur to me that as the senior official responsible I should have addressed my concern and request to you.

Most of the NHHP is in the downrange bullet impact area from several unauthorized firing lines at KRRC. This gun range has never been evaluated by any competent range design professional. When these lands were DNR property public access to what is now Parks property was incidental - not prohibited, but certainly not encouraged. With development of NHHP the County and Parks Department are essentially taking the position that it is acceptable and safe for the public to enter areas that anywhere else in the country would be off limits due to the dangers of accidental gun fire. KRRC has on other other occasions stated that areas outside the active area of the range require exclusion for public safety due to possible accidental fire or ricochets.

I had assumed this fact would have been addressed during the public hearing phase of park development. For whatever reason, it wasn't. I request additional investigation and review of the impact of KRRC operations on HIP with the public be completed before further park development.

Sincerely  
Terry Allison  
██████████

----- Original Message -----  
From: Terry Allison  
To: NewberryHill@co.kitsap.wa.us  
Cc: kitsap county commissioners  
Sent: Wednesday, April 21, 2010 6:38 AM  
Subject: Newberry Hill Heritage Park

Martha

Last night's local newspaper said the NHHP master plan is ready to go to the county Parks and Recreation Advisory board for approval. I suggest and request than any further action

involving public funds expenditures on NHHP be suspended until allegations of unacceptable hazards to public and environmental health and safety in the proposed park and surrounding areas are resolved.

Information obtained from county and state sources via public disclosure request indicate Kitsap Rifle and Revolver Club has in recent years added a number of new firing lines, some of which are oriented to fire directly into the proposed park, and has significantly expanded active use areas of the range. Lead and other heavy metals contamination of the range and surrounding wetlands is unquestioned. No permits for range expansion or firing line reorientation have been obtained as is required by county code. That means that there has been no review, evaluation, approval, or even consideration of the effects of this work on the surrounding environment or public and residential areas by responsible public officials.

There is a large and very convincing body of public records that support the presence of potentially major, or even lethal, hazards presented by continued activities at KRRC to the public and to the environment. County, state, and even federal officials have reportedly been denied access to club property for investigation of complaints and allegations. The County, as original authority for most of the problem resolution process, has been unacceptably reluctant to address the issues at KRRC, possibly due to the potentially high liability concerns.

Until these concerns and issues are resolved, it seems irresponsible for the County Parks Department to continue with development of a public park that presents such a large potential hazard to the public and irreplaceable wetlands areas. Again, I request no further action on development of NHHP involving public funding be taken until this is resolved.

I request you present this e-mail to the Advisory Board for today's meeting and post it on the NHHP web site.

Sincerely  
Terry Allison

## Don Burger

---

**From:** Jim Dunwiddie [JDunwiddie@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 7:47 AM  
**To:** Nancy Buonanno-Grennan; Kevin Howell  
**Subject:** Fwd: Re: POSSIBLE SPAM! SCORE = 5.5 Fw: Newberry Hill Heritage Park  
**Attachments:** Re: POSSIBLE SPAM! SCORE = 5.5 Fw: Newberry Hill Heritage Park

FYI

Gun Club/Newberry Hill Heritage Park concern

## Don Burger

---

**From:** Jim Dunwiddie [JDunwiddie@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 7:47 AM  
**To:** Nancy Buonanno-Grennan; Kevin Howell  
**Subject:** Fwd: Re: POSSIBLE SPAM! SCORE = 5.5 Fw: Newberry Hill Heritage Park  
**Attachments:** Re: POSSIBLE SPAM! SCORE = 5.5 Fw: Newberry Hill Heritage Park

FYI

Gun Club/Newberry Hill Heritage Park concern

## Don Burger

---

**From:** Russell D. Hauge [RHauge@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 8:45 AM  
**To:** Christian C. Casad; Kevin M. Howell; Neil R. Wachter; Rebecca J. Jolliff  
**Cc:** Tracey L. Hamilton-Oril  
**Subject:** Meeting re: KRCC

[REDACTED]

Thanks,  
Russell  
P.S. Tracy, you should plan on attending.

>>> Rebecca Jolliff 4/26/2010 6:58 AM >>>

[REDACTED]

Thank you!

[REDACTED]

Russell

>>> Kevin Howell 4/21/2010 10:06 AM >>>  
FYI.

>>> " sjunis@[REDACTED]" < sjunis@[REDACTED]> 4/20/2010 7:50 PM >>>

Josh,  
The Public Affairs Office and Head of Base Security came out to my house last night and met with a portion of of our group concerning the Rifle Club. We had a great turn out. The meeting went very well and I can report that the Navy is rewriting their perimeters for using civilian ranges. It seems our voices have been heard all the way to the Admiral. They relayed Admiral Symonds concerned about our complaints and the problems regarding the situation involving the Navy and KRRC. They were taken back when we showed them the photographs of their people at the club on Monday. Interesting, they did not show up today for their scheduled shoot. They are also scheduled for Thursday and Friday, so we'll see what happens.

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They acknowledged the problem with pollution and their possible responsibility for part of the clean up.

Overall, our group was very please with the sincere concern shown by the representatives and their willingness to meet again to listen to additional information we offered to provide. Coupling their concern, with your commitment, and the concerned shown by several County Agencies to correct this situation, I believe we are on the right track to eliminate the Noise, and solve the environmental and safety issues.  
Just wanted to update you. Thanks  
Skip and Doris Junis  
Concerned Citizens for Safe and Quiet Neighborhoods

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## Don Burger

---

**From:** PARKS [Parks@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 8:46 AM  
**To:** Martha Droge  
**Subject:** This was supposed to be addressed to you as well

Mr. Dunwiddie

I owe you and Martha Droge an apology. I sent the following e-mail to Martha instead of addressing it to you and cc to Martha. My only excuse is that Martha has been such a strong and well-respected public contact for the Newberry Hill Heritage Park development process that it just didn't occur to me that as the senior official responsible I should have addressed my concern and request to you.

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Sincerely  
Terry Allison  
[REDACTED]

## Don Burger

---

**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 8:52 AM  
**To:** Kevin M. Howell; Neil R. Wachter; Russell D. Hauge; Rebecca J. Jolliff; Tracey L. Hamilton-Oril  
**Subject:** Meeting re: KRCC

[REDACTED]

Chris

>>> Rebecca Jolliff 4/26/2010 8:47 AM >>>

[REDACTED]

Thank you!

---

Thanks for keeping me informed. Becca, I need a meeting with Kevin and Neil, Chris should come, too. I need a brief affirmation of my understanding of the ownership of the properties in question. I'm particularly concerned given that I just received correspondence documenting reasoned complaints--and public disclosure requests--going back several years.  
Russell

>>> Kevin Howell 4/21/2010 10:06 AM >>>  
FYI.

>>> "sjunis@[REDACTED]" <sjunis@[REDACTED]> 4/20/2010 7:50 PM >>>  
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<http://thirdpartyoffers.juno.com/TGL3141/4bce684c27139e60a3st05duc>

**Don Burger**

---

**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 9:15 AM  
**To:** Rebecca J. Jolliff  
**Subject:** Fwd: POSSIBLE SPAM! SCORE = 5.0 request for County action concerning Kitsap Rifle and Revolver Club  
**Attachments:** Final Statement Letter.wps

[REDACTED]

Chris

>>> "Terry Allison" <tncallison@[REDACTED]> 4/25/2010 5:52 PM >>>

Attachment is request from Kitsap County citizens for action by Kitsap County Commissioners, Prosecuting Attorney, Department of Community Development, County Health Department, and the County Department of Parks and Recreation to address unacceptable hazards to the environment, the public, and Chico Creek head water wetlands caused by unpermitted construction, expansion, and realignment of KRRC range facilities.

**Don Burger**

---

**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 9:21 AM  
**To:** Rebecca J. Jolliff  
**Subject:** Re: Fwd: POSSIBLE SPAM! SCORE = 5.0 request for County action concerning Kitsap Rifle and Revolver Club

[REDACTED]

Chris

>>> Rebecca Jolliff 4/26/2010 9:17 AM >>>

[REDACTED]

>>> Christian Casad 4/26/2010 9:14 AM >>>

[REDACTED]

Chris

>>> "Terry Allison" <tncallison@[REDACTED]> 4/25/2010 5:52 PM >>>

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**Don Burger**

---

**From:** Russell D. Hauge [RHauge@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 9:48 AM  
**To:** Charlotte Garrido; Jim Dunwiddie; Steve Bauer; Scott Linqvist; Unspecified Name; Larry Keeton; Terry Allison  
**Cc:** Christian C. Casad; Steve Mount; Kevin Howell; Sarah Thirtyacre  
**Subject:** Re: POSSIBLE SPAM! SCORE = 5.0 request for County action concerning Kitsap Rifle and Revolver Club

I was unable to open the attachment. Would you please try again?

Thanks,  
Russ Hauge,  
Kitsap County Prosecuting Attorney

>>> "Terry Allison" < tncallison@██████████ > 4/25/2010 5:52 PM >>>

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## Don Burger

---

**From:** Terry Allison [tncallison@████████]  
**Sent:** Monday, April 26, 2010 10:06 AM  
**To:** Russell D. Hauge  
**Subject:** POSSIBLE SPAM! SCORE = 5.5 request for action 2nd attempt

Mr. Hauge

I copy and pasted the attachment here. One other recipient had a problem opening it also. Computers are magic and I don't always know the magic words!

Respectfully  
Terry Allison  
████████

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We request the County take immediate and decisive action to enforce County Code, land use, and critical areas ordinances at Kitsap Rifle and Revolver Club (KRRC), located at 4900 Seabeck Highway, Bremerton, Kitsap County, Washington. Research and review by concerned citizens validates the position that the expansion ( 14 new firing lanes ) and realignment (North to Northeast) of KRRC presents a clear and immediate hazard to public and environmental health and safety.

We request KRRC be immediately restricted or "rolled back" to the configuration of the one pistol and one rifle line that existed when the range was "grandfathered" into the County's comprehensive use plan in September 1993. We request that the immediate restrictions be in place until all investigations and evaluations of KRRC by all responsible agencies are completed and all corrective actions identified by these inspections are implemented.

Communities and public use areas around KRRC have grown and evolved in accordance with, and in compliance to the laws of the County and State. Since KRRC's expansion and construction have not complied with County, State, or Federal land use laws, we strongly urge the County to make the "grandfathered," historic range configuration used by KRRC for almost their entire existence permanent.

We urge the County to require KRRC to restore all range areas, except the original one pistol and one rifle line active use area back to the land's natural state and condition as it existed in September 1993 when grandfathered. Restoration will significantly reduce the impact of range operations and activities on the health and safety of surrounding wetlands, the environment, and the public.

Since publicly available correspondence between the County, KRRC, and several state agencies indicates expansion and realignment of KRRC was done deliberately and with full prior knowledge of code requirements by club officials, we also request the County impose the maximum penalties, sanctions, and fines specified in County Code to confirmed violations.

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Sincerely,

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Cassie Cantu Ed Deloach Marsha Deloach Bill Dowell  
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Tom Flores Aldona Flores Marian Fuller Kevin Gross  
Gail Gross Michelle Grejon Cathy Hall Jeff Hall  
Victoria Hoisington Greg Hoisington Mary Jo Huff Bruce Huff  
Craig Hughes Pamela Hughes Skip Junis Doris Junis  
A. Kershaw Lisa Kliens Robert Kermath Peggy Kermath  
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Danielle Clothier Cindy Allison

Note: this is not a complete list of persons who have signed the petition

## Don Burger

---

**From:** Russell D. Hauge [RHauge@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 10:17 AM  
**To:** Terry Allison  
**Cc:** Josh Brown; Kevin M. Howell; Neil R. Wachter  
**Subject:** Re: POSSIBLE SPAM! SCORE = 5.5 request for action 2nd attempt

Thank you very much. I received your packet of materials last week, but had to leave for business in eastern Washington almost immediately. I am very concerned about the issues you raise. Although we advise the Department of Community Development and the Board of Commissioners, we are not necessarily involved in their decision making. However, I am persuaded that the issues now raised by the land use practices of the Kitsap Rifle and Revolver Club are primarily legal. We are meeting with our clients tomorrow morning. I can't discuss the content of that meeting, but I will be advising action. Thank you for your sustained efforts. Please feel free to communicate directly with me at any time.

Russ Hauge,  
Kitsap County Prosecuting Attorney

>>> "Terry Allison" < tncallison@[REDACTED] > 4/26/2010 10:05 AM >>>  
Mr. Hauge

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[REDACTED]

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Sincerely,

Terry Allison John Blair Ron Ballesteros Paula Ballesteros Sandy Beattie Nina Beheim Andrea Bastien Andy Bloom Kenzie Bly Nicholas Chang Wendell Crim Eva Crim Cassie Cantu Ed Deloach Marsha Deloach Bill Dowell Peggy Dowell Gary Fisher Dawn Fisher Dan Frum Tom Flores Aldona Flores Marian Fuller Kevin Gross Gail Gross Michelle Grejon Cathy Hall Jeff Hall Victoria Hoisington Greg Hoisington Mary Jo Huff Bruce Huff Craig Hughes Pamela Hughes Skip Junis Doris Junis A. Kershaw Lisa Kliens Robert Kermath Peggy Kermath Wade Larson Mike Livick Kevin Magnuson Tom McArthur Anne Plummer Mike Plummer Karen Purdin Charles Purdin Jeff Pearson Teresa Pearson Jon Pearson Celeste Rahal Randy Trott Joe Velasquez Judy Velasquez Dave Schwab Ruth Greb Tecla Legge Mike Legge Brenda O'Neil Danielle Clothier Cindy Allison

Note: this is not a complete list of persons who have signed the petition

## Don Burger

---

**From:** sjunis@  
**Sent:** Monday, April 26, 2010 10:41 AM  
**To:** Jim Dunwiddie  
**Subject:** POSSIBLE SPAM! SCORE = 5.4 Park and KRRC

Mr. Dunwiddie,

I don't know if you'll remember me, but we meet at the Heritage Park meetings. I had suggested at the time that it might be of value if you and Martha met with Terry Allison and myself, along with a few others from our group. After reading your response to Terry Allison's e-mail about KRRC and the Park I think it is imperative that we sit down and provide you with some , if not all the material/research we've gathered.

I was not aware that you had not been briefed or had meetings on this very serious matter. The subject of KRRC and the Park, goes far beyond the complaints from a few citizens over noise.

KRRC has expanded their range with no approval or permit process from the County. They have gone from their "grandfathered" two firing lanes (one pistol and one rifle ) to 16. Many of these new firing lanes are aimed right across the middle of the Heritage Park. Also down range is the High School as well as several residential communities.

During our canvassing to secure signatures asking for the County to Take action on this unapproved expansion we have come across a couple who's house was hit by a bullet, plus they told of two other houses on the next block that had also been struck by bullets. While these instances had not occurred recently, they show the potential threat as they are downrange and only one mile from KRRC.

The weapons the club has been shooting ( documented photos ) have effective ranges of up to 3 miles. The High School, and residential communities and Park are are under 1.5 miles and some of the proposed walking trails will be well under one mile.

In addition to the safety, is the environmental concerns. KRRC in their expansion have altered the topography and drainage patterns. See attached Google Photos. From 2005 to present you can see a drastic difference in the parks wetlands, especially those adjacent to the KRRC property.

I believe it would be very valuable use of time if we could schedule a meeting with you, and possible your staff, to discuss the tremendous amount of research we have gathered. Terry Allison, whom you exchanged e-mails with, has been research this for over 6 years.

I look froward to hearing from you soon.

Thanks for your time and consideration.

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**Don Burger**

---

**From:** KCI04\_CRM\_SQL [mseals@co.kitsap.external]  
**Sent:** Monday, April 26, 2010 11:30 AM  
**To:** Deanna Erstad  
**Subject:** A CASE Has Entered A CRM Queue

<html><body><br>\*\*\*\*\*<br>Case Entered Queue = CA\_All Commissioner  
Scheduling<br> At Time: Apr 26 2010 11:19AM<br><br>Case Number: KC-11278-2STLUA<br>Case  
Title: County Administration-Concerns and Scheduling with Commissioners-All  
Commissioners<br>Case Created: Apr 26 2010 11:19AM<br> Followup By: Apr 26 2010  
4:19AM<br><br>Customer: Terry Allison Customer Phone:<br>Location: Kitsap Rifle and  
Revolver Club<br>NearestCrossStreet: No Data<br>Description: Please see the attached letter  
from Mr. Allison.<br><br><a href="http://146.218.199.5/cs/cases/edit.aspx?id={FBCF2D2F-6051-  
DF11-B085-005056823051}">click\_here</a><br>Erin Denny</body></html>

## Don Burger

---

**From:** Jacquelyn M. Aufderheide [JAufderh@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 11:42 AM  
**To:** Kevin M. Howell; Neil R. Wachter; Russell D. Hauge  
**Subject:** Fwd: Re: Noise Issues

>>> Steve Bauer 4/24/2010 1:15 PM >>>  
Hi Jerome,

I agree with you on all counts. This is a very suburban county with increasing trails access and use in many parts. I grew up around guns and in a hunting family so I am no "anti gun nut" either. But I do worry about their use near many of our developed areas. I also agree that the noise can be an issue for nearby residents but I think this is a harder issue to control. First, it seems hard to imagine that the noise from KRRC could be significant over 3 miles away. For nearer neighbors, we have the same issue as people who build next to airports (I know because I used to be one) and then complain about the noise. Still, we could think about hours of operation or some other items. The bigger issue for me is one of public safety and discharge of firearms in rural areas where there is trail use or nearby homes.

I am copying my assistant, Deanna Ersted on this email and asking her to do some research on just what restrictions currently exist and what kinds of limits might be explored to deal with these issues.

Thanks again for writing.

Steve Bauer

>>> Jerome Carbone <jecarbone@ [REDACTED] 4/12/2010 12:13 PM >>>

Dear Commissioner Bauer:

I have lived at my current address for over 24 years. We have enjoyed the peaceful visual beauty of Hood Canal and the Olympics as well as the sounds of the forest. For the past 6 or 8 months we have been subjected to incessant sounds of gunfire. It is as though we have been transported to Kandahar or Baghdad. I have discussed it with my neighbors and they are also unhappy about this development.

On two occasions my wife and I called 911 to report gunshots, as we were concerned that someone was shooting in the woods near residential areas. I was told by the deputy who took the second of the calls that it wasn't illegal to shoot near residential areas and that they didn't have the resources to track it down. In other words, "Don't bother us!"

I don't know where the gunshots are originating. They might be coming from people shooting in the woods or they may be coming from the Kitsap Rifle and Revolver Club. We are located about 3.5 miles from the KRRC, so it seems unlikely that the loud gunfire is originating there, especially since we never heard it before and the club has been there for many years.

My concerns are twofold.

1. The population density of our county is such that it should be illegal to discharge firearms anywhere near residential areas. Rifle bullets can travel well over two miles before they fall to the ground. I doubt there are very many places in Kitsap County where there are no homes or businesses within a two-mile radius.
2. The noise pollution caused by firearms is quite unpleasant. If the gunfire is coming from KRRC, it would suggest that people who live within a

3.5 mile radius of KRRC would also be subjected to the same degree of noise pollution as we are. That includes a lot of people, and it isn't right that we should all have to live with this degree of noise pollution.

Let me assure you that I am not an anti-gun nutcase. I am a gun owner and a former member of KRRC. I have no objection to a properly operated gun range. I know that KRRC is here to stay and I feel strongly that there should be a place for people to safely handle firearms. My concern is that the discharge of firearms is regulated to maximize safety for the public and minimize noise pollution.

Accordingly, I would like to suggest that the commissioners consider changing the county code to make it illegal to discharge firearms within at least 2 miles of a building or public place (such as a hiking trail) to minimize the risk to the public as well as the attendant noise pollution.

I would also like to see the county code changed to regulate noise pollution generated by gun ranges. I am aware that the current county code exempts gun ranges from any noise pollution regulations. I would suggest that the regulations be changed to require that outdoor ranges take steps to minimize noise pollution for their neighbors. For ideas about what steps can be taken to minimize noise pollution, I have included a link\* to a document produced by the Interstate Technology Regulatory Council. I know that KRRC will say that they could not possibly afford to make alterations to their ranges that decrease noise pollution. Perhaps the county could help with the financial burden. This could be a win-win for the gun club and it's neighbors.

Thank you for your attention to this matter.

Sincerely,  
Jerome E. Carbone, M.D.  
  
Silverdale, WA 98383

\*[www.itrcweb.org/Documents/SMART-2.pdf](http://www.itrcweb.org/Documents/SMART-2.pdf)

**Don Burger**

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 11:51 AM  
**To:** Russell D. Hauge  
**Cc:** Christian C. Casad; Kevin M. Howell; Tracey L. Hamilton-Oril  
**Subject:** Re: request for action 2nd attempt - Confidential Attorney Client Communication

[REDACTED]

[REDACTED]

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
nwachter@co.kitsap.wa.us

>>> Russell Hauge Monday, April 26, 2010 10:17 AM >>>  
Thank you very much. I received your packet of materials last week, but had to leave for business in eastern Washington almost immediately. I am very concerned about the issues you raise. Although we advise the Department of Community Development and the Board of Commissioners, we are not necessarily involved in their decision making. However, I am persuaded that the issues now raised by the land use practices of the Kitsap Rifle and Revolver Club are primarily legal. We are meeting with our clients tomorrow morning. I can't discuss the content of that meeting, but I will be advising action. Thank you for your sustained efforts. Please feel free to communicate directly with me at any time.  
Russ Hauge,  
Kitsap County Prosecuting Attorney

>>> "Terry Allison" <tncallison@[REDACTED]> > 4/26/2010 10:05 AM >>>  
Mr. Hauge

I copy and pasted the attachment here. One other recipient had a problem opening it also. Computers are magic and I don't always know the magic words!

Respectfully  
Terry Allison  
[REDACTED]

Attachment is request from Kitsap County citizens for action by Kitsap County Commissioners, Prosecuting Attorney, Department of Community Development, County Health Department, and the County Department of Parks and Recreation to address unacceptable hazards to the environment, the public, and Chico Creek head water wetlands caused by unpermitted construction, expansion, and realignment of KRRC range facilities.

We request the County take immediate and decisive action to enforce County Code, land use, and critical areas ordinances at Kitsap Rifle and Revolver Club (KRRC), located at 4900

Seabeck Highway, Bremerton, Kitsap County, Washington. Research and review by concerned citizens validates the position that the expansion ( 14 new firing lanes ) and realignment (North to Northeast) of KRRC presents a clear and immediate hazard to public and environmental health and safety.

We request KRRC be immediately restricted or "rolled back" to the configuration of the one pistol and one rifle line that existed when the range was "grandfathered" into the County's comprehensive use plan in September 1993. We request that the immediate restrictions be in place until all investigations and evaluations of KRRC by all responsible agencies are completed and all corrective actions identified by these inspections are implemented.

Communities and public use areas around KRRC have grown and evolved in accordance with, and in compliance to the laws of the County and State. Since KRRC's expansion and construction have not complied with County, State, or Federal land use laws, we strongly urge the County to make the "grandfathered," historic range configuration used by KRRC for almost their entire existence permanent.

We urge the County to require KRRC to restore all range areas, except the original one pistol and one rifle line active use area back to the land's natural state and condition as it existed in September 1993 when grandfathered. Restoration will significantly reduce the impact of range operations and activities on the health and safety of surrounding wetlands, the environment, and the public.

Since publicly available correspondence between the County, KRRC, and several state agencies indicates expansion and realignment of KRRC was done deliberately and with full prior knowledge of code requirements by club officials, we also request the County impose the maximum penalties, sanctions, and fines specified in County Code to confirmed violations.

We request to be informed of County actions on this request as authorized by the public disclosure laws. Points of contact are Terry Allison, P.O. Box 4088, Bremerton, Wa. 98312; Skip Junis, 5624 NW Iskra Blvd., Silverdale, Wa. 98312.

Sincerely,

Terry Allison John Blair Ron Ballesteros Paula Ballesteros Sandy Beattie Nina Beheim Andrea Bastien Andy Bloom Kenzie Bly Nicholas Chang Wendell Crim Eva Crim Cassie Cantu Ed Deloach Marsha Deloach Bill Dowell Peggy Dowell Gary Fisher Dawn Fisher Dan Frum Tom Flores Aldona Flores Marian Fuller Kevin Gross Gail Gross Michelle Grejon Cathy Hall Jeff Hall Victoria Hoisington Greg Hoisington Mary Jo Huff Bruce Huff Craig Hughes Pamela Hughes Skip Junis Doris Junis A. Kershaw Lisa Klions Robert Kermath Peggy Kermath Wade Larson Mike Livick Kevin Magnuson Tom McArthur Anne Plummer Mike Plummer Karen Purdin Charles Purdin Jeff Pearson Teresa Pearson Jon Pearson Celeste Rahal Randy Trott Joe Velasquez Judy Velasquez Dave Schwab Ruth Greb Tecla Legge Mike Legge Brenda O'Neil Danielle Clothier Cindy Allison

Note: this is not a complete list of persons who have signed the petition

## Don Burger

---

**From:** Jerome Carbone [jcarb@redacted]  
**Sent:** Monday, April 26, 2010 12:51 PM  
**To:** Steve Bauer  
**Subject:** Re: Noise Issues

Thanks for looking into it.

On Sat, Apr 24, 2010 at 1:15 PM, Steve Bauer <[sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us)> wrote:  
Hi Jerome,

I agree with you on all counts. This is a very suburban county with increasing trails access and use in many parts. I grew up around guns and in a hunting family so I am no "anti gun nut" either. But I do worry about their use near many of our developed areas. I also agree that the noise can be an issue for nearby residents but I think this is a harder issue to control. First, it seems hard to imagine that the noise from KRRC could be significant over 3 miles away. For nearer neighbors, we have the same issue as people who build next to airports (I know because I used to be one) and then complain about the noise. Still, we could think about hours of operation or some other items. The bigger issue for me is one of public safety and discharge of firearms in rural areas where there is trail use or nearby homes.

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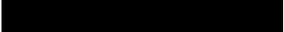
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Sincerely,  
Jerome E. Carbone, M.D.

  
Silverdale, WA 98383

\*[www.itrcweb.org/Documents/SMART-2.pdf](http://www.itrcweb.org/Documents/SMART-2.pdf)

**Don Burger**

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**From:** Pros-Conf Rm Civil Division [Pros-Conf Rm Civil Division@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 2:45 PM  
**To:** Tracey L. Hamilton-Oril  
**Subject:** Re: Meeting Re: KRRC (Civil Div Conf Rm Reservation)



>>> thamilto 04/26/10 14:44 >>>

Tracey Hamilton-Oril  
Legal Assistant to Alan L. Miles, Kevin P. Kelly, Neil R. Wachter & Kevin M. Howell, Deputy  
Prosecuting Attorneys Kitsap County Prosecutor's Office - Civil Division  
Phone: (360) 307-4271  
email: [THamilto@co.kitsap.wa.us](mailto:THamilto@co.kitsap.wa.us)

**Don Burger**

---

**From:** Tracey L. Hamilton-Oril [THamilto@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 3:01 PM  
**To:** Russell D. Hauge  
**Cc:** Christian C. Casad; Kevin M. Howell; Neil R. Wachter  
**Subject:** KRRC - Bargain & Sale Deed  
**Attachments:** Purchase & Sale Deed with Covenants 200906180292.pdf; Assignment from State to Kitsap 200906180291.pdf

Russ,

[REDACTED]

[REDACTED]

Tracey Hamilton-Oril  
Legal Assistant to Alan L. Miles, Kevin P. Kelly, Neil R. Wachter & Kevin M. Howell,  
Deputy Prosecuting Attorneys  
Kitsap County Prosecutor's Office - Civil Division  
Phone: (360) 307-4271  
email: [THamilto@co.kitsap.wa.us](mailto:THamilto@co.kitsap.wa.us)

FILED FOR RECORD AT REQUEST OF:  
Kevin M. Howell  
Kitsap County Prosecuting Attorney's Office  
614 Division Street, MS-35A  
Port Orchard WA 98366

LAND TITLE 200906180292

Deed Rec Fee: \$ 89.00  
06/18/2009 03:15 PM  
Walter Washington, Kitsap Co Auditor

Page: 1 of 6



**BARGAIN AND SALE DEED  
WITH RESTRICTIVE COVENANTS**

*E-230260*

GRANTOR: Kitsap County

GRANTEE: Kitsap Rifle and Revolver Club, a Washington Non-Profit Corporation

LEGAL DESCRIPTION: SE/SW&SW/SE 36-25N-1W KITSAP COUNTY TREASURER EXCISE 06/18/2009  
2009EX03102

Total : \$10.00

Clerk's Initial *JS*

ASSESSOR'S TAX PARCEL NO: 362501-4-002-1006

For and in consideration of \$10.00 and other good and valuable consideration, Kitsap County, as Grantor, bargains, sells and conveys all of it's right, title and interest in and to the real property described on Exhibit A hereto to the Kitsap Rifle and Revolver Club, a Washington Non-Profit Corporation, as Grantee.

This conveyance is made subject to the following covenants and conditions, the benefits of which shall inure to the benefit of the public and the burdens of which shall bind the Grantee and the heirs, successors and assigns of the Grantee in perpetuity.

1. Grantee for and on behalf of itself, its heirs, successors and assigns, and each subsequent owner of the property described in Exhibit A hereto, hereby releases and agrees to hold harmless, indemnify and defend Kitsap County, its elected officials, employees and agents from and against any liabilities, penalties, fines, charges, costs, losses, damages, expenses, causes of actions, claims, demands, orders, judgments, or administrative actions, including, without limitation, reasonable attorneys' fees, arising from or in anyway connected with (1) injury to or

the death of any person or the physical damage to any property, resulting from any act, activity, omission, condition or other matter related to or occurring on or about the property, regardless of cause, unless due solely to the gross negligence of any of the indemnified parties; (2) the violation or alleged violation of, or other failure or alleged failure to comply with, any state, federal, or local law, regulation or requirement, including, without limitation, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC Sec. 9601, et seq. and Model Toxics Control Act (MTCA), RCW 70.105 D, by any indemnified person or entity in anyway effecting, involving, or relating to the property; (3) the presence or release in, on, from, or about the property, at any time, past or present, of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state or local law regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or anyway harmful or threatening to human health or the environment.

2. Grantee shall maintain commercial general liability insurance coverage for bodily injury, personal injury and property damage, subject to a limit of not less than \$1 million dollars per occurrence. The general aggregate limit shall apply separately to this covenant and be no less than \$2 million. The grantee will provide commercial general liability coverage that does not exclude any activity to be performed in fulfillment of Grantee's activities as a shooting range. Specialized forms specific to the industry of the Grantee will be deemed equivalent, provided coverage is no more restrictive that would be provided under a standard commercial general liability policy, including contractual liability coverage.

3. Grantee shall confine its active shooting range facilities on the property consistent with its historical use of approximately eight (8) acres of active shooting ranges with the balance of the property serving as safety and noise buffer zones; provided that Grantee may upgrade or improve the property and/or facilities within the historical approximately eight (8) acres in a manner consistent with "modernizing" the facilities consistent with management practices for a modern shooting range. "Modernizing" the facilities may include, but not be limited to: (a) construction of a permanent building or buildings for range office, shop, warehouse, storage, caretaker facilities, indoor shooting facilities, and/or classrooms; (b) enlargement of parking facilities; (c) sanitary bathroom facilities; (d) re-orientation of the direction of individual shooting bays or ranges; (e) increasing distances for the rifle shooting range; (f) water system improvements including wells, pump house, water distribution and water storage; (g) noise abatement and public safety additions. Also, Grantee may also apply to Kitsap County for expansion beyond the historical eight (8) acres, for "supporting" facilities for the shooting ranges or additional recreational or shooting facilities, provided that said expansion is consistent with public safety, and conforms with the terms and conditions contained in paragraphs 4, 5, 6, 7 and 8 of this Bargain and Sale Deed and the rules and regulations of Kitsap County for development of private land. It is the intent of the parties that the activities of Grantee shall conform to the rules and regulations of the Firearms Range Account, administered by the State Recreation and Conservation Office. This account

is established by the legislature upon the following finding: "Firearms are collected, used for hunting; recreational shooting, and self-defense, and firearm owners as well as bow users need safe, accessible areas in which to shoot their equipment. Approved shooting ranges provide that opportunity, while at the same time, promote public safety. Interest in all shooting sports has increased while safe locations to shoot have been lost to the pressures of urban growth." (Wash. Laws 1990 ch. 195 Section 1.)

4. Grantee's activities shall also conform to the Firearms and Archery Range (FARR) Program as found in Chapter 79A.25 RCW. The primary goals of this program are to assist with acquisition, development, and renovation of firearm and archery range facilities to provide for increased general public access to ranges. This includes access by a) law enforcement personnel; b) members of the general public with concealed pistol or hunting licenses; and c) those enrolled in firearm or hunter safety education classes. Access by the public to Grantee's property shall be offered at reasonable prices and on a nondiscriminatory basis.

5. Grantee agrees to operate the shooting range at all times in a safe and prudent manner and conform its activities to accepted industry standards and practices.

6. Mineral Reservations, held by the State of Washington, that run with the land.

7. Existing Habitat Conservation Plan (HCP), as detailed below:

The site has been publicly identified for conservation provisions applying to, but not limited to: murrelet habitat; spotted owl nest sites; wolves; grizzly bears; nests, communal roosts, or feeding concentrations of bald eagles; peregrine falcon nests; Columbian white-tailed deer; Aleutian Canada geese; and Oregon silverspot butterflies. The existing Habitat Conservation Plan is to remain in effect, regardless of parcel segregation or aggregation or potential sale or land transfer.

8. Riparian Management Zones, as detailed below:

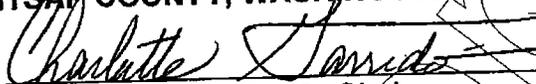
Bodies of water, including but not limited to those streams, rivers and lakes and other lakes and wetlands have been identified and/or may be located on the Premises. All activities within the Riparian Management Zone, as defined in the existing and publicly-filed Habitat Conservation Plan (HCP) and including that portion of the inner riparian ecosystem between the aquatic zone and the direct influence zone (uplands) and including the outer wind buffer, must comply with and remain in compliance with the current HCP Procedures. Activities in a Riparian Management Zone, including but not limited to cutting or removing any tree and/or timber (including hardwood, merchantable and unmerchantable timber, downed timber, windthrow and snags), and road, trench and/or trail use, and/or maintenance, may be restricted or not permitted during specific times. All activities must provide for no overall net loss of naturally occurring wetland function. These protective measures are to run with the

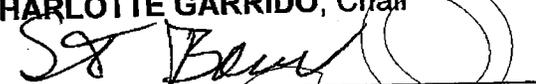
land, regardless of parcel segregation or aggregation or potential sale or land transfer.

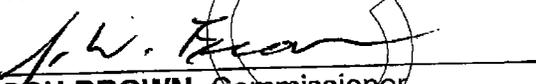
DATED this 13<sup>th</sup> day of May, 2009.



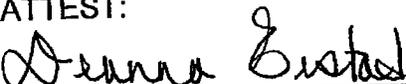
BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY, WASHINGTON

  
CHARLOTTE GARRIDO, Chair

  
STEVE BAUER, Commissioner

  
JOSH BROWN, Commissioner

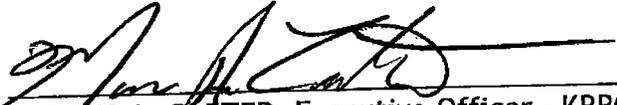
ATTEST:

  
Opal Robertson, Clerk of the Board

**ACCEPTANCE OF BARGAIN AND SALE DEED  
WITH RESTRICTIVE COVENANTS**

By signature affixed below, the Kitsap Rifle and Revolver Club by and through its President/Executive Officer hereby and with full authority of the Board of Directors of said corporation, hereby accept the terms and conditions of the Deed with Restrictive Covenants above dated this 13<sup>th</sup> day of May, 2009.

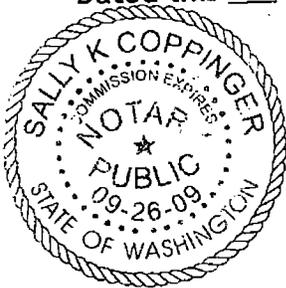
  
BRADFORD SMITH, President - KRRC

  
MARCUS A. CARTER, Executive Officer - KRRC

STATE OF WASHINGTON )  
 ) ss:  
COUNTY OF KITSAP )

I certify that I know or have satisfactory evidence that Brad Smith is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the President of the Kitsap Rifle and Revolver Club, to be the free and voluntary act of the KRRC for the uses and purposes mentioned in the instrument.

Dated this 13 day of May, 2009.



Sally K. Coppinger  
PRINT NAME: Sally K. Coppinger  
Notary Public in and for the State of Washington,  
residing at: Port Orchard 98366  
My Commission Expires: 9/26/09

STATE OF WASHINGTON )  
 ) ss:  
COUNTY OF KITSAP )

I certify that I know or have satisfactory evidence that Marcus Carter is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Executive Director of the Kitsap Rifle and Revolver Club, to be the free and voluntary act of the KRRC for the uses and purposes mentioned in the instrument.

Dated this 13 day of May, 2009.



Sally K. Coppinger  
PRINT NAME: Sally K. Coppinger  
Notary Public in and for the State of Washington,  
residing at: Port Orchard 98366  
My Commission Expires: 9/26/09

**EXHIBIT A**

**Legal Description of Premises & Reservations**

Part of the Southwest quarter of the Southeast quarter and part of the Southeast quarter of the Southwest quarter of Section 36, Township 25 North, Range 1 West, W.M., lying northerly of the North lines of an easement for right of way for road granted to Kitsap County on December 7, 1929, under Application No. 1320, said road being as shown on the regulation plat thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington, the above described lands having an area of 72.41 acres, more or less.

**RESERVATIONS/SUBJECT TO:**

Easement #50-CR1320: Road granted to Kitsap County on 12/07/1927 for an indefinite term.

Easement #50-047116: Road granted to E.F. Howerton on 05/09/1985 for an indefinite term.

Unofficial

**Don Burger**

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 4:10 PM  
**To:** Tracey L. Hamilton-Oril  
**Subject:** KRRC - confidential attorney work product



Neil

## Don Burger

---

**From:** Terry Allison [tncallison@████████]  
**Sent:** Monday, April 26, 2010 4:33 PM  
**To:** Kevin M. Howell  
**Subject:** Fw: Newberry Hill Heritage Park info

Kevin

I'm sure this will make its way to your office eventually. I'm forwarding it now as it would seem to be applicable to tomorrow's meeting. If you are not the right person to get this, would you forward it? There are now so many officials involved that I'm no longer sure just who should get what.

Thanks.

Respectfully  
Terry Allison

----- Original Message -----

**From:** "Jim Dunwiddie" <jdunwiddie@co.kitsap.wa.us>  
**To:** "Terry Allison" <tncallison@████████>  
**Sent:** Monday, April 26, 2010 7:45 AM  
**Subject:** Re: POSSIBLE SPAM! SCORE = 5.5 Fw: Newberry Hill Heritage Park

Terry,

There is no reason to apologise....

The situation you raise has never been a topic discussed by my staff and/or county officials with me. I will try to gather information and details of the piecing together of the park, prior to my arrival in Kitsap.

Jim

>>> "Terry Allison" <tncallison@████████> 4/24/2010 4:28 PM >>>  
Mr. Dunwiddie

I owe you and Martha Droge an apology. I sent the following e-mail to Martha instead of addressing it to you and cc to Martha. My only excuse is that Martha has been such a strong and well-respected public contact for the Newberry Hill Heritage Park development process that it just didn't occur to me that as the senior official responsible I should have addressed my concern and request to you.

Most of the NHHP is in the downrange bullet impact area from several unauthorized firing lines at KRRC. This gun range has never been evaluated by any competent range design professional. When these lands were DNR property public access to what is now Parks property was incidental - not prohibited, but certainly not encouraged. With development of NHHP the County and Parks Department are essentially taking the position that it is acceptable and safe for the public to enter areas that anywhere else in the country would be off limits due to the dangers of accidental gun fire. KRRC has on other other occasions stated that areas outside the active area of the range require exclusion for public safety due to possible accidental fire or ricochets.

I had assumed this fact would have been addressed during the public hearing phase of park development. For whatever reason, it wasn't. I request additional investigation and review of the impact of KRRC operations on HIP with the public be completed before further park development.

Sincerely  
Terry Allison  
[REDACTED]

----- Original Message -----

From: Terry Allison  
To: NewberryHill@co.kitsap.wa.us  
Cc: kitsap county commissioners  
Sent: Wednesday, April 21, 2010 6:38 AM  
Subject: Newberry Hill Heritage Park

Martha

Last night's local newspaper said the NHHP master plan is ready to go to the county Parks and Recreation Advisory board for approval. I suggest and request that any further action involving public funds expenditures on NHHP be suspended until allegations of unacceptable hazards to public and environmental health and safety in the proposed park and surrounding areas are resolved.

Information obtained from county and state sources via public disclosure request indicate Kitsap Rifle and Revolver Club has in recent years added a number of new firing lines, some of which are oriented to fire directly into the proposed park, and has significantly expanded active use areas of the range. Lead and other heavy metals contamination of the range and surrounding wetlands is unquestioned. No permits for range expansion or firing line reorientation have been obtained as is required by county code. That means that there has been no review, evaluation, approval, or even consideration of the effects of this work on the surrounding environment or public and residential areas by responsible public officials.

There is a large and very convincing body of public records that support the presence of potentially major, or even lethal, hazards presented by continued activities at KRRC to the public and to the environment. County, state, and even federal officials have reportedly been denied access to club property for investigation of complaints and allegations. The County, as original authority for most of the problem resolution process, has been unacceptably reluctant to address the issues at KRRC, possibly due to the potentially high liability concerns.

Until these concerns and issues are resolved, it seems irresponsible for the County Parks Department to continue with development of a public park that presents such a large potential hazard to the public and irreplaceable wetlands areas. Again, I request no further action on development of NHHP involving public funding be taken until this is resolved.

I request you present this e-mail to the Advisory Board for today's meeting and post it on the NHHP web site.

Sincerely  
Terry Allison

## Don Burger

---

**From:** Terry Allison [tncallison@████████]  
**Sent:** Monday, April 26, 2010 9:14 PM  
**To:** Russell D. Hauge  
**Cc:** Open Line  
**Subject:** POSSIBLE SPAM! SCORE = 5.0 KRRC land use

Mr. Hauge

Thank you for your response and interest in resolving the issues with KRRC. These problems have gone on for way too long. One key point that I would like you to consider is that this is **not** a gun rights issue to us. It is solely a land use and public and environmental safety and health problem that needs to be solved.

One additional item that may impact on the resolution is that all indications are that KRRC cannot meet the organizational or operational tests relating to private inurement and public use of club facilities necessary to maintain their status as a 501(c)7 non-profit club. I am pursuing this question with the I.R.S. If this is something your office may be interested in, I would welcome the opportunity to share what little information I have. I know that one of the requirements for the land transfer was for the club to maintain its non-profit status and public access.

Again, we deeply appreciate your interest in the land use issues we have raised.

Respectfully

Terry Allison

## Don Burger

---

**From:** Russell D. Hauge [RHauge@co.kitsap.wa.us]  
**Sent:** Monday, April 26, 2010 10:41 PM  
**To:** tncallison@[REDACTED]  
**Cc:** Rebecca J. Jolliff  
**Subject:** Re: POSSIBLE SPAM! SCORE = 5.0 KRRC land use

We see this issue the same way. I am asking my assistant to contact you before the end of the week to arrange a meeting.

Russ Hauge,  
Kitsap County Prosecuting Attorney

-----Original Message-----

**From:** "Terry Allison" <tncallison@[REDACTED]>  
**To:** Hauge, Russell <RHauge@co.kitsap.wa.us>  
**Cc:** Open Line, Larry <openline@co.kitsap.wa.us>

**Sent:** 4/26/2010 9:13:37 PM  
**Subject:** POSSIBLE SPAM! SCORE = 5.0 KRRC land use

Mr. Hauge

Thank you for your response and interest in resolving the issues with KRRC. These problems have gone on for way too long. One key point that I would like you to consider is that this is not a gun rights issue to us. It is solely a land use and public and environmental safety and health problem that needs to be solved.

One additional item that may impact on the resolution is that all indications are that KRRC cannot meet the organizational or operational tests relating to private inurement and public use of club facilities necessary to maintain their status as a 501(c)7 non-profit club. I am pursuing this question with the I.R.S. If this is something your office may be interested in, I would welcome the opportunity to share what little information I have. I know that one of the requirements for the land transfer was for the club to maintain it's non-profit status and public access.

Again, we deeply appreciate your interest in the land use issues we have raised.

Respectfully

Terry Allison

## Don Burger

---

**From:** zhiltz@[REDACTED]  
**Sent:** Tuesday, April 27, 2010 7:51 AM  
**To:** Sherry Leslie; Tony and Liz Mastrorocco; Melissa Ford; Brooke Healy; Pat Crowley; Kelly Highfield; Jerome Carbone; Suzanne Ireland; mickey hall; Irene Brumsickle; HelenDaley; Becky Hrissikopoulos  
**Cc:** Steve Bauer  
**Subject:** Re: Noise Issues

Doctor Carbone,

I assume, by including me on your email list, that you consider me a "neighbor." And yet, in your letter to the commissioner, you claim to have spoken to your "neighbors" about this issue. You certainly did not speak to me about it, and I resent you implying to Mr Bauer that you did.

I certainly have heard what I would consider to be "anti-gun nut case" talk at one of our recent Ioka block parties - general sentiments that were not related to this particular issue, if I remember correctly -but I do not recall who was involved. This talk stood out for me because I am very much pro-gun, and very much against excessive regulations to control the citizenry in this and in many other regards.

I'm not quite sure what to make about your claim of the "almost constant sounds of gunshots," the "incessant sounds of gunfire." We live not far from you, spend a great deal of time out in the yard, and have never once heard anything that sounded like gun fire. I wouldn't mind it if we did heard some once in a while, anyway. No such "noise pollution" I'm aware of.

I, too, doubt it would be coming from KRRC, of which we are members. There are certainly forces aligned against them in the recent legal actions that were attempted concerning the land they sit on. We have been somewhat active in favor of KRRC during these matters, and know of another of your neighbors that was as well. That you would both admit the noise was probably not coming from there, and then later include an implication that it was, and that KRRC needs to be further regulated in some way, seems questionable to me.

I ask that you not speak for me to the authorities in this matter, and that you write back to Mr. Bauer explaining that you did so erroneously in your previous correspondence. I would appreciate some confirmation of your having done so. I also ask that you delete me from your mailing list regarding this matter - I don't need this sort of "noise pollution" spamming my email.

Will Hiltz (I'll leave the meant-to-impress "MD" off of my signature)

On Mon, 26 Apr 2010 13:28:45 -0700

Jerome Carbone <jecarbone@[REDACTED]> wrote:  
> Hi all,  
> I have spoken to some of you about the almost constant sound of  
>gunshots in our neighborhood. I emailed our county commissioner,  
>Steve Bauer, and he replied to my email yesterday. I am forwarding my  
>email and his response to you. He has indicated some interest in  
>looking into the sources of the gunshots and possible solutions. If  
>you share my dislike for the frequent sound of gunfire in our  
>neighborhood it would be worthwhile to send your thoughts to your  
>commissioner. If you live north of the Ioka hill, Steve (  
> sbauer@co.kitsap.wa.us) is your commissioner. If you live south of

>the hill, Josh Brown (jwbrown@co.kitsap.wa.us) is your commissioner.  
> Please forward the suggestion to anyone else who may object to the  
>sounds of gunfire in our neighborhood.  
> Jerry Carbone  
>  
> ----- Forwarded message -----  
>From: Steve Bauer <sbauer@co.kitsap.wa.us>  
> Date: Sat, Apr 24, 2010 at 1:15 PM  
> Subject: Re: Noise Issues  
> To: Jerome Carbone <jecarbone@gmail.com>  
> Cc: Deanna Erstad <DErstad@co.kitsap.wa.us>, Jacquelyn Aufderheide <  
>JAufderh@co.kitsap.wa.us>, Josh Brown <JWbrown@co.kitsap.wa.us>  
>  
>  
> Hi Jerome,  
>  
> I agree with you on all counts. This is a very suburban  
>county with  
> increasing trails access and use in many parts. I grew  
>up around guns and  
> in a hunting family so I am no "anti gun nut" either.  
> But I do worry about  
> thieir use near many of our developed areas. I also  
>agree that the noise  
> can be an issue for nearby residents but I think this is  
>a harder issue to  
> control. First, it seems hard to imagine that the noise  
>from KRRC could be  
> significant over 3 miles away. For nearer neighbors, we  
>have the same issue  
> as people who build next to airports (I know because I  
>used to be one) and  
> then complain about the noise. Still, we could think  
>about hours of  
> operation or some other items. The bigger issue for me  
>is one of public  
> safety and discharge of firearms in rural areas where  
>there is trail use or  
> nearby homes.  
>  
> I am copying my assistant, Deanna Ersted on this email  
>and asking her to do  
> some research on just what restrictions currently exist  
>and what kinds of  
> limits might be explored to deal with these issues.  
>  
> Thanks again for writing.  
>  
> Steve Bauer  
>  
>>>> Jerome Carbone <jecarbone@gmail.com> 4/12/2010 12:13 PM  
>>>>>>  
> Dear Commissioner Bauer:  
> I have lived at my current address for over 24 years.  
> We have enjoyed the  
> peaceful visual beauty of Hood Canal and the Olympics as  
>well as the sounds

> of the forest. For the past 6 or 8 months we have been  
>subjected to  
> incessant sounds of gunfire. It is as though we have  
>been transported to  
> Kandahar or Baghdad. I have discussed it with my  
>neighbors and they are  
> also unhappy about this development.  
>  
> On two occasions my wife and I called 911 to report  
>gunshots, as we were  
> concerned that someone was shooting in the woods near  
>residential areas. I  
> was told by the deputy who took the second of the calls  
>that it wasn't  
> illegal to shoot near residential areas and that they  
>didn't have the  
> resources to track it down. In other words, "Don't  
>bother us!"  
>  
> I don't know where the gunshots are originating. They  
>might be coming from  
> people shooting in the woods or they may be coming from  
>the Kitsap Rifle and  
> Revolver Club. We are located about 3.5 miles from the  
>KRRC, so it seems  
> unlikely that the loud gunfire is originating there,  
>especially since we  
> never heard it before and the club has been there for  
>many years.  
>  
> My concerns are twofold.  
> 1. The population density of our county is such that it  
>should be illegal  
> to discharge firearms anywhere near residential areas.  
> Rifle bullets can  
> travel well over two miles before they fall to the  
>ground. I doubt there  
> are very many places in Kitsap County where there are no  
>homes or businesses  
> within a two-mile radius.  
> 2. The noise pollution caused by firearms is quite  
>unpleasant. If the  
> gunfire is coming from KRRC, it would suggest that  
>people who live within a  
> 3.5 mile radius of KRRC would also be subjected to the  
>same degree of noise  
> pollution as we are. That includes a lot of people, and  
>it isn't right that  
> we should all have to live with this degree of noise  
>pollution.  
>  
> Let me assure you that I am not an anti-gun nutcase. I  
>am a gun owner and a  
> former member of KRRC. I have no objection to a  
>properly operated gun  
> range. I know that KRRC is here to stay and I feel  
>strongly that there

> should be a place for people to safely handle firearms.  
> My concern is that  
> the discharge of firearms is regulated to maximize  
> safety for the public and  
> minimize noise pollution.  
>  
> Accordingly, I would like to suggest that the  
> commissioners consider  
> changing the county code to make it illegal to discharge  
> firearms within at  
> least 2 miles of a building or public place (such as a  
> hiking trail) to  
> minimize the risk to the public as well as the attendant  
> noise pollution.  
>  
> I would also like to see the county code changed to  
> regulate noise pollution  
> generated by gun ranges. I am aware that the current  
> county code exempts  
> gun ranges from any noise pollution regulations. I  
> would suggest that the  
> regulations be changed to require that outdoor ranges  
> take steps to minimize  
> noise pollution for their neighbors. For ideas about  
> what steps can be  
> taken to minimize noise pollution, I have included a  
> link\* to a document  
> produced by the Interstate Technology Regulatory  
> Council. I know that KRRC  
> will say that they could not possibly afford to make  
> alterations to their  
> ranges that decrease noise pollution. Perhaps the  
> county could help with  
> the financial burden. This could be a win-win for the  
> gun club and it's  
> neighbors.  
>  
> Thank you for your attention to this matter.  
>  
> Sincerely,  
> Jerome E. Carbone, M.D.  
> [REDACTED]  
> Silverdale, WA 98383  
>  
> \*[www.itrcweb.org/Documents/SMART-2.pdf](http://www.itrcweb.org/Documents/SMART-2.pdf)

## Don Burger

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**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 8:55 AM  
**To:** Dale.J.Jordon@usace.army.mil  
**Cc:** Tracey L. Hamilton-Oril  
**Subject:** KRRC  
**Attachments:** Assignment from State to Kitsap 200906180291.pdf; Purchase & Sale Deed with Covenants 200906180292.pdf

Dear Mr. Jordan:

Thank you for speaking me on the phone this afternoon. As I mentioned, I represent Kitsap County and its Department of Community Development. We are interested in coordinating with the Corp. in support of joint visits by the various agencies that regulate the property owned and/or used by the club.

Last summer, the County entered into a land transaction involving DNR and the Club. Part of the transaction involved transferring DNR property abutting the Club, to the Club. The Club had previously leased this property from DNR. I am sending you the bargain and sale deed with covenants that transferred the County's interest to the Club. As you can see, the Club is required to obtain required permits for its activities on the land in question.

Please give me a call when you have a chance, or forward my info on to the Corp's counsel. Thanks again.

Sincerely,

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

After Recording Return To:  
Department of Natural Resources  
Asset Management and Protection Division  
Asset Planning and Transactions Section  
PO Box 47014  
Olympia, WA 98504-7014

LAND TITLE 200906180291  
Assignment & Assumption Amt Ref Fee: \$ 59.00 Page: 1 of 4  
06/18/2009 03:15 PM  
Walter Washington, Kitsap Co Auditor

E-230251

EXCISE TAX EXEMPT JUN 18 2009

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES

ASSIGNMENT AND ASSUMPTION OF LEASE

This Agreement is between the State of Washington, acting through the Department of Natural Resources ("Assignor") and Kitsap County, a Political Subdivision of the State of Washington ("Assignee").

Assignor will transfer certain real property to the Assignee, the legal description which is contained in that certain lease (attached Exhibit A) between State of Washington as landlord and KITSAP RIFLE AND REVOLVER CLUB as lessee dated November 17, 2003 under Lease No. 60-B068979. Assignor wishes to assign its rights under the lease as landlord to Assignee and Assignee is willing to assume all of Assignor's obligations under the lease.

NOW THEREFORE, the parties agree as follows:

Ref# n/a

1. Assignment. Assignor hereby assigns to Assignee all of Assignor's rights, obligations and interests in and to the lease.
2. Assumption. Assignee hereby assumes any and all of Assignor's obligations arising under the lease after the date of this assignment and agrees to indemnify Assignor against and hold Assignor harmless from any and all liabilities, costs, losses, damages, claims or expenses, including, without limitation, reasonable attorney's fees, arising out of the obligations assumed herein.



ASSIGNOR  
State of Washington  
Department of Natural Resources

ASSIGNEE  
Kitsap County  
a Political Subdivision of the  
State of Washington

  
Randy Acker, SPS Region Manager

Charlotte Garrido, Chair  
Kitsap County  
Board of County Commissioners

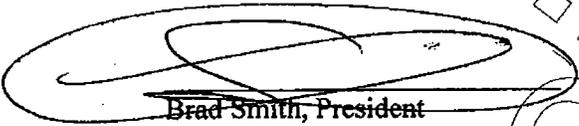
6/8/09  
Date

\_\_\_\_\_  
Date

CONSENT AND RELEASE

The lessee, Kitsap Rifle and Revolver Club hereby consents to the transfer of the property to Assignee subject to the lease and releases Assignor from any and all liability arising under the lease after the date of this agreement.

LESSEE  
Kitsap Rifle and Revolver Club

  
Brad Smith, President

6-18-09  
Date

Pre-approved as to Form  
February 12, 2001 by  
James Schwartz  
Assistant Attorney General

Unofficial Copy

ASSIGNOR  
State of Washington  
Department of Natural Resources

ASSIGNEE  
Kitsap County  
a Political Subdivision of the  
State of Washington

  
\_\_\_\_\_  
Randy Acker, SPS Region Manager

\_\_\_\_\_  
Charlotte Garrido, Chair  
Kitsap County  
Board of County Commissioners

6/8/09  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Pre-approved as to Form  
February 12, 2001 by  
James Schwartz  
Assistant Attorney General

Unofficial Copy

## Don Burger

---

**From:** Lindquist, Scott [lindqs@health.co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 8:59 AM  
**To:** Charlotte Garrido; Jim Dunwiddie; Russell D. Hauge; Steve Bauer; Unspecified Name; Larry Keeton; Terry Allison  
**Cc:** Christian C. Casad; Steve Mount; Kevin Howell; Sarah Thirtyacre  
**Subject:** RE: request for County action concerning Kitsap Rifle and Revolver Club

Unable to open this file.

### Scott

Scott Lindquist MD MPH  
Director of Health  
Kitsap County Health District  
345 6th Street Suite 300  
Bremerton WA 98337

360-337-5237 office  
[lindqs@health.co.kitsap.wa.us](mailto:lindqs@health.co.kitsap.wa.us)

---

**From:** Terry Allison [mailto:tncallison@██████████]  
**Sent:** Sunday, April 25, 2010 5:52 PM  
**To:** Josh Brown; Steve Bauer; Charlotte Garrido; Russ Hauge; Larry Keeton; Lindquist, Scott; Jim Dunwiddie  
**Cc:** Cris Casad; Kevin Howell; Steve Mount; Sarah Thirtyacre  
**Subject:** request for County action concerning Kitsap Rifle and Revolver Club

Attachment is request from Kitsap County citizens for action by Kitsap County Commissioners, Prosecuting Attorney, Department of Community Development, County Health Department, and the County Department of Parks and Recreation to address unacceptable hazards to the environment, the public, and Chico Creek head water wetlands caused by unpermitted construction, expansion, and realignment of KRRC range facilities.

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## Don Burger

---

**From:** Jerome Carbone [jecarbone@██████████]  
**Sent:** Tuesday, April 27, 2010 9:38 AM  
**To:** zhiltz@██████████  
**Cc:** Steve Bauer; Sherry Leslie; Tony and Liz Mastrorocco; Melissa Ford; Brooke Healy; Pat Crowley; Kelly Highfield; Suzanne Ireland; mickey hall; Irene Brumsickle; Helen Daley; Becky Hrissikopoulos  
**Subject:** Re: Noise Issues

Will,

I apologize if I implied that all of my neighbors agreed with me. I have spoken to a number of my neighbors, although certainly not all of them. Most people I spoke to have been aware of the gunshots and, to varying degrees, unhappy about them. I suspect that the differences in awareness of the gunshots is determined by geographic and other conditions at our homes as well as by the amount of time and the times of day we are outside in our yards.

I clearly stated that I don't know where the gunshots originate. Walt and Kim have suggested, to me and Tony respectively, that they are coming from KRRC. While it seems unlikely, it is certainly possible. It is also possible that they are originating from people shooting in the woods near our homes. This would be a bigger problem, in my opinion, with clear implications for the safety of the people in those homes.

Your implication that I am advocating additional regulations over KRRC is unfounded. I have not advocated any sort of control over KRRC. I have, instead, asked that the county consider providing funding to help KRRC reduce the amount of noise emanating from its ranges. Measures can be taken, per the document I referenced, to decrease the amount of noise produced at gun ranges. This would be a "win-win" for all concerned, including KRRC. It can only help the club if relations with its neighbors are improved.

I am a gun owner and a former member of KRRC. I am in favor of a safe place for people to learn how to use guns safely. I am also in favor of peace and quiet.

I see that you have sent a copy of your email to the commissioner. I consider that to be adequate notification that you feel you were misrepresented by implication in my email. I will send a copy of this response to the commissioner, as well, in order to provide further clarification of my opinions.

Once again, I am sorry if you feel that I misrepresented your feelings in my email to the commissioner. On this, as on all issues, there will be differences of opinion. As Ronald Reagan said, "We can disagree without being disagreeable."

Jerry

On Tue, Apr 27, 2010 at 7:50 AM, <zhiltz@██████████> wrote:  
Doctor Carbone,

I assume, by including me on your email list, that you consider me a "neighbor." And yet, in your letter to the commissioner, you claim to have spoken to your "neighbors" about this issue. You certainly did not speak to me about it, and I resent you implying to Mr Bauer that you did.

I certainly have heard what I would consider to be "anti-gun nut case" talk at one of our recent Ioka block

parties - general sentiments that were not related to this particular issue, if I remember correctly -but I do not recall who was involved. This talk stood out for me because I am very much pro-gun, and very much against excessive regulations to control the citizenry in this and in many other regards.

I'm not quite sure what to make about your claim of the "almost constant sounds of gunshots," the "incessant sounds of gunfire." We live not far from you, spend a great deal of time out in the yard, and have never once heard anything that sounded like gun fire. I wouldn't mind it if we did heard some once in a while, anyway. No such "noise pollution" I'm aware of.

I, too, doubt it would be coming from KRRC, of which we are members. There are certainly forces aligned against them in the recent legal actions that were attempted concerning the land they sit on. We have been somewhat active in favor of KRRC during these matters, and know of another of your neighbors that was as well. That you would both admit the noise was probably not coming from there, and then later include an implication that it was, and that KRRC needs to be further regulated in some way, seems questionable to me.

I ask that you not speak for me to the authorities in this matter, and that you write back to Mr. Bauer explaining that you did so erroneously in your previous correspondence. I would appreciate some confirmation of your having done so. I also ask that you delete me from your mailing list regarding this matter - I don't need this sort of "noise pollution" spamming my email.

Will Hiltz (I'll leave the meant-to-impress "MD" off of my signature)

On Mon, 26 Apr 2010 13:28:45 -0700

Jerome Carbone <jecarbone@[REDACTED]> wrote:

Hi all,

I have spoken to some of you about the almost constant sound of gunshots in our neighborhood. I emailed our county commissioner, Steve Bauer, and he replied to my email yesterday. I am forwarding my email and his response to you. He has indicated some interest in looking into the sources of the gunshots and possible solutions. If you share my dislike for the frequent sound of gunfire in our neighborhood it would be worthwhile to send your thoughts to your commissioner. If you live north of the Ioka hill, Steve ([sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us)) is your commissioner. If you live south of the hill, Josh Brown ([jwbrown@co.kitsap.wa.us](mailto:jwbrown@co.kitsap.wa.us)) is your commissioner. Please forward the suggestion to anyone else who may object to the sounds of gunfire in our neighborhood.

Jerry Carbone

----- Forwarded message -----

From: Steve Bauer <[sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us)>

Date: Sat, Apr 24, 2010 at 1:15 PM

Subject: Re: Noise Issues

To: Jerome Carbone <jecarbone@[REDACTED]>

Cc: Deanna Erstad <[DErstad@co.kitsap.wa.us](mailto:DErstad@co.kitsap.wa.us)>, Jacquelyn Aufderheide <[JAufderh@co.kitsap.wa.us](mailto:JAufderh@co.kitsap.wa.us)>, Josh Brown <[JWbrown@co.kitsap.wa.us](mailto:JWbrown@co.kitsap.wa.us)>

Hi Jerome,

I agree with you on all counts. This is a very suburban county with increasing trails access and use in many parts. I grew up around guns and in a hunting family so I am no "anti gun nut" either. But I do worry about their use near many of our developed areas. I also agree that the noise can be an issue for nearby residents but I think this is a harder issue to control. First, it seems hard to imagine that the noise from KRRC could be significant over 3 miles away. For nearer neighbors, we have the same issue as people who build next to airports (I know because I used to be one) and then complain about the noise. Still, we could think about hours of operation or some other items. The bigger issue for me is one of public safety and discharge of firearms in rural areas where there is trail use or nearby homes.

I am copying my assistant, Deanna Ersted on this email and asking her to do some research on just what restrictions currently exist and what kinds of limits might be explored to deal with these issues.

Thanks again for writing.

Steve Bauer

Jerome Carbone <jecarbone@██████████> 4/12/2010 12:13 PM

Dear Commissioner Bauer:

I have lived at my current address for over 24 years. We have enjoyed the peaceful visual beauty of Hood Canal and the Olympics as well as the sounds of the forest. For the past 6 or 8 months we have been subjected to incessant sounds of gunfire. It is as though we have been transported to Kandahar or Baghdad. I have discussed it with my neighbors and they are also unhappy about this development.

On two occasions my wife and I called 911 to report gunshots, as we were concerned that someone was shooting in the woods near residential areas. I was told by the deputy who took the second of the calls that it wasn't illegal to shoot near residential areas and that they didn't have the resources to track it down. In other words, "Don't bother us!"

I don't know where the gunshots are originating. They might be coming from people shooting in the woods or they may be coming from the Kitsap Rifle and Revolver Club. We are located about 3.5 miles from the KRRC, so it seems unlikely that the loud gunfire is originating there, especially since we never heard it before and the club has been there for many years.

My concerns are twofold.

1. The population density of our county is such that it should be illegal to discharge firearms anywhere near residential areas. Rifle bullets can travel well over two miles before they fall to the ground. I doubt there are very many places in Kitsap County where there are no homes or businesses within a two-mile radius.
2. The noise pollution caused by firearms is quite unpleasant. If the gunfire is coming from KRRC, it would suggest that people who live within a

3.5 mile radius of KRRC would also be subjected to the same degree of noise pollution as we are. That includes a lot of people, and it isn't right that we should all have to live with this degree of noise pollution.

Let me assure you that I am not an anti-gun nutcase. I am a gun owner and a former member of KRRC. I have no objection to a properly operated gun range. I know that KRRC is here to stay and I feel strongly that there should be a place for people to safely handle firearms. My concern is that the discharge of firearms is regulated to maximize safety for the public and minimize noise pollution.

Accordingly, I would like to suggest that the commissioners consider changing the county code to make it illegal to discharge firearms within at least 2 miles of a building or public place (such as a hiking trail) to minimize the risk to the public as well as the attendant noise pollution.

I would also like to see the county code changed to regulate noise pollution generated by gun ranges. I am aware that the current county code exempts gun ranges from any noise pollution regulations. I would suggest that the regulations be changed to require that outdoor ranges take steps to minimize noise pollution for their neighbors. For ideas about what steps can be taken to minimize noise pollution, I have included a link\* to a document produced by the Interstate Technology Regulatory Council. I know that KRRC will say that they could not possibly afford to make alterations to their ranges that decrease noise pollution. Perhaps the county could help with the financial burden. This could be a win-win for the gun club and it's neighbors.

Thank you for your attention to this matter.

Sincerely,  
Jerome E. Carbone, M.D.

  
Silverdale, WA 98383

\*[www.itrcweb.org/Documents/SMART-2.pdf](http://www.itrcweb.org/Documents/SMART-2.pdf)

## Don Burger

---

**From:** Jerome Carbone [jcarbhone@██████████]  
**Sent:** Tuesday, April 27, 2010 9:42 AM  
**To:** Steve Bauer  
**Subject:** Fwd: Noise Issues

Commissioner Bauer,

I am forwarding to you an email sent by one of my neighbors who took exception to my position on this issue. I know he already sent you his response to my email to him. I have tried to make it clear that this is not an anti-gun issue, but it seems I have not been successful.

Jerry Carbone

----- Forwarded message -----

**From:** Jerome Carbone <jcarbhone@██████████>  
**Date:** Tue, Apr 27, 2010 at 9:37 AM  
**Subject:** Re: Noise Issues

**To:** zhiltz@██████████

**Cc:** Becky Hrissikopoulos <rhriiss@██████████>, Brooke Healy <bhealy@██████████>, Helen Daley <treesdaley@██████████>, Irene Brumsickle <irene@██████████>, Kelly Highfield <KLah59@██████████>, Mickey Hall <mickeydhall@██████████>, Pat Crowley <bruinvike2@██████████>, Sherry Leslie <sfoxleslie@██████████>, Suzanne Ireland <suzanne@██████████>, Tony and Liz Mastrorocco <tonyandlizinwa@██████████>, Melissa Ford <mbf@██████████>, sbauer@co.kitsap.wa.us

Will,

I apologize if I implied that all of my neighbors agreed with me. I have spoken to a number of my neighbors, although certainly not all of them. Most people I spoke to have been aware of the gunshots and, to varying degrees, unhappy about them. I suspect that the differences in awareness of the gunshots is determined by geographic and other conditions at our homes as well as by the amount of time and the times of day we are outside in our yards.

I clearly stated that I don't know where the gunshots originate. Walt and Kim have suggested, to me and Tony respectively, that they are coming from KRRC. While it seems unlikely, it is certainly possible. It is also possible that they are originating from people shooting in the woods near our homes. This would be a bigger problem, in my opinion, with clear implications for the safety of the people in those homes.

Your implication that I am advocating additional regulations over KRRC is unfounded. I have not advocated any sort of control over KRRC. I have, instead, asked that the county consider providing funding to help KRRC reduce the amount of noise emanating from its ranges. Measures can be taken, per the document I referenced, to decrease the amount of noise produced at gun ranges. This would be a "win-win" for all concerned, including KRRC. It can only help the club if relations with its neighbors are improved.

I am a gun owner and a former member of KRRC. I am in favor of a safe place for people to learn how to use guns safely. I am also in favor of peace and quiet.

I see that you have sent a copy of your email to the commissioner. I consider that to be adequate notification that you feel you were misrepresented by implication in my email. I will send a copy of this response to the commissioner, as well, in order to provide further clarification of my opinions.

Once again, I am sorry if you feel that I misrepresented your feelings in my email to the commissioner. On this, as on all issues, there will be differences of opinion. As Ronald Reagan said, "We can disagree without being disagreeable."

Jerry

On Tue, Apr 27, 2010 at 7:50 AM, <zhiltz@[REDACTED]> wrote:  
Doctor Carbone,

I assume, by including me on your email list, that you consider me a "neighbor." And yet, in your letter to the commissioner, you claim to have spoken to your "neighbors" about this issue. You certainly did not speak to me about it, and I resent you implying to Mr Bauer that you did.

I certainly have heard what I would consider to be "anti-gun nut case" talk at one of our recent Ioka block parties - general sentiments that were not related to this particular issue, if I remember correctly -but I do not recall who was involved. This talk stood out for me because I am very much pro-gun, and very much against excessive regulations to control the citizenry in this and in many other regards.

I'm not quite sure what to make about your claim of the "almost constant sounds of gunshots," the "incessant sounds of gunfire." We live not far from you, spend a great deal of time out in the yard, and have never once heard anything that sounded like gun fire. I wouldn't mind it if we did heard some once in a while, anyway. No such "noise pollution" I'm aware of.

I, too, doubt it would be coming from KRRC, of which we are members. There are certainly forces aligned against them in the recent legal actions that were attempted concerning the land they sit on. We have been somewhat active in favor of KRRC during these matters, and know of another of your neighbors that was as well. That you would both admit the noise was probably not coming from there, and then later include an implication that it was, and that KRRC needs to be further regulated in some way, seems questionable to me.

I ask that you not speak for me to the authorities in this matter, and that you write back to Mr. Bauer explaining that you did so erroneously in your previous correspondence. I would appreciate some confirmation of your having done so. I also ask that you delete me from your mailing list regarding this matter - I don't need this sort of "noise pollution" spamming my email.

Will Hiltz (I'll leave the meant-to-impress "MD" off of my signature)

On Mon, 26 Apr 2010 13:28:45 -0700

Jerome Carbone <jecarbone@[REDACTED]> wrote:

Hi all,

I have spoken to some of you about the almost constant sound of gunshots in our neighborhood. I emailed our county commissioner, Steve Bauer, and he replied to my email yesterday. I am forwarding my email and his response to you. He has indicated some interest in looking into the sources of the gunshots and possible solutions. If you share my dislike for the frequent sound of gunfire in our neighborhood it would be worthwhile to send your thoughts to your commissioner. If you live north of the Ioka hill, Steve ([sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us)) is your commissioner. If you live south of the

hill, Josh Brown ([jwbrown@co.kitsap.wa.us](mailto:jwbrown@co.kitsap.wa.us)) is your commissioner.  
Please forward the suggestion to anyone else who may object to the sounds of  
gunfire in our neighborhood.  
Jerry Carbone

----- Forwarded message -----

From: Steve Bauer <[sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us)>  
Date: Sat, Apr 24, 2010 at 1:15 PM  
Subject: Re: Noise Issues  
To: Jerome Carbone <[jecarbone@\[REDACTED\]](mailto:jecarbone@[REDACTED])>  
Cc: Deanna Erstad <[DErstad@co.kitsap.wa.us](mailto:DErstad@co.kitsap.wa.us)>, Jacquelyn Aufderheide <[JAufderh@co.kitsap.wa.us](mailto:JAufderh@co.kitsap.wa.us)>, Josh Brown <[JWbrown@co.kitsap.wa.us](mailto:JWbrown@co.kitsap.wa.us)>

Hi Jerome,

I agree with you on all counts. This is a very suburban county with increasing trails access and use in many parts. I grew up around guns and in a hunting family so I am no "anti gun nut" either. But I do worry about their use near many of our developed areas. I also agree that the noise can be an issue for nearby residents but I think this is a harder issue to control. First, it seems hard to imagine that the noise from KRRC could be significant over 3 miles away. For nearer neighbors, we have the same issue as people who build next to airports (I know because I used to be one) and then complain about the noise. Still, we could think about hours of operation or some other items. The bigger issue for me is one of public safety and discharge of firearms in rural areas where there is trail use or nearby homes.

I am copying my assistant, Deanna Ersted on this email and asking her to do some research on just what restrictions currently exist and what kinds of limits might be explored to deal with these issues.

Thanks again for writing:

Steve Bauer

Jerome Carbone <[jecarbone@\[REDACTED\]](mailto:jecarbone@[REDACTED])> 4/12/2010 12:13 PM

Dear Commissioner Bauer:

I have lived at my current address for over 24 years. We have enjoyed the peaceful visual beauty of Hood Canal and the Olympics as well as the sounds of the forest. For the past 6 or 8 months we have been subjected to incessant sounds of gunfire. It is as though we have been transported to Kandahar or Baghdad. I have discussed it with my neighbors and they are also unhappy about this development.

On two occasions my wife and I called 911 to report gunshots, as we were concerned that someone was shooting in the woods near residential areas. I was told by the deputy who took the second of the calls that it wasn't illegal to shoot near residential areas and that they didn't have the

resources to track it down. In other words, "Don't bother us!"

I don't know where the gunshots are originating. They might be coming from people shooting in the woods or they may be coming from the Kitsap Rifle and Revolver Club. We are located about 3.5 miles from the KRRC, so it seems unlikely that the loud gunfire is originating there, especially since we never heard it before and the club has been there for many years.

My concerns are twofold.

1. The population density of our county is such that it should be illegal to discharge firearms anywhere near residential areas. Rifle bullets can travel well over two miles before they fall to the ground. I doubt there are very many places in Kitsap County where there are no homes or businesses within a two-mile radius.
2. The noise pollution caused by firearms is quite unpleasant. If the gunfire is coming from KRRC, it would suggest that people who live within a 3.5 mile radius of KRRC would also be subjected to the same degree of noise pollution as we are. That includes a lot of people, and it isn't right that we should all have to live with this degree of noise pollution.

Let me assure you that I am not an anti-gun nutcase. I am a gun owner and a former member of KRRC. I have no objection to a properly operated gun range. I know that KRRC is here to stay and I feel strongly that there should be a place for people to safely handle firearms. My concern is that the discharge of firearms is regulated to maximize safety for the public and minimize noise pollution.

Accordingly, I would like to suggest that the commissioners consider changing the county code to make it illegal to discharge firearms within at least 2 miles of a building or public place (such as a hiking trail) to minimize the risk to the public as well as the attendant noise pollution.

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Thank you for your attention to this matter.

Sincerely,  
Jerome E. Carbone, M.D.

  
Silverdale, WA 98383



## Don Burger

---

**From:** Kevin M. Howell [KMHowell@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 9:50 AM  
**To:** Christian C. Casad  
**Cc:** Neil R. Wachter; Russell D. Hauge  
**Subject:** Fwd: Re: POSSIBLE SPAM! SCORE = 5.5 Fw: Newberry Hill Heritage Park

■■■■  
>>> Jim Dunwiddie 4/26/2010 7:45 AM >>>  
Terry,

There is no reason to apologise....

The situation you raise has never been a topic discussed by my staff and/or county officials with me. I will try to gather information and details of the piecing together of the park, prior to my arrival in Kitsap.

Jim

>>> "Terry Allison" <tncallison@■■■■> 4/24/2010 4:28 PM >>>  
Mr. Dunwiddie

I owe you and Martha Droge an apology. I sent the following e-mail to Martha instead of addressing it to you and cc to Martha. My only excuse is that Martha has been such a strong and well-respected public contact for the Newberry Hill Heritage Park development process that it just didn't occur to me that as the senior official responsible I should have addressed my concern and request to you.

Most of the NHHP is in the downrange bullet impact area from several unauthorized firing lines at KRRC. This gun range has never been evaluated by any competent range design professional. When these lands were DNR property public access to what is now Parks property was incidental - not prohibited, but certainly not encouraged. With development of NHHP the County and Parks Department are essentially taking the position that is is acceptable and safe for the public to enter areas that anywhere else in the country would be off limits due to the dangers of accidental gun fire. KRRC has on other other occasions stated that areas outside the active area of the range require exclusion for public safety due to possible accidental fire or ricochets.

I had assumed this fact would have been addressed during the public hearing phase of park development. For whatever reason, it wasn't. I request additional investigation and review of the impact of KRRC operations on HIP with the public be completed before further park development.

Sincerely  
Terry Allison  
■■■■

----- Original Message -----

From: Terry Allison  
To: [NewberryHill@co.kitsap.wa.us](mailto:NewberryHill@co.kitsap.wa.us)  
Cc: kitsap county commissioners  
Sent: Wednesday, April 21, 2010 6:38 AM  
Subject: Newberry Hill Heritage Park

Martha

Last night's local newspaper said the NHHP master plan is ready to go to the county Parks and Recreation Advisory

board for approval. I suggest and request than any further action involving public funds expenditures on NHHP be suspended until allegations of unacceptable hazards to public and environmental health and safety in the proposed park and surrounding areas are resolved.

Information obtained from county and state sources via public disclosure request indicate Kitsap Rifle and Revolver Club has in recent years added a number of new firing lines, some of which are oriented to fire directly into the proposed park, and has significantly expanded active use areas of the range. Lead and other heavy metals contamination of the range and surrounding wetlands is unquestioned. No permits for range expansion or firing line reorientation have been obtained as is required by county code. That means that there has been no review, evaluation, approval, or even consideration of the effects of this work on the surrounding environment or public and residential areas by responsible public officials.

There is a large and very convincing body of public records that support the presence of potentially major, or even lethal, hazards presented by continued activities at KRRC to the public and to the environment. County, state, and even federal officials have reportedly been denied access to club property for investigation of complaints and allegations. The County, as original authority for most of the problem resolution process, has been unacceptably reluctant to address the issues at KRRC, possibly due to the potentially high liability concerns.

Until these concerns and issues are resolved, it seems irresponsible for the County Parks Department to continue with development of a public park that presents such a large potential hazard to the public and irreplaceable wetlands areas. Again, I request no further action on development of NHHP involving public funding be taken until this is resolved.

I request you present this e-mail to the Advisory Board for today's meeting and post it on the NHHP web site.

Sincerely  
Terry Allison

## Don Burger

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**From:** Dale Ireland [direland@██████████]  
**Sent:** Tuesday, April 27, 2010 9:54 AM  
**To:** Steve Bauer  
**Cc:** Josh W. Brown  
**Subject:** RE: Noise Issues

Hello Mr Bauer

When I first moved into Puddingstone 9 years ago, about 1/4 mile east of Ioka, I was positive there were gunshots coming from the woods to our north. I even called it in on 911. I was embarrassed to discover the sound was coming from the south, from the gun range, and reflecting off some house to the north. Now that we know where the sound is coming from it doesn't bother us at all. We hear it quite often, it is definitely the gun range but it is not bothersome. We only hear it when we are standing out on the deck and wind conditions play a role in how loud it is but we don't consider it any problem at all. Some days it is louder than others.

All the shots we have heard the past years have been from the direction of the range.

Dale

---

**From:** Jerome Carbone [mailto:jecarbone@██████████]  
**Sent:** Monday, April 26, 2010 1:29 PM  
**To:** Becky Hrrisikopoulos; Brooke Healy; Helen Daley; Irene Brumsickle; Kelly Highfield; Mickey Hall; Pat Crowley; Sherry Leslie; Suzanne Ireland; Tony and Liz Mastrorocco; Zena Hiltz; Melissa Ford  
**Subject:** Fwd: Noise Issues

Hi all,

I have spoken to some of you about the almost constant sound of gunshots in our neighborhood. I emailed our county commissioner, Steve Bauer, and he replied to my email yesterday. I am forwarding my email and his response to you. He has indicated some interest in looking into the sources of the gunshots and possible solutions. If you share my dislike for the frequent sound of gunfire in our neighborhood it would be worthwhile to send your thoughts to your commissioner. If you live north of the Ioka hill, Steve ([sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us)) is your commissioner. If you live south of the hill, Josh Brown ([jwbrown@co.kitsap.wa.us](mailto:jwbrown@co.kitsap.wa.us)) is your commissioner.

Please forward the suggestion to anyone else who may object to the sounds of gunfire in our neighborhood.

Jerry Carbone

----- Forwarded message -----

**From:** Steve Bauer <[sbauer@co.kitsap.wa.us](mailto:sbauer@co.kitsap.wa.us)>  
**Date:** Sat, Apr 24, 2010 at 1:15 PM  
**Subject:** Re: Noise Issues  
**To:** Jerome Carbone <[jecarbone@██████████](mailto:jecarbone@██████████)>  
**Cc:** Deanna Erstad <[DErstad@co.kitsap.wa.us](mailto:DErstad@co.kitsap.wa.us)>, Jacquelyn Aufderheide <[JAufderh@co.kitsap.wa.us](mailto:JAufderh@co.kitsap.wa.us)>, Josh Brown <[JWbrown@co.kitsap.wa.us](mailto:JWbrown@co.kitsap.wa.us)>

Hi Jerome,

I agree with you on all counts. This is a very suburban county with increasing trails access and use in many parts. I grew up around guns and in a hunting family so I am no "anti gun nut" either. But I do worry about their use near many of our developed areas. I also agree that the noise can be an issue for nearby residents but I think this is a harder issue to control. First, it seems hard to imagine that the noise from KRRC could be

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Thanks again for writing.

Steve Bauer

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Thank you for your attention to this matter.

Sincerely,  
Jerome E. Carbone, M.D.

  
Silverdale, WA 98383

\*[www.itrcweb.org/Documents/SMART-2.pdf](http://www.itrcweb.org/Documents/SMART-2.pdf)

**Don Burger**

---

**From:** Steve Mount [SMount@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 11:06 AM  
**To:** Christian C. Casad; Neil R. Wachter  
**Subject:** KRRC Attorney Client Confidential Work Product

Neil, Chris,

SM

>>> "Terry Allison" < tncallison@ [REDACTED] > 4/27/2010 10:41 AM >>>

----- Original Message -----

**From:** Robert and Peggy Kermath  
**To:** tncallison@[REDACTED]  
**Sent:** Friday, April 23, 2010 8:11 PM  
**Subject:** Fw: Homes hit with gunfire!

----- Forwarded Message -----

**From:** Robert and Peggy Kermath < rpkermath@[REDACTED] >  
**To:** sjunis@[REDACTED]  
**Sent:** Fri, April 23, 2010 7:43:42 PM  
**Subject:** Homes hit with gunfire!

Dear Skip,

On Friday, April 23, 2010 I spoke with Pamela Hughes phone # [REDACTED]. Pamela lives in the Eldorado area of Bremerton. She said that years back a bullet went into her home. She and her husband filed a police report over this incident. She spoke of this incident before Commissioner Josh Brown and Prosecutor Kevin Howell. She alleges that two of her neighbors also experienced gunfire into their homes. One had a window shattered and another neighbor had a bullet go through a skylight.

Thanks,  
Peggy Kermath

---

**Don Burger**

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 1:13 PM  
**To:** Tracey L. Hamilton-Oril  
**Cc:** Christian C. Casad; Kevin M. Howell; Russell D. Hauge  
**Subject:** Fwd: KRRC Attorney Client Confidential Work Product

Re: 'Stray fire report'

[Redacted]

[Redacted]

[Redacted]

nrw  
=====

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> Steve Mount Tuesday, April 27, 2010 11:05 AM >>>  
Neil, Chris,

[Redacted] SM

>>> "Terry Allison" <[tncallison@\[redacted\]](mailto:tncallison@[redacted])> 4/27/2010 10:41 AM >>>

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To: [tncallison@\[redacted\]](mailto:tncallison@[redacted])  
Sent: Friday, April 23, 2010 8:11 PM  
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To: [sjunis@\[redacted\]](mailto:sjunis@[redacted])  
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Thanks,  
Peggy Kermath

## Don Burger

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 1:19 PM  
**To:** dale.j.jordan@usace.army.mil  
**Cc:** Kevin M. Howell; Tracey L. Hamilton-Oril  
**Subject:** KRRC  
**Attachments:** Purchase & Sale Deed with Covenants 200906180292.pdf; Assignment from State to Kitsap 200906180291.pdf

Mr. Jordan:

Thank you for speaking with me yesterday. I tried to email you earlier today but got bounced back from a misspelling. Anyway, I'm following up with the property documents that governed the transfer of property from the state (DNR) via the county to the club. The covenants are enforceable, though we're obviously examining our options.

The County is interested in establishing joint visits by the various stakeholder agencies. Please give me a call if you are able to discuss a collaborative approach.

Thanks,

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

FILED FOR RECORD AT REQUEST OF:  
Kevin M. Howell  
Kitsap County Prosecuting Attorney's Office  
614 Division Street, MS-35A  
Port Orchard WA 98366

LAND TITLE 200906180292

Deed Rec Fee: \$ 89.00  
06/18/2009 03:15 PM  
Walter Washington, Kitsap Co Auditor

Page: 1 of 6



**BARGAIN AND SALE DEED  
WITH RESTRICTIVE COVENANTS**

E-230260

**GRANTOR:** Kitsap County

**GRANTEE:** Kitsap Rifle and Revolver Club, a Washington Non-Profit Corporation

**LEGAL DESCRIPTION:** SE/SW&SW/SE 36-25N-1W KITSAP COUNTY TREASURER EXCISE 06/18/2009

2009EX03102

Total : \$10.00

Clerk's Initial *CS*

**ASSESSOR'S TAX PARCEL NO:** 362501-4-002-1006

For and in consideration of \$10.00 and other good and valuable consideration, Kitsap County, as Grantor, bargains, sells and conveys all of it's right, title and interest in and to the real property described on Exhibit A hereto to the Kitsap Rifle and Revolver Club, a Washington Non-Profit Corporation, as Grantee.

This conveyance is made subject to the following covenants and conditions, the benefits of which shall inure to the benefit of the public and the burdens of which shall bind the Grantee and the heirs, successors and assigns of the Grantee in perpetuity.

1. Grantee for and on behalf of itself, its heirs, successors and assigns, and each subsequent owner of the property described in Exhibit A hereto, hereby releases and agrees to hold harmless, indemnify and defend Kitsap County, its elected officials, employees and agents from and against any liabilities, penalties, fines, charges, costs, losses, damages, expenses, causes of actions, claims, demands, orders, judgments, or administrative actions, including, without limitation, reasonable attorneys' fees, arising from or in anyway connected with (1) injury to or

the death of any person or the physical damage to any property, resulting from any act, activity, omission, condition or other matter related to or occurring on or about the property, regardless of cause, unless due solely to the gross negligence of any of the indemnified parties; (2) the violation or alleged violation of, or other failure or alleged failure to comply with, any state, federal, or local law, regulation or requirement, including, without limitation, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 USC Sec. 9601, et seq. and Model Toxics Control Act (MTCA), RCW 70.105 D, by any indemnified person or entity in anyway effecting, involving, or relating to the property; (3) the presence or release in, on, from, or about the property, at any time, past or present, of any substance now or hereafter defined, listed, or otherwise classified pursuant to any federal, state or local law regulation, or requirement as hazardous, toxic, polluting, or otherwise contaminating to the air, water, or soil, or anyway harmful or threatening to human health or the environment.

2. Grantee shall maintain commercial general liability insurance coverage for bodily injury, personal injury and property damage, subject to a limit of not less than \$1 million dollars per occurrence. The general aggregate limit shall apply separately to this covenant and be no less than \$2 million. The grantee will provide commercial general liability coverage that does not exclude any activity to be performed in fulfillment of Grantee's activities as a shooting range. Specialized forms specific to the industry of the Grantee will be deemed equivalent, provided coverage is no more restrictive that would be provided under a standard commercial general liability policy, including contractual liability coverage.

3. Grantee shall confine its active shooting range facilities on the property consistent with its historical use of approximately eight (8) acres of active shooting ranges with the balance of the property serving as safety and noise buffer zones; provided that Grantee may upgrade or improve the property and/or facilities within the historical approximately eight (8) acres in a manner consistent with "modernizing" the facilities consistent with management practices for a modern shooting range. "Modernizing" the facilities may include, but not be limited to: (a) construction of a permanent building or buildings for range office, shop, warehouse, storage, caretaker facilities, indoor shooting facilities, and/or classrooms; (b) enlargement of parking facilities; (c) sanitary bathroom facilities; (d) re-orientation of the direction of individual shooting bays or ranges; (e) increasing distances for the rifle shooting range; (f) water system improvements including wells, pump house, water distribution and water storage; (g) noise abatement and public safety additions. Also, Grantee may also apply to Kitsap County for expansion beyond the historical eight (8) acres, for "supporting" facilities for the shooting ranges or additional recreational or shooting facilities, provided that said expansion is consistent with public safety, and conforms with the terms and conditions contained in paragraphs 4, 5, 6, 7 and 8 of this Bargain and Sale Deed and the rules and regulations of Kitsap County for development of private land. It is the intent of the parties that the activities of Grantee shall conform to the rules and regulations of the Firearms Range Account, administered by the State Recreation and Conservation Office. This account

is established by the legislature upon the following finding: "Firearms are collected, used for hunting; recreational shooting, and self-defense, and firearm owners as well as bow users need safe, accessible areas in which to shoot their equipment. Approved shooting ranges provide that opportunity, while at the same time, promote public safety. Interest in all shooting sports has increased while safe locations to shoot have been lost to the pressures of urban growth." (Wash. Laws 1990 ch. 195 Section 1.)

4. Grantee's activities shall also conform to the Firearms and Archery Range (FARR) Program as found in Chapter 79A.25 RCW. The primary goals of this program are to assist with acquisition, development, and renovation of firearm and archery range facilities to provide for increased general public access to ranges. This includes access by a) law enforcement personnel; b) members of the general public with concealed pistol or hunting licenses; and c) those enrolled in firearm or hunter safety education classes. Access by the public to Grantee's property shall be offered at reasonable prices and on a nondiscriminatory basis.

5. Grantee agrees to operate the shooting range at all times in a safe and prudent manner and conform its activities to accepted industry standards and practices.

6. Mineral Reservations, held by the State of Washington, that run with the land.

7. Existing Habitat Conservation Plan (HCP), as detailed below:

The site has been publicly identified for conservation provisions applying to, but not limited to: murrelet habitat; spotted owl nest sites; wolves; grizzly bears; nests, communal roosts, or feeding concentrations of bald eagles; peregrine falcon nests; Columbian white-tailed deer; Aleutian Canada geese; and Oregon silverspot butterflies. The existing Habitat Conservation Plan is to remain in effect, regardless of parcel segregation or aggregation or potential sale or land transfer.

8. Riparian Management Zones, as detailed below:

Bodies of water, including but not limited to those streams, rivers and lakes and other lakes and wetlands have been identified and/or may be located on the Premises. All activities within the Riparian Management Zone, as defined in the existing and publicly-filed Habitat Conservation Plan (HCP) and including that portion of the inner riparian ecosystem between the aquatic zone and the direct influence zone (uplands) and including the outer wind buffer, must comply with and remain in compliance with the current HCP Procedures. Activities in a Riparian Management Zone, including but not limited to cutting or removing any tree and/or timber (including hardwood, merchantable and unmerchantable timber, downed timber, windthrow and snags), and road, trench and/or trail use, and/or maintenance, may be restricted or not permitted during specific times. All activities must provide for no overall net loss of naturally occurring wetland function. These protective measures are to run with the

land, regardless of parcel segregation or aggregation or potential sale or land transfer.

DATED this 13<sup>th</sup> day of May, 2009.



BOARD OF COUNTY COMMISSIONERS  
KITSAP COUNTY, WASHINGTON

*Charlotte Garrido*  
CHARLOTTE GARRIDO, Chair

*Steve Bauer*  
STEVE BAUER, Commissioner

*Josh Brown*  
JOSH BROWN, Commissioner

ATTEST:

*Opal Robertson*  
Opal Robertson, Clerk of the Board

**ACCEPTANCE OF BARGAIN AND SALE DEED  
WITH RESTRICTIVE COVENANTS**

By signature affixed below, the Kitsap Rifle and Revolver Club by and through its President/Executive Officer hereby and with full authority of the Board of Directors of said corporation, hereby accept the terms and conditions of the Deed with Restrictive Covenants above dated this 13<sup>th</sup> day of May, 2009.

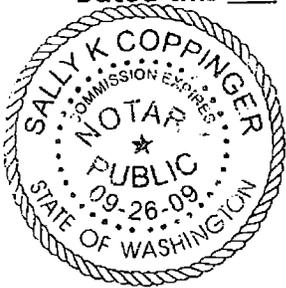
*Bradford Smith*  
BRADFORD SMITH, President - KRRC

*Marcus A. Carter*  
MARCUS A. CARTER, Executive Officer - KRRC

STATE OF WASHINGTON )  
 ) ss:  
COUNTY OF KITSAP )

I certify that I know or have satisfactory evidence that Brad Smith is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the President of the Kitsap Rifle and Revolver Club, to be the free and voluntary act of the KRRC for the uses and purposes mentioned in the instrument.

Dated this 13 day of May, 2009.



Sally K. Coppinger  
PRINT NAME: Sally K. Coppinger  
Notary Public in and for the State of Washington,  
residing at: Port Orchard 98366  
My Commission Expires: 9/26/09

STATE OF WASHINGTON )  
 ) ss:  
COUNTY OF KITSAP )

I certify that I know or have satisfactory evidence that Marcus Carter is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the Executive Director of the Kitsap Rifle and Revolver Club, to be the free and voluntary act of the KRRC for the uses and purposes mentioned in the instrument.

Dated this 13 day of May, 2009.



Sally K. Coppinger  
PRINT NAME: Sally K. Coppinger  
Notary Public in and for the State of Washington,  
residing at: Port Orchard 98366  
My Commission Expires: 9/26/09

**EXHIBIT A**

**Legal Description of Premises & Reservations**

Part of the Southwest quarter of the Southeast quarter and part of the Southeast quarter of the Southwest quarter of Section 36, Township 25 North, Range 1 West, W.M., lying northerly of the North lines of an easement for right of way for road granted to Kitsap County on December 7, 1929, under Application No. 1320, said road being as shown on the regulation plat thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington, the above described lands having an area of 72.41 acres, more or less.

**RESERVATIONS/SUBJECT TO:**

Easement #50-CR1320: Road granted to Kitsap County on 12/07/1927 for an indefinite term.

Easement #50-047116: Road granted to E.F. Howerton on 05/09/1985 for an indefinite term.

Unofficial

**Don Burger**

---

**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 1:23 PM  
**To:** Neil R. Wachter  
**Subject:** Re: Fwd: KRRC Attorney Client Confidential Work Product

Neil,

[REDACTED]

Chris

>>> Neil Wachter 4/27/2010 1:13 PM >>>  
Re: Stray fire report

[REDACTED]

[REDACTED]

[REDACTED]

nrw  
=====

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> Steve Mount Tuesday, April 27, 2010 11:05 AM >>>  
Neil, Chris,

[REDACTED] SM

>>> "Terry Allison" <[tncallison@\[REDACTED\]](mailto:tncallison@[REDACTED])> 4/27/2010 10:41 AM >>>

----- Original Message -----

**From:** Robert and Peggy Kermath  
**To:** [tncallison@\[REDACTED\]](mailto:tncallison@[REDACTED])  
**Sent:** Friday, April 23, 2010 8:11 PM  
**Subject:** Fw: Homes hit with gunfire!

----- Forwarded Message -----

From: Robert and Peggy Kermath <rpkermath@[REDACTED]>

To: sjunis@[REDACTED]

Sent: Fri, April 23, 2010 7:43:42 PM

Subject: Homes hit with gunfire!

Dear Skip,

On Friday, April 23, 2010 I spoke with Pamela Hughes phone # [REDACTED]. Pamela lives in the Eldorado area of Bremerton. She said that years back a bullet went into her home. She and her husband filed a police report over this incident. She spoke of this incident before Commissioner Josh Brown and Prosecutor Kevin Howell. She alleges that two of her neighbors also experienced gunfire into their homes. One had a window shattered and another neighbor had a bullet go through a skylight.

Thanks,  
Peggy Kermath

**Don Burger**

---

**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 1:24 PM  
**To:** Neil R. Wachter  
**Subject:** Fwd: KRRC Attorney Client Confidential Work Product

[REDACTED]

Chris

>>> Steve Mount 4/27/2010 11:05 AM >>>  
Neil, Chris,

[REDACTED] SM

>>> "Terry Allison" <tncallison@g.com> 4/27/2010 10:41 AM >>>

----- Original Message -----

**From:** Robert and Peggy Kermath  
**To:** tncallison@[REDACTED]  
**Sent:** Friday, April 23, 2010 8:11 PM  
**Subject:** Fw: Homes hit with gunfire!

----- Forwarded Message -----

**From:** Robert and Peggy Kermath <rpkermath@[REDACTED]>  
**To:** sjunis@[REDACTED]  
**Sent:** Fri, April 23, 2010 7:43:42 PM  
**Subject:** Homes hit with gunfire!

Dear Skip,

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Thanks,  
Peggy Kermath

**Don Burger**

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 1:34 PM  
**To:** Christian C. Casad  
**Cc:** Tracey L. Hamilton-Oril  
**Subject:** Re: Fwd: KRRC Attorney Client Confidential Work Product

[REDACTED]

>>> Christian Casad Tuesday, April 27, 2010 1:23 PM >>>  
Neil,

[REDACTED]

Chris

>>> Neil Wachter 4/27/2010 1:13 PM >>>  
Re: Stray fire report

[REDACTED]

[REDACTED]

[REDACTED]

nrw  
=====

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> Steve Mount Tuesday, April 27, 2010 11:05 AM >>>  
Neil, Chris,

[REDACTED] SM

>>> "Terry Allison" < [tncallison@\[REDACTED\]](mailto:tncallison@[REDACTED]) > 4/27/2010 10:41 AM >>>

----- Original Message -----

From: Robert and Peggy Kermath  
To: tncallison@[REDACTED]  
Sent: Friday, April 23, 2010 8:11 PM  
Subject: Fw: Homes hit with gunfire!

----- Forwarded Message -----

From: Robert and Peggy Kermath <rpkermath@[REDACTED]>  
To: sjunis@[REDACTED]  
Sent: Fri, April 23, 2010 7:43:42 PM  
Subject: Homes hit with gunfire!

Dear Skip,

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Thanks,  
Peggy Kermath

## Don Burger

---

**From:** Jordan, Jess NWS [dale.j.jordan@usace.army.mil]  
**Sent:** Tuesday, April 27, 2010 2:06 PM  
**To:** Neil R. Wachter  
**Cc:** Kevin M. Howell; Tracey L. Hamilton-Oril  
**Subject:** RE: KRRC

Neil I will not be able to get back with you on this until Thursday or Friday. I am presenting tomorrow at a conference and am leaving the office now. I will give a call or shoot an email later this week.

Jess

-----Original Message-----

**From:** Neil Wachter [mailto:nwachter@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 1:19 PM  
**To:** Jordan, Jess NWS  
**Cc:** Kevin Howell; Tracey Hamilton-Oril  
**Subject:** KRRC

Mr. Jordan:

Thank you for speaking with me yesterday. I tried to email you earlier today but got bounced back from a misspelling. Anyway, I'm following up with the property documents that governed the transfer of property from the state (DNR) via the county to the club. The covenants are enforceable, though we're obviously examining our options.

The County is interested in establishing joint visits by the various stakeholder agencies. Please give me a call if you are able to discuss a collaborative approach.

Thanks,

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

## Don Burger

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 2:26 PM  
**To:** Grant Holdcroft  
**Cc:** Tracey L. Hamilton-Oril; Janet Brower  
**Subject:** Re: FW: Childress - confidential attorney client communication

Grant and Jan:

Let me first say that Dixon tends to get a little excited, and the "dismayed" comment is mostly for his client's benefit. The parties are having a problem getting on the same exact page, which is probably exacerbated by foot dragging on the other end. Our side needs to get very clear on what we require and how we approach this plan issue. For what it is worth I take some blame here because I reviewed your most recent letter and thought it stated the HD position.

Thursday is the day I can meet or talk with you this week, 10:30 or later. What's your pleasure? (time, place, format) Caveat: I intend to broach the subject of KRRC as well, so please allot an hour total.

Thanks,

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> "Holdcroft, Grant" < [holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us) > Tuesday, April  
>>> 27, 2010 1:54 PM >>>  
Neil and/or Tracey:

Jan and I are available Wednesday pm, and Thursday of this week. Next week is bad as either Jan or I are out until Thursday next week when we are open that day and Friday.

Thanks,

Grant A. Holdcroft, R.S.

Sr. Environmental Health Specialist

Solid & Hazardous Waste Program

Kitsap County Health District

[holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us)

(360) 337-5605

From: Brower, Janet  
Sent: Tuesday, April 27, 2010 1:11 PM  
To: Holdcroft, Grant  
Subject: RE: Childress

Anytime Wednesday PM, or Thursday of this week. Or next Monday, Wednesday, Thursday, or Friday

From: Holdcroft, Grant  
Sent: Tuesday, April 27, 2010 12:05 PM  
To: Brower, Janet  
Subject: FW: Childress

Jan:

Neil would like a conference call with just you, I, and him. When are you available in the next week or so?

Thanks,

Grant A. Holdcroft, R.S.

Sr. Environmental Health Specialist

Solid & Hazardous Waste Program

Kitsap County Health District

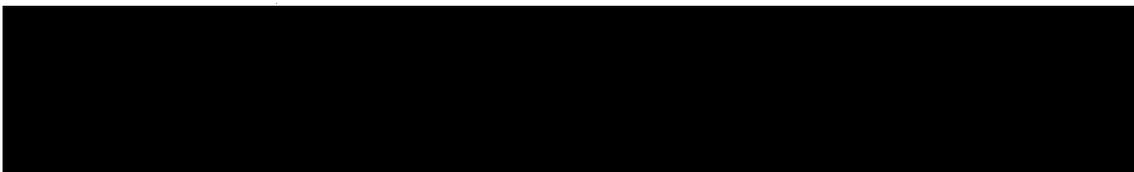
[holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us)

(360) 337-5605

---

From: Tracey Hamilton-Oril [mailto:[thamilto@co.kitsap.wa.us](mailto:thamilto@co.kitsap.wa.us)]  
Sent: Tuesday, April 27, 2010 9:48 AM  
To: Holdcroft, Grant  
Cc: Neil Wachter  
Subject: Childress

Grant,



Thank you,

Tracey Hamilton-Oril  
Legal Assistant to Alan L. Miles, Kevin P. Kelly, Neil R. Wachter &  
Kevin M. Howell,  
Deputy Prosecuting Attorneys  
Kitsap County Prosecutor's Office - Civil Division  
Phone: (360) 307-4271  
email: [THamilto@co.kitsap.wa.us](mailto:THamilto@co.kitsap.wa.us)

**Don Burger**

---

**From:** Holdcroft, Grant [holdcg@health.co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 2:28 PM  
**To:** Neil R. Wachter  
**Cc:** Tracey L. Hamilton-Oril; Janet Brower  
**Subject:** RE: FW: Childress - confidential attorney client communication

Neil:

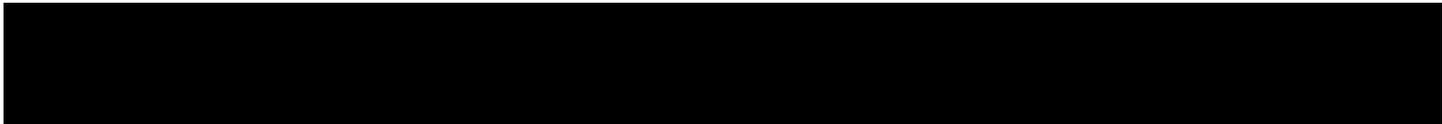
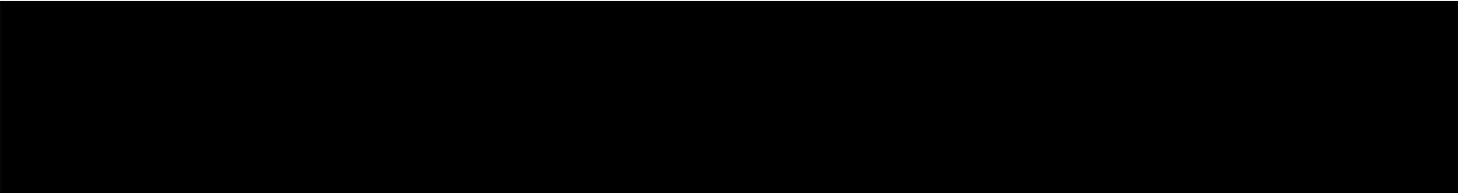
10:30 am at your office ok? Jan and I can be there - no problem.

Grant A. Holdcroft, R.S.  
Sr. Environmental Health Specialist  
Solid & Hazardous Waste Program  
Kitsap County Health District  
[holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us)  
(360) 337-5605

-----Original Message-----

**From:** Neil Wachter [mailto:nwachter@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 2:26 PM  
**To:** Holdcroft, Grant  
**Cc:** Tracey Hamilton-Oril; Brower, Janet  
**Subject:** Re: FW: Childress - confidential attorney client communication

Grant and Jan:



Thanks,

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> "Holdcroft, Grant" <[holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us)> Tuesday, April 27, 2010 1:54 PM >>>  
Neil and/or Tracey:



Thanks,

Grant A. Holdcroft, R.S.

Sr. Environmental Health Specialist

Solid & Hazardous Waste Program

Kitsap County Health District

[holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us)

(360) 337-5605

From: Brower, Janet  
Sent: Tuesday, April 27, 2010 1:11 PM  
To: Holdcroft, Grant  
Subject: RE: Childress



From: Holdcroft, Grant  
Sent: Tuesday, April 27, 2010 12:05 PM  
To: Brower, Janet  
Subject: FW: Childress

---

Jan:



Thanks,

Grant A. Holdcroft, R.S.

Sr. Environmental Health Specialist

Solid & Hazardous Waste Program

Kitsap County Health District

[holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us)

(360) 337-5605

From: Tracey Hamilton-Oril [mailto:[thamilto@co.kitsap.wa.us](mailto:thamilto@co.kitsap.wa.us)]  
Sent: Tuesday, April 27, 2010 9:48 AM  
To: Holdcroft, Grant  
Cc: Neil Wachter  
Subject: Childress

Grant,



Thank you,

Tracey Hamilton-Oril  
Legal Assistant to Alan L. Miles, Kevin P. Kelly, Neil R. Wachter & Kevin M. Howell, Deputy  
Prosecuting Attorneys Kitsap County Prosecutor's Office - Civil Division  
Phone: (360) 307-4271  
email: [THamilto@co.kitsap.wa.us](mailto:THamilto@co.kitsap.wa.us)

**Don Burger**

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 2:41 PM  
**To:** Grant Holdcroft  
**Cc:** Tracey L. Hamilton-Oril; Janet Brower  
**Subject:** RE: FW: Childress - confidential attorney client communication

[REDACTED]

>>> "Holdcroft, Grant" < [holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us) > Tuesday, April  
>>> 27, 2010 2:28 PM >>>  
Neil:

[REDACTED]

Grant A. Holdcroft, R.S.  
Sr. Environmental Health Specialist  
Solid & Hazardous Waste Program  
Kitsap County Health District  
[holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us)  
(360) 337-5605

-----Original Message-----

**From:** Neil Wachter [mailto:[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)]  
**Sent:** Tuesday, April 27, 2010 2:26 PM  
**To:** Holdcroft, Grant  
**Cc:** Tracey Hamilton-Oril; Brower, Janet  
**Subject:** Re: FW: Childress - confidential attorney client communication

Grant and Jan:

[REDACTED]

[REDACTED]

Thanks,

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

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Neil and/or Tracey:

Thanks,

Grant A. Holdcroft, R.S.

Sr. Environmental Health Specialist

Solid & Hazardous Waste Program

Kitsap County Health District

[holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us)

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From: Brower, Janet  
Sent: Tuesday, April 27, 2010 1:11 PM  
To: Holdcroft, Grant  
Subject: RE: Childress

From: Holdcroft, Grant  
Sent: Tuesday, April 27, 2010 12:05 PM  
To: Brower, Janet  
Subject: FW: Childress

Jan:

Neil would like a conference call with just you, I, and him. When are you available in the next week or so?

Thanks,

Grant A. Holdcroft, R.S.

Sr. Environmental Health Specialist

Solid & Hazardous Waste Program

Kitsap County Health District

[holdcg@health.co.kitsap.wa.us](mailto:holdcg@health.co.kitsap.wa.us)

(360) 337-5605

From: Tracey Hamilton-Oril [mailto:[thamilto@co.kitsap.wa.us](mailto:thamilto@co.kitsap.wa.us)]  
Sent: Tuesday, April 27, 2010 9:48 AM  
To: Holdcroft, Grant  
Cc: Neil Wachter  
Subject: Childress

Grant,

Thank you,

Tracey Hamilton-Oril  
Legal Assistant to Alan L. Miles, Kevin P. Kelly, Neil R. Wachter &  
Kevin M. Howell,  
Deputy Prosecuting Attorneys  
Kitsap County Prosecutor's Office - Civil Division  
Phone: (360) 307-4271  
email: [THamilto@co.kitsap.wa.us](mailto:THamilto@co.kitsap.wa.us)

---

## Don Burger

---

**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 2:50 PM  
**To:** Jess NWS Jordan  
**Subject:** RE: KRRC

Thanks for the reply, and feel free to pass this on to your office's counsel if you feel that's appropriate.

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

>>> "Jordan, Jess NWS" <[Dale.J.Jordan@usace.army.mil](mailto:Dale.J.Jordan@usace.army.mil)> Tuesday, April  
>>> 27, 2010 2:06 PM >>>

Neil I will not be able to get back with you on this until Thursday or Friday. I am presenting tomorrow at a conference and am leaving the office now. I will give a call or shoot an email later this week.

Jess

-----Original Message-----

**From:** Neil Wachter [mailto:[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)]  
**Sent:** Tuesday, April 27, 2010 1:19 PM  
**To:** Jordan, Jess NWS  
**Cc:** Kevin Howell; Tracey Hamilton-Oril  
**Subject:** KRRC

Mr. Jordan:

Thank you for speaking with me yesterday. I tried to email you earlier today but got bounced back from a misspelling. Anyway, I'm following up with the property documents that governed the transfer of property from the state (DNR) via the county to the club. The covenants are enforceable, though we're obviously examining our options.

The County is interested in establishing joint visits by the various stakeholder agencies. Please give me a call if you are able to discuss a collaborative approach.

Thanks,

Neil

Neil R. Wachter  
Sr. Deputy Prosecuting Attorney  
Kitsap County Prosecutor's Office  
614 Division Street, MS-35A  
Port Orchard, WA 98366  
360.337.4979 360.337.7083 (fax)  
[nwachter@co.kitsap.wa.us](mailto:nwachter@co.kitsap.wa.us)

## Don Burger

---

**From:** Terry Allison [tncallison@████████]  
**Sent:** Monday, April 26, 2010 9:14 PM  
**To:** Russell Hauge  
**Cc:** Open Line  
**Subject:** POSSIBLE SPAM! SCORE = 5.0 KRRC land use

Mr. Hauge

Thank you for your response and interest in resolving the issues with KRRC. These problems have gone on for way too long. One key point that I would like you to consider is that this is **not** a gun rights issue to us. It is solely a land use and public and environmental safety and health problem that needs to be solved.

One additional item that may impact on the resolution is that all indications are that KRRC cannot meet the organizational or operational tests relating to private inurement and public use of club facilities necessary to maintain their status as a 501(c)7 non-profit club. I am pursuing this question with the I.R.S. If this is something your office may be interested in, I would welcome the opportunity to share what little information I have. I know that one of the requirements for the land transfer was for the club to maintain it's non-profit status and public access.

Again, we deeply appreciate your interest in the land use issues we have raised.

Respectfully

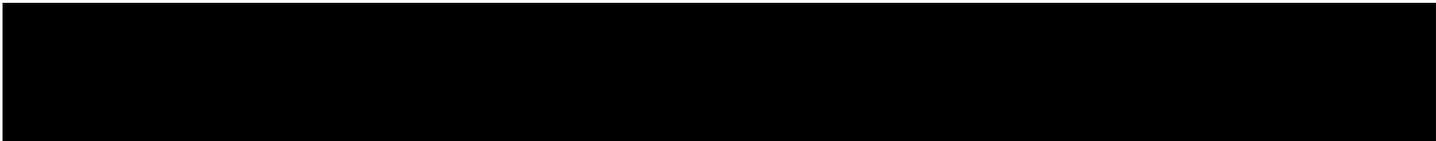
Terry Allison

**Don Burger**

---

**From:** Steve Mount [SMount@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 4:25 PM  
**To:** Christian Casad; Neil Wachter  
**Cc:** Larry Keeton  
**Subject:** KRRC Attorney Client Work Product Confidential

All,



SM

Stephen Mount  
Kitsap County  
Department of Community Development  
(360) 337-4605  
[smount@co.kitsap.wa.us](mailto:smount@co.kitsap.wa.us)

## Don Burger

---

**From:** Patty Charnas [PCharnas@co.kitsap.wa.us]  
**Sent:** Wednesday, April 28, 2010 10:35 AM  
**To:** Joanna Myers; Patty Charnas  
**Subject:** POSSIBLE SPAM! SCORE = 8.8 Fw: survey issues - what I did not have time for this evening

Sent from my Verizon Wireless BlackBerry

---

**From:** Dan Defenbaugh <DAN@[REDACTED]>  
**Date:** Mon, 12 Apr 2010 23:28:30 -0700  
**To:** Josh Brown<jwbrown@co.kitsap.wa.us>; Steve Bauer<sbauer@co.kitsap.wa.us>; Charlotte Garrido<cgarrido@co.kitsap.wa.us>; Patti Charnis<pcharnas@co.kitsap.wa.us>; Larry Keeton<lkeeton@co.kitsap.wa.us>  
**Subject:** survey issues - what I did not have time for this evening

My apologies for underestimating the time for my presentation and not just writing it out to give you copies. Following is a longer version of the ideas I wanted to convey concerning surveys.

1. who is taking the survey - already covered
2. little change in expected results when more input received and detailed look at the WORDORD output - already covered
3. value of survey results must ask the right questions - my sister's comments: " concerning surveys they are worthless if they don't ask one question: How much are you willing to pay to get the quality of service you want? That question usually sends responders back to revise their estimate of what they want."

My sister also served several years on the 9 state Western Regional Air Partnership (WRAP) whose purpose was to clean up the widespread regional haze that reduces visibility in the west. WRAP was dealing with energy credit cap and trade back in the 90's. It was at one of their quarterly meetings held in Seattle in about 1998 that I learned of the concept of putting the money question on surveys. WRAP gave a followup report on surveys they had previously conducted showing over 25% of electrical customers were willing to pay a higher rate to achieve cleaner air. However, when a power company modified their bills and provided the opportunity for customers to select the higher rate only 4% participated. And that was not during a recession.

4. future survey of beach and shoreline owners - simply be certain to ask the right questions, including a money question, so the survey results reflect reality.
5. ideas for obtaining survey input - while all of you live and breath the county website, which I find to have a wealth of information, many folks do not have an interest in using it if they don't have to. To get additional responses I suggest enlisting volunteers to take the hard-copy (reformat the font to fit the survey on one doubled-sided page) and let the volunteers take the survey to service organizations, Little League and soccer ball games, the horse riding arena, the swimming pool or the Y, Toastmasters, Kitsap Rifle and Revolver Club and the list could go on and on. Quite frankly active families with kids are really busy and taking time to go on-line just to fill out another survey may not be high on their priority list. Go to where the parents are watching their kids activities and they may be more responsive.

Thank you for the opportunity to publicly address the commissioners and for your time in reading this email.

Dan Defenbaugh



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Dan Defenbaugh



## Don Burger

---

**From:** Brower, Janet [browej@health.co.kitsap.wa.us]  
**Sent:** Thursday, April 29, 2010 1:33 PM  
**To:** Grant Holdcroft  
**Cc:** Steve Mount  
**Subject:** FW: Forgot Google Photos  
**Attachments:** july2005.jpg; Aug2006.jpg; march2005.jpg; sept2009.jpg; march2007.jpg

Interesting----

---

**From:** sjunis@[redacted] [mailto:sjunis@[redacted]]  
**Sent:** Thursday, April 29, 2010 1:13 PM  
**To:** Lindquist, Scott; Grellner, Keith; Brower, Janet  
**Cc:** TNCAllison@q.com  
**Subject:** Forgot Google Photos

Mr. Grellner,

Sorry, but I forgot to attach the Google Earth Images of Wetlands and Gun Club.

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JUL 31, 2005



2

Itsap Rifle & Revolver Club

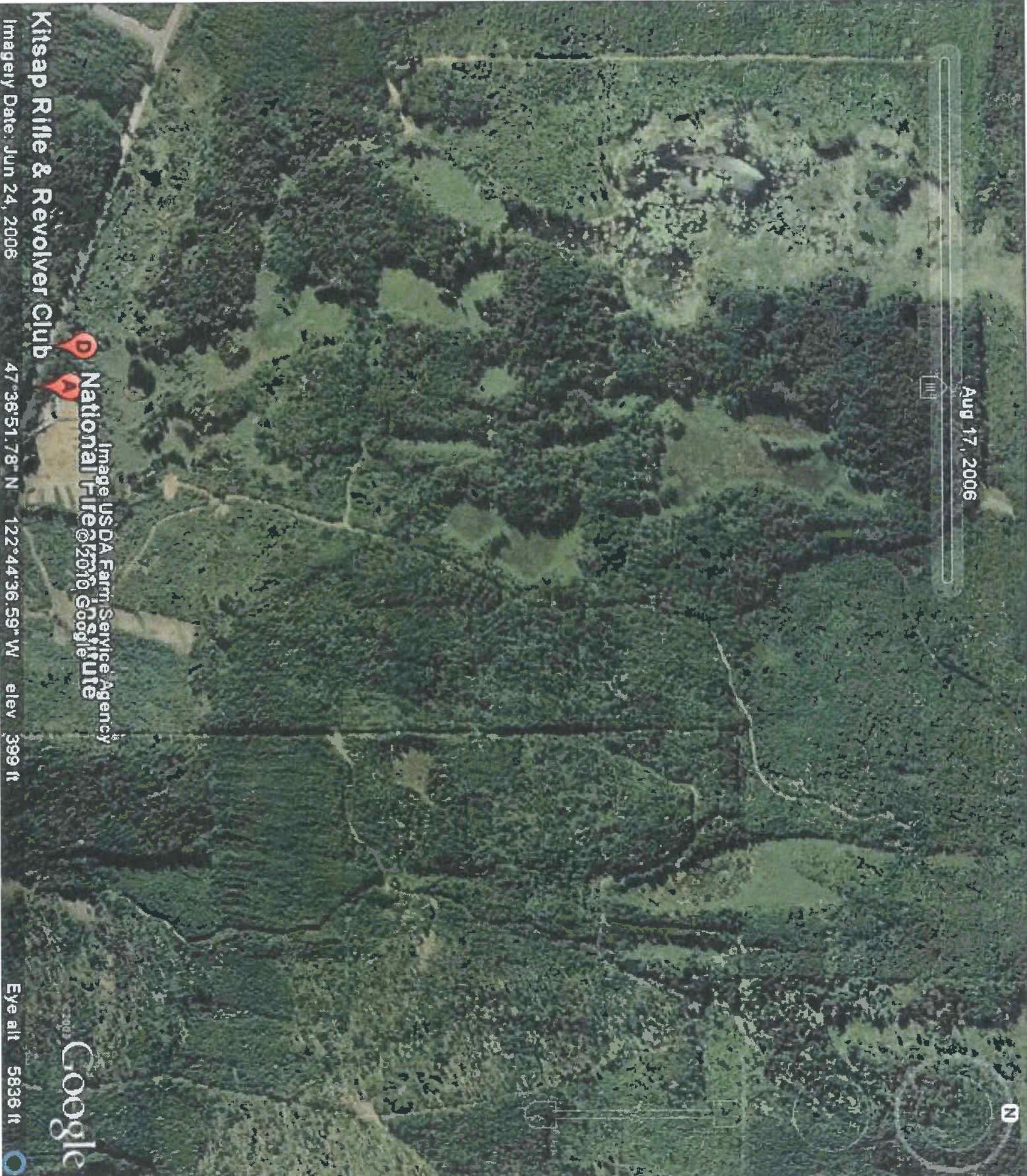
National Firearm Institute

Imagery Date: Aug 1, 2005 47°36'51.73" N 122°44'36.59" W elev 399 ft

2005 Google

Eye alt 5836 ft

Aug 17, 2006



Kitsap Rifle & Revolver Club

Imagery Date: Jun 24, 2008



Image USDA Farm Service Agency  
National Fire  © 2010 Google

47°36'51.78" N 122°44'36.59" W elev 399 ft

Google

Eye alt 5836 ft



Mar 13, 2005



2



Kitsap Rifle & Revolver Club



Image © 2010 DigitalGlobe  
National Fire 2010 Google

Image Date: Mar 14, 2005

47°36'51.78" N 122°44'36.59" W elev 399 ft

Eye alt 5836 ft



© 2003 Google

Sep 10, 2009



N



Kitsap Rifle & Revolver Club



Image: USDA Farm Service Agency  
National Fire @ 2010 Google

Imagey Date: Jun 26, 2009

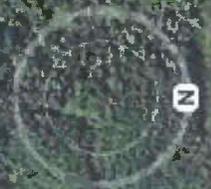
47°36'51.78" N 122°44'36.59" W elev 399 ft

© 2009 Google

Eye alt 5838 ft



Mar 30, 2007



Kitsap Rifle & Revolver Club



U.S. Geological Survey  
National Fire @ 2010 Google

Imagery Date: Feb 28, 2007

47° 36' 51.78" N

122° 44' 36.59" W

elev 399 ft

© 2008 Google

Eye alt

5836 ft



## Don Burger

---

**From:** sjunis@██████████  
**Sent:** Thursday, April 29, 2010 3:56 PM  
**To:** lindqs@health.co.kitsap.wa.us; grellk@health.co.kitsap.wa.us; browej@health.co.kitsap.wa.us  
**Cc:** Josh W. Brown; Kevin M. Howell; jnpears@██████████; leavell@██████████;  
lybeckconstruction@██████████; kathy@██████████;  
jeffandteresa@██████████; Dexdav2@██████████; kenziejory@██████████; maggiesoup05@██████████;  
jeblair802@██████████; dowellmail@██████████; andy.m.bloom@██████████;  
drtrappey@██████████; mmarshapt@██████████; colenjoannecorey@██████████; tncallison@██████████;  
crim@██████████; gd43@██████████; hois6@██████████; jkyoung@██████████;  
kevinandgail@██████████; mikeanne@██████████; rpkermath@██████████;  
tlarsonsilverdale@██████████; wadelarson2@██████████; justingillam@██████████;  
maryloumc.art@██████████; michael.onealx@██████████; rltrott@██████████;  
ctpurdin@██████████; mexanthos@██████████; nick0975@██████████; chode23@██████████;  
christinaMKoon@██████████; kershawpt@██████████; nina@██████████;  
joew@██████████; mrlivick@██████████; bastienfamily@██████████; cjhall@██████████;  
dave-n-marla@██████████; heatwavecraig@██████████;  
jdmcmahan@██████████; jvelazquezjr@██████████; marifuller@██████████;  
mjbhuff13x2@██████████; pr@██████████; pwilliams@██████████;  
tkuresman@██████████; zithelp@██████████; advertisewithpaula@██████████;  
cassycantu@██████████; clydesandy4@██████████; lisaklions@██████████;  
magnusonkc@██████████; masakoopm@██████████

**Subject:** Lead Pollution-Clean Water Act etc

Mr. Grellner,

Here is some additional information on lead contamination, outdoor shooting ranges, Clean Water Act and their importance to the KRRC situation. Thanks for your time in considering all this information. I will be sending more information pertaining to Noise Pollution and why it's an important environmental hazard that needs to be considered when evaluating Gun Clubs and there effects on surrounding communities.

**Lead poisoning has long been known to cause terribly debilitating and sometimes fatal effects on ones body.**

### Lead An Extraordinarily Toxic Element

**Effects on Wildlife.** Lead has devastating effects on wildlife that mistake lead shotgun pellets for food or grit and ingest it. Ducks and geese, for example, "deliberately swallow small bits of stone and gravel to help grind up food in their gizzards."<sup>19</sup> When this grit contains lead, the result is lead poisoning and a slow and agonizing death. "You see them walking with drooping wings and they can't fly," an Illinois veterinarian said recently. "It really is a terrible death because it's very slow and gradual."<sup>20</sup>

Waterfowl have been most directly impacted historically from 1.5 to 2.5 million died every year from lead poisoning until 1991, when the U.S. Fish & Wildlife Service banned use of lead shot for hunting them. But other avian species, ranging from songbirds to bald eagles, are also poisoned by ingesting lead shot directly or in their prey.<sup>21</sup> In any case, the lead shot ban does not extend to other forms of hunting or to target shooting. In addition, in 1997 a source in the ammunition industry said that about 20 percent of American hunters still use lead in defiance of the ban the result is that about 300,000 ducks and geese are still poisoned each year by lead shot.<sup>22</sup>

### **Sources of Lead at Shooting Ranges**

**Pollution from outdoor ranges comes primarily from spent shotgun pellets and rifle bullets, including materials fired into backstops, called "berms," or out over waterways. According to *Sports Afield*, "the quantity of recreational lead deposited in the environment is enormous. For example, at some trap and skeet ranges, lead shot densities of 1.5 billion pellets per acre have been recorded. That's 334 pellets in every square foot.**

***Bad management, poor facilities.*** The primary causes of the dismal record of shooting ranges in lead contamination and other health matters are ignorance, bad or indifferent management, and antiquated facilities.

### **Outdoor Shooting Ranges**

Just as shooters at indoor ranges fired away for decades ignorant of the public health risks, so have outdoor range shooters poured millions of tons of lead downrange, ignorant (or heedless) of the damage they have been inflicting on the environment. Although human lead poisoning is less of a problem at outdoor ranges, negative effects on the environment are far greater. Lead bullets and shot used in outdoor shooting ranges present at least three dangers to the environment:

- **poisoning of wildlife, especially waterfowl, that ingest lead pellets;**
- **contamination of ground water, poisoning wells and other water sources; and,**
- **contamination of wetlands or waterways into which lead falls.**

Shotgun shell casing, wads, and assorted packaging materials can also contain lead, chemicals, and other materials potentially harmful to the environment. For example, certain polycyclic aromatic hydrocarbons found in clay targets are said to be known carcinogens. (It is worth noting that shotgun shooters rejected a biodegradable clay target Winchester tried to market because it discharged white smoke when hit rather than the black smoke they were used to.)

Dealing with these problems is complicated by the esoteric nature of the state and federal laws and regulations protecting the environment. Several key issues of federal environmental law have been roughly focused in a handful of shooting range cases litigated to conclusion. But the NSSF notes that the relatively low number of reported law cases is not a true measure of the activity going on because "many shooting range cases are resolved in the early stages of litigation through consent orders under which the ranges agree to close down and perform further environmental investigations and cleanup at the range."

Three federal laws have been found to be especially relevant to outdoor shooting ranges: the Clean Water Act (CWA),<sup>l</sup> the Resource Conservation and Recovery Act (RCRA),<sup>m</sup> and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or "Superfund").<sup>n</sup> Other federal laws may apply to a particular case, and state protections may be more stringent than the applicable federal laws.

### **The Clean Water Act (CWA)**

The Clean Water Act makes it unlawful for any person to discharge "pollutants" from any "point source" into waters of the United States without obtaining a permit, called a "National Pollution Discharge Elimination System" (NPDES) permit.

Two leading federal cases have held that lead shot and target debris (shattered clay pigeons) are "pollutants," and the trap shooting stations at shooting ranges are "point sources." Therefore, any range from which patrons shoot out over "Waters of the United States" must have an NPDES permit. This is a stringent requirement because "Waters of the United States" is broadly defined to include virtually all rivers, streams, lakes, ponds, drainage-ways, wetlands, and similar features, even those on private property, and it appears that, at least to date, *no NPDES permit has ever been issued to a shooting range.*

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It is almost certain that many other shooting ranges across the country are operating without permits required by the CWA. This is particularly true when the shooting range is located on or near wetlands or waters such as rivers or creeks, or where the range allows the natural flow of rain or runoff to carry lead contaminants into such waters or even into groundwater.

The U.S. military was reported to have closed more than 700 firing ranges as of August 1999 due to lead contamination, and taken major steps to clean up and prevent further contamination at others. "Army shoots for safe environment with tungsten bullets," *American Metal Market*, August 26, 1999, 4. Although beyond the scope of this study, the military's approach contrasts with the head-in-the-sand attitude of many civilian range owners and operators.

---

### **Learn this Trick**

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## Don Burger

---

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**Sent:** Thursday, April 29, 2010 4:34 PM  
**To:** Christian C. Casad; Neil R. Wachter  
**Subject:** Attorney Client Confidential Work Product KRRC  
**Attachments:** march2005.jpg; Aug2006.jpg; march2007.jpg; sept2009.jpg; july2005.jpg

SM

Stephen Mount  
Kitsap County  
Department of Community Development  
(360) 337-4605  
[smount@co.kitsap.wa.us](mailto:smount@co.kitsap.wa.us)

>>> "Brower, Janet" <[browej@health.co.kitsap.wa.us](mailto:browej@health.co.kitsap.wa.us)> 4/29/2010 1:33 PM >>>  
Interesting----

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AwesomePennyStocks.com

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Mar 13, 2005



2



Kitsap Rifle & Revolver Club



National Fire       
Image © 2010 DigitalGlobe  
National Fire

Imagery Date: Mar 14, 2005

47°36'51.78" N 122°44'36.59" W elev 399 ft

Eye alt 5838 ft

Google

Aug 17, 2006



Kitsap Rifle & Revolver Club

Imagery Date: Jun 24, 2006



Image: US DA Farm Service Agency  
National Fire Institute

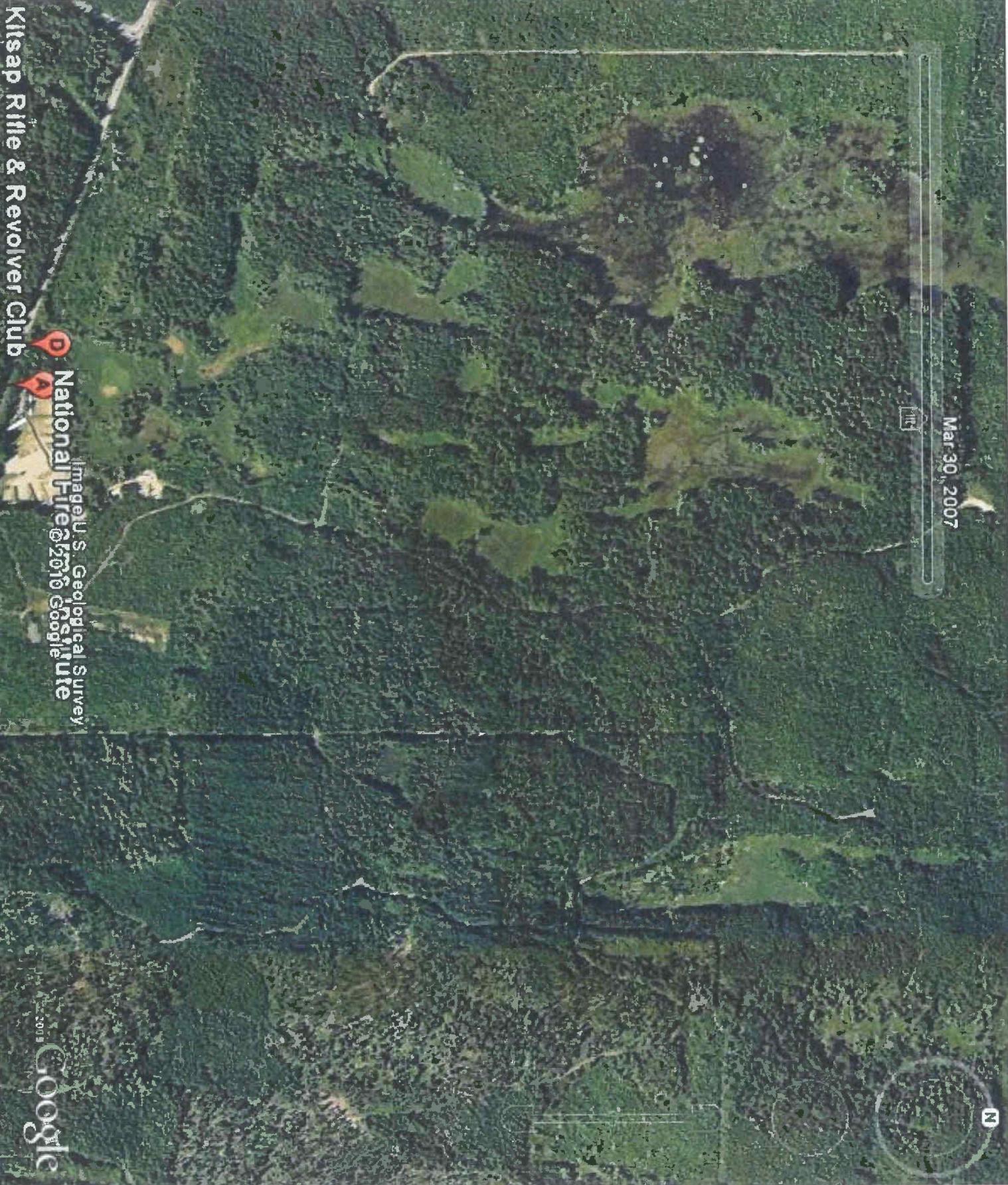
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Google

Eye alt 5838 ft



Mar 30, 2007



Kisap Rifle & Revolver Club

Imagery Date: Feb 28, 2007



Imagery U.S. Geological Survey  
National Fire @ 2010 Google

47°36'51.78" N

122°44'36.59" W

elev 399 ft

Eye alt 5836 ft



Sep 10, 2009



Image © USDA Farm Service Agency  
National Fire Institute

Kitsap Rifle & Revolver Club

Imagery Date: Jun 26, 2009

47°36'51.78" N 122°44'36.59" W elev 399 ft

©2009 Google

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JUL 31, 2005



N

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122°44'36.59" W

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2005 Google



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AwesomePennyStocks.com

< <http://thirdpartyoffers.juno.com/TGL3142/4bd9e893cf17524a206st05duc> >

## Don Burger

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**From:** Kevin M. Howell [KMHowell@co.kitsap.wa.us]  
**Sent:** Friday, April 30, 2010 9:16 AM  
**To:** Christian C. Casad  
**Cc:** Neil R. Wachter  
**Subject:** Fwd: Lead Pollution-Clean Water Act etc

[REDACTED]

>>> "sjunis@[REDACTED]" <sjunis@[REDACTED]> 4/29/2010 3:55 PM >>>

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Just as shooters at indoor ranges fired away for decades ignorant of the public health risks, so have outdoor range shooters poured millions of tons of lead downrange, ignorant (or heedless) of the damage they have been inflicting on

the environment. Although human lead poisoning is less of a problem at outdoor ranges, negative effects on the environment are far greater. Lead bullets and shot used in outdoor shooting ranges present at least three dangers to the environment:

- **poisoning of wildlife, especially waterfowl, that ingest lead pellets;**
- **contamination of ground water, poisoning wells and other water sources; and,**
- **contamination of wetlands or waterways into which lead falls.**

Shotgun shell casing, wads, and assorted packaging materials can also contain lead, chemicals, and other materials potentially harmful to the environment. For example, certain polycyclic aromatic hydrocarbons found in clay targets are said to be known carcinogens. (It is worth noting that shotgun shooters rejected a biodegradable clay target Winchester tried to market because it discharged white smoke when hit rather than the black smoke they were used to.)

Dealing with these problems is complicated by the esoteric nature of the state and federal laws and regulations protecting the environment. Several key issues of federal environmental law have been roughly focused in a handful of shooting range cases litigated to conclusion. But the NSSF notes that the relatively low number of reported law cases is not a true measure of the activity going on because "many shooting range cases are resolved in the early stages of litigation through consent orders under which the ranges agree to close down and perform further environmental investigations and cleanup at the range."

Three federal laws have been found to be especially relevant to outdoor shooting ranges: the Clean Water Act (CWA),<sup>1</sup> the Resource Conservation and Recovery Act (RCRA),<sup>m</sup> and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or "Superfund").<sup>n</sup> Other federal laws may apply to a particular case, and state protections may be more stringent than the applicable federal laws.

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The Clean Water Act makes it unlawful for any person to discharge "pollutants" from any "point source" into waters of the United States without obtaining a permit, called a "National Pollution Discharge Elimination System" (NPDES) permit.

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## Don Burger

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**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Friday, April 30, 2010 9:19 AM  
**To:** Kevin M. Howell  
**Subject:** Re: Fwd: Lead Pollution-Clean Water Act etc

[REDACTED]  
>>> Kevin Howell 4/30/2010 9:15 AM >>>  
[REDACTED]

>>> "sjunis@[REDACTED]" <sjunis@[REDACTED]> 4/29/2010 3:55 PM >>>

Mr. Grellner,

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## Don Burger

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**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Friday, April 30, 2010 9:28 AM  
**To:** sjunis@[REDACTED]  
**Subject:** KRRC

Skip,

We are continuing to communicate and work on this issue. Russ Hauge has been in communication with Terry Allison. Russ will make the arrangements regarding a potential meeting date.

Chris Casad

## Don Burger

---

**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Friday, April 30, 2010 9:38 AM  
**To:** Kevin M. Howell  
**Subject:** Re: Fwd: Lead Pollution-Clean Water Act etc

Chris

>>> Kevin Howell 4/30/2010 9:15 AM >>>

>>> "sjunis@[REDACTED]" <sjunis@[REDACTED]> 4/29/2010 3:55 PM >>>

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## Don Burger

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**From:** Christian C. Casad [CCasad@co.kitsap.wa.us]  
**Sent:** Friday, April 30, 2010 9:40 AM  
**To:** sjunis@[REDACTED]  
**Subject:** Fwd: KRRC

I will try this again.

Chris

>>> Christian Casad 4/30/2010 9:27 AM >>>

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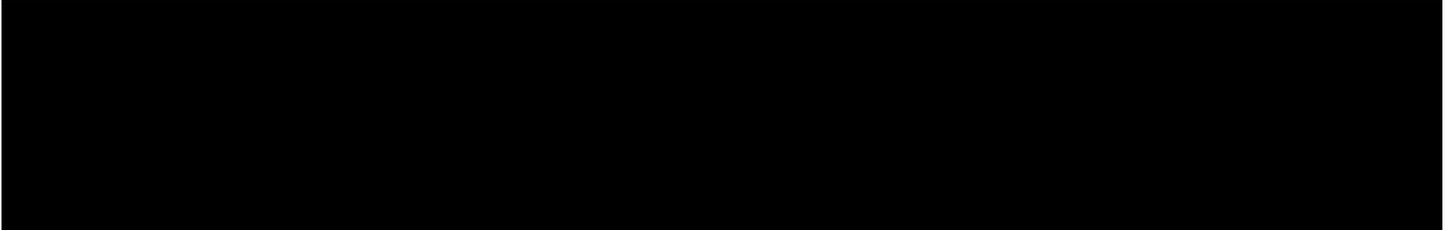
Chris Casad

**Don Burger**

---

**From:** Steve Mount [SMount@co.kitsap.wa.us]  
**Sent:** Tuesday, April 27, 2010 4:25 PM  
**To:** Christian C. Casad; Neil R. Wachter  
**Cc:** Larry Keeton  
**Subject:** KRRC Attorney Client Work Product Confidential

All,



SM

Stephen Mount  
Kitsap County  
Department of Community Development  
(360) 337-4605  
[smount@co.kitsap.wa.us](mailto:smount@co.kitsap.wa.us)

**Don Burger**

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**From:** Neil R. Wachter [NWachter@co.kitsap.wa.us]  
**Sent:** Friday, April 30, 2010 9:20 PM  
**To:** Neil R. Wachter  
**Subject:** note to file for krrc

[REDACTED] -

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]