



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

619 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682 Larry Keeton, Director
(360) 337-5777 FAX (360) 337-4415 HOME PAGE - www.kitsapgov.com/dcd/



NOTICE OF ADMINISTRATIVE DECISION

June 23, 2016

TO: Interested Parties and Parties of Record
RE: Project Name: Harper Estuary Restoration
Application: Administrative Shoreline Conditional Use Permit
Permit Number: 16 00339

Enclosed is the Administrative Decision issued by the Kitsap County Department of Community Development (DCD) for the above referenced application.

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

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <http://www.kitsapgov.com/dcd/forms/DocumentLibrary/applications/Appeals.pdf>.

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

The complete case file is available for review at the Department of Community Development; if you wish to view the case file or have other questions, please contact Constance Blackburn at cblackburn@co.kitsap.wa.us or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.

Cc Applicant and/or Rep:

WDFW: corey.morss@DFW.WA.Gov

Kitsap County Parks and Recreation: sstarlund@co.kitsap.wa.us

Doris Small: doris.small@dfw.wa.gov

Kathy Peters: KPETERS@CO.KITSAP.WA.US

Cc Interested Parties:

Tom Piscitelli: TOMPISCITELLI@GMAIL.COM

Sal Pagan: 3340 SE Southworth Drive, Southworth, WA 98386

Lindie Schmidt: lindie.schmidt@DNR.WA.GOV

Eric Baker Ebaker@co.kitsap.wa.us

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Andrew Nelson: anelson@co.kitsap.wa.us



Jeffrey Rowe,
CBO, CFM
DEPUTY DIRECTOR

KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

To enable the development of quality, affordable, structurally safe and environmentally sound communities.

June 23, 2016

NOTICE OF DECISION

This is a public notice of a Type II Administrative Shoreline Conditional Use permit decision for the Harper Estuary Restoration Project Phase 1. A public comment period previously occurred, ending on April 18, 2016. There were no comments received.

Planning File Number: 16 00339

Assessor's Numbers: 022302-2-005-2006; 4823-000-001-0006; 4810-000-005-0007; 4823-000-030-0001; 4810-000-003-0207

Project Name: Harper Estuary Restoration Project, Phase One

Owner

Washington State Department of Natural Resources
ATTN: Lindie Schmidt
950 Farman Avenue North
Enumclaw, WA 98022

Applicant/Representative

Washington Department of Fish and Wildlife
ATTN: Doris Small
600 Capital Way
Olympia WA 98501-1076

Date of application: January 28, 2016

Date of notice of complete application: February 3, 2016

Project Description:

Harper Estuary is approximately 1.3 miles NW of Southworth and 5.5 miles east of Port Orchard. Harper Estuary is a small pocket estuary with two small freshwater tributaries: Harper Creek, and an unnamed tributary to Harper Creek. Historically, the estuary was approximately 13 acres. However former industrial development and subsequent demolition, and transportation infrastructure have filled and restricted the estuary to approximately 8 acres.

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Figure 1. Harper Estuary

The Harper Estuary Restoration Project (Figure 1) will restore unimpeded tidal influence and habitat processes to a small estuary currently impacted by undersized culverts and historic fill. The restoration project was designed to build on the conceptual plan developed by Puget Sound Nearshore Ecosystem Restoration Project (PSNERP 2011). Industrial fill in the estuary associated with the former brick factory, relict roads throughout the site and an informal boat ramp will be removed as Phase I of this restoration project. An undersized culvert at Southworth Drive will be replaced with a culvert designed for fish passage.

The Department of Natural Resources property includes an existing informal boat landing that has been used by the community for recreational access by foot and by small boat. This function was an important feature as identified in community meetings. The existing boat landing fill will be removed. A crosswalk from the existing parking at Harper Park will lead to a stairway to be constructed as part of the project to facilitate public access and recreational use.

The site is also impacted by an undersized culvert on Olympiad Drive that will be removed and replaced with a bridge in Phase 2 construction activities (not part of this application).

The current design for the estuary restoration, to be implemented in two phases, includes:

Phase 1:

- Removal of industrial fill (bricks, gravels and fill placement)
- Removal of the informal boat landing and construction of a smaller footprint stairway for beach access and hand launch use
- Removal of relict road fill and bulkheads
- Removal and replacement of the fish passage and tidal barrier culvert at Southworth Drive Estuary restoration including channel work, large wood placement and planting of upland areas
- Replacement of the undersized culvert on Southworth Drive with a larger culvert
- Placement of armoring rock and light loose riprap underneath the stairway to the beach

Phase 2:

- Replacement of the undersized 36-inch culvert on Olympiad Drive with a larger, 120-foot long bridge

Phase 1 work is the subject of this permit application. This part is fully funded and ready for construction in summer 2016. The bridge construction will take longer to design, obtain full funding and construct (Phase 2). Permitting for Phase 2 will take place independently.

Decision:

We have reviewed and approved a request for exemption from shoreline substantial development for the beach stairway and for the shoreline rockery and for all other aspects of Phase I. The proposal to construct a 14-step community stairway located from the top of the bank to the toe of the bank, totaling approximately 10.5 feet, was determined to be exempt from a Shoreline Substantial Development Permit pursuant to Kitsap County Code (KCC) 22.500.100(C)(p).

The Administrative Conditional Use Permit request is **approved**, with the following requirements to minimize impacts to the estuary:

1. The Conceptual Restoration Plan and Habitat Assessment Report to restore the functions of the estuary has been submitted and accepted by this Department per KCC 19.700.
2. Permits 16 00337 and 16 00339 have been submitted and preliminary stormwater review has occurred through the permit review process. A Site Development Activity Permit (SDAP) has been completed and will be issued at the upcoming preconstruction meeting.
3. Follow all provisions outlined in Washington Department of Fish and Wildlife's Hydraulic Project Approval (HPA).
4. A Kitsap County Building Permit is required prior to commencing project work on the beach stairs.
5. Follow the recommendations of the March 24, 2016 Conceptual Restoration Plan and Habitat Assessment Report.
6. Follow the recommendations of the Stormwater Pollution Prevention Plan (SWPPP).

Any appeals of the decision regarding this application shall be filed with the Department of Community Development within 14 days of the date of this decision. APPEALS MUST BE SUBMITTED BY July 7, 2016 WITH A \$500 APPEAL FEE.

Specific appeal procedures are found in the Kitsap County Land Use and Development Procedures Ordinance. This ordinance may be obtained from the Department of Community Development and is available at local libraries and on the Internet at www.kitsapgov.com.

Examination of File and Staff Contact: The application file may be examined at the Department of Community Development, 619 Division Street, Port Orchard, Washington, between the hours of 9 a.m. and 4:00 p.m. Monday through Thursday, and Fridays from 9 a.m. to 1 p.m., except holidays.

Review Authority: DCD Director, DSE Division Manager

Distribution:

- Applicant
- Applicant Representative
- Interested parties
- Staff Planner: Lisa Lewis
- DCD, Constance Blackburn