



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

1. CALL TO ORDER

2. CONSENT AGENDA

1. Agenda

*2. The June 12th, 2024 Regular Meeting minutes

*3. Pay Bills with check numbers 5198 through 5209 totaling \$14,607.46

3. SIGNING OF DOCUMENTS

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

4. PUBLIC COMMENT

5. REPORTS/UNFINISHED BUSINESS

Aho/ 1. Grants/Waterfront Access Improvements

Piccone * John Piccone update of projects status summary

a. SDAP #23-00728

*b. Moorage Agreement between the Suquamish Tribe and the Port of Illahee (**Motion necessary**)

*c. Declaration of covenant associated with maintenance & operations of storm drainage facilities

Aho 2. Illahee Store Project

- PLIA Remediations

*a. SLR- CMMP (Contaminated Media Management Plan)

*3. Treasurer's Report as of June 30, 2024 General Fund \$115,253.52 Investments \$292,052.82
Good Property Management (GPM) Account \$199 total: \$407,505.34

***Grant Status: grant reimbursement requested on 6/25/24 waiting for approval from the RCO (Recreation Conservation office)**

BFP RCO Total = \$851,065.00 Amount of RCO paid \$90,319.98 Remaining RCO Funds \$760,745.02

ALEA RCO Total= \$500,000.00 Amount of RCO paid \$73,672.45 Remaining RCO Funds \$426,327.55

RCFB RCO Total= \$191,000.00 Amount of RCO paid \$0 Remaining RCO Funds \$191,000.0

Last Month's Report Below

*3. Treasurer's Report as of May 31, 2024 General Fund \$118,767.54 Investments \$292,052.82
Good Property Management (GPM) Account \$199 total: \$411,019.36

4. Reports

Aho a. Website

- Anything to report?

Hall b. Properties

5560 Ocean View Boulevard/Rental

- Anything to report?

5500 Illahee Road/Rental

- Anything to report?

5507 Illahee Road/Illahee Store Property

- Anything to report ?



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Illahee Road Lot

- Anything to report ?

Rupert c. Dock/Pier
- Anything to report ?

Rupert d. Illahee days
- Anything to report ?

6. NEW BUSINESS

Aho *1. JARPA (Joint Aquatic Resources Permit Application)
To take out a tire cluster to test the turbidity

Aho *2. Letter of support from Port of Illahee
For Watershed Park Grant and Illahee Preserve Phase 3 Grant.

Aho *3. Kitsap Derelict & Abandoned Vessel Removal Program
Meeting notes from 6/27/24

Aho *4. WPPA (Washington Public Ports) Toured the Port of Illahee
Tour Itinerary for WPPA James Cockburn

7. PUBLIC COMMENT

8. ADJOURN --Regular Meeting -- August 14th @ 6:30PM -- via ZOOM
--Kitsap All Ports--July 29th @ 6:30PM at Port of Brownsville



Port of Illahee
Minutes of Regular Meeting
June 12, 2024

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

CALL TO ORDER

Commission Chairman James Aho called the meeting to order at 6:30PM. Also, in attendance were Commissioner Jeffrey Rupert; Commissioner Eric Hall; Administrator Jennifer Olson; Roy Barton; John Piccone and John Buesch.

CONSENT AGENDA

The following consent agenda items were approved: June 12th Meeting Agenda; May 8, 2024 Meeting Minutes; checks numbering 5187 through 5197 totaling \$9,652.47 as outlined in the attached Voucher; Electronic Transfer for Go Bond Payment (May & November) (motion by Rupert; second by Hall all in favor).

SIGNING OF DOCUMENTS

Commissioners plan to stop by the Port of Silverdale office to sign documents on Thursday June 13, 2024.

REPORTS/UNFINISHED BUSINESS -

Waterfront Improvement Project

John Piccone with SoundWest Engineering and Associates updated the Commissioners on the project status with the Port of Illahee's projects. Please see John's report below:



- **Regulatory Update:** The good news is that we have received the SDAP permit approval and the additional good news is that we've also received a draft agreement from the Suquamish Tribe.
 - Jim and I have reviewed the draft Tribal agreement and made only minor comments to the Tribes proposal, we are currently waiting for a response to those comments and anticipate we will be able to execute a final agreement within the next month or two.
 - We've been working diligently with the Corps now that a Tribal agreement is pending and although they will not release the permit until they have a fully executed agreement, they are in process reviewing other items under the permit in an effort to shorten the turn-around time following submission of the Tribal agreement.
 - Now that we have SDAP approval the only remaining Kitsap County permits are the ROW and building permits and we are working with the County over the next several weeks to iron out any preliminary approval matters. Final permits will be released only after we have a contractor on board.
 - All other permits are summarized in the table below. Optimistically, we may have all regulatory items completed to the point we can bid the project sometime this August and although we still don't know the Corps timeline for sure we are doing all we can to push final items forward by that time.
- **Design Update:** We are currently working on the final design for the floats and gangway and begun incorporating the pile replacement design into the project last week. Generally, the design status is as follows:
 - Upland Design is at 95% with only some retaining wall calculations, restroom coordination, and construction notes remaining.
 - Dock and gangway design is currently at 60% with float and pile final design and specifications remaining.
 - Pile replacement design has just begun and will be incorporated in the float and gangway design under the assumption that this work will be bid as one project with the waterfront improvements.
 - Design is expected to take another 6-9 weeks and then it will take approximately two weeks to finish compiling the bidding documents into a single bid manual for advertising. We are currently working hard to ensure the bid manual is also ready for bidding by August in the hopes all regulatory items are complete.



- **Anticipated Schedule:** This is still ultimately unknown due to the permitting timelines but the goal remains for bidding in August or September of 2024 with completion by summer 2025.
- **Store Clean-up & Renovation**
 - I remain available to assist Commissioner Hall with any questions or recommendations and believe he is preparing to start working with renovation contractors this summer or fall in coordination with the planned PLIA clean up.

Permit Status Summary – All Projects

Waterfront Access Project

Permit	Submittal Date	Permit Issued	Permit Status	Design Status
SSDP	8-19-21	8-4-22	Complete. SSDP staff report notice of decision received.	Water side design currently at 60% for permit submittals.
HPA	4/9/24	5/24/24	Complete	Water side design currently at 60% for permit submittals.
NWP	8-17-21	Pending, anticipated 2024	Finalization of permit review pending final execution of Tribal agreement.	Water side design currently at 60% for permit submittals.
SDAP	2-7-23	Approval issued 5/22/24	Approval Issued; Contractor to secure final permit	95% Design Complete for upland elements only to submit SDAP.
BP	Anticipated June/July 2024	---	Preparation of Permit Submittals & Agency Coordination Proceeding	Final calculations and specifications are in process for preliminary submittal.
ROW	Anticipated by contractor in 2024	---	Agency Coordination Proceeding for ROW Agreement	
FIRE	Included with Building Permit	---	Preparation of Permit Submittals & Agency Coordination Proceeding	
DNR	Anticipated June/July 2024	---	Preparation of Submittal for Environmental Review & Agency Coordination Proceeding	

SSDP – Substantial Shoreline Development Permit (Kitsap County)

HPA – Hydraulic Project Approval (WDFW)

NWP – Nationwide Permit 3 (USACE)

BP – Building Permit (Kitsap County)

ROW – Right of Way (Kitsap County)

Fire – Fire Code Permit (Kitsap County)



Pile Replacement Project

Permit	Submittal Date	Permit Issued	Permit Status	Design Status
Shoreline Exemption	9-22-22	2/15/23	Complete	30% Design Completed for Permit submittal.
NWP3	9-22-22	11-21-22	Complete. Permit issued by USACE.	30% Design Completed for Permit submittal.
HPA	2020	2/14/20	Maintenance permit, expires 2/12/25	---

PUBLIC COMMENT

A Community member said, really good news to hear about the Tribal Agreement and then proceeded to asked John Piccone if there were a lot of changes made to the Tribal Agreement? John Piccone explained that they gave the tribe one slip for their primary use, the use of the tribal slip prioritizes for them on a transient basis only.

Another Community member asked John Piccone if bids go out in August 2024 when will the Port be able to start on the project? John responded with, it really depends on the contractor you get but the Inland water work window is from mid-August through February and the contractor should focus on inland water first.

Waterfront Project Comments

Commissioner Aho asked John Piccone about bids coming in and was worried that it has been two years since the Port talked about costs with inflation, what if the bid comes in higher than the Port anticipated? John said that if bids come in higher, he could approach the RCO (Recreation Conservation Office) about adding more money due to inflation and delays, that would be dependent on the money they have available.

Illahee Store Project Comments

Commissioner Hall asked the Administrator to send him John Buesch's phone number. John Piccone and Commissioner Hall will need to get to together and work on bid package to higher a contractor for the tenant improvement of the Illahee store. It was decided that the Administrator is going to email John Piccone, Commissioner Hall, John Buesch and Roy Barton to set up a group email so they have each other's contact information to schedule a zoom meeting regarding store renovations.

Treasurer's Report as of May 31, 2024 General Fund \$118,767.54 Investments \$292,052.82

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Grant Status:

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Report

Website - Commissioner Aho reported that the Port of Illahee's website was down for a few days at the begging of June. He would like to use the Port's credit card to pay Blue Host directly. He asked if the Port still wants to use Blue Host and if Commissioner Hall would be interested in taking over the Port's website? Commissioner Hall responded that he is interested in taking over the Ports website.

Properties

5560OceanviewBlvd- Back Flow test complete

5500 Illahee Road- Illahee Road- Nothing to Report.

5507 Illahee Road / Illahee Store Property - Nothing to Report

Illahee Road lot - Nothing to Report

Dock/Pier - Commissioner Rupert contacted North Perry Water about shutting of the water that the Port does not use especially with their recently failed backflow test. Commissioner Rupert mentioned the Port might want to add water/ irrigation to the upland project.

New Business

Illahee Days

There was much discussion amongst the Commission about when Illahee Days would occur this year, Commissioner Rupert thinks early to mid-August would be best, he added that he has equipment left over from last year. Commissioner Hall has a pop-up Pergola that the Port can us, Commissioner Rupert is hoping to come in under budget this year.

In Person Meeting Space

Community member Roy Barton checked with North Perry Fire Station and North Perry Water to see if they had meeting rooms for rent that the Port could use for in-person meetings instead of using zoom. North Perry water might have some possibilities, Commissioner Aho responded with the Illahee store might be ready soon and the Port passed Resolution 2023-4 Interim Public Meeting Policy to continue to have meetings via zoom until they have a permanent location.

Public Comment

Community member asked when the Port goes out to bid if they are planning on putting a sign up saying the dock is closed, put the dates of construction to inform the public ahead of time? The contractor is in charge of putting up the signs but great suggestion it something the Port will look into.



A big Thank you to Community member John Parvis who cleans up the blackberry bushes and weeds behind the Illahee Store property. John donates his time to help out the Illahee community. The Port of Illahee really appreciates you, thank you for making Illahee a better place to live.

ADJOURN

At 7:48PM the meeting adjourned (motion by Rupert; second Hall by all in favor).

Next regular meeting July 10, 2024 @6:30pm- via Zoom

Kitsap All Ports July 29, 2024 @6:30pm at Port of Brownsville

Commissioner

Commissioner

Commissioner

Date: June 12, 2024
To: Port of Illahee Board of Commissioners
From: John Piccone, P.E., Soundwest Engineering Assoc.
Subject: Projects Status Summary

Waterfront Improvement Project

- **Regulatory Update:** The good news is that we have received the SDAP permit approval and the additional good news is that we've also received a draft agreement from the Suquamish Tribe.
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HPA	2020	2/14/20	Maintenance permit, expires 2/12/25	----

MOORAGE AGREEMENT BETWEEN SUQUAMISH INDIAN TRIBE AND THE PORT OF ILLAHEE

This **MOORAGE AGREEMENT** (Agreement) is entered into between the Suquamish Indian Tribe (Tribe), a federally recognized Indian tribe and the Port of Illahee ("Port"), a municipal corporation of the State of Washington. The Tribe and the Port are hereinafter collectively referred to as the "Parties" or singly as "Party."

I. RECITALS

WHEREAS, the Port operates the Illahee Dock located in Illahee, Kitsap County Washington, located near Port Orchard Bay (the "Dock"), which serves recreational vessels. The Port applied for a permit from the U.S. Army Corps of Engineers (the "Corps"), referenced as permit application number NWS-2021-861 as modified by NWS-2021-861-A, to replace the floating docks, remove portion of the pier, and other waterfront access improvements as described generally in the Port's Joint Aquatic Resources Permit Application for the project named "Port of Illahee Public Pier and Float Rehabilitation" and associated application materials (the "Project");

WHEREAS, the proposed Project area lies within the traditional fishing and ancestral territory of the Tribe. The Tribe has a strong pre-historical, historical, and contemporary connection in Illahee and Port Orchard Bay that is significant and well documented. Ethnographic and archaeological evidence demonstrates that the Suquamish People have lived, gathered food stuffs, ceremonial, and spiritual items, and hunted and fished for thousands of years throughout the proposed Project area. The Tribe seeks protection of all treaty-reserved natural resources through avoidance of impacts to habitat and natural systems. The Tribe has taken a leadership position in efforts to protect, restore, and enhance the marine waters of Kitsap County to ensure protection of the Tribe's treaty and cultural resources;

WHEREAS, the Tribe is a signatory to the 1855 Treaty of Point Elliott. In the Treaty of Point Elliott, the Tribe ceded its ancestral territory, including the Port of Illahee and surrounding project area, to the United States, but reserved rights to fish at usual and accustomed grounds and stations ("U&A") and to hunt and gather on open and unclaimed lands. Federal adjudication of the Tribe's U&A has affirmed that Illahee, Port Orchard Bay and other areas within Puget Sound constitute reserved fishing areas within the Tribe's U&A;

WHEREAS, the Port recognizes and supports the Tribe's treaty reserved fishing rights and supports the Tribe's leadership position in efforts to protect, restore, and enhance the marine waters of Kitsap County. This Agreement will contribute to that effort;

WHEREAS, the Project yet to be constructed includes the following items and associated work as shown in *EXHIBIT A – DEDICATED MOORAGE LOCATION*:

- a. The removal and disposal of two existing floats, two gangways, and a portion of the fixed pier, including the removal of 24 existing creosote piles (8 x 12-inch diameter and 16 x 12-20-inch diameter);
- b. Installation of a new 50' long by 4'6" grated gangway with a new 7' by 9" grated gangway landing float;
- c. Installation of a new 91' long by 7' wide access float;
- d. Installation of eight new 26' deep moorage slips and new recreational float;
- e. Installation of four new 26' long by 4' wide finger piers;
- f. Installation of a new 7' wide by 89' long non-motorized recreation float;

- g. Installation of 15 new 16-inch diameter steel piles; and
- h. Upland work which will include the installation of new sidewalks, stormwater drainage improvements, vehicular access roadways, parking, among other upland enhancements.

WHEREAS, the Parties acknowledge the mutual interest in completing the Project. This Agreement is necessary to resolve the short-term and long-term impacts to the Tribe's treaty fishing activities associated with the full scope of the Project. The Parties acknowledge that Tribal fishers often have to avoid an area or alter the time, manner, and place of fishing due to existing in-water physical structures, like docks and marinas, and due to vessel traffic to and from these facilities. Fishing gear is often damaged or lost due to interference from construction activities;

WHEREAS, the Tribe and the Port have negotiated this Agreement that ensures that Tribal concerns are addressed, and the full scope of the proposed Project can move forward and receive all required authorizations from the Corps. This Agreement fully addresses the Tribe's concerns regarding the Project and the Port's proposed activities associated with the Project; and

WHEREAS, the purpose of this Agreement is to exchange certain obligations and commitments of the Port and of the Tribe, as outlined herein. Therefore, the Port's obligations are contingent on the Tribe fulfilling the Tribe's obligations. Likewise, the Tribe's obligations are contingent on the Port fulfilling the Port's obligations. Generally, this Agreement is intended to provide for vessel and fishing coordination during certain construction activities undertaken by the Port during completion of the Project, to provide certain moorage rights to Tribal members, and to provide for the withdrawal of the Tribe's objections to the existing permit application to the Corps submitted by the Port for the Project.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and in order to continue to foster the cooperative efforts of the Tribe and the Port to protect, restore, and enhance the marine waters of Kitsap County, the Tribe and the Port agree that the following rights and obligations shall arise and be effective upon the Effective Date of this Agreement.

II. TERMS AND CONDITIONS

1. **EFFECTIVE DATE.** This Agreement shall be effective on the date executed by the Tribe and the Port (the "Effective Date"), subject to the condition precedent that the Tribe's Tribal Council and the Port Commission has approved this Agreement.

2. **AGREEMENT, VESSEL AND FISHING COORDINATION.** The contact listed below (the "Agreement Contact") shall be the initial contact point between the Port and the Tribe for any issues related to the Agreement, the Project and vessel and fishing coordination. The Agreement Contact may be changed from time-to-time by either Party by providing notice in accordance with Section 4 below.

PORT AGREEMENT CONTACT:

James Aho
P.O. Box 2357
Bremerton, WA 98310
Telephone: (360) 649-1049
llaheeporthree@gmail.com

TRIBE AGREEMENT CONTACT:

Rod Malcom
Suquamish Indian Tribe Fisheries Department
P.O. Box 498
Suquamish, WA 98392
(360) 394-8449
rmalcom@suquamish.nsn.us

3. **COORDINATION OF IN-WATER WORK.** For in-water construction work associated with the Project, the Tribe and the Port agree to exchange accurate and specific fishing and/or related activity and vessel traffic information with the objective of avoiding and minimizing potential conflicts.

a. To facilitate this coordination, the Port will provide accurate and specific Project-related vessel traffic information, including the schedule of arrivals, departures, and locations for Project related vessels for any remaining construction activities, to the Tribe based on a mutually agreeable date but no less than two weeks prior to any activities.

b. The Tribe will provide the Port with a description of the Tribe's fishing management periods when they become available and a description of the anticipated specific times and locations for Suquamish fishery openings through the course of the year.

c. The Tribe will provide the Port with a list of active Suquamish Tribal registered fishing vessel owners. The list shall include the name and length of the vessel and registered fishing vessel owner's name. The Tribe will update the list of registered fishing vessel owners whenever there is an addition or deletion of a registered owner.

d. For remaining in-water construction work associated with the Project, the Tribe and the Port agree to work together cooperatively to coordinate activities of the Tribe and the Port and minimize conflicts. For this purpose, the Port will send the specified information in advance to the Tribe Agreement Contact for the Tribe and the Tribe will send specified information in advance to the Port Agreement Contact for the Port.

4. **NOTICES.** All written notices required to be given pursuant to the terms of this Agreement shall be (a) delivered personally; (b) deposited in the United States mail, Certified mail, return receipt requested, postage prepaid; or (c) overnight courier service, to the Parties at the following addresses:

FOR THE PORT: Port of Illahee
P.O. Box 2357
Bremerton, WA 98310
Telephone: (360) 649-1049
Attn: Jim Aho, Jennifer Olson, and John Piccone.

FOR THE TRIBE: Suquamish Indian Tribe
PO Box 498
Suquamish, WA 98392
Telephone: (360) 598-3311
Attn: Office of Tribal Attorney

5. **TRIBE MOORAGE.** The Port shall provide the Tribe's fishers with twenty-six feet (26 ft.) of dedicated transitory moorage without any fees or costs to the Tribe or Tribal members ("Dedicated Moorage"). Dedicated Moorage shall be provided solely to Tribal members and Tribal entities to moor Tribal Vessels being used for treaty fishing activities, which constitute a traditional Tribal function. As used in this Agreement, the term "Tribal Vessel" means a vessel owned by a Suquamish Tribal member or Suquamish Indian Tribe entity and bearing the unique Suquamish Indian Tribe vessel registration number which signifies that the vessel is used exclusively for treaty fishing activities. The Dedicated Moorage locations are hereby designated and specifically depicted in **Exhibit A**, which is attached hereto and incorporated by this reference, and described generally follows: The inland side of the outermost 26' finger pier.

a. Notwithstanding the dedicated moorage described above and depicted in *Exhibit A*, Tribal Vessels may use other slips at the Dock on a transient basis;

b. The moorage shall be provided continuously until such time as the Dock is no longer operated by the Port.

c. All Dock users, including those provided moorage under this Agreement, are expected to comply with the Illahee Port Use and Moorage Rules and Regulations as revised from time to time and to follow the Port's standards of operation ("Port Regulations and Standards"). Any Tribal members or their guests who do not abide by Port Regulations and Standards will be reported to the Suquamish Indian Tribe's Fisheries Department.

d. The Tribe's Fisheries Department point of contact is: Rob Purser, (360) 394-8436 or at rpurser@suquamish.nsn.us. The Tribe will provide an updated point of contact as needed.

e. The Port reserves the right to trespass or otherwise exclude from Port property any Tribal member or guest that engages in repeated or serious violations of Port Regulations and Standards in the same manner as the Port enforces its Port Regulations and Standards generally, provided that prior to issuing any notice of trespass or exclusion, the Port will first report the member or their guest to the Tribe's Fisheries Department, unless the Port determines that immediate action is necessary.

f. Neither the Tribe nor individual Tribal members shall sublease or otherwise assign any of the rights to use Dedicated Moorage provided in this Agreement;

g. The Port shall post signage advising Dock users that the inland side of the outermost 26' finger pier is reserved for Tribal Vessels;

h. The Port shall not install any gates that impair access to the pier, without the concurrence of the Tribe;

i. The Port and Tribe shall work together to develop educational signage at the pier, with the purpose of educating the public about the Tribe and tribal treaty fishing;

6. **TRIBE'S WITHDRAWAL OF OBJECTIONS TO AND SUPPORT OF EXISTING PERMITS.** The Tribe will, without delay or condition, inform the Corps that the Tribe has reached an agreement with the Port and hereby withdraws its objections and supports all

Corps approvals and authorizations related to the Project, including for the permit application identified as NWS-2021-861, as modified by NWS-2021-861-A.

7. **DURATION OF AGREEMENT.** This Agreement, including the right to moorage for the Tribe provided in this Agreement, shall be effective so long as the Port operates the Dock and shall terminate at such time as the Port ceases to operate the Dock. If the Port were to ever transfer ownership or operation of the Dock, the obligations contained herein shall be a covenant running with the Dock in favor of the Tribe and binding on the successor to the Port.

8. **AMENDMENT OF AGREEMENT.** No amendment or modification of this Agreement is valid unless it is in writing and signed by both Parties.

9. **AUTHORITY TO SIGN AND CONSTRUCTION.** The Parties acknowledge that the terms of this Agreement were reached after government-to-government consultations and have been reviewed by and discussed with respective counsel for each of the Parties. The Parties further agree that this Agreement shall not be construed in favor of or against either Party. Rather, in any dispute between the Parties, the language of this Agreement shall be construed as a whole according to its fair meaning. The undersigned warrant and represent that they have complete and proper authority to execute this Agreement on behalf of their respective Party, that they have read this Agreement and understand its contents, and that upon the Effective Date each Party has an enforceable obligation to undertake the actions, terms, conditions, and covenants thereof.

10. **DISPUTE RESOLUTION.** The Parties agree to attempt to settle any disputes under this Agreement through good faith negotiation between the Parties and according to the following ordered steps.

- a. The Agreement Contacts should meet and confer to resolve the dispute.
- b. If the Agreement Contacts are unable to resolve the dispute, the manager of the Port and the Tribe's chairperson (the "Leaders") shall meet and confer to resolve the dispute.
- c. If the Port Manager and Leaders are unable to resolve the dispute, the Parties will pursue resolution of the dispute through non-binding mediation administered by the American Arbitration Association under its Commercial Mediation Procedures. The mediator shall have at least ten years' experience in contractual disputes and preferably Indian law and port district law expertise. If an agreement on a mediator cannot be achieved within fifteen (15) business days, then the Parties shall in a joint letter, provide four names (two by each Party) of qualified candidates for mediator to the American Arbitration Association and the American Arbitration Association shall be asked to select such mediator. The Parties shall split equally the cost of mediation and bear their own costs and attorneys' fees. Either Party may end the mediation at any time upon written notice to the other Party and the mediator.
- d. If the Parties are unable to resolve the dispute through direct discussions or through mediation, the dispute shall be resolved by binding arbitration to be conducted at a location agreeable to both Parties. Within ten (10) business days after either party invokes arbitration, the Parties shall select a single arbitrator by mutual agreement, and, if no agreement can be reached within sixty (60) days, then the Parties shall in a joint letter, provide four names (two by each Party) of qualified candidates for arbitrator to the American Arbitration Association and the American Arbitration Association shall be asked

to select such arbitrator. The arbitrator shall have at least ten years' experience in general contract principles, and, preferably, expertise in the laws applicable to port districts and Indian law including Tribal reserved treaty rights. The arbitration proceeding shall allow for only abbreviated discovery with no more than two short depositions, one request for interrogatories that do not exceed twenty questions, the production of relevant documents, and timely identification of fact and expert witnesses. The authority of the arbitrator is limited to enforcing the terms and conditions of this Agreement, the judgment on the award rendered by the arbitrator may be enforced in a court of competent jurisdiction; provided, however, that the Parties agree that the selected court shall have only the power to enter and enforce, but not to review or modify, the arbitrator's award. Both Parties agree to accept and be bound by the award of the arbitrator or judgment, ruling or order enforcing the arbitration award which is final (because either the time for appeal has expired or the judgment or order is issued by the court having final appellate jurisdiction over the matter and is not subject to collateral attack). Except to the limited extent set forth in this Section 11, the Tribe is not waiving its sovereign immunity. Each Party shall bear its own costs and attorneys' fees and shall share equally the cost of the arbitrator.

11. **APPLICABLE LAW.** This Agreement shall be interpreted using generally recognized principles of contract law, considering the applicable laws of the United States and the Suquamish Indian Tribe.

12. **NO THIRD PARTY BENEFICIARIES/ENFORCEMENT.** This Agreement will not be construed to create any enforceable obligation of either the Tribe or the Port in favor of any non-party to this Agreement. The Parties to this Agreement recognize incidental benefit to Tribal fishers and others, but such Tribal fishers and others are not entitled to enforce this Agreement independently from the Parties.

13. **FORCE MAJEURE.** Neither Party will be liable to the other for any failure of performance under this Agreement due to causes beyond its control which such Party was unable to avoid or overcome through the exercise of reasonable diligence, including, but not limited to: acts of God, fire, flood, earthquake or other catastrophes; material or facility shortages or unavailability not resulting from such Party's failure to timely place orders therefore; lack of transportation; the imposition of any governmental codes, ordinances, laws, rules, regulations or restrictions; national emergencies; terrorism; insurrections; riots; wars; or third party strikes, lockouts, work stoppages or other labor difficulties (collectively, "Force Majeure Events").

14. **SURVIVABILITY.** All covenants, promises, and performance which are not fully performed as of the date of termination shall survive termination as binding obligations.

15. **WAIVER.** No failure by either Party to insist upon the strict performance of any covenant, duty, agreement, or condition of this Agreement or to exercise any right or remedy consequent upon a breach thereof, shall constitute a waiver of any such breach or any other covenant, agreement, term, or condition.


16. **FACSIMILE OR ELECTRONIC PDF FILE TRANSMISSION.** This Agreement and all subsequent notices or modifications may be executed by the Parties and transmitted by facsimile or electronic transmission of a PDF file and, if so executed and transmitted, this and all subsequent notices or modifications will be, for all purposes, as effective as if the Parties had delivered an executed original.

17. **ENTIRE AGREEMENT.** This Agreement (including the Recitals) represents the entire and complete agreement between the Parties and supersedes all prior negotiations, representations, or agreements, either written or oral, and may be amended or modified only in writing signed by both Parties.

IN WITNESS WHEREOF, the Parties hereto agree to the terms and conditions of this Agreement.

PORT OF ILLAHEE

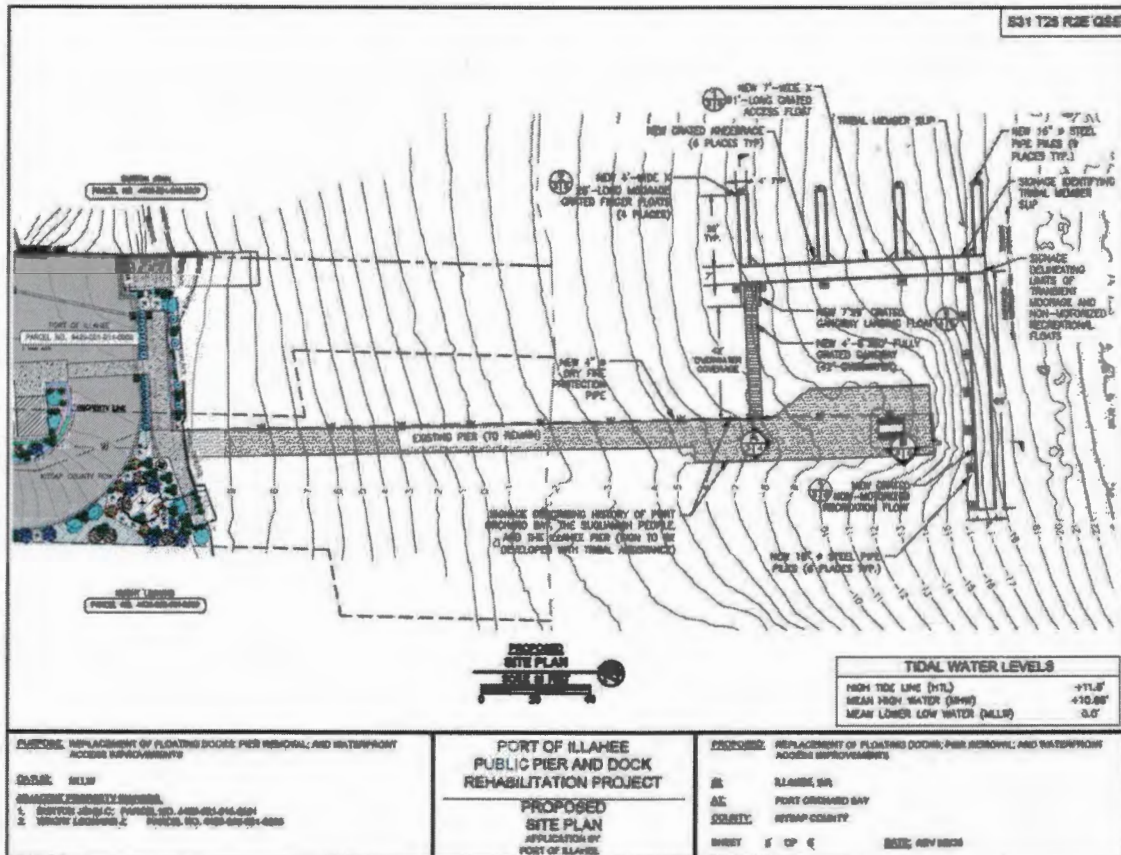
SUQUAMISH INDIAN TRIBE



By: James Aho
Commission Chair
Date: 7/2/24

Leonard Foreman
Chairman
Date: _____

EXHIBIT A – DEDICATED MOORAGE LOCATION



When Recorded, Return to:

Port of Illahee

PO Box 2357

Bremerton, WA 98310

**DECLARATION OF COVENANT ASSOCIATED WITH
MAINTENANCE AND OPERATION OF STORM DRAINAGE FACILITIES**

Grantor: Port of Illahee **Additional Grantor** _____

Grantee: Kitsap County **Additional Grantee** _____

Legal Description: SE¼, SE¼, Sec 31, TN 5, RE 2e, W.M. **Additional Legal** _____

Assessor's Tax Parcel Number: 4429-001-011-0000 **Additional Number** _____

Reference Auditor File Number: _____ **Additional Number** _____

Whereas Kitsap County, a Political Subdivision of the State of Washington, has rights under County ordinances, codes and Washington State statutes to regulate stormwater drainage, and Kitsap County Department of Community Development has issued a Site Development Activity Permit Number **23-00728** for the development known as **PORT OF ILLAHEE – PUBLIC ACCESS AND DOCK PARKING** which contains on-site stormwater facilities.

The Grantors, hereinafter known as the Owner(s) of the real property situated in Kitsap County, State of Washington, and legally described as follows: LOT 12 AND THE SOUTH 10 FEET OF LOT 11, BLOCK 1, ILLAHEE, AS PER PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 54, RECORDS OF KITSAP COUNTY, WASHINGTON; TOGETHER WITH TIDELANDS OF THE SECOND CLASS, AS CONVEYED BY THE STATE OF WASHINGTON, SITUATE IN FRONT OF, ADJACENT TO OR ABUTTING THEREON; EXCEPT SAID PORTION OF SECOND CLASS TIDELANDS DESIGNATED AS PUBLIC STREET IN THE PLAT OF SAID ADDITION.

The Owner(s), their heirs, successors or assigns, hereby covenant and agree that:

1. Kitsap County, or its designee, shall have the right to ingress and egress over the above described property for the purpose of inspecting, sampling and monitoring stormwater facility components and discharges.

2. If, at any time, Kitsap County reasonably determines that maintenance or repair work is required to be done to the existing and accepted stormwater facilities installed on the property described above (which will mean repair or clean out of the existing facilities only to the same standards as originally installed and accepted), the Director of the Department of Public Works or his/her designee shall give the Owner(s) seven (7) days notice that Kitsap County intends to perform such maintenance or repair work, or to have them performed by others.

If the Owner(s) have not completed or are not diligently pursuing the maintenance or repair work to the facilities, and it becomes necessary for Kitsap County to perform the work, the Owner(s) will assume responsibility for the cost of such maintenance or repair work and will reimburse Kitsap County within thirty (30) days of receipt of the invoice for any such work performed. Overdue payments will require payment of interest at the current legal rate for liquidated judgments, and any costs or fees incurred by Kitsap County should any legal action be required to collect such payments, will be borne by the parties responsible for said reimbursements.

3. If, at any time, Kitsap County reasonably determines that the existing and accepted stormwater facilities installed on the property described above poses a hazard to life and limb, or endangers property, or adversely affects the safety and operations of a public way, due to failure, damage or non-maintenance, and that the situation is so immediate and adverse as to preclude written notice to the Owner(s), the Director of the Department of Public Works may take the measures necessary to eliminate the hazardous situation (which will mean repair or clean out of the existing facilities only to the same standards as originally installed and accepted), provided the Director, or his/her designee, has first made a reasonable effort to locate said Owner(s) before acting.

The Owner(s) will assume responsibility for the cost of such maintenance or repair work and will reimburse Kitsap County within thirty (30) days of receipt of the invoice for any such work performed. Overdue payments will require payment of interest at the current legal rate for liquidated judgments, and any costs or fees incurred by Kitsap County, should any legal action be required to collect such payments, will be borne by the parties responsible for said reimbursements.

4. The Owner(s) will keep Kitsap County informed at all times as to the name, address and

telephone number of the contact person responsible for the performance of maintenance or repair work to the stormwater facilities.

5. If it becomes necessary for Kitsap County to conduct maintenance or repair work on the properties described above, the owner(s) agree to hold harmless and indemnify Kitsap County, or its designee, from any and all claims arising from any activity Kitsap County undertakes on the property to the extent of the Owner's, their agents', and/or employees' negligence and to the maximum extent permitted by law.

These covenants are intended to protect the value and desirability of the real property described above, and to benefit all the citizens of Kitsap County. They shall run with the land and be binding on all parties having or acquiring from the Owner(s), their heirs, successors or assigns, any right, title or interest in the property or any part thereof. They shall inure to the benefit of each present interest or future successor in interest of said property or any part thereof, or interest therein, and to the benefit of all the citizens of Kitsap County.

Owner _____
Owner _____

STATE OF WASHINGTON)
 ss)
COUNTY OF KITSAP)

On this day personally appeared before me James Aho, to me known to be the individual(s) 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 stated.

Given under my hand and official seal this 17th day of June, 2024.

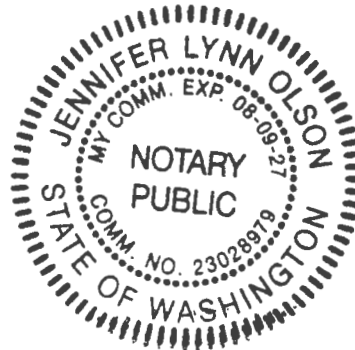
Jennifer Lynn Olson
NOTARY PUBLIC in and for the State of _____

Washington, residing at Silverdale

My Commission expires: 8-9-27

Corporate Acknowledgment:

STATE OF WA } ss





Contaminated Media Management Plan

Port of Illahee Property

Port of Illahee

5500 Illahee Road, Bremerton, WA 98311

Prepared by:

SLR International Corporation

22118 20th Avenue Southeast, Suite G202, Bothell, Washington, 98021

SLR Project No.: 101.020511.00001

July 3, 2024

Limitations

The services described in this work product were performed in accordance with generally accepted professional consulting principles and practices. No other representations or warranties, expressed or implied, are made. These services were performed consistent with our agreement with our client. This work product is intended solely for the use and information of our client unless otherwise noted. Any reliance on this work product by a third party is at such party's sole risk.

Opinions and recommendations contained in this work product are based on conditions that existed at the time the services were performed and are intended only for the client, purposes, locations, time frames, and project parameters indicated. The data reported and the findings, observations, and conclusions expressed are limited by the scope of work. We are not responsible for the impacts of any changes in environmental standards, practices, or regulations subsequent to performance of services. We do not warrant the accuracy of information supplied by others, or the use of segregated portions of this work product.

The purpose of an environmental assessment is to reasonably evaluate the potential for, or actual impact of, past practices on a given site area. In performing an environmental assessment, it is understood that a balance must be struck between a reasonable inquiry into the environmental issues and an appropriate level of analysis for each conceivable issue of potential concern. The following paragraphs discuss the assumptions and parameters under which such an opinion is rendered.

No investigation can be thorough enough to exclude the presence of hazardous materials at a given site. If hazardous conditions have not been identified during assessment, such a finding should not therefore be construed as a guarantee of the absence of such materials on the site, but rather as the result of the services performed within the scope, practical limitations, and cost of the work performed.

Environmental conditions that are not apparent may exist at the site. Our professional opinions are based in part on interpretation of data from a limited number of discrete sampling locations and therefore may not be representative of the actual overall site environmental conditions.

The passage of time, manifestation of latent conditions, or occurrence of future events may require further study at the site, analysis of the data, and/or reevaluation of the findings, observations, and conclusions in the work product.

This work product presents professional opinions and findings of a scientific and technical nature. The work product shall not be construed to offer legal opinion or representations as to the requirements of, nor the compliance with, environmental laws rules, regulations, or policies of federal, state or local governmental agencies.



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Tables in Text

Table 1: Contaminants of Concern



Acronyms and Abbreviations

CMMP	Contaminated Media Management Plan
COC	contaminant of concern
Ecology	Washington State Department of Ecology
EPA	United States Environmental Protection Agency
FOG	non-polar fats, oil, and grease
HAZWOPER	Hazardous Waste Operations and Emergency Response
mg/kg	milligrams per kilogram
mg/L	milligrams per liter
MTCA	Model Toxics Control Act
OSHA	Occupational Safety and Health Administration
PCS	petroleum-contaminated soil
PID	photoionization detector
Port	Port of Illahee
PPE	personal protective equipment
SLR	SLR International Corporation
TCLP	toxicity characteristics leaching procedure
UST	Underground Storage Tank



1.0 INTRODUCTION

The Port of Illahee (the Port) has plans to redevelop and improve their property at 5500 Illahee Road in Bremerton, Washington (the Subject Property). A prior release of petroleum hydrocarbons from underground storage tanks (USTs) at the Port's 5507 Illahee Road NE property, to the west of the Subject Property across Illahee Road NE, is known to have migrated to the east and impacted soil and groundwater at the southwestern part of the Subject Property. However, the northern, southern, and eastern extents of this contamination at the Subject Property are not known, and therefore there is a potential to encounter contaminated soil and/or groundwater during construction.

During planned construction work, any excavated soil that contains significant field evidence of petroleum hydrocarbons must be properly identified; segregated from any stockpiles of clean excavated soil; and disposed of offsite at a facility that is approved to accept contaminated soil for disposal. Additionally, any excavated soil that does not contain field evidence of petroleum hydrocarbons must be stockpiled and sampled to verify that petroleum hydrocarbons are not present or, if petroleum hydrocarbons are detected the concentrations are below the applicable Washington State Model Toxics Control Act (MTCA) Method A cleanup and re-use levels and may be used as backfill (if suitable). This Contaminated Media Management Plan (CMMP) will be used as a guide for excavation activities in order to properly characterize, handle, and dispose of petroleum contaminated soil (PCS) in a safe, efficient, and cost-effective manner.

2.0 HEALTH AND SAFETY

Personnel that will be working in the excavation and handling soil at the Site may be exposed to the contaminants in the soil, and therefore, may be required to have the appropriate training (24- or 40-hour Occupational Health and Safety Administration (OSHA) Hazardous Waste Operations and Emergency Response (HAZWOPER) and annual refresher training certifications, as required by WAC Chapter 296-843) and implement the appropriate personal protective measures. This may include the use of personal protective equipment (PPE) such as respirators, gloves, and protective clothing. The contaminants of concern (COCs) that are known to be present in soil beneath the Subject Property, and the maximum concentrations that were detected, are presented in Table 1.

Table 1: Contaminants of Concern

Contaminant of Concern	MTCA Method A Cleanup Level (mg/kg)	Maximum Known Concentration (mg/kg)
Gasoline-range organics ^a	100	510
Diesel-range organics ^b	2,000	290
Ethylbenzene ^c	6.0	2.2
Xylenes ^c	9.0	3.4
Lead ^d	250	2.3
mg/kg = milligrams per kilogram		
^a Gasoline-range organics by Ecology Method NWTPH-Gx.		
^b Diesel-range organics by Ecology Method NWTPH-Dx.		
^c Benzene, toluene, ethylbenzene, and total xylenes by EPA Method 8260C		
^d Total lead by EPA Method 6010.		



The contractor who is selected to conduct the construction work at the Subject Property will be responsible for the health and safety of their employees and any subcontractor employees. This will include identifying and complying with all applicable health and safety requirements. Typically, this involves writing, implementing, and enforcing an appropriate Health and Safety Plan that follows applicable regulations when excavating and handling PCS.

3.0 SOIL MANAGEMENT PLAN

All soil excavation, handling, and transportation activities related to this project will be conducted by the selected contractor. This section describes the procedures that will be followed during the construction activities that have the potential to encounter PCS.

3.1 Soil Management During Excavation

If evidence of PCS is discovered during the construction activities, excavation work should pause until the following appropriate management measures can be put in place. A qualified field geologist or environmental scientist should be on-site during all PCS excavation activities. It is the responsibility of the field geologist or environmental scientist to identify and segregate the PCS during the excavation activities. The field geologist or environmental scientist will screen the excavated soil for the potential presence of petroleum hydrocarbons by using visual observations (e.g., staining, sheen, and product), odors, and photoionization detector (PID) readings, as described in Section 4.1 below. The excavated soil will be segregated into stockpiles of potentially non-impacted or impacted soil based on the field screening results. Each potentially non-impacted soil stockpile will need to be sampled to test for the presence of petroleum hydrocarbons in accordance with the MTCA, and each PCS stockpile will need to be sampled for waste characterization purposes as required by the disposal facility (as described below in Section 4.3 below). Based on the maximum petroleum hydrocarbon concentrations in the soil samples previously collected at the Subject Property, it is anticipated that any PCS, if encountered, will be designated as non-hazardous waste.

3.2 Stockpile Management

The contractor will stockpile PCS on the Subject Property pending the results of the waste characterization process as described below in Section 4.3 below. Additionally, excavated potentially non-impacted soil, as described above, will be segregated and stockpiled separately from the PCS. The soil stockpiles will be placed on, and covered by, polyethylene sheeting or woven waterproof tarps provided by the contractor. If stockpiles will be kept overnight, the sheeting or tarps will be held down by weighted objects (e.g., sandbags) that are provided by the contractor. PCS stockpiles will be kept covered and weighted until loaded for off-site disposal.

Confirmation soil samples will be collected from the non-impacted soil stockpiles as described in Section 4.4 below. Following receipt of the laboratory analytical results for the samples collected from the stockpiles of non-impacted soil, the soil will be used as backfill in the excavation at the Subject Property if the soil does not contain concentrations of petroleum hydrocarbons and any other applicable reuse criteria are met.

3.3 Petroleum-Impacted Soil Transportation and Disposal

The contractor will coordinate and arrange for the transportation of the excavated PCS to a licensed disposal facility and will load the soil into trucks. The contractor will be responsible for ensuring that the trucks are efficiently loaded and that any soil spillage is properly collected and



loaded. The selected waste disposal facility will be licensed by Ecology to accept contaminated soils (non-hazardous and/or hazardous wastes¹).

4.0 FIELD SCREENING AND SOIL SAMPLING

The qualified field geologist or environmental scientist will implement field screening methods to identify PCS during excavation activities at the Subject Property. Soil samples will be collected for laboratory analyses as confirmation for non-impacted soil to use as backfill of the excavation, and to establish the vertical and lateral extents of remaining impacted soil at the maximum extents of each excavation. Soil samples will also be collected to characterize impacted soil for disposal purposes as described in Section 4.3 below.

4.1 Field Methods to Determine Presence of Petroleum Hydrocarbon-Impacted Soil

PCS in the excavation will be identified by the field geologist or environmental scientist based on the following information collected in the field:

- Visual observations of petroleum hydrocarbons such as sheens, staining, and/or the presence of visible product,
- Petroleum hydrocarbon odors that do not rapidly dissipate,
- PID readings above background measurements.

4.2 Soil Sampling and Laboratory Analytical Methods

Systematic sampling will be performed by establishing a grid over each excavation area. A soil sample will be collected from the floor of each excavated grid cell and from the sidewall samples of the grid cells within the UST excavation area. A soil sample will be collected from any trench that contains PCS at intervals of approximately 50 feet. The samples will be collected with decontaminated hand tools (e.g., spoons and trowels). The soil samples will be analyzed for the following:

- Gasoline Range Organics (GRO) by Ecology Method NWTPH-Gx
- Benzene, Toluene, Ethylbenzene, Xylenes (BTEX), and total naphthalenes by U.S. Environmental Protection Agency (EPA) Method 8260D

All soil samples will be placed in coolers with ice and submitted to an EPA-accredited environmental laboratory for analysis.

4.3 Waste Characterization and Profile

To obtain acceptance of the excavated PCS, soil sample analytical data from the Subject Property will be submitted to the selected waste disposal facility. The samples will be collected with decontaminated hand tools (e.g., spoons and trowels). The soil samples may be analyzed for the following:

¹ Based on the analytical results from previous investigation activities, any PCS that may be encountered will likely be designated as non-hazardous waste. Hazardous waste is not anticipated to be generated during excavation activities at the Subject Property.



- GRO by Ecology Method NWTPH-Gx
- Diesel-range organics (DRO) and oil-range organics (ORO) by Ecology Method NWTPH-Dx (after silica gel cleanup)
- BTEX by EPA Method 8260D
- Lead by EPA Method 200.8

If any lead concentration in a soil sample exceeds 100 milligrams per kilogram (mg/kg), respectively, then that sample will be prepared using the toxicity characteristic leaching procedure (TCLP) and then further analyzed to determine if the soil should be designated as hazardous waste. The sampled material would be designated as hazardous waste if the TCLP lead concentration exceeds 5 milligrams per liter (mg/L).

4.4 Stockpile Samples

Excavated PCS will be temporarily stockpiled on the Subject Property prior to hauling off-site for disposal. Stockpiles of confirmed non-impacted soil may be used as backfill following confirmation soil sampling. The qualified field geologist or environmental scientist will sample each stockpile in accordance with the sampling procedures in Ecology's *Guidance for Remediation of Petroleum Contaminated Soils* (Ecology, 2016). Discrete grab samples will be collected with decontaminated hand tools at depths of 6 to 12 inches below the surface of the stockpile. The locations of these samples will be where field screening results (visual appearance, odor, and PID readings) indicate the strongest evidence of petroleum hydrocarbons. If field screening does not indicate the presence of contamination, the stockpile will be split into sections and a sample will be collected from each section. The number of samples from each stockpile will be based on the volume of the stockpile, as presented in Table 6.9 of Ecology's *Guidance for Remediation of Petroleum Contaminated Soils* (Ecology, 2016). The soil stockpile samples will be analyzed for the parameters listed in Section 4.2.

5.0 IMPACTED WATER MANAGEMENT

5.1 Excavation Dewatering

To minimize the amount of groundwater and stormwater that must be managed as part of this construction project, SLR understands that the work is planned for the summer or fall when the groundwater table and precipitation are expected to be at its lowest. The information provided in this section is presented as guidance for the unforeseen circumstance of encountering significant groundwater during construction activities.

Prior to conducting any soil excavation activities at depths below the groundwater table at the Subject Property, the contractor will stage the necessary equipment to dewater the excavation, as necessary. To remove any petroleum hydrocarbon-impacted groundwater that enters the open soil excavations, a submersible or suction pump will typically be placed below the water level in an excavation and the groundwater will be pumped into a temporary groundwater treatment system that will be located near the excavation areas. The treatment system will typically consist of a 21,000-gallon sediment settling tank and two, 1,000-pound liquid-phase carbon canisters in series. The carbon will adsorb the petroleum hydrocarbons in the extracted groundwater. The treated water will typically be discharged to the local sanitary sewer system near the Subject Property under a discharge authorization permit, or can alternatively be pumped into a truck for



offsite transportation and disposal at an approved facility after the water has undergone the waste characterization and profiling process.

After initially activating the groundwater extraction pump and filling the sediment settling tank and the two carbon canisters, the pump will be shut off and a qualified person will collect samples of the water at the influent to the first carbon canister, the influent to the second carbon canister, and the effluent from the second canister (i.e. the discharged water). Per typical sewer district requirements, the samples will be submitted for analysis of non-polar fats, oil, and grease (FOG) by EPA Method 1664.

5.2 Erosion and sediment control

During periods of precipitation, the contractor will implement erosion and sediment control measures when petroleum hydrocarbon-impacted soil is exposed. The purpose of these measures will be to prevent stormwater from transporting impacted soil to non-impacted areas of the excavation. Examples of possible erosion and sediment control measures include the use of silt curtains and/or straw bales or waddles around the impacted soil areas. As appropriate, stormwater within the work zone will be directed into the excavation.



6.0 REFERENCES

Washington Department of Ecology. 2016. *Guidance for Remediation of Petroleum Contaminated Sites*. Toxics Cleanup Program. Publication No. 10-09-057. June.

DRAFT



7.0 Closure

This document has been prepared by SLR International Corporation (SLR). The material and data in this report were prepared under the supervision and direction of the undersigned.

Sincerely,

SLR International Corporation

(insert signatures here)

Christopher Lee, L.G.
Senior Geologist

(insert signatures here)

Stone Machel
Staff Geologist

DRAFT





DRAFT

Making Sustainability Happen

ILLAHEE Port District No. 6
Reconciliation Summary
88712 - GENERAL FUND, Period Ending 06/30/2024

	<u>Jun 30, 24</u>
Beginning Balance	118,767.54
Cleared Transactions	
Checks and Payments - 12 items	-10,542.13
Deposits and Credits - 5 items	7,028.11
Total Cleared Transactions	<u>-3,514.02</u>
Cleared Balance	<u>115,253.52</u>
Register Balance as of 06/30/2024	<u>115,253.52</u>
New Transactions	
Deposits and Credits - 1 item	<u>850.00</u>
Total New Transactions	<u>850.00</u>
Ending Balance	<u><u>116,103.52</u></u>

2:00 PM

07/08/24

ILLAHEE Port District No. 6
Reconciliation Summary
INVESTMENT POOL, Period Ending 06/30/2024

	<u>Jun 30, 24</u>
Beginning Balance	292,052.82
Cleared Transactions	
Deposits and Credits - 1 item	<u>889.66</u>
Total Cleared Transactions	<u>889.66</u>
Cleared Balance	<u><u>292,942.48</u></u>
Register Balance as of 06/30/2024	292,942.48
Ending Balance	292,942.48

Treasurer's Summary Report
For 2024 - Jun
Fund: FD00712 Port/Illahee General

Cash						
Beginning Cash Balance						95,864.13
1182:Investments		-4,197.84	0.00	889.66	-889.66	-5,087.50
Purchased						
3100:Taxes	3110.10 - Real and Personal Property Taxes	50,867.96	348.45	0.00	348.45	51,216.41
3100:Taxes	3170.20 - Leasehold Excise Tax	30.32	0.00	0.00	0.00	30.32
3600:Miscellaneous Revenues	3610.11 - Investment Interest	4,197.84	889.66	0.00	889.66	5,087.50
3600:Miscellaneous Revenues	3610.40 - Other Interest	0.01	0.00	0.00	0.00	0.01
3800:Other Increases in Fund Resources	3860 - Agency Deposits	19,441.10	5,790.00	0.00	5,790.00	25,231.10
5890:Custodial Activities	5890.40 - Warrants Issued	-40,542.58	0.00	9,652.47	-9,652.47	-50,195.05
6900:Transfers Out	6971.88713 - Transfers Out	-6,893.40	0.00	0.00	0.00	-6,893.40
Total Cash		22,903.41	7,028.11	10,542.13	-3,514.02	115,253.52

699.20 Real & Personal Property Tax

699.10 Investment Interest

TREAS

Beginning Balance Date

1/1/2024

Treasurer's Summary Report

For 2024 - Jun

Fund: FD00712 Port/Illahee General

Investments

Beginning Investment Balance					287,854.98
1182:Investments Purchased	4,197.84	889.66	0.00	889.66	5,087.50
Total Investments	4,197.84	889.66	0.00	889.66	292,942.48

Debt Service

Port of Illahee - RCO Grant Summary

Updated 6/25/24

Port of Illahee - RCO Grant Award Summary			
	Award Total	RCO Share	Port Share
BFP GRANT			
Development			
Construction	\$ 905,065.00	\$ 669,761.40	\$ 235,303.60
Permits and C.R.	\$ 65,000.00	\$ 48,100.96	\$ 16,899.04
A&E (20%)	\$ 180,000.00	\$ 133,202.65	\$ 46,797.35
Total	\$ 1,150,065.00	\$ 851,065.00	\$ 299,000.00
ALEA GRANT			
Development			
Construction	\$ 637,000.00	\$ 392,241.38	\$ 244,758.62
Permits and C.R.	\$ 45,000.00	\$ 27,709.36	\$ 17,290.64
A&E (20%)	\$ 130,000.00	\$ 80,049.26	\$ 49,950.74
Total	\$ 812,000.00	\$ 500,000.00	\$ 312,000.00
TOTAL GRANTS AWARDED (BFP + ALEA)			
Development			
Construction	\$ 1,542,065.00	\$ 1,062,002.78	\$ 480,062.22
Permits and C.R.	\$ 110,000.00	\$ 75,810.31	\$ 34,189.69
A&E (20%)	\$ 310,000.00	\$ 213,251.91	\$ 96,748.09
Total	\$ 1,962,065.00	\$ 1,351,065.00	\$ 611,000.00

Port of Illahee - RCO Grant Summary

Updated 6/25/24

BFP RCO Reimbursement Request Summary				Total Eligible	RCO Share	Port Share
Request Date	Total Request Amount			Total Grant Eligible Amount	RCO Reimbursement	Port Match
	Construction (Contractor)	Permits and C.R.	A&E			
9/13/2021	\$ -	\$ 30,982.77	\$ 31,911.77	\$ 62,894.54	\$ 46,542.88	\$ 16,351.65
3/22/2022	\$ -	\$ 9,317.78	\$ 2,737.00	\$ 12,054.78	\$ 8,920.71	\$ 3,134.06
8/11/2022	\$ -	\$ 3,755.97	\$ 11,267.91	\$ 15,023.88	\$ 11,117.89	\$ 3,905.99
1/18/2023	\$ -	\$ 2,783.62	\$ 4,639.38	\$ 7,423.00	\$ 5,493.13	\$ 1,929.87
5/11/2023	\$ -	\$ -	\$ 3,785.13	\$ 3,785.13	\$ 2,801.05	\$ 984.08
9/5/2023	\$ -	\$ -	\$ 4,394.51	\$ 4,394.51	\$ 3,252.00	\$ 1,142.51
11/1/2023	\$ -	\$ -	\$ 11,081.88	\$ 11,081.88	\$ 8,200.75	\$ 2,881.13
2/9/2024	\$ -	\$ -	\$ 5,393.88	\$ 5,393.88	\$ 3,991.55	\$ 1,402.33
6/25/2024	\$ -	\$ -	\$ 9,381.92	\$ 9,381.92	\$ 6,942.76	\$ 2,439.16
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
REMAINING GRANT BALANCE	\$905,065.00	\$18,159.87	\$95,406.63	\$1,018,631.50		
REMAINING GRANT BALANCE RCO Share	\$669,761.40	\$13,438.57	\$70,602.31	\$753,802.28		
REMAINING GRANT BALANCE Port Share	\$235,303.60	\$4,721.30	\$24,804.32	\$264,829.22		

Port of Illahee - RCO Grant Summary

Updated 6/25/24

ALEA				Total Eligible	RCO Share	Port Share
RCO Reimbursement Request Summary						
Request Date	Total Request Amount			Total Grant Eligible Amount	RCO Reimbursement	Port Match
	Construction (Contractor)	Permits and C.R.	A&E			
9/13/2021	\$ -	\$ 30,982.77	\$ 29,504.27	\$ 60,487.04	\$ 37,245.71	\$ 23,241.32
3/22/2022	\$ -	\$ 9,317.78	\$ 2,737.00	\$ 12,054.78	\$ 7,422.89	\$ 4,631.88
8/11/2022	\$ -	\$ 3,755.97	\$ 11,267.91	\$ 15,023.88	\$ 9,251.15	\$ 5,772.72
1/18/2023	\$ -	\$ 927.88	\$ 6,495.12	\$ 7,423.00	\$ 4,570.81	\$ 2,852.19
5/11/2023	\$ -	\$ -	\$ 3,785.12	\$ 3,785.12	\$ 2,330.74	\$ 1,454.38
9/5/2023	\$ -	\$ -	\$ 4,394.49	\$ 4,394.49	\$ 2,705.96	\$ 1,688.53
11/1/2023	\$ -	\$ -	\$ 11,081.87	\$ 11,081.87	\$ 6,823.81	\$ 4,258.06
2/9/2024	\$ -	\$ -	\$ 5,393.87	\$ 5,393.87	\$ 3,321.35	\$ 2,072.52
6/25/2024	\$ -	\$ -	\$ 6,624.08	\$ 6,624.08	\$ 4,078.87	\$ 2,545.21
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
REMAINING GRANT BALANCE	\$637,000.00	\$15.62	\$48,716.28	\$685,731.89		
REMAINING GRANT BALANCE RCO Share	\$392,241.38	\$9.62	\$29,997.71	\$422,248.70		
REMAINING GRANT BALANCE Port Share	\$244,758.62	\$6.00	\$18,718.57	\$263,483.19		

Port of Illahee - RCO Grant Summary

Updated 6/25/24

COMBINED (BFP+ALEA)				Total Eligible	RCO Share	Port Share
RCO Reimbursement Request Summary						
Request Date	Total Request Amount			Total Grant Eligible Amount	RCO Reimbursement	Port Match
	Construction (Contractor)	Permits and C.R.	A&E			
9/13/2021	\$ -	\$ 61,965.53	\$ 61,416.04	\$ 123,381.57	\$ 83,788.59	\$ 39,592.98
3/22/2022	\$ -	\$ 18,635.55	\$ 5,474.00	\$ 24,109.55	\$ 16,343.60	\$ 7,765.95
8/11/2022	\$ -	\$ 7,511.94	\$ 22,535.81	\$ 30,047.75	\$ 20,369.04	\$ 9,678.71
1/18/2023	\$ -	\$ 3,711.50	\$ 11,134.50	\$ 14,845.99	\$ 10,063.94	\$ 4,782.05
5/11/2023	\$ -	\$ -	\$ 7,570.25	\$ 7,570.25	\$ 5,131.79	\$ 2,438.46
9/5/2023	\$ -	\$ -	\$ 8,789.00	\$ 8,789.00	\$ 5,957.96	\$ 2,831.04
11/1/2023	\$ -	\$ -	\$ 22,163.75	\$ 22,163.75	\$ 15,024.57	\$ 7,139.18
2/9/2024	\$ -	\$ -	\$ 10,787.75	\$ 10,787.75	\$ 7,312.90	\$ 3,474.85
6/25/2024	\$ -	\$ -	\$ 16,006.00	\$ 16,006.00	\$ 11,021.63	\$ 4,984.37
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
REMAINING GRANT BALANCE	\$1,542,065.00	\$18,175.49	\$144,122.90	\$1,704,363.39		
REMAINING GRANT BALANCE RCO Share	\$1,062,002.78	\$13,448.19	\$100,600.01	\$1,176,050.98		
REMAINING GRANT BALANCE Port Share	\$480,062.22	\$4,727.30	\$43,522.89	\$528,312.41		



WASHINGTON STATE Joint Aquatic Resources Permit Application (JARPA) Form^{1,2} [\[help\]](#)

USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.



US Army Corps
of Engineers
Seattle District

AGENCY USE ONLY

Date received:

Agency reference #: _____

Tax Parcel #(s): _____

Part 1—Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane **Development**) [\[help\]](#)

Illahee Submerged Tire Removal

Part 2—Applicant

The person and/or organization responsible for the project. [\[help\]](#)

2a. Name (Last, First, Middle)

Barnhart, Troy, Thomas

2b. Organization (If applicable)

Serco Inc.

2c. Mailing Address (Street or PO Box)

13605 NW Holly Rd

2d. City, State, Zip

Bremerton, WA, 98312

2e. Phone (1)

360-908-8766

2f. Phone (2)

2g. Fax

2h. E-mail

¹Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

²To access an online JARPA form with [help] screens, go to

http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.

Part 3—Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b of this application.) [\[help\]](#)

3a. Name (Last, First, Middle)			
N/A			
3b. Organization (If applicable)			
3c. Mailing Address (Street or PO Box)			
3d. City, State, Zip			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail

Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both **upland and aquatic** ownership because the upland owners may not own the adjacent aquatic land. [\[help\]](#)

- Same as applicant. (Skip to Part 5.)
- Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)
- There are multiple upland property owners. Complete the section below and fill out [JARPA Attachment A](#) for each additional property owner.
- Your project is on Department of Natural Resources (DNR)-managed aquatic lands. *If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete [JARPA Attachment E](#) to apply for the Aquatic Use Authorization.*

4a. Name (Last, First, Middle)			
Jim Aho (Port of Illahee Commissioner)			
4b. Organization (If applicable)			
PORT OF ILLAHEE			
4c. Mailing Address (Street or PO Box)			
PO BOX 2357			
4d. City, State, Zip			
BREMERTON, WA, 98310			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail
(360) 649-1049			

Part 5—Project Location(s)

Identifying information about the property or properties where the project will occur. [\[help\]](#)

There are multiple project locations (e.g. linear projects). Complete the section below and use [JARPA Attachment B](#) for each additional project location.

5a. Indicate the type of ownership of the property. (Check all that apply.) [\[help\]](#)

- Private
- Federal
- Publicly owned (state, county, city, special districts like schools, ports, etc.)
- Tribal
- Department of Natural Resources (DNR) – managed aquatic lands (Complete [JARPA Attachment E](#))

5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [\[help\]](#)

Illahee Dock

5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [\[help\]](#)

Bremerton, WA 98311

5d. County [\[help\]](#)

Kitsap

5e. Provide the section, township, and range for the project location. [\[help\]](#)

¼ Section	Section	Township	Range
South East	SEC 31	TWP 25	RNG 2E

5f. Provide the latitude and longitude of the project location. [\[help\]](#)

- Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83)

47.61267878346562 N lat./ -122.59488406307345 W long.

5g. List the tax parcel number(s) for the project location. [\[help\]](#)

- The local county assessor's office can provide this information.

312502-4-001-2009

5h. Contact information for all adjoining property owners. (If you need more space, use [JARPA Attachment C.](#)) [\[help\]](#)

Name	Mailing Address	Tax Parcel # (if known)
KUMAR DHEERAJ AND SUMAN SHIKHA	13919 SILVER FIRS DR	4429-001-010-0001
	EVERETT, WA 98208	
KNIGHT LEONARD J TRUSTEE	5480 ILLAHEE RD NE	4429-002-001-0000
	BREMERTON WA 98311	

5i. List all wetlands on or adjacent to the project location [\[help\]](#)

None

5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [\[help\]](#)

Puget Sound Marine Waters, Port Orchard

5k. Is any part of the project area within a 100-year floodplain? [\[help\]](#)

Yes No Don't know

5l. Briefly describe the vegetation and habitat conditions on the property. [\[help\]](#)

Marine Project. Current habitat is encumbered by tire dumpsite, substrate is sandy silt, minimal growth of marine life exists on tires.

5m. Describe how the property is currently used. [\[help\]](#)

Community Pier used for temporary moorage, fishing, and other water related uses

5n. Describe how the adjacent properties are currently used. [\[help\]](#)

Single Family Residences

5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [\[help\]](#)

Structures are limited to the pier, and 2 floating docks used for access to enable temporary moorage, fishing, and other water related uses

5p. Provide driving directions from the closest highway to the project location, and attach a map. [\[help\]](#)

Directions from Highway 3/16 interchange in Gorst
 Head northwest on WA-3 N
 Take exit 45B for Washington 303 S toward E Bremerton
 Continue on WA-303 S. Take NE McWilliams Rd to Illahee Dock
 Merge onto WA-303 S/NE Waaga Wy
 Turn left onto NE McWilliams Rd
 Turn right onto East Blvd NE
 Continue onto Oceanview Blvd NE

Turn right onto Illahee Road NE
Turn left onto Illahee Dock

Part 6—Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [\[help\]](#)

Removal of submerged tires from South West corner of tire reef / fish haven.

6b. Describe the purpose of the project and why you want or need to perform it. [\[help\]](#)

The removal of tires from the Illahee pier is proposed as a marine cleanup/ habitat enhancement project and has been directed by the ports most recent Aquatic Lands Lease (Document 20-A08845 Exhibit B section 2. paragraph F.). The removal proposed will act as a pathfinding process to inform future removal required by the lease to be completed by November 2028.

6c. Indicate the project category. (Check all that apply) [\[help\]](#)

- Commercial
 Residential
 Institutional
 Transportation
 Recreational
 Maintenance
 Environmental Enhancement

6d. Indicate the major elements of your project. (Check all that apply) [\[help\]](#)

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Culvert | <input type="checkbox"/> Float | <input type="checkbox"/> Retaining Wall (upland) |
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Dam / Weir | <input type="checkbox"/> Floating Home | <input type="checkbox"/> Road |
| <input type="checkbox"/> Boat House | <input type="checkbox"/> Dike / Levee / Jetty | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Scientific Measurement Device |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Ditch | <input type="checkbox"/> Land Clearing | <input type="checkbox"/> Stairs |
| <input type="checkbox"/> Boat Lift | <input type="checkbox"/> Dock / Pier | <input checked="" type="checkbox"/> Marina / Moorage | <input type="checkbox"/> Stormwater facility |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Dredging | <input type="checkbox"/> Mining | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Bulkhead | <input type="checkbox"/> Fence | <input type="checkbox"/> Outfall Structure | <input type="checkbox"/> Utility Line |
| <input type="checkbox"/> Buoy | <input type="checkbox"/> Ferry Terminal | <input type="checkbox"/> Piling/Dolphin | |
| <input type="checkbox"/> Channel Modification | <input type="checkbox"/> Fishway | <input type="checkbox"/> Raft | |

Other: Marine Debris Removal

6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [\[help\]](#)

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

There is no new construction proposed in this project

6f. What are the anticipated start and end dates for project construction? (Month/Year) [\[help\]](#)

- If the project will be constructed in phases or stages, use [JARPA Attachment D](#) to list the start and end dates of each phase or stage.

Start Date: July 2024

End Date: September 2024

See JARPA Attachment D

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [\[help\]](#)

\$20,625

6h. Will any portion of the project receive federal funding? [\[help\]](#)

- If yes, list each agency providing funds.

Yes No Don't know

Part 7–Wetlands: Impacts and Mitigation

Check here if there are wetlands or wetland buffers on or adjacent to the project area.

(If there are none, skip to Part 8.) [\[help\]](#)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [\[help\]](#)

Not applicable

7b. Will the project impact wetlands? [\[help\]](#)

Yes No Don't know

7c. Will the project impact wetland buffers? [\[help\]](#)

Yes No Don't know

7d. Has a wetland delineation report been prepared? [\[help\]](#)

- If Yes, submit the report, including data sheets, with the JARPA package.

Yes No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [\[help\]](#)

- If Yes, submit the wetland rating forms and figures with the JARPA package.

Yes No Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 7g.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

Yes No Don't know

7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [\[help\]](#)

Not applicable

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [\[help\]](#)

Activity (fill, drain, excavate, flood, etc.)	Wetland Name ¹	Wetland type and rating category ²	Impact area (sq. ft. or Acres)	Duration of impact ³	Proposed mitigation type ⁴	Wetland mitigation area (sq. ft. or acres)
N/A						

¹If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report.

²Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

³Indicate the days, months or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.

⁴Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: _____

7i. For all filling activities identified in 7h, describe the source and nature of the **fill material**, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [\[help\]](#)

N/A

7j. For all excavating activities identified in 7h, describe the excavation **method**, type and amount of material in cubic yards you will remove, and where the material will be **disposed**. [\[help\]](#)

N/A

Part 8—Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, “waterbodies” refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [\[help\]](#)

Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [\[help\]](#)

Not applicable

BMP-1.0 Minimize Distribution of sediments into surrounding water

BMP-1.1 When Lifting refuse divers will whenever possible minimize disturbance of bottom sediments

BMP-1.2 When lift bags are in use they will only be inflated enough to break bottom suction on refuse and establish neutral buoyancy

BMP 2.0 Prevent further spreading of refuse

BMP 2.1 Prior removing a portion of an established underwater artificial reef structure BMP 2.1.1 through BMP 2.1.7 will be completed in sequence to ensure no further spreading of refuse.

BMP 2.1.1 Secure materials to be recovered to a suitable temporary anchor such as pier structure, barge, bouy/float using lines, chain, cable and/or rope.

BMP 2.1.2 Separate materials to be recovered from remaining artificial reef structure and re-terminate reef structure at next node, anchor point or other major feature.

BMP 2.1.3 Separate materials to be recovered into smaller manageable features based on equipment to be used for recovery and expected sediment disturbance potential (do not disconnect temporary anchor lines from BMP 2.1.1)

BMP 2.1.4 Establish dedicated recovery line to the items set to be recovered from BMP 2.1.3 and route to recovery personnel, disconnect materials to be recovered from temporary anchor line.

BMP 2.1.5 Affix Buoyancy Lift bags to the items set to be recovered from BMP 2.1.3 and inflate to break bottom suction and establish neutral buoyancy,

BMP 2.1.6 Hold materials to be recovered over site for sufficient time to verify neutral buoyancy, allow for sediment dispersion, manually remove marine life from materials to be recovered if able to do so without harming them.

BMP 2.1.7 Dive team will guide materials to the surface slowly managing accent rate to ensure materials do not experience an uncontrolled accent.

BMP 2.1.8 Repeat BMP 2.1.2 through 2.1.7 for remaining materials.

BMP 3.0 Monitor Water Quality standards

BMP 3.1 Monitor Baseline Turbidity at a location near the operating area at three depths within the water column in accordance with project water quality monitoring plan for the project.

BMP 3.2 Monitor Turbidity at a location approximately 50% of the compliance boundary distance from the operating area at three depths within the water column in accordance with project water quality monitoring plan for the project.

BMP 3.3 Monitor Turbidity at a location along the arc formed by the compliance boundary distance from the operating area at three depths within the water column in accordance with project water quality monitoring plan for the project.

BMP 4.0 Control Sediment During Transport

BMP 4.1 When Transporting recovered material from the water to final disposal site care should be taken to insure no release of materials or potentially contaminated sediments along the transportation path.

BMP 4.1.1 For material loads transported through manual labor use of a rigid walled wheel barrow or similar device is recommended.

BMP 4.1.2 For material loads too large to be transported manually a plastic lined/ enclosed dumpster is required.

BMP 4.1.3 Areas where temporary staging of materials is to take place should be covered with plastic sheeting/ tarpaulin to contain potentially contaminated sediments.

BMP 4.1.4 Unless known to be uncontaminated (through laboratory analysis) all sediments and other materials recovered along with the target refuse should be discarded with said refuse in the same manner to control the spread of any incidental contamination.

8b. Will your project impact a waterbody or the area around a waterbody? [\[help\]](#)

Yes No

8c. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies? [\[help\]](#)

- If **Yes**, submit the plan with the JARPA package and answer 8d.
- If **No**, or **Not applicable**, explain below why a mitigation plan should not be required.

Yes No Don't know

The project scope is limited to removal of tires from the water body and is itself a habitat restoration project.

8d. Summarize what the mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7g you do not need to restate your answer here. [\[help\]](#)

N/A

8e. Summarize impact(s) to each waterbody in the table below. [\[help\]](#)

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
Removal of tires	Port Orchard (Puget sound)	47.61267878346562 N lat./ - 122.5948840630734 5 W long.	24 hours	1-2 yards of debris removed (<.5yds of incidental associated sediment removed)	Work site approximately 100 sqft, removal path 150ft (linear)

¹ If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided.

² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.

³ Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.

8f. For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [\[help\]](#)

No fill will be installed during this project.

8g. For all excavating or dredging activities identified in 8e, describe the method for **excavating or dredging**, type and amount of material you will remove, and where the material will be disposed. [\[help\]](#)

No excavating/ dredging planned for this project.

8h. Have you prepared a Water Quality Monitoring Plan (WQMP) for all in-water work (below ordinary high water), over water work or discharges to waters of the state?

Yes No

If NO describe the monitoring that you will be **conducting** including parameters, equipment and locations, or explain why monitoring will not be necessary. [\[help\]](#)

Part 9—Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

9a. If you have already worked with any government agencies on this project, list them below. [\[help\]](#)

Agency Name	Contact Name	Phone	Most Recent Date of Contact

Serco Business

US Army Corps of Engineers	Albright-Garland, Sarah L	(206) 561-6746	29 April 2024
Suquamish Tribe	Osullivan, Alison	(360) 394-8447	23 April 2024
Washington Department of Natural Resources	Biondo, Cassidy	(360) 800-7266	24 June 2024
Washington Department of Ecology	Vaughn, Casey	(564) 669-4201	13 May 2024
Washington Department of Fish and Wildlife	Piazza, Gina L	(360) 890-0312	20 June 2024
Department of Archeology and Historic Preservation	Whitlam, Rob		20 Jun 2024

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [\[help\]](#)

- If Yes, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d>.

Yes No

9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [\[help\]](#)

- Go to <http://cfpub.epa.gov/surf/locate/index.cfm> to help identify the HUC.

17110019

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [\[help\]](#)

- Go to <https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up> to find the WRIA #.

15

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [\[help\]](#)

- Go to <https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria> for the standards.

Yes No Not applicable

9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [\[help\]](#)

- If you don't know, contact the local planning department.
- For more information, go to: <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases>.

Urban Natural Aquatic Conservancy Other: Urban Conservancy

9g. What is the Washington Department of Natural Resources Water Type? [\[help\]](#)

- Go to <http://www.dnr.wa.gov/forest-practices-water-typing> for the Forest Practices Water Typing System.

Shoreline Fish Non-Fish Perennial Non-Fish Seasonal

9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [\[help\]](#)

- If No, provide the name of the manual your project is designed to meet.

Yes No

Name of manual: _____

9i. Does the project site have known contaminated sediment? [\[help\]](#)

- If Yes, please describe below.

Yes No

9j. If you know what the property was used for in the past, describe below. [\[help\]](#)

Marine Shoreline, Port of Illahee temporary moorage, tire dumpsite (failed fish haven)

9k. Is the project located in or adjacent to a designated state or federal contaminated site or clean-up site. (e.g. MTCA or CERCLA)?

- If Yes, provide any additional details below.

Yes No

9l. Has a cultural resource (archaeological) survey been performed on the project area? [\[help\]](#)

- If Yes, attach it to your JARPA package.

Yes No

9m. Name each species listed under the federal **Endangered Species Act** that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

1. Marbled Murrelet (*Brachyramphus marmoratus*) Status: **Threatened**, There is final critical habitat for this species (published in the Federal Register on August 4, 2016). Project location does not overlap the critical habitat. BMPs have addressed all likely impacts.
2. Yellow-billed Cuckoo (*Coccyzus americanus*) Status: **Threatened**, There is final critical habitat for this species (published in the Federal Register on April 21, 2021). Project location does not overlap the critical habitat. This species is not endemic to the marine environment however, BMPs have addressed all likely impacts.
3. Northwestern Pond Turtle (*Actinemys marmorata*) Status: **Proposed Threatened**, No critical habitat has been designated for this species. This species is not endemic to the marine environment however, BMPs have addressed all likely impacts.
4. Bull Trout (*Salvelinus confluentus*) Status: **Threatened**, There is final critical habitat for this species (published in the Federal Register on October 18, 2010). Project location does not overlap the critical habitat. BMPs have addressed all likely impacts.
5. Monarch Butterfly (*Danaus plexippus*) Status: **Candidate**, No critical habitat has been designated for this species. This species is not endemic to the marine environment however, BMPs have addressed all likely impacts.

9n. Name each species or habitat on the Washington **Department of Fish and Wildlife's Priority Habitats and Species List** that might be affected by the proposed work. [\[help\]](#)

Habitat: Estuarine and Marine Wetland- Habitat occurs on worksite however BMPs have addressed all likely impacts.

Species: Pacific geoduck (*Panopea abrupta*)- Species occurs on worksite however BMPs have addressed all likely impacts.

Part 10—SEPA Compliance and Permits

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.oria.wa.gov/opas/>.
- Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

10a. Compliance with the State **Environmental Policy Act (SEPA)**. (Check all that apply.) [\[help\]](#)

- For more information about SEPA, go to <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>.

A copy of the SEPA determination or letter of exemption is included with this application.

A SEPA determination is pending with _____ (lead agency). The expected decision date is _____.

I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [\[help\]](#)

This project is exempt (choose type of exemption below).

Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

Other: HRPP

SEPA is pre-empted by federal law.

10b. Indicate the permits you are applying for. (Check all that apply.) [help](#)

LOCAL GOVERNMENT

Local Government Shoreline permits:

- Substantial Development Conditional Use Variance
 Shoreline Exemption Type (explain): HRPP No local permit needed

Other City/County permits:

- Floodplain Development Permit Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

- Hydraulic Project Approval (HPA) Fish Habitat Enhancement Exemption ~ [Attach Exemption Form](#)

Washington Department of Natural Resources:

- Aquatic Use Authorization
 Complete [JARPA Attachment E](#) and submit a check for \$25 payable to the Washington Department of Natural Resources.
Do not send cash.

Washington Department of Ecology:

- Section 401 Water Quality Certification
 Authorization to impact waters of the state, including wetlands (Check this box if the proposed impacts are to waters not subject to the federal Clean Water Act)

FEDERAL AND TRIBAL GOVERNMENT

United States Department of the Army (U.S. Army Corps of Engineers):

- Section 404 (discharges into waters of the U.S.) Section 10 (work in navigable waters)

United States Coast Guard:

For projects or bridges over waters of the United States, contact the U.S. Coast Guard at:

- Bridge Permit: D13-SMB-D13-BRIDGES@uscg.mil
 Private Aids to Navigation (or other non-bridge permits): D13-SMB-D13-PATON@uscg.mil

United States Environmental Protection Agency:

- Section 401 Water Quality Certification (discharges into waters of the U.S.) on tribal lands where tribes do not have treatment as a state (TAS)

Tribal Permits: (Check with the tribe to see if there are other tribal permits, e.g., Tribal Environmental Protection Act, Shoreline Permits, Hydraulic Project Permits, or other in addition to CWA Section 401 WQC)

- Section 401 Water Quality Certification (discharges into waters of the U.S.) where the tribe has treatment as a state (TAS).

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

11a. Applicant Signature (required) [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. N/A (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. N/A (initial)

Troy Barnhart
Applicant Printed Name



Applicant Signature

03 JUL 2024
Date

11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

N/A
Authorized Agent Printed Name

Authorized Agent Signature

Date

11c. Property Owner Signature (if not applicant) [\[help\]](#)

Not required if project is on existing rights-of-way or easements (provide copy of easement with JARPA).

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

Jim Aho, PORT OF ILLINOIS CANAL
Property Owner Printed Name



Property Owner Signature

7/12/24
Date

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 617-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 633-6341. ORIA publication number: ORIA-16-011 rev. 09/2018



WASHINGTON STATE
Joint Aquatic Resources Permit
Application (JARPA) [\[help\]](#)



AGENCY USE ONLY

Date received: _____; Town
 Application Fee Received; Fee N/A
 New Application; Renewal Application
Type/Prefix #: _____; NaturE Use Code: _____
LM Initials & BP#: _____
RE Assets Finance BP#: _____
New Application Number: _____
Trust(s): _____; County: _____
AQR Plate #(s): _____
Gov Lot #(s): _____
Tax Parcel #(s): _____

Attachment E:
Aquatic Use Authorization on
Department of Natural Resources
(DNR)-managed aquatic lands [\[help\]](#)

Complete this attachment and submit it with the completed JARPA form only if you are applying for an Aquatic Use Authorization with DNR. Call (360) 902-1100 or visit <http://www.dnr.wa.gov/programs-and-services/aquatics/leasing-and-land-transactions> for more information.

- DNR recommends you discuss your proposal with a DNR land manager before applying for regulatory permits. Contact your regional land manager for more information on potential permit and survey requirements. You can find your regional land manager by calling (360) 902-1100 or going to <http://www.dnr.wa.gov/programs-and-services/aquatics/aquatic-districts-and-land-managers-map>. [\[help\]](#)
- The applicant may not begin work on DNR-managed aquatic lands until DNR grants an Aquatic Use Authorization.
- Include a \$25 non-refundable application processing fee, payable to the "Washington Department of Natural Resources." (Contact your Land Manager to determine if and when you are required to pay this fee.) [\[help\]](#)

DNR may reject the application at any time prior to issuing the applicant an Aquatic Use Authorization. [\[help\]](#)

Use black or blue ink to enter answers in white spaces below.

1. Applicant Name (Last, First, Middle)	
Barnhart, Troy, Thomas	
2. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [help]	
Illahee Submerged Tire Removal	
3. Phone Number and Email	
360-908-8766 troy.barnhart@serco-na.com	
4. Which of the following applies to Applicant? Check one and, if applicable, attach the written authority – bylaws, power of attorney, etc. [help]	
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Partnership <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Liability Company Home State of Registration: _____	<input type="checkbox"/> Individual <input type="checkbox"/> Marital Community (Identify spouse): _____ <input type="checkbox"/> Government Agency <input type="checkbox"/> Other (Please Explain): _____

5. Washington UBI (Unified Business Identifier) number, if applicable: [help]
602-701-238
6. Are you aware of any existing or previously expired Aquatic Use Authorizations at the project location?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know If Yes, Authorization number(s): _____
7. Do you intend to sublease the property to someone else?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, contact your Land Manager to discuss subleasing.
8. If fill material was used previously on DNR-managed aquatic lands, describe below the type of fill material and the purpose for using it. [help]
No fill used

To be completed by DNR and a copy returned to the applicant.

Signature for projects on DNR-managed aquatic lands:

Applicant must obtain the signature of DNR Aquatics District Manager OR Assistant Division Manager if the project is located on DNR-managed aquatic lands.

I, a designated representative of the Dept. of Natural Resources, am aware that the project is being proposed on Dept. of Natural Resources-managed aquatic lands and agree that the applicant or his/her representative may pursue the necessary regulatory permits. My signature does not authorize the use of DNR-managed aquatic lands for this project.

Printed Name	Signature	Date
Dept. of Natural Resources District Manager or Assistant Division Manager	Dept. of Natural Resources District Manager or Assistant Division Manager	

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA Publication ORIA-16-016 rev. 10/2016



PORT OF ILLAHEE

P. O. BOX 2357
BREMERTON, WA 98310

July 11, 2024

To: Recreation and Conservation Office (RCO)

Re: RCO Grant 24-1777A Illahee Preserve Ph3, Heart of the Park,
RCO Grant 24-1770A Illahee Preserve Watershed Park

Attachment (1): Port of Illahee Resolution 2024-4 Illahee Creek Watershed Park Concept Support and Implementation Plans

The Port of Illahee Commissioners would like to register their support for the Illahee Preserve's current expansion plans for the Heart of the Park properties, and especially for the purchase of the Watershed Park property.

In 2007, the Port obtained a \$268,000 Centennial Clean Water grant from the Department of Ecology to conduct a watershed study with the Port's geographical boundary. That study resulted in findings that supported the County's plan to expand the Preserve, which has been ongoing, and will continue with these two subject grants as their holding are now over 600-acres.

The Port is so supportive of the Watershed Park concept that they approved attached Resolution 2024-4, in April 2024, expressing that support. Please note the reasoning in the text of the attachment, behind the strong support for these two grants.

This letter was approved by the Port of Illahee Commission at their July 10, 2024, monthly meeting.

Sincerely,

Port of Illahee Administrator



Illahee Forest Preserve (IFP) Non-Profit Corporation
(Supporting the Illahee Preserve, A Kitsap County Heritage Park)

July 5, 2024

Subject: Request for 2 Letters of Project Support

Kitsap County and the Illahee Forest Preserve are working together to acquire additional property for the Illahee Preserve, a Kitsap County Heritage Park, by applying for two 2024 RCO Grants: Grant 24-1777 and Grant 24-1770.

Grant 24-1777 Acq. Illahee Preserve Ph3 Heart of the Park

The project description reads as follows:

Kitsap County Parks and Recreation will use this Phase 3 grant to begin acquiring up to 13 Heart of the Park properties (in a small geographical envelope) located at the center of the Illahee Preserve Heritage Park. Over the past two decades efforts have successfully added adjacent forested and riparian properties to the Illahee Preserve increasing the holdings from an initial acres to over 600-acres, with the 13 properties being the last large holding still remaining.

Though the individual properties are small and somewhat degraded as manufactured home rental sites, their collective location in the middle of the Preserve makes them the next and final major acquisition target. They not only distract from the natural features of the Preserve but also by the roadway and traffic to access them. They also impede any meaningful wildlife movement in the area.

The property was originally homesteaded by the Thompson family before Washington became a state in 1889, and the reason the property was not included as School Trust Lands at the time of statehood. The Thompson property was subsequently divided into 14 homesites, with Parks purchasing a 1-acre site that became available in 2017. Grant funding will be used to purchase properties as they become available, including possible Life Estate purchases.

Grant 24-1770 Acq. Illahee Preserve Watershed Park

The project description is being rewritten per RCO request to change from a combination acquisition and development grant to an only acquisition grant.

Kitsap County Parks and Recreation will use this grant to acquire the remaining 9.6-acres of the Elliott estate located along the South Fork of Illahee Creek and adjacent to previously acquired Park properties in the vicinity to meet community needs with plans for a 'Watershed' themed park connection to the Illahee Preserve Heritage Park.

The acquisition has multiple ecological benefits: (1) The addition of 9.6-acres and 850 feet of stream and riparian habitat providing access and control of the South Fork of Illahee Creek. (2) The prevention of development of the property. (3) An opportunity to provide the ultimate recreational experience associated with water and forest habitat, and (4) An opportunity to tell the unique and compelling educational 'Water and Watershed' story of Illahee Creek.

The acquisition also allows for multiple safety benefits to occur: (1) The purchase allows for the securing of funding for the planning and installation of a future relief conduit spillway to protect the dam from overflowing and failing. (2) Satisfies Department of Ecology mandates for the installation of a spillway. (3) Will help ease the Illahee Community's concerns of a

catastrophic dam failure and washout of the Illahee culvert, Illahee Road, and residential properties. And (4) Diminishes the Port of Illahee's concerns as the Illahee Creek delta already approaches Port facilities and a washout could require dredging under the dock.

These 2 grants are possible because of the following previous acquisition successes that are still in process:

1. In 2020 Grant 20-1742 was approved to purchase 16.8-acres of the Elliott property for Urban Wildlife Habitat to be added to the Illahee Preserve and is nearing completion.
2. In 2022 Grant 22-1613 was approved to purchase 6 properties providing habitat along Illahee Creek and a wildlife corridor between the Illahee Preserve and Illahee State Park.

These ongoing successes, along with previous Timbers Edge purchases in 2015 and 2020, help provide the match (50% required) which makes these grant projects possible.

With the 2024 grant final submittal deadline for Grant 24-1777 due on 11 July, your timely letter support would be greatly appreciated. While the deadline for grant 24-1770 will likely be in August, we would like to cover both letters at this time.

Thank you for your continued support!

Jim Aho

Jim Aho, Illahee Forest Preserve

Kitsap Derelict & Abandoned Vessel Removal Program Kick Off Meeting

Technical Advisory Committee (TAC)

Meeting Notes

June 27, 2024 | 1:00-3:00 PM
Kitsap County Commissioners' Chambers
Hybrid via Zoom

Action Items:

- Review program charter and send edits/comments to Brittany
- Review RCW 58 and RCW 79.100 if not already familiar
- Recruit Navy and USCG
- Recruit State Parks
- Revise Program Charter and distribute for comments
- Review RCW 58.03 and 79.100
- Document current processes from work session
- Upload draft charter, presentation slides, and meeting notes to project webpage
- Update contact list
- Follow-up email with meeting notes, charter, slides

Attendees and Introductions:

Kirvie Mesebeluu-Yobech - Kitsap County DCD. Supporting management of the Derelict and Abandoned Vessel Removal project.

Project history: In 2021, the West Sound Partners for Ecosystem Recovery (WSPER) identified pressing environmental pressures. Derelict Vessel was identified as a huge pressure on our marine ecosystem and a challenge for local jurisdictions and entities to address. Kitsap County submitted a grant application for National Estuary Program funds and was awarded funding. We have been working with partners to develop the scope of work and now we are finally kicking off this project.

Scott Diener - Kitsap County DCD, Manager for Planning & Environmental Programs

Jason Hedstrom - Kitsap County Sheriff Marine Unit, Sergeant

Travis Merrill - Port of Allyn, Executive Director, security aspects of the Port. Posts abandoned & derelict vessels

Adam Samara - WDFW Area Habitat Biologist. Role is to issue HPAs permitting vessel removal that is not covered by general permits (such as for sunken vessels).

Lindsay Wourms - WDFW Assistant Regional Habitat Program Manager. Role in Permitting.

Daryll Trask - Port of Poulsbo, Maintenance Manager

Caleb Reese - Port of Silverdale Commissioner

Jim Aho - Port of Illahee Commissioner. Vessels occasionally tie up in Illahee area but have moved on after posting.

James Weaver - Port of Bremerton, Marine Facilities Director

Kathy Garcia - Port of Bremerton, Operations Manager. Completes/submits paperwork and manages derelict vessels.

Troy Wood - DNR Derelict Vessel Removal Program Manager

Gary Anderson - Port of Bremerton Commissioner

Thomas Jury - Kitsap Public Health District

Tami Griffey - Kitsap Code Compliance. Recipient of abandoned & derelict vessel complaints.

Robyn Dally - Port of Brownsville, Port Manager.

Patrick Murray - WDFW Enforcement Division.

Ellen Ross-Cardoso - Port of Keyport Commissioner.

James Strode - Port of Manchester.

Caitlin Newman - Kitsap County Public Works Solid Waste Division, deals with illegal dumping. Kitsap previously operated a VTIP (vessel turn in program) event.

Amelia Palmer - Kitsap County Public Works Solid Waste

Renee Johnson - Kitsap County West Sound Partners for Ecosystem Recovery (WSPER). Works with partners on the East Kitsap peninsula for salmon recovery and ecosystem recovery.

Jonathan Raine - Kitsap County DCD GIS analyst- will be helping with tracking tool and other GIS needs.

Will Sapp- Kitsap Sheriff's Office, Lieutenant

Carl Borg - Kitsap County Homeless and Housing Program Manager

Steve Brown - Kitsap Public Health District (KPHD), Solid & Hazardous Waste Program Manager.

Alan Iwashita - Port Orchard Police, Deputy Chief. Purview over Marine Unit

Shawn Ziemann - Poulsbo Police, Sergeant. Supervises Marine Patrol and derelict vessels in Liberty Bay

TJ Quandt - Port of Kingston, Director of Operations and Real Estate. Previously worked with Port of Olympia and Port Townsend.

Jon Bingham - Bainbridge Island Police, Full time marine officer.

Denis Ryan - City of Port Orchard Public Works Director.

Evan Dabrowski - WA Department of Ecology, Marine Specialist, deals with stormwater and discharge zones.

Eric Anderson - WDFW Enforcement, Captain. Runs Aquatic Invasive Species program and manages dive team. Works with derelict vessels on WDFW lands.

Lena Hunt- Port of Keyport Commissioner. Worked with Troy on VTIP program.

Tim Schermetzler - CSD Law - serve many Ports in Kitsap and across the state. General counsel for WA Public Ports Association.

Rudy Baum - Kitsap Public Health. Program Coordinator for Healthy Environments Program.

Amy Jankowiak - Ecology, Stormwater Compliance. Vessel deconstruction permit, no discharge zone, and other vessel interaction.

Brad Trout - Kitsap Sheriff's Office, Deputy

Brittany Gordon - Kitsap County Department of Community Development, Project Manager

Ryan George - Suquamish Police Department

Project and Timeline Overview

(Led by Brittany; see slides)

Project Charter

(Led by Kirvie; see slides and draft project charter for review)

Defines project scope and sets boundaries.

Living document - as we develop the program, we are free to update the Project Charter so it serves us well. The project charter includes the project purpose, problem, aim, deliverables, scope, expectations, and technical advisory committee members.

Kitsap Public Works suggested adding definitions of derelict & abandoned. (DNR definitions may be used). Can include vessels on land in certain circumstances. Definitions are in RCW.

To use Vessel Turn In Program, vessel must not meet derelict & abandoned vessel definitions. DNR works with owner or person with authority to remove.

Suggestion for partners to hear more about difference between VTIP and DV program.

Suggestion to include copy of DNR program for reference - this is in RCW 79.100.

Project charter problem statement needs to address specific problems, including:

Private tidelands - the County can be the authorized removal entity. DNR only has jurisdiction over State-Owned Aquatic Lands (SOAL).

Security risk - some boats have broken loose and floated to PSNS (Puget Sound Naval Shipyard)

Administrative challenges - boats travel and leave jurisdictions (>5 miles) and are hard to track. If the vessels move within 30 days of posting, they are no longer abandoned at that point and must be re-posted.

If program will use DNR definitions, we need to get full understanding of nuances there. Kitsap may not want to be locked into those definitions.

It is unclear on how this program will fully function. This advisory committee will determine.

Private tidelands - authorized public entity can work to remove derelict or abandoned vessels on private tidelands.

Jurisdictional authority - Port of Bremerton operates in 3 different jurisdictions. Each law enforcement agency has their own personnel, procedures, etc. As boat drifts, this changes each time. Having Kitsap County serve as an overall jurisdiction that all entities could report to would be helpful. Navy and USCG drag derelict vessels to nearest facility.

Model ordinance that all jurisdictions could adopt that would help improve consistency as vessels move across jurisdictions.

DNR priorities are on the state level. With a local program in Kitsap, we will not be competing as much with statewide priorities.

Legislative changes at the state level could be very helpful. For instance, a notice of derelict vessel in one jurisdiction could apply in other jurisdictions.

Nautical miles over water vs over land is a nuance.

Suggest recruiting State Parks for technical advisory committee.

**add fish and fish of conservation need to the list with shellfish in the problem statement

Brittany responded - the Project Charter is intended to state a high-level overview of the derelict & abandoned vessel problem. We will document these problems and challenges identified for future discussion and incorporation into program resources. However, these will not all make it into the project charter.

Scope Discussion

Education and prevention should be a part of the scope.

Vessels are not derelict until they meet the definition for derelict vessel in RCW 79.100.010.

Identifying risk factors for a boat becoming derelict/abandoned is a need.

Scope needs to include prevention.

Include fresh waters. **Include vessels on uplands and that qualify for VTIP.

Include vessels that have people living on them.

End scope at disposal and reimbursement.

If a vessel moves beyond 5 miles, it's not derelict.

Auctioning vessels is a major issue.

Question - have commissioners championed this? Answer - Yes, Commissioners have been briefed on this project and provided support to move forward with project.

Process Work Session

The Technical Advisory Committee (TAC) split into 4 groups to document the current process being used for tracking and removing derelict & abandoned vessel. Below are notes from each group:

Ports:

Use processes in RCW 53.08.320 and RCW 79.100.

1. Use DNR templates to post vessel and notify owner,
2. waiting period,
3. go to bid for demolition,
4. gather bills and send a final statement to vessel owner to try and collect,
5. if not collected, submit for reimbursement to DNR.

To dispose of a vessel or to auction a vessel - Ports decide this on their own, no formal process for making that decision. May ask, is the vessel sea-worthy? Port of Bremerton has seaworthy defined in their rules and regs but not every port does. DNR suggests considering if the vessel operates as intended in "seaworthy" definition.

Law Enforcement:

1. Vessels reported via Kitsap 1 or from code compliance. DNR also contacts Kitsap Sheriff's Office (KSO) when they have a derelict vessel.
2. KSO verifies vessel location, ownership, and whether it is derelict.
3. KSO works with DNR to prioritize how to respond - is it in imminent danger of sinking or breaking free and creating a hazard?
4. From there, follow RCW 79.100 custody process.

Additional notes from this group:

- In 2022, KSO made an effort to map vessels using Google.
- DNR also maps vessels and they go on the FEMA Emergency Response map.
- Tribal registered boats do not fall under KSO jurisdiction but do fall under DNR jurisdiction.
- Posting a vessel is challenging or impossible if vessel is drifting or sunken.
- County has no dock to put derelict vessels. KSO takes to a dock and posts there and on DNR website.
- Permits are required for demolition - HPA if on beach/tidelands, NPDES permit for boatyards (SEPA required for this).
- DNR does not reimburse for disposal of upland boats.
- Need- budget for marinas and Ports to dispose of vessels so they do not have to put them up for auction.

Miscellaneous organizations group:

Washington Department of Fish and Wildlife (WDFW), Kitsap Public Health District (KPHD), Port of Illahee.

WDFW-

1. Customers come in requesting HPA to remove a vessel (often an Emergency),
2. Area Habitat Biologists make a site visit,
3. Determine best method for removal,
4. Issue permit,
5. Follow up for compliance.

This is often sunken vessels that must be removed from the beach.

KPHD –

1. Come in as a complaint.
2. Can offer vouchers (small change voucher up to \$500, junk vehicle affidavit. Can be used for vehicles to be cut up).
3. If owner has a solid and hazardous waste issue, that is often covered by KPHD enforcement.

Virtual group (mixed Ports, law enforcement, and KPHD):

1. Vessel reported.
2. Verify location (public vs private tidelands).
3. Verify ownership.
4. Contact last registered owner and post vessel.
5. Impounded after 15 days.
6. Owner has 30 days to appeal.
7. Agency has ability to auction or demolish (RCW 79.100).
8. If not purchased at auction, demolish or solicit contractor bids for disposal. City of Bainbridge - obtain 3 bids before removal/repurpose. Poulsbo - use state enterprise bid process.
9. Kingston Marina - after 2 months of no moorage payment, provide notice, provide 90 days before going to auction (RCW 53.08).
10. Vessel removed.
11. Submit for reimbursement.

**Vessels on private land use VTIP Program.

**Have DNR take ownership if on public waterways.

Chats from Zoom:

- Tim Schermetzler - For consideration – legislative changes at state level? If someone in port of Silverdale has a derelict vessel and they went to Illahee, they would have an issue in Illahee now.
- TJ Quandt – consider adding a drain on local resources to the charter. Derelict vessels can spur responses from multiple agency any time they drag anchor. Including CG helicopter responses, Marine Patrol, etc.

- Jon Bingham – I feel like there is a discussion being missed. Correct me if I am wrong, the reason the 5-mile rule is in place is to show the vessel is not abandoned or derelict. It is clearly able to be moved if it goes further than 5 miles.
- TJ Quandt – I agree with that statement Jon. If a vessel is moving under its own power, it would be considered seaworthy and not abandoned or derelict. I think it would be difficult to have a vessel carry a derelict status if it is on the move.
- Jon Bingham – Bainbridge Island does not auction vessels anymore because it has been a problem where they come back.

Meeting adjourned at 3:00

Project Charter

Project Name: Kitsap County Derelict and Abandoned Vessel Removal Program

Project Term: June 1, 2024 – December 31, 2026

Introduction: This Project Charter is a high-level document that outlines the purpose and intent of the Kitsap County Derelict and Abandoned Vessel Removal Program. This charter is a living document that will be adapted and updated to meet the needs of the Technical Advisory Committee and project team over time.

Purpose: Develop a local derelict and abandoned vessel removal program that builds upon the Washington Department of Natural Resources' (DNR) existing Derelict Vessel Removal Program to serve Kitsap County (County) and the cities, tribal jurisdictions, port districts, and residents within the County.

Problem:

The shoreline and nearshore areas of Kitsap County contribute to the health and wellbeing of residents and visitors alike; however, abandoned and derelict vessels frequently mark that shoreline and marine waters and pose hazards for boaters and anglers while negatively impacting water quality and habitat.

Derelict and abandoned vessels impact marine habitat, such as the marine bed and submerged aquatic vegetation, by grounding out and dragging anchors along the seabed. Water quality contamination from spills and leaching associated with these vessels impacts fish, including salmon and other species of conservation need, and the quality of shellfish harvested by local tribes and recreational harvesters.

While resources currently exist for prevention and removal of derelict and abandoned vessels through the Washington State Department of Natural Resources, enforcement and implementation at the local level remains challenging. Barriers identified in early scoping include, but are not limited to, tracking challenges as vessels move across jurisdiction boundaries, a need for prevention and better public outreach, limited resources for ports and marinas to dispose of vessels, limited resources for vessels on private tidelands, and a need for improved ordinances/legislation at the local and state levels.

Aim:

- Assemble a technical advisory committee consisting of derelict and abandoned vessel removal partners and interested parties within Kitsap County.
- Identify and develop tools and mechanisms to improve coordination between law enforcement agencies, Ports, transit agencies, local jurisdictions, and state and federal agencies related to derelict & abandoned vessel prevention, tracking, and removal.
- Identify barriers to implementing DNR's existing derelict & abandoned vessel program locally and develop actions and strategies to address barriers.
- Develop outreach materials and resources for program partners and the public to prevent and remove derelict & abandoned vessels.
- Implement the program locally with ongoing adaptive management to improve the program over time

Project Charter

Deliverables:

- Derelict and Abandoned Vessel Removal Program housed within the appropriate office or department in Kitsap County.
- A staff position (or a portion of a full-time position) within the appropriate Kitsap County office or department to manage the program long term.
- Tool (such as a mapping application) for tracking the movement and status of derelict vessels across jurisdictions.
- Program webpage to communicate important information and provide resources to local jurisdictions and the public.
- Advisory committee of member jurisdictions, law enforcement, ports, marinas, and agencies with regular meetings to develop, implement, and adaptively manage the program.
- Policy recommendations or model ordinance for state and local jurisdictions, as appropriate.

Project Scope Includes:

The project scope includes providing resources, education, and outreach to prevent vessels from becoming derelict and abandoned, including vessel turn in program resources for vessel owners. The scope also includes the process beginning when a derelict or abandoned vessel is identified and reported. The project scope ends when all documentation and forms are submitted, and the authorized agency is reimbursed for vessel removal.

- Project staff will facilitate monthly or bi-monthly meetings of the Technical Advisory Committee between June 2024 and December 2026 (approximately 20 meetings total) to develop the local Derelict & Abandoned Vessel Removal Program.
- Technical Advisory Group will identify barriers to identifying, tracking, and removing abandoned and derelict vessels and develop and implement actions and strategies to address those barriers.
- Project staff will develop and maintain resources to help partners implement the program locally.
- Project staff will facilitate public outreach and host stakeholder trainings to improve local implementation of DNR's existing derelict & abandoned vessel removal program and to prevent vessels from becoming derelict and abandoned.

Project Scope Does Not Include:

- Removal of vessels will continue under jurisdiction of law enforcement agencies, Ports, and transit authorities through DNR's existing Derelict & Abandoned Vessel Removal program.
- Reimbursement of derelict & abandoned vessel costs will continue to be through DNR's existing program.

Project Partners Expectations:

- Monthly or bi-monthly technical advisory committee meetings hosted and facilitated by Kitsap County (approximately 20 meetings expected from 2024-2026). Meeting materials will be provided, including agendas, past meeting notes/summaries, presentations, and informational materials.
- Program webpage to be kept up to date with meeting materials, links to resources, training opportunities, and other information.
- Once developed, vessel tracking database to be kept current and accessible for law enforcement agencies, Ports, jurisdictions, and transit authorities.

Project Charter

Project Leads/Facilitators: Brittany Gordon, Kirvie Mesebeluu-Yobech

Kitsap County Derelict & Abandoned Vessel Program Technical Advisory Committee		
*Note: This Committee membership is subject to change throughout program development.		
Entity	Name	Title
Bainbridge Island Police	Jon Bingham	Lead Marine Officer
Bremerton Police	Rodney Rauback	Sergeant
City of Port Orchard	Alan Iwashita	Deputy Chief
City of Port Orchard	Andrew Brandon	Deputy Chief
City of Port Orchard	Denis Ryan	Public Works Director
City of Port Orchard	Matt Brown	Chief of Police
City of Port Orchard	Nick Bond	Community Development
City of Port orchard	Trey Holden	Sargeant- Marine Patrol Unit
CSD Law	Tim Schermetzler	Attorney for WA Public Ports Association
DNR	Troy Wood	Derelict Vessel Removal Program Manager
Kitsap County HEART Team	Carl Borg	Kitsap Homeless and Housing Manager
Kitsap County Sheriff	Brad Trout	Deputy Sheriff
Kitsap County Sheriff	Jason Hedstrom	Sergeant
Kitsap County Sheriff	Wilson Sapp	Lieutenant- Marine Patrol
Kitsap County DCD	Jonathan Raine	Technology and GIS Analyst
Kitsap County DCD	Scott Diener	Manager, Planning & Environmental Programs
Kitsap County DCD	Tami Griffey	Construction Inspector / Code Compliance
Kitsap County Parks	Irene Weber	Natural Resource Supervisor
Kitsap County Public Works	Caitlin Newman	Program Supervisor
Kitsap County Public Works	Amelia Ronwein	Program Coordinator
Kitsap Public Health	Rudy Baum	Healthy Environments Program coordinator
Kitsap Public Health	Thomas Jury	Environmental Health Specialist
Kitsap Public Health	Steven Brown	Program manager, stormwater & hazardous waste
Kitsap Transit	Ray Scott	Marine Services director
Port of Allyn	Travis Merrill	Executive Director
Port of Bremerton	Gary Anderson	Commissioner
Port of Bremerton	James Weaver	Marine Facilities Director
Port of Bremerton	Kathy Garcia	Marina Operations Manager
Port of Brownsville	Robyn Dally	Port manager
Port of Illahee	Jim Aho	Commissioner
Port of Keyport	Don McCracken	Commissioner
Port of Keyport	Ellen Ross-Cardoso	Commissioner
Port of Keyport	Lena Hunt	Commissioner
Port of Kingston	TJ Quandt	Director of Operations and Real Estate
Port of Kingston	Torey Grandt	Maintenance Manager

Project Charter

Port of Manchester	James Strode	President
Port of Poulsbo	Daryll Trask	Maintenance Manager
Port of Poulsbo	Jamie Green	Commissioner
Port of Poulsbo	Mark Singer	Commissioner
Port of Poulsbo	Tom Rose	Commissioner
Port of Silverdale	Caleb Reese	Commissioner
Port of Silverdale	Ed Scholfield	Commissioner
Port of Waterman	Jeff Reynolds	Commissioner
Poulsbo Police	Shawn Ziemann	Sergeant
Snohomish County	Elisa Dawson	Senior Planner- marine resources
Suquamish Tribe	Steve Todd	Biologist
Suquamish Police	Ryan George	Suquamish Police
USCG	Justin Kimrey	USCG
WA State Department of Ecology	Amy Jankowiak	Unit Manager
WA State Department of Ecology	Evan Dobrowski	Stormwater Inspector and Compliance Specialist
WDFW Enforcement	Eric Anderson	Captain, Aquatic Invasive Species, Dive Team
WDFW Enforcement	Ken Balazs	Sergeant
WDFW Enforcement	Patrick Murray	Fish & Wildlife Police Officer
WDFW- Habitat Program	Adam Samara	Biologist
WDFW Habitat Program	Lindsay Wourms	Assistant Regional Habitat Program Manager
West Sound Partners for Ecosystem Recovery (WSPER)	Renee Johnson	WSPER Coordinator

Port of Illahee – WPPA Tour for James Cockburn on 6/26/24

2024 Restoration Projects

1. Waterfront - Dock, pilings, and float plans (3 grants RCO ~\$2M, Port ~\$1M)
 - a. Waiting on Tribal agreement
 - b. Waiting on Corps permits
 - c. Work needs to be done during fish window (Aug – Feb 15th)
2. Uplands – Demolitions, parking, ramp access, composting toilet (included with above grants)
3. Illahee Store – Cleanup of leaking USTs with PLIA grant
 - a. Grant was submitted years ago and ranked #16 and funding is currently authorized ~\$700K
 - b. Leaking appears to be moving down toward the shoreline.
4. Illahee Store – Retrofit for mercantile business to support economic development
 - a. Port purchased the property at a Sheriff's sale
 - b. Port interest is also for space for Port meetings.
5. Illahee Creek – Port/Ecology study recommendations being implemented
 - a. Delta extending out 1/8 mile into bay
 - b. Parks and IFP nonprofit to purchase slide properties for Public Works restoration
 - c. New Issue is a previously unknown dam in the watershed that requires a spillway which would further extend the delta with a dam failure
 - d. Port is supporting a planned 'watershed park' model showing the delta.
6. Port Orchard Bay – Proposed Tire Cleanup Project for deteriorating tires
 - a. 138 Tire clusters identified
 - b. Plans for summer 2024 volunteer removal of one cluster
 - c. This problem is endemic around Puget Sound
 - d. DNR requires Port of Illahee removal by 2028



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

1. CALL TO ORDER

2. CONSENT AGENDA

1. Agenda

*2. The June 12th, 2024 Regular Meeting minutes

*3. Pay Bills with check numbers 5198 through 5209 totaling \$14,607.46

3. SIGNING OF DOCUMENTS

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

4. PUBLIC COMMENT

5. REPORTS/UNFINISHED BUSINESS

Aho/ 1. Grants/Waterfront Access Improvements

Piccone * John Piccone update of projects status summary

a. SDAP #23-00728

*b. Moorage Agreement between the Suquamish Tribe and the Port of Illahee (**Motion necessary**)

*c. Declaration of covenant associated with maintenance & operations of storm drainage facilities

Aho 2. Illahee Store Project

- PLIA Remediations

*a. SLR- CMMP (Contaminated Media Management Plan)

*3. Treasurer's Report as of June 30, 2024 General Fund \$115,253.52 Investments \$292,052.82
Good Property Management (GPM) Account \$199 total: \$407,505.34

***Grant Status: grant reimbursement requested on 6/25/24 waiting for approval from the RCO (Recreation Conservation office)**

BFP RCO Total = \$851,065.00 Amount of RCO paid \$90,319.98 Remaining RCO Funds \$760,745.02

ALEA RCO Total= \$500,000.00 Amount of RCO paid \$73,672.45 Remaining RCO Funds \$426,327.55

RCFB RCO Total= \$191,000.00 Amount of RCO paid \$0 Remaining RCO Funds \$191,000.0

Last Month's Report Below

*3. Treasurer's Report as of May 31, 2024 General Fund \$118,767.54 Investments \$292,052.82
Good Property Management (GPM) Account \$199 total: \$411,019.36

4. Reports

Aho a. Website

- Anything to report?

Hall b. Properties

5560 Ocean View Boulevard/Rental

- Anything to report?

5500 Illahee Road/Rental

- Anything to report?

5507 Illahee Road/Illahee Store Property

- Anything to report ?



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

Illahee Road Lot

- Anything to report ?

Rupert c. Dock/Pier
- Anything to report ?

Rupert d. Illahee days
- Anything to report ?

6. NEW BUSINESS

Aho *1. JARPA (Joint Aquatic Resources Permit Application)
To take out a tire cluster to test the turbidity

Aho *2. Letter of support from Port of Illahee
For Watershed Park Grant and Illahee Preserve Phase 3 Grant.

Aho *3. Kitsap Derelict & Abandoned Vessel Removal Program
Meeting notes from 6/27/24

Aho *4. WPPA (Washington Public Ports) Toured the Port of Illahee
Tour Itinerary for WPPA James Cockburn

7. PUBLIC COMMENT

8. ADJOURN --Regular Meeting -- August 14th @ 6:30PM -- via ZOOM
--Kitsap All Ports--July 29th @ 6:30PM at Port of Brownsville



Port of Illahee
Minutes of Regular Meeting
June 12, 2024

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

CALL TO ORDER

Commission Chairman James Aho called the meeting to order at 6:30PM. Also, in attendance were Commissioner Jeffrey Rupert; Commissioner Eric Hall; Administrator Jennifer Olson; Roy Barton; John Piccone and John Buesch.

CONSENT AGENDA

The following consent agenda items were approved: June 12th Meeting Agenda; May 8, 2024 Meeting Minutes; checks numbering 5187 through 5197 totaling \$9,652.47 as outlined in the attached Voucher; Electronic Transfer for Go Bond Payment (May & November) (motion by Rupert; second by Hall all in favor).

SIGNING OF DOCUMENTS

Commissioners plan to stop by the Port of Silverdale office to sign documents on Thursday June 13, 2024.

REPORTS/UNFINISHED BUSINESS -

Waterfront Improvement Project

John Piccone with SoundWest Engineering and Associates updated the Commissioners on the project status with the Port of Illahee's projects. Please see John's report below:



- **Regulatory Update:** The good news is that we have received the SDAP permit approval and the additional good news is that we've also received a draft agreement from the Suquamish Tribe.
 - Jim and I have reviewed the draft Tribal agreement and made only minor comments to the Tribes proposal, we are currently waiting for a response to those comments and anticipate we will be able to execute a final agreement within the next month or two.
 - We've been working diligently with the Corps now that a Tribal agreement is pending and although they will not release the permit until they have a fully executed agreement, they are in process reviewing other items under the permit in an effort to shorten the turn-a-round time following submission of the Tribal agreement.
 - Now that we have SDAP approval the only remaining Kitsap County permits are the ROW and building permits and we are working with the County over the next several weeks to iron out any preliminary approval matters. Final permits will be released only after we have a contractor on board.
 - All other permits are summarized in the table below. Optimistically, we may have all regulatory items completed to the point we can bid the project sometime this August and although we still don't know the Corps timeline for sure we are doing all we can to push final items forward by that time.
- **Design Update:** We are currently working on the final design for the floats and gangway and begun incorporating the pile replacement design into the project last week. Generally, the design status is as follows:
 - Upland Design is at 95% with only some retaining wall calculations, restroom coordination, and construction notes remaining.
 - Dock and gangway design is currently at 60% with float and pile final design and specifications remaining.
 - Pile replacement design has just begun and will be incorporated in the float and gangway design under the assumption that this work will be bid as one project with the waterfront improvements.
 - Design is expected to take another 6-9 weeks and then it will take approximately two weeks to finish compiling the bidding documents into a single bid manual for advertising. We are currently working hard to ensure the bid manual is also ready for bidding by August in the hopes all regulatory items are complete.



- **Anticipated Schedule:** This is still ultimately unknown due to the permitting timelines but the goal remains for bidding in August or September of 2024 with completion by summer 2025.
- **Store Clean-up & Renovation**
 - I remain available to assist Commissioner Hall with any questions or recommendations and believe he is preparing to start working with renovation contractors this summer or fall in coordination with the planned PLIA clean up.

Permit Status Summary – All Projects

Waterfront Access Project

Permit	Submittal Date	Permit Issued	Permit Status	Design Status
SSDP	8-19-21	8-4-22	Complete. SSDP staff report notice of decision received.	Water side design currently at 60% for permit submittals.
HPA	4/9/24	5/24/24	Complete	Water side design currently at 60% for permit submittals.
NWP	8-17-21	Pending, anticipated 2024	Finalization of permit review pending final execution of Tribal agreement.	Water side design currently at 60% for permit submittals.
SDAP	2-7-23	Approval issued 5/22/24	Approval Issued; Contractor to secure final permit	95% Design Complete for upland elements only to submit SDAP.
BP	Anticipated June/July 2024	---	Preparation of Permit Submittals & Agency Coordination Proceeding	Final calculations and specifications are in process for preliminary submittal.
ROW	Anticipated by contractor in 2024	---	Agency Coordination Proceeding for ROW Agreement	
FIRE	Included with Building Permit	---	Preparation of Permit Submittals & Agency Coordination Proceeding	
DNR	Anticipated June/July 2024	---	Preparation of Submittal for Environmental Review & Agency Coordination Proceeding	

SSDP – Substantial Shoreline Development Permit (Kitsap County)

HPA – Hydraulic Project Approval (WDFW)

NWP – Nationwide Permit 3 (USACE)

BP – Building Permit (Kitsap County)

ROW – Right of Way (Kitsap County)

Fire – Fire Code Permit (Kitsap County)



Pile Replacement Project

Permit	Submittal Date	Permit Issued	Permit Status	Design Status
Shoreline Exemption	9-22-22	2/15/23	Complete	30% Design Completed for Permit submittal.
NWP3	9-22-22	11-21-22	Complete. Permit issued by USACE.	30% Design Completed for Permit submittal.
HPA	2020	2/14/20	Maintenance permit, expires 2/12/25	---

PUBLIC COMMENT

A Community member said, really good news to hear about the Tribal Agreement and then proceeded to asked John Piccone if there were a lot of changes made to the Tribal Agreement? John Piccone explained that they gave the tribe one slip for their primary use, the use of the tribal slip prioritizes for them on a transient basis only.

Another Community member asked John Piccone if bids go out in August 2024 when will the Port be able to start on the project? John responded with, it really depends on the contractor you get but the Inland water work window is from mid-August through February and the contractor should focus on inland water first.

Waterfront Project Comments

Commissioner Aho asked John Piccone about bids coming in and was worried that it has been two years since the Port talked about costs with inflation, what if the bid comes in higher than the Port anticipated? John said that if bids come in higher, he could approach the RCO (Recreation Conservation Office) about adding more money due to inflation and delays, that would be dependent on the money they have available.

Illahee Store Project Comments

Commissioner Hall asked the Administrator to send him John Buesch's phone number. John Piccone and Commissioner Hall will need to get to together and work on bid package to higher a contractor for the tenant improvement of the Illahee store. It was decided that the Administrator is going to email John Piccone, Commissioner Hall, John Buesch and Roy Barton to set up a group email so they have each other's contact information to schedule a zoom meeting regarding store renovations.

Treasurer's Report as of May 31, 2024 General Fund \$118,767.54 Investments \$292,052.82

Good Property Management (GPM) Account \$199 total: \$411,019.36



Grant Status:

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RCFB RCO Total= \$191,000.00 Amount of RCO paid \$0 Remaining RCO Funds \$191,000.0

Report

Website - Commissioner Aho reported that the Port of Illahee's website was down for a few days at the begging of June. He would like to use the Port's credit card to pay Blue Host directly. He asked if the Port still wants to use Blue Host and if Commissioner Hall would be interested in taking over the Port's website? Commissioner Hall responded that he is interested in taking over the Ports website.

Properties

5560OceanviewBlvd- Back Flow test complete

5500 Illahee Road- Illahee Road- Nothing to Report.

5507 Illahee Road / Illahee Store Property - Nothing to Report

Illahee Road lot - Nothing to Report

Dock/Pier - Commissioner Rupert contacted North Perry Water about shutting of the water that the Port does not use especially with their recently failed backflow test. Commissioner Rupert mentioned the Port might want to add water/ irrigation to the upland project.

New Business

Illahee Days

There was much discussion amongst the Commission about when Illahee Days would occur this year, Commissioner Rupert thinks early to mid-August would be best, he added that he has equipment left over from last year. Commissioner Hall has a pop-up Pergola that the Port can us, Commissioner Rupert is hoping to come in under budget this year.

In Person Meeting Space

Community member Roy Barton checked with North Perry Fire Station and North Perry Water to see if they had meeting rooms for rent that the Port could use for in-person meetings instead of using zoom. North Perry water might have some possibilities, Commissioner Aho responded with the Illahee store might be ready soon and the Port passed Resolution 2023-4 Interim Public Meeting Policy to continue to have meetings via zoom until they have a permanent location.

Public Comment

Community member asked when the Port goes out to bid if they are planning on putting a sign up saying the dock is closed, put the dates of construction to inform the public ahead of time? The contractor is in charge of putting up the signs but great suggestion it something the Port will look into.



A big Thank you to Community member John Parvis who cleans up the blackberry bushes and weeds behind the Illahee Store property. John donates his time to help out the Illahee community. The Port of Illahee really appreciates you, thank you for making Illahee a better place to live.

ADJOURN

At 7:48PM the meeting adjourned (motion by Rupert; second Hall by all in favor).

Next regular meeting July 10, 2024 @6:30pm- via Zoom

Kitsap All Ports July 29, 2024 @6:30pm at Port of Brownsville

Commissioner

Commissioner

Commissioner

Date: June 12, 2024
To: Port of Illahee Board of Commissioners
From: John Piccone, P.E., Soundwest Engineering Assoc.
Subject: Projects Status Summary

Waterfront Improvement Project

- **Regulatory Update:** The good news is that we have received the SDAP permit approval and the additional good news is that we've also received a draft agreement from the Suquamish Tribe.
 - Jim and I have reviewed the draft Tribal agreement and made only minor comments to the Tribes proposal, we are currently waiting for a response to those comments and anticipate we will be able to execute a final agreement within the next month or two.
 - We've been working diligently with the Corps now that a Tribal agreement is pending and although they will not release the permit until they have a fully executed agreement, they are in process reviewing other items under the permit in an effort to shorten the turn-a-round time following submission of the Tribal agreement.
 - Now that we have SDAP approval the only remaining Kitsap County permits are the ROW and building permits and we are working with the County over the next several weeks to iron out any preliminary approval matters. Final permits will be released only after we have a contractor on board.
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Pile Replacement Project

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NWP3	9-22-22	11-21-22	Complete. Permit issued by USACE.	30% Design Completed for Permit submittal.
HPA	2020	2/14/20	Maintenance permit, expires 2/12/25	----

MOORAGE AGREEMENT BETWEEN SUQUAMISH INDIAN TRIBE AND THE PORT OF ILLAHEE

This **MOORAGE AGREEMENT** (Agreement) is entered into between the Suquamish Indian Tribe (Tribe), a federally recognized Indian tribe and the Port of Illahee ("Port"), a municipal corporation of the State of Washington. The Tribe and the Port are hereinafter collectively referred to as the "Parties" or singly as "Party."

I. RECITALS

WHEREAS, the Port operates the Illahee Dock located in Illahee, Kitsap County Washington, located near Port Orchard Bay (the "Dock"), which serves recreational vessels. The Port applied for a permit from the U.S. Army Corps of Engineers (the "Corps"), referenced as permit application number NWS-2021-861 as modified by NWS-2021-861-A, to replace the floating docks, remove portion of the pier, and other waterfront access improvements as described generally in the Port's Joint Aquatic Resources Permit Application for the project named "Port of Illahee Public Pier and Float Rehabilitation" and associated application materials (the "Project");

WHEREAS, the proposed Project area lies within the traditional fishing and ancestral territory of the Tribe. The Tribe has a strong pre-historical, historical, and contemporary connection in Illahee and Port Orchard Bay that is significant and well documented. Ethnographic and archaeological evidence demonstrates that the Suquamish People have lived, gathered food stuffs, ceremonial, and spiritual items, and hunted and fished for thousands of years throughout the proposed Project area. The Tribe seeks protection of all treaty-reserved natural resources through avoidance of impacts to habitat and natural systems. The Tribe has taken a leadership position in efforts to protect, restore, and enhance the marine waters of Kitsap County to ensure protection of the Tribe's treaty and cultural resources;

WHEREAS, the Tribe is a signatory to the 1855 Treaty of Point Elliott. In the Treaty of Point Elliott, the Tribe ceded its ancestral territory, including the Port of Illahee and surrounding project area, to the United States, but reserved rights to fish at usual and accustomed grounds and stations ("U&A") and to hunt and gather on open and unclaimed lands. Federal adjudication of the Tribe's U&A has affirmed that Illahee, Port Orchard Bay and other areas within Puget Sound constitute reserved fishing areas within the Tribe's U&A;

WHEREAS, the Port recognizes and supports the Tribe's treaty reserved fishing rights and supports the Tribe's leadership position in efforts to protect, restore, and enhance the marine waters of Kitsap County. This Agreement will contribute to that effort;

WHEREAS, the Project yet to be constructed includes the following items and associated work as shown in *EXHIBIT A – DEDICATED MOORAGE LOCATION*:

- a. The removal and disposal of two existing floats, two gangways, and a portion of the fixed pier, including the removal of 24 existing creosote piles (8 x 12-inch diameter and 16 x 12-20-inch diameter);
- b. Installation of a new 50' long by 4'6" grated gangway with a new 7' by 9" grated gangway landing float;
- c. Installation of a new 91' long by 7' wide access float;
- d. Installation of eight new 26' deep moorage slips and new recreational float;
- e. Installation of four new 26' long by 4' wide finger piers;
- f. Installation of a new 7' wide by 89' long non-motorized recreation float;

- g. Installation of 15 new 16-inch diameter steel piles; and
- h. Upland work which will include the installation of new sidewalks, stormwater drainage improvements, vehicular access roadways, parking, among other upland enhancements.

WHEREAS, the Parties acknowledge the mutual interest in completing the Project. This Agreement is necessary to resolve the short-term and long-term impacts to the Tribe's treaty fishing activities associated with the full scope of the Project. The Parties acknowledge that Tribal fishers often have to avoid an area or alter the time, manner, and place of fishing due to existing in-water physical structures, like docks and marinas, and due to vessel traffic to and from these facilities. Fishing gear is often damaged or lost due to interference from construction activities;

WHEREAS, the Tribe and the Port have negotiated this Agreement that ensures that Tribal concerns are addressed, and the full scope of the proposed Project can move forward and receive all required authorizations from the Corps. This Agreement fully addresses the Tribe's concerns regarding the Project and the Port's proposed activities associated with the Project; and

WHEREAS, the purpose of this Agreement is to exchange certain obligations and commitments of the Port and of the Tribe, as outlined herein. Therefore, the Port's obligations are contingent on the Tribe fulfilling the Tribe's obligations. Likewise, the Tribe's obligations are contingent on the Port fulfilling the Port's obligations. Generally, this Agreement is intended to provide for vessel and fishing coordination during certain construction activities undertaken by the Port during completion of the Project, to provide certain moorage rights to Tribal members, and to provide for the withdrawal of the Tribe's objections to the existing permit application to the Corps submitted by the Port for the Project.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and in order to continue to foster the cooperative efforts of the Tribe and the Port to protect, restore, and enhance the marine waters of Kitsap County, the Tribe and the Port agree that the following rights and obligations shall arise and be effective upon the Effective Date of this Agreement.

II. TERMS AND CONDITIONS

1. **EFFECTIVE DATE.** This Agreement shall be effective on the date executed by the Tribe and the Port (the "Effective Date"), subject to the condition precedent that the Tribe's Tribal Council and the Port Commission has approved this Agreement.

2. **AGREEMENT, VESSEL AND FISHING COORDINATION.** The contact listed below (the "Agreement Contact") shall be the initial contact point between the Port and the Tribe for any issues related to the Agreement, the Project and vessel and fishing coordination. The Agreement Contact may be changed from time-to-time by either Party by providing notice in accordance with Section 4 below.

PORT AGREEMENT CONTACT:

James Aho
P.O. Box 2357
Bremerton, WA 98310
Telephone: (360) 649-1049
llaheeporthree@gmail.com

TRIBE AGREEMENT CONTACT:

Rod Malcom
Suquamish Indian Tribe Fisheries Department
P.O. Box 498
Suquamish, WA 98392
(360) 394-8449
rmalcom@suquamish.nsn.us

3. **COORDINATION OF IN-WATER WORK.** For in-water construction work associated with the Project, the Tribe and the Port agree to exchange accurate and specific fishing and/or related activity and vessel traffic information with the objective of avoiding and minimizing potential conflicts.

a. To facilitate this coordination, the Port will provide accurate and specific Project-related vessel traffic information, including the schedule of arrivals, departures, and locations for Project related vessels for any remaining construction activities, to the Tribe based on a mutually agreeable date but no less than two weeks prior to any activities.

b. The Tribe will provide the Port with a description of the Tribe's fishing management periods when they become available and a description of the anticipated specific times and locations for Suquamish fishery openings through the course of the year.

c. The Tribe will provide the Port with a list of active Suquamish Tribal registered fishing vessel owners. The list shall include the name and length of the vessel and registered fishing vessel owner's name. The Tribe will update the list of registered fishing vessel owners whenever there is an addition or deletion of a registered owner.

d. For remaining in-water construction work associated with the Project, the Tribe and the Port agree to work together cooperatively to coordinate activities of the Tribe and the Port and minimize conflicts. For this purpose, the Port will send the specified information in advance to the Tribe Agreement Contact for the Tribe and the Tribe will send specified information in advance to the Port Agreement Contact for the Port.

4. **NOTICES.** All written notices required to be given pursuant to the terms of this Agreement shall be (a) delivered personally; (b) deposited in the United States mail, Certified mail, return receipt requested, postage prepaid; or (c) overnight courier service, to the Parties at the following addresses:

FOR THE PORT: Port of Illahee
P.O. Box 2357
Bremerton, WA 98310
Telephone: (360) 649-1049
Attn: Jim Aho, Jennifer Olson, and John Piccone.

FOR THE TRIBE: Suquamish Indian Tribe
PO Box 498
Suquamish, WA 98392
Telephone: (360) 598-3311
Attn: Office of Tribal Attorney

5. **TRIBE MOORAGE.** The Port shall provide the Tribe's fishers with twenty-six feet (26 ft.) of dedicated transitory moorage without any fees or costs to the Tribe or Tribal members ("Dedicated Moorage"). Dedicated Moorage shall be provided solely to Tribal members and Tribal entities to moor Tribal Vessels being used for treaty fishing activities, which constitute a traditional Tribal function. As used in this Agreement, the term "Tribal Vessel" means a vessel owned by a Suquamish Tribal member or Suquamish Indian Tribe entity and bearing the unique Suquamish Indian Tribe vessel registration number which signifies that the vessel is used exclusively for treaty fishing activities. The Dedicated Moorage locations are hereby designated and specifically depicted in **Exhibit A**, which is attached hereto and incorporated by this reference, and described generally follows: The inland side of the outermost 26' finger pier.

a. Notwithstanding the dedicated moorage described above and depicted in *Exhibit A*, Tribal Vessels may use other slips at the Dock on a transient basis;

b. The moorage shall be provided continuously until such time as the Dock is no longer operated by the Port.

c. All Dock users, including those provided moorage under this Agreement, are expected to comply with the Illahee Port Use and Moorage Rules and Regulations as revised from time to time and to follow the Port's standards of operation ("Port Regulations and Standards"). Any Tribal members or their guests who do not abide by Port Regulations and Standards will be reported to the Suquamish Indian Tribe's Fisheries Department.

d. The Tribe's Fisheries Department point of contact is: Rob Purser, (360) 394-8436 or at rpurser@suquamish.nsn.us. The Tribe will provide an updated point of contact as needed.

e. The Port reserves the right to trespass or otherwise exclude from Port property any Tribal member or guest that engages in repeated or serious violations of Port Regulations and Standards in the same manner as the Port enforces its Port Regulations and Standards generally, provided that prior to issuing any notice of trespass or exclusion, the Port will first report the member or their guest to the Tribe's Fisheries Department, unless the Port determines that immediate action is necessary.

f. Neither the Tribe nor individual Tribal members shall sublease or otherwise assign any of the rights to use Dedicated Moorage provided in this Agreement;

g. The Port shall post signage advising Dock users that the inland side of the outermost 26' finger pier is reserved for Tribal Vessels;

h. The Port shall not install any gates that impair access to the pier, without the concurrence of the Tribe;

i. The Port and Tribe shall work together to develop educational signage at the pier, with the purpose of educating the public about the Tribe and tribal treaty fishing;

6. **TRIBE'S WITHDRAWAL OF OBJECTIONS TO AND SUPPORT OF EXISTING PERMITS.** The Tribe will, without delay or condition, inform the Corps that the Tribe has reached an agreement with the Port and hereby withdraws its objections and supports all

Corps approvals and authorizations related to the Project, including for the permit application identified as NWS-2021-861, as modified by NWS-2021-861-A.

7. **DURATION OF AGREEMENT.** This Agreement, including the right to moorage for the Tribe provided in this Agreement, shall be effective so long as the Port operates the Dock and shall terminate at such time as the Port ceases to operate the Dock. If the Port were to ever transfer ownership or operation of the Dock, the obligations contained herein shall be a covenant running with the Dock in favor of the Tribe and binding on the successor to the Port.

8. **AMENDMENT OF AGREEMENT.** No amendment or modification of this Agreement is valid unless it is in writing and signed by both Parties.

9. **AUTHORITY TO SIGN AND CONSTRUCTION.** The Parties acknowledge that the terms of this Agreement were reached after government-to-government consultations and have been reviewed by and discussed with respective counsel for each of the Parties. The Parties further agree that this Agreement shall not be construed in favor of or against either Party. Rather, in any dispute between the Parties, the language of this Agreement shall be construed as a whole according to its fair meaning. The undersigned warrant and represent that they have complete and proper authority to execute this Agreement on behalf of their respective Party, that they have read this Agreement and understand its contents, and that upon the Effective Date each Party has an enforceable obligation to undertake the actions, terms, conditions, and covenants thereof.

10. **DISPUTE RESOLUTION.** The Parties agree to attempt to settle any disputes under this Agreement through good faith negotiation between the Parties and according to the following ordered steps.

- a. The Agreement Contacts should meet and confer to resolve the dispute.
- b. If the Agreement Contacts are unable to resolve the dispute, the manager of the Port and the Tribe's chairperson (the "Leaders") shall meet and confer to resolve the dispute.
- c. If the Port Manager and Leaders are unable to resolve the dispute, the Parties will pursue resolution of the dispute through non-binding mediation administered by the American Arbitration Association under its Commercial Mediation Procedures. The mediator shall have at least ten years' experience in contractual disputes and preferably Indian law and port district law expertise. If an agreement on a mediator cannot be achieved within fifteen (15) business days, then the Parties shall in a joint letter, provide four names (two by each Party) of qualified candidates for mediator to the American Arbitration Association and the American Arbitration Association shall be asked to select such mediator. The Parties shall split equally the cost of mediation and bear their own costs and attorneys' fees. Either Party may end the mediation at any time upon written notice to the other Party and the mediator.
- d. If the Parties are unable to resolve the dispute through direct discussions or through mediation, the dispute shall be resolved by binding arbitration to be conducted at a location agreeable to both Parties. Within ten (10) business days after either party invokes arbitration, the Parties shall select a single arbitrator by mutual agreement, and, if no agreement can be reached within sixty (60) days, then the Parties shall in a joint letter, provide four names (two by each Party) of qualified candidates for arbitrator to the American Arbitration Association and the American Arbitration Association shall be asked

to select such arbitrator. The arbitrator shall have at least ten years' experience in general contract principles, and, preferably, expertise in the laws applicable to port districts and Indian law including Tribal reserved treaty rights. The arbitration proceeding shall allow for only abbreviated discovery with no more than two short depositions, one request for interrogatories that do not exceed twenty questions, the production of relevant documents, and timely identification of fact and expert witnesses. The authority of the arbitrator is limited to enforcing the terms and conditions of this Agreement, the judgment on the award rendered by the arbitrator may be enforced in a court of competent jurisdiction; provided, however, that the Parties agree that the selected court shall have only the power to enter and enforce, but not to review or modify, the arbitrator's award. Both Parties agree to accept and be bound by the award of the arbitrator or judgment, ruling or order enforcing the arbitration award which is final (because either the time for appeal has expired or the judgment or order is issued by the court having final appellate jurisdiction over the matter and is not subject to collateral attack). Except to the limited extent set forth in this Section 11, the Tribe is not waiving its sovereign immunity. Each Party shall bear its own costs and attorneys' fees and shall share equally the cost of the arbitrator.

11. **APPLICABLE LAW.** This Agreement shall be interpreted using generally recognized principles of contract law, considering the applicable laws of the United States and the Suquamish Indian Tribe.

12. **NO THIRD PARTY BENEFICIARIES/ENFORCEMENT.** This Agreement will not be construed to create any enforceable obligation of either the Tribe or the Port in favor of any non-party to this Agreement. The Parties to this Agreement recognize incidental benefit to Tribal fishers and others, but such Tribal fishers and others are not entitled to enforce this Agreement independently from the Parties.

13. **FORCE MAJEURE.** Neither Party will be liable to the other for any failure of performance under this Agreement due to causes beyond its control which such Party was unable to avoid or overcome through the exercise of reasonable diligence, including, but not limited to: acts of God, fire, flood, earthquake or other catastrophes; material or facility shortages or unavailability not resulting from such Party's failure to timely place orders therefore; lack of transportation; the imposition of any governmental codes, ordinances, laws, rules, regulations or restrictions; national emergencies; terrorism; insurrections; riots; wars; or third party strikes, lockouts, work stoppages or other labor difficulties (collectively, "Force Majeure Events").

14. **SURVIVABILITY.** All covenants, promises, and performance which are not fully performed as of the date of termination shall survive termination as binding obligations.

15. **WAIVER.** No failure by either Party to insist upon the strict performance of any covenant, duty, agreement, or condition of this Agreement or to exercise any right or remedy consequent upon a breach thereof, shall constitute a waiver of any such breach or any other covenant, agreement, term, or condition.


16. **FACSIMILE OR ELECTRONIC PDF FILE TRANSMISSION.** This Agreement and all subsequent notices or modifications may be executed by the Parties and transmitted by facsimile or electronic transmission of a PDF file and, if so executed and transmitted, this and all subsequent notices or modifications will be, for all purposes, as effective as if the Parties had delivered an executed original.

17. **ENTIRE AGREEMENT.** This Agreement (including the Recitals) represents the entire and complete agreement between the Parties and supersedes all prior negotiations, representations, or agreements, either written or oral, and may be amended or modified only in writing signed by both Parties.

IN WITNESS WHEREOF, the Parties hereto agree to the terms and conditions of this Agreement.

PORT OF ILLAHEE

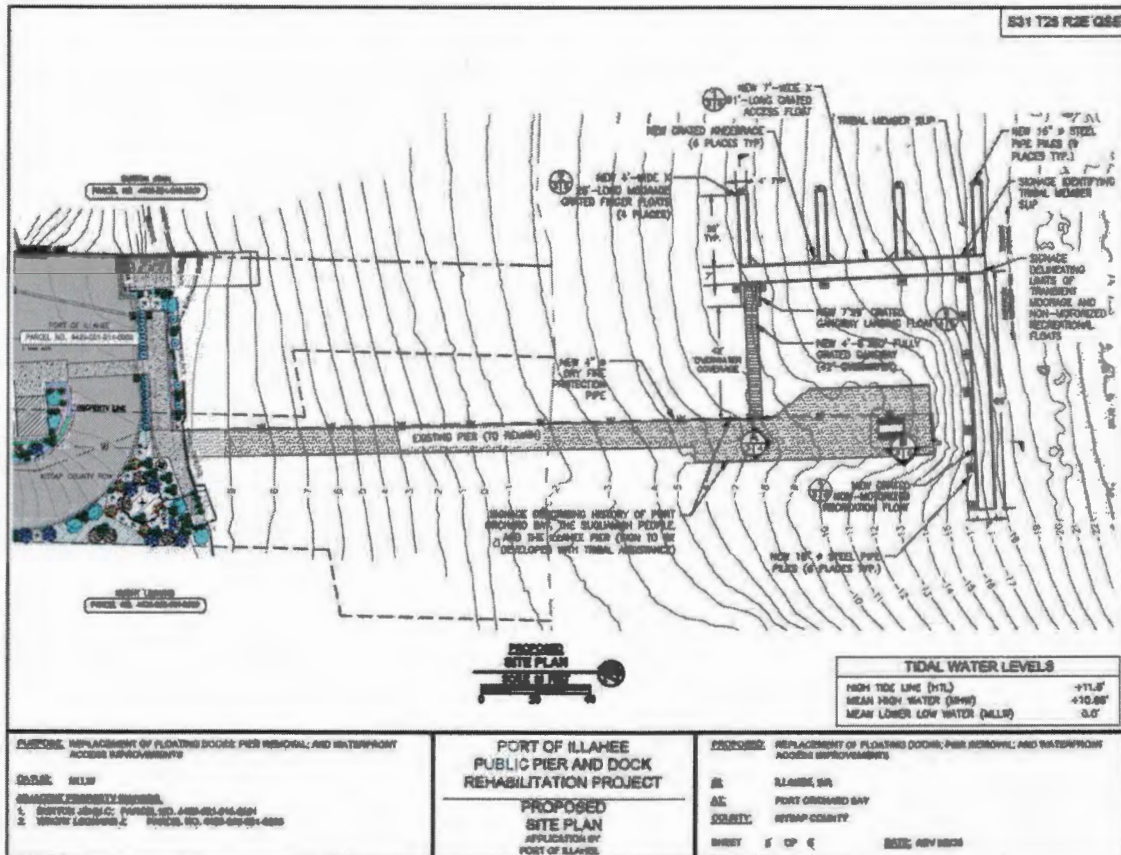
SUQUAMISH INDIAN TRIBE



By: James Aho
Commission Chair
Date: 7/2/24

Leonard Foreman
Chairman
Date: _____

EXHIBIT A – DEDICATED MOORAGE LOCATION



When Recorded, Return to:

Port of Illahee

PO Box 2357

Bremerton, WA 98310

**DECLARATION OF COVENANT ASSOCIATED WITH
MAINTENANCE AND OPERATION OF STORM DRAINAGE FACILITIES**

Grantor: Port of Illahee **Additional Grantor** _____

Grantee: Kitsap County **Additional Grantee** _____

Legal Description: SE¼, SE¼, Sec 31, TN 5, RE 2e, W.M. **Additional Legal** _____

Assessor's Tax Parcel Number: 4429-001-011-0000 **Additional Number** _____

Reference Auditor File Number: _____ **Additional Number** _____

Whereas Kitsap County, a Political Subdivision of the State of Washington, has rights under County ordinances, codes and Washington State statutes to regulate stormwater drainage, and Kitsap County Department of Community Development has issued a Site Development Activity Permit Number **23-00728** for the development known as **PORT OF ILLAHEE – PUBLIC ACCESS AND DOCK PARKING** which contains on-site stormwater facilities.

The Grantors, hereinafter known as the Owner(s) of the real property situated in Kitsap County, State of Washington, and legally described as follows: LOT 12 AND THE SOUTH 10 FEET OF LOT 11, BLOCK 1, ILLAHEE, AS PER PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 54, RECORDS OF KITSAP COUNTY, WASHINGTON; TOGETHER WITH TIDELANDS OF THE SECOND CLASS, AS CONVEYED BY THE STATE OF WASHINGTON, SITUATE IN FRONT OF, ADJACENT TO OR ABUTTING THEREON; EXCEPT SAID PORTION OF SECOND CLASS TIDELANDS DESIGNATED AS PUBLIC STREET IN THE PLAT OF SAID ADDITION.

telephone number of the contact person responsible for the performance of maintenance or repair work to the stormwater facilities.

5. If it becomes necessary for Kitsap County to conduct maintenance or repair work on the properties described above, the owner(s) agree to hold harmless and indemnify Kitsap County, or its designee, from any and all claims arising from any activity Kitsap County undertakes on the property to the extent of the Owner's, their agents', and/or employees' negligence and to the maximum extent permitted by law.

These covenants are intended to protect the value and desirability of the real property described above, and to benefit all the citizens of Kitsap County. They shall run with the land and be binding on all parties having or acquiring from the Owner(s), their heirs, successors or assigns, any right, title or interest in the property or any part thereof. They shall inure to the benefit of each present interest or future successor in interest of said property or any part thereof, or interest therein, and to the benefit of all the citizens of Kitsap County.

Owner James Aho
Owner _____

STATE OF WASHINGTON)
 ss)
COUNTY OF KITSAP)

On this day personally appeared before me James Aho, to me known to be the individual(s) 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 stated.

Given under my hand and official seal this 17th day of June, 2024.

Jennifer Lynn Olson
NOTARY PUBLIC in and for the State of

Washington, residing at Silverdale

My Commission expires: 8-9-27

Corporate Acknowledgment:)

STATE OF WA } ss





Contaminated Media Management Plan

Port of Illahee Property

Port of Illahee

5500 Illahee Road, Bremerton, WA 98311

Prepared by:

SLR International Corporation

22118 20th Avenue Southeast, Suite G202, Bothell, Washington, 98021

SLR Project No.: 101.020511.00001

July 3, 2024

Limitations

The services described in this work product were performed in accordance with generally accepted professional consulting principles and practices. No other representations or warranties, expressed or implied, are made. These services were performed consistent with our agreement with our client. This work product is intended solely for the use and information of our client unless otherwise noted. Any reliance on this work product by a third party is at such party's sole risk.

Opinions and recommendations contained in this work product are based on conditions that existed at the time the services were performed and are intended only for the client, purposes, locations, time frames, and project parameters indicated. The data reported and the findings, observations, and conclusions expressed are limited by the scope of work. We are not responsible for the impacts of any changes in environmental standards, practices, or regulations subsequent to performance of services. We do not warrant the accuracy of information supplied by others, or the use of segregated portions of this work product.

The purpose of an environmental assessment is to reasonably evaluate the potential for, or actual impact of, past practices on a given site area. In performing an environmental assessment, it is understood that a balance must be struck between a reasonable inquiry into the environmental issues and an appropriate level of analysis for each conceivable issue of potential concern. The following paragraphs discuss the assumptions and parameters under which such an opinion is rendered.

No investigation can be thorough enough to exclude the presence of hazardous materials at a given site. If hazardous conditions have not been identified during assessment, such a finding should not therefore be construed as a guarantee of the absence of such materials on the site, but rather as the result of the services performed within the scope, practical limitations, and cost of the work performed.

Environmental conditions that are not apparent may exist at the site. Our professional opinions are based in part on interpretation of data from a limited number of discrete sampling locations and therefore may not be representative of the actual overall site environmental conditions.

The passage of time, manifestation of latent conditions, or occurrence of future events may require further study at the site, analysis of the data, and/or reevaluation of the findings, observations, and conclusions in the work product.

This work product presents professional opinions and findings of a scientific and technical nature. The work product shall not be construed to offer legal opinion or representations as to the requirements of, nor the compliance with, environmental laws rules, regulations, or policies of federal, state or local governmental agencies.



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Tables in Text

Table 1: Contaminants of Concern



Acronyms and Abbreviations

CMMP	Contaminated Media Management Plan
COC	contaminant of concern
Ecology	Washington State Department of Ecology
EPA	United States Environmental Protection Agency
FOG	non-polar fats, oil, and grease
HAZWOPER	Hazardous Waste Operations and Emergency Response
mg/kg	milligrams per kilogram
mg/L	milligrams per liter
MTCA	Model Toxics Control Act
OSHA	Occupational Safety and Health Administration
PCS	petroleum-contaminated soil
PID	photoionization detector
Port	Port of Illahee
PPE	personal protective equipment
SLR	SLR International Corporation
TCLP	toxicity characteristics leaching procedure
UST	Underground Storage Tank



1.0 INTRODUCTION

The Port of Illahee (the Port) has plans to redevelop and improve their property at 5500 Illahee Road in Bremerton, Washington (the Subject Property). A prior release of petroleum hydrocarbons from underground storage tanks (USTs) at the Port's 5507 Illahee Road NE property, to the west of the Subject Property across Illahee Road NE, is known to have migrated to the east and impacted soil and groundwater at the southwestern part of the Subject Property. However, the northern, southern, and eastern extents of this contamination at the Subject Property are not known, and therefore there is a potential to encounter contaminated soil and/or groundwater during construction.

During planned construction work, any excavated soil that contains significant field evidence of petroleum hydrocarbons must be properly identified; segregated from any stockpiles of clean excavated soil; and disposed of offsite at a facility that is approved to accept contaminated soil for disposal. Additionally, any excavated soil that does not contain field evidence of petroleum hydrocarbons must be stockpiled and sampled to verify that petroleum hydrocarbons are not present or, if petroleum hydrocarbons are detected the concentrations are below the applicable Washington State Model Toxics Control Act (MTCA) Method A cleanup and re-use levels and may be used as backfill (if suitable). This Contaminated Media Management Plan (CMMP) will be used as a guide for excavation activities in order to properly characterize, handle, and dispose of petroleum contaminated soil (PCS) in a safe, efficient, and cost-effective manner.

2.0 HEALTH AND SAFETY

Personnel that will be working in the excavation and handling soil at the Site may be exposed to the contaminants in the soil, and therefore, may be required to have the appropriate training (24- or 40-hour Occupational Health and Safety Administration (OSHA) Hazardous Waste Operations and Emergency Response (HAZWOPER) and annual refresher training certifications, as required by WAC Chapter 296-843) and implement the appropriate personal protective measures. This may include the use of personal protective equipment (PPE) such as respirators, gloves, and protective clothing. The contaminants of concern (COCs) that are known to be present in soil beneath the Subject Property, and the maximum concentrations that were detected, are presented in Table 1.

Table 1: Contaminants of Concern

Contaminant of Concern	MTCA Method A Cleanup Level (mg/kg)	Maximum Known Concentration (mg/kg)
Gasoline-range organics ^a	100	510
Diesel-range organics ^b	2,000	290
Ethylbenzene ^c	6.0	2.2
Xylenes ^c	9.0	3.4
Lead ^d	250	2.3
mg/kg = milligrams per kilogram ^a Gasoline-range organics by Ecology Method NWTPH-Gx. ^b Diesel-range organics by Ecology Method NWTPH-Dx. ^c Benzene, toluene, ethylbenzene, and total xylenes by EPA Method 8260C ^d Total lead by EPA Method 6010.		



The contractor who is selected to conduct the construction work at the Subject Property will be responsible for the health and safety of their employees and any subcontractor employees. This will include identifying and complying with all applicable health and safety requirements. Typically, this involves writing, implementing, and enforcing an appropriate Health and Safety Plan that follows applicable regulations when excavating and handling PCS.

3.0 SOIL MANAGEMENT PLAN

All soil excavation, handling, and transportation activities related to this project will be conducted by the selected contractor. This section describes the procedures that will be followed during the construction activities that have the potential to encounter PCS.

3.1 Soil Management During Excavation

If evidence of PCS is discovered during the construction activities, excavation work should pause until the following appropriate management measures can be put in place. A qualified field geologist or environmental scientist should be on-site during all PCS excavation activities. It is the responsibility of the field geologist or environmental scientist to identify and segregate the PCS during the excavation activities. The field geologist or environmental scientist will screen the excavated soil for the potential presence of petroleum hydrocarbons by using visual observations (e.g., staining, sheen, and product), odors, and photoionization detector (PID) readings, as described in Section 4.1 below. The excavated soil will be segregated into stockpiles of potentially non-impacted or impacted soil based on the field screening results. Each potentially non-impacted soil stockpile will need to be sampled to test for the presence of petroleum hydrocarbons in accordance with the MTCA, and each PCS stockpile will need to be sampled for waste characterization purposes as required by the disposal facility (as described below in Section 4.3 below). Based on the maximum petroleum hydrocarbon concentrations in the soil samples previously collected at the Subject Property, it is anticipated that any PCS, if encountered, will be designated as non-hazardous waste.

3.2 Stockpile Management

The contractor will stockpile PCS on the Subject Property pending the results of the waste characterization process as described below in Section 4.3 below. Additionally, excavated potentially non-impacted soil, as described above, will be segregated and stockpiled separately from the PCS. The soil stockpiles will be placed on, and covered by, polyethylene sheeting or woven waterproof tarps provided by the contractor. If stockpiles will be kept overnight, the sheeting or tarps will be held down by weighted objects (e.g., sandbags) that are provided by the contractor. PCS stockpiles will be kept covered and weighted until loaded for off-site disposal.

Confirmation soil samples will be collected from the non-impacted soil stockpiles as described in Section 4.4 below. Following receipt of the laboratory analytical results for the samples collected from the stockpiles of non-impacted soil, the soil will be used as backfill in the excavation at the Subject Property if the soil does not contain concentrations of petroleum hydrocarbons and any other applicable reuse criteria are met.

3.3 Petroleum-Impacted Soil Transportation and Disposal

The contractor will coordinate and arrange for the transportation of the excavated PCS to a licensed disposal facility and will load the soil into trucks. The contractor will be responsible for ensuring that the trucks are efficiently loaded and that any soil spillage is properly collected and



loaded. The selected waste disposal facility will be licensed by Ecology to accept contaminated soils (non-hazardous and/or hazardous wastes¹).

4.0 FIELD SCREENING AND SOIL SAMPLING

The qualified field geologist or environmental scientist will implement field screening methods to identify PCS during excavation activities at the Subject Property. Soil samples will be collected for laboratory analyses as confirmation for non-impacted soil to use as backfill of the excavation, and to establish the vertical and lateral extents of remaining impacted soil at the maximum extents of each excavation. Soil samples will also be collected to characterize impacted soil for disposal purposes as described in Section 4.3 below.

4.1 Field Methods to Determine Presence of Petroleum Hydrocarbon-Impacted Soil

PCS in the excavation will be identified by the field geologist or environmental scientist based on the following information collected in the field:

- Visual observations of petroleum hydrocarbons such as sheens, staining, and/or the presence of visible product,
- Petroleum hydrocarbon odors that do not rapidly dissipate,
- PID readings above background measurements.

4.2 Soil Sampling and Laboratory Analytical Methods

Systematic sampling will be performed by establishing a grid over each excavation area. A soil sample will be collected from the floor of each excavated grid cell and from the sidewall samples of the grid cells within the UST excavation area. A soil sample will be collected from any trench that contains PCS at intervals of approximately 50 feet. The samples will be collected with decontaminated hand tools (e.g., spoons and trowels). The soil samples will be analyzed for the following:

- Gasoline Range Organics (GRO) by Ecology Method NWTPH-Gx
- Benzene, Toluene, Ethylbenzene, Xylenes (BTEX), and total naphthalenes by U.S. Environmental Protection Agency (EPA) Method 8260D

All soil samples will be placed in coolers with ice and submitted to an EPA-accredited environmental laboratory for analysis.

4.3 Waste Characterization and Profile

To obtain acceptance of the excavated PCS, soil sample analytical data from the Subject Property will be submitted to the selected waste disposal facility. The samples will be collected with decontaminated hand tools (e.g., spoons and trowels). The soil samples may be analyzed for the following:

¹ Based on the analytical results from previous investigation activities, any PCS that may be encountered will likely be designated as non-hazardous waste. Hazardous waste is not anticipated to be generated during excavation activities at the Subject Property.



- GRO by Ecology Method NWTPH-Gx
- Diesel-range organics (DRO) and oil-range organics (ORO) by Ecology Method NWTPH-Dx (after silica gel cleanup)
- BTEX by EPA Method 8260D
- Lead by EPA Method 200.8

If any lead concentration in a soil sample exceeds 100 milligrams per kilogram (mg/kg), respectively, then that sample will be prepared using the toxicity characteristic leaching procedure (TCLP) and then further analyzed to determine if the soil should be designated as hazardous waste. The sampled material would be designated as hazardous waste if the TCLP lead concentration exceeds 5 milligrams per liter (mg/L).

4.4 Stockpile Samples

Excavated PCS will be temporarily stockpiled on the Subject Property prior to hauling off-site for disposal. Stockpiles of confirmed non-impacted soil may be used as backfill following confirmation soil sampling. The qualified field geologist or environmental scientist will sample each stockpile in accordance with the sampling procedures in Ecology's *Guidance for Remediation of Petroleum Contaminated Soils* (Ecology, 2016). Discrete grab samples will be collected with decontaminated hand tools at depths of 6 to 12 inches below the surface of the stockpile. The locations of these samples will be where field screening results (visual appearance, odor, and PID readings) indicate the strongest evidence of petroleum hydrocarbons. If field screening does not indicate the presence of contamination, the stockpile will be split into sections and a sample will be collected from each section. The number of samples from each stockpile will be based on the volume of the stockpile, as presented in Table 6.9 of Ecology's *Guidance for Remediation of Petroleum Contaminated Soils* (Ecology, 2016). The soil stockpile samples will be analyzed for the parameters listed in Section 4.2.

5.0 IMPACTED WATER MANAGEMENT

5.1 Excavation Dewatering

To minimize the amount of groundwater and stormwater that must be managed as part of this construction project, SLR understands that the work is planned for the summer or fall when the groundwater table and precipitation are expected to be at its lowest. The information provided in this section is presented as guidance for the unforeseen circumstance of encountering significant groundwater during construction activities.

Prior to conducting any soil excavation activities at depths below the groundwater table at the Subject Property, the contractor will stage the necessary equipment to dewater the excavation, as necessary. To remove any petroleum hydrocarbon-impacted groundwater that enters the open soil excavations, a submersible or suction pump will typically be placed below the water level in an excavation and the groundwater will be pumped into a temporary groundwater treatment system that will be located near the excavation areas. The treatment system will typically consist of a 21,000-gallon sediment settling tank and two, 1,000-pound liquid-phase carbon canisters in series. The carbon will adsorb the petroleum hydrocarbons in the extracted groundwater. The treated water will typically be discharged to the local sanitary sewer system near the Subject Property under a discharge authorization permit, or can alternatively be pumped into a truck for



offsite transportation and disposal at an approved facility after the water has undergone the waste characterization and profiling process.

After initially activating the groundwater extraction pump and filling the sediment settling tank and the two carbon canisters, the pump will be shut off and a qualified person will collect samples of the water at the influent to the first carbon canister, the influent to the second carbon canister, and the effluent from the second canister (i.e. the discharged water). Per typical sewer district requirements, the samples will be submitted for analysis of non-polar fats, oil, and grease (FOG) by EPA Method 1664.

5.2 Erosion and sediment control

During periods of precipitation, the contractor will implement erosion and sediment control measures when petroleum hydrocarbon-impacted soil is exposed. The purpose of these measures will be to prevent stormwater from transporting impacted soil to non-impacted areas of the excavation. Examples of possible erosion and sediment control measures include the use of silt curtains and/or straw bales or waddles around the impacted soil areas. As appropriate, stormwater within the work zone will be directed into the excavation.



6.0 REFERENCES

Washington Department of Ecology. 2016. *Guidance for Remediation of Petroleum Contaminated Sites*. Toxics Cleanup Program. Publication No. 10-09-057. June.

DRAFT



7.0 Closure

This document has been prepared by SLR International Corporation (SLR). The material and data in this report were prepared under the supervision and direction of the undersigned.

Sincerely,

SLR International Corporation

(insert signatures here)

Christopher Lee, L.G.
Senior Geologist

(insert signatures here)

Stone Machel
Staff Geologist

DRAFT





DRAFT

Making Sustainability Happen

ILLAHEE Port District No. 6
Reconciliation Summary
88712 - GENERAL FUND, Period Ending 06/30/2024

	<u>Jun 30, 24</u>
Beginning Balance	118,767.54
Cleared Transactions	
Checks and Payments - 12 items	-10,542.13
Deposits and Credits - 5 items	7,028.11
Total Cleared Transactions	<u>-3,514.02</u>
Cleared Balance	<u>115,253.52</u>
Register Balance as of 06/30/2024	<u>115,253.52</u>
New Transactions	
Deposits and Credits - 1 item	<u>850.00</u>
Total New Transactions	<u>850.00</u>
Ending Balance	<u><u>116,103.52</u></u>

2:00 PM

07/08/24

ILLAHEE Port District No. 6
Reconciliation Summary
INVESTMENT POOL, Period Ending 06/30/2024

	<u>Jun 30, 24</u>
Beginning Balance	292,052.82
Cleared Transactions	
Deposits and Credits - 1 item	<u>889.66</u>
Total Cleared Transactions	<u>889.66</u>
Cleared Balance	<u>292,942.48</u>
Register Balance as of 06/30/2024	<u>292,942.48</u>
Ending Balance	292,942.48

Treasurer's Summary Report
For 2024 - Jun
Fund: FD00712 Port/Illahee General

Cash						
Beginning Cash Balance						95,864.13
1182:Investments		-4,197.84	0.00	889.66	-889.66	-5,087.50
Purchased						
3100:Taxes	3110.10 - Real and Personal Property Taxes	50,867.96	348.45	0.00	348.45	51,216.41
3100:Taxes	3170.20 - Leasehold Excise Tax	30.32	0.00	0.00	0.00	30.32
3600:Miscellaneous Revenues	3610.11 - Investment Interest	4,197.84	889.66	0.00	889.66	5,087.50
3600:Miscellaneous Revenues	3610.40 - Other Interest	0.01	0.00	0.00	0.00	0.01
3800:Other Increases in Fund Resources	3860 - Agency Deposits	19,441.10	5,790.00	0.00	5,790.00	25,231.10
5890:Custodial Activities	5890.40 - Warrants Issued	-40,542.58	0.00	9,652.47	-9,652.47	-50,195.05
6900:Transfers Out	6971.88713 - Transfers Out	-6,893.40	0.00	0.00	0.00	-6,893.40
Total Cash		22,903.41	7,028.11	10,542.13	-3,514.02	115,253.52

699.20 Real & Personal Property Tax

699.10 Investment Interest

TREAS

Beginning Balance Date

1/1/2024

Treasurer's Summary Report

For 2024 - Jun

Fund: FD00712 Port/Illahee General

Investments

Beginning Investment Balance						287,854.98
1182:Investments Purchased	4,197.84	889.66	0.00	889.66		5,087.50
Total Investments	4,197.84	889.66	0.00	889.66		292,942.48

Debt Service

Port of Illahee - RCO Grant Summary

Updated 6/25/24

Port of Illahee - RCO Grant Award Summary			
	Award Total	RCO Share	Port Share
BFP GRANT			
Development			
Construction	\$ 905,065.00	\$ 669,761.40	\$ 235,303.60
Permits and C.R.	\$ 65,000.00	\$ 48,100.96	\$ 16,899.04
A&E (20%)	\$ 180,000.00	\$ 133,202.65	\$ 46,797.35
Total	\$ 1,150,065.00	\$ 851,065.00	\$ 299,000.00
ALEA GRANT			
Development			
Construction	\$ 637,000.00	\$ 392,241.38	\$ 244,758.62
Permits and C.R.	\$ 45,000.00	\$ 27,709.36	\$ 17,290.64
A&E (20%)	\$ 130,000.00	\$ 80,049.26	\$ 49,950.74
Total	\$ 812,000.00	\$ 500,000.00	\$ 312,000.00
TOTAL GRANTS AWARDED (BFP + ALEA)			
Development			
Construction	\$ 1,542,065.00	\$ 1,062,002.78	\$ 480,062.22
Permits and C.R.	\$ 110,000.00	\$ 75,810.31	\$ 34,189.69
A&E (20%)	\$ 310,000.00	\$ 213,251.91	\$ 96,748.09
Total	\$ 1,962,065.00	\$ 1,351,065.00	\$ 611,000.00

Port of Illahee - RCO Grant Summary

Updated 6/25/24

BFP RCO Reimbursement Request Summary				Total Eligible	RCO Share	Port Share
Request Date	Total Request Amount			Total Grant Eligible Amount	RCO Reimbursement	Port Match
	Construction (Contractor)	Permits and C.R.	A&E			
9/13/2021	\$ -	\$ 30,982.77	\$ 31,911.77	\$ 62,894.54	\$ 46,542.88	\$ 16,351.65
3/22/2022	\$ -	\$ 9,317.78	\$ 2,737.00	\$ 12,054.78	\$ 8,920.71	\$ 3,134.06
8/11/2022	\$ -	\$ 3,755.97	\$ 11,267.91	\$ 15,023.88	\$ 11,117.89	\$ 3,905.99
1/18/2023	\$ -	\$ 2,783.62	\$ 4,639.38	\$ 7,423.00	\$ 5,493.13	\$ 1,929.87
5/11/2023	\$ -	\$ -	\$ 3,785.13	\$ 3,785.13	\$ 2,801.05	\$ 984.08
9/5/2023	\$ -	\$ -	\$ 4,394.51	\$ 4,394.51	\$ 3,252.00	\$ 1,142.51
11/1/2023	\$ -	\$ -	\$ 11,081.88	\$ 11,081.88	\$ 8,200.75	\$ 2,881.13
2/9/2024	\$ -	\$ -	\$ 5,393.88	\$ 5,393.88	\$ 3,991.55	\$ 1,402.33
6/25/2024	\$ -	\$ -	\$ 9,381.92	\$ 9,381.92	\$ 6,942.76	\$ 2,439.16
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
REMAINING GRANT BALANCE	\$905,065.00	\$18,159.87	\$95,406.63	\$1,018,631.50		
REMAINING GRANT BALANCE RCO Share	\$669,761.40	\$13,438.57	\$70,602.31	\$753,802.28		
REMAINING GRANT BALANCE Port Share	\$235,303.60	\$4,721.30	\$24,804.32	\$264,829.22		

Port of Illahee - RCO Grant Summary

Updated 6/25/24

ALEA				Total Eligible	RCO Share	Port Share
RCO Reimbursement Request Summary						
	Total Request Amount			Total Grant Eligible Amount	RCO Reimbursement	Port Match
Request Date	Construction (Contractor)	Permits and C.R.	A&E			
9/13/2021	\$ -	\$ 30,982.77	\$ 29,504.27	\$ 60,487.04	\$ 37,245.71	\$ 23,241.32
3/22/2022	\$ -	\$ 9,317.78	\$ 2,737.00	\$ 12,054.78	\$ 7,422.89	\$ 4,631.88
8/11/2022	\$ -	\$ 3,755.97	\$ 11,267.91	\$ 15,023.88	\$ 9,251.15	\$ 5,772.72
1/18/2023	\$ -	\$ 927.88	\$ 6,495.12	\$ 7,423.00	\$ 4,570.81	\$ 2,852.19
5/11/2023	\$ -	\$ -	\$ 3,785.12	\$ 3,785.12	\$ 2,330.74	\$ 1,454.38
9/5/2023	\$ -	\$ -	\$ 4,394.49	\$ 4,394.49	\$ 2,705.96	\$ 1,688.53
11/1/2023	\$ -	\$ -	\$ 11,081.87	\$ 11,081.87	\$ 6,823.81	\$ 4,258.06
2/9/2024	\$ -	\$ -	\$ 5,393.87	\$ 5,393.87	\$ 3,321.35	\$ 2,072.52
6/25/2024	\$ -	\$ -	\$ 6,624.08	\$ 6,624.08	\$ 4,078.87	\$ 2,545.21
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -
REMAINING GRANT BALANCE	\$637,000.00	\$15.62	\$48,716.28	\$685,731.89		
REMAINING GRANT BALANCE RCO Share	\$392,241.38	\$9.62	\$29,997.71	\$422,248.70		
REMAINING GRANT BALANCE Port Share	\$244,758.62	\$6.00	\$18,718.57	\$263,483.19		

Port of Illahee - RCO Grant Summary

Updated 6/25/24

COMBINED (BFP+ALEA)				Total Eligible	RCO Share	Port Share
RCO Reimbursement Request Summary						
Request Date	Total Request Amount			Total Grant Eligible Amount	RCO Reimbursement	Port Match
	Construction (Contractor)	Permits and C.R.	A&E			
9/13/2021	\$ -	\$ 61,965.53	\$ 61,416.04	\$ 123,381.57	\$ 83,788.59	\$ 39,592.98
3/22/2022	\$ -	\$ 18,635.55	\$ 5,474.00	\$ 24,109.55	\$ 16,343.60	\$ 7,765.95
8/11/2022	\$ -	\$ 7,511.94	\$ 22,535.81	\$ 30,047.75	\$ 20,369.04	\$ 9,678.71
1/18/2023	\$ -	\$ 3,711.50	\$ 11,134.50	\$ 14,845.99	\$ 10,063.94	\$ 4,782.05
5/11/2023	\$ -	\$ -	\$ 7,570.25	\$ 7,570.25	\$ 5,131.79	\$ 2,438.46
9/5/2023	\$ -	\$ -	\$ 8,789.00	\$ 8,789.00	\$ 5,957.96	\$ 2,831.04
11/1/2023	\$ -	\$ -	\$ 22,163.75	\$ 22,163.75	\$ 15,024.57	\$ 7,139.18
2/9/2024	\$ -	\$ -	\$ 10,787.75	\$ 10,787.75	\$ 7,312.90	\$ 3,474.85
6/25/2024	\$ -	\$ -	\$ 16,006.00	\$ 16,006.00	\$ 11,021.63	\$ 4,984.37
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
REMAINING GRANT BALANCE	\$1,542,065.00	\$18,175.49	\$144,122.90	\$1,704,363.39		
REMAINING GRANT BALANCE RCO Share	\$1,062,002.78	\$13,448.19	\$100,600.01	\$1,176,050.98		
REMAINING GRANT BALANCE Port Share	\$480,062.22	\$4,727.30	\$43,522.89	\$528,312.41		



WASHINGTON STATE
Joint Aquatic Resources Permit
Application (JARPA) Form^{1,2} [\[help\]](#)

USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.



US Army Corps
of Engineers
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

Part 1—Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane **Development**) [\[help\]](#)

Illahee Submerged Tire Removal

Part 2—Applicant

The person and/or organization responsible for the project. [\[help\]](#)

2a. Name (Last, First, Middle)

Barnhart, Troy, Thomas

2b. Organization (If applicable)

Serco Inc.

2c. Mailing Address (Street or PO Box)

13605 NW Holly Rd

2d. City, State, Zip

Bremerton, WA, 98312

2e. Phone (1)

2f. Phone (2)

2g. Fax

2h. E-mail

360-908-8766

¹Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

²To access an online JARPA form with [help] screens, go to

http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.

Part 3—Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b of this application.) [\[help\]](#)

3a. Name (Last, First, Middle)			
N/A			
3b. Organization (If applicable)			
3c. Mailing Address (Street or PO Box)			
3d. City, State, Zip			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail

Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both **upland and aquatic** ownership because the upland owners may not own the adjacent aquatic land. [\[help\]](#)

- Same as applicant. (Skip to Part 5.)
- Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)
- There are multiple upland property owners. Complete the section below and fill out [JARPA Attachment A](#) for each additional property owner.
- Your project is on Department of Natural Resources (DNR)-managed aquatic lands. *If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete [JARPA Attachment E](#) to apply for the Aquatic Use Authorization.*

4a. Name (Last, First, Middle)			
Jim Aho (Port of Illahee Commissioner)			
4b. Organization (If applicable)			
PORT OF ILLAHEE			
4c. Mailing Address (Street or PO Box)			
PO BOX 2357			
4d. City, State, Zip			
BREMERTON, WA, 98310			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail
(360) 649-1049			

Part 5—Project Location(s)

Identifying information about the property or properties where the project will occur. [\[help\]](#)

- There are multiple project locations (e.g. linear projects). Complete the section below and use [JARPA Attachment B](#) for each additional project location.

5a. Indicate the type of ownership of the property. (Check all that apply.) [\[help\]](#)

- Private
 Federal
 Publicly owned (state, county, city, special districts like schools, ports, etc.)
 Tribal
 Department of Natural Resources (DNR) – managed aquatic lands (Complete [JARPA Attachment E](#))

5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [\[help\]](#)

Illahee Dock

5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [\[help\]](#)

Bremerton, WA 98311

5d. County [\[help\]](#)

Kitsap

5e. Provide the section, township, and range for the project location. [\[help\]](#)

¼ Section	Section	Township	Range
South East	SEC 31	TWP 25	RNG 2E

5f. Provide the latitude and longitude of the project location. [\[help\]](#)

- Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83)

47.61267878346562 N lat./ -122.59488406307345 W long.

5g. List the tax parcel number(s) for the project location. [\[help\]](#)

- The local county assessor's office can provide this information.

312502-4-001-2009

5h. Contact information for all adjoining property owners. (If you need more space, use [JARPA Attachment C.](#)) [\[help\]](#)

Name	Mailing Address	Tax Parcel # (if known)
KUMAR DHEERAJ AND SUMAN SHIKHA	13919 SILVER FIRS DR	4429-001-010-0001
	EVERETT, WA 98208	
KNIGHT LEONARD J TRUSTEE	5480 ILLAHEE RD NE	4429-002-001-0000
	BREMERTON WA 98311	

5i. List all wetlands on or adjacent to the project location [\[help\]](#)

None

5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [\[help\]](#)

Puget Sound Marine Waters, Port Orchard

5k. Is any part of the project area within a 100-year floodplain? [\[help\]](#)

Yes No Don't know

5l. Briefly describe the vegetation and habitat conditions on the property. [\[help\]](#)

Marine Project. Current habitat is encumbered by tire dumpsite, substrate is sandy silt, minimal growth of marine life exists on tires.

5m. Describe how the property is currently used. [\[help\]](#)

Community Pier used for temporary moorage, fishing, and other water related uses

5n. Describe how the adjacent properties are currently used. [\[help\]](#)

Single Family Residences

5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [\[help\]](#)

Structures are limited to the pier, and 2 floating docks used for access to enable temporary moorage, fishing, and other water related uses

5p. Provide driving directions from the closest highway to the project location, and attach a map. [\[help\]](#)

Directions from Highway 3/16 interchange in Gorst
 Head northwest on WA-3 N
 Take exit 45B for Washington 303 S toward E Bremerton
 Continue on WA-303 S. Take NE McWilliams Rd to Illahee Dock
 Merge onto WA-303 S/NE Waaga Wy
 Turn left onto NE McWilliams Rd
 Turn right onto East Blvd NE
 Continue onto Oceanview Blvd NE

Turn right onto Illahee Road NE
Turn left onto Illahee Dock

Part 6—Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [\[help\]](#)

Removal of submerged tires from South West corner of tire reef / fish haven.

6b. Describe the purpose of the project and why you want or need to perform it. [\[help\]](#)

The removal of tires from the Illahee pier is proposed as a marine cleanup/ habitat enhancement project and has been directed by the ports most recent Aquatic Lands Lease (Document 20-A08845 Exhibit B section 2. paragraph F.). The removal proposed will act as a pathfinding process to inform future removal required by the lease to be completed by November 2028.

6c. Indicate the project category. (Check all that apply) [\[help\]](#)

- Commercial Residential Institutional Transportation Recreational
- Maintenance Environmental Enhancement

6d. Indicate the major elements of your project. (Check all that apply) [\[help\]](#)

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Aquaculture
<input type="checkbox"/> Bank Stabilization
<input type="checkbox"/> Boat House
<input type="checkbox"/> Boat Launch
<input type="checkbox"/> Boat Lift
<input type="checkbox"/> Bridge
<input type="checkbox"/> Bulkhead
<input type="checkbox"/> Buoy
<input type="checkbox"/> Channel Modification | <input type="checkbox"/> Culvert
<input type="checkbox"/> Dam / Weir
<input type="checkbox"/> Dike / Levee / Jetty
<input type="checkbox"/> Ditch
<input type="checkbox"/> Dock / Pier
<input type="checkbox"/> Dredging
<input type="checkbox"/> Fence
<input type="checkbox"/> Ferry Terminal
<input type="checkbox"/> Fishway | <input type="checkbox"/> Float
<input type="checkbox"/> Floating Home
<input type="checkbox"/> Geotechnical Survey
<input type="checkbox"/> Land Clearing
<input checked="" type="checkbox"/> Marina / Moorage
<input type="checkbox"/> Mining
<input type="checkbox"/> Outfall Structure
<input type="checkbox"/> Piling/Dolphin
<input type="checkbox"/> Raft | <input type="checkbox"/> Retaining Wall (upland)
<input type="checkbox"/> Road
<input type="checkbox"/> Scientific Measurement Device
<input type="checkbox"/> Stairs
<input type="checkbox"/> Stormwater facility
<input type="checkbox"/> Swimming Pool
<input type="checkbox"/> Utility Line |
|--|--|---|---|

Other: Marine Debris Removal

6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [\[help\]](#)

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

There is no new construction proposed in this project

6f. What are the anticipated start and end dates for project construction? (Month/Year) [\[help\]](#)

- If the project will be constructed in phases or stages, use [JARPA Attachment D](#) to list the start and end dates of each phase or stage.

Start Date: July 2024

End Date: September 2024

See JARPA Attachment D

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [\[help\]](#)

\$20,625

6h. Will any portion of the project receive federal funding? [\[help\]](#)

- If yes, list each agency providing funds.

Yes No Don't know

Part 7–Wetlands: Impacts and Mitigation

Check here if there are wetlands or wetland buffers on or adjacent to the project area.
(If there are none, skip to Part 8.) [\[help\]](#)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [\[help\]](#)

Not applicable

7b. Will the project impact wetlands? [\[help\]](#)

Yes No Don't know

7c. Will the project impact wetland buffers? [\[help\]](#)

Yes No Don't know

7d. Has a wetland delineation report been prepared? [\[help\]](#)
 • If Yes, submit the report, including data sheets, with the JARPA package.

Yes No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [\[help\]](#)
 • If Yes, submit the wetland rating forms and figures with the JARPA package.

Yes No Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [\[help\]](#)
 • If Yes, submit the plan with the JARPA package and answer 7g.
 • If No, or Not applicable, explain below why a mitigation plan should not be required.

Yes No Don't know

7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [\[help\]](#)

Not applicable

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [\[help\]](#)

Activity (fill, drain, excavate, flood, etc.)	Wetland Name ¹	Wetland type and rating category ²	Impact area (sq. ft. or Acres)	Duration of impact ³	Proposed mitigation type ⁴	Wetland mitigation area (sq. ft. or acres)
N/A						

¹If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report.

²Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

³Indicate the days, months or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.

⁴Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: _____

7i. For all filling activities identified in 7h, describe the source and nature of the **fill material**, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [\[help\]](#)

N/A

7j. For all excavating activities identified in 7h, describe the excavation **method**, type and amount of material in cubic yards you will remove, and where the material will be **disposed**. [\[help\]](#)

N/A

Part 8—Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, “waterbodies” refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [\[help\]](#)

Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [\[help\]](#)

Not applicable

BMP-1.0 Minimize Distribution of sediments into surrounding water

BMP-1.1 When Lifting refuse divers will whenever possible minimize disturbance of bottom sediments

BMP-1.2 When lift bags are in use they will only be inflated enough to break bottom suction on refuse and establish neutral buoyancy

BMP 2.0 Prevent further spreading of refuse

BMP 2.1 Prior removing a portion of an established underwater artificial reef structure BMP 2.1.1 through BMP 2.1.7 will be completed in sequence to ensure no further spreading of refuse.

BMP 2.1.1 Secure materials to be recovered to a suitable temporary anchor such as pier structure, barge, bouy/float using lines, chain, cable and/or rope.

BMP 2.1.2 Separate materials to be recovered from remaining artificial reef structure and re-terminate reef structure at next node, anchor point or other major feature.

BMP 2.1.3 Separate materials to be recovered into smaller manageable features based on equipment to be used for recovery and expected sediment disturbance potential (do not disconnect temporary anchor lines from BMP 2.1.1)

BMP 2.1.4 Establish dedicated recovery line to the items set to be recovered from BMP 2.1.3 and route to recovery personnel, disconnect materials to be recovered from temporary anchor line.

BMP 2.1.5 Affix Buoyancy Lift bags to the items set to be recovered from BMP 2.1.3 and inflate to break bottom suction and establish neutral buoyancy,

BMP 2.1.6 Hold materials to be recovered over site for sufficient time to verify neutral buoyancy, allow for sediment dispersion, manually remove marine life from materials to be recovered if able to do so without harming them.

BMP 2.1.7 Dive team will guide materials to the surface slowly managing accent rate to ensure materials do not experience an uncontrolled accent.

BMP 2.1.8 Repeat BMP 2.1.2 through 2.1.7 for remaining materials.

BMP 3.0 Monitor Water Quality standards

BMP 3.1 Monitor Baseline Turbidity at a location near the operating area at three depths within the water column in accordance with project water quality monitoring plan for the project.

BMP 3.2 Monitor Turbidity at a location approximately 50% of the compliance boundary distance from the operating area at three depths within the water column in accordance with project water quality monitoring plan for the project.

BMP 3.3 Monitor Turbidity at a location along the arc formed by the compliance boundary distance from the operating area at three depths within the water column in accordance with project water quality monitoring plan for the project.

BMP 4.0 Control Sediment During Transport

BMP 4.1 When Transporting recovered material from the water to final disposal site care should be taken to insure no release of materials or potentially contaminated sediments along the transportation path.

BMP 4.1.1 For material loads transported through manual labor use of a rigid walled wheel barrow or similar device is recommended.

BMP 4.1.2 For material loads too large to be transported manually a plastic lined/ enclosed dumpster is required.

BMP 4.1.3 Areas where temporary staging of materials is to take place should be covered with plastic sheeting/ tarpaulin to contain potentially contaminated sediments.

BMP 4.1.4 Unless known to be uncontaminated (through laboratory analysis) all sediments and other materials recovered along with the target refuse should be discarded with said refuse in the same manner to control the spread of any incidental contamination.

8b. Will your project impact a waterbody or the area around a waterbody? [\[help\]](#)

Yes No

8c. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies? [\[help\]](#)

- If **Yes**, submit the plan with the JARPA package and answer 8d.
- If **No**, or **Not applicable**, explain below why a mitigation plan should not be required.

Yes No Don't know

The project scope is limited to removal of tires from the water body and is itself a habitat restoration project.

8d. Summarize what the mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7g you do not need to restate your answer here. [\[help\]](#)

N/A

8e. Summarize impact(s) to each waterbody in the table below. [\[help\]](#)

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
Removal of tires	Port Orchard (Puget sound)	47.61267878346562 N lat./ - 122.5948840630734 5 W long.	24 hours	1-2 yards of debris removed (<.5yds of incidental associated sediment removed)	Work site approximately 100 sqft, removal path 150ft (linear)

¹ If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided.

² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.

³ Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.

8f. For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [\[help\]](#)

No fill will be installed during this project.

8g. For all excavating or dredging activities identified in 8e, describe the method for **excavating or dredging**, type and amount of material you will remove, and where the material will be disposed. [\[help\]](#)

No excavating/ dredging planned for this project.

8h. Have you prepared a Water Quality Monitoring Plan (WQMP) for all in-water work (below ordinary high water), over water work or discharges to waters of the state?

Yes No

If NO describe the monitoring that you will be **conducting** including parameters, equipment and locations, or explain why monitoring will not be necessary. [\[help\]](#)

Part 9—Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

9a. If you have already worked with any government agencies on this project, list them below. [\[help\]](#)

Agency Name	Contact Name	Phone	Most Recent Date of Contact

Serco Business

US Army Corps of Engineers	Albright-Garland, Sarah L	(206) 561-6746	29 April 2024
Suquamish Tribe	Osullivan, Alison	(360) 394-8447	23 April 2024
Washington Department of Natural Resources	Biondo, Cassidy	(360) 800-7266	24 June 2024
Washington Department of Ecology	Vaughn, Casey	(564) 669-4201	13 May 2024
Washington Department of Fish and Wildlife	Piazza, Gina L	(360) 890-0312	20 June 2024
Department of Archeology and Historic Preservation	Whitlam, Rob		20 Jun 2024

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [\[help\]](#)

- If Yes, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-improvement/Assessment-of-state-waters-303d>.

Yes No

9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [\[help\]](#)

- Go to <http://cfpub.epa.gov/surf/locate/index.cfm> to help identify the HUC.

17110019

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [\[help\]](#)

- Go to <https://ecology.wa.gov/Water-Shorelines/Water-supply/Water-availability/Watershed-look-up> to find the WRIA #.

15

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [\[help\]](#)

- Go to <https://ecology.wa.gov/Water-Shorelines/Water-quality/Freshwater/Surface-water-quality-standards/Criteria> for the standards.

Yes No Not applicable

9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [\[help\]](#)

- If you don't know, contact the local planning department.
- For more information, go to: <https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning/Shoreline-laws-rules-and-cases>.

Urban Natural Aquatic Conservancy Other: Urban Conservancy

9g. What is the Washington Department of Natural Resources Water Type? [\[help\]](#)

- Go to <http://www.dnr.wa.gov/forest-practices-water-typing> for the Forest Practices Water Typing System.

Shoreline Fish Non-Fish Perennial Non-Fish Seasonal

9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [\[help\]](#)

- If No, provide the name of the manual your project is designed to meet.

Yes No

Name of manual: _____

9i. Does the project site have known contaminated sediment? [\[help\]](#)

- If Yes, please describe below.

Yes No

9j. If you know what the property was used for in the past, describe below. [\[help\]](#)

Marine Shoreline, Port of Illahee temporary moorage, tire dumpsite (failed fish haven)

9k. Is the project located in or adjacent to a designated state or federal contaminated site or clean-up site. (e.g. MTCA or CERCLA)?

- If Yes, provide any additional details below.

Yes No

9l. Has a cultural resource (archaeological) survey been performed on the project area? [\[help\]](#)

- If Yes, attach it to your JARPA package.

Yes No

9m. Name each species listed under the federal **Endangered Species Act** that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

1. Marbled Murrelet (*Brachyramphus marmoratus*) Status: **Threatened**, There is final critical habitat for this species (published in the Federal Register on August 4, 2016). Project location does not overlap the critical habitat. BMPs have addressed all likely impacts.
2. Yellow-billed Cuckoo (*Coccyzus americanus*) Status: **Threatened**, There is final critical habitat for this species (published in the Federal Register on April 21, 2021). Project location does not overlap the critical habitat. This species is not endemic to the marine environment however, BMPs have addressed all likely impacts.
3. Northwestern Pond Turtle (*Actinemys marmorata*) Status: **Proposed Threatened**, No critical habitat has been designated for this species. This species is not endemic to the marine environment however, BMPs have addressed all likely impacts.
4. Bull Trout (*Salvelinus confluentus*) Status: **Threatened**, There is final critical habitat for this species (published in the Federal Register on October 18, 2010). Project location does not overlap the critical habitat. BMPs have addressed all likely impacts.
5. Monarch Butterfly (*Danaus plexippus*) Status: **Candidate**, No critical habitat has been designated for this species. This species is not endemic to the marine environment however, BMPs have addressed all likely impacts.

9n. Name each species or habitat on the Washington **Department of Fish and Wildlife's Priority Habitats and Species List** that might be affected by the proposed work. [\[help\]](#)

Habitat: Estuarine and Marine Wetland- Habitat occurs on worksite however BMPs have addressed all likely impacts.

Species: Pacific geoduck (*Panopea abrupta*)- Species occurs on worksite however BMPs have addressed all likely impacts.

Part 10—SEPA Compliance and Permits

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.oria.wa.gov/opas/>.
- Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@oria.wa.gov.
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

10a. Compliance with the State **Environmental Policy Act (SEPA)**. (Check all that apply.) [\[help\]](#)

- For more information about SEPA, go to <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>.

A copy of the SEPA determination or letter of exemption is included with this application.

A SEPA determination is pending with _____ (lead agency). The expected decision date is _____.

I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [\[help\]](#)

This project is exempt (choose type of exemption below).

Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

Other: HRPP

SEPA is pre-empted by federal law.

10b. Indicate the permits you are applying for. (Check all that apply.) [help](#)

LOCAL GOVERNMENT

Local Government Shoreline permits:

- Substantial Development Conditional Use Variance
 Shoreline Exemption Type (explain): HRPP No local permit needed

Other City/County permits:

- Floodplain Development Permit Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

- Hydraulic Project Approval (HPA) Fish Habitat Enhancement Exemption ~ [Attach Exemption Form](#)

Washington Department of Natural Resources:

- Aquatic Use Authorization
 Complete [JARPA Attachment E](#) and submit a check for \$25 payable to the Washington Department of Natural Resources.
Do not send cash.

Washington Department of Ecology:

- Section 401 Water Quality Certification
 Authorization to impact waters of the state, including wetlands (Check this box if the proposed impacts are to waters not subject to the federal Clean Water Act)

FEDERAL AND TRIBAL GOVERNMENT

United States Department of the Army (U.S. Army Corps of Engineers):

- Section 404 (discharges into waters of the U.S.) Section 10 (work in navigable waters)

United States Coast Guard:

For projects or bridges over waters of the United States, contact the U.S. Coast Guard at:

- Bridge Permit: D13-SMB-D13-BRIDGES@uscg.mil
 Private Aids to Navigation (or other non-bridge permits): D13-SMB-D13-PATON@uscg.mil

United States Environmental Protection Agency:

- Section 401 Water Quality Certification (discharges into waters of the U.S.) on tribal lands where tribes do not have treatment as a state (TAS)

Tribal Permits: (Check with the tribe to see if there are other tribal permits, e.g., Tribal Environmental Protection Act, Shoreline Permits, Hydraulic Project Permits, or other in addition to CWA Section 401 WQC)

- Section 401 Water Quality Certification (discharges into waters of the U.S.) where the tribe has treatment as a state (TAS).

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

11a. Applicant Signature (required) [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. N/A (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. N/A (initial)

Troy Barnhart
Applicant Printed Name


Applicant Signature

03 JUL 2024
Date

11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

N/A
Authorized Agent Printed Name

Authorized Agent Signature

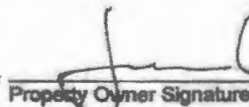
Date

11c. Property Owner Signature (if not applicant) [\[help\]](#)

Not required if project is on existing rights-of-way or easements (provide copy of easement with JARPA).

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

Jim Aho, PORT OF ILLINOIS CANAL
Property Owner Printed Name


Property Owner Signature

7/12/24
Date

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 617-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 633-6341. ORIA publication number: ORIA-16-011 rev. 09/2018



WASHINGTON STATE
Joint Aquatic Resources Permit
Application (JARPA) [\[help\]](#)



AGENCY USE ONLY

Date received: _____; Town
 Application Fee Received; Fee N/A
 New Application; Renewal Application
Type/Prefix #: _____; NaturE Use Code: _____
LM Initials & BP#: _____
RE Assets Finance BP#: _____
New Application Number: _____
Trust(s): _____; County: _____
AQR Plate #(s): _____
Gov Lot #(s): _____
Tax Parcel #(s): _____

Attachment E:
Aquatic Use Authorization on
Department of Natural Resources
(DNR)-managed aquatic lands [\[help\]](#)

Complete this attachment and submit it with the completed JARPA form only if you are applying for an Aquatic Use Authorization with DNR. Call (360) 902-1100 or visit <http://www.dnr.wa.gov/programs-and-services/aquatics/leasing-and-land-transactions> for more information.

- DNR recommends you discuss your proposal with a DNR land manager before applying for regulatory permits. Contact your regional land manager for more information on potential permit and survey requirements. You can find your regional land manager by calling (360) 902-1100 or going to <http://www.dnr.wa.gov/programs-and-services/aquatics/aquatic-districts-and-land-managers-map>. [\[help\]](#)
- The applicant may not begin work on DNR-managed aquatic lands until DNR grants an Aquatic Use Authorization.
- Include a \$25 non-refundable application processing fee, payable to the "Washington Department of Natural Resources." (Contact your Land Manager to determine if and when you are required to pay this fee.) [\[help\]](#)

DNR may reject the application at any time prior to issuing the applicant an Aquatic Use Authorization. [\[help\]](#)

Use black or blue ink to enter answers in white spaces below.

1. Applicant Name (Last, First, Middle)	
Barnhart, Troy, Thomas	
2. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [help]	
Illahee Submerged Tire Removal	
3. Phone Number and Email	
360-908-8766 troy.barnhart@serco-na.com	
4. Which of the following applies to Applicant? Check one and, if applicable, attach the written authority – bylaws, power of attorney, etc. [help]	
<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Partnership <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Liability Company Home State of Registration: _____	<input type="checkbox"/> Individual <input type="checkbox"/> Marital Community (Identify spouse): _____ <input type="checkbox"/> Government Agency <input type="checkbox"/> Other (Please Explain): _ _____

5. Washington UBI (Unified Business Identifier) number, if applicable: [help]
602-701-238
6. Are you aware of any existing or previously expired Aquatic Use Authorizations at the project location?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't know If Yes, Authorization number(s): _____
7. Do you intend to sublease the property to someone else?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, contact your Land Manager to discuss subleasing.
8. If fill material was used previously on DNR-managed aquatic lands, describe below the type of fill material and the purpose for using it. [help]
No fill used

To be completed by DNR and a copy returned to the applicant.

Signature for projects on DNR-managed aquatic lands:

Applicant must obtain the signature of DNR Aquatics District Manager OR Assistant Division Manager if the project is located on DNR-managed aquatic lands.

I, a designated representative of the Dept. of Natural Resources, am aware that the project is being proposed on Dept. of Natural Resources-managed aquatic lands and agree that the applicant or his/her representative may pursue the necessary regulatory permits. My signature does not authorize the use of DNR-managed aquatic lands for this project.

Printed Name	Signature	Date
Dept. of Natural Resources District Manager or Assistant Division Manager	Dept. of Natural Resources District Manager or Assistant Division Manager	

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA Publication ORIA-16-016 rev. 10/2016



PORT OF ILLAHEE

P. O. BOX 2357
BREMERTON, WA 98310

July 11, 2024

To: Recreation and Conservation Office (RCO)

Re: RCO Grant 24-1777A Illahee Preserve Ph3, Heart of the Park,
RCO Grant 24-1770A Illahee Preserve Watershed Park

Attachment (1): Port of Illahee Resolution 2024-4 Illahee Creek Watershed Park Concept Support and Implementation Plans

The Port of Illahee Commissioners would like to register their support for the Illahee Preserve's current expansion plans for the Heart of the Park properties, and especially for the purchase of the Watershed Park property.

In 2007, the Port obtained a \$268,000 Centennial Clean Water grant from the Department of Ecology to conduct a watershed study with the Port's geographical boundary. That study resulted in findings that supported the County's plan to expand the Preserve, which has been ongoing, and will continue with these two subject grants as their holding are now over 600-acres.

The Port is so supportive of the Watershed Park concept that they approved attached Resolution 2024-4, in April 2024, expressing that support. Please note the reasoning in the text of the attachment, behind the strong support for these two grants.

This letter was approved by the Port of Illahee Commission at their July 10, 2024, monthly meeting.

Sincerely,

Port of Illahee Administrator



Illahee Forest Preserve (IFP) Non-Profit Corporation
(Supporting the Illahee Preserve, A Kitsap County Heritage Park)

July 5, 2024

Subject: Request for 2 Letters of Project Support

Kitsap County and the Illahee Forest Preserve are working together to acquire additional property for the Illahee Preserve, a Kitsap County Heritage Park, by applying for two 2024 RCO Grants: Grant 24-1777 and Grant 24-1770.

Grant 24-1777 Acq. Illahee Preserve Ph3 Heart of the Park

The project description reads as follows:

Kitsap County Parks and Recreation will use this Phase 3 grant to begin acquiring up to 13 Heart of the Park properties (in a small geographical envelope) located at the center of the Illahee Preserve Heritage Park. Over the past two decades efforts have successfully added adjacent forested and riparian properties to the Illahee Preserve increasing the holdings from an initial acres to over 600-acres, with the 13 properties being the last large holding still remaining.

Though the individual properties are small and somewhat degraded as manufactured home rental sites, their collective location in the middle of the Preserve makes them the next and final major acquisition target. They not only distract from the natural features of the Preserve but also by the roadway and traffic to access them. They also impede any meaningful wildlife movement in the area.

The property was originally homesteaded by the Thompson family before Washington became a state in 1889, and the reason the property was not included as School Trust Lands at the time of statehood. The Thompson property was subsequently divided into 14 homesites, with Parks purchasing a 1-acre site that became available in 2017. Grant funding will be used to purchase properties as they become available, including possible Life Estate purchases.

Grant 24-1770 Acq. Illahee Preserve Watershed Park

The project description is being rewritten per RCO request to change from a combination acquisition and development grant to an only acquisition grant.

Kitsap County Parks and Recreation will use this grant to acquire the remaining 9.6-acres of the Elliott estate located along the South Fork of Illahee Creek and adjacent to previously acquired Park properties in the vicinity to meet community needs with plans for a 'Watershed' themed park connection to the Illahee Preserve Heritage Park.

The acquisition has multiple ecological benefits: (1) The addition of 9.6-acres and 850 feet of stream and riparian habitat providing access and control of the South Fork of Illahee Creek. (2) The prevention of development of the property. (3) An opportunity to provide the ultimate recreational experience associated with water and forest habitat, and (4) An opportunity to tell the unique and compelling educational 'Water and Watershed' story of Illahee Creek.

The acquisition also allows for multiple safety benefits to occur: (1) The purchase allows for the securing of funding for the planning and installation of a future relief conduit spillway to protect the dam from overflowing and failing. (2) Satisfies Department of Ecology mandates for the installation of a spillway. (3) Will help ease the Illahee Community's concerns of a

catastrophic dam failure and washout of the Illahee culvert, Illahee Road, and residential properties. And (4) Diminishes the Port of Illahee's concerns as the Illahee Creek delta already approaches Port facilities and a washout could require dredging under the dock.

These 2 grants are possible because of the following previous acquisition successes that are still in process:

1. In 2020 Grant 20-1742 was approved to purchase 16.8-acres of the Elliott property for Urban Wildlife Habitat to be added to the Illahee Preserve and is nearing completion.
2. In 2022 Grant 22-1613 was approved to purchase 6 properties providing habitat along Illahee Creek and a wildlife corridor between the Illahee Preserve and Illahee State Park.

These ongoing successes, along with previous Timbers Edge purchases in 2015 and 2020, help provide the match (50% required) which makes these grant projects possible.

With the 2024 grant final submittal deadline for Grant 24-1777 due on 11 July, your timely letter support would be greatly appreciated. While the deadline for grant 24-1770 will likely be in August, we would like to cover both letters at this time.

Thank you for your continued support!

Jim Aho

Jim Aho, Illahee Forest Preserve

Kitsap Derelict & Abandoned Vessel Removal Program Kick Off Meeting

Technical Advisory Committee (TAC)

Meeting Notes

June 27, 2024 | 1:00-3:00 PM
Kitsap County Commissioners' Chambers
Hybrid via Zoom

Action Items:

- Review program charter and send edits/comments to Brittany
- Review RCW 58 and RCW 79.100 if not already familiar
- Recruit Navy and USCG
- Recruit State Parks
- Revise Program Charter and distribute for comments
- Review RCW 58.03 and 79.100
- Document current processes from work session
- Upload draft charter, presentation slides, and meeting notes to project webpage
- Update contact list
- Follow-up email with meeting notes, charter, slides

Attendees and Introductions:

Kirvie Mesebeluu-Yobech - Kitsap County DCD. Supporting management of the Derelict and Abandoned Vessel Removal project.

Project history: In 2021, the West Sound Partners for Ecosystem Recovery (WSPER) identified pressing environmental pressures. Derelict Vessel was identified as a huge pressure on our marine ecosystem and a challenge for local jurisdictions and entities to address. Kitsap County submitted a grant application for National Estuary Program funds and was awarded funding. We have been working with partners to develop the scope of work and now we are finally kicking off this project.

Scott Diener - Kitsap County DCD, Manager for Planning & Environmental Programs

Jason Hedstrom - Kitsap County Sheriff Marine Unit, Sergeant

Travis Merrill - Port of Allyn, Executive Director, security aspects of the Port. Posts abandoned & derelict vessels

Adam Samara - WDFW Area Habitat Biologist. Role is to issue HPAs permitting vessel removal that is not covered by general permits (such as for sunken vessels).

Lindsay Wourms - WDFW Assistant Regional Habitat Program Manager. Role in Permitting.

Daryll Trask - Port of Poulsbo, Maintenance Manager

Caleb Reese - Port of Silverdale Commissioner

Jim Aho - Port of Illahee Commissioner. Vessels occasionally tie up in Illahee area but have moved on after posting.

James Weaver - Port of Bremerton, Marine Facilities Director

Kathy Garcia - Port of Bremerton, Operations Manager. Completes/submits paperwork and manages derelict vessels.

Troy Wood - DNR Derelict Vessel Removal Program Manager

Gary Anderson - Port of Bremerton Commissioner

Thomas Jury - Kitsap Public Health District

Tami Griffey - Kitsap Code Compliance. Recipient of abandoned & derelict vessel complaints.

Robyn Dally - Port of Brownsville, Port Manager.

Patrick Murray - WDFW Enforcement Division.

Ellen Ross-Cardoso - Port of Keyport Commissioner.

James Strode - Port of Manchester.

Caitlin Newman - Kitsap County Public Works Solid Waste Division, deals with illegal dumping. Kitsap previously operated a VTIP (vessel turn in program) event.

Amelia Palmer - Kitsap County Public Works Solid Waste

Renee Johnson - Kitsap County West Sound Partners for Ecosystem Recovery (WSPER). Works with partners on the East Kitsap peninsula for salmon recovery and ecosystem recovery.

Jonathan Raine - Kitsap County DCD GIS analyst- will be helping with tracking tool and other GIS needs.

Will Sapp- Kitsap Sheriff's Office, Lieutenant

Carl Borg - Kitsap County Homeless and Housing Program Manager

Steve Brown - Kitsap Public Health District (KPHD), Solid & Hazardous Waste Program Manager.

Alan Iwashita - Port Orchard Police, Deputy Chief. Purview over Marine Unit

Shawn Ziemann - Poulsbo Police, Sergeant. Supervises Marine Patrol and derelict vessels in Liberty Bay

TJ Quandt - Port of Kingston, Director of Operations and Real Estate. Previously worked with Port of Olympia and Port Townsend.

Jon Bingham - Bainbridge Island Police, Full time marine officer.

Denis Ryan - City of Port Orchard Public Works Director.

Evan Dabrowski - WA Department of Ecology, Marine Specialist, deals with stormwater and discharge zones.

Eric Anderson - WDFW Enforcement, Captain. Runs Aquatic Invasive Species program and manages dive team. Works with derelict vessels on WDFW lands.

Lena Hunt- Port of Keyport Commissioner. Worked with Troy on VTIP program.

Tim Schermetzler - CSD Law - serve many Ports in Kitsap and across the state. General counsel for WA Public Ports Association.

Rudy Baum - Kitsap Public Health. Program Coordinator for Healthy Environments Program.

Amy Jankowiak - Ecology, Stormwater Compliance. Vessel deconstruction permit, no discharge zone, and other vessel interaction.

Brad Trout - Kitsap Sheriff's Office, Deputy

Brittany Gordon - Kitsap County Department of Community Development, Project Manager

Ryan George - Suquamish Police Department

Project and Timeline Overview

(Led by Brittany; see slides)

Project Charter

(Led by Kirvie; see slides and draft project charter for review)

Defines project scope and sets boundaries.

Living document - as we develop the program, we are free to update the Project Charter so it serves us well. The project charter includes the project purpose, problem, aim, deliverables, scope, expectations, and technical advisory committee members.

Kitsap Public Works suggested adding definitions of derelict & abandoned. (DNR definitions may be used). Can include vessels on land in certain circumstances. Definitions are in RCW.

To use Vessel Turn In Program, vessel must not meet derelict & abandoned vessel definitions. DNR works with owner or person with authority to remove.

Suggestion for partners to hear more about difference between VTIP and DV program.

Suggestion to include copy of DNR program for reference - this is in RCW 79.100.

Project charter problem statement needs to address specific problems, including:

Private tidelands - the County can be the authorized removal entity. DNR only has jurisdiction over State-Owned Aquatic Lands (SOAL).

Security risk - some boats have broken loose and floated to PSNS (Puget Sound Naval Shipyard)

Administrative challenges - boats travel and leave jurisdictions (>5 miles) and are hard to track. If the vessels move within 30 days of posting, they are no longer abandoned at that point and must be re-posted.

If program will use DNR definitions, we need to get full understanding of nuances there. Kitsap may not want to be locked into those definitions.

It is unclear on how this program will fully function. This advisory committee will determine.

Private tidelands - authorized public entity can work to remove derelict or abandoned vessels on private tidelands.

Jurisdictional authority - Port of Bremerton operates in 3 different jurisdictions. Each law enforcement agency has their own personnel, procedures, etc. As boat drifts, this changes each time. Having Kitsap County serve as an overall jurisdiction that all entities could report to would be helpful. Navy and USCG drag derelict vessels to nearest facility.

Model ordinance that all jurisdictions could adopt that would help improve consistency as vessels move across jurisdictions.

DNR priorities are on the state level. With a local program in Kitsap, we will not be competing as much with statewide priorities.

Legislative changes at the state level could be very helpful. For instance, a notice of derelict vessel in one jurisdiction could apply in other jurisdictions.

Nautical miles over water vs over land is a nuance.

Suggest recruiting State Parks for technical advisory committee.

**add fish and fish of conservation need to the list with shellfish in the problem statement

Brittany responded - the Project Charter is intended to state a high-level overview of the derelict & abandoned vessel problem. We will document these problems and challenges identified for future discussion and incorporation into program resources. However, these will not all make it into the project charter.

Scope Discussion

Education and prevention should be a part of the scope.

Vessels are not derelict until they meet the definition for derelict vessel in RCW 79.100.010.

Identifying risk factors for a boat becoming derelict/abandoned is a need.

Scope needs to include prevention.

Include fresh waters. **Include vessels on uplands and that qualify for VTIP.

Include vessels that have people living on them.

End scope at disposal and reimbursement.

If a vessel moves beyond 5 miles, it's not derelict.

Auctioning vessels is a major issue.

Question - have commissioners championed this? Answer - Yes, Commissioners have been briefed on this project and provided support to move forward with project.

Process Work Session

The Technical Advisory Committee (TAC) split into 4 groups to document the current process being used for tracking and removing derelict & abandoned vessel. Below are notes from each group:

Ports:

Use processes in RCW 53.08.320 and RCW 79.100.

1. Use DNR templates to post vessel and notify owner,
2. waiting period,
3. go to bid for demolition,
4. gather bills and send a final statement to vessel owner to try and collect,
5. if not collected, submit for reimbursement to DNR.

To dispose of a vessel or to auction a vessel - Ports decide this on their own, no formal process for making that decision. May ask, is the vessel sea-worthy? Port of Bremerton has seaworthy defined in their rules and regs but not every port does. DNR suggests considering if the vessel operates as intended in "seaworthy" definition.

Law Enforcement:

1. Vessels reported via Kitsap 1 or from code compliance. DNR also contacts Kitsap Sheriff's Office (KSO) when they have a derelict vessel.
2. KSO verifies vessel location, ownership, and whether it is derelict.
3. KSO works with DNR to prioritize how to respond - is it in imminent danger of sinking or breaking free and creating a hazard?
4. From there, follow RCW 79.100 custody process.

Additional notes from this group:

- In 2022, KSO made an effort to map vessels using Google.
- DNR also maps vessels and they go on the FEMA Emergency Response map.
- Tribal registered boats do not fall under KSO jurisdiction but do fall under DNR jurisdiction.
- Posting a vessel is challenging or impossible if vessel is drifting or sunken.
- County has no dock to put derelict vessels. KSO takes to a dock and posts there and on DNR website.
- Permits are required for demolition - HPA if on beach/tidelands, NPDES permit for boatyards (SEPA required for this).
- DNR does not reimburse for disposal of upland boats.
- Need- budget for marinas and Ports to dispose of vessels so they do not have to put them up for auction.

Miscellaneous organizations group:

Washington Department of Fish and Wildlife (WDFW), Kitsap Public Health District (KPHD), Port of Illahee.

WDFW-

1. Customers come in requesting HPA to remove a vessel (often an Emergency),
2. Area Habitat Biologists make a site visit,
3. Determine best method for removal,
4. Issue permit,
5. Follow up for compliance.

This is often sunken vessels that must be removed from the beach.

KPHD –

1. Come in as a complaint.
2. Can offer vouchers (small change voucher up to \$500, junk vehicle affidavit. Can be used for vehicles to be cut up).
3. If owner has a solid and hazardous waste issue, that is often covered by KPHD enforcement.

Virtual group (mixed Ports, law enforcement, and KPHD):

1. Vessel reported.
2. Verify location (public vs private tidelands).
3. Verify ownership.
4. Contact last registered owner and post vessel.
5. Impounded after 15 days.
6. Owner has 30 days to appeal.
7. Agency has ability to auction or demolish (RCW 79.100).
8. If not purchased at auction, demolish or solicit contractor bids for disposal. City of Bainbridge - obtain 3 bids before removal/repurpose. Poulsbo - use state enterprise bid process.
9. Kingston Marina - after 2 months of no moorage payment, provide notice, provide 90 days before going to auction (RCW 53.08).
10. Vessel removed.
11. Submit for reimbursement.

**Vessels on private land use VTIP Program.

**Have DNR take ownership if on public waterways.

Chats from Zoom:

- Tim Schermetzler - For consideration – legislative changes at state level? If someone in port of Silverdale has a derelict vessel and they went to Illahee, they would have an issue in Illahee now.
- TJ Quandt – consider adding a drain on local resources to the charter. Derelict vessels can spur responses from multiple agency any time they drag anchor. Including CG helicopter responses, Marine Patrol, etc.

- Jon Bingham – I feel like there is a discussion being missed. Correct me if I am wrong, the reason the 5-mile rule is in place is to show the vessel is not abandoned or derelict. It is clearly able to be moved if it goes further than 5 miles.
- TJ Quandt – I agree with that statement Jon. If a vessel is moving under its own power, it would be considered seaworthy and not abandoned or derelict. I think it would be difficult to have a vessel carry a derelict status if it is on the move.
- Jon Bingham – Bainbridge Island does not auction vessels anymore because it has been a problem where they come back.

Meeting adjourned at 3:00

Project Charter

Project Name: Kitsap County Derelict and Abandoned Vessel Removal Program

Project Term: June 1, 2024 – December 31, 2026

Introduction: This Project Charter is a high-level document that outlines the purpose and intent of the Kitsap County Derelict and Abandoned Vessel Removal Program. This charter is a living document that will be adapted and updated to meet the needs of the Technical Advisory Committee and project team over time.

Purpose: Develop a local derelict and abandoned vessel removal program that builds upon the Washington Department of Natural Resources' (DNR) existing Derelict Vessel Removal Program to serve Kitsap County (County) and the cities, tribal jurisdictions, port districts, and residents within the County.

Problem:

The shoreline and nearshore areas of Kitsap County contribute to the health and wellbeing of residents and visitors alike; however, abandoned and derelict vessels frequently mark that shoreline and marine waters and pose hazards for boaters and anglers while negatively impacting water quality and habitat.

Derelict and abandoned vessels impact marine habitat, such as the marine bed and submerged aquatic vegetation, by grounding out and dragging anchors along the seabed. Water quality contamination from spills and leaching associated with these vessels impacts fish, including salmon and other species of conservation need, and the quality of shellfish harvested by local tribes and recreational harvesters.

While resources currently exist for prevention and removal of derelict and abandoned vessels through the Washington State Department of Natural Resources, enforcement and implementation at the local level remains challenging. Barriers identified in early scoping include, but are not limited to, tracking challenges as vessels move across jurisdiction boundaries, a need for prevention and better public outreach, limited resources for ports and marinas to dispose of vessels, limited resources for vessels on private tidelands, and a need for improved ordinances/legislation at the local and state levels.

Aim:

- Assemble a technical advisory committee consisting of derelict and abandoned vessel removal partners and interested parties within Kitsap County.
- Identify and develop tools and mechanisms to improve coordination between law enforcement agencies, Ports, transit agencies, local jurisdictions, and state and federal agencies related to derelict & abandoned vessel prevention, tracking, and removal.
- Identify barriers to implementing DNR's existing derelict & abandoned vessel program locally and develop actions and strategies to address barriers.
- Develop outreach materials and resources for program partners and the public to prevent and remove derelict & abandoned vessels.
- Implement the program locally with ongoing adaptive management to improve the program over time

Project Charter

Deliverables:

- Derelict and Abandoned Vessel Removal Program housed within the appropriate office or department in Kitsap County.
- A staff position (or a portion of a full-time position) within the appropriate Kitsap County office or department to manage the program long term.
- Tool (such as a mapping application) for tracking the movement and status of derelict vessels across jurisdictions.
- Program webpage to communicate important information and provide resources to local jurisdictions and the public.
- Advisory committee of member jurisdictions, law enforcement, ports, marinas, and agencies with regular meetings to develop, implement, and adaptively manage the program.
- Policy recommendations or model ordinance for state and local jurisdictions, as appropriate.

Project Scope Includes:

The project scope includes providing resources, education, and outreach to prevent vessels from becoming derelict and abandoned, including vessel turn in program resources for vessel owners. The scope also includes the process beginning when a derelict or abandoned vessel is identified and reported. The project scope ends when all documentation and forms are submitted, and the authorized agency is reimbursed for vessel removal.

- Project staff will facilitate monthly or bi-monthly meetings of the Technical Advisory Committee between June 2024 and December 2026 (approximately 20 meetings total) to develop the local Derelict & Abandoned Vessel Removal Program.
- Technical Advisory Group will identify barriers to identifying, tracking, and removing abandoned and derelict vessels and develop and implement actions and strategies to address those barriers.
- Project staff will develop and maintain resources to help partners implement the program locally.
- Project staff will facilitate public outreach and host stakeholder trainings to improve local implementation of DNR's existing derelict & abandoned vessel removal program and to prevent vessels from becoming derelict and abandoned.

Project Scope Does Not Include:

- Removal of vessels will continue under jurisdiction of law enforcement agencies, Ports, and transit authorities through DNR's existing Derelict & Abandoned Vessel Removal program.
- Reimbursement of derelict & abandoned vessel costs will continue to be through DNR's existing program.

Project Partners Expectations:

- Monthly or bi-monthly technical advisory committee meetings hosted and facilitated by Kitsap County (approximately 20 meetings expected from 2024-2026). Meeting materials will be provided, including agendas, past meeting notes/summaries, presentations, and informational materials.
- Program webpage to be kept up to date with meeting materials, links to resources, training opportunities, and other information.
- Once developed, vessel tracking database to be kept current and accessible for law enforcement agencies, Ports, jurisdictions, and transit authorities.

Project Charter

Project Leads/Facilitators: Brittany Gordon, Kirvie Mesebeluu-Yobech

Kitsap County Derelict & Abandoned Vessel Program Technical Advisory Committee		
*Note: This Committee membership is subject to change throughout program development.		
Entity	Name	Title
Bainbridge Island Police	Jon Bingham	Lead Marine Officer
Bremerton Police	Rodney Rauback	Sergeant
City of Port Orchard	Alan Iwashita	Deputy Chief
City of Port Orchard	Andrew Brandon	Deputy Chief
City of Port Orchard	Denis Ryan	Public Works Director
City of Port Orchard	Matt Brown	Chief of Police
City of Port Orchard	Nick Bond	Community Development
City of Port orchard	Trey Holden	Sargeant- Marine Patrol Unit
CSD Law	Tim Schermetzler	Attorney for WA Public Ports Association
DNR	Troy Wood	Derelict Vessel Removal Program Manager
Kitsap County HEART Team	Carl Borg	Kitsap Homeless and Housing Manager
Kitsap County Sheriff	Brad Trout	Deputy Sheriff
Kitsap County Sheriff	Jason Hedstrom	Sergeant
Kitsap County Sheriff	Wilson Sapp	Lieutenant- Marine Patrol
Kitsap County DCD	Jonathan Raine	Technology and GIS Analyst
Kitsap County DCD	Scott Diener	Manager, Planning & Environmental Programs
Kitsap County DCD	Tami Griffey	Construction Inspector / Code Compliance
Kitsap County Parks	Irene Weber	Natural Resource Supervisor
Kitsap County Public Works	Caitlin Newman	Program Supervisor
Kitsap County Public Works	Amelia Rohwein	Program Coordinator
Kitsap Public Health	Rudy Baum	Healthy Environments Program coordinator
Kitsap Public Health	Thomas Jury	Environmental Health Specialist
Kitsap Public Health	Steven Brown	Program manager, stormwater & hazardous waste
Kitsap Transit	Ray Scott	Marine Services director
Port of Allyn	Travis Merrill	Executive Director
Port of Bremerton	Gary Anderson	Commissioner
Port of Bremerton	James Weaver	Marine Facilities Director
Port of Bremerton	Kathy Garcia	Marina Operations Manager
Port of Brownsville	Robyn Dally	Port manager
Port of Illahee	Jim Aho	Commissioner
Port of Keyport	Don McCracken	Commissioner
Port of Keyport	Ellen Ross-Cardoso	Commissioner
Port of Keyport	Lena Hunt	Commissioner
Port of Kingston	TJ Quandt	Director of Operations and Real Estate
Port of Kingston	Torey Grandt	Maintenance Manager

Project Charter

Port of Manchester	James Strode	President
Port of Poulsbo	Daryll Trask	Maintenance Manager
Port of Poulsbo	Jamie Green	Commissioner
Port of Poulsbo	Mark Singer	Commissioner
Port of Poulsbo	Tom Rose	Commissioner
Port of Silverdale	Caleb Reese	Commissioner
Port of Silverdale	Ed Scholfield	Commissioner
Port of Waterman	Jeff Reynolds	Commissioner
Poulsbo Police	Shawn Ziemann	Sergeant
Snohomish County	Elisa Dawson	Senior Planner- marine resources
Suquamish Tribe	Steve Todd	Biologist
Suquamish Police	Ryan George	Suquamish Police
USCG	Justin Kimrey	USCG
WA State Department of Ecology	Amy Jankowiak	Unit Manager
WA State Department of Ecology	Evan Dobrowski	Stormwater Inspector and Compliance Specialist
WDFW Enforcement	Eric Anderson	Captain, Aquatic Invasive Species, Dive Team
WDFW Enforcement	Ken Balazs	Sergeant
WDFW Enforcement	Patrick Murray	Fish & Wildlife Police Officer
WDFW- Habitat Program	Adam Samara	Biologist
WDFW Habitat Program	Lindsay Wourms	Assistant Regional Habitat Program Manager
West Sound Partners for Ecosystem Recovery (WSPER)	Renee Johnson	WSPER Coordinator

Port of Illahee – WPPA Tour for James Cockburn on 6/26/24

2024 Restoration Projects

1. Waterfront - Dock, pilings, and float plans (3 grants RCO ~\$2M, Port ~\$1M)
 - a. Waiting on Tribal agreement
 - b. Waiting on Corps permits
 - c. Work needs to be done during fish window (Aug – Feb 15th)

2. Uplands – Demolitions, parking, ramp access, composting toilet (included with above grants)

3. Illahee Store – Cleanup of leaking USTs with PLIA grant
 - a. Grant was submitted years ago and ranked #16 and funding is currently authorized ~\$700K
 - b. Leaking appears to be moving down toward the shoreline.

4. Illahee Store – Retrofit for mercantile business to support economic development
 - a. Port purchased the property at a Sheriff's sale
 - b. Port interest is also for space for Port meetings.

5. Illahee Creek – Port/Ecology study recommendations being implemented
 - a. Delta extending out 1/8 mile into bay
 - b. Parks and IFP nonprofit to purchase slide properties for Public Works restoration
 - c. New Issue is a previously unknown dam in the watershed that requires a spillway which would further extend the delta with a dam failure
 - d. Port is supporting a planned 'watershed park' model showing the delta.

6. Port Orchard Bay – Proposed Tire Cleanup Project for deteriorating tires
 - a. 138 Tire clusters identified
 - b. Plans for summer 2024 volunteer removal of one cluster
 - c. This problem is endemic around Puget Sound
 - d. DNR requires Port of Illahee removal by 2028
