

Date: January 11, 2023
To: Port of Illahee Board of Commissioners
From: John Piccone, P.E., Soundwest Engineering Assoc.
Subject: Projects Status Summary

Corps Permitting for Waterfront Improvements (Docks and Pier only);

- The Ports attorney has drafted a letter to the Corps making the Port's legal case and requesting that the Corps make a treaty rights determination as previously discussed. However, just prior to sending that letter to the Corps we learned that while the Tribal biologist indicated there would not be an opportunity to meet and resolve this directly with the Tribe, the Tribal attorney understood that a meeting was pending. The Port's attorney contacted the Tribal attorney and learned that the Tribe is likely to meet with us and discuss their concerns. Currently, we are waiting for the Tribe to designate a "point person" to work with us in scheduling this meeting. The hope based on the conversation is that we'll be able to schedule this meeting very soon and January 31st was tentatively discussed. Based on this new information we are holding off sending the Corps letter in the hopes that we can indeed schedule a meeting and resolve the matter directly with the Tribe.

Upland Waterfront Improvements;

- Based on delays to date associated with the Suquamish Tribe objection, it seems very questionable that we will have a corps permit in time to begin construction during the 2023 in-water work window (Aug. 2023 through Jan. 2024) as we hoped. Although it is still possible, the Corps, NMFS, and USFW will still need to go through their review process once the Tribe issue is resolved (assuming we do reach an acceptable resolution) and this has typically been a slow process.
- We are proceeding ahead with tasks associated with the upland improvements however, it will be necessary very soon to decide if the Port would like to postpone upland work until the dock work can take place or to proceed ahead under multiple projects. Once we decide this, I will reach out to RCO and discuss our plans with them to ensure they have no objections.

Pier Piling Repair;

- The RCO grant application "technical completion" was submitted today ahead of the 1/13/23 deadline. The next step will be the final presentation for scoring which will occur

on either February 14 or 15; I'll notify you all once I receive our time slot confirmation. We should have an indication of funding by March (although official awards are not until June).

- Once we have an indication of funding I will plan to begin the necessary engineering. We will need to make a decision by early spring of 2023 if the Port would like to proceed with the pile replacement project even if we do not yet have the corps permit back for the new dock portion of the waterfront improvement project. Obviously, it would normally be less costly overall to execute all this work as a single project if possible, but there are also safety and inflation factors to consider and it will be difficult to quantify these factors.

Store Site Renovation:

- I prepared a summary of code compliance considerations related to the Store renovation and emailed this to all Commissioners on Jan. 3. Although we will want to confirm my summary assumptions with the County, there does seem to be good reasons to keep the store generally as a "mercantile". As we begin working with Kitsap County on the waterfront project SDAP permit I'd like to have a better understanding of the specifics associated with the store renovation if possible. My hope would be that we are able to find efficiencies between the two projects where possible and work with the County on the "big picture" plans rather than piece meal. This will be especially important with ROW and Fire. To that end I'd like to have some feedback on how the Port would like to proceed developing a conceptual design that we can present to the County for preliminary feedback during the time that they are reviewing the SDAP for the waterfront improvements.

Upcoming Milestones and Action Items

- Work with the Suquamish attorney and designated "point person" to set a meeting date and discuss resolution to the Tribes objections. If the meeting is scheduled prior to the next regular Commission meeting, hold a special meeting with executive session to discuss potential litigation. Look for options that would allow all three Commissioners to attend the meeting during a second executive session. If progress continues to fail, send letter from Port attorney to Corps asking Corps to make decision.
- Prepare a preliminary basis of design for renovations with the intent of developing the current building as a "mercantile". The renovations would be primary infrastructure with the intent that tenant improvements would address secondary improvements once a tenant is identified. Jim and John to schedule a meeting with Kitsap County to confirm requirements.
- Submit Site Development Activity permit to Kitsap County for waterfront improvements project (upland improvements).
- Present final grant presentation in February and obtain scoring as soon as available to determine likelihood of funding for pile replacement project.

- Authorize the surveyor to begin work conducting a bathymetric and legal survey so he can prepare the necessary survey exhibit for DNR submittal. The current DNR lease is past term and we will need to renew the aquatic lease with expanded boundary to include the new docks. This will be required by RCO and I'd like to proceed with that in January.
- Future meeting discussion regarding how to implement store renovations; options may include hiring a design/build contractor rather than an architect to prepare formal bidding documents.

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.	60% Design Complete and submitted for permit.
HPA	Delayed	---	Submittal of permit application pending resolution with Suquamish Tribe.	Pending resolution with Suquamish Tribe.
NWP	8-17-21	Delayed	Finalization of permit review pending resolution with Suquamish Tribe.	Pending resolution with Suquamish Tribe.
SDAP	Anticipated Jan. 2023	---	Preparation of permit application in progress.	95% Design Complete for upland elements only to submit SDAP.
BP	Anticipated Mar. 2023	---	Submittal to follow SDAP after preliminary comments.	
ROW	Anticipated Mar. 2023	---	Submittal to follow SDAP after preliminary comments.	
FIRE	Anticipated Mar. 2023	---	Submittal to follow SDAP after preliminary comments.	

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	Pending	Notice of technical completion received 10/31/22.	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	-----

Store Renovation Project

Permit	Submittal Date		Permit Status	Design Status
BP, others TBD	TBD	TBD	Project currently in conceptual design phase - pending pre-app meeting with County.	Conceptual Phase