



Notice of Administrative Decision

Date: 09/13/2024

To: Glen & Mari Hilborn, 17014 SCANDIA CT NW POULSBO, WA 98370
David Graf, davidagraf@comcast.net
Interested Parties and Parties of Record

RE: **Permit Number:** 23-02248
Project Name: SCANDIA COURT - Critical Area Buffer Reduction for new shared well
Type of Application: CABR

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit 23-02248: SCANDIA COURT - Critical Area Buffer Reduction for new shared well – CABR**, subject to the conditions outlined in this Notice and included Staff Report.

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

The written appeal shall be made on, or attached to, an appeal form titled: '*Appeal/Objection of an Administrative Decision*' found on DCD's website, through the Online Permit Application Portal: <https://app.oncamino.com/kitsapcounty/login>.

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

The complete case file is available for review by contacting the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777.

CC: Biologist: JOANNE BARTLETT w/ECO-LAND*, joanne@eco-land.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Jenny Kreifels
Interested Parties: Taylor Harriman - Suquamish Tribe Archaeologist,
tharriman@suquamish.nsn.us
Parks
DSE
Puget Sound Energy
Water Purveyor - PUBLIC UTILITY DIST NO 1

Permit 23-02248, SCANDIA COURT - Critical Area Buffer Reduction for new shared well

09/13/2024

Sewer Purveyor - PUBLIC UTILITY DIST NO 1
Point No Point Treaty Council
Suquamish Tribe
Port Gamble S'Klallam Tribe
Squaxin Island Tribe
Puyallup Tribe
Skokomish Tribe
WA Dept of Fish & Wildlife
WA Dept of Transportation/Aviation
WA State Dept of Ecology-SEPA
WA State Dept of Ecology-Wetland Review
WA State Dept of Transportation
Dept of Archaeological Historic Preservation
WA Dept of Natural Resources



Administrative Staff Report

Report Date: September 9, 2024

Application Submittal Date: May 9, 2023

Application Complete Date: October 25, 2023

Project Name: Scandia CT Well - Critical Area Buffer Reduction (CABR)

Type of Application: CABR Type II

Permit Number: 23-02248

Project Location

No site address
Scandia CT. N.W. &
N.W. Scandia Rd.
Poulsbo, WA 98370

Assessor's Account

272601-1-027-2001

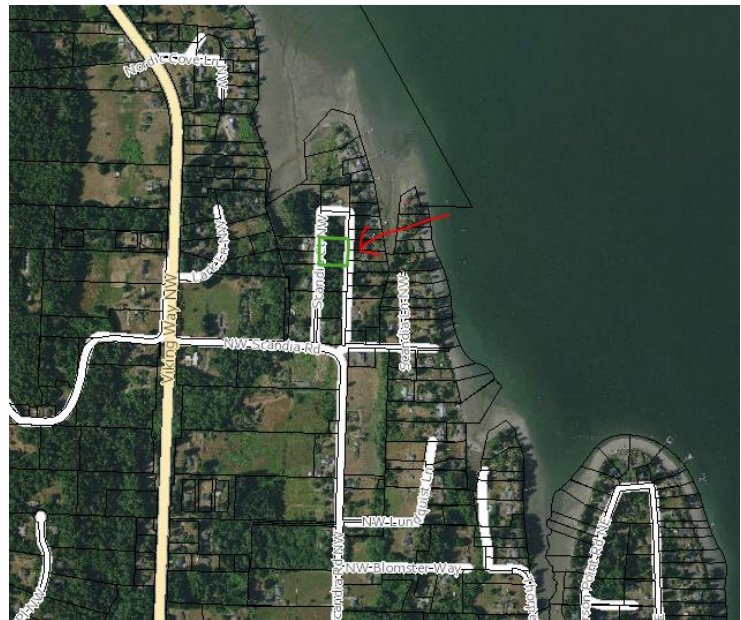
Applicant/Owner of Record

Glen & Mari Hilborn
17014 Scandia CT N.W.
Poulsbo, WA 98370

Decision Summary

Approved subject to conditions listed under section 13 of this report.

VICINITY MAP



1. Background

Drilling of replacement Group B Public well serving 5 residences due to failure of existing well on property Parcel 272601-1-077-2000. No additional drilling site is available on this property. Proposed single family residences included in proposal are 272601-1-078-2009, 272601-1-077-2000, 272601-1-076-2001, 272601-1-018-2002 and 272601-1-075-2002.

2. Project Request

Applicant requests approval of a Type II CABR for a stream buffer reduction to install a shared well for the benefit of five (5) Single Family Residences.

3. SEPA (State Environmental Policy Act)

This project has been determined to be exempt under KCC 18.04 State Environmental Policy Act and pursuant to WAC 197-11-800 (6) Land use decisions, and when permitting is not required from outside agencies.

4. Physical Characteristics

The study area is composed of three parcels on the east and west sides of Scandia Court NW. Per the Habitat Management Plan conducted by Ecological Land Services, dated May 8, 2024, the 1-acre, undeveloped, western, forested parcel (Parcel A) is located on Scandia Court NW near the city of Poulsbo, Washington. Scandia Court borders the parcel to the east and west, and residential properties border it to the north and south. The shoreline of Liberty Bay is located east of the residential properties along Scandia Court NW. The topography is highest on Parcel A along the east and west property boundaries and slopes down to the center where a stream (Stream A) is located (Photoplates 1 and 3). Stream A is a Type F water that originates at a farm pond approximately 400 feet south of the property. It flows northerly through the property, briefly enters, and exits a culvert below a hummock on the north half and drains into Liberty Bay (Photoplate 1). The entire property is encompassed by the stream buffer (Figure 2).

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Rural Residential (RR) Zone: RR	Standard	Proposed
Minimum Density	NA	NA
Maximum Density	NA	
Minimum Lot Size	5 acres	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	140	NA
Minimum Lot Depth	140	NA
Maximum Height	35 feet	NA Underground
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

*Standards for lot size apply to newly created lots. The subject property is an already existing property.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (South)	20 feet*	NA
Side (East)	5 feet*	NA
Side (West)	5-feet*	NA
Rear (North)	10 feet*	NA

*Underground utilities are not applicable (NA)

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	NA	NA
South	NA	NA
East	NA	NA
West	NA	NA

Table 4 - Public Utilities and Services

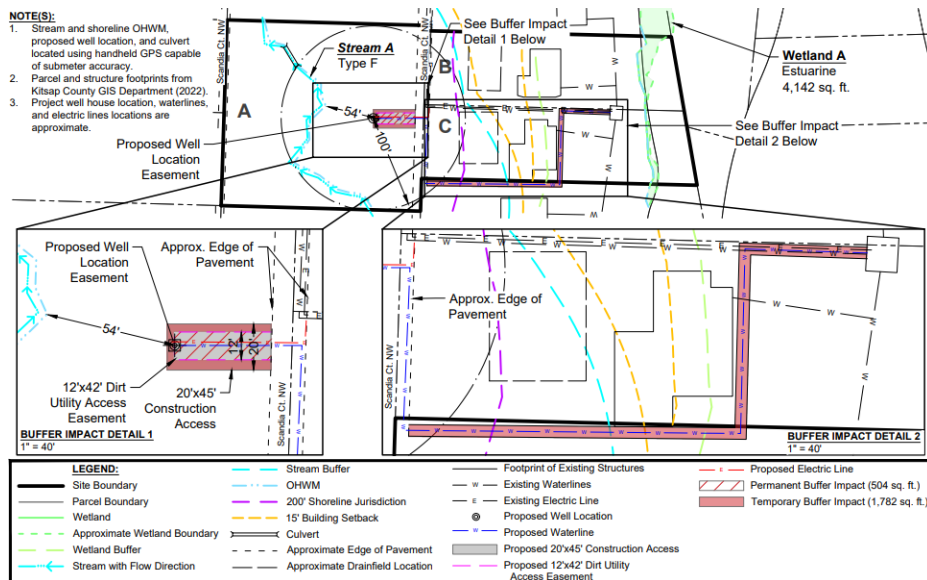
	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #402

5. Access

The site will access by a private driveway from Scandia CT. N.W., which is classified as a county maintained, local access road.

6. Site Design

The image below shows the proposed disturbance (HMP).



7. Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting

development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted June 30, 2016, and as amended April 27, 2020.

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

Land Use Policy 50

Limit the designed rural area to low residential densities that can be sustained by minimal infrastructure improvements, cause minimal environmental degradation, and that will not cumulatively create the future necessity or expectation of urban levels of service.

Land Use Policy 51

Permit residential uses in rural areas consistent with the planned rural character of the surrounding area.

Land Use Policy 53

Outside of the Type III Limited Area of More Intensive Rural Development (LAMIRD), limit development only to that which serves rural residential or resource needs and does not draw population from Urban Growth Areas. This policy is implemented through Comprehensive Plan Land Use designation, zoning designation, and zoning code provisions.

Environment Policy 18. Compensatory mitigation shall be the last option of resort in mitigation sequencing, following documentation of avoidance and minimization of any impact to the natural environment that triggers compensatory mitigation. Replacement of altered or displaced natural environments (including critical areas and buffers) must be mitigated either onsite, within the watershed, or service area as defined through an approved mitigation bank or in-lieu fee program.

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

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)

Chapter 19	Critical Areas Ordinance
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures
Chapter 22	Shoreline Master Program (SMP)

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Submission Application	May 15, 2023
Required Questionnaire	September 29, 2023
Narrative	May 17, 2023
Habitat Management Plan (HMP)	September 9, 2023
Updated HMP	August 15, 2023
Site Plan	September 12,
Updated Site Plan (Info Req. Scandia Well)	June 10, 2024
Kitsap County Info Request	April 8, 2023
Public Comment -Suquamish Tribe_ Req. of IDP	November 20, 2023
Inadvertent Discovery Plan (IDP) Signed	May 30, 2024
Email from Applicant to Tribe RE: IDP	July 2, 2024
Variance Criteria Narrative/Map	June 30, 2023
Resubmittal Letter	June 30, 2023
Building Clearance Approval	October 30, 2023
S. Habitat Management Plan	May 8, 2024
S. Info Request Letter	June 10, 2024
Notice of Application	November 15, 2023
Public Comment-Suquamish Tribe	December 1, 2023
ELS Addendum Letter (HMP)	July 30, 2024
Kitsap Well Approval	August 8, 2024

9. Public Outreach and Comments

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
1	Email concerning significant trees and tree removal impacts – Rod Malcom, Suquamish Tribe	Public Comment, 12/1/23
2	Request for an IDP – Suquamish Tribe Archaeologist Taylor Harriman	11/20/23

Issue Ref. No.	Issue	Staff Response
1	Vegetation impacts/mitigation	Review HMP and KCC Title 19 requirements. The proponents provided an additional response in an Addendum letter described in Section 10i.
2	IDP Request	Sent request to applicant. Signed version added to record.

10. Analysis

a. Planning/Zoning

The proposal meets all requirements and standards of the Rural Residential (RR) Zoning designation, Kitsap County Code Title 17.

b. Lighting

Lighting was not analyzed as part of this proposal.

c. Off-Street Parking

Parking was not analyzed as part of this proposal. Temporary landing area for installation equipment will be rectified.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
NA			

d. Signage

No signage was proposed in the application.

e. Landscaping

Per KCC 17.500.010, single-family lots or accessory and/or appurtenances to SFR, are exempt from landscaping requirements.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	NA	
Required Buffer(s) 17.500.025		
North	NA	NA
South	NA	NA
East	NA	NA
West	NA	NA
Street Trees	NA	NA

f. Frontage Improvements

No frontage improvements are required or proposed as part of this application.

g. Design Districts/Requirements

The subject property is not within a design district.

h. Development Engineering/Stormwater

Development Services and Engineering has reviewed the land use proposal and, with conditions, finds the concept supportable in its approach to civil site development.

i. Environmental**KCC19.300.315 A. 3. Provision for Decreasing Buffer.**

- a. The department may grant an administrative reduction to buffer widths when the following are met:
 - i. The applicant demonstrates that buffer widths cannot be met, according to the variance criteria in Section 19.100.135;
 - ii. The applicant submits a habitat management plan (HMP) that meets the requirements as described in Chapter 19.700 (Special Reports);
 - iii. The HMP is reviewed and consultation with the Washington State Department of Fish and Wildlife determines that a reduction is the minimum necessary for the permitted use; and
 - iv. The conditions are sufficient to assure no net loss of ecological functions of the affected area.

Applicant Response: The project proposes drilling a well in the eastern stream buffer, near Scandia Court NW on Parcel A (Figure 3; Photoplate 4 and 5). A 20-foot-wide construction access road will initially be required for the drilling rig to access the well location. An electrical line will be installed underground within the utility access easement and will connect to the existing electrical lines on the east side of Scandia Court. Upon completion of drilling, a permanent 12-foot-wide utility access road will remain cleared while the remaining area within the 20-foot-wide construction access will be naturally revegetated. Invasive species will be removed from the area surrounding the utility access road to compensate for impacts. The entirety of Parcel A is encompassed by the stream buffer, so there is no alternative placement for the well and utility road outside the buffer. The well must be located on this property because it is the only available location meeting the required drainfield and structure setback listed in KCC 13.28. The existing well must be replaced because it is failing and can no longer provide potable water for the five residences along Scandia Court NW. According to KCC 19.300.315(J), utilities are permitted in stream buffers if best management practices are followed.

A new water line connected to the proposed well will extend east across Scandia Court NW and connect to the existing waterlines across the eastern parcels which are still functional (Figure 3). The new waterline is proposed along the roadway and property lines before extending north just shoreward of the home at 16974 Scandia Court. The waterline will then follow the property line to the existing wellhouse, which is located within 25 feet of the shoreline.

A new water line connected to the proposed well will extend east across Scandia Court NW and connect to the existing waterlines across the eastern parcels which are still functional. The new waterline is proposed along the roadway and property lines before extending north just shoreward of the home at 16974 Scandia Court. The waterline will then follow the property line to the existing wellhouse, which is located within 25 feet of the shoreline.

MITIGATION SEQUENCING

Overall, the construction of the proposed well will have minimal impacts on the stream, riparian zone, and stream buffer. No significant trees will be removed. Some native vegetation will be removed between Scandia Court NW and the well to allow access for well drilling trucks during construction. A 20-foot-wide construction access will be cleared to allow the drill rig to reach the proposed well. A 12-foot-wide dirt access road will remain permanently cleared within the construction access after drilling is complete. Any cleared vegetation outside of the retained dirt road will be naturally revegetated. Best management practices (BMPs) will be followed during construction to ensure minimal impacts to the stream and buffer. As part of the mitigation process, the project must follow mitigation sequencing to assess whether it can avoid, minimize, rectify, or reduce impacts before identifying compensation or mitigation measures.

Avoiding Impacts:

Well: The entire property is covered by the 150-foot stream buffer, so there is no option to place the well outside of the buffer, so the project is unable to fully avoid stream buffer impacts. The project avoids direct stream impacts by bringing the equipment in from Scandia Court to the east of the property.

Waterline: The proposed water line will be constructed on maintained lawn, so no native vegetation will be removed within the shoreline jurisdiction and estuarine wetland buffer.

Minimizing Impacts:

Well: Impacts to the stream buffer have been minimized by placing the well as far from the stream as possible. Vegetation removal will occur east of the well site, which will allow the dense vegetation between the well and stream to remain intact.

Waterline: The proposed waterline will be located west of the existing waterlines, further from the shoreline and estuarine wetland.

Rectifying the Impacts:

Well: The project works to rectify temporary impacts by allowing native vegetation to naturally regrow outside of the permanent 12-foot-wide dirt well access road.

Waterline: The location of the proposed waterline will return to its original state of maintained lawn upon completion of the project.

Reducing or Eliminating the Impacts: There is no way for the project to reduce or eliminate impacts, however, can compensate for impacts as described below.

Compensating for the Impacts:

Well: The project works to compensate for the impacts by removing invasive species surrounding the utility access road.

SHORELINE IMPACTS

The proposed project will not negatively impact the shoreline environment or estuarine wetland because the water line will be placed in an area of maintained lawn just east of the existing residence on Parcel C. The line will be buried underground, so upon completion of the project the area will return to its original state as maintained lawn. This will result in no permanent impacts to the shoreline and wetland environment. There will be no new impervious surfaces created as a result of the project and the existing waterlines connected to the residences will continue to be utilized. No shoreline alterations are proposed.

STREAM BUFFER IMPACTS

The impact of the proposed well on the buffer of Stream A will be minimal because it is located as far from Stream A as possible. Some native vegetation in the outer portion of the buffer will be removed to allow the drill rig to enter the area. A 12-foot-wide access road will remain open for maintenance once the project is complete. Any cleared vegetation outside of the road will be revegetated upon completion of the project. The construction of the well will result in a slight, temporary increase in noise pollution; however, the construction activities will be limited to daytime hours, ensuring minimal disruption to wildlife utilization of the stream channel and riparian corridor. Once the project is completed, the noise will return to current ambient levels.

KCC allows utilities within FWHCA areas and buffers as long as several standards are met. Quoted text is indicated in italics below and discussion of how the project meets these standards is presented in regular font. Utilities.

Placement of utilities within designated fish and wildlife habitat conservation areas and buffers may be allowed pursuant to the following standards:

1. The normal and routine utility maintenance or repair authorized in Section 19.100.125 shall be allowed within designated fish and wildlife habitat conservation areas, subject to best management practices.

Applicant Response: Best management practices will be followed regarding utility maintenance.

2. Construction of utilities may be permitted in fish and wildlife habitat conservation areas or their buffers, only when no practicable or reasonable alternative location is available. Utility construction shall adhere to the development standards set forth in subsections (J)(5) and (6) of this section. As required, special reports (Chapter 19.700) shall be reviewed and approved by the department.

Applicant Response: The replacement of the well is required because the current well, which is located near the Liberty Bay shoreline to the east, is failing and does not currently provide potable water to the five homes it serves. Placing the well in an upland area is necessary to achieve potable water and where it is outside of required drainfield setbacks. Because the entire property on which the well is proposed is encompassed in the stream buffer, there are no alternative locations for the well either on other nearby properties or within the stream buffer. It will be located as far from Stream A as possible.

There is no native vegetation in the area surrounding the proposed waterline, so no vegetation will need to be removed during construction. The waterline will create temporary impacts during construction, but the area will be restored to its original state of maintained lawn upon completion of the project.

3. New utility corridors shall not be allowed in Class I or II fish and wildlife habitat conservation areas (Section 19.300.310(B) and (C)) except in those circumstances where an approved HMP indicates that the utility corridor will not significantly impact the conservation area.

Applicant Response: There are no documented federal or state listed endangered, threatened, or sensitive species in the habitat surrounding Stream A. There are also no state-listed candidate and monitored species documented in the habitat surrounding Stream A according to the USFWS. The stream is not targeted for preservation by federal, state and/or local government, and there are no species of importance. Therefore, the stream does not meet the criteria for a Class I or II FWHCA.

4. Utility corridor construction and maintenance shall protect the environment of fish and wildlife habitat conservation areas and their buffers by utilizing the following methods:

a. New utility corridors shall be aligned to avoid cutting trees greater than twelve inches in diameter at breast height (four and one-half feet) measured on the uphill side, unless no reasonable alternative location is available.

Applicant Response: Vegetation removal will be limited to that necessary to create well access from Scandia Court and in the work area around the well. Most of the vegetation Scandia Court Well Association Scandia Court Well July 26, 2024 Ecological Land Services, Inc. Page 2 of 3 removal will be shrubby undergrowth common to upland forests in this area and only 2 small Douglas fir trees about four inches in diameter would be removed for the construction of the proposed well. Disturbance of the buffer vegetation is for the

most part temporary because the species will recover naturally but additional plants will be installed along the access road as part of the well drilling project.

b. In order of preference, new utility corridors shall be located:

i. On an existing road; Response: There are no existing roads on the property.

ii. On an existing bridge; Response: The project does not require a stream crossing, so a bridge is not proposed.

iii. Placed deep enough under the culvert to allow for future culvert replacement and to avoid grade barriers. Response: Not Applicable.

c. New utility corridors shall be revegetated with appropriate native vegetation at not less than preconstruction vegetation densities or greater, immediately upon completion of construction, or as soon thereafter as possible due to seasonal growing constraints. The utility entity shall ensure that such vegetation survives.

Applicant Response: Vegetation removed outside of the 12-foot dirt road will be revegetated at the same density as the preconstruction vegetation.

d. Any additional corridor access for maintenance shall be provided at specific points rather than by parallel roads, unless no reasonable alternative is available. If parallel roads are necessary, they shall be the minimum width necessary for access, but no greater than fifteen feet; and shall be contiguous to the location of the utility corridor on the side away from the conservation area. Mitigation will be required for any additional access through restoration of vegetation in disturbed areas.

Applicant Response: A 12-foot-wide utility road is proposed from Scandia Court NW to the proposed well location. The road will be used for maintenance and will be the minimum width necessary. The road will be located on the side away from the stream. Vegetation will be maintained between the well and stream, which will provide extra protection to the channel. The property is heavily vegetated, so no planting plan is proposed. Invasives such as Himalayan blackberry, yellow archangel, and English holly will be removed from around the road to compensate for impacts.

5. Utility corridor maintenance shall include the following measures to protect the environment of fish and wildlife habitat conservation areas:

a. Utility towers shall be painted with brush, pad or roller and shall not be sandblasted or spray painted, unless appropriate containment measures are used. Lead-based paints shall not be used. Utility towers are not proposed by this project so there will be no sandblasting or spray painting proposed.

b. No pesticides, herbicides or fertilizers may be used in fish and wildlife habitat conservation areas or their buffers except those approved by the U.S. Environmental

Protection Agency (EPA) and Washington Department of Ecology. Where approved, they must be applied by a licensed applicator in accordance with the safe application practices on the label.

Applicant Response: No pesticides, herbicides, or fertilizers will be used.

The area where the utility access is proposed currently consists of approximately fifty percent coverage by low lying shrub including Oregon grape, Himalayan blackberry, and salal. Invasive species including Himalayan blackberry will be removed, allowing woody species to begin growing in the utility access area with greater ease.

Overall, the project follows local Fish and Wildlife Habitat Conservation Areas regulations and allows use of the property that is consistent with the surrounding area and allowed by Kitsap County Code and zoning regulations. The buffer requires reduction to accommodate the proposed project; however, the minimal removal of native vegetation, and the subsequent removal of the invasive species throughout the stream buffer will result in a nonet loss of function

NO NET LOSS DETERMINATION

The onsite stream buffer consists of a forested community that provides a high level of buffer function. There are some invasive species found in the buffer, however, the majority of the vegetation is native. The drilling of the well inside of the stream buffer will have minimal impacts on the surrounding habitat and no direct impacts on Stream A because at least 54 feet of dense forested vegetation is being retained between the well and stream channel. Additionally, applicable BMPs will be utilized to contain the slurry in the immediate area of the well. No significant trees will be removed for the project. Only 504 feet of the stream buffer will be permanently impacted for the proposed utility road. The remaining 1,782 square feet of impacts will be temporary because they will be returned to their original state upon completion of the project (Figure 12). Any vegetation removed outside of the 12-foot utility road between the proposed well and Scandia Court NW will be revegetated naturally upon completion of the project. The vegetation will remain in a natural condition as the disturbed vegetation recovers. Any invasive species surrounding the dirt road will be removed to compensate for the impacts created by the road. The well is proposed as far from Stream A as possible, and best management practices will be followed to avoid impacts to the stream. Overall, there will be a no net loss of stream buffer functions.

The wellhouse will be maintained within the existing 20-foot easement located west of the shoreline. The proposed waterline will be located underground in an area of maintained lawn, so no native vegetation will be removed. There will be no direct impacts or alterations to the shoreline and wetland. There will be temporary impacts to the wetland buffer; however, upon completion of the project, the area surrounding the

proposed waterline will be restored to its natural state of maintained lawn. Overall, the proposed water line will result in no net loss of shoreline buffer functions.

According to KCC 22.600.185, utilities are permitted in shoreline residential designated properties if they are associated with single-family residences. The waterline will be replaced in a location further from the shoreline and will only remove maintained lawn so the project will impose temporary impacts that will be rectified upon replacement of the removed soil and sod.

Staff Comment: Staff has reviewed the stream buffer report, maps, and mitigation proposal and concurs with the analysis and findings from the applicant biologist that the proposal is the minimum necessary to provide for the replacement well and meets the criteria under Kitsap County Code (KCC) 19.300.315 A.3.

In accordance with KCC Section 22.500.100(C)(3), an exemption from the substantial development permit process is not an exemption from compliance with the Kitsap County Shoreline Master Program or from any other regulatory requirements. This utility project is a permitted shoreline use under Kitsap County Code (KCC) 22.600.105 'Shoreline Use and Modifications Matrix' as a utilities 'general' project within a Shoreline Residential designated area associated with single-family residence use and meets exemption criteria for a Substantial Development Permit under KCC 22.500.100 (C)(3)(g) and KCC 22.500.100 (C)(3)(b): normal maintenance or repair of existing structures of developments.

In addition, staff received the following comments in an HMP addendum letter.

1. Upon remeasuring the two Douglas fir trees proposed for removal, it was determined that the DBH is four inches. This is one inch smaller than the DBH listed in the Habitat Management Plan. The two Douglas firs do not meet the KCC definition of a significant tree, ensuring minimal impacts on shading and woody recruitment.
2. Kitsap County Code does not require Habitat Management Plans to include tree height as a measure of what is considered a significant tree or how a project will impact habitat.
3. The current Kitsap County Code (KCC) mandates buffers of 150 feet for Type F waters, which is the current classification of the onsite stream. However, due to the property's size and the span of the buffer across the entire property, the project cannot accommodate the 150-foot buffer width. The Habitat Management Plan (HMP) considers the impacts on the stream buffer per the current Critical Areas Ordinance (CAO). While WDFW may provide recommended distances from riparian habitats and SPTH guidance in best available science reports, they are not part of the current CAO. The report adheres to the guidelines of the Kitsap County Code because the CAO determines buffers and environmental impacts based on multiple factors, considering both the environment and reasonable use for property owners.

j. Access, Traffic and Roads

Access is discussed above in section 5 of this report.

k. Fire Safety

No comments at this time.

l. Solid Waste

No comments at this time.

m. Water/Sewer

No comments at this time.

n. Kitsap Public Health District

No comments at this time.

11. Review Authority

The Director has review authority for this Critical Areas Buffer Reduction application under KCC Sections 19.100.135 and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny a Critical Areas Variance.

12. Findings

1. The proposal is consistent with the Comprehensive Plan and the applicable zoning standards for the Rural Residential (RR) zone in Title 17.
2. The proposal meets the criteria for a critical area buffer reduction in KCC 19.100.135, as analyzed in section 10.i of this report. immediate vicinity.

13. Decision

Based upon the analysis and criteria above, the Department of Community Development recommends that the Critical Area Buffer Reduction request for Scandia CT. Shared Well CABR be **approved**, subject to the following conditions:

a. Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the

development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

3. The decision set forth herein is based upon representations made and exhibits contained in the project application Permit #23-02248. Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
4. The review was limited to the proposal described in this document and submitted documents under Application Number 23-02248. Staff did not investigate the legality of any other development on the subject site.

b. Development Engineering

5. None at this time

c. Environmental

6. This project approval assumes there will be no vegetation removal or grading in the shoreline buffer area, as is depicted on the approved plans. If project requires vegetation removal, please contact Development Services and Engineering Environmental staff at (360)337-5777.
7. Appropriate erosion and sedimentation control BMPs shall be in accordance with Kitsap County Code Title 12 and shall remain in place throughout the project construction.
8. KCC 19.100.120 D.1.a and b apply: a. Approvals granted under this title shall be valid for the same time period as the underlying permit (e.g., preliminary plat, site development, building permit). If the underlying permit does not contain a specified expiration date, then approvals granted under this title shall be in writing and shall be valid for a period of three years from the date of issue, unless a longer period is specified by the department. b. The approval shall be considered null and void upon expiration, unless a time extension is requested and granted as set forth in subsection (D)(2) of this section.
9. The applicants are advised to obtain permits from all agencies with jurisdiction which may include, but are not limited to, US Army Corps of Engineers and the Washington State Departments of Ecology, Fish and Wildlife, and Natural Resources prior to construction. It shall be the sole responsibility of the applicants to secure all required permits.

10. An Inadvertent Discovery Plan (IDP) shall be provided to the Suquamish Tribe Archaeologist. In the event that any ground-disturbing or other project related activities associated with this development, or any future development of this site, uncover protected cultural materials (e.g., bones, shell, antler, horn or stone tools), the IDP shall be followed.

d. Traffic and Roads

11. None at this time

e. Fire Safety

12. None at this time

f. Solid Waste

13. None at this time

g. Kitsap Public Health District

14. None at this time

Report prepared by:



Jenny Kreifels, Staff Planner

September 6, 2024

Date

Report approved by:



Cecilia Olsen, DE Manager, on behalf of
Scott Diener, PEP Manager

September 6, 2024

Date

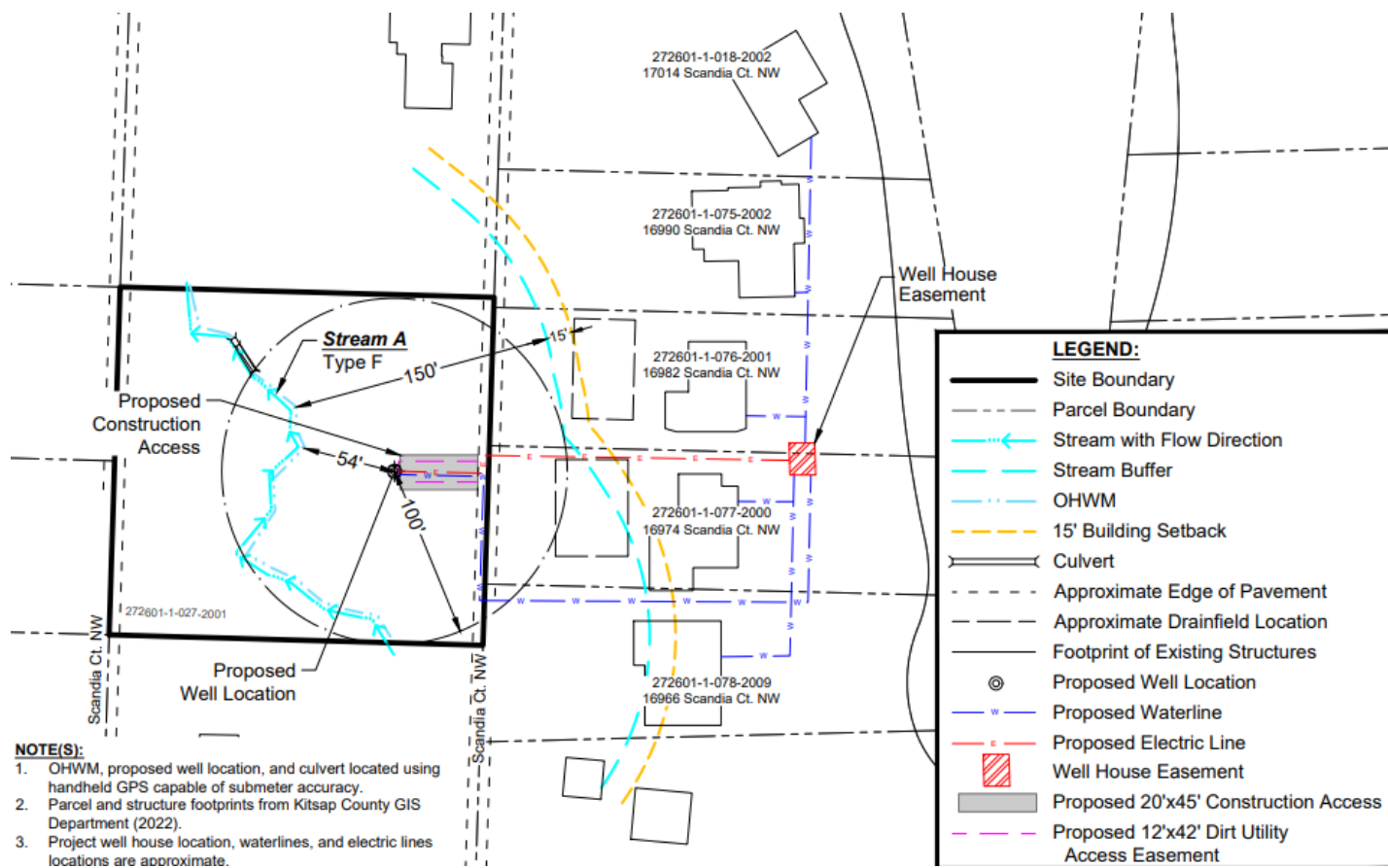
Attachments:

- Attachment A – Site Plan
- Attachment C – Critical Areas
- Attachment D – Zoning Map

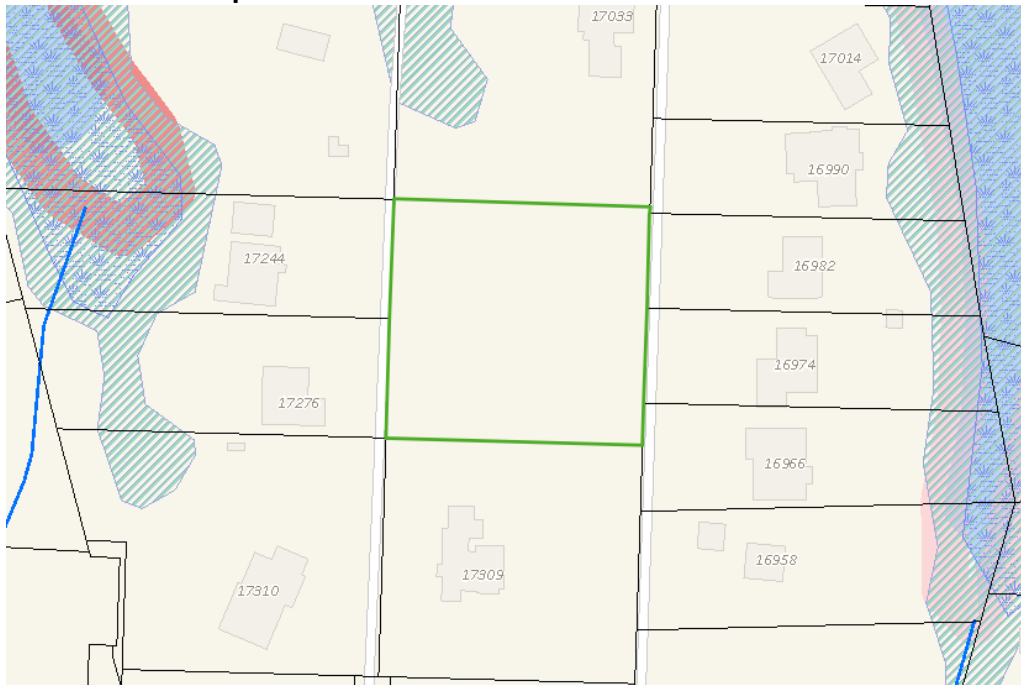
CC:

Owner/Applicant: Glen & Mari Hilborn, 17014 SCANDIA CT NW POULSBORO, WA 98370
 Francesco Crosara, francescocrosara@gmail.com
 Project Representative: David Graf, Scandia Well Association, davidagraf@comcast.net
 Biologist: Joanne Bartlett, Ecological Land Services, Joanne@eco-land.com
 Suquamish Tribe: Rod Malcom, rmalcom@suquamish.nsn.us
 Interested Party: Taylor Harriman - Suquamish Tribe Archaeologist, tharriman@suquamish.nsn.us
 Kitsap County Health District, MS-30
 Kitsap County Public Works Dept., MS-26
 DCD Staff Planner: Jenny Kreifels

Site Plan



Critical Areas Map



Zoning Map

