



Rafe Wysham
Director

KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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

Notice of Administrative Decision

Date: 3/18/2025

To: Kitsap County Parks, AWisniewski@kitsap.gov
Parks Planner, Jessie Sampayan,
614 Division St MS - 1 PORT ORCHARD, WA 98366
Capital Projects, Rylan Knuttgen, rknuttgen@kitsap.gov
Interested Parties and Parties of Record

RE: **Permit Number:** 24-02117
Project Name: KITSAP COUNTY PARKS - Shoreline Substantial
Development for Beach Repair
Type of Application: Shoreline Substantial Development Permit (SSDP)

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit 24-02117: KITSAP COUNTY PARKS - Shoreline Substantial Development for Beach Repair (SSDP)**, 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:

Engineer: Farallon Consulting LLC, 13555 SE 36th Street, Suite 320 Bellevue, WA 98006; Jennifer Allen - Blue Coast Engineering, jennifer@gobluecoast.com, Grette & Associates Environmental, 2012 N 30th St Ste A Bremerton WA 98403

Biologist: Sasha Ertl, sashae@gretteassociates.com

Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

24-02117 Kitsap County Parks SSDP for Beach Repair
3/18/2025

Dept of Archaeological Historic Preservation
Point No Point Treaty Council
Port Gamble S'Klallam Tribe
Puyallup Tribe
Skokomish Tribe
Squaxin Island Tribe
Suquamish Tribe
WA Dept of Fish & Wildlife
WA Dept of Natural Resources
WA State Dept of Transportation
DCD Staff Planner: Steve Heacock
Interested Parties: Taylor Harriman - Suquamish Tribe Archaeologist,
tharriman@suquamish.nsn.us
Parks
Navy
DSE
Kitsap Transit
North Kitsap Fire District
North Kitsap School District
Puget Sound Energy
Water/Sewer Purveyor: KPUD 1
WA State Dept of Ecology-SEPA
WA State Dept of Ecology-Shoreline Review
WA State Dept of Ecology-Wetland Review



ADMINISTRATIVE STAFF REPORT

Report Date: March 12, 2025

Application Submittal Date: May 2, 2024

Application Complete Date: May 21, 2024

Project Name: Kitsap County Parks Point No Point Phase 2 Beach Repair Project

Type of Application: Shoreline Substantial Development (SSDP) - Administrative (Type II)

Permit Number: 24-02117

Project Location

8997 Point No Point Road NE
Hansville, WA

Assessor's Account

222801-1-010-2002;
222801-1-005-2009

Applicant/Owner of Record

Kitsap County Parks
614 Division Street, MS-1
Port Orchard, WA 98366

VICINITY MAP



Project Contact

Jennifer Allen, Senior Managing Scientist, Blue Coast Engineering

Recommendation Summary

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

1. Background

During a large storm and king tide event in December 2022, tidal waters overtopped the Point No Point North Beach and the armored shoreline and flooded NE Point No Point Road and nearby properties. Tidal waters also overtopped the pedestrian trail along the East Beach, flooding into the marsh area. In the days following this extreme weather event, the receding tidal waters from NE Point No Point Road and the marsh transected the public Park, cutting a deep channel through the North Beach. Foundation elements of the Park's east parking area were also exposed. In response to these events, Kitsap County has temporarily lined the Park's drive aisle (NE Point No Point Road) with sand-filled supersacks under an emergency permit until the permanent repair can be constructed. Due to the nature and extent of the storm damage, an imminent danger situation was declared requiring immediate action to avoid threats to the public and private property and NE Point No Point Road which provides regular and emergency access. As a result, this phase of work was permitted independently of the

larger planned repair. During the initial Point No Point Flood North Beach Repair Project completed Winter 2023/2024, beach nourishment and beach gravel materials were placed in north beach area to bring the elevation of the eroded beach areas back up to pre-storm conditions. This was intended to provide temporary protection during the storm season as permits are acquired for a full reconstruction project. The Winter 2023/2024 project:

- Placed approximately 585 tons of imported coarse sand to infill the post-storm beach channel landward of the high tide line (HTL).
- Placed approximately 2,955 tons of imported beach nourishment material (medium sand) in the beach nourishment area above and below the HTL.
- Installed 600 linear feet of sand fencing along the perimeter of the beach nourishment area including along the edge of the Park's drive aisle (NE Point No Point Road).
- Placed existing large wood in the shoreline area.

2. Project Request

During the upcoming project phase of work (to be completed under this permit application), beach nourishment materials (medium sand and gravel) will be placed in the shoreline area and nearby uplands to create protective foredunes; public areas between NE Point No Point Road and Admiralty Inlet will be planted with native vegetation; subsurface layers of biodegradable coir mats will be placed in the highest elevations of the beach nourishment placement area (foredune area) to slow erosion while native vegetation gets established; a creosote-treated timber crib wall will be removed waterward of the east parking lot; a derelict concrete curb at the parking area will be replaced; rounded beach cobble will be placed waterward of the parking area structural elements; the aging armor rock revetment in the Park and lighthouse area will be repaired; and beach nourishment materials will be placed in the east beach area to repair storm damage inflicted on the shoreline during the December 2022 storm event.

Specific project elements are described below (West to East; see Site Design analysis section of this report):

North Beach Restoration:

Removal:

- Removal of 20 LF of creosote-treated timber crib wall (40 Cubic feet or 1.5 Cubic Yards total to be removed). The crib wall is located above the high tide line (HTL) and Ordinary High Water Mark (OHWM), but waterward of the east parking lot. Only the surficial two feet of exposed wall will be removed.

Installation:

- Place approximately 4,600 cubic yards (CY) of imported beach nourishment material (medium sand) in the beach nourishment and foredune area above and below the HTL.
- Place biodegradable coir matting with 1-foot of beach nourishment cover (i.e., 1-foot lifts) within the north beach nourishment berm crest area (up to 37,800 square feet

of total matting) with up to 3 layers of coir matting in the location near NE Point No Point Road).

- Plant 18,500 SF of native dune grasses in upper elevations of the beach nourishment area (Planting Zone A).
- Plant 33,000 SF of native dune grasses, shrubs, and trees in the foredune area (Planting Zones B and C).
- Install 500 feet of sand fencing on the perimeter of the beach nourishment and foredune areas including along the edge of the Park's drive aisle (NE Point No Point Road).

Parking Lot Repairs:

Removal:

- Remove existing 130 linear-foot concrete curb.
- Excavate and stockpile 230 CY of soil material at the toe of the east parking area.
- Remove and stockpile a 15-foot width of pavers along the 130-foot section of curb to be re-placed after curb replacement (1,950 SF) at the east parking lot.

Installation:

- Cast-In-Place approximately 130 linear-foot concrete curb.
- Place 235 CY of imported rounded beach cobble waterward of the exposed parking area to reduce potential for scour and end-effect erosion between beach nourishment material and structural elements.
- Re-place 130 CY of excavated soil (landward of the curb wall) and 100 CY of excavated sand (waterward of the curb wall) materials as part of replacement of approximately 130 linear foot of concrete curb wall at the toe of the east parking area.
- Re-place 1,950 SF of pavers at the east parking lot (the 15-foot width of pavers previously removed and stockpiled).
- Repair 800 SF of pavers in southwest corner of parking lot south of NE PNP Road. (Pavers will be removed by hand. Material will be placed and compacted with light duty equipment. Pavers will be re-placed by hand.)

Revetment Replacement:

Removal:

- Remove and dispose of 2 CY of concrete rubble and other shoreline debris.
- Excavate and dispose of up to 70 CY of soil material from the setback area.
- Remove 210 CY of existing armor rock for upland disposal.
- Salvage and stockpile approximately 400 CY of existing shoreline armor rock.

Installation:

- Place 320 CY imported filter rock as the base layer in the armor rock revetment repair areas.
- Place 195 CY imported armor rock (including chinking rock) and 400 CY of salvaged

armor rock in revetment repair areas.

East Beach Restoration:

Installation:

- Place 200 CY of imported beach nourishment material on the observed beach over-wash locations on the east beach.

During construction, access to the site will be completed primarily by land via the existing road. Site access by water may be required for work along the armor rock revetment to protect the existing historic structures and culturally significant area, which will be determined by an archaeologist. The contractor will sometimes need to operate heavy equipment along the beach to place and grade beach nourishment. When feasible, work will be conducted from the uplands to minimize impacts to the beach during construction. If work along the beach is necessary, it will occur in the dry days/months when work areas are not inundated by the tides. Repairs along a damaged section of the perimeter walking trail will occur from the trail. No heavy equipment will operate on the beach at this repair location. Imported beach materials will be stockpiled in the parking areas and/or upland areas north of NE Point No Point Road or offsite.

3. SEPA (State Environmental Policy Act)

A SEPA Determination of Non-Significance was issued on September 4, 2024, under KCC 18.04 and the State Environmental Policy Act. The County used the optional DNS process in WAC 197-11-355. Opportunities for public comment were combined with the Notice of Application issued on August 7, 2024 and included a 30-day comment period. One comment was received from the Suquamish Tribe which was addressed by the applicant. The SEPA determination was not appealed, the SEPA DNS is considered final.

4. Physical Characteristics

Point No Point Park (Project Site) is a Kitsap County Park located at the northeastern tip of the Kitsap Peninsula near the entrance to Puget Sound from Admiralty Inlet. The Park is comprised of a low-lying, sandy, barrier beach at the western portion of the park (North Beach), a historic lighthouse and various outbuildings surrounded by manicured lawn and an armored revetment on the point, and a walking trail along the eastern shoreline with various access points to the East Beach. Point No Point Park includes two parking areas, a restroom facility, and a picnic area. The two parking areas, the east and west parking lots, respectively, are oriented diagonally from one another and are connected via NE Point No Point Road. The west parking lot abuts NE Point No Point Road to the north and a wetland to the south; the east parking lot is at the end of NE Point No Point Road and abuts the beach to the north and buildings to the south.

The Project Site also features a historic US Coast Guard (USCG) lighthouse and guest houses. These structures are now leased as vacation rentals by Kitsap County Parks and the US Lighthouse Society headquarters. The Project Site is bordered by privately owned lands with residences to

the west and a Kitsap County owned 32-acre estuarine wetland to the south. The park properties are popular public recreation areas for walking, hiking, birdwatching, and fishing. The Park and perimeter walking trail include nearly 2,040 feet of shoreline, 1,580 feet of which is unarmored, sandy beach, and 460 feet of which is protected by an aging armor rock revetment. The 1,060-foot perimeter walking trail runs south along the eastern shoreline from the northeastern tip of the park.

Table 1 - Comprehensive Plan Designation and Zoning

| Comprehensive Plan: Public Facility Zone: Park | Standard | Proposed |
|---|------------------|----------|
| Minimum Density | N/A | N/A |
| Maximum Density | 0 dwelling units | |
| Minimum Lot Size | N/A | N/A |
| Maximum Lot Size | N/A | N/A |
| Minimum Lot Width | N/A | N/A |
| Minimum Lot Depth | 200 feet | N/A |
| Maximum Height | 35 feet | N/A |
| Maximum Impervious Surface Coverage | N/A | N/A* |
| Maximum Lot Coverage | N/A | N/A |

Applicable footnotes: None

Staff Comment: *The site is located entirely within the Point No Point Park and the proposal is restoration and reconstruction of the existing facility bulkhead structures and portion of the paved parking lot surfaces. The proposal removes and adds impervious surfaces and results are not considered a change in the existing impervious surfaces on site. See Stormwater Analysis in Section 10.

Table 2 - Setback for Zoning District

| | Standard | Proposed |
|------------------------|---|--|
| Front (West) | 20 feet | N/A |
| Side (North and South) | 10 feet; includes Shoreline Rural Conservancy buffers | N/A; North and South are Rural Conservancy with 130-foot buffer (standard) 100-foot (reduced). The proposal includes existing impervious surfaces as an existing roadway and parking lot. |

| | | |
|-------------|--|---|
| | | See Section 10 for more details. |
| Rear (East) | 10 feet; includes Shoreline Rural Conservancy buffers. | Rural Conservancy with 130-foot buffer (standard) 100-foot (reduced). |

Staff Comment: N/A

Table 3 - Surrounding Land Use and Zoning

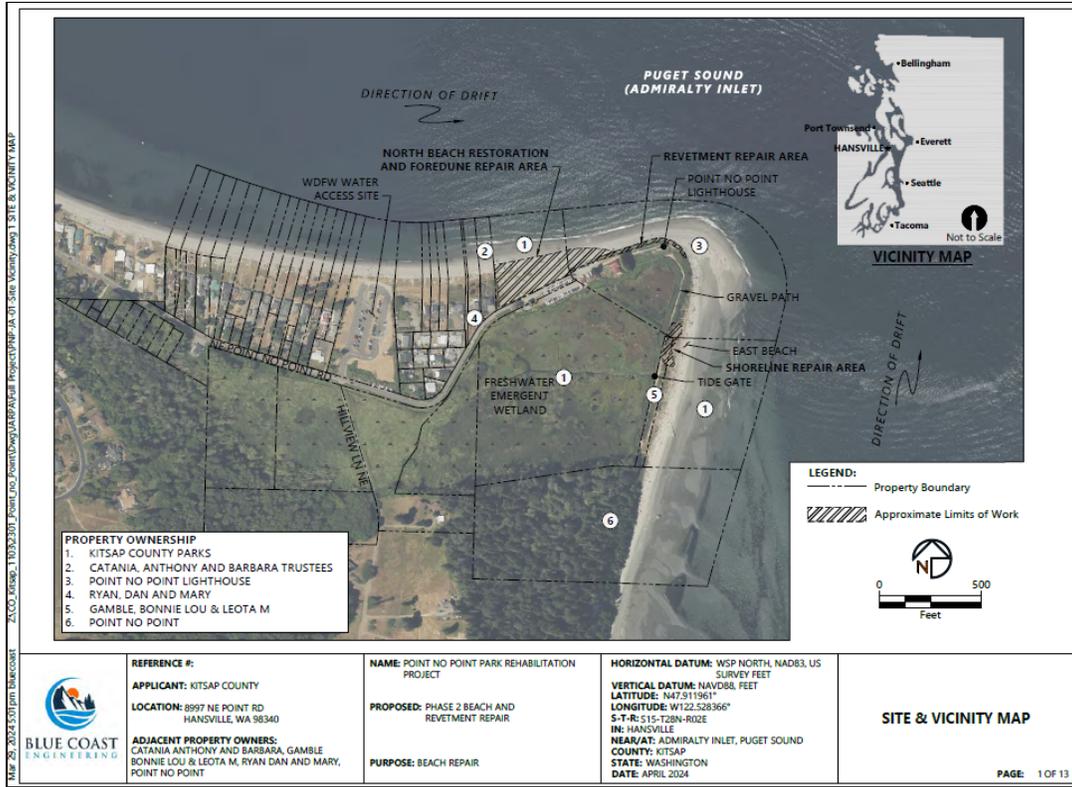
| Surrounding Property | Land Use | Zoning |
|----------------------|--------------------------|-------------------|
| North | Puget Sound | Park |
| South | Park | Park |
| East | Puget Sound | Park |
| West | Single-family residences | Rural residential |

Table 4 - Public Utilities and Services

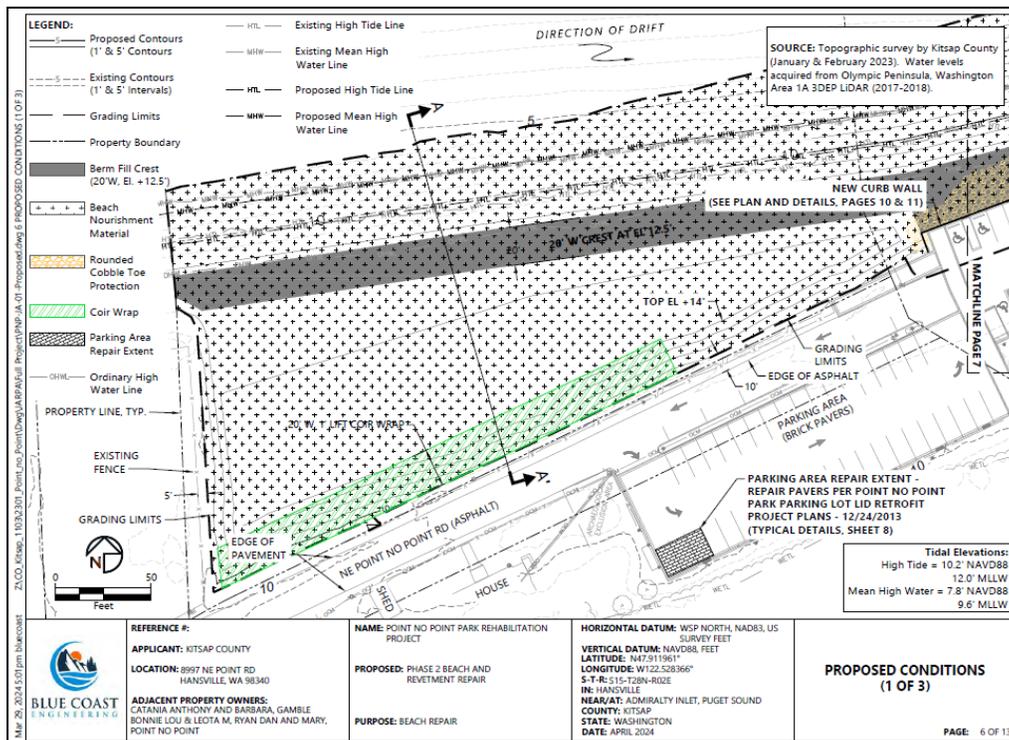
| | Provider |
|--------|-----------------------------------|
| Water | PUD 1 |
| Power | Puget Sound Energy |
| Sewer | N/A; septic systems |
| Police | Kitsap County Sherriff |
| Fire | North Kitsap Fire & Rescue |
| School | North Kitsap School District #400 |

5. Site Design

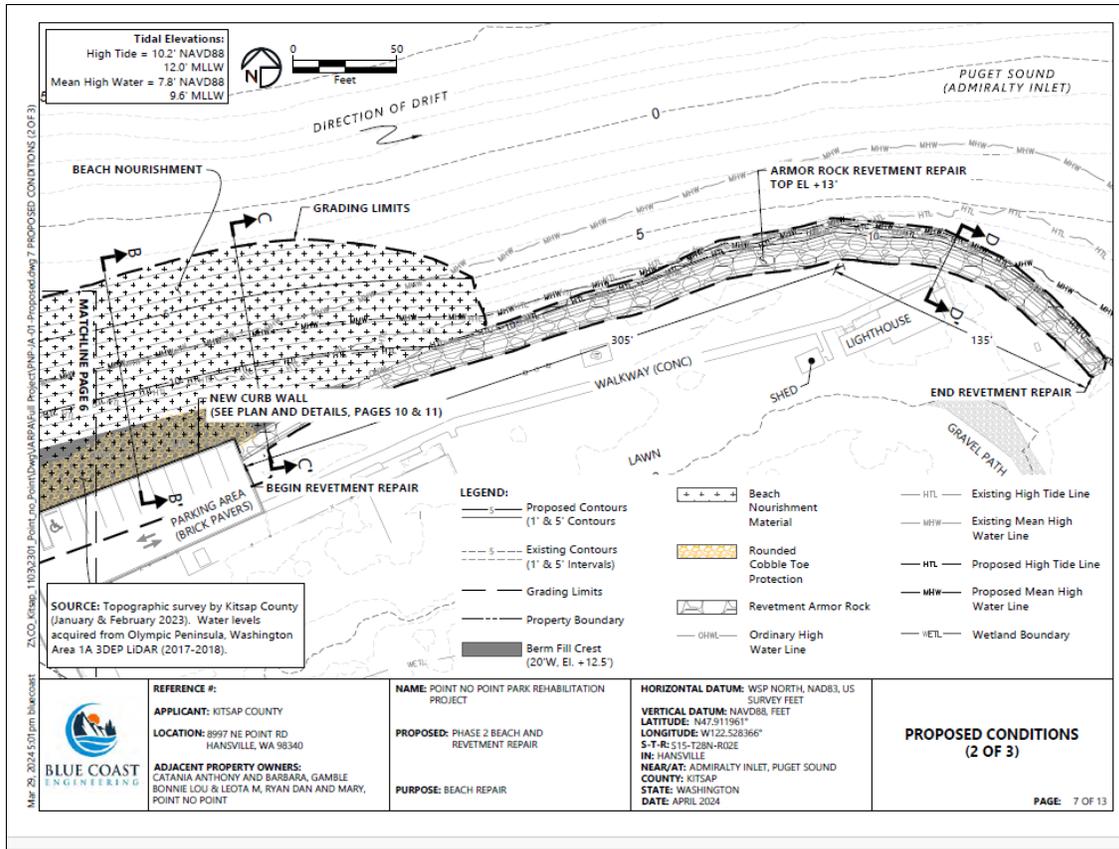
The submitted site plans show shoreline and upland improvements, roadway and parking areas, landscaping and native plan restoration areas, ADA-compliant walkways and access, and shoreline restoration. The site plan below is the Phase 2 Permit drawings, sheet 1 (overview), sheet 6 (West detail) and sheet 7 (East detail).



West detail



East Detail



6. 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; amended April 27, 2020.

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

Land Use Goal 4. Coordinate with other jurisdictions, tribal governments, agencies, special districts, and property owners to ensure coordinated and compatible land use planning and

utilize Urban Growth Area Management Agreements with cities, as feasible.

Land Use Policy 22. Preserve and protect features of historic, archaeological, cultural, scientific and educational value or significance through coordination and consultation with the appropriate local, state and federal authorities, affected Indian tribes, and property owners, through non-regulatory means.

Land Use Goal 13. Protect Kitsap County's unique rural character.

Land Use Policy 50. Limit the designated 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.

Chapter 3- Environment, incorporates by reference the goals and policies of the Kitsap County Shoreline Master Program, as follows:

Critical Areas and Ecological Protection (KCC 22.300.100)

Staff Comment: The proposed Project will comply with all applicable critical areas and ecological protection regulations as outlined in SMP 22.300.100 to protect and conserve shoreline natural resources:

A. Policy SH-1. Protect and conserve shoreline areas that are ecologically intact and minimally developed or degraded. Develop incentives and regulations for privately owned shorelines that will protect and conserve these areas while allowing reasonable and appropriate development.

Staff Comment: The Project site is developed and minimally degraded; as a result, the shoreline is not fully ecologically intact. The restoration activities involved in this Project (creating a protective foredune in the back beach and installing native plants throughout the shoreline buffer at north beach) will improve the ecological functions the shoreline can provide.

B. Policy SH-2. Recognize that nearly all shorelines, even substantially developed or degraded areas, retain important ecological functions.

Staff Comment: The shoreline at Point No Point Park provides valuable ecological functions, and measures taken to minimize temporary adverse impacts to the shoreline within this Project and to restore the existing shoreline show the commitment to preserve the ecological functions of the shoreline. The Project will result in a net improvement to shoreline ecological functions. This assessment is supported by the National Marine Fisheries Service's (NMFS) Salish Sea Nearshore Programmatic (SSNP) Conservation Calculator, which returned a zero debit balance for the Project.

C. Policy SH-3. Utilize transfer of development rights as allowed by Chapter 17.580 as an option to protect ecological functions.

Staff Comment: Not Applicable N/A.

D. Policy SH-4. Permitted uses and developments should be designed and conducted in a manner that protects the current ecological condition and prevents or mitigates adverse impacts. Mitigation measures shall be applied in the following sequence of steps listed in order

of priority:

1. Avoid the impact altogether by not taking a certain action or parts of an action;
2. Minimize impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
3. Rectify the impact by repairing, rehabilitating or restoring the affected environment;
4. Reduce or eliminate the impact over time by preservation and maintenance operations;
5. Compensate for the impact by replacing, enhancing, or providing substitute resources or environments, including utilization of the in-lieu fee process where appropriate; and
6. Monitor the impact and the mitigation projects and take appropriate corrective measures.

Staff Comment: Mitigation sequencing has been utilized in previous documents; please refer to the HMP (Grette Associates 2024) for details.

E. Policy SH-5. Shoreline ecological functions that should be protected include, but are not limited to:

1. Habitat (space or conditions for reproduction, resting, hiding and migration; and food production and delivery);
2. Water quality maintenance; and
3. Water quantity maintenance.

Staff Comment: The restoration portion of the Project is designed to restore and improve habitat functions of the shoreline. The native plantings will provide cover for shorebirds and similar species, and, along with placement of large woody debris, provide nutrients and food to the nearshore. Beach nourishment material will provide forage fish spawning habitat. The revetment will be replaced within the same footprint but at a setback angle, which will reduce scour from wave energy, providing improved habitat conditions. In addition, construction BMPs will be followed to minimize potential temporary adverse impacts to habitat and water quality, including conducting work in the dry whenever possible. The repaired/replaced revetment will be installed at a setback angle, which will result in an increase in water quantity available to species. Please refer to the HMP (Grette Associates 2024) for details on specific BMPs utilized in this Project.

F. Policy SH-6. Shoreline processes, both freshwater and marine, that should be protected to support the above functions include but are not limited to the delivery, loss and movement of:

1. Sediment;
2. Water;
3. Nutrients;
4. Toxins;
5. Pathogens; and
6. Large woody material.

Staff Comment: Protection of shoreline processes was considered and incorporated into design for this Project. The beach restoration will naturally protect the uplands from flooding events and erosion, while subsequently providing a source of nutrients to the marine shoreline. Replacement/repair of the revetment to result in a shallower slope angle will reduce wave energy and resulting scour at the revetment toe. Littoral drift will not be altered by the Project. Water

movement from flooding during king tide storm events will be altered; instead of overtopping the shoreline and resulting in channels of erosion on the beach when the water recedes, water will encounter a slightly elevated beach. Shoreline processes reliant on delivery, loss, and movement of water will not be altered.

Nutrients will be delivered in the nearshore from the native vegetation and large wood.

A portion of creosote-treated timber crib wall will be removed from the shoreline buffer, which will remove a source of toxins. Vegetation can serve as a barrier and filter for pathogens that may otherwise enter the waterway. Large woody material will be placed on the beach as part of the Project, and design does not obstruct future natural large wood recruitment. Standard construction BMPs will be in place to minimize the potential for temporary adverse impacts to habitat, hydrology, and water quality, including controlling the potential for increased temporary sedimentation, controlling spills and possible introduction of toxins to the environment, and preserving beach material and large woody debris already present on the site. For a more complete analysis of coastal processes that occur at the site, please see the Point No Point Flood Protection Design Alternatives and Preliminary Basis of Design (Blue Coast Engineering 2024).

G. Policy SH-7. In assessing the potential for new uses and developments to impact ecological functions and processes, the following should be taken into account:

1. On-site and off-site impacts;
2. Immediate and long-term impacts;
3. Cumulative impacts, from both current and reasonably foreseeable future actions, resulting from the project; and
4. Any mitigation measures or beneficial effects of established regulatory programs to offset impacts.

Staff Comment: There will not be new uses or developments in this Project; Project components include restoration and repair of existing structures and beaches.

H. Policy SH-8. Critical areas in the shoreline jurisdiction shall be protected in a manner that results in no net loss to shoreline ecological functions. Pursuant to RCW 36.70A.030(5), critical areas include:

1. Wetlands.
2. Frequently flooded areas.
3. Fish and wildlife habitat conservation areas.
4. Geologically hazardous areas.
5. Critical aquifer recharge areas.

Staff Comment: The protection of critical areas was incorporated into Project design and is addressed in the HMP (Grette Associates 2024). Further, the SSNP Conservation Calculator prepared for this Project resulted in a zero debit balance. Please refer to those documents for details. The Project will result in no net loss to shoreline ecological function.

Vegetation Conservation (KCC 22.300.105)

Staff Comment: The proposed Project will comply with all applicable vegetation conservation regulations as outlined in KCC 22.300.105 to protect and conserve shoreline natural resources:

A. Policy SH-9. Preserve native plant communities on marine, river, lake and wetland shorelines. In order to maintain shoreline ecological functions and processes, development along the shoreline should result in minimal direct, indirect, or cumulative impacts. This includes:

1. Keeping overhanging vegetation intact along the shoreline edge to provide shading and other ecological functions;
2. Preserving established areas of native plants and minimizing clearing and grading near bluff edges and other erosion or landslide-prone areas in order to maintain slope stability and prevent excess surface erosion and stormwater runoff;
3. Designing and placing structures and associated development in areas that avoid disturbance of established native plants, especially trees and shrubs; and
4. Removal of noxious weeds in accordance with WAC 16-750-020.

Staff Comment: The restoration portion of the Project includes planting approximately 1 acre of native dune grasses, shrubs, and trees above the OHWM and an additional 7,300 SF of native dune grasses below the OHWM in a currently unvegetated beach area with the intent of establishing native plant communities along the marine shoreline. The Project does not anticipate requiring the removal of native vegetation.

B. Policy SH-10. Shoreline landowners are encouraged to preserve and enhance native woody vegetation and native groundcovers to stabilize soils and provide habitat. When shoreline uses or modifications require a planting plan, maintaining native plant communities, replacing noxious weeds and avoiding installation of ornamental plants are preferred. Nonnative vegetation requiring use of fertilizers, herbicides/pesticides, or summer watering is discouraged.

Staff Comment: The purpose of the restoration portion of this Project is to enhance native woody vegetation and native groundcovers to stabilize soils and provide habitat. Any existing native vegetation will be preserved as part of this Project.

C. Policy SH-11. Maintaining native or ecologically functional vegetation is preferred over clearing to provide views or lawns. Limited and selective clearing may be allowed when slope stability and ecological functions are not compromised. Limited trimming and pruning is generally preferred over removal of native vegetation.

Staff Comment: No clearing or native vegetation removal is anticipated to be required in this Project.

Water Quality and Quantity (KCC 22.300.110)

Staff Comment: The proposed Project will comply with all applicable Water Quality and Quantity regulations as outlined in SMP 22.300.110.

A. Policy SH-12. Shoreline use and development should minimize impacts that contaminate surface or groundwater, cause adverse effects on shoreline ecological functions, or impact aesthetic qualities and recreational opportunities, including healthy shellfish harvest.

Staff Comment: The Project is designed to convert the existing unvegetated sandy north beach to a fully-vegetated area with enhanced shoreline ecological function. The beach restoration

design also incorporates access paths for public enjoyment. The work will repair the parking lot and restore two-lane access to the Park and thus will continue to support recreational activities.

The Project will minimize temporary construction effects by following construction BMPs as addressed in the HMP (Grette Associates 2024).

B. Policy SH-13. Ensure mutual consistency with other regulations that address water quality and stormwater quantity, including standards as provided for in Title 12 (Stormwater Drainage) and Chapter 173-201A WAC (Water Quality Standards).

Staff Comment: The Project will comply with all stormwater and water quality standards, as addressed in Title 12 of the KCC and Chapter 173-201A of the WAC.

C. Policy SH-14. Utilize pervious materials and other appropriate low impact development techniques where soils and geologic conditions are suitable and where such practices could reduce stormwater runoff.

Staff Comment: No new impervious surface is proposed as part of this Project. The only impervious materials used in the Project include the replacement rock revetment wall, the replacement parking lot curb wall, and the repaired parking lot pavers. None of these activities involving impervious surfaces will include the expansion of impervious surfaces; the features will be repaired or replaced within the existing footprints.

D. Policy SH-15. All shoreline uses and development shall be conducted in accordance with Title 15 (Flood Hazard Areas). The subdivision of land should not be established when it would be reasonably foreseeable that the development or use would require structural flood hazard reduction measures within the channel migration zone or floodway. When evaluating alternate flood control measures or floodplain restoration opportunities, consider the removal or relocation of structures in flood-prone areas.

Staff Comment: The entire Project will take place within a Flood Hazard Area (100 Year Floodplain). Flood control measures (vegetated foredune) to be installed as part of this Project have been designed to provide habitat restoration and lift. The Project will increase the beach elevation and install native vegetation to combat flooding events with the potential to damage infrastructure. The revetment will be repaired/replaced so as to protect the historic lighthouse and U.S. Coast Guard tower, both of which are active aids to navigation and essential to protection of public health, safety, and welfare.

No subdivision of land is involved in the Project, and this Project is intended to not only repair the damage from the December 2022 flood, but to minimize impacts from flooding in the future. Construction activities will comply with regulations in Title 15 of the KCC.

Economic Development (KCC 22.300.115)

Staff Comment: The project will provide economic opportunities for nearby local establishments.

Historical, Archaeological, Cultural, Scientific, and Educational Resources (KCC 22.300.120)

Staff Comment: Per the Point No Point Park Beach Repair Phase 1 and revised Phase 2 Cultural Resources Assessment (CR Assessment), historic properties and resources on the Project parcels

include the following (Environmental Science Associates [ESA] 2023):

Historic Properties

- Point No Point (PNP) lighthouse (1879) – listed in the National Registry of Historic Properties (NRHP) and Washington Heritage Register

Historic Resources

- Point No Point Lighthouse Shed, Department of Archeology and Historic Preservation (DAHP) Property ID 672299 (1957), determined not eligible
- Maggs House, DAHP Property ID 56164 (ca.1920), determined not eligible
- Maggs Shed, DAHP Property ID 56165 (ca.1940), determined not eligible
- Lighthouse Keeper's Quarters – identified by Cultural Resource Consultant, not recorded in Washington State Information System for Architectural and Archeological Records Data (WISAARD)
- Utility shed – east of the parking lot; pre-dates 1951, identified by Cultural Resource Consultant, not recorded in WISAARD

In addition, in 2014, human remains believed to be ancient were discovered at the Park, along with historic artifacts associated with cottage construction. For more details on these historical structures and other findings please see the CR Assessment. The CR Assessment suggests that Phase 2 of this Project has the potential to affect the site during ground disturbance for the replacement of the parking lot curb wall and reconstruction of the revetment (ESA 2023). Per coordination with the Port Gamble S'Klallam and Suquamish Tribes, an archaeological monitor will be onsite during these activities to observe the soils and identify any potential cultural resources.

The Project will comply with all applicable regulations pertaining to Historic, Archeological, Cultural, Scientific, and Educational resources as addressed below:

- A. Policy SH-18. Prevent damage or destruction of historic, archaeological, cultural, scientific and educational (HASCE) sites through coordinated identification, protection and management with the appropriate local, state and federal authorities and registrars, affected Indian tribes, and property owners.

Staff Comment: The replacement of the rock revetment wall adjacent to the historic lighthouse is designed to prevent flood damage to the historic, archaeological, and cultural sites on the Project parcels. The additional layers of sand and restoration plantings are designed to prevent further flood damage to the beach and Park itself, including historic and archaeological resources. Excavation will be limited to the minimum area necessary to remove the curb wall and repair/replace the existing revetment.

Local, state, and federal authorities, the Port Gamble S'Klallam and Suquamish Tribes, and the public, including adjacent property owners have been engaged in discussions throughout the design of this Project.

- B. Policy SH-19. Provide opportunities for education and appreciation related to HASCE

features where appropriate and where maximum protection of the resource can be achieved.

Staff Comment: The Park has several information panels throughout the Park educating visitors on the natural habitat and the historic use of the site, therefore this regulation is met.

Shoreline Use and Site Planning (KCC 22.300.125)

Staff Comment: The Project will comply with all applicable Shoreline Use and Site Planning regulations as addressed below:

A. Policy SH-20. For shoreline use and development activities, including plats and subdivisions at full build-out, employ innovative development features to achieve no net loss of ecological functions, such as sustainable and low impact development practices where appropriate.

Staff Comment: As a repair and restoration project, the Project will result in no net loss of ecological functions, and with the restoration activities, the Project will instead enhance natural functions. All Project activities relating to impervious surfaces, including the repair of the parking lot and the replacement of the revetment rock wall and parking lot curb wall, will take place within the existing footprint of these features. The north beach restoration will convert an unvegetated sandy beach to fully vegetated habitat in the shoreline buffer, and placement of beach nourishment in the nearshore will provide habitat lift for an area of beach mapped as forage fish spawning habitat.

B. Policy SH-21. Give preference to water-dependent uses and single-family residential uses that are consistent with preservation of shoreline ecological functions and processes. Secondary preference should be given to water-related, and water-enjoyment uses. Non-water-oriented uses should be limited to those locations where the above-described uses are inappropriate or where non-water-oriented uses demonstrably contribute to the objectives of the Act. For use preference within shorelines of statewide significance, see Section 22.300.145(B).

Staff Comment: This Project will continue to allow access to Puget Sound for water-enjoyment use, including public beach access for saltwater fishing, sunbathing, and sightseeing. Because this is a repair and restoration project, no change in use is proposed.

C. Policy SH-22. Designate and maintain appropriate areas for protecting and restoring shoreline ecological functions and processes to control pollution and prevent damage to the shoreline environment and/or public health.

Staff Comment: This Project is designed to restore the natural shoreline elements in the north beach area (installation of native vegetation and beach nourishment) to provide improved shoreline ecological functions. In addition, repair activities are designed to prevent damage to the shoreline environment and the onsite aids to navigation that are essential for public health, safety, and welfare from future flood events. No pollution or damage to the shoreline environment or public health is anticipated as a result of this Project.

D. Policy SH-23. Through appropriate site planning and use of the most current, accurate and complete scientific and technical information available, shoreline use and development should be located and designed to avoid the need for shoreline stabilization or actions that

would result in a net loss of shoreline ecological functions.

Staff Comment: The Project has been designed to avoid new hard armoring of the shoreline. A protective foredune area, composed of beach nourishment material, will protect the Park from future flooding and erosion events using soft shoreline treatments including vegetation and coir matting. The existing revetment will be repaired/replaced, not expanded, to provide continued protection for the active aids to navigation and cultural resources found on the point. These aids to navigation are essential to public health, safety, and welfare.

Policy SH 24- 28 (E through I) are not applicable to this Project.

J. Policy SH-29. Upland uses and modifications should be properly managed to avoid degradation of water quality of existing shellfish areas.

Staff Comment: As a beach repair and restoration project, no degradation of water quality is anticipated. The majority of the Project activities include adding beach nourishment material and native plantings. In addition, there is no expansion of impervious areas in the upland areas, which is limited to the replacement of a parking lot curb wall and the repair of a parking lot using existing materials. No new upland land use is being proposed. During construction, BMPs, as addressed in the HMP (Grette Associates 2024), will be used to minimize the risk of spills and other hazards to water quality.

L. Policy SH-31. Noncommercial and small-scale aquaculture projects should be encouraged through the shoreline exemption process (Section 22.500.100(C)).

Staff Comment: This Project is not related to any form of aquaculture; therefore, this regulation is not applicable.

Public Access and Recreation (KCC 22.300.130)

Staff Comment: All activities involved in this Project will adhere to regulations pertaining to Public Access and Recreation, as addressed below:

A. Policy SH-32. Protect the public's opportunity to enjoy the physical and visual qualities of the shoreline by balancing shoreline use and development in such a way that minimizes interference with the public's use or enjoyment of the water. This may be achieved through regulatory provisions, incentives or other cooperative agreements.

Staff Comment: This Project will repair the damaged upland infrastructure (road and parking lot) that provide access to the Park for the public and restore the beach to allow for the continued enjoyment of the Park by the public. The revetment repair/replacement will provide continued protection of the historic lighthouse and other resources on the site, also for the public's enjoyment.

B. Policy SH-33. Evaluate site-appropriate types and methods of required public access when reviewing all public shoreline development projects and private subdivision of land into more than four parcels. Based on project-specific circumstances, this may include physical or visual access on or off site.

Staff Comment: The Project will involve the repair of the existing parking lot and parking curb

wall, allowing continued public access from the road.

C. Policy SH-34. Acquire, maintain and improve diverse physical and visual shoreline access through public and private efforts. This should be accomplished in a comprehensive and prioritized manner through the use of existing plans and programs, including those that address population growth and shoreline access demands such as the Kitsap County Comprehensive Plan, the Kitsap County Parks, Recreation and Open Space (PROS) Plan, and other port and state park plans.

Staff Comment: This Project is designed to provide physical and visual shoreline access through creation of a designated path that leads to the beach through the areas of new native plantings and dunes.

D. Policy SH-35. Publicly owned, undeveloped road-ends, tax-title lands and rights-of-way adjacent to salt and freshwater shorelines should be evaluated for use as public access points. These lands may be developed for access by a community organization, consistent with Chapter 11.36.1

Staff Comment: Access to the Park is already acquired by a road end access point. This Project will restore two-lane traffic for the road and will repair the parking areas at the end of the road.

E. Policy SH-36. Use shoreline public access points to enhance the public's understanding and appreciation of shoreline ecology, cultural history, maritime heritage, and location specific rules and boundaries by incorporating educational and interpretive signage and other tools into public access facilities.

Staff Comment: Educational and interpretive signage is already utilized in the Park for both shoreline ecology and history; therefore, this regulation is not applicable to this particular phase.

Restoration and Enhancement (KCC 22.300.135)

Staff Comment: The proposed Project will adhere to all applicable Restoration and Enhancement regulations as described below:

A. Policy SH-37. Integrate and facilitate voluntary and incentive-based cooperative restoration and enhancement programs between local, state, and federal public agencies, tribes, nonprofit organizations, and landowners to address shorelines with impaired ecological functions and/or processes.

Staff Comment: Kitsap County Parks is coordinating with local, state, and federal agencies and Tribes, including the Kitsap County Department of Community Development (DCD), Washington Department of Fish and Wildlife (WDFW), Washington State Department of Ecology, U.S. Coast Guard (USCG), U.S. Army Corps of Engineers (USACE), NMFS, U.S. Fish and Wildlife Service (USFWS), and the Port Gamble S'Klallam and Suquamish Tribes to integrate voluntary restoration and enhancement of the north beach into Project design.

B. Policy SH-38. Identify restoration opportunities through sources such as the Kitsap County Shoreline Inventory and Characterization Report, salmon recovery plans, local watershed plans, Puget Sound Nearshore Ecosystem Restoration Project (PSNERP), and the Salmon Recovery Lead Entity Habitat Work Schedule, and authorize, coordinate and facilitate

appropriate publicly and privately initiated restoration projects. This shall be accomplished through the shoreline restoration plan (Appendix C to the ordinance codified in this title), which addresses the following:

1. Identification of degraded areas and sites with potential for ecological restoration;
2. Restoration goals and priorities;
3. Existing and ongoing projects and programs;
4. Additional projects and programs to achieve the restoration goals;
5. Funding sources, timelines and benchmarks for implementation; and
6. Monitoring effectiveness of restoration projects.

Staff Comment: The Kitsap County Shoreline Inventory and Characterization Report identifies the north beach area (Nearshore Assessment Unit [NAU] 155) as a “Conserve and Restore” prioritization recommendation, with the dominant process (DP) to be protected listed as “Wave Deposition (Open Shore)” and the DP Stressor listed as “Armoring” (Kitsap County 2010). The completed Project will result in the upland beach and adjacent infrastructure being protected from flood risk without introducing armoring that would disrupt the wave deposition process. The armored point (NAU 154) is listed as a “Restore” prioritization recommendation with the DP listed as “Wave Deposition” and the stressor listed as “Armoring.” Although the armoring is essential for public health, safety, and welfare, and therefore must remain, the new design will be placed at a shallower angle so as to reduce scour and erosion from wave reflection. This will improve the conditions for wave deposition. The PSNERP mapper identifies the project as “Restore High” to “protect and restore sediment input and transport processes in littoral drift cells where wave energy results in bluff erosion that sustains beach structure” (<https://wdfw.wa.gov/species-habitats/habitat-recovery/puget-sound/project-maps>; accessed April 24, 2024).

The proposed Project supports the goals of the shoreline restoration plan, as outlined in the code above. This Project identified a site with potential for ecological restoration in the north beach restoration area. The current condition of the beach is flat, unvegetated sand; the restoration will install foredunes vegetated with native trees, grasses, and shrubs to enhance the habitat conditions within the shoreline buffer. Although the Shoreline Restoration Plan is not readily available online, the Kitsap County Regional Shoreline Restoration Project goals include identifying priority reaches for protection and restoration of feeder bluffs and other sediment sources, and priority drift cells. The Project area falls within two priority drift cells (https://www.kitsap.gov/dcd/Pages/KC_Shoreline_Restoration.aspx; accessed April 24, 2024).

Mid Sound Fisheries Enhancement Group is conducting the Point No Point Estuary Restoration Project on the adjacent land to the south of the Project area. The restoration portion of this Phase 2 Project is intended to raise the shoreline area and nearby uplands to create protective foredunes to limit wave and tidal overtopping of the northern and eastern shorelines to reduce the flooding potential along NE Point No Point Road while adding native vegetation to the shoreline riparian zone to improve salmon and forage fish habitat in a way that aligns with the adjacent estuary restoration design project. Because the current proposed Project and the Point No Point Estuary Restoration Project are intended to result in a restored shoreline at Point No Point, no additional projects or programs are planned at this time. The proposed Project is funded, and work will commence as soon as permits are received, within the permitting in-water work window. Target

construction is August 2024.

Monitoring of the plantings will occur following the monitoring schedule as outlined in the HMP (Grette Associates 2024).

C. Policy SH-39. Encourage and facilitate restoration and enhancement projects for priority habitats and species (Washington Department of Fish and Wildlife, PHS Program).

Staff Comment: This Project will enhance the Puget Sound Nearshore, which is a priority habitat for priority species that include forage fish and salmonids. This, in turn, may increase foraging opportunities for priority avian species, including pelagic sea birds, ducks, and shore birds. The vegetated dunes will also provide more complex habitats for upland PHS species, including birds and insects.

D. Policy SH-40. Shoreline ecosystem protection and restoration projects shall be prioritized, located and designed utilizing the most current, accurate and complete scientific and technical information available to promote resiliency of habitats and species.

Staff Comment: Blue Coast Engineering prepared a thorough Basis of Design Report (Blue Coast Engineering 2024) in which they evaluate the most current, accurate, and complete scientific and technical information available to consider all coastal processes in order to design the Project to best promote resiliency of habitats and species. Please see that report for a comprehensive analysis.

Transportation and Utilities (KCC 22.300.140)

Staff Comment: The proposed Project complies with the following applicable policies for transportation and utilities as outlined below:

A. Policy SH-41. Plan, locate and design proposed transportation, parking facilities, and utility facilities where routes will avoid a net loss of shoreline ecological functions or will not adversely impact existing or planned water-dependent uses.

Staff Comment: The proposed Project involves the repair of an existing parking lot and the replacement of an existing curb wall. In order to avoid net loss of shoreline ecological functions, these activities will take place within the footprint of the existing structures. Further, the Project will allow for removal of sand filled super sacks, a temporary flood-control measure installed to protect the road. This will result in restoration of two-lane traffic to the Park, including the active aids to navigation. These features will continue to allow public enjoyment of the shoreline and of the Park as a whole.

B. Policy SH-42. Parking facilities in shorelines are not a preferred use. Such facilities shall only be allowed as necessary to support an authorized use and only when environmental and visual impacts are minimized.

Staff Comment: There will be no new impacts from the repaired parking lot or replaced parking lot curb wall. Project activities pertaining to those uses will take place within the footprint of the existing features and will continue to support authorized use. In addition, the continued use of pavers rather than concrete will minimize environmental and visual impacts of the parking lot.

C. Policy SH-43. New or expanded transportation routes and essential utility facilities shall, to the extent feasible:

1. Be located in areas that do not require shoreline stabilization, dredging, extensive cut/fill and other forms of shoreline alteration;
2. Be limited to local access and public shoreline access routes;
3. Be located in existing rights-of-way and corridors; and
4. Not be built within shoreline jurisdiction when other options are available.

Staff Comment: No new or expanded transportation routes or utility facilities will be built. The damaged parking lot will be repaired, and the parking curb wall will be replaced, both within the current footprints of those features.

D. Policy SH-44. Transportation and utility projects shall be consistent with the public access policies and plans of this program.

Staff Comment: No new transportation or utility projects are involved in this Project.

E. Policy SH-45. Provide for alternate modes of travel, including pedestrian, bicycle and public transportation, where appropriate.

Staff Comment: No alternate modes of travel are proposed or provided for in this Project.

Kitsap County Parks 14 April 2024 Point No Point Phase 2 Restoration and Repair Project
Grette Associates Kitsap County Shoreline Consistency Narrative

F. Policy SH-46. Maintenance of existing transportation corridors and utility facilities shall be carried out in a manner that:

1. Will avoid a net loss of shoreline ecological functions; and
2. Where feasible and appropriate, improve shoreline ecological functions.

Staff Comment: In order to avoid a net loss of shoreline ecological functions, the repair of the parking lot and the replacement of the parking lot curb wall will take place within the footprint of those existing structures. Shoreline ecological function will be improved by installing native vegetation in the sandy buffer between the parking lot/curb wall and the Puget Sound Nearshore.

Shorelines of Statewide Significance (KCC 22.300.145)

Staff Comment: Point No Point County Park is abutted on the northern and eastern borders by Puget Sound, designated a shoreline of statewide significance by KCC 200.300.145(A). Project activities will comply with all regulations pertaining to shorelines of statewide significance as addressed below:

1. Policy SH-47. Recognize and protect the statewide interest over local interest.
 - a. The Washington Departments of Fish and Wildlife and Ecology, affected tribes, other resources agencies, and interest groups should be consulted for development proposals that could affect anadromous fisheries or other priority species or habitats.
 - b. Recognize and take into account state agencies' policies, programs and recommendations in developing and administering use regulations.

Staff Comment: Pre-application meetings have included all applicable agencies and Tribes. All recommendations have been addressed and/or incorporated into Project design.

2. Policy SH-48. Preserve the natural character of the shoreline.

- a. Administer shoreline environments and regulations to minimize damage to the unique character and ecology of shorelines of statewide significance.
- b. Where natural resources of statewide importance are being diminished over time by human activities, restoration of those resources should be facilitated.
- c. In order to reduce adverse impacts to the environment while accommodating future growth, new intensive development activities should upgrade and redevelop those areas where intensive development already occurs, rather than allowing high-intensity uses to extend into low-intensity use or underdeveloped areas.

Staff Comment: This Project is designed to restore and enhance the natural character of the shoreline.

3. Policy SH-49. Result in the long-term over short-term benefit.

- a. Preserve sufficient shorelands and submerged lands to accommodate current and projected demand for economic resources, such as shellfish beds and navigable harbors.
- b. Actions that would convert resources into irreversible uses or detrimentally alter natural conditions that are characteristic of shorelines of statewide significance should be severely limited.
- c. Evaluate the short-term economic gain or convenience of developments in relationship to long-term and potentially costly impairments to the natural environment.
- d. Actively promote aesthetic considerations when contemplating new development, redevelopment of existing facilities, or for the general enhancement of shoreline areas.

Staff Comment: The Park is not a high-demand area for economic resources, so economic concerns are not applicable. Resources and land uses will not be altered, except for restoration of the north beach. Project activities will restore the shoreline and shoreland through installation of foredunes and supplemental plantings. In addition, the repair of the parking lot and replacement of the parking lot curb wall will take place within the footprint of the existing features in order to avoid altering natural conditions. This will result in long-term benefits to the Project area.

4. Policy SH-50. Protect the resources and ecology of the shoreline.

- a. Projects shall be required to consider incremental and cumulative impacts while ensuring no net loss of shoreline ecosystem processes and functions.
- b. In order to ensure the long-term protection of ecological resources of statewide importance, activities impacting anadromous fish habitats, forage fish spawning and rearing areas, shellfish beds and other unique environments should be severely limited.
- c. Limit public access where improvements would result in a loss of shoreline ecological functions, such as in priority or sensitive habitats.

Staff Comment: The Project will restore the resources and ecology of the shoreline through installation of native plantings on a currently unvegetated beach. These plantings will contribute nutrients and prey (e.g., insects) to the nearshore, including to anadromous fish. Further, the Project will place beach nourishment material in the nearshore to improve forage fish spawning habitat on the documented sand lance spawning beach.

Temporary disturbance to the shoreline will be minimized through implementation of

construction BMPs, as addressed in the HMP (Grette Associates 2024). In addition, while shellfish beds and forage fish spawning habitats are mapped below the high tide line, much of the Project will take place above the OHWM and entail increased beach material and supplemental plantings. The only Project activities below the OHWM are the replacement of the rock revetment wall by the historic lighthouse and some beach nourishment material placed below the OHWM. Work below the OHWM will be conducted within the designated work window.

- 5. Policy SH-51. Increase public access to publicly owned areas of the shorelines.
 - a. Preserve and encourage public access with special scenic or cultural qualities.
 - b. Give priority to developing paths and trails to shoreline areas and linear access along the shorelines, where appropriate.
 - c. Locate development, including parking, as far inland from the OHWM as is feasible so that access is enhanced.

Staff Comment: The intent of Point No Point Park is to provide public access to publicly-owned areas of the shoreline. Restoration of the north beach area will allow for super sacks to be removed from the road, restoring two-way public access to the Park. The parking lot repairs will restore parking at the Park within the existing footprint of the lots. The public will again be able to access the beaches (north and east), walking path, and historical lighthouse at the site.

- 6. Policy SH-52. Increase recreational opportunities for the public in the shoreline.
 - a. Public access and recreation requirements should take into account the activities of state agencies and the interests of the citizens of the state to visit public shorelines.
 - b. Plan for and encourage development of facilities for recreational use of the shorelines, but reserve areas for lodging and related facilities on uplands well away from the shoreline, with provisions for nonmotorized access to the shorelines.

Staff Comment: The Park is already utilized for public recreational opportunities. Repairing the parking lots and removing the Super sacks along NE Point No Point Road will improve public access. The restored north beach area will have designated beach access paths through the vegetated dunes, and the east beach access point will be improved with the addition of beach nourishment material.

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 |
| Title 19 | Critical Areas |
| Title 22 | Shoreline Master Program |
| Chapter 18.04 | State Environmental Policy Act (SEPA) |
| Chapter 20.04 | Transportation Facilities Concurrency Ordinance |
| Chapter 21.04 | Land Use and Development Procedures |

7. Documents Consulted in the Analysis

A complete index of exhibits is located in the project file. To date, the index to the record consists of 15 Exhibits listed below.

| Exhibit # | Document | Dated |
|-----------|--|-------------------|
| 1 | Concurrency waivers | May 5, 2024 |
| 2 | Site Photos | May 5, 2024 |
| 3 | Cultural Resources Report | May 5, 2024 |
| 4 | SEPA Checklist | May 5, 2024 |
| 5 | Habitat Management Plan/No Net Loss | May 5, 2024 |
| 6 | JARPA | May 5, 2024 |
| 7 | Project Description | May 5, 2024 |
| 8 | SMP Consistency Narrative | May 5, 2024 |
| 9 | CAO report | May 5, 2024 |
| 10 | Flood Protection and Alternatives (Geotechnical) | May 5, 2024 |
| 11 | Notice of Application | August 7, 2024 |
| 12 | SEPA DNS | September 4, 2024 |
| 13 | Revised Phase 2 Cultural Resources Report | January 18, 2025 |
| 14 | Suquamish Tribe Concurrency Memo | February 18, 2025 |
| 15 | Public Comments Received | |

8. Public Outreach and Comments

A Notice of Application was distributed pursuant to Title 21 Land Use and Development Procedures, which provided recipients with project information and an opportunity for public comment. There were no public comments received by the department. There was one comment from the Suquamish Tribe related to a revised phase 2 Cultural Resources Assessment (CRR) which was provided by the applicant, and we forwarded a copy to the Tribe. The file was very large, so we re-transmitted a copy on February 17th. The Tribe provided an e-mail that they received the report and concurred with the recommendations to have a Cultural Resources specialist on site during all soil disturbance work. Should there be any comments provided after the 3 day review, we will include them here.

| Issue Ref. No. | Summary of Concern |
|----------------|---|
| 1 | <i>Comment by the Suquamish Tribe 8/23/2024</i> |

| Issue Ref. No. | Staff Response |
|----------------|--|
| 1 | <i>The Suquamish Tribe concurs with the CRR on 2/18/2025</i> |

9. Analysis

a. Planning/Zoning

The proposal is within the Park zone (Park) zone and the Rural Conservancy Shoreline designation. Shoreline stabilization actions to repair existing facilities are a permitted use in the Rural Conservancy shoreline designation per Kitsap County Code (KCC) 22.500.100 3 b (normal repair and maintenance of existing structures) and beach restoration activities as further guided in 22.600.175. The restoration activities planned in the beach areas are considered under an SDP within KCC 22.600.165 barrier development, with ecological restoration as the primary purpose. As described in Table 1 and 2 of this report, the proposal meets zoning dimensional and design standards of the Park zoning designation.

b. Lighting

Lighting was not analyzed as part of this proposal.

c. Off-Street Parking

The repair of the beach and stabilization structures will not impact existing parking and does not change parking configurations nor parking spaces on site. Approximately 48 parking stalls exist on the site, including 4 dedicated ADA parking spaces.

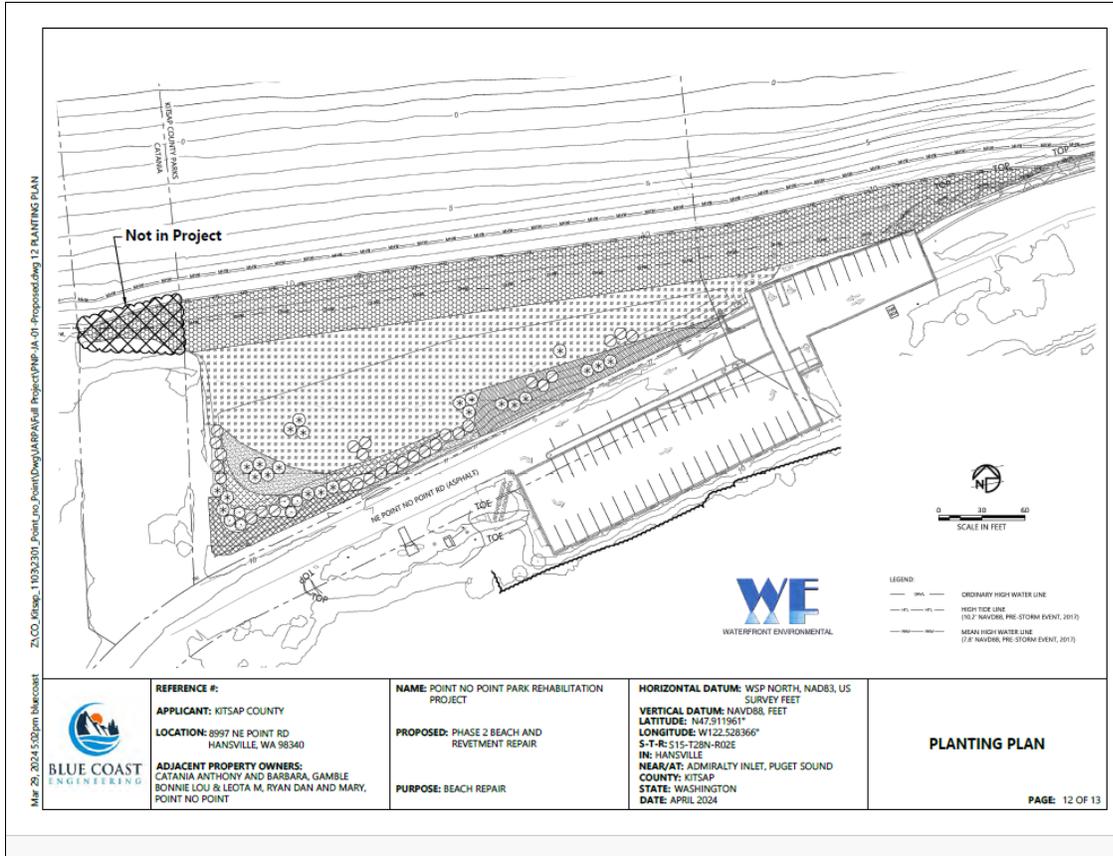
d. Signage

No signage is proposed or required. Future signage will need to be consistent with application requirements of Title 17 Zoning. An informational kiosk may be considered as educational elements of the Park.

e. Landscaping

The project abuts residential areas to the west, but the restoration aspect will not alter or impact adjacent residential uses. Some landscape buffering is proposed, including shoreline enhancements.

There was a No Net Loss determination, inclusive of the National Marine Fisheries Service mitigation calculator, which declared there was no effect for the restoration action. The proposal will include installation of native landscaping. This is shown in the landscape plan below and additional analysis included in Section 10.i of this report. Planting plan is located on page 12 and 13 of the Project design.



Plant list

CANDIDATE PLANT LIST

| Scientific Name | Common Name | Size | Spacing |
|---|-----------------------|------------|----------|
| Trees & Shrubs | | | |
| Trees | | | |
| (+) <i>Picea sitchensis</i> (Zone C) | Sitka Spruce | 5 gal. | 10' O.C. |
| (O) <i>Pinus contorta</i> var. <i>contorta</i> (Zone C) | Shore Pine | 5 gal. | 10' O.C. |
| Shrubs | | | |
| <i>Amelanchier alnifolia</i> (Zone C) | Servicelberry | 2 gal. | 10' O.C. |
| <i>Hebecladus discolor</i> (Zone C) | Oceanspray | 2 gal. | 10' O.C. |
| <i>Gaultheria shallon</i> (Zone C) | Salal | 1 gal. | 5' O.C. |
| (O) <i>Morella californica</i> (Zone C) | Pacific Wax Myrtle | 5 gal. | 10' O.C. |
| <i>Rosa nutkana</i> (Zone C) | Nootka Rose | 2 gal. | 5' O.C. |
| <i>Rosa pilocarpa</i> (Zone C) | Piedfruit Rose | 2 gal. | 5' O.C. |
| <i>Symphoricarpos albus</i> (Zone C) | Snowberry | 2 gal. | 5' O.C. |
| Perennials, Grasses & Forbs | | | |
| <i>Fragaria chilensis</i> (Zone B) | Beach Strawberry | 4" pot | 2' O.C. |
| <i>Grindelia integrifolia</i> (Zone B) | Puget Sound Gumweed | 10-in plug | 2' O.C. |
| <i>Lupinus albus</i> (Zone B) | Seashore Lupine | 10-in plug | 2' O.C. |
| <i>Symphoricarpos subspicatus</i> (Zone B) | Douglas Aster | 10-in plug | 2' O.C. |
| <i>Ambrosia trifida</i> (Zone A) | Coastal Sand Verbena | 10-in plug | 2' O.C. |
| <i>Ambrosia chamissonis</i> (Zone A) | Silver Burreed | 10-in plug | 2' O.C. |
| <i>Callitriche edentata</i> (Zone A) | American Seabuckthorn | 10-in plug | 2' O.C. |
| <i>Deschampsia cespitosa</i> (Zone A) | Pacific Silverweed | 10-in plug | 2' O.C. |
| <i>Cladonia leucophaea</i> (Zone A) | Beach Silvertop | 10-in plug | 2' O.C. |
| <i>Honkenya peploides</i> (Zone A) | Sea Sandwort | 10-in plug | 2' O.C. |
| <i>Erymus mollis</i> (Zone A) | American Dunegrass | 10-in plug | 2' O.C. |

WE WATERFRONT ENVIRONMENTAL

REFERENCE #:
APPLICANT: KITSAP COUNTY
LOCATION: 8977 NE POINT RD HANSVILLE, WA 98340
ADJACENT PROPERTY OWNERS: CATANIA ANTHONY AND BARBARA, GAMBLE BONNIE LOU & LEOTA M. RYAN DAN AND MARY, POINT NO POINT

NAME: POINT NO POINT PARK REHABILITATION PROJECT
PROPOSED: PHASE 2 BEACH AND REVETMENT REPAIR
PURPOSE: BEACH REPAIR

HORIZONTAL DATUM: WSP NORTH, NAD83, US SURVEY FEET
VERTICAL DATUM: NAVD88, FEET
LATITUDE: N47.911961°
LONGITUDE: W122.528366°
S-T-R: S 15-T28N-R02E
IN: HANSVILLE
NEAR/AT: ADMIRALTY INLET, PUGET SOUND
COUNTY: KITSAP
STATE: WASHINGTON
DATE: APRIL 2024

f. Frontage Improvements

The site is located entirely within the Parks zoning designation. No frontage improvements are required or planned.

g. Design Districts/Requirements

The subject property is not within a design district.

h. Development Engineering/Stormwater

Development Services and Engineering has reviewed the restoration concepts for this project and finds the concept supportable in its approach to civil site development. As the project does not create additional impervious surfaces, there were no stormwater impacts identified.

i. Environmental

Regulations:

General Regulations (KCC 22.400)

Existing Development (KCC 22.400.100)

Staff Comment: The proposed Project contains the following activities pertaining to existing development: restoration of the north beach, including an increase in beach elevation through installation of dunes; the repair of the parking lot using existing pavers; replacement of the parking lot curb wall; replacement of the rock revetment wall; and the east beach repair. All Project activities involve restoration, repair, and/or replacement of existing structures without changing existing uses. All Project components will comply with the following applicable Existing Development regulations as addressed below:

A. Existing Uses.

1. Lawfully established uses occurring as of the effective date of this program shall be considered conforming to this program, with the exception of existing over-water residences and existing non-water-oriented commercial or industrial uses, which shall be considered nonconforming.
2. All lawfully established uses, both conforming and nonconforming, may continue and may be repaired, maintained, expanded or modified consistent with the Act and this program.
3. Any change in use shall conform to the standards of this program and may require a conditional use permit (CUP) in accordance with Section 22.500.100(D). A CUP may be granted only if no reasonable alternative use meeting the standards is practical, and the proposed use will be at least as consistent with the policies and provisions of this program and the Act and as the uses in the area as the preexisting use. Conditions may be imposed that are necessary to assure compliance with the above findings and with the requirements of this program and the Act, to assure that the use will not become a nuisance or a hazard, and to assure that the use will not result in a net loss of the ecological function of the shoreline.
4. If a use is discontinued for twelve consecutive months or for twelve months during any two-year period, any subsequent use, if allowed, shall comply with the Act and this program.

B. Existing Structures.

1. Lawfully Constructed Structures.

a. Lawfully constructed structures, including those approved through a variance, built before the effective date of this program shall be considered conforming, with the exception of existing over-water residences, which shall be considered nonconforming.

b. All lawfully constructed structures may continue and may be repaired or maintained in accordance with the Act and this program.

d. In the event that a legally existing structure is damaged or destroyed by fire, explosion or other casualty, it may be reconstructed to configurations existing immediately prior to the time the structure was damaged or destroyed, provided a complete application submittal is made for the necessary permits within twelve months of the date the damage or destruction occurred, and the restoration is completed within two years of permit issuance or the conclusion of any appeal on the permit.

2. Existing Appurtenances to Single-Family Residences. Those legally existing appurtenances that are common to existing single-family residences shall be considered conforming to this program. Such appurtenances may include garages and sheds, but shall not include bulkheads, over-water structures or other shoreline modifications.

3. Vegetation conservation standards of this program shall not apply retroactively in a way which requires lawfully existing uses and developments, including residential landscaping and gardens, to be removed, except as required as mitigation for new and expanded development.

4. Structures, improvements, docks, fills or developments lawfully placed in or over navigable waters prior to December 4, 1969, shall be considered nonconforming, but may continue in accordance with RCW 90.58.270.

Staff Comment: The proposed Project will increase the elevation of a flood-damaged beach through installation of vegetated dunes, repair a parking lot by removing pavers, regrading, and re-laying the same pavers, replace a parking lot curb wall, remove a portion of a creosote-treated crib wall, and repair a rock revetment, all restoring existing structures and uses to pre-flood or better conditions. All uses were lawfully established, and all repairs and replacements will take place within the footprint of the existing structures. There will be no change in use, as the Park will continue to provide recreational opportunities to the public, and the only structure below the OHWM is the rock revetment wall. Fill placed within the project boundaries is considered a component of the restoration project and is essential beach nourishment material.

Proposed Development (KCC 22.400.105)

“Proposed development” refers to the north beach repair and restoration Project as this activity will raise the elevation of the beach by approximately 2 feet and add ecologically complex sand dunes. The proposed Project complies with the following applicable Proposed Development regulations as addressed below:

A. Location.

1. New development shall be located and designed to avoid or, if that is not possible, to minimize the need for new and maintenance dredging.

2. New development shall be located and designed to avoid the need for future shoreline stabilization for the life of the structure. Likewise, any new development which would require

shoreline stabilization which causes significant impacts to adjacent or down-current properties shall not be allowed.

3. New development on lots constrained by depth, topography or critical areas shall be located to minimize, to the extent feasible, the need for shoreline stabilization.

4. New development on steep slopes or bluffs shall be set back sufficiently to ensure that shoreline stabilization is unlikely to be necessary during the life of the structure, as demonstrated by a geotechnical analysis.

5. Subdivision shall be planned to avoid the need for shoreline stabilization for newly created lots, utilizing geotechnical analysis where applicable.

6. Non-water-oriented facilities and accessory structures, except for preferred shoreline uses, such as single-family residences and single-family residential appurtenances when consistent with buffer provisions in this chapter, must be located landward of buffers and adjacent water-oriented uses, or outside shoreline jurisdiction, unless no other location is feasible.

Staff Comment: The development proposed is restoration of the eroded beach front with foredune and roadside restoration. The beach elevation will be increased by approximately 0.5 feet at the existing beach crest and two feet along NE Point No Point Road to protect the drive aisles, infrastructure, and adjacent properties from future flood events. Work is limited to installing beach nourishment material in the north beach area, raising the beach elevation and adding ecologically complex sand dunes, planting native vegetation, repair/replacement of existing structures (parking lot, curb wall, and revetment), and removal of a portion of creosote-treated timber crib wall. The revetment repair/replacement will be conducted within the existing footprint of the current revetment but placed at a setback angle to reduce scour from wave reflection. The finished Project will not require maintenance dredging or further shoreline work. This Project will not include subdivision or construction on steep slopes or bluffs.

B. Standards for Work Waterward of OHWM.

1. Water-dependent in-water structures, activities, and uses are not subject to the shoreline buffers established in this program.

2. Projects involving in-water work must obtain all applicable state and federal permits or approvals, including those from the U.S. Army Corps of Engineers, Ecology, Washington Department of Fish and Wildlife (WDFW), and/or Washington Department of Natural Resources.

3. Projects involving in-water work must comply with timing restrictions as set forth by state and federal project approvals.

4. Protection of Bank and Vegetation.

a. Alteration or disturbance of the bank and bank vegetation must be limited to that necessary to perform the in-water work.

b. All disturbed areas must be restored and protected from erosion using vegetation or other means.

5. If, at any time, water quality problems develop as a result of in-water work, immediate notification must be made to any appropriate state or federal agency, e.g., Ecology, WDFW, National Marine Fisheries Service, U.S. Fish and Wildlife Service, etc. Affected tribes shall also be notified.

Staff Comment: All applicable permits are being obtained for this Project, including from the US Army Corps of Engineers (Section 10 of the Rivers and Harbors Act, Section 404 of the Clean Water Act), WDFW (Hydraulic Project Approval), and Washington Department of Ecology (Water Quality Certification). All in-water work will take place in the dry at low tide. For all work to be conducted below the OHWM, all work windows will be adhered to.

KCC 22.400.110 Mitigation

Kitsap SMP section 22.400.110 requires that proposed uses and development implement mitigation sequencing and ensure the proposal will achieve no net loss of shoreline ecological functions. The applicant provided the following responses.

Mitigation sequencing is a set of steps demonstrating how a project prevents and/or minimizes avoidable impacts to the environment. The summary below demonstrates the proposed Project will adhere to the requirements defined KCC 22.400.110. No net loss of shoreline ecological functions will occur as a result of the proposed Project.

Avoidance

Project design alternatives were considered in an effort to avoid unnecessary environmental impacts. The no-action alternative is to avoid all disturbances through not conducting the project. KCP has identified objectives for this Project including restoring the north beach to create protective foredunes, which will limit wave and tidal overtopping of the northern and eastern shorelines and reduce the flooding potential along NE Point No Point Road, add native vegetation to the shoreline riparian zone to improve salmon and forage fish habitat in a way that aligns with the adjacent estuary restoration design project (not related to this permit application), and to allow for restoration of two-lane vehicular access to Point No Point Park. The project will also avoid new impacts to the point by repairing and replacing an existing revetment within the same footprint so as to avoid larger impacts if the existing revetment were to fail.

To accomplish these objectives, the no-action alternative is not a feasible option. The no-action alternative would result in infrastructure damage and resulting environmental impacts due to future flooding events. Further, per the NMFS Conservation Calculator, the project is self-mitigating, with the restoration of the north beach offsetting the temporal impact of the replacement of the revetment.

Temporary disturbances are proposed to the buffer of Wetland A which minimally projects into the southern portion of the parking lot within the Project Area, but permanent buffer impacts will be avoided. Although the 130-foot buffer of Wetland A does project onsite, the functional limits of the buffer end at the edge of the pavement of NE Point No Point Road. The “buffer” area that falls within the Project consists of brick pavers for an existing parking lot. This area of the parking lot is devoid of native vegetation, lacks a hydrologic connection to Wetland A through a culvert or stream, and provides no buffer function to the wetland. The proposed Project actions will not change the existing condition of this section of buffer, as the pavers are proposed to be removed and replaced within the same footprint, with the same material.

Upland parking areas are accessory to the use of the principal water-oriented structures and uses on site. Parking is also essential to the water oriented uses in the immediate vicinity. ADA public

access is incorporated in the design. Appendix B of KCC 22.800 was used to determine mitigation requirements to result in no net loss of habitat (see Habitat Management Plan for further detail).

Minimization

The proposed Project is designed to minimize impacts to the shoreline and its associated buffers through disturbing the minimum area necessary to restore the beach area, protecting the site from future habitat-damage from storm events, conducting maintenance activities that will avoid habitat disruption that may be required for larger replacement projects, and restoring the washed out beach areas. The area of fill is proposed in the smallest footprint feasible to minimize disturbance while also achieving restoration goals of this Project. The revetment repairs are limited to the existing footprint and incorporate a more gradual slope design to reduce wave reflection and the resulting erosion effects, and to avail more aquatic habitat in the nearshore.

Restoration

The Project proposes planting approximately 51,500 square-feet of native trees, shrubs, and grasses in the shoreline buffer to provide a net lift in ecological function. Existing large woody debris will be re-installed along the shoreline to stabilize the beach nourishment materials and plantings, as well as provide fish refuge along the intertidal habitat areas onsite. Removal of the creosote-treated timber crib wall onsite adjacent to the intertidal habitat will also result in restoration of the shoreline habitat and will provide habitat and water quality improvements.

With the above restoration actions, this Project is anticipated to result in an overall net gain in shoreline ecological functions.

KCC 22.400.115 Critical Areas

The following are the critical areas present within the Project limits, with a summary of each. For a more detailed evaluation of wetlands and natural waters, please refer to the 2023 Critical Areas Report (Grette Associates 2023; Appendix A). For the purposes of this HMP, only the critical areas and/or their buffers where proposed Project activities will occur are discussed.

Shorelines

The Project is situated along the marine shoreline of Puget Sound. Kitsap County's SMP requires standard shoreline buffers based on each shoreline designation. According to Kitsap County's shoreline designation maps, the shoreline designation at the Project site is Rural Conservancy. Per KCC 22.400.120, rural conservancy designated shoreline areas are subject to a 130-foot buffer. The shoreline buffer onsite contains intertidal beach, the existing revetment, impervious surfaces (NE Point No Point Road), portions of two parking lots surfaced with brick pavers, grass areas associated with the historic lighthouse and outbuildings, and an estuarine wetland on the south side of the road. Because of the development and limited native vegetation, the current condition of the shoreline buffer is degraded.

Wetlands

WDFW's Priority Habitats and Species (PHS) online mapper tool identifies estuarine and marine

wetlands as aquatic habitat located along the entire shoreline around Point No Point Park; however, no wetland vegetation is present along the shoreline of the site (WDFW 2024a). Coastal salt marsh wetlands are also identified by PHS within 300 feet of the Project, with freshwater emergent wetlands mapped on the interior of the saltmarsh wetland complex. No saltmarsh vegetation is present along the shoreline; however, an estuarine wetland is present south of NE Point No Point Road and west of the walking path along the eastern shoreline. More details on the wetland identified in the 2023 field investigation by Grette can be found in the Critical Areas Report (Appendix A). These habitats are all classified as FWHCAs per KCC 19.300.310.B.

Fish and Wildlife Habitat Conservation Areas

According to WDFW's SalmonScape on-line mapper (WDFW 2024b), coastal cutthroat trout are known to occur in the natural water feature (Stream 1) entering Wetland A, located south of NE Point No Point Road (see Grette Associates 2023; Appendix A). According to the 2023 revision of the Washington State Priority Habitats and Species List for Kitsap County, the Puget Sound Nearshore is also a priority habitat found at the site (WDFW 2008).

KCC 22.400.120 Vegetation Conservation Buffers

The site is currently developed as a park with active and passive recreational uses within the buffer. Associated vegetation conservation buffer standards for this proposal are analyzed under the Rural Conservancy buffer criteria in 22.400.120.B.1.a requiring a 130-foot standard buffer. The existing uses of the shoreline and activities within the buffer will remain. As analyzed earlier in this section, impervious surfaces within the buffer will be reduced and significant native plantings installed.

KCC 22.400.125 Water Quality and Quantity

A preliminary drainage plan was submitted. The project as proposed has been reviewed under KCC Title 12 and does not require stormwater review. A Hydraulic Project Approval (HPA) will be required from the Washington State Department of Fish and Wildlife.

KCC 22.400.130 Historic, Archaeological, Cultural, Scientific and Educational Resources

A Cultural Resources Study has been conducted. A condition of approval has been added that Kitsap County DCD, the Washington State Office of Archaeology and Historic Preservation (DAHP), and the affected tribes must be notified if archaeological resources are uncovered during excavation. The cultural resources report has stipulated that a cultural resources specialist be on site during all related grading activities. The project proponent and contractor shall notify Suquamish Tribe archaeologists of the planned start date of construction at least two weeks prior to the start of ground disturbing activities.

KCC 22.400.135 View Blockage

N/A. No structures are proposed.

KCC 22.400.140 Bulk and Dimension Standards

N/A.

KCC 22.400.150 Flood Hazard Reduction Measures

- A. Environment Designations Permit Requirements. CUP is required for installation of flood hazard reduction measures in all environment designations.

Staff Comment: although there was flooding damages from the King tide and atmospheric storm of December 2022, this project is considered a restoration action and is not altering the floodplain nor reducing flood hazards; revetment replacement and restoration of the parking curb stabilization elements are not altering the floodplain and are being replaced at the historic elevations.

- B. Development Standards.

1. Development in floodplains shall not significantly or cumulatively increase flood hazard.
2. New structural flood hazard reduction measures in shoreline jurisdiction are allowed only when a scientific and engineering analysis documents all of the following:
 - a. They are necessary to protect existing development;
 - b. Nonstructural measures are not feasible;
 - c. Impacts on ecological functions and priority species and habitats can be successfully mitigated so as to assure no net loss; and
 - d. Appropriate vegetation conservation actions are followed.

Staff Comment: this is not a flood reduction project. The phase 2 project actions, in unison with the planned adjacent creek restoration project to the south incorporates significant mitigation elements for beach and foredune restoration. The net result will be intertidal restoration of the stream outlet currently in a piped outfall. The overall project is planned to restore salt water estuarine elements to the south.

3. The following uses and activities may be appropriate and/or necessary within the channel migration zone (see Appendix D to the ordinance codified in this title, Channel Migration Zone Maps) or floodway; provided, that they provide appropriate protection of ecological functions and do not exacerbate flood risk on site or in nearby areas:
 - a. Actions that protect or restore the ecosystem-wide processes or ecological functions.
 - b. Forest practices in compliance with the Washington State Forest Practices Act and its implementing rules.
 - c. Existing and ongoing agricultural practices; provided, that no new restrictions to channel movement occur.
 - d. Mining when conducted in a manner consistent with WAC [173-26-241\(3\)\(h\)](#) and this program.
 - e. Bridges, utility lines, and other public utility and transportation structures where no other feasible alternative exists, or the alternative would result in unreasonable and disproportionate cost. Where such structures are allowed, mitigation shall address impacted functions and processes in the affected section of watershed or drift cell.
 - f. Repair and maintenance of an existing legal use.

- g. Modifications or additions to an existing legal use; provided, that channel migration is not further limited.
 - h. Development in designated UGAs where existing structures prevent active channel movement and flooding.
 - i. Measures to reduce shoreline erosion; provided, that it is demonstrated that the erosion rate exceeds that which would normally occur in a natural condition, that the measure does not interfere with fluvial hydrological and geomorphological processes normally acting in natural conditions, and that the measure includes appropriate mitigation of impacts to ecological functions associated with the river or stream.
 - j. Development with the primary purpose of protecting or restoring ecological functions and ecosystem-wide processes.
- Applicants for shoreline development or modification may submit a site-specific channel migration zone study if they do not agree with the mapping in Appendix D to the ordinance codified in this title.

Staff Comment: A through J are not applicable to the project.

- 4. Structural flood hazard reduction measures shall be consistent with the county's adopted multi-hazard mitigation plan that evaluates cumulative impacts to the watershed system.

Staff Comment: N/A.

- 5. New structural flood hazard reduction measures shall be situated landward of associated wetlands and designated vegetation conservation areas, unless actions are intended to increase ecological functions or if it is determined through a geotechnical analysis that no other alternative to reduce flood hazard to existing development is feasible.

Staff Comment: Ecological functions will be enhanced.

- 6. New structural flood hazard reduction measures on public lands or funded by the public shall provide or improve public access pathways unless such improvements would cause unavoidable health or safety hazards, significant ecological impacts, unavoidable conflict with the proposed use, or a cost that is disproportionate and unreasonable to the total long-term cost of the development.

Staff Comment: This conforms to the requirement.

- 7. The removal of gravel for flood management purposes may be permitted only if a biological and geomorphological study shows that extraction:
 - a. Has a long-term benefit to flood hazard reduction;
 - b. Results in no net loss of ecological functions; and
 - c. Is part of a comprehensive flood management solution.

Staff Comment: N/A

KCC Title 22.600 Use Review

KCC 22.600.165 Recreation and Public Access

The proposed Project complies with the following applicable Recreation and Public Access regulations as addressed below:

A. Environment Designations Permit Requirements. Where recreational development is proposed in the following designations, the identified permit requirements shall apply:

1. Natural:

- a. Prohibited for non-water-oriented recreational development;
- b. SDP for nonmotorized, water-oriented recreational development; and
- c. CUP for all other forms of recreation, except when demonstrated to be consistent with approved park plans prior to application, and then with an SDP.

2. Rural conservancy, urban conservancy, shoreline residential, high intensity: SDP.

3. Aquatic: The required permit type will be determined by the specific recreational development proposed as set forth in this chapter. For example, see Section 22.600.125, Boating facilities.

B. Application Requirements. In addition to the general permit requirements, a description of how the proposed use is water-oriented is required if applicable.

C. Development Standards.

1. Recreational development shall not result in a net loss of shoreline ecological functions or ecosystem-wide processes.

2. All recreational facilities shall be designed, located and operated in a manner consistent with the purpose of the environment designation in which they are located.

3. Water-oriented recreation may be allowed in shoreline buffers. The removal of on-site native vegetation shall be limited to the minimum necessary for the recreational development areas, such as picnic areas, campsites, selected views, or other permitted structures or facilities.

4. Preference shall be given to activities which are consistent with approved state and local park plans for water-oriented recreational development.

5. Non-water-oriented recreational facilities, such as golf courses, playing fields, and facilities with extensive impervious surfaces, shall observe critical area buffers and vegetation conservation standards (Sections 22.400.115 and 22.400.120, respectively).

6. Commercial recreational development shall be consistent with Section 22.600.130 (Commercial development).

7. Vehicular traffic is prohibited on beaches, bars, spits and streambeds, except for permitted construction and boat launching, or in areas where it can be demonstrated that a historical use has been established.

8. Public road-ends, tax-title lands and rights-of-way adjacent to shorelines of the state shall be preserved for public access, unless the property is zoned for industrial uses. Pursuant to RCW 36.87.130, as now or hereafter amended, vacation of such shall only occur if the purpose is to:

- a. Enable any public authority to acquire the vacated property for port purposes, boat moorage or launching sites; or
- b. Provide for park, viewpoint, recreational, educational or other public purpose.

9. Trail access shall be provided to link upland facilities to the beach area where feasible and where impacts to ecological functions can be mitigated.
10. When applicable, recreational development shall make adequate provisions for:
 - a. Vehicular parking and pedestrian access;
 - b. Proper wastewater and solid waste disposal methods;
 - c. Security and fire protection;
 - d. The prevention of overflow and trespass onto adjacent properties, including, but not limited to, landscaping, fencing, and posting of property;
 - e. Screening of such development from adjacent private property to prevent noise and light impacts.
11. Shoreline trails and pathways shall be located, designed, and constructed to protect bank stability.
12. As required by RCW 90.58.100(4), applications providing for wilderness beaches, ecological study areas, and recreational uses for the public on state-owned shorelines shall be considered a preferred use.
13. Public access sites shall be made barrier-free and accessible for physically disabled uses where feasible, and in accordance with the Americans with Disabilities Act (ADA).

Staff Comment: This Project is water-oriented as it takes place in a park that provides shoreline access to the public. Many members of the community use this Park for fishing, sunbathing, and sightseeing. The Project will allow for continued public access and enjoyment of the shoreline area and for access to the aids to navigation that are essential for protection of public health, safety, and welfare. No new recreational features will be built; the purpose of the Project is to create a protective foredune the north beach elevation and restore the shoreline buffer with native vegetation to protect against flooding while also improving ecological function of the buffer and nearshore, repair/replace the Park infrastructure within the same footprint to achieve pre-flood conditions, and replace a rock revetment wall with the lowest impact possible to continue to provide protection to the historic lighthouse and other aid to navigation on the point. An SDP is being pursued per Section A of KCC 22.600.165 as the Park is located within the Rural Conservancy shoreline designation. A CUP is also being requested because fill will be placed below the OWHM. The Project has been designed to not only avoid net loss but result in net improvement of shoreline ecological function. Regulations relating to boat launches and other boating facilities is not applicable; a public boat launch is located offsite to the west of the Park.

KCC 22.600.175 Shoreline Stabilization

- A. Environment Designations Permit Requirements. Based on the type of shoreline modification proposed, the identified permit requirements shall apply for all designations:
 1. SDP for soft shoreline stabilization, unless otherwise exempt.
 2. Administrative CUP for hard shoreline stabilization.
 3. Administrative CUP for hybrid shoreline stabilization, unless the applicant can demonstrate the project meets the intent of soft shore as described in Ecology's Soft

Shoreline Stabilization SMP Planning and Implementation Guidance (Ecology Publication No. 14-06-009).

4. Restoration and enhancement projects, including hybrid projects requiring hard shoreline stabilization to accommodate transition to adjacent properties, that are authorized in writing by both the shore friendly Kitsap program and by the Washington State Department of Fish and Wildlife shall require an SDP, unless otherwise exempt.

Staff Comment: The proposed project is considered a soft shore stabilization project, and elements of hard-armoring are replacements that meet the qualification in exemptions, below.

B. Exemptions from Substantial Development Permit for Shoreline Stabilization.

1. The construction of a normal protective bulkhead common to single-family residences shall not require an SDP if it meets the exemption criteria listed in Section 22.500.100(C)(3)(c), or as further amended in WAC 173-27-040.
2. A “normal protective” bulkhead includes those structural and nonstructural developments installed at or near, and parallel to, the OHWM for the sole purpose of protecting an existing single-family residence and appurtenant structures from loss or damage by erosion.
3. A letter of permit exemption will be prepared for qualifying shoreline stabilization activities in accordance with Section 22.500.100(C)(4). The county shall track exemption activities in the permit system.

Staff Comment: The replacement of the revetment and parking lot curb stabilization elements are considered as existing structures, qualified under the replacement statute in KCC 22.500.100 C. 3. b. “Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements”.

As the project as a whole is guided under the SDP, then it meets the requirements under KCC 22.500.100 C. 2. e. “If any part of a proposed development is not eligible for exemption, then an SDP is required for the entire proposed development project.”

C. Application Requirements. In addition to the general application requirements, applications for shore protection and bluff stabilization shall include the following information, when applicable:

1. Upland, on-site improvements and any existing shoreline structures;
2. Type of proposed shore protection and a description of alternatives to hard approaches where proposed, and a thorough discussion of the environmental impacts of each alternative;
3. Habitat survey prepared by a qualified professional biologist that describes the anticipated effects of the project on fish and wildlife resources and marine vegetation;

4. A description of any proposed vegetation removal, and a plan to revegetate the site following construction;
5. Tidal elevations and field-verified line of ordinary high water;
6. Ownership of the tidelands, shorelands and/or bedlands;
7. Purpose of shore protection;
8. Direction of net longshore drift (for marine shoreline);
9. Plan and profile of existing bank and beach;
10. Profile of adjacent existing bulkhead;
11. In addition to the general geotechnical report requirements in Section 22.700.120, the following information shall be included for shoreline stabilization proposals:
 - a. Address the need to prevent potential damage to a primary structure through the use of shoreline stabilization measures.
 - b. Estimate time frame and rates of erosion to report on the urgency associated with the specific situation. "Urgent" means:
 - i. That the primary structure will be damaged within three years as a result of natural shoreline erosion in the absence of hard armoring structures; or
 - ii. Where waiting until the need is that immediate would foreclose the opportunity to use measures that avoid impacts on ecological functions.
 - c. If the report determines that the need is not as immediate as three years, it still may be used to justify a more immediate authorization to protect against erosion using soft measures.
 - d. The geotechnical analysis shall evaluate on-site drainage issues and address drainage problems away from the shoreline edge;
12. Any other information that may be required to demonstrate compliance with the review criteria referenced in this section and the guiding provisions at WAC 173-26-231(3)(a).

Staff Comment: All elements in 1-12 have been met by the applicant design team. The Geotechnical alternatives analysis, No Net Loss/Habitat Management Plan, Critical Area Report and Mitigation Plan are lined out in the project review in the analysis of KCC 22.400, et al.

- D. Development Standards.
 1. General Regulations.
 - a. These standards shall be guided by the provisions at WAC 173-26-231(3)(a).
 - b. Applications for shore protection will be reviewed pursuant to comments made by the Washington Department of Fish and Wildlife pertaining to impacts on critical salt and freshwater habitats, and comments made by the Washington Department of Natural Resources for projects proposed on state-owned aquatic lands.
 - c. Soft shoreline stabilization measures shall be utilized unless demonstrated through a geotechnical analysis not to be sufficient to protect primary structures, dwellings and businesses. Alternatives for shoreline stabilization shall be based on the following order of preference:

- i. No action, increase building setbacks, or relocate structures;
 - ii. Soft shoreline stabilization constructed of natural materials including bioengineering, beach nourishment, protective berms, or vegetative stabilization;
 - iii. Hybrid shoreline stabilization, usually constructed of a mix of rock, logs and vegetation;
 - iv. Hard shoreline stabilization constructed of materials such as rock, riprap or concrete.
- d. Soft shoreline stabilization measures that provide restoration of shoreline ecological functions may be permitted waterward of the OHWM.
- e. Hybrid shoreline structural stabilization projects, with the exception of restoration and enhancement projects, composed of hard shoreline stabilization that cumulatively covers greater than fifteen percent of the total shoreline length parallel to the OHWM shall comply with hard shoreline stabilization project requirements in this section.
- f. When hard shoreline stabilization measures are demonstrated to be necessary, they must:
- i. Limit the size of stabilization measures to the minimum necessary.
 - ii. Assure no net loss of shoreline ecological functions.
 - iii. Ensure that publicly financed or subsidized shoreline erosion control measures do not restrict appropriate public access to the shoreline except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions.
 - iv. Where feasible, incorporate ecological restoration and public access improvements into the project.
 - g. Shoreline stabilization measures shall not be for the purpose of creating dry land. Leveling or extending property, creating or preserving residential lawns, yards or landscaping shall not be allowed except when otherwise allowed in this section due to health and safety.
 - h. Minimize disturbance pertaining to beach access by avoiding switchback trails which require hard stabilization. Where such avoidance is not feasible, mitigation for impacts to shoreline ecological functions shall be required.
 - i. Bluff stabilization walls shall be prohibited unless proven necessary through a geotechnical report.
 - j. Placement of shoreline stabilization methods shall follow the natural contour of the existing shoreline, be parallel to and at or above the OHWM.
 - k. Shoreline stabilization on marine feeder bluffs, when determined necessary pursuant to the standards of this section, may require additional mitigation measures, including those necessary to offset the loss of sediment supply.
 - l. Shoreline stabilization must be designed by a professional engineer licensed in the state of Washington with demonstrated experience in hydraulic activities of shorelines. Alternatively, soft shoreline stabilization may be designed by a habitat biologist or a professional with demonstrated expertise in designing soft shoreline stabilization structures.

- m. Depending on the degree of hard or soft elements to the project, the department, WDFW, and/or U.S. Army Corps of Engineers may require varying degrees of mitigation or other permit conditions.
- n. Shoreline stabilization structures shall not result in a net loss of shoreline ecological functions.
- o. Shoreline stabilization, as applied in this section, is generally distinguished from shoreline restoration activities. However, specific shoreline stabilization elements of restoration activities shall be guided by this section.

Staff Comment: All elements of the restoration activities and stabilization in a. through o. are met. See the analysis within this report under KCC 22.400 and further within the Geotechnical Analysis, CAO report, No Net Loss/Habitat Management Plan and Mitigation Plan.

- 2. New and Expanded Shoreline Stabilization.
 - a. If shoreline stabilization is necessary pursuant to a geotechnical analysis, the method, either hard or soft, shall not result in a net loss of shoreline ecological functions. To meet this requirement, on- and off-site mitigation measures may be required.
 - b. Shoreline stabilization structures shall not be constructed with waste materials such as demolition debris, derelict vessels, tires, concrete or any other materials which might have adverse toxic or visual impacts on shoreline areas.
 - c. New structural stabilization measures shall not be allowed except when necessity is demonstrated in the following manner:
 - i. To protect legally existing primary structures:
 - (A) New or enlarged structural shoreline stabilization measures for the existing primary structure, including residences and their primary appurtenant structures or uses, shall not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the lawfully established, primary structure is in imminent danger from shoreline erosion caused by tidal actions, currents, or waves;
 - (B) Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need;
 - ii. In support of water-dependent development when all of the following apply:
 - (A) The erosion is not being caused by upland conditions, such as the loss of vegetation and drainage;
 - (B) Nonstructural measures, planting vegetation, or installing on-site drainage improvements is not feasible or not sufficient;
 - (C) The need to protect primary structures from damage due to erosion is demonstrated through a geotechnical report;
 - iii. In support of new non-water-dependent development, including single-family residences, when all of the following apply:
 - (A) The erosion is not being caused by upland conditions, such as the loss of vegetation and drainage;

(B) Nonstructural measures, such as placing the development further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or not sufficient;

(C) The need to protect the primary structures from damage due to erosion is demonstrated through a geotechnical report. The damage must be caused by natural processes, such as tidal action, currents and waves;

iv. To protect projects for the restoration of ecological functions or hazardous substance remediation projects pursuant to Chapter 70.105D RCW when nonstructural measures, planting vegetation, or installing on-site drainage improvements is not feasible or sufficient.

Staff Comment: The expansion of the stabilization is the minimum necessary and meets all elements of the requirements in a. through c. See the analysis in KCC 22.400, above.

3. Replacement and Repair of Existing Shoreline Stabilization and Armoring.

a. Additions to or increases in the size of existing shoreline stabilization measures shall be considered new structures.

b. An existing stabilization structure may be replaced with a similar structure if there is a demonstrated need, through a geotechnical report, to protect principal uses or structures from erosion caused by currents, tidal action or waves.

c. If the OHWM has been re-established, the replacement structure must be located at or near the new OHWM. In general, replacement of the shoreline stabilization structure within one year of damage will ensure recognition of the previous OHWM.

d. Alternative or soft stabilization approaches shall be considered prior to in-kind replacement.

e. The replacement structure shall:

i. Be designed, located, sized and constructed to assure no net loss of ecological functions.

ii. Perform the same stabilization function of the existing structure and does not require additions to or increases in size.

iii. Not encroach waterward of the OHWM or existing structure unless the residence was occupied prior to January 1, 1992, and there are overriding safety or environmental concerns. In such cases, the replacement structure shall abut the existing shoreline stabilization structure.

f. When possible or as an element of mitigation sequencing, failing, harmful, unnecessary, or ineffective structures should be removed, and shoreline ecological functions and processes should be restored using nonstructural or soft and/or long-term stabilization measures.

Staff Comment: All elements in a. through f are met.

j. Access, Traffic and Roads

Staff Comment: No comments at this time.

k. Fire Safety

Staff Comment: No comments at this time.

l. Solid Waste

Staff Comment: No comments at this time

m. Water/Sewer

Staff Comment: No comments at this time.

n. Kitsap Public Health District

Staff Comment: No comments at this time.

10. Review Authority

The Director has review authority for this Shoreline Substantial Development Permit application under KCC 21.04.100. The Director may approve, approve with conditions, or deny this application.

11. Findings

The proposal is consistent with the Comprehensive Plan and the zoning standards for the Park (P) zone in Title 17.

The proposal is consistent with policies, standards, and development regulations of the Shoreline Master Program, Title 22 and the Critical Area Ordinance in Title 19.

12. Recommendation

Based upon the analysis above and the decision criteria found in KCC Title 22.500.100.B and C; KCC Title 19.200 and 19.300; KCC Title 22.600.165 and KCC Title 22.600.175; and KCC Title 21.04, the Department of Community Development recommends that the Shoreline Substantial Development Permit 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. 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.

b. Development Engineering

General

4. Construction plans and profiles for all roads, storm drainage facilities and appurtenances prepared by the developer's engineer shall be submitted to Kitsap County for review and acceptance. No construction shall be started prior to said plan acceptance.

Stormwater

5. The information provided demonstrates this proposal is a considered a minor project. Stormwater controls do not require a separate grading permit at this time.
6. If site conditions change to require a grading permit application, Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Shoreline Substantial Development Permit. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of SDAP application.
7. Any project that includes offsite improvements that create additional hard surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12 effective at the time this permit application was deemed fully complete.
8. All publicly maintained drainage systems outside public dedicated right of way shall be located either in a tract dedicated to Kitsap County or in an easement, granted to Kitsap County, for ingress, egress, operations, and maintenance of the stormwater facilities contained therein.
9. The owner shall be responsible for maintenance of storm drainage facilities for this development following construction. Before issuance of Occupancy Permits for this development, the person or persons holding title to the subject property for which the storm drainage facilities were required shall record a Declaration of Covenant that guarantees the County that the system will be properly maintained. Wording must be included in the covenant that will allow the County to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should County forces be required to do the work, the owner will be billed the maximum amount allowed by law.
10. If the project proposal is modified from that shown on the submitted and

approved site plan, Development Services and Engineering will require additional review and potentially new conditions.

Traffic and Roads

11. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process (or building permit if no SDAP is required). The need for and scope of bonding will be determined at that time.

Other

12. This project includes the re-construction of rock walls or other retaining facilities. A shore structure permit may be required as a separate building permit requiring an engineered design. This note shall be placed on the face of the final construction drawings.

c. Environmental

13. A Hydraulic Project Approval (HPA) permit is required for work at or below the ordinary high water mark or as required by the project biologist. Prior to SDAP or Building Permit approval, the applicant shall submit an approved HPA from the Washington Department of Fish and Wildlife (WDFW), or documentation from WDFW specifying that a HPA is not required. Information regarding HPA's can be found at <http://www.wdfw.wa.gov/hab/hpapage.htm> or by calling the Office of Regulatory Assistance at (360) 407-7037.
14. Construction techniques shall implement best management practices to ensure protection of the shoreline, its associated buffer, and local water quality. Such best management practices shall include protective silt fencing, protective orange construction fencing along defined work areas, working during periods of limited rainfall and minimizing potential for adverse erosion, and seeding of exposed soils as needed to prevent adverse erosion.
15. Approval and subsequent development is subject to the conditions and recommendations of the Geotechnical Report associated with this permit and on file at the Department of Community Development.
16. As shown on the approved site plan, 18,500 square feet of native dune grass plantings shall be installed within the shoreline buffer. Other re-vegetation includes installation of 33,000 square feet of native dune grass, shrubs and trees in the restored foredune, for a total replanting for the project of 51,500 square feet.
17. The project shall adhere to the mitigation measures and recommendations within the approved Habitat Management Plan (HMP) prepared by Grette and Associates dated June . Per the report, areas within the buffer and project perimeter shall be revegetated.
18. Vegetation planting shall occur as specified in the approved planting plan

produced in support of this permit. Planting of native vegetation shall occur within the first dormant season once the permitted project has been constructed and approved. When planting is complete, the applicant must contact Development Service and Engineering Staff at (360) 337-5777 for a site inspection and as-built approval.

19. Monitoring and maintenance permit required. Monitoring and maintenance of the planted area shall be conducted for three years after DCD staff approves planting. Monitoring includes live and dead vegetation counts and records of all maintenance activities. Maintenance activities can be defined as, but are not limited to, removal practices on invasive or nuisance vegetation and watering schedules. Monitoring information shall be summarized in a letter with photographs depicting conditions of the vegetation and overall site. Monitoring reports are due to Kitsap County Department of Community Development Services and Engineering Division by December 31 of each monitoring year. If more than 20 percent of the plantings do not survive within any of the monitoring years, the problem areas shall be replanted and provided with better and higher gain maintenance practices to ensure higher plant survival.

d. Cultural Resources

20. The project shall adhere to the Cultural Resources Assessment provided by the applicant.
21. The project proponent and contractor shall notify Suquamish Tribe archaeologists of the planned start date of construction at least two weeks prior to the start of ground disturbing activities. A cultural resources specialist shall be on site during all excavation work per the Cultural Resources Analysis.

e. Fire Safety

None at this time.

f. Solid Waste

None at this time.

g. Kitsap Public Health District

None at this time.

Report prepared by:



Steve Heacock / DSE Planner

March 10, 2025
Date

Report approved by:



Darren Gurnee, DSE Supervisor

3/10/2025

Date

Attachments:

Attachment A – Zoning Map

Attachment B – Critical Areas Map

CC:

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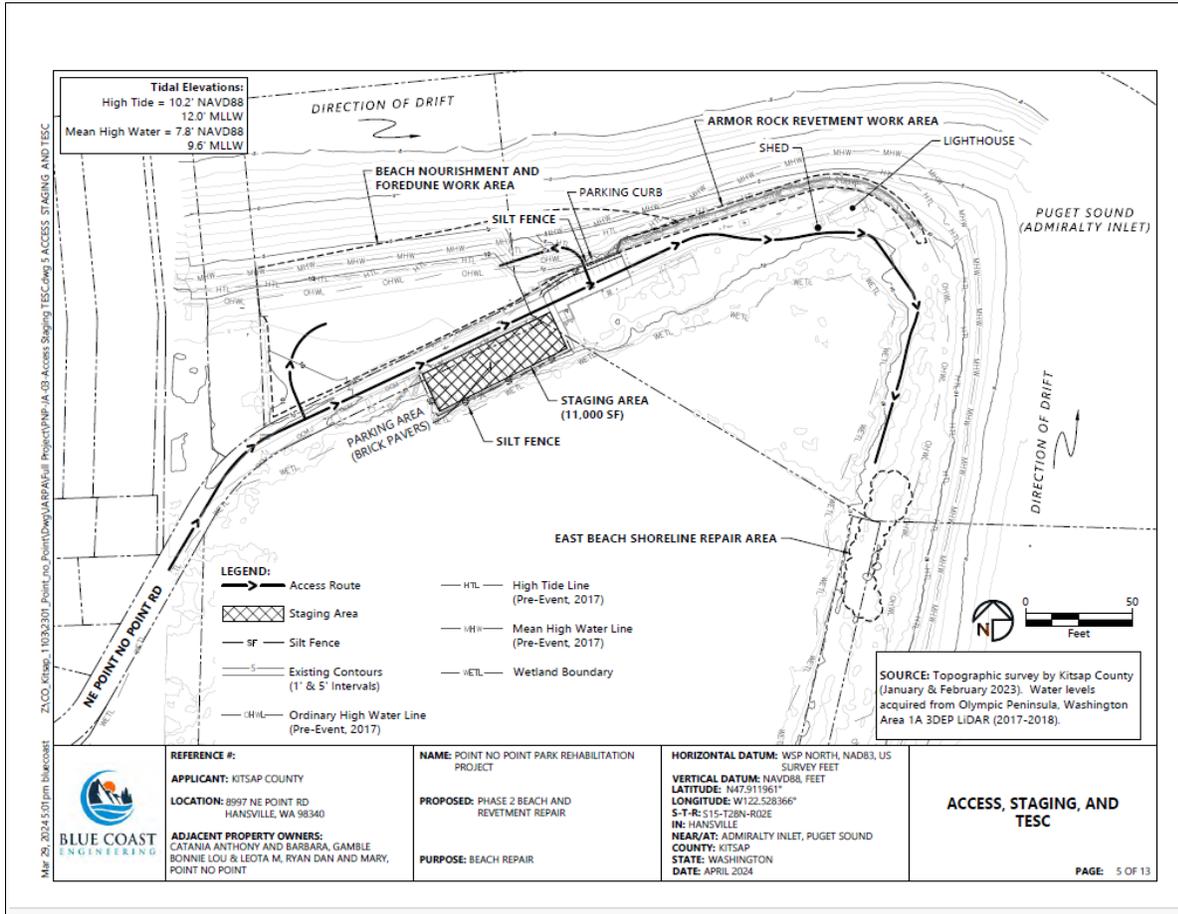
Rod Malcom; rmalcom@suquamish.nsn.us

Kitsap County Health District, MS-30

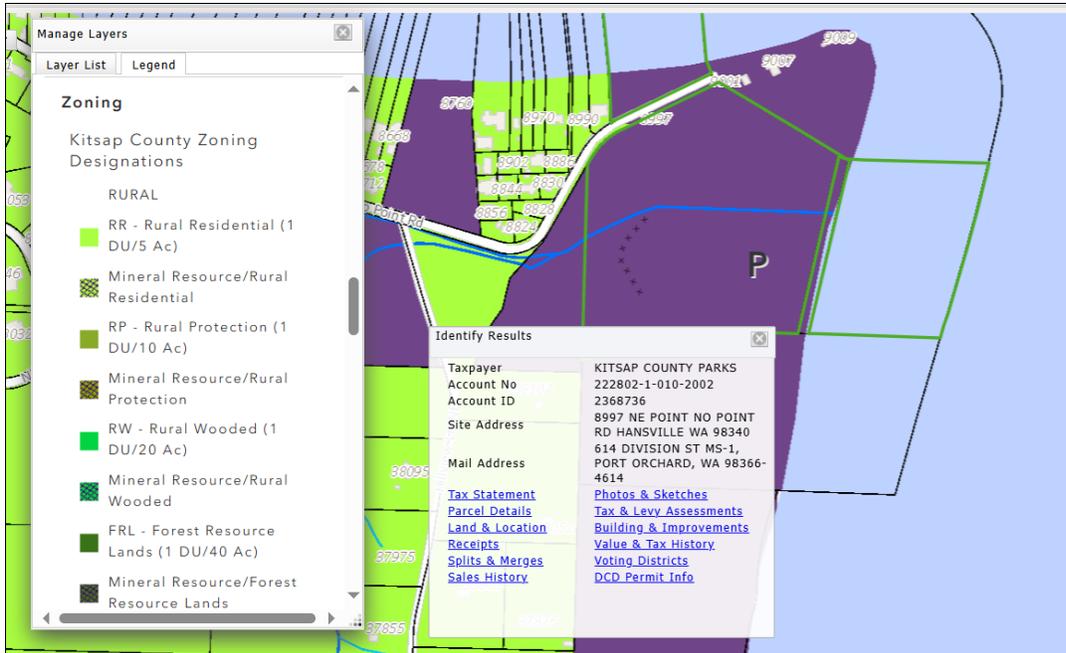
Kitsap County Public Works Dept., MS-26

DCD Staff Planner: Steve Heacock

Site Plan



Attachment A – Zoning Map



Attachment B – Critical Areas Map

