



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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

Administrative Staff Report

Report Date: August 3rd, 2026

Application Submittal Date: April 30, 2026

Application Complete Date: May 27, 2026

Project Name: WEST PORT GAMBLE BAY RESTORATION SPOT DREDGE REMOVAL - Shoreline
Substantial Development Project

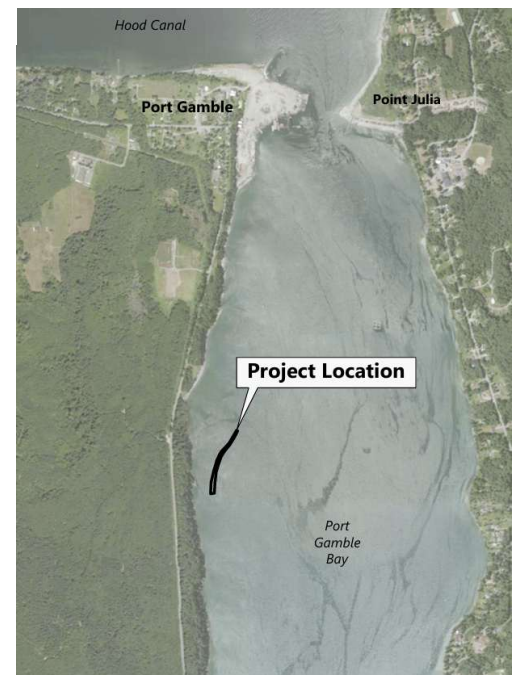
Type of Application: SSDP

Permit Number: 26-01611

Project Location

5205 NE View Drive
Poulsbo, WA, 98370
Commissioner District 1

VICINITY MAP



Assessor's Account

052702-3-004-2008

Applicant/Owner of Record

OPG Port Gamble LLC
19950 7th Ave. NE STE 200
Poulsbo, WA 98370

Decision Summary

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

1. Background

This project amends activities approved under permit 22-04842 and is following the November 24, 2025 Modified Cure Plan agreement made between OPG Port Gamble LLC; Pope Resources, a Delaware limited partnership; OPG Properties LLC (collectively, the Companies); Washington State Department of Natural Resources (DNR); Port Gamble S'Klallam Tribe; Suquamish Indian Tribe of the Port Madison Reservation; Skokomish Indian Tribe; Jamestown S'Klallam Tribe; Lower Elwha Klallam Tribe; U.S. Department of the Interior; and the Washington State Department of Ecology (Ecology; collectively, the Natural Resource Trustees). In January 2025, approximately 1,200 cubic yards (cy) of silty sand spot-dredge materials from inner Driftwood Key (Kitsap County) were placed in an offshore portion of the western Port Gamble Bay habitat restoration area. An average of 6 inches of spot-dredge sediments were placed in a 1.1-acre strip at elevations between approximately -12 and -14 ft mean lower low water (MLLW; Figures 2 and 3; Anchor QEA 2025). In February 2025, 6 ± 2 inches of outer Driftwood

Key navigation channel sand (another 1,200 cy) were placed over the spot-dredge placement area. In November 2025 the above mentioned Modified Cure Plan, it was agreed to remove all spot-dredge material placed in western Port Gamble Bay.

2. Project Request

This project amends activities approved under permit 22-04842. Project is located entirely within Port Gamble Bay over an approximately 1.1 acre area and proposes to remove spot-dredge material placed in western Port Gamble Bay in 2025 (a total of up to 3,300 cy including overdredge allowances) and then place approximately 600 to 1,500 cy of clean quarry sand over the dredged area.

Specific activities are:

- Full removal from Port Gamble Bay of approximately 1,200 cy of spot-dredge sediments and a portion (1,200 cy) of Driftwood Key navigation channel sand used for capping (a total of up to 3,300 cy including overdredge allowances).
- Disposal of these materials in open water at either:
 - Port Gardner non-dispersive Dredged Material Management Program (DMMP) site (using a bottom-dump barge if available), or
 - Port Townsend dispersive DMMP site (using a flatdeck barge)
- Placement of 6 ± 2 inches of clean sand over the spot-dredge placement area
 - To meet DNR's objective that materials placed in western Port Gamble Bay be as clean as possible, virgin cover materials will be obtained from a clean regional upland quarry
 - Prior to placement, the sand cover material will be tested and approved by the Natural Resource Trustees, DNR, and the Ecology Toxics Cleanup Program
 - To meet the original intent of the restoration plan as required by the Natural Resource Damage Consent Decree No. 3:24-cv-5470 [Consent Decree] and associated Statement of Work (Appendix A to the Consent Decree), the post-construction elevation for placement of clean sand material over the spot-dredge placement area shall be 6 ± 2 inches above the original, pre-construction, native surface
 - Following removal of spot-dredge sediments, a bathymetric survey will be conducted to document post-dredge elevations and determine how much clean material is required to achieve 6 ± 2 inches above the original grade
 - A bathymetric survey, potentially supplemented with a poling survey, will also occur after placement of the clean sand cover to confirm that an average thickness of 6 ± 2 inches has been achieved across the placement area

3. SEPA (State Environmental Policy Act)

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of

Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of “major” environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing record as it was issued, since it cannot be changed by the Hearing Examiner.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for the original project. The lead agency for this proposal made a SEPA determination using the optional DNS process for the originally permitted activities under permit 22-04842 with a SEPA notice being issued February 24, 2023 as it was determined that it did not have a probable significant adverse impact on the environment and thus an environmental impact statement (EIS) was not required under RCW 43.21C.030(2)(c).

This DNS is issued after using the optional DNS process under WAC 197-11-355 and does not include additional notice and comment periods since the changes qualify as an addendum per WAC 197-11-706 and does not substantially change the analysis of significant impacts and alternatives in the existing environmental document.

4. Physical Characteristics

The site of the proposed activities is within Port Gamble Bay in open water, adjacent to the Port Gamble Forest Heritage Park, which sits west of the project site and consists mainly of mature deciduous and evergreen trees. Eelgrass beds extend from the northern top of the project site and north beyond. The location includes and borders herring, smelt, and sand lance spawning areas.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: LAMIRD Zone: Rural Historic Town Waterfront	Standard	Proposed
Minimum Density	NA	NA
Maximum Density	2.5 du/acre	
Minimum Lot Size	NA	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	NA	NA
Minimum Lot Depth	NA	NA
Maximum Height	35 ft	NA

Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	50%	NA

Staff Comment: Proposal is for ecological restoration. No structures are proposed.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front	Per Title 14	NA
Side	Per Title 14	NA
Side	Per Title 14	NA
Rear	Per Title 14	NA

Staff Comment: Proposal is for ecological restoration. No structures are proposed.

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	OPG: waterfront	Rural Historic Town Waterfront
South	Port Gamble Bay	Salt Water
East	Port Gamble Bay	Salt Water
West	Kitsap County Park & Rec	Rural Wooded

Table 4 - Public Utilities and Services

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	Kitsap County Fire District 18
School	North Kitsap School District #400

5. Access

The project site is overwater offshore of SR 104 and the entrance for Bayview Trailhead Shore and Port Gamble Forest Heritage Park. Crew will launch from Duwamish Waterway in Seattle.

6. Site Design

Project is located entirely within Port Gamble Bay over an approximately 1.1 acre area and proposes to remove spot-dredge material placed in western Port Gamble Bay in 2025 (a total of up to 3,300 cy including overdredge allowances) and then place approximately 600 to 1,500 cy of clean quarry sand over the dredged area.

7. Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted December 2, 2024.

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

Environment Goal 1. Ecosystems and habitat. Protect and enhance the health, resilience, functions, and processes of natural environments and ecosystems, including forest lands, shorelines, freshwater systems, and critical areas to ensure functioning ecosystem services and fish and wildlife habitat are sustained into the future.

Environment Goal 4. Natural resources as an asset. Formally treat natural environments and ecosystems including forest lands, shorelines, freshwater systems, and critical areas as essential assets that are planned for, managed, and invested in to meet the needs of current and future generations.

Environment Goal 5. Collaboration and partnerships. Coordinate natural environment management and recovery with internal and external partners.

Environment Goal 6. Use Best Practices. Utilize best practices to protect people, property, and the natural environment.

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

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

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.

Policy SH-47. Recognize and protect the statewide interest over local interest.

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

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

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 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Title 19	Critical Areas Ordinance (CAO)
Chapter 21.04	Land Use and Development Procedures
Title 22	Shoreline Master Program (SMP)

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Dredge Cover Response Plan	April 24, 2026
Figures	April 03, 2026
Narrative	April 17, 2026
Photos	April 17, 2026
JARPA	April 03, 2026
SEPA Checklist	May 22, 2026

<u>Staff Communication</u>	<u>Dated</u>
22-04842 PortGamble Bay Habitat Restoration_SSDP_Staff Report-Final	September 21, 2023

9. Public Outreach and Comments

The lead agency for this proposal made a SEPA determination using the optional DNS process for the originally permitted activities under permit 22-04842 with a SEPA notice being issued February 24, 2023 as it was determined that it did not have a probable significant adverse impact on the environment and thus an environmental impact statement (EIS) was not required under RCW 43.21C.030(2)(c).

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
	NA	

Issue Ref. No.	Issue	Staff Response
	NA	NA

10. Analysis

a. Planning/Zoning

The proposal takes place within the Rural Historic Town Waterfront zoning designation. The proposal is subject to KCC 17.700 Appendix F: *Allowed Uses and Additional Regulations for Parcels Located Within the Boundary of the Port Gamble Redevelopment Plan Approved Pursuant to Section 17.360C.030*. Under this appendix the Parks and Open Space use is permitted in the zone with no additional land use review. There are no development standards applicable to the use and the zone does not have applicable setbacks or landscape buffers. The use will not include public access and no parking is required.

b. Lighting

Not applicable to this proposal.

c. Off-Street Parking

Not applicable to this proposal.

Table 5 - Parking Table

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

d. Signage

Not applicable to this proposal.

e. Landscaping

Not applicable to this proposal.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site		

Required Buffer(s) 17.500.025		
North	NA	NA
South	NA	NA
East	NA	NA
West	NA	NA
Street Trees	NA	NA

f. Frontage Improvements

Not applicable to this proposal.

g. Design Districts/Requirements

Not applicable to this proposal.

h. Development Engineering/Stormwater

Applicant proposes in-water work in Port Gamble Bay. The proposal does not include the addition of any impervious surfaces, therefore no permanent stormwater facilities are proposed to be installed.

Development Engineering has reviewed the proposal and finds that no stormwater review is required due to all work occurring in water.

i. Environmental

The proposal takes place in the Natural and Aquatic Shoreline Environment Designations. Per 22.400.155, restoration and enhancement uses and developments are permitted through a shoreline substantial development project. The activities do not qualify for any categorical exemptions for substantial development. This portion of the overall Port Gamble restoration effort are not part of the consent decree and are therefore are also not exempt from local shoreline permitting.

There are development standards under 22.400.155 for restoration and enhancement projects. However, this project is to be overseen by U.S. Army Corps of Engineers as well as Washington State Departments of Ecology, Department of Fish and Wildlife, and Natural Resources per the November 2025 Modified Cure Plan.

The proposal is being conditioned to follow the conditions of the WA Department of Natural Resources Easement Number 51-106599 dated February 27, 2026 and the Modified Cure Plan dated November 24, 2025.

j. Access, Traffic and Roads

No concerns; Not applicable to this proposal.

k. Fire Safety

No concerns; Not applicable to this proposal.

l. Solid Waste

Disposal of dredged materials in open water at either:

- Port Gardner non-dispersive Dredged Material Management Program (DMMP) site (using a bottom-dump barge if available), or
- Port Townsend dispersive DMMP site (using a flatdeck barge).

m. Water/Sewer

Not applicable to this proposal.

n. Kitsap Public Health District

Spot dredged soils will be disposed of at one of two locations:

- Port Gardner non-dispersive Dredged Material Management Program (DMMP) site (using a bottom-dump barge if available), or
- Port Townsend dispersive DMMP site (using a flatdeck barge).

11. Review Authority

The Director has review authority for this Shoreline Substantial Development Permit application under KCC, Section 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny an Administrative Conditional Use Permit.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

5. The applicant the applicant has demonstrated that the proposed development is consistent with the policies and procedures of the Act and this program, as well as criteria in WAC 173-27-150.

13. Decision

Based upon the analysis above and the decision criteria found in KCC 22.500.100, the Department of Community Development recommends that the Shoreline Substantial Development Permit request for the West Port Gamble Bay Restoration Project be **approved**, subject to the following conditions:

a. Planning/Zoning

None applicable at this time.

b. Development Engineering

None applicable at this time.

c. Environmental

1. Construction activities, or the use or activity where no construction activities are involved, shall commence within two years of the effective date of this substantial development permit or shoreline exemption. A single extension for a period not to exceed one year may be authorized based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the substantial development permit and to the Department of Ecology.

Authorization to conduct development activities shall terminate five years after the effective date of an SDP. A single extension for a period not to exceed one year may be authorized based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record and to the Department of Ecology.

2. Disposal of dredged soils shall occur in open water at either:
 - Port Gardner non-dispersive Dredged Material Management Program (DMMP) site (using a bottom-dump barge if available), or
 - Port Townsend dispersive DMMP site (using a flatdeck barge).
3. Project will follow conditions included in the WA Department of Natural Resources Easement Number 51-106599 dated February 27, 2026, the Modified Cure Plan dated November 24, 2025, and the Water Quality Monitoring Plan submitted to WA Department of Ecology.

4. If archaeological resources are uncovered during excavation, developers and property owners must immediately stop work and notify Kitsap County, the Office of Archaeology and Historic Preservation and affected Indian tribes.

d. Traffic and Roads

None applicable at this time.

e. Fire Safety

None applicable at this time.

f. Solid Waste

See Environmental Conditions.

g. Kitsap Public Health District

See Environmental Conditions.

Report prepared by:

Amanda O'Connor
Name, Staff Planner / Project Lead

July 21, 2026
Date

Report approved by:

Darren Gurnee
Darren Gurnee, Current Planning Supervisor

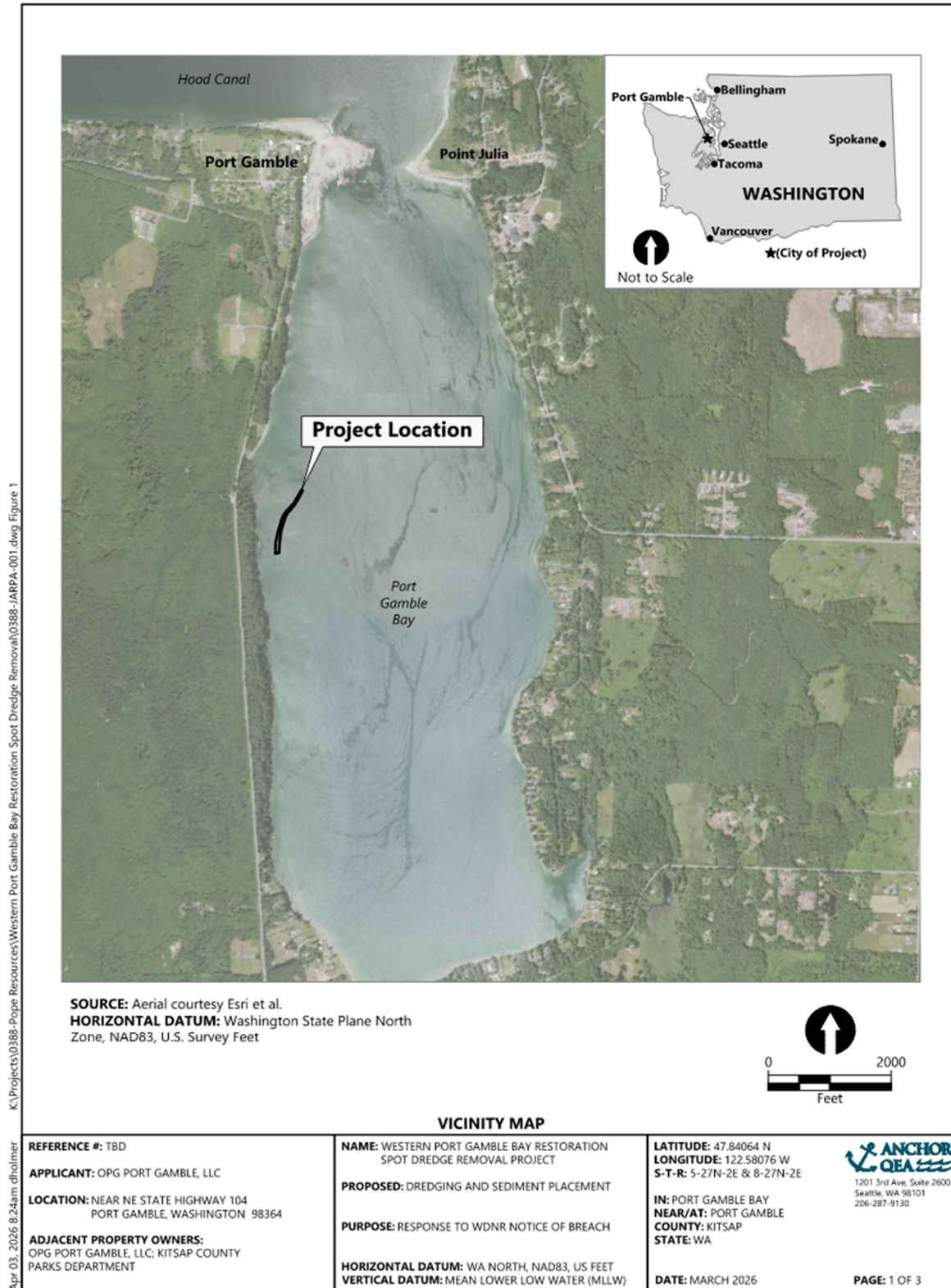
7/30/2026
Date

Attachments:

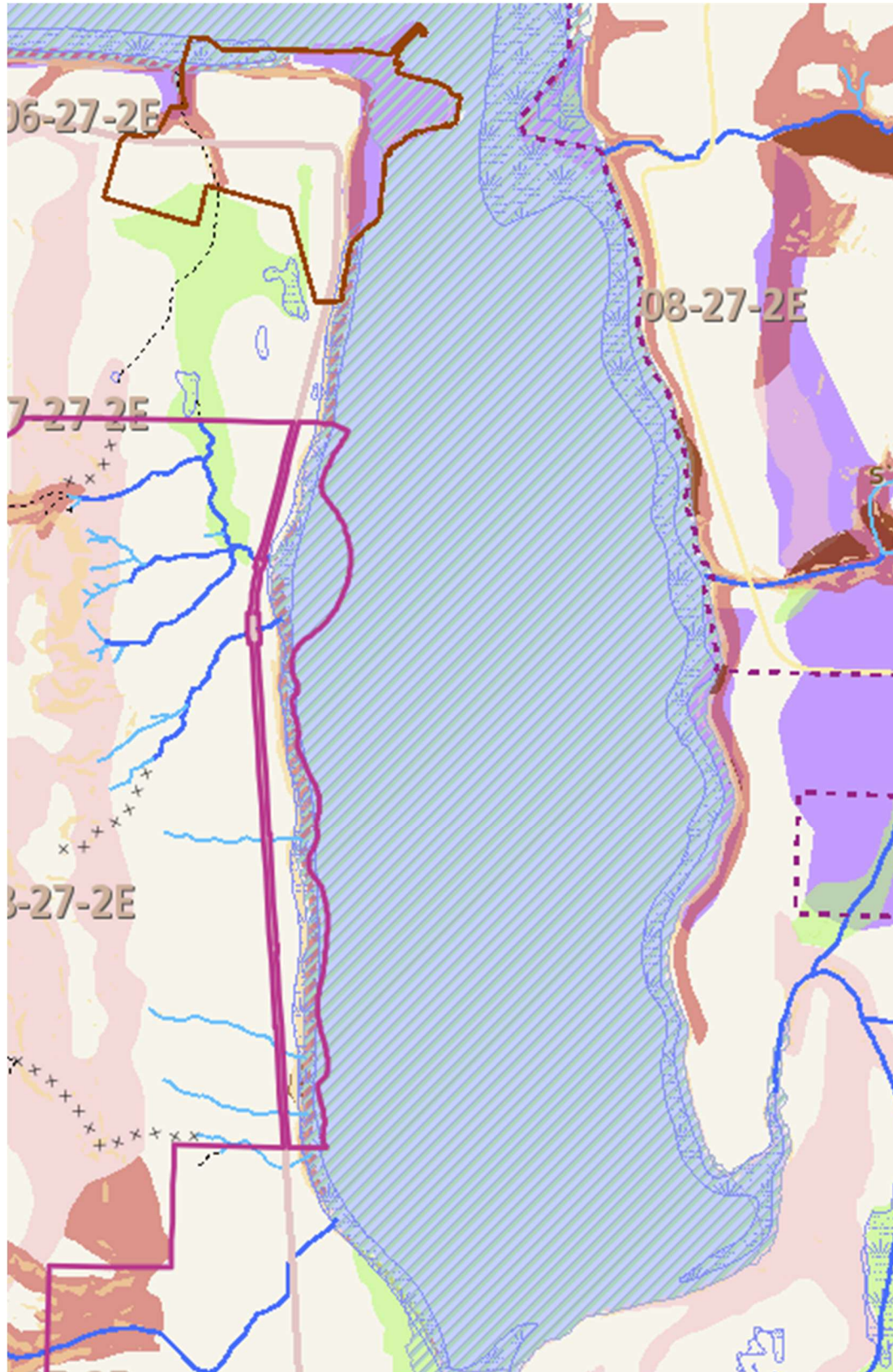
Attachment A – Site Plan
Attachment B – Critical Areas
Attachment C – Zoning Map
Attachment D – Shoreline Jurisdiction

CC: OPG Port Gamble, LLC c/o Pete Orbea pete.orbea@raydient.com
Anchor QEA, c/o Jacquie Ptacek; jptacek@anchorqea.com
Interested Parties:
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
butchbrown83@gmail.com
dnbart@gmail.com
nleggiere@gmail.com
akuntz@olympicoutdoorcenter.com
DCD Staff Planner: Vee Robbins

Attachment A
Site Plan



Attachment B
Critical Areas



Attachment C
Zoning



Attachment D
Shoreline Jurisdiction

