

Summary

Meeting dates: December 11-12, 2015 Commission Meeting

Agenda item: 8. Point No Point Status Update Briefing and Public Input

Presenter(s): Michele Culver, Regional Director
Tim Burns, Assistant Director, CAMP

Background summary:

Point No Point is located in Hansville, approximately 10 miles north of Kingston, in Kitsap County. From the 1960s through the 1990s there was a privately owned and operated recreational resort at Point No Point that included a steel rail launch system for small boats.

The Washington Department of Fish and Wildlife (WDFW) acquired the 3.47 acre property from the resort owner in 1996; accommodations were made to allow the former owner to remain onsite as a caretaker. The property had included a primary residence, a rental residence, 19 RV hook-ups (including electric, water, and septic drainage areas), seven small cabins, a large boat storage building, and a restroom facility—all of which required considerable maintenance.

The rail launch was closed in 2002 as it had aged to the point that it was no longer functional; however, the site was still used for recreational access and small craft could be hand-launched from the beach. WDFW received Capital funds for design and permitting activities in 2007-09 and proceeded through the Shoreline Development Permitting process. There was a concerted public outreach effort that included multiple meetings with Kitsap County, the local community of Hansville, representatives from large sportsmen's groups, and affected tribes. In response to several comments from all of these stakeholders, WDFW modified its project design a few times to minimize potential impacts to the environment, address eelgrass habitat concerns expressed by the Suquamish Tribe, and from the local community associated with traffic and increased usage of the site. The Kitsap County Hearing Examiner approved a Shoreline Development Permit in December 2011, which includes 24 specific permit conditions.

In 2012, WDFW received \$2.1 million in Capital funds as part of the Jobs Now Act for construction and development of this project. In addition, WDFW applied for and received a Boating Facilities grant from the Recreation and Conservation Office for \$500,000.

In November 2013, WDFW applied for a permit from the Army Corps of Engineers for the in-water ramp construction with the intent of commencing the ramp development in 2014. In January 2014, the Corps informed us that the Suquamish Tribe and the Point No Point Treaty Council raised concerns—most of them were focused on habitat impacts associated with a prior design, which we had modified to address those impacts as noted above. Additionally, the Suquamish Tribe raised a concern about the potential effect on their treaty rights resulting from the project. In a response to the Corps, we explained how the project design had been modified to address the tribes'

habitat concerns and noted that discussions were ongoing relative to the Suquamish Tribe's concern about a potential impact on their treaty fishing right.

The Corps then requested a letter from us describing how WDFW is addressing the Suquamish Tribe's treaty right concern so they could determine whether the "impacts on the Tribes are more than *de minimis*" in order to finalize their permit decision, which may include "special conditions." In response, we sent a letter to the Suquamish Tribe on June 3, 2014, with copies to the Point No Point Treaty Council and Corps, explaining the nature of the disagreement relative to potential treaty right impacts and reiterating our commitment to work through this issue with the Suquamish Tribe, as appropriate.

In addition to our correspondence with the Corps and the Suquamish Tribe, as part of the Shoreline Permit conditions, WDFW was required to secure an Operations and Maintenance Agreement with the County. Working with County Commissioner Rob Gelder, we developed an Agreement, which was approved and signed by the Board of Commissioners in 2014.

In 2014, WDFW completed the upland renovations at the Point No Point access site, including a paved circular parking area, installation of a new restroom facility, a sidewalk, overflow parking area, and additional elements to comply with County code and the Shoreline Permit conditions.

WDFW also partnered with the Department of Natural Resources to remove over 90 creosote pilings at the site to promote habitat restoration, boating safety, and construction of the ramp, and in 2015 we finalized the acquisition of two parcels in Kitsap County for eelgrass restoration that, in combination, satisfy the habitat mitigation requirements for the project.

At the meeting, staff will brief the Commission on the status of the Point No Point boat ramp, including the status of project funding, permitting requirements, and our discussions with affected Tribes, interested legislators, Kitsap County, and stakeholders.

Policy issue(s) you are bringing to the Commission for consideration:

None—briefing only.

Public involvement process used and what you learned:

At the meeting, Department staff will brief the Commission on our public involvement efforts and discussions with stakeholders.

Action requested:

None—briefing only.

Draft motion language:

N/A

Justification for Commission action:

N/A

Communications Plan:

At the meeting, Department staff will brief the Commission on our public involvement efforts and discussions with stakeholders.

Form revised 12/5/12