



June 21, 2018

Margaret Dufresne
3866 NE State Highway 104
Poulsbo, WA 98370-6830

RE: Dufresne 11143 Rolling Bay Walk – Review Comments #BLD22944R-SFR

Dear Ms. Dufresne,

In an email dated June 12, you notified the City of the contractor's / excavator's intent to reach the property by straddling the bulkhead with mats on the beach. A summary of the proposal is contained in an email from Chris Waldbillig, Washington State Department of Fish and Wildlife (WDFW) Assistant Regional Habitat Program Manager, dated June 19 (attached).

The documentation submitted to date is insufficient to determine compliance with shoreline regulations and the variance conditions, primarily regarding Condition 7: *Application for building permit shall include a staging plan and parking plan for construction materials, activities and vehicles. The plans shall demonstrate unobstructed vehicular access to homes served by Rolling Bay Walk, except: The Applicant may demonstrate that impacted homeowners agree to vehicular access obstruction through a notarized document recorded with the Kitsap County Auditor, provided the Fire Marshal finds that the agreement sufficiently addresses public health and safety. Should construction by barge be proposed, such activities require specific approvals or permits from the City of Bainbridge Island, the Washington State Department of Fish and Wildlife, the Army Corps of Engineers, and State Agency Lands permission for tideland activities; evidence of required approvals or permission shall be submitted to the City prior to the commencement of any construction activities.*

The staging plan must specifically depict when and where construction activities will take place. For example, the plan must specifically identify where the excavator will leave Rolling Bay Walk and meander over others' property. Areas waterward of Rolling Bay Walk are private tidelands. To conduct construction activities on someone else's property requires that property owner's approval, and the City cannot provide you such authorization.

The staging plan for construction activities must include the permission of impacted homeowners and specific approvals or permits from agencies to use areas on either side of Rolling Bay Walk. The information provided in the WDFW email of June 19 is sufficient approval from that agency. Please submit documentation from impacted property / tidelands owner's along with all required agency approvals to verify that you have authorization or permission to conduct the activities.

The City is unable to authorize construction or issue the permit until it receives the required information as described in this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Gary R. Christensen', is written over the word 'Sincerely,'.

Gary R. Christensen, AICP
Director

**Planning and Community Development
280 Madison Avenue North
Bainbridge Island, Washington 98110-1812**

Kelly Tayara

From: Waldbillig, Chris M (DFW) <Chris.Waldbillig@dfw.wa.gov>
Sent: Tuesday, June 19, 2018 4:54 PM
To: margduf@yahoo.com
Cc: Siu, Nam (DFW); Blair, Misty (ECY); Kelly Tayara
Subject: No HPA required for excavator access at 11143 Rolling Bay Walk , Bainbridge Island

Margaret,

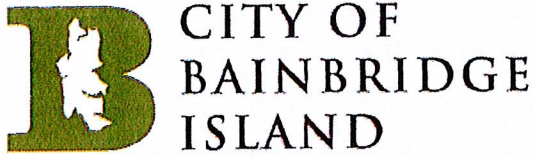
Thank you for talking with me this morning and thanks for the contact information for your contractor.

I discussed the project with Jeff, contractor, and can summarize with the following. The work will involve driving a 300 excavator along the top of the bulkhead/Rolling Bay Walk to access the property where a house is being replaced at the site of the large land slide in the 90's. In a few areas, 2-3, and for maybe 30 foot stretches, the width of the access is less than the 11 foot 6 inch width of the excavator. In those locations, hand placed 4 by 12 inch cribbing will be placed immediately adjacent to the bulkhead for the waterward tracks to land on. This cribbing will be removed immediately and moved to the next location until the excavator arrives at the construction site. Work will be accomplished at tides low enough that the cribbing will not touch state waters. All cribbing will be removed once the excavator reaches the site.

This work will not require an HPA from WDFW. If plans change from what is proposed in this e-mail, please contact Nam Siu, Nam.Siu@dfw.wa.gov or 360-522-6035 immediately for re-evaluation of potential project impacts.

Thanks, please let me know if you have any questions.

Chris Waldbillig
Assistant Regional Habitat Program Manager
Clallam, Kitsap, Jefferson, and Mason Counties
360-874-7258 Office
360-480-8128 Cell



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

Date: June 21, 2018

To: James Weaver

From: Kelly Tayara

Subject: Dufresne BLD22944 SFR Planner Information Request

I have completed planning review of the following for the permit(s) identified in the subject line:

Notification of the intent to drive the drill rig waterward of Rolling Bay Walk (to straddle the bulkhead with mats on the beach) submitted in email of June 12, along with summary of the proposal contained in an email from Chris Waldbillig, WDFW Assistant Regional Habitat Program Manager, dated June 19.

Staging plan and planting plan map submitted in email of June 14

☒ The applicant must provide the following information to allow me to complete review:

☐ Building Site Application approved by the Kitsap Public Health District.

Please note that planning review cannot be completed unless the civil / construction site plan agrees with the site plan ultimately approved by the Kitsap Public Health District. The Health District may be contacted by following this link <https://www.kitsappublichealth.org/>.

1) Provide the site plan and all other associated documents in Building Site Application approved by the Health District (BSA memo 318627) – only the cover page was submitted with building permit application.

6/13/2018 update: Health District documentation was submitted in the June 5 email referred to above. Please submit the original documents approved by the Health District, as the site plan copy is not scalable and it appears that the OSS components on the west side of the house as shown on the Health District plan are nearer the Ordinary High Water Mark and extend into the turnaround area than the OSS components on the revised site plan sheet SH 1.0 submitted on June 1.

☐ Staging plan and parking plan in compliance with Shoreline Variance condition 7:

6/21/2018 Update:

1) The Google aerial photo with “Additional Staging Area” marked that was submitted on June 5 depicts a staging area is partly within the right-of-way and partly within a private parking lot in which a number of property owners hold interest (Manitou Park plat). A right-of-way permit

from the City is required in order to allow staging in the right-of-way. The City is unable to grant approval for construction activities, including staging, on the privately held property.

- 2) It is unclear whether the staging plan submitted on June 14 is meant to provide area in addition to the private shared parking lot (paragraph above) or whether this is a revision and construction staging and materials will be limited to the subject property and Rolling Bay Walk.
- 3) The submitted staging plan is inadequate to address condition 7. Please be sure to address the subject property frontage for all construction activities: For example, is the area identified in sheet 3.0 labeled "pump, mixer truck and tooling staging area 8 x 60" the only place vehicles and will be located for the duration of construction?