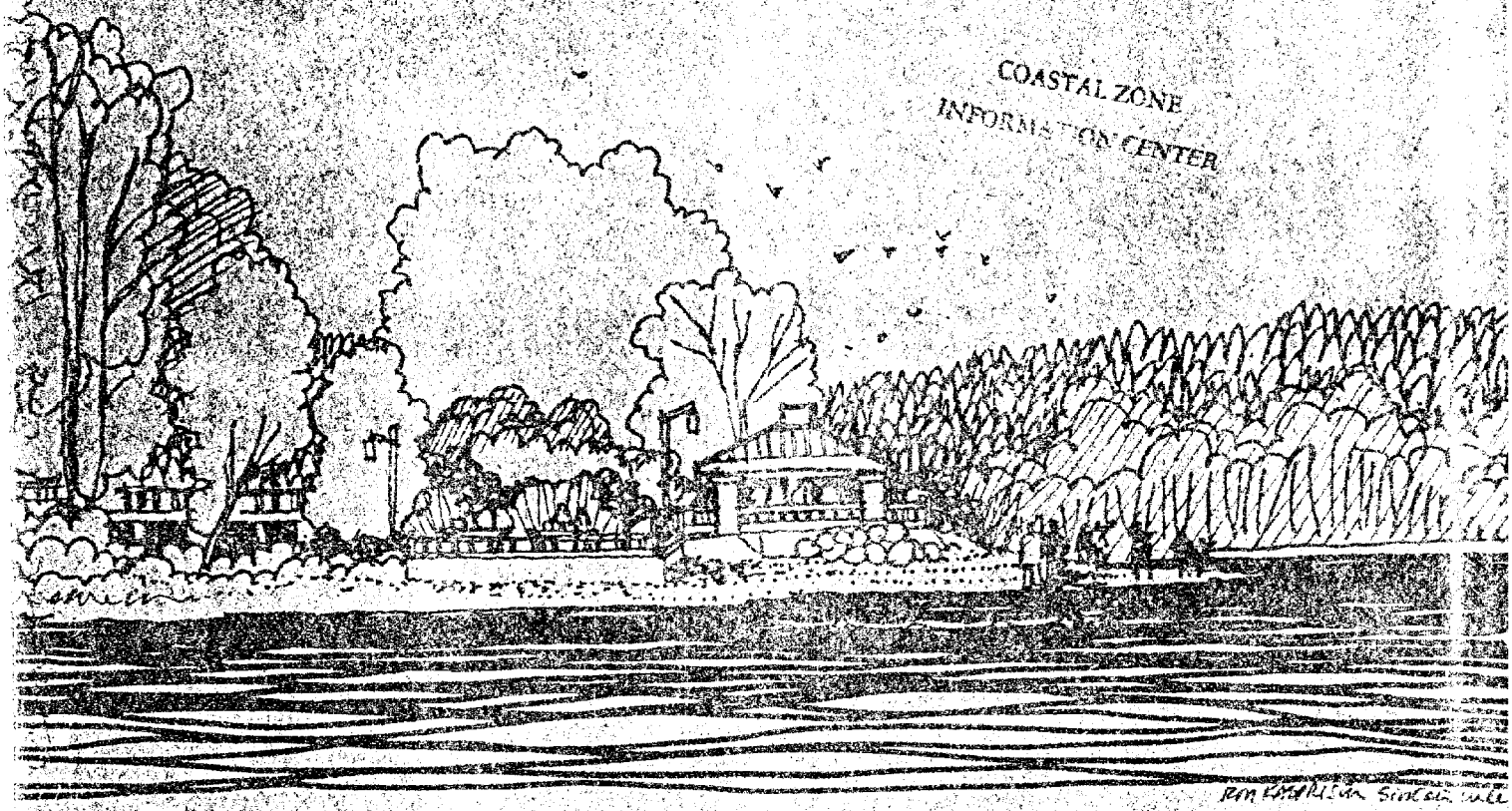
State of Washington

Sinclair Inlet Public Access Potential



COASTAL ZONE
INFORMATION CENTER

prepared for:

KITSAP COUNTY

prepared by:

Kasprisin Design Group
Seattle
1986

Local Plan

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Mr. Clyde Stricklin
Long Range Planner
Kitsap County Courthouse
Port Orchard, Washington 98366

30 June 1986

Dear Clyde:

THE KASPRISIN DESIGN GROUP is pleased to submit this staff advisory report entitled "Sinclair Inlet Public Access Potential". The purpose of this report is to investigate the public access potential of the waterfront, tidelands and uplands in the unincorporated areas of Kitsap County surrounding Sinclair Inlet.

During the investigation, the KDG team was impressed by the potential of the Inlet as a scenic view and recreational amenity but also as an intriguing habitat for marine and related mammals, water fowl, and shorebirds all under increasing pressure from surrounding upland man-made developments and by-product pollutants.

Our team has suggested design options for public visual and/or physical access to the Inlet. In addition, the investigation conceptually explores means to protect the urban habitat system from further development encroachment while affording human beings the public access to use and enjoy the resource.

We sincerely hope that this conceptual study stimulates dialogue on further planning and policy actions. Kitsap County and its residents are certainly fortunate to have as a resource the Sinclair Inlet combined industrial use, recreational area, and ecologic habitat system.

We are committed to the issues of public waterfront access and urban wildlife enhancement and are available to assist Kitsap County in the further exploration and investigation of this unique area.

Sincerely,

Ronald J. Kasprisin, AIA, APA

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contents

letter of transmittal
contents
acknowledgements
1 introduction and background 1
2 sinclair inlet setting 3

location of potential access sites 5
biophysical factors 6
Sr 3 / Sr 16 improvements 6

3 recommendation for potential access sites 7

non site – specific recommendations 8

waterfront clean-up 8
highway-waterfront 8
urban wildlife habitat development encroachment
barrier (uwhdeb) 10

site – specific recommendations: upper sinclair inlet 12

thomas wynn-jones county park 12
ross point 13
annapolis ferry terminal 16

gorst area recommendations 19

public access concept diagram 19
creek protection zones 19
bnrr/us navy bridge 19
north bank bnrr/us navy 19
north shoreline west of bnrr bridge 20
pedestrian pier 22
gorst creek 22
log pond 24
implementation 24

appendix 25

acknowledgements

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1 introduction and background

introduction and background

The preparation of this document was funded by a $5,000 grant from the Coastal Zone Management Program of the National Oceanic and Atmospheric Administration through the Washington State Department of Ecology under the direction of Kitsap County Planning and Building Department to explore the potential for public Access along Sinclair Inlet.

The tasks assigned to the Study Team, consisting of Clyde Stricklin , Long Range Planner for Kitsap County, and THE KASPRISIN DESIGN GROUP, Architects and Urban Planners included a documentation of selected potential public access sites and a conceptual design portrayal of means to provide that access.

This document illustrates that access potential in sketches, diagrams and text captions.

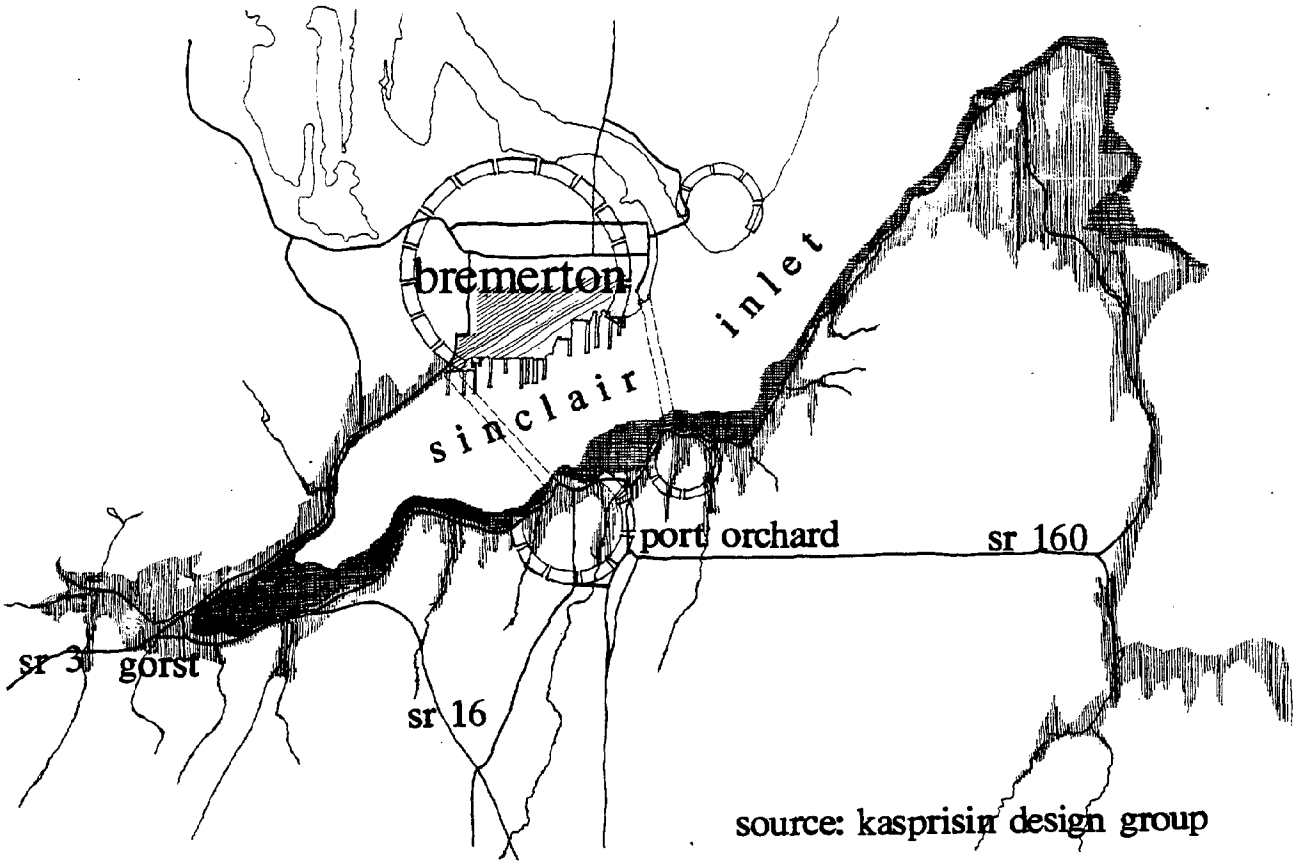
The document is intended to be used as a stimulus for further discussion, assessment of county priorities regarding access and habitat protection. It is for discussion purposes only.

2 sinclair inlet setting

sinclair inlet setting

Sinclair Inlet is located in west central Puget Sound in Kitsap County. The City of Bremerton and the Puget Sound Naval Shipyard are located at the northern edge of the Inlet where Port Washington Narrows, the Inlet and Port Orchard Passage all meet. The City of Port Orchard is located on the southern edge of Sinclair Inlet directly opposite the shipyard.

The Inlet is framed on all three waterfront edges by highway improvements. On the northern edge is State Route 3 (SR3). The SR16 and SR3 intersection occurs at and through the Gorst community on the Western edge of the Inlet. SR16, connecting to Port Orchard and Tacoma, forms the southern edge. SR160 continues north and east to Port Orchard.



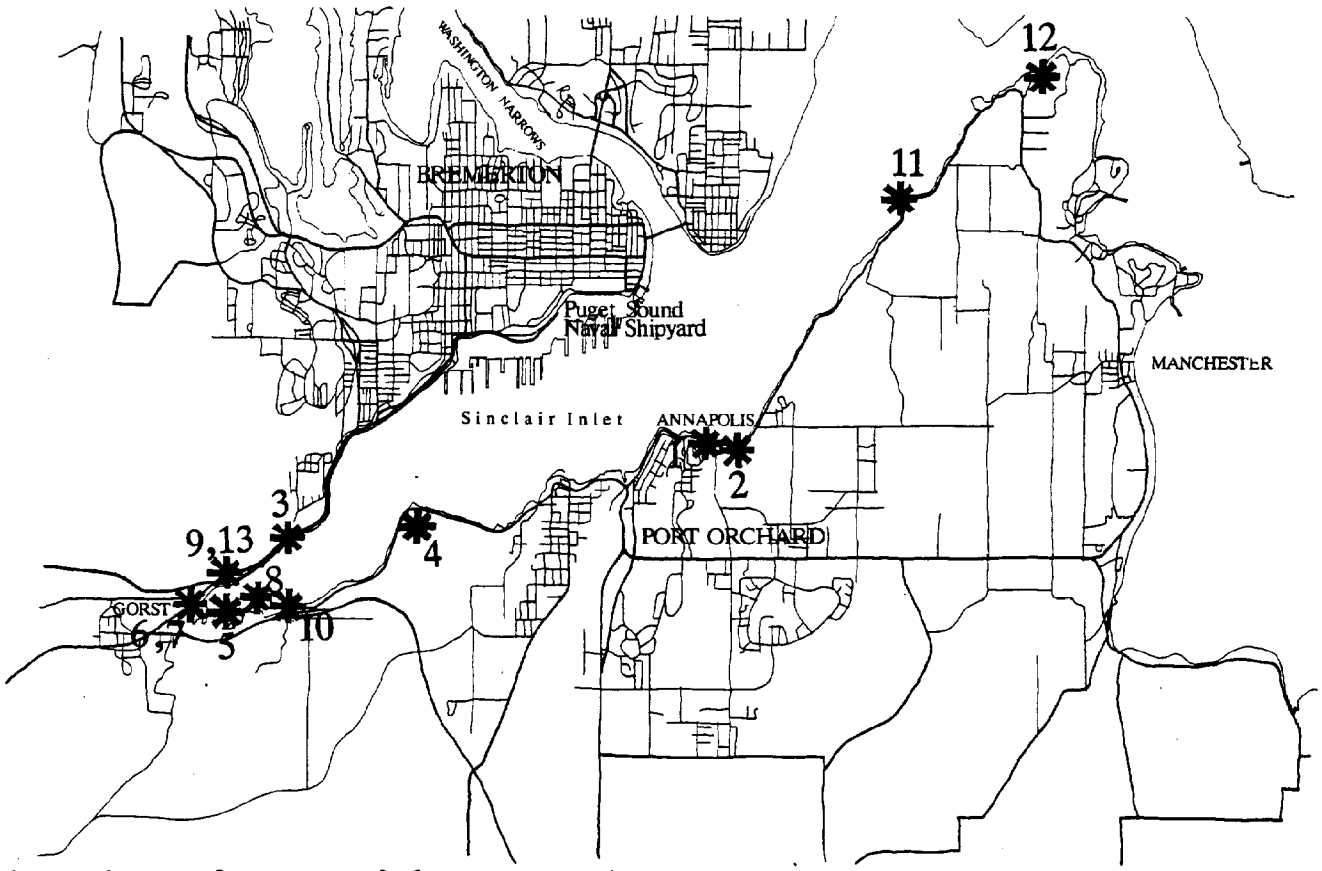
location map

location of potential access sites

1 annapolis ferry terminal (state of washington)
2 kitsap county street end
3 us navy / bnrr rip rap along sr 3 edge
4 ross point (washington state)
5 kitsap county school district
6 washington state lands
7 washington state lands
8 port of bremerton, vacated oysterlands
9 washington state lands
10 port of bremerton industrial site / us government
11 waterman fishing pier
12 thomas wynn – jones park (kitsap county)
13 port of bremerton log pond

Road and highway construction along the water's edge has extensively restricted both development and pedestrian access to the waterfront from the western perimeter of the Puget Sound Naval Shipyard to the city limits of Port Orchard.

The Burlington Northern rail operations located on US Navy right-of-way forms an additional and in some locations insurmountable barrier between the uplands and the water's edge.



location of potential access sites
source: kasprisin design group

The community of Gorst, and in particular it's industrial/manufacturing/auto service district, is the only water edge condition west of Port Orchard with substantial developable land between the highway corridor and Sinclair Inlet. This development, for the most part, is encroaching on the Red Alder Wetland Habitat Zone in the western tip of the Inlet.

Developable waterfront lands east to Port Orchard from Gorst along SR160 are used for water dependent/related marine activities such as boat repair, servicing, sales and moorage.

biophysical factors

Coastal Flooding

Historical as well as potential or suspected flood hazards exist at the western or Gorst end of the Inlet, encompassing a number of potential sites west or the SR160/SR16 separation. No catastrophic wave hazards or seismic hazards are reported for the Inlet area. These flood hazards do not pose a threat to public waterfront access potentials; and, should be used to deter development activity in the hazard zones.

Critical Biological Areas

Surf smelt use the shallows east and west of Ross Point during the fall and winter.

In the vicinity of Gorst, the nearshore area is used by shorebird and waterfowl, fish and shellfish, herring and smelt spawning areas, and invertibrate use.

Streams

Anderson Creek, Gorst Creek and WRIA 15.0215 all feed into the Inlet near Gorst and all have an anadromous fish population. Gorst Creek is used by Coho, Chinook and Chum Salmon as well as by Steelhead and Cutthroat trout. Anderson Creek has Coho Salmon and possibly Chum (suspected). Creek WRIA 15.0215 is also a suspected Salmon habitat.

Field interviews and discussions with DOT personnel, property tenants, and local residents indicates a population of octopus (or larger squid) using the Inlet. This is not substantiated by field inspection or observations, but bears consideration regarding the diversity of habitat in the Inlet. Detailed classifications of Inlet species are specified in the Final Environmental Impact Statement, SR3/SR16, Gorst Vicinity by the Washington State Department of Transportation, May 10, 1985.

Water Quality

While beyond the scope of this study and not directly influencing public access issues, water quality within Sinclair Inlet should be a factor in all proposed developments, public or private, which permit people to interface with the water. The Kitsap County Health Department is investigating outfalls which daylight sewage directly into the Inlet. While water quality is improving in the Inlet due to new sewage treatment facilities, contamination remains an issue in the Gorst area.

sr3 / sr 16 improvements

The State of Washington Department of Transportation is pursuing design and construction of Alternative 1 for SR3/SR16 in the Gorst Vicinity. This Alternative is referred in the Final Environmental Impact Statement, SR3/SR16 Gorst Vicinity, by The Washington State Department of Transportation Of all the alternatives investigated, Alternative 4 provided the most protection for the wetlands surrounding the Gorst Aquatic Preserve. Development would then have been established west of the right-of-way with the highway action as a boundary to development. The wetlands-preserve would have been set off in a visually uncompromised environment once highway construction was complete.

3 recommendations for potential access sites

recommendations for potential access sites

•non site – specific recommendations

waterfront cleanup

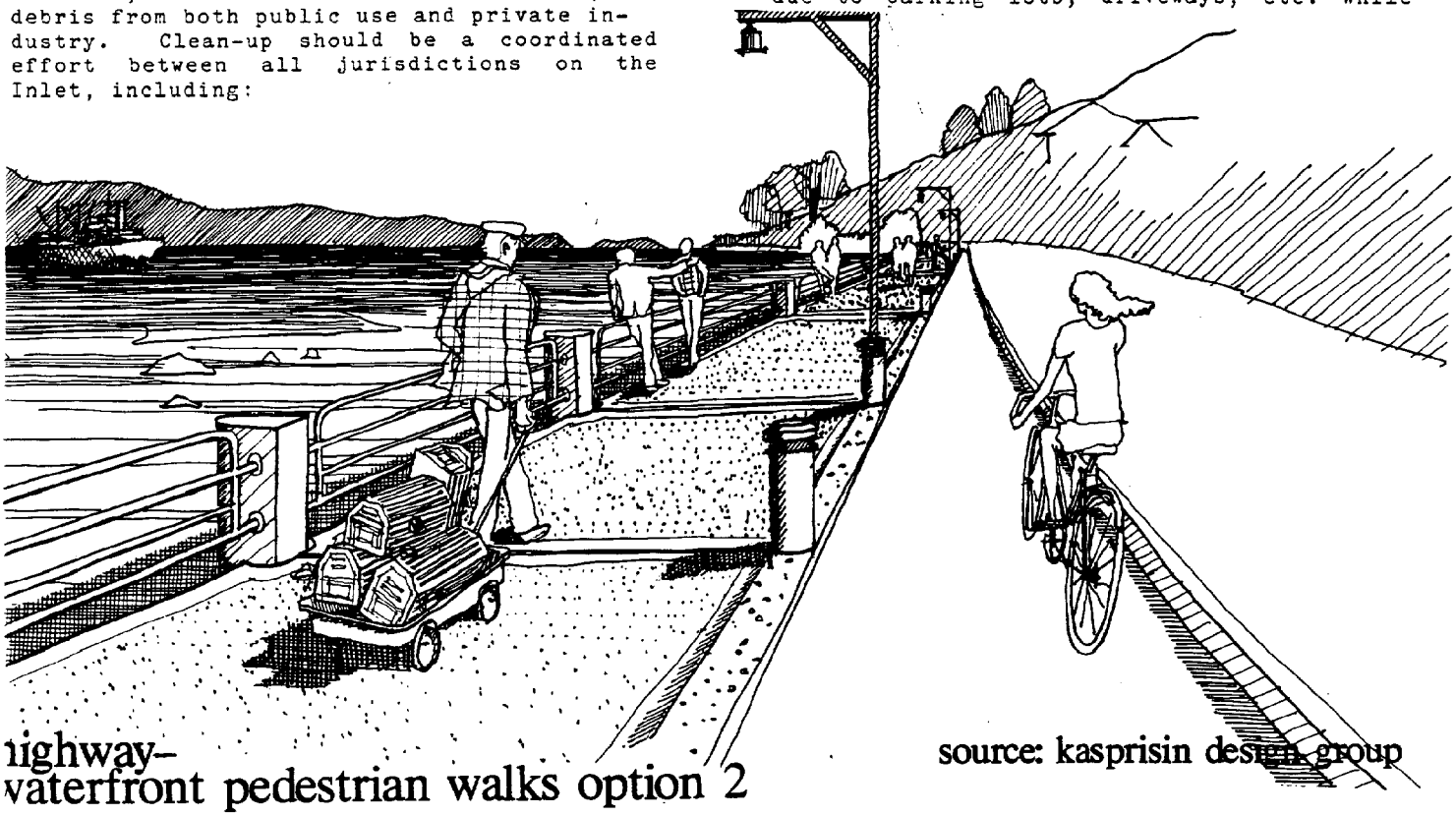
A basic yet critical aspect to all waterfront public access projects is that of Shoreline pollution due to discarded debris and other obsolete, deteriorated or neglected artifacts and structures.

Around Sinclair Inlet there is considerable evidence, based on field observations, of debris from both public use and private industry. Clean-up should be a coordinated effort between all jurisdictions on the Inlet, including:

1. Kitsap County
2. The Gorst Community
3. State of Washington DOT, Fisheries
4. Port of Bremerton
5. BNRR
6. US Navy
7. School District
8. Private property owners adjacent to or abutting the Gorst Aquatic Preserve
9. South Kitsap Park and Recreation District
10. Port of Waterman
11. Port of Manchester

highway – waterfront pedestrian walks

The water side of the Port Orchard Annapolis-Waterman roadway is generally unsafe and inaccessible for people. The narrow shoulder varies in width and does not permit a comfortable and safe distance between road, vehicles, and pedestrians. As in the City of Port Orchard situation, the upland side of the street is also generally hazardous due to parking lots, driveways, etc. While



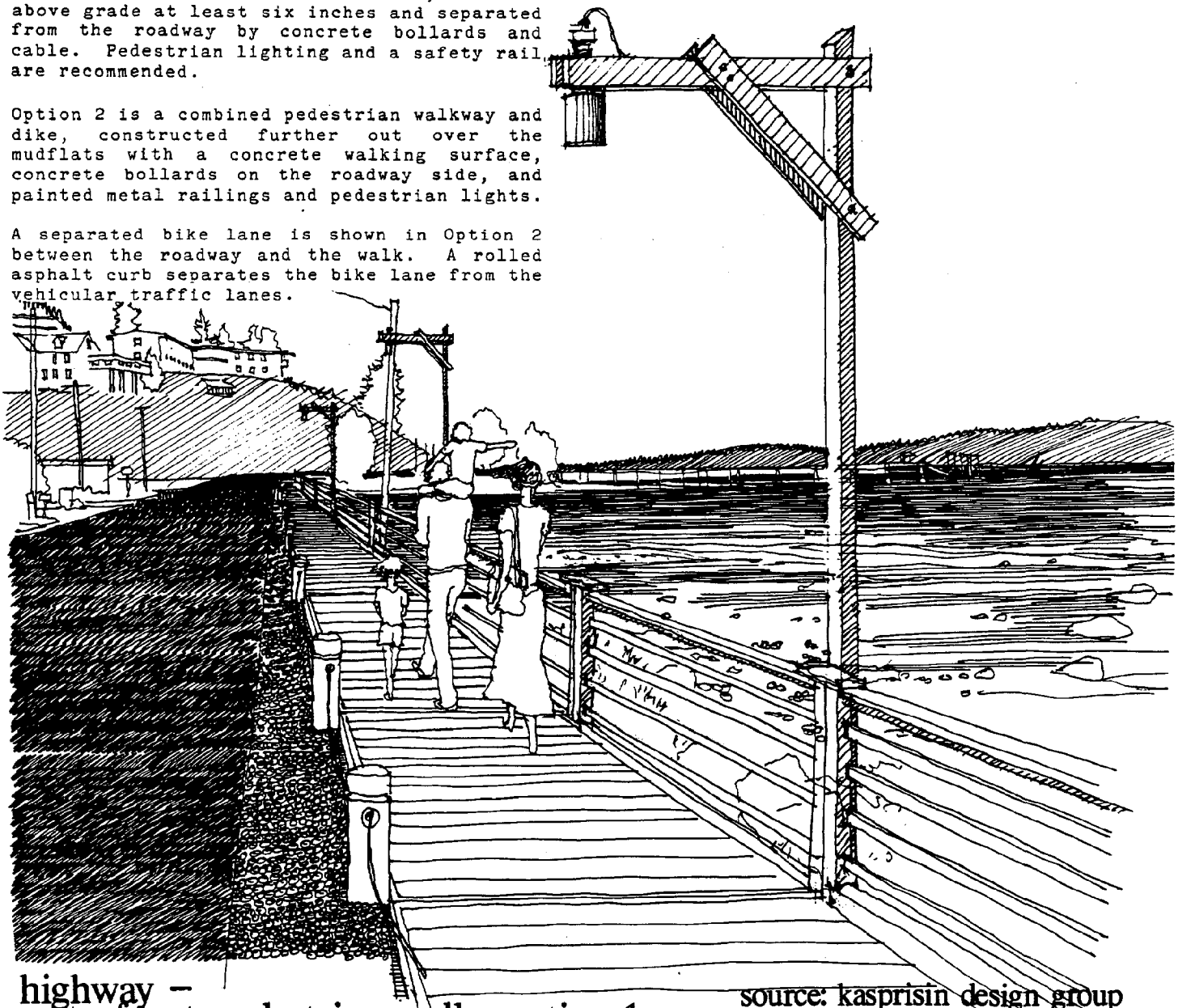
source: kasprisin design group

highway–
waterfront pedestrian walks option 2

more expensive than conventional sidewalks, the following options depict ways to improve public physical and visual access to the waterfront and to improve the vehicle-pedestrian separation distance and increase safety. Option 1 portrays a wooden deck and piling structure four feet in width, elevated above grade at least six inches and separated from the roadway by concrete bollards and cable. Pedestrian lighting and a safety rail are recommended.

Option 2 is a combined pedestrian walkway and dike, constructed further out over the mudflats with a concrete walking surface, concrete bollards on the roadway side, and painted metal railings and pedestrian lights.

A separated bike lane is shown in Option 2 between the roadway and the walk. A rolled asphalt curb separates the bike lane from the vehicular traffic lanes.



highway –
waterfront pedestrian walks option 1

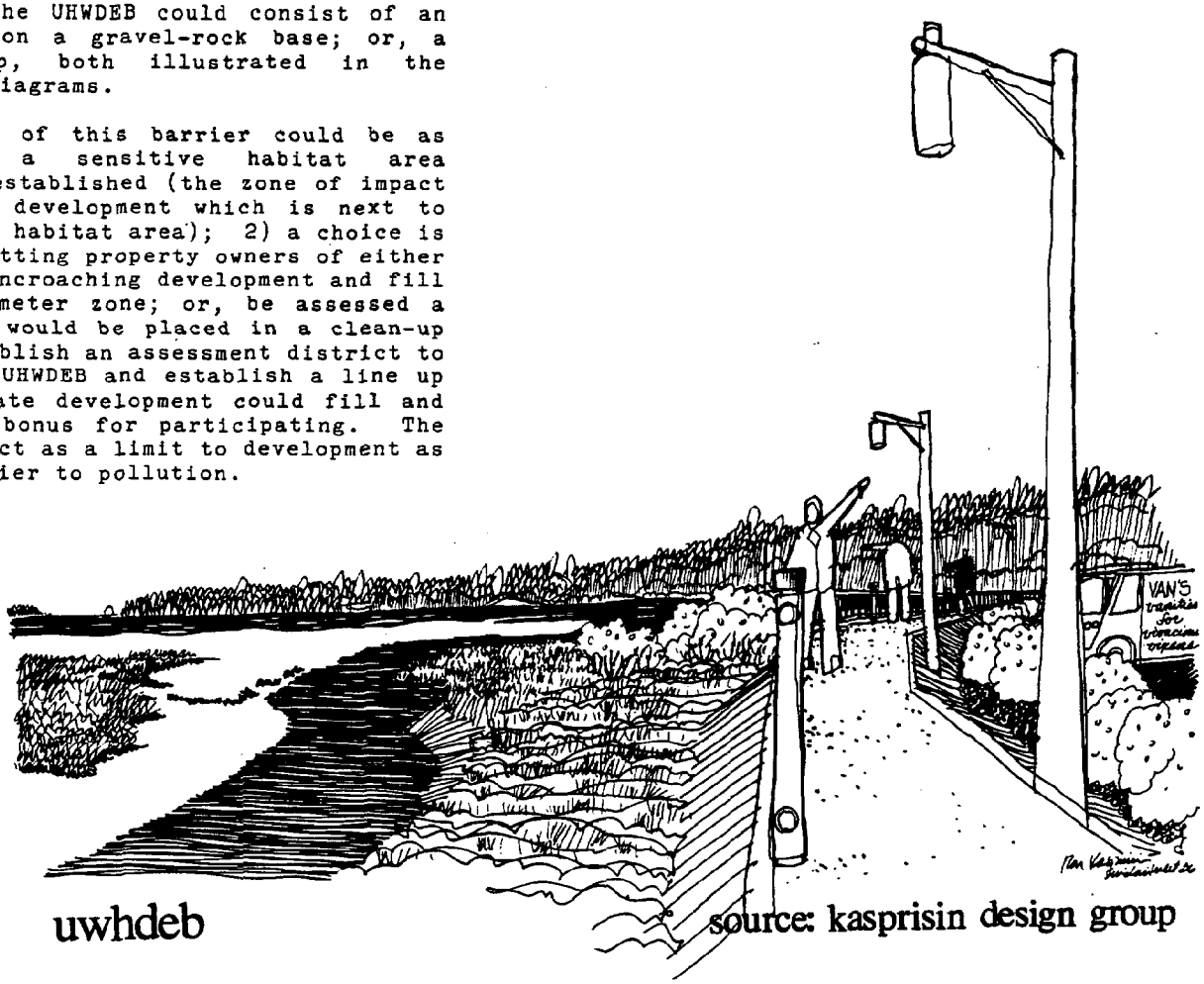
source: kasprisin design group

urban wildlife habitat development encroachment barrier (uwhdeb)

Investigate the cost feasibility of constructing an Urban Wildlife Development Encroachment Barrier (UHWDEB), pronounced (you-deb). This (UHWDEB) performs a separator function between encroaching fill, debris and development (legal or illegal); and protects the habitat areas from pollutants. Secondary but important functions consist of a visual aesthetic improvement or buffer from urban clutter; and, a potential base for a pedestrian trail. The form of the UHWDEB could consist of an earthen berm on a gravel-rock base; or, a rock rip rap, both illustrated in the accompanying diagrams.

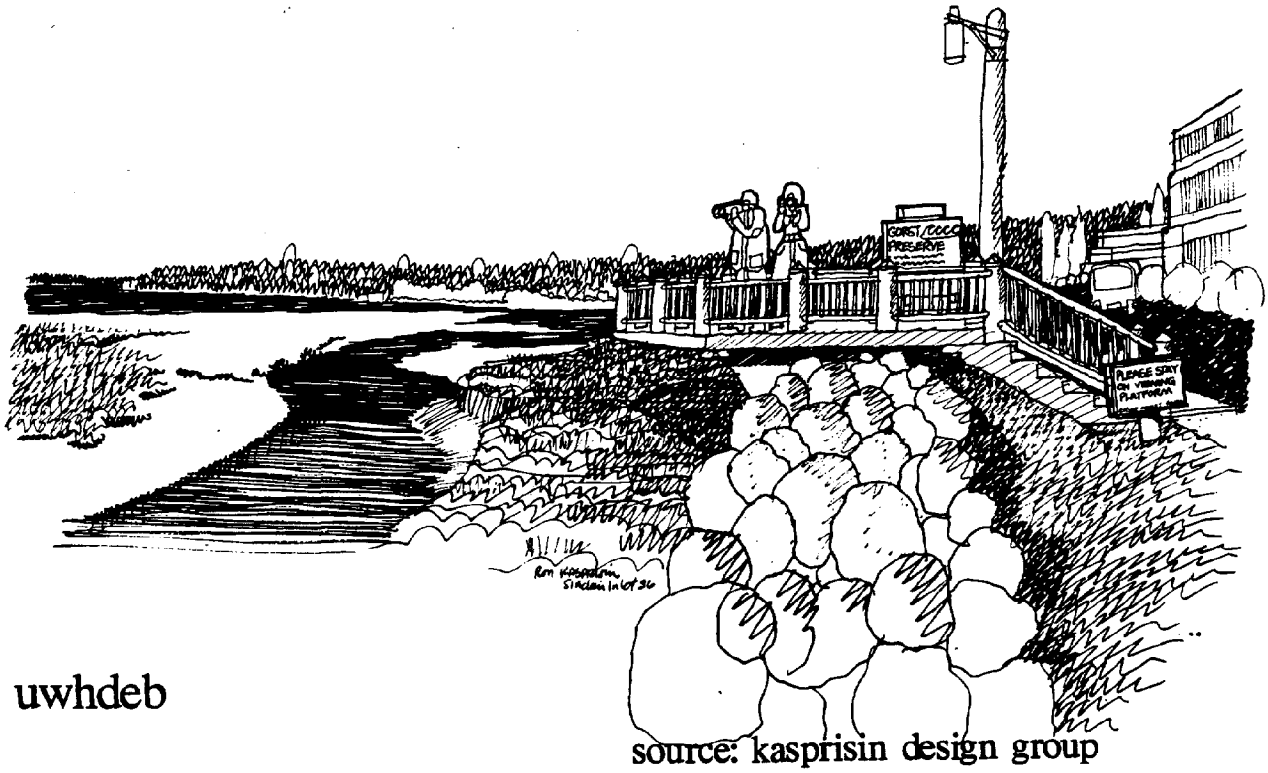
Implementation of this barrier could be as follows: 1) a sensitive habitat area perimeter is established (the zone of impact from adjacent development which is next to but not in the habitat area); 2) a choice is offered to abutting property owners of either removing all encroaching development and fill from the perimeter zone; or, be assessed a penalty which would be placed in a clean-up fund; or, establish an assessment district to construct the UHWDEB and establish a line up to which private development could fill and develop as a bonus for participating. The UHWDEB would act as a limit to development as well as a barrier to pollution.

Trade-offs with land owners could transfer developable land and wetlands to establish a mutually compatible edge or barrier location



uwhdeb

source: kasprisin design group



uwhdeb

source: kasprisin design group

• site – specific recommendations : upper sinclair inlet

thomas wynn – jones county park

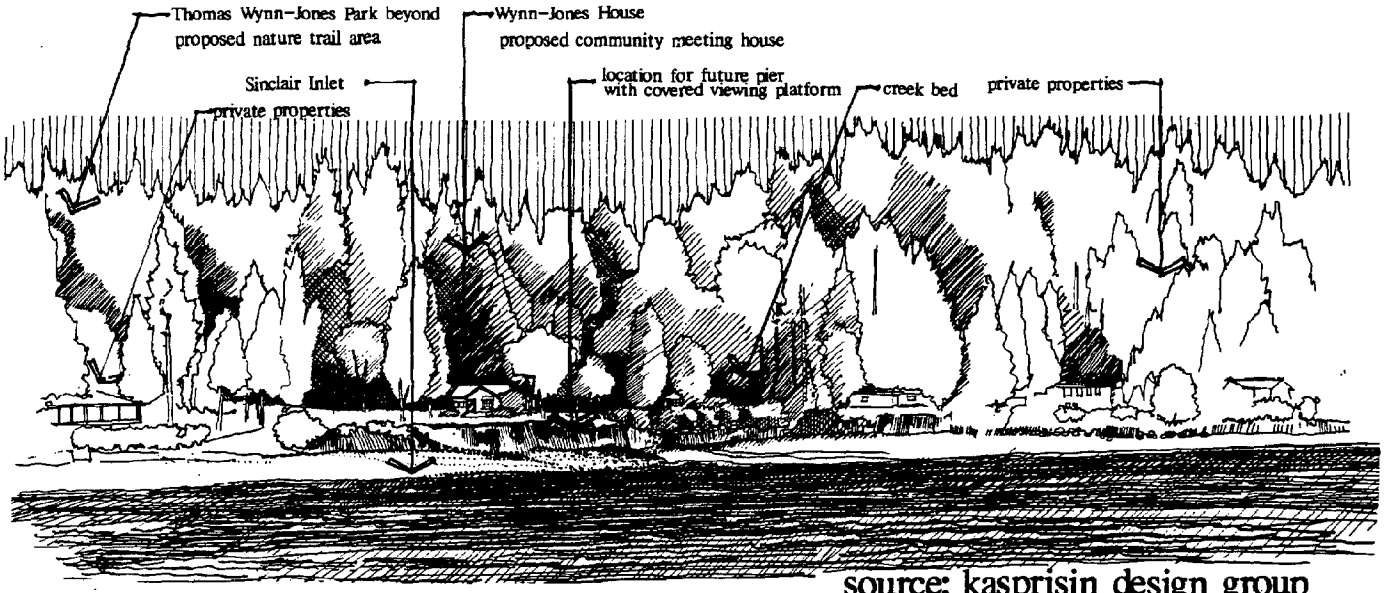
This forty (40) acre site contains an existing house and a woodworking shop both of excellent condition and quality architectural character. The site is heavily wooded with older growth evergreen trees. Fresh water supply to the site is limited, restricting large scale development.

Access into the site is restricted, with little room for visitor parking.

Recommendations for this site include:

- maintain the site features and buildings in their present character;
- maintain water views as a public visual access feature to Port Orchard Passage;
- limit development of the waterfront in this area;
- visitor tour buses and school buses could be accommodated with a drop-off/pick up facility but no on-site
- storage for more than three or four buses;
- parking could be restricted to the grounds of the estate, requiring people to walk to other portions of the site. Crushed rock or natural path trails would be appropriate;

Eventually, if budgets and priorities permit, a future pier with covered shelter could be constructed on the embankment to the west of the house.



source: kasprisin design group

thomas wynn – jones park

ross point

Ross Point is under State of Washington Department of Fisheries jurisdiction and is a prime candidate for a passive, low pressure 'people place' on the water. As of January 1986, a Ross Point Beach Access project was funded by DNR's Aquatic Lands Enhancement Account for $54,000. The natural point and beach area jet out into the Inlet providing unobstructed views. Limited land along SR160 restricts any parking access to the site. Presently, parking is available along the highway in an unsafe and limited capacity.

The site is utilized informally by people for varying activities, including shellfish gathering, beach walking, viewing, and other social activities.

Recommendations for this site include

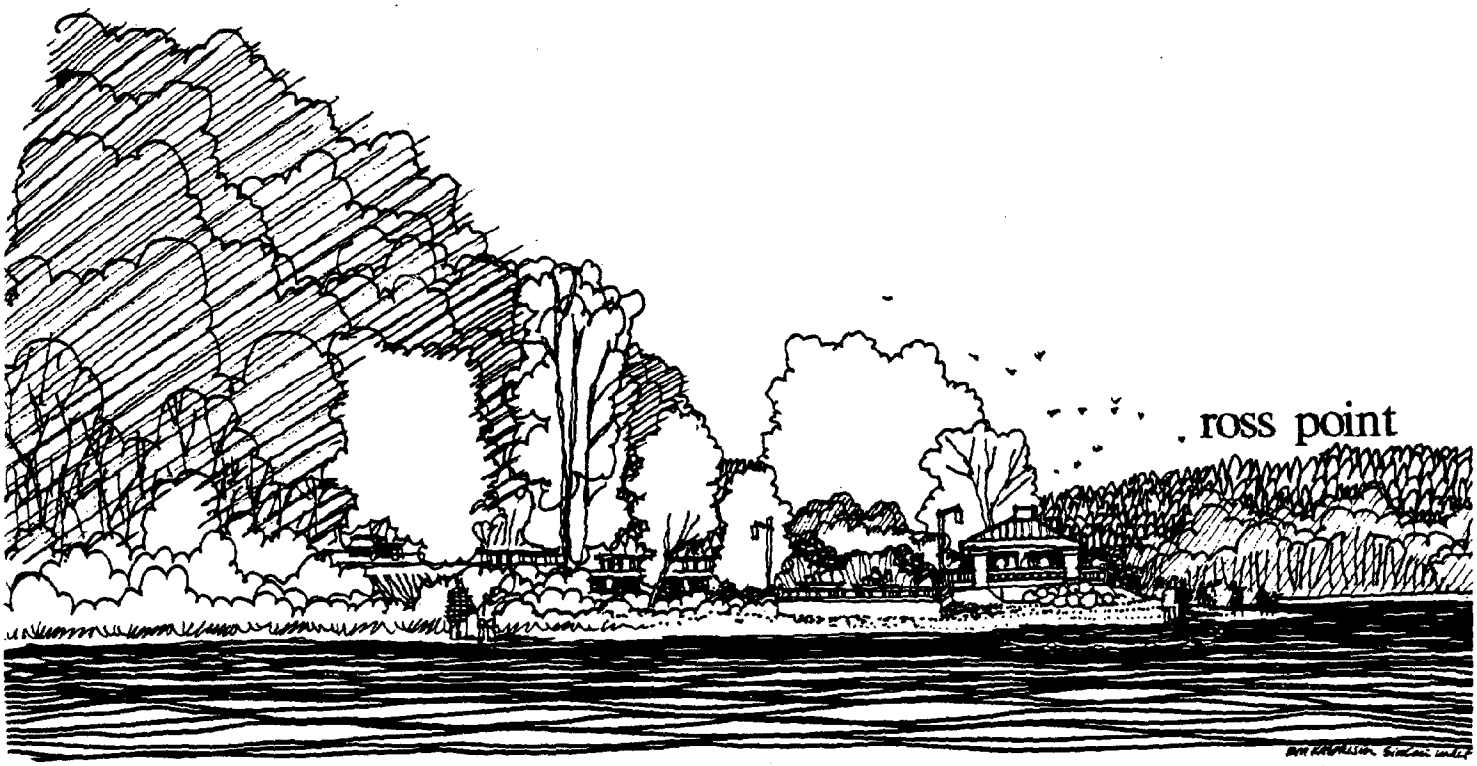
- retain and preserve beach area in its natural state;
- remove Alder trees from along the roadway to open up a public visual vista of the Inlet;
- this should be implemented to the east and west of Ross Point for a one quarter mile in each direction;

Future improvements phased over time, could include a wooden pier type parking structure immediately adjacent to the highway, at highway grade, for four parking spaces, parallel parked, and drop-off/pick-up space; a wooden bridge would connect the parking area to a viewing platform positioned slightly below street grade (ramped for elderly and handicapped); the platform with or without shelter would separate viewing activities from beach walking. Stair access would be provided to the beach from the platform. A ramp/stair to the beach is another option although more costly in relation to the number of parking spaces available to service the site and the walking distance of the site to residential neighborhoods.

An open picnic area is illustrated on top of the existing concrete foundation wall. This open area could contain from two to four tables with a safety rail. The surface would be wood decking and security lighting controlled by a light sensitive device would be provided. Due to the remoteness of this site and obstructed sight lines from the highway the lower picnic area could be subjected to vandalism.

Locational and educational signage is recommended at this and other key sites along the Inlet. Subject matter could relate to geography of Puget Sound, territorial and urban/shipyard views and history; and, habitat information relative to the Inlet.

Note: The County staff should determine the level of public use pressure on the beach. There is expressed concern that added facilities such as a shelter and picnic area could attract more people than the site and its smelt habitat could endure.



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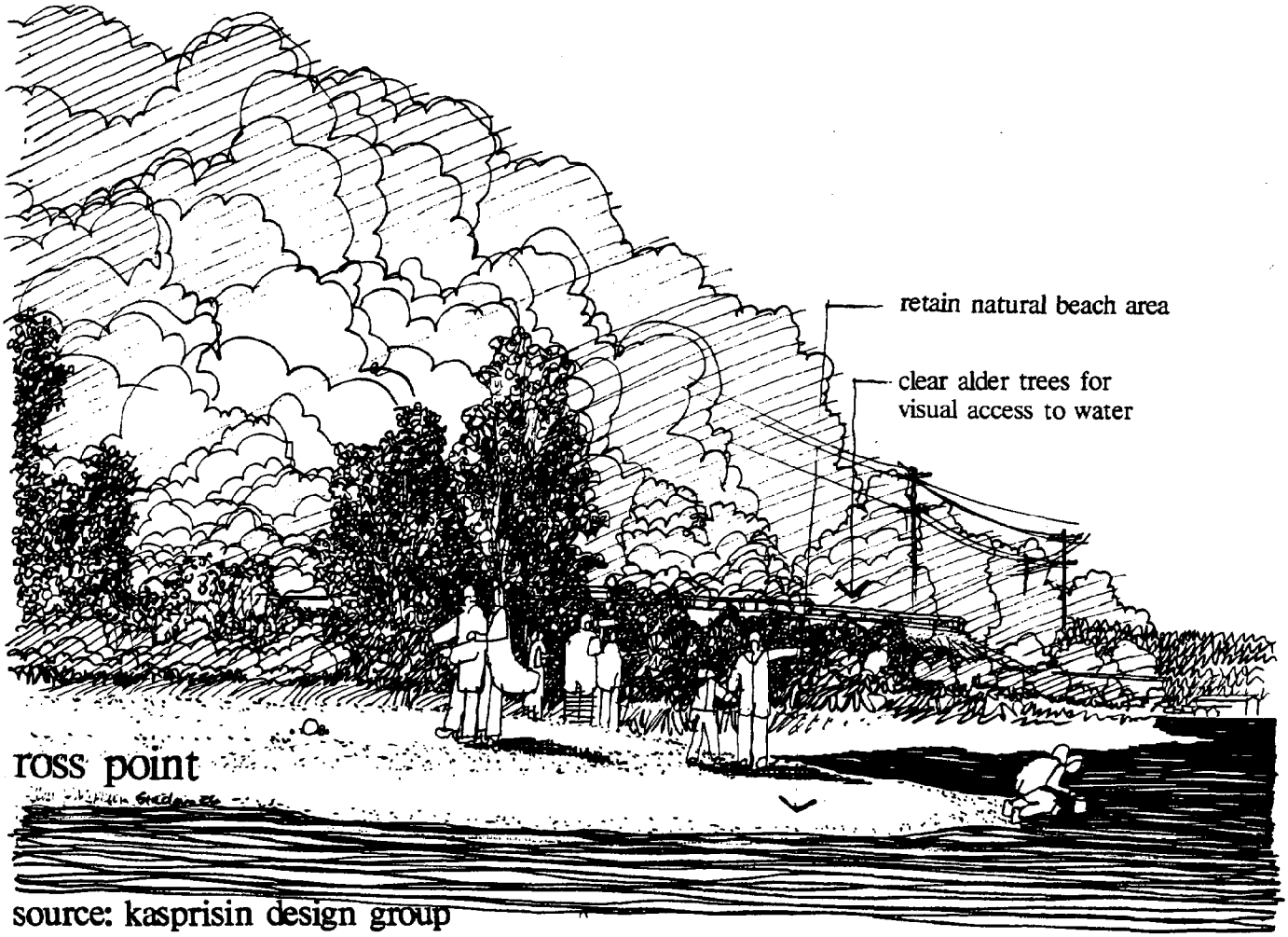


source: kasprisin design group

annapolis ferry terminal

Options 1 and 2 portray variations of waterfront improvements in the vicinity of the Annapolis Ferry dock and parking lot.

Option 1 illustrates an improved stationary non-floating pier, a covered shelter with benches, flags, and signage as well as a floating dock for visitor and/or short term moorage.

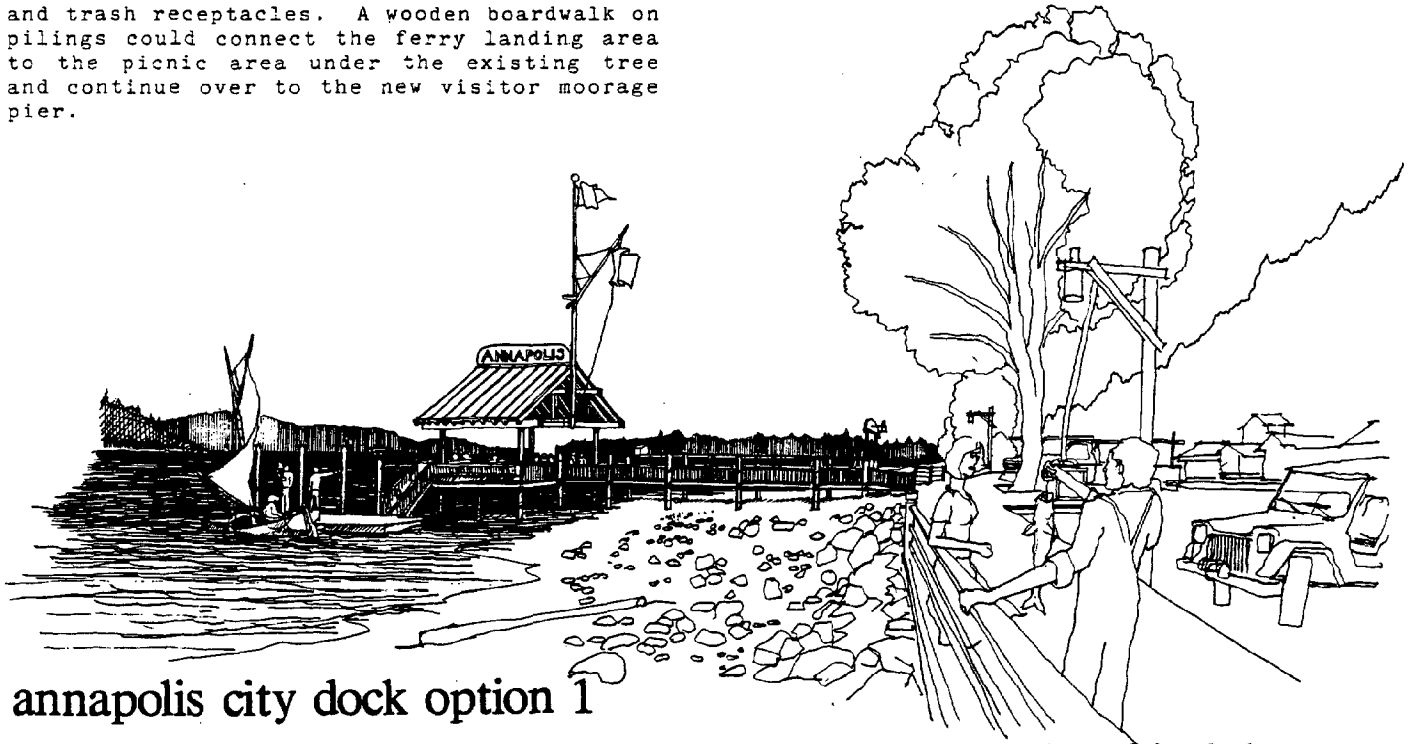
Community access and use of the water as a recreational resource is advantageous for Annapolis Waterman and so on. The Waterman City dock could be developed in the same manner with like function. A reduced scale option would include an improved floating pier for visitor moorage.

Option 2 illustrates an improvement of the existing picnic area, retaining the function with the addition of a wood deck, lighting, and trash receptacles. A wooden boardwalk on pilings could connect the ferry landing area to the picnic area under the existing tree and continue over to the new visitor moorage pier.

The Annapolis ferry pier could benefit from a covered waiting shelter at the upland end of the existing ferry dock. The structure would preferably be located out over the beach-tidelands in order to accommodate as much upland parking as possible.

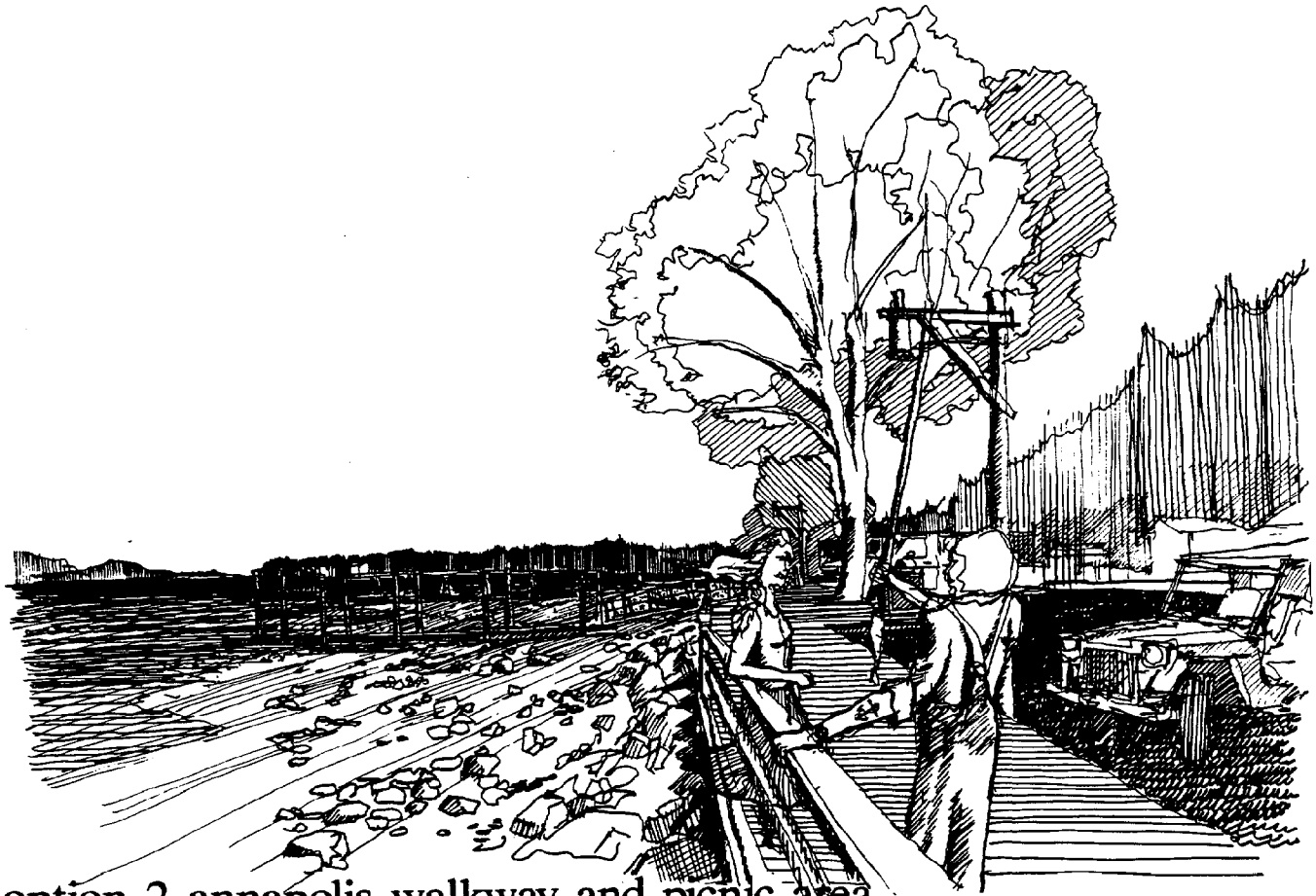
The shelter would include a rain protected roof, benches, bicycle racks and signage. The shelter may also contribute to an increase in kiss and ride travelers if the waiting area was convenient and comfortable.

While the design of the shelters and other public access elements is conceptual, a consistent application of design forms and materials would contribute to an overall Sinclair Inlet atmosphere. Individual communities could demonstrate individual flair through signage, banners and color.



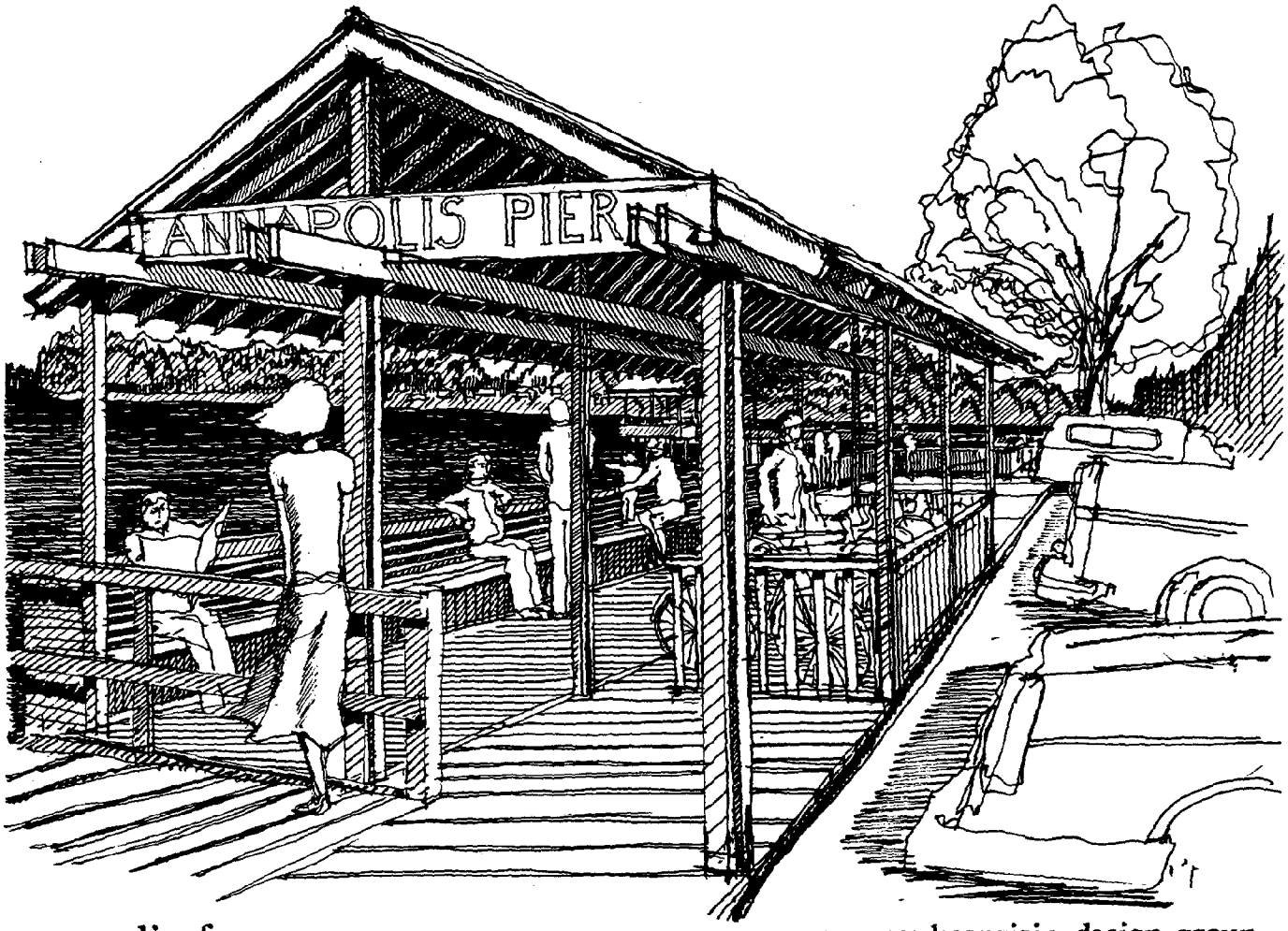
annapolis city dock option 1

source: kasprisin design group



option 2 annapolis walkway and picnic area

source: kasprisin design group



annapolis ferry

source: kasprisin design group

•gorst area recommendations

public access concept diagram

The most challenging urban public access area is the Gorst business district. Developed with a mix of light industrial and manufacturing, auto services, construction materials processing, lodging and retail activities, this area is in direct conflict with the adjacent lowlands mudflats, wetlands and creek systems. SR3 and SR16 intersect in the business district with heavy traffic volumes, creating a difficult barrier between the west district and the eastern uplands along the Inlet. Commercial development east of SR16 is limited in expansion space, creating pressures on landowners and tenants to increase their land base by filling in the mudflats.

The Gorst Aquatic Preserve is located in this area yet is only visually accessible from various highway approaches. Development pressure could have negative impacts on creek habitats, wetland areas and the water quality within the preserve itself.

In order to accommodate growth within the Gorst business district, provide much needed public waterfront access, and protect wildlife habitats, the following recommendations are presented and illustrated (See Public Access Concept Diagram next page)

creek protection zones

Gorst, Anderson and WRIA 15.0215 should all have designated protection zones established around them. An area of one hundred (100) feet from the center line of each creek should be set aside as a minimum for this special zone, regardless of property ownership.

bnrr / us navy bridge

As a future option, and utilizing the Washington State land remnant due east of the south bridge terminus, a pedestrian-bike lane could be added to the bridge with a stair access on the school district land remnant as indicated in the accompanying sketch.

The pedestrian lane could be attached to the exterior face of the bridge, providing a valuable crossover from the northern uplands to the former log pond area and the Gorst Creek area west of the bridge. In addition, the improved bridge would act as a more aesthetic entrance to the Gorst commercial district, complete with a new coat of paint.

north bank bnrr / us navy

The north embankment of the BNRR tracks rip rap on the Inlet is a boulder constructed structural rip rap with some vegetation along the slope. The area offers a pleasant view of the Inlet including the Gorst Aquatic Preserve and the City of Port Orchard.

Legal access is an issue not easily resolved. Informal use of the embankment for fishing, relaxing and water viewing is obvious based on field observations. Recommendations for this area include:

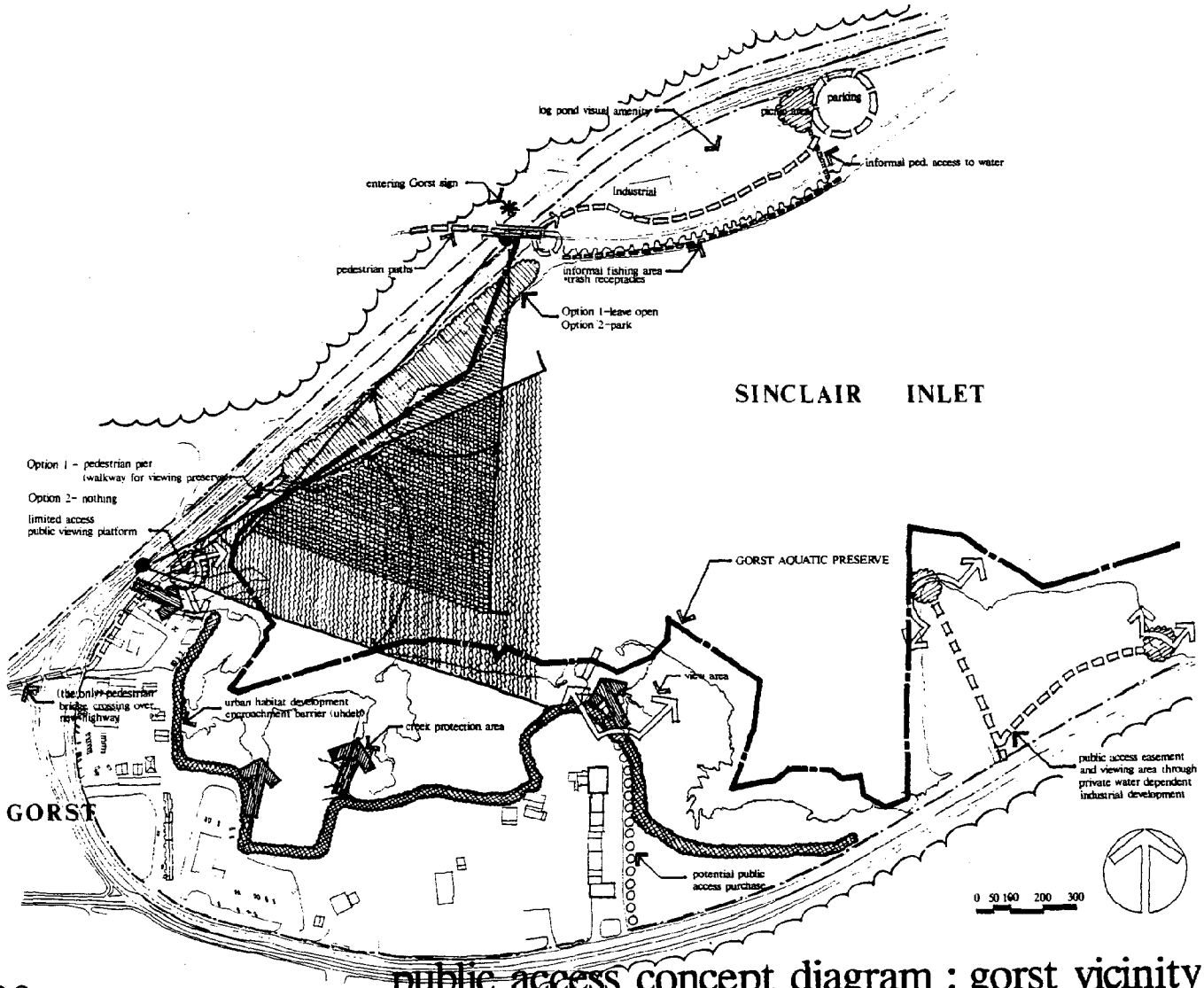
1. retain informal character and use, with no improvement in access facilities;

2. trash receptacles could be provided along the slope; they should, however, be anchored firmly in concrete footings and be vandal resistant;

3. This area is presently out of sight from the main highway (SR3) and therefore out of sight for security observation. Due to the fact that the area is used, abeit informally, some security is required whether the area is improved or not. The question remains as to who or what agency has responsibility for security and maintenance.

north shoreline west of bnrr bridge

The waterfront strip between the SR16 right-of-way and the Inlet is proposed to be purchased by DOT as a result of the SR3 revision. DOT prefers to limit or exclude access to this linear, narrow portion of land.



public access concept diagram : gorst vicinity

source: kasprisin design group

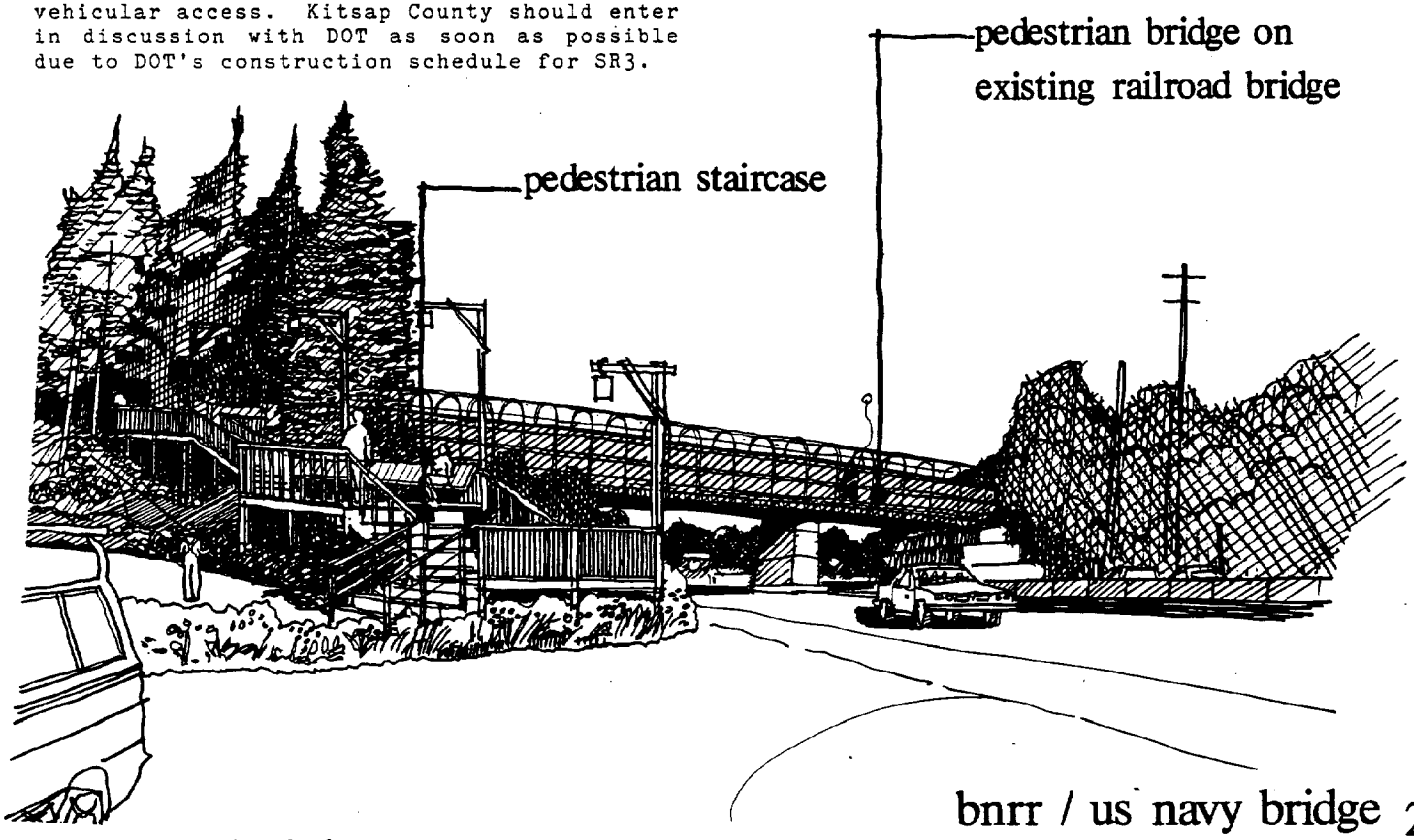
Options for the site include:

1. landscape the site with low flowering shrubs and grasses, providing a visual foreground for Sinclair Inlet;

2. establish a park on the site which could include vehicle parking, picnic area with tables, interpretive information signs for Gorst Aquatic Preserve, trash receptacles and landscaping (again, open and low to preserve Inlet views from the highway).

Vehicular access would be from the west only, a drawback to the site. However, if this site is connected to Gorst with the pedestrian pier (see next project discussion), serious consideration should be given to vehicular access. Kitsap County should enter in discussion with DOT as soon as possible due to DOT's construction schedule for SR3.

A bicycle-jogging trail should be considered along the BNRR-Navy right-of-way between the existing RR bridge and the small park near the former USS Missouri moorage. When a new bridge is constructed over SR16 at or near the present RR bridge, a pedestrian (bicycle-jogger) crossing should be a part of the design.



bnrr / us navy bridge

source: kasprisin design group

pedestrian pier

As a connection between Gorst Creek and the DOT North Shoreline open space area, a pedestrian viewing pier is suggested for consideration as both a viewing platform and a bridge. This option was explored due to the scarcity of waterfront open space in the Gorst business district. While the pier would be in close proximity to the noise and vehicle toxins of SR3, the value of waterfront access at this point may be worth the impacts.

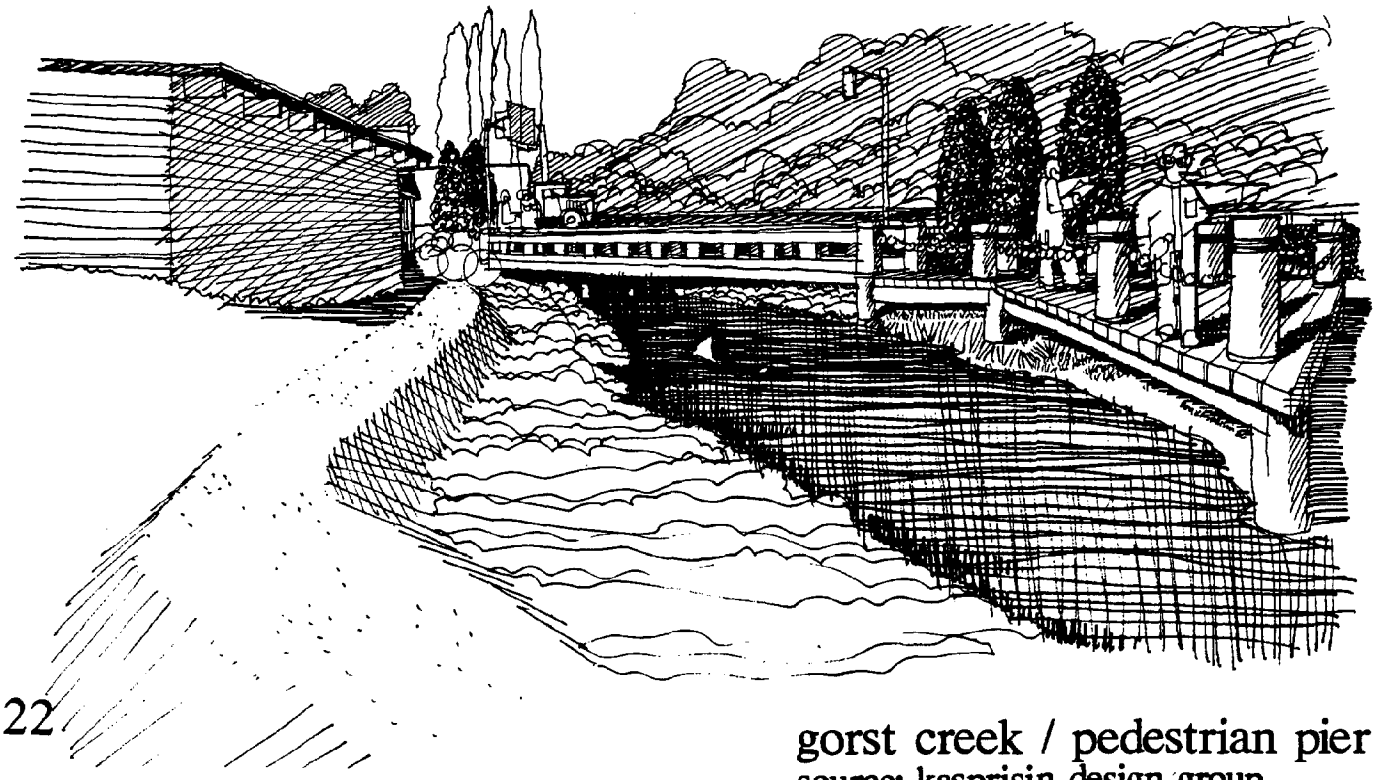
The following sketch illustrates the beginning of the Pedestrian Pier at Gorst Creek where it is utilized as a viewing area for the creek habitat. The pier could be developed in conjunction with a Gorst Creek Interpretive Program directed at preserving the creek habitat through information and education. Access to the creek itself would be restricted, both north and south of SR3.

gorst creek

Gorst Creek is an important Salmonoid habitat. While this investigation recommends a minimal public physical access to the creek for reasons of pollution, a public visual access and educational awareness program is strongly recommended as a part of Kitsap County's overall Public Access Program. Sinclair Inlet cannot, in the estimation of the study team, be assessed separately and without its contributing drainage, creeks and streams, and uplands and their uses.

The Suquamish Tribe has a Chinook rearing facility at Gorst Creek. This facility should be supported in its function and purpose, particularly through protection and enhancement of the environment which surrounds the creek and its tributaries.

The following description of the Gorst Creek habitat and fishery has been provided by Dee Ann Kirkpatrick, Environmental Biologist for the Suquamish Tribe.



gorst creek / pedestrian pier
source: kasprisin design group

"For generations Suquamish Tribal members have harvested salmon and shellfish for both subsistence and commercial uses. Historically, when the salmon started running, small groups of families left their villages and traveled by canoe to favorite fishing and shellfish gathering places, one of which was Sinclair Inlet. Near these sites they set up temporary camps at the mouths of streams and rivers. Tribal members fished for salmon and steelhead and gathered the coming year's supply of shellfish from the rich tidelands. To this day the harvesting of salmon in Sinclair Inlet remains an important economic and cultural activity for tribal members. Shellfish harvesting however, has been discontinued in Sinclair Inlet, ever since the area was decertified due to on-going pollution problems.

The Suquamish Tribe's historical use of Puget Sound waters for harvesting activities was maintained by the Treaty of Point Elliot. Today Sinclair Inlet is included in the Suquamish Tribe's usual and accustomed fishing grounds. Along with the right to harvest fish in Sinclair Inlet, the Tribe maintains the right and responsibility to protect fish habitat in this area, thereby maintaining an interest in all the salmon-bearing streams flowing into the Inlet.

To manage fish harvest, enhance fish stocks and protect fish habitat, on-going programs have been established and are maintained within the Tribe's fisheries department. Fishing season regulations are set, development projects are monitored, spawning surveys are conducted and hatchery operations, off-station eggboxes and rearing ponds are maintained.

In the Sinclair Inlet area specifically spawning surveys are conducted on Blackjack, Ross, Anderson and Gorst Creeks on an annual basis. Chum egg-boxes are maintained in the upper watershed of Blackjack Creek and a fall chinook rearing pond is maintained on Gorst Creek.

Gorst Creek Drainage

The Gorst Creek drainage system includes several tributaries; Heins Creek, Parrish Creek, Baileys Creek and two unnamed creeks, totaling approximately 12 miles of stream. This system drains a watershed of approximately nine square miles. In 1911, the City of Bremerton was granted a riparian right to withdraw up to 15 cfs of the flow from Gorst Creek for the City's water supply. During much of the year, this gave the City the right to divert the entire flow of the creek. This practice was stopped in 1979, when the City discontinued using Gorst Creek as a water supply.

The Gorst Creek drainage-system contains much useable habitat for salmonoid production, however the diversion structure, located at 0.6 miles upstream from the mouth, poses an impassable barrier to fish migration. It is estimated that this barrier blocks access to about 3.0 miles of excellent coho, steelhead and chum habitat upstream. At present, chum, coho, steelhead, and chinook utilize all the suitable habitat below the diversion structure.

The Gorst Fall Chinook Rearing Project

A cooperative fisheries enhancement effort by the City of Bremerton, the Kitsap Poggie Club, and the Washington Department of Fisheries was undertaken in the early 1970's to rear a maximum of one million fall chinook at the City's Gorst Pumping Station. Because of a change in political winds the project was phased out before major adult salmon runs could become established.

The Suquamish Tribe became involved with the Poogie Club and City of Bremerton in 1982 and the Gorst fall chinook rearing project was revived. The Tribe provided the fish and fish food, the Poogie Club provided the manpower for site preparation and fish feeding, and the City provided the facilities. Approximately 50,000 fall chinook were released in 1982. In 1983, 85,000 smolts were released, in 1984 690,000. In 1985 and 1986 the release of fall chinook smolts was expanded to one million. The Washington Department of Fisheries took an

active role in 1986 providing both the fish feed and construction funding for two new earth rearing ponds, planned to be in use by 1987. The new ponds are designed for an annual production of two million smolts.

The goal of the Gorst Fall Chinook Rearing Project is to build up a viable sport and commercial fishery, particularly on chinook salmon in and near Sinclair Inlet".

Recommendations

1. Kitsap County should coordinate a habitat enhancement and protection policy with the State of Washington Department of Fisheries and the City of Bremerton;

2. The creek diversion structure located 0.6 miles upstream should be removed. Discussions by the team with the City of Bremerton's Bill Duffy regarding the City's dependence on the creek for water supply indicated a potential for the eventual removal of the diversion;

3. A critical, riparian zone for Gorst, Anderson, and WRIA 15.0215 should be established with a preferred distance of two hundred(200) feet from the center along both sides of each creek. One hundred(100) feet is the minimum protection zone.

log pond

The former log pond-industrial site east of the BNRR Bridge on the north side of the Inlet at Gorst will remain in Port of Bremerton ownership for industrial uses. This site is highly visible from SR3. Two options are recommended for consideration:

Option 1- The county should coordinate a beautification effort with the port for the area immediately surrounding the pond. This could include landscaping and clean-up as a minimum effort to provide visual public access to the tidal pond and improve the entry to Gorst.

Option 2- Working with the Port of Bremerton, the county could propose a limited access rest stop with capacity six vehicles or less at the east edge of the log pond. A small picnic area could be provided along with path easement through the industrial property to the water's edge. Problems facing this option include tenant conflicts with public pedestrian access; legal and liability issues involved with crossing the BNRR and US Navy properties; and general ingress-egress from the improved SR3 alignment.

The Port of Bremerton has expressed interest in working with Kitsap County to improve the visual appearance of the log pond and adjacent Shoreline. Landscaping with conifer trees as a backdrop and dwarf flowering trees in the foreground highlighted by high quality graphic signage could substantially improve the image of Gorst and Sinclair Inlet. A public perception of a polluted and/or rubble strewn pond may carry over in a mental association to Sinclair Inlet.

implementation

Of the State agency programs available, the DNR Aquatic Lands Enhancement Account (ALEA) offers the greatest opportunity to accommodate some public access facility on the Inlet in the near future. This is a new program and it funded nine local projects as of January 1986 totaling $430,705.00; and, ten State agency projects for the same period totaling $540,442.00.

The Corps of Engineers will play an important role in wetlands management around the Gorst Aquatic Preserve. Other programs include the Kitsap County Shoreline Management Program, the Coastal Zone Management Program through DOE for additional detailed study of the Gorst district and waterfront; and, Interagency Committee Funds for Outdoor Recreation (IAC/BOR) through the State of Washington for parks and recreational facilities. The IAC/BOR offers funds for implementation on a 50-50 match basis.

A detailed description of applicable programs is provided on the following pages.

appendix

appendix

RELEVANT PROGRAMS

Economic Development Administration, Public Works Assistance Program:

Many communities within an economic development district are eligible to participate in the Economic Development Administration Public Works Assistance Program and other EDA funding. Most of these programs direct funding towards such projects as:

A. Making land suitable for industrial or commercial use, or providing utilities, access, and site preparation.

B. Building facilities and providing equipment for job training programs.

C. Improving public facilities at airports and harbors.

D. Providing a very poor community with a basic infrastructure that is a prerequisite to initiating or stimulating economic development.

E. Renovating inner city buildings for special development purposes.

F. Building or improving publicly-owned recreational facilities to build up the area's tourism.

G. Improving the appearance and efficiency of public facilities in run-down, congested areas.

These types of projects are evaluated by the amount and quality of the benefits that can be expected from the federal investment. In many cases, Economic Development Administration funds can be used as a mechanism for improving the vitality and competitiveness of the business district. However, it must be noted that a commercial or waterfront project may have a lower degree of profitability for funding than an industrial project. The Economic Development Administration program may be used to construct streets, sewers, water lines, and other necessary public facilities directed towards improving economic development opportunities. The program has financed downtown and waterfront improvement programs in other communities around the state and the nation.

Bureau of Outdoor Recreation:

The Bureau of Outdoor Recreation, Department of the Interior, now referred to as Heritage Conservation and Recreation Services (HCRS) is an available resource for various elements of the proposed program for small parks, pedestrian amenities, trails and other such items can be assisted on a 50/50 matching bass. The availability of funds should be pursued with the State of Washington, as in most cases the State of Washington Interagency Committee for Outdoor Recreation manages and disburses the funds. The City needs an improved parks and recreation plan on file with the State Interagency Committee for Outdoor Recreation, and the plan as well as this document should be updated and submitted to them for its inclusion with applicable projects. Recent projects funded by the Interagency Committee for Outdoor Recreation include waterfront improvements, riverfront parks and walkways, swimming pools, bike paths, play fields, trail systems, and other general parks and recreation improvements. Recent guidelines for eligibility include projects which are family oriented, participatory, active yet not athletic and waterfront access oriented.

These elements of the revenue Code deserve attention and research by business people in the community and their particular accountants and auditors.

This program is presently recommended for termination by the Reagan Administration. If it is sealed in the Tax Reform Act, the ITC may drop to 20%, still an attractive ITC for certain projects.

Parking and Business Improvement Areas (SBIA)

In order to aid economic development and to facilitate business cooperation, Washington State law (RCW 35.87A) authorizes all counties and all incorporated cities and towns to establish Parking and Business Improvement Areas for the following purposes:

A. The acquisition, construction, or maintenance of parking facilities for the benefit of the area.

B. The decoration of any public place in the area.

C. Promotion of public events which are to take place in public places in the area.

D. Furnishing of music in any public place in the area.

E. Providing professional management, planning, and promotion for the area, including the management and promotion of retail trade activities in the area.

In order to assist in the cost of achieving these purposes, cities are authorized to levy special assessments on all businesses within the area specifically benefited by the parking and business improvement assessment. The County, in accordance with the special provisions of the statute authority, may issue and sell revenue bonds for some of the costs involved in the parking and business improvement area.

To initiate such a process in the establishment of an area, a petition must contain the following:

1. A description of the boundaries of the proposed area.

2. The proposed uses and projects to which proposed special assessments and revenues shall be put, and the total estimated cost thereof.

3. The estimated rate of levy of special assessments with a proposed breakdown by class of business and the assessment classification to be used.

The initiating petition shall also contain the signatures of persons who operate businesses in the proposed area which will pay 50% of the proposed special assessments.

The County, after receiving a validation initiation petition or after passage of an initiation resolution, shall adopt a resolution of intention to establish such an area. The resolution shall state the time and place of hearings to be held by legislative authority to consider establishment of an area. It shall state all the information contained in the initiation petition or initiating resolution regarding boundaries, projects and uses, and estimated rates of assessment.

In establishing the special assessments, the law has been amended to clarify alternatives available to the program. The legislative authority establishing such assessments may make a reasonable classification of businesses, giving consideration to various factors such as business and occupation taxes imposed, square footage of the businesses, number of employees, gross sales, or other reasonable factors relating to the benefit received, including the degree of benefit received from parking.

The bill also elaborated on the purposes served by the previous amendments and refined, without limiting the scope of, permissible purposes to be served by the business improvement area assessment district. Specifically, it added for that assessments could aid general economic development and facilitate merchant and business cooperation which assists trade through "providing professional management, planning, and promotion of the area, including the management and promotion of retail activities in the area".

The legislative authority of each city shall have sole discretion as to how the revenue derived from the special assessment is to be used within the scope of that purpose. However, the legislative authority can also appoint existing advisory boards or commissions to make recommendations as to issues, or the legislative authority, such as Kitsap County, could create a new advisory board or commission for such purposes.

Local Improvement Districts:

Local Improvement Districts are widely used in the State of Washington to provide for public improvements, particularly streets, sewers, and water programs. A local improvement district is formed and assessments are applied to the property owners for the cost of the improvements, based on the amount of benefits they receive from the improvements. Often these improvements are done on a footage basis; i.e., the amount of property frontage in the case of the street improvement, or the direct cost of the water lines or sewer lines that serve the project on a pro rata basis.

Any LID should be developed with the affected property owners well before any formal action is proposed.

In complex situations, often several assessment roles are developed based on formula that attempts to determine a particular property's benefit from the public improvement. One example is the construction of parking lots, the cost of those lots, and the distance of the parking lots from individual property and the nature of the property being served.

Chapter 35.43 in the Revised Code of Washington establishes authority for local improvement districts and the requirements for initiating the above proceedings. Authority generally includes the construction, reconstruction, repair, or renewed landscaping relative to the following:

1. Alley, avenues, boulevards, lanes, park drives, parkways, public places, public squares, public streets, their grading, regrading, planking, replanking, paving, repaving, macadamazing, remacadamizing, graveling, regraveling, piling, repiling, capping, recapping,or other improvements; if the management and control of park drives, parkways, and boulevards is vested in a board of park commissioners, the plans and specifications for the improvement must be approved by the park commissioners before their adoption.

2. Auxiliary water system.

3. Auditoriums, field houses, gymnasiums swimming pools, or other recreation or playground facilities or structures.

4. Bridges, culverts, and trestles and approaches thereto.

5. Bulkheads and retaining walls.

6. Dikes and embankments.

7. Drains, sewers, and sewer appurtenances which as to trunk sewers shall include as nearly as possible all the territory which can be drained through the trunk sewer and subsewers connected thereto.

8. Escalators or moving sidewalks, together with the expense of operation and maintenance.

9. Parks and playgrounds.

10. Sidewalks, curbing, and crosswalks.

11. Street lighting systems, together with the expense of furnishing electrical energy, maintenance, and operation.

12. Underground utilities, transmission lines.

13. Water mains, hydrants, and appurtances which as to trunk water mains shall include as nearly las possible all the territory in the zone or district to which water may be distributed from the trunk line mains through lateral service and distribution mains and services.

14. Fences, culverts, siphons, or coverings or any other feasible safeguards along, in place of, or over open canals or ditches to protect the public from hazards thereof.

15. Road beds, trackage, signalization, storage facilities for rolling stock, overhead and underground wiring, and any other stationary equipment reasonably necessary for the operation of electrified public streetcar lines.

Section 35.43.070 specifies action on petition or resolution for such an ordinance to establish an LID. A local improvement may be ordered only by an ordinance of the City or County Council, pursuant to either resolution or petition. The ordinance must receive the affirmative vote of at least the majority of the members of the council. Charters of cities of the first class may prescribe further limitations. In cities and towns other than cities of the first class may prescribe further limitations. In cities and towns other than cities of the first class, the ordinance must receive the affirmative vote of at least two-thirds of the members of the Council if, prior to its passage, written objections to its enactments are filed with the County Clerk by or on behalf of the owners of the majority of the linear frontage of the improvement and of the area within limits of the proposed improvement district.

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