May 13, 2016

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Kitsap County Department of Community Development
MS-36, 614 Division Street
Port Orchard, Washington 98366

Subject: Kitsap County Comprehensive Plan Updates (April 2016)

Kitsap County lies within the Suquamish Tribe’s “Usual and Accustomed Fishing Area” (U & A). The Tribe seeks protection of all treaty-reserved natural resources through avoidance of impacts to habitat and natural systems. The Tribe urges Kitsap County to avoid land use decisions that will impact natural resources within the Tribe’s U & A. The Tribe has reviewed the draft and has the following comments. These comments are in addition to those submitted in December of 2015.

Comprehensive Plan (April 2016)

Environment Guiding Directives, Page 3-36
- It is not clear who makes up the Comprehensive Plan Review Team (IRT).

Environment Policy 13, Page 3-18. Discusses “additional certified mitigation banks in Kitsap County”. Are there any currently? Wetland mitigation banking is more than just identifying sites. There is concern with this policy as there is not enough detail included to make it a viable, successful option. The Clear Creek wetland mitigation banking site is a disaster. The current use of the wetland mitigation bank does not seem to be following the sequential steps involved with the creation of mitigation banks. It is the Tribes understanding that prior to credits being sold there should be some sort of comprehensive review of the banking site and a master plan created to maximize the function of the restored/enhanced habitat. Most mitigation bank sites have also had a review team consisting of federal, state, Tribes and local agencies review and approve the master plan to ensure success. The piecemeal fashion in which the Clear Creek (Haselwood) mitigation bank is being managed is apparent through onsite observations.

Parks, Recreation and Open Space Goals and Policies, Page 6-1
- There is a no-net-loss policy for agricultural lands why not for critical areas and important habitat areas? It is strongly recommended that Kitsap County incorporate the Local Habitat Assessment completed by the Washington State Department of Fish and Wildlife (WDFW)
to assist in identifying crucial corridor areas that may not necessarily be identified through Critical Areas Ordinance or Shoreline Master Program implementation.

- Parks needs to identify areas that are no-touch and passive recreation that will continue to support wildlife and minimize conflicts. Our heritage parks and many trail areas are being loved to death with “go around” areas that get wider and wider and/or more and more unsanctioned spurs.

Parks Policy 11, Page 6-67. What does “...trails, when built, must be sensitive to impact on natural environment”? And how is this implemented?

Parks Policy 8, Page 6-66. What does “Develop and redevelop County parks in a manner that allows all weather activity”? Some areas should not be accessed at all (and have no trails or decommission trails in those areas) and some should only have access seasonally to minimize impacts on critical areas and to allow for natural processes (this includes resident beaver activity).

Parks Policy 20, Page 6-68. When implementing the Parks, Recreation and Open Space Plan ensure that coordination with WDFW and local Tribes occurs to ensure protection of treaty reserved natural and cultural resources. Many trails, bridges and other structures are being constructed without input or coordination.

**Draft Regulations**

**Title 13 Water and Sewer**
The changes reference a directors waiver as per ESB 5871. Additional text needs to be added as the current language is not clear on what the limitations are. The most significant one being that this waiver applies to single family residences only and the associated septic system had to have been designed for a single family residence. In addition, there is a list of criteria that is much more extensive than what is found in the document.

17.110.210 Density
Ensure that there are no inconsistencies between the Land Capacity Analysis report and the Comprehensive Plan. See letter from Jerry Harless dated May 12, 2016 for additional information regarding inconsistencies.

17.110.667 Rural Cluster
Rural clustering is mentioned in the document but there is no information saying what this means. There is also a section referring to performance based development in section 17.110.572 is this also proposed for use in the rural areas? Is this the same or different from clustering? Please provide additional text and information.
Accessory Dwelling Unit (ADU), Page 160
Criteria need to be consistent with Reasonable Measures. With regard to caretaking there are other options to address caring for a child or aging parent that are more compliant with rural density targets (i.e. temporary housing, accessory living quarters and attached dwelling areas).

17.480.030 Community sewage disposal system or Large On-Site Sewage (LOSS) disposal system in rural areas
The county needs to be careful and specify that this does not allow for or support urban densities in the rural area. There is concern that this could result in something not consistent with RCW 36.70A (GMA) as LOSS systems are typically described as an alternative to centralized municipal sewage treatment plants and can serve anywhere from 10 to 370 residences.

Kitsap County Reasonable Measures White Paper

- Maintaining a variety of lot sizes in the rural areas should be emphasized, encouraged and incentivized. Currently all rural properties could be subdivided to a minimum of 5ac. Rural areas need to also include 10 and 20 acre parcels (a variety of lot sizes).

- It is requested that in addition to mentioning annual monitoring that a specific due date be added.

Thank you for the opportunity to provide these comments. If you have any questions or would like to discuss these comments, please contact me directly at (360) 394-8447.

Sincerely,

[Signature]

Alison O’Sullivan
Biologist, Environmental Program