Widener & Associates Transportation & Environmental Planning
1902 120th PL. SE. STE 202 Everett, WA 98208 Tel (425)-332-3961

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Jenny Murphy
Associate Planner
Planning and Community Development
City of Port Townsend
250 Madison Street, Suite 3
Port Townsend, WA 98368

Shoreline Use Evaluation
Sims Way Stormwater Facility
Port of Port Townsend

Dear Jenny Murphy,

The Port of Port Townsend proposes to construct the Sims Way Stormwater Facility in Port Townsend, Jefferson County. The Project falls partially within the City of Port Townsend Shoreline Jurisdiction. This Shoreline Use Evaluation has been prepared to demonstrate that the proposed use of the Conservancy shoreline environment is a reasonable and appropriate use meeting the development criteria for a Type III Shoreline Substantial Use Permit per SMP 10.5.1(a-b) and is eligible for conditional approval as a primary utility under SMP 10.6.2, as described by the Port Townsend Shoreline Master Plan.

Project Description

The Port of Port Townsend proposes maintenance activities to repair the damaged, substandard, and dysfunctional Sims Way stormwater drainage and outfall by reconstructing the facility. This will involve installing a new outfall at the current location, adding a new bioswale meeting Ecology standards for basic treatment, and constructing a maintenance-only access road. These improvements will restore drainage patterns and provide basic treatment for stormwater generated by Sims Way and over 100 acres of City development. Stormwater generated by the Boat Haven Boatyard will continue to be regulated under the Boatyard General Permit (BYGP), a National Pollutant Discharge Elimination System (NPDES), and State Waste Discharge permit issued by Ecology (BYGP WAG031006); no industrial stormwater will be discharged by this project.

Proposed activities within City Shoreline Jurisdiction include the replacement of the existing damaged, substandard 15-inch pipe outfall with a new 24-inch pipe outfall, repositioning the existing trail riprap to provide energy dissipation, new 24-inch storm drain to connect to the replaced outfall, and a portion of a 15-foot-wide access road for stormwater facility maintenance (Figure 1). The Project will also restore the 4,633 SF (0.11 acres) of temporary impacts related to construction access.

Reasonable and Appropriate Use Evaluation

Conservancy

The stormwater utility maintenance work is located partially within the Port Townsend Shoreline Master Plan (SMP) Conservancy shoreline environment. Utility maintenance, where no feasible alternative exists, is allowed as a Conditional Use under SMP DR-5.8.3(d). As the Project repairs an existing facility, alternate locations are not possible. The placement of the replacement outfall structure has been designed to the minimum size necessary and restricted within the existing corridor per DR-5.8.5(c). It will meet the requirements of SMP 9 for vegetation and soil removal activities per DR-5.8.7.

Environmental Protection

Boat Haven is located in the Hood Canal Marine Basin, with the highest astronomical tide (HAT) reaching 8.96 feet (MHHW 7.48 feet; MLLW -1.15 feet) (Ecology, 2024). Port Townsend Beach is an accretion shoreform with a median slope of 0.14. Soils are composed of native coastal beaches (Co) and cut and fill land (Cu) (NRCS, 2024) resulting from historic dredging operations by the U.S. Army Corps of Engineers. The Shoreline Jurisdiction contains critical areas for critical saltwater habitats, frequently flooded and tsunami inundation areas, geologically hazardous areas, and wetlands (Figure 2).

In accordance with SMP 6.3, the Project has ensured the preservation of the shoreline environment by applying mitigation sequencing to the design (DR-6.3.1) and proposing restoration and mitigation for unavoidable impacts to ensure no net loss (DR-6.3.2) in compliance with local and USACE, EPA, and Ecology interagency federal and state guidelines (DR-6.3.3). This is described in the Site Mitigation Plan (DR-6.3.4), which stipulates that mitigation will occur on-site in the same drift cell (DR-6.3.5) and will be monitored for up to 5 years (DR-6.3.9) per the monitoring plan included in the USACE- and Ecology-approved (DR-6.3.10) Site Mitigation Plan prepared for the project.

In addition to adhering to the applicable general development regulations per SMP 6.3, the project impacts on environmental elements in SMP 6.4 have been evaluated under the State Environmental Policy Act (SEPA), and effects on critical areas have been assessed in accordance with the Port Townsend Critical Areas Ordinance to ensure no net loss of functions and values. Additional preservation of critical areas within the fragile shorelines of the state will be provided by adherence to the additional requirements of SMP 6.6 to 6.9 per DR-6.5.1.

6.6 Critical Saltwater Habitats

Sand lance spawning has been documented in the shoreline environment. These areas are considered critical saltwater habitats and are classified as a Fish and Wildlife Habitat Conservation Area (FWHCA), a designated critical area per WAC 365-190-080(5)(a)(6). The proposed utility work is permitted to intrude into critical saltwater habitat under DR-6.6.1 (a-d) as it is an existing facility precluding the feasibility of alternative locations, mitigation sequencing was applied to minimize impacts, impacts will be fully restored, and the facility is a public, water-dependent utility. To protect the species during the sensitive life stage, work below the HTL will be conducted from July 15 to October 15, the authorized work time for Tidal Reference Area 10 per WAC 220-660-330(3)§§(a)(e). No herbicides or pesticides will be applied (DR-6.6.3), temporarily disturbed materials will be replaced to restore the substrate (DR-6.6.4), and no new outfalls are proposed in the critical saltwater habitat (DR-6.6.5).

6.7 Frequently Flooded Area and Tsunami Inundation Areas

The proposed work to repair the existing stormwater utility is not a new development; therefore, it is not subject to regulation under DR-6.7.1. However, the Port proactively retained the services of Blue Coast Engineering (Blue Coast) to conduct a hydraulic evaluation for the proposed project. Blue Coast determined that the proposed project will not adversely affect base flood elevations (BFEs) as determined by the Federal Emergency Management Agency (FEMA). The project complies with Port Townsend Municipal Code (PTMC) Section 16.08.200 Encroachments and the Critical Areas Ordinance, as well as the Jefferson County Code (JCC) Chapter 15.15.080 Provisions for Flood Hazard Reduction (Blue Coast, 2025).

6.8 Geologically Hazardous Areas

The project area lies within seismic and tsunami inundation hazard areas. The site has a high liquefaction susceptibility and is within the 2,500-year event Cascadia Subduction Zone. In addition to implementing the protection standards in the Critical Areas Ordinance, stormwater surface drainage will be contained within the reconstructed facility and directed away from the adjacent bluff slope to discharge at Port Townsend Bay, protecting the geologically hazardous area from erosion (DR-6.8.2).

6.9 Wetlands

Widener & Associates biologists conducted investigations and delineations of wetlands identified in federal, county, and city databases to determine the presence and location of their boundaries. Wetland A was determined to be a 3.63-acre emergent depressional wetland meeting the requirements for a Category II Coastal Lagoon rating based on functions and special characteristics (Widener & Associates, 2024a). Only 320 SF (0.01 acres) of Wetland A will be permanently impacted within the existing infrastructure footprint, and 1,955 SF (0.04 acres) of Wetland A will be temporarily impacted by construction access during the installation of the new stormwater line. Wetland A buffer impacts comprise 1,928 SF (0.04 acres) of temporary impacts related to construction access and 3,360 SF (0.08 acres) of permanent impacts resulting from the construction of the maintenance access road (Figure 1). After installation is complete, the temporary impacts and permanent buffer impacts will be fully restored and revegetated with native species. The permanent wetland impacts will be mitigated by constructing a compensatory wetland mitigation site on Port property outside of shoreline jurisdiction.

Public Access

The project meets the policies of SMP Chapter 7 as the reconstruction of a stormwater utility does not create an increased demand for public access and will not impact shoreline public access. Physical access to the water and shorelines will be maintained, and public views from shoreline uplands will be preserved.

Use Policies and Development Regulations

SMP 8.16 describes the stormwater facility as a major primary utility as the Project includes a stormwater outfall and will install stormwater drainage main lines greater than 8 inches in diameter. Upgrades to major utilities are allowed under DR-8.16.6. The reconstructed utility will be located in the existing corridor to meet DR-8.16.9, and public access will be maintained per DR-8.16.11. Further, the Project will adhere to the applicable environmental protection development regulations for utilities: the project has been designed to ensure no net loss through restoring temporary impacts and mitigating permanent impacts (DR-8.16.12); permanent shoreline modifications are avoided (DR-8.16.14); the proposed stormwater utility is not flood prone and will not increase flood hazards (DR-8.16.15); work below the HTL will be conducted from July 15 to October 15, the authorized work time for Tidal Reference Area 10 per WAC 220-660-330(3)§§(a)(e), to protect aquatic species at sensitive life stages (DR-8.16.16); BMPs, including TESC and SWPPP plan elements, will be implemented prior to construction and maintained until final stabilization (DR-8.16.17); and post-construction, the substrate will be restored and temporary vegetation impacts will be revegetated and monitored until successful establishment (DR-8.16.18).

Alteration of the Natural Landscape

The Project will require clearing, grading, and vegetation removal activities. These activities are regulated under SMP 9.3 and allowed in association with a permitted use per DR-9.3.1. The Project will also meet the other applicable development regulations of the chapter: clearing, grading, and vegetation removal have been limited to the minimum necessary to accomplish the purpose of the project (DR-9.3.2); exposed soils will be stabilized until developed or revegetated (DR-9.3.3); revegetation will be achieved within the first growing season (DR-9.3.4); only native species will be used (DR-9.3.5); a planting plan is included with the Site Mitigation Plan prepared according to DR-6.3.4 (DR-9.3.6); and BMPs, including TESC and SWPPP plan elements, will be implemented prior to construction and be maintained until final stabilization (DR-9.3.9).

Development and Use Criteria

The project meets the development criteria for a Type III Shoreline Substantial Use Permit according to SMP 10.5.1(a) and (b), as the proposed work does not qualify for an exemption or minor permit, and a portion of the work will occur waterward of the HTL.

The proposed use of the Conservancy shoreline environment for the primary utility is eligible for conditional approval under SMP 10.6.2 as it is classified by Table 5.14-1 as a Conditional Use. The project meets the applicable criteria in SMP 10.6.5(a-f) as it is consistent with RCW 90.58.020 and SMP policies; will not interfere with public shoreline use; is consistent with the Comprehensive Plan and zoning ordinance; restoration and mitigation are proposed to ensure no significant adverse effects to the shoreline environment; the public interest in the shoreline environment will not suffer detrimental effect; and no cumulative impacts will occur as the proposed development activities are to repair an existing facility therefore, will not impact land use.

Conclusion

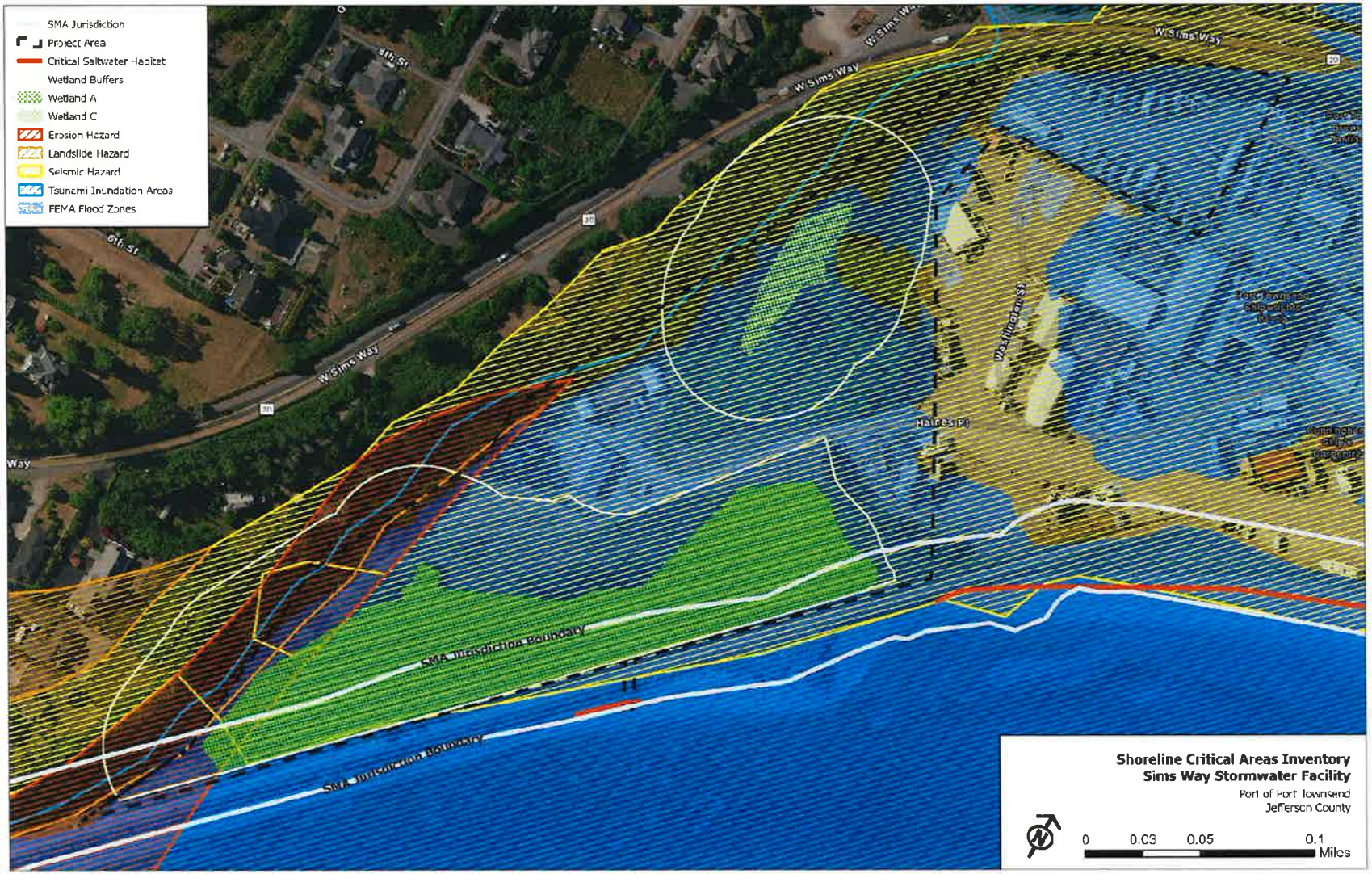
The Port of Port Townsend, based on the best professional judgment of Widener & Associates, believes this Shoreline Use Evaluation demonstrates that the proposed development for the Sims Way Stormwater Facility is a reasonable and appropriate use as outlined in the Shoreline Master Plan, the proposed activities will not impact the character of the Conservancy designation, and the area will retain suitability for water-related and water-enjoyment uses. Should you have any questions regarding this evaluation, please contact Ross Widener at (425) 332-3961 or ross@widener-enviro.com.

Sincerely,

Ross Widener
Widener & Associates

Figure 1. Shoreline Jurisdiction Activities

Figure 2. Shoreline Critical Areas



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