

**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND  
WORKSHOP AND REGULAR MEETING**

Held at South Whidbey Parks & Rec District, 5475 Maxwellton Rd, Langley WA

Tuesday, June 10, 2014

Workshop begins at 6:00 p.m. and Regular Meeting begins at 7:30 p.m.

**AGENDA**

**WORKSHOP (6:00 – 7:30 PM):** The purpose of the Workshop is to gather public feedback on the proposed design for the Possession Beach Waterfront Park Boat Ramp Renovation Project. If time allows, Commission review of vouchers and recent correspondence will follow.

**REGULAR MEETING CALL TO ORDER and PLEDGE OF ALLEGIANCE**

**Consent Agenda**

Approval of June 2014 Vouchers in the amount of **\$60,230.90** and approval of Minutes from the Regular Meetings of December 10, 2013, January 14 and February 11, 2014; Special Meetings of January 7, January 28 and February 6, 2014; and Public Hearing for the Comprehensive Scheme of January 14, 2014.

**SPECIAL PRESENTATION:** Island Beach Access Update

**PUBLIC COMMENT –** Items not on Agenda: Please limit comments to 5 minutes

**FINANCIAL UPDATE**

**April 2014 Financial Statement, 2013 Annual Report and Finance Manager Report**

**STATUS REPORTS**

**South Whidbey Harbor**

Phase 1 Project

- Construction
- Signage

Rural County Economic Development Funds (RCEDF) Grant for Outside Mooring; Engineering Harbor Operations

- Offsite Parking at Langley Middle School

**Possession Beach Waterfront Park**

Boat Ramp Renovation Project

**Maxwelton Beach, Freeland Park & Mutiny Bay Boat Ramps**

**Port Operations**

Resolution No. 14-04 (Boating Facilities Program Authorizing Resolution) for submitting application for grant funding assistance for Possession Ramp Construction Project to the Recreation & Conservation Office (RCO)

Organizational Restructure

**ACTIVITIES/INVOLVEMENT REPORTS**

**Gordon:** Council of Governments (COG), Skagit-Island Regional Transportation Policy Organization (RTPO) Technical Advisory Committee (TAC), Washington Public Ports Association (WPPA) and Clinton Community Council (CCC)

**Gregoire:** Economic Development Council (EDC), Langley Shoreline Master Plan (SMP) Committee and Island County SMP Committee

**Halloran:** Marine Resources Committee (MRC) and City of Langley Council Meetings

**OLD BUSINESS**

**Island County Fairgrounds Strategic Plan**

**NEW BUSINESS**

**ADJOURNMENT**

## PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Workshop

June 10, 2014

Langley, Washington

**Commissioners Present:** Curt Gordon (Clinton), Dennis Gregoire (Freeland) and Ed Halloran (Langley)

### Also Present

**Port Staff:** Molly MacLeod-Roberts (Port Clerk), Dane Anderson (Management Consultant), Duncan McPhee (Harbormaster) and Wayne Nance (Maintenance & Operations Supervisor)

**Others:** Laurence Bucklin (University Place), Thomas Stinson (Freeland), Don McArthur (Freeland), Kevin Lungren (Langley) and Jim Sundberg (Langley City Councilmember)

**CALL TO ORDER:** The Workshop of the Port District of South Whidbey Island's Board of Commissioners was convened on Tuesday, June 10, 2014, at the South Whidbey Parks & Recreation District Meeting Room at 5475 Maxwellton Rd., Langley, Washington. As announced, the sole purpose of the Workshop was to gather public feedback on the proposed design for the Possession Beach Waterfront Park Boat Ramp Renovation.

Commissioner Curt Gordon, President, called the Workshop to order at 6:05 p.m.

At the regular May meeting, Coast & Harbor Engineering had presented three alternatives for the project. The Commission chose Conceptual Ramp Alt 3 (**EXHIBIT A**) as the preferred alternative. Copies of Alt 3 were sent out along with the Agenda and hard copies were available at the Workshop.

Management Consultant Dane Anderson provided a brief review of the design drawings for the draft Joint Aquatic Resource Permits Application (JARPA) provided by Coast & Harbor Engineering (**EXHIBIT B**). In the proposed Site Plan, the configuration of the boat ramp itself is virtually identical to the existing plan view with the exception of the boarding floats being on the south side instead of the north side. The creosote piles will be removed and replaced with galvanized steel piles. The existing ramp will have 12" inch thick foundation gravel and 8" inch thick pre-cast concrete added to it.

**Laurence Bucklin** of University Place said he owns a residence at 8285 Franklin Road. His family has owned beach properties there for decades. He noted that when the Port developed Possession Beach Waterfront Park and the boat ramp, there was an extensive process of public review because it was permitted under a Conditional Use Permit. He said, *"That process went on for months and ultimately due to concerns about impact on the neighbors, it was considerably downsized. I don't know if the Conditional Use Permit and that design were submitted to Coast & Harbor Engineering."* Commissioner Dennis Gregoire said they were. Bucklin said that by moving the floats to the other side of the ramp, the Port would be bringing the activity on the floats another 40'-50' closer to the neighbors. He continued, *"That is a concern – the noise activity that comes with that - the hollering and screaming up to the people with the trailers, particularly late in the evening. Although it is only open down to dusk, many don't bring their boat out until dusk."* Commissioner Ed Halloran noted that if all the improvements were made but the floats were left on the north side, there would still be the same amount of activity and noise. Bucklin argued that the proposed design would bring it 50' closer to his property. Halloran believed the sound would be about the same on either side. **Kevin Lungren** suggested the sound might actually be less as it would be damped by the floats.

Bucklin said it is important that the Commission recognize that when the Port took ownership of the Possession property, it was not an existing boat launch or an existing boating facility. He said, *"I didn't move in next to a boat launch and then complain about living next to a boat launch. The boat launch was brought in after extensive efforts and compromise by all parties. I'm just saying: There it is. Live with the design. Don't change the footprint."*

**Thomas Stinson** introduced himself as the Commodore of South Whidbey Yacht Club. He said having boat ramp facilities in good condition provides a lot of economic opportunity for the Island.

Bucklin noted that beach migration was discussed when the ramp was originally built. By elevating the ramp now, he asked if the Port wasn't asking for the same effect over time. Commissioner Dennis Gregoire encouraged Bucklin to review the information provided by the engineers by contacting Port staff. Bucklin said, *"If the engineers are wrong and this doesn't work to keep the ramp free of beach debris, is the pre-cast concrete plank system amenable to being scraped?"* Gordon explained, *"Yes. In fact, the grooves are angled purposely so they will drain and be easier to scrape."*

Gregoire said, *"We think there is a Conditional Use Permit involved for the part of the facility that's in the water, and what's really interesting is that this conditional use process kind of suggests a different review. The upland pieces are straightforward, but because of the way they did the shoreline zoning, they stuck the water stuff under conditional use. In my opinion, that incorrectly suggests to people that they can raise concerns about that process and the County has to acknowledge that. But it is the Department of Ecology that has approval out on the water – they have no veto power over the upland. We need to deal with this at the County."* In terms of the upland and the lower part, Bucklin said, *"How those are addressed and by which agencies is primarily a state and federal function of saltwater and upland. But when this potential park at Possession came up...the whole thing is non-conforming. Makes no difference to me if it is the water side or the upland side – it's all one project that is non-conforming. It was brought forward and went through the review process and ended up with one Conditional Use Permit which is very specific and included the design for both the upland and the water side as one integral park/boat launch. I would ask that you stay focused on the entirety – it was all done at the same time and under the same good faith negotiations resulting in what we have today."*

Once the permit process for the project has been developed, Gregoire suggested the Port could schedule a separate Special Meeting with the neighboring landowners to allow the project's permit specialist to explain the conditional use and non-conforming issues.

Bucklin claimed the original project for Possession was considerably bigger, especially on the upland side. There was more parking and it was built out to the perimeter as a result. There were buffers and the location of the ramp (with the floats on the north side) was sited to provide maximum buffers on both sides. He reiterated his concern that moving the floats to the south side will bring the activity closer to the south property line and the neighboring landowners.

Stinson reiterated the importance of having a well maintained and functional ramp at Possession for use by locals and visitors. The location is ideal for fishing and boating and is highly used.

Gregoire said it was very helpful to hear Bucklin's comments now as it would allow the Port to work on addressing the issues before submitting permits to Island County.

Although the Existing Site Plan drawing has a light pole at the head of the ramp, Lungren noticed that the Proposed Site Plan drawing does not. He said, *"I just don't like 'insecurity lights.' Maybe it was left out in the new plan, but I like to go out with my family on a dark night and enjoy the phosphorescence. When you have a big light there; that's just gone for hundreds of yards. I would just like to politely suggest small solar-powered lights facing out to the water instead."* Gordon thought there might be safety issues, and asked Maintenance & Operations Supervisor Wayne Nance to comment. Nance explained there is a light pole on site but it is not connected to power. Stinson said the County's light pollution regulations are surprisingly effective, and with the right engineering it could meet that standard. Bucklin said, *"Lighting down there is explicitly excluded. That was an issue in the Conditional Use Permit."* Anderson said it's not actually excluded. Item #8 in the Conditional Use Permit reads: *"No fixed lighting shall be directed or beamed at the water, public streets or adjacent properties unless specifically*


approved by the County Planning Director. Any glare from the lights must be shielded and the lights directed downward.” Bucklin said the Park is for day use only, so there’s no reason to have lighting.

Halloran pointed out that Coast & Harbor Engineering will design and permit the project adhering to the County’s code and regulations. He added, “At this stage of the design, you can’t start singularly selecting individual items like light poles because we’ll never get there – we’ll still be designing it a year from now.” Bucklin asked the Commission to take into consideration what the intent was when the Conditional Use Permit was negotiated and approved. He said, “I’m not trying to pick out individual things. I’m trying to paint the picture of the concern of the neighbors as to how it would impact them if and when the Park came in, and the negotiated settlement is not only the Conditional Use Permit but the plan – the plat plan with all its limitations. That is what was approved. From our perspective, anything beyond this is pushing the envelope in terms of design.” Halloran reiterated that the Port adheres to County regulations. He explained, “If I put County-regulated lights on my property and my neighbor takes significant issue with that, I have two ways to resolve it: I can work with my neighbor and probably shade, turn-off, disconnect, etc., and I would do that (work with him and figure it out). But if I needed those lights for a disabled child, etc. and they were approved by the County, then I would stand on the County’s decision.” Bucklin argued, “But to the extent that the Conditional Use Permit may be more restrictive than the County, then the Conditional Use Permit is the guiding factor and not the County’s restriction.”

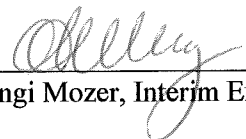
The Commission agreed to hold an additional meeting for public review and comment on all the plan documents. Permit specialist Matt Kukuk will be asked to attend and answer questions prior to submitting the permits for the Island County portion of the project.

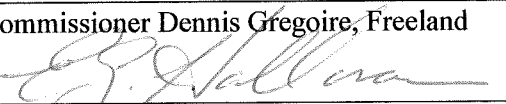
ADJOURNMENT: The Workshop was adjourned at 7:15 p.m.

Approved:

  
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Commissioner Curt Gordon, Clinton

Minutes reviewed by:

  
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Angi Mozer, Interim Executive Director

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Commissioner Dennis Gregoire, Freeland  
  
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Commissioner Ed Halloran, Langley

- Exhibit A: Conceptual Ramp Alt 3
- Exhibit B: Design drawings for the draft JARPA