City of Kalama

Incorporated 1890

Staff Report and Recommendation

Date:	September 14, 2018 ***(Revised September 28, 2018)***
To:	Kalama City Council
From:	John Floyd, Mackenzie/Consulting Planner for City of Kalama
Re:	Port of Kalama T-Barge Dock - Shoreline Substantial Development Permit

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Revisions
On September 17, 2018 the Port of Kalama submitted clarifying information into the record that removes the necessity of a Shoreline Conditional Use Permit (Exhibit "R"). Specifically, the email identified multiple references to small commercial docks in the Port of Kalama Comprehensive Plan and Scheme of Harbor Improvements (see Action 3.6.2 and associated capital costs estimates in Table 17). The presence of this language establishes small commercial docks, such as the T-Barge project, as a "port facility" and thus a permitted rather than a conditional use. As a result, the Staff Report has been changed to remove any references to conditional use requirements.

Proposal
The Port of Kalama proposes a centralized commercial dock for 3-5 small vessels that transport ship stores and crew members between shore and ships anchored within the Columbia River, between Portland and Astoria.

The proposed dock consists of a T-shaped steel pontoon ("T-barge dock") with a 151' length stem section and a 67' length top section. A proposed 100' length grated gangway ramp, 49.5' length stationary grated pier, and concrete abutment connects the dock landside to an existing approximately 15,000 SF graveled area, of which approximately 4,000 SF will be paved to provide employee parking. Truck loading/unloading and forklift parking will also occur in this area.

The project is located within 200 feet of the Columbia River, within the Urban shoreline designation, and therefore requires a Shoreline Substantial Development Permit.

Project Location
The site is generally located on the west side of N Hendrickson Drive, approximately 1,100 LF to 1,400 LF north of the Elm Street pedestrian overpass in Kalama, WA. Specifically, the site is within the southern portion of parcel number 41071 and the abutting portion of the Columbia River. The site is within Section 18, Township 6 North, Range 1 West of the Willamette Meridian.

The site is bounded by RSG Forest Products log storage to the north, N Hendrickson Drive/Burlington Northern-Santa Fe (BNSF) railroad right-of-way, Port of Kalama Marina to the south, and the Columbia River to the west.

City Council Action Required: Yes

Possible Actions:

1. **Approve** the request for a Shoreline Substantial Development Permit.
2. **Deny** the request for a Shoreline Substantial Development Permit.
3. **Continue** to a future date to obtain additional information or to consider information presented. The next available meeting date is October 4, 2018 beginning at 7:00 p.m.

Staff Recommendation
Approve the Shoreline Substantial Development Permit, with conditions provided in the Recommendation section (pages 18-19) of this staff report.

Overview
To facilitate water-dependent commerce within the Columbia River shoreline, a Shoreline of Statewide Significance, the Port of Kalama proposes to construct a centralized commercial dock that will provide berthing and cargo loading/unloading for 3-5 commercial vessels (40-65' in length). These vessels will serve the shipping industry by transporting ship stores and crew members between shore and ships anchored between Portland and Astoria. The Port of Kalama's location between Portland and Astoria will reduce the number of truck miles and river miles traveled to fulfill ship store and crew member transportation needs. The commercial dock is identified as a proposed project in the Port of Kalama Comprehensive Plan and Scheme of Harbor Improvements, and may therefore be considered a "port facility" use under the SMP.

The project specifically includes the following:

- Reduction of the existing RSG Forest Products in-water log storage area by approximately 11,000 SF by shifting the southern boundary of the in-water log storage area approximately 50' northward; 3 existing 24" hollow steel piles will be extracted with a vibratory hammer and relocated along with a log boom

- Removal of 61 orphan timber piles and 2 steel piles, all located waterward of the ordinary high-water mark (OHWM), to eliminate navigational hazards for vessels using the proposed T-shaped steel pontoon dock ("T-barge dock"); piles will be extracted with a vibratory hammer, and holes will be backfilled via natural processes and not backfilled with sand.

- Installation of a 4,360 SF T-barge dock, with a 151' length by 20' width stem section and a 67' length by 20' width top section, which will be anchored by 3 new 24" steel pipe spud piles sunk into place; no pile-driving or dredging is required.

- Installation of a 100’ length by 11.33’ width gangway with a through-truss frame and hand rails; no piles are required.

- Installation of a 49.5’ length by 12’ width pier with grating, which will be supported by 7 new 18” steel pipe piles, of which 3 piles are located waterward of the OHWM; all piles will be driven by a vibratory hammer and proofed with an impact hammer.

- Installation of a 90 SF cast-in-place concrete abutment and deck to connect the pier to land.

- Extension of a new electrical service from the east side of N Hendrickson Drive through underground conduit to the new pier, gangway, and dock.

- Extension an 8” water line from north of Kingwood Street along N Hendrickson Drive to provide water and a fire hydrant for the parking area and new pier, gangway, and dock.

- Removal of existing forestry equipment and an existing gate providing secondary ingress/egress to RSG Forest Products in the an approximately 15,000 SF existing graveled area.

- Use of the approximately 15,000 SF existing graveled area, of which approximately 4,000 SF will be paved, for truck loading/unloading, forklift parking, and up to 17 employee parking spaces.

During construction, a barge-mounted derrick crane will install the piles. Other construction equipment and activities include a storage barge, tug boat, and small tender boat while on land, there will be material staging, storage, and temporary soil storage (approximately 60-70 cubic yards excavated for concrete abutment installation). Post-construction, temporary soils will be removed placed on Port of Kalama property off-site.

Findings:

1. **Site Description**: The project is located within 200 feet of the Columbia River, within the Urban shoreline designation of the Shoreline Master Program (SMP). Generally, the project is located on the west side of N Hendrickson Drive, approximately 1,100 LF to 1,400 LF north of the Elm Street pedestrian overpass in Kalama, WA. Within the Columbia River, the site is located within an existing RSG Forest Products log-storage area just north of the entrance to the Port of Kalama Marina. Landward, the site is located within southern portion of parcel number 41071 and consists of an approximately 15,000 SF existing graveled area. On the north side, the graveled area abuts a gated entrance of the RSG Forest Products log storage area on the same parcel. On the east side, the graveled area abuts N Hendrickson Drive and is across from the Burlington Northern-Santa Fe (BNSF) railroad right-of-way. On the south side, the graveled area abuts the northern terminus of the wooden boardwalk along the perimeter of the Port of Kalama Marina.

2. **Zoning**: Properties within and adjacent to the project area are zoned I-1 Industrial. The proposed uses comply with Chapter 17.28 Kalama Municipal Code (KMC) – I-1 Industrial Use District, which permits outright port facilities, including ship berthing areas. No lot

coverage, setback, building height, or other dimensional development standard is applicable to the I-1 zone.

3. **Parking**: Per KMC 17.28.050, the site is subject to the parking standards of KMC Table 17.44.020.B. No parking standards specific to the I-1 Industrial zone are included in Table 17.44.020.B; for comparison, since commercial docks are not categorized under any use category in the table, "other uses" in the C-1 Central Business District, C-2 Highway Commercial District, and MU Mixed Use District zones require a minimum of 1 space per 200 SF of floor area. Application of the minimum 1 space per 200 SF of floor area parking ratio to the proposed 4,360 SF T-barge dock would result in a minimum parking requirement of 22 parking spaces. Per email correspondence with the Port of Kalama and the conceptual parking and loading plan (Exhibit P and Exhibit O), approximately 10-17 employee vehicles will park at the site, and 17 automobile parking spaces will be provided. This is similar in quantity to the number of parking spaces required for uncategorized uses in commercial zones, and based on the Port of Kalama's projections, the proposed 17 parking spaces will adequately serve the commercial dock. In lieu of parking standards applicable to uncategorized uses in industrial zones and in lieu of a parking study, the Shoreline Substantial Development Permit approval will be conditioned such that no truck loading/unloading, no employee parking, and no forklift parking will overhang or back up into the N Hendrickson Drive travel lanes, to ensure that there are no impacts to N Hendrickson Drive.

4. **Comprehensive Plan**: The Comprehensive Plan designates the property as Industrial. The project proposal advances several goals and policies outlined in the Comprehensive Plan and the Parks and Recreation Plan adopted by reference, including:

   - Environmental Goal 4: Carefully consider environmental matters in the decision-making process, while seeking to create and maintain a sustainable urban environment.
   - Environmental Goal 7: Consider and evaluate the cumulative impacts of land use and policy decisions on the environment and balance them with other plan goals and policies.
   - Environmental Goal 8: Encourage economic enterprises that will support and enhance the community and will result in minimal environmental impact.
   - Environmental Goal 9: Conserve and protect groundwater and maintain good quality surface water.
   - Environmental Policy 7: Prevent or limit the release of substances into the air, water and soil that may degrade the quality of natural resources and ensure that all such releases are in accordance with local, state and federal law.
   - Environmental Policy 8: Require mitigation measures in accordance with applicable regulatory standards and requirements if environmental alteration is unavoidable.
   - Environmental – Critical Areas Goal 1: Preserve or enhance critical areas with the overt intent of protecting public health, welfare and safety and providing protection to important ecological features and functions.

- Environmental – Critical Area Goal 2: Protect critical wildlife habitat and preserve the integrity of important corridors from development, while minimizing unavoidable impact.
- Environmental – Critical Area Goal 3: Integrate the protection of critical areas as part of the social and economic value of the city.
- Environmental – Critical Area Policy 2: Support community development including subdivision and individual lot construction done in accordance with the Kalama Critical Areas Protection Ordinance, the State Environmental Policy Act (SEPA), Shoreline Management Act (SMA) and other requirements.
- Environmental – Critical Area Policy 4: Promote the functionality of natural drainage systems by retaining existing vegetation and limiting land shaping/grading.
- Environmental – Critical Area Policy 6: Actively enforce the City's excavation and grading regulations to make certain that acceptable development practices and erosion control efforts are in place and functioning prior to the start of ground-disturbing activities.
- Land Use Goal 1: Promote the health, safety and welfare of the residents of Kalama through the encouragement of sound growth and development of residential, commercial, industrial and recreation/open space areas.
- Land Use Goal 3: Actively plan and guide anticipated growth by seeking full utilization of existing land.
- Land Use – Land Development Policy 6: Place utilities, including electrical, underground whenever possible.
- Land Use – Land Development Policy 7: Ensure that future traffic circulation patterns are maintained or enhanced during preliminary plat and site plan review.
- Transportation Policy 5: Require adequate off-street parking for future developments and discourage on-street parking in existing developments whenever feasible alternatives exist.
- Economic & Commercial Goal 1: Achieve a well-balanced, diversified economy to encourage a stable rate of economic growth and community prosperity.
- Economic & Commercial Goal 3: Work to improve level of commercial and industrial and service activities in the city.
- Economic & Commercial Goal 5: Encourage the creation of family-wage jobs in and around Kalama.
- Economic & Commercial Goal 6: Revitalize and grow the economic connection between the Port of Kalama industrial area and area residents.
- Economic & Commercial Policy 1.a: Cooperate with the Port of Kalama to promote an expanded and diversified economic and employment base.

5. **Shoreline Master Program (SMP) and Shoreline Management Act (SMA)**: All proposed developments in or adjacent to state shorelines must be consistent with the goals, policies, and regulations of the 1977 Cowlitz County SMP, adopted by reference under KMC 15.08.010 and the SMA (RCW 90.58). A Shoreline Substantial Development Permit is required for the project because it exceeds $7,047 in valuation and therefore meets the definition of substantial development, and it lies within the jurisdictional area of the Columbia River, a shoreline of statewide significance. Therefore, the following review includes an analysis of the project's consistency with the goals and policies for development along shorelines of statewide significance, the applicable regulatory criteria of the SMP use category most closely-related to commercial docks (Ports and Water-Related Industries), and regulatory criteria of the SMP for Utilities and Construction and Operation.

Ports and Water-Related Industries:

1. *Port facilities and water-related industries shall be permitted on urban shorelines.*
Analysis: The project is a port facility and located within an urban shoreline designation.

2. *Any person proposing a development, expansion or alteration, or any phase thereof which constitutes a complete project, of a port facility or water-related industry, shall apply for a permit.*
Analysis: This application includes application for a Shoreline Substantial Development Permit.

3. *A permit for a port facility or water-related industry, or any expansion or alteration thereof which constitutes a complete project, may be granted a permit subject to compliance with local ordinances and the following regulations:*

    a. *Demonstration of compliance with the regulations specified on any federal and state permits required for such facilities and operations, by presentation of an application for each permit or other means satisfactory to the administrator.*
    Analysis: A Washington State Joint Aquatic Resources Permit Application (JARPA) that was submitted has been included for review.

    b. *Compliance with other applicable use regulations in this program is required.*
    Analysis: The project is consistent with the regulatory criteria of the SMP for Utilities and Construction and Operation, as analyzed below in this report.

4. *Water storage of logs shall be permitted subject to the following minimum regulations:*

    a. *No feasible dry land storage area is available, except emergency or short-term storage of logs may be in water regardless of the availability of dry and storage areas. Logs shall not be stored so that a complete waterway is blocked for public boating or public access through log storage areas along waterway.*

b. Operation shall be in accordance with applicable recommendations listed on pages 3 and 4 of the publication Log Storage and Rafting in Public Waters, a task force report approved by the Pacific Northwest Pollution Control Council, August 1971.

Analysis: Not applicable. No new in-water log storage is proposed.

5. Dry land storage of logs shall be permitted subject to the following minimum regulations:

a. Unpaved storage areas underlain by permeable soils shall have at least a four-foot separation between ground surface and the winter water table.

b. Dikes, drains, vegetated buffer strips or other means shall be used to ensure that surface runoff is collected and discharged from the storage area at one point, if possible. It shall be demonstrated that state water quality standards or criteria will not be violated by such runoff discharge under any conditions of flow in nearby water courses. If such demonstration is not possible, treatment facilities for runoff shall be provided meeting state and federal standards.

Analysis: Not applicable. No new dry land log storage is proposed.

Conclusion: Staff finds that the SMP's Ports and Water-Related Industries regulations are either not applicable at all or are met by the project.

Utilities: Utilities are permitted along shorelines in the Urban designation, when the proposal meets the following conditions:

1. Regulations Nos. 2 and 3 under conservancy district shall apply to urban shorelines.

2. Any person proposing to install or construct a utility system shall apply for a permit.

Analysis: This application includes application for a Shoreline Substantial Development Permit.

3. A permit may be granted subject to the following regulations:

a. All such utility systems shall be underground unless such undergrounding would not be feasible.

Analysis: The application includes plans that depict a 3" water service line and new electrical service from the south end of the Port of Kalama Marina along N Hendrickson Drive to the site and along the new pier and gangway onto the dock.

On September 13, 2018, the applicant submitted a letter indicating water service will not be extended from the south, but from an extension of an 8" water main along the east side of North Hendrickson Drive for approximately 1,000 feet, and from there a 2" service line extended onto the site.

On September 21, 2018, the applicant submitted a utility plan change to draw

electrical service from an existing pole-mounted transformer on the east side of Hendrickson Drive, immediately east of the project site.

Both the water main and electrical service will be installed underground. The alignment of N Hendrickson Drive to the north of the site places it further from the OHWM than previously proposed, and as a result, undergrounding of the water main extension is both feasible and proposed. Only the water and electrical service onto the pier, gangway, and dock are aboveground.

b. Where such utility systems occupy shoreline areas, clearing necessary for installation or maintenance shall be kept to the minimum width necessary to prevent interference by trees and other vegetation with the proposed transmission facilities.

Analysis: No clearing is needed or proposed for utility installation or maintenance.

c. Upon completion of installation of such utility systems or of any maintenance project which disrupts the environment, the disturbed area shall be regraded to compatibility with the natural terrain and replanted to prevent erosion and provide an attractive, harmonious vegetation cover.

Analysis: No grading or vegetation removal is needed or proposed for utility installation.

4. Utility hookup linkages to shoreline-use activities shall be underground where feasible.

Analysis: The water main and electrical service will be installed underground, with the exception of service onto the pier, gangway, and dock.

Conclusion: Staff finds the project meets the SMP's Utilities regulations.

Construction and Operation Regulations: All shoreline projects must be constructed in accordance with the SMP construction and operation regulations, which include:

1. No construction equipment shall enter any shoreline body of water, except as authorized under the terms of a substantial development permit.

Analysis: The only construction equipment proposed to enter the water is a barge-mounted crane which will remove and install piles with a vibratory hammer and proof pier pile with an impact hammer as permitted by the terms and conditions of the Shoreline Substantial Development Permit contained herein. An additional storage barge, tug boat, and small tender boat will also be in the water during construction, as permitted by this Shoreline Substantial Development Permit.

2. Vegetation along the water shall be left in its natural condition unless the substantial development permit allows otherwise.

Analysis: Not applicable. There is no existing native vegetation on the rip-rap bank, which provides no habitat function for the river or wildlife, beneath areas of the proposed gangway.

3. *During construction, care will be taken to assure that waste material and foreign matter are not allowed to enter the water.*

Analysis: During construction, construction best management practices (BMPs) will be utilized to assure that waste material, fuel, chemicals, and silts and eroded earth materials are not allowed to enter the water. These BMPs are specified in the Biological Evaluation, prepared by Ecological Land Services, Inc. and dated March 29, 2018, as follows:

General

- Stormwater runoff from the upland project area will continue to be directed away from the river where it will infiltrate.
- Conditions in local, state, and federal permits will be followed.
- Any stockpiled soils from concrete abutment excavation will either be hauled away the same day or covered with plastic until it is removed from the site.
- Disturbed soils from around the abutment will be stabilized by grading and compaction to avoid impacts to the river from erosion.

In-Water

- The T-barge dock, work boats, and the derrick barge, will not "ground out" at any time. Commercial boats moored at the barge dock have drafts that are shallower than the T-barge dock.
- Contractors will have a spill containment and pollution control plan, and employees will be trained in its implementation.
- The contractor will maintain an oil-absorbing floating boom around in-water and overwater work areas.
- No debris will be allowed to enter the river from the barge, boats associated with construction, or moored boats.
- Pile driving with an impact hammer to proof piles will take place within a bubble curtain.

4. *All fuel and chemicals shall be kept, stored, handled and used in a fashion which assures that there will be not opportunity for entry of such fuel and chemicals into the water.*

Analysis: Fuel and chemicals will not enter the water per the proposed BMPs specified under analysis of consistency with Construction and Operations Regulation No. 3 above.

5. *Protection from siltation and erosion shall be provided for on all earthworks projects.*

Analysis: Silts and eroded earth materials will not enter the water per the proposed BMPs specified under analysis of consistency with Construction and Operations Regulation No. 3 above.

6. *Land being prepared for development shall have an adequate drainage system to prevent runoff from entering water bodies.*

Analysis: Despite the proposed use of the existing graveled area, of which approximately 4,000 SF will be paved, as truck loading/unloading, forklift parking, and employee parking, the potential of contaminants from the existing graveled area is minimal as it will drain away from the Columbia River and towards N Hendrickson Drive for infiltration, as conditioned.

7. *Side casting of excess road building material into streams will not be permitted.*

Analysis: No building materials will be cast into streams or rivers per the proposed BMPs specified under analysis of consistency with Construction and Operations Regulation No. 3 above.

8. *All construction debris such as fuel and oil containers and barrels and other miscellaneous litter shall be removed from the shoreline area. No equipment shall be abandoned within the shoreline area.*

Analysis: This will be required by the terms and conditions of this Shoreline Substantial Development Permit.

9. *State and federal water quality standards for both inter-state and intra-state waters already are established. These shorelines regulations need only allude to these and other regulations already in effect. Any activities within the shorelines must, as a minimum, meet all these other regulations.*

Analysis: This will be required by the terms and conditions of this Shoreline Substantial Development Permit.

Conclusion: Staff finds the project meets the SMP's Construction and Operation Regulations, as conditioned.

6. **<u>Shorelines of Statewide Significance</u>**: Proposals located on shorelines of statewide significance must meet six criteria listed on page 2 of the SMP and in the Revised Code of Washington (RCW 90.58.020), as follows:

a. Recognize and protect statewide interest over local interest.

Analysis: State and local jurisdictions have an interest in maintaining public health, safety and welfare, maintaining public access to rivers of statewide significance, and preserving aquatic and riparian resources. To advance the state and local jurisdiction's mutual goals, the City of Kalama has adopted the Cowlitz County SMP to regulate shoreline use, activities, and development consistent with the State of Washington's Shoreline Management Act, which recognizes and protects statewide interest over local interest. The project is consistent with the SMP's use-specific regulations and general goals per the analysis provided above and below, respectively.

Conclusion: Staff finds the project meets Criterion #6.a, as conditioned.

b. *Preserve the natural character of the shoreline.*
Analysis: The shoreline within the project scope has been previously disturbed by historic uses along the shoreline including construction of the Doty Fish Company plant, rip-rap bank, and in-water log storage. The rip-rap berm provides no habitat function and contains no native vegetation. Project-specific construction best management practices (BMPs) required by the terms and conditions of the Shoreline Substantial Development Permit contained herein, and the City's erosion and sedimentation control regulations will also protect the shoreline from further disturbance during construction.

Conclusion: Staff finds the project meets Criterion #6.b, as conditioned.

c. *Address uses that result in long-term benefit.*
Analysis: The project, through consistency with the SMP and as conditioned herein, provides the following long-term benefits:

- Reduction in shading used by predatory fish to prey on juvenile salmon; and
- Reduction in truck and river miles traveled for transport of ship store and crew members between shore and ships anchored between Portland and Astoria.

Conclusion: Staff finds the project meets Criterion #6.c, as conditioned.

d. *Protect the resources and ecology of the shoreline.*
Analysis: Neither short-term nor long-term materially adverse impacts are anticipated to the natural resources and ecology of the shoreline.

Potential short-term impacts include potential release of contaminants during construction. Per the analysis for consistency for Construction and Operation Regulations of the SMP, project-specific construction BMPs (as conditioned herein) and the City's erosion and sedimentation control regulations will be utilized during construction to prevent waste material, fuel, chemicals, and silts and eroded earth material from entering the water.

Potential short-term impacts anticipated also include construction-related noise impacts. Per the Biological Evaluation performed for the project (Exhibit F), no noise impacts to any endangered or threatened terrestrial species that could be present is anticipated. The site and its vicinity are a previously developed industrial area, and there is no existing or proposed terrestrial critical habitat area within the site. Additionally, no materially adverse noise impacts to any endangered or threatened fish species are anticipated. Vibratory pile driving, used to remove and install the majority of piles, is not known to produce noise levels above injury thresholds for fish. Impact-hammer pile driving will produce noise levels above injury thresholds for fish, but will be limited to the 7 pier piles, of which only 3 pier piles will be below OHWM. For each pile, impact-hammer pile driving will require approximately 1,000 strikes and 1 hour per pile so impact-hammer pile driving below OHWM will total approximately 3,000 strikes and 3 hours; due to the limited duration of impact-hammer pile driving, no injuries to fish are anticipated. Any potential behavioral changes from both vibratory and impact-hammer pile driving noise is for a limited duration (7 days) over a relatively small area of the Columbia River so no materially adverse impact

to fish species from behavioral changes is anticipated. A soft-start technique will be used for vibratory and impact-hammer pile driving to allow any aquatic species to leave the work area before full energy is used to drive the pile.

Long-term impacts include the increased potential for release of contaminants from commercial dock vessels and from the truck loading/unloading, employee parking, and forklift parking area. The potential for release of contaminants from vessels, however, is minimized by continued adherence to the Port of Kalama's operations and maintenance programs and standard. It is also offset by the overall decrease in the number of river miles traveled to transport ship stores and crew members between shore and ships anchored between Portland and Astoria. Within the context of the project's location and size relative to the entire lower Columbia River waterbody, adverse impacts to critical fish habitat is not anticipated. The potential of contaminants from the truck loading/unloading, employee parking, and forklift parking area is minimal as it will drain away from the Columbia River and towards N Hendrickson Drive for infiltration, as proposed per the email correspondence with the Port of Kalama (Exhibit P) and as conditioned as part of this Shoreline Substantial Development Permit approval.

Long-term impacts also include additional shading from commercial dock vessels, dock, gangway, and pier, which increases the potential for predatory fish species that threaten juvenile salmon. However, the project is located in deeper water with higher flow rates, where juvenile salmon are less likely to migrate to begin with and where any shading effects will not facilitate predatory fish that hide in dark, shallow areas and ambush prey swimming against a bright background. Additionally, while 3,000 SF of on-water coverage is anticipated from the commercial dock vessels, the proposed pier and gangway will be fully grated to minimize shading, and approximately 11,000 SF of log storage will be removed, so there is an overall reduction in shading and opportunities for birds and fish to prey on juvenile salmon. Shading impacts to benthic food production, which typically occurs in shallow-water habitats, is not anticipated as the project site is in deeper water.

Long-term impacts related to lighting are not anticipated as lights will be limited to what is necessary for safe working conditions, and the project site already experiences artificial lighting from the adjacent marina and N Hendrickson Drive.

Conclusion: Staff finds the project meets Criterion #6.d, as conditioned.

e. *Increase public access to publicly owned shoreline areas.*

Analysis: While no direct increase in public access to publicly owned shorelines is proposed, the project does not decrease public access (none currently exists at the site) and is consistent with SMP Overall Goal 5, to "provide safe and reasonable access for the public in the shorelines of Cowlitz County." Access to the Port of Kalama Marina will be maintained and improved over existing conditions, and there is also extensive public access to the Columbia River in the vicinity within other Port of Kalama facilities.

Conclusion: Staff finds the project meets Criterion #6.e, as conditioned.

f. *Increase the public's recreational opportunities on these shorelines.*

Analysis: While no direct increase in recreational opportunities is proposed, the project is consistent with SMP Overall Goal 5, to "provide safe and reasonable access for the public in the shorelines of Cowlitz County." As discussed in the finding above, access to the Port of Kalama Marina will be maintained and improved over existing conditions, as the proposed transport of ship stores and crew members is already in operation from the Port of Kalama Marina, and relocation of these operations to the project site will marginally increase capacity at the recreational marina. There is also extensive public access to the Columbia River in the vicinity within other Port of Kalama facilities.

Conclusion: Staff finds the project meets Criterion #6.f, as conditioned.

7. **Other Permits and Approvals**: Other known governmental approvals include Grading and Excavating Permit and Building Permit (City of Kalama), Electrical permit (Washington State Department of Labor and Industries), Hydraulic Project Approval (WDFW), and Section 10 Permit (USACE). Additional permits or approvals may be required. It is the applicant's responsibility to ascertain the requisite permits and obtain them. Obtaining a Shoreline Substantial Development Permit does not relieve the applicant of acquiring all requisite local, state and federal permits for this project.

8. **Critical Areas Determination:** The project includes work in areas identified as critical areas per Chapter 15.02 KMC – Critical Areas Protection. Per the Critical Areas Report and Habitat Management Plan prepared by Ecological Land Services, Inc. and dated March 29, 2018, fish and wildlife habitat conservation areas are present. No adverse impacts are anticipated per the Shoreline Substantial Development Permit as conditioned herein. Although no geologic hazard areas are identified in the Critical Areas Report and Habitat Management Plan, the slope of the existing artificial rip-rap berm exceeds 30% and per KMC 15.02.150.B.2, is considered a potential geologic hazard. As conditioned herein, a geotechnical report will need to be submitted prior to approval of any construction permit to evaluate potential impacts by the new pier on the rip-rap berm. Additionally, the project is located in the special flood hazard area (SFHA) of the floodplain. Per KMC 15.02.140, frequently flooded critical areas are subject to the regulations of Chapter 14.16 KMC – Floodplain Management. A Floodplain Development Permit is required per Chapter 14.16 KMC and has been submitted for review.

9. **State Environmental Policy Act (SEPA)**: A SEPA Determination of Non-Significance (DNS) was issued by the Port of Kalama as lead agency on June 12, 2018, and a 14-day public comment period was observed.

10. **Shoreline Public Notice and Comments**: Staff determined the Shoreline Substantial Development Permit application was complete on May 7, 2018 and issued a Notice of Application on July 13, 2018 (Exhibit M). Public notice of the application was posted on the property, distributed to agencies and parties of interest, and published in *The Daily News*. The comment period ended on August 13, 2018. No comments were received regarding compliance with SMP goals, policies, and regulations.

Conclusions
The individual findings and conclusions stated above establish that this proposal either meets, or if conditioned as recommended below, will meet: 1) the standards established in the SMP; and 2) the criteria for granting a substantial development permit on a shoreline of statewide significance. Completion of this project, if constructed as conditioned below, will therefore be consistent with the Shoreline Management Act, SMP, and existing land uses in the project area.

Staff Recommendation
Staff recommends that the Shoreline Substantial Development Permit be approved subject to the following conditions:

Prior to Building Permit and Grading and Excavation Permit Approval

1. All proposed vehicle parking spaces shall be paved with asphalt or concrete; submit engineering plans that implement this condition to the City for review and approval prior to construction.
2. Provide engineering plans to the City for review and approval that show the water main extension and that show all stormwater runoff from the existing graveled parking area to be used for loading/unloading and parking, including the required paved vehicle parking spaces, draining away from the Columbia River, towards N Hendrickson Drive, and infiltrating into the ground, or provide plans that are otherwise consistent with the drainage standards of the City of Kalama Development Guidelines and Public Work Standards.
3. Provide a geotechnical report that addresses the existing rip-rap berm and proposed pier.

During Construction

4. The project shall adhere to all conditions of any required local, state, or federal permit or applicable regulation.
5. All construction must be completed in accordance with the approved plans and the City of Kalama Development Guidelines and Public Works Standards.
6. The project is within the shoreline jurisdiction and shall comply with guidelines set forth in the Cowlitz County Shoreline Master Program (SMP).
7. All manmade construction debris shall be collected and not allowed to enter waters of the state or United States.
8. No construction debris or equipment shall be abandoned within the shoreline area.
9. Any stockpiled soils from concrete abutment excavation shall either be hauled away the same day or covered with plastic until it is removed from the site.
10. Disturbed soils from around the abutment shall be stabilized by grading and compaction to avoid impacts to the river from erosion.
11. The T-barge dock, work boats, and the derrick barge, shall not “ground out” at any time.
12. Contractors will have a spill containment and pollution control plan, and employees will be trained in its implementation.

13. The contractor will maintain an oil-absorbing floating boom around in-water and overwater work areas.

14. Pile driving with an impact hammer to proof piles will take place within a bubble curtain.

15. A soft-start technique shall be used for vibratory and impact-hammer pile driving to allow any aquatic species to leave the work area before full energy is used to drive the pile.

16. Should any cultural, historical, or archaeological resource be discovered, all work shall cease, and the City, Washington State Department of Archaeology and Historic Preservation, and local tribes shall be notified.

Post-Construction

17. Commercial boats moored at the barge dock shall have drafts that are shallower than the T-barge dock.

18. No truck loading/unloading, no vehicle parking, and no forklift operation or parking shall occur within the N Hendrickson Drive travel lanes.

List of Exhibits

A. Master Permit Application
B. Shoreline Permit Applications
C. Floodplain Development Permit Application
D. Joint Aquatic Resources Permit Application (JARPA)
E. Plans
F. Biological Evaluation
G. Critical Areas Report and Habitat Management Plan
H. Cultural Resource Literature Review and Memorandum
I. Additional Pile Removal Memorandum
J. Response to Comments
K. SEPA Determination of Non-Significance
L. SEPA Environmental Checklist
M. Notice of Application
N. Photos
O. Conceptual Parking and Loading Plan, PND Engineers, Inc., August 2018
P. Response Letter, Port of Kalama, August 27, 2018
Q. Response Letter, Port of Kalama, September 13, 2018
R. Response letter, Port of Kalama, September 17, 2018
S. Response Letter and Electrical Plan Sheets, September 21, 2018

cc: Adam Smee, City Administrator
Susan Junnikkala, Permit Technician
Coni McMaster, City Treasurer/Clerk
Kelly Rasmussen, Public Works Superintendent
Port of Kalama, Applicant