

Initial Project Review

Shoreline Substantial Development Permit / Shoreline Conditional Use / Shoreline Variance: Minter Creek Hatchery

Application Numbers: 958670, 958671, 958669
Parcel Numbers: 0122291007, 0122291013, 0122204013, 0122204018, 0122204019, 0122204012, 0122204001, 0122204011

Key Peninsula Advisory Commission (KPAC) Public Meeting: June 16, 2021, at 6:30 p.m.

Due to COVID-19 restrictions, this meeting will be held virtually. To participate, visit www.Zoom.com and click “Join a Meeting” or call 253-215-8782, then enter the Meeting ID: 931 0444 9340, and Passcode: 7156 or click on the following link:

<https://piercecountywa.zoom.us/j/93104449340?pwd=V3UzTWZKZjVOczlxMmEvOEVLbkZWQT09>

For additional questions regarding the virtual meeting process, contact Danica Williams at 253-798-7156 or Danica.williams@piercecountywa.gov

Proposal: The proposed project will bring the surface water intake(s) up to state and federal standards for screening and fish ladders (passage). There will be substantial long-term energy savings by eliminating the lower intake and transferring those water rights to the upper intake, as the upper intake is gravity fed. A second water line will be installed to allow water to be pumped back up to the upper intake during low flows to maintain minimum flows for fish. At the lower intake site, fish passage will be restored and native riparian vegetation will be established.

Project Location: 12710 124th Avenue Court KPN, Gig Harbor, WA 98329, in the High Intensity and Conservancy Shoreline Environment and Rural Sensitive Resource (RSR) zone classification of the Key Peninsula Community Plan area, within Section 29, T22N, R1E, W.M., in Council District #7

Review Summary: The project can be conditioned to comply with all applicable policies and objectives of the Pierce County Code, Shoreline Regulations, Comprehensive Plan, and Key Peninsula Community Plan. Staff has reviewed this proposal for compliance with all policies, codes, and regulations and intends to recommend approval with conditions.

State Environmental Policy Act (SEPA): SEPA has been completed for this project with a Final status dated October 2, 2019. The SEPA archive number is 19054.

County Contact: Robert Perez, Planner, 253-798-3093, robert.perez@piercecountywa.gov

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departmentsStatus?appPermitId=958670>



Project Data

Complete Application Date: April 07, 2021

Initial Project Review Mailed: June 10, 2021

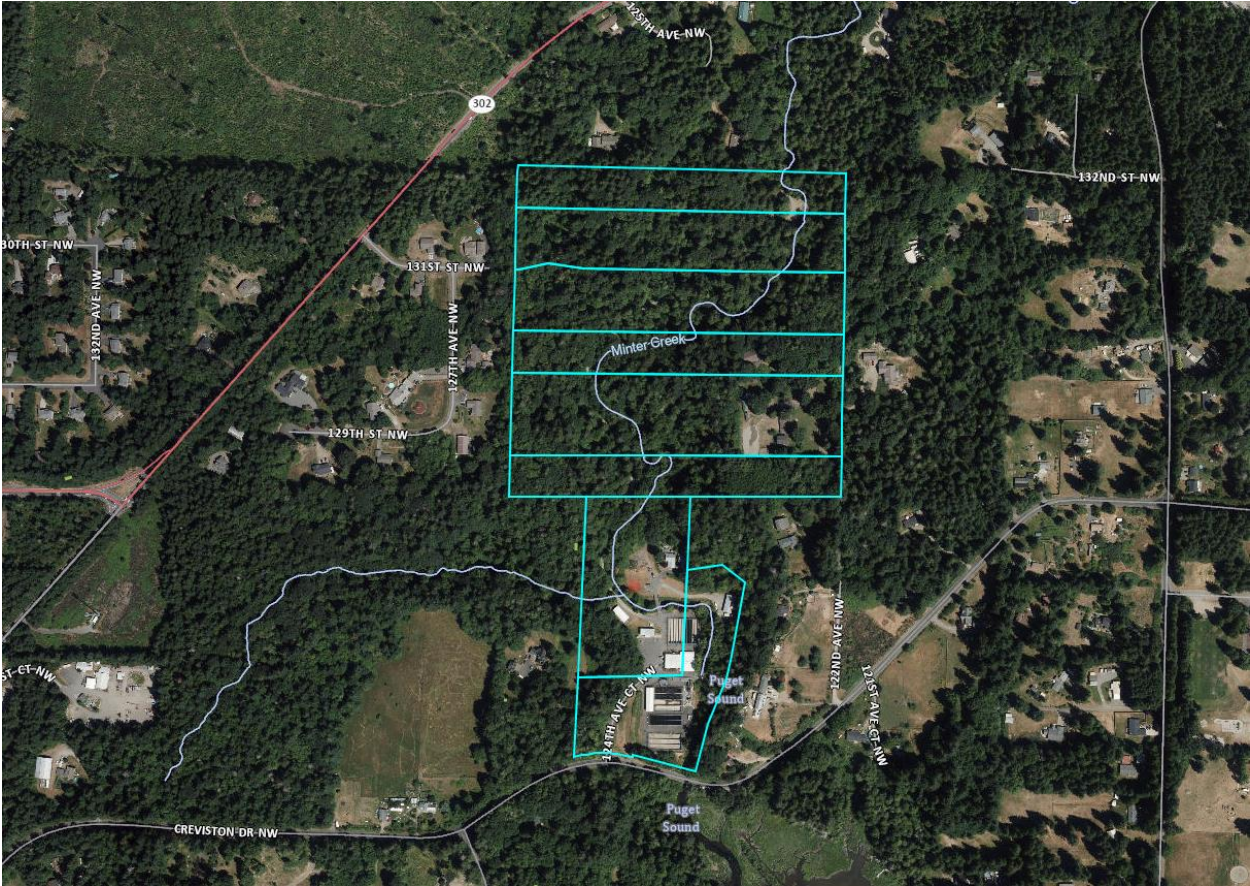
Applicants/Owners: Douglas Wiedemeier
Washington State Department of Fish & Wildlife
600 Capital Way North
Olympia WA, 98501
Douglas.wiedemeier@dfw.wa.gov

Agent: Douglas Wiedemeier
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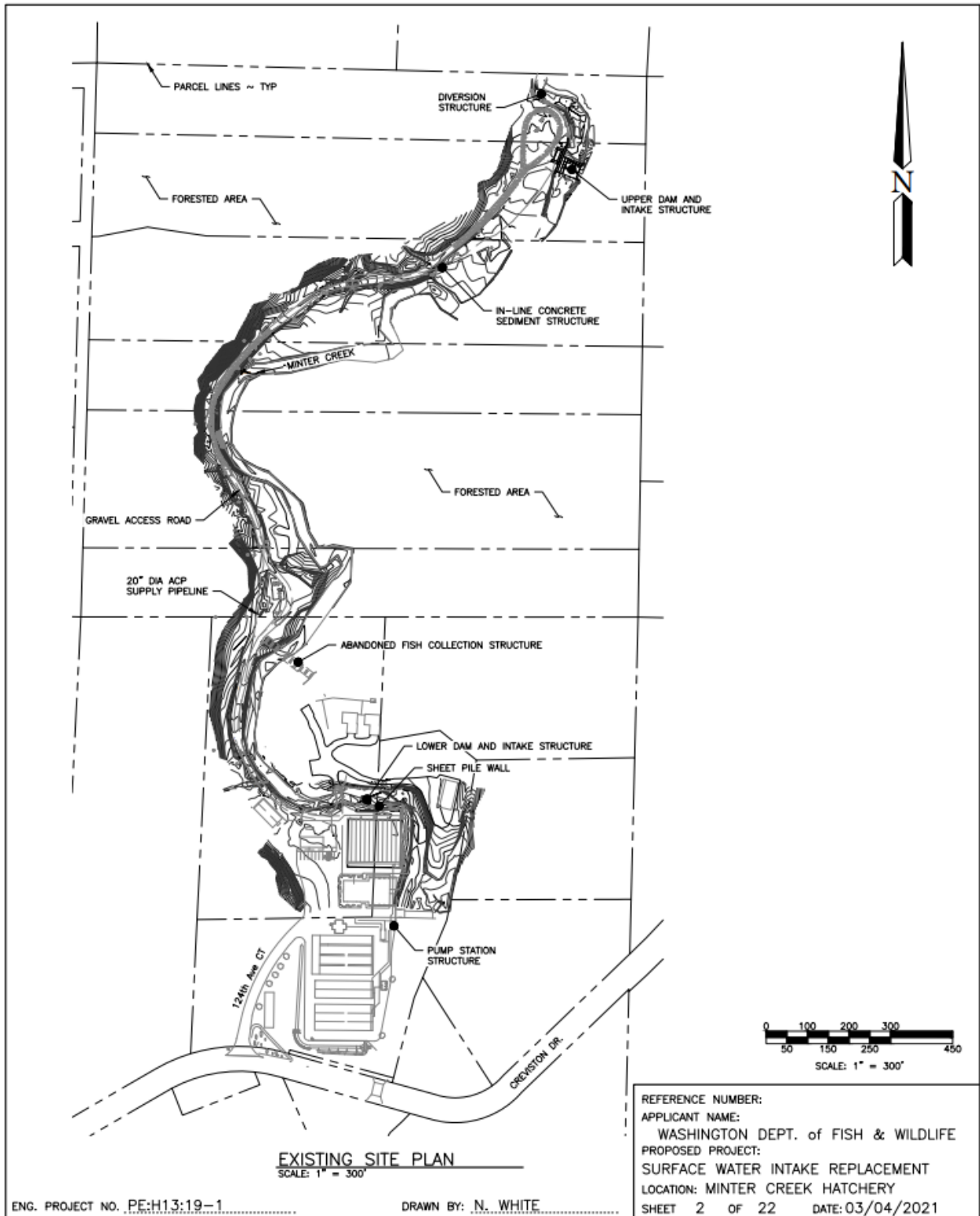
Legal Notice

- *April 19, 2021*: Notice of Application and Public Meeting Notice was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *April 21, 2021*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *June 2, 2021, and June 3, 2021*: Legal notices were published in the official County newspaper (*Tacoma News Tribune*) and the *Peninsula Gateway* newspaper, advertising the public meeting to be held by the Key Peninsula Advisory Commission.

2020 Ortho Photo



Site Plan



Review Responsibility

The following list includes examples of jurisdictional areas for various County departments and divisions typically involved in the review and administration of this proposal:

A. Planning and Public Works (PPW):

- Current Planning verifies compliance with the Pierce County Comprehensive Plan, applicable community plans and Development Regulations such as, but not limited to, zoning, critical areas, natural resource lands, shoreline management, design review, and potential environmental impacts.
- Development Engineering reviews for drainage, erosion control, site development, flood, survey, landslide and erosion hazard, lot dimensions, and road standards.
- Cartography reviews road names and addresses.
- Resource Management reviews for consistency with the County wetland and fish & wildlife regulations.

B. Key Peninsula Advisory Commission (KPAC):

The KPAC's role in the review process for a land use proposal includes the following:

- Review the proposal for consistency with the goals and policies in the Community Plan.
- Provide a local perspective that includes input from the community and insights of which PPW staff or the Hearing Examiner may not be aware.
- Offer recommendations for project design to fit with the community's vision while remaining consistent with the Community Plan.

PCC Chapter 2.45 Land Use Advisory Commissions provides regulations that apply to the PAC. Per PCC 2.45.130, Land Use Advisory Commission (LUAC) recommendations on a land use application shall be to approve, modify and approve, deny, or make no recommendation. The LUAC may recommend the Hearing Examiner continue a scheduled public hearing to obtain additional information or LUAC recommendations.

Review Criteria

The following regulations and policies shall be used during the review process including, but not limited to:

- A. Pierce County development regulations and construction and infrastructure regulations;
- B. Pierce County Comprehensive Plan and Key Peninsula Community Plan;
- C. Applicable state statutes; and
- D. All applicable notes on related previously recorded County documents.

Site Characteristics

- The County Assessor lists parcels 0122291007, 0122291013, 0122204013, 0122204018, 0122204019, 0122204012, 0122204001, 0122204011 as being 53.12 acres in size.
- The parcels are accessed from the south and are 380 to 465 feet in length. Each parcel includes 15 to 90 feet of tidelands.
- The parcel is located on the north shore of Hale Passage.
- The access to the site is via 128th Avenue Court NW.
- The parcels are improved with an already existing hatchery, shoreline stabilization measures, groins, dam, and associated accessory structures.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	SHORELINE	ZONING
North	Single Family Dwelling	Conservancy	Rural Farm (RF)
South	Single Family Dwelling	Conservancy	N/A
East	Single-family residence	NA	Rural 10 (R10)
West	Single-family residence	NA	R10

Agency Review Comments

The proposed project has been routed to interested departments and agencies for review. Comments received from various departments and agencies may be found by accessing the Online Permit Information referenced on page 1.

No comments have been received, and corrections and/or additional information requested by the following agencies on the application:

Public Comments

No public comments were received prior to the May 19, 2021, comment deadline.

Initial Planning and Public Works Staff Review for Consistency with Development Regulations and Policies

Key Peninsula Community Plan (Pierce County Code, Title 19B)

- Provide informational brochures and publications to public and civic organizations including the library, fire stations, schools, utility providers, and community groups for distribution to local citizens.
- Promote the improvement of degraded stream and nearshore habitat conditions for anadromous fish throughout the community plan area.

Staff Comment: The proposal appears to be supported by several goals of the Key Peninsula Community Plan. By updating the structures and removing debris left from old in-stream structures there will be an improvement to fish mobility and overall health.

Development Policies and Regulations – Shorelines (Pierce County Code, Title 18S)

- Assure that shoreline modifications individually and cumulatively do not result in a net loss of ecological functions. This is to be achieved by limiting the number and extent of shoreline modifications and by giving preference to those types of shoreline modifications that have a lesser impact on ecological functions and requiring mitigation of identified impacts resulting from shoreline modification.
- Preserve and protect existing trees and native vegetation within shorelines to maintain shoreline ecological functions and mitigate the direct, indirect, and cumulative impacts of shoreline development. Where shoreline vegetation is inadequate to protect against the impact of new uses or development, native vegetation should be enhanced.

- Avoid impacts to shorelines through application of mitigation sequencing, giving highest priority to impact avoidance whenever new uses or development are proposed in shorelines.
- New in-stream structures shall be designed to avoid modifying flows and water quality in ways that may adversely affect critical fish species.
- The location and planning of in-stream structures shall give due consideration to the full range of public interests, watershed functions and processes, and environmental concerns, with special emphasis on protecting and restoring priority habitats and species.
- Regulations for shoreline stabilization, to include breakwaters, jetties, groins, and weirs, are found in PCC 18S.30.070, Shoreline Stabilization.
- Incorporate public education regarding shoreline ecological functions and processes, the role of human actions on the environment, and the importance of public involvement in shorelines management in restoration and enhancement plans.
- Allow structural shoreline stabilization only where it is demonstrated to be necessary to support or protect an existing primary structure that is in danger of loss or substantial damage, or are necessary for reconfiguration of the shoreline for mitigation or enhancement.
- Encourage the use of low impact development (LID) techniques.

Staff Comment: The proposed project is for enhancements to the surface intake, fish ladder, a water line for pumping water back upstream during low flows to maintain flow for fish, installation and repair of shoreline stabilization and establishing native riparian vegetation areas. The proposal will result in approximately 70,000 square feet of disturbance within shoreline jurisdiction. Some of this disturbance is for removal of already existing impervious surface and concrete debris. The applicant is currently in the process of developing a vegetation planting plan to mitigate for impacts to possible wetlands and shoreline environment. Additionally, the added benefit to fish habitat and health will help in mitigating the impacts of this project. A Shoreline Variance is required due to the placement of a new utility building and exceeding the amount of development allowed within the buffer.

Note: This proposal requires a Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, and Shoreline Variance.

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