

EXHIBIT U

SEPA MDNS Issued

(March 23, 2021)



MITIGATED DETERMINATION OF NONSIGNIFICANCE (DNS)

Project Name:	Port of Poulsbo Breakwater Replacement/Marina Expansion, Type III Shoreline Conditional Use, Shoreline Substantial Development, Floodplain
Site Location:	18721 Front Street NE, Poulsbo WA 98370
File No.:	P-08-04-20-01 (SCUP), P-08-04-20-02 (SSDP)
Description of Proposal:	<p>To replace the existing deteriorated breakwater and provide additional transient moorage at the Port of Poulsbo marina. The existing timber-pile breakwater has deteriorated to the point that it must be replaced with a new structure to provide wave protection for the marina. Many of the existing timber pile are broken and are either not in contact with the substrate or the connections to the breakwater walers has been compromised. In addition, many of the cable straps securing the walers to the plumb and batter pile are missing, resulting in unsecured or missing walers.</p> <p>The Port proposes to replace the existing breakwater with a floating concrete pontoon breakwater. The concrete pontoons procured from Elliott Bay Marina, will be reconditioned (including new timber elements and through-rods, and a new timber wave fence), and installed at the site waterward of the existing breakwater. The new breakwater will be located at approximately -10 to -12 ft Mean Lower Low Water (MLLW) and will include the installation of 72 new 20-inch steel pipe pile to support the breakwater and associated floats. Concurrent with the new floating breakwater installation, the existing breakwater, the north log boom off of the West breakwater, and a portion of the south log boom off of the South breakwater will be removed. In total, this will entail the removal of approximately 898-creosote-treated timber pile and 33 steel pile from the site (931 total pile). The connection of the new breakwater to AA-dock (e.g., the breakwater access float) will consist of a new grated main walk float extension. Up to 22 new grated finger floats will be installed along the new floating breakwater, including 11 fifty-foot-long and 11 thirty-foot-long grated finger pier. Additionally, the Port proposes to install a new floating upweller system (FLUPSY) as well as a floating restroom along the inside of the new breakwater pontoons.</p> <p>On-site project activities are anticipated to occur from July 2021 through February 2022 and will consist of constructing project components including: (1) removal of the existing creosote-treated timber-pile breakwater (including removal of the breakwater, removal of the log boom off of the West breakwater, removal of a portion of the log boom off of the South breakwater, and removal of existing toe protection stone and anthropogenic debris at the base of the existing breakwater) and installing a reconditioned concrete pontoon floating breakwater with associated new steel pipe pile; 2) installing breakwater finger floats; and 3) installing a new grated main walk float extension connecting the breakwater to AA-dock, 4) installing a FLUPSY on the new floating breakwater, and 5) installing a floating restroom on the new floating breakwater. Project construction and demolition would be timed to avoid the annual outmigration of juvenile salmonids. The USFWS, NOAA Fisheries, and WDFW set closure periods during which in-water work cannot be conducted. Based on guidance documents from the USACE website and the state Hydraulic Code, the expected work window for juvenile salmonids and bull trout is July 16-February 15.</p>



Applicant/Agent: John Piccone, P.E. Soundwest Engineering Assoc.; 8745 Pacific Ave NW, Suite 201, Silverdale, WA 98373

Tax Parcel: 232601-2-246-2008

Lead Agency: City of Poulsbo

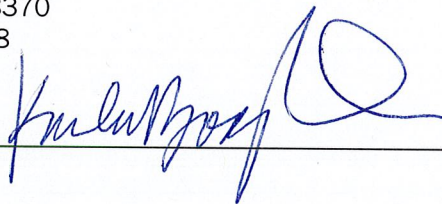
The City of Poulsbo has determined that the above-described proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The terms of the mitigation are established in Exhibit A, attached to this decision.

This MDNS is issued under WAC 197-11-340; the lead agency will not act on this proposal for 14 days from the date below. Written comments concerning the MDNS may be submitted to the Poulsbo Planning and Economic Development Department, located at 200 NE Moe Street, Poulsbo, WA 98370, by 4:30 pm on April 6, 2021. Comment should discuss specific environmental issues associate with this proposal and identify how the MDNS does or does not address those issues.

Responsible Official: Karla Boughton

Position/Title: Planning and Economic Development Department Director
200 NE Moe Street
Poulsbo, WA 98370
(360) 394-9748

Date: 3/23/21

Signature:  _____

APPEAL: Any agency or person may appeal this SEPA determination by filing a written appeal to the responsible official no later than 10 working days from the date of this determination (PMC 16.04.250.B). Contact the responsible official to read or ask about the procedure for SEPA appeals.



Exhibit A

Port of Poulsbo Breakwater/Marina Expansion/FLUPSY

SEPA MITIGATIONS

PLANNING FILE P-08-04-20-01 & P-08-04-20-02

Following are the Project SEPA Mitigations issued March 23, 2021:

AIR

1. Best Management Practices (BMP) and Conservation Measures identified in the Biological Evaluation Report dated June 2020 in Section 7 page 34 and the Mitigation Plan dated June 2020 Section 4.2.1 and 4.2.2 will be required to mitigate short-term mitigation impacts.

WATER

2. Construction equipment will be staged on floating barges that will not ground out or otherwise impact the aquatic environment. All construction debris will be collected and disposed of in upload and not allowed to enter waters of the state (Section 3.2 Mitigation Plan).

ANIMALS

3. Construction will be restricted to the WDFW fish window of August 1st to February 15th (or as otherwise allowed)
4. During all impact driving, sound-attenuation devices will be employed to minimize sound related impacts, such as a wooden cushion block, bubble curtain, or similar (as described in the BE page 6-7). The project construction will be in compliance with Washington State water quality standards under WAC 173-201A-210(1)(e)(i).
5. Best Management Practices (BMP) and Conservation Measures identified in the Biological Evaluation Report dated June 2020 in Section 7 page 34 and the Mitigation Plan dated June 2020 Section 4.2.1 and 4.2.2 will be required to mitigate short-term mitigation impacts.

ENVIRONMENTAL HEALTH

6. BMPs and Conservation Measures identified in the BE in Section 7 page 34 and in the Mitigation Plan Section 4.2.1 General Best Management Practices will be required to mitigate short-term mitigation impacts.
7. BMPs and Conservation Actions identified in the BE and Mitigation Plan are to be followed, for ease of access to these proposed mitigation measures they are provided below:
 - a. No more than four piles are to be impact driven in a single day for no more than a total of 40 minutes of total impact driving.
 - b. No more than 11 piles may be impact driven for this project.
 - c. Timing restrictions specifying that construction must occur when juvenile salmonids are absent or present in very low numbers in the adjacent waterbody would be strictly observed. All timing restrictions that may be established by WDFW, USACE, NOAA Fisheries, or USFWS would be strictly observed (USACE permit and HPA). For this project, the anticipated work window is July 16 to February 15.
 - d. Water quality standards and procedures that limit the impact of turbidity to a defined mixing zone would be observed (WAC 173-201A).
 - e. Project construction will be completed in compliance with WAC 173-201A.
 - f. Any discharge of oil, fuel or chemicals into state waters is prohibited (WAC 173-201A).
 - g. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc., shall be checked regularly for drips or leaks, and shall be maintained and stored properly to prevent spills into state waters. Proper security shall also be maintained to prevent vandalism (WAC 173-201A).
 - h. Corrective actions will be taken in the event of any discharge of oil, fuel, or chemicals into the water (WAC 173-201A), including:
 - i. In the event of a spill, containment and cleanup efforts will begin immediately and be



completed as soon as possible, taking precedence over normal work. Cleanup will include proper disposal of any spilled material and used cleanup material.

- ii. The cause of the spill shall be assessed and appropriate action will be taken to prevent further incidents or environmental damage.
- i. Spills and/or conditions resulting in distressed or dying fish shall be reported immediately to DOE's Northwest Regional Spill Response Office at (425) 649-7000 (a 24-hour phone number) (WAC 173-201A). Spills of oil or hazardous materials also shall be reported immediately to the National Response Center at 1 (800) 424-8802 and the Washington Emergency Management Division at 1 (800) 258-5990 or 1 (800) OILS-911.
- j. The project will comply with all water quality restrictions imposed by Ecology and implement corrective measures if temporary water quality standards are exceeded.
- k. All in-water construction activities (i.e., pile removal/installation, sand placement, rock/debris removal) will be planned to disturb as little sediment as possible.
- l. Waste materials will not be disposed of waterward of OHWM or allowed to enter waters of the state.
- m. The contractor will be required to capture any debris associated with Project activities and not allow it to enter Liberty Bay. Debris will be captured using a floating containment boom and/or work skiff operating around the perimeter of the work area. Debris will be disposed of at an approved upland facility.
- n. The contractor will be responsible for preparation of a Spill Prevention and Control Plan, which will be implemented throughout project construction.
- o. A spill containment kit, including oil-absorbent materials, will be kept on site during all project construction activities.
- p. Construction/demolition impacts will be confined to the minimum area necessary.
- q. Work vessel(s) will not ground out during any construction activities.
- r. Sand to used to fill pile voids will be washed prior to placement.

BMPs Specific to Pile Driving/Extraction

- s. Pile will be installed with a vibratory hammer to the greatest extent practicable.
 - t. Pile will be pulled using a vibratory extractor in compliance with the permit conditions to minimize temporary water quality impacts. Hydraulic jets will not be used to remove pile.
 - u. In the event of a pile breaking during extraction, it will be cut 2 feet below the mudline.
 - v. Pile will be removed slowly so as to minimize sediment disturbance and turbidity in the water column.
 - w. Prior to extraction the operator will "wake up" pile to break bond with sediment to break the friction between the pile and substrate to minimize sediment disturbance.
 - x. Where possible, extraction equipment will be kept out of the water to avoid "pinching" pile below the water line.
 - y. Pile will not be broken off intentionally by twisting, bending or other deformation.
 - z. Upon removal from substrate the pile will be moved expeditiously from the water into a containment basin. The pile will not be shaken, hosed-off, stripped or scraped off, left hanging to drip or any other action intended to clean or remove adhering material from the pile.
 - aa. A containment basin will be constructed of durable plastic sheeting with sidewalls supported by hay bales or other support structure to contain all sediment.
 - bb. Vacated pile holes will be filled with clean sand. Pile holes located in areas of mounded sediment will be left to infill naturally so as to avoid creating a hazard to navigation.
 - cc. All extracted pile will be disposed of at an appropriate upland facility.
8. All construction work noise will be limited to construction hours defined in PMC 15.32.

TRANSPORTATION

- 9. The Port of Poulsbo Jensen Way parking lot will be used to meet the increased parking stall requirement. The Port is to designate 17 parking stalls in this parking lot for marina use only.