

**** Per Section 3 of Anacortes [Resolution 2082](#) Ratifying Proclamation of Emergency and Providing Temporary Procedures to Respond to the COVID-19 Epidemic, adopted by the Anacortes City Council on March 16, 2020, and [Resolution 3038](#), adopted June 28, 2021, extending the duration of portions of Resolution 2082 through September 30, 2021, City Council meetings may be held partially or entirely virtually.**

- Meetings may be viewed on the [City of Anacortes website](#), on the City of Anacortes [YouTube](#) Channel, or on TV [Channel 10](#).
- The public may also watch, listen to, or participate in the meeting live by visiting <https://us02web.zoom.us/j/89255646791> or by telephoning 1-253-215-8782 and entering Meeting ID 892 5564 6791.
- The public is encouraged to comment via email to cityclerk@cityofanacortes.org or via written comment addressed to City Clerk, P.O. Box 547, Anacortes, WA 98221. Public comments received by the [City Clerk](#) prior to 3:00 p.m. the day of the meeting will become part of the record for the meeting, just as if presented in person.
- Complete guidelines for virtual participation in Anacortes City Council meetings are available [here](#). View the quick video example for connecting to the meeting [here](#).



Anacortes City Council
Municipal Building Council Chambers
904 6th Street

**** Attendees in Council Chambers must comply with [Dept. of Health orders](#) ****

September 7, 2021
6:00 PM

PRELIMINARY AGENDA
[Packet Materials](#) / [Watch Meeting](#)

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Announcements and Committee Reports**
 - a. COVID-19 Update (Discussion)
 - b. Proclamation: Childhood Cancer Awareness Month (Discussion)
 - c. Finance Committee (Discussion)
 - d. Housing Affordability and Community Services Committee (Discussion)
 - e. Museum Committee (Discussion)
 - f. Fiber Committee (Discussion)
 - g. Port/City Liaison Committee (Discussion)
4. **Public Comment**
5. **Consent Agenda**
 - a. Minutes of August 23, 2021 (Action)
 - b. Approval of claims in the amount of \$1,282,385.47 (Action)
 - c. Contract Modification: 2021 Waterline Replacements #21-006-WTR-001 (Action)
 - d. Contract Modification: WWTP Outfall Permitting Services #20-032-SEW-003 (Action)

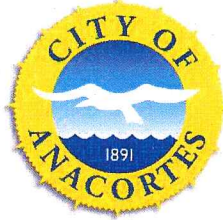
Per Resolution 2044, citizens wishing to comment on items not on the agenda may do so under the Public Comment portion of the agenda. Citizens wishing to comment on agenda items indicated with an asterisk (*) may do so as those items are considered by Council during the course of the meeting.

The City of Anacortes is committed to making public meetings available and accessible to all members of the community.
For assistance with special needs, please contact the City Clerk at 360-299-1960 in advance of the meeting.

- e. Contract Modification: Anchor QEA - Master Services Agreement #21-024-LEG-001 (Action)
- f. Reciprocal Access Agreement with the Port of Anacortes (Action)
- 6. **Public Hearings**
 - a. * Resolution 3043 Confirming Interim Ordinance 3091 Facilitating Development of Daycares in the R4 Use Zone and Adopting a Work Plan (Discussion/Possible Action)
- 7. **Closed Record Decision Hearing**
 - a. CUP-2021-0001: Conditional Use Permit for the Cap Sante North Basin RV Park – Port of Anacortes (Discussion/Action)
- 8. **Other Business**
 - a. * Resolution 3050: Authorizing Distribution of Tourism Promotion Funds (Discussion/Action)
- 9. **Adjournment**

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PROCLAMATION

WHEREAS, 1 in 285 children in the United States will be diagnosed with Cancer by their 20th birthday or 15,780 children annually who are diagnosed, and

WHEREAS, there are approximately 40,000 children on active treatment at any given time, and, nearly 2,000 American children under the age of nineteen still die each year from cancer, and

WHEREAS, of the surviving patients two-thirds will have chronic health conditions as a result of their treatment toxicity, including conditions later on in life such as ailments related to – heart, liver, lung damage, infertility, secondary cancers and growth deficits; and

WHEREAS, Cancer is the leading killer of children by disease and the causes of childhood cancer are largely unknown, more studies are needed to understand which treatments work best for children; and

WHEREAS, researchers and healthcare professionals work diligently dedicating their expertise to treat and cure children with cancer, and; although the five-year survival rate for childhood cancers has reached 80 percent the City of Anacortes recognizes that there are unique research needs of childhood cancer; and

WHEREAS, hundreds of non-profit organizations at the local and national level including the American Childhood Cancer Organization are helping children with cancer and their families cope through educational, emotional and financial support, and

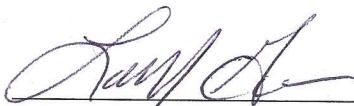
WHEREAS, Anacortes is a caring community that supports children and families and too many children are affected by this deadly disease and more must be done to raise awareness and find a cure.

NOW, THEREFORE BE IT RESOLVED, that Mayor Laurie Gere of the City of Anacortes declares the month of September 2021, to be

CHILDHOOD CANCER AWARENESS MONTH

In the City of Anacortes and encourages all citizens to support this cause which impacts children and their families in our community and communities across our country.

Signed this 7 day of September 2021.


Laurie Gere, Mayor



Anacortes City Council Minutes - August 23, 2021

Call to Order

Mayor Laurie Gere called to order the Anacortes City Council meeting of August 23, 2021 at 6:00 p.m. Councilmembers Jeremy Carter, Anthony Young, Ryan Walters, Carolyn Moulton, Bruce McDougall and Matt Miller participated in the meeting via Zoom. Councilmember Christine Cleland-McGrath was absent.

Mr. Walters moved, seconded by Mr. Miller, to excuse the absence of Ms. Cleland-McGrath. The motion carried unanimously by voice vote.

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Executive Session: Potential Litigation or Litigation per RCW 42.30.110(1)(i) (20 minutes)

Mayor Gere announced that City Council and the City Attorney would convene in Executive Session per RCW 42.30.110 (i) until approximately 6:20 p.m. to discuss potential litigation or litigation. Councilmembers Jeremy Carter, Anthony Young, Ryan Walters, Carolyn Moulton, Bruce McDougall and Matt Miller attended the executive session virtually.

At 6:20 p.m. the mayor reconvened the regular meeting. No action was taken.

Announcements and Committee Reports

Recognition of Eric Shjarback, Assistant Public Works Director/City Engineer

Mayor Gere read a statement recognizing the public service of retiring Assistant Public Works Director and City Engineer Eric Shjarback. Public Works Director Fred Buckenmeyer presented Mr. Shjarback with a street sign for Shjarback Way.

COVID-19 Update

Mayor Gere shared current case statistics and vaccination progress for Anacortes, Skagit County and Washington State. She summarized recent Washington State guidance regarding COVID.

Mr. McDougall shared a graph illustrating the steep recent increase in COVID infections in Skagit County.

Traffic Safety Committee

Mr. Miller reported from the Committee meeting held the previous week. The topics discussed included Guemes Ferry parking during annual ferry haul outs, a speed study on Skyline Way, the West 3rd Street traffic calming project, Kansas Avenue, parking on Sands Way, the 10th Street and Q Avenue intersection, and stop sign reconfiguration at 41st Street and O Avenue and at Commercial Avenue and Fidalgo Avenue.

Housing Affordability and Community Services Committee

Mr. Walters reported from the Committee meeting held the previous week. The topic discussed in depth was involuntary mental health treatment.

Parks and Recreation Committee

Ms. Moulton reported from the Committee meeting held the previous week. The capital projects discussed included the Grand View Cemetery expansion project, a new restroom at Washington Park, the Tommy Thompson trestle grant, and the Rotary Club trail and lookout at Cap Sante. The members also discussed the ACFL Conservation Easement Program and the ACFL Management Plan.

Planning Committee

Ms. Moulton reported from the Committee meeting held earlier in the evening. The topics discussed included Planning Department staffing, 1502 5th Street cleanup following the fire, West 5th Street property that Habitat for Humanity would like to use for housing, and the upcoming resolution regarding day care in the R4 zone.

Public Comment

No one present wished to address the Council on any topic not already on the agenda.

Consent Agenda

Mr. Miller moved, seconded Young, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

- a. Minutes of August 16, 2021
- b. Approval of claims in the amount of \$376,136.60
 - The following vouchers/checks were approved for payment:
 - EFT numbers: 100956 through 101000, total \$286,845.21
 - Check numbers: 101001 through 101032, total \$199,813.85
 - Wire transfer numbers: 289005 through 289152, total \$1,751.10
- c. Contract Award: Treatment Plant Chemicals #21-185-IDS

OTHER BUSINESS

Contract Award: Water Supply Agreement with Samish Indian Nation #21-198-WTR-001

Water System Manager Brian McDaniel requested City Council consent to enter into contract #21-198-WTR001 with the Samish Indian Nation ("Samish") to secure a supply of water for the Samish residential and commercial/industrial water supply requirements in an area within the City's water service area. Mr. McDaniel summarized the packet materials for this agenda item and responded to councilmember questions.

ANTHONY YOUNG moved, seconded by BRUCE MCDOUGALL, to authorize the Mayor to sign the Water Supply Agreement #21-198-WTR-001 with the Samish Indian Nation.

Mr. Walters disclosed that as a fixed salary employee of the Samish Indian Nation, one of the contracting parties to the agreement, under RCW 42.23.040 he had a remote interest in the agreement and that for the city to enter into the agreement his vote could not be counted.

Vote: Ayes - JEREMY CARTER, ANTHONY YOUNG, CAROLYN MOULTON, BRUCE MCDOUGALL, MATT MILLER. Abstain - RYAN WALTERS. Nays - None. Result: Passed

Adjournment

There being no further business, at approximately 6:55 p.m. the Anacortes City Council meeting of August 23, 2021 was adjourned.

The following claims against the City of Anacortes have been preaudited and certified by the Clerk-Treasurer as ready for City Council approval at the September 7, 2021 City Council meeting:
[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
289820	5/31/2021	9978	DALTON, OLMSTED & FUGLEVAND	WWTP OUTFALL PRE-DESIGN - MAY 2021	\$ 42,397.50	pw1
289275	6/17/2021	280400	U.S. MOWER	MOWER PARTS #704	\$ 318.50	dshop
289467	6/30/2021	ContractVolleyball	SEAHAWK ATHLETIC BOOSTER ASSOC	YOUTH VOLLEYBALL CAMP 06/08-06/11	\$ 768.00	pkrec
289848	7/19/2021	33872	ESARY ROOFING & SIDING CO INC	MUSEUM ROOF REPLACEMENT	\$ 50,926.02	pw1
289158	7/27/2021	4411510	TWO RIVERS TERMINAL, LLC	CALCIUM NITRATE SOLUTION 48.5%	\$ 9,287.51	dwwtp
289615	7/31/2021	65194527	150-PRAXAIR DISTRIBUTION INC	MAINTENANCE SUPPLIES	\$ 252.27	dwwtp
289468	7/31/2021	FB-1687	CITY OF MOUNT VERNON	DARK FIBER	\$ 350.00	fiber
289362	7/31/2021	3093396812	LEXISNEXIS	LEGAL ON-LINE RESEARCH JULY 2021	\$ 332.93	legal
289150	7/31/2021	1780	SKAGIT CONSERVATION DISTRICT	NPDES II OUTREACH & EDUCATION - JULY 2021	\$ 1,551.24	pw1
289350	7/31/2021	072146904	SKAGIT PUBLISHING LLC	SPILL AD	\$ 1,110.00	pw1
289265	7/31/2021	386000156	US BANK NA - CUSTODY TREAS DIV	INVESTMENT FEES 07/01-07/31/21	\$ 42.00	finance
289841	7/31/2021	278	WIDENER & ASSOCIATES	SKAGIT RIVER 42" WATER LINE PROJECT - DESIGN ASSISTANCE & PERMITTING - JULY 2021	\$ 1,080.00	pw1
289842	7/31/2021	277	WIDENER & ASSOCIATES	FEMA EMERGENCY REPAIRS - WHISTLE LAKE DAM AND GUEMES CHANNEL TRAIL - JULY 2021	\$ 1,382.40	pw1
289843	7/31/2021	275	WIDENER & ASSOCIATES	32ND STREET AND M AVENUE INTERCHANGE IMPROVEMENTS - JULY 2021	\$ 2,541.60	pw1
289880	8/1/2021	0542005-001	UNUM LIFE INS CO OF AMERICA	LEOFF LONG-TERM CARE PREMIUM	\$ 1,024.90	hr
289795	8/2/2021	WAANA135732	FASTENAL COMPANY	MAINTENANCE SUPPLIES	\$ 25.68	dwwtp
289808	8/3/2021	51729	ROBINSON BROTHERS	MUNICIPAL BROADBAND NETWORK - 2021 WESTSIDE BACKBONE EXPANSION	\$ 335,972.96	fiber
289276	8/4/2021	00102764	OWEN EQUIPMENT COMPANY	RUBBER GASKET #610	\$ 24.65	dshop
289561	8/5/2021	08/05/2021	FIDALGO CLEANING	CARNEGIE CLEANING	\$ 140.00	museum
289280	8/5/2021	51267	KRIEG CONSTRUCTION, INC	HOT MIX ASPHALT	\$ 12,134.07	dshop
289329	8/6/2021	BC1417808	GALLS, LLC.	CLASS B UNIFORMS - HORNE	\$ 1,490.93	medic
289308	8/8/2021	RefundGreaves	GREAVES, KRIYA	WA PARK CAMPGROUND REFUND GREAVES	\$ 16.00	parks1
289346	8/9/2021	21-2146	IMS ALLIANCE	PASSPORT NAMETAGS	\$ 25.84	medic
289678	8/9/2021	54209942	INGRAM LIBRARY SERVICES, LLC	072221A ADULT BOOKS	\$ 627.41	publib
289312	8/9/2021	RefundJackson	JACKSON, RANDY	WA PARK CAMPGROUND REFUND	\$ 15.00	parks1
289219	8/9/2021	300000305007	PUGET SOUND ENERGY INC	SKYLINE ST LIGHTS 7/1 - 7/30/2021	\$ 414.45	dshop
289313	8/9/2021	300000000343	PUGET SOUND ENERGY INC	PARKS/CEM/WASH. PARK/FAC/DEPOT 07/06-08/04	\$ 2,887.08	parks1
289847	8/9/2021	302	SKAGIT PUBLIC UTILITY	MUTUAL ASSISTANCE ON PROJECTS - JULY 2021	\$ 2,096.42	pw1

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
289839	8/10/2021	1200365732	HDR ENGINEERING, INC	COMBINED SEWER OVERFLOW PUMP STATION DESIGN - 6/27/21-7/31/21	\$ 16,907.09	pw1
289465	8/10/2021	331 0588900	UNIFIRST CORPORATION	UNIFORM LAUNDRY - FIBER	\$ 40.76	fiber
289840	8/11/2021	1200366273	HDR ENGINEERING, INC	SK RIVER PIPELINE/CLEARWELL PROJECT - CONSTRUCTION MANAGEMENT - 6/27-7/31/21	\$ 20,372.53	pw1
289339	8/11/2021	9504319597	TELEFLEX LLC	EZ-IO POWER DRIVER	\$ 335.65	medic
289797	8/12/2021	812-19358	GCR TIRES & SERVICES	SERVICE- #515	\$ 116.26	dshop
289798	8/12/2021	812-19357	GCR TIRES & SERVICES	SERVICE- #515	\$ 17.14	dshop
289790	8/12/2021	INV-995644	OWENS PUMP & EQUIPMENT	INCINERATOR MAINTENANCE	\$ 1,430.45	dwwtp
289612	8/12/2021	S20217863	SUPERIOR SYSTEMS, INC	OUTSIDE LABOR	\$ 119.35	dwwtp
289354	8/13/2021	978 800 0000 1	CASCADE NATURAL GAS CORP.	STA 3; 7/13 - 8/11/21	\$ 24.60	medic
289679	8/13/2021	54293113	INGRAM LIBRARY SERVICES, LLC	072821A ADULT BOOKS	\$ 669.29	publib
289273	8/13/2021	231862	NAPA	AUTO TRANS FLUID #108	\$ 9.02	dshop
289277	8/13/2021	00102917	OWEN EQUIPMENT COMPANY	FLANGES REPAIRS TO #610A	\$ 606.81	dshop
289728	8/13/2021	ReimbScheepers	SCHEEPERS, EDWIN	OVERNIGHT TRAINING PER DIEMS; OFC SCHEEPERS PATROL TACTICS INST	\$ 570.00	apd
289274	8/16/2021	I5877140	HD FOWLER COMPANY INC	8" DUCTILE IRON MJ X MJ GATE VALVE	\$ 2,287.69	wdist
289835	8/16/2021	1200368264	HDR ENGINEERING, INC	WASTEWATER TREATMENT PLANT OUTFALL - DESIGN - 6/27/21-7/31/21	\$ 58,292.72	pw1
289680	8/16/2021	54318371	INGRAM LIBRARY SERVICES, LLC	073121EJ JUVENILE BOOKS	\$ 739.91	publib
289347	8/16/2021	1125632	LIFE ASSIST, INC	MEGAMOVERS, COLLARS, GASKETS	\$ 470.78	medic
289614	8/16/2021	0273063-IN	REISNER DISTRIBUTOR INC	INCINERATOR FUEL	\$ 2,684.82	dwwtp
289666	8/16/2021	0273059-IN	REISNER DISTRIBUTOR INC	BULK OIL FOR SHOP	\$ 1,763.95	dshop
289722	8/16/2021	2021Q2-41	SKAGIT COUNTY GOVERNMENT	2021 QTR 2 - SPILLMAN	\$ 7,238.56	apd
289266	8/16/2021	12794	SKAGIT PUBLISHING LLC	PUBLISH AA-131132	\$ 101.50	finance
289267	8/16/2021	12795	SKAGIT PUBLISHING LLC	PUBLISH AA-131139	\$ 93.38	finance
289268	8/16/2021	12796	SKAGIT PUBLISHING LLC	PUBLISH AA-131142	\$ 97.44	finance
289270	8/16/2021	12797	SKAGIT PUBLISHING LLC	PUBLISH AA-131579	\$ 121.80	finance
289676	8/17/2021	1239051	BLACKSTONE PUBLISHING	BLACKSTONE PUBLISHING	\$ 100.00	publib
289474	8/17/2021	8498 30 017 0543538	COMCAST	DEPOT INTERNET 611 R AVENUE - 8/22-9/21/21	\$ 186.16	parks1
289721	8/17/2021	86961095	EMERALD RECYCLING SVCS INC	OIL SERVICE	\$ 132.05	dwwtp
289323	8/17/2021	1004556	FERGUSON ENTERPRISES, INC	MXU'S	\$ 334.00	wdist
289674	8/17/2021	1004553	FERGUSON ENTERPRISES, INC	PRORATED MXU'S	\$ 814.16	wdist
289477	8/17/2021	019074721	GALLS, LLC.	UNIFORM STARS FOR CHIEF FLOYD	\$ 51.23	apd
289338	8/17/2021	MV259526	MOTOR TRUCKS, INC	BREAK CANS- #304	\$ 308.97	dshop
289802	8/17/2021	2133-01	QUANTUM CONSTRUCTION, INC	SERVER ROOM FIRE SURPRESSION SEALER	\$ 1,605.76	pwfac
289328	8/17/2021	698906	USA BLUE BOOK	BH LAB SUPPLIES: STABLCAL AMPULE CAL KIT, 10 BUFFER, CHLORINE STANDARDS	\$ 510.70	dwwtp
289356	8/18/2021	ReimbBrown	BROWN, CHRISTOPHER	REIMBURSE FOR TRAINING MANUAL	\$ 70.73	medic

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
289811	8/18/2021	2021514-1	COMMERCIAL FIRE PROTECTION INC	SERVER ROOM/FIBER ROOM FIRE SUPPRESSION SYSTEM - AUGUST 2021	\$ 3,408.70	pw1
289673	8/18/2021	0995012-1	FERGUSON ENTERPRISES, INC	MXU'S FOR INVENTORY	\$ 50,205.64	wdist
289464	8/18/2021	9322949033	GRAYBAR ELECTRIC COMPANY, INC	FIBER OPTIC CABLE	\$ 4,174.58	fiber
289325	8/18/2021	771073	HASA, INC	SODIUM HYPOCHLORITE	\$ 4,265.58	dwtpt
289331	8/18/2021	MV259591	MOTOR TRUCKS, INC	DOZER INJECTOR- #610	\$ 459.45	dshop
289337	8/18/2021	MV259575	MOTOR TRUCKS, INC	AFM DEVICE GASKET, HARDWARE KIT- #610	\$ 91.93	dshop
289271	8/18/2021	232352	NAPA	BATTERY & CORE DEPOSIT #410	\$ 330.64	dshop
289613	8/18/2021	203436	NORTHSTAR CHEMICAL INC.	CHEMICALS	\$ 1,963.84	dwwtpt
289809	8/18/2021	51821	ROBINSON BROTHERS	MUNICIPAL BROADBAND NETWORK - 2021 WESTSIDE BACKBONE EXPANSION	\$ 241,117.40	fiber
289279	8/18/2021	RefundSarmiento	SARMENTO, GLORIA	CAMPGROUND REFUND	\$ 62.00	parks1
289326	8/18/2021	331 0590117	UNIFIRST CORPORATION	WTP LAUNDRY SERVICE	\$ 156.98	dwtpt
289327	8/18/2021	700435	USA BLUE BOOK	LAB SUPPLIES: POURRITE, 3-PK BUFFER, SAMPLE VIALS, DETERGENT	\$ 677.01	dwtpt
289319	8/19/2021	306516A	BAY CITY SUPPLY	FACILITY USE ITEMS	\$ 220.05	pwfac
289469	8/19/2021	795 700 0000 4	CASCADE NATURAL GAS CORP.	CITY HALL 7/20-8/18/21	\$ 18.08	finance
289470	8/19/2021	710 300 0000 5	CASCADE NATURAL GAS CORP.	OPS 7/20-8/18/21	\$ 67.03	dshop
289472	8/19/2021	674 400 0000 7	CASCADE NATURAL GAS CORP.	STA 1: 7/20 - 8/18/21	\$ 41.70	medic
289475	8/19/2021	169 400 0000 9	CASCADE NATURAL GAS CORP.	STA 2: 7/20 - 8/18/21	\$ 23.12	medic
289476	8/19/2021	038 200 0000 2	CASCADE NATURAL GAS CORP.	APD 7/20-8/18/21	\$ 350.64	apd
289558	8/19/2021	912 800 0000 0	CASCADE NATURAL GAS CORP.	CARNEGIE 7/20-8/18/21	\$ 15.63	museum
289559	8/19/2021	199 800 0000 4	CASCADE NATURAL GAS CORP.	MUSEUM 7/20-8/18/21	\$ 13.00	museum
289611	8/19/2021	989 800 0000 8	CASCADE NATURAL GAS CORP.	WWTP 7/20-8/18/21	\$ 14.69	dwwtpt
289675	8/19/2021	154 700 0000 9	CASCADE NATURAL GAS CORP.	LIBRARY 7/20-8/18/21	\$ 218.97	publib
289825	8/19/2021	917 600 0000 9	CASCADE NATURAL GAS CORP.	1915 13TH ST. 07/20-08/18/21	\$ 15.54	parks1
289827	8/19/2021	638 000 0000 0	CASCADE NATURAL GAS CORP.	411 HILLCREST DR. #B, 07/20-08/18/21	\$ 13.00	parks1
289828	8/19/2021	260 037 3822 1	CASCADE NATURAL GAS CORP.	611 R AVENUE 07/20-08/18/21	\$ 15.63	parks1
289829	8/19/2021	304 713 4234 2	CASCADE NATURAL GAS CORP.	607 R AVE SERVICE DATES 07/20-08/18/21	\$ 14.72	parks1
289830	8/19/2021	440 400 0000 0	CASCADE NATURAL GAS CORP.	FIDALGO CENTER 07/20-08/18/21	\$ 60.52	parks1
289833	8/19/2021	538 000 0000 1	CASCADE NATURAL GAS CORP.	411 HILLCREST DR. 07/20-08/18/21	\$ 21.44	parks1
289560	8/19/2021	08/05/2021	FIDALGO CLEANING	MARITIME HERITAGE CENTER CLEANING	\$ 80.00	museum
289330	8/19/2021	MV259617	MOTOR TRUCKS, INC	ELC REPAIR CONNECTOR- #610	\$ 45.93	dshop
289799	8/19/2021	MV259623	MOTOR TRUCKS, INC	HEADLIGHT PIGTAILS- #609	\$ 43.74	dshop
289322	8/19/2021	232668	NAPA	AIR FILTER- #304	\$ 48.79	dshop
289307	8/19/2021	RefundParsons	PARSONS, ZACHARY	WA PARK CAMPGROUND REFUND	\$ 48.00	parks1
289318	8/19/2021	RefundRafnson	RAFNSON, DENISE	WA PARK CAMPGROUND REFUND	\$ 66.00	parks1
289726	8/19/2021	ReimbRoukie	ROUKIE, STEVEN	OVERNIGHT TRAINING PER DIEM REIMB; OFC ROUKIE NWGIA ANNUAL SYMPOSIUM	\$ 272.00	apd
289357	8/19/2021	9575-0	SHERWIN WILLIAMS	PAINT FOR EOC STORAGE CONTAINER	\$ 420.48	medic

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
289320	8/19/2021	114108	WALTON BEVERAGE COMPANY, INC	OPS: BREAKROOM SUPPLIES	\$ 90.25	dshop
289324	8/19/2021	114110	WALTON BEVERAGE COMPANY, INC	WTP BREAKROOM SUPPLIES	\$ 37.00	dwtpt
289473	8/19/2021	114107	WALTON BEVERAGE COMPANY, INC	CITY HALL BREAK ROOM SUPPLIES	\$ 74.00	finance
289725	8/20/2021	5102	ANACORTES PRINTING	PRINTING; FORCE INFO CARDS AND LAMINATING	\$ 57.20	apd
289359	8/20/2021	ReimbByer	BYER, CHRISTOPHER	REIMBURSEMENT FOR TRAINING MANUAL	\$ 72.32	medic
289358	8/20/2021	AN 805384	CENTRAL WELDING SUPPLY CO, INC	O2 FOR AMBULANE	\$ 58.85	medic
289460	8/20/2021	93183039	CHEMTRADE CHEMICALS US LLC	ALUMINUM SULFATE	\$ 5,252.16	dwtpt
289332	8/20/2021	2797327	FOSTER GARVEY PC	WHOLESALE WATER ISSUES MATTER NO. 84	\$ 2,221.00	legal
289333	8/20/2021	2797328	FOSTER GARVEY PC	SAMISH INDIAN NATION MATTER NO. 89	\$ 1,529.00	legal
289334	8/20/2021	2797329	FOSTER GARVEY PC	SEWER UTILITY ISSUES MATTER NO. 97	\$ 2,790.00	legal
289463	8/20/2021	12603726	HACH COMPANY	BUFFER 10.01	\$ 133.33	dwtpt
289482	8/20/2021	2797330	MCCULLOUGH HILL LEARY, PS	PROPERTY ISSUES (PORT) MATTER NO. 500	\$ 139.00	legal
289321	8/20/2021	232746	NAPA	2 CYCLE OIL- SHOP	\$ 136.00	dshop
289804	8/20/2021	P0001-56	QCC QUALITY CONTROLS CORP.	ON CALL PROFESSIONAL SERVICES AT WWTP - VFDS	\$ 2,872.32	dwwtpt
289805	8/20/2021	P0001-55	QCC QUALITY CONTROLS CORP.	ON CALL PROFESSIONAL SERVICES AT WWTP - JUNE/JULY 2021	\$ 7,185.50	dwwtpt
289720	8/20/2021	30889	SOUND WATER SERVICES, INC	YOKE AND ROD END ASSEMBLY X 2	\$ 385.00	dwtpt
289462	8/20/2021	15190	WASHINGTON CITIES INSURANCE	WCIA MISSED CLASS - IMPLICIT BIAS - ERIC S	\$ 100.00	pw1
289483	8/20/2021	15189	WASHINGTON CITIES INSURANCE	WCIA FOUNDATIONS OF IMPLICIT BIAS	\$ 100.00	plan
289534	8/20/2021	15183	WASHINGTON CITIES INSURANCE	WCIA TRAINING NO SHOW FEE LG	\$ 50.00	plan
289677	8/20/2021	15192	WASHINGTON CITIES INSURANCE	TRAINING JV	\$ 100.00	publib
289671	8/21/2021	171681	LAKESIDE INDUSTRIES, INC.	ROCK SALES, 5/8" X 3/4"	\$ 1,783.31	shopcc
289672	8/21/2021	171638	LAKESIDE INDUSTRIES, INC.	DUMP FEES - STREET DEPT	\$ 196.04	dshop
289479	8/21/2021	00005W5A83341	UNITED PARCEL SERVICE, INC	UPS SHIPPING CHARGES; WEEK ENDING 8-21-21	\$ 9.57	apd
289360	8/23/2021	6684170	CARDINAL HEALTH 110, INC.	PHARRMA: MIDAZOLAM	\$ 105.30	medic
289461	8/23/2021	P406944	CORE & MAIN LP	CLOW GATE VALVE & EPOXY TAP SLV SS BOLTS	\$ 2,365.59	wdist
289361	8/23/2021	RefundDenson	DENSON, LINDSAY	WA PARK CAMPGROUND REFUND	\$ 48.00	parks1
289355	8/23/2021	cpls	DEPARTMENT OF LICENSING	CPLS TO D.O.L.; JULY 2021	\$ 723.00	apd
289732	8/23/2021	019118087	GALLS, LLC.	UNIFORM SHIRTS; OFC MELTON	\$ 121.46	apd
289789	8/23/2021	812-19612	GCR TIRES & SERVICES	SERVICE #406	\$ 290.83	dshop
289793	8/23/2021	812-19613	GCR TIRES & SERVICES	TIRES- #513	\$ 553.62	dshop
289471	8/23/2021	1127479	LIFE ASSIST, INC	I-GEL O2 RESUS PACKS	\$ 143.79	medic
289466	8/23/2021	86546	MCCULLOUGH HILL LEARY, PS	WTP DEMO MATTER NO. 96	\$ 722.00	legal
289660	8/24/2021	652892	BLADE CHEVROLET, INC	KEY #198	\$ 96.63	dshop

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
289662	8/24/2021	652893	BLADE CHEVROLET, INC	KEYS #197	\$ 96.63	dshop
289557	8/24/2021	RefundCarson	CARSON, CHRISTA	WA PARK CAMPGROUND REFUND CARSON	\$ 139.00	parks1
289665	8/24/2021	026P23953	DOBBS PETERBILT - MARYSVILLE	WIPER BLADES #304	\$ 48.89	dshop
289806	8/24/2021	E21032P-20	ELEMENTAL AIR, LLC	WWTP INCINERATOR ANNUAL INCINERATOR COMPLIANCE EMISSIONS PERFORMANCE TEST	\$ 6,890.00	dwwtp
289730	8/24/2021	12610314	HACH COMPANY	TURB SERVICE	\$ 564.75	dwtpt
289663	8/24/2021	1882646	MILES SAND & GRAVEL CO.	5/8" CRUSHED ROCK- COMMERCIAL AVE & FIDALGO AVE	\$ 124.03	dshop
289669	8/24/2021	233106	NAPA	RE-STOCK HEAT SHRINK	\$ 39.44	dshop
289801	8/24/2021	331 0591041	UNIFIRST CORPORATION	UNIFORM LAUNDRY - FIBER	\$ 40.76	fiber
289566	8/25/2021	RefundBuczowski	BUCZKOWSKI, SAVANNA	WA PARK CAMPGROUND REFUND	\$ 43.00	parks1
289796	8/25/2021	WAANA136275	FASTENAL COMPANY	MAINTENANCE SUPPLIES	\$ 75.75	dwwtp
289818	8/25/2021	RefundGallo	GALLO, GLEN	BOAT LOT REFUND	\$ 15.00	parks1
289664	8/25/2021	71205	INDUSTRIAL RESEARCH PRODUCTS	MIGHTY PINK CLEANER	\$ 512.83	dshop
289565	8/25/2021	233026	NAPA	WELDING GAS- #513	\$ 77.62	dshop
289667	8/25/2021	233345	NAPA	OIL FILTER #425	\$ 8.23	dshop
289668	8/25/2021	233245	NAPA	AIR FILTER #424	\$ 26.80	dshop
289737	8/25/2021	1210917	SKAGIT COUNTY SOLID WASTE FUND	WTP DUMP RUN 0.03 TN, REFRIGERATOR, APPLIANCES	\$ 53.00	dwtpt
289609	8/25/2021	1752	THE CLEAN TEAM	LTAC PUBLIC RESTROOM MAINTENANCE	\$ 1,800.00	plan
289738	8/25/2021	331 0591177	UNIFIRST CORPORATION	WTP LAUNDRY SERVICE	\$ 107.57	dwtpt
289734	8/25/2021	707970	USA BLUE BOOK	GRADUATED CYLINDERS	\$ 65.97	dwtpt
289824	8/25/2021	34149	WESTERN SYSTEMS REFUSE &	HIND JOINT- #551	\$ 218.22	dshop
289731	8/26/2021	019148432	GALLS, LLC.	UNIFORM VEST NAME PATCH	\$ 10.30	apd
289812	8/26/2021	MV260029	MOTOR TRUCKS, INC	2 1/2 ROUND AMBER LIGHTS- #511	\$ 13.02	dshop
289736	8/26/2021	233505	NAPA	LAMP- #030	\$ 32.30	dshop
289815	8/27/2021	10541736	BARAL, JODI	SOCCER REC PROGRAM REFUND JODI BARAL	\$ 38.00	parks1
289803	8/27/2021	306764	BAY CITY SUPPLY	FACILITY USE ITEMS	\$ 996.09	pwfac
289729	8/27/2021	019157566	GALLS, LLC.	UNIFORM FLEECE JACKET AND SHELL; OFC MELTON	\$ 600.18	apd
289788	8/27/2021	812-19759	GCR TIRES & SERVICES	SERVICE- #404	\$ 234.35	dshop
289739	8/27/2021	233657	NAPA	LAMP- #011	\$ 56.29	dshop
289837	8/27/2021	233642	NAPA	ZERO RUST BLACK SPRAY PAINT- SHOP	\$ 200.67	dshop
289791	8/27/2021	1571686	POLYDYNE, INC	CLARIFLOC POLYMER	\$ 6,756.48	dwwtp
289879	8/27/2021	139790	SKAGIT PUBLISHING LLC	EMPLOYMENT ADS	\$ 380.00	hr
289733	8/28/2021	00005W5A83351	UNITED PARCEL SERVICE, INC	UPS SHIPPING; WEEK ENDING 8-28-21	\$ 26.49	apd
289723	8/30/2021	08/30/2021	FIDALGO CLEANING	APD CLEANING & SUPPLIES	\$ 800.00	apd
289741	8/30/2021	08/30/2021	GILBERTSON, RAE	CITY APPLIANCE REBATE	\$ 50.00	pwfac
289800	8/30/2021	9323131040	GRAYBAR ELECTRIC COMPANY, INC	MULTI-PORT SERVICE TERMINALS	\$ 444.14	fiber
289814	8/30/2021	RefundMcKenzie	MCKENZIE, SYLVIA	WA PARK CAMPGROUND REFUND	\$ 50.00	parks1

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
289836	8/30/2021	MV260181	MOTOR TRUCKS, INC	GOVERNER- #512	\$ 21.81	dshop
289807	8/30/2021	261877	OICLES, DAVID	CDL EXAM	\$ 92.00	plan
289719	8/30/2021	2021-01 APR	SKAGIT VALLEY SOFTBALL	ADULT SOFTBALL LEAGUE UMPIRE	\$ 1,914.00	pkrec
289821	8/30/2021	RefundThompson	THOMPSON, SANDRA	WA PARK CAMPGROUND REFUND	\$ 17.00	parks1
289846	8/31/2021	20-069-PRK-0031	PNW CIVIL, INC.	RETAINAGE RELEASE	\$ 8,440.08	pw1
289341	9/1/2021	20210901	CHOWANEC, WILLIAM	STA 3 RENT - SEPTEMBER	\$ 2,400.00	medic
289727	9/1/2021	2501	DEPARTMENT OF HEALTH	LOAN DWL24355/DM16-952-025	\$ 319,799.64	finance

Total **\$1,282,385.47**



City Council Agenda Bill

Meeting Date: September 7, 2021 **Agenda Item:** 5.c.

Agenda Item Title: Contract Modification: 2021 Waterline Replacements #21-006-WTR-001

Staff Contact(s): FRED BUCKENMEYER

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
TIFFANY MATSON	Contract Modification

Item Summary: City staff seeks Council consent to issue a contract modification to SummitX Contractors, Inc. in the amount of \$191,628.35, increasing the total contract price to \$1,135,021.18.

Background:

1. **Reason for Contract Change:** During routine valve exercising at 12th St & D Ave the water department discovered two water valves in the intersection as being inoperable. One valve was leaking at the bonnet while the other would not open or close. These valves are unrepairable and must be replaced. Additionally, while excavating for the damage water valves it was discovered that the existing 12-inch AC watermain is in very poor condition and must be replaced. This construction project will encompass the intersection and full replacement of the 12-inch AC watermain from "D" to "A" Avenue. In addition, during the installation of the new watermain on 38th Street the installation of the water main caused significant damage due to the poor condition of the roadway and made it necessary to repair the entire street. The existing road was only 1 to 1 ½ inches in thickness and breaking apart due to the poor condition of the existing asphalt. Additionally, it was brought to the City's attention during construction that because of the slope of the existing road, residents along 38th Street were experiencing issues with water running off the road and onto their properties which sit at a lower elevation than 38th Street. The existing road surface needed to be removed, material was brought in and graded to reshape 38th Street to the correct slope to keep run off away from the homes and 3-inches of asphalt was installed.
2. **History:** The City continues to make ongoing investments in its water system to maintain the integrity of the system and assure the delivery of safe drinking

water to the public. This includes the replacement of aging distribution piping before it reaches the point of possible failure, improving available water pressure within areas, and creating redundancy within the water system. This project will replace old distribution piping on Vale Street, Tweed Place, 22nd Street from "E" to "G" Avenue, 35th Street & "T" Avenue, 35th Street & "V" Avenue and at 38th Street & V Avenue. Additionally, an existing 6" watermain on 24th Street from "M" to "R" Avenue will be replaced with 8" ductile iron pipe. This watermain serves as the main source of water for Island Hospital as well as apartment complexes and businesses.

3. Key Terms: increase of \$191,628.35, no addition to the term of agreement
4. Competitive Bidding: On January 27, 2021 the City solicited bids for the subject project and on February 11, 2021 a bid opening was conducted and 10 bids were received. SummitX Contractors, Inc. was determined to be the lowest responsible bidder.

Budget Impact:

Consultant	SummitX Contractors, Inc.
Original Agreement Amount	\$943,392.83
Current Agreement Amount	\$943,392.83
Change Per this Modification	\$191,628.35
Total After Modification	\$1,135,021.18
All Mods % of Total Contract Amount	20%
Earmarked Funds	\$1,295,000.00
BARS #	401.000.594.34.63
Paid on Contract as of 8/30/21	\$490,152.62
Budget Amendment Required?	No
Start Date	Notice to Proceed
End Date	10/29/21

Previous Action: The original [contract](#) was awarded at the [3/1/21](#) Council meeting.

Recommended Motion: I move that City Council authorize the Mayor to sign a contract modification with SummitX Contractors, Inc., under Contract 21-006-WTR-001, in the amount of \$191,628.35, increasing the total contract price to \$1,135,021.18.

Alternative Actions: Not approve the modification.

Attachments (listed in order presented):

1. 21-006-WTR-001 Mod 01



Contract Number 21-006-WTR-001
MODIFICATION 01

Date September 7, 2021
Page 1 of 1 Pages

Project Title 2021 Waterline Replacements
Prime Contractor SummitX Contractors, Inc.

BACKGROUND

In accordance with Provisions 1-04.4 Changes, and 1-05.1 Control of Work as cited in Standard Specifications for Road, Bridge, and Municipal Construction 2018, this modification provides an equitable price adjustment in consideration of changes in Work as described below under Article I. Accordingly, the contract price is increased from \$943,392.83 by \$191,628.35 to \$1,135,021.18, and the following changes are incorporated under this contract:

ARTICLE I. WORK

Insert the following as the *second paragraph* under Article 1:

“The work as described above is hereby amended per Modification 01. The Contractor will incorporate and perform the items #124-145 of Schedules I and J, which are hereby incorporated by reference as Exhibit B and made a part hereof.”

ARTICLE II. PRICE

The paragraph is hereby deleted and replaced with the following:

“The Total Contract Price is **One Million One Hundred Thirty-Five Thousand Twenty-One Dollars and Eighteen Cents (\$1,135,021.18)**, which includes \$91,803.18 in 8.8% sales tax. The Contractor's bid schedule is incorporated by reference and attached hereto as Exhibit A. Per Modification 01, the Contractor's bid schedule is modified as detailed in Exhibit B, which is incorporated by reference and attached hereto.”

All other terms of the contract remain unchanged.

CITY OF ANACORTES

SUMMITX CONTRACTORS, INC.

By _____
Laurie Gere, Mayor

By _____

Date _____

Date _____

Original Agreement Amount	<u>\$943,392.83</u>	Original Contract Completion Date	<u>10/29/21</u>
Current Agreement Amount	<u>\$943,392.83</u>	Current Contract Completion Date	<u>10/29/21</u>
Change Per this Modification	<u>\$191,628.35</u>	Net Change	<u>0</u>
Total After Modification	<u>\$1,135,021.18</u>	Contract Completion Date After Change	<u>10/29/21</u>

MODIFICATION 01
EXHIBIT B

SCHEDULE I
2021 WATERLINE REPLACEMENTS
12th STREET
21-006-WTR-001

ITEM NO.	QTY	UNIT OF MEASURE	ITEM DESCRIPTION	UNIT PRICE (Figures)	TOTAL AMOUNT (Figures)
124	1	LS	TEMPORARY TRAFFIC CONTROL 1-10.5	At \$ <u>10,000.00</u> Per Lump Sum	\$ <u>10,000.00</u>
125	1	LS	TEMPORARY EROSION/WATER POLLUTION CONTROL 8-01.5	At \$ <u>100.00</u> Per Lump Sum	\$ <u>100.00</u>
126	20	TN	ASPHALT PATCHING (COLD MIX)	At \$ <u>150</u> Per Ton	\$ <u>3,000.00</u>
127	5	EA	POTHOLE EXISTING UNDERGROUND UTILITIES	At \$ <u>200</u> Per Each	\$ <u>1,000.00</u>
128	1000	LF	SAWCUTTING ASPHALT (Up to 12- inches) 2-02.5	At \$ <u>8.00</u> Per Linear Foot	\$ <u>8,000.00</u>
129	2500	SF	ROADWAY EXCAVATION W/HAUL 2-03.5	At \$ <u>.50</u> Per Square Foot	\$ <u>1,250.00</u>
130	20	LF	DUCTILE IRON PIPE CL 50 8 IN. DIAM. 7-09.5	At \$ <u>55.00</u> Per Linear Foot	\$ <u>1,100.00</u>
131	400	LF	DUCTILE IRON PIPE CL 50 12 IN. DIAM. 7-09.5	At \$ <u>95.00</u> Per Linear Foot	\$ <u>38,000</u>
132	1	LS	CONNECTIONS AS DESCRIBED WATER NOTE NO.1	At \$ <u>5,000.00</u> Per Lump Sum	\$ <u>5,000.00</u>
133	1	LS	CONNECTIONS AS DESCRIBED WATER NOTE NO.2	At \$ <u>5,000.00</u> Per Lump Sum	\$ <u>5,000.00</u>

SCHEDULE I
2021 WATERLINE REPLACEMENTS
12th STREET
21-006-WTR-001
(Continued)

ITEM NO.	QTY	UNIT OF MEASURE	ITEM DESCRIPTION	UNIT PRICE (Figures)	TOTAL AMOUNT (Figures)
134	1	LS	CONNECTION AS DESCRIBED WATER NOTE NO. 3	At \$ <u>11,000.00</u> Per Lump Sum	\$ <u>11,000.00</u>
135	1	LS	CONNECTION AS DESCRIBED WATER NOTE NO. 4	At \$ <u>5,000.00</u> Per Lump Sum	\$ <u>5,000.00</u>
136	4	EA	REPLACE EXISTING SHORT SIDE WATER SERVICES WATER NOTE NO. 8	At \$ <u>2,000.00</u> Per Each	\$ <u>2,000.00</u>
137	1	EA	REPLACE EXISTING LONG SIDE WATER SERVICES AS DESCRIBED WATER NOTE NO. 9	At \$ <u>2,000.00</u> Per Each	\$ <u>2,000.00</u>
138	1	EA	RECONNECT EXISTING SHORT SIDE WATER SERVICES AS DESCRIBED WATER NOTE NO. 11	At \$ <u>2,000.00</u> Per Each	\$ <u>2,000.00</u>
139	50	TN	3-INCHES HMA CL. ½ INCH PG 64-22 (TRENCH PATCHING) 5-04.5	At \$ <u>200.00</u> Per Ton	\$ <u>10,000.00</u>
140	10	LF	CEMENT CONCRETE GUTTER 8-04.5	At \$ <u>55.00</u> Per Linear Foot	\$ <u>550.00</u>
141	1	EA	TRAFFIC SIGNAL LOOP	At \$ <u>5,000.00</u> Per Each	\$ <u>5,000.00</u>
				SUBTOTAL	\$ <u>116,000.00</u>

SCHEDULE J
 2021 WATERLINE REPLACEMENTS
 38th STREET
 21-006-WTR-001

ITEM NO.	QTY	UNIT OF MEASURE	ITEM DESCRIPTION	UNIT PRICE (Figures)	TOTAL AMOUNT (Figures)
142	1	LS	MOBILIZATION 1-04.4(1)	2000.00	2000.00
143	1333	SY	PLANING BITUMINOUS PAVING	3.00	3999.00
143	135	TN	2-INCHES CRUSHED SURFACING TOP COURSE	38.00	5130.00
144	1	LS	FINE GRADING	4000.00	4000.00
145	225	TN	3-INCHES HMA CL ½ INCH PG64-22 5-04.5	200.00	45000.00
SUBTOTAL					60129.00



City Council Agenda Bill

Meeting Date: September 7, 2021 **Agenda Item:** 5.d.

Agenda Item Title: Contract Modification: WWTP Outfall Permitting Services #20-032-SEW-003

Staff Contact(s): FRED BUCKENMEYER

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
TIFFANY MATSON	Contract Modification

Item Summary: City staff seeks Council consent to issue a contract modification to Widener & Associates in the amount of \$118,977.57, increasing the total contract price to \$403,584.77.

Background:

1. **Reason for Contract Change:** The City requires additional geotechnical support and cost estimating support for the FEMA to determine the project funding cap for a replacement outfall. This work will also include some preliminary sampling and testing of a potential relocation alignment of the outfall.
2. **History:** The City is proceeding ahead with the design and construction of a new wastewater treatment plant outfall and improvements to replace ageing infrastructure. The new outfall pipe will also increase discharge of treated sewage to the new outfall.
3. **Key Terms:** increase of \$118,977.57, no addition to the term of agreement
4. **Competitive Bidding:** Per RCW 39.80 this consultant was selected from the City's MRSC Architectural, Landscape Architectural, and Engineering Service Roster to provide a proposal for this scope of work, after which a price was negotiated.

Budget Impact:

Consultant	Widener & Associates
Original Agreement Amount	\$284,607.20
Current Agreement Amount	\$284,607.20

Change Per this Modification	\$118,977.57
Total After Modification	\$403,584.77
All Mods % of Total Contract Amount	41%
Earmarked Funds	\$1,450,000.00
BARS #	440.000.594.35.63
Paid on Contract as of 8/30/21	\$21,611.80
Budget Amendment Required?	No
Start Date	Notice to Proceed
End Date	12/31/2022

Previous Action: Council approved contract [18-179-SEW-001](#) for the Sanitary Sewer Storage Study – Phase 1 Planning-10% Design at the [12/17/18](#) Council meeting. Contract [20-032-SEW-001](#) with Dalton, Olmsted & Fuglevand, Inc. was executed on 4/16/20, and [Modification 01](#) for the contract was approved at the [10/26/20](#) Council meeting. Contract [20-032-SEW-002](#) for HDR to perform the Pre-Design Phase 2 work was approved at the [2/3/20](#) Council meeting. Contract [20-032-SEW-003](#) for Widener and Associates to provide permitting services was also approved at the [2/3/20](#) Council meeting. Contract [20-032-SEW-007](#) with HDR Engineering, Inc. for final design services was approved at the [1/25/2021](#) Council meeting.

Recommended Motion: I move that City Council authorize the Mayor to sign a contract modification with Widener & Associates, under Contract 20-032-SEW-003, in the amount of \$118,977.57, increasing the total contract price to \$403,584.77.

Alternative Actions: Not approve the modification.

Attachments (listed in order presented):

1. 20-032-SEW-003 Mod 01



Date September 7, 2021
Page 1 of 1 Pages

Project Title Wastewater Treatment Plant Outfall Permitting Services
Prime Contractor Widener & Associates

BACKGROUND

In accordance with Article 15. Changes/Additional Work, this modification provides an equitable price adjustment in consideration of changes in Work as described below under Article I. Accordingly, the contract price is increased from \$284,607.20 by \$118,977.57 to \$403,584.77, and the following changes are incorporated under this contract:

ARTICLE I. WORK

Insert the following as the *second paragraph* under Article 1:

“The work as described above is hereby amended per Modification 01. The Consultant shall provide additional services in accordance with Exhibit B, which is attached hereto and incorporated by reference.”

ARTICLE 2. PRICE

The paragraph is hereby deleted and replaced with the following:

“The services provided under this Agreement shall be provided on a time-and-materials basis not-to-exceed **Four Hundred Three Thousand Five Hundred Eighty-Four Dollars and Seventy-Seven Cents (\$403,584.77)**. Payments shall be made in accordance with attached Exhibits A and B, which are hereby incorporated into this Agreement by reference. Other direct costs and Subconsultant costs shall be invoiced at actual costs.”

All other terms of the contract remain unchanged.

CITY OF ANACORTES

WIDENER & ASSOCIATES

By _____
Laurie Gere, Mayor

By _____

Date _____

Date _____

Original Agreement Amount	<u>\$284,607.20</u>	Original Contract Completion Date	<u>12/31/2022</u>
Current Agreement Amount	<u>\$284,607.20</u>	Current Contract Completion Date	<u>12/31/2022</u>
Change Per this Modification	<u>\$118,977.57</u>	Net Change	<u>0</u>
Total After Modification	<u>\$403,584.77</u>	Contract Completion Date After Change	<u>12/31/2022</u>

WWTP OUTFALL PERMITTING SERVICES CONTRACT SUPPLEMENT
CONTRACT # 20-032-SEW-003
EXPLORATORY DRILLING & CONSTRUCTION COST
Scope of Work
Environmental Services

The intent of this supplemental scope of work is to provide the City with a geotechnical support and cost estimating support for the FEMA to determine the project funding cap for a replacement outfall. This work will also include some preliminary sampling and testing of a potential relocation alignment of the outfall. The following tasks will be completed under this supplemental agreement:

Task 1 Permit Work

Complete permitting for the sampling of a proposed new alignment of the existing outfall and complete the DNR easement transfer to the new alignment. The permitting will consist of completing a JARPA and the WDFW online HPA application to obtain the 404 permit and the HPA. In addition to the permit work, Widener will modify the pending DNR permit application to obtain a new aquatic lease that replaces the original aquatic easement.

Task 2 Purpose and Need

Widener along with subcontractors Culberson Marine and Holt Services will provide core drilling and bottom sampling at 13 locations along the proposed alignment. Near shore soil samples will also be grabbed and expedited through the lab. This work will include providing a barge and drilling equipment along with implementation of the drilling plan permitted under Task 1.

Deliverable(s)

- Drilling permits include the HPA and the Section 404 permit.
- Aquatic lease for relocated outfall.
- Lab results from nearshore soil samples.
- Barge and drilling services.

Project Name		WWTP Outfall Permitting Services (20-032-SEW-003)		
Client		City of Anacortes - Eric Shjarback		
Location		Anacortes, WA		
Tasks	Project Management	Senior Biologist	Project Biologist	
Permitting Work				
Aquatic Lease Transfer	10	10	15	
WDFW HPA	5	10	20	
US Army Corp. JARPA	20	30	40	
Purpose and Need				
Preliminary Soil Sample Grab	10	4	0	
Total Hours	45	54	75	
Summary	Hours	Rate	Cost	
Project Management	45	\$ 170.40	\$ 7,668.00	
Senior Biologist	54	\$ 120.00	\$ 6,480.00	
Project Biologist	75	\$ 86.80	\$ 6,510.00	
Total Labor				\$ 20,658.00
Outside Services				
Culbertson Marine Barge, Platform & Crew				\$ 69,944.57
Holt Services Inc. Drilling				\$ 28,375.00
Fremont Analytical Lab Results				\$ 1,470.00
TOTAL ESTIMATED COST				\$ 118,977.57



City Council Agenda Bill

Meeting Date: September 7, 2021 **Agenda Item:** 5.e.

Agenda Item Title: Contract Modification: Anchor QEA - Master Services Agreement #21-024-LEG-001

Staff Contact(s): FRED BUCKENMEYER

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
TIFFANY MATSON	Contract Modification

Item Summary: City staff seeks Council consent to issue a contract modification to Anchor QEA, LLC in the amount of \$114,408.00, increasing the total contract price to \$572,808.00, to include Task Order #3, "Former Anacortes Water Treatment Plant: Pre-Design Testing to Evaluate Treatment for Remediation of PCB-Contaminated Building Materials."

Background:

1. **Reason for Contract Change:** This modification adds Task Order #3 for the pre-design testing to evaluate treatment of PCB-contaminated building materials at the former WTP to accurately plan for demolition of the building. This task item is the next step in the process of demolishing the former Water Treatment Plant in Mount Vernon. This scope of services will include three phases: pre-design investigation work plan, pre-design investigation implementation, and coordination and reporting. The purpose of this scope of services is to identify the most cost effective method of decommissioning and disposing of PCB-contaminated materials in the former water treatment plant.
2. **History:** The City has been working with Anchor QEA on its water treatment plant site under the Model Toxics Cleanup Act. Anchor QEA has been a critical part of the City's team, overseeing necessary testing, site evaluation, and cleanup and demolition planning. The City is now done with the testing phase of the WTP project and is moving forward with cleanup and demolition planning.
3. **Key Terms:**
 - Work will be performed on a time and materials basis not-to-exceed \$572,808.00.
 - No change in period of performance.
4. **Competitive Bidding:** This work is considered a personal service and therefore not

subject to any competitive bidding requirements.

Budget Impact:

Consultant	Anchor QEA, LLC
Original Agreement Amount	\$458,400.00
Current Agreement Amount	\$458,400.00
Change Per this Modification	\$114,408.00
Total After Modification	\$572,808.00
All Mods % of Total Contract Amount	25%
BARS #	401.711.534.00.41
Paid on Contract as of 8/30/21	\$178,229.04
Budget Amendment Required?	Yes
Revenue Source?	Water utility
Start Date	Inception
End Date	12/31/22

Previous Action: Council approved Contract [21-024-LEG-001](#) at the [January 25, 2021](#) meeting.

Recommended Motion: I move that City Council authorize the Mayor to sign a modification to contract 21-024-LEG-001 with Anchor QEA, LLC in the amount of \$114,408.00, increasing the total contract price to \$572,808.00.

Alternative Actions: Not approve the modification.

Attachments (listed in order presented):

1. 21-024-LEG-001 Mod 01



Date September 7, 2021
Page 1 of 1 Pages

Contract Title MASTER SERVICES AGREEMENT
Vendor ANCHOR QEA, LLC

BACKGROUND

This modification provides for an increase in the Scope of Work to include Task Order #3, "Former Anacortes Water Treatment Plant: Pre-Design Testing to Evaluate Treatment for Remediation of PCB-Contaminated Building Materials" and an equitable price adjustment in consideration of changes in Work. Accordingly, the contract price is increased from \$458,400.00 by \$114,408.00 to \$572,808.00, and the following changes are incorporated under this contract:

ARTICLE J. ATTACHMENTS AND SCHEDULES

The paragraph is hereby deleted and replaced with the following:

"The following attachments and schedules are hereby made a part of this AGREEMENT:

Attachment 1: Authorized Scope of Services, Budget, and Billing Rates – Task Order #1 and Task Order #2

Attachment 2: Authorized Scope of Services, Budget, and Billing Rates - Task Order #3"

All other terms of the contract remain unchanged.

CITY OF ANACORTES

ANCHOR QEA, LLC

By _____
Laurie Gere, Mayor

By _____

Date _____

Date _____

Original Agreement Amount	<u>\$458,400.00</u>	Original Contract Completion Date	<u>12/31/2022</u>
Current Agreement Amount	<u>\$458,400.00</u>	Current Contract Completion Date	<u>12/31/2022</u>
Change Per this Modification	<u>\$114,408.00</u>	Net Change	<u>0</u>
Total After Modification	<u>\$572,808.00</u>	Contract Completion Date After Change	<u>12/31/2022</u>

Task Order #3 Scope of Work

August 12, 2021

Former Anacortes Water Treatment Plant: Pre-Design Testing to Evaluate Treatment for Remediation of PCB-Contaminated Building Materials City of Anacortes, Washington

Project Understanding

This Scope of Work includes effort for Anchor QEA, LLC, to support the City of Anacortes (City) with pre-design testing to evaluate treatment of polychlorinated biphenyl (PCB)-contaminated building materials at the Former Anacortes Water Treatment Plant (Anacortes FWTP). The decommissioned Anacortes FWTP is located in Mount Vernon, Washington, and is owned by the City. The FWTP facilities include an Administration Building, a Sedimentation Basin, a Filtration Basin, and a Clear Well. Demolition of the FWTP is planned in 2022.

The results of the recent demolition pre-design investigation (PDI) indicated that some of the interior walls, floors, and the majority of the large-diameter water pipes located in the former Administration Building contain PCBs at concentrations greater than 50 parts per million (ppm). The source of PCBs is associated with the paint that was used on these materials. Based on these results, the demolition debris will require disposal as a PCB bulk product waste rather than for reuse or recycling. Off-site disposal of these materials following demolition would result in an increase of at least \$300,000 to the estimated project cost. To potentially reduce and/or eliminate these extra costs and allow for the planned on-site reuse and/or recycling of these materials, Anchor QEA proposes to conduct a PDI that would evaluate use of an in situ treatment technology that extracts and destroys PCBs from the impacted building materials prior to demolition.

The National Aeronautics and Space Administration (NASA) has developed and patented a technology for remediating building materials that have been contaminated by PCBs. This technology is called Activated Metal Treatment System (AMTS) and is a paste-like formulation that can be applied to different types of building materials such as those in the Administration Building. The AMTS paste extracts PCBs from the building material and breaks them down into benign byproducts. The resulting building material may then be reused or recycled, and there is no additional required treatment for PCBs (in either the building material or the used paste).

The AMTS technology has been used to extract PCBs from painted metal (i.e., non-porous) and concrete floors (i.e., porous) surfaces at NASA facilities as well as other U.S. Department of Defense (DOD) installations. The University of Central Florida (UCF) developed a modified version of AMTS that, according to UCF research, has been demonstrated as being more effective on the extraction of PCBs

from porous and non-porous surfaces. A PDI is proposed to assess different test applications of AMTS (both NASA and UCF formulas) on PCB-contaminated materials inside the former Administration Building to determine the optimal duration and number of applications needed to achieve the site cleanup level.

The PDI will require coordination with the Washington Department of Ecology (Ecology) and the U.S. Environmental Protection Agency (EPA) Region 10 PCB Coordinator to gain approval of the PDI implementation and verification methods. If successful in destroying the elevated PCB levels, the PDI data will be used to obtain regulatory approval of the treatment method and develop the full-scale design for the treatment of the applicable building materials and determination of final disposition of the treated materials (e.g., recycling, reuse, or disposal as a non-hazardous solid waste).

This Scope of Work includes effort to support outreach to Ecology and EPA, develop of a concise Pre-Design Investigation Work Plan (PDI Work Plan), acquire an evaluation license from UCF (i.e., for their AMTS formula), purchase a small quantity of commercially available AMTS (NASA formula), purchase raw materials to prepare the AMTS paste (UCF formula) on site, implement the PDI (inside the former Administration Building), and perform confirmation testing and reporting through March 2022.

Scope of Services and Deliverables

The Scope of Work includes the following tasks:

1. Task 1: Pre-Design Investigation Work Plan
2. Task 2: Pre-Design Investigation Implementation
3. Task 3: Coordination and Reporting

Task 1: Pre-Design Investigation Work Plan

This task includes effort to develop a PDI Work Plan that will be provided to the City of Anacortes for review. The PDI Work Plan will present the following information:

- Introduction and problem statement
- AMTS overview
- Proposed AMTS applications in the Administration Building
- Regulatory considerations
- Targeted building materials
- PDI test methods
- PDI reporting
- Schedule

Task 1 also includes time to consult with Dr. Ystrebsky (UCF) regarding the PDI methods. Following approval of the PDI Work Plan, Anchor QEA will implement the PDI at the project site.

Deliverables

- Draft and Final PDI Work Plan (electronic format)

Task 2: Pre-Design Investigation Implementation

Task 2 includes effort for Anchor QEA to perform the PDI in accordance with the PDI Work Plan. As part of this task, Anchor QEA will obtain an evaluation license from UCF for the PDI as well as the AMTS formula. Once Anchor QEA has obtained the license and AMTS formula, the raw materials for the AMTS paste will be purchased and prepared on site. The NASA formulation of AMTS paste will be purchased from a commercial supplier. The AMTS pastes will then be applied to representative test areas (e.g., 100-square-centimeter areas) on each of the former Administration Building materials proposed for reuse or recycling (i.e., the pipe gallery floor, select interior Administration Building interior walls, and painted pipe gallery metal pipes and railings). The treated test areas will subsequently be sampled by Anchor QEA staff and analyzed by OnSite Environmental, Inc., in Redmond, Washington, for PCB Aroclors. For budgeting purposes, the following are assumed for the PDI:

- Up to 2 days of paste preparation and application
- Up to 1 additional day of application (a second round)
- Up to 10 days of field sampling (3 days per event for the first two sampling events and 2 days per event for the third and fourth events)
- Collection and expedited (72-hour) PCB analysis of up to 75 total building material samples

The Task 2 budget also includes the evaluation license fee, limited consultation with Dr. Ystrebsky at the UCF regarding the AMTS formulation and preliminary results, and costs to purchase the commercially available ATMS product and raw materials to formulate the UCF AMTS product.

Task 3: Coordination and Reporting

This task includes effort to coordinate with the City, the City's outside counsel, Ecology, and EPA regarding the PDI Work Plan; implementation of the PDI Work Plan; and results. For budgeting purposes, five 1-hour meetings (teleconferences) are assumed. This task also includes budget to support development of a draft and final PDI Data Report, which will summarize the completed PDI, findings, and recommendations for full-scale treatment of the PCB-contaminated building materials prior to demolition. Preliminary cost estimates for full-scale application will be included as part of the report. This task also includes effort to consult with Dr. Ystrebsky (UCF) regarding the results of the PDI.

Deliverables

- Draft and Final PDI Data Report with attached analytical results (electronic format)

Budget

Project costs are summarized in Table 1. Anchor QEA will routinely review its budget and inform the City of any anticipated scope and budget adjustments.

Table 1
Project Budget

Task	Description	Estimated Hours	Estimated Labor Costs	Estimated Subcontractor Costs	Expenses	Total Estimated Budget
1	PDI Work Plan	24	\$4,968	\$550	--	\$5,518
2	PDI Implementation	354	\$59,956	\$10,615	\$8,971	\$79,542
3	Coordination and Reporting	113	\$26,048	\$3,300	--	\$29,348
Total		491	\$90,972	\$14,465	\$8,971	\$114,408

Anchor QEA proposes to perform this Scope of Work on a time-and-materials basis. Anchor QEA's 2021 labor billing rates are provided in Appendix A. Anchor QEA will communicate closely with the City on project/budget status and will notify the City as soon as possible in the event that changes in scope are anticipated. Anchor QEA will not exceed the budgeted amount of \$114,408 without prior authorization by the City.

Schedule

The scope of work includes effort through March 31, 2022.

ACCEPTED BY:

Rebecca Gardner, PE
Member
Anchor QEA, LLC

Date

Laurie Gere
Mayor
City of Anacortes

Date

Appendix A

2021 Billing Rates



City Council Agenda Bill

Meeting Date: September 7, 2021 **Agenda Item:** 5.f.

Agenda Item Title: Reciprocal Access Agreement with the Port of Anacortes

Staff Contact(s): DARCY SWETNAM

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
DARCY SWETNAM	Motion

Item Summary: On Monday, August 30, Mayor Gere signed the Reciprocal Access Agreement with the Port of Anacortes, by which both parties agree to allow each other to access property to perform testing necessary to proceed with the Port's Logyard Cleanup project and the City's Outfall project. Timing was important because the Port worked with the Department of Ecology to schedule testing within the City's right-of-way in the Outfall project area on Monday, August 30. In an attempt not to disrupt the Port's contractor, the Mayor signed the agreement and now seeks Council ratification of that signature. City staff, outside counsel, and the City's project manager for the outfall project have all reviewed and provided edits to the Port on the Access Agreement, which were all accepted by the Port through counsel and incorporated into the final version signed by the Mayor.

Budget Impact:
None.

Previous Action: None.

Recommended Motion: I move to ratify Mayor Gere's signature on the Reciprocal Access Agreement with the Port of Anacortes.

Alternative Actions:

Attachments (listed in order presented):

1. Signed Access Agreement with Exhibits A and D

RECIPROCAL ACCESS AGREEMENT

THIS RECIPROCAL ACCESS AGREEMENT ("Agreement") is made between the Port of Anacortes, a Washington municipal corporation ("Port") and the City of Anacortes, a Washington municipal corporation ("City"). The Port and City are each a "Party" and collectively the "Parties" to this Agreement. The Parties, in consideration of the mutual promises and covenants contained herein, agree as follows.

A. RECITALS

1. The Port and City each have rights in certain real property located in the sediment area located between T Avenue and U Avenue in Anacortes, Washington lying upland of the Outer Harbor Line as that term is defined by the Washington State Harbor Line Commission (the "Project Area"). These properties are depicted on the map attached hereto as Exhibit "A." The Port manages the subtidal area within the Project Area by way of a Port Management Agreement with the Washington State Department of Natural Resources. The City controls a right of way in the subtidal area encompassing unvacated U Avenue.

2. The City requests access to the Port-controlled portion of the Project Area for its contractors to conduct pre- and post- outfall construction surface sediment sampling, as outlined in the PRE AND POST OUTFALL CONSTRUCTION PERIMETER SEDIMENT MONITORING PLAN for the Washington State Department of Ecology Northwest Regional Office ("Ecology") dated June 16, 2021, prepared by DOF, Inc. a copy of which is incorporated here by reference. Additionally, the City requests access to the Port-controlled portion of the Project Area for its contractors to conduct confirmation samples as described in the Dredging, Dewatering, and Backfill Plan Including Dredge Confirmation Sampling for Ecology dated June 16, 2021 prepared by DOF Inc., a copy of which is incorporated by reference. Collectively, these sampling activities constitute the "City's Sampling."

3. The Port requests access to the City-controlled portion of the Project Area for its contractors to conduct sediment sampling in accordance with the Port's Log Yard Site Remedial Investigation/Feasibility Study Work Plan Addendum for Supplemental Sediment Investigation, dated August 3, 2021, prepared by GeoEngineers a copy of which is attached hereto as Exhibit "B." This sampling activity constitutes the "Port's Sampling." Together, the City's Sampling and the Port's Sampling is the "Sampling Work."

4. By this Agreement, each Party grants access to the Project Area for the limited purpose of the other Party's conduct of its respective Sampling Work.

B. SAMPLING WORK AND GENERAL.

1. Grant of Access.

(a) The Port hereby grants to the City and its contractors a non-exclusive access to the Project Area to perform the City's Sampling, subject to the Agreement.

(b) The City grants to the Port and its contractors a non-exclusive access to the Project Area to perform the Port's Sampling, subject to the Agreement.

(c) The Sampling Work shall be conducted in accordance with the sampling plans exhibits attached and/or incorporated herein by reference.

(d) The Sampling Work that could create a noise or physical disruption at the Project Area must be conducted during periods agreed by the Parties in order to minimize disruption to the Parties' respective tenants and any vessels with an accepted berth reservation for Pier 2 located adjacent to the Project Area.

(e) The names of the persons who will be supervising the Sampling Work as well as a contact telephone number for such persons are:

For the City: Fred Buckenmeyer, 360-299-1954.

For the Port: Brenda Treadwell, 360-299-1811

2. **Schedule.** Prior to conducting the Sampling Work, sampling personnel will coordinate with the Party granting access to confirm an appropriate sampling date. Parties shall provide confirmation of dates such that Sampling Work is not delayed.

3. **Disruption.** The Party conducting the Sampling Work shall be responsible for any claims made by third-parties against the other Party for allegations of disruptions to such third-parties' business operations due to the performance of the Sampling Work, including without limitation staging, mobilization, and demobilization. The Party conducting the Sampling Work shall indemnify and hold the other Party harmless for any and all claims asserted by such third-parties.

4. **Other Party's Consultant.** Each Party reserves the right to observe all Sampling Work of the other Party while in progress, including through its agent or consultant if applicable. Each Party reserves the right to obtain split samples of all samples collected.

5. **Governmental Authorization for Work.** The Party conducting the Sampling Work shall obtain and maintain all necessary permits from the relevant governing bodies and agencies, and comply with all current laws, ordinances, orders, rules, regulations, and permits with respect to the Party's performance of the Sampling Work during the duration of such Sampling Work, including without limitation any such authorizations as may be required by the Washington State Department of Natural Resources. The Port and City shall provide each other copies of all applicable permits and approvals prior to performing sampling.

6. **Waste Generation and Management.** The Party conducting the Sampling Work shall be the designated generator of any waste produced in performing that Sampling Work, and shall be fully responsible for preparation and execution of any manifests required for the management of such waste.

7. **Use, Occupation, and Enjoyment of Subject Property.** In exercising its rights granted by this Agreement, each Party shall not unreasonably interfere with the other Party's (or that other Party's tenants or those with accepted berth reservations) use, occupation, or enjoyment of the Project Area, except to the extent reasonably necessary to perform the Sampling Work.

RECIPROCAL ACCESS AGREEMENT - 2

8. **Performance of Work.** The Party conducting the Sampling Work shall not permit any damage to the Property Area as a result of the performance of its Sampling Work, except as may otherwise be required to perform the Sampling Work. Except as otherwise provided in this Section 8, the Party conducting the Sampling Work shall repair, as soon as is reasonably practicable, any damage caused to the Project Area resulting from the performance of its Sampling Work. The Party conducting the Sampling Work shall take all reasonable and necessary safety and security precautions and maintain a neat and orderly workplace in connection with the performance of the Sampling Work under this Agreement, including but not limited to removing all investigation materials and tools from the Project Area and leaving the Project Area in a clean and usable condition.

9. **Discovery of Contaminated Media.** The contractor(s) conducting a Party's Sampling Work shall exercise due care and professional judgment to prevent the contamination of underlying media from overlying contaminated media, should they be encountered.

10. **Commencement, Duration, and Termination.** This Agreement takes effect and is in force upon execution by both Parties (the "Effective Date"). Access to the Project Area shall terminate one year from the Effective Date of this Agreement.

11. **Insurance.** The consultant and any contractors conducting a Party's Sampling Work shall maintain during the life of the Agreement (a) commercial general liability insurance, with limits of One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) aggregate for bodily injury and property damage, naming the other Party as an additional insured; and, (b) auto liability insurance with a combined single limit of One Million Dollars (\$1,000,000.00) for bodily injury and property damage, as well as workers' compensation insurance with statutory limits.

12. **Indemnification.** Each Party shall protect, indemnify, defend, and hold harmless the other Party and its successors and assigns from and against any and all claims, costs, expenses, and liabilities for any damage including, but not limited to, any damage caused to any structure, fixture, or improvement to the Project Area, and for any bodily or personal injury or wrongful death arising from the performance of the Sampling Work on the Project Area by the Party, its consultants, contractors, subcontractors, and agents, except to the extent caused by the negligent acts or omissions or willful misconduct of the other Party.

13. **Cooperation with the Work.** Each Party shall reasonably cooperate with the efforts of the other Party to effectuate the Sampling Work and shall not unreasonably withhold permission to carry out, and shall not interfere with, such activities as may be necessary for the Party conducting Sampling Work to exercise its rights or fulfill its obligations under this Agreement. A Party's consultant or its agents has authority to direct the Sampling Work of the other Party. Any information provided by the Party not conducting the Sampling Work or its consultants or agents is for recommendation purposes only and shall not be relied upon as direction for the performance of the Sampling Work. The Party conducting the Sampling Work is solely liable for any damage caused to utilities, pipelines, or other structures, fixtures, or improvements.

14. **Data Interpretations and Data Reports.** The Party conducting the Sampling Work shall cause its consultant to provide the other Party with copies of all data (including raw sampling information as reported by a laboratory), data interpretations, and data reports

generated from the Sampling Work performed at the Property Area. Such information shall be delivered to the other Party at the same time it is delivered to the Party conducting the Sampling Work. The consultant conducting a Party's Sampling Work also shall provide the other Party with field data sheets including, but not limited to sampling logs. The Party conducting the Sampling Work shall provide the other Party with copies of all analytical data, both electronic and hard copy, at the time the data is forwarded to the Party conducting the Sampling Work and/or its contractor by the analytical laboratory. The Party conducting the Sampling Work shall also provide the other Party with a copy of all final reports.

15. **Non-Waiver of Other Rights.** Nothing herein shall constitute an admission or acknowledgement of any fact, liability, responsibility, or fault, or proportionate share thereof, for any conditions at, on, or beneath the Project Area. Nothing in this Agreement shall be construed or is intended to modify or waive any rights among the Parties that may exist otherwise.

16. **Notices.** All notices and payments hereunder may be delivered or mailed. If delivered by messenger or courier (including overnight air courier), they shall be deemed delivered when received at the street addresses listed below. All notices whether sent by regular post or by certified or registered mail, shall be deemed to have been given on the second business day following the date of mailing, if properly mailed to the mailing addresses provided below, and shall be conclusive evidence of the date of mailing. The parties may designate new or additional addresses for mail or delivery by providing notice to the other party as provided in this section.

To Port: Port of Anacortes
Attn: Brenda Treadwell
100 Commercial Avenue
Anacortes, WA 98221

Copy to: Chmelik Sitkin & Davis P.S.
Attn: Holly Stafford
1500 Railroad Avenue
Bellingham, WA 98225

To City: City of Anacortes
Attn: Director of Public Works
P.O. Box 547
Anacortes, WA 98221

Copy to: Darcy Swetnam
City Attorney
P.O. Box 547
Anacortes, WA 98221

17. **Modification.** No alteration, modification, amendment, or waiver of this Agreement shall be valid unless it is in writing and signed by both Parties.

18. **Mechanics Lien.** Each Party shall keep the Project Area free from any mechanics or other liens arising out of any work performed, materials furnished, or obligations incurred by that Party.

19. **Limitation of Waiver.** No waiver of any term, provision, or condition of this Agreement, whether by conduct or otherwise, in any one or more instances, shall be deemed to be, or construed to be a further continuing waiver of, any such term, provision, or condition or any other term, provision, or condition of this Agreement.

20. **Choice of Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Washington, and the parties agree that in any such action, venue shall lie exclusively in Skagit County, Washington.

21. **Counterparts.** This Agreement may be signed in any number of counterparts, each of which shall be an original, and all of which shall constitute one and the same Agreement. Copies of this Agreement executed and delivered by means of emailed signatures shall have the same effect as copies executed and delivered with original signatures.

22. **Attorneys' Fees.** Should any dispute commence between the Parties concerning the rights and duties arising out of this Agreement, the prevailing party in such dispute, whether the dispute be resolved by litigation or other proceeding, shall be entitled, in addition to such other relief as may be granted to it, a reasonable sum as and for its costs and attorneys' fees.

23. **Headings and Titles.** The captions of the paragraphs of this Agreement are only to assist the Parties in reading and understanding this Agreement and shall have no effect upon the construction or interpretation of any part thereof.

24. **Severability.** If any provision of this Agreement, or its application to any person, is held to be unenforceable for any reason, it shall be adjusted rather than voided, if possible, to achieve the intent of the parties to the extent possible. In any event, invalidation of any provisions of this Agreement, or of its application to any person, by judgment or order, shall not affect any other provision of this Agreement or its application to any other person or circumstance, and all remaining portions of this Agreement shall continue in full force and effect.

25. **Successors and Assigns.** This Agreement shall benefit and bind the Parties and their respective successors and assigns.

26. **Time of the Essence.** Time is of the essence of this Agreement and all of the terms, provisions, covenants, and conditions thereof.

27. **Signature Authority.** This Agreement shall be signed by duly authorized representatives of each Party. The signing of this Agreement shall provide evidence that signatories were granted such authority by the respective involved parties.

28. **Entire Agreement.** The entire agreement between the Parties is contained in this Agreement, and this Agreement supersedes all of their previous understandings and agreements, written and oral, with respect to the subject of this Agreement.

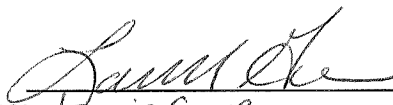
IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

PORT OF ANACORTES

By: 
Name: Daniel C. Worra
Its: Executive Director

Date: 8/30/2021

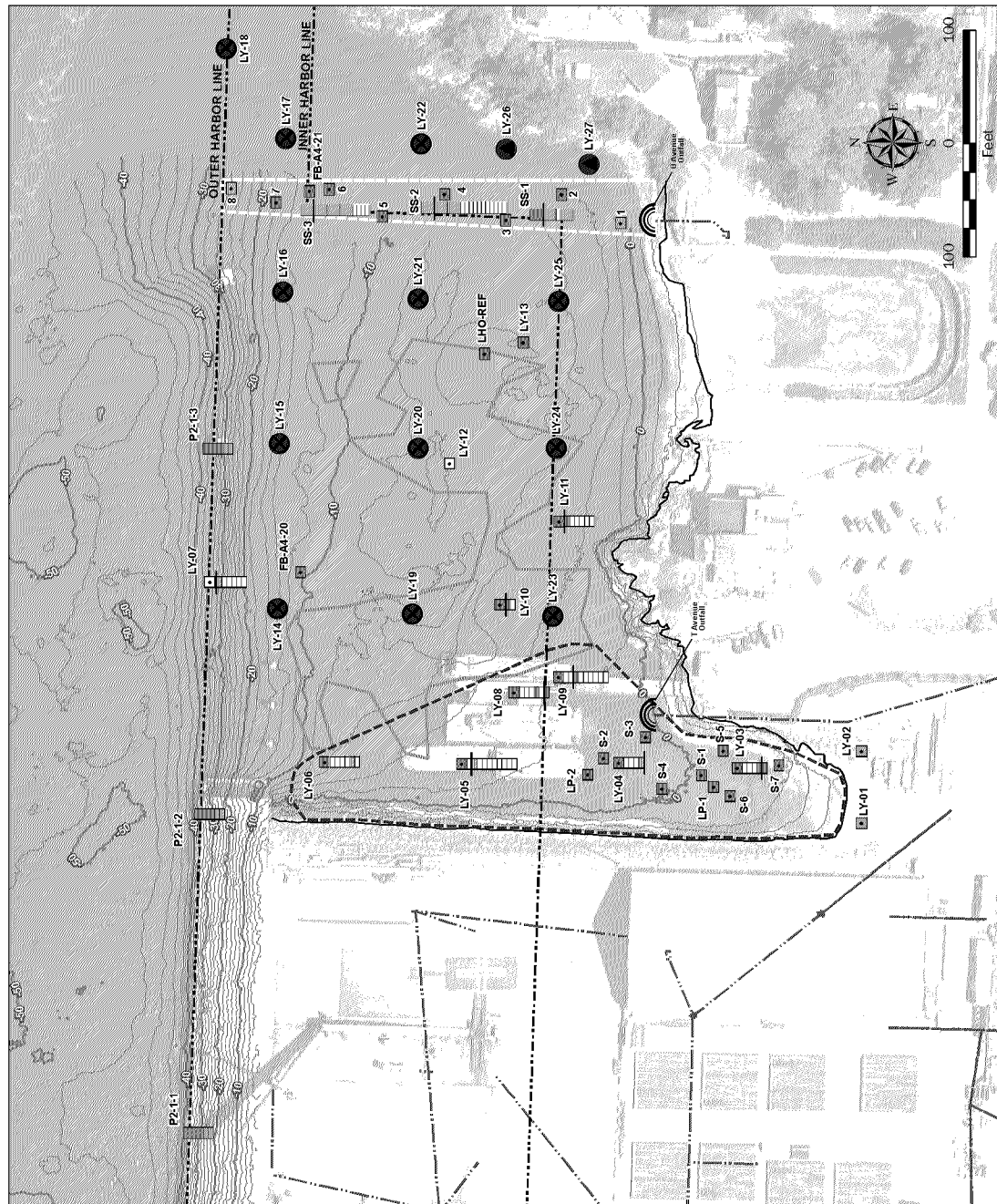
CITY OF ANACORTES

By: 
Name: Laurie Gere
Its: Mayor

Date: 8/30/2021

EXHIBIT "A"
DEPICTION OF PROJECT AREA

Exhibit A



Legend

- Mean Higher High Water (MHHW)
- Eelgrass Boundary (Approximate Extent)
- Observed Wood Debris (Approximate Extent)
- Bathymetric Contours**
- Index Contour (10 ft)
- Contour (2ft)
- Proposed City of Anacortes Waste Water Treatment Outfall

Surface/Core Sediment Sampling Locations

- Surface (0-10 cm) Sample
- Core Sample (1-foot interval)
- Core Sample (4-foot interval)
- Fill/Native Contact (Approximate)

- ⊗ Proposed Surface Sediment and Sediment Core Sampling Location
- ⊙ Proposed Surface Sediment Sample Location
- Selected for Initial Chemical Analysis (See Table 1)

Summary of Chemical Result

- Exceedance of Benthic and Human Health Screening Level
- Exceedance of Benthic Screening Level Only
- Exceedance of Human Health Screening Level Only
- Not Detected Greater Than Screening Level
- Not Detected, Reporting Limit Exceeds Screening Level
- No Data

Notes:

1. Benthic and human health screening levels summarized in Table 4.
2. The locations of all features shown are approximate.
3. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document.
4. The information shown on this drawing was derived from electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

**Summary of Total cPAH TEQ Results
and Proposed Sampling Locations**

Anacortes Port Log Yard
Anacortes, Washington



Figure 4

Data Source: Aerial Imagery - Google Earth, 2015
Projection: NAD 1983 StatePlane Washington North FIPS 4601 Feet

Exhibit A

EXHIBIT "B"
PRE AND POST OUTFALL CONSTRUCTION
PERIMETER SEDIMENT MONITORING PLAN

EXHIBIT “C”

**DREDGING, DEWATERING, AND
BACKFILL PLAN INCLUDING DREDGE
CONFIRMATION SAMPLING**

EXHIBIT “D”

**REMEDIAL INVESTIGATION/FEASIBILITY STUDY WORK PLAN ADDENDUM FOR
SUPPLEMENTAL SEDIMENT INVESTIGATION
DATED AUGUST 3, 2021**

Memorandum

2101 4th Avenue, Suite 950 Seattle, Washington 98121

P: 206.278.2674

www.geoengineers.com

To: Arianne Fernandez – Washington State Department of Ecology

From: John Herzog and Robert Trahan – GeoEngineers, Inc.

cc: Jenkins Dossen – Port of Anacortes

Date: August 3, 2021

GEI File: 5147-016-10

Subject: Remedial Investigation/Feasibility Study Work Plan Addendum for Supplemental Sediment Investigation at the Anacortes Port Log Yard Site, Anacortes, Washington Ecology Agreed Order No. DE 10630

This memorandum presents an addendum to the Anacortes Port Log Yard Remedial Investigation/Feasibility Study (RI/FS) Work Plan (GeoEngineers 2015) for the Anacortes Port Log Yard site (Site) in Anacortes, Washington (Figure 1). This Work Plan Addendum is being provided on behalf of the Port of Anacortes (Port) to describe the supplemental sediment investigation activities that will be completed to further characterize the nature and extent of contaminants in marine sediments at the Site. This addendum has been prepared to address data gaps by the Washington State Department of Ecology's (Ecology) as described in their September 18, 2020 letter to the Port (Ecology 2020) following review of the Feasibility Study (FS) Report (GeoEngineers 1028a) and discussions with Ecology based on their review of the Nearshore Sediment Characterization Report prepared for the City of Anacortes outfall replacement project (DOF 2021).

In accordance with the Ecology-approved RI/FS Work Plan, RI activities were completed by the Port to evaluate Site conditions and determine the nature and extent of contamination in marine sediments at the Site. The RI identified wood waste, metals, polycyclic aromatic hydrocarbons (PAHs), benzoic acid, phenols, and dioxins and furans at concentrations exceeding proposed cleanup levels (PCULs) in sediment. The RI results served as the basis for the cleanup action evaluation and selection of a preferred cleanup action alternative for the Site. A draft RI Report (GeoEngineers 2018b) and the FS Report (GeoEngineers 2018a) summarize the RI and previous investigation results and the evaluation of cleanup action alternatives for the Site. Based on a review of the draft RI and FS reports, Ecology determined that an additional cleanup action alternative considering further sediment removal to provide a greater degree of permanence over the preferred alternative identified in the draft FS Report must be considered in the final FS. To refine Ecology's cleanup alternative approach and estimated cost, additional sediment characterization is necessary.

In addition to Ecology's determination following their review of the draft RI and FS reports, the City of Anacortes completed a nearshore sediment investigation (November 2020) within the Site boundary to evaluate sediment conditions along the alignment of a proposed outfall for the City of Anacortes wastewater treatment plant. As part of this investigation concentrations of carcinogenic PAHs (cPAHs), tributyltins (TBT), polychlorinated biphenyls (PCBs), and dioxins and furans exceeding the PCULs were detected in portions of the Site that were not previously identified. Based on a review of these results, additional sediment characterization is necessary to further evaluate the nature and extent of these contaminants.

The supplemental sediment sample collection and analysis activities described in this addendum will be used to further evaluate the nature and extent of cPAH, TBT, PCB and dioxin and furan in marine sediment at the Site. The results of the supplemental investigation will be reported in a revised RI/FS Report for Ecology review and final approval. After Ecology approves the RI/FS Report, the Port will prepare a Draft Cleanup Action Plan (DCAP) describing details of the preferred cleanup action alternative. The RI/FS Report and DCAP will be subject to public review and then finalized by Ecology with the Port's assistance.

BACKGROUND

Location and Description

The Site comprises the intertidal and subtidal marine areas within an embayment along Guemes Channel at the northern terminus of T Avenue in the nearshore area northwest of 718 4th Street. The Site is bounded to the west by the Port's Pier 2 Marine Terminal (Pier 2), which is an earth fill structure and pile-supported wharf along the northernmost portion of the facility. The shoreline south and east of the Site includes a mixture of riprap, remnant structures, rock outcroppings, and sand and gravel beaches. A wooden dock (Pier 61) used for commercial transient vessels extending into the marine area from the southern shoreline is located within the Site. Public access to the Port's Pier 2 facility, including the beach area south of the Site between Pier 2 and Pier 61 (former log handling area), is currently restricted by fencing, signage, and guards who maintain security for the Port's marine terminal.

Historically, the Site and surrounding area was used for lumber and wood milling and ship building operations from the early 1900s to 1965. In 1965, the Port purchased the Site and adjacent uplands (the "Property"). Between 1965 and 2004, the Port leased the Property to multiple tenants for log handling and loading operations. Log handling operations ceased after 2004 and the Site has remained largely unchanged since that time. The adjacent upland area is currently used for storing oil spill response booms, and Pier 61 is used for loading and offloading commercial vessels.

Regulatory Framework

Following the closure of log handling operations in 2004, the Port began working with Ecology to characterize sediment conditions at the Site due to evidence of degraded habitat resulting from wood debris. Initial investigations identified up to 75 percent wood waste by volume in shallow intertidal sediment. In addition to wood waste, the initial investigations identified levels of organic carbon and volatile solids above recommended levels (Ecology 2013). Sediment investigations completed between 2008 and 2010 found that sediment samples exceeded Ecology's Sediment Cleanup Objective (SCO) and Cleanup Screening Level (CSL) criteria for benthic invertebrate community health.

Based on the results of the initial and follow-up investigations, the Port entered into Agreed Order No. DE 10630 (Agreed Order) with Ecology on November 3, 2014 pursuant to the Model Toxics Control Act (MTCA). Under the Agreed Order, the Port completed an RI in accordance with the Ecology-approved RI/FS Work Plan to fill identified data gaps and characterize the nature and extent of contamination within the intertidal and subtidal portions of the Site. The RI included completion of topographic and habitat surveys and the collection of surface and subsurface sediment samples to characterize Site conditions. The RI results were used to support the evaluation of cleanup action alternatives in the FS. No cleanup actions have been completed to date at the Site.

Site Characterization Summary

Agreed Order Remedial Investigation

In accordance with the Ecology-approved RI/FS Work Plan, the RI activities were completed by the Port to evaluate Site conditions and determine the nature and extent of contamination in marine sediments at the Site. Existing sediment sampling locations are shown on Figure 2. The RI identified multiple contaminants of concern (COCs) west of Pier 61 at concentrations exceeding Site-specific PCULs in intertidal and subtidal sediment from the mudline to a maximum depth of approximately 6 feet below mudline including metals (arsenic, cadmium, lead, and zinc), low and high molecular weight PAHs, cPAHs, benzoic acid, phenols, and dioxins and furans. The RI also identified wood waste in this area up to 100 percent by volume.

East of Pier 61, cPAHs were identified at concentrations exceeding the PCUL in both surface (0 to 10 centimeter [cm]) and shallow subsurface (0 to 1 foot) sediment between the south of the outer harbor line. North of the outer harbor line, COCs were not identified at concentrations exceeding PCULs in sediment at the point of compliance.

To refine and complete the alternatives analysis assessment in the FS, Ecology determined that additional data collection is necessary to 1) better define the areas where certain remedial technologies can be used to meet cleanup levels at the point of compliance within a reasonable timeframe; 2) create a more accurate cost estimate and disproportionate cost analysis; and 3) minimize unnecessary disturbance or damage to critical habitat within the Site boundary.

Recent Nearshore Sediment Characterization

In November 2020, Dalton Olmsted Fuglevand (DOF) performed a sediment characterization study to support the design and planning for the installation of a new wastewater treatment plant (WWTP) outfall for the City of Anacortes. The proposed WWTP Outfall Project includes new dredging to create a trench in which the outfall pipe will be placed. The dredging will remove approximately 10,500 cubic yards of sediment from the eastern portion of the Site. The nearshore segment of the pipe is planned to be buried at least 1 foot below the mudline surface and includes a 2-foot allowable over dredge. Crushed gravel and either suitable dredged material or import material is planned to be used to backfill the dredged area and restore the existing grade.

In accordance with the Work Plan for Sediment Sampling and Analyses and Dredge Material Disposal (DOF 2020), sediment samples were collected from eight surface locations (1 through 8) and three subsurface core locations (SS-1 through SS-3) to evaluate sediment conditions within the proposed dredge prism for the WWTP outfall (Figure 2). The results of the sediment characterization study identified concentrations of cPAHs, PCBs, and TBT in surface sediment along the length of the proposed dredge prism exceeding Site PCULs. Additionally, dioxins and furans exceeded the Site PCUL in surface sediment in the nearshore area of the proposed dredge prism (sample location 1). In subsurface sediment (1-to-3-foot sample interval), cPAHs, PCBs, TBT and dioxins and furans either were not detected or were detected at concentrations less than the PCUL with the exception of cPAHs in the northern portion of the proposed dredge prism (sample locations SS-1 and SS-3). However, sample results at this location indicated that vertical extent of cPAHs exceeding the PCUL does not extend below the 1 to 3-foot sample interval.

To further evaluate the nature and extent of TBT, cPAHs, PCBs and dioxins and furans identified during the November 2020 nearshore sediment characterization study, Ecology determined that additional surface and subsurface sampling be performed at the Site in the area east of Pier 61.

Proposed Supplemental Sampling Plan

In response to Ecology's comments on the FS and results of the nearshore sediment characterization study, supplemental sediment sampling will be performed at 14 locations in the marine area to further refine TBT, cPAH, PCBs, and dioxins and furans contamination gradients east of Pier 61, refine the Site boundaries for the eastern, northeastern, and southern portions of the Site, and evaluate the depth of contamination east of Pier 61. The results of the supplemental investigation will be reported in the revised RI/FS Report and will be used to refine the evaluation of cleanup action alternatives in the FS as requested by Ecology.

The proposed supplemental sediment sampling locations are shown on Figure 3 through 6 relative to the existing TBT, cPAH, PCB, and dioxin and furan sediment data. The proposed sample locations have been selected to provide a grid pattern across the marine area to the north and east of Pier 61 to further evaluate sediment conditions. Sample locations are spaced approximately 125 feet apart to provide adequate spatial coverage and to be consistent with the sample spacing for the Ecology-approved RI/FS Work Plan. Surface and subsurface sediment sampling and analysis activities will include:

- Collection of surface samples from the upper 10 cm of sediment at each location using a grab-type sampler. If collecting the sample from a sampling vessel, the grab-type sample will be deployed through the water column to the mudline. If collecting the sample from upland during low tide, a stainless steel spoon will be used to collect the sediment from the upper 10 cm. It is anticipated that sampling locations LY-26 and LY-27 will be accessed from the upland due to a limited draft (i.e., minimum amount of water required to float the sampling vessel without coming into contact with the mudline surface) in this portion of the marine area. Additionally, large rock at the mudline surface and bedrock outcroppings have been observed in the eastern portion of the marine area which would limit the successful use of a grab-type sampler deployed from a vessel.
- Collection of subsurface sediment samples at each of the locations shown on Figure 2. Vibracoring equipment will be used to advance the core barrel through the sediment column to encounter native material (or refusal at bedrock if encountered). It is anticipated that sediment cores will be advanced to depths of approximately 6 feet below mudline based on previous environmental studies and that native material will be encountered at a depth ranging between approximately 1 and 3 feet below the mudline in this area. At locations LY-26 and LY-27, sediment cores are not proposed due to the access limitations and the presence of large rock/bedrock outcroppings as described above. A reasonable attempt will be made at these locations to collect subsurface samples using hand tools to the extent practicable.
- Submittal of sediment samples to an Ecology-accredited laboratory for a combination of the following analysis:
 - Bulk TBT by United States Environmental Protection Agency (EPA) Method 8270-Selective Ion Monitoring (SIM)/KRONE.
 - cPAHs by EPA Method 8270-SIM.
 - PCB Aroclors by EPA 8082.

- Dioxins and furans by EPA Method 1613.

Sediment samples selected for initial chemical analysis and rationale for each location is summarized in Table 1. Surface locations for initial chemical analysis of TBT, PCBs, and dioxins and furans have been selected based on proximity to interpreted areas of PCUL exceedances identified in surface sediment during previous environmental studies (Figures 3, 5 and 6) to further refine the lateral extent of these contaminants. Due to the widespread nature of cPAH contamination in the marine area (Figure 4), each surface location has been selected for initial chemical analysis. Subsurface locations for initial chemical analysis of TBT, cPAHs, PCBs, and dioxins and furans have been selected to correspond to the surface locations initially selected for chemical analysis. Subsurface sample intervals for initial chemical analysis have been selected to 1) evaluate the lateral extent of previously identified subsurface contamination and 2) evaluate the vertical extent of contamination where identified.

Samples not initially selected for chemical analysis will be archived at the laboratory. Additional chemical analyses on archived sediment samples will be based on the results of initial sample analysis in comparison to the PCULs. Determination of chemical analyses of the archived samples will be completed in collaboration with Ecology. This step may be iterative until the archived samples have filled potential data gaps relative to the nature and extent of contamination. Results from the initial locations selected for analysis will be obtained and validated within a reasonable time period from the date of collection to allow for archived sample analysis within the analytical method's specified holding times. Sediment samples will be submitted to Analytical Resources, Inc. (ARI) in Tukwila, Washington, for chemical analysis. Sample size, containers, preservation and holding times are presented in Table 2. Quality control procedures and acceptance criteria are presented in Table 3.

Sediment Sample Collection and Processing

As with the previous RI field study, sediment samples will be collected using a grab-type sampler (Power Grab or similar) and vibracoring equipment deployed from a research vessel. Surface samples will be obtained from the upper 10 cm of sediment. Subsurface samples will be collected from continuous cores advanced through the sediment to the target depth of approximately 6 feet below mudline. The objective of each core will be to encounter native material (or refusal at bedrock, if encountered). Subsurface sediment samples will be collected continuously at 1-foot intervals and submitted to the laboratory for analysis or archiving.

The sediment type recovered in each surface grab sample and subsurface core will be classified in accordance with the Unified Soil Classification System and recorded on an exploration log. The absence or presence of wood debris will also be recorded on the exploration log. If wood debris is observed, the types and estimated quantity of wood debris present in each sample and core, and the depth interval where the wood debris is observed, will be recorded on the exploration log. Sediment samples collected from each sampling interval will also be field screened by physical examination for the potential presence of contamination. Field screening techniques will include visual observation for the presence of contamination (e.g., staining, discoloration, etc.) and water sheen testing (i.e., petroleum sheen).

Sediment samples will be individually homogenized in a stainless steel bowl, transferred to laboratory-supplied sample containers, placed in a cooler containing ice, and logged on the chain-of-custody form for delivery to the laboratory. Further details regarding sediment sampling methods, field screening techniques, and quality control (QC) procedures that will be used during the supplemental sediment

investigation are presented in the Anacortes Port Log Yard Sampling and Analysis Plan (SAP), contained in Appendix B of the RI/FS Work Plan.

Water Quality Measurements

Water quality measurements including dissolved oxygen (DO), temperature, acidity (pH), electrical conductivity (EC), and salinity will be obtained during sample collection using a water quality meter (Horiba U-50 series or similar). Measurements will be obtained within 1 foot of the air/water surface interface, at the water/sediment interface, and at the pycnocline (if a pycnocline is identified through temperature and/or salinity measurements) or approximately the midpoint of the water column (if a pycnocline is not identified).

All field testing and observation results will be documented on the field log and reported.

Positioning

Sampling location positions will be determined in latitude and longitude referenced to North American Datum of 1983 (NAD83) using a global positioning system unit. The accuracy of measured and recorded horizontal coordinates will be within 2 meters. Coordinates for the proposed sample locations are provided in Table 4.

The final sampling locations may need to be adjusted based on field conditions encountered. If any sampling locations require significant adjustment (i.e., more than 20 feet from the proposed locations shown on Figure 2), Ecology will be consulted prior to sample collection to ensure that the sampling objectives are met.

Vertical elevations of the mudline at each sampling location will be based on measured water depth (i.e., depth to mudline) and tidal elevation at the time of sampling. Depths below mudline for the subsurface sediment samples will be measured directly based on the penetration depth of the core sampler and will be determined within approximately 0.1 foot to the extent practical. Vertical elevations will be referenced to mean lower low water (MLLW).

Sampling Equipment and Decontamination Procedures

Samples will be collected using grab sampling equipment, coring/drilling equipment, and hand tools including stainless steel spoons and stainless steel mixing bowls. Reusable sampling equipment that is used to process the samples and is in contact with sediment (e.g., spoons, bowls, measuring devices, etc.) will be decontaminated before each use. Decontamination procedures for this equipment will consist of the following:

1. Seawater or distilled water rinse over equipment to dislodge and remove any sediment;
2. Washing with a brush and non-phosphate detergent solution (e.g., Liqui-Nox and distilled water);
3. Deionized water rinse; and
4. Wrapping or covering the decontaminated equipment with aluminum foil.

Field personnel will limit cross-contamination by changing gloves between sampling locations. Used wash water and residual sediment from equipment decontamination will be transferred to a 35- or 55-gallon drum(s) pending characterization and disposal at a permitted facility.

Management of Investigation-Derived Waste Materials

Investigation-derived waste materials will include excess sediments not used for sample analysis, used wash water and residual sediments from equipment decontamination, and disposable sampling supplies such as gloves, sediment core liners, paper towels, aluminum foil, plastic bags, etc. In accordance with the Sediment Cleanup User's Manual (SCUM) (Ecology 2019), excess sediments not used for sample analysis will be returned to the water at the location where they were collected unless visible evidence of contamination (e.g., sheen) is observed. Sediments with visible evidence of contamination and used wash water and residual sediments from equipment decontamination will be placed in a sealed 35- or 55-gallon drum(s) marked with the drum's contents. The drum(s) will be stored temporarily at a secure location pending receipt of analytical results and until appropriate final disposal at a permitted facility is completed. Disposable sampling supplies will be transferred to the Port's waste dumpster for landfill disposal.

DATA QUALITY OBJECTIVES

The data quality objectives for sediment sampling and analysis are detailed in the SAP. The project Quality Assurance (QA) leader will validate data collected during the supplemental sediment investigation to ensure that the data are valid and usable for their intended purpose. Data will be validated in general conformance with EPA's Contract Laboratory Program National Functional Guidelines for Superfund Organic Methods Data Review (EPA 2008). At a minimum, the following items will be reviewed to verify the data as applicable:

- Documentation that a final review of the data was completed by the Laboratory QA Coordinator;
- Documentation of analytical and QC methodology;
- Documentation of sample preservation and transport;
- Sample receipt forms and case narratives; and
- The following QC parameters:
 - Sample holding times and sample preservation
 - Method blanks
 - Matrix spikes/matrix spike duplicates
 - Laboratory control samples/laboratory control sample duplicates
 - Surrogate spikes
 - Duplicates/replicates

INADVERTENT DISCOVERY PLAN

An Inadvertent Discovery Plan (IDP) for the supplemental sediment investigation, prepared using Ecology's IDP form, is attached to this Work Plan Addendum. The IDP outlines procedures that will be followed if archaeological materials or human remains are discovered during the supplemental investigation. The IDP will be available on site during the investigation.

SCHEDULE

It is anticipated that field sampling will occur in the July-August of 2021 pending Ecology approval of the Work Plan Addendum and subcontractor availability.

REPORTING

The results of the supplemental sediment investigation will be reported in a single integrated draft RI/FS Report for Ecology review and approval. In addition, all relevant chemical analytical data will be submitted to Ecology in electronic format in accordance with Ecology's Environmental Information Management (EIM) Policy 840 following review and validation. After Ecology approves the RI/FS Report, the Port will prepare a DCAP describing details of the preferred cleanup action alternative.

REFERENCES

GeoEngineers 2015, "Final Remedial Investigation/Feasibility Study Work Plan, Anacortes Port Log Yard, Anacortes, Washington, Ecology Agreed Order No. DE 10630," prepared for Washington State Department of Ecology on behalf of Port of Anacortes, August 11, 2015.

GeoEngineers 2018a, "DRAFT Feasibility Study, Anacortes Port Log Yard, Anacortes, Washington, Ecology Agreed Order No. DE 10630," prepared for Washington State Department of Ecology on behalf of Port of Anacortes, May 8, 2018.

GeoEngineers 2018b, "DRAFT FINAL Remedial Investigation Report, Anacortes Port Log Yard, Anacortes, Washington, Ecology Agreed Order No. DE 10630," prepared for Washington State Department of Ecology on behalf of Port of Anacortes, June 8, 2018.

United States Environmental Protection Agency (EPA) 2008, "Contract Laboratory Program National Functional Guidelines for Superfund Organic Methods Data Review, EPA-540-R-08-01," Office of Emergency and Remedial Response, U.S. Environmental Protection Agency, Washington, D.C., June 2008.

Washington State Department of Ecology (Ecology) 2013, "Wood Waste Cleanup, Identifying, Assessing, and Remediating Wood Waste in Marine and Freshwater Environments Guidance for Implementing the Cleanup Provisions of the Sediment Management Standards, Chapter 173-204 WAC". Publication No. 09-09-044. September 2013.

Washington State Department of Ecology (Ecology) 2019, "Sediment Cleanup User's Manual (SCUM), Guidance for Implementing the Cleanup Provisions of the Sediment Management Standards, Chapter 173-204 WAC" (Second Revision). Publication No. 12-09-057. December 2019.

Washington State Department of Ecology (Ecology) 2020, Letter from Arianne Fernandez, Ecology, to Jenkins Dossen, Port of Anacortes, regarding "Supplemental data collection at the Anacortes Port Log Yard Site to complete the Remedial Investigation and Feasibility Study Report". September 18, 2020.

RL:RST:JMH:ch

Attachments:

Table 1. Proposed Sediment Sampling and Analysis

Table 2. Test Methods, Sample Size, Containers, Preservation and Holding Times

Table 3. Quality Control Procedures and Acceptance Criteria for Organic Analysis

Table 4. Proposed Supplemental Sediment Sample Location Coordinates

Figure 1. Vicinity Map

Figure 2. Existing Investigation Locations

Figure 3. Summary of TBT Results and Proposed Supplemental Sediment Sampling Locations

Figure 4. Summary of Total cPAH TEQ Results and Proposed Supplemental Sediment Sampling Locations

Figure 5. Summary of PCB Results and Proposed Supplemental Sediment Sampling Locations

Figure 6. Summary of Dioxin and Furan Results and Proposed Supplemental Sediment Sampling Locations

Attachment A. Inadvertent Discovery Plan

Disclaimer: Any electronic form, facsimile or hard copy of the original document (email, text, table, and/or figure), if provided, and any attachments are only a copy of the original document. The original document is stored by GeoEngineers, Inc. and will serve as the official document of record.

Table 1
Proposed Sediment Sampling and Analysis

Anacortes Port Log Yard
Anacortes, Washington

Sample Location ¹	Sample Interval (ft below mudline)	Anticipated Sediment Stratigraphy	Initial Chemical Analysis ²				Objectives and Rationale
			TBT (EPA 8270-SIM/KRONE)	cPAHs (EPA 8270-SIM)	PCBs (EPA 8082)	Dioxins and Furans (EPA 1613)	
LY-14	0-10 cm	Recent	0	X	X	0	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of cPAH and PCB contamination in surface sediment based on sample results at locations LY-06, LY-10 and A4-20. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at locations LY-07, LY-10 and LY-11. ■ Evaluate the potential for PCB contamination in subsurface sediment. ■ Evaluate vertical extent of cPAH and/or PCB contamination in subsurface sediment.
	0-1		0	X	X	0	
	1-2		0	0	0	0	
	2-3		0	0	0	0	
	3-4	Native	0	0	0	0	
	4-5		0	0	0	0	
	5-6		0	0	0	0	
LY-15	0-10 cm	Recent	0	X	0	0	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of cPAH contamination in surface sediment based on sample results at locations A4-20, P2-1-3 and LY-12. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at locations LY-07, LY-10 and SS-3. ■ Evaluate vertical extent of cPAH contamination in subsurface sediment.
	0-1		0	X	0	0	
	1-2		0	0	0	0	
	2-3		0	0	0	0	
	3-4	Native	0	0	0	0	
	4-5		0	0	0	0	
	5-6		0	0	0	0	
LY-16	0-10 cm	Recent	X	X	X	0	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of TBT, cPAH and PCB contamination in surface sediment based on sample results at locations LY-12, LY-13, A4-21, 6 and/or 7. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at location SS-3. ■ Evaluate the potential for TBT and PCB contamination in subsurface sediment. ■ Evaluate vertical extent of TBT, cPAH and/or PCB contamination in subsurface sediment.
	0-1		0	0	0	0	
	1-2		X	X	X	0	
	2-3		0	0	0	0	
	3-4	Native	0	0	0	0	
	4-5		0	0	0	0	
	5-6		0	0	0	0	
LY-17	0-10 cm	Recent	X	X	X	0	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of TBT, cPAH and PCB contamination in surface sediment based on sample results at locations LY-12, LY-13, A4-21, 6 and/or 7. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at location SS-3. ■ Evaluate the potential for TBT and PCB contamination in subsurface sediment. ■ Evaluate vertical extent of TBT, cPAH and/or PCB contamination in subsurface sediment.
	0-1		0	0	0	0	
	1-2		X	X	X	0	
	2-3		0	0	0	0	
	3-4	Native	0	0	0	0	
	4-5		0	0	0	0	
	5-6		0	0	0	0	
LY-18	0-10 cm	Recent	0	X	0	0	Additional investigation to further characterize sediment to: ■ Confirm the northeastern Site boundary based on samples collected from the WWTP Outfall dredge prism alignment.
	0-1		0	X	0	0	
	1-2		0	0	0	0	
	2-3		0	0	0	0	
	3-4	Native	0	0	0	0	
	4-5		0	0	0	0	
	5-6		0	0	0	0	
LY-19	0-10 cm	Recent	0	X	X	0	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of cPAH and PCB contamination in surface sediment based on sample results at locations LY-06, LY-10 and LY-11. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at locations LY-07, LY-10 and LY-11. ■ Evaluate the potential for PCB contamination in subsurface sediment. ■ Evaluate vertical extent of cPAH and/or PCB contamination in subsurface sediment.
	0-1		0	0	0	0	
	1-2		0	X	X	0	
	2-3		0	0	0	0	
	3-4	Native	0	0	0	0	
	4-5		0	0	0	0	
	5-6		0	0	0	0	
LY-20	0-10 cm	Recent	0	X	0	X	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of cPAH and D/F contamination in surface sediment based on sample results at locations LY-10, LY-11, A4-20 and LY-13. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at locations LY-10 and LY-11. ■ Evaluate the potential for D/F contamination in subsurface sediment. ■ Evaluate vertical extent of cPAH and/or D/F contamination in subsurface sediment.
	0-1		0	0	0	0	
	1-2		0	X	0	X	
	2-3		0	0	0	0	
	3-4	Native	0	0	0	0	
	4-5		0	0	0	0	
	5-6		0	0	0	0	
LY-21	0-10 cm	Recent	X	X	X	0	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of TBT, cPAH and PCB contamination in surface sediment based on sample results at locations LY-12, LY-13, 4 and 5. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at locations LY-11, SS-1 and SS-3. ■ Evaluate the potential for TBT and PCB contamination in subsurface sediment. ■ Evaluate vertical extent of TBT, cPAH and/or PCB contamination in subsurface sediment.
	0-1		0	0	0	0	
	1-2		X	X	X	0	
	2-3		0	0	0	0	
	3-4	Native	0	0	0	0	
	4-5		0	0	0	0	
	5-6		0	0	0	0	

Sample Location ¹	Sample Interval (ft below mudline)	Anticipated Sediment Stratigraphy	Initial Chemical Analysis ²				Objectives and Rationale
			TBT (EPA 8270-SIM/ KRONE)	cPAHs (EPA 8270-SIM)	PCBs (EPA 8062)	Dioxins and Furans (EPA 1613)	
LY-22	0-10 cm	Recent	X	X	X	o	Additional investigation to further characterize sediment to: ■ Confirm the eastern Site boundary based on samples collected from the WWTP Outfall dredge prism alignment. ■ Evaluate the lateral extent of TBT, cPAH and PCB contamination in surface sediment based on sample results at locations 4, 5 and 6. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at locations SS-1 and SS-3. ■ Evaluate the potential for TBT and PCB contamination in subsurface sediment. ■ Evaluate vertical extent of TBT, cPAH and/or PCB contamination in subsurface sediment.
	0-1		o	o	o	o	
	1-2		X	X	X	o	
	2-3	Native	o	o	o	o	
	3-4		o	o	o	o	
	4-5		o	o	o	o	
	5-6		o	o	o	o	
LY-23	0-10 cm	Recent	o	X	o	o	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of cPAH contamination in surface sediment based on sample results at locations LY-08 through LY-11. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at locations LY-09, LY-10 and LY-11. ■ Evaluate vertical extent of cPAH contamination in subsurface sediment.
	0-1		o	o	o	o	
	1-2		o	o	o	o	
	2-3	Native	o	X	o	o	
	3-4		o	o	o	o	
	4-5		o	o	o	o	
	5-6		o	o	o	o	
LY-24	0-10 cm	Recent	o	X	o	o	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of cPAH contamination in surface sediment based on sample results at locations LY-10, LY-11 and LY-13. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at locations LY-10 and LY-11. ■ Evaluate vertical extent of cPAH contamination in subsurface sediment.
	0-1		o	o	o	o	
	1-2		o	X	o	o	
	2-3	Native	o	o	o	o	
	3-4		o	o	o	o	
	4-5		o	o	o	o	
	5-6		o	o	o	o	
LY-25	0-10 cm	Recent	X	X	X	X	Additional investigation to further characterize sediment to: ■ Evaluate the lateral extent of TBT, cPAH, PCB and D/F contamination in surface sediment based on sample results at locations 1, 2, 3 and LY-13. ■ Evaluate the lateral extent of cPAH contamination in subsurface sediment corresponding to sample intervals at location SS-1. ■ Evaluate the potential for TBT, PCB and D/F contamination in subsurface sediment. ■ Evaluate vertical extent of TBT, cPAH, PCB and/or D/F contamination in subsurface sediment.
	0-1		o	o	o	o	
	1-2		X	X	X	X	
	2-3	Native	o	o	o	o	
	3-4		o	o	o	o	
	4-5		o	o	o	o	
	5-6		o	o	o	o	
LY-26 ³	0-10 cm	Recent	X	X	X	X	Additional investigation to further characterize sediment to: ■ Confirm the southeastern Site boundary based on samples collected from the WWTP Outfall dredge prism alignment. ■ Evaluate the potential for TBT, cPAH, PCB and D/F contamination in subsurface sediment.
	0-1		o	o	o	o	
LY-27 ³	0-10 cm	Recent	X	X	X	X	
	0-1		o	o	o	o	

Notes:

¹ The approximate sample locations are shown on Figures 3 through 6.

² Samples not initially submitted for chemical analysis will be archived for potential follow up analysis based on the initial sample results.

³ A reasonable attempt will be made to collect subsurface samples using hand tools to the extent practicable for potential chemical analysis.

TBT = tributyltin

cPAH = carcinogenic polycyclic aromatic hydrocarbons

PCB = polychlorinated biphenyl

D/F = Dioxins and Furans

EPA = Environmental Protection Agency

X = Sample selected for initial chemical analysis

o = Archive sample for potential follow up chemical analysis

Table 2
Test Methods, Sample Size, Containers, Preservation and Holding Times
 Anacortes Port Log Yard
 Anacortes, Washington

Parameter	Method	Minimum Sample Size (dry wt)	Container Size and Type	Sample Preservation Technique	Holding Time for Indicated Preservation Technique
Bulk Tributyltin	EPA 8270D-SIM/Krone	100 g	16oz WM-Glass	Cool <6 °C	14 days until extraction
cPAHs	EPA 8270-SIM			Cool <6 °C	40 days after extraction
				Freeze -18 °C	1 year until extraction
PCB Aroclors	EPA 8082	100 g	8-oz WM Glass	Cool <6 °C/Store<-10 °C	1 year until extraction
Dioxins and Furans	EPA 1613	100 g	8-oz WM Amber Glass	Cool <4 °C/Store<-10 °C	1 year until extraction

Notes:

g = gram
 oz = ounce
 WM = wide mouth
 TBT = tributyltin
 cPAH = carcinogenic polycyclic aromatic hydrocarbons
 PCB = polychlorinated biphenyl
 EPA = Environmental Protection Agency
 SIM = Selected Ion Mode

Table 3
Quality Control Procedures and Acceptance Criteria for Organic Analysis^{1,2,3}
Anacortes Port Log Yard
Anacortes, Washington

Quality Control Procedure	Frequency	Control Limit	Corrective Action
Instrument Quality Assurance/Quality Control			
Initial Calibration	Before sample analysis and when continuing calibration does not meet method requirements.	See reference method(s) in Table 2.	Laboratory to recalibrate and reanalyze affect samples.
Continuing Calibration	See reference method(s) in Table 2.	See reference method(s) in Table 2.	Laboratory to recalibrate if correlation coefficient or response factor does not meet requirements.
Method Quality Assurance/Quality Control			
Holding Times	All samples.	See reference method(s) in Table 2.	Laboratory to qualify results if holding times are exceeded. Data validator will use professional judgment to qualify results as estimated or reject data.
Method Detection Limits (MDL)	Update method detection limit studies annually.	See reference method(s) in Table 2.	Revise detection limits.
Method Blanks	One per sample batch or every 20 samples, whichever is more frequent, or when there is a change in reagents.	Analyte concentration $\leq$ PQL. Control limits are not applicable if sample concentrations are $<$ MDL.	Laboratory to eliminate or greatly reduce laboratory contamination due to glassware, or reagents, or analytical system. Re-digest and reanalyze affected samples.
Analytical Laboratory Duplicates and Matrix Spike Duplicates	One duplicate analysis with every sample batch or every 20 samples, whichever is more frequent. Use analytical replicates when samples are expected to contain target analytes. Use matrix spike duplicates when samples are not expected to contain target analytes.	Compound and matrix specific. Use intra-laboratory control chart results if sufficient data are available to generate control charts. Otherwise use analytical method default criteria.	Laboratory to re-digest and reanalyze samples if analytical problems are suspected, or to qualify the data if sample homogeneity problems are suspected and the project manager is consulted.
Matrix Spikes	One per sample batch or every 20 samples, whichever is more frequent. Spiked with the same analytes at the same concentration as the laboratory control sample.	Compound and matrix specific, recovery should not exceed method or performance-based intra-laboratory control chart limits.	Laboratory to re-digest and reanalyze samples if analytical problems are suspected. Matrix interferences should be assessed and explained in case narrative accompanying the data package.
Surrogate Spikes	Added to every organics sample as specified in analytical protocol.	Compound specific, recovery should not exceed the control limits specified in the method or performance-based intra-laboratory control limits.	Follow corrective actions specified in analytical method.
Laboratory Control Samples	One per analytical batch or every 20 samples, whichever is more frequent.	Compound specific, recovery should not exceed performance-based intra-laboratory control limits.	Laboratory to correct problem to verify the analysis can be performed in a clean matrix with acceptable precision and recovery; then re-extract and reanalyze affected samples.
Certified or Standard Reference Material	Project specific requirement or at project manager's discretion.	Compound specific, recovery should be within accepted control or advisory limits.	Laboratory to re-extract and reanalyze samples if analytical problems suspected, or to qualify the data after consultation.
Field Quality Assurance/Quality Control			
Field Duplicates	One per every ten sediment samples.	Project, matrix, and compound specific.	Modify field sample homogenization procedures.
Field Blanks	At project manager's discretion.	Analyte concentration $\leq$ PQL.	Compare to method blank results to rule out laboratory contamination. Modify sample collection and equipment decontamination procedures. Qualify associated data.

Notes:

¹ Instrument and method QA/QC to monitor the performance of the instrument and sample preparation procedures are the responsibility of the analytical laboratory. When an instrument or method control limit is exceeded, the laboratory is responsible for correcting the problem and reanalyzing the samples.

² Instrument and method QA/QC results reported in the final data package should always meet control limits with a very small number of exceptions that apply to difficult analytes as specified by EPA CLP. If instrument and method QA/QC procedures meet control limits, laboratory procedures are deemed to be adequate.

³ Matrix and field QA/QC procedures monitor matrix effects, field procedures, and variability. Although poor analytical procedures may also result in poor spike recovery or duplicate results, the laboratory is not held responsible for meeting control limits for these QA/QC samples.

EPA = United States Environmental Protection Agency

QA/QC = Quality Assurance/Quality Control

CLP = Contract Laboratory Program

MDL = method detection limit

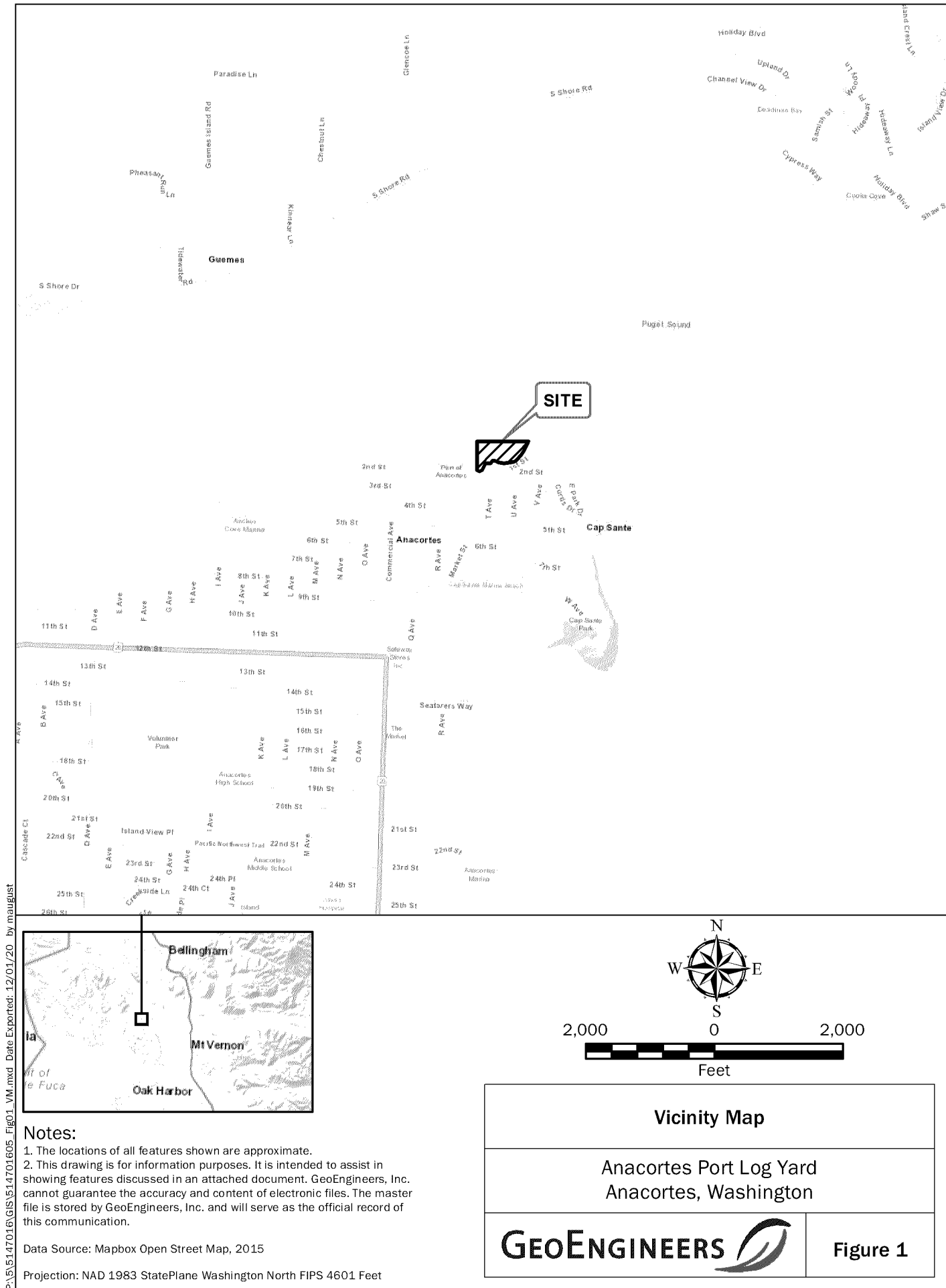
PQL = practical quantification limit

Table 4
Proposed Supplemental Sediment Sampling Location Coordinates
 Anacortes Port Log Yard
 Anacortes, Washington

Sample Location	Washington State Plains North (US Feet)		Latitude	Longitude
	Northing	Easting		
LY-14	560123.4	1210806.1	48.5220	-122.6062
LY-15	560003.9	1210801.2	48.5216	-122.6062
LY-16	559880.3	1210799.1	48.5213	-122.6062
LY-17	559877.5	1210947.7	48.5213	-122.6056
LY-18	559999.1	1210947.7	48.5216	-122.6056
LY-19	560121.3	1210951.9	48.5220	-122.6056
LY-20	560118.5	1211085.9	48.5220	-122.6051
LY-21	559999.1	1211079.7	48.5216	-122.6051
LY-22	560168.5	1211300.5	48.5221	-122.6042
LY-23	559875.5	1211077.6	48.5213	-122.6051
LY-24	559848.4	1211198.4	48.5212	-122.6046
LY-25	559921.3	1211212.3	48.5214	-122.6045
LY-26	560115.7	1211221.4	48.5220	-122.6045
LY-27	559996.3	1211216.5	48.5216	-122.6045

Note:

Northings and eastings (in feet) and latitude and longitude (in decimal degrees) are referenced to the North American Datum 1983 (NAD83), Washington State Plane North (US Feet).





Legend

- Mean Higher High Water (MHHW)
- Harbor Line
- Stormdrain
- City of Anacortes Outfall

Proposed City of Anacortes Waste Water Treatment Outfall Project Area

Sediment Investigation Legend

- Nearshore Sediment Characterization Study (DOF, 2020)
- R/FS Investigation (GeoEngineers, 2016)
- Dredged Material Characterization Study (GeoEngineers, 2012)
- Supplemental Sediment Characterization Study (GeoEngineers, 2012)
- Sediment Characterization Study (GeoEngineers, 2010)
- Fidalgo Bay Sediment Investigation (SAIC, 2008)
- Pier 2 Log Haul Out Facility Due Diligence Study (Floyd/Snyder, 2004)

Bathymetric Contours

- Index Contour (10 ft)
- Contour (2ft)

Notes:

- The locations of all features shown are approximate.
- This drawing is for information purposes. It is intended to provide a general overview of the project area and is not to be used for design or construction purposes. GeoEngineers, Inc. cannot guarantee the accuracy and content of this drawing. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

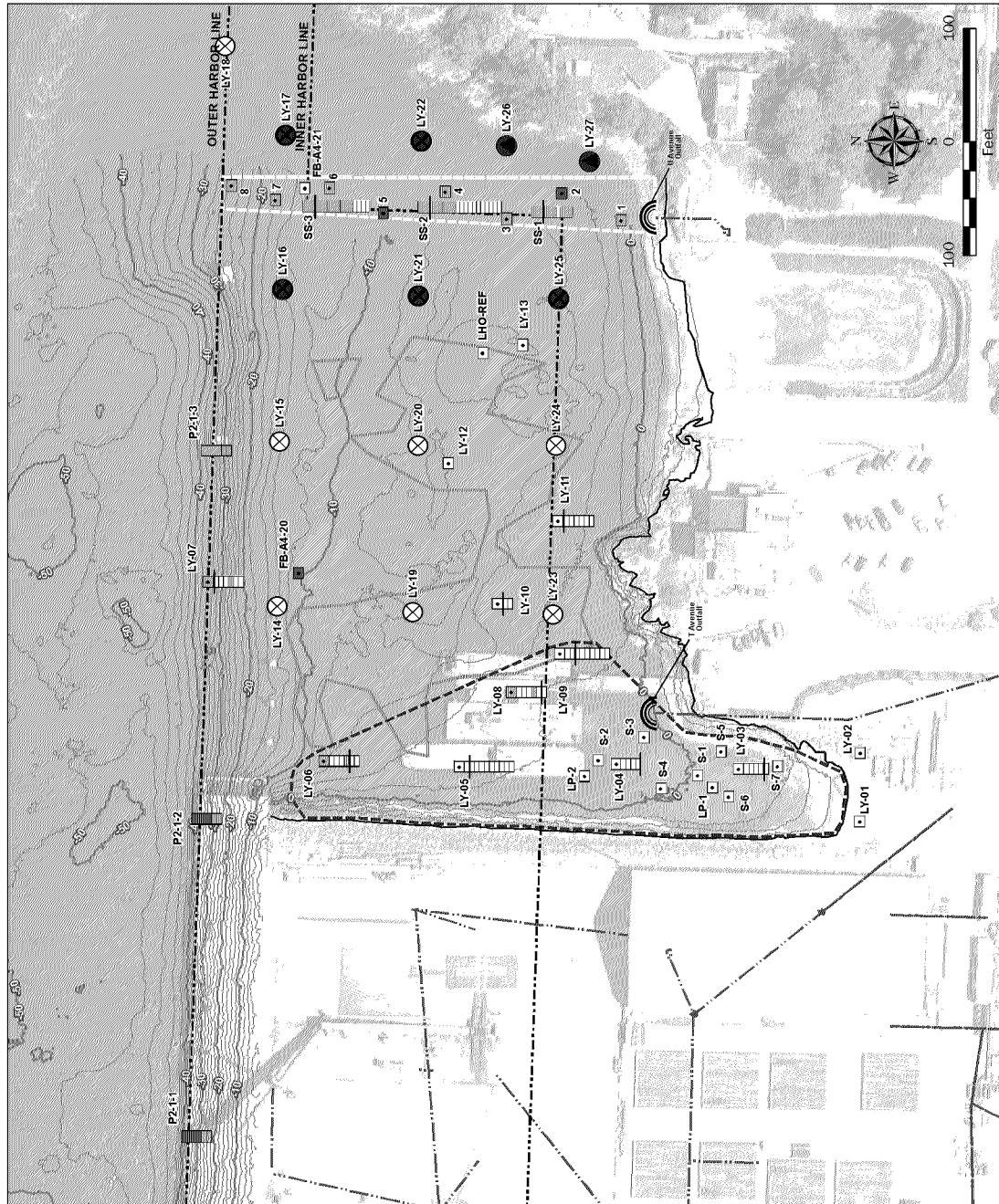
Existing Sediment Investigation Locations

Anacortes Port Log Yard
Anacortes, Washington



Figure 2

Data Source: Aerial Imagery - Google Earth, 2015; Bathymetry from David Evans and Associates Inc. (DEA) survey dated June 26, 2014.
Projection: NAD 1983 StatePlane Washington North FIPS 4601 Feet



Legend

- Mean Higher High Water (MHHW)
 - Eelgrass Boundary (Approximate Extent)
 - Observed Wood Debris (Approximate Extent)
- ## Bathymetric Contours
- Index Contour (10 ft)
 - Contour (2ft)
- Proposed City of Anacortes Waste Water Treatment Outfall

Surface/Core Sediment Sampling Locations

- Surface (0-10 cm) Sample
- Core Sample (1-foot interval)
- Core Sample (4-foot interval)
- Fill/Native Contact (Approximate)

- Proposed Surface Sediment and Sediment Core Sampling Location
- Proposed Surface Sediment Sample Location
- Selected for Initial Chemical Analysis (See Table 1)

Summary of Chemical Result

- Exceedance of Benthic and Human Health Screening Level
- Exceedance of Benthic Screening Level Only
- Exceedance of Human Health Screening Level Only
- Not Detected Greater Than Screening Level
- Not Detected, Reporting Limit Exceeds Screening Level
- No Data

Notes:

- Benthic and human health screening levels summarized in Table 4.
- The locations of all features shown are approximate.
- This drawing is for information purposes. It is intended to show the general location of sampling locations and is not to be used for legal or regulatory purposes. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Summary of Tributytin Results and Proposed Sediment Sampling Locations

Anacortes Port Log Yard
Anacortes, Washington



Figure 3

Legend

- Mean Higher High Water (MHHW)
 - Eelgrass Boundary (Approximate Extent)
 - Observed Wood Debris (Approximate Extent)
- ## **Bathymetric Contours**
- Index Contour (10 ft)
 - Contour (2ft)

Proposed City of Anacortes Waste Water Treatment Outfall

Surface/Core Sediment Sampling Locations

- Surface (0-10 cm) Sample
- Core Sample (1-foot interval)
- Core Sample (4-foot interval)

- Fill/Native Contact (Approximate)
- Proposed Surface Sediment and Sediment Core Sampling Location
- Proposed Surface Sediment Sample Location
- Selected for Initial Chemical Analysis (See Table 1)

Summary of Chemical Result

- Exceedance of Benthic and Human Health Screening Level
- Exceedance of Benthic Screening Level Only
- Exceedance of Human Health Screening Level Only
- Not Detected Greater Than Screening Level
- Not Detected, Reporting Limit Exceeds Screening Level
- No Data

Notes:

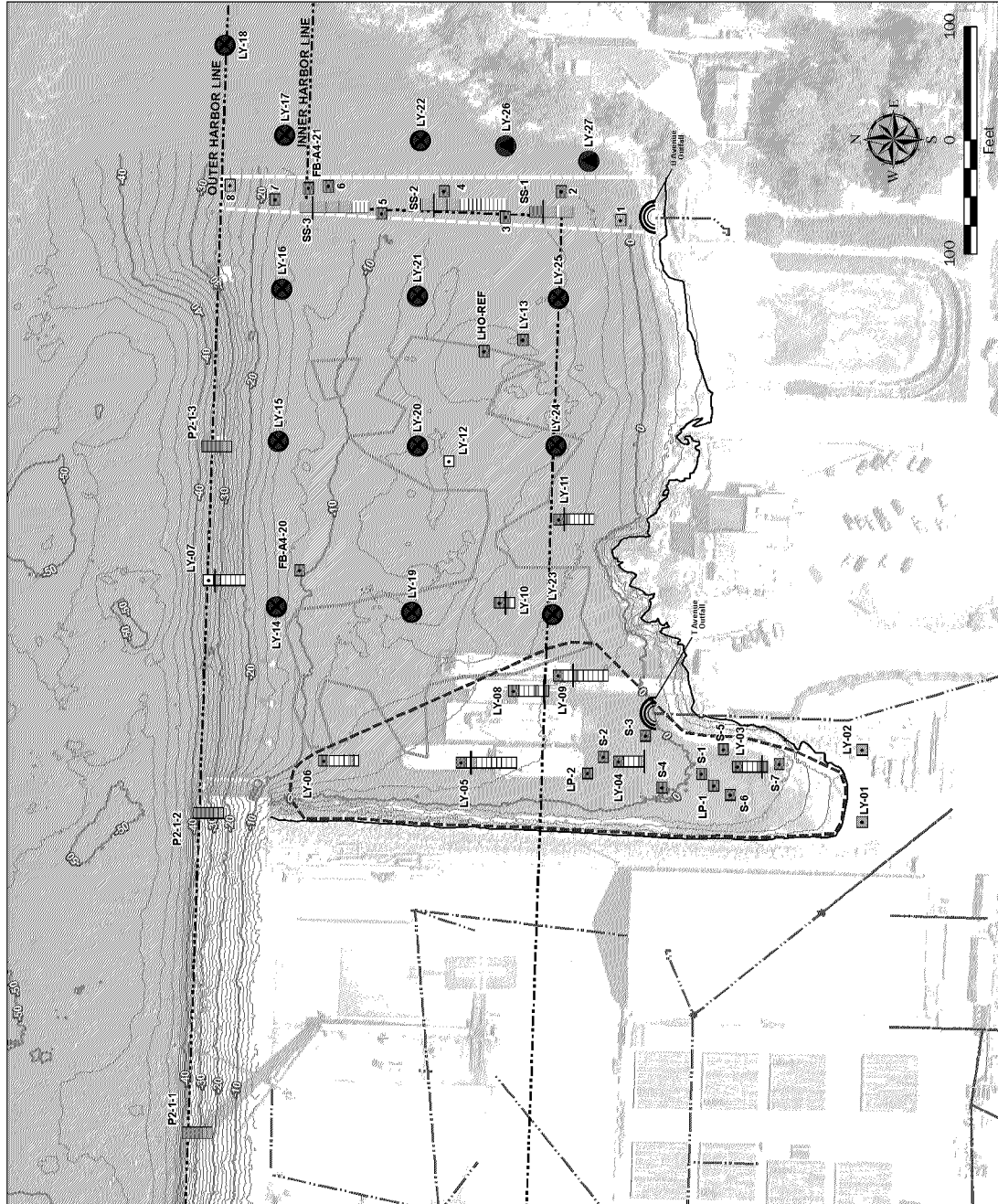
- Benthic and human health screening levels summarized in Table 4.
- The locations of all features shown are approximate.
- This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. It is not intended to be used for any other purpose. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Summary of Total cPAH TEQ Results and Proposed Sampling Locations

Anacortes Port Log Yard
Anacortes, Washington



Figure 4





Legend

- Mean Higher High Water (MHHW)
- Eelgrass Boundary (Approximate Extent)
- Observed Wood Debris (Approximate Extent)
- Bathymetric Contours**
- Index Contour (10 ft)
- Contour (2ft)
- Proposed City of Anacortes Waste Water Treatment Outfall

Surface/Core Sediment Sampling Locations

- Surface (0-10 cm) Sample
- Core Sample (1-foot interval)
- Core Sample (4-foot interval)
- Fill/Native Contact (Approximate)

- Proposed Surface Sediment and Sediment Core Sampling Location
- Proposed Surface Sediment Sample Location
- Selected for Initial Chemical Analysis (See Table 1)

Summary of Chemical Result

- Exceedance of Benthic and Human Health Screening Level
- Exceedance of Benthic Screening Level Only
- Exceedance of Human Health Screening Level Only
- Not Detected Greater Than Screening Level
- Not Detected, Reporting Limit Exceeds Screening Level
- No Data

Notes:

- Benthic and human health screening levels summarized in Table 4.
- The locations of all features shown are approximate.
- This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. It does not constitute a warranty of accuracy or content. The information is provided for informational purposes only and will serve as the official record of this communication.

Summary of PCB Results and Proposed Sediment Sampling Locations

Anacortes Port Log Yard
Anacortes, Washington



Figure 5

Data Source: Aerial Imagery - Google Earth, 2015
Projection: NAD 1983 StatePlane Washington North FIPS 4601 Feet



Legend

- Mean Higher High Water (MHHW)
- Eelgrass Boundary (Approximate Extent)
- Observed Wood Debris (Approximate Extent)
- Bathymetric Contours**
- Index Contour (10 ft)
- Contour (2ft)

Proposed City of Anacortes Waste Water Treatment Outfall

Surface/Core Sediment Sampling Locations

- Surface (0-10 cm) Sample
- Core Sample (1-foot interval)
- Core Sample (4-foot interval)

Fill/Native Contact (Approximate)

- Proposed Surface Sediment and Sediment Core Sampling Location
- Proposed Surface Sediment Sample Location

Selected for Initial Chemical Analysis (See Table 1)

Summary of Chemical Result

- Exceedance of Human Health Screening Level Only
- Not Detected Greater Than Screening Level
- Not Detected, Reporting Limit Exceeds Screening Level
- No Data

Notes:

- Benthic and human health screening levels summarized in Table 4.
- The locations of all features shown are approximate.
- This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GEOENGINEERS, INC. cannot guarantee the accuracy and content of this drawing. The user of this drawing is advised to consult the original data and will serve as the official record of this communication.

Summary of Total Dioxin and Furan Results and Proposed Sediment Sampling Locations

Anacortes Port Log Yard
Anacortes, Washington



Figure 6

Data Source: Aerial Imagery - Google Earth, 2015
Projection: NAD 1983 StatePlane Washington North FIPS 4601 Feet

ATTACHMENT A
Inadvertent Discovery Plan



INADVERTENT DISCOVERY PLAN PLAN AND PROCEDURES FOR THE DISCOVERY OF CULTURAL RESOURCES AND HUMAN SKELETAL REMAINS

To request ADA accommodation, including materials in a format for the visually impaired, call Ecology at 360-407-6000 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with a speech disability may call TTY at 877-833-6341.

Site Name(s): **Anacortes Port Log Yard**

Location: **718 4th Street, Anacortes, Washington**

Project Lead/Organization: **Port of Anacortes**

County: **Skagit**

1. INTRODUCTION

The IDP outlines procedures to perform in the event of a discovery of archaeological materials or human remains, in accordance with applicable state and federal laws. An IDP is required, as part of Agency Terms and Conditions for all grants and loans, for any project that creates disturbance above or below the ground. An IDP is not a substitute for a formal cultural resource review (Executive 05-05 or Section 106).

Once completed, **the IDP shall always be kept at the project site** during all project activities. All staff, contractors, and volunteers shall be familiar with its contents and know where to find it.

2. CULTURAL RESOURCE DISCOVERIES

A cultural resource discovery could be prehistoric or historic. Examples include (see images for further examples):

- An accumulation of shell, burned rocks, or other food related materials.
- Bones, intact or in small pieces.
- An area of charcoal or very dark stained soil with artifacts.
- Stone tools or waste flakes (for example, an arrowhead or stone chips).
- Modified or stripped trees, often cedar or aspen, or other modified natural features, such as rock drawings.
- Agricultural or logging materials that appear older than 50 years. These could include equipment, fencing, canals, spillways, chutes, derelict sawmills, tools, and many other items.
- Clusters of tin cans or bottles, or other debris that appear older than 50 years.
- Old munitions casings. **Always assume these are live and never touch or move.**
- Buried railroad tracks, decking, foundations, or other industrial materials.
- Remnants of homesteading. These could include bricks, nails, household items, toys, food containers, and other items associated with homes or farming sites.

The above list does not cover every possible cultural resource. When in doubt, assume the material is a cultural resource.

3. ON-SITE RESPONSIBILITIES

If any employee, contractor, or subcontractor believes that they have uncovered cultural resources or human remains at any point in the project, take the following steps to ***Stop-Protect-Notify***. **If you suspect that the discovery includes human remains, also follow Sections 5 and 6.**

STEP A: Stop Work.

All work must stop immediately in the vicinity of the discovery.

STEP B: Protect the Discovery.

Leave the discovery and the surrounding area untouched and create a clear, identifiable, and wide boundary (30 feet or larger) with temporary fencing, flagging, stakes, or other clear markings. Provide protection and ensure integrity of the discovery until cleared by the Department of Archaeological and Historical Preservation (DAHP) or a licensed, professional archaeologist.

Do not permit vehicles, equipment, or unauthorized personnel to traverse the discovery site. Do not allow work to resume within the boundary until the requirements of this IDP are met.

STEP C: Notify Project Archaeologist (if applicable).

1. The individual making the discovery will immediately notify the Project Lead.
2. The Project Lead will notify the Port of Anacortes Project Manager.
3. The Port's Project Manager will notify the Project Archaeologist. The Project Archaeologist will examine the discovery to determine if there is an archaeological find (See Sections 6 and 7).

Project Lead Contacts

Primary Contact

Name: John Herzog

Phone: (o) 206.728.2674

(c) 206.406.6431

Email: jherzog@geoengineers.com

Alternate Contact

Name: Robert Trahan

Phone: (o) 206.239.3253

(c) 206.240.2300

Email: rtrahan@geoengineers.com

Port of Anacortes Project Manager

Name: Jenkins Dossen

Phone: (o) 360.299.1814

(c) 360.661.2163

Email: jenkins@portofanacortes.com

Project Archaeologist Contact

Name: Brett Lenz

Business: Columbia Geotechnical Associates

Phone: (c) 206.855.9020

Email: brettlenz@gmail.com

STEP D: Notify Project and Washington Department of Ecology (Ecology) contacts.

Ecology Contacts

Ecology Project Manager

Name: Arianne Fernandez

Program: Toxics Cleanup

Phone: (o) 360.407.7209
(c) 360.704.0173

Email: arianne.fernandez@ecy.wa.gov

Alternate or Cultural Resource Contact

Name: Josh Morman

Program: Toxics Cleanup

Phone: (o) 360.407.6991
(c) 360.480.3289

Email: josh.morman@ecy.wa.gov

STEP E: Ecology will notify DAHP.

Once notified, the Ecology Cultural Resource Contact or the Ecology Project Manager will contact DAHP to report and confirm the discovery. **To avoid delay, the Project Lead/Organization will contact DAHP if they are not able to reach Ecology.**

DAHP will provide the steps to assist with identification. DAHP, Ecology, and Tribal representatives may coordinate a site visit following any necessary safety protocols. DAHP may also inform the Project Lead/Organization and Ecology of additional steps to further protect the site.

Do not continue work until DAHP has issued an approval for work to proceed in the area of, or near, the discovery.

DAHP Contact

Name: Rob Whitlam, PhD

Title: State Archaeologist

Phone: (o) 360.586.3065
(c) 360.890.2615

Email: Rob.Whitlam@dahp.wa.gov

Human Remains/Bones Contact

Name: Guy Tasa, PhD

Title: State Anthropologist

Phone: (c) 360.790.1633 (24/7)

Email: Guy.Tasa@dahp.wa.gov

4. TRIBAL CONTACTS

In the event cultural resources are discovered, the following tribes will be contacted. See Section 10 for Additional Resources.

Tribe: Samish
Name: Jackie Ferry
Title: Cultural Resources Program Manager
Phone: 360.293.6404
Email: jferry@samishtribe.nsn.us

Tribe: Lummi
Name: Lena Tso
Title: Historic Preservation Officer
Phone: 360.384.2259
Email: lenat@lummi-nsn.gov

Tribe: Swinomish
Name: James Harrison
Title: Tribal Archaeologist
Phone: 206.383.7008
Email: jharrison@swinomish.nsn.us

Tribe: Swinomish
Name: Josephine Peters
Title: Tribal Historic Preservation Officer
Phone: 360.488.3860
Email: jpeters@swinomish.nsn.us

Please provide contact information for additional tribes within your project area, if needed, in Section 11.

5. FURTHER CONTACTS (if applicable)

There is no partnering federal or state agency to notify in the event of a discovery.

6. SPECIAL PROCEDURES FOR THE DISCOVERY OF HUMAN SKELETAL REMAINS

Any human skeletal remains, regardless of antiquity or ethnic origin, will at all times be treated with dignity and respect. Follow the steps under **Stop-Protect-Notify**. For specific instructions on how to handle a human remains discovery, see: *RCW 68.50.645: Skeletal human remains—Duty to notify—Ground disturbing activities—Coroner determination—Definitions.*

Suggestion: If you are unsure whether the discovery is human bone or not, contact Guy Tasa with DAHP, for identification and next steps. Do not pick up the discovery.

Name: Guy Tasa, PhD

Title: State Anthropologist

Phone: (c) 360.790.1633 (24/7)

Email: Guy.Tasa@dahp.wa.gov

For discoveries that are confirmed or suspected human remains, follow these steps:

1. Notify law enforcement and the Medical Examiner/Coroner using the contacts below. **Do not call 911** unless it is the only number available to you.

Enter contact information below (required):

- **Skagit County Coroner**

Hayley Thompson
360.336.9431

- **City of Anacortes Police Department**

John Small, Chief of Police
360.293.4684

- **Emergency phone number**

Dial 911

2. The Medical Examiner/Coroner (with assistance of law enforcement personnel) will determine if the remains are human or if the discovery site constitutes a crime scene and will notify DAHP.
3. **DO NOT speak with the media, allow photography or disturbance of the remains, or release any information about the discovery on social media.**
4. If the remains are determined to be non-forensic, cover the remains with a tarp or other materials (not soil or rocks) for temporary protection and to shield them from being photographed by others or disturbed.

Further activities:

- Per [RCW 27.44.055](#), [RCW 68.50](#), and [RCW 68.60](#), DAHP will have jurisdiction over non-forensic human remains. Ecology staff will participate in consultation. The Project Lead/Organization may also participate in consultation.
- Documentation of human skeletal remains and funerary objects will be agreed upon through the consultation process described in [RCW 27.44.055](#), [RCW 68.50](#), and [RCW 68.60](#).
- When consultation and documentation activities are complete, work in the discovery area may resume as described in Section 8.

If the project occurs on federal lands (such as a national forest or park or a military reservation) the provisions of the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) apply and the responsible federal agency will follow its

provisions. Note that state highways that cross federal lands are on an easement and are not owned by the state.

If the project occurs on non-federal lands, the Project Lead/Organization will comply with applicable state and federal laws, and the above protocol.

7. DOCUMENTATION OF ARCHAEOLOGICAL MATERIALS

Archaeological resources discovered during construction are protected by state law RCW 27.56 and assumed eligible for inclusion in the National Register of Historic Places under Criterion D until a formal Determination of Eligibility is made.

The Project Lead/Organization must ensure that proper documentation and field assessments are made of all discovered cultural resources in cooperation with all parties: the federal agencies (if any), DAHP, Ecology, affected tribes, and the archaeologist.

An archaeologist will record all prehistoric and historic cultural material discovered during project construction on a standard DAHP archaeological site or isolate inventory form. They will photograph site overviews, features, and artifacts and prepare stratigraphic profiles and soil/sediment descriptions for minimal subsurface exposures. They will document discovery locations on scaled site plans and site location maps.

Cultural features, horizons, and artifacts detected in buried sediments may require the archaeologist to conduct further evaluation using hand-dug test units. They will excavate units in a controlled fashion to expose features, collect samples from undisturbed contexts, or to interpret complex stratigraphy. They may also use a test unit or trench excavation to determine if an intact occupation surface is present. They will only use test units when necessary to gather information on the nature, extent, and integrity of subsurface cultural deposits to evaluate the site's significance. They will conduct excavations using standard archaeological techniques to precisely document the location of cultural deposits, artifacts, and features.

The archaeologist will record spatial information, depth of excavation levels, natural and cultural stratigraphy, presence or absence of cultural material, and depth to sterile soil, regolith, or bedrock for each unit on a standard form. They will complete test excavation unit level forms, which will include plan maps for each excavation level and artifact counts and material types, number, and vertical provenience (depth below surface and stratum association where applicable) for all recovered artifacts. They will draw a stratigraphic profile for at least one wall of each test excavation unit.

The archaeologist will screen sediments excavated for purposes of cultural resources investigation through 1/8-inch mesh, unless soil conditions warrant 1/4-inch mesh.

The archaeologist will analyze, catalogue, and temporarily curate all prehistoric and historic artifacts collected from the surface and from probes and excavation units. The ultimate disposition of cultural materials will be determined in consultation with the federal agencies (if any), DAHP, Ecology, and the affected tribe(s).

Within 90 days of concluding fieldwork, the archaeologist will provide a technical report describing any and all monitoring and resultant archaeological excavations to the Project Lead/Organization, who will forward the report to Ecology, the federal agencies

(if any), DAHP, and the affected tribe(s) for review and comment.

If assessment activities expose human remains (burials, isolated teeth, or bones), the archaeologist and Project Lead/Organization will follow the process described in **Section 6**.

8. PROCEEDING WITH WORK

The Project Lead/Organization shall work with the archaeologist, DAHP, and affected tribe(s) to determine the appropriate discovery boundary and where work can continue.

Work may continue at the discovery location only after the process outlined in this plan is followed and the Project Lead/Organization, DAHP, any affected tribe(s), Ecology, and the federal agencies (if any) determine that compliance with state and federal laws is complete.

9. ORGANIZATION RESPONSIBILITY

The Project Lead/Organization is responsible for ensuring:

- This IDP has complete and accurate information.
- This IDP is immediately available to all field staff at the site and available by request to any party.
- This IDP is implemented to address any discovery at the site.
- That all field staff, contractors, and volunteers are instructed on how to implement this IDP.

10. ADDITIONAL RESOURCES

Informative Video

Ecology recommends that all project staff, contractors, and volunteers view this informative video explaining the value of IDP protocol and what to do in the event of a discovery. The target audience is anyone working on the project who could unexpectedly find cultural resources or human remains while excavating or digging. The video is also posted on DAHP's inadvertent discovery language website.

- Ecology's IDP Video (<https://www.youtube.com/watch?v=ioX-4cXfbDY>)

Informational Resources

- DAHP (<https://dahp.wa.gov>)
- Washington State Archeology (DAHP 2003)
(https://dahp.wa.gov/sites/default/files/Field%20Guide%20to%20WA%20Arch_0.pdf)
- Association of Washington Archaeologists
(<https://www.archaeologyinwashington.com>)

Potentially Interested Tribes

- Tribal Contacts: Interactive Map of Tribes by Area
(<https://dahp.wa.gov/archaeology/tribal-consultation-information>)
- Tribal Contacts - WSDOT Tribal Contact Website
(<https://wsdot.wa.gov/tribal/TribalContacts.htm>)

11. ADDITIONAL INFORMATION

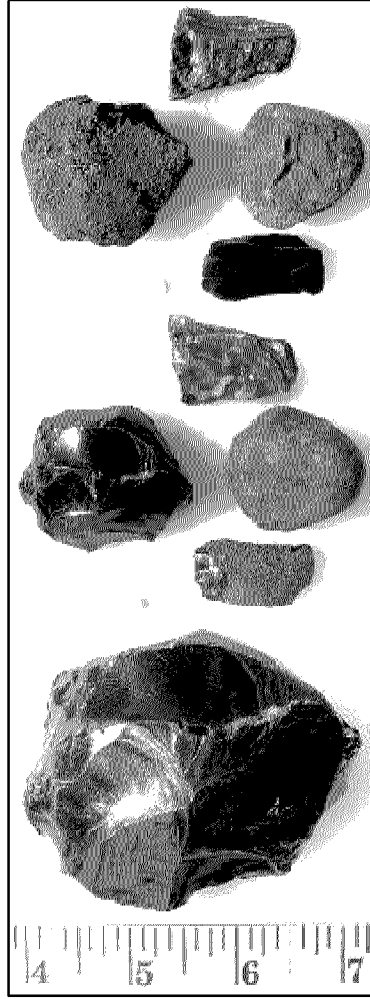
There is no additional information in the event of a discovery. Procedures outlined in this IDP will be followed in the event of a discovery.

Implement the IDP if you see...

Chipped stone artifacts.

Examples are:

- Glass-like material.
- Angular material.
- "Unusual" material or shape for the area.
- Regularity of flaking.
- Variability of size.



Stone artifacts from Oregon.



Stone artifacts from Washington.



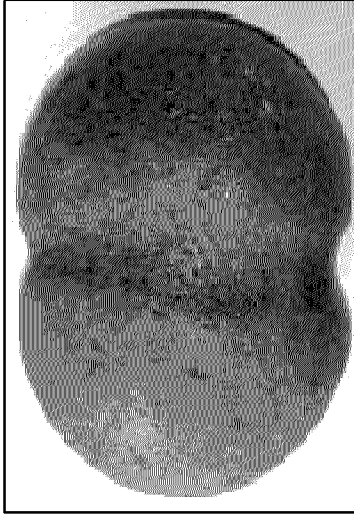
Biface-knife, scraper, or pre-form found in NE Washington. Thought to be a well knapped object of great antiquity. Courtesy of Methow Salmon Rec. Foundation.

Implement the IDP if you see...

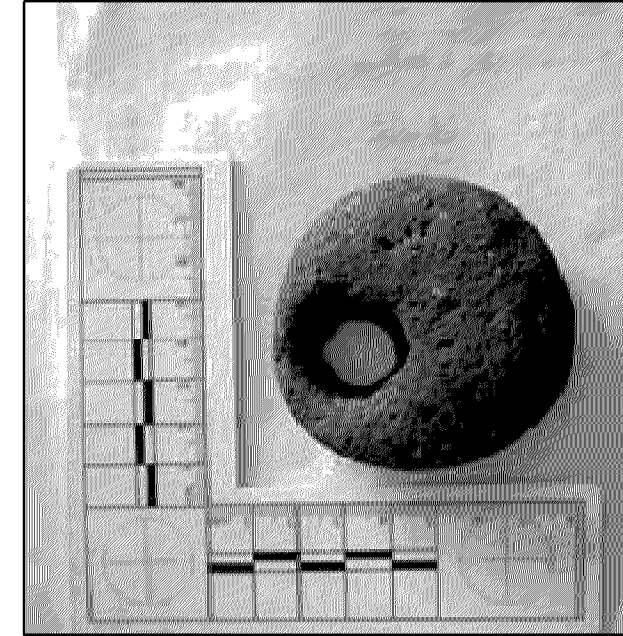
Ground stone artifacts.

Examples are:

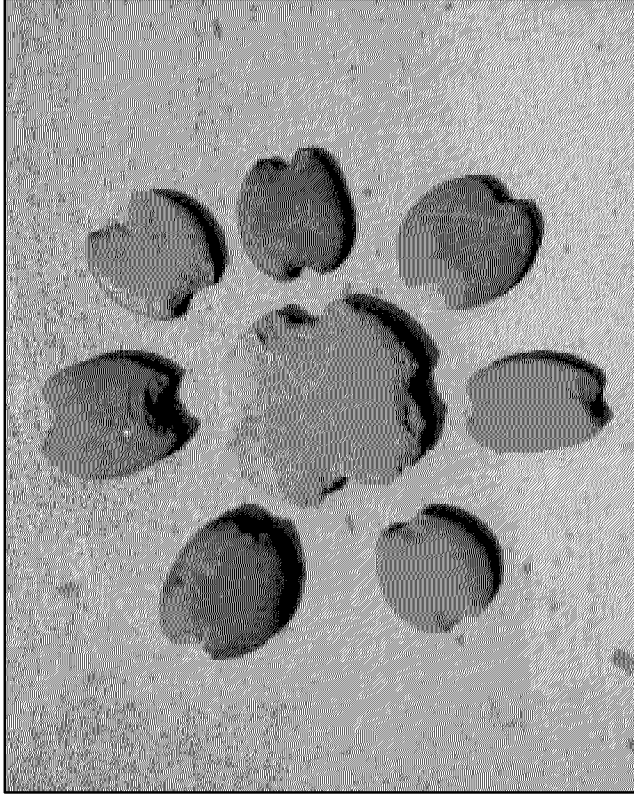
- Unusual or unnatural shapes or unusual stone.
- Striations or scratching.
- Etching, perforations, or pecking.
- Regularity in modifications.
- Variability of size, function, or complexity.



Above: Fishing Weight - credit [CRITFC Treaty Fishing Rights website](#).



Artifacts from unknown locations (left and right images).

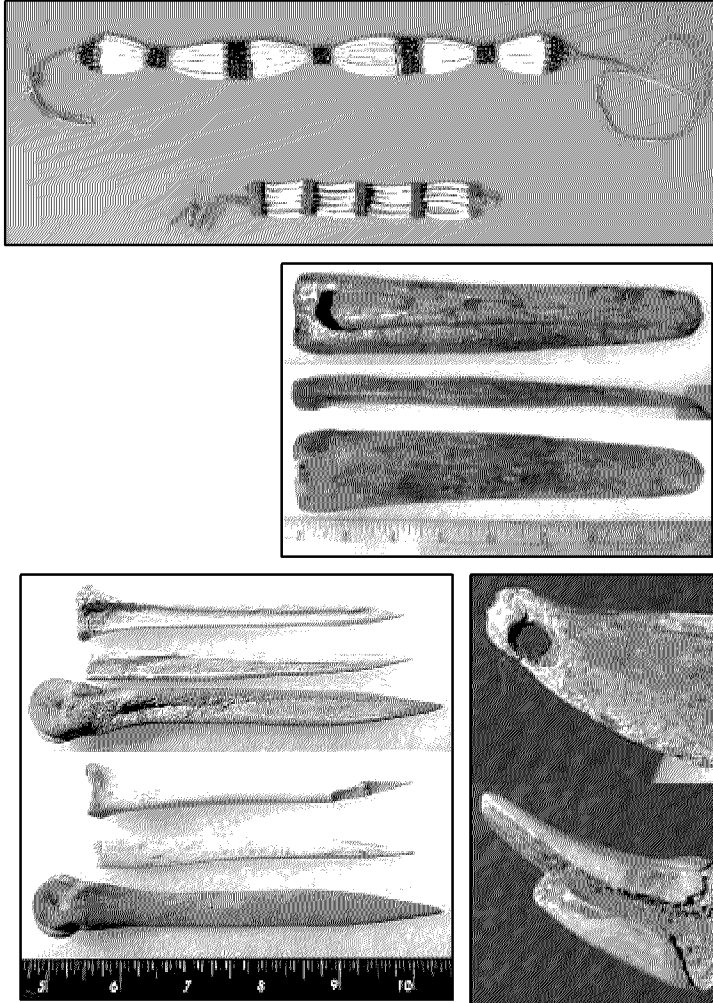


Implement the IDP if you see...

Bone or shell artifacts, tools, or beads.

Examples are:

- Smooth or carved materials.
- Unusual shape.
- Pointed as if used as a tool.
- Wedge shaped like a “shoehorn”.
- Variability of size.
- Beads from shell (dentalium) or tusk.

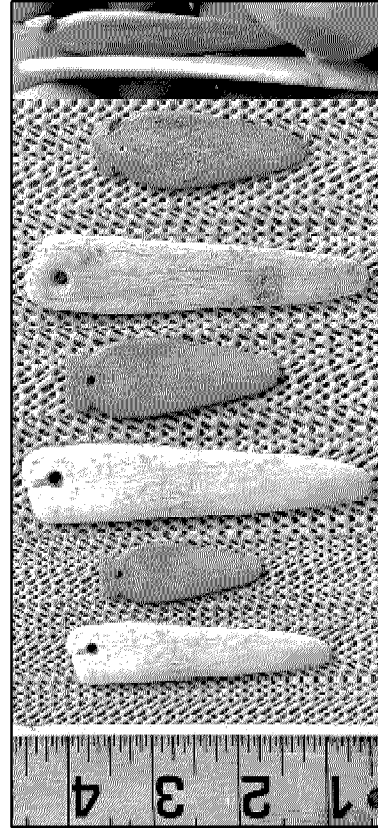


Upper Left: Bone Awls from Oregon.

Upper Center: Bone Wedge from California.

Upper Right: Plateau dentalium choker and bracelet, from Nez Perce National Historical Park, 19th century, made using *Antalis pretiosa* shells
Credit: Nez Perce - Nez Perce National Historical Park, NEPE 8762, Public Domain.

Above: Tooth Pendants. Right: Bone Pendants. Both from Oregon and Washington.



Implement the IDP if you see...

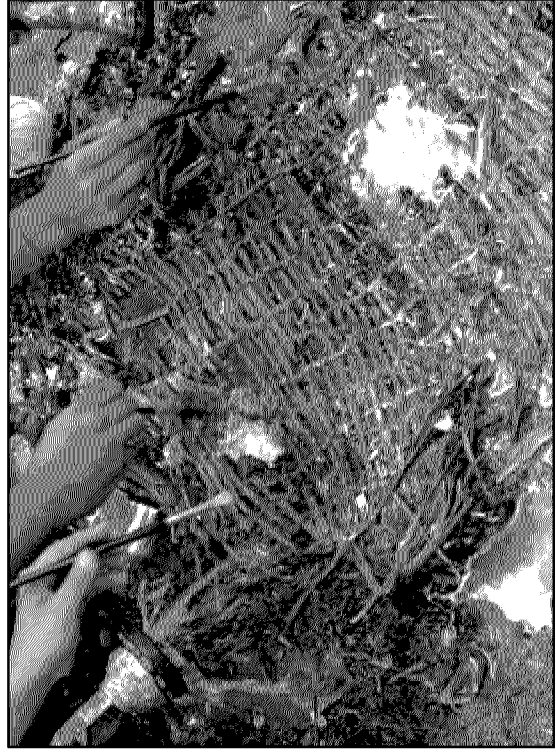
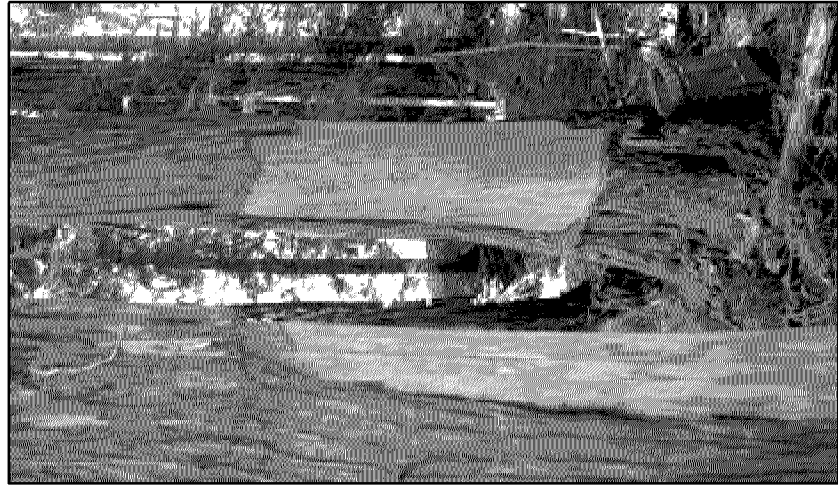
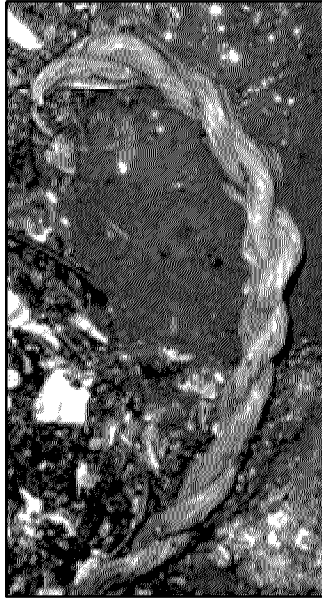
Culturally modified trees, fiber, or wood artifacts.

Examples are:

- Trees with bark stripped or peeled, carvings, axe cuts, de-limbing, wood removal, and other human modifications.
- Fiber or wood artifacts in a wet environment.
- Variability of size, function, and complexity.

Left and Below: Culturally modified tree and an old carving on an aspen (Courtesy of DAHP). These are examples of above ground cultural resources.

Right, Top to Bottom: Artifacts from Mud Bay, Olympia: Toy war club, two strand cedar rope, wet basketry.



Implement the IDP if you see...

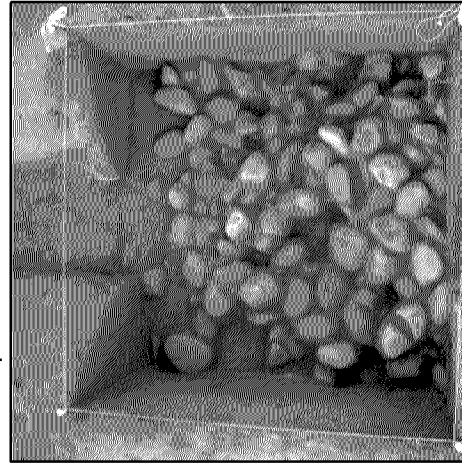
Strange, different, or interesting looking dirt, rocks, or shells.

Human activities leave traces in the ground that may or may not have artifacts associated with them. Examples are:

- “Unusual” accumulations of rock (especially fire-cracked rock).
- “Unusual” shaped accumulations of rock (such as a shape similar to a fire ring).
- Charcoal or charcoal-stained soils, burnt-looking soils, or soil that has a “layer cake” appearance.
- Accumulations of shell, bones, or artifacts. Shells may be crushed.
- Look for the “unusual” or out of place (for example, rock piles in areas with otherwise few rocks).



Shell Midden pocket in modern fill discovered in sewer trench.



Underground oven. Courtesy of DAHP.



Shell midden with fire cracked rock.



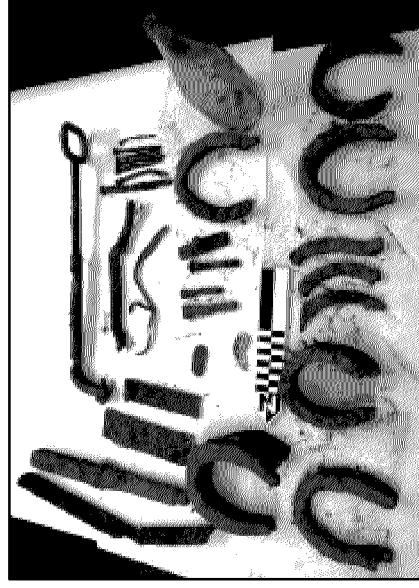
Hearth excavated near Hamilton, WA.

Implement the IDP if you see...

Historic period artifacts (historic archaeology considered older than 50 years).

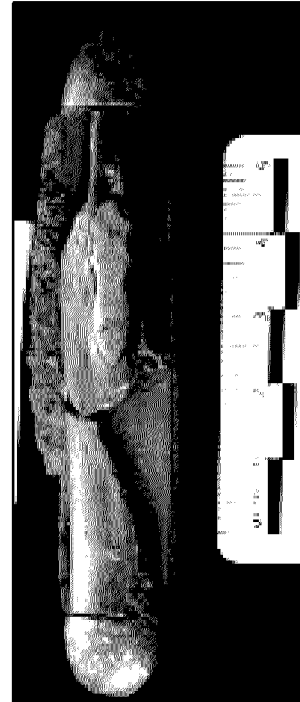
Examples are:

- Agricultural or logging equipment. May include equipment, fencing, canals, spillways, chutes, derelict sawmills, tools, etc.
- Domestic items including square or wire nails, amethyst colored glass, or painted stoneware.



Left: Top to Bottom: Willow pattern serving bowl and slip joint pocket knife discovered during Seattle Smith Cove shantytown (45-K1-1200) excavation.

Right: Collections of historic artifacts discovered during excavations in eastern Washington cities.



ECY 070-560 (rev. 12/20)

- 14 -

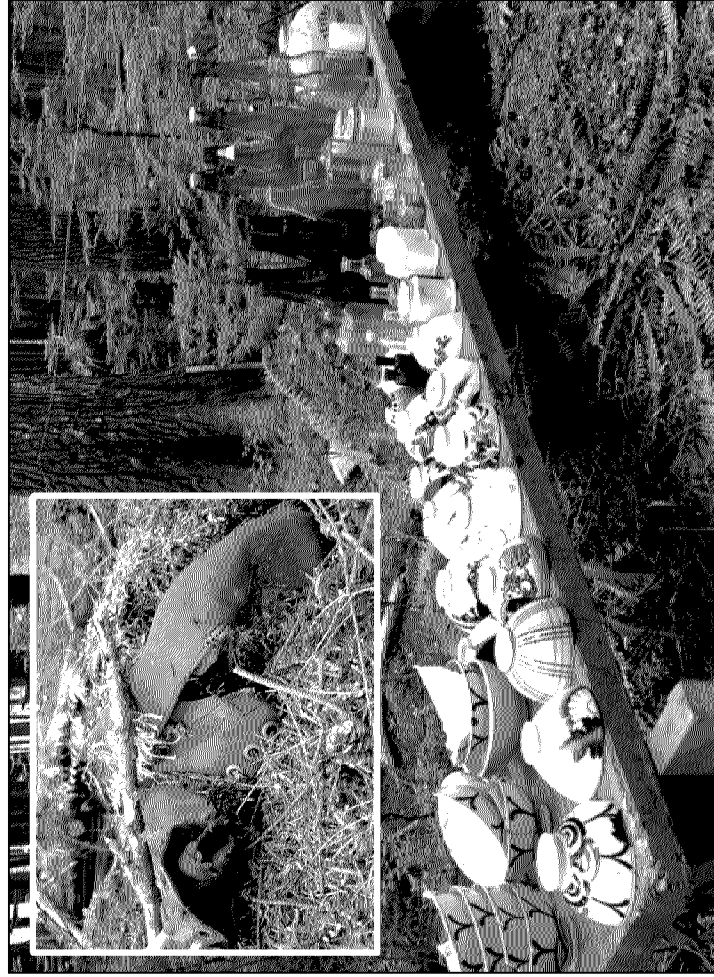
IDP Form

Implement the IDP if you see...

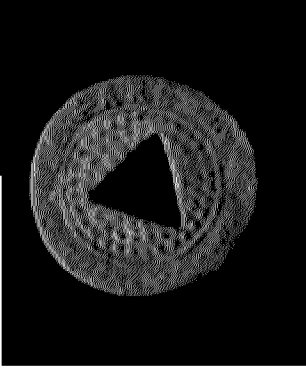
Historic period artifacts (historic archaeology considered older than 50 years).

Examples are:

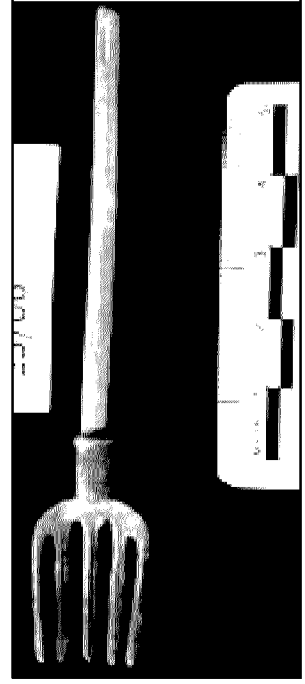
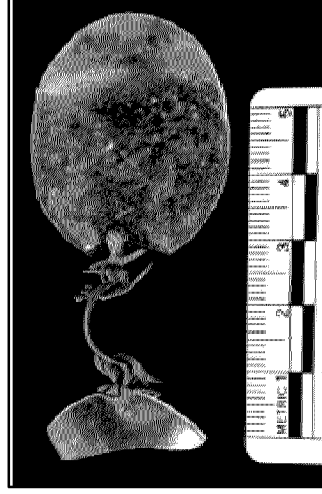
- Railway tokens, coins, and buttons.
- Spectacles, toys, clothing, and personal items.
- Items helping to understand a culture or identity.
- Food containers and dishware.



Main Image: Dishes, bottles, work boat found at the North Shore Japanese bath house (ofuro) site, Courtesy Bob Muckle, Archaeologist, Capilano University, B.C. This is an example of an above ground resource.

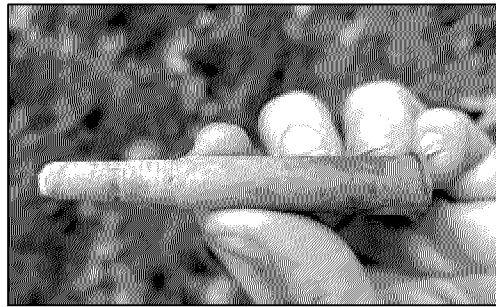


Right, from Top to Bottom:
Coins, token, spectacles and
Montgomery Ward pitchfork
toy discovered during
Seattle Smith Cove
shantytown (45-KI-1200)
excavation.



Implement the IDP if you see...

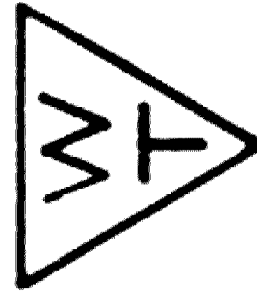
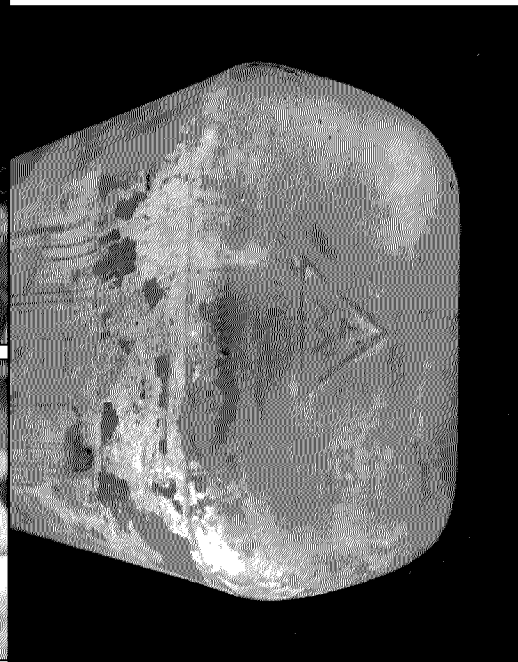
- Old munition casings – if you see ammunition of any type – ***always assume they are live and never touch or move!***
- Tin cans or glass bottles with an older manufacturer's technique – maker's mark, distinct colors such as turquoise, or an older method of opening the container.



Far Left: .303 British cartridge found by a WCC planting crew on Skagit River. **Don't ever touch something like this!**

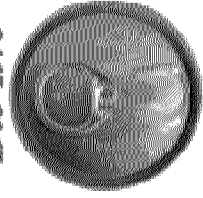
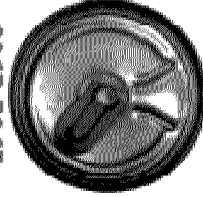
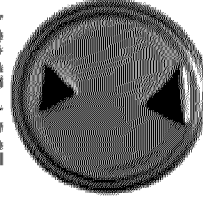
Left: Maker's mark on bottom of old bottle.

Right: Old beer can found in Oregon. ACME was owned by Olympia Brewery. Courtesy of Heather Simmons.



Logo employed by Whithall Tatum & Co. between 1924 to 1938 (Lockhart et al. 2016).

1914-1963+ 1962-1965 1965-1975



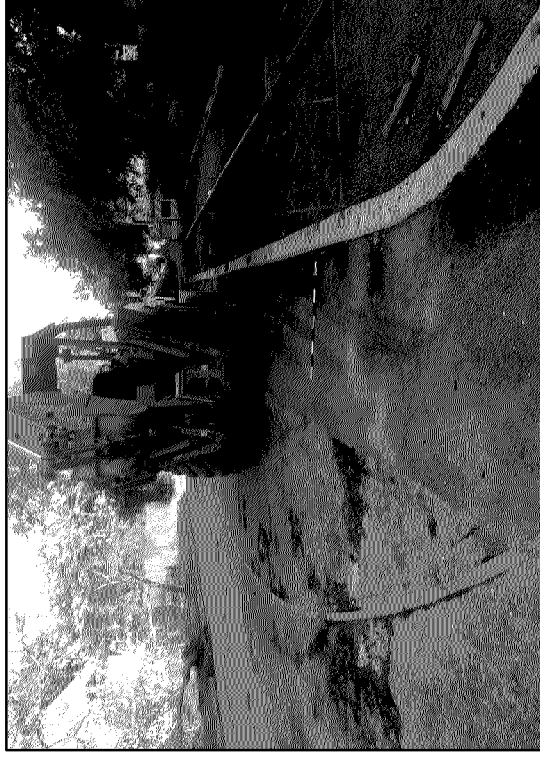
Can opening dates, courtesy of W.M. Schroeder.

Implement the IDP if you see...

Historic foundations or buried structures.

Examples are:

- Foundations.
- Railroad and trolley tracks.
- Remnants of structures.



Counter Clockwise, Left to Right: Historic structure 45K1924, in WSDOT right of way for SR99 tunnel. Remnants of Smith Cove shantytown (45-K1-1200) discovered during Ecology CSO excavation, City of Spokane historic trolley tracks (above ground historic resources) uncovered during stormwater project, intact foundation of historic home that survived the Great Ellensburg Fire of July 4, 1889, uncovered beneath parking lot in Ellensburg.

Implement the IDP if you see...

Potential human remains.

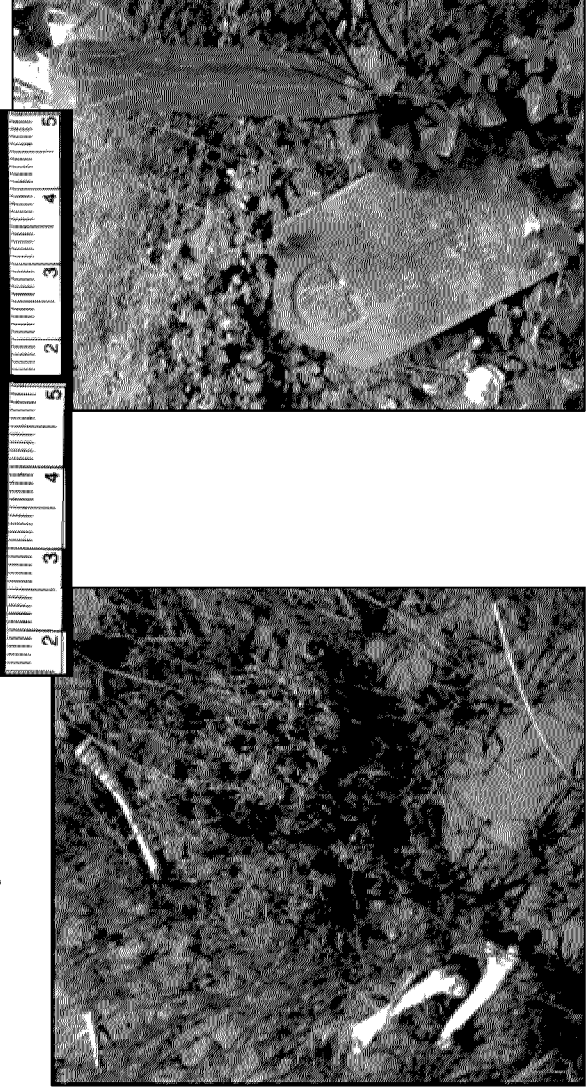
Examples are:

- Grave headstones that appear to be older than 50 years.
- Bones or bone tools--intact or in small pieces. It can be difficult to differentiate animal from human so they must be identified by an expert.
- These are all examples of animal bones and are not human.



Center: Bone wedge tool, courtesy of Smith Cove Shantytown excavation (45K11200).

Other images (Top Right, Bottom Left, and Bottom Center: Courtesy of DAHP.



Directly Above: This is a real discovery at an Ecology sewer project site.

What would you do if you found these items at a site? Who would be the first person you would call?

Hint: Read the plan!



City Council Agenda Bill

Meeting Date: September 7, 2021 **Agenda Item:** 6.a.

Agenda Item Title: Resolution 3043 Confirming Interim Ordinance 3091 Facilitating Development of Daycares in the R4 Use Zone and Adopting a Work Plan

Staff Contact(s): DON MEASAMER

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
DON MEASAMER	Public Hearing

Item Summary: Resolution 3043 reaffirms Ordinance 3091 and adopts a work plan to address Day Care II Facilities as an outright permitted use in the R4 Use Zone.

Resolution 3043 is related to Ordinance 3091 which allows for Daycare II facilities (more than 12 adults or children in a 24 hour period) as an outright permitted use in the R4 Use Zone. The resolution also adopts a work plan to proceed with public meetings and discussion with stake holders and the Planning Commission regarding possible impacts related to Daycare II facilities such as drop off areas and circulation, parking and building size. A public hearing will be scheduled on preferred concepts and code amendments as needed.

Budget Impact:
N/A

Previous Action: The City Council adopted [Ordinance 3091](#), an Interim Ordinance to Facilitate the Development of Daycare Facilities in the R4 Use Zone on [July 12, 2021](#). Resolution 3043 reaffirms the ordinance and provides for a work plan.

Recommended Motion: I move to approve Resolution 3043 as presented.

Alternative Actions: Revise and bring back for consideration

Attachments (listed in order presented):

1. Resolution 3043
2. Work Plan R4 Daycare

RESOLUTION 3043

A RESOLUTION REAFFIRMING ORDINANCE 3091 AND CONFIRMING THE 6 MONTH DURATION OF THE INTERUM REGULATIONS CONTAINED THEREIN CONCERNING THE DEVELOPMENT OF DAYCARES IN THE R4 USE ZONE AS A PERMITTED USE AND ADOPTING A WORK PLAN

WHEREAS, the City's development code requires application of the Type 4 conditional use permit process to establish new childcare facilities in residential zones;

WHEREAS, the Type 4 review process is the highest level of review in the AMC (AMC 19.20.030.C) and requires public hearing before the Planning Commission and approval by the City Council;

WHEREAS, specifically AMC 19.44.010 defines "day care II" to include child day care serving more than 12 children in any 24-hour period, or any day care as a principal use; and AMC 19.41.040 makes "day care II" a conditional use in all zones where it is allowed, including the R4 zone;

WHEREAS, the Type 4 conditional use permit process is lengthy and expensive for permit applicants;

WHEREAS, other higher intensity uses, including multifamily residences, assisted living facilities and bed and breakfasts, are allowed in the R4 zone without a conditional use permit;

WHEREAS, RCW 36.70A.390 and AMC 19.16.110 authorize the City Council to adopt moratoriums, interim zoning ordinances, and interim official controls;

WHEREAS, per RCW 36.70A.390, a moratorium is effective for six months, or up to one year if a work plan is developed for related studies providing for such a longer period;

WHEREAS, the Anacortes City Council adopted Ordinance 3091, an Interim Ordinance to Facilitate the Development of Daycare Facilities in the R4 Use Zone as a permitted use under the provisions of AMC 19.41.040, on July 12, 2021;

NOW THEREFORE, BE IT RESOLVED BY THE ANACORTES CITY COUNCIL:

Section 1. City Council readopts the findings of fact in Ordinance 3091.

Section 2. The work plan attached as Exhibit A is hereby adopted.

PASSED AND APPROVED by the City Council this 7th day of September, 2021.

CITY OF ANACORTES

Laurie Gere, Mayor

ATTEST:

Steve D. Hoglund, City Clerk/Treasurer

APPROVED AS TO FORM:

By:_____
Darcy Swetnam, WSBA# 40530
City Attorney

Resolution 3043
Exhibit A

**Work Plan – Regulations Regarding The Development of
Daycare II As A Permitted Use In The R4 Use Zone, AMC
19.41.040. Interim Ordinance 3091, July 12, 2021**

	Task	Schedule
1.	Hold public meetings with Planning Commission for community input on possible impacts.	September/October 2021
2	Identify possible impacts, such as, building area, parking, circulation for drop off and pickup,	October/November 2021
3.	Discussion with stake holders/Planning Commission on possible impacts and mitigation. Issue SEPA on draft language	November/December 2021
4.	Planning Commission Public Hearing on preferred concepts/amendments	February 2022
5.	Planning Commission Recommendation on preferred concepts/amendments to City Council	February/March 2022
	Interim Ordinance Expiration six months (renew in October prior to expiration)	November 12, 2021



City Council Agenda Bill

Meeting Date: September 7, 2021 **Agenda Item:** 7.a.

Agenda Item Title: CUP-2021-0001: Conditional Use Permit for the Cap Sante North Basin RV Park – Port of Anacortes

Staff Contact(s): LIBBY GRAGE

Approved for Submittal to Council by **Action Type**

LIBBY GRAGE

Closed Record Decision Hearing

Item Summary: An open record public hearing for the above-referenced permit application was held by the Planning Commission on [August 11, 2021](#). The Planning Commission voted to recommend to the City Council approval with conditions of the conditional use permit and site plan application.

Budget Impact:

None.

Previous Action: None.

Recommended Motion: I move to approve CUP-2021-0001 subject to the conditions of approval contained within the staff report.

Alternative Actions: Approve the application with modified conditions or deny the application.

Attachments (listed in order presented):

1. PC-Recommendation
2. Ex. 1 Staff Report
3. Ex. 2 Application Documents
4. Ex. 3 SEPA Documents
5. Ex. 4 City Dept Comments
6. Ex. 5 Public Comments
7. Ex. 6 Public Notice Docs
8. Ex. 7 Determination of Complete
9. Ex. 8 Depot Site Master Plan Concept

10. Ex. 9 Applicant Response, 20210709
11. Ex. 10 Parking Lot Reno Memo
12. Staff Slide Presentation



Anacortes Planning Commission Findings of Fact, Conclusions of Law and Recommendation

File Number:	CUP-2021-0001
Project Name:	Cap Sante North Basin Recreational Vehicle Park
Proposal Description:	Conditional use permit and site plan approval to improve a 26 space Recreational Vehicle (RV) Park located in the North Basin of the Cap Sante Marina area. The proposal will modernize the RV Park with updated facilities for RV Park guests, including provision of full utility services to the RV spaces. Improvements would provide the park with appropriate paved access and spacing. One RV space would be eliminated. A 1,100 sq. ft. single story utility/restroom/shower and laundry facility would be constructed for exclusive use by the RV Park guests. The existing gravel site would be paved, landscaped and vegetated, and updated utilities, including stormwater, would be installed. The total footprint of the RV park would remain the same (approximately 2.5 acres) with about 1 acre of open space.
Documents available at:	City Hall, Planning Community & Economic Development Department
Public hearing:	Anacortes Planning Commission
Public hearing date:	August 11, 2021
PC deliberations:	August 11, 2021
Decision Body:	Anacortes City Council
Closed Record Hearing Date:	September 7, 2021

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, conclusions of law, and recommendation:

Findings of Fact & Conclusions of Law

1. The Staff report dated August 4, 2021 (Exhibit 1) accurately describes the project proposal and its Findings of Fact and Conclusions of Law are hereby incorporated by reference as the Planning Commission's Findings of Fact and Conclusions of Law.
2. The following members of the public provided testimony during the public hearing:
None

3. The following additional exhibits were entered into the record at the public hearing:
None
4. The following additional Findings of Fact and/or Conclusions of Law are entered:
None

Recommendation

Based on the foregoing findings and conclusions of law, and review of the City's regulatory authority to implement the policies, standards, and regulations of the Anacortes Municipal Code, the Planning Commission hereby makes the following recommendation regarding the subject Conditional Use Permit and Site Plan Review applications:

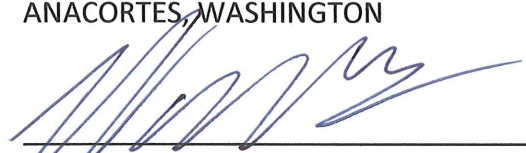
- ☒ Approve with Conditions
☐ Approve
☐ Deny

Subject to staff's recommended conditions in the Staff Report dated August 4, 2021 and any additional Commissioner conditions of approval as listed below:

1. None

Commission Vote - Recommendation	Approve	Deny	Absent	Abstain
Frank Jeretzky	X			
Mike Cortright	X			
Sarah Reuther	X			
Linda Martin	X			
Gary Molyneaux	X			
Jeff Graf	X			
Ward MacKenzie	X			
Total	7			

ANACORTES PLANNING COMMISSION
ANACORTES, WASHINGTON


Ward MacKenzie, Planning Commission Chair

08/11/21
Date



Anacortes Planning, Community & Economic Development Department

904 6TH Street / P.O. Box 547, Anacortes, WA 98221

360.299-1984 - Office Hours: Mon-Fri 8:00 AM – 5:00 PM

STAFF REPORT

A. PROJECT SUMMARY DATA

PROJECT INFORMATION:

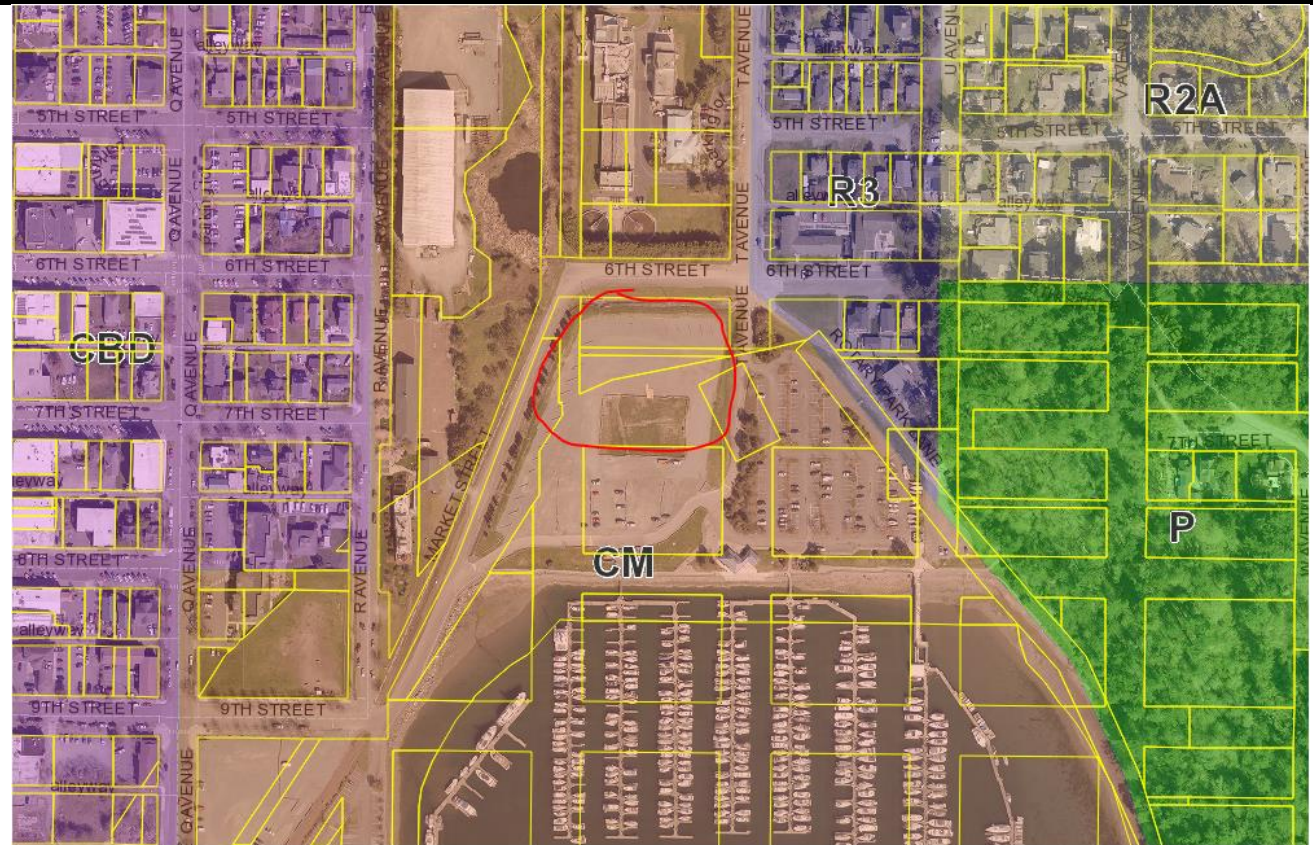
File Number	CUP-2021-0001	Date of Report	August 4, 2021				
Project Title	Cap Sante North Basin Recreational Vehicle Park	Attachment					
Site Address	600 T Ave., Anacortes						
APN(s)	P56860, P56861, P56862, P56880	Section	18	Township	35	Range	02
Request	Conditional use permit and site plan approval to improve a 26 space Recreational Vehicle (RV) Park located in the North Basin of the Cap Sante Marina area. The proposal will modernize the RV Park with updated facilities for RV Park guests, including provision of full utility services to the RV spaces. Improvements would provide the park with appropriate paved access and spacing. One RV space would be eliminated. A 1,100 sq. ft. single story utility/restroom/shower and laundry facility would be constructed for exclusive use by the RV Park guests. The existing gravel site would be paved, landscaped and vegetated, and updated utilities, including stormwater, would be installed. The total footprint of the RV park would remain the same (approximately 2.5 acres) with about 1 acre of open space. Other Required Reviews/Approvals: City of Anacortes Building and Construction permits, WA State Dept. of Ecology Construction Stormwater General Permit						
Landowner & Applicant	Port of Anacortes 100 Commercial Ave. Anacortes, WA 98221		Brenda Treadwell				
Application Date	April 4, 2021		Complete Application Date	June 23, 2021			
PC Public Hearing Date	August 11, 2021		CC Closed Record Decision Hearing Date	September 7, 2021			
Present Use of Property	Gravel parking area with stalls for RV parking and vehicle parking						
Comprehensive Plan Designation	Commercial Marine		Zoning:	Commercial Marine			
Shoreline Environment	N/A		Critical Areas	The site is an erosion hazard area and seismic hazard area.			
Water Supply	Current	Proposed	Sewer Supply	Current	Proposed		
	City	City		City	City		

Staff Recommendation **Approve, with conditions**

CITY STAFF CONTACTS:

Name:	Title:	Phone:	E-mail:
Libby Grage	Planning Manager	(360) 299-1986	libbyb@cityofanacortes.org
Steve Lange	Public Works Engineering	360-293-1986	stevel@cityofanacortes.org

PROJECT LOCATION & SURROUNDING AREA



SITE & SURROUNDING USES:

	Comprehensive Plan	Zoning	Land Use
Site	Commercial Marine	Commercial Marine	Gravel parking
North	Commercial Marine	Commercial Marine	City Wastewater Treatment Plant
East	Commercial Marine	Commercial Marine	Marina parking lot
South	Commercial Marine	Commercial Marine	Parking lot, esplanade, Cap Sante Marina
West	Commercial Marine	Commercial Marine	Madrona Grove, Depot Arts Center

B. PROCEDURAL

1. **Type of Review.** A recreational vehicle (RV) park is a conditional use in the Commercial Marine (CM) zone per AMC Table 19.41.050. The application for a conditional use permit is a Type 4 review process, requiring a preapplication meeting with city staff, a preapplication neighborhood meeting, a 21-day public comment period, a public hearing before Planning Commission, and a closed record decision hearing before City Council. Site plan review for projects proposing 20,000 sq. ft. or more of nonresidential site improvements requires a Type 2 review process. The applications are being reviewed concurrently according to the highest-level review procedure – Type 4.
2. **Project history.** The mandatory preapplication meeting was held on November 10, 2020. A neighborhood meeting was held on February 2, 2021. The application for a conditional use permit was submitted on April 5, 2021 and determined to be complete of June 23, 2021.
3. **Public notice and reviewing departments/agencies.** A notice of application with a 21-day public comment period ending on July 21, 2021, was published in the Anacortes American on June 30, 2021, posted on the project site, mailed to property owners within 300', and posted on the website on June 30, 2021.

The project application was routed for review to applicable agencies and City departments.

REVIEWING DEPARTMENTS & AGENCIES:				
City of Anacortes	Local Agencies & Districts	State & Federal	Skagit County	Other
☒ Building ☒ Fire Dept. ☒ Parks ☒ Planning ☒ Police ☒ Public Works ☒ Operations	☐ Skagit Transit ☐ Anacortes School District 103 ☐ Port of Anacortes	☐ DOE ☐ WDFW ☐ WSDOT ☐ DNR ☐ DAHP	☐ Health District ☐ Planning ☐ Public Works	☐ Swinomish Tribe ☐ Samish Tribe ☐ Upper Skagit Tribe
X = Request for review/comments sent to department or agency.				

4. **Environmental review.** The Port of Anacortes, the lead SEPA agency for this proposal, issued a Determination of Nonsignificance (DNS) on June 19, 2021.
5. **Public Hearing.** A pre-decision open record public hearing before the Planning Commission is scheduled for August 11, 2021, at 6:00 PM. A notice of public hearing was published in the Anacortes American on June 21, 2021, posted on the project site, mailed to property owners within 300' and parties of record on June 21, 2021.

C. DEPARTMENT REVIEW – Findings of Fact

1. The subject site is zoned Commercial Marine (CM). The proposed use is classified as a recreational vehicle (RV) Park, which is a conditional use in the CM zone. An RV Park is defined as “land containing two or more campsites which are located, established, or maintained for occupancy by people in recreation vehicles or travel trailers which are used for recreation or vacation purposes”.

2. The subject property is currently graveled and used for vehicle and RV parking. There are currently 26 RV parking spaces that are generally delineated by movable parking barricades; however, there are no formal facilities such as hook ups for water, sewer, or electricity.
3. According to project documents, the subject site was created by filling tidal areas in the 1950's. It is unclear when use of the site for RV parking/camping was originally established. Aerial photos dating back to 1998 appear to show several RVs parked in the south portion of the property. Configuration of the site as it is today, with RV parking stalls located in the northern part of the site, appears to have occurred sometime between the years 2017 and 2019, based on historic aerial photos. City staff was unable to locate permitting records related to establishing a formal RV Park or camping area at the subject site.

4. **AMC 19.30.040: Site Plan Review Criteria**

Anacortes Municipal Code Chapter 19.30 provides certain criteria for approval of a site plan. Below are the review criteria, along with staff comments:

A. **Conformance with all other applicable laws, ordinances, and regulations.**

Staff Comments: With recommended conditions of approval, the project will meet all applicable laws, ordinances, and regulations.

B. **AMC Chapter 15.32, Underground Utilities.**

Staff Comments: With recommended conditions of approval, all site utilities will be placed underground.

C. **AMC Chapter 19.22, Concurrency.**

Staff Comments: The application was routed to the City's Public Works, Police, and Fire Departments for review and comment. Based on this review it was determined that the capacity of concurrency facilities is equal to or greater than the capacity required to maintain the level of service standard for the impact from this development application. Therefore, the concurrency test is passed.

Through payment of impact fees and general facilities charges prior to grading and clearing permit issuance, the development will pay for its proportionate share of new public facilities and infrastructure needed to serve the development.

D. **Conformance with the applicable zoning provisions of Division 4: AMC 19.41, Allowed Uses; AMC 19.42, Form & Intensity Standards; and the applicable use standards of AMC Chapters 19.43 through 19.48.**

Staff Comments: The subject property is located within the Commercial Marine (CM) zone which allows RV Parks with a conditional use permit. The development, per the submitted site plan, dated stamped received 4/5/21, meets the required form and intensity standards in the CM zone per AMC Table 19.42.030, as follows:

- Density minimum: Not applicable
- Maximum building size without a CUP: Not applicable
- Landscaped area, minimum - 15%; proposed - 41.9%
- Maximum building height - 35'; proposed – 18'
- Minimum setbacks: 10' street setback and 0' other property lines; proposed - >10' from all property lines.

Based on staff's review, the proposal will conform to the commercial use standards, specifically for RV Parks (per AMC 19.44.100.F), including streets and recreational vehicle space requirements, internal design standards, water, sewer, and solid waste facilities, required laundry/shower/restroom facilities, retail sales (none permitted unless approved by City Council as part of CUP), and ownership requirements (the entire area must be maintained in single ownership).

The other standards in AMC 19.43-19.48 are not applicable to the proposed development.

E. Conformance with the applicable zoning provisions of Division 5: AMC 19.51 Public Street Improvements Required; AMC 19.52, Public Street Design; AMC 19.53, Private Driveways & Access; and AMC 19.54, Subdivision & Block Structure.

Staff Comments: The proposal is subject to applicable public street improvements and street design standards pursuant to AMC 19.51.020. The project site has frontage on 3 streets. To the west is Market Street (Port-owned property with an easement for public right-of-way granted to the City, AFN 201201050054). To the north is 6th St., a dedicated public right-of-way. To the east is a portion of T Ave. public right-of-way and an access lane on Port-owned property. Market Street and 6th Street are designated as Minor Arterials in the Transportation Element of the Comprehensive Plan.

Street improvements are proposed along the project's frontage on Market Street and 6th Street, including a 6' wide landscape strip with street trees, a 6' wide sidewalk and crosswalks. The sidewalk will extend from the 6th St. /T Ave. intersection to the south onto Port property. Conformance with specific standards will be reviewed by the Public Works Department when civil construction plans are submitted.

Proposed stairways leading down from the higher RV park elevation to the Market Street elevation, along with new crosswalks along Market Street, will provide a pedestrian crossing/connection between the RV Park, the Depot site, and west to downtown. This is consistent with Anacortes Comprehensive Plan policy to enhance the pedestrian connections between downtown and the Fidalgo Bay waterfront. Staff recommend that the applicant work with the Parks Department and Public Works Department to determine the optimal location for the Market Street crosswalks, considering safety and alignment with future planned pedestrian paths on the Depot site, as generally depicted in the City of Anacortes Depot Site Master Plan.

F. Conformance with the applicable zoning provisions of Division 6: AMC 19.61, Block Frontage; AMC 19.62, Site Planning, AMC 19.63, Building Design; AMC 19.64, Parking;

AMC 19.65, Landscaping; AMC 19.66, Fences, Walls, and Hedges; AMC 19.67, Signs; and AMC 19.69, Standards, Generally.

Staff Comments: The proposal constitutes a Level III improvement per AMC 19.60.020, which requires that the proposal conform to all applicable standards in Division 6 Project Design.

AMC 19.61 - Block Frontage Standards. The Market St., 6th St., and T Ave. frontage have an “Undesignated” block frontage, which is subject to conformance with AMC 19.61.110, Undesignated (streets with no designated block frontage). The restroom/laundry building is required meet the façade transparency requirements per Table 19.61.110(C) where it abuts Market Street. Landscaping, identified in AMC 19.65.070 is required, including a 10’ Type C landscape buffer around the perimeter of the RV park. The standards are intended to mitigate the potential impacts of parking lots and blank walls along streets. Staff recommend the site and landscape plans be revised to incorporate the 10’ Type C landscape buffer. Conformance with façade transparency requirements can be reviewed at time of building permit application for the restroom building.

AMC 19.62 - Site Planning. Per AMC 19.62.070, service areas, including trash dumpsters and recycling areas, must not be located in public right-of-way or visible from the sidewalk and adjacent properties. The site plan currently shows a dumpster enclosure located partially within the T Ave. right-of-way. Staff recommend a condition requiring relocation of the dumpster/recycling area/enclosure consistent with AMC 19.62.070 prior to construction plan approval.

AMC 19.63 - Building Design. The building façade of the restroom/laundry building is subject to conformance with AMC 19.63.050, Building Details, 19.63.060, Building Materials, and 19.63.070 Blank Wall Treatment. Staff recommend a condition requiring the applicant to demonstrate conformance with AMC 19.63.050-19.63.070 prior to building permit issuance for the building.

AMC 19.64 – Parking. Per AMC 19.64.030, minimum off-street parking requirements for an RV park are a ‘director decision’. This requires the applicant to provide documentation of actual parking demand for the proposed use, technical studies prepared by a qualified professional relating to the parking need for the proposed use, or documentation of parking requirements for the proposed use from other comparable jurisdictions. The individual RV spaces may provide space for an additional vehicle depending on the size of the RV or trailer parked in each space. The application indicates that guests would also have use of the adjacent parking area to the south, which is planned to be paved and striped in the near future.

It is recommended that the applicant be required to provide information about the RV park’s actual parking demand so that the minimum number of off-street parking spaces can be determined by the Director. To memorialize the shared parking arrangement with the property to the south, Staff recommends a condition requiring that a legally binding document addressing the shared parking, such as a covenant or reciprocal easement agreement, be submitted for approval prior to construction plan approval. The document would need to be recorded with the Skagit County Auditor in the chain of title for the properties at the expense of the applicant.

The development is not required to provide short and long-term bicycle parking per AMC 19.64.100.

AMC 19.65 – Landscaping. A landscape plan was submitted with the application materials. Based on the landscape plan, approximately 40% of the site area will be landscaped, whereas a minimum of 15% of the site is required to be landscaped in the CM zone. The landscape plan does not contain all the required elements per AMC 19.65 to complete the landscape plan review. Staff recommend that a final landscape plan that conforms with the standards in AMC 19.65, including a minimum 10' wide Type C landscaping around the west and north RV Park perimeters, be submitted for review and approval prior to grading/clearing plan permit issuance. Landscaping must be installed prior to the issuance of certificate of occupancy.

AMC 19.66 – Fencing, Walls and Hedges & AMC 19.67 Signs. No fencing or signage was proposed with the site plan review. If future fencing or signage is proposed, permitting in accordance with AMC 19.66 and/or AMC 19.67 would be required. Conformance with the standards of the proposed retaining wall along Market Street will be reviewed upon clearing/grading permit or buildign permit application.

AMC 19.69 – Standards, Generally. The proposed devleopment was reviewed for conformance with AMC 19.69 regulating general standards in the City of Anacortes including but not limited to noise, air pollution, glare, exterior lighting, and the vision clearance triange. The proposed development was determined to meet these requiriements, if rcommended conditions are implememented.

G. AMC Chapter 17.70, Critical Area Regulations.

Staff Comments: According to the preliminary habitat evaluation submitted with the application, there are no wetlands or fish and wildlife habitat conservation areas present on the subject property. A wetland is identified across 6th street to the northwest of the subject site; however, the wetland is functionally separated from the project site by 6th Street improvements.

The preliminary geotechnical report submitted with the application states that the site meets the definitions of an erosion hazard area and a seismic hazard area. For erosion hazard areas, the report states that proper construction practices and monitoring procedures will manage the risks to the standard of practice and meet minimum mitigation requirements. For seismic hazard areas, the report recommends that site specific study be completed for the subject site now that a project is identified. This is a recommended condition of approval.

H. AMC Chapter 18.04, State Environmental Policy Act.

Staff Comments: The Port of Anacortes, lead SEPA agency for this proposal, issued a Determination of Nonsignificance on June 21, 2021.

I. AMC Chapter 18.16, Shoreline Master Program.

Staff Comments: The proposed development is not located within shoreline jurisdiction; therefore, this section would not apply.

J. AMC Chapter 19.76, Stormwater.

Staff Comments: A Preliminary Stormwater Management Review report was submitted with the application. According to the report, the project proposes meeting Basic Treatment water quality requirements by conveying stormwater runoff from pollution generating surfaces to a Contech Stormfilter device or equivalent prior to discharge to Fidalgo Bay. According to the Preliminary Geotechnical Report, stormwater infiltration is not feasible based on the depth to groundwater and variable fine-grained fill material. Anacortes Public Works Department staff commented that a more detailed civil plan and drainage report will need to be submitted, reviewed, and accepted prior to construction work taking place. This is a recommended condition of approval.

K. AMC Chapter 19.78, Clearing and Grading.

Staff Comments: Conformance with this chapter will be reviewed when a clearing and grading permit application and supporting materials are submitted.

5. AMC 19.36.040: Conditional Use Permit Review Criteria

Anacortes Municipal Code Chapter 19.36 provides certain criteria for approval of a Conditional Use Permit. Below are the criteria, along with staff comments:

A. The use would comply with any specific requirements for the conditional use specified elsewhere in this code;

Staff Comments: RV Parks are subject to the use requirements in AMC 19.44.100.F, which contains minimum standards for access, internal design, provision of utilities, and solid waste collection. With proposed conditions, the proposed use will conform to the applicable standards.

B. Access to the site is appropriate considering the anticipated volume of traffic resulting from the use;

Staff Comments: Site access is proposed to remain generally the same, with access to the site via the existing marina parking area entrance off Market Street, or via T Avenue, and the internal site access lane to the east of the site.

According to the traffic impact analysis submitted with the application, the proposal is not expected to generate any increase in vehicle trips above what is currently existing. However, because permits for establishment of an RV Park cannot be located and it is not clear how many formalized spaces existed at the time of its establishment, staff is not able to confirm that no additional transportation impacts will occur as part of the subject proposal. It is also possible that the installation of utility and power hookups could result in an increase of usage above that of the RV parking area in its current state.

The City received public comments indicating concern about safety of the intersection of 6th St/T Ave./ Rotary Park Lane, a 5-way intersection with only 2 stop signs. Steven Lange, Public Works Department, provided recommendations for safety enhancements that could be made to the intersection in a memo dated 7/1/21. The Port of Anacortes provided responses to the comments in a letter dated 7/9/21.

Staff recommend a condition that the intersection be evaluated for potential safety improvements by the applicant's traffic engineer and any recommended signage or other improvements be installed by the applicant, as approved by the Public Works Department, prior to final occupancy.

With recommended conditions, access to the site is appropriate considering the anticipated volume of traffic resulting from the use.

C. Off-street parking and loading facilities are adequate in terms of location, amount, and design to service the use;

Staff Comments: Off street parking requirements for the use is a director decision according to AMC 19.64.040. See Section 4.F, above. With recommended conditions, the proposal will conform to the applicable standards and off-street parking and loading facilities will be adequate to service the use.

D. The amount and location of open space and the provision of screening is such that buffering of incompatible uses is achieved;

Staff Comments: As noted above, and as conditioned, the site will conform to minimum landscaping and open space standards. Staff recommend that the landscape plan be revised to include a minimum 10' wide Type C landscape buffer around the west and north perimeter of the RV Park to provide screening between the RV parking area and adjacent streets and uses, consistent with AMC 19.65.070.D.

E. The location and intensity of outdoor lighting is such that it does not cast light on adjacent, adjoining, or neighboring properties;

Staff Comments: According to the SEPA checklist, no internal street lighting is proposed in the RV Park. The only exterior lighting would be attached to the exterior to the single-story utility/restroom/laundry facility and the lighting would be directed toward the RV spaces. As conditioned, lighting will not cast light on adjacent, adjoining, or neighboring properties.

F. Hours and manner of operation of the proposed use, including anticipated noise generation, are not inconsistent with the adjacent or nearby uses;

Staff Comments: General hours and manner of operation, including noise generation, are not anticipated to significantly change with the proposal. Use of generators by RVs may decrease due to the extension of power hookups to each RV space.

G. Public facilities and utilities are capable of adequately serving the proposed use;

Staff Comments: Review by applicable city departments has determined that public facilities and utilities are capable of adequately servicing the development. Payment by the applicant of applicable impact fees and general facilities charges will mitigate the proposal's impact on public facilities and utilities.

H. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;

Staff Comments: The proposal's conformance to form and intensity, clearing and grading, and stormwater management regulations help to ensure that the proposal is suitable to the physical conditions of the site. Installation of stairs between the site and Market Street, and crosswalks to connect with the Depot site and downtown, are consistent with the Anacortes Comprehensive Plan's goal of enhancing pedestrian connections between the Fidalgo Bay waterfront and downtown.

I. Any other factors deemed relevant to the decision-maker.

Staff Comments: No other relevant factors have been identified.

D. CONCLUSIONS

1. The proposed development was processed consistent with AMC Table 19.20.030-1 for Type 4, City Council review.
2. The proposed development has been reviewed for consistency with the regulations outlined in AMC 19.30 regulating site plan review.
3. The proposed development has been reviewed for consistency with the criteria outlined in AMC 19.36 Conditional Use Permits.
4. As conditioned, the proposed development is consistent with the Anacortes Municipal Code.
5. In making its recommendation, the Department considered timely received written comments and the applicant's responses, if any, as required in AMC 19.20.130(C).

E. RECOMMENDATION

Based upon the application, Findings of Fact, and Conclusions of the staff report, staff recommends that the Planning Commission recommend approval of the site plan and conditional use permit with the following conditions of approval:

1. The site plan must be revised as follows:
 - Incorporate a 10' wide Type C landscape buffer around the west and north perimeters of the RV Park.
 - Relocate the dumpster /recycle area/enclosure to conform to the placement and screening standards of AMC 19.62.070, including location outside of the public right-of-way. The location must be approved by the Public Works Department (Sanitation).

A revised site plan must be submitted for review and approval prior to grading or building permit issuance.

2. A final landscape plan that conforms with the standards in AMC 19.65, including a minimum 10' wide Type C landscaping around the west and north RV Park perimeters, shall be submitted for review and approval prior to grading/clearing plan permit issuance. Landscaping must be installed prior to the issuance of certificate of occupancy.
3. Documentation of conformance with applicable minimum standards of the Washington Department of Social Health Services and the county health department must be provided per AMC 19.44.100.F.2 prior to civil construction plan approval.
4. The applicant shall provide technical documentation per 19.64.040.B regarding parking demand for the RV Park for review by the PCED Department. A legally binding document addressing the shared parking, such as a covenant or reciprocal easement agreement, shall be submitted for City approval prior to construction plan approval, and recorded with the Skagit County Auditor in the chain of title for the properties at the expense of the applicant prior to final occupancy.
5. According to the Preliminary Geotechnical Evaluation for the North and West Basin Upland Redevelopment, dated November 27, 2018, by GeoEngineers, the site area meets the definitions of a seismic hazard area.
 - 5.1 Prior to building permit issuance for the restroom/shower building, the applicant shall provide a geotechnical engineering report for the proposal that evaluates the physical properties of the subsurface soils, especially the thickness of consolidated deposits and their liquefaction potential. If it is determined that the site is subject to liquefaction, mitigation measures appropriate to the scale of the development shall be recommended and implemented.
6. According to the preliminary geotechnical report, portions of the site may be affected by soil, groundwater, and/or sediment contamination. The report recommends that site soils where earthwork will take place will need to be classified to determine appropriate disposal options.
 - 6.2 Prior to construction plan approval, site soils shall be classified, and appropriate disposal options determined and implemented.
7. The applicant shall work with the City Parks and Public Works Departments to determine the optimal location for the Market Street crosswalks, considering safety and alignment with future planned pedestrian paths on the Depot site, as generally depicted in the City of Anacortes Depot Site Master Plan.
8. Fire lines, fire hydrants and related appurtenances are to be located as approved by the City of Anacortes Fire Chief and Water Department. Fire flows and emergency apparatus access shall be addressed in a manner acceptable to the Fire Chief and the City of Anacortes Public Works Department.
9. A clearing and grading permit application consistent with City requirements shall be submitted by the applicant for review and approval prior to any construction activities taking place on or off-site.
10. A Storm Drainage Report consistent with City requirements shall be submitted by the applicant for review and approval prior to any construction activities taking place on or off-site. Stormwater conveyance both on-site and off-site shall comply with City Storm drainage requirements.
11. Street improvements along Market Street, 6th Street and T Ave, must be completed per Public Works Department approval prior to occupancy of the RV park.
12. Construction civil plans consistent with the City of Anacortes Engineering Development Standards, including but not limited to, Clearing and Grading Plan, Erosion Control Plan, Site

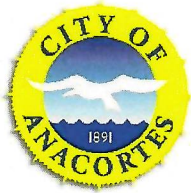
utility\Infrastructure improvements Plan, Roadway Improvements Plan, Signage Plan, Street Lighting Plan, and other plans and\or information required by the City Planning\Building and Public Works Departments shall be submitted for review and approval prior to any construction activities taking place.

13. Engineering and Inspection fees in the amount of \$500.00, plus 2% of the total estimated construction cost shall be due upon civil plan approval. No construction activity is allowed until the construction plans are approved, all fees have been paid and a preconstruction conference held.
14. Retaining walls must be designed by a structural engineer (if required by the Director), provide appropriate drainage facilities, and conform to the standards in AMC 19.66.080. A building permit must be obtained prior to construction (if required by the Director).
15. The restroom/laundry building's conformance with applicable provisions of AMC 19.63.050-19.63.070 related to building details, materials, and blank wall treatments, must be demonstrated prior to building permit issuance for that building.
16. Lighting on the restroom/laundry building must be installed so that light is directed downward onto the property upon which it is located. All light sources must be shielded to direct light away from the sky and from residential uses. If additional external lighting is proposed in the future, a lighting plan will need to be provided for review and approval prior to installation.
17. The intersection of 6th Street, T Avenue, and Rotary Park Lane shall be evaluated by the applicant's traffic engineer for the need of potential safety improvements, and any recommended signage or other improvements shall be installed by the applicant, as approved by the Public Works Department, prior to final occupancy of the RV Park.
18. The proposed development is subject to the following fees that include but are not limited to water, sewer, and stormwater general facility and hookup fees, transportation, fire, and park impact fees. All required fees are based on the fee schedules in place at the time of building or grading permit issuance and shall be paid prior to grading permit or building permit issuance.
19. All required RV parking areas shall be paved and marked by suitable materials and wheel stops, curbing, traffic control devices, and directional signage installed prior to certificate of occupancy being issued.
20. BLA-2021-0006 must be recorded prior to certificate of occupancy being issued.
21. Relinquishment of utilities easements reserved by the City within vacated right-of-way on the site shall be addressed in a manner acceptable to the Public Works Director prior to certificate of occupancy being issued.
22. All site utilities must be placed underground.
23. If fencing or signage is to be proposed, permitting in accordance with AMC 19.66 and/or AMC 19.67 shall be required.
24. Applicant must obtain all applicable local, state, and federal permits and authorizations prior to start of site work.

Staff reserves the right to supplement the record of the case to respond to matters and information raised after the writing of this report.

Exhibit List

1	Staff report
2	Application documents
3	SEPA DNS & Checklist
4	City Department and Agency comments
5	Public comments
6	Public notices and mailing addresses
7	Determination of complete application
8	Depot site master plan concept
9	Applicant response letter to PW review comments



PLANNING, COMMUNITY, & ECONOMIC DEVELOPMENT DEPARTMENT
Mailing Address: P.O. Box 547, Anacortes, WA 98221
Office Location: 904 6th Street, Anacortes WA 98221
Phone: (360) 299-1984

City of Anacortes
*Planning, Community &
Economic Development*

Date Received:

~~4/5/21~~
5/5/21

CUP-2021-0001

Master Land Use Permit Application

TYPE OF APPLICATION (check all that apply):

- | | | |
|---|--|---|
| ☐ Administrative Interpretation | ☐ Floodplain Development Permit | ☐ Short Subdivision (Preliminary) |
| ☐ Annexation Request | ☐ Home Occupation Permit | ☐ Site Plan Review – Type 1 |
| ☐ Binding Site Plan (Preliminary) | ☐ Long Subdivision (Preliminary) | ☐ Site Plan Review – Type 2 |
| ☒ Boundary Line Adjustment (BLA) | ☐ Lot Certification | ☐ Stormwater Management Manual
Adjustments & Exceptions |
| ☐ Comprehensive Plan/ Map
Amendment Request | ☐ Minor Permit Revision | ☐ Variance (Level 1) |
| ☒ Conditional Use Permit (CUP) per AMC
19.36 | ☐ Plat Amendment /Modification | ☐ Variance (Level 2) |
| ☐ Conditional/Special Use Permit (CUP)
per AMC 17.70 | ☒ SEPA Environmental Review | ☐ Wireless Conditional Use Permit
(WCUP) |
| ☐ Cottage Housing Development | ☐ Shoreline Conditional Use Permit | ☐ Wireless Service Facility (WSF)
Permit |
| ☐ Development Agreement | ☐ Shoreline Exemption | ☐ Zoning Code/ Map Amendment
Request (Rezone) |
| ☐ Essential Public Facility | ☐ Shoreline Substantial Development
Permit | |
| | ☐ Shoreline Variance | |

PROJECT & SITE INFORMATION:

SITE ADDRESS: Southeast Corner of 6th and Market Streets	PROJECT NAME: Cap Sante North Basin Boundary Line Adjustment and Recreational Vehicle Park
PARCEL NUMBER(S): P56860,56861,56862,56880 and other unidentified tax #	SECTION, TOWNSHIP, & RANGE 18 -35 - 02
LOT SQUARE FOOTAGE & ACREAGE: Proposed Lot A - 2.5 acres / 108,900 s.f.	PROJECT VALUATION: approx. \$2,000,000
LEGAL DESCRIPTION: Proposed Lot 1 , Cap Sante North Basin BLA	PRESENT ZONING: CM
PRESENT USE OF PROPERTY: Same	CUT & FILL (CY) PROPOSED: Cut: 2500 c.y. Fill 7880 c.y.
PRE-APPLICATION CONFERENCE HELD?: ☒ Yes, the City file # is <u>2020-0032</u> ☐ No	WATER SOURCE: ☒ City of Anacortes ☐ Private Well ☐ Community Well
SEWAGE DISPOSAL: ☒ City of Anacortes ☐ Septic	ROAD ACCESS: ☒ City Road ☐ State Highway ☐ Private Road

CRITICAL AREAS OR BUFFERS ON SITE OR WITHIN 300 FEET: ☒ Yes / Type <u>Wetland area is functionally separated by Market St from Lot A</u> ☐ No		WATER BODIES WITHIN 200 FEET: ☐ Yes / Name: _____ ☒ No	
FLOODPLAIN: No; areas beyond 150 feet of marine waters are not in flood hazard area Flood Zone: _____ FIRM Panel #: _____ Date of Panel: _____			
LOT COVERAGE AREA CALCULATIONS: Existing Square Footage: _____ Proposed Square Footage: 108,900 s.f			
IMPERVIOUS SURFACE AREA CALCULATIONS: Existing Impervious Square Footage: Gravel New Impervious Surface: 66,900 s.f.			
DESCRIPTION OF SUBJECT PROPOSAL: ☒ Additional pages attached			
PROPOSED WORK: <u>Improve existing gravel RV Park with utilities and landscaping .See Attachment A</u> _____ _____ _____ _____ _____			
PROPERTY OWNER INFORMATION: ☐ Multiple owners attached			
NAME: Port of Anacortes		MAILING ADDRESS: 100 Commercial Avenue	
CITY, STATE, ZIP: Anacortes, WA 98221		PHONE #: 360-293-3134	
FAX #:		EMAIL ADDRESS:	
APPLICANT INFORMATION: ☒ Same as property owner			
NAME: Port of Anacortes / Brenda Treadwell		MAILING ADDRESS:	
CITY, STATE, ZIP:		PHONE #: 360-499-4011	
FAX #:		EMAIL ADDRESS: Brenda.Treadwell@portofanacortes.com	
CONTACT PERSON: ☐ Same as property owner ☒ Same as applicant			
NAME:		MAILING ADDRESS:	
CITY, STATE, ZIP:		PHONE #:	
FAX #:		EMAIL ADDRESS:	

ACKNOWLEDGEMENTS & SIGNATURE

Read and initial each of the following statements prior to signing this application:

BT	I understand that land use and/or planning permits do not authorize earth disturbing activities, the removal of vegetation, or the construction of buildings. I understand that additional permits will be required after my land use and/or planning permitting process is completed. I understand that no earth disturbing activities (including the removal of vegetation) may take place until after my land use and/or planning process is complete, and only after I have received additional permits such as Fill & Grade, Building Permit, or Right-of-Way permit(s).
BT	I understand that if critical areas (wetlands, streams, steep slopes, etc.) are found on or near my property I am not authorized to impact these areas in any way and will be required to leave an undisturbed buffer area around the critical area, as determined according to the City's critical areas regulations.
BT	I understand that depending on the size and scope of my project, I may be required to provide maintenance and/or performance bonds for items such as landscaping, critical areas, public roads and/or public utilities that I construct or install.
BT	I understand that I am solely responsible for providing complete and accurate information to the City. I understand that if my application is missing information or if inaccurate materials are submitted, my permits will be delayed. I understand that depending on how inaccurate and how incomplete my application is or becomes, the Department may require an entirely new application be submitted. I understand that when and if conditions change from that which my application originally represented, I am responsible for letting the City staff person assigned to my project know.
BT	I understand that I am applying for permits from the City of Anacortes only; and that additional permits from other Federal, State, and Local agencies could be required. I understand that the City of Anacortes cannot advise me of permits that are required from other agencies, and that I must contact these agencies to make sure I comply with their requirements. These agencies include (but are not limited to): Corps of Engineers, Department of Natural Resources, Department of Fish & Wildlife, Department of Ecology, and Northwest Clean Air Agency.
BT	I understand that I will be responsible for paying consultants that the City may deem necessary to review certain aspects of my application. I understand that these consultant reviews could include special inspections, traffic concurrency, critical areas, landscaping, stormwater, etc.

Signature required on next page.

By affixing my signature hereto, I certify that I am the owner, or am acting as the Owner's authorized agent, and that the application and documents contained with this submittal are complete and accurate to the best of my knowledge and abilities. If your title report lists a company, partnership or other owners, you must submit evidence that you are authorized to sign on behalf of the entity or others that are listed.

If you are an authorized representative you must submit an Agent Authorization Form.

Please attach additional signature sheets if there is more than one owner.

Under penalty of perjury, I certify that the information, statements, answers above regarding the subject application(s) are true and correct to the best of my knowledge and belief.

Signature: _____

Date: 5-5-21

Printed Name: Daniel C. Worra

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT

I certify that I know or have satisfactory evidence that Daniel C. Worra is the person who appeared before me, and said person acknowledged that he/she signed this instrument, and acknowledged it as the free and voluntary act for the uses and purposes mentioned in this instrument.

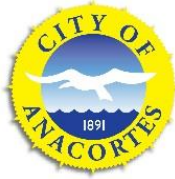
Given under my hand and official seal this 5 day of May, 20 21



J. G. Tottenham
Notary Public

Residing at Anawake, Skagit County, WA

My appointment expires 9/28/24



PLANNING, COMMUNITY, & ECONOMIC DEVELOPMENT DEPARTMENT

Mailing Address: P.O. Box 547, Anacortes, WA 98221

Office Location: 904 6th Street, Anacortes WA 98821

Phone: (360) 299-1984

City of Anacortes
Planning, Community &
Economic Development

Date Received:
4/5/21

CUP-2021-0001

CONDITIONAL USE PERMIT APPLICATION

SUBMITTAL REQUIREMENTS

Applicant Checklist	Conditional Use Permit Submittal Requirement Checklist See pages 2-3 of this handout for information about each submittal item listed below. See AMC 19.36 for Conditional Use Permit review and approval criteria.	Office Use Only
X	Master Land Use Permit Application	X
N/A	Agent Authorization Form	
X	Project Narrative	X
X	Responses to Conditional Use Permit criteria	X
X	Stormwater Site plan	Prelim only
X	Site Plan & Landscape Plan	X
X	Clearing & Grading Plans	X
X	Building Elevation Drawings	X
X	Environmental Checklist (SEPA)	X
X	Subdivision Guarantee	X
X	Recorded Property Boundary Survey	X
X	Technical Reports	
	Critical Area Report	X
	Traffic Impact Analysis	X
	Parking Study	
Required Number of Copies and Plan Size 3 paper copies of each item above Plans must be <u>min</u>imum 11" x 17", to scale, and legible 1 reduced size copy (<u>max</u>imum size 11" X 17") of plans Digital copy of the application and all submitted materials (flash drive or to pced@cityofanacortes.org.)		Application Fee See the Land Use Permit Fee Schedule

SUBMITTAL REQUIREMENT DETAILS

Additional details on certain submittals is provided below to ensure Applicants are fully aware what City staff will be looking for when an application is submitted to the City.

- a. **MASTER PERMIT APPLICATION:** Form attached. Use this form to indicate all requested land use permits and other key information about your proposed project.
- b. **AGENT AUTHORIZATION FORM.** Use this form to authorize someone other than the property owner to apply for permits.
- c. **PROJECT NARRATIVE:** Form attached. This document contains a list of elements to be included in your project narrative to help provide a clear and concise description of your proposal for those reviewing it.
- d. **RESPONSES TO CONDITIONAL USE PERMIT CRITERIA:** In order for the decision-maker to grant a conditional use permit, there must be a finding that the use would be consistent with the criteria in AMC 19.36.040. As the applicant, it is your responsibility to clearly demonstrate how each criteria is met.

The proposed site is located in the rapidly expanding R.V. market, which will benefit the area and local businesses. The project will also provide a new development site for the area and local businesses.

- e. **STORMWATER SITE PLAN:** The Stormwater Site Plan is a comprehensive report detailing all of the technical information and analysis necessary for regulatory agencies to evaluate your project for compliance with stormwater requirements. The level of stormwater review and contents of the Stormwater Site Plan will vary with the type and size of the project, and individual site characteristics. Use Form CG-3 to determine the level of stormwater review and then complete the applicable Stormwater Minimum Requirements Form on the Public Works - [Engineering Department Forms website](#) and provide required submittal items/plans.
- f. **SITE & LANDSCAPE PLANS:** These plans are needed so that your proposal can be reviewed for conformance with the applicable zoning and land use, community design, and project design provisions of the development regulations contained in AMC Title 19 Unified Development Code. (Use the site plan checklist for Single Family Residential Building Permits or Multi-Family and Non-Residential Site Plan review, as applicable (see [application checklists](#) and forms)
- g. **CLEARING & GRADING PLANS:** Checklist is located in the [Clearing/Grading Permit application packet](#). These plans are needed so that your proposal can be reviewed for conformance with [AMC 19.78 Clearing and Grading](#).
- h. **BUILDING ELEVATION DRAWINGS:** Checklist attached. These plans are needed so that your proposal can be reviewed for conformance with the applicable project and building design provisions in AMC Title 19 Unified Development Code. (Use the building elevations checklist for Single Family Residential Building Permits or Multi-Family and Non-Residential Site Plan review, as applicable (see [application checklists](#) and forms).
- i. **SEPA CHECKLIST:** Unless a project is categorically exempt, an environmental checklist is required to be completed and submitted.
- j. **SUBDIVISION GUARANTEE:** A document prepared by a title insurance company documenting the ownership and title of all interested parties in the development and that lists all encumbrances. This document is needed to verify property ownership and to identify any encumbrances that are recorded to the property's title. Copies of all the encumbrances listed

within the certificate or report must be provided. The certificate or report must be dated within 30 days prior to the submittal of a permit to the City.

- k. **RECORDED PROPERTY BOUNDARY SURVEY:** A recorded survey is required to define the limits of the property subject to the application. All property corners must be staked/marked and visible.
- l. **DIGITAL COPY OF ALL APPLICATION DOCUMENTS:** PDF format files for all submittal items, named as they appear on the submittal checklist, must be provided on a flash drive or emailed to pced@CityofAnacortes.org.

TECHNICAL REPORTS

Following is a list of technical reports that may be required to be submitted to the City depending on project and site-specific factors. The general triggers for each of the listed technical reports is provided below:

- A. **CRITICAL AREAS REPORTS:** In general, Critical Area reports are required when wetlands, streams, habitat conservation areas, geologically hazardous areas, shorelines, or aquifer recharge areas are located on or near a site. Critical area mitigation plans may also be required, depending on the project proposal. See Anacortes Municipal Code Ch. 17.70 for additional information.
- B. **TRAFFIC IMPACT ANALYSIS.** In general, a Traffic Impact Analysis is required when a development will add 10 or more PM peak hour trips to the City's transportation system.
- C. **PARKING STUDY:** A parking study may be required to determine the parking requirements for a specific use, adjusting minimum and maximum quantitative parking requirements, determining times of peak demand, and determining impacts to on-street parking in the vicinity of a proposed development. See AMC 19.64.020 for more info.
- D. **OTHER TECHNICAL REPORTS MAY BE REQUIRED TO DETERMINE /ENSURE CONFORMANCE WITH CUP CRITERIA.**

PROJECT NARRATIVE REQUIREMENTS

GENERAL INFORMATION	
This form is intended to assist applicants in creating complete project narrative for site plan and building design review. Please fill in each space with the requested information.	
PROJECT DESCRIPTION – Required for all project types	
A.	If a neighborhood meeting was held, provide the date held, general items of discussion at the meeting, and how the project proposal has been modified since the meeting, if applicable.
	A neighborhood zoom meeting was conducted on 2/1/2021. Meeting notes are attached. General questions were answered and comments were positive, except for a perceived existing safety concern related to the 6th and T Ave intersection. The site plans' southern pull in access lane has been reduced in length.
B.	Proposed use of the Site per AMC Table 19.41.040 or 19.41.050 and any special use provisions that apply. (see AMC 19.43 – 19.48)
	Improvement and consolidation of the existing R.V. Park . Requirements are listed in AMC 19.44.100 and are discussed in the Project Narrative.
C.	Current use of the Site. Date of construction for any existing structures on site, and whether they are to be removed or retained.
	Gravel R.V. Park and parking. The R.V. Park will be consolidated onto Proposed Lot A. Remaining gravel parking area will be improved in a later phase.
D.	Description of the site's physical characteristics, including special site features (such as wetlands, water bodies, steep slopes, or other critical areas).
	The former tideland area was filled decades ago with Cap Sante Marina dredge material . A soil stability report is attached with the SEPA checklist. No critical areas exist on site.
E.	Current uses and special site features of surrounding properties.
	The City Wastewater treatment facility is located immediately north of the site. Marina parking is located to the east and south. R.V. users can enjoy access to the Marina esplanade and shops, the City Maritime Heritage Museum and downtown.
F.	Description of general design techniques you considered to implement low impact development (see AMC 19.76.050(A) and (B)) in the design of your project site and proposed stormwater facilities necessary for compliance with AMC 19.76 Stormwater.
	The grading and storm water plan is attached to the Project application; Exhibit H.
G.	Description of the proposed form and intensity of the proposed development (height, setbacks, lot coverage, etc.). (See AMC 19.42.)
	The R.V Park complies with the land use and CUP requirements. 35% of lot A would remain as open space. See compliance exhibit C attached with application
H.	Identification of the site's block frontage designation(s) and description of project conformance. (see AMC 19.61)
	None
I.	Description of the proposed building design, including a description of conformance with building massing and articulation, building details, building materials, and blank wall treatment requirements. (See AMC 19.63). Note: If you are proposing any departures, you must attach the applicable form.

	One single story, 1040 s. f. laundry / restroom / shower facility is proposed for R.V. Park users. See exhibit D attached with application
J.	Description of proposed parking for vehicles and bicycles, including provisions for guests, shared parking. (see AMC 19.65)
	The R. V. Park provides space for the guest's r. v. / truck . Guests will be able to utilize the adjacent Port parking areas.
K.	Describe existing and proposed site access from public streets and any proposed street and/or pedestrian improvements.
	R.V.s will access the site via Market and 6th Streets, both designated as minor city arterials. The streets adjacent to the site are proposed to be improved with ADA sidewalks and crosswalks.
L.	Estimated quantities and type of materials involved if any fill or excavation is proposed.
	The existing site will be graded (approximately 2500 c .y.). 7,800 c. y. of fill material will be brought into the site for structural stability of the internal roadway and building.(Exhibit H)
M.	Number, type, and size of trees to be removed.
	None
N.	Description of existing site utilities and proposed utilities, including extensions, upgrades, relocations, etc. (see AMC 19.52 Underground Utilities).
	Public utilities (sewer, water, power) which lie adjacent will be extended onto the site.
O.	Explanation of any land to be dedicated to the City.
	N/A

CONDITIONAL USE PERMIT CRITERIA

GENERAL INFORMATION	
The following section is intended to help you provide information about your project's compliance with the CUP criteria. Please fill in each space with responses that demonstrate how your proposal complies with all each criteria found in AMC 19.36.040.	
P.	How will the proposed conditional use comply with any specific requirements for the use found elsewhere in Title 19 Development Regulations?
	The proposal is consistent with both the regulations of the CM zone and the CUP requirements. See attached compliance exhibit C
Q.	Describe how access to the site is appropriate considering the anticipated volume of traffic resulting from the use.
	The proposal reduces the number of R.V. spaces utilizing the site by one. Both Market and 6th Street are designated minor arterial streets. Peak hour traffic from this proposal is estimated at 5. No additional impact is anticipated.
R.	Describe how off-street parking and loading facilities are adequate in terms of location, amount, and design to service the use.
	When the R. V. park is fully occupied no additional R.V.s can utilize the facility. Guest parking will be available at the adjacent Port parking areas. The gravel area to the south will be improved with 134 paved parking spaces in a future development phase.
S.	Describe the location and intensity of outdoor lighting and how casting of light on adjacent, adjoining, or neighboring properties will be avoided.
	Given the adjacent use and that the only outdoor lighting proposed is located on the restroom / laundry / shower facility building on the side facing the R.V. spaces, no off site impact from glare is anticipated.
T.	Describe the hours and manner of operation of the proposed use, including anticipated noise generation, and how these will not be inconsistent with adjacent or nearby uses.
	The use will be managed by the Port of Anacortes as it is currently. With the exception of the apartment building located to the northeast of the site, the uses closest to the site are either closed during night time or will not be disturbed by any noise which may be generated.

U. Describe existing or proposed public facilities that will serve the use and whether they are adequate to serve the proposed use.

Public utilities lie adjacent to the site and are adequate to serve 25 R.V. spaces. Police, Fire and EMT services may be called to the site in an emergency but the proposal is one less RV than what currently occupies the area. Fire hydrants will be located in the Park as recommended by the Fire Department.

V. Describe the physical conditions of the site, including size, shape, topography, and drainage and their suitability for the proposed development.

Given the adjacent uses and proximity to downtown and the Cap Sante Marina, this location is ideal for a R.V. Park and visitors to Anacortes. Because of the underlying soil conditions, structures of any size at this location would be cost prohibitive.

W. Describe any other factors deemed relevant to the decision-maker.

This proposal is the first phase of redevelopment adjacent to Cap Sante Marina. A fully serviced R.V. Park catering to the rapidly expanding R.V. market will benefit the area and local businesses.



MEMORANDUM

RE: **Exhibit A: Cap Sante RV Park and BLA Master Permit Application Narrative**

Master Permit Application Narrative

During the Cap Sante Upland Basin Redevelopment planning sessions which occurred in 2019, the Port heard from its constituents that completing and maximizing the existing graveled parking areas adjacent to Cap Sante Marina should be a high priority. The Port concurred with this suggestion and completing these unimproved areas in the North Basin is the basis for the following permit applications.

Land Use Permit 1. Boundary Line Adjustment (BLA) Approval

The Port proposes to simplify the existing lots of record in the Cap Sante North Basin area by reducing the existing numerous lots of record and vacated rights of way to a total of 2 lots through a boundary line adjacent process. (See BLA Application)

With approval of the BLA the Port understands the City will consider the release all unneeded utility easements within the prior vacated rights of way.

Proposed Lot A is intended to relocate the existing RV area now occupying the site in a random manner into a defined and fully improved RV Park. It should be noted that this lot includes the adjacent “Market Street” which is located within Lot A with a utility easement. Proposed Lot A contains 108,900 s. f. (2.5 acres).

Proposed Lot B currently contains existing gravel parking for Marina customers. Approximately 130 improved parking spaces for marina users is proposed to be added in the 2nd phase of Port improvements at Cap Sante. Proposed Lot B contains 137,649.6 s. f. (3.16 acres)

Lot C would be utilized either for parking, a green space or as a lease site in the future. The proposed hotel in the Cap Sante Marina North Basin is no longer being considered. Development would occur in a later phase of development. Proposed Lot C contains 51,836.4 s. f. (1.19 acres).

The BLA application will be submitted separately.

Land Use Permit 2. Conditional Use Approval for Cap Sante R.V. Park

The Port is proposing to relocate the existing parking of RVs in the North Basin within proposed Lot A and provide for full utility service and amenities including a restroom/ shower /laundry facility for 25 recreational vehicles. This is a reduction of one space than currently existing.

- Spaces will be served with sewer, water and power. The site and adjacent street improvements are detailed in Exhibit B.
- The Park will include a laundry / restroom / shower facility. The dimensions and elevations of the proposed facility are conceptually detailed in Exhibit D.
- The Park will include site open space and landscaping and adjacent to the site, 6th Street and Market Streets will be improved with ADA sidewalks, cross walks and street trees as shown on Exhibit C.
- Compliance with the City R. V. (AMC 19.44.100 F.) and CM Zoning regulations is also detailed in Exhibit C.
- The general Conditional Use criteria found in 19.36.040 is, in our opinion, satisfied as detailed in the City CUP checklist / form.

The proposal has been reviewed by the City's Technical Review Committee during a Pre-Application conference (PRE-2020-0032) (Meeting notes are attached as Exhibit E).

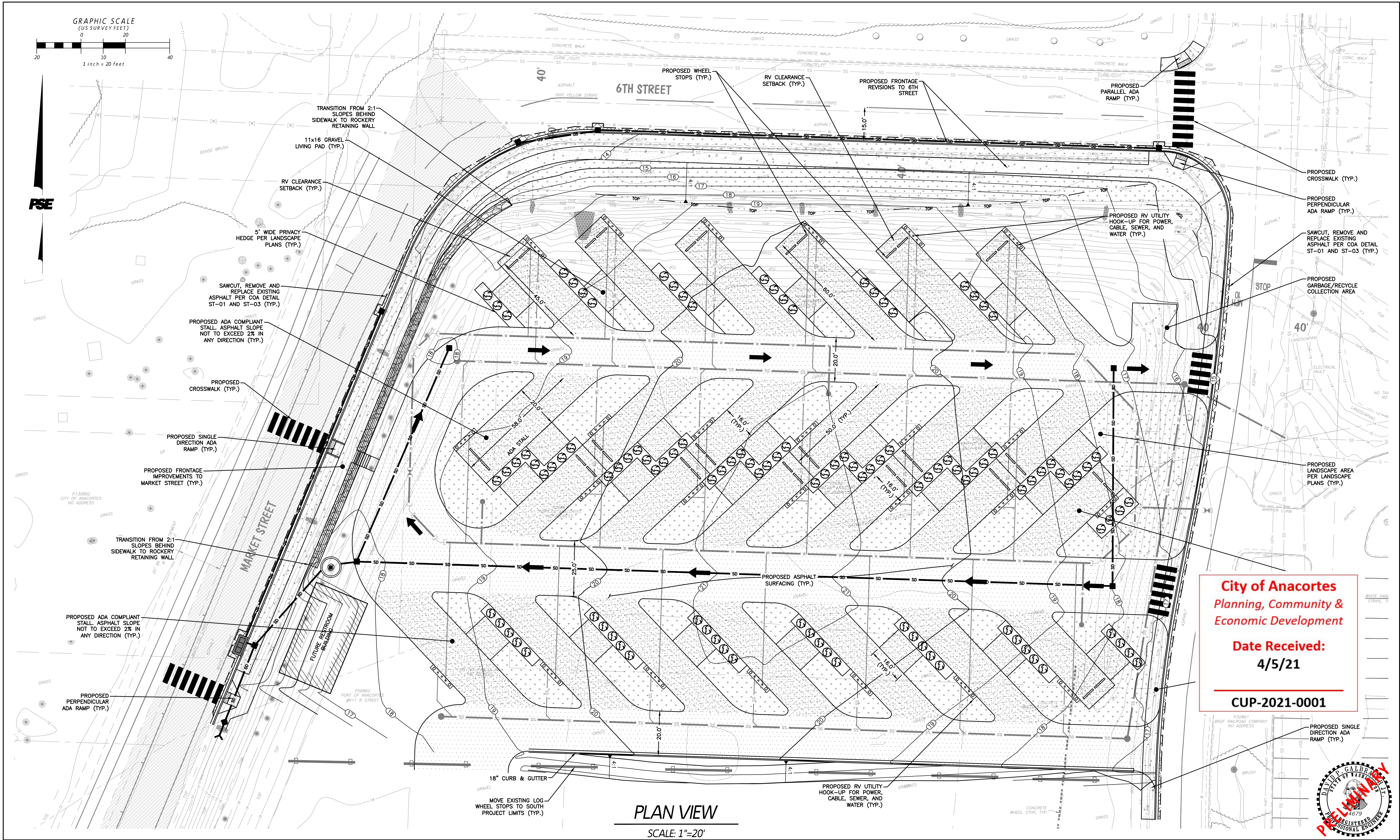
- Changes suggested by the Fire Department have been integrated in the revised site plan; relative to provision of adequate turning radius for equipment and placement of fire hydrants.
- Other comments made concerned the possible relocation of the single story, 1040 s. f. restroom/ shower/ laundry facility to reduce the possibility of unwanted usage. The Port does not feel this is necessary as the building will have access code control and will be supervised by Port Staff.
- The Public Works Department would like to see the awkward five-way intersection at 6th Street and T Avenue addressed in some manner to improve traffic flow and safety. This intersection is made more cumbersome due to the fifth access leg to the City Park. During the neighborhood meeting it was explained by residents that the safety aspects of the intersection was caused by traffic traveling southbound on "T" avenue toward the intersection. Cars traveling in that direction do not always stop at the intersection. The Port hired Transpo, a transportation engineering firm, to evaluate the intersection. They do not believe that mitigating action is warranted because of this proposal which reduces the number of R.V. currently using the area from 26 to 25 vehicles. The Transpo report is attached to the SEPA checklist.

The Port conducted a neighborhood meeting on February 2, 2020. Meeting notes are attached as Exhibit F.

The Port has applied for grant monies to assist in the construction of this R.V. Facility. The City graciously sent in a letter of support for this application. (Exhibit G)

The project's storm water and grading plan is attached as Exhibit H.
Other technical reports are attached to the SEPA checklist.

The subdivision guarantee is attached as Exhibit I.



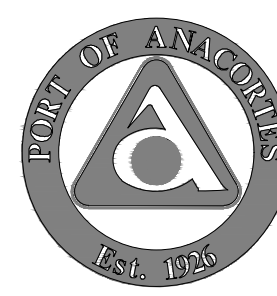
PLAN VIEW

SCALE: 1"=20'

PACIFIC SURVEY & ENGINEERING INC
909 SQUALICUM WAY·SUITE 111
BELLINGHAM, WA 98225
PHONE:360.671.7387 FAX:360.671.4685 EMAIL: info@psurvey.com
www.psurvey.com



NO.	DATE	BY	REVISION



CAP SANTE - RV PARK IMPROVEMENTS
PORT OF ANACORTES
PROJECT #

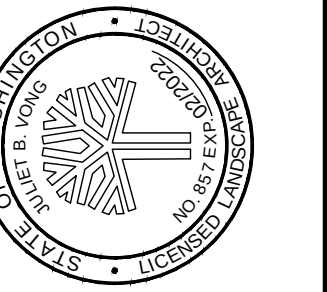
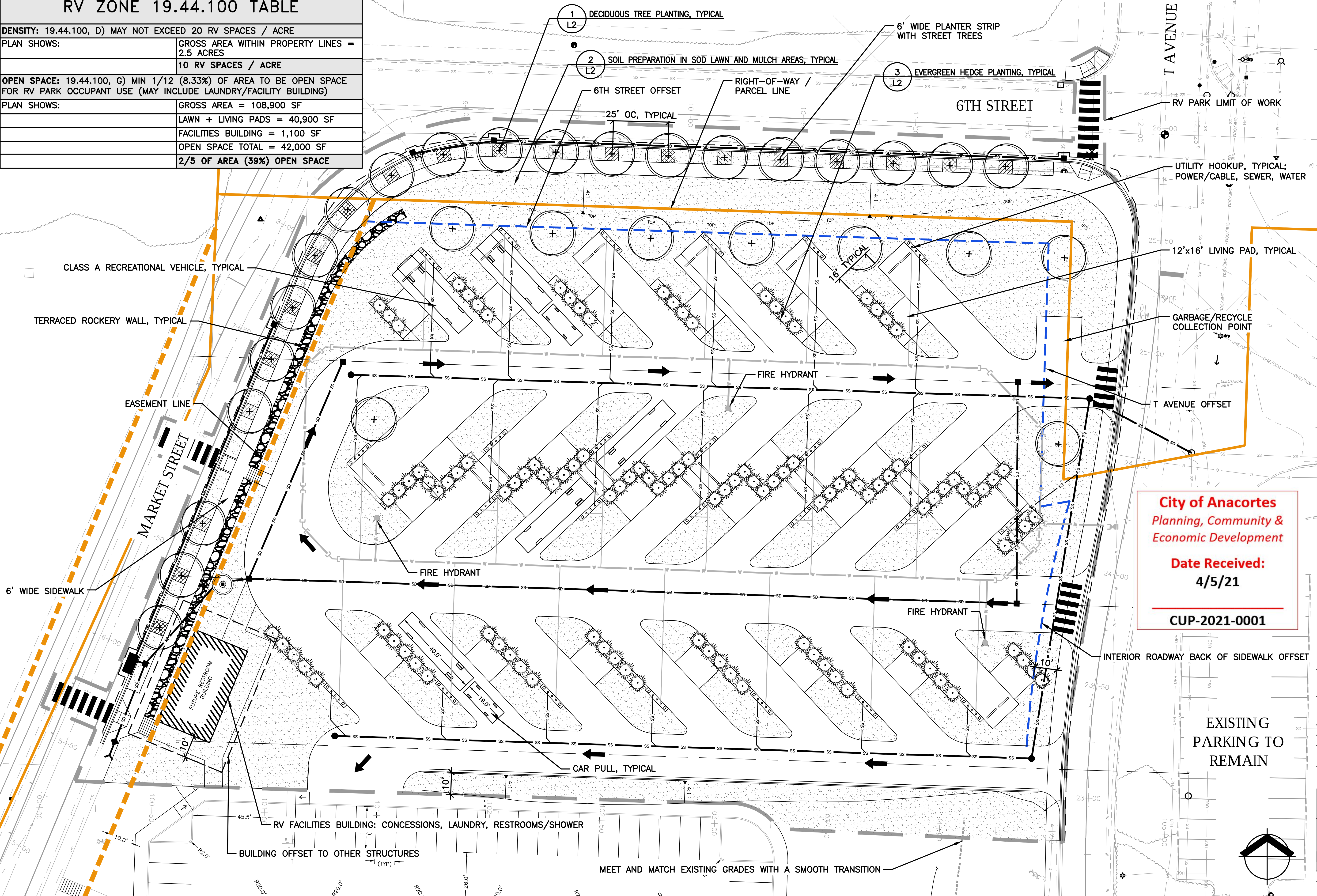
SITE PLAN

DRAWN: KS PROJECT NO.:2020064
DESIGN: KS SCALE: 1"=20'
CHECKED: DG DATE: 11/20/2020
SHEET NO.

04 OF 08

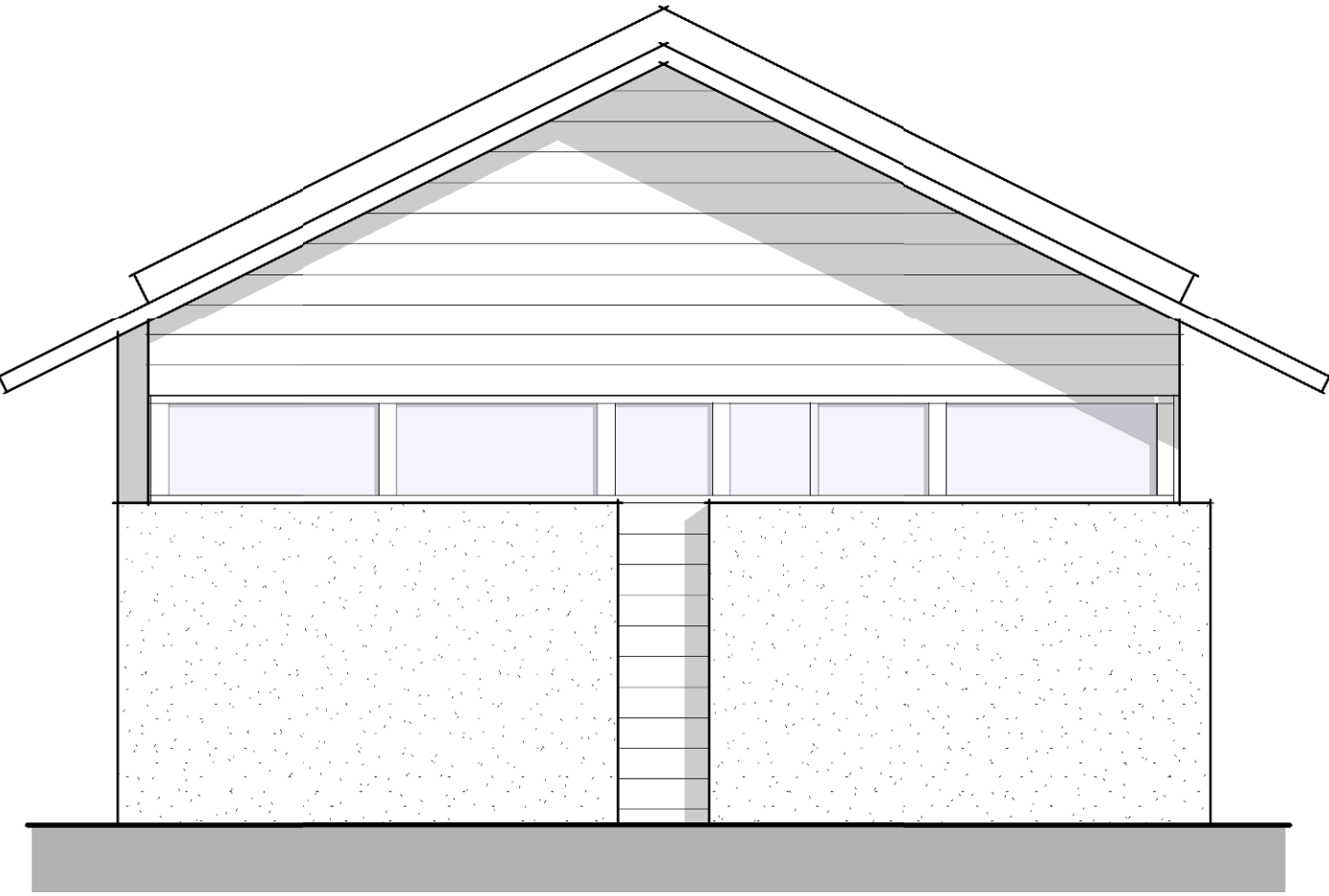


DENSITY: 19.44.100, D) MAY NOT EXCEED 20 RV SPACES / ACRE	
PLAN SHOWS:	GROSS AREA WITHIN PROPERTY LINES = 2.5 ACRES
	10 RV SPACES / ACRE
OPEN SPACE: 19.44.100, G) MIN 1/12 (8.33%) OF AREA TO BE OPEN SPACE FOR RV PARK OCCUPANT USE (MAY INCLUDE LAUNDRY/FACILITY BUILDING)	
PLAN SHOWS:	GROSS AREA = 108,900 SF
	LAWN + LIVING PADS = 40,900 SF
	FACILITIES BUILDING = 1,100 SF
	OPEN SPACE TOTAL = 42,000 SF
	2/5 OF AREA (39%) OPEN SPACE

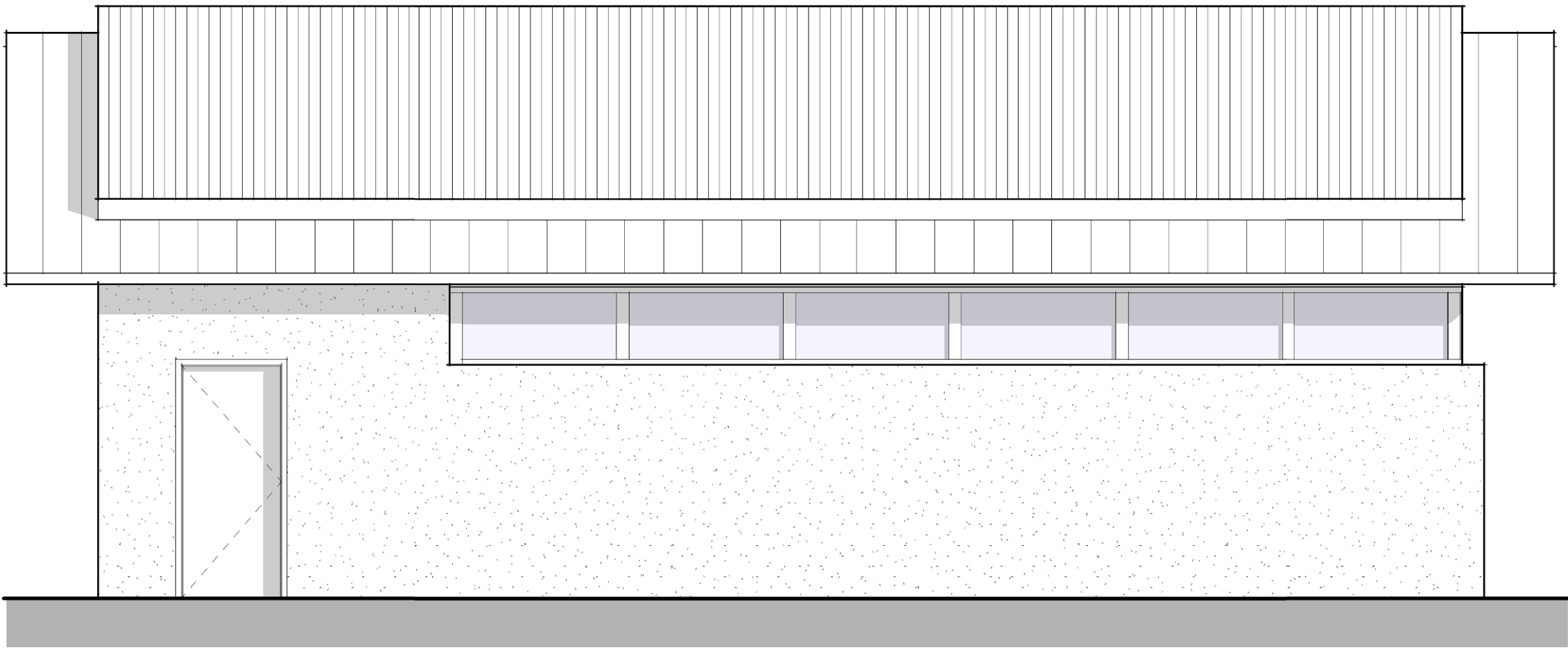


NORTH AND WEST
BASIN REDEVELOPMENT
PORT OF ANACORTES
ANACORTES, WASHINGTON

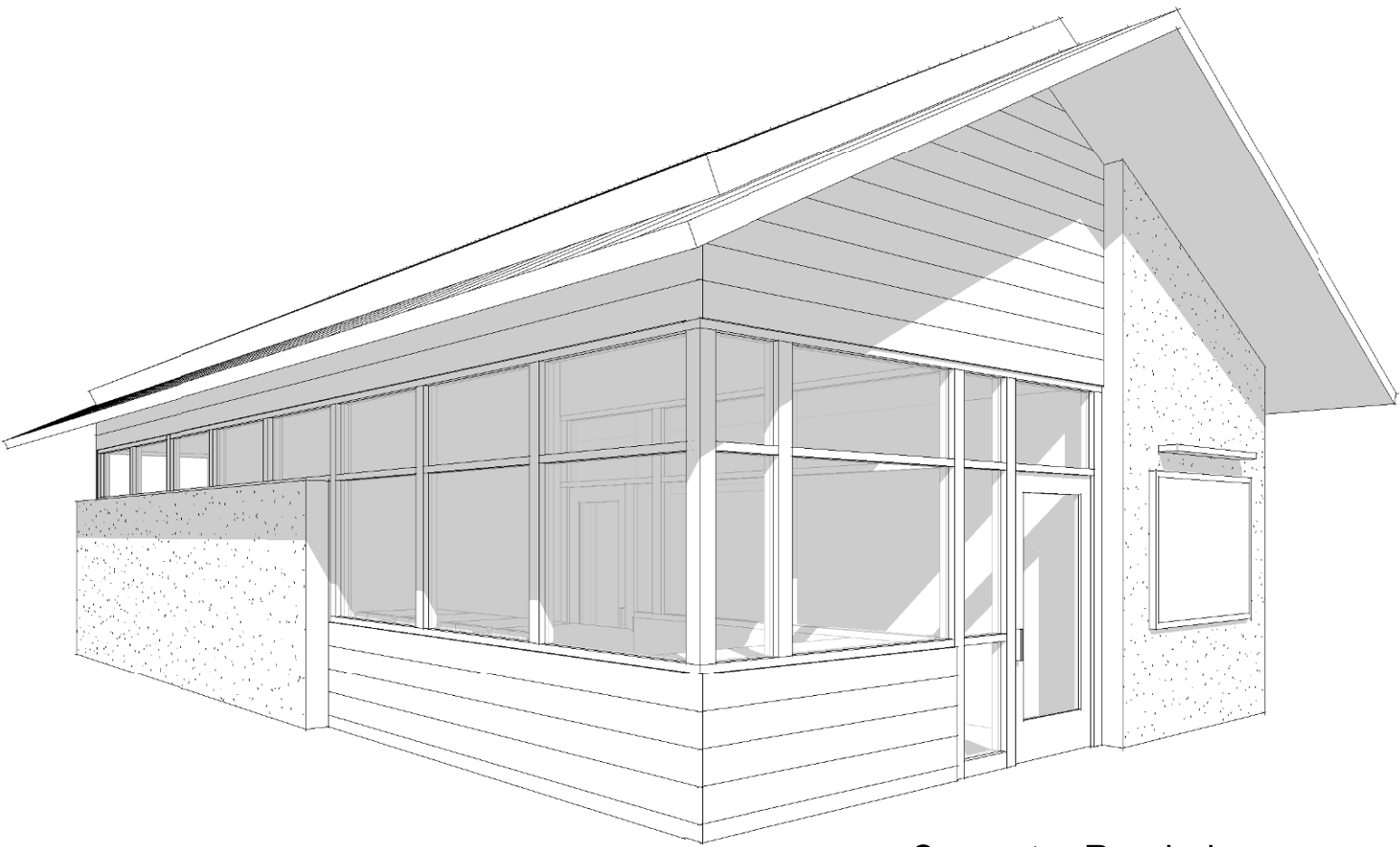
							N. BASIN BY PAIR PRISM		
								DATE	DESCRIPTION
								02/26/2021	
PROJECT: 0436-05									
DESIGNED:D. KOONITS									
DRAWN: A. SNEJNEVSKI									
CHECKED: D. KOONITS									
SCALE									
A horizontal graphic scale bar with alternating black and white segments. It is labeled "0'" at the left end and "40'" at the right end.									
NOTE: BAR IS ONE INCH ON ORIGINAL DRAWING; IF NOT ONE INCH ON THIS SHEET, ADJUST SCALE ACCORDINGLY.									
SHEET TITLE									
30% NORTH AND WEST BASIN IMPROVEMENTS									
SHEET									
L1									



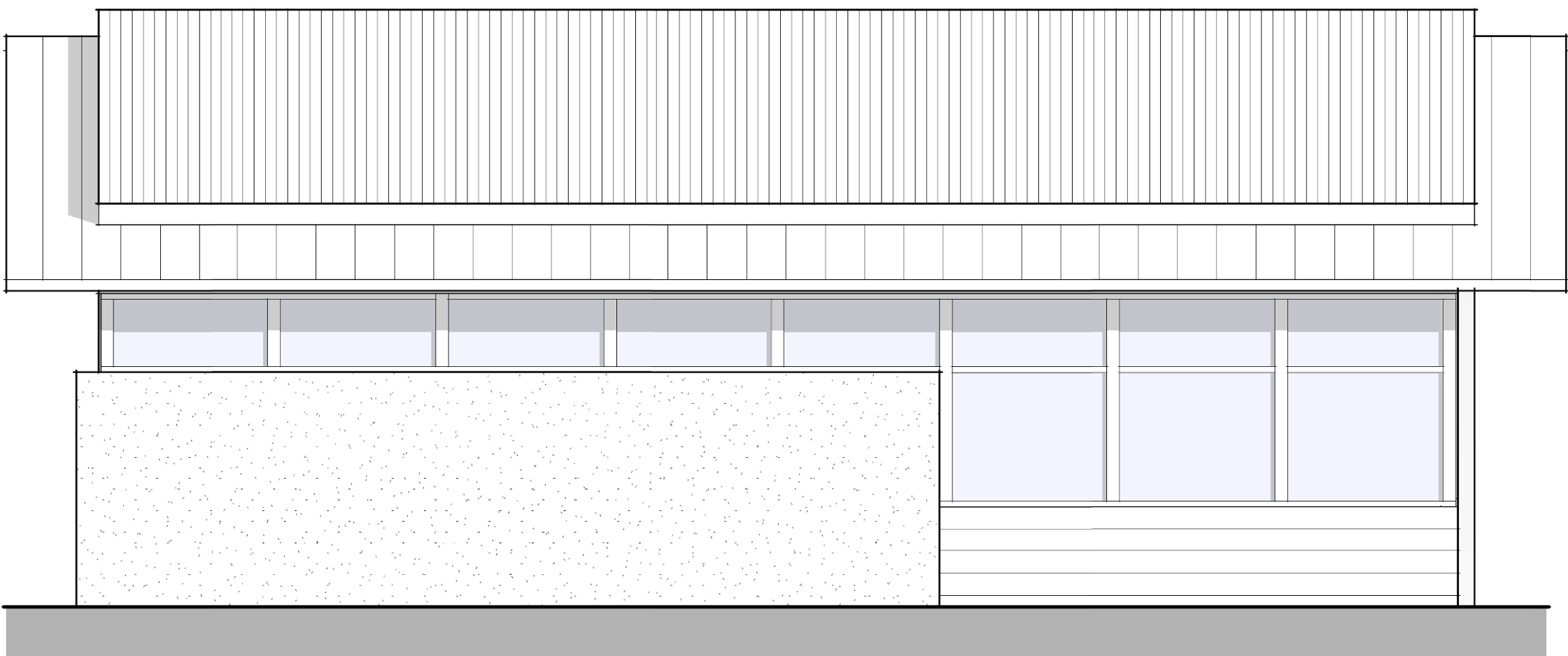
Back Elevation
1/4"= 1'-0"



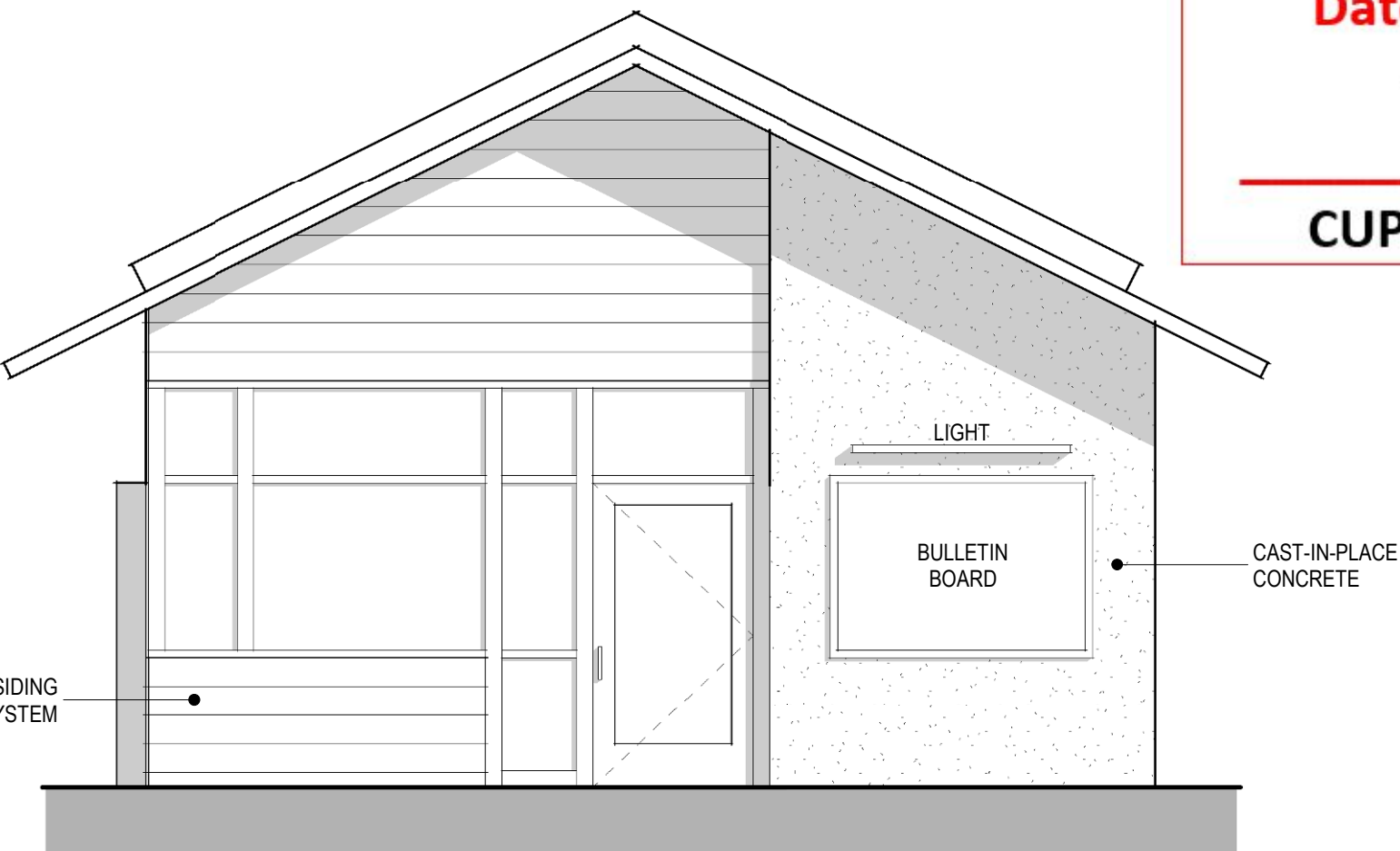
Side Elevation
1/4"= 1'-0"



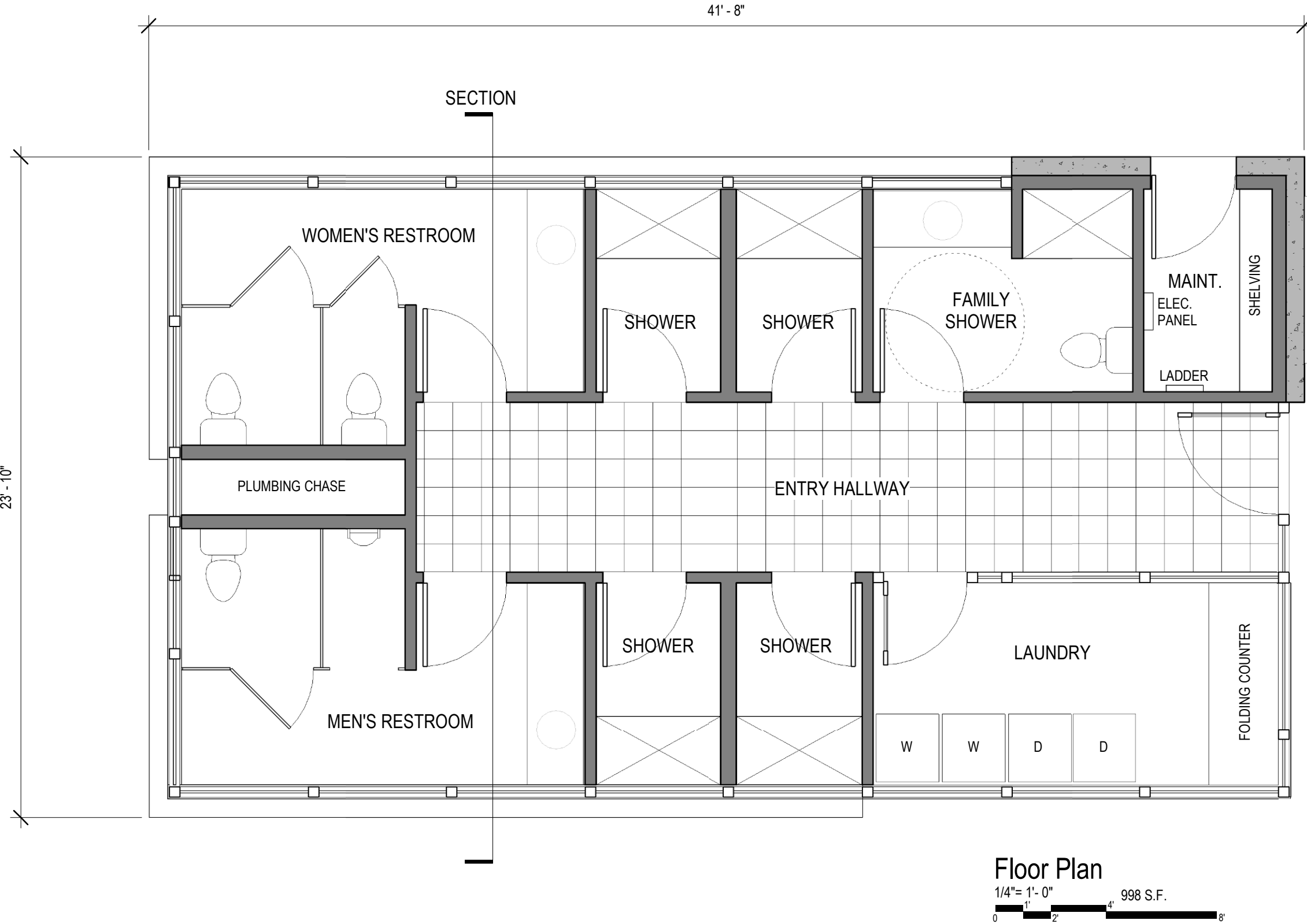
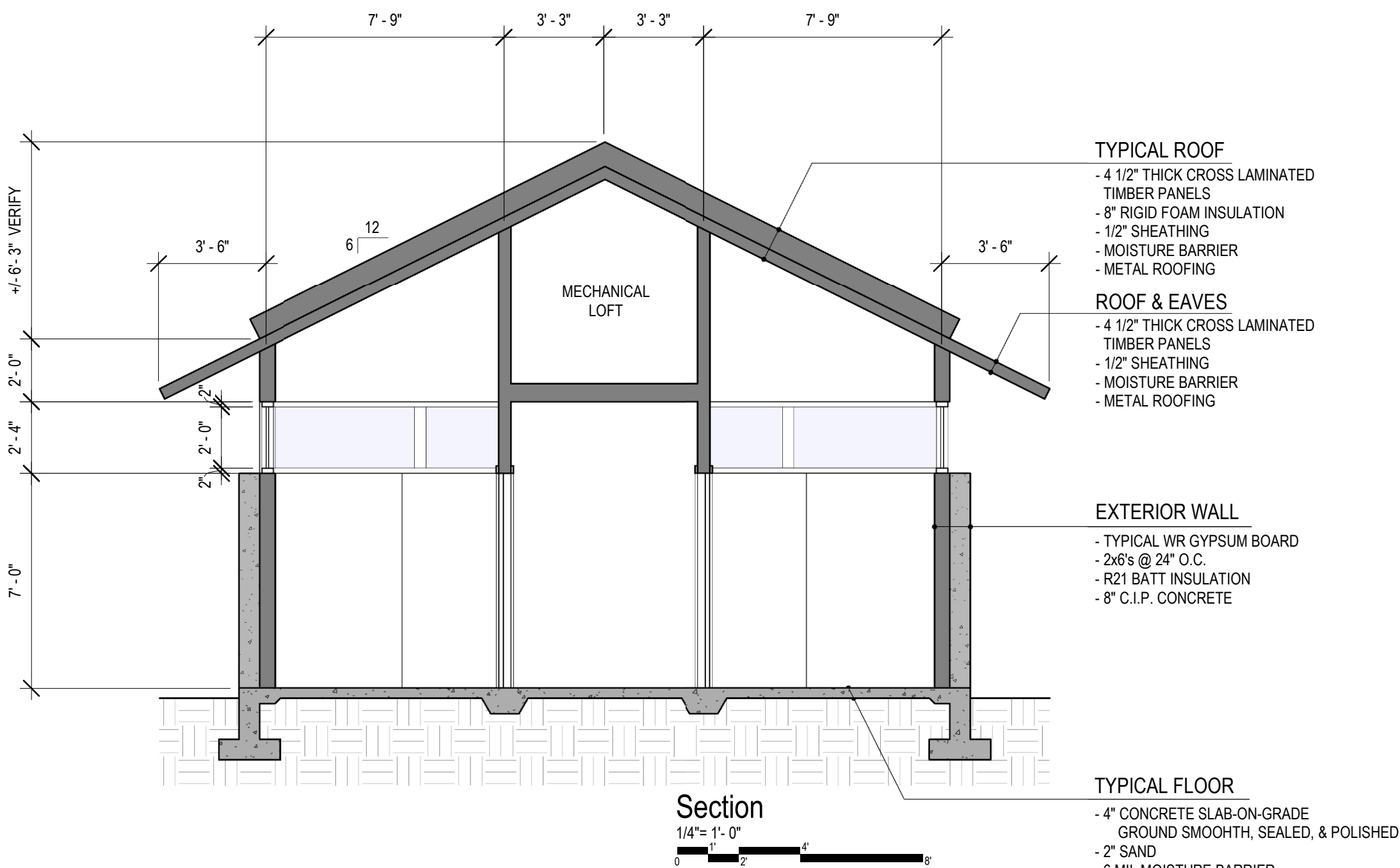
Computer Rendering
NOT TO SCALE



Side Elevation
1/4"= 1'-0"



Front Elevation
1/4"= 1'-0"



City of Anacortes
Planning, Community & Economic Development
Date Received:
4/5/21
CUP-2021-0001

PORT OF ANACORTES
RV Park Restroom Building
1019 Q Avenue, Suite C
Anacortes, WA 98221

Job No.: 1731.03 Date: 6 May 2020
File No.: 1731.03 RV Park
Drawn By: CK Jones
Checked By: JMcClure
Issued for: Design Review

LEVEL 1 FLOOR
PLAN

A201



Planning, Community & Economic Development Department
904 6th Street; P.O. Box 547 Anacortes, WA 98221
360-299-1984 - pced@cityofanacortes.org

December 4, 2020

Brenda Treadwell,
Port of Anacortes
100 Commercial Ave.
Anacortes, WA 98221

City of Anacortes
*Planning, Community &
Economic Development*

Date Received:
4/5/21

CUP-2021-0001

RE: PRE-2020-0032: Preapplication meeting – November 10, 2020 – 2:30 PM
Boundary Line Adjustment and 25 space RV Park at Cap Sante Marina

Dear Ms. Treadwell:

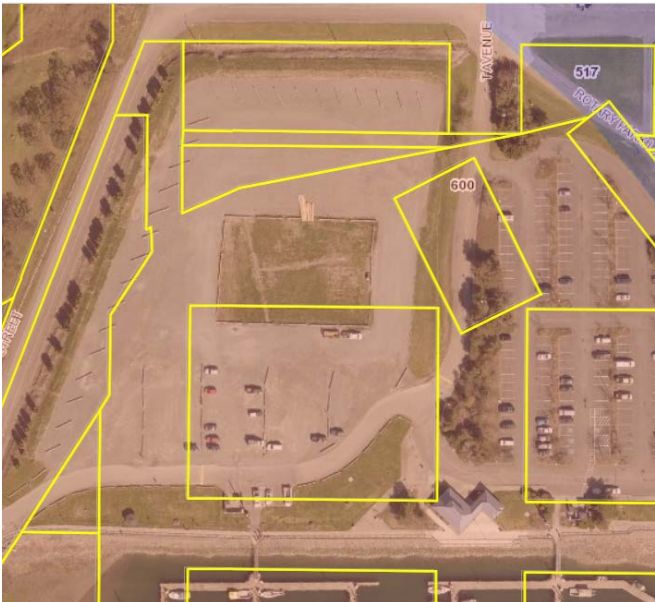
Thank you for your submitting preapplication meeting request to the City of Anacortes. The comments below are provided after review by city staff of the materials provided in your submittal. City staff strive to provide a comprehensive review based on the information you provided and the codes and standards in place at the time of the review. Please note that these comments are preliminary in nature and are subject to change based on changed circumstances, changes in the proposal, changes in City policies and development regulations, and/or new information.

City Department Comments (received as of November 10, 2020):

Department	Comments
Public Works – Engineering Steven Lange, Engineering Tech IV	1. Intersection at 6th Street - T Avenue - Rotary Park Drive will need to be visited for safety since additional traffic will be generated. Options were discussed as part of PRE-2019-0032.
Fire Jack Kennedy, Fire Marshall	1. Materials submitted for review do not contain required elements for a complete review. 2. Additional on-site Fire Hydrants will be required. The number of additional hydrants will be based upon maximum travel distance and required Fire Flow per IFC Appendix “B” and “C” at time of Building Permit submittal. 3. Minimum Fire apparatus access per City standard must be maintained. a. Minimum 20 foot clear road width with all-weather surface. b. Minimum 30’ turn radius. 4. These comments are preliminary in nature and subject to change as additional information becomes available.
Water Terry Nemeth	No written comments at this time.
Museum Bret Lunsford	No written comments received.

Solid Waste Matt Koegel, Solid Waste Supervisor	Follow the City of Anacortes solid waste dumpster pad specs
Building Rob Frisinger, Plans Examiner	Building has no issues, building permit required for restroom/showers.

Planning, Community & Economic Development Department comments:

Anacortes Municipal Code Reference	Subject Site/Proposal Comments
Division 2 Procedures	
1. 19.20 Application Procedures	It appears that the following land use permit applications and procedures will be required: • Boundary Line Adjustment • Conditional Use Permit Submittal checklists and application forms are available on the PCED website. See AMC 19.20.040 regarding optional consolidated application processing. A preapplication neighborhood meeting will be required to be conducted by the applicant prior to a formal application being submitted. See AMC 19.20.100 for details. A sample notice is attached.
2. 19.22 Concurrency	See AMC 19.22.060 for phased development concurrency requirements.
Division 4 Zoning and Land Use	
3. 19.40 Zones	The site is zoned Commercial Marine (CM). 

4. 19.41 Allowed Uses	Permitted uses are listed in AMC 19.41.050 . The proposed use is listed as Conditional
5. 19.42 Form & Intensity Standards	The proposed lot size and use meets these lot size and density standards.
6. 19.43 Residential Use Standards	No uses proposed.
7. 19.44 Commercial Use Standards	The proposed use is RV Park and these specific standards are listed in AMC 19.44.100 . As discussed in the conference, the conceptual layout does not appear to meet all of these standards and the applicant should review them in more depth.
8. 19.45 Industrial Use Standards	No uses proposed.
9. 19.46 Public, Inst., & Open Space Uses	No uses proposed.
10. 19.47 Accessory Uses and Structures	None proposed.
11. 19.48 Temporary Uses	None proposed.
12. 19.49 Nonconforming Uses and Structures	None known.
Division 5 Community Design	
13. 19.50 Introduction	Applicable if public improvements are required as determined by Public Works Engineering Dept.
14. 19.51 Public Street Improvements Required	Street improvement requirements were discussed as part of PRE-2019-0032 for additional information contact Steve Lange.
15. 19.52 Public Street Design	Street improvement requirements were discussed as part of PRE-2019-0032 for additional information contact Steve Lange.
16. 19.53 Private Driveways & Access	No private driveways or access proposed at this time.
17. 19.54 Subdivision Design and Block Structure	No subdivision proposed at this time.
Division 6 Project Design	
18. 19.60 Introduction	
19. 19.61 Block Frontage Standards	The block frontage designation is “undesigned”. See AMC Figure 19.61.040(C) for block frontage designations that are applicable to the subject property.
20. 19.62 Site Planning	Future site development will be subject to site planning standards.
21. 19.63 Building Design	Future site development will be subject to building design standards.
22. 19.64 Parking	Future site development will be subject to parking requirements.
23. 19.65 Landscaping	Future development will require conformance to the landscaping requirements in AMC 19.65. At minimum, the site will need to conform to AMC 19.76 Stormwater, including vegetating the site post-grading for

	erosion control. Landscaping will be addressed through additional permitting as part of future site development.
24. 19.66 Fences, Walls & Hedges	Fence permit is required for any proposed fencing. Future development will be subject to these standards.
25. 19.67 Signs	Future development will be subject to these standards.
Other Applicable AMC Chapters	
26. 19.76 Stormwater	Grading activities are subject to this Chapter. A stormwater management plan consistent with AMC 19.76 and 2014 SWMMWW is required with application submittal.
27. 18.04 SEPA	The proposal may be subject to SEPA review depending on grade/fill quantities. Supporting environmental documents, in addition to required SEPA checklist and critical areas reports, shall include, but not be limited to: • Cultural resources survey/report
28. 15.32 Underground Utilities	All utilities to be located underground. All existing utilities and easements need to be shown on site development plans.
Fees	
29. Fees	Fees can be found on the current Unified Fee Schedule . All fees are subject to change and it is the applicant's responsibility to obtain the most current fees when budgeting for a project.

Please contact me at 360-588-8234 or tessc@cityofanacortes.org if you have any questions.

Sincerely,



Tess Cooper
Senior Planner

cc: Don Measamer, Director
Steve Lange, PW Engineering
Jack Kennedy, Fire Marshall



MEETING NOTES

City of Anacortes
*Planning, Community &
Economic Development*

Date Received:
4/5/21

CUP-2021-0001

Meeting Topic and Number: Neighborhood Meeting:
Meeting Date and Time: February 2, 2021 - 6:00 p.m.
Project Number: 0436.05.10
Project Name: Port of Anacortes Recreational Vehicle Park Improvements
Meeting Location: Zoom Meeting
Recorded By: Asya Snejnevski, HBB

Attendees:

Port, City, and Design Team Attendees:

- Brenda Treadwell, Port of Anacortes
- Dean W. Koonts, HBB
- Asya Snejnevski, HBB
- David Galbraith, Pacific Surveying & Engineering
- Bill Hager, Maul Foster & Alongi, Inc.
- Tess Cooper, Anacortes Planning

Public Members (By Screen Name):

- Sally Kruse
- Mark and Mary
- Stuart Currie

Distribution: Tess Cooper, Anacortes Planning

Questions /Team Responses:

Mary: Describe design, when will construction begin, explain the entrances and exits from RV lot....

- North Basin to improve facilities, only North Basin currently in design phase, no more hotel
- Construction to begin Fall 2021 (ideal timeline).
- Port received grant funding, key to when construction begins, could be later depending on when funding released.
- Southernmost drive of RV Park to accommodate pull-through RV parking

Stuart: How are you dealing with elevation and grade change along Market Street?

- Sidewalk on street level, steps, and rockery to keep elevation higher in the RV park and lot.
- Providing some connectivity and yet maintaining a sense of separation.

Stuart: Are there plans to widen Market St?

- Yes, slightly widened profile will occur.

Mary: Will Market St be closed off and convention center blocking off access?

- Realignment of the intersection with 9th was proposed, but for the foreseeable future the intersection will now stay the same.
- Market street will not be closed.

Mary: RV parking– will it be limited timing?

- Port working on timing and stall rental management process.
- Will not allow a permanent residence.
- The port is exploring having a “campsite host” and/or custodian presence to help monitor the RV park.

Mary: Will hotel still be planned?

- The hotel is tabled indefinitely: hotel underground parking was cost prohibitive.
- Felt hotel would overdevelop the area.
- Currently only formalized parking and lawn proposed in that area.

Mary: Will there be traffic regulation at the 6th, T and other streets (5 street intersection); has safety concerns in the intersection due primarily to south bound residential traffic not stopping at T Ave at the intersection.

- Does not believe RV park improvement will worsen situation, perhaps will improve as the road will formalize in the southern side under the proposed parking lot development.
- Transpo (firm) has reviewed the impact of the development on adjacent streets and is of the opinion that further improvements as a result of the proposal is not warranted.

Mary: Neighbors might disagree about the level of safety; stop signs as T Ave would help; feels like this is a potential issue and the current intersection could be problematic

- Signage is an easy update
- Will continue to explore with Transpo for additional traffic mitigation
- Tess – City sees traffic mitigation is a top priority; there has been mention of a small traffic circle or some other traffic safety will be required for the intersection, but nothing determinate to date.

Stuart: Will parking lot be paid?

- No. Parking will be **paved**. About 130 parking stalls are in the planning stages and are intended for use by marina tenants. The amount is at a ratio larger than 1 parking space for every two slips. which is more than the general standards, providing enough spaces for marina users.
- The RV Park Spaces will require payment for their use.

General Community Comments:

- Happy to see improvements to the parking and the RV park.
- For older users in RV park can a (fold-down) bench be incorporated in the showers to be utilize for getting dressed and undressed?

- Solar panels on roof suggestion.
- Great that young folks coming here to use the RV park and visit the Port and the City.
- Access and location of Port and RV park is great for families and city visitors.
- Looking forward to the improvements.
- Excited for the project to get started.



CITY OF ANACORTES

Laurie Gere, Mayor

904 6th Street Anacortes, WA 98221

www.anacorteswa.gov

May 22, 2020

Washington State Recreation and Conservation Office
Attn: Allison Dellwo, RCO Outdoor Grants Manager
PO Box 40917
Olympia WA 98504-0917

City of Anacortes
*Planning, Community &
Economic Development*

Date Received:
4/5/21

CUP-2021-0001

Re: A letter supporting the RCO - ALEA and LWCF Grant applications by the Port of Anacortes.

Dear Ms. Dellwo:

The Port of Anacortes will be submitting applications to the Recreation and Conservation Office (RCO), within the 2020 grant cycle, seeking assistance toward construction of the planned Cap Sante RV Park, in Anacortes. This letter is to convey the continuing support of the City of Anacortes (City) for the project as originally identified in the October 2018 memorandum of understanding (MOU) between the City and Port of Anacortes. The MOU recognized the need for an improved RV Park in the City, and to mutually support external funding sources to accomplish our shared objectives.

The grant applications are well-aligned with the intent of the ALEA and LWCF core focus areas. This project will significantly improve aquatic lands in Washington, enhance public access to the waterfront and provide increased outdoor recreation opportunities. Enhancing public access to our area waterfronts is important to the City. Additionally, as a certified member of the Clean Marina and Green Marine environmental excellence program, we believe the Port's holistic commitment to environmental stewardship is directly aligned with the foundational tenets of RCO.

As an adjacent property owner and government stakeholder, the City has worked closely with the Port throughout its planning process for the RV Park and other planned projects adjacent to the Cap Sante Marina. Our mutual goal is to energize this important part of the City as a recreational hub. The RV Park will be strategically located in the north basin upland area of the Marina. It will be within walking distance to the City's Downtown and our Depot Facility campus - which lies immediately west of the planned RV Park. Visiting guests will benefit local businesses and services, attend community festivals, and bring significant value to both the waterfront and the commercial core of the City.

We support the Port's planned improvements, which include transforming unused and graveled aquatic lands to a fully functional and attractive RV Park, complete with utilities, improved public access, landscaping, street frontage improvements and connectivity. This project will dramatically improve the experience of visitors and the overall aesthetics of the neighborhood. All improvements will be ADA compliant.



CITY OF ANACORTES

Laurie Gere, Mayor

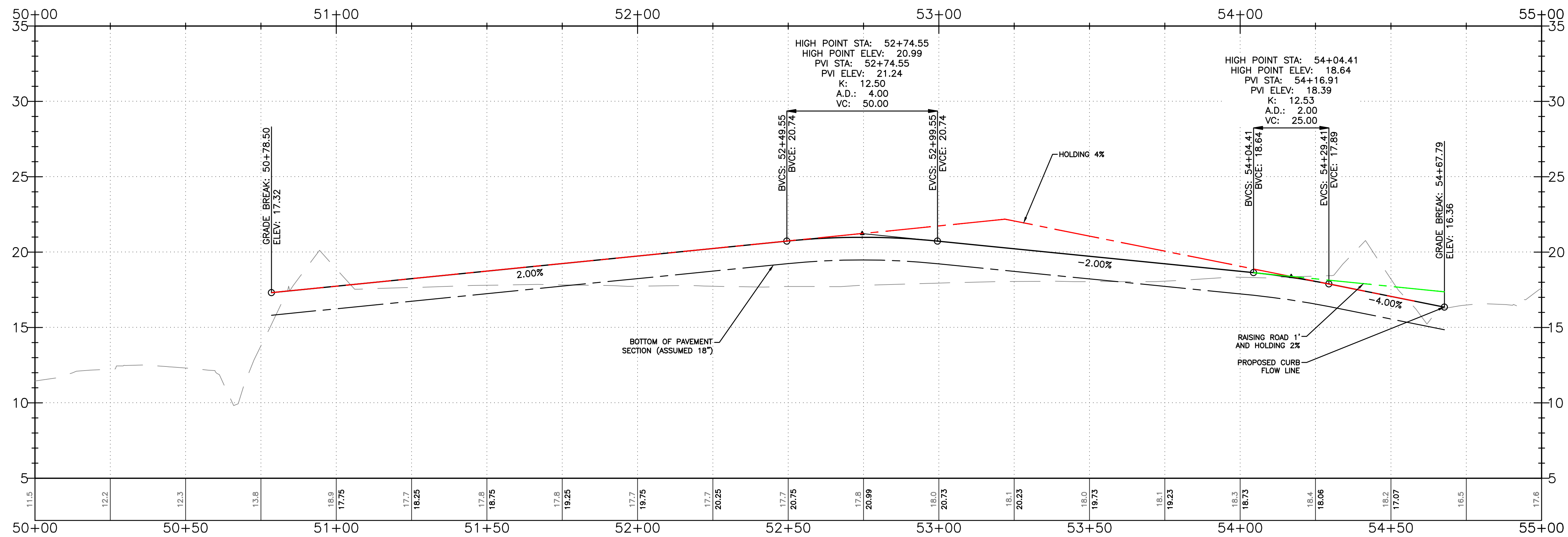
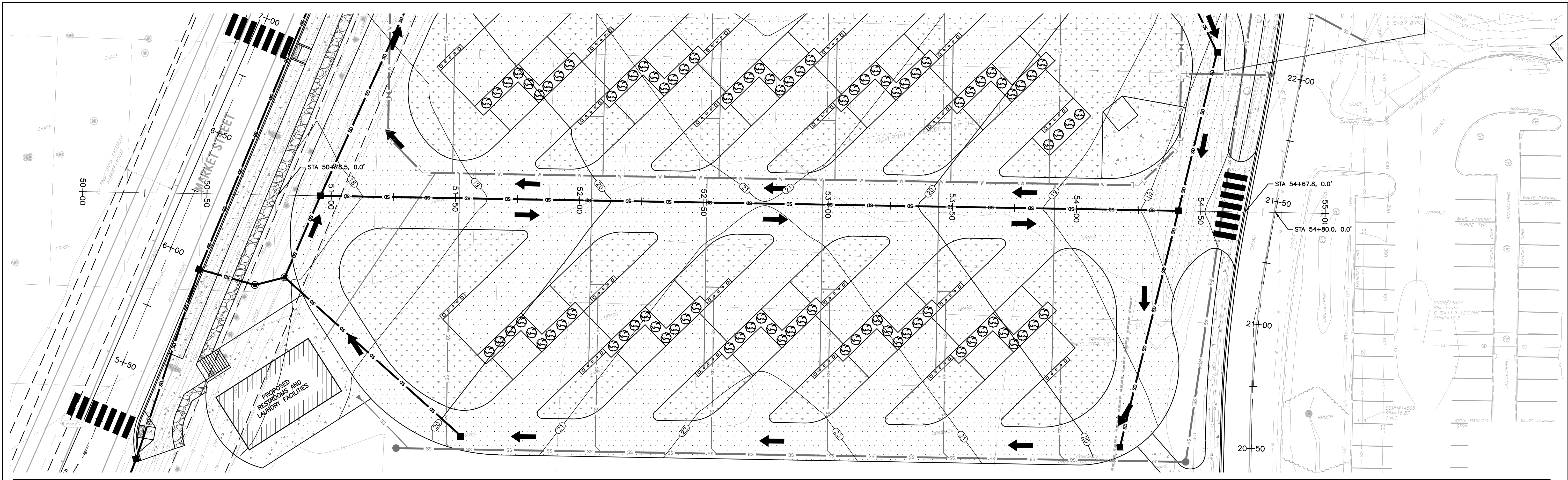
904 6th Street Anacortes, WA 98221

www.anacorteswa.gov

The City is excited to see completion of this needed facility for visitors to the City of Anacortes. We look forward to working with the Port through the local permitting process.

Sincerely,

Mayor Laurie Gere



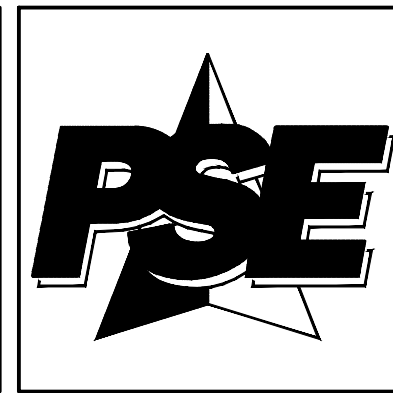
City of Anacortes
Planning, Community &
Economic Development

Date Received:
4/5/21

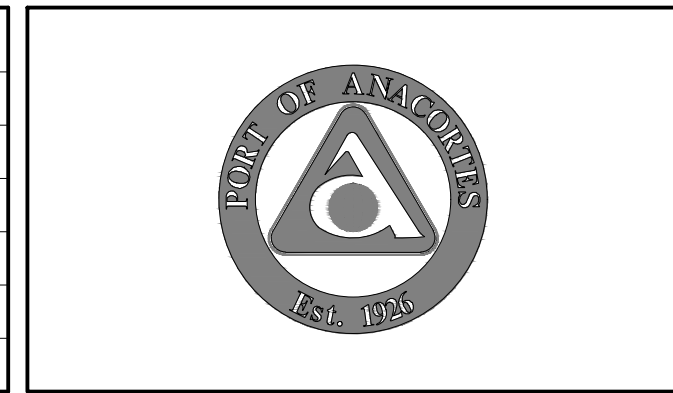
CUP-2021-0001



PACIFIC SURVEY & ENGINEERING INC
909 SQUALICUM WAY SUITE 111
BELLINGHAM, WA 98225
PHONE: 360.671.7387 FAX: 360.671.4685 EMAIL: info@psurvey.com
www.psurvey.com



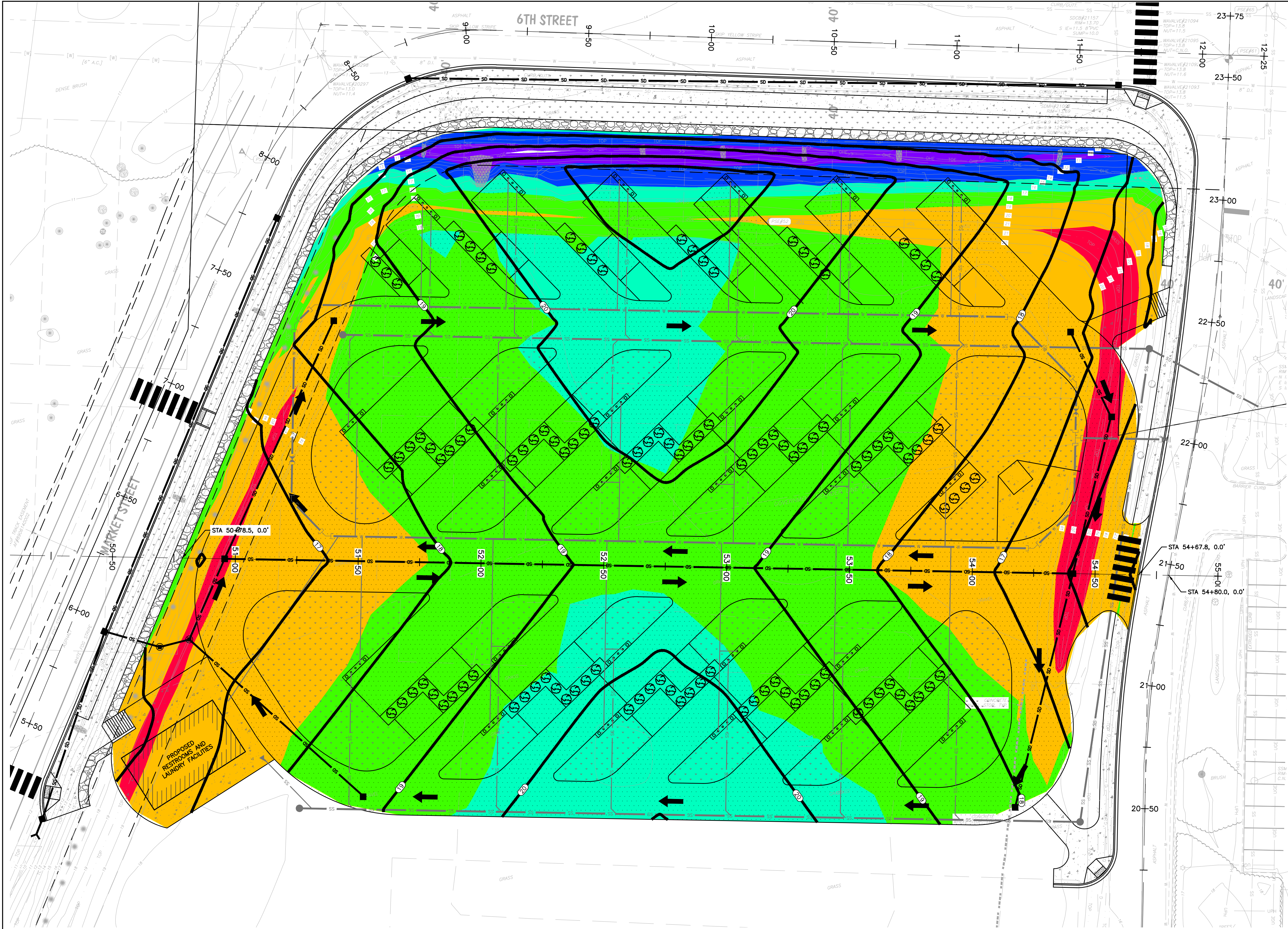
NO.	DATE	BY	REVISION



CAP SANTE RV PARK REDEVELOPMENT
PORT OF ANACORTES
PROJECT #

GRADING EXHIBIT

DRAWN: KS	PROJECT NO. 2020064
DESIGN: KS	SCALE: 1"=20'
CHECKED: DG	DATE: 4/23/20
SHEET NO.	1 OF 2



GRAPHIC SCALE
(as survey feet)
0 10 20
1 inch = 20 feet

Elevations Table			
Number	Minimum Elevation	Maximum Elevation	Color
1	-4.963	-3.000	Red
2	-3.000	0.000	Orange
3	0.000	2.000	Yellow
4	2.000	4.000	Green
5	4.000	7.000	Cyan
6	7.000	9.000	Blue

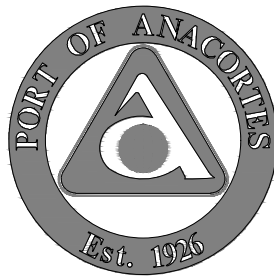
VOLUMES ARE FROM EXISTING GRADE TO PROPOSED SUBGRADE
ASSUMING AN 18" ROAD SECTION (3" HMA, 3" CSBC, 12" GRAVEL BASE)

CUT VOLUME: 1,508 CY
FILL VOLUME: 4,664 CY
PAVEMENT SECTION FILL VOLUME: 5,582 CY

PACIFIC SURVEY & ENGINEERING INC
909 SQUALICUM WAY·SUITE 111
BELLINGHAM, WA 98225
PHONE:360.671.7387 FAX:360.671.4685 EMAIL: info@psurvey.com
www.psurvey.com



NO.	DATE	BY	REVISION



CAP SANTE RV PARK REDEVELOPMENT
PORT OF ANACORTES
PROJECT #

SUBGRADE GRADING EXHIBIT

DRAWN:	KS	PROJECT NO.	2020064
DESIGN:	KS	SCALE:	1"=20'
CHECKED:	DG	DATE:	4/23/20
SHEET NO.	2 OF 2		



Date Received:
4/5/21

CUP-2021-0001

SUBDIVISION GUARANTEE
SCHEDULE A

Liability: \$ 2,000.00

Policy No.: 5003353-0002910e

Dated: October 26, 2020 at 8:00 A.M.

Order No.: 01-181279-F

Fee: \$350.00

Tax: \$29.75

Name of Assured:

PACIFIC SURVEY & ENGINEERING, INC. AND THE PORT OF ANACORTES

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matters relative to the following described real property:

(See Schedule "A-1," attached.)

Title to said real property is vested in:

PORT OF ANACORTES, a Washington Municipal Corporation

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.

SUBDIVISION GUARANTEE

Order No.: 01-181279-F

Policy No. 5003353-0002910e

SCHEDULE A

EXCEPTIONS CONTINUED:

4. General taxes, together with interest, penalty and statutory foreclosure costs, if any, first half delinquent May 1, 2020, if unpaid, second half delinquent November 1, 2020, if unpaid:

<u>Account No.</u>	<u>Year</u>	<u>Amount Billed</u>	<u>Amount Paid</u>	<u>Balance Owing</u>
3776-022-010-0008	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P56860				
3776-022-020-0006	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P56861				
3776-023-000-0008	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P56862				
350218-0-020-0003	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P32880				
350218-0-021-0002	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P32881				
350218-0-019-0006	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P32879				

It appears that the vacated streets and alleys are not included on the Skagit County tax rolls.

5. Liability for exempt taxes in the event of sale of the property to a taxpayer not entitled to an exempt status, or in the event of disallowance of the exemption for all or part of the current year. The exempt portion of the taxes will become a lien upon the purchaser's title.

General taxes for the year 2020, without exception for the above 'EXEMPT STATUS', are approximately as follows:

\$2,056.84, affecting P56860
\$588.75, affecting P56861
\$5,145.38, affecting P56862
\$8,620.46, affecting P32880
\$1,385.33, affecting P32881
\$405.35, affecting P32879

6. Question of location and ownership of land shown under Skagit County tax parcel number 350218-0-001-0006; P32861.
7. The property description included herein is based upon the application for Title Insurance. Before any instrument(s) pertaining to this property is/are prepared, the description should be verified and approved by all parties.

SUBDIVISION GUARANTEE

Order No.: 01-181279-F

Policy No. 5003353-0002910e

SCHEDULE A

EXCEPTIONS CONTINUED:

8. Easements, restrictions, and other matters shown on Schedule "B-1" attached are also excepted from coverage. The easements, restrictions and other matters shown as lettered exceptions on Schedule "B-1" are excepted from policy coverage to the same extent that the numbered Schedule "B" Special Exceptions shown herein are excepted from policy coverage.

NOTE #1: EFFECTIVE JANUARY 1, 1997, AND PURSUANT TO AMENDMENT OF WASHINGTON STATE STATUTES RELATING TO STANDARDIZATION OF RECORDED DOCUMENTS, THE FOLLOWING FORMAT AND CONTENT REQUIREMENTS MUST BE MET. FAILURE TO COMPLY MAY RESULT IN REJECTION OF THE DOCUMENTS BY THE RECORDER.

Margins to be 3" on top of first page and 1" on sides and bottom, 1" on top, sides and bottom of each succeeding page. Font size of 8 points or larger, paper size of no more than 8 1/2" by 14". No attachments on pages such as stapled or taped notary seals, pressure seals must be smudged.

INFORMATION WHICH MUST APPEAR ON THE FIRST PAGE

Title or titles of documents. If assignment or reconveyance, reference to auditor's file number of subject deed of trust must be included. Names of grantor(s) and grantee(s) with reference to additional names on following pages, if any.
Abbreviated legal description (lot, block, volume/page of plat or section/township/range and quarter section or government lot for unplatted).
Assessor's tax parcel number(s). Return address which may appear in the upper left hand 3" top margin.

Pursuant to item c.) above, the abbreviated legal description for the subject property is as follows:

Ptns Of Bowman's Central Ship Harbor Water Front Plat Of Anacortes & Ptn Of Plate 9, Anacortes

NOTE #2: Unless otherwise specified, this Company has assigned this file to the following Underwriter for the policy to issue: First American Title Company.

DESCRIPTION:

BLOCK 22, PLAT OF BOWMAN'S CENTRAL SHIP HARBOR WATERFRONT PLAT OF ANACORTES, ACCORDING TO THE PLAT THEREOF RECORDED UNDER VOLUME 2 OF PLATS, PAGE 33, SKAGIT COUNTY, WASHINGTON.

TOGETHER WITH LOTS 1, 19 AND 20 OF BLOCK 23 OF SAID BOWMAN'S CENTRAL SHIP HARBOR PLAT AND TRACTS 20, 22, 23 AND 24, PLATE 9 OF THE PLAT OF "TIDE AND SHORELANDS OF ANACORTES HARBOR IN SECTION 18, TOWNSHIP 35 NORTH, RANGE 2 EAST, W.M., ACCORDING TO THE OFFICIAL MAP THEREOF IN THE OFFICE OF THE STATE LAND COMMISSIONER AT OLYMPIA, WASHINGTON".

TOGETHER WITH ALL OF VACATED MOTOR LINE (MARKET STREET), 7TH STREET, 8TH STREET, S AVENUE AND T AVENUE AND ALLEYS ABUTTING SAID LOTS, BLOCKS AND TRACTS AND AS VACATED UNDER CITY OF ANACORTES ORDINANCE NOS. 459, 454, 455, 461, 1049, 1201 AND AUDITOR'S FILE NO. 201201170067.

EXCEPT THE EAST HALF OF SAID VACATED T AVENUE.

ALSO EXCEPT ANY PORTION OF THE ABOVE PROPERTY LYING WESTERLY OF THE EASTERLY LINE OF THE FOLLOWING DESCRIBED CITY OF ANACORTES PROPERTY:

CITY OF ANACORTES PROPERTY

THOSE PORTIONS OF BLOCKS 10, 23 AND 26, PLAT OF BOWMAN'S CENTRAL SHIP HARBOR WATERFRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON, ACCORDING TO THE PLAT RECORDED IN VOLUME 2 OF PLATS PAGE 33, RECORDS OF SKAGIT COUNTY, WASHINGTON AND TRACTS 22 AND 31, PLATE 9 OF THE PLAT OF TIDE AND SHORELANDS OF ANACORTES HARBOR IN SECTION 18, TOWNSHIP 35 NORTH, RANGE 2 EAST, W.M. ACCORDING TO THE OFFICIAL MAP THEREOF IN THE OFFICE OF THE STATE LAND COMMISSIONER AT OLYMPIA, WASHINGTON, TOGETHER WITH VACATED ALLEYS WITHIN SAID BLOCKS AND VACATED 5TH, 6TH, 7TH AND 8TH STREETS AND VACATED R AND S AVENUES ABUTTING, DESCRIBED AS FOLLOWS:

THAT CERTAIN TRACT OF LAND CONVEYED TO THE CITY OF ANACORTES BY BURLINGTON NORTHERN RAILROAD BY DEED RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 8102270020 AND THAT PORTION OF VACATED MARKET STREET ABUTTING SAID TRACT WHICH WOULD ATTACH BY OPERATION OF LAW,

TOGETHER WITH THAT CERTAIN TRACT OF LAND CONVEYED TO THE CITY OF ANACORTES BY THE PORT OF ANACORTES BY DEED RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 201201050053.

ALSO, TOGETHER WITH THOSE ADDITIONAL PORTIONS OF VACATED MARKET STREET AS CONVEYED TO THE CITY OF ANACORTES BY THE PORT OF ANACORTES AND DESCRIBED AS PARCELS A AND E IN DEED RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 201201050052.

SITUATE IN THE CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON.

EXCEPTIONS:

A. COVENANTS, CONDITIONS AND RESTRICTIONS, CONTAINED IN DEED:

Recorded: October 26, 1905

Auditor's No.: 54021 (Volume 56 of Deeds, page 321)

Executed By: State of Washington

As Follows:

Subject, however, to any lien or liens that may arise or be created in consequence of or pursue out to the provisions of an act of the Legislature of the State of Washington, entitled "An Act prescribing the ways in which waterways for the uses of navigation may be excavated by private contract, providing for liens upon tide and shore lands belonging to the state, granting rights of way across lands belonging to the state," approved March 9, 1893.

B. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, NOTES, DEDICATIONS, PROVISIONS AND SURVEY MATTERS AS DESCRIBED AND/OR DELINEATED ON THE FACE OF SAID PLAT OR SHORT PLAT:

Plat/Short Plat: Bowman's Central Ship Harbor Water Front Plat
of Anacortes

Recorded: Volume 2 of Plats, page 33

C. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Cascade Natural Gas Corporation, its successors
and/or assigns

Purpose: See instrument for full particulars

Area Affected: A portion of Tracts 20 & 24, Plate 9 and portions
of vacated streets

Recorded: December 3, 1985 and December 11, 1985

Auditor's Nos.: 8512030030 and 8512110054

D. INTERLOCAL AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: The Port of Anacortes

And: The City of Anacortes

Dated: July 22, 1988

Recorded: July 29, 1988

Auditor's No.: 8807290027

E. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Burlington Northern Railroad Company

Purpose: A railroad easement

Area Affected: A portion of subject lands

Dated: December 12, 1988

Recorded: June 14, 1989

Auditor's No.: 8906140002

EXCEPTIONS CONTINUED:

F. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS:

Declaration Dated:	November 23, 2011
Recorded:	January 5, 2012
Auditor's No.:	201201050053
Executed By:	Port of Anacortes and City of Anacortes

- G. As to any portion of said land now, formerly or in the future covered by water: Questions or adverse claims related to (1) lateral boundaries of any tidelands or shorelands; (2) shifting in course, boundary or location of the body of water; (3) rights of the State of Washington if the body of water is or was navigable; and (4) public regulatory and recreational rights (including powers of the USA) or private riparian rights which limit or prohibit use of the land or water.

H. CITY OF ANACORTES ORDINANCES AND THE TERMS AND CONDITIONS THEREOF:

No.: NOS. 459, 454, 455, 461, 1049, 1201 AND AUDITOR'S FILE NO. 201201170067.

- I. Easements, if any, for public utilities, pipelines or facilities installed in any portion of the vacated street or alley, lying within the land, together with the right of ingress and egress to repair, maintain, replace and remove the same.
- J. Any private right to use any portion of the vacated street or alley, lying within the land.

Date Received:
4/5/21

CUP-2021-0001

CAP SANTE - RV PARK
**PRELIMINARY STORM WATER
MANAGEMENT REVIEW**

Prepared by:

*Pacific Surveying & Engineering, Inc.
909 Squalicum Way, Suite 111
Bellingham, Washington 98225
(360) 671-7387*



February 19, 2021

Prepared for:

*Port of Anacortes
100 Commercial Ave
Anacortes, WA 98221
360.293.9608*



Purpose

This document describes existing conditions, the proposed project, and the proposed storm water management system for the site improvement project located at the Cap Sante Marina in Anacortes, WA. An Engineered Storm Water Management Study, which will address on-site and off-site drainage impacts in detail and include hydrologic modeling calculations, will be provided to the City of Anacortes with civil construction drawings for review at the time of Building Permit application submittal.

Project Description

The proposed project includes constructing a paved RV parking area on the approximately 2.6 acre project site. Additional site improvements include a small bathroom facility, landscaping, and utility improvements. The project will also construct approximately 950 LF of frontage improvements to Market Street, 6th Street, and T Avenue in front of the proposed project area. See attached preliminary site plan for reference.

The project will discharge stormwater runoff off from site to the Cap Sante Marina, and is considered contained in a single Threshold Discharge Area (TDA). The project will result in approximately 66,254 SF (1.52 AC) of new plus replaced impervious surface area including roofs, pavement, and sidewalks on the site. The new plus replaced impervious surface areas will include approximately 54,352 SF (1.25 AC) of pollution generating impervious areas. The following table provides an estimated summary of land use area for the developed site:

New Roof	= 1,100 SF
New Asphalt	= 54,352 SF
New Concrete	= 10,802 SF
New Landscaping	= 47,860 SF

Existing Conditions

The proposed site lies north of the Cap Sante Marina, and is bounded by Market St to the west, 6th St to the north and T Ave to the east. The existing project area is developed and is used as a gravel RV parking lot. The project site has a mixture of gravel parking areas, and asphalt roadways. The remaining area of the parcel is grass. Runoff from the roadways sheet flows to a ditch running along 6th Street and Market Street that outfalls to the Cap Sante Marina. Runoff from the RV parking lot sheet flows to the south, directly into the Cap Sante Marina.

Soils on the site are classified as "Xerorthents, 0 to 5 percent slopes" and is listed as Hydrologic Soil Group A per the Soil Survey of Skagit County, US Department of Agriculture, Natural Resource Conservation Service. A preliminary geotechnical report has been attached for reference.

Proposed Storm Water System

Storm water management for the site will be designed in accordance with City of Anacortes Municipal Code (AMC) and applicable sections of the Washington State Department of Ecology's 2019 Storm Water Management Manual for Western Washington (DOE Manual). A detailed report will be submitted with final construction drawings for the site detailing how the project will meet the Nine Minimum Requirements for Storm Water Management as outlined in the AMC and supporting calculations.

Cap Sante Marina is a portion of Fidalgo Bay, which is considered a flow control exempt and Basic Treatment receiving water body. Therefore, this project is exempt from many of the onsite stormwater management options discussed in Minimum Requirement No. 5 and only requires stormwater runoff from pollution generating surfaces to receive Basic Treatment.

In order to meet Basic Treatment water quality requirements for the project, stormwater runoff from pollution generating surfaces on the proposed RV parking lot will be conveyed to a Contech Stormfilter device or equivalent for treatment.

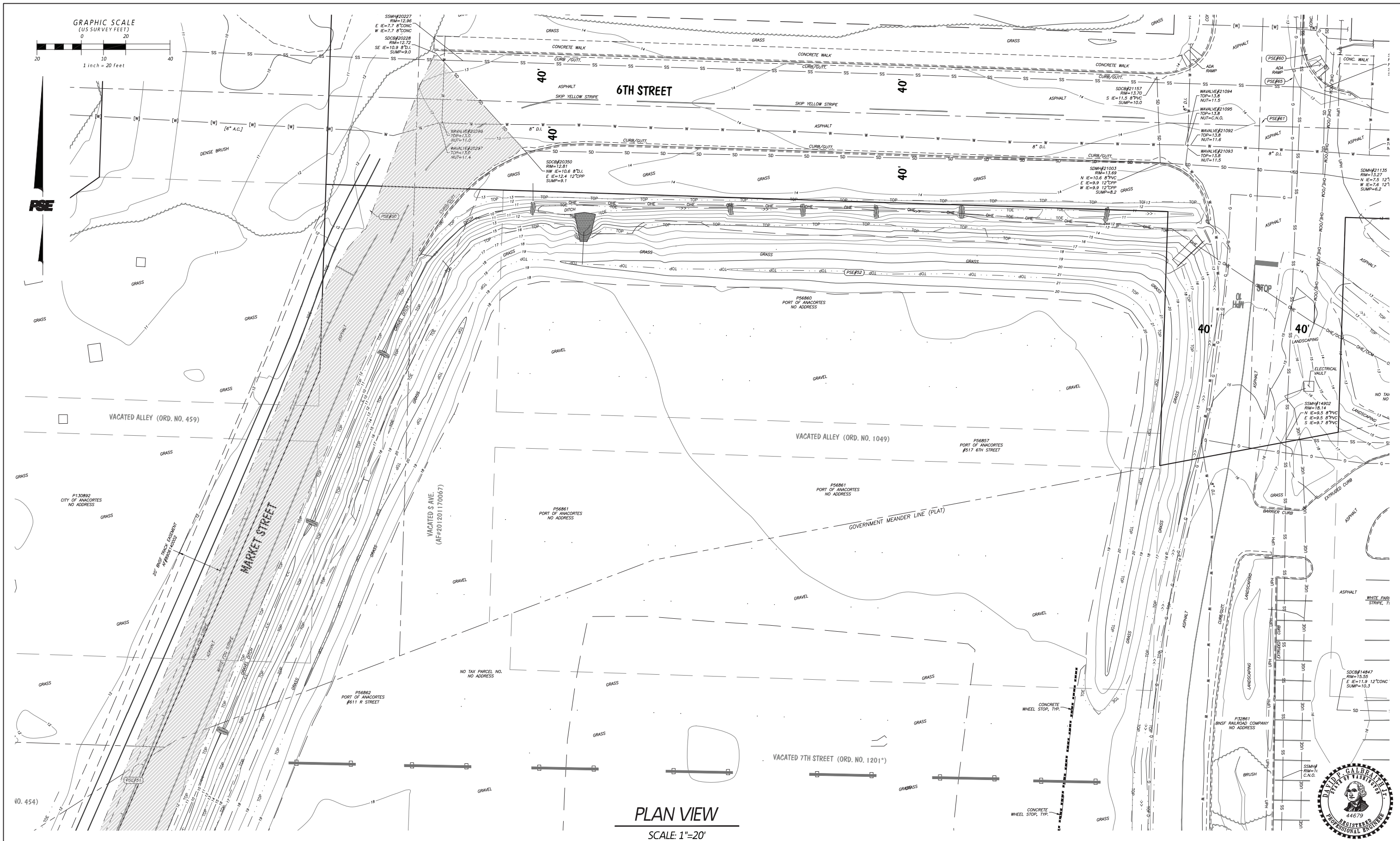
All Stormwater facilities will be designed using the WWHM2012 hydrologic modeling software. The WWHM2012 software was used for preliminary sizing calculations to determine the stormwater facility sizes shown on the Preliminary Site Plan.

A Temporary Erosion and Sediment Control Plan will be submitted with the construction drawings for the project. The plan will detail implementation of Best Management Practices (BMP's) as defined in the DOE Manual that are applicable to the project.

Attachments:

- Preliminary Site Plan (Civil Sheets 2-5)
- Geotechnical Report
- Basin Maps

PRELIMINARY SITE PLAN (Civil Plan Sheets 2-5)



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BELLINGHAM, WA 98225
PHONE:360.671.7387 FAX:360.671.4685 EMAIL: info@psurvey.com
www.psurvey.com



NO.	DATE	BY	REVISION



CAP SANTE - RV PARK IMPROVEMENTS
PORT OF ANACORTES
PROJECT #

EXISTING CONDITIONS

DRAWN: KS	PROJECT NO.:2020064
DESIGN: KS	SCALE: 1"=20'
CHECKED: DG	DATE: 11/20/2020
SHEET NO.	

02 OF 08

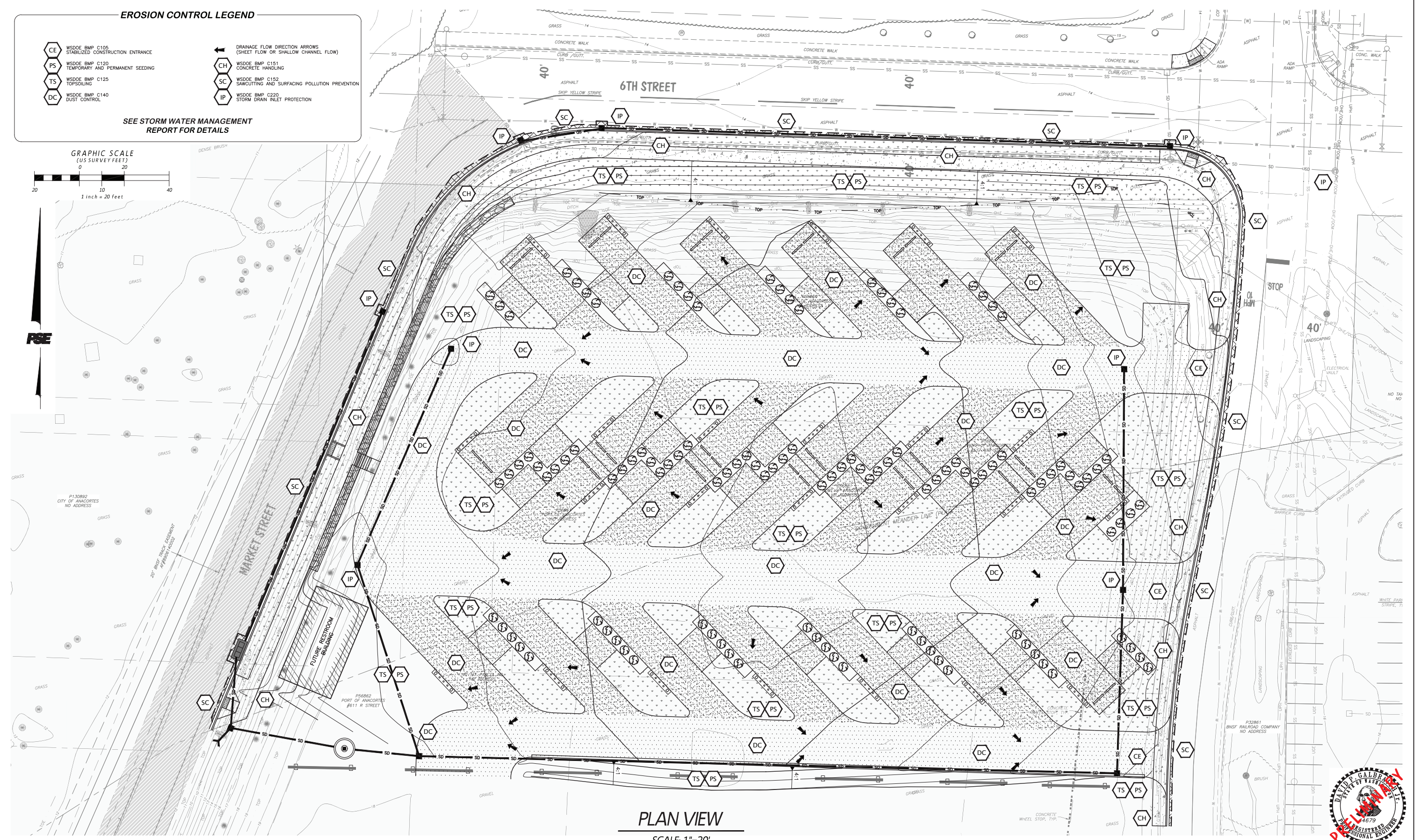
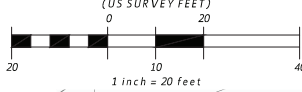
EROSION CONTROL LEGEND

- CE WSDOE BMP C105 STABILIZED CONSTRUCTION ENTRANCE
- PS WSDOE BMP C120 TEMPORARY AND PERMANENT SEEDING
- TS WSDOE BMP C125 TOPSOILING
- DC WSDOE BMP C140 DUST CONTROL

- CH WSDOE BMP C151 CONCRETE HANDLING
- SC WSDOE BMP C152 SAWCUTTING AND SURFACING POLLUTION PREVENTION
- IP WSDOE BMP C220 STORM DRAIN INLET PROTECTION

SEE STORM WATER MANAGEMENT REPORT FOR DETAILS

GRAPHIC SCALE



PLAN VIEW

SCALE: 1"=20'

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BELLINGHAM, WA 98225
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www.psurvey.com



NO.	DATE	BY	REVISION



CAP SANTE - RV PARK IMPROVEMENTS
PORT OF ANACORTES
PROJECT #

TESCP

DRAWN: KS PROJECT NO.:2020064
DESIGN: KS SCALE: 1"=20'
CHECKED: DG DATE: 11/20/2020
SHEET NO.

03 OF 08

GEOTECHNICAL REPORT

**Preliminary Geotechnical Engineering
Services**

Cap Sante Marina North and West Basin
Upland Redevelopment Project
Anacortes, Washington

for
Port of Anacortes

January 10, 2020



600 Dupont Street
Bellingham, Washington 98225
360.647.1510

Preliminary Geotechnical Engineering Services
Cap Sante Marina North and West Basin
Upland Redevelopment Project

File No. 05147-031-00

January 10, 2020

Prepared for:

Port of Anacortes
1019 Q Ave
Anacortes, Washington 98221

Attention: Brenda Treadwell

Prepared by:

GeoEngineers, Inc.
600 Dupont Street
Bellingham, Washington 98225
360.647.1510

Aaron J. Hartvigsen, PE
Senior Geotechnical Engineer

Sean W. Cool, PE
Associate

AJH:SWC:tlm

Disclaimer: Any electronic form, facsimile or hard copy of the original document (email, text, table, and/or figure), if provided, and any attachments are only a copy of the original document. The original document is stored by GeoEngineers, Inc. and will serve as the official document of record.

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DRAFT

1.0 INTRODUCTION

This report presents the results of GeoEngineers, Inc.'s (GeoEngineers') preliminary geotechnical engineering services for the planned Cap Sante Marina North and West Basin Upland Redevelopment project to be located in Anacortes, Washington. The redevelopment of this area has been identified as an important future area of development for the Port of Anacortes (Port). The approximate project location is shown in the Vicinity Map (Figure 1) and the existing site conditions relative to surrounding site features are shown in the Site and Exploration Plan (Figure 2).

Our scope of services for this report included reviewing available geotechnical information near the site, drilling 17 geotechnical borings throughout the project site, completing laboratory testing on the samples obtained from the borings, and providing preliminary geotechnical conclusions and recommendations for planning-level design of the proposed development. Our geotechnical engineering services were completed in general accordance with our Agreement for Professional Services Task Order 75-19 dated September 24, 2019, which was authorized by Brenda Treadwell with the Port of Anacortes on October 4, 2019.

2.0 PROJECT DESCRIPTION

As currently envisioned the project will have several different elements in the two project areas, including the following:

West Basin

- A new event center with associated public space and surface parking. The event center is planned to be one-story.
- Extension of the waterfront esplanade.
- Realignment of 9th Street and R Avenue upland from Cap Sante Marina as a new Truck route.

North Basin

- A new recreational vehicle (RV) park.
- Future hotel which is not included in this study.

3.0 SITE DESCRIPTION

3.1. Surface Conditions

The site is located in the marine district east of downtown Anacortes. The North and West Basins were created by filling intertidal areas. Original development included a railroad trestle/embankment across tidal mudflats. Filling was likely accomplished by a variety of methods including placement of dredged material from the adjacent waterway and conventional land-based filling closer to shore.

The West Basin currently consists of a graveled surface and paved parking areas, an active dog park, and manicured lawn. The West Basin is bounded by 9th Street to the north, Cap Sante Marina to the east, 11th Street to the south, and Q Avenue to the west. The existing gravel parking slopes down to the east with a grade change of approximately 4 feet to the historic rail alignment which crosses the basin diagonally.

The area to the east of the historic rail alignment is relatively level with a very slight slope east toward the water.

The North Basin consists of a paved parking area, Port bathroom and laundry facilities, and a large gravel parking lot that is raised above surrounding grades by several feet. The North Basin is bounded by 6th Avenue to the north, paved parking to the east, Cap Sante Marina to the south, and R Avenue to the west. Historical abandoned rail lines are still present at site grades with the western portion of this development area.

The shoreline along both basins is lined with a sidewalk and short retaining walls or rockeries. Most existing structures within the project area were/are supported on pile foundations. The early era structures also typically had/have timber pile foundation support. Most of the piles in the offshore area gain capacity as friction piles.

3.2. Geology

We reviewed a Washington State Department of Natural Resources (DNR) map for the project area, “Geologic Map of The Bellingham 1:100,000 Quadrangle, Washington” by Lapen (2000). The geologic map indicates that the project site is in an area mapped as artificial fill, which generally occurred in the 1950s. The site is a previous beach and intertidal area and therefore the upper native soils are a combination of beach and intertidal deposits. The other known geologic units in increasing age include, glaciomarine drift, glacially consolidated deposits and bedrock. The various geologic units and generalized geotechnical properties interpreted based on review of existing data are discussed below.

Fill in the project vicinity is variable in composition and ranges from sand to clay derived from various marine dredging and upland sources. The fill is generally loose/soft, compressible, and with low shear strength. Granular fill zones can be moderately to highly susceptible to soil liquefaction where located below the water table.

Although not mapped at the site, historical beach/intertidal deposits underlie the fill and consist primarily of loose to medium dense sand and silty sand with interbedded silt or clay layers. The intertidal deposits are moderately compressible, with low shear strength, and the granular zones are highly susceptible to liquefaction.

Glaciomarine drift is mapped west of the site and was encountered underlying artificial fill and/or beach/intertidal deposits and in our explorations as described below. Glaciomarine drift typically consists of unsorted, unstratified silt and clay with varying amounts of sand, gravel, cobbles and occasional boulders. Glaciomarine drift is derived from sediment melted out of floating glacial ice that was deposited on the sea floor during periods of glacial retreat, while the land surface was depressed 500 to 600 feet from previous glaciations. This material locally contains shells, wood and large erratics (boulders), and can be present sporadically or even in a cluster.

Glacially consolidated deposits encountered at the site consisted of very stiff to hard silt with variable sand content. The soil density is due to glacial processes resulting in significant consolidation. This unit has high shear strength and low compressibility characteristics.

Bedrock is mapped at the ground surface east of the site. The bedrock is mapped as part of the Lummi Formation which consists of marine metasedimentary rock. The Lummi Formation is metamorphosed

pebble conglomerate, sandstone, and/or mudstone. The formation was deposited during the early Cretaceous to late Jurassic age (140 to 150 million years before present).

3.3. Field Explorations

Subsurface soil and groundwater conditions were evaluated by completing 17 geotechnical borings, B-1 through B-17, on November 11 through 14, 2019 using a track-mounted drill rig subcontracted to GeoEngineers. The borings were completed to depths of 11½ to 101½ feet below the existing ground surface (bgs). The locations of the explorations are shown in Figure 2. Details of the field exploration program, laboratory testing, and boring logs are presented in Appendix A.

3.4. Subsurface Conditions

3.4.1. Soil Conditions

The general soil profile encountered at the site generally consists of uncontrolled fill overlying a transition zone of possible intertidal/beach or glaciomarine drift deposits, overlying glacially consolidated deposits. Surface conditions varied across the site, generally consisting of 2 to 3 inches of sod, crushed rock, railroad ballast, or asphalt concrete. Generalized cross sections for the West Basin (A-A') and North Basin (B-B') are presented in Figures 3 and 4, respectively.

Fill: Fill soils were encountered in all explorations to depths of approximately 9 to 14 feet bgs. Fill in the project vicinity is variable in composition, ranging from soils derived from dredging and variable silt, sand, gravel, and debris from upland sources. The fill soils encountered in our explorations generally consisted of loose to medium dense sand with variable silt content; soft to medium stiff silt; and clay with variable sand and gravel content; gravel; and spalls. Scattered zones of organic matter, wood shavings, and wood debris were encountered in several of the borings. Occasional debris consisting of bricks, plastic, and shell fragments were also observed in some of the fill. The engineering characteristics of the fill will be variable. The fine-grained portion of the fill is generally loose/soft, compressible, with low shear strength. The granular portions of the fill are loose and moderately to highly susceptible to soil liquefaction below the water table. Borings B-1, B-4, B-7, B-8, and B-9 in the West Basin area, and B-11 through B-17 in the North Basin area, all terminated in the fill unit.

Transition Zone: A transition zone was observed in borings B-2, B-3, B-5, B-6, and B-10 to depths ranging from 18 to 24 feet bgs. The beach/intertidal deposits and glaciomarine drift are the result of a dynamic depositional and historic intertidal environment; therefore, we grouped them together as a “transition zone” unit for purposes of this report. The transition zone generally consisted of medium stiff clay with variable sand, medium dense sand with silt, very loose sandy silt, and stiff silt. Shell fragments were observed in portions of this unit.

Glacially Consolidated Deposits: Glacially consolidated soils were encountered below the transition zone in borings B-2, B-3, B-5, B-6, and B-10. The glacially consolidated deposits encountered in our borings generally consisted of very stiff to hard sandy silt with variable sand content and dense to very dense fine to medium sand with variable silt content. The unit was predominantly homogenous with limited layering or stratification. Each of the explorations that encountered these soils, terminated in this unit.

3.4.2. Groundwater Conditions

Groundwater seepage was encountered in borings B-1 through B-6, B-10, B-13, B-14, B-16, and B-17 at depths ranging from 6.5 to 10 feet bgs. Monitoring wells were installed to monitor groundwater levels in borings B-3 and B-16 and are listed in Table 1 below. Groundwater monitoring was completed with dataloggers and supplemented by manual readings during installation and retrieval of the data loggers. Data plots of water levels, tide levels and precipitation are presented in Figures 5 and 6. Groundwater conditions should be expected to vary as a function of season, precipitation, and other factors including local tides in Fidalgo Bay.

TABLE 1. GROUNDWATER LEVEL MEASUREMENTS

Exploration No.	Date of Groundwater Measurement	Approximate Ground Surface Elevation ¹ (feet)	Measured Depth to Groundwater (feet)	Approximate Groundwater Elevation ¹ (feet)
B-3	December 5, 2019	13	3.34	9.46
	January 6, 2020		2.86	9.94
B-16	December 5, 2019	18	4.63	13.17
	January 6, 2020		3.21	14.59

Notes:

¹ Elevation datum is NAVD88.

3.5. Chemical Analytical Testing

Chemical analytical testing was completed on composite samples collected from drums of soil cuttings derived during the explorations to provide characterization for disposal. The composite samples were placed in laboratory-prepared vials/jars for chemical analytical testing at OnSite Environmental, Inc. (OnSite). Samples were tested for metals (arsenic, barium, cadmium, chromium, lead, mercury, selenium, and silver), PAHs, gasoline and diesel-range organics and/or lube oil. When detected in the samples, all metals were at or below Model Toxics Control Act (MTCA) Method A or B cleanup levels. Diesel-range organics were also below MTCA Method A cleanup levels. Additional details are provided in Appendix B.

4.0 CONCLUSIONS AND RECOMMENDATIONS

A summary of the primary site preparation, design, and construction considerations for the proposed project is provided below. The summary is presented for introductory purposes and should only be used in conjunction with the complete recommendations presented in this report.

- A Site Class E in accordance with the 2015 International Building Code (IBC) is appropriate for design.
- Portions of the saturated granular fill are slightly susceptible to liquefaction-induced settlement during a design-level earthquake with estimated 2 to 3 inches of post-seismic settlement following a large design-level earthquake. Lateral spreading varies from a few inches to more than 1 foot along the shoreline. Foundation recommendations provided in this report will mitigate for the seismic hazard.
- We recommend that foundation options be evaluated based on design loads and preliminary cost estimates. Feasible options include.
- Shallow spread footings or grade beams over ground improved soil.

- Structural mat foundation over ground improved soil.
- Pile foundations with ground improvement for lateral support.
- Slab-on-grade may be supported over ground improvement. Existing fill soils are not suitable for slab support.
- Stormwater infiltration is not feasible based on depth to groundwater and variable fine-grained fill material.
- Pavements are feasible with adequate subgrade preparation and pavement section based on intended use such as haul road or parking areas.
- We recommend that where fill is required for the west basin, it be placed as a preload at least 10 weeks in advance of starting hardscape or pavement construction to consolidate the compressible fill and transition soils.
- Existing fill soils in the north basin are not suitable for reuse as structural fill. Grade changes should be optimized to reduce import and export costs.
- Excavations into existing fill soils can generally be completed using conventional earthwork equipment. Although not encountered in our explorations, oversized materials including boulder and cobble sized particles and wood and other construction debris could be encountered in the fill. The contractor should be prepared to handle oversized debris in deeper excavations.
- Dewatering is anticipated to be limited to utility installation.

4.1. Seismic Design Considerations

4.1.1. Seismic Hazards

The Puget Sound region is a seismically active area. The 2018 IBC requires incorporation of structural and/or foundation considerations into the project to adequately mitigate effects of seismic shaking on the proposed structures. We evaluated the site for seismic hazards including liquefaction, lateral spreading, and fault rupture. Our evaluation indicates that some of the saturated fill soils at the site are susceptible to liquefaction as discussed in the following sections.

There is a fault mapped through the middle of the North Basin as shown in Figure 7. The fault is described as “unknown offset – identity and existence certain, location concealed” on the Washington Geologic Information Portal 1:100,000 scale map. Risk of surface rupture should be evaluated further depending on final selected locations of proposed structures in the North Basin area. The risk of fault rupture decreases for structures as the distance from the mapped fault increases. Therefore, the risk is lower for the West Basin.

4.1.2. 2015 International Building Code Seismic Design Information

We anticipate the project will be designed utilizing the 2018 IBC. The 2018 IBC references the 2016 Minimum Design Loads for Buildings and Other Structures (ASCE 7-16). Per ASCE 7-16 Section 11.4.8, a ground motion hazard analysis or site-specific response analysis is required to determine the design ground motions for structures on Site Class E sites with S_1 greater than or equal to 0.2g. For this project, the site is classified as Site Class E with an S_1 value of 0.417g; therefore, this provision applies. Alternatively, the parameters listed in Table 2 below may be used to determine the design ground motions if Exception 2 of Section 11.4.8 of ASCE 7-16 is used. Using this exception, the seismic response coefficient (C_s) is

determined by Equation (Eq.) (12.8-2) for values of $T \leq 1.15T_s$, and taken as equal to 1.5 times the value computed in accordance with either Eq. (12.8-3) for $T_L \geq T > 1.15T_s$ or Eq. (12.8-4) for $T > T_L$, where T represents the fundamental period of the structure and $T_s=0.71$ sec. If requested, we can complete a site-specific seismic response analysis which might provide reduced seismic demands from the parameters in Table 2 and the requirements for using Exception 2 of Section 11.4.8 in ASCE 7-16.

TABLE 2. MAPPED 2018 IBC SEISMIC DESIGN PARAMETERS

Seismic Design Parameters	Recommended Value ^{1, 2}
Site Class	E
Mapped Spectral Response Acceleration at Short Period (S_s)	1.122g
Mapped Spectral Response Acceleration at 1 Second Period (S_1)	0.398g
Site Modified Peak Ground Acceleration (PGA_M)	0.594g
Site Amplification Factor at 0.2 second period (F_a)	1.2
Site Amplification Factor at 1.0 second period (F_v)	2.4
Design Spectral Acceleration at 0.2 second period (S_{DS})	0.898g
Design Spectral Acceleration at 1.0 second period (S_{D1})	0.637g

Note:

¹ Parameters developed based on Latitude 48.513898° and Longitude -122.60954° using the ATC Hazards online tool.

² These values are only valid if the structural engineer utilizes Exception 2 of Section 11.4.8 (ASCE 7-16).

4.1.3. Liquefaction Potential

Liquefaction is a phenomenon where soils experience a rapid loss of internal strength as a consequence of strong ground shaking. Ground settlement, lateral spreading and/or sand boils may result from liquefaction. Structures supported on liquefied soils could suffer foundation settlement or lateral movement that could be severely damaging to the structures. Conditions favorable to liquefaction occur in loose to medium dense, clean to moderately silty sand that is below the groundwater level. Dense soils/bedrock or soils that exhibit cohesion (e.g. clay) are generally considered not to be susceptible to liquefaction.

The fill soils underlying the site include saturated loose to medium dense sand with variable silt content and were observed in the majority of the site explorations. The presence of the saturated, loose sandy soils underlying portions of the site creates a high liquefaction potential at this site.

The evaluation of liquefaction potential is complex and is dependent on numerous site parameters, including soil grain size, soil relative density, site geometry, static stresses, and the magnitude and ground acceleration of the design-level earthquake. Typically, the liquefaction potential of a site is evaluated by comparing the cyclic shear stress ratio (the ratio of the cyclic shear stress to the initial effective overburden stress) induced by an earthquake to the cyclic shear stress ratio required to cause liquefaction. The cyclic shear stress ratio required to cause liquefaction was estimated using an empirical procedure based on the in-situ static ground stresses, the data obtained from the borings, and a design earthquake with a moment magnitude of 7.28 and a peak horizontal ground acceleration of 0.42g. The design earthquake parameters were developed using published hazard maps associated with a maximum credible earthquake (MCE) event that has a 2 percent chance of exceedance in a 50-year period (2,475-year event) as required by IBC.

The subsurface data was evaluated in accordance with methodology presented in Youd and Idriss (2001). Our analysis indicates that portions of the saturated fill have a high potential for liquefaction during the design earthquake. Settlement for an MCE event is predicted to be on the order of 2 to 3 inches at the project site without mitigation. Settlement for a lower level event (LLE) that has a 10 percent probability of exceedance in 50 years (return period of 475 years) is estimated to be about half of the MCE event, or ½ to 1 inch.

4.1.4. Lateral Spreading

In addition to settlements, there is the possibility that lateral spreading of the soils could occur as a result of soil liquefaction. Lateral spreading involves lateral displacement of large, surficial blocks of non-liquefied soil, as well as the liquefied soil itself, as the underlying soil layer liquefies. Lateral spreading generally develops in areas where sloping ground is present or near a free face, such as the Cap Sante Marina. If liquefaction were to occur within the upper soils at the site, we anticipate that there would be a moderate potential for lateral spreading to occur, characterized by movement of the soils towards the marina. During a design earthquake, lateral spread displacements across the site are estimated to range from a few inches at upland portions of the east and west basin to over 1 foot near the marina, without mitigation.

4.1.5. Seismic Mitigation

In nearshore environments such as this site, a combination of overexcavation and replacement, ground improvement technologies, rigid grade-beam or mat foundations, and/or use of pile supported foundations will effectively mitigate the liquefaction seismic hazards.

The upper unsaturated fill soils will provide some separation between the foundations and the liquefaction zone, but may not be sufficient to preserve bearing capacity, especially for large/heavily loaded foundations. Additionally, ground subsidence of the site and surrounding area will likely occur as a result of a large design earthquake. The liquefaction risk can be fully mitigated by either (a) performing ground improvements such as vibroreplacement (stone columns) or (b) pile supporting the structure and implementing some level of ground improvement for lateral pile support especially along the shoreline. The vibroreplacement technique results in densifying the liquefiable sands, provides rigid stone columns for bearing support, and provides rapid drainage paths to dissipate pore pressures.

4.2. Foundation Support

The foundation conditions at the proposed event center were variable but generally included loose/soft fill and soft transition zone overlying hard glacially consolidated silt layer at approximately Elevation -4 to -7 feet. These soils would provide relatively low bearing capacity and be subject to post-construction settlement under static conditions. As previously described, seismic hazard/liquefaction can also result in loss of bearing capacity and additional settlement. Mitigation for these effects will likely require supporting the proposed Event Center on a pile foundation or performing ground improvement prior to construction of a shallow spread footing or mat foundation system.

We are not able to present specific foundation design conclusions and recommendations for the Event Center and other site structures because specific structure, foundation loading, or settlement tolerances have not been developed identified at this stage of design. A discussion of conceptual-level foundation design recommendations are provided in the following sections. Selection of a foundation alternative will require additional analysis, coordination and cost comparisons.

4.2.1. Shallow Foundations

Conventional shallow foundations are not recommended for use in areas of existing compressible and liquefiable fill and transition deposits without mitigation. If shallow foundations are used, they should be constructed directly overlying ground improved soils as discussed in Section 4.3. It is likely that this option will only be feasible for lightly loaded areas with short spans and may or may not require grade beams. Risk of differential settlement between footings and slab-on-grade should be considered evaluated in detail. Larger spans will have larger loads and footing sizes such that a mat foundation would likely be required to reduce bearing pressures, and control total and differential settlements. Allowable bearing pressures for ground improvement will depend on the type and spacing of the improvement; we expect allowable bearing pressures on the order of 3,000 to 4,000 pounds per square foot (psf) could be achieved based on previous experience.

A shallow grade beam foundation over ground improvement with an independent slab-on-grade would result in more conventional construction methods and flexibility of below-grade utilities. Risk of differential settlement after a seismic event could result in damage requiring repairs.

4.2.1.1. Mat Foundations

A mat foundation would be appropriate for structures supported on ground improved soils as discussed in Section 4.3. A mat foundation typically consists of a monolithic, thick concrete slab with multiple layers of steel reinforcement that serves to distribute the column loads and provide support of the lower floor. The purpose of a mat foundation is to tie the foundations into a rigid unit that will distribute foundation loads over a wider area and reduce differential settlement between individual foundation elements. In some instances, a mat foundation can be designed to “float” and bridge expected differential settlement resulting from variable magnitudes of static and liquefaction-induced settlement. The mat foundation is typically thick, 18 to 24 inches or more, with multiple layers of steel reinforcement. The mat foundation will require construction over a uniform subgrade, typically 12 to 24 inches of crushed rock.

Mat foundations require significant coordination during design and construction for below-grade utilities. Additionally, future alterations are difficult due to the thick reinforced concrete that functions as both the foundation and the slab.

4.2.2. Pile Foundations

Pile foundations transfer foundation loads through the compressible and loose/liquefiable soils where present to the hard glacially consolidated silt layer encountered at the site. Pile installation does not stabilize the ground below or around a pile-supported structure, so some settlement below and adjacent to the structure could occur such that the connections to surrounding infrastructure can be compromised during a large earthquake. The incremental increase in cost for a pile foundation relative to a shallow spread footing or mat foundation system can be significant because of the required grade beams and higher lateral load design requirements. We would expect that the bottom floor will also be a structural slab.

Since pile foundations would extend through the potentially liquefiable soils, new pile foundation design must include the effects of downdrag loads. New piles will offer some lateral resistance for the buildings to resist the effects of lateral spreading.

Several pile types would be appropriate at the site including driven steel pipe, driven grout, and augered cast-in-place (“augercast”) pile systems would be appropriate at the site. Driven open-ended steep pipe piles have the ability to confirm adequate bearing by monitoring installation resistance during driving, and do not generate soil cuttings which require disposal. Driven grout piles may also be feasible which would eliminate the need to handle and dispose of soil cuttings. Drilled augercast piles could be used to minimize noise and vibration which are likely considerations for permitting, and are often a cost-effective pile foundation option.

We completed preliminary axial pile capacity analyses based on our borings in the vicinity of the proposed Event Center. For planning and cost comparisons, we have provided the following preliminary pile capacity estimates:

- A 16-inch driven steel pipe pile embedded 5 to 10 feet into the bearing layer would have a capacity on the order of 150 kips.
- A 18-inch augercast pile embedded 10 feet into the hard bearing layer would have an estimated capacity on the order of 100 kips.
- A 18-inch driven grout pile will have an estimated capacity similar to the driven steel pipe pile but would not require handling and disposal of cuttings.

Lateral pile capacity will be a significant component of final design. For the larger structures, it will be necessary to use a sufficient number of piles to resist lateral loads, and/or ground improvement may be required to densify the soil around the piles to provide better lateral resistance during a seismic event.

4.3. Ground Improvement

In absence of pile foundations, ground improvement will likely be required for shallow foundation support of structures in areas of existing fill. The purpose of ground improvement at the site can be four-fold: (1) to improve foundation bearing capacity and reduce settlement under static conditions resulting from soil consolidation under newly imposed structural loads; (2) to reduce settlement resulting from liquefaction of loose saturated foundation soils; (3) to densify loose/soft soils under structures or waterward of structures to improve seismic stability and reduce deformation associated with lateral spreading; and (4) improve soils around pile foundations to provide additional lateral pile resistance.

Numerous methods of ground improvement are available such as vibroreplacement, Rammed Aggregate Piers® (RAPs), timber compaction piles, compaction grouting, soil mixing, deep dynamic compaction, wick drains, and blast densification. Some of these techniques are likely not suitable considering the location, high groundwater table and other factors. For this level of planning, we focused on two common waterfront ground improvement techniques, vibroreplacement and rigid inclusions, that mitigate liquefaction impacts and could be used to provide adequate foundation support for moderately loaded structures. GeoEngineers has successfully used both vibroreplacement and rigid inclusions on other waterfront projects throughout the Puget Sound.

4.3.1. Vibroreplacement Columns

Vibroreplacement columns include stone columns and proprietary systems like the rammed aggregate pier (RAP Geopier® Impact System) are common ground improvement techniques that could be designed to mitigate the seismic hazards at the site. Conventional shallow foundations for lighter low-rise structures

could be supported on the vibroreplacement columns directly, or, for heavily loaded structures, the columns could be used in combination with mat foundations or pile foundations. It may be beneficial and/or necessary to use a ground improvement technique to stiffen the bearing soils for lateral resistance around the pile foundations and/or resist lateral spreading. Vibroreplacement column techniques are typically one of the more cost-effective methods of ground improvement.

Construction of vibroreplacement columns (stone columns or RAPs) involves the displacement of loose/soft soils by installation of vertical columns of compacted stone; no soil cuttings need to be generated with these techniques. Typically, a hollow tube or probe is vibrated, or jetted into the ground to the desired depth for the columns. As the tube or probe is withdrawn, crushed stone is fed to the bottom of the hole and compacted. With RAPs below groundwater, a casing can be used to the bearing depth and then a mandrel is used to compact layers of stone. The end result is a column of dense stone which penetrates through the loose/soft unsuitable soil and is capable of transferring loads into the underlying competent soils. The presence of the column creates a composite material of lower overall compressibility and higher shear strength than the native soil alone. Confinement of the stone is provided by the lateral stress within the densified loose/soft soils. As loads are applied, the stone columns and soft soil move downward together, resulting in transfer of the majority of the load to the stone column.

Additional analyses of stone columns will be required during design to determine the specific amount of ground improvement (replacement ratio and depth) that will be necessary to meet the project needs. When soils are very soft or contain organics, sometimes the designer will include cement grouting in conjunction with the stone columns, due to low confining pressures. This type of ground improvement method is typically satisfactory to mitigate liquefaction and support structures that can then be designed using conventional shallow foundation and slab-on-grade techniques, or structures with mat foundations. A slightly higher allowable bearing pressure can oftentimes be used to help off-set some of the ground improvement costs.

At this site, we would expect the stone columns would extend through the liquefiable fill and transition zone to glacially consolidated soil. For preliminary estimating purposes, we recommend a design elevation of approximately -5 feet. Typically, the area in which stone columns are installed will extend at least 10 to 20 feet (one to two rows) laterally beyond the edges of buildings.

4.3.2. Rigid Inclusions

Rigid inclusions are another ground improvement technique that could be designed to mitigate the seismic hazards at the site. Rigid inclusions are formed by constructing unreinforced lean concrete piles beneath the shallow foundations, typically using the same equipment that installs augercast piles. This type of installation does generate soil cuttings, which may be an archaeological or environmental consideration. The intent of the rigid inclusions is to provide foundation bearing by transferring foundation loads to the underlying dense soil layer when the surrounding soil liquefies during a design earthquake event. Rigid inclusions could likely be used in the same areas as the stone columns; this technique typically results in lower postconstruction settlements and would be used for larger structures.

4.4. Slab-on-Grade Floor Support

The slab-on-grade with or without reinforcement may be supported on ground improvement. A load transfer layer of sand and gravel is common and may or may not include geotextile layers. In all cases, use of a typical capillary break layer below the slab, and sufficient drainage provisions are recommended.

4.5. Utilities

New and existing utilities will experience settlement from liquefaction, likely differential in nature between the ground improved soil under buildings or pile supported buildings and the surrounding soils. Therefore, we recommend critical and rigid utilities such as gas, water, sewer lines and drains be attached to the building via flexible fittings to allow for differential settlement between the building and the surrounding ground supporting the utilities. Also, we recommend that gas and water lines be equipped with automatic shutoff valves that are activated by ground shaking to reduce the potential for gas leaks or water leaks during an earthquake.

4.6. West Basin Site Grading and Settlement Considerations

At the time of this preliminary report, the planned finished grade elevation for the West Basin was approximately Elevation 16 feet. This will require fill placement ranging from less than ½ foot to approximately 4 feet mostly below future parking areas and partly below the proposed Event Center.

The existing fill and transition deposits underlying the project site include compressible silt, and other organic material that will experience settlement under the anticipated fill and structure foundation loads. We recommend that new fill in the West Basin area be placed early on in construction process as a preload. Preloading will significantly reduce postconstruction total and differential settlement and improve long-term pavement performance.

4.6.1. Preload Considerations

Placement of a preload fill at the site will result in elastic and consolidation-related settlement. The purpose of the preload fill is to induce a majority of the expected settlement from new fill placement prior to construction of pavement or hardscapes to improve performance. All fill should be placed and compacted as structural fill.

Based on our preliminary settlement analysis and experience in the project vicinity, we estimate the placement of up to 4 feet of new fill will result in about 2 to 3 inches of elastic and consolidation settlement in the West Basin, and the majority (90 percent) of the settlement should occur within about 2 to 3 months of fill placement. Similar settlement would occur in the North Basin; however, grades are not anticipated to be raised in this area. Based on our experience in the region with similar soil conditions, the settlement magnitude and duration will vary depending on the soil profile and site loading history. Accordingly, we recommend survey monitoring of the preload settlement as described below.

Organic material in the nearshore deposits will continue to decay overtime beyond the time period of the preload program, resulting in long-term secondary settlement. The evaluation of secondary settlement is complex and will depend on the exact thickness and composition of the organic material. For planning purposes, we anticipate that up to 1 inch of additional long-term, secondary settlement may occur during the lifetime of the proposed project as a result of organic decay.

4.6.2. Preload Settlement Monitoring

In order to evaluate the magnitude, rate, and effective time of completion for the preload settlements, we recommend survey monitoring prior to, during and following preload placement.

Settlement plates should be constructed on the prepared ground surface before placing fill on the site. We recommend GeoEngineers be retained to evaluate the settlement data and determine when it is appropriate to end the preload and begin final construction. For planning purposes, we recommend the fill be monitored during fill placement and for a minimum of 10 weeks after achieving full subgrade height, or until settlement marker observations indicate that consolidation of the underlying compressible strata is largely complete.

Additional recommendations for settlement monitoring can be prepared when a final grading plan has been developed.

4.7. North Basin Site Grading and Settlement Considerations

At the time of this preliminary report, it was undecided if the North Basin area would be regraded to a lower elevation. A significant consideration is the potential reuse of existing site soils as structural fill as part of grading for the West Basin. As discussed in more detail in Section 4.10.2, the existing fill soils in the North Basin are not suitable for reuse as structural fill. We have provided some additional considerations regarding grading for the North Basin:

- Based on the soils encountered, we recommend that site grading in the North Basin be optimized as much as possible. Soils excavated due to lowering site grades should be planned to be exported and imported structural fill will be required where site grades are raised.
- Based on the poor quality of existing fill and transition zone soils, placement of new fill will result in settlement of underlying soils. If new fill is placed, we should evaluate the magnitude of resulting settlement based on anticipated fill thickness. A preload will likely be appropriate as discussed in Sections 4.6.1 and 4.6.2 above for the West Basin.
- If existing grades are lowered at the north end of the north basin, the subgrade will be loose/soft and require overexcavation and/or geotextiles to provide adequate support for vehicles for proposed RV Park.

4.8. Stormwater Considerations

Infiltration will not be appropriate at this site because of the high groundwater table encountered 2.8 to 3.2 feet bgs in our monitoring wells, and variable fill consisting of mixed fine-grained soils. Stormwater requirements will need to be evaluated by a civil engineer when specific project elements are better defined. Some limited low impact development (LID) strategies such as rain gardens could be evaluated during design.

We recommend that the ground surface be sloped away from the buildings to the extent practical. Due to the poorly draining site conditions, we recommend that perimeter-footing drains be included around all buildings. The footing drains should be tightlined to the storm drain system or other suitable discharge point. All downspouts should also be tightlined away from the building foundation areas and should be discharged into a stormwater disposal system. Downspouts should not be connected to footing drains. Drainage systems should consider sea-level rise.

4.9. Pavement Considerations

We do not have specific design parameters (traffic data) to develop pavement sections. The owner can choose the pavement section based on the available capital budget for the project and desired pavement

performance. For the proposed new haul route pavement, based on recent experience in Anacortes near the project site, we recommend the following typical heavy pavement section for planning purposes:

- 5 to 6 inches of asphalt concrete pavement (ACP) per 2020 Washington State Department of Transportation (WSDOT) *Standard Specifications for Road, Bridge and Municipal Construction* (hereinafter referred to as WSDOT *Standard Specifications*);
- 6 inches of Crushed Surfacing Base Course (CSBC) per WSDOT *Standard Specifications* 9-03.9(3);
- 14 to 18 inches of sub-base course consisting of Gravel Base in accordance with WSDOT *Standard Specifications* 9-03.10; and
- placement of a woven geotextile over the subgrade with a minimum grab tensile strength (ASTM D 4632) of 200 pounds, such as Mirafi HP270 or equivalent. (Note: The subgrade should be compacted to a dense condition prior to placement of the geotextile fabric and gravel base.)

For planning purposes of new parking lot pavements and light traffic, we recommend the following:

- 2½ to 3 inches of ACP;
- 3 to 4 inches of CSBC;
- 8 to 12 inches of gravel base;
- placement of a woven geotextile over the subgrade.

4.10. Construction Considerations

As previously described, foundation construction will involve installation of piles or ground improvement to mitigate for liquefaction and lateral spreading. These foundation practices are common for buildings located in waterfront developments. Therefore, we conclude that construction for this project would be reasonably conventional.

4.10.1. Soil Excavation

We expect that any site development will likely consist of surface grading and ground improvement or piles. Excavations below present site grades will primarily be limited to installation of new utilities. Project excavations will largely be completed in existing fill soils. The native transition zone and, less likely, glacially consolidated deposits may also be encountered in deeper excavations. The site soils can be excavated with conventional equipment. Large debris can be present in uncontrolled fill, and cobbles and boulders can be encountered in the glacially consolidated soils. The clayey and silty fill soils are highly moisture sensitive and easily susceptible to disturbance by construction equipment during wet weather. The clay/silt fill soils will not support rubber-tired construction equipment during wet conditions. A gravel working surface should be anticipated to support construction equipment.

We did not observe visual evidence of contamination at the site based on the results of our explorations; however, the undocumented nature of the fill always represents a potential for random buried contamination. It may be necessary to perform some chemical testing for disposal of fill soils at the contractor's disposal site.

4.10.2. Suitability of On-site Soils for Reuse as Structural Fill

The on-site soils should generally be considered unsuitable for reuse as structural fill. Existing fill soils with high silt and clay contents are very moisture sensitive and can be difficult to compact to above 90 percent of the maximum dry density (MDD) even at or near their optimum moisture content. Granular silty sands with high moisture content are also difficult to compact to above 90 percent of the MDD without moisture conditions; therefore, soils with very high fines or moisture content should not be reused as structural fill.

The on-site near-surface soils observed in the explorations consists of highly variable uncontrolled fill soils. As discussed, much of the fill observed contains a high percentage of fine-grained soil and are highly moisture sensitive. As the fines content increases in these materials they become more sensitive to changes in moisture content and may not be suitable for use if placed during wet weather. Soils excavated from below the groundwater table have moisture contents well above optimum that will not be suitable for reuse as structural fill without moisture conditioning.

If significant quantities of granular sand and gravel soils above the groundwater are encountered during site excavation, these soils may be suitable for reuse but will require careful separation, moisture conditioning and testing during construction. For planning purposes, we recommend that import soils be used where structural fill is required for the project.

4.10.3. Structural fill Considerations

Materials used to support foundations, structures, and roadways and parking areas are classified as structural fill. Structural fill material quality varies depending upon its use. Based on very limited opportunity for reuse of onsite soils, the structural fill for the project will likely be imported to the site in most instances. Specific materials should generally conform to WSDOT Standard Specifications.

4.10.4. Temporary Slopes

The excavations necessary at the site are anticipated to be limited to general site grading and utility installation and will encounter mixed granular and clayey fill soils. Regardless of the soil type encountered in the excavation, either shoring, trench boxes, or sloped sidewalls will be required for excavations deeper than 4 feet under Washington State Administrative Code (WAC) 296-155, Part N. For planning purposes, the existing fill, is considered a "Type C" soil with a temporary slope at 1.5H:1V. Flatter slopes would be required in areas of seepage. Any excavations below groundwater would need to be dewatered for safety.

4.11. Dewatering Considerations

As previously discussed the groundwater elevation was encountered at approximately Elevation 8.6 to 11.2 feet, and could vary by several feet based on seasonal fluctuation during the winter months and tidal events. Dewatering is only anticipated for installation of new utilities, depending on the depth below groundwater.

Along with the tidal influence, the amount of dewatering necessary will be dependent upon the time of construction, length of time, size and depth of the excavation that will remain open, soil type and other factors. Where dewatering is required, we recommend that groundwater be drawn down at least 2 feet below the base of the excavation so that a suitably stable base is provided for construction. It is anticipated that dewatering at the site can likely be achieved by means of open pumping or wellpoints. A summary of these dewatering methods is provided below.

4.11.1. Open Pumping

This dewatering method involves removing water that has seeped into the excavation by pumping from a sump that has been excavated at one end of the excavation or trench (or a series of sumps along a trench). Drainage ditches that are connected to the sump are typically excavated along the sidewalls at the base of the excavation or trench. The excavation for the sump and the drainage ditches should be backfilled with appropriately sized material to serve as a filter to reduce the amount of erosion and associated sediment in the water pumped from the sump. In our experience, a slotted casing that is installed in the sump backfill provides a suitable housing for a submersible pump. Open pumping will likely be a suitable dewatering method for shallow excavations that encounter minimal groundwater.

The amount of water removed from the excavation by open pumping should be minimized because of high turbidity levels. Temporary storage of dewatering effluent from the sumps in a settlement tank or basin may be required to meet discharge permit requirements and reduce sediment content prior to discharging the water to surface water courses.

4.11.1. Wellpoints

Vacuum wellpoints are effective for dewatering most types of soils, whether pumping small amounts of water from silt or large quantities of water from coarse sand and gravel. The volume of water generated by a wellpoint system is typically less than the volume generated by a corresponding system of pumped wells because the wellpoints are generally completed at a shallower depth. Because of the shallower completion depth, the volume of aquifer that contributes water to a wellpoint system is less than for a comparable deep well system. Wellpoint systems are most suitable for dewatering excavations where the water table must be lowered no more than about 15 to 18 feet bgs or the header surface.

Depending on whether they are utilized for a specific below-grade structure or a linear trench, the wellpoints would likely need to be installed on 10-foot centers or less (typically 4 to 8 feet) to be effective and as close as possible to the edge of the excavation. The wellpoint screens should be appropriately filter packed to improve pumping efficiency and minimize the discharge of turbid water. Wellpoints must be sealed to a depth of at least 3 feet with hydrated bentonite chips forming a surface seal to encourage the development of a partial vacuum around each wellpoint. It has been our experience that the vacuum associated with well points also increases stability of the excavation sidewalls.

4.12. Recommended Additional Geotechnical Services

We recommend project specific geotechnical design studies for any future development within the north and west basin. The site has significant ground modification and complex geology such that the soil-structure interaction and building performance will need to be carefully considered during design in a collaborative effort by the architect, structural and geotechnical engineers.

The subsurface conditions at the site are adequately defined for this level of planning and pre-design effort. However, it may be appropriate to perform additional exploration for individual projects.

5.0 LIMITATIONS

We have prepared this report for use by the Port of Anacortes and members of the design team for use in design of the proposed Cap Sante Marina North and West Basin Upland Redevelopment project in Anacortes, Washington.

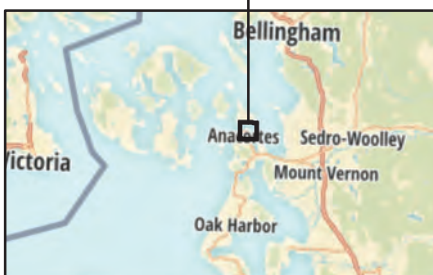
Within the limitations of scope, schedule and budget, our services have been executed in accordance with generally accepted practices in the field of geotechnical engineering in this area at the time this report was prepared. No warranty or other conditions, express or implied, should be understood.

Any electronic form, facsimile or hard copy of the original document (email, text, table, and/or figure), if provided, and any attachments are only a copy of the original document. The original document is stored by GeoEngineers, Inc. and will serve as the official document of record.

Please refer to Appendix C, "Report Limitations and Guidelines for Use," for additional information pertaining to use of this report.

6.0 REFERENCES

- American Society of Civil Engineers. 2016. "ASCE/SEI 7-16, Minimum Design Loads and Associated Criteria for Buildings and Other Structures."
- Bartlett, SF and TL Youd. 1992. "Empirical Analysis of Horizontal Ground Displacement Generated by Liquefaction-induced Lateral Spreads," Technical report NCEER-92-0021, National Center for Earthquake Engineering Research, State University of New York, Buffalo, pp. 5, 14-15.
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- Youd, T.L. and I.M. Idriss. 2001. "Liquefaction Resistance of Soils: Summary Report from the 1996 NCEER and 1998 NCEER/NSF Workshops on Evaluation of Liquefaction Resistance of Soils." ASCE Journal of Geotechnical and Geoenvironmental Engineering.



Vicinity Map

Cap Sante Marina North and West Basin
Upland Redevelopment Project
Anacortes, Washington



Figure 1

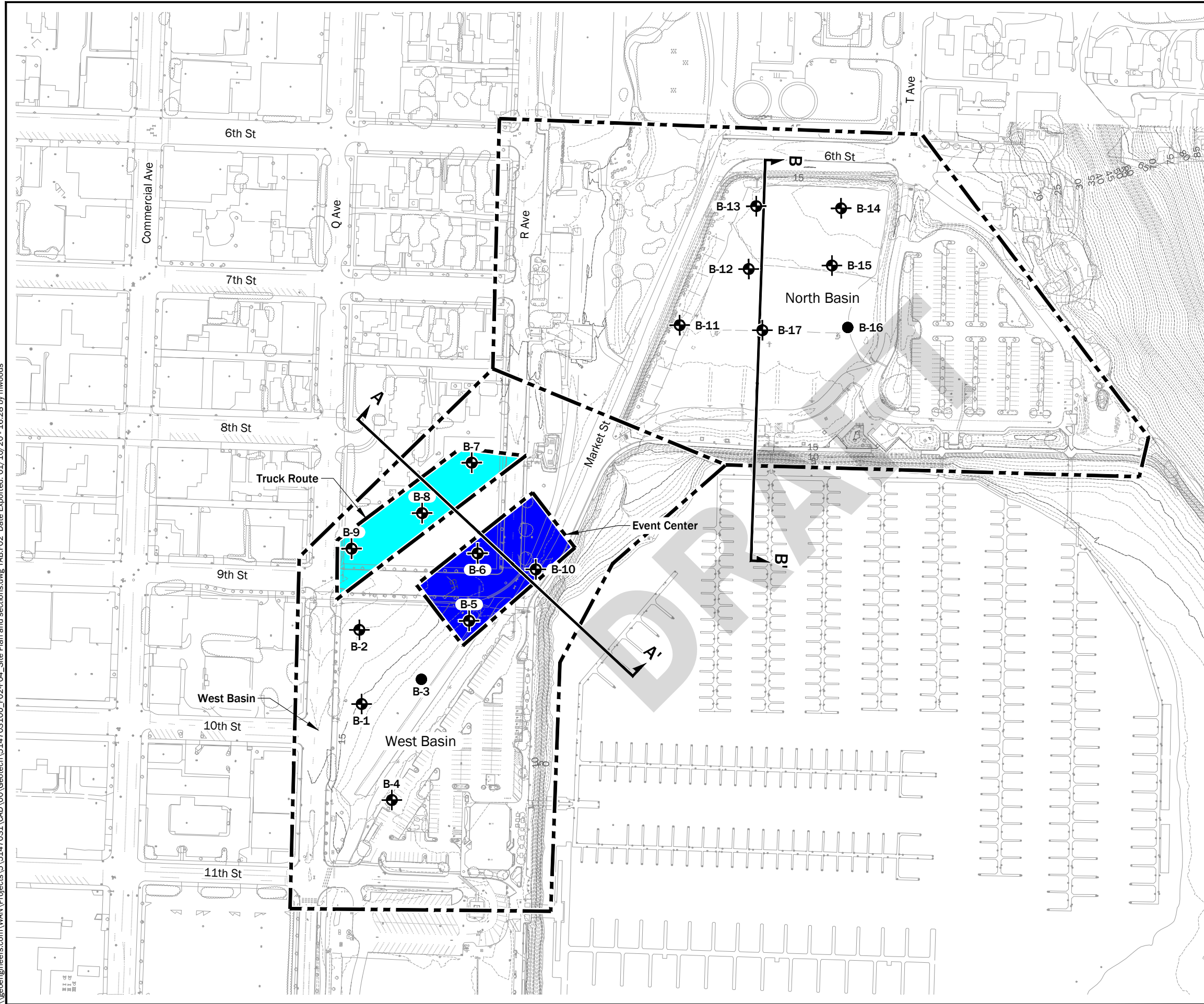
Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: Mapbox Open Street Map, 2016

Projection: NAD 1983 UTM Zone 10N

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Legend

B-1 Boring by GeoEngineers, Inc., 2019

B-3 Monitoring Well by GeoEngineers, Inc., 2019

Proposed Project Areas

A A' Cross Section Location

Notes:

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Data Source: Survey from Client dated 5/25/09.

Projection: NAD83 Washington State Planes, North Zone, US Foot

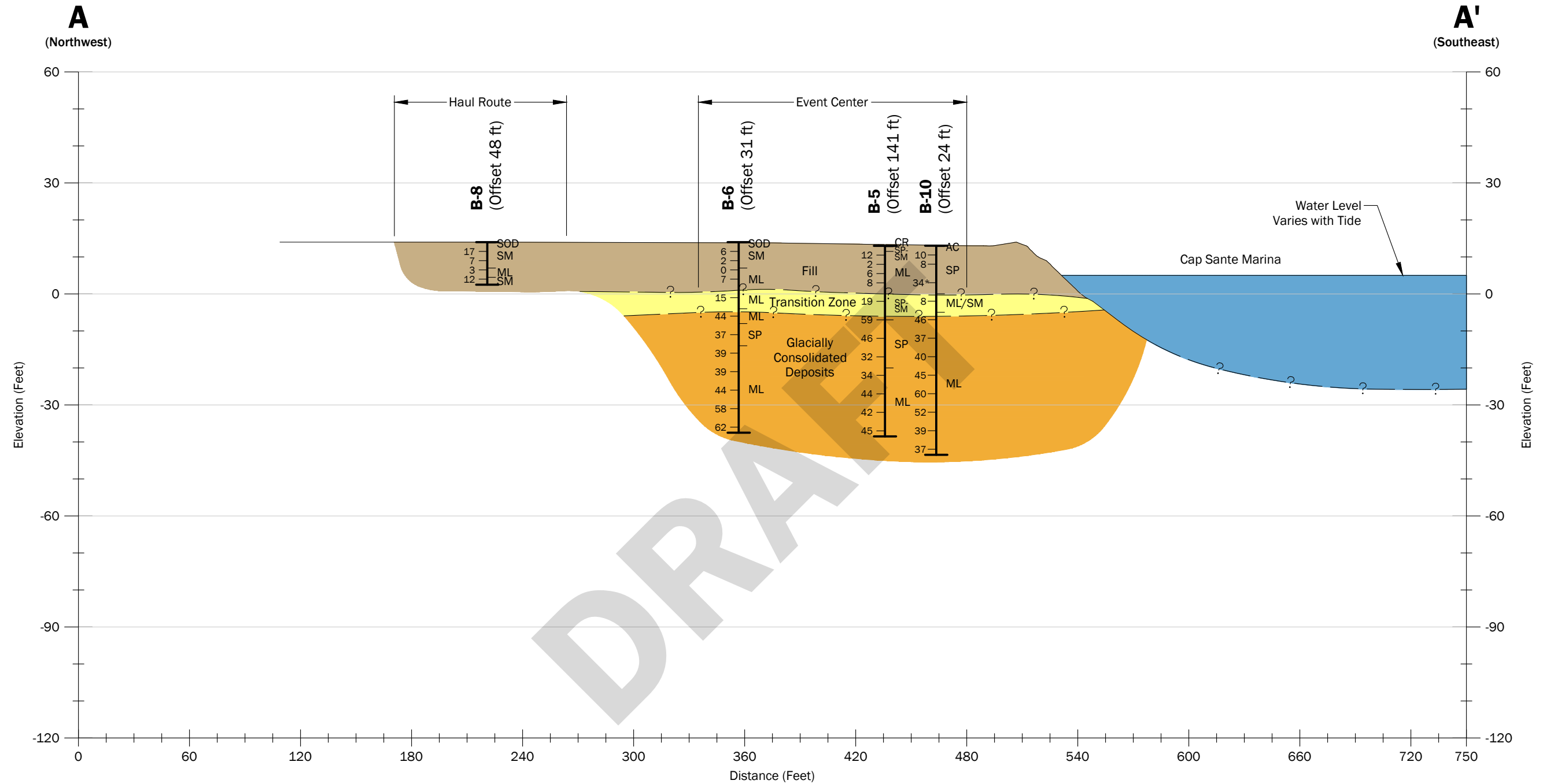
Site Exploration Plan

Cap Sante Marina North and West Basin
Upland Redevelopment Project

GEOENGINEERS

Figure 2

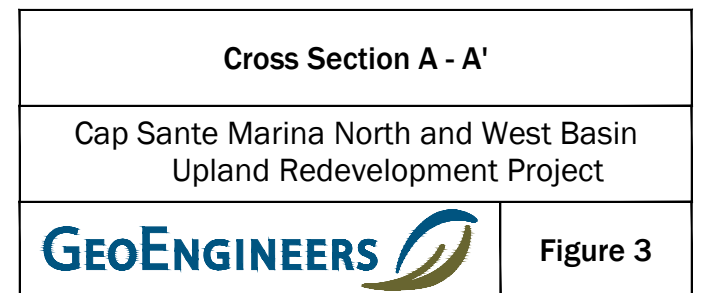
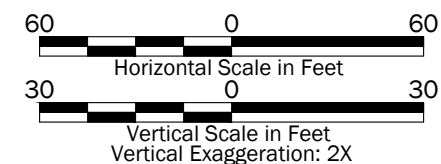
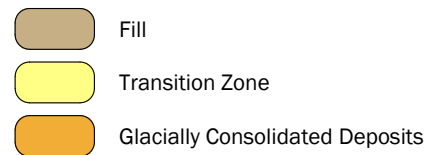
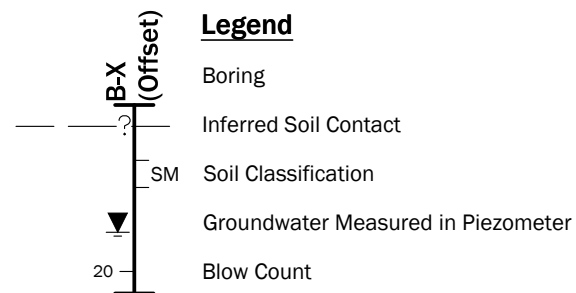
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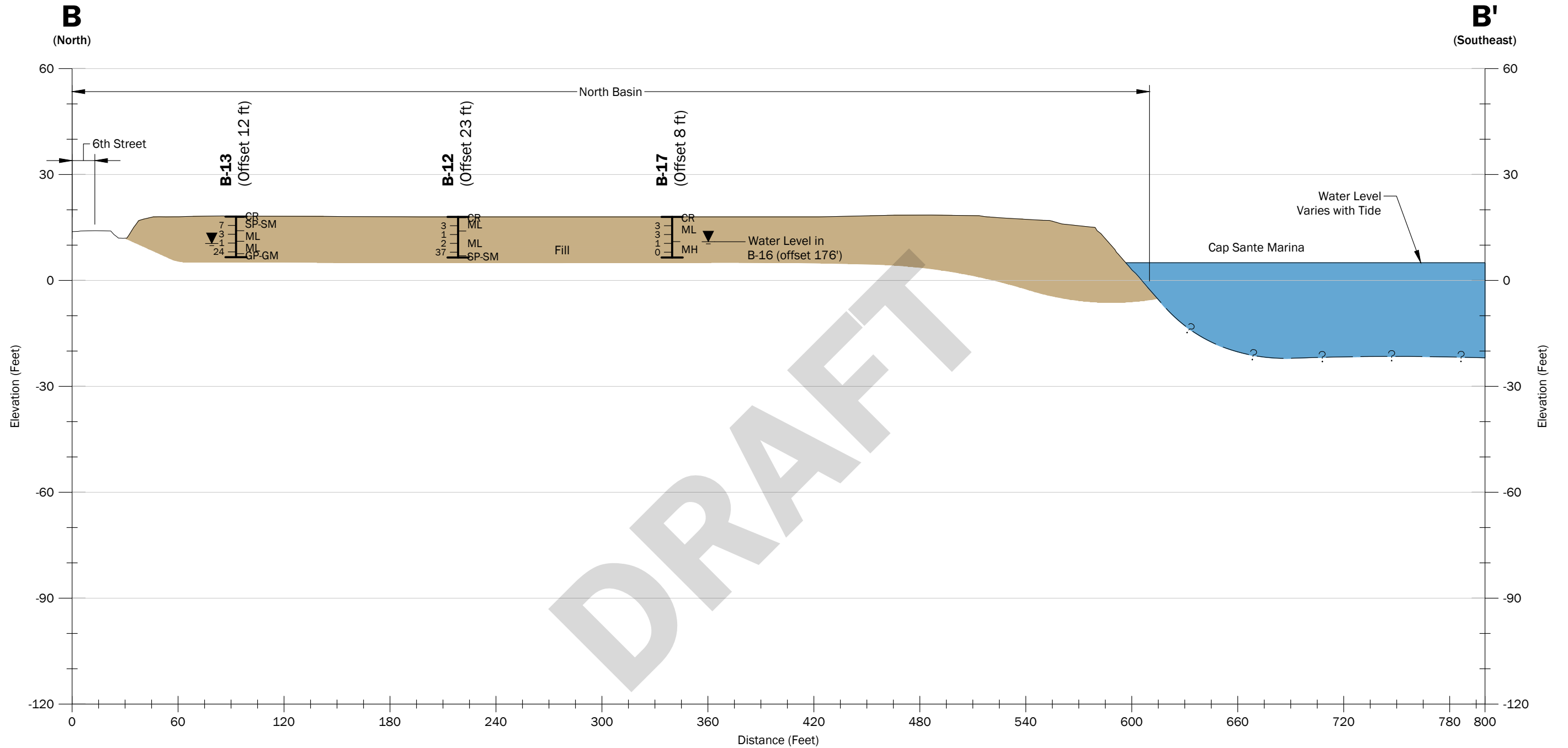
Notes:

1. The subsurface conditions shown are based on interpolation between widely spaced explorations and should be considered approximate; actual subsurface conditions may vary from those shown.
2. This figure is for informational purposes only. It is intended to assist in the identification of features discussed in a related document. Data were compiled from sources as listed in this figure. The data sources do not guarantee these data are accurate or complete. There may have been updates to the data since the publication of this figure. This figure is a copy of a master document. The hard copy is stored by GeoEngineers, Inc. and will serve as the official document of record.

Datum: NAVD 88, unless otherwise noted.



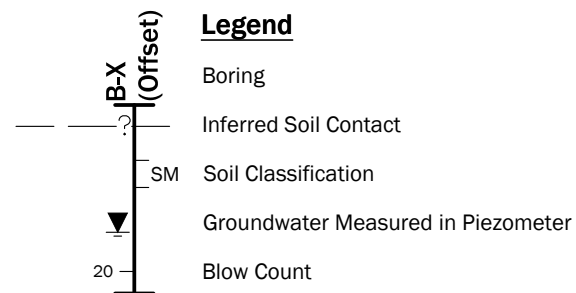
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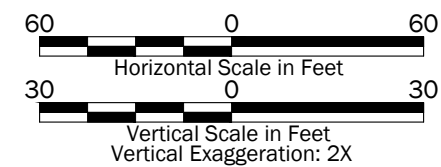
Notes:

1. The subsurface conditions shown are based on interpolation between widely spaced explorations and should be considered approximate; actual subsurface conditions may vary from those shown.
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Datum: NAVD 88, unless otherwise noted.

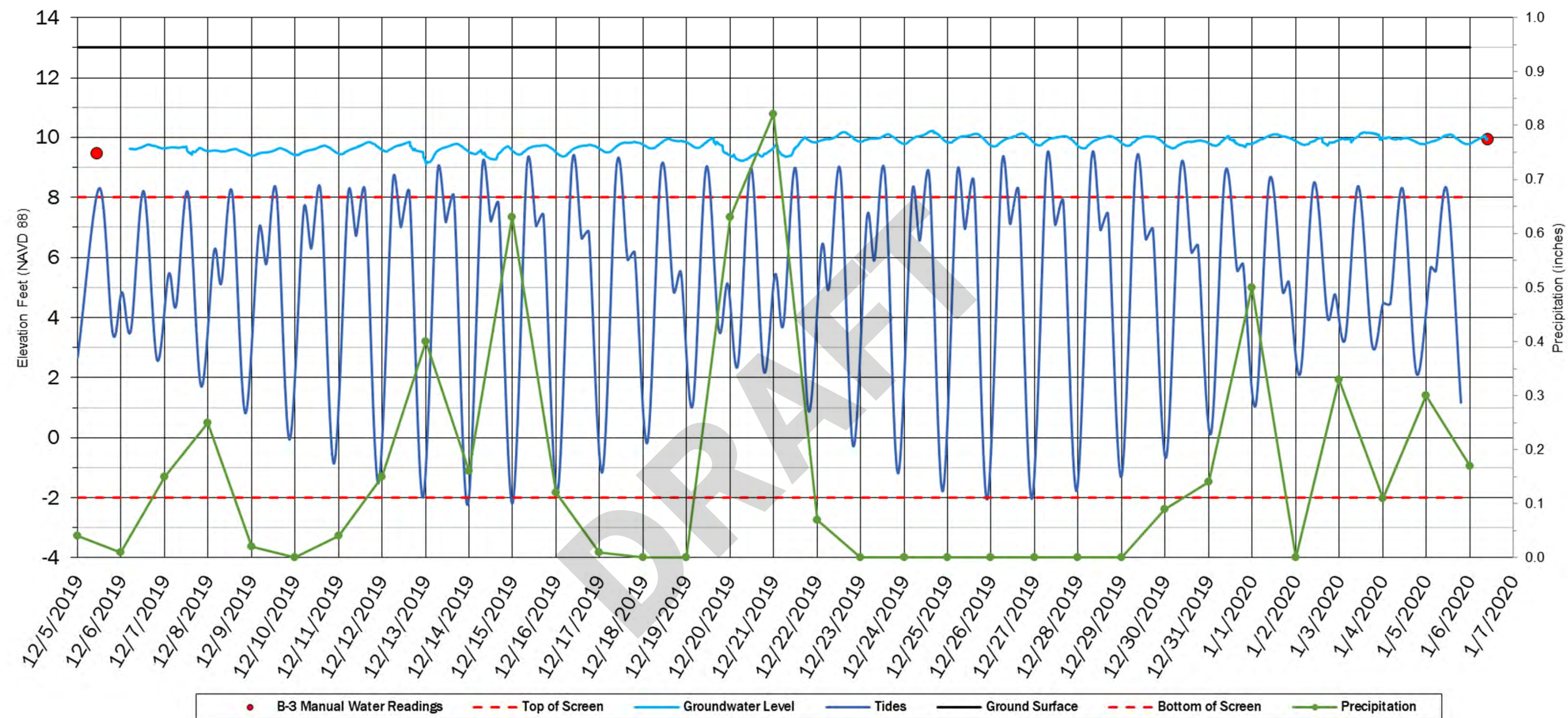


Fill



Cross Section B - B'	
Cap Sante Marina North and West Basin Upland Redevelopment Project	
GEOENGINEERS	Figure 4

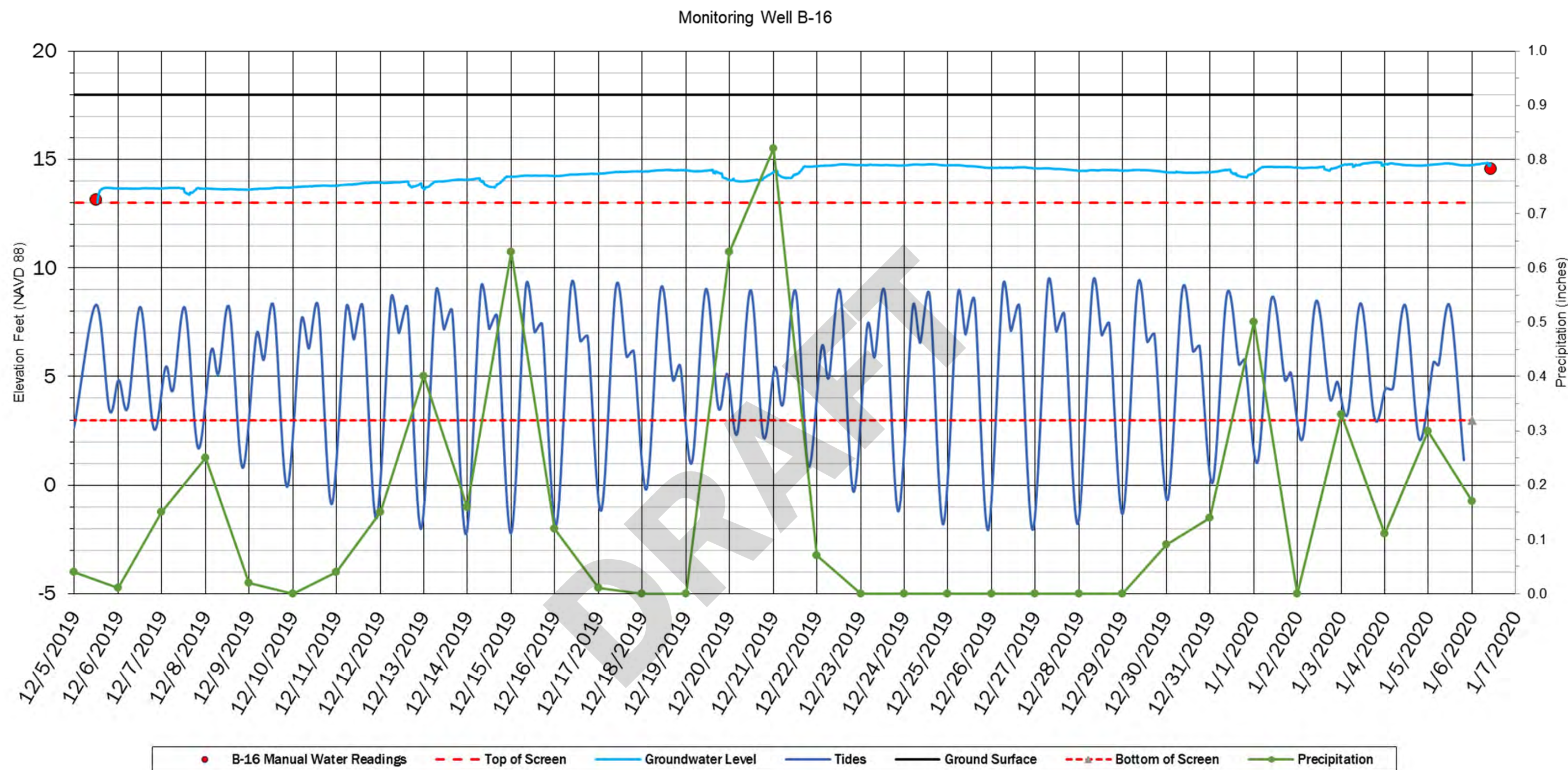
Monitoring Well B-3



Notes:

1. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Groundwater Monitoring Data B-3	
Cap Sante Marina North and West Basin Upland Redevelopment Project Anacortes, Washington	
	Figure 5



Notes:

1. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Groundwater Monitoring Data B-16	
Cap Sante Marina North and West Basin Upland Redevelopment Project Anacortes, Washington	
	Figure 6



Notes:

1. The locations of all features shown are approximate.

2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

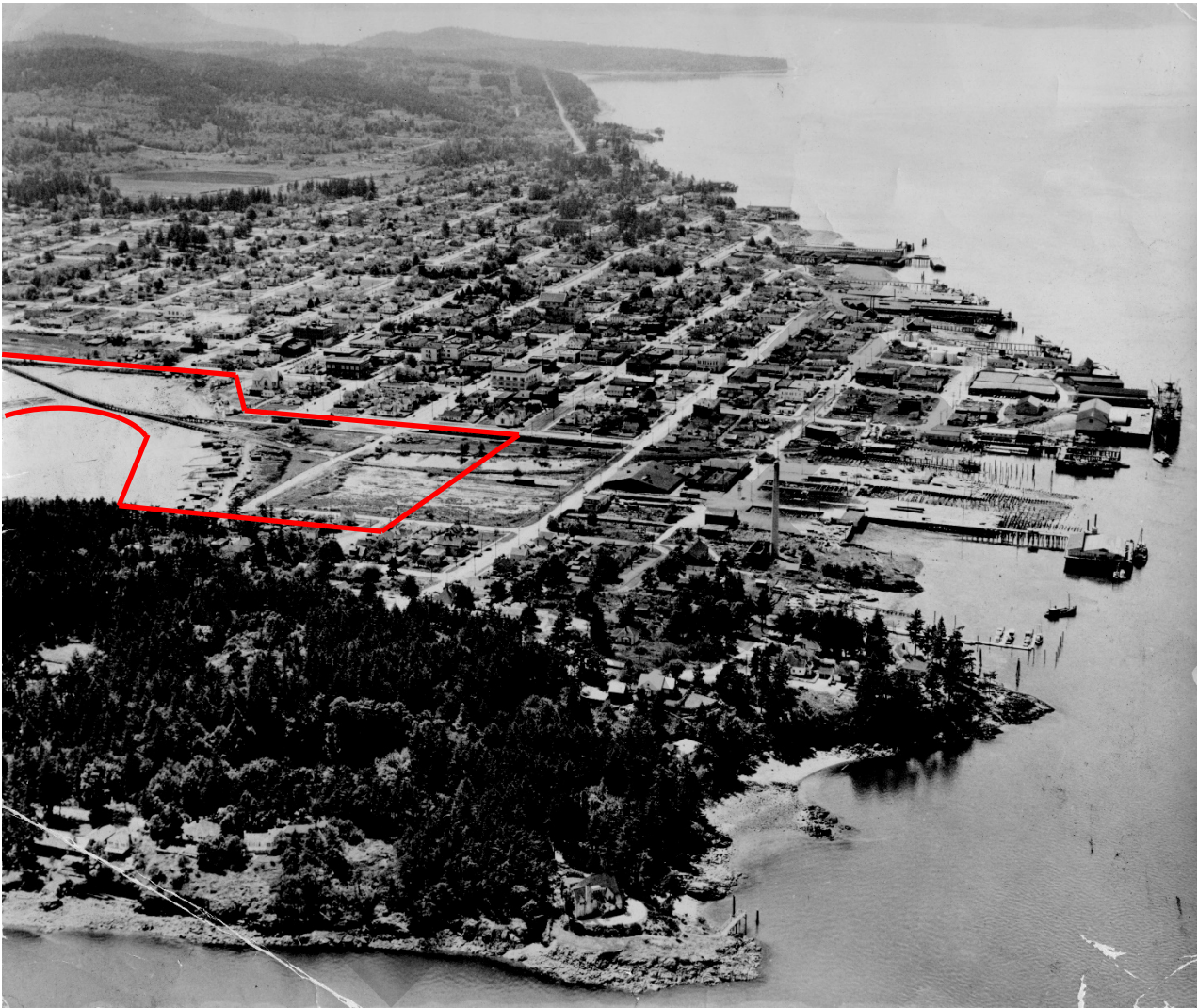
Data Source: Slope generated from North Puget Sound Lidar, 2017. Fault from Wa DNR 100K Geology. Liquefaction from Skagit County. Tsunami inundation area from NOAA and WDNr, June 2018, <https://www.dnr.wa.gov/programs-and-services/geology/geologic-hazards/geologic-hazard-maps#tsunami-inundation>

Projection: NAD 1983 StatePlane Washington North FIPS 4601 Feet

Legend

- Site Boundary
- Fault - Location Concealed
- Slope >35%
- High Liquefaction Susceptibility
- Generalized Tsunami Inundation Approximate Area

Geologic Hazards	
Cap Sante Marina North and West Basin Upland Redevelopment Project Anacortes, Washington	
	Figure 7



Facing West

Legend:

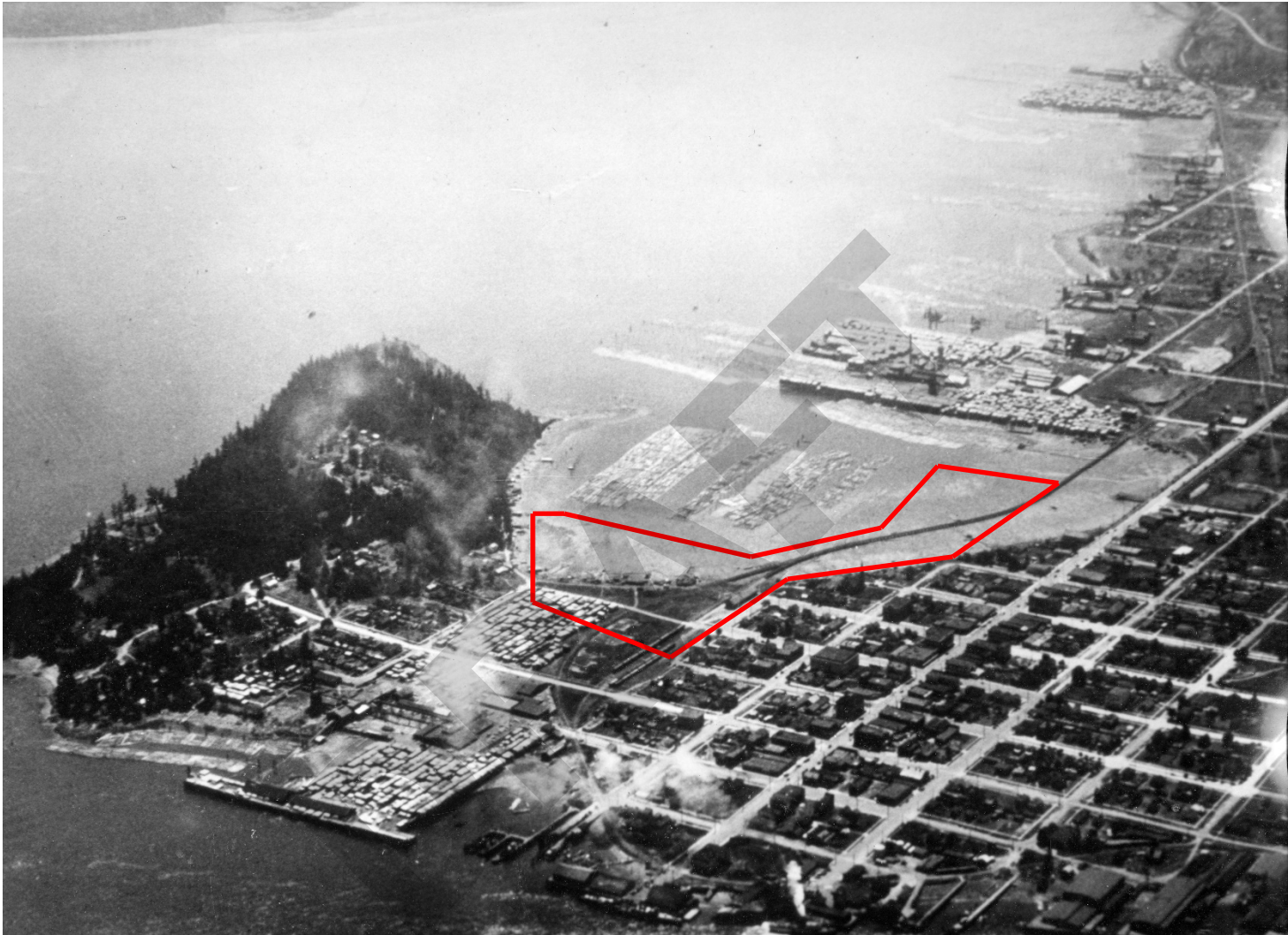
— Approximate project site boundary

Notes:

- 1. The locations of all features shown are approximate.
- 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: Photograph Courtesy of the Anacortes Museum. D.X.092 Anacortes aerial across Cap Sante to Ship Harbor, c. 1940

Historical Photographs	
Cap Sante Marina North and West Basin Upland Redevelopment Anacortes, Washington	
	Figure 8



Facing Southeast

Legend:

— Approximate project site boundary

Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: Photograph Courtesy of the Anacortes Museum. D.X.104 Aerial view of Cap Sante and Anacortes Business District.

Historical Photographs	
Cap Sante Marina North and West Basin Upland Redevelopment Anacortes, Washington	
	Figure 9



Aerial Photo

Legend:

— Approximate project site boundary

Notes:

- 1. The locations of all features shown are approximate.
- 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: Photograph Courtesy of the Anacortes Museum, Wallie Funk Collection. WF 5597.A, B – Aerial View of Morrison Mill, Cap Sante Marina.

Historical Photographs	
Cap Sante Marina North and West Basin Upland Redevelopment Anacortes, Washington	
	Figure 10

APPENDIX A
Field Explorations and Laboratory Testing

DRAFT

APPENDIX A

FIELD EXPLORATIONS AND LABORATORY TESTING

Field Explorations

GeoEngineers explored subsurface conditions at the site by completing 17 geotechnical borings on November 11 through 14, 2019. The borings were completed using a track-mounted drill rig subcontracted to GeoEngineers. The explorations were advanced using both hollow-stem auger and mud rotary drilling techniques. The approximate locations of the explorations are shown in the Site and Exploration Plan, Figure 2. The locations of the explorations were determined by recreational grade global positions system (GPS) in the field; therefore, the locations shown in Figure 2 should be considered approximate.

Soil samples from the borings were obtained using the Standard Penetration Test (SPT) method. This method involves driving a split spoon sampler a total of 18 inches using a 140-pound automatic hammer free falling 30 inches. Samples were also obtained using a 3.0-inch outside diameter modified California sampler driven into the soil with a 140-pound hammer free-falling 30 inches. For both sampler types, the number of blows required for each 6 inches of penetration was recorded. The number of blows required to drive the sampler the last 12 inches are recorded in the boring logs. The samples were placed in plastic bags to maintain the moisture content and transported back to our laboratory for analysis and testing.

The explorations were continuously monitored by a geological engineer or geologist from our firm who examined and classified the soils encountered, obtained representative soil samples, observed groundwater conditions and prepared a detailed log of each boring. Soils encountered were classified visually in general accordance with ASTM International (ASTM) D-2488-90, which is described in Figure A-1. An explanation of our boring log symbols is also shown in Figure A-1.

The boring logs are presented in Figures A-2 through A-18. The exploration logs are based on our interpretation of the field and laboratory data and indicate the various types of soils encountered. It also indicates the depths at which these soils or their characteristics change, although the change might actually be gradual. If the change occurred between samples in the boring, it was interpreted.

Laboratory Testing

Soil samples obtained from the borings were transported to our laboratory and examined to confirm or modify field classifications, as well as to evaluate index properties of the soil samples. Representative samples were selected for laboratory testing consisting of the determination of the moisture content, percent fines content, and sieve analysis. The tests were performed in general accordance with test methods of ASTM or other applicable procedures.

Moisture Content Testing

The natural moisture contents of selected soil samples obtained from the test pits were determined in general accordance with ASTM D 2216 test procedures. The results from the moisture content determinations are displayed in the column labeled "Moisture Content %" adjacent to the corresponding samples on the summary logs.

Percent Passing U.S. No. 200 Sieve

Selected samples were “washed” through the U.S. No. 200 mesh sieve to determine the relative percentage of coarse- and fine-grained particles in the soil. The percent passing value represents the percentage by weight of the sample finer than the U.S. No. 200 sieve. These tests were conducted in general accordance with ASTM D 1140. The results from the percent fines determinations are displayed in the column labeled “Fines Content (%)” adjacent to the corresponding samples on the summary exploration logs.

Sieve Analyses

Sieve analyses were performed on selected samples in general accordance with ASTM D 422 to determine the sample grain size distribution. The wet sieve analysis method was used to determine the percentage of soil greater than the U.S. No. 200 mesh sieve. The results of the sieve analyses were plotted, classified in general accordance with the Unified Soil Classification System (USCS), and are presented in Figure A-19.

Atterberg Limits

Atterberg limit tests were completed for two soil samples. The tests were used to classify the soil as well as to aid in evaluating index properties and consolidation characteristics of the fine-grained soil deposits. The liquid limit and the plastic limit were obtained in general accordance with ASTM D 4318. The results of the Atterberg limits are summarized in Figure A-20.

SOIL CLASSIFICATION CHART

MAJOR DIVISIONS			SYMBOLS		TYPICAL DESCRIPTIONS	
			GRAPH	LETTER		
COARSE GRAINED SOILS	GRAVEL AND GRAVELLY SOILS	CLEAN GRAVELS (LITTLE OR NO FINES)		GW	WELL-GRADED GRAVELS, GRAVEL - SAND MIXTURES	
		GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GP	POORLY-GRADED GRAVELS, GRAVEL - SAND MIXTURES	
		SAND AND SANDY SOILS	CLEAN SANDS (LITTLE OR NO FINES)		GM	SILTY GRAVELS, GRAVEL - SAND - SILT MIXTURES
			SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GC	CLAYEY GRAVELS, GRAVEL - SAND - CLAY MIXTURES
	MORE THAN 50% RETAINED ON NO. 200 SIEVE	SAND AND SANDY SOILS	CLEAN SANDS (LITTLE OR NO FINES)		SW	WELL-GRADED SANDS, GRAVELLY SANDS
			SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)		SP	POORLY-GRADED SANDS, GRAVELLY SAND
FINE GRAINED SOILS	SILTS AND CLAYS	LIQUID LIMIT LESS THAN 50		SM	SILTY SANDS, SAND - SILT MIXTURES	
				SC	CLAYEY SANDS, SAND - CLAY MIXTURES	
				ML	INORGANIC SILTS, ROCK FLOUR, CLAYEY SILTS WITH SLIGHT PLASTICITY	
	MORE THAN 50% PASSING NO. 200 SIEVE	SILTS AND CLAYS	LIQUID LIMIT GREATER THAN 50		CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
					OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
					MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS SILTY SOILS
HIGHLY ORGANIC SOILS				CH	INORGANIC CLAYS OF HIGH PLASTICITY	
				OH	ORGANIC CLAYS AND SILTS OF MEDIUM TO HIGH PLASTICITY	
				PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS	

NOTE: Multiple symbols are used to indicate borderline or dual soil classifications

Sampler Symbol Descriptions

	2.4-inch I.D. split barrel
	Standard Penetration Test (SPT)
	Shelby tube
	Piston
	Direct-Push
	Bulk or grab
	Continuous Coring

Blowcount is recorded for driven samplers as the number of blows required to advance sampler 12 inches (or distance noted). See exploration log for hammer weight and drop.

"P" indicates sampler pushed using the weight of the drill rig.

"WOH" indicates sampler pushed using the weight of the hammer.

NOTE: The reader must refer to the discussion in the report text and the logs of explorations for a proper understanding of subsurface conditions. Descriptions on the logs apply only at the specific exploration locations and at the time the explorations were made; they are not warranted to be representative of subsurface conditions at other locations or times.

ADDITIONAL MATERIAL SYMBOLS

SYMBOLS		TYPICAL DESCRIPTIONS
GRAPH	LETTER	
	AC	Asphalt Concrete
	CC	Cement Concrete
	CR	Crushed Rock/Quarry Spalls
	SOD	Sod/Forest Duff
	TS	Topsoil

Groundwater Contact



Measured groundwater level in exploration, well, or piezometer



Measured free product in well or piezometer

Graphic Log Contact



Distinct contact between soil strata



Approximate contact between soil strata

Material Description Contact



Contact between geologic units



Contact between soil of the same geologic unit

Laboratory / Field Tests

%F	Percent fines
%G	Percent gravel
AL	Atterberg limits
CA	Chemical analysis
CP	Laboratory compaction test
CS	Consolidation test
DD	Dry density
DS	Direct shear
HA	Hydrometer analysis
MC	Moisture content
MD	Moisture content and dry density
Mohs	Mohs hardness scale
OC	Organic content
PM	Permeability or hydraulic conductivity
PI	Plasticity index
PL	Point lead test
PP	Pocket penetrometer
SA	Sieve analysis
TX	Triaxial compression
UC	Unconfined compression
VS	Vane shear

Sheen Classification

NS	No Visible Sheen
SS	Slight Sheen
MS	Moderate Sheen
HS	Heavy Sheen

Key to Exploration Logs



Figure A-1

Start Drilled 11/11/2019	End 11/11/2019	Total Depth (ft) 11.5	Logged By Checked By NBD AJH	Driller Holocene Drilling, Inc.	Drilling Method Hollow-stem Auger
Surface Elevation (ft) Vertical Datum 15 NAVD88		Hammer Data Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment Diedrich D-50 Turbo Track Rig	
Easting (X) Northing (Y) 1209666 557381		System Datum WA State Plane North NAD83 (feet)		See "Remarks" section for groundwater observed	
Notes:					

Elevation (feet)	FIELD DATA					MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample	Sample Name Testing				
0		6			1	Gray fine to coarse sand with gravel (medium dense, moist) (fill)			
		4	8		2 %F		5	6	
5		18	3		3 MC	Gray clay with occasional sand and gravel, 1- to 2-inch layer of black clay (soft, moist)	34		
		2	11		4	Gray sandy gravel with organic matter and plastic debris (loose to medium dense, wet)			Groundwater observed at 7½ feet at time of drilling
10		4	7		5 MC	Gray-black clay with gravel and occasional sand with shell fragments and woody debris (2- to 3-inch layer of wood) (medium stiff, wet)	44		

Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-1



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-2
Sheet 1 of 1

Start Drilled	11/11/2019	End 11/12/2019	Total Depth (ft)	101.5	Logged By Checked By	NBD AJH	Driller	Holocene Drilling, Inc.	Drilling Method	Mud Rotary
Surface Elevation (ft) Vertical Datum	17 NAVD88				Hammer Data	Autohammer 140 (lbs) / 30 (in) Drop			Drilling Equipment	Diedrich D-50 Turbo Track Rig
Easting (X) Northing (Y)	1209662 557529				System Datum	WA State Plane North NAD83 (feet)			See "Remarks" section for groundwater observed	
Notes:										

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
0	6			1		GP-GW	4 to 6 inches gravel surfacing			
15	2	9		2 MC		CL	Brown clay with gravel and organic matter (medium stiff, wet) (fill)	72		
5	1	4		3 MC			Becomes with occasional sand, soft and increased organic content	231		
10	6	3		4 MC		GM	Gray gravel with silty clay, shell fragments and occasional sand (plastic) (loose, wet)	25		Groundwater observed at 7½ feet at time of drilling
10	6	2		5 %F				25	18	
15	12	30		6 MC		CL	Gray clay with sand, shell fragments and occasional gravel very stiff, wet) (transition zone)	29		
20		37		7						
25		49		8 MC		ML	Gray sandy silt with clayey fine to medium sand (very stiff, wet) (glacially consolidated deposits)	25		
30		26		9 MC				29		
35										

Note: See Figure A-1 for explanation of symbols.

Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-2



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-3
Sheet 1 of 3

Date: 1/10/20 Path: \\GEOENGINEERS.COM\WAN\PROJECTS\5147\031\GINT\5147\031\00.GPJ DBLibrary\Library\GEOENGINEERS_DF_STD_US_JUNE_2017.GLB\GEB8_GEOTECH_STANDARD_SF_NO_GW

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
35										
38			38	10 MC				27		
40			34	11 MC		ML	Gray sandy silt (hard, moist)	33		
45			48	12 MC				32		
50			42	13 MC				37		
55			52	14 MC				32		
60			49	15 MC				27		
65			51	16 MC				35		
70			59	17 MC				29		
75			54	18 %F				33	97	

Log of Boring B-2 (continued)



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
 Project Location: Anacortes, Washington
 Project Number: 5147-031-00

Figure A-3
 Sheet 2 of 3

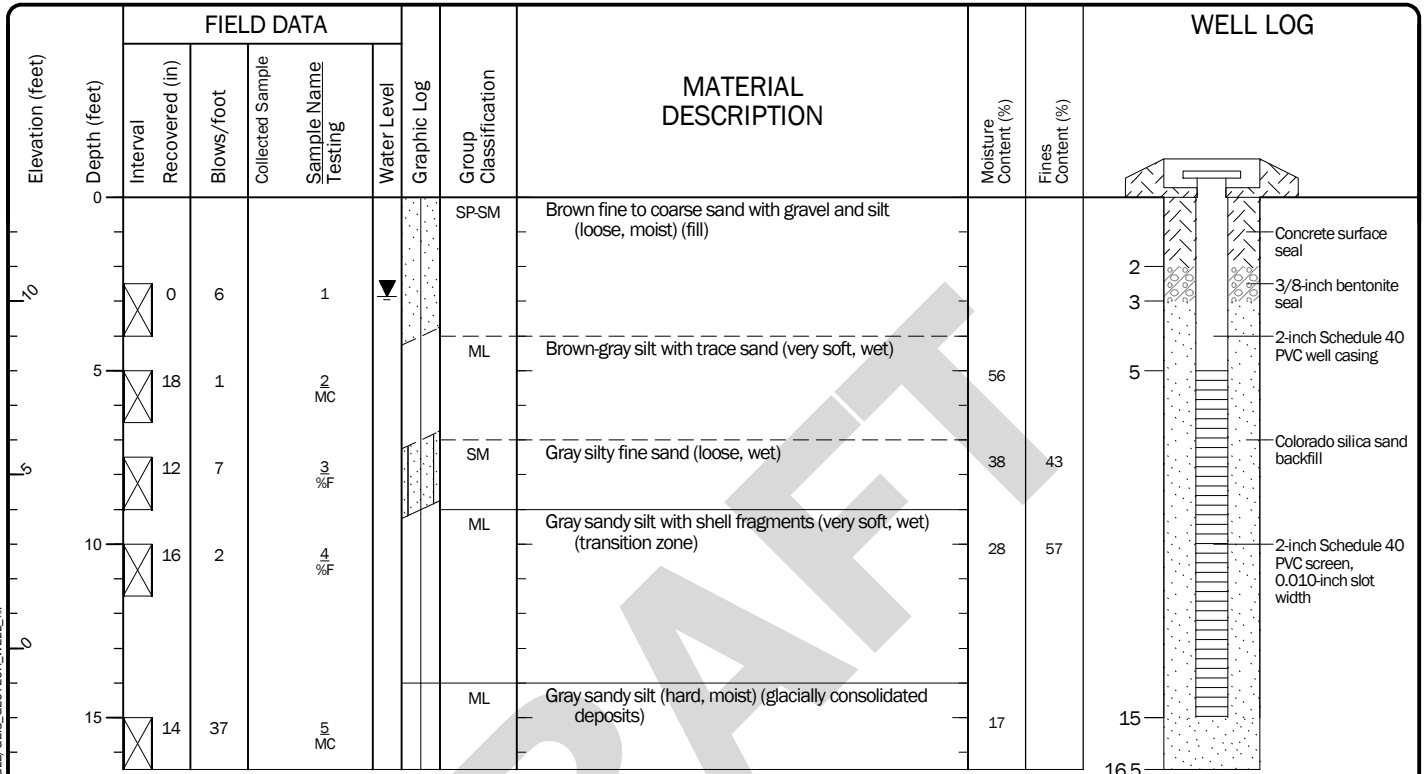
Elevation (feet)	FIELD DATA					MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Interval	Recovered (in)	Blows/foot	Collected Sample	Sample Name Testing				
80			65		19 MC		27		
85			66		20 MC		27		
90			53		21 MC	Increased plasticity (stickier)	27		
95			67		22 MC		20		
100			89		23 MC		27		

Log of Boring B-2 (continued)



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project Project Location: Anacortes, Washington Project Number: 5147-031-00	Figure A-3 Sheet 3 of 3
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Start Drilled 11/13/2019		End 11/13/2019		Total Depth (ft)	16.5	Logged By Checked By	EAW AJH	Driller	Holocene Drilling, Inc.	Drilling Method	Hollow-stem Auger		
Hammer Data		Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment		Diedrich D-50 Turbo Track Rig		DOE Well I.D.: BLU266 A 2-in well was installed on 11/13/2019 to a depth of 15 ft.					
Surface Elevation (ft) Vertical Datum		13 NAVD88		Top of Casing Elevation (ft)		12.80		Groundwater Date Measured					
Easting (X) Northing (Y)		1209786 557431		Horizontal Datum		WA State Plane North NAD83 (feet)		1/6/2020		Depth to Water (ft)	2.86	Elevation (ft)	9.94
Notes:													



Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring with Monitoring Well B-3



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-4
Sheet 1 of 1

Start Drilled 11/13/2019	End 11/13/2019	Total Depth (ft) 11.5	Logged By Checked By EAW AJH	Driller Holocene Drilling, Inc.	Drilling Method Hollow-stem Auger
Surface Elevation (ft) Vertical Datum 14 NAVD88			Hammer Data Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment Diedrich D-50 Turbo Track Rig
Easting (X) Northing (Y) 1209727 557190			System Datum WA State Plane North NAD83 (feet)		See "Remarks" section for groundwater observed
Notes:					

Elevation (feet)	FIELD DATA				Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Interval Depth (feet)	Recovered (in)	Blows/foot	Collected Sample Sample Name Testing					
0					AC	Approximately 2½ inches asphalt concrete			
					GW/GP	Approximately 4 inches brown gravel with sand and silt / (dense, moist) (gravel base/fill)			
					ML	Gray brown silt with trace sand (medium stiff, moist) (fill)	63		
5						Becomes soft to very soft	70		
					SPSM	Gray fine to coarse sand with gravel and silt (medium dense, wet)			Groundwater observed at 6½ feet during drilling Driller indicated gravelly conditions during drilling
10						Grades to very loose	14	6	California sampler

Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-4



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-5
Sheet 1 of 1

Start Drilled	11/12/2019	End 11/12/2019	Total Depth (ft)	51.5	Logged By Checked By	EAW AJH	Driller	Holocene Drilling, Inc.	Drilling Method	Mud Rotary
Surface Elevation (ft) Vertical Datum	13 NAVD88				Hammer Data	Autohammer 140 (lbs) / 30 (in) Drop			Drilling Equipment	Diedrich D-50 Turbo Track Rig
Easting (X) Northing (Y)	1209881 557547				System Datum	WA State Plane North NAD83 (feet)			See "Remarks" section for groundwater observed	
Notes:										

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
0						CR	Approximately 3 inches crushed rock			
						SP-SM	Gray and brown fine to coarse sand with gravel and silt (dense, moist) (fill)			
						ML	Brown and gray silt with sand (stiff, moist)	17		
5		6	12	1		MC				
		0	2	2			Becomes very soft to soft			
5		6	6	3		%F	Becomes medium stiff, wet	36	29	Groundwater observed at 7½ feet at time of drilling
10		0	8	4						
15		6	19	5		SA	Gray fine to medium sand with silt to silty sand (medium dense, wet) (transition zone)	25	15	Chatter during drilling indicated small gravel layers at intervals approximately 1 to 3 feet apart
20		18	59	6		SA	Gray silty fine to medium sand (very dense, wet) (glacially consolidated deposits)	22	30	
25		18	46	7		MC	Grades to dense	24		
30		18	32	8		MC		27		
35						ML	Gray silt with sand (hard, wet)			

Note: See Figure A-1 for explanation of symbols.

Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-5



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-6
Sheet 1 of 2

Date: 1/10/20 Path: \\GEOENGINEERS.COM\WAN\PROJECTS\5147\031\GINT\5147\031\00.GPJ DBLibrary\Library\GEOENGINEERS_DF_STD_US_JUNE_2017.GLB\GEB8_GEO TECH_STANDARD_SF_NO_0W

Elevation (feet)	FIELD DATA					MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample	Sample Name Testing				
35		18	34		9 MC		31		
30		18	44		10 AL		30		AL (LL = 23, PI = 3)
35		18	42		11 MC		26		
50		18	45		12 MC		31		

Log of Boring B-5 (continued)



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
 Project Location: Anacortes, Washington
 Project Number: 5147-031-00

Figure A-6
 Sheet 2 of 2

Start Drilled 11/13/2019	End 11/13/2019	Total Depth (ft) 51.5	Logged By Checked By EAW AJH	Driller Holocene Drilling, Inc.	Drilling Method Mud Rotary
Surface Elevation (ft) Vertical Datum 14 NAVD88		Hammer Data Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment Diedrich D-50 Turbo Track Rig	
Easting (X) Northing (Y) 1209898 557682		System Datum WA State Plane North NAD83 (feet)		See "Remarks" section for groundwater observed	
Notes:					

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
0						SOD	Approximately 3 inches sod			
						SM	Brown silty fine to coarse sand with gravel (loose, moist) (fill)			
5		4	6	1			Grades to very loose			
		0	2	2						
		0	0	3		ML	Gray silt with sand and shell fragments (very soft, wet)			
							Grades to medium stiff			
10		6	7	4 MC				42		
						ML	Gray silt (stiff, wet) (transition zone)			
15		8	15	5 %F				31	84	
						ML	Gray silt interbedded with gray fine sand with silt (hard, wet) (glacially consolidated deposits)			
20		18	44	6 %F				29	81	
						SP-SM	Gray fine to medium sand with silt (dense, wet)			
25		18	37	7 SA				22	6	
						ML	Gray sandy silt (hard, wet)			
30		18	39	8 MC				26		
35										

Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-6



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-7
Sheet 1 of 2

Elevation (feet)	FIELD DATA					Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample	Sample Name Testing						
35		18	39		9 MC				29		
40		18	44		10 %F				31	92	
45		18	58		11 %F				27	96	
50		18	62		12 %F				27	87	

Log of Boring B-6 (continued)



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
 Project Location: Anacortes, Washington
 Project Number: 5147-031-00

Figure A-7
Sheet 2 of 2

Start Drilled	11/13/2019	End 11/13/2019	Total Depth (ft)	11.5	Logged By Checked By	EAW AJH	Driller	Holocene Drilling, Inc.	Drilling Method	Hollow-stem Auger
Surface Elevation (ft) Vertical Datum	14 NAVD88				Hammer Data	Autohammer 140 (lbs) / 30 (in) Drop			Drilling Equipment	Diedrich D-50 Turbo Track Rig
Easting (X) Northing (Y)	1209886 557863				System Datum	WA State Plane North NAD83 (feet)			Groundwater not observed at time of exploration	
Notes:										

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
0						SOD	Approximately 3 inches sod			
						GP	Gray and brown gravel with sand, silt and debris (tiny brick or concrete fragments and whole large brick pieces) (loose to medium dense, moist) (fill)			Heavy chatter from rig at approximately 6 inches, whole brick in cuttings *Blow counts overstated
5		4	15*	1						
						SM	Gray brown silty fine to coarse sand with gravel (loose, moist)	21		
		4	5	2						
		2	26*	3						
10		12	2	4		ML	Dark gray silt with sand and trace organic matter (decayed small wood fragments) (soft, moist)	55		*Rock in shoe; blow counts overstated due to gravel

Note: See Figure A-1 for explanation of symbols.

Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-7



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-8
Sheet 1 of 1

Start Drilled 11/13/2019	End 11/13/2019	Total Depth (ft) 11.5	Logged By Checked By EAW AJH	Driller Holocene Drilling, Inc.	Drilling Method Hollow-stem Auger
Surface Elevation (ft) Vertical Datum 14 NAVD88		Hammer Data Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment Diedrich D-50 Turbo Track Rig	
Easting (X) Northing (Y) 1209787 557762		System Datum WA State Plane North NAD83 (feet)		Groundwater not observed at time of exploration	
Notes:					

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
0						SOD	Approximately 3 inches sod			
						SM	Dark brown silty fine to coarse sand with gravel (medium dense, moist) (fill)	11		
10		10	17	1 MC						
5		14	7	2 MC			Becomes loose	27		
		18	3	3 MC		ML	Brown silt with sand and organic matter (soft, moist)	71		
10		18	12	4 MC		SM	Gray silty fine to medium sand with shell fragments and layers of decayed organic matter (approximately 1/2 inch thick) (medium dense, moist)	60		

Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-8



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-9
Sheet 1 of 1

Start Drilled 11/11/2019	End 11/11/2019	Total Depth (ft) 11.5	Logged By Checked By NBD AJH	Driller Holocene Drilling, Inc.	Drilling Method Hollow-stem Auger
Surface Elevation (ft) Vertical Datum 14 NAVD88		Hammer Data Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment Diedrich D-50 Turbo Track Rig	
Easting (X) Northing (Y) 1209646 557691		System Datum WA State Plane North NAD83 (feet)		Groundwater not observed at time of exploration	
Notes:					

Elevation (feet)	FIELD DATA					MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample	Sample Name Testing				
0		6			1	SOD 3 inches sod			
						SM Gray silty fine to coarse sand with occasional gravel (medium dense, moist)	31		
5		6	14		2 MC				
						CL Brown clay with rootlets (medium stiff, moist)	27		
		8	8		3 MC				
							50		
		8	8		4 MC				
10		8	49*		5	SM 1- to 2-inch layer of broken rock/gravel Gray silty sand with gravel and clay and broken rock/cobble fragments (medium dense, moist)			*Blowcounts overstated due to rocks/gravel

Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-9



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-10
Sheet 1 of 1

Start Drilled	11/12/2019	End 11/12/2019	Total Depth (ft)	56.5	Logged By Checked By	EAW AJH	Driller	Holocene Drilling, Inc.	Drilling Method	Mud Rotary
Surface Elevation (ft) Vertical Datum	13 NAVD88				Hammer Data	Autohammer 140 (lbs) / 30 (in) Drop			Drilling Equipment	Diedrich D-50 Turbo Track Rig
Easting (X) Northing (Y)	1210014 557650				System Datum	WA State Plane North NAD83 (feet)			See "Remarks" section for groundwater observed	
Notes:										

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
0						AC	Approximately 3 inches asphalt concrete			
10		4	10	1		SP	Brown fine to medium sand with gravel and angular cobbles (spalls) (dense, moist) (fill)			
5		3	8	2						
10		0	34*	3			Becomes wet			
15		8	8	4		ML/SM	Gray silt with sand and shell fragments interbedded with silty fine sand (medium stiff/loose, wet) (transition zone)			
20		12	46	5 %F		ML	Gray silt with sand (hard, wet) (glacially consolidated deposits)	25	64	
25		18	37	6 MC				33		
30		18	40	7 MC				30		

Note: See Figure A-1 for explanation of symbols.

Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-10



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-11
Sheet 1 of 2

Date: 1/10/20 Path: \\GEOENGINEERS.COM\WAN\PROJECTS\5147\031\GINT\5147\031\00.GPJ DBLibrary\Library\GEOENGINEERS_DF_STD_US_JUNE_2017.GLB\GEB8_GEO TECH_STANDARD_SF_NO_0W

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
35		18	45	8 %F				29	97	
30		18	60	9 MC				31		
35		8	52	10 MC				27		
40		18	39	11 MC				33		
45		18	37	12 %F				29	93	

Log of Boring B-10 (continued)



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
 Project Location: Anacortes, Washington
 Project Number: 5147-031-00

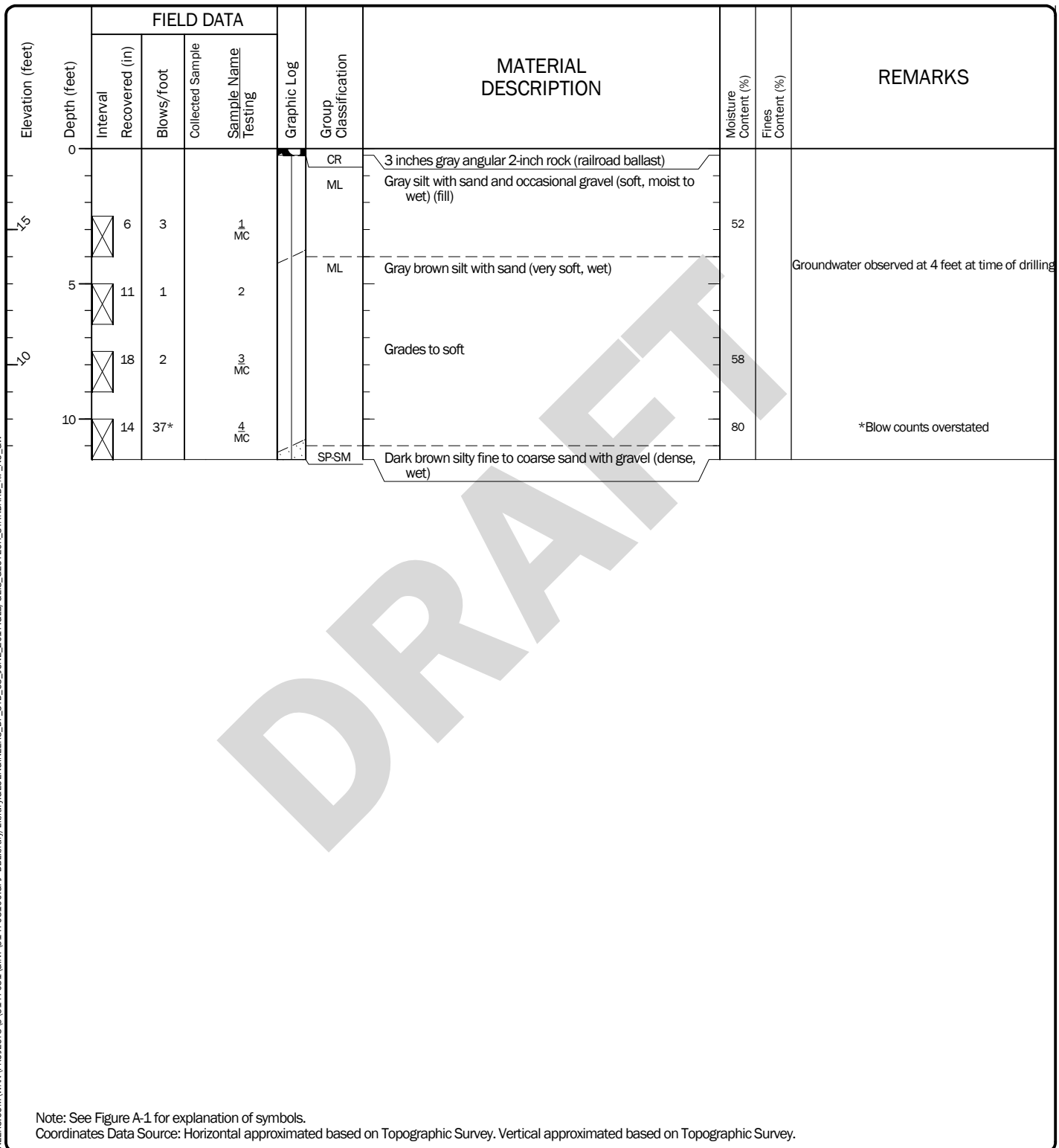
Figure A-11
 Sheet 2 of 2

Start Drilled	11/14/2019	End 11/14/2019	Total Depth (ft)	11.5	Logged By Checked By	EAW AJH	Driller	Holocene Drilling, Inc.	Drilling Method	Hollow-stem Auger
Surface Elevation (ft) Vertical Datum	18 NAVD88				Hammer Data	Autohammer 140 (lbs) / 30 (in) Drop			Drilling Equipment	Diedrich D-50 Turbo Track Rig
Easting (X) Northing (Y)	1210301 558137				System Datum	WA State Plane North NAD83 (feet)			Groundwater not observed at time of exploration	
Notes:										

Elevation (feet)	FIELD DATA				Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Interval Depth (feet)	Blows/foot Recovered (in)	Collected Sample	Sample Name Testing					
0					CR	2 inches gray angular gravel (railroad ballast)			
2.5	12	5		1 MC	SM	Brown silty fine to coarse sand with gravel (loose, moist) (fill)	40		
5	12	8		2 MC			23		
7.5	12	4		3 MC	ML	Dark brown silt with sand and organic matter (horizontal oriented wood pieces) (medium stiff, moist)	61		
10	12	7		4 MC		Increasing sand, smaller wood fragments, brick fragments	76		
Note: See Figure A-1 for explanation of symbols. Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.									

Log of Boring B-11	
	Project: Cap Sante Marina North and West Basin Upland Redevelopment Project Project Location: Anacortes, Washington Project Number: 5147-031-00
	Figure A-12 Sheet 1 of 1

Start Drilled 11/13/2019	End 11/13/2019	Total Depth (ft) 11.5	Logged By Checked By EAW AJH	Driller Holocene Drilling, Inc.	Drilling Method Hollow-stem Auger
Surface Elevation (ft) Vertical Datum 18 NAVD88		Hammer Data Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment Diedrich D-50 Turbo Track Rig	
Easting (X) Northing (Y) 1210439 558249		System Datum WA State Plane North NAD83 (feet)		Groundwater not observed at time of exploration	
Notes:					



Log of Boring B-12	
	Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
	Project Location: Anacortes, Washington
	Project Number: 5147-031-00
Figure A-13 Sheet 1 of 1	

Start Drilled 11/14/2019	End 11/14/2019	Total Depth (ft) 11.5	Logged By Checked By EAW AJH	Driller Holocene Drilling, Inc.	Drilling Method Hollow-stem Auger
Surface Elevation (ft) Vertical Datum 18 NAVD88		Hammer Data Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment Diedrich D-50 Turbo Track Rig	
Easting (X) Northing (Y) 1210454 558375		System Datum WA State Plane North NAD83 (feet)		See "Remarks" section for groundwater observed	
Notes:					

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
0						CR	2 inches gray angular approximately 2 inch rock (railroad ballast)			
2.5		2	7			SM	Brown silty fine to coarse sand with gravel (loose, moist) (fill)	6	13	
5		6	3			ML	Brown silt with sand (soft, moist)	63		
7.5		12	1			ML	Gray brown silt with sand and shell fragments (very soft, wet)	29		Groundwater observed at 7 feet during drilling
10		12	24			GP-GM	Dark gray angular gravel with sand and silt (medium dense, wet)	56		

Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-13



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-14
Sheet 1 of 1

Start Drilled 11/14/2019	End 11/14/2019	Total Depth (ft) 11.5	Logged By Checked By EAW AJH	Driller Holocene Drilling, Inc.	Drilling Method Hollow-stem Auger
Surface Elevation (ft) Vertical Datum 19 NAVD88			Hammer Data Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment Diedrich D-50 Turbo Track Rig
Easting (X) Northing (Y) 1210623 558370			System Datum WA State Plane North NAD83 (feet)		See "Remarks" section for groundwater observed
Notes:					

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample Sample Name Testing						
0						CR	2 inches gray angular 2-inch rock (railroad ballast)			
						SP-SM	Gray fine to coarse sand with silt and gravel (very loose, moist) (fill)	30		
5		4	3	1 MC						
		10	9	2 %F				29	40	
		0	8	3		SM	Gray silty fine to medium sand with occasional gravel and shell fragments (loose, wet)			Groundwater observed at 6 feet at time of drilling
10		18	6	4 MC				31		

Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-14



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-15
Sheet 1 of 1

Start Drilled	11/14/2019	End 11/14/2019	Total Depth (ft)	11.5	Logged By Checked By	EAW AJH	Driller	Holocene Drilling, Inc.	Drilling Method	Hollow-stem Auger
Surface Elevation (ft) Vertical Datum	18 NAVD88				Hammer Data	Autohammer 140 (lbs) / 30 (in) Drop			Drilling Equipment	Diedrich D-50 Turbo Track Rig
Easting (X) Northing (Y)	1210605 558256				System Datum	WA State Plane North NAD83 (feet)			Groundwater not observed at time of exploration	
Notes:										

Elevation (feet)	FIELD DATA				Graphic Log	Group Classification	MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample						
	0					CR	2 inches gray angular 2-inch rock (railroad ballast)			
						SM	Gray silty fine to coarse sand with gravel (loose, moist) (fill)			
7.5		10	4					51		
				1 MC						
5		10	3			ML	Gray silt with sand and occasional shell fragments (soft, moist)	58		
				2 MC						
10		18	2				Decreased sand content	32		
				3 MC						
		18	1				Becomes very soft	44		
				4 MC						

Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

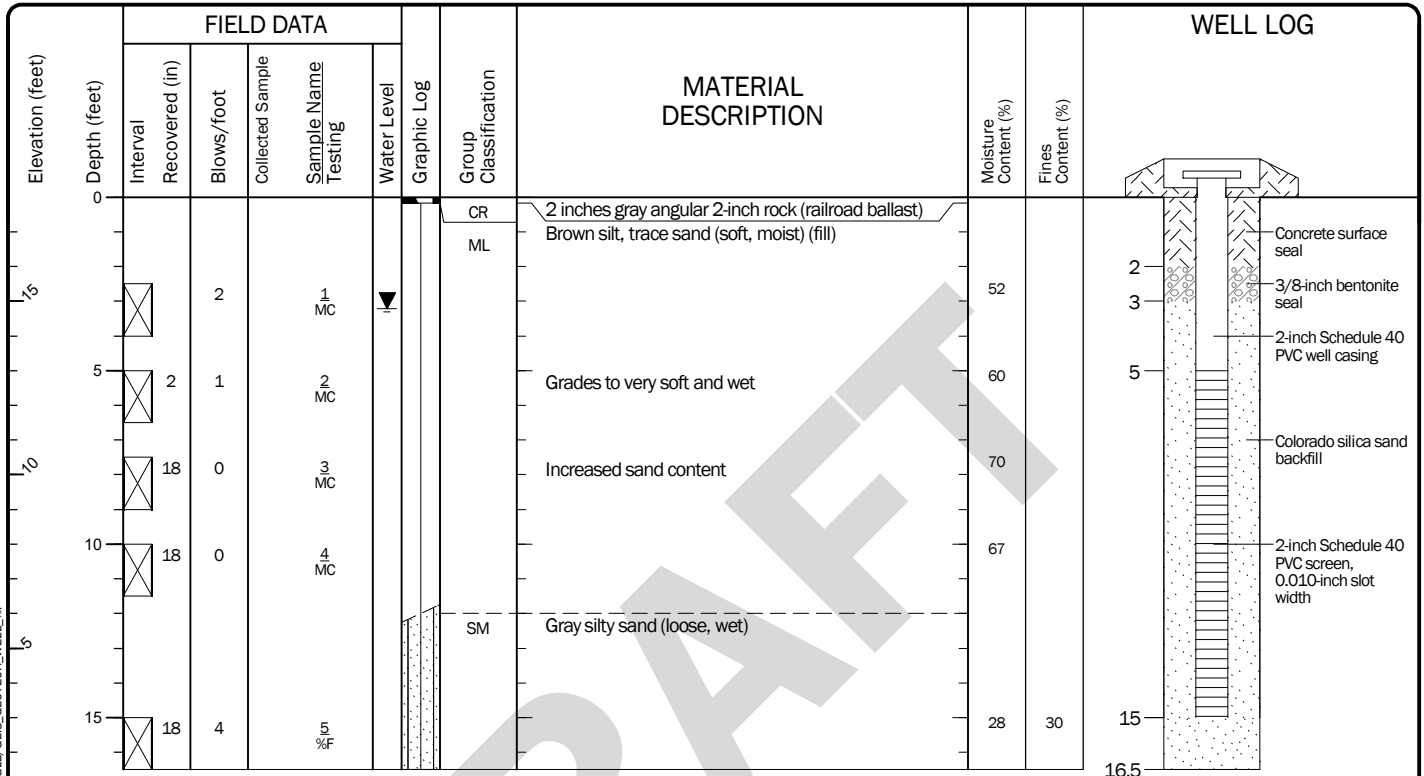
Log of Boring B-15



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-16
Sheet 1 of 1

Start Drilled 11/14/2019		End 11/14/2019		Total Depth (ft)	16.5	Logged By Checked By	EAJH	Driller	Holocene Drilling, Inc.	Drilling Method	Hollow-stem Auger
Hammer Data		Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment		Diedrich D-50 Turbo Track Rig		A 2-in well was installed on 11/14/2019 to a depth of 16.5 ft.			
Surface Elevation (ft) Vertical Datum		18 NAVD88		Top of Casing Elevation (ft)		17.80		Groundwater Date Measured			
Easting (X) Northing (Y)		1210636 558133		Horizontal Datum		WA State Plane North NAD83 (feet)		1/6/2020		Depth to Water (ft)	Elevation (ft)
								3.21		14.59	
Notes:											



Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring with Monitoring Well B-16



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-17
Sheet 1 of 1

Start Drilled 11/14/2019	End 11/14/2019	Total Depth (ft) 11.5	Logged By Checked By EAW AJH	Driller Holocene Drilling, Inc.	Drilling Method Hollow-stem Auger
Surface Elevation (ft) Vertical Datum 18 NAVD88		Hammer Data Autohammer 140 (lbs) / 30 (in) Drop		Drilling Equipment Diedrich D-50 Turbo Track Rig	
Easting (X) Northing (Y) 1210466 558127		System Datum WA State Plane North NAD83 (feet)		See "Remarks" section for groundwater observed	
Notes:					

Elevation (feet)	FIELD DATA					MATERIAL DESCRIPTION	Moisture Content (%)	Fines Content (%)	REMARKS
	Depth (feet)	Interval Recovered (in)	Blows/foot	Collected Sample	Sample Name Testing				
0						CR			
						ML			
5		0	3		1	2 inches gray angular 2-inch rock (railroad ballast)			
		6	3		2 MC	Gray-brown silt with sand, occasional gravel and shell fragments (soft, wet) (fill)			
		18	1		3 AL	Becomes wet	51		Groundwater observed at 5 feet at time of drilling
		18	0		4 MC	Gray organic silt (very soft, wet)	80		AL (LL = 59, PI = 16)
						Trace organic matter (wood fragments, decayed to varying degrees)	77		

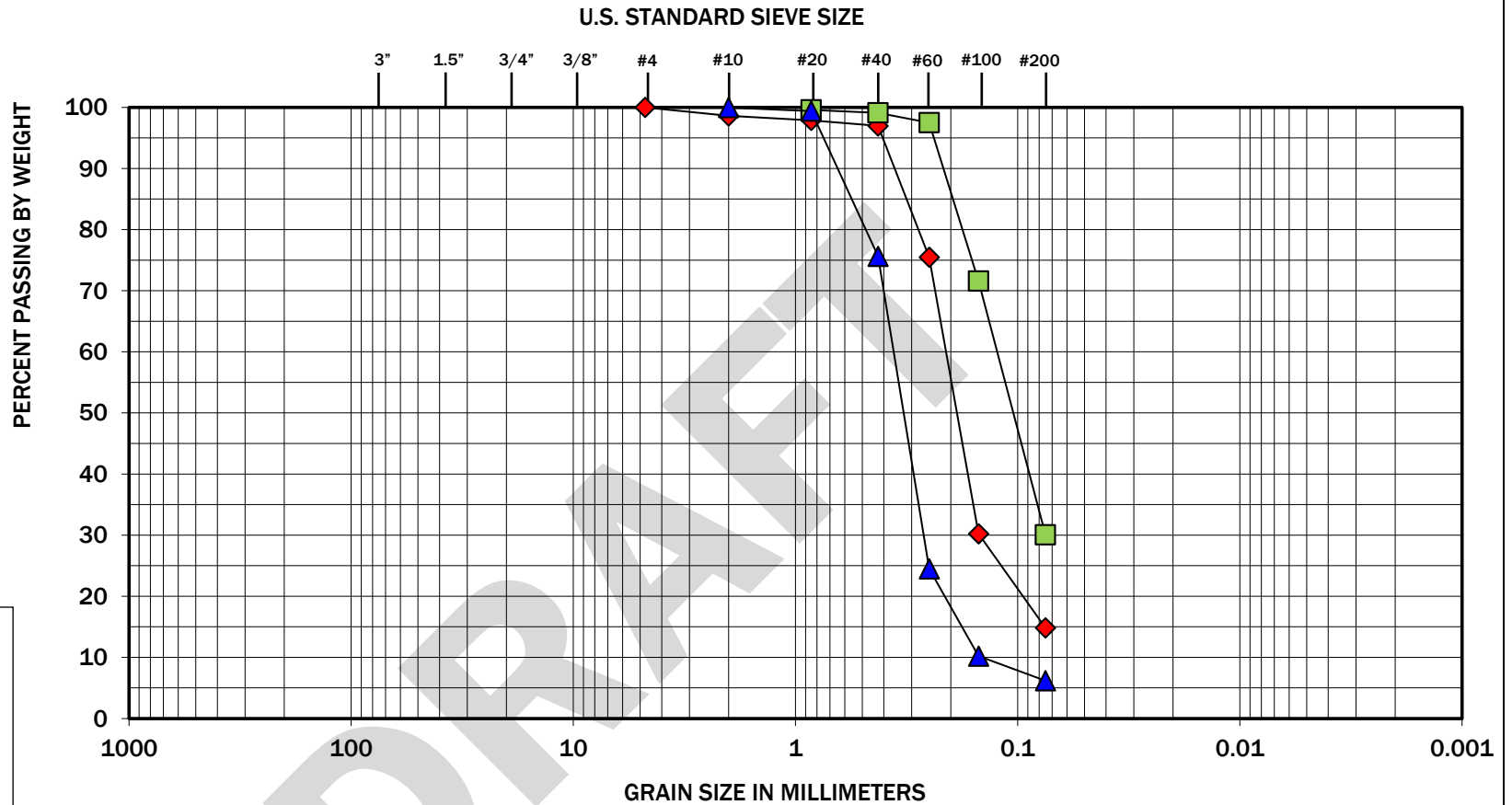
Note: See Figure A-1 for explanation of symbols.
Coordinates Data Source: Horizontal approximated based on Topographic Survey. Vertical approximated based on Topographic Survey.

Log of Boring B-17



Project: Cap Sante Marina North and West Basin Upland Redevelopment Project
Project Location: Anacortes, Washington
Project Number: 5147-031-00

Figure A-18
Sheet 1 of 1



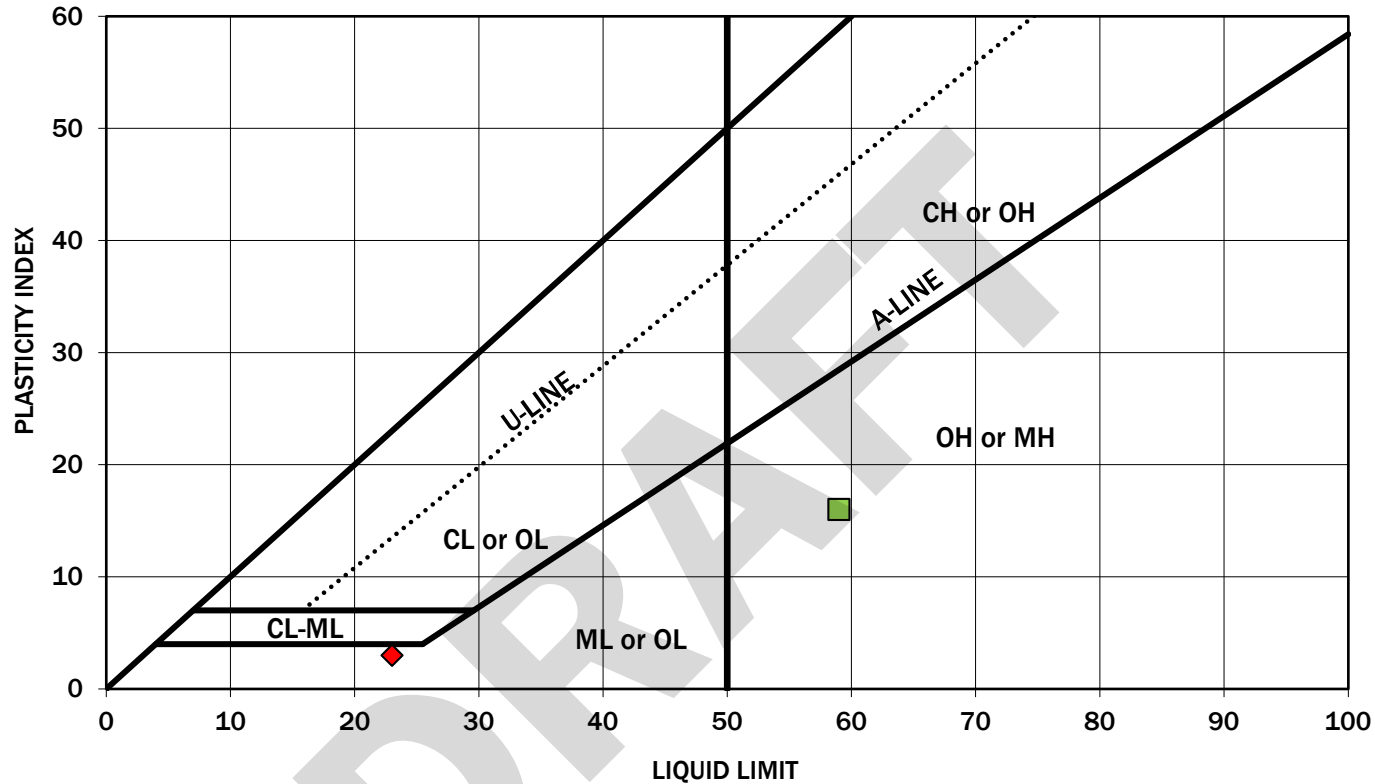
COBBLES	GRAVEL		SAND			SILT OR CLAY
	COARSE	FINE	COARSE	MEDIUM	FINE	

Symbol	Boring Number	Depth (feet)	Moisture (%)	Soil Description
◆	B-5	15	25	Silty fine sand (SM)
■	B-5	20	22	Silty fine sand (SM)
▲	B-6	25	22	Fine to medium sand with silt (SP-SM)

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The grain size analysis results were obtained in general accordance with ASTM D 6913. GeoEngineers 17425 NE Union Hill Road Ste 250, Redmond, WA 98052

PLASTICITY CHART



Symbol	Boring Number	Depth (feet)	Moisture Content (%)	Liquid Limit (%)	Plasticity Index (%)	Soil Description
◆	B-5	40	30	23	3	Sandy silt (ML)
■	B-17	7.5	80	59	16	Silt with occasional sand (OH)

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Atterberg Limits Test Results

Cap Sante Marina North and West Basin
Upland Redevelopment Project
Anacortes, Washington



Figure A-20

APPENDIX B
Chemical Analytical Lab Reports

DRAFT

APPENDIX B CHEMICAL ANALYTICAL PROGRAM

Soil Sampling

Chemical analytical testing was conducted on four composited soil samples obtained from the drill cuttings for waste disposal characterization. Composite soil samples representative of the drilling cuttings generated from the Events Center, Dog Park, West Basin and North Basin investigation areas were placed in laboratory-prepared vials/jars and placed in a cooler with ice for transport to OnSite Environmental, Inc. (OnSite) of Redmond, Washington, for the following chemical analytical testing:

- gasoline-range petroleum hydrocarbons by NWTPH-G;
- diesel and heavy oil-range petroleum hydrocarbons by NWTPH-Dx
- volatiles including benzene, ethylbenzene, toluene and xylenes (BETX) by Environmental Protection Agency (EPA) Method 8260
- polycyclic aromatic hydrocarbons (PAHs) by EPA Method 8270SIM; and;
- RCRA 8 metals by EPA Methods 6000/7000 series.

Petroleum hydrocarbons and metals were not detected in the soil samples, with the following exceptions:

- Lube oil was detected in the composite drum sample from the North Basin at 76 mg/kg (parts per million [ppm]). **The detected concentrations are less than the MTCA Method A or B cleanup level of 2000 mg/kg (ppm).**
- Barium and chromium were detected in each of the four drum samples with lead detected in three of the drum samples; **the detected concentrations were less than the MTCA Method A or B cleanup levels.** The detected metals levels are as shown in Table B-1.

TABLE B-1. SUMMARY OF DETECTED METAL RESULTS

Boring and Sample	Barium (mg/kg) ¹	Chromium (mg/kg) ²	Lead (mg/kg) ³
Event center	88	26	ND
Dog Park	81	34	11
South Basin (West Basin)	45	35	9.2
North Basin	44	35	9.4

Notes:

¹ The Model Toxics Control Act (MTCA) Method B cleanup level for barium is 16,000 milligrams per kilogram (mg/kg).

² The MTCA Method A cleanup level for chromium III is 2,000 mg/kg.

³ The MTCA Method A cleanup level for Lead is 250 mg/kg.

ND = Not detected

The results of the analytical testing are provided in the attached OnSite Environmental, Inc. report. Based on a review of the waste disposal characterization test result, drill cutting generated by the Cap Sante Marina North and West Basin Upland Redevelopment project were transferred from the site for permitted disposal at Cadman's Everett, Washington, solid waste landfill.



14648 NE 95th Street, Redmond, WA 98052 • (425) 883-3881

November 25, 2019

Aaron Hartvigsen
GeoEngineers, Inc.
600 Dupont Street
Bellingham, WA 98225

Re: Analytical Data for Project 5147-031-00
Laboratory Reference No. 1911-163

Dear Aaron:

Enclosed are the analytical results and associated quality control data for samples submitted on November 15, 2019.

The standard policy of OnSite Environmental, Inc. is to store your samples for 30 days from the date of receipt. If you require longer storage, please contact the laboratory.

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning the data, or need additional information, please feel free to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "DB", followed by a horizontal line.

David Baumeister
Project Manager

Enclosures



Date of Report: November 25, 2019
Samples Submitted: November 15, 2019
Laboratory Reference: 1911-163
Project: 5147-031-00

Case Narrative

Samples were collected on November 14, 2019 and received by the laboratory on November 15, 2019. They were maintained at the laboratory at a temperature of 2°C to 6°C.

Please note that any and all soil sample results are reported on a dry-weight basis, unless otherwise noted below.

General QA/QC issues associated with the analytical data enclosed in this laboratory report will be indicated with a reference to a comment or explanation on the Data Qualifier page. More complex and involved QA/QC issues will be discussed in detail below.

DRAFT



Date of Report: November 25, 2019
Samples Submitted: November 15, 2019
Laboratory Reference: 1911-163
Project: 5147-031-00

ANALYTICAL REPORT FOR SAMPLES

Client ID	Laboratory ID	Matrix	Date Sampled	Date Received	Notes
Convention Center	11-163-01	Soil	11-14-19	11-15-19	
Dog Park	11-163-02	Soil	11-14-19	11-15-19	
South Basin	11-163-03	Soil	11-14-19	11-15-19	
North Basin	11-163-04	Soil	11-14-19	11-15-19	

DRAFT



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

**GASOLINE RANGE ORGANICS/BTEX
 NWTPH-Gx/EPA 8021B**

Matrix: Soil
 Units: mg/kg (ppm)

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
Client ID: Convention Center						
Laboratory ID:	11-163-01					
Benzene	ND	0.020	EPA 8021B	11-19-19	11-20-19	
Toluene	ND	0.077	EPA 8021B	11-19-19	11-20-19	
Ethyl Benzene	ND	0.077	EPA 8021B	11-19-19	11-20-19	
m,p-Xylene	ND	0.077	EPA 8021B	11-19-19	11-20-19	
o-Xylene	ND	0.077	EPA 8021B	11-19-19	11-20-19	
Gasoline	ND	7.7	NWTPH-Gx	11-19-19	11-20-19	
Surrogate:	Percent Recovery	Control Limits				
Fluorobenzene	89	58-129				
Client ID: Dog Park						
Laboratory ID:	11-163-02					
Benzene	ND	0.020	EPA 8021B	11-19-19	11-20-19	
Toluene	ND	0.073	EPA 8021B	11-19-19	11-20-19	
Ethyl Benzene	ND	0.073	EPA 8021B	11-19-19	11-20-19	
m,p-Xylene	ND	0.073	EPA 8021B	11-19-19	11-20-19	
o-Xylene	ND	0.073	EPA 8021B	11-19-19	11-20-19	
Gasoline	ND	7.3	NWTPH-Gx	11-19-19	11-20-19	
Surrogate:	Percent Recovery	Control Limits				
Fluorobenzene	84	58-129				
Client ID: South Basin						
Laboratory ID:	11-163-03					
Benzene	ND	0.020	EPA 8021B	11-19-19	11-20-19	
Toluene	ND	0.071	EPA 8021B	11-19-19	11-20-19	
Ethyl Benzene	ND	0.071	EPA 8021B	11-19-19	11-20-19	
m,p-Xylene	ND	0.071	EPA 8021B	11-19-19	11-20-19	
o-Xylene	ND	0.071	EPA 8021B	11-19-19	11-20-19	
Gasoline	ND	7.1	NWTPH-Gx	11-19-19	11-20-19	
Surrogate:	Percent Recovery	Control Limits				
Fluorobenzene	68	58-129				



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

**GASOLINE RANGE ORGANICS/BTEX
 NWTPH-Gx/EPA 8021B**

Matrix: Soil
 Units: mg/kg (ppm)

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
Client ID:	North Basin					
Laboratory ID:	11-163-04					
Benzene	ND	0.020	EPA 8021B	11-19-19	11-20-19	
Toluene	ND	0.088	EPA 8021B	11-19-19	11-20-19	
Ethyl Benzene	ND	0.088	EPA 8021B	11-19-19	11-20-19	
m,p-Xylene	ND	0.088	EPA 8021B	11-19-19	11-20-19	
o-Xylene	ND	0.088	EPA 8021B	11-19-19	11-20-19	
Gasoline	ND	8.8	NWTPH-Gx	11-19-19	11-20-19	
Surrogate:	Percent Recovery	Control Limits				
Fluorobenzene	75	58-129				



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

DIESEL AND HEAVY OIL RANGE ORGANICS
NWTPH-Dx

Matrix: Soil
 Units: mg/Kg (ppm)

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
Client ID:	Convention Center					
Laboratory ID:	11-163-01					
Diesel Range Organics	ND	34	NWTPH-Dx	11-20-19	11-20-19	X1
Lube Oil Range Organics	ND	69	NWTPH-Dx	11-20-19	11-20-19	X1
Surrogate:	Percent Recovery	Control Limits				
o-Terphenyl	76	50-150				
Client ID:	Dog Park					
Laboratory ID:	11-163-02					
Diesel Range Organics	ND	33	NWTPH-Dx	11-20-19	11-20-19	X1
Lube Oil Range Organics	ND	67	NWTPH-Dx	11-20-19	11-20-19	X1
Surrogate:	Percent Recovery	Control Limits				
o-Terphenyl	84	50-150				
Client ID:	South Basin					
Laboratory ID:	11-163-03					
Diesel Range Organics	ND	31	NWTPH-Dx	11-20-19	11-20-19	X1
Lube Oil Range Organics	ND	62	NWTPH-Dx	11-20-19	11-20-19	X1
Surrogate:	Percent Recovery	Control Limits				
o-Terphenyl	76	50-150				
Client ID:	North Basin					
Laboratory ID:	11-163-04					
Diesel Range Organics	ND	33	NWTPH-Dx	11-20-19	11-20-19	X1
Lube Oil Range Organics	76	67	NWTPH-Dx	11-20-19	11-20-19	X1
Surrogate:	Percent Recovery	Control Limits				
o-Terphenyl	84	50-150				



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

PAHs EPA 8270E/SIM

Matrix: Soil
 Units: mg/Kg

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
Client ID: Convention Center						
Laboratory ID: 11-163-01						
Naphthalene	0.030	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
2-Methylnaphthalene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
1-Methylnaphthalene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Acenaphthylene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Acenaphthene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Fluorene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Phenanthrene	0.010	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Anthracene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Fluoranthene	0.010	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Pyrene	0.010	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[a]anthracene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Chrysene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[b]fluoranthene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[j,k]fluoranthene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[a]pyrene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Indeno(1,2,3-c,d)pyrene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Dibenz[a,h]anthracene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[g,h,i]perylene	ND	0.0091	EPA 8270E/SIM	11-19-19	11-19-19	
Surrogate:	Percent Recovery	Control Limits				
2-Fluorobiphenyl	78	40 - 111				
Pyrene-d10	78	40 - 110				
Terphenyl-d14	80	45 - 122				



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

PAHs EPA 8270E/SIM

Matrix: Soil
 Units: mg/Kg

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
Client ID:		Dog Park				
Laboratory ID:		11-163-02				
Naphthalene	0.025	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
2-Methylnaphthalene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
1-Methylnaphthalene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Acenaphthylene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Acenaphthene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Fluorene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Phenanthrene	0.010	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Anthracene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Fluoranthene	0.0094	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Pyrene	0.010	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[a]anthracene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Chrysene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[b]fluoranthene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo(j,k)fluoranthene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[a]pyrene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Indeno(1,2,3-c,d)pyrene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Dibenz[a,h]anthracene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[g,h,i]perylene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-19-19	
Surrogate:	Percent Recovery	Control Limits				
2-Fluorobiphenyl	83	40 - 111				
Pyrene-d10	75	40 - 110				
Terphenyl-d14	80	45 - 122				



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

PAHs EPA 8270E/SIM

Matrix: Soil
 Units: mg/Kg

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
Client ID:		South Basin				
Laboratory ID:		11-163-03				
Naphthalene	0.025	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
2-Methylnaphthalene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
1-Methylnaphthalene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Acenaphthylene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Acenaphthene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Fluorene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Phenanthrene	0.011	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Anthracene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Fluoranthene	0.0093	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Pyrene	0.010	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo[a]anthracene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Chrysene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo[b]fluoranthene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo[j,k]fluoranthene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo[a]pyrene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Indeno(1,2,3-c,d)pyrene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Dibenz[a,h]anthracene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo[g,h,i]perylene	ND	0.0082	EPA 8270E/SIM	11-19-19	11-20-19	
Surrogate:	Percent Recovery	Control Limits				
2-Fluorobiphenyl	80	40 - 111				
Pyrene-d10	85	40 - 110				
Terphenyl-d14	91	45 - 122				



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

PAHs EPA 8270E/SIM

Matrix: Soil
 Units: mg/Kg

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
Client ID:		North Basin				
Laboratory ID:		11-163-04				
Naphthalene	0.055	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
2-Methylnaphthalene	0.012	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
1-Methylnaphthalene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Acenaphthylene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Acenaphthene	0.012	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Fluorene	0.012	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Phenanthrene	0.029	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Anthracene	0.0091	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Fluoranthene	0.043	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Pyrene	0.044	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo[a]anthracene	0.017	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Chrysene	0.020	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo[b]fluoranthene	0.021	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo(j,k)fluoranthene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo[a]pyrene	0.018	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Indeno(1,2,3-c,d)pyrene	0.011	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Dibenz[a,h]anthracene	ND	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Benzo[g,h,i]perylene	0.011	0.0089	EPA 8270E/SIM	11-19-19	11-20-19	
Surrogate:	Percent Recovery	Control Limits				
2-Fluorobiphenyl	79	40 - 111				
Pyrene-d10	78	40 - 110				
Terphenyl-d14	85	45 - 122				



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

TOTAL METALS
EPA 6010D/7471B

Matrix: Soil
 Units: mg/Kg (ppm)

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
Client ID: Convention Center						
Laboratory ID: 11-163-01						
Arsenic	ND	14	EPA 6010D	11-20-19	11-21-19	
Barium	88	3.4	EPA 6010D	11-20-19	11-21-19	
Cadmium	ND	0.68	EPA 6010D	11-20-19	11-21-19	
Chromium	26	0.68	EPA 6010D	11-20-19	11-21-19	
Lead	ND	6.8	EPA 6010D	11-20-19	11-21-19	
Mercury	ND	0.34	EPA 7471B	11-20-19	11-20-19	
Selenium	ND	14	EPA 6010D	11-20-19	11-21-19	
Silver	ND	1.4	EPA 6010D	11-20-19	11-21-19	
Client ID: Dog Park						
Laboratory ID: 11-163-02						
Arsenic	ND	13	EPA 6010D	11-20-19	11-21-19	
Barium	81	3.3	EPA 6010D	11-20-19	11-21-19	
Cadmium	ND	0.67	EPA 6010D	11-20-19	11-21-19	
Chromium	34	0.67	EPA 6010D	11-20-19	11-21-19	
Lead	11	6.7	EPA 6010D	11-20-19	11-21-19	
Mercury	ND	0.33	EPA 7471B	11-20-19	11-20-19	
Selenium	ND	13	EPA 6010D	11-20-19	11-21-19	
Silver	ND	1.3	EPA 6010D	11-20-19	11-21-19	
Client ID: South Basin						
Laboratory ID: 11-163-03						
Arsenic	ND	12	EPA 6010D	11-20-19	11-21-19	
Barium	45	3.1	EPA 6010D	11-20-19	11-21-19	
Cadmium	ND	0.62	EPA 6010D	11-20-19	11-21-19	
Chromium	35	0.62	EPA 6010D	11-20-19	11-21-19	
Lead	9.2	6.2	EPA 6010D	11-20-19	11-21-19	
Mercury	ND	0.31	EPA 7471B	11-20-19	11-20-19	
Selenium	ND	12	EPA 6010D	11-20-19	11-21-19	
Silver	ND	1.2	EPA 6010D	11-20-19	11-21-19	



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**TOTAL METALS
 EPA 6010D/7471B**

Matrix: Soil
 Units: mg/Kg (ppm)

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
Client ID:	North Basin					
Laboratory ID:	11-163-04					
Arsenic	ND	13	EPA 6010D	11-20-19	11-21-19	
Barium	44	3.3	EPA 6010D	11-20-19	11-21-19	
Cadmium	ND	0.67	EPA 6010D	11-20-19	11-21-19	
Chromium	35	0.67	EPA 6010D	11-20-19	11-21-19	
Lead	9.4	6.7	EPA 6010D	11-20-19	11-21-19	
Mercury	ND	0.33	EPA 7471B	11-20-19	11-20-19	
Selenium	ND	13	EPA 6010D	11-20-19	11-21-19	
Silver	ND	1.3	EPA 6010D	11-20-19	11-21-19	



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**GASOLINE RANGE ORGANICS/BTEX
 NWTPH-Gx/EPA 8021B
 QUALITY CONTROL**

Matrix: Soil
 Units: mg/kg (ppm)

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
METHOD BLANK						
Laboratory ID:	MB1119S1					
Benzene	ND	0.020	EPA 8021B	11-19-19	11-19-19	
Toluene	ND	0.050	EPA 8021B	11-19-19	11-19-19	
Ethyl Benzene	ND	0.050	EPA 8021B	11-19-19	11-19-19	
m,p-Xylene	ND	0.050	EPA 8021B	11-19-19	11-19-19	
o-Xylene	ND	0.050	EPA 8021B	11-19-19	11-19-19	
Gasoline	ND	5.0	NWTPH-Gx	11-19-19	11-19-19	
Surrogate:	Percent Recovery	Control Limits				
Fluorobenzene	96	58-129				

Analyte	Result	Spike Level	Source Result	Percent Recovery	Recovery Limits	RPD	RPD Limit	Flags
DUPLICATE								
Laboratory ID:	11-160-04							
	ORIG	DUP						
Benzene	ND	ND	NA	NA	NA	NA	30	
Toluene	ND	ND	NA	NA	NA	NA	30	
Ethyl Benzene	ND	ND	NA	NA	NA	NA	30	
m,p-Xylene	ND	ND	NA	NA	NA	NA	30	
o-Xylene	ND	ND	NA	NA	NA	NA	30	
Gasoline	ND	ND	NA	NA	NA	NA	30	
Surrogate:								
Fluorobenzene				101	99	58-129		

SPIKE BLANKS

Laboratory ID:	SB1119S1							
	SB	SBD	SB	SBD	SB	SBD		
Benzene	0.985	0.991	1.00	1.00	99	99	69-109	1 10
Toluene	0.998	1.01	1.00	1.00	100	101	67-112	1 10
Ethyl Benzene	1.01	1.02	1.00	1.00	101	102	67-113	1 10
m,p-Xylene	1.01	1.02	1.00	1.00	101	102	66-114	1 11
o-Xylene	0.984	0.998	1.00	1.00	98	100	68-112	1 11
Surrogate:								
Fluorobenzene				99	100	58-129		



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

**DIESEL AND HEAVY OIL RANGE ORGANICS
 NWTPH-Dx
 QUALITY CONTROL**

Matrix: Soil
 Units: mg/Kg (ppm)

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
METHOD BLANK						
Laboratory ID:	MB1120S1					
Diesel Range Organics	ND	25	NWTPH-Dx	11-20-19	11-20-19	X1
Lube Oil Range Organics	ND	50	NWTPH-Dx	11-20-19	11-20-19	X1
Surrogate:	Percent Recovery	Control Limits				
<i>o</i>-Terphenyl	89	50-150				

Analyte	Result		Spike Level		Source Result	Percent Recovery	Recovery Limits	RPD	RPD Limit	Flags
DUPLICATE										
Laboratory ID:	11-176-05									
	ORIG	DUP								
Diesel Range	ND	ND	NA	NA		NA	NA	NA	NA	
Lube Oil Range	ND	ND	NA	NA		NA	NA	NA	NA	
Surrogate:										
o-Terphenyl										
						77	80	50-150		



Date of Report: November 25, 2019
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 Laboratory Reference: 1911-163
 Project: 5147-031-00

**PAHs EPA 8270E/SIM
 QUALITY CONTROL**

Matrix: Soil
 Units: mg/Kg

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
METHOD BLANK						
Laboratory ID:	MB1119S1					
Naphthalene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
2-Methylnaphthalene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
1-Methylnaphthalene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Acenaphthylene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Acenaphthene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Fluorene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Phenanthrene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Anthracene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Fluoranthene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Pyrene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[a]anthracene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Chrysene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[b]fluoranthene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo(j,k)fluoranthene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[a]pyrene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Indeno(1,2,3-c,d)pyrene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Dibenz[a,h]anthracene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Benzo[g,h,i]perylene	ND	0.0067	EPA 8270E/SIM	11-19-19	11-19-19	
Surrogate:	Percent Recovery	Control Limits				
2-Fluorobiphenyl	92	40 - 111				
Pyrene-d10	88	40 - 110				
Terphenyl-d14	96	45 - 122				



Date of Report: November 25, 2019
 Samples Submitted: November 15, 2019
 Laboratory Reference: 1911-163
 Project: 5147-031-00

**PAHs EPA 8270E/SIM
 QUALITY CONTROL**

Matrix: Soil
 Units: mg/Kg

Analyte	Result	Spike Level	Source Result	Percent Recovery	Recovery Limits	RPD	RPD Limit	Flags
MATRIX SPIKES								
Laboratory ID:	11-160-03							
	MS	MSD	MS	MSD	MS	MSD		
Naphthalene	0.0734	0.0703	0.0833	0.0833	ND	88	84	44 - 111
Acenaphthylene	0.0765	0.0711	0.0833	0.0833	ND	92	85	47 - 122
Acenaphthene	0.0790	0.0695	0.0833	0.0833	ND	95	83	46 - 122
Fluorene	0.0787	0.0715	0.0833	0.0833	ND	94	86	53 - 118
Phenanthrene	0.0770	0.0706	0.0833	0.0833	ND	92	85	41 - 124
Anthracene	0.0790	0.0724	0.0833	0.0833	ND	95	87	53 - 119
Fluoranthene	0.0779	0.0721	0.0833	0.0833	ND	94	87	39 - 135
Pyrene	0.0761	0.0720	0.0833	0.0833	ND	91	86	39 - 134
Benzo[a]anthracene	0.0887	0.0814	0.0833	0.0833	ND	106	98	53 - 131
Chrysene	0.0815	0.0759	0.0833	0.0833	ND	98	91	46 - 126
Benzo[b]fluoranthene	0.0815	0.0744	0.0833	0.0833	ND	98	89	45 - 127
Benzo[j,k]fluoranthene	0.0810	0.0751	0.0833	0.0833	ND	97	90	52 - 122
Benzo[a]pyrene	0.0795	0.0727	0.0833	0.0833	ND	95	87	51 - 126
Indeno(1,2,3-c,d)pyrene	0.0775	0.0708	0.0833	0.0833	ND	93	85	48 - 127
Dibenz[a,h]anthracene	0.0786	0.0721	0.0833	0.0833	ND	94	87	51 - 124
Benzo[g,h,i]perylene	0.0810	0.0740	0.0833	0.0833	ND	97	89	50 - 120
Surrogate:								
2-Fluorobiphenyl						90	87	40 - 111
Pyrene-d10						91	86	40 - 110
Terphenyl-d14						97	86	45 - 122



Date of Report: November 25, 2019
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**TOTAL METALS
 EPA 6010D/7471B
 QUALITY CONTROL**

Matrix: Soil
 Units: mg/Kg (ppm)

Analyte	Result	PQL	Method	Date Prepared	Date Analyzed	Flags
METHOD BLANK						
Laboratory ID:	MB1120SH1					
Arsenic	ND	10	EPA 6010D	11-20-19	11-21-19	
Barium	ND	2.5	EPA 6010D	11-20-19	11-21-19	
Cadmium	ND	0.50	EPA 6010D	11-20-19	11-21-19	
Chromium	ND	0.50	EPA 6010D	11-20-19	11-21-19	
Lead	ND	5.0	EPA 6010D	11-20-19	11-21-19	
Selenium	ND	10	EPA 6010D	11-20-19	11-21-19	
Silver	ND	1.0	EPA 6010D	11-20-19	11-21-19	

Laboratory ID:	MB1120S1					
Mercury	ND	0.25	EPA 7471B	11-20-19	11-20-19	

Analyte	Result	Spike Level	Source Result	Percent Recovery	Recovery Limits	RPD	RPD Limit	Flags
DUPLICATE								
Laboratory ID:	11-163-01							
	ORIG	DUP						
Arsenic	ND	ND	NA	NA	NA	NA	20	
Barium	64.3	68.3	NA	NA	NA	6	20	
Cadmium	ND	ND	NA	NA	NA	NA	20	
Chromium	18.8	19.9	NA	NA	NA	6	20	
Lead	ND	ND	NA	NA	NA	NA	20	
Selenium	ND	ND	NA	NA	NA	NA	20	
Silver	ND	ND	NA	NA	NA	NA	20	

Laboratory ID:	11-197-02							
Mercury	0.322	0.324	NA	NA	NA	1	20	

MATRIX SPIKES

Laboratory ID:	11-163-01									
	MS	MSD	MS	MSD		MS	MSD			
Arsenic	98.9	99.0	100	100	ND	99	99	75-125	0	20
Barium	159	156	100	100	64.3	95	92	75-125	2	20
Cadmium	45.6	45.4	50.0	50.0	ND	91	91	75-125	0	20
Chromium	113	110	100	100	18.8	94	91	75-125	2	20
Lead	225	226	250	250	ND	90	90	75-125	0	20
Selenium	97.7	96.8	100	100	ND	98	97	75-125	1	20
Silver	22.7	22.8	25.0	25.0	ND	91	91	75-125	0	20

Laboratory ID:	11-197-02									
Mercury	0.788	0.791	0.500	0.500	0.322	93	94	80-120	0	20



OnSite Environmental, Inc. 14648 NE 95th Street, Redmond, WA 98052 (425) 883-3881

This report pertains to the samples analyzed in accordance with the chain of custody, and is intended only for the use of the individual or company to whom it is addressed.

Date of Report: November 25, 2019
Samples Submitted: November 15, 2019
Laboratory Reference: 1911-163
Project: 5147-031-00

% MOISTURE

Client ID	Lab ID	% Moisture	Date Analyzed
Convention Center	11-163-01	27	11-18-19
Dog Park	11-163-02	25	11-18-19
South Basin	11-163-03	19	11-18-19
North Basin	11-163-04	25	11-18-19

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Data Qualifiers and Abbreviations

- A - Due to a high sample concentration, the amount spiked is insufficient for meaningful MS/MSD recovery data.
- B - The analyte indicated was also found in the blank sample.
- C - The duplicate RPD is outside control limits due to high result variability when analyte concentrations are within five times the quantitation limit.
- E - The value reported exceeds the quantitation range and is an estimate.
- F - Surrogate recovery data is not available due to the high concentration of coeluting target compounds.
- H - The analyte indicated is a common laboratory solvent and may have been introduced during sample preparation, and be impacting the sample result.
- I - Compound recovery is outside of the control limits.
- J - The value reported was below the practical quantitation limit. The value is an estimate.
- K - Sample duplicate RPD is outside control limits due to sample inhomogeneity. The sample was re-extracted and re-analyzed with similar results.
- L - The RPD is outside of the control limits.
- M - Hydrocarbons in the gasoline range are impacting the diesel range result.
- M1 - Hydrocarbons in the gasoline range (toluene-naphthalene) are present in the sample.
- N - Hydrocarbons in the lube oil range are impacting the diesel range result.
- N1 - Hydrocarbons in diesel range are impacting lube oil range results.
- O - Hydrocarbons indicative of heavier fuels are present in the sample and are impacting the gasoline result.
- P - The RPD of the detected concentrations between the two columns is greater than 40.
- Q - Surrogate recovery is outside of the control limits.
- S - Surrogate recovery data is not available due to the necessary dilution of the sample.
- T - The sample chromatogram is not similar to a typical _____.
- U - The analyte was analyzed for, but was not detected above the reported sample quantitation limit.
- U1 - The practical quantitation limit is elevated due to interferences present in the sample.
- V - Matrix Spike/Matrix Spike Duplicate recoveries are outside control limits due to matrix effects.
- W - Matrix Spike/Matrix Spike Duplicate RPD are outside control limits due to matrix effects.
- X - Sample extract treated with a mercury cleanup procedure.
- X1- Sample extract treated with a sulfuric acid/silica gel cleanup procedure.
- Y - The calibration verification for this analyte exceeded the 20% drift specified in methods 8260 & 8270, and therefore the reported result should be considered an estimate. The overall performance of the calibration verification standard met the acceptance criteria of the method.
- Z -
- ND - Not Detected at PQL
- PQL - Practical Quantitation Limit
- RPD - Relative Percent Difference



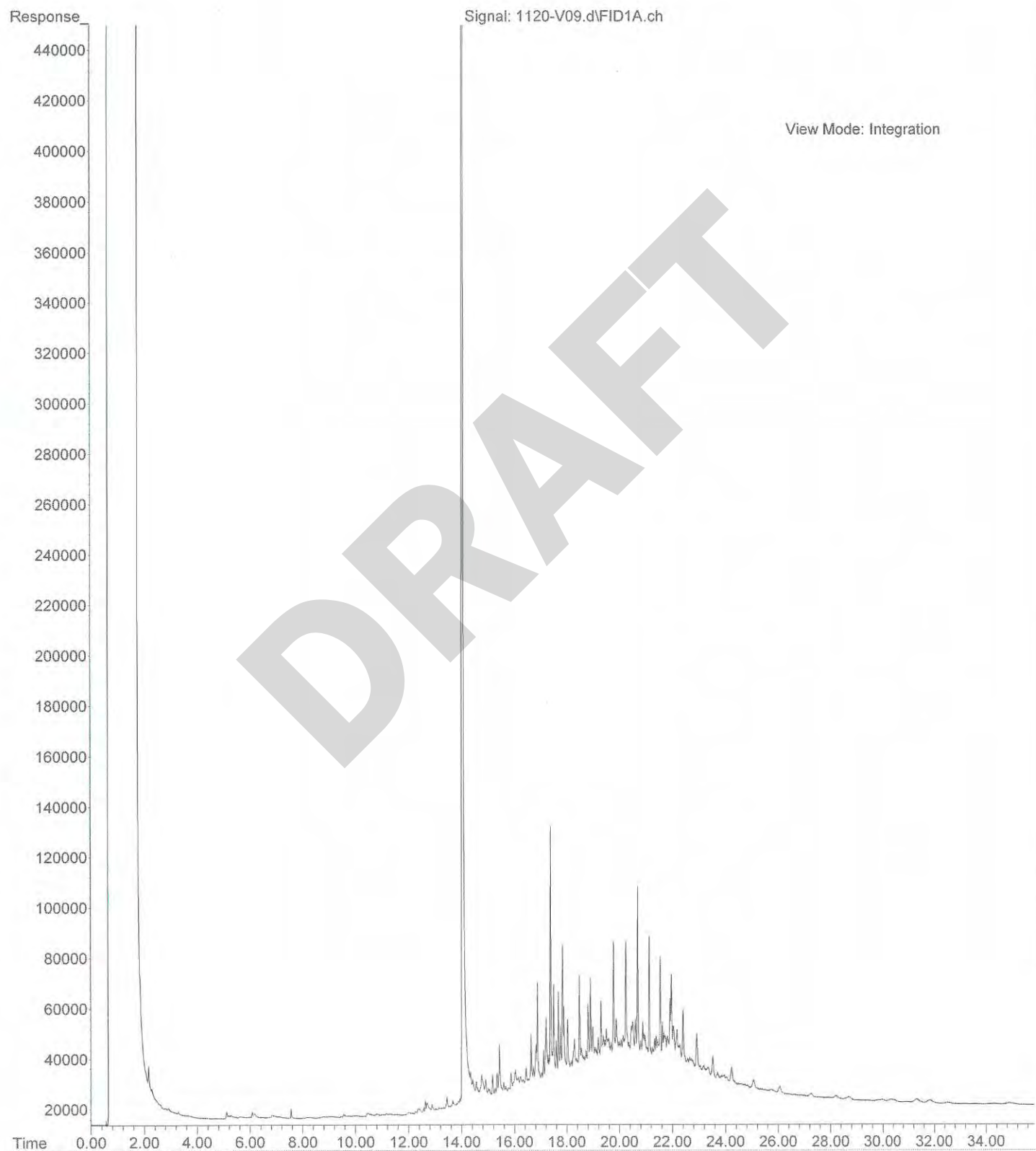


Company:	GeoEngineers
Project Number:	5147-031-00
Project Name:	Cap Sante Marina N+S Basins
Project Manager:	Aaron Hartvigsen Robert Trahan
Sampled by:	EAW

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File :X:\DIESELS\VIGO\DATA\V191120\1120-V09.d
Operator : JT
Acquired : 20 Nov 2019 13:01 using AcqMethod V180601F.M
Instrument : Vigo
Sample Name: 11-163-04 ACU REX
Misc Info :
Vial Number: 9



APPENDIX C

Report Limitations and Guidelines for Use

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APPENDIX C

REPORT LIMITATIONS AND GUIDELINES FOR USE¹

This appendix provides information to help you manage your risks with respect to the use of this report.

Geotechnical Services are Performed for Specific Purposes, Persons and Projects

This report has been prepared for use by the Port of Anacortes and members of the design team for use in the design of this project. This report may be made available to prospective contractors for bidding or estimating purposes; but our report, conclusions and interpretations should not be construed as a warranty of the subsurface conditions. This report is not intended for use by others, and the information contained herein is not applicable to other sites.

GeoEngineers structures our services to meet the specific needs of our clients. For example, a geotechnical or geologic study conducted for a civil engineer or architect may not fulfill the needs of a construction contractor or even another civil engineer or architect that are involved in the same project. Because each geotechnical or geologic study is unique, each geotechnical engineering or geologic report is unique, prepared solely for the specific client and project site. No one except the Port of Anacortes and members of the design team should rely on this report without first conferring with GeoEngineers. This report should not be applied for any purpose or project except the one originally contemplated.

A Geotechnical Engineering or Geologic Report is Based on a Unique Set of Project-Specific Factors

This report has been prepared for the proposed Cap Sante Marina North and West Basin Upland Redevelopment project in Anacortes, Washington. GeoEngineers considered a number of unique, project-specific factors when establishing the scope of services for this project and report. Unless GeoEngineers specifically indicates otherwise, do not rely on this report if it was:

- not prepared for you,
- not prepared for your project,
- not prepared for the specific site explored, or
- completed before important project changes were made.

For example, changes that can affect the applicability of this report include those that affect:

- the function of the proposed structure;
- elevation, configuration, location, orientation or weight of the proposed structure;
- composition of the design team; or
- project ownership.

¹ Developed based on material provided by ASFE, Professional Firms Practicing in the Geosciences; www.asfe.org.

If important changes are made after the date of this report, GeoEngineers should be given the opportunity to review our interpretations and recommendations and provide written modifications or confirmation, as appropriate.

Environmental Concerns are Not Covered

Unless environmental services were specifically included in our scope of services, this report does not provide any environmental findings, conclusions, or recommendations, including but not limited to, the likelihood of encountering underground storage tanks or regulated contaminants.

Subsurface Conditions Can Change

This geotechnical or geologic report is based on conditions that existed at the time the study was performed. The findings and conclusions of this report may be affected by the passage of time, by manmade events such as construction on or adjacent to the site, or by natural events such as floods, earthquakes, slope instability or groundwater fluctuations. Always contact GeoEngineers before applying a report to determine if it remains applicable.

Most Geotechnical and Geologic Findings are Professional Opinions

Our interpretations of subsurface conditions are based on the boring results completed at the site. Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted. GeoEngineers reviewed historic field and laboratory data and then applied our professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ, sometimes significantly, from those indicated in this report. Our report, conclusions and interpretations should not be construed as a warranty of the subsurface conditions.

Geotechnical Engineering Report Recommendations are Not Final

Do not over-rely on the preliminary construction recommendations included in this report. These recommendations are not final, because they were developed principally from GeoEngineers' professional judgment and opinion. GeoEngineers' recommendations can be finalized only by observing actual subsurface conditions revealed during construction. GeoEngineers cannot assume responsibility or liability for this report's recommendations if we do not perform construction observation.

Sufficient monitoring, testing and consultation by GeoEngineers should be provided during construction to confirm that the conditions encountered are consistent with those indicated by the explorations, to provide recommendations for design changes should the conditions revealed during the work differ from those anticipated, and to evaluate whether or not earthwork activities are completed in accordance with our recommendations. Retaining GeoEngineers for construction observation for this project is the most effective method of managing the risks associated with unanticipated conditions.

A Geotechnical Engineering or Geologic Report Could Be Subject to Misinterpretation

Misinterpretation of this report by other design team members can result in costly problems. You could lower that risk by having GeoEngineers confer with appropriate members of the design team after submitting the report. Also retain GeoEngineers to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical engineering or geologic report. Reduce that risk by having GeoEngineers participate in pre-bid and preconstruction conferences, and by providing construction observation.

Give Contractors a Complete Report and Guidance

Some owners and design professionals believe they can make contractors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical engineering or geologic report, but preface it with a clearly written letter of transmittal. In that letter, advise contractors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with GeoEngineers and/or to conduct additional study to obtain the specific types of information they need or prefer. A pre-bid conference can also be valuable. Be sure contractors have sufficient time to perform additional study. Only then might an owner be in a position to give contractors the best information available, while requiring them to at least share the financial responsibilities stemming from unanticipated conditions. Further, a contingency for unanticipated conditions should be included in your project budget and schedule.

Contractors Are Responsible for Site Safety on Their Own Construction Projects

Our geotechnical recommendations are not intended to direct the contractor's procedures, methods, schedule or management of the work site. The contractor is solely responsible for job site safety and for managing construction operations to minimize risks to on-site personnel and to adjacent properties.

Read These Provisions Closely

Some clients, design professionals and contractors may not recognize that the geoscience practices (geotechnical engineering or geology) are far less exact than other engineering and natural science disciplines. This lack of understanding can create unrealistic expectations that could lead to disappointments, claims and disputes. GeoEngineers includes these explanatory "limitations" provisions in our reports to help reduce such risks. Please confer with GeoEngineers if you are unclear how these "Report Limitations and Guidelines for Use" apply to your project or site.

Geotechnical, Geologic and Environmental Reports Should Not Be Interchanged

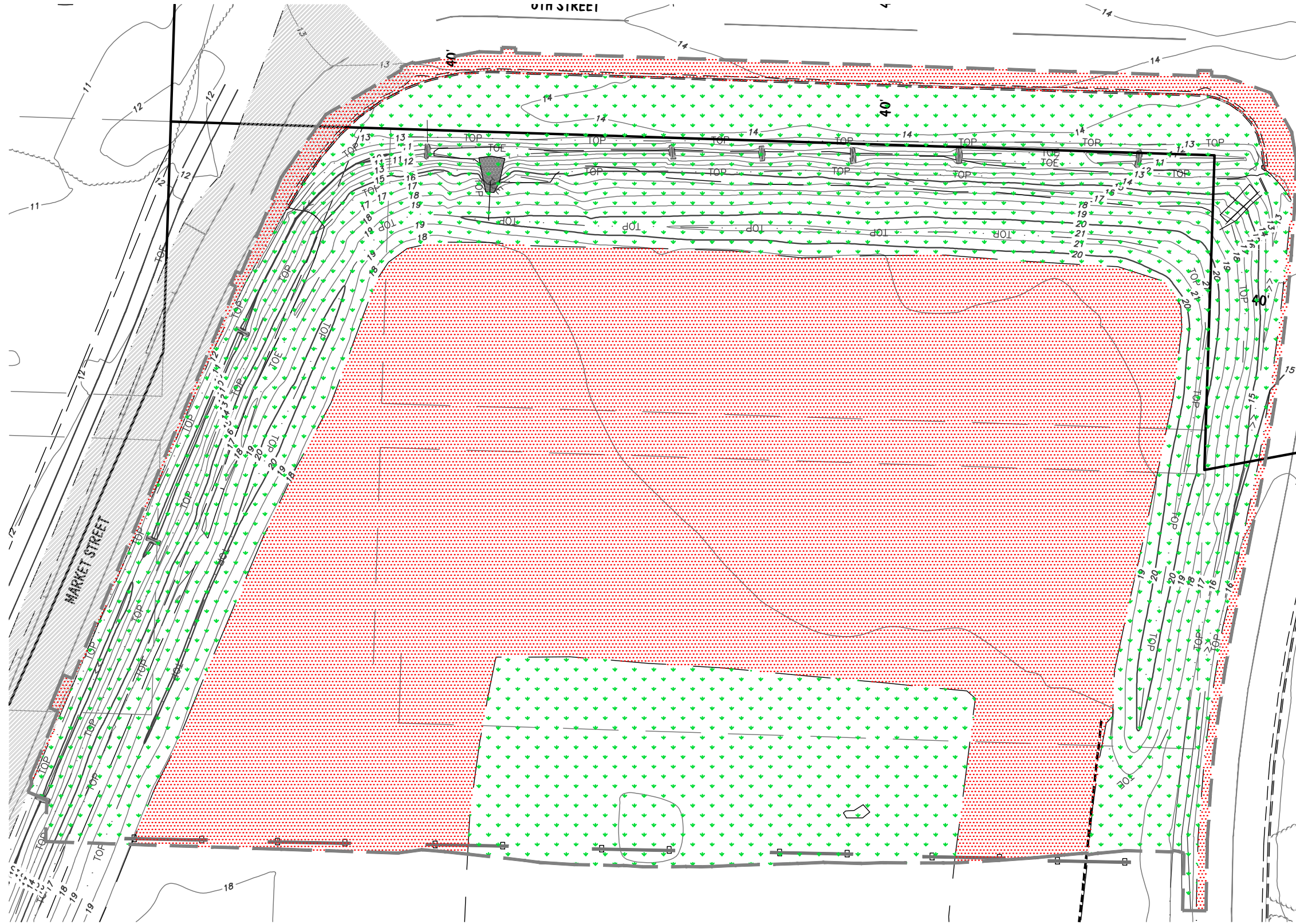
The equipment, techniques and personnel used to perform an environmental study differ significantly from those used to perform a geotechnical or geologic study and vice versa. For that reason, a geotechnical engineering or geologic report does not usually relate any environmental findings, conclusions or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. Similarly, environmental reports are not used to address geotechnical or geologic concerns regarding a specific project.

Biological Pollutants

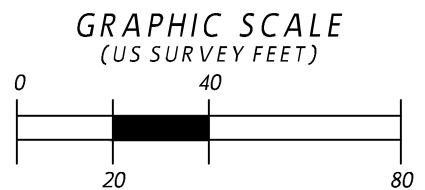
GeoEngineers' Scope of Work specifically excludes the investigation, detection, or assessment of the presence of Biological Compounds which are Pollutants in or around any structure. Accordingly, this report includes no interpretations, recommendations, findings, or conclusions for the purpose of detecting, assessing, or abating Biological Pollutants. The term "Biological Pollutants" includes, but is not limited to, molds, fungi, spores, bacteria, and viruses, and/or any of their byproducts.

BASIN MAPS

P:\Pse Project\2020064\DWGs_-SHEET\2020064_ecP_SP-RV.dwg



PRE-DEVELOPED BASIN AREA SUMMARY			
	IMPERVIOUS	62,275 SF /	1.430 AC
	PERVIOUS	51,839 SF /	1.190 AC
	TOTAL	114,114 SF /	2.620 AC



PSE



**PACIFIC SURVEYING
& ENGINEERING, INC.**
909 Squicum Way, Suite 111 | BELLINGHAM, WA 98225
T: 360.671.7387 | F: 360.671.4685
WWW.PSESURVEY.COM | INFO@PSESURVEY.COM

CAP SANTE
RV PARK IMPROVEMENTS
PORT OF ANACORTES

PRE-DEVELOPED BASIN MAP
ANACORTES, WASHINGTON

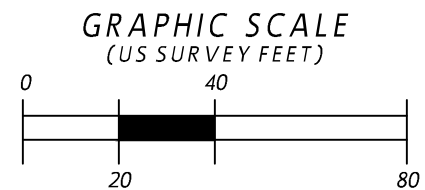
DRAWN:	XXX	SCALE:	XXX
CHECKED:	XXX	JOB#:	XXX
DATE:	02/18/2021	DWG:	2020064_ecP_SP-RV.dwg

SHEET **01** OF **02**

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POST-DEVELOPED BASIN AREA SUMMARY		
BASIN 1 - WETLAND "C"		
	ASPHALT	54,352 SF / 1.248 AC
	CONCRETE	10,802 SF / 0.248 AC
	ROOF	1,100 SF / 0.025 AC
	IMPERVIOUS TOTAL	66,254 SF / 1.521 AC
	LANDSCAPE	47,860 SF / 1.099 AC
	TOTAL	114,114 SF / 2.620 AC



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CAP SANTE
RV PARK IMPROVEMENTS
PORT OF ANACORTES

PRE-DEVELOPED BASIN MAP
ANACORTES, WASHINGTON

DRAWN:	XXX	SCALE:	XXX
CHECKED:	XXX	JOB#:	XXX
DATE:	02/18/2021	DWG:	2020064_ecP_SP-RV.dwg

SHEET **02** OF **02**

Date Received:

4/5/21

CUP-2021-0001

After Recording, Return To:

City Attorney
City of Anacortes
P.O. Box 547
Anacortes, WA 98221



201201050053

Skagit County Auditor

1/5/2012 Page

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5 12:24PM

DOCUMENT:

GRANTOR:

GRANTEE:

ABBREVIATED LEGAL:

ASSESSOR'S TAX PARCEL NO.:

STATUTORY WARRANTY DEED

PORT OF ANACORTES

CITY OF ANACORTES

PTN OF TIDE AND SHORE LANDS OF

A. H. IN S18, T35N, R2E (SEE ATTACHED)

3776-007-000-0001/P56797; 3776-010-000-

0005/P56814; 3776-023-000-0008/P56862;

350218-0-022-0001/P32282

REFERENCE NUMBER OF
RELATED DOCUMENT:

N/A

LAND TITLE OF SKAGIT COUNTY

141023-0AE

STATUTORY WARRANTY DEED

The Grantor, **Port of Anacortes**, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, and subject to the reservations identified below, conveys and warrants to **City of Anacortes**, the real estate described in Exhibit "A" attached hereto, situated in the County of Skagit, State of Washington (the "Property").

The Grantor and Grantee agree, as additional consideration for this transaction, that the Property shall be governed by the following restrictions, covenants and reservations in the Property:

1. The Port is retaining the ownership of the property immediately west of the Depot Property along "R" Avenue (the "Port's Retained Depot Parcel"). In the context of the use of the Port's Retained Depot Parcel, in conjunction with other Port adjacent property which is used for marine industrial activities, the Port reserves any rights to reasonably operate these marine industrial activities. The City acknowledges that the operations currently functioning on the Port's Retained Depot Parcel and the Port adjacent property are within the limits of the current zoning.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

201220
JAN 05 2012

STATUTORY WARRANTY DEED - 1

Amount Paid \$ 0
Skagit Co. Treasurer
By M6 Deputy

2. The Grantor reserves the right to construct and maintain (including the right to remove trees as may be necessary) a right of way connecting the east and west sides of 6th Street across and through the Property.
3. The Grantor reserves a storm water easement from the Ports Retained Depot Property eastward towards and including the wetlands on the Property.

It is understood and agreed that the delivery of this deed is hereby tendered, and that the terms and obligations hereunder shall be run with the land and binding upon the Grantee and Grantee's successor's in title to the Property.

Dated this 23rd day of November, 2011.

GRANTOR:

GRANTEE:

PORT OF ANACORTES

CITY OF ANACORTES

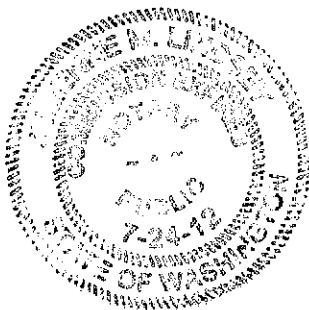

Robert W. Hyde
Executive Director

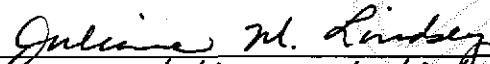

Dean Maxwell
Mayor

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Robert W. Hyde** known to be the Executive Director of the **Port of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and official seal this 23rd day of November, 2011.




Print Name: Julienne M. Lindsey
NOTARY PUBLIC in and for the
State of Washington, residing at Anacortes, WA

STATUTORY WARRANTY DEED - 2

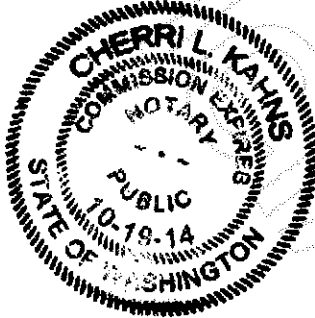


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STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Dean Maxwell** known to be the Mayor of the **City of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and official seal this 28th day of November, 2011.



Cheri L. Kahns
Print Name: Cheri L. Kahns
NOTARY PUBLIC in and for the
State of Washington, residing at Mount Vernon

PORT OF ANACORTES/PLANNING & PROJECTS/DEPOT PROPERTY TRANSFER/STATUTORY WARRANTY DEED DEPOT PROPERTY_06-17-10

STATUTORY WARRANTY DEED - 3



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Skagit County Auditor

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DEPOT PROPERTY

LEGAL DESCRIPTION FOR THE PORT OF ANACORTES

October 11, 2011

All those portions of Blocks 7 and 10, together with the vacated alleys and vacated 5th Street within said Blocks 7 and 10; of vacated 6th Street lying between R and S Avenues; of Blocks 23 and 26, together with the vacated alley and vacated 7th Street adjacent to and adjoining said Blocks 23 and 26, all as shown on "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington; of Tracts 22 and 31, Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, together with vacated 8th Street adjacent to and adjoining said Tracts 22 and 31, being more particularly described as follows:

Commencing at the Northwest corner of said Block 23 as said point is shown on that certain Record of Survey recorded in Book 7 of Surveys at page 164 under Auditor's File No.

9511140044, records of said County and State, said point being also the Northwest corner of that certain tract of land conveyed to the City of Anacortes by instrument dated January 27, 1981 and recorded February 27, 1981 under Auditor's File No. 8102270020, records of said County and State, as said tract is shown on that certain Record of Survey recorded under Auditor's File No. 8103090040, records of said County and State;

thence South $88^{\circ} 07' 26''$ East along the North line of said City of Anacortes tract, 59.75 feet to its Northeast corner and the **TRUE POINT OF BEGINNING**;

thence continuing South $88^{\circ} 07' 26''$ East along the South line of said vacated 6th Street and along the South line of that certain tract of land shown on said Record of Survey recorded under Auditor's File No. 9511140044, 40.15 feet;

thence South $0^{\circ} 59' 20''$ West, 42.46 feet;

thence South $88^{\circ} 49' 04''$ East, 41.74 feet;

thence North $54^{\circ} 41' 55''$ East, 69.43 feet to the Southeast corner of said tract of land shown on Record of Survey recorded under Auditor's File No. 9511140044;

thence North $1^{\circ} 55' 20''$ East along the East line of said tract of land, 74.20 feet to an angle point thereon;

thence North $51^{\circ} 36' 49''$ West, continuing along the East line of said tract of land, 38.71 feet to an angle point thereon;

thence North $0^{\circ} 32' 57''$ East, continuing along the East line of said tract of land, 50.49 feet to an angle point thereon;

thence North $16^{\circ} 24' 08''$ West, continuing along the East line of said tract of land, 64.74 feet to an angle point thereon;

thence North $4^{\circ} 25' 44''$ East, continuing along the East line of said tract of land, 39.59 feet to an angle point thereon;

thence North $53^{\circ} 43' 16''$ East, continuing along the East line of said tract of land, 103.11 feet to an angle point thereon;

thence North $1^{\circ} 20' 56''$ East, continuing along the East line of said tract of land, 16.31 feet;

thence North $30^{\circ} 22' 14''$ East, 103.97 feet to a point on a curve to the left, the center of which bears South $74^{\circ} 02' 15''$ West and is 949.66 feet distant;



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Skagit County Auditor

thence Northerly along said curve to the left through a central angle of $8^{\circ} 19' 17''$, an arc distance of 137.92 feet to the East line of said tract of land shown on Record of Survey recorded under Auditor's File No. 9511140044;

thence North $1^{\circ} 20' 56''$ East along the East line of said tract of land, 43.40 feet to its Northeast corner and the North line of that certain tract of land conveyed to the Port of Anacortes by instrument dated June 3, 1991 and recorded June 18, 1991 under Auditor's File No. 9106180118, records of said County and State;

thence South $88^{\circ} 06' 29''$ East along the North line of said Port of Anacortes tract, 74.45 feet to the Northeast corner thereof;

thence South $1^{\circ} 52' 41''$ West along the East line of said Port of Anacortes tract, 674.95 feet to a point lying on a curve to the right, the center of which bears North $68^{\circ} 01' 47''$ West and is 660.63 feet distant;

thence Southerly, continuing along said East line and along said curve to the right through a central angle of $1^{\circ} 46' 38''$, an arc distance of 20.49 feet to the end of said curve;

thence South $23^{\circ} 44' 51''$ West, continuing along the East line of said Port of Anacortes tract, 350.55 feet to an angle point thereon;

thence South $34^{\circ} 38' 31''$ West, continuing along the East line of said Port of Anacortes tract, 220.63 feet to the most Southerly corner thereof, said point lying on the East line of said City of Anacortes tract, said point lying on a curve to the left, the center of which bears North $76^{\circ} 28' 46''$ West and is 804.02 feet distant;

thence Northerly along said East line and along a curve to the left through a central angle of $11^{\circ} 32' 59''$, an arc distance of 162.07 feet to the end of said curve;

thence North $1^{\circ} 58' 15''$ East, continuing along said East line of said City of Anacortes tract, 452.71 feet to the **TRUE POINT OF BEGINNING**;

Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

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5 12:24PM

After Recording Return to:

City Attorney
City of Anacortes
P.O. Box 547
Anacortes, WA 98221



201201170067
Skagit County Auditor

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City of Anacortes
*Planning, Community &
Economic Development*

Date Received:
4/5/21

CUP-2021-0001

INTERLOCAL COOPERATIVE AGREEMENT

BETWEEN

PORT OF ANACORTES

AND

CITY OF ANACORTES

THIS INTERLOCAL COOPERATIVE AGREEMENT (the "Agreement") is made and entered into by and between the **PORT OF ANACORTES** ("Port") and the **CITY OF ANACORTES** ("City") pursuant to the authority granted by Chapter 39.34 RCW, Interlocal Cooperation Act.

WHEREAS, the City and the Port entered into an October 21, 2002 Interlocal Agreement, recorded as Skagit County Auditor File No. 2002111201186 (the "2002 Interlocal"), a copy of which is attached hereto as Exhibit "A," which transferred five thousand (5,000) square feet of land from the Port to the City and gave the Port a Fifty Thousand Dollar (\$50,000) credit against any future amounts owed by the Port to the City as a result of (i) the Port's acquisition of property, or (ii) the City's vacation of streets in favor of the Port.

WHEREAS, the City and the Port have identified three separate parcels wherein ownership will be transferred between the City and the Port. The properties are described as the "Depot Property," the "Third and R Avenue Property" and the "Market Street Properties." These properties are depicted on the aerial photograph attached hereto as Exhibit "B."

WHEREAS, the City and the Port now desire to transfer ownership of the properties as described herein and satisfy all the outstanding obligations of the 2002 Interlocal.

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions the parties agree as follows:

1. **EXHIBITS.** The following Exhibits and Maps are attached to this Agreement and incorporated herein by reference.

EXHIBIT	DESCRIPTION
A	Interlocal Cooperative Agreement Between Port of Anacortes and City of Anacortes Dated October 21, 2002
B	Aerial Photo Showing Property Locations
C	Street Vacation Ordinance – Third Street and “R” Avenue Properties (Street Vacation Parcel 10)
D	Street Vacation Ordinance - Market Street Properties (Street Vacation Parcels 5-9)
E	Legal Descriptions of Market Street Parcels A, D, E, & G
F	Statutory Warranty Deed – Market Street Parcels A and E (Port to City)
G	Statutory Warranty Deed – Market Street Parcels D and G (City to Port)
H	Legal Description of Depot Property
I	Statutory Warranty Deed – Depot Property
J	Right of Way Agreement over Market Street

In addition to the Exhibits noted above, the following maps have been prepared to depict the transaction contemplated herein. These maps are incorporated by reference.

Map 1	Proposed Street Vacations (Parcels 5-10)
Map 2	Ownership After Street Vacations
Map 3	Market Street Parcels to be Exchanged
Map 4	Market Street Right of Way

2. STREET VACATIONS. As depicted on Map 1 and Map 2, the City has various street right of ways within the vicinity of Third Street and R Avenue and also in the vicinity of Market Street between Sixth and Ninth Streets that the parties desire to have vacated. The parties shall work together as follows to accomplish these vacations.

2.1 Third Street & “R” Avenue Street Vacation. The City has street right of ways in the vicinity of Third Street and “R” Avenue identified on Map 1, and collectively hereafter referred to, as “Street Vacation Parcel 10.” The Port shall petition the City to vacate Street Vacation Parcel 10 and upon receipt of the Port’s Petition for Street Vacation, the City shall immediately commence the appropriate administrative and public process for vacating Street Vacation Parcel 10, which process is to conclude with the City’s approval of street vacation ordinance attached hereto as Exhibit “C.”

2.2 Market Street Vacations. The City has street right of ways in the vicinity of Market Street between Sixth and Ninth Streets as identified on Map 1, and collectively hereafter referred to, as “Street Vacation Parcel 5-9.” Both the City and the Port separately own portions of the property underlying the right of way. The Port shall petition the City to vacate Street Vacation Parcels 5-9 and upon receipt of the Port’s Petition for Street Vacation, the City shall immediately commence the appropriate administrative and public process for vacating Street Vacation Parcels 5-9, which process is to conclude with the City’s approval of street vacation ordinance attached hereto as Exhibit “D.” As indicated by the table below, those portions of



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Street Vacation Parcels 5-9 where the underlying property is owned by the City will be vacated in favor of the City and those portions owned by the Port will be vacated in favor of the Port.

STREETS TO BE VACATED BY CITY	EXHIBITS	SQUARE FOOTAGE VACATED	PROPERTY OWNER VACATED IN FAVOR OF
3 rd St. and "R" Avenue (Parcel 10)	Exhibit C Maps 1 & 2	55,654	DCI/Port
Market Street Vicinity (Parcels 5-9)	Exhibits D Maps 1 & 2	54,495	City (31,024 sq. ft.) Port (23,471 sq. ft.)

2.3 Public Process. The parties recognize that the street vacations described above will be subject to public hearing and review before the City Council may grant or deny the Port's petitions. Completion of the property transfers identified below is contingent upon the City first completing the street vacations identified in this section.

3. MARKET STREET PROPERTY EXCHANGES. As depicted on the various exhibits and maps attached hereto, the ownership of the various properties underlying and surrounding Market Street between Sixth Street and Ninth Street is held by the Port and the City. The Port and the City desire to exchange parcels of property in order to create contiguous and rational ownership parcels. Thereafter, the Port will provide a right of way over a portion of its property for Market Street. The legal description of the Port's parcels to be transferred to the City, which are designated as Parcels A & E, and the City parcels to be transferred to the Port, which are designated as Parcels D & G, are set forth in Exhibit "E." The form of the Port's statutory warranty deed is set forth in Exhibit "F" and the form of the City's statutory warranty deed is set forth in Exhibit "G". The Market Street property exchanges are detailed in the following table:

PROPERTY	CURRENT OWNER	EXHIBITS AND MAP REFERENCES	TRANSFeree
Parcels A & E	Port	Exhibit E & F Maps 2 & 3	City
Market Street Parcels D & G	City	Exhibit E & G Maps 2 & 3	Port

4. DEPOT PROPERTY TRANSFER. The Port owns the Depot Property which is depicted in Exhibit "B" and legally described in Exhibit "H." The Port shall transfer the Depot Property to the City using the form of statutory warranty deed attached hereto as Exhibit "I." The transfer will be subject to the following reservations:

4.1 Reservation of Industrial Rights. The Port is retaining the ownership of the property immediately west of the Depot Property along "R" Avenue (the "Port's Retained Depot Parcel"). In the context of the use of the Port's Retained Depot Property in conjunction with other Port adjacent property which is used for marine industrial activities the Port reserves any rights to continue to reasonably operate these marine industrial activities. The city



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acknowledges that the operations currently functioning on the Port's Retained Depot Parcel and the Port adjacent property are within the limits of the current zoning.

4.2 Connection of Sixth Avenue. It may later become necessary for the Port to connect the eastern side of Sixth Street through the Depot Property and the Port's Retained Depot Parcel to the western side of Sixth Street. As contained in Exhibit "I," the Port reserves the right to construct (including the removal of trees as may be necessary) and maintain a right of way across and through the Depot Property for purposes of connecting the east and west sides of Sixth Street.

4.3 Storm Water. The storm water from the Port's Retained Depot Parcel currently drains into the Depot Property. As contained in Exhibit "I," the Port reserves a storm water easement from the Port's Retained Depot Parcel eastward onto the wetlands portion of the Depot Property.

5. MARKET STREET RIGHT OF WAY. The Port shall grant a sixty (60) foot right of way to the City, in the form attached hereto as Exhibit "J," over those portions of property owned by the Port, after the Market Street transfers identified above, upon which Market Street currently exists. The right of way is depicted in Map 4, attached hereto, and shall be centered on the existing location of Market Street.

6. OCTOBER 21, 2002 INTERLOCAL. This Agreement shall supersede and subsume the 2002 Interlocal identified above between the Port and the City. As partial consideration for the actions taken by the City pursuant to this Agreement, the remaining balance of the Port's Fifty Thousand Dollar (\$50,000) Credit established under the 2002 Interlocal shall be deemed satisfied upon completion of all of the street vacations and property transfers to be made by the City that are contemplated herein.

7. CONSIDERATION. The City and the Port recognize that the Port is transferring to the City more square footage of property than the City is transferring to the Port. However, both parties recognize that square footage of property exchanged is not the only, nor necessarily the most important, measure of value. Indeed, the street vacations, property transfers and other transactions contemplated herein are essential components of the City's and the Port's respective comprehensive and development plans which could not be otherwise realized. This includes, but is not limited to, the Port's Project Pier 1. The parties acknowledge that the transactions contemplated herein will enhance the value of adjacent properties already owned by the Port and the City and that the street vacations by the City will unencumber Port owned properties. The parties further recognize that they are both receiving a true and full value as set forth in RCW 43.09.210 for the property exchanges and other obligations they both respectively assumed herein. The parties hereby agree that the consideration exchanged between them pursuant to this Agreement is satisfactory in all respects and that in the event of litigation regarding this Agreement or the transactions contemplated herein no action or defense may be brought on the basis of inadequate consideration.

8. TITLE INSURANCE. Title examination shall be conducted as follows:

8.1 Title Commitments. Within five (5) days after the mutual execution of this Agreement, the parties shall order from Chicago Title in Anacortes, Washington (the "Escrow



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Skagit County Auditor

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Holder") commitments for standard owner's policy of title insurance (the "Title Commitments") for the following properties:

- (i) The Depot Property to be transferred from the Port to the City;
- (ii) Market Street Parcels A and E to be transferred from the Port to the City; and
- (iii) Market Street Parcels D and G to be transferred from the City to the Port.

The commitments shall commit the Escrow Holder to insure good and marketable title to the properties free and clear of liens, deeds of trusts, charges, defects or encumbrances other than the "Permitted Exceptions." Since the property exchanges contemplated herein do not include a purchase price, the amount each of each of the respective Title Commitments shall be in amounts reasonably agreed to by the parties.

8.2 Title Objections. Upon receipt of the Title Commitments, the parties shall reasonably work together to identify and remove any objections to title either party may have regarding title to property it is to receive from the other; except, those rights reserved in federal patents or state deeds, building or use restrictions general to the district, existing easements not inconsistent with the transferee's intended use, and building or zoning regulations or provisions shall not be deemed encumbrances or defects and the transferor shall not be obligated to remove them at or before closing (the "Permitted Exceptions"). Before the City Council's public hearing regarding the Port's petitions to vacate Street Vacation Parcels 5-10, the parties will attempt to reach consensus as to (i) which title objections will be removed from title at or before closing, and (ii) which objections will stay on title after closing. In the event that the parties are unable to so agree, either party may terminate this Agreement with no further obligation to either party.

8.3 Costs. The Port and the City shall share equally all title insurance costs.

9. ESCROW INSTRUCTIONS. Upon execution of this Agreement, the parties shall deposit an executed counterpart of this Agreement with Escrow Holder and this Agreement shall serve as the instructions to Escrow Holder for consummation of the property transfers contemplated herein. The Port and the City agree to execute such additional and supplemental escrow instructions as may be appropriate to enable the Escrow Holder to comply with the terms of this Agreement; provided, however, that in the event of any conflict between the provisions of this Agreement and any supplemental escrow instructions, the terms of this Agreement shall control.

10. CLOSING AND ESCROW. The closing hereunder (the "Closing") shall be held and delivery of all items to be made at the Closing under the terms of this Agreement shall be made at the offices of Escrow Holder. Closing shall take place within twenty (20) days of the City's grant of the Port's petitions to vacate Street Vacation Parcels 5-10 or such other date as the parties may mutually agree in writing. All documents shall be deemed delivered on the date the respective deeds are recorded and possession of the properties shall transfer to receiving parties on the Closing Date. The City and the Port shall share equally all closing and escrow costs arising out of this Agreement.

11. DOCUMENTS TO BE DELIVERED BY CITY FOR CLOSING. On or prior to the Closing Date, the City shall deposit with Escrow Holder the following:



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Skagit County Auditor

- (i) A duly executed Street Vacation Ordinance for Street Vacation Parcel No. 10 in the form attached hereto as Exhibit "C;"
- (ii) A duly executed Street Vacation Ordinance for Street Vacation Parcel Nos. 5-9 in the form attached hereto as Exhibit "E;"
- (iii) A duly executed and acknowledged Statutory Warranty Deed for Market Street Parcels D and G in the form attached hereto as Exhibit "H," together with a duly executed real estate excise tax affidavit;
- (iv) A standard ALTA form of owner's policy of title insurance covering Market Street Parcels D and G; and
- (v) Such other instruments as are reasonably required by Escrow Holder or otherwise required to close the escrow and consummate the transfer of properties in accordance with the terms of this Agreement.

12. DOCUMENTS TO BE DELIVERED BY PORT FOR CLOSING. On or prior to the Closing Date, the Port shall deposit with Escrow Holder the following:

- (i) A duly executed and acknowledged Statutory Warranty Deed for Market Street Parcels A and E in the form attached hereto as Exhibit "G," together with a duly executed real estate excise tax affidavit;
- (ii) A duly executed and acknowledged Statutory Warranty Deed for the Depot Property in the form attached hereto as Exhibit "J," together with a duly executed real estate excise tax affidavit;
- (iii) A duly executed and acknowledged Right of Way Agreement in the form attached hereto as Exhibit "K;"
- (iv) A standard ALTA form of owner's policy of title insurance covering Market Street Parcels A and E and the Depot Property;
- (v) Such other instruments as are reasonably required by Escrow Holder or otherwise required to close the escrow and consummate the transfer of properties in accordance with the terms of this Agreement.

13. RECORDING OF DOCUMENTS. Escrow Holder shall record the documents in the following order (i) Street Vacation Ordinances, (ii) Deeds, and (iii) Right of Way Agreement.

14. ADMINISTRATION AND NOTICE. The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the party making the change shall notify the other party. All notices, demands, requests, consents and approvals which may, or are required to be given by any party to any other party hereunder, shall be in writing and shall be deemed to have been duly given if delivered personally, sent by facsimile, sent by a



201201170067

Skagit County Auditor

nationally recognized overnight delivery service, or if deposited in the United States mail and sent by registered or certified mail, return receipt requested, postage prepaid to:

Port of Anacortes: Port of Anacortes
ATTN: Robert W. Hyde, Executive Director
First and Commercial
Post Office Box 297
Anacortes, WA 98221

City of Anacortes: City of Anacortes
ATTN: H. Dean Maxwell, Mayor
Post Office Box 547
Anacortes, WA 98221

or to such other address as the foregoing parties hereto may from time-to-time designate in writing and deliver in a like manner. All notices shall be deemed complete upon actual receipt or refusal to accept delivery. Facsimile transmission of any signed original document, and retransmission of any signed facsimile transmission shall be the same as delivery of an original document.

15. INDEMNIFICATION. It is understood and agreed between the parties hereto that each party will indemnify, defend and hold the other party harmless from all liability, claims, losses, demands, actions or causes of action resulting from their respective acts undertaken in connection with this Agreement. In other words, to the extent that liability, claims, losses, demands, actions or causes of action arise from the City's performance of any act undertaken in connection with this Agreement, the City will indemnify, defend and hold the Port harmless. Similarly, the Port will indemnify, defend and hold the City harmless from liability, claims, losses, demands, actions or causes of action arising from the performance of any act undertaken in connection with this Agreement. The rights and duties arising out of this indemnification extend to the parties respective elected officials, employees and agents.

16. ENVIRONMENTAL RELEASE. Each party acquiring property transferred under this Agreement further agrees to release the party transferring property under this Agreement from any and all liability, claims, losses, demands, actions or causes of action arising from or related to the transferred property, including any latent, environmental or hazardous conditions on the property, whether known or unknown to the transferring party, or any of its officers, employees or agents. The property transfers made in accordance with this Agreement are made "as is, where is" and neither party is relying in whole or in part on any representation or warranty from the other party as to the physical condition of any of the properties to be transferred. Both parties hereby warrant to the other that they are relying on their own inspection and review of the properties they are acquiring and have made their own determination that those properties are suitable for their intended purposes.

17. CHANGES, MODIFICATIONS, AMENDMENTS AND WAIVERS. The Agreement may be changed, modified, amended or waived only by written agreement executed by the parties hereto, upon authorization by the legislative bodies of the City and the Port. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.



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Skagit County Auditor

1/17/2012 Page

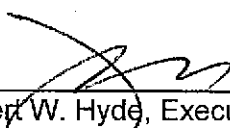
7 of 74 12:14PM

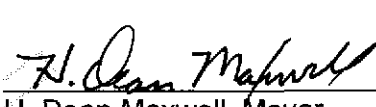
18. **SEVERABILITY.** In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

19. **ENTIRE AGREEMENT.** This Agreement contains all terms and conditions agreed upon by the parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind either of the parties hereto.

FOR PORT OF ANACORTES

FOR CITY OF ANACORTES


Robert W. Hyde, Executive Director

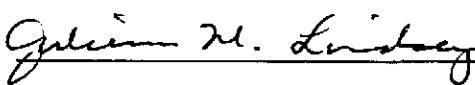

H. Dean Maxwell, Mayor

DATED: 23 NOV 2011

DATED: 11/28/11

ATTEST:

ATTEST:

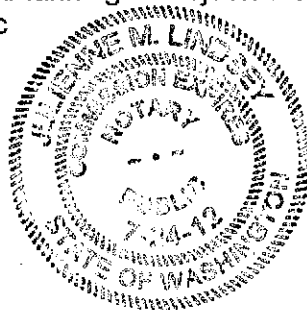




APPROVED AS TO FORM:

APPROVED AS TO FORM:

F:\PORT ANACORTES\Planning & Projects Department\Depot Property Transfer\Interlocal with City revised 110308.doc



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Skagit County Auditor

**EXHIBIT A:
INTERLOCAL COOPERATIVE AGREEMENT BETWEEN PORT OF ANACORTES AND CITY
OF ANACORTES DATED OCTOBER 21, 2002.**



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Skagit County Auditor

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After Recording Return to:

City Attorney
City of Anacortes
P.O. Box 547
Anacortes, WA 98221



200211120186
Skagit County Auditor

11/12/2002 Page 1 of 5 11:28AM

INTERLOCAL COOPERATIVE AGREEMENT

BETWEEN

PORT OF ANACORTES

AND

CITY OF ANACORTES

ISLAND TITLE CO.
QB 2259

ACCOMMODATION RECORDING

THIS AGREEMENT is made and entered into by and between the Port of Anacortes ("Port") and the City of Anacortes ("City") pursuant to the authority granted by Chapter 39.34 RCW, INTERLOCAL COOPERATION ACT.

- PURPOSE:** The purpose of this Interlocal Agreement is to formalize the relationship of the Port and the City regarding the transfer of approximately 5,000 square feet of Port owned property adjacent to the City owned property that includes the Depot and the W.T. Preston from the Port to the City for \$10 per square foot or a total of \$50,000. This 5,000 square feet of property is legally described in Attachment A to this Agreement and is shown in generalized form in Attachment B. It is in the best interests of the Port and the City to complete this transaction by September 30, 2002, with proper consideration for finalized reimbursement to the Port over a 5-year period as set forth in this Agreement.
- RESPONSIBILITIES AND MANNER OF FINANCING:** The Port may use the \$50,000 as a credit against any amount(s) the Port owes the City on any property acquisitions or street vacations initiated and completed prior to June 30, 2007. In the event the Port does not use the entire \$50,000 credit for such property acquisitions or street vacation fees prior to June 30, 2007, the City shall pay the Port any remaining balance in cash on July 1, 2007. Any property acquired by the Port under this provision shall be valued at \$10 per square foot for the first 5,000 square feet.
- TERM OF AGREEMENT:** The term of this Agreement shall be from October 1st, 2002 through October 1st, 2007.



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4. **ADMINISTRATION:** The following individuals are designated as representatives of the respective parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the party making the change shall notify the other party.

4.1 the Port's representative shall be Dan Stahl.

4.2 The City's representative shall be Ian Munce.

5. **INDEMNIFICATION AND RELEASE:** It is understood and agreed between the parties hereto that each party will indemnify, defend and hold the other party harmless from all liability, claims, losses, demands, actions or causes of action resulting from their respective acts undertaken in connection with this agreement. In other words, to the extent that liability, claims, losses, demands, actions or causes of actions arise from the City's performance of any act undertaken in connection with this Agreement, the City will indemnify, defend and hold the Port harmless. Similarly, the Port will indemnify, defend and hold the City harmless from liability, claims, losses, demands, actions or causes of action arising from the performance of any act undertaken in connection with this Agreement. Each Party acquiring property transferred under this Agreement further agrees to release the Party transferring property under this Agreement from any and all liability, claims, losses, demands, actions or causes of action arising from or related to the transferred property, including any latent, environmental or hazardous conditions on the property, whether known or unknown to the transferring Party, or any of its officers, employees or agents. The rights and duties arising out of this Indemnification and Release Agreement extend to the parties respective officers, employees and agents.

6. **CHANGES, MODIFICATIONS, AMENDMENTS AND WAIVERS:** The Agreement may be changed, modified, amended or waived only by written agreement executed by the parties hereto, upon authorization by the legislative bodies of the City and the Port. Waiver or breach of any term or condition of this Agreement shall not be considered a waiver of any prior or subsequent breach.

7. **SEVERABILITY:** In the event any term or condition of this Agreement or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end the terms and conditions of this Agreement are declared severable.

8. **ENTIRE AGREEMENT:** This Agreement contains all terms and conditions agreed upon by the parties. All items incorporated herein by reference are attached. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

Island Title Company has placed
this document for recording as a
customer courtesy and accepts no
liability for its accuracy or validity



201201170067

Skagit County Auditor

FOR PORT OF ANACORTES

Charles Mallary
Charles Mallary

DATED: 9/27/02

ATTEST:

Nelson Neher
Director of Finance

APPROVED AS TO FORM:

Jan St

FOR CITY OF ANACORTES

H. Dean Maxwell
H. Dean Maxwell, Mayor

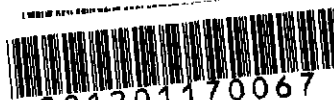
DATED: 10/21/02

ATTEST:

George Khtaian
George Khtaian, City Clerk

APPROVED AS TO FORM:

DE Maxwell



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Skagit County Auditor

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806 Melcalf St., Sedro-Woolley, WA 98284 Phone: (360) 855-2121 FAX: (360) 855-1658

ATTACHMENT A

**LEGAL DESCRIPTION
OF DEPOT PROPERTY INTERPRETIVE CENTER
FOR
PORT OF ANACORTES**

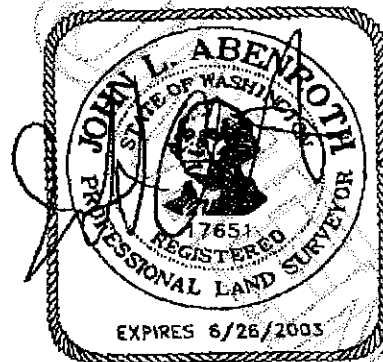
June 10, 2002

That portion of Block 26 of BOWMAN'S CENTRAL SHIP HARBOR WATERFRONT PLAT OF ANACORTES, according to the plat recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington, described as follows:

Commencing at the intersection of the north line of Block 23 of BOWMAN'S CENTRAL SHIP HARBOR WATERFRONT PLAT OF ANACORTES and the centerline of the Burlington Northern Railway main track; thence N 88°07'06"W along the north line of said Block 23, a distance of 15.00 feet; thence S 1°58'23"W parallel with the centerline of the Burlington Northern Railway main track, a distance of 296.83 feet to the point of beginning of this description; thence S 88°07'06"E a distance of 50.00 feet; thence S 1°58'23"W, a distance of 100.00 feet; thence N 88°07'06"W, a distance of 50.00 feet; thence N 1°58'23"E, a distance of 100.00 feet to the point of beginning.

Containing 5,000 square feet.

Situated in Skagit County, Washington.

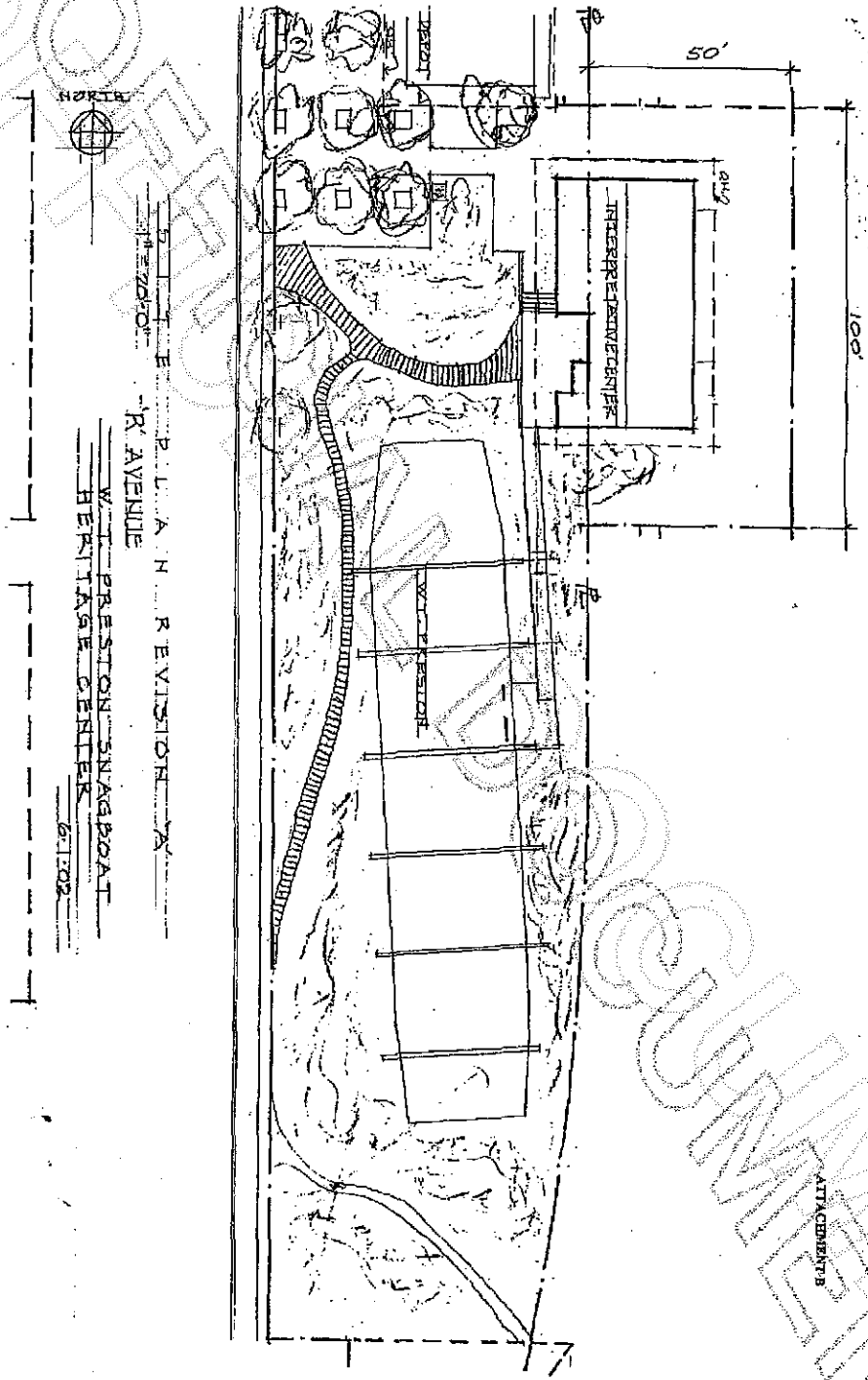


6/11/2002



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PRESTON SNAGBOAT
 HERITAGE CENTER
 6/1/02
 PLAN REVISION A
 1/20/02
 R AVENUE



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**EXHIBIT B:
AERIAL PHOTO SHOWING PROPERTY LOCATIONS**



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Street & Property Areas Proposed to Vacate



- A. Depot Property
- B. 3rd Street & R Avenue
- C. Market Street Properties

Exhibit B
Property Locations



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**EXHIBIT C:
STREET VACATION ORDINANCE – 3RD STREET AND “R” AVENUE PROPERTIES
(PARCEL 10)**



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RETURN TO:

City of Anacortes
P.O. Box 547
Anacortes, WA 98221

ORDINANCE NO. 2862

AN ORDINANCE VACATING A RIGHT-OF-WAY OF CERTAIN PORTIONS OF

3RD Street and R Avenue

THE CITY COUNCIL OF THE CITY OF ANACORTES DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, the requisite number of owners of property abutting certain streets and alleys located within the City of Anacortes have petitioned for an alteration of the plats in which those streets are contained, and have requested vacation a portion of the streets therein; and

WHEREAS, the City Council held a public hearing on said proposal on February 16, 2010 and agreed to approve the proposal as set-forth below; now, therefore,

THE CITY COUNCIL OF THE CITY OF ANACORTES, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The following described right-of-way on streets and alleys located in the City of Anacortes should be and are hereby vacated:

That portion of 3rd Street as shown on the plat of "CITY OF ANACORTES", recorded in Volume 2 of Plats at page 4, records of Skagit County, Washington, lying between the East line of "Q" Avenue and the West line of "R" Avenue as shown on said plat; that portion of said "R" Avenue lying South of a line parallel with and 40 feet North of the North line of said 3rd Street (as referred to in that certain City of Anacortes Ordinance No. 1138 recorded under Auditor's File No. 568102, records of said County and State), and North of the North line of 4th Street as shown on said plat; and all of the alley in Block 4 of said plat.
Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

SECTION 2. This Ordinance shall be recorded with The Interlocal Cooperative Agreement between The City of Anacortes and The Port of Anacortes, which shall represent compensation for the vacated right of way as described above. The vacation shall not be effective until such full recordation.

SECTION 3. Effective Date: This ordinance shall take effect from and after 5 (five) days after its passage and publication as required by law.

PASSED AND APPROVED this 28 day of Nov, 2011.

CITY OF ANACORTES:

BY: H. Dean Maxwell
H. Dean Maxwell, Mayor

ATTEST:

Steve D. Hoglund
Steve D. Hoglund, City Clerk Treasurer

APPROVED AS TO FORM:

Bradford Furlong
Bradford Furlong, City Attorney WSBA #12924



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Skagit County Auditor

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EXHIBIT "A"

#10

**LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF PORTIONS OF "R" AVENUE,
3RD STREET, AND ALLEY IN BLOCK 4 TO BE VACATED**

May 18, 2005

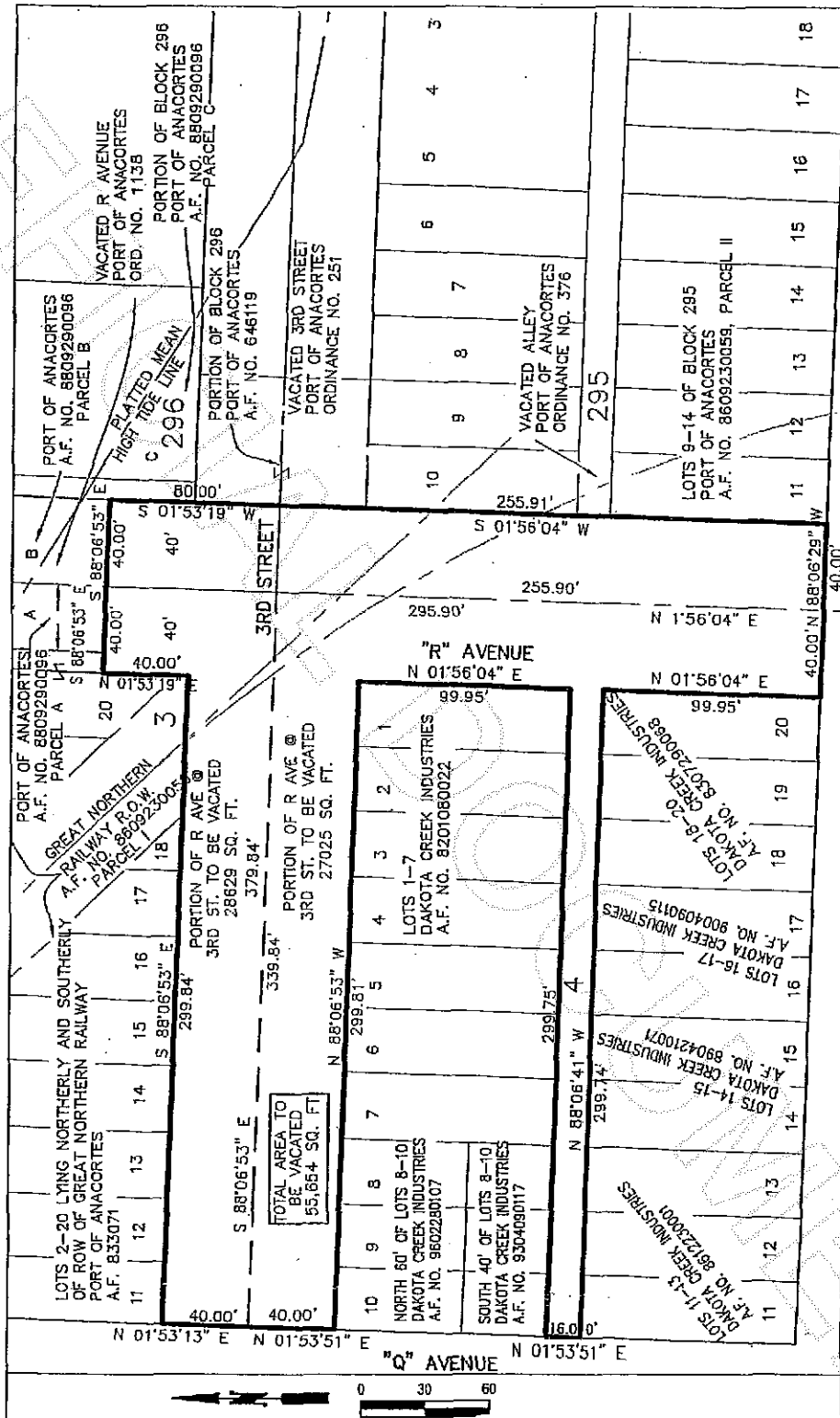
That portion of 3rd Street as shown on the plat of "CITY OF ANACORTES", recorded in Volume 2 of Plats at page 4, records of Skagit County, Washington, lying between the East line of "Q" Avenue and the West line of "R" Avenue as shown on said plat; that portion of said "R" Avenue lying South of a line parallel with and 40 feet North of the North line of said 3rd Street (as referred to in that certain City of Anacortes Ordinance No. 1138 recorded under Auditor's File No. 568102, records of said County and State), and North of the North line of 4th Street as shown on said plat; and all of the alley in Block 4 of said plat. Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

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Leonard, Boudinot & Skodje Inc.
 PROFESSIONAL ENGINEERS & LAND SURVEYORS
 603 South First Street P.O. Box 1228
 Mount Vernon, WA 98273
 Tel: 360-336-5751 Fax: 360-336-3981

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**EXHIBIT D:
STREET VACATION ORDINANCE – MARKET STREET PROPERTIES
(PARCELS 5-9)**



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12

RETURN TO:

City of Anacortes
P.O. Box 547
Anacortes, WA 98221

ORDINANCE NO. 2863

**AN ORDINANCE VACATING A RIGHT-OF-WAY OF CERTAIN PORTIONS OF
S Avenue and Market Street**

**THE CITY COUNCIL OF THE CITY OF ANACORTES DOES HEREBY ORDAIN AS
FOLLOWS:**

WHEREAS, the requisite number of owners of property abutting certain streets and alleys located within the City of Anacortes have petitioned for an alteration of the plats in which those streets are contained, and have requested vacation a portion of the streets therein; and

WHEREAS, the City Council held a public hearing on said proposal on February 16, 2010 and agreed to approve the proposal as set-forth below; now, therefore,

**THE CITY COUNCIL OF THE CITY OF ANACORTES, DOES HEREBY
ORDAIN AS FOLLOWS:**

SECTION 1. The following described right-of-way on streets and alleys located in the City of Anacortes should be and are hereby vacated:

**Parcel #5
LEGAL DESCRIPTIONS FOR VACATION
OF PORTIONS OF "S" AVENUE**

That portion of "S" Avenue as shown on the plat of "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington, lying North of the North line of Plate 9, Tide and Shore Lands of Anacortes Harbor m Section 18, Township 35 North, Range 2 East, W.M., and lying South of the South line of 6th Street as shown on said plat of "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON "



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Situate in the City of Anacortes, Skagit County, Washington.

Market Street Vacations Parcels #6 and #7

Legal Descriptions for Vacations of A portion of Market Street

All that portion of the right of way of the Great Northern Railway Company in Tract 22 of Plate 9, Anacortes Tidelands; also all that portion of lots 1, 19 and 20 and vacated alley in Block 23, Bowmans Central Ship Harbor – Water Front Plat, together with that portion of vacated 7th street lying easterly of a line 15 feet easterly of and parallel with the hereinafter described centerline of track of said Railway Company, all in the City of Anacortes, County of Skagit and State of Washington.

The said centerline of track being described as follows:

Commencing at the Southwest corner of section 18, Township 35 North, Range 2 E.W.M. ; thence easterly along the south line of said section 800.75 feet to its intersection with said centerline of track; thence along a 7 degree 00 feet curve to the right whose tangent at the point of intersection makes a northeasterly included angle of 72 degrees 27 feet 06 inches, 217.33 feet; thence Northeasterly and tangent 414.83 feet; thence along a 7 degree 00 feet curve to the left 165.65 feet; thence Northeasterly and tangent 698.64 feet; thence along an 8 degree 53 feet curve to the left 200 feet.

As described in Quit Claim Deed for Street Purposes Recording Number 699809.

Parcels #8 & 9

**LEGAL DESCRIPTION OF VACATION
OF PORTIONS OF MARKET STREET**

That portion of Market Street formerly Motor Line Avenue as shown on Plate 9. Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M, lying West of the East line of the Great Northern Railway right of way , as said right of way is referred to in that certain City of Anacortes Ordinance No. 1201 dated. November 6, 1956.

Situate in the City of Anacortes, Skagit County Washington.

SECTION 2. This Ordinance shall be recorded with The Interlocal Cooperative Agreement between The City of Anacortes and The Port of Anacortes, which shall represent



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Skagit County Auditor

compensation for the vacated right of way as described above. The vacation shall not be effective until such full recordation.

SECTION 3. Effective Date: This ordinance shall take effect from and after 5 (five) days after its passage and publication as required by law.

PASSED AND APPROVED this 23 day of NOV 2011.

CITY OF ANACORTES:

BY: H. Dean Maxwell
H. Dean Maxwell, Mayor

ATTEST:

Steve D. Hoglund
Steve D. Hoglund, City Clerk Treasurer

APPROVED AS TO FORM:

Bradford Furlong
Bradford Furlong, City Attorney WSBA #12924



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Skagit County Auditor

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**Exhibit A
#5**

**LEGAL DESCRIPTIONS FOR VACATION
OF PORTIONS OF "S" AVENUE**

That portion of "S" Avenue as shown on the plat of "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington, lying North of the North line of Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., and lying South of the South line of 6th Street as shown on said plat of "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY ,WASHINGTON "

Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

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Exhibit A
#6 and #7

Legal Descriptions for Street Vacations of A portion of Market Street

All that portion of the right of way of the Great Northern Railway Company in Tract 22 of Plate 9, Anacortes Tidelands; also all that portion of lots 1, 19 and 20 and vacated alley in Block 23, Bowmans Central Ship Harbor – Water Front Plat, together with that portion of vacated 7th street lying easterly of a line 15 feet easterly of and parallel with the hereinafter described centerline of track of said Railway Company, all in the City of Anacortes, County of Skagit and State of Washington.

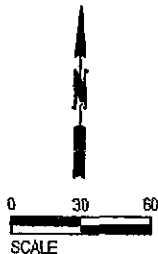
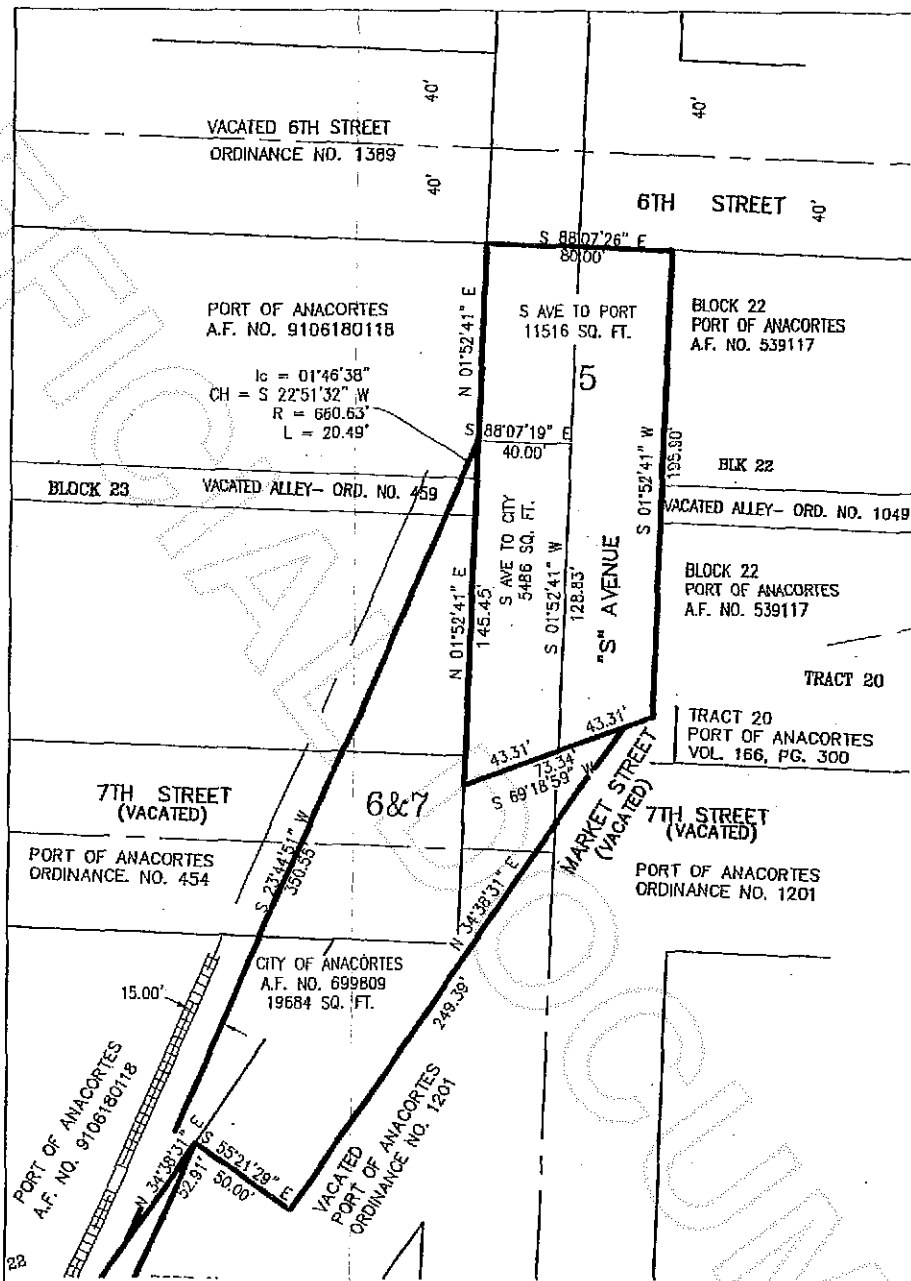
The said centerline of track being described as follows:

Commencing at the Southwest corner of section 18, Township 35 North, Range 2 E.W.M. ; thence easterly along the south line of said section 800.75 feet to its intersection with said centerline of track; thence along a 7 degree 00 feet curve to the right whose tangent at the point of intersection makes a northeasterly included angle of 72 degrees 27 feet 06 inches, 217.33 feet; thence Northeasterly and tangent 414.83 feet; thence along a 7 degree 00 feet curve to the left 165.65 feet; thence Northeasterly and tangent 698.64 feet; thence along an 8 degree 53 feet curve to the left 200 feet.

As described in Quit Claim Deed for Street Purposes Recording Number 699809.



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Skagit County Auditor



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SHEET 4 OF 5



Leonard, Boudinot & Skodje Inc.
 PROFESSIONAL ENGINEERS & LAND SURVEYORS
 603 South First Street, P.O. Box 1228
 Mount Vernon, WA 98273
 Tel: 360-336-6751 Fax 360-336-3981



201201170067
 Skagit County Auditor

699809

QUITCLAIM DEED FOR STREET PURPOSES

The Grantor, GREAT NORTHERN RAILWAY COMPANY, a Minnesota corporation, for and in consideration of One Dollar (\$1.00) and other valuable consideration, CONVEYS and QUITCLAIMS to the CITY OF ANACORTES, WASHINGTON, a Municipal corporation, Grantee, for street, utilities and other related municipal purposes, the following described property situated in Anacortes, Skagit County, Washington, to-wit:

All that portion of the right of way of the Great Northern Railway Company in Tract 22 of Plate 9, Anacortes Tidelands; also all that portion of lots 1, 19 and 20 and vacated alley in Block 23, Bowman's Central Ship Harbor - Water Front Plat, together with that portion of vacated 7th St. lying easterly of a line 15 feet easterly of and parallel with the hereinafter described centerline of track of said Railway Company, all in the City of Anacortes, County of Skagit and State of Washington.

The said centerline of track being described as follows:

Commencing at the Southwest corner of Section 18, Township 35 North, Range 2 E.W.M.; thence easterly along the south line of said section 800.75 feet to its intersection with said centerline of track; thence along a 7°00' curve to the right whose tangent at the point of intersection makes a northeasterly included angle of 72°27'06", 217.33'; thence Northeasterly and tangent 414.83'; thence along a 7°00' curve to the left 165.65 feet; thence Northeasterly and tangent 698.64'; thence along an 8°53' curve to the left 200 feet.

EXCEPTING AND RESERVING unto the Grantor, its successors and assigns, forever, all iron, natural gas, coal, oil and all minerals of any nature whatsoever upon or in the lands above described owned by Grantor, together with the sole, exclusive and perpetual right to explore for, remove and dispose of the same by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the lands above described, and in such manner as not to interfere with the use thereof by the Grantee, its successors and assigns.

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officers and its corporate seal to be hereunto affixed this 15th day of May, 1967.

GREAT NORTHERN RAILWAY COMPANY

BY [Signature] Vice President

ATTEST [Signature] Secretary



201201170067
Skagit County Auditor

STATE OF MINNESOTA)
; ss.
County of Ramsey)

On this 15th day of May, 1967,

personally appeared before me R. W. Downing

and R.A.M. O'Kelly, to me known to be the

Executive Vice President and Secretary, respectively, of Great Northern Railway Company, the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal the day and year in this Certificate first above written.



R. H. B. [Signature]
Notary Public in and for the State of
Minnesota, residing at St. Paul
My Commission Expires: April 22, 1969

Official Records
VOL 1 PAGE 635

A. H. JOHNSON
SKAGIT COUNTY AUDITOR
DEPUTY *[Signature]*

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RECORDED FILED
REQUEST OF

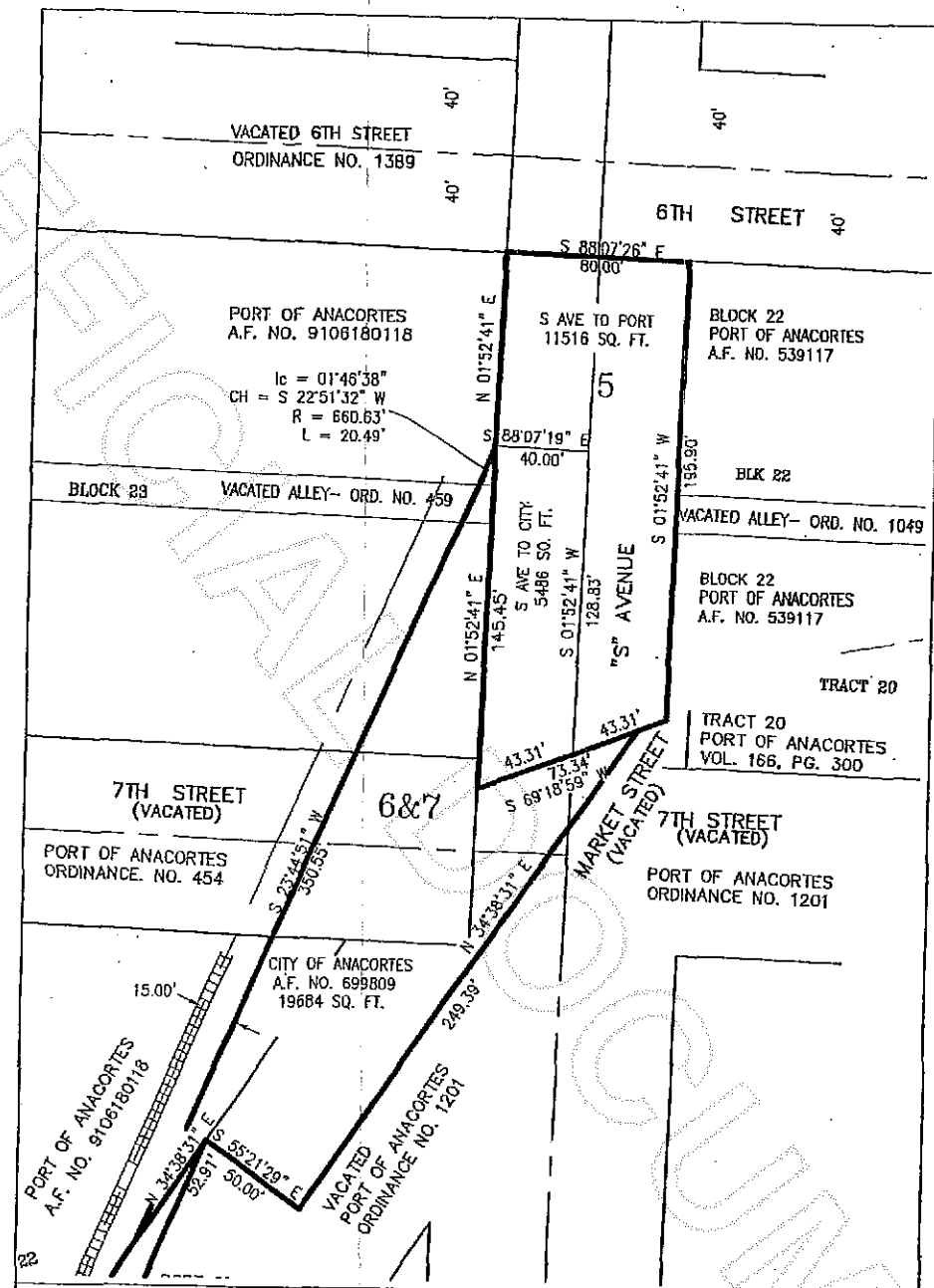
Official Records
VOL 1 PAGE 635

FILED FOR RECORD AT
REQUEST OF
PIONEER NATIONAL TRUST INSURANCE CO.
707-2-1 St. Mary

Return To



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Skagit County Auditor



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Skagit County Auditor

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SHEET 4 OF 5



Leonard, Boudinot & Skodje Inc.
PROFESSIONAL ENGINEERS & LAND SURVEYORS
603 South First Street, P.O. Box 1228
Mount Vernon, WA 98273
Tel: 360-338-5751 Fax: 360-338-3981



**STREET VACATION
EXHIBIT MAP
S AVENUE
#5, 6, 7**

Exhibit A
#8,9

**LEGAL DESCRIPTION OF VACATION
OF PORTIONS OF MARKET STREET**

That portion of Market Street formerly Motor Line Avenue as shown on Plate 9. Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M, lying West of the East line of the Great Northern Railway right of way , as said right of way is referred to in that certain City of Anacortes Ordinance No. 1201 dated. November 6, 1956.

Situate in the City of Anacortes, Skagit County Washington.



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Skagit County Auditor

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**EXHIBIT E:
LEGAL DESCRIPTION OF MARKET STREET PARCELS A, D, E, & G**



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Skagit County Auditor

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PARCEL "A"

**LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF A PORTION OF
VACATED MOTOR LINE AVENUE TO BE CONVEYED FROM THE PORT OF
ANACORTES TO THE CITY OF ANACORTES**

October 24, 2011

That portion of Market Street, formerly Motor Line Avenue, as vacated by that certain City of Anacortes Ordinance No. 2863 dated November 21, 2011, and as shown on Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, lying Southeasterly of its centerline and Northwesterly of the following described line:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9; thence South $88^{\circ} 07' 09''$ East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue; thence North $1^{\circ} 52' 07''$ East along said East right-of-way margin, 62.98 feet to the TRUE POINT OF BEGINNING of said described line; thence North $35^{\circ} 07' 41''$ East along said line, 40.92 feet to an angle point thereon; thence North $22^{\circ} 32' 18''$ East along said line, 34.05 feet to the Northwesterly line of said vacated portion of Market Street and the end of said described line.

Situate in the City of Anacortes, Skagit County, Washington.



201201170067
Skagit County Auditor

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PARCEL "D"

**LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF A PORTION OF
VACATED MOTOR LINE AVENUE TO BE CONVEYED FROM THE CITY OF
ANACORTES TO THE PORT OF ANACORTES**

October 24, 2011

That portion of Market Street, formerly Motor Line Avenue, as vacated by that certain City of Anacortes Ordinance No. 2863 dated November 21, 2011, and as shown on Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, being more particularly described as follows:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9; thence South 88° 07' 09" East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue; thence North 1° 52' 07" East along said East right-of-way margin, 62.98 feet; thence North 35° 07' 41" East, 40.92 feet; thence North 22° 32' 18" East along said line, 34.05 feet to the centerline of said vacated portion of Market Street and the TRUE POINT OF BEGINNING; thence North 34° 38' 31" East along said centerline, 92.30 feet to the most Easterly corner of that portion of said vacated Market Street as has attached to that certain tract of land conveyed to the City of Anacortes by instrument dated January 27, 1981 and recorded February 27, 1981 under Auditor's File No. 8102270020, records of said County and State, as said tract is shown on that certain Record of Survey recorded under Auditor's File No. 8103090040, records of said County and State; thence North 55° 21' 29" West along the Northeasterly line of said portion, 19.79 feet; thence South 22° 32' 18" West, 94.40 feet to the TRUE POINT OF BEGINNING.

Situate in the City of Anacortes, Skagit County, Washington.



201201170067
Skagit County Auditor

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PARCEL "E"

**LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF A PORTION OF
VACATED MOTOR LINE AVENUE TO BE CONVEYED FROM THE PORT OF
ANACORTES TO THE CITY OF ANACORTES**

October 24, 201

That portion of Market Street, formerly Motor Line Avenue, as vacated by that certain City of Anacortes Ordinance No. 2863 dated November 21, 2011, and as shown on Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, being more particularly described as follows:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9; thence South $88^{\circ} 07' 09''$ East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue; thence North $1^{\circ} 52' 07''$ East along said East right-of-way margin, 62.98 feet; thence North $35^{\circ} 07' 41''$ East, 40.92 feet; thence North $22^{\circ} 32' 18''$ East along said line, 34.05 feet to the centerline of said vacated portion of Market Street; thence North $34^{\circ} 38' 31''$ East along said centerline, 92.30 feet to the most Easterly corner of that portion of said vacated Market Street as has attached to that certain tract of land conveyed to the City of Anacortes by instrument dated January 27, 1981 and recorded February 27, 1981 under Auditor's File No. 8102270020, records of said County and State, as said tract is shown on that certain Record of Survey recorded under Auditor's File No. 8103090040, records of said County and State; thence North $55^{\circ} 21' 29''$ West along the Northeasterly line of said portion, 19.79 feet to the TRUE POINT OF BEGINNING; thence continuing North $55^{\circ} 21' 29''$ West along said Northeasterly line, 30.21 feet to a point on the Northwestern right-of-way margin of said vacated Market Street, said point being the most Southerly corner of that certain tract of land conveyed to the Port of Anacortes by instrument dated June 3, 1991 and recorded June 18, 1991 under Auditor's File No. 9106180118, records of said County and State; thence North $34^{\circ} 38' 31''$ East along said Northwestern right-of-way margin and along the Easterly line of said Port of Anacortes tract, 140.86 feet; thence South $22^{\circ} 32' 18''$ West, 144.06 feet to the TRUE POINT OF BEGINNING.

Situate in the City of Anacortes, Skagit County, Washington.



201201170067
Skagit County Auditor

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PARCEL "G"

**LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF A PORTION OF
VACATED MOTOR LINE AVENUE TO BE CONVEYED FROM THE CITY OF
ANACORTES TO THE PORT OF ANACORTES**

October 24, 2011

All that portion of the right-of-way of the Great Northern Railway Company in Tract 22 of "PLATE NO.9 OF TIDE AND SHORELANDS OF ANACORTES HARBOR"; also all that portion of Lots 1, 19 and 20 and vacated alley in Block 23, "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON", according to the plat recorded in Volume 2 of Plats, page 33, records of Skagit County, Washington. TOGETHER WITH that portion of vacated alley, 7th Street and Market Street lying Easterly of a line 15 feet Easterly of and parallel with the hereinafter described centerline of track of said railway company, all in the City of Anacortes, County of Skagit and State of Washington;

ALSO TOGETHER WITH those portions of "S" Avenue as vacated by that certain City of Anacortes Ordinance No. 2863 dated November 21, 2011, and Ordinance No. 1201, dated November 6, 1956 that have reverted hereto upon vacation.

The said centerline of track being described as follows:

Commencing at the Southwest corner of Section 18, Township 35 North, Range 2 East, W.M.; thence Easterly along the South line of said section 800.75 feet to its intersection with said centerline of track; thence along a 7°00' curve to the right whose tangent at the point of intersection makes a Northeasterly included angle of 72°27'06", 217.33 feet; thence Northeasterly and tangent 414.83 feet; thence along a 7°00' curve to the left 165.65 feet; thence Northeasterly and tangent 698.64 feet; thence along an 8°53' curve to the left 200 feet.

Said parcel more particularly described as follows:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9; thence South 88° 07' 09" East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue; thence North 1° 52' 07" East along said East right-of-way margin, 167.79 feet to the Northwestern right-of-way margin of vacated Market Street; thence North 34°38'31" East, 298.85 feet along the Northwestern right-of-way margin of said vacated Market Street to the TRUE POINT OF BEGINNING; thence continuing North 34°38'31" East, 52.91 feet along the Northwestern right-of-way margin of said vacated Market Street; thence South 55°21'29" East, 50.00 feet; thence North 34°38'31" East, 207.39 feet; thence North 01°52'41" West, 25.88 feet; thence South 69°18'41" West, 5.41 feet; thence North 01°52'41" East, 128.83 feet; thence North 88°07'19" East, 40.00 feet; thence South 23°44'51" West, 350.55 feet to the TRUE POINT OF BEGINNING.

Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

**EXHIBIT F:
STATUTORY WARRANTY DEED –
MARKET STREET PARCELS A & E (PORT TO CITY)**



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Skagit County Auditor

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After Recording, Return To:

City Attorney
City of Anacortes
P.O. Box 547
Anacortes, WA 98221

DOCUMENT:

GRANTOR:

GRANTEE:

ABBREVIATED LEGAL:

ASSESSOR'S TAX PARCEL NOS.:

**REFERENCE NUMBER OF
RELATED DOCUMENT:**

STATUTORY WARRANTY DEED

PORT OF ANACORTES

CITY OF ANACORTES

PTN OF TIDE AND SHORE LANDS OF

A. H. IN S18, T35N, R2E (SEE ATTACHED)

350218-0-018-0007/P32877

N/A

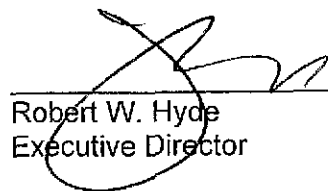
STATUTORY WARRANTY DEED

The Grantor, **Port of Anacortes**, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, and subject to the reservations identified below, conveys and warrants to **City of Anacortes**, the real estate described in Exhibit "A" attached hereto, situated in the County of Skagit, State of Washington (the "Property").

Dated this 23rd day of November, 2011.

GRANTOR:

PORT OF ANACORTES



Robert W. Hyde
Executive Director

STATUTORY WARRANTY DEED - 1



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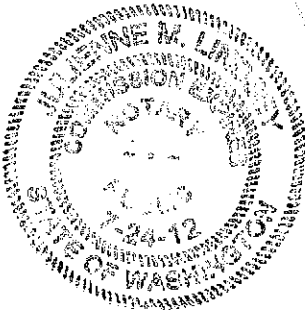
Skagit County Auditor

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STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Robert W. Hyde** known to be the Executive Director of the **Port of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and official seal this 23rd day of November, 2011.



Julie M. Lindsey
Print Name: Julienne M. Lindsey
NOTARY PUBLIC in and for the
State of Washington, residing at Anacortes, WA

STATUTORY WARRANTY DEED - 2



201201170067
Skagit County Auditor

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PARCEL "A"

**LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF A PORTION OF
VACATED MOTOR LINE AVENUE TO BE CONVEYED FROM THE PORT OF
ANACORTES TO THE CITY OF ANACORTES**

October 24, 2011

That portion of Market Street, formerly Motor Line Avenue, as vacated by that certain City of Anacortes Ordinance No. 2863 dated November 21, 2011, and as shown on Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, lying Southeasterly of its centerline and Northwesterly of the following described line:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9; thence South $88^{\circ} 07' 09''$ East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue; thence North $1^{\circ} 52' 07''$ East along said East right-of-way margin, 62.98 feet to the TRUE POINT OF BEGINNING of said described line; thence North $35^{\circ} 07' 41''$ East along said line, 40.92 feet to an angle point thereon; thence North $22^{\circ} 32' 18''$ East along said line, 34.05 feet to the Northwesterly line of said vacated portion of Market Street and the end of said described line.

Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

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PARCEL "E"

**LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF A PORTION OF
VACATED MOTOR LINE AVENUE TO BE CONVEYED FROM THE PORT OF
ANACORTES TO THE CITY OF ANACORTES**

October 24, 201

That portion of Market Street, formerly Motor Line Avenue, as vacated by that certain City of Anacortes Ordinance No. 2863 dated November 21, 2011, and as shown on Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, being more particularly described as follows:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9; thence South $88^{\circ} 07' 09''$ East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue; thence North $1^{\circ} 52' 07''$ East along said East right-of-way margin, 62.98 feet; thence North $35^{\circ} 07' 41''$ East, 40.92 feet; thence North $22^{\circ} 32' 18''$ East along said line, 34.05 feet to the centerline of said vacated portion of Market Street; thence North $34^{\circ} 38' 31''$ East along said centerline, 92.30 feet to the most Easterly corner of that portion of said vacated Market Street as has attached to that certain tract of land conveyed to the City of Anacortes by instrument dated January 27, 1981 and recorded February 27, 1981 under Auditor's File No. 8102270020, records of said County and State, as said tract is shown on that certain Record of Survey recorded under Auditor's File No. 8103090040, records of said County and State; thence North $55^{\circ} 21' 29''$ West along the Northeasterly line of said portion, 19.79 feet to the TRUE POINT OF BEGINNING; thence continuing North $55^{\circ} 21' 29''$ West along said Northeasterly line, 30.21 feet to a point on the Northwestern right-of-way margin of said vacated Market Street, said point being the most Southerly corner of that certain tract of land conveyed to the Port of Anacortes by instrument dated June 3, 1991 and recorded June 18, 1991 under Auditor's File No. 9106180118, records of said County and State; thence North $34^{\circ} 38' 31''$ East along said Northwestern right-of-way margin and along the Easterly line of said Port of Anacortes tract, 140.86 feet; thence South $22^{\circ} 32' 18''$ West, 144.06 feet to the TRUE POINT OF BEGINNING.

Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

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**EXHIBIT G:
STATUTORY WARRANTY DEED –
MARKET STREET PARCELS D & G (CITY TO PORT)**



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Skagit County Auditor

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After Recording, Return To:

Chmelik Sitkin & Davis P.S.
1500 Railroad Avenue
Bellingham, WA 98225

DOCUMENT:

GRANTOR:

GRANTEE:

ABBREVIATED LEGAL:

ASSESSOR'S TAX PARCEL NOS.:

REFERENCE NUMBER OF
RELATED DOCUMENT:

STATUTORY WARRANTY DEED

CITY OF ANACORTES

PORT OF ANACORTES

PTN OF TIDE AND SHORE LANDS OF

A. H. IN S18, T35N, R2E (SEE ATTACHED)

3776-023-000-0008/P56862; 350218-0-018-
0007/P32877

N/A

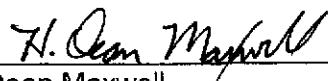
STATUTORY WARRANTY DEED

The Grantor, **City of Anacortes**, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, and subject to the reservations identified below, conveys and warrants to **Port of Anacortes**, the real estate described in Exhibit "A" attached hereto, situated in the County of Skagit, State of Washington.

Dated this 28th day of November, 2011.

GRANTOR:

CITY OF ANACORTES



Dean Maxwell
Mayor

STATUTORY WARRANTY DEED - 1



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Skagit County Auditor

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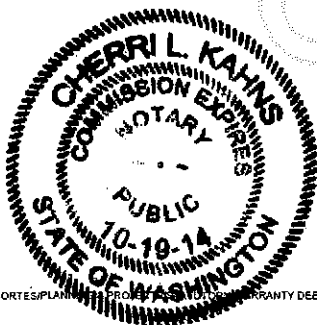
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74 12:14PM

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Dean Maxwell** known to be the Mayor of the **City of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and official seal this 28th day of November, 2011.



PORT OF ANACORTES/PLANNED PROGRESS/STATUTORY WARRANTY DEED, PARCELS D & G, 06-17-10

Cherril L. Kahns
Print Name: Cherril L. Kahns
NOTARY PUBLIC in and for the
State of Washington, residing at Mount Vernon

PARCEL "D"

**LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF A PORTION OF
VACATED MOTOR LINE AVENUE TO BE CONVEYED FROM THE CITY OF
ANACORTES TO THE PORT OF ANACORTES**

October 24, 2011

That portion of Market Street, formerly Motor Line Avenue, as vacated by that certain City of Anacortes Ordinance No. 2863 dated November 21, 2011, and as shown on Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, being more particularly described as follows:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9; thence South 88° 07' 09" East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue; thence North 1° 52' 07" East along said East right-of-way margin, 62.98 feet; thence North 35° 07' 41" East, 40.92 feet; thence North 22° 32' 18" East along said line, 34.05 feet to the centerline of said vacated portion of Market Street and the TRUE POINT OF BEGINNING; thence North 34° 38' 31" East along said centerline, 92.30 feet to the most Easterly corner of that portion of said vacated Market Street as has attached to that certain tract of land conveyed to the City of Anacortes by instrument dated January 27, 1981 and recorded February 27, 1981 under Auditor's File No. 8102270020, records of said County and State, as said tract is shown on that certain Record of Survey recorded under Auditor's File No. 8103090040, records of said County and State; thence North 55° 21' 29" West along the Northeasterly line of said portion, 19.79 feet; thence South 22° 32' 18" West, 94.40 feet to the TRUE POINT OF BEGINNING.

Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

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PARCEL "G"

LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF A PORTION OF VACATED MOTOR LINE AVENUE TO BE CONVEYED FROM THE CITY OF ANACORTES TO THE PORT OF ANACORTES

October 24, 2011

All that portion of the right-of-way of the Great Northern Railway Company in Tract 22 of "PLATE NO. 9 OF TIDE AND SHORELANDS OF ANACORTES HARBOR"; also all that portion of Lots 1, 19 and 20 and vacated alley in Block 23, "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON", according to the plat recorded in Volume 2 of Plats, page 33, records of Skagit County, Washington. TOGETHER WITH that portion of vacated alley, 7th Street and Market Street lying Easterly of a line 15 feet Easterly of and parallel with the hereinafter described centerline of track of said railway company, all in the City of Anacortes, County of Skagit and State of Washington;

ALSO TOGETHER WITH those portions of "S" Avenue as vacated by that certain City of Anacortes Ordinance No. XXXX dated November XX, 2011, and Ordinance No. 1201, dated November 6, 1956 that have reverted hereto upon vacation.

The said centerline of track being described as follows:

Commencing at the Southwest corner of Section 18, Township 35 North, Range 2 East, W.M.; thence Easterly along the South line of said section 800.75 feet to its intersection with said centerline of track; thence along a 7°00' curve to the right whose tangent at the point of intersection makes a Northeasterly included angle of 72°27'06", 217.33 feet; thence Northeasterly and tangent 414.83 feet; thence along a 7°00' curve to the left 165.65 feet; thence Northeasterly and tangent 698.64 feet; thence along an 8°53' curve to the left 200 feet.

Said parcel more particularly described as follows:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9; thence South 88° 07' 09" East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue; thence North 1° 52' 07" East along said East right-of-way margin, 167.79 feet to the Northwestern right-of-way margin of vacated Market Street; thence North 34°38'31" East, 298.85 feet along the Northwestern right-of-way margin of said vacated Market Street to the TRUE POINT OF BEGINNING; thence continuing North 34°38'31" East, 52.91 feet along the Northwestern right-of-way margin of said vacated Market Street; thence South 55°21'29" East, 50.00 feet; thence North 34°38'31" East, 207.39 feet; thence North 01°52'41" West, 25.88 feet; thence South 69°18'41" West, 5.41 feet; thence North 01°52'41" East, 128.83 feet; thence North 88°07'19" West, 40.00 feet; thence South 23°44'51" West, 350.55 feet to the TRUE POINT OF BEGINNING.

Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

**EXHIBIT H:
LEGAL DESCRIPTION OF DEPOT PROPERTY**



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Skagit County Auditor

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DEPOT PROPERTY

LEGAL DESCRIPTION

October 11, 2011

All those portions of Blocks 7 and 10, together with the vacated alleys and vacated 5th Street within said Blocks 7 and 10; of vacated 6th Street lying between R and S Avenues; of Blocks 23 and 26, together with the vacated alley and vacated 7th Street adjacent to and adjoining said Blocks 23 and 26, all as shown on "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington; of Tracts 22 and 31, Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, together with vacated 8th Street adjacent to and adjoining said Tracts 22 and 31, being more particularly described as follows:

Commencing at the Northwest corner of said Block 23 as said point is shown on that certain Record of Survey recorded in Book 7 of Surveys at page 164 under Auditor's File No. 9511140044, records of said County and State, said point being also the Northwest corner of that certain tract of land conveyed to the City of Anacortes by instrument dated January 27, 1981 and recorded February 27, 1981 under Auditor's File No. 8102270020, records of said County and State, as said tract is shown on that certain Record of Survey recorded under Auditor's File No. 8103090040, records of said County and State;

thence South 88° 07' 26" East along the North line of said City of Anacortes tract, 59.75 feet to its Northeast corner and the **TRUE POINT OF BEGINNING**;

thence continuing South 88° 07' 26" East along the South line of said vacated 6th Street and along the South line of that certain tract of land shown on said Record of Survey recorded under Auditor's File No. 9511140044, 40.15 feet;

thence South 0° 59' 20" West, 42.46 feet;

thence South 88° 49' 04" East, 41.74 feet;

thence North 54° 41' 55" East, 69.43 feet to the Southeast corner of said tract of land shown on Record of Survey recorded under Auditor's File No. 9511140044;



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Skagit County Auditor

thence North 1° 55' 20" East along the East line of said tract of land, 74.20 feet to an angle point thereon;
thence North 51° 36' 49" West, continuing along the East line of said tract of land, 38.71 feet to an angle point thereon;
thence North 0° 32' 57" East, continuing along the East line of said tract of land, 50.49 feet to an angle point thereon;
thence North 16° 24' 08" West, continuing along the East line of said tract of land, 64.74 feet to an angle point thereon;
thence North 4° 25' 44" East, continuing along the East line of said tract of land, 39.59 feet to an angle point thereon;
thence North 53° 43' 16" East, continuing along the East line of said tract of land, 103.11 feet to an angle point thereon;
thence North 1° 20' 56" East, continuing along the East line of said tract of land, 16.31 feet;
thence North 30° 22' 14" East, 103.97 feet to a point on a curve to the left, the center of which bears South 74° 02' 15" West and is 949.66 feet distant;
thence Northerly along said curve to the left through a central angle of 8° 19' 17", an arc distance of 137.92 feet to the East line of said tract of land shown on Record of Survey recorded under Auditor's File No. 9511140044;
thence North 1° 20' 56" East along the East line of said tract of land, 43.40 feet to its Northeast corner and the North line of that certain tract of land conveyed to the Port of Anacortes by instrument dated June 3, 1991 and recorded June 18, 1991 under Auditor's File No. 9106180118, records of said County and State;
thence South 88° 06' 29" East along the North line of said Port of Anacortes tract, 74.45 feet to the Northeast corner thereof;
thence South 1° 52' 41" West along the East line of said Port of Anacortes tract, 674.95 feet to a point lying on a curve to the right, the center of which bears North 68° 01' 47" West and is 660.63 feet distant;
thence Southerly, continuing along said East line and along said curve to the right through a central angle of 1° 46' 38", an arc distance of 20.49 feet to the end of said curve;
thence South 23° 44' 51" West, continuing along the East line of said Port of Anacortes tract, 350.55 feet to an angle point thereon;
thence South 34° 38' 31" West, continuing along the East line of said Port of Anacortes tract, 220.63 feet to the most Southerly corner thereof, said point lying on the East line



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 Skagit County Auditor

of said City of Anacortes tract, said point lying on a curve to the left, the center of which bears North $76^{\circ} 28' 46''$ West and is 804.02 feet distant;
thence Northerly along said East line and along a curve to the left through a central angle of $11^{\circ} 32' 59''$, an arc distance of 162.07 feet to the end of said curve;
thence North $10^{\circ} 58' 15''$ East, continuing along said East line of said City of Anacortes tract, 452.71 feet to the **TRUE POINT OF BEGINNING**;
Situate in the City of Anacortes, Skagit County, Washington.



201201170067

Skagit County Auditor

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**EXHIBIT I:
STATUTORY WARRANTY DEED –
DEPOT PROPERTY (PORT TO CITY)**



201201170067

Skagit County Auditor

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After Recording, Return To:

City Attorney
City of Anacortes
P.O. Box 547
Anacortes, WA 98221

DOCUMENT:	STATUTORY WARRANTY DEED
GRANTOR:	PORT OF ANACORTES
GRANTEE:	CITY OF ANACORTES
ABBREVIATED LEGAL:	PTN OF TIDE AND SHORE LANDS OF A. H. IN S18, T35N, R2E (SEE ATTACHED)
ASSESSOR'S TAX PARCEL NO.:	3776-007-000-0001/P56797; 3776-010-000- 0005/P56814; 3776-023-000-0008/P56862; 350218-0-022-0001/P32282
REFERENCE NUMBER OF RELATED DOCUMENT:	N/A

STATUTORY WARRANTY DEED

The Grantor, **Port of Anacortes**, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, and subject to the reservations identified below, conveys and warrants to **City of Anacortes**, the real estate described in Exhibit "A" attached hereto, situated in the County of Skagit, State of Washington (the "Property").

The Grantor and Grantee agree, as additional consideration for this transaction, that the Property shall be governed by the following restrictions, covenants and reservations in the Property:

1. The Port is retaining the ownership of the property immediately west of the Depot Property along "R" Avenue (the "Port's Retained Depot Parcel"). In the context of the use of the Port's Retained Depot Parcel, in conjunction with other Port adjacent property which is used for marine industrial activities, the Port reserves any rights to reasonably operate these marine industrial activities. The City acknowledges that the operations currently functioning on the Port's Retained Depot Parcel and the Port adjacent property are within the limits of the current zoning.



201201170067
Skagit County Auditor

STATUTORY WARRANTY DEED - 1

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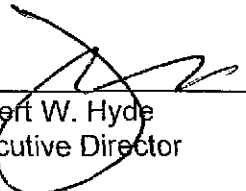
2. The Grantor reserves the right to construct and maintain (including the right to remove trees as may be necessary) a right of way connecting the east and west sides of 6th Street across and through the Property.
3. The Grantor reserves a storm water easement from the Ports Retained Depot Property eastward towards and including the wetlands on the Property.

It is understood and agreed that the delivery of this deed is hereby tendered, and that the terms and obligations hereunder shall be run with the land and binding upon the Grantee and Grantee's successor's in title to the Property.

Dated this 23rd day of November, 2011.

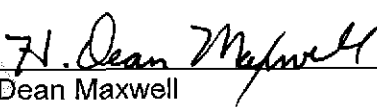
GRANTOR:

PORT OF ANACORTES


Robert W. Hyde
Executive Director

GRANTEE:

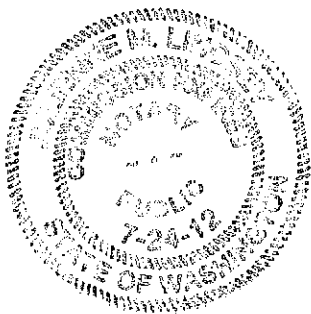
CITY OF ANACORTES

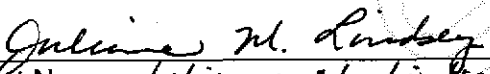

Dean Maxwell
Mayor

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Robert W. Hyde** known to be the Executive Director of the **Port of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and official seal this 23rd day of November, 2011.




Print Name: Julienne M. Lindsey
NOTARY PUBLIC in and for the
State of Washington, residing at Anacortes, WA



201201170067
Skagit County Auditor

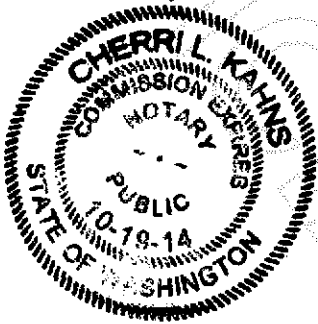
1/17/2012 Page 57 of 74 12:14PM

STATUTORY WARRANTY DEED - 2

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Dean Maxwell** known to be the Mayor of the **City of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and official seal this 28th day of November, 2011.



Cherril L. Kahns
Print Name: Cherril L. Kahns
NOTARY PUBLIC in and for the
State of Washington, residing at Mount Vernon

PORT OF ANACORTES/PLANNING & PROJECTS/DEPOT PROPERTY TRANSFER/STATUTORY WARRANTY DEED_DEPOT PROPERTY_06-17-10



201201170067
Skagit County Auditor

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STATUTORY WARRANTY DEED - 3

DEPOT PROPERTY

LEGAL DESCRIPTION FOR THE PORT OF ANACORTES

October 11, 2011

All those portions of Blocks 7 and 10, together with the vacated alleys and vacated 5th Street within said Blocks 7 and 10; of vacated 6th Street lying between R and S Avenues; of Blocks 23 and 26, together with the vacated alley and vacated 7th Street adjacent to and adjoining said Blocks 23 and 26, all as shown on "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington; of Tracts 22 and 31, Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, together with vacated 8th Street adjacent to and adjoining said Tracts 22 and 31, being more particularly described as follows:

Commencing at the Northwest corner of said Block 23 as said point is shown on that certain Record of Survey recorded in Book 7 of Surveys at page 164 under Auditor's File No. 9511140044, records of said County and State, said point being also the Northwest corner of that certain tract of land conveyed to the City of Anacortes by instrument dated January 27, 1981 and recorded February 27, 1981 under Auditor's File No. 8102270020, records of said County and State, as said tract is shown on that certain Record of Survey recorded under Auditor's File No. 8103090040, records of said County and State;

thence South 88° 07' 26" East along the North line of said City of Anacortes tract, 59.75 feet to its Northeast corner and the **TRUE POINT OF BEGINNING**;

thence continuing South 88° 07' 26" East along the South line of said vacated 6th Street and along the South line of that certain tract of land shown on said Record of Survey recorded under Auditor's File No. 9511140044, 40.15 feet;

thence South 0° 59' 20" West, 42.46 feet;

thence South 88° 49' 04" East, 41.74 feet;

thence North 54° 41' 55" East, 69.43 feet to the Southeast corner of said tract of land shown on Record of Survey recorded under Auditor's File No. 9511140044;

thence North 1° 55' 20" East along the East line of said tract of land, 74.20 feet to an angle point thereon;

thence North 51° 36' 49" West, continuing along the East line of said tract of land, 38.71 feet to an angle point thereon;

thence North 0° 32' 57" East, continuing along the East line of said tract of land, 50.49 feet to an angle point thereon;

thence North 16° 24' 08" West, continuing along the East line of said tract of land, 64.74 feet to an angle point thereon;

thence North 4° 25' 44" East, continuing along the East line of said tract of land, 39.59 feet to an angle point thereon;

thence North 53° 43' 16" East, continuing along the East line of said tract of land, 103.11 feet to an angle point thereon;

thence North 1° 20' 56" East, continuing along the East line of said tract of land, 16.31 feet;

thence North 30° 22' 14" East, 103.97 feet to a point on a curve to the left, the center of which bears South 74° 02' 15" West and is 949.66 feet distant;

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201201170067
Skagit County Auditor



thence Northerly along said curve to the left through a central angle of $8^{\circ} 19' 17''$, an arc distance of 137.92 feet to the East line of said tract of land shown on Record of Survey recorded under Auditor's File No. 9511140044;

thence North $1^{\circ} 20' 56''$ East along the East line of said tract of land, 43.40 feet to its Northeast corner and the North line of that certain tract of land conveyed to the Port of Anacortes by instrument dated June 3, 1991 and recorded June 18, 1991 under Auditor's File No. 9106180118, records of said County and State;

thence South $88^{\circ} 06' 29''$ East along the North line of said Port of Anacortes tract, 74.45 feet to the Northeast corner thereof;

thence South $1^{\circ} 52' 41''$ West along the East line of said Port of Anacortes tract, 674.95 feet to a point lying on a curve to the right, the center of which bears North $68^{\circ} 01' 47''$ West and is 660.63 feet distant;

thence Southerly, continuing along said East line and along said curve to the right through a central angle of $1^{\circ} 46' 38''$, an arc distance of 20.49 feet to the end of said curve;

thence South $23^{\circ} 44' 51''$ West, continuing along the East line of said Port of Anacortes tract, 350.55 feet to an angle point thereon;

thence South $34^{\circ} 38' 31''$ West, continuing along the East line of said Port of Anacortes tract, 220.63 feet to the most Southerly corner thereof, said point lying on the East line of said City of Anacortes tract, said point lying on a curve to the left, the center of which bears North $76^{\circ} 28' 46''$ West and is 804.02 feet distant;

thence Northerly along said East line and along a curve to the left through a central angle of $11^{\circ} 32' 59''$, an arc distance of 162.07 feet to the end of said curve;

thence North $1^{\circ} 58' 15''$ East, continuing along said East line of said City of Anacortes tract, 452.71 feet to the **TRUE POINT OF BEGINNING**;

Situate in the City of Anacortes, Skagit County, Washington.



201201170067

Skagit County Auditor

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74 12:14PM

**EXHIBIT J:
RIGHT OF WAY AGREEMENT OVER MARKET STREET**



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Skagit County Auditor

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After Recording, Return To:

City Attorney
City of Anacortes
P.O. Box 547
Anacortes, WA 98221

DOCUMENT:

**RIGHT OF WAY AND ROAD
MAINTENANCE AGREEMENT**

GRANTOR:

PORT OF ANACORTES

GRANTEE:

CITY OF ANACORTES

ABBREVIATED LEGAL:

PTN OF TIDE AND SHORE LANDS OF

A. H. IN S18, T35N, R2E (SEE ATTACHED)

ASSESSOR'S TAX PARCEL NOS.:

**3776-023-000-0008/P56862; 350218-0-018-0007/
P32877; 350218-0-018-0007/P32877**

**REFERENCE NUMBER OF
RELATED DOCUMENT:**

N/A

RIGHT OF WAY AND ROAD MAINTENANCE AGREEMENT

COME NOW, the Grantor, the **Port of Anacortes** (hereinafter the "Port"), and the Grantee, the **City of Anacortes** (hereinafter the "City"), enter into this RIGHT OF WAY AND ROAD MAINTENANCE AGREEMENT (the "Agreement") subject to the following terms and conditions:

1. **EASEMENT**

The Port, as partial consideration for the City's vacation of certain City streets by City Ordinance 2862 dated November 21, 2011 and City Ordinance 2863 dated November 21, 2011 and the conveyance of certain real property from the City to the Port pursuant to that certain Interlocal Agreement between the City and the Port dated November 21, 2011 and recorded as Skagit County Auditor File No. _____ on _____, conveys, subject to the covenants set forth herein, to the City the easement described in Exhibit "A" attached hereto and incorporated herein by this reference, situated in the Skagit County, Washington (the "Easement") for purposes of a public right of way.

RIGHT OF WAY AND ROAD
MAINTENANCE AGREEMENT - 1



201201170067
Skagit County Auditor

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2. MAINTENANCE

The City shall be solely responsible for the maintenance, repair and upkeep of the road way on the Easement area.

3. OBLIGATIONS RUN WITH THE LAND

The rights and obligations contained in this Agreement shall be perpetual in duration, shall constitute covenants running with the land, and shall be binding on the undersigned and all successors, assignees, devisees, or transferees of the parties and shall, in all respects, and attach to the property legally described in this Agreement.

4. SEVERABILITY

Should any provision of this Agreement be found to be void or otherwise unenforceable, all other provisions shall remain enforceable and binding.

5. GOVERNING LAW

This Agreement shall be construed under the laws of the state of Washington.

6. ENTIRE AGREEMENT

This Agreement contains the entire agreement between the parties hereto and incorporates and supersedes all prior agreements and negotiations. It may not be modified or supplemented in any manner or form whatsoever, either by course of dealing or parol or written evidence of prior agreements and negotiations, except upon the written agreement of both parties.

Dated this 28th day of November, ~~2010~~ 2011

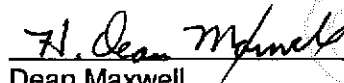
GRANTOR:

PORT OF ANACORTES


Robert W. Hyde
Executive Director

GRANTEE:

CITY OF ANACORTES


Dean Maxwell
Mayor

RIGHT OF WAY AND ROAD
MAINTENANCE AGREEMENT - 2



201201170067
Skagit County Auditor

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On this day personally appeared before me **Robert W. Hyde** known to be the Executive Director of the **Port of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and seal of office this 10th day of May 1942.

 STATE OF WASHINGTON

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

Given under my hand and official seal this 28th day of November, ~~2010~~ 2011

A circular notary seal for Cherri L. Kahns. The outer ring contains the text "CHERRI L. KAHNS" at the top and "STATE OF WASHINGTON" at the bottom. The inner ring contains "COMMISSION EXPIRES" at the top and "PUBLIC" at the bottom. The center of the seal features the date "10-19-14".

PORT OF ANACORTES/PLANNING & PROJECTS DEPT. OF PUBLIC WORKS/TRANSFER/RIGHT OF WAY AGREEMENT_06-17-10

3013014300

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**MARKET STREET Right of Way
LEGAL DESCRIPTION**

All those portions of 'Block 23, together with the vacated alley and vacated 7th Street and S Avenue abutting said Block 23, as shown on "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington; of Tracts 22 and 30, Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, together with vacated 7th and 8th Streets abutting and within said Tracts 22 and 31; and of vacated Market Street, also known as Motor Line Avenue, being more particularly described as follows:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9;

thence South 88° 01' 09" East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue and the **TRUE POINT OF BEGINNING**;

thence North 1° 52' 07" East along said East right-of-way margin, 62.98 feet;

thence North 35° 01' 41" East, 40.92 feet;

thence North 22° 32' 18" East, 785.74 feet to the Westerly right-of-way margin of said vacated "S" Avenue;

thence North 1° 52' 41" East along said West right-of-way margin, 14.99 feet to the South right-of-way margin of 6th Street;

thence South 88° 01' 26" East along said South right-of-way margin, 69.78 feet;

thence South 22° 32' 18" West, 831.02 feet;

thence South 35° 01' 41" West, 83.50 feet to said Easterly extension of the centerline of 9th Street;

thence North 88° 01' 09" West along said Easterly extension, 30.45 feet to the **TRUE POINT OF BEGINNING**.

Situate in the City of Anacortes, Skagit County, Washington.



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Skagit County Auditor

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MAP 1
PROPOSED STREET VACATIONS (PARCELS 5, 6, 7, 8, 9, & 10)



201201170067
Skagit County Auditor

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Leonard, Boudinot & Skodje Inc.
 PROFESSIONAL ENGINEERS & LAND SURVEYORS
 603 South First Street, P.O. Box 1228
 Mount Vernon, WA 98273
 Tel: 360-338-0751 Fax: 360-338-3861

NO.	DATE	BY	REVISION



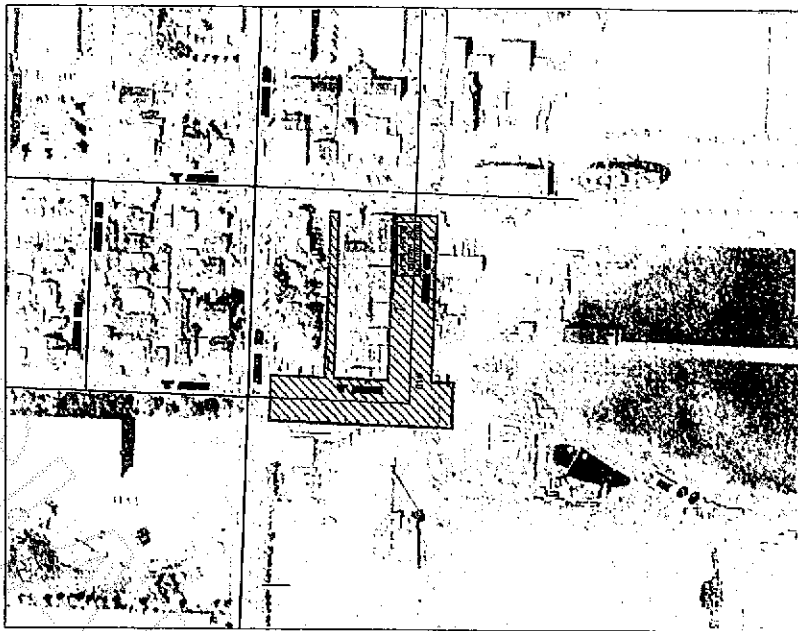
PROPOSED STREET VACATIONS.
 EXHIBIT MAP #1
 PHOTO BACKGROUND COPY/PRINT SPANIAL/AR CONTINUED, USE FOR VISION REFERENCE ONLY.

DATE	JOB	PROJECT NO.	20078
SCALE	1"=100'		
CHECKED	DATE	10/18/08	
SHEET NO.	1 of 4		

06078

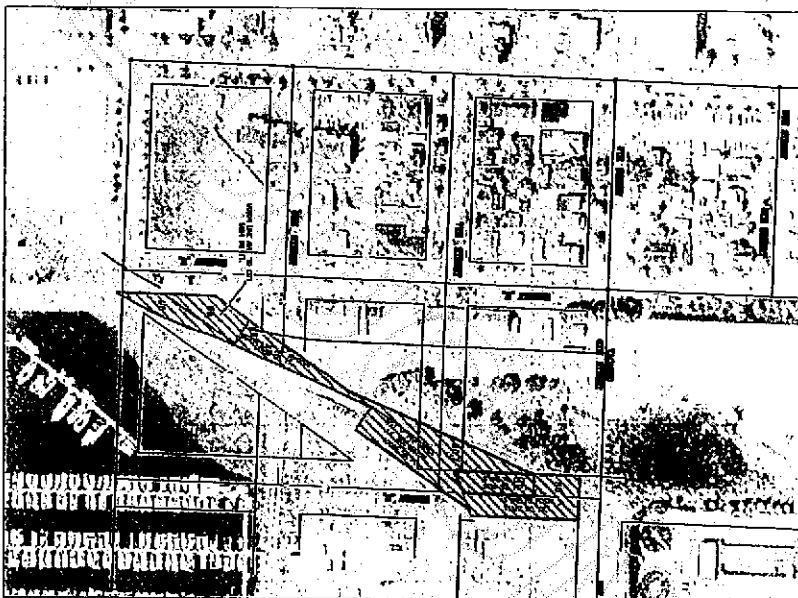
AREA OF 3RD. STREET AND R AVENUE TO BE VACATED = 55,854 SQ. FT

PARCEL #10



AREA TO BE VACATED = 54,495 SQ. FT

PARCELS #5, 6 & 7, 8, 9



LEGEND

PROPOSED STREET VACATIONS

TOTAL AREA TO BE VACATED=110,349 SQ. FT.

VICINITY MAP



201201170067

Skagit County Auditor

MAP 2
OWNERSHIP AFTER STREET VACATIONS

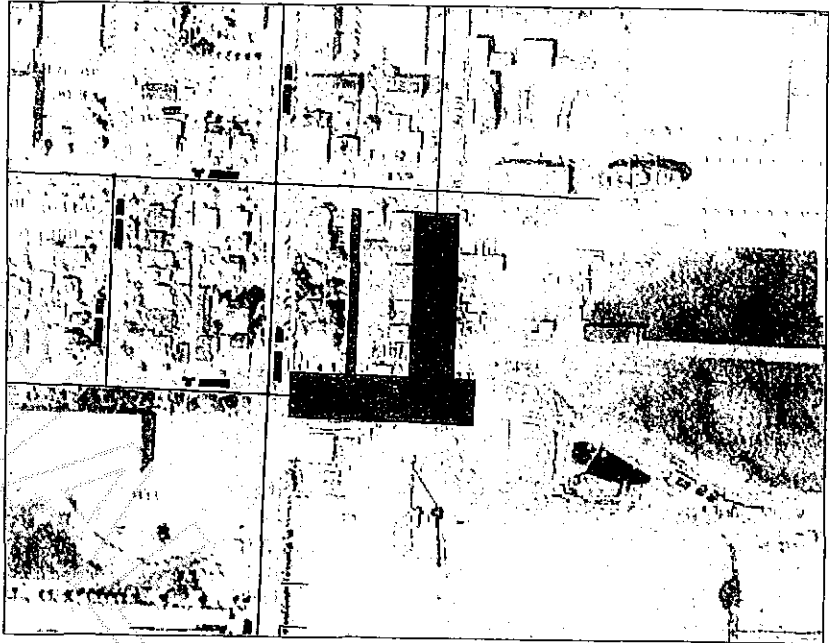


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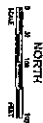
Skagit County Auditor

1/17/2012 Page 69 of 74 12:14PM

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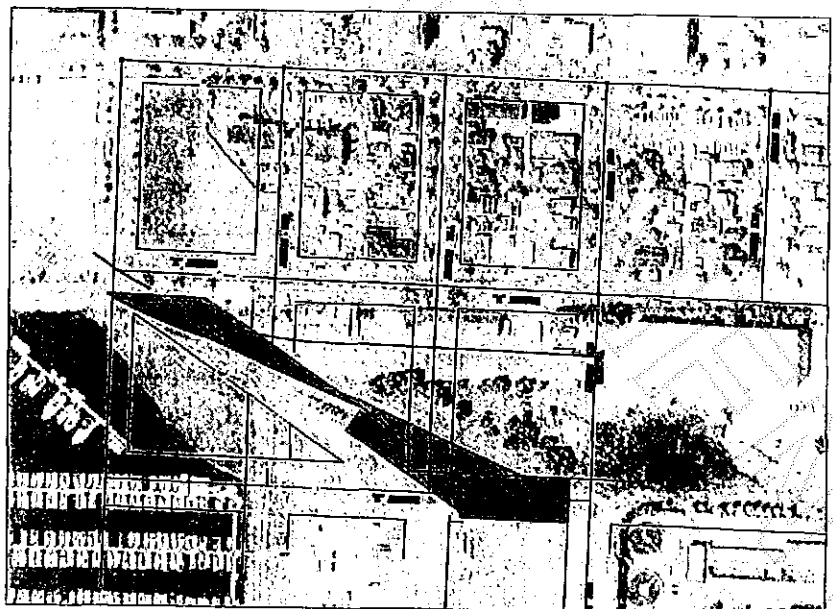


AREA OF 3RD STREET AND R AVENUE WANTED TO PORT = 56,854 SQ. FT.



LEGEND

- WANTED TO PORT
- WANTED TO CITY



AREA WANTED TO PORT = 23,471 SQ. FT.
 AREA WANTED TO CITY = 31,024 SQ. FT.
 TOTAL AREA WANTED MARKET ST. WIDENITY = 54,495 SQ. FT.



Leonard, Boudinot & Skodje Inc.
 PROFESSIONAL ENGINEERS & LAND SURVEYORS
 803 South First Street, P.O. Box 1226
 Mount Vernon, WA 98273
 Tel: 360-336-8751 Fax: 360-336-2981

NO.	DATE	BY	REVISION



OWNERSHIP AFTER STREET VACATIONS

EXHIBIT MAP #2

PHOTO AERIALS ARE COURTESY OF WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, USE FOR VISION, REPRODUCTION ONLY.

DATE	05/07	PROJECT NO.	06078
SCALE	1"=100'		
DATE	10/19/06		
SHEET NO.	2 of 4		

06078



201201170067

Skagit County Auditor

**MAP 3
MARKET STREET PARCELS TO BE EXCHANGED**



201201170067
Skagit County Auditor

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Leonard, Boudinot & Skodje Inc.
 PROFESSIONAL ENGINEERS & LAND SURVEYORS
 403 South First Street, P.O. Box 1226
 Mount Vernon, WA 98273
 Tel: 360-338-5721 Fax: 360-338-3981

NO.	DATE	BY	REVISION



PARCELS TO BE EXCHANGED - MARKET STREET VIC.
 EXHIBIT MAP #3
 PHOTO AERIAL PHOTOGRAPHY COURTESY OF THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

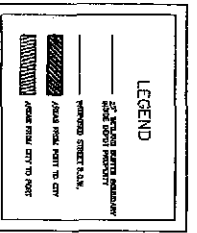
DATE: 10/18/08
 SCALE: 1"=100'
 SHEET NO. 3 of 4



STREET VACATIONS	TO PORT (SQ. FT.)	TO CITY (SQ. FT.)
3RD ST. AND "R" AVE.	53,654	31,024
MARKET ST. VICINITY	53,654	31,024
	107,308	62,048

PROPERTY EXCHANGES	(SQ. FT.)	(SQ. FT.)
DEPOT PROPERTY	-2,127	+1,913
PARCEL "D"	+913	-913
PARCEL "A"	-367	+367
PARCEL "C"	+25,169	-25,169
PARCEL "B"	+23,588	+115,418
TOTAL	102,713	168,442

AREA OF PROPOSED 60' ROW 53,679 SQ. FT.
 AREA OF DEPOT PROPERTY 49,612 SQ. FT.
 INSIDE WETLAND BUFFER



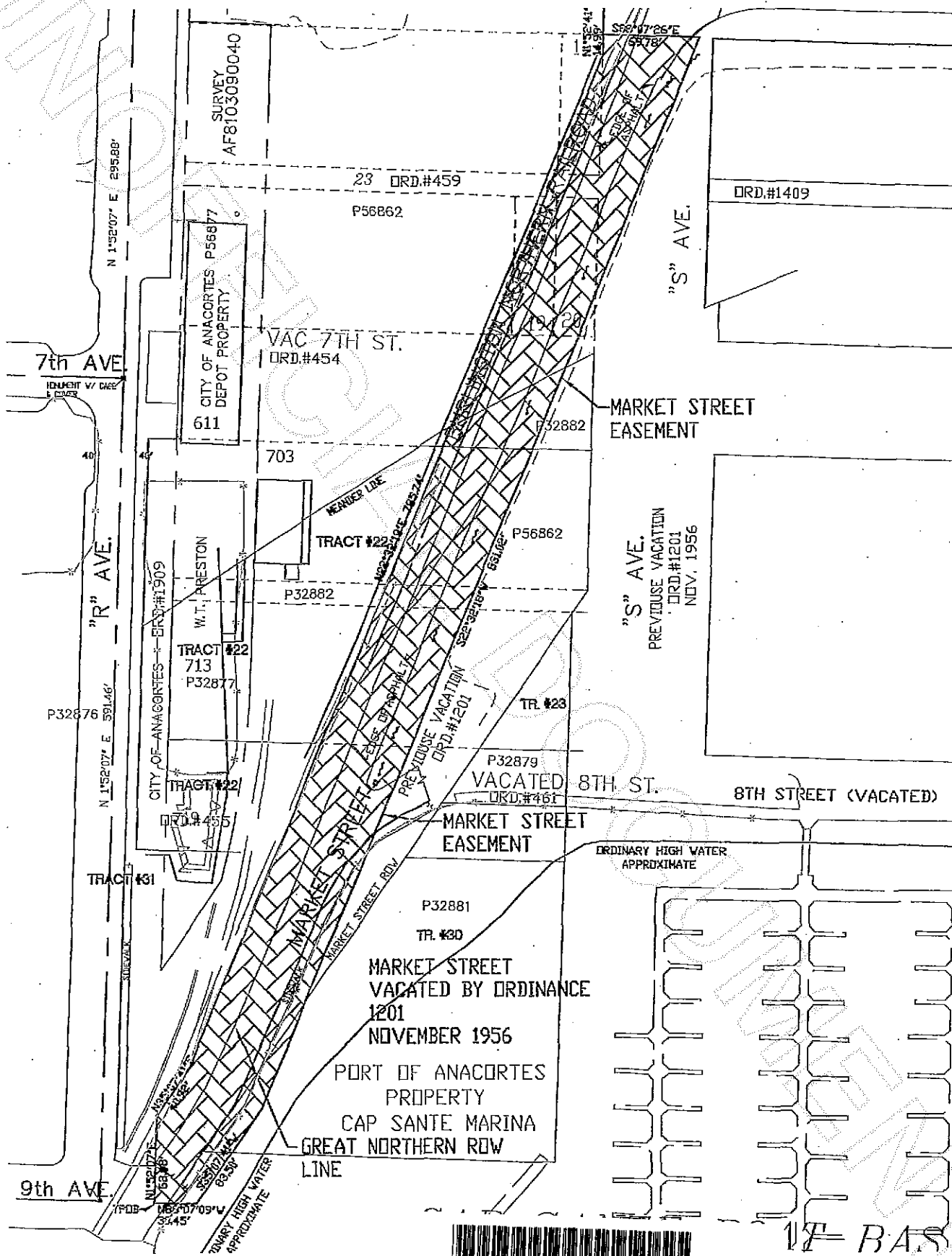
201201170067
 Skagit County Auditor

**MAP 4
MARKET STREET RIGHT OF WAY**



201201170067
Skagit County Auditor

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Skagit County Auditor

After Recording, Return To:

City Attorney
City of Anacortes
P.O. Box 547
Anacortes, WA 98221



201201050054
Skagit County Auditor

1/5/2012 Page 1 of 5 12:24PM

DOCUMENT:

**RIGHT OF WAY AND ROAD
MAINTENANCE AGREEMENT**

GRANTOR:

PORT OF ANACORTES

GRANTEE:

CITY OF ANACORTES

ABBREVIATED LEGAL:

PTN OF TIDE AND SHORE LANDS OF

ASSESSOR'S TAX PARCEL NOS.:

**A. H. IN S18, T35N, R2E (SEE ATTACHED)
3776-023-000-0008/P56862; 350218-0-018-0007/
P32877; 350218-0-018-0007/P32877**

**REFERENCE NUMBER OF
RELATED DOCUMENT:**

N/A

LAND TITLE OF SKAGIT COUNTY

141023:OAE

RIGHT OF WAY AND ROAD MAINTENANCE AGREEMENT

COME NOW, the Grantor, the **Port of Anacortes** (hereinafter the "Port"), and the Grantee, the **City of Anacortes** (hereinafter the "City"), enter into this RIGHT OF WAY AND ROAD MAINTENANCE AGREEMENT (the "Agreement") subject to the following terms and conditions:

1. EASEMENT

The Port, as partial consideration for the City's vacation of certain City streets by City Ordinance 2862 dated November 21, 2011 and City Ordinance 2863 dated November 21, 2011 and the conveyance of certain real property from the City to the Port pursuant to that certain Interlocal Agreement between the City and the Port dated November 21, 2011 and recorded as Skagit County Auditor File No. 201201050049 * on JANUARY 5, 2012, conveys, subject to the covenants set forth herein, to the City the easement described in Exhibit "A" attached hereto and incorporated herein by this reference, situated in the Skagit County, Washington (the "Easement") for purposes of a public right of way.

*** & 201201050050**

**RIGHT OF WAY AND ROAD
MAINTENANCE AGREEMENT - 1**

2. **MAINTENANCE**

The City shall be solely responsible for the maintenance, repair and upkeep of the road way on the Easement area.

3. **OBLIGATIONS RUN WITH THE LAND**

The rights and obligations contained in this Agreement shall be perpetual in duration, shall constitute covenants running with the land, and shall be binding on the undersigned and all successors, assignees, devisees, or transferees of the parties and shall, in all respects, and attach to the property legally described in this Agreement.

4. **SEVERABILITY**

Should any provision of this Agreement be found to be void or otherwise unenforceable, all other provisions shall remain enforceable and binding.

5. **GOVERNING LAW**

This Agreement shall be construed under the laws of the state of Washington.

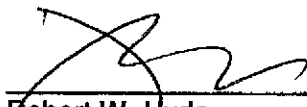
6. **ENTIRE AGREEMENT**

This Agreement contains the entire agreement between the parties hereto and incorporates and supersedes all prior agreements and negotiations. It may not be modified or supplemented in any manner or form whatsoever, either by course of dealing or parol or written evidence of prior agreements and negotiations, except upon the written agreement of both parties.

Dated this 28th day of November, ~~2010~~ 2011

GRANTOR:

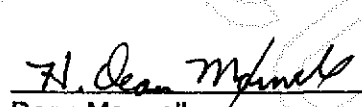
PORT OF ANACORTES



Robert W. Hyde
Executive Director

GRANTEE:

CITY OF ANACORTES



Dean Maxwell
Mayor

RIGHT OF WAY AND ROAD
MAINTENANCE AGREEMENT - 2



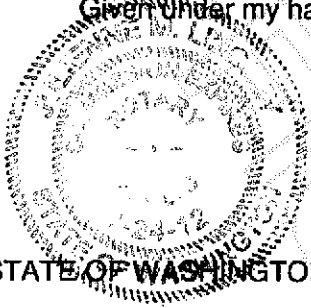
201201050054
Skagit County Auditor

1/5/2012 Page 2 of 5 12:24PM

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Robert W. Hyde** known to be the Executive Director of the **Port of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given Under my hand and official seal this 23rd day of November, ~~2010~~
2011

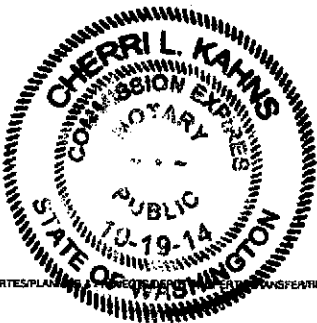


Print Name: Juliane M. Lindsey
NOTARY PUBLIC in and for the
State of Washington, residing at Anacortes WA

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Dean Maxwell** known to be the **Mayor** of the City of Anacortes and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and official seal, this 28th day of November, ~~2010~~ 2011



Print Name: Cherri L. Kabong
NOTARY PUBLIC in and for the
State of Washington, residing at Mount Vernon

PORT OF ANACORTES/PLANNING & PROJECTS DEPT. - ERTS UNSEFTWIGHT OF WAY AGREEMENT_06-17-10

RIGHT OF WAY AND ROAD MAINTENANCE AGREEMENT - 3



1/5/2012 Page

3 of

5 12:24PM

**MARKET STREET Right of Way
LEGAL DESCRIPTION**

All those portions of 'Block 23, together with the vacated alley and vacated 7th Street and S Avenue abutting said Block 23, as shown on "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington; of Tracts 22 and 30, Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, together with vacated 7th and 8th Streets abutting and within said Tracts 22 and 31; and of vacated Market Street, also known as Motor Line Avenue, being more particularly described as follows:

Commencing at the intersection of the centerlines of 9th Street and R Avenue as shown on said Plate 9;

thence South 88° 01' 09" East along the Easterly extension of the centerline of said 9th Street, 40.00 feet to the East right-of-way margin of said R Avenue and the **TRUE POINT OF BEGINNING**;

thence North 1° 52' 07" East along said East right-of-way margin, 62.98 feet;

thence North 35° 01' 41" East, 40.92 feet;

thence North 22° 32' 18" East, 785.74 feet to the Westerly right-of-way margin of said vacated "S" Avenue;

thence North 1° 52' 41" East along said West right-of-way margin, 14.99 feet to the South right-of-way margin of 6th Street;

thence South 88° 01' 26" East along said South right-of-way margin, 69.78 feet;

thence South 22° 32' 18" West, 831.02 feet;

thence South 35° 01' 41" West, 83.50 feet to said Easterly extension of the centerline of 9th Street;

thence North 88° 01' 09" West along said Easterly extension, 30.45 feet to the **TRUE POINT OF BEGINNING**.

Situate in the City of Anacortes, Skagit County, Washington.



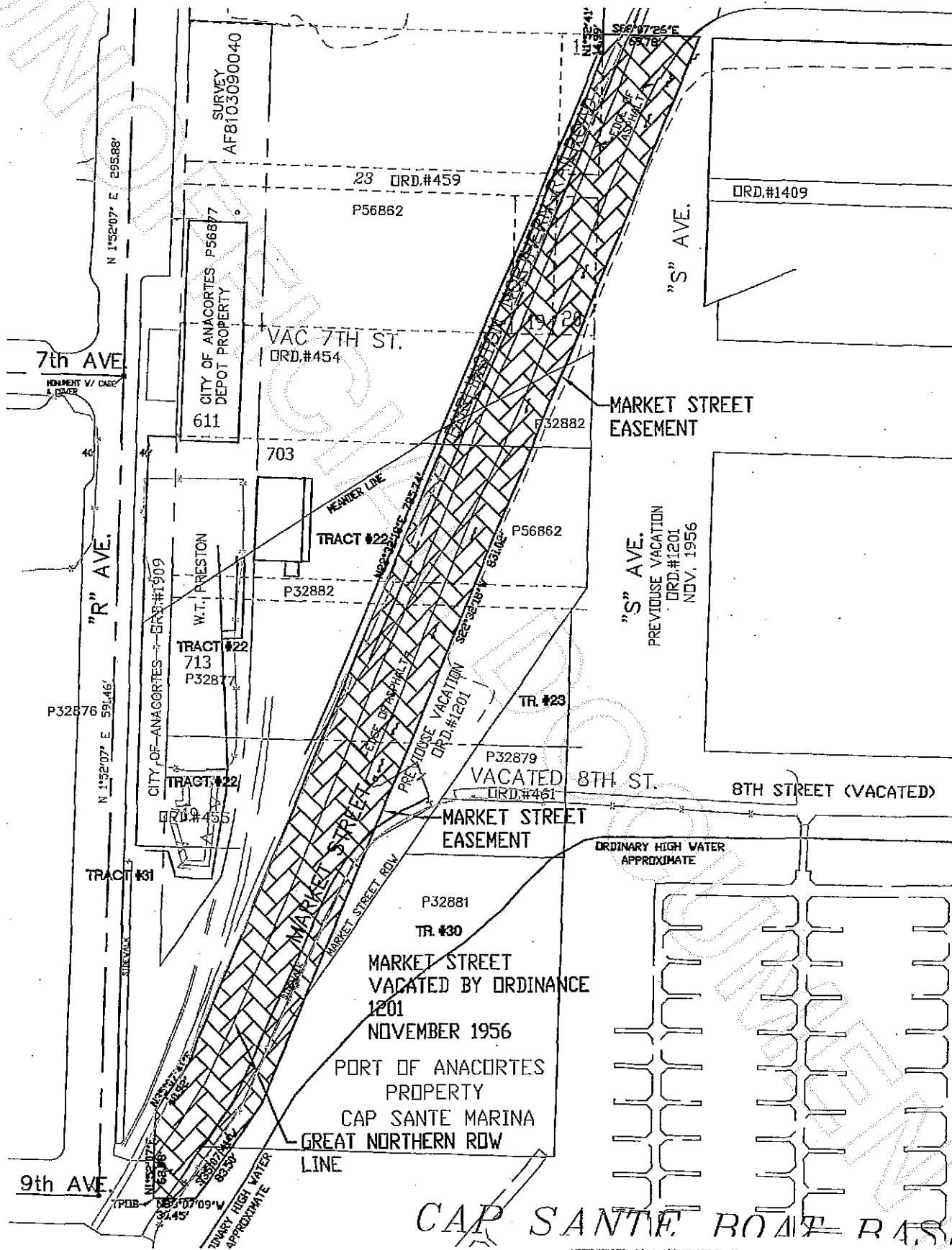
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Skagit County Auditor

1/5/2012 Page

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5 12:24PM



CAP SANTE MARINA RAS



201201050054
Skagit County Auditor

ORDINANCE NO. 1201

AN ORDINANCE vacating certain streets and alleys in the City of Anacortes, Washington.

WHEREAS, a petition praying for the vacation of certain streets and alleys in the City of Anacortes, Washington, was filed with the City Clerk by the Port of Anacortes, in which petition it was represented that the said Port of Anacortes owns all of the property abutting upon said streets and alleys sought to be vacated, and

WHEREAS, the City Council by Resolution fixed the time and place for the hearing of said Petition, and more than twenty (20) days prior to the date of said hearing notice thereof was duly posted and published according to law, and

WHEREAS, said hearing was duly held and there were no objections or protests entered or honored in connection with said Petition.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANACORTES DO ORDAIN AS FOLLOWS:

Section 1. That the following described streets and alleys in the City of Anacortes, Washington, hereby are declared to be vacated:

5th Street between the east line of S and the west line of T Avenues;

All of those portions of 7th, 8th, 9th, 11th and 13th Streets located on Plate 9 of Anacortes Tide and Shore Lands and east of the Great Northern Railway right of way;

All of those portions of 11th Street, 13th Street, Cap Sante Avenue, R Avenue, S Avenue, T Avenue, U Avenue and V Avenue located in Plate 10 of Anacortes Tide and Shore Lands and east of the Great Northern Railway right of way and north of the Cap Sante water way;

All of that portion of Motor Line Avenue lying east of the east line of the Great Northern Railway right of way;

All of that portion of R Avenue lying south of the ~~Great Northern Railway right of way~~ *South line of Motor Line Avenue and North of North line of 13th St*
All of those portions of S Avenue, T Avenue, U Avenue and V Avenue lying in Plate 9 and south of the meander line;

The alleys in Blocks 6 and 11 of Bowman's Central Ship Harbor Water Front Plat;

provided, however, that the City of Anacortes reserves for itself forever the right to go upon said street for the purpose of excavation for sewer, water pipe or mains and/or any and all other utility lines, conduits or services, and to lay sewer pipe, water pipe or mains and any and all other utility lines, conduits or services, and to maintain, repair, renew and replace the same and perform any and all work in connection therewith appropriate for the welfare of the public.

Delet

Section 2. This Ordinance shall take effect and be in force from and after five (5) days after its publication.

Dated this 6 day of November, 1956.

CITY OF ANACORTES

By C. R. Finson
C. R. Finson, Mayor

ATTEST:

Frank D. Kimsey, Jr.
Frank D. Kimsey, Jr., City Clerk

(CORPORATE SEAL)

APPROVED AS TO FORM:

W. V. Wells
W. V. Wells, City Attorney

BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES

SKAGIT CO. WASHINGTON
Scale 1 inch=200 ft. Reduced to 1 inch=400 ft.

DESCRIPTION

This above is a plat of Bowman's Central Ship Harbor Water Front plat of Anacortes Skagit County State of Washington and embraces a portion of lots 13, 14 and 15 in Section 18 Township 35 North Range 2 East with the initial point is the N.E. corner of block 1 as designated on this plat which point is found by beginning at the section corner common to Sections 13 and 24 Township 35 North Range 2 East with and section 18 and 19 Township 35 North Range 2 East with and running thence northerly 3232 feet and parallel to avenue C as shown on the plat of the city of Anacortes thence running easterly 19241 ft and parallel to with St. as shown on the plat of the City of Anacortes at the intersection of the center line of with St and avenue R. A stone monument has been set as a secondary initial point said secondary initial point being 20 feet northerly and 20 feet easterly of the initial point all streets, avenues, alleys and lots are as marked on the face of the plat in feet.

DEDICATION

Know all men by these presents that we Amos Bowman and Anna Bowman his wife owners in fee simple in the land embraced in the above described Bowman's Central Ship Harbor Water Front plat of Anacortes Skagit County Washington hereby declare this plat and hereby dedicate to the use of the public the streets, avenues, and alleys as truly laid out thereon but this dedication and plat are in no way to be construed as to impair or otherwise affect any riparian or littoral rights of us or our heirs or assigns the intention hereof being to give the public the right to use in common with us and our heirs and assigns the streets and alleys designated upon the plat in witness whereof we have hereunto set our hands and seals this 14 day of January A.D. 1890

Anna C. Bowman ☐
Amos Bowman ☐

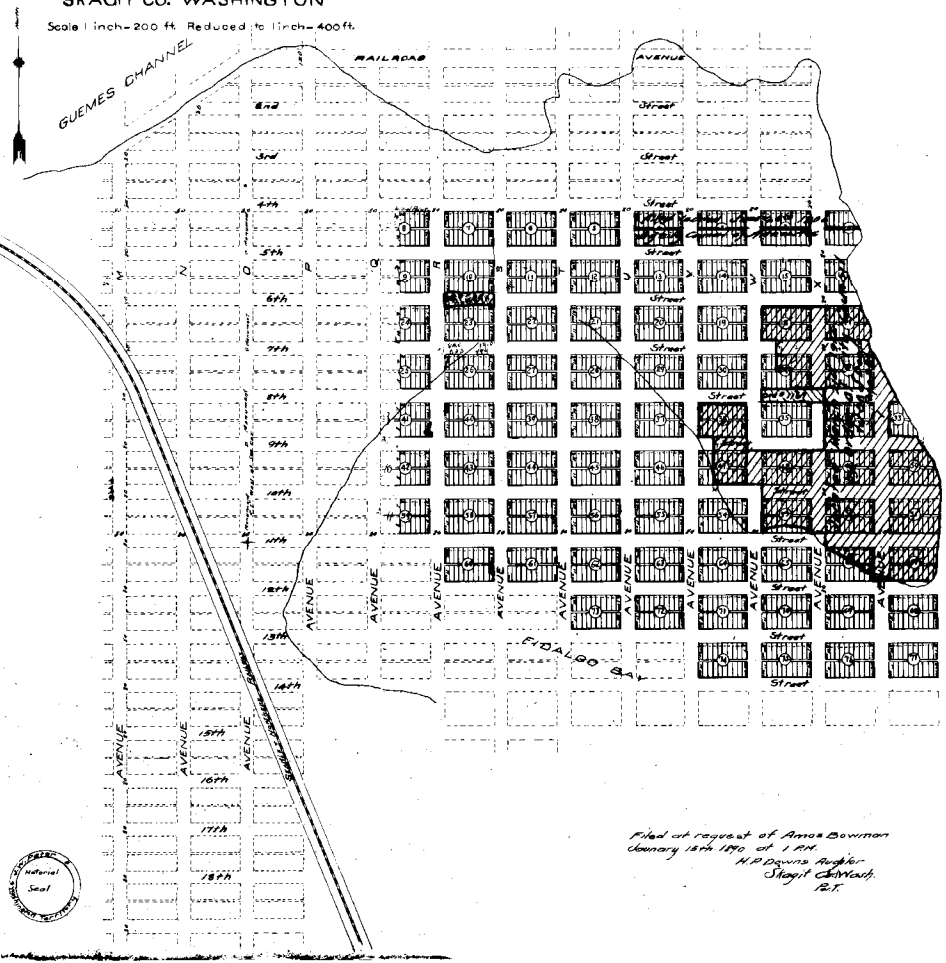
Signed and sealed in presence of
J. H. Griffith
E. V. Meager

ACKNOWLEDGMENT

State of Washington } 33
County of Skagit }

I John W. Peter a Notary Public in and for the State of Washington, duly commissioned and sworn and qualified do certify that on this 14th day of January A.D. 1890 before me personally appeared Amos Bowman and Anna C. Bowman his wife to me known to be the individuals described in and who executed the above plat and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned, and the said Anna C. Bowman wife of said Amos Bowman upon examination by me separately and apart from her said husband when the contents of said instrument were by me fully made known unto her acknowledged that she did voluntarily of her own free will and without fear of or coercion from her husband execute the same.

Given under my hand and official seal this 14th day of January A.D. 1890
J. W. Peter, Notary Public, in and for the State of Washington



Filed at request of Amos Bowman
January 15th 1890 at 1 PM.
H. P. Downs Register
Skagit County Wash.
121.

1500
8807290027

INTERLOCAL AGREEMENT - 2

JERRY MCINTURFF
SKAGIT COUNTY AUDITOR

88 JUL 29 AM 11:13

WHEREAS, the PORT OF ANACORTES, hereinafter referred to as the "PORT", and the CITY OF ANACORTES, hereinafter referred to as the "CITY", are both municipal corporations of the State of Washington; and

WHEREAS, the parties hereto desire to resolve several matters of both mutual and respective benefit, the nature of which:

- a) have been partially hereinbefore addressed in agreements, copies of which are marked Exhibits I, II, III and IV and are attached hereto and incorporated herein as though fully set forth here;
- b) are partially addressed in another Interlocal Agreement of even date, the focus of which is to assist the CITY comply with federal and state laws dealing with mandated secondary sewage treatment facilities; and
- c) are partially addressed in this Interlocal Agreement, the primary focus of which is proper development of both real properties currently owned by the parties and real property worth \$1,000,000.00 sought by the PORT currently owned by Burlington Northern described in Exhibit V

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INTERLOCAL AGREEMENT - 1

Part of Anacortes

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attached hereto and incorporated herein as though fully set forth here;

WHEREAS, the PORT'S immediate conveyance of real property to the CITY and delayed acquisition of real property from the CITY (referenced in the other Interlocal Agreement between the parties of even date) in and of itself severely limits the PORT'S marine terminal facilities, and the CITY'S inability now to pay all cash at closing further serves to limit the PORT'S ability to properly maintain, let alone enhance, its marine terminal operations and pursue its plan of development for its Cap Sante Marina area; and

WHEREAS, current community attitude is such that the use of unit trains and covered dockside storage of bulk products is not apt to occur, and thus the PORT'S previously anticipated need to maintain rail service to its marine terminal facilities no longer exists;

NOW THEREFORE, for and in consideration of the mutual benefits inuring to each of the parties hereto and the terms and conditions herein contained, the parties covenant and agree, in accordance with the INTERLOCAL COOPERATION ACT, RCW 39.34 et seq., and INTERGOVERNMENTAL DISPOSITION OF PROPERTY, RCW 39.33 et seq., to that which is hereinafter set forth:

1. The CITY herein agrees to assume the PORT'S obligation to complete two CITY blocks of street improvements to enhance street access to the PORT'S Cap Sante Marina area. On or before September 30, 1992, the PORT shall pay to the CITY \$174,000.00 and the CITY shall construct to full CITY standards (as defined in Exhibit II attached) the following CITY blocks:

a) 9th Street between the east line of "Q" Avenue and

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INTERLOCAL AGREEMENT - 2

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the east line of "R" Avenue;

- b) 6th Street between the east line of "R" Avenue and the east line of "T" Avenue, if the PORT is able to acquire the Burlington Northern real property identified in Exhibit V, or "T" Avenue between the north line of 4th Street and the PORT'S property to the south thereof, should the PORT be unable to acquire the Burlington Northern real property identified in Exhibit V.

2. Upon the PORT acquiring by lease or purchase the real property referenced in Exhibit V and Burlington Northern abandoning its franchise from 17th Street north:

- a) The CITY shall grant the PORT an industrial crossing of 4th Street for movement of cargo between the PORT'S existing marine terminal facilities and the real property referenced in Exhibit V.
- b) The CITY shall convey to the PORT by warranty deed the real properties described in Exhibit VI. Parcel P1 of Exhibit VI is the 30' strip of land at the old Scott Mill site. The conveyance of Parcel P1 is conditioned upon the PORT'S agreement to continue to provide public access to the PORT'S Harbor Park. Parcel P2 of Exhibit VI is the triangular piece of land adjacent to the Burlington Northern property deeded to the CITY by Burlington Northern. Parcel P3 of Exhibit VI is

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INTERLOCAL AGREEMENT - 3

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the five (5) small pieces of land on the east side of the Cap Sante Basin.

c) The CITY shall cause to be vacated:

- i) that portion of "R" Avenue lying north of the north line of Third Street, identified as Parcel P4 of Exhibit VI;
- ii) Market Street between the south line of 9th Street and the south line of 11th Street, as well as, that portion of 11th Street lying east of the east line of "Q" Avenue; identified as Parcel P5 of Exhibit VI;
- iii) that portion of Market Street between 6th and 9th Streets, identified as Parcel P6 of Exhibit VI;
- iv) "S" Avenue south of 6th Street to Plate 9 and that portion of 7th Street lying south of "S" Avenue and northeast of Market Street, identified as Parcel P7 of Exhibit VI.
- v) the west one-half of "S" Avenue between 4th and 6th Streets, identified as Parcel P8 of Exhibit VI;
- vi) that portion of Commercial Avenue north of the north line of Second Street, identified as Parcel P9 of Exhibit VI.

d) The PORT shall convey to the CITY by warranty deed the real properties described in Exhibit VII.

Parcel C1 of Exhibit VII is 6th Street between the east line of "R" Avenue and the west line of "S"

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INTERLOCAL AGREEMENT - 4

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Avenue. The conveyance of Parcel C1 is conditioned upon the CITY'S agreement to immediately construct such improvements as to make a right-of-way sufficient to provide ingress and egress to the CITY'S secondary treatment facility and the PORT'S North Harbor facilities at the Cap Sante Marina. Parcel C2 of Exhibit VII is the Southeast corner of the block bordered by "S" and "R" Avenues and 4th and 6th Streets wherein the pond is located. Parcel C3 of Exhibit VII is West one-half of "S" Avenue adjacent to the Pond. C4 of Exhibit VII is the five (5) foot strip of land east of the Depot between 6th and 8th Streets.

- e) The CITY will obtain by vacation the real properties described in Exhibit VII. C5 of Exhibit VII is the east one-half of "S" Avenue between 4th and 6th Streets. C6 of Exhibit VII is Market Street south of the Depot and north of 9th Street. (C6 will be turned over to the PORT for development of the PORT'S Comprehensive Plan by separate instrument)
- f) The PORT shall repave the railroad crossing at 15th, 13th and 11th Streets, and Commercial and "O" Avenues, upon removal of the track by Burlington Northern, the CITY or the PORT.

3. Performance by the parties to all of that which is

hereinabove set forth shall be contingent upon the PORT and CITY entering into another Interlocal Agreement contemporaneously with this Interlocal Agreement and fully performing those matters referenced therein which are of mutual and/or respective benefit to the parties.

4. Performance by the parties to that which is hereinabove set forth specifically in paragraph 2 shall be contingent upon:

- a) full and complete performance of all that which each party agrees to to perform, including the PORT'S compliance with RCW 39.33.020, RCW 53.08.090 and RCW 53.20.010 and the CITY'S compliance with laws applicable to conveyance and/or vacation of CITY lands and right-of-ways.
- b) The PORT'S acquisition of the real property referenced in Exhibit V and Burlington Northern abandoning its franchise from 17th Street north.

5. Each party to this Agreement shall pay any and all title insurance connected with the property they are conveying and their share of the reasonable closing costs connected therewith.

6. Title to the property of each party is to be free of all encumbrances or defects, except for those encumbrances or defects acceptable to the party acquiring property from the other. Taxes, rents and utilities shall be prorated as of the closing.

7. The parties agree that upon this Agreement being fully executed, the PORT and the CITY shall each immediately apply for a preliminary commitment for an ALTA standard form purchaser's

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INTERLOCAL AGREEMENT - 6

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policy of title insurance to be issued by Island Title Company, a Safeco title insurance company. Said preliminary commitments, and the title policies to be issued, shall (a) insure the full amount of the valuation of each property against loss or damage by reason of defect in the title to each property, or by reason of prior liens not assumed under this Agreement, and (b) contain no exceptions other than those provided for in said standard form and the encumbrances or defects excepted herein. If clear titles cannot be made insurable prior to the closing date, then this Agreement shall be void, unless both the PORT and the CITY elect to waive such defects or encumbrances by written notice one to the other given personally or by registered mail prior to the date set for closing.

8. The conveyance of real properties hereinabove referenced shall be closed by Island Title Company, Anacortes, Washington. Documents shall be drawn by an attorney agreed upon by both the PORT and the CITY, with each party reserving the right to have its own attorney review said documents.

9. Closing as hereinabove referenced shall be on or before December 31, 1989.

10. Both municipalities shall timely undertake the appropriate procedural steps required by each to implement this Interlocal Agreement, including the identification of the individuals responsible for administering this joint and cooperative undertaking.

11. It is understood and agreed that this Interlocal Agreement shall run until October 31, 1992, unless automatically

terminated beforehand on account of breach hereof by either the
PORT or CITY.

IN WITNESS WHEREOF, we have hereunto set our hands and seals
this 22ND day of JULY, 1988.

PORT OF ANACORTES

CITY OF ANACORTES

BY *Joseph E. Baier*
JOSEPH E. BAIER,
Executive Director

BY *James Rice*
JAMES RICE,
Mayor

8807290027

INTERLOCAL AGREEMENT - 8

VGL 769 PAGE 681

STATE OF WASHINGTON)
:SS
COUNTY OF SKAGIT)

On this 12 day of July, 1988, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JOSEPH E. BAIER, to me known to be the Executive Director of the PORT OF ANACORTES, a municipal corporation, the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was duly authorized to execute the same, and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto the day and year in this certificate first above written.



Patricia B. Bogan
NOTARY PUBLIC in and for the State of
Washington, residing at Mt. Vernon

My appointment expires: 4-12-91

STATE OF WASHINGTON)
:SS
COUNTY OF SKAGIT)

On this 21st day of July, 1988, before me, the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared JAMES RICE, to me known to be the Mayor of the CITY OF ANACORTES, a municipal corporation, the corporation that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was duly authorized to execute the same, and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto the day and year in this certificate first above written.

George K. Krasner
NOTARY PUBLIC in and for the State of
Washington, residing at Anacortes

My appointment expires: 7/3/91

9C:[INTERLC2.AGR]

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INTERLOCAL AGREEMENT - 9

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(Property to PORT)

EXHIBIT VI

PARCELS TO BE CONVEYED BY THE CITY TO THE PORT
BY WARRANTY DEED

- P1 30' Strip of land at the old Scott Mill site, conditioned upon the PORT'S agreement to continue to provide public access to the PORT'S Harbor Park.
- P2 The triangular piece of land adjacent to the Burlington Northern property deeded to the CITY by Burlington Northern.
- P3 The five (5) small pieces of land on the east side of the Cap Sante Basin.

PARCELS TO BE VACATED BY THE CITY

- P4 That portion of "R" Avenue lying north of the north line of Third Street.
- P5 Market Street between the south line of 9th Street and the south line of 11th Street, as well as, that portion of 11th Street lying east of the east line of "Q" Avenue.
- P6 That portion of Market Street between 6th and 9th Streets.
- P7 "S" Avenue south of 6th Street to Plate 9 and that portion of 7th Street lying south of "S" Avenue and northeast of Market Street.
- P8 The west one-half of "S" Avenue between 4th and 6th Streets.
- P9 That portion of Commercial Avenue north of the north line of second street.

(6a:exhivi.poa)

8807290027

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(Property to CITY)

EXHIBIT VII

PARCELS TO BE CONVEYED BY THE PORT TO THE CITY
BY WARRANTY DEED

- C1 6th Street between the east line of "R" Avenue and the west line of "S" Avenue, conditioned upon the CITY'S agreement to immediately construct such improvements as to make a right-of-way sufficient to provide ingress and egress to the CITY'S secondary treatment facility and the PORT'S North Harbor facilities at the Cap Sante Marina.
- C2 Southeast corner of block bordered by "S" and "R" Avenues and 4th and 6th Streets wherein the pond is located.
- C3 West one-half of "S" Avenue adjacent to the pond.
- C4 A five (5) foot strip of land east of the Depot between 6th and 8th Streets.

REAL PROPERTIES CITY WILL OBTAIN BY VACATION

- C5 East one-half of "S" Avenue between 4th and 6th Streets.
- C6 Market Street south of the Depot and north of 9th Street.

(6a:exhivi.poa)

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8807290027

James Hamels Title Services
1011 Western Ave Ste 708
Seattle, WA 98104

JERRY MCINTURFF
SKAGIT COUNTY CLERK

89 JUN 14 A9-21

8906140002

QUIT CLAIM DEED

BURLINGTON NORTHERN RAILROAD COMPANY (formerly named Burlington Northern Inc.), a Delaware corporation, Grantor, for Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, and in confirmation of and pursuant to, the Asset Transfer Agreement and Deed dated as of May 26, 1988 between Grantor and Grantee, conveys and quit claims, without any covenants of warranty whatsoever and without recourse to the Grantor, its successors and assigns, to GLACIER PARK COMPANY, a Delaware corporation, 1011 Western Avenue, Suite 700, Seattle, Washington 98104, Grantee, all its right, title and interest, if any, in real estate described on Exhibit "A" attached hereto and made a part hereof, situated in Skagit County, State of Washington, together with all after acquired title of Grantor therein.

RESERVING, however, unto said Grantor, its successors and assigns, a railroad easement including the right, privilege and easement to construct, maintain, repair, renew, use, operate over, replace or remove railroad tracks, drainage facilities and appurtenances thereto in, along, over, upon or across that portion of the premises herein conveyed, as shown shaded on the attached Exhibit "B" and by this reference made a part hereof.

TO HAVE AND TO HOLD said easement for so long as the same is used or required for railroad purposes and until said Grantor, its successors or assigns, shall remove all such facilities from the said premises with the intent to abandon said easement. Upon such removal with the intent to abandon said premises, the easement created hereby shall immediately terminate without further action by Grantor or Grantee. Grantee may, at any time after the termination of the easement created hereby, record an affidavit of termination in the public records to conclusively evidence the termination of the easement.

Dated this 12th day of December, 1988.

2451
SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

JUN 14 1989

Amount Paid \$
Skagit Co. Treasurer
By Deputy

BURLINGTON NORTHERN RAILROAD COMPANY

BY J. H. Tikka
Director - Title Services

ATTEST:

BY Anita D. Wells
Anita D. Wells
Assistant Secretary

8906140002

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STATE OF WASHINGTON

COUNTY OF KING

} ss.

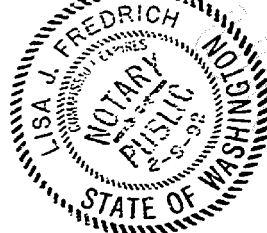
On this 12th day of December, 1988, before me, the undersigned, a Notary Public in and for the State of Washington duly commissioned and sworn, personally appeared J. H. Ilkka and Anita D. Wells, to me known to be the Director - Title Services and Assistant Secretary, respectively, of Burlington Northern Railroad Company, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.

Lisa J. Fredrich
Notary Public in and for the
State of Washington
Residing in: Seattle
My commission expires: 02/09/92

This instrument was drafted by:

Glacier Park Company
Title Services Department
1011 Western Avenue, Suite 700
Seattle, Washington 98104



8906140002

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EXHIBIT "A"

Lots 1 through 20, inclusive, Blocks 7, 10, 23; and Block 26; together with vacated portions of 5th, 6th, 7th and 8th Streets adjacent to and adjoining said Blocks; all in Bowman's Central Ship Harbor Waterfront Plat of Anacortes, Washington, according to plats thereof on file and of record in Volume 2, Page 33, in the Office of the Auditor of Skagit County, Washington; also,

Tracts 22 and 31 of "Plate 9" of the "Tide and Shorelands," all in Section 18, T35N, R2E, W.M., Anacortes Harbor, according to the official map thereof in the Office of the State Land Commissioner at Olympia, Washington;

EXCEPTING THEREFROM that parcel of land described as follows, to-wit:

Beginning at the intersection of the Southerly right-of-way line of said 6th Street and the Easterly right-of-way line of Avenue "R", according to the recorded plat thereof; thence Southerly along said Easterly right-of-way line of Avenue "R", and bearing S00°35'19"W, a distance of 679.646 feet to the Northwesterly right-of-way line of Market Street, according to the recorded plat thereof; thence Northeasterly along said Northwesterly right-of-way line of Market Street, and bearing N33°21'31"E, a distance of 78.1 feet; thence Northerly along a curve to the left, having a radius of 804.02 feet and an internal angle of 11°34'46", a distance of 162.492 feet; thence N00°41'35"E a distance of 452.627 feet; thence N89°25'16"W a distance of 59.751 feet to the Point of Beginning;

ALSO EXCEPTING THEREFROM that parcel of land described as follows, to-wit:

All that portion of Burlington Northern Railroad Company's right-of-way in said Tract 22 and all that portion of Lots 1, 19 and 20 and the vacated alley in said Block 23, together with that portion of vacated 7th Street, lying Easterly of a line drawn parallel with and distant 15.0 feet Easterly of, as measured at right angles to, said Railroad Company's hereinafter described track centerline.

Track Centerline Description

Commencing at the Southwest corner of said Section 18; thence Easterly along the South line of said Section 18 a distance of 800.75 feet to the True Point of Beginning of the track centerline

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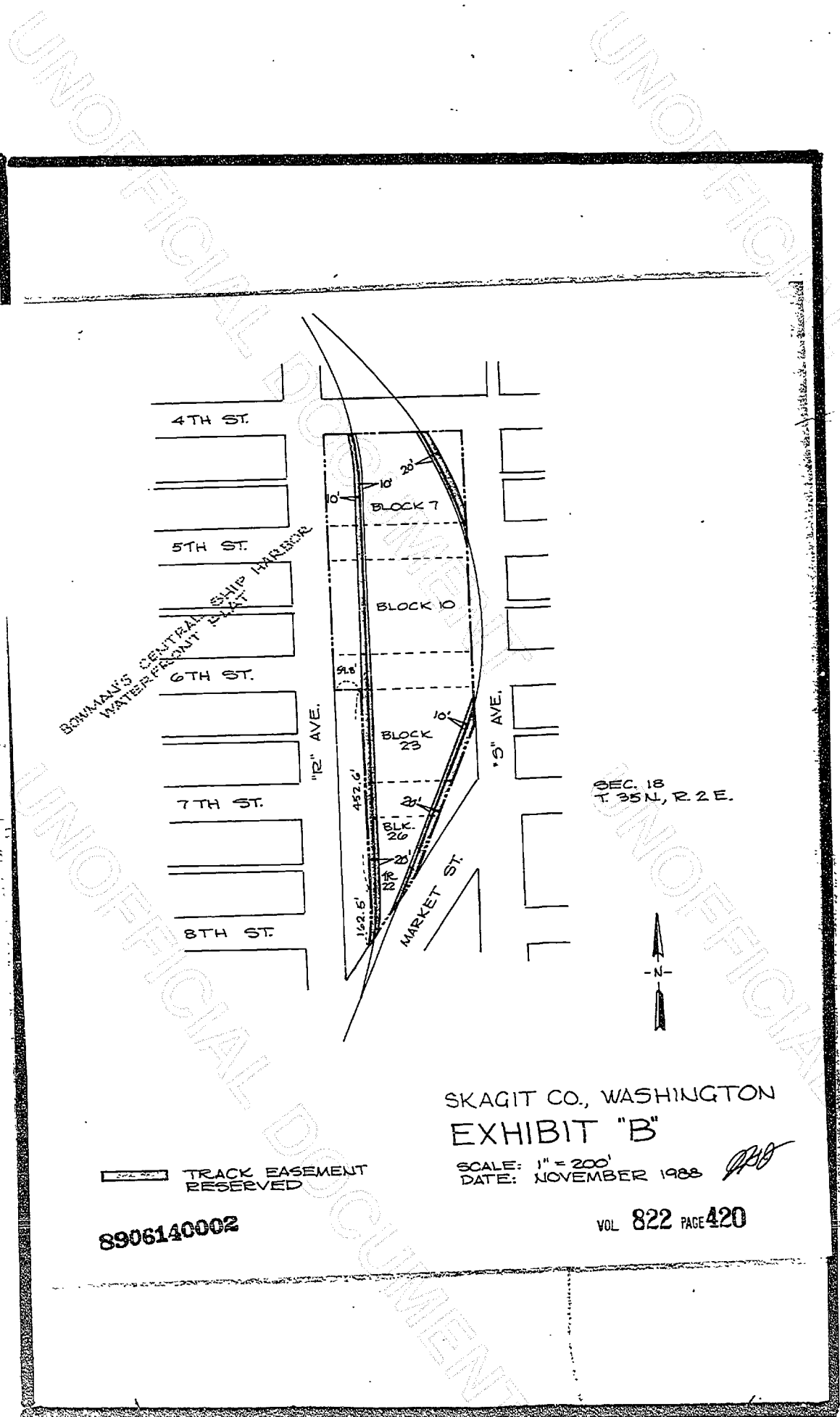
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to be described; thence along a 07°00' curve to the right, whose tangent at the point of intersection with said track centerline makes a Northeasterly included angle of 72°27'06", a distance of 217.33 feet; thence Northeasterly and tangent a distance of 414.83 feet; thence along a 07°00' curve to the left a distance of 165.65 feet; thence Northeasterly and tangent a distance of 698.64 feet; thence along an 08°53' curve to the left a distance of 200.0 feet and there terminating.

List # 3
Sequence # 3112
108.3D.3/3112, 6R6E89V

MS **8906140002**

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TRACK EASEMENT
RESERVED

8906140002

SKAGIT CO., WASHINGTON
EXHIBIT "B"

SCALE: 1" = 200'
DATE: NOVEMBER 1988

VOL 822 PAGE 420

Deland, Edla

85 DEC 11 1985

600

CITY: Anacortes
STATE: Washington
COUNTY: Skagit
E. R. NO. 1070-039-32838

RIGHT OF WAY CONTRACT

A-812

REQUEST OF

8512110054

For and in consideration of the sum of Ten (\$10.00) Dollars cash, the receipt of which is hereby acknowledged, the PORT OF ANACORTES, a municipal corporation hereinafter referred to as Grantor does hereby grant and convey unto CASCADE NATURAL GAS CORPORATION, its successors and assigns, hereinafter referred to as Grantee, the right to construct, maintain, inspect, operate, protect, repair, replace, alter and remove a pipeline or pipelines and necessary appurtenances thereto for the transportation of oil, gas and the products thereof, on, over and through the following described land, of which Grantors warrant that they are the owners in fee simple, situated in the County of SKAGIT; State of WASHINGTON, to-wit:

Easement Location:

An Easement for utilities 10 feet in width in portions of Tracts 20 and 24 of Plate 9, Tide and Shorelands of Section 18, Township 35 North, Range 2 East of the Willamette Meridian, Anacortes Harbor as per map on file with the Commissioner of Public Lands at Olympia, Washington, and also portions of vacated "T" Avenue and 7th Street adjacent thereto, lying 5.00 feet on each side of the following described centerline:

Commencing at the Northeast corner of Block 22 of Bowman's Central Ship Harbor Water Front Plat of Anacortes, according to the plat thereof recorded in Volume 2 of Plats, page 33, records of Skagit County, Washington; thence South 0°35'23" West a distance of 113.59 feet to the Northeast corner of Tract 20 of said Tide and Shorelands Plate; thence North 78°01'00" East a distance of 14.00 feet to the true point of beginning; thence South 8°08'28" West a distance of 139.89 feet; thence South 0°28'16" West a distance of 86.73 feet; thence South 26°15'40" West a distance of 124.86 feet; thence South 0°04'20" East a distance of 39.06 feet to the termination of said centerline description.

Section 18, Township 35 North, Range 2 East, W.M., together with the right of ingress and egress to and from said line or lines, or any of them, for the purposes aforesaid; hereby releasing and waiving, as to Grantee, all rights under and by virtue of the homestead exemption laws of said State.

Together with the right during temporary periods Grantee may use such portions of said property along and adjacent to said right of way as may be reasonably necessary in connection with construction of its facilities.

Grantors shall have the right to use and enjoy the above described premises, except as to the rights herein granted; and Grantors agree not to build, create or construct or to permit to be built, created or constructed any obstruction, building, engineering works, or other structures over or that would interfere with said pipeline or lines or Grantee's rights hereunder. Grantee hereby agrees to pay any damages which may arise to fences, buildings, sidewalks, parking lots or landscaping of said Grantors from the exercise of the rights herein granted.

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

DEC 11 1985

Amount Paid \$ 8
Ruth Wylie, Co. Treas.
Deputy

8512110054

VOL 628 PAGE 68 BY

The Grantee shall have the right to assign this grant in whole or in part including, without limitation, the right of assignment under any presently outstanding or future mortgage or mortgages given to secure any bonds or other bona fide indebtedness of the Grantee.

It is agreed that this grant covers all the agreements between the parties hereto and that no representations or statements, verbal or written, have been made, modifying or adding to or changing the terms of this agreement.

The terms, conditions and provisions of this contract shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

TO HAVE AND TO HOLD said right-of-way and easement unto said Grantee, its successors and assigns until such first pipeline be constructed and so long thereafter as a pipeline is maintained thereon.

IN WITNESS whereof the Grantors herein have executed this conveyance this 14 day of November, 1985.



PORT OF ANACORTES, BY:

Ken Thibert
President

Ken
Secretary

STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

On this 14 day of November, 1985, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared Ken Thibert and Tom Kassler, to me known to be the Pres. and Secretary respectively, of the PORT OF ANACORTES, a Municipal Corporation, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Kassler F. Kassler
Notary Public in and for the State of
Washington, residing at Anacortes.

MY COMMISSION EXPIRES:

April 21, 1987

-2-

8512110054

VOL 628 PAGE 69

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

CITY: Anacortes
STATE: Washington
COUNTY: Skagit
E. R. NO. 1070-039-32838

RIGHT OF WAY CONTRACT

8512030030

Amount Paid \$ 10
Ruth Wyles, Co. Treas.
SA-41836 Deputy

For and in consideration of the sum of Ten (\$10.00) Dollars cash, the receipt of which is hereby acknowledged, the PORT OF ANACORTES, a municipal corporation hereinafter referred to as Grantor does hereby grant and convey unto CASCADE NATURAL GAS CORPORATION, its successors and assigns, hereinafter referred to as Grantee, the right to construct, maintain, inspect, operate, protect, repair, replace, alter and remove a pipeline or pipelines and necessary appurtenances thereto for the transportation of oil, gas and the products thereof, on, over and through the following described land, of which Grantors warrant that they are the owners in fee simple, situated in the County of SKAGIT; State of WASHINGTON, to-wit:

Easement Location:

An Easement for utilities 10 feet in width in portions of Tracts 20 and 24 of Plate 9, Tide and Shorelands of Section 18, Township 35 North, Range 2 East of the Willamette Meridian, Anacortes Harbor as per map on file with the Commissioner of Public Lands at Olympia, Washington, and also portions of vacated "T" Avenue and 7th Street adjacent thereto, lying 5.00 feet on each side of the following described centerline:

Commencing at the Northeast corner of Block 22 of Bowman's Central Ship Harbor Water Front Plat of Anacortes, according to the plat thereof recorded in Volume 2 of Plats, page 33, records of Skagit County, Washington; thence South 0°35'23" West a distance of 113.59 feet to the Northeast corner of Tract 20 of said Tide and Shorelands Plate; thence North 78°01'00" East a distance of 14.00 feet to the true point of beginning; thence South 8°08'28" West a distance of 139.89 feet; thence South 0°28'16" West a distance of 86.73 feet; thence South 26°15'40" West a distance of 124.86 feet; thence South 0°04'20" East a distance of 39.06 feet to the termination of said centerline description.

Section 18, Township 35 North, Range 2 East, W.M., together with the right of ingress and egress to and from said line or lines, or any of them, for the purposes aforesaid; hereby releasing and waiving, as to Grantee, all rights under and by virtue of the homestead exemption laws of said State.

Together with the right during temporary periods Grantee may use such portions of said property along and adjacent to said right of way as may be reasonably necessary in connection with construction of its facilities.

Grantors shall have the right to use and enjoy the above described premises, except as to the rights herein granted; and Grantors agree not to build, create or construct or to permit to be built, created or constructed any obstruction, building, engineering works, or other structures over or that would interfere with said pipeline or lines or Grantee's rights hereunder. Grantee hereby agrees to pay any damages which may arise to fences, buildings, sidewalks, parking lots or landscaping of said Grantors from the exercise of the rights herein granted.

8512030030

VOL 627 PAGE 52

The Grantee shall have the right to assign this grant in whole or in part including, without limitation, the right of assignment under any presently outstanding or future mortgage or mortgages given to secure any bonds or other bona fide indebtedness of the Grantee.

It is agreed that this grant covers all the agreements between the parties hereto and that no representations or statements, verbal or written, have been made, modifying or adding to or changing the terms of this agreement.

The terms, conditions and provisions of this contract shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

TO HAVE AND TO HOLD said right-of-way and easement unto said Grantee, its successors and assigns until such first pipeline be constructed and so long thereafter as a pipeline is maintained thereon.

IN WITNESS whereof the Grantors herein have executed this conveyance this 14 day of November, 1985.

PORT OF ANACORTES, BY:

Ken Thibert
President

Tom Kassler
Secretary

JERRY MCINTURFF
SKAGIT COUNTY
'85 DEC-3 P 3:30
REQUEST OF

STATE OF WASHINGTON)
COUNTY OF SKAGIT) ss.

On this 14th day of November, 1985, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared Ken Thibert and Tom Kassler, to me known to be the President and Secretary respectively, of the PORT OF ANACORTES, a Municipal Corporation, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

Karen L. Woodbury
Notary Public in and for the State of
Washington, residing at Anacortes.

MY COMMISSION EXPIRES:

Apr 1, 1987

8512030030

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After Recording, Return To:

City Attorney
City of Anacortes
P.O. Box 547
Anacortes, WA 98221



201201050053
Skagit County Auditor

1/5/2012 Page 1 of 5 12:24PM

DOCUMENT:

GRANTOR:

GRANTEE:

ABBREVIATED LEGAL:

ASSESSOR'S TAX PARCEL NO.:

STATUTORY WARRANTY DEED

PORT OF ANACORTES

CITY OF ANACORTES

PTN OF TIDE AND SHORE LANDS OF

A. H. IN S18, T35N, R2E (SEE ATTACHED)

3776-007-000-0001/P56797; 3776-010-000-

0005/P56814; 3776-023-000-0008/P56862;

350218-0-022-0001/P32282

**REFERENCE NUMBER OF
RELATED DOCUMENT:**

N/A

LAND TITLE OF SKAGIT COUNTY

141023-0AE

STATUTORY WARRANTY DEED

The Grantor, **Port of Anacortes**, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, in hand paid, and subject to the reservations identified below, conveys and warrants to **City of Anacortes**, the real estate described in Exhibit "A" attached hereto, situated in the County of Skagit, State of Washington (the "Property").

The Grantor and Grantee agree, as additional consideration for this transaction, that the Property shall be governed by the following restrictions, covenants and reservations in the Property:

1. The Port is retaining the ownership of the property immediately west of the Depot Property along "R" Avenue (the "Port's Retained Depot Parcel"). In the context of the use of the Port's Retained Depot Parcel, in conjunction with other Port adjacent property which is used for marine industrial activities, the Port reserves any rights to reasonably operate these marine industrial activities. The City acknowledges that the operations currently functioning on the Port's Retained Depot Parcel and the Port adjacent property are within the limits of the current zoning.

SKAGIT COUNTY WASHINGTON
REAL ESTATE EXCISE TAX

201220
JAN 05 2012

STATUTORY WARRANTY DEED - 1

Amount Paid \$ 0
Skagit Co. Treasurer
By M6 Deputy

2. The Grantor reserves the right to construct and maintain (including the right to remove trees as may be necessary) a right of way connecting the east and west sides of 6th Street across and through the Property.
3. The Grantor reserves a storm water easement from the Ports Retained Depot Property eastward towards and including the wetlands on the Property.

It is understood and agreed that the delivery of this deed is hereby tendered, and that the terms and obligations hereunder shall be run with the land and binding upon the Grantee and Grantee's successor's in title to the Property.

Dated this 23rd day of November, 2011.

GRANTOR:

GRANTEE:

PORT OF ANACORTES

CITY OF ANACORTES

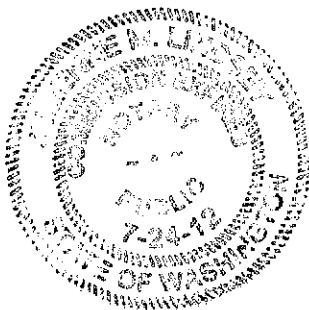

Robert W. Hyde
Executive Director

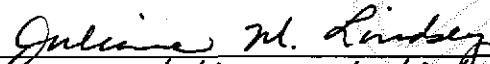

Dean Maxwell
Mayor

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Robert W. Hyde** known to be the Executive Director of the **Port of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and official seal this 23rd day of November, 2011.




Print Name: Julienne M. Lindsey
NOTARY PUBLIC in and for the
State of Washington, residing at Anacortes, WA

STATUTORY WARRANTY DEED - 2

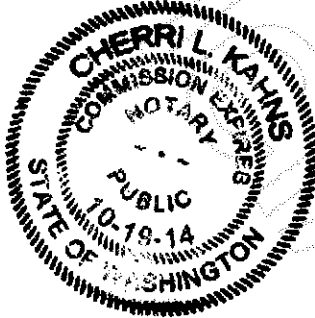


1/5/2012 Page 2 of 5 12:24PM

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me **Dean Maxwell** known to be the Mayor of the **City of Anacortes** and on oath verified that he was authorized to execute this document on behalf of the municipal corporation for the uses and purposes therein mentioned.

Given under my hand and official seal this 28th day of November, 2011.



Cheri L. Kahns
Print Name: Cheri L. Kahns
NOTARY PUBLIC in and for the
State of Washington, residing at Mount Vernon

PORT OF ANACORTES/PLANNING & PROJECTS/DEPOT PROPERTY TRANSFER/STATUTORY WARRANTY DEED DEPOT PROPERTY_06-17-10

STATUTORY WARRANTY DEED - 3



201201050053
Skagit County Auditor

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DEPOT PROPERTY

LEGAL DESCRIPTION FOR THE PORT OF ANACORTES

October 11, 2011

All those portions of Blocks 7 and 10, together with the vacated alleys and vacated 5th Street within said Blocks 7 and 10; of vacated 6th Street lying between R and S Avenues; of Blocks 23 and 26, together with the vacated alley and vacated 7th Street adjacent to and adjoining said Blocks 23 and 26, all as shown on "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington; of Tracts 22 and 31, Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., according to the official map thereof in the office of the State Land Commissioner at Olympia, Washington, together with vacated 8th Street adjacent to and adjoining said Tracts 22 and 31, being more particularly described as follows:

Commencing at the Northwest corner of said Block 23 as said point is shown on that certain Record of Survey recorded in Book 7 of Surveys at page 164 under Auditor's File No.

9511140044, records of said County and State, said point being also the Northwest corner of that certain tract of land conveyed to the City of Anacortes by instrument dated January 27, 1981 and recorded February 27, 1981 under Auditor's File No. 8102270020, records of said County and State, as said tract is shown on that certain Record of Survey recorded under Auditor's File No. 8103090040, records of said County and State;

thence South $88^{\circ} 07' 26''$ East along the North line of said City of Anacortes tract, 59.75 feet to its Northeast corner and the **TRUE POINT OF BEGINNING**;

thence continuing South $88^{\circ} 07' 26''$ East along the South line of said vacated 6th Street and along the South line of that certain tract of land shown on said Record of Survey recorded under Auditor's File No. 9511140044, 40.15 feet;

thence South $0^{\circ} 59' 20''$ West, 42.46 feet;

thence South $88^{\circ} 49' 04''$ East, 41.74 feet;

thence North $54^{\circ} 41' 55''$ East, 69.43 feet to the Southeast corner of said tract of land shown on Record of Survey recorded under Auditor's File No. 9511140044;

thence North $1^{\circ} 55' 20''$ East along the East line of said tract of land, 74.20 feet to an angle point thereon;

thence North $51^{\circ} 36' 49''$ West, continuing along the East line of said tract of land, 38.71 feet to an angle point thereon;

thence North $0^{\circ} 32' 57''$ East, continuing along the East line of said tract of land, 50.49 feet to an angle point thereon;

thence North $16^{\circ} 24' 08''$ West, continuing along the East line of said tract of land, 64.74 feet to an angle point thereon;

thence North $4^{\circ} 25' 44''$ East, continuing along the East line of said tract of land, 39.59 feet to an angle point thereon;

thence North $53^{\circ} 43' 16''$ East, continuing along the East line of said tract of land, 103.11 feet to an angle point thereon;

thence North $1^{\circ} 20' 56''$ East, continuing along the East line of said tract of land, 16.31 feet;

thence North $30^{\circ} 22' 14''$ East, 103.97 feet to a point on a curve to the left, the center of which bears South $74^{\circ} 02' 15''$ West and is 949.66 feet distant;



201201050053

Skagit County Auditor

thence Northerly along said curve to the left through a central angle of $8^{\circ} 19' 17''$, an arc distance of 137.92 feet to the East line of said tract of land shown on Record of Survey recorded under Auditor's File No. 9511140044;

thence North $1^{\circ} 20' 56''$ East along the East line of said tract of land, 43.40 feet to its Northeast corner and the North line of that certain tract of land conveyed to the Port of Anacortes by instrument dated June 3, 1991 and recorded June 18, 1991 under Auditor's File No. 9106180118, records of said County and State;

thence South $88^{\circ} 06' 29''$ East along the North line of said Port of Anacortes tract, 74.45 feet to the Northeast corner thereof;

thence South $1^{\circ} 52' 41''$ West along the East line of said Port of Anacortes tract, 674.95 feet to a point lying on a curve to the right, the center of which bears North $68^{\circ} 01' 47''$ West and is 660.63 feet distant;

thence Southerly, continuing along said East line and along said curve to the right through a central angle of $1^{\circ} 46' 38''$, an arc distance of 20.49 feet to the end of said curve;

thence South $23^{\circ} 44' 51''$ West, continuing along the East line of said Port of Anacortes tract, 350.55 feet to an angle point thereon;

thence South $34^{\circ} 38' 31''$ West, continuing along the East line of said Port of Anacortes tract, 220.63 feet to the most Southerly corner thereof, said point lying on the East line of said City of Anacortes tract, said point lying on a curve to the left, the center of which bears North $76^{\circ} 28' 46''$ West and is 804.02 feet distant;

thence Northerly along said East line and along a curve to the left through a central angle of $11^{\circ} 32' 59''$, an arc distance of 162.07 feet to the end of said curve;

thence North $1^{\circ} 58' 15''$ East, continuing along said East line of said City of Anacortes tract, 452.71 feet to the **TRUE POINT OF BEGINNING**;

Situate in the City of Anacortes, Skagit County, Washington.



201201050053
Skagit County Auditor

1/5/2012 Page

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5 12:24PM

Ordinance No. 454.

Being an Ordinance vacating all that portion of Seventh Street in the City of Anacortes lying between the east line of Avenue "R" and the West line of Avenue "S".

The City Council of the City of Anacortes do ordain as follows

Section 1. That all that portion of Seventh Street in the City of Anacortes lying between the east line of Avenue "R" and the west line of Avenue "S", be, and the same is hereby vacated.

Section 2 This ordinance shall take effect and be in force five (5) days from and after the date of its publication.

W. R. Burke
Mayor.

ATTEST

W. C. Baker
City Clerk.

Passed 7 day of June, 1910.

Approved 7 day of June, 1910.

Published 9 day of June, 1910.

Ordinance No 455

Being an Ordinance vacating all that portion of Eighth Street, in the City of Anacortes, lying between the east line of Avenue "R" and the west line of Motor Line Street.

The City Council of the City of Anacortes do ordain as follows

Section 1. That all that portion of Eighth Street, in the City of Anacortes, lying between the east line of Avenue "R" and the west line of Motor Line Street, be, and the same is hereby vacated.

Section 2. This ordinance shall take effect and be in force five (5) days from and after the date of its publication.

W R Burke
Mayor.

ATTEST

M. D. Baker
City Clerk.

'Sec'

Passed 7 day of June, 1910.

Approved 7 day of June, 1910.

Published 7 day of June, 1910.

Ordinance No. 456.

Being an Ordinance vacating all that portion of Tenth Street in the City of Anacortes lying between the east line of Avenue "Q" and the west line of Avenue "R".

The City Council of the City of Anacortes do ordain as follows:

Section 1. That all that portion of Tenth Street in the City of Anacortes lying between the east line of Avenue "Q" and the west line of Avenue "R", be, and the same is hereby vacated.

Section 2 This ordinance shall take effect and be in force five (5) days from and after the date of its publication.

W R Burke
Mayor.

ATTEST.

M. D. Baker
City Clerk.

"Se"

Passed 7 day of June, 1929.

Approved 7 day of June, 1929.

Published 7 day of June, 1929.

Ordinance No. 457.

Being an Ordinance vacating the alley in Block Seven (7) of Bowman's Central Ship Harbor Water Front Plat of Anacortes, Skagit County, Washington, in the City of Anacortes.

The City Council of the City of Anacortes do ordain as follows

Section 1. That all of the alley in Block Seven (7) of Bowman's Central Ship Harbor Water Front Plat of Anacortes, Skagit County, Washington, in the City of Anacortes, be, and the same is hereby vacated.

Section 2. This ordinance shall take effect and be in force five (5) days from and after the date of its publication.

W R Burke
Mayor.

ATTEST

M. J. Baker
City Clerk.

Passed 7 day of June, 1910.

Approved 7 day of June, 1910.

Published 9 day of June, 1910.

Ordinance No. 458

Being an Ordinance vacating the alley in Block Ten (10) of Bowman's Central Ship Harbor Water Front Plat of Anacortes, Skagit County, Washington, in the City of Anacortes.

The City Council of the City of Anacortes do ordain as follows:

Section 1. That all of the alley in Block Ten (10) of Bowman's Central Ship Harbor Water Front Plat of Anacortes, Skagit County, Washington, in the City of Anacortes, be, and the same is hereby vacated.

Section 2 This ordinance shall take effect and be in force five (5) days from and after the date of its publication.

H. R. Langer
Mayor.

ATTEST

M. E. Barker
City Clerk.

Wheeler

Passed 7 day of June, 1910.

Approved 7 day of June, 1910.

Published 7 day of June, 1910.

Ordinance No. 459.

Being an Ordinance vacating the alley in Block Twenty-three (23) of Bowman's Central Ship Harbor Water Front Plat of Anacortes, Skagit County, Washington, in the City of Anacortes.

The City Council of the City of Anacortes do ordain as follows

Section 1. That all of the alley in Block Twenty-three (23) of Bowman's Central Ship Harbor Water Front Plat of Anacortes, Skagit County, Washington, in the City of Anacortes, be, and the same is hereby vacated.

Section 2 This ordinance shall take effect and be in force five (5) days from and after the date of its publication.

W R Burke
Mayor.

ATTEST.

W H Baker
City Clerk

12.11

PASSED 7 day of June, 1910.

Approved 7 day of June, 1910.

Published 7 day of June, 1910.

Ordinance No. 460.

Being an Ordinance vacating all that portion of Fifth Street in the City of Anacortes lying between the east line of Avenue "R" and the west line of Avenue "S".

The City Council of the City of Anacortes do ordain as follows

Section 1. That all that portion of Fifth Street in the City of Anacortes lying between the east line of Avenue "R" and the west line of Avenue "S" in said City, be, and the same is hereby vacated.

Section 2. This ordinance shall take effect and be in force five (5) days from and after the date of its publication.

W. R. Burke
Mayor.

ATTEST

M. W. Baker
City Clerk.

Passed on the 7th day of June, 1910.

Approved on the 17th day of June, 1910.

Published on the 23rd day of June, 1910.

1046

Ordinance No. 461

Being an Ordinance vacating all that portion of Eighth Street, in the City of Anacortes, lying between the east line of Motor Line Street and the west line of Avenue "S".

The City Council of the City of Anacortes do ordain as follows

Section 1. That all that portion of Eighth Street, in the City of Anacortes, lying between the east line of Motor Line Street and the west line of Avenue "S", be, and the same is hereby vacated.

Section 2. This ordinance shall take effect and be in force five (5) days from and after the date of its publication.

W. R. Becker
Mayor.

ATTEST

M. C. Baker
City Clerk.

Passed on the 7th., day of June, 1910.

Agreed on the 17th., day of June, 1910.

Published on the 23rd., day of June, 1910.

ORDINANCE NO. 1049

AN ORDINANCE vacating the alley in Block 22, "Bowman's Central Ship Harbor Waterfront Plat of Anacortes, Skagit Co., Wash.," as the same is of record in the office of the Auditor of Skagit County.

WHEREAS, a petition praying for the vacation of the above described alley, signed by the owners of more than two-thirds of the property abutting upon the said street sought to be vacated, was filed with the City Clerk, and thereafter the City Council, by resolution, fixed the time and place for the hearing thereof, and more than twenty days prior to the date of said hearing notice thereof was duly posted and published according to law, and no objections or protest being honored thereto;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ANACORTES DO ORDAIN AS FOLLOWS:

Section 1. That the alley in Block 22, "Bowman's Central Ship Harbor Waterfront Plat of Anacortes, Skagit Co., Wash.," be and the same is hereby declared to be vacated.

Section 2. This Ordinance shall take effect and be in force from and after five days after its publication.

Passed this 18th day of October, 1949, after having been submitted to the City Attorney and by him approved as to form.

CITY OF ANACORTES

BY: Joe L. Hagan

Joe L. Hagan, Mayor

ATTEST: December 12, 1949

Paul Flint, Jr.
Paul Flint, Jr., City Clerk

APPROVED AS TO FORM:

W. V. Wells, Jr.
W. V. Wells, Jr., City Attorney

(CORPORATE SEAL)

ORDINANCE NO. 1201

AN ORDINANCE vacating certain streets and alleys in the City of Anacortes, Washington.

WHEREAS, a petition praying for the vacation of certain streets and alleys in the City of Anacortes, Washington, was filed with the City Clerk by the Port of Anacortes, in which petition it was represented that the said Port of Anacortes owns all of the property abutting upon said streets and alleys sought to be vacated, and

WHEREAS, the City Council by Resolution fixed the time and place for the hearing of said Petition, and more than twenty (20) days prior to the date of said hearing notice thereof was duly posted and published according to law, and

WHEREAS, said hearing was duly held and there were no objections or protests entered or honored in connection with said Petition.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANACORTES DO ORDAIN AS FOLLOWS:

Section 1. That the following described streets and alleys in the City of Anacortes, Washington, hereby are declared to be vacated:

5th Street between the east line of S and the West line of T Avenues;

All of those portions of 7th, 8th, 9th, 11th and 13th Streets located on Plate 9 of Anacortes Tide and Shore Lands and east of the Great Northern Railway right of way;

All of those portions of 11th Street, 13th Street, Cap Sante Avenue, R Avenue, S Avenue, T Avenue, U Avenue and V Avenue located in Plate 10 of Anacortes Tide and Shore Lands and east of the Great Northern Railway right of way and north of the Cap Sante water way;

All of that portion of Motor Line Avenue lying east of the east line of the Great Northern Railway right of way;

All of that portion of K Avenue lying south of the ~~Great Northern Railway right of way~~ *South Line of Motor Line Avenue and North of North line of 13th St.*

All of those portions of S Avenue, T Avenue, U Avenue and V Avenue lying in Plate 9 and south of the meander line;

The alleys in Blocks 6 and 11 of Bowman's Central Ship Harbor Water Front Plat;

provided, however, that the City of Anacortes reserves for itself forever the right to go upon said street for the purpose of excavation for sewer, water pipe or mains and/or any and all other utility lines, conduits or services, and to lay sewer pipe, water pipe or mains and any and all other utility lines, conduits or services, and to maintain, repair, renew and replace the same and perform any and all work in connection therewith appropriate for the welfare of the public.

Done

Section 2. This Ordinance shall take effect and be in force from and after five (5) days after its publication.

Dated this 6 day of November, 1956.

CITY OF ANACORTES

By G. R. Pinson
G. R. Pinson, Mayor

ATTEST:

Frank D. Kimsey, Jr.
Frank D. Kimsey, Jr., City Clerk

(CORPORATE SEAL)

APPROVED AS TO FORM:

W. V. Wells
W. V. Wells, City Attorney

ORDINANCE NO 1489

AN ORDINANCE vacating a portion of Eighth Street in the City of Anacortes, Washington

WHEREAS, a petition praying for the vacation of a portion of Eighth Street in the City of Anacortes was filed with the City Clerk by owners of more than two thirds of the property abutting upon the portion of said street sought to be vacated, and

WHEREAS, the City Council by Resolution fixed the time and place for the hearing of said Petition, and more than twenty (20) days prior to the date of said hearing notice thereof was duly posted and published according to law, and

WHEREAS, said hearing was duly held and there were no objections or protests entered or honored in connection with said Petition, other than one oral protest voiced at the hearing,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANACORTES DO ORDAIN AS FOLLOWS

Section 1 That Eighth Street between the east line of Q Avenue running easterly to the meanderline as the same crosses Eighth Street just west of the intersection of said street with R Avenue in the City of Anacortes be and the same hereby is declared to be vacated, provided, however, that the City of Anacortes reserves and retains for itself forever an easement for the construction, installation, repair, maintenance, and replacement of public utilities and services

Section 2 This ordinance shall not become effective until the owners of the property abutting upon the above described portion of street so vacated shall compensate the City of Anacortes in an amount which equals one-half the appraised value of the area so vacated

Section 3 This ordinance shall take effect and be in force from and after five (5) days after its publication, provided the payment specified in Section 2 has been made, otherwise, upon such payment

Dated this 5th day of August, 1969

CITY OF ANACORTES

By

Jesse Ford
Jesse Ford, Mayor

ATTEST

Kathryn Lowry
Kathryn Lowry, City Clerk Pro Tem

(CORPORATE SEAL)

APPROVED AS TO FORM

W. V. Wells
W V Wells, City Attorney

AN ORDINANCE VACATING A PORTION OF 8TH STREET IN
THE CITY OF ANACORTES, WASHINGTON.

8701080055

WHEREAS, a petition praying for the vacation of the below described property was filed with the City Clerk by owners of more than two-thirds of the property abutting upon that portion of said property sought to be vacated; and

WHEREAS, the City Council, by resolution, fixed a time and place for hearing of said petition, and more than twenty days prior to the date of said hearing, notice of same was duly published and posted according to law; and

WHEREAS, said hearing was duly held and it appears to be in the best interests of the City of Anacortes to grant said petition; now, therefore,

THE CITY COUNCIL OF THE CITY OF ANACORTES DO ORDAIN AS FOLLOWS:

Section 1. The following described property be and it is hereby vacated: That portion of the south half of 8th Street which lies west of the west line of R Avenue and east of a point lying on the east line of Lot 5, Block 41, Bowman's Central Ship Harbor Addition to Anacortes; and that portion of the north half of 8th Street which lies west of the west line of R Avenue and east of a point on the east line of Lot 13, Block 25, Bowman's Central Ship Harbor Addition to Anacortes, be and it is hereby declared to be vacated; provided, however, that the City of Anacortes reserves and retains for itself forever an easement for the construction, installation, repair, maintenance, and replacement of public utilities and services.

It is the intent of this ordinance to vacate all portions of 8th Street lying east of the east line of Q Avenue and west of the west line of R Avenue not previously vacated by Ordinance No. 1492, passed and approved on the 19th day of August, 1969.

Section 2. This ordinance shall not be published or recorded or become effective until the owners of the property abutting upon the above described portion of streets so vacated shall deed to the City of Anacortes Housing Authority the triangular portion of property lying north of that portion of 8th Street being vacated together with the north 40 feet of 8th Street described herein being vacated.

8701080055

Section 3. This ordinance shall take affect and be in force from and after five (5) days after its passage and publication, provided the provisions of Section 2 have been made.

DATED this 17th day of November, 1986.

CITY OF ANACORTES

BY

James Rice
James Rice, Mayor

George Khtaihan
George Khtaihan, City Clerk Treasurer

APPROVED AS TO FORM:

Stephen E. Mansfield
Stephen E. Mansfield, City Attorney

RECORDED
REQUESTED
FILED
JERRY MCINTURFF
SKAGIT COUNTY AUDITOR
87 JAN 8 P 3:30

87J1080055

AN ORDINANCE VACATING A PORTION OF MOTORLINE AVENUE
AND 11TH STREET IN IN TIDE AND SHORELINE SECTION 18
AND SECTION 19 OF ANACORTES HARBOR.

WHEREAS, a petition praying for the vacation of the below described property was filed with the City Clerk by owners of more than two-thirds of the property abutting that portion of said property sought to be vacated; and

WHEREAS, the City Council by resolution fixed the time and place for hearing of said petition; and more than twenty days prior to the date of said hearing, notice of the same was duly published and posted according to law; and

WHEREAS, said hearing was duly held on the 3rd day of October, 1988; and the City Council has determined that it is in the best interests of the City of Anacortes to grant said vacation request; now, therefore,

THE CITY COUNCIL OF THE CITY OF ANACORTES, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. The following portions of Motorline Avenue and 11th Street in Anacortes Harbor be and they are hereby declared to be vacated:

That portion of Motorline Avenue and 11th Street within Plate No. 9 Tide and Shorelands of Section 18, Township 35 North, Range 2 East, W.M., Anacortes Harbor and that portion of 11th Street within Plate No. 10, Tide and Shorelands of Section 19, Township 35 North, Range 2 East, W.M. of Anacortes Harbor, all being more particularly described as follows:

Beginning at the Northeast corner of Tract 34 of said Plate 9 of Anacortes Harbor; thence South 33°22'00" West along the East line of said Tract 34 and said line projected a distance of 455.89 feet to the East boundary of "Q" Avenue; thence South 0°35'57" West along the East boundary of "Q" Avenue a distance of 168.47 feet to the centerline of said 11th Street; thence continue South 0°34' West along the East boundary of "Q" Avenue within said Plate No. 10 of the Anacortes Harbor, a distance of 60 feet to the Northwest corner of Tract 8, Plate No. 10 of Anacortes Harbor; thence South 89°26' East along the North line of said Tract 8 a distance of 21.35 feet to the beginning of a curve having a radius point bearing South 75°40'47" East a radial distance of 789.02 feet; thence Northeasterly along the arc of said curve to the right through a central angle of 9°11'25" a distance of 126.56 feet to the South boundry of Tract 38 within the said Plate No. 9 of Anacortes Harbor; thence

North 89°26' West along the South line of said Tract 38 a distance of 11.99 feet to the Southwest corner of said Tract 38; thence North 33°22'00" East along the East line of Motorline Avenue a distance of 445.95 feet to the North corner of Tract 35 within said Plate 9 of Anacortes Harbor; thence North 32°32'16" East a distance of 110.20 feet to the beginning of a curve to the left having a radius of 849.02 feet; thence along the arc of said curve through a central angle of 1°51'12" an arce length of 27.46 feet; thence North 89°25'32" West, a distance of 116.53 feet to the POINT OF BEGINNING.

Section 2. The City of Anacortes hereby retains over, along and through the property being vacated an easement for utility purposes.

Section 3. The Burlington Northern Railroad retains under Ordinance No. 329, a franchise on that portion of the right-of-way to be vacated.

Section 4. This ordinance shall become effective and be in force from and after five (5) days after its passage and publication as required by law.

Dated this 17th day of October, 1988.

CITY OF ANACORTES

BY

James Rice
James Rice, Mayor

ATTEST:

George Khtanian
George Khtanian, City Clerk Treasurer

APPROVED AS TO FORM:

Stephen E. Mansfield
Stephen E. Mansfield, City Attorney

JERRY MCINTURFF
SKAFF CITY AUDITOR
88 OCT 27 3:53
RECEIVED
REQUESTED

8812270056

VOL 794 PAGE 86

ORDINANCE NO. 1909

AN ORDINANCE vacating that portion of R Avenue described as follows: Beginning at a point which is the northwest corner of Block 26, of the Bowman's Central Ship Harbor Water Front Plat of Anacortes, being also the intersection of the south line of 7th Street and the east line of R Avenue; thence west 20', thence south ^{along center line of R Avenue} 296'; thence east 20' to a point, being the northwest corner of Tract 31; thence north 296' to the point of beginning.

WHEREAS, a petition praying for the vacation of the below described property was filed with the City Clerk by owners of more than two-thirds of the property abutting upon that portion of said property sought to be vacated; and

WHEREAS, the City Council by resolution fixed the time and place for hearing of said petition, and more than twenty (20) days prior to the date of said hearing notice of the same was duly published and posted according to law; and

WHEREAS, said hearing was duly held and it appears to be in the best interests of the City of Anacortes to grant said petition,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANACORTES DO ORDAIN AS FOLLOWS:

Section 1. The vacation of that portion of R Avenue described as follows: Beginning at a point which is the northwest corner of Block 26, of the Bowman's Central Ship Harbor Water Front Plat of Anacortes, being also the intersection of the south line of 7th Street and the east line of R Avenue; thence west 20', thence south along center line of R Avenue 296'; thence east 20' to a point, being the northwest corner of Tract 31; thence north 296' to the point of beginning.

Section 2. This ordinance shall become effective and be in force from and after five days after its publication, as provided by law.

Dated this 11 day of July, 1983.

CITY OF ANACORTES

By James Rice
James Rice, Mayor

ATTEST:

George Khtaian
George Khtaian, City Clerk

(CORPORATE SEAL)

Approved as to form:

Steve Mansfield
Steve Mansfield, City Attorney

L.S.

672840

ORDINANCE NO. 1389

AN ORDINANCE vacating 6th Street from the east line of R Avenue to the West line of S Avenue in the City of Anacortes.

WHEREAS, a petition praying for the vacation of 6th Street from the east line of R Avenue to the West line of S Avenue was filed with the City Clerk by the owners of all of the property abutting upon the portion of 6th Street sought to be vacated; and

WHEREAS, the City Council by Resolution fixed the time and place for the hearing of said Petition, and more than twenty (20) days prior to the date of said hearing notice thereof was duly posted and published according to law; and

WHEREAS, said hearing has been duly held over a protracted period of time at various regular council meetings since the original date set for the same, and written and oral protests have been duly filed with the City Council and considered by the City Council, and it has been determined that the over all advantages to the development of the City justify the granting of the petition for vacation,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANACORTES DO ORDAIN AS FOLLOWS:

Section 1. That 6th Street from the east line of R Avenue to the West line of S Avenue in the City of Anacortes be and the same hereby is declared to be vacated; provided, however, that the City of Anacortes reserves for itself forever the right to go upon said street for purposes of excavation for sewer, water and gas pipe, electric light and power wires and poles, and to lay sewer pipe, water pipe, gas pipe, electric light and power conduits, telephone wire conduits, and maintain, repair, renew and replace the same and perform any and all work in connection therewith appropriate for the welfare of the public.

Section 2. This ordinance shall take effect and be in force from and after five (5) days after its publication.

Dated this 5th day of October, 1965.

CITY OF ANACORTES

BY Jesse Ford
Jesse Ford, Mayor

ATTEST:

Alice Jones
City Clerk Pro Tem



W. V. Wells
W. V. Wells, City Attorney

OCT 8 1965

ORDINANCE NO. 1201

AN ORDINANCE vacating certain streets and alleys in the City of Anacortes, Washington.

WHEREAS, a petition praying for the vacation of certain streets and alleys in the City of Anacortes, Washington, was filed with the City Clerk by the Port of Anacortes, in which petition it was represented that the said Port of Anacortes owns all of the property abutting upon said streets and alleys sought to be vacated, and

WHEREAS, the City Council by Resolution fixed the time and place for the hearing of said Petition, and more than twenty (20) days prior to the date of said hearing notice thereof was duly posted and published according to law, and

WHEREAS, said hearing was duly held and there were no objections or protests entered or honored in connection with said Petition.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANACORTES DO ORDAIN AS FOLLOWS:

Section 1. That the following described streets and alleys in the City of Anacortes, Washington, hereby are declared to be vacated:

5th Street between the east line of S and the West line of T Avenues;

All of those portions of 7th, 8th, 9th, 11th and 13th Streets located on Plate 9 of Anacortes Tide and Shore Lands and east of the Great Northern Railway right of way;

All of those portions of 11th Street, 13th Street, Cap Sante Avenue, R Avenue, S Avenue, T Avenue, U Avenue and V Avenue located in Plate 10 of Anacortes Tide and Shore Lands and east of the Great Northern Railway right of way and north of the Cap Sante water way;

All of that portion of Motor Line Avenue lying east of the east line of the Great Northern Railway right of way;

All of that portion of K Avenue lying south of the ~~Great Northern Railway right of way~~ *South Line of Motor Line Avenue and North of North line of 13th St.*

All of those portions of S Avenue, T Avenue, U Avenue and V Avenue lying in Plate 9 and south of the meander line;

The alleys in Blocks 6 and 11 of Bowman's Central Ship Harbor Water Front Plat;

provided, however, that the City of Anacortes reserves for itself forever the right to go upon said street for the purpose of excavation for sewer, water pipe or mains and/or any and all other utility lines, conduits or services, and to lay sewer pipe, water pipe or mains and any and all other utility lines, conduits or services, and to maintain, repair, renew and replace the same and perform any and all work in connection therewith appropriate for the welfare of the public.

Section 2. This Ordinance shall take effect and be in force from and after five (5) days after its publication.

Dated this 6 day of November, 1956.

CITY OF ANACORTES

By C. R. Pinson
C. R. Pinson, Mayor

ATTEST:

Frank D. Kimsey, Jr.
Frank D. Kimsey, Jr., City Clerk

(CORPORATE SEAL)

APPROVED AS TO FORM:

W. V. Wells
W. V. Wells, City Attorney



201201050049

Skagit County Auditor

1/5/2012 Page

1 of

4 12:23PM

RETURN TO:

City of Anacortes

P.O. Box 547

Anacortes, WA 98221

LAND TITLE OF SKAGIT COUNTY

141025-002

ORDINANCE NO. 2862

AN ORDINANCE VACATING A RIGHT-OF-WAY OF CERTAIN PORTIONS OF

3RD Street and R Avenue

THE CITY COUNCIL OF THE CITY OF ANACORTES DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, the requisite number of owners of property abutting certain streets and alleys located within the City of Anacortes have petitioned for an alteration of the plats in which those streets are contained, and have requested vacation a portion of the streets therein; and

WHEREAS, the City Council held a public hearing on said proposal on February 16, 2010 and agreed to approve the proposal as set-forth below; now, therefore,

THE CITY COUNCIL OF THE CITY OF ANACORTES, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The following described right-of-way on streets and alleys located in the City of Anacortes should be and are hereby vacated:

That portion of 3rd Street as shown on the plat of "CITY OF ANACORTES", recorded in Volume 2 of Plats at page 4, records of Skagit County, Washington, lying between the East line of "Q" Avenue and the West line of "R" Avenue as shown on said plat; that portion of said "R" Avenue lying South of a line parallel with and 40 feet North of the North line of said 3rd Street (as referred to in that certain City of Anacortes Ordinance No. 1138 recorded under Auditor's File No. 568102, records of said County and State), and North of the North line of 4th Street as shown on said plat; and all of the alley in Block 4 of said plat. Situate in the City of Anacortes, Skagit County, Washington.

SECTION 2. This Ordinance shall be recorded with The Interlocal Cooperative Agreement between The City of Anacortes and The Port of Anacortes, which shall represent compensation for the vacated right of way as described above. The vacation shall not be effective until such full recordation.

SECTION 3. Effective Date: This ordinance shall take effect from and after 5 (five) days after its passage and publication as required by law.

PASSED AND APPROVED this 27 day of Nov 2011.

CITY OF ANACORTES:

BY: H. Dean Maxwell
H. Dean Maxwell, Mayor

ATTEST:

Steve D. Hoglund
Steve D. Hoglund, City Clerk Treasurer

APPROVED AS TO FORM:

Bradford Furlong
Bradford Furlong, City Attorney WSBA #12924



201201050049
Skagit County Auditor

1/5/2012 Page

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4 12:23PM

EXHIBIT "A"

#10

**LEGAL DESCRIPTION FOR THE PORT OF ANACORTES OF PORTIONS OF "R" AVENUE,
3RD STREET, AND ALLEY IN BLOCK 4 TO BE VACATED**

May 18, 2005

That portion of 3rd Street as shown on the plat of "CITY OF ANACORTES", recorded in Volume 2 of Plats at page 4, records of Skagit County, Washington, lying between the East line of "Q" Avenue and the West line of "R" Avenue as shown on said plat; that portion of said "R" Avenue lying South of a line parallel with and 40 feet North of the North line of said 3rd Street (as referred to in that certain City of Anacortes Ordinance No. 1138 recorded under Auditor's File No. 568102, records of said County and State), and North of the North line of 4th Street as shown on said plat; and all of the alley in Block 4 of said plat. Situate in the City of Anacortes, Skagit County, Washington.

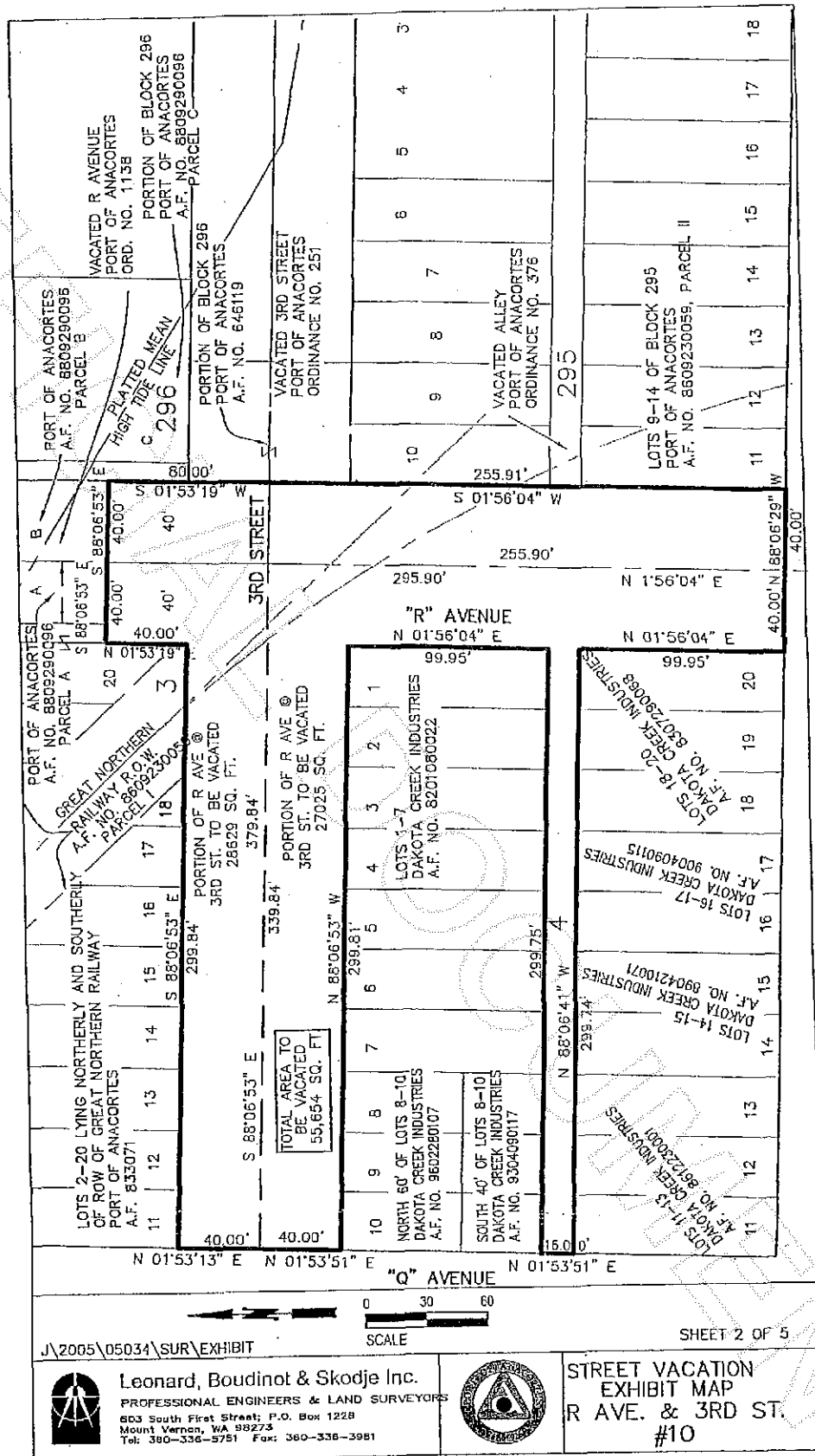


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Skagit County Auditor

1/5/2012 Page

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SCALE

SHEET 2 OF 5



Leonard, Boudinot & Skodje Inc.
 PROFESSIONAL ENGINEERS & LAND SURVEYORS
 803 South First Street, P.O. Box 1228
 Mount Vernon, WA 98273
 Tel: 360-336-5751 Fax: 360-336-3981



**STREET VACATION
 EXHIBIT MAP
 R AVE. & 3RD ST.
 #10**



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Skagit County Auditor



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Skagit County Auditor

1/5/2012 Page

1 of

11 12:24PM

RETURN TO:

City of Anacortes

P.O. Box 547

Anacortes, WA 98221

LAND TITLE OF SKAGIT COUNTY

ORDINANCE NO. 2863

141025.0AE

AN ORDINANCE VACATING A RIGHT-OF-WAY OF CERTAIN PORTIONS OF

S Avenue and Market Street

THE CITY COUNCIL OF THE CITY OF ANACORTES DOES HEREBY ORDAIN AS FOLLOWS:

WHEREAS, the requisite number of owners of property abutting certain streets and alleys located within the City of Anacortes have petitioned for an alteration of the plats in which those streets are contained, and have requested vacation a portion of the streets therein; and

WHEREAS, the City Council held a public hearing on said proposal on February 16, 2010 and agreed to approve the proposal as set-forth below; now, therefore,

THE CITY COUNCIL OF THE CITY OF ANACORTES, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The following described right-of-way on streets and alleys located in the City of Anacortes should be and are hereby vacated:

Parcel #5

**LEGAL DESCRIPTIONS FOR VACATION
OF PORTIONS OF "S" AVENUE**

That portion of "S" Avenue as shown on the plat of "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington, lying North of the North line of Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., and lying South of the South line of 6th Street as shown on said plat of "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON "

Situate in the City of Anacortes, Skagit County, Washington.

Market Street Vacations Parcels #6 and #7

Legal Descriptions for Vacations of A portion of Market Street

All that portion of the right of way of the Great Northern Railway Company in Tract 22 of Plate 9, Anacortes Tidelands; also all that portion of lots 1, 19 and 20 and vacated alley in Block 23, Bowmans Central Ship Harbor – Water Front Plat, together with that portion of vacated 7th street lying easterly of a line 15 feet easterly of and parallel with the hereinafter described centerline of track of said Railway Company, all in the City of Anacortes, County of Skagit and State of Washington.

The said centerline of track being described as follows:

Commencing at the Southwest corner of section 18, Township 35 North, Range 2 E.W.M. ; thence easterly along the south line of said section 800.75 feet to its intersection with said centerline of track; thence along a 7 degree 00 feet curve to the right whose tangent at the point of intersection makes a northeasterly included angle of 72 degrees 27 feet 06 inches, 217.33 feet; thence Northeasterly and tangent 414.83 feet; thence along a 7 degree 00 feet curve to the left 165.65 feet; thence Northeasterly and tangent 698.64 feet; thence along an 8 degree 53 feet curve to the left 200 feet.

As described in Quit Claim Deed for Street Purposes Recording Number 699809.

Parcels #8 & 9 LEGAL DESCRIPTION OF VACATION OF PORTIONS OF MARKET STREET

That portion of Market Street formerly Motor Line Avenue as shown on Plate 9. Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M, lying West of the East line of the Great Northern Railway right of way , as said right of way is referred to in that certain City of Anacortes Ordinance No. 1201 dated. November 6, 1956.

Situate in the City of Anacortes, Skagit County Washington.

SECTION 2. This Ordinance shall be recorded with The Interlocal Cooperative Agreement between The City of Anacortes and The Port of Anacortes, which shall represent



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Skagit County Auditor

compensation for the vacated right of way as described above. The vacation shall not be effective until such full recordation.

SECTION 3. Effective Date: This ordinance shall take effect from and after 5 (five) days after its passage and publication as required by law.

PASSED AND APPROVED this 23 day of NOV 2011.

CITY OF ANACORTES:

BY: H. Dean Maxwell
H. Dean Maxwell, Mayor

ATTEST:

Steve D. Hoglund
Steve D. Hoglund, City Clerk Treasurer

APPROVED AS TO FORM:

Bradford Furlong
Bradford Furlong, City Attorney WSBA #12924



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Skagit County Auditor

1/5/2012 Page 3 of 11 12:24PM

**Exhibit A
#5**

**LEGAL DESCRIPTIONS FOR VACATION
OF PORTIONS OF "S" AVENUE**

That portion of "S" Avenue as shown on the plat of "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY WASHINGTON", recorded in Volume 2 of Plats at page 33, records of Skagit County, Washington, lying North of the North line of Plate 9, Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M., and lying South of the South line of 6th Street as shown on said plat of "BOWMAN'S CENTRAL SHIP HARBOR WATER FRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON "

Situate in the City of Anacortes, Skagit County, Washington.



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Exhibit A
#6 and #7

Legal Descriptions for Street Vacations of A portion of Market Street

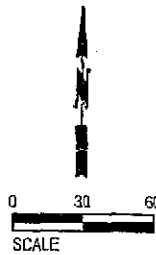
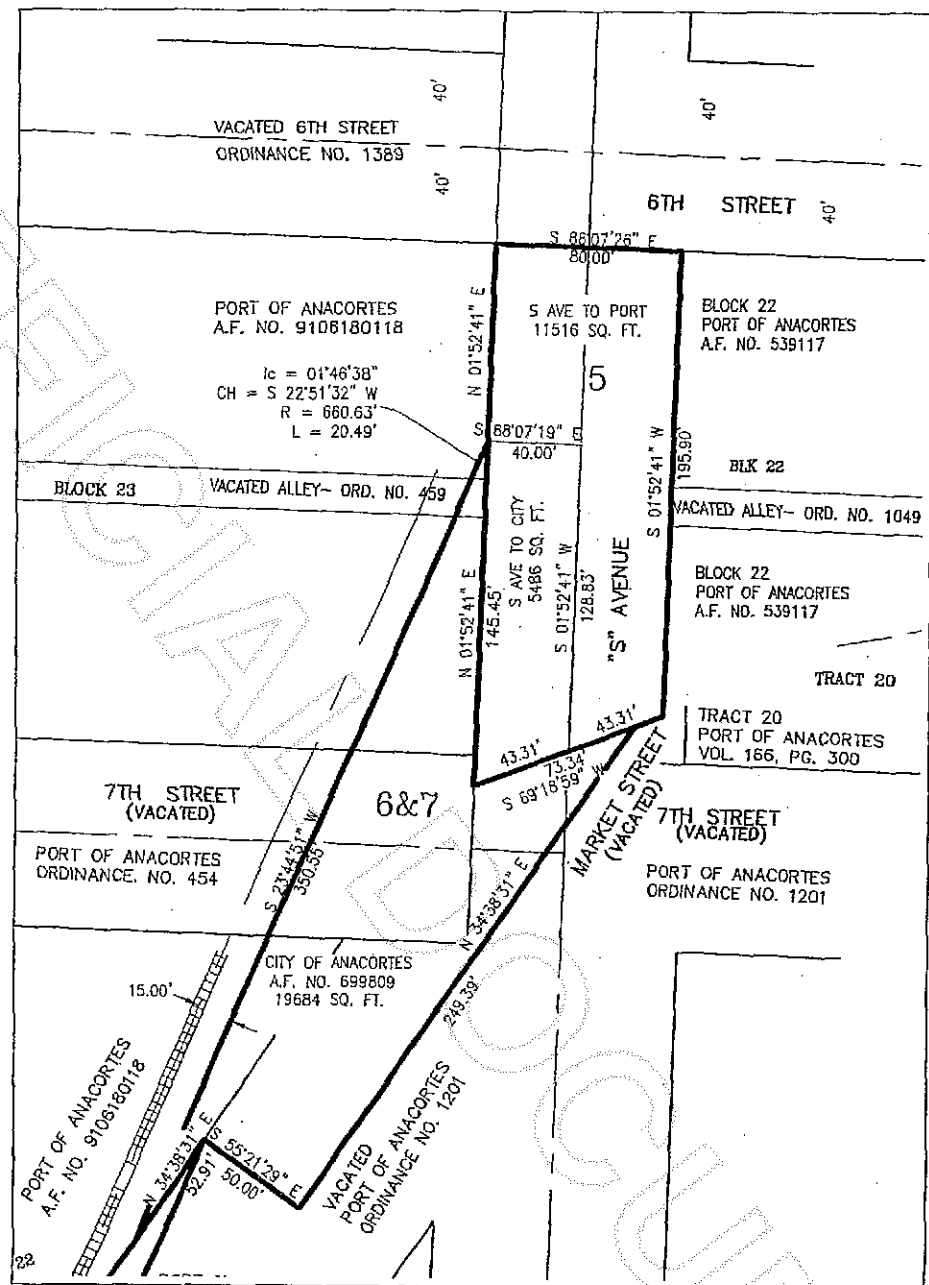
All that portion of the right of way of the Great Northern Railway Company in Tract 22 of Plate 9, Anacortes Tidelands; also all that portion of lots 1, 19 and 20 and vacated alley in Block 23, Bowmans Central Ship Harbor – Water Front Plat, together with that portion of vacated 7th street lying easterly of a line 15 feet easterly of and parallel with the hereinafter described centerline of track of said Railway Company, all in the City of Anacortes, County of Skagit and State of Washington.

The said centerline of track being described as follows:

Commencing at the Southwest corner of section 18, Township 35 North, Range 2 E.W.M. ; thence easterly along the south line of said section 800.75 feet to its intersection with said centerline of track; thence along a 7 degree 00 feet curve to the right whose tangent at the point of intersection makes a northeasterly included angle of 72 degrees 27 feet 06 inches, 217.33 feet; thence Northeasterly and tangent 414.83 feet; thence along a 7 degree 00 feet curve to the left 165.65 feet; thence Northeasterly and tangent 698.64 feet; thence along an 8 degree 53 feet curve to the left 200 feet.

As described in Quit Claim Deed for Street Purposes Recording Number 699809.


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Skagit County Auditor
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SHEET 4 OF 5



Leonard, Boudinot & Skodje Inc.
PROFESSIONAL ENGINEERS & LAND SURVEYORS
603 South First Street, P.O. Box 1228
Mount Vernon, WA 98273
Tel: 360-336-5751 Fax: 360-336-3981



**STREET VACATION
EXHIBIT MAP
S AVENUE
#5. 6. 7**



201201050050
Skagit County Auditor

699809

QUITCLAIM DEED FOR STREET PURPOSES

The Grantor, GREAT NORTHERN RAILWAY COMPANY, a Minnesota corporation, for and in consideration of One Dollar (\$1.00) and other valuable consideration, CONVEYS and QUITCLAIMS to the CITY OF ANACORTES, WASHINGTON, a Municipal corporation, Grantee, for street, utilities and other related municipal purposes, the following described property situated in Anacortes, Skagit County, Washington, to-wit:

All that portion of the right of way of the Great Northern Railway Company in Tract 22 of Plate 9, Anacortes Tidelands; also all that portion of Lots 1, 19 and 20 and vacated alley in Block 23, Bowman's Central Ship Harbor - Water Front Plat, together with that portion of vacated 7th St. lying easterly of a line 15 feet easterly of and parallel with the hereinafter described centerline of track of said Railway Company, all in the City of Anacortes, County of Skagit and State of Washington.

The said centerline of track being described as follows:

Commencing at the Southwest corner of Section 18, Township 35 North, Range 2 E.W.M.; thence easterly along the south line of said section 800.75 feet to its intersection with said centerline of track; thence along a 7°00' curve to the right whose tangent at the point of intersection makes a northeasterly included angle of 72°27'06", 217.33'; thence Northeasterly and tangent 414.83'; thence along a 7°00' curve to the left 165.65 feet; thence Northeasterly and tangent 698.64'; thence along an 8°53' curve to the left 200 feet.

EXCEPTING AND RESERVING unto the Grantor, its successors and assigns, forever, all iron, natural gas, coal, oil and all minerals of any nature whatsoever upon or in the lands above described owned by Grantor, together with the sole, exclusive and perpetual right to explore for, remove and dispose of the same by any means or methods suitable to the Grantor, its successors and assigns, but without entering upon or using the surface of the lands above described, and in such manner as not to interfere with the use thereof by the Grantee, its successors and assigns.

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officers and its corporate seal to be hereunto affixed this 15th day of May, 1967.

GREAT NORTHERN RAILWAY COMPANY

By

W. J. Brown
Executive Vice President

Attest

W. J. Brown
Secretary

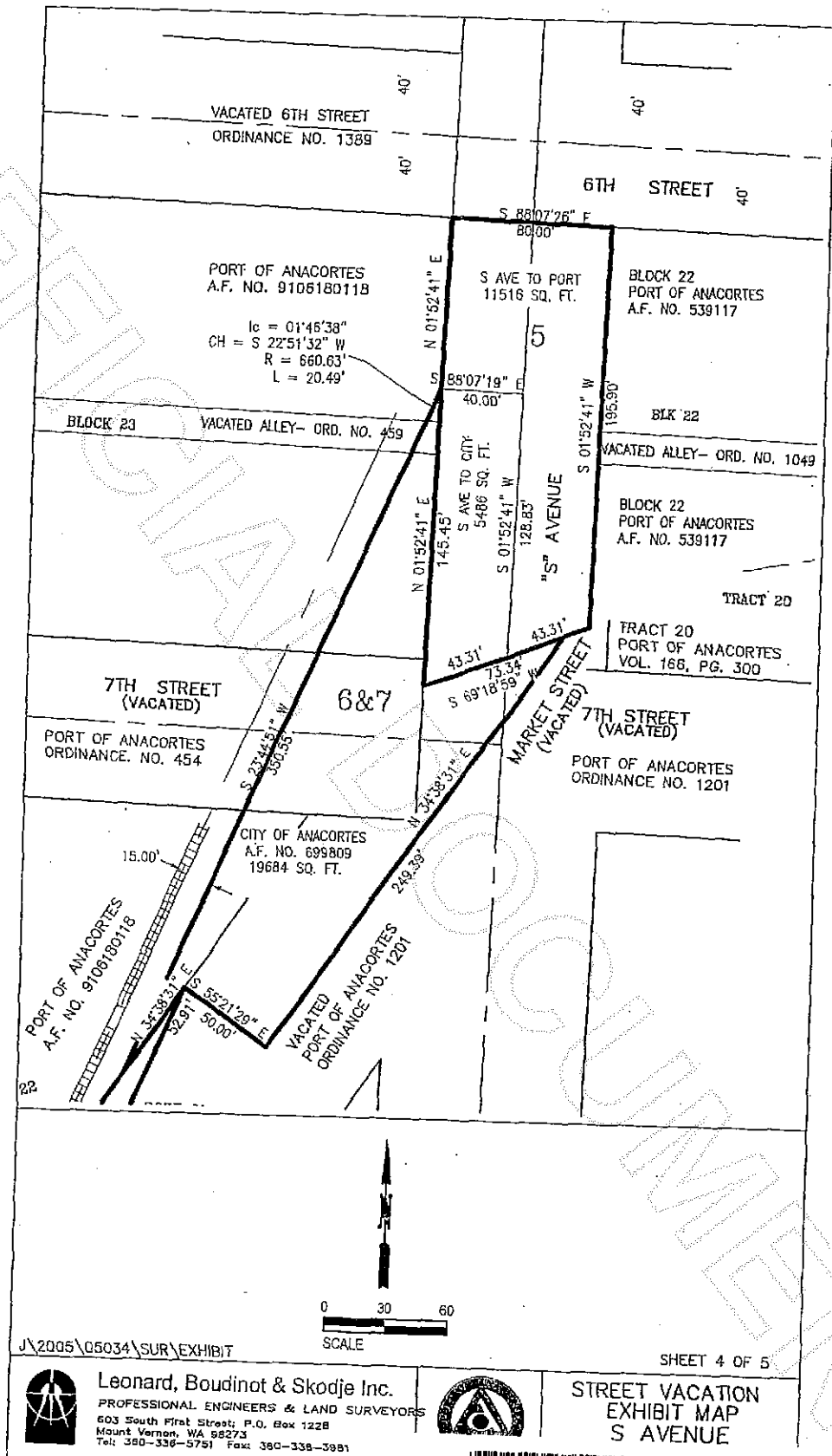


201201050050
Skagit County Auditor

On this 15th day of May, 1967,

WITNESS my hand and official seal the day and year in this

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201201050050

Skagit County Auditor

**Exhibit A
#8,9**

**LEGAL DESCRIPTION OF VACATION
OF PORTIONS OF MARKET STREET**

That portion of Market Street formerly Motor Line Avenue as shown on Plate 9. Tide and Shore Lands of Anacortes Harbor in Section 18, Township 35 North, Range 2 East, W.M, lying West of the East line of the Great Northern Railway right of way , as said right of way is referred to in that certain City of Anacortes Ordinance No. 1201 dated. November 6, 1956.

Situate in the City of Anacortes, Skagit County Washington.



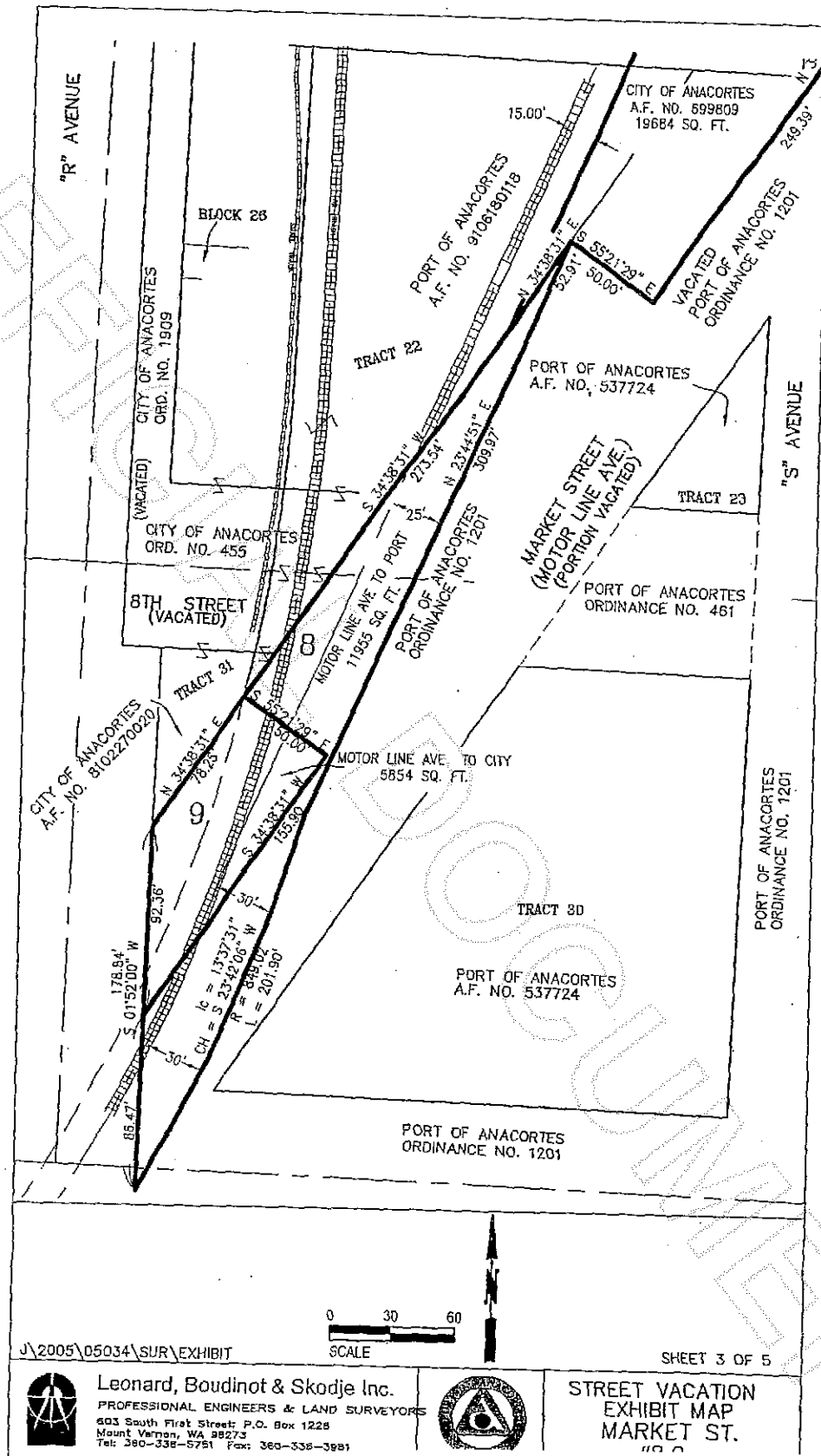
201201050050

Skagit County Auditor

1/5/2012 Page

10 of

11 12:24PM



201201050050
Skagit County Auditor

AN ORDINANCE VACATING A PORTION OF 8TH STREET IN
THE CITY OF ANACORTES, WASHINGTON.

8701080055

WHEREAS, a petition praying for the vacation of the below described property was filed with the City Clerk by owners of more than two-thirds of the property abutting upon that portion of said property sought to be vacated; and

WHEREAS, the City Council, by resolution, fixed a time and place for hearing of said petition, and more than twenty days prior to the date of said hearing, notice of same was duly published and posted according to law; and

WHEREAS, said hearing was duly held and it appears to be in the best interests of the City of Anacortes to grant said petition; now, therefore,

THE CITY COUNCIL OF THE CITY OF ANACORTES DO ORDAIN AS FOLLOWS:

Section 1. The following described property be and it is hereby vacated: That portion of the south half of 8th Street which lies west of the west line of R Avenue and east of a point lying on the east line of Lot 5, Block 41, Bowman's Central Ship Harbor Addition to Anacortes; and that portion of the north half of 8th Street which lies west of the west line of R Avenue and east of a point on the east line of Lot 13, Block 25, Bowman's Central Ship Harbor Addition to Anacortes, be and it is hereby declared to be vacated; provided, however, that the City of Anacortes reserves and retains for itself forever an easement for the construction, installation, repair, maintenance, and replacement of public utilities and services.

It is the intent of this ordinance to vacate all portions of 8th Street lying east of the east line of Q Avenue and west of the west line of R Avenue not previously vacated by Ordinance No. 1492, passed and approved on the 19th day of August, 1969.

Section 2. This ordinance shall not be published or recorded or become effective until the owners of the property abutting upon the above described portion of streets so vacated shall deed to the City of Anacortes Housing Authority the triangular portion of property lying north of that portion of 8th Street being vacated together with the north 40 feet of 8th Street described herein being vacated.

8701080055

Section 3. This ordinance shall take affect and be in force from and after five (5) days after its passage and publication, provided the provisions of Section 2 have been made.

DATED this 17th day of November, 1986.

CITY OF ANACORTES

BY

James Rice
James Rice, Mayor

George Khtaihan
George Khtaihan, City Clerk Treasurer

APPROVED AS TO FORM:

Stephen E. Mansfield
Stephen E. Mansfield, City Attorney

RECORDED
REQUESTED
FILED
JERRY MCINTURFF
SKAGIT COUNTY AUDITOR
87 JAN 8 P 3:30

87J1080055



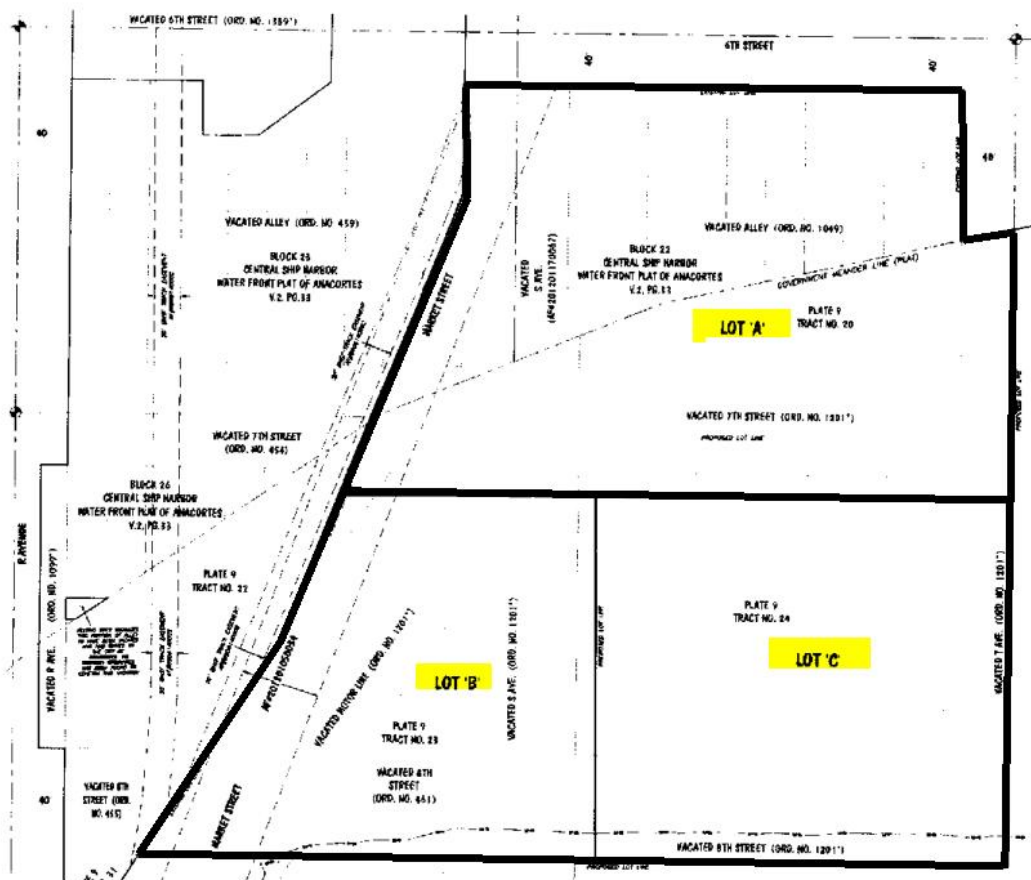
Land Title & Escrow Company
Of Skagit County & Island County
"We deliver results...not just promises"

City of Anacortes
Planning, Community &
Economic Development

Date Received:
4/5/21

CUP-2021-0001

Order No. 01-181279



This sketch is a courtesy of LAND TITLE AND ESCROW COMPANY to assist in locating the premises. It is not based on a survey, and the Company assumes no liability for variations, if any, in dimensions and locations. This map does NOT purport to show all highways, roads, or easements affecting the property.

 First American Title™	Subdivision Guarantee	City of Anacortes <i>Planning, Community & Economic Development</i> Date Received: 4/5/21 CUP-2021-0001
Guarantee	ISSUED BY First American Title Insurance C GUARANTEE NUMBER 5003353-0002910e	

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND THE CONDITIONS AND STIPULATIONS OF THIS GUARANTEE,

FIRST AMERICAN TITLE INSURANCE COMPANY
a Nebraska corporation, herein called the Company

GUARANTEES

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability stated in Schedule A, which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

LAND TITLE AND ESCROW

P.O. Box 445 / 111 East George Hopper Rd.
Burlington, WA 98233
(360) 707-2158 / 1 (844) 878-1519

First American Title Insurance Company



Dennis J. Gilmore, President



Greg L. Smith, Secretary

For Reference:

File #: 181279-F
Loan #: N/A

Issued By:

Land Title and Escrow Company
111 E. George Hopper Road
Burlington, WA 98233



This jacket was created electronically and constitutes an original document

SCHEDULE OF EXCLUSIONS FROM COVERAGE OF THIS GUARANTEE

1. Except to the extent that specific assurances are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters against the title, whether or not shown by the public records.
 - (b) Taxes or assessments of any taxing authority that levies taxes or assessments on real property; or, (2) Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not the matters excluded under (1) or (2) are shown by the records of the taxing authority or by the public records.
 - (c) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water, whether or not the matters excluded under (1), (2) or (3) are shown by the public records.
2. Notwithstanding any specific assurances which are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters affecting the title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A), (C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways to which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any structure or improvements; or any rights or easements therein, unless such property, rights or easements are expressly and specifically set forth in said description.
 - (b) Defects, liens, encumbrances, adverse claims or other matters, whether or not shown by the public records; (1) which are created, suffered, assumed or agreed to by one or more of the Assureds; (2) which result in no loss to the Assured; or (3) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of the assurances provided.
 - (c) The identity of any party shown or referred to in Schedule A.
 - (d) The validity, legal effect or priority of any matter shown or referred to in this Guarantee.

GUARANTEE CONDITIONS AND STIPULATIONS**1. Definition of Terms.**

The following terms when used in the Guarantee mean:

- (a) the "Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.
- (b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
- (c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
- (d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.
- (e) "date": the effective date.

2. Notice of Claim to be Given by Assured Claimant.

An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.

3. No Duty to Defend or Prosecute.

The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party,

notwithstanding the nature of any allegation in such action or proceeding.

4. Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate.

Even though the Company has no duty to defend or prosecute as set forth in Paragraph 3 above:

- (a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.
- (b) If the Company elects to exercise its options as stated in Paragraph 4(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.
- (c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.

- (d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.

5. Proof of Loss or Damage.

In addition to and after the notices required under Section 2 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by any authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.

6. Options to Pay or Otherwise Settle Claims: Termination of Liability.

In case of a claim under this Guarantee, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.

The Company shall have the option to pay or settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price.

Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4, and the Guarantee shall be surrendered to the Company for cancellation.

- (b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4.

7. Determination and Extent of Liability.

This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the Exclusions From Coverage of This Guarantee.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- the amount of liability stated in Schedule A or in Part 2;
- the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 6 of these Conditions and Stipulations or as reduced under Section 9 of these Conditions and

Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or

- (c) the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

8. Limitation of Liability.

- (a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.
- (b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.
- (c) The Company shall not be liable for loss or damage to any Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

9. Reduction of Liability or Termination of Liability.

All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 4 shall reduce the amount of liability pro tanto.

10. Payment of Loss.

- (a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.
- (b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

11. Subrogation Upon Payment or Settlement.

Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant.

The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies.

If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

12. Arbitration.

Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the Company upon request.

13. Liability Limited to This Guarantee; Guarantee Entire Contract.

- (a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.
- (b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.
- (c) No amendment of or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

14. Notices, Where Sent.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at **First American Title Insurance Company, Attn: Claims National Intake Center, 1 First American Way, Santa Ana, California 92707** Claims.NIC@firstam.com Phone: 888-632-1642 Fax: 877-804-7606



**First American
Title Insurance Company**

City of Anacortes
*Planning, Community &
Economic Development*

Date Received:
4/5/21

CUP-2021-0001

PRIVACY POLICY

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, The First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its *Fair Information Values*, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's *Fair Information Values*. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

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Date Received:
4/5/21

CUP-2021-0001

SUBDIVISION GUARANTEE
SCHEDULE A

Liability: \$ 2,000.00

Policy No.: 5003353-0002910e

Dated: October 26, 2020 at 8:00 A.M.

Order No.: 01-181279-F

Fee: \$350.00

Tax: \$29.75

Name of Assured:

PACIFIC SURVEY & ENGINEERING, INC. AND THE PORT OF ANACORTES

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matters relative to the following described real property:

(See Schedule "A-1," attached.)

Title to said real property is vested in:

PORT OF ANACORTES, a Washington Municipal Corporation

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.

SUBDIVISION GUARANTEE

Order No.: 01-181279-F

Policy No. 5003353-0002910e

SCHEDULE A

EXCEPTIONS CONTINUED:

4. General taxes, together with interest, penalty and statutory foreclosure costs, if any, first half delinquent May 1, 2020, if unpaid, second half delinquent November 1, 2020, if unpaid:

<u>Account No.</u>	<u>Year</u>	<u>Amount Billed</u>	<u>Amount Paid</u>	<u>Balance Owing</u>
3776-022-010-0008	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P56860				
3776-022-020-0006	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P56861				
3776-023-000-0008	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P56862				
350218-0-020-0003	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P32880				
350218-0-021-0002	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P32881				
350218-0-019-0006	2020	\$0.00	\$0.00	\$0.00
Property I.D. No.: P32879				

It appears that the vacated streets and alleys are not included on the Skagit County tax rolls.

5. Liability for exempt taxes in the event of sale of the property to a taxpayer not entitled to an exempt status, or in the event of disallowance of the exemption for all or part of the current year. The exempt portion of the taxes will become a lien upon the purchaser's title.

General taxes for the year 2020, without exception for the above 'EXEMPT STATUS', are approximately as follows:

\$2,056.84, affecting P56860
\$588.75, affecting P56861
\$5,145.38, affecting P56862
\$8,620.46, affecting P32880
\$1,385.33, affecting P32881
\$405.35, affecting P32879

6. Question of location and ownership of land shown under Skagit County tax parcel number 350218-0-001-0006; P32861.
7. The property description included herein is based upon the application for Title Insurance. Before any instrument(s) pertaining to this property is/are prepared, the description should be verified and approved by all parties.

SUBDIVISION GUARANTEE

Order No.: 01-181279-F

Policy No. 5003353-0002910e

SCHEDULE A

EXCEPTIONS CONTINUED:

8. Easements, restrictions, and other matters shown on Schedule "B-1" attached are also excepted from coverage. The easements, restrictions and other matters shown as lettered exceptions on Schedule "B-1" are excepted from policy coverage to the same extent that the numbered Schedule "B" Special Exceptions shown herein are excepted from policy coverage.

NOTE #1: EFFECTIVE JANUARY 1, 1997, AND PURSUANT TO AMENDMENT OF WASHINGTON STATE STATUTES RELATING TO STANDARDIZATION OF RECORDED DOCUMENTS, THE FOLLOWING FORMAT AND CONTENT REQUIREMENTS MUST BE MET. FAILURE TO COMPLY MAY RESULT IN REJECTION OF THE DOCUMENTS BY THE RECORDER.

Margins to be 3" on top of first page and 1" on sides and bottom, 1" on top, sides and bottom of each succeeding page. Font size of 8 points or larger, paper size of no more than 8 1/2" by 14". No attachments on pages such as stapled or taped notary seals, pressure seals must be smudged.

INFORMATION WHICH MUST APPEAR ON THE FIRST PAGE

Title or titles of documents. If assignment or reconveyance, reference to auditor's file number of subject deed of trust must be included. Names of grantor(s) and grantee(s) with reference to additional names on following pages, if any.
Abbreviated legal description (lot, block, volume/page of plat or section/township/range and quarter section or government lot for unplatted).
Assessor's tax parcel number(s). Return address which may appear in the upper left hand 3" top margin.

Pursuant to item c.) above, the abbreviated legal description for the subject property is as follows:

Ptns Of Bowman's Central Ship Harbor Water Front Plat Of Anacortes & Ptn Of Plate 9, Anacortes

NOTE #2: Unless otherwise specified, this Company has assigned this file to the following Underwriter for the policy to issue: First American Title Company.

DESCRIPTION:

BLOCK 22, PLAT OF BOWMAN'S CENTRAL SHIP HARBOR WATERFRONT PLAT OF ANACORTES, ACCORDING TO THE PLAT THEREOF RECORDED UNDER VOLUME 2 OF PLATS, PAGE 33, SKAGIT COUNTY, WASHINGTON.

TOGETHER WITH LOTS 1, 19 AND 20 OF BLOCK 23 OF SAID BOWMAN'S CENTRAL SHIP HARBOR PLAT AND TRACTS 20, 22, 23 AND 24, PLATE 9 OF THE PLAT OF "TIDE AND SHORELANDS OF ANACORTES HARBOR IN SECTION 18, TOWNSHIP 35 NORTH, RANGE 2 EAST, W.M., ACCORDING TO THE OFFICIAL MAP THEREOF IN THE OFFICE OF THE STATE LAND COMMISSIONER AT OLYMPIA, WASHINGTON".

TOGETHER WITH ALL OF VACATED MOTOR LINE (MARKET STREET), 7TH STREET, 8TH STREET, S AVENUE AND T AVENUE AND ALLEYS ABUTTING SAID LOTS, BLOCKS AND TRACTS AND AS VACATED UNDER CITY OF ANACORTES ORDINANCE NOS. 459, 454, 455, 461, 1049, 1201 AND AUDITOR'S FILE NO. 201201170067.

EXCEPT THE EAST HALF OF SAID VACATED T AVENUE.

ALSO EXCEPT ANY PORTION OF THE ABOVE PROPERTY LYING WESTERLY OF THE EASTERLY LINE OF THE FOLLOWING DESCRIBED CITY OF ANACORTES PROPERTY:

CITY OF ANACORTES PROPERTY

THOSE PORTIONS OF BLOCKS 10, 23 AND 26, PLAT OF BOWMAN'S CENTRAL SHIP HARBOR WATERFRONT PLAT OF ANACORTES, SKAGIT COUNTY, WASHINGTON, ACCORDING TO THE PLAT RECORDED IN VOLUME 2 OF PLATS PAGE 33, RECORDS OF SKAGIT COUNTY, WASHINGTON AND TRACTS 22 AND 31, PLATE 9 OF THE PLAT OF TIDE AND SHORELANDS OF ANACORTES HARBOR IN SECTION 18, TOWNSHIP 35 NORTH, RANGE 2 EAST, W.M. ACCORDING TO THE OFFICIAL MAP THEREOF IN THE OFFICE OF THE STATE LAND COMMISSIONER AT OLYMPIA, WASHINGTON, TOGETHER WITH VACATED ALLEYS WITHIN SAID BLOCKS AND VACATED 5TH, 6TH, 7TH AND 8TH STREETS AND VACATED R AND S AVENUES ABUTTING, DESCRIBED AS FOLLOWS:

THAT CERTAIN TRACT OF LAND CONVEYED TO THE CITY OF ANACORTES BY BURLINGTON NORTHERN RAILROAD BY DEED RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 8102270020 AND THAT PORTION OF VACATED MARKET STREET ABUTTING SAID TRACT WHICH WOULD ATTACH BY OPERATION OF LAW,

TOGETHER WITH THAT CERTAIN TRACT OF LAND CONVEYED TO THE CITY OF ANACORTES BY THE PORT OF ANACORTES BY DEED RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 201201050053.

ALSO, TOGETHER WITH THOSE ADDITIONAL PORTIONS OF VACATED MARKET STREET AS CONVEYED TO THE CITY OF ANACORTES BY THE PORT OF ANACORTES AND DESCRIBED AS PARCELS A AND E IN DEED RECORDED UNDER SKAGIT COUNTY AUDITOR'S FILE NO. 201201050052.

SITUATE IN THE CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON.

EXCEPTIONS:

A. COVENANTS, CONDITIONS AND RESTRICTIONS, CONTAINED IN DEED:

Recorded: October 26, 1905

Auditor's No.: 54021 (Volume 56 of Deeds, page 321)

Executed By: State of Washington

As Follows:

Subject, however, to any lien or liens that may arise or be created in consequence of or pursue out to the provisions of an act of the Legislature of the State of Washington, entitled "An Act prescribing the ways in which waterways for the uses of navigation may be excavated by private contract, providing for liens upon tide and shore lands belonging to the state, granting rights of way across lands belonging to the state," approved March 9, 1893.

B. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, NOTES, DEDICATIONS, PROVISIONS AND SURVEY MATTERS AS DESCRIBED AND/OR DELINEATED ON THE FACE OF SAID PLAT OR SHORT PLAT:

Plat/Short Plat: Bowman's Central Ship Harbor Water Front Plat
of Anacortes

Recorded: Volume 2 of Plats, page 33

C. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Cascade Natural Gas Corporation, its successors
and/or assigns

Purpose: See instrument for full particulars

Area Affected: A portion of Tracts 20 & 24, Plate 9 and portions
of vacated streets

Recorded: December 3, 1985 and December 11, 1985

Auditor's Nos.: 8512030030 and 8512110054

D. INTERLOCAL AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:

Between: The Port of Anacortes

And: The City of Anacortes

Dated: July 22, 1988

Recorded: July 29, 1988

Auditor's No.: 8807290027

E. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

Grantee: Burlington Northern Railroad Company

Purpose: A railroad easement

Area Affected: A portion of subject lands

Dated: December 12, 1988

Recorded: June 14, 1989

Auditor's No.: 8906140002

EXCEPTIONS CONTINUED:

F. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS:

Declaration Dated:	November 23, 2011
Recorded:	January 5, 2012
Auditor's No.:	201201050053
Executed By:	Port of Anacortes and City of Anacortes

- G. As to any portion of said land now, formerly or in the future covered by water: Questions or adverse claims related to (1) lateral boundaries of any tidelands or shorelands; (2) shifting in course, boundary or location of the body of water; (3) rights of the State of Washington if the body of water is or was navigable; and (4) public regulatory and recreational rights (including powers of the USA) or private riparian rights which limit or prohibit use of the land or water.

H. CITY OF ANACORTES ORDINANCES AND THE TERMS AND CONDITIONS THEREOF:

No.: NOS. 459, 454, 455, 461, 1049, 1201 AND AUDITOR'S FILE NO. 201201170067.

- I. Easements, if any, for public utilities, pipelines or facilities installed in any portion of the vacated street or alley, lying within the land, together with the right of ingress and egress to repair, maintain, replace and remove the same.
- J. Any private right to use any portion of the vacated street or alley, lying within the land.



STATE ENVIRONMENTAL POLICY ACT NOTICE OF DETERMINATION OF NON-SIGNIFICANCE (DNS)

Project Name: Cap Sante RV Park and JKL Parking Lot Improvements

Location: Cap Sante Marina-North Basin 600 T Street, Anacortes, Washington, 98221

Proponent: Port of Anacortes

Description of Proposal: The Port of Anacortes (Port) proposes to redevelop an existing 26 space RV Park and adjacent gravel parking lot at Cap Sante Marina. Improvements would modernize the RV Park with updated facilities for RV Park guests and pave and install stormwater facilities and landscaping at the JKL parking lot. There would be no change in use at the current site and there would be a reduction of one RV space in the redevelopment. The existing site is currently an unimproved gravel RV Park and parking area without amenities, utilities, or appropriate stormwater handling facilities. The project would include the following individual components:

- Paving of the interior RV Park driveways and the JKL parking lot to reduce erodible and dust producing surfaces.
- Modification of RV parking to 25 pull-through spaces and installation of two Americans with Disabilities Act (ADA) accessible spaces with suitable slopes to facilitate access. Grading and paving of the adjacent existing parking lot would increase parking spaces from about 90 to 130.
- Grading and leveling of approximately 4 acres of the existing gravel RV Park and parking lot to establish a grade for improved stormwater management. Approximately 2,500 cubic yards (CY) of cut and 7,880 CY of fill would be graded.
- Installation of updated stormwater infrastructure, including catch basins, conveyances, and treatment facilities would be completed to meet Washington State Department of Ecology (Ecology) stormwater management standards.
- Provision of utilities including water, electricity, cable, and sanitary sewer to each pull through RV space. Installation of fire hydrants for emergency fire suppression within the RV park and JKL parking lot.
- Construction of a 1,100 square foot (sf) single story utility/restroom/shower/laundry building with keyed access
- Installation of landscaping to provide privacy to RV Park guests and limit visual impacts to the surrounding neighborhood. Lawn and landscaping open space would prevent sediment runoff and improve aesthetics. Approximately 40% (about 1-acre) of the existing RV Park would be open space. Further landscaping at the JKL parking lot within the traffic islands would be completed along with the provision of two green spaces totaling 0.7 acres of public use green space.
- Installation of a sidewalk, crosswalks, pedestrian access, and a rockery retaining wall along Market Street. A planting strip with street trees planted every 25 feet on-center would be installed along Market Street and 6th Street.

During construction, contractors would be required to implement Best Management Practices (BMPs) for erosion control consistent with Ecology's Stormwater Management Manual for Western Washington. BMPs such as construction fencing, silt fence, covered stockpiles, and inlet protection

would contain sediment and prevent stormwater discharge off site. The project is subject to permits and approvals from the City of Anacortes, including a boundary line adjustment (BLA), conditional use permit, shoreline substantial development permit, a clear and grade permit, and a building permit.

Lead Agency: The lead agency under the State Environmental Policy Act is the Port of Anacortes.

Determination: As a lead agency, the Port of Anacortes has determined that this proposal will not have a probable significant adverse impact on the environment; a determination of non-significance (DNS) does not require an environmental impact statement (EIS) under RCW 43.21C.030(2)(c). This determination assumes compliance with federal and state law as well as City of Anacortes ordinances related to general environmental protection. This decision was made after review of a completed SEPA environmental checklist and other supporting documents on file with the lead agency. This information is available to the public on request (call 360-299-1810 to request a copy by mail or email) or at the Port's administrative offices at 100 Commercial Avenue, Anacortes, WA 98221 (pick up by appointment only to comply with Port COVID-19 Policies and Procedures; <https://www.portofanacortes.com/covid>). The SEPA Checklist and complete DNS can also be reviewed on the Port's website: www.portofanacortes.com.

Note: Issuance of this threshold determination does not constitute approval of permits. This proposal will be reviewed for compliance with all applicable Federal, State and City of Anacortes regulations.

Comment Period:

Kevin Anderson, Environmental Specialist
Port of Anacortes
100 Commercial Avenue
Anacortes, WA 98221

Comments may also be submitted to the Port via (a) e-mail to kevin.anderson@portofanacortes.com or (b) fax to (360) 293-9608. Comments will not otherwise be accepted by telephone or personal conversation.

Publication Date: June 19, 2021

Signed and dated this 17th day of June, 2021:



Daniel C. Worra
Port of Anacortes SEPA Responsible Official



STATE ENVIRONMENTAL POLICY ACT (SEPA) CHECKLIST

A. BACKGROUND

1. Name of proposed project, if applicable:

Cap Sante RV Park and JKL Parking Lot Improvements (the "Project")

2. Name of applicant:

Port of Anacortes

3. Address and phone number of applicant and contact person:

Applicant:
Kevin Anderson
Environmental Specialist
Port of Anacortes
100 Commercial Ave
Anacortes, WA 98221
360.299.1827
Kevin.anderson@portofanacortes.com

4. Date checklist prepared:

June 17th, 2021

5. Agency requesting checklist:

City of Anacortes

6. Proposed timing or schedule (including phasing, if applicable):

Construction is dependent on grant funding availability, but is currently planned for fall 2021 with project completion expected in 2022.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No. The existing RV Park and adjacent JKL parking lot, located within the north end of the Cap Sante Marina's North Basin, requires modernization and upgrades to existing amenities and utilities. Future additions or expansions to the RV Park and JKL parking lot are not anticipated or proposed at this time.



Future North and West Basin improvements of separate utility are undergoing preliminary planning and concept development at this time and would undergo SEPA review and permitting at that time (two to four years out).

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

A traffic study has been prepared directly for the RV Park (attached). Additional studies prepared for other North and West Basin development projects are also referenced (Preliminary Geotechnical Evaluation, Preliminary Habitat Evaluation, and Cultural Resources Report). These reports were prepared in part to support planning efforts for future projects, some of which are no longer under consideration, but include information germane to the existing RV Park and parking lot site. They are available for review on request.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Yes. Existing platting and subsequent right of way vacations are confusing. A boundary line adjustment (BLA) request to the City of Anacortes is being prepared to simplify the existing lot lines.

10. List any government approvals or permits that will be needed for your proposal, if known.

The proposed RV Park and parking lot improvements are anticipated to require the following permits in addition to SEPA review:

- City of Anacortes Conditional Use Permit for the RV Park
- City of Anacortes Shoreline Substantial Development Permit (JKL parking lot lies within 200 feet of the shoreline)
- City of Anacortes Building and Construction permits, along with a Utility Extension approval
- Washington State Department of Ecology (Ecology) Construction Stormwater General Permit (CSWGP)

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The Port of Anacortes (Port) proposes to improve an existing 26 space RV Park and adjacent gravel parking lot at Cap Sante Marina. Improvements would modernize the RV Park with updated facilities for RV Park guests and pave, install stormwater facilities and landscaping at the JKL parking lot.



Proposed improvements at the existing RV Park would provide full utility service to the existing RV Park campsite spaces. Improvements would provide the park with appropriate paved access and spacing, one RV space would be eliminated. An 1,100 square foot (sf) single story utility/restroom /shower and laundry facility would be constructed for exclusive use by RV Park guests. The existing gravel and barren site would be landscaped and vegetated, and updated utilities including stormwater would be installed. The total footprint of the RV Park would remain the same (approximately 2.5 acres) with about 1-acre of open space. Improvements to the adjacent 1.5-acre JKL parking lot would include regrading, paving, and reconfiguration of the existing gravel lot. The project would reconfigure the lot to provide from the current total of about 90 unmarked spaces to approximately 130 defined parking spaces. Landscaped islands would be installed between parking rows and two green spaces constructed for public use (total area of green space of about 0.7 acres).

Installation of updated stormwater infrastructure, including catch basins, conveyances, and treatment facilities would be completed to meet Ecology stormwater management standards.

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

The proposed project is located on Port owned property at the southeast corner of 6th and Market Streets, in Anacortes Washington (Section 18, Township 35, Range 02). The RV Park and JKL parking lot area encompass approximately 4 acres (RV Park is about 2.5 acres and the parking lot is about 1.5 acres). Vicinity and site plans are attached.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site:

The project site is a flat 4-acre site with no amenities and fringing grasses.

b. What is the steepest slope on the site (approximate percent slope)?

Less than 2%.



- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.**

Most of the area surrounding area was formerly mudflats of Fidalgo Bay. The upper surface of the site consists of sand and silt deposits from the nearby Cap Sante Marina, originally placed at the site when the marina was developed in the 1950's.

- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

No.

- e. **Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.**

Approximately 2,500 cubic yards (CY) of cut and 7,880 CY of fill would be graded. The fill material (7,880 CY) would be imported for the main access road and other areas where needed. Penetration of native surface area is unlikely. Fill materials would be clean and be obtained from an engineer-approved source.

- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

Erosion is unlikely, given the relatively flat site and the incorporation of state-mandated Best Management Practices (BMPs) during construction as part of the CSWGP approval process that would minimize the potential for stormwater runoff to nearby surface waters.

- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

The proposed project would modify an existing gravel RV Park and parking lot. Following construction, about 65% of the existing gravel surface would be paved.

- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

The Port would institute a site sediment and erosion control plan for construction as mandated by the state and the anticipated CSWGP. Post construction landscaping and improved stormwater facilities would reduce site erosion over



the long-term. Open space areas would be vegetated, with both lawns and landscaping installed to protect erodible surfaces.

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**

It is anticipated that during construction, there would be emissions from internal combustion engines associated with construction vehicles and other construction equipment. These short-term air emissions are expected to be limited to diesel and gasoline engine emissions from trucks and other heavy equipment being used for excavation, backfilling, and grading. These emissions would be temporary in duration and not expected to differ substantially from other commercial waterfront vehicular activities.

Over the long-term, one less RV space is proposed than existing and the provision of utilities would reduce how frequently RV park guests use internal combustion generators for electricity. The JKL parking lot would increase the number of parking spaces by approximately 40 to 130 total spaces through reconfiguration of the lot. This increase in parking spaces could result in a slight increase in air emissions from combustion engines at the lot.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

The City of Anacortes Wastewater Treatment Plant is immediately north of the site. No apparent odor emissions have been identified.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

Construction activities would use the proper precautions to minimize dust emissions. Potential minimization actions include, the use of water, reducing vehicle speeds, vehicle cleaning prior to exiting the site to prevent track-out of mud or dirt onto paved public roadways, and sweeping/vacuuming.

The provision of electricity at the RV park would reduce how frequently RV park guests use internal combustion generators for electricity.

3. Water

- a. Surface:**



- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

A low-quality wetland, hydraulically and functionally separated from the project area by Market Street and a change in elevation is located to the northwest of the project site. Cap Sante Marina and Fidalgo Bay lie more than 200 feet south of the RV project site. Cap Sante Marina and Fidalgo Bay are immediately south of the JKL parking lot.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

None is anticipated for the RV Park improvements. A portion of the JKL parking lot is located within 200 ft of the shoreline zone, but landward of the ordinary high water mark, and would require a Substantial Shoreline Development Permit from the City of Anacortes (see attached site plans).

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

None.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

Yes. The southern edge of the JKL parking lot lies within a 1% annual chance flood hazard area.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No. Construction could increase the risk of erosional runoff and construction debris entering surface waters. However, during construction contractors would be required to implement Best Management Practices (BMPs) for erosion control during active construction consistent with the project CSWGP and Ecology's Stormwater Management Manual for Western Washington. BMPs such as construction fencing, silt fence, covered stockpiles, and inlet protection



would be implemented as applicable to contain sediment and prevent stormwater discharge off site into surface waters.

b. Ground Water:

- 1) **Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

No.

- 2) **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

No waste material would be discharged. Improvements to the RV Park include hook up of the existing spaces to the City of Anacortes Sanitary Sewer system for RV blackwater.

c. Water runoff (including stormwater):

- 1) **Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

Water runoff during construction or over the long-term could enter nearby marina surface waters.

Short-term impacts to water quality would be avoided and minimized by the implementation of construction BMPs and compliance with CSWGP conditions. BMPs such as construction fencing, silt fence, covered stockpiles, and inlet protection would be implemented as applicable to contain sediment and prevent stormwater discharge off site.

The project would result in long-term improvements to stormwater flow. Installation of updated stormwater infrastructure, including catch basins, conveyances, and treatment facilities would be completed to meet Ecology stormwater management standards. Stormwater collection would be directed (with grading and curbing) to this updated system in compliance with local and state standards.

- 2) **Could waste materials enter ground or surface waters? If so, generally describe.**



Construction BMPs are proposed to avoid construction-related spills and discharges, and the contractor would abide by CSWGP conditions and a Spill Prevention, Control, and Countermeasure (SPCC) Plan.

The site is presently gravel, affording an opportunity for pollutants in stormwater to enter ground or surface water. Once the project site is redeveloped, stormwater would be collected into an improved system which would treat stormwater and limit pollutants from entering storm or surface waters.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

During construction, contractors would be required to have a SPCC plan spill response plans and spill kits, absorbent pads and other appropriate materials necessary to contain and clean up an accidental spill at the site. BMPs would be implemented consistent with federal, state, and local requirements.

A City approved stormwater plan, vegetated landscaping, and stormwater BMP facilities (catch basins, treatment vaults, swales, etc.) are proposed for the redeveloped site. Installation of updated stormwater infrastructure, including catch basins, conveyances, and treatment facilities would be completed to meet Ecology stormwater management standards. Stormwater collection would be directed (with grading and curbing) to this updated system in compliance with local and state standards.

4. Plants

a. Check types of vegetation found on the site:

_____ deciduous tree (alder, maple, aspen, other):

_____ evergreen tree (shore pine):

_____ shrubs:

X grass: small grassed areas in the infield and around the margin of the RV park and JKL parking lot

_____ pasture:

_____ crop or grain:

_____ wet soil plants (cattail, buttercup, bullrush, skunk cabbage, other):

_____ water plants (water lily, eelgrass, milfoil, other):

X other types of vegetation: Class B Noxious Weeds (Poison Hemlock) around the margin of the RV park

b. What kind and amount of vegetation will be removed or altered?



The existing gravel RV Park and parking lot are heavily developed, and vegetation is scarce and limited to fringe grasses along the site borders. Limited grassy areas can also be observed around a small infield area of the RV Park.

c. List threatened or endangered species known to be on or near the site.

A Habitat Assessment was conducted for the North and West Basin areas adjacent to Cap Sante Marina. This report was developed to support larger future redevelopment efforts (in two to four years) but contains relevant information for the site. The report is available on request.

No known threatened or endangered plant species are on or near the project site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Project landscaping would include street trees and site landscaping, public lawns, and other green space. The landscaping plan is in development and would be required to meet applicable local code requirements.

e. List all noxious weeds and invasive species known to be on or near the site.

Class B Noxious weeds (Poison Hemlock) grow in the grassed margins of the site.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site:

Several osprey nesting territories occur in the Anacortes area, but these are located inland. Numerous waterfowl and shorebirds also use the vicinity, primarily in the winter and during migration.

b. List any threatened or endangered species known to be on or near the site.

A Habitat Assessment was conducted for the North and West Basin areas adjacent to Cap Sante Marina. This report was developed to support larger future redevelopment efforts (in two to four years) but contains relevant information for the site. The report is available on request.

Protected species that could be located near the project site include marbled murrelet (*Brachyramphus marmoratus*), streaked horned lark (*Eremophila alpestris strigata*), and yellow-billed cuckoo (*Coccyzus americanus*). None of these species, or their critical habitat, are located at the immediate project site.

c. Is the site part of a migration route? If so, explain.



The Puget Sound area is part of the Pacific flyway. Birds that inhabit the area vary seasonally due to migration. Fidalgo Bay, east of the project area, also provides over-wintering areas for migratory waterfowl.

d. Proposed measures to preserve or enhance wildlife, if any:

No wildlife habitat would be disturbed as part of this project. Site landscaping may improve habitat to a small degree.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity service would be extended to the site for lighting, the utility/restroom /shower and laundry facility, and guest use.

**b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.**

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None are proposed.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

Potential discharges to stormwater and surface waters during construction include accidental spills or leakage of petroleum products from construction equipment. The likelihood of a spill is low given the proposed BMPs and compliance with the project CSWGP. In the event of a potential spill the effects would be minimized and mitigated through implementation of an on-site SPCC plan and response strategy that has been prepared by the construction Contractor. These spill response materials would be available for use during site construction. The contractor would be required to prepare a health and safety plan for work in areas where it is expected that contaminated soils may be encountered.



RVs frequently house propane tanks heating, cooking, and refrigeration, which may increase fire risk if used improperly. Parked cars may leak fluids if not properly maintained.

1) Describe any known or possible contamination at the site from present or past uses.

No known contaminants are present.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Potential discharges to stormwater and surface waters during construction include accidental spills or leakage of petroleum products from construction equipment. The likelihood of a spill is low given the proposed BMPs and compliance with the project CSWGP. In the event of a potential spill the effects would be minimized and mitigated through implementation of an on-site SPCC plan and response strategy that has been prepared by the construction Contractor. These spill response materials would be available for use during site construction. The contractor would be required to prepare a health and safety plan for work in areas where it is expected that contaminated soils may be encountered.

RVs frequently house propane tanks heating, cooking, and refrigeration. Parked cars may leak fluids if not properly maintained.

4) Describe special emergency services that might be required.

No special emergency service requirements are anticipated other than typical police, fire, and EMS.

5) Proposed measures to reduce or control environmental health hazards, if any:

Implementation of a contractor SPCC plan and BMPs would minimize risks of accidental spills during construction.

Over the long-term, proposed site improvements would reduce the risk of leaks spills from RVs and parked cars from entering nearby surface waters.



b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

Traffic noise is present. The site lies adjacent to two designated minor arterial streets. To the north lies the City of Anacortes Wastewater Treatment Plant and to the east and south are parking areas and the marina.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

Construction noise associated with a variety of construction equipment would occur for the duration of the project. This could include truck engines, generators and other small engines, excavators, backhoes, and other equipment. Construction noise would occur during daylight hours as permitted by City of Anacortes noise ordinances.

Over the long-term, RV noise from guests arriving and leaving the RV Park and the parking lot are anticipated to remain unchanged. Guests typically arrive and depart in mid-day hours.

- 3) Proposed measures to reduce or control noise impacts, if any:**

Construction would occur during normal working hours (Monday through Friday, 7 AM to 10 PM). The project would comply with environmental noise standards set by the State of Washington, WAC 173-60, which establishes limits on the level and duration of noise crossing property boundaries. Temporary construction noise is exempt from state noise limits during daytime hours, per WAC 173-60-050(3)(a). Construction activities would be carried out in a manner consistent with the City Municipal Code and State environmental noise standards.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?**

The current and proposed use is as an RV park and parking lot. The use of the site does not change. The adjacent properties are Port or City owned (Cap Sante Marina, Depot Park, and City of Anacortes Wastewater Treatment Plant).

- b. Has the site been used for agriculture? If so, describe.**



No, the site has never been used for working farmlands or working forest lands nor are there any working forest or farms in the surrounding area.

c. Describe any structures on the site.

None.

d. Will any structures be demolished? If so, what?

No structures would be demolished.

e. What is the current zoning classification of the site?

City of Anacortes Zoning Map classifies the area as Commercial Marine.

f. What is the current comprehensive plan designation of the site?

The City of Anacortes Comprehensive Plan designates the site as Commercial Marine.

g. If applicable, what is the current shoreline master program designation of the site?

Urban SED.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No.

i. Approximately how many people would reside or work in the completed project?

Not applicable.

j. Approximately how many people would the completed project displace?

Not applicable.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:



None.

9. Housing

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing.**

The project does not include provision of housing units.

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low income housing.**

The project does not eliminate any existing housing units.

- c. **Proposed measures to reduce or control housing impacts, if any:**

Not applicable.

10. Aesthetics

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

The only structure proposed is a single story utility/restroom /shower and laundry facility with a pitched roof not expected to exceed 18 feet to the peak of the roof.

- b. **What views in the immediate vicinity would be altered or obstructed?**

Views in the immediate vicinity would not be altered or obstructed by the completed project.

- c. **Proposed measures to reduce or control aesthetic impacts, if any:**

None are proposed.

11. Light and glare

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

No internal street lighting is proposed in the RV Park. The only exterior lighting would be attached to the exterior of the single story utility/restroom /shower and laundry facility and light would be directed toward the RV spaces. Any other lights would result from RVs parked at the RV Park, not an anticipated change from existing conditions. JKL Park will have lot lighting sufficient to provide safety and security for lot users similar to other lot lighting within the marina basin.



- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

No.

- c. **What existing off-site sources of light or glare may affect your proposal?**

None.

- d. **Proposed measures to reduce or control light and glare impacts, if any:**
Nothing beyond landscaping and the location of the single story utility/restroom /shower and laundry facility. The small building would be located toward the interior of the site and would necessitate additional lighting.

12. Recreation

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**

Cap Sante Marine, the adjacent esplanade, the City Maritime Heritage Museum, Depot Plaza, and Rotary Park are adjacent to the project site.

- b. **Would the proposed project displace any existing recreational uses? If so, describe.**

Construction would temporarily displace RVs and vehicles from using the RV Park and JKL parking lot.

- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

The location of the existing RV Park is ideal to provide guests opportunities to explore downtown Anacortes, including trails, bike paths, parks, and local businesses. The existing parking lot serves tenants of JKL docks at Cap Sante Marina and facilitates easier access to vessels for marina users. The location and uses of these sites would not change with the project.

13. Historic and cultural preservation

- a. **Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.**

There are no known historic places or objects located on or next to the site. The W.T Preston is located nearby at the Anacortes Maritime Heritage Museum.



- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**

None known. Most of the surrounding area was formerly mudflats of Fidalgo Bay. The area received dredge material from Cap Sante Marina in the 1950s and is highly disturbed.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site:**

A cultural resources study was conducted for the North and West Basin areas adjacent to Cap Sante Marina. This report was developed to support larger future redevelopment efforts (in two to four years) but contains relevant information for the site. Based on this broader study, an Unanticipated Discoveries Protocol (UDP) training would be provided to Port staff and a copy of a UDP would be kept in Port vehicles in case they encounter cultural resources during this project.

- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources:**

As noted above, an Unanticipated Discoveries Protocol (UDP) training would be provided to Port staff and a copy of a UDP would be kept in Port vehicles in case they encounter cultural resources during this project.

14. Transportation

- a. **Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.**

It is expected that most guests would arrive at the site via the highway to R / Q Avenue, turn east onto 9th, and then turn right onto Market Street. From Market Street, RVs turn directly into Port property or continue along Market Street to 6th Street. All are designated as "minor arterial" streets by the City of Anacortes. At the intersection of 6th Street and T Ave, RVs turn right into Port property.

- b. **Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**

Skagit County Transit serves the commercial areas of Anacortes and the Guemes Ferry. The closest stop to the site is at 8th St and Q Avenue.

- c. **How many parking spaces would the completed project have? How many would the project eliminate?**



The completed project would have 25 RV parking spots, reducing the number of RV spots by one stall. The JKL parking lot would have approximately 40 additional parking stalls (approximately 130 total).

- d. **Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).**

6th St and Market Streets are both classified by the City of Anacortes as minor arterial streets. The majority of Market Street however is within a utility easement located on Port property. Both 6th and Market Street would have minor street widening, ADA sidewalks and crosswalks constructed adjacent to the site.

- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

The Cap Sante Marina is located south of the project site and will be served by the parking lot.

- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**

The Transpo Group, transportation specialists, evaluated the project and found there would be no change from existing traffic conditions. Peak hour AM traffic would remain at five trips (three in and two out). Peak average daily trips would be seven. The report is attached as Exhibit 2.

- g. **Proposed measures to reduce or control transportation impacts, if any:**

None.

15. Public services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.**

No.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

The project includes the placement of fire hydrants within the RV Park and parking lot pursuant to recommendation of the Anacortes Fire Department.

16. Utilities



- a. Underline utilities currently available at the site: *electricity, natural gas, water, refuse service, telephone, sanitary sewer*, septic system, other.
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Electrical, sewer, and water utilities adjacent to the site would be extended into the site.

Utilities and providers at the site are as follows:

Electricity	Puget Sound Energy
Natural gas	Cascade Natural Gas
City of Anacortes	Water, Sewer, Refuse Service

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Daniel C. Worra

Name of Signee:

Daniel C. Worra

Position and Agency/Organization:

Executive Director, Port of Anacortes

Date Submitted:

June 17, 2021

EXHIBIT 1: Site layout of Cap Sante RV Park and JKL Parking Lot

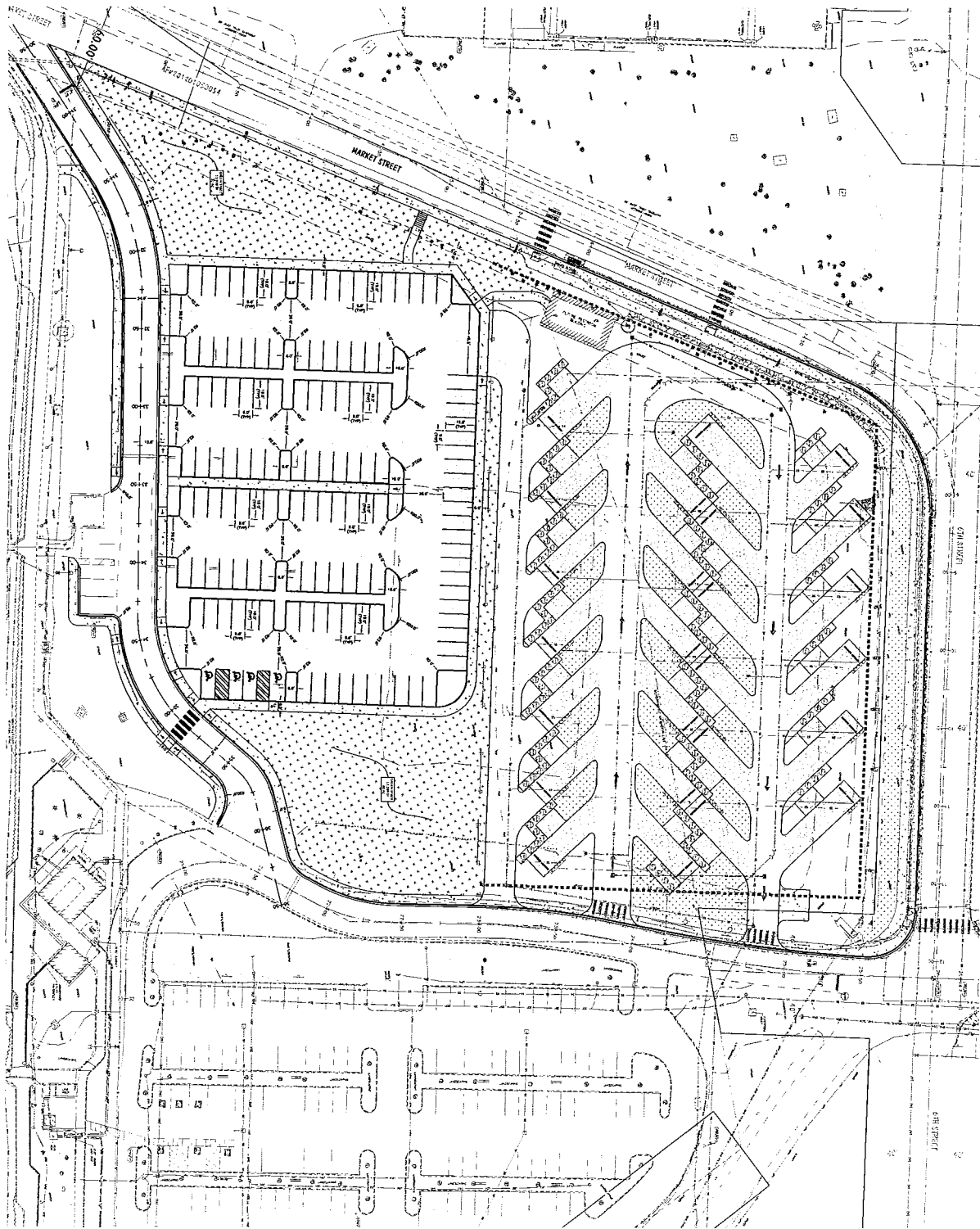


EXHIBIT 2: Traffic study for Cap Sante RV Park

MEMORANDUM

Date:	January 27, 2021	TG:	1.19259.00
To:	Eric Shjarback, PE – City of Anacortes		
From:	Stef Herzstein, PE, PTOE – Transpo Group Jessica Lambert, PE – Transpo Group		
CC:	Brenda Treadwell – Port of Anacortes Bill Hager – Maul Foster & Alongi, Inc.		
Subject:	Cap Sante Marina North Basin RV Park – Level 1 Traffic Impact Study		

The Port of Anacortes is proposing to renovate the existing RV Park located at the North Basin in the Cap Sante Marina. The proposal requires a Level 1 Traffic Impact Study based on the City of Anacortes Engineering Department *Chapter 3 Streets Standards*, November 2018. The purpose of this memorandum is to identify potential transportation-related impacts associated with the proposed RV Park. Project information, existing conditions, future conditions and proposed mitigation are documented.

Project Information

The proposed project would renovate the existing RV Park at the Cap Sante Marina North Basin in Anacortes, WA. The existing RV Park has 26 campsites and the project would decrease the RV Park to 25 campsites. The North Basin is located east of Market Street and south of 6th Street. Figure 1 shows the site vicinity and the preliminary site plan is shown on Figure 2. It is anticipated that the RV park renovation would be completed by 2022.



Figure 1 - Site Vicinity

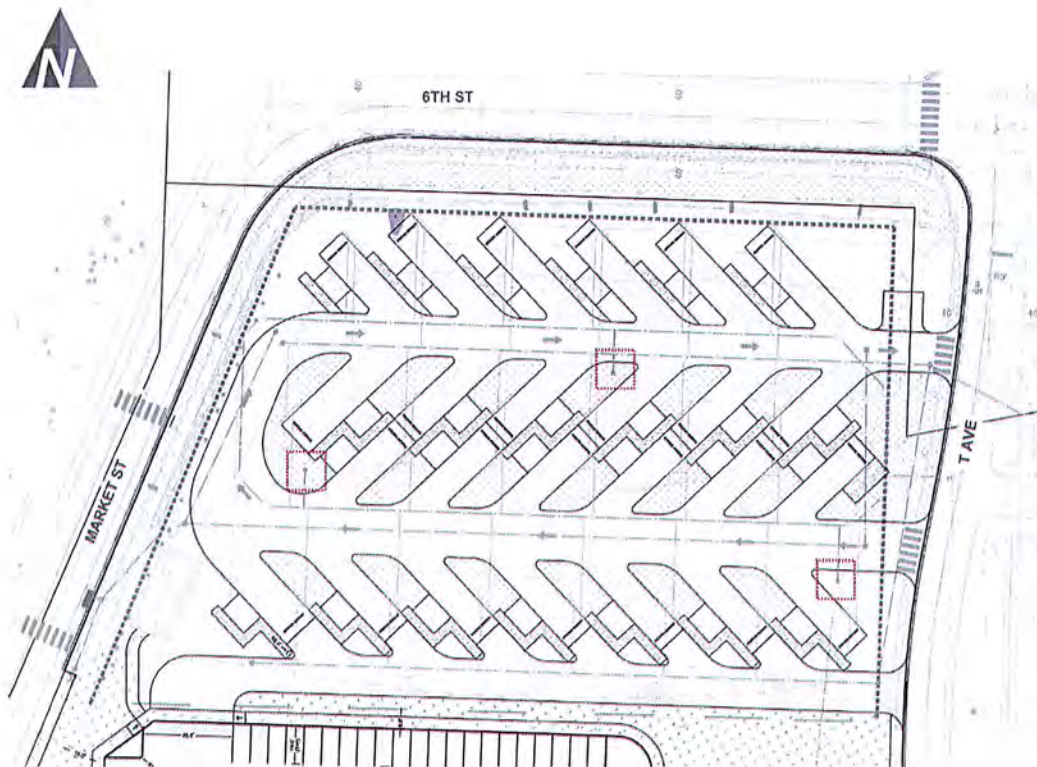


Figure 2 - Site Plan

As described above, one less campsite is being proposed with the RV Park renovation, so no additional trips are anticipated to be generated. Table 1 summarizes the estimated trip generation for the site. Trip generation for the proposed project was calculated based on the Campground/RV Park (LU #416) trip rates using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017).

Table 1. Estimated Weekday Project Trip Generation

Land Use ¹	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Proposed Use	25 Occupied Campsites	70	2	3	5	5	2	7
Existing Use	26 Occupied Campsites	70	2	3	5	5	2	7
Net New Trips²		0	0	0	0	0	0	0

Note: sf = square feet

1. Trip generation based on Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017) Campground/RV Park (LU #416). No daily data available for occupied campsites. Daily trip generation was assumed to be 10 times the weekday PM peak hour trip generation

2. Trips are the same for the existing and proposed RV Park due to rounding to the nearest whole number.

Existing Transportation Conditions

The site is roughly bound by Market Street to the west, 6th Street to the north, and the Cap Sante Marina parking to the south. The existing RV Park is primarily accessed via Market Street and T Avenue. Internal to Cap Sante Marina there is a driveway near Rotary Park that provides access to both the RV Park and Marina parking.

Bike lanes are currently provided along Market Street with limited pedestrian facilities along the adjacent streets. The nearest transit stops to the RV park are along Q Avenue between 8th Street and 9th Street approximately 1,200-feet the site. Transit service is provided by Skagit Transit Route 410 with service between March's Point Park & Ride to the Washington State Ferry and Old Salts. Service is provided along SR 20, R Avenue, Q Avenue, 12th Street, and Oaks Avenue. Service is provided on weekdays from approximately 7 a.m. to 8 p.m. and Saturdays from approximately 8 a.m. to 5 p.m. Headways are one-hour on both weekdays and Saturdays.

Future Transportation Conditions

The proposed project would renovate the existing RV Park and no additional campsites would be added. No new trips would be generated by the project since the number of campsites remains the same. Therefore, the proposed project would not result in new off-site transportation impacts.

The primary access to the RV Park would remain the 6th Street/T Avenue intersection. Sidewalks would be constructed along the project frontage including the south side of 6th Street and the east side of Market Street as shown on Figure 2. Regrading would occur on the southwest corner of the 6th Street/T Avenue intersection making the slope in this area more gradual as it transitions to the sidewalk. A new internal driveway to the RV Park south of the 6th/T Avenue intersection aligning with the driveway to parking on the east side and internal sidewalks are proposed with the project.

Per the City's Level 1 traffic study guidelines, stopping and entering sight distance was calculated at the 6th Street/T Avenue intersection based on AASHTO's *A Policy on Geometric Design of Highways and Streets*. The stopping sight distance is the distance needed for a vehicle to safely stop before hitting an object in the roadway. The entering sight distance is the distance needed for vehicles to not disrupt¹ the traffic flow of the main roadway.

For the proposed project, Attachment A shows the stopping and entering sight distances for the west, east, and southeast approaches of the 6th Street/T Avenue intersection. Table 2 provides a summary of the stopping and entering sight distance analysis for both passenger cars and RVs.

Table 2. Summary of Stopping and Entering Sight Distance

Vehicle Type	Location	Stopping Sight Distance (feet)		Entering Sight Distance (feet)		
		Recommended ¹	Met?	Recommended ¹	Available ²	Met?
Passenger Car ³	West of T Avenue	200	Yes	335	247	No
	East of T Avenue	80	Yes	170	170	Yes
	Southwest of T Avenue	80	Yes	170	97	No
RV ⁴	West of T Avenue	200	Yes	420	372	No
	East of T Avenue	80	Yes	210	210	Yes
	Southwest of T Avenue	80	Yes	210	97	No

Note: ft = feet, mph = miles per hour

1. Recommended sight distance based on AASHTO's *A Policy on Geometric Design of Highways and Streets*, 7th Edition. The recommended distance assumes vehicle type as noted and design speed is 5 mph higher than the posted speed. The posted speed on 6th Street west of the intersection was taken from Anacortes Municipal Code and increased by 5 mph (i.e., a design speed of 30 mph). Design 6th Street to the east of the intersection and T Avenue southeast of the intersection are gravel roadways, and a maximum design speed of 15 mph was assumed.
2. Available sight distance was measured in the field or based on the proposed project site plan with regrading at the southwest corner of the 6th Street/T Avenue Intersection.
3. Assumes driver eye height of 3.5 feet in accordance with AASHTO.
4. Assumes driver eye height of 7.6 feet in accordance with AASHTO based on single unit trucks.

¹ "Disrupt" as defined per AASHTO means that "most major-road drivers should not need to reduce speed to less than 70 percent of their initial speed." (*A Policy on Geometric Design of Highways and Streets*, 6th Edition)

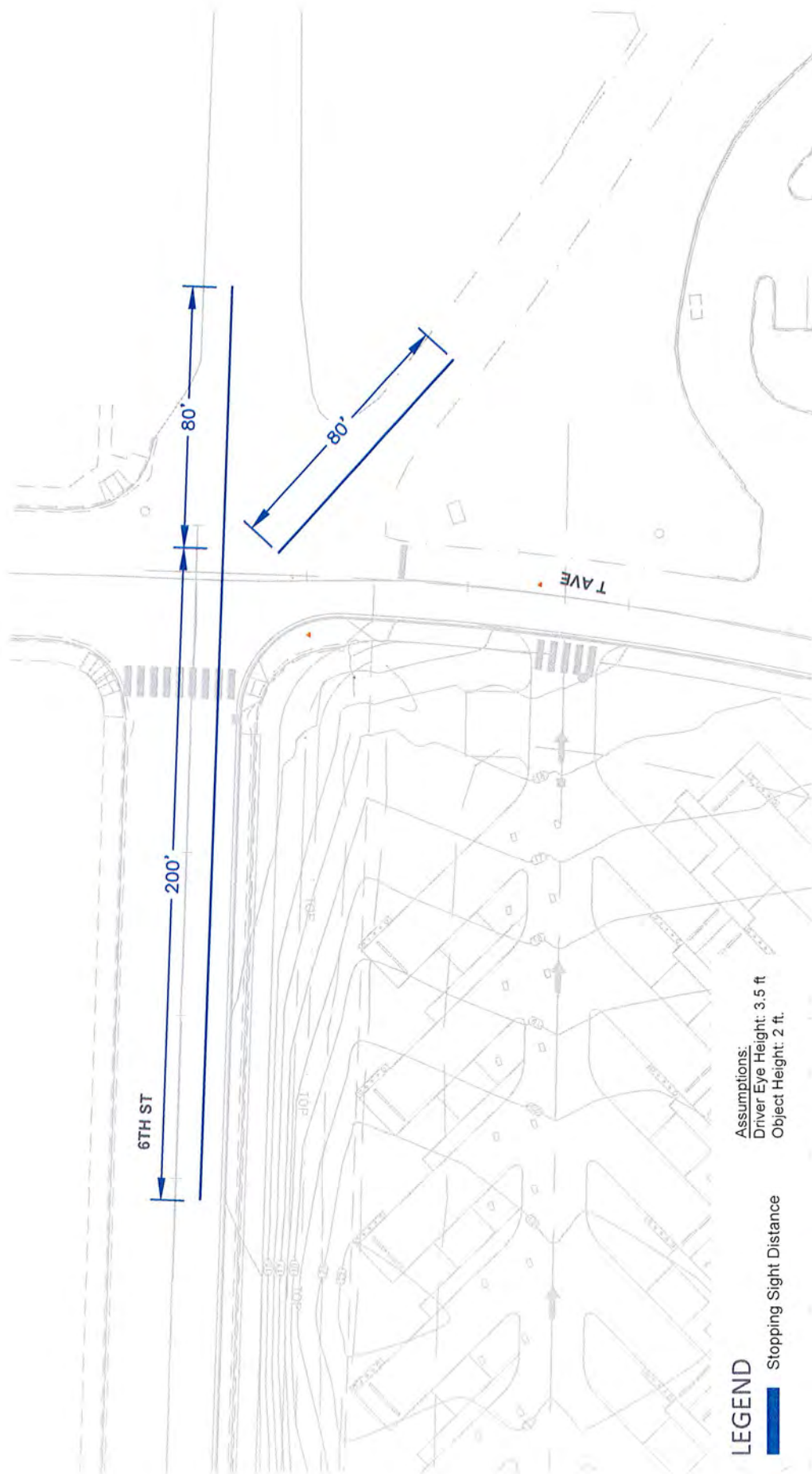
Table 2 shows the entering sight distance would not be met for cars and RVs looking west and southeast but is met looking east. The sight distance analysis considers the proposed slope of the hillside on the southwest corner of the intersection and the geometrics of the five-legged intersection with the stop bar setback on T Avenue. The proposal does not change the location of the stop bar or the geometrics of the five-legged intersection. Entering sight distance to the west of T Avenue is improved over the existing condition since the proposed project would cutback the hillside on the southwest corner. Since entering sight distance is less than recommended due to the configuration of the intersection and slope on the southwest corner, vehicles along 6th Street may need to slow as vehicles from the south T Avenue approach enter the traffic stream. The slowing of vehicles could result in some delay for the through traffic along 6th Street as vehicles from T Avenue enter the traffic stream. Entering sight distance is not currently met to the west so the potential slowing of vehicles along 6th Street with T Avenue vehicle entering the traffic stream is an existing condition. Traffic volumes along 6th Street are low and the impact to operations on 6th Street due to T Avenue vehicles entering the traffic stream would be minimal.

There is sufficient stopping sight distance for vehicles along on the west, east, and southeast intersection approaches. In addition, 6th Street curves as it approaches T Avenue so speeds may be slower resulting in a shorter AASHTO recommended entering sight distance than evaluated in this study. The proposed project represents an improved condition over the current entering sight distance since the southwest corner of the 6th Street/T Avenue intersection would be regraded reducing the slope and improving sight lines. A review of WSDOT reported collision data at the 6th Street/T Avenue intersection shows zero collisions between 2017 and 2019; therefore, there are no existing safety issues that have resulted in reported collisions.

Conclusion and Proposed Mitigation

The RV Park renovation would provide 25 campsites. The proposed project is not anticipated to result in new trips to the site. Stopping sight distance would be met and entering sight distance would be improved at the 6th Street/T Avenue intersection. The proposed project would construct sidewalk facilities along the project frontage. No off-site transportation impacts are anticipated as a result of the proposed project and no mitigation measures are required.

Attachment A: Sight Distance



ATTACHMENT

Cap Sante Marina North Basin Redevelopment

transpogroup 77



LEGEND

Required Entering Sight Distance

Available Entering Sight Distance*

*Note:
Available entering sight distance is only shown for approaches that do not meet the required sight distance.

Assumptions:

Driver Eye Height: 3.5 ft
Approaching Vehicle Height: 4.25 ft.
Setback from Stop Bar: 14 ft.

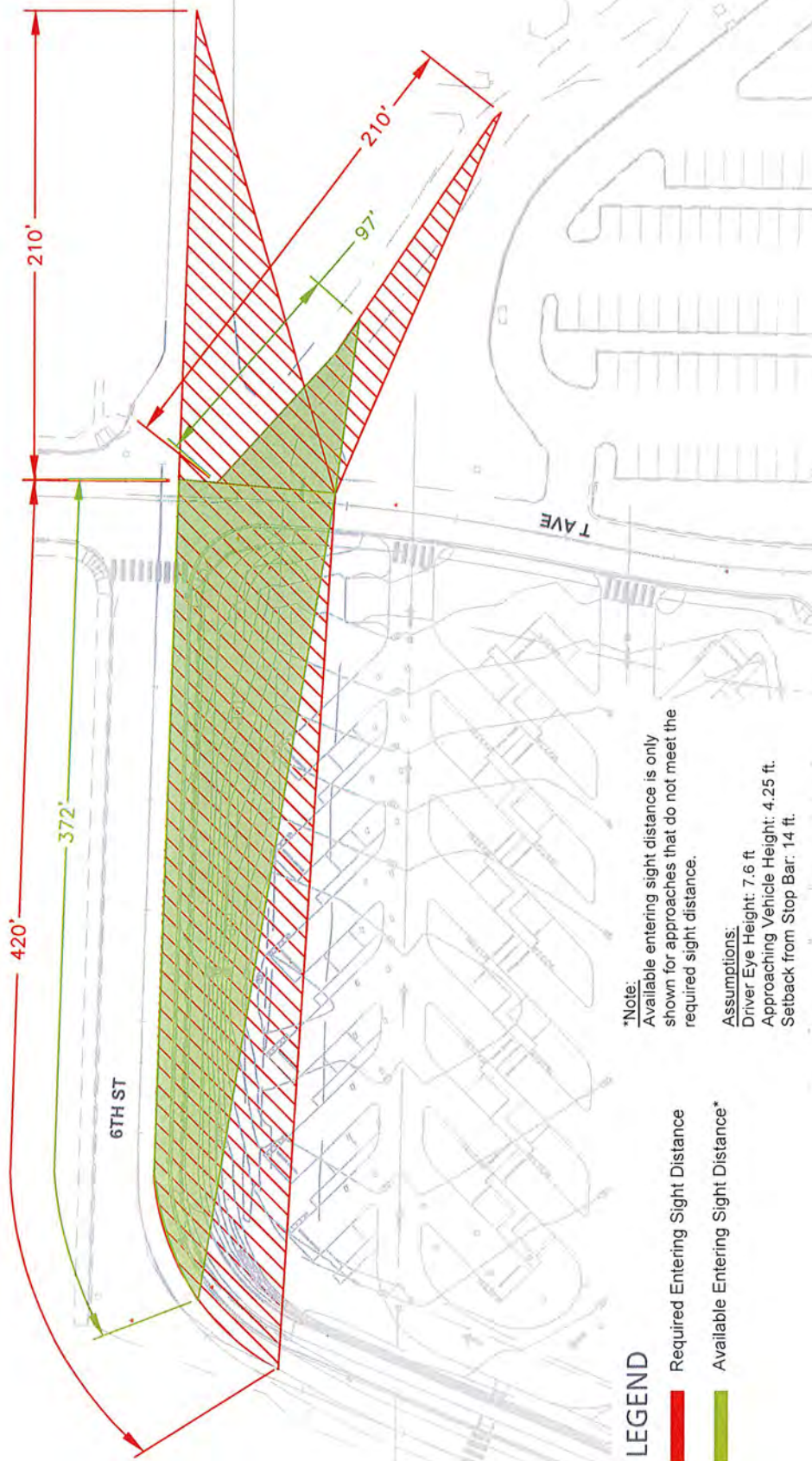
Entering Sight Distance - Passenger Cars

Cap Sante Marina North Basin Redevelopment

ATTACHMENT

transpogroup **7f**

A-2



LEGEND

 Required Entering Sight Distance

 Available Entering Sight Distance*

*Note:
Available entering sight distance is only shown for approaches that do not meet the required sight distance.

Assumptions:
Driver Eye Height: 7.6 ft
Approaching Vehicle Height: 4.25 ft
Setback from Stop Bar: 14 ft.

Entering Sight Distance - RVs

Cap Sante Marina North Basin Redevelopment

ATTACHMENT

transpogroup 

A-3

Preliminary Geotechnical Evaluation

North and West Basin Upland Redevelopment
Anacortes, Washington

for
Port of Anacortes

November 27, 2018



600 Dupont Street
Bellingham, Washington 98225
360.647.1510

Preliminary Geotechnical Evaluation
North and West Basin Upland Redevelopment
Anacortes, Washington

File No. 5147-029-00

November 27, 2018

Prepared for:

Port of Anacortes
100 Commercial Avenue
Anacortes, Washington 98221

Attention: Brenda Treadwell

Prepared by:

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1.0 INTRODUCTION AND SCOPE

This report presents preliminary geotechnical considerations related to the potential North and West Basin Upland Redevelopment of the Port of Anacortes (Port) Cap Sante Marina in Anacortes, Washington (see Vicinity Map, Figure 1). The redevelopment of this area has been identified as an important future area of development for the Port, and potentially includes new offices, a restaurant, events center, hotel, recreational vehicle (RV) park, public plaza, and an extension of the waterfront esplanade. Realignment of 9th Street is also a consideration for this project.

The purpose of this report is to provide preliminary geotechnical considerations for the type of development envisioned for the North and West Basin Upland Redevelopment. The scope of services included:

- compilation and review of geotechnical data at the site;
- complete a site visit to observe general condition of existing surface;
- preliminary geotechnical analyses related to ground performance under static and seismic loading;
- preliminary liquefaction evaluation based on existing information;
- provide discussion of preliminary foundation design concepts; and
- presentation of available geotechnical data and conclusions regarding foundation support and ground improvement strategies.

GeoEngineers' scope of work is presented in our Task Order 72-18 which was authorized by the Port on October 3, 2018. The conclusions presented in this report are presented for preliminary planning purposes only and are not intended for design. The site has complex subsurface conditions, particularly related to depth to foundation bearing layers, seismic ground response, liquefaction and lateral spreading, and consolidation of the very soft clays under foundation loading. Therefore, site specific analyses will be required once specific sites and projects are identified.

2.0 PREVIOUS STUDIES

As part of this evaluation, GeoEngineers reviewed available geotechnical reports completed for previous projects with explorations within and adjacent to the proposed development area. The locations of the previous explorations reviewed are shown in the Existing Information Site Plan, Figure 2. The reports reviewed are listed below:

- The logs of eight borings (B-1 through B-8) and six test pits (TP-1 through TP-6): GeoEngineers, Inc. 2008. "Geotechnical Engineering Services, Proposed McKee West Development, 910 10th Street, Anacortes, Washington." GEI File No. 16563-001-00. July 11, 2008.
- The logs of one borings (B1) and 6 Test Pits (TP-1 through TP-5 and TP-M1): Merit Engineering, Inc. 2005. "Geotechnical Engineering Investigation, Proposed Condominiums, 9th Street and R Avenue, Anacortes, Washington." June 1, 2005.
- The log of one boring (B-05-02) and one CPT (CPT-05-02): PanGEO 2005. "Cap Sante Boat Haven Marina, Anacortes, Washington." Job Number 04-076.

- Sheet S-601, Headwalk and Docks E&F Installation and Pile Plan, “Port of Anacortes, Cap Sante Boat Haven, West Basin Redevelopment Project, E&F Docks Replacement – Project CSBH-08D, Demolition and Docks E& F Construction.” May 2012.
- Historical photos obtained from the Anacortes Museum, presented in Figures 4 through 6.

3.0 SITE CONDITIONS

GeoEngineers completed a brief visual site reconnaissance on November 7, 2018. The North Basin consists of a paved parking area, Port bathroom and laundry facility and a large gravel parking lot that is raised above surrounding grades. We observed some minor (approximately 1-inch) settlement of the sidewalk adjacent to the bathroom building. Along the western edge of the North Basin along R Avenue there is a historic rail building and newer Anacortes Museum building. The historic rail building had a few areas where brick repairs had been completed, indicative of differential settlement. Foundations for the new museum building was observed to be in good condition with no readily apparent settlement or cracking. Historic rail lines are still present at site grades.

The northern end of the West Basin (NW corner of 9th Street and R Avenue) is an open field that is currently used as a dog park. The West Basin consists of the Harbormaster Building with paved parking, and adjacent gravel parking to the northwest at a slightly lower grade. We observed approximately 1 to 1½ inches of settlement surrounding the pile supported Orca Fin sculpture just south of the Harbormaster Building.

The shoreline along both basins is lined with a sidewalk and short retaining walls or rockeries.

The North and West Basins were created by filling tidal areas. Original development included a railroad trestle/embankment across tidal mudflats (see Figures 4 through 6). Filling was likely accomplished by a variety of methods including placement of dredged material from the adjacent waterway and conventional land-based filling closer to shore.

Most existing structures were/are supported on pile foundations. The early era structures also typically had/have timber pile foundation support. Most of the piles in the offshore area gain capacity as friction piles.

3.1. Environmental Considerations

As a result of the historic site use, portions of the site may be affected by soil, groundwater and/or sediment contamination, the extent to which is currently unknown. Site soils where earthwork will take place will need to be classified to determine appropriate disposal options. This report does not address contamination issues. However, the potential presence and impact of contamination was considered in the selection of ground improvement and foundation support alternatives.

3.2. Geology and Generalized Subsurface Conditions

We reviewed a Washington Department of Geology and Earth Resources map “Geologic Map of the Bellingham 1:100,000 Quadrangle, Washington,” by Lapen (2000). The geologic deposits in the project vicinity are the result of both glacial and non-glacial processes that have occurred during the last 12,000 years, and recent modified land by human activity. The most recent glacial events include the

Vashon and Sumas Stades of the Fraser Glaciation and the intervening Everson Interstade. The Vashon and Sumas Stades were periods of glacial advancement, and the Everson Interstade was a period of glacial retreat. Sea level fluctuated significantly in response to the glacial advance and retreat (melting), relative to the land surface and present day sea level.

The geologic maps indicate that the project site is in an area mapped as artificial fill, which generally occurred in the 1950s. The site is a previous beach and intertidal area and therefore the upper native soils are a combination of beach and intertidal deposits. The other known geologic units in increasing age include, recessional marine drift, glacially consolidated sand and gravel and bedrock. The various geologic units and generalized geotechnical properties interpreted based on review of existing data are discussed below.

3.2.1. Artificial Fill

Fill in the project vicinity is typically on the order of 8 to 22 feet thick and is variable in composition, ranging from clay derived from dredging and variable silt, sand, clay and debris from upland sources. The fill is generally loose/soft, compressible, with low shear strength, and the granular zones are moderately to highly susceptible to soil liquefaction below the water table. Scattered zones of organic matter, wood shavings and wood debris were encountered in some previous site explorations.

3.2.2. Beach/Estuarine Deposits

Beach and estuarine deposits (all included as beach deposits for discussion purposes in this report) are quite variable in character and range from loose sand and silty sand to soft silt and clay. These deposits are generally about 10 to 15 feet thick over most of the western basin, but were encountered up to 30 feet thick (extending 55 feet below ground surface [bgs]) at the south end of the west basing in B-05-02. We only have one data point in the north basin for which the beach deposits appear to extend to approximately 30 feet bgs. The beach/estuarine deposits are highly compressible, with low shear strength, and the granular zones are highly susceptible to liquefaction as discussed in the "Seismic Hazard Areas" section of this report.

3.2.3. Recessional Marine Drift

Recessional marine drift is a glaciomarine drift deposit which consists of unsorted, unstratified silt and clay with varying amounts of sand, gravel, cobbles and occasional boulders. Recessional marine drift is derived from sediment melted out of floating glacial ice that was deposited on the sea floor. This unit was encountered in most of the borings and test pits west of Q Avenue just outside the project footprint. This unit in upland areas is typically stiff but often grades soft with depth.

3.2.4. Glacially Consolidated Soils

Glacially consolidated soils were encountered below the fill, beach deposits and recessional marine drift (where present). The glacially consolidated soils are not specifically identified on the previous boring logs; however, "glacial till" or "till" is identified in selected samples. The glacially consolidated soils typically consist of glacial till and Whidbey Formation. Glacial till consists of dense to very dense heterogeneous mixture of sand, gravel, cobbles and occasional boulders in a silt and clay matrix. The glacial till was deposited beneath a glacier, subsequently overridden, and glacially consolidated. Deposits of the Whidbey Formation generally consist of fine grained interbedded sand, silt, and clay with minor lenses of

coarse sand and gravel. When encountered below glacial till, the Whidbey Formation sediments are consolidated from the pressures experienced by overlying glacial till as it was glacially overridden.

3.2.5. Groundwater

The groundwater conditions are typical of an intertidal fill zone and will vary as a function of location, material type, season, distance and influence from tide, and other factors. Groundwater was typically observed in explorations on the order of 8 to 20 feet bgs. For planning purposes only, the groundwater elevation across most of the site can be assumed to be near the ordinary high water elevation and tidally influenced within approximately 200 feet of the shoreline.

4.0 GEOLOGICALLY HAZARDOUS AREAS AND MITIGATION

Geologically hazardous areas are designated by the City of Anacortes Critical Areas Ordinance (CAO per Anacortes Municipal Code 19.70.400 – 19.70.450). In general, the CAO requires that a qualified professional assess the geologic hazards based on review of available information and field studies, evaluate the specific project proposal with respect to relationship and impact on the hazard area and adjacent sites if appropriate, and provide minimum buffers and setbacks and provide mitigation strategies where appropriate for specific geologic hazards. The geologically hazardous areas defined in the code include erosion, landslide, seismic and tsunami. Sea level rise is not a defined hazard in the CAO, but is included in this section for discussion purposes. Geologic hazards are shown in Figure 3.

4.1. Erosion Hazard Areas

Erosion hazard areas are defined by the CAO as areas prone to soil erosion including:

- Areas identified in soil unit maps of the U.S. Department of Agriculture Soil Conservation Natural Resources Conservation Service as having “moderate to severe,” “severe,” or “very severe” rill and inter-rill erosion hazard.

The site is adjacent to Cap Sante Marina and does have soil types and slopes that would be defined as an erosion hazard area by the CAO. Additionally, an erosion hazard would exist if soils are disturbed during the earthwork phase of construction.

The primary erosion hazard at the site is from temporary conditions created during construction and proper protection of final permanent slopes. Temporary erosion control measures and best management practices (BMPs) are required during construction under current regulations to mitigate on-site and off-site erosion potential. During construction, the contractor would be subject to Ecology regulations which require performance based testing of turbidity at all discharge points. Proper construction practices and monitoring procedures will manage the risks to the standard of practice and meet mitigation requirements. Permanent erosion protection will be required on new slopes by addition of vegetation or erosion resistant surfacing.

4.2. Landslide Hazard Areas

Landslide hazard areas are defined by the CAO as those susceptible to landslides and/or subsidence that could include movement of soil, fill materials, rock or other geologic strata. The site is not identified in an area with known landslide hazards. There is a slope to the east of the North Basin; however, it is typically

less than 35 percent in slope angle and mapped as rock. Therefore, there are not identified slopes that are understood to constitute a landslide hazard and require mitigation the development project. The shoreline has slopes that exceed 35 percent and we anticipate that deep foundations and/or ground improvement for proposed structures will serve as mitigation for these slopes. Armored shoreline slopes are protected from erosion as discussed above.

4.3. Seismic Hazard Areas

Seismic hazard areas are defined by the CAO as those areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction, lateral spreading or surface rupture. Specific areas of seismic hazard include:

1. Areas mapped as having “high” and “moderate to high” risk of liquefaction.
2. Areas within ¼-mile of an active fault.

The site meets the definitions of a seismic hazard area and development would thereby need to be addressed in accordance with the CAO.

4.3.1. Site Seismicity

The site is located within the Puget Sound region, which is seismically active. There is a fault mapped through the middle of the North Basin as shown in Figure 3. The fault is described as “unknown offset – identity and existence certain, location concealed” on the Washington Geologic Information Portal 1:100,000 scale map. Risk of surface rupture should be evaluated further depending on final selected locations of proposed structures.

4.3.2. Seismic Design

Local and national building codes include seismic design provisions. The current code is the 2015 International Building Code (IBC) and incorporates the most recent seismic provisions that are applicable to this site. Using this code for design will incorporate appropriate mitigation strategies. Some, if not most, of the proposed building sites will be defined as Site Class F because of the liquefaction potential; however, structures with fundamental periods of vibration equal to or less than 0.5 seconds (typical of smaller 1 to 3 story structures) may be classified and designed as Site Class E. Typical foundation strategies that meet mitigation requirements have been included in the “Foundation Considerations” section of this report.

4.3.3. Liquefaction and Lateral Spreading

Liquefaction is a phenomenon where soils experience a rapid loss of internal strength as a consequence of strong ground shaking. Loss of bearing support, ground settlement, lateral spreading and/or sand boils may result from liquefaction. Conditions favorable to liquefaction occur in very loose to medium dense, clean to moderately silty sand that is below the groundwater level. Dense soils or soils that exhibit cohesion are less likely to be susceptible to liquefaction.

The results of our preliminary analyses indicate that portions of the loose to medium dense sandy fill and native beach/intertidal soils encountered in the reviewed site explorations have a moderate to high potential for liquefaction during a design earthquake event. Our preliminary analyses indicate that settlements caused by liquefaction of the typical saturated loose to medium dense sand layers at this site

during a design earthquake range from a few inches up to 1 foot or greater. Additional explorations and laboratory testing can reduce uncertainty of the range of computed settlements and to determine site specific mitigation.

In addition to settlements, there is the possibility that lateral spreading of the soils could occur as a result of soil liquefaction. Lateral spreading involves lateral displacement of large, surficial blocks of non-liquefied soil, as well as the liquefied soil itself, as the underlying soil layer liquefies. Lateral spreading generally develops in areas where sloping ground is present or near a free face, such as the Cap Sante Marina waterfront. If liquefaction were to occur within the upper soils at the site, we anticipate that there would be a moderate potential for lateral spreading to occur, characterized by movement of the soils towards the waterway. We do not have adequate information at this time to determine the magnitude of lateral spread displacements. This condition will warrant site specific studies once individual projects have been identified.

4.4. Tsunami

The West Basin is identified as impacted by potential tsunami inundation as a result of a large earthquake in the Pacific Ocean basin. The available modeling suggests that a magnitude 9.1 Cascadia Subduction Zone earthquake could generate a tsunami that could cause water inundation of about 1 to 4 feet across the West Basin at present site elevations. This risk should be considered during design and grading planning.

4.5. Sea Level Rise

As noted, sea level rise is not a defined hazard in the CAO. The understanding of sea level rise within the scientific, policy, and regulatory communities is rapidly changing because of the changes in understanding of the potential impact of ice loss from the Greenland and Antarctica ice sheets. The predicted Pacific Northwest sea level rise by 2050 in the most recent references is in the range of about ½ to 1 foot, although some extreme scenarios predict up to 2 feet. The range of predictions widens significantly by year 2100. We recommend that the tsunami and sea level rise be considered when planning the finished floor elevation for the proposed projects.

5.0 FOUNDATION CONSIDERATIONS

Foundation support for new structures will depend on land use, site specific subsurface conditions, building specific design elements, and other factors. Most of the site is underlain by fill and beach deposits with a high liquefaction potential and very soft clay/silt with a high settlement potential. Therefore, special foundations and/or ground improvement will likely be required for most structure types. Most of the existing and past buildings along the waterfront have been pile supported. Alternatively, some ground improvement techniques may be suitable for support of infrastructure in this waterfront environment. Either piles or ground improvement could be designed to serve as mitigation for the mapped fault. These two approaches are discussed in more detail below.

5.1. Pile Foundations

Pile foundations provide structure support through the loose liquefiable and soft compressible soils, and are considered adequate for mitigation of earthquake hazards associated with ground movement. This

technique does not stabilize the ground around a pile supported building, so the connections to surrounding infrastructure can be compromised as a result of a large earthquake.

Pile foundations at this site would extend through the potentially liquefiable soils and soft compressible soils, gaining capacity in skin friction in the clay and/or end-bearing on the underlying glacially consolidated layer. Any new pile foundation design must include the effects of downdrag loads. New piles will offer some lateral resistance for the buildings to resist the effects of lateral spreading. Driven piles will likely be the preferred piles at the site because they displace soils rather than generate soil cuttings, and can be driven to relatively high capacities to the dense underlying glacial soil units. Considering the variable conditions across the site, driven piles also offer the advantage of the ability to confirm adequate bearing layer has been reached during driving. Generally, timber, steel H-pile, or steel pipe piles have been used and will likely be preferred options depending on the type of building, building loads, and depth to the bearing strata. Augercast piles are feasible and have been used in the project vicinity to support existing structures; however, because drilled piles generate soil cuttings, they would require careful management of potentially contaminated drill spoils, sediment, and erosion control adjacent to the marina.

It will be necessary to use sufficient piles to resist lateral seismic loads or lateral spreading loads, or the use of ground improvement (discussed below) may be required to densify the soil to provide improved lateral resistance.

5.2. Ground Improvement

The purpose of ground improvement at waterfront sites can be four-fold: (1) to reduce settlement under static conditions resulting from the newly imposed structural loads; (2) to reduce post-seismic settlement resulting from liquefaction of loose saturated foundation soils; (3) to densify loose/soft soils under structures or waterward of structures to provide suitable static and seismic stability and reduce deformation associated with lateral spreading; and (4) improve soils around pile foundations to provide additional lateral pile resistance.

Ground improvement methods such as vibro-compaction, vibro-replacement, timber compaction piles, compaction grouting, soil mixing, deep dynamic compaction, and blast densification are available techniques to improve performance of the site soils. Some of these techniques are likely not suitable considering the location, high groundwater conditions, and other factors. For planning purposes, we focused on vibro-compaction/stone columns, which is a common waterfront ground improvement technique that mitigates liquefaction impacts and provides adequate foundation support for lightly loaded structures.

5.2.1. Stone Columns

Vibro-replacement (more typically referred to as stone columns, aggregate piers, or Geopiers™) is a common ground improvement technique that would generally meet the mitigation goals/foundation support requirements for most light to moderately loaded structures. This technique is typically one of the more cost effective methods of ground improvement. Additional analyses of stone columns will be required during design to determine the specific amount of ground improvement (replacement ratio and depth) that will be necessary to meet the project needs. This type of ground improvement method is typically satisfactory to mitigate liquefaction and support low-rise structures that can then be designed

using conventional shallow foundation and slab-on-grade techniques. A slightly higher allowable bearing pressure can oftentimes be used to help off-set some of the ground improvement costs.

Construction of stone columns involves the displacement of loose/soft, soils by installation of vertical columns of compacted stone. Typically, a hollow tube or probe is vibrated, jetted or driven into the ground to the desired depth. As the tube or probe is withdrawn, crushed stone is fed into the hole and compacted. The end result is a column of dense stone which penetrates through the loose/soft unsuitable soil and is capable of transferring loads into the underlying competent soils. Vibration resulting from the installation method also densifies surrounding granular soil deposits. The presence of the column creates a composite material of lower overall compressibility and higher shear strength than the native soil alone. Confinement of the stone is provided by the lateral stress within the densified loose/soft soils. As loads are applied, the stone column and soft soil move downward together, resulting in transfer of the majority of the load to the stone column.

Depending on location at this site, the stone columns could extend through the liquefiable fill and beach deposits or create a zone of improved soil in the upper portion of these units. The depth of these units is discussed above and is variable across the site with the thicker deposits toward the Marina. Based on our experience, stone column spacing on the order of 7 to 10 feet is typical within a building footprint, providing about 25 percent to 15 percent (respective) replacement ratio for 42-inch-diameter stone columns. A closer spacing is used under perimeter spread footings and isolated columns to buildings. Typically, the area in which stone columns are installed extends at least 10 to 20 feet (one to two rows) laterally beyond the edges of buildings.

5.3. Proposed Structure Considerations

For planning purposes we would anticipate the following support strategies for the proposed hotel, office/event center, and restaurant structures, as well as for parking roadways.

5.3.1. Hotel (North Basin)

- Driven steel pipe piles or drilled augercast piles extending into glacially consolidated soils/bedrock.
- Structurally supported floor slab.
- Because of the depth of liquefiable/soft soil ground improvement has not been assumed for direct support of this structure. Ground improvement could still be required to improve building performance depending on building height and footprint, potential for lateral spreading, and other factors.
- Pile lengths for this structure could be variable. Deep explorations in this area extending to bearing layers were not available. Without any other information assuming pile lengths of 50 to 60 feet should be suitable for cost estimating purposes at this time.

5.3.2. Port Offices and Event Center (North/West Basin)

- The nearby boring B1 (Merit Engineering) indicates that a competent bearing layer is approximately 20 feet bgs. This structure could be supported on either:
 - short steel, timber or augercast piles, with structurally supported floor slab or;
 - ground improvement with shallow spread footings or a mat foundation.

- Ground improvement depths and pile lengths for this structure could be variable. Deep explorations extending to bearing layers were not available in this area toward the marina. We would recommend using 30 to 40 feet for estimating purposes at this time.

5.3.3. Restaurant (West Basin)

- Driven steel pipe piles or drilled augercast piles extending into glacially consolidated soils/bedrock.
- Structurally supported floor slab.
- Because of the depth of liquefiable/soft soil ground improvement has not been assumed for direct support of this structure. Ground improvement could still be required to improve building performance depending on building height and footprint, potential for lateral spreading, and other factors.
- Building floor elevation should consider mapped tsunami elevation.
- Pile lengths for this structure could be variable. Boring B-05-02 indicates that the glacially consolidated soils are 55 feet bgs. The nearby marina piles are 80 feet long based on pile driving records. Without additional information, we recommend using 70 feet for cost estimating purposes at this time.

5.3.4. Parking and Roadways

- Based on historical site use and near-surface soil conditions, proposed at-grade parking areas will likely have adequate support. Increasing grade in the west basin will result in settlement and the influence on existing utilities and adjacent infrastructure should be considered.
- Roadway realignment may require some over-excavation and replacement for subgrade stabilization. A geotextile fabric for separation and strength placed over the subgrade prior to the fill should be included in cost estimating.

6.0 FUTURE STUDIES

For planning purposes, we recommend the following explorations be completed as part of future studies at the site:

- Hotel: Three borings to bearing layer (estimate 80-foot borings)
- Port Office and Event Center: Two borings to bearing layer (estimate 60-foot borings)
- Restaurant: One boring to bearing layer (estimate 80-foot boring)
- Parking and Roadway Areas: Four to six shallow borings (estimate 10- to 15-foot borings)

7.0 REFERENCES

Anacortes Municipal Code. "A Codification of the General Ordinances of the City of Anacortes, Washington."

Lapen, T.J., 2000. "Geologic Map of the Bellingham 1:100,000 Quadrangle, Washington." Washington Division of Geology and Earth Resources, Open File Report 2005-5.

Tsunami Hazard Maps of the Anacortes – Bellingham Area, Washington – Model results from a ~2,500-year Cascadia Subduction Zone Earthquake Scenario. Washington Geological Survey Map Series 2018-02, June 2018.

Washington Geologic Information Portal, <https://geologyportal.dnr.wa.gov/> accessed November 11, 2018.

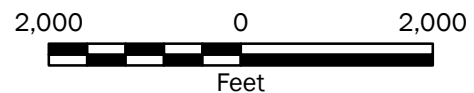
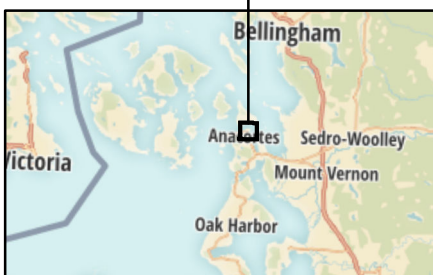
8.0 LIMITATIONS

We have prepared this report for the Port of Anacortes, for the identified North and West Basin Upland Redevelopment planning in Anacortes, Washington. The Port of Anacortes may distribute copies of this report to authorized agents and regulatory agencies as may be required for the Project.

Within the limitations of scope, schedule and budget, our services have been executed in accordance with generally accepted practices for geotechnical engineering in this area at the time this report was prepared. The conclusions, recommendations, and opinions presented in this report are based on our professional knowledge, judgment and experience. No warranty, express or implied, applies to the services or this report.

Any electronic form, facsimile or hard copy of the original document (email, text, table, and/or figure), if provided, and any attachments should be considered a copy of the original document. The original document is stored by GeoEngineers, Inc. and will serve as the official document of record.

Please refer to the appendix titled "Report Limitations and Guidelines for Use" for additional information pertaining to use of this report.



Vicinity Map

Preliminary Geotechnical and Habitat Evaluation Anacortes, Washington



Figure 1

Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: Mapbox Open Street Map, 2016

Projection: NAD 1983 UTM Zone 10N

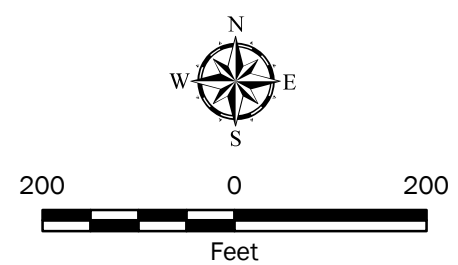


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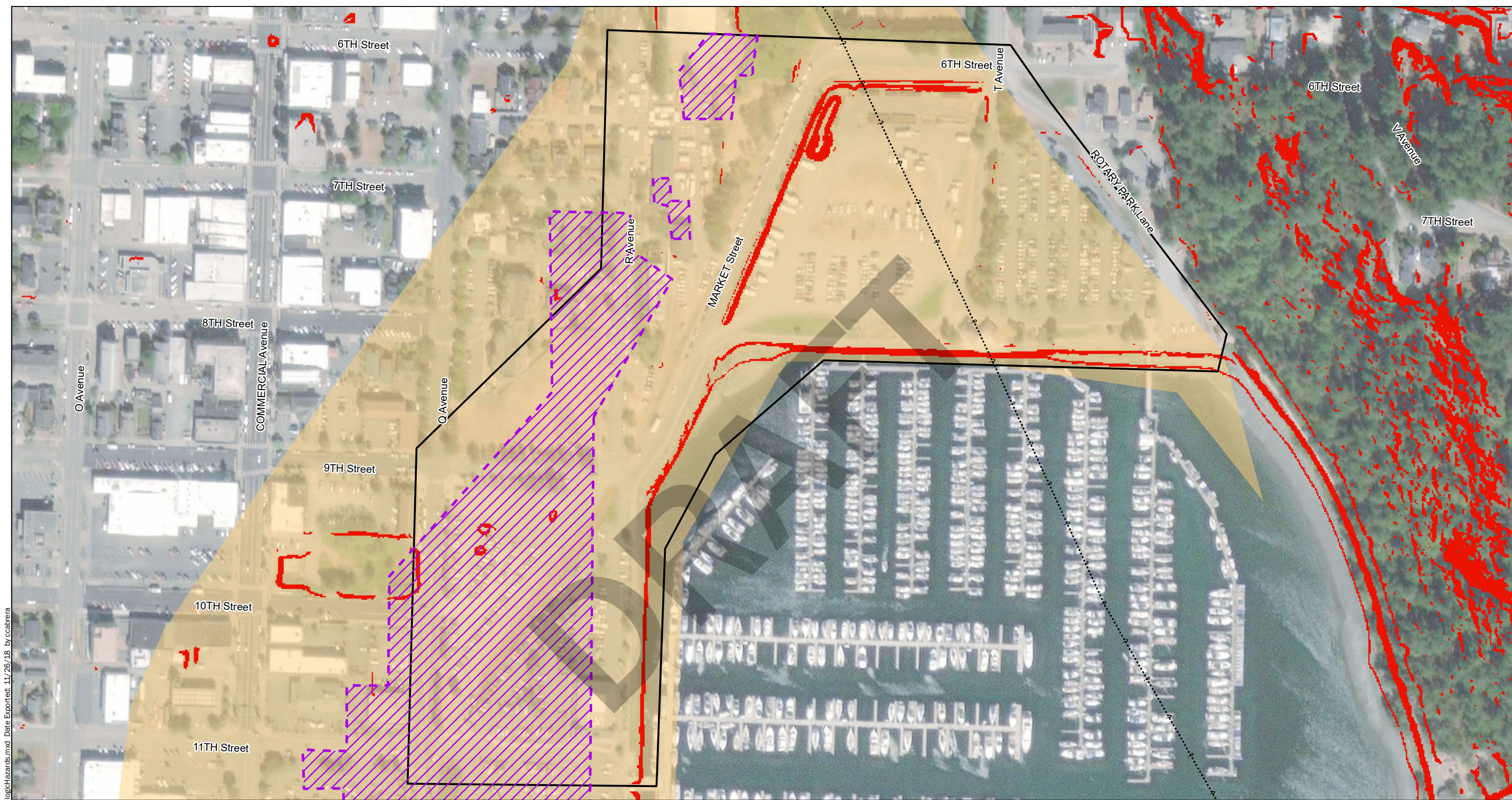
Notes:
1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.
Data Source: Slope generated from North Puget Sound Lidar, 2017. Fault from Wa DNR 100K Geology. Liquefaction from Skagit County.

Projection: NAD 1983 StatePlane Washington North FIPS 4601 Feet

- Legend**
- | | |
|--------------------------------|---|
| Site Boundary | CPT, PanGeo Consulting 2005 |
| Boring, GeoEngineers 2008 | Boring, Merit Engineering 2005 |
| Test Pit, GeoEngineers 2008 | Test Pit, Geotext 2003 and Merit Engineering 2005 |
| Boring, PanGeo Consulting 2005 | |



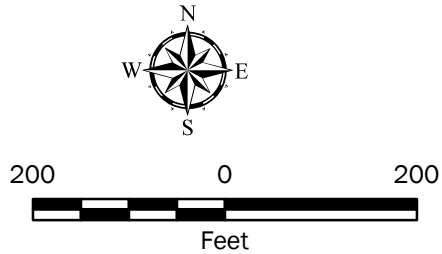
Existing Information Site Plan	
Preliminary Geotechnical Evaluation North and West Basins Anacortes, Washington	
	Figure 2



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Notes:
1. The locations of all features shown are approximate.
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Data Source: Slope generated from North Puget Sound Lidar, 2017. Fault from Wa DNR 100K Geology. Liquefaction from Skagit County. Tsunami inundation area from NOAA and WDNR, June 2018, <https://www.dnr.wa.gov/programs-and-services/geology/geologic-hazards/geologic-hazard-maps#tsunami-inundation>
Projection: NAD 1983 StatePlane Washington North FIPS 4601 Feet

- Legend**
- Site Boundary
 - Fault - Location Concealed
 - Slope >35%
 - High Liquefaction Susceptibility
 - Generalized Tsunami Inundation Approximate Area



Geologic Hazards	
Preliminary Geotechnical Evaluation North and West Basins Anacortes, Washington	
	Figure 3



Notes:

- 1. The locations of all features shown are approximate.
- 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: Photograph Courtesy of the Anacortes Museum. D.X.092 Anacortes aerial across Cap Sante to Ship Harbor, c. 1940

Historical Photographs	
Preliminary Geotechnical and Habitat Evaluation Anacortes, Washington	
	Figure 4



Notes:

- 1. The locations of all features shown are approximate.
- 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: Photograph Courtesy of the Anacortes Museum. D.X.104 Aerial view of Cap Sante and Anacortes Business District.

Historical Photographs	
Preliminary Geotechnical and Habitat Evaluation Anacortes, Washington	
	Figure 5



Notes:

- 1. The locations of all features shown are approximate.
 - 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document.
- GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.
- Data Source: Photograph Courtesy of the Anacortes Museum, Wallie Funk Collection. WF 5597.A, B – Aerial View of Morrison Mill, Cap Sante Marina.

Historical Photographs	
Preliminary Geotechnical and Habitat Evaluation Anacortes, Washington	
	Figure 6

APPENDIX A

Report Limitations and Guidelines for Use

DRAFT

APPENDIX A

REPORT LIMITATIONS AND GUIDELINES FOR USE¹

This appendix provides information to help you manage your risks with respect to the use of this report.

Report Use and Reliance

This report has been prepared for the Port of Anacortes. GeoEngineers structures its services to meet the specific needs of its clients. No party other than Port of Anacortes may rely on the product of our services unless we agree to such reliance in advance and in writing. Within the limitations of the agreed scope of services for the Project, and its schedule and budget, our services have been executed in accordance with our Agreement with the Client dated October 2, 2018 and generally accepted geotechnical practices in this area at the time this report was prepared. We do not authorize, and will not be responsible for, the use of this report for any purposes or Projects other than those identified in this report.

If changes to the Project or property occur after the date of this report, GeoEngineers cannot be responsible for any consequences of such changes in relation to this report unless we have been given the opportunity to review our interpretations and recommendations in the context of such changes. Based on that review, we can provide written modifications or confirmation, as appropriate.

Information Provided by Others

GeoEngineers has relied upon certain data or information provided or compiled by others in the performance of our services. Although we use sources that we reasonably believe to be trustworthy, GeoEngineers cannot warrant or guarantee the accuracy or completeness of information provided or compiled by others.

Conditions Can Change

This report is based on conditions that existed at the time the study was performed. The findings and conclusions of this report may be affected by the passage of time, by events such as construction on or adjacent to the site, new information or technology that becomes available subsequent to the report date, or by natural events such as floods, earthquakes, slope instability or groundwater fluctuations. If more than a few months have passed since issuance of our report or work product, or if any of the described events may have occurred, please contact GeoEngineers before applying this report for its intended purpose so that we may evaluate whether changed conditions affect the continued reliability or applicability of our conclusions and recommendations.

Professional Judgment

It is important to recognize that the geoscience practices (geotechnical engineering, geology and environmental science) rely on professional judgment and opinion to a greater extent than other engineering and natural science disciplines, where more precise and/or readily observable data may exist. To help clients better understand how this difference pertains to its services, GeoEngineers includes these explanatory “limitations” provisions in its reports. Please confer with GeoEngineers if you need to know how these “Report Limitations and Guidelines for Use” apply to your Project or site.

¹ Developed based on material provided by GBA, GeoProfessional Business Association; www.geoprofessional.org.

November 20, 2018

Port of Anacortes
100 Commercial Avenue
Anacortes, Washington 98221

City of Anacortes
*Planning, Community &
Economic Development*

Date Received:
4/5/21

CUP-2021-0001

Attention: Brenda Treadwell, Director of Planning, Properties and Environmental

Subject: Letter Report
Preliminary Habitat Evaluation
North and West Basin Upland Redevelopment
Anacortes, Washington
File No. 5147-029-00

This letter summarizes the results of a preliminary habitat evaluation completed by GeoEngineers, Inc. (GeoEngineers) for the Port of Anacortes' (Port's) proposed North and West Basin Upland Redevelopment project (project) in Anacortes, Washington as shown in the Vicinity Map, Figure 1. The proposed project includes a new restaurant, Port offices, events center, hotel, recreational vehicle (RV) park, public plaza and an extension of the waterfront esplanade. Realignment of 9th Street is also a consideration.

GeoEngineers' biologists conducted a site reconnaissance on November 13, 2018 at the project site, within the assessment area shown in Appendix A. Prior to the site reconnaissance, a file review of publicly available data and maps identifying critical area features and relevant sections of the City of Anacortes (City) code was completed. This letter summarizes information from the file review and site reconnaissance.

SUMMARY AND RECOMMENDED NEXT STEPS

Review of publicly available information and a site reconnaissance identified a marine shoreline and saltmarsh habitat within the marina basin and a freshwater emergent and scrub-shrub wetland in the northwest corner of the proposed project area. In addition, a mature forest habitat (Cap Sante Park) was identified east of the project area, where no development is proposed. The majority of the project area is already developed with multiple parking lots and commercial and residential buildings. Trees, shrubs and grasses are present, but they are mostly ornamental species located within isolated landscaped areas. The project will be subject to the City of Anacortes Shoreline Master Plan (SMP) (Anacortes Municipal Code [AMC] 18.16) and Critical Areas Code (AMC 17.70) including AMC requirements for riparian vegetation in areas abutting the marine shoreline (AMC 17.70.580). Portions of the proposed project located within 200 feet of the OHWM of the marine shoreline, are within shoreline jurisdiction and are subject to review under the City SMP and development within areas abutting the marine shoreline are subject to a shoreline setback of 25 feet.

We recommend that a formal ordinary high water mark (OHWM) determination be completed within the project area to establish jurisdiction for the City's SMP (for any proposed work above the OHWM) and to establish Washington Department of Fish and Wildlife's (WDFW's) jurisdiction (for any potential proposed work below the OHWM). If the proposed RV park improvements are the closest proposed action to the wetland, this may trigger the need for a formal wetland delineation because those improvements are within 300 feet of the emergent and scrub-shrub wetland (AMC 17.70.330(B)). However, the City may consider the proposed RV improvement area as functionally separated from the wetland by Market Street and not require a formal wetland delineation. We recommend reviewing proposed improvements adjacent to the wetland with City Planning to confirm the need for a wetland delineation report before proceeding. In addition, we recommend that the Port schedule a pre-application meeting with City Planning to confirm the required reviews, assessments and development standards within shoreline jurisdiction and adjacent to wetlands.

FILE REVIEW

Maps and data reports from the file review are included in Appendix B, Background Maps and Data.

The US Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) map depicts estuarine and marine, freshwater emergent, and freshwater forested/scrub-shrub wetlands within the assessment area (USFWS, 2018). We observed estuarine salt marsh and freshwater scrub-shrub wetlands during the site reconnaissance (see below). FPARS, SalmonScape and City of Anacortes critical areas maps do not map streams within the assessment area (WDFW, 2018a; FPARS, 2018).

The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey maps the majority of the project area as Xerorthents, 0 to 5 percent slopes (NRCS, 2018), which is a soil on the national hydric soils list (NRCS, 2015). A small section in the northeastern part of the project area is mapped as Fidalgo-Lithic Xerochrepts – rock outcrop complex, 3 to 30 percent slopes (NRCS, 2018), a soil that is not on the national hydric soils list (NRCS, 2015). Within the assessment area, the Federal Emergency Management Agency (FEMA) National Flood Hazard Mapper depicts areas within approximately 150 feet of the marine shoreline OHMW as within a special flood hazard area, Zone AE¹ (100-year floodplain) (FEMA, 2018). The remaining assessment area is mapped as an area of minimal flood hazard (Zone X) (FEMA, 2018). The base flood elevation (BFE) within the Zone AE area is mapped as +7 feet (NAVD88) (FEMA, 2018). The OHWM in the Anacortes area is approximately 9½ to 10 feet (NAVD88), and therefore the areas immediately adjacent to the OHWM, which are generally above the OHWM and flat and paved, are likely above the BFE.

The WDFW Priority Habitat and Species (PHS) mapping tool depicts the same wetlands as shown by NWI within the assessment area (WDFW, 2018b). PHS does not map priority species within the project area (WDFW, 2018b). Within a mile of the assessment area, PHS reports documented surf smelt and Pacific herring breeding areas, Dungeness crab presence, cliffs/bluffs and a biodiversity area/corridor (Cap Sante Park) (WDFW, 2018b).

¹ Defined by FEMA as areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods.

The USFWS Information for Planning and Consultation (IPaC) report (USFWS, 2018) includes a total of seven threatened, endangered, or candidate species and one critical habitat on the species list (potential to occur at the project site) including:

- North American Wolverine (*Gulo gulo luscus*) - Proposed Threatened
- Marbled Murrelet (*Brachyramphus marmoratus*) – Threatened
- Streaked Horned Lark (*Eremophila alpestris strigata*) – Threatened
- Yellow-billed Cuckoo (*Coccyzus americanus*) - Threatened
- Bull trout (*Salvelinus confluentus*) - Threatened
- Dolly Varden (*Salvelinus malma*) - Proposed Similarity of Appearance (Threatened)
- Golden paintbrush (*Castilleja levisecta*) – Threatened
- Bull trout (*Salvelinus confluentus*) - Critical Habitat

The National Oceanic and Atmospheric Administration (NOAA) Fisheries *Status of ESA Listings & Critical Habitat Designations for West Coast Salmon & Steelhead* report (NOAA, 2018) includes a total of two threatened salmon and steelhead species and their critical habitat with potential to occur at the project site including:

- Puget Sound Steelhead (*Oncorhynchus mykiss*) – Threatened & Critical Habitat
- Puget Sound Chinook Salmon (*Oncorhynchus tshawytscha*) – Threatened & Critical Habitat

SITE RECONNAISSANCE

Two GeoEngineers biologists visited the project area at the Port of Anacortes on November 13, 2018 to identify potential wetland, stream or other fish and wildlife habitat conservation areas including salt marsh, eelgrass and/or mature forest habitats. A freshwater wetland and areas of shoreline salt marsh were identified within the assessment area.

Cap Sante Park abuts the eastern border of the assessment area. Vegetation observed in the forested park included Douglas fir (*Pseudotsuga menziesii*), Pacific madrone (*Arbutus menziesii*), western red cedar (*Thuja plicata*), oceanspray (*Holodiscus discolor*), nootka rose (*Rosa nutkana*), Himalayan blackberry (*Rubus armeniacus*), and Oregon grape (*Mahonia aquifolium*).

The majority of the shoreline within the Cap Sante Marina was covered in quarry spall/riprap armoring with scattered weedy species. Salt marsh habitats were observed at the northeast and northwest corners of the marina basin within the assessment area. Vegetation observed within these salt marsh habitats included salt grass (*Distichlis spicata*), pickleweed (*Salicornia sp.*), Puget Sound gumweed (*Grindelia squarrosa*) and some patches of dunegrass (*Elymus mollis*), common threesquare (*Schoenoplectus pungens*) and silver burweed (*Ambrosia chamissonis*). Eelgrass (*Zostera marina*) fronds were observed floating at the water's edge, but no rooted plants were observed (it was close to high tide during the site reconnaissance).

The terrestrial portion of the assessment area (above the OHWM) was observed to be mostly developed; paved and gravel parking lots, a dog park, and some residential areas are contained within the assessment

area. Vegetation in the developed areas was patchy (landscaped “islands”) and consisted of Mountain ash (*Fraxinus latifolia*), strawberry bush (*Euonymus americanus*), reed canary grass (*Phalaris arundinacea*), nootka rose, Himalayan blackberry, Douglass fir, and Pacific madrone.

A small area in the northwestern section of the assessment area is a sculpture park with Pacific madrone and a mowed lawn understory. This area is located at the Depot Arts and Community Center and contains the Madrona Grove Sculpture Exhibition. The NWI mapper depicts part of the mowed lawn within the sculpture park as a freshwater emergent wetland that extends north of the proposed project area into an inundated wetland area west of the City’s Wastewater Treatment Plant (Appendix B). No soil pits were dug within the sculpture park to observe soils and hydrology below the ground surface. Within the sculpture park, no surface indicators of wetland hydrology were observed (no saturation to the ground surface or standing water) and no hydrophytic vegetation was observed within the lawn area. Within the thick patch of Nootka rose and Himalayan blackberry north of the park, standing water was observed indicating a high likelihood of wetland conditions. North of 6th Street and west of the City’s Wastewater Treatment Plant, the Nootka rose and Himalayan blackberry transitioned to an area of open water mixed with vegetated areas consisting of reed canary grass and cattails (*Typha* sp.).

A ditch drains from east to west along the southern side of 6th Street and then drains from northeast to southwest along the eastern edge of Market Street until it empties into a stormwater pipe connected to an outfall on the marina basin embankment. The ditch is approximately 3 feet wide (at the top of bank), 2 feet deep and well maintained.

RELEVANT MUNICIPAL CODE

Portions of the proposed project located within 200 feet of the OHWM of the marine shoreline, are within shoreline jurisdiction and are subject to review under the City SMP (AMC 18.16). Per AMC 18.16.010, “All proposed uses and development occurring within shoreline jurisdiction must conform to Chapter 90.58 RCW, the Shoreline Management Act and this master program whether or not a permit is required.” All new structures or additions to structures on any lot shall meet all buffer, setback, height and other construction requirements of the Master Program and the Shoreline Management Act. The project area is located within an Urban shoreline environmental designation. Per Table 5.2 (Shoreline Development Standards Matrix) of the SMP, projects within an Urban environmental designation outside of Burrows Bay are subject to a shoreline setback² of 25 feet (for non-water-dependent uses), a maximum structure height of 50 feet and a lot coverage maximum³ of 50 percent. According to Chapter 12 of the SMP, a water-dependent use is defined as, “A use or a portion of a use, which, as its primary characteristic, cannot exist in any other location than on the water because it is dependent on the water by the intrinsic nature of its operations.”

For redevelopment along the marine shoreline, the City critical areas code provides requirements for riparian vegetation in connection with new development and redevelopment projects of non-water dependent uses that abut the city’s marine shorelines (AMC 17.70.580).

The City critical areas code provides requirements for assessment and reporting of all shoreline areas, floodplains, wetlands, streams, other critical areas, and related buffers within 300 feet of a proposed

² Setback shall be the minimum distance measured in feet from the ordinary high water mark on a horizontal plane perpendicular to the shoreline.

³ Buildings or structures in the Shoreline Area shall not occupy a greater percentage of a lot than indicated.

project area and provides requirements for proposed mitigation of any impacts to critical areas or their buffers (AMC 17.70.330 and 17.70.550).

The potential wetland area identified in the northwest corner of the proposed project area was not formally rated as part of this preliminary habitat assessment. It appeared to be a depressional wetland with moderate habitat functions and a highly disturbed buffer, so we estimate the wetland is most likely not Category I or Category II (this cannot be confirmed without a formal wetland rating). The required wetland buffers for Category IV wetlands is 40 feet and for Category III wetlands ranges from 60 to 110 feet (AMC 17.70.340(F)(1)).

CONCLUSIONS

Based on the review of existing information and the site visit, GeoEngineers identified saltmarsh habitat and one freshwater emergent wetland within the proposed project boundary. The assessment area is mostly already developed with multiple parking lots and commercial and residential buildings. Trees, shrubs, and grasses are present, but within isolated, landscaped areas; therefore, potential critical areas are likely limited to the wetlands and marine shoreline. The project will be subject to the City SMP (AMC 18.16) and Critical Areas Code (AMC 17.70) including AMC requirements for riparian vegetation in areas abutting the marine shoreline (AMC 17.70.580). Portions of the proposed project located within 200 feet of the OHWM of the marine shoreline, are within shoreline jurisdiction and are subject to review under the City SMP and development within areas abutting the marine shoreline are subject to a shoreline setback⁴ of 25 feet. The preliminary habitat evaluation and this letter are not intended to serve as a formal critical areas assessment and report.

LIMITATIONS

GeoEngineers has prepared this critical areas reconnaissance letter in general accordance with the scope and limitations of our proposal. Within the limitations of scope, schedule and budget, our services have been executed in accordance with the generally accepted practices for critical areas reconnaissance assessments in this area at the time this report was prepared. No warranty or other conditions, express or implied, should be understood.

This letter has been prepared for the exclusive use of the Port of Anacortes, authorized agents and regulatory agencies following the described methods and information available at the time of the work. No other party may rely on the product of our services unless we agree in advance to such reliance in writing. The information contained herein should not be applied for any purpose or project except the one originally contemplated.

The applicant is advised to contact all appropriate regulatory agencies (local, state and federal) prior to design or construction of any development to obtain necessary permits and approvals.

⁴ Setback shall be the minimum distance measured in feet from the ordinary high water mark on a horizontal plane perpendicular to the shoreline.

REFERENCES

- Federal Emergency Management Agency National Flood Hazard Layer (2018). Available at: <https://www.fema.gov/national-flood-hazard-layer-nfhl>
- The National Oceanic and Atmospheric Administration (2018). Fisheries *Status of ESA Listings & Critical Habitat Designations for West Coast Salmon & Steelhead*. Available at: https://www.westcoast.fisheries.noaa.gov/publications/gis_maps/maps/salmon_steelhead/critical_habitat/wcr_salmonid_ch_esa_july2016.pdf
- United States Department of Agriculture-Natural Resources Conservation Service (2018) Web Soil Survey. Available at: <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>
- United States Department of Agriculture-Natural Resources Conservation Service (2015) National Hydric Soils List. Updated December 2015. Available at: http://www.nrcs.usda.gov/wps/PA_NRCSCConsumption/download?cid=stelprdb1248596&ext=xlsx
- United States Fish and Wildlife Service (2018). Wetlands Mapper. Available at: <http://www.fws.gov/wetlands/Data/mapper.html>
- United States Fish and Wildlife Service (2018). Information for Planning and Consultation. Available at: <https://ecos.fws.gov/ipac/>
- Washington State Department of Fish and Wildlife (2018a). SalmonScape Application. <http://wdfw.wa.gov/mapping/salmonscape/>
- Washington State Department of Fish and Wildlife (2018b). Priority Habitat and Species Interactive Map Viewer. Available at: <http://wdfw.wa.gov/mapping/phs/>
- Washington State Department of Natural Resources (2018). Forest Practices Activity Mapping Tool. Available at: <https://fpamt.dnr.wa.gov/default.aspx>

Sincerely,
GeoEngineers, Inc.

Lydia Baldwin
Staff Environmental Scientist

Fiona McNair, PWS
Biologist and Wetland Scientist

LRB:FMM:JOC:JH:tlr

List of Figures:

Figure 1. Vicinity Map

Appendices

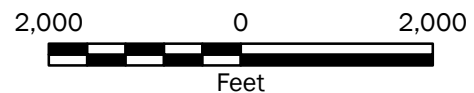
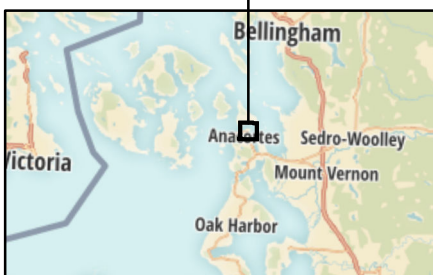
Appendix A. Assessment Area

Appendix B. Background Maps and Data

Appendix C. Site Photographs

One copy submitted electronically

Disclaimer: Any electronic form, facsimile or hard copy of the original document (email, text, table, and/or figure), if provided, and any attachments are only a copy of the original document. The original document is stored by GeoEngineers, Inc. and will serve as the official document of record.



Vicinity Map

Preliminary Geotechnical and Habitat Evaluation Anacortes, Washington



Figure 1

Notes:

1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: Mapbox Open Street Map, 2016

Projection: NAD 1983 UTM Zone 10N

APPENDIX A
Assessment Area

DRAFT



 MAUL FOSTER ALONGI
971.544.2139 (phone) | www.maulfooster.com

This figure prepared as supplemental visual information only and should not be used for construction purposes. Only plan sheets approved, stamped and signed by a registered professional engineer in the state of governing jurisdiction shall be used for construction. Additionally, only plans approved by the applicable governing jurisdiction(s) shall be used for final construction unless otherwise expressly noted in writing by the engineer of record.



NOTE: BAR IS ONE INCH ON ORIGINAL DRAWING. IF NOT ONE INCH ON THIS SHEET, ADJUST SCALE ACCORDINGLY.

PROPOSED DEVELOPMENT FIT TEST

PORT OF ANACORTES
ANACORTES, WASHINGTON

APPENDIX B

Background Maps and Data

DRAFT

"The Shoreline Residential environment along Guemes Channel in the areas between:
 1) Washington Park and Shannon Point and
 2) Ship Harbor wetland and Lovric's Marina
 both contain a 100-foot parallel Conservancy environment
 designation as measured landward from the ordinary high water mark."

Guemes Channel

* Note: All areas waterward of the ordinary high water mark have an Aquatic Designation."

Burrows

Bay

Fidalgo

Padilla

Bay

Bay

Aquatic Reserve

"Padilla Bay National Estuarine Research Reserve"

Heart Lake

Whistle Lake

Lake Erie

Lake Shannon

Cranberry Lake



City of Anacortes Shoreline Master Program

Environment Designation	
	Conservancy
	Natural
	Shoreline Residential
	Urban
	Urban Maritime
	Buildings-2010
	Lakes & Ponds
	Major Streets
	Minor Streets
	City Limits



0 0.25 0.5
Miles



February 2010

This map was created from available public records and existing map sources, not from field surveys. Map features from all sources have been adjusted to achieve a "best fit" registration to the ownership parcels map. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. The relative positioning of map features to one another results from combining different map sources without field "ground truthing".

Official Shoreline Environment Designation Map

Figure 5.1



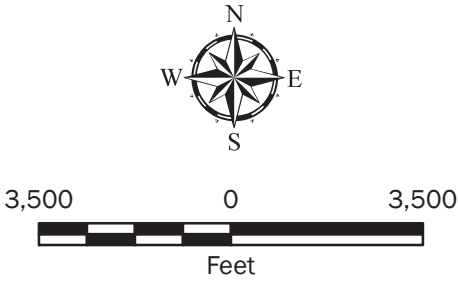
P:\0382030\GIS\MXD\0382030001_F02_Streams and Wetlands.mxd Date Exported: 12/15/17 by mtrrost

- Notes:**
- 1. The locations of all features shown are approximate.
 - 2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Data Source: ESRI Data and Maps

Projection: NAD 1983 UTM Zone 10N

- Legend**
- CityLimits
 - Wetlands
 - Streams
 - ACFL Anacortes Community Forest Lands
 - Project Location



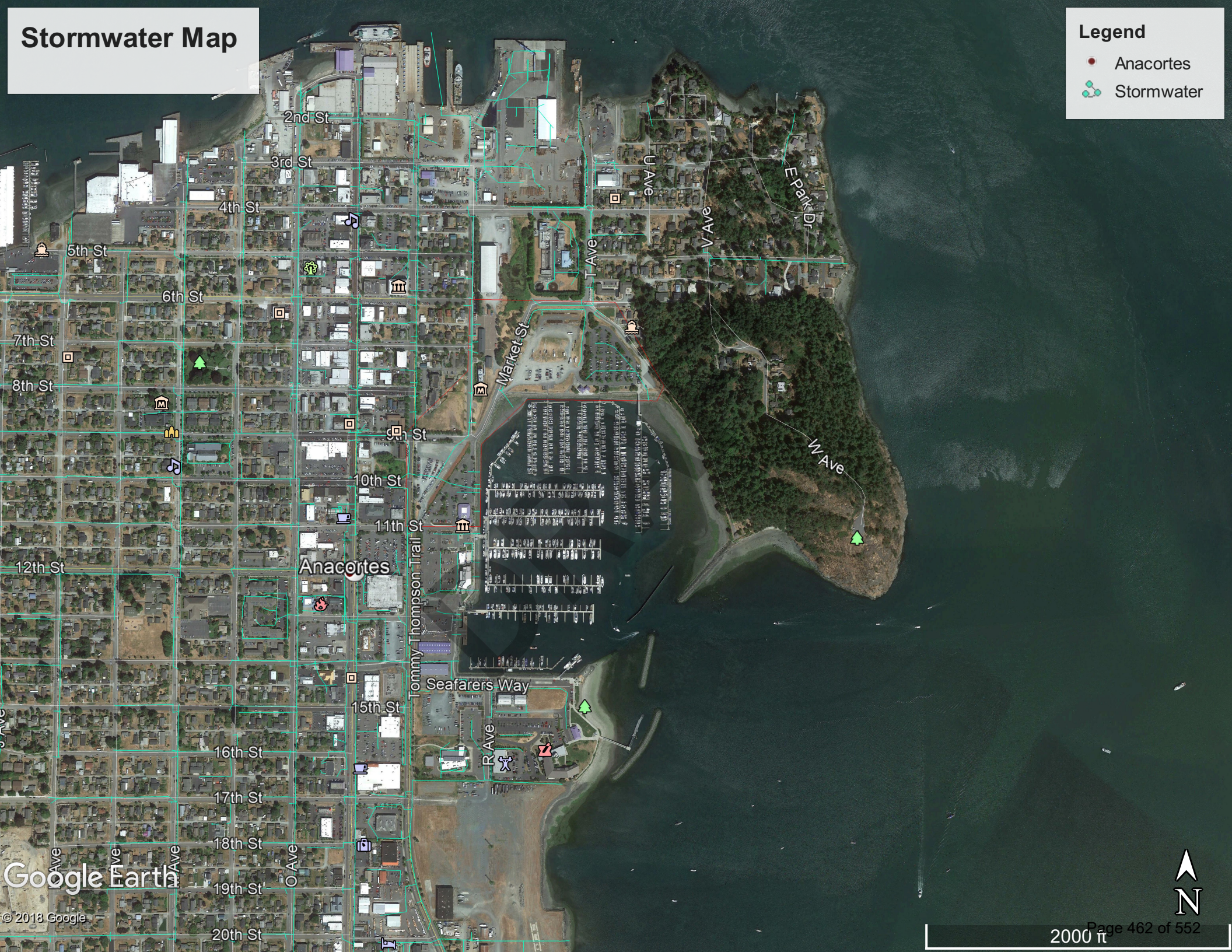
Streams and Wetlands	
North & West Basin Upland Redevelopment Anacortes, Washington	
	Figure 2

Stormwater Map

Legend

Anacortes

Stormwater



Google Earth

© 2018 Google

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

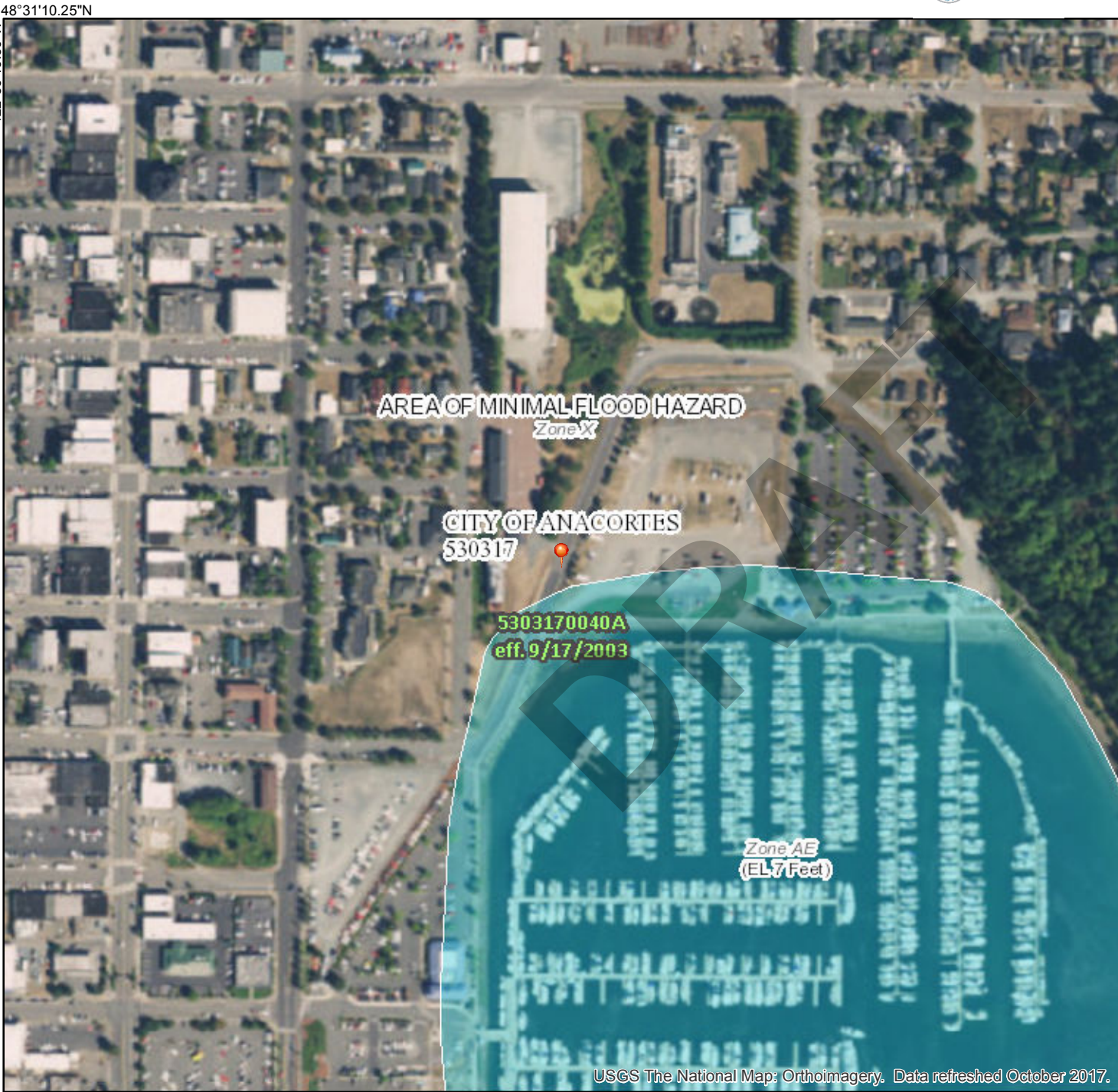


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/4/2018 at 12:58:19 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





Anacortes Wetlands



U.S. Fish and Wildlife Service, National Standards and Support Team,
wetlands_team@fws.gov

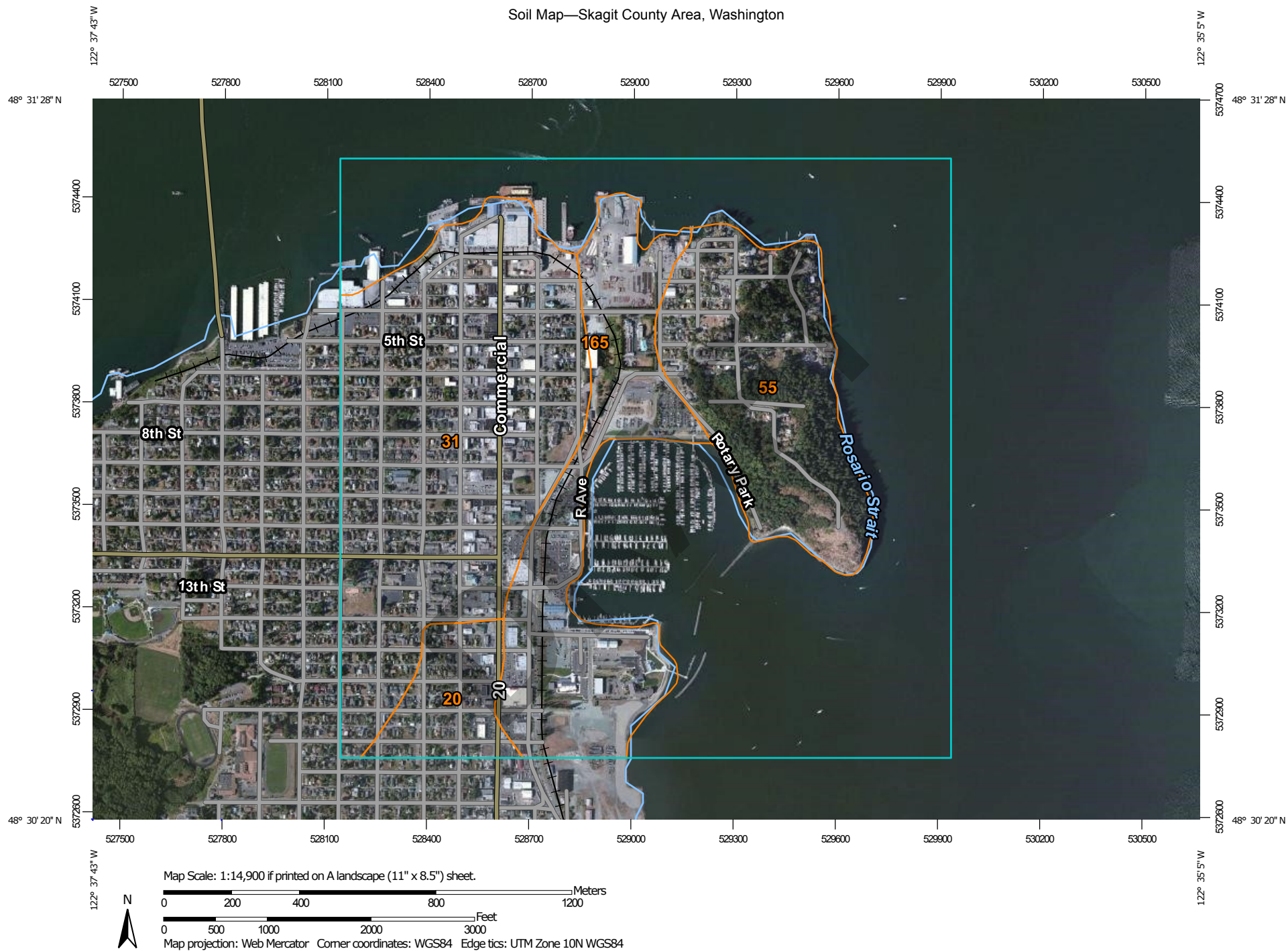
November 7, 2018

Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Soil Map—Skagit County Area, Washington



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

11/7/2018
Page 1 of 3
Page 465 of 552

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Skagit County Area, Washington

Survey Area Data: Version 18, Sep 10, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 9, 2010—Aug 28, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
20	Bow-Urban land complex, 0 to 8 percent slopes	29.3	3.7%
31	Clallam-Urban land complex, 0 to 8 percent slopes	196.5	25.2%
55	Fidalgo-Lithic Xerochrepts-Rock outcrop complex, 3 to 30 percent slopes	99.1	12.7%
165	Xerorthents, 0 to 5 percent slopes	104.1	13.3%
Totals for Area of Interest		780.4	100.0%



WASHINGTON DEPARTMENT OF FISH AND WILDLIFE

PRIORITY HABITATS AND SPECIES REPORT

SOURCE DATASET: PHSPublic
REPORT DATE: 11/07/2018 10.53

Query ID: P181107105320

Common Name	Site Name	Priority Area	Accuracy	Federal Status	Sensitive Data	Source Entity
Scientific Name	Source Dataset	Occurrence Type		State Status	Resolution	Geometry Type
Notes	Source Record	More Information (URL)		PHS Listing Status		
Source Date		Mgmt Recommendations				
Biodiversity Areas And	CAP SANTE PARK.	Terrestrial Habitat	1/4 mile (Quarter	N/A	N	WA Dept. of Fish and Wildlife
	PHSREGION	N/A		N/A	AS MAPPED	Polygons
	902834	http://wdfw.wa.gov/publications/pub.php?		PHS LISTED		
Cliffs/bluffs	PHSREGION	Habitat Feature	1/4 mile (Quarter	N/A	N	WA Dept. of Fish and Wildlife
	904714	N/A		N/A	AS MAPPED	Polygons
		N/A		PHS LISTED		
Dungeness Crab	Not Given	Presence	NA	N/A	N	WDFW
	Shellfish_Summary	Presence		N/A	AS MAPPED	Polygons
		N/A		PHS Listed		
Estuarine and Marine	N/A	Aquatic Habitat	NA	N/A	N	US Fish and Wildlife Service
	NWIIWetlands	Aquatic habitat		N/A	AS MAPPED	Polygons
		http://www.ecy.wa.		PHS Listed		
Freshwater Emergent	N/A	Aquatic Habitat	NA	N/A	N	US Fish and Wildlife Service
	NWIIWetlands	Aquatic habitat		N/A	AS MAPPED	Polygons
		http://www.ecy.wa.		PHS Listed		
Freshwater Forested/Shrub	N/A	Aquatic Habitat	NA	N/A	N	US Fish and Wildlife Service
	NWIIWetlands	Aquatic habitat		N/A	AS MAPPED	Polygons
		http://www.ecy.wa.		PHS Listed		
Freshwater Pond	N/A	Aquatic Habitat	NA	N/A	N	US Fish and Wildlife Service
	NWIIWetlands	Aquatic habitat		N/A	AS MAPPED	Polygons
		http://www.ecy.wa.		PHS Listed		

Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Pacific Herring (Georgia) Clupea pallasii	Fidalgo Bay-* HerrSpwn	Breeding Area Breeding area http://wdfw.wa	NA	N/A Candidate PHS Listed	N AS MAPPED	WDFW Fish Program Polygons
Pinto abalone Haliotis kamtschatkana	Shellfish_Summary	Presence Presence http://wdfw.wa.gov/publications/pub.php?	NA	N/A N/A PHS Listed	Y TOWNSHIP	WDFW Polygons
Pinto abalone Haliotis kamtschatkana	Shellfish_Summary	Presence Presence http://wdfw.wa.gov/publications/pub.php?	NA	N/A N/A PHS Listed	Y TOWNSHIP	WDFW Polygons
Pinto abalone Haliotis kamtschatkana	Shellfish_Summary	Presence Presence http://wdfw.wa.gov/publications/pub.php?	NA	N/A N/A PHS Listed	Y TOWNSHIP	WDFW Polygons
Pinto abalone Haliotis kamtschatkana	Shellfish_Summary	Presence Presence http://wdfw.wa.gov/publications/pub.php?	NA	N/A N/A PHS Listed	Y TOWNSHIP	WDFW Polygons
Surf Smelt Hypomesus pretiosus	Station Number: 16 Forage_Fish_Survey 9044 December 16, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 12 Forage_Fish_Survey 5745 July 16, 1999	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 1 Forage_Fish_Survey 8147 September 18, 1998	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines

Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 9261 July 22, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 1 Forage_Fish_Survey 6297 July 14, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 16 Forage_Fish_Survey 9462 September 19, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 12 Forage_Fish_Survey 5821 August 20, 1999	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 1 Forage_Fish_Survey 6284 June 15, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 13 Forage_Fish_Survey 8007 June 11, 1998	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 8061 August 10, 1998	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 13 Forage_Fish_Survey 8034 July 14, 1998	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines

Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 8149 September 18, 1998	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 1 Forage_Fish_Survey 8060 August 10, 1998	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 8266 October 15, 1998	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 12 Forage_Fish_Survey 8033 July 14, 1998	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 6298 July 14, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 6285 June 15, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 9286 August 20, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 13 Forage_Fish_Survey 9070 January 22, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines

Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Surf Smelt Hypomesus pretiosus	Station Number: 12 Forage_Fish_Survey 9218 June 26, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 12 Forage_Fish_Survey 12593 October 29, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 22 Forage_Fish_Survey 12400 August 25, 1994	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 15 Forage_Fish_Survey 9043 December 16, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 23 Forage_Fish_Survey 12401 August 25, 1994	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 1 Forage_Fish_Survey 6342 August 17, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 1 Forage_Fish_Survey 9373 September 24, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 12 Forage_Fish_Survey 9194 September 27, 1999	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines

Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Surf Smelt Hypomesus pretiosus	Station Number: 13 Forage_Fish_Survey 12594 October 29, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 12 Forage_Fish_Survey 6533 September 15, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 6344 August 17, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 9 Forage_Fish_Survey 12933 May 25, 1994	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 9 Forage_Fish_Survey 12501 September 21, 1994	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 11 Forage_Fish_Survey 6532 September 15, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 9046 January 06, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 15 Forage_Fish_Survey 9461 September 19, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines

Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Surf Smelt Hypomesus pretiosus	Station Number: 5 Forage_Fish_Survey 12365 September 10, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 12330 October 13, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 14 Forage_Fish_Survey 9460 September 19, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 1 Forage_Fish_Survey 12327 October 13, 2000	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 14 Forage_Fish_Survey 9103 February 26, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 880 July 01, 2003	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 13 Forage_Fish_Survey 9196 September 27, 1999	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 1 Forage_Fish_Survey 9045 January 06, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines

Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 9374 September 24, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 8 Forage_Fish_Survey 12499 September 21, 1994	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 18 Forage_Fish_Survey 12378 September 10, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 3 Forage_Fish_Survey 9262 July 22, 1997	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 7 Forage_Fish_Survey 11792 June 14, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 8 Forage_Fish_Survey 11793 June 14, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 12 Forage_Fish_Survey 11741 July 15, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 7 Forage_Fish_Survey 11694 August 14, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines

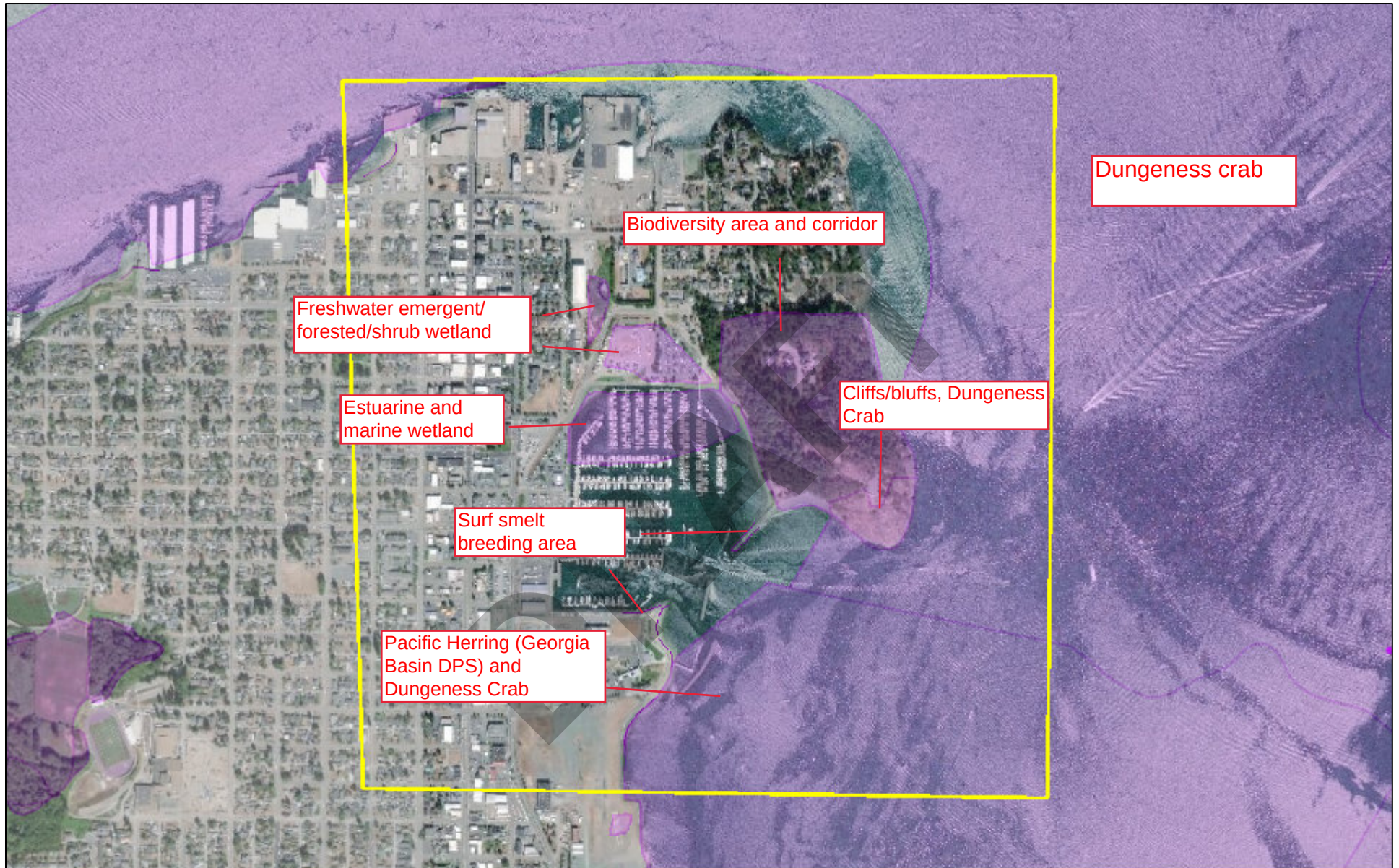
Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Surf Smelt Hypomesus pretiosus	Station Number: 5 Forage_Fish_Survey 11489 July 12, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 16 Forage_Fish_Survey 15285 August 31, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 6 Forage_Fish_Survey 13502 October 13, 1994	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 14 Forage_Fish_Survey 15184 June 30, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 18 Forage_Fish_Survey 12130 July 21, 1994	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 1 Forage_Fish_Survey 12136 August 15, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 13 Forage_Fish_Survey 11743 July 15, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 15 Forage_Fish_Survey 15282 August 31, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines

Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Surf Smelt Hypomesus pretiosus	Station Number: 17 Forage_Fish_Survey 15291 July 27, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 7 Forage_Fish_Survey 13503 October 13, 1994	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 8 Forage_Fish_Survey 11695 August 14, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 6 Forage_Fish_Survey 11475 June 14, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 5 Forage_Fish_Survey 11474 June 14, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 6 Forage_Fish_Survey 11490 July 12, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 15 Forage_Fish_Survey 15185 June 30, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 6 Forage_Fish_Survey 13977 May 25, 1995	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines

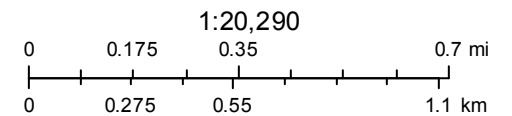
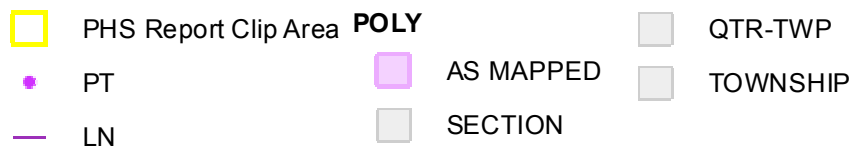
Common Name Scientific Name Notes	Site Name Source Dataset Source Record Source Date	Priority Area Occurrence Type More Information (URL) Mgmt Recommendations	Accuracy	Federal Status State Status PHS Listing Status	Sensitive Data Resolution	Source Entity Geometry Type
Surf Smelt Hypomesus pretiosus	Station Number: 18 Forage_Fish_Survey 15303 August 31, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 18 Forage_Fish_Survey 15293 July 27, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 2 Forage_Fish_Survey 12139 August 15, 1996	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 17 Forage_Fish_Survey 12129 July 21, 1994	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 13 Forage_Fish_Survey 15252 September 29, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Surf Smelt Hypomesus pretiosus	Station Number: 14 Forage_Fish_Survey 15253 September 29, 1993	Breeding Area Breeding area	NA	N/A N/A PHS Listed Species	N AS MAPPED	WDFW Lines
Yuma myotis Myotis yumanensis	WS_OccurPoint 144042 August 25, 2017	Communal Roost Biotic detection http://wdfw.wa.gov/publications/pub.php?	GPS	N/A N/A PHS LISTED	Y TOWNSHIP	WA Dept. of Fish and Wildlife Points

DISCLAIMER. This report includes information that the Washington Department of Fish and Wildlife (WDFW) maintains in a central computer database. It is not an attempt to provide you with an official agency response as to the impacts of your project on fish and wildlife. This information only documents the location of fish and wildlife resources to the best of our knowledge. It is not a complete inventory and it is important to note that fish and wildlife resources may occur in areas not currently known to WDFW biologists, or in areas for which comprehensive surveys have not been conducted. Site specific surveys are frequently necessary to rule out the presence of priority resources. Locations of fish and wildlife resources are subject to variation caused by disturbance, changes in season and weather, and other factors. WDFW does not recommend using reports more than six months old.

WDFW PHS Map



November 7, 2018



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington Fish And Wildlife Office

510 Desmond Drive Se, Suite 102

Lacey, WA 98503-1263

Phone: (360) 753-9440 Fax: (360) 753-9405

<http://www.fws.gov/wafwo/>



In Reply Refer To:

November 07, 2018

Consultation Code: 01EWF00-2019-SLI-0147

Event Code: 01EWF00-2019-E-00340

Project Name: Anacortes Recon

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated and proposed critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. The species list is currently compiled at the county level. Additional information is available from the Washington Department of Fish and Wildlife, Priority Habitats and Species website: <http://wdfw.wa.gov/mapping/phs/> or at our office website: http://www.fws.gov/wafwo/species_new.html. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether or not the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species, and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.). You may visit our website at <http://www.fws.gov/pacific/eagle/for> information on disturbance or take of the species and information on how to get a permit and what current guidelines and regulations are. Some projects affecting these species may require development of an eagle conservation plan: (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Also be aware that all marine mammals are protected under the Marine Mammal Protection Act (MMPA). The MMPA prohibits, with certain exceptions, the "take" of marine mammals in U.S. waters and by U.S. citizens on the high seas. The importation of marine mammals and marine mammal products into the U.S. is also prohibited. More information can be found on the MMPA website: <http://www.nmfs.noaa.gov/pr/laws/mmpa/>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Related website:

National Marine Fisheries Service: http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Washington Fish And Wildlife Office
510 Desmond Drive Se, Suite 102
Lacey, WA 98503-1263
(360) 753-9440

DRAFT

Project Summary

Consultation Code: 01EWF00-2019-SLI-0147

Event Code: 01EWF00-2019-E-00340

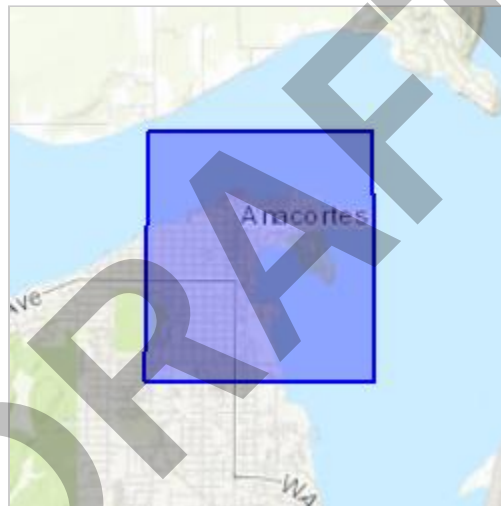
Project Name: Anacortes Recon

Project Type: SHORELINE USAGE FACILITIES / DEVELOPMENT

Project Description: Port of Anacortes north and west basin upland redevelopment

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/48.51484032635062N122.6088809967041W>



Counties: Skagit, WA

Endangered Species Act Species

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
North American Wolverine <i>Gulo gulo luscus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/5123	Proposed Threatened

Birds

NAME	STATUS
Marbled Murrelet <i>Brachyramphus marmoratus</i> Population: U.S.A. (CA, OR, WA) There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4467	Threatened
Streaked Horned Lark <i>Eremophila alpestris strigata</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7268	Threatened
Yellow-billed Cuckoo <i>Coccyzus americanus</i> Population: Western U.S. DPS There is proposed critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

Fishes

NAME	STATUS
Bull Trout <i>Salvelinus confluentus</i> Population: U.S.A., conterminous, lower 48 states There is final critical habitat for this species. Your location overlaps the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8212	Threatened
Dolly Varden <i>Salvelinus malma</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1008	Proposed Similarity of Appearance (Threatened)

Flowering Plants

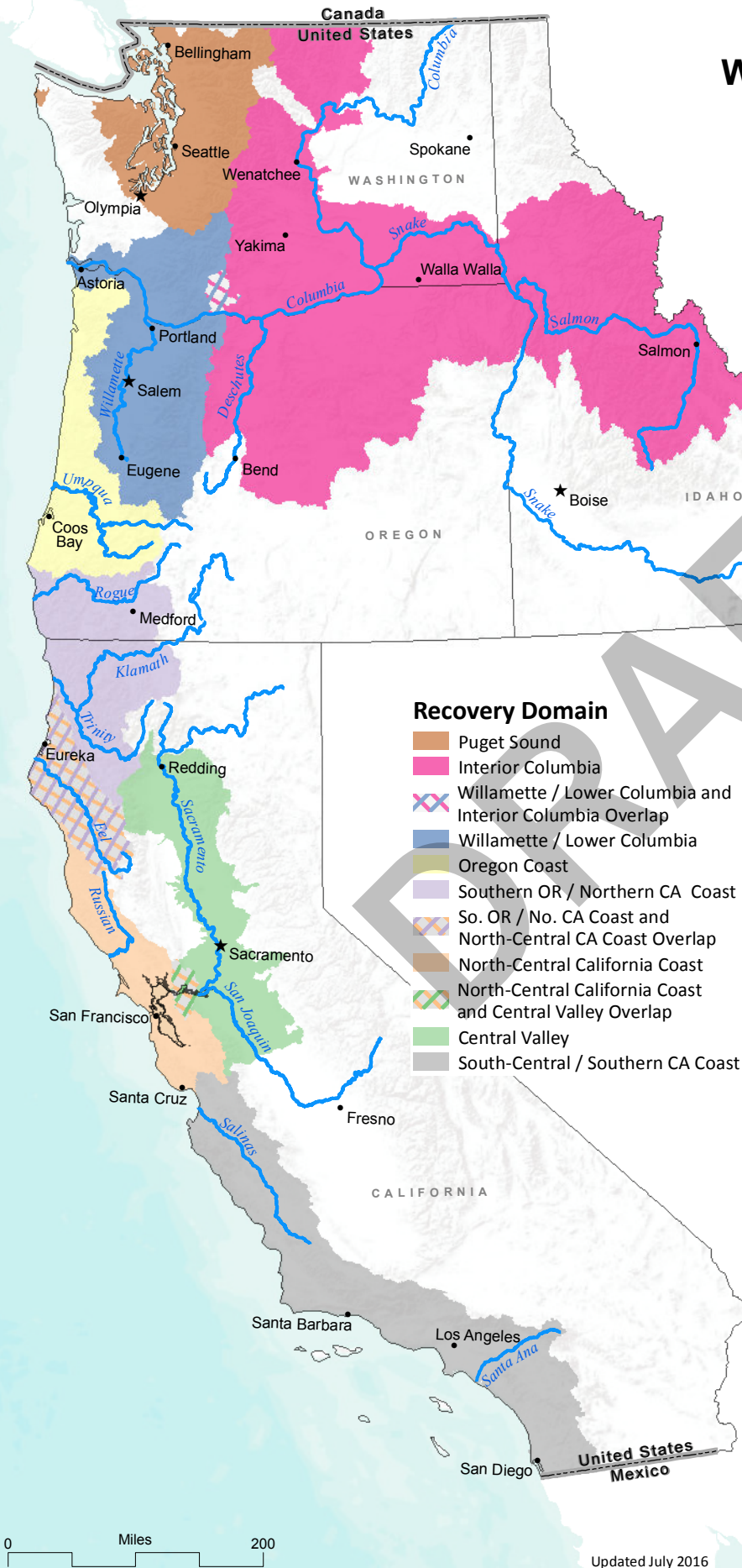
NAME	STATUS
Golden Paintbrush <i>Castilleja levisecta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7706	Threatened

Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

NAME	STATUS
Bull Trout <i>Salvelinus confluentus</i> https://ecos.fws.gov/ecp/species/8212#crithab	Final

Status of ESA Listings & Critical Habitat Designations for West Coast Salmon & Steelhead



Evolutionarily Significant Unit / Distinct Population Segment	ESA Status	Date of ESA Listing	Date of CH Designation
Puget Sound Recovery Domain			
Hood Canal Summer-run Chum Salmon	T	3/25/1999	9/2/2005
Ozette Lake Sockeye Salmon	T	3/25/1999	9/2/2005
Puget Sound Chinook Salmon	T	3/24/1999	9/2/2005
Puget Sound Steelhead	T	5/11/2007	2/24/2016

Interior Columbia Recovery Domain			
Middle Columbia River Steelhead	T	3/25/1999 1/5/2006	9/2/2005
Snake River Fall-run Chinook Salmon	T	4/22/1992	12/28/1993
Snake River Spring / Summer-run Chinook Salmon	T	4/22/1992	10/25/1999
Snake River Sockeye Salmon	E	11/20/1991	12/28/1993
Snake River Steelhead	T	8/18/1997 1/5/2006	9/2/2005
Upper Columbia River Spring-run Chinook Salmon	E	3/24/1999	9/2/2005
Upper Columbia River Steelhead	T	8/18/1997 1/5/2006	9/2/2005

Willamette / Lower Columbia Recovery Domain			
Columbia River Chum Salmon	T	3/25/1999	9/2/2005
Lower Columbia River Chinook Salmon	T	3/24/1999	9/2/2005
Lower Columbia River Coho Salmon	T	6/28/2005	2/24/2016
Lower Columbia River Steelhead	T	3/19/1998 1/5/2006	9/2/2005
Upper Willamette River Chinook Salmon	T	3/24/1999	9/2/2005
Upper Willamette River Steelhead	T	3/25/1999 1/5/2006	9/2/2005

Oregon Coast Recovery Domain			
Oregon Coast Coho Salmon	T	2/11/2008	2/11/2008

Southern Oregon / Northern California Coast Recovery Domain			
Southern OR / Northern CA Coasts Coho Salmon	T	5/6/1997	5/5/1999

North-Central California Coast Recovery Domain			
California Coastal Chinook Salmon	T	9/16/1999	9/2/2005
Central California Coast Coho Salmon	E	10/31/1996 (T) 6/28/2005 (E) 4/2/2012 (RE)	5/5/1999
Central California Coast Steelhead	T	8/18/1997 1/5/2006	9/2/2005
Northern California Steelhead	T	6/7/2000 1/5/2006	9/2/2005

Central Valley Recovery Domain			
California Central Valley Steelhead	T	3/19/1998 1/5/2006	9/2/2005
Central Valley Spring-run Chinook Salmon	T	9/16/1999	9/2/2005
Sacramento River Winter-run Chinook Salmon	E	11/5/1990 (T) 1/4/1994 (E)	6/16/1993

South-Central / Southern California Coast Recovery Domain			
South-Central California Coast Steelhead	T	8/18/1997 1/5/2006	9/2/2005
Southern California Steelhead	E	8/18/1997 5/1/2002 (RE) 1/5/2006	9/2/2005

ESA = Endangered Species Act, CH = Critical Habitat, RE = Range Extension
E = Endangered, T = Threatened

Critical Habitat Rules Cited

- 2/24/2016 (81 FR 9252) Final Critical Habitat Designation for Puget Sound Steelhead and Lower Columbia River Coho Salmon
- 2/11/2008 (73 FR 7816) Final Critical Habitat Designation for Oregon Coast Coho Salmon
- 9/2/2005 (70 FR 52630) Final Critical Habitat Designation for 12 ESU's of Salmon and Steelhead in WA, OR, and ID
- 9/2/2005 (70 FR 52488) Final Critical Habitat Designation for 7 ESU's of Salmon and Steelhead in CA
- 10/25/1999 (64 FR 57399) Revised Critical Habitat Designation for Snake River Spring/Summer-run Chinook Salmon
- 5/5/1999 (64 FR 24049) Final Critical Habitat Designation for Central CA Coast and Southern OR/Northern CA Coast Coho Salmon
- 12/28/1993 (58 FR 68543) Final Critical Habitat Designation for Snake River Chinook and Sockeye Salmon
- 6/16/1993 (58 FR 33212) Final Critical Habitat Designation for Sacramento River Winter-run Chinook Salmon

ESA Listing Rules Cited

- 4/2/2012 (77 FR 19552) Final Range Extension for Endangered Central California Coast Coho Salmon
- 2/11/2008 (73 FR 7816) Final ESA Listing for Oregon Coast Coho Salmon
- 5/11/2007 (72 FR 26722) Final ESA Listing for Puget Sound Steelhead
- 1/5/2006 (71 FR 5248) Final Listing Determinations for 10 Distinct Population Segments of West Coast Steelhead
- 6/28/2005 (70 FR 37160) Final ESA Listing for 16 ESU's of West Coast Salmon
- 5/1/2002 (67 FR 21586) Range Extension for Endangered Steelhead in Southern California
- 6/7/2000 (65 FR 36074) Final ESA Listing for Northern California Steelhead
- 9/16/1999 (64 FR 50394) Final ESA Listing for Two Chinook Salmon ESUs in California
- 3/25/1999 (64 FR 14508) Final ESA Listing for Hood River Canal Summer-run and Columbia River Chum Salmon
- 3/25/1999 (64 FR 14517) Final ESA Listing for Middle Columbia River and Upper Willamette River Steelhead
- 3/25/1999 (64 FR 14528) Final ESA Listing for Ozette Lake Sockeye Salmon
- 3/24/1999 (64 FR 14308) Final ESA Listing for 4 ESU's of Chinook Salmon
- 3/19/1998 (63 FR 13347) Final ESA Listing for Lower Columbia River and Central Valley Steelhead
- 8/18/1997 (62 FR 43937) Final ESA Listing for 5 ESU's of Steelhead
- 5/6/1997 (62 FR 24588) Final ESA Listing for Southern Oregon / Northern California Coast Coho Salmon
- 10/31/1996 (61 FR 56138) Final ESA Listing for Central California Coast Coho Salmon
- 1/4/1994 (59 FR 222) Final ESA Listing for Sacramento River Winter-run Chinook Salmon
- 4/22/1992 (57 FR 14653) Final ESA Listing for Snake River Spring/summer-run and Snake River Fall Chinook Salmon
- 11/20/1991 (56 FR 58619) Final ESA Listing for Snake River Sockeye Salmon
- 11/5/1990 (55 FR 46515) Final ESA Listing for Sacramento River Winter-run Chinook Salmon

APPENDIX C

Site Photographs

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Photograph 1. A paved pathway runs between Cap Sante Park and Cap Sante Marina.



Photograph 2. A small salt marsh is located in the northeast corner of Cap Sante Marina.

Site Photographs

North and West Basin Upland Redevelopment
Anacortes, Washington



Figure C-1



Photograph 3. A parking lot is present north of the marina. Grass and small trees are scattered through this area.



Photograph 4. The northeastern salt marsh and armored shoreline are dominated by saltgrass and gumweed.

Site Photographs

North and West Basin Upland Redevelopment
Anacortes, Washington



Figure C-2



Photograph 5. Looking west along the armored shoreline.



Photograph 6. Looking east along the armored shoreline; vegetated areas begin to transition to bare riprap.

Site Photographs

North and West Basin Upland Redevelopment
Anacortes, Washington



Figure C-3



Photograph 7. The shoreline consists of bare riprap along the northern edge of the marina.



Photograph 8. A small salt marsh is located in the northeast corner of the marina and is characterized by saltgrass and gumweed.

Site Photographs

North and West Basin Upland Redevelopment
Anacortes, Washington



Figure C-4



Photograph 9. Rotary Park is located north of the marina and consists of mowed grass with a few scattered small trees.



Photograph 10. A creeping ornamental plant dominates the western shoreline of the marina.

Site Photographs

North and West Basin Upland Redevelopment
Anacortes, Washington



Figure C-5



Photograph 11. The parking lot on the western edge of the marina.



Photograph 12. Another parking lot on the northwestern edge of the marina.

Site Photographs

North and West Basin Upland Redevelopment
Anacortes, Washington



Figure C-6



Photograph 13. A dog park is located along the western edge of the proposed project area. The park consists of an open, grassy field.



Photograph 14. An apartment building is located northeast of the dog park and within the northwestern corner of the proposed project area.

Site Photographs

North and West Basin Upland Redevelopment
Anacortes, Washington



Figure C-7



Photograph 15. A wetland is located near the northwest corner of the proposed project area. The wetland has a Himalayan blackberry overstory that transitions into reed canary grass and cattails.



Photograph 16. This wetland had standing water at the time of the site visit.

Site Photographs	
North and West Basin Upland Redevelopment Anacortes, Washington	
	Figure C-8



Photograph 17. A ditch runs east to west along the southern edge of 6th St and is located near the northern edge of the proposed project area. Vegetation was most dense at a seep in the ditch at the corner of Market St and 6th St.



Photograph 18. The ditch was mostly unvegetated, but there were patches of reed canary grass, Himalayan blackberry, and other weedy species.

Site Photographs

North and West Basin Upland Redevelopment
Anacortes, Washington



Figure C-9



Photograph 19. A parking lot is located in the northeast corner of the proposed project area.



Photograph 20. This paved parking lot in the northeast corner of the project area abuts a raised gravel lot in the background of this photo. This gravel lot is in an area that NWI maps as emergent wetland.

Site Photographs

North and West Basin Upland Redevelopment
Anacortes, Washington



Figure C-10

MEMORANDUM

Date:	January 27, 2021	TG:	1.19259.00
To:	Eric Shjarback, PE – City of Anacortes		
From:	Stef Herzstein, PE, PTOE – Transpo Group Jessica Lambert, PE – Transpo Group		
CC:	Brenda Treadwell – Port of Anacortes Bill Hager – Maul Foster & Alongi, Inc.		
Subject:	Cap Sante Marina North Basin RV Park – Level 1 Traffic Impact Study		

City of Anacortes
*Planning, Community &
Economic Development*

Date Received:
4/5/21

CUP-2021-0001

The Port of Anacortes is proposing to renovate the existing RV Park located at the North Basin in the Cap Sante Marina. The proposal requires a Level 1 Traffic Impact Study based on the City of Anacortes Engineering Department *Chapter 3 Streets Standards*, November 2018. The purpose of this memorandum is to identify potential transportation-related impacts associated with the proposed RV Park. Project information, existing conditions, future conditions and proposed mitigation are documented.

Project Information

The proposed project would renovate the existing RV Park at the Cap Sante Marina North Basin in Anacortes, WA. The existing RV Park has 26 campsites and the project would decrease the RV Park to 25 campsites. The North Basin is located east of Market Street and south of 6th Street. Figure 1 shows the site vicinity and the preliminary site plan is shown on Figure 2. It is anticipated that the RV park renovation would be completed by 2022.



Figure 1 - Site Vicinity

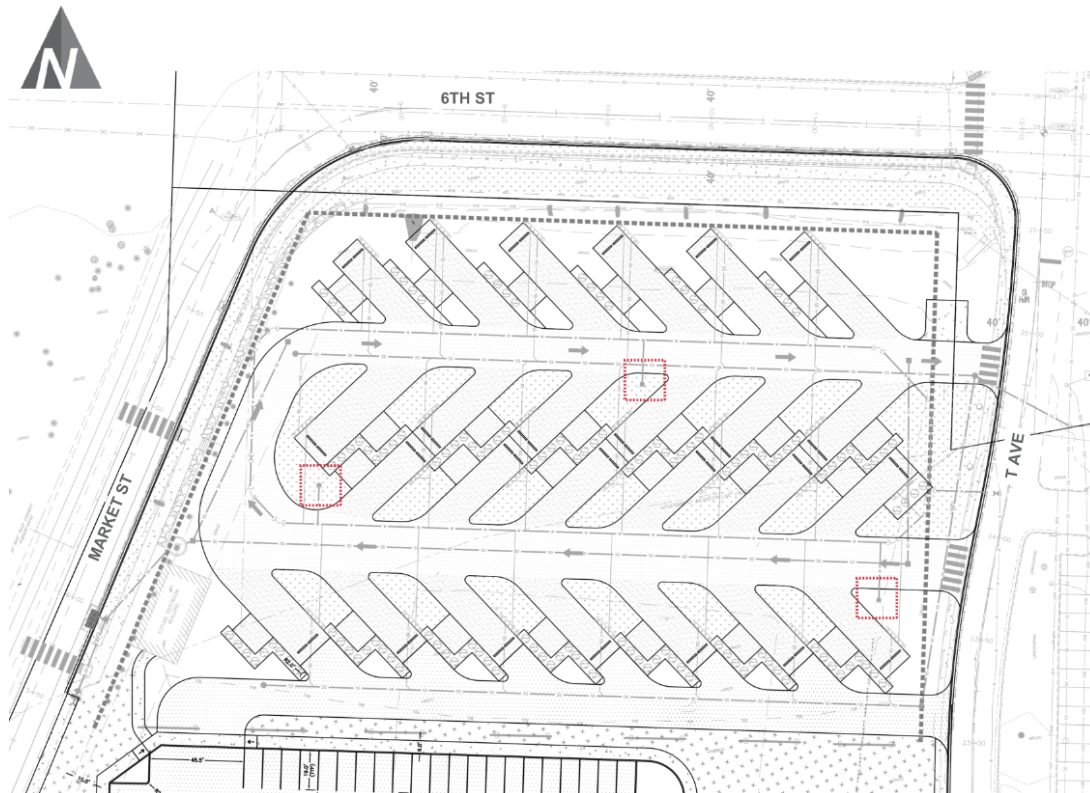


Figure 2 - Site Plan

As described above, one less campsite is being proposed with the RV Park renovation, so no additional trips are anticipated to be generated. Table 1 summarizes the estimated trip generation for the site. Trip generation for the proposed project was calculated based on the Campground/RV Park (LU #416) trip rates using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017).

Table 1. Estimated Weekday Project Trip Generation

Land Use ¹	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Proposed Use	25 Occupied Campsites	70	2	3	5	5	2	7
Existing Use	26 Occupied Campsites	70	2	3	5	5	2	7
Net New Trips²		0	0	0	0	0	0	0

Note: sf = square feet

1. Trip generation based on Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017) Campground/RV Park (LU #416). No daily data available for occupied campsites. Daily trip generation was assumed to be 10 times the weekday PM peak hour trip generation

2. Trips are the same for the existing and proposed RV Park due to rounding to the nearest whole number.

Existing Transportation Conditions

The site is roughly bound by Market Street to the west, 6th Street to the north, and the Cap Sante Marina parking to the south. The existing RV Park is primarily accessed via Market Street and T Avenue. Internal to Cap Sante Marina there is a driveway near Rotary Park that provides access to both the RV Park and Marina parking.

Bike lanes are currently provided along Market Street with limited pedestrian facilities along the adjacent streets. The nearest transit stops to the RV park are along Q Avenue between 8th Street and 9th Street approximately 1,200-feet from the site. Transit service is provided by Skagit Transit Route 410 with service between March's Point Park & Ride to the Washington State Ferry and Old Salts. Service is provided along SR 20, R Avenue, Q Avenue, 12th Street, and Oaks Avenue. Service is provided on weekdays from approximately 7 a.m. to 8 p.m. and Saturdays from approximately 8 a.m. to 5 p.m. Headways are one-hour on both weekdays and Saturdays.

Future Transportation Conditions

The proposed project would renovate the existing RV Park and no additional campsites would be added. No new trips would be generated by the project since the number of campsites remains the same. Therefore, the proposed project would not result in new off-site transportation impacts.

The primary access to the RV Park would remain the 6th Street/T Avenue intersection. Sidewalks would be constructed along the project frontage including the south side of 6th Street and the east side of Market Street as shown on Figure 2. Regrading would occur on the southwest corner of the 6th Street/T Avenue intersection making the slope in this area more gradual as it transitions to the sidewalk. A new internal driveway to the RV Park south of the 6th/T Avenue intersection aligning with the driveway to parking on the east side and internal sidewalks are proposed with the project.

Per the City's Level 1 traffic study guidelines, stopping and entering sight distance was calculated at the 6th Street/T Avenue intersection based on AASHTO's *A Policy on Geometric Design of Highways and Streets*. The stopping sight distance is the distance needed for a vehicle to safely stop before hitting an object in the roadway. The entering sight distance is the distance needed for vehicles to not disrupt¹ the traffic flow of the main roadway.

For the proposed project, Attachment A shows the stopping and entering sight distances for the west, east, and southeast approaches of the 6th Street/T Avenue intersection. Table 2 provides a summary of the stopping and entering sight distance analysis for both passenger cars and RVs.

Table 2. Summary of Stopping and Entering Sight Distance

Vehicle Type	Location	Stopping Sight Distance (feet)		Entering Sight Distance (feet)		
		Recommended ¹	Met?	Recommended ¹	Available ²	Met?
Passenger Car ³	West of T Avenue	200	Yes	335	247	No
	East of T Avenue	80	Yes	170	170	Yes
	Southwest of T Avenue	80	Yes	170	97	No
RV ⁴	West of T Avenue	200	Yes	420	372	No
	East of T Avenue	80	Yes	210	210	Yes
	Southwest of T Avenue	80	Yes	210	97	No

Note: ft = feet, mph = miles per hour

1. Recommended sight distance based on AASHTO's *A Policy on Geometric Design of Highways and Streets*, 7th Edition. The recommended distance assumes vehicle type as noted and design speed is 5 mph higher than the posted speed. The posted speed on 6th Street west of the intersection was taken from Anacortes Municipal Code and increased by 5 mph (i.e., a design speed of 30 mph). Design 6th Street to the east of the intersection and T Avenue southeast of the intersection are gravel roadways, and a maximum design speed of 15 mph was assumed.
2. Available sight distance was measured in the field or based on the proposed project site plan with regrading at the southwest corner of the 6th Street/T Avenue Intersection.
3. Assumes driver eye height of 3.5 feet in accordance with AASHTO.
4. Assumes driver eye height of 7.6 feet in accordance with AASHTO based on single unit trucks.

¹ "Disrupt" as defined per AASHTO means that "most major-road drivers should not need to reduce speed to less than 70 percent of their initial speed." (*A Policy on Geometric Design of Highways and Streets*, 6th Edition)

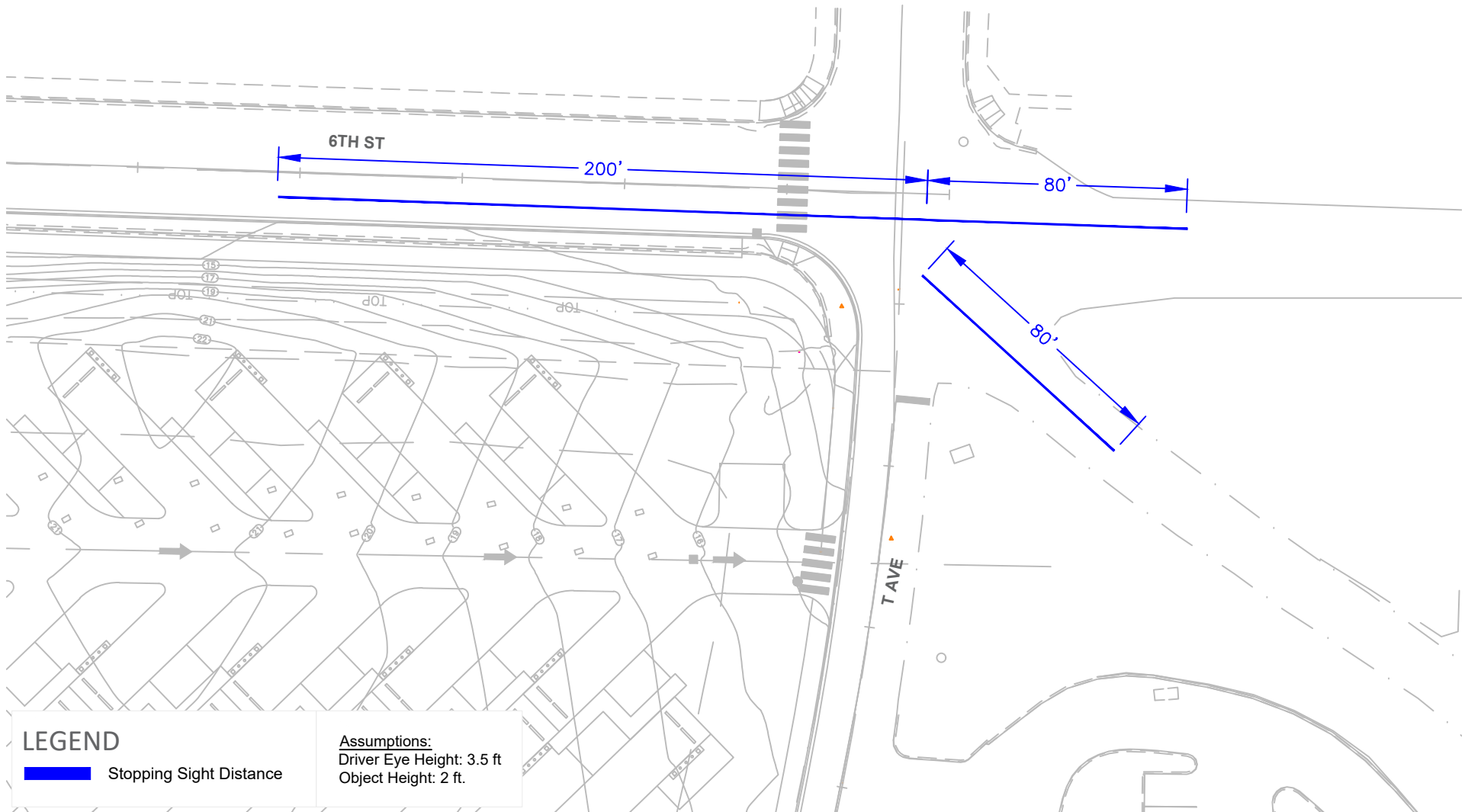
Table 2 shows the entering sight distance would not be met for cars and RVs looking west and southeast but is met looking east. The sight distance analysis considers the proposed slope of the hillside on the southwest corner of the intersection and the geometrics of the five-legged intersection with the stop bar setback on T Avenue. The proposal does not change the location of the stop bar or the geometrics of the five-legged intersection. Entering sight distance to the west of T Avenue is improved over the existing condition since the proposed project would cutback the hillside on the southwest corner. Since entering sight distance is less than recommended due to the configuration of the intersection and slope on the southwest corner, vehicles along 6th Street may need to slow as vehicles from the south T Avenue approach enter the traffic stream. The slowing of vehicles could result in some delay for the through traffic along 6th Street as vehicles from T Avenue enter the traffic stream. Entering sight distance is not currently met to the west so the potential slowing of vehicles along 6th Street with T Avenue vehicle entering the traffic stream is an existing condition. Traffic volumes along 6th Street are low and the impact to operations on 6th Street due to T Avenue vehicles entering the traffic stream would be minimal.

There is sufficient stopping sight distance for vehicles along on the west, east, and southeast intersection approaches. In addition, 6th Street curves as it approaches T Avenue so speeds may be slower resulting in a shorter AASHTO recommended entering sight distance than evaluated in this study. The proposed project represents an improved condition over the current entering sight distance since the southwest corner of the 6th Street/T Avenue intersection would be regraded reducing the slope and improving sight lines. A review of WSDOT reported collision data at the 6th Street/T Avenue intersection shows zero collisions between 2017 and 2019; therefore, there are no existing safety issues that have resulted in reported collisions.

Conclusion and Proposed Mitigation

The RV Park renovation would provide 25 campsites. The proposed project is not anticipated to result in new trips to the site. Stopping sight distance would be met and entering sight distance would be improved at the 6th Street/T Avenue intersection. The proposed project would construct sidewalk facilities along the project frontage. No off-site transportation impacts are anticipated as a result of the proposed project and no mitigation measures are required.

Attachment A: Sight Distance



Stopping Sight Distance

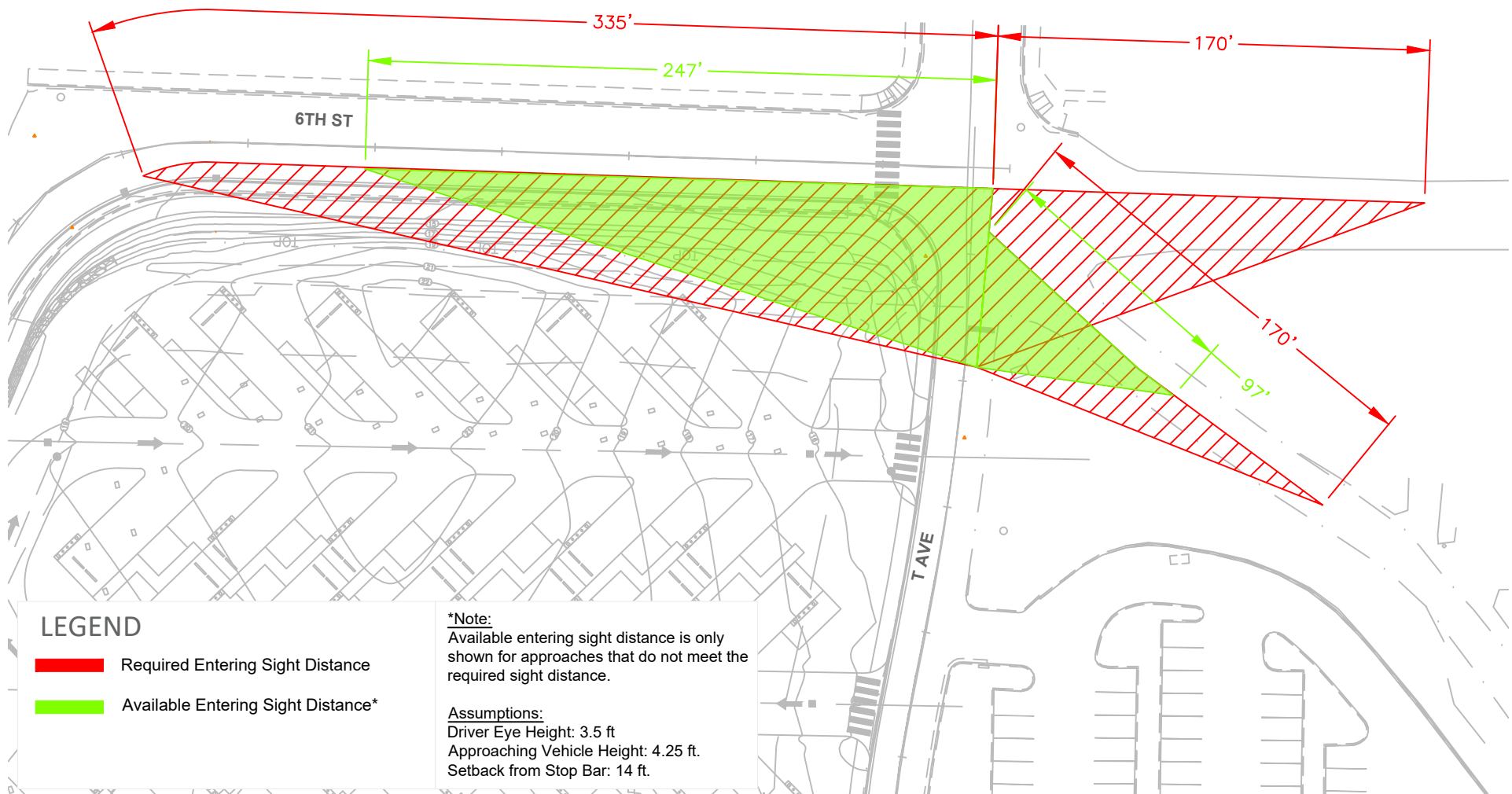
Cap Sante Marina North Basin Redevelopment

ATTACHMENT

transpogroup 

A-1

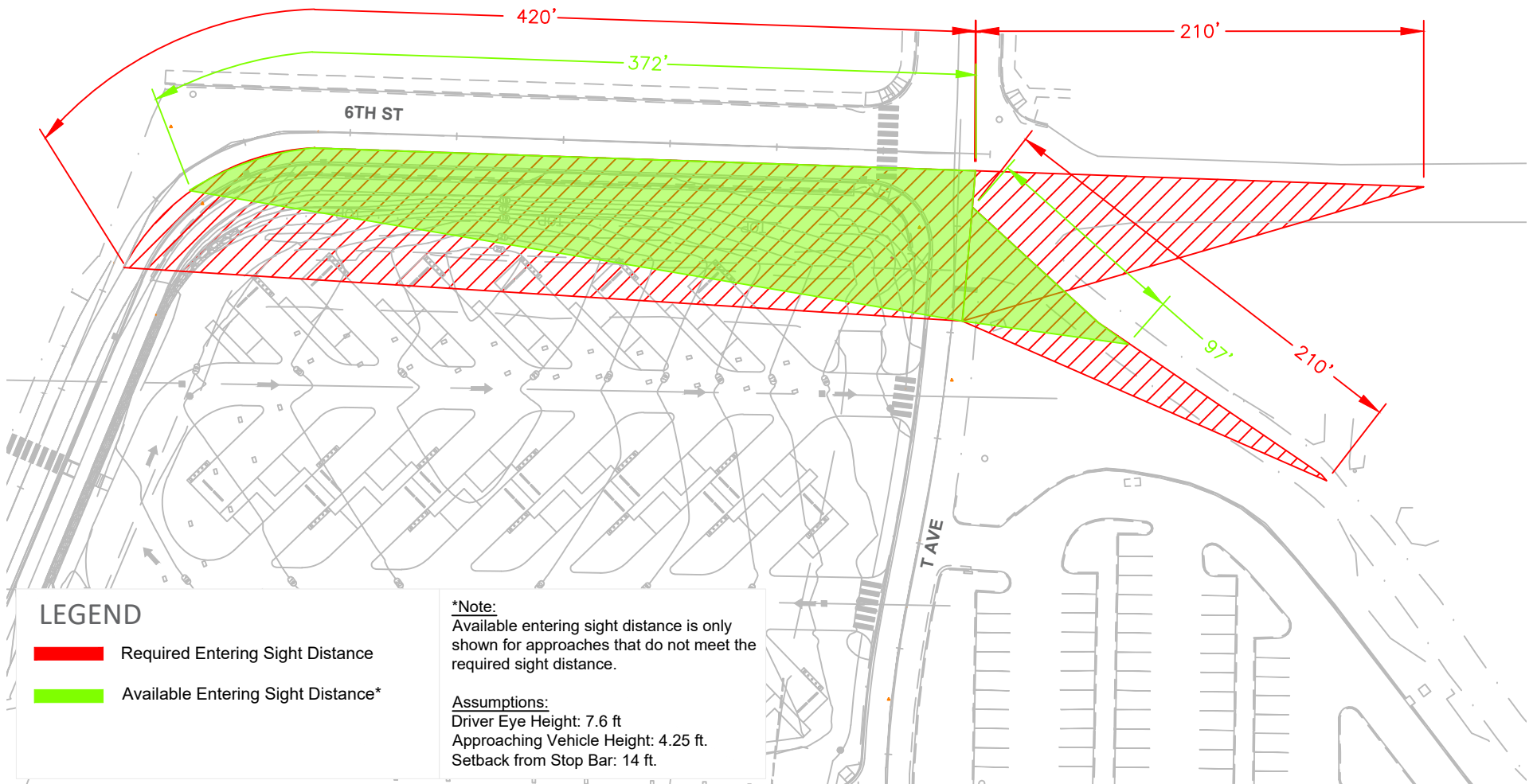
Page 504 of 552



Entering Sight Distance - Passenger Cars

Cap Sante Marina North Basin Redevelopment

ATTACHMENT



Entering Sight Distance - RVs

Cap Sante Marina North Basin Redevelopment

ATTACHMENT



ANACORTES PUBLIC WORKS DEPARTMENT

Steven Lange, Senior Engineering Tech

P.O. BOX 547, ANACORTES, WA 98221

E-MAIL: stevel@cityofanacortes.org

PHONE: (360) 299-1983

CELL: (360) 661-3468

Review Memo 1 – C.U.P

Date: July 1, 2021

To: Libby Grage, Planning Manager

From: Steven Lange

Subject: Conditional Use Permit Application Review (PW#21-114-DEV)

cc: Eric Shjarback, Justin Symonds, Fred Buckenmeyer, Don Measamer

The Public Works Engineering Department completed a review submitted documents for a Conditional Use Permit Application on July 1, 2021.

Below are the findings:

1. BLA review comments (05-25-21) still need to be addressed.
2. Easement Relinquishments (06-11-21) still need to be addressed.
3. Will the hotel site prep be part of the land disturbing activities since it is so close in proximity?
4. A more detailed civil plan and drainage report will need to be submitted, reviewed and accepted prior to construction work taking place. The submitted drainage report is very preliminary.
5. Traffic Impact Report should take into consideration the entire Common Plan of Development. If each phase of this project performs a separate TIA, the overall project will be identified as having minimal impacts to the area. If performed under a Common Plan of Development, the project will have an impact.
6. The connection of Rotary Park Drive (Private Road) needs to be addressed at the intersection of 6th and T Avenue.
 - a. Option 1: Disconnect the Private Road from the intersection and realign perpendicular with 6th Street.
 - b. Option 2: Installation of a traffic circle.
7. Rotary Park will need to be paved as part of the overall master plan. This private road will see additional traffic with the proposed improvements over time.



● Water ● Wastewater ● Streets ● Storm Drainage ● Engineering ● Solid Waste
● Transportation ● Equipment ● Capital Projects ● Development Services

Grage, Libby

From: Koegel, Matt
Sent: Friday, May 21, 2021 6:47 AM
To: Grage, Libby
Subject: RE: Request for Comment - CUP-2021-0001 - Port of Anacortes CUP for RV Park

If additional dumpsters are requested, follow the city of Anacortes dumpster pad specs.

Matt Koegel
City of Anacortes
Solid Waste Supervisor
360-293-1921

From: Grage, Libby <LibbyB@cityofanacortes.org>
Sent: Thursday, May 20, 2021 3:08 PM
To: Development Review Group <DevelopmentReviewGroup@cityofanacortes.org>
Subject: Request for Comment - CUP-2021-0001 - Port of Anacortes CUP for RV Park

Please see below for a link to application materials for the above CUP application by the Port of Anacortes. Please note that I am asking to receive comments by **Thursday, June 3rd**.

<https://www.anacorteswa.gov/DocumentCenter/View/20181/CUP-2021-0001-POA-RVPark-ApplicationDocs>

Please let me know if you have any questions.

Thank you,

Libby Grage | City of Anacortes
Planning, Community & Economic Development Department
Planning Manager
P.O. Box 547 | 904 6th Street | Anacortes, WA 98221
360.299.1986 (work) | 360-661-3505 (work cell)
libbyb@cityofanacortes.org | www.cityofanacortes.org

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

Grage, Libby

From: Frisinger, Rob
Sent: Thursday, June 3, 2021 11:52 AM
To: Grage, Libby
Subject: RE: Request for Comment - CUP-2021-0001 - Port of Anacortes CUP for RV Park

Building permit required for restrooms.

That's about it for building comment.

GFCs will need to be discussed... I don't know that we have a category for "camper hook up", so we will have to think about that internally.

Rob F.

From: Grage, Libby <LibbyB@cityofanacortes.org>
Sent: Thursday, May 20, 2021 3:08 PM
To: Development Review Group <DevelopmentReviewGroup@cityofanacortes.org>
Subject: Request for Comment - CUP-2021-0001 - Port of Anacortes CUP for RV Park

Please see below for a link to application materials for the above CUP application by the Port of Anacortes. Please note that I am asking to receive comments by **Thursday, June 3rd**.

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Please let me know if you have any questions.

Thank you,

Libby Grage | City of Anacortes
Planning, Community & Economic Development Department
Planning Manager
P.O. Box 547 | 904 6th Street | Anacortes, WA 98221
360.299.1986 (work) | 360-661-3505 (work cell)
libbyb@cityofanacortes.org | www.cityofanacortes.org

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

Grage, Libby

From: Mark <mgmbinyon@gmail.com>
Sent: Sunday, July 11, 2021 9:42 PM
To: Grage, Libby
Subject: CUP-2021-001

Re: North Basin RV park

To: Libby

From: Mark McEathron

Home: 513 6th St

Anacortes

360 510-6111

I would like to express concerns about the new RV park proposal.

We live next to the park. A concern is that the intersection of Market st, T Ave , and 6th st. As the new entrance to the park is at that intersection, there does not seem to be plans to update the intersection. It is a 5 way intersection and has only 2 stop signs. The increased traffic will result in a need to update the with at least stop signs at all the roads. There are many near misses now, increased traffic will probably move the near misses to collisions.

The other concern is that it does seem to have storm drains added to cover the current ditch which drains the run off to the bay. Our street, Rotary Park lane drains into that ditch. Will our storm drains be tied into the new drains so that there will not be a flooding problem on our road. ?

Last concern has to do with increased traffic on Rotary park lane due to new developments in the area and more traffic to rotary park. Quite a bit of the land that rotary park lane is on is port owned land vs city right of way.

In summary, I am requesting consideration of updating the intersection, storm system, and roads near the proposed new rv park.

Thanks

Mark mceathron.

Sent from my iPhone



NOTICE OF APPLICATION and PUBLIC HEARING:

NOTICE IS HEREBY GIVEN THAT AN APPLICATION WAS MADE FOR THE FOLLOWING PROPOSAL:

File Number: CUP-2021-0001

Project Name: Cap Sante North Basin Recreational Vehicle (RV) Park

Date of Application: April 5, 2021

Date of Completeness: June 23, 2021

Applicant & Landowner: Port of Anacortes, 100 Commercial Ave., Anacortes, WA 98221

Applicant's Agent: Brenda Treadwell, Port of Anacortes, 360-293-3134

Project Location: 600 T Avenue (P56860, P56861, P56862, P56880)

Request: The applicant has requested a Conditional Use Permit and site plan approval to improve a 26 space Recreational Vehicle (RV) Park located in the North Basin of the Cap Sante Marina area. The proposal will modernize the RV Park with updated facilities for RV Park guests, including provision of full utility service to the RV spaces. Improvements would provide the park with appropriate paved access and spacing, one RV space would be eliminated. A 1,100 sq. ft. single story utility/restroom/shower and laundry facility would be constructed for exclusive use by RV Park guests. The existing gravel site would be landscaped and vegetated, and updated utilities, including stormwater, would be installed. The total footprint of the RV Park would remain the same (approximately 2.5 acres) with about 1-acre of open space.

Required Project Permits/Approvals: The following may be required in addition to the above: City of Anacortes Building and Construction Permits, WA State Dept. of Ecology Construction Stormwater General Permit.

SEPA Review: The SEPA lead agency for this proposal, the Port of Anacortes, issued a SEPA Determination of Nonsignificance (DNS) on June 17, 2021.

Existing Environmental Documents: Traffic study; SEPA checklist; Preliminary geotechnical and habitat evaluation; Archaeological overview report

Public Comment Period: The Notice of Application was published on June 30, 2021. Written comments must be submitted to the contact person listed below by **5:00 PM on July 21, 2021.**

Public Hearing:

Planning Commission Open Record Public Hearing:

Wednesday, August 11, 2021, at 6:00 PM.

City Council Closed Record Decision Hearing:

Tuesday, September 7, 2021, at 6:00 PM.

Virtual meeting participation instructions and connection information can be viewed here:

<https://www.anacorteswa.gov/700/Meeting-Documents-and-Video>. Meeting attendance options will be posted on the applicable agenda published the week before the meeting. Hearings will be conducted in accordance with the rules of procedure adopted by the hearing body.

ANY PERSON HAS THE RIGHT TO RECEIVE NOTICE, PARTICIPATE IN ANY HEARINGS, REQUEST A COPY OF THE FINAL DECISION AND APPEAL THE DECISION AS PROVIDED BY LAW.

Document Availability: Application documents may be reviewed at <https://www.anacorteswa.gov/161/Planning-Community-Economic-Development> by clicking "Notices of Application" and then opening the appropriate project file number folder. The staff report will be available for review at this location no later than August 5, 2021.

For Project Information: Libby Grage, Planning Manager; Phone: (360) 661-3505

Email: libbyb@cityofanacortes.org; City of Anacortes, P.O. Box 547, Anacortes, WA 98221

LAND USE PERMIT NOTICE DISTRIBUTION

File Number: CUP-2021-0001
Project Name: Port of Anacortes RV Park CUP & Site Plan

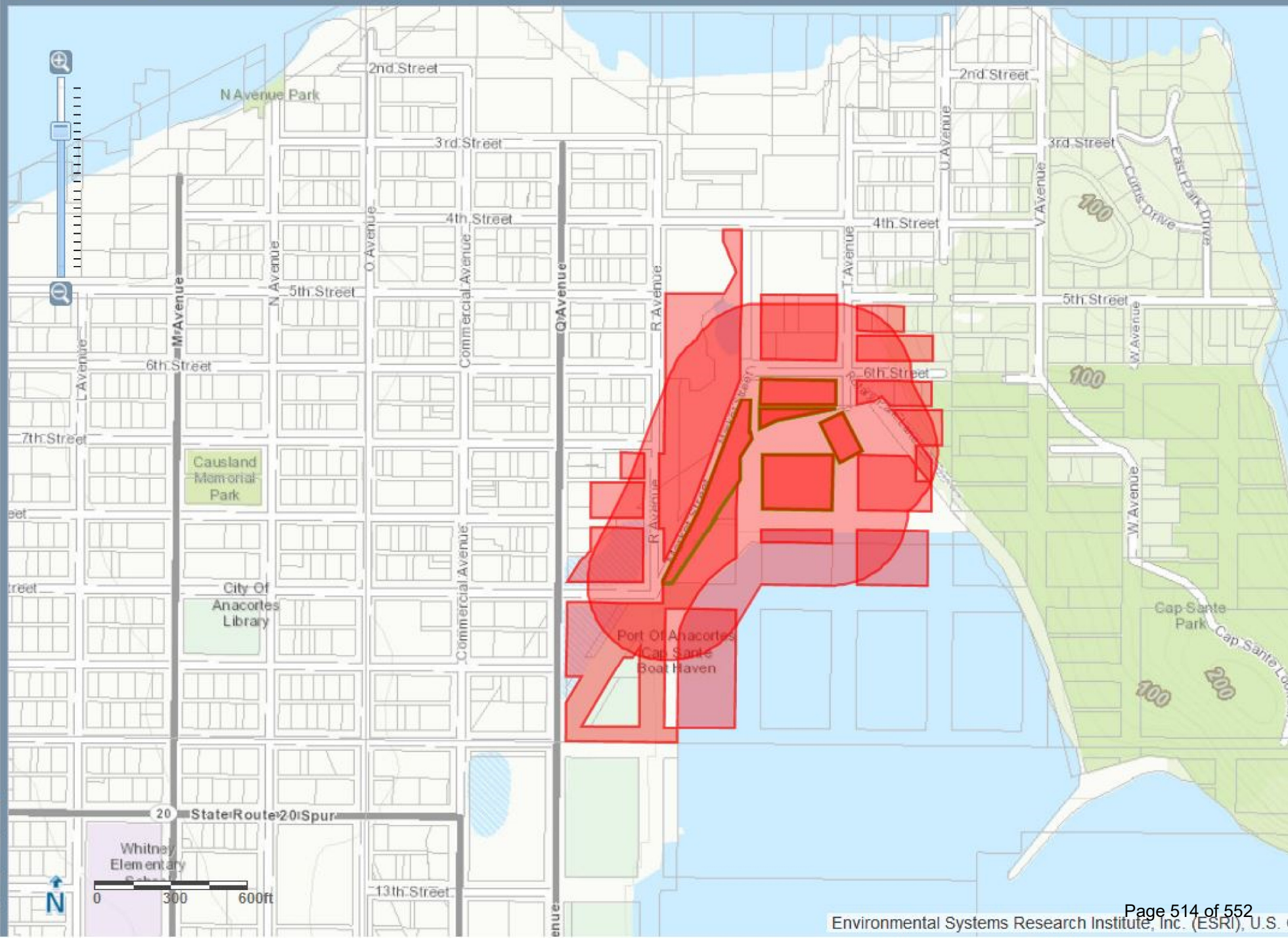


Notice of Application & Public Hearing - Affidavit of Posting

Where	Date	By:	Notes
REQUIRED BY CODE			
Anacortes American	6/30/2021	LBG	
Applicant	6/24/2021	LBG	
Appellant	N/A		
Parties of Record	N/A		
SEPA register (if opt. dns process used)	N/A		
Any person who requested notice	N/A		
Agencies with Jurisdiction or who commented	N/A		
WSDOT	N/A		
Skagit County	N/A		
300' Property Owners	6/30/2021	LBG	
Skagit County Assessor (NOD only)	N/A		
Posting property	6/30/2021	LBG	
City Hall	6/30/2021	LBG	
Library	6/30/2021	LBG	
COURTESY			
Webpage	6/24/2021	LBG	
NotifyMe Email List	6/24/2021	LBG	

PNumber	OwnerNar	OwnerAdd	OwnerAdd	OwnerAdd	OwnerCity	OwnerStat	OwnerZip	SitusStNo	SitusStNar	SitusCSZ
P32861	BNSF RAIL\	PROPERTY	PO BOX 961089		FORT WORTX		76161			
P32876	HOUSING AUTHORITY		719 Q AVE		ANACORTE WA		98221			
P32879	PORT OF A		100 COMMERCIAL AVE		ANACORTE WA		98221			
P56822	MCNAMAR LINDA A		509 5TH ST		ANACORTE WA		98221	509 5TH ST	ANACORTE WA	98221
P56824	TURNER DARREN		515 5TH ST		ANACORTE WA		98221	515 5TH ST	ANACORTE WA	98221
P56825	OLIVIER RU OLIVIER TIF		FERGUSON 3411 H AVI		ANACORTE WA		98221	519 5TH ST	ANACORTE WA	98221
P56855	SCHWULST WARREN P		5811 CAMPBELL LAKE		ANACORTE WA		98221	509 6TH ST	ANACORTE WA	98221
P56856	RUSSELLRENT LLC		513 6th st		ANACORTE WA		98221	511 6TH STREE	ANACORTE WA	98221
P56859	ANACORTES YACHT CL		611 ROTARY PARK LN		ANACORTE WA		98221	611 ROTARY P	ANACORTE WA	98221
P56873	COOK RICH		1719 8TH ST		ANACORTE WA		98221	702 R AVE	ANACORTE WA	98221
P56898	GN OP PROP									

Property Map





PLANNING, COMMUNITY & ECONOMIC DEVELOPMENT

PO Box 547 – 904 6th St. – Anacortes, WA 98221

DETERMINATION OF APPLICATION STATUS

Project Description: The applicant has requested a Conditional Use Permit and site plan approval to improve a 26 space Recreational Vehicle (RV) Park located in the North Basin of the Cap Sante Marina area.

File Number: CUP-2021-0001
Site Address: 600 T Avenue (P56860, P56861, P56862, P56880)
Zoning: Commercial Marine
Applicant/Owner: Port of Anacortes
Primary Contact: Brenda Treadwell

Date Submitted: April 5, 2021
Date Complete: June 23, 2021

Upon initial review, the above referenced application is found to be: **COMPLETE**

The required components of an application are present and have been determined to contain sufficient information necessary to allow the processing of the application(s); all submittal fees have been paid.

Your application is determined to be complete as of the date of this letter. Pursuant to Anacortes Municipal Code Section 19.20.110(4), a determination of completeness shall not preclude the department from requesting additional information or studies.

Review Authority: Libby Grage, Planning Manager
Planning, Community & Economic Development
Email: libbyb@cityofanacortes.org
Phone: 360-661-3505

Sincerely,

June 23, 2021

Libby Grage

Date

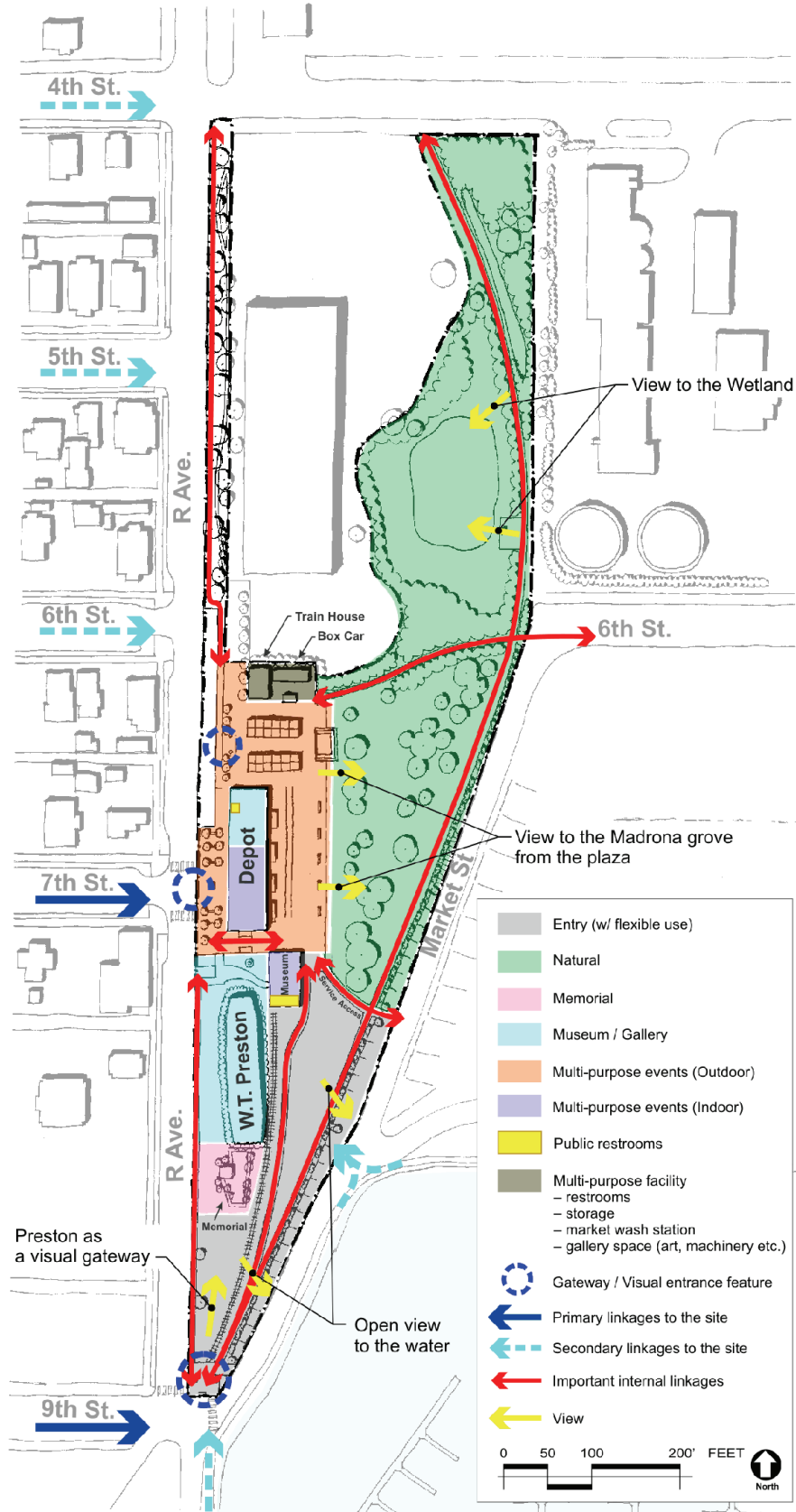
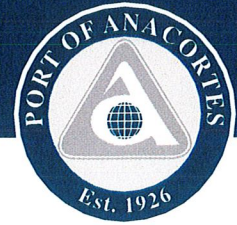


Figure 18. Master Plan concept.



July 9, 2021

Don Measamer, Director
Planning, Community and Economic Development
P.O. Box 547
Anacortes, WA 98221

Re: Port of Anacortes CUP and BLA Land Use Applications

Dear Mr. Measamer,

This response is related to comments the Port of Anacortes received from an engineering staff member dated 7.1.2021. (attached). Those comments were made regarding the Port's CUP and BLA applications for land use development within the Cap Sante North Basin upland area. The Port conducted the required neighborhood meeting on February 22nd, 2021, and our records indicate that formal submittal of both applications was made on March 23rd of this year.

The Port desires to address all city staff comments for these applications in a coordinated and complete manner. While engineering comments were previously made related to the BLA, to the best of our knowledge the 7.1 email from Engineering is the only written staff comment received on the CUP applications to date. Not knowing if this response is all inclusive, we will take this opportunity to respond to these comments. As City Administrator of these permit applications this reply is directed to your attention. The Port requests that this communication be included in the written record for these applications.

Engineering staff comment 1 and 2 related to the BLA are acknowledged and are being addressed with minor revisions to the plat maps. If these and email from Engineering and Planning staff dated May 25, 26, and June 8 (attached) are the only City comments, the Port will complete these changes and submit them for signatures and recording.

As to comment 3, the Port has communicated with the city and within our application and SEPA checklist, that the proposed hotel is no longer being considered. Port development activities within the North Basin area is limited to improvements to the existing gravel recreational vehicle park and in a later permit to the gravel marina parking area. As such, development east of Market Street brings the current use of land to city code, with required setbacks, paving, landscaping and drainage improvements.

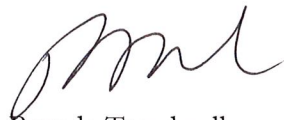
Comment 4 relates to the need for a detailed drainage plan prior to construction. The Port acknowledges this requirement for all Port planned development at the time of construction.

Comment 5. With the elimination of the hotel and the tabling of the Port's proposed public events and office building for over a year and a half now, Port plans are currently limited to making upgrades to the existing improvements. Following the recreational vehicle park and north basin marina parking the existing gravel parking lots on the west basin will be addressed. The traffic analysis included within the SEPA checklist and which the city received, concluded that no additional street mitigation is necessary, especially east of Market Street.

Comments 6 and 7 requests that the intersection of 6th and T Avenue be evaluated for safety concerns and provides two options that either Rotary Drive (which provides access to a City Park) be redesigned and constructed, or a traffic circle be installed at the intersection. It also states that Rotary Drive be repaved because of an anticipated increase in use in the future.

Within the SEPA checklist, Transpo reviewed this intersection and found that there is adequate sight distance for traffic entering the 6th and T intersection from Rotary Park Road. At the neighborhood meeting, testimony was given to the effect that safety concerns are caused by existing neighborhood traffic which often fails to come to a complete stop while traveling through the intersection. The request that that Port make this improvement is (in both the opinion of the Port and supported by SEPA analysis) unwarranted. If the City believes improvements are necessary for this existing situation perhaps City supplied stop signs and enforcement would be sufficient.

Thank you,



Brenda Treadwell

Director of Planning, Properties and Environmental

Port of Anacortes

O: (360) 299-1811

F: (360) 499-4011

brenda.treadwell@portofanacortes.com



ANACORTES PUBLIC WORKS DEPARTMENT

Steven Lange, Senior Engineering Tech

P.O. BOX 547, ANACORTES, WA 98221

E-MAIL: stevel@cityofanacortes.org

PHONE: (360) 299-1983

CELL: (360) 661-3468

Review Memo 1 – C.U.P

Date: July 1, 2021

To: Libby Grage, Planning Manager

From: Steven Lange

Subject: Conditional Use Permit Application Review (PW#21-114-DEV)

cc: Eric Shjarback, Justin Symonds, Fred Buckenmeyer, Don Measamer

The Public Works Engineering Department completed a review submitted documents for a Conditional Use Permit Application on July 1, 2021.

Below are the findings:

1. BLA review comments (05-25-21) still need to be addressed.
2. Easement Relinquishments (06-11-21) still need to be addressed.
3. Will the hotel site prep be part of the land disturbing activities since it is so close in proximity?
4. A more detailed civil plan and drainage report will need to be submitted, reviewed and accepted prior to construction work taking place. The submitted drainage report is very preliminary.
5. Traffic Impact Report should take into consideration the entire Common Plan of Development. If each phase of this project performs a separate TIA, the overall project will be identified as having minimal impacts to the area. If performed under a Common Plan of Development, the project will have an impact.
6. The connection of Rotary Park Drive (Private Road) needs to be addressed at the intersection of 6th and T Avenue.
 - a. Option 1: Disconnect the Private Road from the intersection and realign perpendicular with 6th Street.
 - b. Option 2: Installation of a traffic circle.
7. Rotary Park will need to be paved as part of the overall master plan. This private road will see additional traffic with the proposed improvements over time.



● Water ● Wastewater ● Streets ● Storm Drainage ● Engineering ● Solid Waste
● Transportation ● Equipment ● Capital Projects ● Development Services

From: [Grage, Libby](#)
To: [Brenda Treadwell](#); [Kevin Anderson](#)
Cc: [Lange, Steve](#); [Cooper, Tess](#)
Subject: FW: PWs Review of BLA - Port of Anacortes North Basin (BLA-2021-0006)
Date: Wednesday, May 26, 2021 8:58:12 AM
Attachments: [05-25-21 BLA Review.pdf](#)
[FW PWs Review of BLA - Port of Anacortes North Basin.msg](#)

Hi Brenda and Kevin,

Please find below and attached comments from the Public Works Department regarding the boundary line adjustment application.

I expect to complete my review by June 2 and will send any comments to you then.

Thanks,

Libby Grage | City of Anacortes

Planning, Community & Economic Development Department

Planning Manager

P.O. Box 547 | 904 6th Street | Anacortes, WA 98221

360.299.1986 (work) | 360-661-3505 (work cell)

libbyb@cityofanacortes.org | www.cityofanacortes.org

My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.

From: Lange, Steve <stevel@cityofanacortes.org>

Sent: Tuesday, May 25, 2021 1:00 PM

To: Morgan, Emily <emilym@cityofanacortes.org>

Cc: Shjarback, Eric <erics@cityofanacortes.org>; Symonds, Justin <justins@cityofanacortes.org>;

Buckenmeyer, Fred <fredb@cityofanacortes.org>; Measamer, Don <don@cityofanacortes.org>

Subject: PWs Review of BLA - Port of Anacortes North Basin

Emily,

The BLA needs to provide more detail:

1. Identify the Railroad Right-of-Way.
2. Provide the Burlington Northern Franchise Parcel, per RR Maps. (P32861)
3. Identify Tract 20 and ownership. County records do not identify ownership
4. Identify Tract 19 and ownership. County records do not identify ownership
5. There is a monument at 7th Street and Q Avenue (2006).
6. Provide more detailed property information along the railroad corridor. More particularly:
 - P32882
 - P56862 – Skagit County overlap in S Avenue – Motorline\Market Street Right-of-Way.
 - AF#201201050053
 - AF#201201050052
 - There is a reference made to a Market Street Easement Margin. What is this? And where is the document?
 - Without the above referenced information, it appears that the south line takes into the BLA a portion of the City property near Tract 31.
7. There are numerous agreements between the POA and the COA regarding Market Street. A more detailed map of this area would be super helpful. I am having trouble locating documents to verify information.

Thanks,

Steven Lange

Senior Engineering Tech

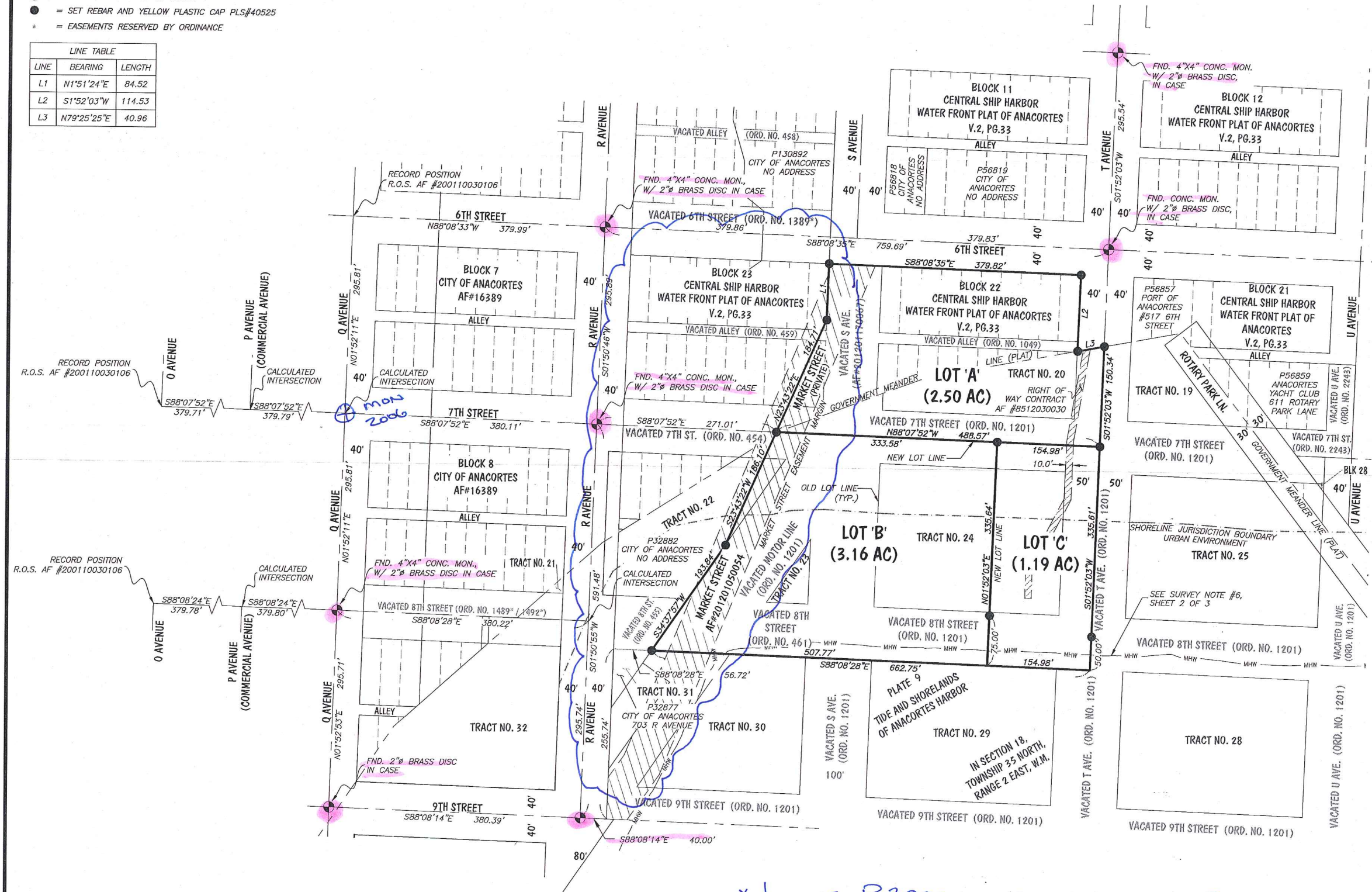
BLA-2021-XXXX

CAP SANTE MARINA BOUNDARY LINE ADJUSTMENT

SYMBOL LEGEND:

- = EXISTING MONUMENT AS NOTED
- = SET REBAR AND YELLOW PLASTIC CAP PLS#40525
- * = EASEMENTS RESERVED BY ORDINANCE

LINE TABLE		
LINE	BEARING	LENGTH
L1	N1°51'24"E	84.52
L2	S1°52'03"W	114.53
L3	N79°25'25"E	40.96



DATA	
DRAWN:	TJM
CHECKED:	ASM
DATE:	2/19/2021
DWG:	2020064_svX_LLA.dwg
SCALE:	1" = XX'
JOB#:	2020064
FIELD BOOK:	XXX
SHEET	3 OF 3

CAP SANTE MARINA BLA

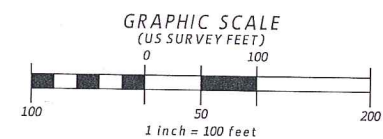
PORT OF ANACORTES
100 COMMERCIAL AVENUE
ANACORTES, WA 98221



PACIFIC SURVEYING
& ENGINEERING, INC.

909 Squalcum Way, Suite 111 | BELLINGHAM, WA 98225
T: 360.671.7387 | F: 360.671.4685
WWW.PSESURVEY.COM | INFO@PSESURVEY.COM

* LOCATE P32861 - R.R. MAP. BNSF Railway Co.
* 7TH S & Q MON. IN 2006.



From: Grage, Libby

Sent: Wednesday, May 26, 2021 8:58 AM

To: Brenda Treadwell <Brenda.Treadwell@portofanacortes.com>; 'Kevin Anderson' <Kevin.Anderson@portofanacortes.com>

Cc: Lange, Steve <stevel@cityofanacortes.org>; Cooper, Tess <tessc@cityofanacortes.org>

Subject: FW: PWs Review of BLA - Port of Anacortes North Basin (BLA-2021-0006)

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Libby Grage | City of Anacortes
Planning, Community & Economic Development Department
Planning Manager
P.O. Box 547 | 904 6th Street | Anacortes, WA 98221
360.299.1986 (work) | 360-661-3505 (work cell)
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Thanks,
Steven Lange
Senior Engineering Tech

MEMORANDUM

Date:	January 27, 2021	TG:	1.19259.00
To:	Eric Shjarback, PE – City of Anacortes		
From:	Stef Herzstein, PE, PTOE – Transpo Group Jessica Lambert, PE – Transpo Group		
CC:	Brenda Treadwell – Port of Anacortes Bill Hager – Maul Foster & Alongi, Inc.		
Subject:	Cap Sante Marina North Basin Parking Lot Traffic and Parking Review		

The Port of Anacortes is proposing to upgrade the existing marina parking lot located in the North Basin at the Cap Sante Marina. The purpose of this memorandum is to provide a traffic and parking review of the proposed parking lot upgrade. Project information and existing and future parking conditions are documented.

Traffic is not generated by parking lots by rather land uses and associated activities using the parking. The proposed project would only upgrade the parking lot and would not change Cap Sante Marina land uses and activities. Since no traffic would be generated by the parking lot upgrades, based on the City of Anacortes Engineering Department Chapter 3 Streets Standards November 2018, no traffic study is required.

Project Information

The North Basin is located east of Market Street and west of T Avenue as shown in Figure 1. The parking lot is located on the southern half of the North Basin. The project site plan is shown on Figure 2. The existing gravel parking lot accommodates approximately 120 vehicles and the project would provide 136 paved parking spaces. It is anticipated that the parking lot upgrade would be completed by 2022.



Figure 1 Site Vicinity

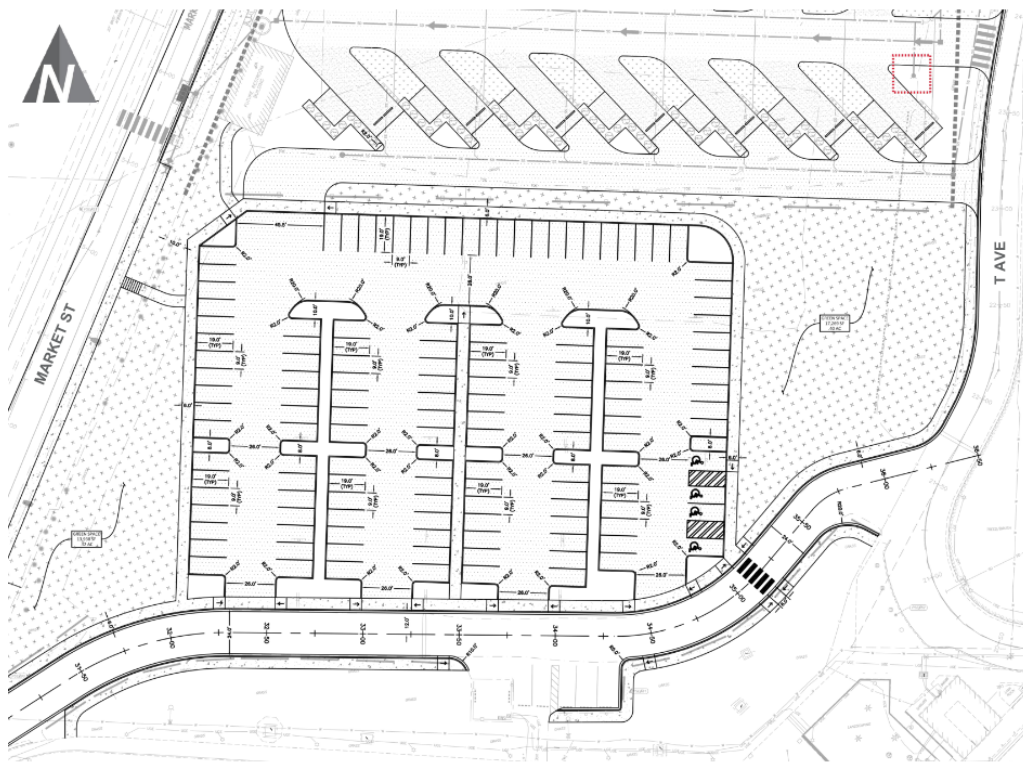


Figure 2 Parking Lot Upgrade Site Plan

Parking Demand

As described previously, the existing parking lot accommodates approximately 120 vehicles. Parking data collected in the summer of 2019 indicated the parking lot reached utilization rates on average of 107 percent (or 128 vehicles) on Saturdays and 64 percent (77 vehicles) on the average mid-week weekday.

With completion of the proposed project the parking supply would be 136 spaces, an increase of approximately 16 spaces over the current condition. No changes to the surrounding land use are proposed as part of the parking lot upgrade; therefore, no additional parking demand is anticipated. The additional parking would accommodate the observed average Saturday and weekday summer parking demand.

Conclusion

The proposed project would not generate trips and would accommodate the anticipated parking demand. No traffic or parking-related impacts are anticipated as a result of the proposed parking lot upgrade.



City Council

Closed Record Decision Hearing

CUP-2021-0001: Port of Anacortes RV Park CUP & Site Plan

September 7, 2021

Application Summary

- **Applicant & Landowner:** Port of Anacortes
- **Proposed Use:** Recreational Vehicle (RV) Park
- **Zone:** Commercial Marine (CM) – RV Park = Conditional Use
- **Location:** Cap Sante Marina North Basin – 611 T Ave.
- **Construction Proposal:** Modernize RV Park with updated facilities, including full utility services to spaces, paving, landscaping, stormwater improvements, 1,100 sq. ft. restroom/shower/laundry facility, pedestrian & landscaping improvements on Market St. and 6th St.
- **SEPA:** Port of Anacortes - issued SEPA DNS 6/19/21
- **Requested Permits:** Conditional use permit and site plan review; future required permits will include clearing/grading, construction plan approval, ROW, and building permits
- **Planning Commission Action:** Open record public hearing held 8/11/21; PC recommended approval with conditions to CC

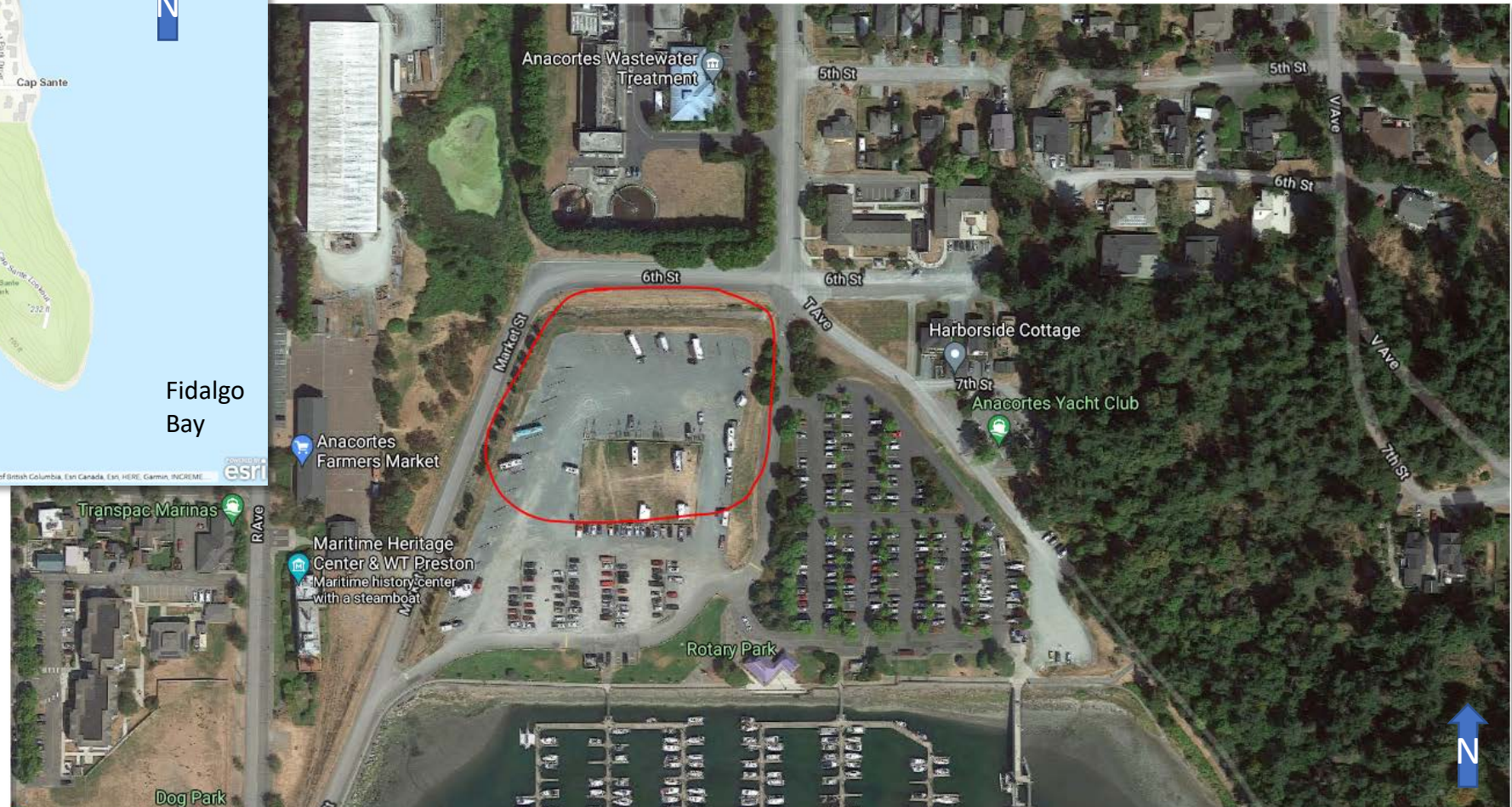
Review Process

- Type 4
- Preapplication meeting
- Neighborhood meeting
- NOA
- 21-day comment period
- Review by City Departments
- Pre-decision open record public hearing – Planning Commission
- Closed record decision hearing – City Council

19.20.030 Types of review.

Types of Review	Type 1 Administrative Ministerial Actions	Type 2 Administrative Decisions	Type 3-HE Hearing Examiner Decisions	Type 3-PC Planning Commission Decisions	Type 4 City Council Decisions
Pre-Application Conference	At discretion of Director	At discretion of Director	Yes	Yes	Yes
Pre-Application Neighborhood Meeting	No	No, except may be required for short subdivisions, binding site plans, and site plan review at discretion of Director	Yes	Yes	Yes
Notice of Application	No	Yes	Yes	Yes	Yes
Comment Period	None	14 days	21 days	21 days (30 for shoreline permits)	21 days (30 for shoreline permits)
Recommendation By	None	None	Director	Director	Planning Commission
Pre-Decision Open Record Public Hearing	No	No	Yes, before Hearing Examiner	Yes, before Planning Commission	Yes, before Planning Commission
Closed Record Decision Hearing	No	No	No	No	Yes, before City Council
Decision By	Director	Director	Hearing Examiner	Planning Commission	City Council
Notice of Decision	No	Yes	Yes	Yes	Yes
Local Appeal Available To	Hearing Examiner	Hearing Examiner	City Council	City Council	None
Appeal Hearing	Open record	Open record	Closed record	Closed	N/A

Site Description – Vicinity Map



Site Description – Zoning



[illegible]

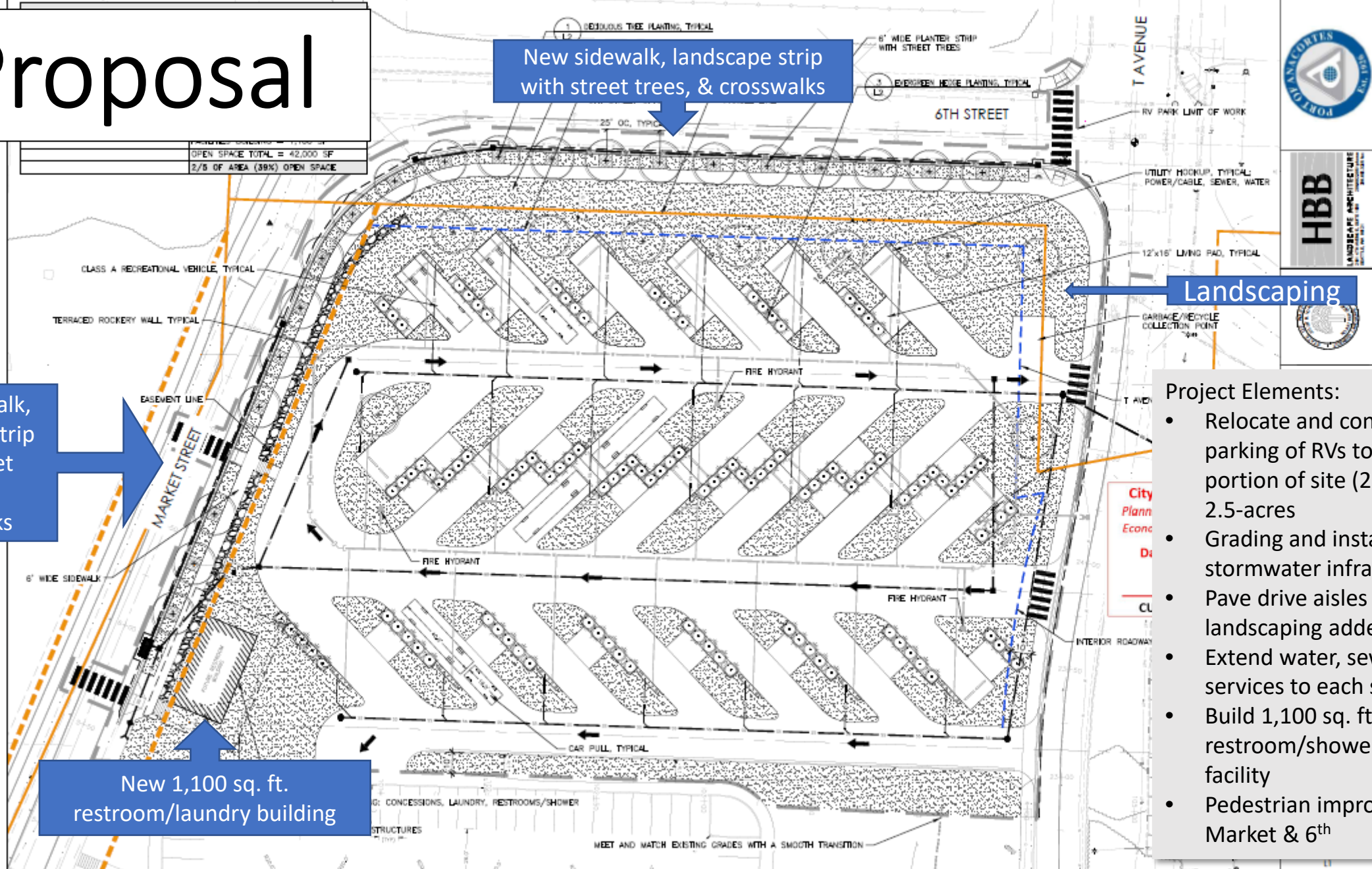
-
- A photograph of a road intersection. A blue arrow points from a blue box containing the text "RV Park & parking lot" to a paved area on the right side of the road. The road has "Market St" painted on it. In the background, there are trees and a body of water.

Site Photos

July 2021



Proposal



Project Elements:

- Relocate and consolidate parking of RVs to northern portion of site (25 spaces); 2.5-acres
- Grading and install improved stormwater infrastructure
- Pave drive aisles and landscaping added
- Extend water, sewer, power services to each space
- Build 1,100 sq. ft. restroom/shower/laundry facility
- Pedestrian improvements on Market & 6th

New sidewalk &
landscape strip

New sidewalk &
landscape strip



Applicable Review Criteria:

AMC 19.36 Conditional Uses

AMC 19.30 Site Plan Review

19.36.040 Criteria.



A. In order to grant a conditional use permit, the decision maker must find that the use would be consistent with the following criteria:

1. The use would comply with any specific requirements for the conditional use specified elsewhere in this code;
2. Access to the site is appropriate considering the anticipated volume of traffic resulting from the use;
3. Off-street parking and loading facilities are adequate in terms of location, amount, and design to service the use;
4. The amount and location of open space and the provision of screening is such that buffering of incompatible uses is achieved;
5. The location and intensity of outdoor lighting is such that it does not cast light on adjacent, adjoining, or neighboring properties;
6. Hours and manner of operation of the proposed use, including anticipated noise generation, are not inconsistent with the adjacent or nearby uses;
7. Public facilities and utilities are capable of adequately serving the proposed use;
8. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;
9. Any other factors deemed relevant to the decision-maker. (Ord. 2992 § 1 (Att. A), 2016)

19.30.040 Review criteria.



- A. Conformance with all other applicable laws, ordinances and regulations.
- B. Conformance with AMC Chapter 15.32, Underground Utilities.
- C. Conformance with AMC Chapter 19.22, Concurrency.
- D. Conformance with the applicable zoning provisions of Division 4 of this title, including:
 1. AMC Chapter 19.41, Allowed Uses.
 2. AMC Chapter 19.42, Form and Intensity Standards.
 3. The applicable use standards of AMC Chapters 19.43 through 19.48 .
- E. Conformance with the applicable community design provisions of Division 5 of this title, including:
 1. AMC Chapter 19.51, Public Street Improvements Required.
 2. AMC Chapter 19.52, Public Street Design.
 3. AMC Chapter 19.53, Private Driveways and Access.
 4. AMC Chapter 19.54, Subdivision Design and Block Structure.
- F. Conformance with the applicable project design provisions of Division 6 of this title, including:
 1. AMC Chapter 19.61, Block Frontage Standards.
 2. AMC Chapter 19.62, Site Planning.
 3. AMC Chapter 19.63, Building Design.
 4. AMC Chapter 19.64, Parking.
 5. AMC Chapter 19.65, Landscaping.
 6. AMC Chapter 19.66, Fences, Walls and Hedges.
 7. AMC Chapter 19.67, Signs.
 8. AMC Chapter 19.69, Standards, Generally.
- G. Conformance with other applicable environmental provisions, including:
 1. AMC Chapter 17.70, Critical Area Regulations.
 2. AMC Chapter 18.04, State Environmental Policy Act.
 3. AMC Chapter 18.16, Shoreline Master Plan.
 4. AMC Chapter 19.76, Stormwater.
 5. AMC Chapter 19.78, Clearing and Grading. (Ord. 3040 § 2 (Att. A), 2019)

Staff and Planning Commission Recommendation

- Recommend approval, with conditions

E. RECOMMENDATION

Based upon the application, Findings of Fact, and Conclusions of the staff report, staff recommends that the Planning Commission recommend approval of the site plan and conditional use permit with the following conditions of approval:

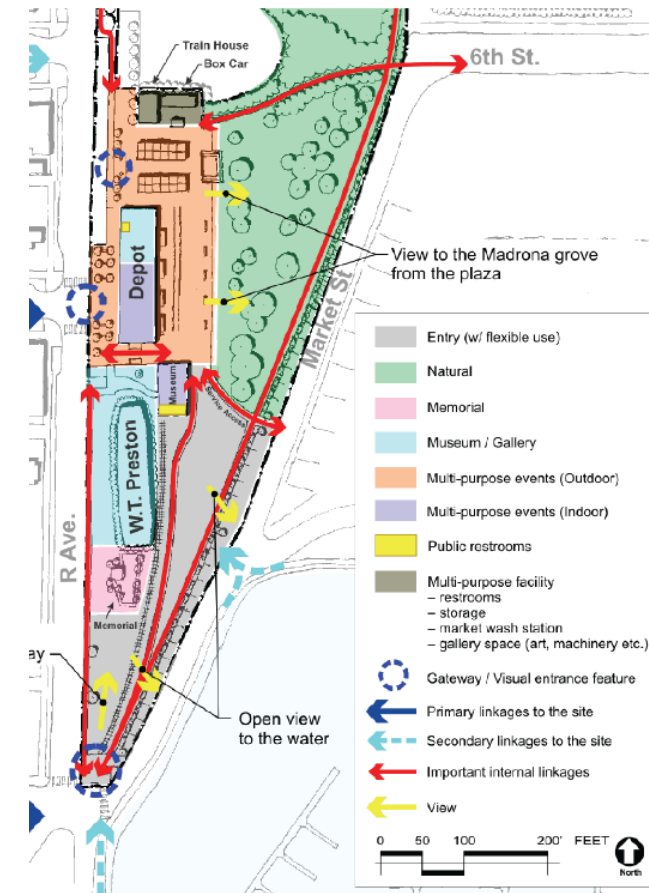


1. The site plan must be revised as follows:

- Incorporate a 10' wide Type C landscape buffer around the west and north perimeters of the RV Park.
- Relocate the dumpster /recycle area/enclosure to conform to the placement and screening standards of AMC 19.62.070, including location outside of the public right-of-way. The location must be approved by the Public Works Department (Sanitation).

A revised site plan must be submitted for review and approval prior to grading or building permit issuance.

2. A final landscape plan that conforms with the standards in AMC 19.65, including a minimum 10' wide Type C landscaping around the west and north RV Park perimeters, shall be submitted for review and approval prior to grading/clearing plan permit issuance. Landscaping must be installed prior to the issuance of certificate of occupancy.
3. Documentation of conformance with applicable minimum standards of the Washington Department of Social Health Services and the county health department must be provided per AMC 19.44.100.F.2 prior to civil construction plan approval.
4. The applicant shall provide technical documentation per 19.64.040.B regarding parking demand for the RV Park for review by the PCED Department. A legally binding document addressing the shared parking, such as a covenant or reciprocal easement agreement, shall be submitted for City approval prior to construction plan approval, and recorded with the Skagit County Auditor in the chain of title for the properties at the expense of the applicant prior to final occupancy.
5. According to the Preliminary Geotechnical Evaluation for the North and West Basin Upland Redevelopment, dated November 27, 2018, by GeoEngineers, the site area meets the definitions of a seismic hazard area.
 - 5.1 Prior to building permit issuance for the restroom/shower building, the applicant shall provide a geotechnical engineering report for the proposal that evaluates the physical properties of the subsurface soils, especially the thickness of consolidated deposits and their liquefaction potential. If it is determined that the site is subject to liquefaction, mitigation measures appropriate to the scale of the development shall be recommended and implemented.
6. According to the preliminary geotechnical report, portions of the site may be affected by soil, groundwater, and/or sediment contamination. The report recommends that site soils where earthwork will take place will need to be classified to determine appropriate disposal options.
 - 6.2 Prior to construction plan approval, site soils shall be classified, and appropriate disposal options determined and implemented.
7. The applicant shall work with the City Parks and Public Works Departments to determine the optimal location for the Market Street crosswalks, considering safety and alignment with future planned pedestrian paths on the Depot site, as generally depicted in the City of Anacortes Depot Site Master Plan.
8. Fire lines, fire hydrants and related appurtenances are to be located as approved by the City of Anacortes Fire Chief and Water Department. Fire flows and emergency apparatus access shall be addressed in a manner acceptable to the Fire Chief and the City of Anacortes Public Works Department.
9. A clearing and grading permit application consistent with City requirements shall be submitted by the applicant for review and approval prior to any construction activities taking place on or off-site.
10. A Storm Drainage Report consistent with City requirements shall be submitted by the applicant for review and approval prior to any construction activities taking place on or off-site. Stormwater conveyance both on-site and off-site shall comply with City Storm drainage requirements.



Master Plan concept.

11. Street improvements along Market Street, 6th Street and T Ave, must be completed per Public Works Department approval prior to occupancy of the RV park.
12. Construction civil plans consistent with the City of Anacortes Engineering Development Standards, including but not limited to, Clearing and Grading Plan, Erosion Control Plan, Site utility\Infrastructure improvements Plan, Roadway Improvements Plan, Signage Plan, Street Lighting Plan, and other plans and\or information required by the City Planning\Building and Public Works Departments shall be submitted for review and approval prior to any construction activities taking place.
13. Engineering and Inspection fees in the amount of \$500.00, plus 2% of the total estimated construction cost shall be due upon civil plan approval. No construction activity is allowed until the construction plans are approved, all fees have been paid and a preconstruction conference held.
14. Retaining walls must be designed by a structural engineer (if required by the Director), provide appropriate drainage facilities, and conform to the standards in AMC 19.66.080. A building permit must be obtained prior to construction (if required by the Director).
15. The restroom/laundry building's conformance with applicable provisions of AMC 19.63.050-19.63.070 related to building details, materials, and blank wall treatments, must be demonstrated prior to building permit issuance for that building.
16. Lighting on the restroom/laundry building must be installed so that light is directed downward onto the property upon which it is located. All light sources must be shielded to direct light away from the sky and from residential uses. if additional external lighting is proposed in the future, a lighting plan will need to be provided for review and approval prior to installation.
17. The intersection of 6th Street, T Avenue, and Rotary Park Lane shall be evaluated by the applicant's traffic engineer for the need of potential safety improvements, and any recommended signage or other improvements shall be installed by the applicant, as approved by the Public Works Department, prior to final occupancy of the RV Park.
18. The proposed development is subject to the following fees that include but are not limited to water, sewer, and stormwater general facility and hookup fees, transportation, fire, and park impact fees. All required fees are based on the fee schedules in place at the time of building or grading permit issuance and shall be paid prior to grading permit or building permit issuance.
19. All required RV parking areas shall be paved and marked by suitable materials and wheel stops, curbing, traffic control devices, and directional signage installed prior to certificate of occupancy being issued.



20. BLA-2021-0006 must be recorded prior to certificate of occupancy being issued.
21. Relinquishment of utilities easements reserved by the City within vacated right-of-way on the site shall be addressed in a manner acceptable to the Public Works Director prior to certificate of occupancy being issued.
22. All site utilities must be placed underground.
23. If fencing or signage is to be proposed, permitting in accordance with AMC 19.66 and/or AMC 19.67 shall be required.
24. Applicant must obtain all applicable local, state, and federal permits and authorizations prior to start of site work.

Thank you.



Suggested Meeting Order

1. Questions for staff?
2. Applicant remarks/presentation
3. Comments from parties of record
4. CC questions, deliberation, decision



City Council Agenda Bill

Meeting Date: September 7, 2021 **Agenda Item:** 8.a.

Agenda Item Title: Resolution 3050: Authorizing Distribution of Tourism Promotion Funds

Staff Contact(s): DON MEASAMER

Approved for Submittal to Council by **Action Type**

Joann Stewart

Resolution

STEVE HOGLUND

Item Summary: Approval of Resolution 3050 Authorizing Distribution of Tourism Promotion Funds to the City of Anacortes Chamber of Commerce in the amount of \$27,000.00 for the purchase of a Christmas Tree for the City Holiday Celebrations. This request will bring the total 2021 Lodging Tax allocations to \$482,830.

Budget Impact:

Use of Lodging Tax Capital Funds for eligible lodging tax projects

Previous Action: N/A

Recommended Motion: I move to approve Resolution 3050 Authorizing the Distribution of Tourism Promotion Funds to the Anacortes Chamber of Commerce for the Purchase of the Christmas Tree.

Alternative Actions: Deny Approval

Attachments (listed in order presented):

1. Chamber Christmas Tree Resolution
2. Chamber Christmas Tree Application

RESOLUTION NO. 3050

A RESOLUTION AUTHORIZING DISTRIBUTION OF TOURISM PROMOTION FUNDS TO THE ANACORTES CHAMBER OF COMMERCE FOR THE PURCHASE OF THE CHRISTMAS TREE FOR THE CITY HOLIDAY CELEBRATIONS

WHEREAS, the below listed agency has been selected by the City to undertake a project designed to advertise, publicize, or distribute information or undertake other activities specifically authorized by RCW 67.28.180 for the purpose of attracting visitors to the City of Anacortes; and

WHEREAS, the City of Anacortes wishes to provide certain monies to this agency, which monies have been collected or will be collected as part of the Motel/Hotel Tax;

NOW, THEREFORE IT IS HEREBY RESOLVED BY THE ANACORTES CITY COUNCIL to authorize the distribution of tourism promotion funds to the following agency, as the official act and deed of the City of Anacortes:

	Project	Grant Recipient	2021 Request	LTAC RECOMMENDS	APPROVED
1	Purchase a new Christmas Tree to replace the existing crab pot Christmas Tree for display during the holidays at the Chamber of Commerce location	Anacortes Chamber of Commerce	\$27,000	\$27,000	\$27,000

PASSED and **APPROVED** on this 7th day of September 2021.

CITY OF ANACORTES

By _____
Laurie Gere, Mayor

ATTEST:

Steven Hoglund, City Clerk

APPROVED AS TO FORM:

Darcy Swetnam, WSBA #40530
City Attorney

Application

Project Detail

Project name	Experience Anacortes (previously the International Ferry & Anacortes Marketing Program)
Date(s) of project	September 2021
Amount of funding requested	\$27,000
Type of qualifying project	☒ Tourism Promotion/Marketing ☐ Operation of a Special Event/Festival designed to attract tourists ☐ Operation of a Tourism Promotion Agency ☐ Operation of a Tourism-Related Facility owned or operated or non-profit organization ☐ Operation and/or Capital Costs of a Tourism-Related Facility owned by a municipality

Applicant Detail

Applicant name	Anacortes Chamber of Commerce
Type of applicant	☐ Individual ☒ Non-profit corporation ☐ Public agency ☐ Other: enter text.
Federal tax ID #	91-0534761
Contact name	Christy Lyman
Mailing address	819 Commercial Avenue, Suite F, Anacortes, WA 98221
Email address	clyman@anacortes.org
Phone	(360) 293-7911

Project Questionnaire

Describe your project.

The Anacortes Chamber of Commerce is requesting funding to replace the deteriorated town Christmas tree. The proposed tree is constructed from steel and wrapped in garland, lights, and ornaments. It will have the look of a real tree and still retain the coastal charm of the crab pot tree through using coastal colors and nautical ornaments.

Describe with specificity what aspects of your project you would spend the requested funds on.

Please see the attached budget for an itemized plan of proposed spending avenues.

Promotion

Describe how you will promote your project to attract tourists.

We focus on guests (the traveling public) coming from beyond 50 miles, and we showcase the wide range of activities that Fidalgo Island has to offer during the holidays including the Coastal Christmas Tree Lighting Ceremony, horse drawn trolley rides, holiday shopping, and other community events. Our main goal is to showcase the island as a destination in and of itself, encouraging people to stay here and enjoy Anacortes as a holiday destination. We also focus on travelers coming through Anacortes to use the Washington State Ferry system, promoting the reservation system as an opportunity to explore Anacortes before heading out.

Describe how you will promote lodging establishments, restaurants, and businesses located in Anacortes.

We will promote businesses, restaurants, and lodging establishments by continuing to drive traffic to the Anacortes.org website – we include the URL in all our advertising which is focused on year-round events and experiences. We redirect our digital ad links to specific landing pages, best suited for each audience, and track the campaign using custom parameters built through a Google Analytics tool.

Budget

Describe the overall budget for your project.

Our total budget with city funding, chamber expenses, and in-kind contributions is \$33,979

What percentage of that budget are you requesting from the city?

78%

What would you cut from your proposed project if your application is not fully funded?

It would significantly depend on how large the gap in funding is – we would start by cutting back on ornaments.

Tourism-Impact Estimate

Provide the following estimates of the number of visitors to Anacortes as a direct result of your project. For recurring events, provide actual data from prior years. Leave blank if prior year data is not available.

	Estimate	Actuals		
	2021	2019	2018	2017
Overall attendance	1500	940	Enter ###.	Enter ###.
Number of people traveling more than 50 miles or more one way from their place of residence or business for the day or staying overnight	500	405	Enter ###.	Enter ###.
Number of people traveling from another country or state outside of their place of residence or their business	150	126		
Number of people staying in PAID accommodations (e.g., hotel, motel, bed-and-breakfast) in Anacortes	50	20	Enter ###.	Enter ###.
Number of paid lodging room nights resulting from your project (e.g., 25 rooms on Friday and 50 rooms on Saturday = 75 room nights)	20	20	Enter ###.	Enter ###.

Describe methods you will use to track tourists for the purpose of mandatory reporting.

We use Google Analytics to provide real-time tracking of our digital promotions and website. This allows us to see website visitors' behaviors while they interact with our content and provides an opportunity to create targeted campaigns while saving time and money.

Describe the prior success of your project in attracting tourists.

[Click here to enter text.](#)

Describe your target tourist audience (location, demographics, etc.)

We are targeting the affluent traveler and families who can spend two or more nights away from their homes. We focus on prospective guests within British Columbia (prior to COVID) and Washington State as well as US cities based on Google Analytics data. We continue to expand our reach internationally with some of our best-established partners like the Cascade Loop, Experience WA, and Scenic WA. We have seen success when working with travel writers and plan to continue bringing in people that we meet at travel shows and conferences.

I am currently building an integrated marketing plan that combines modern and traditional forms of communication as well as ancillary campaigns using social media and email content marketing strategies for our end of the year fall and holiday season. I am using the funding we couldn't use during the first quarter of the year due to COVID restrictions to amplify Anacortes as not only a vacation destination but a place friends and families can come to enjoy the holidays and events in the 4th quarter of the year. Publications used for this campaign will

be The Seattle Times, Bellingham Alive, Seattle Magazine, 48 North, NW Travel & Life Magazine, AAA Journey Magazine, Skagit Publishing, and Last Chance Productions.

Attachments

Prior recipients for similar proposals must attach examples of ads, promotional materials, reports, or other materials they have generated with prior allocations of lodging tax funds.

List the titles of any attachments you have included with this application:

2021 Anacortes Coastal Christmas Tree – Budget

Photos of budget line items

Photos of tree installation

Warranty Coverage and Duration information

Visitor Information Center Guest Data from December 2019.

Certification

- I am an authorized agent of the organization applying for funding.
- If awarded, my organization intends to enter into a Municipal Services Contract with the City; provide liability insurance for the duration of the contract naming the City as additional insured and in an amount determined by the City; and file for a permit to use City property, if applicable.
- I understand that the City will only reimburse those costs actually incurred by the Applicant and only after the service is rendered, paid for if provided by a third party, and a signed Request for Reimbursement form (or other form acceptable to the City) has been submitted to the City, including copies of invoices and payment documentation.
- I understand that the Applicant will be required to submit a report in a format determined by the City.
- I understand that all project activities must be identified in promotional and other business materials as having been funded by the City of Anacortes.
- I understand that once submitted, this application is a public record. The City may post part or all of it on the City website or provide it in response to public records request.

Signature	Christy Lyman TYPE NAME IN PLACE OF SIGNATURE IF SUBMITTING ELECTRONICALLY
Printed name	Christy Lyman
Title	Tourism Director
Organization	Anacortes Chamber of Commerce



COASTAL CHRISTMAS TREE BUDGET

	AUG	SEPT	OCT	NOV	DEC	JAN	TOTAL
CITY REQUEST							
TEMPLE DISPLAYS							
26' TREE	\$ -	\$ 16,664.00	\$ -	\$ -	\$ -	\$ -	\$ 16,664.00
BULB ORNAMENTS	\$ -	\$ 2,129.00	\$ -	\$ -	\$ -	\$ -	\$ 2,129.00
CRAB ORNAMENTS	\$ -	\$ 360.00	\$ -	\$ -	\$ -	\$ -	\$ 360.00
BUOY ORNAMENTS	\$ -	\$ 616.00	\$ -	\$ -	\$ -	\$ -	\$ 616.00
FREIGHT	\$ -	\$ 6,765.00	\$ -	\$ -	\$ -	\$ -	\$ 6,765.00
TOTAL	\$ -	\$ 26,534.00	\$ -	\$ -	\$ -	\$ -	\$ 26,534.00

CHAMBER EXPENSES							TOTAL
PROJECT MANAGEMENT	\$ 679.50	\$ 116.00	\$ 58.00	\$ 696.00	\$ 812.00	\$ 696.00	\$ 3,057.50
BOOM LIFT	\$ -	\$ -	\$ -	\$ 700.00	\$ -	\$ -	\$ 700.00
FOOD FOR VOLUNTEERS	\$ -	\$ -	\$ -	\$ -	\$ 150.00	\$ 80.00	\$ 230.00
TOTAL	\$ 679.50	\$ 116.00	\$ 58.00	\$ 1,396.00	\$ 962.00	\$ 776.00	\$ 3,987.50

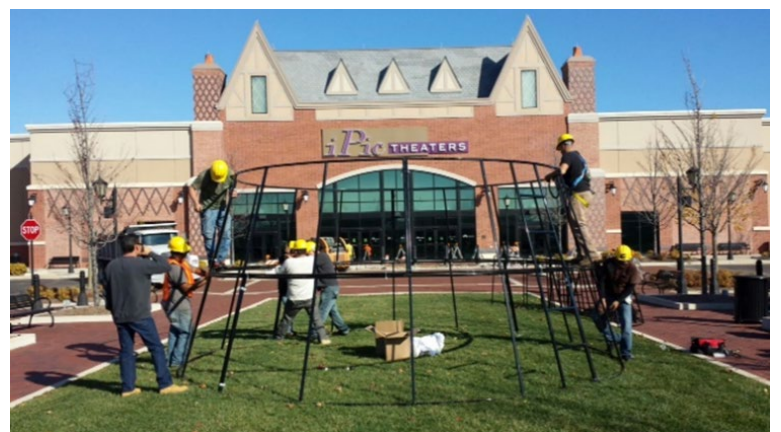
IN-KIND CONTRIBUTIONS							TOTAL					
VOLUNTER HOURS	\$	-	\$	-	\$	-	\$	2,936.25	\$	2,936.25	\$	5,872.50
UHAUL	\$	-	\$	-	\$	-	\$	75.00	\$	75.00	\$	150.00
TOTAL	\$	-	\$	-	\$	-	\$	3,011.25	\$	3,011.25	\$	6,022.50

*VOLUNTEER HOURS ARE CALCULATED AT \$33.75 PER HOUR BASED ON INFORMATION PROVIDED BY INDPENDENTSECTOR.ORG





These are photos from the installation of a 34ft tree. A 26ft tree would have 5 rows plus the top cone.



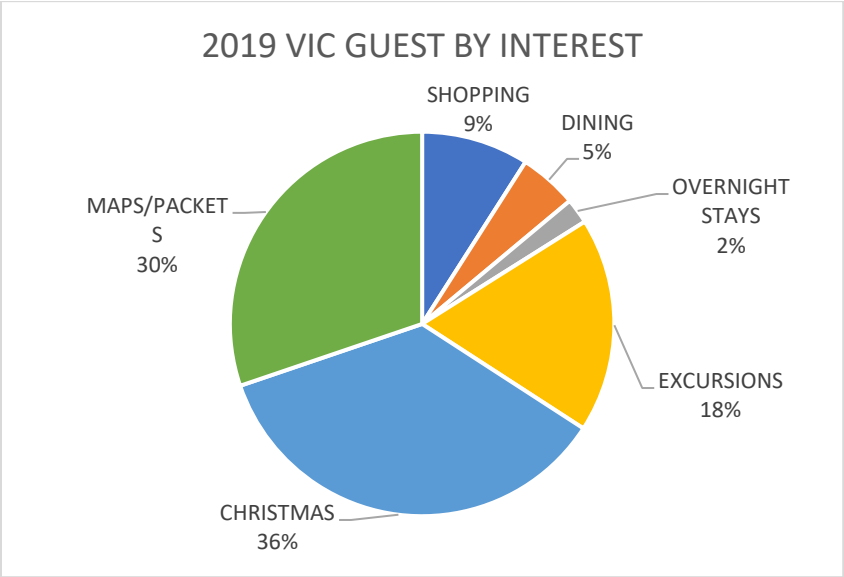
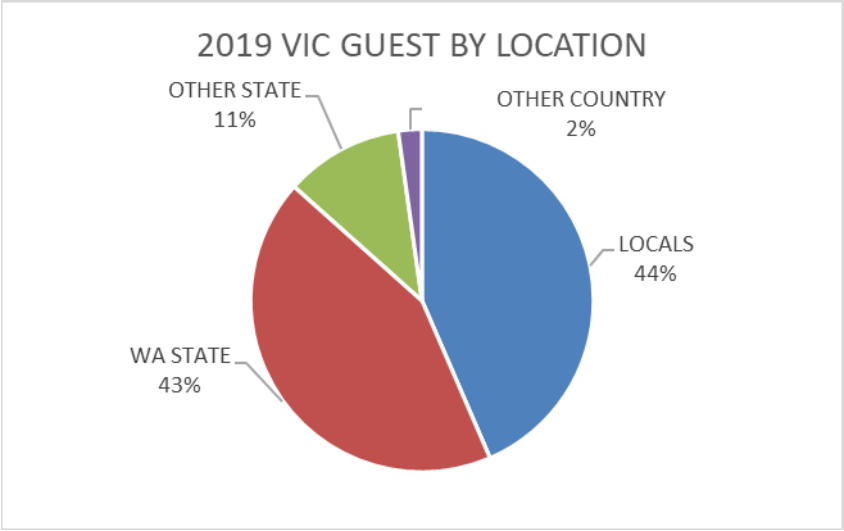


TEMPLE
display, ltd.

≡ PRODUCT MENU

Warranty Coverage & Duration

Temple Display warranties that all commercial decorations manufactured by them will be free from defects and material workmanship under normal conditions of use and service to the original buyer. All components of our decor are covered under the non-prorated warranty. Steel frames, garland, and electrical components are covered for **6 seasons**. We even cover all light bulbs against burnout for **3 seasons** and ship 10% additional bulbs with each order!



In December of 2019, 940 gusted filled out our visitor survey.
I used that data to prepare the charts above.