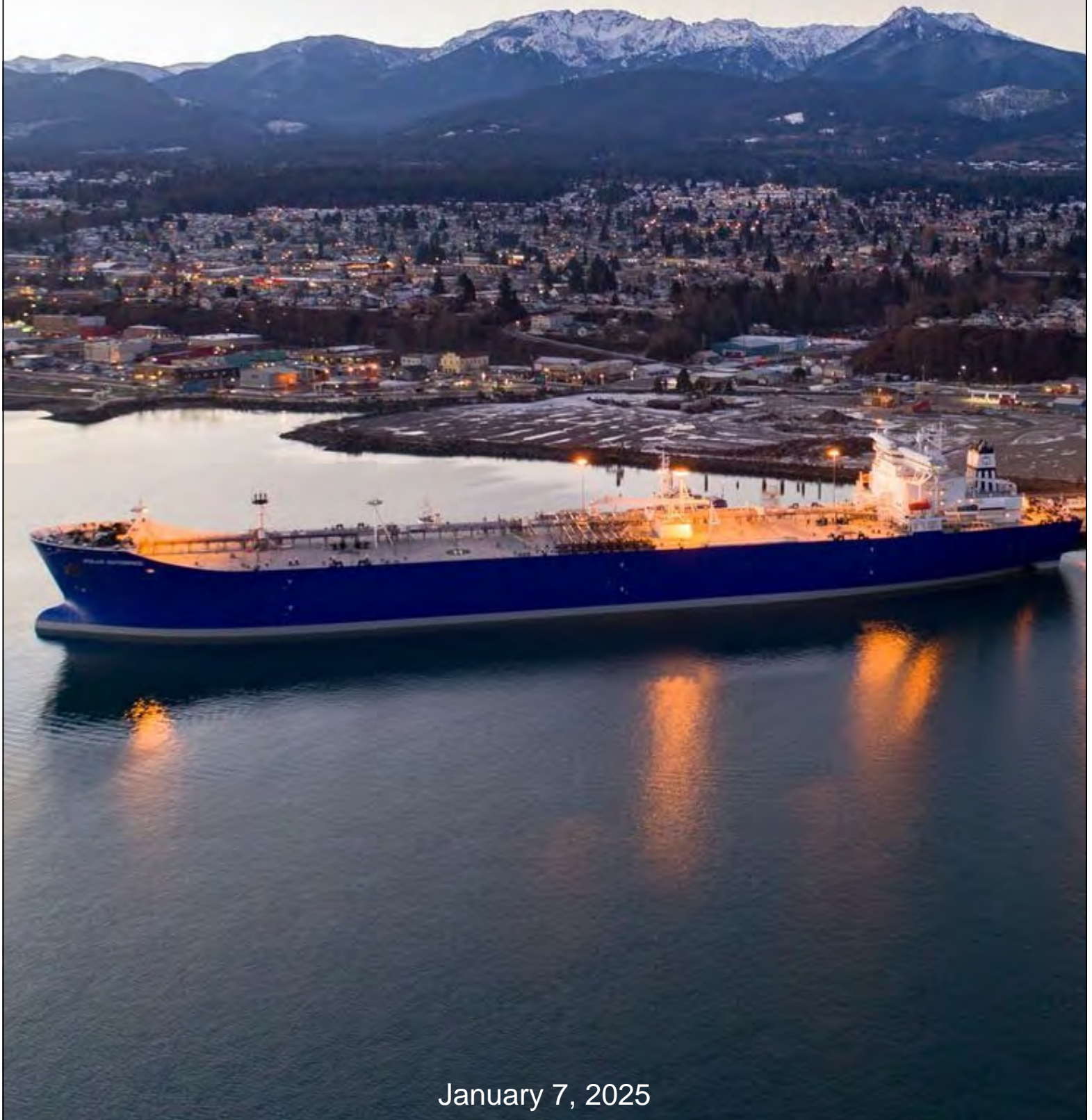




COMPREHENSIVE SCHEME of HARBOR IMPROVEMENTS



January 7, 2025



COMPREHENSIVE SCHEME of HARBOR IMPROVEMENTS

January 27, 2015

Amendment November 19, 2024 per Resolution 24-1307
&
Amendment January 7, 2025 per Resolution 25-1314

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Introduction

Under Washington State law, Washington port districts are entrusted with broad powers to develop and operate programs and facilities designed to promote and encourage the development of transportation, commerce, tourism, and industry. The Port of Port Angeles’s vision, mission and core values, along with its strategic plan provide the policy-level direction for programs and activities undertaken by the Port.

The Port’s Comprehensive Scheme reflects the intended plans for capital spending in the near future; however, these plans can change due to shifts in operating budgets, economic opportunities, and community priorities. The Comprehensive Scheme is amended, as necessary, to authorize anticipated improvements, acquisition or sale of real property, or adoption of plans and programs; making it a living document. Revisions occur through formal resolutions adopted by Port Commission.

Comp Scheme and GMA

Comprehensive plans are required of cities and counties which fall under the State of Washington’s Growth Management Act (GMA) codified as RCW 36.70A. Ports, on the other hand, do not exercise land use authority as do cities and counties under the GMA. Instead, Ports are subject to the planning requirements and the adopted Comprehensive Plans of the cities and counties in which the Ports operate.

Instead of Comprehensive Plans with their GMA connotations, Ports are required to comply with RCW 53.20.010, which requires a Comprehensive Scheme of Harbor Improvements. Courts ruled the Port’s bundle of budget and planning documents including the Comprehensive Plan document satisfy the requirement of a Comprehensive Scheme of Harbor Improvements.

Terminals 1 & 3



Background

The Port of Port Angeles first enacted a Comprehensive Scheme of Harbor Improvements in 1924 in the form of Commission Resolution No. 5. Following Resolution No. 5, the Port of Port Angeles Comprehensive Scheme of Harbor Improvements took the form of a series of resolutions amending or supplementing that original plan. A summary of resolutions constituting the history of the Port's CSHI as amended is set forth in Table 1.

In 1987 the Port Commission adopted a new CSHI, incorporating in a single document, plans for all port facilities. The 1987 CSHI was updated as required through 2013. In 2015 the Comprehensive Scheme of Harbor Improvements was redrafted to reflect the dynamic nature of Port planning and development.

2015 Comp Scheme

In January 2015 the Comprehensive Scheme of Harbor Improvements format was modified from the lengthy 1987 scheme. The 2015 and current CSHI is a preface for the current planning and budget documents in use by the Port.

Port Property

Appendix A of this document is a comprehensive overview of current Port property and includes current use, and reference to applicable Port planning documents.



1926 Port Transit Shed

Budget & Planning Documents

The current budget & planning documents, as they now exist or are hereinafter amended, incorporated into the Port Comprehensive Scheme of Harbor Improvements are as follows:

- Port of Port Angeles, Strategic Plan: 2025-2026
- Current Capital Budget: 2025
- Recreation and Public Access Plan: 2024
- Clallam County Hazard Mitigation Plan Update: 2019
- William R. Fairchild International Airport Master Plan Update: 2019
- Marine Trades Industrial Park Master Plan: 2018
- Sekiu Airport Layout Plan: June 2013
- Central Waterfront Master Plan: 2010

Federal, State, Local Regulations

In addition to the guidance presented in the Port's current planning documents, development in or above marine environments generally also requires permits from federal, state agencies and local government (City of Port Angeles & Clallam County). Local municipality and county permits are required to cover local building codes and meet the requirements of the Shoreline Management Act.

Federal and State permits are usually required when impacts to navigable waters or fish and wildlife habitat are anticipated. Development activities waterward of the mean higher high water (MHHW) for tidal waters are regulated by the U.S. Army Corps of Engineers (USACE or Corps), Washington State Department of Ecology (WSDOE), and the Washington State Department of Fish and Wildlife (WDFW).

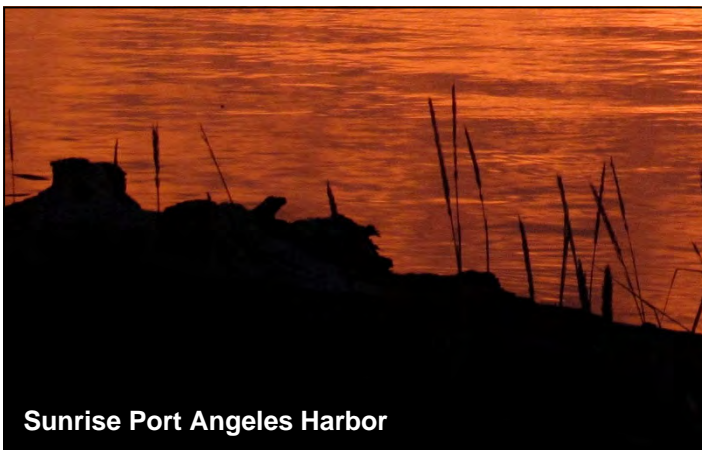
In addition, the National Oceanographic and Atmospheric Administration (NOAA Fisheries) and U.S. Fish and Wildlife Service (USFWS) must concur that any project requiring federal approvals (a USACE permit, for example) is consistent with the Endangered Species Act (ESA). These agencies will require that proposed projects avoid or reduce project impacts on certain fish and wildlife species through design and/or environmental controls or mitigate impacts through restoration activities.

State Environmental Policy Act (SEPA)

A project or plan prepared by the Port will be subject to SEPA analysis. The Port is authorized by state law to act as its own lead agency. That means that, whenever the Port requests a land use permit, such as a shoreline permit from the City, it will be required to fulfill the environmental documentation requirements of SEPA.

The Port complies with SEPA's environmental review processes by:

Each improvement identified as a physical Project will undergo individualized SEPA review as soon as the "principle features of a proposal and its environmental impacts can be reasonably identified... and the environmental effects can be meaningfully evaluated." (WAC 197-11-055).



Sunrise Port Angeles Harbor

Table 1
Comprehensive Scheme Resolutions from 1925-2021

Table-1 Comprehensive Scheme Resolutions from 1924-2025 (Sheet 1 of 6)

Resolution No.	Date	Subject
2	5/8/1923	Request that the War Department establish Pierhead and Bulkhead lines so that Port can build docks in Port Angeles Harbor.
5	1/23/1924	Adoption of a comprehensive scheme or plan of harbor improvements consisting of a description, maps and plans as prepared by Port Engineer, after public hearing.
6	1/23/1924	Call for special election of question of: (1) Ratification of comprehensive scheme of harbor improvements, and (2) Issuing serial bonds to pay for some property acquisition as shown in comprehensive scheme.
7	3/11/1924	Upon referral by the War Department, the Port Commission: (1) Recommends granting a permit for work at Quillayute by the Washington Pulp and Paper Corp. (2) Recommends approving part and denying part of the work at Quillayute requested by Quillayute Boom and Driving Col., and (3) Takes no action on a boom proposed above the Town of Mora since it is outside area covered by Port Comp Scheme.
15	2/10/1925	Recommendation from Port to War Department that Washington Pulp and Paper Corp. be required to amend its plan for boom grounds on Quillayute River.
17	5/1/1925	Setting a public hearing on the question of amending the Port Comp. scheme as follows: Acquire additional property in Port Angeles, and authorize construction of port facilities Acquire additional property in Port Angeles, and authorize construction of a sea wall or bulkhead Change location and design of Dungeness wharf.
18	5/13/1925	Amend the original comprehensive scheme of the Port as follows: Acquire additional property in Port Angeles, and authorize construction of port facilities Acquire additional property in Port Angeles and authorize construction of sea wall or bulkhead Acquire additional property at Dungeness and authorize construction of a wharf Also refer amendments to vote of people.
20	7/6/1925	Gives results of special election item described in Resolution 18. Those were: Passed Passed Passed.
29	10/27/1926	Established price to be paid owners of land for Unit No. 1, Port Angeles.
30	10/27/1926	Authorized condemnation proceeding to acquire necessary lands in Unit No. 1, Port Angeles.
36	7/13/1927	Authorized vacation proceedings for streets and alleys in port fill area, City of Port Angeles.
43	9/13/1927	Authorize the Port to pay \$17,000 as contribution to Port Angeles LID No. 118.
44A	4/8/1929	Increases the Port's contribution to LID No. 118 by \$1,500.
54	4/8/1929	Reaffirms Port's position to U.S. Board of Engineers for Rivers and Harbors that there is a need for rock jetty and dike at mouth of Quillayute River.
87	11/25/31	Protest the sale of tidelands for oyster growing since those tidelands are shown in Port's comprehensive plan as being used for small boat haven.
106	9/10/1936	Amends Unit No. 13 of the Port's Comprehensive Scheme of Harbor Improvements and refers to changes to a special election to be held on November 3, 1936.

Table-1 Comprehensive Scheme Resolutions from 1924-2025 (Sheet 2 of 6)

Resolution No.	Date	Subject
135	8/13/1941	Instituting condemnation proceedings to carry out plans for improvements Unit No. 1 (Pen Ply site).
148	4/10/44	Proposing the adoption of Supplemental Comprehensive Scheme of Harbor Improvements as follows: Acquire by purchase or condemnation the property in District No. 1 to be known as Industrial Development District No. 1 and to develop said lands. Etc. for Industrial Development District No. 2.
149	4/10/44	Setting a public hearing for the subject identified in Resolution No. 148.
150	6/14/1944	Adoption of plan to create Industrial Development Districts No. 1 and 2 as proposed.
151	6/14/1944	Creation of Industrial Districts No. 1 and 2 as described.
152	8/9/1944	Proposing and amendment and supplementary comprehensive scheme and setting public hearing thereon.
153	9/6/1944	Adoption of certain additions to comprehensive scheme of harbor improvements, creating a fish terminal in a portion of Industrial Development District No. 1.
156	9/6/44	Employing Preston Thorgrimson as bond attorneys to assist in preparing bond resolutions and other papers.
157	12/13/45	Providing for the acquisition of certain lands to be used as fish terminal.
160	1/10/45	Request that the county convey to the Port lands within the Industrial Development Districts that were acquired through foreclosure of tax liens.
163	4/11/45	Requesting the county to transfer additional land acquired through foreclosure of tax liens.
165	6/6/1946	Requesting that the State vacate Tumwater Creek Waterway.
189	12/10/1947	Declaring the Port's intention to assist the U.S. Government in improving the Quillayute River dredging for commerce and navigation.
196	9/8/1948	Proposing the adoption of a supplemental comprehensive scheme of harbor improvements. The plan would authorize acquisition by purchase of condemnation lands in the Industrial Development District No. 3 (Dungeness)
197	9/8/1948	Setting a public hearing on the adoption of Industrial Development District No. 3.
198	11/10/1948	Adoption of comprehensive scheme amendment and creation of Industrial Development District No. 3 to allow construction of a general boat haven.
199	11/10/1948	Creation of Ind. Dev. District No. 3.
200	11/10/1948	Authorization proceeding to acquire land at Dungeness by purchase or condemnation.
205	5/10/1950	Propose amended supplemental Comprehensive Scheme of Harbor Improvements to include Lot 2 Sec. 26, T21N, R8 W.W.M. (Cline Spit vicinity).
208	4/1/1951	Adopt supplementary Comprehensive Scheme of Development by acquiring, maintaining and developing the Clallam Co. Airport and attached facilities.
212	9/12/1951	Establishment of an airport fund for operation of Clallam County Airport.
229	3/11/1953	Agreement to cooperate with City of Port Angeles in filling property between 1 st and the railroad, from Oak to Valley.
236	11/10/54	Agreement to convey right-of-way for Front Street and Marine Drive to City in exchange for David Masters property.
251	3/14/56	A proposal to amend comprehensive scheme of harbor improvements by acquiring certain property in Dungeness.

Table-1 Comprehensive Scheme Resolutions from 1924-2025 (Sheet 3 of 6)

Resolution No.	Date	Subject
252	4/11/56	Reestablishment of reaffirmation to proceed with acquiring lands at Dungeness to establish area for mooring and landing boats. Creation of Industrial Development District No. 3 with new boundaries.
253	4/11/56	Decision to acquire by purchase or condemnation the land at Dungeness.
256	10/10/56	Agreement to cooperate with U.S. Government in a project to improve Quillayute River for commercial fishing boats.
258	2/13/57	A proposal to amend supplemental comprehensive scheme of harbor improvements by leasing from Quillayute Tribe for 25 years lands on the Quillayute River.
259	2/27/57	Agreement to amend comprehensive scheme as proposal in Resolution 258.
260	2/27/57	Appropriation of money for lease and improvements at Quillayute.
261	3/13/1957	Agreement to cooperate with the U.S. Government in the creation and operation of Port Angeles boat basin.
280	5/14/1958	Setting in public hearing to consider amending Resolution No. 153 to extend Port Angeles boat haven.
282	6/11/1958	Adopting plans for breakwater, dredging, floats and piling, all in Industrial District No. 1.
289	2/27/1959	Amending the Comprehensive Scheme of Harbor Improvements to allow the acquisition of a dock at the foot of Laurel Street and allow improvements of same.
341	8/17/1966	Authorizing a study by TAMS to determine the feasibility of constructing a marina at Dungeness.
343	8/30/1966	Adoption of certain amendments to Unit No. 1 of comprehensive scheme, allowing reconstruction of Pier No. 1, authorizing construction T-3, and installing a truck scale.
398	1/14/1971	Establishing terms and conditions for using a portion of William R. Fairchild International Airport as log yard.
399	2/11/1971	Amend Comprehensive Scheme to authorize an addition to Terminal 1, to develop non-aeronautical lands at WRF International Airport for industry, to acquire and develop lands at Miller Peninsula, and to acquire land and develop an airport at Sekiu.
400	9/9/1971	Amend Comprehensive Scheme by modifying pier faces and dredging to minus 45 feet.
414	3/15/1973	To further amend the Port's comprehensive Scheme by acquiring a leasehold interest in air and water pollution control facilities and sublease to ITT Rayonier.
416	4/12/1973	Amendment to the Comprehensive Scheme of Harbor Improvements to authorize the Port to improve renovate and equip its existing booming grounds.
459	5/12/1977	Declare surplus Lots 4-9 of Block 2 and one-half of tideland east of Laurel Street.
460	6/17/1977	Amend the Port's comprehensive Scheme by including a small boat haven at Pitship Point and commencing an improvement project.
466	11/10/1977	Amend Comprehensive Scheme to allow the acquisition of additional lands at WRF International Airport.
467	10/11/1977	Amend Comprehensive Scheme addition to Unit 2, acquiring additional lands and improvements east of Laurel Street.
469	11/29/1977	Adopt amendment to Comprehensive Scheme for WRF International Airport, authorizing development of North Industrial Park.
519	3/12/1981	Adopt amendment to Comprehensive Scheme declaring Gales Addition land surplus, and Miller Peninsula land surplus.

Table-1 Comprehensive Scheme Resolutions from 1925-2025 (Sheet 4 of 6)

Resolution No.	Date	Subject
525	10/1/81	Amend Comprehensive Scheme to include the location of a small boat haven at Pitship Point, and proceeding to acquire necessary lands and obtain necessary permits.
533	6/10/1982	Amending Port's Comprehensive Scheme by adopting a new airport layout plan for WRF International Airport.
552	9/9/1983	Adoption of Port's Comprehensive Park and Recreation Plan.
578	2/11/1985	Establishment of three industrial development districts; Marine Terminal area, Carlsborg Industrial Park, and William R. Fairchild International Airport.
579	2/11/1985	Amend the Port's Comprehensive Scheme to include construction of approximately 150,000 sq. ft. of light manufacturing and warehouse facilities within Airport Industrial Development District.
580	2/22/1985	Authorize the sale or execution of options to sell general purpose manufacturing and warehousing buildings to be constructed within the William R. Fairchild International Airport Industrial Development District.
584	6/13/1985	Creation of the Forks Industrial Development District.
623	3/9/1987	Port adopts Comprehensive Scheme of Harbor Improvements prepared by Tams and dated December 1986.
658	11/13/1989	Fisheries Section, page S.3. Ediz Hook boat launches, page 5.21.
666	3/12/1990	Marine Terminal develop options, page 3.5.33. New tourist commercial chapter, page 6.1.
680	8/26/1991	Fisheries Section, page S.3. Marine Terminal development options, page 3.5.33. New tourist commercial section, page 6.1. Ediz Hook boat launch, page 5.21.
703	5/10/1993	Commercial Fisheries Section, pages 4.6, 4.7, and 4.8. Add Figure 4.1.1.
707	12/13/1993	Tourist Commercial Chapter revisions.
717	11/14/1994	Update of Chapter 3.1, the Marine Terminals Section.
722	3/13/1995	Updates to the Forward, Chapter 1, and Chapter 2.
732	8/28/1995	Adopting amendments to the Airport Master Plan
740	12/11/1995	Adopting amendments to: Chapter 3.2; Chapter 3.5; Chapter 4; Chapter 5, and Adding the following new chapters: 3.3, Other Port Terminals; 3.4, Port Angeles Barge Terminal; 3.6, Port Angeles Private Cargo Terminals; 3.7, Other Terminals, Port Angeles Harbor.
754	6/24/1996	Adopting an amended Chapter 7 for the Comprehensive Park and Recreation Plan.
770	2/24/1997	Amendments to Appendix A of the Comprehensive Scheme of Harbor Improvements.
788	4/27/1998	Amendment to Section 2.28 of Appendix A of Comprehensive Scheme of Harbor Improvements.

Table-1 Comprehensive Scheme Resolutions from 1924-2025 (Sheet 5 of 6)

Resolution No.	Date	Subject
806	11/9/1998	Forward, pages F.1 and F.2. Include a new Chapter 6, Strategic Action Plan. Adopt the Industrial Development Plan for Fairchild Industrial Park as an element of the plan. Add to the section on “Industrial Potential in Clallam County, pages 4.12 through 4.14.
813	8/9/1999	Amendments to Appendix A of the Comprehensive Scheme of Harbor Improvements.
850	11/13/2000	Amendments to Appendix A of the Comprehensive Scheme of Harbor Improvements.
03-896	11/17/2003	Adopt resolution declaring KONP Triangle Surplus Property.
04-906	4/12/2004	Surplus Serenity House Building. Approved surplus of building.
04-912	8/23/2004	Surplus Property. Authorized the surplus of the 113 acres on Edgewood and Lower Elwha Road.
08-970	8/25/2008	South Fairchild Industrial Park Property (Salable land in Sector B). Motion to introduce Resolution 08-970 which surpluses the property and withdraws it from the Port’s Comprehensive Plan/Scheme. Motion passed unanimously. Motion to adopt Resolution 08-970. Motion passes unanimously.
10-1007	1/10/2011	Amendments to Appendix A of the Comprehensive Scheme of Harbor Improvements.
12-1029	1/23/2012	Amendments to Appendix A of the Comprehensive Scheme of Harbor Improvements.
12-1042	6/11/2012	Declared property at 720 Marine Drive surplus to Port needs.
13-1067	10/28/2013	Amendments to Appendix A of the Comprehensive Scheme of Harbor Improvements.
15-1099	1/27/2015	Comprehensive Scheme of Harbor Improvements and Appendix A reformatted and updated.
15-1113	12/15/2015	Amendments to Comprehensive Scheme of Harbor Improvements. - Added reference to and incorporated new Port Strategic Plan: 2015 - 2020 - Added reference to and incorporated current Port Capital Budget
16-1129	5/23/2016	Modified the Port Comprehensive Scheme of Harbor Improvements to find the Lower Elwha Road Property surplus to Port needs and declared the Subject Property to be no longer needed for Port District purposes.
17-1161	11/21/2017	Modified the Port Comprehensive Scheme of Harbor Improvements to find the Carlsborg Railroad Right of Way Property surplus to Port needs and declared the Subject Property to be no longer needed for Port District purposes.
20-1214	2/25/2020	Amendments to Comprehensive Scheme of Harbor Improvements. - Added reference to: 1. Port Capital Budget:2020 2. Clallam County Hazard Mitigation Plan Update: 2019 3. Marine Trades Industrial Park Master Plan: 2018 4. William R. Fairchild International Airport Master Plan Update: 2019 5. Port Comprehensive Park and Recreation Plan: 2018 - Removed reference to : 1. Central Waterfront Master Plan: 2010 2. Marine Facilities Master Plan: 2006 3. John Wayne Marina Market Study Final Report: 2004 Harbor Master Building Use Study: 2004 John Wayne Marina Expansion Financial Assessment: 2009 - Reformatted and referenced Appendix A: Port Property Overview

Table-1 Comprehensive Scheme Resolutions from 1924-2025 (Sheet 6 of 6)

Resolution No.	Date	Subject
21-1231	1/12/2021	Added reference to the 2021 Port Capital Budget and revised Appendix A to include reference to the Marine Trades Center at the Former KPLY Mill Site.
22-1247	1/11/2022	Added reference to the 2022 Port Capital Budget
23-1272	1/24/2023	Added reference to the 2023 Port Capital Budget and the 2023-2028 Strategic Plan
23-1289	11/14/2023	Added reference to the 2024 Port Capital Budget
24-1307	11/19/2024	Added references to the 2025 Port Capital Budget, 2025 Strategic Plan and 2024 Recreation and Public Access Plan.
25-1314	1/7/2025	Declared a approximately 6.3 acres of Port property (Protection Property or Subject Property) adjacent to Terminal 7 as surplus due to its unique characteristics and approves its transfer to the Lower Elwha Klallam Tribe (LEKT) in exchange for three stormwater ponds. The transfer aligns with a Memorandum of Agreement (MOA) involving the U.S. Department of Transportation, addressing historic preservation and environmental considerations. Additionally, the Port's Comprehensive Scheme of Harbor Improvements was amended to reflect these property exchanges such as Subject Property is surplus to Port needs and declared the Subject Property to be no longer needed for Port District purposes. CSHI Appendix A will be updated after property transfer has occurred.

Table 2

Property Surplus to Port Needs

Table-2 Property Surplus to Port Needs (Sheet 1 of 1)

Resolution No.	Date	Property Description
25-1314	1/7/2025	Approximately 6.13 acres “Protection Area” property at the Port’s Terminal 7 with an approximate address of 1301 Marine Drive.

Appendix A

Port Property Overview

Port of Port Angeles

Port Angeles, Washington

Commissioner's Resolution No. 24-1307

A RESOLUTION OF THE PORT COMMISSION OF THE PORT OF PORT ANGELES, A MUNICIPAL CORPORATION, AMENDING THE PORT OF PORT ANGELES COMPREHENSIVE SCHEME OF HARBOR IMPROVEMENTS TO UPDATE REFERENCES TO CURRENT PORT BUDGET AND STRATEGIC PLAN.

WHEREAS, pursuant to the Revised Code of Washington, Chapter 53.20, the Port of Port Angeles is required to adopt a comprehensive scheme of harbor improvements and amend the plan as may be appropriate before undertaking improvement projects and

WHEREAS, state law provides no specific requirements or guidance to port authorities as to the format, length, or content of a port's Comp Scheme; however, port authorities have interpreted the law as requiring an inventory and description of all port properties and identification anticipated future improvements at these properties; and

WHEREAS, the existing Port of Port Angeles Comprehensive Scheme of Harbor Improvements was adopted pursuant to Resolution No. 23-1289, dated November 14, 2023; and

WHEREAS, the Port proposes to amend the Comprehensive Scheme of Harbor Improvements to include the current Port Capital Budget and Strategic Plan; and

WHEREAS, the Port Commission opened a public hearing on November 12, 2024, and closed the hearing on November 19, 2024, after giving notice as required by law, on adopting a proposed amendment to said Comprehensive Scheme of Harbor Improvements; and

WHEREAS, after discussion and consideration of the proposed modification to said Comprehensive Scheme of Harbor Improvements, the Port Commission decided that said Comprehensive Scheme of Harbor Improvements should be amended as provided herein,

NOW, THEREFORE, BE IT RESOLVED that the Port of Port Angeles Comprehensive Scheme of Harbor Improvements is hereby amended as follows:

Port of Port Angeles

Port Angeles, Washington

Commissioner's Resolution No. 24-1307 Continued

1. Incorporate into the Comprehensive Scheme of Harbor Improvements the following Port budget and planning documents:

- a. 2025 Capital Budget
- b. 2025 Strategic Plan
- c. 2024 Recreation and Public Access Plan

ADOPTED by the Port Commission in a regular meeting thereof held this
19 day of 2024, 2024

PORT OF PORT ANGELES
BOARD OF COMMISSIONERS



Connie L. Beauvais, President



Colleen M. McAleer, Vice President



Steven D. Burke, Secretary

Port of Port Angeles

Port Angeles, Washington

Commissioner's Resolution No. 25-1314

A Resolution of the Port of Port Angeles Commission, Port Angeles Washington pursuant to RCW 53.08.090 and RCW 53.20.020 declaring certain real property surplus to its needs due to the unique characteristics of that Property, which will allow a future planned action to transfer the property to the Lower Elwha Klallam Tribe in exchange for the LEKT transferring to the Port three stormwater ponds and to amend the Port's Comprehensive Scheme of Harbor Improvements to add and delete the properties accordingly.

WHEREAS, the U.S. Department of Transportation (DOT) Maritime Administration (MARAD) plans to provide funding through a MARAD FY 2022 Port Infrastructure Development Program (PIDP) grant to the Port of Port Angeles (Port) for the Intermodal Handling & Transfer Facility Project (Undertaking or Project); and

WHEREAS, MARAD is responsible for complying with Section 106 of the National Historic Preservation Act (54 U.S.C. § 300101), (NHPA) with respect to this undertaking and consulted with the Washington State Historic Preservation Officer (SHPO or DAHP¹, as defined herein below) pursuant to 36 C.F.R Part 800; and

WHEREAS, the Undertaking will be located in the city of Port Angeles, Clallam County, Washington at the Port's Terminal 7 with an approximate address of 1301 Marine Drive, Port Angeles, Washington; and

WHEREAS, the Undertaking will consist of the following Project components: site grading and resurfacing approximately 10 acres with asphalt pavement; installing aboveground biofiltration treatment system with pretreatment tanks, biofiltration cell, polishing cell, and associated aboveground piping and appurtenances; and

WHEREAS, pursuant to Section 106 of the NHPA and its implementing regulations, 36 C.F.R Part 800, MARAD is required to consider the effects of the Undertaking on properties included in or eligible for inclusion in the National Register of Historic Places (NRHP), and to consult with the SHPO; and

WHEREAS, MARAD, as the Lead Federal Agency for the purposes of complying with Section 106 of the NHPA, complied with Section 106 of the NHPA as memorialized by a Memorandum of Agreement (MOA or Agreement); and

WHEREAS, MARAD, in consultation with the State Historic Preservation Office (SHPO), the Lower Elwha Klallam Tribe (LEKT), and the Port, has determined that the Undertaking will have an adverse effect on an adjacent NRHP-listed archaeological site pursuant to 36 C.F.R. Part 800, of the regulations implementing Section 106 of the NHPA; and

WHEREAS, the State, Port, and LEKT are parties to the *Settlement Agreement among the State of Washington, Lower Elwha Klallam Tribe, City of Port Angeles, and Port of Port Angeles*, dated August 14, 2006 (the "4

¹ The SHPO is the director of the Department of Archaeology and Historic Preservation, or DAHP, Washington State's primary agency with knowledge and expertise in historic preservation.

Port of Port Angeles

Port Angeles, Washington

Commissioner's Resolution No.

Party Agreement") concerning the preservation and protection of that NRHP-listed archaeological site; and

WHEREAS, in Section 2 of the 4 Party Agreement, the State, Port, and LEKT agreed to cooperate with the preservation and use of the stormwater treatment ponds along the western boundary of the property transferred to the Tribe in Section 3 of the 4 Party Agreement (consisting of a portion of the NRHP-listed archaeological site; and

WHEREAS, in Sections 8, 9, and 10 of the 4 Party Agreement, the State, Port, and LEKT agreed on protocols for the identification of archeological resources, project permitting, mitigation, and disposition of artifacts and human remains located within the geographic scope of the 4 Party Agreement; and

WHEREAS, LEKT agreed to be a signatory to the agreement, the Jamestown S'Klallam Tribe and Suquamish Tribe responded, both deferring to LEKT; and

WHEREAS, MARAD, the Port, LEKT, and SHPO (hereinafter referred to together as Consulting Parties) all agreed to be signatories to the Grant funding MOA; and

WHEREAS, MARAD, pursuant to 36 CFR § 800.6(a)(4), provided the public an opportunity to comment on the MOA and has considered the recommendations of the public and reviewing agencies in the preparation of the MOA; and

WHEREAS, MARAD, the Port, LEKT, and SHPO have consulted and agree that the Port's Undertaking shall be implemented in accordance with the stipulations contained in the MOA in order to take into account the effect of the Undertaking on historic properties, and

WHEREAS, one stipulation in the MOA is that the Port's agreement to transfer to the LEKT the "Protection Area" property ("Protection Area" or "Property"), which is approximately 6.13 acres at the Port's Terminal 7 with an approximate address of 1301 Marine Drive, Port Angeles, Washington, and that the Port will take all necessary steps to create a separate parcel consisting of the Protection Area with boundaries as depicted in the MARAD MOA, preparation of deed, and transfer title from the Port to the LEKT, and that prior to transfer, the Port will remove from the Protection Area the existing storage warehouse building, office Conex, travel trailer, truck weigh scale, existing paving, quarry spalls, and bark and woody debris.

WHEREAS, pursuant to RCW 53.08.090, Port has determined that it is appropriate that the Protection Area be declared surplus and transferred to the LEKT in order to take into account the effect of the Undertaking on historic properties pursuant to 36 C.F.R. Part 800, of the regulations implementing Section 106 of the NHPA;

WHEREAS, the Port Executive Director has certified the Protection Area to be surplus to the Port's need on this basis, and

WHEREAS, because the estimated value of the real property proposed to be declared surplus exceeds \$22,000, this action requires Commission approval, and

Port of Port Angeles

Port Angeles, Washington

Commissioner's Resolution No.

WHEREAS, the MOA also provides that the LEKT agrees to transfer to the Port three stormwater ponds located adjacent to the Northwest property line of the LEKT's property ("Storm Pond Property");

WHEREAS, pursuant to RCW 53.08.090, the property which is part of the Port's Comprehensive Scheme of Harbor Improvements or modification thereof shall not be disposed of until the comprehensive scheme has been modified to find the property surplus to port needs, after public notice and hearing as provided by RCW 53.20.020; and

WHEREAS, public notice was given and a public hearing was held as required by statute.


NOW, THEREFORE, be it resolved by the Port of Port Angeles Commission that:

1. The Protection Area Property is no longer needed for Port District purposes due to the unique characteristics of the Property, is surplus to the Port's needs, and the transfer of ownership of said Property to the LEKT is in the public interest conditioned upon the Port's and LEKT's future approval of the MOA.
2. The Port's Comprehensive Scheme shall be, and is hereby amended to:
 - i. remove the property from the Port's Comprehensive Scheme of Harbor Improvements to permit the proposed transfer of the Protection Area Property to the LEKT for the uses stated in the MARAD MOA, and
 - ii. is further amended to add the Stormwater Pond Property; both amendments are conditioned upon the Port's and LEKT's future approval of the MOA.

ADOPTED by a majority of the members of the Port of Port Angeles Commission at Special Meeting held on the 7th day of January, a majority of the members being present and voting on this resolution and signed by its President and attested by its Secretary under the official seal of said Commission in authentication of its passage this 7th day of January 2025.

PORT OF PORT ANGELES
BOARD OF COMMISSIONERS


Connie L. Beauvais, President


Colleen M. McAleer, Vice President


Steve D. Burke, Secretary

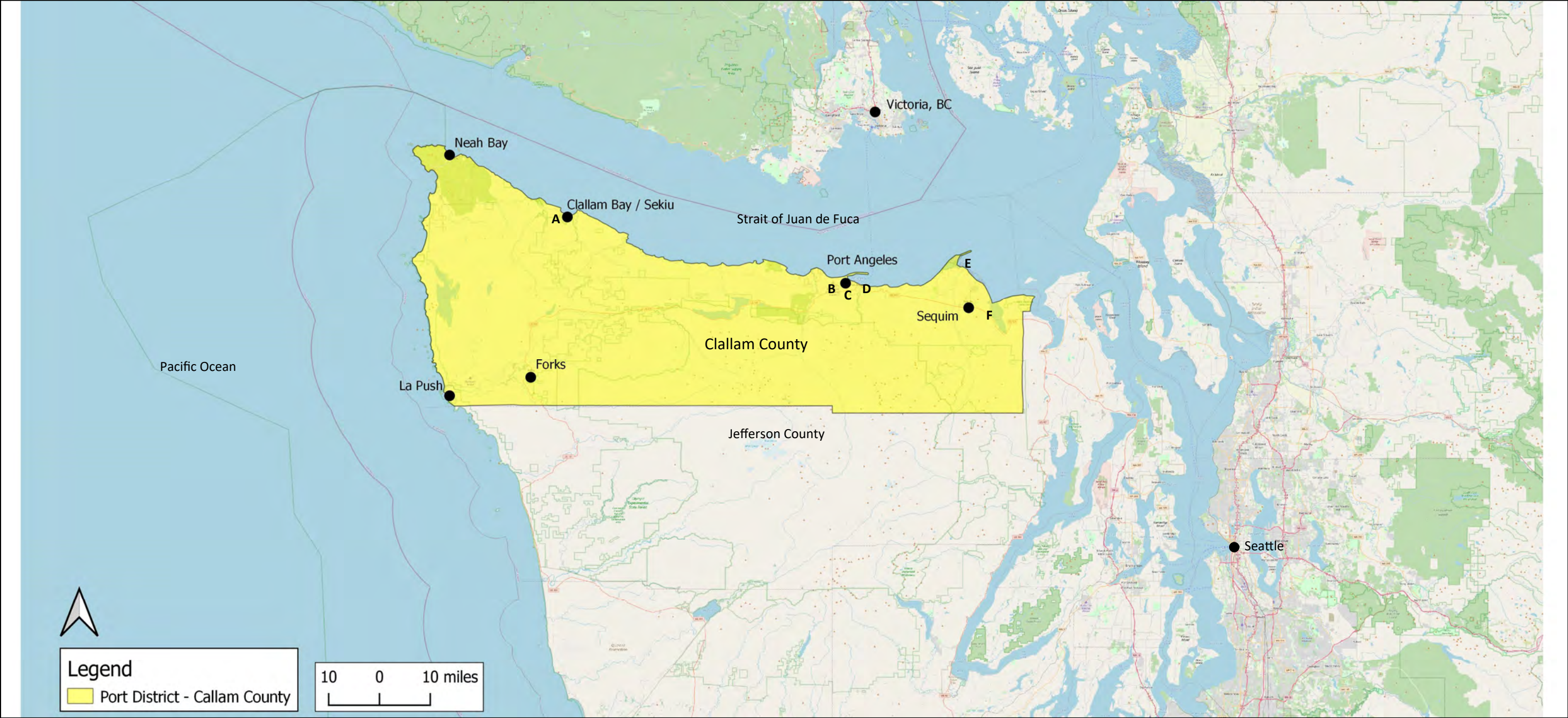
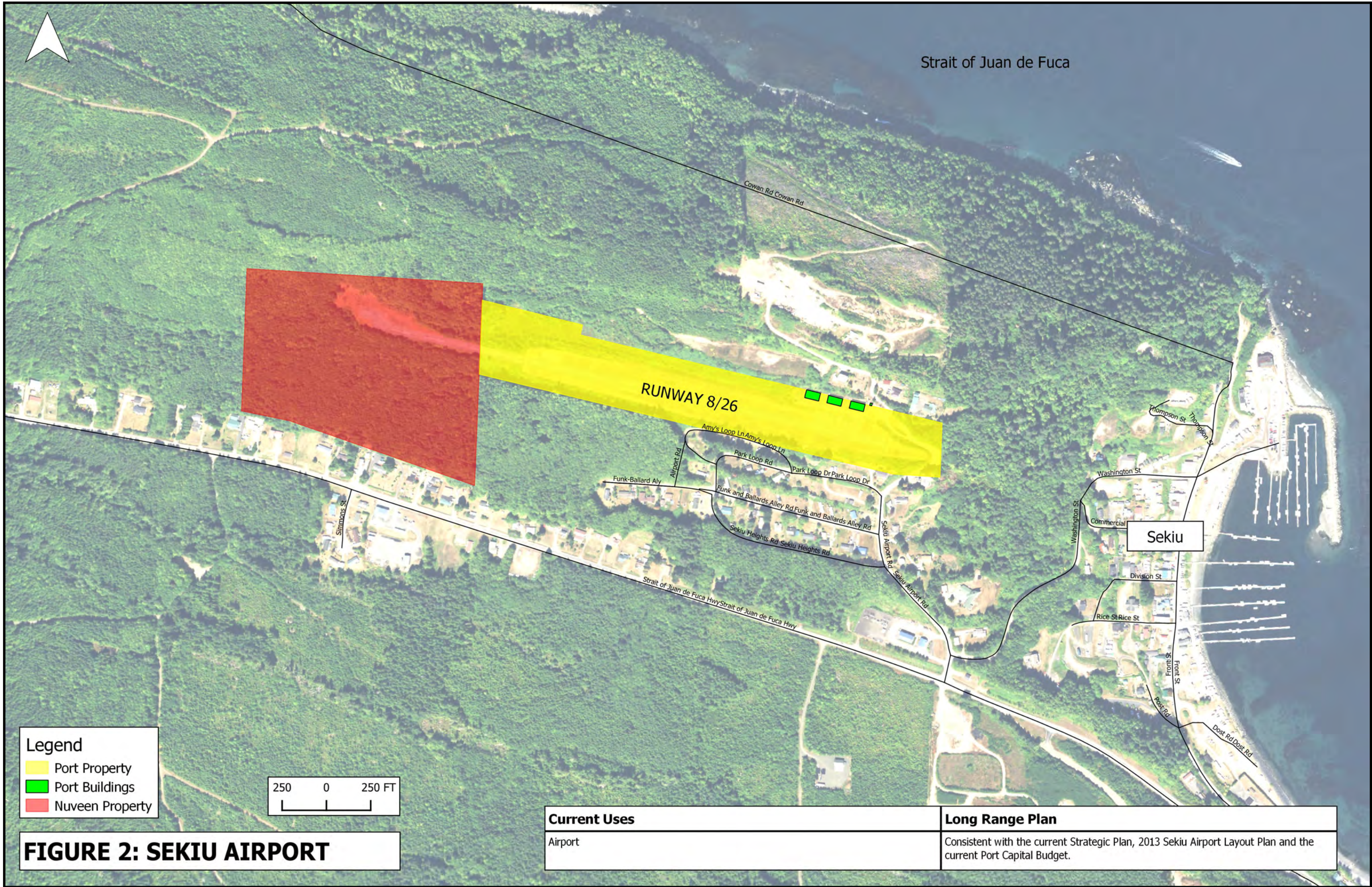
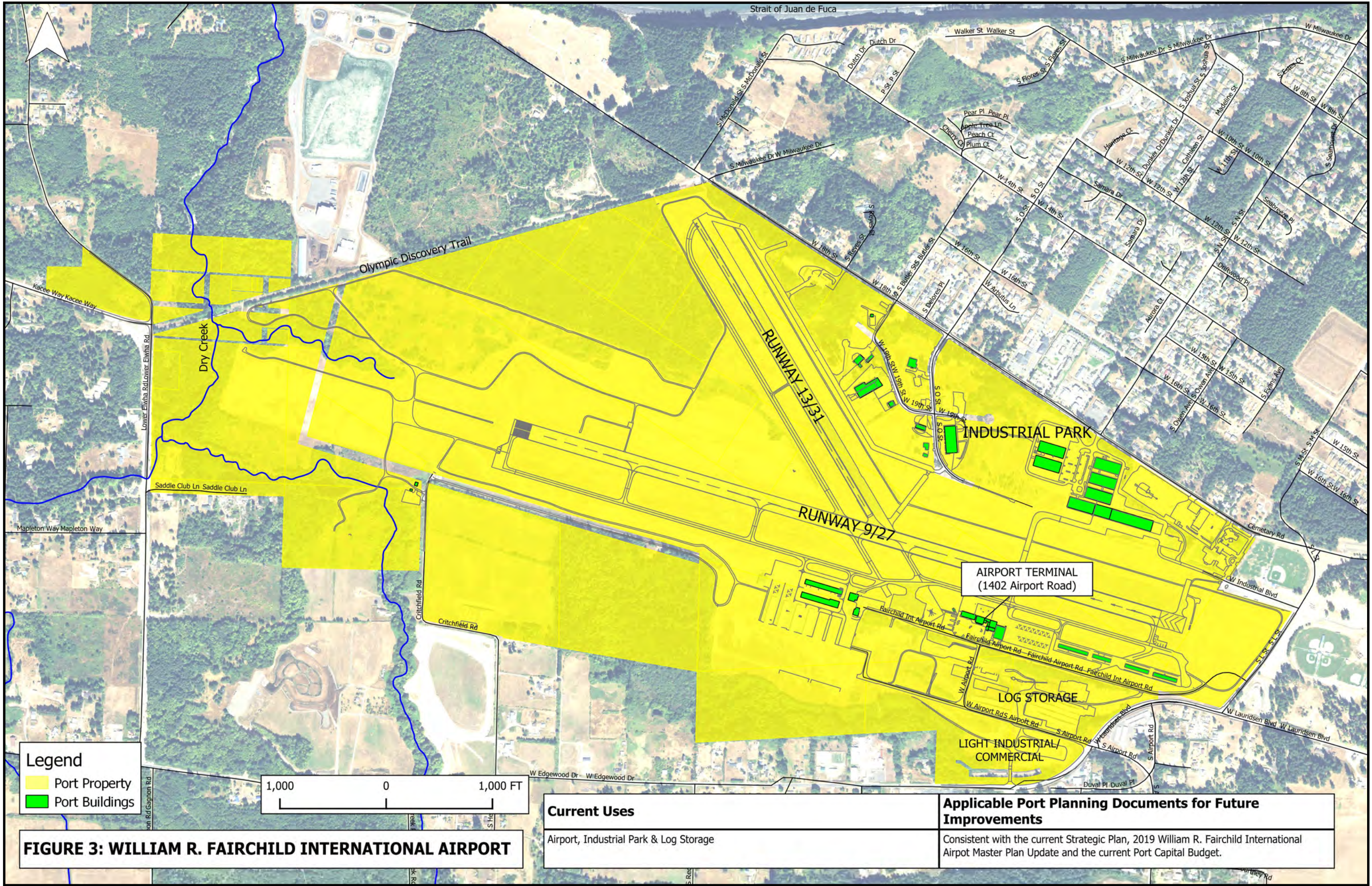


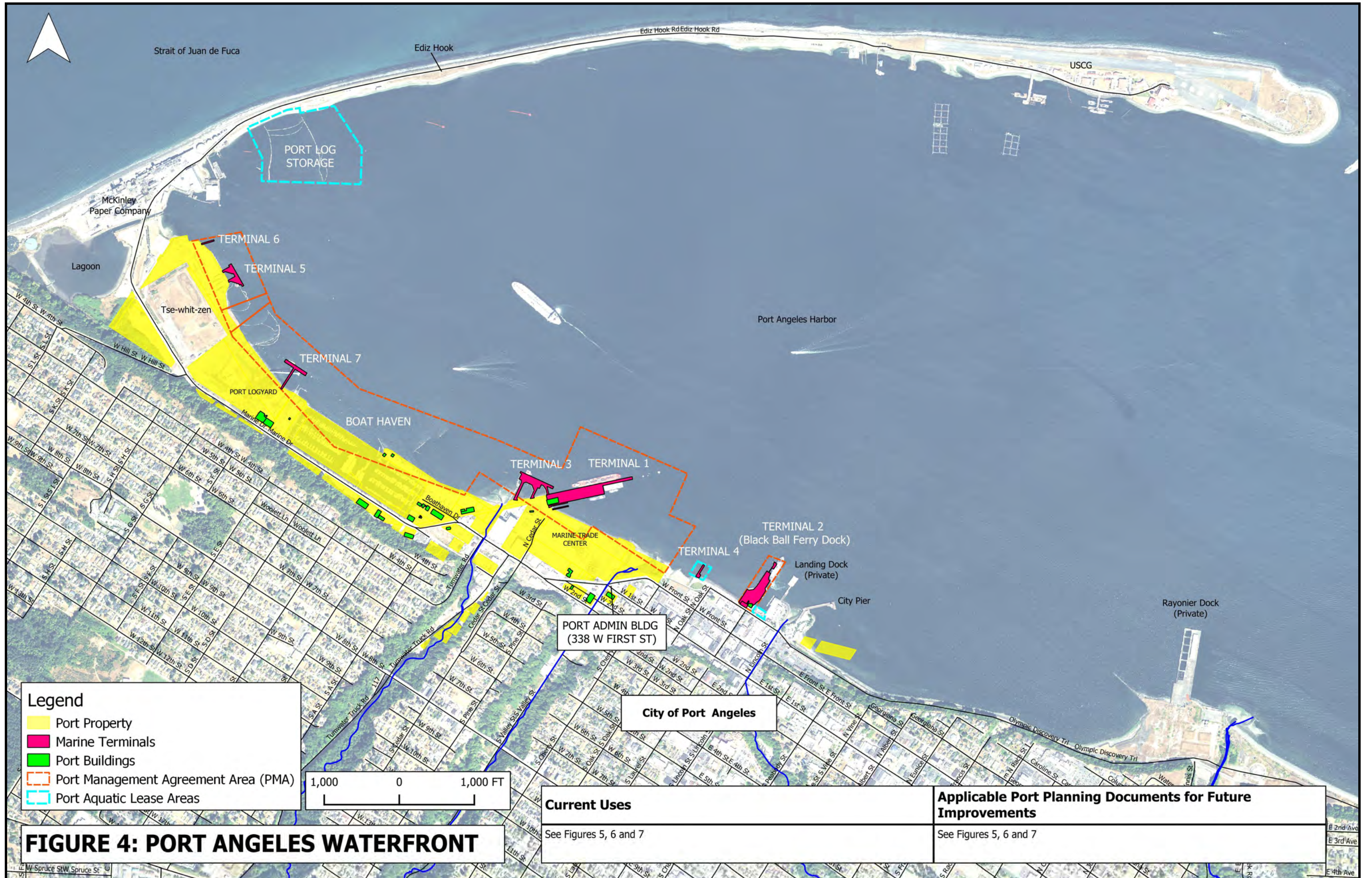
FIGURE 1— Port District, Clallam County, WA

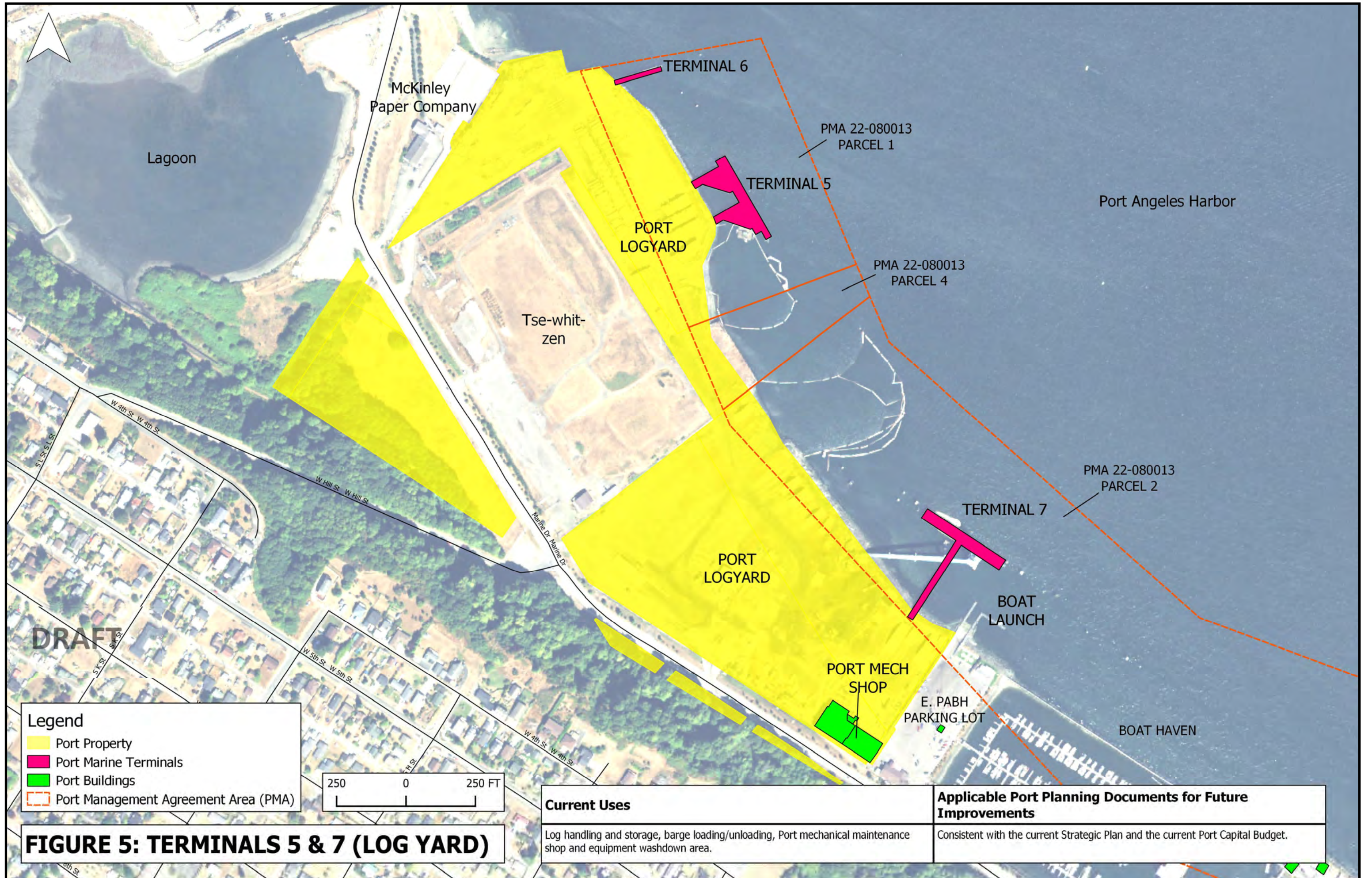
Port Property Overview	
Description	Figures
A. Sekiu Airport	2
B. William R. Fairchild International Airport	3
C. Port Angeles Waterfront	4, 5, 6 & 7
D. Tozier Marine Parkway	8
E. Dungeness Tidelands	9
F. John Wayne Marina	10

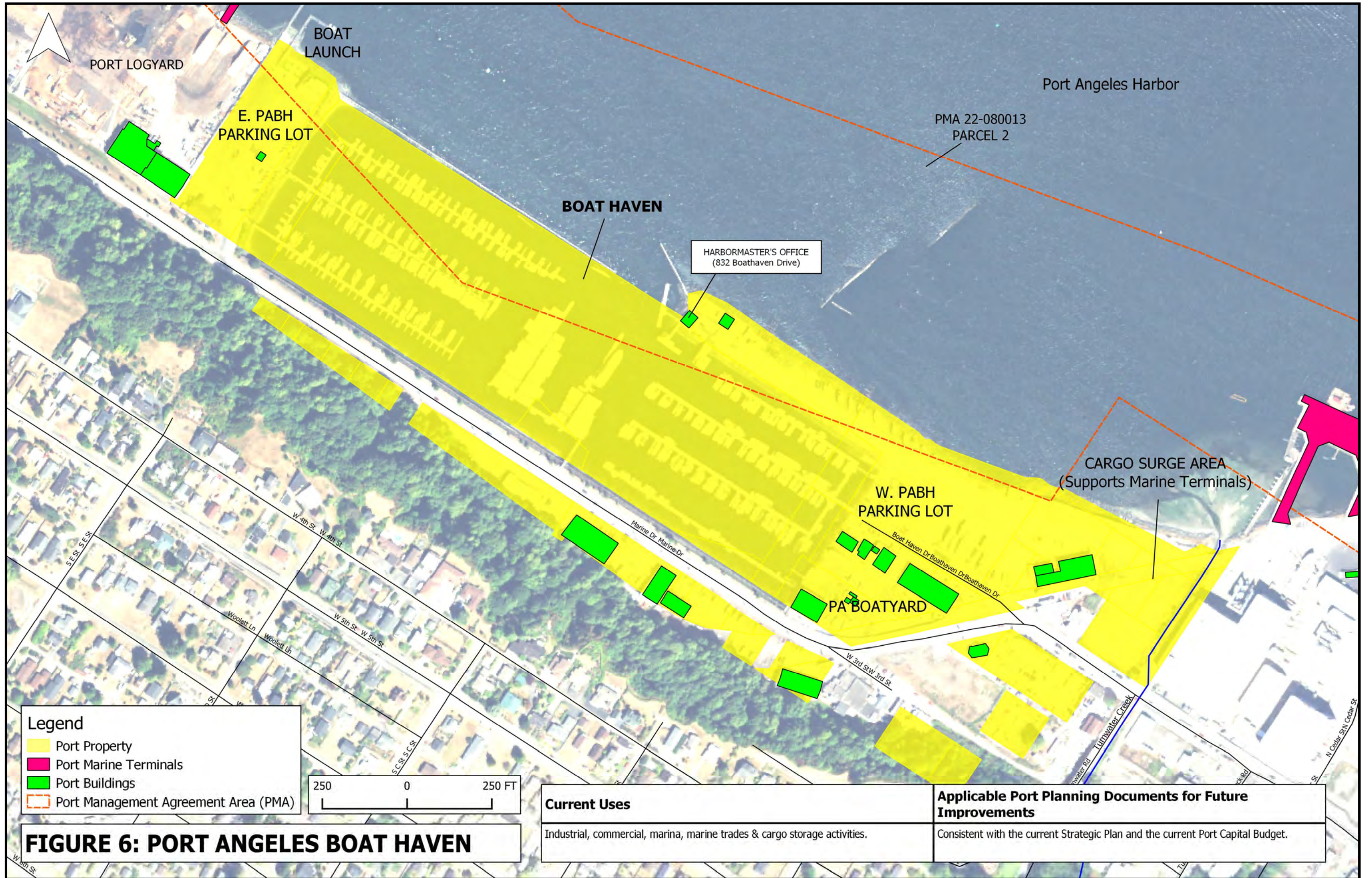


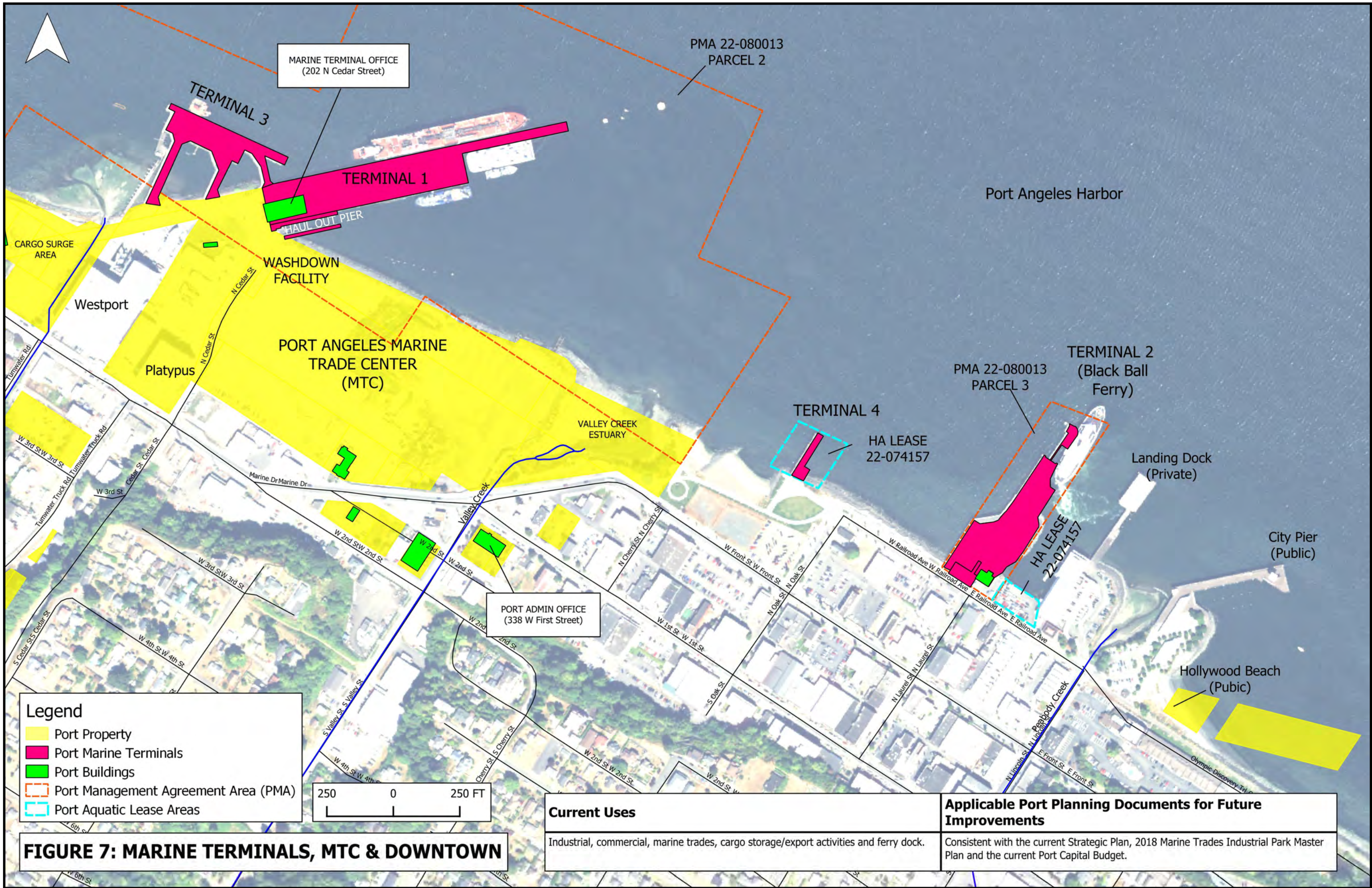


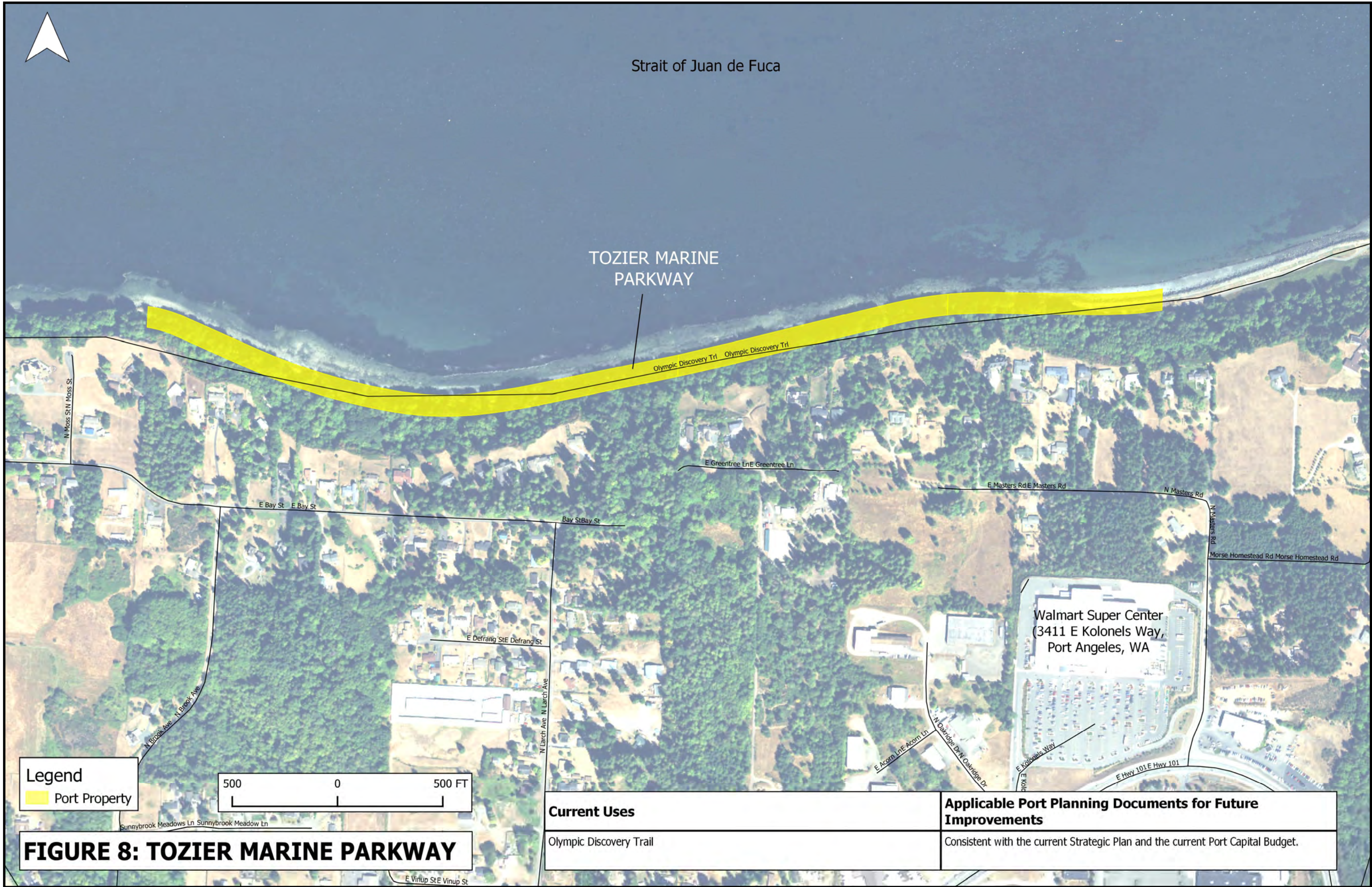


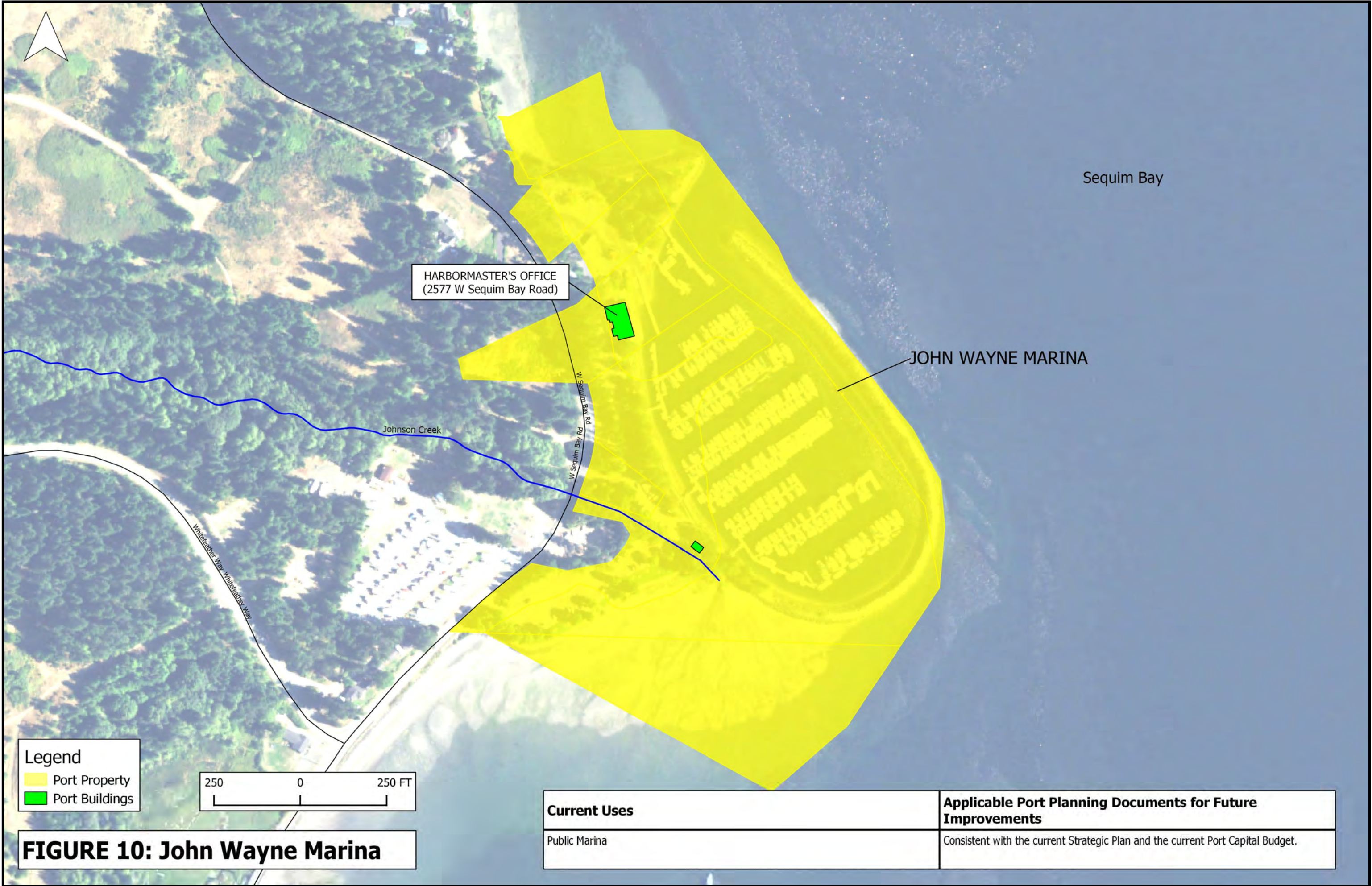














COMPREHENSIVE SCHEME
of HARBOR IMPROVEMENTS
January 27, 2015

[Amendment November 19, 2024](#)

