

Illahee Community Club  
P.O. Box 2563  
Bremerton, WA 98310

February 25, 2009

To: Distribution List

Subject: Illahee Outfall Settlement Support Statement

The Illahee Community Club (ICC) entered into an agreement or “settlement” with the MT Illahee Corporation, Kitsap County, and the Port of Illahee with regards to the relocation of a storm water outfall from the Illahee community dock to an undeveloped right-of-way on Berg Street, and associated area storm water improvements. Integral to the settlement the ICC agreed to issue a public statement of support for the settlement plans and has further agreed not to make public statements regarding the Sunrise Terrace or Rest/Olive/Hardt Development lot sizes.

The Illahee Community Club is very supportive of the resultant outfall agreement and feels that the settlement is beneficial and advantageous for each of the involved parties. The ICC is appreciative of the efforts by all parties to reach this agreement and the MT Illahee Corporation for working with the Illahee community. The following excerpt from a community member illustrates community sentiment:

The Illahee community strives to be a leading example in the area of responsible environmental preservation. Leading by example, both the Illahee community and the MT Illahee Corporation have shown what rewards can be produced by reaching a solution settlement that benefits all parties involved. Furthermore, the agreement is a step forward for one of the goals of the Puget Sound Partnership which is to control storm water in our waterways. For these reasons, there is strong community support for the settlement agreement.

The benefits of the agreement are many for the community, the environment, for the waters of Puget Sound, the Port of Illahee, Kitsap County, and the MT Illahee Corporation. Approximately 90 percent of the storm water that comes from our normally slow rainfall will be cleaned naturally through bio-infiltration swales and infiltrated back into the aquifers from the MT Illahee project. Only the remaining roughly 10% that comes from heavy rains will not be infiltrated because of high flow volumes and will need to be diverted to overflow outfall pipes that flow into Puget Sound.

There are a number of different aspects to the MT Illahee project that were part of the agreement. The first is the improved roadway being planned along Sunrise Terrace and the need to manage the storm water coming from the road surfaces. Bio-infiltration swales will be used at several locations along Sunrise Terrace to help clean the storm water with any overflow connecting to the existing Ocean View storm water system that discharges at the existing outfall. This is a major improvement as previously the storm water was going to be tight-lined (piped directly) to Puget Sound following the removal of suspended solids. This would have required the installation of a new storm water conveyance piping system and another outfall at the Illahee community dock.

The Illahee community at large and the Port of Illahee benefit as a new storm water outfall will not be going through the base of the Port of Illahee's dock structure nor will the effluent be discharged at the Port's public beach and swimming area. The Port and the community were already concerned with an existing 24 inch diameter outfall just a few feet south of where the new outfall was being proposed. Many in the community feel the discharges from the existing outfall have resulted in decreases in the fish and shellfish population. They also remembered the dock area being posted for fecal coliform pollution emanating from the existing outfall. With that history there were major concerns with another outfall that was again tight-lining storm water at the dock. The settlement agreement not only eliminates the need for new outfall at the base of the dock; it also results in a decrease in the storm water that will be discharging to the existing outfall.

The Illahee community benefits from a second outfall along the shoreline in that storm water overflows are more equally distributed into Puget Sound, rather than concentrating all the stormwater for the entire hillside to the Illahee dock area. In retrospect, it appears the existing Berg Street right-of-way should have been used years earlier for the storm water overflows from the Illahee North project. At that time there was less of a concern by the county with running large volumes of stormwater into Puget Sound and a readily accessible right-of-way existed at the community dock. Any future developments in the uphill drainage sub-basins north of Berg Street would have likely required the use of this right-of-way for a new storm water outfall to handle the overflows. The settlement agreement just initiates the use of an outfall at this location earlier rather than later.

The ultimate goal of the Illahee community is to clean and infiltrate storm water to the maximum extent possible, such that the only the overflows from major storm events enter into Puget Sound. The storm water flows going into the settlement outfall from the MT Illahee project will also go through a bio-infiltration swale where the 90 percent

of our normal rainfall is expected to be captured and infiltrated. This will help reduce the settlement outfall overflows. The community notes that there is more work to be done by the community and possibly the county, which is outside the responsibility of MT Illahee, to further clean and infiltrate the storm water going into the settlement outfall. There is a small runoff from the north Fern Street area that would benefit from a rain garden upstream of its storm water overflow pipe, and the northern most cell of the Illahee North detention pond would benefit from a possible infiltration pit. Both of these items would satisfy the goal of cleaning and infiltrating storm water to the maximum extent possible and would ensure that only overflows from major storms would enter Puget Sound waters.

The Illahee Community Club would like to again express its appreciation to MT Illahee, and specifically to its representative, Bernie Johnston, who worked with community representatives to come up with a mutually acceptable solution for all parties.

Please refer any questions regarding this agreement to the Illahee community members, Jim Brady (360-377-8345) and Jim Aho (360-479-1049), who represented the Illahee Community Club in this matter.

Barney Bernhard  
Illahee Community Club

Copies to:

Port of Illahee  
Vancil Law Offices  
MT Illahee (via GordonDerr LLP)  
Kitsap County Prosecuting Attorney's Office, Civil Division  
Shorelines Hearings Board  
Department of Ecology  
Department of Fish & Wildlife, Kitsap County  
Puget Sound Partnership  
Kitsap Health District  
Kitsap County Public Works  
Kitsap County Department of Community Development  
Team 4 Engineering  
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