

## ATTACHMENT 1 – SEPA 08-01

### Port of Olympia Comprehensive Scheme of Harbor Improvements RCW 53.20.010. <sup>1</sup>

The Port of Olympia has a number of key planning documents that form the Port's comprehensive scheme of harbor improvements called for by Washington State Law.<sup>2</sup> These include the Port's Final Environmental Impact Statement for the Port of Olympia Strategic Plan, issued by the Port of Olympia on February 7, 1994, and Addendum to the Port of Olympia Strategic Plan Final Environmental Impact Statement for the Budd Inlet and Airdustrial Park land use plans, issued by the Port of Olympia on December 23, 1994, (evaluates and describes Port planned improvements and potential cumulative impacts for development on Port property); the Port's Comprehensive Plan, Strategic Plan (Chapter 2 of the Comprehensive Plan), the Port's Land Use Plan (Chapter 3 of the Comprehensive Plan), the Airport master plan (Chapter 4 of the Comprehensive Plan), Airport Lay out Plan, the Airport Pavement Management Plan, the annually adopted and updated Capital Facilities Budget, the Port's adopted priority initiatives, the current Port business plans, and various other planning documents.

The overriding purpose of RCW 53.20.010 is to provide public notice of a Port's planned improvements, which this set of documents fulfills. *Hutchinson v. Port of Benton* (1963) 62 Wash.2d 451, 383 P.2d 500. *Paine v. Port of Seattle* (1912) 70 Wash. 294, 126 P. 628, affirmed [70 Wash. 294, 127 P. 580](#). The Port's public notice, review and adoption of these planning documents comply with the

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1 It shall be the duty of the port commission of any port district, before creating any improvements hereunder, to adopt a comprehensive scheme of harbor improvement in the port district, after a public hearing thereon, of which notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the port district, and no expenditure for the carrying on of any harbor improvements shall be made by the port commission other than the necessary salaries, including engineers, clerical and office expenses of the port district, and the cost of engineering, surveying, preparation and collection of data necessary for the making and adoption of a general scheme of harbor improvements in the port district, unless and until the comprehensive scheme of harbor improvement has been so officially adopted by the port commission.

RCW 53.20.010. *Adoption of harbor improvement plan.*

2 The Courts have ruled that a document, or a set of documents, and/or documents not necessary entitled as a "comprehensive scheme of harbor improvements" satisfies the statute's requirement. *Port of Everett v. Everett Imp. Co.* (1923) 124 Wash. 486, 214 P. 1064, *Port of Seattle v. Certified Manufacturing Co.*, 66 Wash.2d 598, 404 P.2d 25, (1965); *Paine v. Port of Seattle* (1912) 70 Wash. 294, 126 P. 628, affirmed [70 Wash. 294, 127 P. 580](#).

requirements of RCW 53.02.010.

### **Port's CSHI Is Annually Updated via Annual Capital Facilities Budget**

The Port's annual Capital Facilities Budget is a critical component of the Port's CSHI. The Port's annual public notice, review and adoption of the annual Capital Facilities budget comply and or exceed the requirements of RCW 53.02.010 for adoption of a harbor scheme of improvements.

Each year, the Port holds at least one Port Commission public workshop, and at least one, and often two, public hearings, on the Capital facilities Budget. Notice of the Budget hearings are once a week for at least two consecutive weeks in a newspaper of general circulation in the port, as required by RCW 53.02.010.

In addition to the activities and improvements described in Port's FEIS and Addendum, the Port gives public notice of planned improvements in its annual Capital Facilities Budget documents, as follows:

#### **i. 2004 Capital Facilities Budget**

The following public notice milestones were met:

<b>Event</b>	<b>Date</b>
<b>Commission workshop</b>	9/26/2003
<b>Public hearing date(s)</b>	11/10/03 & 11/14/03
<b>Public Notice Given</b>	11/10, 11, 17, 18, 2003

#### **ii. 2005 Capital Facilities Budget**

The following public notice milestones were met:

<b>Event</b>	<b>Date</b>
<b>Commission workshop</b>	10/08/2004
<b>Public meetings date(s)</b>	10/25/04 and 11/08/04
<b>Public Hearing date</b>	11/22/04
<b>Public Notice Given</b>	11/1/04, 11/8/04, 11/15/04

#### **iii. 2006 Capital Facilities Budget**

The following public notice milestones were met:

<b>Event</b>	<b>Date</b>
<b>Commission workshop</b>	10/25/2005
<b>Public meetings date(s)</b>	10/21/05
<b>Public Hearing date</b>	11/14/05, 11/28/05
<b>Public Notice Given</b>	11/4/05, 11/11/05, 11/18/05

#### **iv. 2007 Capital Facilities Budget**

The following public notice milestones were met:

<b>Event</b>	<b>Date</b>	<b>Supporting Exhibit</b>
<b>Commission workshop</b>	10/25/2006	Exhibit 20 minutes
<b>Public Hearing date</b>	11/13/06, 11/27/06	Exhibit 21 and 22 minutes
<b>Public Notice Given</b>	11/3 and 11/17	Exhibit 23 affidavits of publication