

The Leader

State finds violations on Fort Discovery's new range

Posted Wednesday, May 8, 2019 6:00am

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The state Department of Ecology has determined a Port Townsend gun range developer cleared and graded wetlands not covered by the permit for his new shooting facility in Quilcene. No penalty has been levied and he appears to have thanked the county for its handling of the inspection.

Cedar Hills Recreational Facility, located on two parcels near Tarboo Lake at Quilcene, is a project of Joe D'Amico, owner of Security Services Northwest and Fort Discovery Inc.

In November, during a moratorium on shooting range development, opponents of the gun range commissioned a drone photographer to take aerial photos of the D'Amico's site and then filed three complaints based on what they allege is unpermitted clearing and grading of wetlands.

"Fort Discovery did submit a wetlands permit, but the report missed some wetlands," said Rick Mraz, a Washington Department of Ecology Shorelands Technical and Regulatory Lead. "He had cleared over an acre of land." Mraz said when regulators inspected the property on March 22, they found D'Amico had cleared wetlands that were not identified in the original report that Fort Discovery filed.

Efforts to obtain direct comment from D'Amico were unsuccessful.

"The site visit by Ecology confirms the TRC (Tarboo Ridge Coalition) complaint based on our joint aerial photo analysis," said Peter Bahls, a member of the Tarboo Ridge Coalition and director of the Northwest Watershed Institute. "Fort Discovery has been building a weapons training center on 40 acres in violation of state law. The company

did wetland filling, destroyed wetland buffers, and scraped extensive areas of vegetation in clear violation of state wetland and clearing and grading regulations.”

Tarboo Ridge Coalition sought action against D’Amico by the Washington Department of Ecology, the Jefferson County Department of Community Development and the U.S. Army Corps of Engineers.

Mraz said that no penalty had been filed at this time, since D’Amico expressed interest in voluntarily complying with the Department of Ecology.

After the inspection, the Cedar Hills Recreational Facility’s Facebook page was complimentary. “Would like to thank DOE and Jefferson County Washington for the site visit today at Cedar Hills,” a post said. “Nice to work with grownups.”

Some of the clearing and grading also occurred in wetland buffers, which are protected by Jefferson County through their Critical Areas Ordinance, Mraz said in his report back to D’Amico.

“A draft restoration plan will need to be prepared and submitted,” Mraz said. “We review it and make any necessary changes. The fill needs to be removed and that area needs to be replanted with the vegetation that was there before. For the county, buffers will need to be restored.”

Mraz’ report back to D’Amico was based on a site visit March 22 by staff of the Department of Ecology and Jefferson County’s Department of Community Development.

Department of Ecology construction stormwater inspector Brienn Ellis said there were multiple buildings on site and that Fort Discovery had not obtained a stormwater permit.

D’Amico, who has sued opponents and critics, would not comment on the site visit or how far along construction of the new facility is. He did not respond to a reporter’s request for comment and replied to an editor’s follow-up request by saying he would not comment until equal reporting had been done on what he says are violations at a property owned by one of his critics.

Because of ongoing litigation, DCD wetland specialist Donna Frosthalm would not comment on the status of DCD’s investigation into any possible violations.

Mraz said that a site visit by the U.S. Army Corps of Engineers could change the permitting process.

“If they determine it’s a water of the United States, it changes the pathway through which we would regulate it,” he said. In federal law, “waters” is defined in a long bulleted paragraph that declares the Corps of Engineers jurisdiction over most of the intrastate and interstate streams, rivers, wetlands, lakes, and oceans you can see on a map.

Daisy Douglass, a regulatory biologist with the U.S. Army Corps of Engineers said the Corps is currently reviewing the Tarboo Ridge Coalition’s to determine whether a site visit is necessary.

For Bahls, the protection of wetlands is important for the land the Northwest Watershed Institute has spent years restoring for salmon populations.

“Much of the Fort Discovery property drains into Tarboo Lake, which is part of the headwaters feeding Tarboo Creek,” Bahls said. “The clearing and grading activity exposed a lot of dirt on the property. During big rains, exposed soil can wash into the wetlands and Tarboo Lake damaging the water quality,” he said. “The wetlands themselves are like sponges that hold the water and filter it through the soil slowly. Filling up a wetland with dirt destroys its ability to absorb stormwater runoff and can destroy unique habitats for amphibians, birds, and other wildlife.”

D’Amico would not comment on the site visit or violations, but in January, when The Leader asked about the TRC’s complaints, he said in an email response: “Look at Jefferson County’s own Critical Areas Map – there are no wetlands or streams on my property.”

D’Amico had made his own complaint to the County Commissioners on Dec. 3, 2018, stating that former TRC board member Leigh Hearon had an unpermitted bridge on her Quilcene farm, called Trillium Woods Farm, where she holds Concerts in the Barn each summer.

Hearon said she had been contacted by the county Department of Community Development and was working with them on making sure the bridge had proper permitting.

COALITION BROADENS MISSION

Meanwhile, the group that arose to fight D’Amico’s plan has set its sights beyond D’Amico’s shooting range.

The Tarboo Ridge Coalition filed a 26-page brief to the Growth Management Hearings Board in April, challenging the county's recent changes to the development code regarding the zoning and permitting of shooting facilities.

In 2018, members of the Tarboo Ridge Coalition, rallied at Jefferson County Commission meetings and public hearings for stronger regulations on gun ranges in the county.

But in December, when a year-long moratorium on development of gun ranges ended and the commissioners approved an ordinance regulating the zoning of commercial shooting facilities, the Tarboo Ridge Coalition was left with the same concern it had a year ago: would Fort Discovery president Joe D'Amico's proposed shooting facility impact the peace and solitude of the rural neighborhood?

"They made it possible for more gun ranges to be built that are more intense, that can be unlimited in size and intensity," said Peter Newland, board president of the Tarboo Ridge Coalition. "That surprised us. We thought it would shape what you could do recreationally. It's inexplicable how that happened."

As a result, Newland filed an appeal with the state Growth Management Hearings Board, challenging the adoption of the ordinance.

In its appeal to the board, the Tarboo Ridge Coalition alleged that the county failed to follow the State Environmental Policy Act, bypassed required Planning Commission review, and adopted regulations that are inconsistent with the Jefferson County Comprehensive Plan's goals and policies.

The state hearings board will travel to Jefferson County for a public hearing on June 11, at which the county and attorneys representing Tarboo Ridge Coalition will make their cases. The decision is expected by July 17.

The appeal to the Growth Management Hearings Board is one way the Tarboo Ridge Coalition is focusing its efforts outward beyond the scope of just the proposed shooting range.

"People are really worried about rural America becoming a dumping ground for military force," Newland said. "This seems to be part of a larger trend. Yes, it is a local issue, but it has national ties as well."

On March 23, the Tarboo Ridge Coalition hosted a four-hour retreat of 37 community members from around the county at the Old Alcohol Plant in Port Hadlock to discuss future plans.

“It’s clear that people are starting to realize this isn’t some NIMBY (“Not In My Backyard”) issue,” Newland said.

At the meeting, the group came up with a list of possible future action plans, including a possible effort to rebrand their movement so that it includes more of the county, instead of just the Tarboo Lake area.

“Everyone there affirmed that the real issue is protecting the quality of life in Jefferson County,” stated Scott Freeman, who led the forum, in a press release. “We support our military and honor the work that our local bases do to be good neighbors, but want to remain a rural county with a strong and growing economy based on farming, forestry, and fishing - not on privately owned, large-scale, commercial firearms training centers that disrupt our way of life. It’s shaping up to be a major issue in the 2020 local elections.”