CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, NOVEMBER 24, 2020

REMOTE MEETING ON ZOOM

TO JOIN THE MEETING, CLICK THE LINK BELOW:
HTTPS://BAINBRIDGEWA.ZOOM.US/J/96765570501
JOIN BY TELEPHONE: DIAL US: +1 253 215 8782
WEBINAR ID: 967 6557 0501

AGENDA

1. **CALL TO ORDER/ROLL CALL - 6:00 PM**

2. **EXECUTIVE SESSION**

   2.A **(6:05 PM) Pursuant to RCW 42.30.110(1)(c) to consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price, and pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation to which the city, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency,** 30 Minutes

3. **APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE - 6:35 PM**

4. **PUBLIC COMMENT**

   4.A **(6:40 PM) Instructions for Providing Public Comment - City Clerk,** 15 Minutes
   Instructions for Providing Public Comment at Remote Meetings.docx

5. **FUTURE COUNCIL AGENDAS**

   5.A **(6:55 PM) Future Council Agendas,** 10 Minutes
   December 1 City Council Study Session.pdf
   December 2 Special City Council Meeting.pdf
   December 3 Special City Council Meeting.pdf
   December 8 City Council Regular Business Meeting.pdf
   December 15 City Council Study Session.pdf

6. MAYOR'S REPORT - 7:05 PM

7. CITY MANAGER'S REPORT 7:10 PM

8. UNFINISHED BUSINESS

8.A **(7:15 PM) City Manager Search Update and Process - Strategic Government Resources - Executive,** 15 Minutes
CM Search Transmittal for CC 11242020
Presentation CM Search 11242020

8.B **(7:30 PM) Ordinance No. 2020-31 Relating to the 2021-22 Biennial Budget - Finance,** 10 Minutes
2021-22 Budget Transmittal Memo for CC 11242020
Ordinance No. 2020-31 Adopting Biennial Budget for FY 2021-22.docx
Ordinance No. 2020-31 Exhibit A.pdf
Ordinance No. 2020-31 Exhibit B.pdf

8.C **(7:40 PM) Reject Proposal to Amend the BIMC for the Two Lots Commonly Known as the "Triangle Property" - Planning,** 10 Minutes
FOR BACKGROUND October 6, 2020 Memorandum to Council
FOR BACKGROUND Attachment A Planning Commission Review Summary and Memorandums
FOR BACKGROUND Attachment B Planning Commission Recorded Motion
PLN51245 LDR Aveterra Application

8.D **(7:50 PM) Set Public Hearing on Ordinance No. 2020-37 Extending the Landmark Tree Ordinance - Planning,** 10 Minutes
Ordinance No. 2020-37 Extending Landmark Tree Regulations
Exhibit A to Ord 2020-37 (Work Plan)
Exhibit B to Ord 2020-37 (Winslow Master Plan Study Area).pdf
Ordinance No. 2020-13 [For Reference].pdf

8.E **(8:00 PM) Ordinance No. 2020-17 Adopting the Shoreline Master Program Amendment to Integrate the Critical Areas Ordinance and Make Changes to the Nonconforming Sections- Planning,**
10 Minutes
Staff Memorandum to Council
Ordinance No. 2020-17 Adopting the Shoreline Master Program Amendment
Exhibit A to Ordinance No. 2020-17 Shoreline Master Program Amendment
Summary of Public Comments and Staff Response
[For background] September 22, 2020 Staff Memorandum to Council

8.F **(8:10 PM) Ordinance No. 2020-32 Relating to Speed and Wake Restrictions in Blakely Harbor - Police,** 15 Minutes
Ordinance No. 2020-32 Speed and Wake Restrictions in Blakely Harbor.docx
Blakely Harbor No Wake.pdf

9. NEW BUSINESS

9.A **(8:25 PM) Ordinance No. 2020-38, Relating to 2020 4th Quarter Budget and Updated Capital Improvement Plan Amendments - Finance,** 5 Minutes
2020 4th QTR BUA Transmittal Memo for 11242020
ORD 2020-38 2020 4th QTR Budget and CIP Amendments - FINAL.docx
Ord 2020-38 Attachment A - Q4 Budget Amendments.pdf

9.B **(8:30 PM) Second Amendment to the Agreement for Provision of Juvenile Detention Facilities - Police,** 5 Minutes
2021 Juvenile Detention Facilities ILA Second Amendment.docx

9.C **(8:35 PM) Amendment No. 1 to Interlocal Agreement between the City of Bainbridge Island and the Kitsap Conservation District for Agricultural Assistance, Support, and Conservation - Public Works,** 10 Minutes
Amendment No. 1 to 2019-20 ILA Between COBI and the Kitsap Conservation District.docx
2019-2020 Kitsap Conservation District ILA - Executed.pdf
2019 KCD and Bainbridge ILA Annual Report.pdf
2018 KCD and Bainbridge ILA Annual Report.pdf

9.D **(8:45 PM) Dump Truck Cab and Chassis Procurement - Public Works,** 10 Minutes
State Master Contract Usage Agreement.pdf

9.E **(8:55 PM) Appointments to the Lodging Tax Advisory Committee - Mayor Schneider,** 10 Minutes
Lodging Tax Advisory Committee Applications - Redacted.pdf

9.F **(9:05 PM) Confirmation of Appointment to the Planning Commission - Mayor Schneider,** 5 Minutes
Planning Commission Applications (Redacted).pdf

10. CONSENT AGENDA

10.A **(9:10 PM) Agenda Bill for Consent Agenda,** 5 Minutes

10.B **Accounts Payable and Payroll**
AP Report to Council of Cash Disbursements 11-25-20.pdf
Payroll Council Report 112020.pdf

10.C **Special City Council Meeting Minutes, November 4, 2020**
Special City Council Meeting Minutes, November 4, 2020.pdf

10.D **Regular City Council Business Meeting Minutes, November 10, 2020**
Regular City Council Business Meeting Minutes, November 10, 2020.pdf

10.E **Robert Stevenson Memorial Bench Donation Agreement - Public Works,** 5 Minutes
Agreement - Sanders Bench.docx
Attachment A_bench_CA-2_series.pdf
Attachment B_ aerial location.pdf
Attachment B_context location.pdf

11. COMMITTEE REPORTS - 9:15 PM

12. FOR THE GOOD OF THE ORDER - 9:20 PM

13. ADJOURNMENT - 9:30 PM

GUIDING PRINCIPLES

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CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 30 Minutes

AGENDA ITEM: (6:05 PM) Pursuant to RCW 42.30.110(1)(c) to consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price, and pursuant to RCW 42.30.110(1)(i), to discuss with legal counsel matters relating to litigation or potential litigation to which the city, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency,

SUMMARY: Hold Executive Session.

AGENDA CATEGORY: Discussion **PROPOSED BY:** Executive

RECOMMENDED MOTION: Discussion only.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:	
Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 15 Minutes

AGENDA ITEM: (6:40 PM) Instructions for Providing Public Comment - City Clerk,

SUMMARY: The attached instructions explain how to provide public comment in a remote Zoom meeting.

AGENDA CATEGORY: Discussion **PROPOSED BY:** Executive

RECOMMENDED MOTION: Information only.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

Instructions for Providing Public Comment at Remote Meetings.docx

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF
BAINBRIDGE ISLAND

OFFICE OF THE CITY CLERK

SEPTEMBER, 2020

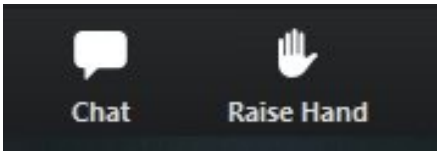
Members of the public are encouraged to submit written public comment to the City Council at any time by emailing Council at council@bainbridgewa.gov or the City Clerk at cityclerk@bainbridgewa.gov. Members of the public who wish to provide public comment during the remote meeting should follow the instructions outlined below.

INSTRUCTIONS FOR PROVIDING PUBLIC COMMENT IN REMOTE MEETINGS

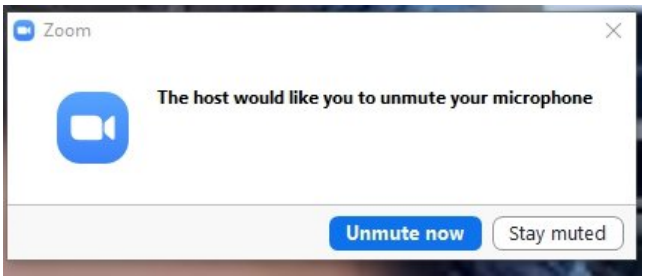
1. Attendees who wish to provide public comment sign in to Zoom with their name.

2. Meeting Chair will indicate when it is time for public comment.

3. Attendee indicates desire to speak by clicking on "Raise Hand" option at the bottom of the screen:



4. Attendee clicks button "Unmute now" after they are called to speak by Meeting Chair.



5. Attendee will appear on screen with other panelists, but without video, just name.

IMPORTANT NOTE: If you do not have the latest version of Zoom, the Clerk will promote you to panelist. You will then appear with video enabled. Look for the video icon in the bottom left-hand corner of the screen to turn off your video.

6. Attendee provides their comment.

7. A timer on the screen will track your time.

8. Stop speaking when the timer reaches the 3-minute mark.

9. Attendee is returned to attendee group, and microphone is muted.

10. As always, public comment is simply received by the Council, with no response.

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: (6:55 PM) Future Council Agendas,

SUMMARY: Council will review future Council agendas.

AGENDA CATEGORY: Discussion **PROPOSED BY:** Executive

RECOMMENDED MOTION: Discussion.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

December 1 City Council Study Session.pdf

December 2 Special City Council Meeting.pdf

December 3 Special City Council Meeting.pdf

December 8 City Council Regular Business Meeting.pdf

December 15 City Council Study Session.pdf

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL STUDY SESSION
TUESDAY, DECEMBER 01, 2020

REMOTE MEETING ON ZOOM

AGENDA

1. **CALL TO ORDER / ROLL CALL - 6:00 PM**

2. **EXECUTIVE SESSION**

3. **APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**

4. **MAYOR'S REPORT**

5. **FUTURE COUNCIL AGENDAS**

6. **NORTH WARD COUNCIL VACANCY INTERVIEWS**

   6.A **Council Candidate Remarks** 15 Minutes

   6.B **Questions and Answers,** 30 Minutes

   6.C **Executive Session** 10 Minutes

   6.D **Nomination and Selection of Finalists; Confirm Special Meeting Structure,** 5 Minutes

7. **PRESENTATIONS**

8. **UNFINISHED BUSINESS**

   8.A **(x PM) Update on the Development Moratorium - Planning,** 10 Minutes
   Moratorium work program status report
   Development Moratorium Summary Effective 20201104.pdf
   Ordinance No. 2020-29 Further Narrowing the Development Moratorium to Shoreline Properties within the WMPSA Approved 102720.pdf
   Ordinance No. 2020-29 Exhibit B Winslow Master Plan Study Area Approved 102720.pdf
   ORD NO. 2020-24 EXTENDING THE DEVELOPMENT MORATORIUM.pdf

8.B **Timing for Transition from Race Equity Task Force to Race Equity Advisory Committee** 15 Minutes

8.C **(x PM) Update from Joint City Council and Planning Commission Land Use Subcommittee - Councilmembers Carr, Hytopoulos, and Pollock,** 10 Minutes

9. NEW BUSINESS

10. CITY COUNCIL DISCUSSION

10.A **Recommendation from Council Ad Hoc Committee on Public Farmland** 15 Minutes

11. FOR THE GOOD OF THE ORDER

12. ADJOURNMENT

GUIDING PRINCIPLES

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CITY OF
BAINBRIDGE ISLAND

SPECIAL CITY COUNCIL MEETING
WEDNESDAY, DECEMBER 02, 2020

REMOTE MEETING ON ZOOM

AGENDA

1. **CALL TO ORDER/ROLL CALL - 5:00 PM**

2. **EXECUTIVE SESSION**

   2.A **(5:05 PM) Pursuant to RCW 42.30.110(1)(g), to evaluate the qualifications of an applicant for employment or to review the performance of a public employee.** 3 Hours

3. **ADJOURNMENT - 8:00 PM**

GUIDING PRINCIPLES

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CITY OF
BAINBRIDGE ISLAND

SPECIAL CITY COUNCIL MEETING
THURSDAY, DECEMBER 03, 2020

REMOTE MEETING ON ZOOM

AGENDA

1. **CALL TO ORDER/ROLL CALL - 5:00 PM**

2. **EXECUTIVE SESSION**

   2.A **(5:05 PM) Pursuant to RCW 42.30.110(1)(g), to evaluate the qualifications of an applicant for employment or to review the performance of a public employee.** 4 Hours

3. **ADJOURNMENT - 9:00 PM**

GUIDING PRINCIPLES

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CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL REGULAR BUSINESS MEETING
TUESDAY, DECEMBER 08, 2020

REMOTE MEETING ON ZOOM

AGENDA

1. **CALL TO ORDER/ROLL CALL - 6:00 PM**

2. **EXECUTIVE SESSION**

3. **APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE**

4. **PUBLIC COMMENT**

5. **MAYOR'S REPORT**

6. **CITY MANAGER'S REPORT**

7. **FUTURE COUNCIL AGENDAS**

8. **PRESENTATION(S)**

   8.A **Utility Advisory Committee Recommendations on Small Water Systems and 2021 Work Plan Update,** 20 Minutes
   COBI Water System Memo 102320.pdf

   8.B **COVID-19 Community Based Testing Site Update, Executive** 10 Minutes

   8.C **Winter Weather Briefing, Executive** 10 Minutes

9. **PUBLIC HEARING(S)**

   9.A **(x PM) Ordinance No. 2020-X Relating to 6-Month Extension of Landmark Tree Ordinance - Planning,** 10 Minutes
   20200225_Tree_Memo_Council
   Ordinance No. 2020-13 Extending Landmark Tree Regulations Winslow Area - Public Hearing Draft
   Exhibit A (Revised) - Work Plan to Ordinance No. 2020-13 Extending Landmark Tree Regulations - For Public Hearing Draft.docx
   Exhibit_B_Winslow Master Plan Study Area

Ord 2019-39

10. UNFINISHED BUSINESS

10.A **(x PM) Ordinance No. 2020-34 Prohibiting New Self-Service Storage Uses, Consider Adoption - Planning,** 15 Minutes
20201029 PC Recommended Ordinance No. 2020-34 Self-Service Storage Facilities.docx
Exhibit A to Ordinance 2020-34.docx
Ordinance No. 2020-36 Extending the Moratorium on Self-Service Storage Facilities Approved 111020.pdf
Planning Commission Public Hearing Public Comments.pdf
Planning Commission Recorded Motion 2020-34.pdf

10.B **(x:xx PM) 2020 Annual Drainage Project Contract Award - Public Works,** 10 Minutes

10.C **(x PM) Ordinance No. 2020-23, Creating a Standing Race Equity Advisory Committee - Executive,** 15 Minutes
Staff Memo - Recommended Discussion Points

10.D **Update from Joint City Council and Planning Commission Land Use Subcommittee - Permitted Use Table Councilmembers Carr, Hytopoulos, and Pollock,** 10 Minutes

10.E **(x PM) Expectations for Council Liaisons - Mayor Schneider,** 20 Minutes

11. NEW BUSINESS

11.A **Chlorine Generator Replacement Contract - Public Works,** 5 Minutes
Chlorine Generator PSA.docx

12. COUNCIL DISCUSSION

12.A **Discussion of Police Station Costs - Councilmember Pollock,** 10 Minutes

12.B **Request from the Race Equity Task Force for Council to Endorse GARE Open Letter Opposing Executive Order Banning Systemic Racism Training - Councilmembers Nassar and Hytopoulos,** 10 Minutes
GARE An Open Letter In Support of Meaningful Conversation and Action to Address Systemic Racism in Government and all American Institutions.docx

13. CONSENT AGENDA

14. COMMITTEE REPORTS

15. FOR THE GOOD OF THE ORDER

16. ADJOURNMENT

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CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL STUDY SESSION
TUESDAY, DECEMBER 15, 2020

REMOTE MEETING ON ZOOM

AGENDA

1. **CALL TO ORDER / ROLL CALL - 6:00 PM**

2. **EXECUTIVE SESSION**

   2.A **(6:05 PM) Pursuant to RCW 42.30.110(1)(g), to evaluate the qualifications of an applicant for employment or to review the performance of a public employee.** 60 Minutes

3. **APPROVAL OF AGENDA/ CONFLICT OF INTEREST DISCLOSURE**

4. **MAYOR'S REPORT**

5. **FUTURE COUNCIL AGENDAS**

6. **PRESENTATIONS**

7. **UNFINISHED BUSINESS**

   7.A **Policy Options for Lots less than 12,500 square feet in the R-1, R-2 & R-0.4 zoning district** 30 Minutes

   7.B **(x PM) Update from Joint City Council and Planning Commission Land Use Subcommittee - Councilmembers Carr, Hytopoulos, and Pollock,** 10 Minutes

8. **NEW BUSINESS**

9. **CITY COUNCIL DISCUSSION**

10. **FOR THE GOOD OF THE ORDER**

11. **ADJOURNMENT**

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CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 15 Minutes

AGENDA ITEM: (7:15 PM) City Manager Search Update and Process - Strategic Government Resources - Executive,

SUMMARY: At a November 16, 2020 Council special meeting, the Council reviewed and decided upon steps for the remainder of the City Manager search process. One step is an online community open house, at which the candidates will answer questions as determined by the Council. The Council will review and decide upon questions in this agenda item.

In addition, the Council will review and affirm the process for the remainder of the search process.

Ron Holifield of SGR will be available to support the Council's discussion of this item.

AGENDA CATEGORY: Discussion **PROPOSED BY:** City Council

RECOMMENDED MOTION: I move to approve the questions for the City Manager online community open house and affirm the recommended additions to the process as presented.

or

I move to approve the questions for the City Manager online community open house and affirm the recommended additions to the process as amended.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND: The City has engaged Strategic Government Resources (SGR) to conduct a nationwide search process for the City Manager position. In August and September, the Council worked with SGR to finalize the position description. SGR posted the position in September, with first review of applications held in October. The Council reviewed the applicants with SGR and identified a group of semifinalists. At the November 10, 2020 Council meeting, SGR and the Council discussed the process for the ongoing review and selection of

the City Manager. At a November 16, 2020 special meeting, the Council reviewed next steps and developed an outline for the remainder of the City Manager search process.

One portion of the City Manager search process will be a community open house, at which each candidate will answer questions, as determined by the Council. Potential questions are attached for review.

ATTACHMENTS:

CM Search Transmittal for CC 11242020

Presentation CM Search 11242020

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF
BAINBRIDGE ISLAND

EXECUTIVE DEPARTMENT MEMORANDUM

TO: City Council

FROM: Ellen Schroer, Deputy City Manager

DATE: November 24, 2020

RE: City Manager Search - Next Steps

The City Manager Search process continues, facilitated by Ron Holifield of the consulting group Strategic Government Resources (SGR). In August and September, Council worked with SGR to finalize the position description and provided feedback on initial drafts of the profile materials. SGR posted the position in September, with first review of applications held in October and additional review in November.

Decision Points for November 24 Council Meeting

1. Authorize SGR to brief new council member, after appointment process is completed in December
2. Approve questions for community event (online format) in January
3. Affirm addition of an employee event (online format) in January

Next Steps for City Manager Search

Task	Week
SGR conducts reference checks, comprehensive media search, background investigations, assessments	Week of Nov. 23
SGR provides finalist materials to councilmembers	December 1
SGR meetings with City Council and finalists	December 2, December 3
Panel meetings with finalists	TBD
Finalists visit Bainbridge Island	January 2021
Community online open house	January 2021
City Council selects City Manager and offer made	TBD
City Manager starts with City of Bainbridge Island	TBD

Conclusion

With guidance from the council, staff and SGR will work together to facilitate the next steps of the City Manager search process.

City Manager Search Process

November 24, 2020

Tonight's topics

- Authorize SGR to brief new council member (December)
- Approve questions for January community open house
- Affirm addition of January employee open house

Community Online Open House - January

- Held on Zoom platform
- Each candidate responds to same questions (see next slide)
- No in-person real-time interaction
- Community provides feedback later

Confirm Open House questions

- Please share a quick overview of your background, and why you think it has prepared you to help lead Bainbridge Island into the future.
- Please share with us the core values that would guide how you lead if you were selected to serve as City Manager.
- What homework have you done on Bainbridge Island and what do you know about us?
- Based on that homework, what makes you the most excited about the prospect of coming here as city manager?
- What do you remain most curious about Bainbridge Island?

Process Summary

Council interviews (Dec. 2, Dec. 3)

Three panel discussions (mid-December, TBD)

Council receives feedback from panel chairs (mid-December, TBD)

Candidates develop first year plan (late December)

Finalists visit Bainbridge Island (January 2021)
Community online open house (January 2021)
Employee online open house (January 2021)

Questions

Discussion

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: (7:30 PM) Ordinance No. 2020-31 Relating to the 2021-22 Biennial Budget - Finance,

SUMMARY: Consider approval of Ordinance No. 2020-31 relating to the 2021-22 Biennial Budget.

AGENDA CATEGORY: Ordinance **PROPOSED BY:** Finance & Administrative Services

RECOMMENDED MOTION: I move to approve Ordinance No. 2020-31 adopting the 2021-22 Biennial Budget.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND: City staff presented the Proposed Budget on September 22, October 6, October 13, October 20, October 27, November 4, November 10, and November 17, 2020. Public hearings were conducted for the budget on October 27, 2020 and November 10, 2020. A separate public hearing for levying the property tax in 2021 took place on October 27, 2020, and the Council passed Ordinance No. 2020-30 levying the tax for 2021 on November 10, 2020. On November 17, 2020, the Council passed Ordinance No. 2020-25 approving the 2021-26 Capital Improvement Plan.

On November 10, 2020, the Council forwarded Ordinance No. 2020-31, the ordinance that will adopt the budget, to unfinished business on November 24, 2020.

ATTACHMENTS:

2021-22 Budget Transmittal Memo for CC 11242020

Ordinance No. 2020-31 Adopting Biennial Budget for FY 2021-22.docx

Ordinance No. 2020-31 Exhibit A.pdf

Ordinance No. 2020-31 Exhibit B.pdf

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF BAINBRIDGE ISLAND

2021-2022 PROPOSED BUDGET

Budget Deliberations

Transmittal Memo

Date:	November 24, 2020
To:	City Council Morgan Smith, City Manager
From:	Ellen Schroer, Deputy City Manager DeWayne Pitts, Finance Director
Re:	Summary of changes during the budget deliberation process

The purpose of this memo is to provide a summary of the changes approved by the City Council to the Proposed Budget. Decisions made throughout the budget deliberations from September through November are reflected in the charts which follow and comprise the final budget presented for approval.

Summary Financial Information

The 2021-2022 Proposed Budget meets all financial and reserve policies through the coming Biennium. While it does not meet the 10-year sustainability tests which the City has used in recent budget cycles to support its financial goals, it does meet those standards through the next four biennia.

Budget Motions and Financial Impact – Approved Motions

The charts on the following pages show:

- Approved changes as compared to the Proposed Budget for all funds. Including the utility funds along with the tax-supported funds provides all changes made to the budget.
- Recurring revenue/recurring expenditure comparison for tax-supported funds.
- Ending fund balance as compared to the policy reserves for tax-supported funds

The tables below the charts show the numbers presented.

Table One: Approved Motions and Changes to Proposed Budget

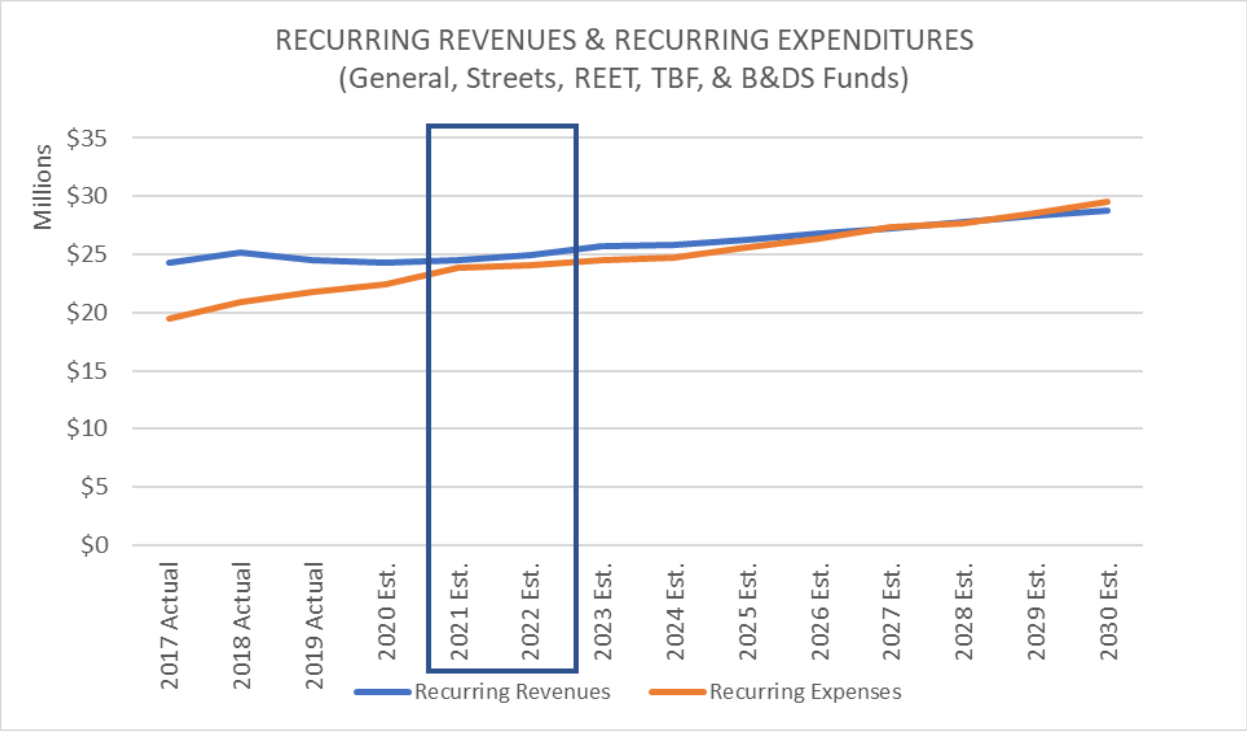
Description	Fund	2021	2022	2023	2024	One-time or Recurring	Revenue or Expense
CIP: Add Senior Center Improvement Project	CIP/General Fund	50K	230K			one-time	expense
CIP: Add Senior Center Improvement Donation	CIP	50K	110K			one-time	revenue
CIP: Add Country Club Drive Bulkhead Spot Repair Project	CIP/General Fund	265K				one-time	expense
CIP: Add Springbrook Creek Fish Weir Project	General/SSWM			1,200K		one-time	expense
CIP: Add Grant Revenue Assumption for Springbrook Creek Fish Weir	SSWM			1,000K		one-time	revenue
CIP: Chlorine Generator Upgrades (Increase per Revised Estimate)	Water	260K				one-time	expense
CIP: Airgap Replacement (Increase per Revised Estimate)	Sewer	95K				one-time	expense
CIP: Defer Country Club Drive Bulkhead Reconstruction Project	CIP/General Fund	-525K		525K		one-time	expense
CIP: Defer City Hall Parking Lot Project	CIP/General Fund	-100K		100K		one-time	expense
CIP: Defer Yeomalt Area Drainage Improvements Project	SSWM		-590K	590K		one-time	expense
CIP: Remove Winslow Rain Gardens Project	CIP/General Fund	-100K				one-time	expense
CIP: Remove Grow Avenue Traffic Calming Project	CIP/General Fund	-20K	-80K			one-time	expense
CIP: Remove City Hall Renovation Project	CIP/General Fund		-100K	-350K		one-time	expense
Restored Revenue for Vehicle License Fees	Transportation Benefit Fund	600K	600K	600K	600K	recurring	revenue
Create Set Aside for Sustainable Transportation Projects	Transportation Benefit Fund	600K				one-time	expense
Create Designated Fund and Increase Funding Climate Action Plan Implementation Set Aside	General	200K				one-time	expense
FTE: Add Climate Change Mitigation Officer position (title under development)	General	135K	141K	147K	153K	recurring	expense
FTE: Add Natural Resource Senior Planner position	General/B&DS	123K	128K	134K	139K	recurring	expense
FTE: Eliminate Planner position	General/B&DS	-102K	-106K	-111K	-116K	recurring	expense
Add National Citizens Survey Professional Services	General	15K				one-time	expense
Add Winslow Master Plan Update Professional Services	General	45K				one-time	expense
Decrease Island Center Subarea Plan Professional Services	General	-20K				one-time	expense
Remove Comprehensive Plan Periodic Update Professional Services	General	-25K				one-time	expense
Remove Complete Streets Ordinance Professional Services	Streets	-25K				one-time	expense
Data entry correction to labor budget	Sewer		-459K			one-time	expense

The table above shows changes that take the proposed budget to that which will be considered for adoption on November 24th. Each line shows a description of the change, the annual dollar change for each year of the next two biennia, and the funding source. The final line on the chart

documents the correction of a data entry error in the labor budget in the Sewer Fund, in which the wrong number was entered and the 2022 labor budget was too high. This correction reduces the appropriation in the Sewer Fund and will result in an ending fund balance in 2022 of $2.9 million, which is higher than what was shown in the Proposed Budget. The Sewer Fund meets all budget financial policies in the biennium.

The charts and tables which follow on this and the following page show the recurring revenue/recurring expenditure and the ending fund balance for the City's tax-supported funds over the 10-year forecast window.

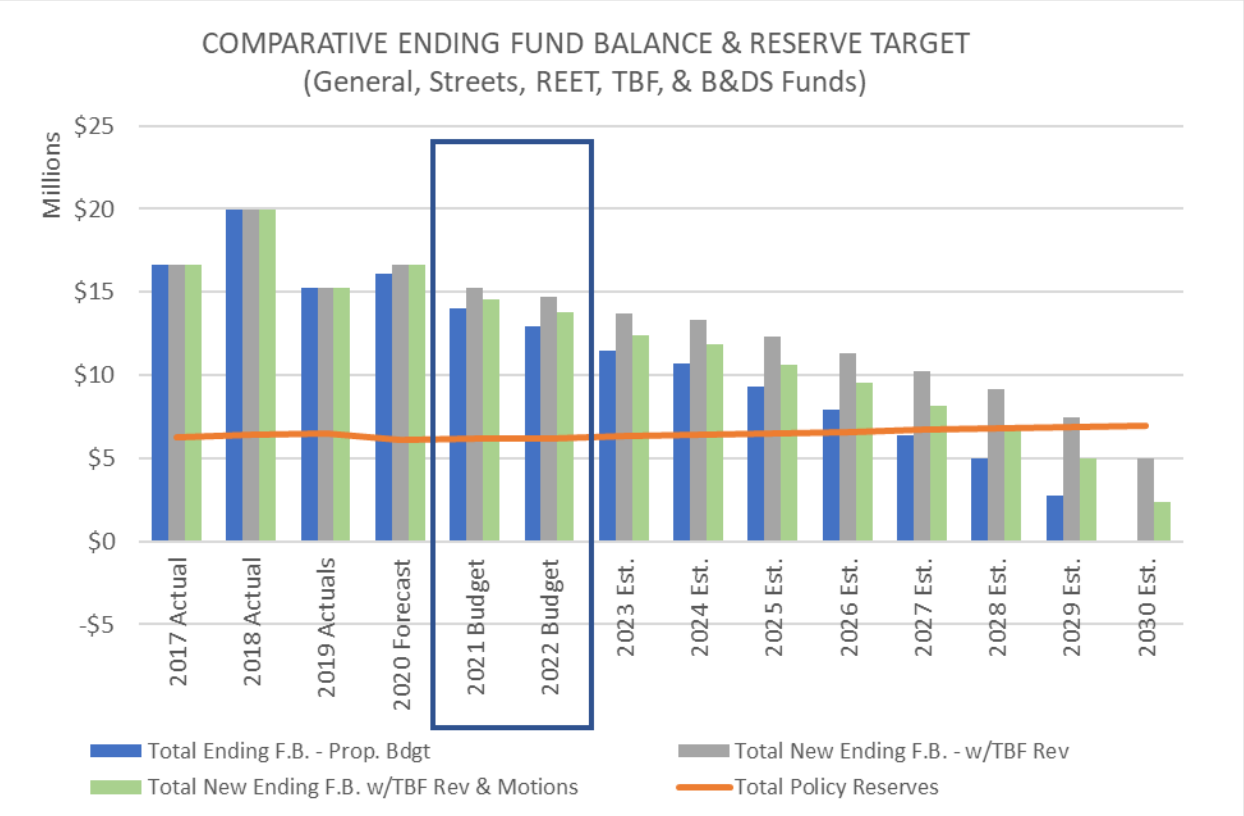
Chart One/Table Two: Recurring Revenue and Expenditures with Approved Motions – Tax Supported Funds



Proposed Budget w/TBF Rev & Motions										
	2021 Est.	2022 Est.	2023 Est.	2024 Est.	2025 Est.	2026 Est.	2027 Est.	2028 Est.	2029 Est.	2030 Est.
Recurring Revenues	24,496,652	24,917,413	25,757,187	25,817,238	26,296,921	26,769,177	27,245,128	27,730,180	28,319,886	28,712,113
Recurring Expenses	23,841,432	24,019,005	24,534,589	24,700,558	25,548,773	26,410,635	27,345,998	27,712,598	28,507,178	29,530,453
	655,220	898,408	1,222,598	1,116,680	748,148	358,542	(100,870)	17,582	(187,292)	(818,340)

The table and chart above show the recurring revenue and recurring expenditure for tax supported funds. The recurring expenditures exceed recurring revenues starting in 2029.

Chart Two/Table Three: Ending Fund Balance with Approved Motions – Tax-Supported Funds



Proposed Budget w/TBF Rev & Approved Motions & New Motions										
	2021 Budget	2022 Budget	2023 Est.	2024 Est.	2025 Est.	2026 Est.	2027 Est.	2028 Est.	2029 Est.	2030 Est.
Total New Ending F.B. w/TBF Rev & Motions	14,717,832	14,015,145	12,426,258	11,858,153	10,649,911	9,524,804	8,170,936	6,953,925	4,995,371	2,337,955
Total Policy Reserves	6,166,435	6,219,935	6,305,914	6,422,007	6,509,849	6,599,357	6,690,565	6,783,504	6,878,207	6,974,708
New Fund Balance with TBF Rev and Motions Less Reserves	8,551,397	7,795,210	6,120,344	5,436,146	4,140,062	2,925,447	1,480,371	170,421	(1,882,836)	(4,636,753)

The table and chart above show the ending fund balance for tax-supported funds, as detailed above. The fund balance exceeds the policy reserve target until 2029.

Conclusion

We welcome any questions and thank the Council for its thoughtful and thorough review of the budget this fall.

ORDINANCE NO. 2020–31

AN ORDINANCE of the City of Bainbridge Island, Washington, adopting the final budget of the City for fiscal years ending December 31, 2021, and December 31, 2022.

WHEREAS, on September 4, 2020, in accordance with state law, the budget was submitted to the City Manager with estimates of revenues and requests from all departments for expenditures for the fiscal years ending December 31, 2021, and December 31, 2022; and

WHEREAS, the City Manager reviewed the estimates and made such changes and/or additions as deemed appropriate, and on September 22, 2020, filed the revised preliminary budget with the City Clerk; and

WHEREAS, the preliminary budget was presented to the City Council at a Council meeting on September 22, 2020, and was discussed and considered subsequently by the Council at several Council meetings in October and November 2020; and

WHEREAS, a public hearing was conducted concerning the preliminary budget on October 27, 2020, for the purpose of providing information to, and hearing from, the public regarding the estimates and programs contained in the preliminary budget, and at which hearing all taxpayers were heard who appeared for or against any part of said budget; and

WHEREAS, the City Council, after hearing and duly considering relevant information provided to the Council regarding the preliminary budget, and after making changes to the preliminary budget as deemed necessary and proper, conducted a public hearing for consideration of the final budget on November 10, 2020, and at which hearing all taxpayers were heard who appeared for or against any part of said budget; and

WHEREAS, the City Council, after hearing and duly considering relevant information and testimony presented, and after making changes to the proposed budget as deemed necessary and proper, is prepared via this ordinance to adopt the final budget for fiscal years ending December 31, 2021, and December 31, 2022.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The final budget for fiscal years ending December 31, 2021, and December 31, 2022, is hereby adopted in full. The entire budget document is to be placed on file with the office of the City Clerk for public inspection.

Section 2. Attached hereto and identified as Exhibit A (2021) and Exhibit B (2022), in summary form, are the totals of budgeted expenditures for each separate fund and the aggregate totals for all such funds combined.

Section 3. Because the amounts of revenues and expenditures to be recorded in the Building & Development Services Fund are not clearly fixed, and because the Building & Development Services Fund receives operating transfers from the General Fund, this budget authorizes additional amounts to be spent from the Building & Development Services Fund and to be covered by additional operating transfers from the General Fund, provided that the total expenditures for these two funds shall be no more than the amount authorized by this ordinance.

Section 4. A complete copy of the final budget for fiscal years ending December 31, 2021, and December 31, 2022, as adopted, together with a copy of this ordinance shall be transmitted by the City Clerk to the Division of Municipal Corporations of the Office of the State Auditor and to the Association of Washington Cities.

Section 5. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. This ordinance shall take effect on January 1, 2021.

PASSED by the City Council this __ day of November, 2020.

APPROVED by the Mayor this __ day of November, 2020.

_____
Leslie Schneider Mayor

ATTEST/AUTHENTICATE:

_____
Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	October 9, 2020
PASSED BY THE CITY COUNCIL:	November __, 2020
PUBLISHED:	December __, 2020
EFFECTIVE DATE:	January 1, 2021
ORDINANCE NO.:	2020-31

Attachments: Exhibits A and B

CITY OF BAINBRIDGE ISLAND - 2021 ADOPTED BUDGET
SUMMARY BY FUND

Exhibit A
ORDINANCE NO. 2020-31

CITY FUNDS		2021 EXPENDITURES
001	GENERAL FUND	20,003,585
101	STREET FUND	3,001,424
103	REAL ESTATE EXCISE TAX FUND	2,942,289
104	CIVIC IMPROVEMENT FUND	225,000
108	AFFORDABLE HOUSING FUND	109,500
171	TRANSPORTATION BENEFIT FUND	400,000
201	GO BOND FUND	1,556,995
203	LID BOND FUND	42,480
301	CAPITAL CONSTRUCTION FUND	11,620,968
401	WATER OPERATING FUND	2,487,691
402	SEWER OPERATING FUND	5,915,377
403	STORM & SURFACE WATER FUND	2,259,751
407	BUILDING & DEVELOPMENT FUND	3,324,478
501	EQUIPMENT RENTAL & REVOLVING	753,000
TOTAL EXPENDITURES		**54,642,538**

CITY OF BAINBRIDGE ISLAND - 2022 ADOPTED BUDGET
SUMMARY BY FUND

Exhibit B
ORDINANCE NO. 2020-31

CITY FUNDS		2022 EXPENDITURES
001	GENERAL FUND	20,434,085
101	STREET FUND	3,059,948
103	REAL ESTATE EXCISE TAX FUND	2,737,131
104	CIVIC IMPROVEMENT FUND	250,000
108	AFFORDABLE HOUSING FUND	109,500
201	GO BOND FUND	1,554,535
203	LID BOND FUND	40,780
301	CAPITAL CONSTRUCTION FUND	3,642,758
401	WATER OPERATING FUND	2,327,907
402	SEWER OPERATING FUND	5,685,128
403	STORM & SURFACE WATER FUND	1,961,698
407	BUILDING & DEVELOPMENT FUND	3,426,727
501	EQUIPMENT RENTAL & REVOLVING	270,000
TOTAL EXPENDITURES		**45,500,196**

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: (7:40 PM) Reject Proposal to Amend the BIMC for the Two Lots Commonly Known as the "Triangle Property" - Planning,

SUMMARY: The purpose of this agenda item is to complete the review of a request for a legislative review of land use regulations, or a "code amendment" (PLN51245 LDR). The City Council is the final decision-maker on code amendments. The applicant requested that the code be amended to exclude two lots commonly known as the "Triangle Property" from a 500' setback in BIMC 18.09.030.G.3 that applies to waste transfer facilities, and to create a standard that would allow for greater lot coverage on the site.

As part of the Council's review of the applicant's request, the Council has the option of rejecting the applicant's proposal, as provided under "Suggested Action" with this agenda item. This action is proposed here based on direction from the Council at its November 17, 2020 meeting at which the Council indicated that it would like to reject this request to pursue a broader approach, and such an action is consistent with the options provided in BIMC 2.16.180. At its November 17 meeting, the Council also provided direction to City staff that the Council would prefer to address composting as a part of the joint land use subcommittee's work on recommendations for code changes to be added to the 2021 workplan.

In deciding upon the applicant's request, the Council shall consider the Planning Commission's recommendation and relevant RCW or WAC. Please see Background for further information.

AGENDA CATEGORY: Ordinance **PROPOSED BY:** Planning & Community Development

RECOMMENDED MOTION: Pursuant to BIMC 2.16.180, I move to reject the applicant's proposal to amend BIMC 18.09.030.G.3. by excluding two lots commonly known as the "Triangle Property" from the 500' setback that applies to waste transfer facilities, and by creating a standard that would allow for greater lot coverage on the site.

STRATEGIC PRIORITY: Green, Well-Planned Community

FISCAL IMPACT:	
Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND: On October 6, 2020, the City Council considered an applicant's request for a site-specific amendment to the Bainbridge Island Municipal Code ("BIMC"), which would exclude two lots commonly known

as the “Triangle Property” from a 500’ setback in BIMC 18.09.030.G.3. that applies to waste transfer facilities, and create a standard that would allow for greater lot coverage on the site. After considering the request at its October 6 meeting, the Council directed staff to prepare an ordinance regarding the proposal that would be considered at a public hearing that would have been scheduled.

At the November 17 Council meeting, the Council decided to take a different course of action. At that meeting, the Council discussed options for land use regulations related to the Triangle Property and specific standards for composting facilities. Following that discussion and consideration, the Council passed a motion to add consideration of standards for composting facilities to the joint land use subcommittee's ongoing code review and recommendations for the 2021 workplan discussion. The Council also directed staff to provide direction to the Council at the November 24 meeting on how to complete the review process related to the applicant's requested code amendment, given the Council's new policy direction and preference to not hold a public hearing on an ordinance related to this request.

Pursuant to BIMC 2.16.180, the Council has the option to hold a public hearing on the proposed amendment. Given the Council's direction, the Council is opting not to hold a Council public hearing on the request.

Pursuant to BIMC 2.16.180, the Council has the option to either reject the proposal, or remand it to the applicable Department, City Council committee, or the Planning Commission for further consideration. In that the Council has indicated that it intends to integrate composting into a broader, ongoing review of the City's use standards, it appears that the Council is not seeking to remand the proposal for further consideration, so City staff anticipates that the Council will reject the applicant's proposal for a standalone code amendment.

As provided in BIMC 2.16.180.G.2., the Council shall consider the following in deciding upon a proposed regulation:

a. Testimony presented, or the minutes of any City Council public hearing, on the proposed amendment; and

b. Any written material submitted as part of the public hearing process; and

c. The recommendation of the Planning Commission and applicable Department Director; and

d. Any applicable decision criteria; and

e. Any relevant RCW or WAC.

In the situation at issue here, the Council has indicated that it is opting not to conduct a public hearing on the proposal. (Note that a public hearing was previously conducted by the Planning Commission regarding the proposal.) As a result, provisions a. and b. above do not apply. Similarly, the review and recommendation process provided in BIMC 2.16.180 does not include a Director recommendation or any specified decision criteria, so part of provision c. and d. do not apply. Consistent with BIMC 2.16.180.G.2., the Council shall consider the Planning Commission recommendation (attached) and relevant RCW or WAC in deciding upon the proposal. Relevant WAC and RCW are provided below:

Chapter 70.95 RCW (Solid Waste Management) (https://apps.leg.wa.gov/RCW/dispo.aspx?cite=70.95)

Chapter 173-350 WAC (Solid Waste Handling Standards)
(https://apps.leg.wa.gov/WAC/default.aspx?cite=173-350)

(Composting Facilities, WAC 173-350-220)
(https://apps.leg.wa.gov/WAC/default.aspx?cite=173-350-220)

ATTACHMENTS:

FOR BACKGROUND October 6, 2020 Memorandum to Council

FOR BACKGROUND Attachment A Planning Commission Review Summary and Memorandums

FOR BACKGROUND Attachment B Planning Commission Recorded Motion

PLN51245 LDR Aveterra Application

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF BAINBRIDGE ISLAND

Department of Planning and Community Development

Memorandum

Date: October 6, 2020

To: City Council

From: Annie Hillier
Associate Planner

Subject: Legislative Review of Land Use Regulation Request
(Link to application file: PLN51245 LDR)

I. Introduction to Request

On February 6, 2019, the applicant, Mollie Bogardus (on behalf of Aveterra) requested a legislative review of land use regulations (code amendment) as provided in BIMC 2.16.180, which allows any person or entity to propose an amendment to the Bainbridge Island Municipal Code (BIMC). The applicant's request includes two potential code changes:

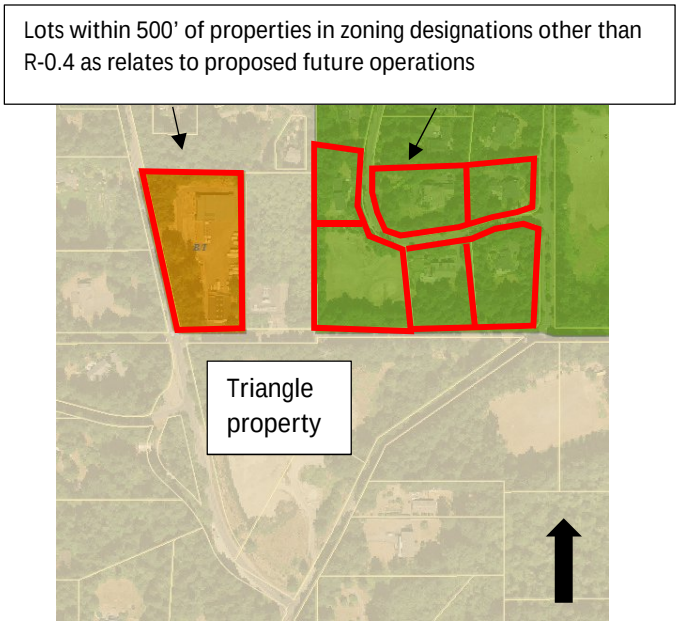
1. To exclude two lots commonly known as the "Triangle Property" from a 500' setback in BIMC 18.09.030.G.3. that applies to waste transfer facilities; and
2. To create a use- or parcel-specific dimensional standard that would increase the allowed lot coverage from 10%.

If approved, the applicant intends to apply for a conditional use permit (CUP) to locate a compost facility on the Triangle Property.

This code amendment request by Aveterra is somewhat unique, in that it is tied to a specific property. However, the BIMC does contain other parcel-specific regulations. In the review and analysis of the code amendment request, Planning Department staff also identified alternative options to the proposed code amendment that could achieve the same intent, without being specifically associated with the Triangle Property.

II. Background

Composting, a use defined under the term "waste-transfer facility" in BIMC 18.36.030, is allowed in the R-0.4 zoning designation with a conditional use permit (CUP); waste-transfer facilities are prohibited in all other zoning designations. The 500' setback from waste-transfer facility operations applies to properties in zoning designations other than R-0.4. Eliminating the setback for the Triangle Property would allow a future composting operation to be located within 500' of approximately 7 lots that are not zoned R-0.4.



The applicant does not believe the 500' setback is necessary for compost facilities because odors are strictly regulated by the Department of Ecology (Ecology) through a state-issued solid waste permit, which requires an approved odor management plan. The state requires compost facilities to meet the performance standards in WAC 173-350-040, but does not require any specific location standards or setbacks. City staff reached out to the Solid Waste Facilities Specialist at Ecology for feedback on any state regulations from which the 500' setback in the BIMC may have been derived. The Specialist indicated that the 500' setback may have originated from the state standards for a municipal solid waste landfill, which have a 150m (490') setback requirement in the state regulations. The Specialist also provided that different types of solid waste facilities have different setbacks in the state regulations (although compost facilities do not), and that the 490' setback is intended for protection from landfill gas migration, which is not a concern at a compost facility.

Additionally, the applicant believes that lot coverage (defined in BIMC 18.12.050.K.), which is limited to 10% in the R-0.4 zone, should be increased to accommodate the containment of material through each stage of the composting process, in order to prevent leaching. Even with a lot as large as the Triangle property (7.92 acres total), the applicant believes that limiting lot coverage to 10% of the lot area is infeasible for a commercial compost facility.

III. Staff Analysis

Applicant's Request

The BIMC contains other examples of parcel- and use-specific regulations that may serve as a precedent for the applicant's request:

- BIMC Chapter 18.24.110.B., within the Historic Preservation Program, identifies specific tax parcel numbers in the Fort Ward historic overlay district that are allowed higher densities and that are subject to certain standards for maintenance or rehabilitation of the exteriors of existing buildings.
- BIMC Table 18.12.020-2, Standard Lot Dimensional Standards for Residential Zone Districts, provides footnotes that contain additional requirements for specific parcels as well as specific uses. Footnote 1 indicates a parcel in Lynwood center that is allowed a higher density than other R-2 lots; footnote 4 provides additional height allowances for community and educational facilities.

- BIMC 2.16.110.G.7., Additional Decision Criteria for Institutions in Residential Zones, provides greater lot coverage allowances for institutions that require a major CUP. For example, public schools and governmental facilities that are located in the R-0.4 zoning district are allowed 150 percent of the lot coverage established in the R-0.4 zoning district.
- BIMC 18.12.030.C., Transition Standards in the Ferry Terminal Overlay District, provides alternative height and landscaping requirements for a specific region located north of Winslow Way East, in the ferry terminal overlay district.
- BIMC 18.09.030., Use Specific Standards, contains additional standards for uses permitted as a permitted ("P") use or as a conditional ("C") use in the permitted use table (BIMC 18.09.020).

With respect to the applicant's request to increase lot coverage on the Triangle Property, staff also notes that the R-0.4 zoning district has the lowest lot coverage allowance, consistent with the purpose of that district: the preservation of natural systems and open space. A lower lot coverage allowance means more space free of buildings. However, on the Triangle Property, limiting lot coverage to 10% may not preserve natural systems as intended, since the majority of the property has been cleared due to its historic use as a mine.

Staff performed a preliminary search for lots that could support a similarly-sized compost facility and meet the 500' setback from zoning districts other than R-0.4. To perform this search, many lots were immediately eliminated because of their low likelihood to support a compost facility. These included lots developed with a use, lots containing critical areas, open space areas associated with subdivisions, and lots owned by the Bainbridge Island Land Trust or Bainbridge Island Metro Park and Recreation District. After these lots were excluded, staff found that there are approximately 18 lots located on the island that meet the code as written and meet the applicant's minimum size requirement (5 acres). Of these, it appeared that all but 2 of those lots are heavily vegetated.

The applicant's request is also largely consistent with the Comprehensive Plan. Staff did not identify any goals or policies that explicitly conflict with the request. Rather, most goals and policies either support the request or are not applicable. (See September 12, 2019 memorandum in Attachment A for Comprehensive Plan analysis.)

Alternatives

In reviewing the applicant's code amendment request, staff identified alternative options that could achieve the same intent without being specifically associated with the Triangle Property.

With respect to the applicant's request to eliminate the 500' setback, staff notes that if this regulation is intended to serve as a nuisance regulation but is unnecessary for a composting facility due to state regulations, then the City Council may wish to consider a broader code amendment that would apply to all composting facilities, rather than a specific parcel.

With respect to the applicant's request to increase lot coverage, staff notes that if 10% lot coverage is too low for commercial composting facilities due to the need to cover the composting materials, the Council may wish to consider excluding covered composting pads from lot coverage calculations.

These changes could be achieved with an amendment to BIMC 18.09.030.G.3., the use-specific standards for waste transfer facilities (underlined text added by staff), as follows:

a) No waste transfer facility operation, except uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material,

shall be conducted within 500 feet of a property located in any zone district other than the R-0.4 zone district.

b) All waste transfer facility operations shall maintain a full screen landscaped buffer meeting the standards of BIMC 18.15.010.D.4.a and at least 50 feet wide around each waste transfer facility operation. The width of the buffer may be increased up to 100 feet by the planning director through the same standards that apply to B/I district buffers.

c) All waste transfer facility operations and operators shall comply with all applicable requirements of Chapter 70.95 RCW (Solid Waste Management), Chapter 173-350 WAC (Solid Waste Handling Standards), and Chapter 173-351 WAC (Criteria for Municipal Solid Waste Landfills), including the requirement to obtain and maintain a current solid waste permit and to comply with all conditions attached to that permit.

d) Semi-enclosed composting pads used for the storage of input material, processing systems, and output material are excluded from lot coverage calculations.

Another alternative to the applicant's request would be for the applicant to apply for a zoning variance to reduce setback and increase lot coverage. The applicant did not pursue this option primarily because the standards that must be varied may be inapplicable to composting facilities in the first place, and the decision criteria for a major variance (BIMC 2.16.120) would be difficult to meet. For example, decision criterion E.1.c. requires that an applicant demonstrate that "the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but that is denied to the property in question because of special circumstances on the property in question." It may be difficult for the applicant to address this criterion, as well as others, since there are no other composting facilities in the immediate vicinity.

IV. Planning Commission Review & Recommendation

Pursuant to BIMC 2.16.180, Planning Commission review and recommendation is required for amendments to Title 18 BIMC. The Planning Commission is required to hold a public hearing and consider applicable decision criteria of this chapter, all applicable law, the comprehensive plan, public comment, and any necessary documents and approvals.

The Planning Commission reviewed the code amendment request between September 12, 2019 – January 23, 2020, including three study sessions, one subcommittee meeting, and a public hearing. Public comment was invited at each study session and via the public hearing. Written public comments received by the City were also provided to the Planning Commission. At the September 26, 2019 meeting, the Planning Commission recommended that a subcommittee be formed to further discuss the applicant's request and to bring a recommendation to the larger group. At the December 12, 2019 meeting, the Planning Commission reviewed the subcommittee's recommendations which included responding to the applicant's request for a parcel-specific code amendment. The subcommittee also recommended consideration of an alternative, broader code amendment to the use-specific standards for waste transfer facilities in BIMC 18.09.030.G.3. that would apply to all composting facilities, rather than a specific parcel.

Ultimately the Planning Commission made a motion to deny the proposal and all code amendment options and requested that an ordinance not be drafted because they intended to formally deny the request after the subsequent public hearing. Following the January 23, 2020 public hearing, the Planning Commission recommended that the City Council deny the proposal. The Planning Commission's written recommendation is attached (Attachment B).

V. CITY COUNCIL REVIEW

Pursuant to BIMC 2.16.180.F., the City Council has the option to hold a public hearing on the proposed code amendment. For this agenda item, staff requests that the City Council determine if they would like to: (1) hold a public hearing before making a final decision on the request; (2) require further consideration of the proposal by the Planning Department, a City Council committee, or the Planning Commission; or (3) reject the proposal. If the City Council decides to hold a public hearing before making a decision, staff will prepare a draft ordinance for the Council to consider and to receive Council input. The Council would first set the public hearing based on that draft ordinance, and subsequently conduct the public hearing and consider what action to take regarding the ordinance. SEPA review would be conducted prior to adoption of an ordinance.

As provided in BIMC 2.16.180.G., the City Council shall consider the following in deciding upon the proposed code amendment: testimony presented, or the minutes of any City Council public hearing; any written material submitted as part of the public hearing process; the recommendation of the Planning Commission and the applicable department director; any applicable decision criteria; and any relevant provisions of the Revised Code of Washington or the Washington Administrative Code. As the BIMC does not provide decision criteria for legislative reviews of land use regulations, the Planning Department Director has not made a recommendation on the proposal.

September 12, 2019 Study Session	
The September 12, 2019 Memorandum: • Introduces the code amendment request • Provides an analysis of the code amendment request with respect to the Comprehensive Plan and the BIMC • Includes a table (pg. 12) that summarizes various ways the code could be amended to achieve the applicant's intent, including alternative options	
Action	The Planning Commission requested a second study session. The Planning Commission posed several questions/topics for staff to respond to at that meeting.
September 26, 2019 Study Session	
The September 26, 2019 Memorandum responds to the items raised by the Planning Commission at the previous meeting, including: • The feasibility of other locations • How to address concerns about traffic and landscaping • The reason for the 500' setback to waste-transfer facilities	
Action	The Planning Commission formed a subcommittee to further discuss the code amendment and to bring a recommendation to the larger group.
October 1, 2019 Subcommittee Meeting	
The October 1, 2019 Memorandum: • Provides a specific example of how the use-specific standards for waste-transfer facilities in BIMC 18.09.030.G.3 could be amended to achieve the applicant's request • Provides examples of parcel- and use-specific regulations in the BIMC, that may serve as precedent for the applicant's request	
Action	The subcommittee recommended that the full Planning Commission first respond to the applicant's request for a parcel-specific code amendment. If that request could not be supported, then the subcommittee requested consideration of a broader amendment to BIMC 18.09.030.G(3) (Industrial Uses, Waste Transfer Facility).
December 12, 2019 Study Session	
The December 12, 2019 Memorandum: • Presents the subcommittee's findings and recommendation to the larger Planning Commission, including the request to consider a broader code amendment if the applicant's parcel-specific request could not be supported • Provides two staff-recommended alternatives to the subcommittee's proposed language, to achieve a similar outcome	
Action	The Planning Commission made a motion to deny the proposal, including the alternative approach set forth by the subcommittee.
January 23, 2020 Public Hearing	
The January 23, 2020 Memorandum: • Provides a brief background and summarizes the Planning Commission's role in the public hearing	
Action	After public comment was received, the Planning Commission recommended denial of the proposal.

CITY OF
BAINBRIDGE ISLAND

PLANNING COMMISSION
RECORDED MOTION

Planning Commission Meeting Date:	**January 23, 2020**
Project Proposal Name and Number:	**Aveterra Code Amendment Request– PLN51245 LDR**
Documents available at:	**Online Permit Portal**
Public Hearing Date:	**January 23, 2020**
Decision Maker:	**City Council**

Purpose: The purpose of the Planning Commission's review and recommendation is to determine if a proposed project is consistent with the comprehensive plan and applicable design guidelines, BIMC Titles 17 and 18.

Consideration: The Planning Commission shall consider the project application at a public meeting where public comment will be taken. The Planning Commission shall recommend approval, approval with conditions, or denial of the proposed project.

The Planning Commission will adopt written findings of facts and conclusions and determine if the project is consistent with Bainbridge Island Municipal Code and the comprehensive plan. This motion will be included in the staff report transmitted to the reviewing bodies and decision maker.

Findings of Fact and Reasons for Action

The Planning Commission finds that a Composting Facility may be a valid use of some sites in the R-0.4 zone, but at the present time such a use is not adequately supported and regulated by provisions in the Bainbridge Island Municipal Code. Therefore, we did not want to make a code amendment for a project on a parcel by parcel basis.

Recommendation:

The Planning Commission recommends the City Council:

X Deny the proposal for the following reasons:

a. A composting facility at this site is not a suitable use for this property. We were not provided with sufficient information to support the lot coverage increase or the reduction of the setbacks.

CITY OF
BAINBRIDGE ISLAND

Planning Commission
Recorded Motion

Recorded motion on January 23, 2020:

I move to deny the "Aveterra Code Amendment Request" as presented to us by staff, finding that valid objections have been raised by Planning Commissioners and the public to this site-specific approach to permitting a use of residentially zoned property.

Planning Commission Record of Vote:

Commissioner	Support	Oppose	Absent	Abstain
Chester	X			
McCormick Osmond			X	
Pearl			X	
Quitslund	X			
Macchio	X			
Doman	X			
Paar	X			
Total				

CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION

William Chester
Chair

Date: 1/23/2020

Jane M. Rasely
Administrative Specialist, Planning and Community Development

Date: 1-23-2020

PLN51245

CITY OF BAINBRIDGE ISLAND
MASTER LAND USE APPLICATION
P100

City of Bainbridge Island
JAN 06 2019
Planning and Community Development

Project Name:	Arelena Compost Facility
Parcel Number(s):	332502-1-007-2007, 332502-1-006-2008
Property Address:	

Type of Application (check all that apply)

- ☐ Adjustments to an Approved Land Use:
  - ☐ Major ☐ Minor
- ☐ Administrative Code Interpretation
- ☐ Agricultural Conditional Use
- ☐ Agricultural Retail Plan
- ☐ Boundary Line Adjustment
- ☐ Buffer Enhancement Plan
- ☐ Buoy Application
- ☐ Clearing Permit
- ☐ Comprehensive Plan Amendment
- ☐ Conditional Use Permit:
  - ☐ Major ☐ Minor
- ☐ Critical Area Permit:
  - ☐ Major ☐ Minor
- ☐ Housing Design Demonstration Project
- ☒ Legislative Review of Development Regulations
- ☐ Pre-Application Conference
- ☐ Reasonable Use Exception
- ☐ Revision: Type_____
- ☐ Rezone:
  - ☐ Site Specific ☐ Area-Wide
- ☐ Shoreline Conditional Use
- ☐ Shoreline Exemption
- ☐ Shoreline Substantial Development Permit
- ☐ Shoreline Variance
- ☐ Sign Permit
- ☐ Site Plan and Design Review:
  - ☐ Major ☐ Minor
- ☐ State Environmental Policy Act (SEPA) Review
- ☐ Subdivision – Large
- ☐ Subdivision – Long
- ☐ Subdivision – Short
  - ☐ Preliminary
  - ☐ Final
  - ☐ ALT/ADJ/AMEND
- ☐ Variance:
  - ☐ Major ☐ Minor
- ☐ Zoning Verification Letter
- ☐ Wireless:
  - ☐ EFM ☐ WCF
- ☐ Other_____

Project Description:

Please see Narrative attached

Parcel #	Address	Property Owner
332502-1007-2007	No addres	William Moore
332502-1006-2008		William Moore

Project Contacts (owner, surveyor, engineer, etc)		
Property Owner: William Morre		
Address: 6630 Wing Point Rd NE		
City: Bainbridge Is.	State: WA	Zip: 98110
Email: bainbridgewill@yahoo.com		Phone: 206 842 6630
Name:	Agency:	
Address:	Function:	
City:	State:	Zip:
Email:		Phone:
Name:	Agency:	
Address:	Function:	
City:	State:	Zip:
Email:		Phone:
Name:	Agency:	
Address:	Function:	
City:	State:	Zip:
Email:		Phone:

Authorized Agent (Please attach notarized Owner/Applicant Agreement Form)		
Name: Mollie Bogardus	Agency:	
Address: PO BOX 10544		
City: Bainbridge Is	State: WA	Zip: 98110
Email: mollie@aicterra.com		Phone: 206 999 1181

If additional parcels or contacts are required, please attach additional sheets

Submittal requirements for each application are described in the Administrative Manual for Planning Permits: http://www.bainbridgewa.gov/DocumentCenter/View/100.

Supporting information and/or documents may be required to review your application. If you have questions about specific requirements for your project, please consult with planning staff prior to submitting your application.

ELECTRONIC FILES AND FOUR (4) PAPER COPIES ARE REQUIRED FOR ALL SUBMITTED DOCUMENTS

Applications ***must be submitted in person, and by appointment only*** by either the owner or the owner's designated agent. Should an agent submit an application, a ***notarized Owner/Applicant Agreement*** must accompany the application. To schedule an appointment, please contact pcd@bainbridgewa.gov or call (206) 780-3750.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR WILL DELAY PROCESSING.

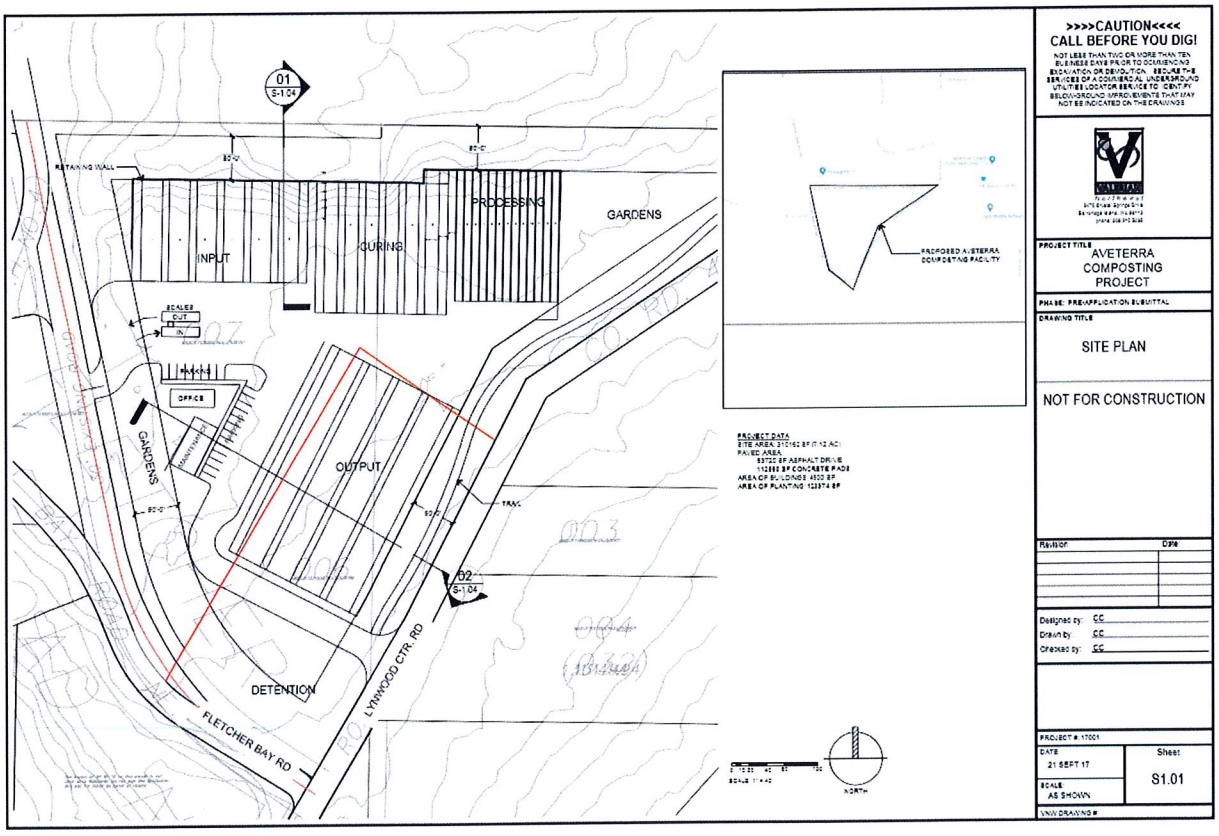
I affirm, under penalty of perjury, that all answers, statements, and information submitted with this application are correct and accurate to the best of my knowledge. I also affirm that I am the owner or designated agent of the subject site. Further, I grant permission to any and all employees and representatives of the City of Bainbridge Island and other governmental agencies to enter upon and inspect said property as reasonably necessary to process this application.

Print Name (Owner)	Signature (Owner)	Date
Print Name (Owner)	Signature (Owner)	Date
Print Name (Owner)	Signature (Owner)	Date
Print Name (Owner)	Signature (Owner)	Date
Mollie Bogardus		1-21-19
Print Name (Agent)	Signature (Agent)	Date

AVETERRA CORP

Request for Site Specific Rezone

Aveterra is requesting a review of the existing code that is applicable to the "triangle" property located between Lynwood Center Road, Fletcher Bay Road and Bucklin Hill Road as seen below in the inserted map. This property is made up of two parcels of land, 332502-1-007-2007 and 332502-1-006-2008. The property is owned by Bainbridge resident William Moore. There is a land use agreement between William Moore and Mollie Bogardus, acting on behalf of Aveterra Corp. This agreement is filed with the City of Bainbridge Island specifically for this compost facility project.



(424) COMPOST • solutions@aveterra.com • www.aveterra.com
PO Box 10544 . Bainbridge Island, WA 98110

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: (7:50 PM) Set Public Hearing on Ordinance No. 2020-37 Extending the Landmark Tree Ordinance - Planning,

SUMMARY: Without an extension, the interim official control regulations that are in place currently related to the preservation of landmark trees will expire on December 26, 2020. City staff is proposing to extend the interim official control for six months to allow staff and the Planning Commission time to complete the legislative process to adopt regulations for the City Council's consideration regarding amendments to the City's tree and vegetation regulations.

AGENDA CATEGORY: Ordinance **PROPOSED BY:** Planning & Community Development

RECOMMENDED MOTION: I move to set the public hearing on Ordinance No. 2020-37 to occur on December 8, 2020 related to extension of the duration of the interim official control related to the preservation of landmark trees.

STRATEGIC PRIORITY: Green, Well-Planned Community

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND: On June 26, 2018, the City Council adopted Ordinance No. 2018-25, which imposed an interim official control governing the preservation, protection, and retention of Landmark Trees located on Bainbridge Island. The interim official control created a new chapter of the municipal code: Chapter 16.32 BIMC, Protection of Landmark Trees. The interim official control took effect immediately and, with a further extension, is proposed to be extended until June 26, 2021 via the adoption of this current ordinance, Ordinance No. 2020-37, unless terminated earlier or extended by the Council.

Since being initially adopted, the Council has amended the interim official control adopted by Ordinance No. 2018-25 on August 21, 2018 (via Ordinance No. 2018-32), October 9, 2018 (via Ordinance No. 2018-42), December 11, 2018 (via Ordinance No. 2018-45), June 25, 2019 (via Ordinance No. 2019-17), November 26, 2019 (via Ordinance No. 2019-38), and on June 9, 2020 (via Ordinance No. 2020-13).

ATTACHMENTS:

Ordinance No. 2020-37 Extending Landmark Tree Regulations

Exhibit A to Ord 2020-37 (Work Plan)

Exhibit B to Ord 2020-37 (Winslow Master Plan Study Area).pdf

Ordinance No. 2020-13 [For Reference].pdf

FISCAL DETAILS:

Fund Name(s):

Coding:

PUBLIC HEARING DRAFT

ORDINANCE NO. 2020-37

AN ORDINANCE of the City of Bainbridge Island, Washington, adopted pursuant to RCW 36.70A.390; amending the interim official control, codified as Chapter 16.32 of the Bainbridge Island Municipal Code; leaving the effective date of the interim official control unchanged; updating the work plan; and extending the duration of the interim official control until June 26, 2021.

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim official controls related to land uses; and

WHEREAS, the City Council of the City of Bainbridge Island ("City") updated the City's Comprehensive Plan in February of 2017; and

WHEREAS, the City Council has significant concerns about development and growth in the City under current regulations in the context of the vision and goals of the City's Comprehensive Plan, has been discussing how to best accommodate growth and development in both general and specific ways, and finds that there are likely to be adverse impacts on the City and its residents unless the City acts immediately to preserve the status quo; and

WHEREAS, land clearing and development activities have resulted in the removal and loss of Landmark Trees on Bainbridge Island and the City has received numerous public comments expressing concern regarding the loss of Landmark Trees on the Island; and

WHEREAS, Landmark Trees, because of their age, size, and condition are recognized as having exceptional value in contributing to the character of the community; and

WHEREAS, the Planning Commission, Design Review Board, and the (former) Ad Hoc Tree/LID Committee have expressed concern regarding the loss of trees on Bainbridge Island and the preservation of trees is a community value supported by the policies and goals of the City's Comprehensive Plan; and

WHEREAS, on June 26, 2018, the City Council adopted Ordinance No. 2018-25, which imposed an interim official control in the form of Chapter 16.32 of the Bainbridge Island Municipal Code ("BIMC"), *Preservation of Landmark Trees*, which designates Landmark Trees based on size and species, requires a permit to remove any Landmark Tree, and imposes a fine if a Landmark Tree is removed without a permit; and

WHEREAS, on August 14, 2018, the City Council held a public hearing on Ordinance No. 2018-25; and

WHEREAS, the City Council has previously amended the interim official control adopted by Ordinance No. 2018-25, including on August 21, 2018 (via Ordinance No. 2018-32), and on October 9, 2018 (via Ordinance No. 2018-42); and

WHEREAS, on October 16, 2018, the City Council authorized the City Manager to contract with a team of arborists to review and make recommendations on City regulations governing tree and vegetation removal, including Chapter 16.32 BIMC; and

WHEREAS, on November 27, 2018, the City Council first discussed Ordinance No. 2018-45; and

WHEREAS, in response to comments and input that City staff and the City Council received regarding implementation and application of the Landmark Tree regulations, including comments from many property owners and Puget Sound Energy about difficulty in meeting the requirements of the regulations, City staff proposed amendments to the regulations to add exceptions for the type of Landmark Tree removal that would be approved through permit review; and

WHEREAS, in response to that input, on December 11, 2018, the City Council held a public hearing on Ordinance No. 2018-45, and considered and adopted Ordinance No. 2018-45 and the work plan that was adopted as Exhibit A to that ordinance; and

WHEREAS, the above described team of arborists provided their report and recommendations to City staff, and the City Council discussed that report and those recommendations at a Council study session on May 7, 2019; and

WHEREAS, prior to the expiration of Ordinance No. 2018-45, the City Council discussed Ordinance No. 2019-17 on May 28, 2019, held a public hearing on June 11, 2019, and adopted Ordinance No. 2019-17 on June 25, 2019 and the work plan that was adopted as Exhibit A to that ordinance, and that ordinance extended the duration of the interim official control and narrowed Chapter 16.32 BIMC, *Preservation of Landmark Trees*, to apply only to those properties located within the Winslow Master Plan Study Area as shown in Figure 2.3 of the Winslow Master Plan (updated November 8, 2006), and as depicted in Exhibit B to that ordinance and this ordinance; and

WHEREAS, prior to the expiration of Ordinance No. 2019-17, on November 26, 2019, the City Council held a public hearing on Ordinance No. 2019-39 and forwarded it for approval on December 10, 2019; and

WHEREAS, on December 10, 2019, the City Council approved Ordinance No. 2019-39 and the updated work plan that was provided as Exhibit A to that ordinance; and

WHEREAS, on February 25, 2020, the City's Department of Planning and Community Development had a discussion with the City Council on potential next steps and revisions to the municipal code regarding tree removal, forest stewardship, and vegetation maintenance (Chapter 16.18 BIMC), landscaping and tree retention (e.g., BIMC 18.15.010), and landmark tree

regulations (Chapter 16.32 BIMC), and a further extension of this interim control will allow staff and the Council to continue to work toward the goal of completing the legislative process to amend the code prior to the expiration of this interim control; and

WHEREAS, the Department of Planning and Community Development is recommending clarifying language, definitions, and terminology regarding the regulations at issue and to incorporate best management practices into the code as recommended by the Community Forest Management Plan ("CFMP"); and

WHEREAS, additional time is needed for the Planning Commission, community, and City Council to review the recommendations above described and consider the potential adoption of such recommendations that are consistent with the vision and goals of the City's Comprehensive Plan; and

WHEREAS, due to the COVID-19 public health emergency and pandemic, well over a hundred thousand persons in Washington State have contracted the virus and thousands of persons have died due to the virus thus far and during the time period that this interim official control has been in effect, and the public health emergency is ongoing and is expected to continue for many months, and likely much longer; and

WHEREAS, due to the COVID-19 public health emergency and pandemic, the City has been engaged in essential work on a highest-priority basis related to the public health emergency, and as a result City staff and the City Council have had to significantly adjust work priorities accordingly to address the public health crisis, including related to work that the Council has been able to consider at modified Council meetings during this time period; and

WHEREAS, as a result, in part, of the public health emergency, City staff and the City Council have not had a meaningful opportunity to substantially consider the regulations and policies at issue related to this interim control to ensure that the vision and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and

WHEREAS, at its May 26, 2020 meeting, the City Council considered this interim control and decided to set a public hearing for June 9, 2020 to accept public comment and consider an ordinance to extend the interim control for another six months; and

WHEREAS, on June 9, 2020, the City Council conducted a public hearing on Ordinance No. 2020-13 and the Council received and considered public comment related to that ordinance; and

WHEREAS, on June 9, 2020, after considering such public comment, the City Council adopted that ordinance to extend the interim control for six months, to December 26, 2020; and

WHEREAS, City staff met with the Planning Commission to discuss draft regulations related to this interim control on August 13, September 10, October 29, and November 11, 2020; and

WHEREAS, on November 24, 2020, the City Council set the public hearing on this ordinance for December 8, 2020; and

WHEREAS, on December 8, 2020, after considering such public comment, the City Council adopted this ordinance to extend this interim control ordinance for six months, to June 26, 2021, unless the Council terminates the interim control earlier, and to otherwise amend the interim control as stated in this ordinance; and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and

WHEREAS, this interim control promotes the public good and is necessary for the protection of public health, property, safety, and welfare, and the public emergency on which the interim control was imposed continues to exist and this ordinance does not change the basis for that declaration of emergency nor the effective date of the interim control, which is June 26, 2018.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as additional and supplemental findings of fact to the City Council's initial findings of fact in support of the interim official control, as initially established by Ordinance No. 2018-25 and as subsequently amended by Ordinance Nos. 2018-32, 2018-42, 2018-45, 2019-17, 2019-39, and 2020-13.

Section 2. Extension of Existing Interim Official Control. As authorized by the police powers of the City as set forth, for example, in Article XI, Section 11, of the Washington State Constitution, and pursuant to statutory authority set forth, for example, in RCW 36.70A.390 and RCW 35A.63.220, and unless expressly excluded under this ordinance, the City Council is hereby extending the imposition of the interim official control that was initially imposed by Ordinance No. 2018-25, and was most recently extended by Ordinance No. 2020-13, as described herein.

Section 3. Interim Official Control Extended. This interim official control is hereby amended to extend the interim official control in its current form as specified in this ordinance for six months, which is until June 26, 2021. This interim official control was narrowed previously by Ordinance No. 2019-17 to apply only to properties located within the Winslow Master Plan Study Area. See, BIMC 16.32.005 and the map included as Exhibit B (attached).

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council conducted a public hearing on this extension of the interim official control at its meeting on December 8, 2020, and took public testimony and considered further findings of fact.

Section 5. Interim Official Control Work Plan. As provided for under RCW 35A.63.220 and RCW 36.70A.390, the City may renew an interim official control for one or more six-month periods if a work plan has been developed, a public hearing has been held, and

findings of fact have been made. Pursuant to this ordinance, and based on the findings of fact that are hereby adopted in this ordinance and which were adopted in the previous ordinances related to this interim official control, including Ordinance Nos. 2018-25, 2018-32, 2018-42, 2018-45, 2019-17, 2019-39, and 2020-13, the City is hereby extending this interim official control for an additional six months based on the work plan as incorporated herein (see attached Exhibit A). These supplemental findings of fact and the work plan incorporated herein are being adopted after the City Council conducted a public hearing on this interim official control on December 8, 2020.

Section 6. Effect on Vested Rights. Nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe on any permit applicant's vested development rights as defined by state law and City of Bainbridge Island regulations, provided that such a permit applicant has filed a complete and applicable land use permit application before the effective date of this interim official control.

Section 7. Interpretive Authority. The City of Bainbridge Island Director of Planning and Community Development, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 8. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 9. No Change to Basis for Declaration of Emergency or Effective Date. This ordinance shall take effect and be in full force five (5) days from and after its passage and publication as required by law. Provided, that this ordinance is not intended to change the basis of the emergency declaration stated in the interim official control ordinances which preceded this ordinance, including Ordinance Nos. 2018-25, 2018-32, 2018-42, 2018-45, 2019-17, 2019-39, and 2020-13, except as described in the "Whereas" clauses of this ordinance. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support the emergency declarations adopted as part of the enactment of this interim official control were included in the "Whereas" clauses of Ordinance Nos. 2018-25, 2018-32, 2018-42, 2018-45, 2019-17, 2019-39, and 2020-13, as well as in this ordinance, and those "Whereas" clauses are adopted as findings of fact. This ordinance does not change the effective date of this interim official control, which is June 26, 2018.

PASSED BY THE CITY COUNCIL this _____ day of December, 2020.

APPROVED BY THE MAYOR this _____ day of December, 2020.

_____
Leslie Schneider, Mayor

ATTEST/AUTHENTICATE:

_____
Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	November 20, 2020
PASSED BY THE CITY COUNCIL:	December ____, 2020
PUBLISHED:	December____, 2020
EFFECTIVE DATE:	December ____, 2020
ORDINANCE NUMBER:	2020-37
ATTACHED:	Exhibit A (Work Plan), Exhibit B (Winslow Master Plan Study Area)

EXHIBIT A

PROTECTION OF LANDMARK TREES

UPDATED WORK PLAN FOR INTERIM REGULATIONS (December 8, 2020)

INTERIM OFFICIAL CONTROL REGULATIONS – PROTECTION OF LANDMARK TREES:
On June 26, 2018, the City Council adopted Ordinance No. 2018-25, which imposed an interim official control governing the preservation, protection, and retention of Landmark Trees located on Bainbridge Island. The interim official control created a new chapter of the municipal code: Chapter 16.32 BIMC, *Protection of Landmark Trees*. The interim official control took effect immediately and has been extended until June 26, 2021, via the adoption of this current ordinance, Ordinance No. 2020-37, unless terminated earlier or extended by the City Council.

The City Council has amended the interim official control initially adopted by Ordinance No. 2018-25, including on August 21, 2018 (via Ordinance No. 2018-32), October 9, 2018 (via Ordinance No. 2018-42), December 11, 2018 (via Ordinance No. 2018-45), June 25, 2019 (via Ordinance No. 2019-17), November 26, 2019 (via Ordinance No. 2019-39), and on June 9, 2020 (Ordinance No. 2020-13).

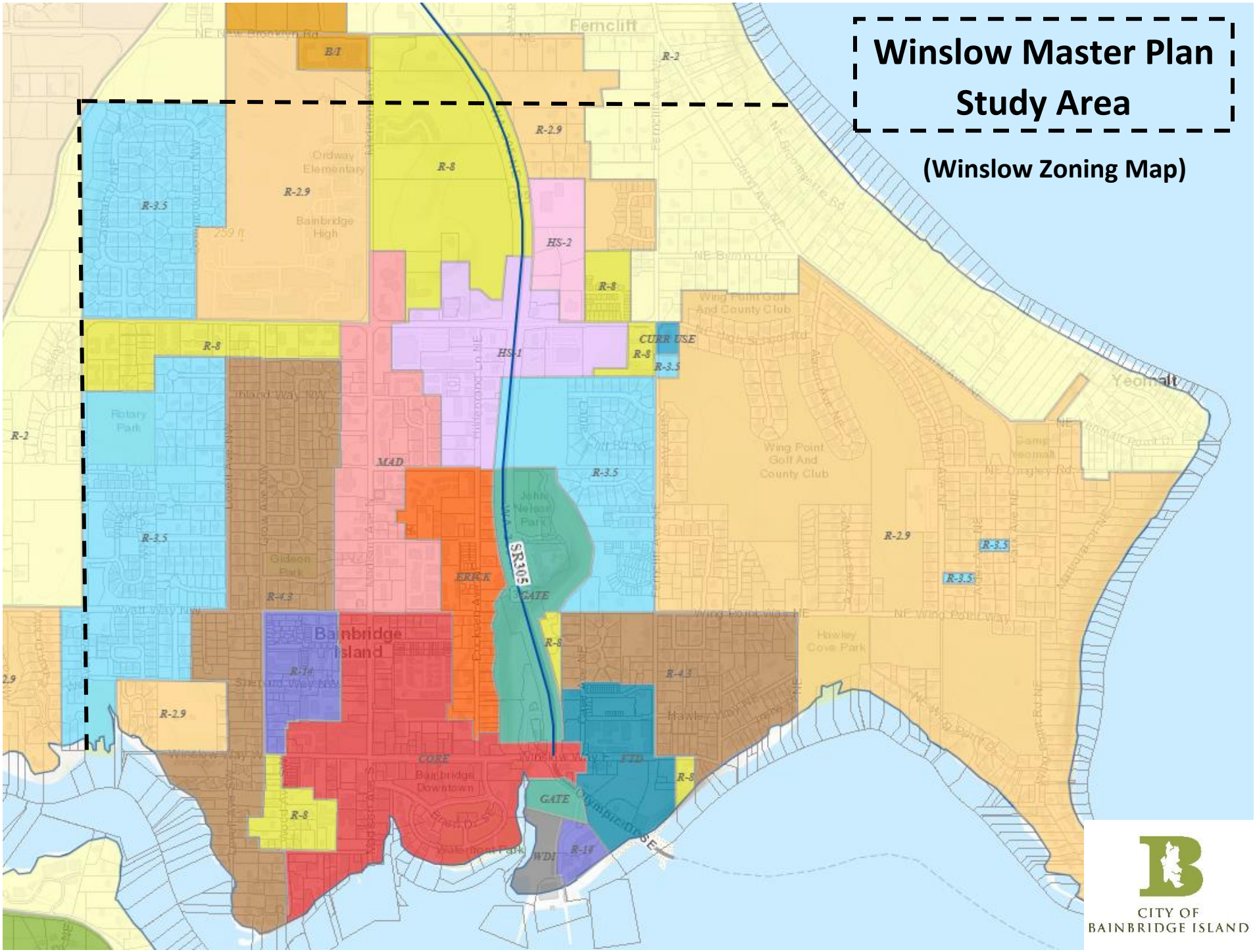
The City has developed and is proceeding based on the *Updated Work Plan* described below to address the issues related to preservation of trees raised by the adoption of the interim regulations set forth in Ordinance Nos. 2018-25, 2018-32, 2018-42, 2018-45, 2019-17, 2019-39, and 2020-13, as well as in this current ordinance, Ordinance No. 2020-37.

December 2020 - January 2021
In conjunction with the Planning Commission, City staff will further refine the proposed code changes. After holding a public hearing, it is expected that the Planning Commission will make a recommendation to the Council on tree removal and the vegetation management permit and landmark tree chapters.

January – February 2021
The proposed code changes would then be provided to the Council for review and consideration. After such review and consideration, the Council could take action to approve an amendment to the tree removal and the vegetation management permit and landmark tree chapters.

February - March 2021
Following the passage of the new regulations as above described, City staff will perform outreach and educate the public about best tree practices and the new regulations.

EXHIBIT B


Winslow Master Plan Study Area
(Winslow Zoning Map)
Ferncliff
B-I
R-2
R-2.9
R-8
R-3.5
HS-2
HS-1
CURR USE
MAD
ERICK
GATE
SR305
R-4.3
R-14
CORE
WDI
Bainbridge Island
Wing Point Golf And County Club
Rotary Park
Gideon Park
John Nelson Park
Hawley Cove Park
Bainbridge Downtown
Waterfront Park
Ordway Elementary
Bainbridge High
Olympic Drive SE
NE Wing Point Way
Winslow Way E
Winslow Way W
Madison Ave N
Bjarni Way NW
Sherman Way NW
Wyatt Way NW
NE Bainbridge Ln
NE Bloomquist Rd
NE Dogfish Rd
NE High School Rd
NE Byron Dr
Yeomalt
CITY OF BAINBRIDGE ISLAND

ORDINANCE NO. 2020-13

AN ORDINANCE of the City of Bainbridge Island, Washington, adopted pursuant to RCW 36.70A.390; amending the interim official control, codified as Chapter 16.32 of the Bainbridge Island Municipal Code; leaving the effective date of the interim official control unchanged; updating the work plan; and extending the duration of the interim official control until December 26, 2020.

WHEREAS, within the express terms of the Growth Management Act, the Washington State Legislature has specifically conferred upon the governing bodies of Washington cities the right to establish and adopt interim official controls related to land uses; and

WHEREAS, the City Council of the City of Bainbridge Island ("City") updated the City's Comprehensive Plan in February of 2017; and

WHEREAS, the City Council has significant concerns about development and growth in the City under current regulations in the context of the vision and goals of the City's Comprehensive Plan, has been discussing how to best accommodate growth and development in both general and specific ways, and finds that there are likely to be adverse impacts on the City and its citizens unless the City acts immediately to preserve the status quo; and

WHEREAS, land clearing and development activities have resulted in the removal and loss of Landmark Trees on Bainbridge Island and the City has received numerous public comments expressing concern regarding the loss of Landmark Trees on the Island; and

WHEREAS, Landmark Trees, because of their age, size, and condition are recognized as having exceptional value in contributing to the character of the community; and

WHEREAS, the Planning Commission, Design Review Board, and the (former) Ad Hoc Tree/LID Committee have expressed concern regarding the loss of trees on Bainbridge Island and the preservation of trees is a community value supported by the policies and goals of the City's Comprehensive Plan; and

WHEREAS, on June 26, 2018, the City Council adopted Ordinance No. 2018-25, which imposed an interim official control in the form of Chapter 16.32 of the Bainbridge Island Municipal Code ("BIMC"), *Preservation of Landmark Trees*, which designates Landmark Trees based on size and species, requires a permit to remove any Landmark Tree, and imposes a fine if a Landmark Tree is removed without a permit; and

WHEREAS, on August 14, 2018, the City Council held a public hearing on Ordinance No. 2018-25; and

WHEREAS, the City Council has previously amended the interim official control adopted by Ordinance No. 2018-25, including on August 21, 2018 (via Ordinance No. 2018-32), and on October 9, 2018 (via Ordinance No. 2018-42); and

WHEREAS, on October 16, 2018, the City Council authorized the City Manager to contract with a team of arborists to review and make recommendations on City regulations governing tree and vegetation removal, including Chapter 16.32 BIMC; and

WHEREAS, on November 27, 2018, the City Council first discussed Ordinance No. 2018-45; and

WHEREAS, in response to comments and input that City staff and the City Council received regarding implementation and application of the Landmark Tree regulations, including comments from many property owners and Puget Sound Energy about difficulty in meeting the requirements of the regulations, City staff proposed amendments to the regulations to add exceptions for the type of Landmark Tree removal that would be approved through permit review; and

WHEREAS, in response to that input, on December 11, 2018, the City Council held a public hearing on Ordinance No. 2018-45, and considered and adopted Ordinance No. 2018-45 and the work plan that was adopted as Exhibit A to that ordinance; and

WHEREAS, the above described team of arborists provided their report and recommendations to City staff, and the City Council discussed that report and those recommendations at a Council study session on May 7, 2019; and

WHEREAS, prior to the expiration of Ordinance No. 2018-45, the City Council discussed Ordinance No. 2019-17 on May 28, 2019, held a public hearing on June 11, 2019, and adopted Ordinance No. 2019-17 on June 25, 2019 and the work plan that was adopted as Exhibit A to that ordinance, and that ordinance extended the duration of the interim official control and narrowed Chapter 16.32 BIMC, *Preservation of Landmark Trees*, to apply only to those properties located within the Winslow Master Plan Study Area as shown in Figure 2.3 of the Winslow Master Plan (updated November 8, 2006), and as depicted in Exhibit B to that ordinance and this ordinance; and

WHEREAS, prior to the expiration of Ordinance No. 2019-17, on November 26, 2019, the City Council held a public hearing on Ordinance No. 2019-39 and forwarded it for approval on December 10, 2019; and

WHEREAS, on December 10, 2019, the City Council approved Ordinance No. 2019-39 and the updated work plan that was provided as Exhibit A to that ordinance; and

WHEREAS, on February 25, 2020, the City's Department of Planning and Community Development had a discussion with the City Council on potential next steps and revisions to the municipal code regarding tree removal, forest stewardship and vegetation maintenance (Chapter 16.18 BIMC), landscaping and tree retention (e.g., BIMC 18.15.010), and landmark tree regulations (Chapter 16.32 BIMC), and an extension of this interim control will allow staff and the Council to work toward the goal of completing the legislative process to amend the code prior to the expiration of this interim control; and

WHEREAS, the Department of Planning and Community Development is recommending clarifying language, definitions, and terminology regarding the regulations at issue and to incorporate best management practices into the code as recommended by the Community Forest Management Plan ("CFMP"); and

WHEREAS, additional time is needed for the Planning Commission, community, and City Council to review the recommendations above described and consider the potential adoption of such recommendations that are consistent with the vision and goals of the City's Comprehensive Plan; and

WHEREAS, due to the COVID-19 public health emergency and pandemic, tens of thousands of persons in Washington State have contracted the virus and hundreds of persons have died due to the virus thus far and during the time period that this interim official control has been in effect, and the public health emergency is ongoing and is expected to continue for many months, and likely much longer; and

WHEREAS, due to the COVID-19 public health emergency and pandemic, the City has been engaged in essential work on a highest-priority basis related to the public health emergency, and as a result City staff and the City Council have had to significantly adjust work priorities accordingly to address the public health crisis, including related to work that the Council has been able to consider at modified Council meetings during this time period; and

WHEREAS, as a result of the public health emergency, City staff and the City Council have not had a meaningful opportunity to substantially consider the regulations and policies at issue related to this interim control to ensure that the vision and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and

WHEREAS, at its May 26, 2020 meeting, the City Council considered this interim control and decided to set a public hearing for June 9, 2020 to accept public comment and consider this ordinance to extend the interim control for another six months; and

WHEREAS, on June 9, 2020, the City Council conducted a public hearing on this ordinance and the Council received and considered public comment related to this ordinance; and

WHEREAS, on June 9, 2020, after considering such public comment, the City Council adopted this ordinance to extend this interim control for six months, to December 26, 2020, unless the Council terminates the interim control earlier, and to otherwise amend the interim control as stated in this ordinance; and

WHEREAS, the City possesses land use jurisdiction and regulatory authority over the City's incorporated lands; and

WHEREAS, this interim control promotes the public good and is necessary for the protection of public health, property, safety, and welfare, and the public emergency on which the interim control was imposed continues to exist and this ordinance does not change the basis for

that declaration of emergency nor the effective date of the interim control, which is June 26, 2018.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as additional and supplemental findings of fact to the City Council's initial findings of fact in support of the interim official control, as initially established by Ordinance No. 2018-25 and as subsequently amended by Ordinance Nos. 2018-32, 2018-42, 2018-45, 2019-17, and 2019-39.

Section 2. Extension of Existing Interim Official Control. As authorized by the police powers of the City as set forth, for example, in Article XI, Section 11, of the Washington State Constitution, and pursuant to statutory authority set forth, for example, in RCW 36.70A.390 and RCW 35A.63.220, and unless expressly excluded under this ordinance, the City Council is hereby extending the imposition of the interim official control that was initially imposed by Ordinance No. 2018-25, and was most recently extended by Ordinance No. 2019-39, as described herein.

Section 3. Interim Official Control Extended. This interim official control is hereby amended to extend the interim official control in its current form as specified in this ordinance for six months, which is until December 26, 2020. This interim official control was narrowed previously by Ordinance No. 2019-17 to apply only to properties located within the Winslow Master Plan Study Area. See, BIMC 16.32.005 and the map included as Exhibit B (attached).

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council conducted a public hearing on this extension of the interim official control at its meeting on June 9, 2020, and took public testimony and considered further findings of fact.

Section 5. Interim Official Control Work Plan. As provided for under RCW 35A.63.220 and RCW 36.70A.390, the City may renew an interim official control for one or more six-month periods if a work plan has been developed, a public hearing has been held, and findings of fact have been made. Pursuant to this ordinance, and based on the findings of fact that are hereby adopted in this ordinance and which were adopted in the previous ordinances related to this interim official control, including Ordinance Nos. 2018-25, 2018-32, 2018-42, 2018-45, 2019-17, and 2019-39, the City is hereby extending this interim official control for an additional six months based on the work plan as incorporated herein (see attached Exhibit A). These supplemental findings of fact and the work plan incorporated herein are being adopted after the City Council conducted a public hearing on this interim official control on June 9, 2020.

Section 6. Effect on Vested Rights. Nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe on any permit applicant's vested development rights as defined by state law and City of Bainbridge Island regulations, provided that such a permit applicant has filed a complete and applicable land use permit application before the effective date of this interim official control.

Section 7. Interpretive Authority. The City of Bainbridge Island Director of Planning and Community Development, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 8. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 9. No Change to Basis for Declaration of Emergency or Effective Date. This ordinance shall take effect and be in full force five (5) days from and after its passage and publication as required by law. Provided, that this ordinance is not intended to change the basis of the emergency declaration stated in the interim official control ordinances which preceded this ordinance, including Ordinance Nos. 2018-25, 2018-32, 2018-42, 2018-45, 2019-17, and 2019-39, except as described in the "Whereas" clauses of this ordinance. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641 (1995), non-exhaustive underlying facts necessary to support the emergency declarations adopted as part of the enactment of this interim official control were included in the "Whereas" clauses of Ordinance Nos. 2018-25, 2018-32, 2018-42, 2018-45, 2019-17, and 2019-39, as well as in this ordinance, and those "Whereas" clauses are adopted as findings of fact. This ordinance does not change the effective date of this interim official control, which is June 26, 2018.

PASSED BY THE CITY COUNCIL this 9th day of June, 2020.

APPROVED BY THE MAYOR this 9th day of June, 2020.

Leslie Schneider, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	May 22, 2020
PASSED BY THE CITY COUNCIL:	June 9, 2020
PUBLISHED:	June 12, 2020
EFFECTIVE DATE:	June 17, 2020
ORDINANCE NUMBER:	2020-13
ATTACHED:	Exhibit A (Work Plan), Exhibit B (Winslow Master Plan Study Area)

EXHIBIT A (*REVISED*)

PROTECTION OF LANDMARK TREES

UPDATED WORK PLAN FOR INTERIM REGULATIONS (May 26, 2020)

INTERIM OFFICIAL CONTROL REGULATIONS – PROTECTION OF LANDMARK TREES:

On June 26, 2018, the City Council adopted Ordinance No. 2018-25, which imposed an interim official control governing the preservation, protection, and retention of Landmark Trees located on Bainbridge Island. The interim official control created a new chapter of the municipal code, Chapter 16.32 BIMC, *Protection of Landmark Trees*. The interim official control took effect immediately and **has been extended until December 26, 2020**, via the adoption of this current ordinance, Ordinance No. 2020-13, unless terminated earlier or extended by the City Council.

The City Council has amended the interim official control initially adopted by Ordinance No. 2018-25, including on August 21, 2018 (via Ordinance No. 2018-32), on October 9, 2018 (via Ordinance No. 2018-42), on December 11, 2018 (via Ordinance No. 2018-45), on June 25, 2019 (via Ordinance No. 2019-17), and on November 26, 2019 (via Ordinance No. 2019-39).

The City has developed and is proceeding based on the ***Updated Work Plan*** described below to address the issues related to preservation of ~~larger~~ landmark trees raised by the adoption of the interim regulations set forth in Ordinance Nos. 2018-25, 2018-32, 2018-42, 2018-45, and 2019-17, and 2019-39, as well as in this current ordinance, Ordinance No. 2020-13.

June – August 2020

It is expected that City staff will brief the Planning Commission on the approach that was presented and approved by the City Council on February 25, 2020 related to tree removal and the vegetation management permit and landmark tree chapters. Based on the Planning Commission's feedback and input, ~~still~~ City staff will draft code changes.

August 2020

Staff would then provide such draft code changes to the Planning Commission and invite community participation.

September 2020

Based on further input, it is expected that staff will refine the proposed code changes and present them to the Planning Commission (via a draft ordinance). After holding a public hearing, the Planning Commission would then make a recommendation to the Council on tree removal and the vegetation management permit and landmark tree chapters.

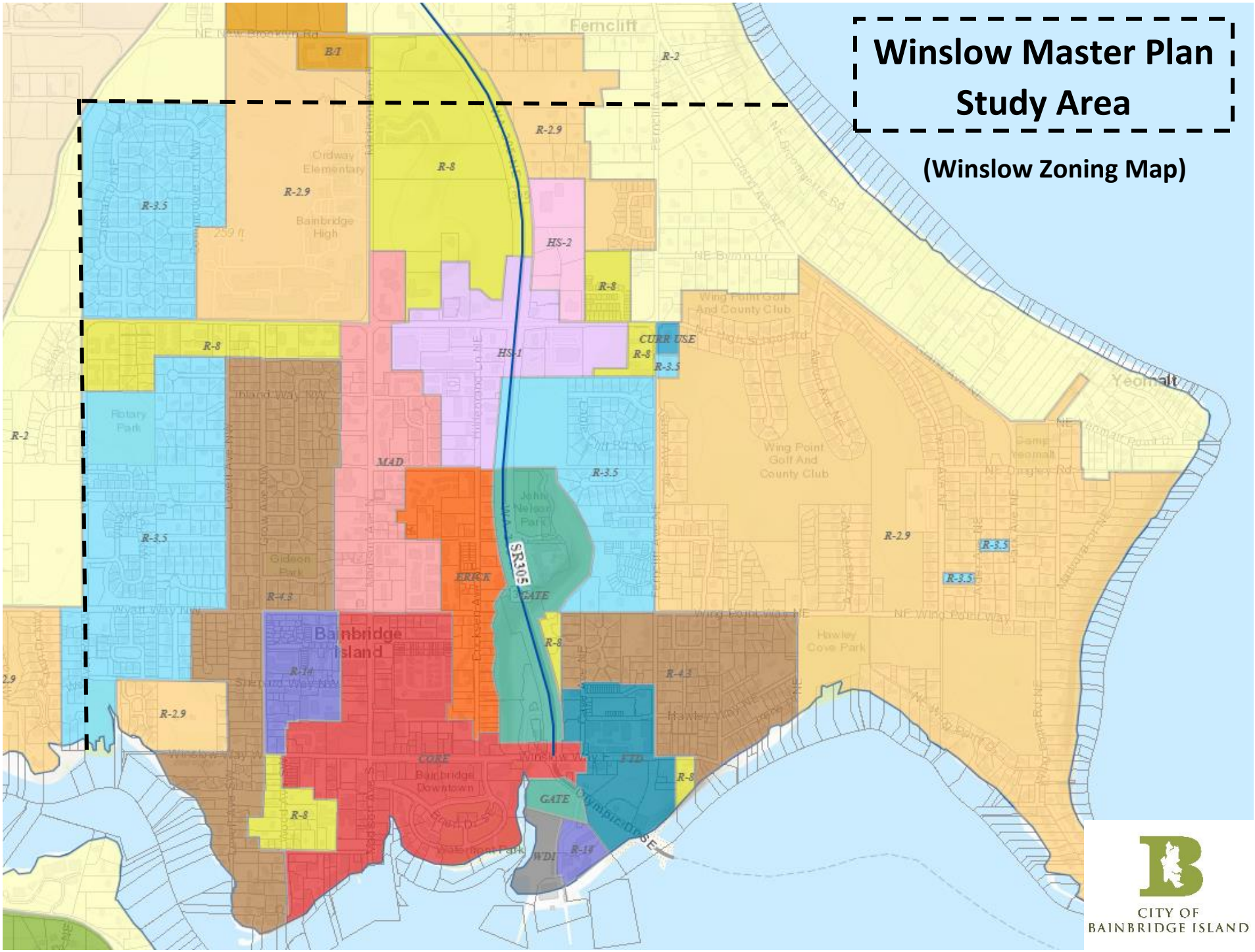
October 2020

The proposed code changes would then be provided to the Council for review and consideration. After such review and consideration, the Council could take action to approve an amendment to the tree removal and the vegetation management permit and landmark tree chapters.

November – December 2020

Following the passage of the new regulations as above described, staff will perform outreach and educate the public about best tree practices and the new regulations.

EXHIBIT B



CITY OF BAINBRIDGE ISLAND

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: (8:00 PM) Ordinance No. 2020-17 Adopting the Shoreline Master Program Amendment to Integrate the Critical Areas Ordinance and Make Changes to the Nonconforming Sections- Planning,

SUMMARY: At the June 23, 2020 business meeting, the City Council directed staff to prepare an ordinance for the City's Shoreline Master Program ("SMP") Amendment related to integrating the Critical Areas Ordinance and making changes related to nonconforming uses, structures, and lots, incorporating Ecology's required and recommended changes, as well as including edits recommended by City staff to correct internal references and ensure consistency between the amended policies and regulations. Staff revised the draft SMP Amendment based on this input and prepared the amendment ordinance (Ordinance No. 2020-17).

Most recently, the Council considered the ordinance at its September 8, 2020 meeting, and at that meeting the Council also set the public hearing on the ordinance for September 22. The Council did not make a decision at that meeting to allow time for the City to reissue the SEPA determination to ensure all requirements of the SEPA process have been met.

Following the public hearing, the City reissued the October 2018 SEPA determination to ensure that all public noticing requirements were met in accordance with Chapter 16.04 BIMC. No additional SEPA comments were received, and an appeal was not filed.

Since no comments were received during the revised SEPA comment period requiring further consideration, staff is requesting that the Council approve Ordinance No. 2020-17.

AGENDA CATEGORY: Ordinance **PROPOSED BY:** Planning & Community Development

RECOMMENDED MOTION: I move to approve Ordinance No. 2020-17, adopting the Shoreline Master Program amendment related to Critical Areas Ordinance integration and other matters.

STRATEGIC PRIORITY: Green, Well-Planned Community

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND: See attached staff memo.

ATTACHMENTS:

Staff Memorandum to Council

Ordinance No. 2020-17 Adopting the Shoreline Master Program Amendment

Exhibit A to Ordinance No. 2020-17 Shoreline Master Program Amendment

Summary of Public Comments and Staff Response

[For background] September 22, 2020 Staff Memorandum to Council

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF BAINBRIDGE ISLAND

Department of Planning and Community Development

Memorandum

Date: November 24, 2020

To: City Council

From: Annie Hillier
Associate Planner

Subject: Shoreline Master Program Amendment

I. Introduction – Where we Left Off

At the September 22, 2020 business meeting, the City Council held a public hearing on Ordinance No. 2020-17, amending the City's Shoreline Master Program ("SMP") related to critical areas regulations and nonconforming structures, uses, and lots. Two people testified during the public hearing, and six written public comments were received.

Council did not make a decision at that meeting to allow time for the City to re-issue the SEPA determination because the record did not support that the SEPA process had been followed in October 2018. Following the public hearing, the City re-issued the October 2018 SEPA determination, to ensure all public noticing requirements were met in accordance with Chapter 16.04 BIMC. No additional SEPA comments were received, and an appeal was not filed.

Since no comments were received during the revised SEPA comment period requiring further consideration, staff is requesting that the Council approve Ordinance No. 2020-17.

Staff made the following minor scriveners edits to *Exhibit A to Ordinance No. 2020-17 Shoreline Master Program Amendment* since it was last presented to Council:

- Headings formatted to be consistent with SMP style
- Updated/corrected cross-references
- Adjusted hierarchical outline numbering/style as needed
- Formatting of fonts, tables, and graphics
- Spelling
- Punctuation

II. Supporting documents for November 24, 2020 Council Meeting

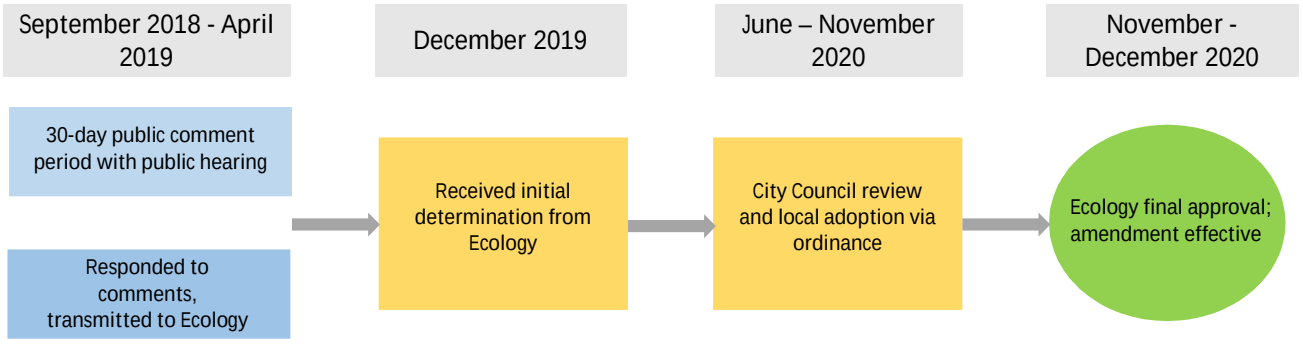
Several background documents are provided for tonight's agenda item, including:

- *Ordinance No. 2020-17*, approving the draft SMP Amendment relating to critical areas regulations and nonconforming structures, uses, and lots.

- *Exhibit A to Ordinance No. 2020-17 Shoreline Master Program Amendment* (400+ pages), including proposed amendments shown in red ~~strikethrough~~/underline text.
- *Summary of Public Comments and Staff Response*, see final rows for comments received in relation to September 22, 2020 public hearing.
- (For background) *September 22, 2020 Staff Memorandum to Council*, summarizing revisions made to the SMP Amendment, based on Council input.

III. NEXT STEPS

Following local adoption of Ordinance No. 2020-17 by the City Council, Staff will transmit the SMP Amendment to Ecology in accordance with WAC 173-26-110. Ecology will then review the SMP Amendment in accordance with SMP 173-26-120, which provides a 30-day review period following a determination of completeness. The SMP Amendment becomes effective 14 days after final approval by Ecology.



ORDINANCE NO. 2020-17

AN ORDINANCE of the City of Bainbridge Island, Washington, amending the City's Shoreline Master Program related to critical areas regulations and nonconforming structures, uses, and lots; and amending several sections of Chapter 16.12 of the Bainbridge Island Municipal Code accordingly, as specifically identified in Exhibit A to this ordinance.

WHEREAS, the Washington State Shoreline Management Act (Chapter 90.58 RCW, referred to herein as the "SMA") recognizes that shorelines are among the most valuable and fragile resources of the state, and requires the City of Bainbridge Island ("City") and the Washington State Department of Ecology ("Ecology") to jointly adopt, update, and amend the Shoreline Master Program ("SMP") pursuant to Chapter 173-26 WAC; and

WHEREAS, the City adopted a comprehensive update to its SMP (Ordinance No. 2014-04) on July 14, 2014, which was approved by Ecology on July 16, 2014; and

WHEREAS, the City adopted an update to its Critical Areas Ordinance (Ordinance No. 2018-01) on February 27, 2018; and

WHEREAS, RCW 36.70A.480(4) requires that SMPs provide a level of protection to critical areas located within shorelines of the state that assures no net loss of shoreline ecological functions necessary to sustain shoreline natural resources; and

WHEREAS, the City desires to integrate the updated critical areas regulations into its Shoreline Master Program which requires a SMP amendment pursuant to WAC 173-26-090(1); and

WHEREAS, the City chose to use the optional joint review process for amending the SMP pursuant to WAC 173-26-104; and

WHEREAS, on October 12, 2017, November 16, 2017, April 26, 2018, and August 30, 2018, the Planning Commission reviewed amendments to the SMP related to critical areas; and

WHEREAS, on January 11, 2018, February 8, 2018, March 8, 2018, March 29, 2018, April 12, 2018, April 19, 2018, and August 30, 2018, the Planning Commission reviewed amendments to the SMP related to nonconforming structures, uses, and lots; and

WHEREAS, from May 8, 2018 to June 9, 2018, following timely public notification, the City and Ecology held a 30-day public comment period on the amendment related to critical areas regulations; and

WHEREAS, on May 24, 2018 and June 7, 2018, following timely public notification, the Planning Commission and Ecology held a joint public hearing on the amendment related to critical areas regulations; and

WHEREAS, on June 7, 2018, the Planning Commission recommended combining the nonconforming structures, uses, and lots revisions and the critical areas revisions into one amendment; and

WHEREAS, on July 24, 2018, the City Council directed staff to combine the nonconforming structures, uses, and lots revisions and the critical areas revisions into one amendment and to schedule a public hearing on the amendment on September 11, 2018; and

WHEREAS, from September 10, 2018 to October 10, 2018, following timely public notification, the Planning Commission and Ecology held a 30-day public comment period on the amendment related to critical areas and nonconforming structures, uses, and lots; and

WHEREAS, on September 11, 2018, following timely public notification, the Planning Commission and Ecology held a joint public hearing on the amendment related to critical areas and nonconforming structures, uses, and lots; and

WHEREAS, on October 2, 2018, October 9, 2018, October 16, 2018, November 27, 2018, December 11, 2018, and January 8, 2019, the City Council considered the proposed amendment, the recommendations of the Planning Commission, the public testimony provided, and the record; and

WHEREAS, on October 12, 2018, the City issued a Determination of Non-Significance on the amendment consistent with the State Environmental Policy Act (Chapter 43.21C RCW) and Chapter 16.04 BIMC, and no person filed an appeal; and

WHEREAS, on October 26, 2018, the City transmitted a Notice of Intent to the Washington State Department of Commerce in accordance with WAC 173-26-104 and RCW 36.70A.106; and

WHEREAS, on January 8, 2019, the City Council adopted Resolution No. 2019-05 approving the proposed SMP amendment relating to critical areas regulations and nonconforming structures, uses, and lots and directing staff to submit the draft to Ecology for initial state review pursuant to WAC 173-26-104; and

WHEREAS, on April 19, 2019, the City submitted the draft SMP amendment to Ecology for an initial determination of concurrence in accordance with the submittal requirements in WAC 173-26-110; and

WHEREAS, on December 9, 2019, Ecology determined that the City's draft SMP amendment, subject to and including Ecology's required and recommended changes, was consistent with the policy and standards of RCW 90.58.020 and RCW 90.58.090 and the applicable SMP guidelines (WAC 173-26-171 through -251 and .020 definitions); and

WHEREAS, on June 23, 2020, the City Council considered Ecology's required and recommended changes as well as those identified by City staff, and directed staff to draft an ordinance incorporating Ecology's changes and staff's edits; and

WHEREAS, on September 8, 2020, the City Council set the public hearing for this Ordinance No. 2020-17 for September 22, 2020; and

WHEREAS, on September 22, 2020, following timely public notification, the City Council held a public hearing on Ordinance No. 2020-17, including all components of the SMP amendment specified in Exhibit A to this ordinance; and

WHEREAS, on October 2, 2020, the City reissued the Determination of Non-Significance on the amendment to ensure all noticing requirements were met consistent with the State Environmental Policy Act (Chapter 43.21C RCW) and Chapter 16.04 BIMC, and no person filed an appeal; and

WHEREAS, on November 24, 2020, the City Council enacted this Ordinance No. 2020-17, thereby approving all of the changes related to this SMP amendment; and

WHEREAS, the SMP amendment will result in "no net loss" of shoreline ecological functions relative to the established baseline and may ultimately produce an improvement in shoreline ecological functions through incentive-based restoration; the SMP amendment is consistent with and meets the SMP Guidelines established under Chapter 173-26 WAC; the SMP amendment is consistent with and implements the SMA (Chapter 90.58 RCW) and the Growth Management Act (Chapter 36.70A RCW); the SMP amendment is consistent with the Bainbridge Island Comprehensive Plan; and the SMP amendment is internally consistent.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to integrate the regulations updated as a part of the City's Critical Areas Ordinance (Chapter 16.20 BIMC) and to clarify allowed actions for all nonconforming structures, uses, and lots, as well as specific allowances for nonconforming single-family residential primary structures. The majority of the amendments are located in Section 4.1.5, Critical Areas; Section 4.2.1 Nonconforming Uses, Nonconforming Structures, and Nonconforming Lots; and Section 8.0, Definitions. Other minor changes are located throughout the Shoreline Master Program as shown on the attached Exhibit A to create consistency with the changes made to the sections above. The City's "WAC 173-26-110 Submittal Package," which includes a summary of proposed amendments to policy and regulatory language with explanatory text and other materials which document the necessity for the proposed changes to the City's Shoreline Master Program, is incorporated by this reference as findings of fact.

Section 2. Findings. The recitals set forth above are hereby adopted as the City Council's findings in support of this ordinance.

Section 3. Amendment to the Shoreline Master Program.

A. The City of Bainbridge Island Shoreline Master Program, adopted by Ordinance No. 2014-04 on July 14, 2014, is amended as shown in Exhibit A and incorporated herein by this reference.

B. Chapter 16.12 of the Bainbridge Island Municipal Code is hereby amended as shown in Exhibit A and incorporated herein by this reference.

Section 4. Codification. The City Council hereby adopts the amendments set forth in this ordinance to the Shoreline Master Program. As is the case currently, the Shoreline Master Program is part of the City's development regulations and the amendments adopted herein constitute amendments to those development regulations, including Chapter 16.12 of the Bainbridge Island Municipal Code. The Director of Planning and Community Development shall work with the codifier of the Bainbridge Island Municipal Code in order to ensure that the regulations in the Shoreline Master Program and as otherwise adopted by this ordinance are appropriately codified.

Section 5. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Scrivener's Error. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener and clerical errors, references, ordinance numbering, section and subsection numbers, and any references thereto.

Section 7. Effective Date. This ordinance shall take effect upon the date of a letter to the City of Bainbridge Island from the Washington State Department of Ecology approving the Shoreline Master Program Amendment adopted by this ordinance.

PASSED by the City Council this ____ day of _____, 2020.

APPROVED by the Mayor this ____ day of _____, 2020.

_____
Leslie Schneider, Mayor

ATTEST/AUTHENTICATE:

_____

Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	September 4, 2020
PASSED BY THE CITY COUNCIL:	
PUBLISHED:	
EFFECTIVE DATE:	This ordinance shall take effect upon the date of a letter to the City of Bainbridge Island from the Washington State Department of Ecology approving the Shoreline Master Program Amendment adopted by this ordinance.
ORDINANCE NUMBER:	2020-17
EXHIBIT	Exhibit A

CITY OF BAINBRIDGE ISLAND

Shoreline Master Program

Ord. 2020-17
Adoption Draft SMP Amendment
11/24/2020

2014 Comprehensive Update Acknowledgments

The 2014 Bainbridge Island Shoreline Master Program was prepared under the guidance of citizen Shoreline Work Groups who met regularly with the City and the project facilitator during Master Program development. The City would like to thank the citizen work groups; Bainbridge Island Planning Commission; Bainbridge Island City Council; Katharine Cook, Planning Director; Libby Hudson, Long Range Planning Manager; Ryan Ericson, Associate Planner; Theresa Rice, Department Secretary; and all other citizen and group participants for their assistance in the completion of this project. Original art was prepared by Steve Kennel, who retains all copyrights to that work.

Shoreline New and Existing Development Work Group

John Anderson	Mark Dawson*	Greg Hepp
Andy Mueller*	Charles Schmid*	Ken Sethney*
Al Solonsky		

Shoreline Setback and Vegetation Conservation Work Group

Kathleen Dwyer	Jeanne Huber	Lisa Macchio*
J. Mack Pearl*	Alice Tawresey*	Gary Tripp
Elise Wright		

Shoreline Modification Work Group

John Barutt*	John Bomben*	Wayne Daley*
Stephen Ekholm	Marcia Lagerloef	David McCaughey
Eric Rehm	Bruce Taft	

*Also Served on the Task Force

Planning Commission

Michael Lewars, Chair	Martin Minkoff, Vice-Chair	Martha Droge
Don Fisher	Maradel K. Gale	J. Mack Pearl
Michael Wangen		

City Council

Ann Blair	Sarah Blossom	Steve Bonkowski
Wayne Roth	Val Tollefson	Roger Townsend
David Ward		

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1.0 Introduction

1.1 Shoreline Master Program Introduction

This Shoreline Master Program (SMP) establishes regulations, enforcement procedures and policies for protection and development of Bainbridge Island's shoreline areas. The regulations in the SMP state specific legal requirements which future development must follow. The regulations in the SMP are part of the City's development regulations. The policies in the SMP state the underlying objectives the regulations are intended to accomplish. The policies are a component of the City's Comprehensive Plan and guide the interpretation and enforcement of the Shoreline Master Program's regulations. The policies are not regulations in themselves and, therefore, do not impose requirements beyond those set forth in the regulations.

1.1.1 Purpose and Intent

The Shoreline Master Program is intended to implement the Shoreline Management Act of 1971 (Chapter 90.58 Revised Code of Washington) by:

- Planning for and guiding the orderly development of the shoreline in a positive, effective, and equitable manner, protecting and restoring shoreline resources, and helping to assure public access to the shoreline;
- Promoting the health, safety, and general welfare of the community by providing long range, comprehensive policies and effective, reasonable regulations for use and development of Bainbridge Island's shorelines;
- Ensuring, at minimum, no net loss of shoreline ecological functions and ecosystem-wide processes;
- Planning for the restoration of shorelines that have been impaired or degraded in the past and in a manner that educates the community in the use and protection of its shorelines;
- Adhering to and fostering the policies of the Act contained in RCW 90.58.020 for shorelines of the state; and
- Improving the water quality of the Puget Sound.

1.2 Requirements of the Shoreline Management Act

In June 1971, the Washington State Legislature approved a comprehensive regulatory program for shorelines of the state with the adoption of the Shoreline Management Act of 1971 ("SMA" or "Act"). The Act carried with it provisions for a vote by the people and in November 1972, the people of the State of Washington enacted the Shoreline Management Act (Chapter 90.58 RCW). The Act's paramount objectives are to protect and restore the valuable natural resources that shoreline represent, and to plan for and foster all "reasonable and appropriate uses", including single-family development, that are dependent upon a waterfront location or that offer the opportunities for the public to enjoy the state's shoreline. With this clear mandate, the Shoreline Management Act establishes a planning and regulatory program, initiated at the local level under state guidelines.

1.2.1 Shoreline Management Act Administration

Administration of the Act is a cooperative effort balancing local and statewide interest in the management and development of shoreline areas by requiring local government to plan (via the SMP) and regulate (via permits) shoreline development. Local government actions are monitored by the Washington State Department of Ecology (Ecology), which approves new or amended SMPs, reviews substantial development permits, and approves shoreline Conditional Use permits and Variances. The SMP is essentially a shoreline comprehensive plan with distinct environmental orientation applicable to shoreline areas and customized to local circumstances. Collectively, the local master programs comprise the State SMP. By law, the City is responsible for the following:

1. Preparation of a SMP in accordance with the policies and requirements of the Act and the State Master Program Approval/Amendment Procedures and Master Program Guidelines (the "Guidelines" or "Shoreline Master Program Guidelines"; Chapter 173-26 WAC). The purpose of a SMP is to protect shoreline resources, manage the uses and activities on local shorelines, and assure continued public use of waters of the state.
2. The Act specifies that local SMPs include goals and policy statements for each of the required elements and take into account economic development, public access, circulation and transportation, and recreation. Local government is further encouraged to identify any other elements that are deemed appropriate and necessary to implement the intent of the Act, and to develop goals and policies for those additional elements.
3. Master program regulations are developed and adopted by local government to implement the goals and policies for each of the elements. These regulations address various types of shoreline development, including agriculture, aquaculture, forest management, commercial development, marinas, mining, outdoor advertising and signs, residential development, utilities, ports and water-related industries, bulkheads, breakwaters, jetties and groins, landfills, solid waste disposal.
4. Administration of a shoreline permit system to further the goals and policies of both the Act and the local SMP for proposed substantial development within two hundred (200) feet of the ordinary high water mark (OHWM) of designated water bodies. [Local government has the option to adopt the administrative process as part of the SMP or as a reference document not considered part of the SMP. This allows local government to make changes without the need of a SMP amendment. See WAC 173-26-191(2)(a)(iii)(C).]
5. Development of an inventory of natural characteristics and land use patterns along those designated water bodies. Local governments are required to prepare a detailed shoreline inventory that provides the foundation for development of a system that classifies the shoreline into distinct shoreline "environments" These environments, or designations, provide the framework for implementing shoreline policies and regulatory measures.
6. Local governments have the primary responsibility for initiating the planning program and administering the regulatory requirements. The City of Bainbridge Island SMP must be consistent with the policies and requirements of the Act and the Guidelines. The role of the Department of Ecology is to provide support and review of the SMP and

subsequent shoreline development permits and approvals and ensure compliance with the policies and provisions of the Act.

1.2.2 Scope of Shoreline Management Act

The Act covers all shorelines of the state, including "shorelines" and "shorelines of state-wide significance." Figure 1-1 illustrates shoreline jurisdiction on coastal shorelines.

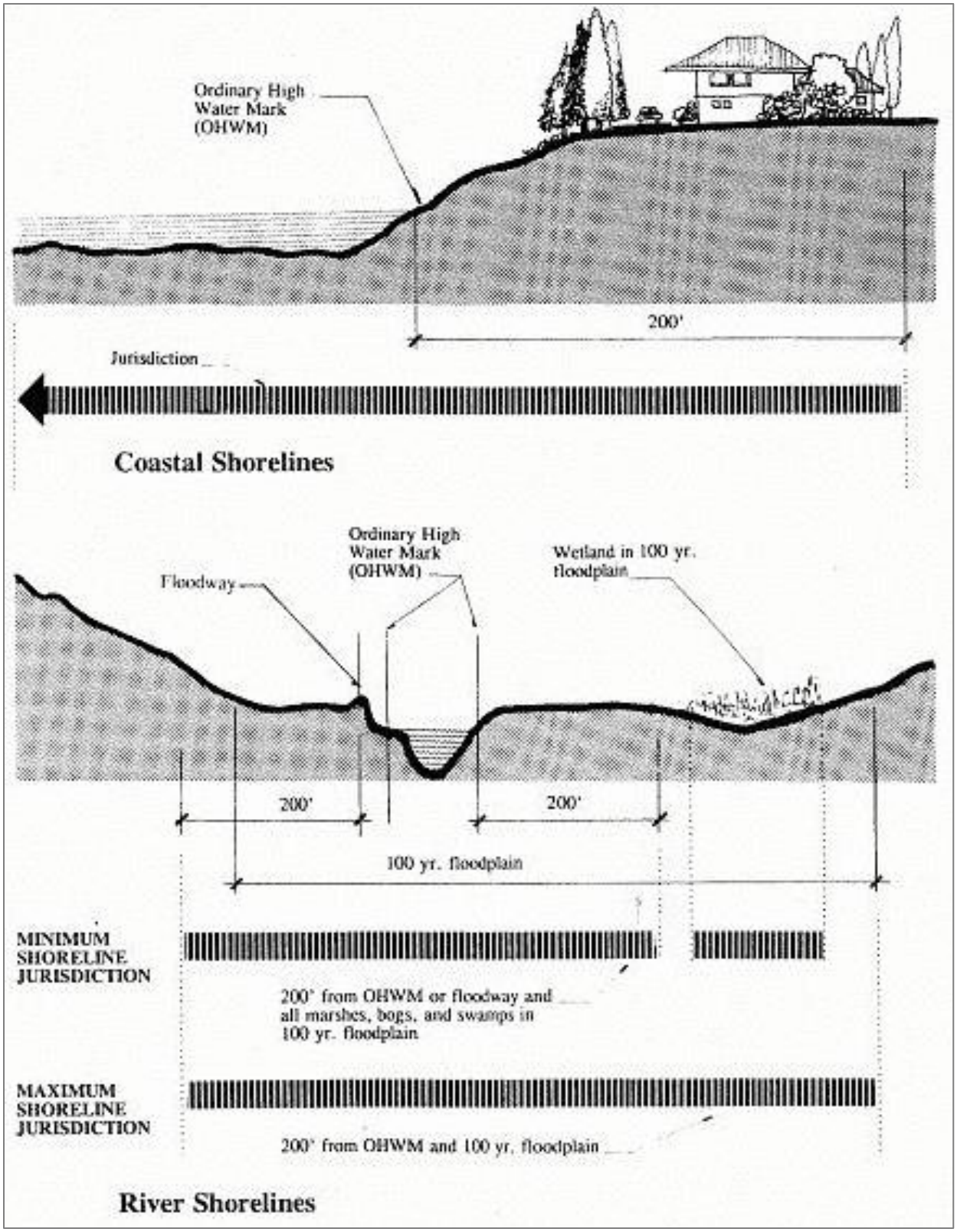

Figure 1-1 Shoreline Jurisdiction

Provisions of the Act apply to the following geographical shoreline areas:

1. All marine waters of the state, together with the lands underlying them;
2. Segments of streams and rivers where the mean annual flow is more than 20 cubic feet per second (cfs);
3. Lakes and reservoirs 20 acres and greater in area;
4. Shorelands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous flood plain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters; and
5. Shorelines of state-wide significance as defined in RCW 90.58.030 or its successor. This includes those areas of Puget Sound lying seaward from the line of extreme low tide.

1.2.3 Development of the City's Shoreline Master Program

The City of Bainbridge Island adopted a SMP in 1996 after annexation of the entire Island occurred in March 1991. Prior to annexation, Bainbridge Island's shorelines were managed under the Kitsap County SMP and the City of Winslow SMP. The goals and policies in the SMP are an element of the City's Comprehensive Plan. All other portions of the SMP, including the use of regulations, are part of the City's development regulations.

The "precautionary principle" was employed as guidance in updating the policies and regulations of this SMP. The "precautionary principle" is cited in the State Shoreline Guidelines under WAC 173-26-201(3)(g) and states, in part that "as a general rule, the less known about existing resources, the more protective shoreline master program provisions should be to avoid unanticipated impacts to shoreline resources."

1.2.4 Public Involvement

Public participation strategies were used in developing the SMP adopted in 1996, and updating the SMP in 2012.

For the 1996 SMP, the City convened a citizen committee that worked from 1991-1993 to develop the first SMP for the City of Bainbridge Island. In addition, approximately 45 citizen volunteers participated in a shoreline survey. The City used a variety of tools for public outreach, and conducted several public meetings, special topic meetings, and public hearings.

In updating this SMP, the City first developed a public participation plan with the community in March 2010. The public participation plan was accepted by the City Council in May, 2010, and the City used the plan as a guide for public involvement and notification throughout the update process. An SMP Ad Hoc Committee composed of two members from the City Council and two members from the Planning Commission also helped guide the public participation process.

The public participation plan developed with the community identified the following key challenges and opportunities:

- Build Common Understanding
- Clearly Address the Use of Science
- Engage the Community

- Allow Respectful Dialog
- Sustain Community Involvement
- Formed Ad Hoc Committee
- To meet these challenges, the City developed the following outreach components:
- Set up the SMP Update web page
- Identified stakeholders in the SMP Update process
- Created community outreach list
- Developed a Shoreline Education series to inform the community and decision makers about the natural resource processes and the legal requirements of updating the SMP.

At the Shoreline Education series, experts in the field presented information related to the SMP Update and Bainbridge Island. At the end of each presentation, there was an open discussion with the presenter related to issues of the SMP Update. Each of these educational events was advertised and filmed, and the video was made available on the City's SMP Update webpage. The education series included the following topics:

- June 3, 2010, Event #1 Ecology's Role in the SMP Update with Department of Ecology representatives Geoff Tallent, Regional Manager, and Barbara Nightingale, the City's Ecology Project Officer and primary contact;
- June 17, 2010, Event #2, Shoreline Processes with Hugh Shipman, coastal geologist with the Dept. of Ecology's Shorelands and Environmental Assistance program and Jeff Adams, Marine Water Quality Specialist with Washington Sea Grant;
- June 22, 2010, Event #3, Property Rights/Listening Session with Dawn Findlay Reitan, Interim City Attorney from the firm of Inslee Best;
- July 8, 2010, Event #4, Coastal Bluffs and Beaches with Jim Johannesen, principal scientist at Coastal Geological Services; and
- July 27, 2010, Event #5, Nearshore Assessment with Ron Thom, who leads the Coastal Assessment and Restoration group at Battelle's Marine Sciences Laboratory.

Citizen Committees

The City solicited citizen volunteers and formed topic-based workgroups to assist in drafting revisions to SMP policies and regulations that reflected the requirements of the State SMP Guidelines and community values. Four community organizations (Bainbridge Shoreline Property Owners, Bainbridge Concerned Citizens, Association for Bainbridge Communities, and Bainbridge Island People for Puget Sound) self-selected members to represent their organization on the SMP Workgroups. The remaining volunteers were selected by the SMP Ad Hoc Committee. The three topic-based workgroups focused on major issues of the program. A fourth committee, the SMP Task Force, was formed from members selected from each of the three topic-based workgroups. The committees drafted the revisions between September 2010 and August 2011, over the course of approximately 45 public meetings. The citizen committee's recommendations were made available on the City's website for public review and forwarded to

the Planning Commission in July 2011. Public comment was accepted throughout the process, and comments were posted on the City's website.

From July 2011 through March 2012, the Planning Commission reviewed the recommendations and made amendments. Public comment opportunity was provided at each of the Planning Commission's seventeen study sessions. A public hearing on the draft amendments was held on March 29, 2012. The Commission considered public comment and approved the draft on April 12, 2012, and forwarded their recommendation to the City Council for consideration.

The City Council considered the Planning Commission recommendations conducting eleven (11) study sessions from May 2012 to April 2013, and holding a public hearing on May 8, 2013. The Council approved the amendments on May 15, 2013 and forwarded the program to the Department for review on June 7, 2013. After the City held a final public hearing on the draft on July 14, 2014, the Department of Ecology approved the amended program on July 16, 2014.

1.3 Bainbridge Island's Shoreline Master Program (SMP)

1.3.1 Bainbridge Island's Shorelines

Bainbridge Island has approximately 53 miles of waterfront. (See Figure 1-2 Map of Bainbridge Island.) It has seven harbors or bays, each having a long and interesting history and a wide variety of uses. Eagle Harbor has the most activity, including a ferry landing, boatyard repair, a boatyard, numerous marinas and restaurants, a waterfront park, a Superfund site, condominiums, detached homes, and a live-aboard community. Most of the Bainbridge Island's shorelines have been developed with single-family residences, from small summer cabins to large mansions. Their locations range from below ordinary high water to high water cliffs nearly 200 feet above the water. At the north end of the island is a large sand spit called Point Monroe, while at the south end is Restoration Point, composed of raised bedrock located on the Seattle fault.

Bainbridge Island's shorelines exhibit many uses and geologic characteristics. The shoreline is home for about twenty percent of the island residents, as well as numerous species of fish and wildlife. Bald eagles, herons, seals, otters, and numerous waterfowl depend on the shoreline. There are also salmon streams and bays necessary for fish, shellfish, clams, and vegetation to survive. At the south end of the island is an aquaculture farm for salmon. In short, Bainbridge Island's shorelines support a wide variety of life.

Located on the eastern border of Kitsap County, Bainbridge Island is connected to the rest of Kitsap County by one bridge and to Seattle (King County) by a 35-minute ferry ride. Because of its proximity to Seattle, the island has close cultural and economic ties to Seattle. Approximately 23,000 people currently live on Bainbridge Island. The population increased from 15,846 in 1990 to 23,090 in 2012. Until 2008 with the national economic decline, the Island grew at a fairly steady rate of approximately 300 people each year. This increased growth, reflected in higher waterfront land values and taxes, along with a growing concern for the environment, motivated citizen participation in the update of the SMP. The program must strike a balance between imposing regulatory powers for the benefit of the community at large and the rights of the individual property holder. Fortunately, the Act and the public trust doctrine provide the guidance to create a program which recognizes both of these values.

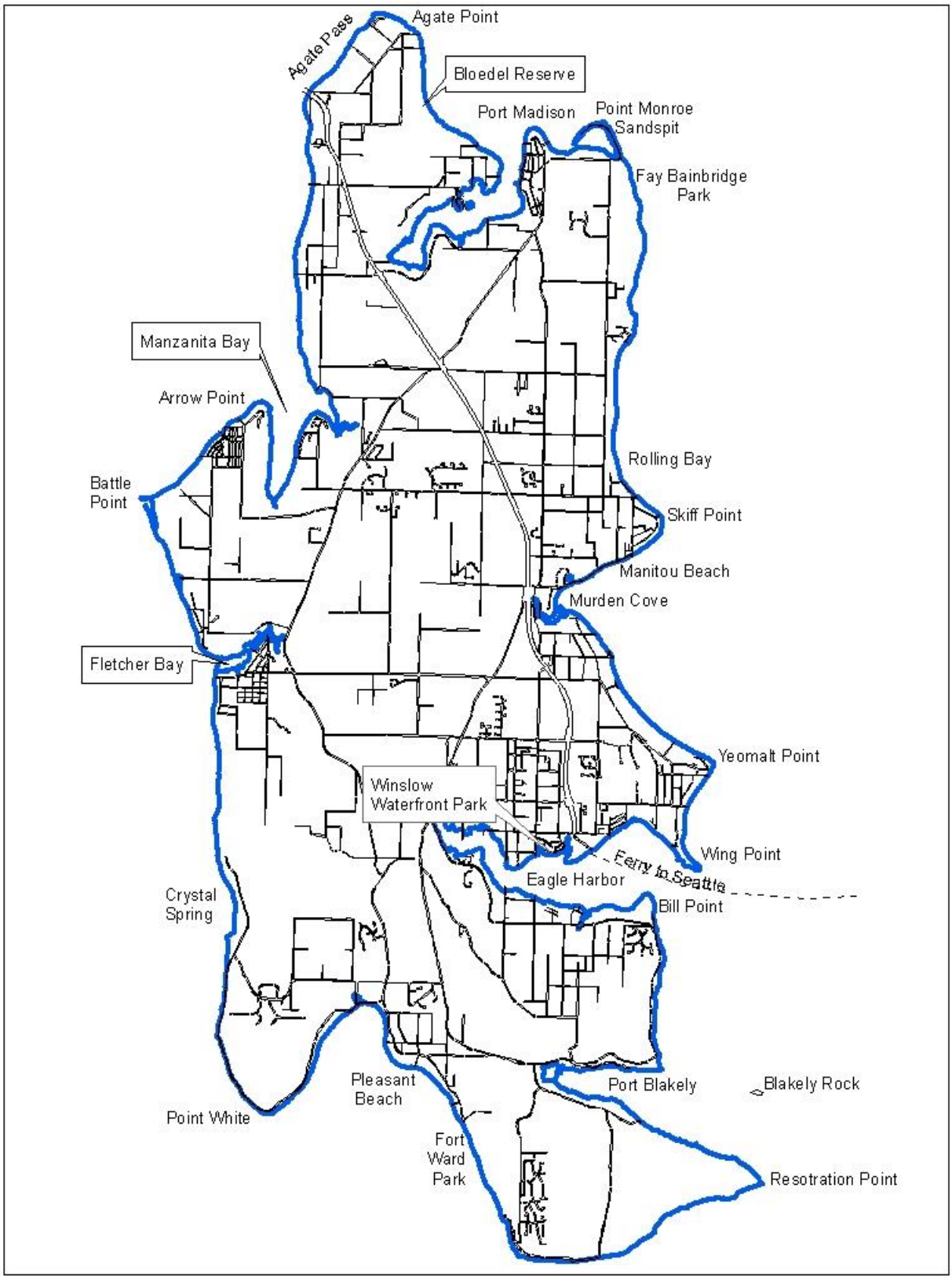

Figure 1-2 Map of Bainbridge Island

1.3.2 Title

This document shall be known as the Bainbridge Island Shoreline Master Program ("the Shoreline Master Program," "Master Program," "the Program", or the "SMP").

1.3.3 Adoption Authority

This Bainbridge Island Shoreline Master Program is adopted under the authority granted by Chapter 90.58 RCW and Chapter 173-26 WAC.

1.3.4 Relationship to Other Plans and Regulations

The Shoreline Master Program regulations are used as an overlay to other City policies and regulations for properties within shoreline jurisdiction. The following provisions apply to this program in relationship to other plans and regulations:

1. In addition to compliance with the provisions of the Shoreline Management Act of 1971 (also called "the Act"; RCW 90.58) and the State Master Program Approval/Amendment Procedures and Master Program Shoreline Guidelines (the "Guidelines" or "Shoreline Master Program Guidelines"; WAC 173-26);, this Shoreline Master Program must be consistent with local plans and policy documents, specifically, the City's Comprehensive Plan and the City's critical areas regulations. This Shoreline Master Program must be consistent with the regulations developed by the City to implement its plans, such as the zoning code and subdivision code, as well as regulations relating to building construction and safety.
2. Uses and developments regulated by this Program may also be subject to other provisions of the Bainbridge Island Municipal Code, the City of Bainbridge Island Comprehensive Plan, the Washington State Environmental Policy Act (Chapter 43.21C RCW and Chapter 197-11 WAC), Chapter 173-27 WAC Shoreline Management Permit and Enforcement Procedures, and other local, state and federal laws.
3. Project proponents are responsible for complying with all applicable laws prior to commencing any use, development or activity.
4. Where this Program makes reference to any RCW, WAC, or other state or federal law or regulation the most recent amendment or current edition shall apply.
5. In the event of a conflict between the provisions of this program and the laws, regulations, codes or rules of any other authority having jurisdiction within the City, the regulations that provide more protection to the shoreline area shall apply, except when constrained by federal or state law, or where specifically provided otherwise in this Program.
6. Other activities that could occur along the shoreline (starting bonfires, disposing or spilling/releasing of regulated or hazardous waste products, use of pesticides, activities within wetlands) may require other permits, review, or approval not identified here.

1.3.5 Applicability of Bainbridge Island Shoreline Master Program

1. The Bainbridge Island Shoreline Master programs applies to 200 feet landward of ordinary high water mark and all marine waters out to the midline of Puget Sound, Port

Madison, Agate Pass, Port Orchard and Rich Passage. The SMP does not apply to freshwater lakes or streams on Bainbridge Island.

2. The provisions of ~~the~~ this Program apply to both existing and new development, uses, lots, and activities as follows: ~~and are not retroactive.~~

    a. Development, uses, lots, and activities lawfully occurring, established or constructed prior to the effective date of the initial adoption of the this Program (November 26, 1996), or amendments thereto, are not required to meet this Program's requirements, unless new development or changes to a development, use, lot or structure that would require review under this Program are proposed.

    b. All existing legally constructed single-family residences and accessory structures, including lawns, landscaping and recreation areas, which do not meet the ~~adopted~~ standards of this ~~Shoreline Master~~ Program are allowed to continue, and are allowed to ~~may~~ be maintained, repaired, ~~and~~ remodeled, or replaced. ~~if destroyed or damaged by natural causes as provided in Section 4.2.1 Nonconforming Uses, Nonconforming Lots, and Existing Development.~~

    c. ~~Residences may be expanded, provided the expansion meets the provisions of this Program, including addressing environmental impacts and meeting the standard for no net loss of ecological functions and ecosystem-wide processes as provided in Section 4.1.2, Environmental Impacts.~~ All proposed uses and development occurring within shoreline jurisdiction must ~~conform to~~ be consistent with Chapter 90.58 RCW, the Shoreline Management Act and this ~~Shoreline Master~~ Program.

    d. ~~All uses~~ Uses and activities that do~~, even those~~ not meet ~~meeting~~ the definition of development~~, are~~ may be subject to the provisions and ~~development~~ regulations of this ~~Shoreline Master~~ Program~~, even though a permit may not be required~~.

3. Any person wishing to undertake activities constituting "development" within shoreline jurisdiction shall apply to the Administrator for a Shoreline Permit. Based on the provisions of this Master Program, the Administrator shall determine if a Letter of Exemption, a Substantial Development Permit, a Shoreline Conditional Use Permit, and/or a Shoreline Variance is required. Substantial development shall not be undertaken within the jurisdiction of the Act and this Master Program unless a Substantial Development Permit has been obtained and the appeal period has been completed and any appeals have been resolved and/or the project proponent is allowed to proceed under the provisions of the Act or by court order. "Substantial development" shall be defined as it is by the Act (RCW 90.58.030) and supplementing provisions of the Washington Administrative Code (WAC 173-27-040).

4. Developments exempt from a Substantial Development Permit, which are outlined in BIMC Section 2.16.165, shall require a Letter of Exemption. A project that qualifies as "exempt development" may also require a Shoreline Conditional Use Permit, and/or a Shoreline Variance.

5. This Master Program shall apply to every individual, firm, partnership, association, organization, corporation, local or state governmental agency, public or municipal

corporation, or other entity which develops, owns, leases or administers lands, wetlands, or waters that fall under the jurisdiction of the Act.

6. Applicability of this Master Program to federal lands and agencies shall be consistent with WAC 173-27-060.

1.3.6 Program Provisions

1. Exempt developments shall not be undertaken within the jurisdiction of the Act and this Master Program, unless a Letter of Exemption has been obtained documenting that the development is consistent with the policies and procedures of the Act, all applicable state regulations and this Master Program.
2. The request for a Letter of Exemption shall be in writing, on forms required by the Administrator, and include the information required by the Administrator.
3. Approved shoreline restoration projects that cause a landward shift in the ordinary high water mark may be relieved from the standards of this Program pursuant to RCW 90.58.580.
4. The "policies" in this Master Program provide broad guidance and direction and will be used by the City in applying the "regulations."

1.3.7 Bainbridge Island Shoreline Master Program Administrative Procedures

As described in the adopted Ordinance 2014-04, with the exception of specific enforcement procedures, the general administrative sections of Shoreline Master Program as listed below are included in Title 2 of the Bainbridge Island Municipal Code. The use of separate local administrative and enforcement procedures is consistent with the 2003 Washington State Shoreline Master Program Guidelines, Administrative provisions [WAC 173-26-191(2)(a)(iii)(C)]:

> Local governments may include administrative, enforcement, and permit review procedures in the master program or the procedures may be defined by a local government ordinance separate from the master program. In either case, these procedures shall conform to the Shoreline Management Act, specifically RCW 90.58.140, 90.58.143, 90.58.210 and 90.58.220 and to Chapter 173-27 WAC.

This allows the City to revise local administrative procedures (fees, application meetings, authority of Administrator, etc.) without another formal SMP amendment process. These chapters must still be consistent and remain consistent with the related provisions in the Shoreline Management Act and state shoreline rules (WAC's). In the event of a conflict, the state RCW or WAC, as amended, will prevail over the local ordinance.

The following administrative sections are part of the Bainbridge Island Municipal Code, BIMC 1.26, Code Enforcement, and BIMC 2.16.165, Shoreline Master Program Administration:

1. Permit or Exemption Required- Before Undertaking Development or Activity
2. Applications
3. Statement of Exemptions from Shoreline Substantial Development Permit

4. Shoreline Substantial Development Permit
5. Shoreline Variance
6. Shoreline Conditional Use Permits
7. Shoreline Application Appeals
8. Enforcement

1.4 Restoration Planning

To achieve island-wide improvements in ecological functions and ecosystem-wide processes as required by WAC 173-26-201(2)(f) and meet the no net loss standard of WAC 173-26-201(2)(c), the City developed a Restoration Plan that guides improvements of degraded shoreline areas over time by restoring shoreline ecological functions and processes over time. The Restoration Plan is linked to the goals and policies of Section 4.1.8, Shoreline Restoration and Enhancement, and is intended to be accomplished through voluntary and incentive-based public and private programs that restore and enhance shoreline areas identified and prioritized for improvement. The Restoration Plan can be found on the City's web page: www.ci.bainbridge-isl.wa.us.

The Restoration Plan provides the following information for shoreline improvements:

1. Identification of degraded areas and opportunities for restoration.
2. Identification of development that is adversely impacting shorelines.
3. Opportunities for protection and conservation.
4. Identification of programmatic restoration strategies.
5. A summary of ongoing and proposed restoration projects.
6. A summary of completed restoration projects.

1.5 Master Goal

The City's shorelines are among the most valuable and fragile of our natural resources and their use, protection, restoration, and preservation is of public interest to all residents of the City. The Island shorelines provide for a significant part of our way of life as a place of residence, recreational enjoyment, and occupation. It is the intent of this program to manage the shorelines of Bainbridge Island consistent with the requirements of the Shoreline Management Act, the Shoreline Master Program Guidelines, and the Growth Management Act, giving preference to water-dependent and water-related uses, and to encourage all reasonable and appropriate development and other activities to occur in a manner which will promote and enhance the public interest and protect environmental resources. An over-arching goal of this master program is to ensure that future use and development of the City's shoreline maintain a balance between competing uses, results in no net loss of shoreline ecological functions, and achieves a net ecosystem improvement over time.

2.0 Shoreline Inventory and Characterization

2.1 Summary

To characterize the Island's 53 miles of shoreline, the City initiated a series of studies to update the Shoreline Master Program with the most current science. A shoreline structure inventory and two shoreline characterization reports were completed. The primary inventory and characterization data is found in the *Nearshore Habitat Characterization and Assessment, Management Strategy Prioritization, and Monitoring Recommendations* produced by Battelle Laboratories for the City of Bainbridge Island in 2004 (Battelle 2004). The assessment uses a conceptual model to determine potential level of impact from alterations to the nearshore environment. The conceptual model identifies nine controlling factors which represent physical, biological, and chemical attributes of the nearshore marine habitats. The integrated spread-sheet model and geographical information system developed by Battelle, quantifies existing anthropogenic impacts by converting qualitative factor values to standardized scores. The model's scoring approach uses a 5-point scale to assign qualitative categories to potential impacts for the nine controlling factors identified in the nearshore conceptual model.

The model divides the shoreline into 201 reaches, which are then grouped into nine (9) management units. The controlling factor score for each represents the predicted impacts affecting nearshore processes. To allow island-wide comparison across different types of shorelines, a normalized index was calculated called the cumulative reach index. Controlling factor scores are best used to prioritize conservation and restoration efforts in the nearshore as indicators for identifying the probability for successful conservation and restoration strategies (Battelle 2004).

The model uses ecological information collected by Washington Department of Natural Resources (WDNR) for a regional shoreline inventory. The data is available through the Department of Ecology's Coastal Atlas. Additional datasets from the City's shoreline structural inventory and other sources are listed in Table 3 in the Battelle document.

An Island-wide inventory of current geomorphic features and an accompanying analysis of historic conditions were produced for the City in 2010 by Coastal Geological Services. This study maps coastal geomorphic shore types (such as "feeder bluffs") and prioritizes restoration and conservation sites. The study includes current and historic mapping of coastal processes and process-impaired areas. Report conclusions integrate a qualitative, coastal processes-based prioritization with an objective of restoring and preserving coastal processes that sustain and maintain critical habitats.

These documents can be accessed from the City's website (www.bainbridgewa.gov).

3.0 Shoreline Designation Policies and Regulations

3.1 General

The Master Program establishes seven shoreline designations based on a combination of existing shoreline features and conditions and types of existing and potential future use. When applied to geographic areas of the island, these designations form an overlay for addressing shoreline considerations to the City's land use regulations. Uses which are consistent with a particular designation are encouraged, while uses which are in conflict are discouraged or prohibited. A conditional use process is available when further review is needed to determine whether the use is compatible with the particular designation at the proposed site. Table 4.1, Shoreline Use and Modification Table, provides a summary of uses in relation to the various shoreline designations. Legally existing uses and activities which are incompatible with their shoreline designation are subject to provisions for shoreline uses and structures which do not conform to the SMP. (See Section 4.2.1, Nonconforming Uses, Nonconforming Structures, and Nonconforming Lots). ~~Non-Conforming Lots, and Existing Development)~~

3.1.1 Shoreline Designation Map

The official Bainbridge Island Shoreline Designation Map (Appendix A) shall be in the custody of the Department of Planning and Community Development and shall be available for public inspection during normal business hours.

The purpose of the map is to depict those areas of Bainbridge Island within the jurisdiction of the Master Program and the various shoreline designations.

3.1.2 Designation Boundaries

Where the shoreline jurisdiction or designation is uncertain, the official shoreline designation map shall be used to determine boundary location. If the conflict cannot be resolved using the shoreline designation map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, alleys or other roadways shall be construed to follow such center lines.
2. Boundaries indicated as approximately following lot, fractional section, or other subdivision lines shall be construed as following such subdivision lines.
3. Boundaries indicated as parallel to or extensions of features identified in subsections 1 and 2 above shall be so construed.
4. When not specifically indicated on the Shoreline Designation Map, distances shall be determined by the scale of the map.
5. If there is no designation on the map, then the Shoreline Residential Conservancy designation applies.

Where existing physical or cultural features are at variance with those shown on the Shoreline Designation Map and cannot be determined with certainty by applying subsections 1 through 4 above, the Department shall determine the location or existence of such feature utilizing any appropriate criteria contained in the Master Program.

3.2 Upland Designations

3.2.1 Urban

3.2.1.1 Purpose

The purpose of Urban is to provide for high-intensity water-oriented commercial, transportation, industrial, mixed-use, multi-family residential, public access and recreational uses while protecting existing natural resources, ecological functions and ecosystem-wide processes, and restoring ecological functions in areas that have been previously degraded.

3.2.1.2 Designation Criteria

Areas to be designated Urban should not have biophysical limitations to development such as wetlands and estuaries, floodplains, steep slopes, landslide hazard areas, and/or other sensitive areas; and must meet one or more of the following criteria:

1. Shorelines used or designated for high intensity commercial, industrial, recreational use, or for multifamily residential development.
2. Areas where adjacent land use is urban and urban services are available or areas designated for higher intensity use under the comprehensive plan.
3. Shorelines used for water-oriented and port activities.

3.2.1.3 Management Policies

1. Priority should be given to the following uses in order of preference: water-dependent, water-related, and water-enjoyment uses. Uses which derive minimal benefit from a water location should be discouraged or prohibited. Nonwater-oriented uses should be allowed only if the use is otherwise compatible with the purpose of the Urban designation and the setting, does not displace water-dependent uses, and results in no net loss of ecological functions and ecosystem-wide processes.
2. New development applications should demonstrate they will not result in a net loss of shoreline ecological functions and ecosystem-wide processes.
3. Environmental remediation and restoration priorities should be established for the shoreline that comply with relevant state and federal law.
4. Because urban use tends to preclude other shoreline uses, emphasis should be given to directing new development into already developed areas consistent with the Master Program.
5. Full utilization of existing urban areas should be achieved before additional areas are designated Urban.
6. Visual and physical public access should be required and implemented where feasible. Industrial and commercial facilities should be designed to permit pedestrian waterfront activities. Planning for the acquisition of land for permanent public access to the water in the Urban designation should be encouraged and implemented, where feasible.

7. To protect shoreline character and promote compatible development within the Urban designation, aesthetic considerations should be actively promoted by mechanisms such as sign control regulations, appropriate development siting, screening and architectural standards, flexible lot design process, and through the maintenance of Shoreline Buffer and Site Specific Vegetation Management Areas.
8. In order to make maximum use of the available shoreline resource and to accommodate future water-dependent uses, redevelopment and restoration for a net ecosystem improvement of degraded urban shoreline areas should be encouraged.
9. Developments within the Urban designation should be compatible with uses and activities in adjacent designations, including Aquatic and Priority Aquatic.

3.2.2 Shoreline Residential

3.2.2.1 Purpose

The purpose of Shoreline Residential is to provide for residential development and appurtenant structures, appropriate public access and recreational use, which are consistent with the Shoreline Management Act, while protecting existing natural resources, ecological functions and ecosystem-wide process, and restoring ecological functions in previously degraded areas.

3.2.2.2 Designation Criteria

Areas to be designated Shoreline Residential should be presently zoned, platted or developed for residential use, and should meet one or more of the following criteria:

1. Areas having the physical ability to support low to medium density residential uses and associated recreational and public service facilities; and/or
2. Areas which can provide, and have the capabilities to support, the necessary public services, utilities, and access to accommodate low to medium density residential development. Sewage disposal and water supply facilities may be provided on an individual or community basis.

3.2.2.3 Management Policies

1. Development and new uses should assure no net loss of shoreline ecological function by compliance with:
    a. Minimum frontage width, setbacks, and buffers;
    b. Lot coverage limitations;
    c. Shoreline stabilization standards; and
    d. Protective measures for vegetation conservation, critical areas and water quality.
2. New development should be permitted only in those shoreline areas that are capable of supporting the proposed use in a manner which protects or enhances the shoreline environment, and reflects the character of the surrounding area such as providing open space and maintaining shoreline vegetation buffers.

3. Public access to shorelines should be required for multi-family residences, apartments, and subdivisions. Common access for single-family residential short subdivisions should be encouraged and should be required where feasible.
4. Recreational developments should provide shoreline areas for community or public open space and public access to shorelines.
5. Access, utilities and public services should be available and adequate to serve existing needs and planned future development.
6. Developments within the Shoreline Residential designation should be compatible with uses and activities in adjacent designations, including Aquatic and Priority Aquatic.
7. Restoration of shoreline ecological functions and ecosystem-wide processes should be encouraged through non regulatory programs.

3.2.3 Shoreline Residential Conservancy

3.2.3.1 Purpose

The purpose of Shoreline Residential Conservancy is to accommodate compatible residential uses while protecting, conserving, and restoring shoreline ecological functions and processes of open space, floodplains or other-flood prone areas, and other sensitive lands. It is the further purpose to conserve and manage valuable historic and cultural resources where they exist. Due to the more sensitive characteristics of these areas, a higher level of development standards is warranted.

3.2.3.2 Designation Criteria

Areas to be designated Shoreline Residential Conservancy should include the following criteria:

1. Areas that are appropriate and planned for water-related or water-enjoyment uses that are compatible with maintaining or restoring ecological functions and processes; or
2. Areas that are not generally suitable for commercial/industrial water-dependent uses or more intensive uses due to the potential impacts these uses may have on the existing shoreline characteristics; and one or more of the following criteria:
    a. Areas subject to severe biophysical limitations such as:
        i. Sediment sources for littoral cell (Feeder Bluffs).
        ii. Flood-prone areas.
        iii. Geo-hydraulic shoreforms (e.g., accretion beaches, barrier beaches, and sand spits).
        iv. Wetlands and estuaries
        v. Areas important to the maintenance of surface water level groundwater flow, and water quality.
        vi. Biodiversity maintenance.
    b. Areas that retain important ecological functions and processes, even though partially developed.

c. Areas with valuable historic or cultural features.

3.2.3.3 Management Policies

1. New residential and other development that preserves the natural character of the area, maintains shoreline vegetation buffers and/or promotes preservation of open space, floodplains or sensitive lands, either directly or over the long-term, should be the principal uses. Development that enhances or results in restoration of ecological functions and ecosystem-wide processes should be encouraged if the use is otherwise compatible with the purpose of the designation, the setting, and with adjacent uses and activities, including aquatic designations.
2. Standards should be established for protecting the sensitive shoreline characteristics in this designation to assure no net loss of shoreline ecological functions and ecosystem-wide process, including measures that provide the following:
    a. Minimum frontage width;
    b. Setbacks;
    c. Shoreline buffers;
    d. Lot coverage limitations;
    e. Shoreline modification standards; and
    f. Protective measures for vegetation conservation, critical areas and water quality.
3. Water-oriented uses should be given priority over nonwater-oriented uses. For shoreline areas adjacent to navigable waters, water-dependent uses should be given highest priority.
4. Public access, common access and public recreation objectives should be implemented as required whenever feasible and significant ecological impacts can be mitigated.
5. High intensity development should be prohibited and commercial uses should be limited to those that are water-oriented, consistent with zoning regulations.
6. Recreational developments should provide shoreline areas for community or public open space and public access to shorelines.

3.2.4 Island Conservancy

3.2.4.1 Purpose

The purpose of Island Conservancy is to accommodate a variety of private or public recreational uses that might have a higher level of impact than would be allowed in the Natural designation. Uses should incorporate elements compatible with protecting, conserving and restoring ecological functions and ecosystem-wide processes of open space, floodplains or other flood prone areas, and other sensitive lands, and manage valuable historic and cultural resources where they exist.

3.2.4.2 Designation Criteria

Areas to be designated Island Conservancy should include the following criteria:

1. Areas that are in public ownership such as open space or parks or in private ownership which are voluntarily designated and one of the following:
    a. Areas that are appropriate and planned for recreational or cultural development that is compatible with maintaining or restoring ecological functions and processes; or
    b. Areas that are suitable for water-oriented recreational or cultural uses, but not generally suitable for intensive uses due to the potential impacts these uses may have on the existing shoreline characteristics.
    c. Areas of high scenic or recreational value such as shoreline parks including urban parks, active use parks, passive use parks, and those privately held recreation areas that voluntarily agree to the designation.
2. Areas with extensive or unique historic or cultural resources.
3. Areas where intensive development or use would interfere with natural processes and result in significant damage to other resources.

3.2.4.2 Management Policies

1. New recreational uses that preserve the natural character of the area or promote preservation of open space, floodplain or sensitive lands either directly or over the long-term should be the principal uses. Uses that enhance or result in restoration of ecological functions and ecosystem-wide processes should be strongly encouraged if the use is otherwise compatible with the purpose of the designation, the setting, and with adjacent uses and activities, including aquatic environments.
2. When required by this Program or other land use covenants, public access and public recreation objectives should be implemented whenever feasible and when significant ecological impacts can be mitigated.
3. Uses in the "Island Conservancy" should be limited to those which sustain the shoreline area's physical and biological resources and uses of a nonpermanent nature, except those preferred uses in 3.2.4.2(4) below, that do not substantially degrade ecological functions or natural character of the shoreline area.
4. Water- recreation facilities that do not deplete the resource over time, such as boating facilities, recreational fishing, wildlife viewing trails, and swimming beaches, are preferred uses, provided shoreline resources are conserved over time and significant adverse cumulative impacts to the shoreline are mitigated.
5. Commercial and industrial uses are not permitted except that low intensity, water-oriented commercial uses may be permitted in limited instances where sites possess shoreline conditions and available services to support the development.
6. Construction of new structural shoreline stabilization and flood control works should only be allowed where there is a documented need to protect an existing primary structure or park use (Section 6.2, Shoreline Stabilization) and mitigation is applied, consistent with WAC 173-26-231, Shoreline Modifications. New development should be designed and located to preclude the need for such work.

7. When allowed, new shoreline stabilization, flood control measures, vegetation removal, and other shoreline modifications should be designed and managed consistent with these guidelines to ensure that the natural shoreline functions and ecosystem-wide processes are protected. Such shoreline modification should be consistent with planning provisions for the restoration of shoreline ecological functions and processes.

3.2.5 Natural

3.2.5.1 Purpose

The purpose of the Natural designation is to protect those shoreline areas where the majority of natural ecological functions and/or shoreline ecosystem-wide processes are retained, often evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, they include ecologically intact shorelines that are free of structural shoreline modifications, structures, and intensive human uses or have potential for restoration.

3.2.5.2 Designation Criteria

Areas to be designated Natural shall meet the following criteria:

1. Areas that perform irreplaceable shoreline ecological functions or ecosystem-wide process that would be damaged by human activity, including areas that contain largely undisturbed or restored shoreline features or unique natural features, such as wetlands, estuaries, unstable bluffs, coastal dunes, sand spits, and ecologically intact shoreline habitats, and one or more of the following:
    a. Wildlife Habitats.
        i. A shoreline area that provides food, water, or cover and protection for any rare, endangered, or diminishing species, or for significant populations of flora or fauna during critical stages of their life cycle.
        ii. A seasonal area for concentration of native animals, fish, or fowl such as a migration route, breeding site, rearing ground, or spawning site.
    b. Areas of Scientific and Educational Value.
        i. Areas considered to best represent basic ecosystems and geologic types that are of particular scientific and educational interest.
        ii. Areas which best represent undisturbed natural areas.
        iii. Areas with established histories of scientific research.
    c. Areas of Scenic and Recreational Value
        i. Those areas having an outstanding or unique scenic feature in their natural state.
        ii. Areas having a high value for wilderness experience.
        iii. Areas which in their natural state have a high value for low intensity recreational use.
    d. Areas with Restoration Potential.

i. Areas which have been degraded, but which have a high potential of being successfully restored to a natural or near natural condition, or are capable of natural regeneration if left undisturbed.

3.2.5.3 Management Policies

1. Any use that would substantially degrade the ecological functions and ecosystem-wide processes or natural character of the shoreline area should not be allowed. The following new uses should not be allowed in the Natural designation:
    a. Residential uses.
    b. Agriculture uses.
    c. Commercial uses.
    d. Industrial uses.
    e. Nonwater-oriented recreation.
    f. Roads, utility corridors, and parking areas that can be located outside of Natural designated shorelines.
2. Limited access should be permitted for scientific, cultural, educational, and passive recreational purposes, provided that no significant, adverse impact on the area will result.
3. Physical alterations, including new development or "significant removal of vegetation", should only be considered when: a) they serve to protect a significant, unique, or highly valued feature which might otherwise be degraded or destroyed; and b) when alterations would not result in a net loss of shoreline ecological functions and ecosystem-wide processes; and c) alterations would not further degrade other shoreline values; and d) vegetation removal would not reduce the capability of vegetation to perform normal ecological functions and processes.
4. Uses and activities within the Natural designation should be compatible with uses and activities in adjacent, including aquatic designations.
5. A single active use area should be allowed with appropriate compensatory mitigation to accommodate cultural events and passive recreational uses near the log pond at Blakely Harbor Park.

3.3 Aquatic Designations

3.3.1 Aquatic

3.3.1.1 Purpose

The purpose of the Aquatic designation is to protect, restore and manage the sensitive and unique characteristics and resources of the waters of the Puget Sound, tidelands, and submerged intertidal areas located waterward of the ordinary high water mark. The Aquatic designation may allow either multiple water-dependent uses or specific dominant water-dependent uses. It is intended to promote sustainable use of the natural features and resources of Aquatic areas.

3.3.1.2 Designation Criteria

Aquatic areas include:

1. All marine areas waterward of the OHWM which have not been designated Priority Aquatic.
2. All wetlands associated to the above which have not been designated priority aquatic.

3.3.1.3 Management Policies

1. Uses that adversely impact the ecological functions of critical saltwater and freshwater habitats should not be allowed except where necessary to achieve the restoration objectives, and then only when the impacts are mitigated to assure no net loss of ecological functions and ecosystem-wide processes. Compatibility between upland and aquatic uses should be confirmed.
2. New over-water structures are allowed only for water-dependent uses, public access or ecological restoration and such structures must be limited to the minimum size necessary to support the structure's intended use while protecting and conserving aquatic resources.
3. Diverse public access opportunities should be encouraged and developed and should be compatible with the existing shoreline and aquatic uses.
4. Aquaculture practices, should be limited to those activities that can demonstrate that significant impacts to ecological functions, ecosystem-wide processes, and adjacent land uses will not occur. Aquaculture should be encouraged in those tidelands, waters and beds most suitable for such use.
5. Multiple use of over-water facilities or tidelands is preferred over a single industry use. In appropriate areas, fishing and water recreation should be protected from competing uses.
6. All developments and uses on navigable waters, tidelands or bedlands should be located to avoid and designed to minimize interference with navigation.
7. Development and uses on navigable waters, tidelands or bedlands should be located to avoid and designed to minimize impacts to public views.
8. Development and uses on navigable waters, tidelands or bedlands should be designed and located for the safe, unobstructed passage of fish and wildlife, including species whose life cycles are dependent on migration that would be impacted by in-water development.
9. Uses that accommodate deep draft vessels and/or require placement of fill, if allowed, should not occur in areas requiring extensive initial or maintenance dredging or if significant adverse environmental impacts cannot be mitigated.
10. Development of underwater pipelines and cables on tidelands should be discouraged except where adverse environmental impacts can be shown to be less than the impact of upland alternatives. When permitted, such facilities should include adequate provisions to ensure against substantial or irrevocable damage to the environment and no net loss of ecological functions and ecosystem-wide processes.

11. Abandoned and/or neglected structures which cause adverse visual impacts or are a hazard to public health, safety, and welfare should be removed or restored to a useable condition consistent with the provisions of this Program.
12. Restoration or enhancement of aquatic resources and adjacent uplands is encouraged.

3.3.2 Priority Aquatic

3.3.2.1 Purpose

The purpose of the Priority Aquatic designation is to protect, preserve, restore and manage aquatic areas of sensitive and unique ecological value that include those portions of the marine waters of the City that exist in a relatively natural state, free of human influence, or which contain resources, biological diversity, or other features that are particularly sensitive to human activity, or which contain unique, historical, archeological, cultural, or educational features that merit special protection.

3.3.2.2 Designation Criteria

A number of separate criteria are required to define the diverse character of Priority Aquatic types. Tidal lagoons and sensitive portions of tidal inlets will require protection in terms of water salinity and quality, sediment quality and quantity, native vegetation on adjacent shorelines, and remaining areas of native salt-tolerant vegetation. Other types, such as aquatic vegetation, have similar requirements. The Priority Aquatic designation requires additional restrictions than the Aquatic designation on the intensity and type of permitted uses to maintain the integrity of the shoreline environment. Two subcategories of Priority Aquatic will be established in order to recognize the level of development adjacent to the Priority Aquatic and provide an appropriate level protection for the critical habitat. Priority Aquatic shall be designated as follows:

1. Priority Aquatic Category A is more protective and intended to be the default classification.
    a. Those areas previously designated Aquatic Conservancy are designated Priority Aquatic Category A.
2. Priority Aquatic areas located adjacent to upland areas with a high level of existing development are classified as Priority Aquatic B.

The City shall map the limits of the designations with assistance from state resource agencies and other cooperating agencies. Any aquatic area in which actions have been taken under an approved permit that create, restore, or enhance characteristics of the aquatic area that meet any of these criteria shall be designated Priority Aquatic through an amendment to this program as specified in BIMC Section 2.16.200. Where there is a conflict between the map and criteria, the criteria will prevail provided a report is prepared within three years by a qualified professional verifying that the map is in error. The report will be the responsibility of the party requesting the map change. The City may require a third-party review at the applicant's expense. If areas are determined to be appropriate for designation, an amendment to this Program is required to designate Priority Aquatic and shall be processed as specified in Shoreline Master Program Administration, BIMC Section 2.16.200.

3.3.2.3 Type 1: Embayment: Barrier Estuary, Barrier Lagoons, or Closed Lagoon and Marshes

The upland boundary of Type 1 Priority Aquatic shall be the OHWM. There are two barrier lagoons currently identified on the Island; "Point Monroe Lagoon" and "Battle Point Lagoon"; two closed lagoons and marshes "Wing Point Lagoon" and "Tolo Lagoon"; and one barrier estuary "Fletcher Bay".

3.3.2.4 Type 2: Salt marshes and mud flats in Open Coastal Inlets

Embayments and related intertidal areas subject to the daily influence of tides where they support salt-tolerant vegetation and/or exposed mudflats. Open coastal inlets areas should be designated Priority Aquatic if they meet either Criterion I or II below. Only those areas designated will be subject to the Priority Aquatic management policies and regulations.

This type of Priority Aquatic designation shall extend from the OHWM to six (6) feet below mean lower low water (MLLW). If the inlet is less than six hundred (600) feet wide, or less then (6) feet deep at the MLLW, the resource should be considered to be a single system encompassing both sides and the channel. In these cases, boundaries should be drawn from the OHWM to a line perpendicular to the average direction of the tidal flow where the criteria are no longer met. Parts of tidal inlets that do not fit either criterion, and do not fit other types of Priority Aquatic designation, shall be designated Aquatic.

Criterion I: The area between the OHWM and MLLW that provides a habitat for at least one quarter (1/4) acre of salt-tolerant vegetation. Vegetated patches may be smaller than one quarter (1/4) acre, but the total vegetated area must be at least one quarter (1/4) acre.

Criterion II: At least one quarter (1/4) acre of exposed flats is exhibited between OHWM and MLLW whose sediments are at least thirty (30) percent muds.

3.3.2.5 Type 3: Marine Vegetation

Areas waterward of the MLLW that support a sustainable community of kelp, or eelgrass and/or other submerged aquatic vegetation in sufficient quantities to provide special value as habitat for marine life.

Consideration for Priority Aquatic designation under Type 3 may be initiated by any interested person, group, or the City. A petition for nomination shall be submitted by an interested person or group. The following information shall be used by the City to determine when an area meets the criteria for Priority Aquatic under Type 3:

1. Delineation of proposed area, including aerial extent and bathymetric contours.
2. Inventory of submerged aquatic vegetation. Use percent coverage for macro algae and shoot density for eelgrass.
3. Further information, as determined by the Administrator, may be required in addition to the above including but not limited to:
    a. Relationship of proposed area to nearby ecosystems.
    b. List of species utilizing the proposed area.

c. Abundance and diversity of species in the proposed area.

The City shall keep a record and review data annually to determine whether sites are appropriate for nomination under Type 3. If areas are determined to be appropriate for designation, an amendment to this program is required to designate Priority Aquatic and shall be processed as an amendment as specified in the Shoreline Master Program Administration, BIMC Section 2.16.200.

3.3.2.6 Type 4 Other areas

Areas, as designated through the Shoreline Master Program amendment process [BIMC Section 2.16.200], whose existing natural state is relatively free of human influence, or in which resources, biological diversity, or other features are particularly sensitive to human activity, or in which unique ecology, historical, archeological, cultural, or educational features merit special protection. Designation under this type shall be based on a report documenting the presence, function, and distribution of the resources in the area to be designated.

3.3.2.7 Priority Aquatic Category A Management Policies

1. The City should develop a program that identifies critical saltwater habitat appropriate for greater protection under the provisions of the Priority Aquatic designation. The program should include a process to review citizen petitions for Priority Aquatic designation.
2. Uses and activities which would potentially degrade or significantly alter the natural or visual character or ecological functions and ecosystem-wide processes of the shoreline should be severely restricted or prohibited and only allowed if adverse impacts can be mitigated to ensure no net loss of ecological functions and processes.
3. Public use and access should be permitted for scientific, cultural, educational, and recreational purposes if such use is compatible with the purposes of this designation and no significant adverse impact to the biological and visual resources of the areas will result. Motorized vessels should not be allowed.
4. In conjunction with the Island-wide shoreline restoration plan, physical alterations should only be considered when they serve to protect or enhance significant, unique, or highly valued features which might otherwise be degraded or destroyed.
5. Uses and activities adjacent to shorelines designated Priority Aquatic should be compatible with and not compromise the integrity of the Priority Aquatic designation.
6. Protection of shoreline vegetation should be established in all adjacent upland designations to protect the ecological functions, ecosystem-wide processes and characteristics of the Priority Aquatic designation. (See Section 4.1.5, Critical Areas.)
7. A management study of each area should be conducted with appropriate agencies and residents to determine possible refinements to the adopted types, changes in the boundaries of the designated areas, and/or inclusion of additional management strategies.
8. Restoration of enhancement of aquatic resources and adjacent uplands is encouraged.

3.3.2.8 Priority Aquatic Category B Management Policies

1. Implement policy number 1 in Priority Aquatic A management policies (3.3.2.7).

2. Uses and activities which would potentially degrade or significantly alter the natural or visual character or ecological functions and ecosystem-wide processes of the shoreline should be limited and only allowed when adverse impacts can be mitigated to ensure no net loss of ecological functions.
3. Public use and access should be permitted for:
    a. Scientific, cultural, educational purposes;
    b. Recreational shellfish harvesting of a de minimis nature;
    c. When vessels are operated to limit wake and noise impacts; and
    d. Uses compatible with the purpose of this designation, provided that no significant, adverse impact to the biological and visual resources of on the area will result.
4. In conjunction with the part of an Island-wide shoreline restoration plan, physical alterations should only be considered when they serve to protect or enhance significant, unique, or highly valued features which might otherwise be degraded or destroyed.
5. Protection and enhancement of shoreline buffers should be established in all adjacent upland designation to protect the ecological functions, ecosystem-wide processes and characteristics of the Priority Aquatic designation areas. (See 4.1.5 Critical Areas)
6. Restoration or enhancement of aquatic resources and adjacent uplands is encouraged.

3.4 Island Conservancy, Shoreline Residential and Shoreline Residential Conservancy Designation Strategy

In general, shoreline designations criteria are based on the existing use, characteristics of the shoreline environment, and modified by the expected land use. To ensure consistent application of shoreline residential designation criteria a framework was developed to meet natural resource management strategies recommended by the Environmental Technical Advisory Committee. The committee recommended using a broad stroke approach to manage natural resources in an attempt to avoid a piecemeal development pattern. The following rules apply:

1. For properties zoned single family residential, the default shoreline designation is Shoreline Residential.
2. Properties within the Winslow Master Plan area will be designated Shoreline Residential to accommodate the comprehensive plan policy of focusing new residential development into the plan's service area.
3. If less than ten parcels or 1,000 linear feet exist between Shoreline Residential Conservancy designations, then the properties between the two designations will also be designated Shoreline Residential Conservancy to avoid fragmented management of ecological functions and ecosystem-wide processes.
4. If a property has a conservation easement and is adjacent to either a Shoreline Residential Conservancy or Island Conservancy designation, then the property is designated Shoreline Residential Conservancy.
5. All publicly owned open space or park properties shall be designed Island Conservancy or Natural.

6. All publicly owned saltwater road ends shall be designated Island Conservancy.

4.0 General (Island-wide) Policies and Regulations

Introduction

The following general policies and regulations apply to all designations. These provisions are to be used in conjunction with the more specific shoreline use (referred to as "uses") and shoreline modification activity (referred to as "activities") policies and regulations found in Sections 4.0 and 5.0 respectively.

4.0.1 Regulations - General

1. All new shoreline uses and shoreline modification activities, including those that do not require a Shoreline Substantial Development Permit, must conform to all applicable goals, policies, shoreline designations (including the shoreline designation map), and regulations and use tables provided in this Master Program.
2. Shoreline modification activities must be in support of an allowable shoreline use which conforms to the provisions of the Master Program. Except as otherwise noted, all shoreline modification activities not associated with a legally existing or approved shoreline use are prohibited.
3. Shoreline uses, modification activities, and conditions listed as "prohibited" in Table 4-1 shall not be eligible for consideration as a Shoreline Variance or Shoreline Conditional Use Permit.
4. Uses, modification activities, and conditions that are not "prohibited" and not listed in Table 4-1 shall be reviewed through the Shoreline Conditional Use process.
5. The policies listed in the Master Program shall provide broad guidance and direction and shall be used by the Director in interpreting the "regulations."
6. BIMC Title 18 Zoning or its successor also apply to shoreline parcels.
7. Where provisions of this Master Program or other provisions in BIMC conflict, ~~the more restrictive provisions shall apply unless specifically stated otherwise.~~ the conflict shall be resolved by the Director of Planning and Community Development by applying the provision that provides the most protection of shoreline ecological functions consistent with the purposes and intent of the Shoreline Management Act. If the Director's decision is made in response to a code interpretation request filed under BIMC 2.16.020.D, the decision shall be appealable in the same manner as other code interpretations. If the Director's decision is made in the processing of a development permit, the Director's decision shall be appealable as part of the permit decision.
8. The use table (Table 4-1), shoreline setback table (Table 4-2), and the shoreline buffer table (Table 4-3) provide regulatory use and dimensional provisions for each shoreline designation.
9. An increase in the dimensional height standard (Table 4-2) for essential public facilities shall be reviewed through a Shoreline Conditional Use. Submittal requirements are in Section 4.1.2.9(2).
10. Submittal requirements for all shoreline development permits or shoreline exemptions are in BIMC Title 2 and the Administrative Manual.

Explanation of Table Abbreviations

The abbreviations used in the Table 4-1 have the following meanings:

- "P" in a cell indicates that the use is permitted by right in that designation. Permitted uses are subject to all other applicable regulations of this Program, including the use-specific standards.
- "C" in a cell indicates that, in the respective designation, the use is a conditional use that is allowed only if reviewed and approved in accordance with the procedures set forth in BIMC Title 2. Unless otherwise stated in this Program or in a conditional use approval, conditional uses are subject to all other applicable regulations of this Code, including the use-specific standards.
- An "A" in a cell indicated that the use is permitted as an accessory use to a permitted use or to an approved conditional use in the same designation. In the case of approved conditional uses, accessory uses listed in the table are permitted unless the terms of the conditional use permit prohibit that accessory use.
- A "CA" in a cell indicated that the use is permitted as an accessory use to a permitted use or to an approved conditional use, but that a conditional use permit is always required.
- An "X" indicated that the use is prohibited in the respective designation. The use may be allowed outside the shoreline jurisdiction, see Title 18 Zoning.
- The column headed "Use Specific Standards" identifies a subsection within BIMC 16.12 that imposes additional standards with which the use must comply. The use specific standard may limit the "P" or "C" designation to certain areas.

Table 4-1. Shoreline Use and Modification Table

Table 4-1 Shoreline Use and Modification Table

"P" = Permitted Use "X" = Prohibited Use "A" = Accessory Use
"C" = Conditional Use "#" = Same as Upland Property "CA" – Conditional Accessory Use

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Natural Resource Management									
Agriculture	X	X	X	X	X	X	X	X	
Aquaculture	C[1]	X	C	C	C	C	C[1]	C[1]	
Aquaculture, Shellfish Garden	X	P	P	P	P	P	P[1]	P[1]	
Flood Hazard Management [7]	X	C	C	C	C	#	X	X	
Stormwater Management [7]	X	P	P	P	P	#	X	X	
Forest Practices	X	X	C	C	C	X	X	X	
Shoreline Restoration	P	P	P	P	P	P	P	P	
Commercial Development									
Boating Facilities	X	C[8]	X	C[9]	P	#	X	X	
Nonwater-Oriented	X	X[8]	X[22]	X	C[17]	X	X	X	
Water-Dependent	X	X	X[22]	C	P	#	X	X	
Water-Related or Enjoyment	X	X	X[22]	C	P	X	X	X	
Educational and Community Facilities									
Educational Facility	X	C	C	C	P	X	X	X	
Governmental Facility	X	X	C	C	P	X	X	X	
Religious Facility	X	C	C	C	P	X	X	X	

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	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Cultural and Entertainment Facilities									
Club	X	C	C	C	P	X	X	X	
Commercial Amusement	X	X	C	C	P	X	X	X	
Cultural Facility	X	C	C	C	P	X	X	X	
Entertainment Facility	X	X	C	C	P	X	X	X	
Industrial									
Mining	X	X	X	X	X	X	X	X	
Nonwater-Oriented	X	X	X	X	X	X	X	X	
Solid Waste Disposal	X	X	X	X	X	X	X	X	
Water-Dependent	X	X	X	X	P	#	X	X	
Water-Related	X	X	X	X	C	#	X	X	
Water Enjoyment	X	X	X	X	X	X	X	X	
Overwater Structures									
Boatlift	X	X	P	P	P	#	X	#	
Marine Railway	X	X	P	P	P	#	X	X	
Marine Railway, Retractable [12]	X	P	P	P	P	#	X	#	
Mooring Buoys	X	P	P	P	P	#	X	X	
Piers and Docks	X	C[16]	P	P	P	#	X	P	
Recreational Floats	X	X	X	P	P	#	X	X	
Recreational Development									

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	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Golf Courses	X	C	X	C	C	X	X	X	
Nonwater-Oriented	X	X	X	C	C	X	X	X	
Recreation, Active	X	C[16]	C[19]	C	P	#	X	X	
Recreation, Passive	P	P	P	P	P	#	P[14]	P[14]	
Event: Recreation, Culture, Education									
Water-Oriented	X	P	P	P	P	#	X	X	
Residential									
Accessory Dwelling Unit	X	C	C[19]	C	C	X	X	X	
Subdivision	C	P	P	P	P	#	#	#	
Multi-family [22]	X	X	X	P	P	X	X	X	
Single-family	X	C	P	P	P	X	X	X	
Shoreline/Aquatic Modification [5] [7]									
Beach Nourishment (Mitigation)	C	P	P	P	P	#	#	#	
Beach Enhancement (non-restoration) [6]	C[12]	C[12]	C[12]	C[12]	C[12]	#	#	#	
Breakwaters	X	X	X	X	X	X	X	X	
Dredging	X	X	X	X	X	C	X	C	
Drift Sill	X	X	X	X	X	P	P	P	
Landfill	C	C	C	C	C	#	X	X	
Fill	X	C	X	X	C	#	X	X	

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	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Repair of Shoreline Stabilization	X	P	P	P	P	#	#	#	
New or Replacement Shoreline Stabilization, Hard [4]									
New Bulkheads	X	X	P[19]	P	P	#	X	X	
Replacement Bulkheads	X	X	P[19]	P	P	#	#	#	
Gabions	X	X	X	X	X	X	X	X	
Weirs, Groins (rock or concrete)	X	X	X	X	X	X	X	X	
Jetties	X	X	X	X	X	X	X	X	
Levees/Dikes	X	X	X	X	X	X	X	X	
Retaining Walls and Bluff Walls	X	C	C	C	C	X	X	X	
Revetments	X	X	X[2]	X[2]	X[2]	#	X	X	
Seawalls	X	X	X	X	X	X	X	X	
Hybrid	X	P	P	P	P	#	#	#	
New or Replacement Shoreline Stabilization Non-Structural and Soft									
Non-Structural Stabilization, Soft-treatment	X	P	P	P	P	#	#	#	
Transportation									
Existing Road repair	X	P	P	P	P	X	X	X	
New Arterials	X	X	X	X	X	X	X	X	

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	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
New Highways	X	X	X	X	X	X	X	X	
New Secondary Arterials	X	X	X	X	X	X	X	X	
Float Plane Facilities and Services	X	X	X	X	C	#	X	X	
Heliports	X	X	X	X	X	X	X	X	
Additional Bridge to Bainbridge Island	X	X	X	X	X	X	X	X	
Parking (primary)	X	X	X	X	X	X	X	X	
Public Access Facilities									
Public Ferry Terminal Facilities and Services	X	X	X	X	P	#	X	X	
Over-water Public Ferry Terminal Facilities and Services	X	X	X	X	C[10]	#	X	X	
Railroads	X	X	X	X	X	X	X	X	
Trails	P	P	P	P	P	#	#	#	
Utilities & Telecommunication									
Utilities (primary)	X	X	C[11]	C[11]	C[11]	#	X	X	
Signs									
Primary	X	X	X	X	X	P	X	X	
Accessory Structures									
All Uses									

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	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Potable Water Wells	X	A	A	A	A	X	X	X	
Signs	X[20]	X[20]	P	P	P	P	X[20]	X[20]	
Tram	X	A	A	A	A	#	X	X	
Underground Utilities	X	A[21]	A[21]	A[21]	A[21]	#	X	X	
Residential									
Upland appurtenant Structures	X	CA	A	A	A	#	X	X	
Commercial									
Upland appurtenant structures that support a water-dependent use [13]	X	X	X	CA	A	#	X	X	
Upland appurtenant structures that support a water related or water enjoyment use [13]	X	X	X	CA	A	X	X	X	
Upland appurtenant structures that support a non-water oriented use [13]	X	X[8]	X	X	C[17]	X	X	X	
Industrial									
Upland appurtenant structures that support a water-dependent use [13]	X	X	X	X	A	#	X	X	
Upland appurtenant structures that support a water related [13]	X	X	X	X	CA	#	X	X	

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	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Upland appurtenant structures that support a water enjoyment use [13]	X	X	X	X	X	X	X	X	
Upland appurtenant structures that support a non-water oriented use [13]	X	X	X	X	X	X	X	X	
Public Park/Recreational Development									
Public pathways to the shoreline	A	A	A	A	A	#	#	#	
Public Stairway	A	A	A	A	A	#	#	#	
Access Roads	X	A	A	A	A	X	X	X	
Upland appurtenant structures that support a water-oriented Active recreational use	X	A	CA	CA	A	#	X	X	
Upland appurtenant structures that support a water oriented passive recreational use	A	A	A	A	A	#	A[14]	A[14]	
Upland appurtenant structures that support a non-water oriented use	X	X	X	X	X	X	X	X	

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	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	

[1] Allowed if using native species and part of an approved shoreline restoration project.
[2] Revetments are prohibited unless they are constructed as part of a public facilities project.
[3] Construction of a bulkhead, revetment, or other structure for the purpose of retaining a landfill or creating dry land is prohibited, unless it is proposed in conjunction with a water-dependent or public use.
[4] Stabilization that would cause significant impacts to adjacent or down current properties is prohibited.
[5] Shoreline modification should not be located on feeder bluffs, except when the area is already developed with a single family primary structure, in which case stabilization may be allowed pursuant to the provisions in Section 6.2, Shoreline Stabilization.
[6] Beach enhancement is prohibited if it interferes with the normal public use of the navigable waters of the state.
[7] Shoreline stabilization and flood protection works are prohibited in wetlands (located in both the upland and the shoreline jurisdiction). They are also prohibited in salmon and trout spawning areas, except for fish or wildlife habitat enhancement.
[8] Public parks only. Nonwater-oriented commercial development only for concessions as accessory use allowed as an SSDP.
[9] Community and joint use docks providing moorage for six or more vessels are permitted with an SSDP but must comply with the provisions in BIMC 16.12.5.4, Boating facilities, as well as the provisions in BIMC 16.12.6.3, Overwater Structures.
[10] New overwater facilities are permitted as a conditional use only in the ferry terminal district. Normal repair and maintenance of existing over-water facilities do not require a Shoreline Conditional Use Permit, but may require an SSDP.
[11] Permitted as a conditional use if no feasible alternative exists.
[12] If upland of Priority Aquatic designation, then the use is prohibited.
[13] All structures are prohibited in Zone 1 upland of a Priority Aquatic Category A designation.
[14] Passive recreational uses and activities are allowed. Development and associated structures is allowed through a Shoreline Conditional Use Permit.
[15] As allowed by Island Conservancy designation 3.3.5.2(6)
[16] Except in Waterfront Park a dock is permitted with a SSDP.
[17] Mixed-use Commercial/Industrial only.
[18] Day use only.
[19] Prohibited or restricted in the Point Monroe District.
[20] Allowed for Public Park, Interpretive, Information, Direction or Dedication. Temporary signs are allowed in accordance with Section 4.2.5 Signs
[21] Conditional use when primary use is a conditional use.
[22] Mixed use development is allowed in areas within the Mixed Use Town Center zones, when physically separated from the shoreline by another parcel in accordance with Section 5.4 Commercial Development.

Table 4-2. Dimensional Standards Table

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Natural Resource Management									
Aquaculture									
Setbacks									
Water-dependent	X	0’	0’	0’	0’	DOES NOT APPLY TO DEVELOPMENT BELOW OHWM			
Water-related	X	25’	25’	25’	25’				
Nonwater-oriented	X	150’	115’	100’	100’				
Height Limit									
Overwater Structures	DOES NOT APPLY TO DEVELOPMENT ABOVE THE OHWM					3'	X	3'	
Accessory use on overwater structures						3'	X	3'	
Overwater Structure Predator Control						6'	X	6'	
Upland	X	30’	30’	30’	30’	DOES NOT APPLY TO DEVELOPMENT BELOW OHWM			

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Aquaculture, Noncommercial for Recovery of Native Population									
Setbacks									
Water-dependent	X	0’	0’	0’	0’	DOES NOT APPLY TO DEVELOPMENT BELOW OHWM			
Water-related	X	25’	25’	25’	25’				
Nonwater-oriented	X	150’	115’	100’	100’				
Height Limit									
Overwater	DOES NOT APPLY TO DEVELOPMENT ABOVE THE OHWM					3'	X	3'	
Upland	X	30’	30’	30’	30’	DOES NOT APPLY TO DEVELOPMENT BELOW OHWM			
Commercial Development									
Boating Facilities									
Setbacks									
Accessory Structures	X	X	X	50’	30’				
Water-dependent	X	X	X	0’	0’				
Dry Moorage	X	X	100’	100’	100’				
Height Limit									
Dry moorage	X	X	20’	20’	30’				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Buildings	X	X	20’	20’	30’				
Non-water Oriented									
Setbacks									
	X	X	X	200’[2]	200’[2]				
Height Limit									
	X	X	X	30’	30’				
Water-Dependent									
Setback									
	X	X	X	0’	0’				
Height Limit									
	X	X	X	30’	30’				
Water-Related and Enjoyment									
Setback									
	X	X	X	50’[1]	30’				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Height Limit									
	X	50'[1]	X	30'	30'				
Educational and Community Facilities									
Educational Facility									
Setbacks									
Water-dependent	X	X	0'	0'	0'				
Water-related	X	X	50'[1]	30'[1]	30'[1]				
Nonwater-oriented	X	X	115'[1]	30'[1]	30'[1]				
Height Limit									
Upland	X	X	30'	30'	30'				
Governmental Facility									
Setbacks									
Water-dependent	X	X	0'	0'	0'				
Water-related	X	X	50'[1]	30'[1]	30'[1]				
Nonwater-oriented	X	X	115'	75'	30'				
Height Limit									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Upland	30’	30’	30’	30’	30’				
Religious Facility									
OHWM Setback									
Water-dependent	X	0’	0’	0’	0’				
Water-related	X	50’[1]	50’[1]	30’[1]	30’				
Nonwater-oriented	X	150’	115’	75’	30’				
Height Limit									
Upland	X	30’	30’	30’	30’				
Cultural and Entertainment Facilities									
Club									
Setbacks									
Water-dependent	0’	0’	0’	0’	0’				
Water-related	100’	50’[1]	50’[1]	30’[1]	30’				
Nonwater-oriented	100’	150’	115’	75’	30’				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Height Limit									
Upland	30’	30’	30’	30’	30’				
Commercial Amusement									
Setbacks									
Water-dependent	X	X	0’	0’	0’				
Water-related	X	X	50’[1]	30’[1]	30’				
Nonwater-oriented	X	X	150’	75’	30’				
Height Limit									
Upland	X	X	30’	30’	30’				
Cultural Facility									
Setbacks									
Water-dependent	0’	0’	0’	0’	0’				
Water-related	100’	50’[1]	50’[1]	30’[1]	20’				
Nonwater-oriented	100’	150’	115’	75’	20’				
Height Limit									
Upland	30’	30’	30’	30’	30’				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Entertainment Facility									
Setbacks									
Water-dependent	X	0’	0’	0’	0’				
Water-related	X	100’[1]	100’[1]	50’[1]	30’				
Nonwater-oriented	X	150’	115’	75’	30’				
Height Limit									
Upland	X	30’	30’	30’	30’				
Industrial									
Water-Dependent									
Setbacks									
	X	X	X	X	0’’				
Height Limit									
Upland	X	X	X	X	30’				
Water-Related									
Setbacks									
	X	X	X	X	100’				
Height Limit									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Upland	X	X	X	X	30’				
Overwater Structures									
Marine Railway									
Setbacks									
	X	X	10’						
Height Limit									
Upland	X	X	10’						
Marine Railway, Retractable [12]									
Setbacks									
	X	10’							
Height Limit									
Upland	X	10’							
Mooring Buoys									
Setbacks									
From Overwater Structures	100’								

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Piers and Docks									
Setbacks From Property Lines									
	10’						X	10’	
Recreational Floats									
Setbacks									
From Overwater Structures	100’						X	X	
Recreational Development									
Height Limit									
Upland	X	20’	20’	20’	30’				
Nonwater-oriented									
Setbacks									
	200’	200’	200’	200’	100’				
Park, Active Recreation									
Setbacks									
Water-Dependent Primary Structure	X	[2]	[2]	[2]	[2]	[2]	[2]	[2]	
Car/RV Camp Site	X	100’	100’	100’	50’				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Golf Course	X	100’	100’	100’	100’				
Play-structure	X	100’	100’	100’	50’				
Playfields or other Intensive use areas	X	150’	150’	100’	100’				
Height									
Upland	X	20’	20’	20’	20’				
Park, Passive Recreation									
Setbacks									
Water-Dependent Primary Structure	X	[2]	[2]	[2]	[2]	[2]	[2]		
Picnic Area and Related	X	75’[1]	75’[1]	75’[1]	30’[1]				
Kayak/Hiking and Related Camp Site	X	50’[1]	50’[1]	50’[1]	30’[1]				
Accessory Use									
Setbacks									
Access Roads	X	75’[1][3]	75’[1][3]	75’[1]	50’[1][3]				
Parking	X	100’[1]	100’[1]	100’	50’				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Events, Recreation; Education; Culture									
Setbacks									
Water-Dependent	X	0’	0’	0’	0’				
Water-related/Enjoyment	X	50’[1]	50’[1]	50’[1]	30’				
Residential									
Flex lot Subdivision									
Setbacks									
SUBJECT TO 30% SIDE YARD SETBACK, SHORELINE SETBACK AND ZONING AND SUBDIVISION REQUIREMENTS									
Height Limit									
Upland	X	30’	30’	30’	30’				
Multi-family									
Setbacks									
SUBJECT TO 30% SIDE YARD SETBACK, SHORELINE SETBACK AND ZONING REQUIREMENTS AND BIMC Title 18									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Height Limit									
Upland	X	X	30’	30’	30’				
Single-family									
Setbacks									
SUBJECT TO 30% SIDE YARD SETBACK, SHORELINE SETBACK AND ZONING REQUIREMENTS									
Height Limit									
Upland	X	30’	30’	30’	30’				
Shoreline/Aquatic Modification [5] [7]									
Utilities & Telecommunication									
Utilities (primary)									
Primary Structure	X	200'	200'	200'	200'				
Accessory Use	X	100'	100'	100’	100'				
Telecommunication Accessory Use	X	100'	100'	100’	100'				
Height									
Distribution Poles	X	X	30’[1][5]	30’[1][5]	30’[1][5]				
Buildings, storage Tanks, Accessory Uses	X	X	30’[1][4]	30’[1][4]	30’[1][4]				

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Accessory Structures									
Architectural Elements									
Setback									
	SUBJECT TO SETBACK REQUIREMENTS OF PRIMARY STRUCTURE								
Height									
	TOTAL HEIGHT OF ARCHITECTURAL ELEMENT AND PRIMARY STRUCTURE SHALL NOT TOTAL MORE THAN 35'.								
Residential									
Primary Appurtenant Structures and Non-habitable Structures (boat house, deck, patio, stairway)									
Setbacks									
	SUBJECT TO 30% SIDE YARD SETBACK, SHORELINE SPECIFIC USE SETBACK AND ZONING REQUIREMENTS					SAME AS SPECIFIC USE SETBACK	X	#	

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
Height									
Boat house, shed, well house, etc.	X	12’	12’	12’	12’	SHORELINE SPECIFIC USE SETBACK	X	X	
Commercial/Industrial									
Primary appurtenant structures that either support public access or are necessary to support a water-dependent use [13]									
Setbacks									
	SAME AS SPECIFIC USE						X	#	
Public Park									
Primary appurtenant structures that either support public access or are necessary to support a water-dependent recreational									
Setbacks									
	15’	75’	75’	75’	50’				
Event, Recreation; Culture; Education									
Setbacks									

Table 4-2 Dimensional Standards Table

Greyed out setback boxes or letter X indicate prohibited uses

SHORELINE USE	UPLAND DESIGNATION					AQUATIC DESIGNATION			Use Specific Standards
	Natural	Island Conservancy	Shoreline Residential Conservancy	Shoreline Residential	Urban	Aquatic	Priority Aquatic		
							A	B	
	N/A	75'[1]	75'[1]		75'[1]				
Parking	N/A	100'[1][3]	100'[1[3]]		100'[3]				

[1] Must be located outside of site specific Zone 1
[2] Same as Use specific setback
[3] ADA access roads may be allowed a lesser setback than standard 5.6.5(2)

Table 4-3. Shoreline Buffer Standards Table

Table 4-3 Shoreline Buffer Standards Table Additional Use restrictions for BIMC Titles 17 and 18 may apply					
SHORELINE USE	**UPLAND DESIGNATION**				
	Natural	**Island Conservancy**	**Shoreline Residential Conservancy**	**Shoreline Residential**	**Urban**
The shoreline buffer consists of two management areas Zone 1 and Zone 2. Zone 1 is located closest to the water; it is a minimum of 30 feet in all designations, except in Natural and Island Conservancy the minimum is 50' and expands to include existing native vegetation. Zone 2 is the remaining area of the shoreline buffer. See figure XXX					
Category A: Low bank lots with 65% Canopy Area in Zone 1, OR spit/barrier/backshore, marsh lagoon, or rocky shores. Category B: Low bank with less than 65% Canopy Area in Zone 1, or lots with a depth < 200' or High Bluff. *Geomorphic Class (i.e. low bank, High Bluff) shall be determined by Battelle 2004 Nearshore Characterization and Inventory.*					
Developed lots					
Category A	200'	150'	115'	75'	30'
Category B	200'	100'[1]	75'[1]	50'[1]	30 [1]
Undeveloped lots					
	200'	150'	150'	75/150'[2]	30'
1. For High bluff properties the greater distance of 50' from the top of the bluff or the standard shoreline buffer. 2. If adjacent to the Priority Aquatic designation then 150' is required.					

4.1 Environmental Quality and Conservation

4.1.1 Shorelines of State-wide Significance

4.1.1.1 Purpose

The Shoreline Management Act of 1971 designated certain shoreline areas as shoreline of state-wide significance (SSWS). Because these shorelines are resources from which all people in the state derive benefit, preference is given to uses which favor public and long-range goals.

4.1.1.2 Applicability

Within the City's jurisdiction all those areas lying waterward from the line of extreme low tide are shorelines of state-wide significance. [RCW 90.58.030(2)(f)(iii) or its successor]. Development, use, or activities located within shorelines of statewide significance shall follow all the provisions of this program. Proposed development, use, and activity within shorelines of statewide significance shall be reviewed in accordance with preferred policies listed in 4.1.1.3. The Administrator may reduce, alter, or deny proposed development, use, or activity to satisfy the preferred policy.

4.1.1.3 Policies (In order of preference)

1. Recognize and protect the state-wide interest over local interest.
    a. Solicit comments and opinions from groups and individuals representing state-wide interests by circulating the Master Program, and any amendments thereof affecting Shorelines of State-wide Significance, to state agencies, adjacent jurisdictions, citizen's advisory committees, local officials, and state-wide interest groups.
    b. Recognize and take into account state agencies' policies, programs, and recommendations in developing and administering use regulations, and in approving shoreline permits.
    c. Solicit comments, opinions, and advice from individuals with expertise in ecology, geology, limnology, aquaculture, and other scientific fields pertinent to shoreline management.
2. Preserve the natural character of the shoreline.
    a. Designate and administer shoreline designation and use regulations to minimize damage to the ecology and environment of the shoreline as a result of man-made intrusions on the shorelines.
3. Result in long-term over short-term benefit.
    a. Evaluate the short-term economic gain or convenience of developments relative to the long-term and potentially costly impairments to the natural shoreline.
    b. In general, preserve resources and values of shoreline of state-wide significance for future generations and restrict or prohibit development that would irreversibly damage shoreline resources.

c. Actively promote aesthetic considerations when contemplating new development, redevelopment of existing facilities, or general enhancement of shoreline areas.

4. Protect the resources and ecology of the shoreline.
    a. Minimize development activity that will interfere with the natural functioning of the shoreline ecosystem including, but not limited to, stability, drainage, aesthetic values, and water quality.
    b. All shoreline development should be located, designed, constructed, and managed to avoid disturbance of, and to minimize adverse impacts on, fish and wildlife resources including spawning, nesting, rearing, and habitat areas and migratory routes.
    c. Restrict or prohibit public access onto areas which cannot be maintained in a natural condition under human uses.
    d. Shoreline materials including, but not limited to, bank substrate, soils, beach sands, and gravel bars should be left undisturbed by shoreline development.
5. Increase public access to publicly owned areas of the shorelines.
    a. Give priority to developing paths and trails to shoreline areas, linear access along the shorelines, and to upland parking.
    b. Locate development landward of the ordinary high water mark.
    c. Limit public access when environmental or habitat values warrant such limitations.
6. Increase recreational opportunities for the public on the shoreline.
    a. Plan for and encourage development of facilities for recreational use of the shorelines.

4.1.2 Environmental Impacts

4.1.2.1 Applicability

All shoreline development and activity shall be located, designed, constructed, and managed in a manner that avoids, minimizes and/or mitigates adverse impacts to the shoreline environment. The preferred mitigation sequence (avoid, minimize, rectify, reduce, or compensate for the environmental impact) shall follow that listed in WAC 173-26-201(2)(e). See definition of "Mitigation" listed in this Master Program, in Section 8.0, Definitions.

In approving shoreline development, the City shall ensure that shoreline development, use, and/or activities will result in no net loss of ecological functions and ecosystem-wide processes necessary to sustain shoreline resources, including loss that may result from the cumulative impacts of similar developments over time consistent with constitutional and statutory limitations on the regulation of private property. To this end, the City may require modifications to the site plan and/or adjustments to proposed project dimensions, intensity of use, and screening, as deemed appropriate. If impacts cannot be avoided through design modifications, the City shall require compensatory mitigation commensurate with the project's adverse impacts.

4.1.2.2 Goal

Minimize impacts of shoreline development, uses and activities on the environment during all phases of development (e.g. design, construction, and management).

4.1.2.3 Policies

1. Ensure all shoreline uses, activities and developments are designed and located in a manner that prevents or mitigates adverse impacts to shoreline ecological functions and ecosystem-wide processes, including the use of the mitigation sequence (avoid, minimize, rectify, reduce, compensate); and make available flexible alternatives to accommodate preferred shoreline uses.
2. Ensure, through appropriate monitoring and enforcement measures that all required conditions are met, and improvements are installed and properly maintained.
3. Promote shoreline uses and activities within critical areas which do not cause significant adverse impacts to ecological functions and ecosystem-wide processes, such as public access on publicly owned lands.
4. In assessing the potential for new uses, activities and developments to cause adverse impacts, take into account all of the following:
    a. Effects on ecological functions and ecosystem-wide processes, including temporal loss of functions; and
    b. Effects that occur on-site and effects that may occur off-site; and
    c. Direct and indirect effects and long-term effects of the project; and
    d. Effects of the project and the incremental or cumulative effects resulting from the project added to other past, present, and reasonably foreseeable future actions; and
    e. Compensatory mitigation actions that offset adverse impacts of the development action and/or use.
5. To provide for comprehensive management strategies for shoreline areas, integrate planning and regulatory measures, such as those within the comprehensive plan, regional watershed plans, or state and federal regulations.

4.1.2.4 Regulations – Impact Analysis and No Net Loss Standard

1. All shoreline development, use and activities, including preferred uses, and uses that are exempt from a shoreline substantial permit, shall be located, designed, constructed, and maintained in a manner that protects ecological functions and ecosystem-wide processes. All proposed shoreline development, uses and activities shall:
    a. Utilize the required mitigation sequence of Section 4.1.2.6, Regulations – Mitigation; and
    b. Utilize effective erosion and scour control methods during project construction and operation; and

c. Minimize adverse impacts to critical salt water habitat, fish and wildlife conservation areas, and/or other ecological functions and ecosystem-wide processes, such as those provided by shoreline vegetation; and

d. Minimize interference with beneficial natural shoreline processes, such as water circulation, sand and gravel transport movement, erosion, and accretion; and

e. Avoid hazards to public health and safety; and

f. Minimize the need for shoreline stabilization measures and flood protection in the future; and may require a geotechnical analysis to ensure that the proposed activity meets this regulation (See Section 6.2, Shoreline Stabilization); and

g. Result in no net loss of ecological functions and processes necessary to sustain shoreline resources, including loss that may result from the cumulative impacts of similar developments over time.

2. In reviewing and approving shoreline development, use or activity, regardless of whether a permit is required the following shall apply:

    a. The Administrator shall condition the shoreline development, use, and/or activities such that it will:

        i. Meet provisions in subsection 1 above; and

        ii. Employ measures to mitigate adverse impacts on shoreline functions and, processes, if necessary; and

        iii. Modify the site plan and/or adjust the project dimensions, intensity of use, or screening as deemed appropriate to address impacts. If impacts cannot be avoided through design modification, the Administrator shall require compensatory mitigation, pursuant to regulations in Sections 4.1.2.5, Regulations – Revegetation Standards, and 4.1.2.6, Regulations – Mitigation; and

    b. If a proposed shoreline development, use or activity is determined by the Administrator to result in significant short-term, long-term, or cumulative adverse environmental impacts lacking appropriate compensatory mitigation, it shall be sufficient reason for the Administrator to deny a permit.

3. To assure that development activities contribute to meeting the no net loss provisions pursuant to subsection 1 and 2 above, an applicant is required to submit a site-specific analysis of potential impacts and a mitigation plan that includes compensatory mitigation measures when determined necessary as a result of the analysis. The site-specific analysis shall be prepared in accordance with Section 4.1.2.9, Submittal Requirements – Site-Specific Impact Analysis and Mitigation Plan.

4. To mitigate anticipated impacts and meet the no net loss standards in subsection 1 and 2 above, an applicant for a single family residential development or accessory structures may choose to use the Standard Residential Mitigation Manual in Appendix D in lieu of a site-specific impact analysis and mitigation plan. If an applicant uses the Single Family Residential Mitigation Manual, compensatory mitigation requirements provided in the manual shall be included in the project submittal.

4.1.2.5 Regulations – Revegetation Standards

1. Vegetation replanting is required for all development, uses or activities within the 200-foot shoreline jurisdiction that either alters existing native vegetation or any vegetation in the required Shoreline Buffer or Vegetation Management Areas, whether a permit is required or not. This includes invasive species removal. Minimum requirements for planting plans can be found in the City's Administrative Vegetation Management Manual. The following information shall be submitted for approval prior to vegetation disturbance as part of a project proposal or clearing permit pursuant to BIMC 15.18, Land Clearing:

    a. Residential, Industrial and Commercial Development.

        i. Vegetation disturbance of 200 square feet or less requires submittal of an annotated list of proposed plants and their spacing specifications and location.

        ii. Vegetation disturbance greater than 200 square feet requires that the planting plan shall be completed by a qualified professional or the applicant may use the single-family residential mitigation manual.

    b. Public Park and City Maintained Areas.

        i. Vegetation disturbance of 2,500 square feet or less requires submittal of an annotated list of proposed plants and their spacing specifications and location.

        ii. Vegetation disturbance greater than 2,500 square feet requires that the planting plan shall be completed by a qualified professional.

2. For vegetation mitigation in the Shoreline Buffer or Site-specific Vegetation Management Areas, all new plantings shall meet the provisions in Section 4.1.3.5(5), except for the Point Monroe District which shall meet special provisions in subsection 6,

3. If the Shoreline Buffer is altered or reduced pursuant to provisions of Section 4.1.3, Vegetation Management ~~or Section 4.2.1, Nonconforming Uses, Non-Conforming Lots, and Existing Development~~, the following shall occur in Zone 1:

    a. Retain existing native vegetation; and

    b. Plant the entire area of Zone 1. Obtain 65% vegetation canopy coverage within 10 years.

4. When vegetation mitigation is required for new upland development, uses, or activities the mitigation plan shall include new plantings that are protective of views from the primary structure of the subject property and in proportion to the identified impact. Mitigation shall be located in the following sequence, except for the Point Monroe District which shall meet special provisions in subsection 6,

    a. Within Zone 1, plant vegetation to obtain a minimum of 65% native vegetation canopy coverage;

    b. In Zone 2, plant to increase canopy coverage, in a manner that promotes contiguous native vegetation or in areas nearest the shoreline;

c. In the Shoreline Buffer, plant in a manner that promotes a contiguous native vegetated corridor that connects to the shoreline;

d. Outside of the Shoreline Buffer, plant in a manner that promotes a contiguous native vegetated corridor to the shoreline;

e. Outside of the Shoreline Buffer; or

f. At an off-site location approved by the Administrator, within Zone 1, plant to meet the standard of subsection a.

5. When mitigation is required for shoreline stabilization projects due to site disturbance, the required planting plan shall also include the following, unless an alternative planting plan is approved by the Administrator:

    a. Replant 75% of the shoreline area located along the upland edge of the shoreline stabilization structure to a minimum depth of ten (10) feet, unless demonstrated to be infeasible to the Administrator;

        i. The depth may be reduced to five (5) feet to allow for landscape design variation, provided that the total square footage of the area planted equals the required 75% of the shoreline;

    b. Planting plans shall meet provisions in Section 4.1.3.5(5), and shade bearing plants shall be provided at suitable fish spawning sites; and

    c. Include plantings equivalent to one tree per ever 20 linear feet of shoreline and one shrub per ever five linear feet, which may be planted with due consideration of views from the primary structure of the subject property.

6. Special Mitigation Provisions for Point Monroe District. When vegetation mitigation is required for new development, uses, or activities in the Point Monroe District, the mitigation plan shall include new vegetation communities appropriate for dune, sand spit, barrier beach, barrier estuary, or barrier lagoon, including salt marsh that shall be installed within the spit-specific vegetation management area (SVMA) as defined in Section 4.1.3.5(9), thirty (30) foot setback between the OHWM and the primary structure, or where area is available on the site.

4.1.2.6 Regulations – Mitigation

1. Mitigation Sequence: Mitigation shall include the following actions in order of priority (a-e), and (f) is required for all mitigation activities:

    a. Avoiding the impact altogether by not taking a certain action or parts of an action;

    b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;

    c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

    d. Reducing or eliminating the impact over time by preservation and maintenance operations;

e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and

f. Monitoring the impact and the compensation projects and taking appropriate corrective measures.

2. When compensatory mitigation is necessary to offset impacts, mitigation measures in the immediate vicinity of the impact shall be the preferred mitigation option. Property owners may be required to perform the balance of compensatory mitigation off-site if the property cannot support required mitigation or when off-site mitigation can be demonstrated to the satisfaction of the Administrator to be more beneficial to shoreline ecological functions and processes. For example, off-site mitigation may be the better choice if large, cohesive areas are available off-site while only small fragmented areas are available on-site for mitigation.

3. Mitigation actions shall not have a significant adverse impact on other preferred shoreline uses promoted by the policies of the Shoreline Management Act.

4. When compensatory mitigation measures are required, all of the following shall apply:

   a. The quality and quantity of the replaced, enhanced, or substituted resources shall be the same or better than the affected resources; and

   b. The mitigation site and associated vegetative planting shall be nurtured and maintained such that healthy native plant communities can grow and mature over time; and

   c. Unless the Single-family Residential Mitigation Manual is being used for single-family residential development and accessory structures pursuant to Section 4.1.2.4(4), the mitigation shall be informed by pertinent scientific and technical studies, including but not limited to the Shoreline Inventory and Characterization Report, the Shoreline Restoration Plan and other background studies prepared in support of this Program; and

   d. The mitigation activity shall be monitored and maintained to ensure that it achieves its intended functions and values, pursuant to Section 4.1.2.7, Surety Regulations.

5. To encourage shoreline property owners to remove bulkheads and perform other beneficial shoreline restoration actions in advance of shoreline development or redevelopment, the City may give mitigation credit to any beneficial restoration action that occurred within 10 years of the proposed development/redevelopment activity provided that:

   a. The applicant/property owner declares the intent of the restoration or enhancement project as mitigation credit at the time of the restoration permit application; and

   b. The City can confirm via site inspection, photographs, or other evidence that the restoration actions have improved shoreline conditions.

6. Where feasible, replacement compensatory mitigation should be required prior to impact and, if applicable, prior to final inspection and approval of building occupancy; and to

ensure no net loss, the mitigation shall replace the functions as quickly as possible following the impact.

4.1.2.7 Regulations – Surety

1. The applicant/property owner shall provide assurance to the satisfaction of the Administrator, that the restoration area (including off-site mitigation) will be maintained in perpetuity. The assurance can be in the form of notice on title, conservation easement, or similar mechanism as approved by the City Attorney.
2. Except for projects undertaken by public entities, performance and/or maintenance bonds or other security shall be required by the City to assure that work is completed, monitored, and maintained. The bond/surety shall be refunded to the depositor upon completion of the mitigation activity and any required monitoring.

4.1.2.8 Regulations – Monitoring and Maintenance

1. When mitigation is required, a periodic monitoring program shall be included as a component of the required mitigation plan. To ensure the success of the required mitigation, monitoring shall occur for a minimum duration of five years from the date of the completed development. The monitoring plan may also require that periodic maintenance measures be included as recommended by a qualified professional. The duration of monitoring may be extended if the project performance standards set forth in the approved mitigation plan fail to be accomplished, or, due to project complexity, the approved mitigation plan requires a longer period of monitoring.
2. Monitoring programs may be forwarded for review and comment to state and/or federal resource agencies and affected tribes with jurisdiction.
3. Monitoring programs shall meet the requirements established in Section 4.1.5.14, Critical Area Reports ~~Monitoring Requirements, Appendix B, B-6(C)(2)(e)~~.
4. All new and replacement shoreline stabilization projects shall complete and submit a minimum five-year monitoring and maintenance program that addresses the shoreline stabilization mitigation measures, and shall at a minimum include:
    a. An annual site visit by a qualified professional for each of the five (5) years to assess the effectiveness of the mitigation; and
    b. A progress report submitted to the Administrator annually, which includes any monitoring or maintenance recommendations of the qualified professional.

4.1.3 Vegetation Management

4.1.3.1 Applicability

Vegetation management is required for protection and conservation within the shoreline jurisdiction. Dimensional and other development standards, including buffers, are established based on site-specific development and conditions or as specified for that particular shoreline designation. The purpose of vegetation management is to protect and enhance the Island's natural character, water quality, native plant communities, and wildlife habitat within the shoreline jurisdiction. Vegetation management activities will be reviewed under the no net loss

provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

Vegetation management includes conservation activities to protect and restore vegetation along or near marine and freshwater shorelines that contribute to the ecological functions and processes of shoreline areas. Vegetation management provisions include vegetation restoration, the prevention or restriction of plant clearing and earth grading, and the control of invasive weeds and nonnative vegetation species.

The Vegetation Management provisions apply to all shoreline development, and regulated uses and activities, including those that do not require a shoreline permit. Similar to other master program provisions, vegetation standards do not apply retroactively to existing uses and structures unless changes or alterations are proposed. Standards for vegetation management are established using current scientific and technical information pursuant to WAC 173-26-221(5)(b) and173-26-201(2)(a), and are based on the use category, shoreline characterization and the designation. Standards are provided in Section 4.0, and Tables 4-2 and 4-3.

4.1.3.2 Goal

Protect and restore shoreline vegetation to maintain and enhance ecological functions and processes, shoreline views and vistas, human safety, and personal property.

4.1.3.3 Policies

1. Maintain existing shoreline vegetation to protect ecological functions and/or processes from adverse impacts of uses, activities and developments within the shoreline jurisdiction.
2. Emphasize the use of native vegetation species to maintain the ecological functions and/or processes and mitigate the direct, indirect, and/or cumulative impacts of shoreline development, uses and activities.
3. Provide flexible dimensional standards for buffers and setbacks that are based on performance standards designed to protect ecological functions and ecosystem-wide processes, including considering alternatives to planting native vegetation species if it can be demonstrated that the equivalent ecological functions can be provided.
4. Use monitoring programs to ensure the protection of shoreline ecological functions and ecosystem-wide processes, particularly when non-native vegetation species are used as an alternative to native vegetation.
5. Encourage the restoration or enhancement of shoreline vegetation through incentive programs.
6. Establish buffers immediately upland of OHWM for each shoreline designation, recognizing the pattern of development, shoreline ecological functions and ecosystem-wide processes, and using current science and technical information, as described in WAC 173-26-201(2)(a). In establishing buffers, consideration should be given to the land

use patterns to minimize the number of existing structures that would not conform to buffer dimensional standards.

7. At the time of a proposal, allow site-specific dimensional standards for vegetation management areas for shoreline development, use or activity. Dimensional standards must protect shoreline ecological functions and ecosystem-wide processes.
8. Implement a public education program emphasizing the importance of shoreline vegetation management.
9. Allow selective vegetation clearing for views for new development and to maintain views from existing residences when slope stability and ecological functions and ecosystem-wide processes are not compromised. Trimming and pruning are generally preferred over removal of native shoreline vegetation.
10. Develop specific regulations for Point Monroe, based on vegetation and management practices appropriate for dune communities, sand spits, barrier beaches, barrier estuaries or barrier lagoons.

4.1.3.4 Regulations – Exceptions

1. Vegetation management standards shall not apply retroactively to existing lawfully established conforming and nonconforming uses and developments, including maintenance of existing residential landscaping, such as lawns and gardens. Property owners are strongly encouraged to voluntarily improve shoreline vegetation conditions over the long term.
2. Existing buffers and setbacks that have been established through previously approved subdivisions and indicated on the face of an approved plat shall be recognized and adhered to.
3. The following shall be exempt from the provisions of Section 4.1.3.
    a. Maintenance trimming of vegetation that has a main stem or supporting structure which is less than three (3) inches in diameter; except that tree topping or other vegetation removal is not exempt.
    b. Buffer enhancement through the removal of noxious or invasive weeds, provided the following are met:
        i. The vegetation removal is based on consultation with the Kitsap County Noxious Weed Board or the species being removed are on the Washington State Noxious Weed List (WAC 16-750, or its successor); and
        ii. The vegetation removal is conducted in a manner consistent with best management practices (BMP); and
        iii. Replanting occurs in the disturbed area in accordance with Section 4.1.2.5, Revegetation Standards.
    c. Removal of hazard trees~~, as defined in Appendix B,~~ where a report by an arborist or other qualified professional demonstrates to the satisfaction of the Administrator that trimming is not sufficient to address the hazard provided:

i. Mitigation is provided in accordance with Section 4.1.2, Environmental Impacts, including:

A. Requiring that the downed tree be retained on the site to provide or enhance wildlife or marine habitat; and/or

B. When possible, require that the hazard tree be topped for safety and remain as a wildlife snag; or

ii. When a hazard tree is located in a geologically hazardous area, the applicant shall submit ~~a Bluff Management Plan~~ documentation of compliance with development standards pursuant to Section 4.1.5.11, Critical Areas. The hazard tree may be removed prior to the approval of the plan if it is necessary to protect life and property.

d. Commercial forest practices and the removal of trees pursuant to a Forest Practices Permit (Class II, III and IV-S only) issued by the Washington State Department of Natural Resources under the Washington State Forest Practices Act (RCW 76.09), except where such activities are associated with a conversion to other uses or other forest practice activities over which local governments have authority. For the purposes of this Program, preparatory work associated with the conversion of land to non-forestry uses and/or developments shall not be considered a forest practice and shall be reviewed in accordance with the provisions for the proposed non-forestry use, the general provisions of this Program~~, including Appendix B,~~ and shall be limited to the minimum necessary to accommodate an approved use.

4.1.3.5 Regulations - General

1. Development within the shoreline jurisdiction shall be located and designed to protect existing native vegetation from disturbance to the fullest extent possible, to mitigate impacts to existing vegetation, and to meet the standard of no net loss of ecological functions and processes, Section 4.1.2, Environmental Impacts.
2. Vegetation clearing~~,~~ or grading, may not be undertaken within the shoreline jurisdiction without prior review and approval by the Administrator, unless otherwise exempt under Section 4.1.3.4, Regulations – Exceptions, or as provided in subsection 7 below, with an approved Standard Operation Procedure (SOP) manual. Clearing and grading may be subject to Section 4.1.4, Land Modification.
3. Two alternative methods may be used to meet the goals and policies of the Vegetation Management Section, as provided below, except the Point Monroe District shall meet the special provisions provided in subsection 9:

a. Site-Specific Vegetation Management Areas

i. As an alternative to the Shoreline Buffer dimensions provided in subsection b, below, an applicant may propose specific dimensional standards that meet the Vegetation Management goals and policies as determined through a Habitat Management Plan (Section 4.1.5.14.3) ~~prescribed in Appendix B, Section B-4,~~ provided that the plan demonstrates the following:

A. The proposed development is for a residential use.

B The site-specific proposal assures there is no net loss of the property's specific shoreline ecological functions and associated ecosystem-wide processes pursuant to Section 4.1.2, Impact Analysis and No Net Loss; and

C. The site-specific proposal uses the scientific and technical information1 compiled to support the Shoreline Buffer standards of Section 4.1.3.5(3)(b), and/or other appropriate technical information which, as determined by a qualified professional, demonstrates how the proposal protects ecological functions and processes and how it meets the goals and policies of this Section.

ii. The Habitat Management Plan shall be reviewed by the Administrator in accordance with provisions in Section 4.1.5.14.3 ~~Appendix B~~. The Administrator may approve, approve with conditions, or deny the request. The Administrator shall have the Habitat Management Plan reviewed by an independent third party, the cost of which will be borne by the applicant.

iii. If the Site-specific Vegetation Management Area is approved, prior to permit issuance, the applicant shall record with the County Auditor a notice on title, or other similar document subject to the approval of the Administrator.

b. As an alternative to a Site-specific Vegetation Management Area, a Shoreline Buffer shall be maintained immediately landward of the OHWM and managed according to provisions of this section. The Shoreline Buffer shall meet the location and design standards of Section 4.1.3.6, Regulations – Shoreline Buffer – Location and Design Standard. The Shoreline Buffer shall be composed of two zones:

i. Zone 1, an inner protective buffer area located immediately abutting the OHWM; and

ii. Zone 2, the remaining portion of the Shoreline Buffer located immediately abutting Zone 1.

4. The Shoreline Buffer or Site-specific Vegetation Management Area shall be maintained in a predominantly natural, undisturbed and vegetated condition. Unless specifically allowed by this program, the following standards shall apply:

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[1] Scientific and technical information supporting the Shoreline Buffer standards is provided in the following documents available at the City of Bainbridge Island's Department of Planning and Community Development: *Documentation of Marine Shoreline Buffer Recommendation Discussions*, Memorandum, 2011, Herrera Environmental; *Addendum to Summary of Science*, 2011, Herrera Environmental; *Bainbridge Island Current and Historic Coastal Geomorphic/Feeder Bluff Mapping*, 2010, Coastal Geologic Services, Inc.; *Best Available Science*, 2003, Battelle; *Bainbridge Island Nearshore Habitat Characterization and Assessment*, 2004 Battelle.

a. All existing native groundcover, shrubs and significant trees located within the Shoreline Buffer or Site-specific Vegetation Management Area shall be retained;

b. All activities shall be performed in compliance with the applicable standards contained in the Vegetation Management Section, unless the applicant demonstrates that alternate measures or procedures are equal or superior in accomplishing the purpose and intent of the Vegetation Management Section, including no net loss of ecological functions and ecosystem-wide processes.

c. The use of pesticides are prohibited unless specifically allowed in Section 4.1.6, Water Quality and Stormwater Management.

5. New vegetation planted in the Shoreline Buffer or Site-specific Vegetation Management Area, unless otherwise provided for in zone-specific requirements Section 4.1.3.6 (6), shall be:

    a. Native species using a native plant-community approach of multi-storied, diverse plant species that are native to the Central Puget Lowland marine riparian zone.

    b. Other plant species may be approved that are similar to the associated native species in diversity, type, density, wildlife habitat value, water quality characteristics, and slope stabilizing qualities, excluding noxious/invasive species provided that, as submitted by a qualified professional, it is demonstrated to the satisfaction of the Administrator that the selected ornamental plants can serve the same ecological function as native plant species.

6. Significant trees located outside the Shoreline Buffer or Site-specific Vegetation Management Area but within the shoreline jurisdiction, shall be retained unless allowed to be removed under the exceptions or other provisions of this program provided:

    a. The Administrator may require alterations of a site plan in order to retain significant trees outside the Shoreline Buffer or Vegetation Management Area. This may include minor adjustments to the location of building footprints, the location of driveways and access ways, or the location of walkways, easements or utilities.

7. Vegetation clearing and maintenance activities, except those which are part of new construction, are allowed consistent with an approved SOP manual for vegetation maintenance and management of public parks, public trails, public rights-of-way or easements, publicly-owned property, and/or other areas normally maintained by the City. A shoreline substantial development permit may be required for the SOP manual. The SOP manual shall include the following prescriptive elements:

    a. Procedures for maintaining vegetation on shoreline properties, shoreline trails or shoreline rights-of-way and easements, including procedures for noxious weed removal;

    b. Procedures for maintaining vegetation in Critical Areas, Shoreline Buffers, or Site-specific Vegetation Management Areas, or other sensitive land areas, including areas with cultural resources;

    c. Procedures for mitigation and vegetation replanting including appropriate species list; and

d. Procedures for review and approval of allowed activities occurring under the scope of the SOP, including procedures for documenting activities.

8. Minor vegetation removal outside the shoreline buffer or site-specific vegetation management area on a developed property not associated with new construction may be allowed, as provided in this program with an approved clearing permit provided:

   a. The Administrator may grant approval of minor vegetation clearing if it meets the provisions of this Program and the following:

      i. The minor vegetation clearing allowed within a three (3) year period will include an area no greater than 200 square feet in area and/or no more than 3 non-significant trees per 20,000 square feet up to a maximum of six (6) trees; and

      ii. Native vegetation will not be removed from the Shoreline Buffer or Vegetation Management Area; and

      iii All applicable standards of an approved Vegetation Management Plan are met; and

      iv. The replanting is performed pursuant to Section 4.1.2.5, Revegetation Standards; and

      v. ~~A Bluff Management Plan is provided pursuant to~~ Documentation of compliance with the development standards in Section 4.1.5.11 provided by a licensed geotechnical engineer ~~Section 4.1.5, Critical Areas~~ for any vegetation alteration in a geologically hazardous area.

   b. Proposed clearing must meet the provisions of Sections 4.1.2, Environmental Impacts and 4.1.4, Land Modification.

9. **Special Provisions for Point Monroe District**. Shoreline Buffers or Site-specific Vegetation management Areas are not required for properties located in the Point Monroe District;-the following specific vegetation provisions shall apply:

   a. All properties in the Point Monroe District shall retain existing native vegetation and shall be subject to a Point Monroe vegetation management area (PVMA).

   b. The PVMA shall include areas that are:

      i. Within thirty (30) feet of the OHWM and within the required side yard and the salt marsh fringe; and

      ii. Outside any designated development area as approved pursuant to Section 5.9.6(2).

   c. The PVMA shall be managed and maintained in vegetation communities appropriate to dune, sand spit, barrier beach, barrier estuary, or barrier lagoon, including salt marsh.

   d. Developed properties shall retain existing native vegetation (including dune grass and salt marsh plant communities) in those areas that are not developed with legally established impervious surfaces.

e. Any new development or alterations and expansion of existing development shall assess impacts to existing vegetation and meet the no net loss standard pursuant to Section 4.1.2, Environmental Impacts.

4.1.3.6 Regulations – Shoreline Buffer – Location and Design Standard

1. The total depth of the Shoreline Buffer is based on the shoreline designation and the physical and most predominant geomorphic characteristics of the property. The depth of the Shoreline Buffer will be determined by the Administrator according to criteria below.
    a. Property-specific physical and geomorphic characteristics of the particular lot will determine the maximum width (Category A) or minimum width (Category B) of the Shoreline Buffer, as follows:
        i. Shoreline Buffer Category A: The property contains or abuts a spit/barrier/backshore, or marsh, or lagoon; or

        The property contains or abuts a low bank and the existing native tree and shrub vegetation cover is at least 65% of the area of Shoreline Buffer Zone 1.
        ii. Shoreline Buffer Category B: The property is shallow (200 feet in depth or less, as measured landward), or located on a high bluff, or does not meet any of the characteristics of Category A.
    b. Shoreline Buffer standard depth in Table 4-3
    c. As determined by the Administrator, buffers do not extend beyond an existing public paved street or an area which is determined by the Administrator to be functionally isolated from the shoreline or critical area. In these limited instances the no net loss of shoreline ecological function and processes still apply to properties within the shoreline jurisdiction.
2. The total area of the Shoreline Buffer shall be the equivalent of the length of the property along the shoreline, multiplied by the required buffer depth as prescribed for the specific shoreline designation in which the property is located. See Figure 4-1.
3. The Shoreline Buffer consists of two zones. The depth of each of the two zones within the Shoreline Buffer is determined as follows:
    a. Zone 1 shall extend from the ordinary high water mark (OHWM) a minimum of 30 feet, or to the limit of existing native vegetation whichever is greater. The native vegetation limit is determined through a site-specific analysis of existing conditions, and in no case shall Zone 1 be greater than the depth of the Shoreline Buffer.
    b. Zone 2 shall be established immediately landward of the Zone 1 and extend no further than the depth of the Shoreline Buffer.
4. The following zone specific planting regulations apply to the Shoreline Buffer:
    a. New lawns are not permitted in Zone 1.

b. In Zone 2, one-third (1/3) of the area may be planted in a combination of grass lawns and approved structures provided:

   i. Significant native trees are not removed to establish such use, or

   ii. The buffer has been reduced through view provisions of Section 4.1.3.11.

c. The remaining two-thirds (2/3) of Zone 2 shall be maintained in a native vegetative state.

d. Planted areas in which fertilizers might be applied-shall be located as far landward of Zone 1, as feasible.

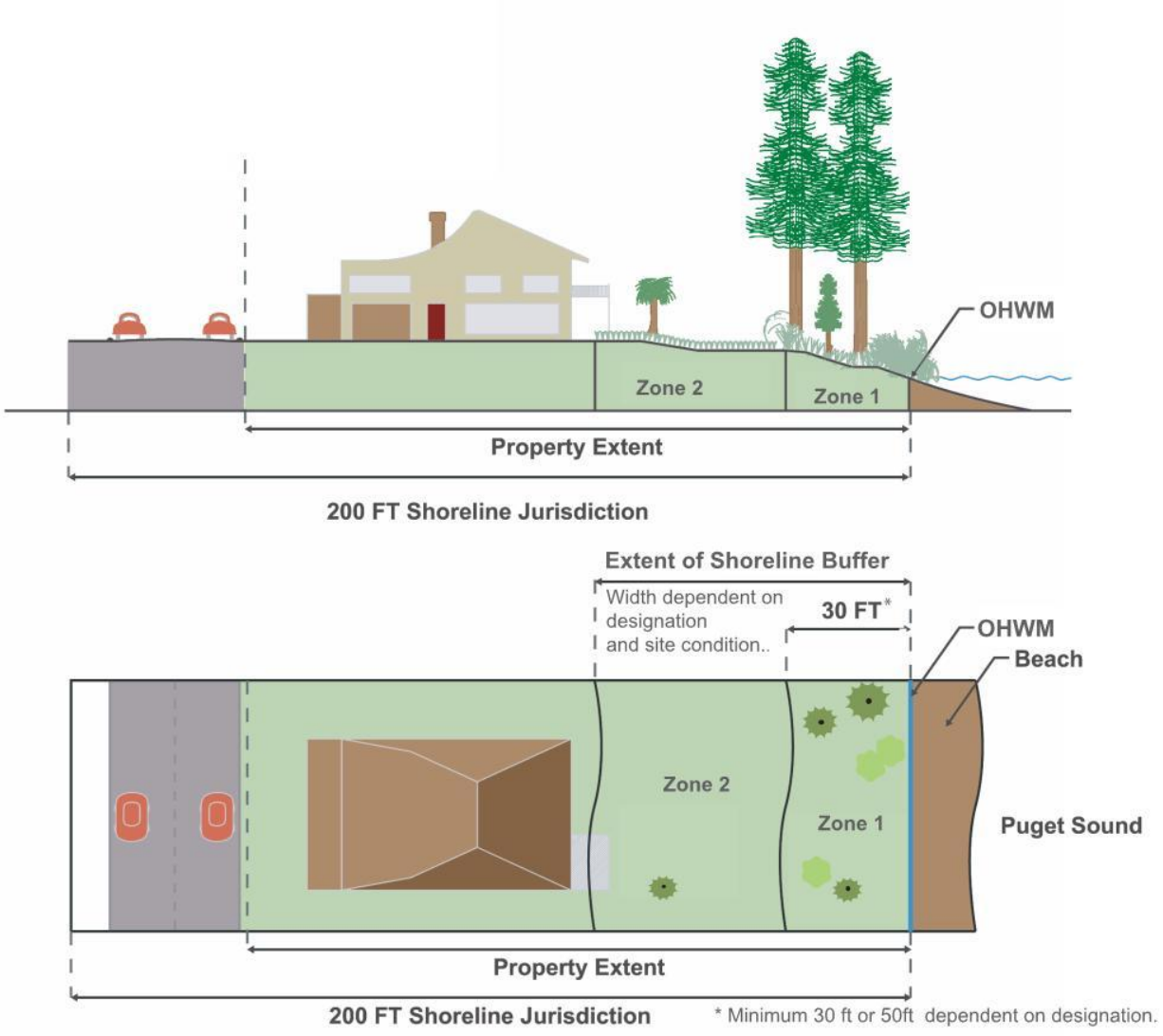


Figure 4-1 Dual Shoreline Buffer

4.1.3.7 Regulations – General Vegetation Alterations in Shoreline Buffers or Site-specific Vegetation Management Areas

1. The following activities are allowed within the Shoreline Buffer and Site-specific Vegetation Management Area with an approved clearing permit. Such activities shall meet the standards of Section 4.1.4, Land Modification.

    a. Existing landscape areas may be retained within the Shoreline Buffer or Site-specific Vegetation Management Area. However, any changes from the existing landscape to a different landscaping use or activity will require that the modified area comply with the provisions of 4.1.3, Vegetation Management, and the intent of providing native vegetation to maintain ecological functions and processes.

    b. Minor Pruning. Tree pruning, including thinning of lateral branches to enhance views, or trimming, shaping, thinning or pruning necessary for plant health and growth and which does not harm the plant, is allowed consistent with the following standards:

        i. All pruning shall meet the American National Standard Institute (ANSI) tree pruning standards;

        ii. In no circumstance shall removal of more than one-fourth (1/4) of the original crown be permitted within a three year period;

        iii. Pruning shall not include topping, stripping of branches or creation of an imbalanced canopy; and

        iv. Pruning shall retain branches that overhang the water.

    c. Vegetation Removal Related to Construction. Tree or vegetation removal within the Shoreline Buffer or Site-Specific Vegetation Management Area that is associated with new construction may be allowed, but must retain significant trees and shall meet the requirements of Section 4.1.2, Environmental Impacts, including replanting provisions.

    d. Vegetation Removal Related to Public Facility Maintenance. Tree or vegetation removal within the Shoreline Buffer or Site-specific Vegetation Management Area that is associated with maintenance of existing public facilities (including: roads, paths, bicycle ways, trails, bridges, sewer infrastructure facilities, storm drainage facilities, fire hydrants, water meters, pumping stations, street furniture, potable water facilities, and other similar public infrastructure), may be approved by the Administrator if no significant trees are removed, the requirements of Section 4.1.2, Environmental Impacts are met, and the maintenance is measures meet the goals and policies of Section 4.1.3, Vegetation Management, or as approved in a SOP manual as provided in Section 4.1.3.5(7). The following activities are exempt from this requirement:

        i. Removal of vegetative obstructions required for sight distance and visual clearance at street intersections provided in the Public Works Design and Construction Standards and Specifications.

e. Underground Utilities. Utilities that run approximately perpendicular to the buffer (for example, a stormwater tightline to the water to protect a slope or a sewer line to a marina), may be allowed within the Shoreline Buffer or Site-specific Vegetation Management Area, provided that disturbance is minimized and the disturbed area is revegetated after construction; and

f. Other Approved Development in the Shoreline Buffer or Site-specific Vegetation Management Area.

i. Potable water wells; and

ii. Approved shoreline stabilization;

2. Shoreline Buffer Reductions.

a. When the prescriptive buffer depth is reduced or dimensions altered through provisions of this Program, the applicant shall record a notice on title, or other similar document with the County Auditor prior to permit issuance, subject to the approval of the Administrator.

b. If the required depth of a Shoreline Buffer for a single-family residential property is reduced in accordance with the Shoreline Structure Setback provisions of Section 4.1.3.11 or other reductions allowed through this Program, Zone 1 must be restored in accordance with provisions of Section 4.1.2.5.

3. Stairways to the shoreline shall not exceed 300 square feet for private use, the minimum necessary for public use and are not included in the total square footage allocations prescribed in subsections 4.1.3.8(3) of this Program.

a Larger stairways serving a single-family residence may only be allowed through approval of a Shoreline Variance.

i. As an alternative to a stairway larger than 300 square feet and to reduce environmental impacts, a tram may be allowed without a variance.

b. Stairway design shall meet the following minimum criteria:

i. International Codes for:

A. Hand Railings;

B. Stairway width; and

C. Tread Depth.

ii. Landings are required, unless demonstrated not to be necessary, and shall be determined by:

A. Existing site topography;

B. Personal safety; and

C. Slope stability.

4.1.3.8 Vegetation Alterations Standards – Residential Development

Minor clearing, grading or construction may be allowed within the Shoreline Buffer or Site-specific Vegetation Management Plan for a residential development with approval of the Administrator pursuant to Section 4.1.3.7(1)(a), and only for the following activities as prescribed below and pursuant to Section 4.1.4, Land Modification:

1. Maintenance of existing residential landscaping is allowed subject to Sections 4.1.3.5(8) and 4.1.3.7. 2. One (1) hand installed pervious trail to the shoreline not more than four (4) feet in width, which may include hand installed steps, and shall be designed to minimize environmental impacts. No significant trees shall be removed. The trail may be wider when required for handicapped or public access. For single-family residential development vegetation trimming is limited to two (2) feet on either side of the trail.

3. Non-habitable structures appurtenant to a single-family use, such as a boat house, deck/patio and/or stairway may be allowed consistent with the following standards, except that all structures are prohibited in Zone 1 when upland of a Priority Aquatic – Category A designation.

    a. For Site-specific Vegetation Management Areas, the total square footage of all buildings or structures must not exceed 300 square feet in area.

    b. For Shoreline Buffer areas, the total square footage of all buildings or structures must not exceed 400 square feet or 10% of the Shoreline Buffer area, whichever is less.

    c. For Shoreline Buffer areas, only 10% of the total allowed square footage or 300 square feet, whichever is less, can be located in Zone 1, except when upland of Priority Aquatic B, the total allowable square footage is 5% of Zone 1 or 150 square feet, whichever is less.

    d. All structures must be designed to not significantly impact views from adjoining property primary buildings.

    e. All structures must meet the following standards:

        i. Only water-related structures are allowed within 30 feet of the OHWM or in Zone 1, including a boathouse, permeable deck, boat storage, or staircase.

        ii. Shall not exceed 12 feet in height above existing grade.

        iii. Decks and/or patios shall be permeable and shall not exceed 30 inches in height above existing grade.

4. View Maintenance – Single-family Residential Only.
   Shoreline residential use and development shall use all feasible techniques to maximize retention of existing native shoreline vegetation within the Shoreline Buffer and the Site-specific Vegetation Management Area.

    a. Limited removal of existing trees or vegetation located on the same property as a single-family residence may be allowed for maintenance of a pre-existing view from the primary structure, or to establish a view for a new primary structure provided the following are met:

i. The applicant demonstrates to the satisfaction of the Administrator that the vegetation removal is the minimum necessary to re-establish or establish a view of the water similar to that enjoyed by other residences in the area and that pruning methods are not sufficient to provide an adequate view of the water similar to that enjoyed by other residences in the area; and

ii. Existing significant native trees are not removed within the Shoreline Jurisdiction, unless exempt; and

iii. In no instance, including accounting for other approved alterations as provided in Section 4.1.3, shall vegetation removal exceed twenty (20) percent of the required Shoreline Buffer area or Site-specific Vegetation Management Area or reduce the vegetation canopy coverage to less than 65% in the Shoreline Buffer or Vegetation Management Area.

A. Vegetation removal occurring adjacent to the shoreline shall also be limited to fifteen (15) linear feet of the water frontage; and

iv. ~~The applicant shall obtain an approved Bluff Management Plan pursuant to Section 4.1.5, Critical Areas~~ Documentation of compliance with the development standards in Section 4.1.5.11 provided by a licensed geotechnical engineer for any vegetation alteration in a geologically hazardous area. The cost and preparation of the plan is the responsibility of the applicant; and

v. All vegetation removal complies with other applicable requirements of this Program (such as clearing and grading, forest practices, and protection standards for fish and wildlife habitat), including the no net loss and/or revegetation standards in Section 4.1.2.

b. The Administrator my deny a request or condition approval for vegetation alteration proposals for view maintenance if it is determined that the action will result in an adverse effect to any of the following:

i. Slope stability;

ii. Habitat value;

iii. Health of surrounding vegetation;

iv. Risk of wind damage to surrounding vegetation;

v. Nearby surface or ground water; or

vi. Water quality of a nearby water body.

4.1.3.9 Vegetation Alteration Standards – Commercial and Industrial Development in Shoreline Buffers

Minor clearing, grading, or construction may be approved within the Shoreline Buffer for a commercial or industrial development with approval of the Administrator pursuant to Section 4.1.3.7(1)(a) and only for the following activities as prescribed below and pursuant to Section 4.1.4, Land Modification:

1. Primary appurtenant structures to a commercial use that either support public access or are necessary to support a water-dependent use shall be allowed within the buffer when the applicant has demonstrated a need for the shoreline location, except that all structures are prohibited in Zone 1 when upland of a Priority Aquatic designation.
2. When appurtenant structures are allowed they must be the minimum necessary to meet the needs of the water-dependent use or public access requirements of Section 4.2.4, Public Access.

4.1.3.10 Vegetation Alteration Standards – Public Park Development in Shoreline Buffers

Minor clearing, grading, or construction may be allowed within the Shoreline Buffer for a public park development with approval of the Administrator consistent with the following or pursuant to Section 4.1.3.7:

1. Vegetation clearing and maintenance is allowed in accordance with an approved SOP manual that meets Section 5.1.3.5(7) and the standards of this Program.
2. Maintenance of existing public trails, provided the vegetation trimming is limited to four (2) feet on either side of the trail and no significant trees are removed.
3. Alterations that are included in a Park Development or Concept Plan. Minor clearing, grading, or construction for which the size and extent of proposed disturbed areas located within the Shoreline Buffer have been determined as part of a park development plan or concept park plan, with due consideration of the intended park use; and provided all proposed disturbance areas meet the no net loss standards pursuant to in accordance with Section 4.1.2. Environmental Impacts; and provided appropriate permits are obtained, including those pursuant to Section 4.1.4, Land Modification;
4. Alterations that are not part of a Park Development or Concept Plan. The following minor clearing, grading, or construction activities may be allowed without an approved park development plan or conceptual park plan:
    a. Maintenance of existing public trails is allowed, provided maintenance is limited to the existing size of the trail, any vegetation trimming is limited to four (4) feet on either side of the trail, and no significant trees are removed.
    b. New public pathways or trails to the shoreline provided it is demonstrated that the size and extent of the public pathways has been determined with due consideration of the intended park use.
    c. Structures.
        i. Primary appurtenant structures to a public park and recreational use that either support public access or are necessary to support a water-dependent recreation use shall be allowed within the Shoreline Buffer when a need for the shoreline location is demonstrated, except that all structures are prohibited in Zone1 when upland of a Priority Aquatic designation. When appurtenant structures are allowed, they must be the minimum necessary to meet the needs of the water-dependent use or public access requirements of Section 4.2.4, Public Access.

ii. The total square footage of all buildings or structures must not exceed 6,000 square feet or 10% of the Shoreline Buffer area, whichever is less.

A. Only 10% of the total allowed square footage or 1,000 square feet, whichever is less, can be located in Zone 1.

iii. All structures must be designated to not significantly impact views from adjoining property primary buildings.

iv. All structures must meet the following standards:

A. Only water-related recreational furniture, amenities and structures are allowed in Zone 1, including but not limited to, picnic tables, benches, interpretive kiosks, viewing platforms, boardwalks, pervious trails or staircases, recreational furniture, signs, pervious trails, and staircases are not included in the maximum square footage allocations prescribed in subsection 4.c.ii, above;

B. Accessory recreation buildings, including restrooms, picnic pavilions and service roads that serve such structures may be allowed in Zone 2 and buildings shall not exceed 12 feet in height above existing grade;

C. Stairways may exceed 300 square feet, provided that it is demonstrated that a greater area is necessary to meet public access and public use demands Stairways shall conform to the standards of the Building Code as adopted in BIMC Chapter 15.04.; and

D. Boat ramps and other boating facilities may be allowed pursuant to Section 5.4, Boating Facilities.

4.1.3.11 Regulations – Shoreline Structure Setback View Requirement

1. To protect existing predominate shoreline views and accommodate shoreline views for a new single-family primary residential structure or addition to a primary residential structure, the Administrator may allow Zone 2 of the Shoreline Buffer to be altered when there is an existing primary residential structure located within 100 feet of the property line of the subject property and topographical or other relevant information indicates that the view of the shoreline from the subject property or the adjacent residence would be impacted by existing or proposed development. The shoreline structure setback line may also require that new structures be set farther away from the shoreline to preserve existing views enjoyed by an adjoining single-family primary structure that was established earlier. These provisions apply to single-family residences only, except in the Point Monroe District.

    a. Setbacks for the purpose of this subsection are based on the location of primary residential structure(s) existing at the time a new primary residential building permit is submitted. A primary residential structure constructed in compliance with the required shoreline setback is not made nonconforming by the later construction of a primary residential structure in a different location on an adjoining lot.

b. The shoreline structure setback provisions apply only to primary single-family residential structures located within the 200-foot shoreline jurisdiction, where an existing primary single-family residential structure is located within 100 feet of the subject property line. All measurements are to the closest primary residential structure on either side of the subject property as measured parallel to the shoreline.

c. In determining the shoreline structure setback line, the Administrator may also consider topography or other physical property constraints in addition to the provisions of subsection 4 and 5, below. Applicants may submit detailed information regarding how property constraints impact the predominate shoreline views from either the subject property's proposed primary residential structure or adjoining properties' primary residential structure(s).

2. The Shoreline Buffer on the subject property may be reduced below the depth requirements identified in Table 4-3 to allow a new primary residential structure to be located within Zone 2 provided the conditions in Section 4.1.3.7(2) are met. Mitigation of proposed residential development shall be required pursuant to Section 4.1.2, Environmental Impacts.

3. In no case shall the subject property be permitted to locate a new primary residential structure within the site's specified Zone 1 of the Shoreline Buffer, unless a Shoreline Variance is granted.

4. Adjoining Development Located Within Shoreline Buffer. The setback requirement for the subject property shall be based on the location of the adjoining properties' primary residential structure(s) as described in subsections (a) through (d) below.

    a. Primary Residential Structure Located on One Side. When an existing primary residential structure is located on one side of the subject property, the shoreline structure setback line shall be determined as follows:

        i. If the adjoining primary residence is partially or wholly located within Zone 2, the shoreline setback line is determined by drawing a line from the most waterward point of the adjoining primary residential structure to the point at which the subject property's Shoreline Buffer boundary intersects the subject property's opposite property line. (See Figure 4-1 (A) I).

        ii. If the adjoining primary residence is located partially or wholly in Zone 1, the shoreline structure setback line shall be determined by drawing a line from the point of intersection of the subject property and the adjoining property's Zone 1 boundary, to the point at which the subject property's Shoreline Buffer boundary intersects the subject property's opposite property line. (See Figure 4-1 (A) II).

    b. Primary Residential Structure Located on Both Sides. When existing primary residential structures are located on both sides of the subject property, the shoreline structure setback line shall be determined as follows:

        i. If both the adjoining primary residential structures are located partially or wholly in Zone 2, then the shoreline structure setback line shall be

determined by drawing a line between the most waterward points of each of the adjoining primary residential structures. (See Figure 4-1 (B) I)

ii. If one of the adjoining primary residences is partially or wholly in Zone 1, and the other adjoining primary residence is partially or wholly in Zone 2, the shoreline structure setback line shall be determined by drawing a line from the point of intersection of the subject property and the adjoining property's Zone 1 boundary (for that adjoining residence located in Zone 1), to the most waterward point of the other adjoining primary residential structure located in Zone 2. (See Figure 4-1 (B) II).

iii. If both of the adjoining primary residences are located partially or wholly within Zone 1, the shoreline structure setback line shall be determined by drawing a line from the point of intersection of the subject property's Zone 1 boundary and the adjoining property's Zone 1 boundary to the same intersection point on the subject property's opposite property line. (See Figure 4-1 (B) III)

c. Primary Residential Structure Located on a Shoreline Forming a Cove or Headland. The Administrator shall make the determination whether a shoreline forms a cove or headland. When existing primary residential structures are located on a cove or headland, the shoreline structure setback line shall be determined as follows:

i. If there is a primary residential structure on only one side of the subject property, then the shoreline structure setback line for the subject property shall be either the distance from the OHWM to the most waterward portion of the primary residence structure of the adjoining property, or the subject property's Zone 1, whichever is greater. (See Figure 4-1 (C) I)

ii. If there are adjoining primary residential structures located on both sides of the subject property, the shoreline structure setback line shall be determined by averaging the distance from OHWM to the most waterward portion of the two adjoining property's primary residential structures. (See Figure 4-1 (C) II)

5. Adjoining Development Located Outside the Shoreline Buffer. The setback requirement for the subject property shall be based on the location of the adjoining properties' primary residential structure(s) as described in subsections (a) and (b) below.

a. Primary Structure Located on One Adjoining Property, Outside Shoreline Buffer. When an existing primary residential structure is located on one side of the subject property, the shoreline structure setback line shall be determined by drawing a line from the most waterward point of the primary residential structure of the adjoining property to a point at which the subject property's Shoreline Buffer boundary intersects the subject property's opposite property line. (See Figure 5-1 (A)).

b. Primary Structures Located on Both Adjoining Properties, Outside the Shoreline Buffer. When existing primary residential structures are located on both sides of the subject property, the shoreline structure setback line shall be determined by

drawing a line between the most waterward points of each of the adjoining primary residential structures. (See Figure 5-1 (B)).

c. Primary Structures Located on Both Adjoining Properties, Outside the Shoreline on a Cove or Headland. When existing primary residential structures are located on both sides of the subject property, the shoreline structure setback line shall be determined by averaging the distance from OHWM to the most waterward portion of the two adjoining property's primary residential structures. (See Figure 5-1 (C)).

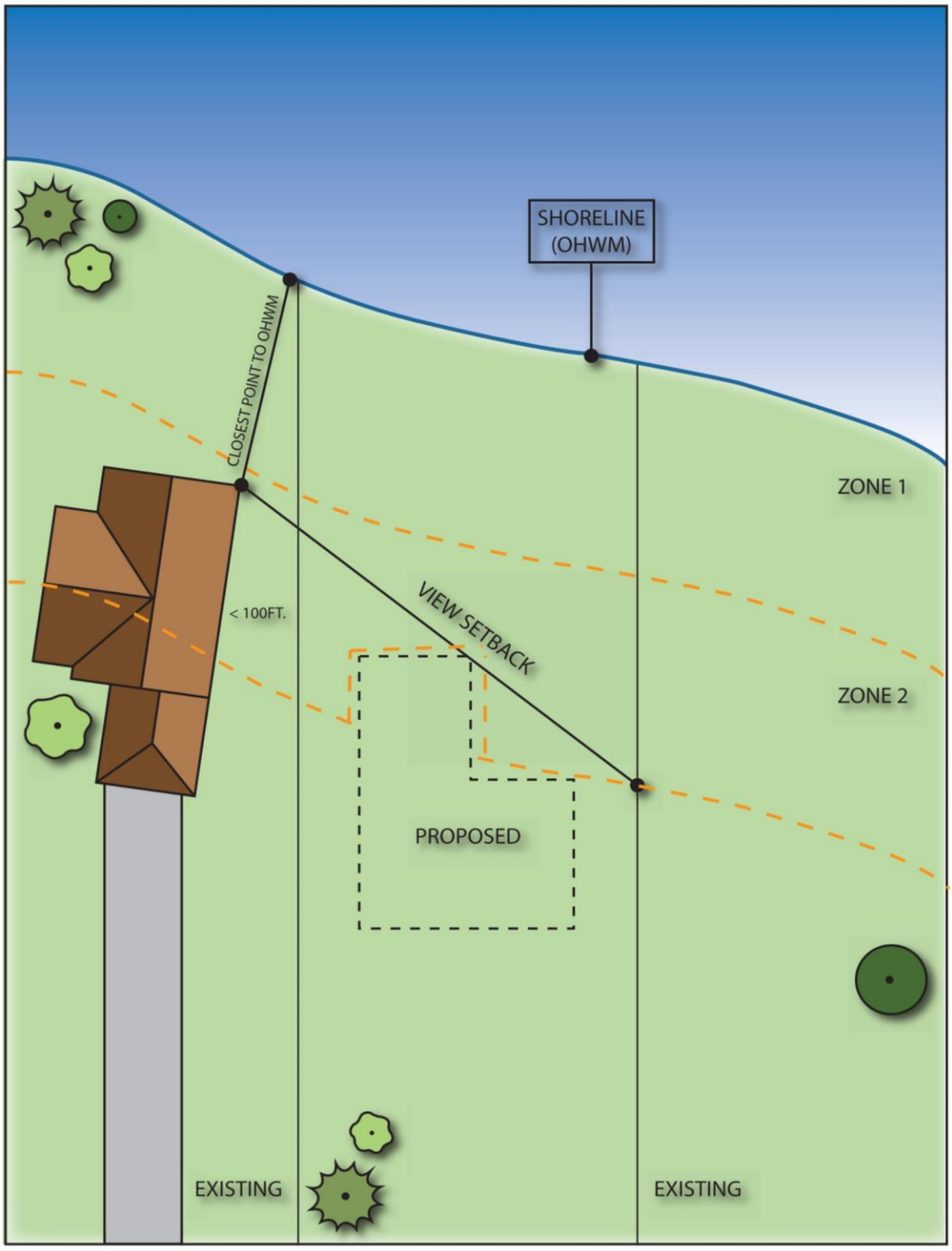

SHORELINE
(OHWM)
CLOSEST POINT TO OHWM
ZONE 1
< 100FT.
VIEW SETBACK
ZONE 2
PROPOSED
EXISTING
EXISTING

FIGURE 4-1 (A) I

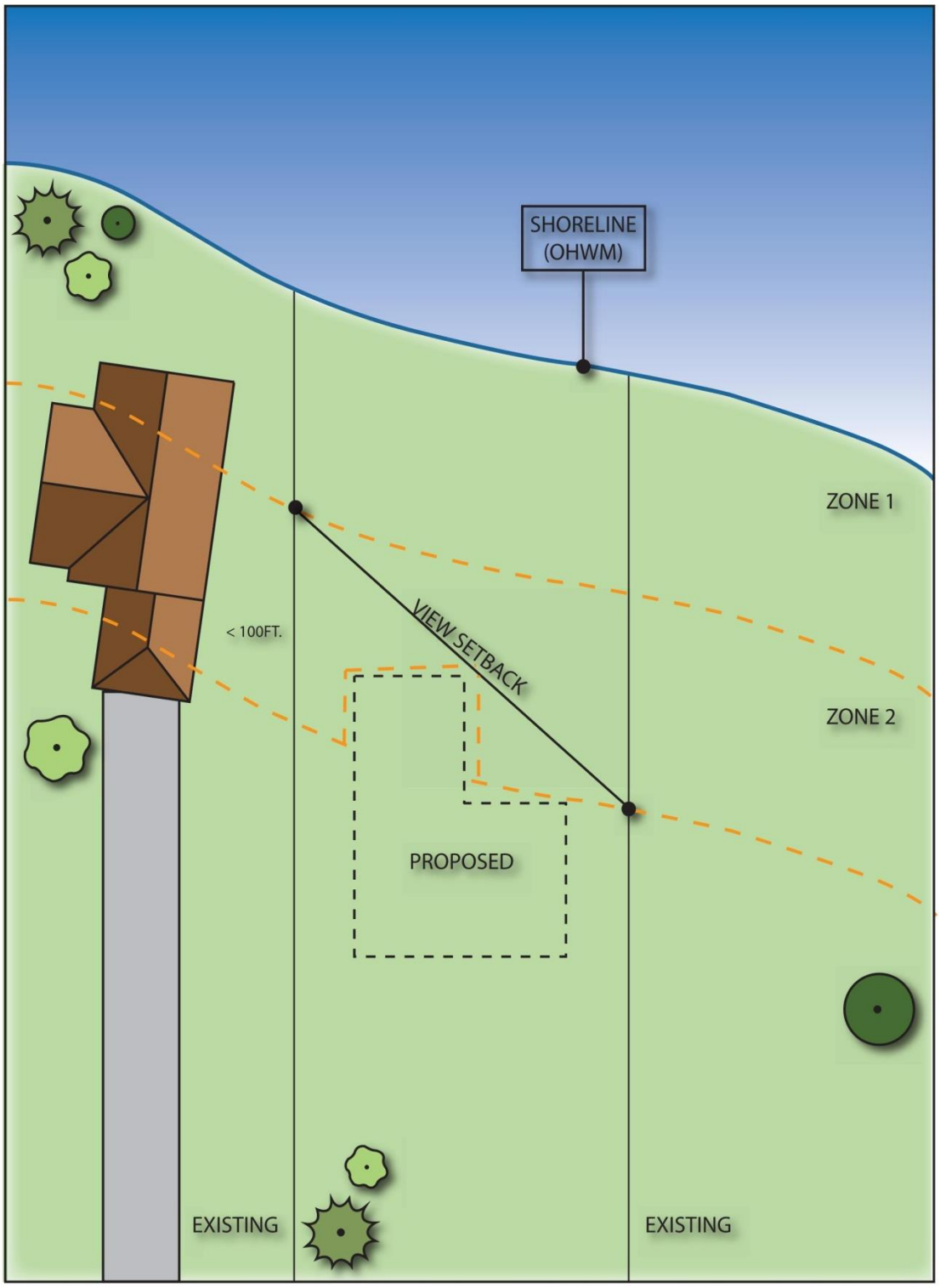


FIGURE 4-1 (A) II

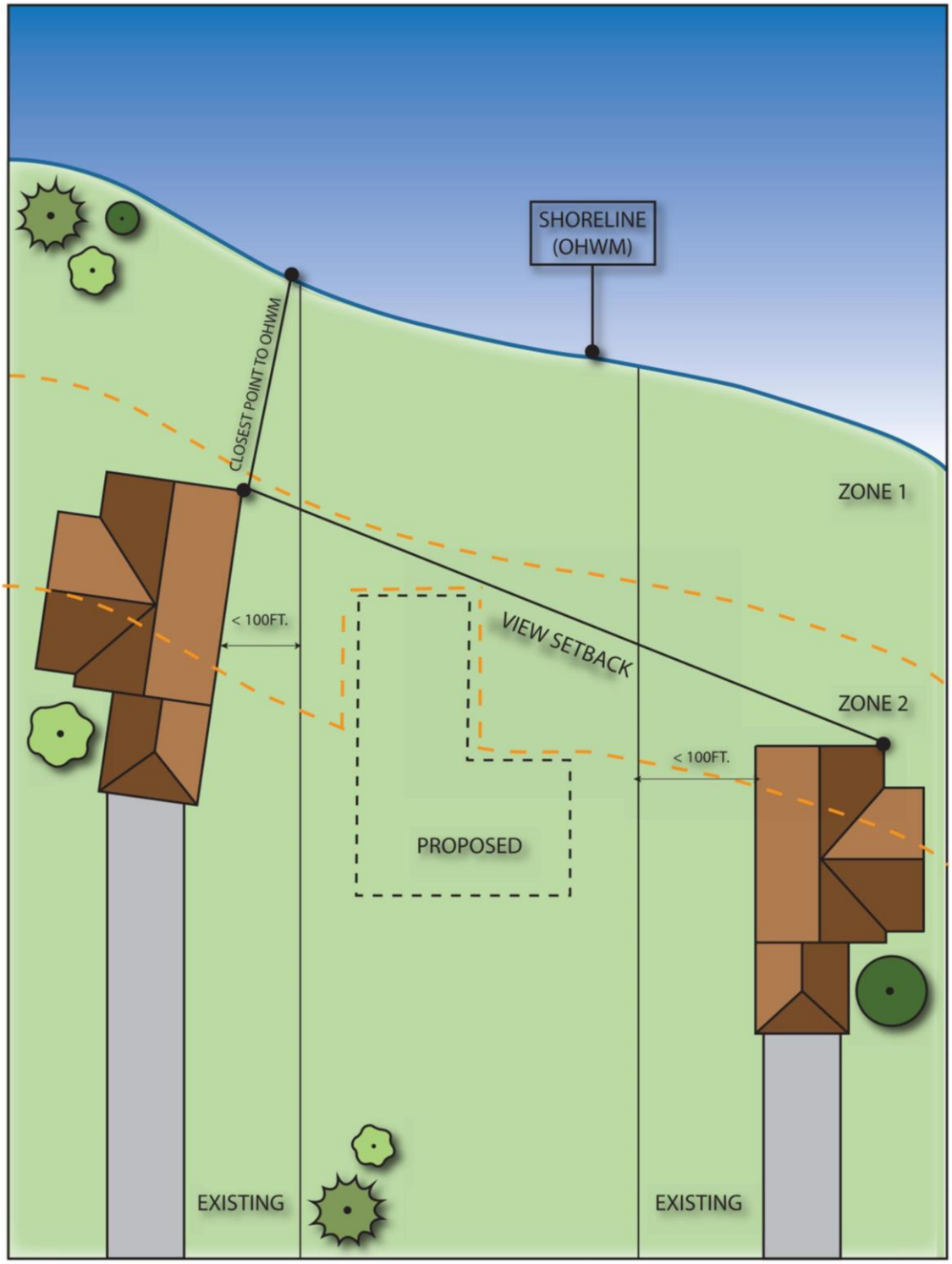

SHORELINE
(OHWM)
CLOSEST POINT TO OHWM
ZONE 1
< 100FT.
VIEW SETBACK
ZONE 2
< 100FT.
PROPOSED
EXISTING
EXISTING

FIGURE 4-1 (B) I

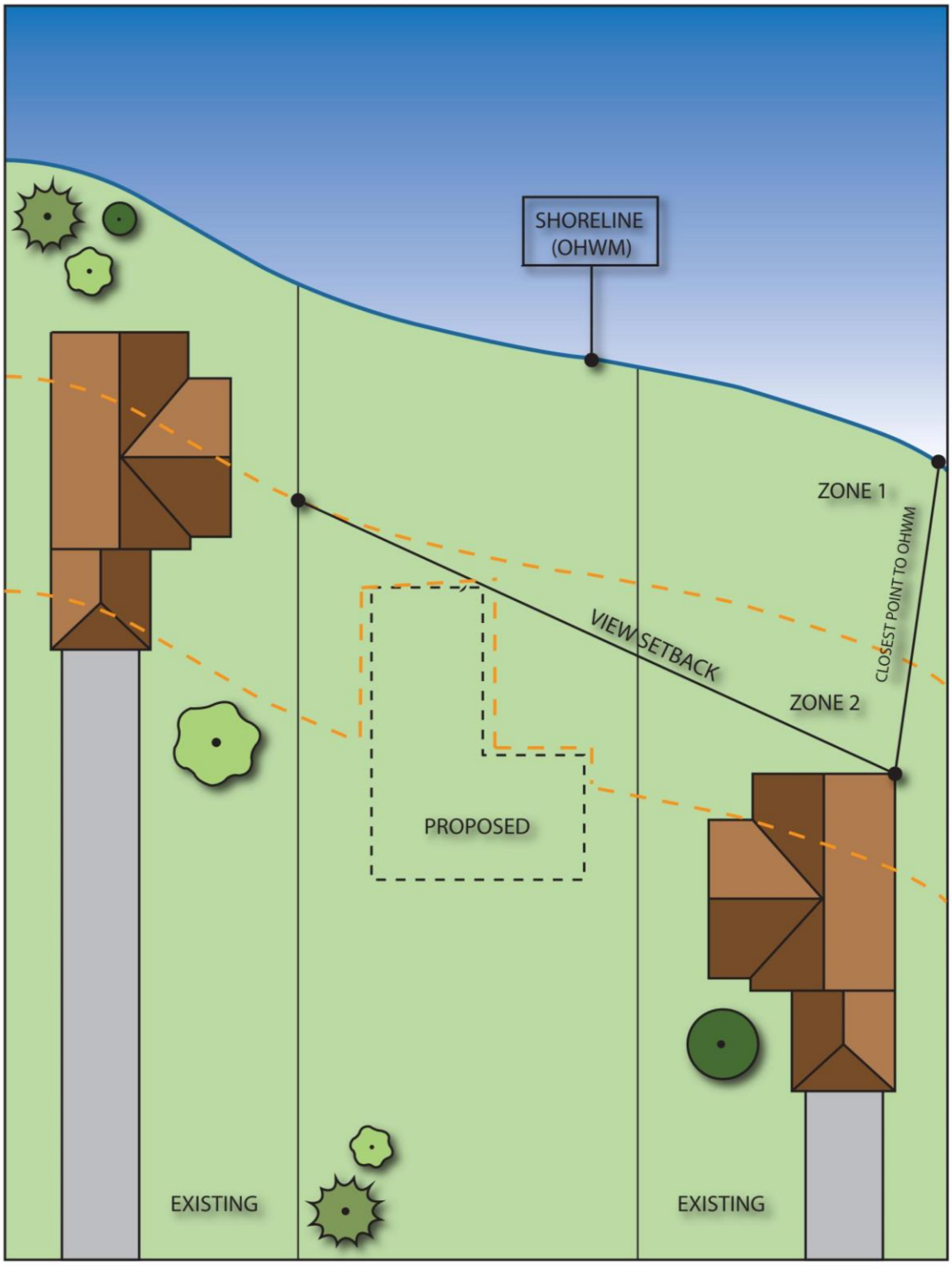


FIGURE 4-1 (B) II

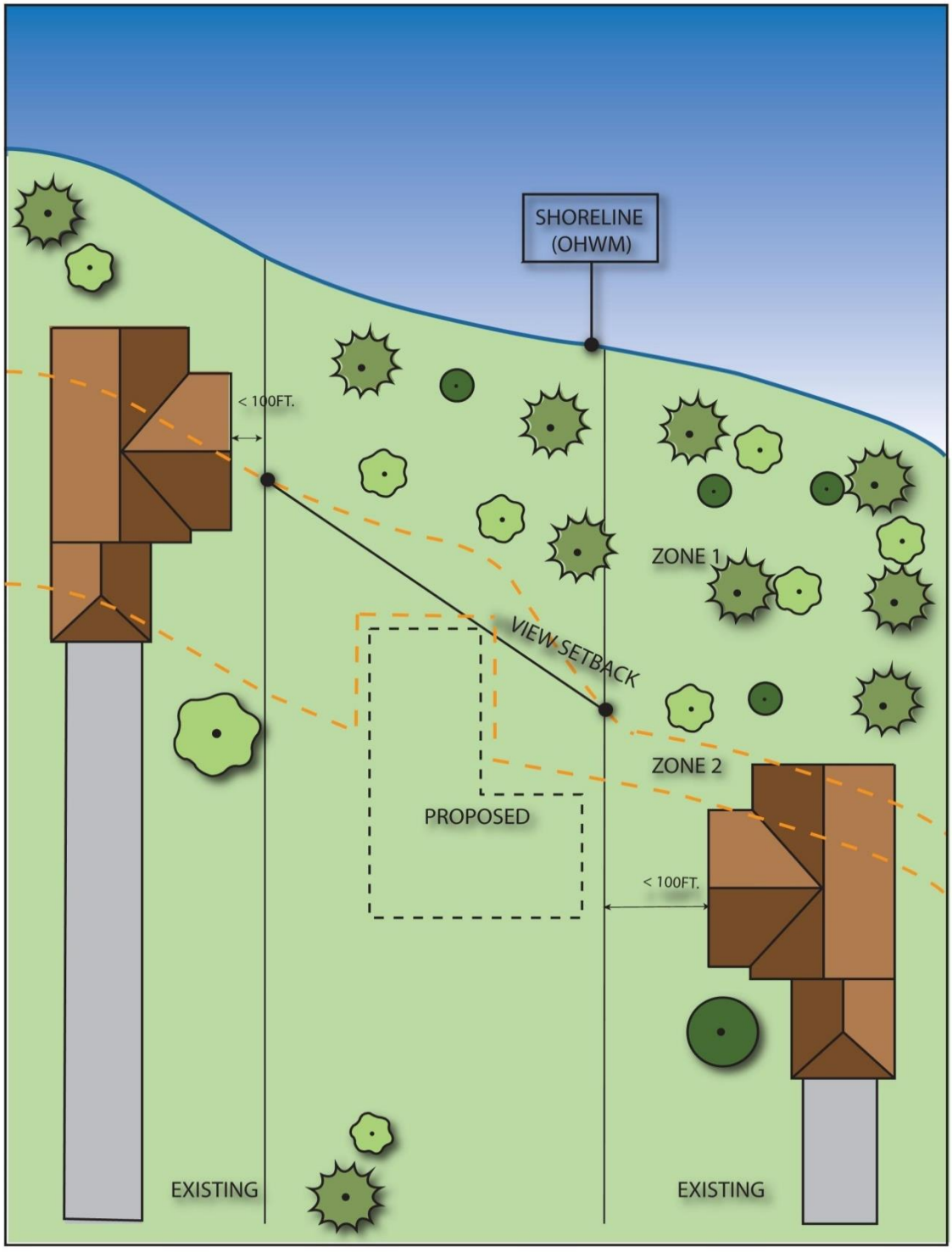


FIGURE 4-1 (B) III

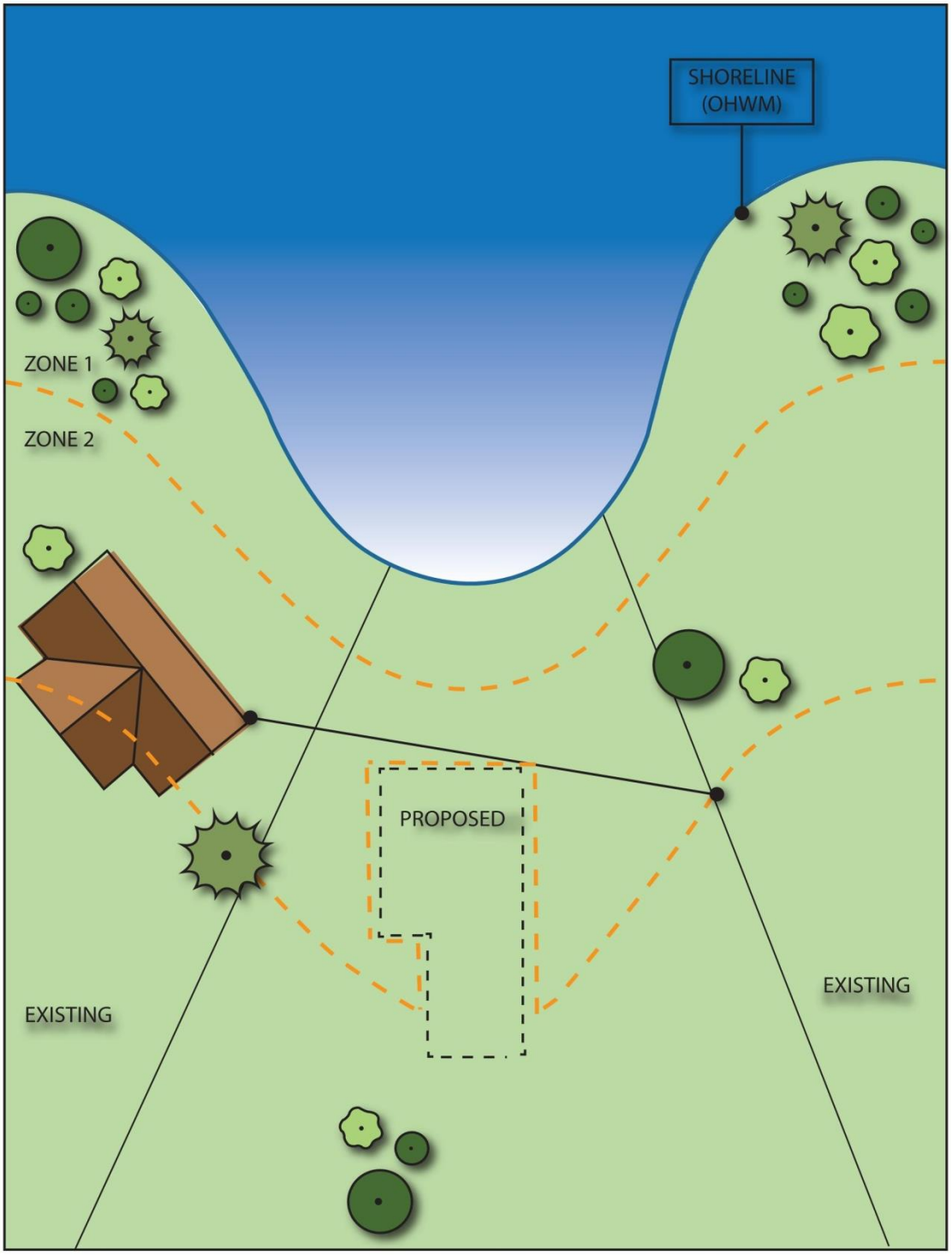


FIGURE 4-1 (C) I

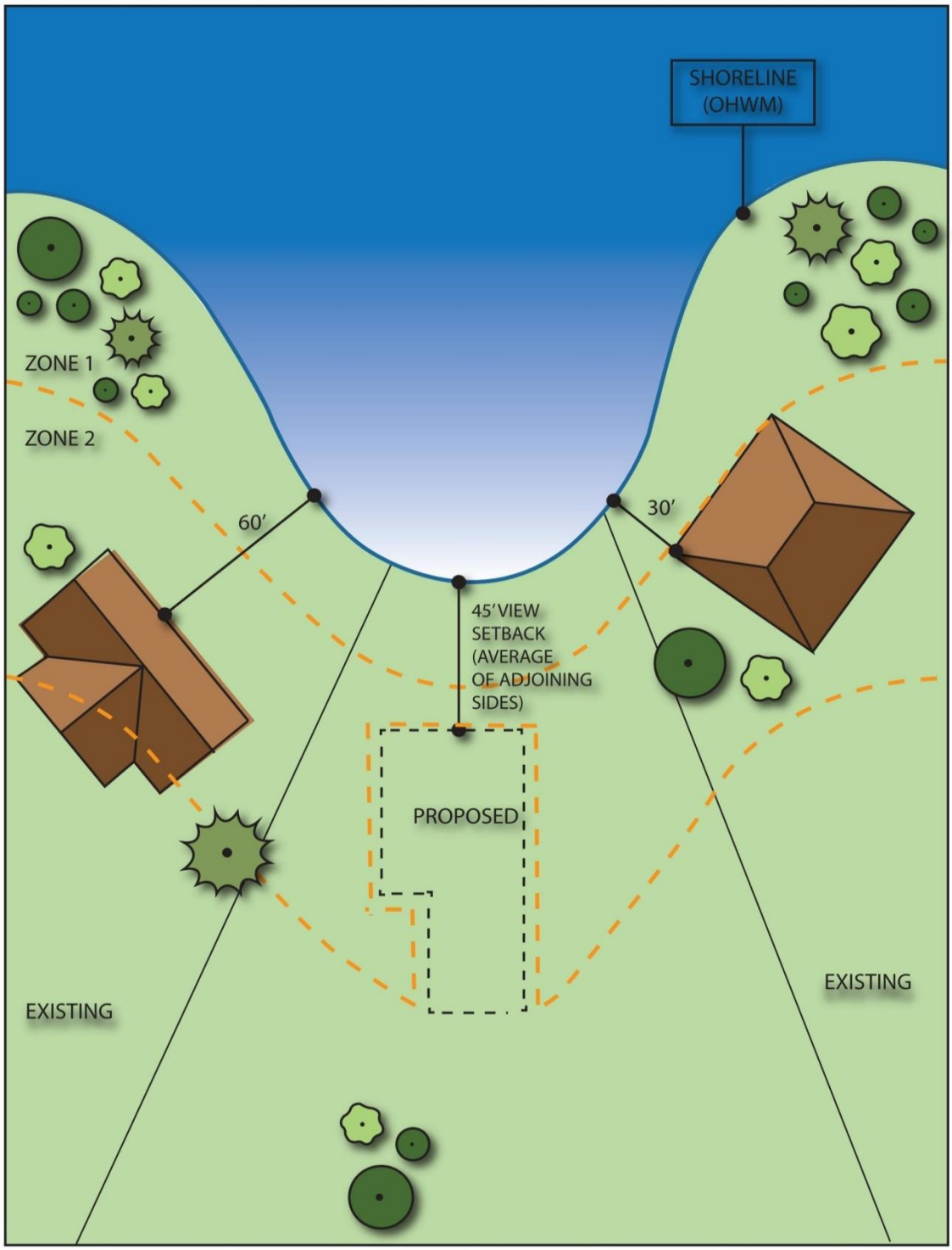


FIGURE 4-1 (C) II

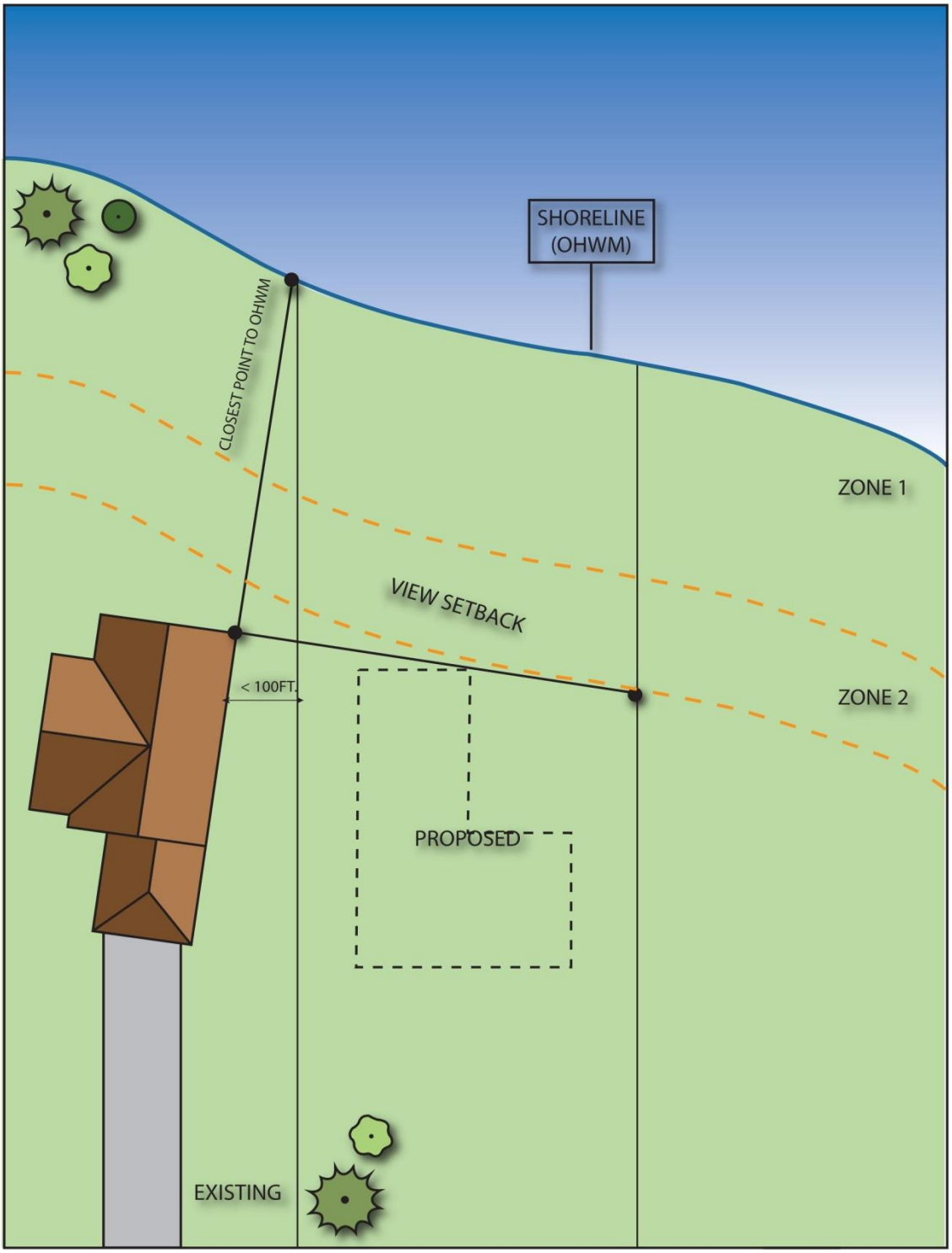

SHORELINE
(OHWM)
CLOSEST POINT TO OHWM
ZONE 1
VIEW SETBACK
< 100FT.
ZONE 2
PROPOSED
EXISTING

FIGURE 5-1 (A)

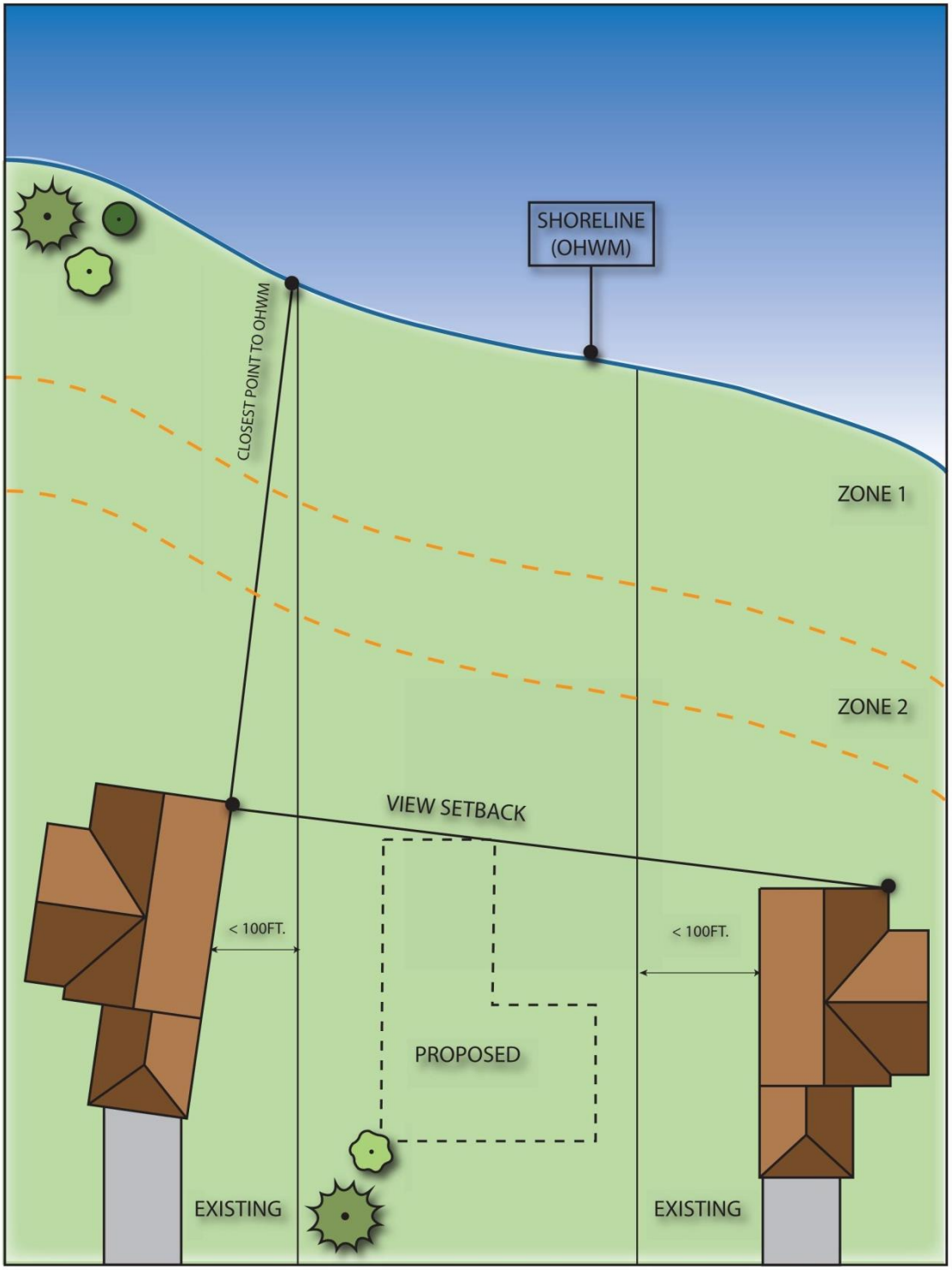

SHORELINE
(OHWM)
CLOSEST POINT TO OHWM
ZONE 1
ZONE 2
VIEW SETBACK
< 100FT.
< 100FT.
PROPOSED
EXISTING
EXISTING

FIGURE 5-1 (B)

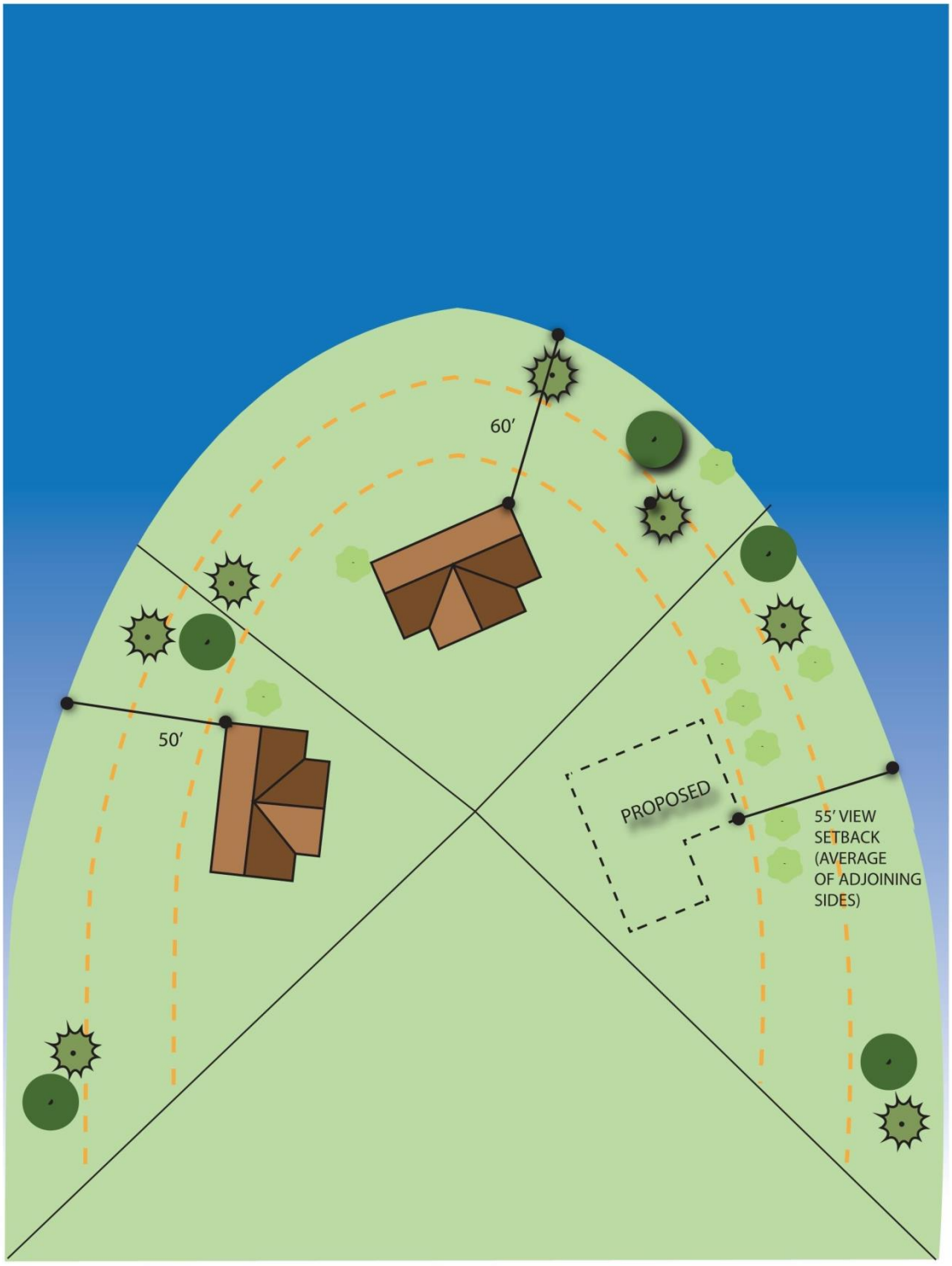


FIGURE 5-1 (C)

4.1.4 Land Modification

4.1.4.1 Applicability

All shoreline uses and activities must conform to the clearing and grading provisions herein, including development which does not require a shoreline permit. Shoreline development and land modification activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island Wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.1.4.2 Policies

1. Allow alteration of the natural landscape only in association with existing legal uses or new permitted or allowed shoreline use/or development. Prohibit speculative clearing, grading, or vegetation removal.
2. Avoid and minimize potential adverse impacts from land surface modification activities through proper site planning, construction timing practices, and use of erosion and drainage control methods. Generally, these activities should limit alteration of the natural landscape to the minimum extent necessary to accommodate the proposed use, and should be designed and located to protect shoreline ecological functions and ecosystem-wide processes.
3. Assure clearing and grading activities are consistent with the Stormwater Manual to prevent adverse impact to wildlife habitat, streams, lakes, and wetlands from erosion.
4. For clearing and grading proposals, provide a clearing and grading plan addressing vegetation removal, erosion and sedimentation control, and protection of critical areas and shoreline vegetation conservation and management zones. Use low impact development techniques to minimize adverse impacts to natural hydrologic conditions, such as soil compaction and transpiration.
5. Promptly replant disturbed areas following project completion. Replanting with native shoreline vegetation should be a priority, however, flexible planting plans that incorporate non-native plant species which provide similar functions and ecosystem-wide processes can be considered.

4.1.4.3 Regulations – Prohibited

1. All clearing and/or grading not associated with an approved development, use or activity, unless specifically provided for in this program.

4.1.4.4 Regulations - General

1. Clearing and/or grading within shoreline jurisdiction shall require an approved clearing or grading permit in association with an existing legal use or a new permitted or allowed shoreline use or development. Such activities shall meet the mitigation and revegetation provisions in Section 4.1.2, Environmental Impacts and Section 4.1.3, Vegetation Management.

2. Upon completion of development, use or activity, the remaining cleared areas shall be replanted within the first applicable planting season.
3. All vegetation that is intended to be retained but may likely be disturbed by the clearing and grading activity shall be protected in accordance with the standards of BIMC Chapter 18.15.010, Landscaping, Screening, and Tree Retention, Protection and Replacement.
4. Land alteration (clearing, grading, and filling) shall be limited to the minimum extent necessary for the proposed development, use or activity. All land alteration must meet the standards of BIMC Chapter 15.20 Surface and Storm Water Management.

4.1.5 Critical Areas

4.1.5.1 Applicability

~~This section provides policies and regulations that apply to critical areas including critical saltwater and freshwater habitats as defined by WAC 173-26-221(2)(c)(iii) and (iv), including those portions of streams and wetlands, and flood plains or other flood prone areas within the shoreline jurisdiction. These policies and regulations apply in addition to the critical areas protection standards for fish and wildlife habitat conservation areas found in Appendix B. All shoreline uses and activities, including development which does not require a shoreline permit, must conform to these provisions. Shoreline development and activities associated with critical areas will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.~~

This section provides policies and regulations that apply to critical areas located within the shoreline jurisdiction, including wetlands, streams, geologically hazardous areas, frequently flooded areas, fish and wildlife habitat conservation areas, and critical saltwater habitat. This section applies to all development, uses and activities within areas or adjacent to areas designated as critical areas. No action shall be taken by any person, company, agency, governmental body (including the city), or applicant, which results in any alteration of a critical area except as consistent with the goals, policies, purposes, intent, requirements, and development standards of this section.

4.1.5.2 Goal

Comprehensively manage shoreline uses and activities to protect, enhance, and restore existing ecological functions and ecosystem-wide processes of critical areas by utilizing the most current, accurate, and complete scientific and technical information. By avoiding and limiting adverse impacts to and alteration of critical areas, this section seeks to protect the Island's special character and accomplish the following goals:

1. To conserve the biodiversity of plant and animal species, protect, maintain and restore healthy, functioning ecosystems through the protection of unique, fragile, and valuable elements of the environment, including, but not limited to, ground and surface waters, wetlands, fish and wildlife and their habitats;

2. Direct development, uses and activities to less environmentally sensitive sites and mitigate unavoidable impacts to critical areas by regulating alterations in and adjacent to critical areas;

3. Prevent cumulative adverse environmental impacts to water quality, water quantity, wetlands, and fish and wildlife habitat, and the overall net loss of wetlands, frequently flooded areas, aquifer recharge, and habitat conservation areas;

4. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, or flooding; and

5. Alert owners, potential purchasers, real estate agents, appraisers, lenders, builders, developers and other members of the public to natural conditions that pose a hazard or otherwise limit development.

4.1.5.3 Purpose and Intent

1. The purpose of this section is to designate and classify ecologically sensitive and hazardous areas as critical areas and to protect, maintain and restore these areas and achieve no net loss of their functions and values.

2. This section is intended to implement the goals, policies, guidelines, and requirements of the city comprehensive plan and the Shoreline Management Act (Chapter 90.58 RCW).

3. Critical areas provide a variety of valuable and beneficial biological and physical functions that benefit the city and its residents. Critical areas may also pose a threat to human safety or to public and private property. The beneficial functions and values provided by critical areas include, but are not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation of flood waters, ground water recharge and discharge, erosion control, wave attenuation, and protection from hazards and the impacts of climate change. Groundwater recharge is of particular concern for the city because the Island's drinking water is supplied solely by groundwater.

4. This section is to be administered with flexibility and attention to site-specific characteristics. It is not the intent of this section to make a parcel of property unusable by denying its owner reasonable use of the property or to prevent the provision of public facilities and services necessary to support existing development. If the provision of this Chapter results in the denial of reasonable use of a property, relief can be sought through the Shoreline Variance permit process.

4.1.5.4 Protection of Critical Areas

1. All proposed development, uses, and activities subject to this section shall utilize mitigation sequencing pursuant to Section 4.1.2.6.

2. The precautionary principle shall be applied in the review of any action, taken or proposed, that does not conform to the requirements of this section. The burden of proof that the action will cause no net loss or harm to persons or property falls on the applicant or the property owner.

~~4.1.5.3~~4.1.5.5 Policies

1. Provide a level of protection to critical areas that protects, maintains and restores these areas, and achieves no net loss of their functions and values. ~~Protect shoreline resource areas, including but not limited to critical areas, including:~~

    ~~a. Critical Aquifer Recharge Areas~~

    ~~b. Fish and Wildlife Habitat Conservation Areas~~

    ~~c. Frequently Flooded Areas~~

    ~~d. Geologically Hazardous Areas~~

    ~~e. Wetlands~~

    ~~f. Critical Saltwater and Freshwater Habitat Areas~~

    ~~g. Critical Habitat~~

2. Encourage development proposals to include elements of preservation, conservation, restoration, or enhancement of critical areas, including saltwater habitat and fish and wildlife conservation areas, through incentives and ecosystem-wide restoration planning.

3. Locate, design, construction, and manage all shoreline uses and activities in ways that assure no net loss of shoreline ecological functions and ecosystem-wide processes, and protect critical saltwater habitat, including fish and wildlife habitat conservation areas.

4. Locate and design shoreline uses, activities, and/or development to avoid risks to people and property. See also Section 3.0, Shoreline Designation Policies and Regulations, for additional provisions.

~~5. Ensure that proposed shoreline uses, activities and/or development proposed adjacent to critical areas or their buffers, will not adversely impact shoreline ecological functions and/or ecosystem-wide process or critical areas, fish and wildlife habitat conservation areas and critical saltwater habitat.~~

~~6~~5. Promote ~~and manage~~ water-related shoreline uses and activities, such as public access and recreation, that are compatible with critical areas, provided they do not result in a net loss of critical area functions and values ~~adversely impact ecological function~~.

~~7. Monitor critical areas, including critical saltwater habitats, and fish and wildlife habitat conservation areas, to assure that these areas are not being adversely impacted by approved development or restoration projects.~~

4.1.5.6 Allowed Activities within Critical Areas

1. The following activities are allowed within critical areas and their buffers and do not require review for compliance with critical area regulations. Any activity not subject to critical areas regulations that constitutes development pursuant to Section 8, Definitions, is subject to applicable review under this Program.

    a. Normal and routine yard and garden activities including, but not limited to, cutting and mowing lawns, weeding, removal of noxious and invasive species, harvesting and replanting of garden plants and crops, incidental vegetable gardening, and pruning and planting of noninvasive ornamental vegetation,

intended to maintain the general condition and extent of such areas; provided, that such activities are limited to legally existing yard and garden areas, do not further expand into critical areas or associated buffers, do not significantly alter topography, and do not diminish water quality or quantity. Normal and routine activities cannot result in a change to the location, size at the ground level or configuration of existing yard and garden areas.

b. Class I, II and III forest practices regulated pursuant to Chapter 76.09 RCW.

c. Minor site investigative work. Work necessary for land use review submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require a clearing permit pursuant to Section 4.1.3 or construction of new roads. In every case, impacts to the critical area shall be minimized and disturbed areas shall be immediately restored. Minor site investigative work may include educational and scientific research activities.

d. Activities within the improved right-of-way. Replacement, modification, installation, or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances, when such facilities are located within the improved portion of the public right-of-way or easement of a private street, except those activities that alter a wetland or watercourse, such as culverts or bridges, or result in the transport of sediment or increased stormwater.

e. The installation of low impact fencing within critical area buffers provided the location does not result in restricting wildlife movement, the location and installation is the least impactful to the critical area and buffer as possible, and there is no alternative to fencing to achieve the purpose of the fence.

f. Signs for marking critical area boundaries, interpretive signs and survey markers or property boundaries.

g. Development, uses or activities within critical aquifer recharge areas that do not have the potential to generate a pollutant identified as a potential source of drinking water contamination pursuant to Section 4.1.5.9 and are outside an Aquifer Recharge Protection Area (ARPA) if one has been designated pursuant to BIMC 16.20.100 and any other critical area or its buffer or setback.

2. The following activities are allowed within critical areas and their buffers, without a shoreline variance, after review and authorization by the city. Review and authorization may occur over-the-counter and will require a written letter of approval or shall be reviewed for consistency with this section as part of the required shoreline review or permit. Any activity not subject to critical areas regulations that constitutes development pursuant to Section 8, Definitions, is subject to applicable review under this Program.

a. Activities within a portion of a wetland buffer or fish and wildlife habitat conservation area buffer separated from the critical area by an existing permanent substantial development, use or activity which serves to eliminate or greatly reduce the impact of the proposed activity on the critical area are exempt from establishing the full required buffer width; provided, that impacts to the critical area do not increase. The director shall review the proposal to determine the likelihood of associated impacts and may require the applicant to provide a

critical areas report prepared by a qualified professional that demonstrates through a site assessment or functional analysis that the interrupted buffer area is functionally isolated from the critical area. The director shall consider the hydrologic, geologic, and/or biological habitat connection potential and the extent and permanence of the physical separation.

~~4.1.5.4~~4.1.5.7 Regulations – General

~~1. Development, uses, and activities proposed within shorelines of the state shall meet the requirements of the City's shoreline-specific Critical Areas Regulations as contained in Appendix B, in addition to the requirements found elsewhere in the Master Program.~~

~~2. Development, uses, and activities adjacent to critical areas, including critical saltwater habitats and fish and wildlife habitat conservation areas, proposed within shorelines of the state shall be monitored to assure that these areas are not being adversely impacted by approved development or restoration projects, consistent with Section 4.1.2 monitoring and mitigation requirements and the monitoring and mitigation requirements in Appendix B.~~

~~3. Special Reports. For development proposed on property with marine bluffs, steep slopes, erosion hazard areas and/or landslide hazard areas, a geotechnical report shall be required to assess potential hazards and propose measures to mitigate such hazards consistent with the requirements of this Master Program and attached appendices.~~

1. Any proposed development or activity within a critical area or its buffer or setback requiring review under this Program shall be reviewed based on the proposal's ability to comply with all of the following criteria:
    a. The proposal minimizes the impact on critical areas in accordance with mitigation sequencing (SMP 4.1.2.6);
    b. The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;
    c. The proposal is consistent with the general purposes of this section and the public interest;
    d. Any alterations permitted to the critical area are mitigated in accordance with mitigation requirements in SMP 4.1.2.6;
    e. The proposal protects the critical area functions and values consistent with best available science and results in no net loss of critical area functions and values;
    f. The proposal addresses cumulative impacts of the action; and
    g. The proposal is consistent with other applicable regulations and standards.
2. The city may condition the proposed activity as necessary to mitigate impacts to critical areas and to conform to the standards required by this section.
3. Except as provided for by this section, any project that cannot adequately mitigate its impacts to critical areas in the sequencing order of preferences in SMP 4.1.2.6 shall be denied.

4.1.5.7.1 Support Information Requirements

Any application for proposed development or activity requiring review under this Program shall include the following:

1. A site plan drawn to scale identifying locations of critical areas and their buffers, location of proposed development, uses and activities, location and estimated quantity of earthwork and vegetation clearing and location and type of drainage features or infrastructure.
2. Any critical area report or study required by this section. Such reports or studies shall be prepared by qualified professionals in the area of concern as defined in Section 8.0, Definitions, and in accordance with the requirements provided in Section 4.1.5.14, Critical Areas Reports, as follows:
    a. Aquifer recharge study: Hydrogeologist;
    b. Geological hazard assessment: Engineering geologist; geotechnical engineer, provided that:
        i. An engineering geologist may provide a study, including interpretation, evaluation, analysis, and application of geological information and data and may predict potential or likely changes in types and rates of surficial geologic processes due to proposed changes to a location, provided it does not contain recommended methods for mitigating identified impacts, other than avoidance, structural impacts to, or suitability of civil works; and
        ii. Engineering geologists may not provide engineering recommendations or design recommendations, but may contribute to a complete geotechnical report that is co-sealed by a geotechnical engineer.
    c. Stream buffer enhancement plan: Biologist with stream ecology expertise; fish or wildlife biologist; a civil engineer may provide studies for drainage, surface and subsurface hydrology, and water quality;
    d. Wetland buffer enhancement plan, wetland critical area report, wetland mitigation plan: Wetlands specialist.
    e. Habitat Management Plans: Wildlife biologist and/or fisheries biologist.
    f. The director is authorized to retain experts at the applicant's expense and request review from other jurisdictional agencies to assist in the review of application materials; and
3. Any additional information determined as relevant by the director.

4.1.5.7.2 Notice on Title

1. The owner of any property with field-verified presence of critical area or buffer on which a development proposal is submitted shall file for record with the Kitsap County auditor a notice approved by the director in a form substantially as set forth in Subsection 2 of this Section. Such notice shall provide notice in the public record of the presence of a critical area and buffer, the application of this section to the property, and that limitations on actions in or affecting such areas may exist. The applicant shall submit proof that the

notice has been filed for record before the city shall approve any development proposal for such site. The notice shall run with the land and failure to provide such notice to any purchaser prior to transferring any interest in the property shall be in violation of this section.

2. Form of Notice

Critical Areas
and/or
Critical Areas Buffer Notice

Legal Description: _____

Present owner: _____

NOTICE: This property contains critical areas or their buffers as defined by the City of Bainbridge Island Ordinance No. _____.

The property _____
was the subject of a development proposal for _____
(type of permit) application # _____ filed on _____ (date).

Restrictions on use or alteration of the critical areas or their buffers may exist due to natural conditions of the property and resulting regulations. Review of such application has provided information on the location of critical areas or critical area buffers and restrictions on their use through setback areas. A copy of the plan showing such setback areas and other restrictions or required enhancements is attached hereto.

Signature of owner: _____

STATE OF WASHINGTON)

COUNTY OF _____)

On this day personally appeared before me to me known to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein stated.

Given under my hand and official seal this _____ day of _____, _____.

NOTARY PUBLIC in and for the state of Washington, residing at _____
_____.

~~4.1.5.5~~4.1.5.8 Regulations – ~~Fish and Wildlife Habitat Conservation Areas and~~ Critical Saltwater Habitat

1. Water-dependent development and uses, including marinas, docks, piers, mooring areas, underwater parks, utility crossings, and shoreline modifications, shall not intrude into or be built over critical saltwater habitat unless:
    a. The applicant can show that all of the following criteria can be met:

i. The use preferences of Section 4.1.1 shall be utilized for uses in Shorelines of State-wide Significance; and

ii. The need for such a structure is clearly demonstrated and an alternative alignment or location on the property that would avoid impacts to critical saltwater habitats is not feasible or would result in unreasonable and disproportionate cost to accomplish the same general purpose, as demonstrated through an alternatives analysis. The analysis should include in part, shoreline bathymetry, shoreline features at the site, and substrate composition;

iii. It can be demonstrated that the project is consistent with the state's interest in resource protection and species recovery; and

iv. Impacts to critical saltwater habitat functions and processes are mitigated to result in equal or better ecological function; or

b. The proposal is for private, non-commercial, residential docks for single use, community, or joint-use, which may be authorized, provided that:

i. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible; and

ii. The project, including any required mitigation, will result in no net loss of ecological functions and processes associated with critical saltwater habitat.

c. New or expanded overwater structures shall be located the greater or most protective of:

i. A horizontal distance of 25 feet from the outside edge of the structure to native aquatic vegetation attached to or rooted in substrate;

ii. A horizontal distance equal to the maximum distance shade will be cast by the structure and vessel;

iii. A 4-foot vertical distance from eelgrass or relevant submerged aquatic vegetation;

iv. A distance the diameter of the turning circle, if the structure is to be utilized for motorized vessels. The turning circle is defined as 3.5 times the length of the longest vessel to use the structure.

v. Alternative measures that demonstrate no net loss of ecological functions.

d. For projects within WDFW documented Pacific herring spawning locations, in-water activities that would affect herring spawn should be restricted to WDFW's approved work window for Bainbridge Island (May 1 through January 14). For aquaculture projects, the City may consider alternative methods that are contained in federal and/or state aquaculture permits for reducing impacts to herring spawning habitat and other forage fish spawning habitat.

e. For projects other than commercial aquaculture within WDFW documented sand lance and surf smelt spawning locations, no activities should occur during

spawning windows as identified by WDFW. For commercial aquaculture projects within WDFW documented sand lance and surf smelt spawning locations, no harvesting may occur during the surf smelt or sand lance spawning seasons until a spawning survey is conducted. If surf smelt or sand lance spawn are present in the growing area to be harvested or adjacent tidelands, then no harvest activities may occur until the eggs are hatched. Extreme caution should be taken to avoid impact and minimize disturbance of sand lance and surf smelt larvae that are present.

2. Aquatic herbicide treatments, mechanical removal of vegetation or aquatic pesticide treatments shall not be used on critical saltwater habitats, except for approved habitat restoration or enhancement measures that meet the provisions of Section 4.1.6, Water Quality and Stormwater Management.
3. Sand, gravel, or other materials shall not be added or removed from critical saltwater habitat, unless approved as part of a restoration effort or beach nourishment program or as allowed in 1, above.
4. New outfalls (including stormwater and sewer outfalls) and discharge pipes shall not be located in critical saltwater habitats or areas where outfall or discharge will adversely affect critical saltwater habitat, unless the applicant can show that all of the following can be met:
    a. There is no feasible alternative location for the outfall or pipe; and
    b. The outfall or pipe is placed below the surface of the beach or bed of the water body; and
    c. The discharge point(s) on the outfall or discharge pipe is located so the discharges, including nutrients and flow, do not adversely affect critical saltwater habitats; and
    d. For public sewage outfalls:
        i. The outfall discharges waterward of the intertidal zone.
        ii. The disturbed area will be revegetated with native vegetation.
5. The use of existing outfalls shall be maximized to limit the need for additional outfalls, provided the existing outfall meets the standards of this section, or unless an alternatives analysis demonstrates the dispersal is less impacting to the shoreline environment.

~~6. For activities adjacent to fish and wildlife habitat conservation areas the maximum prescribed buffer shall apply. These buffers can be modified on a case-by-case basis through a habitat management plan, pursuant to Section B-4 contained in Appendix B. In order to determine the need or extent of a buffer, a critical area report shall be required for all development in or adjacent to a habitat conservation area.~~

~~a. In addition to the requirements in Appendix B, the Habitat Management Plan shall:~~

~~i. Describe actions that will be implemented to ensure that buffer areas provide ecological functions and processes equivalent to a dense native~~

~~plant community to the extent possible given the area that is feasibly available; and~~

~~ii. Demonstrate that no net loss of ecological functions and processes in critical saltwater habitat and other critical areas will occur, as specified in WAC 173-26-201(3)(d) and WAC 173-26-221(2)(c)(iii).~~

~~7~~6. Until an inventory of critical saltwater habitat is completed, all over water and near-shore development shall conduct an inventory of site and adjacent beach sections to assess the presence of critical saltwater habitat and/or functions and processes. The inventory shall occur prior to construction and the methods and extent of the inventory shall be consistent with accepted research methodology. New studies shall be required only when existing information is outdated or does not exist.

~~4.1.5.6 Regulations – Frequently Flooded Areas~~

~~1. All new development and new uses within the jurisdiction of this Master Program shall comply with the provisions of Section B-11, Frequently Flooded Areas located in Appendix B of this Master Program.~~

4.1.5.9 Regulations – Aquifer Recharge Areas

4.1.5.9.1 Classification

1. Aquifer recharge areas are areas that have a critical recharging effect on groundwater used for potable water supplies and/or that demonstrate a high level of susceptibility or vulnerability to groundwater contamination from land use activities. In accordance with WAC 365-190-100, the entirety of Bainbridge Island is classified as an aquifer recharge area to preserve the volume of recharge available to the aquifer system and to protect groundwater from contamination.

4.1.5.9.2 Prohibited Activities and Uses

1. The following activities and uses are prohibited within critical aquifer recharge areas due to the probability or potential magnitude of their adverse effects on groundwater:
    a. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills;
    b. Underground Injection Wells. Class I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells;
    c. Chemical wood preservation and/or treatment facilities;
    d. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store (other than minor sources such as medicinal uses or industrial testing devices), process, or dispose of radioactive substances;
    e. Hazardous liquid transmission pipelines;
    f. Commercial mining and chemical washing of metals, hard rock, sand, and gravel;
    g. Hydrocarbon extraction, reprocessing, refinement, and storage;

h. Electroplating/metal finishing;

i. Facilities that treat, store, process, or dispose of hazardous waste; and

j. Other Prohibited Uses or Activities.

i. Activities that would significantly reduce the recharge to aquifers currently or potentially used as a potable water source; and

ii. Activities that would significantly reduce the recharge to aquifers that are a source of significant baseflow to a stream.

4.1.5.9.3 Development Standards – General

1. No development, use or activity may exceed water quality standards or otherwise violate the anti-degradation requirements specified in WAC Chapter 173-200.

4.1.5.10 Regulations – Fish and Wildlife Habitat Conservation Areas

4.1.5.10.1 Classification

1. Fish and Wildlife Habitat Conservation Areas include:

a. Within the city of Bainbridge Island, streams shall include those areas which meet the definitions in Section 8.0, Definitions. Streams shall be classified in accordance with the Washington Department of Natural Resources water typing system (WAC 222-16-030), which is hereby adopted in its entirety by reference and summarized as follows:

i. Type F: streams which contain fish habitat pursuant to Section 8.0, Definitions;

ii. Type Np: perennial non-fish habitat streams; and

iii. Type Ns: seasonal non-fish habitat streams.

b. Habitats recognized by federal or state agencies for federal- and/or state-listed endangered, threatened, sensitive and candidate/monitored species which presence is documented in maps or databases available to City of Bainbridge Island.

c. Areas that contain habitats and species of local importance. Any person may nominate for designation a species or habitat of local importance. Nominations will be processed pursuant to definitions in Section 8.0, Definitions and nomination criteria developed by the director.

d. Biodiversity areas and corridors as defined in the 2008 Washington Department of Fish and Wildlife Priority Habitat and Species List, or as amended.

e. All areas within the city of Bainbridge Island meeting one or more of the preceding criteria in this Section, regardless of any formal identification or mapping, are hereby designated critical areas and are subject to the provisions of this section and shall be managed consistent with the best available science, such as the Washington Department of Fish and Wildlife's most recent Management Recommendations for Priority Habitat and Species.

4.1.5.10.2 Mapping

1. The location and extent of all mapped critical areas shown on the city of Bainbridge Island critical area maps are approximate and shall be used as a general guide only. The type, extent and boundaries shall be determined in the field by a qualified professional according to the requirements of this section. The critical area maps are adopted as part of this section and are incorporated herein by this reference. Washington Department of Natural Resource (DNR) and Washington Department of Fish and Wildlife maps are not the only source of data. Any request to change the city's existing map shall be accompanied by a report from a qualified professional that includes a description of the critical area and a summary of how it meets the definitions in Section 8.0, Definitions. The inventory and cited resources are to be used as a guide for the city, project applicants, and/or property owners and may be continuously updated as new or altered critical areas are identified.

4.1.5.10.3 Development Standards – Stream Buffers

1. All designated streams require a buffer pursuant to Table 4-4. Buffers shall remain as undisturbed or enhanced vegetation areas for the purpose of protecting the integrity, function, and value of stream resources. Any buffer modification proposed shall be through an approved Buffer Enhancement Plan. No uses or activities shall be allowed within the buffer unless allowed by this Section. If the buffer has previously been disturbed, the director may require the disturbed buffer area be enhanced, including revegetation with native plant species, pursuant to an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.14.4. No refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall be placed in the buffer.
2. The required minimum buffers listed in Table 4-4 are based on the assumption that the buffer is well vegetated with native species appropriate to the site. If the buffer does not consist of vegetation adequate to provide stream protection and buffer functions, the director may require that the buffer be planted to achieve such protection and function.

Table 4-4. Stream Buffers

Stream Type	Buffer Width
F	200'
Np	100'
Ns (connected to F or Np)	75'
Ns (not connected to F, Np)	50'

3. Buffer distances shall be measured from the ordinary high water mark (OHWM) or from the top of each bank where the OHWM cannot be identified.
4. The buffer width shall be increased to include streamside wetlands which provide overflow storage for stormwater, feed water back to the stream during low flow, or provide shelter and food for fish. In braided channels, the ordinary high water mark or top of bank shall be defined to include the entire stream feature.

5. For streams in ravines outside the Mixed Use Town Center with ravine sides 10 feet or greater in height, the buffer width shall be the greater of:

    a. The buffer width required for the stream type; or

    b. A buffer width which extends 25 feet beyond the top of the ravine.

6. The director may increase buffer widths, up to 50 percent greater than the applicable buffer set in this section for critical areas with known locations of endangered, threatened, or state monitor or priority species for which a habitat management plan indicates a larger buffer is necessary to protect habitat values for such species. Such determination shall be based on site-specific and project-related conditions.

7. A structure or hard surface setback line of fifteen feet is required from the edge of any stream buffer. Minor structural or impervious surface intrusions into the areas of the setback, such as but not limited to fire escapes, open/uncovered porches, landing places, outside walkways, outside stairways, retaining walls, fences and patios, may be permitted if the department determines upon review of an analysis of buffer functions submitted by the applicant, that construction and/or maintenance of such intrusions will not encroach into the stream buffer or adversely impact the stream. The functional analysis shall include a functional methodology supported by best available science. The setback shall be identified on a site plan and filed as an attachment to the notice on title as required by Section 4.1.5.7.2, Notice on Title.

8. Modification to buffer widths may be allowed provided the applicant demonstrates the need for modification through mitigation sequencing pursuant to Section 4.1.2.6.

    a. The width of a required buffer may be averaged if the applicant can demonstrate that averaging can provide equal or greater functions and values as would be provided under the required buffer and all of the following conditions are met:

        i. The total area of buffer after averaging is equal to the area required without averaging.

        ii. Averaging does not result in the any portion of the buffer being reduced more than 25 percent of its required width.

    b. Any request for buffer modification outlined above shall be reviewed in conjunction with the underlying land use or construction permit. Requests for buffer reduction shall include a buffer enhancement plan prepared by a qualified consultant that meets the requirements of Section 8.0, Definitions.

    c. The city may request technical review of a buffer enhancement plan from other agencies to ensure consistency with state, federal or tribal management recommendations.

    d. Any other buffer modification, other than non-compensatory enhancement, requires a shoreline variance.

4.1.5.10.4 Development Standards – Other Fish and Wildlife Habitat Conservation Areas

1. All development, uses and activities within known fish and wildlife habitat conservation areas require submittal and approval of a Habitat Management Plan (HMP) as specified in Section 4.1.5.14.3. The HMP shall consider measures to retain and protect the fish and wildlife habitat and shall consider the effects of land use intensity, buffers, setbacks, impervious surfaces, erosion control and retention of existing native vegetation.
2. In the case of bald eagles, the HMP shall comply with the federal Bald and Golden Eagle Protection Act (16 USC 668) to avoid impacting eagles and their habitat.

4.1.5.10.5 Development Standards – Specific Development, Uses, and Activities

The following development, uses, and activities may be allowed within fish and wildlife habitat conservation areas and their buffers. Any proposal for the following development shall comply with the standards of this Section, other applicable sections of this Program, and other applicable state, federal and local regulations. The director may require submittal of a Habitat Management Plan unless project impacts are demonstrated to be de minimis through mitigation sequencing pursuant to Section 4.1.2.6.

1. Stream Crossings
    a. Any private or public road or driveway expansion or construction proposed to cross streams classified within this section shall comply with the following minimum development standards. All other state and local regulations regarding water crossing structures shall apply, and the use of the Water Crossing Design Guidelines (WDFW, 2013), or as amended, is encouraged.
        i. Bridges or bottomless culverts shall be required for all Type F streams. Other alternatives may be allowed upon (i) submittal of a Habitat Management Plan which demonstrates that other alternatives would not result in significant impacts to the fish and wildlife conservation area and (ii) as determined through the Hydraulic Project Approval (HPA) process administered by the Washington Department of Fish and Wildlife. The plan must demonstrate that fish habitat will not be reduced in area or function.
        ii. Crossings shall not occur in fish-bearing streams unless no other feasible crossing site exists. For new development proposals, if existing crossings are determined to adversely impact salmon spawning or passage areas, new or upgraded crossings shall be located as determined necessary through coordination with Washington Department of Fish and Wildlife;
        iii. Bridge piers or abutments shall not be placed in either the floodway or between the ordinary high water marks unless no other feasible alternative placement exists;
        iv. Crossings shall not diminish flood carrying capacity;
        v. Crossings shall serve multiple properties whenever possible;
        vi. Where there is no reasonable alternative to providing a conventional culvert, the culvert shall be the minimum length necessary to accommodate the permitted activity.

2. Stream Relocations

a. Stream relocations may be allowed only for the purpose of flood protection and/or fisheries restoration and only when consistent with a Washington Department of Fish and Wildlife Hydraulic Project Approval (HPA) process and the following minimum performance standards:

i. The channel, bank, and buffer areas are replanted with native or equivalent vegetation that replicates a natural, undisturbed riparian condition;

ii. For those waters designated as Frequently Flooded Areas pursuant to BIMC 15.16, a professional engineer licensed in the State of Washington provides information demonstrating that the equivalent base flood storage volume and function will be maintained; and

iii. Relocated stream channels are designed to meet or exceed the functions and values of the stream to be relocated.

3. Pesticides, Fertilizers and Herbicides

a. No pesticides, herbicides or fertilizers may be used in fish and wildlife conservation areas or their buffers, except those approved by the U.S. Environmental Protection Agency (EPA) and approved under a Washington Department of Ecology Water Quality Modification Permit for use in fish and wildlife habitat conservation area environments and applied by a licensed applicator in accordance with the safe application practices on the label.

4. Land Divisions and Land Use Permits

a. All land divisions and land uses proposed on a site that includes Fish and Wildlife Habitat Conservation Areas shall comply with the following procedures and development standards:

i. The open water area of lakes, streams, and tidal lands shall not be permitted for use in calculating minimum lot area.

ii. Land division approvals shall be conditioned so that all required buffers are designated as an easement or covenant encumbering the buffer. Such easement or covenant shall be recorded together with the land division and represented on the final plat, short plat or binding site plan.

iii. In order to avoid the creation of nonconforming lots, each new lot shall contain at least one building site that meets the requirements of this section, including buffer requirements for fish and wildlife habitat conservation areas. Each lot must also have access and a sewage disposal system location that are suitable for development that do not adversely impact the fish and wildlife conservation area.

iv. After preliminary approval and prior to final land division approval, the director may require that the common boundary between a required buffer and the adjacent lands be identified using permanent signs. In lieu of signs, alternative methods of buffer identification may be approved when

such methods are determined by the director to provide adequate protection to the aquatic buffer.

5. Utilities

a. Placement of utilities within designated fish and wildlife habitat conservation areas may be allowed pursuant to the following standards:

i. Construction of utilities may be permitted in fish and wildlife conservation area or their buffers, only when no practicable or reasonable alternative location is available and the utility meets the requirements for installation, replacement of vegetation and maintenance outlined below.

ii. Construction of sewer lines or on-site sewage systems may be permitted in fish and wildlife conservation area or their buffers when the applicant demonstrates it is necessary to meet state and/or local health code requirements; there are no other practicable alternatives available; and construction meets the requirement of this Section. Joint use of the sewer utility may be allowed.

iii. New utilities shall not be allowed in fish and wildlife habitat conservation areas with known locations of federal or state listed endangered, threatened or sensitive species, heron rookeries or nesting sites of raptors which are listed as state candidates except in those circumstances where an approved Habitat Management Plan indicates that the utility will not significantly impact the conservation area;

iv. Utility construction and maintenance shall protect the environment of fish and wildlife conservation area and their buffers.

A. New utilities shall be aligned whenever possible to avoid cutting or root damage to trees greater than 12 inches in diameter at breast height (four and one-half feet) measured on the uphill side.

B. Any area of disturbance shall be revegetated with appropriate native or equivalent vegetation at not less than pre-construction vegetation densities or greater, immediately upon completion of construction or as soon thereafter as possible due to seasonal growing constraints. The utility or landowner responsible for installation shall ensure that such vegetation survives.

C. Any additional access for maintenance shall be provided wherever possible at specific points rather than by parallel roads. If parallel roads are necessary, they shall be of a minimum width but no greater than 15 feet; and shall be contiguous to the location of the utility corridor on the side away from the conservation area.

v. Utility maintenance shall include the following measures to protect the environment of regulated fish and wildlife habitat conservation areas.

A. Utility towers shall not be sandblasted or spray-painted. Lead-based paint is prohibited.

B. No pesticides, fertilizers, or herbicides may be used in fish and wildlife habitat conservation areas or their buffers, except those applied by a licensed applicator in accordance with the safe application practices on the label.

6. Bank Stabilization

a. A stream channel and bank may be stabilized when naturally occurring earth movement threatens existing structures (defined as requiring a building permit pursuant to the applicable building code), public improvements, unique natural resources, public health, safety or welfare, or the only feasible access to property, and, in the case of streams, when such stabilization results in maintenance of fish and wildlife habitat, flood control, and improved water quality.

b. Where bank stabilization is determined to be necessary, bioengineering or other non-structural methods should be the first option for protection. Structural methods, or hard stabilization, may only be utilized where it can be demonstrated by a professional engineer licensed in the State of Washington that an existing primary residential structure or essential public facility cannot be safely maintained without such measures, and that the resulting hard stabilization is the minimum length necessary to provide a stable building area for the structure. The director may require that bank stabilization be designed by a professional engineer licensed in the State of Washington with demonstrated expertise in hydraulic actions of shorelines. Bank stabilization projects may also require a City of Bainbridge Island clearing or grading permit and Hydraulic Project Approval from the Washington Department of Fish and Wildlife.

c. Nonstructural streambank protective techniques are preferred to bulkheads or other types of streambank armoring. Nonstructural techniques include but are not limited to vegetation plantings and bioengineering.

7. Fencing and Signs

a. Prior to approval or issuance of permits for land divisions or other new development, the director may require that the common boundary between a required buffer and the adjacent lands be identified using fencing or permanent signs. In lieu of fencing or signs, alternative methods of buffer identification may be approved when such methods are determined by the director to provide adequate protection to for the buffer.

8. Forest Practice, Class IV General and Conversion Option Harvest Plans (COHPs)

a. All timber harvesting and associated development activity, such as construction of roads, shall comply with the provisions of this chapter, and the Stormwater Management standards in Chapters 15.20 and 15.21 BIMC, including the maintenance of buffers, where required.

9. Road/Street Repair and Construction

a. Any private or public road or street expansion or construction which may be allowed in a Fish and Wildlife Habitat Conservation Area or its buffer shall comply with the following minimum development standards:

i. No other reasonable or practicable alternative exists and the road or street crossing serves multiple properties whenever possible;

ii. Expansion or construction of any private or public road shall only be allowed when adverse impacts can be avoided;

iii. Public and private roads should provide for other purposes, such as utility crossings, pedestrian or bicycle easements, viewing points, etc.; and

iv. The road or street construction is the minimum necessary, as required by the Department of Public Works, and shall comply with the Department of Public Works' guidelines to provide public safety and mitigated stormwater impacts.

v. Construction time limits shall be determined in consultation with Washington Department of Fish and Wildlife in order to ensure habitat protection.

~~4.1.5.7~~4.1.5.11 Regulations – Geologically Hazardous Areas

~~1. All new development and new uses within the jurisdiction of this Master Program shall comply with regulations for Geologically Hazardous Areas as set forth in the shoreline-specific Critical Areas Regulations contained in Section B-9 of Appendix B of this Master Program.~~

~~2. Additional standards for marine bluffs (i.e., slopes greater than 40 percent that exceed a vertical height of 10 feet within the marine shorelines jurisdiction) are provided in section 4.1.5.8, Special Reports and Determination of Buffers, and 4.1.5.9, Regulations – Bluff Drainage, below.~~

1. Applicability. This section applies to all geologically hazardous areas classified pursuant to SMP 4.1.5.11.1, below.

4.1.5.11.1 Classification

1. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas (including fault and liquefaction hazard areas). Zone of influence areas are not considered geologically hazardous areas.

2. Geologically hazardous areas shall be classified based upon landslide history and the presence of unstable soils, steepness of slopes, erosion potential, and seismic hazards. Areas in this category are a potential threat to public health, safety, and welfare when construction is allowed. While some potential risk due to construction can be reduced through engineering design, construction in these areas should be avoided when the potential risk cannot be reduced to a level comparable to the risk if the site were initially stable prior to construction. Classification and rating shall be based upon the risk to the environment and to development in geologically hazardous areas.

4.1.5.11.2 Review Procedures

1. Applications for proposed activities in geologically hazardous areas shall include:

a. An indemnification or hold harmless agreement shall be required for all projects in geologically hazardous areas, except erosion hazard areas and landslide hazard area setbacks. The form of the agreement shall be approved by the city and executed prior to the commencement of construction or any land disturbing activity.

b. A notice of intent to construct on a landslide hazard area or reduce the standard setback in a landslide hazard area shall be given pursuant to BIMC 2.16.020.M. The notice of intent shall be issued within 14 days of a complete application pursuant to BIMC 2.16.020.J.2. The notice shall include a 21-day comment period and no permits or approval of reduced setbacks shall be issued before the end of the comment period.

c. A geological hazards assessment is required for all projects in geologically hazardous areas and landslide hazard area setbacks in accordance with Section 4.1.5.14.5. To protect public health, safety and welfare, the director may require third party review of any geological hazards assessment or geotechnical report in cases where there may be potential for substantial damage to life, property or the environment should the proposed engineering solution fail. When a third-party review is required, costs incurred for a qualified third party geologist or geotechnical engineer to perform the review shall be borne by the applicant.

4.1.5.11.3 Development Standards – General

1. The following development standards apply to all activities within any geologically hazardous area or associated landslide hazard area setback:

   a. The proposed activity shall not create a net increase in geological instability, either on- or off-site, which is defined as follows:

      i. The subject parcel shall not be less stable after the planned development than before; and

      ii. The adjacent parcels shall not have greater risk or be less stable after the planned development than before.

   b. The proposed activity shall not increase the risk of life safety due to geological hazards above professionally acceptable levels.

   c. The proposed activity shall not increase the risk due to geological hazards above professionally acceptable levels for:

      i. Property loss of any habitable structures or their necessary supporting infrastructure on-site or;

      ii. Risk to any off-site structures or property of any kind; and

   d. Proposed buildings shall be constructed using appropriate engineering methods that respond to the geologic characteristics specific to the site in order to achieve a high standard of safety and meet professional practice standards and codes.

   e. The proposed activity shall not further degrade the values and functions of the associated critical areas.

f. Unless allowed pursuant to Section 4.1.2 or Section 4.1.3 or as part of an approved building permit, removal of vegetation from an erosion or landslide hazard area or setback is prohibited.

4.1.5.11.4 Development Standards – Landslide Hazard Areas

1. The following requirements shall apply to any land disturbing activity or construction within a landslide hazard area or its setback as described herein:

   a. Development of habitable structures and critical facilities is prohibited in landslide hazard areas and landslide hazard area setbacks.

   b. The following minor development may be allowed in landslide hazard areas on slopes forty (40) percent or greater and landslide hazard area setbacks if the development standards of this Section are met:

      i. Surface water management, including outfalls

      ii. Septic facilities, including drainfields

      iii. Trails and stairs

      iv. Cable lifts and trams

      v. Public or private utilities or streets

      vi Seismic or other safety upgrades to protect existing habitable structures

      vii. Other non-habitable structures

   c. Any land disturbing activity or construction within a landslide hazard area or its setback shall meet the following requirements:

      i. All development proposals shall be designed to avoid impacts to geologically hazardous areas. The development shall be designed to minimize the footprint of building in other disturbed areas, minimize removal of vegetation, minimize topographic change, and retain open space to the maximum extent practicable;

      ii. Development design shall utilize clustering, under-structure parking, multi-level construction, and tiered foundations to the extent feasible to minimize impervious lot coverage, slope disturbance, and changes to the natural topography;

      iii. Access shall be in the least sensitive part of the site, and common access drives and utility corridors are required to the extent feasible;

      iv. Roads, walkways and parking areas shall be designed to parallel the natural contours to the extent feasible;

      v. Cut and fill slopes shall be prepared and maintained to control against erosion and instability; and

      vi. Drainage and stormwater designs in zones of influence shall incorporate elements of low impact design, add examples to the extent feasible, and

shall be designed in such a manner that stormwater outlet discharges do not create additional impacts.

d. Factors of safety in accordance with Table 4-5 are required. Analysis of dynamic conditions shall be based on the minimum horizontal acceleration for the probabilistic maximum considered earthquake as established by the currently adopted version of the International Building Code.

Table 4-5. Factors of Safety and Standard Setbacks

Structure, Use, or Activity	Static Factor of Safety	Dynamic (seismic) Factor of Safety	Standard Setback
Habitable structure	1.5	1.0	Top of slope: Height of slope up to maximum of 75 feet Bottom of slope: Height of slope
High-risk non-habitable structure	1.3	As determined by geological hazards assessment	Top of slope: Height of slope up to maximum of 75 feet Bottom of slope: Height of slope
Lower-risk non-habitable structures	As determined by geological hazards assessment	As determined by geological hazards assessment	Height of slope up to 75 feet
Other structure or use	As determined by geological hazards assessment	As determined by geological hazards assessment	Height of slope up to 75 feet
Tree and vegetation activities in accordance with Section 4.1.3	n/a	n/a	25 feet only from top of slope

e. Setbacks from landslide hazard areas are required. A setback shall be established from all edges of a landslide hazard area as follows:

i. A standard setback in accordance with Table 4-5; or

ii. A setback established by the findings of a geological hazards assessment prepared by a licensed geologist or geotechnical engineer that protects and minimizes the risk of property damage, death or injury resulting from a potential landslide impact. The geological hazards assessment shall require a third-party independent review by a qualified geologist or geotechnical engineer at the cost to the applicant;

iii. A setback less than 20 feet is prohibited for habitable structures;

iv. The setback for tree and vegetation activities in accordance with Section 4.1.3 is 25 feet only from the top of slope.

v. No setback is required for slopes forty (40) percent or greater with a vertical elevation change of up to twenty (20) feet, if compliance with development standards in Section 4.1.5.11.3 and 4.1.5.11.4 is documented by a geotechnical engineer licensed in the State of Washington;

vi. The setback may be increased beyond that specified in subsection (i) above if the director determines a larger setback is necessary to prevent risk of damage to proposed adjacent development and the associated critical areas.

f. For the purposes of establishing the factors of safety and setback using Table 4-5, the following categories shall apply:

i. Habitable structure: residences, accessory dwelling units, garages;

ii. High-risk non-habitable structure: decks, patios, pool/hot tub, driveways, trams, cable lifts, carports;

iii. Lower-risk habitable structure: storage shed, boathouse, stairs, pathways, structures intended for short-term use;

iv. Other structures or uses: septic facilities including drainfields, drainage outfalls, bulkheads, landscape walls, other utilities; and

v. If a proposed structure, use or activity is not included in subsections (i) through (iv) of this section, the category shall be determined by the City Engineer.

g. A zone of influence shall be established 300 feet upslope from slopes greater than 40 percent and 200 feet upslope from slopes greater than 15 percent but less than 40 percent that are determined to be geologically hazardous areas to assess changes in land use and hydrology that may affect the stability of the geologically hazardous area.

i. The applicant shall have the stormwater pollution prevention plan (erosion control plan) for the project reviewed by a geotechnical engineer to determine if there are any potentially adverse impacts to the landslide hazardous area. The report shall contain recommendations to avoid adverse impacts to the geologically hazardous area. Concentrated discharge of stormwater shall only be allowed where specifically recommended in the report and authorized by the City Engineer.

ii. If the geotechnical engineer or the City Engineer determines that there are potential adverse impacts, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer which analyzes the potential impacts to the geological hazard from the proposed development in the zone of influence and meets the standards of this section.

h. Proposed clearing and work limit lines and landslide hazard setbacks shall be marked in the field for inspection and approval by the city prior to start of any land disturbing activity. Field marking shall remain in place until construction is completed and final inspection is completed by the city.

~~**4.1.5.8 Special Reports and Determination of Buffers**~~

~~1. Applicants proposing development adjacent to a marine bluff shall submit a geotechnical engineering report prepared in accordance with the requirements of this Master Program~~

and the shoreline-specific Critical Areas regulations contained in Appendix B. In terms of this regulation, "adjacent" means development proposed either within 50 feet from the crest of a marine bluff or within a distance equal to the height of the slope from the crest (measured from the top), whichever is greater.

2. The geotechnical engineering report shall be prepared by a Washington State licensed professional civil engineer with a specialty in geotechnical engineering or an engineering geologist with a Washington State specialty license in engineering geology as specified in RCW 18.220, Geologists. The report shall be based upon the most appropriate and current science, existing and proposed uses, risks of slope failure, and coastal erosion rates over at least 100 years, if applicable.

3. All proposed development on the face of a marine bluff or in the required buffer area shall be prohibited, except:

    a. Development may be allowed as specified in Appendix B; Subsection B-9(E)(3)(a)(i)(F) of this Master Program;

    b. Minor development for public access (e.g., public trails, stairs, or view points) may be allowed, provided that environmental impacts are mitigated and the development can meet the factor of safety in Appendix B; subsection B-9(E)(1); and

    c. Minor development permitted in the Shoreline Buffer and Site-specific Vegetation Management Area pursuant to Sections 4.1.3.8 through 4.1.3.11 such as boathouses, decks, stairs, trams, piers, and docks except at the toe of unstabilized feeder bluffs and the development can meet the factor of safety in Appendix B; subsection B-9(E)(1).

4. All alterations to the vegetation within a geological hazardous area shall provide a Bluff Management Plan developed by qualified professional(s) to address vegetation management for slope stability and ecological functions and processes for a ten year period. The plan at a minimum shall include:

    a. A geotechnical analysis of slope stability as defined in B-9, Geologically Hazardous Areas of Appendix B.

    b. A site plan showing existing vegetation location and species.

    c. An analysis of identified vegetation appropriate for removal or alteration.

    d. An analysis of vegetation management strategies for slope stability.

    e. A mitigation plan developed according to Section 4.1.2, Environmental Impacts and Section 4.1.3, Vegetation Management.

    f. The Administrator may include additional conditions for a site-specific analysis and require a third party review by a qualified professional at the cost of the applicant.

4.1.5.9 Regulations – Bluff Drainage

1.

i. Surface drainage shall be directed away from landslide hazard areas ~~marine bluffs~~. When no other solution is feasible, surface drainage piping may be located on the face of a steep slope when contained in a tight line (closed, non-leaking pipe) and in such a way that erosion will not be increase at the base of the bluff and provided that physical access along the shoreline is not degraded. Furthermore, conditions may be applied to mitigate the aesthetic impacts of the proposed drainage systems as viewed from public areas.

~~4.1.5.10~~4.1.5.12 Regulations – Wetlands

1. Applicability. This section applies to:
    a. All wetlands designated pursuant to Section 4.1.5.12.1.
    b. All wetland buffers as shown in the tables in Section 4.1.5.12.7.

4.1.5.12.1 Identification and Delineation

1. Identification of wetlands and delineation of their boundaries pursuant to this section shall be done in accordance with the federal wetland delineation manual and applicable regional supplements (as updated), as required by WAC 173-22-035. All areas within the city meeting the wetland designation criteria, regardless of any formal delineation, are hereby designated as wetlands and are subject to provisions of this section unless not included in the definition of wetland provided in Section 8.0, Definitions.
2. Wetland delineations shall be conducted by a qualified professional, in accordance with Section 4.1.5.7.1(2)(d).
3. The wetland boundary shall be marked in the field and surveyed by a licensed surveyor. The surveyed wetlands shall be sized and mapped on a scaled site plan. The director may require the wetland delineation to be verified in the field by the Army Corps of Engineers or the Washington State Department of Ecology when there is uncertainty in the wetland boundary or there was unauthorized wetland disturbance. The requirement for a licensed surveyor to survey the wetland boundaries may be waived in limited circumstances, such as when there is no access to the wetland property or there is no proposed impact to the wetland and wetland buffer, with authorization from the director.
4. Wetland delineations shall be valid for five years from the date of the delineation.
5. A wetland delineation shall be required for any proposed development within 300 feet of a designated wetland. If any portion of the designated wetland is on a different site than the proposed development, the location of the wetland boundary may be determined using best professional judgement.

4.1.5.12.2 Classification

1. Wetlands shall be rated according to the Washington State Wetland Rating System for Western Washington – 2014 Update (Ecology Publication No. 14-06-029, October 2014), as revised. The wetland categories determined by the rating are as follows:
    a. Category I wetlands are:
        i. Relatively undisturbed estuarine wetlands larger than one acre;

ii. Wetlands that are, or may be in the future, identified by scientists of the Washington Natural Heritage Program/Department of Natural Resources as wetlands of high conservation value;

iii. Bogs;

iv. Mature forested wetlands larger than one acre;

v. Wetlands in coastal lagoons; and

vi. Wetlands that perform many functions well and score 23 points or more in the wetland rating. These wetlands are those that represent a unique or rare wetland type, are more sensitive to disturbance than most wetlands, or are relatively undisturbed and contain ecological attributes that are impossible to replace within one human lifetime.

b. Category II wetlands are:

i. Wetlands with a moderately high level of functions and score 20 to 22 points in the wetland rating.

ii. Estuarine wetlands smaller than one acre or disturbed estuarine wetlands larger than one acre.

c. Category III wetlands are:

i. Wetlands with a moderate level of functions and score between 16 to 19 points in the wetland rating.

d. Category IV wetlands are:

i. Wetlands with a low level of functions, scoring less than 16 points in the wetland rating.

2. The wetland rating categories in this Section shall be applied to wetland studies including but not limited to delineations, on or after the date of adoption of the ordinance codified in this section. The wetland rating shall be valid for five years unless the state rating system changes or the wetland and/or the wetland buffer have been altered since the rating.

3. A wetland rating pursuant to this Section shall be required for any proposed development within 300 feet of a designated wetland. If any portion of the designated wetland is on a different site than the proposed development, the rating may be determined using best professional judgement.

4. Wetland rating categories shall not change due to illegal modifications.

4.1.5.12.3 Mapping

1. The location and extent of all mapped critical areas shown on the City of Bainbridge Island critical area maps are approximate and shall be used as a general guide only. The type, extent and boundaries shall be determined in the field by a qualified professional according to the requirements of this section. The critical area maps are adopted as part of this section and are incorporated herein by this reference. In addition, the National Wetlands Inventory and Soil Maps produced by the U.S. Department of Agriculture,

National Resources Conservation Service may be useful in helping to identify potential wetland areas. The inventory and cited resources are to be used as a guide for the city, project applicants, and property owners, and may be continuously updated as new or altered critical areas are identified.

4.1.5.12.4 Protection of Wetlands

1. Any action taken pursuant to this section shall result in equivalent or greater functions and values of the wetlands and wetland buffers associated with the proposed action, as determined by the best available science. All actions and developments shall be designed and constructed in accordance with mitigation sequencing as described in Section 4.1.6 and WAC 197-11-768.
2. Applicants must first demonstrate an inability to avoid or reduce impacts, before compensation of impacts will be allowed. No activity or use shall be allowed that results in a net loss of the functions or values of critical areas.
3. Permanent protection of critical areas that are part of an approved mitigation plan or buffer enhancement plan shall be achieved through a Notice to Title recorded at the Kitsap County Auditor's Office, or similar means of protection in perpetuity.

4.1.5.12.5 Prohibited Activities

1. The following development, uses and activities are prohibited in all wetlands:
    a. Draining, excavation, placement of fill material and flooding not associated with an exempt or regulated use
    b. Forest Practices – Class IV General or Conversion Option Harvest Plan
    c. New or expanded agriculture
    d. On-site sewage facility
2. The following development, uses and activities are prohibited in Category I and II wetlands:
    a. Fish hatchery
    b. Golf course
    c. Mineral extraction
    d. Public facility
    e. Public communications tower
    f. New public road/street
    g. New private access road or driveway
    h. Stormwater retention/detention facility
    i. Primary utility

4.1.5.12.6 Development Standards - Specific Development, Uses, and Activities

The following development, uses and activities may be allowed within wetlands and their required buffers. Any proposal for the following development shall comply with the standards of this Section, other applicable sections of this Program, and other applicable state, federal and local regulations.

1. Road/Street Repair and Construction

    a. Any private or public road or street repair, maintenance, expansion, or construction may be allowed within a wetland or its required buffer only when all of the following conditions are met:

        i. No other reasonable or practicable alternative exists and the road or street crossing serves multiple properties whenever possible;

        ii. Publicly owned or maintained road or street crossings should provide for other purposes, such as utility crossings, pedestrian or bicycle easements, viewing points, etc.; and

        iii. The road or street repair and construction are the minimum necessary to provide safe roads and streets.

        iv. Mitigation shall be performed in accordance with specific project mitigation plan requirements.

2. Land Divisions and Land Use Permits

    a. All land divisions and land uses proposed on a site that includes regulated wetlands shall comply with the procedures and standards listed below. When a parcel contains a wetland, city policy shall always be to primarily protect the functions and values of the wetland, while recognizing the value of the development rights provided to the property by its zoning.

        i. Density Calculation

            A. The actual density that will allowed to be built upon a parcel containing a wetland shall ultimately be determined during the site specific review of the parcel's planned development.

            B. In determining the actual density of a parcel based on a specific site plan, the site plan shall locate all buildings outside of any wetland and its required buffers;

            C. The number of development rights allowed for any residentially-zoned parcel shall be its size in square feet divided by the number of square feet per home that is required by its zoning;

            D. If the land can be subdivided such that all setbacks, buffers, and other zoning requirements can be observed, and no zoning variances are requested, the density from the wetland, except the area with permanent open water, can be transferred within the property;

            E. To the extent that the number of allowable development rights cannot be used on-site, they may be sold, traded, or transferred by

the property owner through the transfer of development rights program pursuant to Chapter 18.27 BIMC;

F. Property owners may voluntarily extinguish development rights that are provided by the underlying zoning, but the city shall not extinguish any of these rights outside the aforementioned transactions.

ii. Land division approvals shall be conditioned to require that wetlands and wetland buffers be designated as an easement or covenant encumbering the wetland and wetland buffer. Such easement or covenant shall be recorded together with the land division and represented on the final plat or binding site plan, and title.

iii. In order to implement the goals and policies of this section, to accommodate innovation, creativity, and design flexibility, and to achieve a level of environmental protection that would not be possible by typical lot-by-lot development, the use of the clustered development or similar innovative site planning is strongly encouraged for projects with regulated wetlands on the site.

3. Surface Water Management

a. Surface water structures or discharges from stormwater facilities may be allowed within wetlands and their required buffers only when the applicant has an approved Site Assessment Review (SAR) pursuant to the requirements of BIMC 15.20 and the proposal meets criteria in Appendix I-D, Guidelines for Wetlands when Managing Stormwater, from Washington State Department of Ecology's 2012 Stormwater Management Manual for Western Washington, as amended in 2014.

4. Trails and Trail-Related Facilities

a. Construction of public and private trails and trail-related facilities, such as benches and viewing platforms, are allowed in wetlands or wetland buffers only when the following standards are met:

i. Trails and related facilities shall be placed on existing road grades, utility corridors, or any other previously disturbed areas if present at the site and consistent with trail planning objectives.

ii. Trails and related facilities shall be planned to minimize removal of trees, soil disturbance, and maintain existing hydrological characteristics, shrubs, snags, and important wildlife habitat.

iii. Viewing platforms and benches, and access to them, shall be designed and located to minimize disturbance of wildlife habitat and/or critical characteristics of the affected wetland. Viewing platforms shall be limited to one hundred (100) square feet in size, unless demonstrated through a wetland critical areas report and mitigation plan that a larger structure will not result in a net loss of wetland functions.

iv. Trail planning shall utilize mitigation sequencing in Section 4.1.2.6.1 to first avoid siting trail and trail-related facilities within wetlands and their required buffers. Trails and trail-related facilities are allowed within wetlands or wetland buffers if there are no reasonable alternatives for meeting an applicant's trail planning objectives and it is demonstrated through a wetland critical areas report and mitigation plan that the proposal will not result in a net loss of wetland functions.

v. Trails shall be limited to non-motorized use. Trail width shall not exceed six feet unless there is a demonstrated need, subject to review and approval by the director. Trails shall be constructed with pervious materials unless otherwise approved by the director.

5. Utilities

a. Installation of utilities within wetlands or their required buffers may be allowed when the following standards are met:

i. Construction of new utilities outside the road right-of-way or an existing utility corridor may be permitted in wetlands or wetland buffers, only when no reasonable alternative location is available and the utility meets the requirements for installation, replacement of vegetation and maintenance outlined below, and as required in the filing and approval of applicable permits and special reports required by this section.

ii. Construction of sewer lines or on-site sewage systems may be permitted in wetland buffers only when:

A. The applicant demonstrates it is necessary to meet state and/or local health code minimum design standards (not requiring a variance for either horizontal setback or vertical separation); and/or

B. There are no other practicable or reasonable alternatives available and construction meets all other applicable requirements of this Section. Joint use of the sewer utility corridor by other utilities may be allowed.

iii. New utilities shall not be allowed when the wetland or buffer has known locations of federal or state listed endangered, threatened, monitored or sensitive species, heron rookeries or nesting sites of raptors which are listed as species of concern, except in those circumstances where an approved Habitat Management Plan indicates that the utility corridor will not significantly impact the wetland or wetland buffer;

iv. New utility construction and maintenance shall protect the wetland and buffer environment by utilizing the following methods:

A. New utilities shall be aligned to avoid tree removal to the greatest extent practicable.

B. Any area of disturbance resulting from installation of a utility shall be revegetated with appropriate native or equivalent vegetation at preconstruction densities or greater, immediately upon completion

of construction, or as soon thereafter as possible, if due to seasonal growing constraints. The utility or landowner responsible for installation shall ensure that such vegetation survives.

C. Any access for maintenance shall be provided as much as possible at specific points, rather than by parallel roads. If parallel roads are necessary, they shall be of a minimum width but no greater than 15 feet; and shall be contiguous to the location of the utility corridor on the side away from the wetland. Mitigation will be required for any additional access through restoration of vegetation in disturbed areas.

D. The director may require additional mitigation measures.

v. Utility maintenance shall include the following measures to protect the wetland and buffer environment:

A. Painting of utility equipment such as power towers shall not be sprayed or sandblasted. Lead-based paints are prohibited.

B. No pesticides, herbicides or fertilizers may be used in wetland areas or their buffers except those approved by the U.S. Environmental Protection Agency (EPA) and Washington Department of Ecology and applied by a licensed applicator in accordance with the safe application practices on the label.

6. Parks

a. Development of public park and recreation facilities may be allowed; provided, that no alteration of wetlands or wetland buffers is allowed except as allowed in Section 4.1.5.6, Allowed Activities within Critical Areas, and Section 4.1.5.12.6, Development Standards – Specific Development, Uses, and Activities.

4.1.5.12.7 Development Standards – Wetland Buffers

1. Buffers shall remain as undisturbed or enhanced vegetation areas for the purpose of protecting the integrity, function, and value of wetland resources. Any buffer modification proposed shall be through an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.14.4. No uses or activities shall be allowed within the buffer unless allowed by this Section. If a buffer on a site subject to land use review or a building permit application has previously been disturbed, the director may require the disturbed buffer area be enhanced, including revegetation with native plant species, pursuant to an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.14.4. No refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall be placed in the buffer.

2. All regulated wetlands shall be surrounded by a buffer, based upon Appendix 8-C, Section 8C.2.3 of Wetlands in Washington State – Volume 2: Guidance for Protecting and Managing Wetlands (Ecology Publication #05-06-008), as amended. Standard buffer widths are shown in Tables 4-6 through 4-9. If a wetland meets more than one of the criteria listed in each table, the buffer needed to protect the wetland is the widest one.

3. Standard buffer widths are based on impact of land use, which is categorized as follows:

   a. High impact land use includes commercial development, industrial development, institutional development, residential (all residential zoning classifications other than R-0.4, R-1 and R-2) development, new agriculture (high-intensity such as dairies, nurseries, greenhouses, raising and harvesting crops requiring annual tilling, raising and maintaining animals), forestry activities, and high-intensity recreation such as golf courses and ballfields.

   b. Moderate impact land use includes residential development (R.0-4, R-1 and R-2 residential zoning classifications), new agriculture (moderate-intensity such as orchard and hay fields), paved trails, and construction of temporary logging roads.

   c. Low impact land use includes low-intensity open space such as passive recreation, natural resources preservation, and unpaved trails.

4. The required minimum buffers listed in Tables 4-6 through 4-9 are based on the assumption that the buffer is well vegetated with native species appropriate to the site. If the buffer does not consist of vegetation adequate to provide wetland protection and buffer functions, the director may require that the buffer be planted to achieve such protection and function.

Table 4-6: Category I Wetlands - Buffers

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
Natural Heritage Wetlands	Low Moderate High	125 ft 190 ft 250 ft	No additional discharge of surface water. No septic systems within 300 ft. Restore degraded parts of the buffer
Bogs	Low Moderate High	125 ft 190 ft 250 ft	No additional surface discharges. Restore degraded parts of the buffer.
Forested	Low Moderate High	125 ft 190 ft 250 ft	If forested wetland scores high for habitat, maintain connectivity to other natural areas.
Estuarine	Low Moderate High	100 ft 150 ft 200 ft	N/A
Wetlands in Coastal Lagoon	Low Moderate High	100 ft 150 ft 200 ft	N/A
High level of function for habitat (score for habitat is 8-9 pts.)	Low Moderate High	150 ft 225 ft 300 ft	Maintain connectivity to other natural areas. Restore degraded parts of the buffer.
Moderate level of function for habitat (score for habitat is 5-7pts.)	Low Moderate High	75 ft 110 ft 150 ft	N/A
High level of function for water quality improvement and low for habitat (score for water quality pts.; habitat less than 5 pts.)	Low Moderate High	50 ft 75 ft 100 ft	No additional discharges of untreated runoff.

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
Not meeting any of the above criteria.	Low Moderate High	50 ft 75 ft 100 ft	N/A

Table 4-7: Category II Wetlands - Buffers

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
High level of function for habitat (score for habitat is -9 pts.)	Low Moderate High	150 ft 225 ft 300 ft	Maintain connectivity to other natural areas.
Moderate level of function for habitat (score for habitat is 5-7pts.)	Low Moderate High	75 ft 110 ft 150 ft	N/A
Estuarine	Low Moderate High	75 ft 110 ft 115 ft	N/A
Not meeting any of the above criteria	Low Moderate High	50 ft 75 ft 100 ft	N/A

Table 4-8: Category III Wetlands - Buffers

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
Moderate level of function for habitat (score for habitat is 5-7pts.)	Low Moderate High	75 ft 110 ft 150 ft	N/A
Not meeting above criterion	Low Moderate High	40 ft 60 ft 80 ft	N/A

Table 4-9: Category IV Wetlands - Buffers

Wetland Characteristics	Impact of Land Use	Buffer Width	Other Protection
All	Low Moderate High	25 ft 40 ft 50 ft	N/A

5. All buffers shall be measured on a horizontal plane from the delineated wetland edge as marked in the field by a qualified professional.
6. This section applies to those wetlands and their buffers that are within 200 feet of regulated development activities.
    a. Wetland buffers shall be temporarily fenced or otherwise suitably marked between the area where the construction activity occurs and the buffer. Fences shall be made of a durable protective barrier and shall be highly visible. Silt

fences and plastic construction fences may be used to prevent encroachment on wetlands or their buffers by construction. Temporary fencing shall be removed after the site work has been completed and the site is fully stabilized per city approval.

b. The director may require that permanent signs and/or fencing be placed on the common boundary between a wetland buffer and the adjacent land. Such signs will identify the wetland buffer. The director may approve an alternate method of wetland and buffer identification if it provides adequate protection to the wetland and buffer.

7. A structure or hard surface setback line of fifteen feet is required from the edge of any wetland buffer. Minor structural or impervious surface intrusions into the areas of the setback, such as but not limited to fire escapes, open/uncovered porches, landing places, outside walkways, outside stairways, retaining walls, fences and patios, may be permitted if the department determines upon review of an analysis of buffer functions submitted by the applicant, that construction and/or maintenance of such intrusions will not encroach into the wetland buffer or adversely impact the wetland. The functional analysis shall include a functional methodology supported by best available science. The setback shall be identified on a site plan and filed as an attachment to the notice on title as required by Section 4.1.5.7.2, Notice on Title.

8. Modifications to buffer widths may be allowed provided the applicant demonstrates the need for modification through mitigation sequencing pursuant to Section 4.1.2.6.

a. The width of a required buffer may be averaged if the applicant can demonstrate that averaging can provide equal or greater functions and values as would be provided under the required buffer and all of the following conditions are met:

i. The total area of buffer after averaging is equal to the area required without averaging.

ii. Averaging cannot result in the any portion of the buffer being reduced more than 25 percent of its required width.

b. The required buffer widths for proposed land uses with high-intensity impacts to wetlands may be reduced to those required for moderate-intensity impacts under the following conditions:

i. For wetlands that score moderate or high for habitat (5 points or more for the habitat function), the width of the buffer may be reduced if both of the following criteria are met:

ii. A relatively undisturbed, vegetated corridor at least 100-feet wide is provided if the wetland contains any priority habitats as defined by the Washington Department of Fish and Wildlife. “Relatively undisturbed” and “vegetated corridor” are defined in the Western Washington Wetland Rating System. The corridor must be protected for the entire distance between the wetland and the priority habitat by some type of legal protection, such as a Notice to Title.

iii. Measures to minimize the impacts of different land uses on wetlands, such as the examples in Table 4-10, are applied.

iv. For wetlands that score less than 5 points for habitat, the buffer width may be reduced to that required for moderate land use impacts by applying measures to minimize the impacts of different land uses on wetlands, such as the examples in Table 4-10.

c. Any request for buffer modification outlined above shall be reviewed in conjunction with the underlying land use or construction permit. Requests for buffer averaging or buffer reduction shall include a Buffer Enhancement Plan prepared by a qualified professional that meets the requirements of Section 4.1.5.14.4. Buffer Enhancement Plans shall be reviewed pursuant to the criteria in Section 4.1.5.7.

d. Any other buffer modification resulting in a reduced buffer area, other than non-compensatory enhancement, requires a shoreline variance.

Table 4-10: Examples of Measures to Minimize Impacts to Wetlands from Different Types of Activities

Examples of Disturbance	Examples of Measures to Minimize Impacts	Activities that Cause the Disturbance
Lights	• Direct lights away from wetland.	Parking lots, warehouses, manufacturing, residential
Noise	• Locate activity that generates noise away from wetland. • If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source. • For activities that generate relatively continuous, potentially disruptive noise, such as heavy industry or manufacturing, establish an additional 10-foot heavily vegetated buffer strip immediately adjacent to the outer wetland buffer.	Manufacturing, residential
Toxic runoff*	• Route all new runoff away from wetland. • Establish covenants limiting use of pesticides within 150 feet of wetland. • Apply integrated pest management.	Parking lots, roads, manufacturing, residential areas, application of agricultural pesticides, landscaping
Stormwater runoff	• Retrofit stormwater detention and treatment for roads and existing adjacent development. • Prevent channelized flow from lawns that directly enters the buffer. • Use Low Impact Development techniques consistent with BIMC 15.20.	Parking lots, roads, manufacturing, residential areas, landscaping
Change in water regime	• Infiltrate or treat, detain, and disperse new runoff into buffer.	Impermeable surfaces, lawns, tilling
Pets and human disturbance	• Plant buffer with dense, impenetrable native vegetation appropriate for region. • Install low impact fencing at buffer perimeter.	Residential areas

	• Place wetland and its buffer in separate open space tract or protect with conservation easement.	
Dust	• Utilize best management practices to control dust.	Tilled fields
* These examples are not necessarily adequate to meet the rules for minimizing toxic runoff if threatened or endangered species are present at the site.		

4.1.5.12.8 Wetland Mitigation Requirements

1. All development, uses and activities proposed to impact wetlands shall be mitigated according to this Section and the mitigation sequencing steps outlined in Section 4.1.2.6. The applicant shall demonstrate to the satisfaction of the director that each step of mitigation sequencing has been adequately addressed prior to approval of impacts to wetlands.

2. Compensatory mitigation shall be required for development, uses or activities that result in the loss of wetland acreage or in the reduction of wetland functions or values.

    a. Compensatory mitigation may occur at the site of the allowed impacts or at an off-site location. Considerations for determining whether off-site mitigation is preferable include, but are not limited to one or more of the following:

        i. On-site conditions do not favor mitigation success due to soil conditions, hydrology or adverse impacts of adjacent land uses;

        ii. On-site conditions are isolated from other aquatic or riparian habitats;

        iii. An off-site location is beneficial to larger ecosystem or watershed functions;

        iv. An off-site location has greater likelihood of success or will provide greater functional benefits;

        v. The proposal for an off-site location uses a watershed approach consistent with Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington) (Ecology Publication #09-06-32, December 2009).

    b. Off-site compensatory mitigation may include the use of a wetland mitigation bank or an in-lieu fee program if such instruments are available within the city limits.

    c. Compensatory mitigation in advance of proposed impacts may be allowed on a case-by-case basis for projects with pre-identified impacts consistent with Interagency Regulatory Guide: Advance Permittee-Responsible Mitigation (Ecology Publication #12-06-015, December 2012).

3. Where mitigation is required under the sequencing in subsection (1), a mitigation plan is a required component of a critical areas report meeting the requirements in Section 4.1.5.14, Critical Area Reports.

4. The ratios shown in Table 4-11 shall be used to determine the required amount of wetland mitigation. The first number specifies the amount of wetland area to be restored, rehabilitated, created or enhanced, and the second number specifies the amount of wetland area lost. The director may decrease these ratios when there are findings of

special studies coordinated with agencies with expertise which demonstrate that no net loss of wetland function or value is attained under the decreased ratio.

5. Mitigation requirements may also be determined using the credit/debit tool described in Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington: Final Report (Ecology Publication #10-06-011, March 2012), or as revised) consistent with Table 4-11.

Table 4-11: Replacement Ratios for Wetlands

Category and Type	Re-establishment or Creation	Rehabilitation	1:1 Re-establishment or Creation (R/C) and Enhancement (E)	Enhancement Only
I – Mature Forested	6:1	12:1	1:1 R/C and 10:1 E	24:1
I – Based on functions	4:1	8:1	1:1 R/C and 6:1 E	16:1
I – Bog or Natural Heritage Site	Not considered possible	6:1	Case by Case	Case by Case
II	3:1	6:1	1:1 R/C and 4:1 E	12:1
III	2:1	4:1	1:1 R/C and 2:1 E	8:1
IV	1.5:1	3:1	1:1 R/C and 2:1 E	6:1

~~1. All development, development proposals and alterations that are located within or adjacent to shoreline jurisdictional wetlands or their buffers, or that are likely to significantly impact shoreline jurisdictional wetlands shall prepare a wetland analysis pursuant to Subsection B-4.7-10 of Appendix B, of this Master Program. The wetland analysis shall include the wetland rating (using the Washington State Wetland Rating System for Western Washington (2006) or as revised by Ecology), a functional assessment of potential buffers (based on Ecology's best available science for wetlands), and noting of any water features and other critical areas and their related buffers in the proximity of the proposed development.~~

~~2. Wetlands will be delineated using the Regional Supplement to the Army Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region or the current Washington State Department of Ecology methodology. The wetland buffer for shoreline wetlands shall be established pursuant to the provisions of Subsection B-10 in Appendix B of this Master Program.~~

~~3. Alteration of wetlands and their buffers is prohibited, unless:~~

~~a. Such a prohibition is deemed a violation of constitutional or statutory limitations on regulations of private property; or~~

~~b. The proponent can conclusively demonstrate to the satisfaction of the Administrator that the impacts are unavoidable.~~

~~4. In either case of subsection 3.a or 3.b, above, the proponent shall provide mitigation to achieve no net loss of wetland functions and values, according to an approved mitigation plan prepared consistent with this Master Program, including Section B-4 and B-6 of Appendix B, shoreline-specific Critical Areas Regulations.~~

4.1.5.13 Regulations – The Winslow Ravine – Special Rules in Mixed Use Town Center

A portion of the "Winslow Ravine" which contains a ravine, a Type F stream, and several wetlands, is located in the Mixed Use Town Center (MUTC) zoning designation. In order to accommodate more dense development within the MUTC, and recognizing the significant distance from the top of the ravine to the stream and its adjacent wetlands, in lieu of the buffer and setback rules provided for streams (Section 4.1.5.10) and wetlands (Section 4.1.5.12), an applicant may select the prescriptive option or the mitigated option with respect to the Winslow Ravine within the MUTC as described below:

Table 4-12. "Option A" - Prescriptive Standards

Categories	Buffer Width Standard	Minimum Structure and Hard Surface Setback	Other Development Standards
Streams and wetlands associated with the Winslow Ravine within the MUTC	50 feet measured from the top of the Winslow Ravine	15 feet beyond the buffer	No development, uses or activities are allowed within the buffer. Refuse, including but not limited to household trash, yard waste and commercial/ industrial refuse, shall not be located in the buffer and shall be removed if present.

Table 4-13. "Option B" - Mitigated Standards

The applicant shall demonstrate by submittal of necessary studies and proposed mitigation, that measures can and will be taken to ensure that the functions and values provided by the buffers prescribed under "Option A" are retained or improved.

Categories	Buffer Width Standard	Minimum Structure and Hard Surface Setback	Other Development Standards
Streams and wetlands associated with the Winslow Ravine within the MUTC	25 feet measured from the top of the Winslow Ravine	15 feet beyond the buffer	No development, uses or activities are allowed within the buffer other than for public access meeting the standards in Section 5.8. If the buffer has previously been disturbed, the disturbed buffer area shall be revegetated pursuant to an approved Buffer Enhancement Plan meeting the requirements of Section 4.1.5.14.4. Refuse, including but not limited to household trash, yard waste and commercial/industrial refuse, shall not be located in the buffer and shall be removed if present.

4.1.5.14 Critical Area Reports

4.1.5.14.1 Aquifer Recharge Areas Hydrogeological Site Assessment

1. The hydrogeological site assessment shall include:

a. A site map drawn to scale which indicates the location of known or geologically representative wells (abandoned and active), springs, and surface water features within 1,000 feet of the project property boundary;

b. A description of the site-specific hydrogeological characteristics. At a minimum this will include a description of the lithology, depth and static water level of known underlying aquifer(s) and depiction of groundwater flow direction and patterns on the site map;

c. A description of the proposed land use and activities specifically detailing water consumption; an inventory of all chemical use, storage, transportation, production (including process wastewater), and disposal; and any potential pollutant identified by the U.S. EPA as a potential source of drinking water contamination (Appendix A of the Washington State Critical Aquifer Recharge Area Guidance Document) or known to be deleterious to the environment or human health; and

d. A general discussion of surface and groundwater quality and quantity in the area and the identification of the potential adverse quality and quantity impacts to groundwater and surface water features within 1,000 feet of the project.

2. The required elements of the in-depth site assessment for a given development or re-development will be based on the initial site assessment review by the city, the Kitsap Public Health District, affected Tribes, and affected public water purveyors.

   One or more of the elements listed below may be required based upon the proposed project activity, complexity of underlying hydrogeological conditions, and the perceived potential to adversely impact groundwater or surface water quality or quantity. One or more of these elements may also be required if the applicant chooses to demonstrate that mitigation measures are not necessary to protect the quantity or quality of groundwater or surface water or that the project does not pose a risk of detriment to groundwater or surface water. Additional in-depth site assessment elements may include:

   a. Lithologic characteristics and stratigraphic relationships of the affected aquifer(s) and overlying geologic units and soil types including thickness, horizontal and vertical extent, permeability, and infiltration rates of surface soils.

   b. Delineation of identified structural features such as faults, fractures, and fissures.

   c. Aquifer characteristics including determination of recharge and discharge areas, transmissivity, storage coefficient, hydraulic conductivity, porosity, and estimate of groundwater flow direction, velocity and patterns for the affected aquifer(s).

   d. Estimate of precipitation and evapotranspiration rates for the project area.

   e. Preparation of appropriate hydrogeological cross sections depicting underlying lithology and stratigraphy, aquifer(s), and potential or probable contaminant pathways to both surface and groundwater from a chemical release.

   f. Determination of background or existing groundwater quality underlying the project area and water quality of surface water bodies.

   g. Contaminant fate and transport including probable migration pathways and travel time of potential contaminant release(s) from the site through the unsaturated

zone to the aquifer(s) and through the aquifer(s), and how the contaminant(s) may be attenuated within the unsaturated zone and the aquifer(s) with consideration to advection, dispersion, and diffusion of contaminants in the groundwater.

h. Delineation of areas potentially affected by contaminant migration on the ground surface and/or through potentially affected aquifer(s).

i. Determination of the degree of continuity between groundwater and nearby surface water including potential impacts to baseflow in streams from proposed groundwater withdrawals, and potential impacts to surface water quality from site runoff or contaminated groundwater discharge.

j. Assessment of the potential for pumping-induced seawater intrusion.

k. For projects that have the potential to adversely impact groundwater quality by nitrate loading, the applicant shall test existing wells and/or required test wells for nitrate as nitrogen and calculate the current and projected future groundwater nitrate concentrations at full project build-out, at appropriate point(s) of compliance, as determined by project characteristics, and in a methodology approved by the city. If the calculated nitrate loading in the intended water supply equals or exceeds 5 milligrams per liter nitrate as nitrogen, the applicant shall develop a mitigation plan with the point(s) of compliance determined based on project characteristics.

l. Multiple-stage (or phased) development must consider impacts of the total build-out of the project to allow for an assessment of the cumulative impacts of the entire development on critical aquifer recharge areas.

4.1.5.14.2 Aquifer Recharge Areas Mitigation Plan

For proposals requiring aquifer recharge area impact mitigations, the applicant shall develop for approval by the city a mitigation plan for the proposed development. Affected public water purveyors (Group A & B), affected Tribes, and the Kitsap Public Health District will be notified and invited to comment on all mitigation plans. The city will consider all recommendations submitted by these entities when developing appropriate permit conditions.

The city may, based on performance criteria and monitoring results, require additional amendments to the plan. The city reserves the right to submit mitigation plans for a third-party review at the applicant's expense and to reject any proposed land use or activity that poses significant risk to groundwater or surface water quality or quantity that cannot be satisfactorily mitigated.

1. The mitigation plan shall contain the project's permit conditions and, as applicable:

   a. A description of the mitigation measures to be taken, how they will be implemented, and performance criteria.

   b. A groundwater and surface water monitoring program to measure potential impacts of the development to underlying aquifer(s) and surface water. The monitoring plan will describe monitoring, maintenance, and reporting requirements.

c. A contingency plan describing spill response and corrective actions to be taken if a release of a pollutant occurs or monitoring results indicate that mitigation measures are not effectively protecting groundwater and surface water resources and human health. The city shall have the authority to impose additional required corrective actions where such measures are necessary to protect groundwater and surface water resources or human health. Where appropriate contingencies are not feasible and result in an activity posing unacceptable risk to groundwater or surface water resources or human health, the city shall deny the proposal.

d. Multiple-stage (or phased) development must consider mitigation for each phase of development as well as the total build-out of the project to allow for an assessment of the cumulative impacts of the entire development on critical aquifer recharge areas.

e. Conditions that would arise that warrant ceasing the project operation altogether.

f. Where a wellhead protection plan addressing the project area exists, the city shall use the recommendations contained in the wellhead protection plan as a basis for formulating required mitigation measures. In the absence of such a mitigation plan, the city shall contact the owner of the public water system (Group A and B) impacted by the proposed project and jointly develop mitigation measures, a summary of which shall be signed by the applicant and recorded with the applicant's property title.

g. Nitrate Loading Mitigation

i. If a calculated nitrate loading concentration for a project at the designated point(s) of compliance is equal to or greater than 5 milligrams per liter nitrate as nitrogen, then the applicant shall be required to place a notification on the documents of title for the property affected. A monitoring plan shall be developed to monitor the nitrate level and include a contingency plan to be implemented if the nitrate level exceeds 10 milligrams per liter nitrate as nitrogen.

ii. Land Divisions. If the calculated nitrate loading concentration for a land division at the designated point(s) of compliance is equal to or greater than 5 milligrams per liter nitrate as nitrogen, then the applicant shall:

A. Develop a mitigation plan to minimize the nitrate loading rate; and

B. Develop a contingency plan to be implemented if the nitrate concentration exceeds 10 milligrams per liter nitrate as nitrogen; and

C. Submit the contingency plan with the final plat application. The contingency plan must be approved by the city, and then recorded with the Kitsap County Auditor as part of the final plat. Conditions of the contingency plan shall be listed on the face of the plat.

iii. Mitigation of nitrate in groundwater from on-site septic systems may include decreasing the density of septic system drainfields.

2. Recording of Mitigation Plan Summaries

a. The city may require that the applicant record a city-approved summary of the mitigation plan on the property title. A copy of the recorded summary shall be provided to the city in hard copy and electronic format. If a property owner can demonstrate, to the satisfaction of the city, that mitigation measures are no longer necessary, the city shall approve the addition of language on the title for the property nullifying the mitigation requirements.

b. Land Divisions. The mitigation plan must be approved by the city, and then recorded with the Kitsap County Auditor as part of the final plat. Conditions of the mitigation plan shall be listed on the face of the plat.

3. The director may require that the applicant provide a performance surety to ensure conformance with mitigation requirements of the Aquifer Recharge Mitigation Plan pursuant to Section 4.1.5.14.2.

4.1.5.14.3 Habitat Management Plan

1. A habitat management plan (HMP) is a detailed report that outlines and documents the location of fish and wildlife conservation areas, any planned incursions or habitat impacts and a strategy for limiting impacts.

2. All HMPs shall be submitted to the Washington State Department of Fish and Wildlife habitat biologist and to the Suquamish Tribe for review and comment within 14 days of a complete application pursuant to BIMC 2.16.020. If the HMP recommends mitigation involving federally listed threatened or endangered species, migratory waterfowl or wetlands, the U.S. Fish and Wildlife Service shall receive a copy of the draft HMP. Within that same time frame, the city's Environmental Technical Advisory Committee shall be asked to review the HMP and provide comments.

3. The HMP shall contain a map prepared at an easily readable scale, showing:

   a. The location of the proposed development site;

   b. Property boundaries;

   c. The relationship of the site to surrounding topographic and aquatic features and any connectivity to other wildlife habitat and corridors;

   d. Proposed building locations;

   e. A legend which includes acreage of the parcel, scale, north arrow, and date of map revision.

4. The HMP shall contain a report that includes:

   a. A description of the nature and intensity of the proposed development

   b. Identification of existing habitat functions and values;

   c. An analysis of the effect of the proposed development, activity or land use change upon the wildlife species and habitat features and processes identified for protection;

d. Any review comments received from a habitat biologist from the Washington State Department of Fish and Wildlife, and the Suquamish Tribe and U.S. Fish and Wildlife Service;

e. Demonstration of consistency with current Washington State Department of Fish and Wildlife Habitat Management Recommendations for the applicable habitat or species. If the recommendations are not followed, the HMP report should identify the best available science guidance that is being followed or applied;

f. A description of proposed seasonal activity restrictions in accordance with the Washington State Department of Fish and Wildlife Habitat Management Recommendations;

g. An analysis of the feasibility to maintain wildlife corridors and connectivity, if applicable;

h. A plan identifying proposed measures to mitigate any adverse impacts to wildlife habitats created by the proposed development. Proposed mitigation measures shall be specific to the affected habitat or species; and

i. A schedule for periodic monitoring, and a contingency plan with corrective actions if conservation or mitigation actions do not lead to the desired outcome.

5. If there is a disagreement between the director and the applicant as to the adequacy of the HMP, the issue of plan adequacy shall be resolved by consulting with the Washington Department of Fish and Wildlife. If the Washington Department of Fish and Wildlife is not available to review the HMP in a timely manner, the applicant may choose to have the city refer the HMP to a third party consultant at the expense of the applicant. After consultation with such State departments or third party consultant, the director shall make a final decision on the adequacy of the HMP.

6. An HMP must be developed and approved prior to issuance of a building permit or underlying land use application and must be implemented before the city grants a certificate of occupancy, as applicable.

7. The director may require that the applicant provide a performance surety to ensure conformance with mitigation requirements of the habitat management plan pursuant to Section 4.1.2.7.

4.1.5.14.4 Buffer Enhancement Plan

1. As part of a buffer modification request, the applicant shall submit a buffer enhancement plan that assesses the functions and values of the buffer and the effects of the proposed modification on those functions and values.

2. The buffer enhancement plan shall clearly demonstrate that equal or greater protection of the functions and values of critical areas and their buffers can be achieved through the buffer modification than could be achieved through providing the required buffer using an appropriate function assessment methodology.

3. The buffer enhancement plan shall identify how the applicant proposes to mitigate any adverse impacts to the critical area or buffer created by the proposed development.

4. The buffer enhancement plan shall be prepared in accordance with the applicable requirements of Section 4.1.5.14.7, Wetland Mitigation Plan.

4.1.5.14.5 Geological Hazards Assessment

1. Basic Geologic Hazards Assessment

   A geological hazards assessment shall contain the following site- and proposal-related information at a minimum:

   a. The report shall include a copy of the site plans for the proposal showing:

      i. The type and extent of geologic hazard areas, any other critical areas, and buffers on, adjacent to, or within a zone or distance of potential significant influence as determined by a qualified professional;

      ii. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain, if available;

      iii. The topography, as determined by a professional engineer or geologist, of the project area and all hazard areas addressed in the report; and

      iv. Clearing limits.

   b. The report shall include an assessment of the geologic characteristics of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted classification systems in use in the region. The assessment shall include, but not be limited to:

      i. A description of the surface and subsurface geology, including complexes, hydrology, soils, and vegetation found in the project area and in all hazard areas addressed in the report;

      ii. A detailed overview of the field investigations, published data, and references; data and conclusions from past assessments of the site; and site specific measurements, test, investigations, or studies that support the identification of geologically hazardous areas; and

      iii. A description of the vulnerability of the site to seismic and other geologic events.

   c. The report shall contain a hazards analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties.

   d. The report shall make a recommendation for the minimum no-disturbance buffer and minimum building setback from any geologic hazard based upon the geotechnical analysis. Where the recommended buffers are less than the standard setbacks set forth in Section 4.1.5.11, the rationale and basis for the reduced buffer shall be clearly articulated and demonstrate that the protection standard set forth in that section has been met.

e. A review of, and recommendations relating to, the low impact development (LID) infeasibility criteria in the 2014 Stormwater Management Manual for Western Washington, as amended, demonstrating reasonable consideration of all applicable LID practices.

2. Landslide Hazard and Erosion Hazard Areas

In addition to the basic geologic hazards assessment, an assessment for an erosion hazard or landslide hazard area shall include the following information at a minimum:

a. An erosion control plan prepared by a civil engineer shall be submitted to the city prior to the issuance of a building permit.

b. The applicant shall provide a geotechnical analysis containing the following information:

i. The critical area report shall include a copy of the site plan for the proposal showing:

A. The height of slope, slope gradient, and cross-section of the project area;

B. The location of springs, seeps, or other surface expressions of ground water on or a zone or distance of potential significant influence as determined by a qualified professional; and

C. The location and description of surface water run-off features.

c. The hazards analysis component of the critical areas report shall specifically include:

i. A description of the extent and type of vegetative cover;

ii. A description of subsurface conditions based on data from site-specific explorations;

iii. Descriptions of surface and ground water conditions, public and private sewage disposal systems, fills and excavations, and all structural improvements;

iv. An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure;

v. An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a one hundred-year storm event;

vi. Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down slope properties;

vii. A study of slope stability including an analysis of proposed cuts, fills, and other site grading;

viii. Recommendations for building siting limitations;

ix. An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion; and

x. A description of the potential modes of failure.

3. Geotechnical Engineering Report

The technical information for a project within a landslide hazard area shall include a geotechnical engineering report prepared by a licensed engineer that presents engineering recommendations for the following:

a. Parameters for design of site improvements including appropriate foundations and retaining structures. These should include allowable load and resistance capacities for bearing and lateral loads, installation considerations, and estimates of settlement performance;

b. Recommendations for drainage and subdrainage improvements;

c. Earthwork recommendations including clearing and site preparation criteria, fill placement and compaction criteria, temporary and permanent slope inclinations and protection, and temporary excavation support, if necessary; and

d. Mitigation of adverse site conditions including slope stabilization measures for seismically unstable soils, surface water management, location and methods of erosion control, a vegetation management and/or replanting plan, and/or other means for maintaining long-term soil stability if appropriate.

4. Seismic Hazards Areas

In addition to the basic geologic hazards assessment, an assessment for a seismic hazard area shall also meet the following requirements:

a. Fault Hazard. The applicant shall provide a geologic/geotechnical analysis containing information specified by the City Engineer that documents the presence or absence of any surface deformation on the site in areas mapped by the city. If deformation is located, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer, which concludes that the development proposal as mitigated meets the standards of this section.

b. Liquefaction Hazard. The applicant shall provide a geotechnical analysis containing information specified by the City Engineer that meets the standards of this section (as mitigated).

c. Seismic Landslide Hazard. The applicant shall provide the same analysis and plan as required for landslide hazard areas.

5. Tsunami Hazards

a. The city shall provide applicants for development in low lying shoreline areas and other areas where flood elevation is controlled by tide level with information on tsunami hazards.

4.1.5.14.6 Wetland Critical Areas Report

A wetland critical areas report shall include, but not necessarily be limited to, the following:

1. A site plan showing the following:

a. Surveyed wetland boundaries based upon a delineation by a wetland specialist or wetland boundaries recorded using a differential global positioning system, based upon a delineation by a wetland specialist.

b. Location of required buffers pursuant to Section 4.1.5.12 or as proposed through buffer modification.

c. Site boundary property lines and roads;

d. Internal property lines, rights-of-way and easements;

e. Existing physical conditions of the site, including buildings, fences and other structures, existing hard surfaces, utilities, etc.

f. Contours at the smallest readily available intervals;

g. Hydrologic mapping showing patterns of surface water movement and known subsurface water movement into, through, and out of the site;

h. Location of all test holes and vegetation sample sites, numbered to correspond with flagging in the field and field data sheets; and

i. An aerial photograph with overlays displaying the site boundaries and wetland delineation.

2. A report including the following:

a. Vicinity map;

b. Location information (parcel number and address);

c. General site conditions including topography, size and surface area of all wetlands identified and water bodies within one-quarter mile of the site;

d. Analysis of functional values of existing wetlands;

e. Summary of proposed development, use or activities and potential impacts to wetlands;

f. Copies of rating forms and maps from the Wetland Rating System for Western Washington – Revised (2014) or as amended;

g. Required buffers pursuant to Section 4.1.5.12;

h. Complete U.S. Army Corps of Engineers wetland determination data forms

i. National Wetland Inventory map; and

j. Wetland mitigation plan, if compensatory mitigation is required.

4.1.5.14.7 Wetland Mitigation Plan

1. Compensatory mitigation plans shall be consistent with Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans – Version 1 (Ecology Publication #06-06-011b, March 2006), as revised, and, if applicable, Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington)(Ecology Publication 09-06-032, December 2009) and meet the following standards:

a. All critical area restoration, creation and/or enhancement projects required pursuant to this section either as a permit condition or as a result of an enforcement action shall follow a mitigation plan prepared by an expert approved by the director. The applicant or violator shall receive written approval of the mitigation plan by the director prior to commencement. Compensatory mitigation is not required for allowed activities which utilize best management practices to protect the functions and values of regulated critical areas.

b. The mitigation plan shall provide information on land acquisition, construction, maintenance and monitoring of the replaced critical area. The mitigation plan shall recreate as nearly as possible the original critical area in terms of its acreage, function, geographic location and setting.

c. A complete mitigation plan shall consist of plot plans, a written report, and performance bonds, as required below. The plot plans and written report shall be prepared by qualified professionals approved by the director.

2. Plot Plan Requirements

The following information shall be submitted on one or more plot plans (as determined by the director):

a. A legal description and a survey (boundary and topography) prepared by a licensed surveyor of the proposed development site, compensation site, and location of existing critical area(s) on each. This shall include wetland delineation and existing wetland acreage.

b. Scaled plot plan(s) indicating:

i. Proposed construction;

ii. Zoning setback and critical area buffer requirements;

iii. Construction phasing and sequence of construction;

iv. Site cross-sections, percent slope, existing and finished grade elevations;

v. Soil and substrate conditions;

vi. Grading and excavation plan, including erosion and sediment control plans needed for construction and long-term survival; substrate stockpiling locations and techniques, and source controls needed for critical area construction and maintenance;

vii. Landscape plans indicating species, types, quantities, locations, size, spacing or density of planting; planting season or timing; planting instructions, watering schedule and nutrient requirements; source of plant materials or seeds; and, where appropriate, measures to protect plants from destruction or predation; and

viii. Water control structures and water-level maintenance practices needed to achieve the necessary hydrocycle/hydroperiod characteristics, etc.

3. Written Report Requirements

A written report shall accompany the plot plan(s) and shall provide the additional information required below. In addition, the report should be used as needed to clarify or explain elements of the plot plan(s).

a. Baseline Information

i. Wetland delineation and existing wetland acreage;

ii. Vegetative, faunal and hydrologic characteristics;

iii. Soil and substrate conditions;

iv. Relationship within watershed and to existing streams, wetlands, ponds, or saltwater;

v. Existing and proposed adjacent site conditions; and

vi. Existing and proposed ownership.

b. The report shall contain a description of the environmental goals and objectives to be met by the compensation plan. The goals and objectives shall be related to the functions and values of the original critical area or, if out-of-kind wetland mitigation, the type of wetland to be emulated. This analysis shall include, but is not limited to the following:

i. Site selection criteria;

ii. Identification of compensation goals;

iii. Identification of functions and values;

iv. Dates for beginning and completion of the project and compensation plan;

v. A complete description of the relationship between and among structures and functions sought;

vi. Review of available literature and/or known like-projects to date in restoring or creating the type of critical area proposed;

vii. Likelihood of success of the proposed compensation project at duplicating the original critical area. This shall be based on experiences of comparable projects identified in the literature review or existing projects, if any; and

viii. Likelihood of the ability of the created or restored critical area to provide the functions and values of the original critical area. This shall be based on such factors as surface water and groundwater supply and flow patterns; dynamics of the ecosystem; sediment or pollutant influx and/or erosion, periodic flooding and drought, etc.; presence of invasive flora or fauna; potential human or animal disturbance; and previous comparable projects, if any.

c. Specific criteria shall be provided for evaluating whether or not the goals and objectives of the project are met and for beginning remedial action or contingency measures. Such criteria may include water quality standards, survival rates of

planted vegetation, species abundance, and diversity targets, habitat diversity indices, or other ecological, geological or hydrological criteria.

d. Written specifications and descriptions of compensation techniques shall be provided. These shall include, but not be limited to, items in Subsection (3)(b) of this Section.

e. A program outlining the approach for monitoring construction of the compensation project and for assessing a completed project shall be provided. Monitoring may include, but is not limited to:

i. Establishing vegetation plots to track changes in plant species composition and density over time;

ii. Using photo stations to evaluate vegetation community response;

iii. Sampling surface and subsurface waters to determine pollutant loading, and changes from the natural variability of background conditions (pH, nutrients, heavy metals);

iv. Measuring base flow rates and storm water runoff to model and evaluate water quality predictions, if appropriate;

v. Measuring sedimentation rates, if applicable; and

vi. Sampling fish and wildlife populations to determine habitat utilization, species abundance and diversity.

vii. A protocol shall be included outlining how the monitoring data will be evaluated by agencies that are tracking the progress of the compensation project. A monitoring report shall be submitted annually, at a minimum, documenting milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than seven years.

viii. Contingency Plan. Identification of potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.

A. Performance and Maintenance Surety and Demonstration of Competence. A demonstration of financial resources, administrative, supervisory, and technical competence and scientific expertise to successfully execute the compensation project shall be provided. A compensation project manager shall be named and the qualifications of each team member involved in preparing the mitigation plan and implementing and supervising the project shall be provided, including educational background and areas of expertise, training and experience with comparable projects. In addition, a surety ensuring fulfillment of the compensation project, monitoring program, and any contingency measure shall be posted pursuant to Section 4.1.2.7.

4. The city may consult with and solicit comments from any federal, state, regional, or local agency, including tribes, having any special expertise with respect to any environmental impact prior to approving a mitigation proposal which includes critical areas compensation. The compensation project proponents should provide sufficient information on plan design and implementation in order for such agencies to comment on the overall adequacy of the mitigation proposal.

5. Any compensation project prepared pursuant to this section and approved by the director shall become part of the application for the permit.

4.1.6 Water Quality and Stormwater Management

4.1.6.1 Principles

Water quality is affected in numerous ways by human activity. Impervious surfaces that accompanies development increases surface water runoff; which causes scouring and erosion of stream banks. Erosion increases suspended solid levels and a greater amount of stormwater carries heavy metals, household wastes, and excess nutrients into the waters of the state. Increased nutrient enrichment depresses dissolved oxygen levels. Degradation of water quality adversely impacts wildlife habitat and public health. The purpose of these provisions is to minimize water quality impacts of shoreline uses and activities. Shoreline master programs shall, as stated in RCW 90.58.020, protect against adverse impacts to the public health, to the land and its vegetation and wildlife, and to the waters of the state and their aquatic life, through implementation of the following principles:

(i) Prevent impacts to water quality and stormwater quantity that would result in a net loss of shoreline ecological functions and processes, or a significant impact to aesthetic qualities, or recreational opportunities.

(ii) Ensure mutual consistency between shoreline management provisions and other regulations that address water quality and stormwater quantity, including public health, stormwater discharge standards. The regulations that are most protective of ecological functions and processes shall apply.

4.1.6.2 Applicability

These provisions apply to all shoreline development, including that which does not require a Shoreline Substantial Development Permit. The use of pesticides, herbicides or fertilizers within the shorelines jurisdiction, including applications of herbicides to control noxious aquatic vegetation, shall comply with regulations of Section 4.1.5, Critical Areas and responsible federal and state agencies. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.3, Vegetation Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.1.6.3 Goal

Maintaining high water quality standards and restoring degraded systems is mandated in the Shoreline Management Act (RCW 90.58.020 or its successor). The purpose of these provisions

is to maintain existing water quality, restore impaired water bodies and minimize water quality impacts of shoreline uses and activities.

4.1.6.4 Policies

1. Require all shoreline uses and activities, and developments to be located, designated, constructed, and maintained to avoid or minimize adverse impacts to water quality, quantity, or hydrology.
2. Ensure that shoreline uses, activities, and developments are consistent with the City's Stormwater Management Plan and stormwater ordinances. Protect ecological functions and/or ecosystem-wide processes by avoiding and minimizing adverse impacts to water quality through shoreline vegetation management and stormwater management.
3. Use effective public education programs, site planning and best management practices to avoid or minimize the need for chemical fertilizers, pesticides, herbicides, and fungicides that could contaminate surface or ground water or cause adverse effects of shoreline ecological functions and ecosystem-wide processes.
4. Encourage the use of low impact development techniques as water quality treatment of surface water runoff, unless precluded by soil conditions, slope or other sensitive area conditions.

4.1.6.5 Prohibited

1. Wood that is treated with creosote, copper chromium arsenic (CCA) or pentachlorophenol (PCP) in or above shoreline water bodies, unless otherwise approved in Section 6.3, Overwater Structures.
2. Use of pesticides within a Shoreline Buffer and Site-specific Vegetation Management Areas, except as follows:
    a. All shoreline developments and activities shall comply with the following standards in the application of pesticides or herbicides.
        i. As part of an integrated pest management plan which is administered by a qualified professional to control rodents.
        ii. When it is the accepted practice to successfully eradicate aquatic or upland invasive/noxious vegetation species and Department of Ecology has approved a method of application.

4.1.6.6 Regulations – General

1. All shoreline development shall minimize any increase in surface runoff through control, treatment, and release of surface water runoff so that the receiving water quality, shore properties, and features are not adversely affected, and through compliance with the standards established in the City's adopted Stormwater Management Manual in BIMC 15.20.
2. Shoreline use and development shall incorporate measures to protect and maintain surface and ground water quantity and quality in accordance with all applicable laws.

3. Low impact development techniques shall be considered and implemented consistent with the City's adopted Low Impact Development Manual cited in BIMC 15.20.050.C unless the site is demonstrated to the satisfaction of the Administrator to be unsuitable for low impact development techniques.
    a. When a direct discharge pipe is demonstrated to be necessary, the conveyance shall consist of the following:
        i. A continuous heat welded high density polyethylene (HDPE) pipe; and
        ii. Devices to keep the pipe stationary and set off bank; and
        iii. An energy dissipation pad or water dissipater installed at the end of the pipe. The dissipation pad shall extend the minimum distance necessary to protect the beach substrate.
4. All proposals for bulk storage of oil, fuel, chemicals, or hazardous materials, on either a temporary or a permanent basis, shall require adequate secondary containment and an emergency spill response plan in place when appropriate. It shall be the responsibility of property owners to fund and implement the approved spill containment and cleanup plans and to complete the work by the deadline established in the plans according to BIMC 15.22.
5. Allowances to alter stormwater management standards of BIMC 15.20 may be approved by the City, provided it can be demonstrated that off-site facilities would provide better treatment, or where common retention, detention and/or water quality facilities meeting such standards have been approved as part of a comprehensive regional stormwater management plan.
6. Best management practices (BMP's) for control of erosion and sedimentation shall be implemented for all development in shorelines through an approved Stormwater Pollution Prevention Plan (SWPPP), as required by BIMC 15.20, Surface and Storm Water Management, or administrative conditions.
7. To avoid water quality degradation by malfunctioning or failing septic systems located within shoreline jurisdiction, on-site sewage systems shall be located landward of any new residence or business or if determined to be infeasible, in a location approved by the Administrator and designed to meet all applicable water quality, utility, and health standards. The owner must be in compliance with the Kitsap Health District, and any state and federal laws.
8. New residences or businesses on the shoreline located within two hundred (200) feet of an existing sewer line and/or within an established sewer service area shall be connected to the sewer system.
9. All materials that may come in contact with surface water or stormwater shall be constructed of materials, such as untreated wood, concrete, approved plastic composites or steel, that will not adversely affect water quality or aquatic plants or animals. To avoid discharge of pollution, decking material or other structural components shall be approved by applicable state agencies for contact with water.
10. As a condition of permit approval, the Administrator may apply the following conditions to protect water quality:

a. Shoreline uses and activities shall apply Best Management Practices (BMP's) to minimize any increase in surface runoff and to control, treat and release surface water runoff so that receiving properties, receiving waters, wetlands or streams, and are not adversely affected, consistent with the City's adopted Stormwater Management Manual.

b. All types of BMPs shall be regularly maintained to continue to function as intended, according to the BIMC 15.21, Storm Water Facilities Maintenance Program. Such measures may include, but are not limited to:

   i. Vegetated shoreline buffers and setbacks.

   ii. Low Impact Development techniques for infiltration (rain gardens, pervious surfaces).

   iii. Methods described in the City's adopted Stormwater Manual (catch basins or settling ponds, oil interceptor drains, grassy swales).

   iv. The release of oil, chemicals (including pesticides and herbicides), fertilizer or hazardous materials, and others listed in BIMC 15.22 onto land or into the water is prohibited within the shoreline jurisdiction.

   v. Equipment for the transportation, storage, handling, or application of such materials shall be maintained in a safe and leak-proof condition. If there is evidence of leakage, the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.

11. The use of fertilizer is allowed within the Shoreline Buffer and Site-specific Vegetation Management Area when measures are taken to protect the waters of the state.

    a. Minimize or prevent the runoff of chemical laden into adjacent water bodies.

    b. The direct runoff of fertilizer chemicals into adjacent water bodies is prohibited.

    c. Application of fertilizer shall utilize BMPs outlined in the City's adopted Stormwater Management Manual.

4.1.7 Flood Hazard Management

4.1.7.1 Applicability

These provisions apply to primary flood hazard projects or programs. They also apply to construction, maintenance, repair, modification and/or expansion of flood hazard management systems. Provisions applicable to individual properties are in Section 6.0, Shoreline Modification Policies and Regulations. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.1.7.2 Policies

1. Base flood hazard management planning on applicable watershed management plans, critical area ordinances, and other comprehensive planning efforts. Coordinate flood hazard management among affected property owners and public agencies by considering the system-wide impacts of individual projects, cumulative impacts of individual projects, and ensuring that flood hazard protection measures do not result in a net loss of ecological function.
2. Allow removal of gravel for flood control should only if a biological and geomorphological study demonstrates a long-term benefit to flood hazard reduction and that no net loss of ecological functions and ecosystem-wide processes will result. Removal must be part of a comprehensive flood management solution.
3. Ensure flood hazard management works are located, designed, constructed, and maintained to provide:
    a. Protection of shoreline ecological functions and ecosystem-wide processes which may be damaged by interruptions of the geo-hydraulic system;
    b. Protection of water quality and natural ground water movement;
    c. Protection of fish, vegetation and other life forms and their habitat vital to the aquatic food chain; and
    d. Protection of recreation resources and aesthetic values such as point and channel bars, islands, and other shore features and scenery.
4. Give preference to non-structural methods over structural flood control methods wherever feasible, including prohibiting or limiting development in historically flood prone areas, regulating structural design, and limiting increases in peak-flow runoff from new upland development. Structural solutions to reduce shoreline damage should be allowed only after it is demonstrated that nonstructural solutions would not sufficiently reduce the damage.

4.1.7.3 Prohibited

1. Flood control works are prohibited on estuary or embayment shores, on point and channel bars, and in salmon spawning areas, except for the purpose of fish or wildlife habitat enhancement or restoration or as approved for a foundation for redevelopment of a legally established primary residential structure in the Point Monroe District.
2. Flood control structures and stream channelization projects that damage fish and wildlife resources, recreation or aesthetic resources, or create high flood stages and velocities shall be prohibited.

4.1.7.4 Regulations – General

1. Flood hazard management shall be a conditional use in the Shoreline Residential Conservancy, Island Conservancy, Shoreline Residential, Urban and Aquatic designations and prohibited in the Natural and Priority Aquatic designations, except in the Point Monroe District.

2. The City shall require the applicant to provide the following information during its review of shoreline flood management projects and programs.
    a. Channel hydraulics and floodway characteristics up and downstream from the project area;
    b. Existing shoreline stabilization and flood protection works within the area;
    c. Physical, geological and soil characteristics of the area;
    d. A biological resource inventory and analysis prepared by a qualified professional biologist that describes the anticipated effects of the project on fish and wildlife resources; and
    e. A hydraulic analysis prepared by a licensed professional engineer that describes anticipated effects of the project on hydraulics including:
        i. Potential increases in base flood elevation; and
        ii. Geo-hydraulic processes leading to erosion or adverse effects to shoreline resources and uses; and
        iii. Potential for redirection of the normal flow of the affected stream; and
        iv. Predicted impact upon adjacent properties and shoreline and water uses; and
        v. Analysis of alternative flood protection measures, both structural and nonstructural; and
        vi. An analysis of the flood frequency, duration and severity and expected health and safety risks as a rationale and justification for the proposed structure; and
        vii. Proposed provisions for accommodating public access to and along the affected shoreline, as well as any proposed on-site recreational features; and
        viii. A description of any proposed plans to remove vegetation and revegetate the site following construction.
3. The City shall require flood control structures to be professionally engineered and designed prior to final approval. The design shall be consistent with the Department of Fish and Wildlife Aquatic Habitat Guidelines and other applicable guidance and regulatory requirements.
4. Flood control structures shall be permitted only when there is credible engineering and scientific evidence that:
    a. They are necessary to protect existing, lawfully established development; and
    b. They are consistent with BIMC 15.16, Flood Damage Prevention and the City Comprehensive Plan; and
    c. Non-structural flood hazard reduction measures are infeasible; and

d. Proposed measures are consistent with an adopted comprehensive flood hazard management plan, if available.

5. When permitted, flood control structures shall be:
    a. Constructed and maintained in a manner that does not degrade the quality of affected waters or the habitat value associated with the in stream and riparian area; and
    b. Placed landward of the OHWM except for weirs, current deflectors and similar structures to protect public bridges and roads; and
    c. Placed landward of associated wetlands and designated habitat conservation areas, except for structures with a primary purpose of improving ecological functions and processes; and
    d. Designed based on engineering and scientific analyses that provide the highest degree of protection to shoreline ecological functions or processes; and
    e. Designed to allow for normal ground water movement and surface runoff. Natural in-stream features such as snags, uprooted trees, or stumps should be left in place unless they are actually causing bank erosion or higher flood stages; and
    f. Designed to allow streams to maintain point bars and associated aquatic habitat through normal accretion so that the stream can maintain normal meander progression and maintain most of its natural storage capacity.
6. No flood control structure shall be installed or constructed without first having obtained all applicable federal, state, and local permits and approvals, including but not limited to a hydraulic project approval (HPA) from the Department of Fish and Wildlife and Federal Emergency Management Agency (FEMA) requirements for National Flood Insurance Program (NFIP) communities pertaining to flood prone areas. Conditions of the hydraulic project approval permit (HPA) issued by Washington State Department of Fish and Wildlife shall be incorporated into permits issued for flood protection.
7. Removal of beaver dams to control or limit flooding shall be allowed provided that the project proponent coordinates with the Department of Fish and Wildlife and obtains all necessary permits and approvals from the state.
8. Flood protection measures that alter, reroute, or change the shoreline may be approved as a conditional use only if it is demonstrated that other flood protection and planning measures would be insufficient. Alternative measures shall be considered in the following sequence:
    a. No action
    b. Non-structural measures such as vegetation enhancement or comprehensive planning
    c. Increase building setbacks and/or relocate structures to a feasible location and/or elevate the structures.
    d. Implement flexible/natural materials and methods, beach nourishment, protective berms, bioengineered solutions or other soft-treatment measures.

e. Apply development restrictions.

4.1.8 Shoreline Restoration and Enhancement

4.1.8.1 Applicability

This section provides for restoration and enhancement of ecologically impaired areas or areas with the goal of achieving a net gain in shoreline ecological functions and ecosystem-wide processes above the baseline conditions as of the adoption of this shoreline master program. Restoration and enhancement provisions apply to activities and projects proposed and conducted specifically for the purpose of establishing, restoring, or enhancing ecological functions and ecosystem-wide processes within shoreline upland, beach and/or aquatic areas measured below the ordinary high water mark (OHWM). Shoreline restoration activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater; Section 4.1.3, Vegetation Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.1.8.2 Goal

Over time, create net ecosystem-wide improvement in the shoreline environment by improving impaired shoreline ecological functions and ecosystem-wide processes that have been degraded or diminished. This will be accomplished through voluntary and incentive-based public and private programs and actions that restore and enhance shoreline areas prioritized through a restoration plan.

4.1.8.3 Policies

1. Improve shoreline ecological functions and ecosystem-wide processes through restoration and enhancement actions designed using principles of landscape and conservation ecology with the primary goal being to restore and/or enhance physical and biological ecosystem-wide processes that create and sustain shoreline habitat structures and functions.
2. Encourage and facilitate cooperative shoreline restoration and enhancement programs between local, state, and federal agencies, tribes, non-profit organizations, and landowners to address shorelines with impaired ecological functions and/or ecosystem-wide processes.
3. Target restoration and enhancement actions to improve habitat requirement of priority species, such as Chinook and other species and/or locally important plant, fish and wildlife species; and/or other populations or habitats for which a prioritized restoration of recovery plan is available.
4. Integrate restoration and enhancement with other natural resources management efforts such as Puget Sound Salmon recovery planning, West Sound Watershed planning and Water Resource Inventory Area (WRIA) 15 Watershed Management planning.

5. As feasible, include provisions for shoreline vegetation restoration, fish and wildlife habitat enhancement, and low impact development techniques in projects located within the shoreline through project mitigation and incentive-based restoration.
6. Seek funding from state, federal, private and other sources to implement restoration and enhancement, and provide support to restoration work by identifying shoreline restoration priorities and organizing information on available funding sources for restoration implementation.
7. Encourage restoration and enhancement projects by developing project permitting and processing guidelines that will streamline the review of restoration-only projects.
8. Identify and encourage the use of tax incentive programs, mitigation banking, grants, land swaps, or other programs as they are developed, to encourage restoration and enhancement of shoreline ecological functions and ecosystem-wide processes and to protect habitat for fish, wildlife and plants.
9. Avoid adverse impacts to existing critical saltwater habitat areas, fish and wildlife habitat conservation areas, water quality and flood holding capacities.
10. Restore or enhance Island shorelines in conjunction with shoreline stabilization, recreational enhancement, and aquatic habitat creation or restoration. Do not allow creation of new land area along the shoreline below the OHWM to raise the elevation to create dry upland areas.
11. Encourage supplementary beach nourishment where existing shoreline stabilization has the potential to decrease existing beach materials at or down-drift from the project site and should be coordinated with an Island-wide shoreline restoration plan.
12. Promote shoreline stabilization that incorporates beach restoration or enhancement in accordance with the restoration provisions of this Master Program.

4.1.8.4 Objectives

1. Encourage and facilitate cooperative restoration and enhancement programs between local, state and federal public agencies, tribes, non-profit organizations, and landowners to address shorelines with impaired ecological functions and/or ecosystem-wide processes.
2. Restore and enhance shoreline ecological functions and processes as well as shoreline features through voluntary and incentive-based public and private programs.
3. Target restoration and enhancement towards improving habitat requirements of priority and/or locally important wildlife species.
4. Ensure restoration and enhancement is consistent with and, where practicable, prioritized based on the biological recovery goals for Chinook and bull trout populations and other species and/or populations for which a recovery plan is available.
5. Seek funding for various restoration actions and programs from local sources and by working with the Bainbridge Island Metropolitan Park and Recreation District and other jurisdictions in the WRIA 15 and stakeholders to seek federal, state, grant and other funding opportunities.

6. Continue to develop and implement the City's Shoreline Stewardship Program as a public education program to inform private property owners in the shoreline jurisdiction and in the remainder of the City about the effects of land management practices and other unregulated activities (such as vegetation removal, pesticide/herbicide use, car washing) or fish and wildlife habitats.

4.1.8.5 Regulations – Restoration

1. Restoration activities are permitted in all designations, and shall be carried out in accordance with the objectives of an approved shoreline restoration plan and in accordance with the policies and regulations of this Program.

4.1.8.6 Beach Nourishment and Enhancement

4.1.8.6.1 Policies

1. All beach enhancement projects should ensure that aquatic habitat, existing water quality levels and flood-holding capacities are maintained.
2. Beach restoration/enhancement utilizing self-sustaining systems should be required where;
    a. The length and configuration of the beach will accommodate such systems;
    b. Such protection is a reasonable solution to the needs of the specific site; and
    c. Beach restoration/enhancement will accomplish one or more of the following objectives:
        i. Recreate or enhance natural conditions.
        ii. Create or enhance natural habitat.
        iii. Mitigate erosion.
        iv. Enhance access to the shoreline.
3. Supplementary beach nourishment should be encouraged where existing shoreline stabilization is likely to increase impoverishment of existing beach material at or down drift from the project site.

4.1.8.6.2 Regulations – Prohibited

1. Dikes, levees, jetties, groins, gabions and breakwaters, are prohibited. Drift sills for enhancement or restoration projects may be allowed.
2. Beach nourishment is prohibited unless part of an approved mitigation plan or restoration project within spawning, nesting, or breeding habitat and/or where littoral drift of the enhancement materials enhances shoreline and does not adversely affects shoreline ecological functions and shoreline ecosystem-wide processes or adjacent properties.

4.1.8.6.3 Regulations – General

1. Mitigation/enhancement/restoration proposal design alternatives shall include the best available technology.

2. Mitigation/enhancement/restoration proposals shall not:
    a. Detrimentally interrupt littoral drift, or redirect waves, current or sediments to other shorelines;
    b. Result in any exposed groin-like structures, provided that small "drift sill" groins may be used as a means of stabilizing restored sediment as part of a permitted beach restoration program;
    c. Extend waterward more than the minimum amount necessary to achieve the desired stabilization;
    d. Result in contours sufficiently steep to impede easy pedestrian passage, or to trap drifting sediments;
    e. Create additional dry land mass; or
    f. Disturb valuable shallow-water fish/wildlife habitat as determined by the Department of Fish and Wildlife, unless such habitat is immediately replaced by new habitat that is comparable or better.
3. Beach Restoration Construction Standards:
    a. The size and/or mix of new material to be added to a beach shall be as similar as possible to the undisturbed bluff sediment and Washington Department of Fish and Wildlife approved material (i.e. "Fish mix, or smaller grain size). The material shall not predominately consist of grain size similar to clay or silt.
    b. The restored beach shall approximate, and may slightly exceed, the natural beach width, height, bulk, or profile (but not so as to obviously create additional dry land mass).

4.1.8.6.4 Specific Regulations – Beach Enhancement

1. Beach enhancement shall be a conditional use in all environments and shall be undertaken only for restoration, enhancement and maintenance of natural resources, or to enhance public access to the shoreline. Beach enhancement is prohibited if undertaken upland of Priority Aquatic designation.

4.2 General Use

4.2.1 Nonconforming Uses~~, Non-Conforming Lots, and Existing Development~~ Nonconforming Structures, and Nonconforming Lots

4.2.1.1 Applicability

This section applies to shoreline uses and/or structures that were lawfully established or constructed prior to the effective date of the initial adoption of the Master Program (November 26, 1996) or ~~its amendments, but which do not conform to present regulations or standards of the Master Program.~~amendments thereto, and which do not conform to current regulations or standards of this Program. This section does not apply to shoreline modification or shoreline stabilization.

Nonconforming uses, lots and structures are not required to meet this Program's requirements, unless new development or changes to a use, lot or structure that would require review under this Program are proposed.

4.2.1.2 Definitions

1. Nonconforming Use. A nonconforming use means an existing shoreline use that was lawfully established prior to the effective date of this Program (November 26, 1996), as amended, but which does not conform to present use regulations due to subsequent changes to the Program.
2. Nonconforming Lot. A nonconforming lot means a lot that met dimensional requirements of the applicable SMP at the time of its establishment (November 26, 1996), as amended, but now contains less than the required width, depth or area due to subsequent changes in the Program.
3. Nonconforming Development or Nonconforming Structure. An existing structure that was lawfully constructed at the time it was built but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height or density standards due to subsequent changes to the master program.

4.2.1.~~2~~3 Goal

~~It is the purpose of this program to recognize legally established primary residential structures, and to allow them to be maintained, repaired, remodeled, replaced and in some cases expanded in conformance with these rules. Residential structures that do not conform to this program should, over time, as the owner proposes changes to the structure, conform as completely as possible to this program, with due regard to unique site conditions and property rights.~~

~~It is further the purpose of this program to ultimately, over time, have uses and commercial structures conform to the provisions of this program. Over time, uses and commercial structures that do not conform to the standards of this program should be phased out as uses cease or redevelopment of structures occurs.~~

~~Note: Existing structures and uses that do not conform to this Program are not required to meet its requirements, unless the owner proposes changes to a structure or use that would require review under this Program.~~

It is the purpose of this section to recognize legally established uses, lots, and structures, and to allow them to be maintained, repaired, and remodeled, and, in some cases replaced or expanded, in conformance with Section 4.2.1.5 through 4.2.1.8 of this Program with due regard to unique site conditions and property rights.

4.2.1.~~3~~4 Policies

~~1. Lawfully constructed commercial and industrial structures shall be allowed to be repaired, maintained, and remodeled provided that the alteration does not increase the nonconformity.~~

~~2. Lawfully constructed structures, established uses, public facilities, transportation structures, and/or lots of record located within the shoreline jurisdiction prior to the~~

~~effective date of the Master Program but which do not conform to the present policies, regulations or standards, shall be allowed to continue and be repaired and maintained.~~

~~3. Lawfully constructed residential structures may be repaired, maintained and remodeled provided the alteration meets the goals and provisions of this program.~~

~~4. Lawfully constructed residential structures may be expanded in some circumstances, provided the expansion will not result in adverse impacts to shoreline ecological functions and processes, and mitigation is provided.~~

~~5. Once discontinued, re-establishment of nonconforming uses located in the shoreline jurisdiction shall be restricted.~~

~~6. Lawfully constructed commercial structures that are located in the shoreline jurisdiction are to be phased out over time. Depending on the extent and intensity of the nonconformity, a primary residential structure and primary appurtenance, may be allowed certain alteration or expansion, provided that adverse impacts to shoreline ecological functions and shoreline processes are mitigated or restored.~~

~~7. Lawfully constructed structures that are destroyed by fire, explosion, flood, or other casualty may be restored or replaced without increasing or expanding the nonconformity, and are encouraged to decrease nonconformity. Legally established overwater structures that are destroyed may be reconstructed to the same size, but the configuration may be altered to reduce the impact to the shoreline environment provided the size of the nonconformity is not increased. Such redevelopments may be permitted provided that impacts to shoreline functions and processes are mitigated or restored, and the reconstruction application is submitted within two years of the date of destruction.~~

~~8. Provisions for reconstruction of a lawfully constructed residential house shall allow certain expansions of the existing structure when it can be demonstrated that the expansion will not result in adverse impacts to shoreline ecological functions and shoreline processes are mitigated or restored.~~

~~9. Legally created nonconforming lots of record may be developed provided that adverse impacts to shoreline ecological functions and shoreline processes are mitigated or restored.~~

~~10. Redevelopment of nonconforming public rights-of-way and associated existing transportation structures may be permitted for purposes of facilitating essential public access, development of public trails and/or public shoreline access.~~

1. Nonconforming structures may be repaired, maintained, or remodeled and, in some cases, nonconforming structures may be replaced or expanded provided the change meets the current regulations and standards of this Program. Decreases in nonconformity should be encouraged.
2. Once discontinued, reestablishment of nonconforming uses and nonconforming commercial structures located in the shoreline jurisdiction should be restricted or phased out over time.
3. Nonconforming overwater structures may be reconstructed to the same size and modified, reoriented, or altered within the same general location to be more consistent with the provisions of this Program.

4. Nonconforming lots of record may be developed consistent with the standards and regulations of this Program.

5. Redevelopment of nonconforming public rights-of-way and associated existing transportation structures may be permitted for purposes of facilitating essential public access, development of public trails and/or public shoreline access.

4.2.1.~~4~~5 Regulations – General

~~1. Nonconforming uses and developments and/or existing buildings and structures that were lawfully constructed or existed prior to the effective date of initial adoption of this Program (November 26, 1996), or its amendments, but which do not meet the specific standards of this Program, may be continued subject to the provisions of this section; provided that shoreline modifications shall conform to Section 6.1, General Shoreline Modification Provisions, and Section 6.2, Shoreline Stabilization.~~

~~2. A complete application for any reconstruction under this section must be submitted within two (2) years of the date of damage or removal, and upon approval of the application, redevelopment must be completed within one (1) year of the commencement of reconstruction. A one (1) year extension may be granted, provided that a written request is submitted no later than twenty-one (21) days prior to either deadline and provided that the owner is not responsible for the delay.~~

~~3. An existing use designated by the adoption of an applicable amendment hereto as a conditional use that lawfully existed prior to the adoption of the Program or the adoption of an applicable amendment hereto and which has not obtained a conditional use permit, shall be considered a legal nonconforming use and may be continued subject to the provisions of this section without obtaining a conditional use permit.~~

~~4. A structure for which a variance has been issued but which does not comply with applicable requirements of this Program as amended shall be considered a legal existing structure and the requirements of this section shall apply.~~

~~5. Any permitted remodel or expansion shall not cause adverse impacts to shoreline ecological functions and/or processes.~~

1. Nonconforming uses, lots, and structures may continue subject to the provisions of this section.

2. Any alterations to nonconforming uses or structures shall meet the no net loss standard pursuant to Section 4.1.2.4. The current condition of the shoreline, including nonconforming uses and structures, shall be the starting point or baseline for determining compliance with the no net loss standard.

4.2.1.~~5~~6 Regulations - Nonconforming Uses

1. Nonconforming uses shall not be altered or expanded in any way that increases the nonconformity.

2. If a nonconforming use is discontinued for twelve (12) consecutive months, any subsequent use shall be conforming; except that if a nonconforming use is operated within a nonconforming structure that is accidently damaged or destroyed and

reconstruction is proposed under Section 4.2.1.6~~.1(3)~~, then the use may be re-established within the same time period as the reconstruction for the nonconforming structure pursuant to Section ~~4.2.1.4(2)~~4.2.1.6.1(7).

3. A nonconforming use cannot be changed to another nonconforming use.
4. Change of ownership, tenancy, or management of a nonconforming use shall not affect its nonconforming status, provided that all provisions are met.

4.2.1.~~6~~7 Regulations – ~~Existing Development~~ Nonconforming Structures

4.2.1.~~6~~7.1 General Provisions – Nonconforming Structures

~~1. Existing structures may be maintained, repaired, renovated, or remodeled provided all the following is met:~~

~~a. Changes to the structure that would alter or increase the nonconformity are not permitted;~~

~~i. Any vertical or horizontal extension of a wall must meet the provisions of this program.~~

~~ii. Adding to the footprint of an existing structure is permitted as long as the addition meets the requirements of this program.~~

~~b. There is no further encroachment into the buffers unless allowed by this program or through an approved variance;~~

~~c. Renovations or remodels are entirely contained within the building;~~

~~d. If moved, the structure shall be made to conform to regulations of this program.~~

~~2. If an existing primary structure is damaged or destroyed by fire, explosion, earthquake, flooding or other casualty, it may be reconstructed to the bulk dimension existing immediately prior to the catastrophic event, provided the use is conforming or meets the provisions of Section 4.2.1.4, Regulations-General, and 4.2.1.5, Regulations – Nonconforming Uses, above.~~

~~a. This provision shall not apply to structures that are destroyed due to a criminal act initiated by the property owner; and~~

~~b. The replacement structure shall not warrant new shoreline stabilization for the life of the new structure.~~

~~c. The replacement structure meets geologically hazard provision for existing development in Section 4.1.5, Regulations – Nonconforming Uses, and Appendix B.~~

1. All nonconforming structures may be maintained, repaired, renovated, remodeled, or rebuilt, except where stated otherwise in the specific provisions of this program. In

some cases, nonconforming structures may be expanded subject to the specific provisions of this Program.

2. Nonconforming structures shall not be reconstructed, altered, or expanded in any way that increases the nonconformity.

3. No further encroachment into the shoreline buffer established in accordance with Section 4.1.3 is allowed unless permitted by this Program.

4. Any nonconforming structure that is relocated must conform to regulations of this Program.

5. The enlargement or replacement of a structure shall not warrant new shoreline stabilization for the life of the new structure; and

6. A replacement structure, or portion thereof, must meet geologically hazardous provisions in Section 4.1.5.

7. A complete application for any reconstruction under this section must be submitted within three (3) years of the date of damage or removal and must include documentation of site conditions and building configuration existing immediately prior to the time the structure was demolished or destroyed. Upon approval of the application, redevelopment must be completed within one (1) year of the commencement of reconstruction. A one (1) year extension may be granted, provided that a written request is submitted no later than twenty-one (21) days prior to either deadline and provided that the owner is not responsible for the delay.

~~***4.2.1.6.2 Existing Structures – Commercial and Industrial (Primary and Accessory)***~~

~~1. Existing commercial structures shall not be altered or expanded in any way that increases the nonconformity without first obtaining a variance.~~

~~2. Reconstruction of existing commercial structures and buildings intentionally demolished or destroyed in any other manner than described in Section 4.2.1.6.1(2), shall be in conformance with all standards of the Program.~~

4.2.1.~~6.3~~7.2 ~~Existing Structures –~~ Nonconforming Structures – Residential Single-Family: Primary Structures

~~1. If an existing primary residential structure is damaged or destroyed as described in Section 4.2.1.6.1(2), the existing primary residential structure configuration may be altered or expanded pursuant to subsections 4.2.1.6.3(2-4).~~

~~2. An existing primary residential structure may be altered or expanded to the extent allowed by this Program, provided:~~

~~a. Enlargement or expansion of the building configuration, including any new impervious surfaces located within the Shoreline Buffer shall be located landward of the existing or original building footprint, only one such expansion may occur within the lifetime of the development, and the expansion shall not exceed:~~

~~i. The allowed building area for Point Monroe District, Section 5.9.6(2).~~

~~ii. The allowed building area for encumbered lots, Section 4.2.1.7.~~

~~iii. For structures not meeting i or ii; twenty five percent (25%) of the existing building footprint.~~

~~b. Any vertical expansion must meet height requirements of this Program;~~

~~c. Remnant foundation and/or impervious surfaces located within the Shoreline Buffer shall be removed;~~

~~d. Mitigation of the shoreline buffer is provided in accordance with Section 4.1.2, Environmental Impacts;~~

~~e. The remodel or expansion shall not cause adverse impacts to shoreline ecological functions and/or processes; and~~

~~f. All other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Health District, and any state and federal laws.~~

~~3. Permitted expansion of an existing structure shall not substantially impact the existing views of the water from primary waterfront residences or public rights-of-way to any greater degree than a fully conforming structure.~~

~~4. Increases in structure footprint outside of the Shoreline Buffer shall be allowed, even if all or a portion of the existing footprint is within the Shoreline Buffer. In such case, the addition or enlargement shall be treated as a separate building or structure in determining conformity to all of the requirements of this Program.~~

1. A nonconforming primary residential structure located within the shoreline buffer may be altered, expanded, or rebuilt, provided the proposal is consistent with all of the following:

    a. If an existing primary residential structure is damaged or destroyed by any means, it may be reconstructed to the same footprint and bulk dimensions existing immediately prior to the demolition or destruction.

    b. Any enlargement or expansion of the building, including any new impervious surfaces, shall be located landward of the existing or original building footprint.

    c. No enlargement or expansion shall be located within Zone 1 of the shoreline buffer.

    d. Expansion is limited to an increase of up to 500 square feet of the existing footprint over the lifetime of the structure.

    e. For structures not within an encumbered lot, enlargement or expansion may be allowed as follows:

        i. If the total footprint of any remaining portion of the existing primary structure, the proposed additional footprint, and any existing and proposed hard surfaces is less than or equal to four thousand square feet expansion is allowed with mitigation as required in the Single Family Shoreline Mitigation Manual.

        ii. If the total footprint of any remaining portion of the existing primary structure, the proposed additional footprint, and any existing and proposed

hard surfaces is greater than four thousand square feet expansion is allowed with submittal of a site-specific impact analysis and approval of a shoreline conditional use permit.

f. No landmark trees as defined in BIMC 16.32 shall be removed to accommodate the enlargement or expansion.

g. No significant trees shall be removed to accommodate the enlargement or expansion unless the Administrator determines all of the following are met:

i. The use of mitigation sequencing pursuant to Section 4.1.2.6 is demonstrated prior to removal of the tree.

ii. The healthy trees remaining on the property are able to maintain existing shoreline ecological function and processes.

iii. Reasonable and feasible alternatives that would allow for the preservation of the tree are not available.

h. Permitted expansion of a nonconforming structure shall not substantially impact the existing views of the water from primary residences or public rights-of-way to any greater degree than a fully conforming structure in accordance with Section 4.1.3.11.

i. All other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Health District, and any state and federal laws.

~~***4.2.1.6.4 Existing Structures – Multifamily Residential: Primary Structures***~~

~~1. If an existing primary multifamily residential structure is damaged or destroyed by fire, explosion, earthquake, flooding or other casualty, it may be reconstructed to the bulk dimension existing immediately prior to the catastrophic event, including building height and footprint of the structure.~~

~~a. This provision shall not apply to structures that are destroyed due to a criminal act involving the property owner; and~~

~~b. The replacement structure shall not warrant new shoreline armoring for the life of the new structure; and~~

~~c. The reconstruction shall not cause adverse impacts to shoreline ecological functions and processes.~~

~~d. The replacement structure meets geologically hazard provision for existing development in Section 4.1.5, Critical Areas, and Appendix B.~~

~~2. An existing primary multifamily residential structure or portion thereof may be reconstructed, altered, or expanded, including the footprint and/or the height increased, to the extent allowed by this Program, if the following are met:~~

~~a. Public access is provided pursuant to Section 4.2.4.6, Regulations – Public Access Design and Location Standards; and~~

b. Mitigation of the shoreline buffer is provided to meet no net loss, as detailed in Section 4.1.2, Environmental Impacts, including revegetation standards in Section 4.1.2.5(3).

4.2.1.6.5.7.3 Existing Nonconforming Structures – Residential: Accessory Structures

1. If an existing a nonconforming residential accessory structure is damaged, destroyed or intentionally demolished, the any reconstruction shall be in conformance with all standards of this the Program., except:

   a. An existing essential single family residential accessory structure may be reconstructed as follows:

   b. Replacement structure is the same bulk dimension as the existing structure.

   c. Replacement structure may be located within Zone 2 provided mitigation occurs in accordance with 4.1.2.5, Regulations – Revegetation Standards.

   d. Attached decks essential to a single family residence may be replaced in the same location.

   e. All other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Health District, and any state and federal laws.

2. If a nonconforming essential single-family residential accessory structure is damaged, destroyed or intentionally demolished, it may be replaced in the same location provided all other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Public Health District, and any state and federal laws.

   a. An existing essential single family residential accessory structure may be reconstructed as follows:

   b. Replacement structure is the same bulk dimension as the existing structure.

   c. Replacement structure may be located within Zone 2 provided mitigation occurs in accordance with 4.1.2.5, Regulations – Revegetation Standards.

   d. Attached decks essential to a single family residence may be replaced in the same location.

   e. All other applicable standards and provisions are met, including regulations of this Program, the Bainbridge Island Municipal Code, the septic system requirements of the Kitsap Health District, and any state and federal laws.

4.2.1.7 Regulations – Encumbered and Nonconforming Lots

1. Single-family development and redevelopment, except in the Point Monroe District, that is proposed on a legal nonconforming lot located in the shoreline jurisdiction or proposed for a shoreline property that is significantly encumbered by shoreline or

~~critical area buffers, may be allowed without a shoreline variance when the following criteria are met:~~

~~a. A lot contains a building area of 2,500 square feet or more available for a single-family residence and normal appurtenances and unrestricted by buffers from shorelines or critical areas shall comply with the provisions of this Program. The building area means the entire area that will be disturbed to construct the home, normal appurtenances (except drainfields), and landscaping; or~~

~~b. A lot that does not meet the requirement of subsection 1.a above, shall meet the following:~~

~~i. Landslide hazard provisions of Section 4.1.5, Critical Areas, and Appendix B and provide the maximum buffer dimension feasible for critical areas; and~~

~~ii. Provide a building area not to exceed 2,500 square feet with maximum lot coverage of 1,200 square feet. The building area shall be located on the portion of the lot providing the maximum Shoreline Buffer dimension with consideration given to view; and~~

~~iii. All single-family residential development approved under this section shall meet the shoreline structure view setback provisions in Section 4.1.3.11, Regulations – Shoreline Structure Setback View Requirement; and~~

~~c. The area between the structure and the shoreline and/or critical area shall comply with revegetation standards in Section 4.1.2.5(3), the vegetation conservation standards of Section 4.1.3, Vegetation Management, and provisions of Section 4.1.5 Critical Areas, and Appendix B; and~~

~~d. Development may not take place waterward of the ordinary high water mark; and~~

~~e. Facilities such as a conventional drainfield system may be allowed outside of the building area specified above, and allowed within buffer areas, except wetlands buffers. Such facilities shall not be located closer than 75ft to OHWM; and shall be subject to regulations of Section 4.1.5, Critical Areas.~~

4.2.1.7.4 Nonconforming Structures – Residential and Commercial Overwater Structures

1. ~~Existing docks floats, and buoys may be repaired and replaced in the same foot print and shall comply with this Program's requirements for materials and standards, to the extent practicable.~~

~~a. Except that as a conditional use, an existing dock may be modified, reoriented or altered within the same general location to be more consistent with the provisions of this Program.~~

Nonconforming docks, piers, floats, and buoys may be replaced in the same footprint and shall comply with this Program's requirements for materials and standards, to the extent practicable.

2. Nonconforming docks, piers, floats, and buoys may be modified, reoriented or altered within the same general location without a substantial development permit if the resulting structure is more consistent with this Program's requirements for materials and standards.

3. ~~Except for docks and floats, repair and replacement up to 50% of the footprint of any existing aquatic structures, including shoreline modifications, or buildings or portions thereof within the Aquatic or Priority Aquatic designations, shall only be done once within any five year period. Such replacements shall comply with this Program's requirements for materials and standards to the extent practicable. If the structure is composed of several components, then the 50% shall be calculated independently for each component.~~ Replacement of nonconforming overwater structures other than docks, piers, floats, and buoys may be replaced if such replacement is authorized as normal repair consistent with WAC 173-27-040(2)(b).

~~3. The replacement shall meet Section 4.1.2, Environmental Impacts, including the mitigation sequencing standards of Section 4.1.2.6, Regulations-Mitigation, to meet the standard of no net loss of shoreline ecological functions and/or processes. Shoreline stabilization shall also meet the alternative analysis provision of Section 6.2.8(1).~~

4.2.1.7.5 Nonconforming Structures – Multifamily Residential: Primary Structures

~~1. If an existing primary multifamily residential structure is damaged or destroyed by fire, explosion, earthquake, flooding or other casualty, it may be reconstructed to the bulk dimension existing immediately prior to the catastrophic event, including building height and footprint of the structure.~~

~~a. This provision shall not apply to structures that are destroyed due to a criminal act involving the property owner; and~~

~~b. The replacement structure shall not warrant new shoreline armoring for the life of the new structure; and~~

~~c. The reconstruction shall not cause adverse impacts to shoreline ecological functions and processes.~~

~~d. The replacement structure meets geologically hazard provision for existing development in Section 4.1.5, Critical Areas, and Appendix B.~~

~~2. An existing primary multifamily residential structure or portion thereof may be reconstructed, altered, or expanded, including the footprint and/or the height increased, to the extent allowed by this Program, if the following are met:~~

~~a. Public access is provided pursuant to Section 4.2.4.6, Regulations – Public Access Design and Location Standards; and~~

~~b. Mitigation of the shoreline buffer is provided to meet no net loss, as detailed in Section 4.1.2, Environmental Impacts, including revegetation standards in Section 4.1.2.5(3).~~

1. A nonconforming primary multifamily residential structure, or any portion thereof, may be reconstructed only in conformance with the current regulations and standards of this Program, including provisions for public access (Section 4.2.4.6) and residential development (Section 5.9).
2. A nonconforming primary multifamily residential structure, or any portion thereof, that is damaged or destroyed by a natural catastrophic event, may be reconstructed to the footprint and bulk dimensions existing immediately prior to the catastrophic event.

4.2.1.7.6 Nonconforming Structures – Commercial and Industrial (Primary and Accessory)

~~***4.2.1.6.2 Existing Structures – Commercial and Industrial (Primary and Accessory)***~~

~~1. Existing commercial structures shall not be altered or expanded in any way that increases the nonconformity without first obtaining a variance.~~

~~2. Reconstruction of existing commercial structures and buildings intentionally demolished or destroyed in any other manner than described in Section 4.2.1.6.1(2), shall be in conformance with all standards of the Program.~~

1. Nonconforming commercial and industrial structures, or any portion thereof, demolished or destroyed by any means may be reconstructed only in conformance with the current regulations and standards of this Program; except, nonconforming commercial structures utilized wholly for water-oriented uses may be reconstructed to the same footprint and bulk dimensions existing immediately prior to destruction by catastrophic event or intentional demolition.

4.2.1.~~8~~.7.7 Regulations – Nonconforming Public Facilities & Transportation

1. Nonconforming public facilities shall be allowed to continue and to be repaired, maintained, or remodeled.
2. Redevelopment of nonconforming public rights-of-way and associated transportation structures ~~are~~ is allowed for purposes of facilitating essential public access, development of public trails, and/or public shoreline access, provided that no other alternative is feasible and redevelopment shall be otherwise consistent with the provisions of this Program, including but not limited to the provisions for public access and no net loss of shoreline ecological functions and processes.

~~**4.2.1.8 Regulations - Existing Residential and Commercial: Aquatic Structures and Accessory Aquatic Structures**~~

~~1. Existing docks floats, and buoys may be repaired and replaced in the same foot print and shall comply with this Program's requirements for materials and standards, to the extent practicable.~~

~~a. Except that as a conditional use, an existing dock may be modified, reoriented or altered within the same general location to be more consistent with the provisions of this Program.~~

~~2. Except for docks and floats, repair and replacement up to 50% of the footprint of any existing aquatic structures, including shoreline modifications, or buildings or portions thereof within the Aquatic or Priority Aquatic designations, shall only be done once within any five year period. Such replacements shall comply with this Program's requirements for materials and standards to the extent practicable. If the structure is composed of several components, then the 50% shall be calculated independently for each component.~~

~~3. The replacement shall meet Section 4.1.2, Environmental Impacts, including the mitigation sequencing standards of Section 4.1.2.6, Regulations-Mitigation, to meet the standard of no net loss of shoreline ecological functions and/or processes. Shoreline stabilization shall also meet the alternative analysis provision of Section 6.2.8(1).~~

4.2.1.7.8 Regulations – Encumbered and Nonconforming Lots

1. Single-family development and redevelopment, except in the Point Monroe District, that is proposed on a ~~legal~~ nonconforming lot ~~located in the shoreline jurisdiction~~ or proposed for a shoreline property that is significantly encumbered by ~~shoreline or critical area buffers~~ critical areas, critical areas buffers or setbacks, or shoreline buffers, may be allowed without a shoreline variance when the following criteria are met:

    a. If a lot contains a development area of 2,500 square feet or more that is unrestricted by critical areas, critical areas buffers or setbacks, or shoreline buffers, development of a single-family residence and normal appurtenances shall occur within that unrestricted development area and comply with the provisions of this Program. The development area means the entire area that will be disturbed to construct the home, normal appurtenances (except drainfields), and landscaping.

    ~~A lot contains a building area of 2,500 square feet or more available for a single-family residence and normal appurtenances and unrestricted by buffers from shorelines or critical areas shall comply with the provisions of this Program. The building area means the entire area that will be disturbed to construct the home, normal appurtenances (except drainfields), and landscaping; or~~

    b. ~~A lot that does not meet the requirement of subsection 1.a above, shall meet the following~~ If a lot does not contain a development area of 2,500 square feet or more available for a single-family residence and normal appurtenances that is unrestricted by critical areas, critical areas buffers or setbacks, or shoreline buffers, development shall meet the following provisions:

        i. Landslide hazard provisions of Section 4.1.5, Critical Areas~~, and Appendix B~~ and provide the maximum buffer dimension feasible for critical areas; and

        ii. Provide a ~~building~~ development area not to exceed 2,500 square feet with maximum lot coverage of 1,200 square feet. The ~~building~~ development

area shall be located on the portion of the lot providing the maximum Shoreline Buffer dimension with consideration given to view; and

iii. All single-family residential development approved under this section shall meet the shoreline structure view setback provisions in Section 4.1.3.11, Regulations – Shoreline Structure Setback View Requirement; and

~~c.~~ i.v. The area between the structure and the shoreline and/or critical area shall comply with revegetation standards in Section 4.1.2.5(3), the vegetation conservation standards of Section 4.1.3, Vegetation Management, and provisions of Section 4.1.5 Critical Areas~~, and Appendix B~~; and

~~d.~~ v. Development may not take place waterward of the ordinary high water mark; and

~~e.~~ vi. Facilities such as a conventional drainfield system may be allowed outside of the development area specified above, and allowed within buffer areas, except wetlands buffers. Such facilities shall ~~not be located closer than 75ft to OHWM~~ be located a minimum of 75 feet from the ordinary high water mark; and shall be subject to regulations of Section 4.1.5, Critical Areas.

4.2.2 Cultural Resources

4.2.2.1 Applicability

The following provisions apply to cultural, archaeological and historic resources that are either recorded by the State Historic Preservation Office, affected Indian tribes and/or by local jurisdictions, or have been inadvertently uncovered. Archaeological sites located both in and outside shoreline jurisdiction are subject to Chapter 27.44 RCW (Indian graves and records) and Chapter 27.53 RCW (Archaeological sites and records) and development or uses that may impact such sites shall comply with Chapter 25-48 WAC (archaeological excavation and removal permit) as well as the provisions of this Master Program. Shoreline development and activities associated with cultural resources will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.2.2 Policies

1. Due to the limited and irreplaceable nature of the resource(s), prevent the destruction of or damage to, any site having historical, cultural, scientific or educational value as identified by the appropriate authorities, including affected Indian tribes, and the Washington State Department of Archaeology and Historic Preservation.
2. Ensure that public or private uses and activities are compatible with any site having historic, prehistoric, cultural, scientific or educational purpose or value as identified by the appropriate authorities.

3. Develop guidelines to direct private and public development with regard to historic structures and areas. Require on-site interpretive signs, plaques or other interpretive and educational measures when a project impacts or retains cultural resources, unless prohibited by law.
4. Coordinate with the Metropolitan Park District to ensure Comprehensive Plan's consistency with cultural resource management policies.

4.2.2.3 Regulations - General

1. New or expanded shoreline use and development, including preferred uses, restoration projects and uses exempt from permit requirements shall:
    a. Preserve and protect cultural resources that are recorded by the Washington State Department of Archaeology and Historic Preservation or local registry and resources that are inadvertently discovered during use or development activities; and
    b. Consult the City, the Washington State Department of Archaeology and Historic Preservation and affected tribes prior to beginning development so there is ample time to assess the site and make arrangements to preserve cultural resources; and
    c. Comply with all state and federal regulations pertaining to archaeological sites.
2. Significant cultural resources shall be permanently preserved for scientific study, education, and public observation. Employ all feasible means to ensure that data, structures, and sites having historical, archaeological, cultural, scientific, or educational significance are preserved, extracted, or used in a manner commensurate with importance. Unless an alternate period is agreed to by the applicant, or if a different federal or state law supersedes this SMP, the City may postpone development activities a maximum of 90 days to allow for the:
    a. Development of a Cultural Resource Management Plan and/or retrieval and preservation of significant artifacts.
    b. Investigation of public acquisition potential, including:
        i. Consulting with Historic Preservation Commission on grant opportunities; and
        ii. Informing City Council of opportunity.
3. When determining potential impacts to cultural resources, the project area shall be limited to proposed development use pattern, including associated areas, such as paths, equipment storage and appurtenances.
4. Archaeological excavations may be permitted subject to the provisions of this program.

4.2.2.4 Regulations - Procedure

1. When reviewing a permit, the City will use the following methods to determine probability of cultural resources occurrence:
    a. Predictive models;

b. Local and State Inventory; and

c. Registries:

i. National Register of Historic Places

ii. Washington Heritage Register

iii. Heritage Barn Register

2. The following shall be required of the City when permits or statements of exemptions are issued in areas known to contain, or to have a significant probability of containing cultural resources:

a. The Washington State Department of Archaeology and Historic Preservation and affected tribes shall be notified of the proposed activity, including timing, location, scope, and resources affected; and

b. The applicant shall provide a Cultural Resource Site Assessment and a Cultural Resource Management Plan, for review and approval pursuant to subsection 3, below; and

c. Costs for the Cultural Resource Site Assessment and Cultural Resource Management Plan are the responsibility of the applicant; and

d. The applicant shall identify areas and fence off known or suspected archaeological middens and areas of cultural significance according to the Cultural Resource Management Plan, prior to site development or proposed activities.

3. If a Cultural Resource Assessment identifies significant cultural resources, the applicant shall be required to submit a Cultural Resource Management Plan (CRMP) which shall include:

a. An analysis of actions to be taken by the property owner, applicant, archaeologist, or historic preservation professional in the event that an inadvertent discovery of historic, archaeological, or cultural sites or artifacts occurs during site development; and

b. An explanation of why the proposed activity requires a location on, or access across and/or through, a significant cultural resource; and

c. A description of the cultural resources affected by the proposal; and

d. An assessment of the cultural resource and an analysis of the potential adverse impacts as a result of the activity; and

e. Measures recommended to prevent adverse impacts or to address review comments from the City, Washington State Department of Archaeology and Historic Preservation, and affected tribes;

f. Measures recommended for mitigation; and

g. Measures for identification and education. Interpretive signs, plaques, or other interpretive and educational measures of historical and archaeological features shall be provided, unless the identification of the location of the cultural resource

is protected by state or federal laws. (See Applicability for laws governing Archaeological sites.)

4. If archaeological resources are inadvertently uncovered during construction or other activities, the property owner(s) shall immediately stop work and comply with the provisions of Subsection 2, and the following:
    a. The applicants(s) must first receive permission from the State Office of Archaeology and Historic Preservation and the City, prior to further site disturbance (RCW 27.53.060 or its successor).
5. Identified historical or archaeological resources shall be considered during project planning for all park, open space, public access and projects with access to such areas. Projects shall be designed and managed to give maximum protection to retain cultural resources and surrounding environment.
6. The project may be exempt from shoreline permit requirements in the event that unforeseen factors constituting an emergency (as defined in RCW 90.58.030 or its successor) necessitate rapid action to retrieve or preserve artifacts or data. When such a waiver is provided, the City shall notify the Washington State Department of Ecology, the State Attorney General's Office~~,~~ and the Washington State Department of Archaeology and Historic Preservation.

4.2.3 Parking

4.2.3.1 Applicability

The following should apply only to parking that is accessory to a permitted shoreline use. Additional parking regulations in the BIMC Title 18, Zoning, may also apply. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.3.2 Policies

1. Allow parking that directly serves a shoreline use and that is sensitive to adjacent shorelines and properties. Encourage accessible parking for road ends; limit accessory motorized parking within the shoreline jurisdiction, except for ADA parking services; and encourage parking facilities for non-motorized transportation.
2. Ensure parking facilities are located, designed, constructed, and operated to minimize adverse impacts to water quality, aesthetics, public access, vegetation and habitat, stormwater runoff, noise, and glare. Low impact development techniques, such as permeable surfaces and/or rain gardens (bio-retention cells), should be required of all parking, including single-family residences where suitable site conditions exist.
3. Design and locate parking to serve more than one use (e.g., recreational use on weekends, commercial uses on weekdays).

4.2.3.3 Regulations – Prohibited Uses

1. Parking as a principal use (i.e., not accessory to an authorized use) except when provided as part of a public road end or scenic vista.
2. Parking shall be prohibited over water except at the publicly-owned ferry terminal in the Urban designation.

4.2.3.4 Regulations – General

1. Parking in the shoreline jurisdiction shall directly serve a shoreline use and shall require a conditional use permit in the Natural designation.
2. Parking supporting specific land use activities within the shoreline jurisdiction is subject to the requirements and standards set forth in BIMC 18.15.020, in addition to the specific use regulations of this section.
3. Parking shall be prohibited over water except at the publicly-owned ferry terminal in the Urban designation.
4. Parking areas shall serve multiple facilities unless shown to the satisfaction of the Administrator not to be feasible.

4.2.3.5 Regulations – Location and Design

Parking shall comply with the following design standards as applicable (e.g. item 1 would not apply to over-water ferry terminal parking):

1. Parking facilities shall be located upland of the water-oriented portions of the development and where feasible, landward of the principal buildings unless contained within a permitted structure, and set back from the OHWM as established in Section 4.0, Table 4-2, Shoreline Setback.
2. The design and construction for single-family residential parking and parking facilities shall assure that surface water runoff will not pollute adjacent waters or cause soil or beach erosion, and shall meet the standards of Section 4.1.6. Water Quality and Stormwater Management. Oil separators and detention facilities shall be required for new parking facilities. Alternatives to conventional stormwater treatment, such as use of pervious materials, shall be considered where appropriate in order to minimize impacts of runoff and/or the need for stormwater treatment.
3. Security lighting associated with parking facilities shall be beamed, hooded, or directed so as to not cause a nuisance glare.
4. Parking facilities shall be separated from residential, recreation, and natural areas (e.g., the shoreline) by landscaping and/or screening in accordance with the landscaping requirements of BIMC Title 18, Zoning.
5. Parking facilities shall be designed and landscaped to minimize adverse impacts to adjacent shorelines and properties. Landscaping shall be designed and installed pursuant to BIMC 18.15.010(F), Parking Lot Landscaping, and shall provide screening within three (3) years of planting. Plantings shall be maintained for the life of the parking facility. The requirement for screening may be waived or modified by the Administrator,

where screening would impact shoreline views from public property or public roadway or to address public safety concerns. Landscape areas shall not be used for the storage of materials or parking of automobiles or other vehicles.

6. Parking facilities shall provide safe and convenient pedestrian circulation within the parking area, and to the shoreline and building entrances. Pedestrian connections must be at least five (5) feet wide and shall either be a raised sidewalk or composed of a different material than the parking lot material. Parking facilities shall meet ADA standards.
7. Surface parking areas shall be developed using low impact development techniques whenever possible, including but not limited to the use of permeable surfacing materials.
8. Parking facilities contained in buildings that face a public pedestrian walkway, public use area, or public park must incorporate vegetation and/or building surface treatment to mitigate the visual impacts of the structured parking.

4.2.3.6 Regulations – Use Specific Parking and Circulation

1. See Table 4-1, Shoreline Use and Table 4-2, Shoreline Setback, for restrictions related to specific uses and the following regulations.

4.2.3.7 Specific Regulations – Boating Facilities Parking

1. Short-term loading areas may be located at ramps or near berthing areas. Long-term parking that is greater than 24 hours, and long-term paved storage areas shall be separated from the OHWM by a native vegetation buffer and setback at least one-hundred (100) feet, unless demonstrated to the satisfaction of the Administrator not to be feasible.
2. To the maximum extent possible, marinas and accessory uses shall share parking facilities, giving preference to marina use.
3. Parking facilities shall be provided according to the following schedule

First 50 moorage slips:	1 vehicle space per 2 slips
Slips 51 to 100:	1 vehicle space per 3 slips
Slips over 100:	1 vehicle space per 4 slips

4. Additional parking space shall be provided as follows:
    a. An additional space for every four hundred (400) square feet of interior floor space devoted to accessory retail sales or services.
    b. Where live-aboards are permitted, additional parking shall be provided at a rate of 1 vehicle per live-aboard vessel or houseboat allowed, except open water moorage and anchorage areas shall follow (c) and (d) below.
    c. Live-aboard tenants of open water moorage and anchorage areas shall provide either:
        i. Evidence of access to one legal vehicle parking space per anchorage/moorage space for the duration of the anchorage/moorage period; or

ii. An affidavit stating that no vehicle is owned or used by the tenant.

d. Two load/unload parking spaces shall be provided for transient users of open water moorage and anchorage areas.

5. Marinas and launch ramps shall be located where access streets are adequate to handle the traffic load generated by the facility and shall be designed to minimize other circulation and access conflicts. Backing of trailers on public roads shall be discouraged and appropriate signage shall be provided.
6. Roads between marinas and arterial routes shall be satisfactory to the City for marina access including:
    a. All-weather surfacing;
    b. Width;
    c. Safety;
    d. Alignment;
    e. Sign distance;
    f. Grade; and
    g. Intersection controls.
7. Marinas and boat launches shall be designed so that existing or potential public access along beaches is not unnecessarily blocked nor made dangerous, and so that public use of the surface waters below the OHWM is not unduly impaired.
8. At each public or quasi-public launch ramp, at least ten (10) car and trailer spaces measuring at least ten (10) feet by forty (40) feet shall be provided for each ramp lane.

4.2.3.8 Specific Regulations – Road Ends and Scenic Viewpoints Parking Facilities

1. Road ends shall contain a minimum number of two parking stalls, if feasible, which shall be designed pursuant to BIMC 18.15.020.
2. Trailheads shall contain a minimum number of two parking stalls, if feasible, which shall be designed pursuant to BIMC 18.15.020.

4.2.4 Public Access – Visual and Physical

4.2.4.1 Principles

The provisions of this section are intended to:

1. Promote and enhance the public interest with regard to rights to access waters held in public trust by the state while protecting private property rights and public safety.
2. Protect the rights of navigation and space necessary for water-dependent uses.
3. To the greatest extent feasible consistent with the overall best interest of the state and the people generally, protect the public's opportunity to enjoy the physical and aesthetic qualities of shorelines of the state, including views of the water.

4. Regulate the design, construction, and operation of permitted uses in the shorelines of the state to minimize, insofar as practical, interference with the public's use of the water.

4.2.4.2 Applicability

Public access includes the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and shoreline from adjacent locations. Public access provisions apply to all shoreline as prescribed by this program. Development, uses, and activities shall be consistent with Section 4.1.3, Vegetation Management. Public access provisions must be consistent with the Non-motorized Transportation Plan, a component of the Transportation Element of the Comprehensive Plan. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.4.3 Goal:

Provide, maintain and enhance a safe, convenient and balanced system of visual and physical public access to the shoreline which includes a diversity of opportunities for the public to enjoy the shorelines of the state, including ADA access to the extent feasible, while recognizing or acknowledging the fragile natural features of the shoreline and the rights of private property ownership.

4.2.4.4 Policies

1. Develop, adopt and implement a comprehensive shoreline public access plan that incorporates public access into new shoreline development, unifies individual public access points into a system plan, and seeks new waterfront access points to increase visual and physical shoreline access through enhancement of publicly held land, incentives, easements, land acquisition, and other appropriate means.
2. Locate, design, manage and maintain public access in a manner that protects shoreline ecological functions and ecosystem-wide processes and the public health and safety.
3. Preserve and enhance physical and visual shoreline access. Shoreline development, uses, and activities should not unreasonably impair or detract from the public's physical and visual access to the water. Development provisions, such as height limits, setbacks and view corridors, should be utilized to minimize impacts to existing views from public property or substantial numbers of residences. Physical public access shall have priority over maintenance of views from adjacent properties, unless there is a compelling reason to the contrary. View enhancement should not adversely impact the ecological functions of shoreline vegetation.
4. Expand the amount and diversity of public shoreline access opportunities and promote public access to the water via road rights-of-way ("road ends") and public utility corridors and easements (where possible), with a goal of providing comparable access in all neighborhoods.

5. New commercial use development or development by public entities must include public access to the shoreline as part of each development project, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline environment. Where feasible, public access should be provided parallel to the beach (such as a walking/bicycling path or promenade) and waterward of all buildings in all commercial and all Urban designation.
6. The Winslow Waterfront Trail should be completed and protected through acquisition, easement dedication, or other appropriate means.
7. Require public access, both visual and physical, as a condition of approval for any new private shoreline development which diminishes existing public access or increases demand for public access commensurate with the impacts of such development and the corresponding benefit to the public. In such cases, public access should be required unless health, safety, or environmental protection needs cannot be met.
8. Public access should be designed to avoid or minimize adverse impacts to the shoreline environment; to minimize impacts to private property and individual privacy; to distinguish between public and private property; and to ensure public safety.
9. City-owned shorelines should be reserved for water-dependent or public recreational uses, or maintained as open space.
10. Shoreline and water views from public upland areas should be preserved and enhanced where it would not risk environmental damage. However, vegetation alteration or removal to achieve a filtered view should not be excessive.

4.2.4.5 Regulations - General

1. New development increasing demand for public access and/or reducing existing access by blocking or discouraging its use, shall incorporate provisions for visual and/or physical public access into any shoreline development that meets one or more of the following tests:
    a. Any uses, except for single-family residential development with four or fewer dwelling units or building lots located in the Urban designation;
    b. Includes commercial, industrial or any nonresidential uses located in any shoreline designations;
    c. Includes residential development and/or residential land division that provides five or more dwelling units or building lots located in any shoreline environments.
2. When public access provisions are required for development, the Administrator shall prepare written findings demonstrating consistency with the principles of nexus and proportionality and the test stated in regulation (1), above. The determination shall include:
    a. Project-specific expected impacts;
    b. Specific reasoning for determination of need for public access requirements;
    c. How the suitable public access options are related to the specific project.

3. Public access will not apply as prescribed in regulation (1) above, if the determination does not demonstrate the need or the applicant demonstrates to the satisfaction of the City one or more of the following:
    a. Unavoidable health or safety hazards to the public exist which cannot be prevented by any practical means.
    b. Inherent security requirements of the use cannot be satisfied through the application of alternative design features or other solutions.
    c. The cost of providing the access, easement, or an alternative public access amenity on or off the development site is unreasonably disproportionate to the total long-term cost of the proposed development.
    d. Environmental impacts which cannot be adequately mitigated will result from the public access.
    e. Significant undue and unavoidable conflict between any access provisions and the proposed use and/or adjacent uses would occur and cannot be mitigated.
4. Prior to deciding public access is not required pursuant to regulation (2) or (3) above, the applicant must first demonstrate, and the City determine in its findings, that all reasonable alternatives have been exhausted, including, but not limited to:
    a. Regulating access by such means as maintaining a gate and/or limiting hours of use.
    b. Designing separation of uses and activities (e.g., fences, terracing, use of one-way glazing, hedges, other landscaping).
    c. Provision(s) for access on a site geographically separate from the proposal such as a road end, vista, tideland or trail system.
5. Development, uses, and activities shall be designed and operated to avoid blocking, reducing, or adversely interfering with the public's existing physical and visual access to the water and shorelines; and shall balance the public's visual access to the shoreline with the retention of existing shoreline vegetation so as not to adversely impact the ecological functions and processes of existing shoreline vegetation.
    a. The public's physical shoreline access is a priority over maintenance of adjacent shoreline properties shoreline views.
    b. Where a development or use will interfere with an existing public access, the development or use shall apply mitigation sequencing principles and provide public access in proportion to the impact.
    c. Public upland properties may preserve and enhance public shoreline views through limited vegetation pruning and/or vegetation removal to achieve a filtered view as described in the filtered screen landscaping provisions of BIMC 18.15.010, provided that it is demonstrated to the satisfaction of the Administrator that such visual enhancement measures
        i. Do not adversely impact the environment, including the ecological functions of shoreline vegetation; and

ii. Meet the standards of Section 4.1.3, Vegetation Management of this Master Program.

6. The public's visual and physical access provided by shoreline road ends, public utilities, and rights-of-way shall not be diminished. [RCW 35.79.035 or its successor and RCW 36.87.130 or its successor]. Submerged public rights-of-way shall be preserved for public access.
7. Publicly owned shoreline properties shall be reserved for public water-dependent uses, public recreational uses, or public open space.
8. Development by public entities shall include public access to the shoreline, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline environment.

4.2.4.6 Regulations – Public Access Design and Location Standards

1. Public access shall consist of a dedication of land, easement, and/or a physical improvement such as a walkway, trail, bikeway, corridor, viewpoint, park, deck, observation tower, pier, boat launching ramp, dock or pier area, or other area serving as a means of view and/or physical approach to public waters and may include interpretive centers and displays.
2. The minimum width of public access easements shall be 10 feet, unless the Administrator determines that undue hardship would result. In such cases, easement widths may be reduced only to the extent necessary to relive hardship.
3. Public access shall incorporate the following location and design standards:
    a. A public pedestrian access walkway located generally parallel to the ordinary high water mark of the property and waterward of buildings shall be required in the Urban designation, or for new commercial developments or where open space is provided along the shoreline, provided that the public access can be designed in a manner that will not adversely impact shoreline ecological functions and/or processes.
        i. The walkway shall be buffered from sensitive ecological features and provide limited and controlled access to sensitive features and the water's edge where appropriate.
        ii. Fencing may be provided temporarily to control damage to plants and other sensitive ecological features and permanently where appropriate.
        iii. Trails should be constructed of materials, such as permeable material or elevated structures appropriate for conditions to limit impacts to ecologically sensitive areas and should be limited to 4 feet in width to reduce impacts to ecologically sensitive resources.
    b. Public access where applicable should be designed to:
        i. Be located adjacent to other public areas, accesses or connecting trails;
        ii. Connect to the nearest public street and include connections to the Winslow Waterfront Trail and other planned trails as required and

specified in the City's Non-Motorized Transportation Plan or Metropolitan Park District Comprehensive Plan; and

iii. Include provisions for handicapped and physically impaired persons where feasible and consistent with applicable state and federal law.

c. Where views of the water or shoreline are available and physical access to the water's edge is not present or appropriate, a public viewing area shall be provided.

d. Design shall minimize intrusions on privacy by avoiding locations adjacent to windows and/or private open spaces or by screening or other separation techniques.

e. Public amenities that are appropriate to the level of expected use shall be provided to serve the users of a public access area, such as benches, picnic tables and sufficient public parking. Vista parking facilities shall include a significant public view and provide recreational opportunities such as picnic tables or viewing benches.

f. Public facilities, public uses and commercial developments that attract a substantial number of people, and developments by government/public entities may be required to provide public restrooms, facilities for disposal of animal waste, and other appropriate public facilities.

4.2.4.7 Regulations – Public Access Permit Requirements

1. Development with public access requirements shall meet the following:

   a. The required public access shall be fully developed and available for public use at the time of occupancy of the use or activity in accordance with conditions of approval, or in accordance with other provisions for guaranteeing installation within a 5-year period through a monetary performance assurance as approved by the City Attorney.

   b. Public access easements and conditions of approval shall be recorded on the deed of title and/or on the face of the plat or short plat as a condition running with the authorized land use. Recording with the County Auditor's office shall occur at the time of permit approval. [RCW 58.17.110 or its successor].

   c. The standard state-approved logo or other approved sign(s) that indicate the public's rights of access and hours of access shall be constructed, installed, and maintained in conspicuous locations at public access sites. In accordance with regulation 4.2.4.6(3)(a) above, the City may control or restrict public access as a condition of permit approval.

   d. Public access facilities shall be maintained over the life of the use or development unless the City approves amending access to provide equal or greater public access than currently provided. Future actions by the applicant, successors in interest, or other parties shall not diminish the usefulness or value of the public access provided.

2. When properties are subdivided, owners of newly created lots which do not have frontage on the water shall be provided common access to the water, to the extent feasible and provided that it will not cause unacceptable environmental harm which cannot be adequately mitigated.

4.2.5 Signs

4.2.5.1 Applicability

Signs are regulated primarily through BIMC 15.08, Sign Code. The following provisions apply to all signs within the jurisdiction of the Shoreline Master Program, including signs used for the purpose of providing information related specifically to enhancing the public enjoyment of the shorelines through education and/or noting areas of special cultural or historical significance. These provisions do not apply to publicly owned signs where the purpose is to provide information regarding safety, direction, directions, and the like. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.5.2 Policies

1. Signs should be designed and placed so they are compatible with the aesthetic quality of the existing shoreline and adjacent land and water uses.
2. Signs should not block or otherwise interfere, during daylight or non-daylight hours, with visual access to the water or shorelands.
3. Signs should be of a permanent nature, should serve an approved use, and should be located on the property approved for such use.

4.2.5.3 Regulations - General

1. Signs for specific land use activities within the shoreline jurisdiction are subject to the requirements and standards set forth in the Bainbridge Island Municipal Code, Chapter 15.08, Sign Code, in addition to the regulations of this section.
2. Overwater signs or signs on floats or pilings shall be prohibited, except when related to navigation or as approved as part of a water-dependent use.
3. The following types of signs may be permitted, subject to the provisions contained within this section:
    a. Water navigational signs and highway and road signs necessary for operation, safety and direction;
    b. Public information/interpretive signs directly relating to a shoreline resource, use or activity;
    c. Off-premise, free-standing signs for community identification, information, or directional purposes;

d. Signs with changing messages, provided that the information displayed on a non-lighted sign is limited to displaying time, temperature or date or public non commercial messages. Commercial electric signs with changing messages are prohibited;

e. National, state or institutional flags or temporary decorations customary for special holidays and similar events of a public nature; and

f. Temporary directional signs to public or quasi-public events if removed within ten (10) days following the event and permitted in accordance with BIMC Chapter 15.08.

4.2.5.4 Regulation – Public Access Signs

1. Signs indicating the public's right to access shoreline areas shall be installed and maintained in conspicuous locations at recreational facility points of access and entrances.
2. The location of new public access sites shall be clearly identified. Signs with the appropriate agency's logo shall be constructed, installed and maintained by the project proponent in conspicuous locations at the public access sites and/or along common routes to public access sites. The signs shall indicate the public's right of access, the hours of access, and other information.

4.2.6 Transportation Facilities

4.2.6.1 Applicability

Transportation facilities are also subject to Section 4.0, General (Island-wide) Policies and Regulations, including Tables 4-1 through 4-3; Section 3.0, Shoreline Designation Policies and Regulations; Section 4.1.5, Critical Areas ~~and Appendix B~~; Section 4.1.6, Water Quality and Stormwater Management; Section 6.0, Shoreline Modification Policies and Regulations; Section 6.4, Dredging and Dredge Material Disposal; and Section 6.5, Fill. Construction and maintenance activities related to transportation facilities may require a Vegetation Management Plan and/or a Stormwater Pollution Prevention Plan (SWPP) pursuant to BIMC Chapter 15.20, Surface and Storm Water Management, and Master Program Sections 4.1.3, Vegetation Management, and 4.1.6, Water Quality and Stormwater Management. Transportation facility development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts and may also be reviewed under BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.6.2 Policies

1. Plan, locate and design proposed transportation and parking facilities where routes will have the least possible adverse effect on unique or fragile shoreline features, and will not result in a net loss of shoreline ecological functions and ecosystem-wide processes or adversely impact existing or planned water-dependent uses.
2. In planning for new transportation systems, give priority to transportation modes favoring multimodal systems. New roads and bridges should not be allowed, except access roads

(including driveways) or when a bridge provides the least adverse impact to ecological functions and ecosystem-wide process.

3. Encourage trail and bicycle systems as a preferred access to and along the shoreline. Road reconstruction projects should include non-motorized transportation facilities.
4. When existing transportation corridors are vacated, acquire them for water-dependent use or public access.
5. Encourage joint use of transportation and utility rights-of-way within shoreline jurisdiction for roads and utilities.
6. Encourage state highway and public street modifications that promote stream restoration or mitigate existing environmental damage.
7. Encourage the completion of the Eagle Harbor Waterfront Trail.
8. Locate nonwater-oriented and water-related transportation facilities outside the shoreline jurisdiction.
9. Promote public views from roads and encourage projects to incorporate ADA compliant shoreline access opportunities.
10. Allow reconstruction of public roads located in the shoreline that are in danger of loss or substantial damage and which serve as the primary means of access to a substantial number of residents, if no feasible alternative is possible for relocating the road out of danger or where it would cause more ecological damage to do so, and where mitigation of impacts avoids a net loss of shoreline ecological functions and ecosystem-wide processes.

4.2.6.3 Regulations – Prohibited

1. The following transportation facilities are prohibited:
    a. New highways, arterials, secondary arterials, railroad facilities, and heliports;
    b. Additional bridges over Puget Sound waters to and from Bainbridge Island;
    c. In the Priority Aquatic designation all transportation facilities, except trails; and
    d. New transportation facilities in front of feeder bluffs, over driftways or on accretion shoreforms.
2. Fills for transportation facility development are prohibited in water bodies, wetlands, marshes, bogs, swamps and on accretion beaches except when there is a demonstrated purpose and public need that supports the uses consistent with this program, and alternatives to accomplish the same purpose have been shown to be infeasible. Such fill may be permitted by a conditional use permit and must comply with the provisions of Section 6.5, Fill.
3. Herbicides for roadside brush control on city roads in the shoreline jurisdiction, except when a city-approved integrated pest management plan is implemented. See Section 4.1.6, Water Quality and Stormwater Management.

4.2.6.4 Regulations – General

1. Pervious trails shall be permitted in upland shoreline designations.
2. Publicly-owned ferry terminals and services, except over-water facilities, are allowed as a permitted use in the Urban designation and in the adjacent aquatic environment. New over-water facilities in conjunction with a permitted ferry terminal are a conditional use in the Urban designation and in the adjacent aquatic environment and are prohibited in all other environments.
3. Float plane facilities and services are a conditional use in the Urban designation.
4. New access roads shall be allowed only where required because of one of the following:
    a. Other means of access are demonstrated to the satisfaction of the Administrator to be infeasible or environmentally unacceptable; or
    b. The road is needed for ferry service.
5. Transportation facilities and services shall utilize existing transportation corridors whenever possible, provided that facility additions and modifications will not adversely impact shoreline resources and are otherwise consistent with this program. Expansion of the existing corridor shall meet the provisions of Section 4.1.3, Environmental Impacts.
6. Shoreline road ends may not be vacated except in compliance with RCW 35.79.035 or its successor and RCW 35.79.035 or its successor.
7. Transportation facilities including, but not limited to, ferry terminals, and/or float plane terminals shall meet the height and setback standards in Table 4-2.

4.2.6.5 Regulation – Design, Construction and Maintenance

4.2.6.5.1 Construction and Maintenance

1. Waste material from both construction and maintenance activities, including drainage ditch clearing, shall not be deposited into or cast on the side of roads within a shoreline, water body, wetland, estuary, tideland, accretion beach, and other unique natural area. Such materials shall be deposited in stable locations where re-entry and erosion into such areas is prevented.
2. No machinery shall be operated within or along a stream bed, marine shoreline, lake, wetland or pond except in compliance with a hydraulics permit approval (HPA) issued by the Washington State Department of Fish and Wildlife. If an HPA is not required, operation of machinery may be approved by the Administrator.
3. Existing roads corridors shall be adequately maintained with site-appropriate native vegetation where feasible to provide slope stability and to enhance shoreline function. Shoreline scenic drives and viewpoints may provide breaks periodically in the vegetative buffer to allow open views of the water.

4.2.6.5.2 Road Design

1. Transportation facilities shall employ low impact development techniques according to the provisions of Section 4.1.6, Water Quality and Stormwater Management.

2. Transportation and primary utility facilities shall be required to make joint use of rights-of-way and to consolidate crossings of water bodies; where doing so minimizes adverse impacts to the shoreline.
3. Roadway design shall include facilities for bicycle and pedestrian routes as prioritized in the Non-Motorized Transportation Plan.
4. Culverts, bridges and similar devices shall be designed to pass water, sediment, and debris loads anticipated under appropriate hydraulic analysis in compliance with the stormwater regulations of BIMC 15.20, Surface and Storm Water Management, and shall not impede the migration of anadromous fish.
5. The use of hard shoreline stabilization in transportation facility design shall be employed only when it is demonstrated to the Administrator that alternatives are impracticable or infeasible.

4.2.7 Utilities (Primary and Accessory)

4.2.7.1 Applicability

These provisions apply to services and facilities that produce, convey, store, or process power, gas, sewage, communications, oil, waste, and the like. On-site utility features serving a principal use, such as water, sewer or gas line to a residence, are "accessory utilities" and shall be considered a part of the principal use. Shoreline development and activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.3, Vegetation Management; Section 6.0, Shoreline Modification Policies and Regulations; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

4.2.7.2 Policies – Primary Utility

1. Design and locate utility facilities to assure no net loss of shoreline ecological functions and ecosystem-wide processes, preserve the natural landscape, and minimize conflicts with present and planned land and shoreline uses while meeting the needs of future populations in areas planned to accommodate growth.
2. Ensure utilities utilize existing transportation and utility sites, rights-of-way, and corridors whenever possible, rather than creating new corridors. Joint use of rights-of-way and corridors should be encouraged.
3. Do not allow utility production and processing facilities, such as power plants, sewage treatment plants, and solid waste disposal activities and facilities, or parts of those facilities that are nonwater-oriented in shoreline areas unless it can be demonstrated that no other feasible option is available.
4. Do not allow new utilities where shoreline stabilization is required.
5. Ensure utilities and utility corridors locations do not obstruct or otherwise affect scenic views. Whenever feasible, such facilities should be placed underground or alongside or under bridges.

6. Locate transmission facilities for the conveyance of services, such as power lines, cables, and pipelines, outside of the shoreline area where feasible, and when necessarily located within the shoreline area, assure such facilities demonstrate no net loss of shoreline ecological function. Communication towers shall be prohibited in the shoreline area.
7. Discourage development of pipelines and cables on tidelands, particularly those running roughly parallel to the shoreline, and development of facilities that may require periodic maintenance which disrupt shoreline ecological functions and ecosystem-wide processes, except where no other feasible alternative exists. When permitted, provisions shall assure that the facilities do not result in a net loss of shoreline ecological functions and ecosystem-wide processes or significant impacts to other shoreline resources and values.

4.2.7.3 Policies – Accessory Utilities

1. On-site utilities and rights of way should be:
    a. Located outside of the shoreline area to the maximum extent possible. When utility lines require a shoreline location, they should be placed underground.
    b. Designed and located in a manner which preserves the shoreline ecology, water quality and the natural landscape to avoid and minimize adverse affects to shoreline ecological functions and ecosystem-wide processes, and minimizes conflicts with existing or planned land uses.

4.2.7.4 Regulations - Prohibited

1. The following uses associated with utilities shall be prohibited within shoreline jurisdiction:
    a. New solid waste disposal sites and facilities;
    b. Primary radio, cellular phone and microwave towers;
    c. Utilities requiring withdrawal of water from streams, and
    d. Primary power-generating facilities including solar power and wind generation that are not considered accessory structures in BIMC 18.09, except public facilities necessary to serve a public system, such as sewer lift stations or similar facilities which must be located within the shoreline area due to the system design of the existing public facility.
    e. Land filling in shoreline jurisdiction for utility or utility line development purposes is prohibited.

4.2.7.5 Regulations - General

1. Primary utilities may be allowed as a conditional use in the Shoreline Residential Conservancy, Shoreline Residential, Urban, and Aquatic designations. They are prohibited in Natural, Island Conservancy and Priority Aquatic designations.
2. Utility development shall comply with required setbacks. (See Section 3.0, Shoreline Designation Policies and Regulations and Table 4-2.) Primary Utilities shall provide screening of facilities from water bodies and adjacent properties. Type of screening required shall be determined by the City on a case-by-case basis.

3. All utilities shall meet the height and setback standards in Table 4-2.
4. Utilities shall be located and designed so as to avoid the use of any shoreline stabilization or flood protection works.
5. Where utilities own rights-of-way in fee title, utility development shall, through coordination with local government agencies, provide for compatible, multiple use of sites and rights-of-way, provided such uses will not unduly interfere with utility operations, endanger public health and safety, or create a significant and disproportionate liability for the owner. Such uses include shoreline access points, trail systems, and other forms of recreation and transportation.
6. Utility lines, such as transmission and distribution, shall:
    a. Utilize existing rights-of-way, corridor and/or bridge crossings whenever possible and shall avoid duplication and construction of new parallel corridors in all shoreline areas. Proposals for new corridors or water crossings must fully substantiate the infeasibility of existing routes.
    b. Be completely buried under the stream bed in all in-stream crossings except for appropriate water or sewage treatment plant intake pipes or outfalls.
    c. Cross areas of shoreline jurisdiction by the shortest, most direct route feasible, unless such route would cause significant environmental damage.
    d. Be designed to minimize impacts to scenic shoreline views and located where major facilities must be placed in a shoreline area.
7. Permitted crossings shall utilize pier or open pile techniques.
8. Clearing of native vegetation for the installation or maintenance of utilities shall be kept to a minimum. Upon project completion, disturbed vegetation areas shall be replanted according to the provisions of Section 4.1.3, Vegetation Management. Other disturbed areas shall be replanted with native or other approved species. Replanted areas shall be regularly maintained until established.

4.2.7.6 Regulations – Primary Utility Location and Design

4.2.7.6.1 Water Systems

1. Components of water systems which are not water-dependent shall be located outside shoreline jurisdiction, except waterlines serving shoreline uses or unless alternative locations, including alternative technology, are demonstrated to be infeasible to the Administrator and the facilities do not result in a net loss of shoreline ecological functions and processes or significant adverse impacts to other shoreline resources and values such as parks and recreation facilities, public access or archaeological, historic and cultural resources, or aesthetic resources.
2. Private and public intake facilities, and wells in the shoreline jurisdiction should be located where there will be no net loss in ecological functions and processes or adverse impacts upon shoreline resources, values, natural features, or other uses. Construction and maintenance activities shall follow best management practices and meet provisions of Section 4.1.6, Water Quality and Stormwater Management.

3. Desalinization facilities shall be located consistent with critical area regulations and buffers in Section 4.1.5, Critical Areas ~~Appendix B~~, except for water-dependent components such as water intakes.

4.2.7.6.2 Sewage Systems

1. Sewage trunk lines, interceptors, pump stations, treatment plants and other components that are not water-dependent shall be located outside shoreline jurisdiction unless alternative locations, including alternative technology, are demonstrated to be infeasible to the Administrator and the facilities do not result in a net loss of shoreline ecological functions and processes or significant impacts to other shoreline resources and values such as parks and recreation facilities, public access or archaeological, historic and cultural resources, or aesthetic resources.
2. Outfall pipelines and diffusers are water-dependent, but should be located only where there will be no net loss in shoreline ecological functions and processes or adverse impacts upon shoreline resources and values.

4.2.7.6.3 Natural Gas Transmission

1. Natural gas pipelines, except local service lines, shall not be located in shoreline jurisdiction unless alternatives are demonstrated to be infeasible to the Administrator. Application materials shall include analysis of alternative routes avoiding aquatic lands and including alternative technology.
2. Natural gas local service lines shall not be located in shoreline areas unless serving approved shoreline uses. Crossings of water bodies shall not be approved unless alternatives are demonstrated to be infeasible to the Administrator. Application materials shall include an analysis of alternative routes avoiding aquatic lands, including an analysis of alternative technology.
3. Application for natural gas pipelines shall demonstrate that the facilities do not result in a net loss of shoreline ecological functions and processes or significant impacts to other shoreline resources and values.
4. Developers and operators of pipelines and related appurtenances for natural gas are to be required to demonstrate adequate provisions for preventing spills or leaks, as well as established procedures for mitigating damages from spills or other malfunctions and shall demonstrate that periodic maintenance will not disrupt shoreline ecological functions and processes.
5. Utilities for new development within the shoreline shall be installed underground.

4.2.7.6.4 Electrical Energy and Communication Systems

1. Energy and communication systems including substations, towers, transmission and distribution lines have critical location requirements, but are not normally water-dependent. System components that are not water-dependent shall not be located in shoreline jurisdiction, except lines serving shoreline uses or unless alternatives are demonstrated to be infeasible to the Administrator. Application materials for such

facilities shall include an analysis of alternative routes avoiding aquatic lands, including an analysis of alternative technology.

2. Underground placement of lines shall be required for new or replacement lines that are parallel to the shoreline, and do not cross water or other critical areas regulated in Section 4.1.5, Critical Areas ~~and defined in Appendix B~~, provided that maintenance of existing aerial lines may be permitted above ground where alternatives are demonstrated to be impractical and/or infeasible to the Administrator.
3. New or replacement lines that cross water bodies or other critical areas regulated in Section 4.1.5, Critical Areas ~~and defined in Appendix B~~, may be required to be placed underground depending on impacts on ecological functions and processes and visual impacts; provided that maintenance of existing aerial lines may be permitted above ground where alternatives are demonstrated to be impractical and/or infeasible to the Administrator.
4. Poles or other supports treated with creosote or other wood preservatives that may leach contamination in water shall not be used along shorelines or associated wetlands. No new overhead wiring shall be installed between the road and OHWM, where road rights-of-way or easements are within 150 feet and also are parallel to shoreline for more than 500 feet.
5. Utilities for new development within the shoreline shall be installed underground.

4.2.7.6.5 Tidal Energy

1. System components of tidal energy or tidal power-generating facilities which are nonwater-dependent shall be located outside shoreline jurisdiction unless alternative locations, including alternative technology, are demonstrated to the Administrator to be infeasible, and that the facilities do not result in a net loss of shoreline ecological functions and processes or significant adverse impacts to other shoreline resources and values such as parks and recreation facilities, public access or archaeological, historic and cultural resources, or aesthetic resource.

4.2.7.6.6 Fire Protection Facilities

1. Storage and handling facilities for water borne fire fighting or rescue equipment may be permitted on shoreline jurisdiction at locations which are demonstrated to the Administrator to be suitable considering the purpose of the proposal and the policies of this Program.

4.2.7.6.7 Other Essential Public Utility Facilities

1. Other utility processing facilities, such as power plants, that are nonwater-oriented shall not be allowed in shoreline jurisdiction unless no other feasible alternative is available.

4.2.7.6.8 Site Coverage

1. Maximum site coverage for utility development including parking and storage areas shall not exceed standards in the underlying zoning in BIMC Title 18, and shall not exceed

fifty percent (50%) in Urban, and thirty-five percent (35%) in Shoreline Residential and Shoreline Residential Conservancy.

4.2.7.7 Regulations – Accessory Utility Location and Design

1. Accessory utility must be subordinate to principal use, such as utilities serving a residential use, and shall meet BIMC 18.09, Use Regulations, in addition to the provisions below.
    a. Temporary storage of solid waste in suitable receptacles is permitted as an accessory use to a primary permitted use, or for litter control.
    b. New residences or businesses on the shoreline within two hundred (200) feet of an existing sewer line and/or within an established sewer service area shall be connected to the sewer system. Existing residences shall be connected when the on-site sewage system has reached the end of its useful life.
    c. On-site sewage systems shall be located on the landward side of any new residence or business or in a location approved by the Administrator and designed to meet all applicable water quality, utility, and health standards.
    d. Accessory utilities shall be located outside of the shoreline area unless no suitable location is feasible. When utility lines require a shoreline location, they shall be placed underground.

5.0 SPECIFIC SHORELINE USE AND DEVELOPMENT POLICIES AND REGULATIONS

Introduction

This section contains policies and regulations for the following shoreline uses: agriculture, aquaculture, boating facilities, commercial development, forest practices, industrial development, mining, residential, recreational development, and residential development. The policies and regulations developed for each shoreline use, or category, are the primary set of criteria for evaluating proposed shoreline development. Some proposals will be subject to provisions of more than one use. Proposed development must also comply with Section 4.0, General (Island-wide) Policies and Regulations and Section 6.0, Shoreline Modification Policies and Regulations provisions.

While not all shoreline uses require a shoreline permit, no development shall be undertaken on the shorelines of Bainbridge Island except those which are consistent with the Shoreline Management Act (Act), applicable state guidelines, and the Master Program.

Shoreline uses which are not specifically identified shall be evaluated on a case-by-case basis for consistency with the Act and the requirements of the Master Program, and shall require a conditional use permit.

5.1 Agriculture

5.1.1 Applicability

These provisions apply to activities which are primarily commercial including cultivation of soil, production of crops, or the raising of livestock. Gardening activities primarily for on-site consumption and maintenance of household pets shall be considered accessory to residential uses.

5.1.2 Policies

1. Agriculture shall not be allowed in the shoreline jurisdiction.

5.1.3 Regulation - General

1. Agriculture is prohibited in the shoreline jurisdiction.

5.2 Aquaculture

5.2.1 Applicability

These provisions apply to the commercial cultivation and harvesting of fish, shellfish or other aquatic animals or plants, and also to non-commercial harvesting, and to the incidental preparation of fish and shellfish for human consumption, or cultivation for restoration purposes. Aquaculture is dependent on the use of the water, and when consistent with control of pollution and prevention of damage to the environment, is a preferred use of the water area. When properly managed, aquaculture can result in long-term over short-term benefit and can protect the resources and ecology of the shoreline. Aquaculture activities may be subject to the

regulations found in Section 6.4, Dredging and Dredge Material Disposal, depending on site-specific circumstances. Aquaculture activities will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.5, Critical Areas; and Section 4.1.6, Water Quality and Stormwater Management~~; and Appendix B, when applicable~~. Other portions of this Program may also apply.

5.2.2 Policies

1. Identify and encourage aquaculture activities which may provide opportunities for creating ecosystem improvements and result in no net loss of ecological functions.
2. Allow experimental forms of aquaculture involving the use of new species, new growing methods, or new harvesting techniques, when they are consistent with applicable state and federal regulations and this Program. Experimental aquaculture projects should be limited in scale and should be approved for a limited period of time. When feasible, limit or restrict new development and uses in areas that affect existing experimental aquaculture.
3. Aquaculture should not be permitted in areas where it would result in a net loss of ecological functions, adversely impact eelgrass or macroalgae, or significantly conflict with navigation and other water dependent uses.
4. Aquaculture facilities should be designed and located to not spread disease to native aquatic life, establish new non-native species which cause significant ecological impacts, or significantly impact the aesthetic qualities of the shoreline.
5. Impacts to ecological functions should be mitigated according to WAC 173-26-201(2) (e) and Section 4.1.2, Environmental Impacts.
6. Give preference to those forms of aquaculture that have less environmental and/or visual impacts. Preference is given to those projects that require fewer submerged or intertidal structures, fewer land-based facilities, limited substrate modification, and that don't rely on artificial feeding.
7. Ensure aquaculture does not cause cumulative impacts.

5.2.3 Regulations - Prohibited

1. Aquaculture is prohibited in the Natural and Priority Aquatic designations, except as provided in Section 5.2.4 (1), below.
2. Aquaculture that uses or releases herbicides, pesticides, antibiotics, fertilizers, parasites, pharmaceuticals, genetically modified organisms, feed or other materials known to be potentially harmful into surrounding waters is prohibited, unless:
    a. When conducted for native population recovery in accordance with government/Tribal approved plan and all state and federal regulations; or
    b. If approved by all appropriate state and federal agencies and proof thereof is submitted to the City.

3. Mechanical and/or hydraulic harvesting or other activities that involve substantial substrate modification shall be prohibited in existing kelp beds or in beds of native eel grass (Zostera marina).

5.2.4 Regulations - General

1. Aquaculture may be allowed as follows:
    a. Aquaculture as a conditional use in Shoreline Residential, Urban, and adjacent Aquatic designations.
    b. Community Shellfish Gardens are allowed as a conditional use in the Island Conservancy, Shoreline Residential Conservancy, Shoreline Residential, and Urban designations, and in adjacent Aquatic designations.
    c. Individual Shellfish Gardens are allowed in the Island Conservancy, Shoreline Residential Conservancy, Shoreline Residential and Urban shoreline designations and in adjacent Aquatic designation Priority B. They also are allowed in Aquatic Priority A when for the recovery of native populations, restoration, or personal use.
2. When a shoreline conditional use permit is issued for a new aquaculture use or development, that permit shall apply to the initial siting, construction, and/or planting or stocking of the facility or farm, and shall be valid for the period specified in the permit.
3. Aquaculture shall avoid:
    a. A net loss of ecological functions or processes;
    b. Adverse impacts to eelgrass and macro algae;
    c. Significant conflicts with navigation and water-dependent uses;
    d. The spread of disease to native aquatic life;
    e. Establishing new non-native species that cause significant ecological impacts;
    f. Significant impacts to shoreline aesthetic qualities; and/or
    g. Significant modifications of the substrate.

5.2.5 Regulations – Design Standards

1. Floating and submerged aquaculture structures shall be located to avoid or minimize interference with navigation and the normal public use of the surface waters. Floating structures shall remain shoreward of principal navigation channels. Other restrictions on the scale of aquaculture activities to protect navigational access may be necessary based on the size and shape of the affected water body. Netting and fencing shall be the minimum necessary to deter targeted predators and shall not exceed six (6) feet in height, as measured from water surface.
2. Aquacultural structures and activities that are not water-dependent (e.g., warehouses for storage of products, parking lots) shall be located landward of the OHWM, upland of water-dependent portions of the project, and shall avoid or minimize detrimental impacts to the shoreline.

3. Hatchery and other aquaculture operations shall be required to maintain a vegetated buffer zone along the affected stream as prescribed in Section 4.1.5~~Appendix B,~~ provided that clearing of vegetation shall be permitted for essential water access points.
4. Onshore support structures shall meet the height and setback standards established in Table 4-2, Site Development Dimensional Standards Table, except that reduced setbacks may be permitted through a shoreline variance where necessary for the operation of hatcheries and rearing ponds.
5. The following shall be limited to the minimum size or number necessary for approved aquaculture development, uses, and activities:

    a. Submerged or intertidal structures.

    b. Land-based facilities.

    c. Structures which modify substrate.

6 Floating/hanging aquaculture facilities and associated equipment, except navigation aids, shall use colors and materials that blend into the surrounding environment in order to minimize visual impacts. All materials, including those used for incidental aquaculture for personal consumption, shall be marked with owners' contact information to provide identification after storm disturbance. All floating and submerged aquaculture facilities in navigable waters shall comply with all applicable state and federal requirements.

7. Floating aquaculture facilities may require a visual impact analysis consisting of information comparable to that found in the Department of Ecology's Aquacultural Siting Study (1986), as updated. Such analysis may be prepared by the applicant without professional assistance, provided that it includes an adequate assessment of impacts, as determined by the Administrator.
8. For aquacultural projects using over-water structures, storage of necessary tools and apparatus waterward of the OHWM shall be limited to containers of not more than three (3) feet in height, as measured from the surface of the raft or dock, provided that, in locations where the visual impact of the proposed aquaculture structures will be minimal, the City, based upon written findings and without requiring a variance, may authorize storage containers of greater height. In such cases, the burden of proof shall be on the applicant. Materials which are not necessary for the immediate and regular operation of the facility shall not be stored waterward of the ordinary high water mark. A temporary sanitation station may be allowed on fixed overwater pier structures when utilities are not available within a reasonable distance.
9. Shellfish Gardens for personal consumption are allowed on private lands provided the following can be met:

    a. They comply with all state and federal regulations, including transfer and harvest permits required by WDFW.

    b. The cultivation and harvesting is limited to native species of shellfish acquired from a licensed source consistent with state law; and

c. The operation may utilize bottom culture or off-bottom culture bags if in accordance with best management practices and it does not significantly alter the tidal bed.

5.2.6 Regulations – Operational Standards

1. Aquaculture structures and equipment shall be of sound construction and shall be so maintained. Abandoned or unsafe structures and equipment shall be removed or repaired promptly by the owner. Aquaculture operations that do not conform with this master program are considered discontinued if the use has ceased for a period of more than five (5) years.
2. Operational monitoring may be required if and to the extent that is necessary to determine, ensure, or confirm compliance with predicted or required performance, including periodic benthic analysis or noise pollution monitoring in accordance with BIMC Chapter 16.16. Such monitoring requirements shall be established as a condition of the permit and shall be conducted at the applicant's (operator's) expense.
3. No processing of any aquacultural product, except for the sorting or culling of the cultured organisms and the washing or removal of surface materials or organisms, shall occur in or over the water after harvest, unless specifically approved by permit. All other processing and processing facilities shall be located on land and shall be governed by these provisions and the policies and regulations of other applicable sections of the Master Program, in particular, provisions addressing commercial and industrial uses.
4. Aquaculture wastes shall be disposed of in a manner that will ensure compliance with all applicable governmental waste disposal standards. No garbage, wastes, or debris shall be allowed to accumulate at the site of any aquaculture operation [BIMC Chapter 8.16].
5. Predator control shall not involve the killing or abusive harassment of birds or mammals. Approved controls include, but are not limited to, double netting for seals, overhead netting for birds, fencing or netting for otters. The use of other nonlethal, non-abusive predator control measures shall be contingent upon receipt of written approval from the National Marine Fisheries Service and/or the U.S. Fish and Wildlife Service, as required.
6. All nets shall be maintained in accordance with all applicable state and federal requirements. If a state or federal permit is not required, cleaning of nets and other apparatus shall be accomplished by air drying, spray washing or hand washing, rather than chemical treatment and applications.

5.2.7 Commercial Geoduck Requirements

1. In addition to other provisions in Section 5.2, commercial geoduck aquaculture will be administered consistent with WAC 173-26-241(3)(b)(ii), (iii), and (iv). Where there is inconsistency between the provisions in 5.2.1, 5.2.2., 5.2.3, 5.2.4, 5.2.5, 5.2.6 or 5.2.7 and the geoduck provisions, the specific commercial geoduck provisions apply.
2. A conditional use permit is required for all new commercial geoduck aquaculture and conversions from existing non-geoduck aquaculture to geoduck aquaculture. CUPs for new commercial geoduck and conversions will be administered consistent with WAC 173-26-241(3)(b)(ii), (iii), and (iv).

5.3 Boating Facilities

5.3.1 Applicability

Boating facilities include marinas (both backshore and foreshore, dry storage, and wet moorage and open water types), boat launch ramps, covered moorage, marine railways, and marine travel lifts (Refer to Section 8.0, Definitions). Community, yacht club, camp, and resort moorage facilities must comply with boating facility requirements if they provide moorage for six (6) or more vessels. Both marina and non-marina boating facilities, including single-family, must comply with Section 4.0, General (Island-wide) Policies and Regulations, including the standards in Table 4-1 through 4-3, Section 3.0, Shoreline Designation Policies and Regulations, and Section 6.3, Overwater Structures. Boating facilities development will be reviewed under the "no net loss" provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

Accessory uses found in marinas may include fuel docks and storage, boating equipment sales and rental, repair services, boat launches, bait and tackle shops, potable water, waste disposal, administration, parking, and grocery and dry good shops. Uses which are not clearly accessory are also subject to the respective provisions in this section. (Examples might include commercial, industrial, or transportation facilities.)

Regulations governing boating activities in the bays and harbors of Bainbridge Island are contained in BIMC Chapters 12.24, Waterfront Park and Other City Harbors, and 12.40, Watercraft and Floating Homes, and may also apply. See Section 6.3.7.7 and 8, for regulations governing mooring buoys. Boating facility development and/or renovation shall comply with all other applicable state and federal agency policies and regulations including, but not limited to, the Department of Fish and Wildlife, Washington Department of Natural Resources, Federal Marine Sanitation standards (Environmental Protection Agency 1972) requiring water quality certification from the U.S. Army Corps of Engineers (33 USC § 403), U.S. Army Corps of Engineers dredging standards (33 USC § 404), and state and federal standards for the storage of fuels and toxic materials.

5.3.2 Goal

Boating facilities, including marinas and boat launch ramps, are priority water-dependent uses and should be located, designed, and operated with appropriate mitigation to avoid and minimize adverse effects on shoreline functions and processes; prevent conflicts with navigation and other allowed uses; and provide public access and enjoyment of water of the state.

5.3.3 Policies

1. Locate new or expanding boating facilities only where suitable environmental conditions are present. Avoid:
    a. Critical saltwater habitat, including kelp beds, eelgrass beds, spawning areas for forage fish (such as herring, surf smelt and sandlance);
    b. Subsistence, commercial and recreational shellfish beds;

c. Mudflats or intertidal habitats with vascular plants;

d. Areas with which priority species have a primary association;

e. Areas which have been identified as hazardous due to storm tides, high winds, or flooding; and

f. Embayments with poor flushing action.

2. Design and locate boating facilities to minimize adverse effects upon shoreline processes such as erosion, littoral or riparian transport, and where feasible, enhance degraded, scarce, and valuable shore features including accretion shoreforms.

3. Design, locate, construct, and maintain boating facilities to:

a. Avoid adverse proximity impacts such as noise, light and glare; and

b. Assure that their structures and operations will be aesthetically compatible with the area visually affected, and will not unreasonably impair shoreline views from adjacent shoreline properties or the public's visual access to the shore~~;~~

c. Assure vegetation screening should be utilized to reduce visual impacts of associated parking and storage

4. Consider regional as well as local needs when determining the location of marinas and boat launches. Identify potential sites near high-use or potentially high-use areas.

5. Minimize displacement of limited shoreline resources by considering:

a. Expanding existing marinas over adding new marina sites;

b. Developing marinas and launch ramps over developing individual docking facilities for private, noncommercial pleasure craft; and

c. Utilizing launching ramps and water-dependent dry storage or other new technologies over year-round wet-moorage.

6. Ensure the location and design of boating facilities does not unduly obstruct navigable waters, and avoids adverse effects to recreational opportunities or the use and enjoyment of the water or beach of adjoining properties.

7. Design, locate and construct new marina facilities to accommodate public access and enjoyment of the shoreline, including provisions for walkways, view points, restroom facilities, and other recreational uses according to the scale of the facility.

8. Encourage innovative construction techniques and methods of foreshore marinas to prevent degradation of fish and/or shellfish resources and habitat.

9. Require the installation and maintenance of sewage disposal (pump-out) facilities or services. These should be conveniently available to all users of marina facilities.

10. Prohibit floating houses. Allow live-aboard vessels only in those limited circumstances where their environmental and use impacts can be substantially avoided, minimized, or mitigated.

11. Ensure transient moorage is made available, with most of this need being met through use of short-term vacancies.

12. Work with the City Harbor Commission to establish regulations governing a uniform speed code, harbor safety, and harbor navigation through amendments to the municipal code.

5.3.4 Regulations - Prohibited

1. Boating facilities in the Shoreline Residential Conservancy, Island Conservancy, Natural, and Priority Aquatic designations, except that boating facilities may be permitted as a conditional use in public parks designated Island Conservancy.
2. Backshore marinas involving the creation of a basin for wet moorage.
3. Covered moorage.
4. Floating homes.

5.3.5 Regulations - General

1. Boating facilities, including marinas, shall be allowed as follows:
    a. Boating facilities shall be permitted in the Urban designation and allowed as a conditional use in the Shoreline Residential designation.
    b. Boating facilities in the Aquatic designation are allowed as-permitted in the adjacent upland designation pursuant to Table 4-2.
    c. One (1) public open water moorage and anchorage area shall be a permitted in the Aquatic designation located in Eagle Harbor.
2. Accessory uses at a marina or public launch ramp shall be limited to those which are water-dependent, related to boating, necessary for marina operation, or which provide physical or visual shoreline access to a substantial numbers of the general public. Accessory uses shall be consistent in scale and intensity with the marina and/or launch ramp and surrounding uses.
3. All marina developments shall provide boater education addressing boater impacts on water quality and other shoreline resources, and boater safety and requirements for boater use of sewage pump-outs to their marina users.
4. Live-aboard vessels, including houseboats, shall be permitted only in marinas. No more than 10% of the surface area of a marina or 10% of its slips, whichever is less, shall be devoted to live-aboard vessels, including houseboats, except that the percentage of live-aboard vessels in marinas may be increased through an approved conditional use permit. [WAC 332-30-171 or its successor]

5.3.6 Regulations - Location

1. When new marina sites are considered, sufficient evidence must be presented to show there is a regional demand and existing marinas are inadequate and cannot be expanded to meet regional demand.
2. Marinas shall be sited to prevent any restrictions in the use of commercial and recreational shellfish beds or commercial aquaculture operations. The specific distance shall be determined in conjunction with the Washington State Department of Health

Services, the Washington State Department of Ecology, and other agencies with expertise. Criteria for determining the specific distance may include:

a. The size and depth of the water body;

b. Tidal flushing action in the project area;

c. Size of the marina and projected intensity of use;

d. Whether fuel will be handled or stored;

e. Location of a sewer hook-up; and

f. Expected or planned changes in adjacent land uses that could result in additional water quality impacts or sanitary treatment requirements.

3. Marinas shall be allowed only on stable shoreline areas where water depth is adequate to eliminate or minimize the need for channel dredging (for construction or maintenance), soil disposal, filling, beach enhancement, and other harbor and channel maintenance activities.
4. Marinas shall be located only in areas where there is adequate water mixing and flushing and shall be designed so as not to reduce or negatively influence flushing characteristics.
5. Boating facilities shall not require fixed breakwaters.
6. Marinas shall be clearly separated from beaches commonly used for swimming and shall provided signage and provide protection measures to insure the safety of swimmers.
7. Marinas shall not be located at or along:

   a. Significant littoral drift cells, including resource material areas, such as feeder bluffs and accretion beaches, barrier beaches, points, sand spits and hooks; or

   b. Wetlands, marshes, bogs, swamps and lagoons; or

   c. Mud flats and salt marshes; or

   d. Fish and shellfish spawning and rearing areas.

8. Marinas shall not extend waterward farther than the following limits:

   a. The Construction Limit Line or the Harbor Structure Limit Line as depicted in Appendix E; except the public open water moorage and anchorage areas shall be allowed waterward of the Construction Limit Line.

   b. Where no limit line is depicted, not more than two hundred (200) feet beyond extreme low tide, the 18 MLLW depth contour, or the line of navigation whichever is closer to the shore. However, the distance from shore may be less in locations where it is necessary to protect the navigational rights of the public. [WAC 332-30-122(1)(ii) or its successor]

5.3.7 Regulations – Design/Renovation/Expansion

1. Proposals for marinas shall include public launch facilities unless the applicant can demonstrate that providing such facilities is not feasible.
2. Boating facilities shall be designed, constructed and maintained to:

a. Provide thorough flushing of all enclosed water areas and shall not restrict the movement of aquatic life requiring shallow water;

b. Minimize interference with geo-hydraulic processes and disruption of existing shore forms;

c. Be aesthetically compatible with existing shoreline features and uses;

d. Avoid adverse proximity impacts such as noise, light and glare;

e. Include vegetative screening for parking, and upland storage areas and facilities consistent with landscaping standards for parking lots as prescribed in BIMC Section 18.15.010, Development Standards and Guidelines; Landscaping, Screening, and Tree Retention, Protection, and Replacement; and

f. Include public restrooms, accessory parking or other recreational uses according to the scale of the facility.

3. Short-term loading/unloading areas and hand-launch storage areas may be located at ramps or near berthing areas and should be constructed of pervious material. Long-term parking and dry moorage and all other storage areas shall be set back at a distance of one-hundred (100) feet from the OHWM.

4. Public access, both visual and physical, such as viewpoints or walkways, shall be an integral part of all marina design and development commensurate with the particular proposal and must meet the standards of Section 4.2.4, Public Access.

5. Innovative construction techniques and construction methods of foreshore marinas may be allowed when demonstrated to the satisfaction of the Administrator that the design will prevent degradation of fish migration, critical saltwater habitat and/or shellfish resources.

5.3.8 Regulations - Utilities

1. All marinas shall have accessible boat sewage disposal systems or other pump-out services available on site. Existing marinas shall comply within one (1) year of the effective date of this regulation.

2. The marina shall provide facilities for the adequate collection and dumping of marina originated materials, including but not limited to, sewage, solid waste, and petroleum waste.

3. All marinas shall provide restrooms for boaters' use, including upland or floating facilities supporting open water moorage and anchorage areas. Upland restrooms shall be located within seventy-five (75) feet of the landward end of the dock or pier and floating restroom facilities shall be located to conveniently serve the tenants. Restrooms shall be identified by signs and be accessible to tenants twenty-four (24) hours a day.

    a. Marinas with fewer than ten (10) slips shall provide one (1) toilet and hand washing facility

    b. Marinas with ten (10) to one hundred (100) slips shall provide one (1) toilet and hand washing facility for each gender.

c. Marinas exceeding one hundred (100) slips shall provide an additional toilet and lavatory for each gender

d. Existing marinas shall comply within one (1) year of the effective date of this regulation.

4. Distribution systems for plumbing and wiring at a marina site shall be placed at or below ground and dock levels, in accordance with national marine standards.

5. Public boat launch facilities shall provide and maintain at least one restroom or portable toilet; required number may increase based on projected level of service.

6. Public boat launch facilities that also include a public dock shall provide and maintain a dump station.

5.3.9 Regulations – Management and Operations

1. The discharge of sewage and/or toxic material from boats and/or shore installations is prohibited. The responsibility for the adequate and approved collection and disposal of marina originated sewage, solid waste, and petroleum waste is that of the marina operator. An emergency spill kit and use instructions shall be provided for tenants in an easy to access are and be accessible twenty-four (24) hours a day.

2. Commercial fish or shellfish processing discharge or discarding of unused bait, scrapfish, or viscera shall be prohibited.

3. Swimming shall be prohibited within marina facilities unless the swimming area is adequately separated, protected, and posted.

4. If dredging at marina entrances changes the littoral drift processes and adversely affects adjacent shores, the marina operator shall be required to periodically replenish these shores with the appropriate quantity and quality of aggregate as determined by a geo-hydraulic study, paid for by the operator or owner and completed to the satisfaction of the Administrator.

5. Temporary vacant moorage spaces shall be made available for "transient moorage" (less than two-week stay) when at least one of the following applies:

   a. The marina is owned, operated, or franchised by a governmental agency for use by the public;

   b. The marina provides more than three thousand (3,000) lineal feet of moorage; or

   c. The marina is part of a mixed-use development which includes restaurants or other water-enjoyment uses.

6. Additional transient moorage requirements may be established for Eagle Harbor in the Winslow Master Plan.

7. Marina operators shall execute a lease, contract, or deed which establishes permission to use a slip for a stated period of time and which establishes conditions for use of the slip, including the requirement that all boats meet applicable sanitation regulations.

8. Live-aboard vessels must comply with all marine regulations, policies and procedures of the Coast Guard, federal and state governments which pertain to health, safety and/or

environmental protection. Proof of seaworthiness of the vessel and the adequacy of the mooring arrangement must be provided and laws governing all the citizens of Bainbridge Island must be obeyed.

9. New marinas shall meet the following before occupancy, and existing marinas shall comply with the following within one (1) year from adoption of this program:
    a. Marinas which dispense fuel shall have adequate facilities and establish posted operational procedures for fuel handling and storage to prevent/minimize accidental spillage.
    b. Marinas shall have facilities, equipment, such as emergency spill kits, and established posted procedures for containment, recovery, and mitigation of spilled petroleum, sewage, and toxic products.
    c. Marina operators shall post signs where they are readily visible to all marina users describing regulations:
        i. Pertaining to handling and disposal of waste, wastewater, toxic materials, and recycling;
        ii. Prohibiting the use of marine toilets (i.e., no untreated sewage discharge);
        iii. Prohibiting the disposal of fish and shellfish cleaning wastes; and
        iv. Describing best management practices (BMPs) for boat maintenance and repairs on site.
    d. Garbage or litter receptacles shall be provided and maintained by the marina operator at several locations convenient to users in sufficient numbers to properly store all solid waste generated on site.
    e. Marina docks shall be equipped with adequate lifesaving equipment such as:
        i. Life rings, hooks, ropes and ladders, or equivalent, on the end of fingers; and/or
        ii. One ladder (per side) either every one hundred (100) linear feet of the dock, or every six (6) slips whichever is greater. This regulation does not apply to a float which is less than one hundred (100) feet from a shoreline; or
        iii. At least one ladder to serve a float with six (6) or more slips and is one hundred (100) linear feet in length or less.

5.3.10 Regulations – Boat Launches (includes marine railways)

5.3.10.1 Regulations - Prohibited

1. Boat launches are prohibited in
    a. Significant littoral drift cells, including resource material areas such as feeder bluffs and accretion beaches, points, spits and hooks; except for a public launch as provided for in section 5.3.10.2(2).
    b. Wetlands, marshes, bogs, swamps, and lagoons;

c. Mud flats and salt marshes; and

d. Fish spawning and rearing areas and commercial or recreational shellfish areas.

5.3.10.2 Regulations – Design and Location

1. Launch ramps shall be:
    a. Located on stable shorelines where water depths are adequate to eliminate or minimize the need for:
        i. Offshore or foreshore channel construction dredging; or
        ii. Maintenance dredging; or
        iii. Spoil disposal; or
        iv. Filling; or
        v. Beach enhancement; or
        vi. Other harbor and channel maintenance activities.
    b. Located in areas where there is adequate water mixing and flushing; and
    c. Designed so as not to retard or negatively influence flushing characteristics.
2. For public launch ramps, innovative or hinged boat launches may be permitted on marine accretion shoreforms, provided that continual grading is not required. When grading is permitted it must not adversely affect ecological functions and ecosystem-wide processes. Accessory facilities shall be located out of critical areas.
3. Public boat launches may be allowed on stable banks where current deflectors or other stabilization structures will not be necessary.
4. Boat launches shall not be permitted where the upland within twenty-five (25) feet of the OHWM has a slope that exceeds twenty-five percent (25%) grade and/or where substantial cutting, grading, filing, or defense works is necessary.
5. Boat launches, minor accessory buildings, and haul-out facilities shall be designed to be in character and scale with the surrounding shoreline.
6. Boat launches shall be built from flexible, hinge-segmented pads which can adapt to changes in beach profiles, unless a solid structure is demonstrated to be more appropriate for the intended level of use.
7. Boat launches shall be placed and kept near flush with the foreshore slope to minimize the interruption of geo-hydraulic processes and critical saltwater habitat.
8. Marine railways for boat launching shall be located the minimum distance necessary above existing grade to minimize impact on littoral drift and navigation along the shoreline.
9. Boat launch facilities shall be clearly separated from beaches commonly used for swimming and shall provide signage and provide protection measures to insure the safety of swimmers.

5.4 Commercial Development

5.4.1 Applicability

Uses associated with commercial development which are identified as separate uses in the Master Program are also subject to those regulations. Examples are industry, boating facilities, transportation facilities, and utilities. Commercial development and related shoreline modification activities, such as piers, docks, and bulkheads, will be reviewed under the no net loss provision of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 3.0, Shoreline Designation Policies and Regulations, including the standards in Tables 4-1 through 4-3. Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.3, Vegetation Management; Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 6.0, Shoreline Modification Policies and Regulations; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, as applicable. Other portions of this Program may also apply.

5.4.2 Policies

1. Design and operate commercial uses, activities, and developments to avoid or minimize adverse impacts to ecological functions and ecosystem-wide processes. Encourage restoration of impaired ecological functions and ecosystem-wide process as mitigation for commercial development.
2. Give priority to those commercial developments that are dependent on shoreline locations or that allow a substantial number of people to actively or passively enjoy the shoreline; preference should be given to water-dependent uses, over water-related and water-enjoyment uses.
3. Discourage non-water-oriented commercial uses unless the use contains a mix of commercial and residential development that also includes either a public use benefit (open space, shoreline access, recreation), or a water-enjoyment commercial use.
4. Prohibit commercial developments over water unless the use is water-dependent and requires overwater development.
5. Locate new commercial development in shoreline areas with existing, compatible commercial uses and in a manner that will promote infill.
6. Provide physical or visual access to the shoreline as part of all new commercial development. Existing development should be required to provide public access amenities when building improvements are proposed. Incentives should be provided for commercial use proposals to include additional public amenities
7. Ensure commercial development is aesthetically and acoustically compatible with the surrounding areas.
8. View protection, both to the water and from the water, should be considered in the design and review of commercial development.

5.4.3 Prohibited

1. Nonwater-oriented commercial uses, except as provided in Section 5.4.4.

5.4.4 Regulations- General

1. Commercial uses should be located on shorelines with existing compatible commercial uses and regulated in the shoreline designations as follows:
    a. Water-oriented commercial use and development shall be permitted in the Urban designation and may be allowed under a conditional use permit in the Shoreline Residential designation.
    b. Water-dependent commercial development that requires an over-water location may be permitted in the Aquatic designation when permitted in the upland environment.
    c. Nonwater-oriented commercial uses are prohibited in the shoreline except as provide in d. or as follows:
        i. As a conditional use in the Urban designation when located on a site physically separated from the shoreline by another property in separate ownership or by a public-right-of-way such that water access is precluded, provided that the property conditions were lawfully established prior to the effective date of this Program; and
        ii. As a permitted use if located in a mixed-use development in the Urban designation as subordinate to a more dominant water-oriented commercial, residential or recreational use contained in the same development, and which also provides significant public benefit amenities such as public open space or recreation, public access, or shoreline restoration.
        iii. The requirements of this section shall not apply to those nonwater-oriented commercial uses located on a site physically separated from the shoreline where access to the land/water interface is precluded.
    d. Water-Oriented and non-water oriented commercial uses may be permitted in a mixed-use development within the Mixed Use Town Center districts provided:
        i. The site is physically separated from the shoreline by another property in separate ownership or by a public-right-of-way such that water access is precluded, provided that the property conditions were lawfully established prior to the effective date of this Program; and
        ii. Water-oriented commercial or non-water oriented commercial development is subordinate to the residential use.
2. A use or development shall not be considered water-dependent, water-related or water-enjoyment until the Administrator makes the determination that the proposed design, layout and operation of the use or development meets the definition and intent of the water-dependent, water-related or water-enjoyment designation.
3. Where commercial development is allowed, it shall be located, designed and constructed in a manner that minimizes adverse impacts to shoreline resources and shall include mitigation to ensure no net loss of shoreline ecological functions and processes pursuant to Section 4.1.2, Environmental Impacts.

4. New commercial development and redevelopment shall provide public access in conformance with the Public Access requirements of Section 4.2.4.
5. When permitted, proposals that include nonwater-oriented commercial uses shall provide a significant public benefit in addition to any required public access, as follows:
    a. Additional public access in the form of unrestricted open space. The Administrator shall determine the amount of access on a case-by-case basis in accordance with the provisions of Section 4.2.4, Public Access – Visual and Physical.
    b. If no water-oriented commercial uses are located on or adjacent to the water as part of a mixed use development, eighty percent (80%) of the shoreline and associated buffers shall be preserved or restored to provide shoreline ecological functions and processes that approximate the functions provided by the site in natural conditions.
    c. The requirements in regulation (a) and (b) may be modified when:
        i. The site is designated as a public access area by a shoreline public access plan, in which case public access consistent with that plan element shall be provided; or
        ii. Specific findings are made demonstrating that the size of the parcel and the presence of adjacent uses preclude restoration of shoreline ecological functions and processes. Where on-site restoration is infeasible, equivalent off-site restoration shall be provided consistent with the policies and regulations of this Program.
    d. Where restoration is proposed, buffers shall be designed as appropriate to protect shoreline resources based on a specific restoration plan and may differ from the standard buffer dimensions provided in Table 4-3, provided that the building envelope for the proposed nonwater-oriented use shall be based on current site conditions.

5.4.5 Regulations – Design and Location

1. The design and location of commercial facilities shall meet the following:
    a. Those portions of the commercial development which are accessory to and not considered water-dependent and/or do not require direct contact with the water shall be set back from the shoreline at a sufficient distance to minimize impacts to water quality, to other shoreline uses and to the shoreline as a scenic view. (See Section 3.0, Shoreline Designations Policies and Regulations, Section 4.1.6, Water Quality and Stormwater Management, and Dimensional Standards Table 4-2.)
    b. Water-dependent commercial development shall be designated and operated to promote joint-use of overwater and accessory facilities such as:
        i. Piers;
        ii. Docks;

iii. Storage;

iv. Restrooms; and

v. Parking.

c. When demonstrated, to the satisfaction of the Administrator, not to be feasible the requirements of Section 5.4.5 (1)(a) and (b) may be reduced in scope or waived.

5.5 Forest Practices

5.5.1 Applicability

Forest Practices are primarily regulated by the Washington Department of Natural Resources under WAC Title 222 or its successor pursuant to the Forest Practices Act (RCW 76.09 or its successor). This section supplements those regulations. Activities which are not regulated under the Forest Practices Act are subject to clearing and grading provisions in Section 4.1.4, Land Modification. Forest Practices are subject to Section 3.0, Shoreline Designation Policies and Regulations, Section 4.0, General (Island-wide) Policies and Regulations, and Section 6.0, Shoreline Modification Policies and Regulations of this Program. Forest Practices and related activities will be reviewed under the "no net loss" provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, and BIMC Chapter 16.22, Vegetation Management, when applicable. Other portions of this Program may also apply.

5.5.2 Policies

1. Rely on the Forest Practices Act and rules implementing the act and the Forest and Fish Report as adequate management of commercial operations within the shoreline jurisdiction.
2. Ensure timber harvesting is conducted in a manner that does not cause adverse impacts to shoreline ecological functions or ecosystem-wide processes and avoids impacts to navigation, recreation, and public access.
3. Limit timber harvesting in all shoreline areas to selective cutting which protects the shoreline as a scenic value. Shorelines having outstanding scenic or habitat qualities should be left in a substantially natural condition.
4. Accomplish revegetation in shorelines as quickly as possible in accordance with the provisions of the Forest Practices Act. Provisions for forest conversion proposals (Class IV Permits regulated under the Forest Practices Act and locally) are in Section 4.1.3.4, Vegetation Management; Regulations – Exceptions of this Program.

5.5.3 Regulations - General

1. Under the authority of planning and zoning granted to the city under RCW 76.09.240, the city of Bainbridge Island considers all forested areas within its jurisdiction as "lands with a likelihood of future conversion" from forest use as defined under WAC 222-16-060.
2. Conversion of forest land to non-forestry uses (Class IV – General Forest Practice Permit) shall be reviewed in accordance with the provisions for the proposed non-forestry

use and the provisions in the Shoreline Master Program and shall be subject to any permit requirements associated with the non-forestry use.

a. Timber harvesting shall not be permitted until local plat approval or other applicable land use authorization has been given, and any required shoreline permits have been issued for the land division(s) or intended use(s).

3. All timber harvesting and forest practices except conversions conducted with a Class IV— General permit shall comply with the current rules and regulations adopted under the Forest Practices Act and the Timber, Fish, and Wildlife agreement or their successors.
4. Timber harvesting and forest practices conducted under a Class II, III, or IV Special permit from the Department of Natural Resources shall not be regulated by this Program and shall not require a shoreline permit. These permit categories shall only be authorized for lands that meet the definition DNR forestland, including any policies of DNR relating to proximity of structures to hazard trees.
5. Site preparation by burning and scarification piles shall be prohibited within shoreline jurisdiction.
6. When timberland is to be converted to another use, such conversion shall be clearly indicated on the Forest Practices application. Failure to indicate the intent to convert the timberland to another use on the application will result in subsequent conversion proposals being reviewed as conditional use applications. Such failure to declare intent to convert on the application may provide adequate grounds for denial of subsequent conversion proposals for a period of six (6) years from the date of the Forest Practices application approval, [RCW 76.09.060(3)(b)(i) or its successor].
7. Commercial timber cutting within the shoreline jurisdiction shall be by selective harvest and shall not exceed thirty percent (30%) of the merchantable trees in any ten-year period as required by WAC 222-30-110.

5.6 Industrial Development

5.6.1 Applicability

Industrial development, uses and activities that are identified as separate uses but associated with industrial development or use, are subject to the following provisions; Examples include transportation facilities, utilities, dredging, landfill, piers and docks, and bulkheads. Industrial development-will be reviewed under the no net loss provisions of Section 4.1.2, Environmental Impacts, Section 3.0, Shoreline Designation Policies and Regulations, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 6.0 Shoreline Modification Policies and Regulations; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

5.6.2 Policies

1. Review new industrial proposals with consideration of regional and state-wide needs for industrial facilities, as well as in allocating shorelines for such development. Coordinate

with port districts, adjacent counties and cities and the state in order to minimize new industrial development that would unnecessarily duplicate under-utilized facilities elsewhere in the region, or result in unnecessary adverse impacts on other jurisdictions.

2. Encourage expansion or redevelopment of existing, legally established industrial areas, facilities, and services with the possibility of incorporating mixed-use development in lieu of the addition and/or location of new or single-purpose industrial facilities.
3. Strongly encourage joint use of piers, cargo handling, storage, parking and other accessory facilities among private or public entities in waterfront industrial areas.
4. Design and locate industrial development to avoid or minimize adverse impacts to ecological functions and ecosystem-wide processes.
5. Require new industrial development to provide physical and/or visual access to shorelines and visual access to facilities whenever possible, when such access does not cause significant interference with operations or hazards to life and property.
6. Preference should be given to locating new industrial development on those parts of the shoreline where industrial development is already permitted. Industrial uses and redevelopment are encouraged to locate where environmental cleanup and restoration can be accomplished.
7. Limit new industrial uses to existing industrial or water dependent commercial sites, such as marinas, where that use is consistent with the shoreline designation. Preferred industrial sites should be limited to water-oriented uses, and should encourage the development of preferred industrial uses, such as small boat haul-out and repair facilities, vessel fueling facilities and water-oriented industry serving local boating needs.
8. Discourage nonwater-oriented uses unless the use is located in a mixed-use development containing a public use benefit such as open space or recreation use, and includes a water-oriented commercial use.

5.6.3 Regulations – Prohibited

1. Storage and/or disposal of industrial wastes within shoreline jurisdiction.
2. Log storage in water.
3. Nonwater-oriented industrial development.

5.6.4 Regulations - General

1. Water-dependent industry shall be permitted in the Urban designation, and those portions of the Aquatic designation which are waterward of the Urban designation, and shall be prohibited in all other designations. Water-related industry shall be a conditional use in the Urban designation and prohibited in all other designations. Nonwater-oriented industry shall be prohibited in all designations.
2. Where industrial development is allowed, it shall be located, designed and constructed in a manner that minimizes adverse impacts to shoreline resources and shall include mitigation to ensure no net loss of shoreline ecological functions and ecosystem-wide processes.

a. Water-dependent industrial uses, such as small boat haul-out and repair facilities, or vessel fueling facilities, shall be given preference over water-related and water-enjoyment industrial and port uses.

b. A use or development shall not be considered water-dependent, water-related or water-enjoyment until the Administrator makes the determination that the proposed design, layout and operation of the use or development meets the definition and intent of the water-dependent, water-related or water-enjoyment designation.

3. Proposed industrial development shall be consistent with any applicable comprehensive waterfront and/or long-range harbor development plans, and should be coordinated with applicable adopted regional and state plans.

4. New industrial development shall be compatible with existing adjacent uses of the shoreline designation in which it is located.

5. Proposed industrial development shall:

   a. Be located to maximize the use of legally established, existing industrial facilities; and

   b. Be located in areas where environmental cleanup and restoration can be accomplished; and

   c. Avoid duplication of pier and dock facilities before expanding into undeveloped areas or building new facilities.

6. Water-related industrial development shall be set back from the OHWM a sufficient distance to avoid disturbance of the Shoreline Buffer or Shoreline Vegetation Management Area. (See and Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.3 Vegetation Management; and Tables 4-1 through 4-3, for dimensions.)

7. Accessory industrial development which does not require a location at or near the water's edge shall be located upland of the water-dependent portions of the development, and outside of the Shoreline Buffer or Vegetation Management Area as established in Section 4.0, General (Island-wide) Policies and Regulations and Table 4-3.

8. New industrial development that includes offshore facilities, floating docks and deep-water port expansion, shall be permitted by conditional use permit, and only when it can be demonstrated that:

   a. Such development is fundamental for the allowed industrial operation; and

   b. Such development results in no net loss of shoreline ecological functions or ecosystem-wide processes.

9. At new or expanded port and/or industrial developments the best available facilities practices and procedures, as specified by state and local agencies, shall be employed for the safe handling of fuels and toxic or hazardous materials to prevent them from entering the water, and optimum means shall be employed for prompt and effective clean-up of those spills that do occur.

5.6.5 Regulations - Design and Location

1. The design and location of industrial facilities shall meet the following:
    a. Those portions of the industrial development that are accessory to and not considered water-dependent and/or do not require direct contact with the water shall be set back from the shoreline at a sufficient distance to minimize impacts to water quality, to other shoreline uses and to the shoreline as a scenic view. (See Section 3.0, Shoreline Designation Policies and Regulations; Section 4.1.6, Water Quality and Stormwater Management; and Tables 4-1 through 4-3.)
    b. Industrial facilities shall be designed and operated to promote joint use of over-water and accessory facilities, whenever practicable, such as:
        i. Piers
        ii. Docks
        iii. Storage
        iv. Restrooms; and
        v. Parking.
    c. Consistent with provisions in Section 4.2.4, Public Access – Visual and Physical, ports and/or water-dependent industry shall provide public access to the shoreline.
    d. Documentation of compliance with noise standards of BIMC 16.16.
2. Display and other exterior lighting shall be designed and operated to minimize glare impacts to nearby properties and local traffic, and shall meet the lighting standards of BIMC Section 18.15.040.

5.6.6 Regulations – Ship and Boat Building and Repair Yards

1. Boatyards and mobile services shall employ best management practices (BMPs) concerning the various services and activities performed and to address potential impacts on the surrounding water quality. Standards for BMPs shall be found in the Washington State Department of Ecology's most recent editions of the "*Boatyard General Permit, National Pollution Discharge Elimination System (NPDES)*" and the "*Storm Water Pollution Prevention Plan for Facilities Covered Under the Boatyard General Permit*".

5.7 Mining

5.7.1 Applicability

Mining is the removal and primary processing of naturally occurring materials from the earth for economic use. For purposes of this definition, "processing" includes screening, crushing, stockpiling, all of which utilize materials removed from the site where the processing activity is located. Mining activities also include in-water dredging activities related to mineral extraction. Processing does not include general manufacturing, such as the manufacture of molded or cast concrete or asphalt products, asphalt mixing operations, or concrete batching operations.

5.7.2 Policies

1. Mining is prohibited within the shoreline jurisdiction.

5.7.3 Regulations - General

1. Mining, including the excavation of sand, gravel, and other minerals, shall be prohibited within the shoreline jurisdiction.
2. Impacts to shorelands and water bodies due to mining operations upland of the shoreline jurisdiction shall be minimized and meet "no net loss" provisions of Section 4.1.2, Environmental Impacts.

5.8 Recreational Development

5.8.1 Applicability

These provisions apply to recreational development, not to casual use of undeveloped open space. They also apply to both publicly- and privately-owned facilities intended for use by the general public, private clubs, groups, associations, or individuals. Recreational development will be reviewed under the "no net loss" provisions of Section 3.0, Shoreline Designation Policies and Regulations; Section 4.0, General (Island-wide) Policies and Regulations; Tables 4-1 through 4-3; Section 4.1.2, Environmental Impacts; and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 6.0, Shoreline Modification Policies and Regulations; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, Chapter 16.16 Noise Impacts and BIMC Section 18.15.040 Lighting Impacts, when applicable. Other portions of this Program may also apply.

5.8.2 Goal

Provide substantial recreational opportunities for the public along the shoreline and manage the development of recreational uses to assure that shoreline ecological functions and ecosystem-wide processes are not adversely impacted.

5.8.3 Policies

1. Recognize public recreation on public lands as a preferred use of the shoreline. Water-dependent recreational uses, such as swimming, boating and fishing, are priority uses and should be encouraged.
2. Encourage the coordination of local, state, and federal recreation planning to mutually satisfy recreational needs. Shoreline recreational developments should be consistent with all adopted park, recreation, and open space plans.
3. Encourage a variety of compatible recreational experiences and activities to satisfy diverse recreational needs. The location and design of shoreline recreational development should relate to local population characteristics, density, and special activity demands. Acquisition priorities should consider these needs, demands, and special opportunities, as well as public transit access and access for the physically impaired, where planned or available.

4. Identify shoreline areas with potential for recreation or public access. Acquire identified areas through lease, purchase, or easement, and incorporate these areas into the public park and open space system.
5. Where feasible, link shoreline parks, recreation areas, and public access points as linear systems, such as hiking paths, bicycle paths, easements, and/or scenic drives.
6. Locate, design and operate recreational development to facilitate appropriate use of shoreline resources while also conserving those resources by minimizing adverse impacts to ecological functions and ecosystem-wide processes. Design recreational development to preserve, enhance or create scenic shoreline views and vistas.
7. Where appropriate, passive recreational uses may be permitted in floodplain areas.
8. Encourage the use of shoreline road-ends and publicly-owned lands for public shoreline access and promote the development of shoreline recreational opportunities in suitable areas.
9. Limit or prohibit shoreline use of off-road recreational vehicle or recreational water equipment, such as jet skis and wake boards, where needed to protect the ecological functions or ecosystem-wide processes of the shoreline or protect sensitive wildlife habitat areas.
10. Ensure all recreational developments make adequate provisions for:
    a. Vehicular and pedestrian access, both on-site and off-site;
    b. Proper wastewater and solid waste disposal methods;
    c. Security and fire protection;
    d. The prevention of overflow and trespass onto adjacent properties, including but not limited to, landscaping, fencing, posting of property and screening (through native vegetation or shoreline buffers) of such development from adjacent private property.
11. Ensure trails and pathways on landslide hazard areas are located, designed, and maintained to protect bank stability.
12. Protect and restore publicly-owned natural resource areas located within the shoreline area and include public access and public use as appropriate for the particular resource area.
13. Promote shoreline conservation through acquisition, preservation, and rehabilitation of important natural areas and manage natural areas of public shoreline parks to protect and restore ecological functions, values and features.
14. Use best management practices and low impact development technologies in the construction, maintenance or renovation of recreational grounds or facilities of public shoreline parks.
15. Incorporate opportunities for educational and interpretive information regarding shoreline ecological functions and ecosystem-wide processes in the design and operation of public recreation facilities and other amenities such as nature trails.

5.8.4 Regulations – Prohibited

1. Motorized vehicular access on all beaches and spits, except at approved boat launching facilities (Section 5.3, Boating Facilities).
2. Golf courses in the Natural designations.
3. Golf course fairways which cross streams.
4. Use of fertilizers, pesticides, or other toxic chemicals is prohibited unless an exception is provided pursuant to Section 4.1.6, Water Quality and Stormwater Management.
5. The use of jet skis and similar recreational equipment shall be prohibited in the Priority Aquatic Categories A and B designations.

5.8.5 Regulations - General

1. Water-oriented recreational development is a priority use of the shoreline, and the primary focus shall be to provide access to and enjoyment of the water and shorelines of the state and shall be consistent with the development regulations for the shoreline designation in which it occurs. Valuable shoreline resources and fragile or unique areas such as marshes, bogs, swamps, estuaries, wetlands, and accretion shoreforms (such as sand spits or accretion beaches), shall be used only for passive and nondestructive recreational activities.
    a. Active water-oriented recreational uses shall be consistent with the shoreline designation in which it is being proposed and shall be permitted in the Island Conservancy, Shoreline Residential Conservancy, Shoreline Residential, Urban, and Aquatic designation. Active recreational development is prohibited in the Priority Aquatic designation; however, vessels shall be allowed:
        i. As provided in BIMC 12.40.060; or
        ii. In Priority Aquatic Category B when:
            A. Operated at 5 knots or less or such that a wake is not created; and
            B. Operated at a noise decibel that does not cause adverse impact to wildlife.
    b. Recreational development to accommodate passive (non-intensive) water-dependent and/or water-oriented recreational or educational uses shall be allowed as a conditional use in the Natural designation, except public trails and public stairways are permitted as a shoreline substantial development or shoreline exemption, when designed to minimize adverse environmental impacts in accordance with Section 4.1.2 Environmental Impacts.
    c. Passive recreational development shall be allowed in the Priority Aquatic designation;
2. Water-oriented recreational use and/or development shall be allowed when the proponent demonstrates that it will not result in a net loss of shoreline ecological functions or processes or have adverse impacts on other shoreline uses, resources and/or values such as navigation and public access, and will provide mitigation in accordance with Section 4.1.2, Environmental Impacts.

3. Activities provided by recreational facilities must have a substantial relationship to the shoreline, or provide physical or visual access to the shoreline. Facilities for water-dependent recreation such as fishing, clamming, swimming, boating, and wading, and water-related recreation such as picnicking, hiking, and walking should be located near the shoreline, while non-water-related recreation facilities shall be located upland.
    a. Within the Natural Designation a single active use area shall be allowed with appropriate compensatory mitigation to accommodate water oriented and non-water oriented cultural events and water related passive recreational uses near the log pond at Blakely Harbor Park, as shown in Appendix E.
4. Recreational development on the shoreline shall provide physical or visual public access consistent with this Program, and Section 4.2.4, Public Access – Visual and Physical.
5. Recreational development on the shoreline shall protect existing shoreline vegetation consistent with this Program, and Section 4.1.3, Vegetation Management.
6. The City shall consult applicable state and local health regulations when issuing shoreline permits for recreational facilities (Title 248 WAC or its successor).
7. Recreational development is required to comply with local and regional recreation plans and link to linear open space, recreational, or scenic systems as provided in the State Comprehensive Outdoor Recreation Planning (SCORP) document, Bainbridge Island Metropolitan Park and Recreation District Comprehensive Park, Recreation, and Open Space Plan, the City of Bainbridge Island's Winslow Master Plan, and the City of Bainbridge Island's Non-Motorized Transportation Plan.
8. The use of motor vehicles including unlicensed off-road vehicles is permitted only on roads and trails specifically designated for such use. Such use is prohibited on tidelands, backshore beaches, streams, or wetlands, except as necessary for public health and safety or maintenance or as provided in Section 5.8.7(1), Regulation-Operations (1), below.

5.8.6 Regulations – Design and Location

1. Recreational development shall be located, designed and constructed to maintain, enhance, or restore scenic views, aesthetic values, and public access, as appropriate. Through the site planning and permit review process, the City may adjust and/or prescribe project dimensions or location of on-site project components, intensity of use, screening, parking requirements, and setbacks as deemed appropriate to meet the recreational needs of the project and the standards of this Program.
2. Recreational developments shall provide vehicular access and parking in accordance with Section 4.2.3, Parking, and shall provide facilities for non-motorized access to the shoreline, such as bicycle and/or pedestrian paths, as prescribed in the City's Non-Motorized Transportation Plan.
3. Shoreline trails and pathways shall be located, designed, constructed and maintained to protect bank stability.
4. All permanent active recreational structures and facilities shall be located outside officially mapped floodplains and floodways. Passive recreation structures, such as picnic tables, benches, viewing platforms may be allowed provided mitigation is provided.

5. Substantial accessory use facilities, such as restrooms, recreation halls and gymnasiums, commercial services, across roads and parking areas, shall be set back from the OHWM according to Table 4-2. These areas may be linked to the shoreline by walkways.
6. Trails utilized for motorized vehicles, including golf carts, shall be set back two hundred (200) feet from OHWM, unless these are combined with a public access trail system. If combined with a public access trail, trails shall be located at least one hundred (100) feet from OHWM.
7. The removal of on-site vegetation shall be limited to the minimum necessary for recreational development areas and pursuant to Section 4.1.3, Vegetation Management.
8. Recreational buildings or structures shall not be built over water, except as provided in Section 5.3, Boating Facilities, and Section 6.0, Shoreline Modification Policies and Regulations.
9. Proposals for recreational development shall include adequate facilities for water supply and sewage and garbage disposal and recycling commensurate with the intensity of the proposed use. Where sewage treatment facilities are not available, the appropriate reviewing authority shall limit the intensity of development to meet local and state on-site sewage disposal requirements. On-site sewage disposal systems shall be located landward of the development, unless not feasible due to site or development constraints and provided that the location is on-site disposal system is consistent with requirements of the reviewing and permitting authority.
10. Recreational facilities shall incorporate appropriate mitigation to minimize light and noise impacts on adjacent and nearby public and private property through the use of screening, native vegetation, fences, signs and related measures.
11. Recreational proposals for publicly-owned shoreline parks shall provide the following:
    a. Recreational development and activities shall provide appropriate public recreational opportunities and promote the ecological restoration of the shoreline environment. Public shoreline areas are intended to provide access to, and enjoyment and use of the water and shorelines while conserving ecological functions and processes, and protecting shoreline resources and fragile areas.
    b. Best management practices (BMPs) and low impact development (LID) techniques shall be incorporated into the design, construction, and operation of public recreation proposals in order to reduce erosion impacts and prevent harmful concentrations of chemicals and sediments from entering water bodies and meet the standards of Section 4.1.6, Water Quality and Stormwater Management.
    c. Educational and historical interpretation specific to the site's shoreline ecology and local history shall be incorporated into the design and operation of a public shoreline recreational development through site amenities such as interpretive signs or other amenities.

5.8.7 Regulations – Operations

1. Operation of motorized vehicles, including utility and maintenance vehicles, shall only be allowed in designated areas specifically designed for vehicular use.
2. The use of jet skis and similar recreational equipment shall be restricted in critical saltwater habitat areas.
3. A chemical management plan designed to eliminate the possibility of damage to riparian vegetation, wildlife, and surface and ground water quality shall be prepared and implemented for golf courses located in shoreline jurisdiction.
4. Recreational fires in commercial uses, public parks and common areas shall only be allowed in accordance with Fire Code regulations in Title 20.12, Burning Restrictions, and within designated barbeque\fire pits, which shall be designed and spaced to facilitate the control of fires both within recreational facilities, between adjacent properties, and on public lands.

5.8.8 Regulations – Golf Courses – Design & Location

1. Golf courses shall be a conditional use requiring both a conditional use permit and a substantial development permit in the upland shoreline designations of Island Conservancy, Residential Conservancy, Residential, and Urban designations.

5.9 Residential Development

5.9.1 Applicability

All development in the shoreline jurisdiction must comply with the Shoreline Management Act (Chapter 90.58 RCW or its successor) and the Master Program. While an individual owner-occupied, single-family residence and its "normal appurtenances" are exempt from the requirement that a Shoreline Substantial Development Permit (SSDP) be obtained from the local government (WAC 173-27-040, or its successor), it must comply with this section and other provisions of the Master Program. Subdivisions and short plats must also comply with all applicable provisions.

Residential development, when permitted by BIMC Title 18, Zoning, and this Master Program, will be reviewed under the "no net loss" provisions of Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.2, Environmental Impacts; and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater; Section 4.2.4, Public Access, 4.2.7 Utilities Primary; ~~Appendix B;~~ and Accessory. Other portions of this Program may also apply.

5.9.2 Goal

Promote residential development opportunities along the shoreline that are consistent with controlling pollution and preventing damage to the natural environment, recognizing that single-family residential development is a priority use in the shoreline and that impacts to other shoreline priority uses such as, shoreline views, aesthetics, and access, should be considered and minimized.

5.9.3 Policies

1. Consider single-family residential use as a priority use in the shoreline. Develop single-family residences in a manner consistent with producing no net loss of shoreline functions or ecosystem-wide processes, and in conformance with the requirements of this Shoreline Master Program.
2. Locate residential development where there are suitable provisions for utilities, circulation and access, and require development to be designed to:
    a. Maintain or improve shoreline ecological functions and ecosystem-wide processes to assure no net loss;
    b. Provide building setbacks;
    c. Be visually compatible with adjacent cultural and shoreline features, reasonable in size and purpose;
    d. Preserve and enhance shoreline vegetation;
    e. Protect water quality;
    f. Control erosion and provide stormwater management; and
    g. Preserve shoreline open space, views from the shoreline, and vistas of the shoreline, and provide ample open space in side setbacks to preserve views from both the land and water.
3. Ensure the overall density of development, location of structures and access, lot coverage, and height are consistent with Bainbridge Island Comprehensive Plan goals and policies, the provisions of BIMC Title 18, Zoning, and this Program. Development should be appropriate to the physical capabilities and characteristics of the site.
4. Restrict the development of side yards in order to preserve vegetation between developments, mitigate the effect of a "wall" of structures along the shoreline, and enhance public and private view potential.
5. When waterfront properties are divided, ensure common access to the water is provided to all resulting lots.
6. Prohibit new residential development and accessory uses from locating in critical areas including critical saltwater habitat, wetlands, steep or unstable slopes, floodways, migratory routes and marine vegetation areas.
7. Ensure existing legally established overwater residences do not increase intensity of use.
8. Configure new residential land subdivisions within the shoreline to:
    a. Prevent the loss of shoreline ecological functions and ecosystem-wide processes at full build-out of the subdivision;
    b. Reduce the impacts to shoreline processes by preventing the need for new shoreline stabilization or flood hazard reduction measures;
    c. Maintain waterfront areas for the common use of all property owners within the development, and,

d. If creating more than four lots, provide public access to the shoreline, and minimize individual docks and promote community docks.

9. Ensure new multi-family residential development provides public access to the shoreline.
10. Promote residential development that includes measures to protect existing native vegetation and/or restore vegetation along shorelines. Conservation measures should require that residential development avoid, minimize, mitigate, or restore shoreline vegetation functions and achieve no net loss of shoreline ecological functions and ecosystem-wide processes. Vegetation conservation may include avoidance or minimization of clearing or grading, restoration of shoreline vegetation, and/or control of invasive or non-native vegetation.
11. For new residential development and alterations to existing residential development, use non-regulatory methods when possible to protect, enhance, and restore shoreline ecological functions and ecosystem-wide processes and other shoreline resources. Such methods may include voluntary alternatives to address impacts to shoreline ecological functions and ecosystem-wide processes, low impact development techniques, voluntary protection and enhancement projects, habitat management planning, education, or other incentive programs. Such programs must be supported by current scientific and technical information, as described in WAC 173-26-201(2)(a).

5.9.4 Regulations - Prohibited

1. New overwater residential development, including floating homes.
2. New land subdivision that would require shoreline stabilization [WAC 173-26-231(3)(a)(iii)(A)].
3. Increase in intensity, including height or bulk, for any existing legally established overwater residence, or for those portions of a residence that are located over the water.
4. New accessory dwelling units in the Point Monroe District.

5.9.5 Regulations - General

1. Residential development shall be permitted in the Shoreline Residential, Shoreline Residential Conservancy, and Urban designations; shall be conditional use~~s~~ in the Island Conservancy designation; and shall be prohibited in the Natural, Aquatic, and Priority Aquatic designations.
2. Multifamily development shall be permitted in the Shoreline Residential and Urban designations, and prohibited in the Shoreline Residential Conservancy, Island Conservancy and Natural designations.
3. Accessory dwelling units shall be allowed as a conditional use in the Shoreline Residential Conservancy Shoreline Residential and Urban designations and prohibited in the Point Monroe District, Natural designation, and Island Conservancy designation.
4. Land subdivision, consistent with BIMC Title 17, is permitted in the Shoreline Residential, Shoreline Residential Conservancy, and Urban designations, and shall be allowed as a conditional use in the Natural and Island Conservancy designations.

5. Residential development shall meet setback and height standards in Table 4-2 and dimensional provisions of BIMC Title 18, Zoning.
6. Residential development shall meet all provisions of the Section 4.1.2, Environmental Impacts, such that the development results in "no net loss" to shoreline environmental functions and processes.
7. The buffer dimensional requirements in Table 4-1 of this Program shall apply to residences and appurtenances, except when a site-specific analysis is provided in accordance with Section 4.1.3, Vegetation Management, or for new development proposed for the Point Monroe District, which shall meet vegetation requirements of Section 4.1.3.5(9), Vegetation Management; Special Provisions for Point Monroe District. Residential development shall retain and protect existing native vegetation, or restore and enhance native vegetation according to the Vegetation Management and Land Modification provisions of Sections 4.1.3 and Section 4.1.4.
8. Side setbacks, except in the Urban designation and the Point Monroe District, shall total at least thirty percent (30%) of the lot width. Side setback requirement for the Point Monroe District shall total at least fifteen percent (15%) of the lot width. These yards shall remain free of buildings and impervious surfaces as described below.
    a. Building. The minimum side setback shall be established by BIMC Title 18, Zoning. Setbacks for each accessory building shall conform to the side setbacks required of, or established by, the primary residential building. Structures in the side setbacks may not exceed four feet in height from existing grade, except that fences on the side property line may have an additional two feet (2') of non-screening material for a total of six feet (6'). Approved Shoreline Stabilization measures may be installed within the side setbacks.
    b. Impervious Surfaces. No more than a total of two hundred (200) square feet of impervious surface is allowed in the side yard setback outside of the Shoreline Standard Buffer, Site-specific Vegetation Management Area or Point Monroe Vegetation Management Area.
    c. Average Lot Width Measurement. In determining allowed setback for this subsection, lot width shall be measured as depicted BIMC Chapter 18.12, Dimensional Standards.
9. All residential development shall meet BIMC Chapter 15.20, Surface and Storm Water Management, and Section 4.1.6, Water Quality and Stormwater Management of this Program.
10. Home occupations meeting the criteria of BIMC Title 18 shall be considered a residential use.

5.9.6 Regulations – Primary Residential Design and Location

1. Residential Development, except in the Point Monroe District (5.9.6 (2)) below, shall follow the provision for Shoreline Exemptions pursuant to the Shoreline Master Program Administrative Section, BIMC Section 2.16.165, and shall:

a. Be located and designed to avoid the need for shoreline stabilization and flood protection works for the life of the structure, as provided for in Section 6.2.9 Shoreline Stabilization; Regulations – Subdivisions and Section 4.1.7, Flood Hazard Management.

b. Be located and designed to protect existing ecological function in accordance with Section 4.1.2, Environmental Impacts, and Section 4.1.3, Vegetation Management, and use low impact development techniques of Section 4.1.6.6(3) to:

    i. Minimize area of disturbance as provided in Section 4.1.4, Land Modification; and

    ii. Minimize soil compaction; and

    iii. Infiltrate stormwater runoff when the site is suitable for infiltration.

c. Provide a stormwater conveyance that is designed according to the provisions of Section 4.1.6, Water Quality and Stormwater Management.

d. Be located to protect existing views from primary structures on adjacent properties.

    i. Primary Structures shall meet the provisions for structure setback line as provided in Section 4.1.3, Vegetation Management, and shall follow the provisions for Shoreline Exemption permit in the Shoreline Master Program Administration Section of BIMC Section 2.16.165.

e. Designed to provide a physical separation to reinforce the distinction between public and private space. Including but not limited to:

    i. Providing vegetation screening in a landscape plan approved by the Administrator and developed in accordance with requirements in Section 4.1.3, Vegetation Management, and BIMC Section 18.15.010, Development Standards and Guidelines; Landscaping, Screening and Tree Retention, Protection, and Replacement.

    ii. Providing an open space setback recorded on plat or title; or

    iii. Fencing or other means.

2. **Special Provisions for Point Monroe District** – Primary and Accessory Structures. Residential development within the Point Monroe District shall follow the provisions for Shoreline Exemption permit in BIMC 16.12 Part VII, Shoreline Master Program Administration, and shall meet provisions of subsection 5.9.6(1)(a)-(c)&(e) and the following:

    a. Each lot is permitted a development area that is intended to accommodate the primary residence, garage, accessory structure, parking and driveway that does not exceed fifty percent (50%) of the upland lot area, up to a maximum development area of fourteen hundred (1400) square feet. On-site septic systems may be located outside of this development area.

b. All new primary structures shall be located a minimum of thirty feet (30') from the OHWM.

c. Stabilization and flood protection works may be allowed provided the need is demonstrated as specified in Section 6.2.8.1 or 6.2.8.2, Shoreline Stabilization, and 4.1.7, Flood Hazard Management.

d. Overwater structures may be allowed pursuant to Sections 4.1.2, Environmental Impacts and 6.3.4, in Overwater Structures.

5.9.7 Regulations – Accessory Design and Location

1. Except in the Point Monroe District, accessory uses and structures proposed within the Shoreline Buffer or site-specific vegetation management areas shall meet the standards of Section 4.1.3, Vegetation Management.

    a. Accessory structures allowed in the Shoreline Buffer in Table 4-1 shall follow the provision for a Shoreline Exemption in the Shoreline Master Program Administration, BIMC Section 2.16.165.

2. In the Point Monroe District accessory structures, except approved docks or shoreline stabilization, shall be located a minimum of fifteen feet (15') from the OHWM.

5.9.8 Regulations – Residential Subdivisions (Single-Family and Multifamily, including ADU)

1. Subdivision of properties in water designations, Aquatic and Priority Aquatic, shall be regulated the same as the adjacent upland.
2. Land subdivision shall be designed to assure future development will not require shoreline stabilization for one hundred (100) years from date of submittal as demonstrated by a geotechnical report.
3. All new subdivisions shall provide for vegetation management to mitigate cumulative impacts of intensification of use and open space to assure establishment and continuation of a vegetation community pursuant to Section 4.1.3, Vegetation Management.
4. Accessory dwelling units are conditional uses for all lots wholly or partially within the shoreline jurisdiction.
5. New subdivisions or all multifamily residential developments shall provide a community recreation and/or open space area for the benefit of all residents or property owners in the development; provided that, such provisions shall not apply to lot line adjustment, lot consolidation, and subdivision of land into four (4) or fewer lots.
6. New subdivisions or all multifamily residential development of less than four (4) lots and shall provide a common physical or visual access for the benefit of all residents or property owners in the development, which also-meets the provisions of No Net Loss in Sections 4.1.2, Environmental Impacts. An access easement shall be recorded on the face of the plat or title report.

a. If one or more dwelling unit exists prior to the division of land or further residential development, the feasibility of providing a common access shall be determined by the Administrator.

7. New or altered residential developments of more than four (4) dwelling units adjacent to the waterfront, shall dedicate, improve, and maintain public access area sufficient to ensure usable access to the shoreline for all residents of the development and the general public. The amount and configuration of public access shall depend on the proposed use(s), provisions in Section 4.2.4, Public Access – Visual and Physical, and the following criteria:

   a. Subdivisions within the shoreline jurisdiction that have views of water areas shall provide a public pedestrian viewing area.

   b. Subdivisions adjacent to public waterways and marine waters shall provide visual and physical access to public waterways, public marine waters, and public tidelands that are physically accessible at low tide or low water.

   c. Subdivisions subject to requirements for dedication of land to provide open space or mitigate recreation demands of the development shall dedicate such land on or adjacent to public waterways or marine shorelines, as applicable, unless the ecological sensitivity of such land precludes public access. Portions of the dedicated area may be fenced or otherwise restricted to limit public access to ecologically sensitive areas.

5.9.9 Regulations – Residential Development Overwater

1. Live-aboard vessels, shall be allowed only at marinas or in the public open water marina in Eagle Harbor in accordance with Section 5.3, Boating Facilities.
2. All subdivisions shall record a prohibition on new single use private docks on the face of the plat. Shared moorage with less than 6 slips shall meet provisions for community docks in Section 5.3, Boating Facilities. Shared moorage with six (6) or more slips shall meet provisions in Section 5.3
3. An existing overwater primary residential use may continue, and the structure may be repaired, maintained, increased in height and remodeled in accordance with Section 4.2.1, Nonconforming Uses, Nonconforming Structures, and Nonconforming Lots ~~Non-Conforming Lots, and Existing DevelopmentNonconforming Structures, Uses~~ but the use may not be intensified and the overwater structure may not be enlarged or expanded over water.
4. The upland portion of an existing primary residential structure that is partially located over water may be repaired, maintained, remodeled or expanded to the extent allowed by this program and in accordance with Section 4.2.1~~.6.3~~, ~~Existing Structures - Residential Single-Family: Primary Structure~~ Nonconforming Uses, Nonconforming Structures, and Nonconforming Lots.

6.0 SHORELINE MODIFICATION POLICIES AND REGULATIONS

6.1 General Shoreline Modification Provisions

6.1.1 Applicability

Shoreline modifications are generally related to construction of a physical element such as residential development, a dike, bulkhead, dredged basin, pier or fill, but they can include other actions such as clearing, grading, application of chemicals, or vegetation removal. Shoreline modifications usually are undertaken in support of or in preparation for a shoreline use; for example, fill (shoreline modification) required for a ferry terminal (industrial use) or dredging (shoreline modification) to allow for a marina (boating facility use).

The provisions in this section apply to all shoreline modifications within the shoreline jurisdiction. They also apply to projects in which the chief intent is to protect the shoreline of a particular property for which the permit applies such as shoreline stabilization, flood control projects, and flood control programs. Shoreline modification proposals-will be reviewed under the "no net loss" provisions of Section 4.1.2, Environmental Impacts; Section 4.0, General (Island-wide) Policies and Regulations; and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; Section 4.1.7, Flood Hazard Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

6.1.2 Goal

Manage shoreline modifications and flood protection to avoid, minimize or mitigate adverse impacts and assure that individually and cumulatively, shoreline modifications do not result in a net loss of ecological function.

6.1.3 Policies

1. Allow structural shoreline modifications only where it is demonstrated to be necessary to support or protect an allowed primary structure and primary appurtenances, or a legally existing principal use that is in danger of loss or substantial damage or are necessary for reconfiguration of the shoreline for mitigation or enhancement purposes.
2. Reduce the adverse effects of shoreline modifications and, as much as possible, limit shoreline modifications in number and extent.
3. Allow only shoreline modifications that are appropriate to the specific type of shoreline and environmental conditions for which they are proposed.
4. Give preference to those types of shoreline modifications that have a lesser impact on ecological functions and ecosystem-wide processes. Require mitigation of identified impacts resulting from shoreline modifications.
5. Plan for the enhancement of impaired ecological functions and ecosystem-wide processes where feasible and appropriate while accommodating permitted uses. As shoreline modifications occur, incorporate all feasible measures to protect ecological shoreline functions and ecosystem-wide processes

6. Avoid and reduce significant ecological impacts according to the mitigation sequence in Section 4.1.2.6.
7. Ensure shoreline modification projects provide for long-term multiple use and shoreline public access, where appropriate.
8. Ensure natural features such as snags and stumps which support fish and other aquatic systems, and which do not intrude on navigational uses or threaten other permitted uses, are left undisturbed except in cases of an approved beach stabilization project.

6.1.4 Regulations – Prohibited Uses

1. Shoreline modifications in or adjacent to wetlands (located in both the upland and the shoreline jurisdiction) and in salmon and trout spawning areas, except for fish or wildlife habitat enhancement.
2. Beach enhancement when it interferes with the normal public use of the navigable waters of the state.
3. Shoreline Modification located on feeder bluffs, except when the area is already developed with a primary residential structure, an essential public facility or transportation facility, in which case stabilization may be allowed pursuant to the provisions in Section 6.2, Shoreline Stabilization.

6.1.5 Regulations - General

1. A pre-application meeting shall be required prior to submitting an application for a replacement, repair or new shoreline modification project.
2. All shoreline modification activities must be necessary to support or protect an allowed primary structure or a legally existing shoreline use that is in danger of loss or substantial damage, except shoreline stabilization may be allowed as a shoreline use provided it can be demonstrated that it is necessary for reconfiguration of the shoreline for mitigation or enhancement purposes.
3. All applicable federal and state permits, including the Army Corps of Engineers and the Washington Department of Fish and Wildlife, Washington Department of Natural Resources shall be obtained and complied with in the construction and operation of shoreline stabilization and flood protection works.
4. All new development activities, including additions to existing structures, shall be located as allowed in Section 4.1.5~~.7, Regulations – Geologically Hazardous Areas or Appendix B,~~ and located or designed to prevent the need for shoreline stabilization for the life of the development or one hundred (100) years, whichever is greater.
5. All new, replacement, and repair modification activities shall be limited to the minimum footprint necessary to protect an allowed primary structure or legally existing shoreline use.
6. All applications for new, replacement and repair modification activities shall examine and implement alternatives as specified in their specific use sections.

7. All applications for new, replacement and repair modification activities shall be designed, located, sized, and constructed to assure no net loss of ecological functions and processes pursuant to Section 4.1.2, Environmental Impacts.
8. Shoreline stabilization shall be designed in a manner that minimizes:
    a. Scouring of the beach at the toe of the structure; and
    b. Erosion of the waterward beach; and
    c. Impact to adjacent properties; and
    d. The need for mitigation measures.
9. Upon project completion, all disturbed shoreline areas shall be restored and replanted pursuant to Section 4.1.2.5, Regulations – Revegetation Standards.
10. Publicly financed or subsidized works should provide for long-term multiple use and public pedestrian shoreline access.

6.2 Shoreline Stabilization

6.2.1 Principles

Shorelines are by nature unstable, although in varying degrees. Erosion and accretion are natural processes that provide ecological functions and thereby contribute to sustaining the ecology of the shoreline. Human use of the shoreline has typically led to hardening of the shoreline for various reasons including, reducing erosion, providing useful space at the shore, or for access to docks and piers. The impacts of hardening on any one property may be minimal, but cumulatively the impact of this type of shoreline modification is significant.

Shoreline hardening typically results in adverse impacts to shoreline ecological functions and habitat degradation, such as:

- Starvation and/or impoundment of beach sediment which diminishes longshore sediment transport;
- Loss of shoreline vegetation and large woody debris;
- Ground water and hydraulic impacts; and
- Exacerbation of erosion.

There are nonstructural and structural methods of shoreline stabilization. Nonstructural methods include building setbacks, relocation of the structure to be protected, groundwater management, and planning and regulatory measures to avoid the need for structural stabilization. Structural stabilization methods can be "hard" or "soft". "Hard" structural stabilization measures refer to those with solid, hard surfaces, such as concrete bulkheads, while "soft" structural measures rely on less rigid materials, such as bioengineering vegetation or beach enhancement. Generally, the harder the construction measure the greater the impact on shoreline processes, such as sediment transport, geomorphology, and biological functions.

The range of non-structural and structural measures varying from soft to hard:

"Soft"

- Upland drainage control;
- Vegetation enhancement;
- Beach enhancement;
- Bioengineering measures;
- Anchor trees; and
- Gravel placement.

"Hard"

- Rock revetments;
- Gabions;
- Groins (rock or concrete);
- Retaining walls and bluff walls;
- Bulkheads; and
- Seawalls.

6.2.2 Applicability

Shoreline stabilization includes actions taken to address erosion impacts to property and dwellings, businesses, or structures resulting from natural processes, such as currents, flood tides, wind, or wave action. These actions include structural and nonstructural methods. Nonstructural methods include building setbacks, relocation of the structure to be protected, ground water management, and planning and regulatory measures to avoid the need for structural stabilization. The provisions of this section apply to the construction, replacement and repair of structures intended to stabilize shorelines for protection of primary structures and primary appurtenances from shoreline erosion caused by wind, waves, and currents. For this section, repair, replacement and new stabilization are defined in Section 8.0, Definitions. Even when exempt from the shoreline substantial development process, however, these structures must comply with all applicable Master Program regulations. A statement of exemption, shoreline conditional use, or shoreline substantial development permit must be obtained from the City before commencing construction of any shoreline stabilization. All proposed shoreline stabilization will be reviewed under the "no net loss" provisions of Section 4.1.2, Environmental Impacts; Section 4.0, General (Island-wide) Policies and Regulations; ~~Section 4.2.1 Non-Conforming Development~~ Section 6.1, Shoreline Modification and may also be reviewed under Section 4.1.3, Vegetation Management; Section 4.1.5, Critical Areas; Section 4.1.6, Water Quality and Stormwater Management; ~~Appendix B;~~ and BIMC Chapter 15.18, Land Clearing, when applicable. Other portions of this Program may also apply.

6.2.3 Policies

1. Discourage shoreline stabilization, particularly "hard" structural stabilization, through application of appropriate shoreline designations, development standards, and public education.

2. Design, locate, size and construct new, repaired or replacement shoreline stabilization to minimize and mitigate adverse impacts on shoreline ecological functions and shoreline ecosystem-wide processes. An evaluation of the proposal should consider causes and effects of erosion, including upland erosion, and beach dynamics, such as sediment conveyance, geo-hydraulic processes and ecological relationships, and address these on a reach-specific basis.
3. Design and locate new development, including the creation of new lots, in a manner that prevents the need for shoreline stabilization and armoring.
4. Permit structural shoreline stabilization only when it has been demonstrated that shoreline stabilization is necessary for the protection of existing legally established primary structures, principal uses or public improvements in danger of loss, and when it can be demonstrated that there are no alternative options to the proposed shoreline stabilization that have less impact on the shoreline environment.
5. Allow existing "hard" shoreline stabilization structures to be replaced if there is a demonstrated need to protect the principal use or primary structure from erosion and the replacement structure is designed, located, sized and constructed to assure no net loss of ecological functions and ecosystem-wide processes.
6. Give preference to those types of shoreline stabilization that have a lesser impact on ecological functions and ecosystem-wide processes. To protect ecological functions and ecosystem-wide processes, alternatives to shoreline stabilization should be considered and be based on the following sequencing of solutions:
    a. Avoidance (allow the shoreline to retreat naturally, increase building setbacks or relocate structures);
    b. Flexible defense works constructed of natural materials including, "soft" shore protection, bioengineering, beach nourishment, protective berms or vegetative stabilizations;
    c. Combination of "soft" and structural "hard" shoreline stabilization or hybrid design measures, which excludes structural stabilization below the ordinary high water mark;
    d. "Hard" structural stabilization or rigid works constructed of artificial materials, such as riprap or concrete;
7. Select materials used for construction of shoreline stabilization for long term durability, ease of maintenance and compatibility with local shore features, including aesthetic values and flexibility for future uses.
8. Ensure that publically financed or subsidized shoreline stabilization measures do not restrict appropriate public access to the shoreline except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions or ecosystem-wide processes. Where feasible, incorporate ecological restoration and public access improvements into the project.
9. Avoid shoreline stabilization that is constructed waterward of feeder bluffs.

10. Encourage neighboring property owners within an entire drift cell or shoreline reach to coordinate planning and development of shoreline stabilization or other solutions to avoid erosion of down-drift properties and to address ecological and geo-hydraulic processes, sediment conveyance, and beach management.
11. Where feasible, remove any failing, harmful, unnecessary or ineffective structures and restore shoreline ecological functions and ecosystem-wide processes consistent with the priorities of an ecosystem-wide restoration plan, and replace structures using shoreline stabilization measures that result in less impact to ecological functions and ecosystem-wide processes.
12. Encourage non-structural stabilization using non-regulatory methods to protect, enhance and restore shoreline ecological functions and ecosystem-wide processes, and other shoreline resources. Non-regulatory methods should include incentive programs to utilize low impact development techniques and encourage habitat/resource planning, voluntary enhancement and restoration projects, or programs that provide technical assistance and education to shoreline property owners.
13. Promote shoreline stabilization that incorporates beach restoration or enhancement in accordance with the restoration provisions of Section 4.1.8, Shoreline Restoration and Enhancement, and this Program.

6.2.4 Regulations – Prohibited

1. Gabions, groins, vertical, concave, and flat (hard) faced structures not including near-vertical rock riprap bulkheads in shoreline stabilization construction. Sheet pile style hard stabilization may be allowed for remediation and hybrid shoreline stabilization projects in accordance with Section 6.2.5.
2. Revetments for any purpose unless part of a public facilities project.
3. Construction of a bulkhead, revetment, or other structure for the purpose of retaining a landfill or creating dry land; unless it is proposed in conjunction with an approved commercial or industrial water-dependent use or public use.
4. Shoreline stabilization proposed on shores where valuable geo-hydraulic or biological processes are sensitive to interference or critical to shoreline conservation, such as: feeder bluffs; barrier estuaries, barrier lagoons, wetlands; or accretion shore forms such as sand spits, hooks, bars, or barrier beaches. Except that stabilization proposals to protect a primary single-family residence, primary appurtenance or primary public or transportation facilities, may be allowed on feeder bluffs and spits provide provisions of this Program are met.
5. The use of hard structural stabilization or the hard portions of hybrid stabilization intended to protect a vacant platted lot or to protect a developed lot where a primary structure or primary appurtenance is not in danger from erosion as demonstrated through a geotechnical report.
6. Stabilization that would cause significant impacts to adjacent or down current properties.

6.2.5 Regulations - General

1. All shoreline stabilization proposals shall meet applicable provision of Section 6.1, Shoreline Modifications, and assurance of no net loss of ecological functions and processes, Section 4.1.2, Environmental Impacts.
2. Soft-treatment stabilization shall be used to the maximum extent feasible.
3. New or replacement shoreline stabilization measures are a conditional use for the following:
    a. Proposed shoreline stabilization is adjacent to a feeder bluff.
    b. The nearest adjacent existing shoreline stabilization is greater than one hundred (100) feet of the subject property.
    c. Sheet pile style hard stabilization may be used in:
        i. Remediation projects to contain contaminated soils or sediments when demonstrated to the satisfaction of the Administrator to be the most appropriate solution; or
        ii. Hybrid stabilization when used as a stop-gap measure at or near extreme high water.

6.2.6 Regulations – Location and Design of Shoreline Stabilization

1. Shoreline stabilization shall not be approved in any known or probable midden site without the written permission of the Director of the State Office of Archaeology and Historic Preservation (the State Historic Preservation Officer) (RCW 27.53.060 or its successor).
2. On all shorelines, hard structural stabilization or hard portions of hybrid stabilization shall be located landward of the OHWM. Other structural stabilization shall be located landward of protective berms (artificial or natural), and generally parallel to the natural shoreline except as allowed below:
    a. On high bluffs where no other shoreline stabilization structures are adjoining, hard structural stabilization or hard portions of hybrid stabilization shall be as close to OHWM as feasible to accommodate the design of the shoreline stabilization. However, a revetment footing may extend waterward only the minimum extent necessary to dissipate wave energy.
    b. Shoreline stabilization shall connect flush with existing stabilization on adjoining properties, except when the action will create dry land, in which case the location requirements of the above shall apply.
    c. Soft-treatment stabilization may be permitted waterward of the OHWM if the stabilization measures provide restoration of shoreline ecological functions and processes.
3. Hard structural stabilization, including hard portions of hybrid stabilization, shall be limited to the areas of the site where the stabilization is demonstrated to be necessary, according to Section 6.2, Shoreline Stabilization.

a. When allowed on feeder bluffs, hard structural stabilization, including hard portions of hybrid stabilization shall be located landward of the OHWM.

b. Hard structural stabilization, including hard portions of hybrid stabilization located in a shoreline area that does not include a feeder bluff, shall be constructed landward of the ordinary high water mark and shall follow the natural contours of the shoreline; unless it is demonstrated to the satisfaction of the Administrator to be infeasible to locate the entire hard structural stabilization landward.

4. Replacement stabilization structures may be constructed in the same location if placement landward of OWHM is infeasible as demonstrated to the satisfaction of the Administrator.
5. Shoreline stabilization shall be designed to allow the passage of surface or ground water without causing ponding or saturation of retained soil materials and meet the following design criteria:

    a. The size and quantity of the material shall be limited to only that necessary to withstand the estimated energy intensity of the hydraulic system;

    b. Filter cloth or adequate smaller filter rock shall be used to aid drainage and help prevent settling; and

    c. Provide adequate toe protection to ensure future mitigation or hard structural stabilization measures are not required.

6. Revetments shall be sited and designed consistent with appropriate engineering principles. Professional, geologic, site studies or design shall be required.
7. When a hard structure is required at a public access site, provision for safe access to the water shall be incorporated into the design for stabilization.
8. Stairs or other permitted upland structures may attach to existing hard structural stabilization, but shall not extend waterward, unless it is demonstrated to the satisfaction of the Administrator to be infeasible to locate the entire stairway landward.
9. Overwater structures may attach to existing hard structural stabilization.
10. Hard shoreline stabilization construction shall utilize stable, non-erosion prone, homogeneous materials such as concrete, wood, rock riprap, or other suitable materials which will accomplish the stabilization needs with the maximum preservation of natural shoreline characteristics. See Section 4.1.6, Water Quality and Stormwater Management for additional provisions related to material.

6.2.6.1 Regulations – Location Specific for Replacement of Hard Structural Stabilization

1. Replacement of hard structural stabilization shall not encroach waterward of the OHWM or waterward of the existing shoreline stabilization measure unless the primary structure requiring protection was constructed prior to January 1, 1992, and there is overriding safety or environmental concerns if the stabilization measure is moved landward of the OHWM. In such cases, the replacement structure shall be constructed to abut the existing

shoreline stabilization structure. All other replacement structures shall be located landward of the existing shoreline stabilization structure.

6.2.7 Regulations – Repair of Existing Shoreline Stabilization

1. The Administrator shall allow repair or maintenance of soft-treatment stabilization.
2. Repair of existing structural stabilization shall be allowed as follows:
    a. Existing shoreline stabilization which no longer adequately serves its intended purpose shall be considered a replacement.
    b. Damaged structural stabilization may be repaired up to fifty percent (50%) of the linear length within a Five (5) year period. Repair area that exceeds fifty percent (50%) shall be considered a replacement. Stabilization repair applications shall consider cumulative approvals of each successive application within a five year period
    c. Stabilization repairs may require mitigation pursuant to Section 4.1.2, Environmental Impacts.

6.2.8 Regulations – New or Replacement Shoreline Stabilization

1. When evaluating the need for new, expanded or replacement stabilization measures, the applicant shall provide an analysis from a qualified professional that examines and implements preferred alternatives in the following sequence:
    a. No action (allow the shoreline to retreat without intervention).
    b. Non-structural measures such as vegetation enhancement or addressing upland drainage concerns.
    c. Increase building setbacks and/or relocate structures to a feasible location and/or elevate the structures.
    d. Implement flexible/natural materials and methods, beach nourishment, protective berms, bioengineered stabilization or other soft-treatment measures.
    e. Hybrid structure.
    f. Exclusively hard stabilization materials.
2. An analysis for these alternatives shall be submitted with each replacement or new stabilization application.
3. Point Monroe District properties shall also meet provisions in Section 6.2.8.3, Specific Regulations for Point Monroe District.

6.2.8.1 Specific Regulations: Replacement of Existing Structural Stabilization

1. Replacement of existing structural stabilization is allowed to protect public transportation infrastructure, essential public facilities, and primary structures when all the following apply:

a. The replacement is located landward of OHWM, unless demonstrated to the satisfaction of the Administrator to be infeasible, then it may be located in the same location, except as provided in subsection (3), below; and

b. The danger of loss or substantial damage from shoreline erosion is caused by tidal action, current, and waves rather than landslides, sloughing or other forms of shoreline erosion unrelated to water action at the toe of the slope and such has been identified through a geotechnical report except as provided in subsection (c), below; and

c. A geotechnical report demonstrates a need to protect the primary structure and primary appurtenance from danger of loss or substantial damage within five (5) years due to shoreline erosion, (b) above, in the absence of hard structural stabilization; except the following is not required to identify danger of loss or substantial damage through a geotechnical report:

   i. An existing primary single-family residence located within ten feet (10') or less from the OHWM; or

   ii. An existing primary single-family residence located within ten feet (10') or less from the top of a high bluff (greater than fifteen feet (>15)~~(top of bluff as defined in Appendix B)~~; or

   iii. An existing primary single-family residence located with the Point Monroe District may use the *Spit Science Summary – Point Monroe*, Herrera Environmental, 2012, to substitute for a site-specific geotechnical report.

d. The replacement structure is designed, located, sized and constructed to assure no net loss of ecological functions and processes; and

e. Hard structural shoreline stabilization, including hard partitions of hybrid stabilization, is limited to the 'zone of impact' for protecting a primary structure and its primary appurtenances. See Section 8.0 for 'zone of impact' definition.

2. When a geotechnical report confirms a need to prevent potential loss of or damage to a primary structure, but the need is not as immediate as five (5) years, the report may be used to justify more immediate authorization to protect against erosion using soft-treatment stabilization or hybrid structural measures.

6.2.8.2 Specific Regulations: New Shoreline Stabilization

1. The City may approve new or enlarged structural stabilization measures to protect non-water-dependant public transportation infrastructure, essential public facilities, and primary structures when all the following apply:

   a. The danger of loss or substantial damage from shoreline erosion is caused by tidal action, current, and waves rather than landslides, sloughing or other forms of shoreline erosion unrelated to water action at the toe of the slope and such has been identified through a geotechnical report except as provided in subsection (b), below.

b. A geotechnical report demonstrates there is significant possibility that the primary structure or primary appurtenance structures will be damaged within three (3) years as a result of shoreline erosion, (a) above, in the absence of hard structural stabilization measures; except the following is not required to identify danger of loss or substantial damage through a geotechnical report:

   i. an existing primary single-family residential structure located within ten feet (10') or less from the OHWM; or

   ii. An existing primary single-family residential structure located within ten feet (10') or less from the top of a high bluff (greater than fifteen feet (>15)~~(top of bluff as defined in Appendix B)~~.

c. The new or expanded structure is designed, located, sized and constructed to assure no net loss of ecological functions and/or processes; and

d. Hard structural shoreline stabilization, including hard portions of hybrid stabilization, is limited to the 'zone of impact' for protecting a primary structure and/or its primary appurtenances.

2. Where a geotechnical report confirms a need to prevent potential loss of or damage to a residential primary structure, but the need is not as immediate as three (3) years, the report may be used to justify more immediate authorization to protect against erosion using soft-treatment structural measures.

6.2.8.3 Specific Regulations for the Point Monroe District

1. New foundations and redevelopment of existing foundations that impede the natural over-wash process with the Federal Emergency Management Administration (FEMA) flood zone are considered flood protection works and shall meet provisions in Section 5.9, Residential Development.
2. New hard shoreline stabilization measures are prohibited in Area I, II, and IV of the Point Monroe District, as depicted in the Point Monroe District Map in Appendix E.
3. A conditional use permit shall be required for hybrid structural stabilization within Area III of the Point Monroe District, as depicted in the Point Monroe District Map, Appendix E.

6.2.9 Regulations – Subdivisions

1. Land subdivision shall be designed to assure future development will not require shoreline stabilization for the next one hundred (100) years from date of building permit approval as demonstrated by a geotechnical report.

6.2.10 Submittal Requirements for Shoreline Stabilization Project Applications

1. In addition to the general submittal requirements for all applications specified in BIMC Section 2.16.020(H), the following shall be submitted to the City. Applications for repair of existing stabilization will be required to submit only the first six (6) items. The

Administrator may waive some or all of the following based on specific project requirements:

a. Purpose of the project including a calculation that demonstrates the amount proposed to be repaired and past amounts repaired and a summary of replacement and/or repair materials proposed; and

b. Plan and cross section views of the existing and proposed shoreline configuration, showing accurate existing and proposed topography and OHWM, including an indication of the amount of area proposed to be repaired; and

c. Documentation of pre-construction shoreline characteristics; and

d. Description of physical, geological and/or soil characteristics of the site including existing and proposed slope profiles; and

e. A description of any waste and debris disposal sites for materials generated during construction; and

f. For repair of shoreline stabilization, the design recommendations for minimizing impacts and ensuring the new construction, replaced or repaired stabilization measure is designed, located, sized and constructed to assure no net loss of ecological functions and processes; and

g. Examination and implementation of alternatives in the order of preference as described in Section 6.2.8, Specific Regulations: Replacement of Existing Structural Stabilization, including a description of cost, mitigation cost, maintenance needs and success in protecting the primary structure; and

h. Existing shoreline stabilization within the reach of the proposed project; and

i. Any outreach efforts to coordinate with property owners within the shoreline reach to address an ecosystem-wide restoration plan; and

j. A description of any waste and debris disposal sites for materials generated during construction; and

k. A discussion of the cause of shoreline erosion including assessment of ecosystem-wide processes occurring both waterward and landward of the OHWM and an analysis of on-site and/or adjacent upland drainage.

l. Impact analysis and mitigation report as specified by Section 4.1.2, Environmental Impacts; and

m. Geotechnical report including the estimated rate of erosion and eminent danger within the time threshold as provided in Section 6.2 and the following:

    i. Proof of a geotechnical design of the structural stabilization; and

    ii. Washington State licensed civil engineer with a specialty in coastal engineering or a qualified Washington State licensed geologist with a specialty in coastal geology and a qualified marine habitat biologist shall evaluate the cumulative effects of stabilization methods within a drift cell; and

iii. Maintenance, Monitoring and Planting Plan as required by Section 4.1.2, Environmental Impacts.

6.3 Overwater Structures

6.3.1 Applicability

Uses which may employ a pier or dock are subject to the provisions herein as well as to the provisions contained in Section 5.0, Specific Shoreline Use and Development Policies and Regulations. Single use, community, or joint-use docks which provide moorage for six (6) or more vessels also must comply with the provisions of Section 5.3, Boating Facilities.

Pursuant to RCW 90.58.030(3)(e)(vii), or its successor, and WAC 173-27-040(2)(h), or its successor, certain activities are exempt from obtaining a Shoreline Substantial Development Permit (SSDP). For the benefit of the lot owner, surrounding properties, and water body users, the City will review all proposals for piers and docks to determine whether:

1. The proposal is or is not exempt from the requirements for a shoreline permit;
2. The proposal is suitably located and designed and that all potential impacts have been recognized and mitigated; and
3. The proposal is consistent with the intent, policies, and regulations of the Act (RCW 90.58.140(1) or its successor) and this Program.

Activities that are exempt from a shoreline substantial development permit must still meet the provisions of the Master Program. A pier, dock or float associated with a single-family residence is considered a water-dependent use provided that it is designed and intended as a facility for to tie up watercraft. Overwater structure activities will be reviewed under the "no net loss" provisions of Section 4.1.2, Environmental Impacts and Section 4.0, General (Island-wide) Policies and Regulations; Section 4.4.1 Shorelines of Statewide Significance, and may also be reviewed under Section 4.1.5, Critical Areas; and Section 4.1.6, Water Quality and Stormwater Management~~, and Appendix B, when applicable~~. Other portions of this Program may also apply.

6.3.2 Goal

Limit the number and size of piers, docks, and floats to the extent necessary to accommodate the proposed use and avoid adverse impacts to shoreline ecological functions and ecosystem-wide processes. Allow overwater structures only when part of a permitted water-dependent use or for public access. Ensure consistency with federal and state regulations.

6.3.3 Policies

1. Encourage multiple-use and expansion of existing conforming piers, docks, and floats over the addition of new facilities. Joint-use facilities are preferred over new, single-use piers, docks and floats.
2. Mooring buoys are preferred to either piers or docks. Locate and design buoy installation to avoid or minimize adverse impacts on ecological functions and ecosystem-wide processes.
3. Locate and design piers, floats, and docks to avoid and minimize possible adverse impacts on ecological functions and ecosystem-wide processes, including fish and

wildlife habitat, and impacts to ecosystem-wide shoreline processes such as littoral drift and sand movement. Ensure that piers, floats and docks are:

a. Designed in consideration of the proposed intensity of use, the shoreline characteristics, tidal action, aesthetics and minimization of impacts to adjacent land and public use of the waters of the state.

b. Prohibited at locations where physical limitations exist, such as shallow, sloping tidelands bottoms; high littoral drift areas; landslide-prone areas and/or feeder bluffs.

c. Designed and maintained to mitigate adverse impacts to the environment such as eelgrass beds and fish habitats, shoreline aesthetics, and water quality, and to minimize interference with navigable waters and the public's use of the water and shoreline. Design considerations should:

   i. Limit pier and float length & width to extent necessary for the intended use;

   ii. Provide functional grating for light penetration;

   iii. Configure pier and float orientation to minimize shading;

   iv. Prohibit auxiliary structures on piers and floats;

   v. Provide a mechanism to prevent floats from resting on tidelands;

   vi. Encapsulate floatation to prevent to breakup and loss of material; and

   vii. Use a site-specific distance between piles to avoid adverse impacts to salt water critical habitat.

d. Designed, constructed, and maintained to provide a reasonable level of safety to users.

4. Encourage proponents of commercial pier, float, and dock projects to provide for public docking, launching, or recreational access.

5. Encourage the development of public docks with floats at appropriate road-end locations. Local programs and coordinated efforts among private and/or public agencies should be initiated to develop new public access docks, and to remove or repair failing, hazardous, or nonfunctioning piers and docks and restore such facilities and/or shore resources to a natural and/or safe condition.

6. Encourage the use of natural materials in pier and dock construction. Chemical wood treatments, such as creosote or pentachlorophenol are prohibited on all new structures or repair projects. Plastics and other non-biodegradable materials may be used; however, precautions should be taken to ensure their containment as provided in Section 4.1.6, Water Quality and Stormwater Management.

7. Implement an education program for boat owners and operators on best management practices for use of boat and overwater structure maintenance products.

8. Limit the development of new docks and piers in harbors and encourage public docks and private community docks, except that in Blakely Harbor:

a. New docks shall be prohibited between Restoration Point and the most eastern point along the north shore of Blakely Harbor; except

i. Two community docks should be allowed, one along each the north and south shores, provided that all residents along each shore are provided a non-extinguishable option to access the community dock located along their respective shore; and

ii. One small public dock and/or pier for the mooring of dinghies and loading or unloading of vessels should be allowed for daytime use.

6.3.4 Regulations - Prohibited

1. Overwater structures in the Priority Aquatic designations and adjacent to the Natural designation except:

    a. New individual, community or joint-use residential docks or piers are permitted in the Priority Aquatic B designation, only in areas where salt marsh vegetation, such as pickleweed (Salicornia sp.), does not exist.

    b. Two mooring buoys per parcel are allowed for public access when upland property is owned by a public entity.

2. Overwater Structures at locations where critical physical limitations exist, such as shallow sloping tidelands with gradients of 3% or less; or areas mapped for high levels of accretion; or geological hazardous areas located outside of harbors and/or feeder bluffs, except when specifically allowed in Section 4.2.4, Public Access – Visual and Physical, or Section 5.3, Boating Facilities.
3. Development of new docks and piers within all shoreline designations within Blakely Harbor between Restoration Point and the most eastern point along the north shore of Blakely Harbor (sometimes referred to as “Pigott Point” or “Jasmine Point”), except as provided in this section.
4. New docks and piers within Murden Cove as shown on the Shoreline Designation Map.
5. New boat houses and/or new covered moorage on either existing or new piers or docks.
6. Hydraulic water jets cannot be used to remove piling.
7. Use of arsenate compounds or creosote-treated members.
8. Over-water field applications of paint, preservative treatment, or other chemical compounds, except in accordance with best management practices set forth in the Boating Facility section of the Master Program or when allowed by a current National Pollution Discharge Elimination System (NPDES) permit from the Department of Ecology.
9. Bulk storage for gasoline, oil and other petroleum products for any use or purpose on piers and docks. Bulk storage means non-portable storage in fixed tanks.

6.3.5 Regulations - General

1. Except for the provisions contained in this chapter, new piers and docks shall be a permitted use in the Urban, Shoreline Residential, and Aquatic designations, and shall be

a conditional use in the Shoreline Residential Conservancy and Island Conservancy designations.

2. Mooring buoys are a preferred use, over docks, where feasible.
3. Piers and docks shall be located and designed to minimize interference with the use of navigable waters and may be limited in length or prohibited, where necessary, to protect navigation, public use, or habitat values including critical saltwater habitat.
4. If a bulkhead-like base is proposed for a fixed pier or dock the base shall be built landward of the ordinary high water mark or protective berg and is considered shoreline stabilization and must meet provisions of Section 6.2 Shoreline Stabilization.
5. Structures on piers and docks shall be strictly limited in size to avoid impacting shoreline views.
6. Piers and docks shall require a building permit and shall meet standards set by the building official, except public ferry terminals as part of the state highway system.
7. Lighting shall:
    a. Satisfy the provisions of BIMC 18.15.040;
    b. Be the minimum necessary, or as required by the Coast Guard, to locate the dock at night; and
    c. Should minimize glare.
8. Mitigation requirements of Section 4.1.2, Environmental Impacts, may be met through mitigation standards for the United States Army Corps of Engineers (USACE) permit process.
9. New docks and piers shall be allowed only for water-dependent uses or public access. As used here, a dock associated with a single-family residence is a water-dependent use and may be permitted, provided that it is designed and intended as a facility for access to watercraft and otherwise complies with the provisions of the Act and this Program.
10. Piers and dock construction shall adhere to Fish Window provisions found in WAC 220-110 by the Washington Department of Fish and Wildlife

6.3.6 Regulations – Location, Design and Construction Standards – Pier, Dock, Float

1. A single use dock consists of pier, ramp, float, and one boat lift. An additional boat lift may be added per dwelling unit for joint-use docks.
2. When plastics or other non-biodegradable materials are used in float, pier, or dock construction, precautions shall be taken to ensure their containment.
3. Overhead wiring or plumbing is not permitted on overwater structures.

6.3.7 Regulations – Specific

6.3.7.1 Piling Regulations

1. Principle: Piles are physical barriers to fish migration and have the potential to leach contaminants into aquatic and nearshore environments. Piling installed close together can cause floating debris to accumulate, which can lead to increased shading and predator protection. The fewest number of pilings necessary should be installed and spacing between piling should be maximized. Projects must be designed to minimize abrasion between the pier, ramp and float caused by tidal fluctuations because this can result in the deposition of contaminants into the water and over time will cause a loss of structural integrity requiring additional maintenance by the applicant.

    a. Replacement or new piling shall be steel, concrete, plastic or untreated or approved treated wood, if approved by USACE. Any piling subject to abrasion (and subsequent deposition of material into the water) must incorporate design features to minimize contact between all of the different components of overwater structures during all tidal elevations.

    b. New piling associated with a new pier, except large water-dependent ferry terminals, must be spaced at least twenty feet (20') apart (lengthwise along the structure) unless the length of structure itself is less than twenty feet (20'). If the structure itself is less than twenty feet (20') in length, piling can only be placed at the ends of the structure. Piles in forage fish spawning areas need to be spaced at least forty feet (40') apart.

    c. If the project includes the replacement of existing piling, they should be either partially cut with a new piling secured directly on top, fully extracted, or cut 2-feet below the mudline. If treated piling are fully extracted or cut, the holes or piles must be capped with clean, appropriate material.

    d. A maximum of two moorage pilings may be installed to accommodate the moorage of boats exceeding the length of the floats.

    e. Piles, floats, or other components in direct contact with water shall not be treated or coated with biocides such as paint or pentachlorophenol. In saltwater areas characterized by shellfish populations or in shallow embayments with poor flushing characteristics, untreated wood, used pilings, precast concrete, or other nontoxic alternatives shall be used. In all cases where toxic-treated products are allowed, products, methods of treatment, and installations shall be limited to those that are demonstrated as likely to result in the least possible damage to the environment based on current information.

    f. Piling employed in piers or any other structure shall have a minimum vertical clearance of 18 inches above extreme high water.

6.3.7.2 Pier Regulations

1. Principle: In the Puget Sound, the intertidal and sub-tidal substrate supports a complex web of plant and animal species. Juvenile salmon, called "salmonids," young and adult bull trout, and juvenile rockfish use nearshore marine areas for feeding, rearing, and as

migratory corridors. Their predators are generally located in deeper waters that young fish tend to avoid. As they mature they become less dependent on shallow areas and begin preying on forage fish, many of which spawn on the intertidal substrate around eelgrass, kelp beds and macroalgae. Piers create shadows that can impact the viability of marine vegetation that require sunlight to grow. This subsequently adversely impacts the habitat of fish that so many other species (including human beings) rely upon. In addition, large shaded areas provide cover for predators so for these reason the amount of shade created by piers must be minimized.

a. The width of the modified portion of a pier or proposed new pier must not exceed four (4) feet for single use or six (6) feet for joint use. Pier width for marinas or public use docks may exceed these restrictions if they provide mitigation, which may include artificial lighting under the pier during daytime hours.

b. Functional grating resulting in a total open area of a minimum of thirty percent (30%) must be installed on all new or replacement piers that are four to six feet (4-6') wide. For example, this can be achieved by installing grating with sixty percent (60%) open area on at least fifty percent (50%) of the pier or by grating a larger percentage of the pier with grating with openings of less than sixty percent (60%). Site conditions may require pier to be one hundred (100%) or fully grated.

c. For all sections of the pier that span upper intertidal areas with obligate vegetation, that pier section shall be fully grated with grating having sixty percent (60%) open area.

6.3.7.3 Float Regulations

1. Principle: Sharp shadows cast by floats and float tubs have been shown to discourage salmonids and other young fish from passing underneath, forcing them into deeper water where their chance of being preyed upon is increased and water temperature and conditions are different. In the case of rockfish, they give birth to live larval young that spend several months being passively dispersed by tidal fluctuations, as they mature they move out to deeper water but initially are at a high risk of predation. Manmade shade creates artificial pockets of opportunity for the predators of young fish and unlike the shade from overhanging vegetation the negative impacts outweigh the benefits. Finally, to prevent damage to the substrate, benthic invertebrate communities and vegetation, floats should not rest on substrate low tide and should be fully encased to prevent the deterioration and dispersion of floatation materials.

    a. For a single-use structure, the float width must not exceed eight (8) feet and the float length must not exceed thirty feet (30'). Functional grating must be installed on at least fifty percent (50%) of the surface area of the float.

    b. For a joint-use structure, the float width must not exceed eight (8) feet and the float length must not exceed sixty feet (60'). Functional grating must be installed on at least fifty percent (50%) of the surface area of the float.

    c. To the maximum extent practicable, floats must be installed with the length in the north-south direction.

d. If the float is removed seasonally, the applicant needs to indicate this in their application along with the proposed storage location. Floats should be stored above mean high/high water/ordinary high water line at a City approved location. City authorization may be required if the float will be stored within City jurisdiction (even within a marina).

e. Flotation for the float shall be fully enclosed and contained in a shell (e.g., polystyrene tubs not shrink wrapped or sprayed coatings) that prevents breakup or loss of the flotation material into the water and is not readily subject to damage by ultraviolet radiation and/or abrasion caused by rubbing against piling and/or waterborne debris.

f. Flotation components shall be installed under the solid portions of the float, not under the grating.

g. If the float is positioned perpendicular to the ramp, a small float may be installed to accommodate the movement of the ramp due to tidal fluctuations. The dimensions of the small float cannot exceed six (6) feet in width and ten (10) feet in length.

6.3.7.3.1 Float Stop Regulations

1. Principle: Floats need to be above the substrate, the preferred and least impacting option is to suspend the float above the substrate by installing float stops on pilings designed to anchor floats, installing a few stub pilings, or in certain situations it could be appropriate to install float feet. In all cases, the stops must be able to fully support the entire float during all tidal elevations.

    a. Floats need to be suspended a minimum of one foot (1') above the tidal substrate at all tide levels.

    b. To suspend the float above the substrate, the preferred and least impacting option is to suspend the float above the substrate by installing float stops (stoppers) on piling anchoring new floats. The stops must be able to fully support the entire float during all tidal elevations.

    c. If float stops attached to pilings are not feasible, then up to four 10 inch diameter stub pilings can be installed instead, except an additional two may be installed for joint-use floats.

    d. Float feet attached to the float may be considered an option only under these circumstances:

        i. In coarse substrate, D252 of 25mm or larger for a grain size sample taken from the upper one foot of substrate;

        ii. For elevations of minus 3 MHHW and lower at D25 of 4mm or larger for a grain size sample taken from the upper one foot of the substrate (intent is to exclude muck);

        iii. For repair or replacement of existing float feet if the following two conditions are met: (1) substrate looks like it contains mostly gravel (no analysis needed, picture sufficient), and if (2) proposed replacement or

repair includes other improvements of the environmental baseline like the removal of creosote-treated piling and increased amounts of grating.

e. Floats can be held in place with lines anchored with a helical screw or "duckbill" anchor, piling with stoppers and/or float support/stub pilings.

   i. For a single-use float, a maximum of four (4) pilings (not including stub piling), helical screws, or "duckbill" anchors can be installed to hold the float in place.

   ii. For a joint-use float, a maximum of eight (8) piling or helical screw or "duckbill" anchors can be installed to hold the float in place.

   iii. If anchors and anchor lines need to be utilized, the anchor lines shall not rest on the substrate at any time.

   iv. In rocky substrates where a helical screw or "duckbill" anchor cannot be used, if the applicant submits a rationale why these types of anchors cannot be used and the Administrator concurs with this rationale, an approved anchor of another type (i.e., concrete block) may be permitted.

6.3.7.4 Regulations – Residential Community and Joint-use Piers and Docks

1. Any hotel, motel, and/or multifamily residential development proposing to provide moorage facilities shall be required to construct a single, joint-use moorage facility. The Administrator may authorize more than one joint-use moorage facility if a single facility would be inappropriate or undesirable, given the specific conditions of the site. Facilities for moorage of six (6) or more vessels are considered a marina and must meet regulations in Section 5.3, Boating Facilities.

2. Proposals for community or joint-use piers and docks shall demonstrate, by proof of recording of a covenant binding current and future parties, that adequate maintenance of the structure and the associated upland area will be provided by identified responsible parties. The proposed covenant shall be filed as part of the permit application and recorded after final approval. An access easement to joint use dock shall be granted for all lots or dwelling units.

3. In Blakely Harbor:

   a. A total of two (2) community docks shall be a conditional use within the upland, and aquatic designations with no more than one along each the north and south shores, respectively, provided that all residents along each shore shall have a non-extinguishable option to access the community dock located along their respective shore;

   b. One day time use public dock and/or pier for the mooring of dinghies and loading or unloading of vessels shall be a conditional use within the upland and aquatic designations; and

   c. Such community and public docks shall comply with this master program and other applicable laws; shall be the minimum size necessary; and shall be sited and designed to mitigate adverse impacts to navigation, views, scenic character, and natural resources as much as possible. Such community and public docks shall

also be reasonably passable to swimmers, beach walkers, and human-powered water craft.

6.3.7.5 Regulations – Commercial/Industrial Facilities Piers and Docks

These standards apply to piers and docks intended for any commercial or industrial use other than commercial moorage of boats in marinas. (See also Section 5.3, Boating Facilities, Section 5.4, Commercial Development, and Section 5.6 Industrial Development.)

1. Substantial development permits for docks or piers serving single commercial or industrial enterprises shall not be granted until the access needs of adjacent commercial and/or industrial enterprises have been determined.
2. Commercial or industrial piers or docks shall not extend offshore farther than the most shoreward of the following:
    a. The average length of the piers on the two adjoining properties;
    b. In Eagle Harbor, the Constriction Limit Line;
    c. Elsewhere, the distance necessary to obtain a depth of four feet (4.0') of water as measured at extreme low tide at the landward limit of the moorage slip; or
    d. The line of navigation; and
    e. In no case shall piers and their associated ramps and floats extend greater than 15% of the perpendicular shore-to-shore distance across a water body, except where a navigational study has been submitted for City review and approval.
3. Facilities and procedures for receiving, storing, dispensing, and disposing of oil and other toxic products shall be designed to ensure that such oil and other toxic products are not introduced into the water body.
4. Spill clean-up facilities shall be available for prompt response and application at all piers and docks involved in oil and hazardous products transfer.

6.3.7.6 Regulations – Residential (Joint, Community and Individual) Piers and Docks

1. New subdivisions and short subdivisions with shoreline frontage shall be required to provide community docks rather than individual, private docks.
2. Size.
    a. Maximum width of a pier or dock shall be the minimum necessary to accomplish moorage for the intended boating use. (See 6.3.7.1 Regulations – Specific, above, for additional restrictions.); and
    b. The length shall not extend beyond the average length of adjacent docks, within five hundred feet (500') of the proposed location or the distance necessary to obtain a depth of nine feet (9') of water as measured at mean lower-low water (MLLW) at the landward limit of the moorage slip, whichever is closer to shore. A dock shall not extend beyond the adjoining property dock or the line of navigation and in no case shall piers and their associated ramps and floats extend

greater than 15% of the perpendicular shore-to-shore distance across a water body, except where a navigational study has been submitted for City review and approval; and

c. In Eagle Harbor, a pier or dock shall not extend beyond the Construction Limit Line; and

d. A pier or dock shall not extend beyond the Harbor Structure Limit line shown in Appendix E.

3. Side-yard Setbacks.

   a. Docks, piers and floats shall be set back a minimum of ten feet (10') from side property lines, except that community piers, docks, and floats may be located adjacent to or upon a side property line when mutually agreed to by covenant with the owners of the adjacent property. A copy of the covenant must be recorded with the County Auditor and filed with the application of the permit.

4. Community docks and piers shall include no more than one (1) moorage space per dwelling unit or lot.

6.3.7.7 Regulations – General Mooring Buoys and Recreational Floats

1. Mooring buoys and recreational swim floats use shall be permitted in the Aquatic environment offshore from Island Conservancy, Shoreline Residential, Shoreline Residential Conservancy, and Urban designations.
2. Mooring buoys for commercial use shall be permitted only as conditional uses offshore from the Urban designation. Mooring buoys for public open water moorage and anchorage areas shall be permitted in the Aquatic designation offshore of all upland designations.
3. No more than one structure may be installed for each ownership. However, properties that contain at least two hundred (200) linear feet as measured along the shoreline may be permitted more installations on a case by case basis as determined by the City and the State Department of Natural Resources [WAC 332-30-148(3) or its successor], Properties where the waterfront lot is owned in community, may be permitted, additional mooring buoys with the total not more than one (1) per one hundred (100) linear feet of shoreline ownership.
4. Mooring buoys for commercial vessels adjacent to commercial or industrial zones are a Shoreline conditional use. One buoy is allowed per ownership.
5. A contractor doing waterfront work involving floating equipment may have one (1) temporary mooring buoy provided it is the responsibility of the contractor to ensure that all necessary permits are obtained from all agencies with jurisdiction.

6.3.7.8 Regulations – Location, Design and Construction Standards Mooring Buoys and Recreational Floats

1. In order to protect shellfish beds, new moorings buoys shall not be permitted where density will exceed one buoy per one hundred (100) linear feet.

2. Buoys shall not interfere with navigation, shall be visible in daylight one hundred (100) yards away, and shall have reflectors for night visibility.
3. If a buoy is located offshore of the extreme low tide line, the owner shall obtain a lease for the bed of navigable waters from the Department of Natural Resources. [RCW 79.105.430 or its successor].
4. Buoys shall lie between the waterfront property side lot lines extended beyond the shoreline, except those on state waters. Buoys shall not swing across the extended side lot lines. Where the configuration of the waterfront lot precludes these requirements, authorization from the affected adjacent waterfront property owners must be obtained. This provision shall not apply to buoys for public open water moorage and anchorage areas.
5. Mooring buoys shall be installed at least sixty (60) feet from other permitted piers, docks, or floats.
6. Buoys shall be located:
    a. At a minimum depth of nine feet (9') MLLW with a standard single mid line float; the minimum depth may be reduced with an alternate system approved by the Administrator; and
    b. Landward of the Construction Limit Line in Eagle Harbor;
    c. Landward of the Harbor Structure Limit Line shown in Appendix E;
    d. Elsewhere not more than two hundred feet (200') beyond extreme low tide, the -18 feet MLLW depth contour, or the line of navigation, whichever is appropriate. The placement of rafts and buoys beyond the -18 feet MLLW contour or 200 feet will be evaluated on a case by case basis. [WAC 332-30-148(2) or its successor]; and
    e. Buoys for public open water moorage and anchorage areas shall be allowed waterward of the Construction Limit Line in Eagle Harbor.
7. Recreational floats shall be located as close to shore as possible. and no farther waterward than the following limits:
    a. In Eagle Harbor, the Construction Limit Line; or
    b. Elsewhere, the distance necessary to obtain a depth of four feet (4') of water as measured at extreme low tide at the landward end of the float, or the line of navigation, whichever is closer to shore.
8. Recreational floats must be built so that the deck surface is one foot (1') above the water's surface and shall have reflectors for night visibility.
9. Recreational floats shall not exceed eight feet (8') by feet (8').
10. All recreational floats shall include stops, or device or system approved by the Administrator, which serve to keep the floats off the bottom of tidelands at low tide, see Section 6.3.7.3.1, Float Stop Regulations.

5. Survey of littoral boundary lines;

6. Location, width, height, and length of piers or docks on adjacent properties within five hundred feet (500') of proposed structure;
7. Agreements, if any, for cooperative use; and
8. Method of removing piling, if applicable.

6.4 Dredging and Dredge Material Disposal

6.4.1 Applicability

Dredging is the removal of material from the bottom of a water body. The purposes of dredging might include: deepening a navigational channel, berth, or basin; streambed maintenance; use of dredged material for fill or habitat enhancement (effective reuse); and removal of contaminated sediments. Dredged material disposal on land is also subject to the fill policies and regulations of this program. Pursuant to WAC 173-27-040 or its successor, certain activities, such as those associated with normal maintenance and repair, are exempt from the requirements for a SSDP, but may still require a letter of exemption, shoreline conditional use permit or variance.

All actions are required to comply with the Shoreline Management Act and all provisions of the Master Program. Department of Ecology and US Army Corps of Engineers notifications of dredging proposals will be reviewed by the City to determine whether the activity is exempt from the requirements for a substantial development permit and to ensure compliance with regulations of the Act and the Master Program.

Dredging activities will be reviewed under the "no net loss" provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.0, General (Island-wide) Policies and Regulations; Section 4.1.3, Vegetation Management; Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; and Section 4.1.6, Water Quality and Stormwater Management; Section 6.5 Fill~~; and Appendix B, when applicable~~. Other portions of this Program may also apply.

6.4.2 Goal

Minimize dredging and dredge material disposal within the shoreline jurisdiction.

6.4.3 Policies

1. Design and locate new development to avoid dredging and discourage operations, including disposal of dredge materials. When dredging cannot be avoided, the operations and dredged material disposal shall be located and conducted in a manner which minimizes damage to the ecology and natural resources of both the area to be dredged and the disposal site.
2. Prohibit dredging for the primary purpose of obtaining fill material except for projects associated with state or federal environmental remediation operations or authorized habitat restoration.
3. Plan and conduct dredging operations to minimize interference with navigation and adverse impacts to other shoreline uses, properties, and values.
    a. Dredging for the purpose of establishing, expanding, relocating or reconfiguring a navigation channel should be allowed where necessary to assure safe and efficient

accommodation of existing or proposed navigational uses and then only when ecological impacts are minimized and mitigation is provided to offset adverse impacts.

b. Maintenance dredging of established navigation channels should be restricted to maintaining previously dredged and/or existing authorized location, depth, and width.

6.4.4 Regulations – Prohibited

1. New dredging activity is prohibited in the following:
    a. In environmentally sensitive habitats (e.g., stream mouth estuaries, wetlands) except by shoreline conditional use permit.
    b. Along net-positive drift cells and/or where geo-hydraulic processes are active and accretion shoreforms would be damaged, altered, or irretrievably lost.
    c. In shoreline areas with bottom materials that are prone to significant sloughing and refilling due to currents or tidal activity, thus resulting in the need for continual maintenance dredging.
    d. In habitats identified as critical to the life cycle of officially designated or protected fish, shellfish, or wildlife.
    e. In areas where concentrations of environmental pollutants or toxic chemicals are present in the bottom of sediments and would be released in dredging operations, except as part of a permitted environmental enhancement or remediation program.
    f. For the primary purpose of obtaining material for landfill, upland construction, or beach nourishment is prohibited.
    g. On or in archaeological sites
2. Dredging shall be prohibited in the Priority Aquatic Category A designation.

6.4.5 Regulations - General

1. Dredging is a conditional use in the Aquatic designation if permitted in the upland designation and shall be for the restoration, enhancement, or maintenance of natural resources and navigational channels or for publically-owned ferry terminals. Dredging shall be permitted as a conditional use in the Priority Aquatic Category B designation as part of an approved restoration proposal.
2. Proposals for dredging and dredge spoil disposal, when permitted, shall:
    a. Be kept to the minimum necessary to accommodate the proposed use;
    b. Comply with applicable federal, state, and other local regulations;
    c. Employ appropriate measures to protect public safety and prevent adverse impacts on other approved shoreline uses;
    d. Taken appropriate measures to ensure the activity will not interfere with fishing or shellfish harvesting;

e. Employ appropriate best management practices to protect marine, estuarine, freshwater and terrestrial species and critical saltwater habitats and to minimize adverse impacts such as turbidity, release of nutrients, heavy metals, sulfides, organic materials, or toxic substances, depletion of oxygen, disruption of food chains, loss of benthic productivity, and disturbance of fish runs and important localized biological communities;

f. Be scheduled so as to not materially interfere with the migratory movements of anadromous fish;

g. Not adversely alter natural drainage and circulation patterns, currents, and tidal flows, or significantly reduce flood water capacities.

h. Utilize techniques that cause minimum dispersal and broadcast of bottom material; hydraulic dredging shall be used wherever feasible in preference to agitation dredging;

i. Not interfere with geohydraulic processes;

j. Be found, through analysis by a qualified professional, to be minimally or nonpolluting; and

k. Revegetate land disposal sites with native vegetation species and other approved plants shall be required according to Section 4.1.2.5, Regulations – Revegetation Standards.

6.4.6 Regulations – Specific Dredging

1. Dredging, when allowed in Section 6.4.5, Regulations – General, shall support the following uses and developments:

    a. Approved harbors, marinas, ports, and water-dependent industries;

    b. Development or maintenance of essential public infrastructure and facilities;

    c. Environmental clean-up activities required by the Model Toxics Control Act (MTCA) or Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA);

    d. Underground utility installation requiring trenches when boring, directional drilling, and other installation methods are not feasible;

    e. Maintenance dredging for the purpose of restoring a lawfully established industrial or commercial water-dependent development;

    f. Maintaining, establishing, expanding, relocating or reconfiguring navigation channels and basins where necessary to assure the safety and efficiency of existing navigational uses;

    g. Ecological restoration and enhancement projects benefiting water quality and/or fish and wildlife habitat; or

    h. Public access and public water-oriented recreational developments/uses, including construction of public piers and docks.

2. New development shall be sited and designed to avoid or, if that is not possible, to minimize the need for new and maintenance dredging.
3. Maintenance dredge options shall occur in the same location, depth, and width as previously permitted.

6.4.7 Regulations – Dredge Material Disposal

1. All unconfined, open water dredge disposal activities shall comply with the Puget Sound Dredged Disposal Analysis (PSDDA) criteria and guidelines and other applicable local, state and federal regulations.
2. When consistent with this Program, disposal of dredged materials in water areas other than PSDDA sites may only be allowed for the following reasons:
    a. To restore or enhance habitat;
    b. To reestablish substrates for fish and shellfish resources;
    c. To nourish beaches that are starved for sediment; or
    d. To remediate contaminated sediments.

6.5 Fill

6.5.1 Applicability

Fill is the placement of soil, sand, rock, gravel, existing sediment, or other material (excluding solid waste) along the shoreline below the OHWM, or on wetland or upland of the OHWM Fill activities shall only be allowed as part of an approved shoreline use and/or development activity and shall be subject to the requirements of the principal use/development. Speculative fill activity is prohibited. Any fill activity conducted within shoreline jurisdiction must comply with the following policies and regulations. Beach nourishment as defined in the Shoreline Master Program shall not be considered fill. Excavation waterward of the ordinary high water mark is regulated under Section 6.4, Dredging and Dredge Material Disposal. Fill activities will be reviewed under the "no net loss" provisions of Section 4.1.2, Environmental Impacts, and may also be reviewed under Section 4.1.4, Land Modification; Section 4.1.5, Critical Areas; and Section 4.1.6, Water Quality and Stormwater Management~~; and Appendix B, when applicable~~. Other portions of this Program may also apply.

6.5.2 Policies

1. Allow fill waterward of the OHWM only when necessary to facilitate commercial or industrial water-dependent and/or public access uses, and/or cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan, and is a conditional use.
2. Permit landfill landward of OHWM when necessary to support permitted uses, and when significant impacts can be avoided or mitigated.
3. Limit fills to the minimum extent necessary to accommodate an approved shoreline use or development and ensure fills are designed and located so that there will be no significant damage to existing natural resources, including surface water drainage

systems, and with assurance of no net loss of shoreline ecological functions and ecosystem-wide processes.

4. Ensure the evaluation of fill projects addresses the following factors:
    a. Impacts to shoreline ecological functions and ecosystem-wide processes;
    b. Conflict with potential and current public use of the shoreline and water surface area as identified in adopted City plans, policies, and programs; and
    c. Navigation restriction.
5. Ensure fill projects are designed to avoid or eliminate erosion and sedimentation impacts, both during initial landfill activities and over time.

6.5.3 Prohibited

1. Speculative fill activity.
2. Fill that will result in significant adverse impacts that cannot be avoided or mitigated.
3. Fill in the Priority Aquatic designations.

6.5.4 Regulations - General

1. Fill is allowed as a conditional use as follows:
    a. In the Urban, Shoreline Residential, and Shoreline Residential Conservancy designations.
    b. In the Island Conservancy and Natural designations only for the restoration, enhancement, or maintenance of natural resources. See Section 4.1.8, Shoreline Restoration and Enhancement for additional requirements and permit requirements.
    c. In the Aquatic designation, for commercial or industrial water-dependent or essential public facilities, or as part of a permitted environmental enhancement or remediation project.
2. When allowed in (1) above, fill waterward of the OHWM shall be necessary for:
    a. Approved marinas, ports, and other water-dependent industries where upland alternatives or structural solutions including pile or pier supports are infeasible.
    b. Development or maintenance of essential public infrastructure and facilities.
    c. Environmental clean-up activities required by MTCA and CERCLA.
    d. Maintenance of a lawfully established use or development.
    e. Ecological restoration and enhancement projects benefiting water quality and/or fish and wildlife habitat.
    f. Public access and public water-oriented recreation projects benefiting substantial numbers of people.

3. Pile or pier supports shall be utilized whenever feasible in preference to fills. Fills for approved road development in floodways or wetlands shall be permitted only if the pile or pier supports are demonstrated to be infeasible.

6.5.5 Regulations – Location, Design and Construction

1. When allowed in 6.5.4, above, filling and/or excavation shall be located, designed, and carried out in a manner that;
    a. Minimizes adverse impacts on the shoreline environment including significant damage to water quality, critical saltwater habitat;
    b. Blends in physically and visually with natural topography, so as not to interfere with appropriate use, impede public access, or degrade the aesthetic qualities of the shoreline;
    c. Does not require shoreline stabilization to protect materials placed unless it is part of an approved shoreline restoration project and shoreline stabilization measures are needed to keep the material in place; and
    d. Does not adversely alter natural drainage and circulation patterns, currents, river and tidal flows, or significantly reduce flood water capacities.
2. Where fills are permitted, the fill shall be the minimum necessary to accommodate the proposed use. Fills shall be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes.
3. Where fills reduce public access, compensatory public access shall be provided as part of the development project.
4. Fill proposals shall be designed, constructed, and maintained to prevent, minimize, and control all material movement, erosion, and sedimentation from the affected area. Perimeters of permitted fill projects shall be designed and constructed with silt curtains, vegetation, retaining walls, or other mechanisms, and appropriately sloped to prevent erosion and sedimentation both during initial landfill activities and afterwards. Such containment practices shall occur during the first growing season following completion of the landfill.
5. Fill materials shall be sand, gravel, soil, rock, or similar material. Use of contaminated dredge material is prohibited. (See Section 5.6, Industry and Section 6.4 Dredging and Dredge Disposal)
6. The timing of any fill construction shall be regulated to minimize damage to water quality and aquatic life within the time restraints recommended by the Washington State Department of Fish and Wildlife.

7.0 VIOLATIONS, ENFORCEMENT, AND PENALTIES

7.1 General

The Administrator and the Department of Ecology are authorized to adopt such rules as are necessary and appropriate to carry out the provisions of the Shoreline Management Act (RCW 90.58.200) and Chapter 173-27, Part II, WAC. The act calls for a cooperative program between local government and the state. It provides for a variety of means of enforcement, including civil and criminal penalties, orders to cease and desist, orders to take corrective action, and permit rescission. The following should be used in addition to other mechanisms available to the City in accordance with WAC 173-27-240 through WAC 173-27-300, or its successor. The City and/or the Department of Ecology shall have the authority to serve upon a person a cease and desist order if an activity being undertaken on shorelines of the state is in violation of chapter 90.58 RCW or the this Master Program, in accordance with WAC 173-27-270, or its successor.

When joint-enforcement actions between the state and the city are undertaken, the provisions in RCW 90.58.210-230 and WAC 173-27-240-300 shall apply.

7.2 Regulations

7.2.1 Site Investigations

The Administrator is authorized to make site inspections and take such actions as are necessary to enforce this Master Program in accordance with BIMC Chapters 1.16, Right of Entry for Inspection, and 1.26, Code Enforcement.

7.2.2 Violations -- General

It is unlawful for any person to initiate or maintain, or cause to be initiated or maintained, the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city contrary to the provisions of this Master Program.

7.2.3 Violations -- Specific

It is unlawful for any person to:

1. Initiate or maintain, or cause to be initiated or maintained, the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city without first obtaining permits or authorizations required by this Master Program, or in a manner that violates the terms or conditions of such permits or authorizations.
2. Misrepresent any material fact in any application, plans or other information submitted to obtain permits or authorizations under this Master Program.
3. Remove or deface any sign, notice, complaint, or order required by or posted in accordance with this Master Program.

7.2.4 Stop Work Order

The city shall have the authority to issue a stop work order to cease all development work, and order restoration, rehabilitation, or replacement measures, including applicable sureties, at the

owner's or other responsible party's expense to compensate for the use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property within the city contrary to the provisions of this Master Program.

7.2.5 After the Fact Permit Fee

After the fact application fees shall be triple the amount established by City Council resolution.

7.2.6 Violation Mitigation/Restoration Plan

Any Mitigation/Restoration Plan (Plan) required for a disturbance not authorized by this shoreline management program or approved by the City shall meet the provisions in Sections 4.1.2, Environmental Impact; 4.1.5 Critical Areas ~~including Appendix B;~~ and 6.0, Shoreline Modification Policies and Regulations, and provide an analysis of lost functions over the period of violation.

All development work shall remain stopped until a Plan is approved by the Administrator. The Plan must be prepared at the expense of the violator, and submitted by the owner or other responsible party for approval by the Administrator. Such a Plan shall be prepared by a qualified professional using the best available science. The Administrator may, at the violator's expense, seek expert advice, including an independent third party review, in determining the adequacy of the Plan. Inadequate plans shall be returned to the applicant or violator for revision and re-submittal.

Any person, party, firm, corporation, or other legal entity that willfully refuses to complete a required restoration plan pursuant to this section, shall be guilty of a misdemeanor and provide shoreline restoration, in accordance with provision of this program, at a rate of 200% (ratio of 2 to 1) the impacted area.

7.2.7 Civil Infraction

Except as provided in subsection 7.2.8, Misdemeanor, conduct made unlawful by the city under this Master Program shall constitute a civil infraction and is subject to enforcement and fines as provided in BIMC 1.26.035. A civil infraction under this section shall be processed in the manner set forth in BIMC Chapter 1.26, Code Enforcement and in compliance with WAC 173-27-280.

7.2.8 Misdemeanor

Any person who again violates this Master Program within 12 months after having been found by the Bainbridge Island Municipal Court to be in violation of this Program, commits a misdemeanor and any person who is convicted of that violation shall be punished as provided in BIMC 1.24.010.A.

7.2.9 Civil Penalty

In addition to any civil infraction fine, criminal penalty, and/ or other available sanction or remedial procedure, any person who shall fail to conform to the terms of a permit or exemption issued under this shoreline master program or who shall undertake development on the shorelines of the state without first obtaining any permit or exemption required under this shoreline master program shall also be subject to a civil penalty in the amount not to exceed

$1,000 per day for each violation, each permit violation or each day of continued development without a required permit shall constitute a separate violation [RCW 90.58.210 or successor]; from the date set for compliance until the date of compliance. Any such civil penalty shall be collected in accordance with BIMC 1.26.090

7.2.10 General Penalties

In addition to incurring civil liability under section 7.2.9 Civil Penalty, any person, party, firm, corporation, or other legal entity found to have willfully engaged in activities on the shorelines of the state in violation of the provisions of this shoreline master program's rules, or regulations as adopted shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than twenty-five nor more than one thousand dollars or by imprisonment in the county jail for not more than ninety days, or by both such fine and imprisonment: PROVIDED, That the fine for the third and all subsequent violations in any five-year period shall be not less than five hundred nor more than ten thousand dollars [RCW 90.58.220, or successor].

7.2.11 Additional Remedies

In addition to any other remedy provided by this chapter or under the Bainbridge Island Municipal Code, the City may initiate injunction or abatement proceedings or any other appropriate action in courts against any person who violates or fails to comply with any provision of this Master Program to prevent, enjoin, abate, and/or terminate violations of this Master Program and/or to restore a condition that existed prior to the violation. In any such proceeding, the person violating and/or failing to comply with any provisions of this Master Program shall be liable for the costs and reasonable attorneys' fees incurred by the city in bringing, maintaining and/or prosecuting such action.

7.2.12 Conflicts

In the event and to the extent the language of this section conflicts with language of the codes and/or appendices adopted by reference in this Master Program, the language of this section shall prevail over the language it conflicts with in any said code and/or appendix.

7.2.13 Financial Surety Procedure

After reviewing any application or exemption for a shoreline development, the Administrator may require the posting of a financial surety to ensure continued compliance with any conditions imposed, including the construction of improvements, the adherence to city standards, and/or maintenance, repair or replacement of such improvements in accordance with Section 4.1.2.7, Bonding. The financial surety shall be in a form acceptable to the city attorney. In the event a condition occurs warranting the use of financial surety, the Administrator may act under such financial surety or may perform the work required at city expense, which expense shall be a lien against the property, enforceable as would be a judgment thereon.

8.0 DEFINITIONS

A

Abutting –Bordering or touching, such as by sharing a common lot line. Lots that are separated by a street or right-of-way are not abutting.

Accessory Structure or Building – A subordinate building or structure that is incidental to the primary or principal building or structure on the same lot, or an abutting lot that meets the requirements in BIMC Section 18.09.030(I)(14)(c). Accessory structures include, but are not limited to, solar panels, small wind devices, barns and sheds. Accessory dwelling units are not considered accessory buildings or structures.

Accessory Dwelling Unit – Accessory dwelling unit means separate living quarters containing kitchen facilities, where the living quarters are contained within or detached from a single-family dwelling on a single lot.

Accessory Development – Any development incidental to and subordinate to a principal use of a shoreline site and located on adjacent thereto.

Accessory Use – A use that is customarily incidental and related to the principal use on the same lot. Accessory dwelling units are not considered accessory uses.

Accretion – The growth, expansion, build up, or deposit of material associated with a natural fluid flow process.

Accretion Beach – A place where sediment, usually sand, falls out or accumulates, causing the beach to widen. These sinks are usually, but not always, at the terminal end of littoral drift cell.

Accretion Shoreform – The growth of a beach by the addition of material transported by wind and/or water. A shoreline with a relatively stable berg and backshore that has been built up by long term deposition of sand and gravel transported by wind and/or water from a feeder bluff or other material source. Examples of accretion shoreforms includes shoreline features such as barrier beaches, accretion beaches, points, sand spits, hooks, and tombolos.

Act – The Shoreline Management Act of 1971, Chapter 90.58 RCW, or its successor [WAC 173-26-020(1), or its successor].

Activity – Human activity associated with the use of land or resources regulated by this Program.

Adjacent –That which is near or close; for example, a property located across the road or highway shall be considered ~~as~~ adjacent.

Adjacent Lands – Lands adjacent to the shorelines of the state (outside of shoreline jurisdiction).

Adjoining – Immediately abutting or separated only by a street right-of-way.

Administrator – Director of the Department of Planning and Community Development, or designee, charged with responsibility for administering the Shoreline Master Program.

Anthropogenic – Landscape alteration relating to, or from human development, use, action or activity.

Adverse Impact – An impact that can be measured or is tangible and has a reasonable likelihood of causing moderate or greater harm to ecological functions or processes or other elements of the shoreline environment.

Agricultural Land – Land primarily devoted to agricultural operations.

Agriculture Operations – Any facility or activity for the production for production for commercial or family use purposes of dairy, apiary, livestock, camelids, ratites, vegetable or animal products, and crop products including, but not limited to, ornamental crops. Incidental vegetable gardening, landscaping and keeping common pets are not defined as agriculture. Agriculture operations include upland fish farms which are self-contained, meaning they do not connect with waters of the state such as: natural or channelized stream, tributary, wetland, or marine water body.

Agricultural Activities – Agricultural uses and practices including, but not limited to: Producing, breeding, or increasing agricultural products; rotating and changing agricultural crops; allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded; allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions; allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement; conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment; maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is no closer to the shoreline than the original facility; and maintaining agricultural lands under production or cultivation.

Alteration – Any human induced change in an existing condition of a shoreline, critical area and/or its buffer. Alterations include, but are not limited to grading, filling, channelizing, dredging, clearing (vegetation), draining, construction, compaction, excavation, or any other activity that changes the character of the area.

Alteration, Structure – A change, modification, expansion, or adjustment.

Anadromous Fish – Species such as salmon, which are born in freshwater, spend most of their life cycle in saltwater, and return to freshwater to reproduce.

Applicant – An individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency, or the state or local governmental unit, however designated [RCW 90.58.030(1)(d) or its successor].

Appurtenance – A structure or development which is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the OHWM and/or the perimeter of a wetland. An appurtenance can include a garage, boat house, deck, driveway, utilities, fences, and grading which does not exceed two hundred fifty (250) cubic yards (except to construct a conventional drainfield) [WAC 173-27-040(2)(g), or its successor].

Appurtenance, Primary – A structure or development connected to a single-family residence and considered essential to the principal residential use when protecting the appurtenant structure from danger from active shoreline erosion. An attached garage or one detached garage and a septic drainfield are primary residential appurtenances. [WAC 173-26-231(3)(a)(ii), or its successor].

Aquaculture – The culture or farming of fish, shellfish, or other aquatic plants and animals. Aquaculture does not include the harvest of wild geoduck associated with the state-managed wildstock geoduck fishery. Upland finfish rearing facilities are included in the definition of agriculture and are not considered aquaculture for the purpose of this SMP. Aquaculture activities include, but are not limited to, the hatching, cultivating, planting, feeding, raising, and harvesting of aquatic plants and animals, and the maintenance and construction of necessary equipment and buildings. Cultivation methods include, but are not limited to, fish pens, shellfish rafts, racks and long lines, seaweed floats and nets, and the planting and harvesting of clams and oysters.

Aquaculture, Shellfish Garden – The cultivation, harvesting, and incidental preparation of shellfish for personal human use and consumption on public and private tidelands

Aquaculture Practices – Any activity directly pertaining to growing, handling, or harvesting of aquaculture produce including, but not limited to, propagation, stocking, feeding, disease treatment, waste disposal, water use, development of habitat and structures. Excluded from this definition are related commercial or industrial uses such as wholesale and retail sales, or final processing and freezing.

Aquaculture Processing – A commercial or industrial activity that involves preparing, fish or shellfish for human use or consumption by packaging, canning, freezing or other means of final wholesale or retail production.

Aquifer Recharge Protection Area – A portion of a development site comprised of native or equivalent vegetation in which existing vegetation, topography and supporting soils are free of development, uses or activities detrimental to the aquifer recharge of the total site area.

Arborist – An individual engaged in the profession of arboriculture who, through experience, education, and related training, possesses the competence to provide for or supervise the management of trees and other woody plants. Must be concurrently an International Society of Arboriculture (ISA) Certified Arborist to perform any role required of a Certified Arborist.

Arborist, ISA Certified – An arborist holding a current International Society of Arboriculture (ISA) Certified Arborist credential.

Arborist, Tree Risk Assessment Qualified (TRAQ) – An arborist who has successfully completed the International Society of Arboriculture (ISA) TRAQ training course and assessment and holds a valid ISA TRAQ credential.

Archaeological – Having to do with the scientific study of material remains of past human life and activities.

Archeological Resource – Any material remains of human life or activities which are at least fifty (50) years old and which have potential to provide new information in the fields of history and archaeology. This shall include all sites, objects, structures, artifacts, implements and locations of prehistoric or archeological interest. This shall include but not be limited to burial grounds, campsites, dwellings, and implements, such as projectile points, basketry, grinding stones or pestles, carvings and paintings. This shall include material remains of human life or activities from historic periods that are located at least partially below the ground surface necessitating the use of archeological methods for study or recovery. "Significant" is that quality in American history, architecture, archaeology, engineering, and culture that is present in

districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and;

1. That are associated with events that have made a significant contribution to the broad patterns of our history; or
2. That are associated with the lives of significant persons in our past; or
3. That embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. That have yielded or may be likely to yield, information in history or prehistory.

Archaeologist, Professional – A person who meets the minimum qualifications of the secretary of the interior's standards for a professional archaeologist [WAC 27.53.030, or its successor] and the following: who has designed and executed an archaeological study as evidenced by a thesis or dissertation and has been awarded an advanced degree such as an M.A., M.S., or Ph.D. from an accredited institution of higher education in archaeology, anthropology, or history or other germane discipline with a specialization in archaeology; has a minimum of one (1) year of field experience with at least twenty-four (24) weeks of field work under the supervision of a professional archaeologist, including no less than twelve (12) weeks of survey or reconnaissance work, and at least eight (8) weeks of supervised laboratory experience. Twenty (20) weeks of field work in a supervisory capacity must be documentable with a report produced by the individual on the field work.

Architectural Element – Aesthetic components of a primary building or structure that accents the overall design of the structure. A chimney may be considered an architectural element.

Associated Wetlands – Wetlands that are in proximity to tidal water, lakes, rivers or streams that are subject to the Shoreline Management Act and either influence or are influenced by such waters. Factors used to determine proximity and influence include, but are not limited to: location contiguous to a shoreline water body, formation by tidally influenced geo-hydraulic processes, presence of a surface connection including through a culvert or tide gate, location in part or whole within the one hundred (100) -year floodplain of a shoreline, periodic inundation, and/or hydraulic continuity.

Aquatic – Those areas waterward of the ordinary high water mark.

Average Grade Level – The average of the natural or existing topography of the portion of the lot, parcel, or tract of real property which will be directly under the proposed building or structure, provided that, in case of structures to be built over water, average grade level shall be the elevation of ordinary high water. Calculation of the average grade level shall be made by averaging the elevations at the center of all exterior walls of the proposed building or structure [WAC 173-27-030(3) or its successor]. Note: This definition of "average grade level" differs from the definition in the City of Bainbridge Island Zoning Code (Chapter 18 of the City of Bainbridge Island Municipal Code). Structures within shoreline jurisdiction shall comply with the definition contained herein.

B

Backshore – The accretion or erosion zone, located landward of the line of ordinary high water, which is normally wetted only by storm tides. A backshore may take the form of a more or less narrow storm berg (ridge of wave-heaped sand and/or gravel) under a bluff, or it may constitute a broader complex of berms, marshes, meadows, or dunes landward of the line of ordinary high water. It is part of the littoral drift process along its waterward boundary.

Backshore Marina – See Marina

Bank Stabilization – Modification used for the purpose of preventing erosion, protecting channels, and retaining uplands.

Barrier Beach – A linear ridge of sand or gravel extending above high tide, built by wave action and sediment deposition seaward of the original coast line; includes a variety of depositional coastal landforms.

Barrier Estuary – estuary isolated from open bodies of water by a barrier, with tidal exchange occurring through a narrow entrance channel. Usually but not always associated with a significant fresh water source.

Barrier Lagoon – barrier built lagoons that lack significant freshwater source, only coincidentally associated with streams of significant upland catchment areas. See Lagoon and Tidal Lagoon.

Bathymetry – Depth of a water body relative to sea level, may include underwater features and shapes.

Beach – The zone of unconsolidated material that is moved by waves, wind, and tidal currents, extending landward to the coastline.

Beach Face – The steep part of the beach profile below the berg, which is normally exposed to the swash of waves and generally composed of gravel, although it can contain sand or boulders.

Beach Enhancement – The alteration of terrestrial, tidal shorelines or submerged shorelines for the purposes of habitat improvement, creation, recreational enhancement, or soft-treatment stabilization. The materials used depend upon the intended use. The following are examples of materials which may be used in enhancement projects:

1. Various grades of clean sand or pea gravel to create a beach for recreational purposes.
2. A combination of a rock matrix and sand or other materials to restore or recreate a shore feature or an underwater aquatic environment (e.g. a reef).
3. Use of native vegetation to restore marine riparian habitat functions native vegetation.

Beach Nourishment – The process of replenishing a beach by artificial means; e.g., by delivery of selected materials excavated from elsewhere and depositing it at one or several locations in the updrift portion of a drift cell. The material is then naturally transported by waves or currents downdrift to stabilize or restore accretion shoreforms and other berms, which may be eroding due to artificial obstructions in the shore process corridor.

Beach Profile – A vertical cross section of a beach measured perpendicular to the shoreline.

Beach Restoration – The alteration of terrestrial and tidal shorelines or submerged shorelines for the purposes of aquatic habitat, re-establishing ecological function and ecosystem wide processes such that the ecosystem is self-sustaining.

Beach Scarp – A steep slope formed in response to the lowering of the beach profile and landward expansion of the beach face into the backshore as a result of wave erosion. A beach scrap is normally associated with a beach berg.

Bedlands – Those submerged lands below the line of extreme low water in marine waters.

Benthic Community – A grouping of benthic organisms that live in and on the bottom of the ocean floor.

Benthic Organisms – Organisms that live in or on the bottom of a body of water.

Berm (Beach Berm) – The nearly horizontal portion at the beach or backshore formed by the deposition of sediments by waves. Some beaches have more than one berg at slightly different levels, separated by a scarp. A berg is also, a soft-treatment form of shoreline stabilization or a linear mound used to screen an adjacent activity, such as a parking lot, from transmitting excess noise and glare.

Best Available Technology – The most effective method, technique, or product available which is generally accepted in the field, and which is demonstrated to be reliable, effective, and (preferably) low maintenance.

Best Available Science (BAS) – Scientifically valid information derived in accordance with WAC 365-195-900 through 925, or as amended, that is used to develop and implement critical areas policies or regulations.

Best Management Practice (BMP) – Industry-established guidelines that are advised to reduce or eliminate anticipated adverse impacts to the environment from construction, development or other human activity.

BIMC – Bainbridge Island Municipal Code.

Biocide – See pesticide

Biodiversity Areas and Corridors – Areas of habitat that are relatively important to various species of native fish and wildlife.

1. Biodiversity Areas

    a. The area has been identified as biologically diverse through a scientifically based assessment conducted over a landscape scale (e.g., ecoregion, county- or city-wide, watershed, etc.). Examples include but are not limited to WDFW Local Habitat Assessments, Pierce County Biodiversity Network, and Spokane County's Wildlife Corridors and Landscape Linkages; or

    b. The area is within a city or an urban growth area (UGA) and contains valuable fish or wildlife habitat and is mostly comprised of native vegetation. Relative to other vegetated areas in the same city or UGA, the mapped area is vertically diverse (e.g., multiple canopy layers, snags, or downed wood), horizontally diverse (e.g., contains a mosaic of native habitats), or supports a diverse community of species as identified by a qualified professional who has a degree

in biology or closely related field and professional experience related to the habitats or species occurring in the biodiversity area. These areas may have more limited wildlife functions than other priority habitat areas due to the general nature and constraints of these sites in that they are often isolated or surrounded by highly urbanized lands.

2. Corridors. Corridors are areas of relatively undisturbed and unbroken tracts of vegetation that connect fish and wildlife habitat conservation areas, priority habitats, areas identified as biologically diverse, or valuable habitats within the city.

Biofiltration System – A stormwater or other drainage treatment system that utilizes as a primary feature the ability of plant life to screen out and metabolize sediment and pollutants. Typically, biofiltration systems are designed to include grassy swales, retention ponds, and other vegetative features.

Biological Diversity; Biodiversity – The range of physical (habitat) and biological (species, communities) components, the ways that species interact with the physical environment, and the processes necessary to maintain these interactions through time.

Bioengineering – See Shoreline Stabilization, Bioengineered

Biophysical – Physics of biological functions and ecosystem-wide processes.

Biota –The animals and plants that live in a particular location or region.

Bluff, Marine – A high, steep bank or cliff.

BMP – See Best Management Practices.

Boat House – A building used primarily for boat storage.

Boat Launch or Ramp – Graded slopes, slabs, pads, or planks, used for launching boats by means of a trailer, hand, or mechanical device.

Boat Lift – An in-water structure used for the dry berthing of vessels above the water level and lowering of vessels into the water. A boat lift as herein defined is used to berth and launch a single vessel, suspended over the water's surface. A boat lift is a manufactured unit without a canopy cover and may be place in the water adjacent to a dock, attached to the dock, or as stand-alone structure. A boat lift may be designed either for boats or personal watercraft. A boat lift with a canopy cover shall be considered moorage for the purposes of this Program.

Boating Facilities – Includes marinas, boat launch facilities, dry storage facilities, marine travel lifts, and fixed marine railways serving commercial, industrial uses or serving five or more single-family residences.

Boat Storage Deck – A deck used for the storage of boats.

Bog – A low-nutrient, acidic wetland with organic soils and characteristic bog plants, as described in Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication #14-06-29, October 2014).

Breakwater – Offshore structure, usually aligned parallel to shore, sometimes shore-connected, that provides protection from waves. The primary purpose is to protect harbors, moorages and navigation activity from wave and wind action by creating stillwater areas along shore. A secondary purpose is to protect shorelines from wave caused erosion.

Buffer – An area of land that is designed and designated to permanently remain vegetated in a predominantly undisturbed and natural condition and/or an area that may need to be enhanced to support ecological processes, or ecosystem-wide functions and to protect an adjacent aquatic or wetland area from upland impacts and to provide habitat for wildlife. Buffer widths vary depending on the relative quality and sensitivity of the area being protected. The "Shoreline Buffer" is a buffer protecting the ecology and resources of and along the Puget Sound. A buffer may be used to protect any sensitive area, including geological hazardous areas.

Building – Any structure having a roof, designated for shelter of persons, animals or property.

Bulkhead – A wall erected generally parallel to and located at or close to the ordinary high water mark for the purpose of containing and preventing the loss of soil due to shoreline erosion caused by tidal action, current or waves. Bulkheads are usually constructed of hard materials and may be built of concrete, large rocks (riprap), or other materials. See also Seawall.

C

Canopy Area – See canopy coverage.

Canopy Coverage – The crown area of native shrubs and trees as measured from plan view.

Central Puget Lowland – The low areas between the Olympic and Cascade Mountain ranges extending from Admiralty Inlet and the Tacoma Narrows.

Channel – An open conduit for water either naturally or artificially created, but not including artificially created irrigation, return flow, or stock watering channels. [WAC 173-22-030(8b) or its successor]. See also Stream.

Channel Migration Zone (CMZ) – The area along a river within which the channel(s) can be reasonably predicted to migrate over time as a result of natural and normally occurring hydrological and related processes when considered with the characteristics of the river and its surroundings.

City – The City of Bainbridge Island.

Clean Water Act – The primary federal law providing water pollution prevention and control. This was previously known as the Federal Water Pollution Control Act. (See 33 USC 1251 et seq.)

Clearing – Clearing means the destruction or removal of vegetation or plant cover including, but not limited to, root material removal by manual, mechanical, or chemical means. Clearing includes, but is not limited to, actions such as cutting, felling, thinning, flooding, killing, poisoning, girdling, or uprooting.

Coastal Dune – A transitional zone between the marine and the continental processes and are a part of the sand sharing system between the dune, the beach, and the offshore bars.

Coastal Landform, Depositional – See accretion shoreform.

Coastal Processes – Collective term including the action of natural forces on the shoreline, and the nearshore seabed.

Coastline – The line where terrestrial processes give way to marine processes – tidal currents, wind waves, etc.

Commercial Development – Those developments whose principal use is for retail, personal and professional service or other commercial business activities. Included in this definition are developments such as hotels, motels, shops, restaurants, banks, professional offices, grocery stores, and laundromats. Not included, marinas, home occupations, utilities, and related utility development.

Commercial Fish – Those species of fish that are classified under the Washington Department of Fish and Wildlife Food Fish Classification as commercial fish (WAC 220-12-010).

Community Structure – A building, dock, or other structure which is intended for the common use of the residents of a particular subdivision or community. It is not intended to serve as a public facility.

Community or Joint-use Dock – A structure or structures which consists of a system of piers, buoys, or floats that is intended for the common use of the residents of adjoining parcels or subdivision, short subdivision or community located on adjacent uplands. A community dock is not a commercial endeavor or for the purpose of serving the public. If a community or joint-use dock is designed to accommodate six (6) or more vessels, it is no longer considered a community or joint-use dock, and it shall be considered a marina.

Compensatory Mitigation – A project for the purpose of mitigating, at an equivalent or greater level, unavoidable impacts that remain after all appropriate and practicable avoidance and minimization measures have been implemented. Compensatory mitigation includes, but is not limited to, wetland creation, restoration, enhancement, and preservation; stream restoration and relocation, rehabilitation; and buffer enhancement.

Conditional Use – A use or the expansion of a use permitted on shorelines which, because of certain characteristics, requires a special degree of review and consideration, and may require special conditions to assure that it is consistent with the intent and provisions of the Act and these regulations, and compatible with other uses permitted on shorelines.

Conditional Use Permit – A permit for a use, development or substantial development listed in the regulations as being permitted only as a conditional use, or not classified in this Program. Conditional uses are subject to review and approval pursuant to the provisions of BIMC Section 2.16.165(H) regardless of whether or not the proposal requires a substantial development permit.

Conservation Easement – A legal agreement that the property owner enters into to restrict uses of the land for purposes of natural resources conservation. The easement is recorded on a property deed, runs with the land, and is legally binding on all present and future owners of the property.

Construction Limit Line – In Eagle Harbor, defined on U.S. Army Corps of Engineers, Drawing, File No. E-8-5-6, dated December 22, 1939, approved by the Secretary of War, July 2, 1940. Used in the Master Program for local regulatory purposes.

Contaminant – Any chemical, physical biological, or radiological substance that does not occur naturally in ground water, air, or soil or that occurs at concentrations greater than those in the natural levels [WAC 173-200-020(7)].

Coppicing – Managing of strongly-regenerative species of trees and shrubs by an initial heading cut (leaving a stump) and allowing new shoots to grow to maintain live roots. Shoots may be

reduced to their point of origin at appropriate intervals of time without disturbing the resulting coppice head (stump).

Council – Legislative body of the City of Bainbridge Island.

Covered Moorage – A roofed floating or fixed offshore structure with or without walls, for boat moorage or moorage of other watercraft or float planes, designed to protect a vessel or vessels.

Critical Aquifer Recharge Area – Areas designated by WAC 365-190-080(2) that are determined to have critical recharging effect on aquifers (i.e., maintain the quality and quantity of water) use for portable water as defined by WAC 365-196-485(1)(d).

Critical Areas – The following areas are designated as critical areas:

1. Critical Aquifer Recharge Areas
2. Fish and Wildlife Habitat Conservation Areas
3. Frequently Flooded Areas
4. Geologically Hazardous Areas
5. Wetlands
6. Critical Saltwater and Freshwater Habitat Areas
7. Critical Habitat

Critical Facilities – Facilities that are essential to the health and welfare of the community, including services that protect life and property. Such facilities include, but are not limited to, hospitals, emergency clinics, police and fire stations, emergency vehicle and equipment storage facilities, emergency operations centers, aviation control centers, and utility facilities such as sewage treatment plants and electric transmission substations.

Critical Habitat – Habitat areas identified by U.S. Fish and Wildlife Service or the National Marine Fisheries Service as habitat necessary for survival of endangered or threatened species.

Critical Saltwater Habitat - Critical saltwater habitats include all kelp beds, eelgrass beds, spawning and holding areas for forage fish, such as herring, smelt and sand lance; subsistence, commercial and recreational shellfish beds; mudflats, intertidal habitats with vascular plants, and areas with which priority species have a primary association [WAC 173-26-221(2)(c)(iii)].

Cultural Resource – Evidence of human occupation or activity that is important in the history, architecture, archaeology or culture of a community or region. Cultural resources include, but are not limited to, the following:

1. Archaeological resources. Physical evidence of ruins of human occupation or activity that are located on or below the surface of the ground and are at least 50 years old.
    a. Archaeological resources include, but are not limited to, the remains of houses, villages, camp and fishing sites, and cave shelters; rock art such as petroglyphs and pictographs; artifacts such as arrowheads, utensils, tools, fragments of tools and utensils, obsidian flakes or other material by-products from tool and utensil-making activities; and graves, human remains, and associated artifacts.
2. Historic buildings and structures. Standing or above-ground buildings and structures that are at least 50 years old.

a. Historic buildings and structures include, but are not limited to, log cabins, barns, canals, flumes, pipelines, highways, and tunnels.

3. Traditional cultural properties. Locations, buildings, structures, and objects that are associated with cultural beliefs, customs, or practices of a living community that are rooted in that community's history and are important in maintaining the continuing cultural identity of the community.

    a. Traditional cultural properties include, but are not limited to, a location associated with the traditional beliefs of a Native American group about its origins or its cultural history; a location where a community has traditionally carried out artistic or other cultural practices important in maintaining its historical identity; and a location where Native American religious practitioners have historically gone, and go today, to perform ceremonial activities. Objects may include petroglyphs, pictographs, rock cairns or other rock structures, trees, and rock outcrops.

Cumulative Effects – The combined environmental impacts that accrue over time and space from a series of similar or related individual actions, contaminants, or projects. Although each action may seem to have negligible effect, the combined effect can be significant.

Cutting, Vegetation – The removal of the main trunk or stem of a small tree for the purposes of controlling aggressive or weedy species.

D

Dam – A barrier across a stream or river to confine or regulate flow or raise water levels for purposes such as flood or irrigation water storage, erosion control, power generation, or collection of sediment or debris.

Davit – A fixed crane intended to lift boats or cargo.

Degrade – To scale down in desirability or salability, to impair in respect to some physical property, or to reduce in structure or function.

Department – The city's Department of Planning and Community Development.

De Minimis – Minor or trivial impact which cannot be measured or is not quantifiable.

Deposition – The deposit of sediment in an area though natural means such as wave action or currents; may also be done through mechanical means by humans.

Development – A use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or materials; bulkheading; pile driving; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the Act at any state of water level, subject to RCW Chapter 90.58 or its successor [RCW 90.58.030(3)(d) or its successor]. This term may include activities related to subdivisions and short subdivisions; clearing activity; land modification (grade and fill work); building or construction; and activities that are exempt from the substantial development permit process or that require a shoreline variance or conditional use.

Development Area – the approved portion of a project site that is developed, including the building pad and all graded slopes, all structures, landscaped areas, driveway and parking areas.

Development Regulations – The controls placed on development or land uses by the City, including, but not limited to, zoning ordinances, critical areas ordinances, all portions of a shoreline master program other than goals and policies approved or adopted under RCW Chapter 90.58 , and subdivision ordinances together with any amendments thereto.

Dike – an artificial embankment placed at a stream mouth or delta area to hold back sea water for purposes of creating and/or protecting land from flooding.

Director – The director of the ~~department~~ city's Planning and Community Development Department or their designee.

Dock – A fixed platform structure anchored in and floating upon a water body that abuts the shore intended to provide landing which may include a ramp, pier, and float; generally used as a landing for water-dependent recreation or moorage for commercial and/or pleasure craft. Excluded are boat launch or boat ramps.

Dock, Joint or Community – A dock, pier and/or float for pleasure craft moorage or water recreation for exclusive personal use of multiple waterfront lot owners.

Downdrift – The direction of predominant alongshore sediment transport.

Dredge – To excavate or deepen a water body by removing aquatic substrate material. Also mechanical or hydraulic equipment used for excavation.

Dredge Spoil – The material removed by dredging. Same as dredge material.

Dredged Material Disposal – Depositing of dredged materials on land or into water bodies.

Dredging – Removal or displacement of earth or sediments such as gravel, sand, mud or silt, and/or other materials or debris from any stream, river, lake or marine water body, and associated shorelines and wetlands. Dredging is normally done for specific purposes or uses such as constructing and maintaining navigation channels, turning basins, harbors and marinas; installing submarine pipelines or cable crossing; or repairing and maintaining dikes or drainage systems. Dredging can be accomplished with mechanical or hydraulic machines. Most dredging is done to maintain channel depths or berths for navigational purposes; other dredging is for shellfish harvesting or cleanup of polluted sediments.

Drift Cell or Drift Sector – Drift cell, drift sector or littoral cell means a particular segment or reach of marine shore in which littoral sediment movement or drift may occur without significant interruption, and which contains any and all natural sources of such drift as well as any shoreform(s) accreted by such drift. Each normal drift cell contains these shore process elements: a feed source that supplies the sediments (feeder bluff or estuary), a driftway, along which the sediment can move, and accretion terminal where the drift material is deposited (accretion shoreform).

Drift Sills – Small groins which hold sediments in place without blocking longshore drift.

Driftway – That portion of the shore process corridor, primarily that lower backshore and the upper intertidal area, through which sand and gravel are transported by the littoral drift process. It is the critical link between the feeder bluff and the accretion shoreform.

Dune – A hill or ridge of sand piled up by the wind and/or wave action.

E

Ecologically Intact – Those shoreline areas that retain the majority of their natural processes as evidenced by the shoreline configuration and the presence of vegetation or retain the ability to support vegetation. These areas may be partially developed.

Ecological functions or shoreline functions – The work performed or role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem. See WAC Section 173-26-201(2)(c). Functions include, but are not limited to, habitat diversity and food chain support for fish and wildlife, ground water recharge and discharge, high primary productivity, low flow stream water contribution, sediment stabilization and erosion control, storm and water quality enhancement through biofiltration and retention of sediments, nutrients, and toxicants. These beneficial roles are not listed in order of priority.

Ecology (Washington State Department of Ecology) – Use of "Ecology" or "Washington State Department of Ecology".

Ecosystem-wide processes – The suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.

Educational or Scientific Activities – Controlled and/or supervised scientific activities or educational activities that are associated with an educational or scientific program that result in no adverse impacts to critical areas or their buffers.

Embankment – An artificial bank such as a mound or dike, generally built to hold back water or carry a roadway.

Embayment - A broad term for an inlet or indentation in the coastline. In this Program, it is restricted to features partly isolated from the rest of Puget Sound by their configuration and sufficiently small to limit wave action and beach processes. Also included are wetlands or other back-barrier water bodies isolated from direct tidal influence (surface exchange). Embayments include barrier estuaries and lagoons and may include some stream mouths and the heads of small bays.

Emergency – An unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a timer too short to allow full compliance with the Master Program. Emergency construction is construed narrowly as that which is necessary to protect property from the elements and does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed by the Administrator to be the appropriate means to address the emergency situation, upon abatement of the emergency, pursuant to the Master Program and RCW 90.58.030(3)(e)(iii); WAC 173-27-040(2)(d), or its successor. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not considered an emergency.

Engineering Geologist – A practicing engineering geologist who has at least four years of professional employment as an engineering geologist with experience in landslide evaluation, and a Washington State specialty license in engineering geology as specified in Chapter 18.220 RCW.

Enhancement – An action or alteration performed within an existing degraded shoreline, critical area, habitat and/or buffer to intentionally improve, increase or augment one or more functions or values of the existing area without degrading other functions. Enhancement actions include, but are not limited to, increasing plant diversity and cover, increasing wildlife habitat and structural complexity (snags, woody debris), installing environmentally compatible erosion controls, or removing non-indigenous plant or animal species. Enhancements are to be distinguished from wetland/habitat creation or restoration projects by the need for on-going assistance to maintain the improved function.

Envelope – The enclosing shell of a building's volume.

Erosion – The wearing a way of land by the action of natural forces, such as wind, rain, water and other natural agents that mobilize, transport, and deposit soil particles; On a beach, the carrying away of beach material by wave actions, tidal currents, or littoral currents.

Erosion Hazard Area – A landform or soil type subject to being worn away by the action of water, wind, freeze-thaw, or ice, including areas rated in the Soil Survey of Kitsap County Area, Washington, USDA (1980), as having severe hazard of water erosion; areas classified in the Department of Ecology Coastal Zone Atlas as Class 3, unstable, Class 3, unstable old slides, or Class 5, unstable recent slide; soils identified by the U.S. Department of Agriculture Natural Resource Conservation Service (NCRS) as having "severe" or "very severe" erosion hazards; and/or soils subject to impacts from shoreline retreat.

Estuary – A semi-enclosed coastal body of water in which fresh water and salt water mingle and affect the ~~total~~ land and water habitat. See also Pocket Estuary.

Estuary, Pocket – see Pocket Estuary

Essential Public Facility – Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140; regional transit authority facilities as defined in RCW 81.112.020; state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.[RCW 36.70A.200, or its successor]

Essential Single-Family Residential Accessory Structure – An accessory structure that contains a use or is intended for a use that is essential to a single-family residential principal use. The following structures shall be considered an essential residential structure: a garage or carport, one septic system (including one tank and one on-site septic drainfield), one well house and associated well head, and existing decks attached to the primary structure.

Estuarine, Wetland – A vegetated wetland that is predominantly tidal, as described in Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication #14-06-29, October 2014).

Estuarine Zone, Estuary – The zero-gradient sector of a stream where it flows into a standing body of water, together with associated wetlands. Tidal flows reverse flow in this zone twice daily, determining its upstream limit. It is characterized by low bank channels branching off the main streamway to form a broad, near-level delta. The bank, bed, and delta materials are typically silt and clay. Banks are stable with vegetation ranging from marsh to forest, and the water is usually brackish due to daily mixing and layering of fresh and salt water. Estuarine

shores are rich in aquatic and other bird and animal life, and in their natural condition are the most productive of all shoreline habitats in terms of the marine food chain.

Excavation –The disturbance, displacement and/or disposal of unconsolidated earth material such as silt, sand, gravel, soil, rock or other material from all areas landward of OHWM.

Exemption or Exempt Development – Certain developments as listed in WAC 173-27-040 and Chapter 90.58 RCW are exempt from the definition of substantial developments and, therefore, are exempt from the substantial development permit process of the Shoreline Management Act. An activity that is exempt from the substantial development provisions of the Shoreline Management Act must still be carried out in compliance with policies and standards of the Act and the local master program. Conditional use and/or variance permits may also be required even though the activity does not need a substantial development permit. [RCW 90.58.030(3)(e) or its successor; WAC 173-27-030(7) and WAC 173-27-040, or its successor].

~~**Existing Development** – Legally established structures which do not conform to the provisions in the 1996 Shoreline Master Program, as amended by ordinance 2013- on xx xx, 2013. Development that was lawfully constructed, approved or established.~~

Extreme High Tide – The highest tide level reached in a nineteen (19) year tidal cycle.

Extreme Low Tide – The lowest line on the land reached by a receding tide [RCW 90.58.030(2)(a) or its successor]. For the purposes of the Shoreline Master Program, it is the contour 4.5 feet below Mean Lower Low Water (datum Plane 0.0) [WAC 332-30-106 (18), or its successor].

F

Fair Market Value – The expected price at which the development can be sold to a willing buyer. For developments which involve nonstructural operations such as dredging, drilling, dumping, or filling, the fair market value is the expected cost of hiring a contractor to perform the operation, or where no such value can be calculated, the total of labor, equipment use, transportation, and other costs incurred for the duration of the permitted project [WAC 173-27-030(8), or its successor].

Feasible – When an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions: (a) The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results; (b) The action does not physically preclude achieving the project's primary intended legal use. In cases where these guidelines require certain actions unless they are infeasible, the burden of proving infeasibility is on the applicant. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

Feasible Location – A location that accommodates a development in a manner that achieves its intended purpose consistent with the constraints of the applicable land use regulations and characteristics of the property, including but not limited to lot size, configuration, presence/absence of critical areas and compatibility with adjacent land use/development. Feasibility shall take into account both short and long-term monetary and non-monetary costs and benefits.

Feeder Bluff, Erosional Bluff – Any bluff (or cliff) experiencing periodic erosion from waves, sliding, or slumping, whose eroded earth, sand, or gravel material is naturally transported (littoral drift) via a driftway to an accretion shoreform. These natural sources of beach material are limited and vital for the long-term stability of driftways and accretion shoreforms.

Fetch – The distance over unobstructed open water on which waves are generated by a wind having constant direction and speed.

Fill – The addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area landward or waterward of the OHWM, in wetlands, or on shorelands in a manner that raises the elevation or creates dry land. See Landfill.

Fill Material – Any solid or semi-solid material, including rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure that, when placed, changes the grade or elevation of the receiving site.

Fish – Species of the vertebrate taxonomic groups Cephalospidomorphi and Osteichthyes

Fish and Wildlife Habitat Conservation Areas – Areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors; and areas with high relative population density or species richness. Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of, and are maintained by, a port district or an irrigation district or company.~~A seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These include areas of relative density or species richness, breeding habitat, winter range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs, streams and wetlands.~~

Fish Habitat – Habitat which is used by any fish at any life stage at any time of the year, including potential habitat likely to be used by fish which could be recovered by restoration or management and includes off-channel habitat.

Fisheries – All species of fish and shellfish commonly or regularly originating or harvested commercially or for sport in Puget Sound and its tributary freshwater bodies, together with the aquatic plants and animals and habitat needed for continued propagation and growth of such species.

Fisheries Biologist – A person with experience and training in fisheries who is able to submit substantially correct reports on fish population surveys, stream surveys and other related data analyses of fisheries resources. “Substantially correct” means that technical or scientific errors, if any, are minor and do not delay or affect the site plan review process. Qualifications of a fisheries biologist include either (1) or (2), below, and the prior successful completion of at least three habitat management plans.

1. Certification by the American Fisheries Society.

2. Bachelor of Science degree in fisheries or the biological sciences from an accredited institution and five years of professional fisheries experience.

Fisheries Enhancement – Actions taken to rehabilitate, maintain or create fisheries habitat, including but not limited to hatcheries, spawning channels, lake rehabilitation, planting of fisheries stocks. Fisheries Enhancement differs from Aquaculture in that the increase in fisheries stocks eventually becomes available for public harvest.

Float – A floating platform that moves vertically with a tide and is anchored or attached to a fixed or anchored overwater structure or an anchoring system.

Float, Recreational – A float used primarily for swimming, diving, water skiing, or other recreational purpose and not for the moorage of watercraft.

Floating Aquaculture Facility – Open water aquaculture facility which is consists of a mooring system and/or floats.

Floating house - any floating structure that is designed, or has been substantially and structurally remodeled or redesigned, to serve primarily as a residence. "Floating houses" include house boats, house barges, or any floating structures that serve primarily as a residence and do not qualify as a vessel as provided in subsection (74) of this section. A floating structure that is used as a residence and is capable of navigation, but is not designed primarily for navigation, nor normally is capable of self propulsion and use as a means of transportation is a floating house, not a vessel.

Flood or Flooding, Coastal – A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters and/or the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Protection Measures – All development on water bodies, usually rivers and streams, designed to retard bank erosion, to reduce flooding of adjacent lands, to control or divert stream flow, or to create a reservoir, including but not limited to revetments, dikes, levees, channelization, dams, vegetative stabilization, weirs, flood and tidal gates. Excluded are water pump apparatus.

Flood Hazard; Flood Hazard Management – A long term program or major project carried out on a single parcel or coordinated on a series of parcels for the primary purpose of preventing or mitigating damage to life and property and to minimize public expenses due to flooding through a comprehensive system of planning development regulations, building standards, structural works, and monitoring and warning systems. Flood hazard management projects or programs may employ physical and/or regulatory controls.

Floodplain – Synonymous with one hundred-year floodplain, this is the land area susceptible to being inundated by stream-derived waters with a one percent chance of being equaled or exceeded in any given year. The limits of this area are based on flood regulation and ordinance maps or a reasonable method that meets the objectives of the Shoreline Management Act [WAC 173-26-020(17) or its successor].

Floodway – Those areas or portions of the areas as identified in the Master Program that are either (a) established in federal emergency management agency flood insurance rate maps or floodway maps or (b) those portions of a river valley lying streamward from the outer limits of a watercourse, and upon which flood waters are carried during periods of flooding that occur with

reasonable regularity, through not necessarily annually. The floodway is identified, under normal conditions, by changes in surface soil conditions, or changes in types or quality of vegetative ground cover conditions. The floodway does not include lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or under license from the federal government, the state, or a political subdivision of the state. The limits of the floodway are based on flood regulation ordinance maps or by a reasonable method which meets the objectives of the Shoreline Management Act. [RCW 90.58.030(2)(g) or its successor].

Foreshore – In general terms, the intertidal area between mean higher high water and mean lower low water.

Foreshore Marina – See Marina.

Forest Practice – Any activity conducted on, or directly related to, forest land and relating to growing, harvesting, or processing timber. This includes (1) site preparation and regeneration, (2) protection from insects, fire, and disease, (3) silvicultural practices such as thinning, fertilization, and release from competing vegetation, and (4) harvesting. Forest practices do not include log storage. (See industrial use.) These activities include, but are not limited to, road and trail construction, final and intermediate harvesting, pre-commercial thinning, reforestation, fertilization, prevention and suppression of disease and insects, salvage of trees, and brush control. See WAC 222-16-010or its successor.

Forest Land – All land which is capable of supporting a merchantable stand of timber and is not being actively used in a way which is incompatible with timber growing [WAC 222-16-010 or its successor].

Frequently Flooded Areas – Lands subject to a one percent or greater chance of flooding in any given year, as determined by the Federal Emergency Management Agency. These areas include, but are not limited to, floodplains adjacent to streams, lakes, coastal areas, and wetlands. (Also see BIMC Chapter 15.16, Flood Damage Prevention.)

Functional Grating – A floor or decking material which is permeable.

Functions and Values – The natural processes and beneficial roles performed or provided by critical areas including, but not limited to, water quality and quantity protection and enhancement, providing fish and wildlife habitat, supporting terrestrial and aquatic food chains, providing flood storage, conveyance and attenuation, groundwater recharge and discharge, erosion control, wave attenuation, protecting aesthetic value, and providing recreational and educational opportunities. These roles are not listed in order of priority.

G

Gabions – Structures composed of masses of rocks, rubble, or masonry held tightly together, usually by wire mesh, to form blocks or walls. Sometimes used on heavy erosion areas to retard wave action, or as foundations for breakwaters or jetties.

Geologically Hazardous Areas – Areas susceptible to significant erosion, sliding, or other geological events. They pose a threat to the health and safety of citizens when used as sites for incompatible commercial, residential or industrial development. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas.

Geomorphology – The shape or form of a natural surface or object. Also, the study of the forms of the land surface and the processes producing them.

Geotechnical Engineer – Practicing geotechnical/civil engineer who has a valid Washington State engineering license and a valid certificate of registration in civil engineering, at least four years of professional employment as a geotechnical engineer with experience in landslide evaluation, and appropriate training and experience as specified in RCW Chapter 18.43.

Geotechnical report or geotechnical analysis – A scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology, the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes, conclusions and recommendations regarding the effect of the proposed development on geologic conditions, the adequacy of the site to be developed, the impacts of the proposed development, alternative approaches to the proposed development, and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local shoreline geology and processes.

Grading – An activity associated with land modification or maintenance; grading means the physical movement or redistribution or the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land.

Grassy Swale – A vegetated drainage channel that is designed to remove various pollutants from stormwater runoff through biofiltration.

Groins – This is a rigid, barrier-type structure extending on an angle waterward from the shore into the intertidal zone. Their purpose is to build or preserve an accretion shoreform or berg on their updrift side by trapping littoral drift to protect a shoreline and adjacent upland by influencing the movement of water and/or deposition of materials. Groins are relatively narrow in width but vary greatly in length. Groins are sometimes built in series as a system, and may be permeable or impermeable, high or low, and fixed or adjustable.

Growth Management Act – RCW 36.70A, as amended

Guidelines – Those standards adopted by the Washington State Department of Ecology under WAC 173-26, intended to implement the policy of the Shoreline Management Act, RCW Chapter 90.58, for regulation of use of the shorelines of the state prior to adoption of master programs. Such standards provide criteria for local governments and the Department of Ecology in developing and amending master programs.

H

Habitat – The place or type of site where a plant or animal naturally or normally lives and grows.

Habitat Function – The use and benefits of physical and biological factors to associated biological communities of organisms.

Habitat Management Plan (HMP) – A report prepared by a professional wildlife biologist or fisheries biologist which discusses and evaluates critical fish and wildlife habitat functions and

identifies and evaluates measures necessary to maintain, enhance and improve terrestrial and/or aquatic habitat on a proposed development site.

Habitat of Local Importance – An area representing either high quality habitat for native terrestrial or aquatic species or habitat which is of limited availability, highly vulnerable to alteration, or provides landscape connectivity which contributes to the integrity of the surrounding landscape and which is not adequately protected by other city, state or federal policies, laws, regulations, or non-regulatory tools that prevent degradation of the habitat or its associated species. These may include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors such as breeding areas or human-made ponds.

Harbor Area – The area of navigable tidal waters as determined in Section 1 of Article 15 of the Washington State Constitution, which is forever reserved for landings, wharves, streets, and other

Harbor Structure Limit Line – A line defined in a harbor to demarcate the limits of overwater structures in aquatic areas and maintain navigation, as recommended by the Harbor Commission and approved by the City of Bainbridge Island City Council.

Hazard Tree – A tree that has significant structural defects that are likely to lead to failure and possibly cause injury or damage as identified in a report from an International Society of Arboriculture (ISA) Tree Risk Assessment Qualified (TRAQ) arborist. ~~with structural defects likely to cause failure of all or part of the tree~~, which could strike a "target." A target can be a building or a place where people gather such as a park bench, picnic table, street, or backyard. In the case of steep slopes, a hazard tree can also be a tree that is a hazard to the stability of the slope, as determined by a geotechnical engineer.

Hazardous Materials – Any substance containing such elements or compounds which, when discharged in any quantity in shorelines, present to imminent and/or substantial danger to public health or welfare; including but not limited to: fish, shellfish, wildlife, water quality, and other shoreline features and property.

Hazardous Substance – Any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless or quantity, that exhibits any of the physical, chemical or biological properties described in WAC 173-303-090 or 173-303-100.

Hedge – A line of closely-spaced trees and/or shrubs intentionally planted and/or maintained along a property boundary or landscape border for privacy, screening, safety, or similar function, which typically requires ongoing pruning or shearing to maintain its intended function and/or reasonable use of nearby developed areas.

Height – The distance measured from the average grade level to the highest point of a structure. Television antennas, chimneys, and similar structures or appurtenances shall not be used in calculating height except where they obstruct the view of residences adjoining such shorelines. Temporary construction equipment is excluded in this calculation [WAC 173-27-030(9) or its successor]. For all over-water structures, height shall be measured from ordinary high water mark.

High Bluff – An area with slope greater than 40%; height greater than fifteen feet (15'), often unstable or with visible face sediment source often from backshore. This term is used to identify geomorphic classes for the 2004 Nearshore Assessment completed by Battelle for the City.

Hook – A spit or narrow cape of sand or gravel which turns landward at its outer end.

HPA – Hydraulic Project Approval. The permit issued by the Washington State Department of Fish and Wildlife pursuant to the State Hydraulic Code Revised Code of Washington Chapter 75.20, or its successor.

Hydric Soils – Soils which are, saturated flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part or have had a history of being, wet long enough to periodically produce anaerobic conditions, thereby influencing the growth of plants [WAC 173-22-030(5) or its successor]. The presence of hydric soil shall be determined following methods identified by the Department of Ecology.

Hydrogeologist – A practicing hydrogeologist who has at least four years of professional employment as a hydrogeologist with experience in the specific subject area in which they are providing a report, and a Washington specialty license in hydrogeology as specified in RCW Chapter 18.220.

Hydrophytes – Those plants capable of growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined flowing methods identified by the Department of Ecology.

I

Infeasible – Not feasible, see feasible

Impact – An action producing a significant causal effect of the whole or part of a given area.

Impoundment – The retention or trapping of sediment in a location, either by natural or structural means.

Industrial Development – Facilities for processing, manufacturing, fabrication or storage of goods or materials, including but not limited to oil, metal or mineral product refining, power generating facilities, including hydropower, ship building and major repair, storage and repair of large trucks and other large vehicles or heavy equipment, related storage of fuels, commercial storage and repair of fishing gear, warehousing construction contractors' offices and material/equipment storage yards, wholesale trade or storage, and log storage on land or water, together with necessary accessory uses such as parking, loading, and waste storage and treatment. Excluded from this definition are mining, including on-site processing of raw materials, and off-site utility, solid waste, road or railway development, and methane digesters that are accessory to an agricultural use.

Industrial Use – Uses intended primarily to provide for heavy commercial water-dependent uses such as ship and boat building, haul out and repair and related uses serving boating needs.

In-kind Compensation – To replace wetlands, biota, or other organisms with substitute flora or fauna whose characteristics closely match those destroyed, displaced, or degraded by an activity.

Inshore – The zone of the beach profile extending waterward from the foreshore to just beyond the breaker.

Intertidal – The substream area exposed at low tides and inundated at high tides, situated from the extreme low water of spring tides (mean lower-low water, MLLW) to the upper limit of spray or influence of ocean-driven salts (mean higher-high water, MHHW).

Invasive Species – 1) non-native (or alien) to the ecosystem under consideration and 2) whose introduction causes or is likely to cause economic or environmental harm or harm to human health, or as amended by the United States Department of Agriculture National Invasive Species Information Center (NISIC). ~~A species that is (1) non-native (or alien) to the Puget Sound or the Central Puget Lowland region and (2) whose introduction causes or is likely to cause economic or environmental harm, or harm to human health. Invasive species can be plants, animals, and other organisms (e.g., microbes). Human actions are the primary means of invasive introductions.~~

J

Jetty – A structure that is generally perpendicular to shore extending through or past the intertidal zone. It is built at harbor entrances or river mouths mainly to prevent shoaling or accretion from littoral drift in entrance channels, which may or may not be dredged. A jetty also serves to protect a channel from storm waves or cross currents, and stabilize inlets through barrier beaches. On the West Coast and in this region, most jetties are riprap mound construction.

K

L

Lagoon – A shallow body of water, such as a pond or a lake, isolated from Puget Sound by a barrier beach or other narrow body of land. Lagoons may or may not have a permanent tidal connection to the sea. See also Tidal Lagoon and Barrier Lagoon.

Land Disturbing Activity – Any activity that results in a change in the existing soil cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, clearing, grading, filling and excavation. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity. Vegetation maintenance practices are not considered land disturbing activity. Stormwater facility maintenance is not considered land disturbing activity if conducted according to established standards and procedures.

Land Divisions – Any division of land subject to the city's subdivision design standards (BIMC Chapter 17.12).

Landfill – The placement of soil, sand, rock, gravel, existing sediment or other material (excluding solid waste) in upland areas, landward of OHWM, generally to raise the elevation.

Landslide – A general term covering a wide variety of mass movement landforms and processes involving the downslope transport, under gravitational influence of soil and rock material en masse; included are debris flows, debris avalanches, earthflows, mudflows, slumps, mudslides, rock slides, and rock falls.

Landslide Hazard Areas – ~~Areas that, due to a combination of site conditions like slope inclination and relative soil permeability, are susceptible to mass wasting, as designated in~~

~~Appendix B-1(28).~~ Areas which are at risk of mass movement due to a combination of geologic, topographic, and hydrologic factors. Landslide hazard areas include the following:

1. Areas characterized by slopes greater than 15 percent having springs or groundwater seepage and having impermeable soils (typically silt and clay) overlain or frequently interbedded with permeable granular soils (predominantly sand and gravel);
2. Any area potentially unstable due to rapid stream incision or stream bank erosion;
3. Any area located on an alluvial fan, debris flow deposit, or in a debris flowpath, presently or potentially subject to impacts or inundation by debris flows or deposition of stream-transported sediments;
4. Any area with a slope of 40 percent or greater and with a vertical relief of 10 or more feet except areas composed of competent consolidated rock;
5. Any area designated or mapped as class U, UOS, or URS by the Department of Ecology Coastal Zone Atlas and/or mapped as a landslide or scarp on the USGS Surface Geology Map of Bainbridge Island (Haugerud, 2001).

Landslide Hazard Area Setback – An area contiguous to a landslide hazard area sufficient in depth to meet the development standards set forth in Section 4.1.5.11 as determined by a geological hazards assessment prepared in accordance with Section 4.1.5.14.5.

Land Use – The development or activities that occur or are allowed to occur on a particular property.

Landward – In a direction toward shoreland areas.

Launch – see boat launch

Large Woody Debris (LWD) – Generally naturally occurring material that is recruited from during storms from downed trees in rivers, streams or other waters.

Levee – A large dike or embankment, often having an access road along the top, which is designed as part of a system to protect land from floods.

Limited Utility Extension – The extension of natural gas, electricity, telephone, water, or sewer service where all of the following are met: (1) the extension is categorically exempt under the Washington State Environmental Policy Act (SEPA) (See WAC 197-11-800 (24 or its successor) for the utility improvements which are categorically exempt under SEPA), (2) the extension will serve existing uses that are in compliance with the Shoreline Management Act, and (3) the project does not involve the construction of more than twenty-five hundred (2,500) linear feet of utility lines or pipes within shoreline jurisdiction.

Liquefaction – A process in which a water-saturated soil, upon shaking, suddenly loses strength and behaves as a fluid.

Littoral – of or pertaining to the shore.

Littoral Cell – See Drift Cell.

Littoral Drift – The natural process of sediment movement, particularly sand and gravel along the shoreline in the nearshore zone by waves and currents (see also Drift Cell and Driftway).

Littoral Transport – see Longshore Transport

Live-aboard Vessel – A vessel licensed and designed for use as a mobile structure with adequate self-propulsion and steering equipment to be operated as a vessel, but which is principally used as an over-water residence. Principal use as an over-water residence means essentially full-time occupancy within the City's jurisdiction for a total of more than sixty (60) days, whether or not consecutive, in any calendar year.

Longshore Current – The littoral current in the breaker zone moving essentially parallel to the shore.

Longshore Transport – Transport of sedimentary material parallel to the shore.

Low Bank – An area with a slope often greater than fifteen percent (15%) and less than fo~~u~~rty percent (40%), height fifteen feet (15') or less, generally narrow beach with high water line at or on the bank. Bedrock terrace considered low bank if characterized by a sand and gravel beach; backed by low scarp. This term is used to identify geomorphic classes for the 2004 Nearshore Assessment completed by Battelle for the City.

Low Impact Development (LID) – A stormwater and land use management strategy that strives to mimic predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design. ~~A stormwater management strategy that emphasizes conservation and use of existing natural site features integrated with distributed, small-scale stormwater controls to more closely mimic natural hydrologic patterns in residential, commercial, and industrial settings. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. Practices that adhere to these LID principles include bioretention facilities, rain gardens, vegetated rooftops, rainwater harvesting (rain barrels and cisterns), and permeable pavements.~~

Low Impact Development Best Management Practices (LID BMPs) – Distributed stormwater management practices, integrated into a project design, that emphasize predisturbance hydrologic processes of infiltration, filtration, storage, evaporation, and transpiration. LID BMPs include, but are not limited to: bioretention, rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, minimal excavation foundations, vegetated roofs, and water reuse.

M

Maintenance – See Normal Maintenance and Normal Repair.

Marina – A facility with the primary purpose of providing moorage for six (6) or more vessels, which consists of a system of piers, docks, buoys, or floats. Foreshore marinas are located landward of OHWM. There are two common types of backshore marinas, one with wet moorage that is dredged out of the land to artificially create a basin, and the other, dry moorage, which has upland storage with a hoist, marine travel lift, or ramp for water access. Open water marinas, including open water moorage and anchorage areas, are generally located in the center of a water body to provide moorage in addition to any marinas and docks along the edge of the water body.

Marine Bluffs – see Bluff, Marine

Marine Travel Lift – A mechanical device that can hoist vessels off trailers and transport them into the water. Often associated with dry land moorage.

Marine Railway – A fixed set of rails running from the upland area into the water upon which a cart or dolly can carry a boat to be launched.

Marine Riparian Zone – The transition zone between the nearshore and terrestrial ecotones. See also Riparian Vegetation.

Marshes, Bogs, and Swamps – Lands transitional between terrestrial and aquatic systems where saturation with water is the dominant factor determining plant and animal communities and soil development. Such lands must have one or more of the following attributes: a) at least periodically, the land predominately supports hydrophytes, and/or 2) the substrate is predominantly undrained hydric soil. [WAC 173-22-030(10) or its successor]. See Hydrophyte, Hydric Soil.

Marsh/Lagoon – Protected embayment often fluvial sediment sources, substrate is composed of fines, diagnostic salt marsh vegetation, lagoons may empty completely at low tide (extensive tide flats) and may have a residual basin that holds water at low tide. This term is used to identify geomorphic classes for the 2004 Nearshore Assessment completed by Battelle for the City.

Mean Higher-High Water (MHHW) – The plane of the arithmetic mean of the higher of two (2) daily high tides calculated from the most recent 19-year tidal cycle.

Mean Low Water (MLW) – The plane of the arithmetic mean of all low tides calculated from the most recent 19-year tidal cycle.

Mean Lower-Low Water (MLLW) – The plane of arithmetic mean of the lower of two (2) daily low tides calculated from the most recent 19-year tidal cycle (datum plane 0.0).

Mean Sea Level – The average height of the surface of the sea for all stages of the tide over a 19–year period, usually determined from hourly height readings.

Midden – An ancient refuse heap. Often a source of archaeological material.

Mining – Removal and primary processing of naturally occurring materials from the earth for economic use. "Processing" includes screening, crushing, stockpiling – all of which utilize materials removed from the site where the processing activity is locate. Processing does not include the manufacture of molded or cast concrete, or asphalt products, asphalt mixing operations, or concrete batching operations.

Mitigation – Measures used to avoid, minimize or alleviate adverse impacts of development on ecological functions or ecosystem-wide processes. Mitigation must follow mitigation sequencing requirements of WAC 173-26-201(2)(e) and includes:

1. Avoiding, minimizing or compensating for adverse impacts, in the following order of preference:
    a. Avoiding the impact altogether by not taking a certain action or parts of an action.
    b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;

c. Rectifying the impacts by repairing, rehabilitating or restoring the affected environment;

d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;

e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and

f. Monitoring the impact and the compensation project and taking appropriate corrective measures. Mitigation for individual action may include a combination of the above measures; and

2. The following specific categories:

a. Mitigation, compensatory: replacing project-induced critical area losses or impacts, including, but not limited to, establishment, re-establishment, rehabilitation or enhancement.

b. Mitigation, establishment: mitigation performed to intentionally establish a critical area (e.g., wetland) at a site where it does not currently exist.

c. Mitigation, re-establishment: the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former critical area.

d. Mitigation, rehabilitation: the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural of historic functions and processes to a degraded critical area.

e. Mitigation, enhancement: the manipulation of the physical, chemical, or biological characteristics of a biological wetland to heighten, intensify or improve specific function(s) or to change for specific purposes such as water quality improvement, flood water retention, or wildlife habitat.

Mitigation Sequence – Individual action that may include a combination of the following measures, listed in order of preference:

1. Avoiding the impact altogether by not taking a certain action or parts of actions;
2. Minimizing impacts by limiting the degree of magnitude of an action and its implementation;
3. Rectifying impacts by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating an impact over time by preservation and maintenance operations;
5. Compensating for an impact by replacing enhancing, or providing substitute resources or environments; and
6. Monitoring the impact and compensation projects and taking appropriate corrective measures when necessary.

Mitigation Plan – A detailed plan indicating actions necessary to mitigate adverse impacts of development.

Monitoring – Evaluating the impacts of development proposals over time on the biological, hydrological, pedological, and geological elements of ecosystem functions and processes and/or assessing the performance of required mitigation measures through the collection and analysis of data by various methods for the purpose of understanding and documenting changes in natural ecosystems and features compared to a baseline or pre-project conditions and/or reference sites.

Mooring Buoy – A floating object anchored to the bottom of a water body that provided tie-up capabilities for vessels.

Muds – Sediments in which the size of the particles is smaller than 0.0625mm.

Mudflat – Low, unvegetated mud substrate that is flooded at high tide and uncovered at low tide.

Multi-family Dwelling or Residence – A building containing two or more dwelling units or more than one dwelling unit on one lot, including, but not limited to, duplexes, apartments, and condominiums.

N

Natural Riparian Habitat Corridor – The waterside environment maintained in its natural state, primarily for fisheries and wildlife habitat, and water quality improvements, and, secondarily, for flood control works, while allowing controlled access to avoid damage to the resource.

Native Vegetation – Plant species typically found on an undeveloped marine shoreline that are indigenous to the Central Puget Lowland eco-region and suitable to the specific site conditions.

Native Vegetation Equivalent – Plant species that are equivalent in providing the same site-specific functional arrays as would a native species. Functional arrays may include forage, floodwater restraint, hiding habitat, or other physical or biologic roles in the ecosystem, that individually or in combination correspond to those of the native species. As with natives, the role and mix of an alternative species may vary depending on the site and its surrounding ecosystem. Invasive/exotic species shall not be considered equivalent species.

Nearshore or Nearshore Zone – The area of marine and estuarine shoreline, generally extending from the top of the shoreline bank or bluff to the depth offshore where light penetrating the water falls below a level supporting plant growth, and upstream in estuaries to the head of the tidal influence. It includes bluffs, beaches, mudflats, kelp and eelgrass beds, salt marshes, gravel spits, and estuaries.

Not Net Loss – As a public policy goal, the maintenance of the aggregate total of the City's shoreline ecological functions at its current level of environmental resource productivity. As a development and/or mitigation standard, no net loss requires that the impacts of a particular shoreline development and/or use, whether permitted or exempt, be identified and prevented or mitigated, such that it has no resulting adverse impacts on shoreline ecological functions or ecosystem-wide processes. Each project shall be evaluated based on its ability to meet the no net loss standard commensurate with its scale and character.

~~Nonconforming Development – A shoreline use or structure which was lawfully constructed or established prior the effective date of the applicable Shoreline Management Act/SMP provision,~~

~~and which no longer conforms to the applicable shoreline provisions [WAC 173-27-080(1), or its successor].~~

Nonconforming Development or Nonconforming Structure – An existing structure that was lawfully constructed at the time it was built but is no longer fully consistent with present regulations such as setbacks, buffers or yards; area; bulk; height; or density standards due to subsequent changes to the Program.

Nonconforming Lot – A lot that met dimensional requirements of the applicable SMP at the time of its establishment (November 26, 1996), as amended, but now contains less than the required width, depth, or area due to subsequent changes to the Program.

Nonconforming Use – An existing shoreline use that was lawfully established prior to the effective date of this Program (November 26, 1996), as amended, but which does not conform to present use regulations due to subsequent changes to the Program.

Nonwater-oriented – Nonwater-oriented uses serve to describe those uses which have little or no relationship to the shoreline and are not water-dependent, water-related, or water-enjoyment, or considered priority uses under the Shoreline Management Act. Nonwater-oriented uses, means those uses that are not water-dependent, water-related, or water-enjoyment. Nonwater-oriented use examples include professional offices, automobile sales or repair shops, storage facilities, and automobile gas stations.

Normal Appurtenance – See Appurtenance.

Normal Maintenance – Those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. [WAC 173-27-040(2)(b), or its successor]. (See Normal Repair.) Normal maintenance does *not* include:

1. Use of fertilizer or pesticide application in wetlands, fish and wildlife habitat conservation areas, or their buffers;
2. Re-digging ditches in wetlands or their buffers to expand the depth or width beyond the original ditch dimensions;

Normal Repair – To restore a structure or development to a lawfully established state comparable to its original condition within a reasonable period after decay or partial destruction, except where repair involves total replacement which is not common practice, or causes substantial adverse effects to the shoreline resource or environment. This does not include any activities that change the character, scope or size of the original structure or development beyond the original design. [WAC 173-27-040(2)(b), or its successor]. (See Normal Maintenance).

Normal Protective Bulkhead – See Bulkhead.

O

Obligate Vegetation – The sum total of macrophytic plant life that occurs in areas where the frequency (>99% of the time in wetlands) and duration of inundation or soil saturation produce permanently or periodically saturated soils of sufficient duration to exert a controlling influence on the plant species present. USACE 1987 Wetland Delineation Manual.

OHWM, Ordinary High Water Mark – That mark that will be formed by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual,

and so long continued in all ordinary years, that the soil has a character distinct from that of the abutting upland in respect to vegetation as that condition existed on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by the City or Washington State Department of Ecology, provided that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high water and the ordinary high water mark adjoining fresh water shall be the line of mean high water. [See RCW 90.58.030(2)(b), or its successor and WAC 173-22-030(6), or its successor].

Offshore – The area waterward of the breaker zone, extending in a direction waterward form the shore.

Oil/Water Separator – Specialized catch basins that are designed to trap oil and other materials lighter than water in the basin while allowing the water to escape through the drainage system.

Open Coastal Inlets - These describe inlets or estuaries whose size or configuration precludes significant wave action, but where the inlet itself is not significantly enclosed by a barrier or other restriction.

Open Space – See BIMC Title 18.

Open Water Moorage and Anchorage Area – A designated area of state-owned aquatic lands leased for the moorage and anchorage of vessels that does not abut uplands and does not include a built connection to the uplands. Open water moorage and anchorage areas are leased only by municipalities in accordance with WAC 332-30-139 and subject to the restrictions therein.

Outfall – A structure extending into a body of water for the purpose of discharging an effluent (sewage, storm runoff, cooling water).

Overwash - The flow of marine waters and associated sediment over the top of a barrier beach, usually when storms coincide with high tides. Leads to deposition of sediment in backshore areas and the gradual shifting of a barrier beach landward.

Overwater structures – Human-made structures that extend over all or part of the surface of a body of water, such as a pier.

P

Parking – The temporary storage of automobiles or other motorized vehicles.

Periodic – Occurring at regular intervals.

Person(s) – Includes organizations and corporations.

Pier – A platform structure or anchored device that is fixed above the water extending waterward from ordinary high water, and which is generally used as a landing or moorage place for industrial, commercial, and/or pleasure craft; including but not limited to ; wharves and quays.

Plant Community – Association of plants in a given area or region in which various species are more or less dependent upon each other.

Pocket Beach – An isolated beach, existing usually, without benefit of littoral drift from sources elsewhere. Pocket beaches are produced by erosion of immediately adjacent bluffs or banks and

are relatively scarce and therefore valuable shoreforms on the Island; they are most common between rock headlands and may or may not have a backshore.

Pocket Estuary – Term used in the Puget Sound region to describe small estuaries and lagoons, partially isolated by their configuration from the main body of Puget Sound.

Point – A low profile shoreline Promontory of more or less triangular shape, the top of which extends waterward.

Primary Structure – A structure that includes the principal use of a property, or is intended to be occupied with the principal use of the property.

Priority Habitat – A habitat type with unique or significant value to one or more species. An area classified and mapped as priority habitat must have one or more of the following attributes:

1. Comparatively high fish or wildlife density;
2. Comparatively high fish or wildlife species diversity;
3. Fish spawning habitat;
4. Important wildlife habitat;
5. Important fish or wildlife range;
6. Important fish or wildlife movement corridor;
7. Rearing and foraging habitat;
8. Important marine mammal haul-out;
9. Refugia habitat;
10. Limited availability;
11. High vulnerability to habitat alteration;
12. Unique or dependent species; or
13. Shellfish bed.

A priority habitat may be described by a unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as oak woodlands or eelgrass meadows).

A priority habitat may also be described by a successional stage (such as, old growth and mature forests). Alternatively, a priority habitat may consist of a specific habitat element (such as a consolidated marine/estuarine shoreline, talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or non-priority fish and wildlife.

Priority Species –Species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels. Priority species are those that meet any of the criteria listed below.

1. Criterion 1. State-listed or state proposed species. State-listed species are those native fish and wildlife species legally designated as endangered (WAC 232-12-014, or its successor), threatened (WAC 232-12-011, or its successor), or sensitive (WAC 232-12-011, or its successor). State proposed species are those fish and wildlife species that will be reviewed by the Department of Fish and Wildlife (POL-M-6001) for possible listing

as endangered, threatened, or sensitive according to the process and criteria defined in WAC 232-12-297.

2. Criterion 2. Vulnerable aggregations. Vulnerable aggregations include those species or groups of animals susceptible to significant population declines, within a specific area or state-wide, by virtue of their inclination to congregate. Examples include heron colonies, seabird concentrations, and marine mammal congregations.
3. Criterion 3. Species of recreational, commercial, and/or tribal importance. Native and nonnative fish, shellfish, and wildlife species of recreational or commercial importance and recognized species used for tribal ceremonial and subsistence purposes that are vulnerable to habitat loss or degradation.
4. Criterion 4. Species listed under the federal Endangered Species Act as either proposed, threatened, or endangered.

Pruning – The selective removal of plant parts to achieve defined objectives.

Pruning Amount – The quantity of plant parts removed at one pruning, expressed in terms of a number of branches or other parts removed, and/or percentage of the crown or buds removed on an entire tree or specific branches.

Public Access – The public's right to get to and use the state's public waters, both saltwater and freshwater, the water/land interface and associated shoreline area. It includes physical access that is either lateral (areas paralleling the shore) or perpendicular (an easement or public corridor to the shore), and/or visual access facilitated by means such as scenic roads and overlooks, viewing platforms, decks or towers and other public sites or facilities.

Public Interest – The interest shared by the citizens of the state or community at large in the affairs of government, or some interest by which their rights or liabilities are affected including, but not limited to , an effect on public property or on health, safety, or general welfare resulting from adverse effects of a use or development.

Puget Lowland, Central – The low area between the Olympic and Cascade Mountain ranges.

Puget Sound – All marine water contained south and east of Admiralty Inlet and Deception Pass.

Q

Qualified Professional ~~or Qualified Consultant~~ – A person with experience and training with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must possess the required education and experience stipulated for that profession pursuant to this Program ~~and/or BIMC 16.20.020~~ for the following:

1. Fisheries Biologist ~~(BIMC 16.20.020(17)~~;
2. Geotechnical Engineer ~~(BIMC 16.20.020(21)~~;
3. Hydrogeologist ~~(BIMC 16.20.020(27)~~;
4. Wetland Specialist ~~(BIMC 16.20.020(56)~~;
5. Wetland Biologist ~~(BIMC 16.20.020(57)~~;
6. Professional Archeologist ~~(RCW 27.53.030(11), or successor)~~

7. Certified Arborist ~~(BIMC 16.20)~~

8. Engineering Geologist

R

RCW – Revised Code of Washington.

Ravine – A V-shaped landform generally having little to no floodplain and normally containing steep slopes, which is deeper than 10 vertical feet as measured from the centerline of the ravine to the top of the slope. Ravines are typically created by the wearing action of streams. The top of the slope is determined where there is a significant change in the slope to generally less that a 15 percent slope.

Recharge – The process involved in the absorption and addition of water from the unsaturated zone to ground water.

Recreation – An experience or activity in which an individual engages for personal enjoyment and satisfaction through forms of play, sports, relaxation, amusement or contemplation, Most shore-based recreation included outdoor recreation such as: fishing, hunting, clamming, beach combing, and rock climbing; various forms of boating, swimming, hiking, bicycling, horseback riding, camping, picnicking, watching or recording activities such as photography, painting, bird watching or viewing or water or shorelines, nature study and related activities.

Recreational Development, Active – activities that generally require the use of constructed facilities such as playgrounds, athletic fields, boat ramps, and marinas, and/or the use of specialized equipment.

Recreational Development, Passive – activities that require a minimum of facilities such as swimming, picnicking, hiking, canoeing and fishing, and other low impact activities.

Recreational Fishing –Fishing for personal use as allowed by Personal Fishery Chapter 220-56 WAC.

1. Hand Line or Angling - shall be identical in meaning and, except as provided in WAC 220-56-115, shall be defined as the use of not more than one line with three hooks attached to a pole held in hand while landing fish, or the use of a hand operated line without rod or reel, to which may be attached not more than three hooks. When fishing for bottom fish, "angling" and "jigging" shall be identical in meaning [WAC 220-56-100(17), or its successor].
2. Spear Fishing - means an effort to take fish or shellfish by impaling the fish or shellfish on a shaft, arrow or other device [WAC 220-56-100(29), or its successor].
3. Bow and Arrow Fishing - any method of taking, or attempting to take, fish by the use of an arrow equipped with a barbed head and a line attached, and propelled by a bow, as in the sport of archery, while the fisher is above the surface of the water [WAC 220-56-100(6), or its successor]

Redevelopment – On a site that is already substantially developed (i.e., has 35 percent or more of existing impervious surface coverage), the creation or addition of impervious surfaces; the expansion of a building footprint or addition or replacement of a structure; construction,

installation or expansion of a building or other structure; replacement of impervious surface that is not part of a routine maintenance activity; and land disturbing activities.

Removal, Vegetation – To eliminate the presence or hazard of unwanted vegetation.

Repair – See "Normal Repair"

Residential Development – Construction or alteration, earth modification, subdivision and use of land primarily for human residence; including but not limited to single-family residences and multifamily dwellings, accessory uses, and structures normally associated with residential uses and structures. Residential development includes land divisions, including short plats, of residentially zoned land. It also includes all modifications to land and vegetation associated with construction, preparation, or maintenance or residential structures or accessory structures.

Restoration or Ecological Restoration – To revitalize, reestablish or upgrade ecological shoreline functions and/or natural processes of a degraded shoreline resource to a condition that sustains the ecological functions and process at a state of equilibrium.

This may be accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures, and removal or treatment of toxic materials.

Retaining Wall – A built structure designed to retain an earth bank from sliding or to resist the lateral pressure of soil when there is a desired change in ground elevation.

Revetment – A sloping structure built to protect a scarp, embankment, or shore against erosion by waves or currents. Usually built of riprap, with heavy armor layer, one or more filter layers of smaller rock or filter cloth, and "toe" protection. A revetment slopes shoreward and has a rough or jagged facing. Its sloping face absorbs wave energy and differentiates it from a bulkhead, which is a vertical structure.

Riparian – Of, pertaining to, or situated or living on the banks of a river or other body of water, including tidewater.

Riparian Management Zone – The area adjacent to a water body (stream, lake or marine water) that contains vegetation that influences the aquatic ecosystem, nearshore area and/or fish and wildlife habitat. The zone include terrestrial habitat and riparian vegetation.

Riparian Vegetation – Vegetation that tolerates and/or requires moist conditions and periodic free flowing water thus creating a transitional zone between aquatic and terrestrial habitats which provides cover, shade and food sources for aquatic and terrestrial insects for fish species. Riparian vegetation and their root systems stabilizes banks, attenuates high water flows, provide wildlife habitat and travel corridors, and provide a source of limbs and other woody debris to terrestrial and aquatic ecosystems.

Riprap – A layer, facing, or protective mound of stones placed to prevent erosion, scouring, or sloughing of a structure or embankment.

Rock Weir – See Groin.

Runoff – Water that is not absorbed into the soil, but rather flows along the ground surface following the topography.

S

Salish Sea – Broadly defined as the confined water body inland from Cape Flattery, including Puget Sound, the Strait of Juan de Fuca and the Strait of Georgia.

Salmon and Steelhead Habitats – Gravel bottom streams, creeks, and rivers used for spawning; streams, creeks, rivers, side channels, ponds, lakes, and wetlands used for rearing, feeding, cover and refuge from predators and high water; streams creeks, rivers, estuaries, and shallow areas of saltwater bodies used as migration corridors; and salt water bodies used for rearing, feeding, and refuge from predators and currents.

Salt Tolerant Vegetation – Vegetation which is tolerant of interstitial soil salinities greater than or equal to 0.5 parts per thousand. [WAC 173-22, or its successor].

Seawall – Structure separating land and water areas primarily to prevent erosion and other damage by wave action. Generally more massive and capable of resisting greater wave forces than a bulkhead or revetment.

Sediment – The material, such as sand, silt, or clay, suspended in or settled on the bottom of a water body, generally deposited by erosion, water or wind.

Sediment Transport – The movement of sediment along a current pathway.

Seismic Hazard Areas – Areas that are subject to severe risk of damage as a result of earthquake-induced ground shaking, or surface faulting. While ground shaking is the principal risk because the entire island will shake significantly, severe damage will occur where slope failure, liquefaction, and settlement are induced by the shaking and surface rupture is created by fault movement. The following areas are considered seismic hazard areas:

1. Seismic Landslide Hazard Areas. Slopes which are stable in non-earthquake periods, but fail and slide during ground shaking;
2. Liquefaction Hazard Areas. Areas of non-cohesive, loose or soft, saturated soils of low density in association with a shallow groundwater table that are subject to settlement and/or liquefaction from ground shaking; or
3. Fault Hazard Areas. Areas of known surface rupture or significant surface deformation as a result of an active fault movement, including fifty feet (50') on either side.

Sensitive Areas – See Critical Areas

Sensitive Land – See Critical Areas

Setback – The required space that is left open and unoccupied between the nearest projection of a structure and the property line of the lot on which the structure is located, and that are required to remain unobstructed from the ground to the sky except for modification to setbacks and height specifically allowed by code.

Shall – A mandate; the action that must be done.

Shared Moorage – Moorage for pleasure craft and/or landing for water sports for use in common by shoreline residents of a certain subdivision or community within shoreline jurisdiction or for use by patrons of a public park or quasi-public recreation area, including rental of non-powered craft. If a shared moorage provides commercial services of six or more slips, it shall be considered a marina.

Shellfish – Invertebrates of the phyla Arthropoda (class Crustacea), Mollusca (class Pelecypoda) and Echinodermata.

Shellfish Habitat Conservation Area – All public and private tidelands suitable for shellfish, as identified by the Washington Department of Health classification of commercial growing areas, and those recreational harvest areas as identified by the Washington Department of Ecology are designated as Shellfish Habitat Conservation Protection District created under RCW 90.72 is also a Shellfish Habitat Conservation Area.

Shoreland Areas – Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands, including river deltas associated with streams, rivers and tidal waters which are subject to the provisions of this chapter; the same to be designated as to location by the Department of Ecology.

Shorelands – See "Shoreland areas."

Shoreline Armoring – Structural protection from erosion caused by tidal action, current or waves, including but not limited to, revetments, bulkheads, sea walls, gabions.

Shoreline Designation – The categories of shorelines established by the Shoreline Master Programs in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. [WAC 173-16-040(4), or its successor].

Shoreline Jurisdiction (Associated Wetlands [Jurisdictional]) – The proper term describing all of the geographic areas covered by the Shoreline Management Act, related rules, and the applicable master program. Those lands extending landward for two hundred feet (200') in all directions, as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred (200) feet from such floodways; and all marshes, bogs, swamps and deltas associated with the streams, lakes, and tidal waters subject to the Shoreline Management Act. See RCW 90.58.030(2)(f), or its successor; WAC 173-16-030(17), or its successor; and WAC 173-22-030(10), or its successor. Also, such areas within a specified local government's authority. See definitions of shorelines, shorelands, shorelines of the state, and Shorelines of State-wide Significance, and wetlands, jurisdictional.

Shoreline Management Act – The Shoreline Management Act of 1971, RCW Chapter 90.58, as amended.

Shoreline Master Program or Master Program – The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020. As provided in RCW 36.70A.480, the goals and policies of a shoreline master program for a county or city approved under chapter 90.58 RCW shall be considered an element of the county or city's comprehensive plan. All other portions of the shoreline master program for a county or city adopted under chapter 90.58 RCW, including use regulations, shall be considered a part of the county or city's development regulations.

Shoreline Modifications – Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

Shoreline Permit – A substantial Development, Conditional Use, Revision, Variance, or any combination thereof [WAC 173-27-030(13), or its successor].

Shoreline Stabilization and Flood Protection – Structural or non-structural modifications to the existing shoreline intended to reduce or prevent erosion impacts to property and dwellings, businesses, or structures of upland beaches or reduce adverse impacts caused by natural processes, such as current, flood, tides, wake, wind, or wave action. These are generally located parallel to the shoreline at or near the OHWM. Examples of specific structural and nonstructural shoreline modification activities include revetments, riprap, bulkheads, and bank stabilization.

Shoreline Stabilization, Bioengineered – Biostructural and biotechnical alternatives to hardened structures (bulkheads, walls) for protecting slopes or other erosive features including soft – treatment techniques. Bioengineered stabilization uses Vegetation Reinforced Soil Slopes (VRSS), which uses vegetation arranged embedded in the ground to prevent shallow mass-movements and surficial erosion.

Shoreline Stabilization, Hard structure – Shore erosion control practices using hardened structures that armor and stabilize the shoreline landward of the structure from further erosion.

Shoreline Stabilization, Hybrid structure – An approach to erosion control that combines soft-treatment shoreline treatment placed waterward of more conventional structural shoreline stabilization elements. The soft treatment preserves natural beach contours and mimics habitat structure in order to preserve ecological functions. The hard structure provides long-term stability to the upland site, but is located sufficiently landward of the OHWM as not to impair ecological processes.

Shoreline Stabilization, New – Placement of shoreline stabilization where no such structure previously existed, including additions to or increases in size of existing shoreline stabilization measures are considered new structures.

Shoreline Stabilization, Non-structural – This is a soft treatment which does not use driftwood, logs, geotextile fabric, or other organic or non-organic structural materials. Examples include:

1. Addressing upland drainage issues;
2. Planting stabilization vegetation without fill, grading, or use of non-biodegradable geotextile fabric, gabions other stabilizing structures to provide temporary erosion control;

Shoreline Stabilization, Replacement – The construction of a new structure to perform a shoreline stabilization function of an existing legally-established shoreline stabilization structure which can no longer adequately serve its purpose.

Shoreline Stabilization, Soft-treatment – Shore erosion control and restoration practices using only plantings or organic materials to restore, protect or enhance the natural shoreline environment. This technique mimics natural conditions for ecological functions and ecosystem-wide processes. When used organic/biodegradable structural components are to be place to avoid significant disruption of sediment recruitment, transportation, and accretion. Examples include:

1. Bioengineered Shoreline Stabilization;

2. Beach Nourishment/Replenishment;
3. Vegetated Soil Stabilization Retention Methods;
4. Driftwood;
5. Coir fiber logs or other natural materials;
6. Nonstructural Shoreline Stabilization.
7. Beach Berm.

Shoreline Stabilization, Structural – Shoreline stabilization which includes a footing, foundation, or anchors. Materials are typically hardened structures which armoring the shoreline. See also Shoreline Stabilization, Hard structure and Shoreline Stabilization, Hybrid structure.

Shoreline Substantial Development Permit – A mechanism through which the City determines whether a proposed development or activity complies with the State of Washington Shoreline Management Act (RCW Chapter 90.58,or its successor) and the Master Program.

Shorelines – All of the water areas of the state, including reservoirs and their associated wetlands, together with the lands underlying them, except those areas excluded under RCW 90.58.030(2)(d) or its successor and shorelines of state-wide significance.

Shorelines Hearings Board (SHB) – A quasi-judicial body which hears appeals by any aggrieved party on the issuance of a shoreline permit and appeals by local government on Washington State Department of Ecology approval of master programs, rules, regulations, guidelines, or designations under the Shoreline Management Act. [RCW 90.58.170, or its successor; RCW 90.58.180, or its successor; and WAC 173-04-01, or its successor].

Shorelines of State-wide Significance – A select category of shorelines of the state, defined in RCW 90.58.030(2)(e) or its successor, where special preservation policies apply and where greater planning authority is granted by the Shoreline Management Act [RCW 90.58.020 or its successor]. Within the City's jurisdiction all those areas lying seaward from the line of extreme low tide are shorelines of state-wide significance [RCW 90.58.030(1)(e)(iii) or its successor].

Shorelines of the State – Shorelines and shorelines of state-wide significance.

Shoreward – See landward

Should – A particular action is required unless there is demonstrated, compelling reason, based on policy of the Shoreline Management Act and this Program, against taking the action.

Shrub – A woody perennial plant, usually with several stems that may be erect or close to the ground, generally smaller than a tree.

Sign – Any letter, figure, design, symbol, trademark or other device which is intended to attract attention to any activity, service, place, political office, subject, firm, corporation or merchandise, except traffic signs or signals, public or court notices, signs not visible from the public right-of-way or adjacent properties, signs on moving vehicles, newspapers, leaflets or other printed materials intended for individual use or individual distribution to members of the public, government flags, flags and buntings exhibited to commemorate national patriotic holidays and temporary banners announcing charitable or civic events.

Significant Removal of Vegetation – The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes

significant ecological impacts to functions provided by such vegetation. The removal of invasive or noxious weeds does not constitute significant vegetation removal. The approved removal of trees determined to be hazardous does not apply. Tree pruning, not including tree topping, where it does not affect ecological functions, does not contribute significant vegetation removal in the Washington State Shoreline Master Program Guidelines, Chapter 173-26 WAC 99 of 100.

Single-family Residence (SFR) – A detached dwelling designed for and occupied by one family, including those structures and developments within a contiguous ownership which are normal appurtenance [WAC 173-27-040(2)(g), or its successor].

Site – The entire lot, series of lots, or parcels on which a development is located or proposed to be located, including all contiguous undeveloped lots or parcels under common ownership.

Soil Bioengineering – An applied science that combines structure, biological, and ecological concepts to construct living structures that stabilize the soil to control erosion, sedimentation, and flooding using live plant materials as a main structural component.

Solid Waste Disposal – Discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste, including hazardous waste, on land or in the water.

Solid Waste – Solid and semi – solid wastes, including garbage, rubbish, ashes, industrial wastes, wood wastes, and sortyard wastes associated with commercial logging activities, swill, demolition and construction wastes, abandoned vehicles and parts of vehicles, household appliances, and other discarded commodities. Solid waste does not include wastewater, dredge material, agricultural, or other commercial logging wastes not specifically listed above. See landfill and dredging material.

Species of Local Importance – Those species that are of local concern due to their population status or their sensitivity to habitat alteration.

Spit – An accretion shoreform which extends seaward from and parallel to the shoreline. They are usually characterized by a wave-built berg on the windward side and more gently sloping, muddy, or marshy shore on the leeward side. A curved spit is normally called a hook.

Spit/Barrier/Backshore – An area with a wide beach face and slope of less than fifteen percent (15%), distinguishable backshore. This term is used to identify geomorphic classes for the 2004 Nearshore Assessment completed by Battelle for the City.

Spur Dock – See Groin.

SSDP – Shoreline Substantial Development Permit.

Starvation – See Impoundment

Statement of Exemption or Letter of Exemption – A written statement by the Administrator that a particular development proposal is exempt from the substantial development permit requirement and is generally consistent with this Program including the policy of the Act [RCW 90.58.020, or its successor].

Steep Slope – A forty percent (40%) or greater slope. See also Landslide Hazard

Storm Surge – A rise above normal water level on the open coast due to the action of wind forces on the water surface or to atmospheric pressure reduction.

Stormwater Management – The control of stormwater drainage through a systematic design that performs a particular function, or multiple functions, and includes but not limited to, pipes, swales, ditches, culverts, street gutters, detention basins, retention basins, constructed wetlands, infiltration devices, catch basins, oil/water separators, sediment basins and modular pavement.

Streams – Those areas in the City of Bainbridge Island where the surface water flows are sufficient to produce a defined channel or bed. A defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes but is not limited to bedrock channels, gravel beds, sand and silt beds, and defined-channel swales. The channel or bed need not contain water year-round. This definition is not meant to include irrigation ditches, canals, storm or surface water runoff devices, or other artificial watercourses unless they are used by fish or used to convey streams naturally occurring prior to construction.

Stream Types – A stream classification system based on fish usage and perennial or seasonal water regime as found in WAC 222-16-030 and meeting the standards listed below.

1. "Type F Stream" means a stream that has fish habitat. Waters having the following characteristics are presumed to meet the physical criteria for fish use: Stream segments having a defined channel of 2 feet or greater within the bankfull width and having a gradient of 16 percent or less. Also, stream segments having a defined channel of 2 feet or greater within the bankfull width and having a gradient greater than 16 percent and less than or equal to 20 percent, and having greater than 50 acres in contributing basin size based on hydrographic boundaries.
2. "Type Np" means all segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are waters that do not go dry any time of a year of normal rainfall. However, for the purpose of water typing, Type Np Waters include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.
3. "Type Ns" means all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np Waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np Water. Ns Waters must be physically connected by an above-ground channel system to marine waters, Type F, or Np Waters.

Structure – A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels. [WAC 173-27-030(15) or its successor].

Subdivision – The division or redivision of land, including short subdivisions, for the purpose of sale, lease, or conveyance.

Substantial Development – Any development of which the total cost or fair market value exceeds the amount specified in WAC 173-26-040(2)(a); or any development which materially interferes with the normal public use of the water or shorelines of the state, except as specifically exempted pursuant to RCW 90.58.030(3)(e), or its successor, and WAC 173-27-040, or its successor. See definitions for Development and Exemption.

Substantial Progress – Substantial progress toward completion of a permitted activity includes all of the following, where applicable: the making of contracts, signing of notice to proceed, completion of grading and excavation and the laying of major utilities; or, where no construction is involved, commencement of the activity [WAC 173-27-090, or its successor].

Subtidal – The area of the marine environment below extreme low tide.

Sub-estuary – See Pocket Estuary

Sustainable Development – Development which maintains a balance between the health of the natural environment and the needs of the human community which lives within it.

Surface Water – Water that travels across the surface of the ground, rather than infiltrating.

Swell – Wind-generated waves that have traveled out of their generating area. Swell characteristically exhibits a more regular and longer period and has flatter crests than waves with their fetch.

T

Terrestrial – Of or relating to land as distinct from air or water.

Tidal Inlet – A shore feature subject to the daily influence of the tides, whose mouth is narrower than its length. The inlet is considered to be all lands and waters seaward of the ordinary high water mark, and extending to its mouth. Within tidal inlets, specific areas that constitute critical habitat are designated for special protection under the Master Program.

Tidal Flats – Marshy or muddy areas of the seabed which are covered and uncovered by the rise and fall of tidal water.

Tidal Lagoon – A body of saline water (salinity greater than 0.5 parts per thousand) with a constricted or subsurface outlet that is subject to the periodic, but not necessarily daily, exchange of water with Puget Sound or a tidal inlet. The exchange may occur seasonally, during storms, or during the highest spring tides. The connection between the sea and the lagoon does not necessarily have to be on the surface; the connection can be subsurface through permeable gravel and sand berms.

Tidal Range – The difference in height between consecutive high and low water.

Tidal Water – Includes marine and estuarine water bounded by the ordinary high water mark. Where a stream enters the tidal water, the tidal water is bounded by the extension of the elevation of the marine ordinary high water mark within the stream [WAC 173-22-030(9), or its successor].

Tidelands – Land on the shore of marine water bodies between the line of ordinary high water and the line of extreme low tide.

Toxic Material – Any material damaging to marine life including, but not limited to, paints, varnishes, anti-fouling agents, bleaches, petroleum, and contaminated bilge waste water.

Transient Moorage – Moorage for a stay of less than two (2) weeks.

Transportation Facilities – Those structures and developments that aid in land and water surface movement of people, goods, and services. They include roads and highways, bridges and

causeways, bikeways, trails, railroad facilities, ferry terminals, float plane terminals, heliports, and other related facilities.

Tree – A woody perennial plant with a single or multiple trunks, which typically develop a mature size of over several inches diameter, and ten (10) or more feet in height.

U

Unavoidable – Adverse impacts that remain after all appropriate avoidance and minimization measures have been implemented.

Updrift – In the direction opposite of dominant alongshore sediment transport.

Upland – Generally described as the area above and landward of the OHWM.

Upland Finfish Rearing Facilities – Those private facilities not located within waters of the state where finfish are hatched, fed, nurtured, held, maintained, or reared to reach the size for commercial market sale. This shall include fish hatcheries, rearing ponds, spawning channels, and other similarly constructed or fabricated facilities.

Utilities, Accessory – Small scale distribution systems directly serving a permitted shoreline use. These include power, telephone, cable, water, sewer, septic, and stormwater lines.

Utilities, Primary – Facilities that produce, transmit, carry, store, distribute, or process electric power, gas, water, sewage, or information. Primary utilities include solid waste handling and disposal facilities, wastewater treatment facilities, utility lines, electrical power generating or transfer facilities, radio, wireless telephone and microwave tower, and gas distribution and storage facilities.

V

Variance – A means to grant relief from the specific bulk, dimensional, or performance standards specified in the applicable Master Program. Variance permits must be specifically approved, approved with conditions, or denied by the Washington State Department of Ecology. (See WAC 173-14-150, or its successor).

Vascular Plant – Any plant that has a specialized conducting system consisting mostly of phloem (food-conducting tissue) and xylem (water-conducting tissue), collectively called vascular tissue. These plants have true stems, leaves, and roots, modifications of which enable species of vascular plants to survive in a variety of habitats under diverse, even extreme, environmental conditions.

Vegetative Stabilization – Planting of vegetation to retain soil and retard erosion, reduce wave action, and retain bottom material. It also means utilization of temporary structures or netting to enable plants to establish themselves in unstable areas.

Vessel – A floating structure that is designed primarily for transportation, is normally capable of self propulsion and navigation, and meets all applicable laws and regulations pertaining to navigation and safety equipment on vessels, including, but not limited to, registration as a vessel by an appropriate government agency, and does not interfere with normal public use of the water. [WAC 173-27-030(18), or its successor].

View Corridor – An area free of buildings and other view-blocking structures which provides visual access to water and/or the shoreline.

W

WAC – Washington Administrative Code.

Water-dependent Use – A use or a portion of a use which cannot exist in a location that is not adjacent to the water which is dependent on the water by reason or the intrinsic nature of its operation. Examples of water-dependent uses may include ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, aquaculture, float plane facilities, and sewer outfalls.

Water-enjoyment Use – A recreational use, or other use facilitating public access to the shoreline as a primary characteristic of the use, or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as general characteristic of the use and which through the location, design, and operation ensure the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public, and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that foster shoreline enjoyment. Primary water-enjoyment uses may include, but are not limited to, parks, piers, and other improvements facilitating public access to shorelines of the state. General water-enjoyment uses may include, but not limited to, restaurants, museums, aquariums, educational/scientific reserves, resorts, and mixed use commercial, provided that such uses conform to the above water-enjoyment specifications and the provisions of the Master Program.

Water-oriented Use – Refers to any combination of water-dependent, water-related and/or water-enjoyment uses and serves as an all-encompassing definition for priority uses under the Shoreline Management Act.

Waterward – To, toward, or continuing into the water body.

Water Quality – The physical characteristics of water within shoreline jurisdiction, including water quality, hydrological, physical, chemical, aesthetic, recreation-related, and biological characteristics. Where used in this chapter, the term "water quantity" refers only to development and uses regulated under this chapter and affecting water quantity, such as impermeable surfaces and stormwater handling practices. Water quantity, for purposes of this chapter, does not mean the withdrawal of ground water or diversion of surface water pursuant to RCW 90.3.250 through 90.03.340.

Water-related – A use or portion of a use which is not intrinsically dependent on a waterfront location, but whose economic viability is dependent upon a waterfront location because:

1. Of a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water or,
2. The use provides a necessary service supportive of the water-dependent commercial activities and the proximity of the use to its customers makes its services less expensive and/or more convenient.

Examples include: (1) manufacturers of ship parts large enough that transportation becomes a significant factor in the product(s) cost, (2) professional services serving primarily water-dependent activities, and (3) storage of water-transported foods. Examples of water-related uses may include warehousing of goods transported by water, seafood processing plants,

hydroelectric generating plants, gravel storage when transported by barge, oil refineries where transport is by tanker, and log storage.

Wave Direction – The direction from which waves approach an observer.

WDFW – Washington State Department of Fish and Wildlife.

Washington State Department of Ecology – See Ecology.

Weir – A structure in a stream or river for measuring or regulating stream flow.

Wetlands – Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support~~,~~ a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include, but are not limited to, swamps, estuaries, marshes, bogs, ponds less than twenty acres, including their submerged aquatic beds and similar areas ~~and similar areas, including associated wetlands~~. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands ~~that were~~ created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands ~~may~~ include those legally established artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. [WAC 173-22-030(10) and (11), or their successors]

Wetland Boundary – The boundary or outer edge of a wetland as delineated in accordance with the federal wetland delineation manual and applicable regional supplements (as updated), as required by WAC 173-22-035, or its successor.

Wetland Category – Category as defined in Washington State Wetland Rating System for Western Washington – 2014 Update (Ecology Publication No. 14-06-029, October 2014), or as revised and adopted by the department.

Wetlands Specialist – A person with experience and training in wetland issues who is able to submit substantially correct reports on wetland delineations, classifications, functional assessments and mitigation plans. "Substantially correct" means that errors, if any, are minor and do not delay or affect the site plan review process. Qualifications of a wetlands specialist include either (1) or (2), below, and the prior successful completion of at least three wetland reports.

1. Certification as a Professional Wetland Scientist (PWS) or Wetland Professional in Training (WPIT) through the Society of Wetland Scientists.
2. Bachelor of science degree in the biological sciences from an accredited institution and five years of professional field experience.

~~**Wetlands, Jurisdictional** – See "shoreland areas."~~

Wildlife Biologist – A person with experience and training in the principles of wildlife management and with practical knowledge in the habits, distribution and environmental management of wildlife. Qualifications include either (1) or (2), below, and the prior successful completion of at least three habitat managements plans.

1. Certification as a professional wildlife biologist through The Wildlife Society.

2. Bachelor of science or bachelor of arts degree in wildlife management, wildlife biology, ecology, zoology, or a related field, from an accredited institution and five years of professional field experience.

Wildlife Habitat – A seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These include areas of relative density or species richness, breeding habitat, winter range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs, streams and wetlands.

X

Y

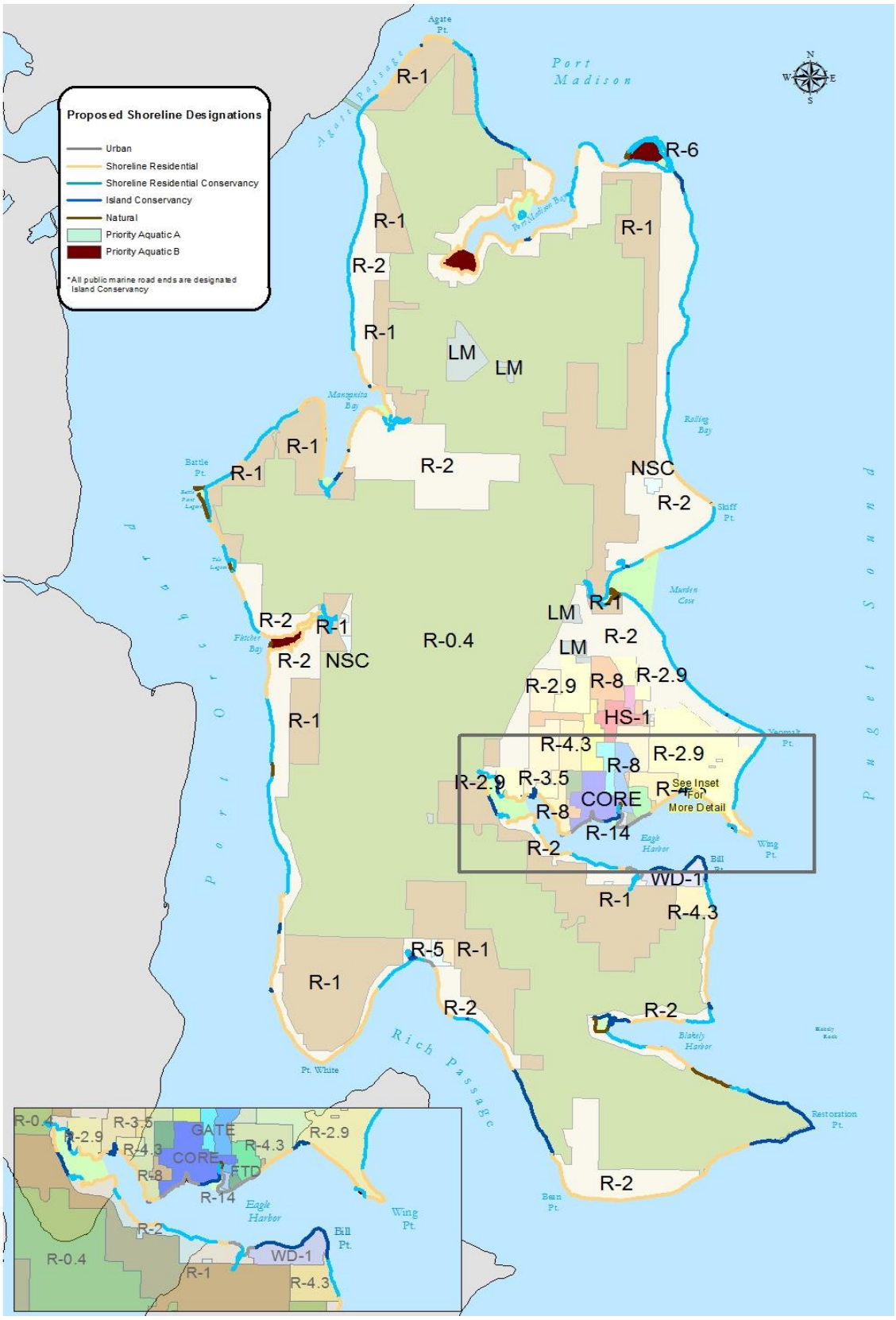
Z

Zone of Impact –The area of the subject property where the incident wave energy is distributed, in relation to the primary structure and primary appurtenances and the angle of the incident wave.

Zone of Influence – The zone of influence means an area usually upslope from a geologically hazardous area, where changes in land use and hydrology can affect the stability of the geologically hazardous area. The zone of influence is defined as 300 feet upslope from slopes greater than forty percent (40%), and two hundred feet (200') upslope from slopes greater than 15 percent but less than 40 percent that are determined to be geologically hazardous areas.

Zoning – To designate by ordinance, including maps, areas of land reserved and regulated for specific land uses.

Appendix A - Shoreline Designation Map



Appendix B – Reserved ~~Critical Areas~~

~~B-1. Definitions~~

~~For the purposes of this subsection, the following definitions shall apply:~~

1. ~~"Aquifer recharge area" means the surface area of any geological formation sufficiently pervious to provide fresh water to an aquifer through the process of infiltration and percolation.~~
2. ~~"Base flood" means a general and temporary condition of partial or complete inundation of normally dry land areas having a one percent chance of being equaled or exceeded in any given year. Base flood elevation data is commonly displayed as an elevation line on flood insurance maps, showing the location of the expected whole-foot water-surface elevation of the base (100-year) flood.~~
3. ~~"Best management practices" (BMPs) means conservation practices or systems of practices and management measures that:~~
   a. ~~Control soil loss and protect water quality from degradation caused by nutrients, animal waste, toxins, and sediment; and~~
   b. ~~Minimize adverse impacts to surface water and groundwater flow, and to the chemical, physical, and biological characteristics of critical areas.~~

   ~~BMPs are defined by the United States Department of Agriculture, the State of Washington Department of Agriculture, the Washington State Department of Ecology, Washington State Department of Health, Kitsap Conservation District, and other professional organizations.~~
4. ~~"Buffer" means an area adjoining to and a part of a critical area that is required for the continued maintenance, functioning, and/or structural stability of that critical area, or an area adjacent to a stream or wetland that (a) surrounds and protects the functions and values of the stream or wetland from adverse impacts, (b) is an integral part of a stream or wetland ecosystem, and (c) provides shading, input of organic debris and coarse sediments, room for variation in stream or wetland edge, habitat for wildlife, and protection from harmful intrusion, to protect the public from losses suffered when the functions and values of the wetland or stream are degraded.~~
5. ~~"Category I, II, III, IV wetlands": see "Wetland category".~~

6. ~~"Critical areas" means aquifer recharge areas, fish and wildlife habitateonservation areas, frequently flooded areas, geologically hazardous areas, and wetlands.~~
7. ~~"Critical habitat" means a habitat identified by US Fish and Wildlife Service or the National Marine Fisheries Service as habitat necessary for survival of endangered or threatened species.~~
8. ~~"Educational or scientific activities" means controlled and/or supervised scientific activities or educational activities that are associated with an educational program that is approved through a conditional use permit.~~
9. ~~"Engineering geologist" means a practicing engineering geologist who has at least four years of professional employment as an engineering geologist with experience in landslide evaluation, and a Washington State specialty license in engineering geology as specified in Chapter 18.220 RCW.~~
10. ~~"Erosion hazard area" means a landform or soil type subject to being worn away by the action of water, wind, freeze-thaw, or ice, and which are:~~

a. Rated in the Soil Survey of Kitsap County Area, Washington, USDA (1980), as having severe hazard of water erosion, including:
i. Indianola-Kitsap Complex, 45 to 70 percent slope;
ii. Kitsap Silt Loam, 15 to 30 percent slope, 30 to 45 percent slope;
iii. Ragnar Fine Sandy Loam, 15 to 30 percent slope; and
iv. Schneider very gravelly loam, 45 to 70 percent slope;
b. Classified in the Department of Ecology Coast Zone Atlas as:
i. Class 3, class U (unstable) includes severe erosion hazards and rapid surface runoff areas;
ii. Class 4, class UOS (unstable old slides) includes areas having severe limitations due to slope; and
iii. Class 5, class URS (unstable recent slides); and
c. Identified by the USGS Surface Geology Map of Bainbridge Island (Haugerud, 2001) as rilled slopes/scarps.

11. "Existing development" means a development that was lawfully constructed, approved or established prior to the effective date of the ordinance codified in this chapter.
12. "Fish" means species of the vertebrate taxonomic groups Cephalospidomorphi and Osteichthyes.
13. "Fish and wildlife habitat" means a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These include areas of relative density or species richness, breeding habitat, winter range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs, streams and wetlands.
14. "Fisheries biologist" means a person with experience and training in fisheries who is able to submit substantially correct reports on fish population surveys, stream surveys and other related data analyses of fisheries resources. "Substantially correct" means that technical or scientific errors, if any, are minor and do not delay or affect the site plan review process. Qualifications of a fisheries biologist include:
a. Either:
i. Certification by the American Fisheries Society, or;
ii. Bachelor of Science degree in fisheries or the biological sciences from an accredited institution and five years of professional fisheries experience; and
b. The prior successful completion of at least three habitat management plans; and
c. The biologist is listed on a roster of qualified professionals prepared by the Director.
15. "Frequently flooded areas" means lands subject to a one percent or greater chance of flooding in any given year, as determined by the Federal Emergency Management Agency. These areas include, but are not limited to, floodplains adjacent to streams, lakes, coastal areas, and wetlands. (Also see Chapter 15.16 BIMC, Flood Damage Prevention.)
16. "Functions" means the beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, groundwater recharge and discharge, erosion control, wave attenuation, aesthetic value protection, and recreation. These roles are not listed in order of priority.

17. "Geologically hazardous areas" means areas susceptible to significant erosion, sliding, or other geological events. They pose a threat to the health and safety of citizens when used as sites for incompatible commercial, residential or industrial development. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas.
18. "Geotechnical engineer" means a practicing geotechnical/civil engineer who has a valid Washington engineering license and a valid certificate of registration in civil engineering, at least four years of professional employment as a geotechnical engineer with experience in landslide evaluation, and appropriate training and experience as specified in Chapter 18.43 RCW.
19. "Habitat Management Plan" (HMP) means a report prepared by a professional wildlife biologist or fisheries biologist which discusses and evaluates critical fish and wildlife habitat functions and identifies and evaluates measures necessary to enhance and improve habitat conservation on a proposed development site.
20. "Habitat of local importance" means a seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain their population and reproduce over the long-term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited availability or areas of high vulnerability to alteration, such as cliffs and wetlands.
21. "Hazard tree" means a tree with structural defects likely to cause failure of all or part of the tree, which could strike a "target." A target can be a building or a place where people gather such as a park bench, picnic table, street, or backyard. In the case of steep slopes, a hazard tree can also be a tree that is a hazard to stability of the slope, as determined by a geotechnical engineer.
22. "Hazardous substances" means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as specified in RCW 70.105.010. (Also see BIMC 18.06.450 through 18.06.510).
23. "Hydric soil" means soil which is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part.
24. "Hydrogeologist" means a practicing hydrogeologist who has at least four years of professional employment as a hydrogeologist with experience in the specific subject area in which they are providing a report, and a Washington specialty license in hydrogeology as specified in RCW Chapter 18.220.
25. "Hydrophyte or hydrophytic vegetation" means plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the "Within the Federal delineation manual and Regional supplement or its successor.
26. "Impact of land use" means the relative measure of the intensity of land use used to determine the appropriate buffer widths for wetlands and streams which is categorized as follows:
    a. High impact land use includes commercial development, industrial development, institutional development, residential (more than one unit per acre) development, new agriculture (high-intensity such as dairies, nurseries, greenhouses, raising and

harvesting crops requiring annual tilling, raising and maintaining animals), and high-intensity recreation such as golf courses and ballfields.

b. Moderate impact land use includes residential development (1 unit/acre or less), new agriculture (moderate-intensity such as orchard and hay fields), paved trails, and building of logging roads.

c. Low impact land use includes low-intensity open space such as passive recreation, natural resources preservation, and unpaved trails.

27. "Invasive/exotic species" means plants and animals that are not native to the Puget Sound lowlands and are recognized by wetland professionals or biologists to be highly competitive with native vegetation and animals. Invasive/exotic plant species include those listed on the noxious weed list developed by the Washington State Noxious Weed Board, nonnative blackberries and English ivy. Invasive/exotic animal species include any species, such as rats, bullfrogs, zebra mussels and green crabs, considered by resource professionals to be damaging to the native animal populations.

28. "Landslide hazard areas" means areas which are potentially subject to risk of mass movement due to a combination of factors, including historic failures, geologic, topographic, and hydrologic features. Some of these areas are identified in the Department of Ecology Coastal Zone Atlas and USGS Surface Geology Map of Bainbridge Island (Haugerud, 2001). The presence of these factors shall be determined through assessment, by the least intrusive means, by the City Engineer or at the City Engineer's request by a third party geoengineer or geotechnical expert, prior to issuance of any permit. Landslide hazard areas include the following:

a. Areas characterized by slopes greater than 15 percent having springs or groundwater seepage and having impermeable soils (typically silt and clay) overlain or frequently interbedded with permeable granular soils (predominantly sand and gravel);

b. Any area potentially unstable due to rapid stream incision or stream bank erosion;

c. Any area located on an alluvial fan, debris flow deposit, or in a debris flowpath, presently or potentially subject to impacts or inundation by debris flows or deposition of stream-transported sediments;

d. Any area with a slope of 40 percent or greater and with a vertical relief of 10 or more feet except areas composed of competent consolidated rock;

e. Any area designated or mapped as class U, UOS, or URS by the Department of Ecology Coastal Zone Atlas and/or mapped as a landslide or scarp on the USGS Surface Geology Map of Bainbridge Island (Haugerud, 2001); or

29. "Liquefaction" means a process in which a water-saturated soil, upon shaking, suddenly loses strength and behaves as a fluid.

30. "Mitigation categories" means

a. The following specific categories: (need for mitigation ratios)

i. Mitigation, Compensatory: replacing project-induced critical area losses or impacts, including, but not limited to, establishment, re-establishment, rehabilitation or enhancement.

ii. Mitigation, Establishment: Mitigation performed to intentionally establish a critical area (e.g., wetland) at a site where it does not currently exist.

iii. Mitigation, Re-Establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former critical area.

iv. Mitigation, Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions and processes to a degraded critical area.

v. Mitigation, Enhancement: The manipulation of the physical, chemical, or biological characteristics of a biological wetland to heighten, intensify or improve specific function(s) or to change for specific purposes such as water quality improvement, flood water retention, or wildlife habitat.

31. "Normal maintenance" means those usual acts to prevent a decline, lapse or cessation from a lawfully established condition. Normal maintenance includes removing debris from and cutting or manual removal of vegetation in crossing and bridge areas. Normal maintenance does not include:
    a. Use of fertilizer or pesticide application in wetlands, Fish and Wildlife Habitat Conservation Areas, or their buffers;
    b. Re-digging ditches in wetlands or their buffers to expand the depth and width beyond the original ditch dimensions;
    c. Re-digging existing drainage ditches in order to drain wetlands on lands not classified as existing and ongoing agriculture under Section B-2(C) (Exemptions).
32. "Open space" means undeveloped areas of varied size. Open space often contains distinctive geologic, botanic, zoologic, historic, scenic or other critical area, or natural resource land features.
33. "Ravine" means a V-shaped landform generally having little to no floodplain and normally containing steep slopes, which is deeper than 10 vertical feet as measured from the centerline of the ravine to the top of the slope. Ravines are typically created by the wearing action of streams. The top of the slope is determined where there is a significant change in the slope to generally less that a 15 percent slope.
34. "Reasonable alternative" means an activity that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation.
35. "Repair" means activities that restore the character, size, or scope of a project only to the previously authorized condition.
36. "Seismic hazard areas" means areas subject to severe risk of damage as a result of seismic induced ground shaking, or surface faulting. While ground shaking is the principal risk because the entire island will shake significantly, severe damage will occur where slope failure, liquefaction, and settlement are induced by the shaking and surface rupture is created by fault movement. The following areas are considered seismic hazard areas:
    a. Seismic Landslide Hazard Areas - Slopes which are stable in non-earthquake periods, but fail and slide during ground shaking;
    b. Liquefaction Hazard Areas - Areas of cohesionless, loose or soft, saturated soils of low density in association with a shallow groundwater table that are subject to settlement and/or liquefaction from ground shaking, or;
    c. Fault Hazard Areas - Areas of known surface rupture or significant surface deformation as a result of an active fault movement, including 50 feet on either side.
37. "Site" means the entire lot, series of lots, or parcels on which a development is located or proposed to be located, including all contiguous undeveloped lots or parcels under common ownership.

38. "Streams" means those areas in the City of Bainbridge Island where the surface water flows are sufficient to produce a defined channel or bed. A defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes but is not limited to bedrock channels, gravel beds, sand and silt beds, and defined-channel swales. The channel or bed need not contain water year-round. This definition is not meant to include irrigation ditches, canals, storm or surface water runoff devices, or other artificial watercourses unless they are used by fish or used to convey streams naturally occurring prior to construction of the water course.
39. "Stream Types" means a streams classification system based on fish usage and perennial or seasonal water regime as found in WAC 222-16-030 and meeting the standards listed below.
    a. "Type F Stream" means a stream that has suitable fish habitat. If fish usage has not been determined, water having the following characteristics are presumed to have fish use: Streams segments having a defined channel of 2 feet or greater within the bankfull width and having a gradient of 16 percent or less. Determination of fish usage shall use the methodology found in Washington Department of Natural Resource's Forest Practice Board Manual, Section 13.
    b. "Type Np" means all segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are waters that do not go dry any time of a year of normal rainfall. However, for the purpose of water typing, Type Np Waters include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.
    c. "Type Ns" means all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np Waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np Water. Ns Waters must be physically connected by an above-ground channel system to marine waters, Type F, or Np Waters.
40. "Wetland or wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, estuaries, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as result of the construction of a road, street, or highway. Wetland may include those artificial wetland intentionally created from nonwetland areas to mitigate the conversion of wetlands.

41. "Wetland boundary" means the boundary or edge of a wetland as delineated using the methodology found in Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Cost Region (Version 2.0). (Per WAC173-22-035, or its sucessor.)

42. "Wetland category" means category as defined in "Washington State Wetland Rating System for Western Washington, Revised," Department of Ecology publication #04-06-025, or as revised and adopted by the department.
43. "Wetland classes" means the classification system of the U.S. Fish and Wildlife Service (Cowardin, et al. 1979).
44. Wetland Mitigation.
    a. In-kind: To replace wetlands with substitute wetlands whose characteristics closely approximate those destroyed or degraded by a regulated activity. It does not mean replacement "in-category."
    b. Off-site: To replace wetlands away from the site on which a wetland has been impacted by a regulated activity.
    c. On-site: To replace wetlands at or adjacent to the site on which a wetland has been impacted by a regulated activity.
    d. Out-of-kind: To replace wetlands with substitute wetlands whose characteristics do not closely approximate those destroyed or degraded by a regulated activity. It does not refer to replacement "out-of-category."
45. Wetlands, Regulated.
    a. "Regulated wetlands" means:
        i. All Category I and II wetlands;
        ii. All Category III and Category IV wetlands
    b. Category I, II, III and IV wetlands include:
        i. Lands defined as wetlands shall be those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.
        ii. Wetlands created as mitigation and wetlands modified for approved land use activities.
    c. Regulated wetlands do not include artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990 that were unintentionally created as a result of the construction of a road, street, or highway.
46. "Wetlands specialist" means a person with experience and training in wetland issues who is able to submit substantially correct reports on wetland delineations, classifications, functional assessments and mitigation plans. "Substantially correct" means that errors, if any, are minor and do not delay or affect the site plan review process. Qualifications of a wetlands specialist include:
    a. Either:
        i. Certification as a Professional Wetland Scientist (PWS) or Wetland Professional in Training (WPIT) through the Society of Wetland Scientists, or;
        ii. Bachelor of science degree in the biological sciences from an accredited institution and five years of professional field experience; and
    b. The prior successful completion of at least three wetland reports; and
    c. The specialist is listed on a roster of qualified professionals prepared by the Director.

47. "Wildlife biologist" means a person with experience and training in the principles of wildlife management and with practical knowledge in the habits, distribution and environmental management of wildlife. Qualifications include:
    a. Either:
        i. Certification as a professional wildlife biologist through The Wildlife Society, or;
        ii. Bachelor of science or bachelor of arts degree in wildlife management, wildlife biology, ecology, zoology, or a related field, from an accredited institution and five years of professional field experience; and
    b. The prior successful completion of at least three habitat managements plans; and
    c. The biologist is listed on a roster of qualified professionals prepared by the Director.
46. "Zone of Influence" means an area, usually upslope from a geologically hazardous area, where changes in land use and hydrology can affect the stability of the geologically hazardous area. The zone of influence is defined as 300 feet upslope from slopes greater than 40 percent, and 200 feet upslope from slopes greater than 15 percent but less than 40 percent that are determined to be geologically hazardous areas.

B 2. Applicability, exemptions, and prior development activity.

A. Applicability. This appendix establishes regulations for the protection of sites which contain critical areas or are adjacent to sites which contain critical areas in the shoreline jurisdiction. Development and land use activities proposed on critical area sites shall comply with the provisions of this Appendix. No action shall be taken by any person, company, agency, governmental body (including the City), or applicant, which results in any alteration of a critical area except as consistent with the purposes, requirements, objectives, and goals of this chapter.

B. Inventory of Critical Areas. This appendix shall apply to all critical areas located within the shoreline jurisdiction of the city. The approximate location and extent of these areas on Bainbridge Island is displayed on various inventory maps available at the city's Department of Planning and Community Development. Maps and inventory lists are guides to the general location and extent of critical areas. Critical areas not shown are presumed to exist on Bainbridge Island and are protected under all the provisions of this chapter. In the event that any of the designations shown on the maps or inventory lists conflict with the site-specific conditions, site-specific conditions shall control.

C. Exemptions. The following activities are exempt from the requirements of this chapter

1. Emergencies that threaten the public health, safety and welfare. An "emergency" is an unanticipated and immediate threat to public health, safety, or the environment which requires action within a time too short to allow compliance with this chapter, further definition of "emergency" is in Section 8.0 of the Shoreline Master Program. Restoration or mitigation of critical areas and buffers impacted by emergency action shall be required in a timely matter.
2. Normal and routine maintenance of structures, landscaping and vegetation that will not further impact or alter critical areas or buffers.
3. Normal and routine maintenance and operation of pre-existing retention/detention facilities, biofilters and other stormwater management facilities, irrigation and drainage ditches, and fish ponds; provided, that such activities shall not involve conversion of any wetland not currently being used for such activity. Any maintenance of ponds located in stream habitat areas shall require appropriate approval from the Washington Department of Fish and Wildlife.

4. Structural alterations to buildings that do not increase the structural footprint or introduce new adverse impacts to an adjacent critical area, except for structures located on geologically hazardous areas which are not exempt.
5. Normal and routine maintenance or repair of existing utility structures within a right-of-way or existing utility corridor or easements, including the cutting, removal and/or mowing of vegetation.
6. Forest practices conducted pursuant to Chapter 76.09 RCW, except Class IV (general conversions) and Conversion Option Harvest Plans (COHP).
7. Activities within a portion of a wetland buffer or fish and wildlife habitat area buffer located landward of an existing, substantially developed area, such as a paved area, or permanent structure, which eliminates or greatly reduces the impact of the proposed activities on the wetland or fish and wildlife habitat area. The Director shall review the proposal to determine the likelihood of associated impacts.
8. Hazard Tree Removal. Where a threat to human life, property, or slope stability is demonstrated, the Director may allow removal of danger or hazard trees subject to the following criteria:

a. Tree removal is the minimum necessary to balance protection of the critical area and its buffer with protection of life and property; and
b. The critical area or its buffer shall be replanted as determined by the Director.

The Director may require the applicant to consult with a professional forester or a certified arborist prior to tree removal. Hazard tree abatement can sometimes be achieved by felling the tree or trimming the tree. Habitat needs may require leaving the fallen tree in the riparian corridor or maintaining a high stump for wildlife habitat.

9. Aquifer recharge areas. A person, or property, shall be exempt from the provisions of this chapter unless either of the following is true:

a. The property is located in a fish and wildlife habitat conservation area, frequently flooded area, geologically hazardous area, and/or wetland; or
b. One of more of the uses identified in Section B-E are proposed.

D. Standards for existing development.

1. Existing structures and related improvements. Structures and related improvements that were legally built or vested prior to the effective date of Ordinance No. 2012-4 that do not meet the setback or buffer requirements of this appendix may continue to exist in their present form, and may be altered, including remodeled, reconstructed, or expanded, if such alteration complies with the provisions of this Section and will result in no net loss of ecological function.
2. Existing structures, not located in a geologically hazardous area, that were legally built or vested prior to the effective date of Ordinance No. 2012-4

may be altered if:

a. There is no change in the footprint of the building;
b. The remodel is entirely inside the existing building;
c. There is no further encroachment into the buffers required pursuant to this chapter unless a Variance is first approved
3. Existing property improvements other than structures, including driveways, parking areas, yards, play areas, storage areas, and similar improvements that were legally established or vested prior to the effective date of Ordinance No. 2012-4 may be altered if:

a. There is no change in the location of the improvement;

b. Any alteration of the improvement is entirely inside of the existing boundaries of the improvement;

c. There is no further encroachment into the buffers unless a Variance is first approved.

4. Alterations permitted by this Section shall not be exempt from applicable City review or permit requirements or other applicable City codes.

B-3. Prescriptive buffers variations.

A. Intent. The City recognizes that in some cases it may not be possible to provide a critical area buffer that meets the dimensions prescribed by this ordinance, due to land area or other constraints. The City further recognizes that in some cases the desired or better critical area protection can be achieved through alternative approaches.

This section provides alternatives that can be pursued in lieu of the prescribed buffers when warranted by site-specific conditions. In considering an application for any of these alternatives, it shall always be the primary intent of the City to protect the functions and values of the critical areas. It is further the intent of the City to ensure that the application of the provisions of this chapter does not deprive an owner from reasonable use of their property.

Any proposed use of the following alternatives shall be supported by analysis utilizing appropriate science, to determine and minimize the impacts of the alternative:

B. Buffer Averaging. If characteristics of the property do not allow reasonable use with prescribed buffers, the Director may allow wetland and/or fish and wildlife conservation area buffer widths to be averaged. It is intended that the process for reviewing a buffer averaging proposal be as simple as possible, while ensuring that the following criteria are met:

1. The total area contained within the buffer after averaging shall be no less than that contained within the standard buffer prior to averaging;

2. The applicant demonstrates that such averaging will clearly provide greater protection of the functions and values of critical areas than would be provided by the prescribed habitat buffers.

3. The averaging will not result in reduced buffers next to highly sensitive habitat areas; and

4. The applicant demonstrates one or more of the following:

a. That the wetland contains variations in sensitivity due to existing physical characteristics;

b. That only low intensity uses would be located within 200 feet of areas where the buffer width is reduced, and that such low intensity uses restrictions are guaranteed in perpetuity by covenant, deed restriction, easement, or other legally binding mechanism; or

c. That buffer averaging is necessary to avoid an extraordinary hardship to the applicant caused by circumstances peculiar to the property.

C. Habitat Management Plan. A Habitat Management Plan may be prepared pursuant to subsection B-4 when it can clearly be demonstrated that greater protection of the functions and values of critical areas can be achieved through the HMP than could be achieved through providing the prescribed habitat buffers. A Habitat Management Plan may be used as a means to protect wetland and/or fish and wildlife habitat conservation area buffers. Habitat Management Plans may not be used to reduce the water quality buffers for wetlands and/or fish and wildlife habitat conservation areas.

D. Public notice. Appropriate notice of, and opportunity to comment on, the proposed use of any of the foregoing alternatives shall be given to surrounding property owners and the general public, in a manner to be established by the Director.

B-4. Habitat management plan.

A. General. A Habitat Management Plan shall comply with the requirements of this Section, and shall clearly demonstrate that greater protection of the functions and values of critical areas can be achieved through the HMP than could be achieved through providing the prescribed habitat buffers. The Director shall prepare performance standards and monitoring guidelines for Habitat Management Plans, including a program for City oversight of such plans. Once the standards and guidelines are in place, an applicant may propose to implement an HMP as a means to protect habitat buffers associated with wetlands and/or fish and wildlife conservation areas.

B. Intent. HMPs are primarily intended as a means to restore or improve buffers that have been degraded by past activity, and should preserve, and not reduce, existing high quality habitat buffers. While not primarily intended as a means to reduce buffers, the HMP may propose a reduction of the habitat buffer width where it is shown that the HMP will comply with the other requirements of this Section. An HMP shall not reduce the prescribed water quality buffer width as listed in B-8 and B-10 under any circumstance.

C. Effect of buffers. An HMP shall provide habitat functions and values that are greater than would be provided by the prescribed habitat buffers. When habitat buffers are a component of an HMP, they shall be at least the minimum size necessary to accomplish the objectives of the HMP. The HMP may propose, but the City shall not require, a habitat buffer containing a greater area than is required by the prescribed habitat buffer.

D. Impact mitigation - general. The HMP shall encompass an area large enough to provide mitigation for buffer reduction below the standard required buffers, and shall identify how the development impacts resulting from the proposed project will be mitigated. The developer of the plan shall use the best available science in all facets of the analyses. The Washington Department of Fish and Wildlife Priority Habitat and Species Management Recommendations, dated May 1991, and/or bald eagle protection rules outlined in WAC 232-12-292, as now or hereafter amended, may serve as guidance for this report. For Habitat Management Plans addressing wetland buffers, Method for Assessing Wetland Functions, Ecology Publication #99-116 shall be used for guidance in determining function equivalency. All Habitat Management Plans shall be reviewed by a qualified third party selected by the City. The applicant will be responsible for the cost of the review.

F. Map. The Habitat Management Plan shall contain a map prepared at an easily readable scale, showing:

1. The location of the proposed development site;
2. Property boundaries;
3. The relationship of the site to surrounding topographic, water features, and cultural features;
4. Proposed building locations and arrangements;
5. A legend which includes a complete legal description, acreage of the parcel, scale, north arrow, and date of map revision.

G. Report. The Habitat Management Plan shall also contain a report which contains:

1. A description of the nature and intensity of the proposed development;
2. An analysis of the effect of the proposed development, activity or land use change upon the wildlife species and habitat identified for protection. If the Habitat Management Plan is addressing wetland habitat, the analysis shall compare an assessment of wildlife habitat

suitability of the wetland applying standard buffers with an assessment of habitat suitability as proposed using Method for Assessing Wetland Functions, Washington State Department of Ecology (if available for the specific Hydrogeomorphic classification); and

3. A plan which identifies how the applicant proposes to mitigate any adverse impacts to wildlife habitats created by the proposed development. For wetland or other habitats protected by this chapter, the application shall show, using the appropriate function assessment methodology, that habitat functions and values are greater after the development than would occur had the prescribed buffers been provided (see Mitigation Plan requirements, Section 16.20.110).
4. All review comments received from outside reviewers. If the HMP recommends mitigation involving federally listed threatened or endangered species, migratory waterfowl or wetlands, the U.S. Fish and Wildlife Service shall receive a copy of the draft HMP.
5. The HMP shall specifically address, as appropriate, the following:

a. Enhancement of existing degraded buffer area and replanting of the disturbed buffer area with native or equivalent vegetation;
b. The use of alternative on-site wastewater systems in order to minimize site clearing;
c. Infiltration of stormwater where soils permit;
d. Retention of existing native or equivalent vegetation on other portions of the site in order to offset habitat loss from buffer reduction; and
e. The need for fencing and signage along the buffer edge.

H. Mitigation measures. Possible mitigation measures to be included in the report, or required by the Director, could include, but are not limited to:

1. Establishment of buffer zones;
2. Preservation of critically important plants and trees;
3. Limitation of access to habitat areas;
4. Seasonal restriction of construction activities;
5. Establishing phased development requirements; and
6. Monitoring plan for a period necessary to establish that performance standards have been meet. Generally this will be for a period of seven to ten years.

I. HMP adequacy. The HMP shall demonstrate to the satisfaction of the Director that the habitat functions and values are improved by implementation of the HMP. If there is a disagreement between the Director and the applicant as to the adequacy of the HMP, the issue of plan adequacy shall be resolved by consulting with the Washington Department of Fish and Wildlife for HMPs relating to streams or the Washington Department of Ecology for HMPs relating to wetlands. If the State agencies are not available in a timely manner, the applicant may choose to have the City refer the HMPs to a third party consultant at the expense of the applicant. After consultation with such State departments or third party consultant, the Director shall make a final decision on the adequacy of the HMP.

J. Timing. An HMP must be developed and approved either prior to preliminary plat approval or issuance of the building permit, as applicable, and must be implemented before the City grants either final plat approval or an occupancy permit, as applicable.

K. Performance Surety. The Director may require that the applicant provide a performance surety to ensure conformance with mitigation requirements of the habitat management plan pursuant to Section B-4.

B-5. Application requirements.

A. Submittal Requirements. In addition to the general submittal requirements for all applications in the Administration Handbook applications for land use or development proposals within critical areas or their buffers shall be filed with the information requested on the application forms available from the Department of Planning and Community Development. The applicant shall not be granted any approval or permission to conduct development or land use in a critical area and/or its buffer prior to fulfilling the requirements of this chapter.

B. Support Information Requirements. When support information is required by the Director it shall contain the following and be prepared by one or more of the experts listed in Subsection B.4 of this section:

1. A description of the critical areas on or adjoining the site and how the proposed development will or will not impact critical areas, their buffers, and adjoining properties, including:

a. Drainage, surface and subsurface hydrology, and water quality;

b. Existing vegetation as it relates to wetlands, steep slopes, soil stability, and fish and wildlife habitat value; and

c. Other critical area characteristics and functions.

2. Recommended methods for mitigating impacts and a description of how these methods may impact adjacent properties;

3. Any additional information determined as relevant by the Director;

4. Such studies shall be prepared by experts in the area of concern, who shall be selected from a list of approved consultants prepared by the Director, as follows:

a. Aquifer recharge study: Hydrogeologist;

b. Flood hazard area study: Professional civil engineer; hydro-geologist;

c. Geologically hazardous area study: Engineering geologist; geotechnical engineer, provided that:

i. An engineering geologist may provide a study, including interpretation, evaluation, analysis, and application of geological information and data and may predict potential or likely changes in types and rates of surficial geologic processes due to proposed changes to a location, provided it does not contain recommended methods for mitigating identified impacts, other than avoidance, structural impacts to, or suitability of civil works; and

ii. Engineering geologists may not provide engineering recommendations or design recommendations, but may contribute to a complete geotechnical report that is co-sealed by a geotechnical engineer.

d. Stream, riparian area, drainage corridor study: Biologist with stream ecology expertise; fish or wildlife biologist; a civil engineer may provide studies for drainage, surface and subsurface hydrology, and water quality;

e. Wetland study: Wetlands specialist.

f. Habitat Management Plans: Wildlife biologist and/or fisheries biologist.

5. The Director may in some cases retain experts at the applicant's expense to assist in the review of studies; and

6. Such studies shall be prepared in accordance with procedures established by the Director or City Engineer as specified.

B.6. Mitigation plan requirements.

A. All critical area restoration, creation and/or enhancement projects required pursuant to this appendix either as a permit condition or as a result of an enforcement action shall follow a mitigation plan prepared by an expert approved by the Director. The applicant or violator shall receive written approval of the mitigation plan by the Director prior to commencement. Compensatory mitigation is not required for allowed activities which utilize best management practices to protect the functions and values of regulated critical areas.

B. Purpose of Mitigation Plan. The mitigation plan shall provide information on land acquisition, construction, maintenance and monitoring of the replaced critical area. The mitigation plan shall recreate as nearly as possible the original critical area in terms of its acreage, function, geographic location and setting.

C. Mitigation Plan Submittal Requirements. A complete mitigation plan shall consist of plot plans, a written report, and performance bonds, as required below. The plot plans and written report shall be prepared by qualified professionals approved by the Director.

1. Plot Plan Requirements. The following information shall be submitted on one or more plot plans (as determined by the Director):

a. A legal description and a survey (boundary and topography) prepared by a licensed surveyor of the proposed development site, compensation site, and location of existing critical area(s) on each. This shall include wetland delineation and existing wetland acreage.

b. Scaled plot plan(s) indicating:

i. Proposed construction;

ii. Zoning setback and critical area buffer requirements;

iii. Construction phasing and sequence of construction;

iv. Site cross-sections, percent slope, existing and finished grade elevations;

v. Soil and substrate conditions;

vi. Grading and excavation plan, including erosion and sediment control plans needed for construction and long-term survival; substrate stockpiling locations and techniques, and source controls needed for critical area construction and maintenance;

vii. Landscape plans indicating species, types, quantities, locations, size, spacing or density of planting; planting season or timing; planting instructions, watering schedule and nutrient requirements; source of plant materials or seeds; and, where appropriate, measures to protect plants from destruction or predation; and

viii. Water control structures and water-level maintenance practices needed to achieve the necessary hydrocycle/hydroperiod characteristics, etc.

2. Written Report Requirements. A written report shall accompany the plot plan(s) and shall provide the additional information required below. In addition, the report should be used as needed to clarify or explain elements of the plot plan(s).

a. Baseline Information.

i. Wetland delineation and existing wetland acreage;

ii. Vegetative, faunal and hydrologic characteristics;

iii. Soil and substrate conditions;

iv. Relationship within watershed and to existing streams, wetlands, ponds, or saltwater;

v. Existing and proposed adjacent site conditions; and
vi. Existing and proposed ownership.
b. Environmental Goals and Objectives. The report shall contain a description of the environmental goals and objectives to be met by the compensation plan. The goals and objectives shall be related to the functions and values of the original critical area or, if out-of-kind wetland mitigation, the type of wetland to be emulated. This analysis shall include, but is not limited to the following:
i. Site selection criteria;
ii. Identification of compensation goals;
iii. Identification of functions and values;
iv. Dates for beginning and completion of the project and compensation plan;
v. A complete description of the relationship between and among structures and functions sought;
vi. Review of available literature and/or known like-projects to date in restoring or creating the type of critical area proposed;
vii. Likelihood of success of the proposed compensation project at duplicating the original critical area. This shall be based on experiences of comparable projects identified in the literature review or existing projects, if any; and
viii. Likelihood of the ability of the created or restored critical area to provide the functions and values of the original critical area. This shall be based on such factors as surface water and groundwater supply and flow patterns; dynamics of the ecosystem; sediment or pollutant influx and/or erosion, periodic flooding and drought, etc.; presence of invasive flora or fauna; potential human or animal disturbance; and previous comparable projects, if any.
c. Performance Standards. Specific criteria shall be provided for evaluating whether or not the goals and objectives of the project are met and for beginning remedial action or contingency measures. Such criteria may include water quality standards, survival rates of planted vegetation, species abundance, and diversity targets, habitat diversity indices, or other ecological, geological or hydrological criteria.
d. Detailed Specifications. Written specifications and descriptions of compensation techniques shall be provided. These shall include, but not be limited to, items in Subsection C.2 of this Section.
e. Monitoring Program. A program outlining the approach for monitoring construction of the compensation project and for assessing a completed project shall be provided. Monitoring may include, but is not limited to:
i. Establishing vegetation plots to track changes in plant species composition and density over time;
ii. Using photo stations to evaluate vegetation community response;
iii. Sampling surface and subsurface waters to determine pollutant loading, and changes from the natural variability of background conditions (pH, nutrients, heavy metals);
iv. Measuring base flow rates and storm water runoff to model and evaluate water quality predictions, if appropriate;
v. Measuring sedimentation rates, if applicable; and
vi. Sampling fish and wildlife populations to determine habitat utilization, species abundance and diversity.

f. A protocol shall be included outlining how the monitoring data will be evaluated by agencies that are tracking the progress of the compensation project. A monitoring report shall be submitted annually, at a minimum, documenting milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than seven years.

g. Contingency Plan. Identification of potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.

D. Performance and Maintenance Surety and Demonstration of Competence. A demonstration of financial resources, administrative, supervisory, and technical competence and scientific expertise to successfully execute the compensation project shall be provided. A compensation project manager shall be named and the qualifications of each team member involved in preparing the mitigation plan and implementing and supervising the project shall be provided, including educational background and areas of expertise, training and experience with comparable projects. In addition, a surety ensuring fulfillment of the compensation project, monitoring program, and any contingency measure shall be posted.

E. City Consultation. The City may consult with and solicit comments from any federal, state, regional, or local agency, including tribes, having any special expertise with respect to any environmental impact prior to approving a mitigation proposal which includes critical areas compensation. The compensation project proponents should provide sufficient information on plan design and implementation in order for such agencies to comment on the overall adequacy of the mitigation proposal.

F. Permit Conditions. Any compensation project prepared pursuant to this section and approved by the Director shall become part of the application for the permit.

B 7. Aquifer recharge areas.

A. Classification. The entirety of Bainbridge Island is the recharge area for the island aquifers. Certain uses must be carefully evaluated before being approved, and others must be prohibited, in order to protect the city's aquifers, due to the following:

1. Bainbridge Island is dependent upon its aquifers as the sole and essential source for drinking water. Critical recharge areas have the potential to affect potable water where an essential source of drinking water is vulnerable to contamination.

2. The island aquifers are vulnerable to pollution that has the potential to create a significant public health hazard. High vulnerability is indicative of land uses which produce contaminants that may degrade groundwater and low vulnerability is indicative of land uses which will not.

3. Susceptibility to pollution is a function of depth of groundwater, permeability of soils, soil types, presence of potential sources of contamination and any other relevant factors.

4. Soil types that transfer water to the aquifer are rated in terms of infiltration rate. Soil types with the high infiltration rates are associated with areas of high aquifer recharge. The rates and soil types are defined by the U.S. Department of Agriculture, Soil Conservation Service, in the Soil Survey of Kitsap County.

5. The island aquifers are vulnerable to a reduction in recharge from activities that reduce the infiltration rate on a site.

B. Hydrogeologic Assessment. The following proposed activities will require the preparation of a hydrogeologic assessment:

1. The use of hazardous substances, other than household chemicals used according to the directions specified on the packaging for domestic applications;
2. The use of injection wells, including on-site septic systems, except those domestic septic systems releasing less than 14,500 gallons of effluent per day; or
3. Any other activity determined by the Director likely to have an adverse impact on ground water quality or quantity or on the recharge of the aquifer.

C. Hydrogeologic Assessment Requirements. A hydrogeologic assessment shall include, at a minimum, the following site and proposal-related information:

1. Available information regarding geologic and hydrogeologic characteristics of the site including the surface location of all critical aquifer recharge areas located on site or immediately adjacent to the site, and permeability of the unsaturated zone;
2. Ground water depth, flow direction, and gradient based on available information;
3. Currently available data on wells and springs within 1,300 feet of the project area;
4. Location of other critical areas, including surface waters, within 1,300 feet of the project area;
5. Available historic water quality data for the area to be affected by the proposed activity;
6. Best management practices proposed to be utilized to protect groundwater quality; and
7. Low impact development practices designed to maintain infiltration rates to the underlying aquifers.

D. Performance Standards – Specific Uses.

1. Storage Tanks. All storage tanks proposed in a critical aquifer recharge area must comply with local building code requirements and must conform to the following requirements:

a. Underground Tanks. All new underground storage facilities proposed for the storage of hazardous substances or hazardous wastes shall be designed and constructed so as to:

i. Prevent releases due to corrosion or structural failure for the operational life of the tank;
ii. Be protected against corrosion, constructed of noncorrosive material, steel clad with a noncorrosive material, or designed to include a secondary containment system to prevent the release or threatened release of any stored substances; and
iii. Use material in the construction or lining of the tank that is compatible with the substance to be stored.

b. Aboveground Tanks. All new aboveground storage facilities proposed for the storage of hazardous substances or hazardous wastes shall be designed and constructed so as to:

i. Not allow the release of a hazardous substance to the ground, ground waters, or surface waters;
ii. Have a primary containment area enclosing or underlying the tank or part thereof; and
iii. A secondary containment system either built into the tank structure or a dike system built outside the tank for all tanks.

2. Vehicle Repair and Servicing

a. Vehicle repair and servicing must be conducted over impermeable pads and within a covered structure capable of withstanding normally expected weather conditions. Chemicals used in the process of vehicle repair and servicing must be stored in a manner that protects them from weather and provides containment should leaks occur.
b. No dry wells shall be allowed on sites used for vehicle repair and servicing. Dry wells existing on the site prior to facility establishment must be abandoned using techniques

approved by the state Department of Ecology prior to commencement of the proposed activity.

3. Residential Use of Pesticides and Nutrients. Application of household pesticides, herbicides, and fertilizers shall not exceed times and rates specified on the packaging.

4. Use of Reclaimed Water for Surface Percolation or Direct Recharge. Water reuse projects for reclaimed water must be in accordance with the adopted water or sewer comprehensive plans that have been approved by the state departments of Ecology and Health.

a. Use of reclaimed water for surface percolation must meet the ground water recharge criteria given in Chapter 90.46.080(1) and Chapter 90.46.010(10) RCW. The state Department of Ecology may establish additional discharge limits in accordance with Chapter 90.46.080(2) RCW.

b. Direct injection must be in accordance with the standards developed by authority of Chapter 90.46.042 RCW.

5. State and Federal Regulations. The uses listed below shall be conditioned as necessary to protect critical aquifer recharge areas in accordance with the applicable state and federal regulations.

Table 1: Statutes, Regulations, and Guidance Pertaining to Ground Water Impacting Activities

Activity	Statute – Regulation – Guidance
Above Ground Storage Tanks	Chapter 173-303-640 WAC
Animal Feedlots	Chapter 173-216 WAC, Chapter 173-220 WAC
Automobile Washers	Chapter 173-216 WAC, Best Management Practices for Vehicle and Equipment Discharges (Washington Department of Ecology WQ-R-95-56)
Below Ground Storage Tanks	Chapter 173-360 WAC
Chemical Treatment Storage and Disposal Facilities	Chapter 173-303-182 WAC
Hazardous Waste Generator *(Boat Repair Shops, Biological Research Facility, Dry Cleaners, Furniture Stripping, Motor Vehicle Service Garages, Photographic Processing, Printing and Publishing Shops, etc.)*	Chapter 173-303 WAC
Injection Wells	Federal 40 CFR Parts 144 and 146, Chapter 173-218 WAC
Junk Yards and Salvage Yards	Chapter 173-304 WAC, Best Management Practices to Prevent

Activity	Statute – Regulation – Guidance
	Stormwater Pollution at Vehicles Recycler Facilities (Washington State Department of Ecology 94-146)
Oil and Gas Drilling	Chapter 332-12-450 WAC, Chapter 173-218 WAC
On-Site Sewage Systems (Large Scale)	Chapter 173-240 WAC
On-Site Sewage Systems (< 14,500 gal/day)	Chapter 246-272 WAC, Local Health Ordinances
Pesticide Storage and Use	Chapter 15.54 RCW, Chapter 17.21 RCW
Sawmills	Chapter 173-303 WAC, Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Log Yards (Washington State Department of Ecology, 95-53)
Solid Waste Handling and Recycling Facilities	Chapter 173-304 WAC
Surface Mining	Chapter 332-18-015 WAC
Wastewater Application to Land Surface	Chapter 173-216 WAC, Chapter 173-200 WAC, Washington State Department of Ecology Land Application Guidelines, Best Management Practices for Irrigated Agriculture

E. Prohibited Uses. Uses Prohibited In Aquifer Recharge Areas. The following activities and uses are prohibited in Aquifer Recharge Areas:

1. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills;
2. Underground Injection Wells. Class I, III, and IV wells and subclasses of Class V wells;
3. Wood Treatment Facilities. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and manmade);
4. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store (other than minor sources such as medicinal uses or industrial testing devices) process, or dispose of radioactive substances; and
5. Other Prohibited Uses or Activities:

a. Activities that would significantly reduce the recharge to aquifers currently or potentially used as a potable water source; and

b. Activities that would significantly reduce the recharge to aquifers that are a source of significant baseflow to a regulated stream.

B-8. Fish and wildlife habitat conservation areas.

A. Purpose. This section applies to all Fish and Wildlife Habitat Conservation Areas, as categorized in Subsection B-8 (B) below. The intent of this Section is to:

1. Preserve natural flood control, stormwater storage, and drainage or stream flow patterns;
2. Control siltation, protect nutrient reserves, and maintain stream flows and stream quality for fish and marine shellfish;
3. Prevent turbidity and pollution of streams and fish or shellfish bearing waters;
4. Preserve and protect habitat adequate to support viable populations of native wildlife and fish on Bainbridge Island; and,
5. Encourage non-regulatory methods of habitat retention whenever practical, through education and the Open Space Tax Program.

B. Fish and Wildlife Habitat Conservation Areas Categories.

1. Classification. The following categories shall be used in classifying Fish and Wildlife Habitat Conservation Areas:

a. Marine Critical Areas. Commercial and recreational shellfish areas; kelp and eelgrass beds; marine and estuarine waters of the state and herring, sand lance and smelt spawning areas.

b. Streams: All streams which meet the criteria for Type F, Np and Ns waters as set forth in WAC 222-16-030 of the Department of Natural Resources Water Typing System and as further modified by the definitions in this appendix. Once a stream has been classified, the City must document the reasons for changes in the classification.

c. Fish and Wildlife Conservation Areas:

i. Class I Fish and Wildlife Conservation Areas: Habitats recognized by federal or state agencies for federal and/or state listed endangered, threatened, and sensitive species documented in maps or data bases available to the City of Bainbridge Island and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.

ii. Class II Fish and Wildlife Conservation Areas. Habitats for State listed candidate, monitor, or priority species documented in maps or data bases available to City of Bainbridge Island and its citizens, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.

d. Habitats and Species of Local Importance. This section provides for the designation and protection of habitats and species of local importance.

i. Designation of species of habitat of local importance can be based on any of the following circumstances:

(a) Local populations of native species are in danger of extirpation based on existing trends.
(b) Local populations of native species are likely to become threatened or endangered under state of federal law.
(c) Local populations of native species are vulnerable or declining.
(d) The species or habitat has recreation, commercial, game, tribal, or other special value.
(e) Long-term persistence of a species is dependent on the protection, maintenance, and/or restoration of the nominated habitat.
(f) Protection by other county, state, or federal policies, laws, regulations, or non-regulatory tools is not adequate to prevent degradation of the species or habitat in the city.
(g) Without protection, there is likelihood that the species or habitat will be diminished over the long term.

ii. Nomination.

(a) Any person may nominate habitats and species for designation.

(b) The nomination should indicate whether specific habitat features are to be protected (for example, nest sites, breeding areas, and nurseries), or whether the habitat or ecosystem is being nominated in its entirety.

(c) Where the nomination is a specific habitat site, the nomination shall include the name and address of all property owners of record of all assessor parcels within the area potentially affected by the management recommendations. The list shall at a minimum include all properties within 300 feet from the edge of all property identified for special designation.

(d) The nomination shall include recommended management strategies for the species or habitats. Management strategies must be supported by the best available science, and where restoration of habitat is proposed, a specific plan for restoration must be provided prior to nomination.

iii. Nomination processing and approval. The decision whether to designate a nominated species or habitat as one of local importance shall be made by the City Council. If approved, the City Council shall pass an ordinance establishing the designation.

iv. Establishment of specific rules for protection. Within 120 days of the effective date of an ordinance designating a species or habitat of local importance, the Director shall develop an administrative rule addressing protection in compliance with this section.

C. Development Standards. Regulated uses in designated Fish and Wildlife Habitat Conservation Areas and/or buffers shall comply with the performance standards outlined in this Section.

1. Development standards – streams:

a. Water quality buffers – An applicant shall provide the prescribed water quality buffers in Table 2 unless relief is granted through SMP Section 4.2.1.7 nonconforming lot or through a shoreline variance.

b. Habitat buffers – An applicant shall provide either:

i. The prescribed habitat buffers in Table 2; or

ii. An approved Habitat Management Plan, pursuant to Section B-4, that clearly provides greater habitat functions and values in perpetuity than the prescribed habitat buffers in Table 2.

c. Buffer distances shall be measured from the ordinary high water mark (OHM) or from the top of the bank where the OHM cannot be identified. Buffers shall be retained in their natural condition. It is acceptable, however, to enhance the buffer by planting native or equivalent vegetation as approved by the Director.

d. The buffer width shall be increased to include streamside wetlands which provide overflow storage for stormwater, feed water back to the stream during low flow, or provide shelter and food for fish. In braided channels, the ordinary high water mark or top of bank shall be defined so as to include the entire stream feature.

e. Refuse and landscaping debris shall not be placed in buffers.

f. Streams in Ravines - Buffers. For streams in ravines outside the Mixed Use Town Center with ravine sides 10 feet or greater in height, the buffer width shall be the greater of:

i. The buffer width required for the stream type; or

ii. A buffer width which extends 25 feet beyond the top of the ravine.

h. Building Setback Line. A building surface setback line of 15 feet is required from the edge of any fish and wildlife habitat conservation area buffer except as provided for in Section B-11. Minor structures such as decks or impervious surfaces such as driveways may be permitted if the Director determines that such intrusions will not adversely impact the fish and wildlife habitat conservation area. The setback shall be identified on the site plan and filed as an attachment to the notice on title.

Table 2: Stream Buffers

Stream Category	Water Quality Buffer	Habitat Buffer	Total Buffer
Fish Bearing (F)	100 ft	50 ft	150 ft
Non-Fish Perennial (Np)	40 ft	10 ft	50 ft
Non-Fish Seasonal (Ns)	40 ft	10 ft	50 ft

3. Class I Fish and Wildlife Conservation Areas Development Standards. All development as described within this chapter or within 200 feet of designated Class I Wildlife Conservation Areas shall adhere to the following standards:

a. The applicant shall submit a Habitat Management Plan as specified in Section B-4 for approval by the Director. If a wildlife conservation area designation is based on the presence of bald eagles, a Bald Eagle Management Plan, approved by the Washington State Department of Fish and Wildlife and meeting the requirements and guidelines of the bald eagle protection rules, WAC 232-12-292(or its successor), as now or hereafter amended, shall satisfy the requirements for a Habitat Management Plan (HMP).

b. All new development within ranges and habitat elements with which Class I Fish and Wildlife have a significant relationship may require the submittal of a Habitat Management Plan (HMP) as specified in Section B-4. The requirement for an HMP shall be determined during the SEPA/Critical Areas review on the project.

c. An HMP required pursuant to this section shall consider measures to retain and protect the wildlife habitat and shall consider effects of land use intensity, buffers, setbacks, impervious surfaces, erosion control and retention of native or equivalent vegetation.

d. Increased Buffer Provisions. The Director may increase buffer widths, up to 50% greater than the applicable buffer set in this chapter for critical areas with known locations of endangered, threatened, or state monitor or priority species for which a habitat management plan indicates a larger buffer is necessary to protect habitat values for such species. Such determination shall be based on site-specific and project-related conditions.

4. Class II Fish and Wildlife Conservation Area Development Standards. All development within designated Class II Wildlife Conservation Areas shall adhere to the following standards:

a. An HMP may be required for any proposed development within designated Class II Fish and Wildlife Conservation Areas. The HMP shall consider measures to retain and protect the wildlife habitat and shall consider effects of land use intensity, buffers, setbacks, impervious surfaces, erosion control and retention of native or equivalent vegetation. The requirement for an HMP shall be determined during the SEPA/Critical Areas review on the project.

b. Increased Buffer Provisions. The Director may increase buffer widths, up to 50% greater than the applicable buffer set in this chapter for critical areas with known locations of

endangered, threatened, or state monitor or priority species for which a habitat management plan indicates a larger buffer is necessary to protect habitat values for such species. Such determination shall be based on site-specific and project-related conditions.

5. Stream Crossings. Any private or public road expansion or construction which is allowed and must cross streams classified within this chapter, shall comply with the following minimum development standards:

a. Bridges or bottomless culverts shall be required for all streams which have Salmonid breeding habitat. Other alternatives may be allowed upon submittal of a Habitat Management Plan which demonstrates that other alternatives would not result in significant impacts to the Fish and Wildlife Conservation Area, as determined appropriate through the Washington State Department of Fish and Wildlife, Hydraulics Project Approval process. The plan must demonstrate that salmon habitat will be replaced on a 1:1 ratio.

b. Crossings shall not occur in Salmonid spawning areas unless no other feasible crossing site exists. For new development proposals, if existing crossings are determined to adversely impact salmon spawning or passage areas, new or upgraded crossings shall be located as determined necessary through coordination with the Washington State Department of Fish and Wildlife;

c. Bridge piers or abutments shall not be placed in either the floodway or between the ordinary, high water marks unless no other feasible alternative placement exists;

d. Crossings shall not diminish flood carrying capacity;

e. Crossings shall serve multiple properties whenever possible;

f. Where there is no reasonable alternative to providing a conventional culvert, the culvert shall be the minimum length necessary to accommodate the permitted activity.

6. Stream Relocations. Stream relocations for the purpose of flood protection and/or fisheries restoration shall only be permitted when adhering to the following minimum performance standards and when consistent with Washington State Department of Fish and Wildlife Hydraulic Project Approval:

a. The channel, bank, and buffer areas should be replanted with native or equivalent vegetation that replicates a natural, undisturbed riparian condition;

b. For those shorelands and waters designated as Frequently Flooded Areas pursuant to Section B-1, a professional engineer licensed in the State of Washington shall provide information demonstrating that the equivalent base flood storage volume and function will be maintained; and

c. Relocated stream channels shall be designed to meet or exceed the functions and values of the stream to be relocated.

7. Pesticides, Fertilizers and Herbicides. Use of pesticides, fertilizers, herbicides are regulated by Section 4.1.7 of the Shoreline Master Program

8. Land Divisions and Land Use Permits. All land divisions and land uses proposed on a site that includes Fish and Wildlife Habitat Conservation Areas shall comply with the following procedures and development standards:

a. The open water area of lakes, streams, and tidal lands shall not be permitted for use in calculating minimum lot area.

b. Land division approvals shall be conditioned so that all required buffers are designated as an easement or covenant encumbering the buffer. Such easement or covenant shall be

recorded together with the land division and represented on the final plat, short plat or binding site plan.

c. In order to avoid the creation of nonconforming lots, each new lot shall contain at least one building site that meets the requirements of this chapter, including buffer requirements for habitat conservation areas. Each lot must also have access and a sewage disposal system location that are suitable for development which do not adversely impact the Fish and Wildlife Conservation Area.

d. After preliminary approval and prior to final land division approval, the Director may require that the common boundary between a required buffer and the adjacent lands be identified using permanent signs. In lieu of signs, alternative methods of buffer identification may be approved when such methods are determined by the Director to provide adequate protection to the aquatic buffer.

10. Trails and Trail-Related Facilities. Construction of public and private trails and trail-related facilities, such as benches, interpretive centers, and viewing platforms, may be allowed in Fish and Wildlife Habitat Conservation Areas or their buffers pursuant to the following standards:

a. Trails and related facilities shall, to the extent feasible, be placed on existing road grades, utility corridors, or other such previously disturbed areas which do not provide ecological functions.;

b. Trails and related facilities shall be planned to minimize removal of trees, shrubs, snags and important wildlife habitat;

c. Viewing platforms, interpretive centers, benches and access to them, shall be designed and located to minimize disturbance of wildlife habitat and/or critical characteristics of the affected conservation area;

d. Trails, in general, shall be set back from streams so that there will be no or minimal impact to the stream from trail use or maintenance. Elevated trails which protect or enchance ecological functions shall be used to the maximum extent feasible. Trails shall be constructed with pervious surfaces when feasible.

12. Stream Bank Stabilization.

a. A stream channel and bank may be stabilized when naturally occurring earth movement threatens existing structures (defined as requiring a Building Permit pursuant to the applicable building code), public improvements, unique natural resources, public health, safety or welfare, or the only feasible access to property, and, in the case of streams, when such stabilization results in maintenance of Fish and Wildlife Habitat, flood control, and improved water quality.

b. Where bank stabilization is determined to be necessary, bioengineering or other non-structural methods should be the first option for protection. Bulkheads and retaining walls may only be utilized as an engineering solution where it can be demonstrated that an existing residential structure cannot be safely maintained without such measures, and that the resulting retaining wall is the minimum length necessary to provide a stable building area for the structure. The Director may require that bank stabilization be designed by a professional engineer licensed in the State of Washington with demonstrated expertise in hydraulic actions of shorelines. Bank stabilization projects may also require a City of Bainbridge Island clearing or grading permit and Hydraulic Project Approval from the Washington Department of Fish and Wildlife.

~~c. Nonstructural streambank protective techniques are preferred to bulkheads or other types of streambank armoring. Nonstructural techniques include but are not limited to vegetation plantings and bioengineering.~~

~~13. Fencing and Signs. Prior to approval or issuance of permits for land divisions or other new development, the Director may require that the common boundary between a required buffer and the adjacent lands be identified using fencing or permanent signs. In lieu of fencing or signs, alternative methods of buffer identification may be approved when such methods are determined by the Director to provide adequate protection to the buffer.~~

B-9. Geologically hazardous areas.

A. General. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, and seismic hazard areas. Zone of influence areas are not considered geologically hazardous areas.

B. Purpose. The intent of this section is to prevent the potential for personal injury or loss of life or property due to flooding, erosion, landslides, seismic events, or soil subsidence. Development must not increase slope instability, and must avoid on-site and off-site impacts, as well as potential risk to structures. Preserving the existing vegetation may be an important part of minimizing those risks.

C. Classification. Geologically hazardous areas shall be classified based upon landslide history and the presence of unstable soils, steepness of slopes, erosion potential, and seismic hazards. Areas in this category are a potential threat to public health, safety, and welfare when construction is allowed. While some potential risk due to construction can be reduced through structural engineering design, construction in these areas should be avoided when the potential risk cannot be reduced to a level comparable to the risk if the site were initially stable prior to construction. Classification and rating shall be based upon the risk to the environment and to development in geologically hazardous areas.

D. Minimum Submittal Requirements.

1. All geologically hazardous areas and buffers.

a. Indemnification. An indemnification or hold harmless agreement shall be required for all projects in geologically hazardous areas and buffers. The form of the agreement shall be approved by the City and executed prior to the commencement of construction or site alteration.

b. Notice A notice of intent to construct on a landslide hazard area or reduce the minimum buffer in a landslide hazard area shall be given pursuant to BIMC 2.16. 20. The notice of intent shall be issued within 14 days of a completed application pursuant to BIMC 2.16.020(5). The notice shall include a 21-day comment period and no permits or approval of reduced buffers shall be issued before the end of the comment period.

c. All reports or analyses required or prepared pursuant to this Section shall be prepared pursuant to Section B-5, B-9 and/or any other applicable provisions of this appendix, and shall meet the satisfaction of, and be approved by, the City Engineer prior to the commencement of any development activity.

d. To protect public health, safety and welfare, the City Engineer may call for a third party review of any geotechnical report in cases where there may be potential for substantial damage to life, property or the environment should the proposed engineering solution fail. When a third party review is required, costs incurred for a qualified third party geotechnical engineer to perform the review shall be borne by the applicant.

e. Geological Hazards Assessment. A Critical Area report is required for all projects in geologically hazardous areas and buffers and shall contain an assessment of geological hazards including the following site- and proposal-related information at a minimum:

i. Site and Construction Plans. The report shall include a copy of the site plans for the proposal showing:

A. The type and extent of geologic hazard areas, any other Critical Areas, and buffers on, adjacent to, or within a zone or distance of potential significant influence as determined by a professional engineer/ geologist;

B. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain, if available;

C. The topography, as determined by a professional engineer or geologist, of the project area and all hazard areas addressed in the report; and

D. Clearing limits.

ii. Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted classification systems in use in the region. The assessment shall include, but not be limited to:

A. A description of the surface and subsurface geology, hydrology, soils, and vegetation found in the project area and in all hazard areas addressed in the report;

B. A detailed overview of the field investigations, published data, and references; data and conclusions from past assessments of the site; and site specific measurements, test, investigations, or studies that support the identification of geologically hazardous areas; and

C. A description of the vulnerability of the site to seismic and other geologic events.

iii. Analysis of Proposal. The report shall contain a hazards analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties.

iv. Minimum Buffer and Building Setback. The report shall make a recommendation for the minimum no-disturbance buffer and minimum building setback from any geologic hazard based upon the geotechnical analysis. Where the recommended buffers are less than the standard buffers set forth in section Section B-9(E)(2)(a) the rationale and basis for the reduced buffer shall be clearly articulated and demonstrate that the protection standard set forth in that section has been met.

f. Incorporation of Previous Study. Where a valid Critical Areas report has been prepared for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be incorporated into the required Critical Area report, if deemed still valid and appropriate by a professional engineer or geologist. The applicant shall submit a hazards assessment detailing any changed environmental conditions associated with the site based on best professional judgment of the engineer/ geologist.

g. Mitigation of Long-Term Impacts. When hazard mitigation is required, the mitigation plan shall specifically address how the activity maintains or reduces the pre-existing level of risk to the site and adjacent properties on a long-term basis (equal to or exceeding the projected life span of the activity or occupation). Proposed mitigation techniques shall be considered to provide long-term hazard reduction only if they do not require regular maintenance or other actions to maintain their function. Mitigation may also be required to avoid any increase in risk above the pre-existing conditions following abandonment of the activity.

h. In addition to the general Critical Area report requirements of section B-9(D) Critical Area reports for geologically hazardous areas must meet requirements of this section. Critical Area reports for two or more types of Critical Areas must meet the report requirements for each relevant type of Critical Area.

2 Landslide Hazard and Erosion Hazard Areas. In addition to the basic Critical Areas report, a Critical Area report for an erosion hazard or landslide hazard area shall include the following information at a minimum:

a. Erosion Control. An erosion control plan prepared by a civil engineer shall be submitted to the City prior to the issuance of a clearing or grading permit, in accordance with BIMC 15.20.

b. The applicant shall provide a geotechnical analysis containing the following information:

i. Site Plan. The Critical Area report shall include a copy of the site plan for the proposal showing:

A. The height of slope, slope gradient, and cross-section of the project area;

B. The location of springs, seeps, or other surface expressions of ground water on or a zone or distance of potential significant influence as determined by a professional engineer/ geologist; and

C. The location and description of surface water run-off features.

ii. Hazards Analysis. The hazards analysis component of the Critical Areas report shall specifically include:

A. A description of the extent and type of vegetative cover;

B. A description of subsurface conditions based on data from site-specific explorations;

C. Descriptions of surface and ground water conditions, public and private sewage disposal systems, fills and excavations, and all structural improvements;

D. An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure;

E.. An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a one hundred-year storm event;

F. Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down slope properties;

G. A study of slope stability including an analysis of proposed cuts, fills, and other site grading;

H. Recommendations for building siting limitations; and

I. An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion.

iii. Geotechnical Engineering Report. The technical information for a project within a landslide hazard area shall include a geotechnical engineering report prepared by a licensed engineer that presents engineering recommendations for the following:

A. Parameters for design of site improvements including appropriate foundations and retaining structures. These should include allowable load and resistance capacities for bearing and lateral loads, installation considerations, and estimates of settlement performance;

B. Recommendations for drainage and subdrainage improvements;

C. Earthwork recommendations including clearing and site preparation criteria, fill placement and compaction criteria, temporary and permanent slope inclinations and protection, and temporary excavation support, if necessary; and

D. Mitigation of adverse site conditions including slope stabilization measures for seismically unstable soils, surface water management, location and methods of erosion control, a vegetation management and/or replanting plan, and/or other means for maintaining long-term soil stability if appropriate.

3. Seismic Hazards Areas. In addition to the basic report requirements, a Critical Area report for a seismic hazard area shall also meet the following requirements:

a. Fault Hazard. The applicant shall provide a geologic/geotechnical analysis containing information specified by the City Engineer that documents the presence or absence of any surface deformation on the site in areas mapped by the City. If deformation is located, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer, which concludes that the development proposal as mitigated meets the standards of this section.

b. Liquefaction Hazard. The applicant shall provide a geotechnical analysis containing information specified by the City Engineer that meets the standards of this section (as mitigated).

c. Seismic Landslide Hazard. The applicant shall provide the same analysis and plan as required for landslide hazard areas, pursuant to Section B-9(D).

4. Tsunami Hazards. The City shall provide applicants for development in low lying shoreline areas and other areas where flood elevation is controlled by tide level with information on tsunami hazards.(may need revision)

5. Zone of Influence Areas beyond the established buffer. The applicant shall have the surface and storm water management plan (See BIMC 15.20)for the project reviewed by a geotechnical engineer to determine if there is any potentially adverse impacts to the landslide hazardous area. If the geotechnical engineer or the City Engineer determines that there are potential adverse impacts, the applicant shall provide a geotechnical analysis containing information specified by the City Engineer which analyzes the potential impacts to the geological hazard from the proposed development in the zone of influence and meets the standards of this section. The report shall contain recommendations to avoid adverse impacts to the geologically hazardous area. Concentrated discharge of stormwater shall only be allowed where specially recommended in the report and authorized by the City Engineer."

E. Development Standards.

1. General Requirements. The City Engineer shall establish administrative procedures to implement this section. The applicant shall meet the following standards for all new activities permitted in geologically hazardous areas or associated buffers:

a. The proposed activity shall not create a net increase in geological instability, either on- or off-site, which is defined as follows:

i. The subject parcel shall not be less stable after the planned development than before; and

ii. The adjacent parcels shall not have greater risk or be less stable after the planned development than before.

b. The proposed activity shall not increase the risk of life safety due to geological hazards above professionally acceptable levels.

c. The proposed activity shall not increase the risk due to geological hazards above professionally acceptable levels for:

i. Property loss of any habitable structures or their necessary supporting infrastructure on-site or;

ii. Risk to any off-site structures or property of any kind; and

d. Proposed buildings shall be constructed using appropriate engineering methods that respond to the geologic characteristics specific to the site in order to achieve the highest standard of safety feasible.

e. The proposed development shall not decrease the factor of safety for landslide occurrences below the limits of 1.5 for static conditions and 1.0 for dynamic conditions. Analysis of dynamic conditions shall be based on the minimum horizontal acceleration for the probabilistic maximum considered earthquake as established by the currently adopted version of the International Building Code.

f. The proposed activity shall not further degrade the values and functions of the associated critical areas.

2. Redevelopment of existing structures

a. If an existing structure is damaged or is intentionally demolished the new structure must meet all the provisions of a new structure.

b. Structural alteration to an existing legally constructed structure that does not increase the structural footprint and are determined by the City Engineer as having a minimal potential for increasing landslide hazard and meets the minimum buffer deminsions in B-9(E)(3)(i);

3. Development Design and Location. The following requirements shall apply to any land or vegetation modification or construction within a landslide hazard area and/or its buffer as described herein:

a. Buffer Requirement: A buffer equal to the height of the slope or fifty (50) feet, whichever is greater, shall be established from all edges of a landslide hazard area except where no other reasonable alternative exists, reduction may be allowed as follows:

i. Buffer Reduction.

A. Buffer reductions may be allowed provided a critical areas report, pursuant to Section B-9(D)(1)(2) and any other related section of Appendix B, demonstrates to the Director that the buffer reduction will not reduce the level of protection to the proposed development, adjacent properties, and other associated critical areas as required by Section B-9(E)(1).

B. For slopes forty (40) percent or greater the buffer may in no case be reduced to less than ten (10) feet. A decision by the Director to reduce buffer shall be based on a critical areas report pursuant Section B-9(D)(1)(2) that may includes a third-party independent review by a qualified geotechnical engineer pursuant to BIMC Section B-9(D)(1)(d);

ii. Increased Buffer. The buffer may be increased beyond that specified in subsection (a) above if the Director determines a larger buffer is necessary to prevent risk of damage to proposed development, adjacent development, and uses and the associated critical areas;

iii. Building Setback. All building and structures shall have a minimum setback of (15) feet from the outer edge of the buffer around landslide hazard areas to allow for construction activity; and

iv. Vegetation Retention. Unless otherwise provided or as part of an approved alteration, removal of vegetation from an erosion or landslide hazard area or related buffer shall be prohibited.

b. All development proposals shall be designed to avoid impacts to the geologically hazardous areas. The development shall be designed to minimize the footprint of building in other disturbed areas, minimize removal of vegetation, minimize topographic change, and retain open space to the maximum extent practicable;

c. Development design shall utilize clustering, under-structure parking, multi-level construction, and tiered foundations to the extent feasible to minimize impervious lot coverage, slope disturbance, and changes to the natural topography;

d. Access shall be in the least sensitive part of the site, and common access drives and utility corridors are required to the extent feasible;

e. Roads, walkways and parking areas shall be designed to parallel the natural contours to the extent feasible;

f. All proposed clearing and tree removal shall be marked in the field for inspection and approval prior to alteration of the site;

g. Cut and fill slopes shall be prepared and maintained to control against erosion and instability;

h. Drainage and stormwater designs in zones of influence shall incorporate elements of low impact design, to the extent feasible, and shall be designed in such a manner that stormwater outlet discharges do not create additional impacts. The proposed activities shall not increase surface water discharge or sedimentation to adjacent properties beyond the pre-development condition; and

F. Exemptions. The following activities are permitted in geologically hazardous areas or associated buffers; provided, that the applicant can demonstrate that applicable standards in Subsection B-9(E)(1) can be met, or where the applicant has demonstrated through a Critical Areas report prepared by a geotechnical engineer in accordance with the specifications of the City Engineer that no adverse impact will result from the proposal and where approved surface water drainage will result in minimum slope and vegetation disturbance:

1. Surface Water Management: Slopes or buffers may be used for approved surface water conveyance if no other reasonable alternative route is available. Installation techniques shall minimize disturbance to the slope and vegetation.

2. The construction of approved public or private trails; provided, they are constructed of material, for example cable lift access, which will not contribute to surface water runoff;

3. The construction of public or private utility corridors or streets; provided, it has been demonstrated that such alterations will not increase landslide or erosion risks through required analysis pursuant to section B-9(D)(1) and the City determines that no other feasible alternative exists;

4. Select Vegetation Removal Activities. The following vegetation removal activities are allowed, provided that no vegetation shall be removed from a geologically hazardous area or its buffer without approval from the Director;

a. Removal of noxious weeds using non-motorized equipment or light equipment if approved by the Director. Provision for the use of herbicides are in Section 4.1.7 of the Shoreline Master Program. Bare areas remaining after weed removal shall be re-vegetated with native plant species pursuant to an enhancement plan approved by the City.

b. Removal and pruning of hazard trees as defined ISA (International Society of Arboriculture) standards by provided that a ISA certified arborist documents the hazard and provides a report to the Director for review and approval. Replacement shall be based on the recommendations of the arborist and geotechnical engineer and approved by the Director. The Director may require a second opinion from a certified ISA arborist in cases of removal of hazard trees. Mitigation for tree removal shall follow Section 4.1.2 of the Shoreline Master Program and the following

i. Size of trees shall be approved by the Director. and

ii.The landowner shall ensure 100% survival of replacement trees.

5. The trimming and limbing of vegetation for the creation and maintenance of view corridors in accordance with the pruning standards of the International Society of Arboriculture; provided, that the soils are not disturbed and activity will not increase the risk of landslide or erosion. All vegetation removal must be based on a bluff management plan (SMP Section 4.1.5) developed by a certified arborist and reviewed by a geotechnical engineer to determine if it will impact slope stability. A clearing permit will be required prior to the any vegetation removal.
6. Limited Exemption - For landslide areas 40% or greater with a vertical elevation change of up to twenty (20) feet may be exempted from section B-9(E)(2)(i) based on the City review and acceptance of a Critical Areas report from a geologist or licensed geotechnical engineer in accordance with section B-9(D) when no adverse impact will result from the exemption.

B-10. Wetlands.

A. Purpose. This section applies to all regulated uses within or adjacent to areas designated as wetlands, as categorized in section B-10(B) below. The intent of this Section is listed in no specific priority, as follows:

1. Preserve, protect, restore, and improve wetland functions and values. Achieve no net loss and increase the quality of wetland acreage, functions, and values within the city. Mitigation measures, as conditions of permits, must have a reasonable expectation of success. Under the conditions of this Section, the Director may deny development proposals that would irreparably impact regulated wetlands; and
2. Protect the public's health, safety, and welfare, while preventing public expenditures that could arise from improper wetland uses and activities; and
3. Plan wetland uses and activities in a manner that protects and enhances the natural systems and environmental quality of Bainbridge Island and allows property holders to benefit from wetland property ownership wherever allowable under the conditions of this chapter; and
4. Preserve ecological functions and values of wetlands which provide water quality protection, natural flood control, stormwater storage, contributes to groundwater and stream flow, shoreline stabilization, and wildlife and fish habitat; and
5. Prevent turbidity and pollution of wetlands and fish or shellfish bearing waters, and maintain healthy wildlife habitat; and
6. Encourage land use development patterns that maintain, enhance, or restore natural wetland systems and protect disturbance-sensitive and wetland-dependent wildlife, fish resources, and open space; and
7. Protect and preserve wetlands values as natural areas providing aesthetic, recreational, and educational opportunities that need to be preserved for future generations; and
8. Enhance the connectivity between wetland landscapes.

B. Wetland Delineation and Categories. Identification of wetlands and delineation of their boundaries pursuant to this Chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements. All areas within the City of Bainbridge Island meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this Chapter.

The City uses the Department of Ecology's (DOE's) Washington State Wetland Rating System for Western Washington, 2004, or as amended hereafter and adopted by the Director to categorize wetlands for the purposes of establishing wetland buffer widths,

wetland uses and replacement ratios for wetlands. Once a wetland has been classified using the current DOE rating system, the City shall not reclassify the wetland without clearly documenting the reason for the change. If the wetland has a rating in the City GIS system, this rating can be used for regulatory purposes. This system consists of four wetland categories generally described as follows:

1. Category I wetlands are those that:

a. Represent unique or rare wetland type; or

b. Are more sensitive to disturbance than most wetlands; or

c. Are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or

d. Provide a high level of function.

Category I wetlands include estuarine wetlands larger than one acre, bogs, mature and old-growth wetlands over one acre, wetlands in coastal lagoons, and wetlands that perform many functions very well as demonstrated by a score of over 70 points using the DOE rating system.

2. Category II wetlands are difficult, though not impossible, to replace, and provide a high level of function. Category II wetlands include estuarine wetlands smaller than one acre or disturbed and larger than one acre and wetlands that perform functions well as demonstrated by a score of 51-69 using the DOE rating system.

3. Category III wetlands are wetlands with a moderate level of function as demonstrated by a score of 30-50 points using the DOE rating system.

4. Category IV wetlands have the lowest level of function as demonstrated by a score less than 30 points using the DOE rating system and are often heavily disturbed.

C. Regulated and Non-Regulated Wetlands Classification.

1. Regulated Wetlands:

a. All natural wetlands that meet the criteria in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Cost Region (Version 2.0)

b. Unintentionally created wetlands that meet the criteria in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Cost Region (Version 2.0) except as listed in subsection (C)(2)(b) of this section.

c. Wetlands intentionally created from non-wetland areas to mitigate conversion of other wetlands.

2. Non-Regulated Wetlands:

a. Created Wetlands. Wetlands created intentionally from a non-wetland site that was not required to be constructed as mitigation for adverse wetland impacts. These may include, but are not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment ponds, farm ponds not contiguous, as defined in this chapter, and landscape amenities. The applicant shall bear the burden of proving that the wetland was intentionally created from a non-wetland site. Where enhancements or restorations are made to wetlands for purposes other than mitigation, the original rating shall be maintained even if the changes would otherwise result in a higher classification.

b.. Recent, Road Construction Related Wetlands. Wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. The applicant shall bear the burden of proving that the wetland meets these criteria.

D. Development Standards.

1. Water quality buffers – An applicant shall provide the prescribed water quality buffers in this section (Tables 3-6) unless relief is granted through SMP Section 4.2.1.7 nonconforming lot or through a shoreline variance.
2. Habitat buffers – An applicant shall provide either:

a. The prescribed habitat buffers specified in this section (Tables 3, 4, 5, and 6); or

b. An approved Habitat Management Plan, pursuant to section B-4, that clearly provides greater habitat functions and values in perpetuity than the prescribed habitat buffers in this section (Tables 3, 4, 5, and 6).

3. Buffers. Buffers shall remain undisturbed natural vegetation areas except where the buffer can be enhanced to improve its functional attributes. Any buffer enhancement and/or limited view clearing activity must be reviewed and approved by the Director. No refuse shall be placed in the buffer. Alteration of habitat buffer areas may be allowed for water-dependent and water-related activities and for development authorized by Section B-2 (C) (Exemptions), or Section B-2(D)(Standards for Existing Development), or Section B-3(3) (Buffer Averaging), or through SMP Section 4.2.1.7 nonconforming lot or through a shoreline variance.
4. If a wetland meets more than one of the criteria listed in each table, the buffer needed to protect the wetland is the widest one.Table 3: Category I Wetlands - Buffers

Wetland Characteristics	Impact of Land Use (See Definitions)	Water Quality Buffer	Habitat Buffer	Total Buffer	Other Protection
Natural Heritage Wetlands	Low Moderate High	50 ft 75 ft 100 ft	75 ft 115 ft 150 ft	125 ft 190 ft 250 ft	No additional discharge of surface water. No septic systems within 300 ft. Restore degraded parts of the buffer
Bogs	Low Moderate High	50 ft 75 ft 100 ft	75 ft 115 ft 150 ft	125 ft 190 ft 250 ft	No additional surface discharges. Restore degraded parts of the buffer.
Forested	Low Moderate High	50 ft 75 ft 100 ft	75 ft 115 ft 150 ft	125 ft 190 ft 250 ft	If forested wetland scores high for habitat, maintain connectivity to other natural areas.
Estuarine	Low Moderate High	50 ft 75 ft 100 ft	50 ft 75 ft 100 ft	100 ft 150 ft 200 ft	N/A
Wetlands in Coastal Lagoon	Low	50 ft	50 ft	100 ft	N/A

Wetland Characteristics	Impact of Land Use (See Definitions)	Water Quality Buffer	Habitat Buffer	Total Buffer	Other Protection
	Moderate High	75 ft 100 ft	75 ft 100 ft	150 ft 200 ft	
High level of function for habitat (score for habitat is 29-36 pts.)	Low Moderate High	50 ft 75 ft 100 ft	100 ft 150 ft 200 ft	150 ft 225 ft 300 ft	Maintain connectivity to other natural areas. Restore degraded parts of the buffer.
Moderate level of function for habitat (score for habitat is 20-28 pts.)	Low Moderate High	50 ft 75 ft 100 ft	25 ft 35 ft 50 ft	75 ft 110 ft 150 ft	N/A
High level of function for water quality improvement and low for habitat (score for water quality 24-32 pts.; habitat less than 20 pts.)	Low Moderate High	50 ft 75 ft 100 ft	0 ft 0 ft 0 ft	50 ft 75 ft 100 ft	No additional discharges of untreated runoff.
Not meeting any of the above criteria.	Low Moderate High	50 ft 75 ft 100 ft	0 ft 0 ft 0 ft	50 ft 75 ft 100 ft	N/A

Table 4: Category II Wetlands - Buffers

Wetland Characteristics	Impact of Land Use (See Definitions)	Water Quality Buffer	Habitat Buffer	Total Buffer	Other Protection
High level of function for habitat (score for habitat is 29-36 pts.)	Low Moderate High	50 ft 75 ft 100 ft	100 ft 150 ft 200 ft	150 ft 225 ft 300 ft	Maintain connectivity to other natural areas.

Moderate level of function for habitat (score for habitat is 20-28 pts.)	Low Moderate High	50 ft 75 ft 100 ft	25 ft 35 ft 50 ft	75 ft 110 ft 150 ft	N/A
Estuarine	Low Moderate High	50 ft 75 ft 100 ft	25 ft 35 ft 15 ft	75 ft 110 ft 115 ft	N/A
Not meeting any of the above criteria	Low Moderate High	50 ft 75 ft 100 ft	0 ft 0 ft 0 ft	50 ft 75 ft 100 ft	N/A

Table 5: Category III Wetlands - Buffers

Wetland Characteristics	Impact of Land Use (See Definitions)	Water Quality Buffer	Habitat Buffer	Total Buffer	Other Protection
Moderate level of function for habitat (score for habitat is 20-28 pts.)	Low Moderate High	40 ft 60 ft 80 ft	35 ft 50 ft 70 ft	75 ft 110 ft 150 ft	N/A
Not meeting above criterion	Low Moderate High	60 ft 60 ft 80 ft	0 ft 0 ft 0 ft	60 ft 60 ft 80 ft	N/A

Table 6: Category IV Wetlands - Buffers

Wetland Characteristics	Impact of Land Use (See Definitions)	Water Quality Buffer	Habitat Buffer	Total Buffer	Other Protection
Larger than 10,000 square feet	Low Moderate High	40 ft 40 ft 50 ft	0 ft 0 ft 0 ft	40 ft 40 ft 50 ft	N/A
Smaller than 10,000 square feet	Low Moderate High	40 ft 40 ft 40 ft	0 ft 0 ft 0 ft	40 ft 40 ft 40 ft	N/A

a. For Category II or III wetlands smaller than 10,000 square feet with a habitat score of less than 20 points, the buffer may be reduced by 50 percent.
b. For the purpose of determining the impact of land use, unless the Director determines a lesser level of impact is appropriate based on information provided by the applicant, the intensity of impact of the adjacent land use is determined based on the "impact of land use" definition.

5. If an applicant elects to propose an HMP, and that HMP proposes habitat buffer widths less than those prescribed in Tables 3 – 6, the HMP shall be prepared pursuant to Section B-4 and fulfill all requirements specified therein.
6. Table 7 provides examples of measures that might be provided in an HMP or when prescribed buffers are otherwise altered to minimize impacts of certain activities. Other measures may also be effective in minimizing impacts depending on site-specific circumstances and the nature of proposed activity.

Table 7: Examples of measures to minimize impacts to wetlands from different types of activities.

Examples of Disturbance	Examples of Measures to Minimize Impacts	Activities that Cause the Disturbance
Lights	Direct lights away from wetland.	Parking lots, warehouses, manufacturing, residential
Noise	Locate activity that generates noise away from wetland.	Manufacturing, residential
Toxic runoff*	Route all new runoff away from wetland. Establish covenants limiting use of pesticides within 150 ft of wetland. Apply integrated pest management.	Parking lots, roads, manufacturing, residential areas, application of agricultural pesticides, landscaping
Change in water regime	Infiltrate or treat, detain, and disperse new runoff into buffer.	Impermeable surfaces, lawns, tilling
Pets	Plant dense vegetation around buffer, such as rose, hawthorn, etc.	Residential areas
Human disturbance	Plant buffer with impenetrable natural vegetation appropriate for region.	Residential areas
Dust	Utilize best management practices to control dust.	Tilled fields
* These examples are not necessarily adequate to meet the rules for minimizing toxic runoff if threatened or endangered species are present at the site.		

7. Buffer Measurement. All buffers shall be measured on a horizontal plane from the regulated wetland edge as marked in the field.
8. Fencing and Signs. This section applies to those wetlands and their buffers that are within 200 feet of regulated development activities.

a. Wetland buffers shall be temporarily fenced or otherwise suitably marked, as required by the Director, between the area where the construction activity occurs and the buffer. Fences shall be made of a durable protective barrier and shall be highly visible. Silt fences and plastic construction fences may be used to prevent encroachment on wetlands or their buffers by construction. Temporary fencing shall be removed after the site work has been completed and the site is fully stabilized per City approval.

b. The Director may require that permanent signs and/or fencing be placed on the common boundary between a wetland buffer and the adjacent land. Such signs will identify the wetland buffer. The Director may approve an alternate method of wetland and buffer identification, if it provides adequate protection to the wetland and buffer.

~~9. Building or Impervious Surface Setback Lines. A building or impervious surface setback line of 15 feet is required from the edge of any wetland buffer. Minor structural or impervious surface intrusions into the areas of the setback may be permitted if the Director determines that such intrusions will not adversely impact the wetland. The setback shall be identified on a site plan and filed as an attachment to a notice on title.~~

~~E. Regulated Uses And Activities. New development activities on properties containing regulated wetlands and buffers are subject to the development standards in this section, as permitted in the underlying zoning designation. Requirements for additional activities are specified in Table 8. The City may grant exceptions to these uses and activities according to the intent and specifications of this chapter. All authorized uses and activities in a regulated wetland or its buffer shall be subject to conditions established by the Director and may be subject to mitigation as required by this chapter. Development shall be classified as "allowed," "permitted," "special use" or "prohibited" according to this Section. Any regulated uses not specifically listed in Table 8 and Table 4 of the Shoreline Master Program shall be considered unclassified and may be allowed if granted a special use review in accordance with this chapter and the Shoreline Master Program. For the purpose of Table 8, "W" and "B" refer to the terms "wetland" and "buffer."~~

Table 8: Regulated Uses and Activities in Regulated Wetlands and Buffers

	Category I		Category II		Category III		Category IV	
	W	B	W	B	W	B	W	B
1. Draining Wetlands (associated with no other permitted use, except as allowed under Section 120.C)	X	N/A	X	N/A	X	N/A	X	N/A
Driving of Piles	X	X	S	S	S	S	P	P
2. Educational or Scientific Activities	P	P	P	P	P	P	P	P
3. Enhancement	S	S	P	P	P	P	P	P
4. Excavation (not associated with enhancement)	X	X	S	S	S	S	S	S
5. Fill (associated with no other use)	X	X	X	X	X	X	X	X
6. Fish Hatchery	X	X	S	S	S	S	S	S
7. Flooding (associated with no other use)	X	X	S	S	S	S	S	S
8. Forest Practice-Class IV General or COHP	X	X	X	X	X	X	X	X
9. Golf Course	X	X	X	X	S	S	S	S
10. Land Division	P	P	P	P	P	P	P	P
11. Parks Development-Public & Private	S	S	S	S	S	S	P	P
12. Placing of Obstruction	X	X	X	X	X	X	X	X
13. Public Facility	X	X	X	S	S	S	S	S

	Category I		Category II		Category III		Category IV	
	W	B	W	B	W	B	W	B
14. Public Project of Significant Importance	S	S	S	S	S	S	S	S
15. Radio/TV Towers	X	X	S	S	S	S	S	S
16. Restoration/Revegetation of Site	S	S	P	P	P	P	P	P
17. Road/Street-Public/Private Access A) Expand within existing ROW	S	S	S	S	S	S	P	P
B) New Facilities	X	X	S	S	S	S	S	S
18. Signs (Interpretation, Hazard, Critical Area Boundary, Survey Markers)	P	P	P	P	P	P	P	P
19. Site Investigation (non-mechanized)	A	A	A	A	A	A	A	A
Site Investigation (mechanized)	P	P	P	P	P	P	P	P
20. Trails and Trail Related Facilities	P	P	P	P	P	P	P	P
21. Utility Facility	X	X	S	S	S	S	S	S
22. Utility On-Site Sewage Facility	X	X	X	S	X	S	X	S
23. Utility Line-Overhead	S	S	S	S	S	S	P	P
24. Utility Line-Underground	X	S	S	S	S	S	S	S

Key: A = Allowed Outright P = Permitted Subject to Development Standards and Underlying Permit S = Special Use Review Required X = Prohibited

F. Additional development standards for regulated uses. In addition to meeting the Development Standards in section D, above, those regulated uses identified below shall also comply with the standards of this section and other applicable state, federal and local ordinances.

1. Forest Practice, Class IV General, and Conversion Option Harvest Plans (COHPs). All timber harvesting and associated development activity, such as construction of roads, shall comply with the provisions of this chapter, including the maintenance of buffers around regulated wetlands.

a. Density Calculation.

i. The actual density that will allowed to be built upon a parcel containing a wetland shall ultimately be determined during the site specific review of the parcel's planned development.

ii. In determining the actual density of a parcel based on a specific site plan, the site plan shall locate all buildings outside of the wetland buffers;

iii. The number of development rights allowed for any residentially-zoned parcel shall be its size in square feet divided by the number of square feet per home that is required by its zoning;

iv. If the land can be subdivided such that all setbacks, buffers, and other zoning requirements can be observed, and no variances are requested, the density from the wetland can be transferred within the property;

v. To the extent that the number of allowable development rights cannot be used on-site, they may be sold, traded, or transferred by the property owner through the transfer of development rights program pursuant to Chapter 18.37 BIMC;

vi. Property owners may voluntarily extinguish development rights that are provided by the underlying zoning, but the City shall not extinguish any of these rights outside the aforementioned transactions.

b. Land division approvals shall be conditioned to require that regulated wetlands and regulated wetland buffers be designated as an easement or covenant encumbering the wetland and wetland buffer. Such easement or covenant shall be recorded together with the land division and represented on the final plat or binding site plan, and title.

c. In order to implement the goals and policies of this chapter, to accommodate innovation, creativity, and design flexibility, and to achieve a level of environmental protection that would not be possible by typical lot-by-lot development, the use of the clustered development or similar innovative site planning is strongly encouraged for projects with regulated wetlands on the site.

2. Surface Water Management. The following stormwater management activities may be allowed within wetland or buffer areas only if they meet the following requirements, in addition to the development standards in this section and in conformance with the Stormwater Management Ordinance, Chapter 15.20 BIMC:

a. Surface water discharges from stormwater facilities or structures; provided, that the new surface water discharges to regulated wetlands from retention/detention facilities;

b. Pre-settlement ponds or other surface water management structures; provided, that the discharge does not significantly increase or decrease the rate of flow and/or hydro-period, nor decrease the water quality of the wetland. Water quality treatment best management

practices will be required prior to discharge. Pre-treatment of surface water discharge through biofiltration or other means shall be required.

3. Trails and Trail-Related Facilities: Construction of public and private trails and trail-related facilities, such as benches and viewing platforms, may be allowed in wetlands or wetland buffers pursuant to the following guidelines:

a. Trails and related facilities shall, to the extent feasible, be placed on existing road grades, utility corridors, or any other previously disturbed areas which do not provide ecological functions.

b. Trails and related facilities shall be planned to minimize removal of trees, soil disturbance, and existing hydrological characteristics, shrubs, snags, and important wildlife habitat.

c. Viewing platforms and benches, and access to them, shall be designed and located to minimize disturbance of wildlife habitat and/or critical characteristics of the affected wetland.

d. Trails and related facilities shall generally be located outside required buffers. Where trails are permitted within buffers they shall be located in the outer portion of the buffer and a minimum of 25 feet from the wetland edge, except where wetland crossings or viewing areas have been approved by the Director. Trail locations close to the wetland may be allowed if the primary purpose of the trail is wetland viewing or enjoyment. Elevated trails which protect or enchance ecological functions shall be used to the maximum extent feasible.

e. Trails shall generally be limited to pedestrian use unless other more intensive uses, such as bike or horse trails, have been specifically allowed and mitigation has been provided. Trail width shall not exceed five feet unless there is a demonstrated need, subject to review and approval by the Director. Trails shall be constructed with pervious materials unless otherwise approved by the Director.

4. Parks. Development of public park and recreation facilities may be permitted; provided, that no alteration of wetlands or wetland buffers is allowed except for uses allowed in Table 8. For example, enhancement of wetlands and development of trails may be allowed in wetlands and wetland buffers subject to special use requirements and approval of a Wetland Mitigation Plan.

5. Educational or scientific activities. These activities shall only be permitted if they are directly related to the affected wetland and related buffers, and may include the viewing and sampling of natural systems. They may also include the installation of physical structures, including pervious trails, benches, permanent wildlife watching blinds, boardwalks, viewing platforms, or similar structures, or minor modifications to wetlands and their buffers. Any physical structures or minor modifications are subject to City approval to minimize the impacts of human intrusion on the functions and values of critical areas and their buffers according to the following criteria:

a. Minimize the footprint of structures and the number of access points to any particular critical area;

b. Minimize the amount of clearing and grading;

c. Elevate structures where possible;

d. Avoid impacting the flow of water;

e. Use appropriate building materials; and

f. Minimize the impacts of construction.

G. Special Use Review. Development identified as a Special Use Review in Table 8 of this section may be approved, with conditions, or denied according to the procedures and criteria outlined in this subsection. Special Use Review is an administrative process unless the underlying permit requires a public hearing.

1. The Director is authorized to take action on permits as required by this chapter.

2. The Director may approve a permit after review of the application and a Wetland Mitigation Plan submitted in accordance with this chapter. The Director shall determine whether the use or activity cannot be avoided because no reasonable or practicable alternative exists, the proposed use is consistent with the spirit and intent of this chapter and it will not cause adverse impacts to the wetland or the wetland buffer which cannot be mitigated. In taking action to approve a Special Use Review, the Director may attach reasonable conditions as necessary to minimize impacts, rectify impacts or compensate for impacts to the wetland or wetland buffer.

3. The Director shall deny a Special Use Review request if the proposed use or activity is inconsistent with this chapter and/or will cause adverse impacts to the wetland or wetland buffer, which cannot be adequately mitigated and/or avoided.

4. Special use review requests for agricultural conversions shall include a farm plan developed by the Kitsap Conservation District. The plan shall identify the best management practices for the proposed agricultural activity.

5. Special Use Review determinations are appealable to the hearings examiner pursuant to BIMC 2.16.020(P).

H. Wetlands and Streams Restoration, Creation, Mitigation, or Enhancement.

1. Any person who alters regulated wetlands or streams or their standard buffers as required by this chapter shall restore, create or enhance equivalent areas or greater areas than those altered in order to compensate for losses. In the alternative, conservation easements or mitigation banking may be considered as appropriate mitigation provided that areas equivalent to those altered are achieved.

2. Where feasible, restored or created wetlands and streams shall be a higher category than the altered wetland or stream.

3. Compensation areas shall be determined according to function, acreage, type, location, time factors, ability to be self-sustaining and projected success. Multiple compensation projects may be proposed for one project in order to best achieve the goal of no net loss.

4. Given the need for expertise and monitoring, voluntary restoration, creation or enhancement projects or compensatory projects may be permitted only when the Director finds that the proposed project is associated with an activity or development otherwise permitted. Additionally, the applicant shall:

a. Demonstrate sufficient scientific expertise, supervisory capability, and financial resources to carry out the project;

b. Demonstrate the capability for monitoring the site and to make corrections during this period if the project fails to meet projected goals and plans; and

c. Provide for the long-term protection and management of the compensation area to avoid further development or degradation.

5. Acreage Replacement Ratio. Any applicant proposing to alter wetlands may propose to reestablish, create, rehabititate, or enhance wetlands in order to compensate for the wetland losses.

a. Replacement Ratios for Wetlands. Table 9 provides the required replacement ratios for the reestablishment or creation, rehabilitation, or enhancement of a wetland. The first number specifies the replacement acreage of wetlands and the second specifies the acreage of wetlands altered.

Table 9: Replacement Ratios for Wetlands

Category and Type	Re-establishment or Creation	Rehabilitation	1:1 Re-establishment or Creation (R/C) or Enhancement (E)	Enhancement Only
I - Forested	6:1	12:1	1:1 R/C 10:1 E	24:1
I – Highly functioning	4:1	8:1	1:1 R/C 6:1 E	16:1
I - Bog	Not possible	6:1 of a Bog	Case by Case	Case by Case
I - Estuarine	Case by Case	6:1 - Estuarine	Case by Case	Case by Case
II - Estuarine	Case by Case	4:1 - Estuarine	Case by Case	Case by Case
II - Others	3:1	8:1	1:1 R/C 4:1 E	12:1
III	2:1	4:1	1:1 R/C 2:1 E	8:1
IV	1.5:1	3:1	1:1 R/C 2:1 E	6:1

b. Replacement ratios for buffers shall be 1:1.

c. Increased Replacement Ratio. The Director may increase the ratios under the following circumstances:

i. Uncertainty as to the probable success of the proposed rehabitiation or creation;

ii. Significant period of time between destruction and replication of wetland functions; or

iii. Projected losses in functional value.

d. Decreased Replacement Ratio. The Director may decrease these ratios when there are findings of special studies coordinated with agencies with expertise which demonstrate that no net loss of wetland function or value is attained under the decreased ratio.

e. In all cases, a minimum acreage replacement ratio of 1:1 shall be required.

6. Wetland Type. In-kind compensation shall be provided except where the applicant can demonstrate that:

a. The wetland system is already significantly degraded and out-of-kind replacement will result in a wetland with greater functions and values;

b. Scientific problems such as invasive/exotic vegetation and changes in watershed hydrology make implementation of in-kind compensation impossible;

c. Out-of-kind replacement will best meet identified regional goals (e.g., replacement of historically diminished wetland types); and

d. Where out-of-kind replacement is accepted, greater acreage replacement ratios may be required to compensate for lost functions and values.

7. Location. On-site compensation shall be provided except where the applicant can demonstrate that:

a. The hydrology and ecosystem of the original wetland and those who benefit from the hydrology and ecosystem will not be substantially damaged by the on-site loss;

b. On-site compensation is not scientifically feasible due to problems with hydrology, soils, or other factors;

c. Compensation is not practical due to potentially adverse impacts from surrounding land uses;

d. Existing functions and values at the site of the proposed restoration are significantly greater than lost wetland functional values;

e. That established regional goals for flood storage, flood conveyance, habitat or other wetland functions have been established and strongly justify location of compensatory measures at another site;

f. There is no feasible location for on-site mitigation;

g. Off-site compensation shall occur within the same watershed, if feasible, as the wetland loss occurred; provided, that Category IV wetlands may be replaced outside of the watershed when there is no reasonable alternative; and

h. In selecting compensation sites, an applicant shall pursue siting in the following order of preference:

i. Upland sites which were formerly wetlands;

ii. Idled upland sites generally having bare ground or vegetative cover consisting primarily of invasive introduced species, weeds, or emergent vegetation; or

iii. Other disturbed upland.

8. Timing. Wherever feasible, compensatory projects shall be completed prior to activities that will disturb wetlands, and immediately after activities that will temporarily disturb wetlands. In all other cases, except for Category I wetlands, compensatory projects should be completed prior to use or occupancy of the activity or development which was conditioned upon such compensation. Construction of compensation projects shall be timed to reduce impacts to existing wildlife and flora.

9. Cooperative Restoration, Creation or Enhancement Projects. The Director may encourage, facilitate, and approve cooperative projects wherein a single applicant or other organization with demonstrated capability may undertake a compensation project with funding from other applicants under the following circumstances:

a. Restoration, creation or enhancement at a particular site may be scientifically difficult or impossible; or

b. Creation of one or several larger wetlands may be preferable to many small wetlands;

c. Persons proposing cooperative compensation projects shall:

i. Submit a joint permit application;

ii. Demonstrate compliance with all standards;

iii. Demonstrate the organizational and fiscal capability to act cooperatively; and

iv. Demonstrate that long-term management can and will be provided.

10. Mitigation Banking.

a. The City may consider and approve replacement or enhancement of wetlands to address unavoidable adverse impacts caused by development activities through an approved wetland mitigation bank. Compensatory mitigation in advance of authorized impacts must be provided through an approved mitigation bank if a bank is used.

b. When off-site mitigation is authorized, the Director shall give priority to locations within the same drainage basin as the development proposal site that meet the following:
i. Mitigation banking sites and resource mitigation reserves as authorized by this chapter;
ii. Private mitigation sites that are established in compliance with the requirements of this chapter and approved by the Director; and
iii. Public mitigation sites that have been ranked in a process that has been supported by ecological assessments.
c. The Director may require documentation that the mitigation site has been permanently preserved from future development or alteration that would be inconsistent with the functions of the mitigation. The documentation may include, but need not be limited to, a conservation easement, transfer of clearing credits or other agreement between the applicant and owner of the mitigation site. The City may enter into agreements or become a party to any easement or other agreement necessary to ensure that the site continues to exist in its mitigated condition.
d. The Director shall maintain a list of sites available for use for off-site mitigation projects.
e. The Director may develop a program to allow the payment of a fee in lieu of providing mitigation on a development site. The program should address:
i. When the payment of a fee is allowed, considering the availability of a site in geographic proximity with comparable hydrologic and biological functions and potential for future habitat fragmentation and degradation; and
ii. The use of the fees for mitigation on public or private sites that have been ranked according to ecological criteria through one or more programs that have included a public process.

B-11. Frequently Flooded Areas

A. Classification. Classification for frequently flooded areas shall be consistent with the 100-year floodplain designation of the Federal Emergency Management Agency and the National Flood Insurance Program. In addition, the following criteria shall be considered when designating and classifying these areas:

1. Flooding impact to human health, safety, and welfare and to public facilities and services;

2. Available documentation including federal, state, and local laws, regulations and programs, local maps, and federally subsidized flood insurance programs;

3. The future floodplain defined as a channel of the stream and that portion of the adjoining floodplain which is necessary to contain and discharge the base flood flow at build-out without any measurable increase in flood heights; and

4. The effect of high tides with strong winds, and greater surface runoff caused by increasing impervious surfaces.

B. Standards.

1. Development shall not reduce the effective base flood storage volume. Effective storage capacity shall be maintained.

2. Grading or other regulated activities which would reduce the flood water storage volume shall be mitigated by creating compensatory storage on- or off-site. Applicants must provide mitigation plans pursuant to this chapter.

3. Base flood data and flood hazard notes shall be on the face of any recorded plat or site plan including, but not limited to, base flood elevations, flood protection elevation, boundary of floodplain, and zero rise floodway.

4. Applicants for development in low lying shoreline areas and other areas where flood elevation is controlled by tide level shall be provided with information on sea level rise. (Ord. 2005-03 § 2, 2005)

B-12 The Winslow Ravine – Special Rules in Mixed Use Town Center.

A stream commonly known as the "Winslow Ravine Stream" is located in a ravine commonly known as, and identified on department maps as, the "Winslow Ravine". Both the stream and the ravine are partially located in the Mixed Use Town Center (MUTC). In order to accommodate more dense development within the MUTC, and recognizing the significant distance from the top of the ravine to the stream and its adjacent wetlands, in lieu of the buffer and setback rules provided for Fish and Wildlife Conservation Areas (Section B-8) and Wetlands (Section B-10), the applicant may select the prescriptive option or the mitigated option with respect to the Winslow Ravine Stream and the Winslow Ravine within the MUTC as described below:

A. "Option A" - Prescriptive Standards.

CATEGORIES	BUFFER WIDTH STANDARD	MINIMUM BUILDING SETBACK	OTHER DEVELOPMENT STANDARDS
Streams, Wetlands and Wildlife Conservation Areas associated with the Winslow Ravine or Winslow Ravine Stream within the MUTC.	50 feet beyond the top of the Winslow Ravine.	15 feet beyond the buffer.	

B. "Option B" - Mitigated Standards. The applicant shall demonstrate by submittal of necessary studies and proposed mitigation, that measures can and will be taken to ensure that the functions and values provided by the buffers prescribed under "Option A" are retained or improved.

CATEGORIES	BUFFER WIDTH STANDARD	MINIMUM BUILDING SETBACK	OTHER DEVELOPMENT STANDARDS
Streams, Wetlands and Wildlife	25 feet beyond the top of the	10 feet beyond the buffer.	The buffer area shall be landscaped to facilitate filtration

Conservation Areas associated with the Winslow Ravine or Winslow Ravine Stream within the MUTC.	Winslow Ravine.		and infiltration of storm water. If such landscaping is installed, the buffer area may be used for recreational purposes. Fences, sitting areas and walking paths are allowed within the buffer area. There is no requirement that the buffer be dedicated as permanent open space tracts or otherwise.

Table I – Shoreline Study Requirements

Use	Analyses Required
All Activities below Mean Higher High Water	Dive Survey and/or Biological Evaluation or Biological Assessment[1]
Pier and Docks	Dive Survey and/or Biological Evaluation or Biological Assessment[1]
Shoreline Armoring (bulkhead and revetments)	Sediment analyses Biological Evaluation or Biological Assessment[1]
Development Activities Disturbing Native Vegetation Zone (Single Family Residences or Commercial)	Re-vegetation Plan

Footnotes:

[1]Only as required by Washington Department of Fish and Wildlife, US Army Corp of Engineers, NOAA Fisheries or US Fish and Wildlife.

Additional Studies may be required by the Director as necessary to determine whether the application meets the decision criteria for Shoreline Substantial Development Permit, Shoreline Substantial Development Exemption, Shoreline Conditional Use Permit or Shoreline Variance.

Appendix C - Buffer Recommendation Memorandums

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT

MEMORANDUM

TO: City Council

FROM: Libby Hudson, Long Range Planning Manager
Ryan Ericson, Associate Planner

DATE: August 11, 2011

RE: Herrera Environmental Consultants Memorandum documenting Marine Shoreline Buffer Recommendation Discussions
City Council Special Meeting of August 16, 2011

The attached memorandum has been provided by the City's scientific consultants, Herrera Environmental Consultants, to assist the City in developing buffer recommendations as part of the Shoreline Master Program Update process. The memo is intended to be utilized by the citizen workgroups, Planning Commission and City Council in reviewing and updating the vegetation conservation buffer and management standards.

This memo is informed by the science summarized in two documents that the City commissioned, the *Nearshore Assessment Summary of Best Available Science* (Battelle, October 2003) and the *Summary of Science Addendum* (Herrera, 2011). The memo reflects the outcome of buffer requirement discussions with Herrera and City staff, the requirements of the state Shoreline Master Program (SMP) Guidelines (WAC 173-26), and the policy direction of the citizen workgroups. In respect to vegetation conservation for the SMP Update, the state Guidelines [WAC 173-26-201(3)(d)(viii) and 173-26- 221(5)(b)] direct that the City should:

- Identify measures and regulations that address conservation of vegetation and ensure that new development meets vegetation conservation objectives;
- Assure no net loss of shoreline ecological functions and ecosystem-wide processes through a variety of measures, including setback and buffer standards;
- Identify ecological processes and functions of vegetation that are important to the local aquatic and terrestrial ecology and provide measures that conserve sufficient vegetation to maintain these functions;

- Vegetation conservation areas are not necessarily intended to be closed to use and development, but should provide for management of vegetation in a manner adequate to assure no net loss of shoreline function.

The City's existing SMP utilizes vegetation buffers known as Native Vegetation Zones (NVZ). The policy direction from the SMP Vegetation Conservation Workgroup suggests that in updating these buffers, the City should:

- Protect and restore shoreline vegetation to maintain and enhance ecological functions, human safety, personal property protection, and shoreline views and vistas. (Vegetation Conservation and Management Zones Draft Goal); and
- Establish shoreline vegetation conservation and management zones immediately upland of ordinary high water mark (OHWM) for each shoreline use and shoreline characterization, recognizing the pattern of development, shoreline ecological and ecosystem wide processes, and using current science and technical information, as described in WAC 173-26-201(2)(a). (Vegetation Conservation and Management Zones Draft Policy #6).

Developing Marine Shoreline Buffer Recommendations

The process used to develop the memorandum and the suggested range of buffers included several stages and was completed during a series of discussions with the consultant team and staff, including the following:

1. Reviewing the science related to buffers (summarized at the beginning of the memo, page 1). This was completed by Herrera.

2. Developing a concept for a two-zoned management area (buffer) that is comprised of a more protective (and more restricted use and activity) zone adjacent to the OHWM, and a more flexible zone (allowing minimal use, activity and alteration to vegetation) situated within the remaining portion of the management area. This concept is described on page 6 of the Herrera memo, under *Marine Shoreline Buffer and Riparian Protection Zone Recommendations*. The two-zoned management area concept was developed with Herrera and City staff, first agreeing on principles that met the SMP Guidelines and the policy direction of the citizen workgroup. These are outlined in the section *Agreed Principles,* page 9 of the Herrera memo.

3. Developing dimensional recommendations. The *Buffer Considerations and Recommend*ations section of the memo, page 11, was developed using the two-zone concept and developing principles that are informed by the science and the characteristics of the Bainbridge Island shoreline. Widths were then established for the management areas and applied to the proposed shoreline designations, (Table 1, page 12). This was completed by Herrera and modified by City staff to reflect the policy direction of the citizen workgroups and the proposed shoreline designation map.

Terminology

Vegetation conservation is important for managing and retaining shoreline vegetation in both the state SMP Guidelines and in the City's existing SMP (which included Native Vegetation Zones established for all shoreline designations). These management areas are intended to protect shoreline functions, primarily related to vegetation. In the scientific literature and within local

shoreline master programs, these areas might be called different names, including “buffers”, “setbacks” or “management areas”. This can be confusing since the terms for different management tools are frequently interchanged. Technical and scientific literature refer to buffers as relatively undisturbed areas that protect ecologically sensitive areas, while planning and regulatory terminology often allows some limited disturbance of the buffer area. This document uses the planning and regulatory definition of buffers.

As a management tool, these protective areas have the following in common: the area is a designated dimensional area situated along the shoreline, measured from the OHWM landward, with adopted regulations that limit uses and activities within these areas. The width of this area may be a fixed width or a flexible width (as is proposed here).

The Herrera memo uses terminology for this protective area, describing it as a marine shoreline buffer or *Standard Buffer,* that includes an inner zone, the *Riparian Protection Zone* (RPZ), which is measured adjacent to the OHWM.

These terms are slightly different in the draft Vegetation Conservation and Management Zones regulations, in which the entire buffer is called the *Standard Shoreline Buffer* (SSB) and is comprised of two zones, the *Riparian Protection Zone* (RPZ) and the *Marine Shoreline Zo*ne (MSZ).

Revised Memorandum

The Herrera Memorandum was revised on August 11, 2011 to provide additional clarification and to correct or clarify some citations used in the document.

Herrera Environmental Consultants, Inc.

Memorandum

To Ryan Ericson, Associate Planner, and Libby Hudson, Division Manager
City of Bainbridge Island

From Amanda Azous, José Carrasquero, and Jeff Parsons,
Herrera Environmental Consultants;
Lisa Grueter, BERK

Date August 2, 2011

Subject Documentation of Marine Shoreline Buffer Recommendation Discussions

The following discussion documents thoughts and considerations with respect to marine shoreline buffers for different shoreline use designations. The discussion is based on a review of the City of Bainbridge Island's (City) existing marine shoreline buffer regulations, the City's shoreline character, nearshore assets, existing and future land uses, scientific recommendations for marine buffers, as well as discussions with City staff. This memo begins with describing what a marine shoreline buffer is and how it differs from a riparian area; followed by a summary discussion of science-based buffer recommendations; and closes with buffer recommendations for the City's shoreline management plan update. For reference, marine shoreline buffer widths currently required by the City's shoreline regulation are provided in Attachment A, and are taken from Chapter 16.12 BIMC.

Marine Shoreline Buffers and Riparian Areas

Marine shoreline buffers are used in the City to regulate areas to protect the marine nearshore from the effects of land use activities (such as construction of buildings, driveways, and other infrastructure). Marine shoreline buffers may have variable widths, and use restrictions generally apply uniformly to the entire buffer area. This discussion in part serves to distinguish the concept of a marine shoreline buffer from that of a riparian area, which is an integral part of an aquatic ecosystem and, therefore, requires a more protective level of regulation.

A riparian area differs from a marine shoreline buffer in that it describes the terrestrial ecosystem directly adjacent to the marine nearshore that interacts with the aquatic environment. For example, intact riparian areas have native plant communities comprised of varying species of herbs and grasses, shrubs, deciduous trees, and coniferous stands of various ages and they are integral to the proper functioning of the nearshore. Native plant species are those species that occur or historically occurred on Bainbridge Island before European contact based upon the best available scientific and historical documentation.

Key functions supplied by riparian areas include providing large woody debris (LWD), bank stability, marine species food sources such as detritus and insects, and temperature moderation of beach substrate. This includes providing an overhanging, complex network of branches, trunks, stems and roots that act to moderate nearshore wave energy. In contrast, marine shoreline buffers

may include non-native landscaping, vegetable gardens, and lawns as well as possibly, native vegetation communities.

Because the functions provided by a riparian area are fundamental to maintaining a healthy functioning marine nearshore, it is recommended that the City designate a riparian protection zone (RPZ) with more restricted uses and assign a separate marine shoreline buffer to protect the RPZ. This would be done to protect such areas that are currently intact, and to establish an RPZ where such areas do not currently exist such as when properties re-develop, remodel or otherwise expand development. The RPZ would be treated as a conservation area to preserve the essential relationship between nearshore and shoreline ecological functions.

Some activities allowed within the RPZ would be weed removal, hazardous tree or limb removal, or shoreline oriented uses that are a high priority such as water dependent uses on private parcels or nearshore access and water enjoyment uses in public park areas.[2] This approach will help to ensure the protection of what remains of the City's intact riparian zones and will facilitate and provide more flexibility for uses within marine shoreline buffers. Policies, incentives and regulations that support restoration of riparian areas (such as through restoration of native plant communities) would benefit increases in nearshore habitat and functions and assist with showing no net loss.

Scientific Importance of Marine Shoreline Buffers and Riparian Areas

Sustaining habitats and species requires protection of the ecological functions and processes that support survival and population success, in addition to the direct protection of the habitats themselves. Without adequate habitat protection, ecological functions and key natural processes become degraded. In response to this risk, scientifically based recommended buffer widths and site-specific methods for determining buffers have been established in several sources. These sources were reviewed and reported in the City's Addendum to the Summary of Science Report (Herrera 2011) and are briefly summarized here.

Marine Shoreline Buffers

Factors relevant to the effectiveness of marine shoreline buffers, or of a given buffer width, include the type and intensity of surrounding land development, influence of groundwater, stability of slopes or bluffs, types of pollutants and their sources, vegetation dynamics (such as type and density), and geomorphic functions of driftwood or other habitat features that might affect the functions and values of the buffer (Brennan et al. 2009). For example, slopes that are more susceptible to massive failure may require a larger buffer, particularly if existing development is contributing to an increased rate of erosion such as from poor stormwater management and a lack of stabilizing vegetation. Feeder bluffs contributing to spawning beaches may require a larger buffer in order to protect future development while also decreasing the future need for shoreline armoring. Parcels with marshes, lagoons, or spit / barrier / backshores likewise may require wider buffers to protect these important ecological features. Steep slopes comprised of bedrock (relatively rare in the City) or stable high bluffs (greater than 5 meters)

[2] Allowances in the RPZ are more fully discussed in recommendations starting on page 6.

may allow for a narrower buffer as slope stability and sediment sources would not be impacted by development.

Much of the existing riparian and buffer literature is related to freshwater systems therefore, Washington Department of Fish and Wildlife (WDFW) established a panel of scientists in 2008 to assess the freshwater riparian scientific literature to determine its applicability to marine shoreline systems. The result of the literature review, and the Marine Riparian Workshop Proceedings conducted by the scientific panel in 2008 was a common consensus that freshwater riparian buffer research was conceptually applicable to marine shorelines (Brennan et al. 2009). The data provided by the WDFW panel (Brennan et al. 2009) suggest that necessary buffer widths vary considerably depending on the site-specific characteristics and the functions to be protected. For example, in order to achieve at least 80 percent effectiveness at removing pollutants from stormwater runoff, recommended buffers varied from as little as 16 feet to as large as 1,969 feet depending on the slope, depth and type of soil, surface roughness, density of vegetation and the intensity of the land use. Buffer widths for organic matter contributions (such as plant litter and terrestrial insects) ranging between 16 and 328 feet from the shoreline, depending on site conditions, were reported by Bavins et al. (2000) for providing this function. Buffers to protect the large woody debris function important to habitat structure and shoreline stability were suggested to be between 33 and 328 feet. However, given that trees located 300 feet landward from the edge of a bluff or bank would not immediately be recruited on the nearshore, consideration should be given to the site's potential tree height and the current and expected rate of bluff or bank retreat when establishing buffers for providing large woody debris. The WDFW panel found that buffer widths to support a number of specific riparian functions were identified by May (2003) and Knutson and Naef (1997). May recommended 98 feet for fine sediment control, and shade and microclimate control and 164 feet for the LWD function. Knutson and Naef recommended 138 feet for fine sediment control, 90 feet for temperature moderation, and 147 feet for LWD and litter fall functions. The panel's review indicated that recommendations for wildlife habitat protection ranged from 50 feet (specific to highly rural areas) to 328 feet.

Riparian Areas

An extensive body of research and literature has emerged over the last three decades which documents the specific importance of riparian areas in providing ecological functions related to waters of the state. These functions include the following (Romanuk and Levings 2010; Brennan et al. 2009; Lemieux et al. 2004):

- Water quality maintenance
- Fine sediment control
- Large woody debris delivery and retention
- Microclimate moderation
- Nutrient delivery and retention
- Terrestrial carbon source to nearshore food webs
- Fish and wildlife habitat creation and maintenance
- Direct food support for juvenile salmonids
- Hydrologic based slope stability

There is consensus in the scientific community that marine riparian areas are critical to sustaining many ecological functions (Desbonnet et al. 1994; Brennan and Culverwell 2004; Lemieux et al. 2004; Brennan et al. 2009). Marine riparian shoreline vegetation is an important component of nearshore habitat throughout the Puget Sound region (Herrera 2007; Lemieux et al. 2004; Levings and Jamieson 2001; Redman et al. 2005) and includes both upland forested plant communities occurring on the shoreline as well as unique vegetation found only in the marine nearshore (Lemieux et al 2004). Marine riparian areas contain elements of both aquatic and terrestrial ecosystems that mutually influence each other (Knutson and Naef 1997; Fresh et al. 2004; Lemieux et al. 2004). For example, juvenile salmon consume terrestrially derived carbon which can extend into the low intertidal zone (Romanuk and Levings 2010), and salmon are well known conduits for returning marine derived nutrients into freshwater systems (Chaloner et al. 2002; Wipfli 2003). Beach wrack and detritus accumulated in driftwood and tree fall in the nearshore zone, provide both terrestrial and marine derived food sources for invertebrates, fish, birds, and other organisms (Lewis 2007; Brennan et al. 2009). Riparian vegetation also provides contributions of organic matter, moisture, and nutrients that assist in the establishment and maintenance of estuarine marsh plants (Eilers 1975; Williams and Thom 2001).

These interactions between riparian vegetation and the nearshore marine environment are important to the survival and population success of numerous species that depend on marine habitats. Conservation efforts which, preserve the natural processes of detritus and nutrient conveyance, and organic debris accumulation, are therefore important in the marine environment. The establishment of significant protection for marine riparian areas is an important management strategy for protecting marine habitat conservation areas.

In literature reviews conducted to evaluate the potential impacts of removing riparian vegetation on numerous sensitive species, several mechanisms of impact have been identified (Herrera 2007b, 2008b). The degree of impact to the aquatic environment depends upon the magnitude of the vegetation removal or alteration (such as size and number of trees affected, and total area cleared of vegetation). At more severe levels, riparian vegetation modification could result in the following impacts, which would have subsequent implications for species survival and overall habitat condition:

- **Altered shade and temperature regime:** Caused by direct removal of vegetation.

- **Reduced bank and shoreline stability:** Caused by degradation of riparian vegetation, loss of vegetative cover and root cohesion, and reduced resistance to erosion. This may in turn affect aquatic habitat by increasing suspended sediments and altering riparian habitat structure.

- **Altered organic material contributions:** Caused by reduced source of leaf litter, woody debris, terrestrial insects, and other biota.

- **Altered habitat complexity and increased habitat fragmentation:** Caused by removal of native vegetation and creating habitat favored by invasive species.

There are geologic constraints on the type and density of vegetation that can establish on some areas of marine shoreline. For example, many bedrock shorelines are limited in the development of functional densities of vegetation. This is particularly relevant along the southern shoreline of the City where bedrock and overconsolidated sediments are common.

It has been shown that detritus feeding organisms may not be adapted to the leaf fall patterns or the chemical characteristics of leaves from non-native trees suggesting that riparian areas are most effective when comprised of native vegetation (Karr and Schlosser 1977). In addition, native plant species have adapted to local physical conditions such as soil, geology, and climate and therefore require less maintenance, are resistant to most pests and diseases, and require little or no irrigation or fertilizers, once established. Thus maintaining native plant species in marine riparian areas can also have consequent benefits on maintaining water quality.

In a meta-analysis review of 73 peer-reviewed studies of vegetated buffer efficacy in protecting water quality, Zhang et al. (2010) reported that forested buffers were generally found to remove more nitrogen (a limiting nutrient in marine waters) as well as phosphorus than grassed buffers. For areas with slopes up to 10 percent, predicted sediment removal efficiencies for a 33-foot (10-meter) vegetated buffer ranged from 76 to 100 percent. Removal efficiencies for nitrogen were 71 to 85 percent, and for phosphorus were 69 to 98 percent. Steeper slopes had declining removal rates.

By maintaining bank stability and contributing large wood to the aquatic environment, riparian vegetation forms and maintains habitat complexity. Riparian vegetation and large wood improve beach stability and contribute to roughness and sediment trapping (Brennan and Culverwell 2004; Gonor et al. 1988; Herrera 2005). This includes improved capacity of beaches to retain sand, a crucial substrate for forage fish spawning (Pentilla 2007).

Herrera (2005) suggested that driftwood and tree fall at the top of the beach may also stabilize the upper beach area by slowing littoral drift and reducing wave-induced erosion). It has been suggested that estuarine wood can affect water flow and the subsequent formation of bars and mudbanks (Gonor et al. 1988). The contribution to habitat complexity along marine shorelines may be maximized if trees that fall to beaches remain in place (Herrera 2005).

Marine Shoreline Buffer and Riparian Protection Zone Recommendations

City of Bainbridge Island shorelines are predominantly developed (over 82 percent [Battelle 2003]) which limits the City's ability to require wide buffers that are protected through regulation as conservation areas. Therefore, our recommendations have focused on protecting intact riparian habitat by limiting uses within this ecologically important zone, allowing for a less restrictive marine shoreline buffer landward of the riparian area that would protect the RPZ as well as provide some buffer functions; and by suggesting the City provide regulatory thresholds and landowner incentives to restore native riparian habitat whenever possible. In addition, the recommendations are informed by the City's desire to limit the number of non-conforming structures therefore, existing distances to residential structures from the shoreline are

considered. These agreements and assumptions are described in *Agreed Principles* on page 8 and *Buffer Assumptions and Recommendation* on page 10.

We recommend that in areas with existing properly functioning riparian habitat, the RPZ would be a minimum of 30 feet but it could extend up to the full width of a standard marine shoreline buffer if intact native riparian vegetation were present. This recommendation is based on the minimum area necessary to achieve a measure of riparian functions including protecting water quality, and providing shade, microclimate moderation, LWD, litterfall and insect food sources (Christensen 2000; Bavins et al. 2000; Zhang et al. 2010). Any areas not comprised of intact native riparian vegetation would be limited by the provisions of a standard marine shoreline buffer for the shoreline use designation. In areas entirely lacking native riparian vegetation, the City would still establish a minimum 30-foot RPZ zone and, as parcels meet re-development thresholds, the City would require that native vegetation be established within the minimum 30-foot RPZ. In the Natural shoreline designations, the RPZ would be a minimum of 100 feet because of the heightened ecological values found in these areas and their absence of existing development.

Figure 1 illustrates two typical parcels (for this example, they are located within a Shoreline Residential Conservancy use designation) where intact native vegetation varies between 20 feet and 95 feet. For these parcels, the RPZ would range from 30 to 95 feet. In the area currently lacking native vegetation within the 30-foot minimum RPZ, landowners would be required through mitigation, or encouraged through incentives to restore native plant species as described above. In cases where riparian habitat is restored such as to provide mitigation for development impacts or in response to Shoreline Restoration Plan recommendations, such activities could potentially provide the City with no net loss of shoreline ecological functions and potentially a net gain.

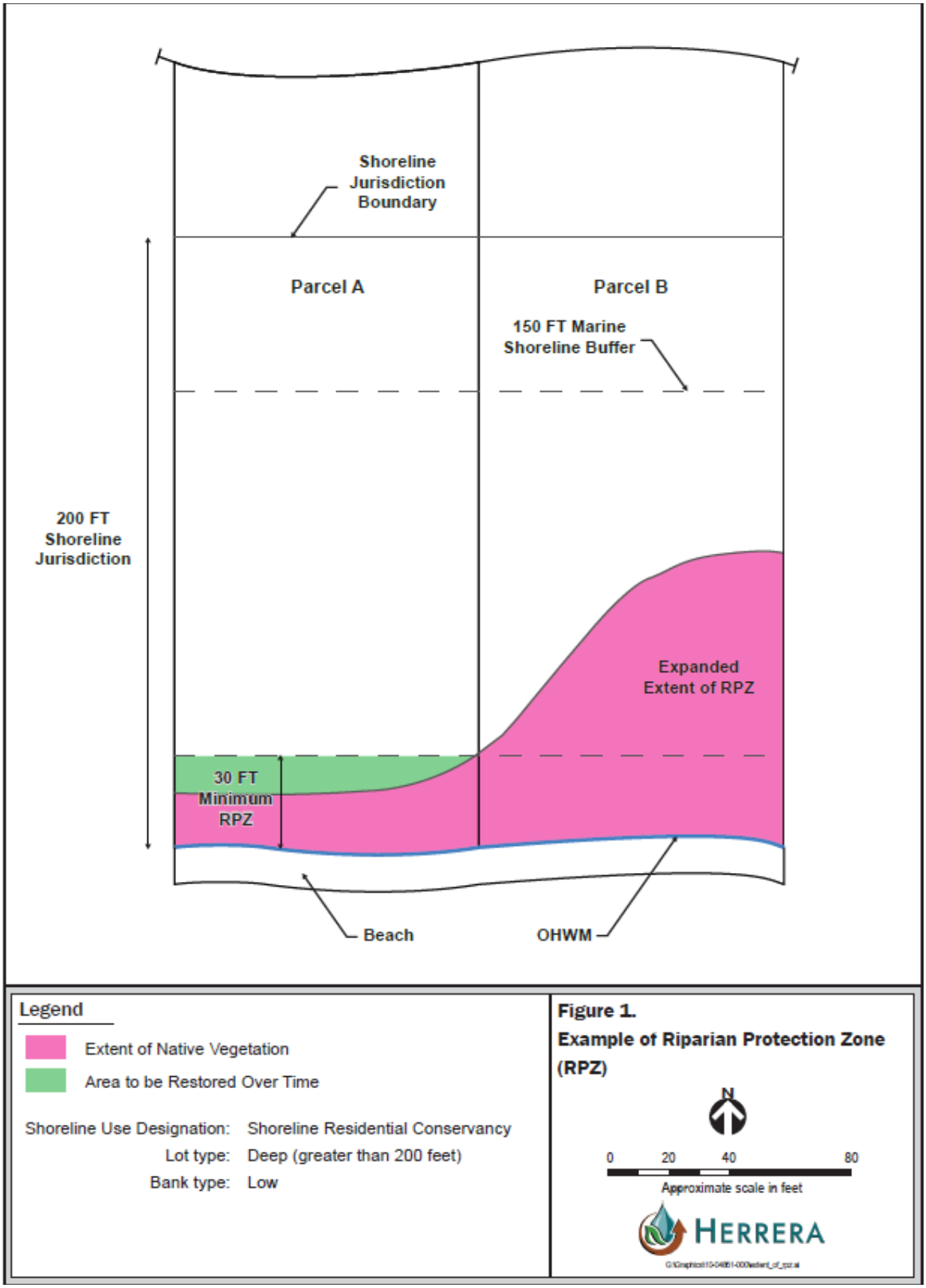


Figure 1.
Example of Riparian Protection Zone (RPZ)

Marine shoreline buffers are recommended to be specific to each shoreline use designation and to be as wide as possible to provide as much protection as is feasible with consideration of existing structure setbacks from the shore.

Agreed Principles

Following is a list of other generally agreed on principles:

1. The ability of a buffer to provide multiple functions and benefits is closely linked to its width, although other factors such as topography, slope, vegetation (type and condition), soil type, and buffer management also determine its effectiveness. In general, wider buffers are more protective of nearshore resources.

2. Buffers widths could be established on each reach or within a management area based on site-specific characteristics. The type and condition of riparian vegetation (coverage of native forest and shrubs) or upland topography (high bluff/low bank) will guide the buffer width as well as adjacency to important ecological features such as marshes, lagoons, and spit / barrier / backshores. Buffers on stable high bluffs could potentially be narrower than on low banks because the elevation difference is more protective of the nearshore. Other factors that could be considered include soil type, slope, degree of anthropogenic disturbance, and adjacent land uses.

3. Buffer widths can vary but should have a more protective inner zone such as the suggested RPZ that protects native riparian vegetation and could have a more permissive outer zone where decks, gardens, and some amount of impervious area is allowed potentially contingent on use of Low Impact Development stormwater management techniques.

4. The goal of the RPZ is to protect native vegetation to the extent possible, however limited water dependent uses would be allowed due to their intrinsic need to be in-water or at the water's edge.

5. Protection and restoration of the RPZ is also intended to provide habitat connectivity such that over time there would be long stretches of native riparian habitat along the City's shore. Therefore, where intact native vegetation is present wider buffers are recommended for some use designations.

6. The RPZ would allow for limited development, subject to a maximum of 300 square feet or 10 percent of the RPZ whichever is less, of structures per parcel related to water dependant uses such as boathouses, ramps, and stairways to the beach. In addition, one 4-foot wide trail would be allowed

for beach access. Structures or trails exceeding those thresholds would require a variance.

7. While there will be prescriptive standards, flexibility will be achieved by a marine shoreline buffer range that considers different development conditions and uses, and by allowing an option for a qualified professional to prepare a "critical areas stewardship plan" similar to Jefferson County's SMP example.

8. Properties along the Aquatic Conservancy use designation would not be allowed to have reduced buffers.

9. Properties within a Natural Area use designation would be prohibited from any shoreline development in the RPZ except for one 4-foot wide trail for beach access.

10. When a project will result in impacts and require mitigation measures, the mitigation would include restoration of the native plant ecosystem. For example mitigation activities could include re-establishing native dune grasses, forests or other habitat communities, as natural conditions would warrant for the site.

11. Lots may be provided an exception to buffer standards (e.g., lots less than a certain depth where the combination of setbacks and typical building footprint would not allow for use of the property).

12. Buffer averaging allowing variable widths would provide flexibility and can be protective of nearshore functions and resources.

13. Existing developed properties with wider shoreline parcels would be allowed to have variable buffer widths (narrower in front of existing structures and wider when moving laterally from the building and perpendicular from the shoreline).

14. We note that critical saltwater environments are based on presence of primary species which means most if not all of the City shoreline areas need some level of nearshore habitat protection (based on WAC173-26).[3]

[3] **From 173-26 WAC:** Critical saltwater habitats include all kelp beds, eelgrass beds, spawning and holding areas for forage fish, such as herring, smelt and sandlance; subsistence, commercial and recreational shellfish beds; mudflats, intertidal habitats with vascular plants, and areas with which priority species have a primary association. Critical saltwater habitats require a higher level of protection due to the important ecological functions they provide. Ecological functions of marine shorelands can affect the viability of critical saltwater habitats. Therefore, effective protection and restoration of critical saltwater habitats should integrate management of shorelands as well as submerged areas.

Buffer Assumptions and Recommendations

To bracket the range of various buffer widths from the scientific literature, we considered the following:

- Existing development regulations
- Future land use
- The City's existing environmental buffers
- Existing shoreline character (physical & biological) and nearshore assets
- Recently adopted marine shoreline management plans from Puget Sound jurisdictions
- A review of the distance of existing residential structures from the OHWM (to consider the City's desire to limit the number of new non-conforming structures)

Table 1 shows the mean, median, and standard deviation of the distance between the ordinary high water mark (OHWM) and existing primary residential structures for each shoreline use designation as determined by a GIS analysis of 2009 aerial photographs of land cover on the City's shorelines (data provided by the City). These distances were used to identify typical existing conditions for each proposed use designation.

Table 1 also indicates the suggested RPZ and marine shoreline buffer widths for each proposed use designation that resulted from our review of scientific literature, the City's existing shoreline regulations, existing shoreline character, the distance of existing structures from the shoreline, nearshore assets, existing and future land uses, and discussions with City staff. A minimum and a maximum marine shoreline buffer is offered that would vary based on existing parcel conditions where shallow lots (lots less than 200 feet from the OHWM) or high bluff shoreline parcels would have narrower buffers and deeper lots (lots greater than 200 feet from the OHWM) or those with 65 percent coverage of native trees and shrubs within the RPZ, low banks, marshes, lagoons or spit / barrier / backshores would have wider buffer requirements. The table also distinguishes buffer requirements for developed lots versus undeveloped lots in the Shoreline Residential Conservancy use designation. Existing City regulations require a 115-foot buffer on estuarine wetlands. That requirement is recommended for developed lots in the Shoreline Residential Conservancy use designation in order to reduce the number of non-compliant structures, and it is expanded to 150 feet for undeveloped lots in order to advance shoreline protection when future development occurs.

Figure 2 illustrates an example configuration of the RPZ and marine shoreline buffer for a parcel with low bank waterfront, 65 percent canopy cover, and a Shoreline Residential use designation. The recommendations do not distinguish between water-oriented and non-water oriented uses. Allowances for water-oriented uses would be part of the formal code development process.

Table 1. Suggested Range of Riparian Protection Zones and Marine Shoreline Buffers by Use Designation.[a]

Existing Distances from Shoreline to Primary Residential Structures (use designations are **bold**)	Riparian Protection Zone (RPZ) (inner buffer zone)	Minimum Standard Buffer (encompasses inner RPZ and outer marine shoreline buffer)	Maximum Standard Buffer (encompasses inner RPZ and outer marine shoreline buffer)
Urban Mean 59.8 feet Median 20.1 feet STD 72.1 feet	Minimum 30 feet from OHWM	Minimum 30 feet from OHWM [b]	30 feet from OHWM [b]
Shoreline Residential Mean 69.7 feet Median 60.2 feet STD 46.2 feet	Minimum 30 feet from OHWM up to standard buffer width	Condition: Shallow lots [c] or high bluff Standard Buffer: 50 feet from OHWM [b]	Condition: 65% coverage of native forest and shrub vegetation in RPZ [d], and low bank, or marshes, or lagoons, or spit / barrier / backshores Developed - Standard Buffer: 75 feet from OHWM Undeveloped - 75 feet from OHWM unless adjacent to Aquatic Conservancy then 150 feet
Shoreline Residential Conservancy Mean 88.2 feet Median 86.3 feet STD 55.9 feet	Minimum 30 feet from OHWM up to standard buffer width	Condition: Shallow lots [c] or high bluff Standard Buffer: 75 feet from OHWM [b]	Condition: 65% coverage of native forest and shrub vegetation in RPZ [d], and low bank, or marshes, or lagoons, or spit / barrier / backshores Standard Buffer: 115 feet from OHWM for developed lots 150 feet from OHWM for undeveloped lots
Island Conservancy Mean 144.9 feet Median 180.8 feet STD 62.9 feet	Minimum 50 feet from OHWM up to standard buffer width	Condition: Shallow lots [c] or high bluff Standard Buffer: 100 feet from OHWM [b]	Condition: Deeper lots [c], low bank, marshes, lagoons, spit / barrier / backshores Standard Buffer: 150 feet from OHWM
Natural Mean 145.3 feet Median 169.7 feet STD 53.8 feet	Minimum 100 feet from OHWM up to standard buffer width	Condition: High bluff Standard Buffer: 200 feet from OHWM [b]	Condition: Low bank or feeder bluff, marshes, lagoons, spit / barrier / backshores Standard Buffer: 200 feet from OHWM [b]

[a] The suggested minimum and maximum buffers are based on existing distances to residential structures from the shoreline in addition to science-based recommendations for shoreline and nearshore protection. The suggested ranges could be refined further based on additional GIS based analysis of City shoreline conditions.

[b] Or 50 feet from edge of geologic hazard; whichever is greater.

[c] Shallow lots measure 200 feet or less from the OHWM and deeper lots measure greater than 200 feet from the OHWM.

[d] 65 percent coverage of native forest and shrub vegetation in the RPZ based on the 2009 aerial image or an approved clearing permit since 2009.

Figure 2. Example Configuration of RPZ in Relation to Marine Shoreline Buffer.

8.5x11

References

Bavins, M., D. Couchman, and J. Beumer. 2000. Fisheries Guidelines for Fish Habitat Buffer Zones. Department of Primary Industries, Queensland, Fish Habitat Guideline FHG 003.

Brennan, J., H. Culverwell, R. Gregg, P. Granger. 2009. Protection of Marine Riparian Functions in Puget Sound, Washington. Washington Sea Grant. Seattle, Washington. Prepared for Washington Department of Fish and Wildlife. June 15, 2009.

Brennan, J.S. and H. Culverwell. 2004. Marine Riparian: An Assessment of Riparian Functions in Marine Ecosystems. Published by Washington Sea Grant Program. Copyright 2005, University of Washington, Board of Regents, Seattle, Washington. 34 p.

Chaloner D.T., K. Martin, M.S. Wipfli, P.H. Ostrom, G.A. Lamberti. 2002. Marine carbon and nitrogen in southeastern Alaska stream food webs: evidence from artificial and natural streams. *Can. J. Fish. Aquat. Sci.* 59:1257–1265

Christensen, D. 2000. Protection of Riparian Ecosystems: A Review of Best Available Science. Jefferson County Environmental Health Division, Washington.

Desbonnet, A., P. Pogue, V. Lee, and N. Wolff. 1994. Vegetated buffers in the coastal zone – A summary review and bibliography. University of Rhode Island, Graduate School of Oceanography.

Eilers, H.P.I. 1975. Plants, plant communities, net production and tide levels: the ecological biogeography of the Nehalem salt marshes, Tillamook County, Oregon. Oregon State University, Corvallis, Oregon. 368 pp.

Fresh, K., C. Simenstad, J. Brennan, M. Dethier, G. Gelfenbaum, F. Goetz, M. Logsdon, D. Myers, T. Mumford, J. Newton, H. Shipman, and C. Tanner. 2004. Guidance for protection and restoration of the nearshore ecosystems of Puget Sound. Puget Sound Nearshore Partnership Report No. 2004-02. Published by Washington Sea Grant Program, University of Washington, Seattle, Washington.

Gonor, J., J. Sedell, and P. Benner. 1988. What we know about large trees in estuaries, in the sea, and on coastal beaches. In From the forest to the sea: a story of fallen trees, edited by C. Maser, R. Tarrant, J. Trappe and J. Franklin. USDA, Forest Service, Pacific Northwest Research Station, Portland, Oregon. pp. 83-112.

Herrera. 2005. Marine shoreline sediment survey and assessment, Thurston County, Washington. Thurston Regional Planning Council, Olympia, Washington. Prepared by Herrera Environmental Consultants, Inc., Seattle, Washington.

Herrera. 2007. Habitat Modifications White Paper. Washington Department of Fish and Wildlife, Olympia, Washington. Prepared by Herrera Environmental Consultants, Inc., Seattle, Washington.

Herrera. 2011. City of Bainbridge Island Addendum to the Summary of Science. Herrera Environmental Consultants, Inc., Seattle, Washington. January 2011.

Karr, J.R. and I.J. Schlosser. 1977. Impact of Nearstream Vegetation and Stream Morphology on Water Quality and Stream Biota. Athens, GA: U.S. EPA Ecological Research Series (EPA-600/3-77/097).

Knutson, K.L. and V.L. Naef. 1997. Management Recommendations for Washington's Priority Habitats. Riparian. Olympia, Washington: Washington State Department of Fish and Wildlife.

Lemieux, J.P., J.S. Brennan, M. Farrell, C.D. Levings, and D. Myers. 2004. Proceedings of the DFO/PSAT sponsored marine riparian experts workshop. Tsawwassen, British Columbia: Canadian Manuscript Report of Fisheries and Aquatic Sciences.

Levings, C. and G. Jamieson. 2001. Marine and Estuarine Riparian Habitats and Their Role in Coastal Ecosystems, Pacific Region. Fisheries & Oceans Canada, Science Branch, West Vancouver, B.C. Research document 2001/109.

May, C.W. 2003. Stream-Riparian Ecosystems in the Puget Sound Lowland Eco-Region: A Review of Best Available Science. Watershed Ecology LLC.

Penttila, D. 2007. Marine Forage Fishes in Puget Sound. Puget Sound Nearshore Partnership Report No. 2007-03. Published by U.S. Army Corps of Engineers, Seattle District, Seattle, Washington.

Redman, S., D. Meyers, and D. Averill. 2005. Regional Nearshore and Marine Aspects of Salmon Recovery in Puget Sound. Shared Strategy for Puget Sound. June 28, 2005.

Romanuk, T.N. and C.D. Levings. 2010. Reciprocal Subsidies and Food Web Pathways Leading to Chum Salmon Fry in a Temperate Marine-Terrestrial Ecotone. PLoS ONE 5(4):e10073. doi:10.1371/journal.pone.0010073.

Williams, G.D. and R.M. Thom. 2001. Marine and Estuarine Shoreline Modification Issues White Paper. Olympia, Washington.

Wipfli, M.S., J.P. Hudson, J.P. Caouette, and D.T. Chaloner. 2003. Marine subsidies in freshwater ecosystems: salmon carcasses increase the growth rates of stream-resident salmonids. *Transactions of the American Fisheries Society* 132:371-381.

Zhang, X, X. Liu, M. Zhang, R. Dahlgren, and M. Eitzel. 2010. A Review of Vegetated Buffers and a Meta-analysis of their Mitigation Efficacy in Reducing Nonpoint Source Pollution. *J. Environ. Qual.* 39:76-84.

ATTACHMENT A

Current Marine Shoreline Buffer Requirements and Allowed Buffer Uses in the City of Bainbridge Island

Current Marine Shoreline Buffer Requirements and Allowed Buffer Uses in the City of Bainbridge Island

16.20.130 Fish and wildlife habitat conservation areas:

C.1. Development standards for marine critical areas are defined in the city's shoreline master program, Chapter 16.12 BIMC and are summarized in SMP Table 4-2 below.

SMP Table 4-2. Use-related Development Standards Matrix from Chapter 16.12 BIMC.

Key (See Key in Table 4-1) of current SMP

	Upland Environments				
Development Standards	Natural	Conservancy	Rural	Semi-rural	Urban
Aquaculture					
Setback					
Water-dependent	N/A	0	0	0	0
Water-related	N/A	25	25	25	25
Nonwater-oriented	N/A	100	100	100	100
Upland	N/A	30	30	30	30
Boating Facilities					
Setbacks					
Accessory structures	N/A	50	N/A	50	25
Water-dependent	N/A	0	N/A	0	0
Dry moorage	N/A	N/A	100	100	100
Height Limits					
Dry Moorage	N/A	N/A	N/A	30	30
Buildings	N/A	N/A	20	20	20
Commercial					
Native vegetation zone (from OHWM)					
Water-dependent	N/A	N/A	N/A	0	0
Water-enjoyment	N/A	N/A	N/A	50	25
Nonwater-oriented	N/A	N/A	N/A	50	50
Buildings	N/A	N/A	N/A	30	30
Forest Practices					
Native vegetation zone:	N/A	N/A	100	100	100
Industrial Development					
Native vegetation zone (from OHWM)					
Water-dependent	N/A	N/A	N/A	N/A	0
Water-related	N/A	N/A	N/A	N/A	25
Recreational Development					
Native vegetation zone					

Development Standards	Upland Environments				
	Natural	Conservancy	Rural	Semi-rural	Urban
Nonwater-oriented, general	N/A	200	200	200	100
Campsites, picnic areas, and related	N/A	50	50	50	25
Access roads, restrooms, and accessory structures	N/A	75	75	75	50
Parking	N/A	100	100	100	50
Golf course, playfields, intensive use areas	N/A	100	100	100	100
Residential Development (dwellings)					
Native vegetation zone	N/A	100	50	50	25
Transportation					
Native vegetation zone					
Trails	0	0	0	0	0
Water-dependent	N/A	0	0	0	0
Utilities (primary)					
Native vegetation zone					
Distribution lines	N/A	N/A	N/A	50	25
Buildings	N/A	N/A	N/A	50	25
Height Limits:					
Buildings, storage tanks, accessory uses	N/A	N/A	50	20	20
Distribution poles	N/A	N/A	50	30	30

Herrera Environmental Consultants, Inc.

Memorandum

To	Ryan Ericson, Associate Planner, and Libby Hudson, Division Manager City of Bainbridge Island
From	Amanda Azous, Herrera Environmental Consultants
Date	August 31, 2011
Subject	Clarification on Herrera August 11, 2011 Documentation of Marine Shoreline Buffer Recommendation Discussions Memo

This memo is to provide further explanation of the scientific basis for the recommendation to the City of Bainbridge Island (City) that a minimum 30-foot Riparian Protection Zone (RPZ) be instituted as part of a dual-zone management system (provided in Herrera's August 11, 2011, memo to the City: *Documentation of Marine Shoreline Buffer Recommendations*). It is important to note that the RPZ is intended to be a subset of a regulated buffer (which is wider than 30 feet for all use designations except for Urban). The RPZ has the specific purpose of protecting existing intact native vegetation that is directly adjacent to the marine environment. The RPZ also provides a regulatory framework for restoring native vegetation to this zone as future development and re-development occurs, particularly where this zone has been degraded. Restoring native vegetation to this zone would help the City achieving its goal of no net loss of shoreline ecological functions over time.

The RPZ is intended to be more restrictive of uses and development than the remainder of the regulated buffer required in each use designation. Any disturbances or allowed activities within this zone would include mitigation that restores native vegetation within and/or adjacent to the RPZ to the extent feasible. The goal of regulating vegetation characteristics in the RPZ is to strengthen the functions provided by native vegetation in the portion of the 200-foot shoreline jurisdiction where the most benefit would accrue, which is the area directly adjacent to marine waters.

Scientific Recommendations for Marine Riparian Buffers

Both Battelle (2003) and Herrera (2011) review and discuss science-based recommendations for buffer widths to protect various shoreline functions. In general, the reviews found that the wider the buffer, the more effective it will be for protecting the marine environment. Nevertheless, in developed environments it is not always possible to prescribe the largest buffer one might find recommended in the literature. Both literature reviews clearly establish that buffers have a key role in protecting aquatic habitat and resources and both suggest that necessary buffer widths vary considerably depending on the site-specific functions and characteristics. For example, in order to achieve at least 80 percent effectiveness at removing pollutants from stormwater runoff, the buffer required can vary from as little as 16 feet to as large as 1,969 feet depending on the slope, depth and type of soil, surface roughness, density of vegetation and the intensity of the

land use. Table 1 provides a summary of a number of studies that examined buffer requirements that were reviewed for both documents, as well as for the August 11, 2011, buffer recommendations memo. The table indicates that suggested buffers are dependent on the function being protected as well as site-specific characteristics but that in general, the wider buffers are, the more effective they are in providing a diversity of functions. In addition, studies Herrera reviewed suggest that a narrower buffer, fully vegetated with native trees and shrubs, may perform more effectively than a wider buffer comprised of non-native landscaping and/ or lawn.

Table 1. Riparian buffers functions and width recommendations in the literature.

Riparian Function	Range of Buffer Widths (feet) to Achieve ≥ 80% Effectiveness and Literature Cited	Minimum Buffer Width (Approximate) Based on FEMAT Curve to Achieve ≥ 80% Effectiveness [a]
Water quality	16 ft: Schooner and Williard (2003) for 98% removal of nitrate in a pine forest buffer 1969 ft: Desbonnet et al (1994, 1995) for 99% removal 33 ft: Zhang et al. (2010) for 85% removal of nitrogen with trees (71% with mixed grass and trees) 33 ft: Zhang et al. (2010) for 98% removal of phosphorus with trees (69% with mixed grass and trees)	82 ft: sediment 197 ft: TSS 197 ft: nitrogen 279 ft: phosphorus
Fine sediment control	82 ft: Desbonnet et al (1994/1995) for 80% removal 299 ft Pentec Environmental (2001) for 80% removal 33 ft: Zhang et al. (2010) for 91% removal of sediment on 5% slope with grass and trees; 86% removal on 10% slope with grass and trees	82 ft: (sediment) 197 ft: (TSS)
Shade/Microclimate	56 ft: Belt et al 1992 IN Eastern Canada Soil and Water Conservation Centre (2002) for 90% effectiveness 125 ft: Christensen (2000) for 80% temperature moderation	121 ft (0.6 SPTH*)
Large woody debris	33 ft: Christensen (2000) for 80-90% effectiveness 328 ft: Christensen (2000) for 80-90% effectiveness	131 ft (0.65 SPTH*)
Terrestrial carbon source to nearshore food webs	16 to 328 ft: Bavins et al (2000)	80 ft (0.4 SPTH)
Hydrology/slope stability	Consensus is that for steep slopes affecting critical areas such as feeder bluffs, a site specific analysis by a qualified professional is necessary to determine a specific buffer width.	Recommendations are based on protecting property and not critical areas. Buffers widths are provided for a range of slope conditions but do not consider underlying geology.

[a] FEMAT data in this table are based on Site Potential Tree Height (SPTH) equal to 200 feet.

Scientific Basis for 30-foot Riparian Protection Zone

Based on the significant variability in buffer recommendations, we endeavored to develop a strategy for the City that would, over time, improve the ecological functions within the current residential development pattern found along most of the City's shoreline (over 82 percent developed [Battelle 2003]), while also allowing for some flexibility for landowners to make use of the shoreline. Therefore, we focused on maintaining and restoring intact riparian habitat located directly adjacent to marine waters by designating it an RPZ, limiting uses within this ecologically important zone, and providing mechanisms and strategies for increasing native vegetation within and adjacent to the RPZ over time.

This minimum RPZ width of 30 feet is based on the ability to achieve 70 percent or greater effectiveness at protecting water quality, and providing shade, microclimate moderation, large woody debris, litterfall and insect food sources (Christensen 2000; Bavins et al. 2000; Zhang et al. 2010) (see Table 2). The remainder of the regulated buffer required for each shoreline designation augments the protection for ecological functions provided by the RPZ, and therefore provides added conservation strategies for protecting marine riparian functions and critical saltwater habitats. This dual-zone management system described in Herrera's August 11, 2011, memo and illustrated in Figures 1 and 2 within that memo, works together to increase the functions typically provided by a single standard marine shoreline buffer through conserving and, over time, adding native vegetation in the most critical zone of the buffer.

Table 2. Approximate effectiveness provided by 30-foot RPZ (Christensen 2000; Bavins et al. 2000; Zhang et al. 2010).

Function	Percent Effectiveness within 30 Feet of OHWM	Comment
Water quality maintenance	71 - 98	Assumes trees or mixed grass and trees
Fine sediment control	86 - 91	Assumes trees or mixed grass and trees
Shade and microclimate moderation	100	Trees and other over-hanging vegetation must be present on the shore.
Large woody debris	80 -90	Trees must be present on the shore
Terrestrial carbon source to nearshore food webs	80	Trees and other over-hanging vegetation must be present on the shore.
Terrestrial wildlife habitat	Unknown	Highly dependent on species of wildlife to be protected
Hydrologic based slope stability	Unknown	Highly dependent on specific site conditions

OHWM = Ordinary High Water Mark

An RPZ containing native trees and shrubs would promote the recruitment of organic matter, nutrients, and macroinvertebrate prey items to the marine environment which are reduced or absent when riparian vegetation is not present on the shoreline (Brennan et al. 2004; Sobocinski 2003; Williams et al. 2001). Detritus feeding organisms are often not able to adapt to the leaf fall

patterns or the chemical characteristics of leaves from non-native plants, which is one reason why shoreline vegetation should be native species for maximum effectiveness (Karr and Schlosser 1977). Native plant species are adapted to local physical conditions such as soil, geology, and climate and therefore require less maintenance, are resistant to most pests and diseases, and require little or no irrigation or fertilizers, once established. Thus maintaining native plant species adjacent to the shoreline helps maintain water quality. Also, trees located close to the shore, form and maintain habitat complexity by stabilizing banks and contributing large wood to the aquatic environment.

Another important protection feature is that the RPZ would extend up to the full width of a standard marine shoreline buffer wherever intact native riparian vegetation were present but would be a minimum of 30 feet.

In areas entirely lacking native riparian vegetation, the City would still establish a minimum 30-foot RPZ and, as parcels met re-development thresholds, the City would require that native vegetation be established within the minimum 30-foot RPZ. In the Natural shoreline designation, the RPZ would be a minimum of 100 feet because of the heightened ecological values found in the areas within this shoreline designation and their absence of existing development.

In summary, the 30-foot RPZ is a subset of a dual-zone system, intended to preserve existing native trees and shrubs, and restore them when possible, to increase their presence adjacent to the shoreline and protect important shoreline functions. This strategy will provide opportunity to significantly improve over time shoreline functions over existing City conditions, where degradation exists or continues to occur. The implementation of the RPZ as a component of a regulated buffer will allow the City to effectively stem the loss of shoreline resources due to loss of native shoreline vegetation and, in conjunction with regulations addressing activities allowed in the remainder of the regulated buffer, assist the City with meeting its goal of no net loss of shoreline ecological functions.

References

Battelle. 2003. Bainbridge Island nearshore assessment: Summary of best available science. Prepared for: City of Bainbridge Island. October 2003.

Bavins, M., D. Couchman, and J. Beumer. 2000. Fisheries Guidelines for Fish Habitat Buffer Zones. Department of Primary Industries, Queensland, Fish Habitat Guideline FHG 003.

Belt, G.H., J. O'Laughlin, and T. Merril. 1992. Design of Forest Riparian Buffer Strips for the Protection of Water Quality: Analysis of Scientific Literature. University of Idaho. Idaho Forest Wildlife and Range Experiment Station.

Brennan, J., H. Culverwell, R. Gregg, P. Granger. 2009. Protection of Marine Riparian Functions in Puget Sound, Washington. Prepared for Washington Department of Fish and Wildlife by Washington Sea Grant, Seattle, Washington. June 15, 2009.

Brennan, J.S. and H. Culverwell. 2004. Marine Riparian: An Assessment of Riparian Functions in Marine Ecosystems. Published by Washington Sea Grant Program. Copyright 2005, University of Washington, Board of Regents, Seattle, Washington. 34 p.

Christensen, D. 2000. Protection of Riparian Ecosystems: A Review of Best Available Science. Jefferson County Environmental Health Division, Washington.

Desbonnet, A., P. Pogue, V. Lee, and N. Wolff. 1994. Vegetated buffers in the coastal zone – A summary review and bibliography. University of Rhode Island, Graduate School of Oceanography.

Desbonnet, A., V. Lee, P. Pogue, D. Reis, J. Boyd, J. Willis, and M. Imperial. 1995. Development of coastal vegetated buffer programs. *Coastal Management* 23:91-109.

Herrera. 2011. City of Bainbridge Island Addendum to the Summary of Science. Herrera Environmental Consultants, Inc., Seattle, Washington. January 2011.

Karr, J.R. and I.J. Schlosser. 1977. Impact of Nearstream Vegetation and Stream Morphology on Water Quality and Stream Biota. U.S. EPA, Athens, Georgia. Ecological Research Series (EPA-600/3-77/097).

Pentec Environmental. 2001. Use of Best Available Science in City of Everett Buffer Regulations. Report to the City of Everett Planning and Community Development Department. Edmonds, Washington. March 15, 2001.

Schoonover, J.E., and K.W.J. Williard. 2003. Groundwater nitrate reduction in giant cane and forest riparian zones. *Journal of the American Water Resources Association* 39(2):347-354.

Williams, G.D. and R.M. Thom. 2001. Marine and Estuarine Shoreline Modification Issues White Paper. Olympia, Washington.

Zhang, X, X. Liu, M. Zhang, R. Dahlgren, and M. Eitzel. 2010. A Review of Vegetated Buffers and a Meta-analysis of their Mitigation Efficacy in Reducing Nonpoint Source Pollution. *J. Environ. Qual.* 39:76-84.

Appendix D - Single Family Residence Mitigation Manual

Single Family Residence Shoreline Mitigation Manual

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Introduction

This manual provides guidance for City of Bainbridge Island (City) homeowners as well as City staff and consultants on requirements and mitigation opportunities for specific types of single-family residential (SFR) development within the shoreline jurisdiction of the City.

Under Washington State Shoreline Management Act Guidelines [WAC 173-26-186(8) & 201(2)(c)], all new development, activities and uses must meet the standard of no net loss of ecological functions and shoreline processes. To ensure the standard of no net loss is met, any adverse impacts from new, repaired, or replaced development must be mitigated in accordance with the Mitigation Sequence (see Page 2) described in WAC 173-26-201((2)(e). When there are permanent impacts not addressed in sequence number 2, 3, or 4 the applicant must provide mitigation for the remaining adverse impacts to meet the no net loss standard.

The City's Shoreline Management Program (SMP) regulations require an applicant submit a site-specific analysis to demonstrate that the no net loss standard has been met. A site-specific analysis is a technical report that identifies existing conditions and ecological functions, impacts from the project, and proposed mitigation.

To give homeowners a low cost alternative for meeting the no net loss standard, this manual was developed and provides mitigation for common types of SFR development as an alternative to submitting a site-specific analysis.

This manual provides City requirements for single family residences when mitigating construction, repair or replacement of SFR primary and accessory structures. Subdivisions, including short plats and other development, and uses or activities not associated with SFR development, are required to provide a site-specific analysis in accordance with the SMP Section 4.1.2 Environmental Impacts.

A homeowner can use this shoreline mitigation manual if:

- the SFR is not part of a new subdivision application; and
- the proposed project is located within a qualifying site (see below); and
- the proposed project is listed among the development and structure types and maximum size constraints covered by this guidance (shown in Table 1).

What sites qualify for this approach?

Sites which qualify for this manual are SFR shoreline parcels that are not adjacent to a marsh or a lagoon. Marshes and lagoons are a critical habitat feature for many protected species and therefore development proposals affecting these sites require a higher level of examination. Proposed development on SFR sites with an adjacent marsh or lagoon must complete a site-specific analysis that complies with the requirements of SMP Section 4.1.2, Environmental Impacts, and/or Appendix B, Critical Areas.

Washington State Shoreline Management Act Guidelines:

http://www.ecy.wa.gov/programs/sea/sma/guidelines/downloads/Draft_2002_SMP_Rule.pdf

What is mitigation?

Mitigation is the process of avoiding, limiting, reducing, or eliminating the adverse environmental impacts of a project over time, and ultimately compensating for impacts that remain. Mitigation for impacts follows a specific sequence described in WAC 173-26-201((2)(e) as follows:

1. **Avoid** the impact altogether by not taking a certain action or parts of an action;
2. **Minimize** impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
3. **Rectify** the impact by repairing, rehabilitating, or restoring the affected environment;
4. **Reduce** or eliminate the impact over time by preservation and maintenance operations;
5. **Compensate** for the impact by replacing, enhancing, or providing substitute resources or environments; and
6. **Monitor** the impact and the mitigation activities and take appropriate corrective measures as needed.

The mitigation strategies identified in this manual are for environmental impacts that cannot reasonably be avoided (steps 2 through 6 of this sequence).

New in-water or overwater structures (such as shoreline stabilization construction or docks) are not covered by this guidance. Applications for new in-water or overwater development must submit a site-specific analysis in accordance with the City's SMP.

An applicant must also obtain a U.S. Army Corps of Engineers (USACE) and Washington Department of Fish and Wildlife (WDFW) Hydraulic Project Approval (HPA) for any new in-water or overwater structure as well as for a repair or replacement of an existing structure. Mitigation is typically required by those agencies as well, however the City may determine that mitigation and permit conditions required by federal and state agencies are sufficient to meet City requirements according to provisions in the SMP. Note that the SMP prohibits new overwater covered moorage in the marine environment .

Shoreline with native vegetation.

Mitigation activities prescribed for the qualifying types of construction in this document are selected to directly compensate for environmental impacts that are not prevented through careful site design, structure design or use of best practices. Examples of best practices are low impact development methods for managing stormwater, retractable docks or beach nourishment for shoreline stabilization. For example, permanent clearing of vegetation is mitigated by replanting vegetation, and any permitted fill placed below the ordinary high water mark (OHWM) is mitigated by removing fill already located below the OHWM.

Mitigation is first required to be conducted on the same parcel (on site) as the proposed construction unless impractical. In most cases, more mitigation is required when it will occur on a different parcel (off site).

These measures ensure that mitigation is clearly linked to the type and location of impact the development would have on the shoreline. This approach also supports the City's responsibility to ensure there is no net loss of shoreline functions.

In some cases, onsite mitigation may not be feasible or offsite mitigation may be preferred based on shoreline physical processes. In either case, check with City of Bainbridge Island Planning and Community Development Department for preferred locations recommended by the City's Shoreline Restoration Plan or for other guidance related to acceptable offsite mitigation. In limited cases, a reduction in mitigation requirements for offsite compensatory mitigation may be allowed if the Administrator determines a greater ecological benefit is achieved at the proposed location.

Bainbridge Island shoreline and dock.

Homes near this marsh would not quality for the mitigation approach in this manual.

What kinds of SFR development qualify for this guidance?

SFR development that qualify for this guidance includes: a new home, accessory structure (to existing SFR), and expansion, replacement, and repair of a SFR or accessory structure. Within these SFR development categories, structures that qualify must be within specific size constraints. The types of structures and size constraints for use of this manual are provided in Table 1. Examples include construction of a new home no larger than 4000 ft^2; an accessory structure to an existing home, such as a detached garage no larger than 580 ft^2, a patio no larger than 120 ft^2; stairs to the beach between 50 ft^2 and 300 ft^2 (mitigation is not required for stairs less than 50 ft^2) ; remodel of an existing structure; and replacement or repair of shoreline structures such as a bulkhead, stairs or a dock. Note that the listed size constraints are not the maximum permitted by City regulations, but are the maximum for which this manual can be used to determine appropriate mitigation without a site-specific study.

Development of each of these structures typically results in one or more of the following shoreline and nearshore disturbances that require mitigation: 1) vegetation is cleared, 2) new impervious surface is created, 3) fill is placed below the OHWM or 4) aquatic habitat is permanently disturbed. Table 1 identifies which of these disturbances may apply based on your proposed development.

To use Table 1:

1. Select the category of development (new, accessory etc.) that applies to your project from the first column.
2. Select the type of structure from the second column.
3. Check to make sure your proposed development is within the maximum size constraints for that structure. If they are not, you will need a site-specific analysis.
4. Review the impacts requiring mitigation and identify those that apply to your project.
5. For each impact requiring mitigation, go to the corresponding section under Mitigation Requirements for a description of what is required.

Table 1. Qualified Single Family Residential (SFR) developments and associated impacts requiring mitigation.

			Impacts Requiring Mitigation			
Development Category	**Structure Type**	**Maximum Size Constraints (based on footprint)**	**Vegetation is Cleared**	**New Impervious Surface is Created**	**Permitted Fill is Placed Below OHWM**	**Aquatic Habitat is Disturbed**
New[a]	SRF including any accessory development	4,000 ft²	♦	♦		
	Driveway or parking area	No maximum	♦	♦		
Accessory Note: the footprint of existing SRF including all accessory developments with the exception of a guest house or accessory dwelling unit (ADU) cannot exceed 4000 ft²	Detached garage or carport	580 ft²	♦	♦		
	Guest house or ADU	800 ft²	♦	♦		
	Boathouse (only in upland)	200 ft²	♦	♦		
	Patio –with or without BBQ pit or deck	120 ft²	♦	♦		
	Hot tub + deck/ patio	120 ft²	♦	♦		
	Sport court	200 ft²	♦	♦		
	Gazebo, utility shed, well house, greenhouse	200 ft²	♦	♦		
	Retaining wall – new or replacement (upland)	3.5 ft. depth and 4 ft. height with no surcharge[b]	♦	♦		
	Deck (attached to house)	400 ft²	♦	♦		
	Stairs to beach[c]	50 ft² to 300 ft²	♦	♦[d]		

Table 1. Qualified SFR developments and associated impacts requiring mitigation (CONTINUED).

			Impacts Requiring Mitigation			
Development Category	**Structure Type**	**Maximum Size Constraints (based on footprint)**	**Vegetation is Cleared**	**New Impervious Surface is Created**	**Permitted Fill is Placed Below OHWM**	**Aquatic Habitat is Disturbed**
SFR (primary) Replacement or Expansion Note: the footprint of replaced or expanded SFR including all accessory developments cannot exceed 4000 ft²	Replace (demolished)	Same size as existing structure in same location	No Mitigation Requirement			
		Expand size	♦	♦		
	Expansion of or addition to SFR	4,000 ft² including existing structure	♦	♦		
Accessory replacement[e]	Bulkhead	Same as existing	♦	♦	♦	
	Boathouse	200 ft²	♦	♦	♦	♦[f]
	Stairs to beach[c]	50 ft² to 300 ft²	♦	♦[d]	♦	
	Dock	Same as existing	♦		♦	♦[f]
Accessory repair[e]	Bulkhead	3.5 ft. depth and 4 ft. height with no surcharge[b]			♦	
	Boathouse	200 ft²			♦	♦[f]
	Stairs to beach[c]	50 ft² to 300 ft²	♦	♦[d]	♦	
	Dock	Same as existing			♦	♦[d, f]

[a] New dock, or other new in-water or overwater structures are not covered by this manual. Covered moorage is prohibited by the City.

[b] Surcharge is the slope above and behind a retaining wall or bulkhead.

[c] No mitigation is required for beach stairs with a footprint smaller than 50 ft².

[d] If stairs are grated and pass stormwater freely no mitigation for impervious area is required.

[e] This program does not cover mitigation required for use of barges. If you intend to use a barge for construction, you will need to submit a site-specific study.

[f] Repairs or replacements of this in-water and overwater structure are exempt from this mitigation requirement if the footprint and impact is reduced (such as by replacing wood decking with grating to increase light penetration and reducing the number of pilings). Specific requirements for footprint and impact reduction are explained in the section called ***Mitigation Exemption for Repair or Replacement of Overwater Structures***.

Mitigation Requirements

Review each section that follows as it pertains to your project's environmental impacts.

Vegetation is Cleared

Shoreline vegetation is considered important to supporting the ecological functions found in the nearshore. Vegetation along the shoreline at minimum infiltrates stormwater, and can provide large woody debris, bank stability, food sources such as detritus and insects for aquatic species, and temperature moderation of the beach and nearshore substrate. Multistoried vegetation can provide an overhanging, complex network of branches, trunks, stems and roots that also moderate nearshore wave energy.

Native vegetation is preferred for shorelines because native species are better adapted to local physical conditions such as soil, geology, and climate and therefore require less maintenance, are resistant to most pests and diseases, and require little or no irrigation or fertilizers, once established. Thus maintaining native plant species along the shoreline can also have consequent benefits on maintaining water quality. Native vegetation also provides more food sources for native wildlife.

Mitigation for vegetation cleared in the shoreline jurisdiction requires replacement with an equivalent or larger area of native multistoried vegetation (includes groundcovers, shrubs, and trees). Areas planted for mitigation are subject to final approval by the Administrator and must be recorded with the County Auditor on a Notice on Title, or other similar document, prior to approval of the project. Areas planted for mitigation are intended to be protected in perpetuity, although future alterations may be allowed with an approved mitigation plan.

What best describes the character of the vegetation in the area you will be clearing?

Is it predominantly:

- Mowed grass or lawn?
- Non-native landscaping?
- Native Vegetation?

Based on the dominant character of the vegetation that will be cleared and where you intend to plant, different ratios of native vegetation planted area to cleared area are required. These ratios are provided in *Mitigation Requirements for Vegetation Clearing*.

If you intend to plant native vegetation within 30 feet landward of the OHWM (called Zone 1 of the Shoreline Buffer—see Figure 1) the ratios for planting in Zone 1 are lower than if you plant outside of Zone 1. The lower ratio is intended to encourage homeowners to plant in Zone 1 where native vegetation has the greatest effect on nearshore habitat and processes. Ratios are also higher if you are clearing native vegetation, as compared with removing mowed grass or lawn, for the same reason.

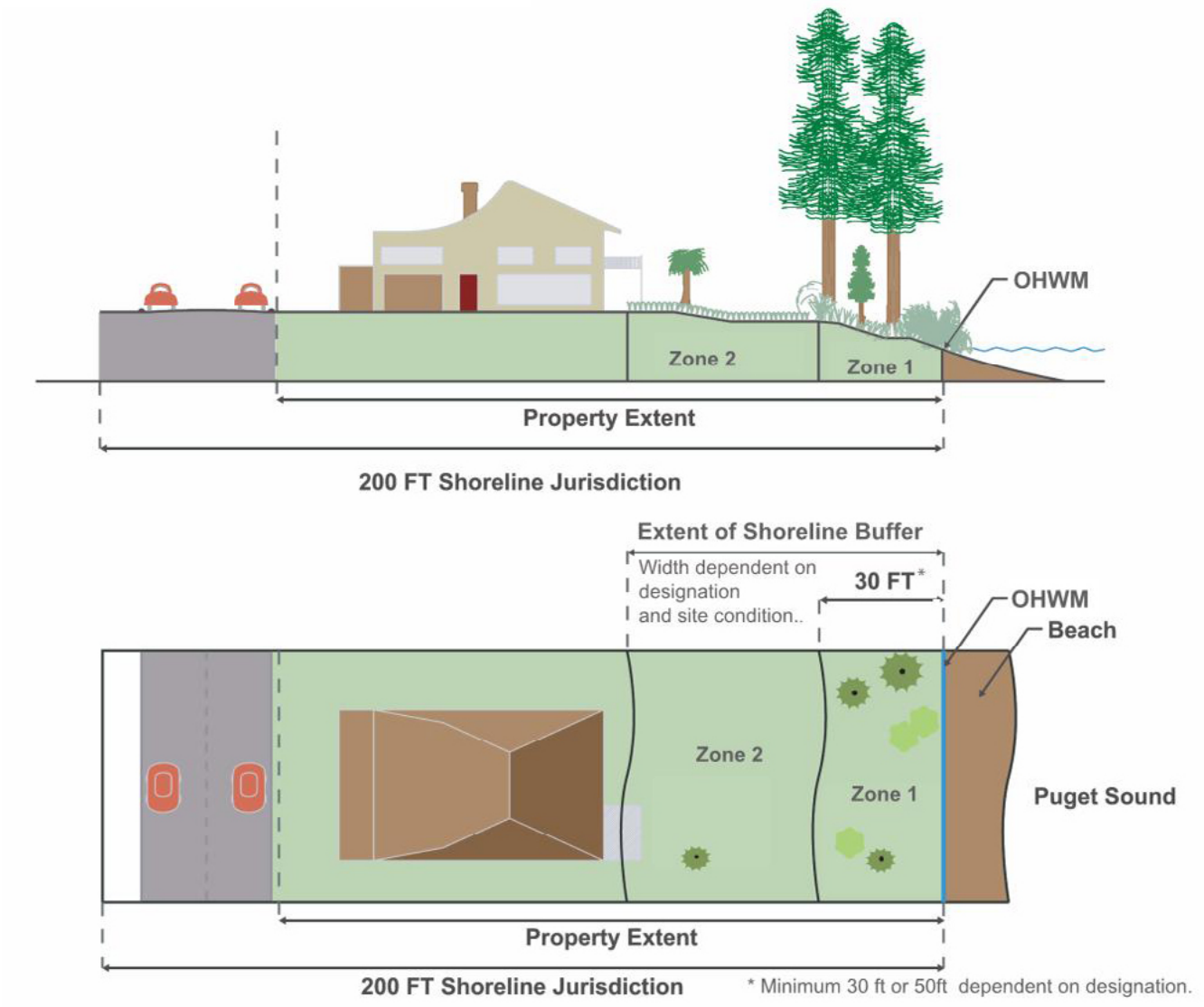


Figure 1. Zones related to the shoreline buffer area.

What is Native Vegetation?

Native vegetation is an assemblage of plants native to Bainbridge Island, which are species that occur or historically occurred on the island based upon the best available scientific and historical documentation. Native vegetation includes a selection of multistoried species (ground covers, shrubs and trees). Acceptable species are listed in Appendix A. Other species may be planted if it can be demonstrated they are native and appropriate to the site conditions.

When planting native vegetation for mitigation, you must provide a plan view of the project area showing where clearing will occur and where native vegetation will be planted for mitigation (including species, spacing and plant sizes). Species are to be planted with spacing designed to achieve a minimum 65 percent native vegetation coverage within 10 years within the replanted area. To assist you, a list of native species suitable for the City's shorelines is provided in Appendix A along with planting details showing typical tree, shrub and groundcover spacing and recommended plant sizes.

Note that your planting plan may be designed to protect views from your primary SFR.

Figure 2. Planting should incorporate trees, shrubs, and groundcovers to provide multiple layers of vegetation (multistoried).

Mitigation Requirements for Vegetation Clearing

Select character of vegetation being cleared	Will mitigation planting be located within Zone 1?	Mitigation Requirement
Area is comprised of mowed grass or lawn	YES	Plant ½ the equivalent area of mowed grass or lawn with multistoried, native vegetation
	NO	Plant the equivalent area of mowed grass or lawn with multistoried, native vegetation.
Area is comprised of non-native landscaping (including groundcovers, shrubs or trees).	YES	Plant the equivalent area of cleared non-native landscaping with multistoried, native vegetation.
	NO	Plant 2 times the area of cleared non-native landscaping with multistoried, native vegetation.
Area is comprised of native landscaping (including groundcovers, shrubs or trees).	YES	Plant 2 times the area of cleared native landscaping to multistoried native vegetation.
	NO	Plant 3 times the area of cleared native landscaping with multistoried, native vegetation

New Impervious Surface is Created

To mitigate for new impervious surface, you can:

- Remove existing impervious surface of equal area within your shoreline buffer and replant with native vegetation, or
- Install a rain garden that is sized to be at least 20 percent of the area of your new impervious surface.

The use of a rain garden for mitigating impervious surface is based on the understanding that rain gardens can help provide the water collection, retention, and infiltration capacity that are lost when vegetated areas are made impervious. The Rain Garden Handbook for Western Washington Homeowners describes how rain-gardens mimic a native forest by collecting, absorbing, and filtering stormwater runoff from rooftops, driveways, patios, and other areas that don't allow water to soak in.

To install a rain garden, follow the methods available at www.raingarden.wsu.edu/index.html. There you will find instructions for calculating your drainage area, and locating, designing (sizing), planting and maintaining your rain garden. Local landscape architects, Kitsap County WSU Extension office, Kitsap County Conservation District, and the City's Planning and Community Development Department are other resources available for assistance.

The Rain Garden Handbook for Western Washington Homeowners:

www.raingarden.wsu.edu/index.html

Rain Garden Installation Guidance:

www.raingarden.wsu.edu/index.html

Rain Gardens

- Can be shaped and sized to fit your yard
- Are constructed with soil mixes that allow water to soak in rapidly and support healthy plant growth
- Can be landscaped with a variety of plants that look beautiful and help manage stormwater

Caution:

Collecting and allowing water to soak into a landslide hazard area can cause instability and potentially endanger your structure. If you need to place your rain-garden on or near a landslide hazard area (any slope greater than 15 percent), a letter or report from a qualified licensed geologist or geotechnical engineer that evaluates the site and your rain garden design must be submitted with your application for review and approval by the Administrator.

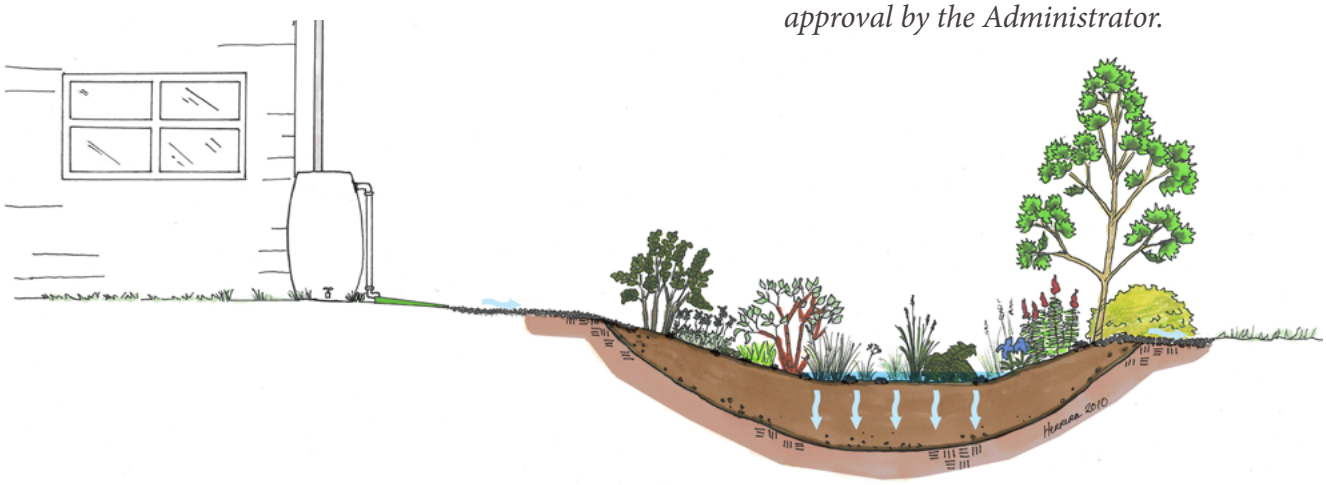


Figure 3. Rain gardens can help mitigate stormwater runoff from new impervious surfaces.

Permitted Fill Material is Placed below OHWM

Fill placed below the OHWM permanently eliminates aquatic habitat and can interrupt nearshore sediment flow. These factors both eliminate and reduce ecological functions within the area of fill and may adversely affect adjacent shorelines through reduced sediment supply and increased fragmentation of habitat.

All shoreline structures or modifications that include placing fill below the OHWM will require an equivalent volume of fill removal from below the OHWM elsewhere for mitigation (Table 2). Typical shoreline structures and modifications that include fill placed below the OHWM include stairs, boathouses, docks and bulkheads.

If mitigation for fill removal will occur within the same parcel, the volume removed must be at minimum equal to the volume of fill material placed. If the fill removal occurs on a different parcel, than the volume removed must be two times the volume of fill material placed. See Table 2. This is to encourage mitigation for fill placement at the same location as the environmental impact.

Examples of types of fill that may be removed for mitigation include construction debris such as concrete pieces, riprap, creosote logs, pilings, and failing bulkheads.

In addition to fill removal, bulkhead repair or replacement will require beach nourishment in addition to fill removal as part of mitigation (Table 2).

Beach nourishment differs from fill because it is mobile and permeable, unlike piers, concrete, riprap, or other immobile elements typically associated with nearshore structures. Beach nourishment provides spawning habitat for forage fish species, which are food sources for salmon and other fish species, birds, and marine mammals. While nearshore structures can provide a type of nearshore habitat (for example docks provide holdfasts for barnacles and mussels), these habitats do not improve impaired features of the nearshore ecosystem or support natural geomorphic processes in the way that mobile beach sand can.

Removing unused piers can provide shoreline mitigation.

Retractable Structures

In many instances structures can be constructed that can be retracted when not in use (for example retractable access stairs or docks). Retractable structures associated with a SFR are exempt from the City's requirement for mitigation for impacts occurring waterward of the OHWM.

In addition, if the footprint of fill below the OHWM is smaller than 10 square feet, the structure is exempt from providing mitigation as the area is considered too small to significantly impact aquatic resources.

Table 2. Mitigation requirements for fill material placed below the OHWM.

Development Type	Location of Fill Removal		Beach Nourishment Required?
	On Site	Off Site[a]	
• Stair construction, repair or replacement • Boathouse repair or replacement • Dock repair or replacement	Remove fill equivalent to volume placed below OHWM	Remove fill equivalent to 2 times volume placed below OHWM	No
• Bulkhead repair or replacement	Remove fill equivalent to volume placed below OHWM	Remove fill equivalent to 2 times volume placed below OHWM	Yes

[a] A reduced ratio for offsite fill removal may be used In limited instances when the Administrator determines that a greater ecological benefit is obtained at on offsite location than would occur on site.

What is beach nourishment?

Beach nourishment is where sediment (usually sand) is placed to protect an eroding beach. Beach sediment lost through alongshore drift or erosion is replaced from sources outside of the eroding beach (often an upland source). Nourishment creates "soft" (non-permanent) protection by creating a larger sand reservoir, pushing the shoreline seaward. Beach nourishment can protect beaches and your property, and avoid or minimize the negative effects of bulkheads.

A shoreline that has recently undergone beach nourishment.

How do I provide beach nourishment?

Generally, beach nourishment should be located onsite, waterward of the bulkhead; however nourishment may be located off site if the Administrator determines that a greater ecological benefit is obtained at an offsite location than would occur on site. For example, nourishment will be more effective if it is placed in the up-drift area of a drift cell. Its benefit will be longer lasting and spread over a greater portion of the drift cell. The City can help you determine the best location for beach nourishment.

Beach nourishment should cover an area, at minimum, equivalent to the length of the repaired or replaced bulkhead. It should be comprised of mobile sediments suitable for nearshore forage fish spawning habitat. Beach nourishment material should be comprised of 100 percent WDFW Fish Mix or other material approved by the Administrator.

The volume of nourishment should rise at least 1-foot above OHWM and have a foreshore slope no greater that 1 vertical unit per 5 horizontal units (1:5 slope).

The frequency of nourishment must follow WDFW recommendations or occur every five years over a 25-year period. The frequency of nourishment may be less if a sediment loss analysis completed by a qualified professional recommends otherwise. The required frequency of nourishment will be documented in an agreement between you and the City.

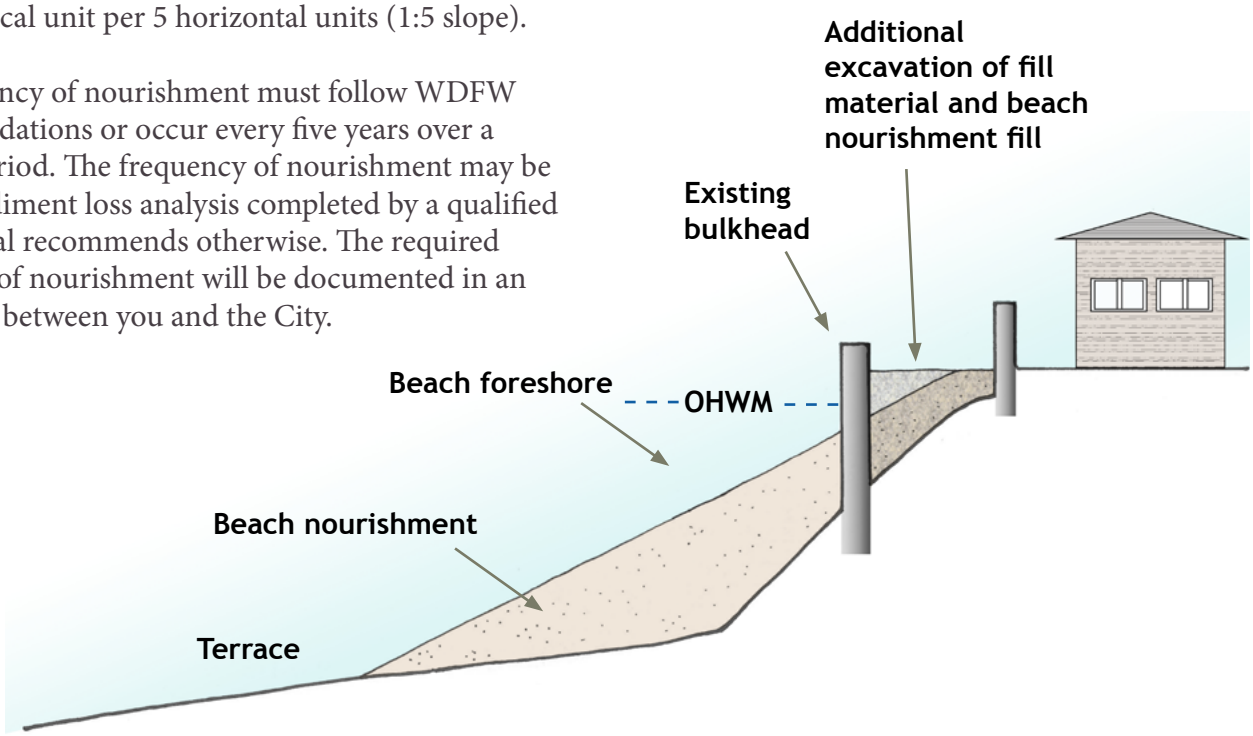


Figure 4. Beach nourishment illustration.

Aquatic Habitat is Disturbed

In-water or overwater structures have the potential to interrupt or negatively affect ecological functions and processes such as shading or eliminating aquatic habitat, increasing predator opportunities, and interrupting nearshore sediment flow and beach formation. Mitigation is required for repair or replacement because impacts continue to occur for the life of the structure. Construction activities related to repair or replacement may also temporarily affect fish and wildlife, water quality, or shoreline processes.

New in-water or overwater structures are not covered by this manual. Only repair or replacement of in-water or overwater structures are covered by this manual and they must fall within the size constraints identified in Table 1. Qualifying projects must satisfy the SMP requirements for a repair or replacement and must mitigate for the loss of ecological functions.

In-water and overwater repairs and replacements covered by this guidance include bulkheads, boathouses, stairs to the beach, and docks (the components of a dock include ramps, piers and floats, and requirements apply to all components). Note that in-water and overwater repairs and replacements of any structure may require permits from USACE and WDFW, as well as the City.

Upon project completion all areas of shoreline disturbed for the repair or replacement should be restored to as near pre-project configuration as possible and replanted with native vegetation appropriate to the site and approved by the City.

Exemption from mitigation is provided for repair or replacement of structures which meet certain structure impact reduction provisions (such as narrowing a dock or using grating to increase sunlight penetration). These are detailed in the section called *Mitigation Exemption for Repair or Replacement of Overwater Structures*. When there is no reduction of the structure, you are required to remove an equivalent or greater area of overwater structure elsewhere within the City; contact the Planning and Community Development Department for more details and appropriate locations.

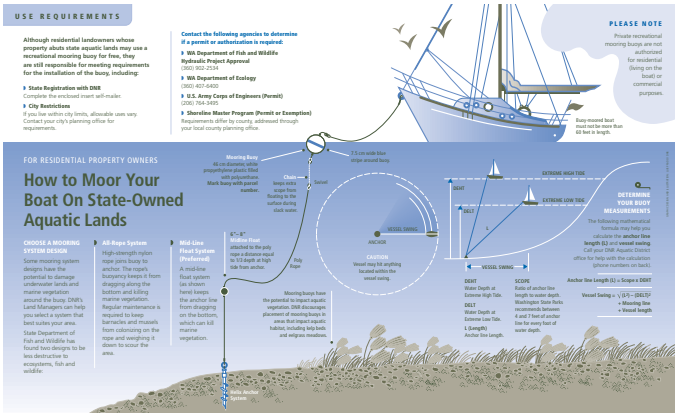
Mitigation Exemption for Repair or Replacement of Overwater Structures

Replacement of docks or stairs with retractable systems are exempt from City required mitigation for impacts to ecological functions and processes occurring waterward of OHWM. Repairs or replacements that reduce the shading footprint of an existing dock are also exempt.

To qualify, any two of the following measures may be used, in accordance with provisions in the SMP:

- Replace dock surface with grating or gridding
- Reduce dock width, to meet current SMP and USACE requirements
- Increase dock height, to meet current SMP, WDFW or USACE recommendations.

These alterations must conform to the most recent design guidance provided by the USACE found in its current *Regional General Permit for Residential Inland Marine Overwater Structures* (Permit Number CENWS-OD-RG-RGP-6) or meet City requirements, whichever standard provides a smaller footprint and greater light penetration. The Department of Planning and Community Development is available to assist with making this determination. Please contact the department if you have any questions.



Washington State Department of Natural Resources' *Recreational Mooring Buoys* brochure. Find the brochure at http://www.dnr.wa.gov/Publications/aqr_mooring_buoy_brochure.pdf.

Some considerations when planning to repair or replace your dock to avoid mitigation:

- Use a mooring buoy instead of repairing or replacing your dock.
- Replace your fixed dock with a dock that can be retracted when not in use to minimize disturbance to aquatic habitat.
- Share a neighbor's dock instead of repairing or replacing yours.

To avoid mitigation for repairs or replacements of both fixed or floating docks, the city requires that both of the following be met:

- The dock is no wider than 4 feet for a single use dock and 6 feet for a joint use dock.
- Grating or gridding and replacement floats must be installed that result in a total open area of a minimum of 30 percent. For example, this can be achieved by installing grating with 60 percent open area on at least 50 percent of the dock or by grating a larger percentage of the dock with openings of less than 60 percent. The following equation is used:

% Grating Open Area * % Dock Area = > 30%

Example 0.6 (60%) * 0.5 (50%) = 0.3 (30%)

What is the Process for Obtaining Approval to Use this Guidance?

- Submit your project proposal, completed checklist, and site plan along with your list of required mitigation activities and their proposed design to Planning and Community Development for review and approval by the Administrator.
- Obtain all required shoreline permits as outlined in Table 4-1 of the SMP.
- Submit these applications along with your project proposal.
- A preapplication conference may be required.

A checklist is provided in this manual to assist you with submitting a complete proposal that fulfills the requirements of this manual. Please contact Planning and Community Development by phone at (206) 780-3750 or by email at pcd@bainbridgewa.gov if you have any questions.

Checklists for Mitigation Approval

For each item below, please attach additional information to this checklist as needed to describe fully your project and proposed mitigation.

General Checklist for All Sites

	ITEM	NOTES
☐	Project description	Include a brief description of your proposed structure, along with its footprint.
☐	List of impacts requiring mitigation	See Table 1.
☐	Proposed mitigation description	Will mitigation be onsite or offsite? For offsite mitigation, provide location and confirmation that the property owner has agreed to have mitigation on their property.
☐	Site plan	Show locations of existing and proposed structure(s) as well as location(s) for mitigation.

Checklist for Various Impact Types

ITEM

☐ Vegetation Clearing

- ☐ Areas of Clearing and Replanting
- ☐ Species List
- ☐ Example Spacing for Planting Species
- ☐ Plant Sizes

☐ Creation of New Impervious Area

- ☐ Provide the location and area of impervious surface to be reomoved and replanted.

OR

- ☐ If constructing a RAIN GARDEN
  - ☐ Drainage area calculation
  - ☐ Location and size of rain garden using methods from *Rain Garden Handbook for Western Washington Homeowners* found at www.raingarden.wsu.edu/index.html

☐ Permitted Fill Below OHWM

- ☐ Provide calculation of fill volume and proposed location for removing required fill volume

☐ Beach Nourishment

- ☐ Provide location and volume to be deposited
- ☐ Provide frequency of nourishment

☐ USACE permit or WDFW HPA is obtained

- ☐ Brief description of mitigation requirements
- ☐ Provide copy of each permit and any associated conditions

Appendix A

Native Plant List and Suggested Plant Spacing

Native Plant List

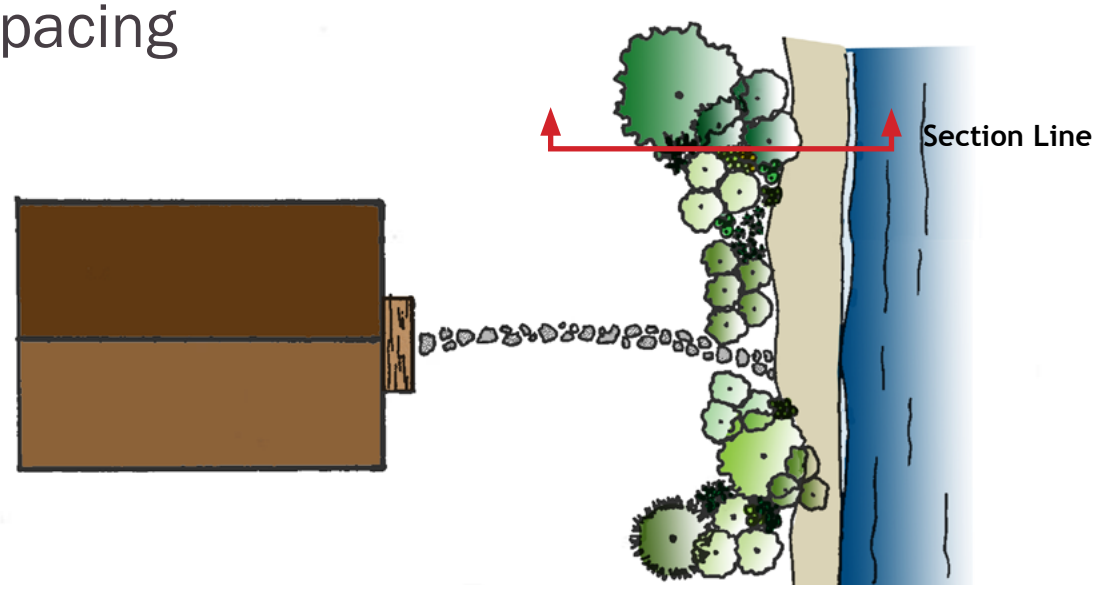
The following tables provide a list of native trees, shrubs, groundcovers, and seed mixes for different site conditions along with their recommended on-center spacing, maintenance notes, and aesthetic qualities.

Additional information on native plants appropriate for Bainbridge Island can be found at:

http://www.kitsapgov.com/dcd/lu_env/native_plants/native_plants.pdf

Examples of a plan view of a planting plan and a section view showing typical plant spacing are provided below.

Plant Spacing



Plan view of native multistoried plant clusters.

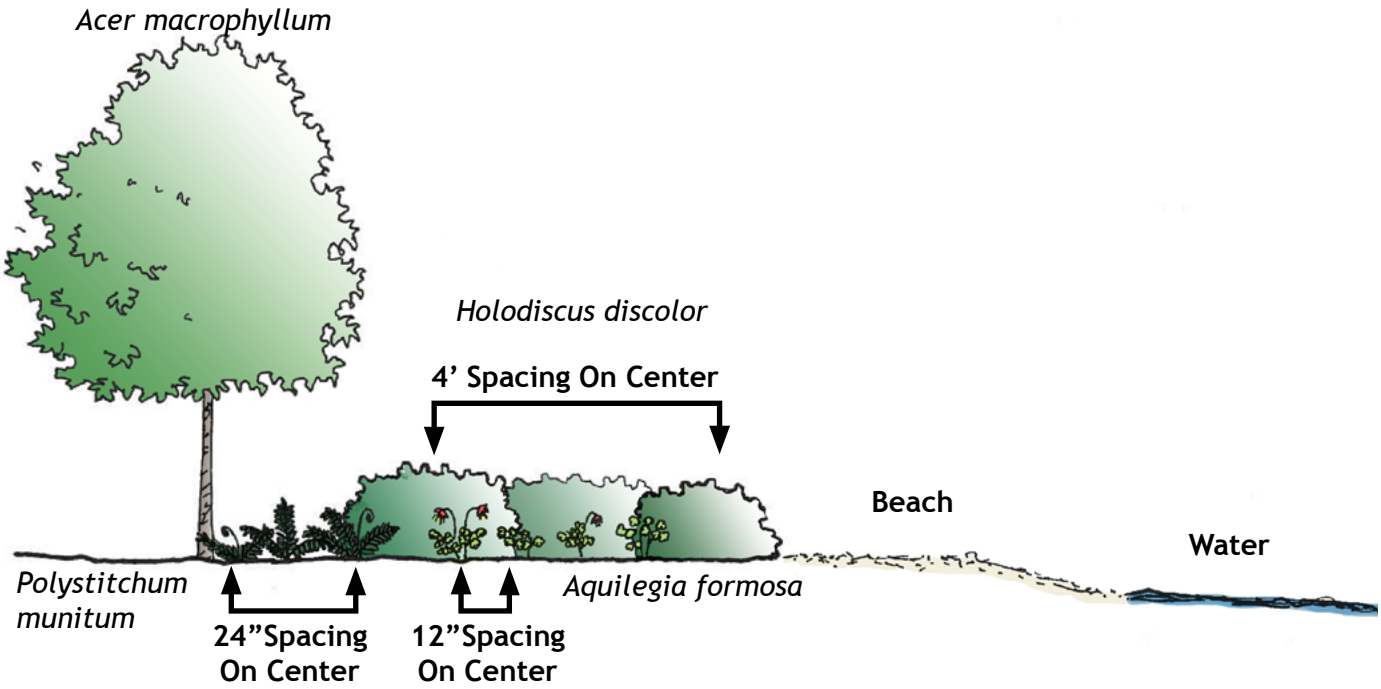


Illustration of on-center native plant spacing.

Bainbridge Island Mitigation Manual Plant List

Deciduous Trees				Plant Placement					Seasonal Water Level Tolerance					
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	Marine Shoreline (Saltwater Tolerant)
Acer circinatum	Vine maple	Part shade. Moist soil.	10' to 15'	✓	✓	✓	10'	Provides vibrant fall color. Good for seasonally wet soils.	✓	✓				
Acer macrophyllum	Big-leaf maple	Part shade to full sun. Moist, well drained soils.	90'			✓	30'	Vigorous grower. Good for seasonally wet or seasonally dry soils. Plant away from pond inlets and outlets to avoid leaf litter debris clogging structures.	✓	✓				
Alnus rubra	Red alder	Full sun. Poor, moist soil.	100'			✓	15'	Short lived tree. Plan on harvesting and/or replacing in 50 year cycle. Important species for nitrogen fixation. They establish well on disturbed sites.		✓	✓			
Amelanchier alnifolia	Serviceberry	Full sun. Well drained soil. Very drought tolerant.	10'			✓	10'	Early spring bloomer. Use this tree for Spring interest. Good for seasonally dry soils.	✓	✓				✓
Arbutus menziesii	Pacific madrone	Full sun. Well drained, poor, dry rocky soil.	50'			✓	20'	Difficult species to transplant.	✓					✓
Corylus cornuta	Western hazelnut	Part shade to full sun. Well drained soil. Understory species.	20'			✓	15'	This small tree is sometime classified as a shrub. The spring flowers appear before the leaves in yellow catkins. The fall leaves are pale yellow.	✓					✓
Fraxinus latifolia	Oregon ash	Part shade to full sun. Moist to saturated soils.	75'	✓		✓	20'	Fast growing for first third of life span and long lived. Good for seasonally wet soils. This species is often found growing in dense stands.		✓				
Prunus emarginata	Bitter cherry	Part shade to full sun. Dry to moist sites.	30'	✓	✓	✓	15'	Short lived. Plan on harvesting and/or replacing within 40 to 50 years.	✓	✓				

Bainbridge Island Mitigation Manual Plant List

Deciduous Trees				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	**Common Name**	**Site Conditions**	**Mature Height**	**Wet Slopes (WS)**	**Dry Slopes (DS)**	**Top of Bank (TOB) or Upland (U)**	**Spacing On Center (O.C.)**	**Maintenance Notes and Aesthetic Qualities**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**	
Rhamnus purshiana	Cascara	Part shade. Moist, well drained soils.	30'			✓	15'	Usually an understory species, Cascara is a beautiful small tree that produces berries attractive to birds and small mammals.	✓	✓				
Salix hookeriana	Hooker's willow	Full sun. Moist, sand/gravelly soil. Flood tolerant.	20'	✓	✓			Native willow that will sprout multiple stems.		✓				✓
Salix lucida var. *lasiandra*	Pacific willow	Full sun. Moist, sand/gravelly soil. Flood tolerant.	40'	✓	✓	✓	6'	This fast growing species is one of the tallest native willows.		✓	✓	✓	✓	
Salix scouleriana	Scouler's willow	Full sun. Moist, sand/gravel soil.	30'	✓	✓	✓	6'	A native to moist woodland and meadow areas, Scouler's willow grows rapidly and can reseed after soil disturbance.		✓	✓	✓		
Sorbus sitchensis	Sitka mountain ash	Full sun. Moist, rich soil.	10'	✓		✓	6'	A small tree or shrub, this species is often multi-stemmed with a rounded crown. Flowers are creamy white and the fruits persist in winter, providing important winter forage for birds and wildlife.		✓	✓			

Conifers				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	**Common Name**	**Site Conditions**	**Mature Height**	**Wet Slopes (WS)**	**Dry Slopes (DS)**	**Top of Bank (TOB) or Upland (U)**	**Spacing On Center (O.C.)**	**Maintenance Notes and Aesthetic Qualities**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**	
Pinus contorta var. *contorta*	Shore pine	Full sun. Well drained soil.	50'			✓	30'	This slender evergreen has orange-brown twigs that darken with age. Cones are asymmetrical and 1" to 2" long. Good to plant along the upland border of a pond.	✓					✓
Picea sitchensis	Sitka spruce	Part shade to full sun. Moist or saturated soils.	250'	✓		✓	30'	Large evergreen with sage green or light green foliage.		✓	✓			

Bainbridge Island Mitigation Manual Plant List

Conifers				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	
Thuja plicata	Western red cedar	Full shade to full sun. Moist to swampy soil.	100'	✓	✓	✓	30'	Long-lived western native that can survive moist, mucky conditions.		✓	✓			
Tsuga heterophylla	Western hemlock	Full shade. Wet soil.	150'	✓	✓	✓	30'	Young trees have foliage with a feathery appearance. The 1" long cones are small and papery. Species can be shallow rooted and prone to blow down in some locations.		✓	✓			

Deciduous Shrubs				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	
Cornus sericea (stolonifera)	Red-osier dogwood	Shady stream banks. Moist, well drained soils.	15'	✓	✓	✓	4'	Plant minimum of 4' from all walkways, roads, and fences in order to avoid pruning. Prune 2-3 branches of a multi-stemmed specimen to the base every other year to stimulate new branch development. New branches have bright red color and will provide winter interest.		✓	✓			
Holodiscus discolor	Ocean spray	Part shade to full sun. Well drained, dry soil.	15'			✓	4'	Large, vase-shaped shrub with arching branches. The big foamy white clusters of flowers bloom throughout the summer months, making this an excellent pollinator species. Good for seasonally dry soil.	✓	✓				✓
Lonicera involucrata	Black twinberry	Part shade. Moist soils.	2' to 7'			✓	4'	This erect, thinly branches species has twin tubular yellow flowers. The shiny black fruits are cupped by two showy purplish-maroon bracts.	✓					

Bainbridge Island Mitigation Manual Plant List

Deciduous Shrubs				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	
Myrica gale	Sweet gale	Part shade to full sun. Moist to wet soils.	5'	✓		✓	4'	Upright growth form. Can be used as a windbreak when planted in rows. Good nitrogen-fixing soil properties. Has a spicy scent on hot summer days. Can grow in relatively poor soils.		✓				

Deciduous Shrubs				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	
Myrica californica	California gale	Part shade to full sun. Moist to wet soils.	6'-18'	✓		✓	4'	A large shrub to small tree with an upright growth pattern. Great for border planting.		✓				
Oemleria cerasiformis	Indian plum	Part shade. Moist to dry, well-drained soil.	5'- 16'			✓	4'	An early bloomer, Indian plum is one of the first shrubs to flower in the spring. The drooping chains of white flowers appear just before the leaves. Birds love the small fruit that begin as yellow-gold and transform into a bluish-black color later in the summer. In the sun, this species can grow as a large, dense plant, but in the shade it will take on a more open and sprawling growth form.	✓	✓				
Philadelphus lewisii	Mock orange	Part shade to full sun. Well drained soil.	5' -10'			✓	4'	This species is an ornamental favorite. The white flowers that appear in late spring and early summer have a lovely sweet smell. This species is great for pollinators, along borders, and clustered in odd numbers.	✓	✓				
Physocarpus capitatus	Pacific ninebark	Full sun. Moist soil.	6' -12'	✓			3'	This multi-stemmed shrub has interesting bark that looks as if it is shedding layers. The flowers appear as white clusters in later spring and early summer.		✓				

Bainbridge Island Mitigation Manual Plant List

Deciduous Shrubs				Plant Placement					Seasonal Water Level Tolerance					
Latin Name	**Common Name**	**Site Conditions**	**Mature Height**	**Wet Slopes (WS)**	**Dry Slopes (DS)**	**Top of Bank (TOB) or Upland (U)**	**Spacing On Center (O.C.)**	**Maintenance Notes and Aesthetic Qualities**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**	**Marine Shoreline (Saltwater Tolerant)**
Ribes sanguineum	Red-flowering currant	Part shade to full sun. Moist to dry, well drained soil.	8' -10'		✓	✓	4'	The pink to deep red sprays of flowers on this shrub are a favorite early source of food for hummingbirds. Other birds eat the blue-black berries before the end of summer.	✓	✓				
Rosa nutkana	Nootka rose	Full sun. Moist soil.	3' 6'	✓	✓	✓	4'	Fast growing. Good for seasonally wet or seasonally dry soils. Bright pink flowers May through June. Rose hips are purplish-red in fall.		✓				
Rubus parviflora	Thimbleberry	Part shade to full sun. Moist to dry soil.	4' -6'		✓	✓	4'	Medium growth rate. Tolerates dry to seasonally wet soil. Spreads through rhizomes. Large leaves emerge in Spring. Flowers are large, papery, and white. Edible red berries look like raspberries.	✓					
Rubus spectabilis	Salmonberry	Full shade to full sun. Moist soil.	3'- 10'	✓	✓	✓	4'	Fast growing. Bright pink to magenta flowers appear single or in small groups from March through April. The yellow to reddish fruit provide wildlife forage.	✓	✓	✓			
Sambucus racemosa	Red elderberry	Part shade to full sun. Moist soil.	5' -8'			✓	10'	Fast growing. Good for seasonally wet or seasonally dry soils. This shrub can grow into the form of a small tree. Clusters of white flowers in May. Red berries appear June through July.		✓				
Spiraea douglasii	Douglas spirea	Full sun. Wetland or lake edge.	4' -7'	✓		✓	6'	Fast growing. Prefers moist to wet soils. Will tolerate dry soils once established, but will do best on moist or boggy sites. Needs regular water during establishment. Can form thickets in boggy areas. Large clusters of tiny pinkish red flowers. Flower plumes dry and remain on plant through winter.		✓	✓	✓	✓	

Bainbridge Island Mitigation Manual Plant List

Deciduous Shrubs				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	**Common Name**	**Site Conditions**	**Mature Height**	**Wet Slopes (WS)**	**Dry Slopes (DS)**	**Top of Bank (TOB) or Upland (U)**	**Spacing On Center (O.C.)**	**Maintenance Notes and Aesthetic Qualities**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**	
Symphoricarpus albus	Snowberry	Part shade to full sun. Moist to dry, well drained soil.	2' -6'	✓	✓	✓	3'	Good for seasonally wet or seasonally dry soils. If pruned to ground in early spring, plant will resprout vigorously with more fruit. White to pink bell-shaped flowers. White waxy, non-edible fruit.						✓
Symphoricarpus mollis	Creeping snowberry	Full shade to full sun. Moist to dry, well drained soil.	2'	✓	✓	✓	3'	This trailing species spreads by sending out new roots from along its stem. This low-growing shrub is an excellent groundcover in areas where visibility needs to be maintained.	✓	✓				

Evergreen Shrubs				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	**Common Name**	**Site Conditions**	**Mature Height**	**Wet Slopes (WS)**	**Dry Slopes (DS)**	**Top of Bank (TOB) or Upland (U)**	**Spacing On Center (O.C.)**	**Maintenance Notes and Aesthetic Qualities**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**	
Arctostaphyllos uva-ursi	Kinnikinnick	Full sun. Dry soil.	12"		✓	✓	2'	Low-growing evergreen shrub that is also commonly used as a groundcover.	✓					
Berberis aquifolium	Tall Oregon grape	Part shade. Well drained soil.	5' -8'			✓	4'	Tall shrub with bright yellow clusters of flowers and clusters of blue fruit in late summer and fall. Good for seasonally dry soil and open areas. Good bird forage species.	✓					
Berberis nervosa	Dull Oregon grape	Part shade. Moist, well drained soil.	2' -3'	✓	✓	✓	3'	Low-growing shrub that prefers shade, but will tolerate open areas. Flowers are bright yellow clusters and fruits are in blue berry-like clusters.	✓	✓				
Ceanothus velutinus	Snowbrush	Full sun. Moist to dry soil, well drained.	20'			✓		Large, pyramidal-shaped clusters of small white flowers. This shrub has a spicy scent. The new bark is reddish or purplish in color.	✓	✓				

Bainbridge Island Mitigation Manual Plant List

Evergreen Shrubs				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	**Common Name**	**Site Conditions**	**Mature Height**	**Wet Slopes (WS)**	**Dry Slopes (DS)**	**Top of Bank (TOB) or Upland (U)**	**Spacing On Center (O.C.)**	**Maintenance Notes and Aesthetic Qualities**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**	
Gaultheria shallon	Salal	Part shade to full sun. Well drained soil.	3' -6'		✓	✓	3'	Good for seasonally dry soil. The more sun, the less the plant will spread. Spreads by layering, suckering, and sprouting. Does best with some moisture and part shade. Deer, rabbit, and snail resistant.	✓					✓
Vaccinium ovatum	Evergreen huckleberry	Shade to full sun. Moist, well drained soil.	3' in full sun. 15' in deep shade.	✓		✓	4'	This shrub has shiny, leathery leaves and tiny pink bell-shaped flowers that bloom from April through July. In areas with full sun, this shrub will have a more open form		✓				

Groundcovers				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	**Common Name**	**Site Conditions**	**Mature Height**	**Wet Slopes (WS)**	**Dry Slopes (DS)**	**Top of Bank (TOB) or Upland (U)**	**Spacing On Center (O.C.)**	**Maintenance Notes and Aesthetic Qualities**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**	
Adiantum aleuticum	Maidenhair fern	Full shade. Moist to wet soil.	2'	✓		✓	24"	A black-stemmed fern with delicate palmately arranged leaves.	✓	✓				
Angelica lucida	Sea-watch	Part shade to full sun. Moist to wet soil.	5'	✓			3'	Single-stemmed plant with tight clusters of small white flowers. Blooms in late spring.		✓				✓
Aquilegia formosa	Western columbine	Part shade to full sun. Moist soil.	2'	✓	✓	✓	12"	The beautiful red and yellow flowers bloom in spring and summer. The delicate leaves die back in the winter months and resprout in the spring.	✓	✓				
Armeria maritima	Sea thrift	Full sun. Dry soils.	12"	✓	✓		12"	A popular garden flower with a slow-growing spreading habit. Good for cut flower arrangements.	✓	✓				✓

Bainbridge Island Mitigation Manual Plant List

Groundcovers				Plant Placement					Seasonal Water Level Tolerance					
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	Marine Shoreline (Saltwater Tolerant)
Aruncus sylvester	Goat's beard	Part shade. Moist soil.	3'- 5'	✓		✓	4'	A deciduous wildflower with large masses of airy white flowers that turn brownish-red as the seasons progress. This plant has a great form throughout the winter and resprouts new arching stems each spring.		✓				
Aster subspicatus	Douglas' aster	Part shade to full sun. Moist to dry soils.	3'	✓	✓	✓	3'	A perennial herb with bluish-purple ray flowers. Blooms in late summer.	✓					✓
Athyrium filix-femina	Lady fern	Full shade. Moist to wet soil.	2'-5'	✓		✓	24"	This fern has delicate feathery fronds and red stems. It is a reliable groundcover.		✓	✓			
Blechnam spicant	Deer fern	Full shade. Moist soil.	2'	✓		✓	24"	A low-growing, hardy fern that does well under the shade of plants.		✓				
Camassia quamash	Common camas	Part shade to full sun. Moist to moderately dry soils.	18"-24"	✓	✓	✓	12"	This pale to deep blue, occasionally white, lily has spike with 5 to many flowers. This showy plant blooms over a short few weeks in late spring.	✓	✓				
Clarkia amoena	Dwarf godetia	Full sun. Moist to moderate soils.	8"- 14"	✓	✓	✓	18"	This pink to rose-purple flower blooms in mid-summer and continues to bloom for several weeks. A taprooted species, it is good for drier sites.	✓	✓				
Dicentra formosa	Pacific bleeding heart	Full shade. Moist soil.	18"	✓	✓	✓	24"	A delicate-leaved plant with little pink heart-shaped flowers, this plant spreads by rhizomes (underground root systems).	✓	✓				

Bainbridge Island Mitigation Manual Plant List

Groundcovers				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	
Epilobium angustifolium	Fireweed	Full sun. Moist to dry soil.	2'-6'		✓	✓	24"	Showy rose to purple flowers in tall spike-like clusters. This plant spreads by seed and rhizome and will continue to thrive as long as it gets sun.	✓	✓				
Fragaria chiloensis	Coastal strawberry	Part shade to full sun. Sandy soil.	6"	✓	✓	✓	12"- 18"	A hardy, small strawberry plant that will colonize open areas and create a dense groundcover.	✓	✓				✓
Heuchera micrantha	Alumroot	Full shade. Moist soil.	18"-24"	✓		✓	18"	A delicate native with a tall spike of small white flowers. Great for shady sites.	✓	✓				
Lupinus polyphyllus	Large-leaf lupine	Part shade. Moist soil.	12"-36"	✓	✓	✓	12"	Big, robust plant with bold, rich-green palmate leaves. The flowers are large spikes of deep-blue to purplish flowers. This plant blooms biennially and will spread from seed.	✓	✓				
Mimulus guttatus	Yellow monkey flower	Full sun. Moist to wet soil.	18"- 30"	✓		✓	24"	This perennial herb spread by rhizomes and has bright happy yellow flowers with crimson to reddish-brown spots.		✓	✓			
Oxalis oregana	Sorrel	Full shade. Moist soil.	12"	✓	✓	✓	14"	This clover-like species spreads by rhizomes and forms a nice groundcover. The small white flowers bloom in spring and summer.	✓	✓				

Bainbridge Island Mitigation Manual Plant List

Groundcovers				Plant Placement					Seasonal Water Level Tolerance					
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	Marine Shoreline (Saltwater Tolerant)
Plectritis congesta	Sea blush	Full sun. Moist to wet soil.	6"-24"	✓		✓	12"	This small herb has an upright stem that supports a head of showy pink flowers.	✓	✓				
Polystitchum munitum	Sword fern	Moist to dry soil.	2'- 5'	✓	✓	✓	24"	One of the most adaptable, hardy ferns this species stays green year-round.	✓	✓				
Potentilla anserina var. pacifica	Silverweed	Part shade to full sun. Moist to wet soil.	18"	✓			24"	Small spreading plant with yellow flowers. Blooms late spring through mid-summer.		✓				✓
Sedum spathulifolium	Broad-leaved stonecrop	Full sun. Dry soils.	6"		✓	✓	12"	A native sedum with green and red succulent foliage. The yellow flowers bloom in June and July.	✓					✓
Sidalcea hendersonii	Henderson's checkermallow	Full sun. Moist to wet soil.	5'	✓			3'	A tall native herbaceous perennail with a stalk of pink to mauve flowers that bloom early to mid-summer.		✓				✓
Sisyrinchium idahoense	Blue eyed grass	Part shade to full sun. Moist soils.	24"	✓	✓	✓	12"	This perennial herb has grass-like leaves, but has a light blue to dark purple (sometimes white) flower.	✓	✓				
Tellima grandiflora	Fringecup	Part shade. Moist soil.	14"- 30"	✓		✓	18"	A perennial herb with a spike of fragrant, greenish-white flowers that turn pink or reddish as the flowers age.	✓	✓				
Tolmiea menziesii	Youth-on-age	Full shade. Moist soil.	6" -12"	✓		✓	12"	Small plant that forms a delicate groundcover. The tiny flowers are brownish-purple.	✓	✓				

Bainbridge Island Mitigation Manual Plant List

Grasses, Sedges, and Rushes				Plant Placement					Seasonal Water Level Tolerance					
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	Marine Shoreline (Saltwater Tolerant)
Agrostis exarata	Spiked bentgrass	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	1'-3'	✓			12"	A perennial grass that grows in tufted form and has erect spikes, as its name suggests.		✓	✓			
Beckmannia syzigachne	American sloughgrass	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	1'-3'	✓			12"	A stout grass with somewhat spongy stems, this plant grows on its own or in groups. This species can be planted or seeded.		✓	✓			
Bromus sitchensis	Sitka brome	Full sun. Dry soils.	6"- 18"			✓	12"	A stout perennial grass with flowers in open, airy panicles.	✓					
Carex lyngbyei	Lyndgye's sedge	Part shade to full sun. Wet soils.	3'	✓			12"	A wetland sedge with lime to medium green foliage. Tops of leaf blades sometimes slightly arching. Brown flower stalks.		✓				✓
Carex obnupta	Slough sedge	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	1'-3'	✓			12"	A large tufted sedge with erect, then arching leaf blades and large brown arching flower heads.		✓	✓	✓		
Carex stipata	Saw beaked sedge	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	1'-3'	✓			12"	A tufted arching sedge, this plant has pyramidal flower clusters that turn from light green to golden as they mature. Flower stems are erect and leaves are bright spring green.		✓	✓			
Danthonia californica	California oat grass	Full sun. Dry to moist soil.	10"- 12"		✓	✓	12"	A delicate, native, clumping grass with purplish-red flowers.	✓	✓				
Deschampsia cespitosa	Tufted hairgrass	Full sun. Moist to wet soil.	18"- 4'	✓	✓	✓	12"	This large, clumping grass has big feathery flower heads with bronze arching flowers.	✓	✓	✓			✓
Eleocharis palustris	Common spikerush	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	1'-3'	✓			12"	A mat-forming perennial spikerush with erect slender stems.		✓	✓	✓	✓	
Elymus glaucus	Blue wildrye	Full shade to full sun. Dry to moist soil.	2'-4'	✓	✓	✓	12"	A tufted perennial grass that forms small clumps and has light blue-green green leaf blades.	✓	✓				✓

Bainbridge Island Mitigation Manual Plant List

Grasses, Sedges, and Rushes				Plant Placement					Seasonal Water Level Tolerance					Marine Shoreline (Saltwater Tolerant)
Latin Name	Common Name	Site Conditions	Mature Height	Wet Slopes (WS)	Dry Slopes (DS)	Top of Bank (TOB) or Upland (U)	Spacing On Center (O.C.)	Maintenance Notes and Aesthetic Qualities	Dry	Moist to Saturated	0 to 1 foot	1 to 2 feet	2 to 3 feet	
Elymus mollis	Dune grass	Full sun. Moist to wet soil.	3'	✓			24"	An industrial strength dune grass that forms large clumps and spreads via underground stems. A hearty weed competitor.		✓				✓
Festuca rubra	Red fescue	Full sun to full shade. Dry to moist soil.	2'	✓	✓	✓	12"	A versatile grass that spreads by rhizome. One of the few shade tolerant grasses.	✓	✓				
Glyceria occidentalis	Northwestern mannagrass	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	1'-5'	✓			12"	A tall perennial wetland grass.		✓	✓	✓	✓	
Hordeum brachyantherum	Meadow barley	Full sun. Dry to moist soil.	1'-3'	✓	✓	✓	12"	A hardy native tolerant of wet, dry, and saline sites. This species is used for erosion control and as a groundcover. Can sometimes compete with reed canary grass.	✓	✓				
Juncus ensifolius	Dagger-leaf rush	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	6" to 2.5'	✓			12"	A small rush with an erect form, this wetland species spreads by rhizome.		✓	✓	✓		
Juncus tenuis	Slender rush	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	6" to 2'	✓			12"	This rush is best planted, due to its low seed fertility rate. A clump forming perennial rush.		✓	✓	✓		
Schoenoplectus acutus	Hardstem bulrush	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	3' to 6'	✓			12"	A good wetland species to use for soil stabilization and water treatment. Birds eat the seeds, but this plant is not a preferred food of deer and elk.		✓	✓	✓	✓	
Schoenoplectus microcarpus	Soft stem bulrush	Full sun to part shade. Moist, saturated, or seasonally to permanently flooded conditions.	2' to 3'	✓			12"	A good soil stabilization and water quality species, this plant spreads readily by rhizome.		✓	✓	✓		

Bainbridge Island Mitigation Manual Plant List

Bainbridge Island Emergent Seed Mix			Seasonal Water Level Tolerance				
Latin Name	**Common Name**	**% Mix**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**
Beckmannia syzigachne	American sloughgrass	20		✓	✓	✓	
Carex obnupta	Slough sedge	10					
Eleocharis palustris	Common spikerush	10					
Elymus glaucus	Blue wildrye	20					
Glyceria occidentalis	Northwestern mannagrass	10					
Juncus ensifolius	Dagger-leaf rush	10					
Juncus tenuis	Slender rush	10					
Schoenoplectus acutus	Hardstem bulrush	5					
Schoenoplectus microcarpus	Soft stem bulrush	5					

Bainbridge Island Wetland Bottom Seed Mix			Seasonal Water Level Tolerance				
Latin Name	**Common Name**	**% Mix**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**
Agrostis exarata	Spiked bentgrass	20		✓	✓	✓	✓
Carex stipata	Saw beaked sedge	30					
Glyceria occidentalis	Northwestern mannagrass	20					
Schoenoplectus microcarpus	Soft stem bulrush	30					

Bainbridge Island Moist to Dry Slope Seed Mix			Seasonal Water Level Tolerance				
Latin Name	**Common Name**	**% Mix**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**
Deschampsia cespitosa	Tufted hairgrass	20	✓	✓			
Hordeum brachyantherum	Meadow barley	30					
Elymus glaucus	Blue wildrye	15					
Festuca rubra var *rubra*	Red fescue	20					
Bromus carinatus	California brome	15					

Bainbridge Island Mitigation Manual Plant List

Bainbridge Island Emergent Wildflower/Pollinator Seed Mix			Seasonal Water Level Tolerance				
Latin Name	**Common Name**	**% Mix**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**
Camassia quamash	Common camas	25	✓	✓			
Erigeron speciosus	Aspen daisy	25					
Lupinus polyphyllus	Large-leaf lupine	25					
Sisyrinchium idahoense	Blue eyed grass	25					

Bainbridge Island Upland Grass Seed Mix			Seasonal Water Level Tolerance				
Latin Name	**Common Name**	**% Mix**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**
Bromus carinatus	California brome	20	✓				
Festuca rubra var. rubra	Red fescue	30					
Hordeum brachyantherum	Meadow barley	50					

Bainbridge Island Upland Forb Seed Mix			Seasonal Water Level Tolerance				
Latin Name	**Common Name**	**% Mix**	**Dry**	**Moist to Saturated**	**0 to 1 foot**	**1 to 2 feet**	**2 to 3 feet**
Achillea millefolium	Yarrow	25	✓				
Clarkia amoena	Farewell-to-spring	25					
Lupinus bicolor	Bicolor lupine	25					
Solidago canadensis	Canada goldenrod	25					

Appendix E - Special Area Maps

Port Madison
Harbor Structure Line

N

200 100 0 200 Feet

Eagle Harbor
Harbor Structure Line
N
200 100 0 200 Feet

III
IV
II
I
Area I
Area II
Area III
Area IV
Point Monroe Distirct
Shoreline Stabiliztion
Areas
N
200 100 0 200 Feet

	Date	Name	Topic(s)	Comment	Staff Response
1	5/30/18	Dick Haugen	CAO integration	• A formal process is not needed to update the CAO in the SMP. • The CAO integration is being rushed and has not been vetted by the Planning Commission. • Requests consideration of no net loss proposal. • States the public process has been flawed and "not real" or transparent.	• Commenter provides misinformation. Any revision to the SMP requires an amendment to the SMP. An amendment is a formal process. • The Planning Commission discussed the CAO integration SMP amendment on October 12 and November 16, 2018; April 19 and 26, 2018; and held a public hearing on May 24, 2018 that was continued to June 7, 2018. • No net loss is not a topic of the amendment. • The City is following all requirements of WAC 173-26-104, the optional joint local/state review process for SMP amendments.
2	5/31/18	Doug Hansmann	CAO integration	Supports Mr. Haugen's comment dated 5/30/18	Comment noted.
3	5/31/18	Michael Sebastian	CAO integration	Supports Mr. Haugen's comment dated 5/30/18	Comment noted.
4	6/5/18	MC Halvorsen	Nonconforming	Commenter provides definition and background on Common Law and states the City is regulating private land.	Comment noted.
5	6/11/18	Ed Rymarz	Sea level rise Impact on market value Shoreline stabilization	• Current SMP has no mention of sea level rise • The application of nonconforming regulations will result in loss of use or market value of properties • "Shall not warrant new shoreline stabilization for the life of the new structure" should be removed from SMP Section 4.2.1 • Road end development should not impact adjoining properties or diminish their market value	• Sea level rise is not a topic of the draft amendment but is included on the work plan for a future amendment. • Comment noted. • New shoreline stabilization is discouraged in the SMP; this language is intended to not allow new structures that would require new shoreline stabilization; that is, the new structure should be built so as to not need it. • Comment noted.
6	8/9/18	Keith Butler	UW evaluation of SMP	Provides review and summary of UW master's thesis, a technical "readability" evaluation of the City's SMP	Staff intends to consult with Mr. Butler and incorporate the recommendations provided in the UW thesis on subsequent revisions to the SMP unless City Council directs staff to complete a "readability" evaluation of the current amendment.

	Date	Name	Topic(s)	Comment	Staff Response
7	8/30/18	Dick Haugen	Various	• "Most restrictive clause" in SMP 4.0.1.7 should be revised • No net loss definition should be revised • Definition of "existing development" should be revised • "Once in a lifetime" limitation on expansion of nonconforming structures should be deleted • Nonconforming expansion of single-family structures should be changed to include "or 2500 square feet, whichever is greater" • The definition of "activity" should be revised	• SMP 4.0.1.7 is revised in the draft amendment • No net loss is not a topic of this amendment • The term "existing development" is changed to "nonconforming structure" in the draft amendment. Revisions to the definition of existing development are not needed. • "Once in a lifetime" has been changed to "over the lifetime" of a structure in the draft amendment. • The Planning Commission's initial recommendation included no limit on expansion; their revised recommendation allows for up to 500 square feet. • The definition of "activity" is revised in the draft amendment.
8	8/30/18	Hal Snow, Jr.	Nonconforming language	Several comments related to specific language in SMP Section 4.2.1 suggested for clarity.	Staff concurs with commenter's recommendations to improve clarity. Most of the suggested edits were incorporated into the September 11, 2018 public hearing draft.
9	9/11/18	27 shoreline households	PC Recommendation	• Supports Planning Commission's work with the Planning Department to develop and recommend necessary amendments to the current SMP. • Revisions to nonconforming language, specifically, improve the SMP by reducing complexity and confusion. • Proposed amendments balance regulations and private property rights per RCW 90.58.020.	Comments noted.
10	9/11/18	Dave Kircher	SMP document	The SMP is way too big to understand and lacks any means of measurement to validate its initial intent.	The City will begin the periodic review of its SMP in 2019. This process is intended to evaluate whether the SMP is achieving its overall goals.
11	9/11/18	Marcia Lagerloef	Nonconforming CAO integration	• The amendments to the SMP pertaining to rebuilding and expansion of nonconforming	• Comment noted. • Comment noted.

	Date	Name	Topic(s)	Comment	Staff Response
				residential structures and accessory structures are more liberal that what applies to upland homeowners; this change is certainly a gift. • Strongly support integrated the most recent critical areas regulations into the SMP. • No net loss is the standard for expansion; the proposed revisions which set no limit on ultimate size open the door for significant disturbance of the land, vegetation, and hydrology, particularly the allowance for significant tree removal.	• The Planning Commission's initial recommendation included no limit on expansion; their revised recommendation allows for up to 500 square feet.
12	9/11/18	Point Monroe Lagoon Homeowners Association	Nonconforming CAO integration	• SMP 4.2.1.2.7: Delete "prior to the effective date of this Program (November 26, 1996), as amended • SMP 4.2.1.3.4.1: Replace "alteration" with "expansion" • SMP 4.2.1.3.4.2: Replace "size" with "footprint" • SMP 4.2.1.4.5.2: Replace "alteration to" to "expansion of" • SMP 4.2.1.4.5.2: Add "beyond the existing footprint" • SMP 4.2.1.5.6.4: Delete "provided that all provisions are met" • SMP 4.2.1.6.7.1: Replace "rebuilt" with "replaced" • SMP 4.2.1.6.7.2: Replace "rebuilt" with "replaced" • SMP 4.2.1.6.7.2.a: Delete "and bulk dimensions"	• Staff suggests deleting the date. • "Alteration" used here refers to "replaced, repaired, maintained, or remodeled" in addition to expansion. Replacing "alteration" with "expansion" does not recognize that the term is referring to all of these activities, not just expansion. • Overwater structures are three-dimensional. "Size" can refer to height as well as footprint. Using only the term footprint does not address the overall size (bulk) of the structure. • The regulation covers more than just expansion. There are alterations that may not be expansions (see above). • The revised sentence structure as proposed is accurate but addresses only one activity – expansion of a footprint. The more general language addresses a broader range of alterations. • Staff suggests deleting ""provided that all provisions are met"

	Date	Name	Topic(s)	Comment	Staff Response
					• Staff agrees "replaced" may be a better term; definitions section should be updated to include "replaced" and other terms used in this section, as needed. • Same as above. • If "bulk dimensions" is not included and the regulation is limited to footprint and is silent on bulk (e.g. volume or height), the language could be interpreted to mean that if you have two-story house that you are replacing, you would only be allowed to replace the footprint – at one story. By including "bulk dimensions" it is intended to read that you get to replace the "box" of whatever it is you had, not just the two-dimensional footprint.
13	9/13/18	Robert and Diane Meyer	Overwater residences	There is a conflict between SMP Section 5.9.4 and 5.9.9.	These sections are not a topic of the amendment. Staff will address this comment in a subsequent amendment.
14	9/25/18	Spencer Lemons and Emily Chamberlain	General comment	• As shoreline property owners, do not support (radical) anti-regulatory views/positions of shoreline property owners' groups. • Support reasonable regulation to protect and preserve Sound, community, water resources, with reasonable balance of private property rights.	Comments noted.
15	9/26/18	Allan Holmes	ARPA	• ARPA makes no sense for shoreline properties	The draft amendment was revised to remove the ARPA requirement.
16	9/26/18	John Kennell	ARPA	• ARPA is unreasonable and makes no sense for shoreline properties • Documentation is badly worded and cannot be understood.	• The draft amendment was revised to remove the ARPA requirement. • Comment noted.
17	9/26/18	Charles Schmid	Water quality Various	• Leave the word "manage" in Section 4.1.5.4 to refer to City-owned shoreline properties.	• Comment noted. • Comment noted.

	Date	Name	Topic(s)	Comment	Staff Response
				• Keep proposed new exemption in Section 4.1.5.4.6, it is a needed addition. • Make use of pesticides, fertilizers and herbicides prohibited for all shorelines.	• Use of pesticides, fertilizers and herbicides is prohibited in fish and wildlife conservation areas, but not in the shoreline jurisdiction. Section 4.1.6, Water Quality and Stormwater Management, is the appropriate section to address this comment. This section is not included in the draft amendment.
18	9/25/18	Colin and Marian Stewart	ARPA SMP document	• ARPA is unreasonable and makes no sense for shoreline properties. • SMP document is overwhelming and confusing; redline makes document more complicated.	• The draft amendment was revised to remove the ARPA requirement. • A number of documents summarizing proposed changes are available on the City's website, including presentations provided to City Council and a staff memo summarizing the Planning Commission's recommendation that accompanied the public hearing draft: https://www.bainbridgewa.gov/184/Shoreline-Master-Program and https://www.bainbridgewa.gov/1101/City-Council-Agendas (see September 11, 2018 meeting agenda). • A number of revisions were made specifically to improve clarity and readability, as well as shorten the overall document.
19	9l/26/18	Gary Tripp Bainbridge Property Owners	Rebuilding Planning Commission	• Shoreline homeowners are not the problem. • Allow people to rebuild their homes in their footprint and up to the height limit allowed. • Support Planning Commission's work. • Planning Commission needs outside help (seasoned and impartial land use attorney). • Designate the Planning Commission as lead group to review submitted public comments concerning the SMP.	• Comment noted. • The Planning Commission recommendation includes this allowance. • Comment noted. • Comment noted. • The Planning Commission is an advisory body of the City Council. The Planning Commission holds regular study sessions and public hearings related to changes to the municipal code,

	Date	Name	Topic(s)	Comment	Staff Response
					including the SMP. Public comment is accepted at every Planning Commission meeting.
20	9/28/18	Thomas Newlon	2013 comments	City Council's decision to ban full remodel/replacement made no sense. Support's current Council's willingness to correct past Council's mistake on this critical issue by allowing rebuilding of existing homes	• The Planning Commission recommendation includes this allowance.
21	9/29/18	Keith Butler	SMP document	Comments based on the UW thesis, including that full SMP readability should be addressed prior to CAO integration or "piecemeal" approach section-by-section; SMP should be fixed with a methodical effort; a summary of each section should precede it; hyperlinks should be added; standard for usability should be used; SMP needs to be accessible and usable for broad range of the public	The CAO is a relatively discrete piece of the SMP that can be easily integrated into the document. It is important to finish this work since the CAO was updated in April, 2018, but still does not apply within the shoreline jurisdiction. The preference would be for the next step to be a comprehensive review and amendment of all sections of the SMP that focuses on both content and readability, but City Council did not chose that approach.
22	9/29/18	Gregg Taylor	ARPA Maintenance SMP document	• Concerned about restrictions on maintenance activities and the "taking" of 65% of the property for "aquifer recharge." • Document is long and technical, overly complicated and ambitious, and impossible for a small city to manage, let alone its residents.	• The draft amendment was revised to remove the ARPA requirement. • A number of revisions were made specifically to improve clarity and readability, as well as shorten the overall document.
23	10/1/18	Ronald Margolis	ARPA SMP document	• Cannot understand the document • Several comments about water policy, growth policy, water study	• The draft amendment was revised to remove the ARPA requirement. • A number of revisions were made specifically to improve clarity and readability, as well as shorten the overall document.
24	10/2/18	Anne Ackenhusen and Mike Johns	Planning Commission	Supports Bainbridge Property Owners' letter dated 9/22/18	See Comment 16.
25	10/2/18	Dick Haugen	Various	• Supports Planning Commission's recommendation on nonconforming issues • Supports "guiding themes" and work plan developed by staff.	• Comment noted. • Comment noted. • Critical areas within the shoreline jurisdiction need to be addressed with critical areas

	Date	Name	Topic(s)	Comment	Staff Response
				• CAO makes little difference in shoreline, why integrate the update? No one understands the changes. • CAO can just replace current Appendix B. • City should consider resolving SMP lawsuit. • References Bainbridge Property Owners' letter	regulations regardless of how many or how few there are. • This is untrue. There are several sections of the CAO that cannot be included in the SMP. The SMP Handbook includes several options for CAO integration and local jurisdictions may choose which one best meets their needs. The CAO cannot be included "as-is" because sections of it are inconsistent with the SMA. • Comment noted. • See Comment 16.
26	10/4/16	Lincoln Miller	Noticing Uncertainty Property rights	• Did not receive notice of amendment is a due process violation. • Amendments create uncertainty about maintaining and expanding home • Prohibitions concerning ability to remove trees interfere with potential home modifications. • Basic human rights are deprived. • Amendments ignore directive in Genesis 1:28 • Not in favor of proposed amendments	• The City is following all requirements of WAC 173-26-104, the optional joint local/state review process for SMP amendments. The City is not required to provide notice to all property owners affected by the amendment. • Comment noted. • Comment noted. • Comment noted. • Comment noted. • Comment noted.
27	10/5/18	Maradel Gale	Nonconforming structures	• Purpose of amendment was to make needed corrections, not rehash policy decisions. • Goal 4.2.1 should be retained. • Do not allow expansion of single-family primary structures beyond the already-granted 25%. • Do not remove the term "essential" for accessory structures. • Do not allow rebuilding if more than 50% of a structure is intentionally demolished.	• Comment noted. • Comment noted. • The Planning Commission's initial recommendation included no limit on expansion; their revised recommendation allows for up to 500 square feet. • Comment noted. • Comment noted.
28	10/6/18	Robert Carlson	Noticing Property rights SMP document	• Did not receive notice of amendment. • Size and jargon laden SMP and CAO integration is impossible to understand.	• The City is following all requirements of WAC 173-26-104, the optional joint local/state review process for SMP amendments. The City is not

	Date	Name	Topic(s)	Comment	Staff Response
				• The ARPA is ludicrous and illegal taking. • The homeowner is the proper and best authority for determining what is best for their property, not the City. • Fines are ludicrous. • You've turned every shoreline homeowner into an adversary when you should be working in partnership.	required to provide notice to all property owners affected by the amendment. • The draft amendment was revised to remove the ARPA requirement. • Comment noted. • Comment noted. • Comment noted.
29	10/8/18	MC Halvorsen	SMP document US Constitution Shading (fish) Roads/road ends Common Law Takings	• City should consult with independent land use attorney on real property law. • SMP is not legally correct and advocates acting unconstitutionally. • Requiring trees but prohibiting docks because of shading is a contradiction. • City does not own roads; cannot designated "Conservancy." • No one is familiar with Common Law or takings laws.	• Comments noted.
30	10/9/18	Bob Abresch	SMP document ARPA Reasonable regulations	• The original SMP and proposed CAO integration are both overwhelming and virtually impossible to understand. • Resents heavy-handed approach to "fixing" problem (ARPA). • SMP and CAO integration are over-reaching; consider SMP 1.1.1, Purpose and Intent, referencing effective, reasonable regulations. • The original SMP and proposed CAO integration are neither effective or reasonable. • Council should authorize a complete re-do of the SMP to make it readable, understandable, and reasonable.	• See comment 18. • The draft amendment was revised to remove the ARPA requirement. • Other comments noted.
31	10/10/18	Frank Williamson	Process ARPA	• You are moving too fast on this regulation/process.	• Comment noted. • Comment noted.

	Date	Name	Topic(s)	Comment	Staff Response
				• Reduce size and scope of SMP; improve understanding. • ARPA does not make sense in shoreline.	• The draft amendment was revised to remove the ARPA requirement.
32	10/10/18	Michael Zigich	CAO/CARA	• All shoreline properties should be exempt from the critical aquifer recharge areas requirements of the CAO.	• The draft amendment was revised to remove the ARPA requirement. The all-island critical aquifer recharge area designation is not being changed.
33	10/10/18	John Sweeney	Building permit application	• The property I bought is no longer buildable.	• The SMP includes provisions for "encumbered lots," that allows relief from bulk and dimensional standards to accommodate building on a property.
34	10/17/18	MC Halvorsen	Admiralty Law	Provides overview of Admiralty Law	Comment noted.
35	10/18/18	JCR	General comment	See you in court.	Comment noted.
36	10/22/18	MC Halvorsen	Nonconforming Common Law	There can be no legal and constitutional expansion of nonconforming; prohibited by Common Law of Grandfathered In, Washington State Constitution, and US Constitution.	Comment noted.
37	10/24/18	John W. Jacobi	SMP document	The SMP as it reads now is absurd and needs to be revised so it is workable for all shoreline properties; the new suggested changes are ridiculous and would unfairly restrict property rights.	Comment noted.
38	11/2/18	Michael Whalen	Nonconforming structures	Bainbridge Island is an outlier among other jurisdictions in how it treats nonconforming structures.	Bainbridge Island is not dissimilar to several jurisdictions throughout the Puget Sound. A summary of how Bainbridge Island compares to other jurisdictions is provided in the staff memo dated November 27, 2018, available in the City Council agenda packet on the City's website: https://www.bainbridgewa.gov/1101/City-Council-Agendas (see November 27 agenda packet).
39	11/3/18	Doug Hansmann 99 residents of Roackaway Beach	Nonconforming CAO	• Urge City Council to approve Planning Commission recommendation related to nonconforming uses, lots, and structures and applicability.	• It is true that there is no intent to remove nonconforming homes over time. • It is not true that Exhibit B already covers all of the same critical areas wording. Exhibit B is language from the 2006 CAO; the integration is

	Date	Name	Topic(s)	Comment	Staff Response
				• Needs to be clear that there is no requirement or intent to "remove nonconforming homes over time." • Request City Council not approve the integration of the new CAO, since Exhibit B in the SMP already covers all of the same critical areas wording.	intended to update the SMP to reflect the 2018 CAO.
40	11/8/18	Dick Haugen	Nonconforming	Suggest "once every ten years to avoid capricious expansion." Or something similar that explains the underlying intent.	Comment noted.
41	11/8/18	Alison O'Sullivan Suquamish Tribe	Nonconforming	• Referencing City's existing policy that nonconforming uses and nonconforming commercial structures should be restricted or phased out over time if discontinued, comments that if an activity is discontinued then re-establishment of an activity should be considered a new activity. • Several other comments not related to draft amendment.	Comment noted.
42	11/9/18	Dick Haugen	CAO/SMP integration	• CAO integration is making SMP worse – bigger and more complex; repeats that CAO can just replace current Appendix B. • We expect that legitimate comments will get a response more meaningful that comment noted.	See comment 22.
43	11/9/18	Dick Haugen	Nonconforming	• Repeats suggested language "once every ten years to avoid capricious expansion." Or something similar that explains the underlying intent. • Repeats expectation that legitimate comments will get a response more meaningful that comment noted.	Comment noted.

	Date	Name	Topic(s)	Comment	Staff Response
44	11/9/18	Dick Haugen	SMP document	• Neither the CAO/SMP integration or the nonconforming language has any summary. • The SMP is a complex, redundant, repetitive and difficult to interpret document. • The City should be obligated to prepare a brief summary of the "intent and consequence" of main topics starting with nonconforming language and CAO integration. • The people have a right to understand what the SMP means and how it affects them. • The people have a right to understand what the SMP means and how it affects them.	• See comment 18. The City's website includes a summary of major changes related to critical areas. • Other comments noted.
45	11/9/18	Dick Haugen	Nonconforming language	• The SMP establishes arbitrary boundaries and restriction based on policy (or whim) not anything else. Make it all the same. Ditto for critical areas. • Repeats expectation that legitimate comments will get a response more meaningful that comment noted.	• Shoreline designations are not arbitrary. Shoreline designations provide "the framework for implementing shoreline policies and regulatory measures specific to the environment designation" [WAC 173-26-191(1)(d)]. Assigning environment designations is Task 3.3 of Phase 3 of Ecology's SMP planning process, which the City followed during its comprehensive update. The SMP Handbook states, "Shoreline environment designations should be distinct from each other." Each shoreline designation have different management policies and regulations to reflect different shoreline characteristics and land use patterns. • Comment noted.
46	11/9/18	Dick Haugen	No net loss definition	• No net loss is without a finite definition. If the term is included in language being proposed to City Council a definition must be clear or it is left up to interpretation.	• The current SMP includes a definition for no net loss. The definition of no net loss is not a topic of the draft amendment. • The suggested definition of no net loss is problematic. The baseline conditions are those at the time of an application, not necessarily in

	Date	Name	Topic(s)	Comment	Staff Response
				• Suggests a definition of no net loss to clarify that no net loss does not imply mandatory restoration. • No net loss of ecological function is obviously subjective. • No net loss has been the "next topic" on the City/Planning Department since May. If the work plan was adhered to we would likely be done with defining no net loss by now. • The current amendment should not occur until no net loss is defined. It is that important. • In one sentence in the SMP state what no net loss is NOT the first time it is reference. This is simply that no net loss is NOT restoration. • Repeats expectation that legitimate comments will get a response more meaningful that comment noted.	2014. Required mitigation may include restoration because restoration is a type of mitigation. The draft amendment includes language in Section 4.2.1 that is intended to clarify: The current condition of the shoreline, including nonconforming uses and structures, shall be the starting point or baseline for determining compliance with the no net loss standard." • Comment noted. • Comment noted. • Comment noted. • If compensatory mitigation is required to address project impacts, restoration may be required if it is proposed as a means of mitigation. An applicant may choose to restore a portion of their property to compensate for impacts on another portion of the property. The no net loss definition cannot include the sentence that it is not restoration because in some cases restoration is proposed as a means to achieve it. • Comment noted.
47	11/9/18	Dick Haugen	Definitions	• Suggests an amended definition for "activity" • Repeats expectation that legitimate comments will get a response more meaningful that comment noted.	• Suggested definition is included in the draft amendment. • Comment noted.
48	11/9/18	Dick Haugen	Most restrictive clause	• Suggests revision to language stating "most restrictive provisions shall apply" when there is a conflict (See SMP 4.0.1.7). • Repeats expectation that legitimate comments will get a response more meaningful that comment noted.	• SMP 4.0.1.7 is revised in the draft amendment to remove the "most restrictive" language. • Comment noted.

	Date	Name	Topic(s)	Comment	Staff Response
49	11/9/18	Dick Haugen	Nonconforming	• Suggests using RCW 90.58.620 related to nonconforming term (allows local jurisdictions to consider nonconforming structures conforming). • Make sure preferred use status of single family homes is clear. • Repeats expectation that legitimate comments will get a response more meaningful that comment noted.	• Planning Commission recommendation is to use term nonconforming since it is a long-standing and well-understood land use term that has a specific definition and requirements provided in the SMA. • The preferred use status of single-family residences is articulated in the current SMP. Several revisions included in the draft amendment are intended to emphasize this policy framework of the SMA (e.g., allow expansion). • Comment noted.
50	11/9/18	Dick Haugen	Nonconforming	• Comment titled "nonconforming language," but seems to be referencing no net loss subject. Suggests that no net loss is not necessary because only 50 parcels are undeveloped. • Any nonconforming criteria should apply equally to the whole island and not single out shoreline. • The written SMP is to "phase out" all non-conforming structures – including your home (SMP 4.2.1.2 and SMP 8.0). If that is not the intent it must be made clear in writing and corrected in every SMP cross reference. • Repeats expectation that legitimate comments will get a response more meaningful that comment noted.	• Any development, whether it is new development or development related to an existing structure or nonconforming structure is required to demonstrate no net loss. In other words, the no net loss requirement applies to all properties on which development is proposed, not just the 50 undeveloped properties referenced by commenter. • Consistency among various City regulations is not a state requirement, but rather a policy decision for the City Council. • This is not true. SMP 4.2.1.1 states: "Residential structures that do not conform to this program should, over time, as the owner proposes changes to the structure, conform as completely as possible to this program, with due regard to unique site conditions and property rights" and "Over time, uses and commercial structures that do not conform to the standards of this program should be phased out as uses cease or redevelopment of structures occurs. Commenter confuses the distinction in the goal

	Date	Name	Topic(s)	Comment	Staff Response
					statement between residential structures and commercial structures. The definitions of existing development and nonconforming in the current SMP do not include the words "phase out." Nothing in the SMP is written to phase out single-family residential structures. • Comment noted.
51	11/12/18	MC Halvorsen	Common Law	• City is disregarding Common Law and the Washington State and US Constitutions.	• Comment noted.
52	06/23/20	Harold Snow	Nonconforming	• Encourages Council to approve amendments to SMP Section 4.2.1. • Seeking clarification and affirmation on meaning of "destroyed by any means" in amended SMP Section 4.2.1.7.2. • Seeking clarification on use of term "replaced" versus "rebuilt".	• Staff agrees with commenters interpretation of the provision; "destroyed by any means" includes voluntary destruction. No further clarification within the amendment is necessary. • Attachment 2f contains changes to the SMP Amendment that address comments regarding replacement structures.
53	09/22/20	MC Halvorsen	Common Law/"grandfathering"	• "Grandfathering" is an exception that allows those already doing something to continue so acting, even though present restrictions would prohibit it.	• SMP amendment accommodates the commenter's concept of "grandfathering" in that existing legal uses that do not conform to present regulations may be continued, subject to the provisions of SMP Section 4.2.
54	09/22/20	Jonathan Davis	Nonconforming lots	• 2,500 square foot allowed development area in SMP Section 4.2.1.8 is too small. • Suggestion to increase allowed building area for encumbered lots or allow for restoration of disturbed area following construction.	• Comment noted.
55	09/22/20	Michael Zigich	Aquifer Recharge Protection Area	• Draft amendment contains an error in designating the entirety of Bainbridge Island as an aquifer recharge area.	• Commenter is mistaken. Entirety of Bainbridge Island is classified as such, but the requirement to designate an Aquifer Recharge Protection Area (ARPA) as a result of certain development activities does not apply within shoreline jurisdiction.

	Date	Name	Topic(s)	Comment	Staff Response
56	09/22/20	BIFD	Wildfire defensible space	• Request that wildfire mitigation activities be incorporated into the SMP, identical to that provided in BIMC 16.20.090.	• BIMC 16.20.090 applies to aquifer recharge protection areas, which are not applicable within shoreline jurisdiction. • This amendment is focused on critical areas and noconforming provisions. Changes to vegetation management are anticipated as a part of the upcoming periodic review.
57	09/22/20	Edwin Rymarz	Climate change Sealevel rise	• Ordinance should be rescheduled to allow for regulations for specific climate change impacts	• The work plan for the SMP Periodic Review includes SMP changes to address flood risk due to sealevel rise by the end of 2021. • Bluff erosion due to sealevel rise is likely to be addressed in a subsequent SMP amendment by 2025, which is consistent with the recommendations in the proposed Climate Action Plan.
58	09/24/20	Kyle LaBrache	Aquaculture	• Definition of commercial is too broad • Areas where use is allowed need reconsideration	• Amendments to aquaculture regulations will be addressed during the upcoming SMP Periodic Review.

CITY OF BAINBRIDGE ISLAND

Department of Planning and Community Development

Memorandum

Date: September 22, 2020

To: City Council

From: Annie Hillier
Associate Planner

Subject: Shoreline Master Program Amendment

I. Introduction – Where we Left Off

At the June 23, 2020 business meeting, the City Council directed staff to prepare an ordinance for the City's Shoreline Master Program ("SMP") Amendment, incorporating the Washington State Department of Ecology's ("Ecology's") required and recommended changes, as well as edits recommended by staff to correct internal references and ensure consistency between the amended policies and regulations. Staff revised the draft SMP Amendment based on this input, described in Section II, below.

Most recently, at the September 8, 2020 business meeting, the City Council set the public hearing on Ordinance No. 2020-17, which is the SMP amendment ordinance above described. That public hearing will be conducted on September 22, 2020 to allow the Council to receive and consider public comment and testimony related to Ordinance No. 2020-17, and to consider possible approval of the ordinance.

II. Revisions for Council Review

In addition to the changes identified by Ecology (2 required, 5 recommended), staff made revisions to the draft SMP Amendment based on the Council's input; a table summarizing each change is provided in Exhibit B. The majority of the edits fall into two categories: (1) corrections to internal references; and (2) clarifications to the language in the nonconforming provisions, explained in greater detail below.

The draft SMP Amendment previously approved by the Council (Resolution No. 2019-05) and reviewed by Ecology allows some nonconforming structures to be replaced (e.g., single-family residences), but not all (e.g., single-family residential accessory structures). The table below summarizes these differences.

Nonconforming Structure Type	Replacement Allowed?
Single-family residential primary structures, in the shoreline buffer	Yes
Single-family residential accessory	No
Single-family residential accessory, essential	Yes
Residential & commercial overwater, piers, docks, floats, buoys	Yes

Residential & commercial overwater, other than piers, docks, floats, buoys	Yes, if "normal repair"
Multifamily primary	No, unless destroyed by catastrophic event
Commercial & industrial, primary and accessory	No, unless wholly water-oriented commercial
Public facilities & transportation	Yes, if for essential public access and no alternative

The structure types above each have their own specific provisions within SMP Section 4.2, Nonconforming Uses, Nonconforming Structures, and Nonconforming Lots. Other structures not specifically listed would be reviewed according to the general provisions, which allow for replacement.

Given that some nonconforming structures are allowed to be replaced and others are not, staff made the following edits to the goals, policies, and general provisions for nonconforming structures. These edits are also presented in Exhibit B.

SMP Provision	Changes to draft SMP Amendment
SMP 4.2.1.3 Goal	It is the purpose of this section to recognize legally established uses, lots, and structures, and to allow them to be maintained, repaired, and remodeled, ~~replaced,~~ and, in some cases replaced or expanded, in conformance with Section 4.2.1.5 through 4.2.1.8 of this Program with due regard to unique site conditions and property rights.
SMP 4.2.1.4 Policies	1. Nonconforming structures may be ~~replaced,~~ repaired, maintained, or remodeled and, in some cases, nonconforming structures may be replaced or expanded provided the change meets the current regulations and standards of this Program. Decreases in nonconformity should be encouraged.
SMP 4.2.1.7.1 General Provisions – Nonconforming Structures	1. All nonconforming structures may be maintained, repaired, renovated, remodeled, or rebuilt, except where stated otherwise in the specific provisions of this program. In some cases, nonconforming structures may be expanded subject to the specific provisions of this Program.

The edits made by staff to the draft SMP Amendment, presented here and in Exhibit B, are based on the direction provided by the Council to ensure consistency between the amended policies and regulations. The edits do not include substantive policy changes, but rather eliminate vagueness surrounding implementation of the amended sections.

III. Agenda for September 22, 2020 Council Meeting

As above described, on September 22, 2020 the Council will conduct a public hearing on the SMP Amendment. After considering public comment and testimony as part of the public hearing, the Council may approve Ordinance No. 2020-17, amending the City's SMP.

Several documents are provided for tonight's agenda item, including:

- *Ordinance No. 2020-17* (Public Hearing Draft), approving the draft SMP Amendment relating to critical areas regulations and nonconforming structures, uses, and lots.
- *Exhibit A to Ordinance No. 2020-17 Shoreline Master Program Amendment* (400+ pages), including proposed amendments shown in red ~~strikethrough~~/underline text.
- *Exhibit B Table of Changes to Draft SMP Amendment,* summarizing changes made to the draft amendment based on Council input at the June 23, 2020 Council meeting.
- *Determination of Initial Concurrence from the WA Department of Ecology* (Misty Blair, Shoreline Management Policy Lead, WA Department of Ecology, December 9, 2019), summarizing each

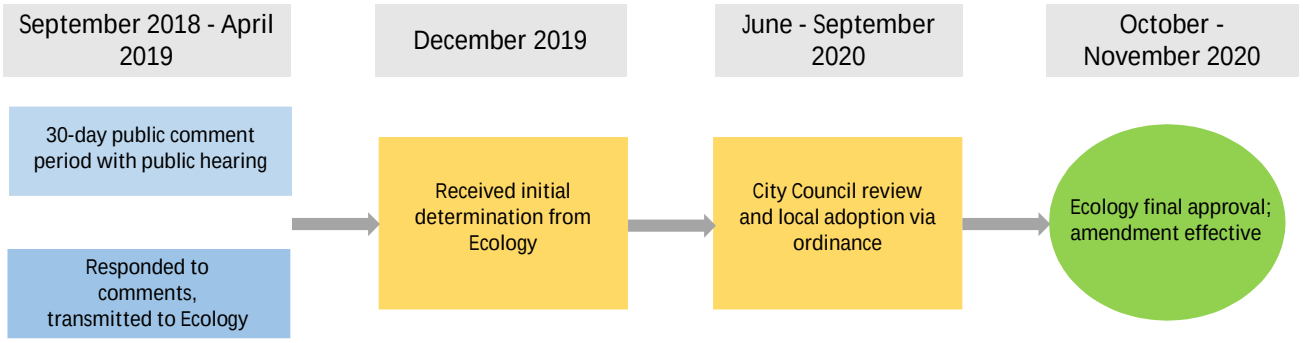
amended section, and the amendment history and review process, and identifying issues for City consideration prior to final adoption.

- *Ecology Recommendations to Resolve Issues Identified as Required and Recommended* (WA Department of Ecology, December 9, 2019), providing rationale and language for the required and recommended changes to the draft SMP Amendment.
- *Resolution No. 2019-05,* directing staff to submit the draft amendment to Ecology for initial review.

Note, too, that additional information and background is provided on this topic that was provided to the Council for the June 23, 2020 Council meeting. That memo was included as background with the agenda materials for the September 8, 2020 meeting, as well as for this September 22 meeting.

IV. NEXT STEPS

Following tonight's public hearing and local adoption of Ordinance No. 2020-17 by the City Council, Staff will transmit the SMP Amendment to Ecology in accordance with WAC 173-26-110 and the State Environmental Policy Act (SEPA). Ecology will then review the SMP Amendment in accordance with SMP 173-26-120, which provides a 30-day review period following a determination of completeness. The SMP Amendment becomes effective 14 days after final approval by Ecology.



CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 15 Minutes

AGENDA ITEM: (8:10 PM) Ordinance No. 2020-32 Relating to Speed and Wake Restrictions in Blakely Harbor - Police,

SUMMARY: The ordinance seeks to implement speed and wake restrictions in Blakely Harbor.

AGENDA CATEGORY: Ordinance **PROPOSED BY:** Police

RECOMMENDED MOTION: I move to forward for approval with the December 8, 2020 consent agenda Ordinance No. 2020-32 relating to speed and wake restrictions in Blakely Harbor.

STRATEGIC PRIORITY: Safe City

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	Yes

BACKGROUND: BIMC 12.40.060, which relates to speed, wake, and other restrictions in certain identified restricted areas, applies currently to Port Madison Bay, Manzanita Bay, and Eagle Harbor. Blakely Harbor is unique in that it is a 'courtesy' no-wake zone, but is not enforceable. In response to increased concerns regarding watercraft speed, wakes, and water safety, harbor stewards propose including Blakely Harbor to those restricted areas that are set forth in BIMC 12.40.060. This ordinance would add Blakely Harbor to the no-wake restricted areas.

ATTACHMENTS:

Ordinance No. 2020-32 Speed and Wake Restrictions in Blakely Harbor.docx

Blakely Harbor No Wake.pdf

FISCAL DETAILS:

Fund Name(s):

Coding:

ORDINANCE NO. 2020-32

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to watercraft speed and wake and other activities in Blakely Harbor; amending Section 12.40.060.B. of the Bainbridge Island Municipal Code to include Blakely Harbor as a Restricted Area.

WHEREAS, the City of Bainbridge Island seeks to manage the speed and wake of watercraft in certain areas to protect the public health, safety, and welfare; and

WHEREAS, it is evident from information received by the City, including via comment received by City staff and the City Council, that the use of Blakely Harbor for a variety of uses, including swimming, kayaking, and paddle boarding, has increased; and

WHEREAS, residents and harbor stewards along Blakely Harbor have expressed concerns regarding the speed and wakes of watercraft within the harbor and their impact on the safety of other users of the waterway; and

WHEREAS, uses within the harbor include swimmers, non-motorized boaters, anchored vessels, water skiing, and other motorized and non-motorized activities; and

WHEREAS, due to such concerns, residents and harbor stewards have proposed adding Blakely Harbor to the other restricted areas set forth in the Bainbridge Island Municipal Code ("BIMC"), under BIMC 12.40.060, and those areas currently include Eagle Harbor, Port Madison Bay, and Manzanita Bay; and

WHEREAS, such restrictions provide that it is unlawful for any person to operate a watercraft at a speed sufficient to create a wake or in excess of five nautical miles per hour, whichever is less, within such restricted areas, or within 150 feet of any shoreline, dock, breakwater, or nonmotorized boating class, group, or event; and

WHEREAS, on September 22, 2020, the City Council considered proposals related to establishing Blakely Harbor as such a restricted area, and the Council directed City staff to prepare an ordinance to establish the area as proposed by harbor stewards and residents of Blakely Harbor; and

WHEREAS, this Ordinance No. 2020-32 meets the intent as indicated and considered by the City Council, including at Council meetings on November 24 and December 8, 2020, with the goal of increasing public safety in Blakely Harbor based on concerns expressed in the community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 12.40.060.B. of the Bainbridge Island Municipal Code is hereby amended to read as follows:

B. Restricted Areas.

1. Priority aquatic Category A areas pursuant to BIMC 16.12.020.C.2 or future amendments thereto. Uses within priority aquatic Category A areas are also regulated by the shoreline master program (Chapter 16.12 BIMC).

2. Eagle Harbor extending west from a line that runs from the Eagle Harbor Ferry Terminal to USCG buoy No. 5 and Bill Point.

3. Port Madison Bay extending out to one-fourth mile north of the port community dock.

4. Manzanita Bay extending south of latitude 47 degrees 40.200 minutes north.

5. Blakely Harbor extending west of longitude -122 degrees 30.033 minutes west.

Section 2. **Severability**. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED by the City Council this _____ day of _____, 2020.

APPROVED by the Mayor this ____ day of _____, 2020.

_____
Leslie Schneider, Mayor

ATTEST/AUTHENTICATE:

_____
Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	November 20, 2020
PASSED BY THE CITY COUNCIL:	_____, 2020
PUBLISHED:	_____, 2020
EFFECTIVE DATE:	_____, 2020
ORDINANCE NUMBER:	2020-32

Longitude -122
degrees 30.033
minutes west.
3D
523

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 5 Minutes

AGENDA ITEM: (8:25 PM) Ordinance No. 2020-38, Relating to 2020 4th Quarter Budget and Updated Capital Improvement Plan Amendments - Finance,

SUMMARY: The agenda item is for the City Council to consider 4th quarter amendments to the City's 2020 budget and a corresponding update to the 2019-2024 Capital Improvement Plan. This ordinance would amend the 2020 budget and 2019-2024 Capital Improvement Plan of the City and provide for uses or dollar amounts not foreseen at the time the 2020 budget was last modified.

AGENDA CATEGORY: Ordinance **PROPOSED BY:** Finance & Administrative Services

RECOMMENDED MOTION: I move to forward Ordinance No. 2020-38 for approval with the December 8, 2020 Consent Agenda.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	$592,015
Ongoing Cost:	
One-Time Cost:	$592,015
Included in Current Budget?	No

BACKGROUND: Please see the attached transmittal memo for a detailed overview of all requested items.

ATTACHMENTS:

2020 4th QTR BUA Transmittal Memo for 11242020

ORD 2020-38 2020 4th QTR Budget and CIP Amendments - FINAL.docx

Ord 2020-38 Attachment A - Q4 Budget Amendments.pdf

FISCAL DETAILS: Total spending authority increase across all funds is $592,015. Details by fund are as follows:

General Fund total increase is $454,489

Street Fund total increase is $9,715

Transportation Impact Fee Fund total increase is $150,000

Water Fund total increase is $48,650

Sewer Fund total increase is $12,308

ER&R Fund total decrease is $(83,148)

Fund Name(s):

Coding:

CITY OF
BAINBRIDGE ISLAND

Finance and Administrative Services Department

Memorandum

Date: November 24, 2020

To: City Council
Morgan Smith, City Manager

From: Kim Dunscombe, Budget Manager

Subject: 4th Quarter Budget Amendments

The Finance and Administrative Services Department brings budget adjustments to Council for consideration on a regular basis. Attached for Council's consideration is an ordinance with the final budget amendments for 2020. The proposed ordinance also includes an amendment to the 2019 – 2024 Capital Improvement Plan.

The following seven budget amendments are proposed:

COVID Response – 4 items, Total of $516,000

- Response to the COVID-19 pandemic has been the City's highest priority. On September 22nd City Council approved the Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant amendment in the amount of $367,800 with an amended contract total amount of $1,103,400, and on October 13th at the City Council Regular Business Meeting authorized City Manager Morgan Smith to set up a COVID-19 community based testing site.
    - Computer and Information Technology equipment - $319,000
    - Facility and workspace retrofits - $82,000
    - Personal protection equipment - $65,000
    - Community based testing - $50,000

Capital Request – 1 item, Total of $40,000

- Wyatt Way Water Improvements – The Wyatt Way Reconstruction Project includes the replacement of water mains and the installation of a new pressure release valve (PRV) that regulates water pressure in the system that distributes water to individual homes. The City owns and maintains many PRV's, and each is installed with a supervisory control & data acquisition system (SCADA) that enables staff to remotely monitor the

performance of the valve. Installation costs were built into the original project budget. This additional $40,000 will procure the design/build of the SCADA system for the Wyatt Way PRV as part of the Wyatt Way Reconstruction Project.

Operating Request – 1 item, $36,014

- City Hall Solar Facility – On October 27th Council approved a budget amendment for this project. As identified in the purchase and sale agreement and the appraisal of the solar panels, the City expects to pay $26,015.62 for the solar panel facility. An additional $10,000 is included in this budget amendment to cover the anticipated cost of the initial period of annual maintenance, which will be authorized under a separate agreement.

Technical Adjustment Requests – 2 items, zero budget effect

- Capital Equipment - As part of the 2019 – 2020 Adopted Budget, fleet purchases as approved in the 2019 – 2024 Capital Improvement plan were in part budgeted in the Equipment Rental and Revolving (ERR) Fund. Following GFOA Best Practices, staff has determined a minimum fund balance policy for the ERR Fund and will delay purchase of fleet equipment from the ERR fund until 2021. Starting in 2021 all fleet purchases will be made from the ERR Fund. This is a technical adjustment that transfers budget authority from the ERR Fund to the purchasing fund as shown in the 2019 – 2024 Updated Capital Improvement Plan. This does not increase budgeted fleet costs or overall City spending.
- Wyatt Way Reconstruction – Transfer $150,000 in planned spending and budget authority from the General Fund to the TIF Fund for this project. At year end, finance staff evaluates the fund balance of the Transportation Impact Fee (TIF) Fund. The TIF Fund is a restricted funding source, which means it can only be spent on certain projects, and the revenue needs to be spent within ten years of collection. Given our financial policy of utilizing restricted funds first, this request adheres to the policy by switching use of the General Fund for TIF funds for the Wyatt Way Reconstruction project.

Thank you for your consideration of these requests.

ORDINANCE NO. 2020-38

AN ORDINANCE of the City of Bainbridge Island, Washington, amending the 2019-2020 biennial budget and associated provisions of the 2019-2024 Capital Improvement Plan and providing for uses not foreseen at the time the budget was adopted.

WHEREAS, on November 27, 2018, the City Council adopted the 2019-2020 biennial budget via Ordinance No. 2018-39; and

WHEREAS, on October 22, 2019, the City Council adopted a modified budget for the Capital Improvement Plan via Ordinance No. 2019-29; and

WHEREAS, on November 12, 2019, the City Council adopted a modified budget for 2020 via Ordinance No. 2019-28; and

WHEREAS, on July 14, 2020, the City Council adopted first quarter budget and updated capital improvement plan amendments via Ordinance No. 2020-14; and

WHEREAS, on September 8, 2020, the City Council adopted second quarter budget and updated capital improvement plan amendments via Ordinance No. 2020-21; and

WHEREAS, a number of situations have occurred during 2020 which require the City to expend money on items, projects, and categories not included in the 2020 budget and to adjust the 2019-2024 Capital Improvement Plan accordingly.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Ordinance No. 2018-39 and the 2020 budget, as modified by Ordinance Nos. 2019-28, 2019-29, 2020-14, and 2020-21 are amended as shown in the attached Exhibit A.

Section 2. In that some of the budget expenditures that are the subject of this ordinance directly relate to the City's 2019-2024 Capital Improvement Plan, the 2019-2024 Capital Improvement Plan is hereby correspondingly amended as to the related expenditures that are the subject of this ordinance, as described and shown in the attached Exhibit A.

Section 3. The City's Finance Director is authorized and directed by this ordinance to make the necessary changes to the 2019-2020 biennial budget and the 2019-2024 Capital Improvement Plan. The Finance Director is further directed to make sufficient interfund equity transfers from the appropriate funds to cover the added amounts authorized by this ordinance.

Section 4. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state

or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. This ordinance shall take effect and be in force five (5) days from its passage and publication as required by law.

PASSED by the City Council this ___ day of _____ 2020.

APPROVED by the Mayor this ___ day of _____ 2020.

_____
Leslie Schneider, Mayor

ATTEST / AUTHENTICATE:

_____
Christine Brown, CMC, City Clerk

FILED WITH THE CITY CLERK:	November 19, 2020
PASSED BY THE CITY COUNCIL:	___ __, 2020
PUBLISHED:	___ __, 2020
EFFECTIVE DATE:	___ __, 2020
ORDINANCE NO:	2020-38

Attached: Exhibit A

Exhibit A to Ordinance No. 2020-38

2020 BUDGET AMENDMENTS
Presented to City Council
Approved on December _____, 2020

SUBJECT	DESCRIPTION	FUND / Department	Change amount requested	Change to Appropriation	On-going
COVID-19 Computer Equipment	This item increases appropriation authority and amends the 2020 Modified Budget for activities related to the City's computer equipment and various other IT related needs in response to the COVID-19 Pandemic.	General Fund / Executive	$ 319,000	Increase	No
COVID-19 Facility workspace retrofits	This item increases appropriation authority and amends the 2020 Modified Budget for activities related to the City's workspace retrofits required in response to the COVID-19 Pandemic.	General Fund / Public Works	$ 82,000	Increase	No
COVID-19 Personal Protection Equipment	This item increases appropriation authority and amends the 2020 Modified Budget for activities related to the City's need for personal protection equipment required in response to the COVID-19 Pandemic.	General Fund / Executive	$ 65,000	Increase	No
COVID-19 Community Based Testing Site	This item increases appropriation authority and amends the 2020 Modified Budget as approved by Council at the October 13th City Council Business Meeting to provide COVID-19 testing. Access to local testing is a critical component to support the re-opening of schools and businesses.	General Fund / Executive	$ 50,000	Increase	No
City Hall Solar Facility Budget Adjustment	This item increases appropriation authority and amends the 2020 Modified Budget as approved by Council on October 27th City Council Business Meeting for the acquisition and maintenance of the City Hall solar facility	General Fund / Public Works	$ 36,014	Increase	No
Capital Equipment	A portion of each fleet capital purchase was budgeted in the Equipment Rental and Revolving (ERR) Fund. This item transfers budget authority to the originating fund as approved in the 2019-2024 CIP.	General Fund / Public Works	$ 52,475	Increase	No
Wyatt Way Reconstruction	This item reduces the General Fund support for the Wyatt Way Reconstruction project in tandem with the TIF item below. Overall project spending does not change.	General Fund / Public Works	$ (150,000)	Decrease	No
	TOTAL GENERAL FUND EXPENDITURE INCREASE		**$ 454,489**		
Capital Equipment	A portion of each fleet capital purchase was budgeted in the Equipment Rental and Revolving (ERR) Fund. This item transfers budget authority to the originating fund as approved in the 2019-2024 CIP.	Streets Fund / Public Works	$ 9,715	Increase	No

SUBJECT	DESCRIPTION	FUND / Department	Change amount requested	Change to Appropriation	On-going
	TOTAL STREET FUND EXPENDITURE INCREASE		**$ 9,715**		
Wyatt Way Reconstruction	This item changes the funding sources of the Wyatt Way Reconstruction project to allow use of eligible funding from the Transportation Impact Fee (TIF) Fund. This change does not increase the project budget.	Transportation Impact Fund / Public Works	$ 150,000	Increase	No
	TOTAL TRANSPORTATION IMPACT FEE FUND EXPENDITURE INCREASE		**$ 150,000**		
Wyatt Way Water Improvements	This item increases appropriation authority and amends the 2019-24 Updated CIP as approved by Council at the September 22nd City Council Regular Business Meeting. Increased spending authority funds the design and construction of the SCADA upgrades for the recently installed pressure release valve on Wyatt Way.	Water Fund / Public Works	$ 40,000	Increase	No
Capital Equipment	A portion of each fleet capital purchase was budgeted in the Equipment Rental and Revolving (ERR) Fund. This item transfers budget authority to the originating fund as approved in the 2019-2024 CIP.	Water Fund / Public Works	$ 8,650	Increase	No
	TOTAL WATER FUND EXPENDITURE INCREASE		**$ 48,650**		
Capital Equipment	A portion of each fleet capital purchase was budgeted in the Equipment Rental and Revolving (ERR) Fund. This item transfers budget authority to the originating fund as approved in the 2019-2024 CIP.	Sewer Fund / Public Works	$ 12,308	Increase	No
	TOTAL SEWER FUND EXPENDITURE INCREASE		**$ 12,308**		
Capital Equipment	A portion of each fleet capital purchase was budgeted in the Equipment Rental and Revolving (ERR) Fund. This item transfers budget authority to the originating fund as approved in the 2019-2024 CIP.	ER&R Fund / Public Works	$ (83,148)	Decrease	No
	TOTAL EQUIPMENT RENTAL AND REVOLVING DECREASE EXPENDITURE		**$ (83,148)**		
	TOTAL BUDGET AMENDMENTS		**$ 592,015**		

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 5 Minutes

AGENDA ITEM: (8:30 PM) Second Amendment to the Agreement for Provision of Juvenile Detention Facilities - Police,

SUMMARY: Consider the renewal of an existing agreement with Kitsap County for the detention of juveniles for offenses that are within the jurisdiction of, and charged within, the Bainbridge Island Municipal Court under RCW 13.04.030(1)(e)(iii).

AGENDA CATEGORY: Interlocal Agreement **PROPOSED BY:** Police

RECOMMENDED MOTION: I move to forward for approval with the December 8, 2020 consent agenda the second amendment of the Interlocal Agreement with Kitsap County regarding juvenile detention facilities.

STRATEGIC PRIORITY: Safe City

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	Yes

BACKGROUND: Kitsap County is authorized by law to operate a Juvenile Detention Facility for juvenile offenders. The City of Bainbridge Island does not have or operate such a facility and wishes to renew the existing agreement with the County as its agent for this purpose. If approved, this amendment would extend the existing agreement from January 1, 2021 through December 31, 2021 unless terminated earlier. There is no change to the daily rate in this extension.

ATTACHMENTS:

2021 Juvenile Detention Facilities ILA Second Amendment.docx

FISCAL DETAILS: Budget in 2021 = $100,000 and Budget in 2022 = $115,000.

Fund Name(s): General Fund

Coding:

KC-076-19-B

SECOND CONTRACT AMENDMENT

This Second Contract Amendment is entered into by Kitsap County, a municipal corporation, having its principal offices at 614 Division Street, Port Orchard, Washington 98366, hereinafter "County", and City of Bainbridge Island having its principal offices at 280 Madison Avenue North, Bainbridge Island, Washington 98110, "City."

In consideration of the mutual benefits and covenants contained herein, the parties agree that their Contract, numbered as Kitsap County Contract No. KC-076-19 and executed on February 25, 2019, and amended on December 9, 2019 shall be amended as follows:

1. Term: The contract term shall extend to terminate on December 31, 2021.

If this Contract Amendment extends the expiration date of the Contract, then the City shall provide an updated certificate of insurance evidencing that any required insurance coverages are in effect through the new contract expiration date. The City shall submit the certificate of insurance to: Kitsap County Risk Management Division, 614 Division Street, MS-7, Port Orchard, WA 98366.

Except as expressly provided in this Contract Amendment, all other terms and conditions of the original Contract, and any subsequent amendments, addenda or modifications thereto, remain in full force and effect.

This amendment shall be effective upon execution by the parties.

DATED this ___ day of _____, 2020.

CITY OF BAINBRIDGE ISLAND

_____
MORGAN SMITH, CITY MANAGER

DATED this ___ day of _____, 2020.

BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

_____
CHARLOTTE GARRIDO, CHAIR

_____
ROBERT GELDER, COMMISSIONER

_____
EDWARD E. WOLFE, COMMISSIONER

ATTEST:

_____
Dana Daniels, CLERK OF THE BOARD

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: (8:35 PM) Amendment No. 1 to Interlocal Agreement between the City of Bainbridge Island and the Kitsap Conservation District for Agricultural Assistance, Support, and Conservation - Public Works,

SUMMARY: The City has consistently contracted with the Kitsap Conservation District to provide services related to agricultural assistance, support, and conservation, including related to providing farm plans to meet requirements set forth in the Bainbridge Island Municipal Code (see, e.g., BIMC 18.09.030). This agenda item is to continue the City's contractual relationship with the Conservation District for 2021 - 2022. The cost and scope of work of the existing interlocal agreement remain the same as in the current agreement.

AGENDA CATEGORY: Interlocal Agreement **PROPOSED BY:** Public Works

RECOMMENDED MOTION: I move to forward for approval with the December 8, 2020 consent agenda Amendment No. 1 to the 2019-2020 Interlocal Agreement between the City of Bainbridge Island and the Kitsap Conservation District for Agricultural Assistance, Support, and Conservation.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	$43,950.00 Annually for 2021 and 2022.
Ongoing Cost:	
One-Time Cost:	$43,950.00 Annually for 2021 and 2022.
Included in Current Budget?	Yes

BACKGROUND: The City and the Kitsap Conservation District share a common goal to promote best management practices to protect water quality, assist with agricultural impacts, and support the use of low impact development practices. The City has contracted with the Conservation District for many years for services related to agricultural assistance, support, and conservation, including assistance in providing “farm plans” to meet the requirements of BIMC 18.09.030.

Typical referrals include aid to property owners for assistance in farm and livestock waste and management plans generally associated with conditional use and/or building permits. The Conservation District also promotes cooperative solutions between landowners to protect surface water bodies from potential sources of contamination caused by related agricultural land uses. Funds are only used if farm plan work is identified or requested as part of a land use approval process.

See the attached Amendment No. 1 to the Interlocal Agreement between City and the Conservation District. The amendment extends the term for two more years (2021-2022), and otherwise maintains the agreement as it is currently. Attached is the existing agreement. Also attached for reference are Annual Program Reports for 2018 and 2019.

ATTACHMENTS:

Amendment No. 1 to 2019-20 ILA Between COBI and the Kitsap Conservation District.docx

2019-2020 Kitsap Conservation District ILA - Executed.pdf

2019 KCD and Bainbridge ILA Annual Report.pdf

2018 KCD and Bainbridge ILA Annual Report.pdf

FISCAL DETAILS: $43,950.00 annually through 2022.

50% General Fund; 50% Surface and Stormwater Management Fund

Fund Name(s): General Fund

Coding: 1/2 = 72011593; 1/2 = 72431835

AMENDMENT NO. 1 TO
THE 2019-2020 INTERLOCAL AGREEMENT BETWEEN THE CITY OF BAINBRIDGE ISLAND AND THE KITSAP CONSERVATION DISTRICT REGARDING AGRICULTURAL ASSISTANCE, SUPPORT, AND CONSERVATION

THIS AMENDMENT NO. 1 TO THE 2019-2020 INTERLOCAL AGREEMENT BETWEEN THE CITY OF BAINBRIDGE ISLAND AND THE KITSAP CONSERVATION DISTRICT REGARDING AGRICULTURAL ASSISTANCE, SUPPORT, AND CONSERVATION ("Amendment") amends the above described Interlocal Agreement ("Agreement") executed on December 10, 2018, by the City of Bainbridge Island, a Washington state municipal corporation ("City"), and the Kitsap Conservation District, a Washington state municipal corporation ("Conservation District").

WHEREAS, the City and the Conservation District have had a contractual relationship for several years and the parties desire to continue that partnership; and

WHEREAS, the City and the Conservation District desire to extend the term of the current Agreement until December 31, 2022, and to keep the scope of work, payment amount, and all other provisions of the Agreement the same as is the case currently.

NOW, THEREFORE, the City and the Conservation District agree to amend the Agreement as follows:

1. Section 8.A. is hereby amended as follows:

A. Once executed by both parties, this Agreement shall become effective on December 31, 2018, and shall continue in full force until December 31, ~~2020~~ 2022, unless sooner terminated by either party as provided below.

2. Except as modified herein, all other terms and conditions to the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment to the Agreement as of the later of the signature dates included below.

KITSAP CONSERVATION DISTRICT	CITY OF BAINBRIDGE ISLAND
Date:_____	Date:_____
By:_____	By:_____
Name_____	Morgan Smith, City Manager
Title_____	

2019-2020 Interlocal Agreement Between the City of Bainbridge Island and the Kitsap Conservation District Regarding Agricultural Assistance, Support, and Conservation

THIS INTERLOCAL AGREEMENT ("Agreement") is made and entered into by and between the City of Bainbridge Island, a Washington State municipal corporation ("City") and the Kitsap Conservation District, a Washington State municipal corporation ("District") pursuant to the Interlocal Cooperation Act, Chapter 39.34 RCW.

WHEREAS, there are currently approximately 1,424 acres of agriculture on Bainbridge Island; and

WHEREAS, the City is committed to preventing stormwater runoff pollution; and

WHEREAS, the District's contribution of services assists the City in complying with its NPDES Municipal Stormwater Permit, implementing the Illicit Discharge Detection Elimination Program, and providing education and outreach on best management practices; and

WHEREAS, the District has the expertise and experience to provide Farm Plans to meet the requirements of BIMC 18.09.030 and provide assistance to agriculture and non-agriculture property owners regarding land management activities and their impacts on water quality; and

WHEREAS, the District is a non-regulatory agency and is not responsible for code compliance, but the District is experienced in working with "cooperating landowners" to complete required work; and

WHEREAS, the City and the District have a common goal to promote best management practices to protect water quality, provide education to land owners on agricultural impacts, and support the use of low impact development practices; and

WHEREAS, the City and the District desire to enter into an agreement and continue to work collaboratively in providing information and services to property owners that will protect water quality.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the City and the District agree as follows:

1. SERVICES BY DISTRICT

The District shall perform such duties and services as are described in the scope of work attached hereto as **Attachment A**. All services funded under this Agreement shall be provided exclusively within the boundaries of incorporated City of Bainbridge Island. The District shall furnish all services, labor, and related equipment to conduct and complete the work, except as specifically noted otherwise in this Agreement.

2. PAYMENT

The City shall reimburse the District only for actual incurred costs upon presentation of a properly executed invoice in a form approved by the City. Costs shall be charged, and funds reimbursed, based upon cost categories as set forth in **Attachment A**.

The sum of the District's reimbursement requests during the duration of this Agreement shall not exceed Forty-Three Thousand Nine Hundred Fifty Dollars ($43,950) per year. The District may exceed line item amounts, as established in **Attachment A**, in order to respond to the nature and number of requests received within a quarter. The anticipated (budgeted) and actual distribution of funds will be reported by the District quarterly and monitored by the City. Reimbursement requests shall be submitted once a quarter. The City reserves the right to withhold payments pending timely delivery of progress reports or documents as may be required under this Agreement. The City shall reimburse the District within sixty (60) days of receipt of a properly executed District invoice.

3. GENERAL ADMINISTRATION AND MANAGEMENT

The City Manager of the City, or his/her designee, shall be the City's representative and shall oversee and approve all services to be performed, coordinate all communications, and review and approve all invoices under this Agreement.

The Chair of the Board of Supervisors for the Kitsap Conservation District, or his/her designee, shall represent the District in all matters pertaining to the services and materials to be rendered under this Agreement. All requirements of the City pertaining to the services or materials to be rendered under this Agreement shall be coordinated through the District's representative.

4. PROGRESS REPORTING

The District shall produce quarterly and year-end reports summarizing the work performed and evaluating the performance and results of the work performed pertaining to this Agreement.

Progress reports shall include, but are not limited to, the following information:

a. Status of annual work plan.

b. A description of work performed during the period and progress made to date, including monitoring data or performance indicators that reflect effectiveness of the program elements as set forth in **Attachment A**.

c. A description of any adverse conditions that have affected the program objectives and/or time scheduled, and actions taken to resolve these issues.

d. Progress reports shall be submitted as follows: For each year, quarterly reports are due the closest workday to April 15, July 15, and October 15. A year-end report is due January 15.

e. The year-end report shall contain a summary of major accomplishments realized during the year. This report shall include, but not be limited to, photographs, slides, and any other graphics that would enhance the content and/or appearance of the report.

5. INSPECTION AND AUDIT

The District shall maintain all books, records, documents, and other evidence pertaining to the costs and expenses allowable under this Agreement in accordance with generally accepted accounting practices. All such books and records required to be maintained by this Agreement shall be subject to inspection and audit by representatives of the City and/or the Washington State Auditor at all reasonable times, and the District shall afford the proper facilities for such inspection and audit. Representatives of the City and/or the Washington State Auditor may copy such books, accounts, and records if necessary to conduct or document an audit. The District shall preserve and make available all such books of account and records for a period of five (5) years after final payment under this Agreement. In the event that any audit or inspection identifies any discrepancy in such financial records, the District shall provide the City with appropriate clarification and/or financial adjustments within thirty (30) calendar days of notification of the discrepancy.

6. INDEPENDENT CONTRACTOR

A. The District and the City understand and expressly agree that the District is an independent contractor in the performance of each and every part of this Agreement. The District expressly represents, warrants, and agrees that its status as an independent contractor in the performance of the work and services required under this Agreement is consistent with and meets the six-part independent contractor test set forth in RCW 51.08.195. The District, as an independent contractor, assumes the entire responsibility for carrying out and accomplishing the services required under this Agreement. The District shall make no claim of City employment nor shall claim any related employment benefits, social security, and/or retirement benefits.

B. The District shall be solely responsible for paying all taxes, deductions, and assessments, including but not limited to federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Agreement. In the event the City is assessed a tax or assessment as a result of this Agreement, the District shall pay the same before it becomes due.

C. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the District performs hereunder.

7. NONDISCRIMINATION AND COMPLIANCE WITH LAWS

A. The District agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, sexual orientation, age, disability, or other circumstance prohibited by federal, state, or local law or ordinance, except for a bona fide occupational qualification.

B. The District shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this Agreement.

C. Violation of this Section 7 shall be a material breach of this Agreement and grounds for cancellation, termination, or suspension by the City, in whole or in part, and may result in ineligibility for further work for the City.

8. TERM AND TERMINATION OF AGREEMENT

A. Once executed by both parties, this Agreement shall become effective on December 31, 2018, and shall continue in full force until December 31, 2020, unless sooner terminated by either party as provided below.

B. This Agreement may be terminated by either party without cause upon thirty (30) days' written notice to the other party. In the event of termination, all finished or unfinished documents, reports, or other material or work of the District pursuant to this Agreement shall be submitted to the City, and the District shall be entitled to just and equitable compensation as set forth in Section 2 for any satisfactory work or services completed prior to the date of termination.

9. HOLD HARMLESS AND INDEMNIFICATION

A. The District agrees to protect, defend, indemnify, and hold harmless the City, its elected officials, officers, employees, agents, and volunteers from any and all claims, demands, losses, liens, liabilities, penalties , fines, lawsuits, and other proceedings and all judgments, awards, costs, and expenses (including reasonable attorneys' fees and disbursements) caused by or occurring by reason of any negligent act, error, or omission of the District, its officers, employees, or agents, arising out of or in connection with the performance or non-performance of the services, duties, and obligations required of the District under this Agreement.

B. In the event that the District and the City are both negligent, then the District's liability for indemnification of the City shall be limited to the contributory negligence for any resulting suits, actions, claims, liability, damages, judgments, costs, and expenses (including reasonable attorneys' fees and disbursements) that can be apportioned to the District, its officers, employees, and agents.

C. The foregoing indemnity is specifically and expressly intended to constitute a waiver of the immunity of the District under Washington's Industrial Insurance Act, RCW Title 51, as respects the other party only, and only to the extent necessary to provide the indemnified party with a full and complete indemnity of claims made by the employees of the District. The parties acknowledge that these provisions were specifically negotiated and agreed upon by them.

D. The City's inspection or acceptance of any of the District's work when completed shall not be grounds to avoid any of these covenants of indemnification.

E. Nothing contained in this section of this Agreement shall be construed to create a liability or a right of indemnification in any third party.

F. The provisions of this section shall survive the expiration or termination of this Agreement with respect to any event occurring prior to such expiration or termination.

10. INSURANCE

The District shall maintain insurance as follows:

[X] Commercial General Liability as described in Attachment B.
[ ] Professional Liability as described in Attachment B.
[X] Automobile Liability as described in Attachment B.
[ ] None

The District shall comply with the provisions of RCW Title 51, Industrial Insurance. For the duration of this Agreement, the District shall provide or purchase industrial insurance coverage for its employees, as may be required of an "employer" as defined in Title 51 RCW and shall maintain full compliance with Title 51 RCW.

11. SUBLETTING OR ASSIGNING CONTRACT

The District shall not assign or subcontract any portion of the services provided within the terms of this Agreement without obtaining prior written approval from the City. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of the District as stated herein.

12. EXTENT OF AGREEMENT/MODIFICATION

This Agreement, together with attachments or addenda, represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended, modified, or added to only by written instrument properly signed by both parties.

13. SEVERABILITY

A. If a court of competent jurisdiction holds any part, term, or provision of this Agreement to be illegal or invalid, in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Agreement did not contain the particular provision held to be invalid.

B. If any provision of this Agreement is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict and shall be deemed modified to conform to such statutory provision.

14. FAIR MEANING

The terms of this Agreement shall be given their fair meaning and shall not be construed in favor of or against either party hereto because of authorship. This Agreement shall be deemed to have been drafted by both of the parties.

15. NON-WAIVER

A waiver by either party hereto of a breach by the other party hereto of any covenant or condition of this Agreement shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay, or failure of either party to insist upon strict performance of any agreement, covenant, or condition of this Agreement, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such agreement, covenant, condition, or right.

16. NOTICES

Unless stated otherwise herein, all notices and demands shall be in writing and sent or hand-delivered to the parties at their addresses as follows:

To the City:	City of Bainbridge Island 280 Madison Avenue North Bainbridge Island, WA 98110 Attention: City Manager Phone: (206) 842-2545
To the District:	Kitsap Conservation District 10332 Central Valley Rd Poulsbo, WA 98370 Attention: Chair of the Board of Supervisors Phone: (360) 204-5529 Fax: (360) 204-5519

or to such addresses as the parties may hereafter designate in writing. Notices and/or demands shall be sent by registered or certified mail, postage prepaid, or hand-delivered. Such notices shall be deemed effective when mailed or hand-delivered at the addresses specified above.

17. SURVIVAL

Any provision of this Agreement which imposes an obligation after termination or expiration of this Agreement shall survive the term or expiration of this Agreement and shall be binding on the parties to this Agreement.

18. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

19. VENUE

The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington for Kitsap County, Washington.

20. COUNTERPARTS

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the later of the signature dates included below.

KITSAP CONSERVATION DISTRICT	CITY OF BAINBRIDGE ISLAND
A. Allpress	M Smith
Chair, Board of Supervisors	Morgan Smith, City Manager
Date: 12/10/18	Date: 11/20/18

ATTACHMENT A

Annual Scope of Work for Agricultural Technical Assistance Between the City of Bainbridge Island and the Kitsap Conservation District

PURPOSE

The City of Bainbridge Island ("City") currently has over 1,400 acres of agricultural lands. Many of these farms are required to establish and implement farms plans in accordance with provisions in the City's Municipal Code. The City and the Kitsap Conservation District (the "District") share a common goal to promote best management practices ("BMPs") to protect water quality, provide education to landowners on agricultural impacts, and support the use of low impact development practices. Well-designed conservation practices increase farm productivity while protecting water quality and reducing soil erosion. The District has the expertise and experience to provide Farm Plans to meet the requirements of BIMC 18.09.030 and to provide assistance on land management activities and their impacts on natural resources. In providing these services, the District assists with compliance of the City's Municipal Permit, including assistance with the Illicit Discharge Detection Elimination Program and education/outreach.

The City and the District desire to enter into this Agreement and continue to work collaboratively in providing information and services to property owners.

SCOPE OF WORK

The District will partner with the City to develop and accomplish the following tasks:

- Task 1- Respond to referrals
- Task 2 - Education and outreach
- Task 3 - Develop resource management plans (farm plans)
- Task 4 - BMP Design
- Task 5 - BMP installation
- Task 6 - BMP inspection and maintenance
- Task 7 - Inventory
- Task 8 - Administration and reporting

TASK 1 - RESPOND TO REFERRALS

Objective: Respond to and address water quality and fish and wildlife related referrals from the City and the Kitsap Public Health District (KPHD).

Scope:

1.1 Respond to referrals from the City. Requests may be generated from: 1) conditional use permits; 2) building permit processes that require farm plans and/or livestock waste management plans; 3) sites which may impact sensitive land areas including but not limited to aquatic critical areas; 4) grading permits associated with farming activity; and 5) stormwater issues for fish passage and barrier problems on private land.

1.2 Respond to referrals from the City's Department of Planning and Community Development to assist in the review of Retail Plans under the category Agricultural Activity when: 1) livestock are raised and/or maintained on the property; 2) livestock waste is being utilized on property as a soil amendment; and 3) additional assurances for surface water protection are necessary for year-round agricultural activities.

1.3 Respond to water quality and solid waste complaints on Bainbridge Island referred by the KPHD. The referrals may be water quality complaints, or a solid waste enforcement action associated with agricultural activity.

1.4 Respond to water quality and solid waste complaints referred by the City's Water Resources Program. These may be water quality complaints, solid waste enforcement actions associated with agricultural activity, or findings of an Illicit Discharge Detection and Elimination (IDDE) investigation.

TASK 2 - EDUCATION AND OUTREACH

Objective: Promote public knowledge of local natural resources and fish habitat issues. Maintain a Conservation District agricultural and natural resource educational program.

Scope:

2.1 Maintain effective working relationships with local media and community groups on Bainbridge Island. Submit articles to Bainbridge Island media involving local conservation issues and actions being taken by the District. Participate in selected Bainbridge Island public events.

2.2 Maintain a mailing list of Bainbridge landowners interested in agriculture, natural resource conservation practices, and fish and wildlife habitat. Publish and distribute the District's newsletters to Bainbridge Island residents who are on the District's mailing list.

2.3 Inform landowners of rain garden workshops conducted throughout the county. Technical specifications will be made available to the public through the WSU rain garden specification manual, District engineering and design staff, and through online sources. The District will provide additional outreach opportunities through the District's Annual Tree Sale, newsletters, and social media.

2.4 The District will maintain a program offering District speakers, sponsoring special interest events, and accepting invitations to make community presentations. The District will coordinate the development and maintenance of this program with the City, KPHD, WSU Extension, and other existing educational programs.

2.5 Identify and/or recommend resources (websites, local and national agencies, nonprofit groups, etc.) that publish materials or documents the City could potentially utilize for education and IDDE associated with agriculture.

TASK 3 - DEVELOP RESOURCE MANAGEMENT PLANS (FARM PLANS)

Objective: Protect surface water bodies from potential sources of contamination caused by agricultural-related land use. Provide technical services to landowners. Promote cooperative solutions. Facilitate federal, state, and local incentive programs.

Scope:

3.1 Offer farm-planning services that inventory existing conditions, evaluate resource needs, and recommend alternative farm management practices that protect humans and the quality of soil, water, animals, plants, and air.

3.2 Encourage and offer assistance regarding the preservation and enhancement of fish and wildlife habitat as part of the District's technical services. The District will stay apprised of Clean Water Act and Endangered Species Act regulations, threats, and associated action recommendations that may affect City residents.

3.3 Provide nutrient management plans for crop farms when: 1) livestock waste is utilized for nutrient application purposes; 2) livestock waste is generated or transported to a crop farm and will be stored and/or composted on site for later land application; and 3) an opportunity exists to demonstrate or model to the public for education purposes the storage and utilization of livestock waste as a component of sustainable agricultural land use.

3.4 As directed by the Clean Water Act, Endangered Species Act, and Farm Bill, the District will facilitate all programs and coordinate efforts with the Farm Services Agency (FSA), Natural Resources Conservation Service (NRCS), and U.S. Fish & Wildlife Service, as well as with state agencies including the Conservation Commission, Department of Ecology, Washington Department of Fish & Wildlife (WDFW), and the Puget Sound Partnership for the benefit of agriculture.

3.5 Assist landowners with the application process for eligible incentive and cost-share programs. These programs may include land that is in agricultural use or land that emphasizes fish and wildlife habitat issues.

3.6 Provide landowners technical assistance for LID practice designs and installations.

TASK 4 - BMP DESIGN

Objective: Provide agronomic and engineering design services that support natural resource protection in City watersheds. Provide designs for BMPs that meet USDA Natural Resources Conservation Service standards and specifications. Develop alternative cost-effective BMPs that are suitable for a specific site's needs and the financial needs of landowners. Provide landowners with rain garden designs.

Scope:

4.1 Deliver a completed design package to Bainbridge Island landowners with appropriate construction and material specifications included. Staff will maintain a direct presence with construction, project coordination, and implementation.

4.2 When existing NRCS standards and specifications are beyond the scope of a particular project site, staff will seek and/or develop alternative designs. On a site-specific basis, the District will utilize alternative design providers and coordinate design efforts with City and local consulting engineers.

TASK 5 - BMP IMPLEMENTATION AND INSTALLATION

Objective: Improve water quality and fish and wildlife habitat in Bainbridge Island watersheds by facilitating and assisting with the implementation of BMPs. Provide technical services to cooperators for implementation of farm management practices and habitat enhancement efforts. Offer contracted and/or volunteer labor forces for installation of BMPs. Coordinate joint installation. Provide technical support for rain garden installation.

Scope:

5.1 Assist cooperating landowners with supplies and materials lists for implementation of agricultural best management practices and provide on-site project management to oversee installation.

5.2 Assist with the processing of cost-share reimbursement or other incentive program components.

5.3 Whenever funding is available, contract annually for work crews with the Department of Ecology's Washington Conservation Corp (WCC) for the City. Offer WCC crews to District and partner agency project sites on Bainbridge Island.

5.4 Coordinate volunteer labor for the implementation of planting projects with the City's Watershed Council, local schools, and community groups.

5.5 Seek partnerships with the WDFW, Regional Fisheries Enhancement groups, local tribes, and other local agencies and community groups to combine efforts for project implementation.

5.6 Assist cooperating landowners with supplies and materials lists for implementation of rain gardens and other Low Impact Development/Green Stormwater Solutions (LID/GSS) and, if necessary, provide on-site project management to oversee installation.

TASK 6 - BMP INSPECTION AND MAINTENANCE

Objective: Determine the operational effectiveness of BMPs on water quality and habitat within the City. Monitor the operation and maintenance of installed BMPs. Demonstrate BMPs.

Scope:

6.1 Evaluate individual farm and habitat BMPs for operational efficiency and ease of maintenance. Provide follow-up assistance to landowners. Encourage landowners to maintain and monitor farm and habitat BMPs for maximum efficiency and seek to meet landowner needs for solutions to maintenance problems.

6.2 Use projects as demonstration sites for other potential cooperators or agencies.

TASK 7 – INVENTORY

Objective: Address non-point pollution caused by inadequate agricultural management practices. Identify, prioritize, and map agriculturally related property within the City.

Scope:

7.1 Update the existing inventory of agricultural properties annually.

7.2 As part of the inventory process, District staff shall prioritize inventoried sites based on their potential to pollute. Criteria include livestock proximity to surface water, livestock waste management, pasture condition, and other visual assessments. The District will follow-up with technical assistance services based on the prioritization. The District's priority list will be reevaluated annually.

7.3 Inventoried and prioritized properties will be entered into a GIS database based on the parcel's tax identification number. The database entries will be updated annually. The District will produce a GIS map, updated as necessary.

7.4 The District will provide an overlay of agricultural properties as well as fish barrier sites on a habitat refugia map based on the Kitsap County Fish Habitat Refugia Study.

TASK 8 - ADMINISTRATION AND REPORTING

Objective: To provide project management, including communication, submit billing invoices, and submit annual and progress reports.

Scope:

8.1 Project management efforts shall include conducting, coordinating, and scheduling project activities, including quality control.

8.2 Communication with the City shall be through email, consultation meetings, and phone discussions.

8.3 Billing invoices, progress reports, and supportive documentation shall be submitted to the City's Project Manager on a quarterly basis.

8.4 The District shall maintain all records throughout the duration of the Agreement and archive those records for an additional five years for audit purposes.

Program Breakout	Proposed Budget
Planner Budget	**$30,000.00**
Fiscal Administration	**$1,000.00**
WA Conservation Crew, Equipment rental	**$5,000.00**
Travel	**$200.00**
Overhead	**$7,750.00**
Total	**$43,950.00**

ATTACHMENT B

Based on the types of insurance identified in Section 10 of the Agreement, the following insurance coverage shall be maintained by the District pursuant to this Agreement:

Insurance against claims for injuries to persons or damage to property arising out of or in connection with the performance of this Agreement by the District, its officers, employees, and agents:

A. Automobile Liability Insurance with limits no less than $ 1,000,000.00 combined single limit per accident for bodily injury and property damage.

B. Commercial General Liability Insurance written on an occurrence basis with limits no less than $1,000,000.00 combined single limit per occurrence and $2,000,000.00 aggregate for personal injury, bodily injury, and property damage. Coverage shall include, but not be limited to blanket contractual; products/completed operations; broad form property damage; explosion, collapse and underground (XCU) if applicable; and employer's liability.

Before commencing work and services, the District shall provide to the person identified in Section 16 of the Agreement a Certificate of Insurance evidencing the required insurance. The City reserves the right to request and receive a certified copy of all required insurance policies.

Any payment of a deductible or self-insured retention shall be the sole responsibility of the District. The City shall be named as an additional insured on the Commercial General Liability Insurance Policy, with regard to work and services performed by or on behalf of the District, and a copy of the endorsement naming the City as an additional insured shall be attached to the Certificate of Insurance.

The insurance policies: (1) shall state that coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability; (2) shall be primary insurance with regard to the City; and (3) shall state that the City will be given at least 30 days' prior written notice of any cancellation, suspension, or material change in coverage.

Kitsap Conservation District

2019 City of Bainbridge Island
Agriculture Assistance
2019 Final Report

Contract period: January 01, 2019 - December 31, 2020
Annual contract amount: $43,950.00

Annual Scope of Work for Agricultural Technical Assistance between the City of Bainbridge Island and the Kitsap Conservation District

PURPOSE

The City of Bainbridge Island (the "City") currently has over 1,400 acres of agricultural lands. Many of these farms are required to establish and implement farms plans in accordance with provisions in the City's Municipal Code. The City and the Kitsap Conservation District (the "District") share a common goal to promote Best Management Practices ("BMPs") to protect water quality, provide education to landowners on agricultural impacts, and support the use of Low Impact Development practices. Well-designed conservation practices increase farm productivity while protecting water quality and reducing soil erosion. The District has the expertise and experience to provide Farm Plans to meet the requirements of Bainbridge Island Municipal Code Section 18.09.030 and to provide assistance on land management activities and their impacts on natural resources. In providing these services, the District assists with compliance of the City's Municipal Permit, including assistance with the Illicit Discharge Detection Elimination Program and education/outreach.

The City and the District desire to enter into this Agreement and continue to work collaboratively in providing information and services to property owners.

SCOPE OF WORK

The District will partner with the City to develop and accomplish the following tasks:

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TASK 1 - RESPOND TO REFERRALS

Objective: Respond to and address water quality and fish and wildlife related referrals from the City and the Kitsap Public Health District (KPHD).

Scope:

1.1 Respond to referrals from the City. Requests may be generated from: 1) conditional use permits, 2) building permit processes that require farm plans and/or livestock waste management plans, 3) sites which may impact sensitive land areas including but not limited to aquatic critical areas, 4) grading permits associated with farming activity, and 5) stormwater issues for fish passage and barrier problems on private land.

1.2 Respond to referrals from the City's Department of Planning and Community Development to assist in the review of Retail Plans under the category Agricultural Activity when: 1) livestock are raised and/or maintained on the property, 2) livestock waste is being utilized on property as a soil amendment, and 3) additional assurances for surface water protection are necessary for year-round agricultural activities.

1.3 Respond to water quality and solid waste complaints referred by the KPHD. The referrals may be water quality complaints or a solid waste enforcement action associated with agricultural activity.

1.4 Respond to water quality and solid waste complaints referred by the City's Water Resources Program. These may be water quality complaints, solid waste enforcement actions associated with agricultural activity, or findings of an Illicit Discharge Detection and Elimination (IDDE) investigation.

Task 1 - Respond to Referrals - Work completed

- *Stranahan (15541 Sunrise Drive)* – COBI Code Enforcement recommended Mr. Stranahan contact KCD as result of a complaint of too many goats on the property. Mr. Stranahan contacted KCD staff January 30, 2019. KCD staff visited the property and the landowner agreed to remove all but two goats. KCD staff recommended confining the remaining goats to a smaller area and creating another fenced area away from wet areas. KCD staff will provide the landowner with a Farm Plan to help manage the property. A Farm Plan was delivered to Mr. Stranahan on September 17, 2019
- *Odell (2503 Toe Jam Hill Rd)* – KCD was contacted by Ms. Odell, on January 10th, 2019, as a result of water quality complaints filed with COBI Public Works. KCD staff visited the horse property, on January 11th, 2019, and discussed the concerns with Ms. Odell. There was a large accumulation of horse manure, which was partially covered. KCD staff recommended removing the manure from the property and considering either the construction of a manure bin to compost and store manure, or to clean stalls directly into a dump trailer and haul off on a weekly basis. KCD staff provided the landowners with a

Waste Storage Facility design to store up to six months of manure. KCD staff informed the landowners the project may qualify for funding from the Washington Conservation Commission in the next round of funding in July 2019. The Landowners decided to work on the Waste Storage Structure on their own. It is unknown at this time if a roofed structure was completed. Manure from the site is being hauled off site and a portion of it is being delivered to Heyday Farm's composting facility.

- *Block (9690 Bucsit Lane)* – COBI Code Enforcement recommended Mr. Block contact KCD as result of a neighbor's complaint of pigs on the property. Mr. Block contacted KCD staff April 1, 2019. Mr. Block is a farmer that is using the property to raise pigs for a restaurant on the island. KCD staff visited the property, on April 2, 2019, and the number of pigs did exceed the livestock density code. Mr. Block rotates the pigs through five pastures and reseeds each pasture once the pigs are moved to a new area. This is an excellent management practice to raise pigs on small properties. KCD staff will develop a Farm Plan to allow Mr. Block to continue raising pigs on the property.
- *Williams* – Ms. Williams contacted KCD, on January 10, 2019, for recommendations on how to look for livestock property on the island and information about livestock density codes.

TASK 2 - EDUCATION AND OUTREACH

Objective: Promote public knowledge of local natural resources and fish habitat issues. Maintain a Conservation District agricultural and natural resource educational program.

Scope:

2.1 Maintain effective working relationships with local media and community groups on Bainbridge Island. Submit articles to Island media involving local conservation issues and actions being taken by the District. Participate in selected Bainbridge Island public events.

2.2 Maintain a mailing list of Bainbridge landowners interested in agriculture, natural resource conservation practices, and fish and wildlife habitat. Publish and distribute the District's newsletters to Island residents who are on the District's mailing list.

2.3 Inform landowners of rain garden workshops conducted throughout the county. Technical specifications will be made available to the public through the WSU rain garden specification manual, District engineering and design staff, and through online sources. The District will provide additional outreach opportunities through the District's Annual Tree Sale, District newsletters, and social media.

2.4 The District will maintain a program offering District speakers, sponsoring special interest events, and accepting invitations to make community presentations. The District will coordinate the development and maintenance of this program with the City, KPHD, WSU Extension, and other existing educational programs.

2.5 Identify and/or recommend resources (websites, local and national agencies, nonprofit groups, etc.) that publish materials or documents the City could potentially utilize for education and IDDE associated with agriculture.

Task 2 - Education and Outreach - Work completed

- *Firewise – Bainbridge Island Library – May 15th, 2019 –* Mr. Fossett, Bainbridge Island Library, contacted KCD staff on November 28th, 2018, to do a Firewise presentation. Three people attended a PowerPoint presentation on best management practices that could be implemented on properties to reduce the potential of a wildland fire adversely affecting their house and other structures.
- *WSU Rain Gardens and More workshop – February 23, 2019* - KCD staff attended the workshop and answered a few questions about KCD programs.
- *Springbrook Creek neighborhood meeting – February 28th, 2019* - KCD staff setup an informational display
- *Winney Farm Tour –September 29th, 2019* - KCD staff led a farm tour of the Winney Farm for a group of folks who had won an auction item at a local fundraiser to spend an afternoon and dinner with David Montgomery. David is a professor of Earth and Space Sciences at the University of Washington. He wrote *Dirt* and *Growing A Revolution* as well as many other books.

TASK 3 - DEVELOP RESOURCE MANAGEMENT PLANS (FARM PLANS)

Objective: Protect surface water bodies from potential sources of contamination caused by agricultural-related land use. Provide technical services to landowners. Promote cooperative solutions. Facilitate federal, state, and local incentive programs.

Scope:

3.1 Offer farm-planning services that inventory existing conditions, evaluate resource needs, and recommend alternative farm management practices that protect humans and the quality of soil, water, animals, plants, and air.

3.2 Encourage and offer assistance regarding the preservation and enhancement of fish and wildlife habitat as part of the District's technical services. The District will stay apprised of Clean Water Act and Endangered Species Act regulations, threats, and associated action recommendations that may affect City residents.

3.3 Provide nutrient management plans for crop farms when: 1) livestock waste is utilized for nutrient application purposes, 2) livestock waste is generated or transported to a crop farm and will be stored and/or composted on site for later land application, and 3) an opportunity exists to demonstrate or model to the public for education purposes the storage and utilization of livestock waste as a component of sustainable agricultural land use.

3.4 As directed by the Clean Water Act, Endangered Species Act, and Farm Bill, the District will facilitate all programs and coordinate efforts with the Farm Services Agency (FSA), Natural Resources Conservation Service (NRCS), and U.S. Fish & Wildlife Service, as well as with state agencies including the Conservation Commission, Department of Ecology, Washington Department of Fish & Wildlife (WDFW), and the Puget Sound Partnership for the benefit of agriculture.

3.5 Assist landowners with the application process for eligible incentive and cost-share programs. These programs may include land that is in agricultural use or land that emphasizes fish and wildlife habitat issues.

3.6 Provide landowners technical assistance for LID practice designs and installations.

Task 3 - Develop Resource Management Plans (Farm Plans) - Work completed

- *Odell (2503 Toe Jam Hill Rd)* –KCD staff will work with the landowner to develop a Farm Plan for his farm and to apply for potential cost share to construct a Waste Storage Structure for storing horse manure.
- *Dunn (6556 Ridge Lane)* – KCD staff completed a Farm Plan for the landowner. Plan was delivered April 23, 2019
- *Madden (7056 New Brooklyn)* – KCD staff assisted the landowner with the construction of a greenhouse that was funded by a USDA Grant.
- *Stone (13586 Ellingsen)* – KCD staff was contacted by Ms. Stone to help with options to eradicate Creeping Buttercup from her pastures. KCD staff sent Ms. Stone information on how to improve her pastures.
- *Torres (6376 Tolo Rd)* – Mr. Torres contacted KCD for information on soil testing and how to improve pasture production. KCD assisted the landowner with obtaining a soil test and sent pasture renovation information.
- *Williams (13940 Ellingsen)* – Ms. Williams is a realtor who request a joint site visit with a potential buyer of the property. The buyer was interested in determining if the property was suitable for housing two horses. KCD staff advised the landowner the property was dry, but very shady and would not support healthy pastures. The landowner intended to feed the horses purchased feed and was not intending to create pastures.
- *Steyer* – Mr. Steyer contacted KCD for information on mushroom growing. His name is recognized on the island, as he has been growing mushrooms for years.
- *Lofgren (Friends of the Farms)* – Mr. Lofgren contacted KCD for soil testing procedures and where to send samples.
- *Fleming (10878 Skinner)* – Mr. Fleming contacted KCD staff for recommendations on contractors who may be able to help with drainage issues on his small farm.
- *Block (9690 Bucsit Lane)* –Mr. Block contacted KCD as a result of a neighbor's complaint. He is raising pigs. KCD staff will work with the landowner and farmer to develop a Farm Plan for the property. A Farm Plan was e-mailed to Mr. Block April 4,

2019. KCD staff worked with Mr. Block to obtain soil tests for the property. The intent of the soil tests is to ensure that soil nutrient levels are not too high leading into winter and the rainy season

- *Stranahan (15541 Sunrise Dr)* –KCD staff completed a Farm Plan for Mr. Stanahan to address a livestock density code violation, but unfortunately, he decided to remove the goats form his property.
- *Wolfstrom (9300 Morgan Rd)* – Mr. Wolfstrom contacted KCD staff to develop a Farm Plan for Open Space Agriculture. A plan was developed and delivered to the landowners on December 27th 2019.
- *Rich (Quail Hill Rd)* – Ms. Rich contacted KCD staff to help with plant species recommendations and mulching equipment.
- *Mar (12925 Madison Ave)* – Ms. Mar contacted KCD staff to assist with Heavy Use Area design for her small farm. KCD staff visited the site and offered recommendations.
- *Larson(6850 NE Day Rd)* – Ms. Larson contacted KCD staff to visit the farm to discuss manure management options. A site visit will be set up in early 2020

TASK 4 - BMP DESIGN

Objective: Provide agronomic and engineering design services that support natural resource protection in City watersheds. Provide designs for BMPs that meet USDA Natural Resources Conservation Service standards and specifications. Develop alternative cost-effective BMPs that are suitable for a specific site's needs and the financial needs of landowners. Provide landowners with rain garden designs.

Scope:

4.1 Deliver a completed design package to landowners with appropriate construction and material specifications included. Staff will maintain a direct presence with construction, project coordination, and implementation.

4.2 When existing NRCS standards and specifications are beyond the scope of a particular project site, staff will seek and/or develop alternative designs. On a site-specific basis, the District will utilize alternative design providers and coordinate design efforts with City and local consulting engineers.

Task 4 - BMP Design - Work completed

- *Odell (2503 Toe Jam Hill Rd)* – KCD staff provided the landowners with design options, on January 22, 2019, for a Waste Storage Facility for their horse boarding facility.

- *Torres (6376 Tolo Rd) – May 23, 2019 –* KCD staff provided the landowners with pasture renovation instructions.

TASK 5 - BMP IMPLEMENTATION AND INSTALLATION

Objective: Improve water quality and fish and wildlife habitat in Bainbridge Island watersheds by facilitating and assisting with the implementation of BMPs. Provide technical services to cooperators for implementation of farm management practices and habitat enhancement efforts. Offer contracted and/or volunteer labor forces for installation of BMPs. Coordinate joint installation. Provide technical support for rain garden installation.

Scope:

5.1 Assist cooperating landowners with supplies and materials lists for implementation of agricultural best management practices and provide on-site project management to oversee installation.

5.2 Assist with the processing of cost-share reimbursement or other incentive program components.

5.3 Whenever funding is available, contract annually for work crews with the Department of Ecology's Washington Conservation Corp (WCC) for the City. Offer WCC crews to District and partner agency project sites on Bainbridge Island.

5.4 Coordinate volunteer labor for the implementation of planting projects with the City's Watershed Council, local schools, and community groups.

5.5 Seek partnerships with the WDFW, Regional Fisheries Enhancement groups, local tribes, and other local agencies and community groups to combine efforts for project implementation.

5.6 Assist cooperating landowners with supplies and materials lists for implementation of rain gardens and other Low Impact Development/Green Stormwater Solutions (LID/GSS) and if necessary, and provide on-site project management to oversee installation.

Task 5 - BMP Implementation and Installation - Work completed

- *Heyday Farm – 5145 McDonald Ave*
    - *Prescribed Grazing (528) – 8 acres*
    - *Nutrient Management (590) – 5 acres*
- *Mar (12925 Madison Ave)*
    - Heavy Use Area Protection

TASK 6 - BMP INSPECTION AND MAINTENANCE

Objective: Determine the operational effectiveness of BMPs on water quality and habitat within the City. Monitor the operation and maintenance of installed BMPs. Demonstrate BMPs.

Scope:

6.1 Evaluate individual farm and habitat BMPs for operational efficiency and ease of maintenance. Provide follow-up assistance to landowners. Encourage landowners to maintain and monitor farm and habitat BMPs for maximum efficiency and seek to meet landowner needs for solutions to maintenance problems.

6.2 Use projects as demonstration sites for other potential cooperators or agencies.

Task 6 - BMP Inspection and Maintenance - Work completed

- *Countryman (5349 McDonald Ave)* – KCD staff visited the site to inspect the filter strip installed last fall. The filter strip was in very good condition and is functioning as designed.

TASK 7 – INVENTORY

Objective: Address non-point pollution caused by inadequate agricultural management practices. Identify, prioritize, and map agriculturally related property within the City.

Scope:

7.1 Update the existing inventory of agricultural properties annually.

7.2 As part of the inventory process, District staff shall prioritize inventoried sites based on their potential to pollute. Criteria include livestock proximity to surface water, livestock waste management, pasture condition, and other visual assessments. The District will follow-up with technical assistance services based on the prioritization. The District's priority list will be reevaluated annually.

7.3 Inventoried and prioritized properties will be entered into a GIS database based on the parcel's tax identification number. The database entries will be updated annually. The District will produce a GIS map, updated as necessary.

7.4 The District will provide an overlay of agricultural properties as well as fish barrier sites on a habitat refugia map based on the Kitsap County Fish Habitat Refugia Study.

Task 7 - Inventory - Work completed

- Kitsap Conservation District Staff has been updating the Kitsap County Agriculture Inventory GIS map. The map shows agricultural properties throughout the county and will be available

on the Kitsap County web site in the future. The agricultural map will also show sources of locally grown food.

- The Agricultural Inventory consists of all small farm properties identified by KCD that are engaged in agricultural activity. Activities include pastureland, cropland, tree farms and livestock operations. Livestock operations range from as small as a few chickens to large horse boarding facilities. Small farms are important to the lifestyle and quality of life of the families who live and work on the farms and their non-farm neighbors. Small farm operations make local purchases that are important to other businesses in the community.
- KCD staff was requested to identify all livestock types associated with Springbrook Creek. A short summary was sent to COBI staff.
- To date, 211 landowners with a total of 1475 acres have been identified. 163 of the farms (approximately 973 acres) identified have livestock. Livestock type is as follows – 60% horse, 15% sheep, 10% ratitae, 8% goats, 3% cattle and 2% poultry. Six sites received a pollution rating of 1 or 2 and are considered high priority.

  - 1 – High priority 1 sites
  - 2 - Med / High 7 sites
  - 3 - Moderate priority 82 sites
  - 4 - Med / Low 84 sites
  - 5 – Low priority 37 sites

TASK 8 - ADMINISTRATION AND REPORTING

Objective: To provide project management, including communication, submit billing invoices, and submit annual and progress reports.

Scope:

8.1 Project management efforts shall include conducting, coordinating, and scheduling project activities, including quality control.

8.2 Communication with the City shall be through email, consultation meetings, and phone discussions.

8.3 Billing invoices, progress reports, and supportive documentation shall be submitted to the City's Project Manager on a quarterly basis.

8.4 The District shall maintain all records throughout the duration of the Agreement and archive those records for an additional five years for audit purposes.

- KCD staff submits billings and reports on a quarterly basis.

Program Breakout	Proposed Budget

Planner Budget	**$30,000.00**
Fiscal Administration	**$1,000.00**
WA Conservation Crew, Equipment rental	**$5,000.00**
Travel	**$200.00**
Overhead	**$7,750.00**
Total	**$43,950.00**

Kitsap Conservation District

BAINBRIDGE ISLAND AGRICULTURAL AND WATER QUALITY ASSISTANCE PROGRAM

2018 ANNUAL PROGRAM REPORT

Three Days of Preparedness

Submitted by Brian Stahl
Program Coordinator

January 2019

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MISSION STATEMENT

The Kitsap Conservation District commits itself to:

- Guiding conservation without regulation
- Educating by demonstration
- Forming partnerships to accomplish more

We dedicate ourselves to involving the community in better farming practices and natural resource protection now and for the future.

Bainbridge Island Agricultural and Water Quality Assistance Program

2018 ANNUAL REPORT

Report Period January 1, 2018 through December 31, 2018

The following annual program report is submitted in accordance with an Interlocal Agreement between the Kitsap Conservation District and the City of Bainbridge Island, dated January 27th, 2015.

PURPOSE

The City of Bainbridge Island (the "City") currently has over 1,400 acres of agricultural lands. Many of these farms are required to establish and implement farms plans in accordance with provisions in the City's Municipal Code. The City and the Kitsap Conservation District (the "District") share a common goal to promote Best Management Practices ("BMPs") to protect water quality, provide education to landowners on agricultural impacts, and support the use of Low Impact Development practices. Well-designed conservation practices increase farm productivity while protecting water quality and reducing soil erosion. The District has the expertise and experience to provide Farm Plans to meet the requirements of Bainbridge Island Municipal Code Section 18.09.030 and to provide assistance on land management activities and their impacts on natural resources. In providing these services, the District assists with compliance of the City's Municipal Permit, including assistance with the Illicit Discharge Detection Elimination Program and education/outreach.

The City and the District desire to enter into this Agreement and continue to work collaboratively in providing information and services to property owners.

SCOPE OF WORK

The District will partner with the City to develop and accomplish the following tasks:

- Task 1- Respond to referrals
- Task 2 - Education and outreach
- Task 3 - Develop resource management plans (farm plans)
- Task 4 - BMP Design
- Task 5 - BMP installation
- Task 6 - BMP inspection and maintenance
- Task 7 - Inventory
- Task 8 - Administration and reporting

TASK 1 - RESPOND TO REFERRALS

Objective: Respond to and address water quality and fish and wildlife related referrals from the City and the Kitsap Public Health District (KPHD).

Scope:

1.1 Respond to referrals from the City. Requests may be generated from: 1) conditional use permits, 2) building permit processes that require farm plans and/or livestock waste management plans, 3) sites which may impact sensitive land areas including but not limited to aquatic critical areas, 4) grading permits associated with farming activity, and 5) stormwater issues for fish passage and barrier problems on private land.

1.2 Respond to referrals from the City's Department of Planning and Community Development to assist in the review of Retail Plans under the category Agricultural Activity when: 1) livestock are raised and/or maintained on the property, 2) livestock waste is being utilized on property as a soil amendment, and 3) additional assurances for surface water protection are necessary for year-round agricultural activities.

1.3 Respond to water quality and solid waste complaints referred by the KPHD. The referrals may be water quality complaints or a solid waste enforcement action associated with agricultural activity.

1.4 Respond to water quality and solid waste complaints referred by the City's Water Resources Program. These may be water quality complaints, solid waste enforcement actions associated with agricultural activity, or findings of an Illicit Discharge Detection and Elimination (IDDE) investigation.

Task 1 - Respond to Referrals - Work completed

- *Sassenfeld (3377 Tani Creek)* – City of Bainbridge Island Water Resource Department staff contacted KCD staff with a potential erosion concern complaint on Tani Creek Farm. The City asked KCD staff to try to contact Mr. Sassenfeld since the landowner was not returning City phone calls. KCD staff was able to contact the landowner and completed a site visit. The area of concern was a pasture renovation project recommended in the Conservation Farm Plan, and there was no evidence of erosion. KCD staff contacted City staff with the results of the site visit.
- *Borgnino (7269 Bergman Rd)* – KCD staff was contacted by City Of Bainbridge Island Water Resource Department staff to determine if the property had an existing Conservation Farm Plan and if we have worked with the current landowner. KCD responded that we have worked with previous owners about 15 years ago and there were no livestock on the property at that time. The landowner has not contacted KCD.

TASK 2 - EDUCATION AND OUTREACH

Objective: Promote public knowledge of local natural resources and fish habitat issues. Maintain a Conservation District agricultural and natural resource educational program.

Scope:

2.1 Maintain effective working relationships with local media and community groups on Bainbridge Island. Submit articles to Island media involving local conservation issues and actions being taken by the District. Participate in selected Bainbridge Island public events.

2.2 Maintain a mailing list of Bainbridge landowners interested in agriculture, natural resource conservation practices, and fish and wildlife habitat. Publish and distribute the District's newsletters to Island residents who are on the District's mailing list.

2.3 Inform landowners of rain garden workshops conducted throughout the county. Technical specifications will be made available to the public through the WSU rain garden specification manual, District engineering and design staff, and through online sources. The District will provide additional outreach opportunities through the District's Annual Tree Sale, District newsletters, and social media.

2.4 The District will maintain a program offering District speakers, sponsoring special interest events, and accepting invitations to make community presentations. The District will coordinate the development and maintenance of this program with the City, KPHD, WSU Extension, and other existing educational programs.

2.5 Identify and/or recommend resources (websites, local and national agencies, nonprofit groups, etc.) that publish materials or documents the City could potentially utilize for education and IDDE associated with agriculture.

Task 2 - Education and Outreach - Work completed

- *Friends of the Farms – Bainbridge Grange* – KCD staff helped organize a farmer appreciation dinner for Kitsap Farmers and gave a presentation on farm planning. Approximately forty farmers and interns attended the presentation.
- *Bainbridge Grange* – KCD staff attended Grange Meetings and offered educational workshops
- *Three Days of Preparedness* – KCD staff setup an educational display informing participants of the Firewise program and other services provided to private landowners.

TASK 3 - DEVELOP RESOURCE MANAGEMENT PLANS (FARM PLANS)

Objective: Protect surface water bodies from potential sources of contamination caused by agricultural-related land use. Provide technical services to landowners. Promote cooperative solutions. Facilitate federal, state, and local incentive programs.

Scope:

3.1 Offer farm-planning services that inventory existing conditions, evaluate resource needs, and recommend alternative farm management practices that protect humans and the quality of soil, water, animals, plants, and air.

3.2 Encourage and offer assistance regarding the preservation and enhancement of fish and wildlife habitat as part of the District's technical services. The District will stay apprised of Clean Water Act and Endangered Species Act regulations, threats, and associated action recommendations that may affect City residents.

3.3 Provide nutrient management plans for crop farms when: 1) livestock waste is utilized for nutrient application purposes, 2) livestock waste is generated or transported to a crop farm and will be stored and/or composted on site for later land application, and 3) an opportunity exists to demonstrate or model to the public for education purposes the storage and utilization of livestock waste as a component of sustainable agricultural land use.

3.4 As directed by the Clean Water Act, Endangered Species Act, and Farm Bill, the District will facilitate all programs and coordinate efforts with the Farm Services Agency (FSA), Natural Resources Conservation Service (NRCS), and U.S. Fish & Wildlife Service, as well as with state agencies including the Conservation Commission, Department of Ecology, Washington Department of Fish & Wildlife (WDFW), and the Puget Sound Partnership for the benefit of agriculture.

3.5 Assist landowners with the application process for eligible incentive and cost-share

programs. These programs may include land that is in agricultural use or land that emphasizes fish and wildlife habitat issues.

3.6 Provide landowners technical assistance for LID practice designs and installations.

Task 3 - Develop Resource Management Plans (Farm Plans) - Work completed

- *Tilz (12112 Miller Rd)* – KCD staff is continuing to work with Tilz to address stormwater runoff on their property.
- *Williams (7139 Island Center)* – Mr. Williams contacted KCD to update his existing Conservation Farm Plan. KCD staff visited the site and delivered an updated Farm Plan.
- *Wolfstrom (9300 Morgan Rd)* – Mr. Wolfstrom contacted KCD to develop a Conservation Farm Plan for his property. He is interested in enrolling the property in Open Space Agriculture. KCD staff will work with the landowner to develop a Farm Plan.
- *Sassenfeld (3377 Tani Creek)* – Mr. Sassenfeld contacted KCD for information on improving pastures and seeding recommendations. KCD staff provided Mr. Sassenfeld with pasture renovation information. KCD staff visited the farm as requested by a referral from City of Bainbridge Water Resource staff. There was no erosion issues observed and the concern area was a pasture renovation project as recommended in the Conservation Farm Plan.
- *Anderson (5741 Tolo Rd)* – Ms. Anderson contacted KCD staff to develop a Conservation Farm Plan to allow her to enroll her property into Open Space Agriculture. KCD staff visited the site and delivered a Farm Plan
- purchased. KCD staff visited the site and will develop a Farm Plan for the new property.
- *Countryman (5349 McDonald Ave)* – KCD staff requested Washington Conservation Commission Shellfish funding for the installation of livestock exclusion fencing, roof gutters, and other drainage Best Management Practices to improve water quality leaving the horse boarding stable. Funding was awarded and BMP's were installed to divert surface water runoff around livestock use areas, collect and transport roof water to an existing drainage, exclude livestock from drainages, and create a filter strip to treat surface water flowing out of livestock heavy use areas.
- *Haines (8150 NE Hidden Cove Rd)* – Ms. Haines contacted KCD staff for sources for native plants to vegetate her shoreline. A special order was placed and the plants were delivered.
- *Travis (6856 NE West Port Madison)* – KCD staff was contacted by Mr. Travis who expressed interest in a rain garden. KCD staff visited the site and passed his contact information to WSU Rain Garden Mentors.
- *Heyday Farm (5145 McDonald Ave)* – KCD staff is advising the staff farmer on rotational grazing and other pasture management techniques.

- *Berg - Friends of the Farm (Day Road Farm)* – KCD was contacted by Friends of the Farm's staff to develop a maintenance plan for the ditch on the Day Road Farm. KCD staff brought out Mission Creek Womens crew to weed the planting area.
- *Morse (10175 Torvanger Rd)* – KCD staff worked with Ms. Morse to develop a Conservation Farm Plan for her small beef and poultry farm.
- *Wolfstrom (9300 Morgan Rd)* – Mr Wolfstrom contacted KCD to develop a Conservation Farm Plan for his property. He is interested in enrolling the property in Open Space Agriculture. KCD staff completed a Farm Plan.
- *Pearl (5849 Battle Point Dr)* – Ms. Pearl contacted KCD with questions about barn, paddock placement, and other farm management questions on the property she recently purchased. KCD staff visited the site and will develop a Farm Plan for the new property.

TASK 4 - BMP DESIGN

Objective: Provide agronomic and engineering design services that support natural resource protection in City watersheds. Provide designs for BMPs that meet USDA Natural Resources Conservation Service standards and specifications. Develop alternative cost-effective BMPs that are suitable for a specific site's needs and the financial needs of landowners. Provide landowners with rain garden designs.

Scope:

4.1 Deliver a completed design package to landowners with appropriate construction and material specifications included. Staff will maintain a direct presence with construction, project coordination, and implementation.

4.2 When existing NRCS standards and specifications are beyond the scope of a particular project site, staff will seek and/or develop alternative designs. On a site-specific basis, the District will utilize alternative design providers and coordinate design efforts with City and local consulting engineers.

Task 4 - BMP Design - Work completed

- *Tilz (12112 Miller Rd)* – KCD staff is working with our regional engineer to provide the owners with stormwater management options.
- *Countryman (5349 McDonald Ave)* – KCD staff and our regional engineering team surveyed the drainage area to provide data for BNP designs.
- *Sassemfeld (3377 Tani Creek)* – KCD staff provided landowner with *Pasture and Hayland Planting (512) specifications.*
- *Countryman (5349 McDonald Ave)* – KCD staff and our regional engineering team surveyed the drainage area to provide data for the following BMP designs;
    - *Diversion (362)*
    - *Fencing (382)*
    - *Roof Runoff Structure (558)*

- *Underground Outlets (620)*

TASK 5 - BMP IMPLEMENTATION AND INSTALLATION

Objective: Improve water quality and fish and wildlife habitat in Bainbridge Island watersheds by facilitating and assisting with the implementation of BMPs. Provide technical services to cooperators for implementation of farm management practices and habitat enhancement efforts. Offer contracted and/or volunteer labor forces for installation of BMPs. Coordinate joint installation. Provide technical support for rain garden installation.

Scope:

5.1 Assist cooperating landowners with supplies and materials lists for implementation of agricultural best management practices and provide on-site project management to oversee installation.

5.2 Assist with the processing of cost-share reimbursement or other incentive program components.

5.3 Whenever funding is available, contract annually for work crews with the Department of Ecology's Washington Conservation Corp (WCC) for the City. Offer WCC crews to District and partner agency project sites on Bainbridge Island.

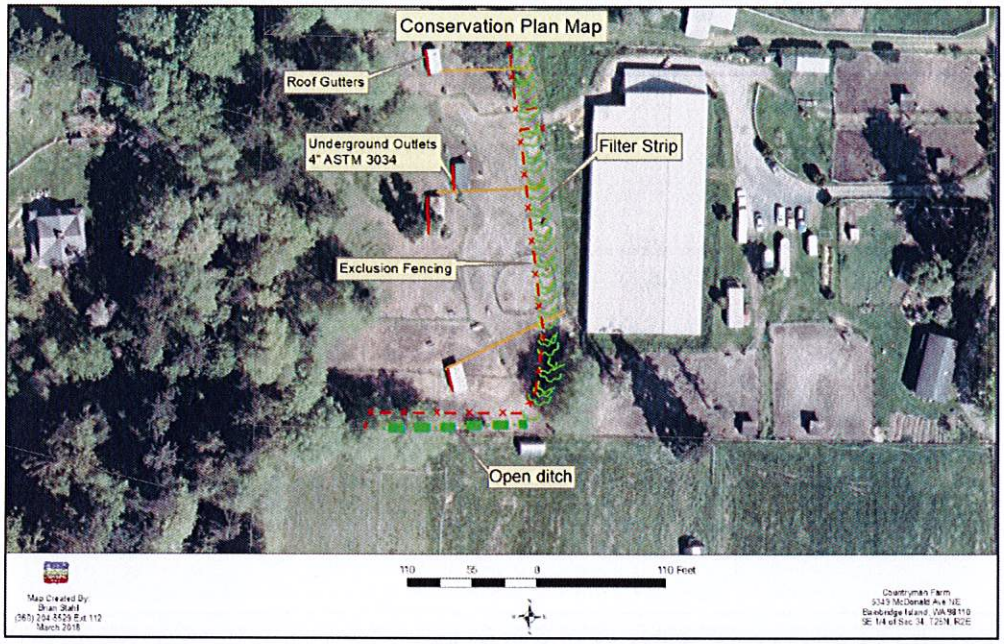
5.4 Coordinate volunteer labor for the implementation of planting projects with the City's Watershed Council, local schools, and community groups.

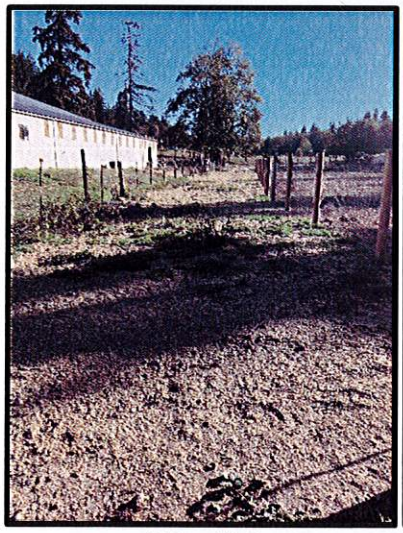
5.5 Seek partnerships with the WDFW, Regional Fisheries Enhancement groups, local tribes, and other local agencies and community groups to combine efforts for project implementation.

5.6 Assist cooperating landowners with supplies and materials lists for implementation of rain gardens and other Low Impact Development/Green Stormwater Solutions (LID/GSS) and if necessary, and provide on-site project management to oversee installation.

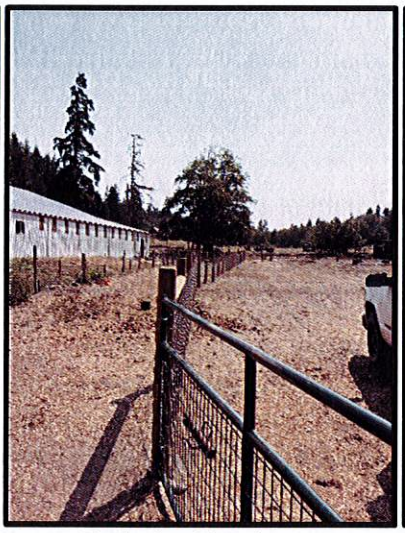
Task 5 - BMP Implementation and Installation - Work completed

- *Sassenfeld – 3377 Tani Creek*
  - *Pasture and Hayland Planting (512) – 1 acre*
- *Heyday Farm – 5145 McDonald Ave*
  - *Prescribed Grazing (528) – 8 acres*
  - *Nutrient Management (590) – 5 acres*
- *Countryman Farms(5349 McDonald Ave) - Best Management Practices*

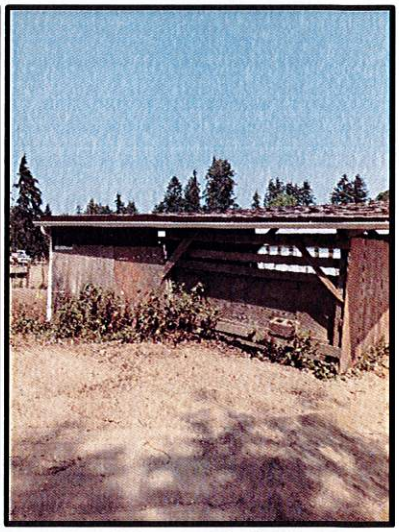




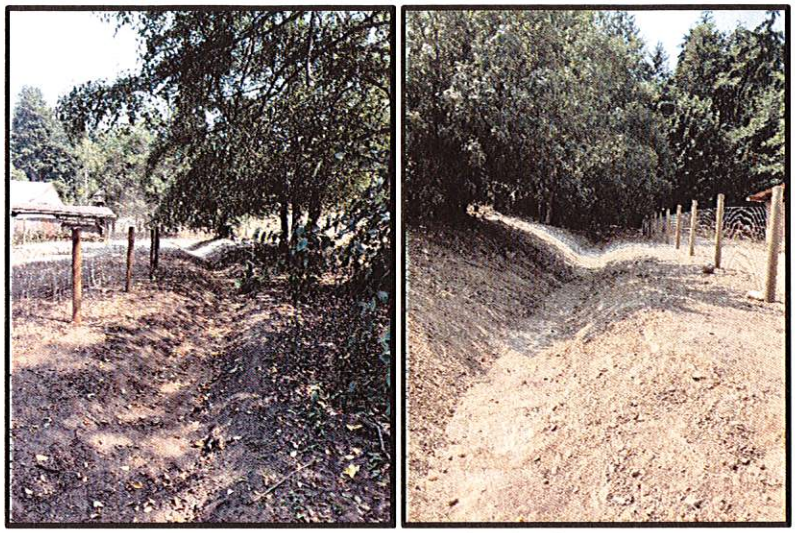
Filter Strip



Exclusion Fencing



Roof Gutters & Outlets



Open Ditch - Diversion Swale

TASK 6 - BMP INSPECTION AND MAINTENANCE

Objective: Determine the operational effectiveness of BMPs on water quality and habitat within the City. Monitor the operation and maintenance of installed BMPs. Demonstrate BMPs.

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6.1 Evaluate individual farm and habitat BMPs for operational efficiency and ease of maintenance. Provide follow-up assistance to landowners. Encourage landowners to maintain and monitor farm and habitat BMPs for maximum efficiency and seek to meet landowner needs for solutions to maintenance problems.

6.2 Use projects as demonstration sites for other potential cooperators or agencies.

Task 6 - BMP Inspection and Maintenance - Work completed

- *HeyDay Farm (4145 McDonald Ave)* - **Composting Facility (317)** - Green Mountain Technologies composter is working very well and is a used as a demonstration on a regular basis.
- *Countryman Stables (5349 McDonald Ave)* – KCD staff inspected the Heavy Use Area for horse paddocks. Practice appeared to be functioning as designed.

TASK 7 – INVENTORY

Objective: Address non-point pollution caused by inadequate agricultural management practices. Identify, prioritize, and map agriculturally related property within the City.

Scope:

7.1 Update the existing inventory of agricultural properties annually.

7.2 As part of the inventory process, District staff shall prioritize inventoried sites based on their potential to pollute. Criteria include livestock proximity to surface water, livestock waste management, pasture condition, and other visual assessments. The District will follow-up with technical assistance services based on the prioritization. The District's priority list will be reevaluated annually.

7.3 Inventoried and prioritized properties will be entered into a GIS database based on the parcel's tax identification number. The database entries will be updated annually. The District will produce a GIS map, updated as necessary.

7.4 The District will provide an overlay of agricultural properties as well as fish barrier sites on a habitat refugia map based on the Kitsap County Fish Habitat Refugia Study.

Task 7 - Inventory - Work completed

- Kitsap Conservation District Staff has been updating the Kitsap County Agriculture Inventory GIS map. The map shows agricultural properties throughout the county and will be available on the Kitsap County website in the future. The agricultural map will also show sources of locally grown food.
- The Agricultural Inventory consists of all small farm properties identified by KCD that are engaged in agricultural activity. Activities include pastureland, cropland, tree farms and livestock operations. Livestock operations range from as small as a few chickens to large horse boarding facilities. Small farms are important to the lifestyle and quality of life of the families who live and work on the farms and their non-farm neighbors. Small farm operations make local purchases that are important to other businesses in the community.
- KCD staff was requested to identify all livestock types associated with Springbrook Creek. A short summary was sent to COBI staff.
- To date, 209 landowners with a total of 1467 acres have been identified. 161 of the farms (approximately 957 acres) identified have livestock. Livestock type is as follows – 60% horse, 15% sheep, 10% ratitae, 8% goats, 3% cattle and 2% poultry. Seven sites received a rating of 1 or 2 and are considered high priority.

  - 1 – High priority 1 sites
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  - 5 – Low priority 37 sites

TASK 8 - ADMINISTRATION AND REPORTING

Objective: To provide project management, including communication, submit billing invoices, and submit annual and progress reports.

Scope:

8.1 Project management efforts shall include conducting, coordinating, and scheduling project activities, including quality control.

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8.4 The District shall maintain all records throughout the duration of the Agreement and archive those records for an additional five years for audit purposes.

- KCD staff submits billings and reports on a quarterly basis.

Thank you for your continued support!

Brian Stahl

Brian Stahl
Technical Resource Coordinator
Kitsap Conservation District

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: (8:45 PM) Dump Truck Cab and Chassis Procurement - Public Works,

SUMMARY: Public Works staff is seeking City Council approval of a contract for the purchase of a dump truck and chassis from the Washington State Department of Enterprise Services contract vendors.

AGENDA CATEGORY: Contract **PROPOSED BY:** Public Works

RECOMMENDED MOTION: I move to forward the dump truck cab and chassis procurement to the December 8, 2020 unfinished business agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	TBD
Ongoing Cost:	
One-Time Cost:	TBD
Included in Current Budget?	Yes

BACKGROUND: Public Works is planning on replacing the 1994 International cab and chassis and hook-lift system which serves the following attachments/bodies of work: chipper box, dump-body, sander, water tank, and snowplow. This vehicle has exceeded its life expectancy and replacement is needed to maintain operations.

RCW 43.19.648 generally requires that, to the extent determined practicable, local governmental vehicles must be fueled by electricity or biofuel. The new engine will be biodiesel (B20) compatible.

Public Works staff is working with vendors from the Washington State Department of Enterprise Services Master Contract for both the cab and chassis/hook lift system, and the final documents and cost identification are in process. In anticipation of getting this equipment under contract before the end of the year, final costs will be included in the agenda packet for the December 8, 2020 meeting.

ATTACHMENTS:

State Master Contract Usage Agreement.pdf

FISCAL DETAILS: There is $276,000 in the Capital Improvement plan budget for this purchase - $138,000 in the Streets fund and $138,000 in the Storm and Surface Water Management (SSWM) fund

Fund Name(s): Streets Fund

Coding:

Agreement Number: K791
DES Use Only

MASTER CONTRACT USAGE AGREEMENT

This Master Contract Usage Agreement (the "Agreement") is made pursuant to Chapter 39.34 of the Revised Code of Washington, and other applicable laws, by and between the state of Washington (the "State"), acting by and through the Department of Enterprise Services ("DES"), an agency of the State, and the City of Bainbridge Island;
Entity Name
a state agency, or local or federal agency or entity, or public benefit nonprofit corporation, or any tribe located in the State ("Buyer").

1. Purpose: The purpose of the Agreement is to establish the terms and conditions for when Buyer purchases or acquires goods and services for its direct use under contracts entered into by DES that permit such use ("Master Contracts").

2. Duration: This Agreement will become effective on date of execution, and will continue in full force and effect until thirty (30) days following receipt of written notice from either party cancelling this Agreement.

3. Agreement Contact Information: Contact person to whom contract documents and related communications are to be mailed or faxed.

Organization Name:	City of Bainbridge Island		
Tax Identification Number:	91-6001663		
Unified Business Identifier *Required for Non-Profit:*			
Contact Name:	Ellen Schroer		
Title:	Finance Director		
Address:	280 Madison Avenue N.		
City:	Bainbridge Island	State: WA	Zip: 98110
Phone Number:	206-780-8619		
Email Address:	eschroer@bainbridgewa.gov		

4. Cancellation of Agreement: This agreement can be terminated by either party upon 30 days written notice provided to DES at:

   Email to: mcua@des.wa.gov OR Mail to: WA Dept of Enterprise Services
   MCUA, Attn: Kris Gorgas
   P.O. Box 41409
   Olympia, WA 98504-1409

5. Financial Responsibility: Buyer will deal directly with the Master Contract contractor, supplier, or service supplier ("Contractor") for any purchases Buyer makes pursuant to this Agreement and under a Master Contract. DES does not accept any responsibility, financial or otherwise, for any purchase Buyer makes under a Master Contract.

Agreement Number: K579
DES Use Only

6. Compliance with Other Laws: Each of the parties will comply with all applicable federal, state, and local laws and regulations governing its own purchases.

7. Master Contract Audits: Buyer agrees to cooperate with DES, the Office of the State Auditor, federal officials, or any third party authorized by law, rule, regulation or contract, in any audit conducted by such party related to any Master Contract(s) that Buyer has made purchases from pursuant to this Agreement, including providing records related to any purchase from a Master Contract. In addition, Buyer agrees to provide, upon request from DES, documentation to confirm its eligibility to use Master Contracts.

8. Dispute Resolution: If there are any disputes between Buyer and a Contractor, Buyer agrees to (a) provide DES written notice of the nature of the dispute; and (b) unless otherwise provided in the Master Contract or as set forth below, work in good faith with the Contractor to resolve the dispute without the involvement of DES. DES may, upon request, review and assist in the resolution of a dispute, and if DES chooses to do so, the Buyer will cooperate with DES in that resolution process.

   In its sole discretion, DES may, but is not obligated to, upon written notice to Buyer, resolve disputes with a Contractor on behalf of Buyer and all other state, local, and federal agencies, local governments, and public benefit nonprofit corporations with similar or related disputes with such Contractor.

9. No Separate Entity: No separate legal or administrative entity is intended to be created by, or for the administration of, this Agreement.

10. Hold Harmless: Each party agrees to defend, indemnify, and hold the other party harmless from any claim arising from such party's sole negligent, reckless, or willful misconduct.

11. Entire Agreement: This Agreement sets forth the entire agreement between the parties, and supersedes any other prior written agreements between the parties, with respect to the subject matter hereof.

IN WITNESS WHEREOF the parties having read this Agreement, agree to it in each and every particular, and have executed it below.

APPROVED	APPROVED
WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES	City of Bainbridge Island
Entity Name	Entity Name
Roselyn Marcus	Ellen Schroer
Signature	Signature
Roselyn Marcus, Assistant Director	Ellen Schroer, Finance Director
Name/Title	Name/Title
06/25/2013	05-31-2013
Date	Date

State of Washington
DEPARTMENT OF GENERAL ADMINISTRATION
Office of State Procurement
Rm. 201 General Administration Building, P.O. Box 41017 • Olympia, Washington 98504-1017 • (360) 902-7400
http://www.ga.wa.gov

STATE OF WASHINGTON INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT FOR PUBLIC AGENCIES

Pursuant to Chapter 39.34 RCW and to other provisions of law, the State of Washington, Department of General Administration, Office of State Procurement, Purchasing and Contract Administration, (hereinafter called the "Office of State Procurement" or "OSP"), and the following named public agency, City of Bainbridge Island (hereinafter called the "Cooperative member") hereby enter into this Intergovernmental Cooperative Purchasing Agreement (hereinafter called the "Agreement"), the purpose of which is for undertaking governmental purchasing activity that each party is authorized by law to perform, upon the following terms and conditions:

(1) The Cooperative member must be an agency, Cooperative member, or unit of local government of Washington state including, but not limited to, municipal corporations, quasi-municipal corporations, special purpose districts, and local service districts; any agency of Washington state government; any agency of the United States; any Indian tribe recognized as such by the federal government; and any Cooperative member of another state of the United States.

(2) The Office of State Procurement, in contracting for the purchase of goods and services according to the laws and regulations governing purchases by and on behalf of the State of Washington, agrees to contract on behalf of the Cooperative member, to the extent permitted by law and agreed upon by both parties. The Cooperative member accepts responsibility for compliance with any additional laws and regulations governing purchases by or on behalf of the Cooperative member.

(3) The Office of State Procurement shall comply with its statutory requirements regarding notice for bids or proposals for goods or services subject to this Agreement, and shall either post the bid or solicitation notice on a web site established and maintained by OSP for the purposes of posting public notice of bid or proposal solicitations, or shall provide an access link on the State of Washington's web portal to the notice.

(4) When the Office of the State Procurement has entered into a contractual agreement for the purchase of goods or services on behalf of Cooperative member (s), the Cooperative member may purchase goods and services covered by the contract on the same terms and conditions as the State of Washington, except that the contractor has the right to modify payment terms based on their credit assessment of the Cooperative member. Purchases by the Cooperative member may be made by a purchase order issued by the Cooperative member to the state contractor. The Cooperative member accepts full responsibility for payment for any goods and services it purchases under contracts negotiated by OSP with private vendors or items it purchases directly from OSP. The Cooperative member accepts responsibility for contract monitoring related to their use of these contracts.

(5) The Cooperative member reserves the right to contract independently for the purchase of any particular class of goods or services, with or without notice being given to OSP.

(6) This Agreement shall be effective on the later of the two signatures dates appearing below, and shall continue in force until canceled in writing by either party.

(7) In the event that either the Office of the State Procurement or the Cooperative member is abolished, this Agreement shall continue in operation as to any public agency succeeding to the powers and duties of the abolished party, except as canceled or modified by operation of law. The Cooperative member may request a refund of unexpired membership exceeding three months, which may be approved by OSP at their discretion.

(8) The Cooperative member agrees to use only contracts available to the Cooperative member and only in accordance with those contract terms and conditions. The Cooperative member further agrees that all purchases from OSP contracts will be made only for the direct use of the Cooperative member's programs (as covered by this agreement) and will not be made on behalf of other jurisdictions (Cooperative member").

(9) The Office of State Procurement is required by Chapter 236-49-060 WAC to recover the costs of administering the state purchasing cooperative program from all its members. The Membership Fee Schedule below sets forth the fee structure for Cooperative members that are not Washington State Agencies, which is based on the total expenditures less debt service and interfund transfers, as reported in the Cooperative member's last audited financial statements. The Cooperative member shall be charged a membership fee based upon the self-declaration, as indicated by their signatory's initials in the first column of the Membership Fee Schedule below. The Cooperative member's self-determined membership fee is subject to change if not validated by OSP during its subsequent reviews. This membership fee is due upon subscribing for the first year of membership and by January 31 of the membership cycle. The membership term is January 1st 2008 through December 31st 2009. The Cooperative member agrees to pay the membership fee as a part of this Agreement. New memberships beginning after June 30 may be prorated and will be established at the discretion of OSP.

(10) Membership fees are established every two years. The State Auditors' most recently published *Local Government Comparative Statistics* report will be used to verify membership fee. Where a Cooperative member is not reported separately in that document, audited financial statements as published in the State Auditors' Website will be used. The Superintendent of Public Instruction (OSPI) web site will be used to verify fee issues for School Districts. The most recent audited financial statement will be used as the authoritative source to resolve any issues regarding the Annual Membership Fee due from the Cooperative member. .Any Cooperative member not reported in the OSPI or State Auditor's Websites, must submit a copy of its most recent audited financial statements to OSP. When a member does not have audited financial statements, the member shall provide internal budgets or financial statements to OSP if requested.

(11) In addition to accessing State contracts established by the Office of State Procurement, custom contracting and procurement services are available for an additional predetermined fee. These include development of contracts and/or single requisitions that meet specific needs. The cost for these optional services, typically a flat fee, is established at the time of request.

(12) It is not the intention of the parties, nor shall this Agreement be interpreted, to create a separate legal entity for the performance of this Agreement. Instead, the Office of State Procurement shall be responsible for administering this Agreement.

(13) The Cooperative member shall be responsible for filing a copy of this Agreement with its county auditor's office.

(14) By its signature below, the Office of State Procurement confirms it approves of this Agreement as required by RCW 39.34.050 and it is authorized to enter into this Agreement pursuant to RCW 39.34.030 and RCW 39.34.080. Similarly, by its signature below, the Cooperative member confirms it is authorized to enter into this Agreement pursuant to RCW 39.34.030 and RCW 39.34.080.

(15) PAYMENT and NOTICES: Payment shall be made to OSP at the address given herein. Further, any notice, demand or other communication required or permitted to be given under this Contract shall be made to the parties at the addresses provided below.

Mail: agreement and Payment to:

State of Washington, OSP PAF-Non/Prof Fund: 422 04 20 000214,

303 General Administration Bldg., P.O. Box 41008, Olympia, WA 98504-1008

Cooperative member contact information:

Contact Person (To whom contract documents and related communications are to be mailed or faxed).

Cooperative Member Name: City of Bainbridge Island

Contact Name: Renee Andrae

Address: 280 Madison Ave North

City, St. Zip Bainbridge Island, WA 98110

Phone Number: 206-780-8604

Federal Id #: 91-6001663

FAX Number: 206-842-5741

Email Address: randrae@ci.bainbridge-isl.wa.us

Two-Year Membership Fee Schedule

Note: Expenditures below are net of debt service and inter-fund transfers

Initial in box	Annual expenditures of more than	Annual expenditures of less than	Two-Year Membership Fee
	$0.00	$3,000,000	$400
	$3,000,001	$7,500,000	$1,000
RA	$7,500,001	$30,000,000	$2,000
	$30,000,001	$68,000,000	$4,000
	$68,000,001	$90,000,000	$6,000
	$90,000,001	$150,000,000	$8,000
	$150,000,001	and over	$10,000

The undersigned has read, understands and agrees to the terms and conditions of this agreement and this Authorized Signatory for the Cooperative member attests that the expenditure level initialed in the Membership Fee Schedule above is true and correct.
Cooperative member Authorized Signature: Applicant must provide an authorized signature.

Name: Elray Konkel

Title: Finance & Administrative Services Director

Address (if not the same as above):

Phone Number: 206-780-8668

Date Signed: 3/10/08

FOR OSP USE ONLY (Completed by OSP, this page will be returned to you in executed copy)
Approved as to form: , AAG Date: 07/18/07 (signature on file)

OSP has assigned you Co-op member number, 21804-888 Please provide this number when ordering from contracts or communicating with OSP.

OSP AUTHORIZED SIGNATURE

Name Title Coop Mgr Date 3/17/08

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 10 Minutes

AGENDA ITEM: (8:55 PM) Appointments to the Lodging Tax Advisory Committee - Mayor Schneider,

SUMMARY: A call for participation was issued for volunteers to serve on the Lodging Tax Advisory Committee. A series of interviews were conducted. Mayor Schneider recommends the appointments as shown in the suggested motion.

AGENDA CATEGORY: Appointment **PROPOSED BY:** Executive

RECOMMENDED MOTION: I move to forward for approval with the December 8, 2020 Consent Agenda the appointment of Bill Corbin and John Dinsmore as eligible business representatives and Denise Dumouchel and Peter Raffa as eligible recipient representatives to the Lodging Tax Advisory Committee.

STRATEGIC PRIORITY: Vibrant Economy

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

Lodging Tax Advisory Committee Applications - Redacted.pdf

FISCAL DETAILS:

Fund Name(s):

Coding:

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: City Advisory Group Application
Date: Sunday, September 13, 2020 3:38:51 PM

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

City Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Rick Baker
Email	
Phone	
Address	
City	
State	
Zip	
Current Employer	Bloedel Reserve
Current Position	Development Manager, Annual Mission Support
Please check the box if interested in serving on the Lodging Tax Advisory Committee:	Lodging Tax Advisory Committee

Experience & Qualifications

Have you served on any City advisory groups in the past?	No
If so, please indicate which groups:	*Field not completed.*
	As a current Bloedel Reserve employee, my duties include

Please share your qualifications for this appointment (skills, activities, training, education) if any:	research, proposal writing and reporting related to grants of all sorts. Prior to my arrival at Bloedel, I had a number of years of similar experience in previous roles with the Seattle International Film Festival (SIFF) and Seattle Symphony.
Please share your community interests (groups, committees, organizations) if any:	I'm a relatively new addition to the Bloedel Reserve team (July 2020) and looking to deepen my connection to, and understanding of, all things Bainbridge Island in the coming months and years. Personally, I have a wide variety of interests including the environment, arts and culture, health/human services, and athletics.
Feel free to attach your resume (optional):	
Type the Year	2020
How did you hear about the volunteer opportunity?	Other (please specify below)
Other	Bloedel Reserve colleagues

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Rick Baker

EDUCATION

University of Washington (Seattle, WA) • Bachelor of Arts (Philosophy)

PROFESSIONAL EXPERIENCE

Bloedel Reserve (Bainbridge Island, WA)
Development Manager, Annual Mission Support • July 2020 – Present

- Managed an ever-growing portfolio of foundation funders, corporate sponsors and individual donors.
- Spearheaded membership program comprised of over 2,000 loyal Bloedel supporters.
- Undertook a variety of additional duties as requested.

Seattle International Film Festival (SIFF) (Seattle, WA)
Corporate Partnerships Manager • April 2016 – April 2020

- Managed a portfolio of 70-80 active corporate sponsors and foundation funders.
- Cultivated, solicited, and stewarded corporate and foundation funders, including special event coordination.
- Formulated unique development strategies to fit the needs and interests of new and existing funders.
- Fielded cold calls from entities interested in engagement with SIFF and followed up to secure support.
- Increased the exposure and awareness of SIFF within the community by making in-person visits and speaking to stakeholders by phone and email to develop relationships and secure new support.
- Created and presented fulfillment reports and project evaluations, as well as materials to support a variety of fundraising efforts.
- Recruited and supervised interns and volunteers.

Seattle Symphony (Seattle, WA)
Development Officer (Assistant to the Vice President & Grants) • July 2015 – April 2016

- Managed a portfolio of 25 to 30 active foundation funders.
- Prepared for review and submission all grant applications, required reports and supporting materials.
- Cultivated and stewarded donor relationships; provided donor servicing appropriate to institutional funders.
- Researched, identified, and qualified 10-20 new or lapsed foundation and government grant opportunities to support increasing SSO annual revenue.
- Maintained an annual calendar of assigned grants and reports to ensure timely review and submission.
- Tracked grant deadlines and moves in Tessitura database.

Seattle Symphony (Seattle, WA)
Development Officer (Assistant to the Vice President) • March 2014 – July 2015

- Researched prospective donors using iWave and Blackbaud ResearchPoint platforms.
- Managed the Vice President's donor portfolio, including cultivation and stewardship activities.
- Maintained the Vice President's calendar, as well as scheduling for department-wide meetings.
- Undertook various foundation and government grant proposals, reports, and letters.

AREAS OF EXPERTISE

Relationship Building – Fruitful Communication – Moves Management – Effective Collaboration

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: City Advisory Group Application
Date: Thursday, October 15, 2020 3:21:10 PM

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City Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Bill Corbin
Email	
Phone	
Address	
City	
State	
Zip	
Current Employer	Self, WM Corbin Construction Corp. and owner of part time vacation rental at address above
Current Position	Owner
Please check the box if interested in serving on the Lodging Tax Advisory Committee:	Lodging Tax Advisory Committee

Experience & Qualifications

Have you served on any City advisory groups in the past?	No
If so, please indicate which groups:	*Field not completed.*

Please share your qualifications for this appointment (skills, activities, training, education) if any:	My wife and I have rented 80% of our home at 8719 Battle Point DR as a vacation rental during the summer for the past 3 summers. I have been a self employed custom home builder since 1977 (www.wmcorbin.com). In my off time I am involved in reading, boating and wood working. I have two bachelor degrees from the University of Florida: Fine Arts 1966 and Building Construction 1972. I was a commissioned officer in the US Army 1967-1969. I was a part time Realtor on Bainbridge from 1988 to 2015.
Please share your community interests (groups, committees, organizations) if any:	St Cecilia Catholic Church, Bainbridge Island Chamber of Commerce,
Feel free to attach your resume (optional):	*Field not completed.*
Type the Year	2020
How did you hear about the volunteer opportunity?	Other
Other	News Letter from Bainbridge Isl. Lodging Asso.

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From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: City Advisory Group Application
Date: Tuesday, April 21, 2020 4:18:05 PM

City Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	John Dinsmore
Email	
Phone	
Address	
City	
State	
Zip	
Current Employer	The Marshall Suites
Current Position	General Manager
I am interested in serving on one of the following City advisory groups (select all that apply):	Lodging Tax Advisory Committee

Experience & Qualifications

Have you served on any City advisory groups in the past?	Yes
If so, please indicate which groups:	LTAC 2018 and 2019
Please share your qualifications for this appointment (skills,	With over 15 years' experience in the Tourism & Hospitality Industries and having served on the LTAC committee for the last 2 years, I believe I am well qualified to serve in this capacity.

activities, training, education) if any:	
Please share your community interests (groups, committees, organizations) if any:	*Field not completed.*
Feel free to attach your resume (optional):	*Field not completed.*
Type the Year	2020
How did you hear about the volunteer opportunity?	City Website
Other	*Field not completed.*

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From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: City Advisory Group Application
Date: Friday, September 18, 2020 9:00:27 AM

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City Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Denise Dumouchel
Email	
Phone	
Address	
City	
State	
Zip	
Current Employer	Bainbridge Artisan Resource Network (BARN)
Current Position	Executive Director
Please check the box if interested in serving on the Lodging Tax Advisory Committee:	Lodging Tax Advisory Committee

Experience & Qualifications

Have you served on any City advisory groups in the past?	No
If so, please indicate which groups:	*Field not completed.*
	I oversee all aspects of BARN. I have written numerous grant

Please share your qualifications for this appointment (skills, activities, training, education) if any:	proposals although I have never reviewed grant proposals.
Please share your community interests (groups, committees, organizations) if any:	Arms Around Bainbridge volunteer; former Board Member for BI Boys and Girls Club
Feel free to attach your resume (optional):	
Type the Year	2020
How did you hear about the volunteer opportunity?	Other (please specify below)
Other	Chris Mueller contacted me

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DENISE M. DUMOUCHEL

EDUCATION

Ph.D. Environmental Studies, Antioch New England Graduate School, Keene, NH (June 2004)
Dissertation focused on intensive professional development programs for teachers.
Specialized coursework in field ecology.

M.S. Ed., Outdoor Teacher Education, Northern Illinois University, DeKalb, IL (August 1987)
Emphasis in social studies and science education, human development, and experiential learning.

B.A., History and Environmental Planning, University of Rochester, NY (May, 1984)
A self-designed major combined social, economic, political, ecological and geological science aspects of environmental issues, with additional coursework in education.

HIGHLIGHTS OF QUALIFICATIONS

- Thirty years teaching people of all ages and cultural backgrounds, including international collaboration and multiple subject classrooms.
- Administrative and leadership experience exceeding twenty years.
- Successful fundraising background, both donor- and grant-based.
- Effective communication and mediation skills developed through teaching and management.
- Professional storytelling experience.

RELEVANT SKILLS AND EXPERIENCE

Administrative:

- Direct the transition from building a community maker space facility to growing a community of volunteers and artisans who find inspiration, serve community, and create art, together.
- Oversaw the creation of a residential environmental learning center, including organizing the education team, strategic planning, school recruitment, curriculum development, and relationship-building.
- Hired, trained, supervised and evaluated staff; developed and managed budgets and designed educational programs.
- Built and maintained relationships with the University of Washington College of Education, adjunct faculty, and administrators.
- Created and implemented professional development opportunities for teachers, including several educator certificate programs and the three-week International Seminar on Environmental Education.

Educational:

- Present teacher training programs about experiential science teaching methods, global awareness and integrating core curricula through environmental themes.
- Taught graduate and undergraduate courses in environmental sciences and education.
- Taught formal integrated curriculum to children of diverse ages (8-14 years), languages, and cultural backgrounds, in public and private schools.

EMPLOYMENT HISTORY

2/18-present	Executive Director	BARN Bainbridge Artisan Resource Network Bainbridge Island, WA
8/00-3/18	Various positions	ISLANDWOOD, Bainbridge Island, WA Director of Graduate Education, School Programs Head; Education Director
8/99-6/00	Assistant Professor	SLIPPERY ROCK UNIVERSITY, PA
9/97-6/99	Third Grade Teacher	THE BEMENT SCHOOL, Deerfield, MA
8/96-6/97	Middle School Teacher, science specialist	TIKKURILA INTERNATIONAL SCHOOL Vantaa, Finland
1991-1996	Education Director	HEADLANDS INSTITUTE Yosemite National Institutes, CA
1988-1991	Instructor	YOSEMITE NATIONAL INSTITUTES, Yosemite National Park, Golden Gate NRA, CA
Summer 1990	Trip Leader	US-USSR ENVIRONMENTAL EXCHANGE Legacy International, Alexandria, VA
1988 & 1989	Program Coordinator	LEGACY INTERNATIONAL Youth Program, Bedford, VA
Fall 1987	Science Educator	TANGLEWOOD 4-H SCHOOL Lincolnville, ME
Summer 1987	Trip Leader	TEEN ADVENTURE backpacking trips National Wildlife Federation, NC
1986-87	Teaching Assistant	NORTHERN ILLINOIS UNIVERSITY Lorado Taft Field Campus, Oregon, IL
Summer 1986	Park Ranger	GRAND CANYON NATIONAL PARK, AZ
1985-86	Energy Specialist	SCICON (Outdoor Science School) Springville, CA

PROFESSIONAL DEVELOPMENT AND CERTIFICATIONS

PRESENTER: North American Association for Environmental Education conference, 2000; Environmental Education Association of Washington & Oregon conference, 2001, 2004, 2006, 2009; Washington Science Teachers' Association conference, 2011; California Science Teachers' Association conference, 1995; World Congress on Education and Communication for Environment and Development (ECO-ED), Toronto, Ontario, Canada, 1992; International Conference on Environmental Education, INDIA, 1989.

PUBLICATIONS: Facilitating Teachers' Growth: Investigating the Factors that Contribute to the Effectiveness of Intensive Professional Development Programs for Educators (2004); *Experiential Practice: Outdoor, Environmental and Adventure Education*; and *Learning from the Land: The Power of Place* (in New Horizons for Learning online journal Vol. IX, No, 3, 2003); regular column *Parenting in Nature* for IslandWood's newsletter, Connections (2006-2008)

FACILITATOR: GLOBE (Global Learning and Observations to Benefit the Environment), Projects WILD, Aquatic, WET, and Project Learning Tree; Population Connection

Certified in **WILDERNESS FIRST AID, MENTAL HEALTH FIRST AID**

SERVICE: Board Member for the Bainbridge Island Boys and Girls Club (2006-2009); volunteer for Arms Around Bainbridge

HOBBIES: Hiking, camping, backpacking, Nordic skiing, competitive swimming, wood carving, storytelling, creative writing, reading, and gardening.

RECENT RESPONSIBILITIES AND ACCOMPLISHMENTS

Executive Director, Bainbridge Artisan Resource Network (BARN), Washington (2018-present)

- Oversee all aspects of a young organization: budget management ($1million annual), fundraising, staff oversight and human resources, program development oversight, and volunteer management;
- Manage the collaborative efforts of ten art and craft studios run by over one hundred volunteers;
- Work with a Board of Directors towards a strategic plan and a business model that will sustain itself through the vagaries of financial backing for arts and education;
- Communicate our inclusiveness and welcome to people from all demographic groups; and
- Encourage ongoing community service projects throughout Kitsap County, and beyond.

Director of Graduate Education, Head of School Programs, IslandWood; Director of Education, Puget Sound Environmental Learning Center (2000-2018)

- Oversaw the creation of programs, educational facilities, curricula, and community relationships;
- Hired, trained and supervised Technology, Graduate Program, School Partnerships, Science and Arts Coordinators, and all faculty naturalists;
- Taught courses to all ages, including graduate courses in Foundations of Education, Child Development, Environmental Education, Global Systems Science, Curriculum and Instruction, and Social Studies Methods;
- Provided leadership for diversity initiatives, curriculum development, budget management, and graduate mentoring and training; and
- Developed relationships with schools throughout the Puget Sound region, especially King and Kitsap Counties, and with other informal education organizations.

Assistant Professor of Environmental Education, Slippery Rock University

- Taught graduate and undergraduate courses in Endangered Systems Education, Applied Ecology, Natural History and Field Studies, and Terrestrial Systems Education;
- Advised undergraduate and graduate students majoring in Environmental Education; and
- Worked for the Pennsylvania Center for Environmental Education: designing and facilitating a professional development program entitled ‘Essentials of Environmental Education’ for formal and informal educators and higher educators, and coordinating with the PA Game Commission to implement a WWF grant, adapting the Windows on the Wild curriculum for Pennsylvania.

International Professional Development Facilitator for Educators

- Designed and facilitated a five-day professional development session for teachers in Singapore, 2010;
- Facilitated reef education programs for the Bahamas Reef Environment Educational Foundation (BREEF), San Salvador Island, the Bahamas, summers 1997-1999; and
- Provided three-day science education workshops for Finnish and Estonian teachers, summers 1993-1996.

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: City Advisory Group Application
Date: Friday, September 11, 2020 2:36:42 PM

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City Advisory Group Application

Step 1

Please complete the form below if you are interested in serving on a committee or commission. Once completed, this form will become part of the City's Volunteer Roster. Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Name	Peter raffa
Email	
Phone	
Address	
City	
State	
Zip	
Current Employer	Bainbridge Island Museum of Art
Current Position	development Director
Please check the box if interested in serving on the Lodging Tax Advisory Committee:	Lodging Tax Advisory Committee

Experience & Qualifications

Have you served on any City advisory groups in the past?	No
If so, please indicate which groups:	*Field not completed.*
	lived on Bainbridge Island for 25 years and Fundraising for

Please share your qualifications for this appointment (skills, activities, training, education) if any:	nonlrofits for 35 years. I also served on several nonprofit boards on the island and facilitated board retreats.
Please share your community interests (groups, committees, organizations) if any:	In addidtion to bima, I help a variety of nonprofits and community organizations.
Feel free to attach your resume (optional):	*Field not completed.*
Type the Year	2020
How did you hear about the volunteer opportunity?	Notify Me (email notifications)
Other	*Field not completed.*

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CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 5 Minutes

AGENDA ITEM: (9:05 PM) Confirmation of Appointment to the Planning Commission - Mayor Schneider,

SUMMARY: A call for participation was issued for a volunteer to serve on the Planning Commission. A series of interviews over a two day period were conducted. Mayor Schneider recommends the appointment of Ashley Mathews to Position 3 through June 2021 as shown in the suggested motion.

AGENDA CATEGORY: Appointment **PROPOSED BY:** Executive

RECOMMENDED MOTION: I move to forward for approval with the December 8, 2020 Consent Agenda the Mayor's appointment of Ashley Mathews to the Planning Commission, Position 3, through June 2021.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

Planning Commission Applications (Redacted).pdf

FISCAL DETAILS:

Fund Name(s):

Coding:

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Wednesday, September 30, 2020 7:50:57 PM

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Planning Commission Volunteer Application

Step 1

The Planning Commission (PC) was established pursuant to RCW 35A.63 to serve as an advisory body to the City Council. Its role is to provide recommendations to the City Council, Planning Director and Hearing Examiner, and to consider legislative and quasi-judicial matters, with its primary responsibility to prepare, review and update the Comprehensive Plan. (BIMC 2.14.020.A).

The City of Bainbridge Island is seeking a volunteer to serve on the Planning Commission to complete a term ending in June 2021.

As BIMC 2.14.020.C.1 states:

Create the planning commission agenda prior to its publication in consultation with the director. The commission shall consist of seven members appointed by the mayor and confirmed by the city council. All seven members of the commission shall be residents of the city. The members shall not be employees or officers of the city or appointed to another city committee, board, or commission, except for specialized committees or task forces of limited duration. The city is committed to promoting diversity on the commission. The commission shall reflect the diverse perspectives, work experiences and backgrounds represented in the community. Women, persons with disabilities, sexual and gender minorities, younger persons, senior citizens, persons of color, and immigrants are encouraged to apply to serve on the commission. Each commissioner shall endeavor to understand and agree to uphold the city's adopted comprehensive plan.

Applications are due by 4:00 p.m. on October 9, 2020. Interviews will be held in October.

Questions? Please contact Executive Assistant Roz Lassoff at 206-580-6735 (cell) or by email at rlassoff@bainbridgewa.gov

The Bainbridge Island Municipal Code (BIMC) explains the duties and responsibilities of the PC as follows:

BIMC 2.14.020.B Planning commission.

Duties and Responsibilities. Pursuant to the provisions of Chapter 35A.63 RCW,

there is established within the city a planning commission. The title “planning commission” is substituted for the title “planning agency” in all city ordinances and other documents approved prior to the effective date of the ordinance codified in this chapter. The planning commission shall have the following duties and responsibilities:

1. Participate in the preparation and review of the comprehensive plan for the city;

2. Consider the location, character, extent, and effect of any proposed dedication of any street or other area for public use, including parks, public ways, public buildings, or public structures, with reference to the comprehensive plan, pursuant to RCW 35A.63.080;

3. Review and make recommendations on all applications for amendments to the comprehensive plan, official zoning map and official zoning ordinance of the city pursuant to Table 2.16.010-1;

4. Review and make recommendations on all housing design demonstration project applications pursuant to BIMC 2.16.020.S, including those housing design demonstration project applications involving land subdivision, based on a comprehensive review of the project at a public meeting;

5. Review and make recommendations on preliminary short subdivisions if requested by the director;

6. Review and make recommendations on all preliminary large lot subdivisions, preliminary long subdivisions, major site plan and design reviews, major conditional use permits, and major shoreline conditional use permits, taking into consideration the recommendation from the design review board and a comprehensive review of the project at a public meeting;

7. Such other advisory duties as may be assigned to it by the city council, or as specified in the BIMC;

8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information

Name	Dayna Benjamin
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	2atara design.build
Current Position	Project Coordinator

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	Part of my job is to prep and submit permit applications with city so am somewhat familiar with the intent and processes of the planning department and commission. I work directly with biologists, geologist and civil engineers and have a clear understanding of the reason behind the various building restrictions and guidelines. My educational background is in Civil Engineering.
Please share your community interests (groups, committees, organizations) if any:	I am an active member of the Port Madison Yacht Club. The only other group I belong to is a book club.
Do you have potential conflicts of interest? If so, please explain:	I am the primary point of contact at 2atara for all City correspondence, submittals, revisions. On average, I apply for approx 6 permits per year. All on behalf of clients as their agent/contractor. Please advise if that is considered a conflict of interest.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	*Field not completed.*
Type the Year	2020

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Friday, October 9, 2020 3:10:54 PM

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Planning Commission Volunteer Application

Step 1

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The City of Bainbridge Island is seeking a volunteer to serve on the Planning Commission to complete a term ending in June 2021.

As BIMC 2.14.020.C.1 states:

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Questions? Please contact Executive Assistant Roz Lassoff at 206-580-6735 (cell) or by email at rlassoff@bainbridgewa.gov

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BIMC 2.14.020.B Planning commission.

Duties and Responsibilities. Pursuant to the provisions of Chapter 35A.63 RCW,

there is established within the city a planning commission. The title “planning commission” is substituted for the title “planning agency” in all city ordinances and other documents approved prior to the effective date of the ordinance codified in this chapter. The planning commission shall have the following duties and responsibilities:

1. Participate in the preparation and review of the comprehensive plan for the city;

2. Consider the location, character, extent, and effect of any proposed dedication of any street or other area for public use, including parks, public ways, public buildings, or public structures, with reference to the comprehensive plan, pursuant to RCW 35A.63.080;

3. Review and make recommendations on all applications for amendments to the comprehensive plan, official zoning map and official zoning ordinance of the city pursuant to Table 2.16.010-1;

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If you are interested in applying to be a member of this commission, please complete the form below.

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Applicant Information	
Name	Ariel Birtley
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	Washington
Zip	98110
Current Employer	Olympic College
Current Position	Interim Vice President for Administrative Services

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	I have a bachelors degree in Architecture from the University of Oregon and Masters Degree in Business and Engineering (Construction Management) from Oregon State University. I have worked at Marin County in the planning department where I was part of the development of numerous local development codes, specific plans, habitat studies, the Local Coastal Plan, and the award winning CountyWide Plan of 2007. I also worked in affordable housing and helped plan for the development of affordable housing and identify and apply for grants. Since Marin County I have 16 years of experience in construction management and design ranging from a pedestrian mall to educational facilities and campus planning.
Please share your community interests (groups, committees, organizations) if any:	Most recently I have been very involved with my work at Olympic College and the departments I oversee and the construction projects. I am specifically working on two large construction projects a Shop Building ($10M) and an Innovation and Technology Building ($23M). I also am active in supporting STEM and women and minorities in these fields. I attend APPA which is a regional agency for facilities professionals. Finally I am also involved with the Olympic College Student Government and assisting them with reaching their goals of which many of these are building related. Finally I am on the Sustainability Committee at Olympic College and we are looking for new and exciting ways to interweave sustainability throughout our college buildings, landscape and curriculum.

Do you have potential conflicts of interest? If so, please explain:	No
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2020

Email not displaying correctly? View it in your browser.

Ariel Birtley

October 9, 2020

RE: Planning Commission Application

Dear Selection Committee:

Serving on the Planning Commission for Bainbridge Island is the embodiment of my research, education, and work experience. I am a driven and conscientious leader who thrives on innovation and fostering civic engagement through the built environment and careful planning of natural spaces. I have a breadth of experience in architecture, construction management, budget management, land use planning and development, conservation of natural habitat areas, public policy development, and research related to land use planning. I believe that space and form in architecture and urban areas hold the capacity to develop and shape a community's identity. When carefully designed, these spaces bring our community together and create the memories that are critical to our lives; these are the locations where we grow up, spend time with loved ones, take adventures, and grow old together. Our urban spaces and buildings should express our unique culture and exhibit empathy in design, equity, and inclusion. Bainbridge Island has the resources and "think tank" capacity to be the future in terms of designing for sustainable planning and green building.

I hold a bachelor's degree in Architecture from the University of Oregon and a Master's degree in Business & Engineering (Construction Management) from Oregon State University. I have nineteen years of experience working in architecture, construction, business operations, affordable housing, land use planning, policy, and procedure development related to land use. I have overseen large construction projects up to $235M; these projects have included managing direct reports, handling large and complex budgets, and coordinating with engineers, architects, contractors and state agencies. My work at Marin County encompassed the development and oversite of building codes, local land use plans, design standards, specific area plans, a local coastal plan, historic resources study, identification of critical habitat areas, and endangered species related to planning and policy development. While at Marin County, I also had the opportunity to work on the nationally award-winning County Wide Plan, which focused on sustainable planning, green building, and socioeconomic concerns and policies. As a construction project manager, my work has ranged from the design and construction of a pedestrian mall to several large high schools, construction of several college buildings and program build-outs, athletic facilities, dorm design and construction, and finally, college master planning. I currently serve as the Interim Vice President of Administrative Services at Olympic College, and concurrently am the head of Capital Projects. While serving in both of these roles, I have made marked improvements to Facilities, Security and Emergency Management, EHS, and Capital Projects. I have completed approximately sixty (60) critical preventative maintenance and regulatory compliance projects in just the last two years. I have initiated compliance and safety programs in both EHS, Facilities, and Security. I have overseen emergency operations, including oversite of COVID operations wherein I developed policies, procedures, and managed building set up for staff and students to return to campus. I also am overseeing two major building projects; a shop building and an Innovation and Technology Building.

On a personal note, I realize you are seeking more diversity on the board. I feel that I exhibit this diversity through my Spanish Jewish heritage and in my approach to critical thinking. As a child, I was brought up by a single mother in a severely disadvantaged household; because my father was gay, he separated from my mom after I was born. Later in my life my mother remarried and had two young children. Through college, I helped raise and pay for my younger

siblings to have food and a home. Through these life experiences, I have grown to value all people and their ways of life. Even with this adversity, I had my mindset on completing Architecture and graduate school, looking towards a future where I hoped to provide a significant contribution to our society. As a young child, my goal was to create urban spaces that held a sense of community and were areas that anyone would feel at home and safe in, as though they "belonged." As a child, I often sought solace in public spaces, libraries, college buildings, and downtown. I began to notice how the built environment shaped myself as a person and contributed to my future. My goal was to carefully analyze how public spaces could emanate a feeling of belonging and provide inspiration. For my master's thesis, I traveled to Europe and researched medieval villages. I carefully studied urban design, public spaces, and historical building practices. My research looked at the design of these historical places. It analyzed how we can utilize these solutions to create sustainable communities and implement green building innovations in our current society. More recently, my interest and research have expanded to include studying how the built environment's design evokes critical thinking, inclusion, and innovation. I am enthralled with the study of environmental psychology, environmental stewardship, and using these fields to design alternative educational settings that engage occupants to achieve their best work. My passion for our community and built environment is why I am applying for this position on the Planning Commission. I hope to create the spaces that I so longed for as a child and that others need to succeed and feel that they belong. Public areas allow for quiet introspection, a safe space to study, solace from difficulties, a place to rejoice, a place to gather, and a place to find yourself.

I have read through your expectations of serving on the planning commission and believe I exhibit the experience and enthusiasm to bring a meaningful contribution to this commission. I have experience with the development of land use policy, the review of comprehensive plans, development codes, and natural resource stewardship. My experience ranges from the design and construction of public areas and buildings related to the analysis and implementation of the regulating agencies' comprehensive plans and local building regulations. I also have experience reviewing subdivisions, residential and commercial designs through the lens of local planning requirements. Finally, I have an interest and experience in the development and planning of affordable housing. My colleagues tell me that I have limitless energy when devoted to a project. I seek to dedicate this energy to this commission by bringing my expertise in planning, architecture, and construction to the careful planning and preservation of Bainbridge Island's built and natural environments. I know that Bainbridge Island is a visionary place, and I believe that I will make a tremendous impact in supporting our community members' lives as they pursue their own personal and community-wide aspirations.

I welcome the opportunity to meet and discuss how my education, work experience, and zest for life would be a good fit for the planning commission vacancy.

Sincerely,

Ariel Birtley

Ariel Birtley

Career Statement

With 19 years of experience my skill set ranges from oversight of campus operations, capital project management, budget development and oversight, financial analysis and development, implementation of public and institutional policies and procedures. I have a Masters in Business and Engineering and a Bachelors degree in Architecture. I am a creative and elastic thinker who envisions big picture innovation while harnessing the strategic and analytical tools to identify goals, achieve solutions and finalize work product. My goal is to work at an educational institution that has strong values, a focus on creating a cohesive and culturally mature environment, focus on sustainability, strives towards innovation with a pioneer like spirit, has a focus on STEM related research and interweaves equity and inclusion throughout their culture. My ideal work would include overseeing budgetary and financial decisions, design and construction of campus buildings, grounds and infrastructure projects, Campus Facilities, Campus Security, Campus Environmental Health and Safety, Campus Parking, Campus Dining and Housing operations.

Education

Oregon State University, Corvallis Oregon
MBE (Masters of Business and Engineering, Construction Management) June 2005
University of Oregon, Eugene Oregon
Bachelor's of Architecture, June 2001

Professional Experience

Olympic College – Bremerton, WA
Interim VP Administrative Services/Capital Projects - January 2019 - Present

Facilities: Developed a business plan and balanced an operating budget that was overspent annually by $250k, identified savings of 33 percent. Reconfigured the organizational structure and developed job descriptions and positions to align with maintenance and repair needs and were in concert with union negotiations. Redistributed resources to align with the workload and preventative maintenance needs. Streamlined the process to bring in outside vendor services, equipment, and supplies for ongoing work and repairs. Analyzed campus MEP and Building Envelope systems to determine the need for repair or replacement. Completed overdue maintenance on campus systems that were near the point of failure and had not been serviced for 5+ years. Developed a Critical Repair Plan and a Preventative Maintenance Plan. Developed and implemented a Facilties Safety and training Program. Key Audit and Policy. Brought fire systems into compliance through several repairs, Replacement of outdated Fire Alarm Panels. Implemented Asbestos and Lead training and safety program. Revamped work order system. Worked closely with the bargaining unit, union representatives, and Human Resources to resolve several existing Demands To Bargains and Grievances related to skimming of classified work and organizational restructuring. Worked on employee complaints, disciplinary actions, and investigations. I have worked with employees on performance evaluations, salary analysis, training, promotions, retention, and developing a supportive and positive work environment.
Security: Collaborated with Security Director on budget, organizational structure, and resource allocation. Creation and implementation of security plans, Annual Security Report, Security Master Plan, Emergency Management Plan. Development of Building Coordinators, Fire Alarm Evacuation Schedule, Earthquake evacuation. Analysis and operations of systems including card keys, lighting, security cameras and radios. Clery Act Requirements and Reporting. Training and Identification of CSA's. Development of Biennial report. Timely Warning Notifications. Overseeing operations during inclement weather including, ice and snow. SECOMS reporting. COVID Operations.
Setting up and running EOC.
EHS: Started program from ground up. Developed and implementing nearly 50 WISHA compliant programs including Blood Borne Pathogens, Respiratory Protection, Chemical Hygiene, Hazardous Waste Management, Asbestos and Lead O&M manual. Creation of an Accident Prevention Program and implementation of several additional Safety Programs campus wide, primary focus on facilities. Additionally implemented on line program for MSDS sheets campus wide. Oversee and run monthly Campus Safety Committee. Implementation of on line training resource campus wide.
Capital Projects: Owners representative for several capital projects. Oversaw building commissioning and continuation of warranty items for CIC building (70,000SF). 40 construction projects since January 2019, ranged from building envelope repairs to major MEP upgrades. Accelerated schedule and redeveloped budgets on several projects to meet June 2019 biennium funding time line. Design selection and Programming, Schematic Design for the Weld Shop ($10M), for design of the Innovation Building ($23M). Knowledge of public works procurement, regulatory statutes, IBC, ADA and local and state agency requirements. Technical expertise of MEP and building envelope systems with an understanding of design to manage projects by selected project delivery methods. Establish schedules, budgets, and project requirements and goals. Careful and constant analysis of budget and time lines to align with project requirements. Work with Architects and Engineers to develop design solutions that meet the needs of the College. Work collaboratively with critical contributors when disputes arise to define the issue, determine risks associated with different resolutions, guide the team towards a solution, and implement this. Daily work includes working with RFI's to determine responses are accurate to meet the project needs, Change Orders process including development, negotiation and pricing. Review of SOV's to process monthly payment applications. Maintaining a system to track RFI's, change orders, progress of schedule and budget. Maintaining daily project progress reports. Review and distribution of shop drawings, submittals and any product samples. Review of project safety manuals, and continued review of site safety. Reporting of incidents. Oversee weekly construction meetings, pre-construction meetings, project bidding, project closeout including punch-list, dispersement of O & M Manuals and one year warranty walk thru's. Coordinate hazardous material abatement with contractor and architect, coordinate consultants and engineers during the construction phases to perform required testing or surveys.

Grace College – Warsaw, IN
Capital Projects Manager: March 2016 to January 2019

Owner's representative on a variety of remodeling and new construction projects. Due to budget shortfalls on multiple projects, I developed design solutions to keep the designed program and save between 20 to 40 percent of the overall project costs. On all projects, I worked directly with the CFO, the President of the College, Executive Team, Board Members, Department Deans, Faculty, Students and Key donors. Worked closely with the CFO to analyze college budgets, enrollment trends, profit and loss, space needs, staffing, and equipment for academic departments, interdisciplinary studies, athletics, dining, and housing to determine strategic growth measures for the College. Worked closely with different disciplines to document requirements, and collect relevant data, examined faculty to student ratios, enrollment data, costs to run the programs, space, training, and equipment needs. We aligned these needs with the mission of the College, the strategic plan, and the overall budget to determine how to allocate resources and for future building projects. We also developed a cost-benefit analysis for building new dorms and student dining commons. Based on enrollment trend analysis, cost per student for room and board and cost to build new or remodel.

Capital Projects/Security/Facilities/Housing/Dining: Worked closely with client user groups to develop a campus vision for built environment. During design assured continued involved in the design process through open communication with users and weekly meetings. Involved clients when critical decisions regarding value engineering or specific programmatic issues of their space were identified during the design process. Used out of the box thinking to align budgetary restraints with program needs and the desire to create inspiring learning environments. During my time at Grace College, I built the following: 176-bed dorm (50,000SF), NCAA track with soccer fields, Science building (35,000 SF), Worship Arts (10,000SF) including recording studios and performance space, Nursing and Exercise science(8,000SF) including 3 classrooms, a nursing lab and simulation labs. Programming and schematic designs on a Student Commons (30,000SF), Business building (20,000SF), Engineering building (14,000SF), and renovation of the library (30,000SF). Purchased all furniture, equipment, and signage for projects. Initiated landscape master plan and improvements for the campus. Collaborated with the CFO and Facilities on a campus security plan, campus parking plan, ADA analysis for campus locations, campus landscape plan, campus deferred maintenance study, energy usage study, and other critical building feasibility studies for future construction and renovation. Worked with facilities through ongoing maintenance and repairs of campus buildings and infrastructure. Worked with national historic preservation society for historic campus buildings. Capital Project oversite included selection of Architects and contractors, oversaw bidding process and interviews. Oversaw budget and schedule for all projects. Reviewed schedule of values for payment application. Oversaw and set up weekly construction meetings and any pre-construction meetings, meetings between architect and engineers to develop MEP solutions, and meetings between architects and faculty during programming and schematic design. Reviewed and created filing systems for RFI's, change orders, submittals and shop drawings. Evaluated and negotiated these when needed, distributed to necessary parties including professors as needed. Reviewed contractor safety plans and inspected site daily for safety. Daily site walk thru's and documentation of work. Oversaw correspondence between architects, contractors, college departments and regulatory officials. Coordinated hazardous material abatement when needed. Developed field sketches and designs as needed. Worked with contractors and architects for building commissioning. Worked with issues that arose during one year warranty. Coordinate site visits by regulating officials to obtain building occupancy and/or work through any issues that arise. Point of contact for all issues that arose between users, architects, engineers, Board of Trustees, Executive team and any regulatory agencies.

Master Plan: Oversaw the college master plan process. Researched and analyzed all campus spaces and departmental space needs; this included classrooms, labs, and offices across campus. Coordinated and led user group campus wide "Town Halls", developed schematic studies, interviewed each academic department to improve their programs, programmed all buildings on campus to meet ideal usage needs, analyzed classroom usage, analyzed third space usage, collaborated to create a final Master Plan. Analyzed profitability and design solutions for student housing and dining.

Project Manager: March 2007- March 2015
I worked on individual projects while staying home with my young children.

Kitchell – San Mateo, CA
Construction Project Engineer: June 2005- March 2007
Owner's representative for a $234 million school district modernization bond. Oversaw work on district high schools, which included new construction, renovations and updates to major systems, maintenance to MEP systems and building envelopes and landscaping. The goal of the project was updating facilities, green building principles, asbestos remediation, and earthquake retrofitting. Held weekly meetings with the San Mateo School District representative. Oversaw architects, contractors, engineers and specialty consultants. Worked closely with school district facilities and maintenance staff on PM of systems, identification of projects, project over site and training. Performed daily job walk thru's and documented project progress. Reviewed contractor performance, including planning and logistics for construction and safety planning. Oversaw budget administration and fiscal analysis of projects. Oversaw and coordinated scheduling, contract and subcontract administration, and permit reviews. Verified completion of contracts and oversaw project closeout (punch lists, warranty's, O & M Manuals) were completed and processed. Maintained and oversaw RFIs, issued responses, negotiated, and prepared change orders. Managed and monitored project budgets and scheduling for each portion of the project. Reviewed submittals and shop drawings for accuracy, assured they met job requirements. Reviewed Schedule of Values and prepared Payment applications and approved accounts payable, assured prevailing wage requirements were met. Maintained as-built drawings, prepared daily reports and logs, and bi-weekly status reports. Coordinated daily with DSA, Architects, Engineers, and Project Inspectors. Worked with Architects and Engineers on the development of new projects from programming thru Permit Set. Organized and prepared bid solicitation, oversaw bid proposals, selected the winning bid. Responsible for project closeout as required per contract documents. Included punch-list walk thru and completion, negotiations, dispersement of O & M Manuals. Worked with contractor and regulatory officials to obtain building occupancy. Responsible for resolving any issue which arose, research for best solution from a cost and schedule perspective, mediated between architect, contractor, school officials, and project inspector. Represented school for any interactions with City, County, State, or other regulatory agencies.

Ariel Birtley

Oregon State University - Corvallis, OR

Graduate Teaching Fellow: September 2004 - June 2005

Taught ACAD and EXCEL, provided instructional support to Faculty member, oversaw student workers.Developed and performed research on a grant from Hewlett Packard to study why there is a lack of Women and Minorities in the Engineering Fields.

Harsch Investment Properties – Alameda, CA

Assistant Project Manager: June 2004 - September 2004

Owner's representative for a $40 Million remodel of an outdoor shopping mall wherein I oversaw the Architect, Engineers, consultants and contractors. Oversaw all construction from bidding to contractor selection, contract negotiation, project budgets, scheduling, and weekly meetings. Several crucial new anchor stores were under construction, as well as significant developments to the landscape. All existing tenant spaces were remodeled. Coordinated with the city on multiple permits. Coordinated with retail customers, shop owners, contractors, engineers, and Architects to develop a construction schedule and budget. Maintained as-built drawings, responded to change orders and RFI's.

Marin County CDA- San Rafael, CA

Assistant Planner: August 2002 - June 2004

I worked in three departments; current planning, advanced planning, and affordable housing. Publications: Marin County General Plan, Local Coastal Program, Monarch Butterfly Study, Indian Valley Plan, Trends and Issues Report for the County of Marin, San Quentin Village Redevelopment Plan, and the Marin County Historic Element.

Current Planning: Issued permits for proposed projects. Performed site visits, analyzed plans for conformance with local codes, coordinated with local agencies, neighbors, engineers, architects, and prepared for public meetings where I presented findings and recommendations to the board. Worked on the development of the Development Code, The General Plan, The Housing Element, & other specific community plans using GIS, parcel, and land use maps and CEQA.

Advanced Planning: I worked with the honorable Alex Hinds and team to create the APA Nationally award-winning green Marin Countywide Plan. This involved research regarding land-use zoning, conservation areas, endangered species, and habitat areas. We created new policies about historic preservation, social justice, environmentalism, and the built environment to align with and be the forerunner in the country for Green and Sustainable Design Principles. We received public input at public meetings, integrated this information into the plan, and then presented the proposed changes to the board of supervisors and then back to the public. Solely responsible for researching, writing, and developing the historic element. I worked with local land trusts and government agencies to preserve land and provide public access to natural resource areas. I also researched and provided policies for the Local Coastal Plan, Cliff erosion, and Monarch butterfly conservation. I worked with the Green Building Department to perform research and develop systems.

Affordable Housing: Applied for grants and wrote proposals to agencies to obtain financing for local projects. Identified sites and design solutions for new developments. Oversaw maintenance and operations of existing units. Met with public interest groups to generate interest in projects. Developed and oversaw project and operational budgets, analyzed the feasibility of projects and the program operations. Researched and analyzed data, collaborated findings to write and implement new policies and ordinances. Coordinated with county officials and private investors to create a Housing Trust fund.

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Friday, October 9, 2020 10:23:43 AM

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1. Participate in the preparation and review of the comprehensive plan for the city;

2. Consider the location, character, extent, and effect of any proposed dedication of any street or other area for public use, including parks, public ways, public buildings, or public structures, with reference to the comprehensive plan, pursuant to RCW 35A.63.080;

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If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information	
Name	Lauren Craig
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	King County Metro
Current Position	Local Government Relations and Partnerships Lead

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	Yes
If yes, please indicate which group(s).	Seattle Planning Commission, King County Women's Advisory Board
Please share your qualifications for this appointment (skills, activities, training, education) if any:	As a brand new Bainbridge Island resident, I am grateful for the opportunity to apply for the Bainbridge Island Planning Commission. As a former Seattle Planning Commissioner, I can hit the ground running navigating the structure and issues before the Commission. Moreover, I have expertise in housing, land use and transit policy. In addition to the qualifications listed in my attached cover letter and CV, I feel as though I bring a unique perspective to the Commission as a renter, pedestrian and non-driver. I understand Bainbridge Island is different than Seattle, and I look forward to bringing my unique perspective to the Commission, while deepening my understanding of a community that has been well-defined and long-appreciated by its residents. With 13 years of experience as a public policy analyst, regulatory compliance attorney, and municipal government relations lead, I am confident that I offer what you are looking for. In 2015, I attended a transportation and land use infrastructure tour in Copenhagen, Denmark, with city elected officials from Los Angeles and Seattle, and seek to contribute what I learned to the city of Bainbridge Island.
Please share your community interests (groups, committees, organizations) if any:	I recently moved to Bainbridge Island, but am interested in community health, including Seattle Parks and Rec programming, and more opportunities for COVID-era physical and mental health, including opportunities for walking, biking, and socially-distanced engagement. I am also interested in anti-racism efforts, and how Bainbridge Island can contribute its resources and skills to supporting a broader movement, as well

	as diversify its schools, residents and businesses through land use. Last, I care deeply about sustainability and seek ways to reduce driving and carbon emissions.
Do you have potential conflicts of interest? If so, please explain:	I work for King County, and live in Kitsap. I served on the Seattle Planning Commission and worked for King County, which was not an issue.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2020

Email not displaying correctly? View it in your browser.

Dear City of Bainbridge Island,

As a new Bainbridge Island resident, I am grateful for the opportunity to apply for the Bainbridge Island Planning Commission. As a former Seattle Planning Commissioner, I can hit the ground running navigating the structure and issues before the Commission. Moreover, I have expertise in housing, land use and transit policy and implementation. In addition to the qualifications listed in this application, I feel as though I bring a unique perspective to the Commission as a renter, pedestrian and non-driver. I understand Bainbridge Island is different than Seattle, and I look forward to bringing my unique perspective to the Commission, while deepening my understanding of a community that has been well-defined and long-appreciated by its residents. With 13 years of experience as a public policy analyst, regulatory compliance attorney, and municipal government relations lead, I am confident that I offer what you are looking for. Specifically, I have the following qualifications that could offer substantive expertise and a collaborative perspective to the Commission:

- **13 years of public policy experience:** My positions at King County, The Port Authority of New York and New Jersey, local labor and social justice organizations, and large business associations, have all involved strategically analyzing public policy to develop policy positions, as well as drafting proposed legislation. This role required subject matter expertise, high political acumen, and knowledge of legal landscapes. In my current role, I develop communications and strategies to help shepherd our programs and projects through other government entities. I have special expertise in housing, transportation, and land use policy, as well as experience with governments and legal structures in New York, New Jersey, California, and, for the past six years, Seattle and King County, Washington. I can develop new technical acumen and identify related potential political and legal pitfalls very quickly.

- **Former regulatory compliance and business transactions attorney:** I worked in the Regulatory Compliance and Business Transactions division of the Port Authority of New York and New Jersey, which is a government agency as well as a market participant. There, my clients were the business divisions. In order to adequately represent my clients in drafting agreements or providing legal advice, I had to develop technical expertise in the lines of business. I had to consistently monitor legislation that would be relevant to the clients. This experience can assist with providing proactive advice concerning changes to the regulatory landscape. In addition, my role was to work with the Government Relations team to provide legal analysis of public policy, as well as identify reputational or economic risks to the organization.

- **Successfully built relationships and partnerships with major stakeholders and elected officials.** I have worked in Washington State for over six years. I have two political appointments under my belt: The Seattle Planning Commission and the King County Women's Advisory Board. My former supervisor is a state Senator. I have worked with the King County Executive directly. In my current role, I am responsible for building and managing relationships with all 39 local jurisdictions in King County. I have built strong relationships with city leadership as well as Councilmembers and Mayors. I work with major stakeholders, other government agencies, and community-based organizations in the region to review project plans. I will bring my engagement skills and collaborative approach to the Commission.

I can assure you that, if selected, I will a bring depth of public policy experience, relationship-building skills, and a deep commitment to equity and sustainability. After you have had a chance to review the enclosed resume, I look forward to discussing how I can contribute my skills to the Commission. Please do not hesitate to contact me with any questions.

Sincerely,
Lauren Leigh Batalias (Craig), J.D.

Lauren L. Batalias, J.D.

Professional Summary

- 13+ years experience analyzing policy at the local, state, and federal level across multiple jurisdictions.
- 8+ years experience in government and community relations across multiple jurisdictions.
- 6+ years experience successfully negotiating policy solutions and legal agreements with stakeholders, elected officials and government agencies.
- 3+ years experience leading research, policy and advocacy strategy for issue-area campaigns.
- 14+ years experience managing projects and programs for government agencies and non-profit organizations.
- One year experience devising and managing a cross-functional team of research and policy analysts.
- Adaptable, enthusiastic self-starter.
- Successful track record as a voice for equity and sustainability as a Seattle Planning Commissioner and King County Women's Advisory Board Member.
- Special expertise in housing, land use, transportation, workforce, and environmental policy with equity lens.

Experience

LOCAL GOVERNMENT RELATIONS AND PARTNERSHIPS LEAD | KING COUNTY GOVERNMENT | SEATTLE, WA

King County Metro Transit General Manager's Office (January 2020 - present):

- Establishes and maintains productive relationships on behalf of Metro and meets regularly with city councilmembers and jurisdictional staff.
- Identifies, negotiates, resolves or elevates sensitive, significant, and controversial issues between King County Metro staff and local jurisdictions.
- Provides information and coordinates the elevation of issues, local elected or jurisdiction positions and feedback to leadership.
- Manages program and logistics for 39-jurisdiction long-range plan technical advisory committee and thrice-monthly transportation boards of elected officials.
- Develops and implements government relations and partnerships strategies for planned BRT lines through multiple jurisdictions.
- Advises leadership on tribal relations, strategy and policy as needed.

PROJECT/PROGRAM MANAGER III | KING COUNTY GOVERNMENT | SEATTLE, WA

King County Metro Transit General Manager's Office (Previously DOT) (December 2017 – January 2020):

- Lead project manager and successful negotiator for multi-million dollar rail operating and maintenance agreement with Sound Transit.
- Managed consultant to develop and implement government relations and partnerships strategies for long-term capital projects.
- Developed operations protocols to optimize delivery of programs during reorganization.
- Metro representative for Puget Sound Regional Council project evaluation committee, responsible for selection and disbursement of FHA and FHWA funds through local MPO.
- Represented and staffed King County Executive Dow Constantine at a variety of community meetings and events.

- Provided subject-matter expertise in transportation policy and strategy to Executive team.
- Led research and policy efforts for Department of Transportation Director and worked directly with division directors to achieve results.
- Managed all aspects of research, drafting and analysis for statewide transit-only lane enforcement legislation.

CONSULTANT, CITY OF SEATTLE DEPARTMENT OF NEIGHBORHOODS | SEATTLE, WA |
2017

- Consulted with the city of Seattle to implement large public education effort for upzones to support new housing through Seattle's Mandatory Housing Affordability policy.
- Translated complex housing and land use policy for thousands of Seattle residents.

RESEARCH MANAGER | SEIU 775 | SEATTLE, WA
2015 - 2016

- Created and managed cross-functional multi-division research and policy department.
- Supervised, assigned work to, and grew the skills of a team of research and policy analysts.
- Developed and executed lobbying strategy.
- Led qualitative and quantitative research projects on major policy campaigns.
- Represented union President and provided policy expertise to Department of Labor in Washington, D.C

POLICY COUNSEL | PUGET SOUND SAGE | SEATTLE, WA
2014 - 2015

- Led research, policy and stakeholder efforts for successful campaigns.
- Drafted legal and policy analysis of proposed legislation, drafting and passing first-ever transit-oriented development provision for statewide transportation authorizing legislation in Washington State.
- Co-led multiple coalitions, managed divergent interests and negotiated mutually beneficial solutions among partners and elected officials.
- Developed and managed budget for transit, land use and housing program.
- Directed all aspects of communications for campaigns including earned media, op-eds, blogs, liaising with press.

ATTORNEY | PORT AUTHORITY OF NEW YORK AND NEW JERSEY | NEW YORK, NY
2012 - 2014
Regulatory Compliance and Business Transactions Division:

- Devised and implemented a program within the Law Department to track legislation and regulations at federal and state levels.
- Provided legal analysis and advice to government relations and internal clients on legal and policy implications of business decisions.
- Translated Law Department policy positions for Government Relations leads.
- Managed all aspects of drafting technical mutual aid agreements for emergency operations procedures at airports, parties included Department of Defense, police and fire agencies.

STUDENT ATTORNEY | URBAN LEGAL CLINIC | NEWARK, NJ
2011 - 2012

- Drafted motions, administrative hearing and federal-appellate briefs, client interviewing and counseling.
- Won negotiation with U.S Attorney representing the Social Security Administration, resulting in $65,000 for disabled client.

LEGAL FELLOW | EASTERN ENVIRONMENTAL LAW CENTER | NEWARK, NJ
2011 - 2011

- Drafted technical comments arguing environmental justice impacts for the Jersey City Natural Gas Pipeline Environmental Impact Statement for submission to Federal Energy Regulatory Commission.
- Researched litigation and policy advocacy strategy for Coalition for Healthy Ports.
- Drafted copious legal and policy research memoranda.

PUBLIC POLICY ANALYST | BAY AREA COUNCIL | SAN FRANCISCO, CA
2007 - 2009

- Researched, tracked and analyzed current and proposed local, regional, state, and federal public policies.
- Worked with Vice Presidents to encourage support for the first regional equitable development TOD bill in the U.S.
- Provided subject-matter expertise to vice-presidents and members in water, transportation and energy policy.
- Drafted research memoranda for member and staff reference.
- Developed relationships with stakeholders and identified common policy objectives and priorities, including high-level government officials, CEOs and government relations leads of major corporations.
- Organized and developed program content and logistics for policy committee meetings and coordinated major conferences.

CONSULTANT, DIRECTOR OF POLICY ADVOCACY FOR ANNUAL CONFERENCE | WOMEN IMPACTING PUBLIC POLICY | SAN FRANCISCO, CA
2007

- Developed business-member committees in health care, energy, and government contract procurement legislation.
- Organized Capitol Hill visits to Senators, and a Congressional luncheon with then-Senator Hillary Clinton at the annual conference in Washington, D.C.
- Advocated WIPP policy positions with members to federal legislators.

PROGRAM ADMINISTRATOR | INDUSTRIAL AND TECHNOLOGY ASSISTANCE CORPORATION/RESEARCH FOUNDATION OF CUNY | NEW YORK, NY
2004 - 2007

- Developed and administered materials cost-savings program furthering the economic and environmental development of small-mid-sized industrial and manufacturing businesses the greater New York area.
- Spearheaded biofuel production company and restaurant partnership initiative.
- Trained in grant-writing techniques.
- Synthesized complex performance metrics from relational databases for reporting to funders.

Technical Skills

Proficient in using data visualization software, Microsoft packages, relational databases, Salesforce, EBSCO Host, LexisNexis, Westlaw, state and local legislative websites, Federal Register, Thomas.gov, American Community Survey, elementary GIS, Asana, custom content management systems.

Education

J.D. | 2012 | RUTGERS SCHOOL OF LAW

- Senior Editor, Race and the Law Review
- Co-Chair, Human Rights Forum
- Technical Research Assistance for *The Price of Paradise, The Costs of Inequality and a Vision for a More Equitable America*, by Professor David Dante Troutt
- Member, Environmental Law Society

B.A. | 2006 | STATE UNIVERSITY OF NEW YORK

- Major: Anthropology/Psychology

Green Lane Project Transportation Leadership Tour, People for Bikes, with City of Seattle and City of Los Angeles,
Copenhagen, Denmark, 2015

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Friday, October 9, 2020 2:10:38 PM

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Planning Commission Volunteer Application

Step 1

The Planning Commission (PC) was established pursuant to RCW 35A.63 to serve as an advisory body to the City Council. Its role is to provide recommendations to the City Council, Planning Director and Hearing Examiner, and to consider legislative and quasi-judicial matters, with its primary responsibility to prepare, review and update the Comprehensive Plan. (BIMC 2.14.020.A).

The City of Bainbridge Island is seeking a volunteer to serve on the Planning Commission to complete a term ending in June 2021.

As BIMC 2.14.020.C.1 states:

Create the planning commission agenda prior to its publication in consultation with the director. The commission shall consist of seven members appointed by the mayor and confirmed by the city council. All seven members of the commission shall be residents of the city. The members shall not be employees or officers of the city or appointed to another city committee, board, or commission, except for specialized committees or task forces of limited duration. The city is committed to promoting diversity on the commission. The commission shall reflect the diverse perspectives, work experiences and backgrounds represented in the community. Women, persons with disabilities, sexual and gender minorities, younger persons, senior citizens, persons of color, and immigrants are encouraged to apply to serve on the commission. Each commissioner shall endeavor to understand and agree to uphold the city's adopted comprehensive plan.

Applications are due by 4:00 p.m. on October 9, 2020. Interviews will be held in October.

Questions? Please contact Executive Assistant Roz Lassoff at 206-580-6735 (cell) or by email at rlassoff@bainbridgewa.gov

The Bainbridge Island Municipal Code (BIMC) explains the duties and responsibilities of the PC as follows:

BIMC 2.14.020.B Planning commission.

Duties and Responsibilities. Pursuant to the provisions of Chapter 35A.63 RCW,

there is established within the city a planning commission. The title “planning commission” is substituted for the title “planning agency” in all city ordinances and other documents approved prior to the effective date of the ordinance codified in this chapter. The planning commission shall have the following duties and responsibilities:

1. Participate in the preparation and review of the comprehensive plan for the city;

2. Consider the location, character, extent, and effect of any proposed dedication of any street or other area for public use, including parks, public ways, public buildings, or public structures, with reference to the comprehensive plan, pursuant to RCW 35A.63.080;

3. Review and make recommendations on all applications for amendments to the comprehensive plan, official zoning map and official zoning ordinance of the city pursuant to Table 2.16.010-1;

4. Review and make recommendations on all housing design demonstration project applications pursuant to BIMC 2.16.020.S, including those housing design demonstration project applications involving land subdivision, based on a comprehensive review of the project at a public meeting;

5. Review and make recommendations on preliminary short subdivisions if requested by the director;

6. Review and make recommendations on all preliminary large lot subdivisions, preliminary long subdivisions, major site plan and design reviews, major conditional use permits, and major shoreline conditional use permits, taking into consideration the recommendation from the design review board and a comprehensive review of the project at a public meeting;

7. Such other advisory duties as may be assigned to it by the city council, or as specified in the BIMC;

8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information	
Name	james dingels
Email	

Daytime Phone	
Address	
City	bainbridge island
State	wa
Zip	98110
Current Employer	TIROG
Current Position	Administrator/COO

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	* Senior Citizen who is ramping down his professional career and now looking to give back to the community through projects of interest * 38 years experience in the healthcare industry as a hospital and medical group administrator achieving solutions in the face of complex organizational, social, regulatory, etc.challenges * Dependable 20+ year Island resident who's lived here long enough to appreciate the community and its culture * Offering a fresh perspective/Open to all sides of the arguments with no preconceived biases or opinions affecting my decision-making. * While not knowing many of the current intricacies of the role, I have a history of being a quick and reliable study, able to positively contribute fresh perspectives in short order. * Education/training: Economics B.A. from St. Thomas University, MBA and Masters of Public Health from Yale University, Certified Medical Practice Executive, Retired CPA
Please share your community interests (groups, committees,	Planning Commission membership

organizations) if any:	
Do you have potential conflicts of interest? If so, please explain:	I have no known potential conflicts of interest.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	*Field not completed.*
Type the Year	2020

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From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Friday, September 11, 2020 10:41:48 PM

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Planning Commission Volunteer Application

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6. Review and make recommendations on all preliminary large lot subdivisions, preliminary long subdivisions, major site plan and design reviews, major conditional use permits, and major shoreline conditional use permits, taking into consideration the recommendation from the design review board and a comprehensive review of the project at a public meeting;

7. Such other advisory duties as may be assigned to it by the city council, or as specified in the BIMC;

8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information

Name	Anthony Lawrence Farrell
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Retired / Corrections Officer / Dept. of Adult & Juvenile Detention / King County / Seattle
Current Position	Retired / Washington State Dept. of Retirement system (DRS)

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	All my experience and training are incorporated into the Criminal Justice System. I have Master's Certificate in Project Management - Villanova University, a BA in Society & Justice - Washington University, a Certificate form WSCJTA. I also hold a AA in Law Enforcement - Shoreline Comm. Col. At the Dept. of Adult & Juvenile Detention, I was an FTO, Officer. Also I was on the Transition Team (develop an new Jail /RJC), Acting Sgt., and Triage Officer. Plus I have skills in illustrations (Arts), manufacturing (Food/Glass/Trucking) and Culinary Arts. I will bring to the table a adversity of experience with deserve perspectives. My ability to communicate, work with others, investigate and analyzes data, visualize concepts and objectives would makes me an asset to the Planning Commission.
Please share your community interests (groups, committees, organizations) if any:	* I am a member of the Knights of Columbus, a fraternal Catholic Organization who mission is to provide charitable works to the Parish, Community, State. (20 yrs.- held many Officers positions) *I volunteered at the Court Jail (King Co.) in the Program dept. I operated and monitors Jail programs: Inmate Eye Wear and Moslem items. Also I kept records for the Education, AA, NA, Reading and Religious programs. Also I was an adviser on operational procedures Its was cut short by the Coronal -19. *I volunteered withe the Rotary Club each year for the pass 10 yrs. (worked in the kitchen) * I participated in the Bainbridge Island PD Citizen's Police Academy.

	* did Volunteer work for my Parish, St. Cecilia, and the local Democratic group (post cards).
Do you have potential conflicts of interest? If so, please explain:	None that I am aware of.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	*Field not completed.*
Type the Year	2020

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From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Saturday, September 19, 2020 4:38:42 PM

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Planning Commission Volunteer Application

Step 1

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7. Such other advisory duties as may be assigned to it by the city council, or as specified in the BIMC;

8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information	
Name	james forsher
Email	

Daytime Phone	
Address	
City	WA - Bainbridge Island
State	WA
Zip	98110
Current Employer	self
Current Position	Retired Professor
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	Yes
If yes, please indicate which group(s).	Historic Board. 2013-14
Please share your qualifications for this appointment (skills, activities, training, education) if any:	Masters and PhD in Urban Planning. University of Southern California. Worked in the Mayor's Office, Los Angeles. Taught Planning during my years as a college professor. I have built and remodeled several buildings over the years.
Please share your community interests (groups, committees, organizations) if any:	I was in the Rotary Club for several years. I also helped organize our neighborhood for earthquake preparedness and later joined the emergency captains group on the island.
Do you have potential conflicts of interest? If so, please explain:	none.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2020

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James Forsher PhD

Profile

Professional, highly motivated and dedicated teacher, demonstrating excellent interpersonal and communication skills with extensive experience in communication studies programs and courses.

Education and Qualification

1997 – 2000 University of Southern California. PhD Urban Planning.

Dissertation topic explored the entertainment industry and effects urban life.

1977 – 1980 University of Southern California. Masters in Urban Studies

1973 - 1975 University of California, Santa Cruz. BA in Psychology

Employment

2013 – 2016 Seattle Film Institute. Seattle, WA. Instructor in Communication Studies.

Fall, 2015 Fulbright Visiting Scholar. Klagenfurt University, Klagenfurt, Austria

2007 – 2012 Seattle University. Seattle WA. Associate Professor in Communications

2001 – 2007 California State University East Bay. Associate Professor in Communications (ret)

1997 – 2001 Florida State University, Tallahassee, FL. Assistant Professor in Communications

1992 – 1993 Temple University, Philadelphia, PA. Visiting Professor in Communications

1989 – 1992 Fullerton College. Fullerton California. Adjunct Community College instructor

Sample of Classes Taught over the years.

- Introduction to Communication Studies
- Introduction to Mass Communications
- Race and the Media
- Censorship and Cinema
- Screenwriting
- Writing for Journalism
- Documentary Film Production
- Broadcast News
- Editing
- Graphic Arts

- Film History
- Qualitative Research
- Professional Practices of the Entertainment Industry
- Study in Hollywood; Intensive study course in Los Angeles

Publications and Creative Projects

- Elvis and Trude: Feature Length documentary focusing on Elvis Presley and his first five years in Hollywood. Co-Production with Langbain and Partners, Vienna Austria. ORF funded. 2017
- Community of Cinema (Author). Greenwood Press February 2003. Reviews the development of the movie theater in America and its impact on public space.
- Forsher, James. Propaganda and the Movies: Encyclopedia of International Media and Communications Academic Press (publication date unannounced)
- Roddenberry's Trek 2013-2015 Feature-length documentary focusing on Gene Roddenberry, creator of Star Trek.
- Pearson Education. Consulting Producer 2005 –2012. Produced over 60 'webisodes,' and created over 100 online assessments tools.
- Best Little Towns in America (Producer/writer) 2002. PBS. Half hour pilot that examines small towns throughout America.
- Lost Warriors (Producer) 2002. Half-hour PBS documentary on homeless Vietnam Vets. Winner, Telly Award,
- Changing Culture of the Workplace (Producer/Director/Writer) 1995. Funded by a grant from the California Dept. of Education and aired nationally on PBS in 1996. 8- part-series, hosted by George Takei, explored structure of the workplace.
- Japanese /American Propaganda Wars (Producer/Co Writer) 1993. Episode of the Arts and Entertainment Time Machine series; the show explored the propaganda wars that occurred during World War Two.
- The Hollywood Censorship Wars (Producer/Co Writer) 1993. Episode of the Arts and Entertainment Time Machine series. Show explored the battle to censor movies, between 1893 and 1992.
- The Future That Never Happened ({Producer/Co Writer) 1993. Episode of the Arts and Entertainment Time Machine series, the show explored popular forecasts of the future made over the past 200 years.
- The 1960's (Producer/Writer) 1992-1993. 13 part series for Liberty Media's Encore! /Starz Movie Channel. The series looked at cultural life during the 1960's in America.

- Hollywood Chronicles (Producer/Writer/Director) 1989. 26 part series produced for the Discovery Channel and hosted by Jackie Cooper. Focused on the history of motion pictures and its impact on America.
- Hollywood Christmas Story (Producer/Writer/Director) 1988. Produced for the Discovery Channel. One hour special explored the Christmas season as told through the movies both on and off screen. Hosted by Rosemary Clooney.
- Hollywood Ghost Stories (Director/Writer) 1984. Hosted by John Carradine. Feature length special about hauntings that take part in Hollywood. Aired on Cinemax, Movie Channel, Discovery & Warner Home Video,
- Hollywood Uncensored (Co-producer and director.)1986. Feature hosted by Peter Fonda & Doug Fairbanks Jr. about film censorship from the 1920's to the mid 1980's. Movie Channel, Cinemax, Warner Home Video
- York Seltzer, American Red Cross, Hasbro, Tyco Toys, Matchbox Toys. 1983-1993. Produced and directed series of commercials.
- Ticket to Hollywood (Producer/Director) 1983. Feature length special on the publicity system in Hollywood during the 1920's and 1930's. Movie Channel, Media Home Entertainment
- KNBC Channel 4, Public Affairs (Associate Producer) (1980-1982) Produced segments dealing with cultural and religious affairs in Los Angeles.
- Cadillac Hotel (Producer/Director)1979, 1986. The Learning Channel. Documentary hosted by Ed Asner. The Venice, California hotel, composed of men and women ranging in age from 80 to over 100 years.
- Best Show in Town (Producer/Director) 1977. Adolph Zukor recalls how he helped create the feature film industry and Paramount Studios.
- Insight into a Giant (Producer/Director) 1975. Conrad Hilton recalls how he helped create the modern hotel industry.

Conference Presentations

- The Creation of Elvis Presley. AAAS conference. Graz Austria. October, 2015
- The Animated Enemy. SIFF Film Festival. Seattle, WA . 2009 & 2010.
- The Unseen Cinema: Censorship before 1932 Pacific Film Archives
  1993 & 2006 (lecture with film clips)
- Access and Exclusion: Internet Technologies and Underprivileged Groups
  Telecommunications and the City Conference
  University of Georgia March 1998
- Claude Pepper Screening and discussion 1999
  University film and Video Association
  Emerson College, Boston
- Claude Pepper: Students working on Documentaries 1998
  Broadcast education Association
  Las Vegas, NV

- The Unseen Cinema: Censorship before 1932
  Pacific Film Archives
  December 18, 1993 (lecture with film clips)
- Mass Culture and Urbanization: The relationship between the growth of Motion Picture Theater Districts and the Development of Downtown America 1900 through 1930.
  Popular Culture Association March 23, 1996
- The Production Code, its Development and Formation
  Rochester Institute of Technology/Kodak Institute
  RIT Conference on Film Preservation)
  August 12, 1993
- Vietnam War as seen on Television
  George Mason University (talk) March 1993
- Creating the Concept: From formation to pitching
  American Film Institute (talk) 1991
- Mass Culture and Urbanization: The relationship between the growth of Motion Picture Theater Districts and the Development of Downtown America 1900 through 1930. Popular Culture Association March 23, 1996 (Talk)

References

Professor Steve McDowell
Associate Dean, College of Communication
Florida State University
(850) 644-2276
steve.mcdowell@cci.fsu.edu

Dr. Geoff Potter
Faculty of Education (retired).
University of Victoria
British Columbia, Canada
gpotter@uvic.ca

Stephen Sheppard
Producer/Editor w/ 60 Minutes. CBS Television
Emmy award winning editor/producer
steve@thegoodsheppard.com
(212) 866-9465

David Trees
Academic Affairs Officer
djtrees@seattlefilminstitute.com
206-568-4387
3210 16th Ave. W
Seattle, WA 98119

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Monday, October 5, 2020 4:48:14 PM

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Planning Commission Volunteer Application

Step 1

The Planning Commission (PC) was established pursuant to RCW 35A.63 to serve as an advisory body to the City Council. Its role is to provide recommendations to the City Council, Planning Director and Hearing Examiner, and to consider legislative and quasi-judicial matters, with its primary responsibility to prepare, review and update the Comprehensive Plan. (BIMC 2.14.020.A).

The City of Bainbridge Island is seeking a volunteer to serve on the Planning Commission to complete a term ending in June 2021.

As BIMC 2.14.020.C.1 states:

Create the planning commission agenda prior to its publication in consultation with the director. The commission shall consist of seven members appointed by the mayor and confirmed by the city council. All seven members of the commission shall be residents of the city. The members shall not be employees or officers of the city or appointed to another city committee, board, or commission, except for specialized committees or task forces of limited duration. The city is committed to promoting diversity on the commission. The commission shall reflect the diverse perspectives, work experiences and backgrounds represented in the community. Women, persons with disabilities, sexual and gender minorities, younger persons, senior citizens, persons of color, and immigrants are encouraged to apply to serve on the commission. Each commissioner shall endeavor to understand and agree to uphold the city's adopted comprehensive plan.

Applications are due by 4:00 p.m. on October 9, 2020. Interviews will be held in October.

Questions? Please contact Executive Assistant Roz Lassoff at 206-580-6735 (cell) or by email at rlassoff@bainbridgewa.gov

The Bainbridge Island Municipal Code (BIMC) explains the duties and responsibilities of the PC as follows:

BIMC 2.14.020.B Planning commission.

Duties and Responsibilities. Pursuant to the provisions of Chapter 35A.63 RCW,

there is established within the city a planning commission. The title “planning commission” is substituted for the title “planning agency” in all city ordinances and other documents approved prior to the effective date of the ordinance codified in this chapter. The planning commission shall have the following duties and responsibilities:

1. Participate in the preparation and review of the comprehensive plan for the city;

2. Consider the location, character, extent, and effect of any proposed dedication of any street or other area for public use, including parks, public ways, public buildings, or public structures, with reference to the comprehensive plan, pursuant to RCW 35A.63.080;

3. Review and make recommendations on all applications for amendments to the comprehensive plan, official zoning map and official zoning ordinance of the city pursuant to Table 2.16.010-1;

4. Review and make recommendations on all housing design demonstration project applications pursuant to BIMC 2.16.020.S, including those housing design demonstration project applications involving land subdivision, based on a comprehensive review of the project at a public meeting;

5. Review and make recommendations on preliminary short subdivisions if requested by the director;

6. Review and make recommendations on all preliminary large lot subdivisions, preliminary long subdivisions, major site plan and design reviews, major conditional use permits, and major shoreline conditional use permits, taking into consideration the recommendation from the design review board and a comprehensive review of the project at a public meeting;

7. Such other advisory duties as may be assigned to it by the city council, or as specified in the BIMC;

8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information

Name	John Frew
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Frew Development Group, LLC
Current Position	President/CEO

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	For more than 30 years I have interacted with local governments, either as an attorney representing clients or as the owner of my own real estate development company. I have first hand knowledge of the planning and zoning process and extensive experience with the quasi-judicial nature of a commission. In addition to a law degree, I have a masters degree in public affairs that has provided me with a deep respect for the public policy process, institutions and participants.
Please share your community interests (groups, committees, organizations) if any:	Were it not for COVID-19, my wife and I would have become active in civic and social organizations on Bainbridge Island, just as we were throughout our 35 years living in Denver. When circumstances allow, we intend to actively volunteer and engage in the community.
Do you have potential conflicts of interest? If so, please explain:	No. My wife and I moved to Bainbridge Island about one tear ago and while I have an office here, I will not engage in real estate development on Bainbridge Island and so no conflicts exist or would arise. Separating where I live from where I work is an effective guard against conflicts of interest were I to be appointed to the Commission. Our company will be engaged with projects in Iowa, Texas and Colorado for many years to come and I do not plan to expand that footprint.
Feel free to attach a cover letter, resume', or other materials, if you	

wish (optional):

Type the Year	2020

Email not displaying correctly? View it in your browser.

JOHN FREW

John Frew is the President/CEO of Frew Development Group, LLC, a commercial and residential real estate development company. Mr. Frew established FDG in 2003 as a continuation of his distinguished career as an attorney, investment banker, and senior government official.

FDG has managed more than two million square feet of renovation and ground up construction in the office, commercial, retail, and hospitality sectors. FDG's ownership interests include hotels, retail, and multi-family residential. Currently, FDG has projects under construction in Cedar Rapids Iowa, Rockport Texas, and Dillon Colorado.

As an attorney, John has represented clients in the regulatory, legislative and executive branches of government at the local, state and federal levels. John excels at forging public-private partnerships to match public sector needs with private sector goals. His experience encompasses a broad range of development challenges, including complex land use approvals, inter-governmental agreements, site selection, land acquisition, tenant relocation, and construction management.

John and Marcia Frew live on Bainbridge Island, Washington and their daughters Lindsey and Shelby are actively engaged in the company.

EDUCATION

University of Iowa (B.A. & M.A.)
Creighton University School of Law

MEMBERSHIPS

Washington and Colorado Bar Associations

SELECTED PROJECTS

- Pearl Point Apartments (Rockport, TX)
- Homewood Suites (Dillon, CO)
- Westdale Town Center – PetSmart, Ross, Burlington, US Veterans Medical Clinic, Tru by Hilton, Home2 by Hilton, Boulder Tap House, Caribou Coffee (Cedar Rapids, IA)
- DoubleTree by Hilton (Cedar Rapids, IA)
- Coors Field (Denver, CO)
- 1STBank Center (Broomfield, CO)
- Grand Prix of Denver
- Denver International Airport
- State of New York Disaster Recovery (Hurricane Sandy)
- HEB Center (Cedar Park, TX)

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Wednesday, October 7, 2020 10:00:52 AM

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If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information	
Name	Jim Halbrook
Email	

Daytime Phone	
Address	
City	Banbridge
State	wa
Zip	98110
Current Employer	self employed
Current Position	self employed

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	I am an environmentalist with training in the biological sciences. My interest is to help make city policies consistent with the reality of global warming. The City of Bainbridge Island has ignored the science and the warning signs of a heating planet. Environmental degradation on the island is shocking considering that environmental destruction is the cause of climate change. An example of irrational land speculation and development can be viewed at the McMansion developments on Weaver and Finch Roads. Nearly 3 dozen 4000 sf homes were built on a wetland creek consequently destroying this important wildlife habitat. To make matters worse, the entire compound on Finch Road is surrounded by 6 ft fencing, further disrupting the migration of local animal populations to and from the creek, including deer, coyote, pheasant and raccoons. And lastly, to completely disrupt what remained of this habitat, the corporate developer with encouragement from the city built a trail through the creek. This example (and many others) highlights the degree to which City policies contribute to poor environmental stewardship and climate change. The Planning Commission has a lot of work to do. My interest is in the health and well being of the citizens of Bainbridge Island; including plants and wildlife. The natural environment sustains us, yet we are continually destroying it. Every year we deny climate change makes matters worse for

	those who actually live here. Now is the time to advise the City on the reality of climate change and recommend land use policies consistent with science and enlightened environmental stewardship.
Please share your community interests (groups, committees, organizations) if any:	Not a member of any clubs
Do you have potential conflicts of interest? If so, please explain:	I have no financial conflict of interests that would disqualify me from participating in this commission. I am a home owner and, have no interests in land speculation or development schemes. I do not have family or friends involved in these activities; nor do I take money from land speculators either directly or indirectly through foundations or charities.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	*Field not completed.*
Type the Year	2020

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Thursday, October 8, 2020 2:58:14 PM

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

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7. Such other advisory duties as may be assigned to it by the city council, or as specified in the BIMC;

8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

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Applicant Information	
Name	Kyle LaBrache
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	CA
Zip	98110
Current Employer	Self
Current Position	Filmmaker
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	Please see attached letter
Please share your community interests (groups, committees, organizations) if any:	Rowing, yoga, hiking, landscape design, public use space, shoreline management
Do you have potential conflicts of interest? If so, please explain:	No
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2020

Email not displaying correctly? View it in your browser.

October 8, 2020

Hello:

I am new to Bainbridge Island, but I have have deep roots in the Pacific Northwest and the Seattle area. My family and I were drawn to Bainbridge not just by the stunning beauty, but by the way it is being managed to protect the natural spaces while promoting smart growth in the urban zone.

My interest in volunteering for the planning committee comes from a desire to help contribute to my new community.

While my career is in filmmaking, I am deeply engaged in urban planning and design. In my previous neighborhood in Los Angeles, I worked to expand drought-tolerant landscaping (water scarcity is increasingly a major concern in Southern California) and to develop design standards that would preserve the character of our historic neighborhood. We were often confronted by unscrupulous companies using federal rebate money to "flip" lawns in the neighborhood with little regard for aesthetic or effective water use, and worked to demonstrate to the community better design solutions for the same cost.

Living in a large urban area like Los Angeles, I have seen first-hand how friends who own local businesses on our neighborhood's main commercial street struggle with poorly-conceived and overly-restrictive city ordinances. But I've also seen how lax parking restrictions on residential streets create a burden on longtime homeowners. And what I've learned is that it is a tricky balance—promoting local business growth, while respecting the needs of homeowners in the area.

As a volunteer I served on the Board of the Westside Chinese School of Southern California where my daughter was a student, eventually serving as the Vice President of General Affairs for the school. It was a great experience that I learned a lot from— I saw first-hand the challenges of working with the board to execute a budget that addresses the needs of a large community of families with differing ideas about the resources and direction of the school, and also learned to listen across cultural barriers and address deep-rooted conflicting points of view— like whether we teach the "Traditional" characters favored by Taiwan or the "Simplified" characters adopted by Beijing (a never-ending battle).

As a filmmaker, I am constantly faced with unforeseen challenges in unknown places. This is what the job is: making a lot of decisions and figuring out how to solve problems you may never have encountered before. From convincing the Cuban government that we were not spies and to release our sound recording equipment while shooting in Havana, to negotiating access to a forbidden cave in the Himalayas with a Hindu saint over a bowl of chana masala, to filming a sitcom in an Ikea.

While I do not have experience serving on a city planning committee, I can offer you the enthusiasm and fresh perspective of new resident, and I bring lots of interest in the future of the City of Bainbridge Island.

Thank you for your consideration,

Kyle LaBrache

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Friday, October 9, 2020 1:36:06 PM

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Planning Commission Volunteer Application

Step 1

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Applicant Information	
Name	Brennan Lujan
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Intel Corporation
Current Position	BIOS Engineer

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	I am currently a senior computer engineer at Intel, have a Master's degree in computer engineering, all over a successful career spanning 18 years. On top of the technical, corroborative, and leadership skills that have come from my career, I have an interest in architecture, design, building science, and urban planning with an emphasis in sustainable design and engineering. It is my hope to combine my interests, skills, and ability for thorough research towards this advisory position for the benefit of our community and Bainbridge Island's future growth.
Please share your community interests (groups, committees, organizations) if any:	Unfortunately, COVID-19 has put a large damper on building connections with any local organizations or groups since moving here. However, I am still planning on becoming a BARN member once services begin nearing normal operation again.
Do you have potential conflicts of interest? If so, please explain:	*Field not completed.*
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2020

BRENNAN LUJAN

ABOUT

Experienced computer engineer with over 15 years working in the tech industry, and a clear history of using their expertise to create innovative solutions with compelling results. Growth mindset to constantly challenge and study to the benefit of own skill-set and overall team. Fast-learning and driven, currently looking for new opportunities and challenges in a senior embedded software engineering and/or machine learning/AI role.

WORK EXPERIENCE

Intel Corporation Hillsboro, OR **2012 - current**
Sr. BIOS/Firmware Engineer

Currently leading development and maintenance on custom firmware framework and solution for over the past two years that lead to a three-fold increase in productivity. Designed, architected, planned development, and is a major contributor to the project. Co-authored papers highlighting the advancements of the framework. Previously led EDK II UEFI development and FSP enabling for ~1 year, ensuring the early success of FSP. Worked with multi-background teams across the globe to develop EDK II UEFI BIOS for client and SoC products for the full life-cycle of a product, from early enabling in an emulation environments to enabling and support on physical boards, leveraging both deep development and debugging expertise. Supported both internal and external customers. Multiple division awards.

The Maynard Group Soquel, CA **2007 - 2012**
IT Administrator

Expertise allowed the company to enter an entirely new market supporting Cisco UC500 telephony systems, Small Business (BE) systems, and Cisco enabled networks. Designed and implemented networks on multiple customer sites with remote interconnected locations for data and VOIP applications. Programmed, installed, maintained, and troubleshooted Cisco and Asterisk telephony systems. Wrote custom software to enable rapid programming. Responsible for maintaining all on-site servers, including planning and implementing an entire overhaul of on-site systems to servers running ESXi.

Smith & Vandiver Watsonville, CA **2002 - 2007**
MIS Administrator

Planned, budgeted, implemented, and maintained complete overhaul of network and server infrastructure for modernization, stability, and growth. Directed the planning, development, and installation of wireless networks for warehouse inventory tracking.

EDUCATION

Master of Science (MS) in Computer Engineering
University of Southern California
August 2015

Bachelor of Science (BS) in Computer Engineering
University of California, Santa Cruz
December 2011, Honors in Major

SKILLS

UEFI BIOS Firmware

Expert in UEFI, EDK II, and FSP BIOS firmware development, maintenance, and debugging for CPU and peripherals. Familiar with ACPI, SMI, PM, MRC, PCIE, UART, USB, and SPI interfaces among many others.

Programming

Expert (7+ years) in software development in C, Python, Perl, and x86 Assembly. Proficient in C++, C#, Java, Powershell, and PHP. Proficient with Git, Perforce, and SVN version control systems and Doxygen source documentation.

Software

15+ years experience with Linux, and 20+ years experience with Windows. Familiar with Visual Studio, Source Insight, Beyond Compare, Crystal Reports, Open Office, Microsoft Office, Visio, LaTeX, Photoshop, Gimp, Matlab, Teamcity, and Artifactory.

Networking

Completed courses for CCNA in 2004 + approx. 7 years experience designing, configuring, and maintaining LANs and WANs for multiple customers. Familiar with OSPF, EIGRP, BGP, IPSEC VPN, DMVPN, QoS, VRF, MPLS, route maps, DNS, etc.

Systems

Proficient with Windows Server, Exchange, MSSQL Server, MySQL, Linux, UNIX administration of Apache, Squid, VMware ESXi, and Samba.

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Monday, September 21, 2020 11:30:02 AM

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there is established within the city a planning commission. The title “planning commission” is substituted for the title “planning agency” in all city ordinances and other documents approved prior to the effective date of the ordinance codified in this chapter. The planning commission shall have the following duties and responsibilities:

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2. Consider the location, character, extent, and effect of any proposed dedication of any street or other area for public use, including parks, public ways, public buildings, or public structures, with reference to the comprehensive plan, pursuant to RCW 35A.63.080;

3. Review and make recommendations on all applications for amendments to the comprehensive plan, official zoning map and official zoning ordinance of the city pursuant to Table 2.16.010-1;

4. Review and make recommendations on all housing design demonstration project applications pursuant to BIMC 2.16.020.S, including those housing design demonstration project applications involving land subdivision, based on a comprehensive review of the project at a public meeting;

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6. Review and make recommendations on all preliminary large lot subdivisions, preliminary long subdivisions, major site plan and design reviews, major conditional use permits, and major shoreline conditional use permits, taking into consideration the recommendation from the design review board and a comprehensive review of the project at a public meeting;

7. Such other advisory duties as may be assigned to it by the city council, or as specified in the BIMC;

8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information

Name	Debra Macrae
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	LumiThera, Inc.
Current Position	Quality Director

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	Education: BS in Laboratory Technology / Immunolgy, Masters in Biology, ASQ certified Quality Auditor and Six Sigma Black Belt (metrics analysis and process improvements based on key performance indicators) Work Experience: 30+ years in a regulated healthcare/medical device corporate environment including technical support, complaint investigations, quality management, customer training, internal and external auditing. I have the direct responsibility to advise executive management on activities associated with FDA and ISO compliance. I have extensive experience making risk-based decisions and at the same time, understanding the importance of multiple perspectives provided through team work. Parent: Assessing priorities for childhood development
Please share your community interests (groups, committees, organizations) if any:	Master Composter & Recycling advocate - Irving, TX PTO VP, Fundraising - VRE Elementary Irving, TX Support local business and sustainable local farming
Do you have potential conflicts of interest? If so, please explain:	*Field not completed.*
Feel free to attach a cover letter, resume', or other materials, if you	*Field not completed.*

wish (optional):

Type the Year	2020

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Monday, October 5, 2020 6:08:34 PM

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Planning Commission Volunteer Application

Step 1

The Planning Commission (PC) was established pursuant to RCW 35A.63 to serve as an advisory body to the City Council. Its role is to provide recommendations to the City Council, Planning Director and Hearing Examiner, and to consider legislative and quasi-judicial matters, with its primary responsibility to prepare, review and update the Comprehensive Plan. (BIMC 2.14.020.A).

The City of Bainbridge Island is seeking a volunteer to serve on the Planning Commission to complete a term ending in June 2021.

As BIMC 2.14.020.C.1 states:

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Applications are due by 4:00 p.m. on October 9, 2020. Interviews will be held in October.

Questions? Please contact Executive Assistant Roz Lassoff at 206-580-6735 (cell) or by email at rlassoff@bainbridgewa.gov

The Bainbridge Island Municipal Code (BIMC) explains the duties and responsibilities of the PC as follows:

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8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information	
Name	Ashley Mathews
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Windermere Real Estate
Current Position	Real Estate Broker

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	I have been speaking and living the language of planning since I was a child. My grandmother served on our Town of Hunter planning commission in Upstate NY in the 80s and early 90s and I went to most meetings with her sitting on some folding chair. My family still owns the land in question which we tree farm. I am a licensed Real Estate Broker and our training and courses all concern zoning and planning so these are language and concepts I am fairly well-versed in. I take part in all of Bainbridge and have lived in and owned homes in Winslow, Fletcher Bay, The Sand Spit and Pleasant Beach. These are all unique areas and need to be treated as such all while following the plan and looking to the future. When this discussion happened a few months ago I started reading everything that I could about planning. I thought it was something you could study. Now I realize that what is equally important is bringing my own unique voice to this conversation. I am a proud Board member at BIMA where I sit on the DEI subcommittee. I am the Board development Chair for Treehouse for Kids. I am so committed to learning more and more about planning for equity and further conversations on the topic. I am focused on study and will learn all that I can on a topic. I enjoy research, but also know when it's time to ask questions. I am honest and reliable and honorable. I think recent events have proved that and I am committed to serve Bainbridge Island.
Please share your	BIMA Board of Directors NAACP Lifetime Member Bremerton chapter

community interests (groups, committees, organizations) if any:	Treehouse for Kids Board of Directors and executive committee as Board Development Chair Bainbridge Chorale Bainbridge Island Saddle Club
Do you have potential conflicts of interest? If so, please explain:	I did go through a bit of a tense/sad situation a few months ago concerning the last seat. I stand by my feelings that it's time for some racial diversity on the commission, but hope you can see that isn't my only attribute. I hope through this process that you can get to know me better and understand what I have to offer and what I strive to learn from you. I think someone within the Real Estate industry who isn't a developer or attorney is also a welcome change. I hope that you consider my application in the genuine way it is delivered. I attached a photo of my why. If you choose to read the story it's here and she's my mom. That's the land I gre up stewarding and do to this day. They don't make more of it. https://northernwoodlands.org/knots_and_bolts/stewardship-story-sydney-antonio
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2020

Email not displaying correctly? View it in your browser.

Stewardship Story: Sydney Antonio

by Glenn Rosenholm
Spring 2017
April 19, 2017
1 Comments

Sydney Antonio out for a walk in her woodlot. Photo by Heather Hilson / Watershed Agricultural Council

If you asked Sydney Antonio how she came to own 450 well-managed acres of forestland in upstate New York, she would tell you it had a lot to do with hating summer camp as a child.

She *really* hated it.

In 1959, her mom sent Sydney and her brother off to a rustic wilderness camp, where Sydney found the situation too structured, conforming, and impersonal.

“My mother dropped me off on Sunday,” Sydney recalled, “and Monday I wrote her a letter explaining my concerns.” Her mother didn’t get the letter, though, and so she never picked Sydney up. By Friday, her patience had run its course and she was determined to put an end to her camper’s nightmare. Sydney packed up her bags and ever so discreetly left the premises of the camp. She was all of 12 years old.

She walked to the side of the highway, stuck her thumb out, and started hitchhiking. Sometime later, a truck driver picked her up and drove her near the edge of the city before dropping her off. “He gave me enough money to take the subway home,” she added.

“When I got home I was prepared to get the licking of my life, but nothing happened. I was grounded, but I was allowed to read as many books as I wanted, so I was a happy camper at home,” she said.

She spent the rest of the summer at home in the city, an act that prompted her mother and maternal grandmother to go looking for some place that would get Sydney off the streets of the Big Apple during the summer months.

“They found this parcel,” said Sydney of the property she now owns in Haines Falls, New York. “It had been thoroughly timbered, so they got it cheaply.” Her mother bought 450 acres and her grandmother purchased another 275 acres in 1959. Because of their concerns about possible discrimination during the purchasing process, they formed a corporation to make the deal.

Sydney’s mother was an engineer, a graduate of Cooper Union. Her father was a Tuskegee Airman and lawyer. “The following year they built a house. They did it piece by piece. Being an engineer, mother knew what to do,” said Sydney. “I spent the rest of my summers here in Haines Falls, New York.”

Evon Antonio (in hat) discusses forest management with Cornell Associate Professor Shorna Broussard-Allred as part of a woods talk event. Photo by Heather Hilson / Watershed Agricultural Council

Decades later, after 20 years as a passenger service agent with Pan American Airlines, Sydney decided to move permanently upstate away from the city. Her husband, Evon, shared her love of the outdoors, so they bought a parcel of land in the same county as Sydney's mother's land and built their own house.

Unfortunately, their house burned down after an explosion caused by a leaking propane valve in November 1997.

They decided to rebuild their home, but this time they did it on Sydney's mother's land. Their new domicile was built on the family compound and they've remained ever since. Today, Sydney and Evon own 450 acres of land, about 445 of which is forested. The remaining 5 acres or so is just the land around their house and about an acre of water.

Their woodlot is made up mostly of hard maple, red oak, white ash, yellow birch, and black cherry. Hemlocks and other conifers make up the remaining 15 to 20 percent. "Some years they have some commercial value, and other years they have none," she says of the evergreens. "They always have ecological value, though."

Such a large, unbroken landscape naturally supports a wide variety of flora and fauna. "I saw a momma bear the other day and two cubs," she said.

Sydney and Evon manage their forestland primarily for sustainable hardwood timber production, with indirect benefits to the environment and wildlife, she said. As part of harvests, the tops and unmarketable

portions of trees are left on the forest floor to protect regeneration from deer browse, provide wildlife habitat, and replenish soil nutrients as they decay, she added.

Sydney Antonio and her family on their property in Haines Falls, New York. Photo courtesy of Sydney Antonio

Both Sydney and Evon are Master Forest Owners, having completed the required training through Cornell University. Working closely with a consulting forester, they developed a management plan that guides their forestry activities. The plan makes them eligible for 480-a, New York's current use program, and also serves as the basis for their certification in the American Tree Farm System.

"New York State encourages better management of forest land," Sydney added. "The forest is healthier as a result. You get better production because the forest land is properly managed, and there's less negative environmental impact such as soil erosion and sedimentation caused from storm-water runoff."

Her mother also managed the property for timber, as far back as 1961. "With multigenerational stewardship and installation of best management practices for erosion control, particularly given the steepness of the terrain, there was very little loss when Hurricane Irene hit in August 2011," she said.

"We had minimal damage to the interior logging roads. However, our right-of-way, which provides the only access to the property and serves as the haul road for logging operations, did not fare as well, in spite of our efforts. The enormous water volume breached our bridge at the confluence of two intermittent streams and severely undermined the roadway. After the repairs were completed, we were able to obtain partial reimbursement through the Emergency Forest Restoration Program, administered by the U.S. Department of Agriculture. Because we had such good management, we didn't lose as many trees as some people did. DEC was pleased with what they saw," she said.

Glenn Rosenholm writes a series called "Profiles in Conservation" for the U.S. Forest Service, Northeastern Area, State and Private Forestry. *Northern Woodlands*' "Stewardship Story" series is sponsored by the Stifler Family Foundation, in support of forestry practices that promote healthy and sustainable forests and wildlife habitat.

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↑ top | **Visit the Knots and Bolts archive…**

Discussion

1.

Maria Reekstin →

Sep 15, 2019

I greatly enjoyed reading about you, Evon and your family's life as stewards of the land. You've accomplished wonderful things since our Bronx Science days. I am convinced that your journey has been amazing and only wish that you would share it as an inspiration to others.

Join the discussion

TREE
FARM
664

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Friday, October 9, 2020 2:37:06 PM

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Planning Commission Volunteer Application

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Questions? Please contact Executive Assistant Roz Lassoff at 206-580-6735 (cell) or by email at rlassoff@bainbridgewa.gov

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If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information

Name	Lisa Neal
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	self
Current Position	lawyer

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	Yes
If yes, please indicate which group(s).	Island Center Subarea Planning Process Committee
Please share your qualifications for this appointment (skills, activities, training, education) if any:	My education, training and experience as a lawyer render me able to review and understand state law, the Comprehensive Plan, and the BIMC, including conflicts among them. For example, BIMC 18.12.030(D) conflicts with the Comprehensive Plan. As another example, the BIMC lacks the mandate for affordable housing allowed under state law. If appointed, I would push to make our code consistent with the Comp Plan, and to use all the tools at our disposal that would mandate affordable housing without density bonuses. I also know that the Island is currently at 107% capacity for allocated population growth until the year 2050. All of our decisions must be made through the lens of true sustainability. Putting energy efficient appliances in the ''chef's kitchen' of yet another McMansion on a clear cut lot is not sustainable.
Please share your community interests (groups, committees, organizations) if any:	Working to preserve the livability of our Island, one tree at a time. I work to put people on Council who, I hope, will stave off the clearcutting of this land.
Do you have potential conflicts of interest? If so, please explain:	No.
Feel free to attach a cover letter, resume', or	*Field not completed.*

other materials, if you wish (optional):	
Type the Year	2020

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Friday, October 2, 2020 1:19:33 PM

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Planning Commission Volunteer Application

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If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information	
Name	Kathleen A Peters
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Kitsap County
Current Position	Programs Analyst
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	I am trained in fisheries science, primary expertise is salmonid life history, pathogens and general habitat restoration priority science. I understand the GMA and SMP programs as they are intended by statute. I work for local government.
Please share your community interests (groups, committees, organizations) if any:	I do not actively participate in any groups but was recently the President of the Board of Directors for the Great Peninsula Conservancy, a land trust non-profit organization.
Do you have potential conflicts of interest? If so, please explain:	None that I know of.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	*Field not completed.*
Type the Year	2020

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From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Thursday, September 24, 2020 12:08:20 PM

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Planning Commission Volunteer Application

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If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information

Name	Leo Rodriguez
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	Washington
Zip	98110
Current Employer	Smallwood Design & Construction
Current Position	Project Manager

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	Currently working in the construction industry. Studied environmental arts with some education in urban planning and theory.
Please share your community interests (groups, committees, organizations) if any:	Part time furniture designer/builder. Member of BARN. Father of 2 BISD kids. Volunteer at Bloedel Reserve.
Do you have potential conflicts of interest? If so, please explain:	I work for a contractor based on Bainbridge Island.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	*Field not completed.*
Type the Year	2020

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From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Thursday, October 1, 2020 2:19:58 PM

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Create the planning commission agenda prior to its publication in consultation with the director. The commission shall consist of seven members appointed by the mayor and confirmed by the city council. All seven members of the commission shall be residents of the city. The members shall not be employees or officers of the city or appointed to another city committee, board, or commission, except for specialized committees or task forces of limited duration. The city is committed to promoting diversity on the commission. The commission shall reflect the diverse perspectives, work experiences and backgrounds represented in the community. Women, persons with disabilities, sexual and gender minorities, younger persons, senior citizens, persons of color, and immigrants are encouraged to apply to serve on the commission. Each commissioner shall endeavor to understand and agree to uphold the city's adopted comprehensive plan.

Applications are due by 4:00 p.m. on October 9, 2020. Interviews will be held in October.

Questions? Please contact Executive Assistant Roz Lassoff at 206-580-6735 (cell) or by email at rlassoff@bainbridgewa.gov

The Bainbridge Island Municipal Code (BIMC) explains the duties and responsibilities of the PC as follows:

BIMC 2.14.020.B Planning commission.

Duties and Responsibilities. Pursuant to the provisions of Chapter 35A.63 RCW,

there is established within the city a planning commission. The title “planning commission” is substituted for the title “planning agency” in all city ordinances and other documents approved prior to the effective date of the ordinance codified in this chapter. The planning commission shall have the following duties and responsibilities:

1. Participate in the preparation and review of the comprehensive plan for the city;

2. Consider the location, character, extent, and effect of any proposed dedication of any street or other area for public use, including parks, public ways, public buildings, or public structures, with reference to the comprehensive plan, pursuant to RCW 35A.63.080;

3. Review and make recommendations on all applications for amendments to the comprehensive plan, official zoning map and official zoning ordinance of the city pursuant to Table 2.16.010-1;

4. Review and make recommendations on all housing design demonstration project applications pursuant to BIMC 2.16.020.S, including those housing design demonstration project applications involving land subdivision, based on a comprehensive review of the project at a public meeting;

5. Review and make recommendations on preliminary short subdivisions if requested by the director;

6. Review and make recommendations on all preliminary large lot subdivisions, preliminary long subdivisions, major site plan and design reviews, major conditional use permits, and major shoreline conditional use permits, taking into consideration the recommendation from the design review board and a comprehensive review of the project at a public meeting;

7. Such other advisory duties as may be assigned to it by the city council, or as specified in the BIMC;

8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information	
Name	Hayden Starkey
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Apple
Current Position	New Product Operations PM, Mac

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	No
If yes, please indicate which group(s).	*Field not completed.*
Please share your qualifications for this appointment (skills, activities, training, education) if any:	I recently returned to Bainbridge after spending the past 5 years in the Bay Area working at Apple. Previously, my wife and I lived here for her 2.5 years while I was stationed at Bangor as a submarine officer on the USS NEBRASKA. We are thrilled to be back, especially now that we have two kids and Bainbridge has always been a dream place to raise our family. I'm excited about this opportunity to invest into the community and help be a small part of Bainbridge's future. I'm 32 years old, a graduate of the United States Naval Academy, and former submarine officer. Currently, I work for Apple leading our operations teams through the development and mass production of the MacBook Pro product line. I'm an engineer and program manager with a wide range of experiences from working through critical missions in the Navy to developing new hardware technology overseas in Asia. I'm skilled at working with multiple teams/stakeholders through developing strong relationships, diving deep into details, and leadership communication. Although I don't have direct planning experience, I've demonstrate multiple times throughout my career my ability to quickly learn and contribute value in new roles.
Please share your community interests (groups, committees, organizations) if any:	I hope to get plugged into the community as we start to settle in since moving back. Previously, I was a big brother at Big Brothers Big Sisters of the Bay Area, and look forward to finding similar opportunities here to impact children's lives. I also was a founder and board member of a non-profit my family started,

	Aware Awake Alive, to help educate youth on the signs/symptoms of alcohol poisoning and to encourage them to seek assistance when help is needed. When we previously lived on Bainbridge Island, I spoke at Bainbridge High School on this topic, and hope to continue to build a larger presence now that we are back.
Do you have potential conflicts of interest? If so, please explain:	None
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2020

Email not displaying correctly? View it in your browser.

Hayden H. Starkey

EXPERIENCE

Apple **Cupertino, CA**

Manager, NPI Operations Program Management, MacBook Pro Systems Oct 2018 – Present

- Scope increased to manage MacBook Pro product portfolio, responsible for the entire operations and supply chain teams
- Successfully launched 8 NPI programs, including a new architecture 16" MacBook Pro; met supply and cost targets, and launched on time with a challenged 6wk backend compressed schedule with multiple engineering changes in ramp
- Led cross-functional team to execute a CEO-directed design change for all 2019 Portable products through a multitiered supply chain in 8 weeks, requiring significant integration into all functions and executive levels within Operations
- Influenced Operations and Engineering leadership to adjust future program schedules in order to protect continuity of supply which was at risk based on product development timelines
- Implemented a new career development strategy across the Mac Ops organization to provide better tools and training for 50+ managers and their employees

Manager, NPI Operations Program Management, Mac/iPad Keyboard Modules Oct 2017 – Oct 2018

- Promoted to manage all keyboard module programs at Apple
- Hired and developed a team of 3 people to launch 3 Mac and 1 iPad keyboard programs
- Created a new method to monitor keyboard module reliability which drove Engineering and Operations teams to make significant design changes; implemented a new architecture solution in less than year from development to launch
- Awarded and recognized as a key operations leader by the Senior Vice President of Operations

Senior NPI Operations Program Manager, iMac System & Mac/iPad Keyboard Modules Oct 2016 – Oct 2017

- Expanded responsibilities to include 21.5" iMac System portfolio; launched 2 iMac systems and 3 keyboard programs
- Drove iMac cross-functional Engineering and Operations teams to an accelerated backend development timeline, resulting in the first ever 100% sea ship launch ($15M+ savings)
- Mitigated a 6 week critical keyboard schedule delay through creative factory build planning and execution to ensure overall system programs remained on track

NPI Operations Program Manager, Mac/iPad Keyboard Modules Jun 2015 – Oct 2016

- Led module cross-functional team to launch 5 new products (2 with first of its kind architecture)
- Coordinated operations teams to execute 300+ design experiments with same day results to inform critical milestones
- Enabled $3.1M annual savings through spearheading an effort to improve yield loss across 3 supply chain tiers

United States Navy **Bangor, WA**

USS Nebraska (SSBN 739) Submarine Officer May 2010 – Jun 2015

- Supervising engineer of 15 individuals responsible for the safe operation of a nuclear reactor; designated as the top engineering watch officer for casualty related evolutions
- Managed over 80 people while leading electrical, chemistry and radiological, communications, navigation, and information technology divisions; chosen as the 2014 USS Nebraska Junior Officer of the Year among 22 peers and awarded the Navy Commendation Medal for outstanding leadership and performance

EDUCATION

U.S. Navy Submarine Officer Training **Various**

Nuclear Power Training Unit, Naval Nuclear Power School, Submarine School

- Qualified as Nuclear Engineer by the Department of Energy
- Completed advanced coursework in Math, Thermodynamics, Chemistry, Physics, Electrical Engineering, Materials, and Plant Operations in a highly accelerated curriculum

United States Naval Academy **Annapolis, MD**

Bachelor of Science, Aerospace Engineering (Aeronautical track)

- Selected to the Superintendent's and Commandant's Academic Lists
- Selected by the Commandant of Midshipmen as the Brigade Alcohol and Drug Education Officer; implemented programs that reduced the total number of alcohol offenses by 12%

ADDITIONAL

- Co-Founder of Aware Awake Alive, a non-profit which aims to prevent loss of life to alcohol poisoning by educating teens, young adults, and parents on the dangers and symptoms of alcohol overdose
- Volunteer with Big Brothers Big Sisters

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Friday, September 25, 2020 3:24:50 PM

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Planning Commission Volunteer Application

Step 1

The Planning Commission (PC) was established pursuant to RCW 35A.63 to serve as an advisory body to the City Council. Its role is to provide recommendations to the City Council, Planning Director and Hearing Examiner, and to consider legislative and quasi-judicial matters, with its primary responsibility to prepare, review and update the Comprehensive Plan. (BIMC 2.14.020.A).

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If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information

Name	John Tawresey
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	KPFF Consulting Engineers - Retired
Current Position	Reetired

Experience & Qualifications

Have you served on any city committees, commissions, boards or task forces in the past?	Yes
If yes, please indicate which group(s).	affordable housing
Please share your qualifications for this appointment (skills, activities, training, education) if any:	BI School Board, CFO KPFF Consulting Engineers 40 yrs, Licensed Structural and Civil Engineer. Husband of Alice Tawresey (Mayor 78-90) Developed Bainbridge Landing 1978, Winslow Landing 1989, Weaver Landing 1998 and Cave Landing 2016. First hand knowledge of the BIMC land and experience the history of changes some that have worked and those that haven't. I believe our developments have been consistent with the long term image of BI.
Please share your community interests (groups, committees, organizations) if any:	I have knowledge of BI land use history to share and first had knowledge of code issues and their impact on development, both positive and negative. I am interested in maintaining the character of the island, but many newer participants in land use decisions, because of lack of experience and knowledge, end up regulating to encouraged developments inconsistent with the image contemplated in the comprehensive plans.
Do you have potential conflicts of interest? If so, please explain:	My wife and I own property on Cave Ave. We both, with our years of experience, understand the concept of conflict of interest and appearance of fairness. The motivation for volunteering for the planning commission is to help the City make better land use decisions to meet the objectives of the Comprehensive Plan and the State GMA.
Feel free to attach a cover letter, resume', or other materials, if you	

wish (optional):

Type the Year	2020

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John G. Tawresey, P.E., S.E.
KPFF Consulting Engineers - Retired

Education

Masters Business Administration / University of Washington, 1978

MS Theoretical and Applied Mechanics / Cornell University, 1968

BS Civil Engineering, With Distinction / Cornell University, 1966

Registration

Civil and Structural Engineer in Washington

Professional Affiliations

Confidential Reporting of Structural Safety, Executive Committee

ASCE 7 Committee Member – Main Committee

SEI – National Technical Programs Committee

Structural Engineering Institute of ASCE President, 2001-2003

Structural Engineering Institute of ASCE Board Member, 1998-2001

SEI - Business and Professional Practice Division – Chair Claim Review Program

Masonry Standards Joint Committee – Main Committee

Structural Engineers Association of Washington - Chairman, Professional Practices Committee

SERMC (Structural Engineers Risk Management Council) Board of Directors, 1991 - 1998

SERMC -- Chairman, Claims Committee, 1991 - 2002

SERMC – President, 1995

Adjunct Professor, University of Washington (1985 to present)

The Masonry Research Foundation - Advisory Council, 85-87

Building Seismic Safety Council (BSSC) - Chairman, Committee 12/Masonry, 1987

The Masonry Society, President: 1984, 1985 and 1986

The Masonry Society, 1985 Code Commentary Committee

The Masonry Society - 1985 - 1992, Chairman, Design Practices Committee

The Masonry Society - 1985 - 1992, Editor, TMS Journal

International Standards Organization/TC179 - Reinforced Masonry

Tau Beta Pi - Engineering Honorary

Western States Clay Products Association, Technical Committee

John G Tawresey, P.E., S.E., F. TMS, F. SEI, M. ASCE is past Vice President and Chief Financial Office for KPFF Consulting Engineers, Seattle Washington, a 950 person civil and structural engineering firm. He grew up in Philadelphia, Pennsylvania, graduated from Cornell University and moved to Seattle in 1968 to work on the structural design of the Boeing Supersonic Transport. He left Boeing in 1973 to join KPFF Consulting Engineers.

As CFO of KPFF for 37 years, John provided a business philosophy that emphasized the practice of the engineering profession – the profession first and the business second. This philosophy resulted in a firm that grew from 30 employees in 1973 to more than 950 employees.

He is past president of the Structural Engineering Institute of ASCE, past president of the Structural Engineers Risk Management Council, past president of the Masonry Society, member of the ASCE 7 Main Committee, member of the ASCE National Technical Program Committee, member of the MSJC [masonry standard] Main Committee and a member of the ASCE Convention Technical Programs Subcommittee.

Awards:

Distinguished Member American Society of Civil Engineers, 2017

Honorary Member The Masonry Society, 2015

Presidents Award, The Masonry Society, 2013

American Society of Professional Engineers, Fellow 2013

Haller Award, The Masonry Society, 2012

Structural Engineering Institute, Fellow 2012

Professional Engineer of the Year, Washington Society of Professional Engineers, 2011

Structural Engineer of the Year Award, Structural Engineers Association of Washington, 1998

John G. Tawresey, P.E., S.E.
KPFF Consulting Engineers - Retired

Provisions Update Committee
Building Seismic Safety Council (BSSC)

The Presidents Award, The Masonry Society. 1991

Publications

Sharing Claims Experience for Better Engineering, STRUCTURE Magazine, June 2019

Structural Brick Masonry in the Western United states, 10th Australian Masonry Conference, Sidney Australia, 2017

Applied Equations for Ductility in Reinforced Masonry Elements subject to Seismic Bending Plus Compression, 16th International Brick and Block Masonry Conference, Padova, Italy, July 2016

The Untold Story of the Masonry Industry in the United States, 16th International Brick and Block Masonry Conference, Padova, Italy, July 2016

New Masonry Curtianwall System, Design and Construction, 9th International Masonry Conference, Guimaraes, Portugal, July 2014

Brick Curtainwall for Essential Buildings, Structure Magazine, May 2014

"Warping of Brick Cladding Corners" Article, Structure Magazine, January 2009

"Rick Management – The Easy Things to Do" Structural Engineers Association of California, 2007 Convention.

"Reinforced Hollow Brick Masonry", Article, Masonry Edge Magazine, Winter 2007.

"Business Practice and Risk Management", Article, Structure Magazine, June 2007.

"Risk Management – The Simple Things To Do", Article, Structure Magazine, April 2007

"The Responsibility of the Structural Engineer", Article, Structure Magazine, February 2007

John G. Tawresey, P.E., S.E.
KPFF Consulting Engineers - Retired

"Risk Management Defined", Article, Structure Magazine, December 2006.

"The Culture of Managing Risk", Article, Structural Engineer Magazine, April 2006.

"Brick Veneer Supported by Steel Studs", Newsletter for the Light Gauge Steel Engineers, April 2005.

"Structural Brick Masonry Walls", Article, Structure Magazine, December 2004.

"Simplify the Building Codes" Editorial, Structure Magazine, November 2003.

"Structural Brick Masonry Walls," Article, Structure Magazine, November 2003.

"Cooperation at Last … Another Look," Editorial, Structure Magazine, December/January 2003.

"Organizing Your Structural Engineering Firm for Success", Article, Structure Magazine, April 2001.

"Professional Liability - An Approach that Works," Proceedings, ASCE Structures Congress XIV, Chicago, IL, April 15-17, 1996.

"Advances in the Design of Clay Masonry Exterior Wall Systems for Multistory Buildings," Asher, Tawresey, Dean, National Concrete and Masonry Engineering Conference, San Francisco, June 15-17, 1995.

"Case Studies: Design and Construction of Reinforced Brick Veneer," Proceedings, Seventh Canadian Masonry Symposium, McMaster University, June 5-7, 1995.

"Building Retrofit Strategies Concentrating on Seismic Performance," Proceedings, Structural Faults & Repair, '93, 5th International Conference and Exhibition, University of Edinburgh, Scotland, July, 1993.

"Strength and Design Stress Factors Determined From the

John G. Tawresey, P.E., S.E.
KPFF Consulting Engineers - Retired

Masonry Stress-Strain Relationship," Proceedings, The 6th North American Masonry Conference, Drexel University, Philadelphia, PA, June, 1993.

"Creative Solutions In Masonry Design," Keynote Address, Proceedings, 6th Canadian Masonry Symposium, Saskatoon, Saskatchewan, Canada, June, 1992

"The Structural Curtain," Civil Engineering Magazine, November, 1991.

"A Method for Determining Factors of Safety for Allowable Tensile Strengths in Masonry," Proceedings, 9th International Brick/Block Masonry Conference, Berlin, Germany, October, 1991,

"Seismic Design of Masonry Buildings in the United States," Seminars on U.S. Reinforced Masonry Structures presented in Naples, Ancona, Udine, & Vicenza, Italy, October, 1991.

"Factors of Safety for Thin Stone in Building Curtain Walls," Proceedings, Fifth North American Masonry Conference, University of Illinois, June, 1990.

"Evaluation and Analysis of Continuous Aluminum Kerf Supports of Thin-Stone Curtain Wall Assemblies," J.G. Tawresey & R.H. Iredale, Proceedings, 5th Canadian Masonry Symposium, Vancouver, B.C., Canada, June 5-7, 1989.

"The Use and Preparation of Curtain Wall Structural Design Drawings," Proceedings, Exterior Wall Symposium, Tishman Research Corporation, April 10-11, 1989.

"Reinforced Brick Masonry Curtain Wall Test and Design", Proceedings, 8th International Brick/Block Masonry Conference, Dublin, Ireland, September, 1988.

"Walls With Axial Load Combined With Bending Moment -- Interaction Equations for Masonry," Proceedings, The Fourth North American Masonry Conference, University of California, Los Angeles, August, 1987.

"Structural Design of Thin Stone Curtain Wall", Building

John G. Tawresey, P.E., S.E.
KPFF Consulting Engineers - Retired

Stone Magazine, September/October, 1987.

"Seismic Provisions of the Uniform Building Code," Proceedings, U.S./Peoples Republic of China Joint Workshop on Seismic Resistance, Harbin, PRC, May, 1986.

"Applied Stress Equations -- Walls with Axial Load Combined With Bending Moment", The Masonry Society Journal, Vol. 5, No. 2, July-December, 1986.

"A Review of the New Masonry Chapter of the Uniform Building Code," Proceedings, 7th International Brick Masonry Conference, Melbourne, Australia, February, 1985.

"Prefabricated Masonry Projects in the Pacific Northwest," Proceedings, The Third North American Masonry Conference, University of Texas, June, 1985.

"Factors of Safety for Masonry Connections," Proceedings, Third North American Masonry Conference, University of Texas, June, 1985.

"Masonry Building Codes Background and Recent Developments," Proceedings, 51st Annual Convention Structural Engineers Association of California, Sacramento, California, 1982.

"Reinforced Brick Masonry Panels," Proceedings, ASCE Spring Convention and Exhibit, Pittsburgh, Pennsylvania, 1978.

"Design Criteria for 4-inch Reinforced Brick Masonry," Proceedings, 1st Western Round-Up, Joint Structural Engineers Convention, Sunriver, Oregon, 1975.

"Elastic-Inelastic Buckling of Stiffened Panels Subject to Thermal Gradients," AIAA Journal of Aircraft, February, 1972.

Projects

Watcom County Court House, 2019 Exterior Envelope Repairs, Bellingham, WA.

John G. Tawresey, P.E., S.E.
KPFF Consulting Engineers - Retired

Repair of the exterior panelized brick curtainwall

City Creek, Salt Lake City, UT
Design and specification of the brick exterior walls of the redevelopment of two city blocks.

KOIN Center, Portland, OR
Design and specifications for a 30-story building brick curtain wall.

Joong Ang Building, Seoul, Korea
Design and specifications for the 25-story office building stone curtain wall.

Orbanco Building, Portland, OR
Design and specifications for a 23-story office building glass/aluminum curtain wall.

First Interstate Bank Center, Seattle, WA
Design and specifications for a 48-story office building granite curtain wall.

5th and Oak, Portland, OR
Design and specifications for a 12-story office building glass/aluminum curtain wall.

Energy Center II, Denver, CO
Design and specifications for a 40-story office building glass/aluminum curtain wall.

Boeing Building, Seattle, WA
Design and specifications for a 10-story office building brick curtain wall.

Dong Bang Building, Seoul, Korea
Design and specifications for a 20-story office building granite curtain wall.

Westin Hotel, Seattle, WA
Design and specifications for a 30-story hotel glass/aluminum curtain wall.

Koll Office Building, Bellevue, WA
Design and specifications for a 6-story office building brick

John G. Tawresey, P.E., S.E.
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curtain wall.

One Bellevue Center, Bellevue, WA
Design and specifications for a 30-story office building glass/aluminum curtain wall.

Key Tower, Seattle, WA
Design and specifications for a 40-story office building stone curtain wall

Bellevue Place, Bellevue, WA
Design and specifications for brick panels and laid-in-place reinforced veneer for a 22-story office building.

Washington Mutual Tower, Seattle, WA
Design and specifications for a 55-story office building stone curtain wall.

Gateway Tower, Seattle, WA
Design and specifications for a 60-story office building stone curtain wall.

Seattle Art Museum, Seattle, WA
Design and specifications for exterior wall and building steel frame connections.

Citicorp Plaza II, Los Angeles, CA
52-story office tower. Structural design of aluminum/glass curtain wall

Westside Pavilion, Los Angeles, CA
Structural design of 550’ barrel vault skylight.

Citicorp Plaza, Los Angeles, CA
41-story office building - hand set stone system and aluminum/glass curtain wall.

333 Bush Street, San Francisco, CA
40-story office building - prefabricated granite and aluminum/glass currtain wall.

Crocker Center, Los Angeles, CA
54-story north tower, 46-story south tower and 3-story pavilion - structural design of prefabricated granite curtain

wall.

Paragon Plaza, Stockton, CA
4-story office building - structural design of prelaid brick panel curtain.

Pike Place Housing Project, Seattle, WA
Structural design of a 12-story masonry load-bearing housing complex.

Meridian Manor, Seattle, WA
Structural design of a 10-story masonry load-bearing housing project.

Chinook Middle School, Bellevue, WA
Structural engineering services for the reevaluation of the structural masonry walls of this middle school. Work involved detailed masonry wall evaluations and innovative repair procedures, which saved $1.5 million in renovation costs.

Woodway High School, Edmonds, WA
Principal-in-charge of the structural design of a new 240,000-sf high school with detached theater and gymnasium. The structural system combines a concrete and steel frame with exterior masonry walls. The theater and gymnasium structures are designed with steel and concrete.

Auburn Junior High School Investigation, Auburn, WA
Principal-in-charge of investigation of this load bearing hollow clay masonry building which had developed grout consolidation problems. KPFF performed several site visits to analyze the problem, and subsequently prepared a report for the school district and the architect laying out the problems and recommending corrective measures.

UW Mary Gates Hall, Seattle, WA
Principal-in-charge of the renovation of the Old Physics Hall and the construction of a new addition. This complex houses the Center for Undergraduate Education and Student Services. The exterior brick masonry facade of the original structure was duplicated on the new addition to tie the building into one, architecturally compatible building. Extensive

John G. Tawresey, P.E., S.E.
KPFF Consulting Engineers - Retired

engineering analysis of the interaction between the new addition and the existing 1928 and 1948 buildings were completed in order to tie the buildings together to act as one for seismic response.

Test Programs

Test program and development of design methods, architectural details and construction specifications for 4-inch reinforced brick.

Test program to establish shear allowables for bolts in 4-inch reinforced brick masonry.

Test program to develop design methods for titanium integrally stiffened skins loaded in compression and thermal gradient.

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Friday, October 9, 2020 2:36:17 PM

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Applicant Information	
Name	Judith Tingley. PhD
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA.
Zip	98110
Current Employer	I am a retired Organizational Development Psychologist.
Current Position	Community Volunteer
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	Yes
If yes, please indicate which group(s).	Ethics Board
Please share your qualifications for this appointment (skills, activities, training, education) if any:	I have knowledge of group behavior and organization development for nonprofits. I have helped organizations develop missions and visions. I followed the updated (2014) Comprehensive Plan and the Shoreline Management Program. The work of changing words and opinions, always takes a long time and space. I
Please share your community interests (groups, committees, organizations) if any:	Several years ago I was on the Board of Bainbridge Island Senior Center. The Treasurer. I have also been on the Board of the Bainbridge Island Library.
Do you have potential conflicts of interest? If so, please explain:	No.
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	*Field not completed.*
Type the Year	2020

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: City Admin
Subject: Online Form Submittal: Planning Commission Volunteer Application
Date: Wednesday, September 30, 2020 5:59:59 PM

CAUTION: This email originated from outside the City of Bainbridge Island organization. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Planning Commission Volunteer Application

Step 1

The Planning Commission (PC) was established pursuant to RCW 35A.63 to serve as an advisory body to the City Council. Its role is to provide recommendations to the City Council, Planning Director and Hearing Examiner, and to consider legislative and quasi-judicial matters, with its primary responsibility to prepare, review and update the Comprehensive Plan. (BIMC 2.14.020.A).

The City of Bainbridge Island is seeking a volunteer to serve on the Planning Commission to complete a term ending in June 2021.

As BIMC 2.14.020.C.1 states:

Create the planning commission agenda prior to its publication in consultation with the director. The commission shall consist of seven members appointed by the mayor and confirmed by the city council. All seven members of the commission shall be residents of the city. The members shall not be employees or officers of the city or appointed to another city committee, board, or commission, except for specialized committees or task forces of limited duration. The city is committed to promoting diversity on the commission. The commission shall reflect the diverse perspectives, work experiences and backgrounds represented in the community. Women, persons with disabilities, sexual and gender minorities, younger persons, senior citizens, persons of color, and immigrants are encouraged to apply to serve on the commission. Each commissioner shall endeavor to understand and agree to uphold the city's adopted comprehensive plan.

Applications are due by 4:00 p.m. on October 9, 2020. Interviews will be held in October.

Questions? Please contact Executive Assistant Roz Lassoff at 206-580-6735 (cell) or by email at rlassoff@bainbridgewa.gov

The Bainbridge Island Municipal Code (BIMC) explains the duties and responsibilities of the PC as follows:

BIMC 2.14.020.B Planning commission.

Duties and Responsibilities. Pursuant to the provisions of Chapter 35A.63 RCW,

there is established within the city a planning commission. The title “planning commission” is substituted for the title “planning agency” in all city ordinances and other documents approved prior to the effective date of the ordinance codified in this chapter. The planning commission shall have the following duties and responsibilities:

1. Participate in the preparation and review of the comprehensive plan for the city;

2. Consider the location, character, extent, and effect of any proposed dedication of any street or other area for public use, including parks, public ways, public buildings, or public structures, with reference to the comprehensive plan, pursuant to RCW 35A.63.080;

3. Review and make recommendations on all applications for amendments to the comprehensive plan, official zoning map and official zoning ordinance of the city pursuant to Table 2.16.010-1;

4. Review and make recommendations on all housing design demonstration project applications pursuant to BIMC 2.16.020.S, including those housing design demonstration project applications involving land subdivision, based on a comprehensive review of the project at a public meeting;

5. Review and make recommendations on preliminary short subdivisions if requested by the director;

6. Review and make recommendations on all preliminary large lot subdivisions, preliminary long subdivisions, major site plan and design reviews, major conditional use permits, and major shoreline conditional use permits, taking into consideration the recommendation from the design review board and a comprehensive review of the project at a public meeting;

7. Such other advisory duties as may be assigned to it by the city council, or as specified in the BIMC;

8. Create the planning commission agenda prior to its publication in consultation with the director.

If you are interested in applying to be a member of this commission, please complete the form below.

Please note: once submitted, this application becomes a public record. Your address and contact information will not be shared.

Applicant Information	
Name	Lori Weise
Email	

Daytime Phone	
Address	
City	Bainbridge Island
State	WA
Zip	98110
Current Employer	Self employed
Current Position	Health Care Planning Consulting
Experience & Qualifications	
Have you served on any city committees, commissions, boards or task forces in the past?	Yes
If yes, please indicate which group(s).	Historical Preservation Commission
Please share your qualifications for this appointment (skills, activities, training, education) if any:	38 year planning career including 20 years at Cedar Sinai Health System where I served as Vice President Strategic Planning and Business Development. Expertise in business and strategic planning, space planning, real estate development, capital planning, large construction project management. Masters degree in Urban and Health Planning from UCLA
Please share your community interests (groups, committees, organizations) if any:	On board of Kol Shalom where I serve as Vice President, Member of Finance Committee of Bainbridge Island Land Foundation. Member of the Barn
Do you have potential conflicts of interest? If so, please explain:	No
Feel free to attach a cover letter, resume', or other materials, if you wish (optional):	
Type the Year	2020

Email not displaying correctly? View it in your browser.

Lori Weise

Principal at Weise Healthcare Consulting
Bainbridge Island, Washington

Top Skills

Demand and financial forecasting for business plan development

Master facility and space planning and programming

Contract negotiations for legal and business relationships

Summary

Accomplished leader in healthcare strategy and planning leading high impact projects that have driven appropriate growth for organizations.

I have over 35 years experience leading and facilitating strategic planning and business development processes that provide direction to senior management, boards of directors, faculty and group physician practices, research institutes and other related entities. I lead processes to identify and develop market, demand and financial models, advance program and service line development, facilitate physician practice network expansion, and evaluate potential acquisitions.

Experience

Weise Healthcare Consulting
Principal
January 2019 - Present
Greater Seattle Area

Provides healthcare strategic and business planning to healthcare systems and medical groups

Cedars Sinai Health System
Vice President, Strategic Planning and Business Development
November 1998 - December 2018 (20 years 2 months)
Greater Los Angeles Area

Cedars-Sinai is one of the largest non-profit academic medical centers in the US providing high quality clinical and research based programs ranging from primary care to specialized treatments for complex and advanced illnesses.

I developed strategic and business plans providing direction to senior management and the board of directors for the Medical Center, Medical Delivery Network (physician practices), the Davis Research Institute and other Cedars-Sinai related entities. I used a collaborative and data driven proces

to drive alignment and consensus among different constituencies including physician and administrative leaders. Our plans helped Cedars-Sinai grow substantially in market and financial strength resulting in net assets increasing 12% over ten years to $4.2 billion.

The plans we developed have been informed by Cedars-Sinai's vision to continue as a recognized national leader in providing high value healthcare that delivers excellent clinical quality, patient safety and service.

Citrus Valley Health Partners
Director of Planning
January 1993 - December 1998 (6 years)
West Covina, California

Led business and facility planning efforts for a two-hospital community health system located in the San Gabriel Valley

San Antonio Community Hospital
Manager, Planning and Marketing
January 1989 - December 1993 (5 years)
Upland, California

Developed and implemented planning and marketing efforts for a 300 bed community hospital and related ambulatory services in Upland and Rancho Cucamonga, California

American Medical International
Project Manager, Corporate Market Planning Division
January 1985 - December 1991 (7 years)
Greater Los Angeles Area

Developed market and business plans for AMI's numerous community hospitals across the USA

Ernst & Whinney
Senior Analyst
June 1982 - December 1985 (3 years 7 months)
Greater Los Angeles Area

Created market and business plans, financial feasibility studies, certificates of need and client proposals for E & W healthcare consulting clients.

Education

University of California, Los Angeles

Master of Arts - MA, Bachelors of Arts-BA, MA in Urban Planning, specialty Health Planning · (1975 - 1982)

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 5 Minutes

AGENDA ITEM: (9:10 PM) Agenda Bill for Consent Agenda,

SUMMARY: Consider approval of the following Consent Agenda items:

B. Accounts Payable and Payroll
C. Special City Council Meeting Minutes, November 4, 2020
D. Regular City Council Business Meeting Minutes, November 10, 2020
E. Robert Stevenson Memorial Bench Donation Agreement - Public Works

AGENDA CATEGORY: Consent Agenda **PROPOSED BY:** Executive

RECOMMENDED MOTION: I move to approve the Consent Agenda as presented.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:**

AGENDA ITEM: Accounts Payable and Payroll

SUMMARY: Consider approval of payroll and accounts payable.

AGENDA CATEGORY: Consent Agenda **PROPOSED BY:** Executive

RECOMMENDED MOTION: Approve with consent agenda.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

AP Report to Council of Cash Disbursements 11-25-20.pdf

Payroll Council Report 112020.pdf

FISCAL DETAILS:

Fund Name(s):

Coding:

ACCOUNTS PAYABLE REPORT TO CITY COUNCIL OF CASH DISBURSEMENTS

CHECK RUN: November 9, 2020 - November 23, 2020
CITY COUNCIL: November 10, 2020 - November 24, 2020

Last check from previous run: 354931 dated 11/12/2020 issued to Zee Medical for $556.27.

Payment Type	Check Date	Check Number	Department/Vendor/Description	Amount
Manual	11/06/20	354932	US Bank/Credit card purchases - October 2020	50,230.31
Manual	11/16/20	354933	Bainbridge Disposal/Citywide disposal services - October 2020	2,191.47
Manual	11/16/20	354934	CenturyLink/Citywide telemetry - November 2020	1,194.63
Manual	11/16/20	354935	PW/COBI/Retainage: City Hall repairs	4,868.06
Manual	11/16/20	354936	PW/Colvos/City Hall repairs	101,255.68
Manual	11/16/20	354937	PW/Partner Construction/Asphalt binding tack	425.10
Manual	11/16/20	354938	Puget Sound Energy/Citywide utilities - October 2020	30,577.01
Manual	11/16/20	354939	Verizon Wireless/Citywide wireless services - October 2020	6,225.19
Manual	11/16/20	354940	PCD/WA State Dept of Ecology/Coastal training: Farleigh	80.00
Manual	11/18/20	354941	PW/Island Hands/Covid cleaning - November 2020	8,208.00
			Total Manual Checks and Electronic Disbursements	**205,255.45**
Regular Run	11/25/20	354942-355065	**Total Regular Check Run**	**425,025.65**
			Total Disbursements	**630,281.10**
Retainage Release	N/A	N/A		N/A
Travel Advance	N/A	N/A		N/A

Prepared and Reviewed by _____Carrie Freitas, Senior Accounting Technician

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished,
the services rendered, or the labor performed as described herein and that the claim
is a just, due, and unpaid obligation against the City of Bainbridge Island,
and that I am authorized to authenticate and certify to said claim.

Karl R. Shaw, Accounting Manager — 11/18/2020 Date

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
354932	11/06/2020	PRTD	7314 US BANK	243909	09/26/20-JB	10/26/2020	USB1020		71.32
Invoice: 09/26/20-JB						POL/BROWNSVILLE MARINA/M11 FUEL			
				71.32	54025212 532000	MARINE - FUEL			
				243910	10/03/20-JB	10/26/2020	USB1020		528.95
Invoice: 10/03/20-JB						POL/MARRIOT/LODGING			
				528.95	54025212 531100	MARINE - SUPPLIES			
				243911	10/20/20-JB	10/26/2020	USB1020		98.06
Invoice: 10/20/20-JB						POL/AMAZON/URETHANE FOAM			
				98.06	54025212 531100	MARINE - SUPPLIES			
				243912	10/21/20-JB	10/26/2020	USB1020		512.31
Invoice: 10/21/20-JB						POL/BROWNSVILLE MARINA/M8 FUEL			
				512.31	54025212 532000	MARINE - FUEL			
				243913	09/30/20-CB	10/26/2020	USB1020		600.00
Invoice: 09/30/20-CB						EXCC/WSU PROF EDU/CLERKS TRAINING			
				600.00	36011143 443410	CLERK-GF-TRAINING			
				243914	09/27/20-ZB	10/26/2020	USB1020		134.57
Invoice: 09/27/20-ZB						POL/PETCO/K9 FOOD			
				134.57	53011212 53110000962	TRACKING CANINE-SUPPLIES			
				243915	09/30/20-ZB	10/26/2020	USB1020		-713.55
Invoice: 09/30/20-ZB						POL/MARRIOTT/DBL CHG REFUND			
				-713.55	53011212 44341000962	TRACKING CANINE-TRAINING			
				243916	10/11/20-ZB	10/26/2020	USB1020		64.47
Invoice: 10/11/20-ZB						POL/PETCO/K9 SUPPLIES			
				64.47	53011212 53110000962	TRACKING CANINE-SUPPLIES			
				243917	10/12/20-ZB	10/26/2020	USB1020		47.46
Invoice: 10/12/20-ZB						POL/CHEWY.COM/K9 FOOD			
				47.46	53011212 53110000962	TRACKING CANINE-SUPPLIES			
				243918	10/20/20-ZB	10/26/2020	USB1020		52.31
Invoice: 10/20/20-ZB						POL/CHEWY.COM/K9 FOOD			
				52.31	53011212 53110000962	TRACKING CANINE-SUPPLIES			
				243919	09/28/20-BB	10/26/2020	USB1020		30.38
Invoice: 09/28/20-BB						POL/AMAZON/HAND SOAP			
				30.38	51011215 531100	POLICE - C/E FACIL SUPPLIES			
				243920	10/04/20-BB	10/26/2020	USB1020		28.30
Invoice: 10/04/20-BB						POL/AMAZON/ROOM FRESHENER			
				28.30	51011215 531100	POLICE - C/E FACIL SUPPLIES			
				243921	10/03/20-BB	10/26/2020	USB1020		47.50
Invoice: 10/03/20-BB						POL/SPEAKWRITE/TRANSCRIPTION SVCS			
				47.50	52011212 541100	POLICE - C/E INVEST PROF SVCS			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
				243922	10/10/20-BB	10/26/2020	USB1020		241.74
Invoice: 10/10/20-BB					POL/SPEAKWRITE/TRANSCRIPTION SVCS				
				241.74	52011212 541100	POLICE - C/E INVEST PROF SVCS			
				243923	10/12/20-BB	10/26/2020	USB1020		45.60
Invoice: 10/12/20-BB					POL/AMAZON/NOTEBOOKS				
				45.60	53011212 531100	PD-C/E-PATROL SUPPLIES			
				243924	10/16/20-BB	10/26/2020	USB1020		35.00
Invoice: 10/16/20-BB					POL/PAC COAST CONGRESS/CONF REG: TA				
				35.00	55011757 443410	PD-HARBORMASTER-TRAINING			
				243925	10/17/20-BB	10/26/2020	USB1020		28.10
Invoice: 10/17/20-BB					POL/SPEAKWRITE/TRANSCRIPTION SVCS				
				28.10	52011212 541100	POLICE - C/E INVEST PROF SVCS			
				243926	10/20/20-BB	10/26/2020	USB1020		40.00
Invoice: 10/20/20-BB					POL/ST BARNABUS/WREATHS				
				40.00	51011211 531100	PD-C/E-ADM-SUPPLIES			
				243927	09/28/20-MD	10/26/2020	USB1020		32.69
Invoice: 09/28/20-MD					IT/ADOBE/CLOUD SOFTWARE				
				32.69	81011881 535100	IT - C/E COMPUTER SOFTWARE			
				243928	09/28/20-MD-A	10/26/2020	USB1020		1,253.04
Invoice: 09/28/20-MD-A					IT/AMAZON/SIGNAL BOOSTERS				
				1,253.04	81011252 53550001069	COVID19-COMPUTER HARDWARE			
				243929	09/29/20-MD	10/26/2020	USB1020		2.18
Invoice: 09/29/20-MD					IT/ZOOM/VIDEO CONF				
				2.18	81011252 53510001069	COVID19-SOFTWARE			
				243930	09/29/20-MD-A	10/26/2020	USB1020		972.08
Invoice: 09/29/20-MD-A					IT/B&H/AUDIO-VISUAL FOR CHAMBER				
				972.08	81031881 53550000567	PEG CAP FUNDING-NON CAP ITEMS			
				243931	10/01/20-MD	10/26/2020	USB1020		884.54
Invoice: 10/01/20-MD					IT/PDFXCHANGE/PDF SOFTWARE				
				884.54	81011252 53510001069	COVID19-SOFTWARE			
				243932	10/01/20-MD-A	10/26/2020	USB1020		400.00
Invoice: 10/01/20-MD-A					IT/VRSN.GOV/REG DOMAIN NAME				
				400.00	81011881 541100	IT - C/E PROF SERVICES			
				243933	10/02/20-MD	10/26/2020	USB1020		35.00
Invoice: 10/02/20-MD					IT/WA ASSOC CO/ACCIS CONF REG				
				35.00	81011881 443410	IT - C/E TRAINING			
				243934	10/02/20-MD-A	10/26/2020	USB1020		1,656.44
Invoice: 10/02/20-MD-A					IT/ZOOM/VIDEO CONF				
				1,656.44	81011252 53510001069	COVID19-SOFTWARE			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
				243935	10/02/20-MD-B	10/26/2020		USB1020	93.56
			Invoice: 10/02/20-MD-B			IT/AMAZON/COMP SUPPLIES			
				93.56	81011881 535500	IT - C/E COMPUTER PARTS & EQ			
				243936	10/05/20-MD	10/26/2020		USB1020	82.51
			Invoice: 10/05/20-MD			IT/AMAZON/KEYBOARD, MOUSE			
				82.51	81011881 535500	IT - C/E COMPUTER PARTS & EQ			
				243937	10/05/20-MD-A	10/26/2020		USB1020	951.43
			Invoice: 10/05/20-MD-A			IT/AMAZON/MONITORS			
				951.43	81011252 53550001069	COVID19-COMPUTER HARDWARE			
				243938	10/06/20-MD	10/26/2020		USB1020	125.23
			Invoice: 10/06/20-MD			IT/AMAZON/COMP SUPPLIES			
				125.23	81011252 53550001069	COVID19-COMPUTER HARDWARE			
				243939	10/06/20-MD-A	10/26/2020		USB1020	1,621.92
			Invoice: 10/06/20-MD-A			IT/WRIKE.COM/PROJ MGMT SW			
				1,621.92	81011881 535100	IT - C/E COMPUTER SOFTWARE			
				243940	10/07/20-MD	10/26/2020		USB1020	127.98
			Invoice: 10/07/20-MD			IT/GO-DADDY/SECURITY CERTIF			
				127.98	81011881 535500	IT - C/E COMPUTER PARTS & EQ			
				243941	10/09/20-MD	10/26/2020		USB1020	-1,621.92
			Invoice: 10/09/20-MD			IT/WRIKE.COM/REFUND			
				-1,621.92	81011881 535100	IT - C/E COMPUTER SOFTWARE			
				243942	10/12/20-MD	10/26/2020		USB1020	106.85
			Invoice: 10/12/20-MD			IT/AMAZON/NETWORK SWITCH			
				106.85	81011881 535500	IT - C/E COMPUTER PARTS & EQ			
				243943	10/13/20-MD	10/26/2020		USB1020	33.73
			Invoice: 10/13/20-MD			IT/AMAZON/RUGGED CELL CASE			
				33.73	81011881 531100	IT - C/E SUPPLIES			
				243944	10/14/20-MD	10/26/2020		USB1020	1,583.77
			Invoice: 10/14/20-MD			EX/AMAZON/IPADS-COVID TEST			
				1,583.77	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243945	10/14/20-MD-A	10/26/2020		USB1020	274.21
			Invoice: 10/14/20-MD-A			IT/GO-DADDY/SECURITY CERTIF-GIS			
				274.21	81011881 535500	IT - C/E COMPUTER PARTS & EQ			
				243946	10/19/20-MD	10/26/2020		USB1020	945.90
			Invoice: 10/19/20-MD			EX/AMAZON/IPAD ACCESSORIES			
				945.90	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243947	10/19/20-MD-A	10/26/2020		USB1020	86.50
			Invoice: 10/19/20-MD-A			IT/AMAZON/CABLES			
				86.50	81011252 53550001069	COVID19-COMPUTER HARDWARE			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
				243948	10/21/20-MD	10/26/2020		USB1020	93.31
Invoice: 10/21/20-MD						IT/NEW EGG/CABLES			
				93.31	81011252 53550001069	COVID19-COMPUTER HARDWARE			
				243949	10/21/20-MD-A	10/26/2020		USB1020	55.56
Invoice: 10/21/20-MD-A						IT/ADOBE/EOC LICENSES			
				55.56	81011252 53510001069	COVID19-SOFTWARE			
				243950	10/08/20-KD	10/26/2020		USB1020	76.30
Invoice: 10/08/20-KD						EX/CONSTANT CONTACT/CMR SUBX			
				76.30	31011572 549100	OUTREACH DUES, SUBS& MEMBER			
				243951	10/11/20-KD	10/26/2020		USB1020	81.18
Invoice: 10/11/20-KD						EX/VIRTUAL BACKDROP/GREEN SCREEN			
				81.18	31011572 53110001069	COVID19-SUPPLIES			
				243952	10/14/20-KD	10/26/2020		USB1020	54.50
Invoice: 10/14/20-KD						EX/ASSOC PRESS/STYLEBOOK			
				54.50	31011572 53110001015	NEWSLETTER-SUPPLIES			
				243953	10/20/20-KD	10/26/2020		USB1020	1.00
Invoice: 10/20/20-KD						EX/CANVA/RETF GRAPHIC			
				1.00	31011572 53110001064	RETF-SUPPLIES			
				243954	10/20/20-KD-A	10/26/2020		USB1020	1.00
Invoice: 10/20/20-KD-A						EX/CANVA/THANKSGIVING			
				1.00	31011572 531100	EX-GF-OUTREACH-SUPPLIES			
				243955	09/28/20-JF	10/26/2020		USB1020	5.44
Invoice: 09/28/20-JF						POL/WALGREENS/VELCRO			
				5.44	53011212 531100	PD-C/E-PATROL SUPPLIES			
				243956	09/27/20-EH	10/26/2020		USB1020	17.85
Invoice: 09/27/20-EH						POL/THE ROCK/MEAL			
				17.85	54025212 443410	MARINE - TRAINING			
				243957	09/27/20-EH-A	10/26/2020		USB1020	21.00
Invoice: 09/27/20-EH-A						POL/SHELL.FUEL			
				21.00	54025212 443410	MARINE - TRAINING			
				243958	09/28/20-EH	10/26/2020		USB1020	13.40
Invoice: 09/28/20-EH						POL/J'S TERIYAKI/MEAL			
				13.40	54025212 443410	MARINE - TRAINING			
				243959	09/29/20-EH	10/26/2020		USB1020	27.57
Invoice: 09/29/20-EH						POL/THE ROCK/MEAL			
				27.57	54025212 443410	MARINE - TRAINING			
				243960	09/29/20-EH-A	10/26/2020		USB1020	13.59
Invoice: 09/29/20-EH-A						POL/SUBWAY/MEAL			
				13.59	54025212 443410	MARINE - TRAINING			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
				243961	09/29/20-EH-B	10/26/2020		USB1020	55.38
	Invoice: 09/29/20-EH-B					POL/MICHAEL'S/MEAL			
				55.38	54025212 443410	MARINE - TRAINING			
				243962	09/29/20-EH-C	10/26/2020		USB1020	65.13
	Invoice: 09/29/20-EH-C					POL/SAFEWAY/FUEL			
				65.13	54025212 443410	MARINE - TRAINING			
				243963	09/30/20-EH	10/26/2020		USB1020	53.28
	Invoice: 09/30/20-EH					POL/PORTERHOUSE/MEAL			
				53.28	54025212 443410	MARINE - TRAINING			
				243964	09/30/20-EH-A	10/26/2020		USB1020	10.34
	Invoice: 09/30/20-EH-A					POL/MCDONALDS/MEAL			
				10.34	54025212 443410	MARINE - TRAINING			
				243965	09/30/20-EH-B	10/26/2020		USB1020	7.47
	Invoice: 09/30/20-EH-B					POL/WENDY'S/MEAL			
				7.47	54025212 443410	MARINE - TRAINING			
				243966	09/30/20-EH-C	10/26/2020		USB1020	17.28
	Invoice: 09/30/20-EH-C					POL/LOWE'S/SUPPLIES			
				17.28	54025212 443410	MARINE - TRAINING			
				243967	10/01/20-EH	10/26/2020		USB1020	15.12
	Invoice: 10/01/20-EH					POL/MICHAEL'S/MEAL			
				15.12	54025212 443410	MARINE - TRAINING			
				243968	10/02/20-EH	10/26/2020		USB1020	17.95
	Invoice: 10/02/20-EH					POL/76/FUEL			
				17.95	54025212 443410	MARINE - TRAINING			
				243969	10/01/20-EH-A	10/26/2020		USB1020	8.86
	Invoice: 10/01/20-EH-A					POL/TACO BELL/MEAL			
				8.86	54025212 443410	MARINE - TRAINING			
				243970	09/28/20-AL	10/26/2020		USB1020	68.94
	Invoice: 09/28/20-AL					EX/BRUCIATO/DOP LUNCH			
				68.94	31011256 542450	EX-GF-EMERG PREP-COMM OUTREACH			
				243971	09/30/20-AL	10/26/2020		USB1020	1,298.76
	Invoice: 09/30/20-AL					EX/ADPLANET/DOP TOTES			
				1,298.76	31011256 542450	EX-GF-EMERG PREP-COMM OUTREACH			
				243972	10/06/20-AL	10/26/2020		USB1020	121.00
	Invoice: 10/06/20-AL					EX/ROTARY/QRTLY DUES			
				121.00	31011256 549900	EX-GF-EMERG PREP-MISC			
				243973	10/07/20-AL	10/26/2020		USB1020	1,182.94
	Invoice: 10/07/20-AL					EX/SUMMIT STRUCTURES/SS SHED DEP			
				1,182.94	31011256 531100	EX-GF-EMERG PREP-SUPPLIES			

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CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
				243974	10/08/20-AL	10/26/2020		USB1020	37.30
	Invoice: 10/08/20-AL				EX/WSF/FERRY-TEST SITE VISIT				
				37.30	31011229 54110001069	TESTING-COVID19-PROF SVCS			
				243975	10/15/20-AL	10/26/2020		USB1020	290.80
	Invoice: 10/15/20-AL				EX/AMAZON/CBTS GOWNS				
				290.80	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243976	10/15/20-AL-A	10/26/2020		USB1020	242.80
	Invoice: 10/15/20-AL-A				EX/AMAZON/CBTS FACE MASKS				
				242.80	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243977	10/15/20-AL-B	10/26/2020		USB1020	340.20
	Invoice: 10/15/20-AL-B				EX/ULINE/CBTS ROLLING CARTS				
				340.20	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243978	10/16/20-AL	10/26/2020		USB1020	53.48
	Invoice: 10/16/20-AL				EX/AMAZON/CBTS SUPPLIES				
				53.48	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243979	10/19/20-AL	10/26/2020		USB1020	30.44
	Invoice: 10/19/20-AL				EX/AMAZON/CBTS SUPPLIES				
				30.44	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243980	10/19/20-AL-A	10/26/2020		USB1020	13.84
	Invoice: 10/19/20-AL-A				EX/AMAZON/CBTS SUPPLIES				
				13.84	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243981	10/19/20-AL-B	10/26/2020		USB1020	283.30
	Invoice: 10/19/20-AL-B				EX/AMAZON/CBTS GLOVES				
				283.30	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243982	10/21/20-AL	10/26/2020		USB1020	274.61
	Invoice: 10/21/20-AL				EX/COSTCO/CBTS SUPPLIES				
				274.61	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243983	10/21/20-AL-A	10/26/2020		USB1020	2,831.00
	Invoice: 10/21/20-AL-A				EX/INSTENT/CBTS TENT				
				2,831.00	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243984	10/22/20-AL	10/26/2020		USB1020	151.06
	Invoice: 10/22/20-AL				EX/AMAZON/CBTS SUPPLIES				
				151.06	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243985	10/22/20-AL-A	10/26/2020		USB1020	656.44
	Invoice: 10/22/20-AL-A				EX/AMAZON/CBTS SUPPLIES				
				656.44	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243986	10/22/20-AL-B	10/26/2020		USB1020	16.79
	Invoice: 10/22/20-AL-B				EX/AMAZON/CBTS SUPPLIES				
				16.79	31011229 53110001069	TESTING-COVID19-SUPPLIES			

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CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
				243987	10/22/20-AL-C	10/26/2020		USB1020	149.61
Invoice: 10/22/20-AL-C					EX/AMAZON/CBTS SUPPLIES				
				149.61	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243988	10/26/20-AL	10/26/2020		USB1020	121.39
Invoice: 10/26/20-AL					EX/AMAZON/CBTS SUPPLIES				
				121.39	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243989	10/26/20-AL-A	10/26/2020		USB1020	196.60
Invoice: 10/26/20-AL-A					EX/AMAZON/CBTS SUPPLIES				
				196.60	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243990	10/26/20-AL-B	10/26/2020		USB1020	136.42
Invoice: 10/26/20-AL-B					EX/AMAZON/CBTS SUPPLIES				
				136.42	31011229 53110001069	TESTING-COVID19-SUPPLIES			
				243991	10/01/20-CL	10/26/2020		USB1020	32.95
Invoice: 10/01/20-CL					PCD/CLICK2MAIL/LEGAL NOTICE POSTCARDS				
				32.95	63470586 544000	CUR-DEV-ZONING-ADV			
				243992	10/07/20-CL	10/26/2020		USB1020	38.11
Invoice: 10/07/20-CL					PCD/CLICK2MAIL/LEGAL NOTICE POSTCARDS				
				38.11	63470586 544000	CUR-DEV-ZONING-ADV			
				243993	10/07/20-CL-A	10/26/2020		USB1020	20.03
Invoice: 10/07/20-CL-A					PCD/CLICK2MAIL/LEGAL NOTICE POSTCARDS				
				20.03	63470586 544000	CUR-DEV-ZONING-ADV			
				243995	10/12/20-CL	10/26/2020		USB1020	21.66
Invoice: 10/12/20-CL					PCD/AMAZON/SCREEN MAGNIFIER				
				21.66	61011581 531100	PCD - C/E ADMIN SUPPLIES			
				243996	10/23/20-CL	10/26/2020		USB1020	13.99
Invoice: 10/23/20-CL					PCD/WALMART/CANDY PRIZE				
				13.99	61011581 531100	PCD - C/E ADMIN SUPPLIES			
				243997	09/30/20-DM	10/26/2020		USB1020	479.76
Invoice: 09/30/20-DM					PW/CAPITOL PUMP/PRESSURE SWITCH				
				479.76	73011897 531100	O&M-C/E-PWY FAC-SUPPLIES			
				243998	10/06/20-DM	10/26/2020		USB1020	908.19
Invoice: 10/06/20-DM					PW/NATL BIX FURNITURE/PARTITION				
				908.19	73011252 53110001069	COVID19-SUPPLIES			
				243999	10/06/20-DM-A	10/26/2020		USB1020	375.00
Invoice: 10/06/20-DM-A					PW/NWETC/CESCL TRAINING: JG				
				375.00	73431835 443410	O&M-SSWM MAINT-TRAVEL EXP			
				244000	10/06/20-DM-B	10/26/2020		USB1020	375.00
Invoice: 10/06/20-DM-B					PW/NWETC/ACCIDENTAL DBL CHG				
				375.00	73431835 443410	O&M-SSWM MAINT-TRAVEL EXP			

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CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
				244001	10/06/20-DM-C	10/26/2020		USB1020	375.00
	Invoice: 10/06/20-DM-C				PW/NWETC/ACCIDENTAL TRPL CHG				
				375.00	73431835 443410	O&M-SSWM MAINT-TRAVEL EXP			
				244002	10/12/20-DM	10/26/2020		USB1020	-375.00
	Invoice: 10/12/20-DM				PW/NWETC/DBL CHG REFUND				
				-375.00	73431835 443410	O&M-SSWM MAINT-TRAVEL EXP			
				244003	10/12/20-DM-A	10/26/2020		USB1020	-375.00
	Invoice: 10/12/20-DM-A				PW/NWETC/TRPL CHG REFUND				
				-375.00	73431835 443410	O&M-SSWM MAINT-TRAVEL EXP			
				244004	10/06/20-EP	10/26/2020		USB1020	695.00
	Invoice: 10/06/20-EP				POL/FBI LEEDA/REGISTRATION				
				695.00	52011212 443410	POLICE - C/E INVEST TRAINING			
				244005	10/19/20-EP	10/26/2020		USB1020	47.57
	Invoice: 10/19/20-EP				POL/SHELL/FUEL				
				47.57	52011212 443410	POLICE - C/E INVEST TRAINING			
				244006	10/20/20-EP	10/26/2020		USB1020	15.08
	Invoice: 10/20/20-EP				POL/SUNNY TERIYAKI/MEAL				
				15.08	52011212 443410	POLICE - C/E INVEST TRAINING			
				244007	10/22/20-EP	10/26/2020		USB1020	8.99
	Invoice: 10/22/20-EP				POL/EC SMOOTHIE/MEAL				
				8.99	52011212 443410	POLICE - C/E INVEST TRAINING			
				244008	10/23/20-EP	10/26/2020		USB1020	42.78
	Invoice: 10/23/20-EP				POL/FAIRGROUNDS MARKET/FUEL				
				42.78	52011212 443410	POLICE - C/E INVEST TRAINING			
				244009	10/01/20-JR	10/26/2020		USB1020	900.00
	Invoice: 10/01/20-JR				PCD/STORAGE98110/ARCHIVES				
				900.00	61470581 545000	PCD - DEV ADMIN RENTS & LEASES			
				244010	09/24/20-JR-A	10/26/2020		USB1020	162.14
	Invoice: 09/24/20-JR-A				PCD/AMAZON/BLUETOOTH: LL				
				162.14	63011252 53110001069	COVID19-SUPPLIES			
				244011	09/24/20-JR-B	10/26/2020		USB1020	162.14
	Invoice: 09/24/20-JR-B				PCD/AMAZON/BLUETOOTH: JH				
				162.14	62011252 53110001069	COVID19-SUPPLIES			
				244012	09/24/20-JR-C	10/26/2020		USB1020	162.14
	Invoice: 09/24/20-JR-C				PCD/AMAZON/BLUETOOTH: DE				
				162.14	62011252 53110001069	COVID19-SUPPLIES			
				244013	09/24/20-JR-D	10/26/2020		USB1020	162.14
	Invoice: 09/24/20-JR-D				PCD/AMAZON/BLUETOOTH: CL				
				162.14	61011252 53110001069	COVID19-SUPPLIES			

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CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
				244014	09/24/20-JR-E	10/26/2020		USB1020	162.14
	Invoice: 09/24/20-JR-E					PCD/AMAZON/BLUETOOTH: JR			
				162.14	61011252 53110001069	COVID19-SUPPLIES			
				244015	09/24/20-JR-F	10/26/2020		USB1020	162.14
	Invoice: 09/24/20-JR-F					PCD/AMAZON/BLUETOOTH: MS			
				162.14	62011252 53110001069	COVID19-SUPPLIES			
				244016	10/05/20-JR	10/26/2020		USB1020	87.40
	Invoice: 10/05/20-JR					PCD/USPS/SHIRT MAILING			
				87.40	61011581 531100	PCD - C/E ADMIN SUPPLIES			
				244017	10/06/20-JR-A	10/26/2020		USB1020	4.60
	Invoice: 10/06/20-JR-A					PCD/USPS/SHIRT MAILING			
				4.60	61011581 531100	PCD - C/E ADMIN SUPPLIES			
				244018	10/12/20-JR	10/26/2020		USB1020	43.85
	Invoice: 10/12/20-JR					PCD/AMAZON/KEYBOARD, FOOTREST			
				43.85	62011252 53110001069	COVID19-SUPPLIES			
				244019	10/12/20-JR-A	10/26/2020		USB1020	26.02
	Invoice: 10/12/20-JR-A					PCD/AMAZON/KEYBOARD			
				26.02	61011252 53110001069	COVID19-SUPPLIES			
				244020	10/15/20-JR	10/26/2020		USB1020	199.00
	Invoice: 10/15/20-JR					PCD/FRED PRYOR/LEADERSHIP TRNG: HW			
				199.00	61011584 443410	PCD - C/E ADM TRAINING			
				244021	10/07/20-JR	10/26/2020		USB1020	52.29
	Invoice: 10/07/20-JR					PCD/AMAZON/HD CASES			
				52.29	61011252 53110001069	COVID19-SUPPLIES			
				244022	10/04/20-JR	10/26/2020		USB1020	16.00
	Invoice: 10/04/20-JR					PCD/AMAZON/HEADSET CASE: JR			
				16.00	61011252 53110001069	COVID19-SUPPLIES			
				244025	10/01/20-JR-A	10/26/2020		USB1020	22.53
	Invoice: 10/01/20-JR-A					PCD/AMAZON/HEADSET CASE: CL			
				22.53	61011252 53110001069	COVID19-SUPPLIES			
				244026	10/01/20-JR-B	10/26/2020		USB1020	22.53
	Invoice: 10/01/20-JR-B					PCD/AMAZON/HEADSET CASE: MS			
				22.53	62011252 53110001069	COVID19-SUPPLIES			
				244028	10/01/20-JR-C	10/26/2020		USB1020	16.00
	Invoice: 10/01/20-JR-C					PCD/AMAZON/HEADSET CASE: LL			
				16.00	63011252 53110001069	COVID19-SUPPLIES			
				244029	10/01/20-JR-D	10/26/2020		USB1020	16.00
	Invoice: 10/01/20-JR-D					PCD/AMAZON/HEADSET CASE: JH			
				16.00	62011252 53110001069	COVID19-SUPPLIES			

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CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
				244030	10/01/20-JR-E	10/26/2020	USB1020		16.00
Invoice: 10/01/20-JR-E				PCD/AMAZON/HEADSET CASE: DE					
				16.00	62011252 53110001069	COVID19-SUPPLIES			
				244031	10/19/20-MS	10/26/2020	USB1020		16.31
Invoice: 10/19/20-MS				PCD/COSTCO/CLOROX WIPES					
				16.31	61011252 53110001069	COVID19-SUPPLIES			
				244032	10/19/20-MS-A	10/26/2020	USB1020		107.76
Invoice: 10/19/20-MS-A				PCD/AMAZON/COMPUTER SUPPLIES					
				107.76	61011252 53110001069	COVID19-SUPPLIES			
				244033	10/05/20-WS	10/26/2020	USB1020		29.11
Invoice: 10/05/20-WS				POL/SUBWAY/MEAL					
				29.11	53011212 443410	POLICE - C/E PATROL TRAINING			
				244034	10/06/20-WS	10/26/2020	USB1020		35.32
Invoice: 10/06/20-WS				POL/HAPPY TERIYAKI/MEAL					
				35.32	53011212 443410	POLICE - C/E PATROL TRAINING			
				244035	10/06/20-WS-A	10/26/2020	USB1020		33.00
Invoice: 10/06/20-WS-A				POL/ARCO/FUEL					
				33.00	53011212 443410	POLICE - C/E PATROL TRAINING			
				244036	10/07/20-WS	10/26/2020	USB1020		28.34
Invoice: 10/07/20-WS				PW/SUBWAY/MEAL					
				28.34	53011212 443410	POLICE - C/E PATROL TRAINING			
				244037	10/08/20-WS	10/26/2020	USB1020		46.00
Invoice: 10/08/20-WS				POL/SHELL/FUEL					
				46.00	53011212 443410	POLICE - C/E PATROL TRAINING			
				244038	10/08/20-WS-A	10/26/2020	USB1020		40.08
Invoice: 10/08/20-WS-A				POL/DENNY'S/MEAL					
				40.08	53011212 443410	POLICE - C/E PATROL TRAINING			
				244039	10/09/20-WS	10/26/2020	USB1020		55.22
Invoice: 10/09/20-WS				POL/RNJ/MEAL					
				55.22	53011212 443410	POLICE - C/E PATROL TRAINING			
				244040	10/18/20-WS	10/26/2020	USB1020		59.87
Invoice: 10/18/20-WS				POL/AMAZON/LEG SHROUD					
				59.87	53011212 531100	PD-C/E-PATROL SUPPLIES			
				244041	09/30/20-CW	10/26/2020	USB1020		7,361.86
Invoice: 09/30/20-CW				PW/AMAZON/AIR FILTER CARTRIDGES					
				7,361.86	73011252 53110001069	COVID19-SUPPLIES			
				244042	09/30/20-KB	10/26/2020	USB1020		90.00
Invoice: 09/30/20-KB				HR/CRAIGSLIST/ADMIN SPEC III AD					
				90.00	33011161 544000	HR-C/E-ADVERTISING			

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CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
				244043	10/02/20-KB	10/26/2020		USB1020	-49.00
			Invoice: 10/02/20-KB			HR/NEOGOV/CONF REFUND			
				-49.00	33011164 443410	HR-C/E-TRAINING EXP			
				244044	10/13/20-KB	10/26/2020		USB1020	200.00
			Invoice: 10/13/20-KB			HR/AWC/5-PACK JOB POSTING			
				200.00	33011161 544000	HR-C/E-ADVERTISING			
				244045	10/14/20-KB	10/26/2020		USB1020	295.00
			Invoice: 10/14/20-KB			HR/ASCE/AD: CAP ENG MGR			
				295.00	33011161 544000	HR-C/E-ADVERTISING			
				244046	10/14/20-KB-A	10/26/2020		USB1020	468.00
			Invoice: 10/14/20-KB-A			HR/YOURMEMBERSHIP.COM/AD: CAP ENG MGR			
				468.00	33011161 544000	HR-C/E-ADVERTISING			
				244047	10/14/20-KB-B	10/26/2020		USB1020	90.00
			Invoice: 10/14/20-KB-B			HR/CRAIGSLIST/AD: CAP ENG MGR			
				90.00	33011161 544000	HR-C/E-ADVERTISING			
				244048	10/14/20-KB-C	10/26/2020		USB1020	90.00
			Invoice: 10/14/20-KB-C			HR/CRAIGSLIST/AD: HR ANALYST			
				90.00	33011161 544000	HR-C/E-ADVERTISING			
				244049	10/19/20-KB	10/26/2020		USB1020	90.00
			Invoice: 10/19/20-KB			HR/CRAIGSLIST/AD: MAINT TECH			
				90.00	33011161 544000	HR-C/E-ADVERTISING			
				244050	10/01/20-KS	10/26/2020		USB1020	85.00
			Invoice: 10/01/20-KS			FIN/GFOA/CAP ASSET ACCTG: KS			
				85.00	41011144 443410	FIN - C/E TRAINING			
				244051	10/14/20-KS	10/26/2020		USB1020	80.00
			Invoice: 10/14/20-KS			FIN/MRSC/ETHICS FOR CPAS: KS			
				80.00	41011144 443410	FIN - C/E TRAINING			
				244052	10/14/20-KS-A	10/26/2020		USB1020	85.00
			Invoice: 10/14/20-KS-A			FIN/GFOA/AT OVERVIEW: KS			
				85.00	41011144 443410	FIN - C/E TRAINING			
				244053	09/30/20-KG	10/26/2020		USB1020	57.76
			Invoice: 09/30/20-KG			ENG/AMAZON/PRINTER INK: KG			
				57.76	72011321 531100	ENG - C/E ADMIN SUPPLIES			
				244054	10/21/20-KG	10/26/2020		USB1020	140.61
			Invoice: 10/21/20-KG			ENG/PMI/MEMBERSHIP: CB			
				140.61	72011321 549100	ENG - C/E ADMIN MISCELLEANEOUS			
				244055	10/23/20-KG	10/26/2020		USB1020	323.68
			Invoice: 10/23/20-KG			ENG/AMAZON/BINOCULARS: AQ			
				107.89	72411341 531100	ENG - WATER ADMIN SUPPLIES			
				107.89	72421351 531100	ENG - SEWER ADMIN SUPPLIES			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
				107.90	72431831 531100 ENG - SSWM ADM SUPPLIES				
				244056	09/28/20-CK	10/26/2020	USB1020		113.36
Invoice: 09/28/20-CK					PW/TECHSTREET/AWWA PDF				
				113.36	73411345 531100 OFFICE SUPPLIES				
				244057	09/30/20-CK	10/26/2020	USB1020		93.50
Invoice: 09/30/20-CK					PW/AWWA/UTILITY BOOK: DEL				
				93.50	73425358 443410 O&M-WWTP-TRAINING				
				244058	10/01/20-CK	10/26/2020	USB1020		300.00
Invoice: 10/01/20-CK					PW/STORAGE98110/E204				
				300.00	73011189 545000 O&M - C/E FACIL RENTS & LEASES				
				244059	10/03/20-CK	10/26/2020	USB1020		81.31
Invoice: 10/03/20-CK					PW/TFS/WWTP THERMOCOUPLE ASSY				
				81.31	73425358 531100 O&M-WWTP-SUPPLIES				
				244060	10/04/20-CK	10/26/2020	USB1020		11.77
Invoice: 10/04/20-CK					PW/TFS/FREIGHT				
				11.77	91415345 542500 GG-ROCKAWAY BCH-POSTAGE				
				244061	10/05/20-CK	10/26/2020	USB1020		400.00
Invoice: 10/05/20-CK					PW/NWETC/CESCL TRAINING				
				400.00	73431835 443410 O&M-SSWM MAINT-TRAVEL EXP				
				244062	10/06/20-CK	10/26/2020	USB1020		51.83
Invoice: 10/06/20-CK					PW/AMAZON/CARB FOR SSWM GEN				
				51.83	73431835 531100 OFFICE SUPPLIES				
				244063	10/07/20-CK	10/26/2020	USB1020		842.20
Invoice: 10/07/20-CK					PW/JONDON/CHEM SPRAYER-COVID				
				842.20	73011252 53110001069 COVID19-SUPPLIES				
				244064	10/07/20-CK-A	10/26/2020	USB1020		16.34
Invoice: 10/07/20-CK-A					PW/ADOBE/PRO SUBX				
				16.34	73411345 549100 DUES/SUBSCRIPTIONS				
				244065	10/08/20-CK	10/26/2020	USB1020		816.07
Invoice: 10/08/20-CK					PW/MAJOR SAFETY/WWTP GAS DETECTOR				
				816.07	73425358 531100 O&M-WWTP-SUPPLIES				
				244066	10/09/20-CK	10/26/2020	USB1020		1,742.74
Invoice: 10/09/20-CK					PW/ALEN CO/AIR FILTERS-COVID				
				1,742.74	73011252 53110001069 COVID19-SUPPLIES				
				244067	10/09/20-CK-A	10/26/2020	USB1020		81.25
Invoice: 10/09/20-CK-A					PW/UPS/PART RETURN				
				81.25	91011215 542500 GG-C/E-PD-POSTAGE				
				244068	10/13/20-CK	10/26/2020	USB1020		800.00
Invoice: 10/13/20-CK					PW/NWETC/CESCL TRAINING				

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
				800.00	73431835 443410	O&M-SSWM MAINT-TRAVEL EXP			
				244069	10/13/20-CK-A	10/26/2020	USB1020		691.87
			Invoice: 10/13/20-CK-A			PW/MAX PERF/WWTP DAVIT EXTENSION			
				691.87	73425358 531100	O&M-WWTP-SUPPLIES			
				244070	10/14/20-CK	10/26/2020	USB1020		16.34
			Invoice: 10/14/20-CK			PW/ADOBE/PRO SUBX			
				16.34	73411345 549100	DUES/SUBSCRIPTIONS			
				244071	10/17/20-CK	10/26/2020	USB1020		71.81
			Invoice: 10/17/20-CK			PW/COSTCO/STORM SUPPLIES: FOOD			
				71.81	73111256 53110001054	2020 STORM PREP-STRT-SUPPLIES			
				244072	10/20/20-CK	10/26/2020	USB1020		81.74
			Invoice: 10/20/20-CK			PW/COSTCO/LUNCH ROOM SUPPLIES			
				81.74	73637891 531100	OFFICE SUPPLIES			
				244073	10/20/20-CK-A	10/26/2020	USB1020		425.09
			Invoice: 10/20/20-CK-A			PW/COSTCO/WATER			
				425.09	73637891 531100	OFFICE SUPPLIES			
				244074	10/20/20-CK-B	10/26/2020	USB1020		7,500.00
			Invoice: 10/20/20-CK-B			PW/PLIA/PROGRAM FEE			
				7,500.00	73011317 54980000812	SUYEMATSU FARM FUEL TANK REMOV			
				244075	10/21/20-CK	10/26/2020	USB1020		366.73
			Invoice: 10/21/20-CK			PW/COSTCO/STORM SUPPLIES: FOOD			
				366.73	73111256 53110001054	2020 STORM PREP-STRT-SUPPLIES			
				244076	09/30/20-CK-A	10/26/2020	USB1020		100.00
			Invoice: 09/30/20-CK-A			POL/CIT INTL/CONF REG			
				100.00	53011212 443410	POLICE - C/E PATROL TRAINING			
				244077	10/26/20-CK	10/26/2020	USB1020		-100.00
			Invoice: 10/26/20-CK			POL/CIT INTL/REFUND			
				-100.00	53011212 443410	POLICE - C/E PATROL TRAINING			
				244078	10/16/20-CK	10/26/2020	USB1020		22.88
			Invoice: 10/16/20-CK			PW/ADOBE/ILLUSTRATOR			
				22.88	73411345 549100	DUES/SUBSCRIPTIONS			
						CHECK 354932 TOTAL:			50,230.31

NUMBER OF CHECKS 1 *** CASH ACCOUNT TOTAL *** 50,230.31

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	1	50,230.31

*** GRAND TOTAL *** 50,230.31

JOURNAL ENTRIES TO BE CREATED

CLERK: cfreitas

YEAR PER JNL / SRC ACCOUNT / EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC / LINE DESC	T	OB	DEBIT	CREDIT
2020 11 60									
APP 001-213000					GENERAL - ACCOUNTS PAYABLE			44,479.90	
11/06/2020	USB1020	USB CC			AP CASH DISBURSEMENTS JOURNAL				
APP 635-111100					CASH				50,230.31
11/06/2020	USB1020	USB CC			AP CASH DISBURSEMENTS JOURNAL				
APP 407-213000					ACCOUNTS PAYABLE			991.09	
11/06/2020	USB1020	USB CC			AP CASH DISBURSEMENTS JOURNAL				
APP 403-213000					ACCOUNTS PAYABLE			1,734.73	
11/06/2020	USB1020	USB CC			AP CASH DISBURSEMENTS JOURNAL				
APP 401-213000					ACCOUNTS PAYABLE			288.58	
11/06/2020	USB1020	USB CC			AP CASH DISBURSEMENTS JOURNAL				
APP 402-213000					ACCOUNTS PAYABLE			1,790.64	
11/06/2020	USB1020	USB CC			AP CASH DISBURSEMENTS JOURNAL				
APP 101-213000					STREETS - ACCOUNTS PAYABLE			438.54	
11/06/2020	USB1020	USB CC			AP CASH DISBURSEMENTS JOURNAL				
APP 631-213000					ACCOUNTS PAYABLE			506.83	
11/06/2020	USB1020	USB CC			AP CASH DISBURSEMENTS JOURNAL				
					GENERAL LEDGER TOTAL			50,230.31	50,230.31
APP 631-130000					DUE TO/FROM CLEARING			49,723.48	
11/06/2020	USB1020	USB CC							
APP 001-130000					GENERAL - DUE TO/FROM CLEARING				44,479.90
11/06/2020	USB1020	USB CC							
APP 407-130000					DUE TO/FROM CLEARING				991.09
11/06/2020	USB1020	USB CC							
APP 403-130000					DUE TO/FROM CLEARING				1,734.73
11/06/2020	USB1020	USB CC							
APP 401-130000					DUE TO/FROM CLEARING				288.58
11/06/2020	USB1020	USB CC							
APP 402-130000					DUE TO/FROM CLEARING				1,790.64
11/06/2020	USB1020	USB CC							
APP 101-130000					STREETS - DUE TO/FROM CLEARING				438.54
11/06/2020	USB1020	USB CC							
					SYSTEM GENERATED ENTRIES TOTAL			49,723.48	49,723.48
					JOURNAL 2020/11/60 TOTAL			99,953.79	99,953.79

JOURNAL ENTRIES TO BE CREATED

FUND / ACCOUNT	YEAR PER	JNL	EFF DATE / ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND	2020 11	60	11/06/2020		
001-130000			GENERAL - DUE TO/FROM CLEARING		44,479.90
001-213000			GENERAL - ACCOUNTS PAYABLE	44,479.90	
			FUND TOTAL	44,479.90	44,479.90
101 STREET FUND	2020 11	60	11/06/2020		
101-130000			STREETS - DUE TO/FROM CLEARING		438.54
101-213000			STREETS - ACCOUNTS PAYABLE	438.54	
			FUND TOTAL	438.54	438.54
401 WATER OPERATING FUND	2020 11	60	11/06/2020		
401-130000			DUE TO/FROM CLEARING		288.58
401-213000			ACCOUNTS PAYABLE	288.58	
			FUND TOTAL	288.58	288.58
402 SEWER OPERATING FUND	2020 11	60	11/06/2020		
402-130000			DUE TO/FROM CLEARING		1,790.64
402-213000			ACCOUNTS PAYABLE	1,790.64	
			FUND TOTAL	1,790.64	1,790.64
403 STORM & SURFACE WATER FUND	2020 11	60	11/06/2020		
403-130000			DUE TO/FROM CLEARING		1,734.73
403-213000			ACCOUNTS PAYABLE	1,734.73	
			FUND TOTAL	1,734.73	1,734.73
407 BUILDING & DEVELOPMENT FUND	2020 11	60	11/06/2020		
407-130000			DUE TO/FROM CLEARING		991.09
407-213000			ACCOUNTS PAYABLE	991.09	
			FUND TOTAL	991.09	991.09
631 CLEARING FUND	2020 11	60	11/06/2020		
631-130000			DUE TO/FROM CLEARING	49,723.48	
631-213000			ACCOUNTS PAYABLE	506.83	
635-111100			CASH		50,230.31
			FUND TOTAL	50,230.31	50,230.31

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		44,479.90
101	STREET FUND		438.54
401	WATER OPERATING FUND		288.58
402	SEWER OPERATING FUND		1,790.64
403	STORM & SURFACE WATER FUND		1,734.73
407	BUILDING & DEVELOPMENT FUND		991.09
631	CLEARING FUND	49,723.48	
	TOTAL	49,723.48	49,723.48

** END OF REPORT - Generated by Carrie L. Freitas **

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
354933	11/16/2020	PRTD	47	BAINBRIDGE DISPOSAL	244079	0001025377	10/31/2020	M111620		1,765.55
	Invoice: 0001025377						CITYWIDE DISP SVCS OCT 2020			
					143.70	91011215 547900	GG-C/E-PD-GARBAGE			
					461.62	91011768 547900	GG-C/E-PARKS-GARBAGE			
					433.74	91425358 547900	GG-WWTP-GARBAGE(NOT BIOSOLIDS)			
					706.53	91011897 547900	GG-C/E-O&M YARD FAC-GARBAGE			
					19.96	91011897 547900	GG-C/E-O&M YARD FAC-GARBAGE			
					244080	0001025570	10/31/2020	M111620		346.96
	Invoice: 0001025570						CITY HALL DISP SVCS OCT 2020			
					346.96	91011189 547900	GG-C/E-CITY HALL-GARBAGE			
					244081	0001025628	10/31/2020	M111620		78.96
	Invoice: 0001025628						BIG BELLY DISP SVC OCT 2020			
					78.96	91011189 547903	BIG BELLY SOLAR GARBAGE CANS			
							CHECK 354933 TOTAL:			2,191.47
354934	11/16/2020	PRTD	551	CENTURYLINK	244082	0225NOV20	11/02/2020	M111620		121.34
	Invoice: 0225NOV20						O&M FIRE ALARM MONIT			
					121.34	91011897 542100	GG-C/E-O&M YARD FAC-PHONE			
					244083	0456NOV20	11/02/2020	M111620		79.99
	Invoice: 0456NOV20						VILLAGE SEWER PUMP			
					79.99	91421891 542100	GG-SWR-FAC-PHONE			
					244085	1745NOV20	11/02/2020	M111620		57.13
	Invoice: 1745NOV20						CH ELEVATOR SVC LINE			
					57.13	91011189 542100	GG-C/E-CITY HALL-PHONE			
					244086	3736NOV20	11/02/2020	M111620		121.34
	Invoice: 3736NOV20						CH FIRE ALARM MONIT			
					121.34	91011189 542100	GG-C/E-CITY HALL-PHONE			
					244087	5211NOV20	11/02/2020	M111620		212.49
	Invoice: 5211NOV20						POL PHN SVCS			
					212.49	91011215 542100	GG-C/E-PD-PHONE			
					244088	8731NOV20	11/02/2020	M111620		62.24
	Invoice: 8731NOV20						COMMONS FIRE ALARM MONIT			
					62.24	91011755 542100	GG-C/E-COMMONS-PHONE			
					244089	0754NOV20	11/02/2020	M111620		70.95
	Invoice: 0754NOV20						FLETCHER BAY WELL TELEM			
					70.95	91411891 542100	GG-WTR-FAC-PHONE			
					244090	8834NOV20	11/02/2020	M111620		69.99
	Invoice: 8834NOV20						259 FERNCLIFF PRV TELEM			
					69.99	91411891 542100	GG-WTR-FAC-PHONE			
					244091	9136NOV20	11/02/2020	M111620		160.66

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
	Invoice: 9136NOV20						CH SECURITY ALARM MONIT			
					160.66	91011189 542100	GG-C/E-CITY HALL-PHONE			
					244092	9791NOV20	11/02/2020	M111620		137.80
	Invoice: 9791NOV20						POL TI MANDUS			
					137.80	91011215 542100	GG-C/E-PD-PHONE			
					244093	9840NOV20	11/02/2020	M111620		50.35
	Invoice: 9840NOV20						HEAD OF BAY WELL TELEM			
					50.35	91411891 542100	GG-WTR-FAC-PHONE			
					244094	9858NOV20	11/02/2020	M111620		50.35
	Invoice: 9858NOV20						SANDS AVE WELL TELEM			
					50.35	91411891 542100	GG-WTR-FAC-PHONE			
							CHECK	354934 TOTAL:		1,194.63
354935	11/16/2020	PRTD	102	CITY OF BAINBRIDGE I	244100	RETREQ1-911-2020	11/04/2020	20200031	M111620	4,868.06
	Invoice: RETREQ1-911-2020						2020 CITY HALL RPRS-RET			
					4,868.06	73011183 54810000911	CH REPAIRS-REPAIRS			
							CHECK	354935 TOTAL:		4,868.06
354936	11/16/2020	PRTD	9534	COLVOS CONSTRUCTION,	244101	PAYREQ1-911	11/04/2020	20200030	M111620	101,255.68
	Invoice: PAYREQ1-911						CITY HALL REPAIRS 2020			
					101,255.68	73011183 54810000911	CH REPAIRS-REPAIRS			
							CHECK	354936 TOTAL:		101,255.68
354937	11/16/2020	PRTD	2106	PARTNER CONSTRUCTION	244176	10385	06/18/2020		M111620	425.10
	Invoice: 10385						PW/ASPHALT BINDING TACK			
					425.10	73111423 531100	OFFICE SUPPLIES			
							CHECK	354937 TOTAL:		425.10
354938	11/16/2020	PRTD	1205	PUGET SOUND ENERGY	244095	CITY HALL OCT20	11/02/2020		M111620	2,851.79
	Invoice: CITY HALL OCT20						CITY HALL OCTOBER 2020			
					2,851.79	91011189 547100	GG-C/E-CITY HALL-ELECTRIC			
					244102	828OCT20	11/02/2020		M111620	330.61
	Invoice: 828OCT20						TAYLOR WELLS LID17 PH1			
					330.61	91415345 547100	GG-ROCKAWAY BCH-UTILITIES			
					244103	IL3OCT20	11/02/2020		M111620	30.10
	Invoice: IL3OCT20						ROUNDABOUT HS/MADISON			
					30.10	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
					244104	647OCT20	11/02/2020		M111620	46.74

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
					Invoice: 647OCT20				
				46.74	91111263 547100	ST LTS/TRAFFIC CONTR GG-STRT-STREET LIGHTING-UTIL			
				244105	IL9OCT20	11/02/2020	M111620		108.61
					Invoice: IL9OCT20				
				108.61	91111263 547100	MADISON AVE S GG-STRT-STREET LIGHTING-UTIL			
				244106	285OCT20	11/02/2020	M111620		287.74
					Invoice: 285OCT20				
				287.74	91421355 547100	SPS NORTHTOWN/SPORTSMAN GG-SWR-ELECTRIC			
				244107	735OCT20	11/02/2020	M111620		75.31
					Invoice: 735OCT20				
				75.31	91011768 547100	SHANNON DR/WFP DOCK GG-C/E-PARKS-ELECTRIC			
				244108	182OCT20	11/02/2020	M111620		59.50
					Invoice: 182OCT20				
				59.50	91011255 547100	MUNI CRT E6 GG-C/E-COURT BLDG-ELECTRIC			
				244109	058OCT20	11/02/2020	M111620		32.99
					Invoice: 058OCT20				
				32.99	91011897 547100	HIDDEN COVE - SHOP GG-C/E-O&M YARD FAC-ELECTRIC			
				244110	973OCT20	11/02/2020	M111620		12.38
					Invoice: 973OCT20				
				12.38	91415345 547100	OC RESERVOIR LID17 PH2 GG-ROCKAWAY BCH-UTILITIES			
				244111	558OCT20	11/02/2020	M111620		2,083.91
					Invoice: 558OCT20				
				2,083.91	91011897 547100	HIDDEN COVE - SHOP GG-C/E-O&M YARD FAC-ELECTRIC			
				244112	336OCT20	11/02/2020	M111620		104.63
					Invoice: 336OCT20				
				104.63	91421355 547100	SLS-9 ISLAND TERRACE GG-SWR-ELECTRIC			
				244113	IL11OCT20	11/02/2020	M111620		21.13
					Invoice: IL11OCT20				
				21.13	91111263 547100	ST LTS WW MAD TO 305 GG-STRT-STREET LIGHTING-UTIL			
				244114	520-330OCT20	11/02/2020	M111620		64.55
					Invoice: 520-330OCT20				
				64.55	91011768 547100	210 WINSLOW WAT E IRRIGATION GG-C/E-PARKS-ELECTRIC			
				244115	823OCT20	11/02/2020	M111620		10.43
					Invoice: 823OCT20				
				10.43	91011768 547100	BRIEN DR N/BOOTH EL PANEL GG-C/E-PARKS-ELECTRIC			
				244116	682-B-OCT20	11/02/2020	M111620		29.96
					Invoice: 682-B-OCT20				
				29.96	91111263 547100	MUNI PARKING LOT -MAD/MAD GG-STRT-STREET LIGHTING-UTIL			
				244117	736OCT20	11/02/2020	M111620		62.80

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
			Invoice: 736OCT20						
				62.80	91011768 547100	SHANNON DR/WFP RESTROOM GG-C/E-PARKS-ELECTRIC			
				244118	040-581OCT20	11/02/2020	M111620		137.25
			Invoice: 040-581OCT20						
				137.25	91421355 547100	3900 HALLS HILL ROAD PUMP GG-SWR-ELECTRIC			
				244119	884OCT20	11/02/2020	M111620		115.75
			Invoice: 884OCT20						
				115.75	91421355 547100	SLS FERRY TERMINAL GG-SWR-ELECTRIC			
				244120	111OCT20	11/02/2020	M111620		371.35
			Invoice: 111OCT20						
				371.35	91011215 547100	POL STATION METER 2 GG-C/E-PD-ELECTRIC			
				244121	717OCT20	11/02/2020	M111620		207.27
			Invoice: 717OCT20						
				207.27	91011215 547100	POL STATION METER 1 GG-C/E-PD-ELECTRIC			
				244122	520-374OCT20	11/02/2020	M111620		65.19
			Invoice: 520-374OCT20						
				65.19	91111264 547100	SIGNAL @ 108 OLR DR GG-STREET-TRAF CONTROL-UTILITY			
				244123	520-136OCT20	11/02/2020	M111620		2,887.88
			Invoice: 520-136OCT20						
				2,887.88	91411345 547100	HOB BOOSTER PUMP/WELL GG-WTR-ELECTRIC			
				244124	IL5OCT20	11/02/2020	M111620		100.40
			Invoice: IL5OCT20						
				100.40	91111263 547100	COMOODORE OFF HS @ OLY GG-STRT-STREET LIGHTING-UTIL			
				244125	291OCT20	11/02/2020	M111620		14.40
			Invoice: 291OCT20						
				14.40	91411345 547100	HEAD OF BAY WELL FIELD GG-WTR-ELECTRIC			
				244126	031OCT20	11/02/2020	M111620		150.74
			Invoice: 031OCT20						
				150.74	91421355 547100	SLS-6 LOVELL LOWER GG-SWR-ELECTRIC			
				244127	IL12OCT20	11/02/2020	M111620		74.20
			Invoice: IL12OCT20						
				74.20	91111263 547100	ST LTS WW 305-FERNCLIFF GG-STRT-STREET LIGHTING-UTIL			
				244128	573OCT20	11/02/2020	M111620		12.49
			Invoice: 573OCT20						
				12.49	91411345 547100	COMMODORE/HS RESERVOIR GG-WTR-ELECTRIC			
				244129	040-714OCT20	11/02/2020	M111620		10.81
			Invoice: 040-714OCT20						
				10.81	91021182 547100	7095 NW TWIN PONDS RD GG-OS-PROP MNGT-ELECTRIC			
				244130	206OCT20	11/02/2020	M111620		426.58

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
Invoice: 206OCT20				426.58	91421355 547100	4586 PT WHT DR NE GG-SWR-ELECTRIC			
244131					256OCT20	11/02/2020	M111620		381.56
Invoice: 256OCT20				381.56	91421355 547100	SLS-8 305/HARBORVIEW GG-SWR-ELECTRIC			
244132					636OCT20	11/02/2020	M111620		91.33
Invoice: 636OCT20				91.33	91421355 547100	SLS-7 WING PT WAY GG-SWR-ELECTRIC			
244133					888OCT20	11/02/2020	M111620		170.69
Invoice: 888OCT20				170.69	91411345 547100	NE HS RD PUMP GG-WTR-ELECTRIC			
244134					658OCT20	11/02/2020	M111620		64.99
Invoice: 658OCT20				64.99	91421355 547100	SLS-4 IRENE/LOWER HAWLEY GG-SWR-ELECTRIC			
244135					520-298OCT20	11/02/2020	M111620		299.19
Invoice: 520-298OCT20				299.19	91421355 547100	SLS-5 WW/SUNDAY COVE GG-SWR-ELECTRIC			
244136					640OCT20	11/02/2020	M111620		14.67
Invoice: 640OCT20				14.67	91011768 547100	BRIEN DR S/BOOTH EL PANEL GG-C/E-PARKS-ELECTRIC			
244137					983OCT20	11/02/2020	M111620		11.48
Invoice: 983OCT20				11.48	91111264 547100	MILLER RD NE BEACON GG-STREET-TRAF CONTROL-UTILITY			
244138					067OCT20	11/02/2020	M111620		10.43
Invoice: 067OCT20				10.43	91111263 547100	MADISON PARKING LOT GG-STRT-STREET LIGHTING-UTIL			
244139					IL7OCT20	11/02/2020	M111620		74.95
Invoice: IL7OCT20				74.95	91111263 547100	MADISON PRJ HS TO WINSLOW II GG-STRT-STREET LIGHTING-UTIL			
244140					466OCT20	11/02/2020	M111620		10.43
Invoice: 466OCT20				10.43	91111264 547100	MADISON/HS RAINBRINGER GG-STREET-TRAF CONTROL-UTILITY			
244141					093OCT20	11/02/2020	M111620		2,541.64
Invoice: 093OCT20				2,541.64	91411345 547100	FLETCHER BAY WELL FIELD GG-WTR-ELECTRIC			
244142					444OCT20	11/02/2020	M111620		204.64
Invoice: 444OCT20				204.64	91011755 547100	BI COMMONS GG-C/E-COMMONS-ELECTRIC			
244143					461OCT20	11/02/2020	M111620		6,451.84

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
			Invoice: 461OCT20		WWTP				
				6,451.84	91425358 547100 GG-WWTP-ELECTRIC				
				244144	WW&305OCT20	11/02/2020	M111620		547.60
			Invoice: WW&305OCT20		WINSLOW WAY & 305				
				547.60	91111264 547100 GG-STREET-TRAF CONTROL-UTILITY				
				244145	831OCT20	11/02/2020	M111620		4,110.03
			Invoice: 831OCT20		SANDS AVE NE WELL FIELD				
				4,110.03	91411345 547100 GG-WTR-ELECTRIC				
				244146	797OCT20	11/02/2020	M111620		92.76
			Invoice: 797OCT20		MUNI COURT METER E3				
				92.76	91011255 547100 GG-C/E-COURT BLDG-ELECTRIC				
				244147	247OCT20	11/02/2020	M111620		12.40
			Invoice: 247OCT20		SSWM/DECANT FAC				
				12.40	91435838 547100 GG-DECANT-ELECTRIC				
				244148	143OCT20	11/02/2020	M111620		10.43
			Invoice: 143OCT20		REITAN RD/WELCOME TO BI				
				10.43	91111264 547100 GG-STREET-TRAF CONTROL-UTILITY				
				244149	IL1OCT20	11/02/2020	M111620		219.44
			Invoice: IL1OCT20		ERCKSN/MDSN/WNSLW/KNTCHL				
				219.44	91111263 547100 GG-STRT-STREET LIGHTING-UTIL				
				244150	710OCT20	11/02/2020	M111620		189.40
			Invoice: 710OCT20		SLS-2 VILLAGE CENTER				
				189.40	91421355 547100 GG-SWR-ELECTRIC				
				244151	893OCT20	11/02/2020	M111620		698.96
			Invoice: 893OCT20		MUNI ST LIGHTING				
				698.96	91111263 547100 GG-STRT-STREET LIGHTING-UTIL				
				244152	040-751OCT20	11/02/2020	M111620		10.52
			Invoice: 040-751OCT20		520 ERICKSEN AVE PRV				
				10.52	91411345 547100 GG-WTR-ELECTRIC				
				244153	SPRINGOCT20	11/02/2020	M111620		51.65
			Invoice: SPRINGOCT20		SPRINGRIDGE RD/HANSEN HILL				
				51.65	91111263 547100 GG-STRT-STREET LIGHTING-UTIL				
				244154	LYNCTROCT20	11/02/2020	M111620		84.89
			Invoice: LYNCTROCT20		BLOSSOM HILL				
				84.89	91111263 547100 GG-STRT-STREET LIGHTING-UTIL				
				244155	BKLYN&MADOCT20	11/02/2020	M111620		13.80
			Invoice: BKLYN&MADOCT20		N BROOKLYN & MAD AVE ST LT				
				13.80	91111263 547100 GG-STRT-STREET LIGHTING-UTIL				
				244156	2360-MADOCT20	11/02/2020	M111620		13.80

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC			
			Invoice: 2360-MADOCT20			2360 MAD AVE N - ENTRANCE ST LT			
				13.80	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
				244159	MAD&ORDOCT20	11/02/2020	M111620		13.80
			Invoice: MAD&ORDOCT20			MAD AVE & ORDWAY CROSS ST LT			
				13.80	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
				244160	NKLYN&NTOWNOCT20	11/02/2020	M111620		13.80
			Invoice: NKLYN&NTOWNOCT20			N BROOKLYN & N.TOWN ST LT			
				13.80	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
				244161	WING&AZALEAOCT20	11/02/2020	M111620		11.37
			Invoice: WING&AZALEAOCT20			WING PT & AZALEA AVE NE ST LT			
				11.37	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
				244162	W.OFMAD-PH1OCT20	11/02/2020	M111620		971.37
			Invoice: W.OFMAD-PH1OCT20			W OF MADISON - BAINBRIDGE CO			
				971.37	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
				244163	E.OFMAD-PH2OCT20	11/02/2020	M111620		1,919.34
			Invoice: E.OFMAD-PH2OCT20			E. OF MADISON BAINBRIDGE CO PH2			
				1,919.34	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
				244164	MAD&H.S.OCT20	11/02/2020	M111620		43.85
			Invoice: MAD&H.S.OCT20			MADISON/HS AVE ST LT			
				43.85	91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
				244165	2665OCT20	11/02/2020	M111620		208.75
			Invoice: 2665OCT20			WFP			
				208.75	91011768 547100	GG-C/E-PARKS-ELECTRIC			
				244166	2681OCT20	11/02/2020	M111620		10.43
			Invoice: 2681OCT20			WFP BOOTH EL PANEL #4			
				10.43	91011768 547100	GG-C/E-PARKS-ELECTRIC			
				244167	2996OCT20	11/02/2020	M111620		13.63
			Invoice: 2996OCT20			965 WEAVER RD NW			
				13.63	91411345 547100	GG-WTR-ELECTRIC			
				244168	3010OCT20	11/02/2020	M111620		10.43
			Invoice: 3010OCT20			WFP BOOTH EL PANEL #3			
				10.43	91011768 547100	GG-C/E-PARKS-ELECTRIC			
				244169	3028OCT20	11/02/2020	M111620		11.87
			Invoice: 3028OCT20			WFP BOOTH EL PANEL #2			
				11.87	91011768 547100	GG-C/E-PARKS-ELECTRIC			
				244170	3044OCT20	11/02/2020	M111620		10.43
			Invoice: 3044OCT20			278 WINSLOW WAY #KIOSK			
				10.43	91011739 547100	COMM EVENTS-ELECTRICITY			
				244171	3051OCT20	11/02/2020	M111620		10.84

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
	Invoice: 3051OCT20						WFP BOOTH EL PANEL #1			
						10.84 91011768 547100	GG-C/E-PARKS-ELECTRIC			
					244172	576OCT20	11/02/2020	M111620		71.12
	Invoice: 576OCT20						TREATMENT PLANT LS #3			
						71.12 91421355 547100	GG-SWR-ELECTRIC			
					244173	0909OCT20	11/02/2020	M111620		272.95
	Invoice: 0909OCT20						HARRISON BLDG-8804 N MADISON			
						272.95 71011183 54710000724	PD/COURT BLDG NON CAP-ELECTRIC			
					244174	012OCT20	11/02/2020	M111620		16.66
	Invoice: 012OCT20						220 OLY SR ST LT			
						16.66 91111263 547100	GG-STRT-STREET LIGHTING-UTIL			
					244175	MISCCREDIT	11/02/2020	M111620		-204.64
	Invoice: MISCCREDIT						MISC CREDIT			
						-204.64 91011189 547100	GG-C/E-CITY HALL-ELECTRIC			
							CHECK	354938 TOTAL:		30,577.01
354939	11/16/2020	PRTD	1485	VERIZON WIRELESS	244096	9866148052	11/01/2020	M111620		6,225.19
	Invoice: 9866148052						CITYWIDE WIRELESS SVCS			
						4,659.22 91011189 542100	GG-C/E-CITY HALL-PHONE			
						1,565.97 91011189 54210001069	COVID19-ADD'L CELL PHONES			
							CHECK	354939 TOTAL:		6,225.19
354940	11/16/2020	PRTD	167	WA ST DEPT OF ECOLOG	244097	05717	11/03/2020	M111620		80.00
	Invoice: 05717						PCD/COASTAL TRNG: EF			
						80.00 63011586 443410	CUR - C/E TRAINING TRAVEL			
							CHECK	354940 TOTAL:		80.00

NUMBER OF CHECKS 8 *** CASH ACCOUNT TOTAL *** 146,817.14

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	8	146,817.14

*** GRAND TOTAL *** 146,817.14

JOURNAL ENTRIES TO BE CREATED

CLERK: cfreitas

YEAR PER JNL / SRC ACCOUNT / EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC / LINE DESC	T	OB	DEBIT	CREDIT
2020 11 118									
APP 001-213000					GENERAL - ACCOUNTS PAYABLE			121,533.50	
11/16/2020	M111620	111620			AP CASH DISBURSEMENTS JOURNAL				
APP 635-111100					CASH				146,817.14
11/16/2020	M111620	111620			AP CASH DISBURSEMENTS JOURNAL				
APP 402-213000					ACCOUNTS PAYABLE			9,285.85	
11/16/2020	M111620	111620			AP CASH DISBURSEMENTS JOURNAL				
APP 401-213000					ACCOUNTS PAYABLE			10,345.91	
11/16/2020	M111620	111620			AP CASH DISBURSEMENTS JOURNAL				
APP 101-213000					STREETS - ACCOUNTS PAYABLE			5,639.48	
11/16/2020	M111620	111620			AP CASH DISBURSEMENTS JOURNAL				
APP 403-213000					ACCOUNTS PAYABLE			12.40	
11/16/2020	M111620	111620			AP CASH DISBURSEMENTS JOURNAL				
					GENERAL LEDGER TOTAL			146,817.14	146,817.14
APP 631-130000					DUE TO/FROM CLEARING			146,817.14	
11/16/2020	M111620	111620							
APP 001-130000					GENERAL - DUE TO/FROM CLEARING				121,533.50
11/16/2020	M111620	111620							
APP 402-130000					DUE TO/FROM CLEARING				9,285.85
11/16/2020	M111620	111620							
APP 401-130000					DUE TO/FROM CLEARING				10,345.91
11/16/2020	M111620	111620							
APP 101-130000					STREETS - DUE TO/FROM CLEARING				5,639.48
11/16/2020	M111620	111620							
APP 403-130000					DUE TO/FROM CLEARING				12.40
11/16/2020	M111620	111620							
					SYSTEM GENERATED ENTRIES TOTAL			146,817.14	146,817.14
					JOURNAL 2020/11/118 TOTAL			293,634.28	293,634.28

JOURNAL ENTRIES TO BE CREATED

FUND / ACCOUNT	YEAR PER	JNL	EFF DATE / ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND	2020 11	118	11/16/2020		
001-130000			GENERAL - DUE TO/FROM CLEARING		121,533.50
001-213000			GENERAL - ACCOUNTS PAYABLE	121,533.50	
			FUND TOTAL	121,533.50	121,533.50
101 STREET FUND	2020 11	118	11/16/2020		
101-130000			STREETS - DUE TO/FROM CLEARING		5,639.48
101-213000			STREETS - ACCOUNTS PAYABLE	5,639.48	
			FUND TOTAL	5,639.48	5,639.48
401 WATER OPERATING FUND	2020 11	118	11/16/2020		
401-130000			DUE TO/FROM CLEARING		10,345.91
401-213000			ACCOUNTS PAYABLE	10,345.91	
			FUND TOTAL	10,345.91	10,345.91
402 SEWER OPERATING FUND	2020 11	118	11/16/2020		
402-130000			DUE TO/FROM CLEARING		9,285.85
402-213000			ACCOUNTS PAYABLE	9,285.85	
			FUND TOTAL	9,285.85	9,285.85
403 STORM & SURFACE WATER FUND	2020 11	118	11/16/2020		
403-130000			DUE TO/FROM CLEARING		12.40
403-213000			ACCOUNTS PAYABLE	12.40	
			FUND TOTAL	12.40	12.40
631 CLEARING FUND	2020 11	118	11/16/2020		
631-130000			DUE TO/FROM CLEARING	146,817.14	
635-111100			CASH		146,817.14
			FUND TOTAL	146,817.14	146,817.14

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		121,533.50
101	STREET FUND		5,639.48
401	WATER OPERATING FUND		10,345.91
402	SEWER OPERATING FUND		9,285.85
403	STORM & SURFACE WATER FUND		12.40
631	CLEARING FUND	146,817.14	
	TOTAL	146,817.14	146,817.14

** END OF REPORT - Generated by Carrie L. Freitas **

11/18/2020 10:43 | CITY OF BAINBRIDGE ISLAND | P 1
cfreitas | A/P CASH DISBURSEMENTS JOURNAL | apcshdsb

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
354941	11/18/2020	PRTD	8646	ISLAND HANDS	244367	1497	10/14/2020	M111820		8,208.00
Invoice: 1497						PW/NOVEMBER COVID CLEANING				
					7,961.96	73011183 54810101069	COVID19-EXTRA JANITORIAL			
					246.04	73425358 54810101069	COVID19-SWR-EXTRA JANITORIAL			
								CHECK	354941 TOTAL:	8,208.00
						NUMBER OF CHECKS 1		*** CASH ACCOUNT TOTAL ***		8,208.00

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	1	8,208.00

*** GRAND TOTAL *** 8,208.00

JOURNAL ENTRIES TO BE CREATED

CLERK: cfreitas

YEAR PER JNL / SRC ACCOUNT / EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC / LINE DESC	T	OB	DEBIT	CREDIT
2020 11 157									
APP 001-213000					GENERAL - ACCOUNTS PAYABLE			7,961.96	
11/18/2020	M111820	111820			AP CASH DISBURSEMENTS JOURNAL				
APP 635-111100					CASH				8,208.00
11/18/2020	M111820	111820			AP CASH DISBURSEMENTS JOURNAL				
APP 402-213000					ACCOUNTS PAYABLE			246.04	
11/18/2020	M111820	111820			AP CASH DISBURSEMENTS JOURNAL				
					GENERAL LEDGER TOTAL			8,208.00	8,208.00
APP 631-130000					DUE TO/FROM CLEARING			8,208.00	
11/18/2020	M111820	111820							
APP 001-130000					GENERAL - DUE TO/FROM CLEARING				7,961.96
11/18/2020	M111820	111820							
APP 402-130000					DUE TO/FROM CLEARING				246.04
11/18/2020	M111820	111820							
					SYSTEM GENERATED ENTRIES TOTAL			8,208.00	8,208.00
					JOURNAL 2020/11/157 TOTAL			16,416.00	16,416.00

JOURNAL ENTRIES TO BE CREATED

FUND / ACCOUNT	YEAR PER	JNL	EFF DATE / ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND	2020 11	157	11/18/2020		
001-130000			GENERAL - DUE TO/FROM CLEARING		7,961.96
001-213000			GENERAL - ACCOUNTS PAYABLE	7,961.96	
			FUND TOTAL	7,961.96	7,961.96
402 SEWER OPERATING FUND	2020 11	157	11/18/2020		
402-130000			DUE TO/FROM CLEARING		246.04
402-213000			ACCOUNTS PAYABLE	246.04	
			FUND TOTAL	246.04	246.04
631 CLEARING FUND	2020 11	157	11/18/2020		
631-130000			DUE TO/FROM CLEARING	8,208.00	
635-111100			CASH		8,208.00
			FUND TOTAL	8,208.00	8,208.00

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		7,961.96
402	SEWER OPERATING FUND		246.04
631	CLEARING FUND	8,208.00	
	TOTAL	8,208.00	8,208.00

** END OF REPORT - Generated by Carrie L. Freitas **

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
354942	11/25/2020	PRTD	9249	911 SUPPLY INC	244264	INV-2-6543	11/11/2020		11/22/20	142.01
Invoice: INV-2-6543							POL/UNIFORMS: TOVAR			
					142.01	53011212 520000	POLICE - C/E PATROL BENEFITS			
							CHECK	354942 TOTAL:		142.01
354943	11/25/2020	VOID	5	ACE HARDWARE						.00
Invoice:										
							CHECK	354943 TOTAL:		.00
354944	11/25/2020	PRTD	9597	AIRGAS USA, LLC	244198	9106867290	11/05/2020	20200041	11/22/20	320.53
Invoice: 9106867290							PW/WORK GLOVES FOR CREW			
					320.53	73637891 531100	OFFICE SUPPLIES			
					244199	9106867291	11/05/2020	20200041	11/22/20	1,272.07
Invoice: 9106867291							PW/WORK GLOVES FOR CREW			
					1,272.07	73637891 531100	OFFICE SUPPLIES			
							CHECK	354944 TOTAL:		1,592.60
354945	11/25/2020	PRTD	1990	JEANETTE ALEXANDER	244200	5774	11/06/2020		11/22/20	90.00
Invoice: 5774							EX/COMCAST GRAPHICS			
					90.00	31011572 54245001082	COMCAST FRANCHISE RENEWAL			
					244201	5775	11/06/2020		11/22/20	345.00
Invoice: 5775							EX/COVID TESTING GRAPHICS			
					345.00	31011229 54110001069	TESTING-COVID19-PROF SVCS			
							CHECK	354945 TOTAL:		435.00
354946	11/25/2020	PRTD	7166	AMERICAN MESSAGING	244202	W4104492UK	11/01/2020		11/22/20	94.23
Invoice: W4104492UK							PW/MESSAGING SERVICES			
					94.23	73637891 542100	O&M - ALLOC FACIL TELEPHONE			
							CHECK	354946 TOTAL:		94.23
354947	11/25/2020	PRTD	4710	ASSOCIATED PETROLEU	244203	0261470-IN	10/22/2020		11/22/20	261.56
Invoice: 0261470-IN							PW/100 GAL DIESEL			
					261.56	73638893 532000	O&M-FUEL USE-ALLOCATION			
					244204	0261471-IN	10/22/2020		11/22/20	978.64
Invoice: 0261471-IN							PW/500 GAL UNLEADED			
					978.64	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS			
					244205	0262176-IN	10/23/2020		11/22/20	2,055.45
Invoice: 0262176-IN							PW/700 GAL DIESEL			

VOID & REPRINT: inv was processed for wrong amt - void, correct inv, and reprinted payment. See ck# 355065.

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
					2,055.45	73638893 532000	O&M-FUEL USE-ALLOCATION			
					244206	0262863-IN	10/27/2020		11/22/20	241.62
				Invoice: 0262863-IN			PW/87.5 GAL UNLEADED			
					241.62	73638893 532000	O&M-FUEL USE-ALLOCATION			
					244207	0262878-IN	10/27/2020		11/22/20	626.74
				Invoice: 0262878-IN			PW/316.1 GAL UNLEADED			
					626.74	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS			
					244208	0264104-IN	10/29/2020		11/22/20	367.15
				Invoice: 0264104-IN			PW/200 GAL UNLEADED			
					367.15	73638932 532000	O&M-FUEL ALLOC TO OTH DEPTS			
							CHECK	354947 TOTAL:		4,531.16
354948	11/25/2020	PRTD	7821	AUS WEST LOCKBOX	244209	1991973375	10/29/2020		11/22/20	60.58
				Invoice: 1991973375			PW/LAUNDRY SERVICE			
					60.58	73638893 589310	LAUNDRY SERVICES			
							CHECK	354948 TOTAL:		60.58
354949	11/25/2020	PRTD	1235	AT&T ONENET SERVICE	244210	1272751928	11/01/2020		11/22/20	16.47
				Invoice: 1272751928			FIN/FAX LONG DIST			
					16.47	91011189 542100	GG-C/E-CITY HALL-PHONE			
					244211	1272760117	11/01/2020		11/22/20	.67
				Invoice: 1272760117			PCD/FAX LONG DIST			
					.67	91011189 542100	GG-C/E-CITY HALL-PHONE			
							CHECK	354949 TOTAL:		17.14
354950	11/25/2020	PRTD	4365	AUTOMATIC FUNDS TRAN	244212	118836	11/03/2020		11/22/20	798.87
				Invoice: 118836			FIN/STATEMENT PREP & MAIL			
					399.43	43411341 541100	FIN - WATER ADMIN PROF SERVICE			
					399.44	43421351 541100	FIN - SEWER ADMIN PROF SERVICE			
					244213	118886	11/04/2020		11/22/20	17.02
				Invoice: 118886			FIN/FINAL BILL: PRINT & MAIL			
					8.51	43411341 541100	FIN - WATER ADMIN PROF SERVICE			
					8.51	43421351 541100	FIN - SEWER ADMIN PROF SERVICE			
					244214	BAIN2010028	10/30/2020		11/22/20	152.00
				Invoice: BAIN2010028			FIN/OCT B&O			
					150.00	41011141 541100	FIN - C/E ADMIN PROF SERVICES			
					2.00	41011141 542500	FIN-C/E-ADM-POSTAGE/SHIPPING			
					244215	BAIN2010983	10/31/2020		11/22/20	377.00
				Invoice: BAIN2010983			FIN/PHONE & WEB PMT SVCS			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
					188.50	43411341 541100	FIN - WATER ADMIN PROF SERVICE			
					188.50	43421351 541100	FIN - SEWER ADMIN PROF SERVICE			
							CHECK	354950 TOTAL:		1,344.89
354951	11/25/2020	PRTD	47	BAINBRIDGE DISPOSAL	244216	0001025341	10/31/2020		11/22/20	170.89
	Invoice: 0001025341						SS/COMMONS DISP SVCS			
					170.89	91011755 547900	GG-C/E-COMMONS-GARBAGE			
							CHECK	354951 TOTAL:		170.89
354952	11/25/2020	PRTD	9574	BAINBRIDGE LANDING L	243895	89787	11/04/2020		11/22/20	168.71
	Invoice: 89787						UB 13148 752 MINAMOTO LANE NE			
					109.42	411 122100	WATER ACCOUNTS RECEIVABLE			
					59.29	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	354952 TOTAL:		168.71
354953	11/25/2020	PRTD	54	BAINBRIDGE RENTAL IN	244218	CON#68787	11/04/2020		11/22/20	19.08
	Invoice: CON#68787						PW/BLADE DISPOSAL			
					19.08	73011189 541100	O&M - C/E FACIL PROF SERVICES			
							CHECK	354953 TOTAL:		19.08
354954	11/25/2020	PRTD	55	SOUND PUBLISHING, IN	244220	7999886-2519280	09/30/2020		11/22/20	280.00
	Invoice: 7999886-2519280						CC/RFP:TOURISM PROJECTS			
					280.00	11011113 544000	COUNCIL - LEGAL NOTICES			
					244221	7999886-2521712	09/30/2020		11/22/20	1,425.00
	Invoice: 7999886-2521712						CC/PLANNING COMMISSION			
					1,425.00	11011113 544000	COUNCIL - LEGAL NOTICES			
					244222	7999886-2522477	09/30/2020		11/22/20	250.00
	Invoice: 7999886-2522477						CC/VOLUNTEERS: LTAC			
					250.00	11011113 544000	COUNCIL - LEGAL NOTICES			
					244223	7999886-2523697	09/30/2020		11/22/20	125.00
	Invoice: 7999886-2523697						PCD/PPM: FORT WARD STABLES			
					125.00	63470586 544000	CUR-DEV-ZONING-ADV			
					244224	8003362-2521712	10/31/2020		11/22/20	475.00
	Invoice: 8003362-2521712						CC/VOLUNTEERS: PLANNING COMMISSION			
					475.00	11011113 544000	COUNCIL - LEGAL NOTICES			
					244225	8003362-2530801	10/31/2020		11/22/20	125.00
	Invoice: 8003362-2530801						PCD/PUB MEETING NOTICE: LAURELS			
					125.00	63470586 544000	CUR-DEV-ZONING-ADV			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
						CHECK	354954 TOTAL:		2,680.00
354955	11/25/2020	PRTD	55 SOUND PUBLISHING, IN	244226	BIR896517	04/17/2020		11/22/20	74.38
	Invoice: BIR896517					PCD/NOA:PERIODONTICS CLINIC			
				74.38	63470586 544000	CUR-DEV-ZONING-ADV			
				244227	BIR904504	07/31/2020		11/22/20	35.00
	Invoice: BIR904504					CC/ORD 2020-03			
				35.00	11011113 544000	COUNCIL - LEGAL NOTICES			
				244228	BIR910338	10/09/2020		11/22/20	46.80
	Invoice: BIR910338					ENG/NOTICE: OLYMPIC DRIVE			
				46.80	72334951 64400000596	SR305-OLYMPIC NM-ADV			
				244229	BIR910993	10/16/2020		11/22/20	105.60
	Invoice: BIR910993					PCD/PHN: PLANNING COMMISSION PUB MEETING			
				105.60	61011581 544000	PCD - C/E ADMIN ADVERTISING			
				244230	BIR911083	10/16/2020		11/22/20	45.60
	Invoice: BIR911083					CC/ORD 2020-27			
				45.60	11011113 544000	COUNCIL - LEGAL NOTICES			
				244231	BIR911087	10/16/2020		11/22/20	84.00
	Invoice: BIR911087					CC/ORD 2020-30			
				84.00	11011113 544000	COUNCIL - LEGAL NOTICES			
				244232	BIR911089	10/16/2020		11/22/20	78.00
	Invoice: BIR911089					CC/ORD 2020-22			
				78.00	11011113 544000	COUNCIL - LEGAL NOTICES			
				244233	BIR911112	10/16/2020		11/22/20	70.80
	Invoice: BIR911112					CC/ORD 2020-31			
				70.80	11011113 544000	COUNCIL - LEGAL NOTICES			
				244247	BIR905195	08/07/2020		11/22/20	186.00
	Invoice: BIR905195					ENG/AD: 2020 ANNUAL DRAINAGE			
				186.00	72431835 54400001058	2020 ANNUAL DRAINAGE PROJ-ADV			
				244344	BIR912145	10/30/2020		11/22/20	81.60
	Invoice: BIR912145					PCD/NOA: BLD25054 R-RET			
				81.60	63470586 544000	CUR-DEV-ZONING-ADV			
				244345	BIR912712	11/06/2020		11/22/20	72.00
	Invoice: BIR912712					PCD/NOA: BLD25122			
				72.00	63470586 544000	CUR-DEV-ZONING-ADV			
				244346	BIR912713	11/06/2020		11/22/20	80.40
	Invoice: BIR912713					PCD/NOA: PLN51228			
				80.40	63470586 544000	CUR-DEV-ZONING-ADV			
				244359	BIR912717	11/06/2020		11/22/20	134.40

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
Invoice: BIR912717							PCD/ORD 2020-34 SEPA			
					134.40	63470586 544000	CUR-DEV-ZONING-ADV			
							CHECK	354955 TOTAL:		1,094.58
354956	11/25/2020	PRTD	55	SOUND PUBLISHING, IN	244265	8003396-2533959	10/31/2020	11/22/20		55.50
Invoice: 8003396-2533959							POL/CLASSIFIEDS: PROPERTY			
					55.50	51011191 544000	PD-C/E-PROP RM-ADVERTISING			
							CHECK	354956 TOTAL:		55.50
354957	11/25/2020	PRTD	50	BAINBRIDGE ISLAND EL	244217	20200085	11/06/2020	11/22/20		152.60
Invoice: 20200085							PW/WWTP PUMP REPAIR			
					152.60	73425358 531100	O&M-WWTP-SUPPLIES			
							CHECK	354957 TOTAL:		152.60
354958	11/25/2020	PRTD	2265	BAINBRIDGE ISLAND LO	244235	COBI-0029	10/26/2020	11/22/20		16,797.61
Invoice: COBI-0029							2020 LTAC (DESTINATION BAINBRI			
					16,797.61	91140573 541100	GG-TOUR-PROF SERVICES			
							CHECK	354958 TOTAL:		16,797.61
354959	11/25/2020	PRTD	9592	BOOTH, ESTHER L	243900	89792	11/04/2020	11/22/20		22.76
Invoice: 89792							UB 10535 648 MADISON AVENUE N			
					22.76	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	354959 TOTAL:		22.76
354960	11/25/2020	PRTD	9262	BOULDER PARK INC	244236	3397	11/07/2020	11/22/20		8,575.52
Invoice: 3397							BOIDOLIDS MANAGEMENT/DISPOSAL			
					8,575.52	73425358 54790100551	BIOSOLIDS WASTE DISPOSAL			
							CHECK	354960 TOTAL:		8,575.52
354961	11/25/2020	PRTD	8595	BRUCE TITUS FORD, IN	244237	67102843	10/20/2020	11/22/20		798.48
Invoice: 67102843							POL/VEH#221 R&M			
					798.48	53011212 531100	PD-C/E-PATROL SUPPLIES			
							CHECK	354961 TOTAL:		798.48
354962	11/25/2020	PRTD	360	BUILDERS FIRSTSOURCE	244238	82330480	10/30/2020	11/22/20		37.35
Invoice: 82330480							PW/4X8 DOW STYROFOAM			
					37.35	73011252 53110001069	COVID19-SUPPLIES			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
					244239	82351712	11/03/2020		11/22/20	319.00
	Invoice: 82351712						PW/LUMBER			
					319.00	73011897 531100	O&M-C/E-PWY FAC-SUPPLIES			
					244240	82357994	11/04/2020		11/22/20	636.04
	Invoice: 82357994						PW/LUMBER			
					636.04	990 141100	MERCHANDISE			
							CHECK	354962 TOTAL:		992.39
354963	11/25/2020	PRTD	9414	CADD MICROSYSTEMS	244241	SO30023601	10/29/2020		11/22/20	7,128.00
	Invoice: SO30023601						IT/BLUEBEAM ANNUAL MX			
					7,128.00	81011881 535100	IT - C/E COMPUTER SOFTWARE			
							CHECK	354963 TOTAL:		7,128.00
354964	11/25/2020	PRTD	2133	CALPORTLAND CO	244242	94806696	10/20/2020		11/22/20	971.20
	Invoice: 94806696						PW/SIDEWALK RPR SUPPLIES			
					971.20	73111261 531100	OFFICE SUPPLIES			
							CHECK	354964 TOTAL:		971.20
354965	11/25/2020	PRTD	7192	CAMPBELL SCIENTIFIC,	244243	277116	11/03/2020		11/22/20	2,734.79
	Invoice: 277116						IT,ENG/UPGRADED COMM EQUIP: WQFM			
					1,367.39	81011881 535500	IT - C/E COMPUTER PARTS & EQ			
					683.70	72011322 53110000485	GROUNDWTR MNGT PRGM-SUPPLIES			
					683.70	72011319 53110000809	WTR QUAL & FLOW MONIT-SUPPLIES			
							CHECK	354965 TOTAL:		2,734.79
354966	11/25/2020	PRTD	1052	CANON FINANCIAL SERV	244360	22146423	11/12/2020		11/22/20	482.62
	Invoice: 22146423						IT/OCE PLOTTER LEASE			
					482.62	81011881 545000	IT - C/E RENTS & LEASES			
							CHECK	354966 TOTAL:		482.62
354967	11/25/2020	PRTD	4532	CENTRAL HIGHLANDS	243908	89797	11/04/2020		11/22/20	96.06
	Invoice: 89797						UB 13236 736 FORDS COURT NW			
					96.06	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	354967 TOTAL:		96.06
354968	11/25/2020	PRTD	551	CENTURYLINK	244347	4953NOV20	11/07/2020		11/22/20	69.99
	Invoice: 4953NOV20						310 MADISON AVE SLS TELEM			
					69.99	91421891 542100	GG-SWR-FAC-PHONE			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
					244348	5127NOV20	11/07/2020		11/22/20	189.36
	Invoice: 5127NOV20					8804 MADISON AVE				
					189.36	71011183 54210000724	PD/COURT BLDG NON CAP-PHONE			
					244349	5996NOV20	11/07/2020		11/22/20	90.84
	Invoice: 5996NOV20					E-PHONE @ WFP DOCK				
					90.84	91011757 542100	GG-GF-WFP DOCK-PHONE			
							CHECK	354968 TOTAL:		350.19
354969	11/25/2020	PRTD	2495	CH2O INTERNATIONAL	244244	301239	10/28/2020		11/22/20	245.25
	Invoice: 301239					PW/SVC VISIT				
					245.25	73011183 548100	O&M-C/E-CH FAC-REPAIRS			
					244245	301248	10/28/2020		11/22/20	124.18
	Invoice: 301248					PW/PROPYLENE GLYCOL				
					124.18	73011897 531100	O&M-C/E-PWY FAC-SUPPLIES			
							CHECK	354969 TOTAL:		369.43
354970	11/25/2020	PRTD	8253	CHS NORTHWEST	244246	40178/H	10/20/2020		11/22/20	912.24
	Invoice: 40178/H					PW/COARSE SALT				
					912.24	73411345 531100	OFFICE SUPPLIES			
					244248	40283/H	10/28/2020		11/22/20	456.12
	Invoice: 40283/H					PW/SALT BAGS				
					456.12	73411345 531100	OFFICE SUPPLIES			
							CHECK	354970 TOTAL:		1,368.36
354971	11/25/2020	PRTD	8491	CHUCKALS, INC.	244249	1037498-0	11/09/2020		11/22/20	91.34
	Invoice: 1037498-0					CRT/OFFICE SUPPLIES				
					91.34	21011125 531100	COURT - SUPPLIES			
							CHECK	354971 TOTAL:		91.34
354972	11/25/2020	PRTD	103	CITY OF BAINBRIDGE I	244250	22000577	11/01/2020		11/22/20	379.30
	Invoice: 22000577					BACKFLOW BILLING				
					379.30	41141 34345800510	BACKFLOW TEST-CUST FEES			
							CHECK	354972 TOTAL:		379.30
354973	11/25/2020	PRTD	104	CITY OF BREMERTON	244251	BKAT000570	11/02/2020		11/22/20	2,906.08
	Invoice: BKAT000570					IT/COUNCIL MEETING BROADCASTING				
					2,906.08	81011881 542420	IT-C/E-TELEVISTED COUNCIL MEET			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
								CHECK	354973 TOTAL:	2,906.08
354974	11/25/2020	PRTD	518	WA ST CRIMINAL JUSTI	244252	201134707	11/02/2020		11/22/20	250.00
	Invoice: 201134707						POL/DT MASTER INSTR: BENKERT			
					250.00	53011212 443410	POLICE - C/E PATROL TRAINING			
								CHECK	354974 TOTAL:	250.00
354975	11/25/2020	PRTD	8435	COATES DESIGN INC	244253	124544	11/04/2020		11/22/20	28,708.30
	Invoice: 124544						DESIGN SERVICES-POLICE & COURT			
					28,708.30	72311942 64110000724	PD/COURT BLDG-PROF SVCS/DESIGN			
								CHECK	354975 TOTAL:	28,708.30
354976	11/25/2020	PRTD	112	CODE PUBLISHING COMP	244266	68004	10/11/2020		11/22/20	135.60
	Invoice: 68004						EXCC/CODE UPDATE: 2019-21			
					135.60	36011143 541100	CLERK-C/E-PROF SVCS			
					244267	68148	10/29/2020		11/22/20	424.13
	Invoice: 68148						EXCC/CODE UPDATE: 2020-13,18,21,24			
					424.13	36011143 541100	CLERK-C/E-PROF SVCS			
								CHECK	354976 TOTAL:	559.73
354977	11/25/2020	PRTD	9589	COLORADO, SALVADORE	243897	89789	11/04/2020		11/22/20	6.27
	Invoice: 89789						UB 11490 8806 HUDSON COURT NE			
					6.27	411 122100	WATER ACCOUNTS RECEIVABLE			
								CHECK	354977 TOTAL:	6.27
354978	11/25/2020	PRTD	8111	COMMUNITY SOLAR SOLU	244256	OCT20	11/02/2020		11/22/20	246.00
	Invoice: OCT20						OCT20 SOLAR NET METERING			
					246.00	91011189 54500000627	CH SOLAR-NET METERING PYMTS			
								CHECK	354978 TOTAL:	246.00
354979	11/25/2020	PRTD	4950	CORRECT EQUIPMENT IN	244257	42700	11/03/2020		11/22/20	3,061.98
	Invoice: 42700						PW/PT WHT DR PUMP REPAIR			
					3,061.98	73426355 54810000562	GRINDER PUMP MAINT CONTRACT			
								CHECK	354979 TOTAL:	3,061.98
354980	11/25/2020	PRTD	6363	LN CURTIS & SONS	244258	INV436022	10/30/2020		11/22/20	249.02
	Invoice: INV436022						POL/CARRIER: DOMINOWSKI			
					249.02	53011212 520000	POLICE - C/E PATROL BENEFITS			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
								CHECK	354980 TOTAL:	249.02
354981	11/25/2020	PRTD	4975	DAY WIRELESS SYSTEMS	244259	INV651941	10/30/2020		11/22/20	144.75
Invoice: INV651941							POL/RADAR RECALIBRATION X1			
					144.75	53011212 541100	POLICE - C/E PATROL PROF SVCS			
								CHECK	354981 TOTAL:	144.75
354982	11/25/2020	PRTD	2219	DELL MARKETING LP	244260	10425152240	09/19/2020		11/22/20	14,170.41
Invoice: 10425152240							IT/DELL SERVER: CARES			
					14,170.41	81011252 53550001069	COVID19-COMPUTER HARDWARE			
								CHECK	354982 TOTAL:	14,170.41
354983	11/25/2020	PRTD	9591	DUNN, BRIAN & NENA	243899	89791	11/04/2020		11/22/20	140.49
Invoice: 89791							UB 10091 1120 LOVELL AVENUE NW			
					140.49	411 122100	WATER ACCOUNTS RECEIVABLE			
								CHECK	354983 TOTAL:	140.49
354984	11/25/2020	PRTD	8816	ECOANALYSTS, INC.	244261	2708	10/30/2020		11/22/20	900.00
Invoice: 2708							PW/Q4 NPDES			
					900.00	73425358 541100	O&M-WWTP-PROF SVCS			
								CHECK	354984 TOTAL:	900.00
354985	11/25/2020	PRTD	9573	ENDZELL, ALEXANDER &	243892	89784	11/04/2020		11/22/20	328.06
Invoice: 89784							UB 12629 350 MORRILL PLACE NE			
					328.06	411 122100	WATER ACCOUNTS RECEIVABLE			
								CHECK	354985 TOTAL:	328.06
354986	11/25/2020	PRTD	7510	EXPERIAN	244262	CD2107001828	10/30/2020		11/22/20	92.65
Invoice: CD2107001828							POL/INFO SVCS			
					92.65	52011212 549100	PD-C/E-INV-DUES/SUBSCR/MEMBRSH			
								CHECK	354986 TOTAL:	92.65
354987	11/25/2020	PRTD	212	FABRICARE 02 - PLANT	244263	11-02-2020	11/02/2020		11/22/20	116.49
Invoice: 11-02-2020							POL/LAUNDRY SERVICE			
					25.23	51011211 520000	PD-C/E ADMIN-BENEFITS			
					51.77	52011212 520000	POLICE - C/E INVEST BENEFITS			
					39.49	53011212 520000	POLICE - C/E PATROL BENEFITS			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
								CHECK	354987 TOTAL:	116.49
354988	11/25/2020	PRTD	9601	FEINBERG, RACHEL	244193	90079	11/16/2020		11/22/20	34.04
	Invoice: 90079						UB 12364 1865 SAKAI VILLAGE LOOP			
					34.04	411 122100	WATER ACCOUNTS RECEIVABLE			
								CHECK	354988 TOTAL:	34.04
354989	11/25/2020	PRTD	1953	FERGUSON ENTERPRISES	244269	SC48415	10/31/2020		11/22/20	120.11
	Invoice: SC48415						PW/SVC CHARGE OCT20			
					120.11	73011189 549900	O&M-C/E-FAC-MISC			
								CHECK	354989 TOTAL:	120.11
354990	11/25/2020	PRTD	1953	FERGUSON ENTERPRISES	244268	0917722	09/25/2020		11/22/20	587.21
	Invoice: 0917722						PW/WYATT WAY SUPPLIES			
					587.21	73413434 63110000708	WYATT-MAD TO LOVELL-WTR-SUPPLY			
								CHECK	354990 TOTAL:	587.21
354991	11/25/2020	PRTD	9602	FIX THE MASK	244270	B00014	11/10/2020		11/22/20	483.60
	Invoice: B00014						EX/MASK BRACES X40			
					483.60	31011229 53110001069	TESTING-COVID19-SUPPLIES			
								CHECK	354991 TOTAL:	483.60
354992	11/25/2020	PRTD	9600	FRITZ, PETER & SARAH	244192	90078	11/16/2020		11/22/20	178.76
	Invoice: 90078						UB 10519 639 MADISON AVENUE N			
					178.76	411 122100	WATER ACCOUNTS RECEIVABLE			
								CHECK	354992 TOTAL:	178.76
354993	11/25/2020	PRTD	513	GRAINGER	244271	9576287321	06/30/2020		11/22/20	654.00
	Invoice: 9576287321						EX/HEADGEARX50			
					654.00	31011252 53110001069	COVID19-SUPPLIES			
					244272	830179248	10/28/2020		11/22/20	25.39
	Invoice: 830179248						PW/GLOVES			
					25.39	73011255 531100	O&M-C/E-COURT FAC-SUPPLIES			
								CHECK	354993 TOTAL:	679.39
354994	11/25/2020	PRTD	1517	GUARDIAN SECURITY SY	244273	1072945	11/01/2020		11/22/20	47.96
	Invoice: 1072945						POL/ALARM MONIT			
					47.96	51011215 541100	POLICE - C/E FACIL PROF SVCS			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
							CHECK	354994 TOTAL:		47.96
354995	11/25/2020	PRTD	253	HACH COMPANY	244274	12170994	10/21/2020		11/22/20	106.95
	Invoice: 12170994						PW/SAMPLE CELL			
					106.95	73411345 531100	OFFICE SUPPLIES			
					244275	12174394	10/22/2020		11/22/20	175.11
	Invoice: 12174394						PW/DPD REFILL VIAL			
					175.11	73411345 531100	OFFICE SUPPLIES			
							CHECK	354995 TOTAL:		282.06
354996	11/25/2020	PRTD	8374	HEARING ADVANTAGE, I	244276	8285	11/04/2020		11/22/20	70.00
	Invoice: 8285						POL,PW/OCCUP. HEARING SCREENINGS			
					35.00	53011212 541100	POLICE - C/E PATROL PROF SVCS			
					35.00	73637891 541100	PROFESSIONAL SERVICES			
							CHECK	354996 TOTAL:		70.00
354997	11/25/2020	PRTD	7180	HELPLINE HOUSE	244326	Q3 2020	10/20/2020		11/22/20	3,934.22
	Invoice: Q3 2020						2019-20 COMMUNITY SERVICES FUN			
					3,934.22	31017640 54110000297	MENTAL HEALTH SVCS-HELPLINE			
							CHECK	354997 TOTAL:		3,934.22
354998	11/25/2020	PRTD	4850	HOME DEPOT CREDIT SE	244279	4814017	10/20/2020		11/22/20	26.43
	Invoice: 4814017						PW/PVC AIR HOSE			
					26.43	73425358 531100	O&M-WWTP-SUPPLIES			
					244280	5024595CR	09/29/2020		11/22/20	-9.00
	Invoice: 5024595CR						INV # 5024595 OVRPMT CK 354874			
					-9.00	73111264 531100	O&M-STREET-TRAF CONTROL-SUPPLY			
							CHECK	354998 TOTAL:		17.43
354999	11/25/2020	PRTD	268	HOUSING RESOURCES BO	244368	7730	09/30/2020		11/22/20	1,125.00
	Invoice: 7730						EX/Q3 MGMT FEES			
					1,125.00	31180592 54130200297	IMHP MNGT FEES			
					244369	7799	10/31/2020		11/22/20	700.00
	Invoice: 7799						EX/OCTOBER RENT			
					700.00	31180592 54130400297	IMHP SPACE RENT DEFAULT			
							CHECK	354999 TOTAL:		1,825.00

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
355000	11/25/2020	PRTD	9598	KAMER-WALKER, LINDA	244190	90076	11/16/2020		11/22/20	17.23
	Invoice: 90076						UB 10061 907 LOVELL AVENUE NW			
					17.23	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355000 TOTAL:		17.23
355001	11/25/2020	PRTD	1496	KITSAP COUNTY SEWER	244350	KCSD7-COBI-2020-NOV	11/01/2020		11/22/20	21,424.46
	Invoice: KCSD7-COBI-2020-NOV						352.55 ERU			
					21,424.46	73426356 551000	SIS-SD#7 PROCESSING CHGS			
							CHECK	355001 TOTAL:		21,424.46
355002	11/25/2020	PRTD	1505	KITSAP COUNTY TREASU	244282	OCT20	10/31/2020		11/22/20	82.81
	Invoice: OCT20						OCT 2020 OUT COURT REMIT			
					75.81	41612860 586000	CRIME VICTIMS-OUT			
					7.00	41613860 586000	COUNTY LAW LIB - DISB OUT			
							CHECK	355002 TOTAL:		82.81
355003	11/25/2020	PRTD	338	KITSAP COUNTY SHERIF	244283	20200066	10/26/2020		11/22/20	4,564.44
	Invoice: 20200066						POL/PRISONER BOARD: MMM			
					4,564.44	51011236 551000	POLICE - C/E PRISONER DETENT'N			
							CHECK	355003 TOTAL:		4,564.44
355004	11/25/2020	PRTD	338	KITSAP COUNTY JAIL	244281	OCT20 DNA	10/31/2020		11/22/20	3.87
	Invoice: OCT20 DNA						OUT COURT REMIT: CASE#22844901 STETSON			
					3.87	41612860 586000	CRIME VICTIMS-OUT			
							CHECK	355004 TOTAL:		3.87
355005	11/25/2020	PRTD	8546	KITSAP 911 PUBLIC AU	244292	BIPD 19-1218A	02/26/2020		11/22/20	49.67
	Invoice: BIPD 19-1218A						POL/SHIPPING ON MCTS			
					49.67	91011215 542500	GG-C/E-PD-POSTAGE			
					244293	BIPD2020-11	10/15/2020		11/22/20	12,192.74
	Invoice: BIPD2020-11						POL/CALL CENTER SVCS			
					8,534.92	53011286 551000	POLICE - C/E PATROL CENCOM			
					3,657.82	52011286 551000	POLICE - C/E - INVEST CENCOM			
							CHECK	355005 TOTAL:		12,242.41
355006	11/25/2020	PRTD	315	KITSAP HUMANE SOCIET	244284	1952	11/01/2020		11/22/20	5,936.50
	Invoice: 1952						KITSAP HUMANE SOCIETY ANNUAL C			
					5,936.50	91011393 541100	FIN - C/E ANIMAL CONTROL FEES			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
							CHECK	355006 TOTAL:		5,936.50
355007	11/25/2020	PRTD	579	KITSAP SUN	244287	0003562382	10/31/2020		11/22/20	494.76
	Invoice: 0003562382						HR/AD: MAINT TECH			
					494.76	33011161 544000	HR-C/E-ADVERTISING			
							CHECK	355007 TOTAL:		494.76
355008	11/25/2020	PRTD	579	KITSAP SUN	244285	0003482226	08/31/2020		11/22/20	259.56
	Invoice: 0003482226						ENG/AD FOR BIDS: ANNUAL DRAINAGE			
					259.56	72431835 54400001058	2020 ANNUAL DRAINAGE PROJ-ADV			
					244288	0003562522	10/31/2020		11/22/20	5.84
	Invoice: 0003562522						ENG/FIN CHARGE			
					5.84	72421351 544000	ADVERTISING			
							CHECK	355008 TOTAL:		265.40
355009	11/25/2020	PRTD	579	KITSAP SUN	244286	0003562287	10/31/2020		11/22/20	147.50
	Invoice: 0003562287						CC/AD: PLANNING COMM VOLUNTEERS			
					147.50	11011113 544000	COUNCIL - LEGAL NOTICES			
							CHECK	355009 TOTAL:		147.50
355010	11/25/2020	PRTD	309	KITSAP TIRE CENTER I	244289	INV050813	10/28/2020		11/22/20	636.56
	Invoice: INV050813						POL/VEH 201 TIRES			
					636.56	53011212 531100	PD-C/E-PATROL SUPPLIES			
					244290	INV050868	11/03/2020		11/22/20	636.56
	Invoice: INV050868						POL/VEH 222 TIRES			
					636.56	53011212 531100	PD-C/E-PATROL SUPPLIES			
					244291	INV050887	11/03/2020		11/22/20	8.72
	Invoice: INV050887						POL/SCRAP TIRE DISP			
					8.72	53011212 531100	PD-C/E-PATROL SUPPLIES			
							CHECK	355010 TOTAL:		1,281.84
355011	11/25/2020	PRTD	9590	LANZA, VINCENT & LAU	243898	89790	11/04/2020		11/22/20	33.27
	Invoice: 89790						UB 12860 432 SEED PATH NW			
					33.27	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355011 TOTAL:		33.27

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
355012	11/25/2020	PRTD	7849	LAW OFFICE OF THOMAS	244294	NOV20	11/12/2020		11/22/20	4,484.38
	Invoice: NOV20						LEGASL/PUB DEF NOV 2020			
					4,484.38	32011281 541113	LGL-PUBLIC DEFENDER			
							CHECK	355012 TOTAL:		4,484.38
355013	11/25/2020	PRTD	9586	LESH, DAVID & KATIE	243893	89785	11/04/2020		11/22/20	16.57
	Invoice: 89785						UB 10861 563 PARK AVENUE NE			
					16.57	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355013 TOTAL:		16.57
355014	11/25/2020	PRTD	5011	LEXISNEXIS RISK SOLU	244295	1272084-20201031	10/31/2020		11/22/20	163.50
	Invoice: 1272084-20201031						POL/OCT SUBX			
					163.50	52011212 549100	PD-C/E-INV-DUES/SUBSCR/MEMBRSH			
							CHECK	355014 TOTAL:		163.50
355015	11/25/2020	PRTD	5262	LIDEN LAND DEV & EXC	244296	PAYREQ1-815	11/13/2020		11/22/20	135,056.29
	Invoice: PAYREQ1-815						ROCKAWAY INTERTIE PROJECT			
					135,056.29	72413434 66300000815	ROCKAWAY INTERTIE-CONSTR			
							CHECK	355015 TOTAL:		135,056.29
355016	11/25/2020	PRTD	9397	MILLENNIAL BUILDERS	243890	89782	11/04/2020		11/22/20	453.91
	Invoice: 89782						UB 13113 8625 RESERVE WAY			
					190.22	411 122100	WATER ACCOUNTS RECEIVABLE			
					134.99	411 122100	WATER ACCOUNTS RECEIVABLE			
					128.70	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355016 TOTAL:		453.91
355017	11/25/2020	PRTD	9397	MILLENNIAL BUILDERS	244188	90074	11/16/2020		11/22/20	72.75
	Invoice: 90074						UB 13113 8625 RESERVE WAY			
					72.75	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355017 TOTAL:		72.75
355018	11/25/2020	PRTD	7038	MOON SECURITY SERVIC	244297	1056497	10/31/2020		11/22/20	484.00
	Invoice: 1056497						CRT/HOUSE ARREST MONIT			
					484.00	21011232 545000	COURT-ELECT HOME DET'N-EQ RENT			
							CHECK	355018 TOTAL:		484.00

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
355019	11/25/2020	PRTD	8887	NCSI	244298	5195	11/01/2020		11/22/20	18.50
Invoice: 5195							EX/BACKGROUND CHECKS			
					18.50	31011252 541100	EX-GF-EMERG RESP-PROF SVCS			
							CHECK	355019 TOTAL:		18.50
355020	11/25/2020	PRTD	2430	OGDEN MURPHY WALLACE	244299	844689	11/11/2020		11/22/20	9,171.10
Invoice: 844689							LEGAL/OCT 2020			
					756.00	32470152 54111100893	LIT-CAINION (APA SUP CT)			
					913.50	32011152 54111100926	LIT-KC REALTORS-SUP CT			
					1,039.50	32011152 54111101010	LIT-ENVIRONMENTAL COALITION			
					598.50	32470152 54111101078	LIT-WINSLOW HOTEL (SUP CT)			
					94.50	32011152 54111001020	SMALL CELL WIRELESS ORD			
					193.60	32011152 54111001131	ETHICS BOARD LEGAL ADVISOR			
					315.00	32011152 541110	LGL-GF-LEGAL ADVICE			
					913.50	91011211 541110	GG-C/E-CIVIL SVC-LEGAL ADVICE			
					4,347.00	32011152 54111000627	LGL-CH SOLAR SYSTEM PURCHASE			
							CHECK	355020 TOTAL:		9,171.10
355021	11/25/2020	PRTD	4111	OLYMPIC SPRINGS INC	244300	333532	10/31/2020		11/22/20	97.51
Invoice: 333532							POL/PURIFIED WATER			
					97.51	51011215 531100	POLICE - C/E FACIL SUPPLIES			
					244301	333533	10/31/2020		11/22/20	52.00
Invoice: 333533							PW/PURIFIED WATER			
					52.00	73425358 531100	O&M-WWTP-SUPPLIES			
							CHECK	355021 TOTAL:		149.51
355022	11/25/2020	PRTD	7925	OMNIPARK, INC	244302	122257	11/01/2020		11/22/20	379.32
Invoice: 122257							POL/PARKING SYST SUPPORT			
					379.32	51011217 548500	PD-C/E-PARKING ENF-COMP SUPPOR			
							CHECK	355022 TOTAL:		379.32
355023	11/25/2020	PRTD	4196	2020 OAPA/APA WA	244303	134	11/04/2020		11/22/20	1,435.00
Invoice: 134							PCD/ANNUAL CONF: PLANNING STAFF			
					1,435.00	63011586 443410	CUR - C/E TRAINING TRAVEL			
							CHECK	355023 TOTAL:		1,435.00
355024	11/25/2020	PRTD	8895	OVATION! PERFORMING	244304	OVATION.COBI.#9	11/04/2020		11/22/20	3,000.00
Invoice: OVATION.COBI.#9							EX/Q3 CULTURAL FUNDING			
					3,000.00	31011732 54110000297	EX-GF-CULTURAL ARTS & SCIENCES			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
							CHECK	355024 TOTAL:		3,000.00
355025	11/25/2020	PRTD	9267	PAYGOV	244305	581	11/11/2020		11/22/20	9,082.06
	Invoice: 581						FIN/CC FEES OCT 2020			
					9,082.06	91011423 54110001069	COVID19-CREDIT CARD PROC FEES			
							CHECK	355025 TOTAL:		9,082.06
355026	11/25/2020	PRTD	8544	PHILANTHROPY NORTHWE	244370	TGP 3796	10/31/2020		11/22/20	225.00
	Invoice: TGP 3796						EX/OCT 2020 CULTURAL FUNDING			
					225.00	31017572 54110000297	EX-COMMUNITY FUNDING RESOURCES			
					244371	TGP 3821	10/31/2020		11/22/20	225.00
	Invoice: TGP 3821						EX/OCT 2020 HSF GRANTS			
					225.00	31017572 54110000297	EX-COMMUNITY FUNDING RESOURCES			
							CHECK	355026 TOTAL:		450.00
355027	11/25/2020	PRTD	9576	PINZON, KERI	244189	90075	11/16/2020		11/22/20	202.70
	Invoice: 90075						UB 12789 818 CURTIS LOOP NE			
					202.70	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355027 TOTAL:		202.70
355028	11/25/2020	PRTD	8922	REXEL USA INC.	244306	0W70789	10/29/2020		11/22/20	116.94
	Invoice: 0W70789						PW/SQUEEZE BOTTLES X6			
					116.94	73421355 531100	WIN COLL-SUPPLIES			
							CHECK	355028 TOTAL:		116.94
355029	11/25/2020	PRTD	9196	POWERDMS, INC	244307	35828	05/27/2020		11/22/20	1,650.94
	Invoice: 35828						POL/AANUAL SUBX			
					1,650.94	51011211 549100	PD-C/E-ADM-DUES/SUBCR/MEMBRSHP			
							CHECK	355029 TOTAL:		1,650.94
355030	11/25/2020	PRTD	1205	PUGET SOUND ENERGY	244308	3319OCT20	11/06/2020		11/22/20	15.95
	Invoice: 3319OCT20						PW/CASEY ST WATER			
					15.95	73416345 547100	CASEY STREET WTR-ELECTRICITY			
					244309	9932OCT20	11/06/2020		11/22/20	10.91
	Invoice: 9932OCT20						184 WINSLOW WAY E			
					10.91	91011739 547100	COMM EVENTS-ELECTRICITY			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
							CHECK	355030 TOTAL:		26.86
355031	11/25/2020	PRTD	9440	QBSI-XEROX	244310	IN2441019	10/27/2020		11/22/20	86.81
Invoice: IN2441019							CRT/COPIER LEASE			
					86.81	21011125 545000	COURT - RENTS & LEASES - OPER			
							CHECK	355031 TOTAL:		86.81
355032	11/25/2020	PRTD	8317	REID MIDDLETON, INC.	244311	2010106	11/04/2020		11/22/20	8,301.85
Invoice: 2010106							PROFESSIONAL SVC-MCDONALD CREE			
					8,301.85	72433438 64110000823	EH@MCDONALD CR CULVERT-DES			
							CHECK	355032 TOTAL:		8,301.85
355033	11/25/2020	PRTD	8745	RELIABLE STORAGE BAI	244312	39017	11/04/2020		11/22/20	342.00
Invoice: 39017							POL/STORAGE UNIT J28			
					342.00	53011212 545000	POLICE - C/E PATROL RENTS			
							CHECK	355033 TOTAL:		342.00
355034	11/25/2020	PRTD	2409	RIVER OAKS COMMUNICA	244372	111120	11/11/2020		11/22/20	2,040.50
Invoice: 111120							EX/COMCAST RENEWAL PROF SVCS			
					2,040.50	32011152 54110001082	COMCAST FRANCHISE RENEWAL			
							CHECK	355034 TOTAL:		2,040.50
355035	11/25/2020	PRTD	9596	ROGERS, DANIEL & CRY	243904	89796	11/04/2020		11/22/20	126.69
Invoice: 89796							UB 12317 7332 MADRONA DRIVE NE			
					126.69	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355035 TOTAL:		126.69
355036	11/25/2020	PRTD	617	S & B INC	244313	25636A	10/31/2020		11/22/20	17,234.87
Invoice: 25636A							WATER/SEWER TELEMETRY SCADA UP			
					12,531.08	72423434 64110000821	SCADA UPGRADES SWR PROF SVC			
					4,703.79	72413434 64110000818	SCADA UPGRADES WTR PRF SVC			
					244314	25699A	10/31/2020		11/22/20	246.07
Invoice: 25699A							PW/NORTHTOWN COMM LOSS @ OTP			
					246.07	73421355 548100	WIN COLL-R&M			
							CHECK	355036 TOTAL:		17,480.94

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
355037	11/25/2020	PRTD	7245	SAN DIEGO POLICE EQU	244315	644852	11/03/2020		11/22/20	3,508.61
	Invoice: 644852						POL/AMMUNITION			
					350.86	51011211 531100	PD-C/E-ADM-SUPPLIES			
					350.86	52011212 531100	POLICE - C/E INVEST SUPPLIES			
					2,806.89	53011212 531100	PD-C/E-PATROL SUPPLIES			
							CHECK	355037 TOTAL:		3,508.61
355038	11/25/2020	PRTD	9587	SCALA, DILVA & AL	243894	89786	11/04/2020		11/22/20	22.36
	Invoice: 89786						UB 11447 6348 MITCHELL LANE NE			
					22.36	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355038 TOTAL:		22.36
355039	11/25/2020	PRTD	9594	SEITZ, PATRICIA & BR	243902	89794	11/04/2020		11/22/20	210.38
	Invoice: 89794						UB 11645 612 ALDER AVENUE NE			
					210.38	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355039 TOTAL:		210.38
355040	11/25/2020	PRTD	7173	SKILLINGS CONNOLLY I	244316	12563	11/01/2020		11/22/20	31,938.45
	Invoice: 12563						Engineering Design Services fo			
					11,147.21	72423434 64110001085	SUNDAY COVE GRAVITY MAIN-PRO S			
					3,716.13	72424435 64110000989	SUNDAY COVE PUMP REHAB-PROF SV			
					8,959.80	72423434 64110001086	LOWER LOVELL SLS-PROF SVCS			
					4,543.01	72423434 64110000990	WOOD AVE PUMP STA-PROF SVCS			
					3,572.30	72423434 64110000820	REHAB WING PT PUMP STATION-DES			
							CHECK	355040 TOTAL:		31,938.45
355041	11/25/2020	PRTD	8132	SPECTRA LABORATORIES	244317	20-07809	10/29/2020		11/22/20	50.00
	Invoice: 20-07809						PW/HEX CHROME TESTING			
					50.00	73425358 54110000391	LAB & TESTING SVCS-WWTP			
					244318	20-07810	10/29/2020		11/22/20	215.00
	Invoice: 20-07810						PW/VOC TESTING			
					215.00	73425358 54110000391	LAB & TESTING SVCS-WWTP			
					244319	20-07834	10/30/2020		11/22/20	147.00
	Invoice: 20-07834						PW/NPDES TESTING			
					147.00	73425358 54110000391	LAB & TESTING SVCS-WWTP			
					244320	20-07888	10/30/2020		11/22/20	84.64
	Invoice: 20-07888						PW/ECOLI TESTING			
					84.64	73411345 54110000391	LAB SVCS-WATER			
					244321	20-07953	11/04/2020		11/22/20	84.64

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
	Invoice: 20-07953						PW/ECOLI TESTING			
					84.64	73411345 54110000391	LAB SVCS-WATER			
					244322	20-07992	11/05/2020		11/22/20	84.64
	Invoice: 20-07992						PW/ECOLI TESTING			
					84.64	73411345 54110000391	LAB SVCS-WATER			
								CHECK 355041 TOTAL:		665.92
355042	11/25/2020	PRTD	2467	STAPLES	244351	8060187767	10/31/2020		11/22/20	125.63
	Invoice: 8060187767						PCD/OFFICE SUPPLIES			
					88.05	61011252 53110001069	COVID19-SUPPLIES			
					37.58	61011581 531100	PCD - C/E ADMIN SUPPLIES			
								CHECK 355042 TOTAL:		125.63
355043	11/25/2020	PRTD	9358	STRUCTURED COMMUNICA	244323	0208606-IN	10/13/2020		11/22/20	5,343.75
	Invoice: 0208606-IN						IT/NETWORK SET-UP & ASSESS: CARES			
					5,343.75	81011252 54110001069	IT PROF SVC - COVID-19			
					244324	0209024-IN	10/31/2020		11/22/20	3,037.50
	Invoice: 0209024-IN						IT/NETWORK SET-UP & ASSESS: CARES			
					3,037.50	81011252 54110001069	IT PROF SVC - COVID-19			
								CHECK 355043 TOTAL:		8,381.25
355044	11/25/2020	PRTD	7095	SUPERIOR SAW & SUPPL	244325	144044	11/03/2020		11/22/20	65.40
	Invoice: 144044						PW/CHAIN SAW SHARPENING			
					65.40	73111427 548100	O&M-ACCESS RDSIDE R&M			
								CHECK 355044 TOTAL:		65.40
355045	11/25/2020	PRTD	4271	JOHN SUTTON	244327	OCT20	10/22/2020		11/22/20	54.18
	Invoice: OCT20						LEOFF1 REIMB OCT 2020			
					54.18	91029211 521500	POLICE - INS ADD MEDICAL COSTS			
								CHECK 355045 TOTAL:		54.18
355046	11/25/2020	PRTD	9585	SWIETLIK, JOSEPH	243891	89783	11/04/2020		11/22/20	439.65
	Invoice: 89783						UB 12207 9391 NORTHTOWN DRIVE NE			
					439.65	411 122100	WATER ACCOUNTS RECEIVABLE			
								CHECK 355046 TOTAL:		439.65

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
355047	11/25/2020	PRTD	9599	THOMAS, STEVEN & HOO	244191	90077	11/16/2020		11/22/20	216.48
	Invoice: 90077						UB 10179 1035 GROW AVENUE NW			
					216.48	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355047 TOTAL:		216.48
355048	11/25/2020	PRTD	4819	THOMSON REUTERS - WE	244328	843286622	11/01/2020		11/22/20	603.46
	Invoice: 843286622						LEGAL/OCT 2020 INFO CHARGES			
					603.46	32011152 549100	LGL-GF-DUES & SUBSCRIPTIONS			
							CHECK	355048 TOTAL:		603.46
355049	11/25/2020	PRTD	8243	TILZ	244329	103120	10/31/2020		11/22/20	92.00
	Invoice: 103120						PW/OCT2020 WOOD WASTE, LAWN MIX			
					92.00	73111427 531100	OFFICE SUPPLIES			
							CHECK	355049 TOTAL:		92.00
355050	11/25/2020	PRTD	6714	TOSHIBA FINANCIAL SE	244330	28155358	11/09/2020		11/22/20	239.26
	Invoice: 28155358						PCD/COPIER LEASE			
					239.26	61470581 545000	PCD - DEV ADMIN RENTS & LEASES			
					244352	28101805	11/02/2020		11/22/20	353.16
	Invoice: 28101805						PCD/COPIER LEASE			
					353.16	61470581 545000	PCD - DEV ADMIN RENTS & LEASES			
							CHECK	355050 TOTAL:		592.42
355051	11/25/2020	PRTD	7876	TYLER BUSINESS FORMS	244353	51942	11/11/2020		11/22/20	406.10
	Invoice: 51942						FIN/1099 & W2 SUPPLIES			
					406.10	41011141 531100	FIN - C/E ADMIN SUPPLIES			
							CHECK	355051 TOTAL:		406.10
355052	11/25/2020	PRTD	2190	UNITED PARCEL SERVIC	244331	28Y3Y1430	10/24/2020		11/22/20	10.15
	Invoice: 28Y3Y1430						POL/SHIPPING			
					10.15	91011215 542500	GG-C/E-PD-POSTAGE			
							CHECK	355052 TOTAL:		10.15
355053	11/25/2020	PRTD	1152	USA BLUE BOOK	244334	387907	10/13/2020		11/22/20	391.69
	Invoice: 387907						PW/WWTP SUPPLIES			
					391.69	73425358 531100	O&M-WWTP-SUPPLIES			
					244335	387371	10/13/2020		11/22/20	218.10

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
	Invoice: 387371						PW/LAB GLOVES			
					218.10	73425358 531100	O&M-WWTP-SUPPLIES			
					244336	391815	10/16/2020		11/22/20	2,100.92
	Invoice: 391815						PW/WWTP SUPPLIES			
					2,100.92	73425358 531100	O&M-WWTP-SUPPLIES			
					244337	405796	10/30/2020		11/22/20	531.63
	Invoice: 405796						PW/WWTP SUPPLIES			
					531.63	73425358 531100	O&M-WWTP-SUPPLIES			
					244338	406297	10/30/2020		11/22/20	141.97
	Invoice: 406297						PW/WWTP SUPPLIES			
					141.97	73425358 531100	O&M-WWTP-SUPPLIES			
							CHECK	355053 TOTAL:		3,384.31
355054	11/25/2020	PRTD	553	UTILITIES UNDERGROUN	244339	0100114	10/31/2020		11/22/20	228.33
	Invoice: 0100114						PW/EXCAVATION NOTIFICATIONS			
					228.33	73637893 54110000393	O&M ALLOC-LOCATING SVCS			
							CHECK	355054 TOTAL:		228.33
355055	11/25/2020	PRTD	9595	VAN DRUNEN, GUIDO &	243903	89795	11/04/2020		11/22/20	26.20
	Invoice: 89795						UB 11788 467 EAKIN DRIVE NW			
					26.20	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355055 TOTAL:		26.20
355056	11/25/2020	PRTD	4104	WA ST FERRIES	244340	RK354511	10/31/2020		11/22/20	132.90
	Invoice: RK354511						OCT20 WAVE2GO CHARGES			
					32.80	53011212 543100	PATROL-TRAVEL/MEALS/LODGING			
					41.85	72011321 543100	ENG - C/E ADMIN TRAVEL EXPENSE			
					58.25	73011189 543100	O&M-FAC-TRAVEL/MEALS/LODGING			
							CHECK	355056 TOTAL:		132.90
355057	11/25/2020	PRTD	2251	WA ST TREASURER	244341	OCT20 SBCC	10/31/2020		11/22/20	493.50
	Invoice: OCT20 SBCC						COURT OUT REMIT OCT 2020 SBCC			
					493.50	41652860 586000	SBCC BLDG.-OUT			
					244342	OCT20	10/31/2020		11/22/20	4,322.18
	Invoice: OCT20						OCT20 COURT OUT REMIT			
					1,909.24	41611860 586000	PSEA 60% OUT			
					905.39	41610860 586000	PSEA 30% OUT			
					82.23	41619860 586000	PSEA 3 - STATE DISB OUT			
					202.69	41616860 586000	THEFT PRV&TR BRAIN INJ-OUT			
					70.95	41616860 586000	THEFT PRV&TR BRAIN INJ-OUT			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
						INVOICE DTL DESC				
					497.13	41614860 586000	JUDICIAL INFO SYST.-OUT			
					15.51	41615860 586964	DNA COLLECTION			
					101.05	41618860 586000	TRAUMA CARE-OUT			
					2.91	41612860 586311	DOM VIOLENCE PROT ORD VIOLATIO			
					165.38	41618860 586000	TRAUMA CARE-OUT			
					35.32	41618860 586000	TRAUMA CARE-OUT			
					200.84	41618860 586000	TRAUMA CARE-OUT			
					133.54	41615860 586961	STATE CRIME LAB			
							CHECK	355057 TOTAL:		4,815.68
355058	11/25/2020	PRTD	9593	WALLINE, DANA	243901	89793	11/04/2020		11/22/20	161.85
	Invoice: 89793						UB 10874 611 PARK AVENUE NE			
					161.85	411 122100	WATER ACCOUNTS RECEIVABLE			
							CHECK	355058 TOTAL:		161.85
355059	11/25/2020	PRTD	4513	WM CORPORATE SERVICE	244354	0037811-1048-5	11/01/2020	21900056	11/22/20	3,664.36
	Invoice: 0037811-1048-5						BIOSOLIDS LANDFILL DISPOSAL			
					3,664.36	73425358 54790100551	BIOSOLIDS WASTE DISPOSAL			
					244355	0054354-2588-8	09/15/2020		11/22/20	6,375.85
	Invoice: 0054354-2588-8						PW/DECANT DISP SVCS			
					6,375.85	73435838 54790000618	DECANT SPOILS DISPOSAL			
							CHECK	355059 TOTAL:		10,040.21
355060	11/25/2020	PRTD	5709	WEBCHECK INC	244356	6767	10/31/2020		11/22/20	408.75
	Invoice: 6767						FIN/WEBCHECK SVCS			
					204.37	43411341 541100	FIN - WATER ADMIN PROF SERVICE			
					204.38	43421351 541100	FIN - SEWER ADMIN PROF SERVICE			
							CHECK	355060 TOTAL:		408.75
355061	11/25/2020	PRTD	2175	WEST SOUND WILDLIFE	244357	Q3-2020	11/03/2020		11/22/20	2,137.50
	Invoice: Q3-2020						WILDLIFE CONTROL SVCS Q3 2020			
					2,137.50	91011393 541100	FIN - C/E ANIMAL CONTROL FEES			
							CHECK	355061 TOTAL:		2,137.50
355062	11/25/2020	PRTD	499	WESTBAY AUTO PARTS I	244358	584200	10/23/2020		11/22/20	50.39
	Invoice: 584200						PW/WATER PUMP			
					50.39	73426355 531100	O&M-SIS-SUPPLIES			
					244361	585400	10/28/2020		11/22/20	36.29
	Invoice: 585400						PW/SERPENTINE BELT			
					36.29	73426355 531100	O&M-SIS-SUPPLIES			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR	NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
							INVOICE DTL DESC			
					244362	385491	10/28/2020		11/22/20	36.29
	Invoice: 385491						PW/SERPENTINE BELT			
					36.29	73426355 531100	O&M-SIS-SUPPLIES			
					244363	585688	10/29/2020		11/22/20	16.12
	Invoice: 585688						PW/SERPENTINE BELT			
					16.12	73011189 531100	O&M - C/E FACIL OFC SUPPLIES			
					244364	561700	07/29/2020		11/22/20	7.11
	Invoice: 561700						PW/MUFFLER			
					7.11	73638935 531100	O&M-STD ALLOCATION-SUPPLIES			
					244365	585394	10/28/2020		11/22/20	17.20
	Invoice: 585394						PW/LAMPS, PIGTAILS			
					17.20	990 141100	MERCHANDISE			
							CHECK	355062 TOTAL:		163.40
355063	11/25/2020	PRTD	9588	WHITNEY M LANE REV.	243896	89788	11/04/2020		11/22/20	583.99
	Invoice: 89788						UB 13218 4566 FLYING GOAT AVE NE C-140			
					583.99	421 122100	SEWER ACCOUNTS RECEIVABLE			
							CHECK	355063 TOTAL:		583.99
355064	11/25/2020	PRTD	2607	ZEE MEDICAL SERVICE	244366	68407587	10/22/2020		11/22/20	49.54
	Invoice: 68407587						POL/FIRST AID RESTOCK			
					49.54	51011215 531100	POLICE - C/E FACIL SUPPLIES			
							CHECK	355064 TOTAL:		49.54
355065	11/25/2020	PRTD	5	ACE HARDWARE	244177	47589/1	10/29/2020		11/22/20	23.95
	Invoice: 47589/1						PW/WWTP SUPPLIES			
					23.95	73425358 531100	O&M-WWTP-SUPPLIES			
					244178	47591/1	10/29/2020		11/22/20	35.64
	Invoice: 47591/1						PW/HANGERS, FASTENERS			
					35.64	73435838 531100	O&M-DECANT-SUPPLIES			
					244179	47592/1	10/29/2020		11/22/20	5.44
	Invoice: 47592/1						PW/DISINFECTANT			
					5.44	73421355 531100	WIN COLL-SUPPLIES			
					244180	47593/1	10/30/2020		11/22/20	17.43
	Invoice: 47593/1						PW/TELSCOPIC CULTIVATOR			
					17.43	73637945 531100	O&M ALLOC-SWEEPER-SUPPLIES			
					244181	47600/1	10/30/2020		11/22/20	7.62
	Invoice: 47600/1						PW/GLUE TRAPS			

CASH ACCOUNT: 635 111100 CASH

CHECK NO	CHK DATE	TYPE	VENDOR NAME	VOUCHER	INVOICE	INV DATE	PO	CHECK RUN	NET
					INVOICE DTL DESC				
				7.62	73421355 531100 WIN COLL-SUPPLIES				
				244183	47603/1	11/02/2020		11/22/20	15.57
			Invoice: 47603/1		PW/FASTENERS				
				15.57	73011759 53110001132 SOMETHING NEW PH3-SUPPLIES				
				244184	47607/1	11/02/2020		11/22/20	5.82
			Invoice: 47607/1		PW/FASTENERS				
				5.82	73011759 53110001132 SOMETHING NEW PH3-SUPPLIES				
				244185	47608/1	11/02/2020		11/22/20	67.87
			Invoice: 47608/1		PW/COVID RESPONSE SUPPLIES				
				67.87	73011252 53110001069 COVID19-SUPPLIES				
				244186	47618/1	11/03/2020		11/22/20	14.79
			Invoice: 47618/1		PW/HOSES				
				14.79	73421355 531100 WIN COLL-SUPPLIES				
				244187	47620/1	11/03/2020		11/22/20	15.24
			Invoice: 47620/1		PW/GOOF OFF				
				15.24	73111264 531100 O&M-STREET-TRAF CONTROL-SUPPLY				
				244194	47629/1	11/04/2020		11/22/20	106.73
			Invoice: 47629/1		PW/WYATT WAY SUPPLIES				
				106.73	73413434 63110000708 WYATT-MAD TO LOVELL-WTR-SUPPLY				
				244195	47632/1	11/05/2020		11/22/20	69.16
			Invoice: 47632/1		PW/WWTP SUPPLIES				
				69.16	73425358 531100 O&M-WWTP-SUPPLIES				
				244196	47634/1	11/05/2020		11/22/20	30.65
			Invoice: 47634/1		PW/MX SUPPLIES				
				30.65	73421355 531100 WIN COLL-SUPPLIES				
							CHECK 355065 TOTAL:		415.91

NUMBER OF CHECKS 124 *** CASH ACCOUNT TOTAL *** 425,025.65

	COUNT	AMOUNT
TOTAL PRINTED CHECKS	123	425,025.65
TOTAL VOIDED CHECKS	1	.00

*** GRAND TOTAL *** 425,025.65

JOURNAL ENTRIES TO BE CREATED

CLERK: cfreitas

YEAR PER JNL / SRC ACCOUNT / EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC / LINE DESC	T	OB	DEBIT	CREDIT
2020 11 173									
APP 001-213000					GENERAL - ACCOUNTS PAYABLE			111,841.42	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 635-111100					CASH				425,025.65
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 631-213000					ACCOUNTS PAYABLE			6,566.44	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 401-213000					ACCOUNTS PAYABLE			146,529.61	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 402-213000					ACCOUNTS PAYABLE			88,221.43	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 407-213000					ACCOUNTS PAYABLE			2,639.70	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 301-213000					ACCOUNTS PAYABLE			28,755.10	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 403-213000					ACCOUNTS PAYABLE			15,158.90	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 104-213000					CIVIC IMPR - ACCOUNTS PAYABLE			16,797.61	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 901-213000					ACCOUNTS PAYABLE			653.24	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 101-213000					STREETS - ACCOUNTS PAYABLE			1,134.84	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 108-213000					AFFORD HSG - ACCOUNTS PAYABLE			1,825.00	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
APP 650-213000					ACCOUNTS PAYABLE			4,902.36	
11/25/2020	11/22/20	112520			AP CASH DISBURSEMENTS JOURNAL				
					GENERAL LEDGER TOTAL			425,025.65	425,025.65
APP 631-130000					DUE TO/FROM CLEARING			418,459.21	
11/25/2020	11/22/20	112520							
APP 001-130000					GENERAL - DUE TO/FROM CLEARING				111,841.42
11/25/2020	11/22/20	112520							
APP 401-130000					DUE TO/FROM CLEARING				146,529.61
11/25/2020	11/22/20	112520							
APP 402-130000					DUE TO/FROM CLEARING				88,221.43
11/25/2020	11/22/20	112520							
APP 407-130000					DUE TO/FROM CLEARING				2,639.70
11/25/2020	11/22/20	112520							
APP 301-130000					DUE TO/FROM CLEARING				28,755.10
11/25/2020	11/22/20	112520							
APP 403-130000					DUE TO/FROM CLEARING				15,158.90
11/25/2020	11/22/20	112520							
APP 104-130000					CIVIC IMPR DUE TO/FROM CLEAR'G				16,797.61
11/25/2020	11/22/20	112520							
APP 901-130000					DUE TO/FROM CLEARING				653.24

JOURNAL ENTRIES TO BE CREATED

YEAR PER SRC	ACCOUNT	JNL EFF DATE	JNL DESC	REF 1	REF 2	REF 3	ACCOUNT DESC / LINE DESC	T	OB	DEBIT	CREDIT
		11/25/2020	11/22/20	112520							
APP	101-130000	11/25/2020	11/22/20	112520			STREETS - DUE TO/FROM CLEARING				1,134.84
APP	108-130000	11/25/2020	11/22/20	112520			AFFORD HSG DUE TO/FROM CLEAR'G				1,825.00
APP	650-130000	11/25/2020	11/22/20	112520			DUE TO/FROM CLEARING				4,902.36
							SYSTEM GENERATED ENTRIES TOTAL			418,459.21	418,459.21
							JOURNAL 2020/11/173 TOTAL			843,484.86	843,484.86

JOURNAL ENTRIES TO BE CREATED

FUND / ACCOUNT	YEAR PER	JNL	EFF DATE / ACCOUNT DESCRIPTION	DEBIT	CREDIT
001 GENERAL FUND	2020 11	173	11/25/2020		
001-130000			GENERAL - DUE TO/FROM CLEARING		111,841.42
001-213000			GENERAL - ACCOUNTS PAYABLE	111,841.42	
			FUND TOTAL	111,841.42	111,841.42
101 STREET FUND	2020 11	173	11/25/2020		
101-130000			STREETS - DUE TO/FROM CLEARING		1,134.84
101-213000			STREETS - ACCOUNTS PAYABLE	1,134.84	
			FUND TOTAL	1,134.84	1,134.84
104 CIVIC IMPROVEMENT FUND	2020 11	173	11/25/2020		
104-130000			CIVIC IMPR DUE TO/FROM CLEAR'G		16,797.61
104-213000			CIVIC IMPR - ACCOUNTS PAYABLE	16,797.61	
			FUND TOTAL	16,797.61	16,797.61
108 AFFORDABLE HOUSING FUND	2020 11	173	11/25/2020		
108-130000			AFFORD HSG DUE TO/FROM CLEAR'G		1,825.00
108-213000			AFFORD HSG - ACCOUNTS PAYABLE	1,825.00	
			FUND TOTAL	1,825.00	1,825.00
301 CAPITAL CONSTRUCTION FUND	2020 11	173	11/25/2020		
301-130000			DUE TO/FROM CLEARING		28,755.10
301-213000			ACCOUNTS PAYABLE	28,755.10	
			FUND TOTAL	28,755.10	28,755.10
401 WATER OPERATING FUND	2020 11	173	11/25/2020		
401-130000			DUE TO/FROM CLEARING		146,529.61
401-213000			ACCOUNTS PAYABLE	146,529.61	
			FUND TOTAL	146,529.61	146,529.61
402 SEWER OPERATING FUND	2020 11	173	11/25/2020		
402-130000			DUE TO/FROM CLEARING		88,221.43
402-213000			ACCOUNTS PAYABLE	88,221.43	
			FUND TOTAL	88,221.43	88,221.43
403 STORM & SURFACE WATER FUND	2020 11	173	11/25/2020		
403-130000			DUE TO/FROM CLEARING		15,158.90
403-213000			ACCOUNTS PAYABLE	15,158.90	
			FUND TOTAL	15,158.90	15,158.90
407 BUILDING & DEVELOPMENT FUND	2020 11	173	11/25/2020		

JOURNAL ENTRIES TO BE CREATED

FUND / ACCOUNT	YEAR PER	JNL	EFF DATE / ACCOUNT DESCRIPTION	DEBIT	CREDIT
407-130000			DUE TO/FROM CLEARING		2,639.70
407-213000			ACCOUNTS PAYABLE	2,639.70	
			FUND TOTAL	2,639.70	2,639.70
631 CLEARING FUND	2020 11	173	11/25/2020		
631-130000			DUE TO/FROM CLEARING	418,459.21	
631-213000			ACCOUNTS PAYABLE	6,566.44	
635-111100			CASH		425,025.65
			FUND TOTAL	425,025.65	425,025.65
650 AGENCY FUND	2020 11	173	11/25/2020		
650-130000			DUE TO/FROM CLEARING		4,902.36
650-213000			ACCOUNTS PAYABLE	4,902.36	
			FUND TOTAL	4,902.36	4,902.36
901 CITY-WIDE REPORTING FUND	2020 11	173	11/25/2020		
901-130000			DUE TO/FROM CLEARING		653.24
901-213000			ACCOUNTS PAYABLE	653.24	
			FUND TOTAL	653.24	653.24

JOURNAL ENTRIES TO BE CREATED

FUND		DUE TO	DUE FROM
001	GENERAL FUND		111,841.42
101	STREET FUND		1,134.84
104	CIVIC IMPROVEMENT FUND		16,797.61
108	AFFORDABLE HOUSING FUND		1,825.00
301	CAPITAL CONSTRUCTION FUND		28,755.10
401	WATER OPERATING FUND		146,529.61
402	SEWER OPERATING FUND		88,221.43
403	STORM & SURFACE WATER FUND		15,158.90
407	BUILDING & DEVELOPMENT FUND		2,639.70
631	CLEARING FUND	418,459.21	
650	AGENCY FUND		4,902.36
901	CITY-WIDE REPORTING FUND		653.24
	TOTAL	418,459.21	418,459.21

** END OF REPORT - Generated by Carrie L. Freitas **

PAYROLL

PAYROLL CHECK RUN: 11 - 20 - 2020

Run Type	Run Date	Check # Sequence	Comments	Amount
Normal	11/20/2020	49484 - 49610	Regular check run (Direct Dep)	331,497.33
Normal	11/20/2020	109490	Regular check run (Paper Checks)	2,321.19
Normal	11/20/2020	109491 - 109497	Vendor check run (Paper Checks)	125,582.31
EFTPS	11/20/2020	N/A	Federal Tax Electronic Transfer	119,240.34
			TOTAL:	**578,641.17**

Prepared and Reviewed by: Brenda Landolt Date 11-19-20

Brenda Landolt, Payroll Specialist

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claim is a just, due and unpaid obligation against the City of Bainbridge Island, and that I am authorized to authenticate and certify to said claim.

Date 11/20/20

Kimberly M. Dunscombe, Budget Manager

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:**

AGENDA ITEM: Special City Council Meeting Minutes, November 4, 2020

SUMMARY: Consider approval of meeting minutes.

AGENDA CATEGORY: Consent Agenda **PROPOSED BY:** Executive

RECOMMENDED MOTION: Approve with Consent Agenda.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

Special City Council Meeting Minutes, November 4, 2020.pdf

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF
BAINBRIDGE ISLAND

SPECIAL CITY COUNCIL MEETING
BUDGET WORKSHOP

WEDNESDAY, NOVEMBER 4, 2020

MEETING MINUTES

1) CALL TO ORDER/ROLL CALL

Mayor Schneider called the meeting to order at 6:00 p.m. on the Zoom webinar platform.

Mayor Schneider, Deputy Mayor Deets, and Councilmembers Carr, Hytopoulos, Nassar and Pollock were present. Councilmember Medina joined the meeting at 6:04 p.m.

2) APPROVAL OF AGENDA/CONFLICT OF INTEREST DISCLOSURE

Deputy Mayor Deets moved and Councilmember Pollock seconded to approve the agenda as presented. The motion carried, 6 – 0, with Councilmember Medina absent for the vote. There were no conflicts of interest disclosed.

3) FUTURE COUNCIL AGENDAS

3.A Future Council Agendas

Cover Page
November 10 City Council Regular Business Meeting.pdf
November 17 City Council Study Session.pdf
November 24 City Council Regular Business Meeting.pdf

City Manager Smith reviewed future Council agendas. Council decided to hold a special City Council meeting on Monday, November 16, 2020 for an executive session relating to the City Manager search.

Councilmember Carr proposed and Councilmember Nassar seconded to add a discussion on small lot policies to a future study session.

4) BUDGET DELIBERATIONS

4.A Budget Discussion #6

Cover Page
2021-22 Transmittal for CC 11042020 w supplemental materials
Budget Motion Responses
2021-22 PW Supplemental Memo Regarding Project Proposals

Deputy City Manager Schroer introduced the agenda item. Finance Director Pitts provided a presentation, followed by Public Works Director Wierzbicki who provided information related to the last set of Public Works budget motions.

Public Works Director Wierzbicki provided information on the proposed funding for the Sound to Olympics trail extension, and Council discussed the project.

MOTION: I move to forward for inclusion in the final budget the STO trail extension.
Schneider/Deets: The motion failed 3-4.

AYES: Kol Medina, Joe Deets, Leslie Schneider,
NOES: Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
ABSENT: None
ABSTAIN: None

Public Works Director Wierzbicki provided information on the proposed funding for the Senior Center improvements, and Council discussed the project.

AMENDED MOTION: I move to approve the Senior Center improvements as outlined by Director Wierzbicki for the total amount of $280,000 with a preference to make this happen in 21-22.
Pollock/Nassar: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None
ABSTAIN: None

Public Works Director Wierzbicki provided information on the proposed funding for Suyematsu Farm restoration projects, and Council discussed the proposal.

MOTION: I move to fund the stabilization of at least one picker cabin up to a maximum of $40,000 in the 21-22 final budget.
Hytopoulos/Schneider: The motion failed 3-4.

AYES: Leslie Schneider, Kirsten Hytopoulos, Christy Carr
NOES: Rasham Nassar, Michael Pollock, Kol Medina, Joe Deets,
ABSENT: None
ABSTAIN: None

Public Works Director Wierzbicki provided information on the proposed funding for the Sustainable Transportation projects.

MOTION: I move to place in the next biennial budget $600,000 for high priority Sustainable Transportation projects.
Pollock/Deets: The motion carried 6-1.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Rasham Nassar, Michael Pollock, Christy Carr
NOES: Kirsten Hytopoulos
ABSENT: None
ABSTAIN: None

Public Works Director Wierzbicki provided information on the proposed Country Club Road bulkhead project, and Council discussed the project.

MOTION: I move to defer the project until at least 2023 or until a climate-focused strategy is determined.
Pollock/Carr: The motion carried unanimously, 7-0, with the amendment below incorporated.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None
ABSTAIN: None

AMENDMENT: I move to amend the motion to defer the Country Club bulkhead to include $265,000 in funding in the CIP for spot repairs in 2021.
Nassar/Carr: The amendment carried unanimously, 7-0.

Public Works Director Wierzbicki provided information on the proposed elimination of the professional services budget for the Complete Streets ordinance.

MOTION: I move to delete $25,000 from the Public Works' 2021 professional services budget for the Complete Streets ordinance development.
Carr/Pollock: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None
ABSTAIN: None

Public Works Director Wierzbicki provided information on the proposed rain garden fencing project, and Council discussed the project.

MOTION: I move to remove the Winslow Way rain garden fencing project from the budget.
Carr/Pollock: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None

ABSTAIN: None

Public Works Director Wierzbicki provided information on the proposed City Hall renovations project, and Council discussed the project.

MOTION: I move to remove the City Hall renovations project from the budget.
Carr/Nassar: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None
ABSTAIN: None

Planning Director Wright provided information on the planner position, and Council discussed the proposal.

MOTION: I move to replace a vacant planner with a natural resources senior planner.
Pollock/Carr: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None
ABSTAIN: None

Mayor Schneider adjourned the meeting for a break at 8:59 p.m. and reconvened the meeting at 9:05 p.m.

Deputy City Manager Schroer introduced the next three budget motions and provided information to Council. Council made the following motions.

MOTION: I move to include $15,000 in the General Funds to the 2021-22 budget for a community-wide scientifically valid survey.
Hytopoulos/Medina: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None
ABSTAIN: None

AMENDED MOTION: I move to hire a climate mitigation officer on a full-time basis for an amount to be determined by description to be located in the Executive department.
Pollock/Deets: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None
ABSTAIN: None

MOTION: I move to add an additional $200,000 to the Climate Action Plan implementation set aside.
Nassar/Deets: The motion carried 4-3.

AYES: Kol Medina, Joe Deets, Rasham Nassar, Michael Pollock
NOES: Leslie Schneider, Kirsten Hytopoulos, Christy Carr
ABSENT: None
ABSTAIN: None

AMENDMENT: I move to amend the motion on the floor to create a permanent fund with allocating $500,000 allocated per year in perpetuity to fight climate change.
Pollock/Medina: The amendment failed 3-4 with Councilmembers Pollock, Medina, and Nassar voting in favor.

MOTION: I move to direct that the $500,000 in the upcoming budget be located within a designated fund.
Nassar/Deets: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None
ABSTAIN: None

Councilmember Carr made the following preliminary budget motions.

MOTION: I move to remove the Grow Avenue traffic calming project from the budget.
Carr/Hytopoulos: The motion carried 4-3.

AYES: Rasham Nassar, Michael Pollock, Kirsten Hytopoulos, Christy Carr
NOES: Leslie Schneider, Joe Deets, Kol Medina
ABSENT: None
ABSTAIN: None

MOTION: I move to add the Springbrook Creek fish passage project to the 2023 CIP in the amount of $50,000.
Carr/Medina: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr

NOES: None
ABSENT: None
ABSTAIN: None

MOTION: I move to remove funding for Island Center Subarea Plan Implementation and Comprehensive Plan Periodic Update and instead use those professional service dollars for the Winslow Master Plan Update, including floor area ratio and affordable housing strategies.
Carr/Hytopoulos: The motion carried unanimously, 7-0.

AYES: Kol Medina, Joe Deets, Leslie Schneider, Kirsten Hytopoulos, Rasham Nassar, Michael Pollock, Christy Carr
NOES: None
ABSENT: None
ABSTAIN: None

Staff will provide additional information on Councilmember Carr's preliminary budget motions at the November 10, 2020 City Council meeting.

5) FOR THE GOOD OF THE ORDER

Deputy Mayor Deets will handle Councilmember Medina's regional committee assignments on a temporary basis until the North Ward vacancy is filled.

6) ADJOURNMENT

Mayor Schneider adjourned the meeting at 10:18 p.m.

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:**

AGENDA ITEM: Regular City Council Business Meeting Minutes, November 10, 2020

SUMMARY: Consider approval of meeting minutes.

AGENDA CATEGORY: Consent Agenda **PROPOSED BY:** Executive

RECOMMENDED MOTION: Approve with Consent Agenda.

STRATEGIC PRIORITY: Good Governance

FISCAL IMPACT:

Amount:	
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	

BACKGROUND:

ATTACHMENTS:

Regular City Council Business Meeting Minutes, November 10, 2020.pdf

FISCAL DETAILS:

Fund Name(s):

Coding:

CITY OF
BAINBRIDGE ISLAND

CITY COUNCIL REGULAR BUSINESS MEETING
NOVEMBER 10, 2020

MEETING MINUTES

1) CALL TO ORDER/ROLL CALL

Mayor Schneider called the meeting to order on the Zoom webinar platform at 6:01 p.m.

Mayor Schneider, Deputy Mayor Deets, and Councilmembers Carr, Hytopoulos, Medina, Nassar, and Pollock were present.

2) APPROVAL OF AGENDA / CONFLICT OF INTEREST DISCLOSURE

Deputy Mayor Deets recused himself from the Consent Agenda due to a conflict of interest with items 14.I and 14.J.

Councilmember Medina asked that item 11.D be removed. Deputy Mayor Deets moved and Councilmember Pollock seconded to remove item 11.D from the agenda. The motion carried unanimously, 7 – 0.

Deputy Mayor Deets moved and Councilmember Medina seconded to approve the agenda as amended. The motion carried unanimously, 7 – 0.

3) PUBLIC COMMENT

3.A Instructions for Providing Public Comment – City Clerk
Cover Page
Instructions for Providing Public Comment at Remote Meetings.docx

Wendy Tyner spoke against the proposed composting project on the Triangle Property and thanked Councilmember Medina for his service.

Jeff West, Olympic Organics, provided information on composting sites.

Sal DeRosalia commented on Councilmember Medina's departure and the hiring of a new city manager.

Nick Masla thanked Councilmember Medina for his service and spoke against the proposed composting project on the Triangle property.

Cindy Anderson thanked Council for holding the parliamentary training session and for purchasing body cameras for the police.

Michael Soman thanked Councilmember Medina for his service and spoke about climate change.

Jim Halbrook commented on the police station project.

Dashiell Ness thanked Councilmember Medina for his service.

Brenda Fantroy-Johnson commented on recent racist incidents.

Kevin Miller spoke against the proposed composting project on the Triangle Property.

Kathy Raustein spoke against the proposed composting project on the Triangle Property.

Lisa Neal commented on Ethics Board and Design Review Board items.

Brian Strully spoke against the proposed composting project on the Triangle Property.

Luke McAdams thanked Councilmember Medina for his service.

Daniel Kim made a hate speech remark.

Brenda Fantroy-Johnson commented on the hate speech remark.

4) MAYOR'S REPORT

Mayor Schneider mentioned the North Ward Council vacancy, the City Manager search, and the Sustainable Transportation Plan update.

5) CITY MANAGER'S REPORT

City Manager Smith provided information on the City's COVID-19 testing site.

6) PRESENTATION(S)

6.A Recognition of Service of Councilmember Medina – Mayor Schneider

Cover Page

Mayor Schneider introduced the agenda item. Council members thanked Councilmember Medina for his service.

Public Comment

Matthew DeBlois thanked Councilmember Medina for his service and encouraging young people to become involved in City government.

Brenda Fantroy-Johnsen thanked Councilmember Medina for his service.

Mayor Schneider provided a short video honoring Councilmember Medina and presented a plaque acknowledging his service.

Councilmember Medina spoke about his departure and time on Council.

6.B Proclamation Honoring Veterans Day on November 11, 2020 – Mayor Schneider
Cover Page
Veterans Day Proclamation 2020

Mayor Schneider read the proclamation. Gary Sakuma, Commander of American Legion Colin Hyde Post 172, thanked Council for the proclamation.

7) FUTURE COUNCIL AGENDAS

7.A Future Council Agendas
Cover Page
November 16 Special City Council Meeting - Executive Session.pdf
November 17 City Council Study Session.pdf
November 24 City Council Regular Business Meeting.pdf

City Manager Smith reviewed future Council agendas. Deputy Mayor Deets requested a 5-minute item on the next agenda to discuss a COVID-19 emergency economic funding request from the Chamber of Commerce and the Bainbridge Island Downtown Association, and Council concurred. Councilmember Carr requested time on an upcoming agenda for the next set of recommendations from the Planning Commission and City Council Joint Land Use Subcommittee.

Council agreed to discuss the City Manager search process prior to budget deliberations at tonight's meeting.

9) CITY MANAGER SEARCH PROCESS

9.A City Manager Search Process – Mayor Schneider [Moved up]
Cover Page
11102020_CM_Search Update for CC
Notes and Documents from 2012 Search Process.pdf

Ron Holifield of Strategic Government Resources provided information on next steps in the City Manager search process. Council added a discussion on the search process to the November 16, 2020 special City Council meeting agenda.

8) BUDGET DELIBERATIONS

8.A Budget Discussion #8
Cover Page
2021-22 Budget Memo and Materials for 11102020

Deputy City Manager Schroer introduced the agenda item and provided a presentation on the impact of the changes made to date, together with Finance Director Pitts.

Public Works Director Wierzbicki provided information on the Grow Avenue traffic calming project, and Council discussed the project.

MOTION: I move to remove the Grow Avenue traffic calming project from the CIP.
Carr/Pollock: The motion carried, 4 – 3.

AYES: Carr, Hytopoulos, Medina, Pollock
NOES: Deets, Nassar, Schneider
ABSENT: None
ABSTAIN: None

MOTION: I move to direct the City Manager to bring back this project [the Grow Avenue Traffic Calming project] along with the first discussions about the traffic calming program in 2021.
Nassar/Deets: The motion carried unanimously, 7 – 0.

AYES: Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider
NOES: None
ABSENT: None
ABSTAIN: None

Public Works Director Wierzbicki provided information on the Springbrook Creek Fish Weir passage project.

MOTION: I move to add the Springbrook Creek Fish Weir passage project to the CIP in 2023 as follows: $100,000 from the General Fund, $100,000 from the SSWM Fund, and $1,000,000 grant supported.
Carr/Hytopoulos: The motion carried unanimously, 7 – 0.

AYES: Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider
NOES: None
ABSENT: None
ABSTAIN: None

Planning Director Wright provided information on the motion to redirect funding for professional services in the Planning Department, and Council discussed the proposal.

MOTION: I move to reduce the funding for the Island Center Subarea Plan implementation to $10,000 and to remove the funding for the Comprehensive Plan update of $25,000 from the budget and to redirect that funding to the Winslow Master Plan update [for a total of $45,000].
Carr/Pollock: The motion carried unanimously, 7 – 0.

AYES: Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider
NOES: None
ABSENT: None
ABSTAIN: None

Council agreed to reduce the time allotted for budget deliberations at the November 17, 2020 meeting.

Mayor Schneider adjourned the meeting for a break at 9:21 p.m. and reconvened the meeting at 9:27 p.m.

10) PUBLIC HEARING(S)

10.A Final Public Hearing for Ordinance No. 2020-31 Relating to the 2021-22 Biennial Budget - Finance

Cover Page
Ordinance_No._2020-31_Adopting_Biennial_Budget_for_FY_2021-22.docx
2021__Exhibit_A.pdf

2022__Exhibit_B.pdf

Finance Director Pitts introduced the agenda item.

Mayor Schneider opened the public hearing at 9:29 p.m.

Public Comment

Kevin Miller commented on the budget and available information.

Pascal Schuback commented on the budget and the public comment process.

Fran Korten spoke in favor of the addition of a climate mitigation specialist in the budget.

Mayor Schneider closed the public hearing 9:36 p.m.

MOTION: I move to forward to the November 24, 2020 Unfinished Business portion of the agenda Ordinance No. 2020-31 relating to the 2021-22 Biennial Budget.
Deets/Hytopoulos: The motion carried unanimously, 7 – 0.

AYES:	Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider
NOES:	None
ABSENT:	None
ABSTAIN:	None

10.B Public Hearing on Ordinance No. 2020-36 Related to Extending the Self-Service Storage Moratorium – Planning
Cover Page
Ordinance No. 2020-36 Extending the Moratorium on Self-Service Storage Facilities

Senior Planner Sutton introduced the agenda item.

Mayor Schneider opened the public hearing at 9:39 p.m. There was no public comment. Mayor Schneider closed the public hearing at 9:40 p.m.

MOTION: I move to adopt Ordinance No. 2020-36.
Deets/Carr: The motion carried unanimously, 7 – 0.

AYES:	Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider
NOES:	None
ABSENT:	None
ABSTAIN:	None

11) UNFINISHED BUSINESS

11.A Ordinance No. 2020-30 Relating to Property Tax Levy for Collection in 2021 – Finance
Cover Page
Ordinance No. 2020-30 Relating to the Levy of Property Taxes for Collection in 2021.docx
City of Bainbridge Island Levy Limit 9 28 2020 TY2021.docx
Property_Tax_Ordinance_Presentation_CC_102720_Flnal.pdf

Finance Director Pitts introduced the agenda item.

MOTION: I move to approve Ordinance No. 2020-30 relating to the Property Tax Levy for Collection in 2021.
Hytopoulos/Carr: The motion carried unanimously, 7 – 0.

AYES: Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider
NOES: None
ABSENT: None
ABSTAIN: None

11.B Approval of Climate Action Plan

Cover Page
CCAC Presentation on CAP for CC 11102020
Draft Climate Action Plan for Consideration of Approval

Deputy City Manager Schroer introduced the agenda item. Climate Change Advisory Committee (CCAC) Chair Cox provided a presentation on the Climate Action Plan. He was joined by CCAC members David McCaughey, Lara Hansen, and Jens Boemer.

MOTION: I move to approve the Climate Action Plan as prepared by the Climate Change Advisory Committee.
Medina/Deets: The motion carried unanimously, 7 – 0.

AYES: Carr, Deets, Hytopoulos, Medina, Nassar, Pollock, Schneider
NOES: None
ABSENT: None
ABSTAIN: None

Councilmember Medina left the meeting at 9:55 p.m.

11.C Sustainable Transportation Plan Update – Public Works

Cover Page
BAINBRIDGE STP_Final Goals & Objectives_20201103.pdf

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to approve the Goals and Objectives for the Sustainable Transportation Plan as proposed at the City Council meeting of November 10, 2020.
Deets/Carr: The motion carried unanimously, 6 – 0.

AYES: Carr, Deets, Hytopoulos, Nassar, Pollock, Schneider
NOES: None
ABSENT: Medina
ABSTAIN: None

11.D Revisions to City's Ethics Program – Council

Cover Page
102720 Motions

Deputy Mayor Deets_Suggested Motions for Council Ethics Discussion
Ethics Board Operating Rules - Revised and Adopted 10-19-2020
Resolution No. 2020-13 Updating the Code of Conduct and Ethics Program Approved 081120

This item was pulled from the agenda.

12) NEW BUSINESS

12.A Robert Stevenson Memorial Bench Donation Agreement – Public Works

Cover Page
Agreement - Sanders Bench.docx
Attachment A_bench_CA-2_series.pdf
Attachment B_ aerial location.pdf
Attachment B_context location.pdf

Public Works Director Wierzbicki introduced the agenda item.

MOTION: I move to forward for approval with the November 24, 2020 consent agenda authorization for the City Manager to execute the Robert Stevenson Memorial Bench Donation Agreement.
Deets/Carr: The motion carried unanimously, 6 – 0.

AYES: Carr, Deets, Hytopoulos, Nassar, Pollock, Schneider
NOES: None
ABSENT: Medina
ABSTAIN: None

13) COUNCIL DISCUSSION

13.A Process and Schedule to Fill North Ward Council Vacancy – Mayor Schneider

Cover Page
Draft Timeline for Filling Council Vacancy
Proposed Process for 2020 Council Vacancy
Proposed Initial City Council Appointment Voting Process
Proposed Final City Council Appointment Voting Process

Mayor Schneider introduced the agenda item, and Council discussed the process.

AMENDED MOTION: I move to approve the process and schedule to fill the North Ward Council vacancy as described in the materials included with this agenda item except remove the last line which says that the expectation is that Council member will be sworn in the week of the 14th-17th and add a line stating that the expectation is that the Council member will be sworn in December 7 through 11.
Nassar/Pollock: The motion carried unanimously, 6 – 0.

AYES: Carr, Deets, Hytopoulos, Nassar, Pollock, Schneider
NOES: None
ABSENT: Medina
ABSTAIN: None

Council authorized the City Manager to make any additional changes needed to meet this change in the schedule.

14) CONSENT AGENDA

14.A Agenda Bill for Consent Agenda
Cover Page

14.B Accounts Payable and Payroll
Cover Page
AP Report to Council of Cash Disbursements 11-12-20.pdf
Payroll.pdf

Accounts payable: check number 354817 for $121.45; EFT number 409 for $15,939.00; ACH 410 – 413 for $18,416.87; check numbers 350803, 350830, 351365, 351631, 351091 and 354803 are voided; manual check numbers 354818 – 354833 for $143,920.29; manual check run 354834 – 35491 for $725,272.41; retainage release 195 for $6,492.21. Total disbursements $893,548.57.

Payroll: regular check run (direct deposit) 49356 – 49483 = $317,570.45; paper check #109479 for $1,995.89; vendor check run 109480 – 109489 = $314,535.39; Federal Tax Electronic Transfer = $113,835.00. Total disbursement = $747,936.73.

14.C Special City Council Meeting Minutes, Parliamentary Training, October 17, 2020
Cover Page
Special City Council Meeting Minutes, Parliamentary Training, October 17, 2020

14.D City Council Study Session Minutes, October 20, 2020
Cover Page
City Council Study Session Minutes, October 20, 2020

14.E Regular City Council Business Meeting Minutes, October 27, 2020
Cover Page
Regular City Council Business Meeting Minutes, October 27, 2020.pdf

14.F Special City Council Meeting Minutes, October 28, 2020
Cover Page
Special City Council Meeting Minutes, October 28, 2020.pdf

14.G Contract Amendment, 100% Cost Recovery Fee Study PCD – Planning
Cover Page
Amendment No 1 to PSA with FCS Group for Fee Study
Fully Executed FCS Group PSA Contract Signed 122019.pdf
Consultant Request for Budget Adjustment

14.H Resolution No. 2020-17, Old Mill Road Speed Limit Change – Public Works
Cover Page
Old Mill Road Speed Limit Recommendation 102720.pdf
Resolution No 2020-17 Old Mill Road Speed Limit Change.docx

14.I City Hall Solar System Acquisition – Public Works
Cover Page
Solar Purchase Agreement Draft - Bainbridge Island - 10-23-20.PDF
COBI Solar FMV Analysis from UMC.pdf
Memo from A. Snyder to City of Bainbridge Island - 10-23-20.pdf

Memo from Public Works Director regarding City Hall Solar System FMV Analysis 102320.pdf
2019 Bainbridge City Hall Estimate from Sunergy Systems for New Solar System.pdf
Bainbridge City Hall Solar System Layout - 297 modules.pdf

14.J City Hall Solar Facility Budget Adjustment – Public Works
Cover Page

14.K 2020 Road Preservation Project Change Order No. 2 – Public Works
Cover Page
Change Order 2-rev(3).xlsx

14.L Agreement with Kitsap County Regarding Jury Panels for Municipal Court – Executive
Cover Page
Kitsap County Clerk's Office (Agreement Regarding Jury Panels for Municipal Court).pdf

14.M Agreement with Kitsap Humane Society for Animal Control Services for 2021-23 – Executive
Cover Page
2021-23 PSA with Kitsap Humane Society

14.N Third Amendment to the Agreement for Incarceration of City Prisoners – Police
Cover Page
2021 Jail Amendment.docx

Deputy Mayor Deets recused himself from the Consent Agenda.

Councilmember Pollock moved and Councilmember Nassar seconded to approve the Consent Agenda as presented. The motion carried, 5 – 0, with Deputy Mayor Deets absent for the vote.

15) COMMITTEE REPORTS

Mayor Schneider reported that the Puget Sound Regional Council passed the Vision 2050 plan.

16) FOR THE GOOD OF THE ORDER

Councilmember Nassar noted that the Race Equity Task Force has now completed their review of the ordinance creating a standing committee, and the ordinance can now be placed on an agenda.

17) ADJOURNMENT

Mayor Schneider adjourned the meeting at 10:34 p.m.

_____
Leslie Schneider, Mayor

_____
Christine Brown, CMC, City Clerk

CITY OF BAINBRIDGE ISLAND

City Council Regular Business Meeting Agenda Bill

MEETING DATE: November 24, 2020 **ESTIMATED TIME:** 5 Minutes

AGENDA ITEM: Robert Stevenson Memorial Bench Donation Agreement - Public Works,

SUMMARY: Resident Janet Sanders wishes to donate a memorial bench in memory of Robert Stevenson at the Lytle Road road end.

AGENDA CATEGORY: Contract **PROPOSED BY:** Public Works

RECOMMENDED MOTION: Approve with Consent Agenda.

STRATEGIC PRIORITY: Reliable Infrastructure and Connected Mobility

FISCAL IMPACT:

Amount:	N/A
Ongoing Cost:	
One-Time Cost:	
Included in Current Budget?	No

BACKGROUND: This Agreement is between the City and resident Janet Sanders for placement of a memorial bench at the Lytle Road end. A plaque will be affixed to the Robert Stevenson Memorial Bench reading “Come Sit with Me.” Attachment A illustrates the bench type (CA-2 wood bench) and Attachment B depicts the aerial and context location placement near the path to the shoreline access and adjacent to an existing bench.

The City shall be responsible for maintenance of the Donation, including any reasonable repairs, and will have the discretion to not replace and/or repair the Donation if it is deemed damaged beyond reasonable repair and/or replacement, suffers repeated vandalism, and/or expires prior to the end of initial term of five-years.

ATTACHMENTS:

Agreement - Sanders Bench.docx

Attachment A_bench_CA-2_series.pdf

Attachment B_aerial location.pdf

Attachment B_context location.pdf

FISCAL DETAILS: N/A

Fund Name(s):

Coding:

DONATION AGREEMENT

THIS DONATION AGREEMENT, entered into this ____ day of _____, 2020 (this "Agreement"), is by and between the City of Bainbridge Island, a Washington municipal corporation (the "City"), and Janet Sanders (the "Donor").

WHEREAS, the Donor and the City recognize the importance of public facilities and amenities; and

WHEREAS, the Donor has offered to donate a bench in memory of Robert Stevenson for the Lytle Rd Road End.

NOW, THEREFORE, the City and the Donor, for the consideration and under the conditions and obligations described below, agree as follows:

Section 1. The donation, known as the Robert Stevenson memorial bench (the "Donation"), is donated in its entirety to the citizens of Bainbridge Island to be hereafter owned by the City and managed on behalf of the citizens by the Department of Public Works.

Section 2. **Description**: The item is the Cascade CA-2 Wood Bench as shown in Attachment A.

Space or Facility: Lytle Rd Road End.

Location: Placed near the path to shoreline access and adjacent to an existing bench, as depicted in Attachment B.

Additional information: A plaque will be affixed on the bench with the following wording: "*Come sit with me?*" *Robert Ellis Stevenson, 1988-2019*

Section 3. The initial term of this Agreement shall be five years from the date of this Agreement (the "Initial Term"). At the end of the Initial Term, the City may treat the Donation as it would any other City property similar in nature and may move, remove, and/or retire the Donation.

Section 4. The City shall be responsible for maintenance of the Donation, including any reasonable repairs, and will have the discretion to not replace and/or repair the Donation if it is deemed damaged beyond reasonable repair and/or replacement, suffers repeated vandalism, and/or expires prior to the end of Initial Term.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth above.

CITY OF BAINBRIDGE ISLAND

By:_____

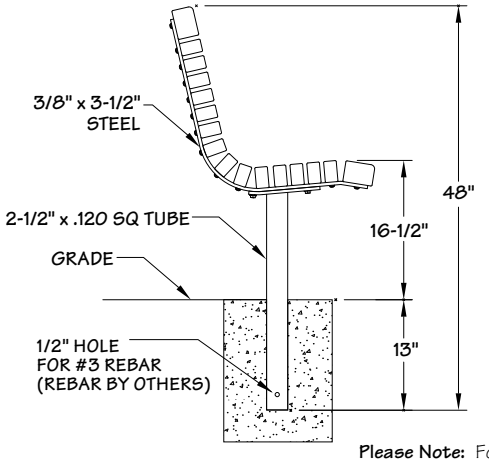
Morgan Smith, City Manager

DONOR

By:_____

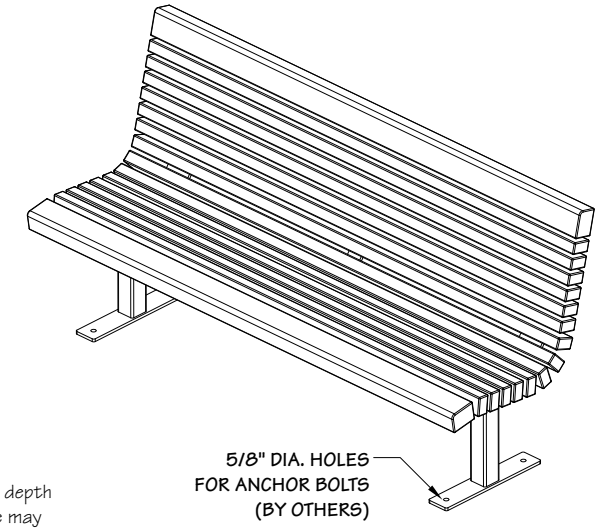
Janet Sanders
3608 Pleasant Beach Drive NE
Bainbridge Island, WA 98110

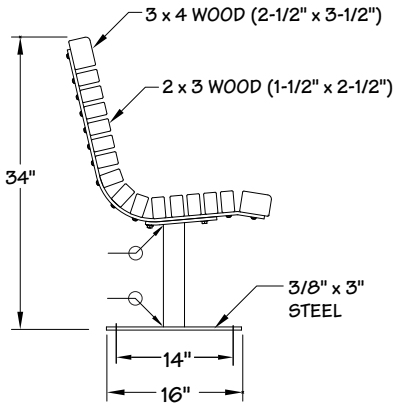
ATTACHMENT A - BENCH



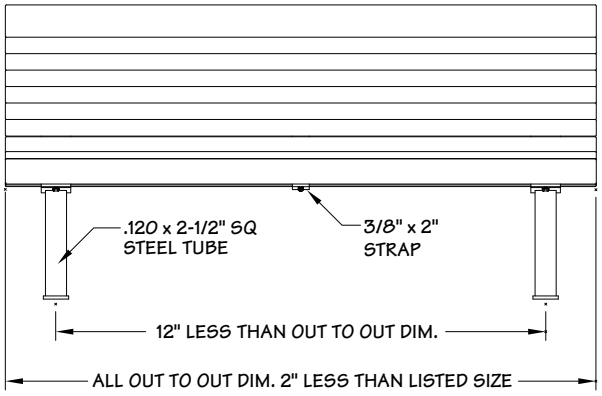
EMBED MOUNT

Please Note: For embed mount, depth and diameter of installation hole may vary with soil conditions. Consult project engineer for correct dimensions.





SURFACE MOUNT



CASCADE CA-2 WOOD ASSEMBLY		
4' Bench	2 Frames	1 Support Strap
5' Bench	2 Frames	1 Support Strap
6' Bench	2 Frames	1 Support Strap
8' Bench	2 Frames	2 Support Straps

REV 7-29-13

SPECIFICATIONS

MATERIAL

Wood: Wood shall be 14 ea. 1-1/2" x 2-1/2" and 2 ea. 2-1/2" x 3-1/2" boards. Leading edges radiused 1/2", all other edges eased. All wood elements are 2 inches shorter than nominal size. For example, 6 ft. bench would be 5 ft. 10 in. out to out.
Frame: The seat support shall be 3/8" x 3-1/2" mild steel. The leg shall be .120 x 2-1/2" square tube fully welded to 3/8" x 3" mild steel base. Benches 5 ft. through 8 ft. long shall have a center strap.

FASTENERS

Wood shall be attached to frames with stainless steel pan head screws. Legs shall be attached to seat support with 3/8" x 3/4" stainless steel bolts.

PROTECTIVE COATINGS

Wood: clear wood preservative
Metal: All metal elements, following fabrication shall be cleaned and treated with an iron phosphate process prior to the coating application. This process shall include a non-chromated alkaline cleaner, and an iron phosphate treatment followed with an acidic sealer for maximum adhesion. The protective coatings shall be either polyester or polyester TGIC powder. Following application the parts shall be baked until properly cured. The coating shall be a minimum of 4 mils thick on all surfaces.
Options for finish: Corrosion resistant undercoat, strongly recommended

OPTIONS

Mountings: Surface mount or embed
Arms: Arms shall be 3/8" X 2" steel welded to additional 3/8" x 2" seat support.
Length: 4 to 8 ft. standard, other lengths available
Wood: Western red cedar, CVG Douglas Fir, Ipe

Recycled Plastic: See CA-2P Sheet for Plastic

Cascade Series, Model CA-2 Wood Bench

FairWeather Site Furnishings
360-895-2626 or Toll Free 800-323-1798
Port Orchard, Washington
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Notice: These products are proprietary. Numerous designs are patented or patent pending under Leader Manufacturing, Inc.

ATTACHMENT B - BENCH LOCATION
Lytle Rd NE
Lytle Rd NE
PROPOSED BENCH
EXISTING BENCH

ATTACHMENT B - BENCH LOCATION CONTEXT