

City of Bainbridge Island
SHORELINE MANAGEMENT MASTER PROGRAM

Original: November 26, 1996

Corrected: January 1998

Amended by Ordinances: 2003-25, 2003-30, 2005-02

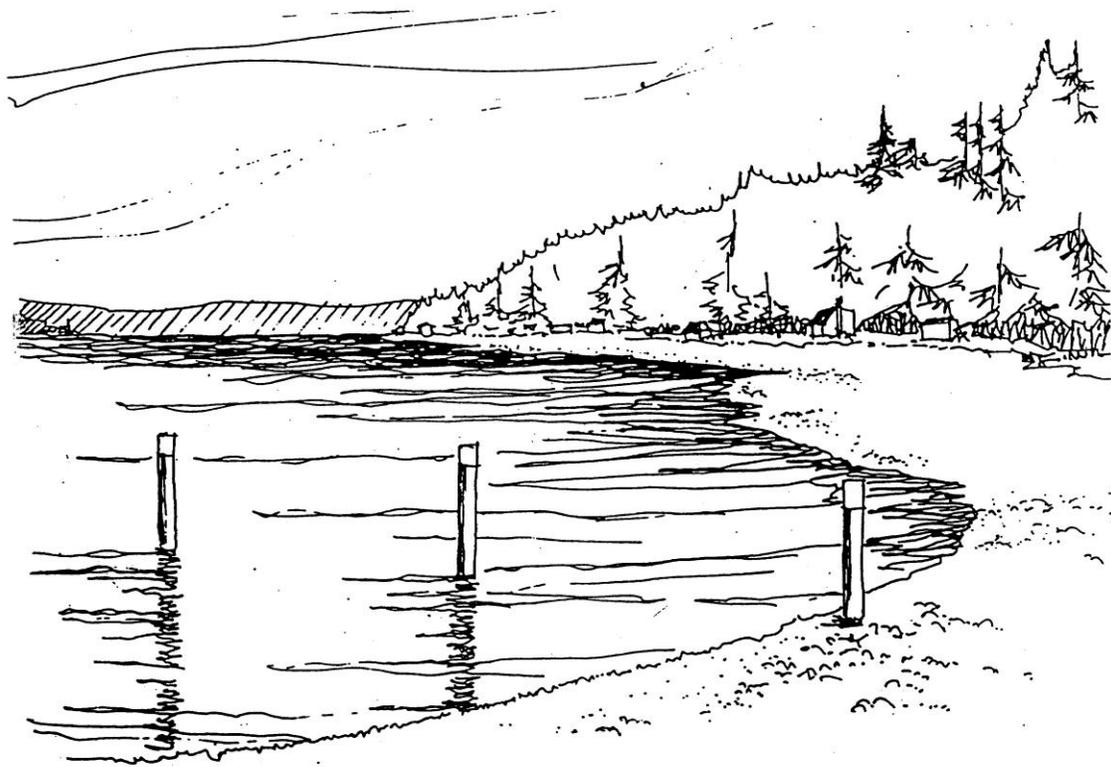
Ordinance 2005-02, modifying shoreline designations at the WSF Maintenance Facility and Winslow Ravine Creek estuary as well as modifying Aquatic Conservancy designation criteria, became effective June 1, 2005. As a result, there were a few changes to the City of Bainbridge Island Shoreline Management Master Program. Please remove and replace the pages as indicated below.

Remove these pages	Insert these pages	Changes to pages
Cover	Cover	Citation of amending ordinances
53-56	53-56	Regime 4 added
none	Map	Urban designation boundary change & new Aquatic Conservancy area

CITY OF BAINBRIDGE ISLAND

GRANT No. G9200008

SHORELINE MANAGEMENT MASTER PROGRAM



This Shoreline Management Master Program was funded in part through a cooperative agreement with the National Oceanic Atmospheric Administration.

The views expressed herein are those of the City of Bainbridge Island and do not necessarily reflect the view of NOAA or any of its sub-agencies.

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Designation Criteria

Aquatic areas include:

1. All marine areas seaward of the ordinary high water mark (OHWM) which have not been designated Aquatic Conservancy.
2. All swamps, marshes, and bogs adjoining the above which are not designated Natural.

Management Policies

1. Structures which are not water-dependent and uses which will substantially degrade the existing character of the area should be prohibited.
2. Diverse public access opportunities should be encouraged and developed and should be compatible with the existing shoreline and aquatic uses.
3. Aquaculture practices should be encouraged in those tidelands, waters, and beds most suitable for such use.
4. Several industries using the same tidelands should be given preference over single-industry use.
5. In appropriate areas, fishing and water recreation should be protected from competing uses.
6. All uses and activities in navigable waters or their beds should be located and designed to minimize interference with surface navigation, and allow for the safe, unhindered passage of fish and animals, particularly those whose life cycles are dependent on such migration.
7. Deep draft uses, if allowed, should not occur in areas requiring extensive initial or maintenance dredging.
8. Filling operations should minimize possible adverse environmental impacts.
9. Motorized vehicle travel should be discouraged on all tidelands, except for boat launching areas and other permitted water-dependent uses.
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.
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 usable condition consistent with the provisions of this program.

H. Aquatic Conservancy Environment

The Aquatic Conservancy environment includes marine areas seaward of the ordinary high water mark (OHWM), normally designated Aquatic, that contain unique ecological and cultural features which the City would like to preserve for the public benefit. All uses in the Aquatic Conservancy environment are subordinate to the protection of natural systems.

Purpose

The Aquatic Conservancy environment is intended to preserve those portions of the marine waters of the City whose existing natural state is relatively free of human influence, or whose resources, biological diversity, or other features are particularly sensitive to human activity, or whose unique, historical, archeological, cultural, or educational features merit special protection.

A number of separate criteria are required to define the diverse character of Aquatic Conservancy regimes. Tidal lagoons and sensitive portions of tidal inlets will require protection in terms of water salinity and quality, sediment quality and quantity, vegetative native vegetation zones on adjacent shorelines, and remaining areas of native salt-tolerant vegetation. Other regimes, such as aquatic vegetation, have similar requirements. The Aquatic Conservancy environment requires severe restrictions on the intensity and type of permitted uses to maintain the integrity of the shoreline environment.

Designation Criteria

Aquatic Conservancy has four regimes. An area is designated Aquatic Conservancy if it fits any regime description, whether or not it is mapped as such. All four regimes shall be considered environmentally sensitive.

Regime 1: Tidal lagoons

Bodies of saline water (salinity greater than [$>$] 0.5 parts per thousand) with a constricted or subsurface outlet that is subject to periodic, but not necessarily daily, exchange of water with Puget Sound or a tidal inlet. The connection between the sea and the lagoon may be subsurface through permeable gravel or sand berms. The upland boundary of the lagoon shall be the ordinary high water mark (OHWM). There are two tidal lagoons currently identified on the Island, "Tolo Lagoon" located in Sections 17 and 18, Township 25 N, Range 2 E, and "Battle Point Lagoon" located in Section 18, Township 25 N, Range 2 E.

Regime 2: Salt marshes and mud flats in tidal inlets

Saltwater bays and related intertidal areas subject to the daily influence of tides where they support salt-tolerant vegetation and/or exposed mudflats. Tidal inlet areas should be designated Aquatic Conservancy if they meet either Criterion I or II below. Only those areas of Aquatic Conservancy-designated shorelines which meet one of those criteria for the environment will be subject to its policies and regulations; the map is a guide but the designation criteria prevail.

The Aquatic Conservancy environment 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 than six (6) feet deep at mean lower low water (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.

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 ordinary high water (OHWM) and mean lower low water (MLLW) whose sediments are at least thirty (30) percent muds.

Parts of tidal inlets that do not fit either criterion, and do not fit other regimes of Aquatic Conservancy environment, shall be designated Aquatic.

Regime 3: Marine vegetation

Areas seaward of the mean lower low water (MLLW) that support a significant community (at least four thousand square feet [4,000 square feet] of kelp, eelgrass and/or other vegetation in sufficient quantities to provide special value as habitat for marine life.

Regime 4: Other areas

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

The City shall map the limits of the designations with assistance from the Washington State Departments of Ecology, Natural Resources, Fish and Wildlife, and other cooperating agencies. Any area in which actions have been taken under an approved permit to create, restore, or enhance characteristics of any of these regimes shall automatically be designated Aquatic Conservancy. Where there is a conflict between the map and criteria, the criteria will prevail provided a report is prepared by a qualified professional verifying that the map is in error. The report will be the responsibility of the party requesting the map change.

Management Policies

1. Uses and activities which would potentially degrade or significantly alter the natural character of the shoreline should be severely restricted or prohibited.
2. Limited access should be permitted for scientific, historical, educational, and low-intensity recreational purposes, provided that no significant, adverse impact on the areas will result.
3. Uses which are consumptive of physical, visual, and biological resources should be prohibited.
4. Physical alterations should only be considered when they serve to protect significant, unique, or highly valued features which might otherwise be degraded or destroyed.
5. Uses and activities adjacent to shorelines designated Aquatic Conservancy should be compatible with and not compromise the integrity of the Aquatic Conservancy environment.
6. Native vegetation zones should be established to protect the functions and characteristics of the areas. (See Section III, General Policies and Regulations, subsection D, Environmentally Sensitive Areas.)
7. A management study of each area should be conducted with participation by appropriate state agencies and residents of each area to determine possible refinements to the adopted regimes, changes in the boundaries of the areas included in the Aquatic Conservancy environment, and inclusion of additional management strategies.

I. Master Program Summary Matrices

Proposed shoreline development must comply with the Master Program's general provisions (Section III), environment designation provisions (Section IV), specific shoreline use provisions (Section V), and shoreline modification activity provisions (Section VI). The following matrices (Tables 4-1 and 4-2) summarize the shoreline use categories, requirements and development standards in each environment (Urban, Semi-rural, Rural, Conservancy, Natural, Aquatic, and Aquatic Conservancy).

In general, uses are either permitted with a Shoreline Substantial Development Permit (SSDP), allowed with a conditional use permit, or are prohibited. Some uses are exempt from the shoreline permit process.

The permitted uses in each environment represent the uses which are most compatible with that environment based on the goals and objectives of the Master Program and the requirements of the Washington State Shoreline Management Act.

The following Shoreline Use and Activity Matrix (Table 4-1) and Use-related Development Standards Matrix (Table 4-2) summarize the information contained in the Specific Shoreline Use Policies and Regulations (Section V) and the Shoreline Modification Activity Policies and Regulations (Sections VI).

Winslow Way

Olympic Drive/SR-305

Eagle Harbor

Legend

-  New Urban Designation
-  New Aquatic Conservancy Designation
-  Shoreline (Approximate OHWM)
-  Parcels - Current



Insert Shoreline Designation Map (Ordinance 2005-02)

