

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
1	01/15/10	Ken Sethney	Chair, Bainbridge Shoreline Homeowners	General	The guidelines give local jurisdictions the freedom to develop localized solutions.	Developing localized solutions was one of the reasons for forming the citizens' advisory workgroups. More public input will be received through the adoption process at Planning Commission and City Council.
2	03/05/10	Jared	Citizen	Science	Please insist on science as the standard for the Shoreline Master Program update. We want an open and honest review of the science.	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum from Herrera, 2011</i> and the <i>Science Review from Battelle, 2003</i>) The Environmental Technical Advisory Committee (ETAC) is reviewing the science as it applies to Bainbridge Island. The Public Participation Plan, created by citizens and approved by City Council, was adopted to ensure an open and transparent process.
3	04/21/10	Mary Phillips	Citizen	Designations	Requesting that the Conservancy designation be removed from her property	ETAC and staff have recommended a map change.
4	04/21/10	Peter O'Connor	Citizen	Designations	Requesting that the Conservancy designation be removed from his property	ETAC and staff have recommended a map change.
5	05/06/10	Phil Whitener	Citizen	Process	Be honest with shoreline owners about the probable impacts of the update.	The Public Participation Plan, created by citizens and approved by City Council, was adopted to ensure an open and transparent process. As recommendations on the Shoreline Master Program are forwarded to Planning Commission, staff will indicate where changes in regulation have occurred.
6	07/12/10	Paul & June Raker	Shoreline owners	General	No one has considered the destruction that is happening daily on the ecology of our tidelands from the wake of high-speed container ships	Ship wakes are not within the jurisdictional purview of the City.
7	09/20/10	Richard Nerf	Physicist	Science	Of the more than 20 possible regressions of ecological functions vs. stressors or	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					controlling factors, only three are statistically-insignificant. The remaining regressions have F-statistics greater than 4, indicating a significant degree of correlation between stressors and ecological functions.	
8	9/20/10	Richard Nerf	Physicist	Science	I am <u>not</u> claiming that it represents direct man-made influence on the near-shore ecology.	Comment noted.
9	9/21/10	John Grinter	Boater; Coast Guard	III.G	We live on an island and should be encouraging our residents and especially our kids to get on the water. Please improve our access to the water and do this by improving our existing boat ramps.	Comment noted.
10	9/21/10	John Grinter	Boater; Coast Guard	V.D	The area to be leased for a waterfront marine use area is too shallow for any significant marine usage and may in fact violate shoreline use laws. The permitting would be extraordinary.	This site is no longer being considered for lease.
11	9/21/10	John Grinter	Boater; Coast Guard	V.D	As an island community we only have one viable public ramp for launching boats and that is not a good way to encourage boating.	Public access is an important component of the Shoreline Management Act and the Shoreline Master Program.
12	9/21/10	John Grinter	Boater; Coast Guard	V.D	Create another boat ramp at a north Island location. Several city-owned road ends on the northern end of the island would make decent ramps for boaters to use.	Policies to promote public access are included in the draft. Recommendations for specific public access improvements will be considered by the Planning Commission and City Council during the review of the update.
13	9/21/10	John Grinter	Boater; Coast Guard	V.D	Increase public moorings/dockage in the city pier area.	See response to comment #12.
14	9/28/10	Gary Tripp	Bainbridge Citizens	Process	Who is writing the Shoreline Master Program Regulations working draft?	Staff is working with the citizen committees, drafting amendments to the goals, policies, and regulations based on input from the committees and an analysis of our program's

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						consistency with the State Shoreline Master Program Guidelines (Consistency Analysis). Staff will compile the citizen committee recommendations and provide the first draft Shoreline Master Program to the Planning Commission for review.
15	10/04/10	Gary Tripp	Bainbridge Citizens	General	It seems that the Precautionary Principle would argue against “new” regulations that would remove existing homes and uses, and restrict or eliminate protections from erosion.	Comment noted.
16	10/04/10	Gary Tripp	Bainbridge Citizens	General	There is no nexus between residential uses and decline in fish stocks.	WAC 173.26, state Shoreline Master Program guidelines, requires the City to regulate development in order to protect critical saltwater habitats, including fish and wildlife conservation areas
17	01/14/11	Carlton Anderson	Shoreline owner	II.B, III.L	The proposed setback has grown from 50’ to 100’ to 200’ and will undoubtedly continue to increase until everybody is forced away, making more and more property nonconforming.	Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
18	01/14/11	Carlton Anderson	Shoreline owner	III.A	Have the proponents considered the effect of their actions on the tax base? One of the houses near me has been designated for historical preservation. How will they handle such cases?	The RCW refers to economics but the requirements for economics is in terms of where future development is projected, the level of demand for public access, or where industry may be located. It does not require a large economic study of the region, but rather what does existing information reflect about demand. Policies and regulations regarding cultural and historic resources are included in the Shoreline Master Program.
19	01/14/11	Carlton Anderson	Shoreline owner	III.L	The proper name for waterfront property is “Waterfront Property”, not a branding as “nonconforming property.”	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
20	01/14/11	Carlton Anderson	Shoreline owner	V.D	Will public facilities such as parks and the ferry docks be subject to the same rules? What about marinas and waterfront restaurants?	The Shoreline Master Program applies to all uses within its jurisdiction, regardless of ownership.
21	01/14/11	Claes Hagstromer	Shoreline owner	III.L	Why don't we address the real problems instead of making the assumption that all harm comes from man-constructed development including bulkheads and docks without an attempt to provide OBJECTIVE scientific justification?	The purpose of the Shoreline Master Program is to address the impacts of human development and use of the shoreline. Other issues are addressed through a myriad programs and regulations, from restoration and enhancement projects to regulations controlling stormwater, public, commercial, and industrial activities.
22	01/14/11	Claes Hagstromer	Shoreline owner	Process	We have unfortunately found in the past that written comments have never changed any policies and have never been answered.	All comments are considered, posted on the web and provided to both the Planning Commission and City Council to be considered during their deliberation of the Shoreline Master Program Update.
23	01/14/11	Claes Hagstromer	Shoreline owner	V.K.	Define “no net loss” as providing planting of the same amount of new vegetation as was lost.	Replacement requirements will be part of the regulations, which are in the preliminary draft stage.
24	01/14/11	Claes Hagstromer	Shoreline owner	V.K.	We have never seen any proof that vegetation will enhance the fish population the way COBI has been interpreting this directive so far, which is to narrowly define native vegetation.	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum from Herrera, 2011</i> and the <i>Science Review from Battelle, 2003</i>) The Vegetation Workgroup has recommended changes to vegetation/landscaping provisions in the Shoreline Master Program.
25	01/14/11	Claes Hagstromer	Shoreline owner	V.K.	Don Flora's study, Evidence of Near-Zero Habitat Harm from Nearshore Development, showed no correlation between residential development and measurable impacts on the nearshore habitat. It is clear that the attempt to limit	See response to comment #24.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					shoreline development is mostly a politically correct sentiment instead of based on trying to fix a real problem.	
26	01/14/11	Claes Hagstromer	Shoreline owner	V.K.	If you were serious about improving the Puget Sound water quality you would put more emphasis on the bigger culprits of contaminating Puget Sound: storm runoff from roads and parking areas, industries, septic systems that are too close to the sound.	See response to comment #21.
27	01/14/11	Claes Hagstromer	Shoreline owner	V.K.	Preserving views from both the land and water conflicts with preserving vegetation in side yards.	Under the Shoreline Management Act, the city's Shoreline Master Program must recognize and protect private property rights consistent with the public interest. The Shoreline Master Program must accommodate appropriate uses, protect the shoreline environment, and protect public shoreline access, including visual.
28	01/14/11	Claes Hagstromer	Shoreline owner	V.K.12	This policy V.K.12 will probably lead to even more draconian measures to prohibit retaining walls, bulkheads and other measures to stabilize development along the shorelines that can be done WHILE preserving/enhancing vegetation and even lead to more vegetation staying on the steep slopes.	This policy speaks to voluntary measures to improve ecological function.
29	01/14/11	Claes Hagstromer	Shoreline owner	V.K.8	Where is the proof that building on steep slopes with today's low-impact building techniques will damage either the slope or fish and wildlife habitat?	Comment noted.
30	01/14/11	Douglas Ferguson	Shoreline owner	V.K.	Suggests that runoff and effluent issues be addressed.	The draft goals and policies in III.J, Water Quality, are intended to be consistent with and enhance Health Dept. and stormwater requirements in the shoreline jurisdiction..
31	01/14/11	John Nute	Shoreline owner	III.L	Many of these provisions and regulations	A policy goal for nonconforming

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					will immediately render existing properties as “non-conforming” without some “grandfather clause” which inclusively excepts them as “historically conforming” subject to other reasonable regulations such as eliminating open septic run-off, or requiring reasonable and progressive conformance to current code and regulations when developed properties are sold and their use converted or they are rebuilt (as opposed to “remodeled”).	development was recommended by the citizen committees. How nonconforming uses and structures will be regulated will be determined during the process of drafting regulations.
32	01/14/11	John Nute	Shoreline owner	V.K.	Modify the first sentence in paragraph 1 to end, “and the applicable provisions of the Shoreline Master Program.”	Your comment will be taken into consideration when the draft is reviewed for consistency in the language used.
33	01/14/11	John Nute	Shoreline owner	V.K.	Delete all after the first sentence in paragraph 1: “While an individual... and all applicable provisions.” This is unnecessary and incomplete elaboration which is adequately and inclusively addressed in the opening sentence and the ensuring circumstantial discussion in the next paragraph.	Comment noted
34	01/14/11	John Nute	Shoreline owner	V.K.	Modify paragraph 3 to read: Residential development is subject to Section III, General Policies and Regulations; Section IV, Environment Designations; Section VI, and BIMC 16.20, Environmentally Sensitive Areas. Same justification as above – unnecessary and incomplete	This paragraph will be replaced by a table.
35	01/14/11	John Nute	Shoreline owner	V.K.	Is the new residential development goal a necessary and coherent philosophical inclusion in this section, which one assumes purports to establish, not	The citizens’ workgroups specifically chose the verb “promote” to strengthen the importance of residential use.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					promote, policy and regulation?	
36	01/14/11	John Nute	Shoreline owner	V.K.	This title Residential Development and its treatment make little syntactic sense given the foregoing three paragraphs.	Comment noted.
37	01/14/11	John Nute	Shoreline owner	V.K.	“Promote residential development” seems to apply to future activities along a very small portion of the shoreline unless “redevelopment”, including tear-down and rebuild actions, becomes “development” at the moment the last structural member falls.	Yes, development includes alteration and redevelopment.
38	01/14/11	John Nute	Shoreline owner	V.K.	This seems to suggest that single-family residential development, shoreline views, shoreline aesthetics, shoreline access, and other unspecified uses are all vaguely construed “priorities” among which SFR development has highest priority. Is this reasonable? Is this treatment suitably addressed in building codes and zoning regulations?	Single-family residential uses shall be preferred if they are consistent with the control of pollution and prevention of damage to the natural environment or dependant on upon the use of the shoreline. In those limited instances when authorized, alteration of the natural condition of the shoreline of the state shall be given priority for single family residences and their appurtenant structures. RCW 90.58.020
39	01/14/11	John Nute	Shoreline owner	V.K.	Is the opening sentence in item #1 to infer that SFR has highest precedence among all other uses? (I suggest clarifying the intent or omitting this sentence entirely.)	See response to comment #38.
40	01/14/11	John Nute	Shoreline owner	V.K.	Elaborate on what is intended by the terms “circulation and access” or, if covered in another section, omit entirely. Clarify what is intended in the last bullet regarding side yards, open space, and views and resolve differences with provisions of paragraph 6, or eliminate this bullet entirely or clarify paragraph 6.	Further detail will be conferred in regulations pertaining to this section.
41	02/25/11	M.C.	Shoreline owner	General	The people who worked on this do not	There are waterfront property owners among

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
		Halvorsen			own waterfront property and do not have a nodding acquaintance with admiralty law.	the workgroup members, on the Planning Commission and in the Shoreline Master Program Policy Advisory Committee. The draft Shoreline Master Program will be based on state law and guidance.
42	02/25/11	M.C. Halvorsen	Shoreline owner	III. B.6	In order for planting to grow they must be immediately upland of High Water Mark.	Comment noted.
43	02/25/11	M.C. Halvorsen	Shoreline owner	III. H.4.c	I agree there may be some areas where wildlife is nesting that would not be helped by public access but it should be spelled out.	Limitations on public access are determined by deed restrictions and the desires of individual property owners.
44	02/25/11	M.C. Halvorsen	Shoreline owner	III. J.1	This is too vague and overbroad. Since it is so vague, I cannot tell which constitutional amendment it violates.	Comment noted.
45	02/25/11	M.C. Halvorsen	Shoreline owner	III.B	Where did the Vegetation Conservation and Management areas come from?	The Vegetation Workgroup developed the concept as an alternative to “native vegetation zones.”
46	02/25/11	M.C. Halvorsen	Shoreline owner	III.G.4	Cramped road ends with no facilities and dubious- to dangerous-access to the water only creates hazardous situations.	Comment noted.
47	02/25/11	M.C. Halvorsen	Shoreline owner	III.G.5	Walking/bicycling paths are an open invitation to commit crimes and will only lure criminals who would not otherwise be on the Island to come here.	Comment noted.
48	02/25/11	M.C. Halvorsen	Shoreline owner	III.G.6	An open invitation to criminals and can interfere with business and private property.	Comment noted.
49	02/25/11	M.C. Halvorsen	Shoreline owner	III.G.7	This is an unconstitutional taking of property without due process because the Supreme Court has said that a public easement cannot be a condition of granting a permit.	The draft Shoreline Master Program will go through numerous legal reviews, including the Dept. of Ecology approval process.
50	02/25/11	M.C. Halvorsen	Shoreline owner	III.G.9	This is too restrictive.	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
51	02/25/11	M.C. Halvorsen	Shoreline owner	III.H.2	This is too vague because all of the Island's shorelines have been altered. It would also be a taking of private property.	Comment noted.
52	02/25/11	M.C. Halvorsen	Shoreline owner	III.H.4	Why should shoreline materials be left undisturbed?	Shoreline materials should be undisturbed to avoid disrupting ongoing ecological functions and processes.
53	02/25/11	M.C. Halvorsen	Shoreline owner	III.H.5	Already covered in Section III	Comment noted.
54	02/25/11	M.C. Halvorsen	Shoreline owner	III.J.	Bulkheads can prevent erosion.	Agreed.
55	02/25/11	M.C. Halvorsen	Shoreline owner	III.K	This section is overbroad without a definition of benchmark as to what is to be accomplished. It is repetitive and should be deleted.	Comment noted.
56	02/25/11	M.C. Halvorsen	Shoreline owner	III.L	This whole section is unconstitutional as it is the taking of property without due process.	The draft Shoreline Master Program will go through numerous legal reviews, including the Dept. of Ecology approval process.
57	02/25/11	M.C. Halvorsen	Shoreline owner	Sec. III	This whole section is overkill (over-regulation).	Comment noted.
58	02/25/11	M.C. Halvorsen	Shoreline owner	V.D. 8	Forcing marinas to incur liabilities of public access to privately owned boats on a privately operated marina is unconstitutional.	State law (Shoreline Management Act) requires Shoreline Master Programs to provide for public access, both physical and visual. Policies address separation of public and private access.
59	02/25/11	M.C. Halvorsen	Shoreline owner	V.D.11	I can see limiting floating homes, but not prohibiting them.	The state guidelines prohibit floating homes.
60	02/25/11	M.C. Halvorsen	Shoreline owner	V.D.4	This is overreaching and too broad.	Comment noted.
61	02/25/11	M.C. Halvorsen	Shoreline owner	V.D.7	It would be unconstitutional for any facility or person to obstruct navigable waters. In such a situation, the Coast Guard would remedy it.	Protecting navigation is addressed in the proposed principles for public access and in use-specific policies.
62	02/25/11	M.C. Halvorsen	Shoreline owner	V.E.8	Requiring public access in unconstitutional.	State law (Shoreline Management Act) requires Shoreline Master Programs to

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						provide for public access, both physical and visual.
63	02/25/11	M.C. Halvorsen	Shoreline owner	V.G.	I can see there won't be any logging on Bainbridge Island.	Logging is a commercial activity that is governed by the Dept. of Natural Resources.
64	02/25/11	M.C. Halvorsen	Shoreline owner	V.I.	In-water dredging is under the jurisdiction of the Army Corps of engineers and Bainbridge Island cannot prohibit it.	The city is required to regulate dredging under our Shoreline Master Program.
65	02/25/11	M.C. Halvorsen	Shoreline owner	V.J.	Generally, this section should be pared down as it acts as if Bainbridge has no parks and no access to water.	Comment noted.
66	02/25/11	M.C. Halvorsen	Shoreline owner	V.K.11	What is the scientific evidence that native vegetation is superior to other vegetation?	Comment noted.
67	02/25/11	M.C. Halvorsen	Shoreline owner	V.K.6	This is unconstitutional as it is a taking of property without due process of law.	The draft Shoreline Master Program will go through numerous legal reviews, including the Dept. of Ecology approval process.
68	02/25/11	M.C. Halvorsen	Shoreline owner	V.K.9	This is unconstitutional as it is a taking of property without due process of law.	See response to comment #67.
69	02/25/11	M.C. Halvorsen	Shoreline owner	V.L.2	Too restrictive.	Comment noted.
70	02/25/11	M.C. Halvorsen	Shoreline owner	V.L.3	Access by trails and bicycle systems encourage crime and attracts criminals.	Comment noted.
71	02/25/11	M.C. Halvorsen	Shoreline owner	VI.A.7	Too vague and, as written, unconstitutional.	See response to comment #67.
72	02/25/11	M.C. Halvorsen	Shoreline owner	VI.B policy #3	Why would anyone discourage shoreline stabilization?	WAC 173-26-231 states that hardening of the shoreline is associated with the following adverse impacts to shoreline ecological functions: (1) beach starvation, (2) habitat degradation, (3) sediment impoundment, (4) exacerbation of erosion, (5) groundwater impacts, (6) hydraulic impacts, (7) loss of shoreline vegetation, (8) restriction of channel movement, and (9) creation of conditions that result in weakening the structure over time.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
73	02/25/11	M.C. Halvorsen	Shoreline owner	VI.B.1	Why would anyone discourage shoreline stabilization?	See response to comment #72.
74	02/25/11	M.C. Halvorsen	Shoreline owner	VI.D	A simple statement that dredging will comply with the Corps rules and regulations should be substituted.	Comment noted.
75	02/25/11	M.C. Halvorsen	Shoreline owner	VI.F.	There is no scientific evidence that docks or overwater structures harm fish.	The City is utilizing current science to update the SMP, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
76	02/25/11	M.C. Halvorsen	Shoreline owner	VI.F. policy #5	This would create hazardous situations as road ends have no parking facilities nor boat launching facilities.	Protecting the public's right to access and use the shoreline are goals of both the Shoreline Management Act and the Shoreline Master Program.
77	02/25/11	M.C. Halvorsen	Shoreline owner	VL.4	I cannot see why this is indiscriminately required.	Comment noted.
78	02/25/11	M.C. Halvorsen	Shoreline owner	VL.7	Access by trails and bicycle systems encourage crime and attracts criminals.	Comment noted.
79	03/25/11	Bruce Prout	Citizen	III.B	There is a repetitive, destructive phenomenon caused by scrub alder trees that grow tall very quickly on steep slopes and then get blown down in Winter storms.	This will be addressed in the regulations through the staff recommendation for bluff management plans for steep slopes.
80	03/25/11	Lois Bouberg	Shoreline homeowner	III.G	It is imperative that the City take steps to ensure that the rights of property owners are respected and maintain public beaches and associated parking lots.	See response to comment #76.
81	03/25/11	Robert Hershberg	Citizen	V.K.8	Does the prohibition against expansion of existing, legally established overwater residences apply to houseboats?	A houseboat is not considered an "overwater structure" so the prohibition does not apply.
82	03/28/11	M.C.	Shoreline owner	General	The City of Bainbridge Island is doing	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
		Halvorsen			more harm than good with its excessive, biased, and unscientific proposals.	
83	03/28/11	M.C. Halvorsen	Shoreline owner	VI.F	Requiring people to have shared docks is unconstitutional.	The draft Shoreline Master Program will go through numerous legal reviews, including the Dept. of Ecology approval process.
84	03/28/11	M.C. Halvorsen	Shoreline owner	VI.F.3	Grated docks may harm fish.	Comment noted.
85	03/28/11	M.C. Halvorsen	Shoreline owner	VI.B	There has been no scientific evidence that bulkheads harm beaches.	WAC 173-26-231 states that hardening of the shoreline is associated with the following adverse impacts to shoreline ecological functions: (1) beach starvation, (2) habitat degradation, (3) sediment impoundment, (4) exacerbation of erosion, (5) groundwater impacts, (6) hydraulic impacts, (7) loss of shoreline vegetation, (8) restriction of channel movement, and (9) creation of conditions that result in weakening the structure over time.
86	03/31/11	A. G. Greiner	Shoreline owner	III.L	Making a legally built, existing home with its appurtenant structures nonconforming by rule changing leaves it subject to being eliminated in due course, at the whim of city staff, without due process or compensation.	Nonconforming means that the use or structure does not conform to the existing development standards. State law requires eventual conformance. However, the existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. How nonconforming uses and structures will be regulated will be determined during the process of drafting regulations.
87	03/31/11	A.G. Greiner	Shoreline owner	Definitions	I would define appurtenant structures to include garages, driveways, accessory dwelling units, garden sheds, boat houses, erosion control structures, retaining walls, hardscape structures, LID compliant stormwater control structures, and land alterations.	The Dept. of Ecology will provide guidance about what will be regulated as “appurtenant structures.”
88	03/31/11	A.G. Greiner	Shoreline owner	General	RCW 90.58.100 requires that	The RCW refers to considering economics

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					information from social sciences and economics be considered in the update process, yet there is only one economic reference and no social sciences references given.	and social sciences in respect to future development projections for the city and region, including the level of demand for public access and location of industry development anticipated in the shoreline area. As RCW 90.58.100.2(a) states, that a Shoreline Master Program will include the following: “an economic development element for the location and design of industries and projects of statewide significance, transportation facilities, port facilities, tourist facilities, commerce and other developments that are particularly dependent on their location or on use of the shorelines of the state.” Again, the Shoreline Master Program is looking at broad-scale economics in terms of future demands. It does not require a large economic study of the region.
89	03/31/11	A.G. Greiner	Shoreline owner	General	The policy draft must include considerations of its (1) effects on citizens’ finances, (2) effects of additional mental and physical stress on owners of nonconforming homes destroyed by some disaster, (3) effect on the city’s overall economy, (4) effects on our society, and (5) effect of increasing permitting staff on the city’s economy.	See response to comment #88.
90	03/31/11	A.G. Greiner	Shoreline owner	General	The current Shoreline Master Program combined with related regulatory frameworks have achieved not only no net loss of ecological functions, but has encouraged its improvement when combined with modest restoration projects and homeowner actions In light of this information, please list the	Under the State SMP Guidelines, the City must set a baseline measurement to assess cumulative impacts to the City’s shoreline areas and how we are meeting the goal of no net loss of ecological functions. That baseline is from the date of our shoreline characterization (2009 data).

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					perceived deficiencies in the current Shoreline Master Program and point out how the draft policies address these deficiencies.	
91	03/31/11	A.G. Greiner	Shoreline owner	III.L	The best solution for meeting the no net loss from the time of enactment while avoiding the nonconforming issue is to not alter existing buffers, setbacks, vegetative zones and shoreline classifications for existing, legally built structures.	Under the State Shoreline Master Program Guidelines, the City must set a baseline measurement to assess cumulative impacts to the City's shoreline areas and how we are meeting the goal of no net loss of ecological functions. That baseline is from the date of our shoreline characterization (2009 data). The City is updating sections identified in the Consistency Analysis to meet the requirements of the 2003 Shoreline Master Program Guidelines. Policies needed for buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline. City Council will make the final decision on how nonconforming uses and structures will be regulated.
92	03/31/11	A.G. Greiner	Shoreline owner	V.B	RCW 90.58.100(6) states that "Each master program shall contain standards governing the protection of single family residences and appurtenant structures against damage or loss due to shoreline erosion." To categorically deny a homeowner the ability to reasonably, effectively, and timely protect one's property from nature's forces (and human generated erosive energies) under any circumstances is simply unconscionable.	The citizen workgroups are reviewing the current regulations.
93	04/01/11	M.C.	Shoreline owner	III.G	As the city gives access, it acquires the	Protecting the public's right to access and use

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
		Halvorsen			liability that goes with it. Most cities realize this and regulate the access through the parks where there are good facilities, good parking and safe access to the water.	the shoreline are goals of both the Shoreline Management Act and the Shoreline Master Program.
94	04/01/11	M.C. Halvorsen	Shoreline owner	III.G.	The City of Bainbridge Island cannot require easement for the general public access to building development, at least not without paying for it.	The draft Shoreline Master Program will go through numerous legal reviews, including the Dept. of Ecology approval process.
95	04/01/11	M.C. Halvorsen	Shoreline owner	V.B.	I am enclosing the summary of “Luhrs v. Whatcom County”, a decision by the Washington State Court of Appeals, Division I, which I want to become part of the record. This concerns bulkheads and that Court decided that coastal homeowners have a right to protect their property by a bulkhead.	The summary is now part of the record.
96	04/04/11	Jon Quitslund	Citizen	General	My comments aim to improve the document’s style rather than its substance; to clarify what I take to be the intended meaning, and to point out some phrases and sentences that may be unnecessary or redundant and might be removed.	Comments incorporated as appropriate.
97	04/04/11	Jon Quitslund	Citizen	General	In general, I am pleased with the substance and scope of the policies. I wish to thank all of the workgroup participants for their diligence and patience.	Comment noted.
98	04/04/11	Jon Quitslund	Citizen	III.L	It would be useful to state explicitly that when a change in the Shoreline Master Program renders a structure or use nonconforming, it does not become illegal.	Nonconforming means that the use or structure does not conform to the existing development standards. The existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. City Council will make the final

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						decision on how nonconforming uses and structures will be regulated.
99	04/04/11	Jon Quitslund	Citizen	III.L	It could be stated explicitly that the Shoreline Master Program update pertains to all shoreline and near upland development and uses, but for those permitted prior to the effective date of this ordinance; the new regulations pertain primarily to modifications in structures and uses. Such modifications may render the nonconformity less significant; they may not increase it significantly.	The applicability section under nonconforming will address this issue.
100	04/04/11	Ken Sethney, on behalf of the Board of Directors	Bainbridge Shoreline Homeowners	General	What is the cost of shoreline regulations? We believe that the economic impacts of regulations have not been considered in the current draft of goals and policies and that the SMA makes it clear that they must be.	RCW 90.58 refers to considering economics in respect to future development projections for the city and region, including the level of demand for public access and location of industry development anticipated in the shoreline area. It does not require a large economic study of the region.
101	04/04/11	Ken Sethney, on behalf of the Board of Directors	Bainbridge Shoreline Homeowners	General	Regulations add expenses for homeowners and the community. We were referred to a study by Dr. Theo Eicher, at the University of Washington. Two messages are very clear – the cost of owning a home is dramatically affected by land use regulations AND if those regulations vary greatly from those of surrounding communities, they will reduce the value of homes by making them less attractive to prospective buyers.	Using the Shoreline Management Act, local jurisdictions must prepare and adopt a Shoreline Master Program that is based on state laws and rules, including the 2003 Shoreline Master Program Guidelines. All the 270 jurisdictions in Washington are in the process of updating their Shoreline Master Programs and all of the updates must meet the state guidelines and be approved by the Dept. of Ecology. Therefore, it is likely that the regulations in surrounding communities will be similar.
102	04/04/11	Ken Sethney, on behalf of the Board of	Bainbridge Shoreline Homeowners	III.L.	Mortgage lenders don't like nonconforming homes. City staff passed along a recommendation to change the	WAC 173.27.080 recognizes existing legally-established structures which may not conform to current development standards, but are

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
		Directors			references to “nonconforming” to “pre-existing.” It is unknown, but highly unlikely, that lenders will confuse the true meaning of the term.	allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity. A policy goal for nonconforming development was recommended by the citizen committees. How nonconforming uses and structures will be regulated will be determined during the process of drafting regulations.
103	04/04/11	Ken Sethney, on behalf of the Board of Directors	Bainbridge Shoreline Homeowners	Science	It is the position of the Bainbridge Shoreline Homeowners that the requirements placed on homeowners under the updated Shoreline Master Program should be based on facts, not speculation, must show a rational connection to the issues involved, and should be designed to yield positive, measurable results.	The City is utilizing current science to update the SMP, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
104	04/05/11	Richard Barbieri & Cara Lyn Tangen	Shoreline owner	Designations	This designation Island Conservancy Residential makes no sense as our property and those immediately north of us are fully bulkheaded and improved with residential structures well within the limits of development for this designation. In addition, our property is improved with a pier, ramp, floating dock, and mooring buoy.	Preliminary mapping has been done based on the criteria adopted by the Shoreline Master Program Task Force. The designation criteria and the designation map are currently in the draft phase and will be released to the public upon final recommendation of the Shoreline Master Program Task Force.
105	04/07/11	M.J. Sebastian	Citizen	III.L	Allow all existing waterfront homes and uses to remain legal and able to be replaced, if need be. A balance of private property rights with ecological protection needs to be maintained.	A policy goal for nonconforming development was recommended by the citizen committees. The Shoreline Master Program Policy Advisory Committee, consisting of both Planning Commissioners and Council Members, may provide policy guidance on nonconforming uses and structures, while the City Council will make the final decision on

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						how nonconforming uses and structures will be regulated.
106	04/18/11	W. Maier	Bainbridge Shoreline Homeowner	General, III.K	I would like to see a meaningful partnership between the many jurisdictions so that kelp beds could be addressed PRIOR to the suggested over-regulation.	The City is working with other entities to develop a restoration plan and ETAC is recommending a monitoring plan.
107	04/20/11	J. Westbrook-Gardner	Shoreline owner	Designations	I am greatly disturbed by the idea that my property on Rose Loop will be changed from a designation of Shoreline Residential to Shoreline Conservancy.	See response to comment #104.
108	04/20/11	L. Arthur	Shoreline owner	Designations	I strongly object to changing the designation of properties on the South shore of Eagle Harbor from residential to conservancy residential.	See response to comment #104.
109	04/22/11	S. Allen	Citizen	General	RCW 90.58.100(1) states that local governments must use a systematic interdisciplinary approach that integrates the natural and social sciences and the environmental design arts, and further requires local governments to assemble the most current and accurate information available. I do not believe the committees have done that.	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> from Herrera, 2011 and the Science Review from Battelle, 2003). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island. Existing regulations will be updated as part of the process. Both prescriptive and flexible options are being considered.
110	04/22/11	S. Allen	Citizen	General	The net effect of this policy draft is that only those with sufficient stamina and financial resources can afford to own waterfront property.	The purpose of the Shoreline Master Program is to address the impacts of human development and use of the shoreline, while protecting the shoreline ecology.
111	04/22/11	S. Allen	Citizen	III.B, III.L	Widespread increases in setbacks and buffer zones will likely render some private properties unbuildable, and will	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					almost certainly increase the hardships encountered by existing homeowners trying to maintain or improve their properties, far beyond the already stringent standards.	single-family residences on the shoreline.
112	04/22/11	S. Allen	Citizen	III.L	I encourage the Council to make the declaration that existing homes are conforming for all proposed designations.	Comment forwarded to City Council.
113	04/22/11	S. Allen	Citizen	Mapping	I am very disturbed by the enormous increase in both the amount of shoreline considered for “conservancy” designations, as well as the increased restrictions being considered in those designations.	Preliminary mapping has been done based on the criteria adopted by the SMP Task Force. The designation criteria and the designation map are still in the draft phase and have not yet been released.
114	04/22/11	S. Allen	Citizen	VI.A & B	There seems to be a bias towards allowing postponement of the installation of shoreline armoring until a property is so severely damaged as to make it dangerous, unlivable, and without value.	WAC 175-23-231(3)(a)(iii) specifies that new and replacements shoreline armoring is allowed only when it is documented that the principal structure is threatened. The three-year time period is specified in WAC 173-26-231(3)(a)(iii)(D).
115	04/25/11	A. Ferrin	Citizen	Designations	I’ve looked at the map and noticed that we are classified as Island Conservancy – Residential whereas near neighbors are Shoreline Residential. I didn’t see any criteria in the policies for that designation nor did I see what the regulatory impacts would be.	Each shoreline designation includes a set of criteria and management policies specific to that designation. The designation criteria and the designation map are currently in the draft phase and will be released to the public upon final recommendation of the Shoreline Master Program Task Force.
116	04/25/11	A. Greiner	Shoreline owner	III. B.7	Recall that single family residences is the first listed of the Washington priority uses in the SMA. Minimizing the number of allowable structures is inconsistent with this.	Single-family residential uses shall be preferred if they are consistent with the control of pollution and prevention of damage to the natural environment. In those limited instances when authorized, alteration of the natural condition of the shoreline of the state shall be given priority for single family

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						residences and their appurtenant structures. RCW 90.58.020
117	04/25/11	A. Greiner	Shoreline owner	III.1.c	Substitute “SSWS” for “shoreline”.	Comment noted.
118	04/25/11	A. Greiner	Shoreline owner	III.B	Generic buffers are legally suspect.	Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
119	04/25/11	A. Greiner	Shoreline owner	III.B.	I suggest encouraging permanent shoreline erosion control structures for the same reasons erosion control measures are required for soil disturbance work.	Comment noted.
120	04/25/11	A. Greiner	Shoreline owner	III.B.	Vegetation and Conservation zones are not required to be applied to existing, developed conditions to protect and enhance natural character, water quality, native plant communities and wildlife habitat when any of these conditions do not exist at the time of Shoreline Master Program enactment.	Comment noted.
121	04/25/11	A. Greiner	Shoreline owner	III.B.	Vegetative conservation may not legally include imposing a duty to restore vegetation to some unspecified condition.	Mitigation is required at the site-specific level to ensure that the goal of a no net loss of ecological functions is met at a project basis. The measurement of no net loss will be based on a site specific analysis of the existing baseline condition, proposed development, and proposed mitigation measures to offset any impacts.
122	04/25/11	A. Greiner	Shoreline owner	III.B.	Applying regulations only when “changes or alterations occur” allows coercion by permitting officials...based on nexus and proportionality in law.	Regulations may not be applied prior to a permit request.
123	04/25/11	A. Greiner	Shoreline owner	III.B.2-4	Please show studies applicable to Puget	The City is utilizing current science to update

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					Sound in general and Bainbridge Island in particular that native vegetation is any way superior to non-native vegetation carefully chosen for desired ecological functions.	the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> from Herrera, 2011 and the Science Review from Battelle, 2003). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
124	04/25/11	A. Greiner	Shoreline owner	III.B.5	Specify the incentives. Are things like significant tax relief for providing a public benefit of a specific monetary worth included?	Your suggestions will be forwarded to the workgroups.
125	04/25/11	A. Greiner	Shoreline owner	III.B.6	Existing local conditions must be considered in making any change from current use. To change any classification or zone to other than what now exists implies a forced restoration program, which is legally suspect.	Preliminary mapping has been done based on the criteria adopted by the Shoreline Master Program Task Force. The designation criteria and the designation map are currently in the draft phase and will be released to the public upon final recommendation of the Shoreline Master Program Task Force.
126	04/25/11	A. Greiner	Shoreline owner	III.B.9	Remove the word “native” in the last sentence.	The workgroup specifically retained “native” in this provision.
127	04/25/11	A. Greiner	Shoreline owner	III.C.2	Please predict how many staff and their probable costs it will require to appropriately “monitor and enforce” under this policy.	Staffing needs are within the purview of the City Manager and City Council and determined during the budget process.
128	04/25/11	A. Greiner	Shoreline owner	III.C.4	Recognize that effects, particularly long term effects, may be positive or neutral as well as negative. Many of what are initially seen as detriments may turn out to be positive in the long term.	Comment noted.
129	04/25/11	A. Greiner	Shoreline owner	III.D. Goal	Remove “restore” from the first sentence and add “with the goal of island wide no net loss of ecological functions from conditions existing at the time of	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					enactment of this Shoreline Master Program.”	
130	04/25/11	A. Greiner	Shoreline owner	III.D.2	Remove “restoration” from the first sentence as restoration is to be planned for, its funding identified, but it is not required to be performed.	Comment noted.
131	04/25/11	A. Greiner	Shoreline owner	III.D.4	Add “consistent with RCW 90.58.100(6)” at the end of the first sentence.	Comment noted.
132	04/25/11	A. Greiner	Shoreline owner	III.D.7	Predict how many additional staff will be required and their cost to complete this function.	Staffing needs are within the purview of the City Manager and City Council and determined during the budget process.
133	04/25/11	A. Greiner	Shoreline owner	III.G. 5 & 7	Inquire as to the legality of requiring public access across private properties as a prerequisite to permitting a development.	WAC173-26-241(3)(d) specifies that public access should be required.
134	04/25/11	A. Greiner	Shoreline owner	III.G. and Goal	These sections of policy require public visual access to the water while we are told to expect untouchable native vegetation buffer zones along shorelines. The second prevents the first.	Views and vegetation are not mutually exclusive.
135	04/25/11	A. Greiner	Shoreline owner	III.G.1	If the public wants more shoreline access than what now exists, it should acquire additional properties at public expense.	State law (Shoreline Management Act) requires Shoreline Master Programs to provide for public access, both physical and visual.
136	04/25/11	A. Greiner	Shoreline owner	III.G.10	Delete the second sentence – its meaning is contained in the first.	Comment noted.
137	04/25/11	A. Greiner	Shoreline owner	III.G.2	Change to read, “Protect the rights of navigation on all public waters and provide space necessary for water-dependent uses on public lands.”	Comment noted.
138	04/25/11	A. Greiner	Shoreline owner	III.G.3	Add after “views of the water” “without compromising the privacy of property owners or requiring changes in existing vegetation on private properties.”	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
139	04/25/11	A. Greiner	Shoreline owner	III.G.3	Inconsistencies exist between visual access requirements and vegetative buffer zone requirements. I'm unable to puzzle out the purpose of the fourth sentence.	Views an vegetation are not mutually exclusive.
140	04/25/11	A. Greiner	Shoreline owner	III.G.4	There is nothing on privately owned shorelines that can interfere with the public's use of the water. This should be deleted entirely.	Comment noted.
141	04/25/11	A. Greiner	Shoreline owner	III.G.8	Replace "minimize impacts" with "prevent impacts" before "private property."	Comment noted.
142	04/25/11	A. Greiner	Shoreline owner	III.H. Purpose	The first sentence needs editing for clarity.	Comment noted.
143	04/25/11	A. Greiner	Shoreline owner	III.H.1.b	Add "which affect SSWS" at the end of the first sentence.	Comment noted.
144	04/25/11	A. Greiner	Shoreline owner	III.H.2-6	I suggest removing these sections as being meaningless because SSWS refers to those areas seaward of extreme low tide, not the shoreline.	Comment noted.
145	04/25/11	A. Greiner	Shoreline owner	III.J	The greatest stressors to Bainbridge Island shoreline water quality are properly under the control of the City: untreated storm water runoff from roadways and public developments, poorly treated sewage, and untreated storm water runoff from public areas and non-shoreline properties.	Stormwater is regulated by the Stormwater Ordinance and sewage is regulated by Health District regulations. The Shoreline Master Program must not conflict with those associated regulations.
146	04/25/11	A. Greiner	Shoreline owner	III.K	In general, I agree with the thrust of these policies. I would like to see some language specifying some clear and reasonable nexus and proportionality requirements for "incentives."	No nexus or proportionality is required for voluntary actions.
147	04/25/11	A. Greiner	Shoreline owner	III.L	Please change this title to "Legally Existing Development"	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
148	04/25/11	A. Greiner	Shoreline owner	III.L	A review of HPAs since 1996 indicates that there has been a net gain of shoreline ecological function from then to 2010, as measured by bulkhead length, restored tidelands, restored shorelines, number of creosoted pilings, application of fish mix on tidelands, and dock composition. Accordingly, it is difficult to justify any changes at all. If no changes are made, this section may be omitted.	Under the State Shoreline Master Program Guidelines, the City must set a baseline measurement to assess cumulative impacts to the City’s shoreline areas and how we are meeting the goal of no net loss of ecological functions. That baseline is from the date of our shoreline characterization (2009 data). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
149	04/25/11	A. Greiner	Shoreline owner	V.J.	It is economically and socially preferable to invite recreational development by zoning changes, easing regulatory barriers to their installation and use classification changes rather than government sponsored/supported facilities.	Providing public shoreline access (including public recreation) is one of the three basic policies of the Act.
150	04/25/11	A. Greiner	Shoreline owner	V.K	Please change this heading to “New Residential Development” and make appropriate word changes within the text to reflect this section applies only to new development.	These regulations also apply to the modification or expansion of existing residential development.
151	04/25/11	A. Greiner	Shoreline owner	V.K. Goal	Single family residential should not be demoted to a lesser status than view, access and aesthetics.	Residential use, view, and access are all priority uses under the Shoreline Management Act.
152	04/25/11	A. Greiner	Shoreline owner	V.K.2&4	It makes little sense to regulate shoreline uses and structures to protect boaters’ views.	Aesthetic values are a goal of the Shoreline Management Act.
153	04/25/11	A. Greiner	Shoreline owner	VI.A.	Please add language to the effect that policies shall comply with the provisions of RCW90.58.100.	The RCW refers to economics but the requirements for economics is in terms of where future development is projected, the level of demand for public access, or where industry may be located. It does not require a large economic study of the region, but rather

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						what does existing information reflect about demand.
154	04/25/11	A. Greiner	Shoreline owner	VI.A.	Effective and timely erosion protection is the right of every shoreline home owner, provided harmful effects are minimized. This in no way says that all harmful effects must be prevented.	Mitigation requirements are covered through the section's goal and policy #4.
155	04/25/11	A. Greiner	Shoreline owner	VI.A.	The current standard is that the primary structure must be considered to be endangered by erosion loss within three years before a permit may be issued. This is an unreasonable time period.	WAC 175-23-231(3)(a)(iii) specifies that new and replacement shoreline armoring is allowed only when it is documented that the principal structure is threatened. The three-year time period is specified in WAC 173-26-231(3)(a)(iii)(D).
156	04/25/11	A. Greiner	Shoreline owner	VI.A.1	Add “and appurtenant structures” after “primary structure” to comply with RCW language.	The WAC guidelines will be followed.
157	04/25/11	A. Greiner	Shoreline owner	VI.A.2	Add “consistent with the timeliness and effectiveness” language set forth in RCW.	Regulations will provide more detail.
158	04/25/11	A. Greiner	Shoreline owner	VI.A.3	Add “and effective” after “appropriate.”	Comment noted.
159	04/25/11	A. Greiner	Shoreline owner	VI.A.4	Add language requiring any mitigation be proportional to the identified harmful impacts.	Mitigation will follow the mitigation sequence in Shoreline Master Program Guidelines (WAC 173-26-231(3)(a)(ii).
160	04/25/11	A. Greiner	Shoreline owner	VI.A.5	This language allows permitting staff too much latitude to over-reach, demanding restoration as a condition of a permit.	Mitigation is required to meet the standard of no net loss of functions and shoreline processes; restoration is voluntary.
161	04/25/11	A. Greiner	Shoreline owner	VI.A.7	This policy is appropriate for public property, not private residential property. After “projects” add “on public lands”.	Comment noted.
162	04/25/11	A. Greiner	Shoreline owner	VI.B .Principles	In the paragraph describing structural methods, add, “Also, generally, the harder the construction method, the more effective it is in preventing erosion loss of property in high energy environments. To comply with the terms of RCW	The principle section is taken from the Shoreline Master Program Guidelines (WAC 173-26-231(3)(a)(ii). WAC 173-26-231 states that hardening of the shoreline is associated with the following adverse impacts to shoreline ecological functions: (1) beach

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					90.58.100, the measure utilized must be both timely and effective.”	starvation, (2) habitat degradation, (3) sediment impoundment, (4) exacerbation of erosion, (5) groundwater impacts, (6) hydraulic impacts, (7) loss of shoreline vegetation, (8) restriction of channel movement, and (9) creation of conditions that result in weakening the structure over time.
163	04/25/11	A. Greiner	Shoreline owner	VI.B. Principles	There simply is insufficient information available which is specific to Bainbridge Island shorelines to support the conclusions asserted in this Principles statement.	The principle section is taken from the Shoreline Master Program Guidelines (WAC 173-26-231(3)(a)(ii). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
164	04/25/11	A. Greiner	Shoreline owner	VI.B. Principles	It is the habit of staff to ignore positive effects of human action, such as reforestation of the island’s shoreline. Such positive effects as these have not been stated in any study of cumulative effects. Replace “typically” after Shoreline hardening with “might in some circumstances.”	Comment noted.
165	04/25/11	A. Greiner	Shoreline owner	VI.B. Principles	Should city staff insist on the use of soft measures instead of the geotech-recommended hard measures, the city should be obligated to assume the fiscal and permitting responsibility to replace the failed structure with an effective one.	Comment noted
166	04/25/11	A. Greiner	Shoreline owner	VI.B.1	Restate as “Discourage shoreline stabilization, particularly ‘hard’ structural stabilization when not in conflict with RCW 90.58.100 requirements for timeliness and effectiveness.”	Regulations will provide more detail.
167	04/25/11	A. Greiner	Shoreline owner	VI.B.10	Do not force property owners to provide	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					restoration for public benefit at private expense.	
168	04/25/11	A. Greiner	Shoreline owner	VI.B.11	Excellent!	No response necessary.
169	04/25/11	A. Greiner	Shoreline owner	VI.B.2	Insert “and a site-specific” between “reach-specific” and “basis.” Add another sentence: “Proportional mitigation for the site and reach is allowable to mitigate predictable effects from shoreline alterations.”	Mitigation will follow the mitigation sequence in guidelines.
170	04/25/11	A. Greiner	Shoreline owner	VI.B.4	In the first sentence, substitute “found by a Washington licensed Geo-Technical expert” for “demonstrated”. Insert after “legally established structures” the words “and their appurtenant structures. Insert “effective” between “no” and “alternative” in the final sentence.	Regulations will provide more detail.
171	04/25/11	A. Greiner	Shoreline owner	VI.B.6	Again, invoke the requirements of RCW 90.58.100 as to effectiveness and subsequent responsibility for correcting failures.	WAC 176-23-231 states that “New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need.”
172	04/25/11	A. Greiner	Shoreline owner	VI.B.8	Add “consistent with provisions of RCW 90.58.100” at the end of the sentence.	Comment noted.
173	04/25/11	A. Greiner	Shoreline owner	VI.B.9	Add “and its mitigation” and “shoreline stabilization.”	Comment noted.
174	04/25/11	A. Greiner	Shoreline owner	VI.B5	Restate to read: “It is allowable to repair or replace existing hard armoring structures so long as they are not sited	The draft language meets the requirements of the Shoreline Master Program Guidelines (WAC 173-26-231(3)(a)(iii)(C), to limit

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					seaward of their original location.”	armoring due to adverse impacts.
175	04/25/11	A. Greiner	Shoreline owner	VI.D	Dredge projects very likely balance positive and negative ecological effects over time as they temporarily alter the habitat but effectively create beneficial habitat in time.	Comment noted.
176	04/25/11	A. Greiner	Shoreline owner	VI.E.1	Add “vital public transportation uses” after “public access uses.”	Comment noted.
177	04/25/11	A. Greiner	Shoreline owner	VI.E.3	Add “over time” at the end of the sentence.	Comment noted.
178	04/25/11	A. Greiner	Shoreline owner	VI.F	I suggest the city simply follow the Corps of Engineers permitting rules for overwater structures.	The City will ensure consistency with Army Corps of Engineers requirements for saltwater construction.
179	04/25/11	B. Eastman	Shoreline owner	General	These draft workgroup recommendations are far too restrictive and go far beyond the requirements of the State and Federal requirements.	The recommendations were drafted to comply with the consistency analysis, the Shoreline Management Act, and the 2003 guidelines.
180	04/25/11	B. Eastman	Shoreline owner	General	Will the City pay us for the value of this property that you are restricting our usage and enjoyment?	The purpose of the Shoreline Master Program is to address the impacts of human development and use of the shoreline, while protecting the shoreline ecology.
181	04/25/11	B. Eastman	Shoreline owner	III.B.6	A vegetation management zone (buffer) larger than what is required in the current Shoreline Master Program is not necessary to ensure no net loss!	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline. City Council will make the final decision on how nonconforming uses and structures will be regulated.
182	04/25/11	B. Eastman	Shoreline owner	III.L.	The COBI Shoreline Master Program should adopt the approach of using the option of declaring the existing legally built homes “conforming.”	Comment forwarded to City Council.
183	04/25/11	C. Smith	Citizen	General	Making legally built existing structures nonconforming is fundamentally wrong. It will lower home values and property	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					tax revenues. It will also significantly increase litigation against the city, which we can ill afford.	
184	04/25/11	F. Scheffler	Shoreline Homeowner	General	The Wyckoff and Unocal sites present far greater threats to the shoreline marine habitat than legally constructed residences that pay a premium in real property taxes.	The purpose of the Shoreline Master Program is to address the impacts of human development and use of the shoreline. Other issues are addressed through myriad programs and regulations, from restoration and enhancement projects to regulations controlling stormwater, public, commercial, and industrial activities
185	04/25/11	F. Scheffler	Shoreline Homeowner	Process	We have had number of publicly funded and unqualified zealots at COBI...or “advising”... and I for one <u>have no faith</u> in their representations...their qualifications...and most importantly...even handedness. I have even less faith in those who were elected to represent the interest of <u>ALL</u> citizens and have been complicit by action or inaction in this assault.	Comment noted.
186	04/25/11	F. Scheffler	Shoreline Homeowner	Process	In 2011 the management of COBI has yet to address the real priorities of Island government...what taxes are paid for...yet there is still time and funds to pursue this vendetta against one class of property owners.	The update of the Shoreline Master Program is a mandate from state law. If the city does not adopt an update customized for the Island, the state will require us to adopt and implement regulations written by the state Department of Ecology
187	04/25/11	G. Pace	Shoreline owner	IV	If the stated goal is no net loss, then why are so many more miles of shoreline designated Conservancy in the new plan?	Preliminary mapping has been done based on the criteria adopted by the SMP Task Force. The designation criteria and the designation map are still in the draft phase and have not yet been released.
188	04/25/11	G. Pace	Shoreline owner	General	The citizen committees set up to come up with an “approved” draft were appointed by staff. Shoreline	Bainbridge Citizens, Bainbridge Shoreline Homeowners, the Association of Bainbridge Communities, and the Bainbridge Alliance for

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					homeowners were represented, but totally outnumbered by other “stakeholders” who are not impacted by the resulting ordinance.	Puget Sound named a representative to each of the workgroups. The Shoreline Master Program Policy Advisory Committee, consisting of two council members and two planning commissioners and appointed by City Council, selected the remaining “at large” members for each workgroup. Each workgroup self-selected three members to participate in the Task Force. <i>Please see the 2011 Shoreline Master Program Update – Citizen Committees page for more information.</i>
189	04/25/11	G. Pace	Shoreline owner	III.B.6	Leaving the buffer width at 50-feet in place will ensure no net loss.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
190	04/25/11	G. Pace	Shoreline owner	III.L	Since “no net loss of ecological function” starts on the day the Shoreline Master Program update takes effect, existing structures – including bulkheads and docks – cannot cause a loss.	Under the State Shoreline Master Program Guidelines, the City must set a baseline measurement to assess cumulative impacts to the City’s shoreline areas and how we are meeting the goal of no net loss of ecological functions. That baseline is from the date of our shoreline characterization (2009 data).
191	04/25/11	G. Pace	Shoreline owner	Process	Once again, it appears that COBI staff has determined the “desired” outcome in advance and proceeded to justify their position with selected studies based on pseudo science that is not applicable to our shorelines.	The goals and policies were modified and adopted by citizen advisory workgroups appointed by the Advisory Committee consisting of Planning Commissioners and councilmembers. The scientific references were chosen by consultants and approved by ETAC.
192	04/25/11	G. Pace	Shoreline owner	Science	The use of non-applicable science to justify pre-determined positions is unconscionable. Speculation is not science and should not be used as a basis for “taking” private property rights.	The City is utilizing current science to update the SMP, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
193	04/25/11	G. Pace	Shoreline owner	VI.B	Feeder bluffs may turn out to be a valid scientific concept, but the concept should pass the test of peer review by senior scientists with relevant experience before` it is used as the basis for land use regulations.	Littoral cells, drift cells, are defined lengths of shoreline within which the cycle of sediment erosion (bluffs, waterways), transportation and deposition is essentially self-contained. The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum from Herrera, 2011</i> and the <i>Science Review from Battelle, 2003</i>)
194	04/25/11	G. Pace	Shoreline owner	VI.F	Shoreline Master Program guidelines do not say that overwater structures should be prohibited but that they “shall be designed and constructed to avoid or, if that is not possible, to minimize and mitigate the impacts to ecological functions...”	Staff concurs.
195	04/25/11	G. Tripp	Bainbridge Citizens	General	The draft policies do not balance private property rights and the common desire to protect the environment.	Comment forwarded to the workgroups and Shoreline Master Program Policy Advisory Committee.
196	04/25/11	G. Tripp	Bainbridge Citizens	General	The draft policies generally attempt to turn residential shoreline into Open Space for public benefit at the expense of private property owners.	Comment noted.
197	04/25/11	G. Tripp	Bainbridge Citizens	General, III.B, III.L, V.K	The City has failed in the draft Shoreline Master Program Policies process to involve meaningful notice and participation of the shoreline property owners... the City has a duty to send each property owner a notice that their homes are about to be made	Bainbridge Citizens, Bainbridge Shoreline Homeowners, the Association of Bainbridge Communities, and the Bainbridge Alliance for Puget Sound named a representative to each of the workgroups. The Shoreline Master Program Policy Advisory Committee, consisting of two council members and two

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					nonconforming and their front yards are about to be converted into Open Space (Vegetation Management and Conservation Zones).	planning commissioners and appointed by City Council, selected the remaining “at large” members for each workgroup. Each workgroup self-selected three members to participate in the Task Force. <i>Please see the 2011 Shoreline Master Program Update – Citizen Committees page for more information.</i>
198	04/25/11	G. Tripp	Bainbridge Citizens	III.B., III.L, V.K	The draft policies make normal residential uses such as recreation areas, lawns, decks, patios, and gardens nonconforming and illegal within 200 feet of the shoreline.	Policies needed for buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline. Use activities are currently regulated within the shoreline jurisdiction, including residential uses. Uses are restricted within required vegetative buffers. As part of the regulations, updated buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
199	04/25/11	G. Tripp	Bainbridge Citizens	III.L. V.K	The draft policies make legally constructed and existing structures nonconforming and illegal.	Nonconforming means that the use or structure does not conform to the existing development standards. A legally existing structure which becomes nonconforming because of a rule change may legally remain.
200	04/25/11	G. Tripp	Bainbridge Citizens	V.K	The draft does not promote or protect single-family homes as a <u>preferred</u> water-dependent use.	Single-family residences are not water-dependent. Single-family residential uses shall be preferred if they are consistent with the control of pollution and prevention of damage to the natural environment or dependant on upon the use of the shoreline. In those limited instances when authorized,

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						alteration of the natural condition of the shoreline of the state shall be given priority for single family residences and their appurtenant structures. RCW 90.58.020
201	04/25/11	G. Tripp	Bainbridge Citizens	V.K.	The draft policies would place restrictions on the exempt activity of maintenance and repair of single-family homes.	WAC 173.27.080 recognizes existing legally-established structures which may not conform to current development standards, but are allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity.
202	04/25/11	G. Tripp	Bainbridge Citizens	VI.A & B	The draft policies would place restrictions on the exempt activity of constructing a “normal protective bulkhead.”	WAC 176-23-231 states that “New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need.”
203	04/25/11	G. Tripp	Bainbridge Citizens	VI.A & F	The draft policies unreasonably restrict the right of shoreline property owners to construct a residential dock to access the water.	The policies regarding docks developed by the workgroups and any regulations which are currently under review by the workgroups will be reviewed by both Planning Commission and City Council prior to adoption.
204	04/25/11	J. Sansbury	Shoreline owner	III.B, III.L., V.K	We hope that the rumors we are hearing of proposed regulations which would make our property nonconforming, due to the establishment of native vegetation buffer zones, are not true.	The workgroups adopted policies that would establish a vegetation zone and the associated regulations (such as width) are still in the preliminary draft stage.
205	04/25/11	J. Sweeney	Citizen	III.B., III.L,	I’m told you are contemplating the	The citizen committees will make

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
				V.K	establishment of a “Shoreline Vegetation Conservation and Management Zone which would make every existing shoreline use a nonconforming usage. Is that correct? Why	recommendations on regulations for vegetation buffer sizes and how existing structures will be addressed. Those recommendations will be included in the draft Shoreline Master Program submitted to the Planning Commission and City Council. City Council will make the final policy decisions to be forwarded to the Department of Ecology for approval.
206	04/25/11	M. McLauchlan	Citizen	General	It is education that is needed and cooperation between the residents and the City, not more seemingly “mean spirited” taking of land and laying down of more arbitrary rules.	A series of educational presentations was provided as the first step in following the Public Participation Plan. (<i>Note: There are links to those presentations in the project chronology on the city’s website.</i>) Public information and education opportunities will continue during the Shoreline Master Program Update process.
207	04/25/11	N. Page	Shoreline owner	General	Proposed regulations simply invite lawsuits that will take years to fight and will use government funds that are badly needed elsewhere.	The draft SMP will go through numerous legal reviews, including the Department of Ecology approval process.
208	04/25/11	R. Drury	Citizen	General	Balanced concern for ecosystem integrity and the rights of current residents and property owners should be the goal.	This is a goal of the Shoreline Management Act.
209	04/25/11	R. Young	Citizen	General	Pursuing adventures like this is unwise, costly to all and results in a less enjoyable Bainbridge for its citizens to enjoy.	Comment noted.
210	04/25/11	T. Sultan	Shoreline owner	General	What we on the Island don’t need is another messy and drawn-out battle like the one we had a few years back on the same issue.	See response to comment #207.
211	04/25/11	Unknown	Shoreline owner	III.L, V.K.	Someone wants to regulate parts or all of my property and zone it nonconforming. They are certainly welcome to purchase	WAC 173.27.080 recognizes existing legally-established structures which may not conform to current development standards, but are

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					those rights to it.	allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity.
212	04/26/11	B. Hanson	FASLA principal	General	All of the Island’s residents will benefit from an approach to managing all of the Island’s ecosystems to benefit the health of Puget Sound.	Comment noted.
213	04/26/11	B. Hanson	FASLA principal	III.B.6	It is difficult to understand the logic behind the distribution and proposed extent of vegetation “buffers.” Where has allowance been made for the protection of high-bank native vegetation?	Vegetative buffers are intended to protect ecological functions provided by shoreline vegetation. Buffer widths will be proposed by a technical consultant. Both prescriptive and flexible options are being proposed. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
214	04/26/11	B. Hanson	FASLA principal	III.L	The proposed policies for the Island presuppose that residential uses have a negative impact on the ecology of the shoreline and the intertidal zone.	The purpose of the Shoreline Master Program is to address the impacts of human development and use of the shoreline. Other issues are addressed through myriad programs and regulations, from restoration and enhancement projects to regulations controlling stormwater, public, commercial, and industrial activities
215	04/26/11	B. Hanson	FASLA principal	IV	Shoreline Residential Conservancy sets some excellent goals. To protect the shoreline’s marine life requires our sensitive use, development, and conservation of all of the island’s watersheds.	Comment noted.
216	04/26/11	B. Hanson	FASLA principal	Science	State law did not intend that we make Bainbridge Island a natural science laboratory experiment to test various	The State Shoreline Master Program Guidelines require that the City use the most current, accurate, and complete scientific and

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					hypotheses.	technical information available. WAC 173-26-201(2)(a)
217	04/26/11	B. Hanson	FASLA principal	VI.B	We have not seen any scientific studies that provide support for the theory that bulkheads, which prevent erosion of the adjacent shoreline, provide a net loss in ecological functions.	WAC 176-23-231 states that hardening of the shoreline is associated with the following adverse impacts to shoreline ecological functions: (1) beach starvation, (2) habitat degradation, (3) sediment impoundment, (4) exacerbation of erosion, (5) groundwater impacts, (6) hydraulic impacts, (7) loss shoreline vegetation, (8) restriction of channel movement, and (9) creation of conditions that result in weakening the structure over time.
218	04/26/11	B. Hanson	FASLA principal	VI.F	There is absolutely no science that demonstrates that overwater structures cause a net loss of ecological function.	The City is utilizing current science to update the SMP, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
219	04/26/11	B. Mennucci	Shoreline owner	Designations	As a home owner along the South side of Eagle Harbor, I must object to the designation change for residential to conservancy residential for properties along our shoreline.	Preliminary mapping has been done based on the criteria adopted by the Shoreline Master Program Task Force. The designation criteria and the designation map are currently in the draft phase and will be released to the public upon final recommendation of the Shoreline Master Program Task Force.
220	04/26/11	B. Peters	Councilmember	General	It seems appropriate to state that single-family residential is a preferred use of the shoreline and ensure that the policies are consistent with such a preferred use.	Single-family residential uses shall be preferred if they are consistent with the control of pollution and prevention of damage to the natural environment. In those limited instances when authorized, alteration of the natural condition of the shoreline of the state shall be given priority for single family

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						residences and their appurtenant structures. RCW 90.58.020
221	04/26/11	B. Peters	Councilmember	General	I want to echo a citizen comment that requests that the Shoreline Master Program update rely more extensively on incentives rather than command and control prohibitions.	Comment noted.
222	04/26/11	B. Peters	Councilmember	III.B	I've had occasion to see some summaries of science that present rationales for policies such as buffers, vegetation zones and rules limiting bulkheads and docks. But I've also seen scientific papers (such as those of island resident Don Flora) that present statistics showing little or no statistical correlation between the presence of buffers or bulkheads on stretches of Bainbridge shoreline and the health of the adjacent shoreline ecology.	The State Shoreline Master Program Guidelines require that the City use the most current, accurate, and complete scientific and technical information available. WAC 173-26-201(2)(a). The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> from Herrera, 2011 and the Science Review from Battelle, 2003). WAC 173-26-231 states that hardening of the shoreline is associated with the following adverse impacts to shoreline ecological functions: (1) beach starvation, (2) habitat degradation, (3) sediment impoundment, (4) exacerbation of erosion, (5) groundwater impacts, (6) hydraulic impacts, (7) loss of shoreline vegetation, (8) restriction of channel movement, and (9) creation of conditions that result in weakening the structure over time.
223	04/26/11	B. Peters	Councilmember	III.L	Eliminate the goal of "phasing out uses."	Comment noted.
224	04/26/11	B. Peters	Councilmember	IV	What is the scientific evidence for re-classifying so many shoreline reaches as Shoreline Conservancy, where they are currently used as residential and currently designated either "urban" or "semi-rural" or "rural"?	Shoreline designations are established based on the existing ecological characteristics of the shoreline area and anticipated land use. Criteria for each designation must be established.
225	04/26/11	B. Peters	Councilmember	Mitigation	Please state more clearly in the policies	Comment noted. The measurement of "no net

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					that whether a property owner's proposed action on his or her property imposes a "net loss" is to be measured after taking account of any offsetting mitigation.	loss" will be based on a site specific analysis of the existing baseline conditions, proposed development, and proposed mitigation measures to offset any impacts.
226	04/26/11	B. Peters	Councilmember	Parkland	I want to echo two comments that were presented by the board of the Bainbridge Island Metropolitan Park District, which is our Island's largest single owner of waterfront property.	Comment noted.
227	04/26/11	Bainbridge Shoreline Homeowners	Bainbridge Shoreline Homeowners	III.L	Of the six BIG problems we have identified with the update, this [nonconforming development provisions] is the most important to the largest number of shoreline homeowners.	Nonconforming means that the use or structure does not conform to the existing development standards. The existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. City Council will make the final decision on how nonconforming uses and structures will be regulated.
228	04/26/11	Bainbridge Shoreline Homeowners	Bainbridge Shoreline Homeowners	III.L	Local jurisdictions have the express authority to declare existing, lawfully built structures as "conforming". This section should be deleted or rewritten to conform to the legislative intent of SB5451.	See response to comment #227.
229	04/26/11	C. Lenard	Shoreline owner	General	A better definition of the term "no net loss" and "best available science" used in the draft needs to be provided.	Comment noted.
230	04/26/11	C. Lenard	Shoreline owner	General	Any scientific studies relied upon should be peer-reviewed and widely accepted.	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> from Herrera, 2011 and the Science Review from Battelle, 2003). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						currently available and relevant to Bainbridge Island.
231	04/26/11	C. Lenard	Shoreline owner	III.B	I object to the application of generic buffers to large areas of shoreline without specific evaluation of the environmental impacts and individual property rights affected.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
232	04/26/11	C. Lenard	Shoreline owner	III.K	As the statement stands, it sets a lower bound on shoreline functionality and ecosystems without making it clear what, if any, upper bound there is.	WAC 173.26, state Shoreline Master Program guidelines, requires the City to regulate development in order to protect critical saltwater habitats, including fish and wildlife conservation areas.
233	04/26/11	C. Lenard	Shoreline owner	III.L	If I have a legally constructed structure that does not comply with the new standards, how and at what time will I be required to bring it into conformance with the new standards?	WAC 173.27.080 recognizes existing legally-established structures which may not conform to current development standards, but are allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity. City Council will make the final decision on how nonconforming uses and structures will be regulated.
234	04/26/11	C. Lenard	Shoreline owner	III.L	I strongly oppose any plan that would either now or later declare homes built in accordance with regulations at time of construction to be non-conforming.	See response to comment #233.
235	04/26/11	C. Lenard	Shoreline owner	IV	The drastic increase in the amount of shoreline classified in the conservancy category does not seem reasonable.	Preliminary mapping has been done based on the criteria adopted by the Shoreline Master Program Task Force. The designation criteria and the designation map are currently in the draft phase and will be released to the public upon final recommendation of the Shoreline Master Program Task Force.
236	04/26/11	C. Lenard	Shoreline owner	VI.B	Shoreline armoring is necessary to secure homes that are In danger due to erosion. More restrictive barriers in	From Department of Ecology “Frequently Asked Questions: Marine Shoreline Armoring and Puget Sound”:

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					placement of bulkheads interferes with a homeowner's right to protect his/her home.	<p>By armoring our areas where upland and marine vegetation meet, the negative impacts can be extensive. Bulkheads can:</p> <ul style="list-style-type: none"> • Reduce the natural delivery of sand and gravel to our shorelines. • Bury the upper beach and reduce the amount of large woody debris deposited on the beach, which results in habitat loss • Isolate once interconnected land and aquatic habitats, resulting in habitat loss and altering the abundance and density of associated invertebrates, a major food source for fish ,birds and other wildlife species. <p>Impacts from site disturbance during the voluntary restoration action are temporary and will subside when the ecosystem has reached equilibrium.</p>
237	04/26/11	C. March	Shoreline owner	III.B.6	I have a serious problem with the nebulous and potentially capricious language regarding the creation of zones immediately upland of the OHWM.	Shoreline designations are a required component of the SMP, as stipulated in WAC 173-26-21. Preliminary mapping has been done based on the criteria adopted by the Shoreline Master Program Task Force. The designation criteria and the designation map are still in the draft phase and have not yet been released.
238	04/26/11	C. March	Shoreline owner	III.L	This section would appear to be nothing other than a direct violation of RCW 90.58.100, where it is stated that there needs to be balance of private property rights with ecological protection.	WAC 173.27.080 recognizes existing legally-established structures which may not conform to current development standards, but are allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity.
239	04/26/11	C. March	Shoreline owner	Science	As a scientist by training and being an	The State Shoreline Master Program

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					author on numerous peer reviewed publications, my opinion is that “any reliable sources of science” must, by definition, be limited to peer reviewed scientific publications which have met the rigorous academic standards that are part and parcel of the peer review process.	Guidelines require that the City use the most current, accurate, and complete scientific information available. WAC 173-26-201(2)(a) ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
240	04/26/11	C. March	Shoreline owner	VI.B	While not referencing any hard science to support your policies, you appear to shift the burden to each property owner to justify the maintenance of their existing armoring.	WAC 176-23-231 states that “New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need.”
241	04/26/11	D. Flora	Citizen	III.L	Purging shoreline homes through some non-replacement extermination program, principally in the pursuit of aesthetics, and without compensation, is a heinous matter.	A policy goal for nonconforming development was recommended by the citizen committees. City Council will make the final decision on how nonconforming uses and structures will be regulated.
242	04/26/11	D. Flora	Citizen	Definitions	At what point will users of these rules be told the meaning of “ecological functions”, “ecosystem-wide processes”, and “natural character”?	The Shoreline Master Program update, including definitions, will be available for public comment prior to Planning Commission review.
243	04/26/11	D. Flora	Citizen	General	At a policy level, we obviously need to know what changes we are trying to forestall, if only because there are various ways of getting there.	Comment noted.
244	04/26/11	D. Flora	Citizen	III.B	At the policy level we should consider the current status of shoreline biota and	The City is utilizing current science to update the SMP, including two science summaries

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					whether habitats are really in flux.	produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
245	04/26/11	D. Flora	Citizen	III.B	It seems prudent to stay with the buffering dimensions that we understand, leaving the door open for options whose efficacy can be supported by applicants or further study.	Vegetative buffers are intended to protect ecological functions provided by shoreline vegetation. Buffer widths will be proposed by a technical consultant. Both prescriptive and flexible options are being proposed. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
246	04/26/11	D. Flora	Citizen	III.B	It seems wholly prudent to leave vegetation decisions up to owners, landscapers, garden experts, entomologists and pathologists.	See response to comment #245.
247	04/26/11	D. Flora	Citizen	III.B	Conservancy designations appear to be rooted in dogma more than science. Imposing extra constraints are not based on special problems nor unique resource values.	Preliminary mapping has been done based on the criteria adopted by the Shoreline Master Program Task Force. The designation criteria and the designation map are currently in the draft phase and will be released to the public upon final recommendation of the Shoreline Master Program Task Force.
248	04/26/11	D. Flora	Citizen	III.B	Imposing view corridors on residences is an incredible intrusion.	See response to comment #245.
249	04/26/11	D. Flora	Citizen	III.B	Structural functions do not depend on species nativeness.	See response to comment #245.
250	04/26/11	D. Flora	Citizen	VI.B	After 150 years of shore protection, with half the island's beaches now bulkheaded, and harm now unfound in	WAC 173-26-231 states that hardening of the shoreline is associated with the following adverse impacts to shoreline ecological

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					valid studies, the badness of bulkheads hardly cries out for control.	functions: (1) beach starvation, (2) habitat degradation, (3) sediment impoundment, (4) exacerbation of erosion, (5) groundwater impacts, (6) hydraulic impacts, (7) loss of shoreline vegetation, (8) restriction of channel movement, and (9) creation of conditions that result in weakening the structure over time.
251	04/26/11	D. Rodocker	Shoreline owner	VI.B	The removal of the bulkheads or any other existing shoreline structures would be highly disruptive and destructive to the existing wildlife, ecosystems, and real property.	<p>From Department of Ecology “Frequently Asked Questions: Marine Shoreline Armoring and the Puget Sound”</p> <p>By armoring our areas where upland and marine vegetation meet, the negative impacts can be extensive. Bulkheads can:</p> <ul style="list-style-type: none"> • Reduce the natural delivery of sand and gravel to our shorelines. • Bury the upper beach and reduce the amount of large woody debris deposited on the beach, which results in habitat loss. • Isolate once interconnected land and aquatic habitats, resulting in habitat loss and altering the abundance and density of associated invertebrates, a major food source for fish, birds and other wildlife species. <p>Impacts from site disturbance during the voluntary restoration action are temporary and will subside when the ecosystem has reached equilibrium.</p>
252	04/26/11	D. Spencer	Shoreline owner	Designations	The idea of changing the designation of properties on the South Side of Eagle Harbor to Shoreline Residential Conservancy has not taken into account the financial burden it places on property owners or the need for and ecological	Preliminary mapping has been done based on the criteria adopted by the Shoreline Master Program Task Force. The designation criteria and the designation map are currently in the draft phase and will be released to the public upon final recommendation of the Shoreline

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					benefits of bulkheads.	Master Program Task Force. The Shoreline Master Program is looking at broad-scale economics in terms of future demands for shoreline uses. It does not require a large economic study of the region, but rather what does existing information reflect about demand.
253	04/26/11	E. Dailey	Citizen	General	Please do whatever you can to ensure the Shoreline Master Program language acknowledges the Island's unique particularities.	Under the Shoreline Management Act, the City's Shoreline Master Program must be based on state laws and rules, including the 2003 Shoreline Master Program Guidelines, but can be tailored to the specific geographic, economic and environmental needs of the community.
254	04/26/11	E. Dailey	Citizen	General	To be successful, our Shoreline Master Program should embrace the principals of sustainability: people, profit, planet and should be a plan we can live with, manage and embrace.	Comment noted.
255	04/26/11	E. Dailey	Citizen	III.B	Oppose an increase in setbacks and buffers.	Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
256	04/26/11	E. Dailey	Citizen	III.L	I urge you to declare existing, lawfully-built homes and their appurtenant structures conforming in the new Shoreline Master Program.	Comment forwarded to City Council.
257	04/26/11	E. Dailey	Citizen	Science	I am concerned that the City is not relying on the best available science in developing the Shoreline Master Program as recommended in the guidelines.	The City is utilizing current science to update the SMP, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and the consultants are working diligently to

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
258	04/26/11	E. Dailey	Citizen	VI.B	Existing language in the draft Shoreline Master Program bars or unreasonably hinders the smooth permitting process and installation of effective shoreline armoring.	WAC 176-23-231 states that "New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need."
259	04/26/11	E. Wright	Workgroup member	Designations	Please educate and explain to shoreline property owners the true effects of the designations contemplated.	Public information and education opportunities will continue during the Shoreline Master Program Update process.
260	04/26/11	E. Wright	Workgroup member	General	In the Vegetation Management Workgroup in which we are both participants, Mr. Tripp has successfully insisted on the modification of many of the policies he now decries.	Comment noted.
261	04/26/11	E. Wright	Workgroup member	General	I find it particularly sad that the most vocal opponents of shoreline regulation fail to recognize that with the privilege of shoreline ownership comes the responsibility of stewardship	Comment noted.
262	04/26/11	E. Wright	Workgroup member	General	Please be certain that no more misinformation is disseminated by those who apparently joined the Shoreline Master Program update without realizing that the goal of the Shoreline Master Program is to maintain, if not improve, the health of Puget Sound.	Comment noted.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
263	04/26/11	E. Wright	Workgroup member	III.B	Please maintain or strengthen the Native Vegetation Management/ Conservation zones.	Comment noted.
264	04/26/11	E. Wright	Workgroup member	Process	As participants in the process since the beginning of the Shoreline Master Program update, both gentlemen have been quite insistent that they are representing the 1700 property owners Mr. Tripp now professes have not been notified.	Comment noted.
265	04/26/11	F. Gace	Shoreline owner	General	I agree with others that the city has a duty not to just place notices on their web site and in the local papers, which reaches only a fraction of the shoreline property owners, but to properly inform those most affected.	The notice process and procedures are laid out in the Public Participation Plan which was developed through a public process.
266	04/26/11	F. Gace	Shoreline owner	General	The Draft Shoreline Master Program does not balance private property rights with the common desire to protect the environment, and thus generally attempts to turn residential shoreline into public open space at the expense of private property owners.	Comment noted.
267	04/26/11	F. Gace	Shoreline owner	III.B, III.L	The designation of a “vegetation zone” will make these properties, homes and residential uses “nonconforming” and this will make the property more difficult and expensive to insure and refinance, as well as less valuable... could very likely lead to “unjust taking” by the City.	The Shoreline Master Program Policy Advisory Committee, consisting of Planning Commissioners and councilmembers, will provide guidance on what constitutes a nonconforming use or structure and the City Council will make the final decision on this issue.
268	04/26/11	F. Guion	Shoreline owner	III.B.	Fifty feet of my property has already been usurped to enhance sea water creatures that are dear to me. But any more land should not be needed unless there are hard facts from scientific	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> from Herrera, 2011 and the Science Review from

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					studies to prove that added property and vegetation are needed for survival of sea life.	Battelle, 2003). ETAC and the technical consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
269	04/26/11	G. Rees	Citizen	Designations	If the stated goal is no net loss, then why are so many more miles of shoreline designated Conservancy in the new plan?	Preliminary mapping has been done based on the criteria adopted by the SMP Task Force. The designation criteria and the designation map are still in the draft phase and have not yet been released.
270	04/26/11	G. Rees	Citizen	General	Unfortunately, the interpretation of scientific and technical information is up to volunteers, staff, planning commissioners, and elected council members.	ETAC and the technical consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island. ETAC consists of professional scientists. (<i>See the ETAC web page for credentials.</i>)
271	04/26/11	G. Rees	Citizen	III.B.6	The Shoreline Master Program should not establish a vegetation management zone (buffer) on already developed properties that is larger than the 50-foot buffer in the current Shoreline Master Program.	Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations will become part of the draft document that will be submitted to Planning Commission and eventually City Council.
272	04/26/11	G. Rees	Citizen	III.L.Goal	The SMA does not say that existing, lawfully built homes should or must be declared Non-conforming and phased out over time.	Nonconforming means that the use or structure does not conform to the existing development standards. The existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. City Council will make the final decision on how nonconforming uses and structures will be regulated.
273	04/26/11	G. Rees	Citizen	VI.B	What's wrong with bulkheads? Because bulkheads protect the uplands from erosion, and erosion feeds the beach.	Comment noted.
274	04/26/11	H. & P. Cook	Shoreline owner	Various	Copy of Gace comment	See responses to Gace comments.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
275	04/26/11	I. Morris	Citizen	III.L	I believe that helping residents to protect their homes and property is a fundamental purpose of city government and I believe the goal stated in this section is contradictory to that purpose.	See response to comment #272.
276	04/26/11	I. Morris	Citizen	III.L.4	I object to any restrictions that would hinder a homeowner in rapidly rebuilding their home or other structure in the event that it was destroyed by fire or other disaster.	The Shoreline Master Program Policy Advisory Committee, consisting of both Planning Commissioners and Council members, may provide policy guidance on nonconforming uses and structures, while the City Council will make the final decision on how nonconforming uses and structures will be regulated.
277	04/26/11	J. & K. Wright	Shoreline owner	General	We object to the rewrite of the Shoreline Master Program in such a way that is exceeds and oversteps the mandate of the Shoreline Management Act.	Under the Shoreline Management Act, the City must prepare and adopt a Shoreline Master Program that is based on state laws and rules, including the 2003 Shoreline Master Program Guidelines, but is tailored to the specific geographic, economic and environmental needs of the community. Regulations are a required part of the Shoreline Master Program. The draft Shoreline Master Program will go through numerous legal reviews, including the Department of Ecology approval process.
278	04/26/11	J. & K. Wright	Shoreline owner	General	Looking at the overall goals of the revised Shoreline Master Program, we find it a very myopic and discriminatory revision which fails to weigh the rights of individual landowners, their health, safety and welfare against dominimus improvement to the shoreline.	Comment noted.
279	04/26/11	J. & K. Wright	Shoreline owner	III.B	It is inappropriate to establish a vegetation management buffer on already developed property, larger than	See response to comment #271.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					the 50 foot buffer of the current Shoreline Master Program.	
280	04/26/11	J. & K. Wright	Shoreline owner	III.K	If these bulkheads were necessary and legally installed to establish the need to protect the bank from further erosion at the base, protect the homes at the top of the banks, why should they now be declared non-conforming?	WAC 176-23-231 states that hardening of the shoreline is associated with the following adverse impacts to shoreline ecological functions: (1) beach starvation, (2) habitat degradation, (3) sediment impoundment, (4) exacerbation of erosion, (5) groundwater impacts, (6) hydraulic impacts, (7) loss of shoreline vegetation, (8) restriction of channel movement, and (9) creation of conditions that result in weakening the structure over time.
281	04/26/11	J. & K. Wright	Shoreline owner	III.L	It makes no sense to take legally zoned and permitted homes which are compliant with the law and create policies to make them all non-conforming.	Nonconforming means that the use or structure does not conform to the existing development standards. The existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. City Council will make the final decision on how nonconforming uses and structures will be regulated.
282	04/26/11	J. & K. Wright	Shoreline owner	III.L.3	Subsection L.3 is inappropriate because it states that legally non-conforming structures are to be phased out over time.	See response to comment #231.
283	04/26/11	J. & K. Wright	Shoreline owner	IV	The creation of Shoreline Residential Conservancy and other proposed designations are not in the state act and therefore in violation of the law.	Shoreline designations must meet the State's Shoreline Master Program Guidelines and consider three principles: existing development pattern, biological and physical character of the shoreline, and goals and aspirations of the community as expressed in the comprehensive plan (<u>WAC 173-26-211(2)(a)</u>). Preliminary mapping has been done based on the criteria developed by the Shoreline Master Program Task Force. The designation criteria and the designation map are in the preliminary draft phase and will be

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						released soon. There will be opportunities for direct public input during Planning Commission and City Council review.
284	04/26/11	J. & K. Wright	Shoreline owner	IV.C	In general, we object to the changes of the shoreline master program, creating new designations like Island Conservancy – Residential, covering more than 40%+ of the island. It is overreaching with no persuasive scientific justification.	See response to comment #281.
285	04/26/11	J. & K. Wright	Shoreline owner	VI.B	There is no real showing of necessity by peer review science for the removal of bulkheading.	WAC 176-23-231 states that "New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need."
286	04/26/11	J. Armitage	Shoreline owner	Designations	I object to the designation of my property and my neighbors from shoreline residential to conservancy residential.	Preliminary mapping has been done based on the criteria adopted by the SMP Task Force. The designation criteria and the designation map are still in the draft phase and have not yet been released.
287	04/26/11	J. Armitage	Shoreline owner	Science	I am dismayed at the lack of "proven" science research used in the preparation of this document.	The City is utilizing current science to update the SMP, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						relevant to Bainbridge Island.
288	04/26/11	J. Greiner	Shoreline owner	Various	Copy of comments submitted by A. Greiner.	See responses to comments from A. Greiner on the same date.
289	04/26/11	J. Greiner	Shoreline owner	General	I agree fully with the Bainbridge Shoreline Homeowners' commentary on the six big problems with the Shoreline Master Program update.	Comment noted.
290	04/26/11	J. Grundman	Shoreline owner	General	It is our expectation that the provision of no net loss of ecological functions ensures that the existing 50 foot buffer will not be increased.	Comment forwarded to City Council.
291	04/26/11	J. Grundman	Shoreline owner	General	We strongly encourage the City to adopt the intent of House Bill 1307 ("the agency must use peer-reviewed science") to ensure the integrity of the science upon which Shoreline Master Programs impose certain restrictions.	See response to comment #287.
292	04/26/11	J. Grundman	Shoreline owner	III.B.7	It is probable that legislation and court reviews will ignore the land use patterns in deference to some proposal that there is a conflicting "environmental function."	Comment noted.
293	04/26/11	J. Grundman	Shoreline owner	III.B.9	"Should" creates no legally binding obligation; either strike the provision in its entirety or replace the "should" with "must."	Comment noted.
294	04/26/11	J. Grundman	Shoreline owner	III.L	Any formal classification of a property developed and/or constructed in accordance with the prevailing laws of the time as "non-conforming" is an unacceptable retrospective application of law.	Nonconforming means that the use or structure does not conform to the existing development standards. The existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. City Council will make the final decision on this issue.
295	04/26/11	J. Grundman	Shoreline owner	III.L	At its most simple interpretation, this provision makes the eventual	The Shoreline Master Program Policy Advisory Committee, consisting of both

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					confiscation of our property without any compensation the stated goal of this program.	Planning Commissioners and Council Members, may provide policy guidance on nonconforming uses and structures, while the City Council will make the final decision on how nonconforming uses and structures will be regulated.
296	04/26/11	J. Grundman	Shoreline owner	III.L.2	Define “discontinued” in relation to re-establishing a nonconforming use.	Existing regulations indicate the “discontinued” means that a nonconforming use is not operated for a period of twelve (12) consecutive months or more. (City’s Shoreline Master Program, page 124, Section VII.K.1.b)
297	04/26/11	J. Grundman	Shoreline owner	III.L.3	Object to the statement that the intent is to phase out non-conforming uses and structures over time.	See response to comment #295.
298	04/26/11	J. Grundman	Shoreline owner	III.L.4	The sentence requiring mitigation and providing a two-year window should be deleted.	Existing Shoreline Master Program provides a two (2) year period of time to re-establish a destroyed structure. (City’s Shoreline Master Program page 124, Section VII.K.2.c)
299	04/26/11	J. Grundman	Shoreline owner	III.L.5	Revise as follows: “Provisions for reconstruction of a damaged legally established residential house shall allow expansions of the structure unless it can be demonstrated that the expansion will result in adverse impacts to shoreline ecological functions and shoreline processes that cannot be mitigated or restored.”	See response to comment #295.
300	04/26/11	J. Grundman	Shoreline owner	VI.A.5	The concept of incorporating “all feasible measures” to protect ecological shoreline functions suggests that there is no limit to the number and cost of environmental protective measures that are to be taken for shoreline modifications. This is an unreasonable	Regulations will define the measures necessary to meet the policy.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					provision since it is unachievable.	
301	04/26/11	J. Grundman	Shoreline owner	VI.B.5	The limitation of “a demonstrated need to protect principal uses or structures from erosion” is an unacceptable provision because it reaches beyond “no net loss” and it subjects property owners to a burden of proof without any clear criteria.	WAC 176-23-23(a)(3)(iii) states that “New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need.”
302	04/26/11	J. Hanson	Homeowner	General	A single study is not adequate to represent a valid scientific concept peer reviewed by more than a single scientist with relevant experience.	The City is utilizing current science to update the SMP, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
303	04/26/11	J. Hanson	Homeowner	III.B.6	It is inappropriate to establish a vegetation management buffer on already developed property that is larger than the 50 foot buffer in the current Shoreline Master Program.	Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
304	04/26/11	J. Hanson	Homeowner	III.L	Having the conforming status of my property changed is a violation of my federal and state property rights.	Nonconforming means that the use or structure does not conform to the existing development standards. The existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. City Council will make the final decision on how nonconforming uses and

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						structures will be regulated.
305	04/26/11	J. Hanson	Homeowner	VI.B	There has not been appropriate scientific evidence established that feeder bluffs represent a habitat that is required for successful marine life.	Littoral cells, drift cells, are defined lengths of shoreline within which the cycle of sediment erosion (bluffs, waterways), transportation and deposition is essentially self-contained.
306	04/26/11	K. Bayne-Rodocker	Shoreline owner	VI.B	The removal of the bulkheads or any other existing shoreline structures would be highly disruptive and destructive to the existing wildlife, ecosystems, and real property.	<p>From Department of Ecology “Frequently Asked Questions: Marine Shoreline Armoring and the Puget Sound”</p> <p>By armoring our areas where upland and marine vegetation meet, the negative impacts can be extensive. Bulkheads can:</p> <ul style="list-style-type: none"> • Reduce the natural delivery of sand and gravel to our shorelines. • Bury the upper beach and reduce the amount of large woody debris deposited on the beach, which results in habitat loss. • Isolate once interconnected land and aquatic habitats, resulting in habitat loss and altering the abundance and density of associated invertebrates, a major food source for fish, birds and other wildlife species. <p>Impacts from site disturbance during the voluntary restoration action are temporary and will subside when the ecosystem has reached equilibrium.</p>
307	04/26/11	K. Hamilton	Shoreline owner	Designations	A prime example is the wrongful designation of a small patch of the Rose Loop and shoreline in Eagle Harbor being changed from Residential to Residential Conservancy.	Preliminary mapping has been done based on the criteria adopted by the SMP Task Force. The designation criteria and the designation map are still in the draft phase and have not yet been released.
308	04/26/11	K. Hamilton	Shoreline owner	General	One key element which has blatantly been overlooked with the city’s draft is the impact to personal property	The purpose of the Shoreline Master Program is to address the impacts of human development and use of the shoreline, while

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					ownership, devaluation of personal property values and subsequent “taking of personal property” which will induce, impose and incur direct financial losses to private citizens owning waterfront property.	protecting the shoreline ecology. The draft Shoreline Master Program will go through numerous legal reviews, including the Department of Ecology approval process.
309	04/26/11	K. Hamilton	Shoreline owner	V.K	This request is specifically targeting that COBI accepts the option to approve all existing waterfront structures is to be recognized as conforming and grandfathered as such.	Comment forwarded to City Council, who will make the final decision on how to address SB 5421 in the City’s Shoreline Master Program.
310	04/26/11	K. Hamilton	Shoreline owner	VI.B	As I understand you have stated, the City’s ultimate goal is the eventual removal of the bulkheads which presently safeguard owner’s personal property and homes.	WAC 176-23-231 states that “New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need.”
311	04/26/11	K. Marshall	Shoreline owner	Science	Negative wave action in the harbor is a nearly 100% creation of the backwash from the ferries.	Comment noted.
312	04/26/11	K. Marshall	Shoreline owner	General	I would not allow my 2 nd and 3 rd grade students to accept the “scientific evidence” as the COBI has so gleefully done that does not live up to scrutiny on the Island’s shorelines.	See response to comment #302.
313	04/26/11	K. Marshall	Shoreline owner	III.B	The movement to change the setback as a buffer zone denies me the right to use of my property as is appropriate for the type of soil on the property.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
314	04/26/11	K. Marshall	Shoreline owner	III.H	There is no eelgrass in Eagle Harbor, there is no evidence in modern times of there ever having been eel grass in the harbor, and that is not a valid issue.	There is an eelgrass bed at the mouth of Eagle Harbor according to Battelle’s Nearshore Assessment.
315	04/26/11	K. Marshall	Shoreline owner	III.L	How do you feel you have the right to ignore Senate Bill 5451 that gives local jurisdictions the legal right to classify “appurtenant structures” as “conforming” structures?	The Shoreline Master Program Policy Advisory Committee, consisting of both Planning Commissioners and Council Members, may provide policy guidance on nonconforming uses and structures, while the City Council will make the final decision on how nonconforming uses and structures will be regulated.
316	04/26/11	K. Struzzieri	Shoreline owner	Designations	Please remove your proposed designation of residential conservancy from ours and adjacent Eagle Harbor south side properties.	Preliminary mapping has been done based on the criteria adopted by the SMP Task Force. The designation criteria and the designation map are still in the draft phase and have not yet been released.
317	04/26/11	K. Struzzieri	Shoreline owner	III.L	Please accept the state legislature’s “conforming” option to approve all existing waterfront structures as recognized as Conforming and Grandfathered.	Comment forwarded to City Council.
318	04/26/11	K. von Kreisler	Shoreline owner	Designations	Our shoreline residential conservancy designation is inconsistent with much of the language in the Shoreline Master Program update draft.	See response to comment #316.
319	04/26/11	K. Wirthlin	Shoreline owner	IV	Object to a dramatic increase in Conservancy designation	See response to comment #316.
320	04/26/11	K. Wirthlin	Shoreline owner	General	There is no reproducible research supporting the regulators’ theories.	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> from Herrera, 2011 and the Science Review from Battelle, 2003). ETAC and the consultants are working diligently to ensure that the

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
321	04/26/11	K. Wirthlin	Shoreline owner	III.B	Can you imagine a 150 or 200 foot Native Vegetation Zone where you can't walk or garden and your kids can't play?	Under the State SMP Guidelines, the City must set a baseline measurement to assess cumulative impacts to the City's shoreline areas and how we are meeting the goal of no net loss of ecological functions. That baseline is from the date of our shoreline characterization (2009 data).
322	04/26/11	K. Wirthlin	Shoreline owner	III.L	Any regulation that prohibits you from rebuilding or expanding your house devalues your house and property.	The existing Shoreline Master Program allows 100% replacement of nonconforming structures. Draft regulations under consideration may, under some circumstances, allow replacement and/or expansion that is mitigated so as to ensure no net loss of ecological function.
323	04/26/11	K. Wirthlin	Shoreline owner	VI.F	If you don't have the right to protect your property and front yard from erosion then you no right of ownership and use.	The purpose of the SMP is to address the impacts of human development and use of the shoreline. A balance between concern for ecosystem integrity and the rights of property owners is a primary goal of the Shoreline Management Act and the Shoreline Master Program.
324	04/26/11	Kacy Struzzieri	Shoreline owner	Various	Copy of K. Struzzieri comment	See responses to comments from K. Struzzieri.
325	04/26/11	L. Richards	Shoreline owner	Designations	I am greatly disturbed by the idea that my property will be changed from a designation of Shoreline Residential to Shoreline Conservancy.	See response to comment #316.
326	04/26/11	M. Curtis	Shoreline owner	Process	Clearly there is much in the proposed draft that needs healthy debate to find common ground.	Public input opportunities will continue to be provided throughout the Planning Commission and City Council review and adoption. The Department of Ecology will also hold a public hearing and accept

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						comments.
327	04/26/11	M. Julian	Shoreline owner	Designations	I am particularly referring to the length of Rose Loop Road on the south shore of Eagle Harbor. These properties should be designated Shoreline Residential, not Island Conservancy.	See response to comment #316.
328	04/26/11	M. Julian	Shoreline owner	III.L	Take advantage of the option approved by the State Legislature and designate all existing waterfront structures as “conforming uses”.	Comment forwarded to City Council.
329	04/26/11	M. Sebastian	Shoreline owner	General	I object to the draft policies because they go against the SMA.	Comment noted.
330	04/26/11	M. Sebastian	Shoreline owner	General	The draft policies do not consider private property rights and the economic results from a common desire to protect the environment.	Under the Shoreline Management Act, the city’s Shoreline Master Program must recognize and protect private property rights consistent with the public interest. The Shoreline Master Program must accommodate appropriate uses, protect the shoreline environment, and protect the public’s right to access, including visual.
331	04/26/11	M. Sebastian	Shoreline owner	V.K	I object to the draft policies because they do not protect single-family residences as a preferred, water-dependent use.	Single-family residential uses shall be preferred if they are consistent with the control of pollution and prevention of damage to the natural environment or dependant on upon the use of the shoreline. In those limited instances when authorized, alteration of the natural condition of the shoreline of the state shall be given priority for single family residences and their appurtenant structures. RCW 90.58.020
332	04/26/11	M. Sebastian	Shoreline owner	V.K	Existing uses should continue being conforming.	The Shoreline Master Program Policy Advisory Committee, consisting of both Planning Commissioners and Council

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						Members, may provide policy guidance on nonconforming uses and structures, while the City Council will make the final decision on how nonconforming uses and structures will be regulated.
333	04/26/11	M. Sebastian	Shoreline owner	V.K.	The current 50-foot setback should be maintained.	Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
334	04/26/11	N. Marshall	Shoreline owner	Designations	The bluffs along the south side of Eagle Harbor do not provide additional material to the shoreline because they are clay which sloughs into large slabs.	This is a site-specific issue. ETAC is discussing feeder bluff issues.
335	04/26/11	N. Marshall	Shoreline owner	General, III.B	The buffer zone is not a rational decision based upon a 40-year-old generalized report that was not supported by any other valid scientific community or scientist.	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> from Herrera, 2011 and the Science Review from Battelle, 2003). Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
336	04/26/11	N. Marshall	Shoreline owner	III.B	The requirement to plant only native plants along the shoreline is invalid as there is no evidence that it is more effective in maintaining the health of bluffs and shoreline.	See response to comment #335.
337	04/26/11	N. Marshall	Shoreline owner	III.L	A conforming structure should retain its conforming status under conditions such as adding a second story or slightly	The Shoreline Master Program Policy Advisory Committee, consisting of both Planning Commissioners and Council

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					enlarging the non-water side of the home by a few feet.	Members, may provide policy guidance on nonconforming uses and structures, while the City Council will make the final decision on how nonconforming uses and structures will be regulated.
338	04/26/11	N. Marshall	Shoreline owner	VI.B	The placement of a bulkhead still allows natural runoff to occur bringing with it a degree of soil or clay to filter onto the shoreline.	Comment noted.
339	04/26/11	N. Marshall	Shoreline owner	VI.F	There seems to be no valid research that non-grated docks are harmful to the marine environment.	See response to comment #335.
340	04/26/11	R. Devening	Shoreline owner	General	This approach is blatantly unconstitutional as you will learn.	The Shoreline Master Program will go through a series of legal reviews, including the final Department of Ecology approval process.
341	04/26/11	R. Devening	Shoreline owner	Process	You have not given proper notice to shoreline homeowners millions in reduced property values and destroy the viability of BI.	The notice process and procedures are laid out in the Public Participation Plan which was developed through a public process and approved by the City Council in May, 2010.
342	04/26/11	R. Keating	Citizen	General	I find it interesting and alarming that you are making these unilateral policy decisions without any comment to those of that will be affected by your decision.	These policies have not been formally adopted; we are asking for public comment at this time.
343	04/26/11	S. Kerrigan	Shoreline owner	III.B, III.L, V.K	I oppose the regulations being set for what would put our home in nonconformance and therefore decrease not only the property value but more importantly our basic American right to enjoy our property.	See response to comment #337.
344	04/26/11	T. Hamilton	Shoreline owner	Designations	Please remove your proposed designation of residential conservancy from ours and adjacent Eagle Harbor south side properties.	Preliminary mapping has been done based on the criteria adopted by the SMP Task Force. The designation criteria and the designation map are still in the draft phase and have not yet been released.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
345	04/26/11	T. Hamilton	Shoreline owner	III.L	Please accept the state legislature’s “conforming” option to approve all existing waterfront structures as recognized as Conforming and Grandfathered.	Comment forwarded to City Council.
346	04/26/11	V. Chesterley	Citizen	General	Please think carefully about the impact to humans as well as sea creatures.	Comment noted.
347	04/26/11	V. Chesterley	Citizen	III.B.6	Since the standard is “no net loss” from the date of adoption of the updated Shoreline Master Program, leaving the current 50’ buffer in place ensures “no net loss.”	The no net loss standard is derived from the City’s baseline as determined through our shoreline assessment and characterization report (2009 data). Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
348	04/26/11	V. Chesterley	Citizen	III.L	All existing homes and appurtenant structures should be excluded from this and future Shoreline Master Program updates.	Nonconforming means that the use or structure does not conform to the existing development standards. The existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. City Council will make the final decision on how nonconforming uses and structures will be regulated.
349	04/26/11	V. Chesterley	Citizen	IV.	On what basis was these conservancy designations made?	The purpose of the Shoreline Residential Conservancy designation is to protect, conserve, and restore ecological functions of open space, floodplain and other sensitive lands; to conserve and manage valuable historic and cultural resources where they exist and to accommodate compatible residential uses. The purpose of Island Conservancy designation is to protect, conserve, and restore ecological functions of

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						open space, floodplain and other sensitive lands, to conserve and manage valuable historic and cultural resources to accommodate a variety of compatible public or private recreational uses .
350	04/26/11	V. Chesterley	Citizen	IV.B	Property owners who already have bulkheads in place should be allowed to repair them to their former state.	Regulations specific to bulkheads have not yet been developed. WAC 173-26-231 states that hardening of the shoreline is associated with the following adverse impacts to shoreline ecological functions: (1) beach starvation, (2) habitat degradation, (3) sediment impoundment, (4) exacerbation of erosion, (5) groundwater impacts, (6) hydraulic impacts, (7) loss of shoreline vegetation, (8) restriction of channel movement, and (9) creation of conditions that result in weakening the structure over time.
351	04/26/11	V. Chesterley	Citizen	Science	The Shoreline Master Program should be based on peer reviewed science. Anything less is apt to promote policies based on unintended misunderstandings or incorrect interpretations.	The City is utilizing current science to update the SMP, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
352	04/26/11	W. Harper	Shoreline owner	Designations	As an individual shoreline property owner I'm very concerned about new designations and classification of my property that could negatively impact its value and use.	Preliminary mapping has been done based on the criteria adopted by the Shoreline Master Program Task Force. The designation criteria and the designation map are currently in the draft phase and will be released to the public upon final recommendation of the Shoreline Master Program Task Force. The Shoreline Master Program is looking at broad-scale economics in terms of future

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						demands for shoreline uses. It does not require a large economic study of the region, but rather what does existing information reflect about demand.
353	04/26/11	W. Harper	Shoreline owner	General	As an active member of our broader community, I'm concerned that some of the proposed goals and policies will create a deeply contentious and litigious atmosphere and risk impeding progress toward shared environmental goals.	Comment noted.
354	04/26/11	W. Harper	Shoreline owner	III.B.6	Extending the vegetative buffer beyond the current 50 foot buffer would cause my home to become non-conforming.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
355	04/26/11	W. Harper	Shoreline owner	III.B.6	Declaring my property as a shoreline conservancy will impact its value negatively and will make it permanently non-conforming.	See response to comment #352.
356	04/26/11	W. Harper	Shoreline owner	VI.B	Existing bulkheads should be able to be maintained without excessive regulation and permitting cost.	WAC 176-23-231 states that "New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need."
357	04/26/11	E. Daley	Citizen	General	I hope the concept of Bainbridge as a unique community weighs fully in your deliberations and recommendations. There is no reason to base our SMP on a cook-cutter model as we are not a	Developing localized solutions was one of the reasons for forming the citizens' advisory workgroups. More public input will be received through the adoption process at Planning Commission and City Council.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					cookie-cutter community.	
358	04/26/11	E. Daley	Citizen	III.B	The generic, cookie-cutter approach to setbacks and buffers appear to result in widespread increases and the potential to render many existing private properties unbuildable.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline. The SMP Policy Advisory Committee, consisting of both Planning Commissioners and Council Members, may provide policy guidance on nonconforming uses and structures, while the City Council will make the final decision on how nonconforming uses and structures will be regulated.
359	04/26/11	E. Daley	Citizen	III.L	RCW 90.58.100 states that shoreline modification is to be expected, that a balance is required between private property rights and ecological protection and that single-family residences with their appurtenant structures is the first of the State's priority uses for our shorelines.	Single-family residential uses shall be preferred if they are consistent with the control of pollution and prevention of damage to the natural environment or dependant on upon the use of the shoreline. In those limited instances when authorized, alteration of the natural condition of the shoreline of the state shall be given priority for single family residences and their appurtenant structures. RCW 90.58.020
360	04/26/11	E. Daley	Citizen	VI.B	I am concerned that existing language in the draft SMP bars or unreasonably hinders the smooth permitting process and installation of effective shoreline armoring.	The draft language meets the requirements of the Shoreline Master Program Guidelines (WAC 173-26-231(3)(a)(iii)(C).
361	04/26/11	E. Daley	Citizen	Science	I am concerned that the City is not relying on the best available science in developing the SMP as recommended in the guidelines.	The City is utilizing current science to update the SMP, including two science summaries produced by consultants for the City (the <i>Science Addendum</i> [Herrera, 2011] and the Science Review [Battelle, 2003]). ETAC and the consultants are working diligently to

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
362	04/27/11	Bainbridge Shoreline Homeowners	Bainbridge Shoreline Homeowners	General	It is clear that existing policies are more than adequate to mitigate loss and provide substantial gains.	Comment noted.
363	04/27/11	Bainbridge Shoreline Homeowners	Bainbridge Shoreline Homeowners	III.B.6	Add another subsection stating that shoreline regulations in the current Shoreline Master Program will apply unless peer-reviewed science that indicates a more restrictive standard will need to be applied in order to achieve no net loss.	As stipulated in WAC 173-26-201(2), the City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum from Herrera, 2011</i> and the <i>Science Review from Battelle, 2003</i>). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
364	04/27/11	Bainbridge Shoreline Homeowners	Bainbridge Shoreline Homeowners	III.B6	Leave the current 50 foot buffer in place in the update. There is no peer-reviewed scientific evidence that shows by simply requiring a larger buffer, shoreline function will improve.	See response to comment #361.
365	04/27/11	Bainbridge Shoreline Homeowners	Bainbridge Shoreline Homeowners	VI.B	Use only peer-reviewed science to substantiate the need for the restriction on shoreline stabilization.	The State Shoreline Master Program Guidelines require that the City use the most current, accurate, and complete scientific and technical information available. WAC 173-26-201(2)(a) The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum from Herrera, 2011</i> and the <i>Science Review from Battelle, 2003</i>). ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						available and relevant to Bainbridge Island.
366	04/27/11	Bainbridge Shoreline Homeowners	Bainbridge Shoreline Homeowners	VI.F	Identify those ecological functions that are at risk in Blakely Harbor and other specific locations where strict limitations are contemplated and base regulations on ways to minimize or mitigate the impacts rather than what amounts to an exclusion of this use for property owners in this area.	Comment noted.
367	04/27/11	K. Hale	Shoreline owner	III.B, III.L	We do not believe that a buffer larger than that on already developed property should be changed to something larger. If you increase the buffer, existing, legally-built homes and their appurtenant structures will become non-conforming.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
368	04/27/11	K. Hale	Shoreline owner	Science	Peer-reviewed science should be demonstrated before passing a new Shoreline Master Program.	The State Shoreline Master Program Guidelines require that the City use the most current, accurate, and complete scientific and technical information available. WAC 173-26-201(2)(a) The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum from Herrera</i> , 2011 and the Science Review from Battelle, 2003) ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
369	04/27/11	R. Holmgren	Shoreline owner	III.L	I am once again appalled at the proposed shoreline plan that you are considering, particularly the concept of making most of our waterfront homes “non-conforming.”	Nonconforming means that the use or structure does not conform to the existing development standards. The existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. City Council will make the final

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						decision on how nonconforming uses and structures will be regulated.
370	04/27/11	R. Holmgren	Shoreline owner	Notice	This has all been done without informing us owners of the details, and without seeking our input.	Bainbridge Citizens, Bainbridge Shoreline Homeowners, the Association of Bainbridge Communities, and the Bainbridge Alliance for Puget Sound named a representative to each of the workgroups. The Shoreline Master Program Policy Advisory Committee, consisting of two council members and two planning commissioners and appointed by City Council, selected the remaining “at large” members for each workgroup. Each workgroup self-selected three members to participate in the Task Force. <i>Please see the 2011 Shoreline Master Program Update – Citizen Committees page for more information.</i>) The Public Participation Plan, created by citizens and approved by City Council, was adopted to ensure an open and transparent process
371	04/28/11	C. Hagstromer	Shoreline owner	General*	All the issues that are affecting the shore/Puget Sound environment should be called out and compared as to effect.	The purpose of the Shoreline Master Program is to address the impacts of human development and use of the shoreline. Other issues are addressed through a myriad programs and regulations, from restoration and enhancement projects to regulations controlling stormwater, public, commercial, and industrial activities
372	04/28/11	C. Hagstromer	Shoreline owner	III.B.6*	No science has been presented that justifies changing the vegetative buffer.	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for the City (the <i>Science Addendum from Herrera</i> , 2011 and the Science Review from Battelle, 2003). ETAC and the consultants are working diligently to ensure that the policies

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						are based on the best scientific data that is currently available and relevant to Bainbridge Island.
373	04/28/11	C. Hagstromer	Shoreline owner	III.B.6*	A clear definition of the no net loss concept is needed in the new Shoreline Master Program to make it clear how much additional vegetation etc. you need for a minor building permit to install a generator, deck, etc.	Comment noted. Analysis will be needed to determine whether proposed development will meet the no net loss standard.
374	04/28/11	C. Hagstromer	Shoreline owner	III.L*	The word “non-conforming” should be eliminated from the COBI Shoreline Master Program since both SMA and the new SB 5451 clearly states the intent of the state not to call these structures non-conforming.	Comment forwarded to City Council
375	04/28/11	C. Hagstromer	Shoreline owner	Process*	The only way COBI can convince most shoreline owners that they are being heard is to mail/email the comment summary on the web site to all 1700 shoreline property owners with the response column filled out and with an updated draft showing how these comments have changed the draft.	The notice process and procedures are laid out in the Public Participation Plan which developed through a public process.
376	04/28/11	C. Hagstromer	Shoreline owner	Regulations*	Clearer rules for what human activity is permitted in the vegetation zone is needed and should be reasonable since there is NO connection between these uses and damage to the environment.	Comment noted. Amendments to the regulations are currently under review by the citizen committees.
377	04/28/11	C. Hagstromer	Shoreline owner	Science*	What is needed for each changed paragraph from the previous Shoreline Master Program is a referral to the scientific study page number to support the specific change.	A list of supporting scientific references will be provided to the Department of Ecology. <i>(Please see the Science References by Type page on the City’s web site for additional information.)</i>
378	04/28/11	C. Hagstromer	Shoreline owner	VI.B*	This language is inflammatory and unnecessary when it is clear per previous	WAC 176-23-231 states that ”New or enlarged structural shoreline stabilization

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					section that property owners have the right to protect their structures.	measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need.”
379	05/18/11	D. & S. Lindsey	Citizen	III.B.6*	It is difficult to understand the logic behind the distribution and proposed extent of vegetation buffers.	Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council.
380	05/18/11	D. & S. Lindsey	Citizen	III.B.6*	We understand that there has been discussion stating that vegetation along shore edges provides invertebrate food sources or shade to marine species. Walking along Rockaway Beach, and in fact most beaches, would suggest otherwise as there is no vegetation overhanging the water.	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for this City (the <i>Science Addendum</i> Herrera, 2011 and the Science Review from Battelle, 2003) This science indicates that overhanging vegetation contributes to nearshore habitat functions.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
381	05/18/11	D. & S. Lindsey	Citizen	III.L*	Revising the Shoreline Master Program for Bainbridge Island in such a manner as to make residential or other human use of the lands adjacent to the shoreline nonconforming uses is not supported by the SMA.	WAC 173.27.080 recognizes existing legally-established structures which may not conform to current development standards, but are allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity. A policy goal for nonconforming development was recommended by the citizen committees. How nonconforming uses and structures will be regulated will be determined during the process of drafting regulations.
382	05/18/11	D. & S. Lindsey	Citizen	IV*	The types of changes being proposed are not reasonable and should be abandoned.	See response to comment #240.
383	05/18/11	D. & S. Lindsey	Citizen	Process*	We cannot afford the pursuit of planning policies that are detrimental to shoreline homeowners' property values on Bainbridge Island.	The purpose of the Shoreline Master Program is to address the impacts of human development and use of the shoreline. Other issues are addressed through myriad programs and regulations, from restoration and enhancement projects to regulations controlling stormwater, public, commercial, and industrial activities
384	05/18/11	D. & S. Lindsey	Citizen	Science*	The draft Shoreline Master Program is based on social aspiration, aesthetic preferences, and unproven hypothesis. State law did not intend we make Bainbridge Island a natural science laboratory experiment to test various hypotheses.	The City is utilizing current science to update the Shoreline Master Program, including two science summaries produced by consultants for this City (the <i>Science Addendum</i> Herrera, 2011 and the Science Review from Battelle, 2003) ETAC and the consultants are working diligently to ensure that the policies are based on the best scientific data that is currently available and relevant to Bainbridge Island.
385	05/18/11	D. & S. Lindsey	Citizen	VI.B*	Simply said, there does not appear to be any reason to support the theory that	The draft language meets the requirements of the Shoreline Master Program Guidelines

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					bulkheads are bad.	(WAC 173-26-231(3)(a)(iii)(C). WAC 173-26-231 states that hardening of the shoreline is associated with the following adverse impacts to shoreline ecological functions: (1) beach starvation, (2) habitat degradation, (3) sediment impoundment, (4) exacerbation of erosion, (5) groundwater impacts, (6) hydraulic impacts, (7) loss of shoreline vegetation, (8) restriction of channel movement, and (9) creation of conditions that result in weakening the structure over time.
386	05/18/11	D. & S. Lindsey	Citizen	VI.F*	There are no facts supporting the belief that overwater structures cause a new loss of ecological function.	The draft language meets the requirements of the Shoreline Master Program Guidelines (WAC 173-26-231(3)(b)). The regulations associated with overwater structures are in the preliminary draft phase.
387	05/23/11	G. Tripp	Bainbridge Citizens	VI.B	WAC 173-26-231 says bulkheads are allowed to protect “primary structure or a <u>legally existing shoreline use</u> that is in danger of loss or substantial damage.” I believe “uses” would include recreation areas, patios, decks, gardens, and other structures. I think the Question and Answer page should be updated to reflect protection for uses.	Comment noted.
388	05/23/11	R. Stevenson	Citizen	IV*	The development process (inner portion of Blakely Harbor) that was previously undertaken in this area created environmental protections which surpass what was legally required at that time. Additional conditions should not and cannot be imposed in this situation.	Preliminary mapping has been done based on the criteria adopted by the SMP Task Force. The designation criteria and the designation map are still in the draft phase and have not yet been released.
389	05/24/11	A. Greiner	Shoreline Homeowner	General*	Who is properly to set policy for our city, its staff serving state agencies or elected councilors serving all the	Under the Shoreline Management Act, the City’s Shoreline Master Program must be based on state laws and rules, including the

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					citizens?	2003 Shoreline Master Program Guidelines, but can be tailored to the specific geographic, economic and environmental needs of the community. The revised policies were developed through the citizen workgroups appointed by the Shoreline Master Program Policy Advisory Committee and the City Council will make the policy decisions that will be submitted to the Department of Ecology for review.
390	05/24/11	A. Greiner	Shoreline Homeowner	III.B, III.L, V.K*	The policy draft points to ever more onerous treatment of shoreline property owners with the openly stated goal of eventually eliminating all buildings located within whatever buffer widths are finally chosen.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline. The Shoreline Master Program Policy Advisory Committee, consisting of both Planning Commissioners and Council Members, may provide policy guidance on nonconforming uses and structures, while the City Council will make the final decision on how nonconforming uses and structures will be regulated.
391	05/24/11	G. Tripp	Bainbridge Citizens	III.L*	No buffer science has even yet been presented, no public meetings have been held and already staff has determined that waterfront homes shall be declared NONCONFORMING and be forced to move (over time) to 150 feet from the waterfront.	Buffer widths will be proposed by a technical consultant. ETAC and the workgroups will review the recommendations before buffer regulations become part of the draft document that will be submitted to Planning Commission and eventually City Council. WAC 173.27.080 recognizes existing legally-established structures which may not conform to current development standards, but are allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity. A policy goal for nonconforming development was

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						recommended by the citizen committees. How nonconforming uses and structures will be regulated will be determined during the process of drafting regulations.
392	05/24/11	G. Tripp	Bainbridge Citizens	Process*	The city staff is driving the Shoreline Master Program process, setting the agenda and writing the proposed regulations.	The revised policies were developed through the citizen workgroups appointed by the Shoreline Master Program Ad Hoc Committee and the draft policies are serving as the basis for proposed revisions to the regulations. After the workgroups have completed their work, the full draft SMP will be reviewed and amended by the Planning Commission and the Planning Commission's recommendations will be forwarded to the City Council for consideration. The City Council makes the final decisions submitted to the Dept. of Ecology for review and approval.
393	05/24/11	M. Leese	Shoreline property owner	III.L*	Please do not allow the Shoreline Master Program to declare our homes nonconforming.	The Shoreline Master Program Policy Advisory Committee, consisting of Planning Commissioners and councilmembers, will provide guidance on what constitutes a nonconforming use or structure and the City Council will make the final decision on this issue.
394	06/07/11	S. Neff	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	The draft SMP includes goals and policies to protect critical areas within the shoreline jurisdiction. Regulations for implementing those policies are currently being drafted by the citizen committees.
395	06/07/11	S. Neff	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
396	06/07/11	S. Neff	Citizen	III.G*	Provide abundant and appropriate public	Protecting the public's right to access and use

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					access to the shoreline in a way that does not harm the ecosystem.	the shoreline are goals of both the Shoreline Management Act and the Shoreline Master Program.
397	06/07/11	S. Neff	Citizen	V.D, E, H, J, K, and L*	Responsibly address new development to protect ecological function, public access, and safety.	Under the Shoreline Management Act, the city's SMP must recognize and protect private property rights consistent with the public interest. The SMP must accommodate appropriate uses that require a shoreline location, protect the shoreline environmental resources and protect the public's right to access and use the shoreline.
398	06/08/11	M. Dawson	Workgroup member	Process	Whatever discomfort our community will suffer as a result of the clash between those whose values lean towards property rights and those who are more concerned about our shared environment will only be prolonged and perhaps even increased by adding many months to the update process.	The City Council has approved a review process that adopts an update to the Shoreline Master Program by the end of 2011.
399	06/15/11	G. Tripp	Bainbridge Citizens	Science	The science has not been completed and the science has not been reviewed or commented on by the City Council or the public.	Notice of each completed science document was sent to the listserv and each document is posted on the web. ETAC has completed its review of each of those documents. Many opportunities for public involvement remain the process as the Planning Commission and City Council review .
400	06/15/11	G. Tripp	Bainbridge Citizens	Process	Even before the science is finished or considered, the SMP policies have been drafted and staff has written the regulations without any citizen input.	Science specific to Bainbridge Island was compiled in 2003 and recently updated by the city's consultant, Herrera. Regulations were drafted in accordance with the policy direction from the citizen workgroups, who are now reviewing the draft regulations. Planning Commission and City Council review has not yet begun.
401	06/15/11	G. Tripp	Bainbridge	Process	The SMP update deadline must be	See response to comment #398.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
			Citizens		moved to 2012 to allow proper public participation and consideration by the City Council.	
402	06/17/11	G. Tripp	Bainbridge Citizens	Process	Shoreline property owners are due the highest consideration in the SMP process because it is their property, livelihood, or right to use their property that will be “directly” impacted by the SMP. Proper consideration has not been afforded the shoreline property owners.	The Public Participation Plan, created by citizens and approved by City Council, was adopted to ensure an open and transparent process. In addition to the other outreach efforts, a postcard was recently mailed to all shoreline property owners.
403	06/17/11	G. Tripp	Bainbridge Citizens	Process	Process has been controlled by staff. Staff rigged all votes so that the shoreline property owners were outnumbered and outvoted.	The members of the citizens advisory workgroups were selected by the SMP Update Policy Advisory Committee without input from staff. Votes were taken on those occasional issues for which there did not seem to be a consensus.
404	06/17/11	G. Tripp	Bainbridge Citizens	III.B*	Vegetation Conservation Area and new setback requirements provisions shall be applied only to new shoreline developments with existing native vegetation.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline. The regulations are still being drafted through the citizen workgroups.
405	06/17/11	G. Tripp	Bainbridge Citizens	III.L*	Existing developments and land uses may remain and may be redeveloped provided the redevelopment does not cause a net loss of ecological function.	Existing legally-established structures and uses which may not conform to current development standards, are allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity and meets the standard of no net loss of ecological function.
406	06/17/11	G. Tripp	Bainbridge Citizens	VI.F*	Docks and floats shall be allowed on the outside of the island provided they meet environmental regulations.	The policies regarding docks developed by the workgroups and any regulations which are currently under review by the workgroups will be reviewed by both Planning Commission and City Council prior to adoption.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
407	06/17/11	G. Tripp	Bainbridge Citizens	VI.B*	Bulkheads shall be allowed to protect both land and buildings from erosion.	WAC 176-23-231 states that "New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need."
408	06/20/11	G. Tripp	Bainbridge Citizens	III.L*	The Washington legislature passed SB 5451 to make sure cities, like Bainbridge, knew they were in no way forced to make existing development nonconforming.	The City Council will make the final decision on how to address nonconforming structures and uses.
409	06/20/11	P. Whitener	Bainbridge Citizens	General*	Staff off my property!	Comment noted.
410	06/20/11	K. Scott	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
411	06/20/11	K. Scott	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	The draft SMP includes goals and policies to protect critical areas within the shoreline jurisdiction. Regulations for implementing those policies are currently being drafted by the citizen committees.
412	06/20/11	K. Scott	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	Protecting the public's right to access and use the shoreline are goals of both the Shoreline Management Act and the Shoreline Master Program.
413	06/20/11	K. Scott	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public	Under the Shoreline Management Act, the city's SMP must recognize and protect private property rights consistent with the public

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					access and safety.	interest. The SMP must accommodate appropriate uses that require a shoreline location, protect the shoreline environmental resources and protect the public's right to access and use the shoreline.
414	06/20/11	N. Keegel	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #410.
415	06/20/11	N. Keegel	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	See response to comment #411.
416	06/20/11	N. Keegel	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #412.
417	06/20/11	N. Keegel	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	See response to comment #413.
418	06/20/11	C. Pardy	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #410.
419	06/20/11	C. Pardy	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	See response to comment #411.
420	06/20/11	C. Pardy	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #412.
421	06/20/11	C. Pardy	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	See response to comment #413.
422	06/20/11	B. Trafton	Citizen	General	I urge you to remember that the SMP serves far more than just the citizens of Bainbridge Island.	Comment noted.
423	06/20/11	B. Trafton	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #410.
424	06/20/11	B. Trafton	Citizen	III.D*	Protect critical areas including fish and	See response to comment #411.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					wildlife habitat conservation areas and critical saltwater habitats.	
425	06/20/11	B. Trafton	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #412.
426	06/20/11	B. Trafton	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	See response to comment #413.
427	06/20/11	E. Wright	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #410.
428	06/20/11	E. Wright	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	See response to comment #411.
429	06/20/11	E. Wright	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #412.
430	06/20/11	E. Wright	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	See response to comment #413.
431	06/20/11	J. Runyan	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
432	06/20/11	J. Runyan	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	The draft SMP includes goals and policies to protect critical areas within the shoreline jurisdiction. Regulations for implementing those policies are currently being drafted by the citizen committees.
433	06/20/11	J. Runyan	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	Protecting the public's right to access and use the shoreline are goals of both the Shoreline Management Act and the Shoreline Master Program.
434	06/20/11	J. Runyan	Citizen	V.D, E, H, J,	Responsibly address new commercial	Under the Shoreline Management Act, the

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
				K, and L*	development and other development of protect ecological function and public access and safety.	city's SMP must recognize and protect private property rights consistent with the public interest. The SMP must accommodate appropriate uses that require a shoreline location, protect the shoreline environmental resources and protect the public's right to access and use the shoreline.
435	06/20/11	G. Brewer	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #431.
436	06/20/11	G. Brewer	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	See response to comment #432.
437	06/20/11	G. Brewer	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #433.
438	06/20/11	G. Brewer	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	See response to comment #434.
439	06/20/11	G. Tripp	Bainbridge Citizens	III.B*	Vegetation Conservation Area and new setback requirements provisions shall be applied only to new shoreline developments with existing native vegetation. <i>This meets the no net loss provision.</i>	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline. The regulations are still being drafted through the citizen workgroups. The no net loss standard will be applied through the permit process required for development or alteration of existing structures.
440	06/20/11	G. Tripp	Bainbridge Citizens	III.L*	Existing developments and land uses may remain and may be redeveloped or expanded where they are currently located provided the redevelopment does not cause a net loss of ecological function. <i>Redevelopment always improves the environment by managing</i>	Existing legally-established structures and uses which may not conform to current development standards, are allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity and meets the standard of no net loss of ecological function. Mitigation will

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					<i>stormwater, filtering driveway runoff and upgrading the septic systems.</i>	be determined on a site-specific basis.
441	06/20/11	G. Tripp	Bainbridge Citizens	VI.F*	Allow docks and floats on the outside of the island subject to state environmental requirements and no net loss provisions of the SMP. <i>One man's esthetics does not outweigh the property owner's right to access the waters of the state.</i>	The policies regarding docks developed by the workgroups and any regulations which are currently under review by the workgroups will be reviewed by both Planning Commission and City Council prior to adoption. Dock regulations and requirements are intended to protect ecological functions and marine navigation and safety.
442	06/20/11	G. Tripp	Bainbridge Citizens	VI.B*	Bulkheads shall be allowed to protect both land and buildings from erosion. Requiring mitigation (adding gravel to the beach) is reasonable if loss or negative impact can be demonstrated.	WAC 176-23-231 states that "New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not demonstration of need."
443	06/21/11	M. Ferm	Citizen	General	As a Bainbridge Island resident, I support strong safeguards for shorelines.	Comment noted.
444	06/21/11	M. Ferm	Citizen		Whether or not on believes in climate change, there is no disputing that sea level is rising. We should plan to avoid giving permits for structures which will be at risk. Of erosion in the future.	Sea level rise was one of the factors considered in development of the state guidelines and will be addressed through the flood hazard provisions of the SMP>
445	06/21/11	M. Ferm	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
446	06/21/11	M. Ferm	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and	The draft SMP includes goals and policies to protect critical areas within the shoreline

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					critical saltwater habitats.	jurisdiction. Regulations for implementing those policies are currently being drafted by the citizen committees.
447	06/21/11	M. Ferm	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	Protecting the public's right to access and use the shoreline are goals of both the Shoreline Management Act and the Shoreline Master Program.
448	06/21/11	M. Ferm	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	Under the Shoreline Management Act, the city's SMP must recognize and protect private property rights consistent with the public interest. The SMP must accommodate appropriate uses that require a shoreline location, protect the shoreline environmental resources and protect the public's right to access and use the shoreline.
449	06/21/11	J. Sutherland	Citizen	Process	It appears that at least some of the alleged draft reaches predetermined conclusions.	The only predetermined conclusions are the requirements of WAC 176.23 which all local SMPs must meet.
450	06/21/11	J. Sutherland	Citizen	Process	The taxpaying public has not been adequately informed.	The Public Participation Plan, created by citizens and approved by City Council, was adopted to ensure an open and transparent process. Barbara Nightingale from the Department of Ecology recently said that the City has "raised the bar" for involving citizens in the process.
451	06/21/11	J. Sutherland	Citizen	Designations	What we do know is that the redesignation of shoreline properties seem arbitrary.	Preliminary mapping has been done based on the criteria adopted by the Shoreline Master Program Task Force. The designation criteria and the designation map are currently in the draft phase and will be released to the public upon final recommendation of the Shoreline Master Program Task Force.
452	06/21/11	J. Sutherland	Citizen	Science	No science know to us, or ever published to our knowledge, gives any indication that such properties [as those in Blakely	The purpose of the Shoreline Residential Conservancy designation is to protect, conserve, and restore ecological functions of

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
					Harbor being redesignated as Residential Conservancy] represent a risk to the health of Puget Sound.	open space, floodplain and other sensitive lands; to conserve and manage valuable historic and cultural resources where they exist and to accommodate compatible residential uses.
453	06/21/11	J. Sutherland	Citizen	General	Why doesn't the City concentrate more of its effort instead on the much more serious, known concerns over the adverse impact of commercial and public properties?	The purpose of the Shoreline Master Program is to address the impacts of human development and use of the shoreline. Other issues are addressed through myriad programs and regulations, from restoration and enhancement projects to regulations controlling stormwater, public, commercial, and industrial activities.
454	06/21/11	A. Lynn	Citizen	General	Assist homeowners and businesses in maintaining their properties as safe and healthy environments. Do what our community expects to help sustain not only the biological but the social ecology from harm.	See response to comment #453.
455	06/21/11	A. Lynn	Citizen	General	I think the rule makers need to set guidelines and goals, and trust shoreline property owners will do the right thing in their own best interest and the communities well being. On the whole that has worked pretty well for us.	Comment noted.
456	06/21/11	A. Lynn	Citizen	Designations	The SMP changes designating residential areas as conservation zones are unreasonable and counterproductive.	See response to comment #452.
457	06/21/11	B. Chamberlain	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
458	06/21/11	B. Chamberlain	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	The draft SMP includes goals and policies to protect critical areas within the shoreline jurisdiction. Regulations for implementing

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						those policies are currently being drafted by the citizen committees.
459	06/21/11	B. Chamberlain	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	Protecting the public's right to access and use the shoreline are goals of both the Shoreline Management Act and the Shoreline Master Program.
460	06/21/11	B. Chamberlain	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	Under the Shoreline Management Act, the city's SMP must recognize and protect private property rights consistent with the public interest. The SMP must accommodate appropriate uses that require a shoreline location, protect the shoreline environmental resources and protect the public's right to access and use the shoreline.
461	06/21/11	C. Hunter	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #457.
462	06/21/11	C. Hunter	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	See response to comment #458.
463	06/21/11	C. Hunter	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #459.
464	06/21/11	C. Hunter	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	See response to comment #460.
465	06/21/11	P. Conrad	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #457.
466	06/21/11	P. Conrad	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	See response to comment #458.
467	06/21/11	P. Conrad	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #459.
468	06/21/11	P. Conrad	Citizen	V.D, E, H, J,	Responsibly address new commercial	See response to comment #460.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
				K, and L*	development and other development of protect ecological function and public access and safety.	
469	06/21/11	D. Spoor	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #457.
470	06/21/11	D. Spoor	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	See response to comment #458.
471	06/21/11	D. Spoor	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #459.
472	06/21/11	D. Spoor	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	See response to comment #460.
473	06/21/11	Z. Merriman	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline.
474	06/21/11	Z. Merriman	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	The draft SMP includes goals and policies to protect critical areas within the shoreline jurisdiction. Regulations for implementing those policies are currently being drafted by the citizen committees.
475	06/21/11	Z. Merriman	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	Protecting the public's right to access and use the shoreline are goals of both the Shoreline Management Act and the Shoreline Master Program.
476	06/21/11	Z. Merriman	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	Under the Shoreline Management Act, the city's SMP must recognize and protect private property rights consistent with the public interest. The SMP must accommodate appropriate uses that require a shoreline location, protect the shoreline environmental resources and protect the public's right to

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
						access and use the shoreline.
477	06/21/11	M. McCabe	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #473.
478	06/21/11	M. McCabe	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	See response to comment #474.
479	06/21/11	M. McCabe	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #475.
480	06/21/11	M. McCabe	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	See response to comment #476.
481	06/21/11	L. Macchio	Citizen	III.B*	Protect existing natural vegetation and promote the planting of native plants.	See response to comment #473.
482	06/21/11	L. Macchio	Citizen	III.D*	Protect critical areas including fish and wildlife habitat conservation areas and critical saltwater habitats.	See response to comment #474.
483	06/21/11	L. Macchio	Citizen	III.G.	Provide abundant and appropriate public access to the shoreline in a way that does not harm the ecosystem.	See response to comment #475.
484	06/21/11	L. Macchio	Citizen	V.D, E, H, J, K, and L*	Responsibly address new commercial development and other development of protect ecological function and public access and safety.	See response to comment #476.
485	06/23/11	E Wright	Vegetation Workgroup	General*	It comes down to this: the waters of Puget Sound belong to all of us. There is no rational argument to counter the fact that increased human population has adversely affected the healthy ecosystem of our Sound.	Comment noted.
486	06/23/11	E. Wright	Vegetation Workgroup	General *	There is no arguing with state law, which requires us to adopt a stronger management program to protect our public waters.	The draft SMP will meet the requirements of WAC 176.23, the Guidelines.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 24, 2011</i>
487	06/23/11	E. Wright	Vegetation Workgroup	General*	We are living on an island and rely on each other. Whether an upland or shoreline resident, we depend on each other to act responsibly for the common good.	Comment noted.
488	06/23/11	E. Wright	Vegetation Workgroup	General*	To be effective, any regulations must strike a balance between unduly constraining people's use of their property and acting responsibly on current knowledge of the repercussions of those uses.	The Shoreline Master Program must accommodate appropriate uses, protect the shoreline environment, and protect public shoreline access, including visual.
	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 28, 2011</i>
489	06/24/11	J. Sweeney	Waterfront owner	III.B*	There should be no increase in the setback – my property was almost unbuildable with a 50' setback.	Policies related to buffers and residential development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline. The technical consultants have provided buffer width recommendations based on the available science. Those recommendations will be considered by the SMP workgroups when they are formulating their recommendations to the Planning Commission. The City Council will make the final policy decisions regarding buffers.
490	06/24/11	J. Sweeney	Waterfront owner	VI.B*	My property will also probably require erosion protection – a bulkhead or seawall – when the trees protecting it fall into Fletcher Bay, so no restrictions on those should be imposed.	WAC 176-23-231 states that "New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. Normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 28, 2011</i>
						demonstration of need.”
491	06/24/11	J. Sweeney	Waterfront owner	III.L*	Certainly, the property should not become non-conforming by fiat.	Nonconforming means that the use or structure does not conform to the existing development standards. State law requires eventual conformance. However, the existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure. How nonconforming uses and structures will be regulated will be determined during the process of drafting regulations.
492	06/24/11	J. Sweeney	Waterfront owner	VI.F*	Banning docks and floats?! The water is the reason people pay up for these properties. It would destroy their recreation and the property’s recreational value.	The purpose of the SMP is to address the impacts of human development and use of the shoreline. A balance between concern for ecosystem integrity and the rights of property owners is a primary goal of the Shoreline Management Act and the Shoreline Master Program.
493	06/27/11	G. Tripp	Bainbridge Citizens	III.L*	Under the proposed regulations, existing homes and lots are subject to the new Vegetation Conservation and Buffer Zones if they are rebuilt or remodeled beyond a certain percentage.	The existing Shoreline Master Program allows 100% replacement of an existing nonconforming structure in the same footprint. Draft regulations have not been finalized but will establish how expansion or replacement must be mitigated to achieve no net loss of ecological functions.
494	06/27/11	J. Grundman & L. Fergusson	Waterfront owner	Process*	We would hope that in an effort to engage the public in these important considerations, the city would be extraordinarily informative and transparent and that we would be able to receive such information directly, including an appropriate introduction and explanation of how it is to be processed.	The regulations are still in working draft as they go through the citizen workgroup process. The recommended changes to the SMP will be compiled into a complete document, including vegetation regulations, and the draft SMP will be made available to the public in late July at a joint meeting of the City Council and Planning Commission.
495	06/27/11	J. Grundman & L. Fergusson	Waterfront owner	III.B*	There is no allowance for construction of any structural protection for upland	WAC 176-23-231 states that ”New or enlarged structural shoreline stabilization

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 28, 2011</i>
					property.	measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. There is no allowance for structural stabilization for undeveloped property.
496	06/27/11	J. Grundman & L. Fergusson	Waterfront owner	III.B*	What criteria is included in “table XX” and what criteria is to be considered in the “site specific review” which may be necessary to determine the standard shoreline buffer?	The proposed prescriptive standard shoreline buffers will be based on a combination of shoreline designation and site-specific use. A site specific review based on the geophysical conditions and existing ecological functions provided by a specific property may be used to develop a site-specific management plan. The management plan may call for alternate buffer requirements.
497	06/27/11	J. Grundman & L. Fergusson	Waterfront owner	III.B*	What scientific studies have documented the specific environmental damage resulting from the maintenance of the existing regulations in lieu of adopting the standard shoreline buffer dimensions proposed? What would be the specific “net loss of ecological function”?	The scientific background for the proposed buffer dimensions is discussed in pages 2-7 of the June 27, 2011, Herrera memorandum and full citations are provided at the end of that document.
498	06/27/11	J. Grundman & L. Fergusson	Waterfront owner	III.B*	How many shoreline homes would fall within the shoreline buffers proposed in the draft?	Through the city’s GIS system it has been determined that 36% of all shoreline residences are nonconforming to the existing buffer requirements. The proposed buffer dimensions would result in a 9% increase in nonconformity.
499	06/27/11	J. Grundman & L. Fergusson	Waterfront owner	III.B*	How many undeveloped properties would be made undevelopable?	The shoreline variance process is used for the development of heavily constrained or fully constrained (meaning that the entire property is within a critical area) property.
500	06/27/11	K. Jackson	Waterfront owner	III.B*	Vegetation conservation areas and new	Policies related to buffers and residential

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 28, 2011</i>
					setback requirements shall be applied only to new shoreline developments with existing native vegetation.	development are intended to both protect shoreline ecology and accommodate existing single-family residences on the shoreline. The regulations are still being drafted through the citizen workgroups. The no net loss standard will be applied through the permit process required for development or alteration of existing structures.
501	06/27/11	K. Jackson	Waterfront owner	III.L*	Existing developments and land uses may remain and may be redeveloped or expanded where they are currently located provided the redevelopment does not cause a net loss of ecological function.	Existing legally-established structures and uses which may not conform to current development standards, are allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity and meets the standard of no net loss of ecological function. Mitigation will be determined on a site-specific basis.
502	06/27/11	K. Jackson	Waterfront owner	VI.L*	Allow docks and floats on the outside of the island subject to state environmental requirements and no net loss provisions of the SMP.	The policies regarding docks developed by the workgroups and any regulations which are currently under review by the workgroups will be reviewed by both Planning Commission and City Council prior to adoption. Dock regulations and requirements are intended to protect ecological functions and marine navigation and safety.
503	06/27/11	K. Jackson	Waterfront owner	VI.B*	Allow bulkheads to protect both land and buildings.	WAC 176-23-231 states that "New or enlarged structural shoreline stabilization measures for an existing primary structure, including residences, should not be allowed unless there is conclusive evidence, documented by a geotechnical analysis, that the structure is in danger from shoreline erosion caused by tidal action, currents, or waves. There is no allowance for structural stabilization for undeveloped property.
504	06/27/11	Foxpaw1	Citizen	III.B	Vegetation conservation areas and new	See response to comment #500.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 28, 2011</i>
					setback requirements shall be applied only to new shoreline developments with existing native vegetation.	
505	06/27/11	Foxpaw1	Citizen	III.L	Existing developments and land uses may remain and may be redeveloped or expanded where they are currently located provided the redevelopment does not cause a net loss of ecological function.	See response to comment #501.
506	05/27/11	Foxpaw1	Citizen	VI.L.	Allow docks and floats on the outside of the island subject to state environmental requirements and no net loss provisions of the SMP.	See response to comment #502.
507	05/27/11	Foxpaw1	Citizen	VI.B	Allow bulkheads to protect both land and buildings.	See response to comment #503.
508	6/27/11	T. Kelly	Citizen	III.L	Attached MYNorthwest.com article titled “Shoreline plan updates could use a little logic”	Existing legally-established structures and uses which may not conform to current development standards, are allowed to remain and be maintained, repaired, and enlarged as long as the expansion does not increase the nonconformity and meets the standard of no net loss of ecological function. Mitigation will be determined on a site-specific basis.
509	6/28/11	J. Sutherland	Waterfront owner	Process	There were no less than 13 emails from individuals, all with identical text, sent in just two days. I would like to caution you against being influenced by such activist stuffing tactics.	Comment noted.
510	6/28/11	J. Grundman	Waterfront owner	Process	I look forward to learning more, and getting answers to all my questions, including those below.	Comment noted.
511	6/28/11	J. Grundman	Waterfront owner	III.B	I would like to better understand COBI’s justification for potentially changing residential property buffers given the conclusions of the Washington State	WAC 173-26-201 (Guidelines) states that local jurisdictions must identify how existing shoreline vegetation provides ecological functions and determine methods to ensure

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 28, 2011</i>
					Department of Ecology’s Environmental Assessment Program’s “Toxics in Surface Runoff to Puget Sound, Phase 3 Date and Load Estimates.”	protection of those functions. Identify important ecological functions that have been degraded through loss of vegetation. Consider the amount of vegetated shoreline area necessary to achieve ecological objectives. While there may be less vegetation remaining in urbanized areas than in rural areas, the importance of this vegetation, in terms of the ecological functions it provides, is often as great or even greater than in rural areas due to its scarcity.”
512	6/28/11	J. Grundman	Waterfront owner	III.B	How will development and landscaping changes to a small strip of land in the 5.8% of residential property surrounding Puget Sound result in “no net loss of environmental function” that could possible by quantified and measured?	WAC 176-23-201 states that shoreline vegetation provides the following ecological functions: maintaining temperature; removing excessive nutrients and toxic compound, attenuating wave energy, removing and stabilizing sediment; and providing woody debris and other organic matter.
513	06/28/11	J. Grundman	Waterfront owner	III.B	How will the eventual restoration of that strip of land to a forest like state result in “no net loss of environmental functions” if the most effective control strategies for some parameters may be source prevention; especially given that it may be difficult to reduce the low concentrations in runoff from forested areas using conventional stormwater treatment practices?	The SMP must be coordinated with other local, state, and federal regulations. The City’s SMP update must follow the guidelines provided in the WAC.
514	06/28/11	J. Grundman	Waterfront owner	III.B	If the “streams draining did exhibit the highest concentrations of contaminants” shouldn’t the “no net loss of environmental function” focus be on addressing those problem areas rather than making costly (to the owners) property use restricting changes resulting	See the response to comment #513.

Shoreline Master Plan Update – Public Comment

	<i>Date</i>	<i>Name</i>	<i>Interest</i>	<i>Section</i>	<i>Comment</i>	<i>Response as of June 28, 2011</i>
					in unmeasurable benefits.	

*denotes comments received after the end of the last comment period.