

Theresa Rice

From: Lee Cross [lee.s.cross@gmail.com]
Sent: Monday, August 22, 2011 11:47 AM
To: PCD
Cc: Kirk Robinson; Ken Dewitt; Tom Swolgaard; Jay Kinney; Terry Lande; Perry Barrett
Subject: Attn: Ryan Erickson -- Comments on Updated SMP: Vegetation and Restoration

Dear Ryan:

Your presentations to the Planning Commission and City Council have raised three additional questions for the Park District for which we would appreciate answers.

First, the board very much appreciates the additional language clarifying that the Park District can develop shoreline parks to meet the public's water-related recreation needs (Section 4.1.3.10 Vegetation Alteration in the Standard Shoreline Buffer - Parks). At the same time, there is no language dealing specifically with mitigation requirements for such developments in parks. Would the Park District have to revegetate in the RPZ to the same extent as in Shoreline Residential Conservancy areas for permissible development within 200 feet of the shoreline? I've gone through the draft vegetation regulations (8/11/11 version), and it appears the answer to this question is "yes". There is no language to exempt the Park District from the requirement to establish native vegetation in 2/3 of the Zone 1 (RPZ) if there is any kind of new development within 200 feet of the ordinary high water mark. (This is the requirement for the Shoreline Residential Conservancy designation.)

This revegetation requirement would increase the costs of any new recreational development within 200 feet of the shoreline and would impose a new financial burden on the Park District and, by extension, on taxpayers. It would also create a financial disincentive to meet one of the preferred shoreline uses in the Shoreline Management Act, namely enhancing public access to and enjoyment of the shoreline and water.

The size, characteristics, and uses of shoreline parks on Bainbridge Island differ significantly and call into question whether it makes sense to establish a standard mitigation requirement for all parks. For example, Hawley Cove Park has a significant freshwater wetland within 50 feet of the ordinary highwater mark; if the Park District were to develop a new trail along the berm behind the wetland, how would it be possible plant 2/3 of the shoreline, 50 feet from the shoreline, with multi-story native vegetation and still leave the wetland intact? In a second example, if the Rowing Club raised funds to build a permanent storage building for rowing shells at Waterfront Park, would the City plant 2/3 of the shoreline at a width of 50 feet with multi-story native vegetation?

In light of all these factors, the Park District suggests that the City include in the updated SMP new language on vegetation mitigation for public shoreline properties. This new language should take into account the varying characteristics and uses of these properties.

Second, the packet of materials that was sent to the City Council for their August 16 meeting includes an updated version of the June 2011 Herrera memo. The August 2011 Herrera memo recommends a 50 foot RPZ for the Island Conservancy designation -- not 30 feet, as in the June version. The Park District would appreciate an explanation of Herrera's reasoning behind this change.

Finally, the Park District would appreciate written clarification from the City about whether the State *requires* restoration projects on public land to achieve no net loss. The chart in the State's SMP Handbook (January 2011) seems to imply that restoration of publicly owned shoreline is "expected" (in Libby Hudson's words). The question is whether State law actually requires it. If not, to what extent will the City "expect" the Park District to engage in restoration activities in its shoreline parks -- even if we do nothing to further develop these

parcs and only engage in maintenance activities? As we have said in the past, we want to work with City on restoration projects and improving shoreline habitat where it is possible to do so, but we are facing some serious financial constraints as well as other demands for our resources -- especially over the next few years until and unless assessed property values begin to increase. Other factors, such as preservation of historical and archaeological resources, may also constrain habitat restoration efforts in some shoreline parks.

Again, the Park District very much appreciates the opportunity to work with the City on the update of its Shoreline Management Plan. Thank you for your consideration of our comments.

Lee Cross
Park Commissioner
BI Metro Parks & Recreation District

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