

**Department of Planning and Community Development**

**Shoreline Substantial Development Exemption Worksheet**

**Project Information**

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| **Date**  | October 4, 2017 |
| **Project Name** | Stone Pier/Ramp/Float Replacement and Railway Removal |
| **Project Address** | 6071 Crystal Springs Dr. NE |
| **Project Parcel Number**  | 41420000080409 |
| **Project Number** | PLN50860 SSDE |
| **Planner Assigned** | Annie Hillier |

**Brief Project Description**

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| The project consists of replacement of a pier, ramp, and float (160 feet total) within the existing footprint, and the removal and disposal of a 7 foot by 85 foot marine railway. The proposed dock will be comprised of a fully grated pier and ramp, and the float will include grating over 50% of the surface area. The dock height will be increased to meet current SMP standards. The 20 existing creosote treated piles will be removed and replaced with 10 galvanized steel piles. The SSDE application and site plan are provided in Attachment A.  |

**Environmental Review**

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| The project is subject to State Environmental Policy Act (SEPA) review as provided in Washington Administrative Code (WAC 197-11-800). A SEPA checklist was submitted with the application (Attachment B). A combined notice of application/SEPA comment period was issued on July 28, 2017, with the comment period ending on August 11, 2017. No public comments were received.  |

**Site Characteristics**

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| **Shoreline Designation** | Shoreline Residential Conservancy |
| **Aquatic Designation** | Aquatic |
| **Geomorphic Shoretype** | Low bank |
| **Shoreline buffer** | 115 feet |
| **Zone 1** | 30 feet from OWHM  |
| **Zone 2** | 85 feet |
| **Zoning Designation** | R-2 |
| **Dimensional Standards** | *Required* | *Proposed* |
| **30% side yard** | Upland dimensional standards do not apply to overwater structures. The existing and proposed structure meets the 10-foot side yard setback for overwater structures (SMP 6.3.7.6.3(a)).  |
| **Side yard** |
| **Front yard** |
| **Height** |
| **Lot coverage** |

**Environmental Impacts (SMP Section 4.1.2)**

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| **Type** | [ ]  Vegetation Disturbance[ ]  Net New Impervious Surface Area[ ]  Fill Below OHWM[ ]  Aquatic Habitat Disturbed[x]  Other |
| **No Net Loss Demonstration** | [x]  SF Manual[ ]  Site Specific Impact AnalysisThe use of the Single Family Residence Shoreline Mitigation Manual (Attachment C) adequately demonstrates that the project qualifies for a mitigation exemption for repair or replacement of overwater structures. The measures for qualification of a mitigation exemption include: * Replace dock surface with grating or gridding. The project proposes to replace the dock surface with a 100% grated pier, a 100% grated ramp, and a 50% grated float. Grating on replacement piers must be installed that result in a total open area of a minimum of 30 percent. The project proposes grating with 70% grating open area on 100% of pier and ramp, equating to a total open area of 70%.
* Reduce dock width, to meet current SMP and USACE requirements. The project proposes to reduce the pier width to 4 feet, to meet current SMP standards for new piers (SMP Section 6.3.7.2.1(a)).
* Increase dock height, to meet current SMP, WDFW or USACE recommendations. The project proposes to increase the pier height to 1 foot above the extreme high water mark.

The project also proposes to remove and dispose of an existing 7 foot by 85 foot marine railway that sits adjacent the pier, to the north. Additionally, the 20 existing creosote-treated pilings would be replaced with 10 galvanized steel pilings. The proposal will result in a net increase in light penetration through a reduction in shading footprint and the use of functional grating; improved water quality through the removal of creosote-treated piles; and improved aquatic habitat through the removal of the marine railway. Adverse impacts to the shoreline environment due to construction are expected to be short-term and will be minimized through the use of best management practices (BMPs). **(Condition 12)** Given the increase in compliance with the SMP’s requirements for materials and standards, the project will result in no net loss of shoreline ecological function and process.The applicant submitted a Site Specific Impact Analysis for the use of the barge (Attachment D). The barge shall not ground at any point in the construction process. **(Condition 9)** As indicated in the analysis, both the barge and tug operations will be conducted to minimize any disturbances to the marine habitat, including ensuring deep enough tide to minize any sort of scour or disruptions, the creation of currents, or dragging. Construction of the dock will be conducted within the approved work windows of WDFW and USACE. **(Condition 3)** |
| **Proposed Mitigation** | No additional compensatory mitigation is proposed or required. Mitigation through project design and construction includes a decrease in over-water structure, increased functional grating, removal of creosote-treated piles, and removal of the marine rail off of the substrate (beach).  |
| **Mitigation Surety and Assurances** | [ ]  Notice to Title[ ]  Performance Assurance[ ]  Maintenance and Monitoring AssuranceNone required. |

**Consistency Review**

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| **Section 4.1.3****Vegetation Management** | No upland work is proposed. Construction material will be brought to the site via barge. |
| **Section 4.1.5****Critical Areas** | [ ]  Critical Saltwater Habitat [ ]  Wetland[ ]  Fish and Wildlife Conservation Area[x]  Geologically Hazardous AreaThe upland portion of the site is a mapped geologically hazardous area; however, no upland work is proposed.  |
| **Section 4.1.6****Water Quality and Stormwater Management** | Temporary water quality impacts are expected during pile removal and pile driving. Increased turbidity is expected to be localized and brief. As conditioned, the project shall apply Best Management Practices (BMPs) to protect water quality during construction.  |
| **Section 4.2****Existing Development** | SMP Section 4.2.1.8, Regulations – Existing Residential and Commercial: Aquatic Structures and Accessory Aquatic Structures, provides that existing docks, floats and buoys may be repaired and replaced in the same foot print and shall comply with this Program’s requirements for materials and standards, to the extent practicable. The replacement pier, ramp and marine rail will be located in the same foot print and shall comply with the applicable requirements for materials and standards to the extent practicable (See Section 6.2, below).  |
| **Section 4.2.2****Cultural Resources** | Shoreline use and development must preserve and protect cultural resources that are recorded by the Washington State Department of Archeology and Historic Preservation or local registry and resources that are inadvertently discovered during use or development activities. As conditioned, work shall immediately stop if any historical or archaeological artifacts are uncovered during excavation or construction and the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation shall be immediately notified. Construction shall only continue thereafter in compliance with the applicable provisions of law. **(Condition 15)** |
| **Section 5.9****Residential Development** | n/a  |
| **Section 6.2****Shoreline Stabilization** | n/a |
| **Section 6.3****Overwater Structures** | Applicable SMP regulations are summarized below. SMP 6.3.7.1 – New piling must be steel, concrete, plastic or untreated or approved treated wood, if approved by USACE. Any piling subject to abrasion (and subsequent deposition of material into the water) must incorporate design features to minimize contact between all of the different components of overwater structures during all tidal elevations. New piling must be spaced at least twenty feet (20’) apart. Piling employed in piers or any other structure must have a minimum vertical clearance of 18 inches above extreme high water. Piles, floats, or other components in direct contact with water shall not be treated or coated with biocides such as paint or pentachlorophenol. **The proposal includes replacement of 20 creosote piles with ten, 10-inch galvanized steel pilings. Piles will be spaced at least 20 feet apart where feasible; in order to secure the ramp, piles at the end of the pier will be approximately 18 feet apart. Piles will have a minimum vertical clearance of 18 inches above extreme high water, and the replacement pier and ramp will be set on top of pile caps and bolted. Components will not be treated or coated with biocides such as paint or pentachlorophenol. (Condition 6)** SMP 6.3.7.2 – The width of a proposed new pier must not exceed 4 feet for single use. Functional grating resulting in a total open area of a minimum of 30% must be installed on all new piers that are 4 to 6 feet wide; sections of the pier that span the intertidal areas with obligate vegetation must be fully grated with 60% open area. **The proposed replacement includes installation of a pre-fabricated, 4 foot wide, fully grated aluminum pier and ramp. The total open area will be 70% (70% grating open area x 100% dock and ramp area).** SMP 6.3.7.3–Functional grating must be installed on at least 50% of the surface area of the float. Flotation for the float shall be fully enclosed and contained in a shell. Flotation components must be installed under the solid portions of the float, not under the grating.**The proposed dock replacement includes installation of a pre-fabricated, 8 foot by 25 foot float. Functional grating will be installed on 50% of the surface area. The proposed float will be installed over the same area as the existing float and will have the same dimensions (8 x 25 feet). Floatation components will installed under the solid portions of the float and will be fully enclosed. (Condition 13)**SMP 6.3.7.3.1 – Floats need to be suspended a minimum of 1 foot above the substrate at all tide levels, using float stops or the least impacting method possible. **Float stops will be installed on pilings located at the 4 corners of the float, suspending floatation tubs no less than 1 foot from the substrate at all tide levels. (Condition** SMP 6.3.7.6 – The overall length of the pier cannot extend beyond the average length of adjacent docks within five hundred feet (500’) of the proposed location or the distance necessary to obtain a depth of nine feet (9’) of water as measured at mean lower-low water (MLLW) at the landward limit of the moorage slip, whichever is closer to shore. A dock shall not extend beyond the adjoining property dock or the line of navigation. Docks, piers and floats must be set back a minimum of ten feet (10’) from side property lines.**The replacement structure may be the same bulk dimension as the existing structure (SMP Section 4.2.1.6.5). The proposed pier will be the same length as the existing pier (160 feet). However, there are two piers within 500 feet of the proposed pier, both of which exceed the subject pier in length. All portions of the proposed structure are set back a minimum of 10 feet from side property lines.**  |

**Conditions of Approval**

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| 1. All work must be in substantial compliance with the SSDE application materials, dated June 8, 2017 and June 14, 2017 (revisions).
2. Activities to be undertaken as part of this permit require approvals or permits from the Washington Department of Fish and Wildlife and US Army Corps of Engineers. Evidence of required approvals shall be submitted to the City prior to start of work.
3. All in-water and over-water installation and construction activities shall adhere to authorized work windows established by the Washington Department of Fish and Wildlife provisions found in WAC 220-660-330 and as specified in the LOP issued by the US Army Corps of Engineers.
4. No over-water application of paint, preservative treatment, or other chemical compounds shall be permitted at any time.
5. All materials that may contact surface water shall be constructed of materials that will not adversely affect water quality or aquatic plants or animals.
6. Wood that is treated with creosote, copper chromium arsenic (CCA) or pentachlorophenol (PCP) is prohibited.
7. Any equipment used in or around waters shall be clean and inspected daily before use to ensure that the equipment has no fluid leaks. Should a leak develop during use, the leaking equipment will be removed from the site immediately and not used again until it has been adequately repaired. Equipment should be stored and/or fueled at least 100 feet from any surface water where possible.
8. Extreme care shall be taken to prevent petroleum products, chemicals, or other toxic or deleterious materials from entering the water and degrading water quality. If a spill does occur, or if oil sheen or any distressed or dying fish are observed in the project vicinity, work shall cease immediately and Washington Department of Ecology shall be notified of such conditions. Contact: Northwest Regional Spill Response Section at (206) 649-7000.
9. The barge shall not be allowed to ground.
10. All construction activities shall comply with noise limitations in residential zones per BIMC 16.16.020.
11. Any use, construction, placement, removal, alteration, or demolition of any structure, land, vegetation or property in a manner that violates the terms or conditions of this exemption shall be considered a violation of the Bainbridge Island Shoreline Master Program and be subject to the applicable violations, enforcement and penalties provisions of the Program.
12. Best Management Practices (BMPs) for construction practices shall be followed at all times to prevent adverse environmental impacts to water quality.
13. Flotation for the float shall be fully enclosed and contained in a shell (e.g., polystyrene tubs not shrink wrapped or sprayed coatings) that prevents breakup or loss of the flotation material into the water and is not readily subject to damage by ultraviolet radiation and/or abrasion caused by rubbing against piling and/or waterborne debris. Flotation components shall be installed under the solid portions of the float, not under the grating.
14. Float stops shall be installed on pilings located at the 4 corners of the float, suspending floatation tubs no less than 1 foot from the substrate at all tide levels.
15. If any historical or archaeological artifacts are uncovered during excavation or construction, work shall immediately stop and the Department of Planning and Community Development and the Washington State Department of Archaeology and Historic Preservation shall be immediately notified. Construction shall only continue thereafter in compliance with the applicable provisions of law.
16. A building permit is required prior to the start of any construction.
17. Materials removed from the project site as a part of the project shall be disposed of at an appropriate upland location.
18. FEMA Endangered Species Act (ESA) Requirements: Any construction or development occurring within a FEMA Special Flood Hazard Area (SFHA) shall require a report demonstrating “no adverse effect” to ESA listed species. Please reference https://www.fema.gov/national-flood-insurance-program-endangered-species-act.
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**Attachments**

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| A: SSDE application and site plan (date-stamped June 30, 2017)B: SEPA checklist C: Single Family Residence Shoreline Mitigation Manual D: Site Specific Impact Analysis (for use of the barge) |