CITY OF BAINBRIDGE ISLAND

Department of Planning and Community Development

Shoreline Substantial Development Exemption Worksheet

Project Information

Date	July 21, 2020
Project Name	Kirkland SSDE
Project Address	11411 Blue Heron Ln NE
Project Parcel Number	08250240492002
Project Number	PLN50453A
Planner Assigned	Annie Hillier

Brief Project Description

Replace existing single-family solid surfaced residential dock that currently grounds out at low tide in the same footprint. Total overwater length is 164': 8 x 10’ pier, 4' x 50' fully grated aluminum ramp, 4' x 100' floating dock system, 10' x 30' moorage float. All supported by 5, 10” galvanized steel piling; 2 existing piling supporting the pier will remain. New floats will be suspended above the substrate by 12 stub piling, and floats will be grated. Remove 34' of rock bulkhead for mitigation.

Environmental Review

A mitigated determination of nonsignificance (MDNS) was issued for a similar proposal in 2016. A new SEPA threshold determination is not required as no new significant adverse environmental impacts have been identified for this proposal that were not previously analyzed in prior documents. In accordance with WAC 197-11-600(4)(c), a SEPA addendum describing the site plan adjustment was issued along with a copy of the original SEPA checklist that accounted for impacts as a result of the proposal. The mitigating conditions in the MDNS apply, except where the proposal has changed; e.g. condition 16. (Staff has highlighted the conditions that apply; Refer to attachment C.)

Site Characteristics

Shoreline Designation	Shoreline Residential	
Aquatic Designation	Aquatic	
Geomorphic Shoretype	High bluff	
Shoreline buffer	50’ from top of bluff	
Zone 1	30’ + extent of native vegetation	
Zone 2	Remaining area	
Zoning Designation	R-2	
Dimensional Standards	*Required*	*Proposed*
30% side yard	Upland dimensional standards do not apply to overwater structures. SMP 4.2.1.8 allows existing docks to be replaced in the same footprint.	
Side yard		
Front yard		

Height	
Lot coverage	

Environmental Impacts (SMP Section 4.1.2)

Type	☐ Vegetation Disturbance ☐ Net New Impervious Surface Area ☒ Fill Below OHWM ☒ Aquatic Habitat Disturbed ☐ Other
No Net Loss Demonstration	☐ SF Manual ☐ Site Specific Impact Analysis Mitigation requirements of Section 4.1.2, Environmental Impacts, may be met through mitigation standards for the United States Army Corps of Engineers (USACE) permit process. (SMP Section 6.3.5.8) The applicant provided a copy of the compensatory mitigation plan submitted to USACE. A copy of the approval must be provided with the building permit application **(Condition 3).**
Proposed Mitigation	Removal of 34' of rock bulkhead, as required by USACE.
Mitigation Surety and Assurances	☐ Notice to Title ☐ Performance Assurance ☐ Maintenance and Monitoring Assurance None required per SMP requirements. However, the applicant is proposing to remove a portion of the existing bulkhead to meet US ACE mitigation requirements.

Consistency Review

Section 4.1.3 **Vegetation Management**	No upland work is proposed.
Section 4.1.5 **Critical Areas**	☒ Critical Saltwater Habitat ☐ Wetland ☐ Fish and Wildlife Conservation Area ☒ Geologically Hazardous Area The site contains documented surf smelt and herring spawning in the vicinity. All in-water and over-water installation and construction activities shall adhere to any authorized work windows established by the Washington Department of Fish and Wildlife (**Condition 4**). Water-dependent development and uses, including marinas, docks, piers, mooring areas, underwater parks, utility crossings, and shoreline modifications, shall not intrude into or be built over critical saltwater habitat unless: The proposal is for private, non-commercial, residential docks for single use, community, or joint-use, which may be authorized, provided that: i. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible; and

	ii. The project, including any required mitigation, will result in no net loss of ecological functions and processes associated with critical saltwater habitat. The proposal is to replace an existing dock in the same location through a shoreline exemption; an alternative location would not reduce or avoid impacts to critical saltwater habitat. The project achieves no net loss of ecological functions and processes through improved site design (raising the structure off the substrate and adding grating), and through the proposed mitigation (removal of 34' of bulkhead). The project site contains a geologically hazardous area (landslide hazard). The City Engineer found the geotechnical assessment (Cobalt Geosciences, May 2020) satisfies the Step 1 and Step 2 requirements, provided the final construction plan set does not substantively change between the SSDE application and the following Building Permit Application (Condition 5). The City Engineer has determined that the proposed development will meet the factor of safety in SMP Appendix B, Subsection B-9(E)(1).
Section 4.1.6 **Water Quality and Stormwater Management**	Temporary water quality impacts are expected during dock construction and pile wrapping. 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 **(Condition 7).** A SWPPP is required prior to construction **(Condition 8).**
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 footprint and shall comply with this Program's requirements for materials and standards, to the extent practicable. The replacement pier and float structure will be located in the same footprint and will comply with the applicable requirements for materials and standards to the extent practicable (See Section 6.2, below).
Section 5.9 **Residential Development**	n/a
Section 6.2 **Shoreline Stabilization**	SMP 6.2.3.11 – Where feasible, remove any failing, harmful, unnecessary or ineffective structures and restore shoreline ecological functions and ecosystem-wide processes consistent with the priorities of an ecosystem-wide restoration plan, and replace structures using shoreline stabilization measures that result in less impact to ecological functions and ecosystem-wide processes. The proposal includes removal of 34' of unnecessary bulkhead, located to the north of the dock. No replacement is proposed.
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 associated with a new pier, except large water-dependent ferry terminals, must be spaced at least twenty feet (20') apart (lengthwise along the structure) unless the length of structure itself is less than twenty feet (20'). If the structure itself is less than twenty feet (20') in length, piling can only be placed at the ends of the

structure. Piles in forage fish spawning areas need to be spaced at least forty feet (40') apart. 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.

A total of 6 new pilings are proposed. Pilings must be located 40' apart in forage fish spawning areas. The applicant revised the proposal to meet this requirement, which is depicted on the revised elevations sheet. The project is conditioned to ensure the building permit also depicts this. **(Condition 11)**

SMP 6.3.7.2 – The width of a proposed new pier must not exceed 4 feet for single use, or 6 feet for joint 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.

Per SMP 4.2.1.8, maximum size constraints are based on the existing footprint. The existing 8' by 10' pier will be replaced and will be fully grated with 60% open area. The existing floating pier is 6' wide, and the proposed floating pier is 6' wide as well. Functional grating will be located on 50% of the each of the 5 floats that comprise the pier. There is no obligate vegetation found in the project area; the substrate is sand, mud, and small rock from the bulkhead to the end of the dock. The grating on the floating pier shall have 60% open area, or shall otherwise achieve a total open area of at least 30%. If this is not possible, detailed information shall be submitted with the building permit application for review for compliance with the SMP; the replacement structure shall comply with the materials and standards to the extent practicable, as stated in SMP Section 4.2.1.8 **(Condition 10).**

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.

Functional grating is proposed on 50% of the surface area of the floats. This requirement appears to be met by the proposal, and must also be demonstrated in the building permit application. **(Condition 10)**

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. If float stops attached to pilings are not feasible, then up to four, 10 inch diameter stub pilings can be installed, except an additional 2 may be installed for joint-use floats.

The applicant revised the proposal to include 12 stub pilings to support the portions of the dock that would otherwise ground out. Previously, float feet had been proposed but did not meet the provisions for grain size. The applicant indicated that suspending the floats from the pilings that hold the dock in place is not feasible, because the pilings are only located on one side of the dock. The SMP allows docks to be replaced in the same footprint and requires them comply with the Program's requirements for materials and standards, to the extent practicable. The

	applicant has demonstrated that fewer pin piles is not feasible, nor is suspending the floats using another method. To the extent practicable, the proposal complies with the SMP's standards, as the floats will be located 1' above the substrate at all tide levels. SMP 6.3.7.6 – The overall length of the pier cannot extend beyond the average length of adjacent docks within 500 feet of the proposed location or the distance necessary to obtain a depth of 9 feet 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. **Per SMP 4.2.1.8, maximum size constraints are based on the existing footprint. The proposed dock will be the same length as the existing dock.**
Attachments	A. Application B. Site Plan/Planset C. MDNS threshold determination D. SEPA Addendum and Checklist

Conditions of Approval

1. All work must be in substantial compliance with the SSDE application materials (received August 7, 2019, and additional information received June 22, 2020).
2. A building permit is required prior to the start of any construction.
3. 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 prior to building permit issuance. Evidence of required approvals shall be provided in the building permit application.
4. All in-water and over-water installation and construction activities shall adhere to any 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.
5. The submitted geotechnical assessment (Cobalt Geosciences, May 2020) satisfies the Step 1 and Step 2 requirements. The final construction plan set, submitted with the building permit, shall be consistent with the findings of the geotechnical assessment, or further review by the City shall be required.
6. An indemnification or hold harmless agreement shall be required for all projects in geologically hazardous areas and buffers. The form of the agreement shall be approved by the City and executed prior to the commencement of construction or site alteration.
7. Shoreline uses and activities shall apply Best Management Practices (BMP's) to minimize any increase in surface runoff and to control, treat and release surface water runoff so that receiving properties, receiving waters, wetlands or streams, and are not adversely affected, consistent with the City's adopted Stormwater Management Manual.
8. Issuance of a building permit shall require the project to demonstrate that it meets Minimum Requirement 2 (Erosion Control) in accordance with the City's adopted stormwater manual. The applicant shall prepare and submit a construction Stormwater Pollution Prevention Plan (SWPPP) to COBI prior to any permitted activities including demo, construction, or overwater work. COBI Form B109D or an equivalent document that covers the 13 basic elements of construction erosion control as published in the Washington Department of Ecology Stormwater Management Manual for Western Washington (SWMMWW, 2012 amended in 2014). An issued

Hydraulic Project Approval (HPA) may satisfy this condition if imposed HPA conditions reasonably apply to any upland disturbances anticipated on the project. If so, this shall be explicitly noted in the building permit application which includes the HPA.

9. Piles, floats, or other components in direct contact with water shall not be treated or coated with biocides such as paint or pentachlorophenol.
10. The grating on the floating pier shall have 60% open area, or shall otherwise achieve a total open area of at least 30%. At least 50% of the surface area of the floats must be grated. These calculations shall be provided with the building permit (e.g. 50% of surface area x 60% open area). If 30% total open area cannot be achieved, detailed information shall be submitted with the building permit application for further review for compliance with the SMP.
11. Pilings must be located 40' apart in forage fish spawning areas. The applicant revised the proposal to meet this requirement, which is depicted on the revised elevations sheet. The building permit shall reflect this requirement.
12. All construction activities shall comply with noise limitations in residential zones per BIMC 16.16.020.
13. Materials removed from the project site as a part of the project shall be disposed of at an appropriate upland location.
14. 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.

Attachment A

CITY OF BAINBRIDGE ISLAND
MASTER LAND USE APPLICATION
P100

FOR OFFICIAL USE ONLY

PROJECT # _____
PLANNER _____

Project Name:	Kirkland Dock Replacement
Parcel Number(s):	082502-4-049-2002
Property Address:	1411 Blue Heron Lane NE

Type of Application (check all that apply)

- ☐ Adjustments to an Approved Land Use: ○ Major ○ Minor
- ☐ Administrative Code Interpretation
- ☐ Agricultural Conditional Use
- ☐ Agricultural Retail Plan
- ☐ Boundary Line Adjustment
- ☐ Buoy Application
- ☐ Clearing Permit
- ☐ Conditional Use Permit: ○ Major ○ Minor
- ☐ Habitat Buffer Averaging
- ☐ Habitat Management Plan
- ☐ Housing Design Demonstration Project
- ☐ Pre-Application Conference
- ☐ Reasonable Use Exception
- ☐ Revision: Type _____
- ☐ Rezone: ○ Site Specific ○ Area-Wide
- ☐ Shoreline Conditional Use
- ☑ Shoreline Exemption
- ☐ Shoreline Substantial Development
- ☐ Shoreline Variance
- ☐ Sign Permit
- ☐ Site Plan and Design Review: ○ Major ○ Minor
- ☐ Special Use Review
- ☐ State Environmental Policy Act (SEPA)
- ☐ Subdivision – Large ☐ Subdivision – Long ☐ Subdivision – Short → ○ Preliminary ○ Final ○ ALT/ADJ/AMEND
- ☐ Variance: ○ Major ○ Minor
- ☐ Vegetation Management
- ☐ Wireless: ○ EFM ○ WCF
- ☐ Other _____

Project Description:

Replace an existing single-family solid surfaced residential dock that currently grounds out at low tide with the following: 164' overall length. 8-foot by 10-foot pier, 4'x 50' fully grated alum. ramp, 4'x100' floating dock system, 10'x30' moorage float. All supported by six 10 inch galvanized steel piling. New floats will not ground out and will be grated. Remove 34-feet of rock bulkhead for mitigation

Parcel #	Address	Property Owner
082502-4-049-2002	1411 Blue Heron Lane NE	Carey Kirkland

Project Contacts *(owner, surveyor, engineer, etc)*		
Property Owner: Carey Kirkland		
Address: 1411 Blue Heron Lane NE		
City: Bainbridge Island	State: WA	Zip: 98110
Email: careykirkland@gmail.com		Phone: 253-670-5451
Name:	Agency:	
Address:	Function:	
City:	State:	Zip:
Email: j		Phone:
Name:	Agency:	
Address:	Function:	
City:	State:	Zip:
Email:		Phone:
Name:	Agency:	
Address:	Function:	
City:	State:	Zip:
Email:		Phone:

Authorized Agent *(Please attach notarized Owner/Applicant Agreement Form)*		
Name: Leann Ebe McDonald	Agency: Shoreline Solutions LLC	
Address: 9784 NE Lafayette Avenue		
City: Bainbridge Island	State: WA	Zip: 98110
Email: leannm@mac.com		Phone: 206-300-2678

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

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

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

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

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR WILL DELAY PROCESSING.

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

Print Name (Owner)	Signature (Owner)	Date
Carey Kirkland	[signature]	10/4/18
Print Name (Owner)	Signature (Owner)	Date
Print Name (Owner)	Signature (Owner)	Date
Print Name (Owner)	Signature (Owner)	Date
Print Name (Agent)	Signature (Agent)	Date

Owner/Agent Agreement

The undersigned is (are) the owner(s) of record of the property identified by the Kitsap County Assessor's account number 082501-4-049-2002,
located at 11411 Blue Heron Ln. NE,
Bainbridge Island, Washington. The undersigned hereby gives (give) consent and approval to Leann Ebe McDonald
to act on his/her (their) behalf as his/her (their) agent to proceed with an application for (please check all items that apply):

- [x] preapplication conference
- [x] planning permits
- [x] construction permits (i.e. building, water/sewer availability, right-of-way, etc)

on the property referenced herein. This agreement authorizes the agent to act on the owner's behalf for the above checked applications through (date or specific phase) 12/31/2022.

Owner of record 12/13/18 *Date* *Owner of record* *Date*

STATE OF WASHINGTON)
) ss.
COUNTY OF KITSAP)

On this 13th *day of* December, 20 18, *before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared:* Carey J Kirkland

to me known as the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he/she/they signed and sealed the said instrument, as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he/she/they was (were) authorized to execute said instrument.

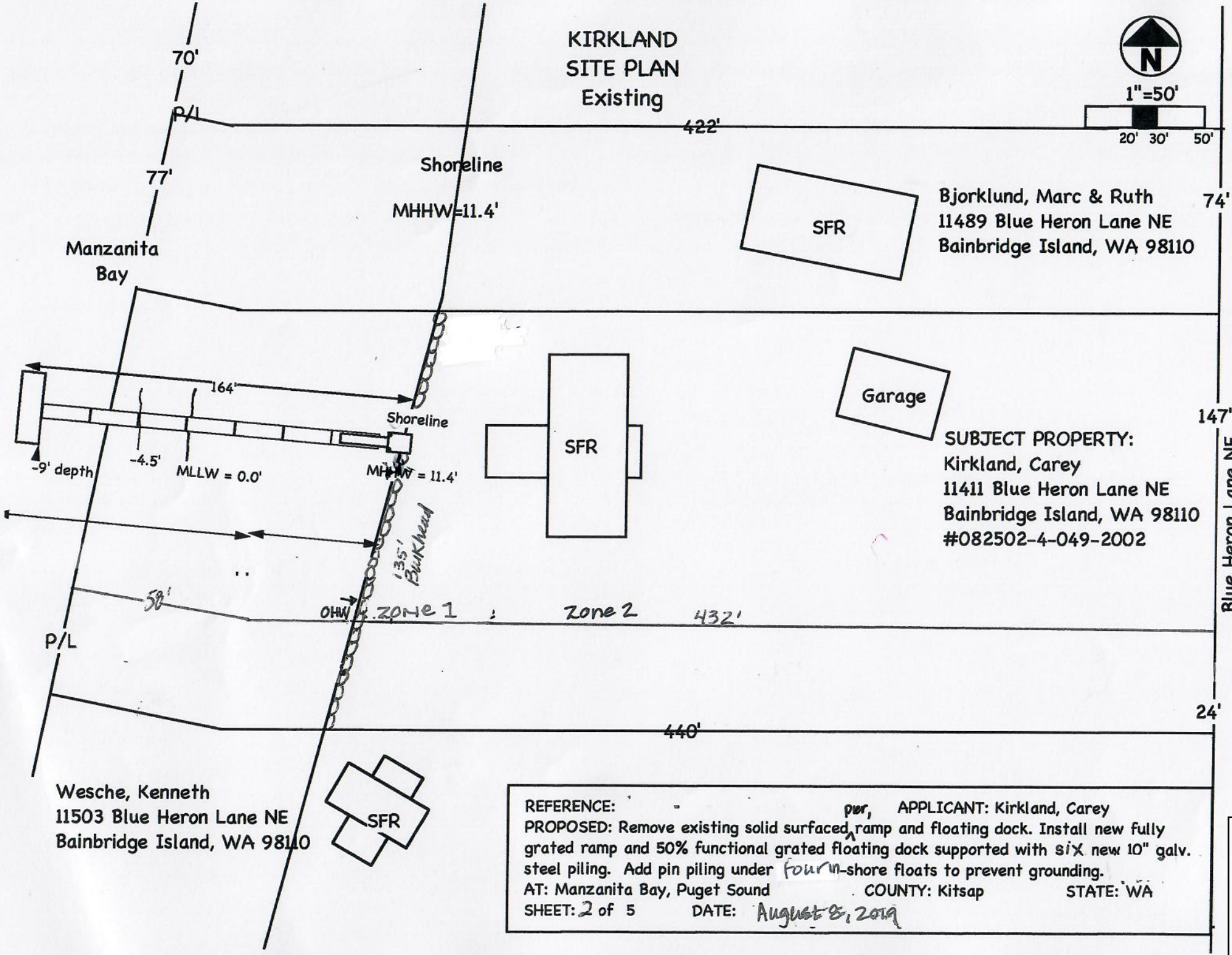
WITNESS MY HAND AND OFFICIAL SEAL, hereto affixed the day and year in this certificate above written.

ALEX GALANG
NOTARY PUBLIC
STATE OF WASHINGTON
My Commission Expires December 29, 2019

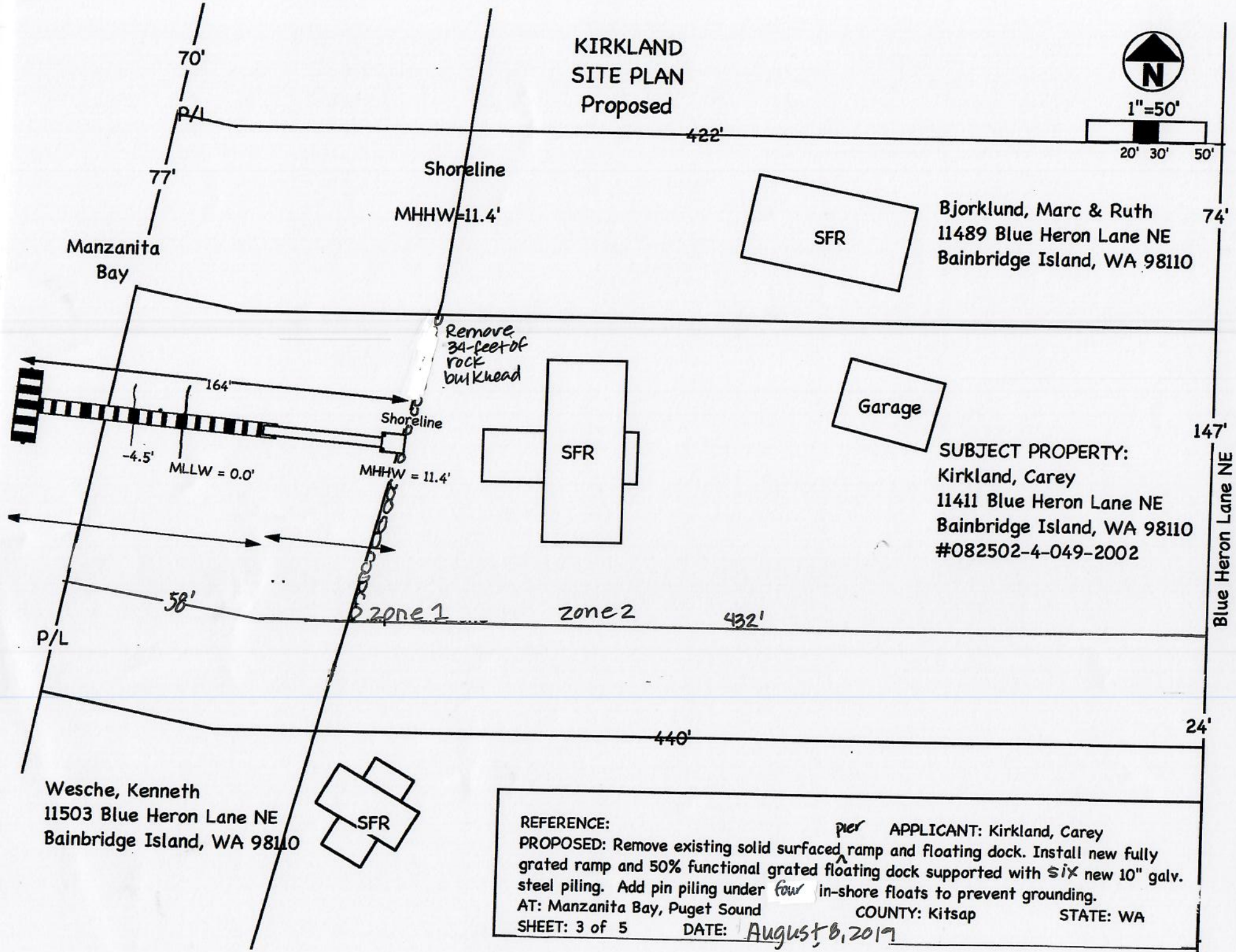
Notary Public in and for the State of Washington

Residing at Port Orchard, WA

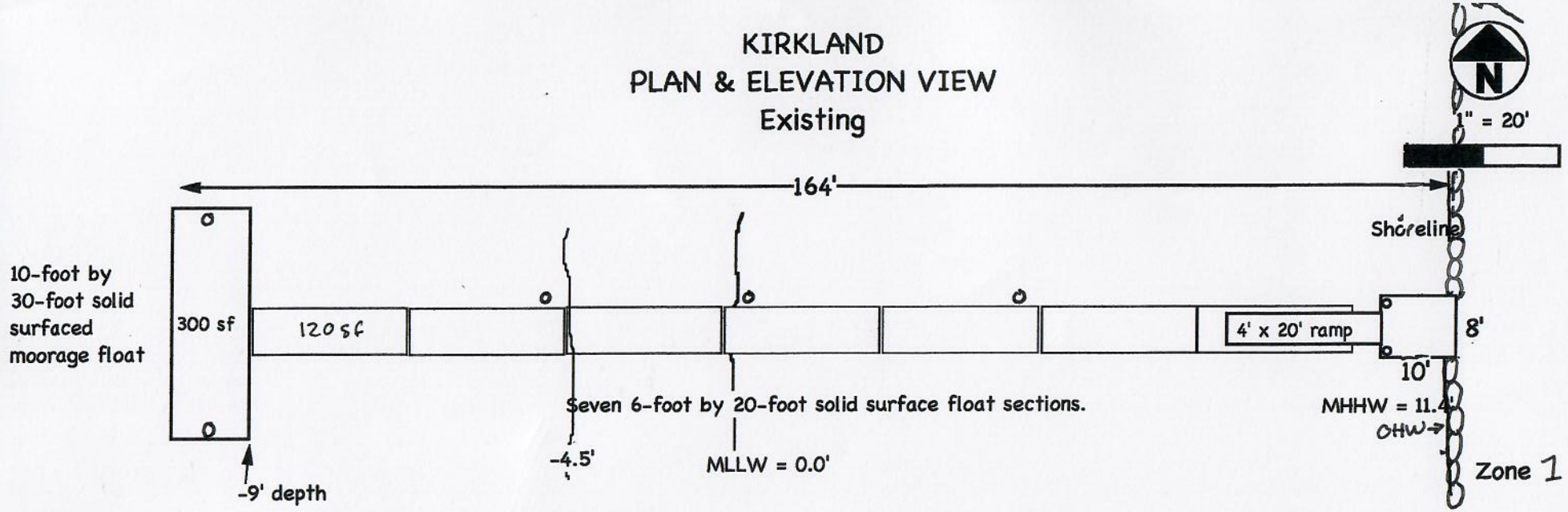
My appointment expires: 12/29/19

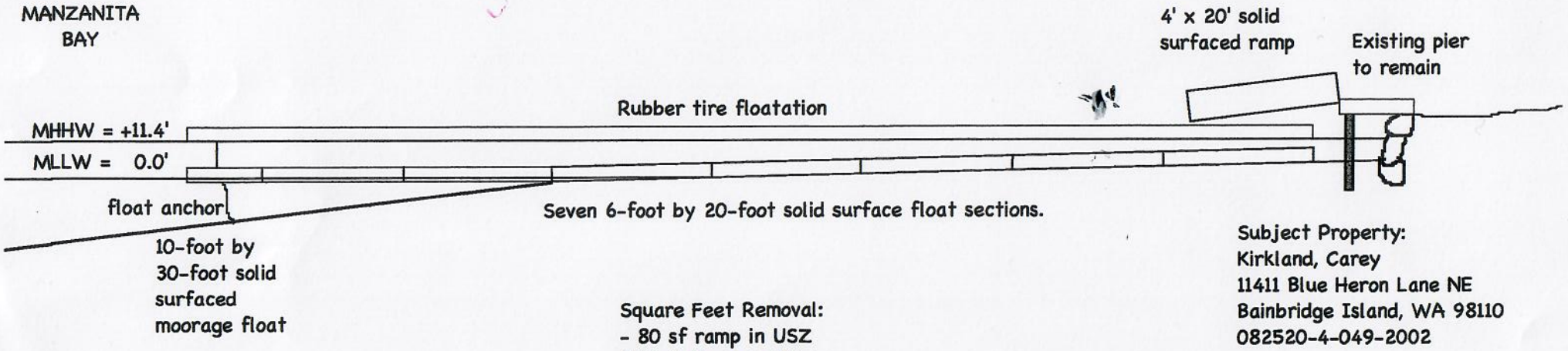


Attachment B


KIRKLAND
SITE PLAN
Proposed
N
1"=50'
20' 30' 50'
70'
P/L
422'
77'
Shoreline
MHHW=11.4'
Manzanita
Bay
SFR
Bjorklund, Marc & Ruth
11489 Blue Heron Lane NE
Bainbridge Island, WA 98110
74'
Remove
34-feet of
rock
bulkhead
164'
Shoreline
-4.5'
MLLW = 0.0'
MHHW = 11.4'
SFR
Garage
147'
SUBJECT PROPERTY:
Kirkland, Carey
11411 Blue Heron Lane NE
Bainbridge Island, WA 98110
#082502-4-049-2002
Blue Heron Lane NE
58'
zone 1
zone 2
432'
P/L
440'
24'
Wesche, Kenneth
11503 Blue Heron Lane NE
Bainbridge Island, WA 98110
SFR
REFERENCE:
APPLICANT: Kirkland, Carey
PROPOSED: Remove existing solid surfaced pier ramp and floating dock. Install new fully grated ramp and 50% functional grated floating dock supported with six new 10" galv. steel piling. Add pin piling under four in-shore floats to prevent grounding.
AT: Manzanita Bay, Puget Sound
COUNTY: Kitsap
STATE: WA
SHEET: 3 of 5
DATE: August 8, 2019

KIRKLAND
PLAN & ELEVATION VIEW
Existing



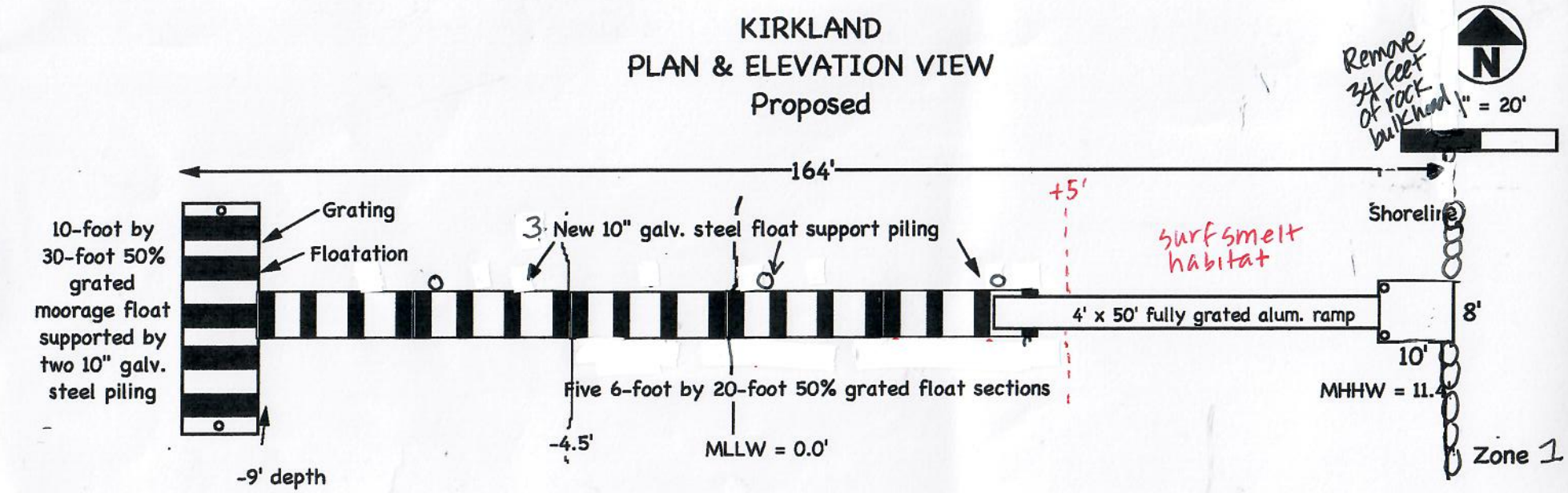


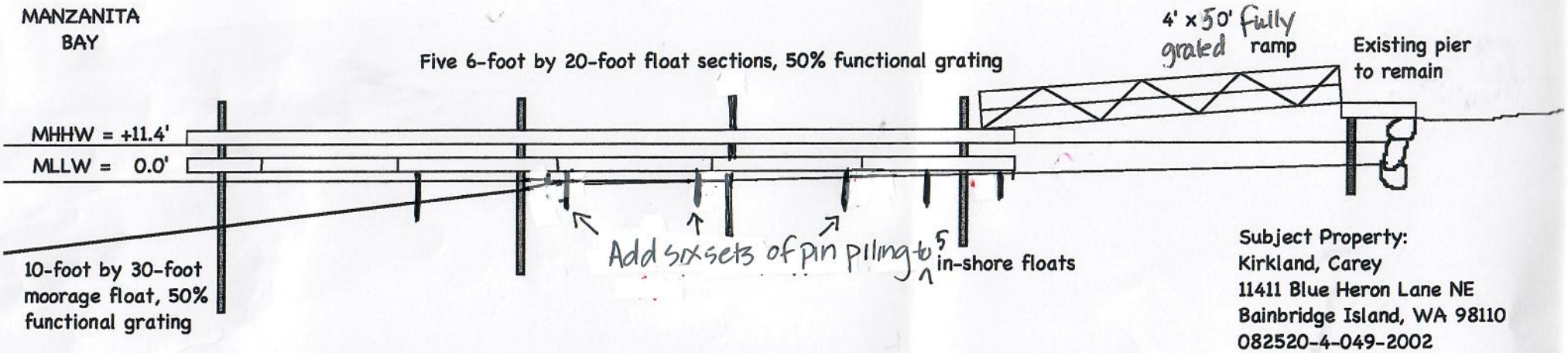
Square Feet Removal:
- 80 sf ramp in USZ
330 sf floats in USZ
890 sf floats in LSZ

Subject Property:
Kirkland, Carey
11411 Blue Heron Lane NE
Bainbridge Island, WA 98110
082520-4-049-2002

REFERENCE: Pier APPLICANT: Kirkland, Carey
PROPOSED: Remove existing solid surfaced ramp and floating dock. Install new fully grated aluminum ramp and 50% functional grated floating dock supported with six new 10" galv. steel piling. Add pin piling under four floats to prevent grounding.
AT: Manzanita Bay, Bainbridge Island, Puget Sound COUNTY: Kitsap STATE: WA
SHEET: 4 of 5 DATE: August 8, 2019

KIRKLAND
PLAN & ELEVATION VIEW
Proposed





Subject Property:
Kirkland, Carey
11411 Blue Heron Lane NE
Bainbridge Island, WA 98110
082520-4-049-2002

REFERENCE: pier, APPLICANT: Kirkland, Carey
PROPOSED: Remove existing solid surfaced ramp and floating dock. Install new fully grated aluminum ramp and 50% functional grated floating dock supported with five new 10" galv. steel piling. Add pin piling under five floats to prevent grounding.
AT: Manzanita Bay, Bainbridge Island, Puget Sound COUNTY: Kitsap STATE: WA
SHEET: 5 of 5 DATE: August 8, 2019 Rev 6/22/20

Attachment C

NOTICE OF ADMINISTRATIVE DECISION AND MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

The City of Bainbridge Island has made a decision concerning the following land use application:

Date of Issuance:	August 19, 2016
Project Name & Number:	Kirkland Dock Replacement PLN 50453
Project Type:	Shoreline Substantial Development Exemption with SEPA
Applicant:	Carey and Rita Kirkland
Owner:	Carey and Rita Kirkland
Date of Application:	February 8, 2016
Complete Application:	February 17, 2016
Project Site &Tax Parcel:	11411 Blue Heron Lane Tax parcel number 082502-4-049-2002
Project Description:	**Replacement of an exisitng 144-foot long single-family residential dock including 40-foot aluminum ramp, 100-foot floating dock system and 10-by 24-foot float.**
Permit Decision:	The application is **approved with conditions.** The staff report, containing the statement of facts upon which the decision, including conditions, is based on the conclusions of law derived from those facts, is available to the public upon request. **The decision becomes effective after 14 days from the date of issuance, or after September 2, 2016.**
SEPA Determination:	The City of Bainbridge Island (lead agency) has determined that the proposal does not have probable significant impact on the environment if measures to mitigate the proposal are used. This MDNS is issued under WAC 197-11-355. This determination was made and mitigation measures were applied after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request. Conditions of approval and mitigation measures are included in this notice. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c).
Responsible Official:	Gary R. Christensen, AICP Department of Planning and Community Development City of Bainbridge Island
Address:	280 Madison Avenue N Bainbridge Island, Washington 98110

Signature 8/19/16 Date

Appeal Procedure:	You may appeal this administrative decision and/or determination by submitting a written appeal and paying a $530 filing fee to the City Clerk, at 280 Madison Avenue North, Bainbridge Island, Washington 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 2.16.020(P) and/or 16.04.170 **by no later than 4:00 p.m. on September 2, 2016. You should be prepared to make specific factual objections.**

Mitigation Measures for SEPA Determination:	This threshold determination is for file number PLN50453. A threshold determination under the State Environmental Policy Act in no way allows construction work to commence without appropriate construction permits, such as a building or grading permit. Mitigation measures become conditions of approval for the permit.

If you have any questions, contact:
Christy Carr, AICP, PWS
Senior Planner
Department of Planning & Community Development
280 Madison Avenue North
Bainbridge Island, WA 98110
206-780-3719 or pcd@bainbridgewa.gov

SEPA Conditions:

1. 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 the commencement of any construction activities. All Hydraulic Project Approval conditions and any Army Corp of Engineers permit conditions shall become conditions of approval.
2. 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 specified in the conditions of the HPA issued for the project.
3. 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.
4. 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.
5. Use of arsenate compounds or creosote-treated members is prohibited. Any components in direct contact with water shall not be treated or coated with biocides such as paint or pentachlorophenol.
6. To avoid degradation of existing water quality, no over-water application of paint, preservative treatment, or other chemical compounds shall be permitted at any time.
7. All materials that may come in contact with surface water shall be constructed of materials that will not adversely affect water quality or aquatic plants or animals.
8. Wood that is treated with creosote, copper chromium arsenic (CCA) or pentachlorophenol (PCP) is prohibited.
9. All treated wood products in this project shall be produced in compliance with the "Best Management Practices for the Use of Treated Wood in Aquatic and Wetland Environments" (BMPs) published by the "Supporting Organizations, November 1, 2011 or the most current version including published amendments: http://www.wwpinstitute.org/documents/BMP_Revise_4.3.12.pdf.
10. Prior to building permit issuance, the applicant shall provide the City with assurance that all treated wood has been produced in compliance with the BMPs noted in Condition 9. Assurance will be in the form of a written certification document or the material may be stamped or tagged

with the BMP Mark pursuant to the Western Wood Preservers Institute quality assurance program.

11. Project managers, contractors and sub-contractors on this project shall be familiar with and apply as appropriate the Installation and Maintenance Guidelines of treated wood as outlined in the BMPs noted in Condition 9.
12. Over-water field applications of paint, preservative treatment, or other chemical compounds is prohibited.
13. Grating must be installed that results in a total open area of a minimum of 30 percent on the ramp and floating dock system and 50 percent on the float. Grating shall be oriented so the lengthwise opening maximizes the amount of light penetration. The applicant shall submit design specifications for the grating surface prior to building permit issuance.
14. To insure that light transmission is not impacted, grating must not be covered with or blocked by any objects such as, but not limited to, planters, storage sheds or boxes, nets, carpets, boards, tables, lawn furniture, or utilities.
15. Piles shall be spaced at least forty feet (40') apart.
16. This exemption authorizes the following dimensional standards: 4-foot wide aluminum ramp, 4-foot wide floating dock system, 10-foot by 24-foot float and 144-foot overall length.
17. 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.

Project Conditions No longer apply

18. A building permit is required for the proposed work. No construction activity shall occur prior to issuance of a building permit from the City of Bainbridge Island.
19. A copy of all public agency approvals and approved drawings shall be given to all contractors performing work at the site prior to beginning any construction work.
20. New piling shall be steel. 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.
21. Piling shall have a minimum vertical clearance of 18 inches above extreme high water.
22. Vibratory method of pile installation shall be used for all piles, unless proven infeasible. If deemed infeasible, documentation proving the infeasibility and alternative method shall be submitted and approved by the City prior to using alternative pile installation methods.
23. Pile drivers shall operate from a float in a manner that minimizes the suspension of particulates. The use of a barge is not authorized. If a barge is required for pile installation, the applicant shall submit a request for revision to this Letter of Exemption, including a site-specific impact analysis.
24. All construction activities shall comply with noise limitations in residential zones per BIMC 16.16.020.
25. The existing dock debris shall be removed from the water and disposed of in an approved upland facility.
26. Overhead wiring or plumbing is not permitted on overwater structures.
27. Bulk storage for gasoline, oil and other petroleum products for any use or purpose on piers and docks is prohibited. Bulk storage means non-portable storage in fixed tanks.
28. The applicant shall notify City staff within 72 hours of project completion in order to allow for field inspection and document compliance with the conditions of approval.

29. 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.

Attachment D

SEPA Addendum
Kirkland Dock Replacement

A SEPA checklist was submitted under an earlier SSDE (PLN50453) and there were errors on the application. As such, and new application was made with the following:

Remove existing pier, solid surface ramp and floating dock. Install new fully grated pier, ramp and 50% grated floating dock supported with six new 10” galvanized steel piling. Additionally, place float feet under each of the three landward floats to prevent grounding. Remove 34-feet of bulkhead for mitigation.

The impacts resulting from this project are the same as the impacts from the original application as the original application is for a total dock replacement, and the new application is for a total dock replacement except for and accurate depiction of the existing dock (accurate length of the dock and the size of the end float).

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:
Carey & Rita Kirkland Float

2. Name of applicant: Carey & Rita Kirkland

3. Address and phone number of applicant and contact person:
Carey & Rita Kirkland 46717 107th Ave CT E Edgewood Wa 98372

Phone 253 445-1196
Contact Person : Robert McConkey

1820 Winfield Ave

Bremerton, Wa. 98310

(360) 631-3113 Email: Robert@McConkey.com

4. Date checklist prepared: 2/07/16
5. Agency requesting checklist: Bainbridge Island
6. Proposed timing or schedule (including phasing, if applicable): Fall 2016

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. N/A

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. None

10. List any government approvals or permits that will be needed for your proposal, if known.

Washington State Wildlife Hydraulics Permit

US Army Corp of Engineers

Washington State Dept. of Ecology

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Pier decking replaced

Replace existing floats

4 x 40 ft ramp

5 ea 6 x 20 ft float

1 ea 12 x 20

4 each piling

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
Manzanita Bay

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

B. ENVIRONMENTAL ELEMENTS

1. **Earth**

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other . . . . . Rolling

b. What is the steepest slope on the site (approximate percent slope)? 14/12

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland. Glacial Till

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

No fill of grading proposes

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

No

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

N/A

a. **Air**

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

None

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

3. **Water**

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

None

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground:

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

None

2) Could waste materials enter ground or surface waters? If so, generally describe.

None

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

No

4. **Plants**

a. Check or circle types of vegetation found on the site:

———— deciduous tree: alder, maple, aspen, other
X evergreen tree: fir, cedar, pine, other
X shrubs
———— grass
X pasture
———— crop or grain
———— wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
———— water plants: water lily, eelgrass, milfoil, other
———— other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

None

c. List threatened or endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

5. **Animals**

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other: Seasonal Salmonids

b. List any threatened or endangered species known to be on or near the site. No known species

c. Is the site part of a migration route? If so, explain. No

d. Proposed measures to preserve or enhance wildlife, if any: N/A

6. **Energy and natural resources**

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

7. **Environmental health**

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

No

1) Describe special emergency services that might be required.

None

2) Proposed measures to reduce or control environmental health hazards, if any:

N/A

b. **Noise**

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

None

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

3) Proposed measures to reduce or control noise impacts, if any:

N/A

8. **Land and shoreline use**

a. What is the current use of the site and adjacent properties?

Residential

b. Has the site been used for agriculture? If so, describe.

No

c. Describe any structures on the site.

Several old abandoned buildings

d. Will any structures be demolished? If so, what?

No

e. What is the current zoning classification of the site?

Residential

f. What is the current comprehensive plan designation of the site?

Rural

g. If applicable, what is the current shoreline master program designation of the site?

Conservancy

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

No

i. Approximately how many people would reside or work in the completed project?

None

j. Approximately how many people would the completed project displace?

None

k. Proposed measures to avoid or reduce displacement impacts, if any:

None

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

9. **Housing**

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None

c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. **Aesthetics**

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

6 ft

b. What views in the immediate vicinity would be altered or obstructed?

None

c. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

11. **Light and glare**

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

c. What existing off-site sources of light or glare may affect your proposal?

None

d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

12. **Recreation**

a. What designated and informal recreational opportunities are in the immediate vicinity?

None

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

13. **Historic and cultural preservation**

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

No

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

No Known

c. Proposed measures to reduce or control impacts, if any:

N/A

14. **Transportation**

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

None

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No

c. How many parking spaces would the completed project have? How many would the project eliminate?

None

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

N/A

g. Proposed measures to reduce or control transportation impacts, if any:

N/A

15. **Public services**

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No

b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A

16. **Utilities**

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

None

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: *Robert McConkey* Float Services

Date Submitted: 2/16/16

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

No anticipated discharges

Proposed measures to avoid or reduce such increases are:

N/A

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Enhanced sea-life activity and growth near float and on piling

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

No adverse impacts anticipated

3. How would the proposal be likely to deplete energy or natural resources?

No depletion anticipated

Proposed measures to protect or conserve energy and natural resources are: N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Not an environmentally sensitive area

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/a

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Will protect shoreline use by discouraging beach access

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

No transportation impacts anticipated

Proposed measures to reduce or respond to such demand(s) are:

N/A

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No anticipated conflict