



**Meeting Agenda & Minutes
Public Water Access Committee**

Monday, February 8th 2016
From: 5:30pm to 7:30pm
Location: City Hall, Council room

Co-Chairs: Elise Wright, Bitsy Ostenson **Minutes / Secretary:** John Brownlow
Attendees: John Brownlow, Fred Grimm, Thomas Hudson, Bill McCoy, Bitsy Ostenson, Frank Ostrander, Greg Spils, Roger van Gelder, Elise Wright **Excused:** Marci Burkel
Council liaison: Kol Medina **CoBI:** Christy Carr **Harbor Stewards:** Mark Leese
Public: Andy Dupre, Peter & Diana Christofferson, Leann McDonald, Ian Morris, Patrick Coonan, Haley & Rusty Lhamon, Kari Wright, Colin Baxter

Action items:	Person responsible:	Deadline:
Revise Public Water Access Steward Program Guidelines and application form	c/fwd	March 2016
A combined list of 'stewards' (harbor & road-ends) sent to Tom Hudson and Elise Wright, Bitsy Ostenson and Marci Burkel to follow-up with former Harbor and Road-End Stewards to determine their willingness and capacity to continue in that role.	Tom Hudson, Elise Wright Bitsy Ostenson & Marci Burkel	March 2016
PWAC sub-committee to review and develop content for the website(s).	Bitsy Ostenson, Roger van Gelder, Greg Spils & John Brownlow	
Provide input to CoBI on updates to Road End and Harbor sign design standards. Obtain photo of Water Trails sign. Create draft document for discussion.	John Brownlow Discussion c/fwd	March 2016
Provide prioritized list to CoBI regarding the (5) prioritized boundary / shore access signs requested as part of the PWAC work plan.	Elise Wright	February 2016
Identify a PWAC member(s) to be the liaison point for Harbor & Road-End Stewards	Committee / Elise Wright	March 2016

Meeting called to order at 5:35pm

Acceptance or Modification of Agenda. Conflict of Interest Disclosure

Members agreed to amend the order of Agenda items and move the review of Work Plan items up in the agenda.

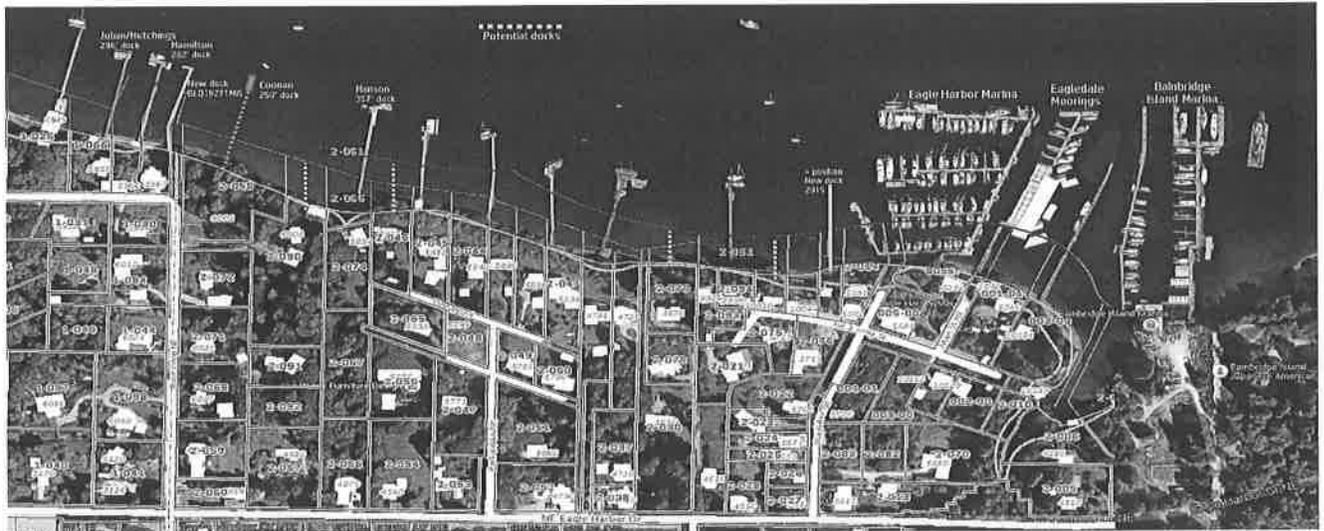
No conflicts of interest were reported

Approval or Modification of previous meeting's minutes

Moved (Frank Ostrander) and seconded (Fred Grimm) that the minutes of the January 13th meeting of the PWAC be approved as submitted. All approved.

Transfer of Public Tidelands

Elise Wright (PWAC) reviewed with Committee a graphic showing Eagle Harbor overlaid with tideland and property parcels together with existing and potential docks. Those marked as potential dock sites are based on input from local residents (see: I Morris email, January PWAC meeting minutes)



Frank Ostrander (PWAC) then reviewed the changes made by the sub-committee (Ostrander, Wright & Brownlow) to the DRAFT position paper and recommendations.

Bill McCoy (PWAC) raised the issue of the need in section 5(c) for a 50' setback from public tidelands that have road-end access. *Where tideland parcels are adjacent either to road ends or public property and private residences, require a shoreline construction setback of 50 feet (where land is available) from the road end or public parcel so as to preserve public views and access.* *Elise Wright (PWAC)* explained that this recommendation would only apply "where land is available" and allows for the preservation of views and access to the road-end and from the water. *Christy Carr (CoBI Planner)* explained that these are called side yard setbacks.

Discussion then moved to the wording of section 4(d) *PWAC recommends that no hydraulic equipment (i.e. boat lifts) be installed on any docks or floats on or adjacent to public tidelands, to prevent accidental pollution of public waters.* Some members felt this was overly restrictive and questioned whether this would result in meaningful change that would protect Island waters from pollution. Wording changes were proposed.

John Brownlow (PWAC) then moved that the (February 8, 2016) recommendations regarding Kitsap County tidelands recently transferred to the City of Bainbridge Island be accepted "as amended" and forwarded to the City. Seconded: *Bill McCoy (PWAC)*

Tom Hudson (PWAC) moved for an amendment to completely remove section 4(d). Seconded: *Bill McCoy (PWAC)* The motion was defeated 6-3

Elise Wright (PWAC) voiced her concern that the recommendations do not go far enough to protect the tidelands, marine environment and public access, especially when considered in light of the already extensive impact that private docks are having on the (Eagle Harbor) tidelands and navigable waters.

Committee then took up the motion to accept the recommendations (as amended). Motion passed: 5 for (Spils, Grimm, Ostrander, Brownlow & McCoy), 3 against (Hudson, Wright, Ostenson), 1 abstaining (van Gelder)

Council member Kol Medina to be PWAC liaison

Elise Wright introduced Kol Medina (one of the newly elected Council members) who will be taking on the role of liaison between PWAC and the City Council. Kol noted his background in Environmental Law and looked forward to working with the Committee.

Harbor Stewards

Elise Wright welcomed Harbor Steward - Mark Leese (a former Harbor Commissioner). Mark advised Committee that the former Harbor Stewards had met recently with Tom Hudson and would in future be sending a representative to each Committee meeting. He thanked Elise for the "6 month Progress Report" recently sent to the Harbor Stewards.

Work Plan updates

Some discussion regarding the need for Road End signs at NE North Street and North Street. Spils and Brownlow both noted that NE North Street was well sign-posted. Parking is an issue. Andy Dupre (Resident) confirmed this.

Bitsy Ostenson & Greg Spils confirmed that they have prioritized the list of road-ends that require boundary and shore access signage. Elise Wright to forward updated list to City (Morgan Smith).

In the interests of time, the agenda item "Sign Review Discussion" was postponed until the March meeting

Community Outreach: National Marina Day - June 18; Spring Fling - Sunday June 5 (Rolling Bay neighborhood) and Coastal Cleanup Day (September 17) were discussed as opportunities to engage the public. It was suggested that Spring Fling be combined with a Coastal Cleanup activity that could involve kids and walk-ins from local road-ends. Permission would need to be sought from local residents for shoreline access. The suggestion was also made to involve local residents prior to the installation of new signage at road-ends and use the opportunity to recruit additional stewards

Diana Christofferson noted their ongoing work as road-end stewards and expectation of continuing in that capacity. The Committee thanks Peter and Diana for their volunteer work.

Bill McCoy advised that he had not sent revised Program Guidelines to Tom Hudson as he (Bill) wanted to bow out of a formal Road End Stewards program. Bill recommended the adoption of a light-weight Stewards program – "If you think you should be a steward then you are one". Bill recommended outreach to residents to use the [See, Click, Fix] program (<http://www.bainbridgewa.gov/635/Report-an-Issue>) already in place for the City where residents can report something (eg: maintenance) that needs attention.

Tom Hudson again suggested that a PWAC member be designated as the liaison point for harbor and road-end stewards. Tom Hudson continues to be the liaison for harbor stewards. Bitsy Ostenson to contact Marci Burkel regarding taking on that role for road-end stewards.

CoBI update

The Deputy City Manager's report (February 2, 2016) was included in Committee member packets and provided updates on the Fletcher Landing and City Dock projects. Rose Loop road-end stairs have been repaired and updated (to discourage use by otters). Beach Drive (road-end #42) has been impacted by recent storms and will need repairs that require shoreline permits. The report also provided updates on Woodland Dr. (road-end #47) additional erosion and Agate St. (#54) bench gone.

Elise Wright noted item #7 (Bench installation project) which confirms that the "City has previously agreed to support this project by purchasing materials for the new benches, estimated at \$200 per bench." As "Public Works staff are available to coordinate with volunteers to purchase materials when ready" it is hoped that members of the Island's Woodworker group can be engaged to assist in the construction of the benches. Elise has exchanged emails with Dave Whitacre of BARN and Fred Grimm regarding this project. Bitsy Ostenson provided Fred with the additional name of David Grant (Bainbridge Woodshop group) as a contact point. Mr. Grant was instrumental in providing previous benches.

Public Comment

The Committee heard from Colin Baxter (Argonaut Properties) who owns the shoreline property at the end of NE Sanwick Place. Apparently it is the only private property that lies directly across a designated road-end (and between a state-owned tideland property). They take issue with members of the public using their property particularly those who remain for extended periods, and want the Committee to recommend to the City that signage be installed to indicate the boundaries of the "private property". This would include a sign on the water side at the end of the road end property. Committee noted the request.

Next Meeting

Scheduled for **Monday, March 14th 2016 at 5:30pm**

John Brownlow to check with CoBI regarding the use and operation of projector to facilitate committee review of graphical materials

There being no further business the meeting adjourned at 7:38pm.


Elise Wright, Chair 3/14/16



COMPLETED ACTION ITEMS	Person responsible:	
Identify proposed stops for Kitsap Water Trails Alliance and provide information regarding visibility from the water-side, access to amenities etc.	Completed (Dec 2015)	
PWAC needs to determine how to fund signs at each Bainbridge Island site on the Kitsap Peninsula Water Trail.	Postponed until need arises (Dec 2015)	
Road End Benches: Follow up with the woodworker group via Dave Whitacre. Anne Blair provided a contact name (Ms Billy Eller) at the BARN (Bainbridge Artisan Resource Network) who may be able to provide support/resources for the PWAC project.	Completed (Jan 2016) Bitsy & Elise	
Provide input to CoBI to update Harbors page(s) on CoBI / PWAC website pages. Request a link back to the Harbormaster's page from the Harbors information on the PWAC page	Completed (Jan 2016) John Brownlow / Tami Allen	
Frank Ostrander, John Brownlow and Elise Wright will work on redrafting the PWAC's position paper to include updated points for the next meeting	Completed February 1 st 2016 Elise Wright / Frank Ostrander / John Brownlow	
Send Fred Grimm the contact name at Woodworkers (Dave Whitacre - Community Outreach Coordinator) to determine availability of group to support the Road End Benches program.	Completed February 2016 Elise Wright	
Review draft Stewards Guidelines with Committee	Review completed (Jan 2016)	
Contact DNR to determine what (if any) lease costs apply to private over-water structures and buoys.	Completed (Jan 2016) John Brownlow	
Send out the consolidated list of harbor & road-end stewards to all committee members	Completed (Jan 31st 2016) John Brownlow	

Attachment 'A'

DRAFT 2/01/16 .. for discussion

Public Water Access Committee's recommendations regarding Kitsap County tidelands recently transferred to the City of Bainbridge Island.

February 8, 2016

1. City staff request. In March of 2015, the Bainbridge Island City Council approved the transfer of roughly 20 tideland parcels owned by Kitsap County to the City. In November of 2015 the City staff, in the process of developing policy direction with the City Council on the allowable use of the tidelands, requested advice and recommendations from the Public Water Access Committee (PWAC). Specifically, the City staff asked the PWAC to focus on the expectation that requests would be received from property owners to install overwater structures such as docks, floats and buoys across some parcels.

2. Background. The committee was provided with 21 overhead photos of 25 discrete tideland parcels, some aggregated into single tax parcel numbers. The parcels are distributed around the Island. They abut or are adjacent to 13 road ends, two (2) community parcels, two (2) Bainbridge Island Metropolitan Park and Recreation District (BIMPRD) properties and between 55 and 60 residences. Half the residences (approximately 27) are within the inner harbor at Fletcher Bay and appear to have (7) docks already constructed over the public tidelands. 21 residences are within Eagle Harbor: four (4) in the harborside Wing Point community and 17 in Eagledale. Six (6) docks have already been built across the tidelands in Eagledale. (See tables in Addendum A.)

Several of the parcels are adjacent to extensive State-owned tidelands (Hidden Cove, for example) that provide further opportunity for public use (canoeing, kayaking, fishing and beach-walking at low tide).

3. The PWAC process. PWAC considered the matter of the newly acquired public tidelands at its December 2015 and January 2016 public meetings. At both meetings, interested neighboring property owners had the opportunity to present their opinions regarding the use of the tidelands, and did so both during the PWAC discussion and via written submissions. PWAC appreciates the contributions by all participants.

4. General recommendations. PWAC notes that, although the focus of these recommendations are activities that may be proposed on the recently transferred tideland parcels in question, the same or similar policy issues may arise elsewhere on the City's shores, including other tidelands.

A. The City should retain ownership of all public tidelands to better protect and preserve our marine environment and to preserve them and the waters above them for public use.

B. The PWAC understands that Ord. 2014-04, the City's Shoreline Master Program (SMP), controls activities on the City's shores. Sections that are directly applicable to the tidelands include, inter alia, 4.2.4 Public Access, 5.2 Aquaculture, 5.3 Boating Facilities, 5.8 Recreational Development and Section 6.3 Overwater Structures. Within these SMP sections there are many policies and regulations that protect navigation, the environment and otherwise limit and regulate development of docks, floats and buoys. To illustrate: Section 6.3.3, Paragraph 1 provides a City policy to "Encourage multiple-use and expansion of existing conforming piers, docks and floats over the addition of new facilities. Joint-use facilities are preferred over new, single-use piers docks and floats." PWAC

strongly supports this policy (and the SMP as a whole) and urges the City staff and Council to fully implement and enforce the SMP regarding any structures proposed over the recently acquired tidelands, as well as Island-wide.

C. PWAC notes that where public tidelands or beaches can be accessed by the public at low water, overwater structures should be designed so as not to impede the public's ability to walk under them to walk on the tidelands.

D. PWAC recommends that no hydraulic equipment (i.e. boat lifts) be installed on any docks or floats on or adjacent to public tidelands, to prevent accidental pollution of public waters.

E. PWAC recommends that no commercial aquaculture be allowed on public tidelands due to possible long-term effects and impediments to public access.

5. Specific Recommendations:

A. Where the tideland parcel directly interfaces with an upland private property, allow reasonable use such as a dock or buoy, subject to the City's permitting process and subject to the provisions of the SMP.

B. Where the tideland parcel directly interfaces with a City designated road end, or a City or Bainbridge Island Metro Parks and Recreation District (BIMPRD) park (e.g. 4155-000-135-0003; 282602-1-023-2003), permit only City or BIMPRD-owned facilities such as a dock or float, subject to the City's permitting process and the provisions of the SMP.

C. Where tideland parcels are adjacent either to road ends or public property and private residences, require a shoreline construction setback of 50 feet (where land is available) from the road end or public parcel so as to preserve public views and access.

D. Where the tideland parcel underlies or crosses previously permitted overwater structures such as the docks on 352502-2-061-2006 and 342602-2-042-2000, continue to allow existing structures and encourage property owners to upgrade to more environmentally friendly materials, subject to the City's permitting process and the provisions of the SMP.

E. Where the tideland parcel directly interfaces with upland private property but is significant in size or ecologically important (e.g. parcel 202502-1-055-2003 in Fletcher Bay), investigate designation of the entire area as a marine aquatic preserve.

F. Where the tideland parcel lies across from upland private property, but does not directly interface with it (e.g. Crystal Springs Road parcels 4184-000-005-0104; 4184-000-007-0201), allow the least intrusive use (such as a mooring buoy) subject to the City's permitting process and the provisions of the SMP.

~~5. These recommendations were adopted by the Public Water Access Committee at its meeting of February 8, 2016.~~

ADDENDUM to Recommendations (for discussion)

**Table I
Public Tidelands around the Island**

Agate Point	Three parcels
Port Madison	Three
East side, North of Murden Cove	Two
East side, South of Murden Cove	Five
Eagle Harbor	Five
West side	Four
Fletcher Bay	Three

**Table II
13 Road Ends abutting or adjacent to Public Tideland Parcels**

#54	Agate Street	Agate Point
55	North Street	"
56	Northeast North Street	"
57	Gordon Drive	Port Madison
60	Grotle Road	"
7	Yaquina	East side, south of Murden Cove
9	Dingley Rd.	"
11	Wing Point Rd.	Eagle Harbor
20	Rose Loop	"
49	Hidden Cove Rd.	West side, just south of DNR Tidelands
31	Bay Street	Fletcher Bay
32	Springridge Rd.	"
29	Westwood	North of Crystal Springs, undeveloped

**Table III
Community & Park Properties adjacent to Public Tideland Parcels**

Brackenwood Lane	Shorelands owned by community homeowners assoc.
Wing Point	Beach fronting uplands jointly owned by 5 residences
Madison Beach	Adjacent to Fay Bainbridge Park, BIMPRD
Spargur Loop Rd Park	BIMPRD

