



City of Bainbridge Island  
**Harbor Management Plan**

**January 7, 1999**

*Department of Planning and Community Development*

# City of Bainbridge Island Harbor Management Plan

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**January 7, 1999**

**A REPORT CONCERNING THE  
HARBOR MANAGEMENT PLAN  
FOR THE CITY OF BAINBRIDGE ISLAND**

**I. INTRODUCTION**

**A. The Mission of the Harbor Management Advisory Committee**

On January 16, 1997, the Bainbridge Island City Council appointed a citizen's committee composed of individuals who lived and worked in or near the Island's harbors, or who had an interest in harbor issues. That group, which is known as the Harbor Management Advisory Committee ("HMAC") was given the following mission:

- (1) Create a Harbor Plan which describes the policies, goals and vision of the community regarding its harbors. This should be done within the framework of the Comprehensive Plan and Shoreline Master Program.
- (2) Suggest a formal structure to implement the Harbor Plan and to develop the rules and regulations which will implement the plan. This may include a separate Harbor Commission, a Harbormaster or any other management body which the Committee determines to be best suited to the Island's needs.

**B. The Planning Process**

In 1996 the City of Bainbridge Island retained the School of Marine Affairs of the University of Washington to study the harbor management needs of Bainbridge Island. In particular, the study was to include the following:

- (1) A review of the experience of harbor management in New England as a potential model for Bainbridge Island;
- (2) A jurisdictional analysis of federal, state and local agency responsibilities in Washington;
- (3) An evaluation of local initiatives in Washington which might be models for use by Bainbridge Island; and
- (4) The development of a written report conveying findings and conclusions.

This study resulted in a Report on Harbor Management to the City Council of Bainbridge Island by Kathleen Owston and Sarah Fangman, graduate students acting under the guidance of Mark Hershman, the Director of the University of Washington School of Marine Affairs, dated November, 1996 (the "UW Report"). That report identified the elements of a comprehensive Harbor Management Plan, described the need for inventory and other data, and outlined the process to be followed. The UW Report also noted that "There currently exists no effective harbor management system in Washington by which to address these issues", and accordingly relied on harbor management systems in New England in making recommendations concerning the method of governance to be implemented for future management of Bainbridge Island's harbors. The HMAC report contained herein is, in many respects, in furtherance of the UW Report.

The planning process initiated by the HMAC included a number of steps, many of which are described below.

The four major harbors of Bainbridge Island were identified by the HMAC. It was believed that most of the issues involved in harbor management related to these major harbors, and they were the primary focus of study. Additional bays and roadsteads were identified for future planning purposes.

Numerous issues were identified by the HMAC with the assistance of public input. These issues were studied and ultimately addressed in the policy sections of the Comprehensive Plan portion of this report.

The availability of a number of prior reports and studies relating to harbor management issues on Bainbridge Island was determined. Materials reviewed by the HMAC included the Shoreline Management Master Program (November 26, 1996); the report of the Roadends Advisory Committee (December 19, 1997); the findings and recommendations of the Dock Work Group (January 19, 1996); the final report on the Wyckoff site (August 7, 1996); the Puget Sound Water Quality Management Plan (1994); the Bainbridge Island Watershed Characterization (March, 1995); the Bainbridge Island Watershed Action Plan; the Eagle Harbor Channel and Navigational Committee Report (January 10, 1994); the Department of Transportation plans for expansion of ferry system facilities in Eagle Harbor; the shoreline survey conducted under the auspices of the City in 1992; and various federal, state, county and city regulations and ordinances relating to harbor management.

Early in the planning process it was determined that, while a variety of other information was available, no survey or inventory data had been generated concerning the resources and facilities available to boaters and the actual use of Bainbridge Island's harbors. Accordingly, in the spring of 1997, citizen subcommittees were formed for Eagle Harbor, Port Madison, Blakely Harbor and Manzanita Bay. These committees were asked to survey harbor resources and use in a uniform manner. In addition to inventories of natural resources, mooring buoys,

floats, docks and other structures, maritime facilities, public access and other information, these inventory committees specifically were asked to conduct a census of harbor use during the period of June 1 through September 1, 1997. It was believed that this would capture the levels of peak use and provide critical information concerning both commercial and recreational use of the harbors. Census data was taken in a uniform manner. These inventory subcommittees met with the HMAC on September 17, 1997 to provide preliminary reports, and final inventory reports were received by the HMAC in October, 1997. These reports, and the data included, have been an invaluable part of this process, and are included as Appendices to this report.

Early in the process numerous federal, state, county and city agencies were identified that have jurisdiction over, or an interest in, Bainbridge Island's harbors. These agencies were contacted and asked to contribute their comments and input to the Comprehensive Plan process. The HMAC notes that the response was variable, ranging from no reply by some agencies, to contribution of valuable information by others. Some of the agencies most involved in Bainbridge Island's harbors, for instance the Department of Transportation which has its Washington State Ferry maintenance facility in Eagle Harbor, provided less information than would have been desirable with respect to its future plans and respective impacts on Bainbridge Island's harbors.

The myriad of federal, state, county and city laws and regulations which apply to Bainbridge Island's harbors was reviewed and consulted. An absence of uniformity among the City of Bainbridge Island's own ordinances regulating harbors was noted, and the need for a uniform and consistent system of regulation by the City over its waters is one of many subjects addressed by recommendations in this report.

The UW Report was consulted on numerous occasions, particularly concerning its recommendations for future governance of Bainbridge Island's harbors. While the UW Report rejected the notion that other jurisdictions in the State of Washington might provide useful models for harbor management, the HMAC nevertheless investigated how other Washington communities were dealing with these issues. Harbor management systems both in this state and other areas of the United States were considered with respect to the recommendations made by the HMAC concerning the formation of a Harbor Commission for Bainbridge Island.

Throughout the process written and oral comment from citizens was received and considered. The numerous HMAC meetings and work sessions were open to the public and frequently were attended by interested persons. Public meetings were also an important part of the development process. A public meeting was held on June 24, 1997 to help identify which issues to address in the draft Plan. A second meeting was held on September 17, 1997 to report on the results of the individual harbor inventories. On June 10, 1998, a public meeting was held to discuss the draft report, and receive oral and written comment. The HMAC then reviewed the public comment, made revisions to the draft report, and forwarded it to the Planning

Commission. The HMAC believes that its report fairly expresses and addresses the concerns of the public with respect to issues involving harbor management.

## **C. Bainbridge Island and Its Harbors**

### Overview

The physical nature of Bainbridge Island, its history, the varied multiple uses of its harbors and its approach to government all required a unique approach to the issues faced in harbor management. The following discusses some of the background facts and issues which helped determine the direction and, ultimately, the results of this report.

### The Physical Geography of Bainbridge Island and Its Harbors

The City of Bainbridge Island occupies a land mass of approximately 31.5 square miles, and has approximately 45 miles of shoreline. The Island is entirely surrounded by water with its only land access being the Agate Pass Bridge which connects Bainbridge Island to the Kitsap Peninsula. Bainbridge Island both historically and today has been, and remains, highly dependent on water access to and from the Island. Today that access need is filled by the ferry system operated by the Washington State Department of Transportation.

### Jurisdiction

By Washington state statute, the City of Bainbridge Island has jurisdiction over all of the waters of Puget Sound surrounding the island to a distance half way to the land on the other side (R.C.W. 35.21.160). As a practical matter, the Plan proposed by the HMAC focuses on the major harbors on the island. However, in many instances its goals and policies will apply to bays, roadsteads and other waters near the island, and in some cases may apply to all of the waters under its legal jurisdiction.

## Identification of Bainbridge Island's Major Harbors

As an initial step, the HMAC determined that the focus of its study would be Bainbridge Island's four major harbors: Eagle Harbor, Port Madison, Blakely Harbor and Manzanita Bay. Major inventory efforts were undertaken with respect to these harbors to determine the existence of natural resources, state of development, public access, levels of commercial and recreational use and a variety of other factors which bear on current and future planning.

Eagle Harbor is the principle harbor of Bainbridge Island and provides the major source of ingress and egress to the Island, principally through ferry system service. It is located on the southeastern side of the island. It is Bainbridge Island's most important harbor with respect to public facilities. Waterfront Park on the northeast shore of the harbor features walking paths and a heavily used boat ramp. A public moorage with pump-out facilities and a private small boat rental facility are also located here. Eagle Harbor supports commercial activity by local tug operators and waterfront activities, as well as recreational uses, such as sailing classes, boat tours, and kayaking. Winslow, Bainbridge Island's principal commercial area and population center, fronts on Eagle Harbor which further adds to that harbor's importance to the Island. (For more detailed information on Eagle Harbor, refer to Appendix A of this report, the *Inventory for Eagle Harbor*.)

Port Madison is located at the north end of Bainbridge Island. It is a fine natural harbor, notable for its remarkable depth in relation to its width. The inner harbor, known as Hidden Cove, has been favored as a deep water anchorage for well over a hundred years. In the mid-1800s Port Madison was the site of a major lumber mill and shipbuilding company. Today the character of Port Madison is determined by the large number of transient and local recreational boaters which it supports. There are two yacht clubs located at Port Madison which emphasize its importance as a boating center. Its shores are rimmed with homes, many of which maintain private boathouses or moorage at docks, floats, buoys and rafts. Port Madison is also used for a wide variety of other recreational purposes, including kayaking, canoeing, some water skiing, and the operation of radio-controlled power and sail boat models. (For more detailed information on Port Madison, refer to Appendix B of this report, the *Inventory of Port Madison*.)

Blakely Harbor is located at the southeastern end of Bainbridge Island immediately north of Restoration Point which defines the southeastern tip of the island. It also is a fine natural harbor, sheltered from all but easterly winds. Year-round, it provides a special niche to vessels of all kinds as a mid-Puget Sound location very near to Seattle. Blakely Harbor has a unique history. In the late 1800s it supported one of the largest sawmills in the world, while today it is the most rustic of Bainbridge Island's major harbors, with less than 30 homes located along its shoreline. The harbor is an important ecological resource, with habitats that include tidelands, wetlands, ravines and succession forests. Much of the harbor has reverted to its pre-1900s condition, when few people lived on its shores. It is a haven for shore birds and waterfowl, animals, plants, trees and marine life. The water quality in the harbor

is good enough to support two oyster farms. (For more detailed information on Blakely Harbor, refer to Appendix C of this report, the *Inventory of Blakely Harbor*.)

Manzanita Bay is located on the northwest shores of Bainbridge Island, providing a good anchorage in muddy bottom for visiting boaters and year-round moorage for resident boats. Most of the shoreline is bulkheaded except for extensive stretches of natural shoreline at the head of the bay. Presently there are 28 docks, 15 mooring buoys and several swimming floats in the bay. Manzanita Bay is unique among Bainbridge Island harbors in that recreational use of the bay has diminished in recent years. This is attributed to an increase of marinas in nearby waters and changes in the habits of the boating public. (For more detailed information on Manzanita Bay, refer to Appendix D of this report, the *Inventory of Manzanita Bay*.)

### Bays and Roadsteads

Because of the nature and extent of their size and use, the HMAC necessarily focused its efforts on the four major harbors identified above. The HMAC notes, however, that there are a variety of other bays and roadsteads of Bainbridge Island which should not be overlooked and which will need to be considered in connection with future planning. A bay is a body of water forming an indentation of the shoreline. Fletcher Bay and Murden Cove fall into this definition. Roadsteads are partly sheltered areas near the shore where a vessel may ride at anchor. General and specific policies recommended in this report have general applicability to the waters outside of the four harbors. However, the HMAC believes that other bays and roadsteads should be the subject of further study and public input, with a future determination regarding the need for additional policies and subsequent enforcement in these areas.

### The Maritime History of Bainbridge Island and its Harbors

The Island's protected waters, harbors, ports, coves, bays, bights, passages, estuaries, lagoons, spits and beaches have long offered safe haven for diverse human activities and natural systems. For hundreds of years, indigenous peoples had year-round villages and residences at various sites, including Port Madison, Manzanita Bay, at *Schel-chelb* and Getes' Place on Rich Passage and at Battle Point on Port Orchard Bay. Seasonal campsites and burial grounds were located on all harbors and many shorelines. These were primarily those of the Suquamish, but also included the Nisqually, Puyallup, Duwamish, Tulalip, and "B.C. Indians." Their archaeological and historic resources, 36 place names, and traditional fishing and harvesting practices survive today.

The first documented "harbor" for non-native visitors was Bean's Bight, a slight indentation on the south shore of Restoration Point on Rich Passage, where Captain George Vancouver and his English survey team anchored for two weeks in 1792. Not long after Vancouver's expedition, trappers, fur traders, seal hunters and adventurers arrived in Puget Sound, and by the mid-nineteenth century, settlers were

pouring into the region by land and sea. In 1850, Territorial Governor Stevens signed the treaties with the tribes that traded land for the right to fish.

Before the transcontinental railroads reached Puget Sound (between about 1880 and 1900), the transportation of any great quantity of goods, raw materials, or people required the services of a ship. In the early boom years, before the railroads helped turn Seattle, Everett and Tacoma into important places, Bainbridge Island became a mecca for maritime commerce, thanks to its central location and four fine harbors. The lumber industry was booming, and Bainbridge Island was the location of two international export lumber mills. The first was established on the eastern shore of Port Madison in the early 1850s. Extensive wharves, bulkheads and catwalks were built to facilitate the loading of lumber onto sailing vessels. Later, the center of industry shifted to Port Blakely, which by the late 1880s was the site of one of the largest sawmills in the world. Immigrant workers from all around the world came to work at the Port Blakely mill. Logs were towed in huge booms from surrounding areas into Blakely Harbor to feed the mill. Ships carrying lumber to Honolulu were towed out of harbor by tugboats before being turned over to seagoing tugs for passage through the Sound, past Cape Flattery and into the North Pacific. Early photographs show Port Blakely and Eagle Harbor almost stripped of trees. Smaller mills dotted the shores of Port Madison, Head-of-the-Bay, Fletcher Bay and elsewhere.

Ship building was another important Island industry. In 1878 the largest full-rigged ship on the west coast was built at the Port Madison shipyard. Two dozen other sail and steam vessels also were built at Port Madison. In 1880 the Hall brothers, Isaac and Winslow, located their shipyard on the north shore of Port Blakely, and built a fleet of sailing ships, schooners and inter-Hawaiian Island steamers. By the early 1900s more space was needed for ship repairs and a dry dock area, and so the shipyard moved to Eagle Harbor in 1903. The Hall Brothers shipyard operated in the area west of the present ferry dock until the end of World War II.

Other shipyards were located at Rockaway Beach, Murden Cove, Hornbeck Spit, Restoration Point and Fletcher Bay, and built a large variety of vessels, including Yukon riverboats, passenger steamers, commercial vessels and recreational craft. Several boatyards helped maintain island vessels.

In later years marine construction experts built the world's largest floating timber dry docks for Seattle and Los Angeles and also built and maintained fishery vessels. Eagle Harbor's 4,000 ton capacity Marine Railway—the largest in the region, and as large as New York's—aided in the repair and maintenance of the Sound's commercial fleet. The railway foundation is buried in the harbor bottom and is still viable. Winslow Shipyard built a large assortment of wood and steel commercial vessels. Twenty Navy steel mine sweepers and a dry dock caisson were also launched. The battleship *West Virginia* visited during this time, the largest ever to moor here. The Washington State Ferries' maintenance yard and Eagle Harbor Condominiums now occupy this site.

Residents and visitors have always depended on water for transportation to and from Bainbridge Island. Early mill ships commuted regularly to San Francisco. Canoes, small sailboats and rowboats hauled out all along the Island's shores. From the beginning of this century, the small passenger steamers of the "mosquito fleet" were bringing vacationers to favorite places such as Pleasant Beach and Fletcher Landing. (This kind of activity persisted into the jet age. Until only a few years ago, before the Sunset Lodge burned down, excursion boats brought groups to Fort Ward for summer parties and picnics.) In the days before car ferries, passenger steamers served 35 landings on 50 miles of shoreline, including 8 landings in Eagle Harbor. The pier and parking from the most recent landing can still be found at Crystal Springs. Renewed private piers stand at South Beach, Fort Ward, Country Club and Port Madison. There is a visitor's pier at Winslow's Waterfront Park.

The growing number of full time island residents, many of whom worked at the Bremerton Navy Yard or in Seattle, created a demand for more efficient transportation. Before a bridge spanned Agate Pass, shipyard workers commuted between Point White and Bremerton, first by steamer, then for a while by car ferry, and, later, again by passenger ferry. Car ferry service evolved at seven sites: Point White (1910s), Port Blakely (1923-1937), Fletcher Bay (1923-1942), Murden Cove (1933), Eagledale (1937-1950s), Winslow (1937-present), and Crystal Springs (ca. 1942-1950). Increasingly, the development of the Island was shaped by the automobile. In the late nineteen-forties, the state took over the ferry route, and with it, the challenge of accommodating growing numbers of commuters. The connecting of Bainbridge Island to the Kitsap Peninsula by the Agate Pass bridge encouraged a large increase in car traffic, and, later, the construction of the Hood Canal bridge made the Island a stepping stone on the throughway to Port Angeles. The latest effort to keep up with the demands of cross-sound traffic is a new, larger ferry operating between Seattle and Bainbridge Island.

Most of Bainbridge Island has served as a harbor for ocean voyagers, except in waters off eastern shores. Winter havens were sought in the Island's harbors, especially by those in seasonal Alaskan commerce. Safe havens were afforded to foreign vessels trapped here during World Wars I and II. The Navy once used Port Orchard Bay, the large secure body of water on the west side of the Island, for a degaussing station and torpedo test range. Tall ships, such as the *Nippon Maru*, large Navy and commercial vessels still use Port Madison, the large bay between Point Monroe and Point Jefferson. Eagle Harbor is seasonally visited by vessels such as the tall ship *Lady Washington*, the state's flag ship. World sailors and cruisers continue to frequent island harbors.

Liveboards have occupied a wide variety of craft, from Captain Hershey's tall ship *Conqueror*, used in MGM's 1932 film, *Tugboat Annie*, to small barge and raft dwellings such as Al Davenport's Depression-era *Dreamboat*, a 1938 houseboat listed on the Island's historic resource survey. In recent years there has been a small number of people living aboard boats and other craft more or less permanently at anchor in Eagle Harbor.

Fishing fleets have a long history of working in the Island's waters. Salmon and halibut fleets wintered over in Port Madison, and several net sheds remain on the Island's historic resource survey. Eagle Harbor was also an active fishing center, and fishermen and their vessels still reside there today. Blakely Harbor sheltered several Alaskan vessels; Fletcher Bay sheltered several halibut boats; and lagoons at Point Monroe and Battle Point once provided safe haven to fishing boats.

Historic Bainbridge Island fisheries included dog fish, whose liver oil was used to illuminate Port Madison's mill, along with herring, perch, octopus, salmon, clam, geoduck, shrimp, crab, sea cucumber, sea urchin, mussel and seal.

Over the years aquaculture and sea farming have been nurtured in Rich and Agate Passages, Fletcher Bay, Port Blakely and Eagle Harbor. The pen-rearing of salmon was pioneered in the currents of Rich Passage and continues today at Fort Ward. Fletcher Bay is one of the few central Sound areas where the water is warm enough to allow oysters to propagate. Oysters also have been grown suspended on strings in Port Blakely for commercial use, and recreationally in Eagle Harbor.

In 1904 a creosote treatment plant known as the Pike Preserver Company located at Bill Point. Later acquired by the Wyckoff family, the treatment plant was one of the largest in the world. Ships supplied the plant with creosote, and raw logs were towed, shipped, and trucked there for treatment. Wood products treated at the plant were used in projects worldwide, including the construction of the Panama Canal. The plant continued to operate until 1988, making it the longest-lasting industry on the Island.

There were a variety of other uses on and around the harbors. Farming supported a berry processing plant on a Head-of-the Bay pier in Eagle Harbor from 1930-1940. One of the largest brick manufacturing plants in the Puget Sound area was located near Bill Point in the 1890s. Warehousing of waterborne fuels, hardware, building and farm supplies was important in all the harbors, especially Winslow's. Folklore has it that smuggling was engaged in by scoundrels trafficking in immigrants for mill labor, and by Prohibition-era rum runners who operated from reclusive inlets, lagoons and sloughs.

Over the years emergencies have occurred due to sinkings, groundings, collisions, fires, plane crashes, ferry strikes, overboards, capsizes and drownings. Sinkings include the tug *Mountaineer*, steamers *Tolo*, *Yosemite* and the *Dix*. The sinking of the *Dix* in 1906 resulted in the deaths of 46 Port Blakely residents, and is the worst maritime disaster in Puget Sound history. The ferry *Walla Walla* ran aground on foggy Wing Point in 1982 and risked capsizing in the harbor channel. A steamer departing Eagledale in the 1920s rounded Bill Point and ran through the creosote plant dock. Fires at Blakely's Bainbridge Hotel (1928) and at the former Berry Growers' Pier in Winslow (1997) required help from Seattle fireboats. There have been several unplanned airplane landings. Some were able to find tideflat runways, but others were not so fortunate. The Coast Guard, Bainbridge Island Police and Fire Department Rescue team assisted the victims of these accidents, as well as others. During ferry strikes, private vessels found piers from which to assist commuters.

Boaters have been served by recreational boating facilities and yacht clubs at Manzanita Bay (Seattle Yacht Club, 1908); Port Madison (Seattle Yacht Club and Port Madison Yacht Club); and Eagle Harbor (Tyee Yacht Club, Queen City Yacht Club, Eagle Harbor Yacht Club, and Bainbridge Island Park & Recreation District). Islanders hosted a national sailing competition in 1966 and The Great Cross Sound Row from 1979 until 1988. Fort Ward and Winslow now provide the only public boat launch ramps. Coastal drift dumps 500 cubic yards of sand yearly on a former ramp at Fay Bainbridge Park. Other formerly operable sites have been blocked at Manzanita, Yeomalt and Eagle Harbor. Port Madison has a private boat launch. County laws restricted water skiing and other wake producing activities to offshore areas for years.

Resorts and waterfront hotels hosted social and cultural activities at Port Blakely (1870s-1928), Eagledale (ca. 1910s-1940s), Fletcher Bay (1912-1950s), Fort Ward (1946-ca. 1990), Pleasant Beach (ca. 1880s-1920s). Manitou Park's Chatauqua (ca. 1900s-1910s), Port Madison (1860s-1930s) and Point White (ca. 1920s-1930s),

The island has been host to a variety of educational organizations. Hill's Puget Sound Naval Academy (1938-1952) was a prep school for boys that operated a 136-foot former Navy minesweeper from a Rolling Bay anchorage north of Skiff Point. Yeomalt's YWCA camp and other groups offered classes in boating and water sports. Private institutions, universities, governmental agencies, students and members of the local Puget Sound Marine Science Society and Center were involved in research in oceanography, environmental pollution, aquaculture and other marine sciences. Port Madison's clean waters provided comparative background surveys for pollution studies at other harbors.

One of the State's first underwater parks is located off of Fort Ward. Dive groups also have created underwater habitats at Eagle Harbor, Port Blakely and Ferncliff. Public waterfront parks are Fairy Dell, Fay Bainbridge, Fort Ward, the Point White dock, Touchhookwap, West Port Madison and Winslow Waterfront. Other public lands, open space and road ends provide access at dozens of locations for pedestrians and small boats.

Of the four principal bays of Bainbridge Island, only Eagle Harbor continues to support commercial activity, largely in the form of ferry traffic, and the operations of the ferry maintenance yard. Most of the other marine uses of the harbor involve recreational boating. The harbor has long served as home port for a few commercial fishing boats, but their number has declined.

Since enabling legislation in 1911, local port districts with taxing authority have built and managed facilities at Agate Pass, Agate Point, Eagledale, Ferncliff, Manzanita, Rolling Bay, Yeomalt and the Port of Bainbridge (Eagle Harbor.) They consolidated into the Port of Bainbridge, which was dissolved by 1960. For a time, the law prevented reforming, and islanders tried in the early 1970s to join the nearby Bremerton port district, as a way to acquire land for a park and marina (now the site

of the Eagle Harbor Condominiums.) The Port District was rejected by voters, perhaps because no islanders would have been represented on the port commission.

### The Prior Method of Harbor Governance

Prior to the adoption of all-island government and the resulting incorporation of the City of Bainbridge Island in 1991, Eagle Harbor was managed through ordinances enforced by the City of Winslow Police Department. Since incorporation the City has managed the use of its waters through ordinances which have been enforced by a single marine officer together with the limited enforcement capability of the City's Planning and Community Development Department. The preparation of the Shoreline Management Master Program (SMP), completed in 1996, represented the first comprehensive document of policies and regulations for all of the shorelines of Bainbridge Island. This program requires the City to plan and regulate shoreline development from 200' above the ordinary high water mark to all marine waters of the state. It applies primarily to all future developments and uses of the shorelines and waters. However, the preparation of the plan, for the most part, omitted policies and regulations for the actual use of waters in harbors and other waters of Bainbridge Island. There has been no long-range planning for the use of Bainbridge Island's harbors, and the City and County ordinances which do exist lack uniform application throughout Bainbridge Island's waterways. Numerous federal, state and county agencies claim jurisdiction over portions of Bainbridge Island's waterways and seek to regulate them through ordinances or regulations.

The Bainbridge Island City Council decided in 1996 that there needed to be a uniform, more formal and forward-looking means for managing Bainbridge Island's harbors. As a first step, the City Council entered into a contract with the School of Marine Affairs of the University of Washington, the result of which was the UW Report submitted in December, 1996. As a second step, the Mayor appointed the Harbor Management Advisory Committee. This report by the HMAC, which contains both recommendations for a Comprehensive Plan and for a future system of governance over Bainbridge Island's harbors, is a sequel to the University of Washington report.

### **D. The Contents and Format of the Report**

This report of the HMAC includes an introduction, describing the parameters of the planning process and certain overall conditions, general goals for harbor management which the HMAC has identified, general policies applicable to all of our harbors, and specific policies which should be implemented with respect to individual harbors. This report also includes specific recommendations for future governance necessary to implement harbor management consistent with this report. Section VI includes definitions of the terms used in this report. The inventory reports for each of the four major harbors of Bainbridge Island, Eagle Harbor, Port Madison, Blakely Harbor and Manzanita Bay, are Appendices A-D respectively.

The portion of this report which contains the Comprehensive Harbor Management Plan proceeds as follows:

- (1) Issues are identified in the context of historical, current and perceived future conditions, as applicable
- (2) The goals to be achieved with respect to such issues are stated; and
- (3) The policies to obtain these goals are identified.

## II. OVERALL OBJECTIVES FOR HARBOR MANAGEMENT

Based upon information gathered as part of its planning process, the HMAC identified certain key objectives which need to be achieved in current and future management of Bainbridge Island's harbors. These objectives are as follows, not listed with the intent of prioritizing their importance:

- A. Protection and Maintenance of Navigation. One of the key functions of harbor management is to ensure freedom and safety of maritime navigation. This is an unquestioned goal and requirement of current and future harbor management.
- B. Providing Safe and Friendly Mooring and Anchoring for Resident and Transient Vessels. Bainbridge Island's harbors support a large variety of recreational and commercial uses. All four major harbors serve as home port for a number of vessels. The availability of safe anchoring and mooring, as well as docking facilities for these vessels is important to both residents and visitors to Bainbridge Island, and has an impact on the Island's economy.
- C. Maintaining and Improving Water Quality and Aquatic Resources. Bainbridge Island is surrounded by water. Water quality and aquatic resources are key to the health and environment of Island residents. Harbors are, by definition, points where human use of water resources tends to be concentrated, and these areas deserve particular attention with respect to preservation and enhancement of water quality and aquatic resources.
- D. Anticipating and Accommodating Future Growth, While Preserving the Character of Bainbridge Island's Harbors. Any attempt to create a Comprehensive Plan has to look toward the future, as well as deal with current conditions. Bainbridge Island has experienced steady, if not rapid, growth over the last decade, and all projections indicate this pattern will continue. The growth of Bainbridge Island generally is mirrored in its harbors, with a high proportion of Island residents owning recreational vessels, in addition to the presence of transient vessels and commercial use. This growth will increase. At the same time, Bainbridge Island's harbors range from highly-developed to a relatively undeveloped and pristine natural state. There is a need to preserve this balance with respect to future harbor management, with all four of Bainbridge Island's harbors filling a niche with respect to user needs.
- E. Providing and Improving Maritime Facilities Available to Resident and Transient Users of Bainbridge Island's Harbors. Other than those available in Eagle harbor, Bainbridge Island has minimal facilities to support resident and transient recreational and commercial vessel use. Even in Eagle Harbor facilities are very limited. Examples are the small size of the City's only public dock, the absence of any private vessel haul-out facility, the lack of

fuel facilities, the need for increased pump-out facilities and other deficiencies. The limited availability of facilities to support vessel use is inconsistent with the extent of current demands on Bainbridge Island's harbors, and the situation needs to be improved.

- F. Ensuring Multiple Uses of Bainbridge Island's Harbors and Avoiding User Conflicts. One of the key reasons for a comprehensive plan is to allow multiple uses of the harbor and minimize, if not avoid, conflicts. All of Bainbridge Island's harbors are supporting an increased level and variety of uses. Eagle Harbor, for instance, has regular ferry vessel operations, other commercial uses, recreational vessel use, personal water craft and sometimes seaplane landings or takeoffs. These uses need to be reconciled.
- G. Preserving Natural Resources and Protecting Fish and Wildlife. Several of Bainbridge Island's harbors have unique natural resources, including fish and wildlife, that need to be protected and preserved. The extent of these resources is more fully discussed in the harbor inventories attached as Appendices to these reports.
- H. Supporting Maritime Commerce. Eagle Harbor, in particular, supports significant maritime commerce which has long been important to Bainbridge Island. It is believed that such maritime commerce will remain critical to the Island's future, and maritime commerce, as well as recreational vessel use, needs to be served by current and future planning.
- I. Preserving and Enhancing Public Access to Bainbridge Island's Harbors. Harbors are centers for use of Bainbridge Island's waters by residents and visitors. Public access to these harbors needs to be preserved, enhanced and increased.
- J. Enable Enforcement of the City of Bainbridge Island's and Other Jurisdiction's Applicable Laws. Under the current situation a variety of federal, state, and county jurisdictions, as well as the City of Bainbridge Island, have laws applicable to portions of Bainbridge Island's harbors. Consistent with its incorporation as an all-island form of government, the City of Bainbridge Island needs to enact a uniform set of laws, consistent with the policies of this report, which allow uniform enforcement of the City's laws throughout its waters.
- K. Furthering Public Health, Safety and Welfare as it Relates to Bainbridge Island's Harbors. These general goals pervade all of the above objectives.

### **III. GENERAL GOALS AND POLICIES FOR THE WATERS OF BAINBRIDGE ISLAND**

The following general goals and policies are applicable to all of the waters of Bainbridge Island, and are designed to accomplish the previously stated objectives.

#### **A. Navigation and Safety**

Each year, the number of people using the harbors and waters of Bainbridge Island for recreational, commercial and public transportation purposes increases. Because of this diversity and increase in users, maintenance of clearly identified navigational channels and segregation of incompatible uses is of increasing importance.

Activities such as swimming, windsurfing, fishing, waterskiing, jetskiing, sailing, speedboat racing and aquaculture may create safety problems. This plan attempts to address and minimize those problems.

##### **1. Maintenance of Navigation**

###### **Goal:**

To establish, maintain and enforce navigation channels in Bainbridge Island's harbors to promote free and unobstructed vessel travel.

Policy 1: Coordinate with appropriate agencies, including the U.S. Coast Guard and the Army Corps of Engineers to designate, mark, publicize, maintain, and enforce navigation channels as necessary in Bainbridge Island waters.

Policy 2: Except in an emergency no anchoring or mooring shall be permitted in navigation channels.

Policy 3: Adopt and enforce, by ordinance, the International Regulations for Preventing Collisions at Sea, 1972 (1972 COLREGS) for the maintenance of safe navigation in the Island's harbors.

Policy 4: Navigation channels designated by the City should take into consideration the size of vessels, the use of the waterway, and the necessity of turning basins.

Policy 5: Prohibit, as appropriate, activities in navigation channels which interfere with safe passage of vessels.

## 2. General Safety

### **Goal:**

To promote the safe use of the waters of Bainbridge Island.

- Policy 1: Adopt and enforce appropriate laws and regulations governing personal and vessel safety in the waters under the jurisdiction of Bainbridge Island.
- Policy 2: Establish, sign and publicize designated and prohibited areas for the conduct of water-related activities as necessary for safety.
- Policy 3: Conduct educational efforts related to water safety including but not limited to supporting the efforts of State, Coast Guard and other agencies.
- Policy 4: Review the City's noise ordinance and recommend amendments as necessary to ensure application to all waterborne activity.
- Policy 5: Adopt appropriate laws and regulations, and coordinate with other agencies in the areas of emergency response and preparedness, with special attention to vessels in distress and environmental emergencies.
- Policy 6: Adopt appropriate laws and regulations, and coordinate with other agencies with respect to vessels posing a hazard to public health, safety or navigation.
- Policy 7: Aircraft shall not be operated in a manner that poses a threat to the safety of people or vessels.
- Policy 8: All diving activities shall be marked with standard flags on buoys and shall not be conducted in navigational channels.

## 3. Speed and Wake

The speed of vessels is a significant safety concern.

### **Goal:**

To promote safety by enforcing existing speed limits, or adopting new limits, for all vessels, including jet skis and other personal watercraft.

- Policy 1: Develop and enforce uniform speed and wake ordinances, as necessary, for Bainbridge Island waters. Special attention should be given to channels, areas adjacent to mooring or anchoring areas,

areas in confined waters, aquatic conservancy environments, and other critical areas.

- Policy 2: Operation of all watercraft should be subject to the same maximum speed and wake ordinances.
- Policy 3: Designate specific areas for waterskiing
- Policy 4: Consider developing specific regulations applicable to personal watercraft.
- Policy 5: Coordinate with other agencies on the design and placement of speed and wake signs and buoys as necessary.

**4. Vessels Which are Abandoned or Constitute Hazards to Public Health, Safety or Navigation**

**Goal 1:**

To reduce the proliferation of unattended vessels, and to remove vessels which represent hazards to public health, safety or navigation in the waters of Bainbridge Island.

Abandoned Vessels

- Policy 1: Vessels moored or anchored at other than an approved private mooring, which are not used, attended or moved for a stated period of time ( as established in the anchoring and mooring plans) shall be deemed to be abandoned and subject to seizure and disposition by the City.
- Policy 2: The time period by which abandonment is defined shall reflect both fairness to vessels owners and the needs of the City with respect to regulation of its limited harbor areas and its need to implement the policies of this plan.
- Policy 3: Vessels at City moorage or anchorage which have not paid moorage or anchorage fees for a stated period shall be deemed abandoned and subject to seizure and disposition by the City.

### Hazards to Public Health, Safety or Navigation

Policy 1: Moored or anchored vessels which, by their location, interfere with safe navigation, or which, by their condition, pose a threat to public health, safety or navigation, are subject to seizure and disposition by the City.

#### **Goal 2:**

To provide the City with the means by which to reduce the proliferation of unattended vessels, and to remove vessels which represent hazards to public health, safety or navigation in the waters of Bainbridge Island.

Policy 1: Develop procedures to supplement existing law which would enable the City to seize and dispose of vessels which are abandoned or constitute hazards to public health, safety, or navigation. Such procedures shall provide due process to vessel owners.

Policy 2: Develop a plan for the storage and disposition of vessels seized by the City. The cost of such a plan should be supported by the revenue collected from fines, charges and disposition of vessels.

Policy 3: A rate structure for fines and charges shall be developed which makes implementation of these policies practical and economical for the City.

## **B. Environmental Protection and Enhancement**

Bainbridge Island has some of the largest and most unique embayments in the Puget Sound. The harbors and open water areas support sea birds, marine mammals, salmon, crabs, herring, surf smelt, commercial and recreational shellfish beds, eelgrass beds, and other plant communities vital to the marine food chain. The quality of the surrounding marine environment forms the basis of these communities and supports the beneficial uses which we enjoy.

In recent years, pollution has restricted our use and enjoyment of the harbors. Aquatic resources have, in some cases, suffered due to poor water quality. Increased population density and the intensity of waterborne recreation and commerce will continue to exert pressure on the health of Bainbridge Island's harbors, bays and coves. Environmental conditions also suffer degradation from surrounding land uses, the loss of wetlands, and the effects of failing on-site septic systems, stormwater runoff, and other nonpoint sources of pollution. Management of land-based sources of pollution is coordinated and managed through the City's Shoreline Master Program, Comprehensive Plan and Watershed Management Action Team.

Agencies responsible for environmental management of Bainbridge Island's waters and harbors include:

- U.S. Fish and Wildlife Service
- U.S. Coast Guard
- U. S. Environmental Protection Agency
- U.S. Army Corps of Engineers
- Washington State Departments of Ecology, Health, Natural Resources, and Fish and Wildlife
- Puget Sound Water Quality Action Team
- Interagency Committee for Outdoor Recreation
- Bremerton-Kitsap County Health District
- City of Bainbridge Island
- Suquamish Tribe

These various agencies exercise overlapping jurisdiction over Bainbridge Island's harbors. It is in the City's interest to use this regulatory framework to protect its harbors and, to the extent possible, ensure that existing and future regulations are consistent with Bainbridge Island's goals for the waters of Bainbridge Island.

## **1. Water Quality**

### **Goals:**

Protect multiple uses and enhance water quality by providing guidance and services to those who use and enjoy the waters of Bainbridge Island.

Reduce and ultimately eliminate harm from wastes generated by maritime activities, including sewage, petroleum products, spillage, or the discharge of other pollutants.

Policy 1: Enforce and publicize standards and regulations for proper collection and disposal of sewage, oil and gas spills and all pollutants from on-water vessels.

Policy 2: Prohibit the discharge of sewage in Bainbridge Island waters other than through a Marine Sanitation Device approved by the U. S. Coast Guard.

Policy 3: Study and identify areas where a total non-discharge policy may be necessary.

Policy 4: Identify and prioritize the installation, operation and funding of fixed or mobile pump-out facilities at private marinas and yacht clubs in coordination with the Bremerton-Kitsap County Health

District, the Washington State Parks & Recreation Commission and other agencies.

- Policy 5: Prohibit activities that degrade existing water quality in aquatic conservancy environments, consistent with the Shoreline Master Program. Extend restrictions to other critical areas as needed.
- Policy 6: Provide adequate shoreside services, such as garbage collection, recycling, showers, and sanitary restroom facilities, to serve areas of vessel usage, as required by the Shoreline Master Program. Establish fees for these services as applicable.
- Policy 7: Require that good, environmentally sound practices be used for vessel cleaning, scraping, sanding, painting, and other maintenance activities.
- Policy 8: Provide education about good, environmentally sound practices for all aspects of recreational and commercial uses in Bainbridge Island waters.
- Policy 9: Coordinate with other agencies and ensure that recreational, commercial and state use of the waters of Bainbridge Island comply with local, state and federal environmental standards, regulations and guidelines.
- Policy 10: Establish such other regulations governing vessel use as may be necessary to protect the quality of the waters of Bainbridge Island.

## **2. Fish and Wildlife**

### **Goal:**

Protect fish, marine mammals and other wildlife currently existing in Bainbridge Island's waters.

Improve commercial and recreational fishing and shellfishing through pollution control and habitat protection.

- Policy 1: Coordinate with appropriate agencies to minimize short term net loss and promote long term gain in aquatic habitat.
- Policy 2: Inventories of local aquatic habitats should be periodically conducted to provide data in the appropriate format to state agencies in order to enhance the protection of local aquatic habitats.
- Policy 3: Encourage and support the protection of fish, shellfish and wildlife habitat through voluntary and private sector programs, such as land

trusts, conservation easements and the actions undertaken by individual property owners and community groups.

Policy 4: Encourage and support efforts to rehabilitate streams entering Bainbridge Island harbors and waters.

### **C. Anchoring, Mooring, and Vessel Facilities**

There are currently some policies and specific regulations pertaining to mooring and vessel facilities established by the Shoreline Management Master Program which the City of Bainbridge Island adopted in 1996. Those policies and regulations need to be monitored for their appropriateness as conditions change. The following goals and policies address key areas not clearly addressed in the Shoreline Master Program.

The waters of Bainbridge Island offer limited room for the establishment of designated anchorage and mooring areas. Ecological, navigational and safety factors impose further limitations. The steadily increasing growth of improperly or illegally anchored unoccupied vessels and unauthorized mooring buoys is a concern with regard to maintenance of navigation channels, rights of waterfront property owners and the safety and public use of the waters over public lands.

The continuing increase in the number of piers, docks, and miscellaneous floats added to those already in existence, present concerns relating to safety and the environmental and ecological impacts of uncontrolled placement and growth.

#### **1. Anchoring and Mooring**

Anchoring is the process of fixing a vessel to the bottom through the use of the vessel's own equipment. Mooring is the process of fixing a vessel to a mooring buoy or other structure.

##### **Goal:**

Provide safe and accessible anchoring and/or mooring areas for resident and transient vessels which take into consideration the interests of all vessel and waterfront property owners. Limit the proliferation of unauthorized mooring buoys.

Policy 1: Develop a master plan designating public anchoring and/or mooring areas to include time limits and other necessary regulations, working within the framework of existing Shoreline Master Program policies and regulations

Policy 2: Promote the availability of public anchoring and/or mooring areas in the waters of Bainbridge Island. Establish, if and where

appropriate, mooring buoys or other offshore mooring facilities for public use.

- Policy 3: Discourage the proliferation of unauthorized private mooring buoys.
- Policy 4: Establish regulations for the placement, removal, type, identification, usage and fees of new and existing privately maintained mooring buoys and other offshore mooring facilities, working within the framework of existing Shoreline Management Master Program policies and regulations. One consideration is whether legal access from the shore is available.
- Policy 5: To the extent permissible by law, the City should have the exclusive right to charge fees for the placement, enhancement and use of all mooring buoys and other offshore mooring facilities in City waters. One consideration in establishing fees for, and priority use of, offshore mooring facilities should be Island residency.

## **2. Piers, docks, floats, grids, pilings and other water-dependent structures**

The growth in numbers and size, over the years, of piers, docks, tidal grids, pilings and other water-dependent structures without benefit of a master plan has created a potential for unsafe navigation and degradation of the environment of city waters. Waterfront property owners, vessel operators and water dependent users also have legitimate interests that should be considered.

### **Goal:**

Manage the number, size and placement of structures built on the water to allow the greatest use and enjoyment of the Bainbridge Island waters.

- Policy 1: A program shall be created governing the placement, size and construction of water-dependent structures working within the policies and regulations of the Shoreline Master Program.
- Policy 2: The City will strive to ensure that its policies concerning water-dependent structures are implemented by those agencies issuing permits in the waters of Bainbridge Island.
- Policy 3: The City will determine the number, size and location of water-dependent structures that the city's harbors can ecologically and environmentally support.

- Policy 4: Consider the establishment of construction limits lines in Bainbridge Island waters.
- Policy 5: Where a threat exists to health, safety, the environment or navigation, the City shall be able to regulate the repair, replacement and removal of any water-dependent structure located in City waters.
- Policy 6: Recreational floats shall be subject to the City's master plan designating mooring areas with respect to placement and size.
- Policy 7: Recognizing its uniqueness as an island city, the development and use of public water-dependent structures should be encouraged.
- Policy 8: Promote the availability of public dinghy landing facilities.

#### **D. Public Access**

Recognizing that the provision for public access, both physical and visual, to the harbors and waters of Bainbridge Island is limited, there is a growing need to formulate policies that enhance and protect the public's ability to "reach and touch [and view] the water's edge" (BI, SMP). At the present time, there are only two designated public boat launches at Fort Ward State Park and Waterfront Park in Winslow. Although foot access is available from five public parks, for an island with 45 miles of waterfront formal public access is inadequate for current and future needs. Dedicated streets and roads which dead-end on the waterfront (road ends) provide another, but largely undeveloped, means of public access. Public use of road ends is compromised by disuse, natural obstructions, geographical constraints and encroachment by neighbors.

##### **Goal:**

Protect and enhance the ability of the public to reach the shore from land and water, and enjoy the waters of Bainbridge Island at public points of access.

- Policy 1: Support the preservation of existing public access.
- Policy 2: Promote enhancement of existing access and the creation of additional access to Bainbridge Island waters.
- Policy 4: Consider offering incentives to private property owners for providing public access.

Policy 5: The City should pursue The Department of Natural Resources public access funds from the Aquatic Lands Enhancement Account.

## **E. Commercial Uses**

Commercial waterfront and waterborne activity is largely limited to Eagle Harbor, and to a much lesser extent, other harbors. Commercial uses of the harbors and waters of Bainbridge Island have a long and vibrant history. Commercial uses must be harmonized with residential and recreational uses and environmental protection.

It is the overall goal to encourage the maintenance and enhancement of existing commercial facilities as appropriate, including fishing, transportation, tour boats and the commercial aspects of recreational uses such as boat rentals and diving services.

### **1. Commercial marinas, public marinas, yacht clubs, and other boating facilities.**

#### **Goal:**

Encourage the development and improvement of marina facilities that are safe to use, have a minimum impact upon the environment, are available to a variety of users, provide a broad range of maritime services, and can meet the growing demand and the goals and policies of the Shoreline Master Program.

Policy 1: Future marinas, or expansion of existing marinas, should be limited to areas that have been identified as part of an island-wide plan.

Policy 2: The design of boating facilities must provide for safe transit from navigation channels into and out of marinas.

Policy 3: Encourage cooperation between marina operators and public agencies to develop fire plans, methods to monitor and protect water quality, security plans, spill response plans and other arrangements where private management and public enforcement overlap.

Policy 4: The City shall work with boating facility operators to develop and implement sound environmental practices regarding gray water disposal, fuel/oil spills, bottom paint maintenance, marine sewage pump out facilities, sanding debris and boat painting.

Policy 5: Encourage public access to water at boating facilities through adjacent waterfront trails, open gate policies, small craft put-ins, visual access to water and views from the water.

Policy 6: Boating facility operators should be encouraged to provide transient moorage: 1) directly, by offering dock space; and 2) indirectly, by providing dingy tie-up space for anchored or moored vessels.

Policy 7: Encourage the availability of moorage at marinas for individuals who want to live aboard their boats.

## **2. The Washington State Ferry System**

The Washington State Ferry System provides a vital service to Bainbridge Island. However, the State Department of Transportation activities in Eagle Harbor have a substantial effect on other uses of the harbor. The only maintenance facility for the Washington State Ferry System is located in Eagle Harbor. The existence and proposed expansion of the ferry terminal and maintenance facilities in Eagle Harbor impact safe ingress and egress to the harbor, water quality, safety and the use and enjoyment of the waterfront and harbor by citizens of the City and the State. For these reasons it is very important that the Washington State Ferry System and the City of Bainbridge Island coordinate their plans and activities.

### **Goal:**

Balance the current and future needs of the residents of Bainbridge Island and other harbor users with the current and future needs of the Washington State Ferry System through implementation of the Harbor Management Plan.

Policy 1: The City will ensure that planning and development by the Washington State Ferry System for its facilities is consistent with the Shoreline Master Program, the Winslow Master Plan, and with other applicable policies and regulations of the City.

Policy 2: Any future expansion of Washington State Ferry maintenance facilities, and its impact on other harbor uses, should be carefully monitored by, and coordinated with, the City of Bainbridge Island.

Policy 3: Future expansion of Washington State Ferry System facilities should not jeopardize navigation or other public or private uses.

Policy 4: The City shall require the Washington State Department of Transportation to fulfill its obligation for the provision of a privately operated boatyard facility, in accordance with the terms of the agreement governing recent expansion of Washington State Ferry System facilities.

Policy 5: The City should designate an official liaison with the Washington State Ferry System to ensure consistent and reliable exchange of

information regarding activities and plans of both the City and the Washington State Ferry System.

### 3. **Other Maritime Commerce**

**Goal:**

Enable maritime commerce by providing for facilities, access to those facilities, shore infrastructure, and mooring areas and anchoring areas.

Policy 1: The City should encourage the retention and improvement of facilities for maritime commerce. Facilities may include boat haul-out and repair yards, cargo loading and unloading, lightering docks, marine fuel facilities, equipment loading from trucks to boats, staging for disaster response equipment and boat building yards.

Policy 2: The City should improve access to on-shore infrastructure for maritime commerce.

Policy 3: Anchoring and mooring of commercial vessels shall be subject to the master plans for anchoring and mooring.

## **IV. SPECIFIC GOALS AND POLICIES FOR INDIVIDUAL HARBORS**

The above general goals and policies are generally applicable to all of the waters of Bainbridge Island. The inventory subcommittees, during the summer of 1997, studied conditions in Eagle Harbor, Port Madison, Blakely Harbor and Manzanita Bay, and their reports are attached as Appendices A-D. The special policies which follow for each harbor indicate Harbor Management Advisory Committee's recognition that a specific need for regulation exists at this time. These specific policies in no way diminish the applicability of the general policies previously stated. Other special policies for harbors may need to be developed based on future needs.

### **A. Specific Goals and Policies for Eagle Harbor**

Eagle Harbor is the main commercial harbor of the island and supports multiple competing uses. For instance, it contains major Washington State Ferry System facilities and is the location of a public dock, commercial marinas and an EPA Superfund site. These specific policies are meant to illuminate issues and do not undermine general policies found elsewhere in this plan.

- Policy 1: A navigation channel should be designated pursuant to Policy 1, Section IIIA(1) and clearly marked with navigation buoys.
- Policy 2: Areas for anchoring and areas for mooring should be designated pursuant to the master plan for anchoring and mooring areas (Policy 1, Section IIIC(1,2)). Such designation shall take into account regulations covering EPA capped areas.
- Policy 3: In areas designated for anchoring and mooring (Policy 2, Section IIIA (3)), prohibit activities involving speeds in excess of legal limits..
- Policy 4: Consider designating an appropriate area for waterskiing.
- Policy 5: Pursuant to the general policies of this plan, develop and enforce speed and wake ordinances (Policy 1, Section IIIA (3)).
- Policy 6: Water quality is an ongoing issue in Eagle Harbor because of the intensity of water-dependent uses and should be addressed by fixed and portable pump-out facilities, public education, regulation and enforcement especially at commercial marinas, yacht clubs and public docks.

- Policy 7: Post signs at the entrance of Eagle Harbor indicating that discharge of untreated waste is prohibited and speed and wake ordinances are enforced.
- Policy 8: Development of fueling facilities for commercial and recreational vessels should be encouraged.
- Policy 9: Development of commercial boatyard facilities should be encouraged.
- Policy 10: The general policies stated in Section III E(2) regarding the Washington State Ferry System should be implemented and enforced.
- Policy 11: The public dock shall be expanded and improved.
- Policy 13: Critical areas should be protected and signed as appropriate.
- Policy 14: The general policies in Section III A(4) regarding vessels which are abandoned, derelict or are hazards to navigation shall be enforced.
- Policy 15: Enforce the general policies of this plan, the SMP and other policies of the City with respect to noise, use, size and location of recreational floats.

**B. Specific Goals and Policies for Port Madison**

With the exception of two large yacht clubs, Port Madison is mainly residential, with numerous private docks, buoys, floats and rafts located throughout. It is regularly visited by a variety of commercial vessels. During the summer season, in addition to yacht club members, the harbor is the destination for hundreds of transient boaters. In order to achieve and maintain safety in navigation and to preserve and enhance the harbor's unique ecological systems within the limited harbor area, these specific policies are offered in conjunction with the general policies contained in this plan.

- Policy 1: Enforce the general policies of this plan, the SMP and other policies of the City with respect to noise, use, size and location of recreational floats.
- Policy 2: The development of portable or on-shore pump-out facilities should be encouraged.

- Policy 3: Post signs at the entrance of Port Madison indicating that discharge of untreated waste is prohibited and speed and wake ordinances are enforced.
- Policy 4: In areas designated for anchoring and mooring (Policy 2, Section IIIA (3)), prohibit activities involving speeds in excess of legal limits.
- Policy 5: Consider designating an appropriate area for waterskiing.
- Policy 6: Designation of a navigational channel should be considered.
- Policy 7: Areas for anchoring and mooring should be designated pursuant to the master plan for anchoring and mooring areas (Policy 1, Sec. IIC(1,2)).
- Policy 8: Provide public access to the water.
- Policy 9: Encourage the development of a public boat launch.

### **C. Specific Goals and Policies for Blakely Harbor**

Blakely Harbor is the last relatively undeveloped harbor in Central Puget Sound. It has unique aquatic and shoreline natural resources which should be preserved. It is the most rural and least developed harbor on Bainbridge Island. To the maximum extent possible, consistent with the general policies herein, its character should be maintained. The special policies below should be applied in that context.

- Policy 1: Provide public access to the water.
- Policy 2: Encourage the development of a public boat launch.
- Policy 3: Preserve Blakely Harbor's unique natural aquatic resources.
- Policy 4: Encourage by private agreements among waterfront property landowners, restriction on development of additional docks.
- Policy 5: In areas designated for anchoring and mooring (Policy 1, Section IIC (1), prohibit activities involving speeds in excess of legal limits.
- Policy 6: Consider designating an appropriate area for waterskiing.
- Policy 7: Post signs at the entrance of Blakely Harbor indicating that discharge of untreated waste is prohibited and speed and wake ordinances are enforced.

Policy 8: Enforce the general policies of this plan, the SMP and other policies of the City with respect to noise, use, size and location of recreational floats.

#### **D. Specific Goals and Policies for Manzanita Bay**

Manzanita Bay is the only harbor located on the west side of the Island. It has unique natural resources, including the largest salmon run on the Island. It is the least used of the four harbors. As such, it offers a relatively pristine anchorage that remains quiet during the bustling summer months when other harbors become crowded.

Policy 1: The unique aquatic resources of Manzanita Bay should be preserved.

Policy 2: Post signs at the entrance of Manzanita Bay indicating that discharge of untreated waste is prohibited and speed and wake ordinances are enforced.

Policy 3: Provide public access to the water.

Policy 4: Encourage the development of a public boat launch.

Policy 5: In areas designated for anchoring and mooring (Policy 1, Section IIC (3)), prohibit activities involving speeds in excess of legal limits.

Policy 6: Consider designating an appropriate area for waterskiing.

## **E. Bays, Roadsteads and Other Waters**

This harbor plan applies to all the waters of Bainbridge Island. The waters of Bainbridge Island can be categorized as harbors, bays, lagoons, passages, channels and roadsteads. Roadsteads are partly sheltered areas near the shore where a vessel may ride at anchor. Much of the shoreline of Bainbridge Island falls into this category depending upon the season and the direction of the wind. A bay is a body of water forming an indentation of the shoreline. Fletcher Bay and Murden Cove are included in this definition. The lagoons on Bainbridge Island include Point Monroe, Battle Point, and Tolo Road. These lagoons are small, tidal bodies of sea water that may go dry at extreme low tide. Rich Passage and Agate Passage are narrow channels with strong currents that serve as entries and exits to Port Orchard Bay. Port Orchard Bay is a broad channel on the west side of Bainbridge Island that is used more for transit than for mooring and anchoring. Port Orchard Bay is more exposed than the four harbors on Bainbridge Island and is open at the north and south ends which results in moderate currents. Port Madison is a name that is also used to describe the large body of water on the north shore of the Island.

The focus of the general policies in this plan is on issues that are related to the four major harbors and is the result of the heavy use of these harbors. It is the intention of this plan that these policies have general applicability and apply equally to the waters outside of the four harbors. For example, a Harbor Commission may, at some future date, find it necessary to consider establishing anchoring and mooring plans in areas other than in the harbors.

The bays, roadsteads, passages and channels of Bainbridge Island have issues that are not found in the harbors. The wakes of ferry boats and vessels traveling at speeds which create large bow wakes result in a high energy environment along the shore and in mooring areas. Geoduck harvest, purse seine and other near shore fisheries create commercial activities in residential neighborhoods. Aquaculture facilities, located at the east entrance of Rich Passage, require regular flushing and air movement. Long beaches invite beach combing and other non-boating activities.

This plan does not include a detailed inventory of uses and issues related to the waters outside the four major harbors. It is anticipated that the Harbor Commission will conduct studies concerning these waters as the need arises.

### **Goal:**

To manage the bays, roadsteads, passages, channels, lagoons and other waters of Bainbridge Island consistent with the general policies and the harbor specific policies found in this report.

## **V. GOVERNANCE**

The all-island government of the City of Bainbridge Island, coupled with its several important harbors, creates unique conditions with respect to governance.

Investigation of other systems of governance provides no ready model for harbor management. The HMAC independently examined the recommendations of the University of Washington report which concluded that a harbor management plan should be developed and a harbor commission created.

### **A. The Harbor Commission**

It is the recommendation of the HMAC that the City should establish a Harbor Commission for an initial period of 3 years, which is empowered to implement the Harbor Management Plan. A Harbor Commission will address all issues pertinent to the harbor areas of Bainbridge Island because it will focus solely on harbor related issues and problems, and will have authority to develop and implement harbor management decisions. Specific recommendations concerning the nature of the Harbor Commission follow:

- Policy 1: A Harbor Commission, consisting of 5 members to serve without compensation, shall be appointed by the Mayor and confirmed by, and report to, the City Council.
- Policy 2: The Harbor Commission shall have jurisdiction over the waters of Bainbridge Island as designated in this plan.
- Policy 3: The Harbor Commission shall be responsible for implementing the policies of this plan through recommendation of ordinances, regulations, and other means.
- Policy 4: The Harbor Commission should also seek ways to implement the goals and policies of this plan through public education and community outreach, where appropriate, and to engender a sense of stewardship for the waters of Bainbridge Island.
- Policy 5: The Harbor Commission should develop and recommend new policies as needed.
- Policy 6: The Harbor Commission should coordinate its work with the City and state and federal agencies.
- Policy 7: The Harbor Commission, whenever appropriate, should recommend to the City Council sources of revenue to support its activities, and to support the management and enhancement of the waters of

Bainbridge Island and water dependent and related uses. The City Council should attempt to fairly allocate costs to those most benefiting from the particular activity involved. To the maximum extent possible, the activities of the Harbor Commission should be revenue neutral.

- Policy 8: At the end of 3 years, the City Council shall review the performance of the Harbor Commission and evaluate its benefit to the community. Based upon such review the City Council may continue or terminate the Harbor Commission.

## **B. The Harbormaster System**

The Harbor Commission will implement the Harbor Management Plan. Upon the recommendation of the Harbor Commission, a Harbormaster should be employed by the City, report to the Harbor Commission and assist in the implementation of the Harbor Management Plan through enforcement of City, County, State and federal ordinances, regulations and applicable law. In addition to specific enforcement responsibilities for Eagle Harbor, the Harbormaster should coordinate the efforts of volunteer Harbor Stewards for Port Madison, Blakely Harbor, Manzanita Bay and Eagle Harbor.

- Policy 1: Upon recommendation of the Harbor Commission, a Harbormaster shall be employed by the City. The Harbormaster shall assist the Harbor Commission in the implementation of the Harbor Management Plan. The Harbormaster shall report on his/her activities to the Harbor Commission but shall be directly accountable to the mayor and the city administrator.
- Policy 2: Enforcement activities of the Harbormaster shall be closely coordinated with the City of Bainbridge Island Police Department and other governmental agencies including, but not limited to, the United States Coast Guard.
- Policy 3: The Harbormaster shall coordinate the efforts of additional volunteer Harbor Stewards, who will serve Port Madison, Blakely Harbor, Manzanita Bay and Eagle Harbor.
- Policy 4: The responsibilities of the volunteer Harbor Stewards will include gathering information concerning harbor conditions, maritime and enforcement problems and needed improvements; reporting to the Harbor Commission; coordinating with the Harbormaster; and dispensing in a cooperative manner, information to City residents and the boating public regarding City ordinances implementing the

Harbor Management Plan, and other applicable City, County, State and federal policies, regulations and applicable law.

Policy 5: To the maximum extent possible, the Harbormaster system shall rely on education, dissemination of information and cooperative community efforts to implement the Harbor Management Plan for the City of Bainbridge Island. The intent is to promote self-regulation, rather than reliance on enforcement efforts.

### **C. Other Recommendations Related to Governance**

1. The City should work with the Association of Washington Cities to amend state law to permit the City to enter into a management agreement with the Department of Natural Resources.
2. The City should consider future discussions with the Department of Natural Resources concerning potentially assuming administrative responsibility for “aquatic lands” of Eagle Harbor (those tidelands abutting private property which may not otherwise be subject to a management agreement with the Department of Natural Resources).
3. Potential sources of revenue could include: the Boater Excise Tax; grants such as those offered through the State Department of Natural Resources’ Aquatic Lands Enhancement Account; moorage and other user fees; the City’s lease of bedlands to be obtained under a management agreement with DNR; and potential changes in state legislation that would enable the City to lease aquatic lands.

## VI. DEFINITIONS

**Anchoring** - The process of fixing a vessel to the bottom through the use of the vessel's own equipment.

**Aquaculture** - The cultivation of fish, shellfish, and/or other aquatic animals or plants, including the harvesting and incidental preparation of these products for human use. Activities include the hatching, cultivating, planting, feeding, raising and harvesting of aquatic plants and animals, and the maintenance and construction of necessary equipment, buildings, and growing areas. Cultivation methods include, but are not limited to, fish pens, shellfish rafts, racks and long lines, seaweed floats and nets, and the culture of clams and oysters on tidelands and subtidal areas. (Shoreline Master Program)

**Aquatic conservancy environment** - Marine areas seaward of the ordinary high water mark, normally designated aquatic, that contain unique ecological and cultural features which the City would like to preserve for the public benefit. All uses in the aquatic conservancy environment are subordinate to the protection of natural systems.

**Aquatic lands** - All state-owned tidelands, shorelands, harbor areas, and the beds of navigable waters (RCW 79.90.010). Aquatic lands are part of the public lands of the state of Washington. Included in aquatic lands are public places, waterways, bar islands, avulsively abandoned beds and channels of bodies of water, managed directly by the Department of Natural Resources, or indirectly through management agreements with other governmental entities.

**Bay** - A body of water forming an indentation of the shoreline.

**Bedlands** - See **Beds of navigable waters**

**Beds of navigable waters** - Those submerged lands lying waterward of the line of extreme low tide in navigable tidal waters and waterward of the line of navigability in navigable lakes, rivers and streams.

**Boat launch or ramp** - Graded slopes, slabs, pads, planks, or rails used for launching boats by means of a trailer, hand or mechanical device (Shoreline Master Program)

**Boating facilities** - Includes marinas, boat launch facilities, dry storage facilities, marine travel lifts, and marine railways. (Shoreline Master Program)

**Cove** - A small sheltered bay in the shoreline of a sea, river or lake.

**Dock** - A floating platform which abuts the shoreline, extending waterward from ordinary high water, or from the bottom of a ramp extending from a pier, generally used as a landing or moorage place for commercial and/or pleasure craft.

**Dock, community or joint-use** - A structure or structures intended for the common use of the residents of adjoining parcels or subdivision, short subdivision or community located on adjacent uplands. A community dock is not for the purpose of serving the public. If a community dock accommodates six or more vessels, it is considered a marina.

**Environmentally sensitive areas** - Those areas with especially fragile biophysical characteristics and/or with significant environmental resources as identified by the City or by a scientifically-documented inventory accomplished as part of the SEPA/NEPA process or other recognized assessment.

Environmentally sensitive areas include, but are not limited to, aquifer recharge areas; wildlife habitat areas; fish breeding; rearing or feeding areas frequently flooded areas; geologically hazardous areas (e.g., steep, unstable slopes); wetlands (i.e., marshes, bogs, and swamps); streams; tidal lagoons; mud flats; salt marshes; and marine vegetation areas.

**Gray water** - Water discharge from a boat other than sewage effluent,

**Harbor** - A sheltered part of a body of water deep enough to provide anchorage for ships.

**Liveboard vessel** - A vessel licensed and designed for use as a mobile structure with adequate self-propulsion and steering equipment to be operated as a vessel, but which is principally used as an over-water residence. Principal use as an over-water residence means essentially full-time occupancy within the City's jurisdiction for a total of more than sixty (60) days, whether or not consecutive, in any calendar year. (Shoreline Master Program)

**Marina** - A commercial or public facility with the primary purpose of providing moorage for six (6) or more vessels, which consists of a system of piers, buoys, or floats. Foreshore marinas are located in the intertidal or offshore zone (the Aquatic environment). Backshore marinas are located landward of OHWM. There are two common types of backshore marinas, one with wet moorage that is dredged out of the land to artificially create a basin, and the other, dry moorage, which has upland storage with a hoist, marine travel lift, or ramp for water access. (Shoreline Master Program)

**Moorage, transient** -Moorage for sixty days or less.

**Mooring** - The process of fixing a vessel to a mooring buoy or other structure.

**Mooring buoy** - A floating object anchored to the bottom of a water body that provides tie-up capabilities for vessels.

**Personal watercraft** - A vessel of less than sixteen feet that uses a motor powering a water jet pump, as its primary source of motive power and that is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.

**Pier** - A fixed platform above the water which abuts the shoreline, extending waterward from ordinary high water, and which is generally used as a landing or moorage place for industrial, commercial, and/or pleasure craft (Shoreline Master Program)

**Public access, physical** - The public's ability to reach and touch the water's edge (physical public access) and/or the public's ability to see the shorelines (visual public access.) Possible ways to provide for physical and/or visual public access include picnic areas, pathways and trails, floats and docks, promenades, viewing towers, bridges, boat launches, street ends, ingress points and parking.

**Pump-out facility** - A portable or fixed facility used for evacuating sewage effluent from a vessel for proper disposal.

**Road end** - Dedicated streets and roads which dead-end on the waterfront.

**Roadstead** - Partly sheltered areas near the shore where a vessel may ride at anchor.

**Shoreline Master Program** - A program of policies and regulations for all the shorelines of Bainbridge Island, adopted by the City of Bainbridge Island in 1996

**Tidal grid** -A structure that is built in an intertidal zone to support a vessel with enough tidal range to float the vessel at high tide and to go dry at low tide so that work may be performed below the water line of the vessel.

**Turning basin** - An area adjacent to a navigation channel with sufficient depth and area to allow a vessel to turn around where the channel itself is too narrow to permit safe turning.

**Vessel** - A ship, boat, barge, or any other floating craft which is designed and used for navigation.

**Wake** - The visible track of turbulence left by something moving through water.

**Water-dependent use** - A use or a portion of a use which requires direct contact with the water and cannot exist at a nonwater location due to the intrinsic nature of its operations. Examples of water-dependent uses may include ship cargo terminal loading areas, ferry and passenger terminals, barge loading facilities, ship building and dry docking, marinas, aquaculture, float plane facilities, and sewer outfalls. (Shoreline Master Program)

**Water-enjoyment use** - A recreational use, or other use facilitating public access to the shoreline as a primary characteristic of the use, or a use that provides for recreational use or aesthetic enjoyment of the shoreline for a substantial number of people as a general characteristic of the use and which through the location, design, and operation ensure the public's ability to enjoy the physical and aesthetic qualities of the shoreline. In order to qualify as a water-enjoyment use, the use must be open to the general public, and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that foster shoreline enjoyment. Primary water-enjoyment uses may include, but are not limited to, parks, piers, and other improvements facilitating public access to shorelines of the State. General water-enjoyment uses may include, but are not limited to, restaurants, museums, aquariums, educational/scientific reserves, resorts, and mixed use commercial, provided that such uses conform to the above water-enjoyment specifications and the provisions of the Master Program. (Shoreline Master Program)

**Water-oriented use** - Refers to any combination of water-dependent, water-related and/or water-enjoyment uses and serves as an all-encompassing definition for priority uses under the Shoreline Management Act. (Shoreline Master Program)

**Water-related use**- A use or a portion of a use which is not intrinsically dependent on a waterfront location, but whose economic viability is dependent upon a waterfront location because: 1. Of a functional requirement for a waterfront location such as the arrival or shipment of materials by water or the need for large quantities of water or, 2. The use provides a necessary service supportive of the water-dependent commercial activities and the proximity of the use to its customers makes its services less expensive and/or more convenient. (Shoreline Master Program)

**Water ski** - To ski on water while being towed by a motorboat.

**Waters of Bainbridge Island** - The waters over which the City of Bainbridge Island assumes power and jurisdiction.

