

CITY OF BAINBRIDGE ISLAND

CITY COUNCIL AGENDA BILL



PROCESS INFORMATION

Subject: Public Participation Plan for Shoreline Master Plan Update	Date: May 12, 2010
Agenda Item: Consent Agenda	Bill No.: 10-071
Proposed By: Libby Hudson/Planning	Referral(s): N/A

BUDGET INFORMATION

Department: PCD	Fund:	Munis Contract #
Expenditure Req:	Budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Budget Amend. Req? <input type="checkbox"/> Yes <input type="checkbox"/> No

DESCRIPTION/SUMMARY

Action Item:

Accept the Public Participation Plan for the Shoreline Master Program Update.

Background:

As part of the City's update to our Shoreline Master Program (SMP), required by the Department of Ecology, and included in the scope of the public outreach contract with AHBL, a public involvement plan was developed with the community as outlined in the attached draft Public Participation Plan. An interactive public meeting was held on March 2, 2010, at which the City solicited community input in shaping the involvement plan, including:

- identifying the major goals and objectives of the outreach plan;
- identifying stakeholders and how best to communicate with stakeholders;
- identifying issues and what issues might benefit from an education and information program;
- identify tools and techniques appropriate for informing and involving the public during all stages of the SMP Update process.

A web survey was also utilized to solicit citizen input. The information gathered was summarized and synthesized and a draft of the Public Participation Plan was made available on the City's website on April 16th. The draft Public Participation Plan was presented to the Planning Commission on April 22, and a public open house was held on April 29. A Council study session was conducted on May 5. The SMP Update Joint Policy Committee also reviewed the draft. Comments received during this review were considered and the revised plan is attached for acceptance by the City Council.

The document is meant as a guide for public involvement and is intended to be used as such. As the multi-year process to update the City's Shoreline Master Program moves forward there may be changes in approach or opportunities for public involvement that may not have been directly addressed in the participation plan. The timeline may also expand or change to adjust to the circumstances during the update process.

RECOMMENDED ACTION:

Action:

I move to accept the Bainbridge Island Shoreline Master Program Update Public Participation Plan, and direct staff to utilize this document as the primary guide for public involvement during the City's process for reviewing, updating and adopting our Shoreline Master Program.

SMP Update Public Participation Plan –Comments

PLANNING COMMISSION COMMENTS: April 15, 2010 Draft

	<i>Date</i>	<i>Name</i>	<i>Section(s)</i>	<i>Subject</i>	<i>Comment</i>	<i>Response</i>	<i>Notes</i>
1	4/22/10	Michael Lewars		General	How are the public hearing and opportunity for public comment incorporated	Section VIII, beginning on page 18, indicates key dates for public involvement.	
2	4/22/10	Maradel Gale	VII	PP Timeline	Suggested highlighting public opportunities for education or input and calling the science forum a public education series.	Staff agrees to review ways to identify and distinguish educational components from other types of involvement opportunities in the timeline.	
3	4/22/10	Charlie Averill	VII	PP Timeline	Suggested additional columns to the right of the “key dates” that would note public education, informal public comment opportunity, or formal public comment opportunity.	Staff agrees that the table could be modified to include some sort of indication of the types of public participation opportunities of each of the key dates. This could be through additional columns or symbols.	
4	4/22/10	Martin Minkoff	VI. D	Public Involvement Techniques	Consider other electronic ways to notify people including at each Ferry terminal and perhaps have people on the boat for discussions if possible.	Comment noted. Staff has considered these ideas and hopes to incorporate them in the process.	
5	4/22/10	Martha Droge	VII.	PP Timeline	Suggested a simplified graphic of the timeline (that could be bookmarked for more detail); provided on web page; and in post cards at meetings.	Comment noted. Staff anticipates providing a graphic timeline indicating where we are in the process, which will be updated on the web page on a regular basis.	
6	4/22/10	Martha Droge	VI. B	Field Trips	Suggested that the two important meeting are field trips for people to open mind and learn about shore dynamics/fish habitat and perhaps push one out to salmon spawning time; suggested considering off-island field trips and include Paul Dorn of the	Comment noted. Field trips are intended to be interactive. Staff will work with County and other jurisdictions to link to off-island field trip opportunities, setting up on-Island pre-trip discussion prior to off-island opportunities.	

SMP Update Public Participation Plan –Comments

					Squamish Tribe as field trip leader.	
7	4/22/10	Martha Droge	VI. D	Electronic Communication	Consider including educational PowerPoint presentations on the shoreline dynamics on the web page.	Comment noted. Staff intends to include all presentations on the City web page and to link to other presentations that are appropriate.
8	4/22/10	Michael Lewars	VI. C	Guest Presentations	Suggested short presentations to groups in the City.	Comment noted. These types of presentations are intended to be included in the process.
9	4/28/10	Martha Droge		General -public meetings & presentations	Consider including someone who specializes in “interpreting” the information for the average person, so what is conveyed is not heavy on technical jargon. Suggest Chuck Lennox- - taught public outreach techniques to NOAA scientist.	Comment noted. Staff will consider suggestion based on budget constraints; consultant AHBL may assist in this manner; staff will strive to reduce use of technical jargon during public meetings.

AD HOC COMMITTEE COMMENTS: April 15, 2010 Draft

	Date	Name	Section(s)	Subject	Comment	Response	Notes
1	4/16/10	Group	Introduction	Purpose of PPP	Suggest language change in first bulleted list on page 1. First bullet to read “Public meetings and events designed in a manner that <u>provides opportunity to be heard</u> that all are heard, and for that people <u>to</u> listen and learn from one another.” Fifth bullet to read: “All participants feel that their viewpoints were <u>considered heard</u> , even if views are not reflected in the outcomes.”	Comment will be incorporated.	
2	4/30/10	Group	V.I .Participation	Citizen advisory group	Discussed possibility of citizen group	Undecided as to how this might function on Island. Will consider further before forming recommendation	
3	4/30/10	Maradel Gale	VI. Techniques	Coordination	Suggested coordination with County Library on education &	Agreed that we should coordinate. Named Maradel Gale and Cathie	

SMP Update Public Participation Plan –Comments

4	4/30/10	Hilary Franz	VI Tools	Regional Coordination	field trip series Suggested that Puget Sound Partnership should be utilized during educational component.	Currie as coordinators. Agreed
5	4/30/10	Group	VI Tools		Suggested using other developed education programs- eg. Seattle Aquarium/NOAA program; coordinate with other community organizations – eg. Arts & Humanities in developing speaker/art series related to “Year of the Sea”	Agreed
6	4/30/10	Maradel Gale	VII. Timeline	Visioning Phase 3#3	Public Access & Broad Community Interest – More discussion by Ad Hoc Committee is needed before this is implemented.	Staff will involve the Committee in designing the visioning meeting.
7	4/30/10	Hilary Franz	VI. Techniques	New venue	Use Ward meetings to communicate with neighborhoods’; provide Council members with a summary sheet of SMP Update issues to facilitate the discussion with constituents’.	Agreed.
Open House – April 29						
1	4/29/10	Gary Tripp	VI.A Participation	Stakeholders	Stakeholders should be ranked, with shoreline property owners at the top as they have more to lose in the SMP Update process	All citizens have varying interests and may want to be involved in the SMP Update are considered stakeholders
2	4/29/10	Gary Tripp	III, Roles	A. Stakeholders pg.7.	Disagree with use of phrase “Ultimately, most stakeholders exercise their authority indirectly by voting for elected decision-makers.”	This phrase can be removed if other words can convey the same meaning.
3	4/29/10	Bruce Taft	V.I. Participation	Advisory Group	A citizen advisory group should be formed to take an overall view of the update.	The March 2 community input did not include any suggestion that a citizen advisory committee should be part of the participation aspects of the SMP

SMP Update Public Participation Plan –Comments

						Update process, and therefore one was not included in the draft Public Participation Plan (PPP) See comment above.
4	4/29/10	Charles Schmid	V.I. Participation	Advisory Group	An citizen advisory group should be formed and be involved in public dialog on the update process	
5		citizen		Issue Focus Groups	Who do these groups report to?	
ETAC – May 5						
1	5/5/10	Dave Sale	General		Overall a good plan – Can it be accomplished w/ limited funding & staffing?	Staff will utilize opportunities to build on other resources, including partnering with other community organizations and coordinating with regional education efforts. Prepared and off- the-shelf resources will be used where possible.
2	5/5/10	Dave Sale	VII. Timeline	Page 19	Don't need an entire session on ETAC's role. Should be included in introduction to shoreline ecology & update process.	Comment noted. ETAC's role will be part of the overall framework discussion and how science will be utilized in the update process.
3	5/5/10	Dave Sale	VII. Timeline	Page 20; #3 under Phase 2.	Reword to reflect that the science review by ETAC will be an ongoing effort/	Agreed.
City Council Study Session – May 5						
1	5/5/10	Council Member Debbie Lester	IV. Participant	Page 10, D.	Include BITV's reader board and notices on the ferries as notification methods.	Agreed.
2	5/5/10	Council Member Barry Peters	IV. Participant	Page 17	Is it possible to assure the public that this is a local process?	SMP Update is a requirement of the State and a partnership with Depart. of Ecology under the Shoreline Management Act (SMA) and the adopted WAC

SMP Update Public Participation Plan –Comments

						Guidelines. Although the City approves the local SMP, Ecology approves our SMP update under the authority of the SMA. We are bound by the guidelines and have local control as provided in the SMA. This legal framework will be explained and referenced throughout the update process. Ecology will be a strong partner during this update process.
3	5/5/10	Council Member Hilary Franz	IV. Participant		The update is guided by the only law (SMA) in the state that requires local approval and final state approval. The partnership between the city and the Sate Dept. of Ecology is critical.	Noted.
4	5/5/10	Council Member Hilary Franz	IV. Participant	Advisory committee	The Ad Hoc committee is considering how an advisory committee might be incorporated in the process; we may need to add additional components to the PPP before it is accepted by Council.	As noted above there was no suggestion for a citizen advisory committee during the input process for the PPP; only after the PPP was drafted was the idea mentioned by two individuals. The idea of a citizen group is being discussed in the SMP Policy Advisory Committee and a recommendation will be coming out of that group regarding this issue.
5	5/5/10	Council Member Bill Knobloch	IV. Participant	Page 17	Need more clarification on the City/State partnership – concerned about the issues of what the city can control vs. what the city can approve.	These are the same points that the community brought up in the March 2 meeting—clarify where the City is required to make changes in the SMP and where there is discretion; understand the requirements set out by the States SMP Guidelines, and where the City has discretion.

SMP Update Public Participation Plan –Comments

						We will address these issues first in the June 3 educational component where Ecology will discuss the Guidelines and a representative from th AGs office will address legal issues associated with property rights and SMP regulations.
6	5/5/10	Council Member Barry Peters	IV. Participant	Advisory committee	Support City forming a manageable-sized advisory committee of some sort.	The idea of a citizen group is being discussed in the SMP Policy Advisory Committee and a recommendation will be coming out of that group regarding this issue.
Citizen Comments						
1		Charles Schmid	IV. Participant	Advisory committee	Disappointed that there is no citizens committee – not having one is setting the City up for trouble.	The idea of a citizen group is being discussed in the SMP Policy Advisory Committee and a recommendation will be coming out of that group regarding this issue.



Bainbridge Island Shoreline Master Program Update Public Participation Plan



DRAFT

May 12, 2010



I. Introduction

A. Purpose of the Public Participation Plan and Desired Outcomes

The purpose of this document is to guide the public participation process for the City of Bainbridge Island Shoreline Master Program Update by identifying key parties to engage, key issues of concern and the various public involvement methods and techniques that will be used. This Public Participation Plan (The Plan) provides background on the Shoreline Management Act (SMA) and the public participation requirements for Shoreline Master Programs (SMP). It also identifies the roles and responsibilities of stakeholders involved in the SMP update process, goals and objectives of the outreach effort and a strategy for maximizing public participation and input. A tentative schedule of public involvement opportunities and a summary of applicable public involvement requirements in state law are also included.

The purpose of the public participation effort is to achieve specific desired outcomes. These outcomes include:

- Public meetings and events designed in a manner that provides opportunities to be heard, and for people to listen and learn from one another,
- Broad participation of all interested groups and individuals regardless of point of view,
- A transparent process which clearly documents all input,
- Public input is available for any and all to review, and
- All participant viewpoints were considered, even if views are not reflected in the outcomes.

A public meeting was held on March 2, 2010 to help shape the public involvement process. The meeting purpose was specifically to:

- Provide an opportunity for the community to share their thoughts and shape the public participation and input process
- Provide a brief overview of Shoreline Master Program (SMP) requirements and City Update Process
- For the City team to hear from the community and for the community to hear from one another

Approximately 80 citizens attended the meeting. These participants were invited to respond to specific questions in small group conversations. Key themes from the meeting were then used to shape this public participation plan. A summary of the March 2, 2010 public meeting is included as Attachment B.

B. Shoreline Management Act (SMA) Background and Guidelines

Shoreline Management Act Background

In 1971 the State Legislature passed Washington's Shoreline Management Act (SMA) and it was adopted by the public in a 1972 referendum. Shoreline use and development is governed by the SMA and the primary goals of the SMA are to balance responsible shoreline development with environmental protection and public access. Under the SMA, each city and county with "shorelines of the state" must develop and adopt its own shoreline master program to regulate local shoreline use and development. "Shorelines of the state" generally refers to rivers, larger lakes, and marine waterfronts along with their associated shorelands, wetlands, and floodplains

Washington State's Shoreline Management Act (SMA) requires jurisdictions that contain "shorelines of the state" within their boundaries to periodically update their Shoreline Master Programs (SMPs). The City of Bainbridge Island is beginning the SMP update process and is expected to complete the update by December 2011.

The Bainbridge Island SMP was originally adopted in 1996 and several amendments have been made since that time. The Department of Ecology (DOE) adopted updated SMP Guidelines in 2003, as part of the regulations contained in the Washington Administrative Code (WAC). Cities and counties across the state (about 250 in all) must update their local SMPs to meet the new 2003 Guidelines. The City of Bainbridge Island has approximately 53 miles of shoreline, as well as associated wetlands within its shoreline management jurisdiction.

Shoreline Master Program (SMP) Guidelines

The SMA and the new SMP Guidelines establish basic policy requirements that all SMPs must address, including:

- Protect ecological function and achieve "no net loss of ecological functions necessary to sustain shoreline natural resources",
- Preserve and enhance public access,
- Plan for and foster "all reasonable and appropriate uses",
- Give preference to uses that are dependent on and related to shoreline locations,
- Plan for restoration of ecological functions where they have been impaired, and
- Encourage public input in decision making.

The SMP update process involves a number of steps that must be completed before the SMP is ready for local and state adoption. These steps should be completed in sequence and include:

- Inventory, analysis and characterization of shoreline conditions,
- Establishment of shoreline environments and associated policies and regulations,
- Development of a restoration plan,
- Assessment of cumulative impacts, and
- Local and state adoption.

One of the key aspects in developing any SMP, as set forth by RCW 90.58.130, is the requirement for public involvement and participation in the process. Local governments are required to “make reasonable efforts to inform the people of the state” and “not only invite but actively encourage participation by all persons and private groups and entities showing an interest in shoreline management programs”. Furthermore, local governments are required to invite and encourage participation by all agencies of federal, state and local government. DOE Guidelines thus require that public participation begin at the beginning of the initial phase of the SMP update planning process and continue through adoption.

C. Public Participation Plan

To meet the specific requirements of the SMA and the SMP Guidelines, the public participation plan:

- Identifies specific objectives,
- Identifies key parties (City Council, Planning Commission, shoreline property owners, local residents, state agencies, Tribes, environmental interests, etc.),
- Identifies outreach strategies, tools and techniques,
- Establishes timelines for public participation activities.
- Engages all parties early and continuously in the update process, particularly those individual recreationists and conservationists or organizations that may not typically seek involvement in new shoreline regulations.
- Documents all public outreach and public events related to SMP development.

Public participation in the SMP development and update process is not only required by law, it is a key component behind the successful creation and implementation of shoreline regulations. As such, the public participation plan is an important tool to help guide this process. The public participation plan is intended to meet State requirements, and is tailored to address the priorities and issues specific to the Bainbridge Island community.

II. Public Involvement Strategy and Goals

The following section lays out the key challenges and opportunities inherent in the SMP Update, the need for both stakeholder and decision maker education and specific goals and objectives that will guide public participation for this effort.

A. Key Challenges and Opportunities

Key challenges and opportunities for public involvement inherent in the SMP Update process include:

- Building Common Understanding-- Clarifying the purpose of the SMP, requirements behind the SMP update process and how these relate to the local community.
- Use of Science-- Reaching understanding on scientific issues, agreement on the specific sources of science that will be used as the basis for the regulations, and what to do in

the face of incomplete, inconclusive or the lack of specific information where resources are at risk.

- Engaging the Community --Recognizing and overcoming barriers to participation, such as available time, cynicism and perceived level of effort in impacting the outcome.
- Allowing for Respectful Dialog--Understanding that public meetings can be contentious, and employing public facilitation skills that foster creativity, and encourage civility and mutual respect among all parties.
- Distinguishing public outreach for the SMP update effort from other public outreach efforts, and/or integrating with parts of other public outreach efforts where appropriate. Recognizing the large number of concurrent City issues and priorities that staff and the local community are already involved in.
- Sustaining Community Involvement --Sustaining local interest and participation from stakeholders throughout the 2 year Update process.

The strategy for meeting these challenges and opportunities is addressed below, including an emphasis on establishing a baseline of common information and establishing more specific goals and objectives to guide the public participation effort.

B. Building Common Understanding among Stakeholders and Decision Makers

The success of the SMP update will in part depend upon the level of understanding stakeholders and decision-makers have about SMA requirements, the ecological functions of the shoreline environment, and the various represented interests. Establishing a baseline of common information is a key component. Stakeholders must be made aware of SMA requirements and DOE rules to understand what aspects of the SMP can be decided locally. Achieving a level of understanding among stakeholders about how the shorelines of Bainbridge Island fit into the larger context of the Puget Sound will also benefit the process by putting local interests in the larger regional context. Stakeholder education will be accomplished using the following methods:

- Providing clear information about the SMA, DOE rules, SMPs, and other related programs or regulations that may be confused with the SMP such as the City's Critical Areas Ordinance,
- Organizing forums where the public can engage scientific and legal experts in discussions focused around specific issues, and
- Providing examples from other relevant SMP updates from other communities.

In addition to community members being well-informed, staff, advisory bodies and decision makers must also participate in educational efforts. It is critical that these parties have an understanding of local conditions and the interests of stakeholders. Education of SMP Update managers and decision makers will be accomplished using the following methods:

- Listening to and documenting stakeholder input and asking decision makers to consider it,

- Engaging the Environmental Technical Advisory Committee (ETAC) and reinforcing their role to provide technical and scientific advice to the City and peer review on environmental management issues and projects,
- Asking decision makers, including DOE representatives, to participate in the scientific forums,
- Developing the shoreline analysis and characterization report and conveying the information within this document to the community and decision makers, and
- Providing examples of approved (and if available, rejected) SMP updates from other relevant communities and engaging DOE and the communities to explain the rationale behind the decisions.

C. Comprehensive Plan Guidance

The City's Comprehensive Plan Environmental Element offers general guidance for protection of aquatic resources, including marine nearshores, wetland, streams, lakes, creeks, and associated wetland areas. The overall goal for these aquatic resources is to achieve no overall net loss in the remaining aquatic resources. Goals and policies also address the maintenance of natural drainage systems and establishment and/or protection of vegetative buffers as means of protecting water quality. The City's adopted Shoreline Master Program is also intended to be part of the Comprehensive Plan and goals and policies contained within the SMP are consistent with other elements of the Plan.

The Comprehensive Plan provides limited specific guidance on public participation. Guidance for public participation is also provided in the Manual of City Governance Policy and Procedures and Guidelines (2010).

D. Goals and Objectives

Based on public input obtained at the March 2, 2010 SMP Update public participation meeting and related survey respondents, the following goals and objectives to guide the SMP Update are presented:

1. Identify, engage and involve a broad spectrum of citizens and stakeholders in the process.
 - a. Engage as many Island residents as possible throughout the process so that community members are involved and have a stake in the management of the Island's shoreline.
2. Educate the public so that they are well-informed and able to positively contribute to the SMP update process and decision-making.
 - a. Clarify the purpose of the SMP update, its relationship to other regulatory programs, and what has been accomplished with shoreline management on the Island to date.
 - b. Inform the public about DOE rules and authority in relation to local conditions, decision-making and regulation. Clarify in the beginning what is non-negotiable and beyond the scope of local control.
 - c. Provide information about compliance with legal issues related to the SMP Update, including guidance on and documentation of the process used to assure that proposed

- regulatory or administrative actions do not unconstitutionally infringe on private property rights.
- d. Enrich the discussion and deliberations through speaker forums, field trips, and examples from other recently updated SMPs.
3. Conduct an open dialog and maintain transparency of all decisions throughout the update process.
 - a. Involve people in ways that allow them to share their interests and feel confident their interests are both heard and considered in the decision-making process.
 - b. Use strong facilitators to establish ground rules and foster open and civil conversation among stakeholders with different interests.
 - c. Use clear fact-based reasoning for proposed policies and regulations and cite appropriate science that provides the basis for regulations. Where there is uncertainty in the science, allow public input and debate on this key project element.
 - d. Accurately track every comment and response so that people know how and why their comment(s) either were or were not integrated into final decisions.
 - e. Achieve outcomes in which compromises are evident, and are generally acceptable to the majority of residents within the context of law.
 4. Establish a general awareness of the SMP update process, including opportunities for public input on proposed policies or regulations before final decisions are made.
 - a. Provide timely and complete information throughout the process using a variety of communication methods.
 - b. Provide numerous, well advertised opportunities for meaningful input throughout the update process.
 5. Reinforce the idea of collective responsibility for a healthy shoreline and Puget Sound.
 - a. Acknowledge the interests and responsibilities of both upland and shoreline residents throughout the process. Put the shoreline management efforts of the Island in context with the health of the greater Puget Sound.

III. Roles, Responsibilities and Decision-Making

This section identifies key parties involved in the public participation process, and their roles and responsibilities. It also identifies how public input will be used and the decision making process that will be used during the SMP Update development and adoption process.

A. Stakeholders

Stakeholder is a broad term that encompasses all individuals and groups that have an interest in decision-making and final outcomes of the City of Bainbridge SMP. The Shoreline Management Act recognizes both local and statewide interests in shoreline management. Participants at the March 2, 2010 public participation planning event suggested the term “careholder” because it emphasizes why people are involved in the process: because they care about how the outcomes of the SMP

update process will affect the Island's shorelines, as well as their own interests. Individuals who reside on the Island or own property or a business on the Island can be thought of as stakeholders, however anyone who has a specific interest in or concern about the Bainbridge Island shoreline is also a stakeholder. There are numerous stakeholders that may not reside on the Island that will play a role in the SMP process, or otherwise have an interest in its outcomes. Examples include, but are not limited to:

- Environmental groups, such as the People for Puget Sound, Sierra Club, and Washington Environmental Council;
- Industry or trade groups, such as Home Builders Association of Kitsap County, Shoreline Property Owners and Contractors Association, Northwest Marine Trade Association, etc.

A list of stakeholders identified at the March 2, 2010 shoreline public participation planning meeting is included in the meeting summary in Attachment B.

Stakeholders can be individuals or organized groups, such as the Bainbridge Shoreline Homeowners or the Bainbridge Alliance for Puget Sound. Stakeholders can either be focused specifically around shoreline, environmental or property issues or may take more of a limited interest in the Shoreline SMP Update or may present an opportunity to disseminate information, such as the Chamber of Commerce. Each individual or group may have his or her own set of interests and it is likely that the interests of different stakeholders may not align. All participants will be encouraged to clearly state their interests and offer ideas to help shape the SMP Update throughout the process.

Stakeholder Role and Authority: Informal advisory role, to provide input to staff and decision-makers. Citizen stakeholders may also exercise their authority indirectly by voting for elected decision-makers.

B. City Staff

City staff will manage the SMP Update process, compile required inventory and analysis information, develop draft policies and regulations for consideration by Planning Commission and the City Council and conduct required environmental review. The work of City Staff also includes, but is not limited to:

- Project management,
- Documenting and keeping records,
- Fulfilling SMP process requirements,
- Informing decision makers of SMP legal requirements,
- Coordinating with Department of Ecology (DOE),
- Directing the work of consultants,
- Coordinating public outreach and involvement,
- Addressing and integrating public input in a transparent manner,
- Working with the Environmental Technical Advisory Committee (ETAC), and

- Apprising the Planning Commission, City Council and interested parties of project progress and key policy and regulatory decisions.

City Staff Role and Authority: Manage the project, ensure an open public process, and ensure that the SMP Update is developed consistent with legal requirements and the Guidelines. City Staff have an advisory role to the Planning Commission and City Council.

C. Environmental Technical Advisory Committee (ETAC)

As provided in local enabling legislation, the ETAC provides technical and scientific advice to the City on environmental management issues. The ETAC will play a key role in reviewing and recommending how science is applied in the SMP update process.

ETAC Role and Authority: Advisory role limited to the selection, peer review and use of scientific information. Specifically, ETAC provides technical and scientific advice to the City on environmental management issues and guidance on how science is applied related to the SMP Update.

D. Planning Commission

The Planning Commission will review proposed SMP policies and regulations and provide a recommendation to the City Council. City Staff will take key policy and regulatory decisions to the Planning Commission in phases, prior to review of and recommendation on the entire document.

Planning Commission Role and Authority: As established in state law and local enabling legislation, to review the draft SMP, take and consider public input, and make formal recommendations to the City Council.. Recommendations to the City Council are not binding.

E. City Council

The City Council will review proposed SMP policies and regulations, consider the recommendation of the Planning Commission and make the final decision on the SMP.

City Council Role and Authority: As established in state law, to review draft SMP Update, gather public input, make changes as desired, and locally adopt the final SMP. The City Council is the legislative authority with the final local decision making authority for the local adoption of the SMP.

F. Department of Ecology and the State of Washington

State law establishes a cooperative program of shoreline management between local government and the state. The Shoreline Management Act authorizes and directs the Department of Ecology (DOE) to adopt guidelines for the development of Local Shoreline Master Programs. In keeping with the relationship between state and local governments prescribed in the Act, the Guidelines have three specific purposes:

- To assist local governments in developing master programs;

- To serve as standards for the regulation of shoreline development in the absence of a master program along with the policy and provisions of the Act and,
- To be used along with the policy of RCW 90.58.020, as criteria for state review of local master programs under RCW 90.58.090.

Each local government approves its program after a public review and comment period. The local government then sends the shoreline master program to DOE, which reviews it for consistency with the Guidelines. DOE must approve the locally approved and submitted master program, before it takes effect. To ensure respect for private property rights, local and state legal authorities are required to review a shoreline program before formal adoption.

Department of Ecology (DOE) Role and Authority: As established in state law, the DOE provides assistance and guidance to local governments in preparing the SMP. The DOE issues the SMP Guidelines, and provides technical guidance, financial assistance and written comments on draft SMP components. DOE must review and approve all local SMPs. In addition, DOE approves certain shoreline permit decisions, i.e. conditional uses and variances.

IV. Participant Identification and Notification

This section identifies community members and agencies who will participate in the SMP Update and methods of public notification during the Update process.

A. Stakeholders

Initial identification of stakeholders was based on those parties who have expressed interest in the SMP Update. Initial outreach for the March 2, 2010 SMP public participation planning meeting included a press release, display ads and calendar announcements in the two local papers, announcement on the City website and email to interested parties who had signed up on the email listserve, as well as emails to community organizations and an extensive list of individuals. The City will maintain a list of interested parties and will augment this list as individuals add their contacts.

Communication to stakeholders should clearly emphasize key issues, opportunities for input, and should be free of jargon. The City will contact stakeholders primarily via email, but will also provide notification via the website and ads in the Bainbridge Review and/or Islander. Additional venues and channels for information were identified at the March 2, 2010 shoreline public participation planning meeting and this information is included as Attachment B. The City may use additional methods included on this list to contact/stakeholders.

B. Regional, State and Federal Agencies

As stated previously, the Department of Ecology (DOE) is required to review and approve local master programs. The DOE also provides technical assistance to local governments in developing master programs. Before undertaking substantial work, the City will notify Ecology and all applicable regional, state and federal agencies to identify interests, relevant regional and statewide

efforts, available information, and methods for coordination and input. The City will follow up with these groups as necessary during the process and is required to notify state agencies in writing 60 days prior to local adoption of the SMP.

A list of applicable regional, state and federal agencies will be developed based on information provided by the Department of Ecology. This list will include (but is not limited to) the following:

- The Cities of Poulsbo, Bremerton and Port Orchard; Kitsap County; Kitsap Regional Coordinating Council
- The Puget Sound Partnership, a community effort of citizens, governments, tribes, scientists and businesses working together to restore and protect Puget Sound.
- State agencies, including:
 - Washington Department of Fish and Wildlife
 - Washington Office of Historic Preservation
 - Washington Department of Natural Resources
 - Washington Department of Commerce
 - Washington Department of Transportation (including Washington State Ferries)
 - Washington State Parks
- Federal agencies, such as:
 - Environmental Protection Agency (EPA)
 - Army Corps of Engineers (ACOE)
 - US Coast Guard (USGC),
 - National Oceanic and Atmospheric Administration (NOAA); and
 - National Marine Fisheries Service (NMFS)

Day to day coordination with the DOE project officer will be done via email. All other communication to regional, state and federal agencies will be done by both email and formal letter via US Mail.

C. Tribes

Prior to undertaking substantial work, the City will notify affected Indian tribes as sovereign nations. Coordination with the Suquamish Tribe will help to identify tribal interests, relevant tribal efforts, available information and methods for coordination and input. In addition to the Suquamish Tribe, which has treaty rights to certain natural resources in the shoreline area of Bainbridge Island, the City will contact coordinating bodies such as the Northwest Indian Fisheries Commission to ensure all affected Indian tribes are notified. The City will forward draft documents to the tribe and will follow up with them as necessary during the process, including notification 60 days prior to adoption.

Communication to the Tribes will generally be done by formal letter via US Mail.

D. Notification and Communication Methods

The SMP update process will utilize a number of different venues and communication methods to ensure that the greatest number of stakeholders are engaged in the process and have a role in

shaping the outcomes. Communication to stakeholders will occur through a variety of means, including (but not limited to) the following:

- City website
- Email, including those who sign up on the listserv and a possible special newsletter
- Advertisements in the Bainbridge Review and/or the Islander
- Community events, such as the City booth at the Fourth of July, as well as banners and signs for major civic events
- Mail, including possible (based on cost effectiveness) postcard announcements to all Island residents and shoreline property owners

Primary venues will include public meetings and workshops at City Hall, as well as various community meetings throughout the Island. Stakeholders will be notified of meetings and kept apprised of the SMP update process primarily through electronic media such as emails and content on the City's webpage. In order to reach those residents and organizations that either may not have access to a computer, or have not been added to the City's email list, public notices will be put in The Review, Islander, and/or Kitsap Sun prior to meetings. Other possible communication methods that will be explored are posting notices on community bulletin boards, social media outlets such as Facebook and Twitter, and tabling at key community events such as weekly farmers' markets, and potentially engaging volunteers to distribute information.

E. Use of Electronic Media

As stated, the City will make extensive use of the website, email and listservs to communicate with stakeholders. An electronic newsletter on the SMP Update will be produced by City Staff approximately once a month. In addition, the City will use tools, such as web surveys, to get direct feedback from citizens. Finally, the City will explore the use of social networking outlets, such as Twitter, to communicate with stakeholders, provided an accurate public record of all communication can be ensured. The City will explore asking Bainbridge High School students to tape SMP related events and information and put these video clips on the City website and possibly other electronic media outlets, such as YouTube.

F. Documentation and Timing of Notification

Establishing a thorough record keeping process throughout the SMP update is important for maintaining transparency. The public will be notified in a timely manner about all meetings and key decision points so that they have the opportunity to play an active and influencing role throughout the process. Generally this means at least 10 days notice, and generally 14 days notice. In addition, the many written comments and questions that are submitted to the City throughout the process will be formally documented. Responses to comments and questions will be made available as promptly as possible on a specific schedule and stored in readily accessible formats, such as question and answer summaries, meeting summaries and transcripts, and frequently asked questions page. These will be available on the City's web site and hard copies available at City Hall.

As a result, stakeholders will be able to track their comment/question(s) and know how they were addressed during the process.

V. Key Issues and Approach

The following key issues of public involvement regarding the SMP which were identified by participants of the March 2, 2010 public participation planning meeting and survey respondents. The public participation plan will attempt to address each one of these issues using the means described below and in Section VI.

A. SMA/SMP Requirements, Scope of Local Decision-Making and Property Rights

Issues: Community understanding is critical regarding what elements within the SMP are essentially non-negotiable and are requirements of state law, and what flexibility is allowed by local decision-making within the scope of the update process. This understanding is important for establishing an efficient process that is focused on SMP elements that can be locally decided. Island shoreline property owners and other residents are concerned about constitutional issues associated with SMP regulation and how such regulations take into account private property rights.

Approach: To the extent possible, City staff will provide clear information about the SMA and DOE rules as an important initial step so that stakeholders understand what is negotiable, and thus know where to best focus their efforts. Where the degree of local discretion is not clear in the law, the City staff will seek the opinions of DOE and independent experts to the extent possible and will share this information with stakeholders. As part of the educational component of the public participation process, information about the protection of property rights (fifth amendment) and due process of law (14th amendment), and the case law related to these constitutional provisions, will be summarized and made available to the public. Specific guidance from the Washington State Attorney General's Office will be provided. Providing clarity on constitutional issues will help address property right concerns related to the SMA, SMP and/or specific local regulations.

Potential Tools: Educational forums, guest meetings with specific community groups, fact sheets and links to legal guidance documents via the website.

B. Local Impacts to Ecological Function and the Health of Puget Sound

Issue: Bainbridge Island has approximately 53 miles of shoreline and the ecological health of our shorelines has a significant impact on the ecological function of the Puget Sound. Many Island residents are concerned about the current documented degraded state of Puget Sound and how the activities taking place on Bainbridge Island may affect the current and future health of our signature water body.

Approach: The public participation process will put Bainbridge Island's SMP in context with the greater effort of improving the health of the Puget Sound by illustrating how local practices may

either contribute or detract from clean up and ecological restoration efforts. To the extent possible given budget and time limitations, staff will seek input on this issue from a range of independent experts and will share this information in scientific forums.

Potential Tools: Science speakers series, science forum, guest meetings with specific community groups, fact sheets and links to science guidance documents via the website.

C. Identification and Use of Scientific Information

Issue: What and how scientific information is applied to the SMP update process has been identified as a major topic of concern by some Island residents.

Approach: The Environmental Technical Advisory Committee (ETAC) will assist in identifying appropriate scientific guidance. The latest scientific approaches and information that is endorsed by DOE and has been most commonly applied to SMPs will be considered, and the ETAC will define criteria for review and may provide guidance on other available scientific information. ETAC will assist the City in determining the framework policy for addressing uncertainty of scientific information in the SMP update process. ETAC will define criteria for science experts that will be invited to participate in public forums focused on the discussion of scientific information and its application to the SMP. ETAC will review staff responses to frequently asked questions as they relate to scientific questions and answers.

Potential Tools: Science series, science forum, meetings with specific community groups, fact sheets and links to science guidance documents via the website.

D. Residential Development and Shoreline Modifications

Issue: Shoreline property owners are particularly concerned about how specific SMP policies and regulations may affect their ability to further develop their properties and/or modify their shorelines, e.g. install bulkheads, docks, piers, etc.

Approach: The City will need to include shoreline use, upland development and modification policies and regulations that meet the “no net loss” standard, as well as meet all other requirements of the SMA and SMP Guidelines.

Shoreline property owners, marine contractors and others will be specifically engaged in the discussion of the impacts of shoreline uses and modifications on ecological function and in the crafting of shoreline modification policies and regulations. The City will seek to make local policies and procedures as objective, cooperative, equitable and as straight forward as possible. Key objectives in engaging shoreline property owners will be to:

- Recognize the unique position of property owners as the best potential stewards of our shorelines;
- Seek to establish a flexible regulatory approach, while ensuring no net loss;

- Recognize that the regulatory process affects the quality of life of shoreline residents and in many cases is directed towards structures that agencies previously approved; and
- Recognize that there are multiple viewpoints associated with shoreline issues and all respectful opinions deserve to be heard and considered.

Potential Tools: Issue forums, field tours to look at application of concepts and standards to specific sites, guest presentations for specific community groups, open house, fact sheets and links to policy, regulatory and science guidance documents via the website.

E. Intergovernmental Coordination and Regulatory Integration

Issue: There are several levels of government and numerous agencies that are involved in the management of Washington State’s shorelines. Currently, the overlapping and extremely complex nature of federal, state and local shoreline permitting regulations places a significant burden on property owners.

Approach: Recognizing that the City has no authority over other governmental regulators, the City will strive for efficient and clear coordination among these agencies throughout the process so that shoreline regulations are integrated to the degree that they do not conflict with one another, and they are clearly and comprehensively articulated. To that end, coordination and regulatory integration will help establish certainty and confidence in the process.

Potential Tools: Formal mailings to government agencies, science speaker series, invite agency representatives to issue forums and field tours, open house and direct consultations with agencies.

F. Public Access and Broad Community Interests

Issue: Island residents highly value the natural resources found on the Island, including the many miles of marine shorelines. The ecological health and visual quality of the Island’s shorelines, as well as public access, are interests of the broader Island community, including both shoreline property owners and residents not living directly on the shoreline.

Approach: The SMP update process will identify opportunities for enhanced public access, including visual access, weighing the interests of the overall Island community, including private property owners. At a minimum, one significant public event will be targeted primarily at addressing public access issues, and the City will specifically engage existing groups such as property owners, the Park District, boaters, Bainbridge Island Land Trust, trail groups, residents and others in a discussion of public access.

Potential Tools: Interactive forums (policy workshop, public access visioning, open house), Planning Commission and City Council Meetings, surveys and comment forms.

VI. Public Involvement Techniques, Tools, and Application

Below is a list of techniques and tools that may be applicable to the SMP public participation process. Many of these techniques and tools are offered as a direct response to specific concerns and issues identified by the public at the public participation planning workshop, e.g. the use of science and the need for forums to discuss what science should be used, while others are fairly typical approaches to SMP public participation processes, e.g. open houses. A matrix is included at the end of this section which aligns public involvement tools and techniques with specific issues identified in Section V.

A. Educational Forums

Specific education opportunities will be provided on the following topics:

- SMA/SMP Requirements and the degree of local control
- Property rights and guidance from the Washington State Attorney General
- Shoreline ecology and human impacts
- Identification and use of science

Detailed information about SMA legal requirements, the SMP Guidelines, the scope of local decision making and issues related to property rights will be provided at the SMA/SMP Legal Foundations Informational Event. The City will seek representatives from state agencies, including the Attorney General's Office, at this event. The City also intends to partner with the Bainbridge Branch of the Kitsap Regional Library and other community and regional organizations for educational events.

In order to bring clarity and understanding to how science is applied in the SMP process, a science informational speaker series and a science forum will be held for anyone from the public to attend. These forums will consist of a panel of experts that will discuss the scientific guidance that has been identified as being the most appropriate for informing the SMP. The merits of alternative scientific guidance will also be discussed. The format of these events will likely consist of a presentation followed by question and answer.

To the extent possible, education will be separated from policy discussion. Where possible they will be separate events or at least separate discreet temporal components of events. In this way we can maintain a balanced agenda. In educating we will focus on creating a shared base of knowledge for participation and acknowledge that education is a two way street and that experts must also hear the knowledge of residents.

B. Interactive Workshops and Field Tours

The City expects to hold a variety of interactive events, where stakeholders can provide feedback on aspects of the SMP. These events will include broad discussions aimed at the general public, such as the Shoreline Policy Forum and an Open House on the Draft SMP, as well as focused events, such

as a Public Access Visioning Workshop. Workshops may include stations, break-out discussion groups, participatory exercises and other techniques.

At least two regulatory issue forums will also be scheduled during the development of the SMP. These events will occur prior to and in conjunction with the development of shoreline modifications regulations, so key concerns can be identified and feedback on proposed regulations can be obtained. These two issue forums will provide an opportunity for a focused discussion of a particular regulatory concern, such as the ecological impacts of a particular use or modification, alternative ways to address these impacts, and how regulatory options impact various interests on the Island.

In addition, field tours will be organized to highlight issues that generally should be addressed by SMPs, as well as best practices and innovative approaches to minimizing shoreline impacts. It was suggested during the public participation planning event (held March 2, 2010), that a tour analogous to a garden tour could be organized to offer an opportunity for the showcasing of shoreline management techniques such as non-structural shoreline stabilization, grated dock/pier decking, natural drainage, etc. At least two field tours will be scheduled during the development of the SMP Update. These events will occur prior to and in conjunction with the development of shoreline modifications regulations.

C. Guest Presentations

Because participation in public meetings held at City Hall or other central meeting place may be limited by people's work schedules or other conflicts, it was suggested that public participation opportunities be brought out into the community. Neighborhood and other community groups that meet regularly would play host to City Staff, appointed officials, and/ or elected officials who would present or otherwise engage residents in the SMP process. Such an approach is expected to broaden overall participation in the process.

Participation in community meetings and guest presentations will occur both on a request basis and the City will target specific groups and meetings, including Shoreline Homeowners, Chamber of Commerce, Harbor Commission, Bainbridge Alliance for Puget Sound and others. Attendance at up to a dozen community meetings is expected as part of this multi-year effort.

D. Surveys, Comment Forms and Electronic Communication

Attending meetings may not be possible for a number of Island residents who would otherwise like to have a voice in the SMP process. The City used a survey to obtain input on the creation of this public involvement plan. The City will use additional surveys and/or comments forms as part of this process. These will be made available both on the City's webpage and potentially at public facilities such as City Hall and the library if the survey is not used in conjunction with written public input at a public meeting. All survey responses and comments will be recorded, and responses will be made available to the public in both unedited and summarized form.

The City intends to produce an electronic newsletter specifically related to the SMP Update process to inform interested parties of the status of the work, specific issues and upcoming public involvement events. The City will also explore the use of social networking outlets to communicate with stakeholders, provided an accurate public record of all communication can be ensured. Options may include a Twitter feed.

E. SMP Joint Policy Advisory Committee

The City will convene an SMP Joint Planning Policy Advisory Committee to guide the SMP Update process. The Committee will be made up of members of the Planning Commission, City Council and will include a subcommittee to oversee implementation of the public participation plan. The Policy Advisory Committee will advise on policy issues related to the overall direction of the SMP prior to Planning Commission review of the draft SMP. As needed, the Policy Advisory Committee will advise on specific policy issues at the request of the Planning Commission during Planning Commission review. The SMP Policy Advisory Committee will meet as needed during the SMP Update Process and meeting times and dates will be posted in the usual places.

F. Citizen Ad Hoc Committees & Issue-Oriented Task Forces

The City may utilize ad hoc committees, issue oriented task forces or other similar groups as needed to provide input throughout the SMP update process. These groups may be organized around specific topics and issues, or on the SMP Update as a whole. The City may organize these groups for the purpose of providing advice, input and feedback on SMP provisions or these groups may form through other entities.

G. Planning Commission Meetings

The Planning Commission will hold public meetings during critical points in the SMP update process that will be open to the public. Planning Commission meetings will include discussion among Commissioners on key planning-related policy and regulatory decisions that are to be brought forward to the City Council. Such meetings also allow for questions and comments from the public.

H. Council Meetings and Public Hearings

The City Council meets regularly to discuss and make decisions on City policies and regulations. All Council meetings are open to the public. The Council is required by law to hold at least one public hearing prior to adoption of the SMP and is planning to hold additional public hearings to get input from the public that will help guide its decisions on specific issues such as SMP policies and regulations.

VII. Public Participation Timeline (Approximate)

All future dates in the following timeline are tentative and subject to change.

	A. Phase 1: Preliminary Assessment and Inventory of Shorelines	Key Dates	Event Type
Spring 2010	1. <u>Public Participation Planning Event</u> a. Provide a brief overview of Shoreline Master Program (SMP) requirements and City Update Process b. Provide an opportunity for the community to share their thoughts and shape the public participation and input process	<u>March 2, 2010</u> - Planning Event Held	<u>Informal Public Comment Activity</u>
	2. <u>Brief City Council on SMP Schedule and Public Participation Plan (PPP)</u> a. Prepare a project process and timeline summary for the City Council. b. Form the SMP Update Joint Planning Commission/City Council Policy Advisory Committee. c. Introduce project to City elected/appointed officials, define state requirements and the scope of local influence, and present the public participation plan. d. If City Council request revisions, send amended version to DOE for approval.	<u>April 22, 2010</u> - Planning Commission Review of Draft PPP <u>April 29, 2010</u> - Public Meeting on Draft PPP <u>May 5, 2010</u> - City Council Study Session, Introduce PPP and discuss project scope <u>May 12, 2010</u> - City Council Regular Meeting - accept PPP & set policy scope	<u>Formal Public Comment Opportunity</u>
	3. <u>Notify general public & agencies about initiation of Shoreline Master Program Update Process</u> a. Update Website with Public Participation Plan and additional SMA/SMP info. b. Create project title/slogan for easy, positive recognition. c. Provide project information on the City's website, the newspaper, City Hall and regular posting locations to	<u>See above dates</u> - public meetings on Draft PPP <u>May 20, 2010</u> - formal project announcement sent to government agencies & Tribe	<u>N/A</u>

Spring 2010	<p>inform the general/larger public.</p> <p>d. Establish monthly e-newsletter on website.</p> <p>e. Consider sending an informational mailing to all property owners, including both those in and outside or shoreline jurisdiction.</p>		
	<p>4. <u>Public Information Series, Event #1: SMA/SMP Legal Foundations</u></p> <p>a. Address foundational and legal questions raised in the public participation meeting.</p> <p>b. Clearly identify the role of the SMA, scope of State requirements and local influence.</p> <p>c. Clearly identify state guidance regarding shoreline modification standards</p> <p>d. Provide information Attorney General guidance and opinion paper regarding property rights.</p>	<u>June 3, 2010</u>	<u>Educational</u>
B. Phase 2: Shoreline Analysis and Characterization		Key Dates	Event Type
Summer 2010	<p>1. <u>Community Presentations (As Needed)</u></p>	<u>TBD</u>	<u>Informational</u>
	<p>2. <u>Public Information Series, Events #2-#4: SMP Science Series & Science Forum (June /July 2010)</u></p> <p>a. Identify existing sources of science that City believes should be included and summarize key findings.</p> <p>b. Have guest science speakers address and comment on these sources</p> <p>c. Obtain feedback from citizens on proposed sources</p> <p>d. ETAC attends the forum and then convenes separate set of meetings to decide on guidance to City on science sources.</p>	<p><u>June 17, 2010</u> - Event #2: Broad overview of shoreline science & ecology; ETAC role & how they will use science. Council direction on project scope.</p> <p><u>July 8, 2010</u> -Event #3: Shoreline Ecology and Shoreline land uses, activities, and modifications & their association to shoreline functions and characteristics.</p>	<u>Educational</u>

Summer/Fall 2010		<u>July 22, 2010</u> – Event #4: Science Forum. Summarize and clarify issues heard during science series. See also subsequent field trips.	
	3. <u>ETAC Science Peer Review and Recommendations</u>	series of public meetings June/July-ETAC Meeting	<u>Informational</u>
	4. <u>Participate in Kitsap County Futures Visioning Process</u>	<u>TBD</u>	<u>Informal Public Comment Activity</u>
	5. <u>Website Project Update</u> a. Post project update describing key findings of the shoreline analysis and characterization at City Hall and on the City's website. b. Consider issuing a broader press release	<u>July 2010, Date TBD</u>	<u>Informational</u>
	C. Phase 3: Shoreline Policy, Environmental Designation, and Regulation Development	Key Dates	Event Type
	1. <u>Shoreline Field Tour #1 (August)</u> a. Secure guest speakers and identify tour stop locations b. Specifically invite members of the marine construction industry, as well as homeowners and environmental interests c. Tour shoreline stabilization sites and discuss alternative stabilization techniques d. Tour recent dock improvements and discuss current state and federal requirements e. Get feedback on potential local concerns and input on potential standards	<u>August, 2010, Date TBD</u>	<u>Educational and Informal Public Comment Activity</u>
	2. <u>Shoreline Policy Workshop</u> a. Focus on General Goals and Environment Designations b. Include a survey after workshop	<u>September 11, 2010</u>	<u>Informal Public Comment Activity</u>
	3. <u>Shoreline Public Access Visioning</u>	<u>September 23, 2010</u>	<u>Informal Public</u>

Fall 2011	<ul style="list-style-type: none"> a. Focus on specific goals for public access b. Include a survey after workshop 		<u>Comment Activity</u>
	4. <u>Community Presentations</u>	<u>TBD</u>	<u>Informal Public Comment Opportunity</u>
	5. <u>Develop SMP Policies Based on Community Input to Date</u> <ul style="list-style-type: none"> a. Present draft General Policies b. Present draft shoreline designations c. Reflect input from previous Policy Workshop and requirements of the SMP Guidelines. 	October 7, 2010 - Planning Commission Meeting	<u>Formal Public Comment Opportunity</u>
	6. <u>Shoreline Field Tour #2 (October 2010)</u> <ul style="list-style-type: none"> a. Discuss the application of proposed standards to real sites b. Visit potential key shoreline public access and restoration sites c. Get feedback on potential local concerns and standards d. Revise standards as needed (Fall 2010 to January 2011) 	<u>Late September, Early October, 2010, Date TBD - Field Tour #2</u>	<u>Educational and Informal Public Comment Activity</u>
	7. <u>Regulatory Issue Forum #1 - Review and Discuss DOE Guidelines for Shoreline Use and Modification Polices, Regulations and Standards</u> <ul style="list-style-type: none"> a. Review and discuss current residential development and modification standards by environmental designation. b. Review and discuss shoreline modification guidance from the state (including no net loss), key goals and methods of achieving and potential changes to current standards. c. Obtain citizen feedback on key concerns for consideration in crafting draft standards. 	October 28, 2010 - Issue Forum #1	<u>Informal Public Comment Activity</u>
	8. <u>Website Project Update</u> <ul style="list-style-type: none"> a. Issue press release and website project update b. Encourage public input on key 	<u>TBD</u>	<u>N/A</u>

regulatory issues		
<p>9. <u>City Council Update</u></p> <p>a. Provide an update to Council members on community priorities and concerns regarding shoreline modification requirements.</p>	TBD	<u>Formal Public Comment Opportunity</u>
<p>10. <u>Regulatory Issue Forum #2 – Review and Discuss Proposed Changes to Specific Shoreline Use and Modification Polices, Regulations and Standards</u></p> <p>a. Review input received to date and how it was/was not incorporated and why.</p> <p>b. Review and discuss proposed residential use and modification standards.</p> <p>c. Obtain additional feedback on actual draft standards.</p>	<u>December 2, 2010 – Issue Forum #2</u>	<u>Informal Public Comment Activity</u>
<p>11. <u>Formalize Draft SMP Regulations Based on Public Input to Date</u></p>	<u>January 27, 2011 – Planning Commission Meeting – Present draft policy & regulation</u>	<u>Formal Public Comment Opportunity</u>
<p>12. <u>Community Presentations (As Needed)</u></p>	TBD	<u>Informal Public Comment Opportunity</u>
<p>D. Phase 4: Cumulative Impacts Analysis and Restoration Planning</p>	Key Dates	Event Type
<p>1. <u>Revise Draft SMP based on Findings from Cumulative Impacts Assessment</u></p>	<u>February 2011, Date TBD</u>	<u>N/A</u>
<p>2. <u>Press Release and Project Update</u></p> <p>a. Post revised Draft SMP Modification standards</p> <p>b. Issue press release and post website project update describing the upcoming Cumulative Impacts Analysis and Draft Restoration Plan..</p>	<u>February 2011, Date TBD</u>	<u>N/A</u>
<p>3. <u>City Council Update</u></p> <p>c. Meet with Joint CC/PC Policy Advisory Committee to discuss</p>	<u>February 2011, Date TBD</u>	<u>Formal Public Comment Opportunity</u>

Winter 2011	draft SMP and discuss any significant changes or revisions to components of the draft SMP.		
	4. <u>Set up Survey and Comment Forms on Draft SMP key Regulations</u>	<u>February 2011, Date TBD</u>	<u>Formal Public Comment Opportunity</u>
	5. <u>Participate in Kitsap County Alternative Futures Process</u>	<u>TBD</u>	<u>Informal Public Comment Activity</u>
	6. <u>Community Open House</u> d. <u>Provide information on draft SMP</u> e. <u>Take feedback on draft SMP</u> f. <u>Provide input on Draft Restoration Plan</u> g. <u>Take feedback on Draft Restoration Plan</u>	<u>March 3, 2011, Date TBD</u>	<u>Informal Public Comment Activity</u>
Phase 5: Shoreline Master Program Adoption Process		Key Dates	Event Type
Spring/Summer 2011	1. <u>Press Release and Project Update</u> a. Issue press release and post website project update describing timeline for Planning Commission and City Council adoption process.	<u>Summer 2011, Date TBD</u>	<u>N/A</u>
	2. <u>Series of study sessions and public hearings held by the Bainbridge Island Planning Commission and City Council.</u>	<u>Planning Commission Review:</u> <u>Study sessions: March 10 & 24, April 14 & 28, 2011</u> <u>Public Hearings': May 12 & 25, 2011</u> <u>PC recommendation: June 23, 2011</u> <u>Council Review:</u> <u>Study session: July 6, 2011</u> <u>1st Reading: July 27, 2011</u>	<u>Formal Public Comment Opportunity</u>

Summer/Fall 2011		<u>Study sessions: August 3 & 17, 2011</u> <u>Public Hearings: September 21 & 28, 2011</u> <u>Study sessions: October 5 & 19, 2011</u> <u>3rd Reading/ Adoption: November 23, 2011</u>	
	3. <u>Following City Council action, distribute to stakeholders the City Council's response to input and any final DOE comments and revisions prior to final adoption</u>	<u>Send to Ecology December 1, 2011</u>	N/A

Attachment A

**Applicable Sections of the Washington Administrative Code (WAC) and
Revised Code of Washington (RCW)**

State Rule (W.A.C.) Requirements for Public Involvement, Communication, and Coordination

1. Document public involvement throughout SMP development process and comply with local process for approving and amending shoreline master programs.
 - a. WAC 173-26-201(3)(b)(i)
 - b. WAC 173-26-090 and 100
 - c. For Shorelines of Statewide Significance, see WAC 173-26-251(3)(a)
2. Document communication with state agencies and affected Indian tribes throughout SMP development.
 - a. WAC 173-26-201(3)(b)(ii) and (iii)
 - b. WAC 173-26-100(3)
 - c. For SSWS, see WAC 173-26-251(3)(a)
3. Comply with the public participation requirements of the growth management act (see RCW 36.70A.130.140 140 and related WAC).

The text of the WAC sections cited above and the WAC and RCW sections they refer to are included below:

WAC 173-26-201(3)(b)(i)

(b) Participation process.

(i) **Participation requirements.** Local government shall comply with the provisions of RCW [90.58.130](#) which states [in its entirety]:

"To insure that all persons and entities having an interest in the guidelines and master programs developed under this chapter are provided with a full opportunity for involvement in both their development and implementation, the department and local governments shall:

(1) Make reasonable efforts to inform the people of the state about the shoreline management program of this chapter and in the performance of the responsibilities provided in this chapter, shall not only invite but actively encourage participation by all persons and private groups and entities showing an interest in shoreline management programs of this chapter; and

(2) Invite and encourage participation by all agencies of federal, state, and local government, including municipal and public corporations, having interests or responsibilities relating to the shorelines of the state. State and local agencies are directed to participate fully

to insure that their interests are fully considered by the department and local governments."

Additionally, the provisions of WAC [173-26-100](#) apply and include provisions to assure proper public participation and, for local governments planning under the Growth Management Act, the provisions of RCW [36.70A.140](#) also apply.

At a minimum, all local governments shall be prepared to describe and document their methods to ensure that all interested parties have a meaningful opportunity to participate.

(ii) **Communication with state agencies.** Before undertaking substantial work, local governments shall notify applicable state agencies to identify state interests, relevant regional and statewide efforts, available information, and methods for coordination and input. Contact the department for a list of applicable agencies to be notified.

(iii) **Communication with affected Indian tribes.** Prior to undertaking substantial work, local governments shall notify affected Indian tribes to identify tribal interests, relevant tribal efforts, available information and methods for coordination and input. Contact the individual tribes or coordinating bodies such as the Northwest Indian Fisheries Commission, for a list of affected Indian tribes to be notified.

(c) **Inventory shoreline conditions.** Gather and incorporate all pertinent and available information, existing inventory data and materials from state agencies, affected Indian tribes, watershed management planning, port districts and other appropriate sources. Ensure that, whenever possible, inventory methods and protocols are consistent with those of neighboring jurisdictions and state efforts. The department will provide, to the extent possible, services and resources for inventory work. Contact the department to determine information sources and other relevant efforts. Map inventory information at an appropriate scale.

Local governments shall be prepared to demonstrate how the inventory information was used in preparing their local master program amendments.

Collection of additional inventory information is encouraged and should be coordinated with other watershed, regional, or statewide inventory and planning efforts in order to ensure consistent methods and data protocol as well as effective use of fiscal and human resources. Local governments should be prepared to demonstrate that they have coordinated with applicable interjurisdictional shoreline inventory and planning programs where they exist. Two or more local governments are encouraged to jointly conduct an inventory in order to increase the efficiency of data gathering and comprehensiveness of inventory information. Data from interjurisdictional, watershed, or regional inventories may be substituted for an inventory conducted by an individual jurisdiction, provided it meets the requirements of this section.

WAC 173-26-090 Periodic review -- Public involvement encouraged -- Amendment of comprehensive plans, development regulations and master programs.

Each local government should periodically review a shoreline master program under its jurisdiction and make amendments to the master program deemed necessary to reflect changing local circumstances, new information or improved data. Each local government shall also review any master program under its jurisdiction and make amendments to the master program necessary to comply with the requirements of RCW [90.58.080](#) and any applicable guidelines issued by the department. When the amendment is consistent with chapter [90.58](#) RCW and its applicable guidelines, it may be approved by local government and the department or adopted by rule when appropriate by the department.

In developing master programs and amendments thereto, the department and local governments, pursuant to RCW [90.58.130](#) shall make all reasonable efforts to inform, fully involve and encourage participation of all interested persons and private entities, and agencies of the federal, state or local government having interests and responsibilities relating to shorelines of the state and the local master program.

Counties and cities planning under chapter [36.70A](#) RCW, shall establish and broadly disseminate to the public a public participation program identifying procedures whereby proposed amendments of the comprehensive plan and development regulations relating to shorelines of the state will be considered by the local governing body consistent with RCW [36.70A.130](#). Such procedures shall provide for early and continuous public participation through broad dissemination of informative materials, proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, and consideration of and response to public comments.

WAC 173-26-100 Local process for approving/amending shoreline master programs.

Prior to submittal of a new or amended master program to the department, local government shall solicit public and agency comment during the drafting of proposed new or amended master programs. The degree of public and agency involvement sought by local government should be gauged according to the level of complexity, anticipated controversy, and range of issues covered in the draft proposal. Recognizing that the department must approve all master programs before they become effective, early and continuous consultation with the department is encouraged during the drafting of new or amended master programs. For local governments planning under chapter [36.70A](#) RCW, local citizen involvement strategies should be implemented that insure early and continuous public participation consistent with WAC [365-195-600](#).

At a minimum, local government shall:

- (1) Conduct at least one public hearing to consider the draft proposal;
- (2) Publish notice of the hearing in one or more newspapers of general circulation in the area in which the hearing is to be held. The notice shall include:
 - (a) Reference to the authority(s) under which the action(s) is proposed;

- (b) A statement or summary of the proposed changes to the master program;
- (c) The date, time, and location of the hearing, and the manner in which interested persons may present their views; and
- (d) Reference to the availability of the draft proposal for public inspection at the local government office or upon request;
- (3) Consult with and solicit the comments of any persons, groups, federal, state, regional, or local agency, and tribes, having interests or responsibilities relating to the subject shorelines or any special expertise with respect to any environmental impact. The consultation process should include adjacent local governments with jurisdiction over common shorelines of the state;
- (4) Where amendments are proposed to a county or regional master program which has been adopted by cities or towns, the county shall coordinate with those jurisdictions and verify concurrence with or denial of the proposal. For concurring jurisdictions, the amendments should be packaged and processed together. The procedural requirements of this section may be consolidated for concurring jurisdictions;
- (5) Solicit comments on the draft proposal from the department prior to local approval. For local governments planning under the Growth Management Act, the local government shall notify both the department and the department of community, trade, and economic development of its intent to adopt shoreline policies or regulations, at least sixty days prior to final local approval, pursuant to RCW [36.70A.106](#);
- (6) Comply with chapter [43.21C](#) RCW, the State Environmental Policy Act; and
- (7) Approve the proposal.

[Statutory Authority: RCW [90.58.140](#)(3) and [\[90.58\].200](#). 96-20-075 (Order 95-17), § 173-26-100, filed 9/30/96, effective 10/31/96.]

WAC 173-26-251 Shorelines of statewide significance.

(1) **Applicability.** The following section applies to local governments preparing master programs that include shorelines of statewide significance as defined in RCW [90.58.030](#).

(2) **Principles.** Chapter [90.58](#) RCW raises the status of shorelines of statewide significance in two ways. First, the Shoreline Management Act sets specific preferences for uses of shorelines of statewide significance. RCW [90.58.020](#) states:

"The legislature declares that the interest of all of the people shall be paramount in the management of shorelines of statewide significance. The department, in adopting guidelines for shorelines of statewide significance, and local government, in developing master programs for shorelines of statewide significance, shall give preference to uses in the following order of preference which:

- (1) *Recognize and protect the statewide interest over local interest;*

(2) Preserve the natural character of the shoreline;

(3) Result in long term over short term benefit;

(4) Protect the resources and ecology of the shoreline;

(5) Increase public access to publicly owned areas of the shorelines;

(6) Increase recreational opportunities for the public in the shoreline;

(7) Provide for any other element as defined in RCW [90.58.100](#) deemed appropriate or necessary."

Second, the Shoreline Management Act calls for a higher level of effort in implementing its objectives on shorelines of statewide significance. RCW [90.58.090](#)(5) states:

"The department shall approve those segments of the master program relating to shorelines of statewide significance only after determining the program provides the optimum implementation of the policy of this chapter to satisfy the statewide interest."

Optimum implementation involves special emphasis on statewide objectives and consultation with state agencies. The state's interests may vary, depending upon the geographic region, type of shoreline, and local conditions. Optimum implementation may involve ensuring that other comprehensive planning policies and regulations support Shoreline Management Act objectives.

Because shoreline ecological resources are linked to other environments, implementation of ecological objectives requires effective management of whole ecosystems. Optimum implementation places a greater imperative on identifying, understanding, and managing ecosystem-wide processes and ecological functions that sustain resources of statewide importance.

(3) Master program provisions for shorelines of statewide significance. Because shorelines of statewide significance are major resources from which all people of the state derive benefit, local governments that are preparing master program provisions for shorelines of statewide significance shall implement the following:

(a) Statewide interest. To recognize and protect statewide interest over local interest, consult with applicable state agencies, affected Indian tribes, and statewide interest groups and consider their recommendations in preparing shoreline master program provisions. Recognize and take into account state agencies' policies, programs, and recommendations in developing use regulations. For example, if an anadromous fish species is affected, the Washington state

departments of fish and wildlife and ecology and the governor's salmon recovery office, as well as affected Indian tribes, should, at a minimum, be consulted.

(b) **Preserving resources for future generations.** Prepare master program provisions on the basis of preserving the shorelines for future generations. For example, actions that would convert resources into irreversible uses or detrimentally alter natural conditions characteristic of shorelines of statewide significance should be severely limited. Where natural resources of statewide importance are being diminished over time, master programs shall include provisions to contribute to the restoration of those resources.

(c) **Priority uses.** Establish shoreline environment designation policies, boundaries, and use provisions that give preference to those uses described in RCW [90.58.020](#) (1) through (7). More specifically:

(i) Identify the extent and importance of ecological resources of statewide importance and potential impacts to those resources, both inside and outside the local government's geographic jurisdiction.

(ii) Preserve sufficient shorelands and submerged lands to accommodate current and projected demand for economic resources of statewide importance, such as commercial shellfish beds and navigable harbors. Base projections on statewide or regional analyses, requirements for essential public facilities, and comment from related industry associations, affected Indian tribes, and state agencies.

(iii) Base public access and recreation requirements on demand projections that take into account the activities of state agencies and the interests of the citizens of the state to visit public shorelines with special scenic qualities or cultural or recreational opportunities.

(d) **Resources of statewide importance.** Establish development standards that:

(i) Ensure the long-term protection of ecological resources of statewide importance, such as anadromous fish habitats, forage fish spawning and rearing areas, shellfish beds, and unique environments. Standards shall consider incremental and cumulative impacts of permitted development and include provisions to insure no net loss of shoreline ecosystems and ecosystem-wide processes.

(ii) Provide for the shoreline needs of water-oriented uses and other shoreline economic resources of statewide importance.

(iii) Provide for the right of the public to use, access, and enjoy public shoreline resources of statewide importance.

(e) **Comprehensive plan consistency.** Assure that other local comprehensive plan provisions are consistent with and support as a high priority the policies for shorelines of statewide significance. Specifically, shoreline master programs should include policies that incorporate the priorities and optimum implementation directives of chapter [90.58](#) RCW into comprehensive plan provisions and implementing development regulations.

[Statutory Authority: RCW [90.58.060](#) and [90.58.200](#). 04-01-117 (Order 03-02), § 173-26-251, filed 12/17/03, effective 1/17/04.]

RCW 90.58.130 Involvement of all persons and entities having interest, means.

To insure that all persons and entities having an interest in the guidelines and master programs developed under this chapter are provided with a full opportunity for involvement in both their development and implementation, the department and local governments shall:

(1) Make reasonable efforts to inform the people of the state about the shoreline management program of this chapter and in the performance of the responsibilities provided in this chapter, shall not only invite but actively encourage participation by all persons and private groups and entities showing an interest in shoreline management programs of this chapter; and

(2) Invite and encourage participation by all agencies of federal, state, and local government, including municipal and public corporations, having interests or responsibilities relating to the shorelines of the state. State and local agencies are directed to participate fully to insure that their interests are fully considered by the department and local governments. [1971 ex.s. c 286 § 13.]

RCW 36.70A.140 Comprehensive plans -- Ensure public participation.

Each county and city that is required or chooses to plan under RCW [36.70A.040](#) shall establish and broadly disseminate to the public a public participation program identifying procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments. In enacting legislation in response to the board's decision pursuant to RCW [36.70A.300](#) declaring part or all of a comprehensive plan or development regulation invalid, the county or city shall provide for public participation that is appropriate and effective under the circumstances presented by the board's order. Errors in exact compliance with the established program and procedures shall not render the comprehensive land use plan or development

regulations invalid if the spirit of the program and procedures is observed. [1995 c 347 § 107; 1990 1st ex.s. c 17 § 14.]

WAC 365-195-600 Public participation.

(1) **Requirements.** Each county and city planning under the act shall establish procedures for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public meetings after effective notice, provision for open discussion, communication programs, information services, and consideration of and response to public comments. Errors in exact compliance with the established procedures shall not render the comprehensive plan or development regulations invalid if the spirit of the procedures is observed.

(2) **Recommendations for meeting requirements.** The recommendations made in this subsection are intended as a list of possible choices, but it is recognized that meaningful public participation can be accomplished without using all of the suggestions made here or by adopting other methods.

(a) Public involvement in plan and regulation development.

(i) In designing its public participation program, each planning jurisdiction should endeavor to involve the broadest cross-section of the community, so that groups not previously involved in planning become involved. The programs should include efforts to explain that citizen input is an essential part of the planning process and provide a framework for advising citizens about timelines for steps in the process and when citizen input will be sought.

(ii) Visioning. The public should be involved at the earliest possible time in the process of comprehensive planning under the act. This should begin with a visioning process in which the public is invited to participate in a broad definition of the kind of future to be sought for the community. The results of this process should then be incorporated into the plan features, including, but not limited to, locally adopted levels of service and densities selected for commercial, industrial, and residential development.

(iii) Planning commission. In the process of plan development, full use should be made of the planning commission as a liaison with the public.

(iv) Public meetings on draft plan. Once the plan is completed in draft form, or as parts of it are drafted, a series of public meetings or workshops should be held at various locations throughout the jurisdiction to obtain public reaction and suggestions.

(v) Public hearings. When the final draft of the plan has been completed, at least one public hearing should be held prior to the presentation of the final draft to the legislative authority of the jurisdiction adopting it. When the plan is proposed for adoption, the legislative authority should conduct another public hearing prior to voting on adoption.

(vi) Written comment. At each stage of the process when public input is sought, opportunity should be provided to make written comment.

(vii) Communication programs and information services. Each jurisdiction should make every effort to collect and disseminate public information explaining the act and the process involved in complying with it. In addition, locally relevant information packets and brochures should be developed and disseminated. Planners should actively seek to appear before community groups to explain the act and the plan development process.

(viii) Proposals and alternatives. Whenever public input is sought on proposals and alternatives, the relevant drafts should be reproduced and made available to interested persons.

(ix) Notice. Notice of all events at which public input is sought should be broadly disseminated in advance through all available means, including flyers and press releases to print and broadcast media. Notice should be published in a newspaper of general circulation at least one week in advance of any public hearing. When appropriate, notices should announce the availability of relevant draft documents on request.

(x) All meetings and hearings to which the public is invited should be free and open. At hearings all persons desiring to speak should be allowed to do so, consistent with time constraints.

(xi) Consideration of and response to public comments. All comments and recommendations of the public should be reviewed. Adequate time should be provided between the time of any public hearing and the date of adoption of all or any part of the comprehensive plan to evaluate and respond to public comments. The proceedings and all public hearings should be recorded. A summary of public comments and an explanation of what action was taken in response to them should be made in writing and included in the record of adoption of the plan.

(xii) Every effort should be made to incorporate public involvement efforts into the SEPA process.

(xiii) Except for the visioning effort, the same steps should precede the adoption of development regulations as was used for the comprehensive plan.

(b) Continuous public involvement. The planning commission should monitor development

of both the plan and the development regulations. After these are adopted, the commission should monitor compliance. The commission should report to the city or county at least annually on possible amendments to the plan or development regulations. In addition at least annually, the commission should convene a public meeting to provide information on how implementation is progressing and to receive public input on changes that may be needed. When any amendments are proposed for adoption, the same public hearing procedure should be followed as attended initial adoption. [Statutory Authority: RCW [36.70A.190](#) (4)(b). 92-23-065, § 365-195-600, filed 11/17/92, effective 12/18/92.]

Attachment B
Summary of Attendees and Comments from the March 2, 2010
Public Participation Planning Event

Bainbridge Island Shoreline Master Program Update
Public Participation Forum
March 2, 2010
Flip Chart Summary of Four Rotation Stations

Green	Public Involvement Goals & Measuring Success
Yellow	Key Issues & Questions
Red Blue	Stakeholders & Communication
Blue	Techniques & Tools

The comments from the flip charts of each station have been grouped and organized in this summary. These include only the comments received at the meeting. Staff attempted to combine all comments from the meeting, however, comments that did not easily fit into a category, were grouped under “other” at the end of each station summary. A copy of the “raw” flip chart notes are available in a second document.

Green Station -Public Involvement Goals and Measuring Success

Questions:

- What specific goals and objectives should we establish to guide public involvement for the SMP Update?
- How can we help ensure our stakeholders are satisfied with the process we used to develop the SMP update, even if complete policy outcome satisfaction may not be possible for every stakeholder?
- How should we measure the effectiveness or success of the SMP Public Involvement effort?

***Goals and Objectives for Public Involvement of SMP Update:
(All 4 Green Rotation Groups Combined)***

- Identify & define stakeholders-clarify that all Islander’s are stakeholders
 - Inform stakeholders early & throughout process
- Inform & educate public of state requirements for SMP & clarify authority of Ecology
 - Education
 - Educate public on current plan & what’s required by state
 - Educate on what regulations have been in place & how it’s worked.
 - Educate on what has happened on the shoreline in the last 10 years.
 - Educate and differentiate between CAO, SMP, SMA
- Engage
 - Utilize a welcoming public process, not overly managed process
 - Engage participants in open conversations and productive discussions on issues
 - Encourage a high level of public involvement
 - Not just shoreline property owners
 - Including high school students and children
 - Engage the public through multiple means
 - Film educational pieces & make available

- Set up protocol for participation
- Provide various means for participation; including on-line voting, conversing openly, newspapers, etc. & specifically more than just the internet.
- Gather interests rather than positions
- Involve
 - Involve stakeholders
 - Gain input from shoreline property owners on their observations
 - Learn from other jurisdictions
 - Gather interest using surveys
 - Work toward consensus, rather than just a majority
 - Bring our decisions out to the community – ex. Outreach by council at neighborhood associations
- Communicate
 - Provide a summary of all forms we will be using to communicate w/dates up front
 - Maintain a visual timeline of the process with milestones & topics & make available in public locations
 - Maintain central location for public information
 - Maintain communication with regional & state agencies
- Other Comments
 - More specific language to the public/internet
 - Keep the project moving forward, stay away from rehashing topics that have already been discussed
 - Measuring the effectiveness of the outcome
 - Visuals displaying the impact of project proposals – ex. of varying shoreline hardening /soft elements
 - Baseline conditions taken into account when establishing new SMP
 - Wastewater & infrastructure focused on the update
 - Health of the shoreline effects the whole island
 - The effect of our SMP on the health of Puget Sound
 - Compare “apples to apples” when looking at other SMP plans
 - Ensure that we’re not acting unconstitutionally – federal & local law
 - Make sure the best available science is the best available science – clear application of science
 - ETAC hold a meeting on the science/ecology as well
 - Experimentation on what’s working
 - Blog

***Ensuring Satisfaction with Public Participation Process:
(All 4 Green Rotation Groups Combined)***

- Provide information in various forms – newspapers, stakeholders groups – more than just internet
- Document & respond to all comments and questions in a written format so that the community knows they are being heard and are aware of the discussions, questions and answers
- Relay public input and discussion back to the community on a regular basis
- Acknowledge compromises-- accept compromise, the ability to compromise
- Explain process behind decisions so the public can follow & understand process

Measuring Success/Effectiveness of Public Involvement Effort:
(All 4 Green Rotation Groups Combined)

- Maintain a high attendance level throughout the program
- Seeing a broad range of age and interest areas participating in process
- Getting feedback that a high level of stakeholders are aware of the process
- Provide an on-going evaluation of the public process to assess involvement process
 - Utilize surveys of participants at meetings & on-line surveys
 - Get feedback on what works/doesn't work- successful tools & techniques
- Project moves forward & few topics are rehashed after thorough discussion
- SMP Update process success could be measured by:
 - If the community can live with the result not litigate over it
 - If the state accepts our plan
 - If the wildlife and the shorelines are improving, the success of the plan is beyond public involvement.
- Other comments
 - Stakeholders can articulate early in the process, that would be a success
 - Hire professional (sociologist) to measure success

Yellow Station - Key Issues of Interest and Questions about the Shoreline Management Act (SMA) & Shoreline Master Program (SMP) and Issues

Questions:

- What key questions do you have about the Shoreline Management Act or Shoreline Master Program requirements?
- What policy or regulatory areas or issues are you most interested in?
- From the list developed from the question above, which of these issues or areas would be appropriate for and benefit from an educational element?
- Are there particular informational resources, expert speakers or information that you want to see integrated as part of this process?

Key questions of SMP and policy/regulatory issues:
(All 4 Yellow Rotation Groups Combined)

Issue Category: SMA/SMP Requirements and Scope of Local Decision Making

- What are the primary goals of the SMA/SMP for the City
 - Is what we are doing matching our goal
 - What's the purpose & is what we are doing meeting this purpose?
 - Does SMP require balance of uses?
- Why are we updating SMP? Is there a reason?
 - 2011 deadline – how real? – can Dept. of Ecology (Ecology) extend?
 - What are penalties if Bainbridge Island doesn't adopt SMP?
- What are the new requirements in the Ecology Guidelines?
 - What are the minimum requirements of state/what is local control?
 - Where has city gone beyond the minimum requirements?

- How much flexibility does local government have in meeting the requirements?
 - What flexibility is there in regulating one area over another depending on existing ecological functions of these areas (e.g. WSF Repair Yard w/compromised salmon habitat)?
 - What are the impacts to property owners?
 - Where does the City's stand on facts, direction or intent of shore management?
 - Clarify shoreline jurisdiction area*
 - How are shoreline designations created/defined – what is community character, how is it defined or determined?
 - What is the basis for “no net loss” and how do we measure “no net loss” baseline?*
 - Judging baseline use
 - Use of Nearshore Assessment
 - New standards
 - Understanding – meeting objectives & monitoring
 - How do we assess “cumulative impacts” *
 - New standards
 - Understanding – meeting objectives & monitoring
 - Nonconforming uses/grandfathered
 - What's required by the state law – clarify
 - What is under local control?
 - Eelgrass, e.g. – how dealt with in SMP
- Decision Making Process
 - Lack of agreement in policy or regulation – how are these decided?
 - Regulations should be performance based – rather than one-size fits all

Issue Category: Private Property Rights, Constitutional Issues and Equity

- Constitutionality of SMP
- Takings – what does our constitution say about shore regulations
 - Attorney general's opinion
 - What is current law – status related to SMA/SMPs
 - Exposure to lawsuits
- Legal issues – science basis for decisions – clarify how decision are based
- Legal issues related to vegetation

Issue Category: Science - Use and Discussion of Science

- Define what science applies to SMP*
- Department of Ecology – what are criteria they will use to review & approve our SMP*
 - What science will Ecology use?
 - “Best” vs. “current” science
 - What is the process behind determining the science?
- Create a regulatory framework based on scientific (robust) evidence/thought *
 - What science is basis of new regulations*
 - What are criteria for something to be determined scientific & how is this determined?
 - What constitutes science in SMP? *
 - Specific or general
 - Level of information available

- Specific studies cost
 - Is this science available and accessible?
 - If there is uncertainty & new science/info-
 - How is science judged;
 - Who determines what's important
- Use the City's Nearshore Assessment
- ETAC (Environmental Technical Advisory Committee)
 - Diversity on ETAC – balanced committee
 - Review scientific information
 - Recommendations - where there is valid scientific basis
 - Acknowledge where there is no science - uncertainty

Issue Category: Requirements for Residential (& other private property) Development and Shoreline Modifications

- Nonconforming uses & structures* - Variances, conditional uses, & exemptions
 - What will be regulations for these – thresholds, standards
 - Logic and justification to support– political or decision-makers' decision
 - Blanket regulations vs. site-specific based on actual conditions and impacts
- Shoreline Modifications*
 - Buffers - Vegetation – native plants, etc, and buffers between lots
 - Shoreline modification – bulkheads, etc.
 - Docks
 - What will be regulations for these – thresholds, standards
 - logic and justification
 - Science behind these to support – political or decision-makers' decision
 - Blanket regulations vs. site-specific based on actual conditions and impacts
- Fish farms
- Listen to Island shore residents
- Enforcement -What is the follow-up on enforcement? – How is code compliance assured?

Issue Category: Intergovernmental Coordination and Regulatory Integration

- Clarify relationship and integrate the Critical Areas Ordinance with SMP*
- Clarify & integrate stormwater impact management & other runoff with SMP*
 - Consider impact beyond 200' jurisdiction, particularly runoff issues – basin-wide
 - Consider public storm management systems
- Moorings* and boating (buoys & anchored boats) – multi-agencies regulate
 - How do these work together?
- Clarify Multi-agency requirements in shoreline*– how does SMP fit & overlap with state &/or federal law- requirements: stormwater, Coast Guard, USFW, sewage/septic, federal agency regulations. (Clean Water Act) –
 - What happens currently?
 - Is city more or less restrictive w/ standards?
 - How are these regulations related/integrated with SMP update?
 - How does law affect/control – where will we be more or less restrictive – how laws will be interpreted?
- Federal- and state-listed species & shoreline regulations

- Tribal involvement
- Role of Harbor Commission –
 - How will harbor issues be addressed/need for them to be addressed

Issue Category: Public Access and Broad Community Interests

- Property owners & public use of shoreline*
 - Public Trust Doctrine
 - Public assets – what’s been lost (views, access, etc.)
- Protection of public access* - public views – fences/hedges obstruct
 - Preserve public road ends – regulations on public access
- Listen to Island residents not living on shore
- Improving the health of Puget Sound - Problems with Puget Sound – What are high priorities to improve health and what can we effectively do that will get us the most bang for our buck

Other Issues

City Resources to process SMP Update

- What about staff resources that are not currently available – shoreline planner, water resources manager?

Learn From other Jurisdictions

- What are other jurisdictions doing? What can we learn from other jurisdictions?
 - Learn from these – Jefferson County, San Juan Initiative
 - How are other jurisdictions regulating
 - How do we compare
 - Unique cases – how are these addressed

***Areas where education is needed and specific public speakers to consider:
(All 4 Yellow Rotation Groups Combined)***

Education Topic:

SMA/SMP Requirements and Scope of Local Decision Making

- Have Ecology Dept. present – Know contaminated sites
 - Understanding mandate
 - Side boards – what’s local control
- What does “guidelines” mean & how will these be used
- Processes & how regulated
- What happens after SMP adopted – nonconforming & other regulations – code enforcement etc. regulation
- Clarify what’s in existing SMP; what’s changing & why (legal & scientific)
- Clear process for those using new regulations – understandable

Education Topic:

Private property rights, constitutional issues and equity

- Present panel on legality of takings – Attorney General’s office

Education Topic:

Science- use and discussion of science

- Ecology present – conditions and processes that occur under the surface of the water
- Merge development & preservation of shoreline
 - Scientist in relevant discipline
- Marine biologist present on shoreline ecology
 - Shoreline process – Dept. of Fish & Wildlife
 - John Williams, Jim Brennan, Peter Best
- Tribe speak on issues– Paul Dorn
- Cumulative impact on drift cells – bulkheads and armoring impacts
- Educate and create baseline information to allow people to have common understanding; what they don't know; and what they disagree on
- Bainbridge specific – uses, issues, ecology
 - Not general discussion – specific

Education Topic:

Requirements for residential (& other private property) development and shoreline modifications

- Buffers, bulkheads, nonconforming uses/structures, etc. – hear from other cities/counties – thresholds – Port Townsend

Education Topic:

Intergovernmental coordination and regulatory integration

- Overlapping requirements affect development on a lot
- Integrated – involves all – upland residents, shore residents
- Stormwater issues – road, sewage, etc.

Education Topic:

Public access and broad community interests

- Public Trust Doctrine & tidal zone

Other

- Mediation/facilitation in developing new policy/regulations
 - Present broad cross range of issues
 - Conduct community town hall event
 - Speakers that have done homework
 - Tangible, specific topics e.g. bulkheads - science, etc.
 - Present series of speakers – complex shorelines, linear, understand greater context not just site-specific e.g. bulkheads – island-wide, Puget Sound-wide impacts
-

Red Station -Stakeholder Identification and Communication

Questions:

- What specific groups do you want to make sure we contact as part of this effort?
- What is the best way to communicate with each group?
- Who is the best contact person for each group to ensure the word gets out?
- Who else should be involved?

Careholders (Stakeholders) <i>(All 4 Red Rotation Groups Combined)</i>		Influencers
LOCAL- formal organized group	LOCAL- informal cont.	LOCAL Influencers
Anchored out community & BAMBI*	Marinas & yacht clubs*	Bainbridge Island Concerned Citizens
Association of Bainbridge Communities*	Neighborhood organizations	Bainbridge Island Land Trust
Bainbridge Alliance for Puget Sound*	Neighborhood watch groups	Bloedel
Bainbridge Conservation Voters	Parks' District/ Parks' walking group*	Boy/Girl Scouts & Guides
Bainbridge Island Paddle Society	Realtors*	Chamber of Commerce*
Bainbridge Island Rowing	Registered Boat Owners*	Church trusts
Bainbridge Resource Group	Shoreline businesses	Churches
Bainbridge Shoreline Homeowners	Shoreline condos – Sunday Cove & South Beach	Downtown Association*
Downtown Association*	Shoreline property owners*	Health Clubs
Earth Core/Interact (High School)	Shoreline property owners who live off-Island	Historical Society
Historic Society *	Whole community	Intergovernmental Workgroup
South Bainbridge Communities		Island Moms*
Trust for Working Landscapes	REGIONAL –formal organized groups	Islandwood
Watershed Council*	Audubon Society*	Kiwanis
Weed Warriors*	Ducks Unlimited	Non-profits
Island Keepers*	Home Builders' Association	Masons
LOCAL - Agency	People for Puget Sound	PTO
Interfaith Council*	Puget Sound Restoration Fund	Rotary*
Schools*	Regional groups (Like PSRC)	Science/political science teachers
Parks' District*	Seaplane Association	Squeaky Wheels
Harbor Commission	Trout Unlimited	Sustainable Bainbridge
LOCAL- informal	Water Trail Association	Store owners
Beachwatchers	REGIONAL –Informal	Volunteer committees
Boaters' list	Fishing community – commercial, fishing license holders, Puget Sound Anglers, Sportsmen's Club, gillnetters	REGIONAL/STATE/FED Influencers
Boating and kayak groups*	Property owners across the water	Coast Guard Auxiliary
Dive shop/ dive community	Scientists – UW faculty	Earth Service Corps*
Elderly shoreline property owners without digital access	REGIONAL/STATE & FEDERAL AGENCIES	Kitsap County
Fish farm	State and federal resource agencies (DOE; DNR; DOFW; WSF, Corps	North Kitsap Trails Association
Harbor users/ recreational boaters	State-mandated stakeholders	Washington State Ferries
Inland wetland owners	Suquamish Tribe*	
Lawyers		

Venues/ Channel <i>(All 4 Red Rotation Groups Combined)</i>	
City/Park or other Agency	Standard Media
Ferries – literature & plasma, riders distributing literature	Editorial/news – Review, Sun, Islander
Library, school, and church bulletins	Insert in Review/Islander
Make materials and information available at central location outside city hall – post office, library, senior center	Newspapers – Kitsap Sun, Review, Islander
Parks classes	Seattle Times
Community Locations& Event	Mailings
Banners & signs for major civic events	Mail – preferably postcards
Bicycle stores	Utility bill stuffers
Bulletin boards	One all-Island mailer
Farmers’ market booth	
Public events – Farmers’ Market, Harvest Fair	
Signs with pull-off info at local stores	
Display on Winslow Way	
Fourth of July – float, booth	
Theater group presentation to school assembly	
Electronic Media & Locations	Other
Myth-busting photos on web (i.e. This bulkhead will <u>not</u> be removed.)	Door hanger
Ask resident websites to host link	Door-to-door canvass
Blog/Facebook page	Precinct leaders
Community website – honest broker from all sides	Segment shoreline – volunteer to physically distribute information
Email	Emergency preparation contacts
Emailed newsletter on regular basis – what’s happening, what’s next, links to documents	Be specific about what could be done – docks, bulkheads, etc.
Embedded link on community web pages	Feedback system – did they hear?
Green Voices for Bainbridge Island	
Internet	
Master calendar	
RSS feeds	
Short link to web page	

Blue Station -Public Involvement Techniques and Tools

Questions:

- How do we best foster an open, civil and productive conversation?
- What are some examples of public processes that you felt were successful?
- What are key elements of those processes and why do you feel they were successful?
- What specific public involvement techniques do you find valuable or engaging? E.g. facilitated small group discussions, large group discussions, stakeholder interviews, field trips, guest speakers, stakeholder committee, forums on specific issues, surveys, real-time polling, etc.

How to Foster Open, Civil, Productive Conversation:

(All 4 Blue Rotation Groups Combined)

- Good facilitation in meetings
 - Move on when topic discussed
 - Establish ground rules up front, and remind continuously
 - Don't judge other people's comments
 - Be polite
 - Time limits on comments
 - Educate how to conduct conversations
 - Educate how to differ
 - ID flexibility in regulations where different approaches could work
 - Realistic agenda (in terms of time available)
 - Clearly outline purpose
 - Allow enough time for discussion (double the time you think you need)
 - Provide both verbal & written comment opportunities
 - Everyone should feel like they've been treated equally
 - Discuss fears – put on the table
 - Find common ground up front and focus on agreements
 - Staff shouldn't respond w/fact-checking here – respond later
 - Use “compassionate listening”
- We're in it together – everyone responsible & stakeholder regardless of ownership

Process/Format

(All 4 Blue Rotation Groups Combined)

- Variety of methods besides public meetings
 - Use smaller groups – more informal (round table discussions w/facilitator & diverse groups)
 - Know when to put like-minded people together and not at different times
 - Make meetings available via webinar or phone if someone can't physically attend
 - Kitsap County in educating on county – can city coordinate with them to leverage resources?
 - Web survey – publish results
 - Only allow 1 vote/person
 - Include legal issues – can't do this in poll!
 - Island tours for key issues – discuss on-site
 - Provide examples from other communities
 - “Bainbridge in Bloom” type of day with field visits to multiple locations
 - Polling group (regular questions, also send results to everyone)
 - Safeway
 - Ace Hardware
 - Informal display with visual (map, etc) for Q & A (e.g. Farmers' Market)

- Phone town hall meeting (ex: Inslee)
- Neighborhood-based meeting
- Issue-based topics in meeting
 - Use CAO format
- Charrettes
- Video the meetings/ BITV
- Hold day meetings too
 - But repeat at night for day workers
- Workshop
 - Raise issues and vote
 - Very structured
 - Use stakeholder representatives
- Website
 - Show where we are in process, what's next, what's happened previously
- Identify issues up front
 - Put priority on issues
 - Use different stakeholder groups to ID concerns and report back
 - Show examples of how to address those issues
- Strong educational component
 - Science class- speaker in classroom
 - Lectures/science forums across topics (e.g. public trust) w/ qualified people
 - Show these online
 - Create bibliography/reference materials and keep in one place (website, library, city hall, etc.)
 - Clear up misunderstanding/factual errors up front/continuously
 - Educate stakeholders about the marine environment
 - Break work into distinct sub-topics – parallel tracks so people can choose to focus on what they care most about
 - Designated fact checker
 - Senior Center or High School – informed Q&A with experts
 - Show science up front
 - Illustrate context of shoreline (fish, shoreline functions, how we fit in)
 - Position papers
- Transparency
 - Show deliberations, not just decision
 - Publicize drafts
 - Provide parameters/mandates up front & continuously
 - Send materials ahead of time
 - Lots of public notice/awareness
 - Provide potential regulations up front with map or graphic showing implications
 - Respond individually to recommendations/comments
- Show where there's room for flexibility
 - Provide potential options or solutions
- Meeting summaries – publish in Review, online, Kitsap Sun, Islander

Participants/Participation

(All 4 Blue Rotation Groups Combined)

- Involve people who've been through (land use) shoreline process
- Contact all shoreline property owners individually

- Different stakeholders have different weights
 - Shoreline property owners
 - Dept of Fish & Wildlife
- Stakeholders w/more weight guided process in past – so have everyone on equal footing
- Call people “community member” vs. “stakeholder”
- Be responsive individually
- Ensure city knows property owners concerns – not just state requirements
 - Shoreline property owners are stewards of shoreline too
- ID way to include besides meetings
 - Polling
 - Telephone survey
 - Neighbor discussions
- Get younger people involved (use schools, boy scouts, etc.)