

**NOTICE OF ADMINISTRATIVE DECISION and  
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)**

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

**Date:** April 20, 2010

**Applicant:** City of Bainbridge Island  
**Permit Request:** COBI Programmatic Buoy Approval Shoreline Substantial Development Permit (fn: SSDP15435)

**Description of Proposal:** Programmatic approval for individual mooring buoys in the waters surrounding the island. This permit will allow individuals to apply for an expedited shoreline exemption for placement of a mooring buoy if they meet the criteria of this permit approval.

**Location of Proposal:** Jurisdictional waters of the City of Bainbridge Island

**Permit Decision:** The application is **conditionally approved**. The staff report, containing the statement of facts upon which the decision, including conditions, is based and the conclusions of law derived from those facts, is available to the public upon request. The decision becomes effective after 14 days from the date of issuance, or after **May 4, 2010**

**SEPA Determination:** The City of Bainbridge Island (lead agency) has determined that the proposal does not have a probable significant impact on the environment if measures to mitigate the proposal are used. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This determination was made and mitigation measures were applied after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This MDNS is issued after using the optional MDNS process in WAC 197-11-355. There is no further comment period on the MDNS.

**Responsible Official**

Katharine Cook, Director  
Department of Planning & Community Development

**Address:**

City of Bainbridge Island  
280 Madison Avenue North  
Bainbridge Island, WA 98110 (206) 842 - 2552

Signature: Katharine Cook Date: 04-20-10

**Appeal Procedure:**

This administrative decision and/or SEPA determination may be appealed by filing a written appeal and paying a \$530.00 filing fee to the City Clerk at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code Sections 2.16.130 and/or 16.04.170. An appeal must be filed **no later than 4:00 p.m., May 4, 2010**. You should be prepared to make specific factual objections.

If you have any questions concerning this application, please contact:

Joshua Machen, AICP  
Senior Planner  
Department of Planning and Community Development  
280 Madison Avenue North  
Bainbridge Island, WA 98110 (206) 780-3765  
Fax: (206) 780-0955 Email: [pcd@ci.bainbridge-isl.wa.us](mailto:pcd@ci.bainbridge-isl.wa.us)

**Conditions of Approval for COBI Programmatic Buoy Approval Shoreline Substantial Development Permit**

1. Recreational use buoys may only be allowed under this programmatic buoy SSDP if the applicants complete the programmatic buoy application, cross-sectional view worksheet, prepare a site plan that is consistent with the sample programmatic site plan and install the buoy consistent with the programmatic design.
2. No buoys shall be issued under this programmatic permit if they are to be located off shore from uplands mapped as Natural Shoreline Environment.
3. No buoys shall be issued under this programmatic permit if they are to be located in locations that are mapped or meet the definition of being an Aquatic Conservancy Shoreline Designation.
4. All programmatic buoys shall be located off shore no farther than the construction limit line in Eagle Harbor, and elsewhere no more than 200 feet from the line of extreme low tide, the -

3 fathom depth contour (-18 feet at mean lower low water), or the line of navigation, whichever is closest to shore.

5. No programmatic buoy shall be a substantial obstruction to navigation.
6. No programmatic buoy shall be placed within 20 yards of a legally pre-existing buoy, float or dock.
7. In order to minimize adverse impacts on marine vegetation, no surface style anchor shall be deployed without a dive survey by a qualified diver/biologist.
8. In order to protect shellfish beds, new buoys shall not be permitted where the buoy density would exceed one buoy per 100 linear feet.
9. Prior to buoy placement applicant shall obtain a lease or license from the Department of Natural Resources and a Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife. A copy of the lease/license and HPA shall be provided to the City once obtained. (If the buoy being permitted is existing, documentation of a lease or license from the Department of Natural Resources shall be provided to the City once obtained.)
10. If the buoy being permitted is existing and modifications to the materials are necessary to bring it into compliance with the programmatic criteria then the modifications to the buoy system must be made and confirmed by site inspection by the City within 6 months of issuance of the individual buoy permit.
11. A qualified aquatic biologist is a person recognized by the Washington Department of Fish and Wildlife, and should be able to identify Washington State aquatic vegetation.
12. At the time of submittal for a programmatic buoy application for a new buoy or to authorize a buoy that has been placed since 1996, the applicant must provide evidence that the Suquamish Tribe has been notified regarding the proposed location of the buoy. Notification shall include at a minimum a plan view of the buoy location with GPS Location.

Attn: Alison O'Sullivan  
Suquamish Tribe  
P.O. Box 498  
Suquamish, WA 98392  
Ph (360) 394-8447 Fax: 360 598-4666  
e-mail [aosullivan@suquamish.nsn.us](mailto:aosullivan@suquamish.nsn.us)

(Note: If you e-mail information to the tribe it should also be sent by fax or regular mail)