

ENVIRONMENTAL TECHNICAL ADVISORY COMMITTEE REGULAR MEETING  
JUNE 9, 2010

DISCUSSION ITEMS

1. CALL TO ORDER
2. PUBLIC COMMENT
3. APPROVAL OF THE MINUTES
4. TECHNICAL ITEMS THAT NEED TO BE ADDRESSED FROM THE SHORELINE CHARACTERIZATION
5. EXISTING SMP AND TECHNICAL ITEMS THAT NEED TO BE ADDRESSED FOR UPDATE
6. HOW NO NET LOSS WILL FIT INTO SMP AND TECHNICAL REVIEW
7. IDENTIFICATION OF INITIAL AREAS FOR TECHNICAL REVIEW AND ASSIGNMENT OF COMMITTEE RESPONSIBILITIES
8. SETTING UP TIME FOR ETAC TO GET TOGETHER WITH COUNCIL
9. ADDITIONS TO THE OUTSIDE SCIENTISTS LIST
10. NEW DOCUMENTS FOR REVIEW
11. OTHER BUSINESS
12. PUBLIC COMMENT
13. ADJOURN

1. CALL TO ORDER

Chair David Sale called the meeting to order at 3:00 p.m. with the following members in attendance: Kathleen Peters, Greg Geehan, Mark Bryant, Chris Waldbillig, Deborah Rudnick, and Marc Boule. Associate Planners Ryan Ericson and Steve Morse provided technical support.

2. PUBLIC COMMENT

Ken Sethney, representing the Bainbridge Shoreline Homeowners, formally submitted the *Puget Sound Shoreline Science Review* prepared by Dr. Donald F. Flora for the committee's use in their upcoming deliberations. He told the committee that Dr. Flora has forty years experience, primarily in freshwater systems, and reviewed more than 3500 scientific documents in preparing this report.

Gary Tripp, representing Bainbridge Citizens, told the committee that he had submitted previously three questions, the first of which was whether the committee will review the assumptions that are built into the Dept. of Ecology's guidelines. The second question was whether or not the committee would review the assumptions used in formulating the Guidelines. The third question was whether or not the committee will post everything they receive to the city's web page in real time. After staff commented that limited resources will not always allow posting in real time, Gary clarified that he meant within a week as "real time." Staff assured him that materials will be posted as quickly as possible.

Charles Schmid told the committee that he worked on the 1996 Shoreline Master Plan (SMP) and that it took about three years. He feels that the first thing on the agenda should be to address the schedule for the update. He also asked the members to keep in mind what peer-reviewed reports are cited and how those citations are used in the materials that they receive.

David Sale responded to Charles that the focus of ETAC's review will not be on passing judgment on specific documents but on identifying the best available information on topics of

ENVIRONMENTAL TECHNICAL ADVISORY COMMITTEE REGULAR MEETING  
JUNE 9, 2010

deliberation. Deborah Rudnick added that ETAC has discussed the wealth and diversity of information that is available and didn't want to get stuck in a massive document review that is not feasible or appropriate for their work. David noted that there has to be a balance between what the members know as scientists and what needs to be done on the SMP.

3. APPROVAL OF THE MINUTES

The minutes for the meeting of May 5, 2010, were approved as submitted.

4. TECHNICAL ITEMS THAT NEED TO BE ADDRESSED FROM THE SHORELINE  
CHARACTERIZATION

Ryan Ericson reported that he has been in discussions with Battelle about a new model they are developing for Kitsap County that could allow development of a regional characterization. He will email an update to the committee after the meeting Friday and a link to an article that Battelle wrote about the work they did on the Jefferson County assessment.

5. EXISTING SMP AND TECHNICAL ITEMS THAT NEED TO BE ADDRESSED FOR  
UPDATE

David Sale remarked that designations appear to be an area in the existing SMP that may have some technical issues. Ryan replied that there are some areas for which the designations will need to be reviewed and possibly changed. Other areas where Ryan feels the committee's technical expertise will be needed include the native vegetation zone, environmentally sensitive areas, and shoreline modification regulations. One large issue that ETAC needs to weigh in on is no net loss – how does the SMP meet or fall short of meeting that criterion?

Ryan reported that staff is working with Shoreline Master Program Advisory Committee to finalize how to establish work groups that will develop recommendations on specific sections of the existing SMP. It is likely that ETAC will be asked to contribute on some issues that arise during the workgroup process. He will update them once the structure and process are finalized.

In response to a concern from Deborah Rudnick, Ryan said wetlands not connected to shoreline and outside the 200-foot jurisdiction may be regulated by either the SMP or the CAO, but not both. There are no streams greater than 20 cubic feet per second (cfs) or lakes greater than 20 acres on the Island that must be covered by the SMP.

During a discussion about when ETAC's recommendations need to be completed, David Sale stated that, given the short timeline we are working on for updating the SMP, it's critical for the committee to have questions to begin work on by the next meeting. Ryan suggested that they start by addressing whether or not the buffer widths in the existing SMP are adequate. Do the recommended widths for Dept. of Fish and Wildlife *Protection of Marine Riparian Functions in Puget Sound, Washington* need to be tightened?

Another issue that ETAC could tackle now revolves around the guidelines for new bulkheads, which are pretty specific. Does ETAC concur with those recommended guidelines?

There was some discussion about the US Army Corps of Engineers updating their General Regional Permit (GRP) with significant changes. Ryan asked if the city's SMP should reflect the

ENVIRONMENTAL TECHNICAL ADVISORY COMMITTEE REGULAR MEETING  
JUNE 9, 2010

Corps' requirements. Chris Waldbillig thinks it's unlikely that that the updated GRP will be ready in the near future.

Another topic that Ryan thought ETAC might take on is that of different mitigation techniques to offset development and achieve no net loss. Deborah replied that they need some kind of framework to start with and Ryan replied that the Dept. of Ecology hasn't provided any specifics, even when asked.

Deborah noted that most, if not all, of the newly approved SMPs she's been looking at have a restoration component and asked if the city's SMP will have one. Ryan replied that a restoration plan is now a required component, although there doesn't appear to be a requirement to implement that plan.

Kathleen Peters reported that Gig Harbor recently posted their draft and that it cites some great documents.

Ryan said that he would like recommendations for changes in designations that can go to the community for discussion and suggested developing a matrix of ones that need to be reviewed. Proposed changes to the designations will need to be identified by September or October.

When David said that bulkheads and vegetation may be issues that the committee can start working on, Kathleen asked if he was suggesting looking at the existing regulations and then reviewing the relevant documents, focusing on how bulkheads fit into the SMP update. Ryan asked if it is valid to regulate bulkheads and other shoreline modifications based on geomorphology. Steve questioned whether different types of bulkheads have different effects and, if so, how do you address those differences. In reply to a question from the committee, Ryan stated that the guidelines provide flexibility in a lot of areas, but are much more specific when it comes to bulkheads. What should be done when a site doesn't meet those criteria?

David suggested that the committee refine the questions and tackle them in sub-groups consisting of four members each. Deborah remarked that the members will need to look at what we have, what information is available, and how that information affects it.

#### 6. HOW NO NET LOSS WILL FIT INTO SMP AND TECHNICAL REVIEW

Mark Bryant commented that there is nothing in the existing SMP that covers no net loss. His impression from the meeting with the Dept. of Ecology last week [the Shoreline Education Series meeting], is that they are hoping someone else will do it. Steve added that there was nothing specific like what are the differences between having grating on a dock versus not having it.

Deborah said that the Nearshore Assessment has a lot of metrics, but she is having a lot of trouble figuring out how Ecology is looking at it. Ryan said that he has been told that the cumulative impacts analysis and the update process will determine whether or not no net loss is met.

ENVIRONMENTAL TECHNICAL ADVISORY COMMITTEE REGULAR MEETING  
JUNE 9, 2010

Mark Bryant suggested a brainstorming session on no net loss and how it can be addressed in the SMP.

7. IDENTIFICATION OF INITIAL AREAS FOR TECHNICAL REVIEW AND  
ASSIGNMENT OF COMMITTEE RESPONSIBILITIES

The committee as a whole agreed to form two sub-committees. The group that will brainstorm no net loss will consist of Mark Bryant (lead), Greg Geehan, David Sale, and Deborah Rudnick and the group that will look at vegetation regulations will consist of Marc Boule (lead), Chris Waldbillig, Kathleen Peters, and Rick Spaulding. Ryan would like to participate in both discussions. Each group will circulate some kind of write-up before the next meeting in order to facilitate the discussion by the whole committee.

David said that the sub-groups should utilize the list of outside scientists as appropriate, and Ryan added that the reports should include a bibliography with citations of documents referenced.

8. SETTING UP TIME FOR ETAC TO GET TOGETHER WITH COUNCIL

Staff reported that the City Council is expected to appoint a liaison with ETAC at its meeting tonight. The chair will work with that liaison to set up a meeting.

9. ADDITIONS TO THE OUTSIDE SCIENTISTS LIST

There have not been any recent additions to the list. Mark Bryant asked if there were any gaps in the disciplines on the list and David replied that there are none of which he is aware, adding that members are encouraged to ask permission of any scientists they know to provide credentials so that they may be added.

10. NEW DOCUMENTS FOR REVIEW

Ryan distributed *Defining and Implementing Best Available Science for Fisheries and Environmental Science, Policy, and Management* from the American Fisheries Society and *Effects of Shoreline Modifications on Supratidal Macroinvertebrate Fauna on Puget Sound, Washington Beaches* by Kathryn L. Sobocinski, Jeffery R. Cordell, and Charles A. Simenstad. It was agreed that both documents will be posted on the web.

11. OTHER BUSINESS

Members were reminded to provide staff with short blurbs on their credentials for the web page.

Ryan read the list of suggested speakers for the science forum that will be culmination of the Shoreline Education Series and asked if there were other names should be considered. ETAC recommends that no more than five speakers be scheduled to allow appropriate time for presentations and discussion.

Kathleen asked for a briefing on the first education event held last week. Ryan replied that Ecology presented a slightly modified version of the presentation given at the county meeting and that he thought it went well. He then asked others who attended to speak about what they thought.

ENVIRONMENTAL TECHNICAL ADVISORY COMMITTEE REGULAR MEETING  
JUNE 9, 2010

Gary Tripp was concerned that Ecology was focused on shoreline modifications rather than shoreline functions and that they are working on the assumption that modifications always downgrade functions.

Charles Schmid thought the facilitator did a great job of grouping the questions, although there was a little disappointment that specific, individual questions were not addressed. He added that Ecology just wanted to get into the process, not the specifics.

David remarked that the facilitator did a good job but will need to be very careful about paraphrasing for the science forum.

#### 12. PUBLIC COMMENT

Bruce Taft was concerned that because the guidelines call for the SMP to be based on science and the existing SMP consists of policies and regulations without the scientific justification, that the entire document might need to be rewritten. David replied that the technical information and the policy document are really two related but different questions and ETAC's mission is to provide the City Council with advice on technical issues. Ryan added that this is an update process, not a rewrite.

Charles suggested adding an appendix with citations to the SMP. He also suggested that the provisions for aquaculture be reviewed and recommended that committee members may want to schedule a boat ride around the island.

Gary suggested that a walk around the shoreline is more informative than a boat ride and specifically recommended that members go to Rolling Bay Walk and Murden Cove.

#### 13. ADJOURN

The meeting adjourned at 3:56 p.m. The next regular meeting is scheduled for July 14<sup>th</sup> at 3:00 p.m. in the Council Conference Room at City Hall.