

**** Per Governor's emergency [Proclamation 20-28](#) et seq., agencies are required to meet completely remotely without providing for a physical location.**

**** Per Section 3 of Anacortes [Resolution 2082](#) Ratifying Proclamation of Emergency and Providing Temporary Procedures to Respond to the COVID-19 Epidemic, adopted by the Anacortes City Council on March 16, 2020, and [Resolution 3010](#), adopted December 28, 2020, extending the duration of Resolution 2082 through March 31, 2021, all in-person Committee meetings of the City Council are cancelled. Council and committee meetings may be held telephonically regardless of whether the City has the capability of video recording meetings.**

- Meetings may be viewed on the [City of Anacortes website](#), on the City of Anacortes [YouTube](#) Channel, or on TV [Channel 10](#).
- The public may also watch, listen to, or participate in the meeting live by visiting <https://us02web.zoom.us/j/89255646791> or by telephoning 1-253-215-8782 and entering Meeting ID 892 5564 6791.
- The public is encouraged to comment via email to cityclerk@cityofanacortes.org or via written comment addressed to City Clerk, P.O. Box 547, Anacortes, WA 98221. Public comments received prior to 3:00 p.m. the day of the meeting will become part of the record for the meeting, just as if presented in person.
- Complete guidelines for public participation in virtual Anacortes City Council meetings are available [here](#). View the quick video example for connecting to the meeting [here](#).



Anacortes City Council

Municipal Building Council Chambers

**** This meeting will be held electronically only ****

**March 8, 2021
6:00 PM**

PRELIMINARY AGENDA

[Packet Materials](#) / [Watch Meeting](#)

- 1. Call to Order**
- 2. Announcements and Committee Reports**
 - a. COVID-19 Update (Discussion)
 - b. Port/City Liaison Committee (Discussion)
 - c. Housing Affordability and Community Services Committee (Discussion)
 - d. Finance Committee (Discussion)
 - e. Planning Committee (Discussion)
- 3. Public Comment**
- 4. Consent Agenda**
 - a. Minutes of March 1, 2021 (Action)
 - b. Approval of claims in the amount of \$473,459.28 (Action)
 - c. * Resolution 3023: Bid Waiver and Purchase of Siemens Desigo HVAC Control System (Action)
 - d. Contract Award: HVAC Control Systems Desigo CC Migration #21-052-FAC-001 (Action)
- 5. Closed Record Decision Hearing**
 - a. * Bayside Marina Replacement - SDP-2020-0002 (Discussion/Possible Action)

Per Resolution 2044, citizens wishing to comment on items not on the agenda may do so under the Public Comment portion of the agenda. Citizens wishing to comment on agenda items indicated with an asterisk () may do so as those items are considered by Council during the course of the meeting.*

The City of Anacortes is committed to making public meetings available and accessible to all members of the community. For assistance with special needs, please contact the City Clerk at 360-299-1960 in advance of the meeting.

6. **Other Business**

- a. Socrata City Budget Information Sharing Platform (Discussion)
- b. * Resolution 3024: Authorizing the Hiring of 2 Half-time Library Assistants (Action)
- c. * Ordinance 3086: Amending the 2021 Budget to Add Staff Positions (Discussion/Action)

7. **Adjournment**

Per Resolution 2044, citizens wishing to comment on items not on the agenda may do so under the Public Comment portion of the agenda. Citizens wishing to comment on agenda items indicated with an asterisk () may do so as those items are considered by Council during the course of the meeting.*

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Anacortes City Council Minutes - March 1, 2021

Call to Order

Mayor Laurie Gere called to order the Anacortes City Council meeting of March 1, 2021 at 6:00 p.m. Councilmembers Anthony Young, Ryan Walters, Christine Cleland-McGrath, Carolyn Moulton, Bruce McDougall and Matt Miller all participated in the meeting in absentia via video conference. Councilmember Jeremy Carter was absent. Mr. McDougall moved, seconded by Mr. Miller, to excuse the absence of Mr. Carter. The motion carried unanimously by voice vote.

Announcements and Committee Reports

COVID-19 Update: Mayor Gere shared current case statistics and trends for Anacortes, Skagit County, the North region, Washington State, and the nation. She reported on vaccination progress in Anacortes and in the county, and specifically on the lack of vaccination doses being received by Island Hospital. Councilmembers expressed support for a issuing a joint letter to state officials urging more vaccine and better communication from the state.

Museum Committee: Ms. Cleland-McGrath reported from the committee meeting held the previous week. The topics discussed included the roof leak at the museum, online services provided by the museum, distance staffing, and Thompson train status.

Fiber Committee: Mr. McDougall reported from the committee meeting held the previous week. The topics discussed included likely approval of the EDA grant, staffing changes, installations in the aerial expansion zones, future expansion to the west end of the city, and take rate for the pilot zones.

Public Works Committee: Ms. Moulton reported from the committee meeting held earlier in the evening. The topics discussed included the 12th & Commercial intersection improvements, the wastewater treatment plant outfall project, wastewater solids handling options, the water system risk and resiliency report, public works staffing requests, and pending grant requests for Commercial Avenue improvements, sidewalk cuts and sewer line equipment.

Public Comment

No one present wished to address the Council on any topic not already on the agenda.

Consent Agenda

Mr. McDougall moved, seconded by Mr. Miller, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

- a. Minutes of February 22, 2021
- b. Approval of claims in the amount of \$587,200.13
The following vouchers/checks were approved for payment:
EFT numbers: 99450 through 99492, total \$365,376.34
Check numbers: 99493 through 99502, total \$61,873.33
Wire transfer numbers: 280750 through 280875, total \$7,452.82
- c. Resolution 3017: Fixing a time when a petition for a vacation may be heard and determined by the City Council in setting a public hearing date
- d. Resolution 3020: Sole Source Resolution to Purchase New Cardiac Monitor/Defibrillator
- e. Resolution 3021: Waiving Bid Requirements and Authorizing the Purchase of a Used Bucket - Boom Truck

OTHER BUSINESS

Parks and Recreation Impact Fee Rate Study

Parks and Recreation Director Jonn Lunsford introduced Ordinance 3085 which would adopt updated Parks and Recreation Impact Fees. Mr. Lunsford's slide presentation was added to the packet materials for the meeting. Following Council's consideration of the rate study at its regular meeting on February 8, 2021, Jason Hennessy and Sherrie Hsu from Berk Consulting responded to councilmember questions about the rates.

CAROLYN MOULTON moved, seconded by CHRISTINE CLELAND-MCGRATH, to approve Ordinance 3085 revised to reflect an effective date of September 1, 2021. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, MATT MILLER. Nays - None. Result: Passed

Applying for SAFER Grant Funding and discussion of funding after the SAFER Grant Expires

Finance Director Steve Hoglund, Interim Fire Chief Mike Ganz, and Assistant Fire Chief Jack Kennedy explained the city's opportunity to apply for funding for three full-time firefighters through the SAFER grant program through FEMA. They explained the benefits of the grant funding and the long term budget impact if the funds were to be awarded. Staff and Mayor Gere responded to councilmember questions.

BRUCE MCDOUGALL moved, seconded by RYAN WALTERS, to authorize Mayor Gere to apply for the SAFER grant for 3 Firefighters. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, MATT MILLER. Nays - None. Result: Passed

Contract Award: 2021 Waterline Replacements #21-006-WTR-001

Public Works Director Fred Buckenmeyer requested City Council consent to award a contract in the amount of \$943,392.83 to SummitX Contractors, Inc. to perform the 2021 Waterline Replacements. Mr. Buckenmeyer outlined the work to be performed, summarized the bid results, and recommended award of the proposed contract.

MATT MILLER moved, seconded by RYAN WALTERS, to authorize the Mayor to sign contract 21-006-WTR-001 with SummitX Contractors, Inc. in the amount of \$943,392.83 to perform the 2021 Waterline Replacements. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, MATT MILLER. Nays - None. Result: Passed

Contract Modification: WWTP Outfall Project - Consultant #20-032-SEW-001

Assistant Public Works Director Eric Shjarback requested City Council consent to issue a contract modification to Dalton, Olmsted & Fuglevand, Inc. in the amount of \$222,240.00, increasing the total contract price to \$362,240.00, to include additional environmental consulting services and construction management services during the wastewater treatment plant Outfall Project. Mr. Shjarback briefed Council on the scope of the contract in the context of the overall outfall project. His slides were added to the packet materials for the meeting.

CAROLYN MOULTON moved, seconded by BRUCE MCDOUGALL, to authorize the Mayor to sign a modification to Contract 20-032-SEW-001 with Dalton, Olmsted & Fuglevand, Inc. in the amount of \$222,240.00, increasing the total contract price to \$362,240.00. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, MATT MILLER. Nays - None. Result: Passed

Resolution 3022: Authorizing Distribution of Tourism Promotion Funds

Planning Director Don Measamer introduced Resolution 3022 authorizing distribution of \$17,188.24 of Tourism Promotion Funds as recommended by the Lodging Tax Advisory Committee.

ANTHONY YOUNG moved, seconded by RYAN WALTERS, to approve Resolution 3022 authorizing execution of the Tourism Promotion Fund Contract by and between the City of Anacortes and the COA Public Works Department. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, MATT MILLER. Nays - None. Result: Passed

Adjournment

There being no further business, at approximately 7:45 p.m. the Anacortes City Council meeting of March 1, 2021 was adjourned.

The following claims against the City of Anacortes have been preaudited and certified by the Clerk-Treasurer as ready for City Council approval at the March 8, 2021 City Council meeting:
[Download this file in OpenDocument spreadsheet format.](#)

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
280973	9/30/2020	101870	VECA ELECTRIC & TECHNOLOGIES	TROUBLESHOOT OVERHEATING VFD	\$ 454.40	dwwtp
280922	12/23/2020	0128936-IN	SWS EQUIPMENT	MAC VALVE #511	\$ 138.10	dshop
281171	1/12/2021	293094A	BAY CITY SUPPLY	COVID-19 PPE DISINFECTANT SPRAY	\$ 85.52	pwwfac
281052	1/13/2021	186338	NORTHSTAR CHEMICAL INC.	CHEMICALS - SODIUM BISULFITE 38%	\$ 1,963.84	dwwtp
281050	1/19/2021	4410148	TWO RIVERS TERMINAL, LLC	CHEMICALS - CALCIUM NITRATE SOLUTION 48.5%	\$ 9,893.32	dwwtp
281186	1/31/2021	21-01110	SEAHURST ELECTRIC, INC	RELOCATE BUCKETS FOR TEGG REPAIRS	\$ 15,016.40	dwwtp
281173	2/3/2021	Race Week #1	WHIDBEY ISLAND RACE WEEK LLC	LTAC RACE WEEK INVOICE #1	\$ 2,204.00	plan
281167	2/8/2021	9799650131	GRAINGER	PVC REDUCER BUSHINGS	\$ 37.25	dwwtp
281170	2/9/2021	D0321	DYNAMIC COATINGS, LLC	LIBRARY STAIR PAINTING	\$ 1,830.02	pwwfac
280975	2/10/2021	21-WAG643002B-1	DEPARTMENT OF ECOLOGY	2021 WTP WATER QUALITY PROGRAM PERMIT - 2ND OF 2 PAYMENTS	\$ 1,876.00	dwwtp
281155	2/10/2021	21-WA0020257B-1	DEPARTMENT OF ECOLOGY	PERMIT FEE	\$ 8,838.72	dwwtp
281093	2/10/2021	1H09052	PLATT ELECTRIC SUPPLY INC	RV PEDESTALS A UTILITY UPGRADE	\$ 5,427.21	parks1
280965	2/15/2021	INV310214	UNITED LABORATORIES	COVID-19 PPE DISINFECTANT WIPES	\$ 796.50	pwwfac
280920	2/16/2021	JA2711 L/JA2711	WASHINGTON STATE DEPARTMENT	SIGNAL MAINTENANCE	\$ 352.85	dshop
281189	2/17/2021	2020-00034	COMMUNITY ACTION OF SKAGIT CTY	2020 COMMUNITY ACTION AGENCY OF SKAGIT COUNTY AGREEMENT	\$ 10,000.00	plan
281068	2/18/2021	HIGH021821	HIGHLINE MOTOR CARS CORP	BUCKET TRUCK- #195	\$ 57,895.00	dshop
281053	2/18/2021	220/55022601	UNIT PROCESS COMPANY	MAINTENANCE	\$ 735.00	dwwtp
281187	2/19/2021	21-0243	SEAHURST ELECTRIC, INC	SWITCHGEAR DE-ENERGIZED PREVENTATIVE MAINTENANCE	\$ 18,338.67	dwwtp
281153	2/20/2021	151241	LAKE SIDE INDUSTRIES, INC.	ROCKS FOR ROTARY PARK	\$ 114.84	parks1
280770	2/22/2021	WABUR224485	FASTENAL COMPANY	DANGER DIESEL FUEL SIGNS	\$ 30.69	dwwtp
281005	2/22/2021	017715473	GALLS, LLC.	UNIFORM VEST AND CARRIER; OFC PACKARD	\$ 1,198.13	apd
281006	2/22/2021	017715484	GALLS, LLC.	UNIFORM VEST AND CARRIER; OFC ROUKIE	\$ 1,198.13	apd
281051	2/22/2021	733203	HASA, INC	CHEMICALS - SODIUM HYPOCHLORITE 12.5%	\$ 4,983.15	dwwtp
281180	2/22/2021	1842578	MILES SAND & GRAVEL CO.	5/8" CRUSHED ROCK	\$ 1,485.10	dshop
280924	2/22/2021	MV249292	MOTOR TRUCKS, INC	BRACKET VEH #612	\$ 392.71	dshop
281148	2/22/2021	1I01447	PLATT ELECTRIC SUPPLY INC	UNDERGROUND EEA A LOOP UTILITY UPGRADE	\$ 26.06	parks1
280921	2/22/2021	8181486233	SHRED-IT USA, LLC	CONTAINER SHREDDING - CITY HALL 2/16/21	\$ 167.57	finance
281009	2/22/2021	8181484031	SHRED-IT USA, LLC	OLD RECORDS DESTROYED - APD	\$ 67.67	apd

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
281196	2/22/2021	18241	TRANSPORTATION SOLUTIONS INC	ON-CALL TRANSPORTATION ENGINEERING SERVICES - 8/1/20-12/31/20	\$ 268.13	plan
280964	2/23/2021	296740	BAY CITY SUPPLY	COVID-19 PPE TOUCHLESS PAPER TOWEL DISPENSER	\$ 595.41	pwfac
280967	2/23/2021	93069550	CHEMTRADE CHEMICALS US LLC	ALUMINUM SULFATE	\$ 5,321.74	dwtp
281007	2/23/2021	017717049	GALLS, LLC.	UNIFORM SHIRTS; OFC PACKARD	\$ 178.75	apd
281077	2/23/2021	ContractKiser	KISER, SHERRI	DROP-IN VOLLEBALL SUPERVISOR	\$ 653.00	pkrec
281175	2/23/2021	400002858597	PUGET SOUND ENERGY INC	POLE ATTACHMENT FEES	\$ 3,602.32	fiber
281054	2/23/2021	331 0562744	UNIFIRST CORPORATION	WATER CREW LAUNDRY	\$ 36.36	wdist
281174	2/23/2021	331 0562785	UNIFIRST CORPORATION	UNIFORM LAUNDRY	\$ 81.38	fiber
281055	2/24/2021	N777894	CORE & MAIN LP	12 X 6 SS TAP SLV	\$ 795.68	wdist
281149	2/24/2021	812-15062	GCR TIRES & SERVICES	TIRES- SHOP STOCK	\$ 456.70	dshop
281150	2/24/2021	812-15061	GCR TIRES & SERVICES	TIRES- SHOP STOCK	\$ 2,132.56	dshop
281168	2/24/2021	INV9525	SEAWESTERN, INC.	50 FT. 1.75 INCH HOSE	\$ 757.25	medic
280966	2/24/2021	331 0562934	UNIFIRST CORPORATION	WTP LAUNDRY SERVICE	\$ 106.25	dwtp
280968	2/24/2021	48977186	UNIVAR USA INC	SODIUM HYDROXIDE	\$ 3,773.17	dwtp
281172	2/25/2021	296698A	BAY CITY SUPPLY	FACILITY USE ITEMS	\$ 161.02	pwfac
281061	2/25/2021	ReimbHamburg	HAMBURG, CORRIN	OPERATOR CERTIFICATION	\$ 178.96	dwtp
281056	2/25/2021	923467	LTI, INC.	ROAD SALT - STATE CONTRACT	\$ 14,850.39	dshop
281085	2/25/2021	12532690	PAPE MACHINERY INC.	WHEEL KIT- #709	\$ 175.50	dshop
281094	2/25/2021	1I43921	PLATT ELECTRIC SUPPLY INC	6 POSTS FOR A UTILITY UPGRADE	\$ 1,562.15	parks1
280969	2/25/2021	02/25/2021	SIGNATURE TREE SERVICE	REMOVED DOWNED CEDAR @ HANSON RESIDENCE	\$ 544.00	parks1
280974	2/25/2021	113325	WALTON BEVERAGE COMPANY, INC	WTP BREAKROOM SUPPLIES	\$ 87.50	dwtp
281004	2/25/2021	113321	WALTON BEVERAGE COMPANY, INC	CITY HALL BREAK ROOM SUPPLIES	\$ 157.50	finance
281185	2/26/2021	302164	A WORKSAFE SERVICE INC	PRE-PLACEMENT DRUG TESTS, EWING & PAGE	\$ 110.00	hr
281008	2/26/2021	DRDG.FX.60642969	DEPARTMENT OF HEALTH	DRUG DOG HANDLERS K9 REGISTRATION; 2021	\$ 50.00	apd
281075	2/26/2021	9074328	FERGUSON ENTERPRISES, INC	MATERIALS FOR SAMPLE TAP ON NEW CLEARWELL	\$ 17.88	dwtp
281165	2/26/2021	BINV0008783	GOBLE SAMPSON ASSOCIATES, INC	ALUM TRANSFER PUMP PARTS	\$ 2,162.05	dwtp
281179	2/26/2021	9320270120	GRAYBAR ELECTRIC COMPANY, INC	FIBER OPTIC SPLICE TRAYS	\$ 1,003.48	fiber
281151	2/26/2021	1079250	LIFE ASSIST, INC	EXAM GLOVES	\$ 1,098.88	medic
281152	2/26/2021	1079247	LIFE ASSIST, INC	2 CASES MEGAMOVERS	\$ 489.60	medic
281161	2/26/2021	1079367	LIFE ASSIST, INC	SPIDER STRAPS	\$ 392.99	medic
281191	2/26/2021	2390	NORTHWEST CORROSION	SKAGIT RIVER RAW WATER PIPELINE AND CLEARWELL PROJECT - COATING INSPECTIONS	\$ 6,691.02	pw1
281096	2/26/2021	12534333	PAPE MACHINERY INC.	KEY- #420	\$ 18.20	dshop
281089	2/26/2021	220015149234	PUGET SOUND ENERGY INC	STREET LIGHTS: 01/29- 02/26/2021	\$ 28.16	dshop

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
281092	2/26/2021	022571	REECE, STORMIE	FEB 2021 DEPOT CLEANING	\$ 308.00	parks1
281163	2/26/2021	0265574-IN	REISNER DISTRIBUTOR INC	FUEL TESTING- #2-910A	\$ 59.85	dshop
281178	2/26/2021	Pay App 4	TIGER CONSTRUCTION LTD	GRANDVIEW CEMETERY EXPANSION - PHASE 1	\$ 51,120.46	parks1
281076	2/26/2021	516320	USA BLUE BOOK	CL17 REAGENT SET X 60, MAINT KIT X 4	\$ 4,839.13	dwtpt
281088	2/27/2021	00005W5A83091	UNITED PARCEL SERVICE, INC	UPS SHIPPING CHARGES; WEEK ENDING 2-27-21	\$ 12.42	apd
281194	2/28/2021	Pay App 9	IMCO GENERAL CONSTRUCTION	SKAGIT RIVER RAW WATER PIPELINE AND CLEARWELL PROJECT	\$ 172,802.93	pw1
281063	2/28/2021	107	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 110.50	court
281064	2/28/2021	108	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 136.50	court
281065	2/28/2021	109	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 416.00	court
281067	2/28/2021	110	LAW OFFICE OF CARA LORENZO	PUB DEF JARS COV	\$ 149.50	court
281069	2/28/2021	111	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 578.50	court
281071	2/28/2021	112	LAW OFFICE OF CARA LORENZO	PUB DEF CONL	\$ 351.00	court
281072	2/28/2021	113	LAW OFFICE OF CARA LORENZO	PUB DEF CONFL	\$ 71.50	court
281193	2/28/2021	10334834	NAVIA BENEFIT SOLUTIONS, INC	FLEXIBLE SPENDING PARTICIPANT FEE FEB	\$ 132.80	finance
281188	2/28/2021	0221	NELSON, BONNIE	AGING MASTERY PROGRAM ADMINISTRATION - FEBRUARY 2021	\$ 287.50	parks1
281248	2/28/2021	9447	PETDATA, INC	PETDATA LICENSING FEES FEB	\$ 315.70	finance
281198	2/28/2021	CL20584	REISNER DISTRIBUTOR INC	VEHICLE FUEL - FEB 2021	\$ 18,918.65	finance
281060	2/28/2021	360-293-6427-0218975	ZIPLY FIBER	CITY HALL 911 2/28-3/27/21	\$ 80.64	finance
281074	2/28/2021	360-299-3674-0214175	ZIPLY FIBER	OPERATIONS PHONE: 02/28- 03/27/21	\$ 71.45	dshop
281081	2/28/2021	360-293-4900-0912865	ZIPLY FIBER	APD BAC LINE 2/28- 3/27/21	\$ 87.06	apd
281083	2/28/2021	360-588-9248-0619005	ZIPLY FIBER	APD BACKUP LINE 2/28- 3/27/21	\$ 209.40	apd
281084	2/28/2021	360-299-6615-0615165	ZIPLY FIBER	APD 911 LINE 2/28- 3/27/21	\$ 74.27	apd
281087	2/28/2021	360-588-1422-0822015	ZIPLY FIBER	APD BUSINESS LINE 2/28-3/27/21	\$ 305.46	apd
281157	2/28/2021	360-293-3725-0501135	ZIPLY FIBER	DEPOT PHONE 02/28-03/27/21	\$ 63.84	parks1
281160	2/28/2021	360-299-2484-0726025	ZIPLY FIBER	LIBRARY PHONE 2/28-3/27/21	\$ 57.86	publib
281162	2/28/2021	360-293-9063-0926075	ZIPLY FIBER	STA 3 PHONE/FAX/INTERNET 2/28-3/27/21	\$ 85.11	medic
281079	3/1/2021	5045	ANACORTES TOWING, LLC	TOWING; APD CASE 21-A01255	\$ 163.20	apd
281145	3/1/2021	6203701	CARDINAL HEALTH 110, INC.	PHARMACEUTICALS	\$ 42.08	medic
281159	3/1/2021	0922764	FERGUSON ENTERPRISES, INC	SENSUS FLEXNET PROP STUDY- WATER	\$ 816.00	wdist
281080	3/1/2021	03/01/2021	FIDALGO CLEANING	APD CLEANING & SUPPLIES 3/1-3/14	\$ 800.00	apd

Invoice Doc #	Transaction Date	Invoice #	Vendor Full Name	Description	Total Amount	Approval Queue
281195	3/1/2021	2021-444-01	GANZ 444 CONSULTING LLC	PROFESSIONAL SERVICES FOR INTERIM FIRE CHIEF - JAN/FEB 2021	\$ 15,385.00	hr
281158	3/1/2021	10000105386	OCLC, INC	CATALOGING, ILL, FIRSTSEARCH/WORLDCAT DISCOVERY (MARCH 2021)	\$ 371.59	publib
281245	3/1/2021	5061519223	RICOH USA, INC	S/N C86150637 CARNEGIE 12/1-2/28/2021	\$ 48.98	finance
281246	3/1/2021	5061519980	RICOH USA, INC	S/N C86111493 COURT 12/1-2/28/2021	\$ 106.62	finance
281247	3/1/2021	5061520036	RICOH USA, INC	S/N C86152062 HR COPIES 2/1-2/28/21	\$ 9.14	finance
281146	3/1/2021	2021	SKAGIT COUNTY FIRE CHIEFS	ANNUAL DUES - 2021	\$ 282.00	medic
281095	3/1/2021	RefundStraight	STRAIGHT, HEATHER	WA PARK REFUND HEATHER STRAIGHT	\$ 36.00	parks1
281182	3/1/2021	GB00100301	TRANSAMERICA LIFE INS CO	MARCH LEOFF LONG-TERM CARE INSURANCE	\$ 634.98	hr
281183	3/1/2021	0542005-001	UNUM LIFE INS CO OF AMERICA	MARCH LEOFF LONG-TERM CARE PREMIUM	\$ 1,024.90	hr
281166	3/1/2021	517584	USA BLUE BOOK	LAB SUPPLIES - TRIS	\$ 70.17	dwtpt
281243	3/1/2021	360-293-1900-0122885	ZIPLY FIBER	CITY MAIN PHONE 3/1-3/31/21	\$ 1,581.66	finance
281192	3/2/2021	112539-4	DAVIS WRIGHT TREMAINE LLP	CITY OF ANACORTES, WASHINGTON, LIMITED TAX GENERAL OBLIGATION NOTE, 2021	\$ 6,000.00	finance
281199	3/2/2021	RI104808774	FRANCOTYP-POSTALIA, INC	MAILING MACHINE QUARTERLY RENTAL 3/1-5/31/21	\$ 130.43	finance
281184	3/2/2021	MV249788	MOTOR TRUCKS, INC	FILTER FOR STOCK	\$ 211.38	dshop
281181	3/2/2021	210667	NAPA	AIR FILTER #178	\$ 14.29	dshop

Total **\$473,459.28**



City Council Agenda Bill

Meeting Date: March 8, 2021

Agenda Item: 4.c.

Agenda Item Title: Resolution 3023: Bid Waiver and Purchase of Siemens Desigo HVAC Control System

Staff Contact(s): STEVE HOGLUND, FRED BUCKENMEYER, MAC JACKSON

Approved for Submittal to Council by **Action Type**

STEVE HOGLUND

Resolution

TIFFANY MATSON

DARCY SWETNAM

Item Summary: The 2021 budget authorized \$100,000 for the purchase of a citywide HVAC control system (identified in the General Fund Facilities budget as Direct Digital Control HVAC control software). The Siemens Desigo system is what is being requested. This system will centrally control the HVAC systems for City Hall, Library, and Public Safety buildings, and works with the existing Siemens HVAC systems that are currently operating in these buildings. The operating system that currently controls the HVAC systems is aged and outdated, and has not been supported since 2017. If it were to fail, the City would be unable to control the environmental factors within the city buildings, making them uncomfortable, or uninhabitable. If it were to fail it would be necessary to repair on an emergency basis, which would likely be much more costly. The system being requested works seamlessly with the Siemens HVAC system currently in operation. A bid waiver is requested because the \$92,000 quoted cost exceeds the bid limit of \$7500, but if another control platform were to be purchased through a bid or RFP process, additional HVAC infrastructure would need to be purchased for the existing system to become compatible with any system other than the Siemens Desigo.

Budget Impact:

2021 budget authorized \$100,000; quote for Desigo system is \$92,000 not including tax.

Previous Action: Discussion at budget meetings in 2020

Recommended Motion: I move to approve Resolution 3023 waiving bid

requirements and authorizing the contract for a Seimens DDC HVAC controller system

Alternative Actions: Do not approve resolution, direct staff as to next steps for City HVAC systems.

Attachments (listed in order presented):

1. Resolution 3023
2. Siemens Desigo Sole Source Letter
3. Desigo Migration Proposal

RESOLUTION NO. 3023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANACORTES, RELATED TO THE CITY'S ACQUISITION OF A CENTRALIZED CITY BUILDING HVAC CONTROL SYSTEM

WHEREAS, the City of Anacortes is currently using an HVAC control system that ceased being supported in 2017, and

WHEREAS, the if the existing system stops working there will be no way to control the HVAC systems in the City buildings making them at best uncomfortable and at worst uninhabitable, and

WHEREAS, the existing City buildings have Siemens HVAC infrastructure systems which are directly compatible with the Siemens Desigo system, and

WHEREAS, implementation of a system other than said Desigo system would require additional HVAC infrastructure which would increase the cost of an HVAC control system transition, and

WHEREAS, the Siemens Desigo system has a quoted price of \$92,000 not including tax which exceeds the bid level of \$7,500 required in RCW 35.23.352, and

WHEREAS, RCW 39.04.280(1)(a) allow the waiver of bidding requirements for purchases that are clearly and legitimately limited to a single source of supply, and

WHEREAS, the Siemens Desigo system is a proprietary system owned by Siemens and available only from Siemens.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Anacortes that bid requirements be waived for the aforementioned Siemens Desigo HVAC control system, and the Mayor be authorized to enter into a contract for the purchase of said system.

ADOPTED, at the regular meeting of the City Council of the City of Anacortes, this 8th day of March 2021, by a majority of the members.

City of Anacortes, Washington

BY: _____
Laurie Gere, Mayor

ATTEST:

Steven D. Hoglund, City Clerk

Date: February 25, 2021

To: City of Anacortes

From: Bailee DePhelps – Siemens Smart Infrastructure

Subject: Sole Source Purchase – HVAC / DDC System Upgrades

The City of Anacortes requests sole source justification for migration of their HVAC / DDC System. Siemens is the original equipment manufacturer and they hold the sole proprietary rights to the hardware and software upgrades to maintain the system. They are also the only controls company in the local area for the City of Anacortes' existing Siemens building control infrastructure that has the capability to not only service but install upgraded DDC controlled HVAC systems at the facility.

The statement of work is for alterations to the existing Direct Digital Control system. When dealing with Direct Digital Controls (DDC), there are many components of the system that must work together. Throughout the Migration Process the ability for each piece of equipment to communicate with the remaining parts must be maintained. This equipment is vendor specific and can only be procured by one source in this geographic zone. The existing systems are manufactured by Siemens; therefore, in order to uphold the compatibility with the existing system no other control contractor can make the required changes to the system. Siemens' migration strategy leverages your current APOGEE system hardware, eliminating the need to replace field devices or wiring. This allows us to provide you with a cost effective and efficient means to upgrade your system with minimal impact to your facility and its occupants. Siemens is the sole provider who can utilize the existing DDC equipment and programming for this seamless migration and only Siemens can purchase and install Siemens-type products. Additionally, they hold the sole proprietary rights to any hardware and software upgrades needed to maintain or extend the system.

The services specified require a trained and certified technician specifically on the Siemens DDC System. All Siemens personnel have completed the required certification. The local Siemens branch office has also customized programming of the Siemens DDC System. System diagnostics and system performance adjustments should be performed by Siemens to assure the City of Anacortes' System integrity is maintained.

Sincerely,



Bailee DePhelps

Siemens Smart Infrastructure

15900 SE Eastgate Way Suite 200 Phone (425) 229-0105
Bellevue, WA 98008 bailee.dephelps@siemens.com

PROPOSAL

City of Anacortes - Desigo CC *Fast Forward* Migration Proposal - Budget

PREPARED BY

Siemens Industry, Inc.

PREPARED FOR

CITY OF ANACORTES

DELIVERED ON

August 07, 2020



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Contact Information

Proposal #:	5088848
Date:	August 07, 2020

Sales Executive:	Bailee DePhelps
Branch Address:	15900 SE Eastgate Way, Suite 200 Bellevue Washington, 98008
Telephone:	(425) 229-0105
Email Address:	bailee.dephelps@siemens.com

Customer Contact:	Russ Pittis
Customer:	CITY OF ANACORTES
Address:	904 6th St Anacortes, WA 98221
Services shall be provided at:	904 6th St Anacortes, WA 98221

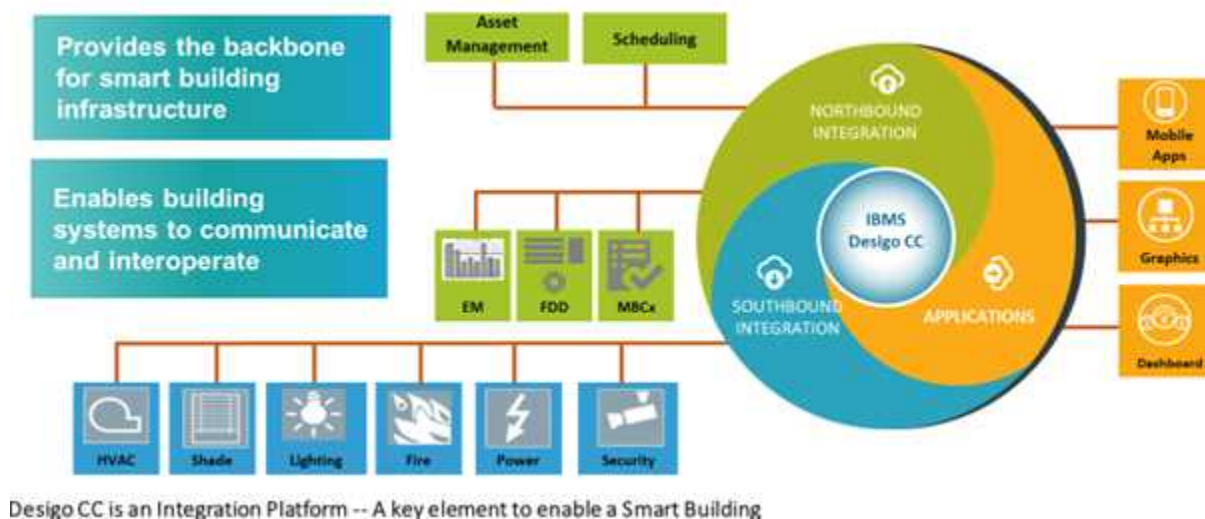
Executive Summary

Siemens is pleased to provide the following proposal to migrate your Building Management System to the new Desigo CC Workstation. The Insight workstation, which has been an integral component to your Apogee building automation system, has been in existence since 1998 and has reached its end of life. Our new workstation, Desigo CC, has been designed and developed based upon customer demands for easier to use, smarter, more robust, adaptable and open systems. We are pleased to be providing this proposal to upgrade your facility to this innovative and powerful new system.

Desigo CC brings your existing APOGEE System into the digital age with a modern integration platform ready to meet your changing needs. We continue to develop new solutions that help our customers take advantage of new applications, innovations, and integrations.

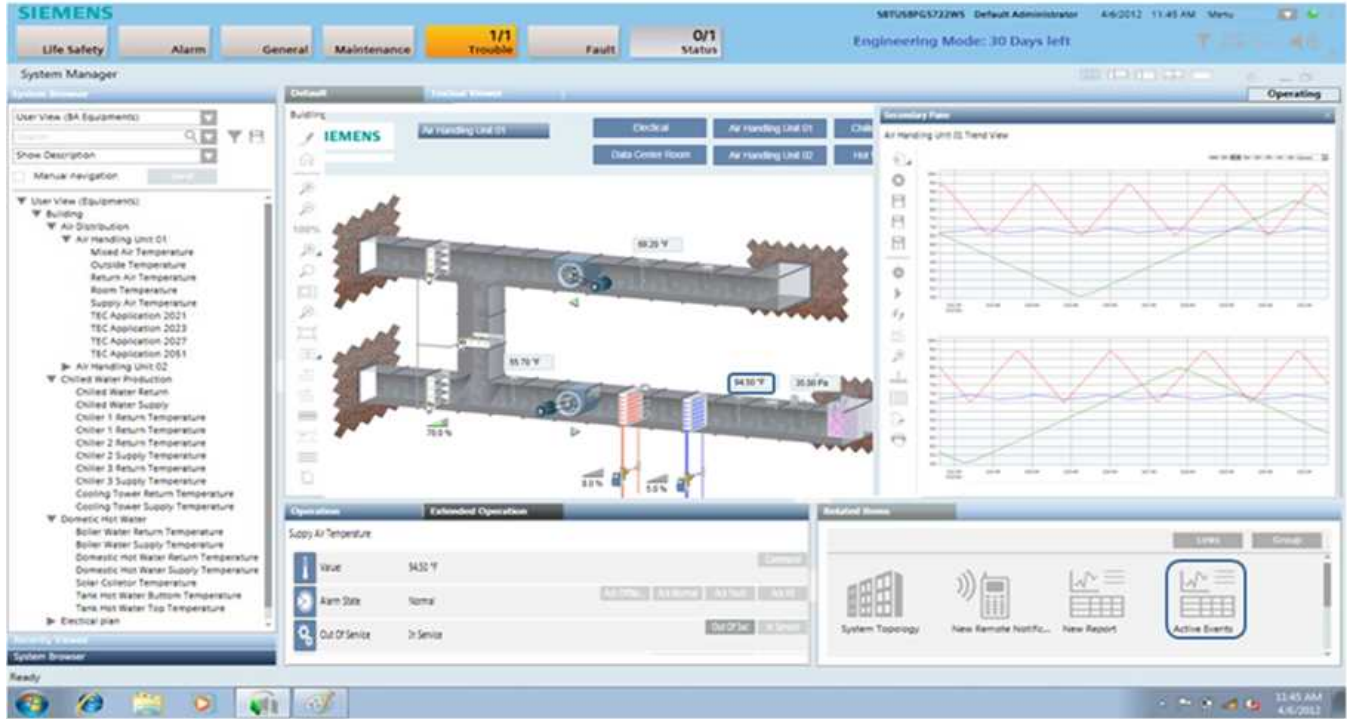
Key features available with Desigo CC:

- Latest IT standards
- Open development platform
- Cloud ready
- Mobile accessibility
- Cyber safety monitoring
- Stunning graphics
- Backward compatibility
- Multi discipline
- Ecosystem for integration



Once you've migrated to Desigo CC, you will be utilizing our state-of-the-art building automation system. As a result, you'll be well positioned to incorporate many of the latest Smart Building technologies.

Desigo CC Workflow Driven User Interface

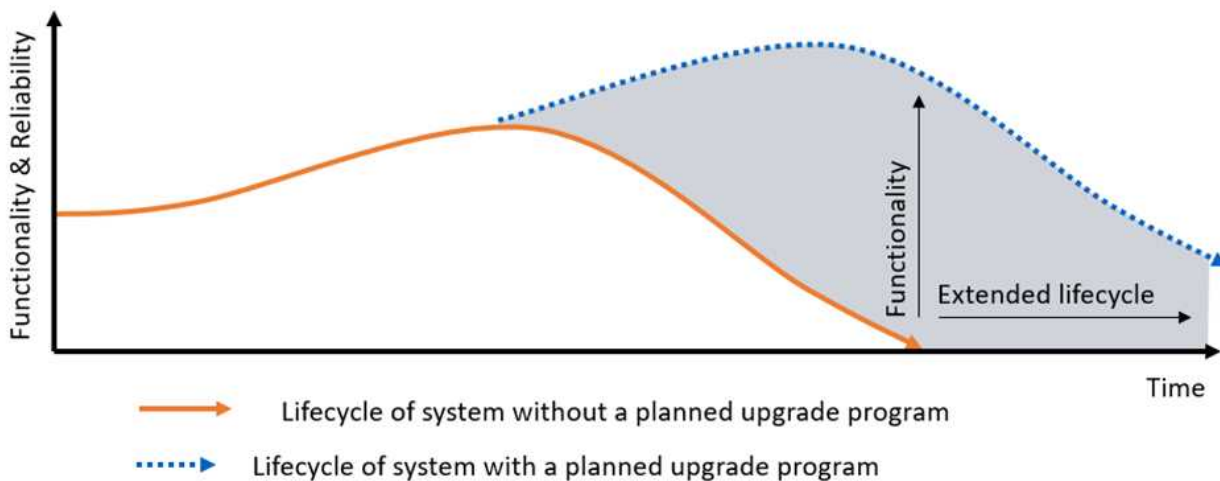


Desigo CC's User Interface provides effective system operation and control. It presents well arranged, relevant information to the user and is ready for interaction without any overlapping windows. The user views can be customized to allow for personal preferences with multiple sources of information streamed to one screen, increasing efficiency while saving time and money.

Benefits of a Planned Migration Strategy

Siemens Smart Infrastructure has a roadmap for upgrading your system to the latest platform. The migration modernizes your building automation system, giving it enhanced functionality and flexibility and lays the foundation for a state of the art "Smart Building".

Your initial investment in the Siemens Apogee software platform many years ago now provides a strong foundation for the future. In most cases, a planned upgrade of your automation system will allow for a smooth transition to our new platform while minimizing any downtime. Additionally, as the diagram below depicts, replacing your old software with a new system allows you to build upon your existing investment. A planned migration program provides a clear path to the latest technology, increasing functionality and reliability while reducing lifecycle costs. The Desigo CC upgrade has been engineered to be cost-effective and minimize the operational downtime for your facility and its occupants.



As your business partner, Siemens is backing our commitment to help you stay current with technology by extending the value from your past system investments. This migration strategy allows you to leverage your past investments in engineering, programming, training, hardware and software.

Fast Forward Approach

Prepare for the Future

Your building automation system controllers (Field Panels) have been part of the Siemens product offering for many years. These products are prime examples of our commitment to protecting your past investments. While you've had to replace other assets in your facility to keep up with changing technology, these always-reliable Field Panels remained. However, third-party component obsolescence and technology advances have contributed to our decision to retire these products.

True to our commitment to help you stay current with new technology by extending the value from past system investments, Siemens has a migration plan to *Fast Forward* your Field Panels to state-of-the-art hardware platforms. *Fast Forward* leverages your past investments in engineering, programming, training, hardware and software.

The *Fast Forward* program preserves much of the original system investment, using your existing Field Panel enclosure, wiring, sensors and actuators, and replacing the internal components with state-of-the-art Programmable Controller (PXC) platforms.

Now is the time to fast forward. With our *Fast Forward* Migration program, you'll have less downtime, fewer disruptions to your facilities and your customers, and you'll be confident you're maximizing the benefits of new technology with limited system investment.

Fast Forward Features and Benefits

Siemens Smart Infrastructure has a roadmap to *Fast Forward* your Field Panels to the latest platform. The Field Panel migration modernizes your building automation system, giving it enhanced functionality and flexibility. Your existing control components are replaced with the PXC family of controllers. By reusing your existing enclosure, wiring, sensors and actuators, we reduce wiring complexity, minimize downtime, and control migration costs.

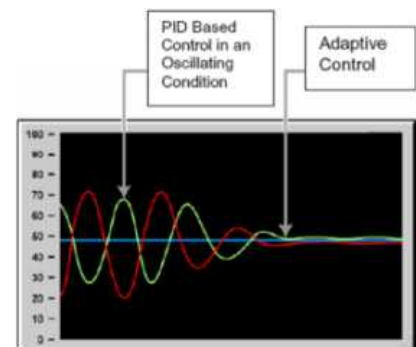
Your initial investment in the Siemens automation system many years ago now provides a strong foundation for the future. The *Fast Forward* program allows you to migrate at much lower costs by retaining as much as possible of your existing investment. As the chart below indicates, replacing your old hardware with a new system requires significant additional investments in programming, point databases, hardware, and commissioning. System replacement also requires more of the limited wall space in your mechanical or electrical room, and extended downtime at switchover. The *Fast Forward* program has been engineered to be cost-effective and minimize the impact to your facility and its occupants.

Cost Benefits of a Fast Forward Migration

	New Installation	With the Fast Forward Migration Program
System Engineering	\$\$	
Field Wiring/Electrical Installation	\$\$	
Field Panel Hardware	\$\$	\$
Sensors & Actuators	\$	
Programming	\$	
Workstation Hardware	\$	
Graphics Creation	\$	
Create New Point Database	\$	
Tools to Convert Database		\$
System Commissioning	\$	
Operator Training	\$	
System Startup	\$\$	\$
Extended System Downtime	\$	
Facility Operation Impact	\$	
Total Systems Switchover Cost	\$\$\$\$	
Total Panel Conversion Cost		\$

A powerful feature provided in your new controller is Adaptive Control, a sophisticated closed loop control algorithm that auto-adjusts to provide more efficient, robust, fast, and stable control than traditional Proportional, Integral, Derivative (PID) control.

- Adjusts automatically to seasonal and mechanical characteristic changes
- Saves energy due to better tuned loops
 - Reduced cycling
 - Reduced offset from setpoint
- Increased life expectancy of valve and actuators
 - Reduced cycling-induced wear and tear
 - Reduced repair, replacement, and maintenance costs of end devices



Will this change anything?

Scope of Work

The Field Panel Migration Scope of Work consists of the following:

The MBC product line was retired in 2008 with end of service support in 2015. The MEC product line was retired in 2010 with end of service support in 2017. Replacement parts for the MBC were available until 2015 and for the MEC until 2017. The direct migration for these products is a PXC Modular and is designed to be installed inside the existing enclosure. Partnering with Siemens, downtime will be minimal as we perform migrations on a regular basis with the intention of minimizing downtime while continuing to provide quality service and professionalism.

1. Siemens will replace (2) MBCs and (1) MEC - (3) total - with new PXC Modular panels equipped with the necessary TX I/O modules to accommodate the existing point count.
2. Siemens will use migration kits to allow for the reuse of the existing enclosures.
3. Where HOA currently exists in digital and analog output points, the new TX I/O Module will come equipped with HOA capability as well.
4. The existing sequence of operations will be reused as no programming modifications are to be made during the migration process.
5. Siemens will startup and checkout the new panels.
6. Siemens will provide an updated panel point layout for each panel migrated in this scope of work.

The Desigo CC Migration Scope of Work consists of the following:

Workstation – Hardware	Quantity
Computer Server upgraded - Provided by City of Anacortes	0
Peripheral devices upgraded (monitors, printers, etc.)	0

Workstation – Software	Quantity
Desigo CC installed on server	1
Insight databases migrated to Desigo CC	1

Workstation – Database Customization	Quantity
Field panel networks connected to Desigo CC	3
Field panel controllers connected to Desigo CC	3
FLN devices connected to Desigo CC	85
Physical IO points added to Desigo CC	25%

User accounts added to Desigo CC - added 2 for a total of 3	2
Points Renamed and added to Desigo CC	50
Trend views migrated to Desigo CC	10 per panel
Custom reports created for Desigo CC	2
Points migrated to Remote Notification	60
User defined views created for Desigo CC	2

Graphics	Quantity
Graphics converted directly from Insight to Desigo CC	0
Graphics upgraded for Desigo CC	104
New graphics created for Desigo CC	0

Training	Quantity
On Site Training -- Number of hours delivered for Desigo CC transition Number of personnel to be trained on Desigo CC	8 hours onsite by Siemens Technician
Formal Classroom Training – Number of classes Number of personnel to attend	0

Other	Quantity
Project management, design, start-up & Programming	

Common Inclusions:

1. Siemens will provide project management for labor planning and subcontractor management.
2. All work is quoted on a straight time basis. Straight time is defined as Monday through Friday, exclusive of holidays, from approximately 8:00 a.m. to 5:00 p.m.
3. 1 year warranty on material and labor.

Exclusions

- 1. Pricing excludes Washington State Sales Tax.
- 2. Pricing excludes existing failed components.
- 3. Pricing excludes repairs due to failed points or end devices outside of the above scope.
- 4. Siemens excludes all costs associated with per project aggregate insurance. If required, Siemens will provide cost upon request.
- 5. During panel migrations, if mechanical equipment is required to run this must be managed by onsite staff.
- 6. Provision for temporary heating and/or cooling is not included.
- 7. Pricing assumes the existing wiring is intact, fully functional, and capable of supporting the updated panels.
- 8. Pricing excludes support of Third Party System Commissioning.
- 9. Pricing excludes Ethernet drops. To be provided by client.
- 10. Pricing excludes static IP addresses . To be provided by client.
- 11. Point renaming is excluded for FLN device sub points.
- 12. Desigo Server and monitors to be provided by client.
- 13. Removal of existing Insight Apogee system is excluded form this scope of work. Insight Apogee will run in parallel with Desigo CC until client's request for removal which will be addressed separate of this proposal.
- 14. Pricing excludes premium or overtime labor unless specified otherwise in this proposal.

Sell Price

Total Budgetary Price	\$92,000.00
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Payment Terms

Payment Terms Acceptance Agreement

The total price of: \$92,000.00 and the estimated return on investment are based on the items outlined in this proposal. ANY statements made herein regarding savings that may be achieved by implementing the services offered in this proposal are estimates only. No warranty, either expressed or implied, shall be construed to arise from such statements, nor shall such statements be construed as constituting a guarantee by Siemens that such savings will occur if the services are implemented.

Terms and Conditions Disclaimer

The Customer acknowledges that when approved by the Customer and accepted by Siemens Industry, Inc.: (i) the Proposal and the Contract Terms and Conditions, (together with any other documents incorporated into the forgoing) shall constitute the entire agreement of the parties with respect to its subject matter (collectively, hereinafter referred to as the "Agreement") and (ii) in the event of any conflict between the terms and conditions of the Proposal and the terms and conditions of The Contract Terms and Conditions, the Contract Terms and Conditions shall control.

BY EXECUTION HEREOF, THE SIGNER CERTIFIES THAT (S)HE HAS READ ALL OF THE TERMS AND CONDITIONS AND DOCUMENTS, THAT SIEMENS OR ITS REPRESENTATIVES HAVE MADE NO AGREEMENTS OR REPRESENTATIONS EXCEPT AS SET FORTH THEREIN, AND THAT (S)HE IS DULY AUTHORIZED TO EXECUTE THE SIGNATURE PAGE ON BEHALF OF THE CUSTOMER.

This Proposal is based on the Siemens Industry, Inc. Standard Terms and Conditions and the "Scope of Work" and are to be considered part of this proposal. Proposal is valid for thirty (30) days from the delivery date of August 07, 2020. Payment is due within 30 days of invoice date.

Payment Terms: 25% mobilization in advance, progress payments

Total: \$92,000.00

Terms & Conditions Link(s)

Terms and Conditions (Click to download)
Terms & Conditions (www.siemens.com/download?A6V10946842)

As a result of the global Covid-19 Virus outbreak, temporary delays in delivery, labor or services from Siemens and its sub-suppliers or subcontractors may occur. Among other factors, Siemens' delivery is subject to the correct and punctual supply from sub-suppliers or subcontractors, and Siemens reserves the right to make partial deliveries or modify its labor or services. While Siemens shall make every commercially reasonable effort to meet the delivery or service or completion date mentioned above, such date is subject to change.

Attachment A

Riders (Click on rider below to download)
SI Monitoring Rider (www.siemens.com/download?A6V10946171)
SI Online Backup and Data Protection (www.siemens.com/download?A6V10946174)
SI UBM or Utility Procurement (www.siemens.com/download?A6V10946178)
SI Software License Warranty (www.siemens.com/download?A6V10946180)
SI Consulting Rider (www.siemens.com/download?A6V10946838)



Signature Page

Proposed by:

Siemens Industry, Inc.

Company

Bailee DePhelps

Name

5088848

Proposal #

\$92,000.00

Proposal Amount

August 07, 2020

Date

Accepted by:

CITY OF ANACORTES

Company

Name (Printed)

Signature

Title

Date

Purchase Order #



City Council Contract Agenda Bill

Meeting Date: 3/8/2021 **Agenda Item:** 4d

Subject: Contract Award – HVAC Control Systems Design CC Migration #21-052-FAC-001

Staff Contact: Fred Buckenmeyer

Approved for Submittal to Council by:
Darcy Swetnam, City Attorney

Action Type: Contract Award

Summary Statement: City staff seeks City Council consent to award a contract in the amount of \$100,096.00 to Siemens Industry, Inc. to migrate the City's HVAC Control System to the new Design CC Workstation.

Background:

1. **History:** For several years the City has used a Siemens Automation System for the City's HVAC Control System. The current system has been retired by Siemens and is no longer supported. The new Design CC Workstation system will reuse the currently installed field panel enclosures, wiring, programming and Sequence of Operations, and all of the end devices and associated sensors throughout the City's facilities.
2. **Key Terms:**
 - The contract term is through 9/30/21.
 - Contract is for a fixed price of \$100,096.00.
3. **Competitive Bidding:** Per Resolution 3023, competitive bidding requirements have been waived for the software purchase due to the purchase being clearly and legitimately limited to a single supplier.

Previous Council/Committee Action: Resolution 3023 to waive competitive bidding requirements was presented at the 3/8/21 Council meeting.

Competing Viewpoints Considered: N/A

Recommended Motion: I move that City Council authorize the Mayor to sign contract #21-052-FAC-001 with Siemens Industry, Inc. in the amount of \$100,096.00 to provide and perform the HVAC Control Systems Design CC Migration.

Alternative Actions: Not award the contract

Attachments: Contract #21-052-FAC-001

Contractor	Siemens Industry, Inc.
Contract Amount	\$100,096.00
BARS #	001.713.518.30.48
Budget Amendment Required?	No
Start Date	Contract execution
End Date	9/30/21



AGREEMENT 21-052-FAC-001

Between THE CITY OF ANACORTES AND SIEMENS INDUSTRY, INC.

HVAC Control Systems Desigo CC Migration

This Agreement, hereinafter referred to as "Agreement" or "Contract", made and entered into between the City of Anacortes, hereinafter referred to as the "City", and Siemens Industry, Inc., hereinafter referred to as the "Contractor";

1. **Scope of Work.** Under this Agreement, the Contractor will migrate the City's HVAC Control System to the new Desigo CC Workstation as detailed in Exhibit A Scope of Work, which is hereby incorporated by reference and made a part hereof. Work will be performed between Monday through Friday, exclusive of holidays, from approximately 8:00 a.m. to 5:00 p.m. Work shall be scheduled in advance with the Project Manager, Mac Jackson, who may be contacted at (360) 299-1961 or jacksonm@cityofanacortes.org.

2. **COVID-19 and Job Safety Requirements Compliance.** The Contractor, and its sub-Contractors of any tier, agree to comply with all current and future COVID-19 proclamations, regulations, requirements and/or related guidance issued by the Office of the Governor of Washington State as it may relate to City of Anacortes projects. Contractor shall comply with all Washington Department Labor and Industries safety standards while on the job.

3. **Price.** The services provided under this Agreement shall be for a firm fixed price of **One Hundred Thousand Ninety-Six Dollars (\$100,096.00)**, which includes \$8,096.00 in 8.8% sales tax.

4. **Exclusions.**

- a. Pricing excludes existing failed components.
- b. Pricing excludes repairs due to failed points or end devices outside of the above scope.
- c. During panel migrations, if mechanical equipment is required to run this must be managed by onsite staff.
- d. Provision for temporary heating and/or cooling is not included.
- e. Pricing assumes the existing wiring is intact, fully functional, and capable of supporting the updated panels.
- f. Pricing excludes support of Third Party System Commissioning.
- g. Pricing excludes Ethernet drops. To be provided by City.
- h. Pricing excludes static IP addresses. To be provided by City.
- i. Point renaming is excluded for FLN device sub points.
- j. Desigo Server and monitors to be provided by City.
- k. Removal of existing Insight Apogee system.
- l. Pricing excludes premium or overtime labor.

5. **Time of Completion.** The Contractor shall complete all work by September 30, 2021.

6. **Subcontracts.** The Contractor shall give notice in advance of placing any subcontract and will identify subcontracts before subcontracted work begins. "Subcontract" means any contract entered into by a sub-Contractor to furnish supplies or services for performance of the prime Contractor or a sub-Contractor. It includes, but is not limited to, purchase orders, and changes and modifications to purchase orders. The following information shall be included (i) a description of the supplies or services to be subcontracted, (ii) identification of the type of subcontract to be used (iii) identification of the proposed sub-Contractor, (iv) proposed subcontract price. Unless consent or approval specifically provides otherwise, consent by the City shall not constitute a determination –

- (1) of the acceptability of any subcontract terms or conditions;
- (2) Of the allowability of any cost under this Agreement,; or
- (3) To relieve the Contractor of any responsibility for performing this Agreement.

The Contractor shall give immediate written notice, reference Clause Notices, of any action or suit filed and prompt notice of any claim made against the Contractor by any sub-Contractor or vendor that, in the opinion of the Contractor, may result in litigation related in any way to this Agreement, with respect to which the Contractor may be entitled to reimbursement from the City.

7. **Taxes.** The City will pay sales and use taxes imposed on goods or services acquired hereunder as required by law. The Contractor must pay all other taxes including, but not limited to: Business and Occupation Tax, taxes based on the Contractor's gross or net income, or personal property to which the City does not hold title.

The City is exempt from Federal Excise Tax. Where applicable the City shall furnish a Federal Excise Tax Exemption certificate.

8. **Invoicing.** All invoices shall include: Company Name, Invoice Date, Due Date (30 days), Invoice Number, Invoice Period, Project Manager Name, Agreement Name and Number, Agreement Price, amount requested per invoice and cumulative invoiced amount. The Contractor must invoice at least monthly for quantities delivered during the invoice period, and allow 30 calendar days from receipt of the invoice for payment. Invoices may be sent by US mail to City of Anacortes, Accounts Payable, PO Box 547, Anacortes, WA 98221, or by email to accountspayable@cityofanacortes.org

The City shall notify the Contractor within fifteen (15) calendar days from receipt of invoice if there are any objections or disputes with the invoice. The Contractor shall then resubmit a new invoice less the disputed amount and payment shall be made within 30 calendar days. Any disputed amounts may be submitted under the Disputes clause contained herein.

9. **Withholding Payment.** In the event the City determines that the Contractor has failed to perform any obligation under this Contract within the times set forth in this Contract, then the City may withhold from amounts otherwise due and payable to Contractor the amount determined by the City as necessary to cure the default, until the Contracting Officer determines that such failure to perform has been cured. Withholding under this clause shall not be deemed a breach entitling Contractor to terminate or damages, provided that the City promptly gives notice in writing to the Contractor of the nature of the default or failure to perform, and in no case more than 8 days after it determines to withhold amounts otherwise due. A determination of the City Attorney set forth in such notice to the Contractor of the action required and/or the amount required to cure any alleged failure to perform shall be deemed conclusive, except to the extent that the Contractor acts within the times and in strict accord with the provisions of the Disputes clause of this Contract. The City may act in accordance with any determination of the City Attorney which has become conclusive under this clause, without prejudice to any other remedy under the Contract, to take all or any of the following actions: (1) cure any failure or default, (2) to pay any amount so required to be paid and to charge the same to the account of the Contractor, (3) to set off any amount so paid or incurred from amounts due to become due the Contractor. In the event the Contractor obtains relief upon a claim under the Disputes clause, no penalty or damages shall accrue to Contractor by reason of good faith withholding by the City under this clause.

10. **Final Payment: Waiver of Claim.** The Contractor's acceptance of final payment shall constitute a waiver of claims, except those previously and properly made and identified by the Contractor as unsettled at the time request for final payment is made.

11. **Warranty.** The Contractor shall return to the project and repair or replace all defects in workmanship and material discovered within one year after Final Acceptance of the Work, including any necessary labor and materials. The Contractor shall start work to remedy any such defects within 7 calendar days of receiving City's written notice of a defect, and shall complete such work within the time stated in the City's notice. In case of an emergency, where damage may result from delay or where loss of services may result, such corrections may be made by the City's own forces or another contractor, in which case the cost of corrections shall be paid by the Contractor. In the event the Contractor does not accomplish corrections within the time specified, the work will be otherwise accomplished and the cost of same shall be paid by the Contractor. When corrections of defects are made, the Contractor shall then be responsible for correcting all defects in workmanship and materials in the corrected work for one year after acceptance of the corrections by City. In addition, the Contractor shall obtain and submit to the City any necessary documentation to secure any extended manufacturer's warranty and warranty terms. This guarantee is supplemental to and does not limit or affect the requirements that the Contractor's work comply with the requirements of the Contract or any other legal rights or remedies of the City.

12. **Ownership and Use of Documents.** All finished and unfinished documents and material prepared by the Contractor with funds paid by the City pursuant to the terms of this Agreement shall become the property of the City and shall be forwarded to the City upon its request. Documents and materials shall include but not be limited to plans, specifications, reports, electronic and non-electronic data, and other design documents prepared by the Contractor. Pursuant to RCW 42.56.70, all information and documents produced under this Agreement may be subject to public disclosure.

13. **Defense and Indemnity Agreement.** The Contractor shall defend, indemnify and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. Should a court of competent jurisdiction determine that

this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, and volunteers, the Contractor's liability hereunder shall be only to the extent of the Contractor's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

14. Insurance.

A. Insurance Term: The Contractor shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, or employees.

B. No Limitation: Contractor's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of the Contractor to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

C. Minimum Scope of Insurance: Contractor shall obtain insurance of the types and coverages described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be as least as broad as Insurance Services Office (ISO) form CA 00 01.
2. Commercial General Liability insurance shall be at least as broad as ISO occurrences form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent Contractors and personal injury and advertising injury. The City shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.
3. Worker's Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

D. Minimum Amounts of Insurance: Contractor shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$2,000,000 each occurrence and \$2,000,000 general aggregate.

E. Other Insurance Provision: The Contractor's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the City. Any Insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Contractor's insurance and shall not contribute with it.

F. Acceptability of Insurers: Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

G. Verification of Coverage: Contractor shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Contractor before commencement of the work.

H. Notice of Cancellation: The Contractor shall provide the City with written notice of any policy cancellation within two business days of their receipt of such notice.

I. Failure to Maintain Insurance: Failure on the part of the Contractor to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days' notice to the Contractor to correct the breach, immediately terminate the contract, or at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Contractor from the City.

J. City Full Availability of Contractor Limits: If the Contractor maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Contractor, irrespective of whether such limits maintained by the Contractor are greater than those required by this Agreement or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Contractor.

15. **Registered or Licensed.** The City is prohibited from executing an Agreement with a Contractor who is not registered or licensed as required by the laws of the state. In addition, a City of Anacortes business license is required for any business working inside the city limits whose annual value of products, gross proceeds of sales, or gross income of the business in the city is more than \$2,000. Business licenses can be obtained through the State of Washington Department of Revenue (DOR) Business Licensing Service (BLS) at bls.dor.wa.gov.

16. **Inspection.** The Project Manager shall have power to reject instruments of services which fail to comply with the requirements of this Agreement, but in case of dispute the Contractor may appeal to the City Attorney, whose decision shall be final. The Contractor shall comply with any and all orders and instructions given by the representative of the particular Department administering the Agreement in accordance with the terms of the Agreement. Nothing herein contained shall be taken to relieve the Contractor of his/her obligations or responsibilities under the Agreement. However, the Contractor shall be responsible for its own methods and conduct during the period of performance.

17. **Standard of Care.** The Contractor represents that Contractor has the necessary knowledge, skill, and experience to perform the Services required by this Agreement. Contractor and any persons employed by Contractor shall use their professional skill and efforts to perform the Work in a professional manner consistent with sound engineering practices, in accordance with the usually and customary professional care required for services of the type described in the Scope of Work herein provided at the same time and in the same locale. The City's remedy for a failure to meet the above Standard of Care shall be the re-performance of the Service or an equitable adjustment in the monies paid for the Professional Services, at the City's discretion

18. **Discrimination Prohibited.** During the performance of this Agreement, the Contractor and subContractors shall not discriminate in violation of any applicable federal, state and/or local law or regulation on the basis of age, sex, race, creed, religion, color, national origin, marital status, disability, honorably discharged veteran or military status, pregnancy, sexual orientation, gender identity, or any other classification protected under federal, state, or local law. This provision shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, selection for training, and the provision of services under this Agreement. Contractor agrees to comply with the applicable provisions of State and Federal Equal Employment Opportunity and Nondiscrimination statutes and regulations.

19. **Contractor is an Independent Contractor.** The parties intend that an independent Contractor relationship will be created by this Agreement. No agent, employee or representative of the Contractor shall be deemed to be an agent, employee or representative of the City for any purpose. Contractor shall be solely responsible for all acts of its agents, employees, representatives and sub Contractors during the performance of this Agreement.

20. **Acceptance.** Contractor acknowledges and agrees that these General Provisions are incorporated in, and are a part of, each purchase order or other agreement relating to the provision of goods and/or related services by Contractor. These General Provisions supersede all conflicting or additional terms pre-printed on any purchase order, quote, or otherwise set forth on any release, acknowledgement, confirmation, requisition, work order, shipping instruction, specification and similar document or communication.

21. **No Third Party Beneficiary Rights.** This Agreement is not intended to and shall not be construed to give any Third Party any interest or rights (including, without limitation, any Third Party beneficiary rights) with respect to or in connection with any agreement or provision contained herein or contemplated hereby, except as otherwise expressly provided for in this Agreement.

22. **Right to Terminate Agreement.**

A. Termination for Default: If the Contractor defaults by failing to perform any of the obligations of the Agreement or becomes insolvent or is declared bankrupt or commits any act of bankruptcy or insolvency or makes an assignment for the benefit of creditors, the City may, by depositing written notice to the Contractor in the U.S. mail, postage prepaid, terminate the Agreement, and at the City's option, obtain performance of the work elsewhere. If the Agreement is terminated for default, the Contractor shall not be entitled to receive any further payments under the Agreement until all work called for has been fully performed. Any extra cost or damage to the City resulting from such default(s) shall be deducted from any money due or coming due to the Contractor. The Contractor shall bear any extra expenses incurred by the City in completing the work, including all increased costs for completing the work, and all damage sustained, or which may be sustained by the City by reason of such default. If a notice of termination for default has been issued and it is later determined for any reason that the Contractor was not in default, the rights and obligations of the parties shall be the same as if the notice of termination had been issued pursuant to the Termination for Public Convenience paragraph hereof.

B. Termination for Public Convenience: The City may terminate the Agreement in whole or in part whenever the City determines, in its sole discretion that such termination is in the best interests of the City. Whenever the Agreement is terminated in accordance with this paragraph, the Contractor shall be entitled to payment for actual work performed at unit Agreement prices for completed items of work. An equitable adjustment in the Agreement price for partially completed items of work will be made, but such adjustment shall not include provision for loss of anticipated profit on deleted or uncompleted work. Termination of this Agreement by the City at any time during the term, whether for default or convenience, shall not constitute a breach of Agreement by the City.

23. **Changes/Additional Work**. The City may engage Contractor to perform services in addition to those listed in this Agreement, and Contractor will be entitled to additional compensation for authorized additional services or materials. The City shall not be liable for additional compensation until and unless any and all additional work and compensation is approved in advance in writing and signed by both parties to this Agreement. If conditions are encountered which are not anticipated in the Scope of Services, the City understands that a revision to the Scope of Services and fees may be required. Provided, however, that nothing in this paragraph shall be interpreted to obligate the Contractor to render or the City to pay for services rendered in excess of the Scope of Services unless or until a modification to this Agreement is approved in writing by both parties.

24. **Non-waiver**. Waiver by the City of any provision of this Agreement or any time limitation provided for in this Agreement shall not constitute a waiver of any other provision.

25. **Non-assignable**. The services to be provided by the Contractor shall not be assigned or subcontracted without the express written consent of the City.

26. **Covenant Against Contingent Fees**. The Contractor warrants that he has not employed or retained any company or person, other than a bona fide employee working solely for the Contractor, to solicit or secure this Agreement, and that he has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the Contractor, any fee, commission, percentage, brokerage fee, gifts, or any other consideration contingent upon or resulting from the award of making of this Agreement. For breach or violation of this warranty, the City shall have the right to annul this Agreement without liability or, in its discretion to deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

27. **Disputes**

A. General: Differences between the Contractor and the City, arising under and by virtue of this Agreement shall be brought to the attention of the City at the earliest possible time in order that such matters may be settled or other appropriate action promptly taken. The provisions of this Clause shall survive the expiration or termination of this Agreement.

B. Notice of Potential Claims: The Contractor shall not be entitled to additional compensation which otherwise may be payable, or to extension of time for (1) any act or failure to act by the Contracting Agent or the City, or (2) the happening of any event or occurrence, unless the Contractor has given the City a written Notice of Potential Claim within 10 days of the commencement of the act, failure, or event giving rise to the claim, and before final payment by the City. The written Notice of Potential Claim shall set forth the reasons for which the Contractor believes additional compensation or extension of time is due, the nature of the cost involved, and insofar as possible, the amount of the potential claim. Contractor shall keep full and complete daily records of the Work performed, labor and all costs and additional time claimed to be additional.

C. Detailed Claim: The Contractor shall not be entitled to claim any such additional compensation, or extension of time, unless within 30 days of the accomplishment of the portion of the work from which the claim arose, and before final payment by the City, the Contractor has given the City a detailed written statement of each element of cost or other compensation requested and of all elements of additional time required, and copies of any supporting documents evidencing the amount or the extension of time claimed to be due.

D. Dispute Resolution: In the event of a dispute between the City and the Contractor arising of this Agreement, or any obligation hereunder the dispute shall first be referred to the representatives designated by the City and the Contractor to have oversight over the administration of this Agreement. Said representatives shall meet within thirty (30) calendar days of receipt of detailed claim, and the parties shall make a good faith effort to achieve a resolution of the dispute. In the event the parties are unable to resolve the dispute under the procedure set forth above, then the parties hereby agree that the matter shall be referred to mediation. The parties shall mutually agree upon a mediator to assist them in resolving their differences. Any expenses incidental to mediation shall be borne equally by the parties. If either party is dissatisfied with the outcome of the mediation, that party may then pursue any available judicial remedies.

28. **Force Majeure.** Neither party shall be liable to the other or deemed in breach or default for any failure or delay in performance under this Agreement during the time and to the extent its performance is prevented by reasons of Force Majeure. For the purposes of this Agreement, Force Majeure means an occurrence that is beyond the reasonable control of and without fault or negligence of the party claiming force majeure and which, by exercise of due diligence of such party, could not have been prevented or overcome. Force Majeure shall include natural disasters, including fire, flood, earthquake, windstorm, avalanche, mudslide, and other similar events; acts of war or civil unrest when an emergency has been declared by appropriate governmental officials; acts of civil or military authority; freight embargoes; epidemics; quarantine restrictions; labor strikes; boycotts; terrorist acts; riots; insurrections; explosions; and nuclear accidents. A party claiming suspension or termination of its obligations due to force majeure shall give the other party prompt written notice, but no more than two (2) working days after the event, of the impediment and its effect on the ability to perform; failure to provide such notice shall preclude recovery under this provision. Such delay shall cease as soon as practicable and written notification of same shall be provided. The time of completion shall be extended by Agreement modification for a period of time equal to the time that the results or effects of such delay prevented the delayed party from performing in accordance with this Agreement. Rights Reserved: The City reserves the right to cancel the Agreement and/or purchase materials, equipment or services from the best available source during the time of force majeure, and Contractor shall have no recourse against the City

29. **Compliance with Laws.** The Contractor in the performance of this Agreement shall comply with all applicable Federal, State or local laws and ordinances, including regulations for licensing, certification and operation of facilities, programs and accreditation, and licensing of individuals, and any other standards or criteria as described in the Agreement to assure quality of services. The Contractor specifically agrees to pay any applicable business and occupation (B&O) taxes, which may be due on account of this Agreement.

30. **Severability.** If any term or condition of this Agreement or the application thereof to any person(s) or circumstances is held invalid, such invalidity shall not affect other terms, conditions or applications which can be given effect without the invalid term, condition or application. To this end, the terms and conditions of this Agreement are declared severable.

31. **Governing Law.** This Agreement shall be governed by and construed under the laws of the State of Washington. Any action brought under the Agreement or relating to the Project shall be brought in the Superior Court of the State of Washington in Skagit County Washington.

32. **Survival of Agreement Termination.** The articles relating to Defense and Indemnity, Taxes, Ownership and Use of Documents, the City's Right to Terminate Agreement, Governing Law, and Disputes, shall survive completion of the services, payment in full of the compensation and termination of this Agreement.

33. **Notices.** Receipt of any notice shall be deemed effective three days after deposit of written notice in the U.S. mail, with proper postage and properly addressed. Notices shall be sent to the following addresses:

CITY:

City of Anacortes
Tiffany Matson
904 6th Street
PO Box 547
Anacortes, WA 98221

CONTRACTOR:

Siemens Industry, Inc.
Bailee DePhelps
15900 SE Eastgate Way, Suite 200
Bellevue, WA 98008

The parties acknowledge that there has been an opportunity to negotiate the terms and conditions of this Agreement and agree to each bind itself, its partners, successors, assigns, and legal representatives to the other party hereto, in respect of all covenants, agreements, and obligations contained in the Contract Documents. Each of the persons signing below on behalf of any party hereby represents and warrants that s/he or it is signing with full and complete authority to bind the party on whose behalf of whom s/he or it is signing, to each and every term of this Agreement.

CITY OF ANACORTES

SIEMENS INDUSTRY, INC.

By _____
Laurie Gere, Mayor

By _____

Date _____

Title _____

Date _____

Scope of Work

The Field Panel Migration Scope of Work consists of the following:

The MBC product line was retired in 2008 with end of service support in 2015. The MEC product line was retired in 2010 with end of service support in 2017. Replacement parts for the MBC were available until 2015 and for the MEC until 2017. The direct migration for these products is a PXC Modular and is designed to be installed inside the existing enclosure. Partnering with Siemens, downtime will be minimal as we perform migrations on a regular basis with the intention of minimizing downtime while continuing to provide quality service and professionalism.

1. Siemens will replace (2) MBCs and (1) MEC - (3) total - with new PXC Modular panels equipped with the necessary TX I/O modules to accommodate the existing point count.
2. Siemens will use migration kits to allow for the reuse of the existing enclosures.
3. Where HOA currently exists in digital and analog output points, the new TX I/O Module will come equipped with HOA capability as well.
4. The existing sequence of operations will be reused as no programming modifications are to be made during the migration process.
5. Siemens will startup and checkout the new panels.
6. Siemens will provide an updated panel point layout for each panel migrated in this scope of work.

The Desigo CC Migration Scope of Work consists of the following:

Workstation – Hardware	Quantity
Computer Server upgraded - Provided by City of Anacortes	0
Peripheral devices upgraded (monitors, printers, etc.)	0

Workstation – Software	Quantity
Desigo CC installed on server	1
Insight databases migrated to Desigo CC	1

Workstation – Database Customization	Quantity
Field panel networks connected to Desigo CC	3
Field panel controllers connected to Desigo CC	3
FLN devices connected to Desigo CC	85
Physical IO points added to Desigo CC	25%

User accounts added to Desigo CC - added 2 for a total of 3	2
Points Renamed and added to Desigo CC	50
Trend views migrated to Desigo CC	10 per panel
Custom reports created for Desigo CC	2
Points migrated to Remote Notification	60
User defined views created for Desigo CC	2

Graphics	Quantity
Graphics converted directly from Insight to Desigo CC	0
Graphics upgraded for Desigo CC	104
New graphics created for Desigo CC	0

Training	Quantity
On Site Training -- Number of hours delivered for Desigo CC transition Number of personnel to be trained on Desigo CC	8 hours onsite by Siemens Technician
Formal Classroom Training – Number of classes Number of personnel to attend	0

Other	Quantity
Project management, design, start-up & Programming	



City Council Agenda Bill

Meeting Date: March 8, 2021

Agenda Item: 5.a.

Agenda Item Title: Bayside Marina Replacement - SDP-2020-0002

Staff Contact(s): TESS COOPER

Approved for Submittal to Council by **Action Type**

TESS COOPER

Closed Record Decision Hearing

DON MEASAMER

Item Summary: The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed, and new floating docks using the EnviroCrete® System.

Budget Impact:

N/A

Previous Action: Planning Commission Recommended approval on [February 10, 2021](#)

Recommended Motion: Approve with Conditions

Alternative Actions: Continue or deny.

Attachments (listed in order presented):

1. CC Findings, Conclusions, Conditions
2. 02102021 PC Recommendation Signed
3. 02102021 PC Packet
4. Additional comment received for PC Hearing
5. 02102021 SDP 2020-0002 Presentation PC
6. 02102021 draft PC Minutes
7. SDP 2020-0002 Presentation CC



Anacortes Planning, Community & Economic Development Department

904 6TH Street / P.O. Box 547, Anacortes, WA 98221

360.299-1984 - Office Hours: Mon-Fri 8:00 AM – 5:00 PM

DRAFT - CITY COUNCIL FINDINGS OF FACT, CONCLUSIONS, & DECISION

A. PROJECT SUMMARY DATA

PROJECT INFORMATION:

File Number	SDP-2020-0002						
Project Title	Bayside Moorage Marina						
Site Address	2410 Skyline Way, Anacortes WA 98221						
APN(s)	P32370	Section	27	Township	35N	Range	01E
Request	The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed, and new floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed to the Bayside Moorage Marina for installation. The existing pier and ramps will be reused and re-decked with new grating. This project is a like for like replacement within the existing footprint, using contemporary designs to reduce the environmental impact.						
Landowner & Applicant	Jeff Wright 1910 Fairview Ave, Suite 500, Seattle, WA 98102		Bob Bergquist, Marine Floats Corporation 1208 E. “D” St, Tacoma, WA 98421				
Application Date	September 23, 2020	Complete Application Date		November 6, 2020			
Public Hearing Date	February 10, 2021						
Present Use of Property	Commercial Marina						
Comprehensive Plan Designation	Marine Mixed-Use	Zoning:	Marine Mixed-Use				
Shoreline Environment	Aquatic	Critical Areas	Fish and Wildlife Habitat Conservation Area Frequently Flooded Areas				
Water Supply	Current	Proposed	Sewer Supply		Current		Proposed
	City	N/A			City		N/A

Staff Recommendation **Recommend that Planning Commission recommend approval with conditions to City Council**

Planning
Commission Approve, with conditions
Recommendation

CITY STAFF CONTACTS:

Name:	Title:	Phone:	E-mail:
Tess Cooper	Senior Planner	(360) 588-8234	tessc@cityofanacortes.org

PROJECT LOCATION & SURROUNDING AREA



B. PROCEDURAL

1. **Type of Review.** The application for Shoreline Substantial Development Permit is a Type 4 City Council Decision as a project over \$1,000,000 value.
2. **Project history.** A mandatory preapplication meeting was held on June 2, 2020. A neighborhood meeting was held on August 5, 2020. The formal application was submitted on September 23, 2020 and determined complete on November 6, 2020.
3. **Public Notice and Public Hearing.** A notice of application with a 30-day public comment period ending on December 11, 2020 was published in the Anacortes American, posted on the project site and mailed to property owners within 300’.

Notice of Application:	November 11, 2020
Notice of Public Hearing:	January 20, 2021
Open-record Public Hearing:	February 10, 2021
Close-record Decision Hearing:	March 8, 2021

4. **Reviewing departments/agencies.** The project application was routed for review to applicable agencies and City departments.

REVIEWING DEPARTMENTS & AGENCIES:				
City of Anacortes	Local Agencies & Districts	State & Federal	Skagit County	Other
☒ Building ☒ Fire Dept. ☒ Parks ☒ Planning ☒ Police ☒ Public Works ☒ Operations	☐ Skagit Transit ☐ Anacortes School District 103 ☐ Port of Anacortes	☒ DOE ☒ WDFW ☒ WSDOT ☒ DNR ☒ DAHP	☐ Health District ☐ Planning ☐ Public Works	☒ Swinomish Tribe ☒ Samish Tribe ☒ Upper Skagit Tribe
X = Request for review/comments sent to department or agency.				

5. Environmental review. A SEPA Mitigated Determination of Nonsignificance (MDNS) was issued for the proposal on January 13, 2021 after utilizing the optional SEPA DNS process identified in WAC 197-11-355. (Exhibit 7)
6. Public Hearing. A pre-decision open record public hearing before the Planning Commission was held on February 10, 2021 at 6:00 PM. A notice of public hearing was published in the Anacortes American on January 20, 2020, posted on the project site, mailed to property owners within 300' and parties of record on January 20, 2021. At the public hearing the following members of the public provided testimony: Jerry Rutledge.
7. Planning Commission Recommendation. Following the close of the public hearing and deliberations, the Planning Commission voted to recommend approval of the moorage marina replacement and Shoreline Substantial Development permit subject to the staff-recommended conditions.
8. Closed Record Decision Hearing. The City Council held a closed record decision hearing on March 8, 2020. The following parties of record provided testimony at the closed record decision hearing: -

C. DEPARTMENT REVIEW – Findings of Fact

Proposal

1. Jeff Wright and Bob Bergquist, applicant and agent, have requested SEPA review, and shoreline substantial development approval for a residential private dock in Flounder Bay. (Exhibit 3)

2. The applicant proposes the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed as well as new floating marina (7,968 sq ft).

Location and Existing site conditions

3. The project site is located at the terminus of Skyline Way, on Assessor Parcel Number P32370. It extends approximately 200 feet north of the shoreline Flounder Bay, at the eastern tip of the spit.
4. An existing moorage marina and associated parking and outbuildings are currently located on the property with access from Skyline Way. The only the existing dock/float structures and pilings are proposed to be removed and replaced.
5. The entirety of the project footprint is located waterward of the Ordinary High Water Mark (OHWM).

Zoning and Form /Intensity Standards

6. The property is zoned Marine Mixed-Use (MMU). The proposed use is consistent with the MMU zoning designation within the Anacortes Municipal Code as well as the Comprehensive Plan designation of Marine Mixed-Use.

Consideration of written comments and applicant responses.

1. The notice of application public comment period ended on December 11, 2020. One public comment was received during this time and one Agency Comment was received. Additionally, one comment was provided during the Open-record Public Hearing held on February 10, 2021. Concerns identified in the public comments are summarized and responses provided below (Exhibit 6):

Issue	Response
One MTCS is identified in the area.	The proposal includes no ground disturbing activities shoreward of the OHWM, and the like for like replacement should not impact the site.
Concerns were raised about missing species from the SEPA checklist and the noise/vibration impact to the neighboring condos.	The applicant has revised the checklist to incorporate the species of concern. The noise and vibration will be limited to daylight construction windows and vibrations are not expected to have an impact.
Concerns were raised about the impact of construction traffic, noise, and vibration to the adjacent neighboring condos.	The contractor sufficiently responded to the concern providing testimony about the timing and duration of noise and vibration related to the pile driving activity and reported that the duration will be minimal and not night time work is expected. Additionally, equipment and materials will be brought in by barge only vehicular traffic will be staff and this will be substantially less than that of normal marina operation.

D. CONCLUSIONS

- A. Anacortes Municipal Code Chapter 19.32 and the Shoreline Master Program provide certain criteria for approval of a marina moorage facility. Below are the criteria, along with conclusions:
- B. Property notice for the public hearing has been provided. Notice was posted on the property and published in the Anacortes American newspaper on January 20, 2021, more than 15 days prior to the date of the hearing.
- C. SHORELINE MANAGEMENT ACT (RCW 90.58):
 - 1. Proposed development lies within two hundred (200) feet of a shoreline of statewide significance (RCW 90.58.030(2)(f)) and is therefore subject to conformance with the City of Anacortes' Shoreline Master Program (SMP).
 - 2. The subject proposal is located mostly in the Aquatic Shoreline Environment Designation with a small portion of proposed upland improvements occurring in the Urban Shoreline Environment Designation.
 - 3. According to Table 5.1 of the SMP docks, piers, and floats (private) are permitted in the Urban and Aquatic Shoreline Environment Designations.
 - 4. The subject proposal is not exempt from obtaining an approved Shoreline Substantial Development Permit (SSDP) per WAC § 173.27.040. Accordingly, on September 23, 2020, the City of Anacortes' Department of Planning, Community, & Economic Development received the subject application from the applicant.
 - 5. According to AMC 19.20.030-1 and 18.16.100(B) shoreline substantial development permit applications for projects valued greater than \$1 million or on sites of 3-acres or more are considered a Type 4 type of review. For type 4 reviews, the Planning Commission makes a recommendation for final decision to City Council regarding the subject shoreline substantial development permit. The applicant states that the value of this project will \$1,475,690.00.
 - 6. The purpose of the "Urban" shoreline designation is to provided for commercial, industrial, and recreational uses that are consistent with the Shoreline Management Act, this Master Program, while seeking the opportunity for he protection and restoration of ecological functions.
 - 7. The purpose of the "Aquatic" shoreline designation "is to protect, restore, and manage the unique characteristics and resources of marine waters, including habitat, ecology, navigation and public enjoyment."
 - 8. Water Dependent uses within both the Urban and Aquatic Shoreline Environment Designations have a zero (0) foot setback as measured from the ordinary high water mark (OHWM) pursuant to SMP Table 5.2.
 - 9. According to SMP DR5.10.8, "Developments consisting of water-dependent scientific, historical, industrial, cultural, or educational research uses, public access, water oriented recreation and ecological restoration are not required to meet the shoreline setback requirements, nor are piers, ramps, or docks."

D. The subject shoreline permit was reviewed for conformance with Section 9.5 of the Shoreline Master Program that regulates docks, floats and piers. Accordingly, the following development regulations (DR) were reviewed for conformance with as follows:

1. According to Policy 9.5.1 Limit docks, piers and floats to those required as part of a permitted water-dependent use; those operated by the City, the Port of Anacortes, Washington State Ferries, or those otherwise provided for public use.

Conclusion: The applicant is a commercial moorage facility and water-dependent use providing service to the public.

2. According to Policy 9.5.5, Ensure that docks, piers and floats are: Designed and maintained to mitigate adverse impacts to the environment such as eelgrass beds and fish habitats shoreline aesthetics and minimize interference with the public use of the water.

Conclusion: The applicant submitted a Habitat Survey dated July 16, 2020 prepared by Marine Surveys & Assessment that addresses the presence or absence of protected species and potential impacts to aquatic ecological processes and functions. As conditioned below, the applicant will comply with all recommendations of this biological evaluation.

3. According to DR-9.5.4, the design, location, and construction of docks (and floats), and piers, as well as their subsequent use and operation, shall meet the following:
 - a. Minimize adverse effects on fish, shellfish, wildlife, water quality, and geohydraulic processes. Methods include, but are not limited to: limiting the footprint of the structure to that which is necessary to serve the intended water-dependent use and minimizing the use of materials hazardous to the environment.
 - b. Be capable of withstanding expected environmental conditions.
 - c. Minimize hazards to users.
 - d. Minimize interference with adjacent water uses and navigation.”

Conclusion: The applicants proposal includes mitigation techniques for improving environmental impacts, the project will remove all creosote piles and replace them with steel piles as well as replace all solid decking with light penetrating gridded decking.

3. According to DR-9.5.5, “All docks, piers, and floats shall adhere to the following design standards:
 - a. Railings, if provided, shall be of clear or open framework design and conform to the Building Code where applicable.
 - b. Utility service on docks and piers shall be placed on or under the deck. Overhead utility service is prohibited. Floodlighting shall be shielded to prevent unnecessary glare.
 - c. Appropriate marking shall be provided as necessary to avoid hazardous conditions for water surface users.
 - d. Piers, docks, and floats shall be constructed or materials that comply with requirements of federal and state regulations. Treated wood materials may be utilized on pilings in repair projects for timber structures, provided the BMPs for the use of Treated Wood in Aquatic and Sensitive Environments, Western Wood

Preservers Institute /Wood Preservation Canada/Southern Pressure Treaters' Association/Timer Pilings Council, are specified and met. The conditions found in An Agreement Concerning the Use of Treated Wood in Aquatic Areas between Ecology and Department of State Fish and Wildlife dated August 1995, also fulfill this requirement. However, use of treated wood should be minimized wherever practicable.

Conclusion: The proposal incorporates appropriate design and the use of building materials that meet these standards as conditioned below, the subject proposal will meet DR-9.5.5 of the SMP.

- E. The subject proposal is consistent with the Washington State's Shoreline Management Act, City of Anacortes' 2010 Shoreline Master Program and development regulations listed therein for developments within the "Urban" and "Aquatic" shoreline environment designations.
- F. Any other factors deemed relevant to the decision-maker.

Conclusion: No other relevant factors have been identified.

E. DECISION

Based upon the application, Findings of Fact, and Conclusions of Law, City Council _____ the cottage housing site plan and preliminary unit lot subdivision with the following conditions of approval:

1. The scope of the project shall not exceed that as set-out in the shoreline permit application, and in accordance with the determinations made and conditions imposed. **Exhibit 4** shall be the approved site plan.
2. A FEMA Floodplain Habitat Assessment Report must be submitted and building permit(s) with the City of Anacortes' shall be secured prior to work.
3. All applicable permits (local, state, & federal) shall be secured before any construction activities begin onsite and copies provided to the City of Anacortes' PCED.
4. Development shall comply with the mitigation measures as listed in the SEPA Mitigated Determination of Non-Significance (MDNS) issued on January 13, 2021.
5. Hours of construction /work are limited to 7:00 AM to 10:00 PM seven (7) days a week unless a noise variance is obtained.
6. Noise levels shall not to exceed those standards as established by the state pursuant to Chapter 70.107 RCW and contained in Chapter 173.60 WAC.
7. The applicant /landowner shall comply with federal statutes including but not limited to: Endangered Species Act, Clean Water Act, Marine Mammal Protection Act, and other federal statutes.
8. The project shall comply with all applicable Shoreline Master Program regulations, including but not limited to, Section 5.6 Aquatic Environment, Section 5.10 Urban Environment, Chapter 5, Shoreline Environments & Associated Policies and Regulations, Chapter 6 Environmental Protection General Regulations, Chapter 8 Specific Use Policies and Development Regulations, and Chapter 9 Specific Shoreline Modification Policies and Development Regulations.
9. Development shall comply with AMC § 18.16.130 regulating the time limit for shoreline permits as follows:
 - A. Construction, or substantial progress toward completion, must begin within two (2) years after approval of the permit. Substantial progress toward construction shall include, but not

limited to, the letting of bids, making of contracts, purchasing of materials involved in development, but shall not include development or uses which are inconsistent with the Shoreline Management Act or the city's master program. In determining the running two-year period hereof, there shall not be included the time during which development was not actually pursued by construction and the pendency of litigation reasonably related thereto made it reasonable not to so pursue; provided, that the city may, in its discretion, extend the two-year time period for a reasonable time based on factors, including the inability to expeditiously obtain other governmental permits which are required prior to the commencement of construction.

B. Five-Year Permit Authorization: If construction has not been completed within five years of approval by the City of Anacortes, the city will review the permit, with prior notice to parties of record, and, upon showing of good cause, either extend the permit for one additional year, or terminate the permit. Prior to the city authorizing any permit extensions, it shall notify any parties of record and the Department of Ecology. Note: Only one single extension is permitted.

INTRODUCED, PASSED, AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ANACORTES on this 9th Day of March 2021.

CITY OF ANACORTES, WASHINGTON

Laurie M. Gere, Mayor

Approved as to form and legality:

Attest:

Darcy Swetnam, WSBA #40530
City Attorney

Steve D. Hoglund, City Clerk/Treasurer

Judicial Appeal:

Per AMC 19.20.030.1 and 19.20.240.A, there is no further administrative appeal available for this decision. Appeals of the decision may be made to Superior Court pursuant to Chapter 36.70C RCW.

Exhibit List

1	Staff Report
2	Vicinity Map
3	Shoreline Substantial Development Permit Application Materials
4	Approved Site Plan
5	Notices
6	Agency/Public Comments
7	Issued SEPA DNS

8	Additional Public Comment Received
9	Planning Commission Recommendation

DRAFT



DRAFT

**Anacortes Planning Commission
Findings of Fact, Conclusions of Law and Recommendation**

File Number:	SDP-2020-0002
Project Name:	Bayside Moorage Marina
Proposal Description:	The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed, and new floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed to the Bayside Moorage Marina for installation. The existing pier and ramps will be reused and re-decked with new grating. This project is a like for like replacement within the existing footprint, using contemporary designs to reduce the environmental impact.
Documents available at:	City Hall, Planning Community & Economic Development Department
Public hearing:	Anacortes Planning Commission
Public hearing date:	February 10, 2021
PC deliberations:	February 10, 2021
Decision body	Anacortes City Council
Closed Record Hearing date:	March 8, 2021 6:00 PM

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, conclusions of law, and recommendation:

Findings of Fact & Conclusions of Law

1. The Staff report dated February 3, 2021 accurately describes the project proposal and is hereby incorporated by reference. (Exhibit 1)
2. The following members of the public provided testimony during the public hearing:
 - a. Jerry Rutledge
3. The following additional exhibits were entered into the record at the public hearing:
 - a. Public Comment Bayside East Condominium Owners

4. The following additional Findings of Fact and/or Conclusions of Law are entered:

a. None

Recommendation

Based on the foregoing findings and conclusions of law, and review of the City's regulatory authority to implement the policies, standards, and regulations of the Anacortes Municipal Code, the Planning Commission hereby makes the following recommendation regarding the subject Shoreline Substantial Development Permit:

- ☒ Approve with Conditions
- ☐ Approve
- ☐ Deny

Subject to staff's recommended conditions in the Staff Report dated February 3, 2021:

1. The scope of the project shall not exceed that as set-out in the shoreline permit application, and in accordance with the determinations made and conditions imposed. Exhibit 4 shall be the approved site plan.
2. A FEMA Floodplain Habitat Assessment Report must be submitted and building permit(s) with the City of Anacortes' shall be secured prior to work.
3. All applicable permits (local, state, & federal) shall be secured before any construction activities begin onsite and copies provided to the City of Anacortes' PCED.
4. Development shall comply with the mitigation measures as listed in the SEPA Mitigated Determination of Non-Significance (MDNS) issued on January 13, 2021.
5. Hours of construction /work are limited to 7:00 AM to 10:00 PM seven (7) days a week unless a noise variance is obtained.
6. Noise levels shall not to exceed those standards as established by the state pursuant to Chapter 70.107 RCW and contained in Chapter 173.60 WAC.
7. The applicant /landowner shall comply with federal statutes including but not limited to: Endangered Species Act, Clean Water Act, Marine Mammal Protection Act, and other federal statutes.
8. The project shall comply with all applicable Shoreline Master Program regulations, including but not limited to, Section 5.6 Aquatic Environment, Section 5.10 Urban Environment, Chapter 5, Shoreline Environments & Associated Policies and Regulations, Chapter 6 Environmental Protection General Regulations, Chapter 8 Specific Use Policies and Development Regulations, and Chapter 9 Specific Shoreline Modification Policies and Development Regulations.

9. Development shall comply with AMC § 18.16.130 regulating the time limit for shoreline permits as follows:

A. Construction, or substantial progress toward completion, must begin within two (2) years after approval of the permit. Substantial progress toward construction shall include, but not limited to, the letting of bids, making of contracts, purchasing of materials involved in development, but shall not include development or uses which are inconsistent with the Shoreline Management Act or the city's master program. In determining the running two-year period hereof, there shall not be included the time during which development was not actually pursued by construction and the pendency of litigation reasonably related thereto made it reasonable not to so pursue; provided, that the city may, in its discretion, extend the two-year time period for a reasonable time based on factors, including the inability to expeditiously obtain other governmental permits which are required prior to the commencement of construction.

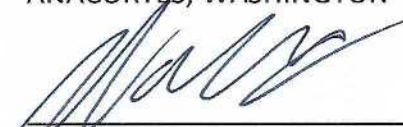
B. Five-Year Permit Authorization: If construction has not been completed within five years of approval by the City of Anacortes, the city will review the permit, with prior notice to parties of record, and, upon showing of good cause, either extend the permit for one additional year, or terminate the permit. Prior to the city authorizing any permit extensions, it shall notify any parties of record and the Department of Ecology. Note: Only one single extension is permitted.

Additional Commissioner conditions of approval as listed below:

1. No additional conditions

Commission Vote	Support	Oppose	Absent	Abstain
Frank Jeretzky	1			
Mike Cortright	1			
Sarah Ruether	1			
Gary Molyneaux	1			
Linda Martin			1	
Jeff Graf	1			
Ward MacKenzie	1			
Total	6	0	1	0

ANACORTES PLANNING COMMISSION
ANACORTES, WASHINGTON


Ward MacKenzie, Planning Commission Chair

02/10/21
Date



Planning Commission Agenda Bill

Meeting Date: February 10, 2021 **Agenda Item:** D.1.

Subject: Open Record Pre-decision Hearing - SDP-2020-0002 Bayside Moorage Marina

Staff Contact: TESS COOPER

Approved for Submittal to Commission by

TESS COOPER

LIBBY GRAGE

Action Type

Public Hearing

Summary Statement: The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed, and new floating docks using the EnviroCrete® System

Background: Pre-App-2020-0013, June 2, 2020 and Neighborhood Meeting August 5, 2020.

Previous Action: N/A

Competing Viewpoints Considered: N/A

Recommended Motion: Approve with Conditions

Alternative Actions: N/A

Attachments (listed in order presented):

1. DRAFT-PC-Decision
2. 1 - StaffReport
3. 2 - Vacinity Map
4. 3 - Application Packet
5. 4 - Approved Site Plan
6. 5 - Notices
7. 6 - Comments
8. 6 - Public Comments
9. 7 - Signed SEPA determination



DRAFT
Anacortes Planning Commission
Findings of Fact, Conclusions of Law and Recommendation

File Number:	SDP2020-0002
Project Name:	Bayside Moorage Marina
Proposal Description	The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). For the galvanized steel piling will be installed, and new floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed to the Bayside Moorage Marina for installation. The existing pier and ramps will be reused and re decked with new grating. This project is a like for like replacement in in the existing footprint, using contemporary designs to reduce the environmental impact.
Documents available at	City Hall Planning Community & Economic Development Department
Public hearing:	Anacortes Planning Commission
Public hearing date:	February 10, 2021
PC deliberations:	February 10, 2021
Decision body	Anacortes City Council
Closed Record Hearing date:	March 8, 2021 6:00 PM

After considering the written and spoken comments and considering the record before it, the Planning Commission enters the following findings of fact, conclusions of law, and recommendation

Findings of Fact & Conclusions of Law

1. The Staff report date ~~date~~ February 3, 2021 accurately describes the project proposal and is hereby incorporated by reference (Exhibit 1)
2. The following members of the public provided testimony during the public hearing:
 - a.
3. The following additional exhibits were entered into the record at the public hearing:
 - a.

4. The following additional Findings of Fact and/or Conclusions of Law are entered:

- a. _____
- b. _____
- c. _____

Recommendation

Based on the foregoing findings and conclusions of law, and review of the City's regulatory authority to implement the policies, standards, and regulations of the Anacortes Municipal Code, the Planning Commission hereby makes the following recommendation regarding the subject Shoreline Substantial Development Permit:

- ☒ Approve with Conditions
- ☐ Approve
- ☐ Deny

Subject to staff's recommended conditions in the Staff Report dated ___, 2021 and any additional Commissioner conditions of approval as listed below:

- 1. _____
- 2. _____
- 3. _____

Commission Vote	Support	Oppose	Absent	Abstain
Frank Jeretzky				
Mike Cortright				
Sarah Ruether				
Gary Molyneaux				
Linda Martin				
Jeff Graf				
Ward MacKenzie				
Total	0	0	0	0

ANACORTES PLANNING COMMISSION
ANACORTES, WASHINGTON

Ward MacKenzie, Planning Commission Chair

Date



Anacortes Planning, Community & Economic Development Department
 904 6TH Street / P.O. Box 547, Anacortes, WA 98221
 360.2991984- Office Hours: Mon-Fri 8:00 AM -5:00 PM

STAFF REPORT

A. PROJECT SUMMARY

PROJECT INFORMATION:

File Number	SDP2020-0002	Date of Report	February 3, 2020				
Project Title	Bayside Moorage Marina	Attachment					
Site Address	2410 Skyline Way, Anacortes WA 98221						
APN(s)	P32370	Section	27	Township	35N	Range 01E	
Request	The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-two galvanized steel piling will be installed, and new floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed to the Bayside Moorage Marina for installation. The existing pier and ramps will be reused and decked with new grating. This project is a like for like replacement within the existing footprint, using contemporary designs to reduce the environmental impact.						
Landowner & Applicant	Jeff Wright 1910 Fairview Ave, Suite 500, Seattle, WA 98102		Bob Bergquist, Marine Floats Corporation 1208 E. "D" St, Tacoma, WA 98421				
Application Date	September 23, 2020	Complete Application Date	November 6, 2020				
Public Hearing Date	February 10, 2021						
Present Use of Property	Commercial Marina						
Comprehensive Plan Designation	Marine Mixed-Use	Zoning:	Marine Mixed-Use				
Shoreline Environment	Aquatic	Critical Areas	Fish and Wildlife Habitat Conservation Area Frequently Flooded Areas				
Water Supply	Current City	Proposed N/A	Sewer Supply	Current City	Proposed N/A		
Staff Recommendation	Approve, with conditions						

CITY STAFF CONTACTS:

Name:	Title:	Phone:	E-mail:
Tess Cooper	Senior Planner	(360) 588-8234	tessc@cityofanacortes.org
Steve Lange	Public Works Engineering	360-293-1986	stevel@cityofanacortes.org

PROJECT LOCATION & SURROUNDING AREA

B. PROCEDURAL

1. **Type of Review.** The application for Shoreline Substantial Development Permit is a Type 4 City Council Decision as a project over \$1,000,000 value.
2. **Project history.** A mandatory preapplication meeting was held on June 2, 2020. A neighborhood meeting was held on August 5, 2020. The formal application was submitted on September 23, 2020 and determined complete on November 6, 2020.
3. **Public Notice and Public Hearing.** A notice of application with a 30-day public comment period ending on December 11, 2020 was published in the Anacortes American, posted on the project site and mailed to property owners within 300'.

Notice of Application:	November 11, 2020
Notice of Public Hearing:	January 20, 2021
Open-record Public Hearing:	February 10, 2021
Close-record Decision Hearing:	March 8, 2021

4. **Reviewing departments/agencies.** The project application was routed for review to applicable agencies and City departments.

REVIEWING DEPARTMENTS & AGENCIES:				
City of Anacortes	Local Agencies & Districts	State & Federal	Skagit County	Other
☒ Building ☒ Fire Dept. ☒ Parks ☒ Planning ☒ Police ☒ Public Works ☒ Operations	☐ Skagit Transit ☐ Anacortes School District 103 ☐ Port of Anacortes	☒ DOE ☒ WDFW ☒ WSDOT ☒ DNR ☒ DAHP	☐ Health District ☐ Planning ☐ Public Works	☒ Swinomish Tribe ☒ Samish Tribe ☒ Upper Skagit Tribe
X = Request for review/comments sent to department or agency.				

C. DEPARTMENT REVIEW – Findings of Fact

1. Jeff Wright and Bob Bergquist, applicant and agent, have requested SEPA review, and shoreline substantial development approval for a residential private dock in Flounder Bay. (Exhibit 3)
2. The applicant proposes the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed as well as new floating marina (7,968 sq ft).
3. The property is zoned Marine Mixed-Use (MMU). The proposed use is consistent with the MMU zoning designation within the Anacortes Municipal Code as well as the Comprehensive Plan designation of Marine Mixed-Use.
4. The project site is located at the terminus of Skyline Way, on Assessor Parcel Number P32370. It extends approximately 200 feet north of the shoreline Flounder Bay, at the eastern tip of the spit.
5. **Environmental review.** A SEPA Mitigated Determination of Nonsignificance (MDNS) was issued for the proposal on January 13, 2021 after utilizing the optional SEPA DNS process identified in WAC 197-11-355. (Exhibit 7)
6. **Consideration of written comments and applicant responses.** The notice of application public comment period ended on December 11, 2020. One public comment was received during this time and one Agency Comment was received. Concerns identified in the public comments are summarized and responses provided below (Exhibit 6):

Issue	Staff Response
One MTCS is identified in the area.	The proposal includes no ground disturbing activities shoreward of the OHWM, and the like for like replacement should not impact the site.
Concerns were raised about missing species from the SEPA checklist and the noise/vibration impact to the neighboring condos.	The applicant has revised the checklist to incorporate the species of concern. The noise and vibration will be limited to daylight construction windows and vibrations are not expected to have an impact.

In making its recommendation, the Department considered timely received written comments and the applicant's responses, if any, as required in AMC 19.20.130.C.

D. CONCLUSIONS

- A. Pursuant to AMC 19.20.030 and AMC 19.20.040.A, the Planning Commission has authority to make recommendation on the proposal after conducting a pre-decision open record public hearing. The proposal requires shoreline substantial development permit.
- B. Property notice for the public hearing has been provided. Notice was posted on the property and published in the Anacortes American newspaper on January 20, 2021, more than 15 days prior to the date of the hearing.
- C. SHORELINE MANAGEMENT ACT (RCW 90.58):
 1. Proposed development lies within two hundred (200) feet of a shoreline of statewide significance (RCW 90.58.030(2)(f)) and is therefore subject to conformance with the City of Anacortes' Shoreline Master Program (SMP).
 2. The subject proposal is located mostly in the Aquatic Shoreline Environment Designation with a small portion of proposed upland improvements occurring in the Urban Shoreline Environment Designation.
 3. According to Table 5.1 of the SMP docks, piers, and floats (private) are permitted in the Urban and Aquatic Shoreline Environment Designations.
 4. The subject proposal is not exempt from obtaining an approved Shoreline Substantial Development Permit (SSDP) per WAC § 173.27.040. Accordingly, on September 23, 2020, the City of Anacortes' Department of Planning, Community, & Economic Development received the subject application from the applicant.
 5. According to AMC 19.20.030-1 and 18.16.100(B) shoreline substantial development permit applications for projects valued greater than \$1 million or on sites of 3-acres or more are considered a Type 4 type of review. For type 4 reviews, the Planning Commission makes a recommendation for final decision to City Council regarding the subject shoreline substantial development permit. The applicant states that the value of this project will \$1,475,690.00.

6. The purpose of the "Urban" shoreline designation is to provided for commercial, industrial, and recreational uses that are consistent with the Shoreline Management Act, this Master Program, while seeking the opportunity for he protection and restoration of ecological functions.
 7. The purpose of the "Aquatic" shoreline designation "is to protect, restore, and manage the unique characteristics and resources of marine waters, including habitat, ecology, navigation and public enjoyment."
 8. Water Dependent uses within both the Urban and Aquatic Shoreline Environment Designations have a zero (0) foot setback as measured from the ordinary high water mark (OHWM) pursuant to SMP Table 5.2.
 9. According to SMP DR5.10.8, "Developments consisting of water-dependent scientific, historical, industrial, cultural, or educational research uses, public access, water oriented recreation and ecological restoration are not required to meet the shoreline setback requirements, nor are piers, ramps, or docks."
- D. The subject shoreline permit was reviewed for conformance with Section 9.5 of the Shoreline Master Program that regulates docks, floats and piers. Accordingly, the following development regulations (DR) were reviewed for conformance with as follows:
1. According to Policy 9.5.1 Limit docks, piers and floats to those required as part of a permitted water-dependent use; those operated by the City, the Port of Anacortes, Washington State Ferries, or those otherwise provided for public use.

Conclusion: The applicant is a commercial moorage facility and water-dependent use providing service to the public.
 2. According to Policy 9.5.5, Ensure that docks, piers and floats are: Designed and maintained to mitigate adverse impacts to the environment such as eelgrass beds and fish habitats shoreline aesthetics and minimize interference with the public use of the water.

Conclusion: The applicant submitted a Habitat Survey dated July 16, 2020 prepared by Marine Surveys & Assessment that addresses the presence or absence of protected species and potential impacts to aquatic ecological processes and functions. As conditioned below, the applicant will comply with all recommendations of this biological evaluation.
 3. According to DR-9.5.4, the design, location, and construction of docks (and floats), and piers, as well as their subsequent use and operation, shall meet the following:
 - a. Minimize adverse effects on fish, shellfish, wildlife, water quality, and geohydraulic processes. Methods include, but are not limited to: limiting the footprint of the structure to that which is necessary to serve the intended water-dependent use and minimizing the use of materials hazardous to the environment.
 - b. Be capable of withstanding expected environmental conditions.
 - c. Minimize hazards to users.
 - d. Minimize interference with adjacent water uses and navigation."

Conclusion: The applicants proposal includes mitigation techniques for improving environmental impacts, the project will remove all creosote piles and replace them with steel piles as well as replace all solid decking with light penetrating gridded decking.

3. According to DR-9.5.5, "All docks, piers, and floats shall adhere to the following design standards:

- a. Railings, if provided, shall be of clear or open framework design and conform to the Building Code where applicable.
- b. Utility service on docks and piers shall be placed on or under the deck. Overhead utility service is prohibited. Floodlighting shall be shielded to prevent unnecessary glare.
- c. Appropriate marking shall be provided as necessary to avoid hazardous conditions for water surface users.
- d. Piers, docks, and floats shall be constructed of materials that comply with requirements of federal and state regulations. Treated wood materials may be utilized on pilings in repair projects for timber structures, provided the BMPs for the use of Treated Wood in Aquatic and Sensitive Environments, Western Wood Preservers Institute /Wood Preservation Canada/Southern Pressure Treaters' Association/Timer Pilings Council, are specified and met. The conditions found in An Agreement Concerning the Use of Treated Wood in Aquatic Areas between Ecology and Department of State Fish and Wildlife dated August 1995, also fulfill this requirement. However, use of treated wood should be minimized wherever practicable.

Conclusion: The proposal incorporates appropriate design and the use of building materials that meet these standards as conditioned below, the subject proposal will meet DR-9.5.5 of the SMP.

- E. The subject proposal is consistent with the Washington State's Shoreline Management Act, City of Anacortes' 2010 Shoreline Master Program and development regulations listed therein for developments within the "Urban" and "Aquatic" shoreline environment designations.
- F. Any other factors deemed relevant to the decision-maker.

Conclusion: No other relevant factors have been identified.

E. RECOMMENDATION

Based upon the application, Findings of Fact, and Conclusions of the staff report, staff recommends that the Planning Commission recommend approval of the shoreline substantial development permit with the following conditions of approval:

1. The scope of the project shall not exceed that as set-out in the shoreline permit application, and in accordance with the determinations made and conditions imposed. **Exhibit 4** shall be the approved site plan.
2. A FEMA Floodplain Habitat Assessment Report must be submitted and building permit(s) with the City of Anacortes' shall be secured prior to work.

3. All applicable permits (local, state, & federal) shall be secured before any construction activities begin onsite and copies provided to the City of Anacortes' PCED.
4. Development shall comply with the mitigation measures as listed in the SEPA Mitigated Determination of Non-Significance (MDNS) issued on January 13, 2021.
5. Hours of construction /work are limited to 7:00 AM to 10:00 PM seven (7) days a week unless a noise variance is obtained.
6. Noise levels shall not to exceed those standards as established by the state pursuant to Chapter 70.107 RCW and contained in Chapter 173.60 WAC.
7. The applicant /landowner shall comply with federal statutes including but not limited to: Endangered Species Act, Clean Water Act, Marine Mammal Protection Act, and other federal statutes.
8. The project shall comply with all applicable Shoreline Master Program regulations, including but not limited to, Section 5.6 Aquatic Environment, Section 5.10 Urban Environment, Chapter 5, Shoreline Environments & Associated Policies and Regulations, Chapter 6 Environmental Protection General Regulations, Chapter 8 Specific Use Policies and Development Regulations, and Chapter 9 Specific Shoreline Modification Policies and Development Regulations.
9. Development shall comply with AMC § 18.16.130 regulating the time limit for shoreline permits as follows:
 - A. Construction, or substantial progress toward completion, must begin within two (2) years after approval of the permit. Substantial progress toward construction shall include, but not limited to, the letting of bids, making of contracts, purchasing of materials involved in development, but shall not include development or uses which are inconsistent with the Shoreline Management Act or the city's master program. In determining the running two-year period hereof, there shall not be included the time during which development was not actually pursued by construction and the pendency of litigation reasonably related thereto made it reasonable not to so pursue; provided, that the city may, in its discretion, extend the two-year time period for a reasonable time based on factors, including the inability to expeditiously obtain other governmental permits which are required prior to the commencement of construction.
 - B. Five-Year Permit Authorization: If construction has not been completed within five years of approval by the City of Anacortes, the city will review the permit, with prior notice to parties of record, and, upon showing of good cause, either extend the permit for one additional year, or terminate the permit. Prior to the city authorizing any permit extensions, it shall notify any parties of record and the Department of Ecology. Note: Only one single extension is permitted.

Staff reserves the right to supplement the record of the case to respond to matters and information raised subsequent to the writing of this report.

Exhibit List

1	Staff Report
2	Vicinity Map
3	Shoreline Substantial Development Permit Application Materials
4	Approved Site Plan
5	Notices
6	Agency/Public Comments
7	Issued SEPA DNS





PLANNING, COMMUNITY, & ECONOMIC DEVELOPMENT DEPARTMENT
Mailing Address: P.O. Box 547, Anacortes, WA 98221
Office Location: 904 6th Street, Anacortes WA 98821
Phone: (360) 299-1984

CITY OF ANACORTES

Planning, Community, &
Economic Development

Date Received:

9/18/2020

Master Land Use Permit Application

TYPE OF APPLICATION (check all that apply):

- | | | |
|---|--|--|
| ☐ Administrative Interpretation | ☐ Floodplain Development Permit | ☐ Short Subdivision (Preliminary) |
| ☐ Annexation Request | ☐ Home Occupation Permit | ☐ Site Plan Review – Type 1 |
| ☐ Binding Site Plan (Preliminary) | ☐ Long Subdivision (Preliminary) | ☐ Site Plan Review – Type 2 |
| ☐ Boundary Line Adjustment (BLA) | ☐ Lot Certification | ☐ Stormwater Management Manual Adjustments & Exceptions |
| ☐ Comprehensive Plan/ Map Amendment Request | ☐ Minor Permit Revision | ☐ Variance (Level 1) |
| ☐ Conditional Use Permit (CUP) per AMC 19.36 | ☐ Plat Amendment /Modification | ☐ Variance (Level 2) |
| ☐ Conditional/Special Use Permit (CUP) per AMC 17.70 | ☒ SEPA Environmental Review | ☐ Wireless Conditional Use Permit (WCUP) |
| ☐ Cottage Housing Development | ☐ Shoreline Conditional Use Permit | ☐ Wireless Service Facility (WSF) Permit |
| ☐ Development Agreement | ☐ Shoreline Exemption | ☐ Zoning Code/ Map Amendment Request (Rezone) |
| ☐ Essential Public Facility | ☒ Shoreline Substantial Development Permit | |
| | ☐ Shoreline Variance | |

PROJECT & SITE INFORMATION:

SITE ADDRESS: 2410 SKYLINE WAY

PROJECT NAME: BAYSIDE MOORAGE MARINA

PARCEL NUMBER(S): P32370

SECTION, TOWNSHIP, & RANGE
27 35N 01E

LOT SQUARE FOOTAGE & ACREAGE:
2.92 Acres

PROJECT VALUATION:
\$1,475,690.00

LEGAL DESCRIPTION:

PRESENT ZONING:
MARINE MIXED USE

PRESENT USE OF PROPERTY:
MARINA MOORAGE

CUT & FILL (CY) PROPOSED:
NONE

PRE-APPLICATION CONFERENCE HELD?:

☒ Yes, the City file # is 2020-0013 ☐ No

WATER SOURCE:

☒ City of Anacortes ☐ Private Well ☐ Community Well

SEWAGE DISPOSAL:

☒ City of Anacortes ☐ Septic

ROAD ACCESS:

☒ City Road ☐ State Highway ☐ Private Road

Page 66 of 244

ACKNOWLEDGEMENTS & SIGNATURE

Read and initial each of the following statements prior to signing this application:

BB	I understand that land use and/or planning permits do not authorize earth disturbing activities, the removal of vegetation, or the construction of buildings. I understand that additional permits will be required after my land use and/or planning permitting process is completed. I understand that no earth disturbing activities (including the removal of vegetation) may take place until after my land use and/or planning process is complete, and only after I have received additional permits such as Fill & Grade, Building Permit, or Right-of-Way permit(s).
BB	I understand that if critical areas (wetlands, streams, steep slopes, etc.) are found on or near my property I am not authorized to impact these areas in any way and will be required to leave an undisturbed buffer area around the critical area, as determined according the City's critical areas regulations.
BB	I understand that depending on the size and scope of my project, I may be required to provide maintenance and/or performance bonds for items such as landscaping, critical areas, public roads and/or public utilities that I construct or install.
BB	I understand that I am solely responsible for providing complete and accurate information to the City. I understand that if my application is missing information or if inaccurate materials are submitted, my permits will be delayed. I understand that depending on how inaccurate and how incomplete my application is or becomes, the Department may require an entirely new application be submitted. I understand that when and if conditions change from that which my application originally represented, I am responsible for letting the City staff person assigned to my project know.
BB	I understand that I am applying for permits from the City of Anacortes only; and that additional permits from other Federal, State, and Local agencies could be required. I understand that the City of Anacortes cannot advise me of permits that are required from other agencies, and that I must contact these agencies to make sure I comply with their requirements. These agencies include (but are not limited to): Corps of Engineers, Department of Natural Resources, Department of Fish & Wildlife, Department of Ecology, and Northwest Clean Air Agency.
BB	I understand that I will be responsible for paying consultants that the City may deem necessary to review certain aspects of my application. I understand that these consultant reviews could include special inspections, traffic concurrency, critical areas, landscaping, stormwater, etc.

Signature required on next page.



WASHINGTON STATE

Joint Aquatic Resources Permit Application (JARPA) Form^{1,2}

USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.



US Army Corps
of Engineers
Seattle District

AGENCY USE ONLY

Date received: _____

Agency reference #: _____

Tax Parcel #(s): _____

Part 1—Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [help]

Bayside Moorage Marina Replacement

Part 2—Applicant

The person and/or organization responsible for the project. [help]

2a. Name (Last, First, Middle)

Wright, Jeff

2b. Organization (If applicable)

Bayside Moorage Marina

2c. Mailing Address (Street or PO Box)

2410 Skyline Way

2d. City, State, Zip

Anacortes, WA 98221

2e. Phone (1)

2f. Phone (2)

2g. Fax

2h. E-mail

(360) 279-4574

()

()

jeffw@spaceneedle.com

¹Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- If your project might affect species listed under the Endangered Species Act, you will need to fill out a Specific Project Information Form (SPIF) or prepare a Biological Evaluation. Forms can be found at <http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook/EndangeredSpecies.aspx>.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

²To access an online JARPA form with [help] screens, go to

http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@ora.wa.gov.

Miller Family Revocable Trust- Elizabeth Miller Trustee	98221	P83112
	2411 Skyline Way NO 105, Anacortes, WA 98221	

5i. List all wetlands on or adjacent to the project location. [help]
There is mapped Estuarine and Marine Deepwater wetland habitat per National Wetland Inventory or NWI (USFW) associated with the shoreline.
5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [help]
Flounder Bay; Burrows Bay; Puget Sound
5k. Is any part of the project area within a 100-year floodplain? [help]
☒ Yes ☐ No ☐ Don't know Zone AE EL-7, Map No. 5303170060A, Effective 09/17/2003
5l. Briefly describe the vegetation and habitat conditions on the property. [help]
The project is located within Flounder Bay and will be constructed in and over water. The upland vegetation appears to be only a few trees and is mostly a parking lot and condominium building.
5m. Describe how the property is currently used. [help]
The property is currently used as a moorage marina.
5n. Describe how the adjacent properties are currently used. [help]
The property adjacent to the west is a residential/condomium/townhome shoreline. All other directions are the marine water.
5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]
The structures on the property is the moorage marina.
5p. Provide driving directions from the closest highway to the project location, and attach a map. [help]
From I-5 Northbound, take Exit 226/WA-536 West; Left onto Broad St/WA-536; Right onto S 3 rd St/WA-536; Left onto Cascade Loop/State Route 20/WA-20; 1 st exit off roundabout onto State Hwy 20 Spur/WA-20 Spur; 1 st exit off roundabout onto Commercial Ave/WA-20; Left onto 12 th St/WA-20 Spur; stay straight to go onto Sunset Ave; Take the 3 rd left onto Skyline Way; project location is about 0.73 miles on the left

Part 6—Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [help]

The proposal is a project for a complete marina replacement in Anacortes, Washington. It involves the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft) at an approved upland facility. Forty-three galvanized steel piling will be installed to replace the old creosote piling. New floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed to the Bayside Moorage Marina for installation. The existing pier will be re-used and re-decked with fiberglass grating. The existing ramps will be re-used and may require new grated decking. This project is a like for like replacement within the existing footprint, using contemporary designs that reduce the environmental impact.

Electrical, potable water, and fire system utilities will also be re-installed in the floating docks using updated design standards.

Floating Docks

B-A

One 10'x150' Headwalk/Wave Attenuator

Four 4'x40' Fingers

B-B

One 6'x298' Headwalk

One 4'x58' Finger

Four 4'x54' Fingers

One 4'x44' Finger

Five 3'x30' Fingers

One 6'x84' Headwalk

Three 3'x30' Fingers

One 6'x100' Headwalk

Four 3'x36' Fingers

B-C

One 4'x8' Ramp Landing Float

One 6'x80' Headwalk

EnviroCrete® Specifications – Float surface decked with 50% pre-stressed concrete decking and 50% fiberglass grating. Concrete is pre-stressed with stainless steel cable. Grating is fiberglass with 1 ½" x 1 ½" squares and 69% open area. All timber is Chemonite pressure treated Douglas/fir glulams. Metal fasteners are hot dipped galvanized steel or stainless steel. 12" galvanized steel cleats, thru bolted. White vinyl rub strip on all edges with pneumatic vinyl corners. A freeboard of 18"-20" is designed. Electrical, potable water, and fire system utilities will be installed.

The following piling will be installed to secure the floats:

Nineteen 10 ¾" diameter galvanized steel piling with .50 wall thickness;

Seventeen 12" diameter galvanized steel piling with .50 wall thickness;

Seven 16" diameter galvanized steel piling with .50 wall thickness;

Seven galvanized steel pile hoop with rollers; and

Thirty-six galvanized steel pile boxes with rollers.

6b. Describe the purpose of the project and why you want or need to perform it. [\[help\]](#)

For water dependent access in which will create an opportunity for the enjoyment of water dependent activities such as fishing and boating.

6c. Indicate the project category. (Check all that apply) [\[help\]](#)

- ☒ Commercial ☐ Residential ☐ Institutional ☐ Transportation ☒ Recreational
☐ Maintenance ☐ Environmental Enhancement

6d. Indicate the major elements of your project. (Check all that apply) [\[help\]](#)

- | | | | |
|---|---|--|--|
| ☐ Aquaculture | ☐ Culvert | ☒ Float | ☐ Retaining Wall (upland) |
| ☐ Bank Stabilization | ☐ Dam / Weir | ☐ Floating Home | ☐ Road |
| ☐ Boat House | ☐ Dike / Levee / Jetty | ☐ Geotechnical Survey | ☐ Scientific Measurement Device |
| ☐ Boat Launch | ☐ Ditch | ☐ Land Clearing | ☐ Stairs |
| ☐ Boat Lift | ☒ Dock / Pier | ☐ Marina / Moorage | ☐ Stormwater facility |
| ☐ Bridge | ☐ Dredging | ☐ Mining | ☐ Swimming Pool |
| ☐ Bulkhead | ☐ Fence | ☐ Outfall Structure | ☐ Utility Line |
| ☐ Buoy | ☐ Ferry Terminal | ☒ Piling/Dolphin | |
| ☐ Channel Modification | ☐ Fishway | ☐ Raft | |

☒ Other: The float, pilings and other construction tools/components will be towed via waterway from the Foss Waterway in Tacoma to the project location in Anacortes (Flounder Bay).

6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [\[help\]](#)

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

The marina replacement project will be constructed over the marine waters of Flounder Bay in Anacortes, Washington. FEMA (Federal Emergency Management Agency) has designated this area as a 100-year flood plain (**Zone AE EL-7, Map No. 5303170060A, Effective 09/17/2003**).

Construction sequence of the pier, ramp, floats and piling will be:

1. **Demolition:** Removal, demolition, and disposal of the existing facility at an approved upland facility includes the following: Using a tugboat, barge, crane, pile driver, and associated work boats/skiffs, disconnect the existing floating marina docks (7,968 square feet) and place these on a barge using a barge-mounted crane. Removal of the creosote piling will be accomplished using a tugboat and barge equipped with a pile driver and extractor. The existing creosote piling will be removed using a vibratory hammer with a wood/concrete block clamp to attach to the piling. The vibratory hammer will be clamped to the piling top and turned on. The vibrations will transmit from the hammer to the piling loosening the skin friction between the piling and the mud. The crane will hoist the hammer and piling at this point. When the crane operator determines the piling is loose, the hammer is turned off and the remaining portion of the piling will be removed from the ground solely using the crane. The vibratory pile hammer (or extractor) will be used to "wake up" the piling. Once the piling is "woke up" and the adhesion of the mud to the piling is lessened, the hammer will be turned off and the piling will be extracting using the crane. This will minimize the sedimentation and turbidity. Installation of oil sorbent boom around the piling will be completed to collect and contain the creosote leaching from the piling during the extraction process. The extracted creosote piling will be placed on a deck barge with a containment system to prevent loss of treated wood chemicals and debris to the water column and sediments. Any shavings, sawdust, woody debris (splintered wood, fragments, loose piling) on the water or sediment surface will be retrieved and placed in the containment area. Likewise, any pile-associated sediment and adhered organisms will be collected daily, contained on-site, and ultimately disposed at an approved upland disposal site along with the extracted piling.
2. The existing pier and ramps will be re-used except that the pier will be re-decked using fiberglass grating and the ramps may require new grated decking. The ramps will be lifted to the upland parking lot area during construction, then re-installed after the piling and floating marina are installed.
3. **Installation of new galvanized steel piling:** The new steel piling will be barged to the site location from the manufacturer's yard, likely from Shelter Bay in the La Conner area. The pile driving is estimated at up to four weeks duration. The following piling will be installed to secure the floats:
Nineteen 10 ¾" diameter galvanized steel piling with .50 wall thickness; Seventeen 12" diameter galvanized steel piling with .50 wall thickness; Seven 16" diameter galvanized steel piling with .50 wall thickness; Seven galvanized steel pile hoop with rollers; and Thirty-six galvanized steel pile boxes with rollers.
4. The guide piling will be driven with a vibratory hammer and the bearing piling will be installed with a vibratory hammer and proof tested with an impact hammer. Both hammers will be suspended from the crane. The bearing piling will be proofed after they are driven to grade with the vibratory hammer. Approximately 10 to 15 blows per piling will be adequate to proof each bearing piling. A bubble curtain will be deployed during the proofing with the impact hammer utilizing a wooden block for sound attenuation (Longmuir and Lively 2001).
5. **Installation of floating marina system:** Once the piling are in place and secure, the floating marina system will be installed. The new float system will be prefabricated at Marine Floats Corporation facility in Tacoma and towed to Flounder Bay in Anacortes for installation. Marine Floats Corporation will barge all construction debris to an approved upland disposal site.

6f. What are the anticipated start and end dates for project construction? (Month/Year) [help]		
If the project will be constructed in phases or stages, use JARPA Attachment D to list the start and end dates of each phase or stage.		
Start date: <u>July 2021</u>	End date: <u>March 2024</u>	☐ See JARPA Attachment D
6g. Fair market value of the project, including materials, labor, machine rentals, etc. [help]		
\$1,475,690		
6h. Will any portion of the project receive federal funding? [help]		
If yes, list each agency providing funds.		
☐ Yes ☒ No ☐ Don't know		

Part 7–Wetlands: Impacts and Mitigation

☐ Check here if there are wetlands or wetland buffers on or adjacent to the project area.
(If there are none, skip to Part 8.) [\[help\]](#)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [help]	
☒ Not applicable	
There are no wetlands down slope of the bulkhead area, nor would there be any impact to jurisdictional wetland area or associated buffer area due to the project occurring over marine waters.	
7b. Will the project impact wetlands? [help]	
☐ Yes ☒ No ☐ Don't know	
7c. Will the project impact wetland buffers? [help]	
☐ Yes ☒ No ☐ Don't know	
7d. Has a wetland delineation report been prepared? [help]	
If Yes, submit the report, including data sheets, with the JARPA package.	
☐ Yes ☒ No	
7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [help]	
If Yes, submit the wetland rating forms and figures with the JARPA package.	
☐ Yes ☒ No ☐ Don't know	
7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [help]	
- If Yes, submit the plan with the JARPA package and answer 7g. - If No, or Not applicable, explain below why a mitigation plan should not be required.	
☐ Yes ☒ No ☐ Not applicable	

7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [\[help\]](#)

Not applicable

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [\[help\]](#)

Activity (fill, drain, excavate, flood, etc.)	Wetland Name ¹	Wetland type and rating category ²	Impact area (sq. ft. or Acres)	Duration of impact ³	Proposed mitigation type ⁴	Wetland mitigation area (sq. ft. or acres)
Not applicable						

¹ If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report.

² Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

³ Indicate the days, months or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.

⁴ Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: _____

7i. For all filling activities identified in 7h, describe the source and nature of the fill material, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [\[help\]](#)

Not applicable

7j. For all excavating activities identified in 7h, describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed. [\[help\]](#)

Not applicable

Part 8–Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, "waterbodies" refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [\[help\]](#)

☒ Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [\[help\]](#)

☐ Not applicable

1. The overall project complies with regulatory agency requirements to avoid and minimize environmental impacts;
2. The grating on the pier, ramp and floats allow for deeper light penetration that is beneficial for many fish species;
3. The flotation tub is permanently encapsulated;
4. The pilings are galvanized steel;
5. The pilings are driven with an impact pile hammer, utilizing a bubble curtain and wood block cushion for sound attenuation;
6. The floating pile driver will not ground;
7. Care will be taken to contain all construction debris;
8. Best Management Practices (BMPs) will be exercised throughout the project duration; and
9. Regulatory in-water work windows will be observed.

8b. Will your project impact a waterbody or the area around a waterbody? [\[help\]](#)

☒ Yes ☐ No

8c. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 8d.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

☐ Yes ☒ No ☐ Not applicable

Waiting for agency comments prior to completing a proposal (City of Anacortes, USACE, WDFW, and NMFS).

8d. Summarize what the mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7g you do not need to restate your answer here. [\[help\]](#)

Not applicable

8e. Summarize impact(s) to each waterbody in the table below. [\[help\]](#)

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
Install piling	Flounder Bay	In water	Permanent	Pile drive (19) 10 3/4" diameter galvanized steel piling	10.45 sq ft
Install piling	Flounder Bay	In water	Permanent	Pile drive (17) 12" diameter galvanized steel piling	13.43 sq ft
Install stub piling	Flounder Bay	In water	Permanent	Pile drive (7) 16" diameter galvanized	9.73 sq ft

				steel piling	
Install floating docks B-A	Flounder Bay	Overwater	Permanent	Install (1) 10' x 150' Headwalk/Wave Attenuator and (4) 4'x40' fingers	2,140 Total Sq. Ft.
Install floating docks B-B	Flounder Bay	Overwater	Permanent	Install: (1) 6' x 298 Headwalk (1) 4' x58' Finger (4) 4'x 54 Fingers (1) 4'x44' Finger (5) 3'x30' Fingers (1) 6'x84' Headwalk (3) 3'x30' Fingers (1) 6'x 100' Headwalk (4) 3'x36' Fingers	5,316 Total Sq. Ft
Install floating docks B-C	Flounder Bay	Overwater	Permanent	Install: (1) 4' x 8' Landing Float (1) 6'x80' Headwalk	512 Total Sq Ft

¹ If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided.

² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.

³ Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.

8f. For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [\[help\]](#)

The source of the fill will be steel pilings. Please refer to the attached site plan map for approximate locations.

8g. For all excavating or dredging activities identified in 8e, describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [\[help\]](#)

There will be no excavation or dredging associated with the proposed project.

Part 9–Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

9a. If you have already worked with any government agencies on this project, list them below. [\[help\]](#)

Agency Name	Contact Name	Phone	Most Recent Date of Contact
City of Anacortes	n/a	n/a	n/a
WDFW	n/a	n/a	n/a
USACE	n/a	n/a	n/a

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [\[help\]](#)

- If Yes, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <http://www.ecy.wa.gov/programs/wq/303d/>.

☐ Yes ☒ No

9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [\[help\]](#)

- Go to <http://cfpub.epa.gov/surf/locate/index.cfm> to help identify the HUC.

Puget Sound Basin - 17110019

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [\[help\]](#)

- Go to <http://www.ecy.wa.gov/services/gis/maps/wria/wria.htm> to find the WRIA #.

WRIA #15 - Kitsap

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [\[help\]](#)

- Go to <http://www.ecy.wa.gov/programs/wq/swqs/criteria.html> for the standards.

☒ Yes ☐ No ☐ Not applicable

9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [\[help\]](#)

- If you don't know, contact the local planning department.
- For more information, go to: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/173-26/211_designations.html.

☐ Rural ☐ Urban ☐ Natural ☐ Aquatic ☐ Conservancy ☒ Other Pierce County-Resource Aquatic

9g. What is the Washington Department of Natural Resources Water Type? [\[help\]](#)

- Go to http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_watertyping.aspx for the Forest Practices Water Typing System.

☒ Shoreline ☒ Fish ☐ Non-Fish Perennial ☐ Non-Fish Seasonal

9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [\[help\]](#)

- If No, provide the name of the manual your project is designed to meet.

not applicable X

Name of manual: not applicable

9i. Does the project site have known contaminated sediment? [\[help\]](#)

- If Yes, please describe below.

Unknown

9j. If you know what the property was used for in the past, describe below. [\[help\]](#)

Single family home was constructed in 1971.

9k. Has a cultural resource (archaeological) survey been performed on the project area? [\[help\]](#)

- If Yes, attach it to your JARPA package.

☐ Yes ☒ No – not to our knowledge. Should archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains be observed during project activities, all work in the immediate vicinity should stop. The State Department of Archaeology and Historic Preservation (360-586-3065), the County planning office, the affected Tribe(s) and county coroner (if applicable) should be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) is required. Failure to comply with this requirement could constitute a Class C Felony.

9l. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

Puget Sound Chinook Salmon (*Oncorhynchus tshawytscha*), Puget Sound Steelhead (*Oncorhynchus mykiss*), Puget Sound Coho Salmon (*Oncorhynchus kisutch*), Southern Resident Killer Whale (*Orcinus orca*), Marbled Murrelet (*Brachyramphus marmoratus*), Leatherback Sea Turtle (*Dermochelys coriacea*), Western Snowy Plover (*Charadrius nivosus nivosus*), and Puget Sound Bocaccio (*Sebastes paucispinis*)

9m. Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [\[help\]](#)

Estuarine and Marine Wetlands (NWI-Aquatic Habitat), Estuarine Zone (PHS Region), Dungeness Crab (Presence), Geoduck (Presence), Pacific Sand Lance (*Ammodytidae*), Pacific Herring (Breeding Areas) and Surf Smelt (Breeding Areas).

Part 10–SEPA Compliance and Permits

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.ecy.wa.gov/opas/>.
- Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or help@ora.wa.gov.
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [\[help\]](#)

- For more information about SEPA, go to www.ecy.wa.gov/programs/sea/sepa/e-review.html.

☐ A copy of the SEPA determination or letter of exemption is included with this application.

☒ A SEPA determination is pending with Jefferson County Planning and Land Services/Current Planning/Shoreline Management (lead agency). The expected decision date is unknown.

☐ I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [\[help\]](#)

☐ This project is exempt (choose type of exemption below).

☐ Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

☐ Other: _____

☐ SEPA is pre-empted by federal law.

10b. Indicate the permits you are applying for. (Check all that apply.) [\[help\]](#)

LOCAL GOVERNMENT

Local Government Shoreline permits:

☒ Substantial Development ☒ Administrative Conditional Use ☐ Variance

☐ Shoreline Exemption Type (explain): _____

Other City/County permits:

☐ Floodplain Development Permit ☒ Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

☒ Hydraulic Project Approval (HPA) ☐ Fish Habitat Enhancement Exemption – [Attach Exemption Form](#)

Effective July 10, 2012, you must submit a check for \$150 to Washington Department of Fish and Wildlife, unless your project qualifies for an exemption or alternative payment method below. **Do not send cash.**

Check the appropriate boxes:

☐ \$150 check enclosed. Check # _____
Attach check made payable to Washington Department of Fish and Wildlife.

☐ My project is exempt from the application fee. (Check appropriate exemption) _____

☐ HPA processing is conducted by applicant-funded WDFW staff.

Agreement # _____

☐ Mineral prospecting and mining.

☐ Project occurs on farm and agricultural land.

(Attach a copy of current land use classification recorded with the county auditor, or other proof of current land use.)

☐ Project is a modification of an existing HPA originally applied for, prior to July 10, 2012.
HPA # _____

Washington Department of Natural Resources:

☐ Aquatic Use Authorization

Complete [JARPA Attachment E](#) and submit a check for \$25 payable to the Washington Department of Natural Resources.

Do not send cash.

Washington Department of Ecology:

☒ Section 401 Water Quality Certification

FEDERAL GOVERNMENT

United States Department of the Army permits (U.S. Army Corps of Engineers):

☒ Section 404 (discharges into waters of the U.S.)

☒ Section 10 (work in navigable waters)

United States Coast Guard permits:

☐ Private Aids to Navigation (for non-bridge projects)

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

11a. Applicant Signature (required) [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. JW (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. JW (initial)

JEFF WRIGHT Jeff Wright 3/11/20
Applicant Printed Name Applicant Signature Date

11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

BOB BERGQUIST Bob Bergquist 3/12/2020
Authorized Agent Printed Name Authorized Agent Signature Date
Marine Floats Corporation

11c. Property Owner Signature (if not applicant). [\[help\]](#)

Not required if project is on existing rights-of-way or easements.

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

JEFF WRIGHT Jeff Wright 3/11/20
Property Owner Printed Name Property Owner Signature Date

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact the Governor's Office of Regulatory Assistance (ORA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORA publication number: ENV-019-09 rev. 06-12



WASHINGTON STATE
Joint Aquatic Resources Permit
Application (JARPA) [\[help\]](#)



US Army Corps
of Engineers
Seattle District

Attachment C:
Contact information for adjoining
property owners. [\[help\]](#)

Use this attachment only if you have more than four adjoining property owners.

AGENCY USE ONLY	
Date received:	_____
Agency reference #:	_____
Tax Parcel #(s):	_____ _____

TO BE COMPLETED BY APPLICANT [help]	
Project Name: Bayside Moorage Marina Replacement _____	
Location Name (if applicable): _____	

Use black or blue ink to enter answers in white spaces below.

1. Contact information for all adjoining property owners. [help]		
Name	Mailing Address	Tax Parcel # (if known)
Barbara Rasco SCBA Group LLC	3412 Reynolds St, Laramie, WY 82072	P83113
	3412 Reynolds St, Laramie, WY 82072	P83114
Jerry Rutledge & Nancy Gordon	2411 Skyline Way Unit 108, Anacortes, WA 98221	P83115
Heidman Family Living Trust- Henry Heidman JR Trustee & Judith Heidman Trustee	2411 Skyline Way #201, Anacortes, WA 98221	P83116
Dale & Dorothy Leischner	2411 Skyline Way Unit 202, Anacortes, WA 98221	P83117
MTS Living Trust-Richard & Friederike Knudson Trustees	PO Box 77326, Seattle, WA 98177	P83120
Judy Lees Family Trust-Judith Hartford Trustee William & Cynthis Watt	2411 Skyline Way Unit 207, Anacortes, WA 98221	P83122
	2411 Skyline Way Unit 208, Anacortes, WA 98221	P83123

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ORIA-16-014 rev. 10/2016

CITY OF ANACORTES

*Planning, Community, &
Economic Development*

Date Received:

11/9/2020



313 East 'F' Street

Wood and Concrete

Tacoma WA 98421

Floating Docks

253-383-2740

Marinas & Boathouses

November 9, 2020

RE: Bayside Marina Replacement: Narrative

The proposal is a project for a complete marina replacement in Anacortes, Washington. This project is located at:

Bayside Moorage Marina

2410 Skyline Way

Anacortes, WA 98221

The project proposal involves the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft) at an approved upland facility. Forty-three galvanized steel piling will be installed to replace the old forty-nine creosote piling. New floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed to the Bayside Moorage Marina for installation. The existing pier will be re-used and re-decked with fiberglass grating. The existing ramps will be re-used and may require new grated decking. This project is a like for like replacement within the existing footprint, using contemporary designs that reduce the environmental impact.

This project is proposed to take place in the 2021 construction year (July 2021- March 2024) pending the permitting process. There are no known critical areas on the subject property or within 300 feet of it.

Electrical, potable water, and fire system utilities will also be re-installed in the floating docks using updated design standards.

- Floating Docks
 - o B-A
 - One 10'x150' Headwalk/Wave Attenuator
 - Four 4'x40' Fingers
 - o B-B
 - One 6'x298' Headwalk
 - One 4'x58' Finger
 - Four 4'x54' Fingers
 - One 4'x44' Finger
 - Five 3'x30' Fingers
 - One 6'x84' Headwalk
 - Three 3'x30' Fingers

- One 6'x100' Headwalk
 - Four 3'x36' Fingers
- o B-C
 - One 4'x8' Ramp Landing Float
 - One 6'x80' Headwalk
- The following piling will be installed to secure the floats:
 - o Nineteen 10 ¾" diameter galvanized steel piling with .50 wall thickness;
 - o Seventeen 12" diameter galvanized steel piling with .50 wall thickness;
 - o Seven 16" diameter galvanized steel piling with .50 wall thickness;
 - o Seven galvanized steel pile hoops with rollers; and
 - o Thirty-six galvanized steel pile boxes with rollers.

EnviroCrete® Specifications – Float surface decked with 50% pre-stressed concrete decking and 50% fiberglass grating. Concrete is pre-stressed with stainless steel cable. Grating is fiberglass with 1 ½" x 1 ½" squares and 69% open area. All timber is Chemonite pressure treated Douglas/fir glulams. Metal fasteners are hot dipped galvanized steel or stainless steel. 12" galvanized steel cleats, thru bolted. White vinyl rub strip on all edges with pneumatic vinyl corners. A freeboard of 18"-20" is designed.

Electrical, potable water, and fire system utilities will be installed.

The marina replacement project will be constructed over the marine waters of Flounder Bay in Anacortes, Washington. FEMA (Federal Emergency Management Agency) has designated this area as a 100-year flood plain (**Zone AE EL-7, Map No. 5303170060A, Effective 09/17/2003**).

Construction sequence of the pier, ramp, floats and piling will be:

1. **Demolition:** Removal, demolition, and disposal of the existing facility at an approved upland facility includes the following: Using a tugboat, barge, crane, pile driver, and associated work boats/skiffs, disconnect the existing floating marina docks (7,968 square feet) and place these on a barge using a barge-mounted crane. Removal of the creosote piling will be accomplished using a tugboat and barge equipped with a pile driver and extractor. The existing creosote piling will be removed using a vibratory hammer with a wood/concrete block clamp to attach to the piling. The vibratory hammer will be clamped to the piling top and turned on. The vibrations will transmit from the hammer to the piling loosening the skin friction between the piling and the mud. The crane will hoist the hammer and piling at this point. When the crane operator determines the piling is loose, the hammer is turned off and the remaining portion of the piling will be removed from the ground solely using the crane. The vibratory pile hammer (or extractor) will be used to "wake up" the piling. Once the piling is "woke up" and the adhesion of the mud to the piling is lessened, the hammer will be turned off and the piling will be extracting using the crane. This will minimize the sedimentation and turbidity. Installation of oil sorbent boom around the piling will be completed to collect and contain the creosote leaching from the piling during the extraction process. The extracted creosote piling will be placed on a deck barge with a containment system to prevent loss of treated wood chemicals and debris to the water column and sediments. Any shavings, sawdust, woody debris (splintered wood, fragments, loose piling) on the water or sediment surface will be

retrieved and placed in the containment area. Likewise, any pile-associated sediment and adhered organisms will be collected daily, contained on-site, and ultimately disposed at an approved upland disposal site along with the extracted piling.

2. The existing pier and ramps will be re-used except that the pier will be re-decked using fiberglass grating and the ramps may require new grated decking. The ramps will be lifted to the upland parking lot area during construction, then re-installed after the piling and floating marina are installed.
3. **Installation of new galvanized steel piling:** The new steel piling will be barged to the site location from the manufacturer's yard, likely from Shelter Bay in the La Conner area. The pile driving is estimated at up to four weeks duration. The following piling will be installed to secure the floats:
Nineteen 10 ¾" diameter galvanized steel piling with .50 wall thickness; Seventeen 12" diameter galvanized steel piling with .50 wall thickness; Seven 16" diameter galvanized steel piling with .50 wall thickness; Seven galvanized steel pile hoop with rollers; and Thirty-six galvanized steel pile boxes with rollers.
4. The guide piling will be driven with a vibratory hammer and the bearing piling will be installed with a vibratory hammer and proof tested with an impact hammer. Both hammers will be suspended from the crane. The bearing piling will be proofed after they are driven to grade with the vibratory hammer. Approximately 10 to 15 blows per piling will be adequate to proof each bearing piling. A bubble curtain will be deployed during the proofing with the impact hammer utilizing a wooden block for sound attenuation (Longmuir and Lively 2001).
5. **Installation of floating marina system:** Once the piling is in place and secure, the floating marina system will be installed. The new float system will be prefabricated at Marine Floats Corporation facility in Tacoma and towed to Flounder Bay in Anacortes for installation. Marine Floats Corporation will barge all construction debris to an approved upland disposal site.

The current zoning of the project location is MMU – Marine Mixed Use and the shoreline designation is Urban. All Shoreline Master Program (SMP), policies, and development regulations (DR) will be met. Those applicable are described below.

Applicable Development Regulations (DRs) from the City of Anacortes Shoreline Master Program

F. Legal Description Skyline Area: Beginning at the intersection of Parcel #60074 or 5801 Kingsway and Parcel #60075 or 1901 Skyline Way, thence following the shoreline around Flounder Bay and Burrows Strait a length of 6,462 feet to the intersection of Parcel #32465 or 5919 Cabana Lane and Parcel #32464. This area is all within 200 feet of the OHWM.

5.10 URBAN

Policy 5.10.1

Give priority to water-oriented uses over non-water-oriented uses. First - priority should be given to water-dependent uses. Second priority should be given to water-related uses and third priority to water-enjoyment uses. Non-water-oriented uses shall only be allowed if they are part of mixed used developments where the primary use is (1) water-dependent or (2) water-related, or (3) in conjunction with a water-enjoyment use on sites where there is no access to water.

The use of this site will not change. It will continue to be a moorage facility, which is a water-dependent use.

Policy 5.10.2

Encourage uses that enhance ecological functions and/or enhance opportunities for the public use and enjoyment of the shoreline; new development shall not cause a net loss of shoreline ecological functions.

The proposed project will enhance ecological functions through updated design that is better for the environment and does not change the public use and enjoyment for recreation activities. The project will cause no net loss, as it will be in the footprint of the existing moorage marina.

Design Elements

Policy 5.10.3

Ensure that, where applicable, improvements within this district are reviewed for compatibility and consistency with the Design Standards codified in the zoning code.

All design standards will be met.

Policy 5.10.4

Encourage designs that incorporate conservation and restoration elements, such as restoration of intertidal habitat, shoreline vegetation and enhancement of public access.

The new design will remove creosote wood from the shoreline habitat, as well as increase light penetration through grating the float surfaces.

Policy 5.10.5

Require, where applicable, new development and/or redevelopment to include environmental cleanup (e.g., removal of contaminated soils) and restoration of the shoreline in accordance with state and federal requirements.

Creosote is made of polycyclic aromatic hydrocarbons (PAHs), which are organic compounds that break down in water slowly. The PAHs in the creosote can be toxic especially in salmon causing reproduction inhibition, impaired cardiac function and cause reduced disease resistance

(DNR, 2019). *The project will remove the creosote from the water and replace it with galvanized steel to enhance the marine environment.*

Public Access

Policy 5.10.6

Plan for a public pedestrian walkway system along the Urban waterfront utilizing a combination of natural beaches, pathways, piers, wharves, street-ends, sidewalks, stairways, or other improvements. Although it may not be feasible for the walkway system to be continuous throughout the entire area, it should promote quality pedestrian access to and along major portions of the waterfront. Street ends should, at a minimum, become developed access points to the shoreline. Linkage between these street-ends should be determined by the physical characteristics of the shorelines, existing development patterns, potential for structural improvements, and other factors relevant to developing a continuous pedestrian system. Port of Anacortes ¶ Integrated Approach to Marine Public Access, Final Report (October 2003), is incorporated by reference into this SMP.

Existing development patterns will not change from this proposal.

Policy 5.10.7

Encourage designs that enhance pedestrian traffic without impeding vehicular traffic using paving textures, fencing, landscaping, and signage that make a greater distinction between automobile traffic and pedestrian circulation systems.

Existing development patterns will not change from this proposal.

E. Development Regulations

Uses

DR-5.10.1

Prohibited and allowed uses are generally identified in Table 5.1 in Section 5.12 of this Master Program. In addition:

- a. Mini storage is prohibited.
- a. *No mini storage will be added.*
- b. Radio and television towers as a primary use are prohibited.
- b. *Radio and television towers as a primary use will not be added.*

DR-5.10.2

Development that can be classified as a water-dependent, water-related, or water-enjoyment use shall be permitted.

This project replaces the existing marina and is already classified as a water-dependent use.

DR-5.10.3

A limited range of non-water-oriented development, open to the public, while not preferred, may also be authorized as a conditional use provided said development:

- a. Conforms with the criteria set forth for conditional uses in Section 3.1;
- b. Is designed and located in manner that capitalizes on shoreline views and is compatible with water-oriented uses.
- c. Makes provisions for the public access and enjoyment consistent with this Master Program; and
- d. Is part of a mixed-use development or the parcel is separated from the water. (See WAC 173-26-211(5)(d)(ii)(A)).

Not applicable

DR-5.10.5

Additional allowed, conditional, and prohibited uses for the Urban designation are listed in Table 5.1.

Not applicable

Height Limitations

DR-5.10.6

New or expanded structures shall be limited to maximum heights as specified in Table 5.2.

The height of the new structure will be the same as that of the existing structure.

Setbacks

DR-5.10.7

New, permanent buildings and structures shall be set back a minimum of twenty-five (25) feet from the ordinary high-water mark. Setbacks are measured landward, on a horizontal plane, perpendicular to the shoreline. Shoreline setback requirements shall apply to non-water dependent structures and uses.

Not applicable as per, DR-5.10.8

DR-5.10.8

Developments consisting of water-dependent scientific, historical, industrial, cultural, or educational research uses, public access, water-oriented recreation and ecological restoration are not required to meet the shoreline setback requirements, nor are piers, ramps, or docks.

This is a replacement of existing pier, ramp, and float (s); there will be no new structures. All structures are water dependent.

Chapter 6 of City of Anacortes Shoreline Master Program-

All requirements are met and can be further verified by the SEPA checklist submitted on September 17th, 2020.

Chapter 7 of City of Anacortes Shoreline Master Program-

There will be no change in existing public access.

8.7 Marinas

B. Policies

Policy 8.7.1

Ensure that proposed marinas and the expansion of existing marinas are located, designed, constructed, and operated in a manner that will minimize damage to shoreline processes and functions. When impacts cannot be avoided, impacts must be mitigated to assure no-net-loss of ecological function necessary to sustain shoreline resources.

Shoreline impacts will be avoided- the replacement will be in the existing footprint of the marina.

Policy 8.7.2

Ensure that marinas are located, designed, and operated so as to be compatible with adjacent uses and protect the aesthetic qualities of the shoreline environment.

Flounder Bay is surrounded with other docks and marinas. The structure already exists and is simply being updated and therefore will not affect the aesthetic quality of the shoreline environment.

Policy 8.7.3

Consult the standards and guidelines of applicable federal, state and local agencies in planning for marina expansion and new mooring facilities.

Federal, state, and local agencies are being consulted through the permitting process.

Policy 8.7.4

Marinas are to be designed to minimize adverse impacts to water quality, through avoidance and/or mitigation, and to be aesthetically compatible with the shoreline area.

The marina will be in the footprint of the existing marina to avoid impact. There will be no expansion in size.

Policy 8.7.5

Viewpoints and public access to marina areas should be included in marina plan and design.

Viewpoints and public access will not change.

Policy 8.7.6

Marinas must be designed to comply with regulations prepared by the State Department of Fish and Wildlife and other agencies having jurisdiction over such development.

All permits from Washington State Department of Fish and Wildlife and the Army Corps of Engineers will be obtained before work takes place.

Policy 8.7.7

New marinas and marina expansions are to be located and designed so that they will minimize damage to fish and shellfish resources after all mitigation requirements are met.

Not applicable- there will be no expansion and all work will be done within the footprint of the existing marina. This project replaces the existing marina.

Policy 8.7.8

Marinas are to be designed to minimize, as far as practicable, adverse impacts to natural shoreline processes.

The marina will be in the existing footprint to avoid adverse impacts.

Policy 8.7.9

Special attention should be given to the design and development of operational procedures for fuel handling and storage in order to minimize accidental spillage and provide satisfactory means for handling those spills that do occur.

The marina has spill mitigation plans and equipment in place that it will continue to maintain.

Policy 8.7.10

All applicable State and local health and safety standards shall be complied with in the development of marinas.

Project plans will comply with all standards applicable from state and local health and safety standards.

Policy 8.7.11

Upland dry storage marinas are preferred for non-transient storage of boats less than 30 feet in length, provided adequate boat launching/retrieval facilities and in-water staging floats are provided.

Not applicable- there will be no change from what is existing.

Policy 8.7.12

Preference should first be given to water-dependent uses, then to water-related and water-enjoyment uses.

The project complies with preference regulations.

C. Development Regulations

DR-8.7.1

The following uses shall be prohibited at marinas:

- a. Floating buildings, except that floating shelters for boats may be allowed in a marina for community and/or youth boating programs operated by nonprofit organization or public agencies.

There are no floating buildings.

DR-8.7.2

Marina expansions, new mooring buoy fields, and new marinas, shall be located, designed, constructed, and operated so as to minimize impacts to shoreline resources and adjacent residential property owners, as well as adjacent shoreline or water uses. To this end, applications for such facilities must demonstrate conformance with the following criteria. The proposal shall:

- a. Locate with regard to favorable conditions related to wind, current, bathymetrics, and for overnight moorage facilities, adequate flushing action.
- b. Comply with all federal, state, regional, and local requirements regarding water quality, including, but not limited to, Department of Health standards and environmental policies and regulations contained in Chapter 6, Environmental Protection General Regulations.
- c. Provide for adequate upland support facilities (e.g., restrooms, dumpsters, etc.)
- d. Provide accessory parking and loading areas - said facilities shall be located well away from the water's edge and shall be designed in accordance with Section 8.9, Parking Facilities.
- e. Facilitate orderly launching, retrieval, and storage of boats as well as circulation of vehicles and pedestrians in the vicinity of the marina.
- f. Marinas shall make provisions to minimize the probability of fuel spills during handling or storage.
- g. Make provisions to handle accidental spills that do occur.
- h. Except for mooring buoy fields, provide pump-out and on-shore sewage and waste disposal facilities, with or without charge.
- i. Ensure that navigation rights are protected.

j. Demonstrate compliance with mitigation sequencing techniques. When impacts cannot be avoided, impacts must be mitigated to assure no-net-loss of ecological function necessary to sustain shoreline resources.

Not applicable the replacement marina will go into the footprint of the existing marina, there will be no expansion in the size.

DR-8.7.3

Marina development shall comply with all applicable local, state, and federal regulations and requirements, including those of the Washington State Department of Fish and Wildlife.

All work will comply with the regulatory agencies and will not begin until all permits have been obtained.

DR-8.7.4

Placement of breakwaters, jetties, groins, bulkheads, and landfills, and dredging activities associated with marina construction shall comply with regulations contained in this Master Program pertaining to those activities.

Not applicable- the project replaces existing structures.

DR-8.7.5

Marinas shall provide parking facilities adequate to meet demand/need analysis projections.

Existing parking facilities will remain and meet demand.

DR-8.7.6

Marinas shall be supplied with restroom and solid waste receptacles to accommodate marina users and shall have facilities and established procedures for the discharge of solid waste or sewage, other than discharge into the water.

All existing upland facilities will remain.

DR-8.7.7

Marinas shall have facilities and established procedures for the disposal or discarding of fish or shellfish cleaning waste, scrapfish, viscera, or unused bait in or near the marina.

All existing upland facilities and procedures will remain.

DR-8.7.8

Marinas shall have facilities and established procedures for the containment and recovery of spilled petroleum or toxic projects.

All existing upland facilities will remain. All existing procedures will remain in place.

DR-8.7.9

Marinas shall provide viewpoints and regulated pedestrian access areas which will allow the public to view marina activity.

Viewpoints and regulated pedestrian access areas allowing public to view the marina activity will remain unchanged.

DR-8.7.10

Marinas shall provide pump-out, holding and/or treatment facilities for sewage contained on boats or vessels.

All existing upland facilities will remain.

DR-8.7.11

Marinas shall implement a landscaping plan which addresses impacts on adjacent properties, views from upland areas, and topography of the area.

The proposed project will not affect the existing impacts on adjacent properties, views from upland areas, and topography of the area. The existing landscaping will remain.

DR-8.7.12

Accessory uses at marinas shall be limited to those uses that are water dependent or directly serve needs of marina users and shall comply with the regulations contained in the Master Program pertaining to those activities.

All accessory uses comply with the Master Program.

DR-8.7.13

Over-the-water parking facilities are prohibited.

There will be no over-the-water parking facilities.

DR-8.7.14

Space for transient moorage shall be encouraged.

There will be no change proposed for transient moorage.

DR-8.7.15

Applicants for new marinas and marina expansions must demonstrate the following:

- a. The proposed design will meet the State Water Quality Standards.
- b. The proposed design will minimize significant interference with geohydraulic processes and disruption of existing shore forms.
- c. The proposed design will minimize impediments to fish migration.

d. The proposed facility will not impact shellfish or finfish habitat, including spawning, feeding and rearing areas, unless mitigation consistent with the requirements of the mitigation element of the Revised Integrated Fidalgo Bay Plan & EIS, 2000 has been provided.

All standards will be met- there will be no expansion to the new marina being placed in the footprint of the existing marina.

DR-8.7.16

Marina construction shall conform to the tabular requirements established in Table 5.2 except as provided below:

- a. Structures for upland boat storage shall comply with height, bulk and setback requirements for buildings in the underlying zone.

All existing upland structures will not be altered as part of this project.

DR-8.7.17

Viewpoints and public access to new and expanded marina areas shall be included in marina plan and design, particularly where water enjoyment uses are associated.

Not applicable- the marina is not new nor an expansion.

Chapter 9

All standards will be met and upheld, as everything is already existing.

OCCUPANCY CLASSIFICATION : UTILITY

TYPE OF CONSTRUCTION : 5B

ENGINEER OF RECORD : SITTS AND HILL
4815 CENTER ST TACOMA, WA 98409
CALEB TIMMER : (253) 474-9449

SHORELINE ENVIROMENTAL DESIGNATION :
URBAN

ZONING : MARINE MIXED USE

LOT SIZE : 2.92 ACRES OR
127,195.20 SQ FT

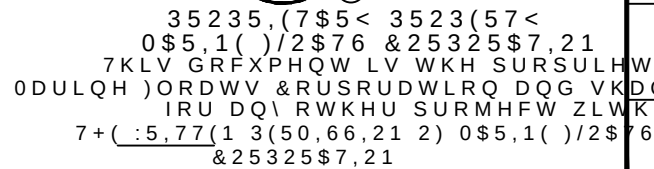
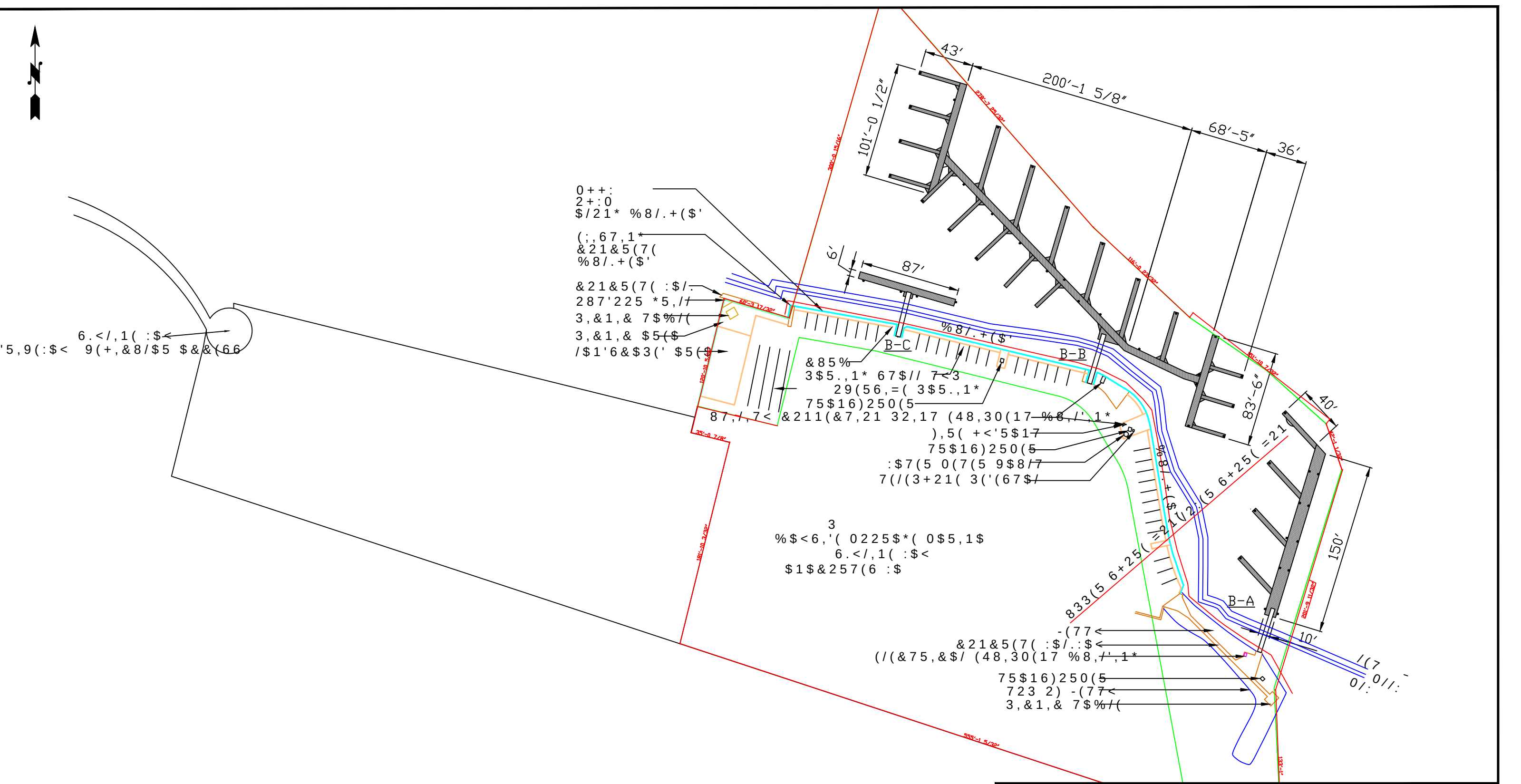
LANDOWNER : JEFF WRIGHT
1910 FAIRVIEW AVE, SUITE 500
SEATTLE, WA 98102



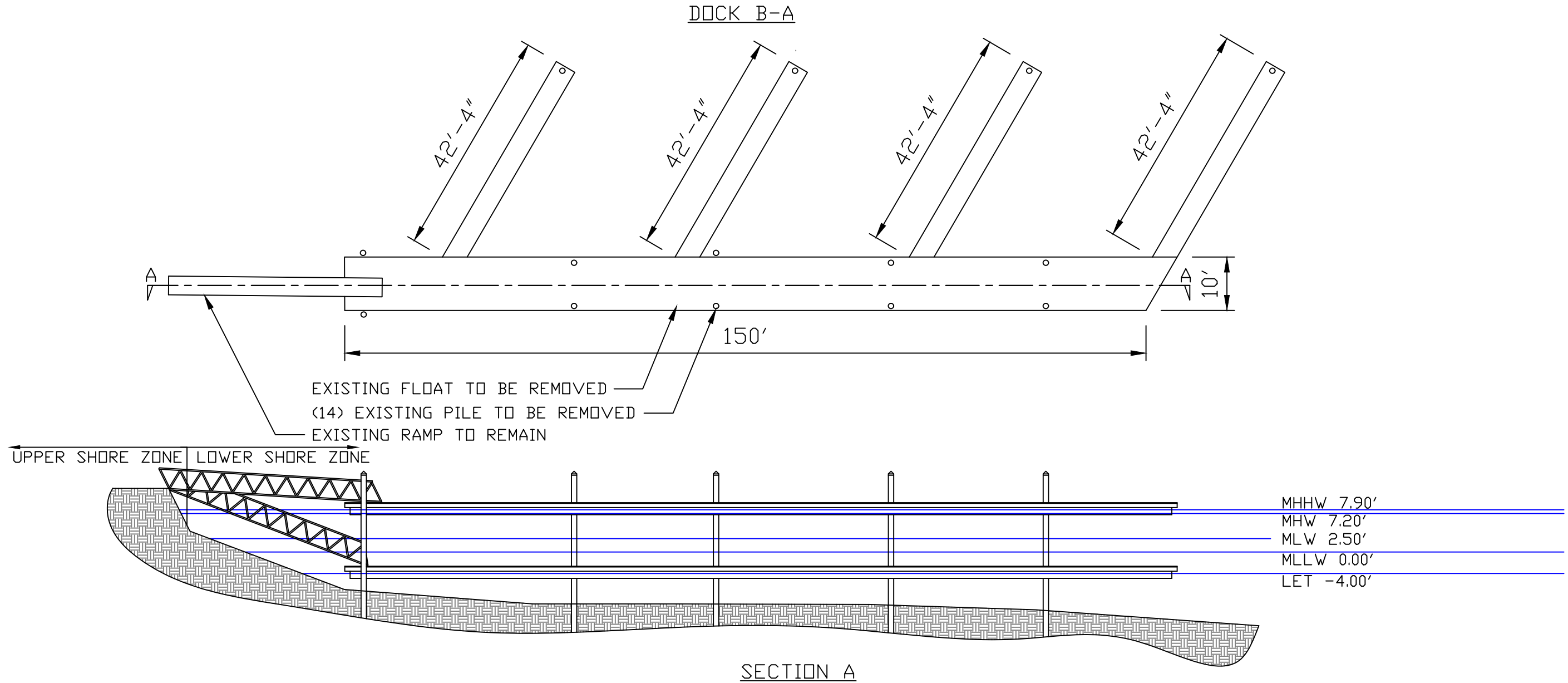
COVER SHEET - PAGE 1
EXISTING MARINA - PAGE 2
EXISTING B-A - PAGE 3
EXISTING B-B - PAGE 4
EXISTING B-B SECTIONS - PAGE 5
EXISTING B-C -PAGE 6
PROPOSED MARINA - PAGE 7
PROPOSED B-A - PAGE 8
PROPOSED B-B - PAGE 9
PROPOSED B -B SECTIONS - PAGE 10
PROPOSED B-C - PAGE 11


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CORPORATION

Marine Floats 1208 East D St - Tacoma - WA 98421 - 253-383-2740		
SCALE: NTS	APPROVED BY:	DRAWN BY: WB
DATE: 9-14-20		REVISION: #
COVER SHEET WITH VICINITY MAP		
BAYSIDE MOORAGE MARINA ANACORTES		DRAWING NUMBER: 2847
PAGE 1		Page 100 of 244

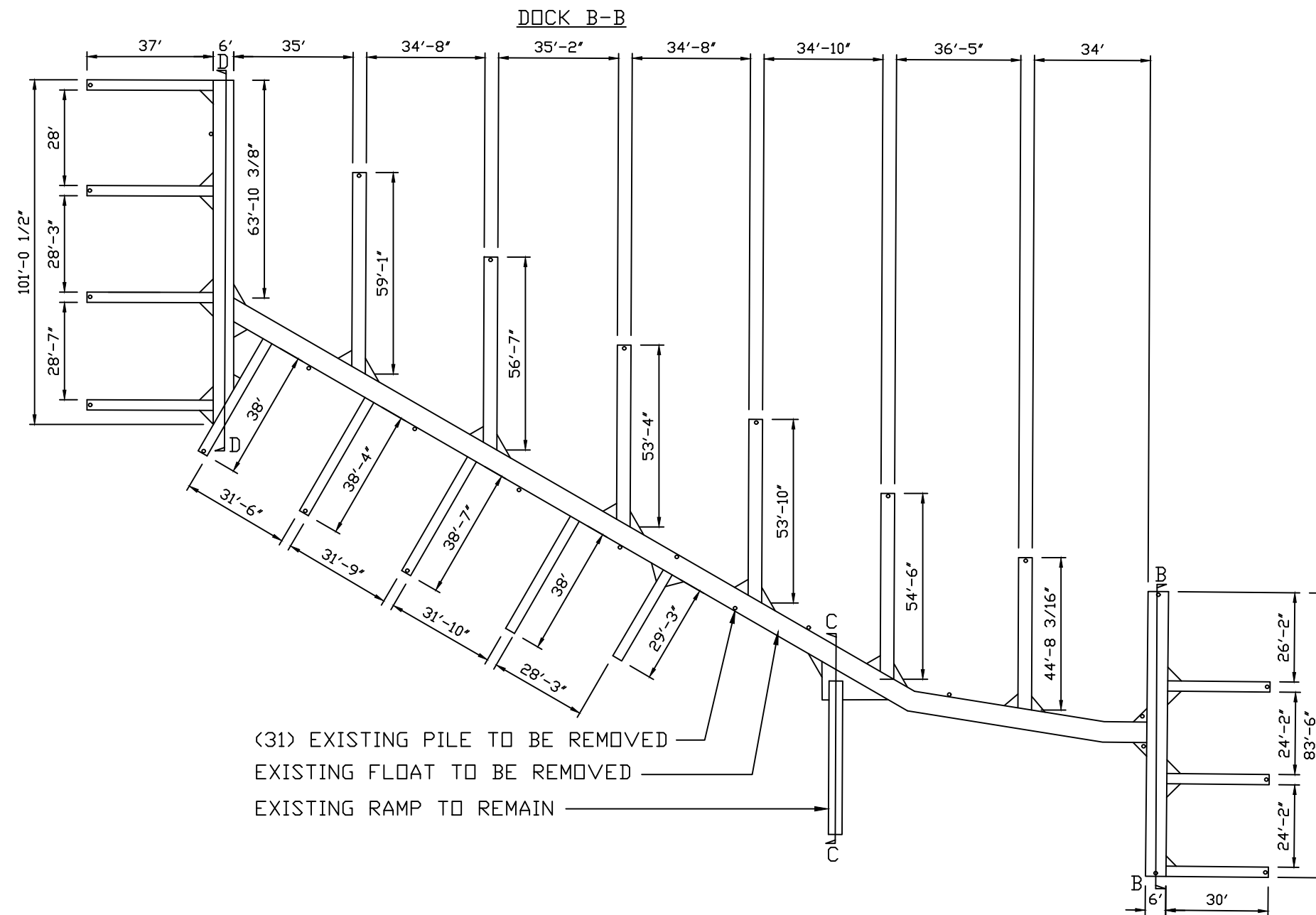


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		'5\$:1* 180%(5 Page 101 of 2



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CORPORATION

Marine Floats 1208 East D St - Tacoma - WA 98421 - 253-383-2740		
SCALE: 1"=20'	OWNER INFORMATION : JEFF WRIGHT ADDRESS: 2410 SKYLINE WAY ANACORTES, WA 98221 PARCEL # : P32370	DRAWN BY WB
DATE: 9-15-20		REVISION #
EXISTING B-A		
BAYSIDE MOORAGE MARINA ANACORTES		DRAWING NUMBER
PAGE 3		Page 102 of 244



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CORPORATION

Marine Floats

1208 East D St - Tacoma - WA 98421 - 253-383-2740

SCALE: 1"=40'	OWNER INFORMATION : JEFF WRIGHT ADDRESS: 2410 SKYLINE WAY ANACORTES, WA 98221 PARCEL # : P32370	DRAWN BY WB
DATE: 9-15-20		REVISION #

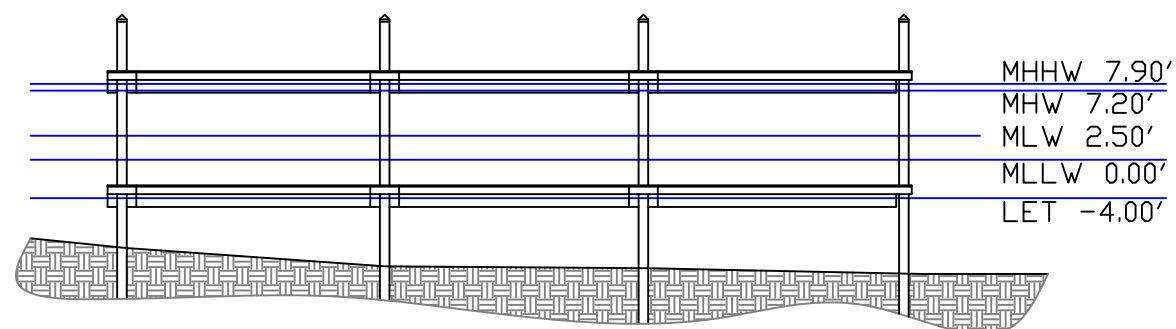
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**BAYSIDE MOORAGE MARINA
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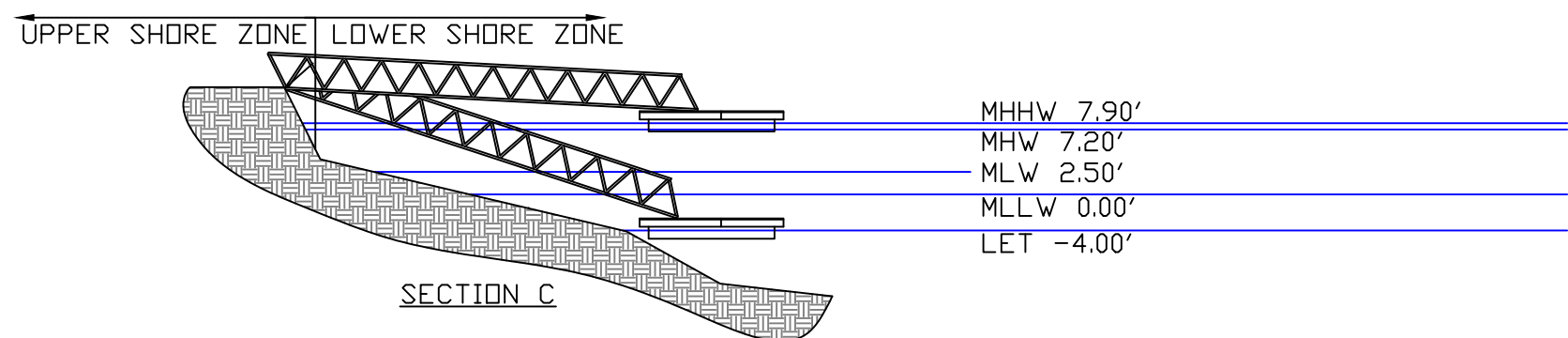
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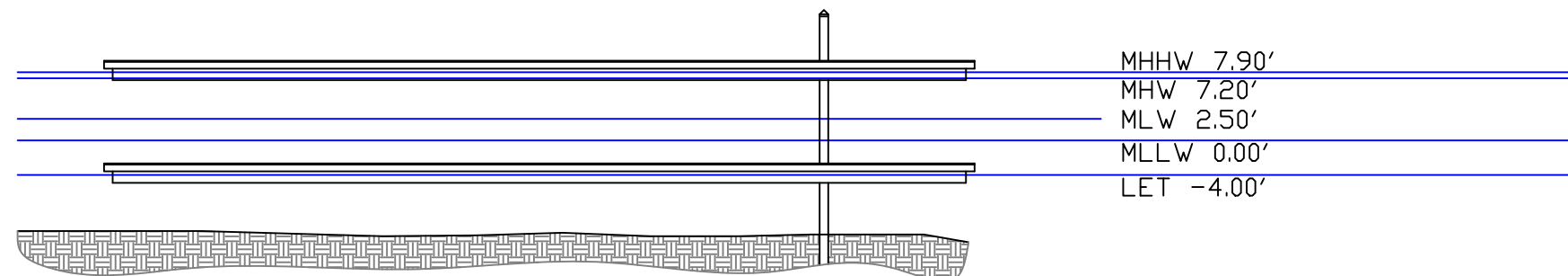
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SECTION B



SECTION C

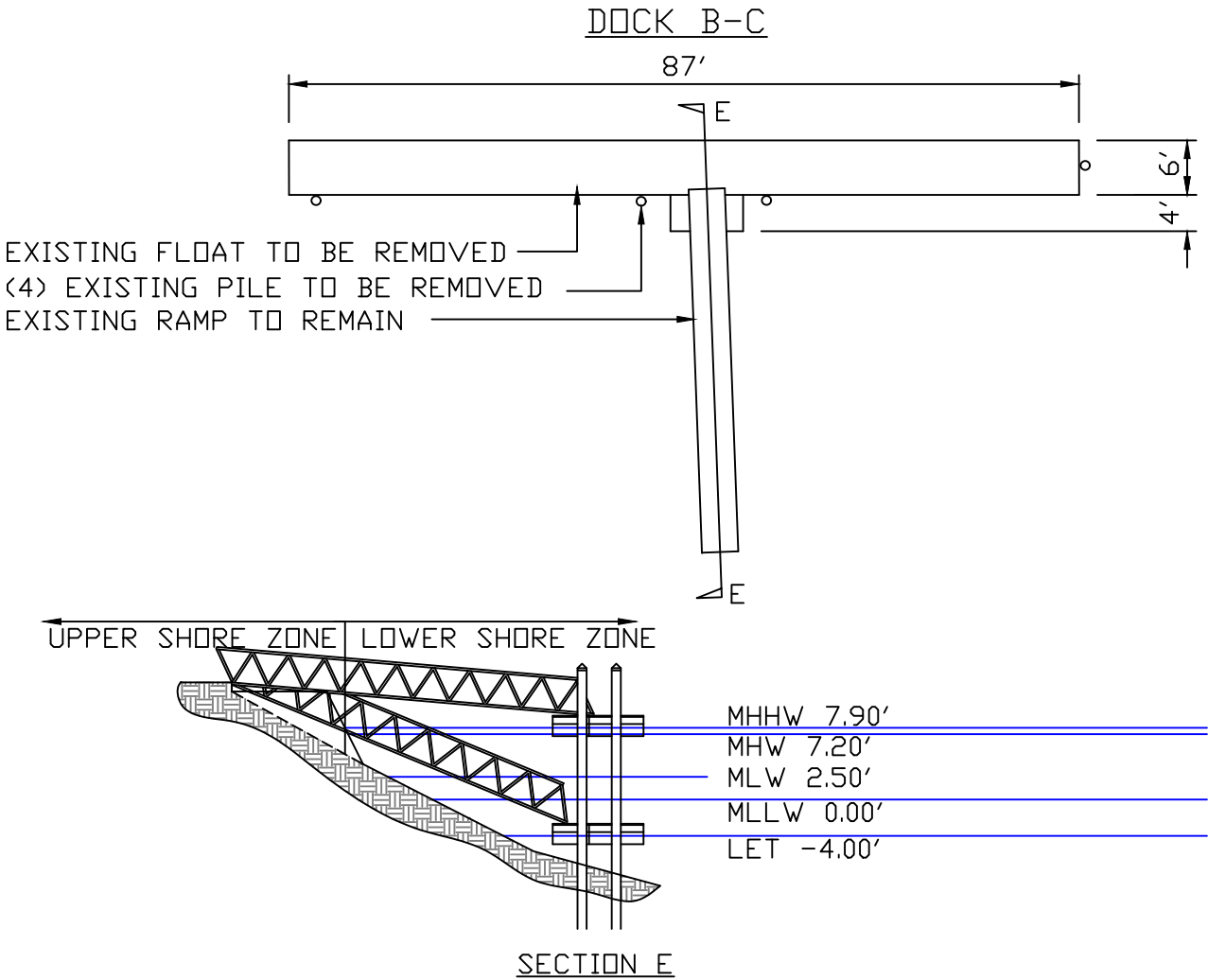


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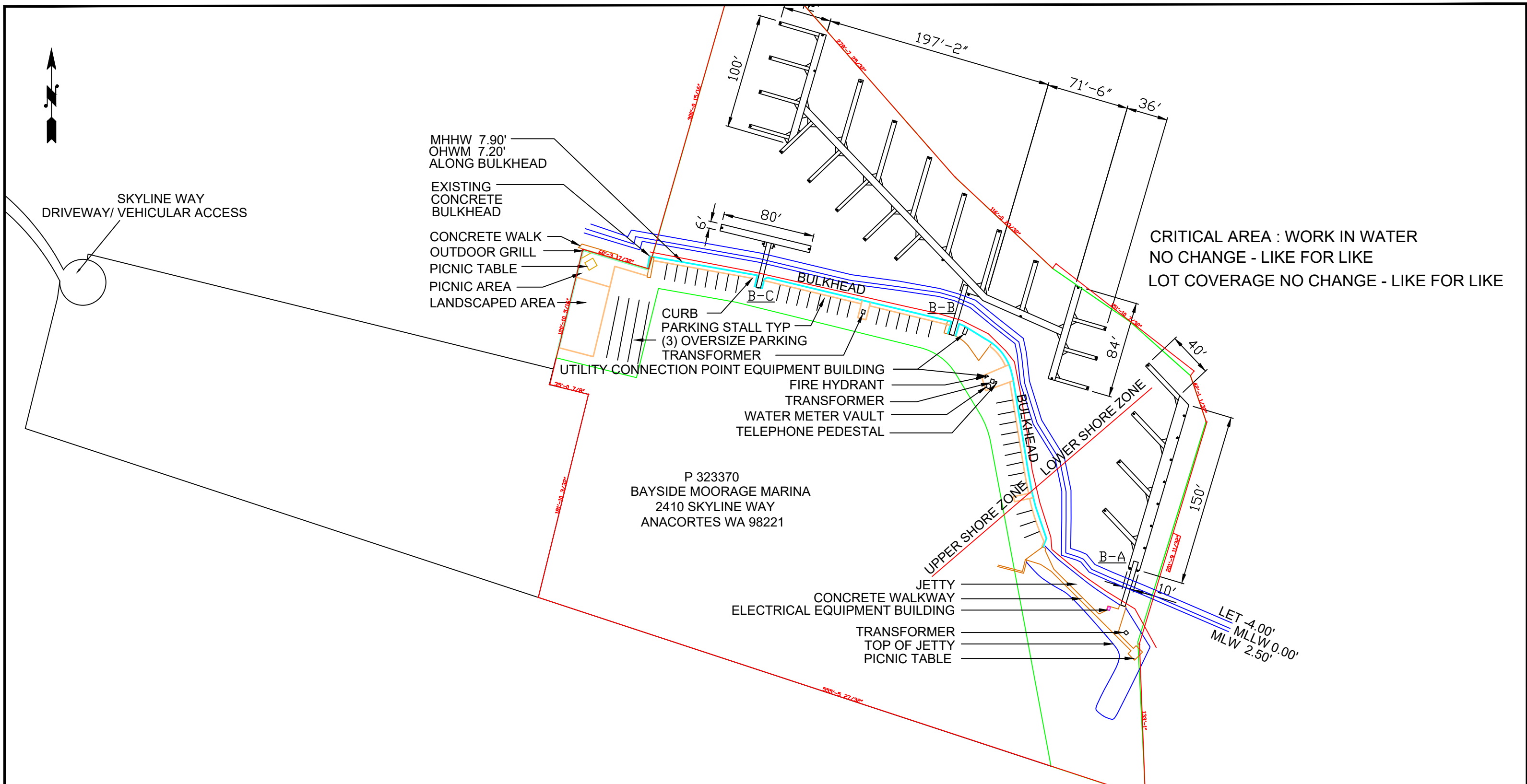
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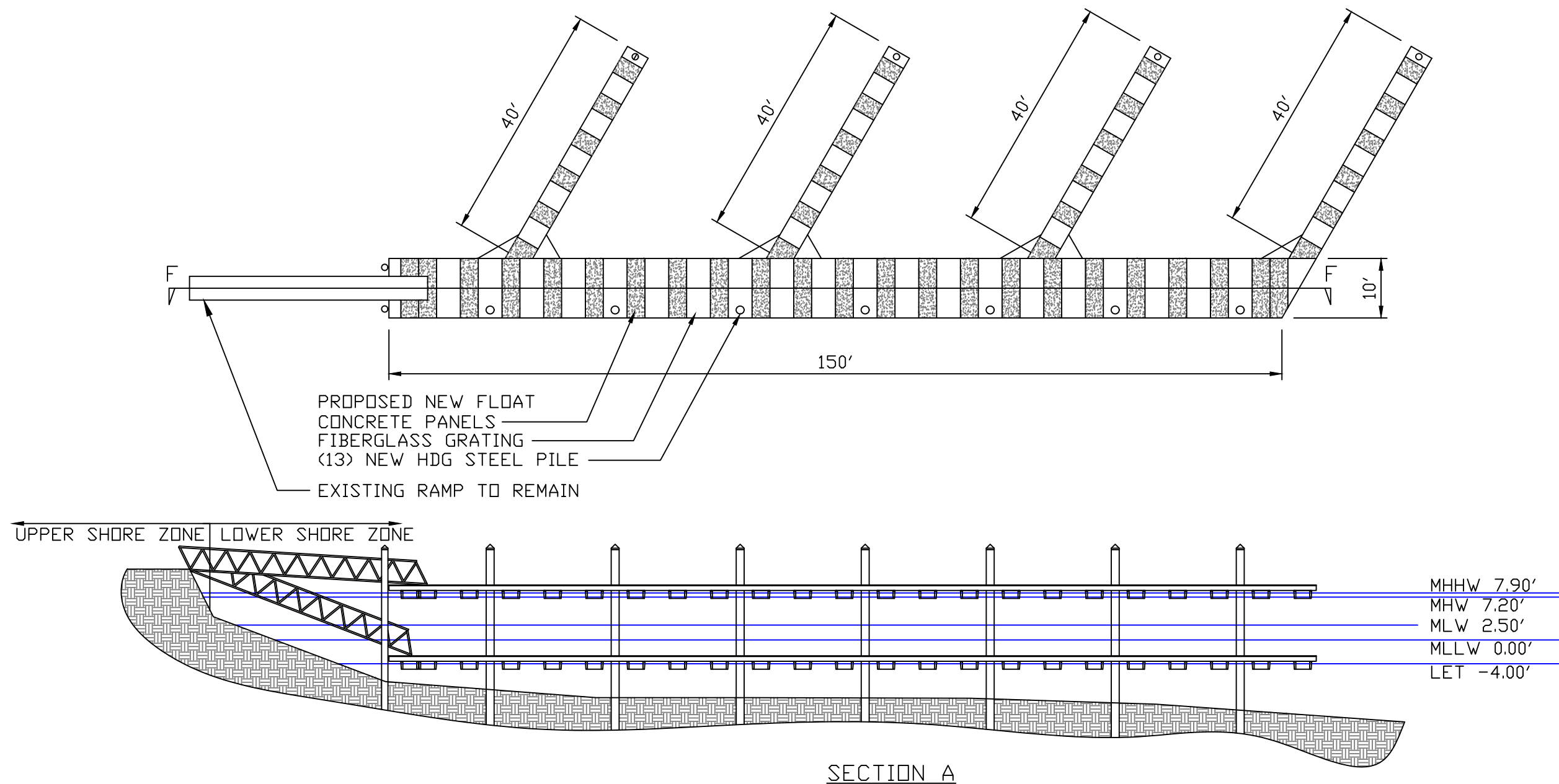
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BAYSIDE MOORAGE MARINA
2410 SKYLINE WAY
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CRITICAL AREA : WORK IN WATER
NO CHANGE - LIKE FOR LIKE
LOT COVERAGE NO CHANGE - LIKE FOR LIKE



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SCALE: 1"=20'

DATE: 9-15-20

OWNER INFORMATION : JEFF WRIGHT
ADDRESS: 2410 SKYLINE WAY ANACORTES, WA 98221
PARCEL # : P32370

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REVISION #

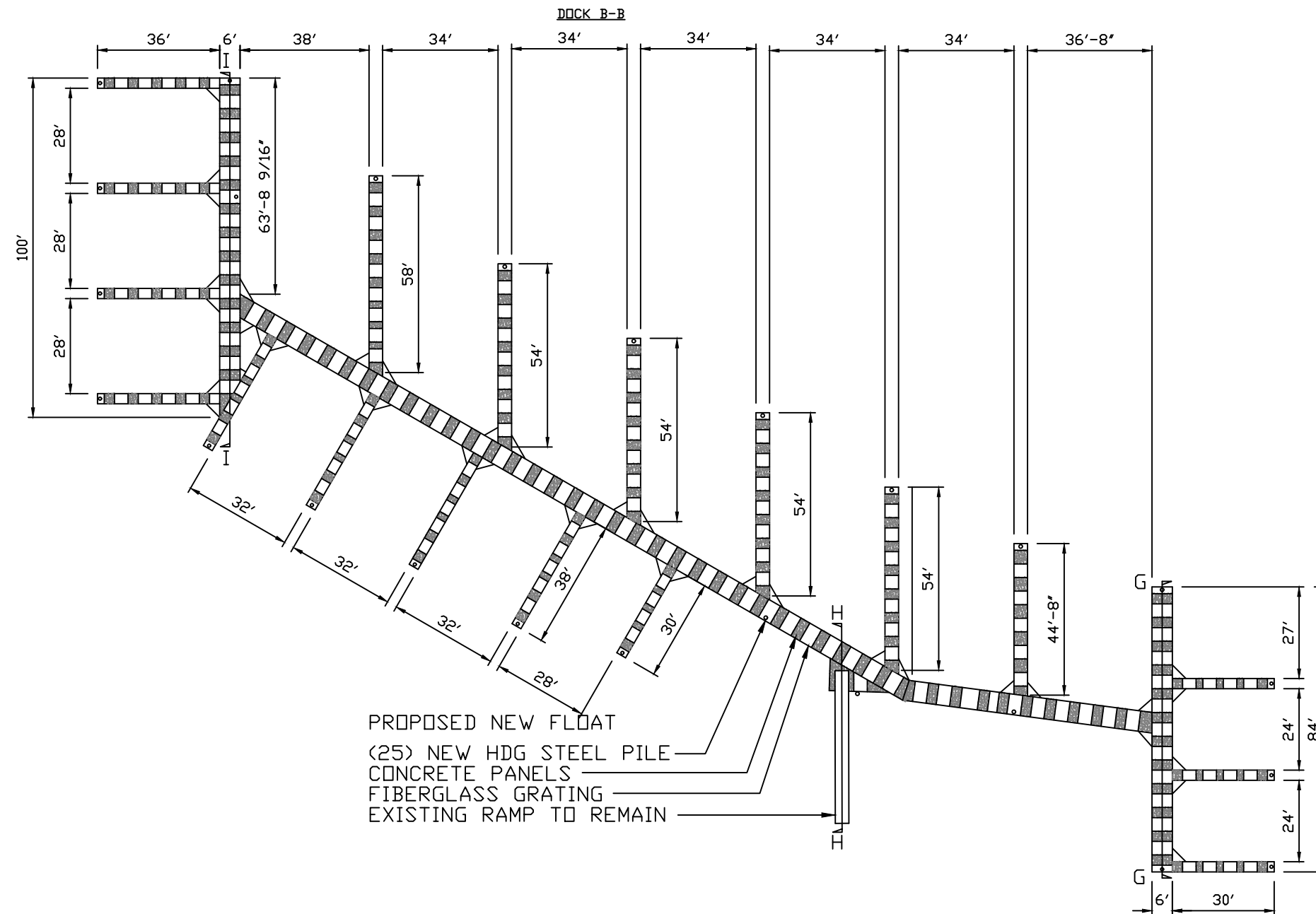
PROPOSED B-A

BAYSIDE MOORAGE MARINA
ANACORTES

PAGE 8

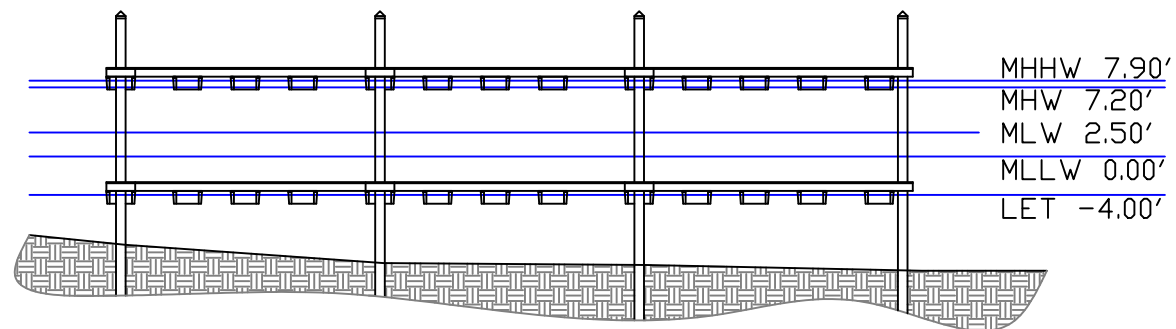
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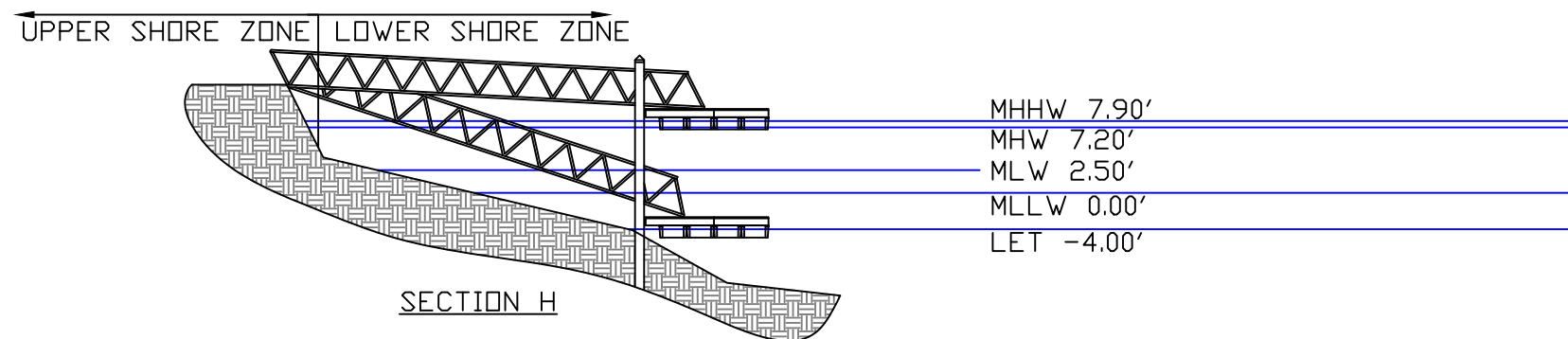


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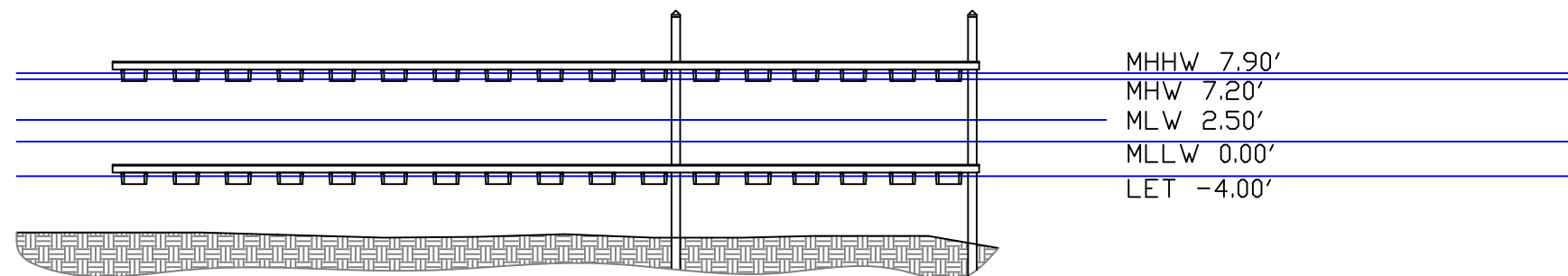
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SECTION G



SECTION H

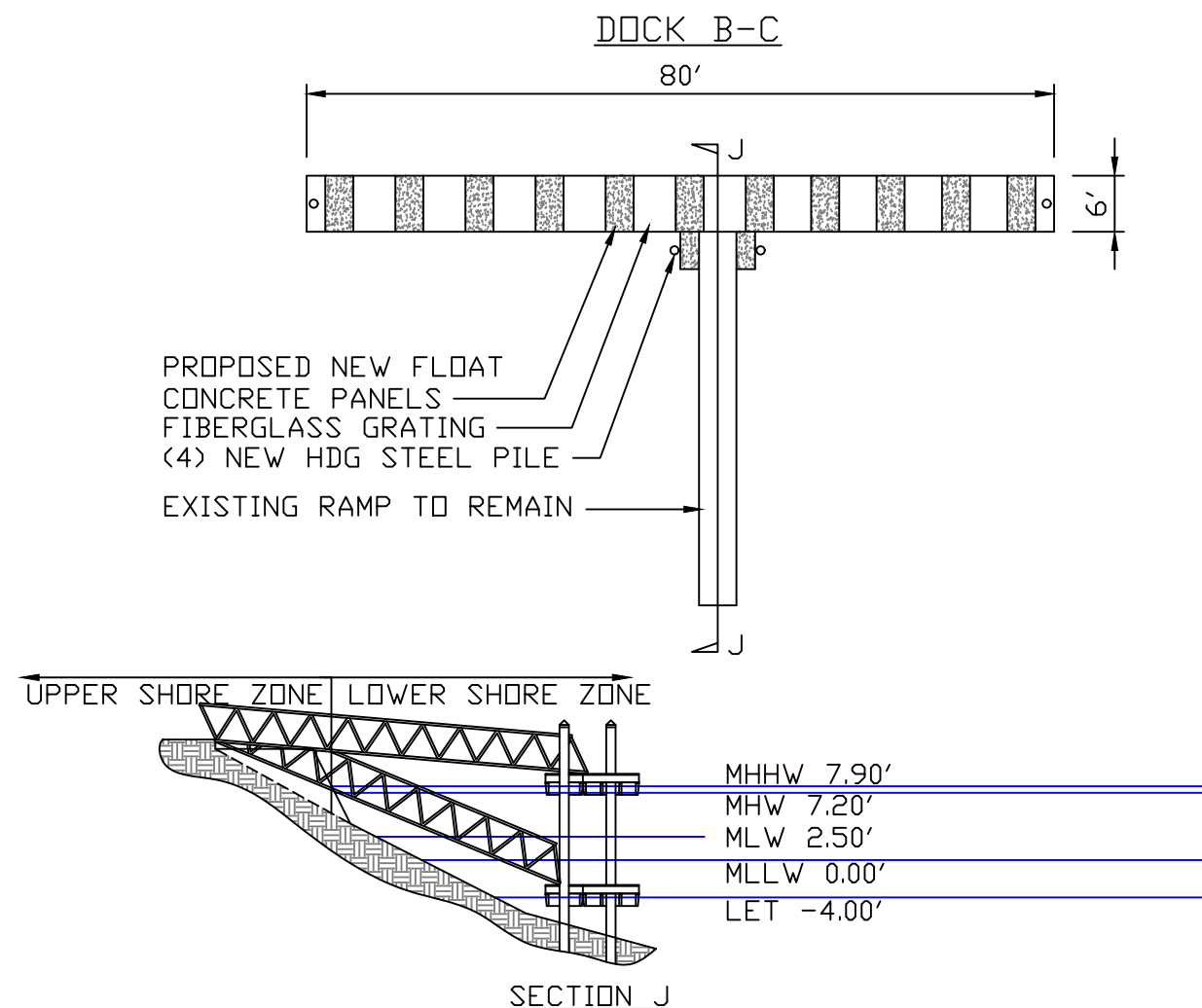


SECTION I



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LAND USE

CITY OF ANACORTES

Planning, Community, &
Economic Development

Date Received:

1/7/201

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants : [\[help\]](#)

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decisionmaking process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

Elephant Seals

Bayside Marina 2020 Habitat Survey Results

July 16, 2020

For:

Marine Floats
1208 East D Street
Tacoma, WA 98421

Site Address:

2410 Skyline Way,
Anacortes, WA 98221



MARINE SURVEYS & ASSESSMENTS
380 Jefferson Street
Port Townsend WA 98368
360-385-4073
msa@marinesurveysandassessments.com

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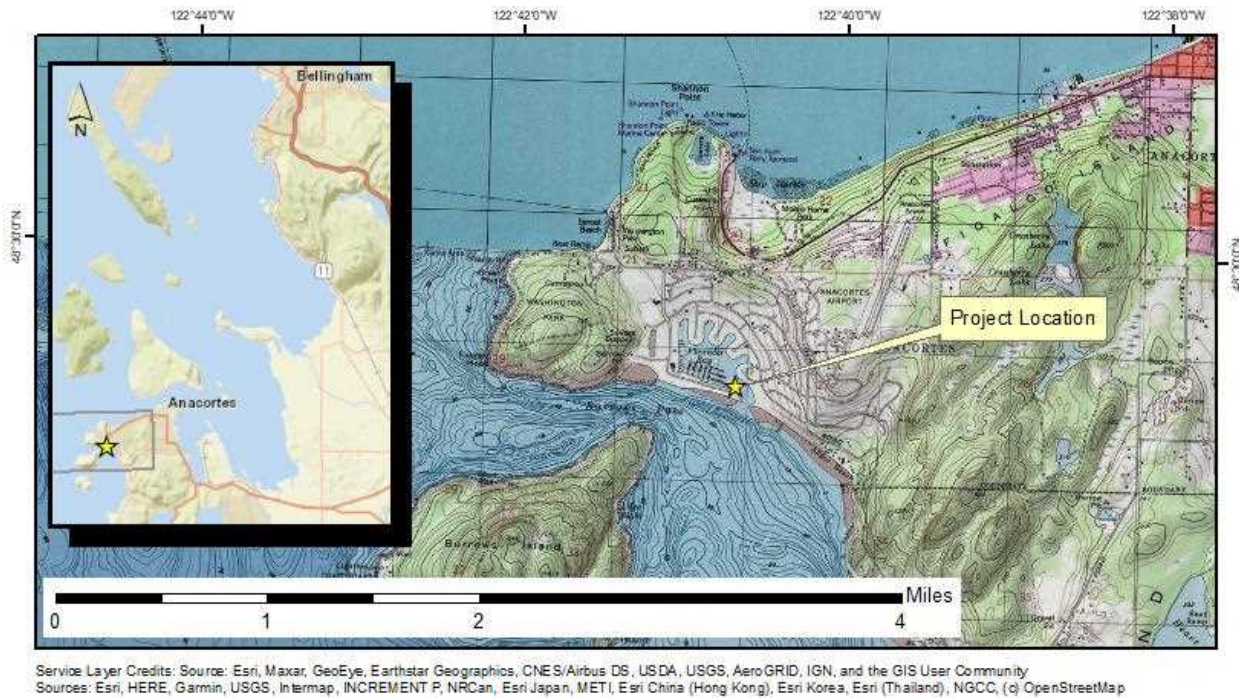
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Bayside Marina Habitat Report (to accompany map dated 7/16/2020)

Introduction

A habitat survey was performed using SCUBA on June 18, 2020 from approximately 10 am to 4:45 pm at the project site located 2410 Skyline Way, Anacortes, WA 98221. Griffin Hoins and Darby Flanagan from Marine Surveys & Assessments used SCUBA to run habitat survey transects of a proposed marina replacement to identify flora, fauna, substrate types and other qualitative information. Weather was clear and sunny; water visibility was 1-6 ft. The shoreline at the site is a concrete bulkhead with 3 ramps. The upland area is described as having non-native and ornamental plants.

Figure 1. Bayside Marina Vicinity Map



Methods

The habitat survey transect baseline was established along the HTL (High Tide Line) at the bulkhead that runs the shoreline at the site. Twenty-six transects were surveyed from the baseline and transects were oriented perpendicular to the bulkhead (at the west end of the survey area) and parallel to some of the existing structures. Transects ranged in length from 125 ft to 260 ft and were arranged from west to east, or when looking at the water from shore, from left to right (T1 to T26). Transect 1-3 were spaced 10 feet apart; remaining transects were spaced 20 ft apart.

Findings

Elevations in the survey area ranged from +7' MLLW along the transect baseline to -14' MLLW at the seaward end. Elevation drops quickly from the shoreline (from HTL to -9' MLLW over about 30 feet) and then is relatively flat, gradually sloping out to -14 ft MLLW. (The elevations were not collected using survey grade equipment and are for reference only; they can have an error of +/- one foot and should not be used for engineering purposes). Substrate at the site is primarily mud and silt throughout.

Areas of macroalgae included *Ulva* 2-50%, *Fucus* 5-20%, *Sargassum* 5-10%, *Mastocarpus* 5%, and *Sarcodiotheca* 3-5%. The Laminariales kelps *Saccharina* (1-90%) and *Costaria* (5-50%) were observed. Eelgrass was not documented at the site (however, unattached eelgrass from a large bed offsite was observed drifting through the survey area). The survey area included a 25-ft buffer around all proposed replacement structures. The percent cover of vegetation within this area is typically calculated to determine mitigation scenarios and can be found below in Table 1. *Ulva* is not included in these calculations because the area is not documented as a herring spawning zone.

Table 1. Vegetation within 25-ft Buffer

Vegetation in Buffer	
Total Sq Ft Veg (no <i>Ulva</i>) in Buffer	3776.9
Total Sq Ft Kelp in Buffer	3323.4
Buffer Sq Ft	80910.3
Percent Buffer Vegetated	4.7%
Percent Buffer Kelp (Laminariales)	4.1%

Figure 2. Habitat Survey Results Map

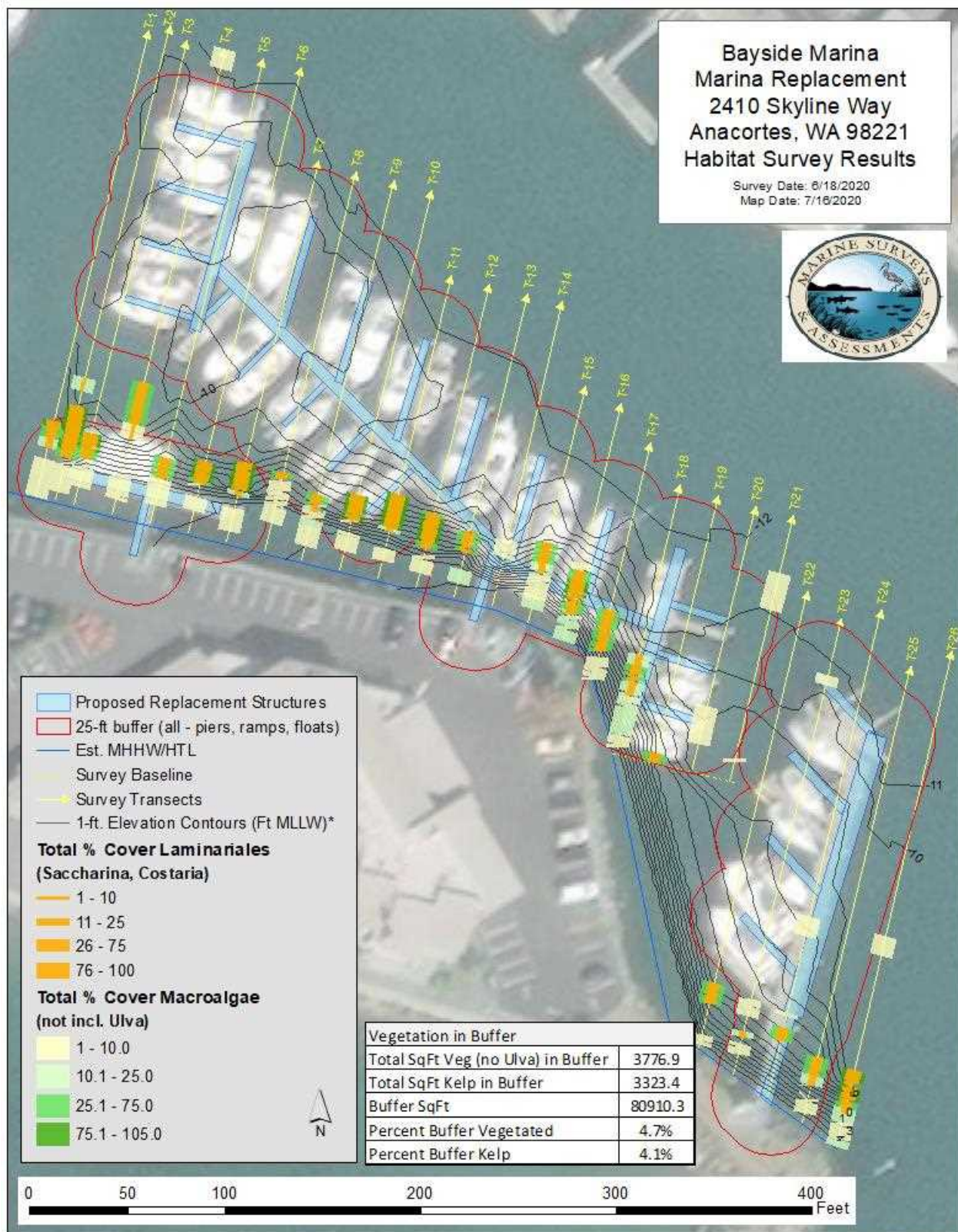


Figure 3. Small single blade of *Saccharina latissima*



Figure 4. Dungeness Crab over barren mud substrate



Figure 5. Huge amounts of drift vegetation were observed, (*Ulva*, Kelp, & Seagrass)



Figure 6. *Sarcodiotheca* along Transect 3



Table 2. Habitat Survey Results by Transect

Transect 1

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	<i>Mastocarpus</i> 5%.
10		Concrete rock breakwater	<i>Ulva</i> 2%; <i>Fucus</i> 10%.
20	-0.1	Concrete rock breakwater	<i>Ulva</i> 20%.
24	-1.1	Concrete rock breakwater	<i>Ulva</i> 20%.
25	-2.1	Concrete rock breakwater	<i>Ulva</i> 20%.
26	-3.1	Concrete rock breakwater	<i>Ulva</i> 30%; <i>Saccharina</i> 20%.
31	-4.1	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Saccharina</i> 40%.
34	-5.1	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Saccharina</i> 40%.
37	-6.1	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 30%.
40	-8.1	Mud and Silt	Barren.
50	-8.1	Mud and Silt	Barren.
57	-9.1	Mud and Silt	Barren.
60	-9.1	Mud and Silt	Barren.
70	-9.1	Mud and Silt	Barren.
80	-9.1	Mud and Silt	Barren.
90	-9.1	Mud and Silt	Barren.
100	-9.1	Mud and Silt	Barren.
105	-10.1	Mud and Silt	Barren.
110	-10.1	Mud and Silt	Barren.
120	-11.1	Mud and Silt	Barren.
130	-11.1	Mud and Silt	Barren.
140	-11.1	Mud and Silt	Barren.
145	-12.1	Mud and Silt	Barren.
150	-12.1	Mud and Silt	Barren.
160	-12.0	Mud and Silt	Barren.
170	-12.0	Mud and Silt	Barren.
180	-12.0	Mud and Silt	Barren.
190	-12.0	Mud and Silt	Barren.
200	-12.0	Mud and Silt	Barren.
210	-12.0	Mud and Silt	Barren.
220	-12.0	Mud and Silt	Barren.
230	-12.0	Mud and Silt	Barren.
240	-12.0	Mud and Silt	Barren.
245	-11.0	Mud and Silt	Barren.

Transect 2

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
5		Concrete rock breakwater	<i>Fucus</i> 5%.
19	0.1	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
19.5	-1.9	Concrete rock breakwater	<i>Ulva</i> 10%.
20	-2.9	Concrete rock breakwater	<i>Ulva</i> 20%.
21	-3.9	Concrete rock breakwater	<i>Ulva</i> 20%.
23	-4.9	Concrete rock breakwater	<i>Saccharina</i> 70%.
27	-5.9	Concrete rock breakwater	<i>Saccharina</i> 90%; <i>Costaria</i> 10%.
32	-6.9	Concrete rock breakwater	<i>Saccharina</i> 90%; <i>Costaria</i> 10%.
37	-7.9	Mud and Silt	<i>Saccharina</i> 90%; <i>Costaria</i> 10%.
50	-8.9	Mud and Silt	Barren.
55	-9.9	Mud and Silt	Barren.
58	-9.9	Mud and Silt	<i>Sargassum</i> 10%; <i>Saccharina</i> 1% (2 blades).
65	-9.9	Mud and Silt	Barren.
75	-10.9	Mud and Silt	Barren.
85	-10.9	Mud and Silt	Barren.
95	-9.9	Mud and Silt	Barren.
101	-9.9	Mud and Silt	Barren.
105	-10.9	Mud and Silt	Barren.
115	-10.9	Mud and Silt	Barren.
125	-10.9	Mud and Silt	Barren.
135	-11.0	Mud and Silt	Barren.
137	-11.0	Mud and Silt	Barren.
145	-12.0	Mud and Silt	Barren.
155	-12.0	Mud and Silt	Barren.
165	-12.0	Mud and Silt	Barren.
175	-12.0	Mud and Silt	Barren.
185	-11.0	Mud and Silt	Barren.
195	-11.0	Mud and Silt	Barren.
205	-10.0	Mud and Silt	Barren.
215	-11.0	Mud and Silt	Barren.
225	-11.0	Mud and Silt	Barren.
235	-11.0	Mud and Silt	Barren.
245	-11.0	Mud and Silt	Barren.

Transect 3

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
10		Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 10%.
20	0.1	Concrete rock breakwater	<i>Ulva</i> 25%.
22	-0.9	Concrete rock breakwater	<i>Ulva</i> 20%.
23	-1.9	Concrete rock breakwater	<i>Ulva</i> 20%.
25	-2.9	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 60%; <i>Sarcodiotheca</i> 3%.
29	-3.9	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
31	-4.9	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
35	-5.8	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
38	-6.8	Mud and Silt	Barren.
40	-7.8	Mud and Silt	Barren.
45	-8.8	Mud and Silt	Barren.
50	-9.8	Mud and Silt	Barren.
60	-9.8	Mud and Silt	Barren.
70	-9.8	Mud and Silt	Barren.
80	-9.8	Mud and Silt	Barren.
90	-9.8	Mud and Silt	Barren.
100	-10.8	Mud and Silt	Barren.
110	-9.8	Mud and Silt	Barren.
120	-9.8	Mud and Silt	Barren.
130	-9.8	Mud and Silt	Barren.
140	-9.8	Mud and Silt	Barren.
150	-10.8	Mud and Silt	Barren.
160	-10.8	Mud and Silt	Barren.
170	-11.8	Mud and Silt	Barren.
180	-11.8	Mud and Silt	Barren.
190	-10.8	Mud and Silt	Barren.
200	-10.8	Mud and Silt	Barren.
210	-10.7	Mud and Silt	Piling with <i>Saccharina</i> , <i>Costaria</i> , and foliose reds attached Substrate barren.
220	-10.7	Mud and Silt	Barren.
230	-10.7	Mud and Silt	Barren.
240	-10.7	Mud and Silt	Barren.
245	-11.7	Mud and Silt	Barren.

Transect 4

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
10		Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 5%.
18	0.5	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Fucus</i> 5%.
20	-0.5	Concrete rock breakwater	<i>Ulva</i> 20%.
22	-1.5	Concrete rock breakwater	<i>Ulva</i> 15%.
24	-2.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 10%.
26	-3.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 70%; <i>Costaria</i> 5%.
29	-4.6	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 5%.
31	-5.6	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 5%.
37	-6.6	Mud and Silt	Barren.
39	-7.6	Mud and Silt	Barren.
40	-8.6	Mud and Silt	Barren.
45	-9.6	Mud and Silt	Barren.
47	-9.6	Mud and Silt	Barren.
55	-10.6	Mud and Silt	Barren.
65	-10.6	Mud and Silt	Barren.
67	-10.6	Mud and Silt	Barren.
75	-9.6	Mud and Silt	Barren.
85	-9.6	Mud and Silt	Barren.
95	-9.6	Mud and Silt	Barren.
105	-9.6	Mud and Silt	Barren.
115	-9.6	Mud and Silt	Barren.
125	-9.6	Mud and Silt	Barren.
135	-9.6	Mud and Silt	Barren.
140	-9.6	Mud and Silt	Barren.
145	-10.7	Mud and Silt	Barren.
155	-10.7	Mud and Silt	Barren.
165	-10.7	Mud and Silt	Barren.
175	-10.7	Mud and Silt	Barren.
185	-10.7	Mud and Silt	Barren.
195	-10.7	Mud and Silt	Barren.
197	-10.7	Mud and Silt	Barren.
205	-11.7	Mud and Silt	Barren.
215	-11.7	Mud and Silt	Barren.
225	-11.7	Mud and Silt	Barren.
235	-11.7	Mud and Silt	Barren.
237	-11.7	Mud and Silt	<i>Sarcodiotheca</i> 5%.
245	-12.7	Mud and Silt	Barren.

Transect 5

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
10		Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
20	0.5	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
22	-0.5	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
24	-1.5	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 20%; <i>Costaria</i> 20%.
28	-2.5	Concrete rock breakwater	<i>Saccharina</i> 50%; <i>Costaria</i> 20%.
31	-3.5	Concrete rock breakwater	<i>Saccharina</i> 50%; <i>Costaria</i> 20%.
35	-4.5	Mud and Silt	Barren.
39	-5.5	Mud and Silt	Barren.
40	-6.5	Mud and Silt	Barren.
42	-7.5	Mud and Silt	Barren.
47	-8.5	Mud and Silt	Barren.
50	-9.5	Mud and Silt	Barren.
59	-10.5	Mud and Silt	Barren.
70	-10.5	Mud and Silt	Barren.
80	-10.5	Mud and Silt	Barren.
100	-10.5	Mud and Silt	Barren.
110	-10.5	Mud and Silt	Barren.
120	-9.4	Mud and Silt	Barren.
130	-9.4	Mud and Silt	Barren.
134	-10.4	Mud and Silt	Barren.
140	-10.4	Mud and Silt	Barren.
150	-10.4	Mud and Silt	Barren.
160	-10.4	Mud and Silt	Barren.
170	-10.4	Mud and Silt	Barren.
180	-10.4	Mud and Silt	Barren.
190	-10.4	Mud and Silt	Barren.
200	-10.4	Mud and Silt	Barren.
210	-10.4	Mud and Silt	Barren.
217	-11.4	Mud and Silt	Barren.
226	-12.4	Mud and Silt	Barren.
230	-12.4	Mud and Silt	Barren.
240	-12.4	Mud and Silt	Barren.
245	-12.4	Mud and Silt	Barren.
890	-10.5	Mud and Silt	Barren.

Transect 6

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
12		Concrete rock breakwater	<i>Fucus</i> 5%.
19	0.7	Concrete rock breakwater	<i>Ulva</i> 5%.
22	-0.3	Concrete rock breakwater	<i>Ulva</i> 10%.
25	-1.3	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
26	-2.3	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 60%; <i>Costaria</i> 10%.
28	-3.3	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
30	-4.3	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
32	-5.3	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
36	-6.3	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
38	-7.3	Mud and Silt	Barren.
43	-8.3	Mud and Silt	Barren.
45	-9.3	Mud and Silt	Barren.
55	-9.3	Mud and Silt	Barren.
60	-9.3	Mud and Silt	Barren.
65	-10.3	Mud and Silt	Barren.
75	-10.3	Mud and Silt	Barren.
85	-10.3	Mud and Silt	Barren.
95	-9.3	Mud and Silt	Barren.
105	-9.3	Mud and Silt	Barren.
115	-9.3	Mud and Silt	Barren.
125	-9.3	Mud and Silt	Barren.
135	-9.3	Mud and Silt	Barren.
145	-9.3	Mud and Silt	Barren.
155	-9.3	Mud and Silt	Barren.
165	-9.3	Mud and Silt	Barren.
168	-9.3	Mud and Silt	Barren.
175	-10.3	Mud and Silt	Barren.
185	-10.3	Mud and Silt	Barren.
195	-10.3	Mud and Silt	Piling with <i>Saccharina</i> , <i>Costaria</i> , and foliose reds attached Substrate barren.
200	-11.3	Mud and Silt	Barren.
205	-12.4	Mud and Silt	Barren.
215	-12.4	Mud and Silt	Barren.
225	-11.4	Mud and Silt	Barren.
228	-11.4	Mud and Silt	Barren.
235	-12.4	Mud and Silt	Barren.
245	-12.4	Mud and Silt	Barren.

Transect 7

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
6		Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 5%.
18	1.5	Concrete rock breakwater	<i>Ulva</i> 20%.
22	0.5	Concrete rock breakwater	<i>Ulva</i> 20%.
24	-0.5	Concrete rock breakwater	<i>Ulva</i> 20%.
25	-1.5	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Saccharina</i> 10%; <i>Costaria</i> 5%.
27	-2.5	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 20%.
27.5	-3.5	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 20%.
28	-4.5	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 20%.
30	-5.4	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 20%.
38	-6.4	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 20%.
42	-7.4	Mud and Silt	Barren.
45	-8.4	Mud and Silt	Barren.
55	-9.4	Mud and Silt	Barren.
58	-9.4	Mud and Silt	Barren.
68	-9.4	Mud and Silt	Barren.
78	-9.4	Mud and Silt	Piling with <i>Saccharina</i> , <i>Costaria</i> , and foliose reds attached Substrate barren.
88	-9.4	Mud and Silt	Barren.
98	-9.4	Mud and Silt	Barren.
108	-9.4	Mud and Silt	Barren.
118	-9.4	Mud and Silt	Barren.
128	-9.4	Mud and Silt	Barren.
138	-9.4	Mud and Silt	Barren.
148	-9.4	Mud and Silt	Barren.
158	-9.4	Mud and Silt	Barren.
168	-9.4	Mud and Silt	Barren.
178	-9.3	Mud and Silt	Barren.
187	-10.3	Mud and Silt	Barren.
188	-10.3	Mud and Silt	Barren.
193	-11.3	Mud and Silt	Barren.
200	-11.3	Mud and Silt	Barren.

Transect 8

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
15		Concrete rock breakwater	<i>Fucus</i> 5%.
24	1.9	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 5%.

26	0.9	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 5%.
27	-0.2	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 10%.
29	-1.2	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Fucus</i> 10%.
32	-2.2	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Fucus</i> 10%.
37	-3.2	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Fucus</i> 10%; <i>Mastocarpus</i> 5%.
38	-4.2	Concrete rock breakwater	<i>Saccharina</i> 30%; <i>Costaria</i> 20%.
39	-5.2	Concrete rock breakwater	<i>Saccharina</i> 30%; <i>Costaria</i> 20%.
42	-6.2	Mud and Silt	Barren.
43	-7.2	Mud and Silt	Barren.
45	-8.2	Mud and Silt	Barren.
50	-9.2	Mud and Silt	Barren.
60	-9.2	Mud and Silt	Barren.
69	-9.2	Mud and Silt	Barren.
70	-10.2	Mud and Silt	Barren.
80	-10.2	Mud and Silt	Barren.
90	-10.2	Mud and Silt	Barren.
100	-10.2	Mud and Silt	Barren.
110	-9.2	Mud and Silt	Barren.
120	-9.3	Mud and Silt	Barren.
130	-9.3	Mud and Silt	Barren.
140	-9.3	Mud and Silt	Barren.
150	-9.3	Mud and Silt	Barren.
158	-9.3	Mud and Silt	Barren.
160	-10.3	Mud and Silt	Barren.
166	-10.3	Mud and Silt	Barren.
172	-11.3	Mud and Silt	Barren.
180	-12.3	Mud and Silt	Barren.
183	-12.3	Mud and Silt	Barren.
190	-13.3	Mud and Silt	Barren.
200	-13.3	Mud and Silt	Barren.

Transect 9

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
8		Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 10%.
18	1.9	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 10%; <i>Mastocarpus</i> 5%.
22	0.9	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
24	-0.1	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Mastocarpus</i> 5%.
26	-1.1	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Saccharina</i> 20%.
28	-2.1	Concrete rock breakwater	<i>Saccharina</i> 20%.
29	-3.1	Concrete rock breakwater	<i>Saccharina</i> 30%; <i>Costaria</i> 10%.
30	-4.1	Concrete rock breakwater	<i>Saccharina</i> 30%; <i>Costaria</i> 10%.

31	-5.1	Concrete rock breakwater	<i>Saccharina</i> 50%; <i>Costaria</i> 15%.
35	-6.1	Mud and Silt	Barren.
38	-7.1	Mud and Silt	Barren.
40	-8.1	Mud and Silt	Barren.
48	-8.0	Mud and Silt	Barren.
53	-9.0	Mud and Silt	Barren.
58	-9.0	Mud and Silt	Barren.
62	-10.0	Mud and Silt	Barren.
68	-10.0	Mud and Silt	Barren.
78	-10.0	Mud and Silt	Barren.
88	-10.0	Mud and Silt	Barren.
98	-10.0	Mud and Silt	Barren.
108	-10.0	Mud and Silt	Barren.
118	-10.0	Mud and Silt	Barren.
128	-10.0	Mud and Silt	Barren.
138	-10.0	Mud and Silt	Barren.
148	-10.0	Mud and Silt	Barren.
158	-11.0	Mud and Silt	Barren.
168	-11.0	Mud and Silt	Barren.
188	-11.0	Mud and Silt	Barren.
198	-11.0	Mud and Silt	Barren.
200	-10.9	Mud and Silt	Barren.

Transect 10

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
10		Concrete rock breakwater	<i>Fucus</i> 5%.
18	2.3	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
20	1.2	Concrete rock breakwater	<i>Ulva</i> 10%.
21	0.2	Concrete rock breakwater	<i>Ulva</i> 20%.
23	-0.8	Concrete rock breakwater	<i>Ulva</i> 30%.
25	-1.8	Concrete rock breakwater	<i>Ulva</i> 50%; <i>Saccharina</i> 10%.
26	-2.8	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
27	-3.8	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
29	-4.8	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
30	-5.8	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
37	-6.8	Mud and Silt	<i>Saccharina</i> 70%; <i>Costaria</i> 10%.
40	-7.8	Mud and Silt	Barren.
41	-8.8	Mud and Silt	Barren.
50	-9.8	Mud and Silt	Barren.
52	-9.8	Mud and Silt	Barren.
60	-10.8	Mud and Silt	Barren.

65	-10.8	Mud and Silt	Barren.
70	-11.8	Mud and Silt	Barren.
75	-11.8	Mud and Silt	Barren.
80	-10.9	Mud and Silt	Barren.
90	-10.9	Mud and Silt	Barren.
100	-10.9	Mud and Silt	Barren.
107	-10.9	Mud and Silt	Barren.
110	-9.9	Mud and Silt	Barren.
120	-9.9	Mud and Silt	Barren.
129	-9.9	Mud and Silt	Barren.
130	-10.9	Mud and Silt	Barren.
135	-10.9	Mud and Silt	Barren.
140	-11.9	Mud and Silt	Barren.
141	-11.9	Mud and Silt	Barren.
150	-12.9	Mud and Silt	Barren.
160	-12.9	Mud and Silt	Barren.
170	-13.9	Mud and Silt	Barren.
180	-13.9	Mud and Silt	Barren.
190	-13.9	Mud and Silt	Barren.
200	-12.9	Mud and Silt	Barren.

Transect 11

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
10		Concrete rock breakwater	<i>Ulva</i> 2%; <i>Fucus</i> 5%.
16	2.3	Concrete rock breakwater	<i>Ulva</i> 5%.
19	1.3	Concrete rock breakwater	<i>Ulva</i> 10%.
21	0.3	Concrete rock breakwater	<i>Ulva</i> 15%.
23	-0.7	Concrete rock breakwater	<i>Ulva</i> 30%.
25	-1.7	Concrete rock breakwater	<i>Ulva</i> 30%; <i>Saccharina</i> 20%; <i>Costaria</i> 5%.
27	-2.7	Concrete rock breakwater	<i>Saccharina</i> 60%; <i>Costaria</i> 20%.
29	-3.7	Concrete rock breakwater	<i>Saccharina</i> 60%; <i>Costaria</i> 20%.
32	-4.7	Concrete rock breakwater	<i>Saccharina</i> 60%; <i>Costaria</i> 20%.
37	-6.7	Concrete rock breakwater	<i>Saccharina</i> 60%; <i>Costaria</i> 20%.
42	-7.7	Mud and Silt	Barren.
45	-5.7	Concrete rock breakwater	<i>Saccharina</i> 60%; <i>Costaria</i> 20%.
45	-8.7	Mud and Silt	Barren.
50	-9.6	Mud and Silt	Barren.
56	-9.6	Mud and Silt	Barren.
63	-10.6	Mud and Silt	Barren.
67	-11.6	Mud and Silt	Barren.
76	-11.6	Mud and Silt	Barren.

86	-11.6	Mud and Silt	Barren.
96	-11.6	Mud and Silt	Barren.
97	-10.6	Mud and Silt	Barren.
106	-10.6	Mud and Silt	Barren.
116	-10.6	Mud and Silt	Barren.
126	-10.6	Mud and Silt	Barren.
129	-11.6	Mud and Silt	Barren.
136	-11.6	Mud and Silt	Barren.
140	-12.6	Mud and Silt	Barren.
146	-12.6	Mud and Silt	Barren.
156	-12.6	Mud and Silt	Barren.
160	-13.6	Mud and Silt	Barren.

Transect 12

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
8		Concrete rock breakwater	<i>Fucus</i> 5%.
15	2.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
15.5	1.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
16	0.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
17	-0.4	Concrete rock breakwater	<i>Ulva</i> 10%.
18	-1.4	Concrete rock breakwater	<i>Ulva</i> 10%.
19	-2.4	Concrete rock breakwater	<i>Ulva</i> 10%.
21	-3.4	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 60%.
25	-4.4	Concrete rock breakwater	<i>Saccharina</i> 80%; <i>Costaria</i> 10%.
32	-5.4	Concrete rock breakwater	<i>Saccharina</i> 80%; <i>Costaria</i> 10%; <i>Sarcodiotheca</i> 5%.
36	-6.4	Concrete rock breakwater	<i>Saccharina</i> 80%; <i>Costaria</i> 10%; <i>Sarcodiotheca</i> 5%.
38	-7.4	Mud and Silt	<i>Saccharina</i> 60%; <i>Costaria</i> 10%.
40	-8.4	Mud and Silt	Barren.
45	-9.5	Mud and Silt	Barren.
47	-10.5	Mud and Silt	Barren.
54	-11.5	Mud and Silt	Barren.
55	-12.5	Mud and Silt	Barren.
65	-12.5	Mud and Silt	Barren.
67	-12.5	Mud and Silt	Barren.
75	-11.5	Mud and Silt	Barren.
85	-11.5	Mud and Silt	Barren.
95	-11.5	Mud and Silt	Barren.
105	-11.5	Mud and Silt	Barren.
115	-11.5	Mud and Silt	Barren.

119	-11.5	Mud and Silt	Barren.
125	-12.5	Mud and Silt	Barren.
135	-12.5	Mud and Silt	Barren.
145	-12.5	Mud and Silt	Barren.
155	-13.5	Mud and Silt	Barren.
160	-12.5	Mud and Silt	Barren.

Transect 13

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
8		Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 20%.
15	2.6	Concrete rock breakwater	<i>Ulva</i> 5%.
20	1.7	Concrete rock breakwater	<i>Ulva</i> 10%.
22	0.7	Concrete rock breakwater	<i>Ulva</i> 10%.
24	-0.3	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Saccharina</i> 30%.
26	-1.3	Concrete rock breakwater	<i>Saccharina</i> 30%; <i>Costaria</i> 10%.
27	-2.3	Concrete rock breakwater	<i>Saccharina</i> 40%; <i>Costaria</i> 20%.
29	-3.3	Concrete rock breakwater	<i>Saccharina</i> 50%; <i>Costaria</i> 10%.
30	-4.3	Concrete rock breakwater	<i>Saccharina</i> 50%.
32	-5.3	Concrete rock breakwater	<i>Saccharina</i> 50%.
34	-6.3	Mud and Silt	<i>Saccharina</i> 50%.
35	-7.3	Mud and Silt	Barren.
39	-8.3	Mud and Silt	Barren.
43	-9.3	Mud and Silt	Barren.
50	-10.3	Mud and Silt	Barren.
60	-10.3	Mud and Silt	Barren.
67	-11.3	Mud and Silt	Barren.
70	-11.3	Mud and Silt	Barren.
80	-11.3	Mud and Silt	Barren.
90	-11.2	Mud and Silt	Barren.
100	-11.2	Mud and Silt	Barren.
110	-11.2	Mud and Silt	Barren.
120	-11.2	Mud and Silt	Barren.
122	-12.2	Mud and Silt	Barren.
130	-13.2	Mud and Silt	Barren.
135	-12.2	Mud and Silt	Barren.
145	-13.2	Mud and Silt	Barren.
155	-13.2	Mud and Silt	Barren.
160	-13.2	Mud and Silt	Barren.

Transect 14

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
5		Concrete rock breakwater	Barren.
11	2.9	Concrete rock breakwater	Barren.
12	1.9	Concrete rock breakwater	Barren.
13	0.9	Concrete rock breakwater	Barren.
14	-0.1	Concrete rock breakwater	Barren.
15	-1.1	Concrete rock breakwater	Barren.
16	-2.1	Concrete rock breakwater	Barren.
17	-3.1	Concrete rock breakwater	Barren.
18	-4.1	Concrete rock breakwater	Barren.
18.5	-5.1	Concrete rock breakwater	Barren.
19	-6.1	Concrete rock breakwater	Barren.
24	-7.1	Mud and Silt	Barren.
26	-8.1	Mud and Silt	<i>Sarcodiotheca</i> 3%.
28	-9.1	Mud and Silt	<i>Sarcodiotheca</i> 3%.
35	-10.1	Mud and Silt	Barren.
40	-11.1	Mud and Silt	Barren.
50	-11.1	Mud and Silt	Barren.
60	-11.1	Mud and Silt	Barren.
63	-11.1	Mud and Silt	Barren.
70	-12.1	Mud and Silt	Barren.
80	-12.2	Mud and Silt	Barren.
87	-12.2	Mud and Silt	Barren.
90	-13.2	Mud and Silt	Barren.
100	-13.2	Mud and Silt	Barren.
110	-13.2	Mud and Silt	Barren.
120	-13.2	Mud and Silt	Barren.
130	-13.2	Mud and Silt	Barren.
140	-13.2	Mud and Silt	Barren.
149	-12.2	Mud and Silt	Barren.
150	-13.2	Mud and Silt	Barren.
160	-13.2	Mud and Silt	Barren.

Transect 15

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	Barren.
8		Concrete rock breakwater	<i>Fucus</i> 15%.
13	5.4	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.

16	4.4	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
19	3.4	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Mastocarpus</i> 5%.
23	2.4	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Mastocarpus</i> 5%.
26	1.4	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Mastocarpus</i> 5%.
26	0.4	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Sargassum</i> 5%; <i>Saccharina</i> 10%.
26.4	-0.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Sargassum</i> 5%; <i>Saccharina</i> 10%.
27	-1.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Sargassum</i> 5%; <i>Saccharina</i> 20%.
28	-2.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Sargassum</i> 5%; <i>Saccharina</i> 20%.
32	-3.6	Concrete rock breakwater	<i>Sargassum</i> 5%; <i>Saccharina</i> 20%; <i>Costaria</i> 10%; <i>Sarcodiotheca</i> 5%.
35	-4.6	Concrete rock breakwater	<i>Saccharina</i> 30%; <i>Costaria</i> 20%; <i>Sarcodiotheca</i> 5%.
38	-5.6	Concrete rock breakwater	<i>Saccharina</i> 30%; <i>Costaria</i> 20%.
40	-6.6	Concrete rock breakwater	<i>Saccharina</i> 40%; <i>Costaria</i> 20%.
43	-7.6	Mud and Silt	Barren.
47	-8.6	Mud and Silt	Barren.
53	-8.6	Mud and Silt	Barren.
59	-9.6	Mud and Silt	Barren.
67	-10.6	Mud and Silt	Barren.
82	-10.6	Mud and Silt	Barren.
83	-10.6	Mud and Silt	Barren.
85	-11.6	Mud and Silt	Barren.
93	-11.6	Mud and Silt	Barren.
96	-12.6	Mud and Silt	Barren.
103	-12.6	Mud and Silt	Barren.
113	-12.6	Mud and Silt	Barren.
123	-12.6	Mud and Silt	Barren.
125	-12.5	Mud and Silt	Barren.

Transect 16

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0		Concrete rock breakwater	<i>Fucus</i> 15%.
6	5.6	Concrete rock breakwater	<i>Fucus</i> 15%.
8	4.6	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 15%.
11	3.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 10%; <i>Mastocarpus</i> 5%.
13	2.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 10%; <i>Mastocarpus</i> 5%.
14	1.6	Concrete rock breakwater	<i>Ulva</i> 15%; <i>Saccharina</i> 30%; <i>Costaria</i> 30%.
15	0.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 30%; <i>Costaria</i> 30%.
18	-0.4	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 30%; <i>Costaria</i> 30%.

20	-1.4	Concrete rock breakwater	<i>Saccharina</i> 50%; <i>Costaria</i> 50%.
21	-2.4	Concrete rock breakwater	<i>Saccharina</i> 50%; <i>Costaria</i> 50%.
22	-3.4	Concrete rock breakwater	<i>Saccharina</i> 50%; <i>Costaria</i> 50%.
24	-4.4	Concrete rock breakwater	<i>Saccharina</i> 50%; <i>Costaria</i> 50%.
26	-5.4	Concrete rock breakwater	<i>Sargassum</i> 5%; <i>Saccharina</i> 40%; <i>Costaria</i> 40%.
29	-6.4	Concrete rock breakwater	<i>Sargassum</i> 5%; <i>Saccharina</i> 40%; <i>Costaria</i> 40%.
32	-7.4	Concrete rock breakwater	<i>Saccharina</i> 30%; <i>Costaria</i> 40%.
37	-8.4	Mud and Silt	Barren.
38	-9.4	Mud and Silt	<i>Sarcodiotheca</i> 5%.
41	-10.4	Mud and Silt	Barren.
48	-11.4	Mud and Silt	Barren.
58	-11.5	Mud and Silt	Barren.
63	-11.5	Mud and Silt	Barren.
65	-13.5	Mud and Silt	Barren.
68	-12.5	Mud and Silt	Barren.
73	-12.5	Mud and Silt	Barren.
75	-13.5	Mud and Silt	Barren.
85	-13.5	Mud and Silt	Barren.
95	-12.5	Mud and Silt	Barren.
105	-12.5	Mud and Silt	Barren.
115	-12.5	Mud and Silt	Barren.
125	-12.5	Mud and Silt	Barren.

Transect 17

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	5.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
1	4.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
4	3.6	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
7	2.6	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Mastocarpus</i> 5%.
12	1.6	Concrete rock breakwater	<i>Ulva</i> 20%.
13	0.7	Concrete rock breakwater	<i>Ulva</i> 20%.
15	-0.3	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 10%; <i>Costaria</i> 20%.
17	-1.3	Concrete rock breakwater	<i>Saccharina</i> 10%; <i>Costaria</i> 20%.
20	-2.3	Concrete rock breakwater	<i>Sargassum</i> 10%; <i>Saccharina</i> 30%; <i>Costaria</i> 30%; <i>Sarcodiotheca</i> 5%.
23	-3.3	Concrete rock breakwater	<i>Sargassum</i> 10%; <i>Saccharina</i> 20%; <i>Costaria</i> 20%.
26	-4.3	Concrete rock breakwater	<i>Sargassum</i> 10%; <i>Saccharina</i> 20%; <i>Costaria</i> 20%.
28	-5.3	Concrete rock breakwater	<i>Saccharina</i> 20%; <i>Costaria</i> 20%.
30	-6.3	Concrete rock breakwater	<i>Saccharina</i> 20%; <i>Costaria</i> 20%.

32	-7.3	Mud and Silt	<i>Saccharina</i> 20%; <i>Costaria</i> 20%.
37	-8.3	Mud and Silt	Barren.
42	-9.3	Mud and Silt	Barren.
50	-9.3	Mud and Silt	Barren.
60	-9.3	Mud and Silt	Barren.
62	-10.3	Mud and Silt	Barren.
68	-11.3	Mud and Silt	Barren.
70	-11.3	Mud and Silt	Barren.
80	-11.3	Mud and Silt	Barren.
90	-11.3	Mud and Silt	Barren.
97	-12.3	Mud and Silt	Barren.
104	-13.3	Mud and Silt	Barren.
110	-13.3	Mud and Silt	Barren.
120	-13.3	Mud and Silt	Barren.
125	-13.3	Mud and Silt	Barren.

Transect 18

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	5.9	Concrete rock breakwater	Barren.
2	4.8	Concrete rock breakwater	<i>Fucus</i> 5%.
4	3.8	Concrete rock breakwater	<i>Fucus</i> 10%.
8	2.8	Concrete rock breakwater	<i>Fucus</i> 20%; <i>Mastocarpus</i> 5%.
9	1.8	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 20%; <i>Mastocarpus</i> 5%.
20	0.8	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 10%; <i>Mastocarpus</i> 5%.
23	-0.2	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 10%; <i>Mastocarpus</i> 5%.
26	-1.2	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Mastocarpus</i> 5%.
29	-2.2	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 10%; <i>Costaria</i> 5%.
31	-3.2	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 10%; <i>Costaria</i> 5%.
37	-4.2	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 30%; <i>Costaria</i> 40%.
39	-5.2	Concrete rock breakwater	<i>Saccharina</i> 20%; <i>Costaria</i> 30%.
40	-6.2	Concrete rock breakwater	<i>Saccharina</i> 20%; <i>Costaria</i> 30%.
41	-7.2	Concrete rock breakwater	<i>Saccharina</i> 20%; <i>Costaria</i> 20%.
45	-8.2	Mud and Silt	<i>Saccharina</i> 10%; <i>Costaria</i> 10%.
51	-9.2	Mud and Silt	Barren.
55	-9.2	Mud and Silt	Barren.
63	-10.2	Mud and Silt	Piling with <i>Saccharina</i> , <i>Costaria</i> , and foliose reds attached Substrate barren.
65	-11.2	Mud and Silt	Barren.
75	-11.2	Mud and Silt	Barren.
85	-11.2	Mud and Silt	Barren.
95	-11.2	Mud and Silt	Barren.
98	-11.2	Mud and Silt	Barren.

105	-12.2	Mud and Silt	Barren.
115	-12.2	Mud and Silt	Barren.
125	-13.3	Mud and Silt	Barren.

Transect 19

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	-4.1	Concrete rock breakwater	<i>Saccharina</i> 40%; <i>Costaria</i> 10%; <i>Sarcodiotheca</i> 5%.
5	-5.1	Mud and Silt	Barren.
15	-6.1	Mud and Silt	Barren.
24	-8.1	Mud and Silt	Barren.
30	-8.1	Mud and Silt	Barren.
38	-9.1	Mud and Silt	Barren.
40	-9.1	Mud and Silt	Barren.
50	-9.1	Mud and Silt	Barren.
58	-10.1	Mud and Silt	Barren.
60	-10.1	Mud and Silt	Barren.
69	-11.1	Mud and Silt	Barren.
70	-11.1	Mud and Silt	Barren.
80	-11.0	Mud and Silt	Barren.
89	-12.0	Mud and Silt	Barren.
90	-12.0	Mud and Silt	Barren.
100	-12.0	Mud and Silt	Barren.
110	-12.0	Mud and Silt	Barren.
120	-12.0	Mud and Silt	Barren.
125	-12.0	Mud and Silt	Barren.

Transect 20

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	-7.8	Mud and Silt	Barren.
5	-8.9	Mud and Silt	Barren.
15	-8.9	Mud and Silt	<i>Sarcodiotheca</i> 5%.
25	-8.9	Mud and Silt	<i>Sarcodiotheca</i> 5%.
35	-9.9	Mud and Silt	Barren.
45	-9.9	Mud and Silt	Barren.
51	-9.9	Mud and Silt	Barren.
55	-10.9	Mud and Silt	Barren.
65	-10.9	Mud and Silt	Barren.
75	-10.9	Mud and Silt	Barren.
85	-10.9	Mud and Silt	Barren.

95	-11.0	Mud and Silt	Barren.
105	-12.0	Mud and Silt	Barren.
108	-12.0	Mud and Silt	Barren.
117	-13.0	Mud and Silt	Barren.
125	-12.0	Mud and Silt	Barren.

Transect 21

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	-8.8	Mud and Silt	Barren.
10	-8.8	Mud and Silt	<i>Sarcodiotheca</i> 5%.
12	-8.8	Mud and Silt	Barren.
30	-8.8	Mud and Silt	Barren.
38	-8.8	Mud and Silt	Piling with <i>Saccharina</i> , <i>Costaria</i> , and foliose reds attached Substrate barren.
40	-8.8	Mud and Silt	Barren.
50	-8.8	Mud and Silt	Barren.
60	-8.8	Mud and Silt	Barren.
70	-8.8	Mud and Silt	Barren.
79	-9.8	Mud and Silt	Barren.
80	-9.7	Mud and Silt	Barren.
90	-9.7	Mud and Silt	<i>Sarcodiotheca</i> 5%.
100	-10.7	Mud and Silt	<i>Sarcodiotheca</i> 5%.
110	-10.7	Mud and Silt	Barren.
120	-10.7	Mud and Silt	Barren.
125	-11.7	Mud and Silt	Barren.

Transect 22

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	6.5	Concrete rock breakwater	Barren.
1	5.5	Concrete rock breakwater	Barren.
2	4.5	Concrete rock breakwater	<i>Fucus</i> 5%.
4	3.5	Concrete rock breakwater	<i>Ulva</i> 20%; <i>Fucus</i> 5%.
7	2.5	Concrete rock breakwater	<i>Ulva</i> 20%.
10	1.5	Concrete rock breakwater	<i>Ulva</i> 20%.
13	0.5	Concrete rock breakwater	<i>Ulva</i> 20%.
17	-0.5	Concrete rock breakwater	<i>Ulva</i> 20%.
21	-1.5	Concrete rock breakwater	<i>Ulva</i> 20%.
23	-2.5	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Saccharina</i> 20%; <i>Costaria</i> 20%.
28	-3.5	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Saccharina</i> 20%; <i>Costaria</i> 20%.
34	-4.5	Mud and Silt	Barren.

44	-5.5	Mud and Silt	Barren.
50	-6.6	Mud and Silt	Barren.
52	-6.6	Mud and Silt	Barren.
60	-7.6	Mud and Silt	Barren.
70	-7.6	Mud and Silt	Barren.
80	-7.6	Mud and Silt	Barren.
90	-7.6	Mud and Silt	Barren.
100	-7.6	Mud and Silt	Barren.
110	-7.6	Mud and Silt	Barren.
113	-7.6	Mud and Silt	Barren.
120	-8.6	Mud and Silt	Barren.
130	-8.6	Mud and Silt	Barren.
140	-8.6	Mud and Silt	Barren.
150	-8.6	Mud and Silt	Barren.
158	-8.6	Mud and Silt	Barren.
160	-9.7	Mud and Silt	Barren.
170	-9.7	Mud and Silt	Barren.
174	-9.7	Mud and Silt	Barren.
180	-10.7	Mud and Silt	Barren.
190	-10.7	Mud and Silt	Barren.
200	-10.7	Mud and Silt	Barren.
210	-10.7	Mud and Silt	Barren.
220	-11.7	Mud and Silt	Barren.
230	-11.7	Mud and Silt	Barren.
240	-11.7	Mud and Silt	Barren.

Transect 23

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	6.5	Concrete rock breakwater	Barren.
4	5.5	Concrete rock breakwater	Barren.
6	4.5	Concrete rock breakwater	Barren.
7	3.5	Concrete rock breakwater	Barren.
9	2.5	Concrete rock breakwater	<i>Ulva</i> 10%.
11	1.5	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
15	0.5	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%.
17	-0.5	Concrete rock breakwater	<i>Ulva</i> 10%.
20	-1.5	Concrete rock breakwater	<i>Saccharina</i> 10%; <i>Costaria</i> 10%.
23	-2.4	Mud and Silt	Barren.
27	-3.4	Mud and Silt	Barren.
31	-4.4	Mud and Silt	<i>Sarcodiotheca</i> 5%.
36	-5.4	Mud and Silt	<i>Sarcodiotheca</i> 5%.
40	-5.4	Mud and Silt	Barren.

49	-6.4	Mud and Silt	Piling with <i>Saccharina</i> , <i>Costaria</i> , and foliose reds attached Substrate barren.
50	-6.4	Mud and Silt	Barren.
60	-6.4	Mud and Silt	Barren.
70	-6.4	Mud and Silt	Barren.
72	-7.4	Mud and Silt	Barren.
80	-7.4	Mud and Silt	Barren.
90	-7.4	Mud and Silt	Barren.
100	-7.4	Mud and Silt	Barren.
105	-8.4	Mud and Silt	Barren.
110	-8.4	Mud and Silt	Barren.
120	-8.4	Mud and Silt	Barren.
130	-8.4	Mud and Silt	Barren.
140	-8.4	Mud and Silt	Barren.
144	-9.4	Mud and Silt	Barren.
150	-9.4	Mud and Silt	Barren.
160	-9.4	Mud and Silt	Barren.
170	-9.4	Mud and Silt	Barren.
180	-9.4	Mud and Silt	Barren.
190	-9.4	Mud and Silt	Barren.
200	-9.4	Mud and Silt	Barren.
205	-10.4	Mud and Silt	<i>Sarcodiotheca</i> 5%.
210	-10.4	Mud and Silt	Barren.
220	-10.4	Mud and Silt	Barren.
228	-11.4	Mud and Silt	Barren.
230	-11.4	Mud and Silt	Barren.
240	-11.4	Mud and Silt	Barren.

Transect 24

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	6.7	Concrete rock breakwater	Barren.
2	5.7	Concrete rock breakwater	Barren.
6	4.7	Concrete rock breakwater	Barren.
7	3.7	Concrete rock breakwater	Barren.
8	2.7	Concrete rock breakwater	Barren.
9	1.7	Concrete rock breakwater	<i>Ulva</i> 15%.
12	0.7	Concrete rock breakwater	<i>Ulva</i> 15%.
14	-0.3	Concrete rock breakwater	<i>Ulva</i> 20%.
18	-1.3	Concrete rock breakwater	<i>Ulva</i> 20%.
21	-2.3	Concrete rock breakwater	<i>Ulva</i> 15%.
25	-3.3	Mud and Silt	Barren.
30	-4.3	Mud and Silt	<i>Saccharina</i> 20%; <i>Costaria</i> 20%.

37	-5.3	Mud and Silt	Barren.
43	-6.3	Mud and Silt	<i>Sarcodiotheca</i> 5%.
45	-7.3	Mud and Silt	Barren.
55	-7.3	Mud and Silt	Barren.
65	-7.3	Mud and Silt	Barren.
75	-7.3	Mud and Silt	Barren.
80	-7.3	Mud and Silt	Barren.
85	-8.3	Mud and Silt	<i>Sarcodiotheca</i> 5%.
95	-8.3	Mud and Silt	Barren.
105	-8.3	Mud and Silt	Barren.
115	-8.3	Mud and Silt	Barren.
125	-8.3	Mud and Silt	Barren.
135	-8.3	Mud and Silt	Barren.
145	-8.4	Mud and Silt	Barren.
155	-8.4	Mud and Silt	Barren.
165	-8.4	Mud and Silt	Barren.
175	-9.4	Mud and Silt	Barren.
181	-9.4	Mud and Silt	Barren.
185	-10.4	Mud and Silt	Barren.
195	-10.4	Mud and Silt	Barren.
202	-10.4	Mud and Silt	Barren.
205	-11.4	Mud and Silt	Barren.
215	-11.4	Mud and Silt	Barren.
225	-11.4	Mud and Silt	Barren.
235	-11.4	Mud and Silt	Barren.
245	-11.4	Mud and Silt	Barren.
255	-11.4	Mud and Silt	Barren.

Transect 25

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	6.7	Concrete rock breakwater	Barren.
3	5.7	Concrete rock breakwater	Barren.
5	4.7	Concrete rock breakwater	<i>Fucus</i> 5%.
11	3.7	Concrete rock breakwater	<i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
12	2.7	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
12.5	1.7	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Mastocarpus</i> 5%.
13	0.7	Concrete rock breakwater	<i>Ulva</i> 10%.
17	-0.3	Concrete rock breakwater	<i>Ulva</i> 15%.
19	-1.3	Concrete rock breakwater	<i>Sargassum</i> 5%; <i>Saccharina</i> 10%; <i>Costaria</i> 10%.
20	-2.3	Concrete rock breakwater	<i>Saccharina</i> 10%; <i>Costaria</i> 10%.
25	-3.3	Mud and Silt	<i>Saccharina</i> 30%; <i>Costaria</i> 30%.

27	-4.2	Mud and Silt	<i>Saccharina</i> 30%; <i>Costaria</i> 30%.
35	-5.2	Mud and Silt	Barren.
37	-6.2	Mud and Silt	Barren.
41	-7.2	Mud and Silt	Barren.
47	-8.2	Mud and Silt	Barren.
50	-8.2	Mud and Silt	Barren.
60	-8.2	Mud and Silt	Barren.
66	-9.2	Mud and Silt	Barren.
70	-9.2	Mud and Silt	Barren.
80	-9.2	Mud and Silt	Barren.
90	-9.2	Mud and Silt	Barren.
100	-9.2	Mud and Silt	Barren.
110	-9.2	Mud and Silt	Barren.
117	-10.2	Mud and Silt	Barren.
120	-10.2	Mud and Silt	Barren.
130	-10.2	Mud and Silt	Barren.
140	-10.2	Mud and Silt	Barren.
150	-10.2	Mud and Silt	Barren.
160	-10.2	Mud and Silt	Barren.
170	-10.2	Mud and Silt	Barren.
177	-11.2	Mud and Silt	Barren.
180	-11.2	Mud and Silt	Barren.
190	-11.2	Mud and Silt	Barren.
200	-11.2	Mud and Silt	Barren.
210	-11.2	Mud and Silt	Barren.
220	-11.2	Mud and Silt	Barren.
225	-12.2	Mud and Silt	Barren.
230	-12.2	Mud and Silt	Barren.
240	-12.2	Mud and Silt	Barren.

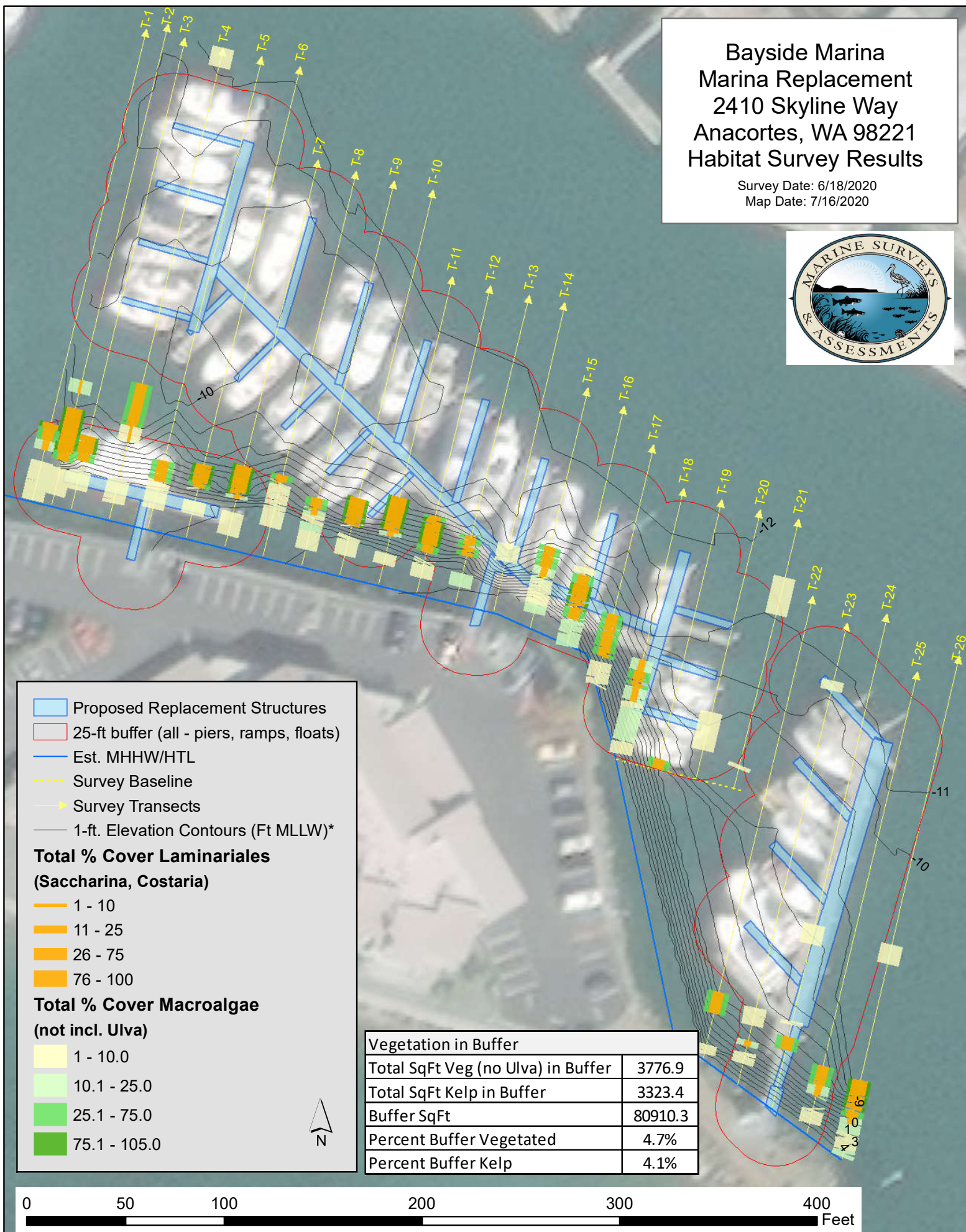
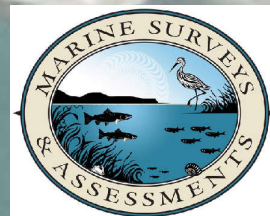
Transect 26

Distance (ft) along transect	Depth (Ft MLLW)	Substrate	Macroalgae % Cover
0	5.9	Concrete rock breakwater (at corner of opening to breakwater)	Barren.
1	4.9	Concrete rock breakwater	<i>Fucus</i> 15%.
3	3.9	Concrete rock breakwater	<i>Fucus</i> 10%; <i>Mastocarpus</i> 5%.
5	2.9	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
8	1.9	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
11	0.9	Concrete rock breakwater	<i>Ulva</i> 5%; <i>Fucus</i> 5%; <i>Mastocarpus</i> 5%.
13	-0.1	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Fucus</i> 10%; <i>Sargassum</i> 5%; <i>Mastocarpus</i> 5%.

18	-1.1	Concrete rock breakwater	<i>Ulva</i> 10%; <i>Sargassum</i> 5%; <i>Saccharina</i> 10%; <i>Costaria</i> 10%.
21	-2.1	Concrete rock breakwater	<i>Saccharina</i> 50%; <i>Costaria</i> 20%.
25	-3.1	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 30%.
26	-4.1	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 30%.
28	-5.1	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 30%.
29	-6.1	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 30%.
32	-7.1	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 30%.
33	-8.1	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 30%.
35	-9.1	Concrete rock breakwater	<i>Saccharina</i> 70%; <i>Costaria</i> 30%.
39	-10.1	Mud and Silt	<i>Saccharina</i> 70%; <i>Costaria</i> 30%; <i>Sarcodiotheca</i> 5%.
41	-11.1	Mud and Silt	Barren.
51	-11.1	Mud and Silt	Barren.
55	-11.1	Mud and Silt	Barren.
61	-12.1	Mud and Silt	Barren.
71	-12.1	Mud and Silt	Barren.
81	-12.1	Mud and Silt	Barren.
91	-12.1	Mud and Silt	Barren.
101	-12.1	Mud and Silt	<i>Sarcodiotheca</i> 5%.
111	-12.1	Mud and Silt	Barren.
121	-12.1	Mud and Silt	Barren.
127	-12.1	Mud and Silt	Barren.
131	-11.1	Mud and Silt	Barren.
141	-11.1	Mud and Silt	Barren.
151	-11.1	Mud and Silt	Barren.
161	-11.1	Mud and Silt	Barren.
171	-11.1	Mud and Silt	Barren.
176	-11.1	Mud and Silt	Barren.
182	-10.1	Mud and Silt	Barren.
191	-11.1	Mud and Silt	Barren.
201	-11.1	Mud and Silt	Barren.
211	-11.2	Mud and Silt	Barren.
221	-11.2	Mud and Silt	Barren.
231	-11.2	Mud and Silt	Barren.
241	-11.2	Mud and Silt	Barren.
251	-11.2	Mud and Silt	Barren.
261	-11.2	Mud and Silt	Barren.

Bayside Marina Marina Replacement 2410 Skyline Way Anacortes, WA 98221 Habitat Survey Results

Survey Date: 6/18/2020
Map Date: 7/16/2020



National Flood Hazard Layer FIRMette



48°29'40.25"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

48°29'16.40"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone J)
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes, Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/3/2020 at 2:48:30 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

6 F R S H R I : R U N

The project is located within Flounder Bay and will be constructed in and over water. The upland vegetation is only a few trees and is mostly a parking lot and condominium building. The proposal involves the removal and disposal of the existing creosote piling and floats (7,968 sq ft) at an approved upland facility. Forty-three galvanized steel piling will be installed to replace the existing creosote piling. New floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed via water to the Bayside Moorage Marina for installation. The existing pier will be re-used and re-decked with fiberglass grating. The existing ramps will be re-used and re-grated if required. This project is a like for like replacement within the existing footprint, using contemporary designs that reduce the environmental impact.



Electrical, potable water, and fire system utilities will also be re-installed in the floating docks using updated design standards. Please refer to the Site Plans and Structural Drawings for details. Attached marina photos are for illustrative purposes.

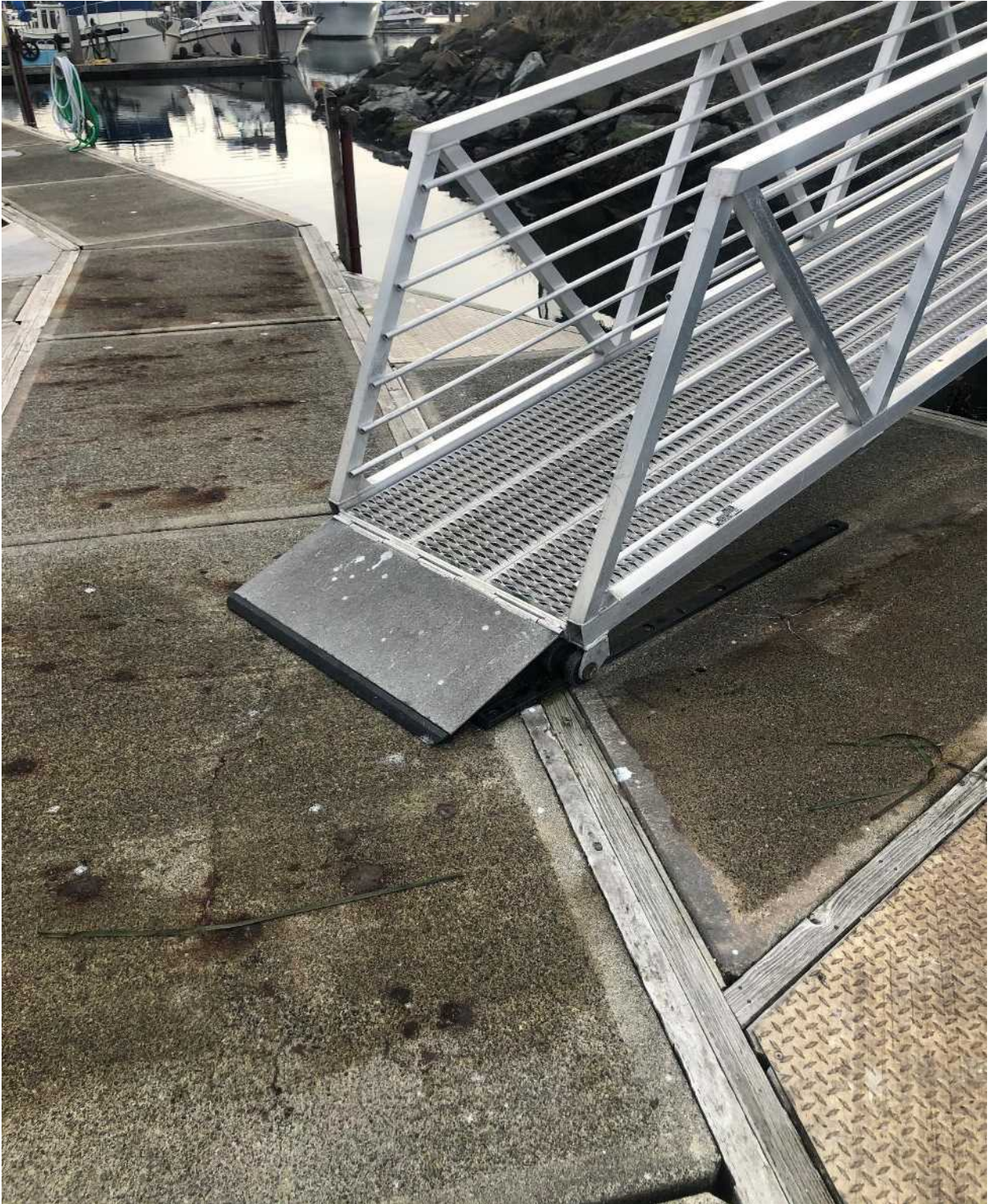
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Scope of Work



Existing Ramp Land Connection Metal Box Embedded in Concrete with Steel Plate-No Change

Scope of Work

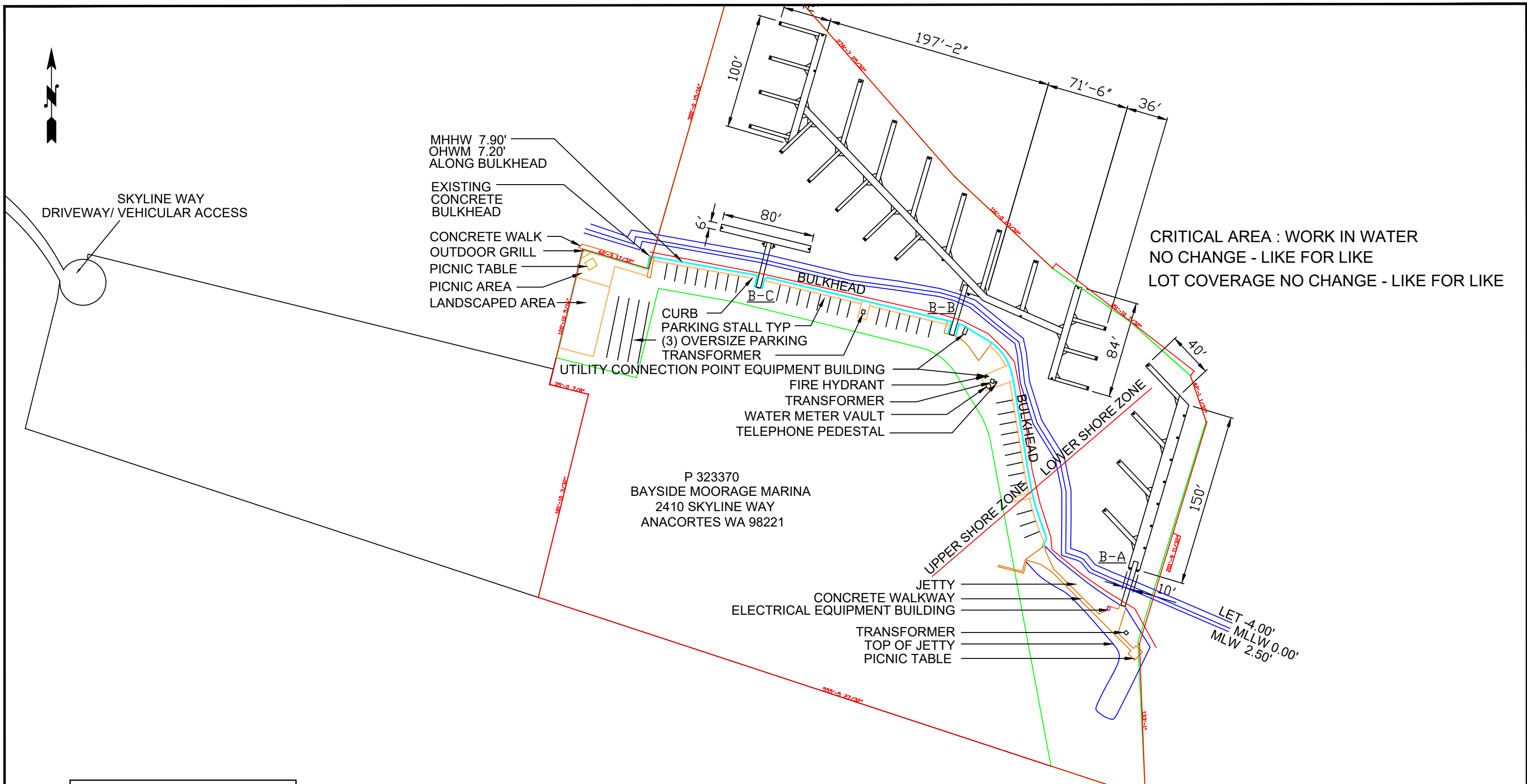


Example-Ramp from Land Connects to Float(s) on Rollers-Unchanged

Scope of Work



Existing Stand-Pipe Fire Extinguisher Connection Example-No Change



City of Anacortes

Planning Community & Economic Development Dept.

APPROVED PLANS

Date: _____

Staff: TC



PROPRIETARY PROPERTY
MARINE FLOATS CORPORATION

This document is the proprietary property of Marine Floats Corporation and shall not be used in part or whole for any other project without THE WRITTEN PERMISSION OF MARINE FLOATS CORPORATION

Marine Floats		
1208 East D St - Tacoma - WA 98421 - 253-383-2740		
SCALE: 1"=80'	OWNER INFORMATION : JEFF WRIGHT ADDRESS: 2410 SKYLINE WAY ANACORTES, WA 98221 PARCEL # : P32370	DRAWN BY WB
DATE: 9-15-20		REVISION #
PROPOSED MARINA		
BAYSIDE MOORAGE MARINA ANACORTES		DRAWING NUMBER
PAGE 7		Page 108 of 244



NEIGHBORHOOD MEETING NOTICE

A pre-application neighborhood meeting via Zoom video teleconference has been scheduled to introduce the potential project described below.

The purpose of the meeting is to inform neighbors and interested parties about the potential project at an early stage and to foster communication between the applicant and the public regarding potential project issues and opportunities for solutions.

Project Description: The project is for a complete marina replacement. It involves the removal, demolition and disposal of the existing forty-nine creosote piling and floating marina (7,968 sq ft) at an approved upland facility. Forty-three galvanized steel piling will be installed to replace the old creosote piling. New floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed to the Bayside Moorage Marina for installation. The existing pier will be raised and decked with fiberglass grating. The existing ramps will be used and may require new grating. Electrical, potable water, and fire system utilities will also be installed in the floating docks. The proposal is a like for like replacement with 7,968 square feet of existing floating marina removed and new floating marina installed.

Project Location: 2410 Skyline Way, Anacortes, Parcel # 32370

Project Applicant/Representative:

Marine Floats Corporation

Bob Bergquist

Contact Info: rbergquist@marinefloats.com 1-(253)-383-2740

Meeting Date & Time:

Wednesday, August 5, 2020 at 6:00 PM

Meeting Location: In order to comply with orders from the Governor to not hold in-person meetings, this neighborhood meeting will be held virtually using Zoom.

How to Join the Zoom Meeting:

1. Go to join.zoom.us
2. Enter meeting ID: 917 7276 1627
3. Click Join. When asked if you want to open zoom.us, click Allow.
4. If prompted for a password, enter: 1iRdwq

OR connect with this link:

<https://zoom.us/j/96022111862?pwd=WkkvZ0prRFR5N3AxWStXbmJPYXY0UT09>

To get an Outlook meeting invite with the link contact Bob Bergquist at 1-(253)-383-2740 rbergquist@marinefloats.com and provide your email address.

To call in:

+4157629988,91772761627#

Any future land use permit applications associated with this project will be processed according to the procedures outlined in the Anacortes Municipal Code (AMC) [Chapter 19.20](#), *Application Procedures*. For questions about City of Anacortes land use permit application procedures, contact the Planning Community & Economic Development Department at 360-299-1984 or PCED@cityofanacortes.org.



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NOTICE OF APPLICATION with OPTIONAL SEPA DNS:

Notice Is Hereby Given That An Application Was Made For The Following Proposal:

Request: The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed and new floating docks using the EnviroCrete System will be fabricated in Tacoma and towed to the Bayside Moorage Marina for installation. The existing pier and ramps will be reused and re-decked with new grating. This project is a like-for-like replacement within the existing footprint, using contemporary designs to reduce the environmental impact.

File Number: SDP2020-0002 Subject Parcel #: P32370

Date of Application: September 22, 2020 Date of Completeness: November 6, 2020

Applicant: Bob Bergquist Marine Floats Corporation 1208 "D" St, Tacoma, WA 98421

Landowner: Jeff Wright 1910 Firview Ave, Suite 500, Seattle, WA 98102

Project Location The project site is located at 2410 Skyline Way Anacortes, WA 98221 within a portion of Section 27; Township 35 North; Range 01 East; Willamette Meridian.

Public Comment Period Any person may comment on this application by writing to the address below and/or by testifying at the public hearing. Staff will issue a recommendation on the project after the comment period ends at 5:00 PM on Friday, December 11, 2020. Written comments on the proposal should be submitted before the end of the comment period but will be accepted until the end of the Pre-Decision Open-Record Public Hearing.

Required Project Permits/Approvals The following may be required in addition to the above Shoreline Permit, SEPA environmental review, building permit, WDFW HPA Permit, USACE permit/authorization.

Preliminary Determination of Consistency At a minimum, this project will be subject to the following plans and regulations: 2010 Shoreline Master Program, 2016 Anacortes Comprehensive Plan, Municipal Code (Zoning, etc.); & Engineering Design and Building Standards.

SEPA Review Based on the submitted application and available information, the City anticipates issuing an MDNS for this proposal and the optional DNS process specified in WAC 197.11.355 is being utilized. Consequently, this may be the only opportunity to comment on the environmental impacts of this proposal. This proposal may include mitigation measures under applicable codes, and the project review process may incorporate mitigation measures regardless of whether an EIS is prepared. A copy of the subsequent SEPA threshold determination for the proposal may be obtained upon request.

Existing Environmental Documents SARA, Biological Evaluation, SEPA Checklist

Application documents may be reviewed at <https://www.anacorteswa.gov/161/PlanningCommunityEconomicDevelopment> by clicking "Notices of Application" and then opening the appropriate project file number folder.

Pre-Decision Open-Record Public Hearing A pre-decision open-record public hearing is required to be held by the Planning Commission and will be scheduled at a later date due to COVID-19 restrictions.

For Project Information: Tess Cooper, Senior Planner, Phone: (360) 588-8234, Email: tessc@cityofanacortes.org
City of Anacortes, P.O. Box 547, Anacortes, WA 98221

Date Issued: November 6, 2020

Date Published: November 11, 2020



NOTICE OF PLANNING COMMISSION VIRTUAL / TELEPHONIC PUBLIC HEARING

A virtual/telephonic Public Hearing will be held by the Anacortes Planning Commission on February 10, 2021 at 6:00 PM by means of the Zoom video conferencing web application to consider the following application:

Project Name: Bayside Moorage Marina File Number SDP2020-0002

Applicant Bob Bergquist, Marine Floats Corporation 1208 E. "D" St, Tacoma, WA 98421
Land Owner Jeff Wright 1910 Fairview Ave, Suite 500, Seattle, WA 98102

Project Location: 2410 Skyline Way, Anacortes, WA 98221, Accessors Parcel # P32370

Application Type / Description: The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed, and new floating docks using the EnviroCrete® System will be fabricated in Tacoma and delivered to the Bayside Moorage Marina for installation. The existing pier and ramps will be reused and decked with new grating. This project is a like-for-like replacement within the existing footprint, using contemporary designs to reduce the environmental impact.

Environmental Review: A SEPA threshold Determination Mitigated Determination of No Significant Impact (MDNS) was issued for this project on January 13, 2021, under WAC 19.11-340(2) after using the Optional DNS process in WAC 19.17-355. There is no further comment period on the DNS.

Closed Record Decision Hearing: A virtual closed record decision hearing to make a decision on the application will be held by the City Council on Monday, March 8, 2021 6:00 PM via Zoom video conferencing.

Appeals: The decision on this application, once made, may be appealable pursuant to the procedures outlined in AMC 19.20.030 and AMC 19.20.210.

Staff Report: The staff report will be available no later than 5:00 pm on February 4, 2021 and can be viewed at <https://www.anacorteswa.gov/161/PlanningCommunityEconomicDevelopment> by clicking "Other Notices" and then opening the appropriate project file number folder (SDP2020-0002). You may also request a copy by contacting the project contact listed below.

Attending and Providing Comment at the Public Hearing

1. To participate in the Public Hearing:

- x Click [this link](https://us02web.zoom.us/j/85918981678) or copy/paste this URL into your browser <https://us02web.zoom.us/j/85918981678> or
- x Dial into the meeting by phone: Dial in the US: +1-253-8782, enter the Meeting ID 859 1898 1678

2. Written comments received before 3:00 p.m. on the day of the Public Hearing will be distributed to the Planning Commission in advance of the public hearing. Comments can be submitted by:

- x Emailing tessc@cityofanacortes.org (include in the subject line Public Comment for Planning Commission Meeting on [date]) or
- x Visit [Watch Meetings](#) on the City of Anacortes website and click the eComment link beside the agenda item for the public hearing you wish to comment on.

3. **To view the live Public Hearing without participating:** Visit [Watch Meetings](https://www.anacorteswa.gov/700/Watch-Meetings) on the City of Anacortes website (<https://www.anacorteswa.gov/700/Watch-Meetings>) or tune in to Channel 10.
4. Members of the public who require special assistance to participate in or access the public hearing may contact the [City Clerk](#) 24 hours before the meeting to make special arrangements. Dial 360-299-1960.

Project Contact: Tess Cooper, Associate Planner; Phone: (360) 588-8234; tessc@cityofanacortes.org; City of Anacortes, P.O. Box 547, Anacortes, WA 98221

City of Anacortes
Attention: Tess Cooper, Senior Planner
P.O. Box 547
Anacortes WA 98221

Letter providing written response comments regarding proposed construction project application.

RE: File Number: SDP-2020-0002 Subject Parcel #: P32370

Project Name: Bayside Marina Replacement Project

Bayside Moorage Marina
2410 Skyline Way
Anacortes, WA 98221

Comments submitted by:

Jerry Rutledge
2411 Skyline Way, Unit 108
Anacortes, WA 98221

Comments represent concerns of members of the Bayside East Condominium Association and submitted on behalf of the Association's Board of Directors:

Board of Directors, Bayside East Condominium Association
2411 Skyline Way Unit 100
Anacortes, WA 98221

I am writing in response to the call for comments regarding project Number SDP-2020-0002, Bayside Marina Replacement. The collective responses/concerns represent those of the Bayside East Condominium Association, Condo unit owners and the Bayside East Board of Directors (I currently am a member on the board).

Our comments address two different areas of concern. The first area are the environmental concerns. We are not experts in this area, nor do we know all the regulations and requirements regarding this type of water/shoreline related construction activities. We acknowledge this and rely on the permitting agencies due diligence to follow and enforce all applicable environmental related regulations and requirements including but not limited to SEPA, EIS, Master Land Use and construction permitting procedures. Although there are beneficial aspects of this project the work needs to be accomplished in a manner that eliminates or minimalizes any harmful effects that could result. One item we noticed as perhaps missing on the SEPA application (section B. Environmental Elements, 5. Animals) is the inclusion of Elephant Seals. There are occasions when Elephant seals are present and seen basking on the shoreline adjacent to the project.

Our second area of concerns are more specific and localized. Our building and property are adjacent and next to the proposed project. We share paved access and parking areas. Our building foundations are close to the project, only about 50 ft separate our building foundations from the top of the marina seawalls on both the north and east side. The Marina paved parking and contractor lay down locations run continuously directly alongside our parking and paved access.

Our concerns are:

1. Noise levels construction noise in general is not a welcome addition to any residential neighborhood but is generally tolerable. However, the noise levels created by pile setting/driving activities are often far above those of general construction activities. Our concerns are about how loud the pile driving blows will be, duration of the blows and working hours that this excessive noise maybe allowed to occur. The contractor's own documents estimate there could be as many as 450 - 645 hammer blows to final set the pilings. This noise is in addition to the vibratory hammer noise created by the main pile setting technique and overall other construction activity noise. We appreciate that the contractor indicates they will be using a "bubble curtain" to reduce the pile work noise level. A couple of questions remain. Is the "curtain" designed as a "contained system" or an "uncontained system"? What is the anticipated sound reduction level? Will there be SPL or SEL threshold limits that the contractor needs to be below? Will the levels be monitored and recorded? In addition to human noise concerns, distress to fish, birds, marine life and other wildlife have been known to occur at other projects due to pile driving activities. Will this be monitored?
2. Vibration Setting of the piles with a vibratory hammer raises concerns to us. We do not know what level of vibrations may be ground transmitted to our building and asphalt areas. The potential for cracks in our building drywall finishes, and pavement are possible. If vibration levels are significant enough, foundation cracks, seawall cracks, sink holes or disruption to joints and cracks of underground piping could result. Noise level, duration and frequency range of the noise generated is of concern. Sustained vibratory noise especially in some frequency ranges can be very irritating to the human ear and nervous system and has potential adverse effects. This activity may distress marine and wildlife as well. The "Bubble System" may help. As mentioned in paragraph 1, what levels and duration are anticipated and are there threshold max noise, SPL or SEL limits that will apply to this project?
3. Utilities contractor indicates that power, water and fire systems will be updated and reinstalled to the docks. Will the project cause any temporary shut down or disruptions to the utility lines that service our building? If so, duration of outage and method of notifying residents should be required.

4. Parking and large vehicle access We share common access with the Marina to our respective parking areas. We have concerns as to potential pavement damage due to construction activities and heavy vehicles. Also, contractor needs to control any spill over construction parking or material laydown areas that block the roadway, resident parking or restrict resident access. Maintaining continual access and turn around ability for service vehicles such as trash collection, mail and package deliveries to our condominium building is essential.

5. Allowable days and hours of work days of the week and hours that construction activities can occur. Will there be restricted hours that high noise activities (pile setting and driving) can be performed? Are there any duration limits in place for continuous high noise or vibratory noise activities? As full-time residents with homes close to the construction site, minimizing disruptive activities is important for continued enjoyment of our homes.

6. Shoreline bank the north side shoreline bank as noted by the contractor's SEPA checklist is concrete armored. However, the eastern half of the project has an unarmored rock bank. This bank protects and supports the paved shared parking and access areas for the Marina and the condominium residents. The toe and wall of the bank should be monitored to ensure that no undermining or disturbance of the bank occurs due to construction activities. Some small areas of rock shifting/subsidence are currently visible.

7. Our above listed concerns are based on the contractor's current narrative describing their proposed construction methods to be used as described in their Bayside Marina Replacement Project submittals. Should the methods change significantly from the current narrative it most likely would generate additional concerns from us regarding potential impacts from an environmental perspective as well as specific concerns affecting our residences.

We would like to note that we realize there are beneficial outcomes as a result from completion of this project. We attended the informational neighborhood meeting held last August (via Zoom) and asked many questions and provided comments to the project representative. Many of those questions and concerns are addressed or answered in the contractor's project proposal narrative submitted November 9th. We appreciate the project representative's attention to those items and the inclusion of those responses in the narrative. We look forward to a continued positive working relationship as this project moves forward.

Thank You for the opportunity to provide comments. Please include us in all further communications concerning this project.

Regards, Jerry Rutledge
 Board of Directors
 Bayside East Condominium Association

From: [sundawg77](#)
To: [Cooper, Tess](#)
Cc: [Jerry Rutledge](#)
Subject: public comment for planning commission meeting on February 10, 2021
Date: Wednesday, February 10, 2021 1:04:43 PM

Comments for:

project SDP-2020-0002

Bayside Moorage Marina

Comments submitted by Jerry Rutledge representing the owners and the Board of Directors of Bayside East Condominiums.

I am sending our comments via e-mail to insure they are received and considered by the Planning commission at the February 10th public hearing. Although we plan to attend the Zoom meeting, I have had issues logging in at times for various Zoom type meetings and we feel our comments need to be available to the planning commission.

We previously sent comments regarding this project and now want to reiterate our concerns. Our condominium building shares access and parking with the Marina. Our building foundation is only 50 feet from the top of the Marina seawall where construction will occur. There are positive aspects to this project, however we are a residential condominium with full time residents and want to ensure we maintain full access and quiet enjoyment of our homes and surrounding areas.

Our concerns are:

1. The level of noise that may occur. Pile setting using vibratory and pile hammering is a known high level noise activity. What level of noise is anticipated and at what sustained duration. Will it be monitored and documented?
2. Vibration concerns. Given close proximity of our building and paved areas there may be the possibility of damage or resulting cracks in the pavement , underground utilities, foundation, drywall or other building components. The substrate adjacent to the project area may be subject to movement from prolonged vibratory pile driving. Where there any engineering studies, reports or testing done by the contractors in this regard? Are any plans in place for monitoring of adjacent buildings and paved areas while construction is ongoing.
3. Traffic. We share access and parking areas with the Marina and want to ensure residents have continual access as well as access for larger delivery or utility vehicles. Will there be heavy construction vehicles or construction activities on the shared paved areas? Will the access road be blocked at any time?
4. Utilities. Is there requirement for advance notification if disruption of utilities is anticipated or needed? Construction documents indicate that some level of work will occur for fire water supply, potable water supply and electrical supply to the new piers. Will this cause any disruption to the service to our condominium?
5. Hours and days allowed for construction activities. We were disappointed to see that the hours of construction work are from 7am -10 pm and apparently no restriction on Saturday or Sunday work. It does not seem prudent to us that pile driving (vibratory or hammering) would be an allowable activity beginning at 7am or potentially occurring as late as 10pm. Sunday

work would also be an undesirable activity for a construction project so close to multiple residential buildings. Does the contractor intend to work these extended hours and days of the week?

6. Storm drains. Several storm drains are located in the paved areas shared by the Marina and Bayside East. Some are located within the probable construction lay down area and contractor parking. Some drainage goes off site to the open bay. Will requirements be in place for protection of oil or other contamination runoff into the storm system for the duration of the project?

Thank you for the opportunity to provide comments for your consideration.

Respectfully submitted by,
Jerry Rutledge
Bayside East Condominium Board of Directors
Bayside East Condominium Owners

Sent from [Mail](#) for Windows 10



Planning Commission

Open Record Pre-decision Hearing

February 10, 2021 @ 6:00 PM

Tess Cooper, Senior Planner

SDP 2020-0002

Bayside Moorage Marina Replacement

Applicant: Marine Floats Corp.

Land Owner: Jeff Wright

Proposed Use: Marina and boat moorage

Zone: Marine Mixed-Use

Location: 2410 Skyline Way– APNP32370

Prior Meetings: Development Review Group, Neighborhood Meeting

SDP 2020-0002

Bayside Moorage Marina Replacement

February 10, 2021: Planning Commission, Open Record Pre-decision Hearing

March 8, 2021: City Council, Closed Record Decision Hearing

SDP 2020-0002

Bayside Morage Marina

Proposal:

The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed, and new floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed to the Bayside Morage Marina for installation. The existing pier and ramps will be reused and re-decked with new grating. This project is a like for like replacement within the existing footprint, using contemporary designs to reduce the environmental impact.



SDP 2020-0002

Bayside Morage Marina

Project History:

A mandatory preapplication meeting was held on June 2, 2020.

A neighborhood meeting was held on August 5, 2020.

The formal application was submitted on September 23, 2020 and

Determined complete on November 6, 2020.

Noticing: NDA November 11, 2020 and NOH January 20, 2021

SEPA Determination: January 13, 2021

SDP 2020-0002

Bayside Morage Marina

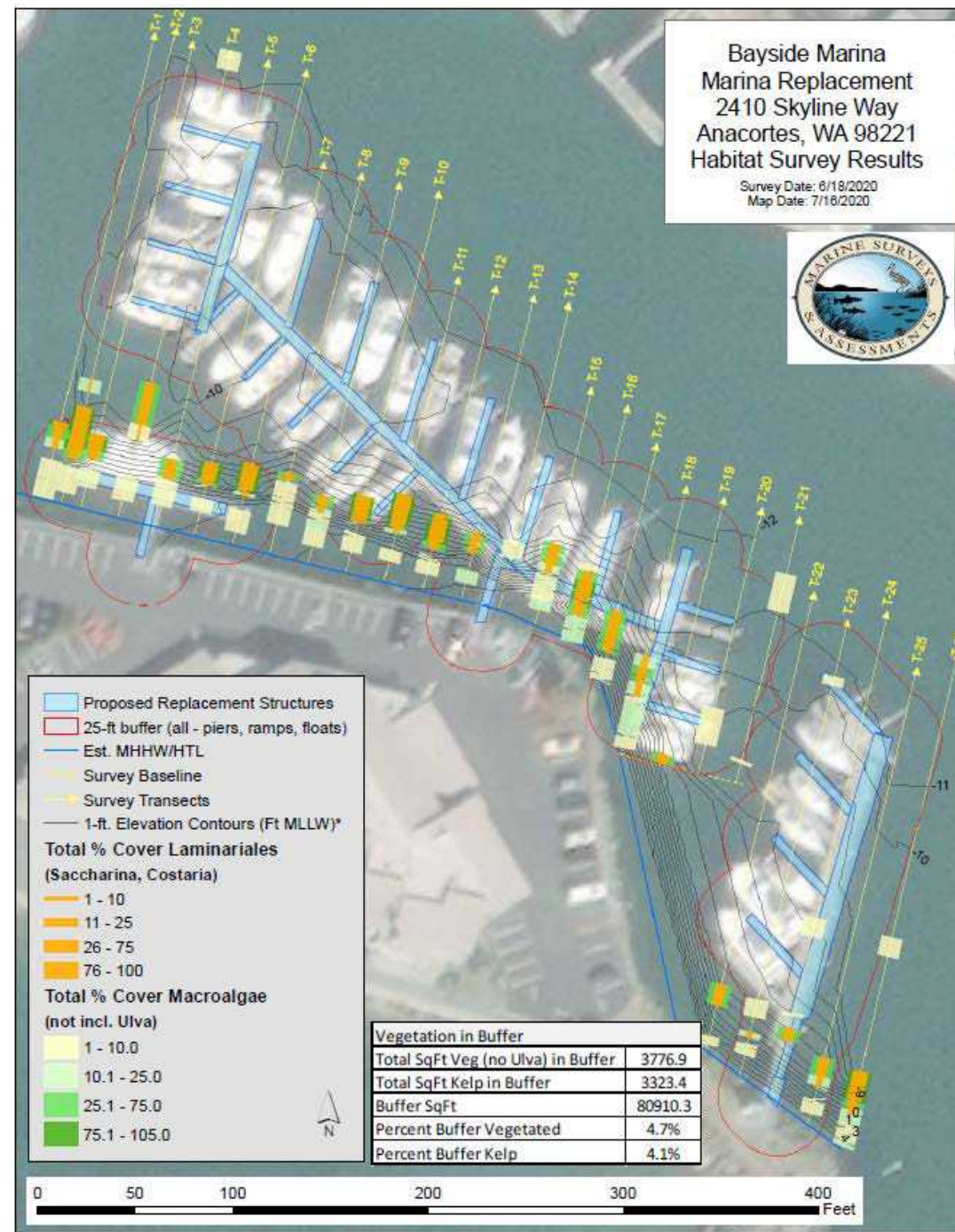
Public Comment:

One public comments was received with concerns about noise and vibration in relation to pile driving.

One Agency comment was received from Ecology in regard to a MTCA Site in the vicinity.

Critical Areas: The site was evaluated for potential Critical Areas in a Habitat Survey dated July 16, 2020, which identified that no significant population of listed species were present. The project was designed to minimize impacts as much as feasible possible, and contemporary building materials were employed to create a net gain in ecological conditions.

Habitat Survey:



MARINE MIXED-USE ZONE (MMU):

1. This designation provides for a special mix of commercial, cultural, recreational, and residential uses in a high-amenity area along the waterfront or with special waterfront relationship. The design of uses is intended to emphasize the unique marine setting by providing marine access and views from public spaces and establishing/maintaining a pedestrian-friendly character.

2. Marinas and boat moorage are permitted in the MMA Zone.

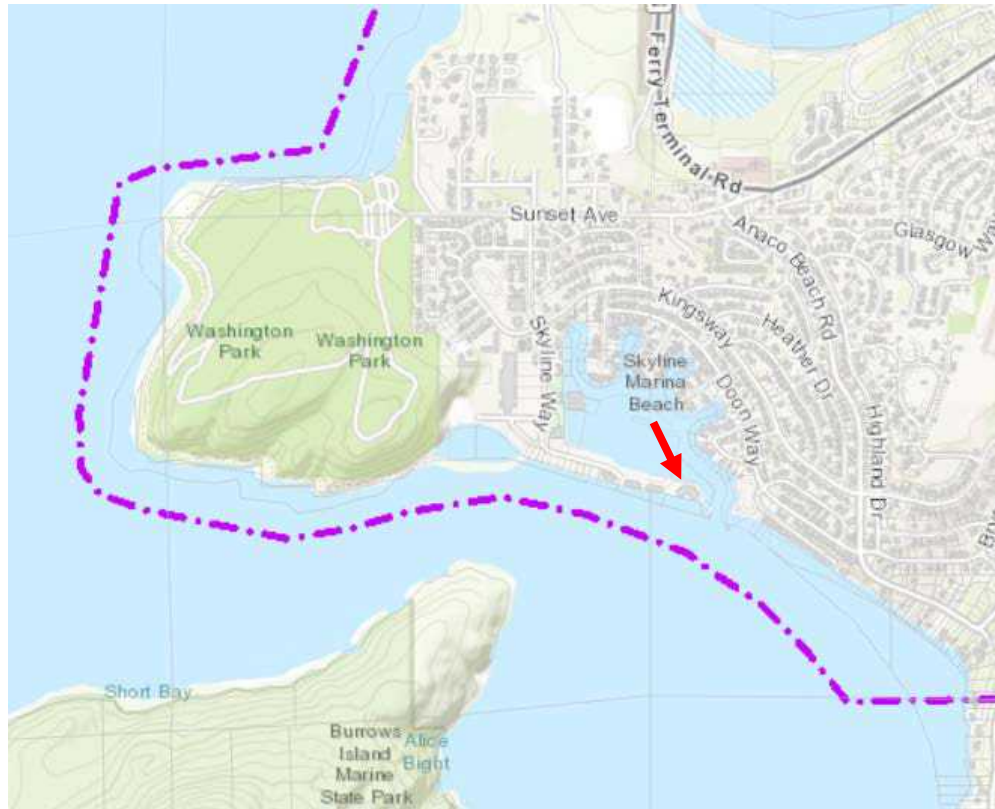
Principal Use	CBD	C	MMU	CM	CM2	LM	LM1	MS
Recreation, Outdoor, except as listed below							P(X)	
Campground				C			C	
Golf course							P	
Marinas and boat moorage			P	P	P	P	C	C
Recreational vehicle park				C				
Shooting range								
Restaurant/Bar	P	P	P	P	C	P		C
Food truck	P	P	P	P	P	P	P	P

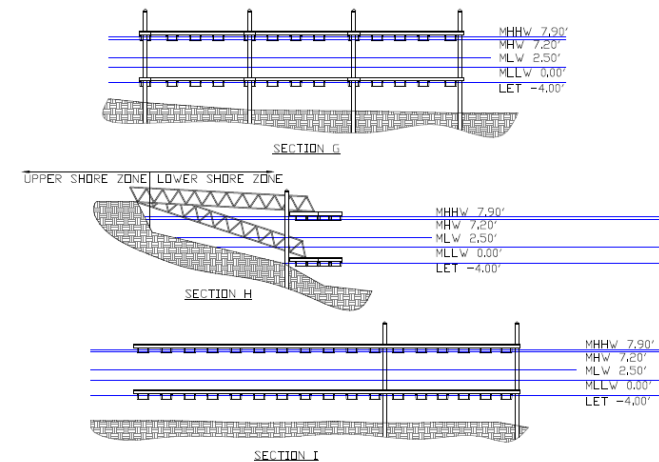
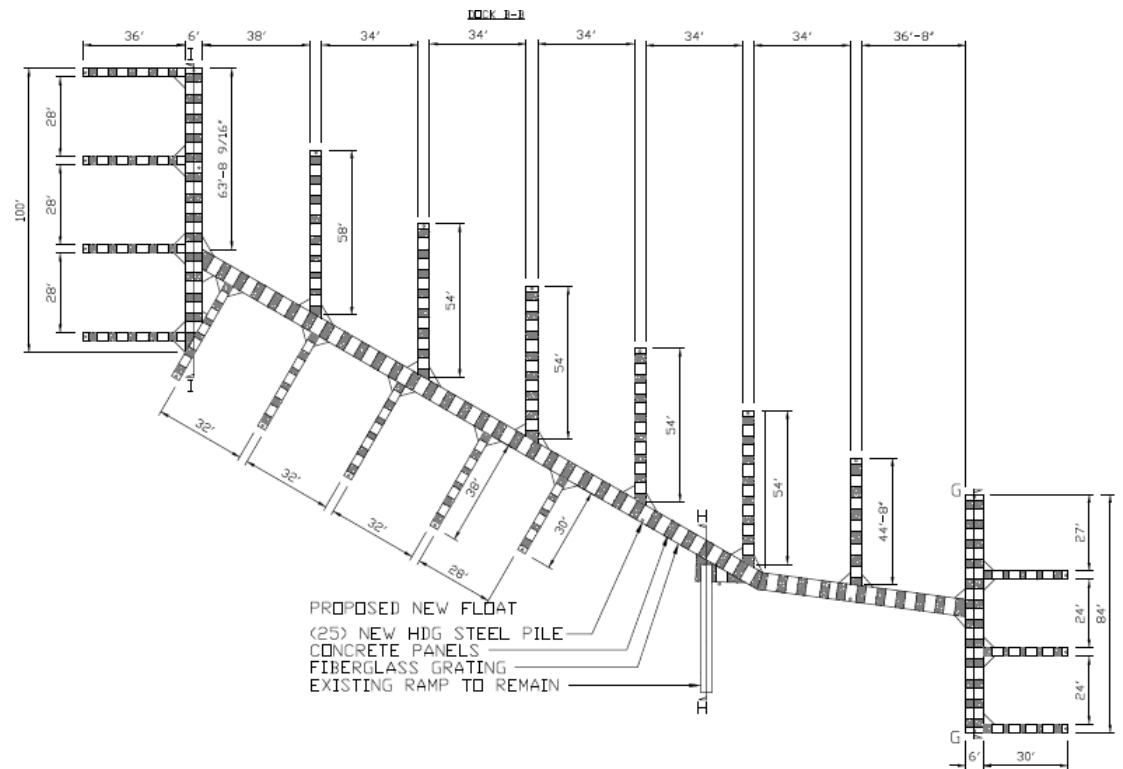
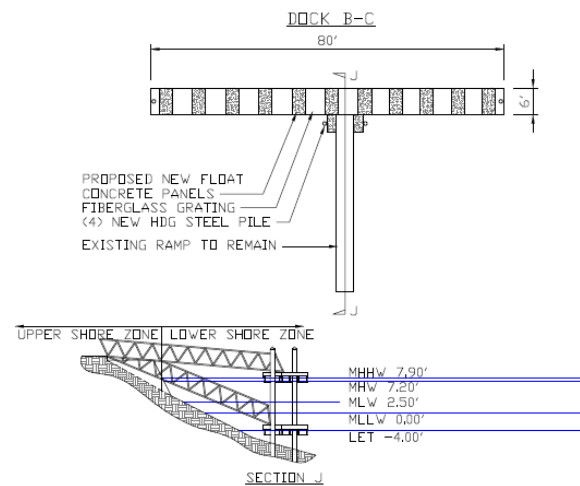
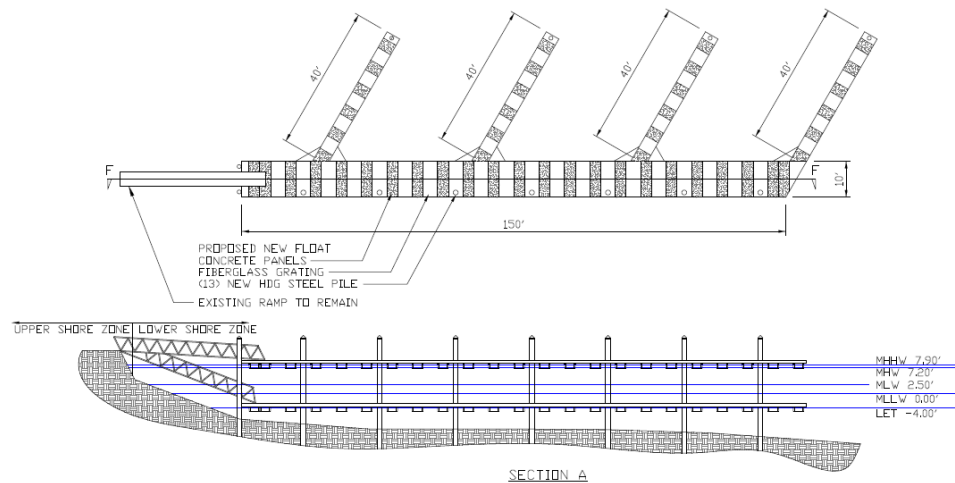
SHORELINE MANAGEMENT ACT (RCW90.58)

1. Proposed development lies within two hundred (200) feet of a shoreline of statewide significance (RCW90.58.030(2)(f)) and is therefore subject to conformance with the City of Anacortes' Shoreline Master Program (SMP).
2. The subject proposal is located entirely in the Aquatic Shoreline Environment Designation.
3. According to Table 5.1 of the SMP Marinas are permitted in the Aquatic Shoreline Environment Designations.

SDP 2020-0001:

Bayside Morage Marina

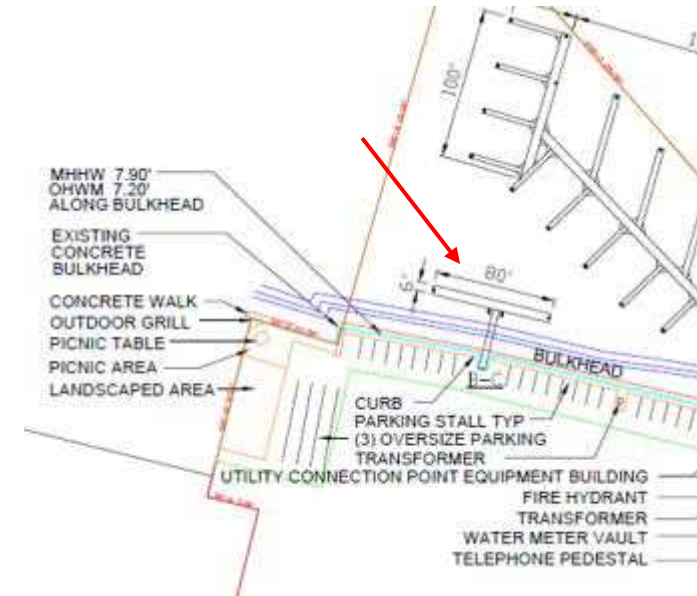




Site Existing Condition Photos

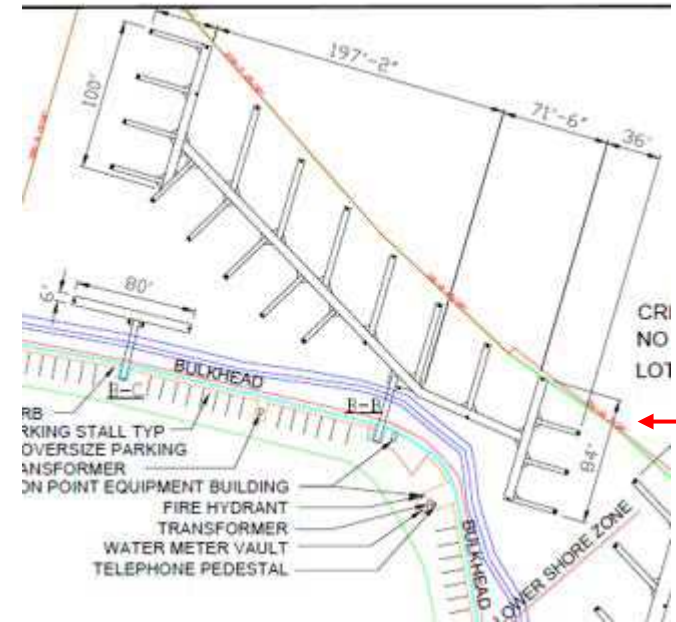


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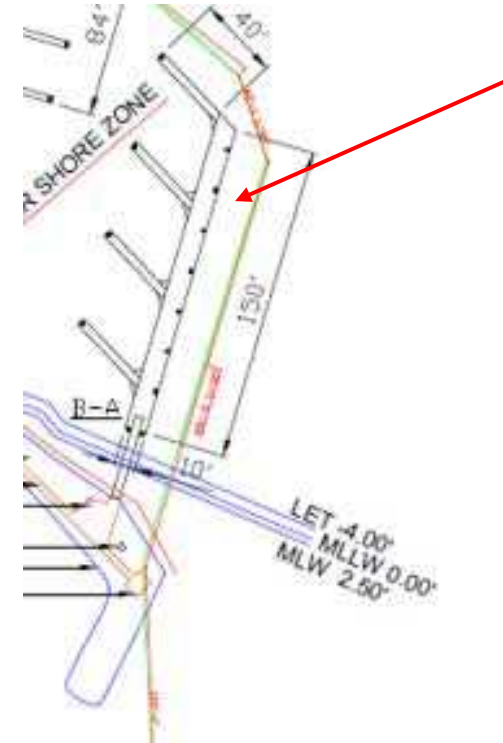


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Dock B-A



RAMPS REMAIN AND RESURFACED IF NEEDED



Example photo credit Marine Floats

ALL NEW FLOATS (like for like 7968 sf)

REMOVE ALL CREOSOTE PILINGS



Example photo credit Marine Floats

ALL NEW PILING (43 total)

Conditions

E. RECOMMENDATION

Based upon the application, Findings of Fact, and Conclusions of the staff report, staff recommends that the Planning Commission recommend approval of the shoreline substantial development permit with the following conditions of approval:

1. The scope of the project shall not exceed that as set-out in the shoreline permit application, and in accordance with the determinations made and conditions imposed. **Exhibit 4** shall be the approved site plan.
2. A FEMA Floodplain Habitat Assessment Report must be submitted and building permit(s) with the City of Anacortes' shall be secured prior to work.

Conditions

3. All applicable permits (local, state, & federal) shall be secured before any construction activities begin onsite and copies provided to the City of Anacortes' PCED.
4. Development shall comply with the mitigation measures as listed in the SEPA Mitigated Determination of Non-Significance (MDNS) issued on January 13, 2021.
5. Hours of construction /work are limited to 7:00 AM to 10:00 PM seven (7) days a week unless a noise variance is obtained.
6. Noise levels shall not to exceed those standards as established by the state pursuant to Chapter 70.107 RCW and contained in Chapter 173.60 WAC.
7. The applicant /landowner shall comply with federal statutes including but not limited to: Endangered Species Act, Clean Water Act, Marine Mammal Protection Act, and other federal statutes.
8. The project shall comply with all applicable Shoreline Master Program regulations, including but not limited to, Section 5.6 Aquatic Environment, Section 5.10 Urban Environment, Chapter 5, Shoreline Environments & Associated Policies and Regulations, Chapter 6 Environmental Protection General Regulations, Chapter 8 Specific Use Policies and Development Regulations, and Chapter 9 Specific Shoreline Modification Policies and Development Regulations.

Conditions

9. Development shall comply with AMC § 18.16.130 regulating the time limit for shoreline permits as follows:
 - A. Construction, or substantial progress toward completion, must begin within two (2) years after approval of the permit. Substantial progress toward construction shall include, but not limited to, the letting of bids, making of contracts, purchasing of materials involved in development, but shall not include development or uses which are inconsistent with the Shoreline Management Act or the city's master program. In determining the running two-year period hereof, there shall not be included the time during which development was not actually pursued by construction and the pendency of litigation reasonably related thereto made it reasonable not to so pursue; provided, that the city may, in its discretion, extend the two-year time period for a reasonable time based on factors, including the inability to expeditiously obtain other governmental permits which are required prior to the commencement of construction.
 - B. Five-Year Permit Authorization: If construction has not been completed within five years of approval by the City of Anacortes, the city will review the permit, with prior notice to parties of record, and, upon showing of good cause, either extend the permit for one additional year, or terminate the permit. Prior to the city authorizing any permit extensions, it shall notify any parties of record and the Department of Ecology. Note: Only one single extension is permitted.

Staff reserves the right to supplement the record of the case to respond to matters and information raised subsequent to the writing of this report.

STAFF RECOMMENDATION

The Department of Planning, Community, and Economic Development recommends that the Planning Commission recommend approval of the shoreline substantial development permit to City Council with conditions as listed in the Staff Report dated February 3, 2021.

Hearing and Deliberation



Planning Commission Public Hearing Minutes for February 10, 2021

This is not a verbatim transcript of the meeting and is written to capture the general spirit of the discussion based upon notes and video observation by the author. To view the video recording of this meeting, click [here](https://www.anacorteswa.gov/700/Watch-Meetings), or go to <https://www.anacorteswa.gov/700/Watch-Meetings>.

Chair MacKenzie called the virtual Public Meeting of February 10, 2021, to order at 6:00 p.m.

Roll Call

Members Present: Commissioners Ruether, Jeretzky, MacKenzie, Cortright, Molyneaux, Graf

Absent: Commissioner Martin

Staff Present: Don Measamer, Libby Grage, Tess Cooper, Dave Oicles

Others present: Marine Floats Corp representatives Tabitha Simonetti and Logan Brown.

Minutes

The Minutes of December 9, 2020 were accepted as submitted.

Correspondence

Don Measamer, PCED Director, welcomed Commissioners to the 2021 planning season and summarized upcoming projects the PCED Staff is working on.

New Business:

SDP-2020-0002 Bayside Moorage Marina

Tess Cooper, Senior Planner, gave a presentation on this open record pre-decision meeting concerning the project, and explained the proposal by Marine Floats Corp. The timeline is to have the decision presented to City Council on March 8, 2021. In summary, PCED Staff recommends approval of this shoreline substantial development permit with conditions. Commissioners asked questions about the project with contractor representatives Tabitha Simonetti and Logan Brown answering questions, along with Staff.

Chair MacKenzie opened the Public Hearing at 6:27pm and asked for public comments. The following presented comments:

- Jerry Rutledge, 2411 Skyline Way #108, commented on noise levels & operating hours.

With no other public comments presented, Chair Mackenzie closed the Public Hearing at 6:42.

Discussion ensued among Staff and Commissioners with questions answered by Staff and project contractor representatives. Commissioner Molyneaux made a motion to approve with conditions presented and move decision to City Council. Chair MacKenzie seconded the motion. All Commissioners present voted to approve the motion 6-0.

With no further discussion, Chair MacKenzie concluded the meeting at approximately 7:04 p.m.



City Council

Closed Record Decision Hearing

March 8, 2021 @ 6:00 PM
Tess Cooper, Senior Planner

SDP 2020-0002:

Bayside Moorage Marina Replacement

Applicant: Marine Floats Corp.

Land Owner: Jeff Wright

Proposed Use: Marina and boat moorage

Zone: Marine Mixed-Use

Location: 2410 Skyline Way– APN P32370

Prior Meetings: Development Review Group, Neighborhood Meeting

SDP 2020-0002:

Bayside Moorage Marina Replacement

February 10, 2021: Planning Commission, Open Record Pre-decision Hearing

March 8, 2021: City Council, Closed Record Decision Hearing

SDP 2020-0002:

Bayside Moorage Marina

Proposal:

The applicant has applied for a Shoreline Substantial Development Permit (SSDP) to permit the removal, demolition and disposal of the existing creosote piling and floating marina (7,968 sq ft). Forty-three galvanized steel piling will be installed, and new floating docks using the EnviroCrete® System will be fabricated in Tacoma and towed to the Bayside Moorage Marina for installation. The existing pier and ramps will be reused and re-decked with new grating. This project is a like for like replacement within the existing footprint, using contemporary designs to reduce the environmental



SDP 2020-0002:

Bayside Moorage Marina

Project History:

A mandatory preapplication meeting was held on June 2, 2020.

A neighborhood meeting was held on August 5, 2020.

The formal application was submitted on September 23, 2020
and

Determined complete on November 6, 2020.

Noticing: NOA November 11, 2020 and NOH January 20, 2021

SEPA Determination: January 13, 2021

SDP 2020-0002:

Bayside Moorage Marina

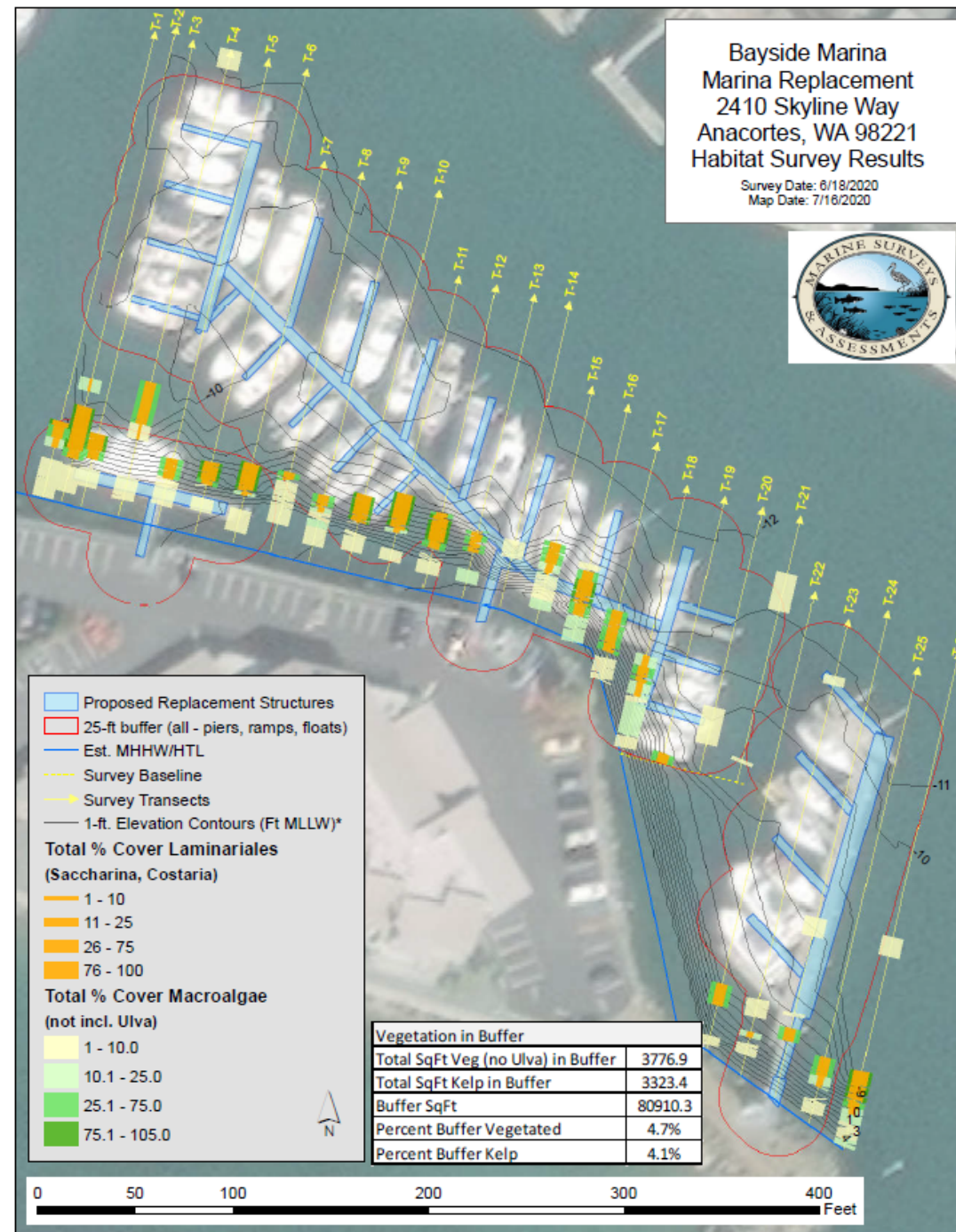
Public Comment:

Public comments were received from neighbors with concerns about noise and vibration in relation to pile driving.

One Agency comment was received from Ecology in regard to a MTCA Site in the vicinity.

Critical Areas: The site was evaluated for potential Critical Areas in a Habitat Survey dated July 16, 2020, which identified that no significant population of listed species were present. The project was designed to minimize impacts as much as feasible possible, and contemporary building materials were employed to create a net gain in ecological conditions.

Habitat Survey:



MARINE MIXED-USE ZONE (MMU):

1. This designation provides for a special mix of commercial, cultural, recreational, and residential uses in a high-amenity area along the waterfront or with special waterfront relationship. The design of uses is intended to emphasize the unique marine setting by providing marine access and views from public spaces and establishing/maintaining a pedestrian-friendly character.

2. Marinas and boat moorage are permitted in the MMA Zone.

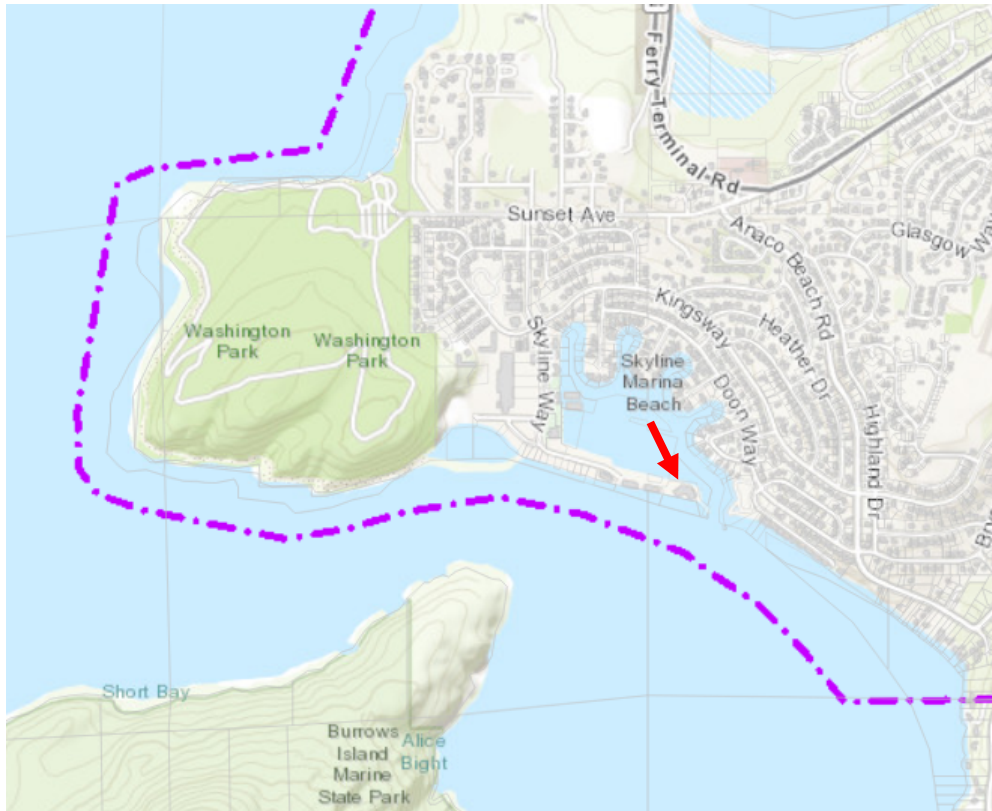
Principal Use	CBD	C	MMU	CM	CM2	LM	LM1	MS
Recreation, Outdoor, except as listed below							P(X)	
Campground				C			C	
Golf course							P	
Marinas and boat moorage			P	P	P	P	C	C
Recreational vehicle park				C				
Shooting range								
Restaurant/Bar	P	P	P	P	C	P		C
Food truck	P	P	P	P	P	P	P	P

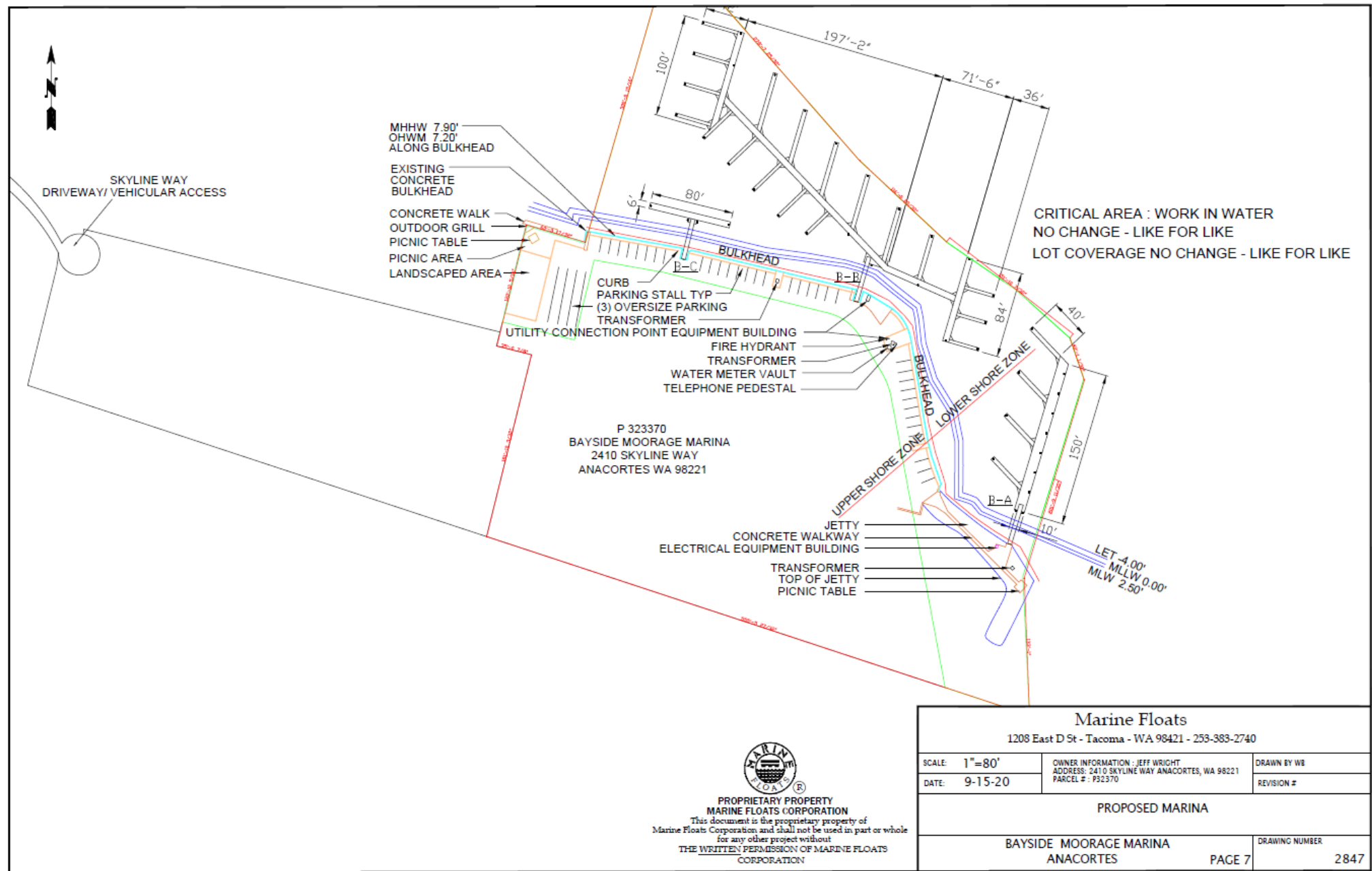
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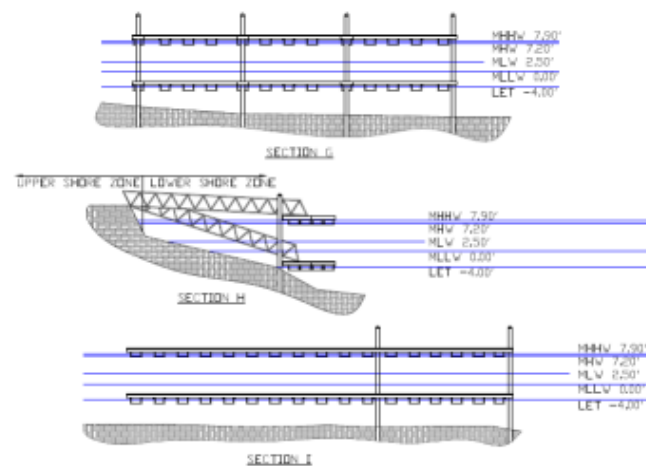
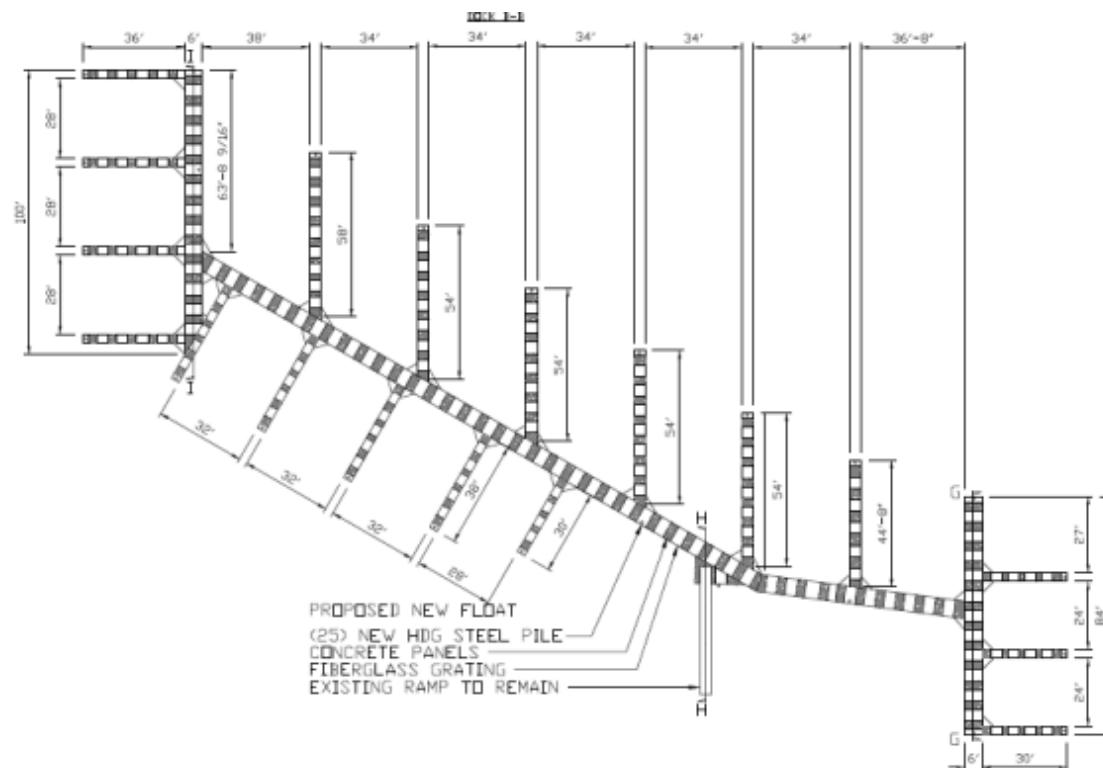
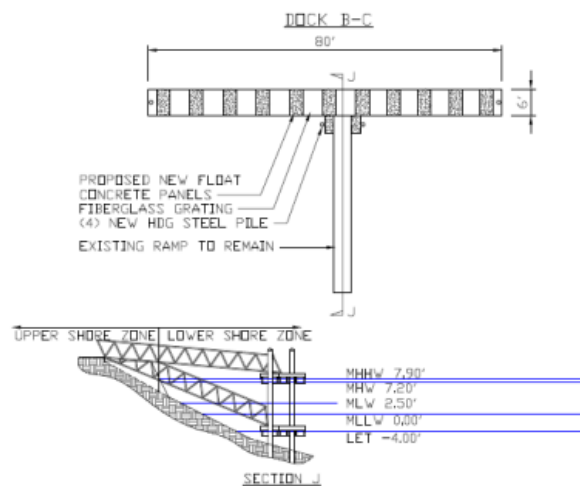
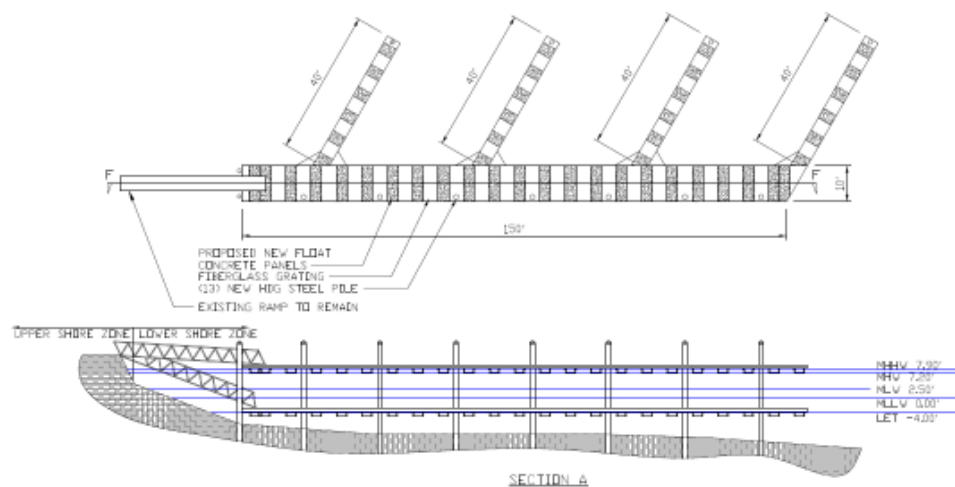
Bayside Moorage Marina





PROPRIETARY PROPERTY
 MARINE FLOATS CORPORATION
 This document is the proprietary property of
 Marine Floats Corporation and shall not be used in part or whole
 for any other project without
 THE WRITTEN PERMISSION OF MARINE FLOATS
 CORPORATION

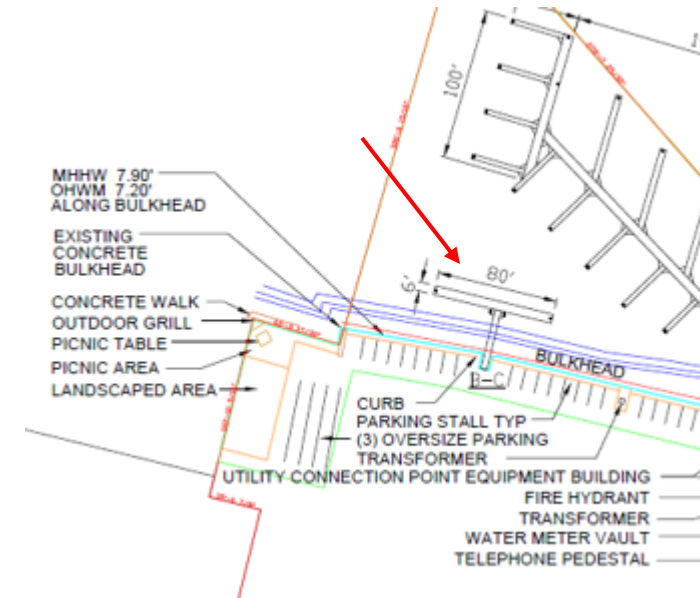
Marine Floats		
1208 East D St - Tacoma - WA 98421 - 253-383-2740		
SCALE: 1"=80'	OWNER INFORMATION : JEFF WRIGHT ADDRESS: 2410 SKYLINE WAY ANACORTES, WA 98221 PARCEL #: P323370	DRAWN BY WB
DATE: 9-15-20		REVISION #
PROPOSED MARINA		
BAYSIDE MOORAGE MARINA ANACORTES		DRAWING NUMBER 2847
PAGE 7		



Site Existing Condition Photos

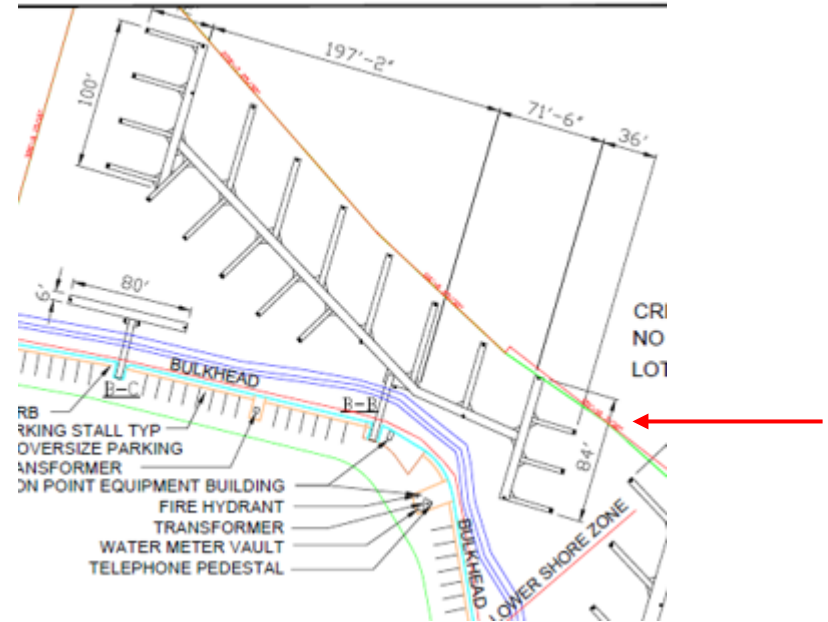


Dock B-C



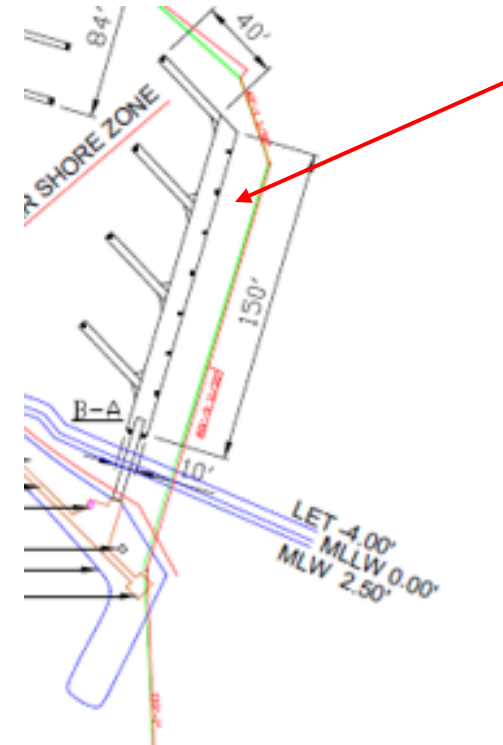


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Dock B-A



RAMPS REMAIN AND RESURFACED IF NEEDED



Example photo credit Marine Floats

ALL NEW FLOATS (like for like 7968 sf)

REMOVE ALL CREOSOTE PILINGS



Example photo credit Marine Floats

ALL NEW PILING (43 total)

Conditions

E. RECOMMENDATION

Based upon the application, Findings of Fact, and Conclusions of the staff report, staff recommends that the Planning Commission recommend approval of the shoreline substantial development permit with the following conditions of approval:

1. The scope of the project shall not exceed that as set-out in the shoreline permit application, and in accordance with the determinations made and conditions imposed. **Exhibit 4** shall be the approved site plan.
2. A FEMA Floodplain Habitat Assessment Report must be submitted and building permit(s) with the City of Anacortes' shall be secured prior to work.

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3. All applicable permits (local, state, & federal) shall be secured before any construction activities begin onsite and copies provided to the City of Anacortes' PCED.
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 - B. Five-Year Permit Authorization: If construction has not been completed within five years of approval by the City of Anacortes, the city will review the permit, with prior notice to parties of record, and, upon showing of good cause, either extend the permit for one additional year, or terminate the permit. Prior to the city authorizing any permit extensions, it shall notify any parties of record and the Department of Ecology. Note: Only one single extension is permitted.

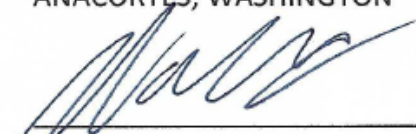
Staff reserves the right to supplement the record of the case to respond to matters and information raised subsequent to the writing of this report.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends the approval of the shoreline substantial development permit with conditions as listed in the Staff Report dated February 3, 2021.

Commission Vote	Support	Oppose	Absent	Abstain
Frank Jeretzky	1			
Mike Cortright	1			
Sarah Ruether	1			
Gary Molyneaux	1			
Linda Martin			1	
Jeff Graf	1			
Ward MacKenzie	1			
Total	6	0	1	0

ANACORTES PLANNING COMMISSION
ANACORTES, WASHINGTON


Ward MacKenzie, Planning Commission Chair

02/10/21
Date

Questions Deliberation



City Council Agenda Bill

Meeting Date: March 8, 2021

Agenda Item: 6.a.

Agenda Item Title: Socrata City Budget Information Sharing Platform

Staff Contact(s): STEVE HOGLUND

<u>Approved for Submittal to Council by</u>	<u>Action Type</u>
STEVE HOGLUND	Discussion

Item Summary: Socrata is a division of Tyler and provides an online budget data sharing platform. This presentation will highlight the benefits and functions of Socrata.

Budget Impact:

Potentially up to \$80,000 first year cost

Previous Action: Discussion at Finance Committee

Recommended Motion: Not Applicable

Alternative Actions:

Attachments (listed in order presented): None



City Council Agenda Bill

Meeting Date: March 8, 2021

Agenda Item: 6.b.

Agenda Item Title: Resolution 3024: Authorizing the Hiring of 2 Half-time Library Assistants

Staff Contact(s): STEVE HOGLUND, JEFF VOGEL

Approved for Submittal to Council by **Action Type**

STEVE HOGLUND

Resolution

JEFF VOGEL

DARCY SWETNAM

Item Summary: Ordinance 3078 authorized the 2021 annual budget, and section 4 of that ordinance retained the hiring freeze that was put in place in response to the Covid crisis. The 2021 Library fund budget has 3 positions budgeted but unfilled (this is in addition to the 3 library positions that were eliminated from the budget). As the Library prepares for the public re-opening, the lean Library staffing is creating staff scheduling issues in trying to accommodate a reasonable path to pre-Covid public access levels.

The last 4 consecutive months of sales tax receipts have met or exceeded the same month prior year levels, and as economists seem to agree that the 2021 economy will continue to recover to pre-covid levels, it appears that it may now be reasonable to rehire the 2 half FTE Library assistants that are included in the 2021 budget but remain unfilled.

Budget Impact:

\$99,355 was budgeted in 2021 for two 1/2 FTE Library Assistants

Previous Action: [Ordinance 3078](#) authorizing 2021 budget adopted [December 21, 2020](#)

[Resolution 2082](#) Covid crisis response enacting hiring Freeze enacted [March 16, 2020](#)

Recommended Motion: I move to adopt Resolution 3024 authorizing the hiring of 2 Library Assistants

Alternative Actions: Do not approve resolution, direct staff as to next steps

Attachments (listed in order presented):

1. Resolution 3024
2. Memorandum from Library Director

RESOLUTION NO. 3024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANACORTES, AUTHORIZING THE
HIRING OF 2 LIBRARY ASSISTANTS

WHEREAS, the City Council of the City of Anacortes adopted Ordinance 3078 establishing the 2021 budget, and

WHEREAS, the Covid crisis hiring freeze that was enacted in March of 2020 was retained in Section 4 of Ordinance 3078 requiring a Council resolution to authorize any hiring done into Governmental funds during the 2021 fiscal year, and

WHEREAS, City revenues in some areas are returning to pre Covid levels and the Library depends primarily on Property Tax which even through Covid was stable and will likely continue to be stable and will likely therefore provide consistent financing for the Library unless another budget amendment is required to shift resources to other funds, and

WHEREAS, the Library is such a Governmental fund that relies on taxes and is now facing staffing difficulties in the development of a post Covid re-opening plan, and

WHEREAS, the Library desires to fill 2 of the open positions it has in the budget, which would still keep the staffing level well below the pre-Covid levels in that 3 positions were permanently eliminated from the Library budget in addition to the 3 current open positions.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Anacortes that the Mayor is authorized to commence in the hiring of 2 Library Assistants.

ADOPTED, at the regular meeting of the City Council of the City of Anacortes, this 8th day of March 2021, by a majority of the members.

City of Anacortes, Washington

BY: _____
Laurie Gere, Mayor

ATTEST:

Steven D. Hoglund, City Clerk



March 8, 2021

To: City Council

Subject: Library Staffing

Now that Skagit County is in Phase Two of the Covid crisis, the library will need to start safely reopening, following state guidelines, for limited, in person, visits. This will be in conjunction with serving as many community members as possible with weekday, evening, and Saturday hours.

Current staffing levels do not support Saturday in-library services, or the expansion of hours, as Covid restrictions lift. Filling the two half time Library Assistant positions budgeted for 2021 that are currently unfilled, would allow the library to safely progress through the reopening process, while at the same time meeting Collective Bargaining Agreement requirements related to staffing, and sustaining the programming and services our community has come to expect from the Anacortes Library.

The transition to re-opening necessitates congruently maintaining the ever growing curbside services, while facilitating safe, in person services. Staff will be needed to manage capacity requirements, monitor safe practices, and clean, while continuing to assist with regular library services and curbside services.

I have worked closely with the Mayor, Finance, and Human Resources Departments in developing a re-opening plan, and we all agree that the hiring of the two budgeted Library Assistants is necessary and reasonable.

Thank you,

Jeff Vogel
Director
Anacortes Public Library



Agenda Item: 6.c.

Staff Contact(s): STEVE HOGLUND, FRED BUCKENMEYER, DARCY SWETNAM

Item Summary: There are 2 temporary part time staff being requested for the Road fund. These 2 positions have funding available in the budget, but their work has traditionally been performed by 1 full time staff member, and this position is partially funded with tax revenues, so it requires Council approval because of the hiring freeze. There are 4 new FTE being requested.
2 FTE are 100% Water funded.
1 GIS FTE and 1 Legal Assistant FTE are both roughly 80% utility funded and 20% General funded. Those payroll allocations will be refined in the summer of 2021 with a payroll time study to support the 2022 budget.

4 FTE all of which the primary funding source are the Utility and ERR funds
Funding impact is:

Total Cost:	405,462
Utility revenue funded:	365,346
General revenue funded:	40,116

Previous Action: Finance and Personnel Committee meetings, Budget [Ordinance 3078](#) adopted 12/21/2020

Recommended Motion: I move to adopt Ordinance 3086 authorizing the budget amendment to add 4 FTE to the 2021 budget.

Alternative Actions: Do not approve budget amendment, provide staff alternative direction

Attachments (listed in order presented):

1. Ordinance 3086
2. Staff Slide Presentation
3. Water Staffing Memo
4. Proposed Public Works Organizational Chart 2021
5. Memo on Legal Position

ORDINANCE 3086

AN ORDINANCE AMENDING ORDINANCE NO. 3078 ADOPTED ON DECEMBER 21, 2020, ENTITLED "AN ORDINANCE ADOPTING THE BUDGET FOR ALL MUNICIPAL PURPOSES AND USES FOR THE YEAR 2021"

WHEREAS, Ordinance 3078 was adopted on December 21, 2020 that established the annual budget for fiscal year 2021, and

WHEREAS, The 2021 budget was intentionally lean across all funds and departments because of the questions about the future of the economy at the time of budget development with the Covid crisis in full swing, and

WHEREAS, the economy appears to be gaining strength as evidenced by sales tax receipts exceeding the amounts collected in the same month of the prior year and economists generally agreeing that the economy will continue to recover towards pre-covid levels through fiscal year 2021, and

WHEREAS, the Water department is experiencing staffing difficulties and desires to add two additional staff members to enable a longer term plan for staff management and continuity of water processes, and

WHEREAS, when the Fiber department was ramping up production two Road employees representing 25% of the crew left the Road department for the Fiber department and shortly after that the Covid crisis developed and those employees haven't been replaced and it is now desirous to hire two temporary seasonal employees to backfill for one of those positions, and

WHEREAS, the GIS department has been experiencing tremendous growth over the past several years as the City relies more on GIS for planning, mapping and asset management putting that department in need of additional help, and

WHEREAS, the Legal department has been experiencing tremendous growth over the past several years as the City relies more on Legal for contracting and other purchasing direction, and also for assistance and direction in other legal matters such as the continued Fiber build out, MTCA site management, other utility project management and expansion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Anacortes, Washington, as follows:

Section 1. Ordinance No. 3078 dated December 21, 2020 adopting the Budget for all Municipal purposes and Uses for the fiscal year 2021 is hereby amended to reflect the aforementioned revisions to expenditures and revenues in the following areas:

Position Description	Expense	Revenue
Salaries & Wages - 2 Water positions	134,348	
Personnel Benefits	70,536	
Reserved Fund Balance		204,884
Salaries & Wages - 1 GIS position	66,009	
Personnel Benefits - GIS	35,268	
Utility and Governmental Spread		101,277

Salaries & Wages - 1 Legal Asst	64,034	
Personnel Benefits	35,268	
Utility and Governmental Spread		99,302

Section 2. Effective date. This Ordinance shall take effect from and after five (5) days after its passage and publication, as required by law.

PASSED AND APPROVED THIS 8th day of March, 2021.

CITY OF ANACORTES, WASHINGTON

BY: _____
Laurie Gere, Mayor

ATTEST:

(Corporate Seal)

Steven D. Hoglund, City Clerk

APPROVED AS TO FORM

Darcy Swetnam, WSBA #40530
City Attorney

Staffing Budget Amendment

STREET CREW

- 2 positions transitioned to Fiber and haven't been replaced
 - This has led to a reduction in weed spraying, paint striping, pond maintenance, and sweeping.
- 1 position utility funded.
 - Under section 4 of budget ordinance 3078, it is believed this position can go to ad:

Section 4. A hiring freeze remains in effect until December 31, 2021, prohibiting any new hire (including new positions or filling vacant positions) that is funded in any part from any City governmental fund without approval by City Council resolution. The Police and Fire Departments, and the position of HR Director, are not subject to this hiring freeze.

Staffing Budget Amendment

STREET CREW (Cont'd)

- The other street position is partially tax funded.
 - The Request: 2 part time seasonal staff be hired for 2021 to temporarily replace the other Street Crew position.
- This will allow more pond maintenance and other lower level tasks to catch up on the previous year's lack of available crew
- Also allow us to team a fulltime worker up with a seasonal in order to help our skilled resources spread further.
- It is also is a great way to get some seasonal staff exposed to our line of work, and see if they might be a good fit for a future open position.

Staffing Budget Amendment

WATER CREW - See attached Memo and Org Chart

- The Anacortes Water plant is rated at level 4, which is the highest rating by the State Department of Health; it is one of 11 level 4 plants in the State.
- A level 4 operator requires a combination of 14 years of education, 2 years of experience at a level 4 plant, and passing a written exam.
 - There are currently 100 level 4 operators in the State of Washington.
- Current staffing falls short of level 4 operators, and is at risk of non compliance.
 - Recommendation:
 - Reclassify WTP Supervisors to certify at level 4 (they are currently level 3)
 - Hire 2 additional operators
 - 1 Operator in Training (entry)
 - 1 Operator level 3

Staffing Budget Amendment

Geographic Information System (GIS) TECHNICIAN

- Over the past decade GIS has become more integral to engineering activities, and the workload grown correspondingly.
- The existing mapping commitments for both internal and external GIS customers continues to grow.
- Additionally the GIS department now is responsible for City asset management.
 - Historical stand alone departmental data bases used for asset management have been incorporated into Cartegraph and are now managed by GIS.

Staffing Budget Amendment

Geographic Information System (GIS) TECHNICIAN (Cont'd)

- The City has only ever had one GIS technician
 - For several years now there has rarely been a 40 hour week
 - Cannot expand existing or take on additional programs or tasks
 - There is a single point of knowledge and capacity in GIS
- Recommendation:
 - There is funding identified in each of the utilities for GIS assistance
 - Hire an additional GIS Technician who will work on utility related projects
 - Later this year, we will conduct a time study for the FY 2022 budget, and make adjustments as necessary for both GIS positions.
 - Historical time studies have shown the majority of effort associated with the Utilities, lesser amount in Roads
 - Fiber may be a new element in GIS timekeeping in 2022

Staffing Budget Amendment

LEGAL ASSISTANT

- Prior to 2017, there was a Contracts Specialist who managed contracts for the Public Works department only.
- Starting in 2017, the City bolstered its contracts process and the current Contract Specialist now manages all City contracts, as well as manages and directs bids and RFPs.
- The amount of contract activity has grown dramatically:

	Year	# Contracts	% Change	# Mods	# of Bids/RFP's
Current Contract Admin	2020	284	7.6%	62	11
	2019	264	12.3%	68	31
	2018	235	22.4%	87	15
	2017	192	284.0%	81	11
Prior PW Contract Admin	2016	50	-34.2%	17	5
	2015	76	68.9%	22	7
	2014	45	18.4%	28	6
	2013	38		25	7

Staffing Budget Amendment

LEGAL ASSISTANT(Cont'd)

- The need for support from the City Attorney has grown since the City Attorney position was brought in house.
 - New programs. E.g. Fiber represents as much as 10-25% of the City Attorney's weekly workload
 - Management of 2 MTCA sites
 - Increased Public Works projects demanding attention:
 - Debt issuances, complex public works projects, water issues
 - There is no dedicated support staff for the City Attorney
- The additional workload in contracts, and legal generally, has created a pinch point in Legal, and has impacted our ability to be nimble

Staffing Budget Amendment

LEGAL ASSISTANT(Cont'd)

- Currently there is limited ability to take on additional tasks or programs to increase efficiencies (e.g. policy and system updates)
- We also have a single point of failure in the contracts process
- Contracts specialist has 60 new contracts requests in queue, with new requests coming in each week
- Generates approx. 8 - 15 new contracts per week plus whatever modifications, council packets, and bids/RFPs are required
- Recommendation:
 - Hire a Legal Assistant
 - Multi faceted position to support contracts and in-house counsel
 - A funding convention similar to the GIS Technician will be used
 - Most of the help is anticipated to be in the Utilities
 - We will flesh out payroll accounting in the upcoming time study for FY 2022



City of Anacortes
Water Systems
14489 River Bend Rd
Mount Vernon WA 98273

To: Anacortes City Council

Subject: Water Systems Staffing

The Anacortes Water Treatment Plant (WTP) is staffed 24 hours a day 7 days a week. The Plant is rated at a Level 4 (highest) by the Washington State Department of Health based on population served, water production, and complexity of water treatment processes. The WTP is among 11 water plants rated at this level in all of Washington State.

Recently, the WTP has been certified and re-rated from a maximum production of 35 million gallons per day to 43 million gallons per day. This re-rating has come with additional requirements such as we are now required to have a minimum of two (2) Certified Level 4 Water Treatment Plant Operators serving as our Certified Operators in Responsible Charge (ORC). WAC 246-292-050

Current staffing levels fall short of meeting these requirements for the Level 4 Certified Operator and our system is at risk for noncompliance. Today, the City of Anacortes is at the bottom of the job market with systems of similar size and complexities which brings significant challenges to recruiting qualified staff.

Becoming a Level 4 Water Treatment Plant Operator (WTPO) requires a combination of 14 years of education, 2 years' experience at a Level 4 plant, combined with proving competency by passing a written exam. Washington State currently has 100 Level 4 WTPO. WAC 246-292-060

Staff has worked closely with the Mayor, Finance, and Human Resources, and recommends the following:

Reclassify job duties for Water Plant Supervisors (non-Union) to be certified at Level 4 Operators (currently required Level 3) and adjust pay grade from M16 to M18 approximately \$5K per year increase

Hire 2 additional Operators (Union)

1 Operator in Training (entry level position)

1 Operator Level 3

This adjustment provides a training track to develop Operators in Training over a period to become certified and be available to fill vacancies/shifts as they arise. Adding the additional WTPO position facilitates succession planning to cover shifts at Level 3 in addition to grooming in house operators for leadership positions.

Currently the City of Anacortes is leveraging our interlocal agreement with Skagit PUD to fill the required position of WTPO 4 as a temporary measure to remain in compliance while we recruit for the vacancy of the WTPO Supervisor. Additionally, we are recruiting for WTPO 3 as we have had a veteran operator take a position in Wyoming.

The following organization chart reflects how each of these positions are consistent with our span of control policies:

INTEROFFICE MEMORANDUM

TO: MAYOR GERE, STEVE HOGLUND

FROM: DARCY SWETNAM

SUBJECT: NEED FOR LEGAL ASSISTANT

DATE: 3/1/2021

This memo is intended to provide background information to support the City Attorney's request to add a legal assistant to the department. Since the City Attorney was brought in house in 2015, the legal programs supporting the City have grown and key City processes have been centralized to ensure consistency and protect the City from liability. That time frame has also seen a growth in City operations, which are all supported by the City Attorney's Office. The workload has grown to the point that the department needs additional help and is requesting that a new legal assistant position be added and filled as soon as possible.

1. Contracting needs: The City Attorney's Office launched a program in 2017 to oversee and perform all City contracting. Prior to that program, each department was responsible for its own contracting, with one admin assistant in Public Works providing support for several departments. Prior to 2015, there was little consistency in City contracts, and many projects were taking place without contractual protections for the City. As a result, the City was exposed to increased liability, City contracts were not consistently recorded or tracked, and there were varied expectations amongst City departments. Under the new City-wide contracts program, contracts are all handled properly and consistently. The new program has seen a reduction in contracts disputes, increased oversight of all contracts to ensure legal compliance, increased transparency and tracking of contract budgets, and improved contract administration. The program has grown each year as all City departments have come to rely on this service.
 - a. Statistics: The following numbers show how many new contracts, modifications, and procurements the City has done each year starting in 2013. The new contract program began in February of 2017. Since that time, the workload for the program has grown each year, which indicates that the City is steadily improving its contracting consistency and management. To provide a scope of the portion of the City's budget touched by the contracting program, in 2020, the total value of contracts processed through the contracts program was \$26,431,998.02. This is roughly half of the City's overall budget, including all utilities.

Year	New Contracts	Modifications	Bid/RFP Packages
2013	38	25	7
2014	45	28	6
2015	76	22	7
2016	50	17	5
2017	192	81	11
2018	235	87	15
2019	264	68	31
2020	284	62	11

- b. Benefits of centralized contracting: Centralized contracting has significantly improved the City's legal position overall and minimized the potential for disputes. It has also provided checks and balances on key steps in the contracting process and increased transparency and access to information. The City has realized the following benefits:
- i. Legal department oversees all procurements and ensures compliance with complicated procurement rules;
 - ii. Legal department oversees contract execution to ensure compliance with state and local law;
 - iii. All contracts are drafted and/or reviewed by legal department;
 - iv. City Attorney reviews all contracts;
 - v. All contracts are input into contract tracking systems to note key contract terms like:
 1. Price;
 2. Expiration;
 3. Renewal options;
 4. Compliance with insurance requirements;
 5. Bond requirements and compliance;
 - vi. Records of contracts are properly kept pursuant to PRA requirements;
 - vii. Key background checks are performed prior to contracting, including contractor licensing, insurance compliance, bonding, etc.;
 - viii. Bonds are properly handled and retained or released appropriately;
 - ix. Most contract payments are processed through legal department to ensure that payments fit within original contract amounts;
 - x. Public is able to access all City contracts on the City's website to increase transparency and accountability.

- c. Demand has grown: The City Attorney's office is proud of the considerable effort that has gone into developing and growing the City's contract program. The City is in a far better position legally and financially than it was prior to the development of the program. The continued growth in contract numbers speaks to the success of the program and the change in the City's culture around contracting. The past several years have seen not only the growth of the program, but the maximization of efficiencies to allow contracts to happen as quickly and efficiently as possible. However, because of the success of the program, the workload for the contract specialist has grown to the point where more assistance is necessary. As of March 1, the contract specialist has roughly 60 requests for contracts in the contracting queue and the legal department is currently able to produce between 8-15 contracts per week depending on their complexity and whether there are other procurement or Council packet materials to prepare for the week. There are on average between 5 and 15 new contract requests each week.
2. City Attorney's Office needs: The City Attorney was brought in house in 2015 after 8 years of the City working without a staff city attorney. Since that time, the legal department has undergone a number of key process improvements that minimize city liability and more efficiently carry out City business. Some of these key process improvements include the development of centralized City contracting, improvement of public records retention and responses, implementation of Laserfiche for enterprise content management, significant Code updates to address procedural deficiencies, and improved coordination between legal and City departments to protect the City from liability. The City Attorney supports all City departments and, as the City's projects grow, so does the demand for legal services. For example, in the past year and a half, the need for legal support of the new fiber project requires between 10% and 25% of the City Attorney's time each week. Additionally, all of the new PW projects, including the outfall, WTP demo, raw waterline and clearwell, and cleanup sites take a significant portion of the City Attorney's time. The workload has grown to the point that additional help is necessary to maintain the support that each City department has come to rely on.
3. Request: The City Attorney's office therefore requests Council approve the addition of one FTE legal assistant to support the contracts program and the City Attorney's Office. The projects supported by this position help to make City programs more robust, minimize the need for costly legal disputes, and develop systems to make the City more efficient. The City Attorney requests that this position be filled as soon as possible.