Atttachment 16
ZON06-00017, file #1

Response to Issues Raised at 4-10-08 Planning Commission Meeting City of Kirkland Shoreline Master Program Update

Background

The City of Kirkland adopted Resolution 4510 on June 21, 2005, which ratifies the *Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan* (WRIA 8 Steering Committee 2005). Ratification expressed the City's "approval and support" for eight actions. Of particular relevance are actions 3 and 6 as follows:

3. Using the scientific foundation and the conservation strategy as the basis for local actions recommended in the plan and as one source of best available science for future projects, ordinances, and other appropriate local government activities.

6. Using the start-list to guide priorities for regional funding in the first ten years of Plan implementation, and implementing start-list actions through local capital improvement projects, ordinances, and other activities…

One of the priorities established in the Plan for the area of Lake Washington that includes Kirkland is to:

> Reduce predation to outmigrating juvenile Chinook by: reducing bank hardening, restoring overhanging riparian vegetation, replacing bulkheads and rip-rap with sandy beaches with gentle slopes, and use of mesh dock surfaces and/or community docks. http://dnr.metrokc.gov/wrias/8/chinook-plan/volumeII/03_Chapter_11_North_Lk_WA_Actions.pdf pg. 9-10)

Beneath that priority are listed a number of implementing land use actions, of which the following is a subset:

- Recognize that softening or removal of bulkheads is the most important action to improve shoreline habitat. In addition, riparian/shoreline buffers should be increased to the extent practicable

- Discourage construction of new bulkheads. Develop guidelines to better assess need for bulkheads and restrict height to that necessary to protect the structure; height increases would be allowable only after appropriate analysis based on fetch, waves, wind velocity and direction, etc. Guidelines should take into account tradeoffs with other environmental impacts (e.g., presence of contaminated soils) and public safety hazards.

Issue 1

Is bioengineered shoreline stabilization and restoration a viable option on east-side lakeshores, even in high wave fetch environments?

Response 1

The Watershed Company and other consulting firms have designed numerous shoreline restoration projects that have been built in a variety of locales around Lake Washington, including Hunts Point, Medina, Mercer Island, Seattle, Bellevue, Renton, Kirkland's Potential Annexation Area, and other east-side jurisdictions.

"Restoration," for our purposes, does not mean a return of the site to any historical standard, whether that is pre-European settlement or pre-lake elevation control by the U.S. Army Corps of Engineers. Restoration means a project has resulted in an improvement in ecological functions relative to the baseline condition.[1] That baseline condition has been established by the 2006 Shoreline Inventory/Analysis Report. The level of improvement required of a property owner will be dependent on a number of variables, including site-specific conditions and the nature and magnitude of a proposed development or use.

All shoreline restoration designs are very site-specific, but virtually all sites have some potential for restoration on the broad continuum. Any site's position on the restoration continuum is determined by a number of variables, including:

- wave fetch and boat-driven wave patterns,
- bathymetry (shallow or steep slope below the water line),
- topography (shallow or steep slope above the water line),
- depth of water at shoreline face, and
- location of residence, utilities, or other built structures relative to the shoreline edge.

At one end of the continuum are properties for which bulkhead removal and full shoreline restoration is possible, and at the other end of the spectrum are properties which may only be able to plant a narrow band of native vegetation upland of the bulkhead. Properties in the latter

[1] Chapter 173-26-020(27) WAC. "Restore", "Restoration" or "ecological restoration" means the reestablishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including but not limited to re-vegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

category are those that have deep water at the bulkhead and utilities or structures close to the water's edge.

For most other properties, some bulkhead removal or modification is possible provided that care is taken to size substrates appropriately so they are not easily mobilized by wind- or boat-driven waves, to place sufficient quantities of substrate or otherwise grade the site to achieve a stable slope, and to strategically place as needed boulders or logs to attenuate wave energy and improve habitat.

Examples of constructed projects in high-energy and other environments are attached. The City of Kirkland also contains several parks with sections of "natural" (unarmored) shoreline that are stable, including Heritage Park, Kiwanis Park, Houghton Beach Park, and Waverly Beach Park.

Further, the U.S. Army Corps of Engineers has recently issued its *Programmatic Biological Evaluation for Shoreline Protection Alternatives in Lake Washington*, which includes three shoreline protection options for different settings that would receive streamlined federal permitting. The illustrations and description of each of the three options are attached.

Issue 2

Does riparian vegetation on the east shore of Lake Washington provide value even though it is not positioned to provide shade?

Response 2

Shoreline vegetation, particularly trees with overhanging canopies, can provide nearshore shade in the morning hours when the sun is in the east. The ability of east-side shoreline vegetation to provide shade in the afternoon hours depends on the character of the vegetation and its proximity to the water's edge. Either way, provision of shade is just one of many benefits of native riparian vegetation.

Similar to vegetated buffers on streams, riparian vegetation can provide the following benefits to lakes and lake-associated wildlife:

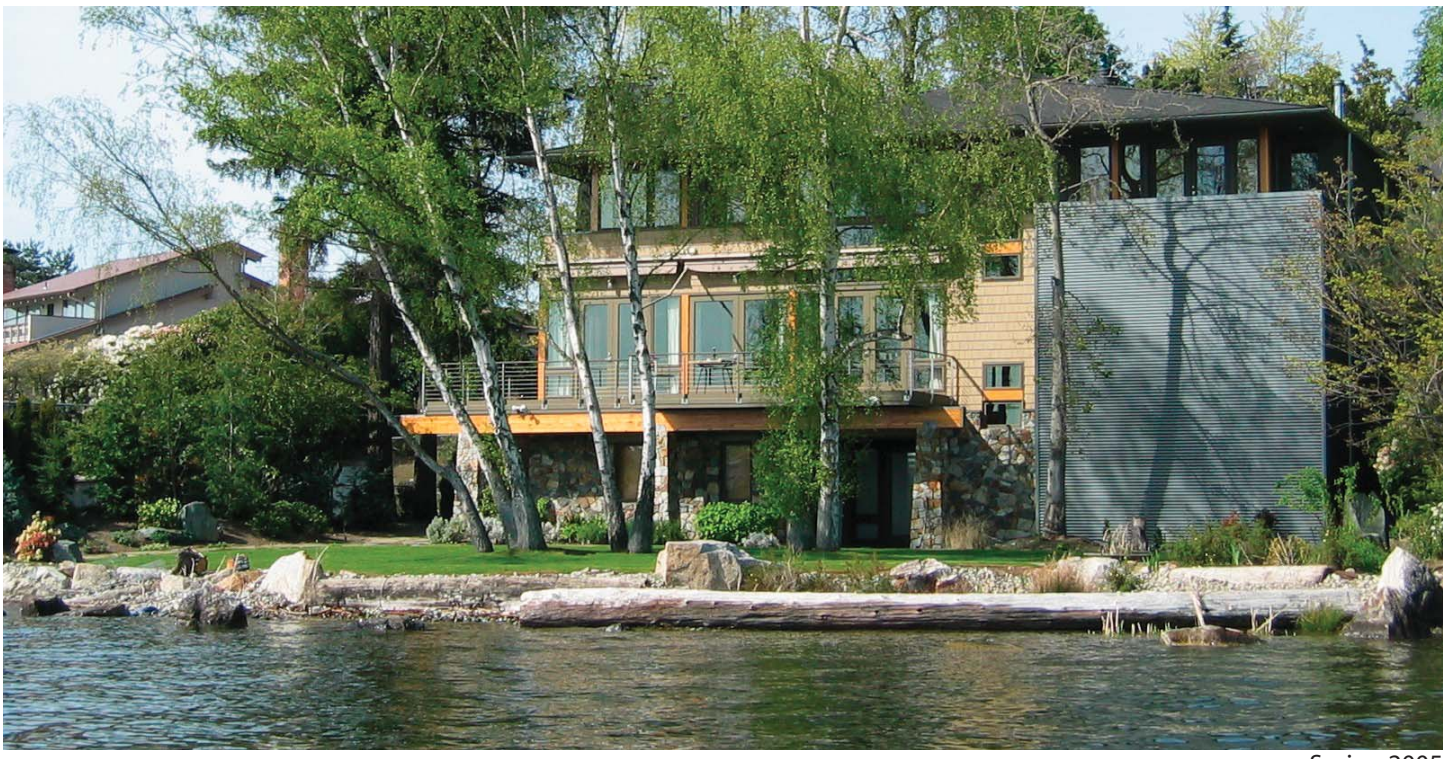
- Water Quality (sediment and pollution removal)
- Bank Stabilization (erosion control)
- Shade and temperature moderation
- Microclimate
- Wildlife habitat
- In-lake habitat (woody debris. However, this is typically removed by property owners in urban Lake Washington)
- Productivity (insects, smaller organic debris – even when vegetation is not overhanging the water, these items enter the water via winds or surface water runoff)

A few key excerpts from the *Programmatic Biological Evaluation for Shoreline Protection Alternatives in Lake Washington* regarding the importance of riparian vegetation to listed fish species follow:

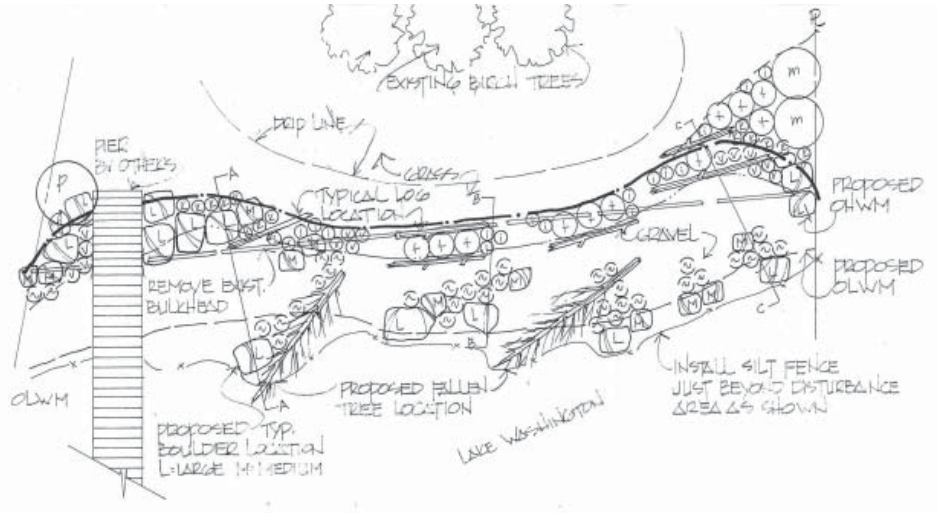
- “Christensen (1996) showed that riparian vegetation and woody debris contribute to organic detritus in lakes that support epibenthic invertebrates such as dipteran larvae”
- “Increasing the amount of woody debris and overhanging vegetation could provide cover from bird predation.”
- “Tabor and Piaskowski (2002) also found that juvenile Chinook use woody debris and overhanging vegetation as refuge from predators during the day. Their study results suggest the need to have a diverse shoreline with open areas as well as areas with woody debris and overhanging vegetation (Tabor and Piaskowski 2002). Later studies showed that most (over 80%) juvenile Chinook salmon are found at sites with overhanging vegetation and small woody debris as compared to sites without vegetation and small wood (Tabor et al. 2004a).”

THE WATERSHED COMPANY

SEATTLE RESIDENCE- COMPLETED 2002



Spring 2005



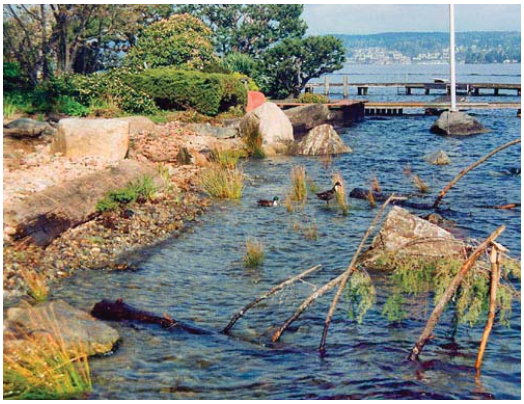
Original Plan

Before

SERVICES ON THIS PROJECT

- Shoreline Design & Permitting
- Site Planning
- Bulkhead Removal
- Restoration Planting
- Construction Supervision

After

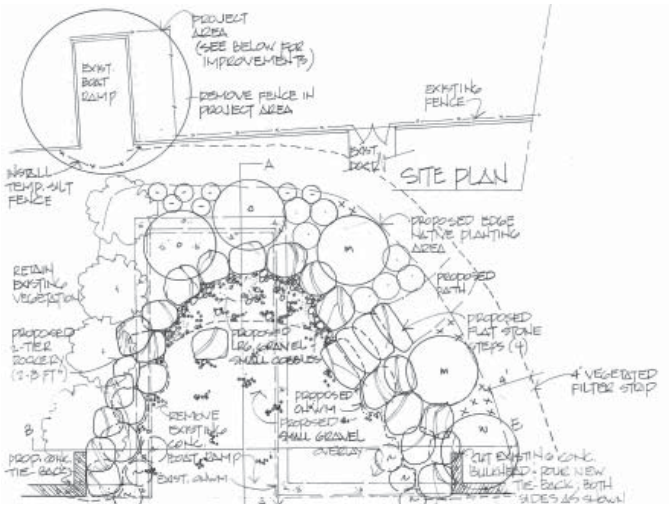


After

THE WATERSHED COMPANY

SEATTLE RESIDENCE- COMPLETED 2003

Fall 2007



Original Plan

Before

SERVICES ON THIS PROJECT

- Landscape Architecture
- Site Planning
- Bulkhead Repair
- Restoration Planting
- Construction Supervision

After

750 Sixth Street South . Kirkland . WA 98033 425.822.5242 watershedco.com

THE WATERSHED COMPANY

KIKRLAND RESIDENCE- COMPLETED 2006

Fall 2007

After

Before

Construction 2006

SERVICES ON THIS PROJECT

- Landscape Architecture
- Site Planning
- Shoreline Design & Permitting
- Bulkhead Removal
- Restoration Planting
- Construction Supervision

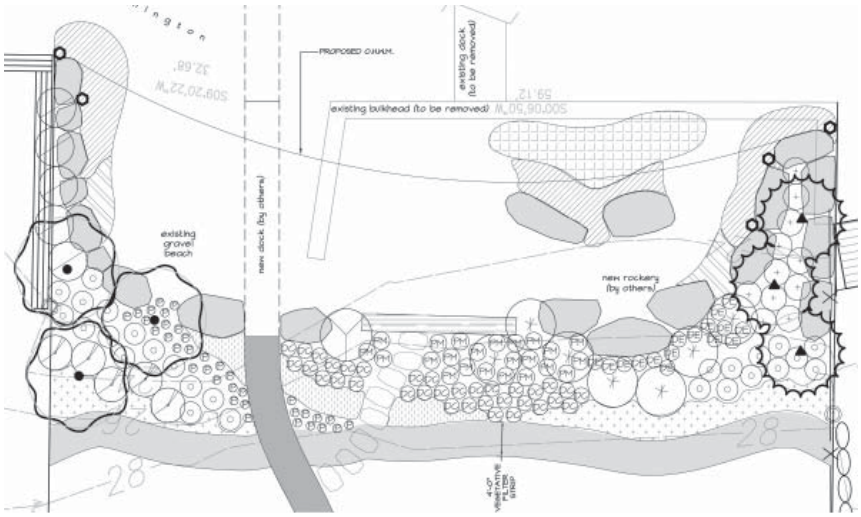
Original Plan

750 Sixth Street South . Kirkland . WA 98033 425.822.5242 watershedco.com

THE WATERSHED COMPANY

HUNT'S POINT RESIDENCE- COMPLETED 2006

Fall 2007



Original Plan

Before

SERVICES ON THIS PROJECT

- Landscape Architecture
- Site Planning
- Shoreline Design
- Bulkhead Removal
- Restoration Planting

Before

After

THE WATERSHED COMPANY

Bellevue Residence- Completed 2005

Fall 2007

Before

After

Original Plan

Services on this Project

- Landscape Architecture
- Site Planning
- Shoreline Design & Permitting
- Bulkhead Removal
- Restoration Planting
- Construction Supervision

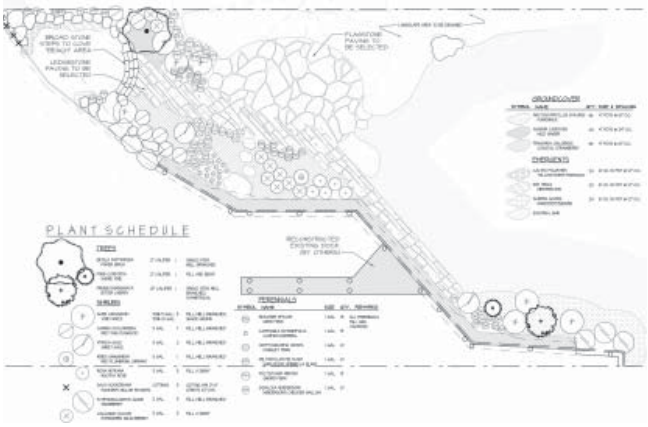
North Beach Cove

750 Sixth Street South . Kirkland . WA 98033 425.822.5242 watershedco.com

THE WATERSHED COMPANY

Hunt's Point Residence- Completed 2006

Fall 2007



Original plan

Stone walkway

Patio and retaining walll

Services on this Project

- Landscape Architecture
- Shoreline Design & Permitting
- Bulkhead Replacement
- Restoration Planting
- Construction Supervision

After

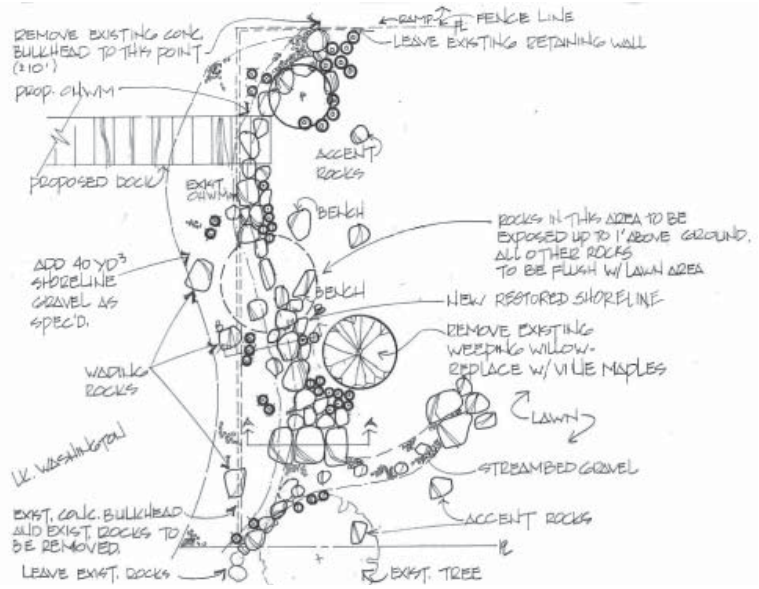
Before

750 Sixth Street South . Kirkland . WA 98033 425.822.5242 watershedco.com

THE WATERSHED COMPANY

Renton Residence- Completed 2000

Fall 2007



Original Plan

Before, looking at the concrete bulkhead

Services on this Project

- Shoreline Design & Permitting
- Site Planning
- Bulkhead Removal
- Restoration Planting
- Construction Supervision

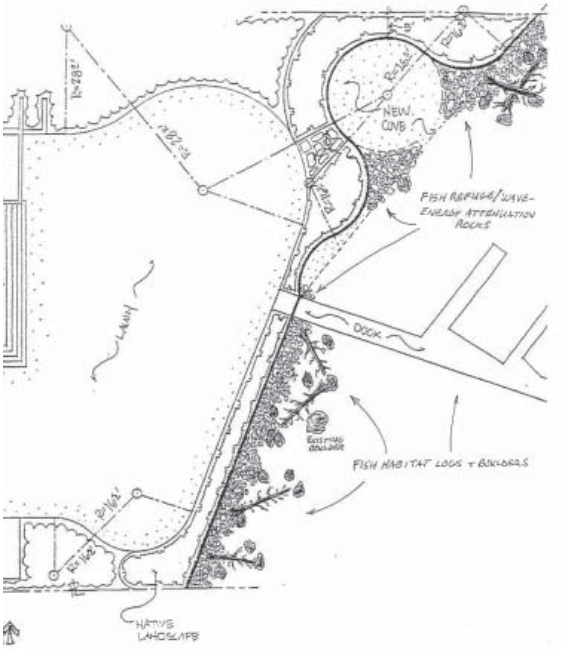
After

THE WATERSHED COMPANY

Mercer Island Residence- Completed 2001

Fall 2007

After



Original plan by Alchemie and Watershed

Services on this Project

- Shoreline Design & Permitting
- Bulkhead Replacement
- Restoration Planting
- Construction Supervision

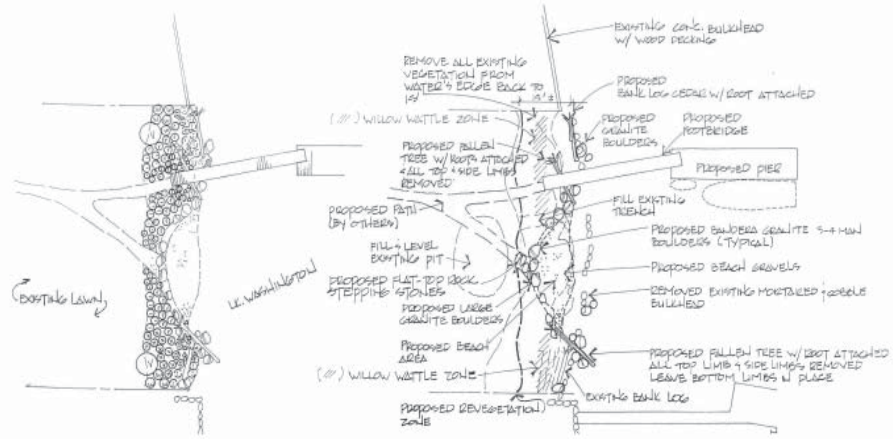
Post Construction 2001

Before

THE WATERSHED COMPANY

HUNT'S POINT- COMPLETED 2001

Fall 2007



Original Plan

Before

SERVICES ON THIS PROJECT

- Shoreline Design & Permitting
- Bulkhead Removal
- Restoration Planting
- Construction Supervision

After

THE WATERSHED COMPANY

Mercer Island Residence- Completed 2005

Fall 2007

After

During Construction

Before

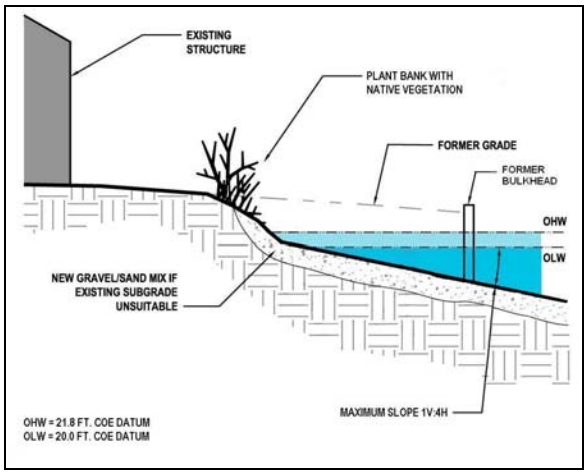
Services on this Project

- Landscape Architecture
- Shoreline Design & Permitting
- Bulkhead Replacement
- Restoration Planting
- Construction Supervision

Construction 2005

750 Sixth Street South . Kirkland . WA 98033 425.822.5242 watershedco.com

Cut Beach, Place Gravel Fill and Re-vegetate



Remove existing rip rap or concrete bulkhead and cut into the existing bank across the maximum width of the property to attain a shallow shoreline grade and further reduce the effects of scouring wave action. Plant native riparian vegetation ten feet deep across at least 50% of the width of the shoreline. Plant emergents in areas where wave action is suitable for growth. Place gravel beach fill grading slope to range of 1Vertical (V):4 Horizontal (H) or less steep. The design target for the slope is 1V:7H. More than 2 cubic yards of gravel fill per lineal foot at or below the 21.85 foot elevation will need additional review and consent by COE. Typically, gravel size should range from 1/8 inch to 2 inches. Add emergent plants in areas where wave action is suitable for growth. For higher energy areas shoreline logs may be partially buried within the new substrate at the water's edge. The area behind the logs will be planted with willows and/or emergent vegetation. Section F gives the COE web site for work windows at various locations around the lake. Best management practices including installation of silt fences for water quality control must be used. This method may be most appropriate for shallow-sloped shorelines with lawns. Site specific engineering may be needed depending on location and scale of project.

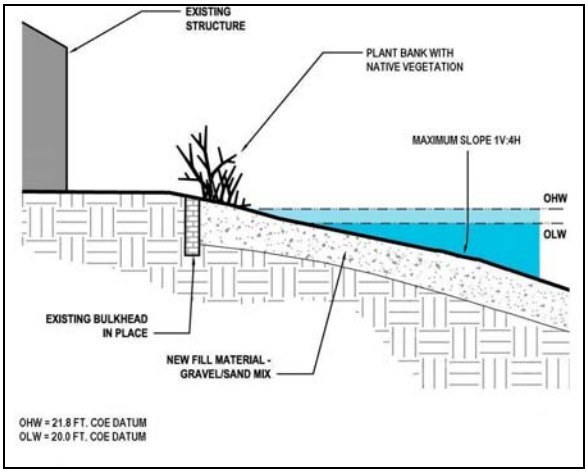
Below is an example of a residential shoreline on Lake Washington that formerly had a bulkhead at the water line across the front of the property. The owners removed the bulkhead, cut back the grass and built a gradual-sloped beach with small sized substrate placed several feet above the 21.85 foot elevation (ordinary high water (OHW)) to absorb wave action. The beach extends across the width of the property and includes emergent and riparian shoreline vegetation.

Shallow-sloped upland site on Lake Washington

Below is an example of a residential shoreline on Lake Washington that formerly had a bulkhead lower than 21.85 feet elevation (OHW) across the front of the property. The owners removed the bulkhead, cut back the grass and built a gradual-sloped beach with small sized substrate that extends above the 21.85 foot elevation (OHW) several feet to absorb wave action. The beach extends across the width of the property. The rockery functions as a retaining wall to allow a shallow- sloped beach at a steep-sloped site.

Steeper-sloped upland site on Lake Washington

Gravel Fill Beach and Re-vegetate



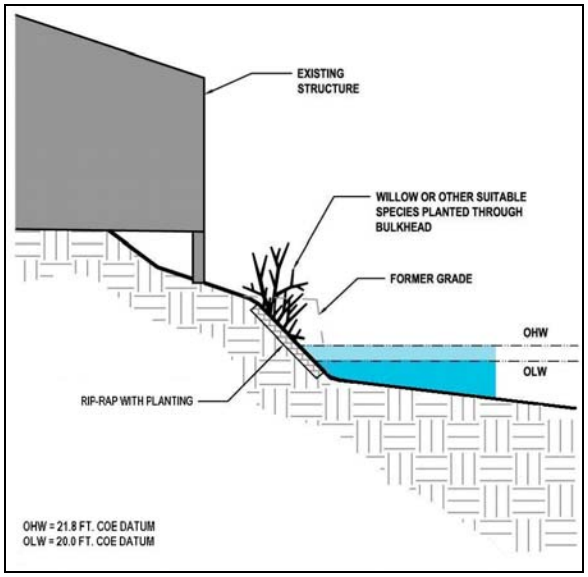
Where option #1 cannot be done, because of site conditions, place gravel beach fill in front of existing bulkhead (covering the rip rap) or remove rip rap across the maximum width of the property and replace with gravel beach fill. Plant native riparian vegetation ten feet deep across more than 50% of the width of the shoreline. Place gravel beach fill grading slope to range of 1V:4H or flatter. Design target for the slope is 1V:7H. Typically gravel size should range from 1/8 inch to 2 inches. More than 2 cubic yards of gravel fill per lineal foot at or below the 21.85 foot elevation will need additional review by COE. Add emergent plants in areas where wave action is suitable for growth. For higher energy areas shoreline logs may be partially buried within the new substrate at the water's edge. The area behind the logs will be planted with willows and/or emergent vegetation. Section F gives the COE web site for work windows at various locations around the lake. Best management practices including installation of silt fences for water quality control must be used. This method may be suited for those properties with a structure close to the shoreline and/or on a steep-sloped shoreline. Site specific engineering may be needed depending on location and scale of project.

A site where this technique has been used is the former seawall at Lincoln Park in west Seattle. Gravel fill was placed seaward of the wall to form a beach and protect a sewer main during the 1980s. Minimal gravel replenishment has been necessary over the past twenty years. See Appendix 1 for more details.

Photo courtesy of COE
Lincoln Park before construction

Photo courtesy of COE
Lincoln Park after construction

Re-vegetated Armored Banks (only for bulkheads within 25 feet of residence)



Where existing rip rap cannot be removed because of very close proximity to an existing residential or commercial structure (25 feet or less from 21.85 foot elevation), vegetation can be added to restore some functions. Willow stakes must be planted into replacement rip rap (or other material) with soil amendment or provide design with similar functional vegetation benefit in front of bulkhead. Gravel beach fill may be added in front of the bulkhead to provide some shallow water. More than 2 cubic yards of gravel fill per lineal foot at or below the 21.85 foot elevation will need additional review by COE. Section F gives the COE web site for work windows at various locations around the lake. Overhanging riparian plantings must be added along the entire length of the rip rap bulkhead. Best management practices including installation of silt fences for water quality control must be used. Limited use of this shoreline treatment may only be allowed by COE depending on site specific constraints making alternatives #1 or #2 impossible.

LAND USE, PLANNING, AND INFRASTRUCTURE ACTIONS FOR NORTHERN LAKE WASHINGTON (Migratory Tier 1)	
POLICY/INSTITUTIONAL CONTEXT: ***Jurisdictions:*** Seattle, Lake Forest Park, Kenmore, Kirkland, King County ***Growth pressures (inside UGA):*** Seattle, Lake Forest Park, Kenmore, Kirkland Planned Annexation Area (PAA in King Co.), Kirkland ***Percent of basin inside UGA:*** 100% ***Program/mitigation opportunities:***	**SCIENCE CONTEXT:** ***Watershed evaluation rating:*** • *West Lake Wash.* Subarea: Tier 1 – ***Migratory area***; ***Lower*** watershed function • *East Lake Wash.* Subarea: Tier 1 – ***Migratory area***; ***Lower*** watershed function ***Watershed evaluation summary:*** Not applicable

LAND USE ACTIONS FOR NORTH LAKE WASHINGTON MIGRATORY AREA BASED ON TECHNICAL RECOMMENDATIONS IN WRIA 8 CONSERVATION STRATEGY

Notes:
1) Technical priorities from the WRIA 8 Conservation Strategy are listed in bold; recommended land use actions are listed for each technical area. Most technical recommendations are interrelated; many land use actions address multiple technical priorities.
2) Note that local jurisdictions in these subareas are doing or planning to do many of these actions.
3) See also Appendix D for a menu of land use actions described by criteria, and references on low impact development, critical areas and other land use topics.

Reduce predation to outmigrating juvenile Chinook by: reducing bank hardening, restoring overhanging riparian vegetation, replacing bulkheads and rip-rap with sandy beaches with gentle slopes, and use of mesh dock surfaces and/or community docks.

N49 Use WRIA 8 Conservation Strategy as one of the "best available science" resources during current critical areas ordinance (CAO) revisions and Shoreline Master Program (SMP) revisions. Recognize that softening or removal of bulkheads is the most important action to improve shoreline habitat. In addition, riparian/shoreline buffers should be increased to the extent practicable.

N50 This area is mostly developed, with little undisturbed landscape left to protect, and much of the shoreline is privately owned. Many structures in the lake shore area are nonconforming with development and environmental regulations; the degree of nonconformity will become even greater as buffers and other shoreline protections become more restrictive. In order to decrease the level of nonconformity over the long term (50-100 years), jurisdictions should encourage or require that development come into conformity, depending on the degree of redevelopment. A sliding scale could be applied, where the greater the degree of redevelopment, the greater the expectation that the development come into compliance.

N51 Discourage construction of new bulkheads. Develop guidelines to better assess need for bulkheads and restrict height to that necessary to protect the structure; height increases would be allowable only after appropriate analysis based on fetch, waves, wind velocity and direction, etc. Guidelines should take into account tradeoffs with other environmental impacts (e.g., presence of contaminated soils) and public safety hazards.

N52 Encourage salmon friendly shoreline design during new construction and redevelopment of shoreline properties, and properties that border tributaries, by offering regulatory flexibility. However, analysis of these tradeoffs – including upland land use impacts to the lake - would be necessary to insure a net benefit to salmon. Examples of regulatory flexibility include:

- ✓ Reductions in building setbacks, modest increases in lot coverage or impervious area (or increased density for multi-family) could be allowed if applicant removes, sets back or softens bulkhead and restores shoreline "vegetative management area" (riparian/lakeshore buffer).
- ✓ Reduce prescriptive buffer widths if buffers are planted with appropriate native vegetation and a science-based evaluation determines that no negative impact results.
- ✓ Allow or encourage variances from front yard setbacks to avoid allowing variances from back yard setbacks and/or riparian buffers that would cause development to encroach further toward the lake.

N53 Offer incentives to shoreline property owners to voluntarily remove bulkheads, revegetate shoreline, improve habitat at creek mouths, change dock design. Incentives include:

- ✓ Provide expertise (e.g., provide templates for shoreline planting plan, bulkhead design)
- ✓ Expedite permit process at local, state and federal levels (e.g., allow more restoration activities as shoreline exemptions to make permitting faster and less costly)
- ✓ Provide and streamline applications for tax breaks through programs such as Public Benefit Rating System (PBRS) if landowner commits to stewardship activities (above and beyond regulatory protection requirements) through permit process. PBRS would likely provide most benefit to/be most appropriate for larger, suburban lots within urban areas.
- ✓ Provide incentives for establishment of community docks or mooring buoys, rather than individual lot docks.

N54 Address disincentive in Shoreline Management Act that can discourage shoreline restoration because ordinary high water mark (OHWM) can be moved landward as a result of removal of a bulkhead, resulting in additional use restrictions placed on adjacent or applicant's property. Local jurisdictions have some ability to limit impact of setback from OHWM, but cannot move the 200-foot shoreline jurisdiction. May require change at state level.

N55 Support joint effort by NOAA Fisheries, WDFW, USACOE, USFWS to develop specifications for new and expanded piers. Goal of this effort is for streamlined federal/state permitting for piers that meet these specifications (affects Corps Section 404, Section 401 water quality certification, HPA). COE is developing Regional General Permit for new and expanded overwater structures in Lake Washington. NOAA Fisheries hopes to work with local jurisdictions to adopt similar permit requirements at local level; they will meet with lakeshore jurisdictions throughout spring '04.

N56 Support development of federal/state/local specifications and streamlined permitting for salmon friendly bulkheads.

N57 Explore need for regulation and/or education related to impacts of power boat speed near shorelines on bulkheads, shoreline vegetation. Power boats are getting bigger; determine if there is a need to set guidance for boat speed within a certain distance of shoreline, depending on the location in the lake.

N58 Research pros and cons of allowing fill at edge of lake, as a way of providing a vegetated buffer. This could balance desire by property owners to maintain usable yard area and need to increase shoreline buffer for salmon habitat. Look into scientific validity and legal/institutional issues. Will need to evaluate such projects on a site-by-site basis.

N59 Offer landscape, bulkhead, or dock contractor training and certification programs.

N60 Support education and demonstration programs so that shoreline property owners can see examples of how salmon friendly bulkheads, docks, etc. actually work, and will therefore better understand and accept regulations/incentives about these docks and bulkheads.

N61 Local jurisdictions should share information among themselves about ordinance language, templates and specifications.

N62 Jurisdictions should continue to apply shoreline restoration, appropriate use of pesticides, native landscaping, etc. in parks, street ends, and other publicly owned property.

Protect and restore water quality in tributaries and along shoreline. Restore coho runs in smaller tributaries as control mechanism to reduce the cutthroat population. Reconnect and enhance small creek mouths as juvenile rearing areas.

N63 Protect and restore water quality and other ecological functions in tributaries to reduce effects of urbanization and reduce conditions which encourage cutthroat. Protect and restore forest cover, riparian buffers, wetlands, and creek mouths by revising and enforcing critical areas ordinances and Shoreline Master Programs, incentives, and flexible development tools.

N64 Address stormwater impacts from residential, commercial, industrial uses, through NPDES permit updates, consistent with Dept. of Ecology's 2001 Stormwater Management Manual (or beyond, e.g. to Tri-County guidance - see Appendix D). General stormwater recommendations include:

- ✓ Promote low impact/sustainable development along shoreline and throughout sub-areas through regulations, education, and incentives (e.g., develop guidelines, offer simpler permit review, reduce requirements for capital projects).
- ✓ Adopt policies on pesticide use consistent with the January 2004 federal ruling banning certain pesticide use along salmon-bearing streams in the northwest. Application of pesticides should be in accordance with source control best management practices (BMPs) in Ecology's 2001 Stormwater Management Manual.
- ✓ Address high stormwater runoff in urban creeks (which drain into Lake Washington), through low impact development, on-site stormwater detention for new and redeveloped projects.
- ✓ Address point sources that discharge directly into the lake.
- ✓ Address stormwater impacts from major transportation projects (for new and expanded roadways proposed during the next ten years). Address stormwater impacts from State Route 520 Bridge.

N65 Address water quality associated with marinas; note that marinas are regulated directly by Dept. of Ecology.

N66 Reevaluate government policies toward aquatic weed control to minimize impacts to salmon habitat; coordinate with relevant agencies.

RESOLUTION NO. R-4510

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND RATIFYING THE WATER RESOURCE INVENTORY AREA (WRIA) 8 CHINOOK SALMON CONSERVATION PLAN

WHEREAS, in March 1999, the National Oceanic and Atmospheric Administration (NOAA) Fisheries listed the Puget Sound Chinook salmon evolutionary significant unit as a threatened species under the Endangered Species Act (ESA); and

WHEREAS, in November 1999, the United States Fish and Wildlife Service (USFWS) listed the Puget Sound bull trout distinct population segment as a threatened species under the ESA; and

WHEREAS, under the ESA, it is illegal to take a listed species, and the ESA defines the term "take" to include actions that could harm listed species or their habitat; and

WHEREAS, actions that are directly or indirectly authorized by local governments could potentially expose local governments to civil or criminal penalties under the ESA; and

WHEREAS, under the ESA, Section 4(f), NOAA Fisheries (for Chinook salmon) and USFWS (for bull trout) are required to develop and implement recovery plans to address the recovery of the species; and

WHEREAS, an essential ingredient for the development and implementation of an effective recovery program is coordination and cooperation among federal, state, and local agencies, tribes, businesses, researchers, non-governmental organizations, landowners, citizens, and other stakeholders as required; and

WHEREAS, Shared Strategy for Puget Sound, a regional non-profit organization, has assumed a lead role in the Puget Sound response to developing a recovery plan for submittal to NOAA Fisheries and the USFWS; and

WHEREAS, Shared Strategy intends that its recovery plan will include commitments from participating jurisdictions and stakeholders; and

WHEREAS, local jurisdictions have authority over some habitat-based aspects of Chinook survival through land use and other policies and programs; and the state and tribes, who are the legal co-managers of the fishery resource, are responsible for addressing harvest and hatchery management in WRIA 8; and

WHEREAS, in WRIA 8, habitat actions to significantly increase Chinook productivity trends are necessary, in conjunction with other recovery efforts, to

avoid extinction in the near term and restore WRIA 8 Chinook to viability in the long term, and

WHEREAS, the City values ecosystem health; water quality improvement, flood hazard reduction; open space protection; and maintaining a legacy for future generations, including commercial, tribal, and sport fishing, quality of life, and cultural heritage; and

WHEREAS, the City supports cooperation at the WRIA level to set common priorities for actions among partners, efficient use of resources and investments, and distribution of responsibility for actions and expenditures;

WHEREAS, 27 local governments in WRIA 8 jointly funded development of *The WRIA 8 Steering Committee Proposed Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan* (the Plan), published February 25, 2005, following public input and review; and

WHEREAS, while the Plan recognizes that salmon recovery is a long-term effort, it focuses on the next ten years and includes a scientific framework, a start-list of priority actions and comprehensive action lists, an adaptive management approach, and a funding strategy; and

WHEREAS, the City has consistently implemented habitat restoration and protection projects, and addressed salmon habitat through its land use and public outreach policies and programs over the past five years; and

WHEREAS, it is important to provide jurisdictions, the private sector and the public with certainty and predictability regarding the course of salmon recovery actions that the region will be taking in the Lake Washington/Cedar/Sammamish Watershed, including the Puget Sound nearshore; and

WHEREAS, if insufficient action is taken at the local and regional level, it is possible that the federal government could list Puget Sound Chinook salmon as an endangered species, thereby decreasing local flexibility.

BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section A: The City hereby ratifies *The WRIA 8 Steering Committee Proposed Lake Washington/Cedar/Sammamish Watershed Chinook Salmon Conservation Plan*, dated February 25, 2005 (the Plan). Ratification is intended to convey the City's approval and support for the following:

1. The following goals for the Plan:
   a) The Plan mission statement to conserve and recover Chinook salmon and other anadromous fish, focusing on preserving, protecting and restoring habitat with the intent to recover listed species, including sustainable, genetically diverse, harvestable populations of naturally spawning Chinook salmon.

b) The multiple benefits to people and fish of Plan implementation including water quality improvement; flood hazard reduction; open space protection; and maintaining a legacy for future generations, including commercial, tribal and sport fishing, quality of life, and cultural heritage.

2. Continuing to work collaboratively with other jurisdictions and stakeholders in the Lake Washington/Cedar/Sammamish Watershed (WRIA 8) to implement the Plan.

3. Using the scientific foundation and the conservation strategy as the basis for local actions recommended in the plan and as one source of best available science for future projects, ordinances, and other appropriate local government activities.

4. Adopting an adaptive management approach to Plan implementation and funding to address uncertainties and ensure cost-effectiveness by tracking actions, assessing action effectiveness, learning from results of actions, reviewing assumptions and strategies, making corrections where needed, and communicating progress. Developing and implementing a cost-effective regional monitoring program as part of the adaptive management approach.

5. Using the comprehensive list of actions, and other actions consistent with the Plan, as a source of potential site specific projects and land use and public outreach recommendations. Jurisdictions, agencies, and stakeholders can implement these actions at any time.

6. Using the start-list to guide priorities for regional funding in the first ten years of Plan implementation, and implementing start-list actions through local capital improvement projects, ordinances, and other activities. The start-list will be revised over time, as new opportunities arise and as more is learned through adaptive management.

7. Using an adaptive approach to funding the Plan through both local sources and by working together (within WRIA 8 and Puget Sound) to seek federal, state, grant, and other funding opportunities. The long-term ultimate goal is to fund the Plan through a variety of sources at the current 2004 level plus 50 percent, recognizing that this resolution cannot obligate future councils to financial commitment and that the funding assumptions, strategies, and options will be revisited periodically.

8. Forwarding the Plan to appropriate federal and state agencies through Shared Strategy for Puget Sound, to be included in the Puget Sound Chinook salmon recovery plan.

Section B: The City recognizes that negotiation of commitments and assurances/conditions with appropriate federal and state agencies will be an iterative process. Full implementation of this Plan is dependent on the following:

1. NOAA Fisheries will adopt the Plan, as an operative element of its ESA Section 4(f) recovery plan for Puget Sound Chinook salmon.

2. NOAA Fisheries and USFWS will:
   a) take no direct enforcement actions against the City under the ESA for implementation of actions recommended in or consistent with the Plan,
   b) endorse the Plan and its actions, and defend the City against legal challenges by third parties, and
   c) reduce the regulatory burden for City activities recommended in or consistent with the Plan that require an ESA Section 7 consultation.

3. Federal and state governments will:
   a) provide funding and other monetary incentives to support Plan actions and monitoring activities,
   b) streamline permitting for projects implemented primarily to restore salmonid habitat or where the actions are mitigation that further Plan implementation,
   c) offer programmatic permitting for local jurisdiction actions that are consistent with the Plan,
   d) accept the science that is the foundation of the Plan and support the monitoring and evaluation framework,
   e) incorporate actions and guidance from the Plan in future federal and state transportation and infrastructure planning and improvement projects, and
   f) direct mitigation resources toward Plan priorities.

Section C: This resolution does not obligate the City Council to future appropriations beyond current authority.

Passed by majority vote of the Kirkland City Council in open meeting this 21st day of June, 2005.

Mary Alice Burleigh
Mayor

ATTEST:

Acting City Clerk

Shoreline Master Program Update
Open House Goals & Objectives

Objectives

- *Educate/Inform*
    - Shoreline residents
    - Kirkland community
    - Workshop participants
    - Interested agencies
        - Educate about the update requirement
        - Inform about the public involvement to-date
        - Report on the status of the update
        - Inform about next steps

- *Receive feedback/consult*
    - Open House event will help receive feedback from participants about
        - How can the City of Kirkland meet the State's requirements for the update
        - Explore with participants what their vision of Kirkland's shorelines
            - What are the priorities for public access/recreation, environmental protection and land uses
- *Identify future focus group participants*
    - To explore pier standards, shoreline vegetation and shoreline stabilization

Open House Format

- Community Open House, Monday, June 9, 2008, 6:30-8:30, Heritage Hall, 203 Market Street
- Informational display boards/Q&A with staff + facilitated discussion (6:30-7:30 p.m.)
    - Display Boards
        - Shoreline Public Access
        - Shoreline Functions & Restoration Opportunities
        - Shoreline Armoring
        - Overwater Coverage
- Facilitated discussion led by Marie Stake, Communications Program Manager (7:30-8:30 p.m.)
    - Visioning exercise with all participants to identify
        - the most desirable functions of Kirkland's shorelines ("What do I care about the most?")
        - the future vision of Kirkland's shoreline ("What will the shoreline look like in 25 years?")
        - the opportunities for success ("What am I willing to do to contribute?")

Kirkland Shorelines

Public Access & Recreation | Environmental Protection | Land Use

What is important to you about Kirkland's Shorelines?

Share your thoughts and vision.

City of Kirkland Shoreline Master Plan Update

Community Open House

Monday, June 9, 2008, 6:30 to 8:30 p.m.

Heritage Hall, 203 Market Street

For more info: 425-587-3248

www.ci.kirkland.wa.us (Search Shoreline)

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Public Access & Recreation, Environmental Protection, & Land Use

What is important to you about Kirkland's Shorelines?
Share your thoughts and vision.
Community Open House
June 9, 6:30 to 8:30 p.m.

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