

## MEMORANDUM

**DATE:** December 10, 2021  
**TO:** Steven Miller  
**FROM:** Benn Burke  
**SUBJECT:** Geddes Marina Phase 2 Remediation - Shoreline Master Program Consistency Memorandum  
**PROJECT NUMBER:** 553-2967-005  
**PROJECT NAME:** Geddes Marina Phase 2 Remediation

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The propose of this memorandum is to evaluate the proposed Geddes Marina Phase 2 Remediation Project for consistency with the following section of the City's updated Shoreline Master Program (SMP):

- Chapter 4.B.1
- Chapter 4.B.3
- Chapter 4.B.4
- Chapter 4.B.5
- Chapter 5.B.4
- Chapter 6.B.7
- Chapter 6.B.10

We have completed our review and it is our opinion that the project complies with the policies, regulations of the City's SMP pursuant to these sections. Additional information and analysis are included in the following sections.

### Chapter 4.B.1. Universally Applicable Policies and Regulations

The Shoreline Environment designation for the site is High-Intensity. Fills and Utilities are a permitted use in this designation, provided that there is "no other feasible route or location." The remediation work and associated stormwater conveyance facility must be located within shoreline jurisdiction because the Geddes Marina site is physically located entirely with the shoreline zone. The facility also requires an outfall to Ebey Slough. The project complies with the policies, regulations of the City's SMP Chapter 4.B.1.

### Chapter 4.B.3 Critical Areas

The City's critical areas regulations (Chapter 22E.010 MMC) are incorporated into the SMP by reference. Project compliance with the City's critical areas regulations is documented in the project's Critical Areas Report (Parametrix, 2021). The project complies with the policies, regulations of the City's SMP Chapter 4.B.3.

### Chapter 4.B.4. Environmental Impacts

An Environmental Checklist was completed for the proposed project to meet the requirements of the State Environmental Policy Act and the City issues a Determination of Non Significance for the project in 2017. The project description and design details were reviewed and a revised and updated checklist with prepared for submittal with the shoreline permit application. The updated project is materially consistent with the project

described in the 2017 DNS. The primary revisions and updates to the SEPA checklist were related to design refinements implemented between the initial feasibility assessment conducted in 2016 and final design initiated in 2021. The project is not anticipated to result in significant adverse ecological impacts or significant adverse impacts to human health safety. The project complies with the policies, regulations of the City's SMP Chapter 4.B.4.

### Chapter 4.B.5 Flood Hazard Reduction and River Corridor Management

A floodplain permit application and floodplain ESA checklist were prepared and submitted for the project to meet the City's floodplain development regulations. The project does not involve the construction of any flood control facilities. The project does not involve any bank stabilization. The project will not result an increase in impervious surfaces. The project will not require new structures.

The project will fill the former marina basin and fill will be placed within the floodplain. The project will result in a net fill volume of 23,500 CY of fill in the FEMA-mapped floodplain; however, the floodplain is associated with a tidal waterbody and the project will not increase the flood elevation or increase the flood hazard on the site or adjoining or upstream properties. After construction, all disturbed and un-developed areas within 25-feet of the ordinary high water line of Ebey Slough will be restored with native vegetation. Remaining areas will be seeded with grass.. The project complies with the policies, regulations of the City's SMP Chapter 4.B.5.

### Chapter 4.B.7 Public Access

The proposed project has been developed and designed in coordination with the proposed Ebey Waterfront Park Expansion project. Following completion of the project, the public will have access to the site including access to additional areas of shoreline which are presently unavailable for public use due to sediment contamination within the former marina basin. The project complies with the policies, regulations of the City's SMP Chapter 4.B.7.

### Chapter 4.B.8. Shorelines of State-Wide Significance

Within the City, Ebey Slough is designated as a Shoreline of State-Wide Significance. This designation means the City gives preference to uses which favor long-range goals and support the overall public interest. As specified in the SMP, these goals include protecting the state-wide interest over local interest, preserving the natural character of the shoreline, prioritizing long-term over short-term benefit, protecting shoreline ecology, and increasing public access to public shorelines. Overall, the project will improve the water quality of stormwater runoff to Ebey Slough and remediate a known source of sediment contamination, while also enhancing public access to a public shoreline. The project complies with the policies, regulations of the City's SMP Chapter 4.B.8.

### Chapter 5.B.4. Fill

The project will result in fills in wetlands and waterward of the ordinary high water mark as required to implement the remediation action within the former marina basin. The purpose of the fill is to isolate areas of impacted sediments from areas containing fish, shellfish, or wildlife habitat. The project will result in fill in a designated floodplain as described in the response to SMP Chapter 4.B.5 (above). The project will result in a net fill volume of 23,500 CY within the FEMA-mapped floodplain; however, the floodplain is associated with a tidal waterbody and the project will not increase the flood elevation or increase the flood hazard on the site or adjoining or upstream properties. The project complies with the policies, regulations of the City's SMP Chapter 5.B.4.

### Chapter 6.B.7. Recreational Development

The proposed project will occur within an area of a proposed park expansion project; however, the project itself is not associated with Recreational Development. The project has been developed and designed in coordination

with the proposed Ebey Waterfront Park Expansion project. The City will submit a separate shoreline permit application for the proposed park expansion projects that address the applicability of the park project to the SMP policies and regulations. The proposed project will not affect the ability of the park expansion project to comply with the City's SMP Chapter 6.B.7. The project complies with the policies, regulations of the City's SMP Chapter 6.B.7.

#### Chapter 6.B.10. Utilities

The proposed project is designed to avoid the need for shoreline protection works, is located as to not interfere with scenic views, and is designed to be compatible with the City's future Ebey Waterfront Park Expansion Project. As stated above, the facility must be located within shoreline jurisdiction because the proposed location of the former Geddes Marina and the project also requires an outfall to Ebey Slough. No woody shoreline vegetation will be removed because of construction, and all disturbed areas outside of the project footprint will be restored or reseeded following construction. The project complies with the policies, regulations of the City's SMP Chapter 6.B.10.