#### ORDINANCE NO. 270

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE CITY COUNCIL AMENDING SECTION 16.05.10 OF THE UNIVERSITY PLACE MUNICIPAL CODE, ADOPTION OF THE COMPREHENSIVE PLAN, BY ADOPTING A NEW ELEMENT ENTITLED "SHORELINE MANAGEMENT" AS CHAPTER 9 TO THE UNIVERSITY PLACE COMPREHENSIVE PLAN AND AUTHORIZING STAFF TO FORWARD THE SHORELINE MANAGEMENT ELEMENT TO THE DEPARTMENT OF ECOLOGY FOR ITS REVIEW PROCESS.

WHEREAS, on August 28, 1995, the City of University Place approved Ordinance No. 60 adopting an "Interim" Shoreline Master Program substantially based on the Pierce County's adopted Shoreline Master Program, but slightly modified given time limitations to make it more relevant to University Place; and,

WHEREAS, Ordinance No. 60 specifically stated that the City of University Place intended to adopt its own Shoreline Master Program but that insufficient time existed to adopt a program in full compliance with State law and further indicated that the "Interim" Shoreline Master Program is to serve as the City's Shoreline Master Program until the City of University Place could adopt its own; and,

WHEREAS, the City Council appointed a Shoreline Advisory Committee in February 1999 comprised of representatives from a wide range of interests including but not limited to Day Island and Sunset Beach property owners, Planning Commission members, the Master Builder's Association, and Pierce County; and,

WHEREAS, the Shoreline Advisory Committee began drafting the Shoreline Master Program in March 1999; and,

WHEREAS, in drafting the Shoreline Master Program the Shoreline Advisory Committee considered many factors including, but not limited to, existing land uses, comprehensive plan and zoning designations, a shoreline inventory prepared by Adolfson Associates, critical area maps including wetlands, floodplains, landslide/erosion hazard areas and Washington Administrative Code (WAC) rules pertaining to shoreline master programs and shoreline management; and,

WHEREAS, on August 31, 1999, after ten meetings all of which were advertised and open to the public, the Shoreline Advisory Committee completed a draft Shoreline Master Program and forwarded it to the Planning Commission for public hearing and consideration; and,

WHEREAS, the Planning Commission held two duly noticed public hearings on September 21, 1999 and October 20, 1999; and,

WHEREAS, the Planning Commission's recommendation to City Council was made December 8, 1999.

WHEREAS, the University Place City Council, following a study session on April 10, 2000, held a duly noticed public hearing on May 1, 2000; and,

WHEREAS, public notice regarding the shoreline master plan process took many forms including newspaper notices, mailings, posting of meeting notices in public places, posting of meeting notices and public hearings on the city's web site; and,

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued on the proposal on January 21, 2000 with an appeal period ending February 18, 2000 and no appeals were filed; and,

WHEREAS, the proposed Shoreline Master Program was subject to a 60-day State agency review period per RCW 36.70A.106; and,

WHEREAS, RCW 36.70A.130(2)(a)(ii) provides that the adoption or amendment of a shoreline master program under the procedures set forth in Chapter 90.58 is an exception to the requirement that comprehensive plans be amended no more frequently than once per year; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Amendment to UPMC Section 16.05.010 Adoption of the Comprehensive Plan. University Place Municipal Code Section 16.05.010 is hereby amended as follows to reflect the addition of a new Chapter to the Comprehensive Plan entitled "Shoreline Management", attached as Exhibit "A",

"UPMC Section 16.05.010 Adoption of the Comprehensive Plan.

Introduction

The University Place Comprehensive Plan, as adopted by Ordinance No. 197 on July 6, 1998, and as may be subsequently amended in accordance with the provisions of this title, consisting of the following introduction, chapters, and appendices is hereby adopted by reference as Title 16 of the University Place Municipal Code.

Chapter 1	Land Use Element
Chapter 2	Housing Element
Chapter 3	Environmental Management Element
Chapter 4	Transportation Element
Chapter 5	Capital Facilities Element
Chapter 6	Utilities Element
Chapter 7	Community Character Element
Chapter 8	Parks, Recreation, and Open Space Element
Chapter 9	Shoreline Management
Appendix A -	Glossary
Appendix B -	Parks and Recreation Plan (1997) -Adopted by Reference
Appendix C -	Transportation Plan (1997) - Adopted by Reference"

Section 2. <u>Transmittal to the Department of Ecology.</u> City staff is authorized to forward Chapter 9, "Shoreline Management", to the Department of Ecology for that agency's review and approval process.

Section 3. Severability. If any section, sentence, clause or phrase of this Title shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Title.

Section 4. <u>Publication and Effective Date</u>. A summary of this ordinance, consisting of its title, shall be published in the official newspaper of the City of University Place. This ordinance shall be effective five (5) days after its publication.

PASSED BY THE CITY COUNCIL ON MAY 1, 2000

Larna Smith, Mayor

ATTEST:

Susan Matthew, City Clerk

APPROVED AS TO FORM

Timothy X. Sullivan, City Attorney

Date of Publication: Effective Date:

May 5, 2000 May 10, 2000

## ORDINANCE NO. 270 EXHIBIT A

## **CHAPTER 9**

## SHORELINE MANAGEMENT ELEMENT

This element addresses shoreline management issues in the City of University Place over the next twenty years, consistent with the need to integrate the requirements of the Growth Management Act (GMA) and the Washington State Shoreline Management Act (SMA). These issues include addressing State shoreline elements, uses, activities, environment designations and implementation. This element takes into consideration characteristics of the City of University Place shoreline including unique residential areas and the Chambers Creek Properties.

## **STATE GOALS (RCW 36.70A.020)**

#### Urban Growth

Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

## **Economic Development**

Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, and encourage growth in areas experiencing insufficient economic growth, all within the capabilities of the state's natural resources, public services, and public facilities.

## **Property Rights**

Private property shall not be taken for public use without just compensation having been made. The property rights of land owners shall be protected from arbitrary and discriminatory actions.

#### Permits

Applications for both state and local governmental permits should be processed in a timely and fair manner to ensure predictability.

## Open Space and Recreation

Encourage the retention of open space and development of recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks.

#### Environment

Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

## Citizen Participation and Coordination

Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

#### Historic Preservation

Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

#### Shorelines of the State

The goals and policies of the Shoreline Management Act as set forth in RCW 980.58.020.

## **COMMUNITY VISION**

## Land Use and Environment.

Residential areas and commercial corridors retain a green, partially wooded or landscaped character, although the city is almost fully developed. The public enjoys trail access to protected creek corridors, wetlands and greenbelts. As the gravel pit site on the Chambers Creek Properties gradually is reclaimed for public use, people enjoy expansive views, access to Puget Sound, and parks and recreation opportunities.

#### Parks and Recreation.

Expansion of parks and recreation services has been achieved through cooperative efforts of the City and School Districts and many citizen volunteers. Residents enjoy more neighborhood parks and public spaces, a community and civic center, public access to the shoreline, and a variety of recreation programs and activities for children, youth, adults, and senior citizens.

#### MAJOR SHORELINE ISSUES

Pierce County's plans to turn part of the 900 acre Chambers Creek/Lone Star Northwest Gravel Mine site, in the southwestern part of the city, into a park along Puget Sound offers an opportunity to add to the community's shoreline public access. Approximately 700 of the 900 acres are within the City of University Place.

The Burlington Northern-Santa Fe Railroad runs parallel to and along the Puget Sound shoreline. There has been discussion about the future expansion of the railroad. Railroad expansion must be addressed.

The Day Island and Sunset Beach residential areas have historically developed in a manner where most single family dwellings are now non-conforming with respect to zoning regulations and/or shoreline master program regulations.

Chambers Creek Canyon includes critical areas and offers wildlife habitat in a relatively undisturbed setting. Future planned recreational opportunities for the Chambers Creek

Canyon includes pedestrian trails. Development in the canyon, however limited, must protect habitat and critical areas.

## **GOALS AND POLICIES**

This section of this Chapter contains the City of University Place shoreline goals and policies. Goals provide broad general direction for the city on an issue, while the policies provide more detail about steps needed to implement each goal's intent. Discussions provide background information and may offer examples or clarify intent.

## SHORELINE ELEMENTS

## **GOAL SH1**

To implement the shoreline master program consistent with the following classes of activities.

#### CIRCULATION

## **Policy SH1A**

Establish and maintain a circulatory network capable of delivering people, goods, services, and emergency services at a high level of convenience, safety, and reliability while minimizing circulation impacts and conflicts between various modes of transportation.

**Discussion:** Circulation is closely intertwined with the shoreline resource. Public roads and railroad right-of-way are present along the shoreline. However, circulation also must take into consideration other transportation modes including pedestrian/bicycle paths/trails. The circulation system's adverse impacts to avoid undesirable conflicts with the shoreline environment. Special effort should be made to minimize conflicts between the various means of motorized and non-motorized transportation particularly as the Chambers Creek Properties develop over time and offer increased shoreline public access.

#### CONSERVATION

#### Policy SH1B

Preserve and protect natural shoreline resources including scenic vistas, fish and wildlife habitat, shorelines, and other valuable natural or aesthetic features.

**Discussion:** Comprehensive Plan Chapter 3, the Environmental Management Element, states that the shoreline area is characterized by many natural features for fish and wildlife habitat, allows for scenic views, and contains other amenities associated with shoreline features. The shoreline's natural features should be preserved and protected, with opportunities for public access pursued consistent with applicable city regulations for the protection of these areas.

#### **ECONOMIC DEVELOPMENT**

#### Policy SH1C

Consider regional economic development needs provided by non-residential uses in or adjacent to the shoreline.

**Discussion:** Economic development related uses in the shoreline include the Pierce County Regional Wastewater Treatment Plant, gravel mining operations, Burlington Northern-Santa Fe railroad, and private marinas. In many respects, these uses support economic development on a broader geographical level than just the City of University Place. The gravel mining activities will be gradually

reclaimed for recreational use over time consistent with the Pierce County Chambers Creek Properties Master Site Plan. The treatment plant and railroad, however, will likely be long-term uses in or near the shoreline. Balancing the regional needs of these uses with the protection of the shoreline environment needs to be addressed.

## HISTORIC, CULTURAL, SCIENTIFIC, AND EDUCATIONAL SITES AND STRUCTURES

## Policy SH1D

Identify and preserve historic, cultural, scientific, and educational building sites or areas located within shoreline jurisdiction so that their values will not be lost to future generations.

**Discussion:** Historic, cultural, scientific, and educational value can be preserved and maintained through park use or historic designations. In addition, educational projects and programs that foster greater appreciation for shoreline management, maritime activities, environmental conservation and maritime history should be encouraged. Regulations should also address procedures to follow if archeological artifacts are uncovered during construction.

#### **PUBLIC ACCESS**

## Policy SH1E

Maintain and improve reasonable public opportunities to view and access publiclyowned shorelines and secure additional access for residential and general public use. Ensure that public access does not adversely intrude upon fragile natural areas and private property.

**Discussion:** The Pierce County Chambers Creek Properties Master Plan identifies future opportunities to improve public access to the city shorelines including a boat launch, nature trails and piers. These and other opportunities within shoreline jurisdiction should be pursued, particularly since Puget Sound is a shoreline of State-wide significance. This also includes possible opportunities for public access in existing residential areas.

The Burlington Northern-Santa-Fe railroad right-of-way does, in certain locations, form a physical barrier to shoreline public access. Underpasses and overpasses should be encouraged to achieve access to the shoreline if designed in a safe manner and provided that negative impacts to the shoreline are addressed.

#### RECREATION

#### Policy SH1F

Preserve and expand shoreline recreational activities in the City of University Place.

**Discussion:** The Pierce County Chambers Creek Properties Master Site Plan identifies future recreational activities in or immediately adjacent to the city's shoreline areas. Working with Pierce County and other agencies to implement the conversion of the Chambers Creek Properties to recreational use is appropriate so that public access and recreational activities along the shoreline are expanded. Activities that directly support recreational activities such as lighting, fencing, signage, and accessory utilities should be allowed in a manner compatible with protection of the shoreline area. In addition, very limited commercial activities are appropriate.

## SHORELINE USE

## Policy SH1G

Ensure overall coordination of shoreline use with other applicable policies and regulations affecting land use and with neighboring jurisdictions.

**Discussion:** The city's overall land use planning process and shoreline planning process must be considered in tandem. This will promote the best possible land use pattern while minimizing conflict between land uses. Integration between the Shoreline Management Act and Growth Management Act requirements, policies, and land use/shoreline environment designations will facilitate this coordination. In addition, the city's shorelines border other jurisdictions. Coordination with these other jurisdictions to foster compatible development along the shoreline areas is appropriate.

## SHORELINE ENVIRONMENT DESIGNATIONS

## **GOAL SH2**

Effectively manage shoreline resources by designating shorelines consistent with State guidelines and in keeping with the shoreline's physical character and historical development pattern.

## "SHORELINE RESIDENTIAL"

## Policy SH2A

Accommodate residential development and associated uses in areas with existing or planned adequate water and sanitary sewer facilities, providing appropriate public access while also minimizing adverse shoreline impacts. In developing regulations, give consideration to the historical development pattern of residential communities.

Areas to be designated "shoreline residential" should meet one or more of the following criteria:

- 1) The shoreline is used or designated for areas dominated by or planned for residential development.
- 2) The shoreline is of lower intensity use, where surrounding land use is predominately residential and where urban services are available.
- 3) The shoreline is generally without significant environmental limitations to development such as steep slopes, landslide and erosion hazard areas, wetlands, and sensitive areas.

**Discussion:** The "Shoreline Residential" Environment designation is to be applied to shoreline areas dominated by or planned for residential development within the city limits. The objective is to accommodate residential development and minimize adverse impacts. Two primary areas in the City of University Place meet this designation: Sunset Beach and Day Island. Neither area provides opportunities for significant new residential development, so the primary focus is on maintaining the existing development pattern. While Sunset Beach does not have sanitary sewer at this time, the long-term goal of the city is to see that areas not served by sewer have service (see Capital Facilities Element, Policy CF6A). Therefore, Sunset Beach is appropriate for this environment designation.

The area between Day Island and Sunset Beach is also designated "Shoreline Residential". Shoreline regulations should support and encourage the continued proper use of these shoreline areas for residential purposes. This includes allowing reduced setbacks from the Ordinary High Water Mark

(OHWM) to allow certain residences with unique development situations to be maintained, repaired and, in discrete circumstances, to be allowed limited expansion.

#### "CONSERVANCY" ENVIRONMENT DESIGNATION

## Policy SH2B

Implement a "Conservancy" shoreline environment designation to protect, conserve and manage natural resources and habitat, to provide recreation and public access, and to designate areas with physical constraints and limitations for future development.

Areas to be designated "Conservancy" should meet one or more of the following criteria:

- 1. Shorelines free from extensive development.
- 2. Shorelines of high recreational value or potential.
- 3. Shorelines with extensive or unique historic or cultural resources.

**Discussion:** Land uses within the "Conservancy" environment shoreline designation should not adversely impact critical areas such as steep slopes, wetlands, and flood prone areas. In permitting uses and activities ecological factors must considered. Areas should, as much as possible, maintain their existing character or transition to a use or character more favorable to the restoration of the shoreline resource. Outdoor recreation activities are a preferred use in this designation. The Chambers Creek Properties, generally along Puget Sound, would be appropriate for this designation.

## "CONSERVANCY-LOW" ENVIRONMENT DESIGNATION

## Policy SH2C

Implement a "Conservancy-Low" shoreline environment designation for the Chambers Creek Canyon to reflect the Creek's opportunities for passive recreation use while also protecting the Creek's unique natural ecosystem and critical areas. Allow less intensive development than might typically be allowed in the "Conservancy" shoreline environment designation.

The Conservancy-Low Environment designation should be based on one or more of the following criteria:

- 1. The shoreline has some unique natural or cultural feature considered valuable in its natural or original condition.
- 2. The shoreline is relatively intolerant of intensive human use.
- 3. The shoreline is valuable as a historical, cultural, scientific or educational site by virtue of its natural unaltered original condition.
- 4. The shoreline is subject to severe biophysical limitations such as steep slopes and landslide hazard areas, flood prone areas, and/or areas with soils that have poor drainage.

**Discussion**: The Shoreline Master Program rules allow local jurisdictions to establish shoreline environment sub-designations. The City of University Place is applying this concept to the "Conservancy" shoreline environment designation by creating a "Conservancy-Low" shoreline environment designation sub-category. The "low" designation reflects the development limitations imposed by the linear nature of the Chambers Creek corridor including the steep slopes, wetlands and the creek itself. It also reflects a

desire to protect flora and fauna in areas that are in a semi-natural state and considers the site's planned development as reflected by the Chambers Creek Properties Master Site Plan. While uses identified in the master plan might be acceptable, more intensive uses allowed by the "Conservancy" designation would not.

# GENERAL ACTIVITY REGULATIONS GOAL SH3

Manage shoreline activities consistent with shoreline preservation and restoration.

#### **CLEARING AND GRADING**

## Policy SH3A

Limit clearing and grading in the shoreline and mitigate probable adverse significant environmental impacts upon the shoreline.

**Discussion:** Vegetative clearing including site-clearing, right-of-way clearing and damage to vegetation should be regulated depending on soil type, steepness, and habitat. Erosion should be prevented, shade should not be adversely removed along streams, and rainwater runoff on exposed slopes should not be allowed. The removal of invasive non-native species and their replacement with native species should also be encouraged. In addition to shoreline policies and regulations, the City of University Place will use the site development permit and SEPA processes to control and mitigate significant adverse probable impacts associated with clearing and grading.

#### CRITICAL AREAS

## Policy SH3B

Protect critical areas in the shorelines.

**Discussion:** Critical areas consist of some of the most fragile land and require protection from adverse development impacts. Critical areas provide for many functions such as fish and wildlife habitat, wetland protection and aquifer recharge. Protecting critical areas provides for public health and safety. The city's shoreline areas include wetlands, fish and wildlife habitat corridors, floodplains, aquifer recharge and steep slopes. Additional policies addressing critical areas are contained in Chapter 3, Environmental Management Element.

## **OPEN SPACE AND VEGETATION PRACTICES**

#### Policy SH3C

In areas characterized by open space or other vegetation, the following practices are appropriate.

- Maintain vegetative buffer strips where needed between cultivated/managed lands and bodies of water to protect the aquatic environment by reducing runoff and siltation.
- Divert waters for open space/vegetation purposes only in accordance with water right procedures.

Discussion: Open space and vegetation practices include uses such as agricultural production, nursery production, large landscaped areas for residential uses, and open recreational areas including golf courses. They are uses involving methods of vegetation and soil management, such as tilling of soil, control of weeds, control of plant diseases and insect pests, soil maintenance, and fertilization. Most of

these practices require the use of chemicals that may be water soluble and wash into contiguous land or water areas. This can cause significant alteration and damage to plant and animal habitats. (See also Policy SH3D on Pesticides, Herbicides, and Fertilizers.)

## PESTICIDES, HERBICIDES, FERTILIZER

## Policy SH3D

Regulate pesticides, herbicides and fertilizers to mitigate adverse water quality impacts and degradation and in accordance with applicable regulatory agency standards.

**Discussion:** Pesticides, herbicides and fertilizers into water can affect water quality and fish and wildlife habitat. One future long-term use along the shoreline identified in the Pierce County Chambers Creek Properties Master Site Plan is a golf course. The application of fertilizers, pesticides or other chemicals on this and other uses, including residential, within the shoreline or into waters that drain into the shoreline, should be consistent with the need to protect water quality and fish and wildlife habitat. Integrated pest management and best management practices (BMP's) should be used.

#### **VEGETATION MANAGEMENT**

## Policy SH3E

Practice vegetation management techniques in the shoreline area that increase the stability of steep slopes, reduce the need for structural shoreline stabilization measures, improve the visual and aesthetic qualities of the shoreline, and/or enhance shoreline uses.

**Discussion:** Vegetation management includes activities to prevent or minimize the loss of and increase the extent of vegetation along or near the shoreline that contribute to ecological values. Such activities may include the prevention or restriction of plant clearing and grading, vegetative rehabilitation and the control of invasive weeds and non-native species. Vegetation management is an important technique in achieving a range of ecological functions necessary to protect shoreline ecosystems, support recovery of endangered species, maintain and enhance the physical and aesthetic qualities of the natural shoreline, avoid adverse impacts to soil hydrology and reduce the hazard for slope failure.

#### VIEW PROTECTION

## Policy SH3F

Emphasize development regulations that do not impair or detract from the public's visual access to the water; except that, the removal of natural vegetation in the shoreline areas for the sole purpose of removing impediments to view is discouraged.

**Discussion:** Significant scenic views of the shoreline exist within the shoreline areas. This visual access should be maintained and broadened through public access opportunities. The Community Character Element (Chapter 6) includes a policy for the city to consider a view protection ordinance. Shoreline views should be one consideration should the city decide to pursue adoption of such an ordinance.

## SHORELINE USE POLICIES

## **GOAL SH4**

Manage shoreline activities to foster and accommodate reasonable uses consistent with shoreline preservation and restoration.

## **AQUACULTURE**

## Policy SH4A

Provide for aquaculture while ensuring its compatibility with shoreline uses.

**Discussion:** While a preferred water dependent use, commercial aquaculture is not present in the city's shoreline area. If an aquaculture use is established in the city it should be protected through techniques such as regulating navigation routing. Aquaculture should be regulated so that the use does not conflict with other shoreline uses.

## ARCHEOLOGICAL AREAS AND HISTORIC SITES

## Policy SH4B

Control development in the vicinity of identified valuable historic sites, cultural sites or structures to prevent incompatible uses and functional conflicts. Protect valuable historic and cultural sites and structures discovered during development.

**Discussion:** Archeological, scientific, historic, cultural, and educational structures, sites, and areas have significant statewide, regional, or local value and should be protected. Shoreline permits should contain a provision requiring developers to notify the local government and affected Indian tribe if archeological artifacts are uncovered during excavations. (Also see Policy SH1D.)

#### **BOATHOUSES**

## Policy SH4C

Allow limited opportunities for boathouses that serve the private, non-commercial recreational needs of area residents.

**Discussion:** Boathouses generally provide covered moorage for boats. In this respect, they are physically more substantial than piers or docks, but are typically less intensive than a commercial marina. Such a use provides a boat storage alternative to larger commercial marinas. However, they should be strictly regulated. Boathouses should only be allowed if they are non-commercial and serve the private recreational needs of the boathouse's property owners. There is one boathouse, not part of a marina, located in Sunset Beach. The boathouse is the principal structure of the property and is owned by individuals who do not reside in the shoreline area

#### COMMERCIAL DEVELOPMENT

## Policy SH4D

Prohibit commercial development in the shorelines except in very limited and specific circumstances.

Discussion: Commercial developments include uses involved in wholesale and retail trade or business activities. They range from small businesses to major concentrations of commercial uses and include tourist, tourist support, and destination type activities. Zoning in the shoreline area is primarily "R1" and "PF" (Public Facilities). <a href="Principal">Principal</a> commercial uses are not <a href="typically">typically</a> allowed in these zones. Future use of the shoreline for commercial purposes will be limited and should therefore be prohibited except in very unique circumstances. These circumstances include the presence of existing marinas and the possibility that ancillary commercial uses might occur conjunction with the development of <a href="the Chambers Creek Properties">the Chambers Creek Properties</a> uses are addressed separately in this element (see Policy SH4I, Marinas; Policies SH1F and SH4O Recreation). <a href="In those instances where commercial or non-residential uses may occur, public access should be required."</a>

#### DREDGING AND DREDGE MATERIAL DISPOSAL

## Policy SH4E

Minimize damage to ecological values, natural resources, and water quality in areas to be dredged and areas selected for the deposit of dredged materials. Ensure that dredging operations minimize interference with navigation and adverse impacts to other shoreline uses, fish and wildlife habitat, and properties. Dredging of bottom materials waterward of the ordinary high water mark for the single purpose of obtaining fill material is discouraged generally prohibited, except for public repair or habitat restoration projects.

**Discussion:** Dredge material disposal is the depositing of dredged materials upland or into water bodies. Dredging and the deposit of dredge spoils can have negative impacts on water quality and habitat and should be discouraged. However, maintenance dredging to maintain navigation ways should be considered as one acceptable form of dredging as well as dredging for habitat restoration.

#### FISHERY RESOURCE

## Policy SH4F

Encourage uses that promote and enhance the fishery resource.

**Discussion:** Chambers Creek has a fish counting station within the shoreline environment. The fish counting station's activities further the fishery resource. These and related fishery enhancement uses, such as hatcheries, that support the fishery resource should be allowed where appropriate. The most appropriate location for such facilities is within the conservancy shoreline environment. This use type should be prohibited in the shoreline residential and conservancy-low environments.

## FLOOD PROTECTION (Shoreline Protection)

## Policy SH4G

Allow shoreline protection actions and also participate in the National Flood Insurance Protection (NFIP) program to protect persons and property from flood damage.

Discussion: For the purposes of the shoreline master program, flood protection actions are those shoreline protection actions primarily intended to control flooding. Examples include berms, dikes and levees. Their use, while perhaps limited in University Place, should be available to some extent.

Also, floodplain development is subject to University Place Municipal Code (UPMC) Chapter 14.15 "Flood Damage Protection". These requirements establish construction and site development standards and a permitting system enabling the City to participate in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP). These regulations help protect persons, property and health, minimize the expenditure of public money, minimize the need for rescue and relief efforts and ensure that those who occupy the areas of special flood hazards assume responsibility for their actions.

#### IN STREAM STRUCTURES

#### Policy SH4GH

Allow in stream structures that provide for the protection and preservation of ecological functions, recreation, fisheries enhancement, irrigation and cultural resources.

Discussion: The location and planning of in stream structures shall consider the full range of public interests and environmental concerns, with special emphasis on protecting and enhancing priority habitat and species and natural and cultural resources. In stream structures are more appropriate for the Conservancy and Conservancy-Low designation, and should be prohibited in the Shoreline Residential designation.

## LANDFILLING (Non-Solid Waste)

## Policy SH4HI

Allow landfills with clean fill material in limited circumstances, such as to provide limited backfill for bulkheads or for habitat/beach restoration projects, while protecting the shoreline's ecological and natural resource values.

Discussion: Landfills result in the creation of dry upland area by filling or depositing materials into a shoreline area. In doing so, landfills can harm the shoreline resource and should be discouraged. In instances where landfills are allowed, appropriate protective measures should be employed to minimize impacts and only clean fill material should be used. Protective measures include designing and locating shoreline fills or cuts so that significant damage to existing ecological values or alteration of local currents will not occur and/or will not create a hazard or significant injury to adjacent life, property, and natural resources systems. All fill perimeters should provide suitable means for erosion prevention. Fill material quality should be regulated so that water quality degradation does not occur.

#### MARINAS AND MOORAGE FACILITIES

## Policy SH4IJ

Support the continued operation and proper preventive maintenance of existing marina and support activities that have historically contributed to the development of the community. Discourage new marinas or the expansion of existing marinas given the limited land and shoreline availability and configuration in the City.

Discussion: There are two private marinas in the city, primarily for pleasure craft/boating. While providing a recreational function for the community, marinas can have environmental impacts on water quality and habitat (i.e. water pollution, solid waste, light). Existing marinas should be allowed to operate encouraging repair and maintenance; however, expansion of marina spaces is discouraged. Repair or maintenance to existing marinas should be designed in a manner that will not adversely impact the fish and shellfish resource, but will promote public safety and health and be aesthetically compatible with adjacent uses. Adequate parking should be maintained and should be located as far upland as possible.

#### MINING

## Policy SH4JK

Prohibit new mining activities in the shoreline area and protect the shoreline resource and waters from rock, sand, gravel, mine-generated sediment, and other debris, whether or not the mining activity is located within shoreline jurisdiction. Encourage the reclamation of existing mining activities.

Discussion: Presently, gravel mining is taking place upland in the Chambers Creek Properties site adjacent to the city's shoreline. Reclamation of the mining operations to recreational uses is envisioned in the adopted Pierce County Chambers Creek Properties Master Site Plan and this reclamation of existing mining operations is encouraged by the city. However, as the mining activity continues and as the transition occurs the shoreline area should be appropriately protected.

## PIERS, DOCKS, FLOATS

## Policy SH4KL

Allow piers and docks, especially those that provide for public docking, launching, and recreational access and those associated with water dependent uses and existing residential development. Mitigate probable significant adverse environmental impacts upon littoral drift, water circulation and quality, and critical area resources such as eelgrass beds and fish habitat. Ensure that the proposed <a href="mailto:number">number</a>, size and <a href="mailto:intensity">intensity</a> density of the pier, dock, or float is compatible with surrounding water, land, and surrounding environment, and that the structures do not interfere with navigable waters or with the public's use of the shoreline.

**Discussion:** Piers are typically built on fixed platforms above the water while docks float upon the water. As over water structures, piers, docks and floats require State Environmental Policy Act (SEPA) review. SEPA shall serve as one technique to mitigate any probable adverse environmental impact upon the environment associated with this use activity. For example, impacts to geo-hydraulic processes should be reviewed. Joint use facilities are encouraged over a proliferation of multiple single use facilities.

#### PORTS AND WATER-RELATED INDUSTRY

## Policy SH4LM

Prohibit new port and water-related industry in the City of University Place.

**Discussion:** Zoning along the City's shoreline would prohibit new port or water related industry (i.e. seafood processing plant). There is no appropriate location for such a use given the existing shoreline land use and development pattern.

#### **PUBLIC ACCESS**

## Policy SH4MN

Pursue opportunities for the public to view and access publicly-owned shorelines and secure additional access for general public use. Recognize privacy and security needs of area residents when considering public access opportunities. Protect recognized shoreline public access locations from new encroachments that may preclude its use for public acces. (See also Policy SH1E).

Discussion: Shoreline access is the public's ability to reach the water and/or the ability to have a view of the water from upland locations. Public access is one of the fundamental goals of the State Shoreline Management Act. The City of University Place is fortunate in that over half of its shoreline area is publicly owned. These publicly owned shorelines are planned to have public access. Other limited opportunities for public access exist, primarily limited to the right-of-way in residential areas. Still public access can result in privacy and security concerns of local residents, particularly if access locations are in close proximity. These concerns need to be addressed as part of public access development.

#### **RAILROADS**

## Policy SH4NO

Allow railroads to continue and perform proper maintenance and safety improvements within the existing right-of-way but prohibit the expansion of railroads outside of the existing railroad right-of-way. Railroad improvements, including additional rail lines within the existing right-of-way, may only be allowed upon demonstrating that significant adverse environmental impacts to the shoreline environment and adjacent uses are

adequately mitigated and upon the provision of an alternatives analysis that clearly justifies the need for a shoreline location. Expansion of the rail line outside of the existing right-of way is prohibited. Relocating tracks landward of the existing right-of-way may have benefits and should be allowed upon demonstrating impacts to the shoreline environment can be mitigated.

**Discussion:** Burlington Northern-Santa Fe railroad owns and operates a railroad right-of-way in the city's shoreline areas. The railroad is one of the dominant features along the area under shoreline management jurisdiction. The city recognizes the investment made in the railroad; however, the city also recognizes that the railroad dominates the shoreline area and, to some extent, tends to divide the upland area from access to the shoreline. Overpasses or underpasses that facilitate safe pedestrian access to and from the shoreline are desirable. While maintenance of the railroad is appropriate for safe freight movement and travel, further expansion of the railroad outside of the existing right-of-way is prohibited. Railroads can limit shoreline access and impair the visual qualities of water oriented vistas.

#### RECREATION

## Policy SH4OP

Encourage the development of recreational activities that expand and enhance public access to the shoreline areas while ensuring that ecological functions of the shoreline area are not significantly degraded.

**Discussion:** The Pierce County Chambers Creek Properties Master Site Plan identifies proposals that, if implemented, will provide for greater recreational public access to the city's shoreline areas. This includes a public access pier, boat launch and pedestrian paths, including nature trails. These uses should be encouraged. Impacts of recreational uses need to be appropriately mitigated and attention should be given to the effect the development of a recreational site will have on environmental quality and natural resources.

## RESIDENTIAL DEVELOPMENT I

#### Policy SH4PQ

Recognize the unique historical residential development pattern presented by Sunset Beach and Day Island and encourage the proper maintenance and repair of single family dwellings.

**Discussion:** Residential development on residentially designated urban shorelines is a priority use under RCW 90.58.020 in areas of existing development. Part of the city's shoreline is developed with residential uses. The primary issue will be infill and maintenance of existing uses rather than new subdivisions. In some cases, the historical development pattern has resulted in residential development located over the water or constructed to the ordinary high water mark (OHWM). Allowing these residential uses to continue by encouraging their appropriate and proper repair, maintenance and, in some instances, minor expansion should be allowed.

## RESIDENTIAL DEVELOPMENT II

#### Policy SH4QR

Prohibit new over water residences and floating homes or the expansion of existing over water residences more waterward than their existing location. Encourage the proper maintenance of existing structures.

**Discussion**: The shoreline master program guidelines prohibit new over water residences, including floating homes and houseboats. Development of the shoreline in University Place should be consistent with this provision. Existing over water structures may be maintained, but in no case shall they be expanded more waterward.

## ROADS, BRIDGES AND PARKING

## Policy SH4RS

Plan, locate, and design new vehicular accessways away from shorelands if possible to minimize the adverse impact upon unique and fragile shoreline features and ecological functions, except when necessary to provide access to an allowed shoreline use. Discourage parking facilities in shoreline areas unless specifically supporting a preferred use or unless parking is intended to serve disabled individuals.

**Discussion:** Access roadways serving permitted shoreline uses are acceptable but otherwise new roads in the shoreline area should be discouraged. Parking facilities in the shoreline are not desirable given their environmental and visual impacts. Regulations should address impacts associated with parking facilities.

## SEWAGE TREATMENT FACILITIES

## Policy SH4ST

Allow the continued proper and responsible operation and maintenance of existing sewage treatment facilities and support activities that have historically contributed to meeting regional sewage treatment needs. Require new or expanded sewage treatment facilities in the shoreline to demonstrate, at a minimum, the need for the shoreline location and that impacts can be mitigated.

**Discussion:** The Chambers Creek Wastewater Treatment Plant is located near Puget Sound and Chambers Creek. Expansion of this plant is envisioned by Pierce County Public Works and Utilities. Expansion of a treatment plant of this size and magnitude can have many impacts. In the shoreline this includes, but is not limited to, aesthetic (visual) and odor impacts. Outfall pipes may raise water quality concerns. These impacts must be closely evaluated to ensure that shoreline impacts are adequately mitigated. (See also policies SH4Y and SH4Z, Utilities).

#### SEWER

## Policy SH4TU

Encourage the provision of sewer service to areas of the shoreline without sewers.

**Discussion:** Capital Facilities Element Policy CF6A calls for the city to work with sewer providers to develop a phased plan to offer sewer service to remaining areas of the city without sewer service. Parts of the shoreline do not have sewer service. This has potential for health and pollution concerns. Sewer service to areas within the shoreline area should be encouraged.

## SHORELINE MODIFICATION ACTIVITIES

#### Policy SH4UV

Encourage shoreline modification activities that minimize adverse impacts to the ecological functions and alteration to the natural shoreline environment. Encourage nonstructural and "soft" shoreline modification activities rather than "hard" shoreline modification activities. Regulate the use and development of "hard" shoreline modification activities to minimize impacts to shoreline processes.

**Discussion:** "Shoreline modification activities" include seawalls, bulkheads, breakwaters, rip-rap, jetties, groins, shoreline protection works, piers, levees, docks, channelization works, berms, and similar items. In general, shoreline modification activities can result in vegetation removal and damage to near shore habitat. Regulations should protect the shoreline from impacts of shoreline modification activities by requiring appropriate performance standards and/or by limiting additional hard shoreline protection measures to areas already predominantly characterized by such facilities. A preference should be on promoting nonstructural and "soft" shoreline modification structures rather than on "hard" shoreline modification structures.

## **SHORELINE PROTECTION ACTIONS (flood control)**

## **Policy SHV**

Allow shoreline protection actions to protect-life and property from flooding.

Discussion: For the purposes of the shoreline master program, shoreline protection include those actions intended for flood control purposes. Examples include berms, dikes and levees. In areas where shoreline protection actions may be necessary, the opportunity to develop flood control measures to protect life and property should be available. This primarily applies to the shoreline residential and conservancy environments since the conservancy low environment will have very limited development opportunities.

#### SIGNS

## **Policy SH4W**

Strictly regulate signs in the shoreline area so that they do not adversely block or otherwise interfere with visual access to the water or shorelands. Support the provision of necessary warning, navigational, and public recreational signage that furthers the public's safe enjoyment of the shoreline.

**Discussion:** Signage in the shoreline areas can add clutter and detract from the shoreline experience and should be minimized. All signage should be consistent with the scale of the use(s) and not adversely impact shoreline views. Provisions should be made to allow for appropriate navigation, safety and public information signs.

#### **SOLID WASTE DISPOSAL**

## Policy SH4X

Prohibit solid waste landfills in shoreline areas.

**Discussion:** Solid waste disposal is the disposal of garbage, refuse and solid waste materials. Solid and liquid wastes are generated by recreational activities, industry, commerce, and residents. Solid waste landfills in the shoreline area are inappropriate use and should be prohibited.

#### UTILITIES

## Policy SH4Y

Site utilities in the shoreline area consistent with the utilities element of the comprehensive plan and in a manner compatible with the protection of the shoreline resource and environment. Allow for the necessary operation and maintenance of utilities when these activities occur within improved rights-of-ways. Ensure

# utilities satisfy necessary spill prevention containment and control plans and emergency response plans.

**Discussion:** Utility facilities produce and carry electric power, gas, telephone, cable, sewage, communications, water, and other public services. In addition to consistency with this shoreline management element, the installation and operation of utilities must also be consistent with the other comprehensive plan goals and policies, particularly the utilities element. The utilities element contains, for example, policies for undergrounding of utility lines and for street restoration following utility work.

Ancillary utility facilities necessary to serve allowed shoreline uses should be permitted uses. However, to minimize impacts to the shoreline environment, areas damaged by the installation of utilities should be restored to pre-project condition or better, and replanted with native species and maintained until the new vegetation is established. (See also Policies SH4ST and SH4TU).

## **UTILITIES (Storm Drains/Outfalls)**

## Policy SH4Z

Construct and maintain storm drain and outfall facilities to meet all applicable standards for water quality.

**Discussion:** The city's shoreline area includes outfalls that deposit storm water and treated sewage into water. Water quality and siltation are considerations when locating outfalls. Permitting and water quality regulations are to be strictly followed. Proper maintenance of outfall facilities is encouraged to minimize possible siltation and water quality impacts.

## SHORELINE ADMINISTRATION POLICIES

#### **GOAL SH5**

Administer the shoreline master program in a fair and predictable manner consistent with shoreline protection.

#### **GENERAL ADMINISTRATION**

## Policy SH5A

Administer the Shoreline Management Act through the required land use permitting processes consistent with the requirements of Chapter 90.58 RCW and Chapters 173-16, 173-18, 173-26, and 173-27 WAC.

**Discussion:** Shoreline master program administration is guided by State Law (RCW) and the State's administrative rules (WAC's). For example, local shoreline master programs are approved by the Department of Ecology and local decisions on shoreline variances and conditional use permits are reviewed and decided on by the Department of Ecology. Administration of the local shoreline master program will be done in accordance with these guidelines.

## NONCONFORMING USE AND DEVELOPMENT

#### Policy SH5B

Recognize the investment that non-conforming uses and development have made while minimizing conflicts created by such uses and limiting their expansion.

**Discussion:** The City recognizes the substantial investment property owners have made in non-conforming uses or development. Non-conforming uses and development should be allowed to continue and be maintained, replaced, repaired and renovated but should not be allowed to be enlarged, increased or intensified without demonstrating that a public benefit will result and by demonstrating that probable adverse, significant environmental impacts to the shoreline environment can be mitigated.

#### SHORELINES OF STATEWIDE SIGNIFICANCE

## Policy SH5C

Recognize the value of shorelines of statewide significance in the City of University Place.

**Discussion:** The Shoreline Management Act identifies certain shorelines as "Shorelines of State-wide Significance" and raises their status in two ways. First, the SMA sets specific priorities for uses of shorelines of state-wide significance. These include:

- Long term benefits will be recognized over short term;
- The state-wide interest is recognized over local interest;
- Preserve the natural character of the shoreline;
- Increase public access to publicly owned shorelines;
- Increase recreational opportunities for the public in the shoreline; and,
- Protect the resource and ecology of shorelines.

Secondly, the Shoreline Management Act calls for a higher level of effort in implementing its objectives on shorelines of state-wide significance.

Within the City of University Place RCW 90.58.030(2)(e)(i) Puget Sound is a shoreline of statewide significance RCW 90.58.030(2)(e)(iii). Implementation of the Shoreline Master Program consistent with the above two considerations is necessary.

#### **BEST AVAILABLE SCIENCE**

## Policy SH5D

Use "best available science" in setting shoreline protection measures.

**Discussion:** The shoreline master program rules emphasize the use of "best available science" in developing regulations and in making decisions. This approach is consistent with the Growth Management Act (GMA) that also requires local jurisdictions to use "best available science" in developing and adopting protection measures.

## SHORELINE EDUCATION

## Policy SH5E

<u>Provide effective ways to educate and inform the public about the value of shoreline resources and about shoreline issues.</u>

Discussion: A legislative finding of the shoreline management act is that "...the shorelines of the state are among the most valuable and fragile of its natural resources...". In keeping with this finding the City of University Place should strive to educate the public about the value of the shoreline resource and related issues. This can be accomplished, for example, through coordinating public awareness and educational activities with local, regional and state agencies and with shoreline interest groups. For example, the City can make educational literature and other materials published by government agencies and organizations available at City Hall.

Also, given the development of Chambers Creek Properties, the City could investigate partnerships in developing educational related facilities such as displays or museums. Use of the City's web site and newsletter for shoreline issues is another forum for educating the public about the importance and value of the shoreline resource. Education efforts should be continual and, where applicable, grant funding should be pursued.

## REGULATORY COORDINATION

## Policy SH5F

Coordinate with other agencies having regulatory jurisdiction in the shoreline to promote compliance with requirements and to promote predictable permit processing.

Discussion: Many shoreline uses and activities require permits not only from the City of University Place but also from State and federal regulatory agencies. Examples include, but are not limited to the Corps of Engineers, the Department of Ecology, and the Department of Fish and Wildlife. SEPA is also typically required. Numerous agencies can be involved in the shoreline permitting process and close permit coordination is desirable. The City can assist individuals applying for shoreline permits by maintaining awareness of these other agencies' requirements. Referral of applicants to the Department of Ecology Permit Assistance Center is one way that individuals can seek assistance to comprehensively identify needed permits for an activity. The City will make this service known to individuals. City acceptance of the Joint Aquatic Resources Permit Application (JARPA) form is another means of facilitating permit applications involving multiple agencies. The City will coordinate with other regulatory agencies on their specific needs and permitting requirements so that uses and activities are lawfully permitted and authorized.

## **CHAPTER 9**

## INTRODUCTION TO THE SHORELINE MASTER PROGRAM

#### Introduction

In June 1971, the Washington State legislature approved the Washington State Shoreline Management Act. The Act's language included provisions for a vote by the citizens of the State of Washington and, in November 1972 the voters of the State ratified the legislature's Shoreline Management Act by an approximate vote margin of 2 to 1.

The Act's objectives are to protect and restore the valuable natural resources that shorelines represent and to plan for and foster all reasonable and appropriate uses that are dependent upon a waterfront location or which offer opportunities for the public to enjoy the State's shorelines. With this clear mandate the Shoreline Management Act established a planning and regulatory program initiated at the local level under State guidance.

A master plan is intended to be general, comprehensive and long range. The goals, policies, proposals and guidelines are not directed at specific sites. Comprehensive means that this plan looks at the city's relationship with other regulatory agencies, present and future land and water uses and their impact upon the environment. Long range means that the shoreline master program is directed at least 20 years in the future, looking beyond immediate needs and following creative objectives rather than a simple projection of current trends and conditions.

## Applicability

Shoreline goals, policies, regulations apply to all lands and waters in the City of University Place which are under the jurisdiction of the Shorelines Management Act of 1971.

These lands and waters are shown on the City of University Place Shoreline Environment Designation map included in his Chapter as well as codified by University Place Municipal Code Title 18. It includes approximately four (4) miles of shoreline along Puget Sound from approximately Day Island to the north to the mouth of Chambers Creek to the south, as well as an approximately two mile stretch along Chambers Creek. Only the north side of Chambers Creek falls within the city limits and, consequently, the city's shoreline jurisdiction.

## **Growth Management Act/SMA Integration**

The City of University Place has elected to implement the State Shoreline Management Act, Chapter 90.58 RCW through the adoption of goals and policies in Chapter 9 of the City of University Place's Comprehensive Plan, and Title 18 of the development regulations in the City of University Place's Municipal Code.

This approach is consistent with the requirement for the integration of Shoreline Management Act requirements with the Washington State Growth Management Act (GMA) adopted in 1990).

## **Shoreline Inventory**

In late 1998/early 1999 a shoreline biological inventory was conducted and a report prepared. The inventory covered a shoreline zone that included areas commonly referred to as the "near shore environment" as well as lands approximately located within 200 feet landward of the shoreline's ordinary high-water mark (OHWM).

The inventory estimated that approximately 80 percent of the City of University Place shoreline contain some type of biological resource. Both the Puget Sound shoreline and Chambers Creek contain some type of biological resource. For example, the Day Island lagoon and the Chambers Creek estuary (Chambers Bay) are waterfowl concentration areas. Chambers Creek provides salmon spawning and rearing habitat. Certain areas of the Chambers Bay and Chambers Creek also provide nesting, protective cover and foraging opportunities for a variety of birds, mammals and amphibians with the city's urban environment.

The following provides a summary of the literature search and field investigation performed for the shoreline inventory. Copies of the shoreline inventory are available for review at the City of University Place Department of Planning and Community Development.

## Review of Existing Information/Literature Search

Included in the shoreline inventory was a literature search. The following briefly summarizes the result of that search.

- Biological resources include lagoons, Urban Natural Open Space (UNOS), riparian areas, waterfowl concentration areas, nest sites and breeding territories of sensitive wildlife species, as well as anadromous, resident, and priority fish presence.
- More than 75 percent of the Chambers Creek Properties shoreline is designated UNOS. The Department of Fish and Wildlife (WDFW) considers UNOS areas important because they provide nesting, protective cover and foraging opportunities for a variety of birds, mammals, and amphibians in an urban environment. The other area near the city shoreline area designated UNOS include the steep hillside between Sunset Beach and Day Island. UNOS lands are not regulated by WDFW.
- WDFW identified the presence of anadromous, resident, and priority species in Chambers Creek and Leach Creek. Sport salmon fishing occurs near the mouth of Chambers Bay. Pelagic and demarsal groundfish are present along the

northern portion of the University Place marine shoreline. A long tract of sandlance larvae is identified along the city's entire marine shoreline.

- Geoduck tracts are predominantly located in long, narrow bands along the central and southern portion of University Place's Puget Sound shoreline.
- Diving birds, waterfowl, gulls and terns are common throughout the near shore environment in the fall, spring, and winter. Diving birds, gulls, terns, palegic birds and bottomfish are common through the offshore areas. Raptors are known to utilize the Chambers Creek Properties.
- There are kelp beds along most of the University Place marine shoreline.
- In terms of noxious weeds there are no known infestations of Spartina or purple loosestrife within University Place.

## Field Investigation

Field investigation confirmed that the majority of the areas identified from existing literature resources were appropriately located. The field investigation confirmed the presence of steep slopes inland of the railroad tracks along much of University Place's Puget Sound shoreline. For this reason there is relatively undisturbed upland corridor bordering the City. These steep slope areas provide high quality upland habitat for wildlife species. Further, the presence of steep slopes and the railroad may protect areas of the immediate shoreline from development pressures.

A significant number of snags and large perching trees were noted throughout the shoreline zone. Large individual snags and concentrations of snags provide breeding, foraging, and perching opportunities for raptors, woodpeckers and various cavitynesting bird and mammal species. Large trees located along the bluffs also provide resting and perching area for large raptors such as the bald eagle and red-tailed hawks.

Great Blue Heron, American coot, surf scoter, hooded merganser, common merganser, bufflehead, common goldeneye and red tailed hawk were spotted. There are numerous areas where waterfowl species congregate. These include sheltered coves near Day Island and the Chambers Creek estuary, as well as along the entire marine shoreline.

The field investigation of Chambers Creek also found that the tidally-influenced estuarine area of Chambers Bay includes saltwater/brackish rearing habitat for salmon. Fish carcasses, likely chinook or coho were observed in this area of the Creek.

The section of Chambers Creek approximately ½ mile upstream from the dam includes impounded freshwater rearing habitat. Above this, Chambers Creek includes freshwater rearing habitat with limited spawning areas. This portion of the stream has moderate sinuosity, with many secondary channels and off channel rearing areas. It has a wide high quality riparian corridor.

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Finally, the upper one (1) mile of Chambers Creek located west of the confluence with Leach Creek provides freshwater rearing and spawning habitat. This portion of the creek has a higher gradient channel with a high proportion of spawning in gravels and cobbles. The riparian area in this section is more narrow and steep than the portion below yet contains groundwater fed secondary channels, side channels, and remnant channels, all of which provide important salmonid habitat. Chum salmon were observed spawning in the groundwater fed secondary channels located within University Place.

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