

# **MEMORANDUM**

**Date:** January 28, 2019

**To:** City Council

**From:** Marine Access Committee

**Subject:** Recommendations for the siting and planning of residential moorages in the Dave Ullin Open Water Marina in Eagle Harbor.

## **I. EXECUTIVE SUMMARY**

The Marine Access Committee (MAC) recommends that the City Council adopt a moorage plan for the Dave Ullin Open Water Marina (DUOWM) that accommodates 16 residential vessels on a single-point swing. The space allotted for each vessel should be based on the 11 vessels currently in the DUOWM (as of January 2019), along with the next five vessels on the 2020 wait list. In addition, the design should increase the width of the safety fairway at the southern edge of the lease area in order to improve safe navigation for recreational uses of Eagle Harbor that include, but are not limited to, motor boating, kayaking, rowing, and sailing.

## **II. BACKGROUND**

The City of Bainbridge Island and the Washington State Department of Natural Resources (DNR) entered into a Lease Agreement in 2010, which permits residential moorage in Eagle Harbor. The marina is the only open water residential marina in Washington State and is a unique part of the history of Bainbridge Island.

DNR manages the aquatic lands in Washington State, including those in Eagle Harbor and the DUOWM, as a public trust for the people of the State and as a steward of these public lands. The DNR manages the aquatic lands as a landlord, which then leases these lands for a variety of uses, including marinas and recreational mooring buoys. The DNR seeks to provide opportunities for recreation, support water-dependent uses, promote sustainable use of natural resources, and protect public navigational and fish access from obstructions.<sup>1</sup>

In June 2018, the City Council voted to provide funding to increase the number of residential buoys from 9 to 16 as allowed under the terms of the Lease Agreement. This decision followed the July 11, 2018, Affordable Housing Task Force Report that stated that “residential vessels in the [DUOWM] . . . can be an economical housing choice on the island for a limited but important demographic.”

Following the vote by the Council, the MAC formed a subcommittee to study the issues surrounding the expansion of the number of vessels and to solicit feedback from members of the public regarding the project. Over time, it became clear that a public workshop would be the most appropriate forum for providing an overview of the project, receiving feedback, and answering the questions and concerns of the community.

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<sup>1</sup> “Managed Lands.” Washington State Department of Natural Resources. Accessed January 23, 2019. <https://www.dnr.wa.gov/managed-lands>.

With the full support of City Staff, including Public Works, Police Department, and Executive, the MAC hosted a Public Workshop on December 10, 2018, in place of its regular business meeting. At the workshop, members of the MAC engaged the liveaboard community and other frequent users of Eagle Harbor, including Bainbridge Island Rowing (BIR), for input on developing a solution that would meet the needs of all users of Eagle Harbor. A preliminary plan was prepared by Public Works to serve as a starting place for discussion among members of the community and to establish a base line from which further recommendations could be developed.

The December 10<sup>th</sup> Public Workshop was well attended with most of the seats in the Council Chamber filled by members of the community. Committee members mostly heard frustration and anger about the process, with many in the liveaboard community concerned that the size of the DUOWM would shrink as a result of any modifications to accommodate other Eagle Harbor users. Harbormaster Tami Allen assured attendees that this was not the case: the boundaries of the DUOWM are fixed under the terms of the lease and not changing as part of the buoy layout project. Other community members noted concerns about safety and navigation within Eagle Harbor. In particular, the City is not able to restrict transient and/or temporary moorage within designated areas throughout Eagle Harbor, including the DUOWM.

Following the public workshop, the subcommittee continued to accept written feedback from members of the community. In total, 34 responses were submitted to Operations Project Manager Aaron Claiborne from a mix of stakeholders. Many commenters expressed opposition to the expansion of the DUOWM, while others shared their preference for the preliminary plan or encouraged the MAC to find a solution that pleased as many as possible. An additional theme among commenters was that Eagle Harbor is a shared resource and safe access for all should be a priority for the City Council.

On January 14, 2019, the MAC held its regular committee meeting and was joined by over 20 members of the public, including residents of the DUOWM and representatives from BIR. The committee reviewed the various options presented by Staff (*cf.* January 10, 2019 Memo to Marine Access Committee from Aaron Claiborne) as well as sketches presented by liveaboard supporters and BIR. The MAC members took the opportunity to address various concerns of both the liveaboards and BIR, and two motions passed the committee by unanimous consent. Our recommendation is analyzed and summarized below.

### **III. RECOMMENDATION**

The MAC recommendation is informed by three criteria against which we analyzed various options. Each criterion is meant to be responsive to the direction provided to the MAC by the Council, as well as the purpose of the Marine Access Committee to “work to support awareness, management, and enhancement of public access to and from the island’s waters and water dependent activities.”<sup>2</sup>

The three criteria are:

- Accommodate 16 liveaboard vessels in the DUOWM;
- Improve the safety of Eagle Harbor for all users; and
- Develop a solution that is responsive to community members who offered public comment.

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<sup>2</sup> “Marine Access Committee.” City of Bainbridge Island. Accessed January 23, 2019. <https://www.bainbridgewa.gov/706/Marine-Access-Committee>.

**A. Marine Access Committee Recommendation to the City Council – Plan #1**

The Marine Access Committee recommends the placement of 16 single-point buoys within the DUOWM. The vessel lengths accommodated in the DUOWM should be based on the 11 current tenants along with the vessel sizes of the next five households on the waiting list. The vessel length mix should accommodate:

- 5 vessels 30 feet or less
- 6 vessels 40 feet or less
- 2 vessels 50 feet or less
- 3 vessels 60 feet or less

We recommend that the 16 vessels be positioned at the northern and northeastern ends of the open water marina boundary in order to widen the adjacent navigation fairway to the south (see Figure 1). Some overlap of vessel swing circles may also be required in the proposed placement. We believe that this will provide safer transit of vessels around the moorage and promote less haphazard anchorage by visitors.<sup>3</sup>

Lastly, we recommend the following two minor modifications to improve the overall vessel traffic management of Eagle Harbor:

- Remove the City’s navigation buoy “D” located to the west of the DUOWM (circled in Figure 1)
- Install buoyed signage to guide Eagle Harbor users safe passage around and through the DUOWM (e.g., “Open Water Marina Ahead”).

Table 1 evaluates this recommendation against the three decision criteria and the other options considered by the MAC.

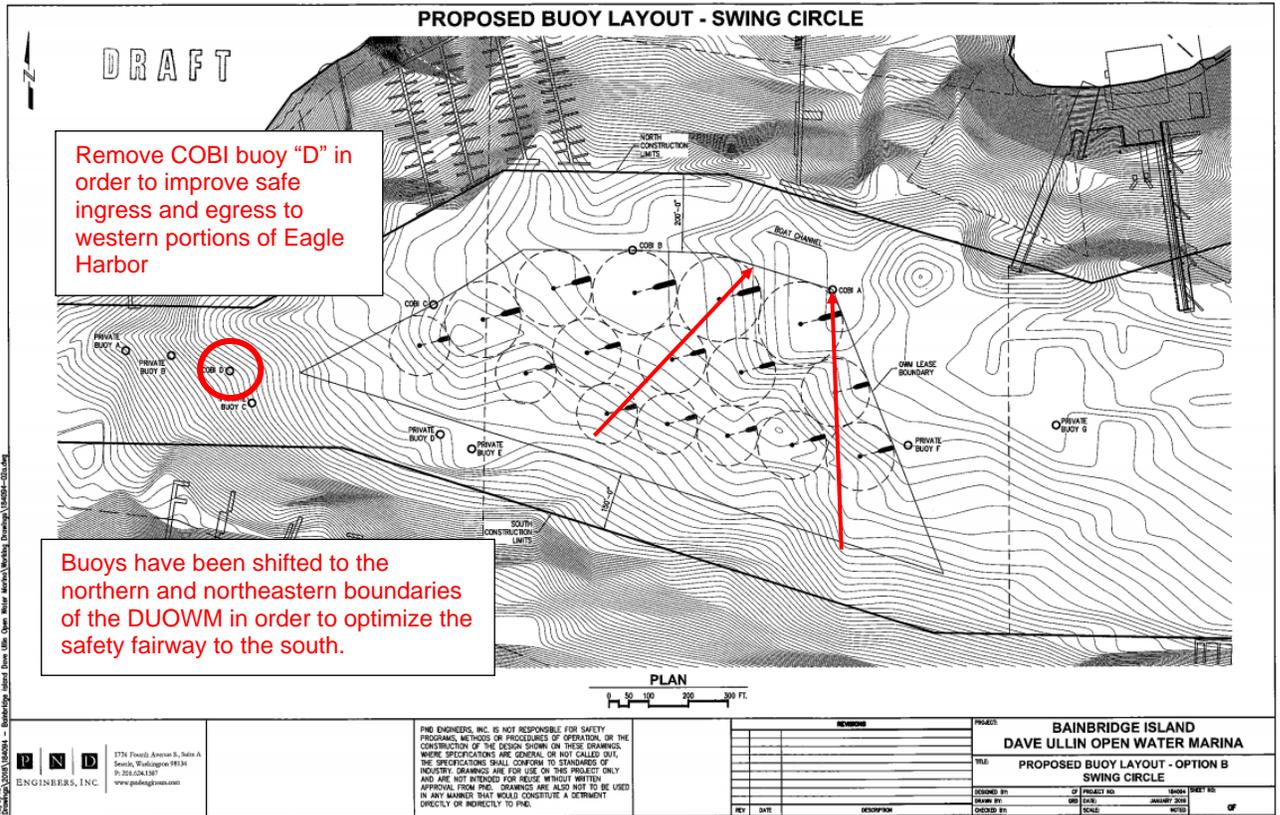
**TABLE 1: RECOMMENDATION DECISION MATRIX**

DUOWM LAYOUT/DESIGN PROJECT	Criterion 1: Accommodate 16 liveaboard vessels in the DUOWM	Criterion 2: Improve the safety of all users of Eagle Harbor	Criterion 3: Develop a solution that is responsive to public comment
<b>Recommendation: Plan #1</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>
Plan #2	<b>Yes</b>	<b>Unknown</b>	<b>Yes</b>
Plan #3	<b>Yes</b>	<b>No</b>	<b>No</b>

In addition, our recommendation has two benefits not associated with the other options evaluated by the MAC. First, a draft siting was prepared by PND at the request of Public Works following the January MAC meeting that closely aligns with Plan #1 (see Figure 1). Additionally, the DNR previously evaluated overlapping swing circles in a mooring plan elsewhere in Puget Sound (see Note 3).

<sup>3</sup> The Washington State DNR performed an analysis for Quartermaster Harbor, Maury Island in April 2013 that addresses overlapping swing circles in a mooring buoy field. The *Quartermaster Harbor Mooring Buoy Management Plan* stated that “DNR will consider allowing some minor overlap of vessel swing in the buoy field to optimize the adjacent navigation channels and the number of mooring buoys for use by the boating community, while discouraging unsafe vessel traffic through the buoy field.” The DNR also noted that the “traditional recreation activity in Quartermaster Harbor includes fishing, crabbing, boating, [and] a rowing course for the Vashon Rowing Club . . .” (Available at [http://www.dnr.wa.gov/publications/aqr\\_quartermaster\\_harbor\\_mooring\\_buoy\\_plan.pdf](http://www.dnr.wa.gov/publications/aqr_quartermaster_harbor_mooring_buoy_plan.pdf)).

**FIGURE 1: PRELIMINARY DRAFT PREPARED BY PND SHOWING BUOYS MOVED TO THE NORTH AND NORTHEAST (APPROXIMATION OF MAC PLAN #1)**



**B. Other Options – Plan #2 and Plan #3**

The MAC considered two additional plans and weighed each against the evaluation criteria. Plan #2 is similar to our recommendation in Plan #1 with the exception of the size of the vessel moorage in the DUOWM. In addition to accommodating the 11 vessels currently in the DUOWM, Plan #2 seeks to maximize flexibility by substituting one 60’ buoy for on 40’ buoy in Plan #1:

- 5 vessels 30 feet or less
- 5 vessels 40 feet or less
- 2 vessels 50 feet or less
- 4 vessels 60 feet or less

While only slightly different from Plan #1, we believe that this option may result in a narrower safety fairway to the south. An engineering analysis would be required to adequately evaluate this plan, and therefore we are unable to evaluate it against Criterion #2. Lastly, this plan is responsive to public comment (Criteria #3) as it addresses liveaboard resident concerns by offering the greatest flexibility in siting various vessel sizes.

Finally, the MAC addressed Plan #3, which was the preliminary option presented during the December Public Workshop and prepared prior to public input. (Note: this is labeled as Option #1 in the Staff

Memo). The Plan does meet the Council's objective of increasing the number of liveaboard moorages to 16; however, it fails our analysis of the other two criteria.

#### **IV. CONCLUSION**

It is our hope that this recommendation for the Dave Ullin Open Water Marina Layout/Design Project meets the needs of a diverse group of citizens, all of whom call Bainbridge Island home. We thank the public for their thoughtful comments throughout this process along with the support of City Staff who supported the MAC in formulating this recommendation.