

AGENDA
GIG HARBOR CITY COUNCIL STUDY SESSION
Thursday, June 11, 2026 - 3:00 PM
Community Rooms

This meeting may also be accessed through Zoom at <https://zoom.us/j/93216056382> or by calling (253) 215-8782 and entering Meeting ID 932 1605 6382.

CALL TO ORDER/ROLL CALL

DISCUSSION ITEMS

- 1. Unified Regional Approach (URA) to Homelessness**
 - a. Staff Report: Housing, Health, and Human Services Program Manager Shealynn Smiley, MSW
 - b. Clarifying Questions
 - c. Public Comment
 - d. Council Deliberation and Direction

- 2. Planning Commission recommendation amending GHMC 18.08 Critical Areas based upon review of best available science**
 - a. Staff Report: Community Development Director Eric Baker
 - b. Clarifying Questions
 - c. Public Comment
 - d. Council Deliberation and Direction

- 3. Commercial Fishing Homeport Moorage Agreements and Regulations**
 - a. Staff Report: Public Works Director Jeff Langhelm, PE
 - b. Clarifying Questions
 - c. Public Comment
 - d. Council Deliberation and Direction

ADJOURN

PUBLIC COMMENT & DECORUM

PUBLIC COMMENT & DECORUM

The city council wants to hear from the public as much as possible. However, the business of the city must proceed in an orderly, timely manner. The primary purpose of council meetings is to conduct the city's business so we have created a variety of ways the community can make their voices heard. Monday city council meetings are just one opportunity. These guidelines are designed to make sure every person who wants to be

heard has both the opportunity to be heard and feels welcome to do so.

We receive comments three ways:

1. During council meetings
2. During council study sessions.
3. Email mayorandcouncil@gigharborwa.gov at any time about any issue. This email goes to the elected officials and leadership at the city.

Public Comment at City Council Study Sessions

We welcome comment at Council study sessions following the staff report and clarifying questions of each discussion item. Comments must be related to the discussion item at hand.

When the mayor calls for public comment, please come forward to the table (or raise your hand on Zoom). When it's your turn, we'll ask you to tell us your name and connection to the issue you want to discuss. You'll then have a maximum of two minutes to speak.

Unfortunately, this isn't a time for dialogue, but a staff person or councilmember may be available to talk with you at a break or after the meeting.

Additional guidelines

- Anyone making "out of order" comments may be subject to removal from the meeting.
- Please address your remarks to the city council as a body and not to any specific individual.
- Please be courteous and not engage in derogatory remarks or insinuations.
- No demonstrations, including clapping, are allowed.

Email

You are welcome to email the mayor and councilmembers about any issue facing the city by writing to the address above. Do remember that council sets the policy direction while city departments execute those decisions. A series of online reporting tools might help you resolve an issue more quickly so check them out too: <https://www.gigharborwa.gov/146/Submit>

AMERICANS WITH DISABILITIES (ADA) ACCOMMODATIONS

ADA accommodations can be provided upon request. Those requiring special accommodations should contact the city clerk at cityclerk@gigharborwa.gov or (253) 853-7613 at least 24 hours prior to the meeting.



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: June 11, 2026

SUBJECT: Unified Regional Approach (URA) to Homelessness

SUBMITTED BY: Housing, Health, and Human Services Program Manager Shealynn Smiley, MSW

DEPARTMENT: Administration

PHONE: (253) 530-7070

SUGGESTED MOTION: N//a

BACKGROUND INFORMATION:

Pierce County and several jurisdictions within Pierce County have been working together on the creation of a Unified Regional Approach (URA) to homelessness. The concept originated from Pierce County's 2022 Comprehensive Plan to End Homelessness, which identified the need for greater coordination among jurisdictions, service providers, and community partners to address homelessness more effectively across the county.

Since the inaugural URA meeting in April 2024, the City of Gig Harbor has actively participated in the development of the proposed framework with Housing, Health, and Human (H3) Services Program Manager Shealynn Smiley present and engaged over the past two years. Both the Mayor and H3 program manager have represented the city throughout the planning process, participating in discussions with elected officials, local government staff, nonprofit organizations, and community stakeholders as the model has been developed and refined.

In March 2026, participating jurisdictions reached consensus on a proposed URA structure that would establish a voluntary, countywide partnership focused on improving coordination, communication, data collection, technical assistance, and resource development related to homelessness and housing instability.

In this presentation, Mary Connolly, County Council Policy Analyst, along with H3 program manager Shea Smiley, will provide an overview of homelessness and housing insecurity in Pierce County and Gig Harbor, explain the rationale for a coordinated regional approach, review the proposed governance and funding structure, and outline next steps.

Jurisdictions interested in participating will be asked to consider adopting a Resolution of Intent expressing support for continued collaboration, development of an interlocal agreement, implementation of several coordinated homelessness response activities, and support for at least one local homelessness intervention.

This study session is intended to inform the City Council about the proposed Unified Regional Approach, summarize the City's involvement in the planning process to date, and provide an opportunity for discussion and questions to assist in future consideration of participation.

FISCAL CONSIDERATION: This section details the financial issues involved in the issue before Council, if applicable. It can include only the information contained in the table below or it can include additional financial information.

Expenditure Required: \$	Amount Budgeted: \$	Appropriation Required: \$
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ATTACHMENTS:

- 1. 2026-06-11 URA Gig Harbor Presentation
- 2. Unified Regional Approach One-Pager
- 3. FINAL Template for Resolution Expressing Commitment to Unified Regional Approach v2 - with transparency language
- 4. FINAL Guidance on completing Template for Resolution of Commitment to URA
- 5. 2026-04-27 URA-Design

STRATEGIC PLAN PRIORITY: Provide a safe, healthy, and inclusive community



Pierce County Unified Regional Approach to Homelessness

City of Gig Harbor
Thursday, June 11, 2026

Jani Hitchen

Chair of the Pierce County Council

Mary Connolly

Policy Analyst, Pierce County Council Office

Homelessness in Pierce County

- People are at risk of homelessness or experiencing homelessness in all parts of the County.
- In 2025, Pierce County's homeless crisis response system served over 8,700 homeless individuals.



Homelessness in Pierce County – Why?

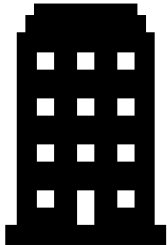
Homelessness has many different causes.



Job loss,
living on a
fixed
income



Medical
emergency,
mental health
crisis



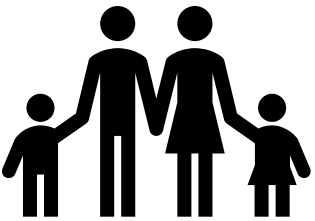
Rising rent,
foreclosure,
eviction



Domestic
violence, young
people aging out
of foster care,
family break-up

Homelessness in Pierce County – Who?

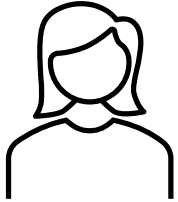
Homelessness affects all kinds of people.



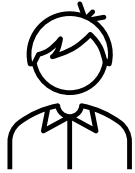
Families



Adults



Youth



Disabled People



Veterans



Seniors



Homelessness in Pierce County – How?

Homelessness doesn't always look the same.

Homeless people and families may ...



Sleep in
a
shelter



Double
up



Couch
surf



Sleep in
a car



Sleep in
a tent

Homelessness & Housing Insecurity in Gig Harbor

65

The number of homeless individuals who were served by Pierce County's homeless response system in 2025 and who reported they last slept in Gig Harbor.¹

197

The number of students enrolled in Peninsula School District during the 2024-2025 school year who identified as homeless at any point during the school year. Here, homelessness is defined as lacking a fixed, regular, and adequate nighttime residence.²

4

The number of eligible households in the City of Gig Harbor that applied for rental assistance through Pierce County's Eviction Prevention program between January 1, 2024 and June 30, 2025.³

1. *Data Source: Pierce County Homeless Management Information System (HMIS).*
2. *Data Source: Washington State Office of Superintendent Instruction (OSPI).*
3. *Data Source: Pierce County.*



Existing Homelessness Response & Prevention Services

There are a variety of programs that people can access when they are homeless or at risk of homelessness.

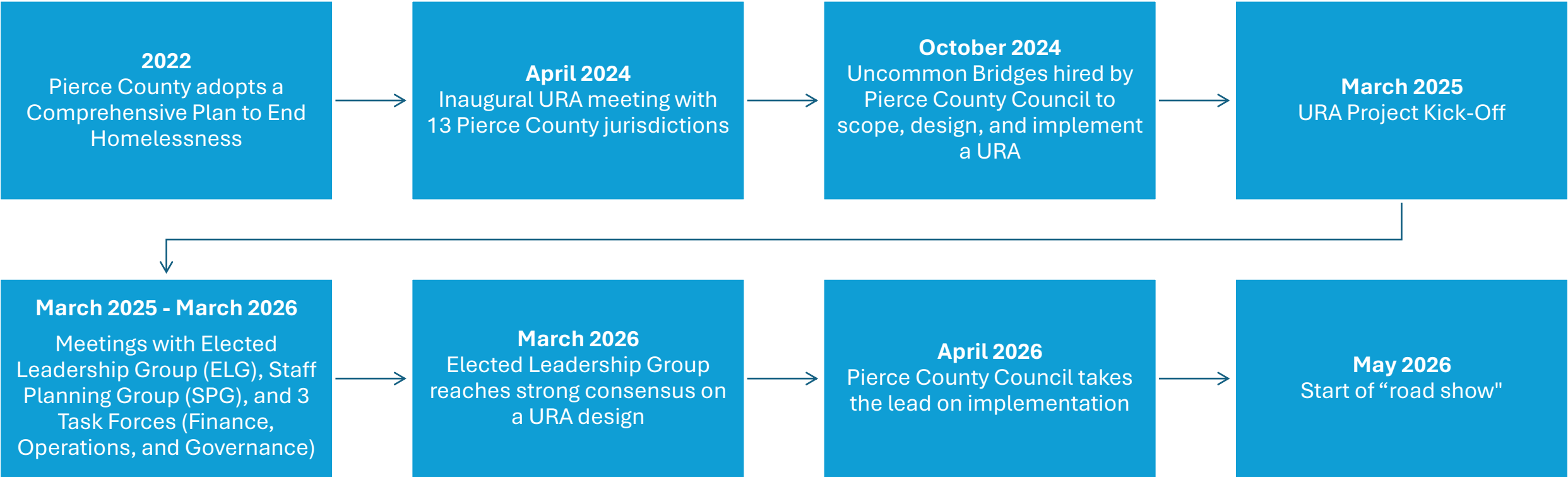
- Examples of County-wide programs:
 - Pierce County Eviction Prevention – rental assistance, case management
 - Shelter Access Hub – 24/7 call line to connect to shelter
 - Coordinated Entry – entry point to certain housing referrals
- Examples of programs supported or operated by individual jurisdictions:
 - Gig Harbor – hires a Housing, Health, and Human Services Program Manager who connects residents to resources
 - Fife – operates a shelter and jobs program for homeless adults; conducts street outreach; has hosted sever weather shelter at the Community Center



Why a Unified a Regional Approach?

- For people who are homeless or at risk of homelessness: accessing programs can be confusing and the system can feel disconnected.
- For organizations that support homeless people: inconsistent requirements across government funders requires them to spend an inordinate amount of their scarce resources on compliance.
- For local governments: there are finite resources and capacity to support residents who are homeless or at risk of homelessness.

How we got here ...



Vision & Mission of the Unified Regional Approach (URA)

Vision

A unified regional approach to substantially reduce homelessness so that it is rare, brief, and non-recurring.

Mission

The URA empowers Pierce County governments to choose locally responsive solutions to respond to and prevent homelessness, while establishing a countywide framework that supports coordination and efficient use of shared resources.



What will the URA do?

- Facilitate coordination, collaboration, and communication across governments related to homeless response and prevention.
- Provide technical assistance to governments in implementing locally-tailored solutions.
- Access additional resources and funding to serve Pierce County.
- Track and report on County-wide data and outcomes to understand what is working well and where the system needs improvement.

Governance, Structure, & Staffing

- URA will be formally established via interlocal agreement (ILA)
- Participation by governments is voluntary
- Governed by a board of elected officials representing participating governments
- Pierce County will serve as the administering organization for the URA, including as the employer for URA staff
- For the first 1-3 years, annual budget is expected to be about \$400,000 - \$600,000, primarily supporting employment of 2-3 FTEs
 - Budget will depend on revenues from participating governments, with the amounts based on the population of each jurisdiction living in Pierce County
 - Estimated annual budget for City of Gig Harbor is \$5,000 - \$9,000



Next Steps: Resolution of Intent

Governments interested in participating in the URA are asked to adopt a resolution of intent to:

- Express their intent and commitment to working with other governments to launch a URA
- Direct staff to work with other governments to develop an ILA
- While an ILA is development, commit to the following:
 - Begin implementation of 3 coordinated activities (as described on the next slide)
 - Support establishment or expansion of at least one homeless intervention



Next Steps: 3 Coordinated Activities

Council staff will support governments in operationalizing the following activities ...

- Develop or update **data collection requirements** for homeless service providers
- Develop or update a procedure to **connect residents** who are homeless or at risk of homelessness to **resources** (e.g. housing, shelter, rental assistance)
- Develop or update a policy to connect homeless people to resources during **inclement weather events** (e.g. extreme heat and cold) and identify locations that may serve as inclement weather shelter





Questions?

Jani Hitchen

Chair of the Pierce County Council
Jani.Hitchen@piercecountywa.gov

Mary Connolly

Policy Analyst, Pierce County Council Office
Mary.Connolly@piercecountywa.gov

PIERCE COUNTY UNIFIED REGIONAL APPROACH TO HOMELESSNESS (URA)

WHAT IS THE STATE OF HOMELESSNESS IN PIERCE COUNTY?

- In all parts of Pierce County, there are people on the verge of homelessness or experiencing homelessness. In 2025, Pierce County’s homeless crisis response system served over 8,700 homeless individuals.¹
- Homelessness affects all kinds of people – families, youth, adults, seniors, veterans and disabled people.
- Homelessness doesn’t always look the same. There are homeless people and families sleeping in their cars, staying at motels, sleeping in tents, and staying in shelters.
- Homelessness has many different causes – rising rent, job loss, living on a Social Security paycheck, foreclosure, a costly medical emergency, mental health or substance use disorder, family break-up, domestic violence, young people aging out of foster care.

WHAT HAPPENS WHEN SOMEONE IS HOMELESS OR AT RISK OF HOMELESSNESS?

There are a variety of programs that people can access when they are homeless or at risk of homelessness:

- Many cities have developed programs to address the specific needs of their jurisdiction. For example, the City of Fife operates a [shelter and jobs program](#) for homeless adults. The City of Gig Harbor has a [Housing, Health, and Human Services program](#) to develop programs that meet community needs.
- Some programs serve people across the County. For example, Pierce County’s [Eviction Prevention program](#) provides rental assistance to households at risk of eviction. The County’s Shelter Access Hub, operated by Family Promise of Puget Sound, is a 24/7 call line to connect people with shelter.

WHY A UNIFIED REGIONAL APPROACH (URA)?

- For people who are homeless or at risk of homelessness, accessing programs can be confusing and the system can feel disconnected.
- For organizations that support homeless people, inconsistent requirements across government funders requires them to spend an inordinate amount of their scarce resources on compliance.
- Local governments have finite resources and capacity to support residents who are homeless or at risk of homelessness.

¹ Find more homeless system performance data on [Open Pierce County](#).

WHAT WILL THE URA DO?

The unified regional approach will provide dedicated staff capacity to:

- Facilitate coordination, collaboration, and communication across governments related to homeless response and prevention.
- Provide technical assistance to governments in implementing locally-tailored solutions.
- Access additional resources and funding to serve Pierce County residents.
- Track and report on County-wide data and outcomes to understand what is working well and where the system needs improvement.

WHAT DOES JOINING THE URA MEAN FOR YOUR GOVERNMENT?

- Your staff will share information and ideas with staff from other governments.
For example: sharing ideas on collaborating with school districts to support families that are at risk of homelessness; sharing approaches on connecting someone living in their car to shelter.
- Your government will work with URA staff to identify solutions to meet the specific needs of your residents.
For example: receiving support to partner with a community center to serve as a safe place for people to go during extreme heat, cold, and smoke.
- Your government may identify opportunities to collaborate with other governments on projects of mutual benefit and interest.
For example: partnering with governments to request funding from the state to open and operate a shelter that serves families with children.

WHAT IMPACT WILL THE URA HAVE?

- The region will have a coordinated system to serve people who are homeless or at risk of homelessness.
- Organizations serving homeless people will have clearer data collection and reporting requirements, decreasing administrative burden.
- Governments will work together to connect residents to the services they need and to improve the homeless response and prevention system.
- Residents will have access to support to get or stay housed no matter where they live in the County.

QUESTIONS?

CONTACT COUNCILMEMBER JANI HITCHEN AT JANI.HITCHEN@PIERCECOUNTYWA.GOV OR MARY CONNOLLY AT MARY.CONNOLLY@PIERCECOUNTYWA.GOV.

1 **RESOLUTION NO.** [Subject]
2
3

4 **A Resolution of the [County/City/Tribal] Council Expressing Its Intent and**
5 **Commitment to Work with Other Pierce County Governments**
6 **to Launch a Unified Regional Approach to Homelessness;**
7 **Directing the [Executive Office/Mayor’s Office/City Manager]**
8 **to Work Collaboratively with Other Pierce County**
9 **Governments to Develop an Interlocal Agreement; and**
10 **Expressing Its Intent to Make Progress in Addressing**
11 **Homelessness by Taking Certain Actions while Agreements**
12 **are in Development.**

13
14 **Whereas**, homelessness is a persistent and complex challenge in Pierce County
15 with many root causes; and

16
17 **Whereas**, [#] homeless individuals who were served by Pierce County’s
18 homeless response system in 2025 reported they last slept in [jurisdiction]; and

Commented [MC1]: See guidance for using this template, Data for Recitals, Column 1.

19
20 **Whereas**, during the 2024-2025 school year, about [X]% of students in [Name of
21 School District] were supported by the McKinney-Vento program for children who lack a
22 fixed, regular, and adequate nighttime residence; and

Commented [MC2]: See guidance for using this template, Data for Recitals, Column 2.

23
24 **Whereas**, from January 1, 2024 to June 30, 2025, [#] eligible households in
25 [jurisdiction] applied for rental assistance through Pierce County’s Eviction Prevention
26 program; and

Commented [MC3]: See guidance for using this template, Data for Recitals, Column 3.

27
28 **Whereas**, governments across Pierce County share a common interest in
29 ensuring that homelessness is rare, brief, and non-recurring; and

30
31 **Whereas**, addressing homelessness requires coordinated solutions across
32 jurisdictional boundaries; and

33
34 **Whereas**, in 2022, Pierce County adopted a Comprehensive Plan to End
35 Homelessness which included a goal to “Create a Unified Homeless System”; and

36
37 **Whereas**, in October 2024, the Pierce County Council contracted with
38 Uncommon Bridges to work with governments across Pierce County to scope, design,
39 and implement a Unified Regional Approach to homelessness (URA) in Pierce County;
40 and

41
42 **Whereas**, in 2025 Uncommon Bridges began convening multiple meetings with
43 an Elected Leadership Group (ELG) consisting of elected officials from governments in
44 Pierce County to scope and design the URA; and

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Whereas, the ELG included elected leaders from Pierce County and the Cities of Auburn, Edgewood, Fife, Gig Harbor, Orting, Lakewood, Puyallup, Tacoma, and University Place; and

Whereas, in April 2025, the ELG proposed that the purpose of the URA is “to substantially reduce homelessness so that it is rare, brief, and non-recurring”; and

Whereas, in April 2026, the ELG proposed that the mission of the URA is to “empower Pierce County governments to choose locally responsive solutions to respond to and prevent homelessness, while establishing a countywide framework that supports coordination and efficient use of shared resources”; and

Whereas, in March 2026, the ELG proposed a URA design that includes a governance board to direct URA operations, consisting of representatives from participating governments and limited staffing to support URA operations; and

Whereas, in March 2026, the ELG proposed that the URA be established via Interlocal Agreement (ILA) pursuant to Chapter 39.34 RCW, without the establishment of a separate legal entity; and

Whereas, in March 2026, the ELG proposed that while an Interlocal Agreement is in development, participating Pierce County governments begin coordinating actions by aligning data requirements for providers, processes to support homeless households, and inclement weather policies; and

Whereas, while an ILA is in development, the Council desires to express support for the establishment of the URA via an ILA and identify actions that [government] can take while the ILA is in development to align its homeless response with other Pierce County governments; **Now Therefore**,

BE IT RESOLVED by the Council of [Government]:

Section 1. [Government] expresses its intent and commitment to work with other Pierce County governments to launch a Unified Regional Approach to homelessness (URA) across Pierce County as proposed by the Elected Leadership Group.

Section 2. The [Government] Council directs the [Executive’s Office/Mayor’s Office/City Manager] to work collaboratively with other Pierce County governments to develop an Interlocal Agreement and other agreements necessary and desirable to achieve the intent of this Resolution and to return at a future date with proposed agreements for Council’s consideration. The Interlocal Agreement should include mechanisms to ensure strong fiscal oversight and transparency in communicating with the public on the URA’s work, funding, budget, and outcomes.

Commented [MC4]: This sentence was not included in the original template for this resolution, but was amended into the Pierce County Council’s adopted resolution, R2026-152. Other governments may choose to include it as well.

1 Section 3. While agreements are in development, [Government] expresses its
2 intent to make progress in addressing homelessness through the following actions with
3 the support of the team leading URA implementation and in collaboration with other
4 Pierce County governments:

- 5
- 6 • Develop or update data collection requirements for homeless service
- 7 providers to align with other participating governments;
- 8 • Develop or update a procedure to connect homeless residents to housing
- 9 and shelter via existing systems like Coordinated Entry (the County’s
- 10 access point for housing referrals) and the Shelter Access Hub (a 24/7 call
- 11 center that connects people to shelter options in Pierce County);
- 12 • Develop or update an inclement weather policy that includes coordination
- 13 and alignment with other governments to connect homeless people with
- 14 resources during inclement weather events;
- 15 • Identify locations in [jurisdiction] that may serve as inclement weather
- 16 shelter; and
- 17 • Support establishment or expansion of at least one homeless intervention
- 18 in [jurisdiction]. [Note: Please see the accompanying guidance on options
- 19 for homeless interventions and ways to support establishment or
- 20 expansion. If the government has already identified the intervention they
- 21 would like to support, this section may be amended to describe that
- 22 instead.]

23

24 Section 4. This Resolution does not authorize execution of an Interlocal
25 Agreement, nor does it create binding legal or financial obligations for the [City/County].

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28 **ADOPTED this _____ day of _____, 2026.**

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30

31 **ATTEST:**

[Government] COUNCIL
Pierce County, Washington

32

33

34

35 _____

36 **Clerk**

Chair

Guidance on Using Template for Resolution of Commitment to the URA

Questions?

Reach out to Mary Connolly at mary.connolly@piercecountywa.gov

Data for “Whereas” Recitals

	Number of Homeless Individuals Served in 2025¹	Percentage of Students in McKinney Vento Program during the 2024-2025 school year²	Eligible Eviction Prevention Applications received by Pierce County from Jan 1 2024 – June 30 2025³
Auburn		Auburn SD – 2.1%	18
Bonney Lake	26	Sumner-Bonney Lake SD – 2.4% White River SD – 2.1%	5
Buckley	5	White River SD – 2.1%	6
Carbonado	0	Carbonado SD – 0%	4
DuPont	6	Steilacoom Historical SD – 0.5%	2
Eatonville	14	Eatonville SD – 1.8%	3
Edgewood	5	Fife SD – 3.8% Puyallup SD – 2.9% Sumner-Bonney Lake SD – 2.4%	27
Fife	175	Fife SD – 3.8% Puyallup SD – 2.9%	75
Fircrest	4	Tacoma SD – 7.5% University Place SD – 1.3%	16

¹ The distinct count of homeless individuals served by Pierce County’s homeless response system in 2025 who reported they last slept in that city, town, or place. Data Source: Pierce County Homeless Management Information System (HMIS).

² The percentage of students in each school district during the 2024-2025 school year who were supported by the McKinney-Vento program for children who lack a fixed, regular, and adequate nighttime residence. Data Source: Washington State Office of Superintendent Instruction.

³ The number of eligible households in each jurisdiction that applied for rental assistance through Pierce County’s Eviction Prevention program from January 1, 2024 to June 30, 2025. Data Source: Pierce County.

	Number of Homeless Individuals Served in 2025¹	Percentage of Students in McKinney Vento Program during the 2024-2025 school year²	Eligible Eviction Prevention Applications received by Pierce County from Jan 1 2024 – June 30 2025³
Gig Harbor	65	Peninsula SD – 2.2%	4
Lakewood	460	Clover Park – 4.2%	279
Milton	16	Fife SD – 3.8%	29
Orting	23	Orting SD – 2.2%	5
Pierce County (Unincorporated)	366	Bethel SD – 4.3% Carbonado SD – 0% Clover Park SD – 4.2% Dierenger SD – 0.3% Eatonville SD – 1.8% Franklin Pierce SD – 6.9% Orting SD – 2.2% Peninsula SD – 2.2% Puyallup SD – 2.9% Steilacoom Historical SD – 0.5% Sumner-Bonney Lake SD – 2.4% White River SD – 2.1%	640
Puyallup	445	Puyallup SD – 2.9%	100
Roy	13	Bethel SD – 4.3%	0
Ruston	1	Tacoma SD – 7.5%	0
South Prairie	1	White River SD – 2.1%	0
Steilacoom	2	Steilacoom Historical SD – 0.5%	9
Sumner	35	Sumner-Bonney Lake SD – 2.4% Dierenger – 0.3%	18
Tacoma	5,196	Tacoma SD – 7.5%	877
University Place	46	University Place SD – 1.3%	75
Wilkeson	0	White River – 2.1%	0

Examples of Homeless Interventions for Section 3

Examples of options for supporting the establishment or expansion of an intervention include (but are not limited to):

- Working with other jurisdiction(s) to expand or coordinate existing service provision
- Working with Pierce County Human Services to coordinate provision of services that are funded county-wide
- Working with service providers, local organizations, and/or community members to identify a suitable site for the intervention (such as land owned by a faith community, a community center, or library)
- Amending zoning or development regulations as needed to facilitate siting of the intervention
- Providing funding for the intervention

Examples of interventions include (but are not limited to):

- Day shelter: A facility providing daytime shelter with the primary purpose of meeting basic needs for persons experiencing homelessness or connecting them to services.
- Overnight shelter: Temporary overnight shelter for persons or families experiencing homelessness
- Outreach*: Street Outreach teams seek out homeless individuals and families wherever they are staying or accessing services and offer resources and connections in the community.
- Mobile opioid treatment*: Mobile units that dispense FDA-approved medications for opioid use disorder, provide on-site or telehealth counseling, and connect participants to recovery supports in their community.
- Safe parking: A parking lot in which people experiencing homelessness are permitted to park and remain in their vehicle overnight without penalty. Security and hygiene stations may also be available at the site.
- Street medicine: Provision of medical and/or behavioral health care to people experiencing homelessness where they live.
- Transitional housing: Short-term housing (less than 2 years) for people or families experiencing homelessness.

***Note:** Pierce County funds outreach services and mobile opioid treatment county-wide. There is opportunity to connect with Pierce County Human Services and discuss how to ensure these services are serving the residents in your community.

URA Design

Working Version, updated based on Elected Leadership Group (ELG) discussion on 4/27/26

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Introduction

What is the Unified Regional Approach to Homelessness in Pierce County?

Following adoption of *Pierce County's Five-Year Plan to End Homelessness* in 2020 and *Comprehensive Plan to End Homelessness* in 2022, as well as a *Homeless Services Assessment* and *Case Studies on other Unified Regional Approaches*, momentum to establish a Unified Regional Approach across Pierce County jurisdictions stalled. In April 2024, 13 jurisdictions came together with renewed interest in a Unified Regional Approach, which led to launching the current effort to scope, design, and implement a Unified Regional Approach (URA) to Homelessness in Pierce County. Scoping was completed in March 2025, and Design was completed in March 2026, overseen by an Elected Leadership Group and supported by a Staff Planning Group, each representing jurisdictions throughout Pierce County. Three Task Forces worked hard to articulate problems and develop potential solutions that are informed by local efforts, current realities, and national best practices to inform the URA Design. The project now moves into implementation, which will be led by Pierce County

The Elected Leadership Group envisions **a unified regional approach to substantially reduce homelessness so that it is rare, brief, and non-recurring**. The unified regional approach will begin small and voluntary, evolving incrementally over time as the URA gains a track record of success.

The Problem: An uncoordinated approach hinders individuals, service providers, and governmental jurisdictions

Individuals experiencing homelessness, service providers, government staff, and elected officials agree that the current response to homelessness across Pierce County is inadequate to meet the need and there is opportunity to improve it through intentional coordination across jurisdictions. As many as 3,000 individuals are experiencing homelessness in Pierce County on any given day, and hundreds of them die every year without finding a home. These people can be found throughout the county in larger cities, smaller towns, and unincorporated areas alike. There are many services offered to help, but these services are often not in convenient locations for those in need. Information about services and about those in need is lacking and uncoordinated and not shared in consistent ways.

From individuals experiencing homelessness

People experiencing homelessness report many challenges within the homeless response system. These include the deeply dehumanizing and re-traumatizing experience of re-telling their personal histories due to high caseworker turnover and what seems like a disconnected system. A lack of reliable communication is another significant barrier, with a feeling that no one answers the phone, calls going to voicemail, and caseworkers changing without warning. People experiencing homelessness express a strong need for 24/7 human support and a single, consistent navigator.

Several systemic issues create significant obstacles to finding services and a pathway out of homelessness. Technology issues stemming from stolen or broken phones and a lack of access to charging make it nearly impossible to keep appointments or complete necessary check-ins. Individuals also describe a sense of instability due to homeless system process shifts without notice. The experience of homelessness is further compounded

by stigma and policing, with reports of harassment during sweeps, assumptions of drug use, threats from Child Protective Services, and frequent property loss. Those seeking housing often say that there are too few units available, particularly for larger families. Existing programs, like rapid rehousing, are criticized for returning people to homelessness if their income falls outside program requirements.

There are positive aspects of the homeless response system as well. Specifically, street-based outreach programs are praised for their effectiveness in consistently re-engaging and placing people into housing. Temporary housing options, such as tiny home villages and motels with on-site case management, are seen as crucial as they offer a safe environment for individuals to focus on things like securing benefits and maintaining sobriety. Individuals also value the support from compassionate local staff and community centers that provide essential resources like gas, propane, and laundry facilities. Finally, the use of simple text check-ins from a consistent caseworker is noted as an effective way to help people maintain their Coordinated Entry status.

Proposed solutions from those needing homeless services include streamlining intake with a single application and quick updates, supported by a 24/7 helpline and automated text reminders. They also recommend assigning a single navigator to each person to reduce re-telling trauma and addressing “tech poverty” by providing charging access and phones. They also propose integrating data systems to avoid redundant questions, having outreach workers schedule appointments on the spot, and extending subsidies to prevent people from falling back into homelessness. They also call for more flexible family housing rules and creating employment opportunities for people with barriers to work (justice involvement, mental health status, childcare, or simply access to showers and lockers).

From service providers and funders

Those providing services to individuals experiencing homelessness express similar frustrations. They are quick to cite the lack of shared data in a consistent format hindering their ability to track individuals in need and pair them with appropriate and convenient services. Likewise, the lack of a single process for assessing individuals’ needs and entering them into a comprehensive system of support is a top concern for service providers. Together, the lack of consistent data standards and sharing, and a single process of assessment and system entry, lead to the dehumanizing experiences of people experiencing homelessness repeating their stories noted above.

Both service providers and funders cite the lack of standard operating procedures and contract requirements hindering their ability to pay for and deliver predictable and consistent services. When one community offers services differently from the next, those in need are frustrated, confused, and forced to move from one place to another in search of services — a situation that is often exacerbated by limited public transportation option. A frequently cited example is inclement weather policy, with different communities using different thresholds (temperatures) to decide when to open emergency shelters.

Also, service providers are typically nonprofit organizations that are trying to offer extensive services with limited resources. When different jurisdictions and funders place inconsistent requirements on funding applications and service contracts, these organizations are forced to expend scarce resources just to comply with complicated and inconsistent requirements.

From local jurisdictions

Local governments in Pierce County are largely compassionate about the challenges cited above and wanting to be helpful but frustrated in their ability to do so for many reasons. Most of the funding for homeless response comes from the state and federal governments, largely through Pierce County and the City of Tacoma (the only jurisdiction besides Pierce County that collects the Behavioral Health Sales Tax, and which they use, in part, to fund homelessness response). People experience homelessness countywide, but services are largely deployed in limited geographies, with each jurisdiction again having its own priorities and requirements. As with many intergovernmental discussions, there is considerable frustration and suspicion about opaque information about resources, structure, authority, and agendas, with each community often feeling like they are on their own while dealing with a problem that is much more widespread than their sphere of influence.

At the same time, governments at all levels are struggling to balance their budgets, are afraid of losing federal assistance, are interested in collaboration *and* want to maintain their autonomy.

Approach: Small, Voluntary & Incremental

A regional approach must start small, be voluntary, and only grow incrementally as tangible results build trust in regional cooperation. Those on the front lines and most knowledgeable about homeless services envision a sophisticated and seamless system of services with a universal assessment, shared data, consistent operations, and standardized requirements. However, building this kind of system and the trust needed to sustain it will require time. As such, a Unified Regional Approach to Homelessness in Pierce County must start small, be largely voluntary, and only grow incrementally over time.

The sections that follow lay out just such an incremental approach. First, participating jurisdictions begin voluntarily by improving data standards and sharing, coordinating inclement weather policy, and adopting a universal system of assessment and entry into homeless services. Then, participating jurisdictions adopt a Resolution of Intent followed by an Interlocal Agreement (ILA) to formally establish base-level cooperation with a governing board for decision-making and very modest pooled funding and staffing to support regional cooperation. Over time, the URA governing board and staff can monitor progress, report results, and consider further uniform standards and measurements, joint programs and planning, as well as cooperative funding and advocacy.

Design Recommendations

The Design for a Unified Regional Approach to Homelessness in Pierce County includes a Vision, Mission, Scope of Work with initial Coordinated Activities in 2026, proposed Coordinated Activities to be negotiated over time as the URA gains a track record of success, and a list of Mandatory and Voluntary Coordinated Activities for participating jurisdictions. A Governance section outlines the Powers, Composition, Decision-making, and Appointment of a URA Governing Board, as well as the role of Advisory Councils, and the Functions, Roles & Responsibilities, Funding and Resource Support for the URA. The Structure section includes where the URA entity will be housed and how it will be staffed. Finally, a conceptual Budget provides guidance on revenue and expenses for the URA.

Vision

A unified regional approach to substantially reduce homelessness so that it is rare, brief, and non-recurring.

Mission

The URA empowers Pierce County governments to choose locally responsive solutions to respond to and prevent homelessness, while establishing a countywide framework that supports coordination and efficient use of shared resources.

Scope of Work

2026 Coordinated Activities

1. Data Standards and Sharing

- Homeless Management Information System (HMIS) license audit
- Develop messaging around need/benefits of data sharing
- Require publicly funded service providers to use HMIS
- Align data standards across fund sources
- Ensure HMIS training & technical assistance meets needs

2. Universal Entry and Assessment

- Align with Coordinated Entry Tool & Process Update in development by the Lived Experience Coalition and Continuum of Care
- Create methods and tool(s) for how jurisdictions connect people to Coordinated Entry, Shelter Access Hub, and other services
- Engage with jurisdictions to create their individual processes
- Share jurisdictions processes

3. Coordinated Inclement Weather Policy

- Standardize minimum thresholds for inclement weather response while allowing jurisdictional flexibility
- Identify inclement weather shelters across the county, their capacity & catchment area
- Support jurisdictions in locally operationalizing their inclement weather response
- Create a regional resource mobilization strategy (water, cooling/warming kits, fans & transportation)

Proposed Coordinated Activities for 2027 & beyond (to be developed over time)

- Contract Standards
- Standard Procedures – (beyond inclement weather)
- Regional Performance Standards
- Ombuds Function
- Coordinated Regional Advocacy
- Pooled Funding for specific projects
- Identify New & Sustainable Revenue

Participation in Activities by Member Jurisdictions

The Unified Regional Approach will begin small and voluntary, evolving incrementally over time as it gains a track record of success. Participation in some activities will be required for member jurisdictions when they join the URA. Others are intended to be required eventually but will need time to be defined and developed before approval by the URA board. There are other activities that the URA may support as there is interest by member jurisdictions.

Activities Required at URA Launch	Activities to be Required in the Future	Future Options & Opportunities
<ul style="list-style-type: none"> • Data Standards & Sharing • Universal Entry & Assessment • Coordinated Inclement Weather Policy 	<ul style="list-style-type: none"> • Coordinated Regional Advocacy • Ombuds Function • Regional Performance Metrics 	<ul style="list-style-type: none"> • Project-specific Pooled Funding • Standard Contracts • New & Sustainable Revenue • Standard Procedures • Shared Services • System Improvement

Activities to be Required at URA Launch

Data Standards & Sharing. Communities throughout Pierce County have one trusted source of client-level data for all homeless services. URA member jurisdictions will require the homeless service providers they fund to use the Homeless Management Information System (HMIS) in working with clients. Additionally, depending on staff capacity, URA member jurisdictions will be encouraged to identify staff members who can be trained to access HMIS. Coordinated Entry intake, assessment, referrals, and services provided to clients will be captured in HMIS.

Universal Entry & Assessment. Anyone seeking homeless services experiences a consistent and transparent process, regardless of their location. By aligning local efforts with Federal Housing & Urban Development (HUD) requirements, this activity supports both unhoused residents and local jurisdictions. The activity involves updating the universal assessment tool, creating a county-wide process for connecting with housing and shelter, and supporting jurisdictions in operationalizing local responses that align with this regional system.

Coordinated Inclement Weather Policy. All URA member jurisdictions and the service providers they fund are expected to adhere to regional inclement weather policies so that people seeking relief from weather-related issues find similar resources throughout the county, while allowing for some local discretion.

Activities to be Required in the Future

Coordinated Regional Advocacy. The URA board and staff will develop a legislative advocacy policy after URA launch. All URA member jurisdictions will agree to participate in coordinated regional advocacy for funding and policies to be more effective together and avoid conflicts. URA staff will coordinate advocacy efforts, and — as needed and available — member jurisdictions will actively participate in these efforts.

Ombuds Function. The URA board and staff will work to fund and support an ombuds function as an independent, neutral, and confidential resource to help resolve complaints and issues for those experiencing homelessness. Once the function is funded and operational, URA member jurisdictions will be expected to require the service providers they fund to be responsive to and cooperate with the ombuds.

Regional Performance Metrics. The URA board and staff will work to develop regional performance metrics that all URA member jurisdictions agree to track and report in a consistent manner. Once these metrics are developed and approved by the URA board, member jurisdictions will be expected to participate.

Future Options & Opportunities

Project-specific Pooled Funding. Jurisdictions will work together to share resources (funding, in-kind contributions of land, etc.) for projects of mutual benefit and interest. The URA will encourage and facilitate such arrangements, but participation will be governed on a case-by-case basis through memoranda of understanding (MOU) and not be required of all URA member jurisdictions.

Standard Contracts. To enhance efficiency and accessibility, URA member jurisdictions will be encouraged to standardize the process for homeless response funding across communities by unifying contract language, applications for funding, and reporting requirements. This will save time and reduce costs for both governmental procurement entities and service providers, but participation is voluntary.

New & Sustainable Revenue. Jurisdictions may choose to independently pursue new councilmanic tax authority from the state to fund homelessness response (i.e., real estate excise tax, short-term rental tax, etc.). Any collective efforts would be through voluntary coordinated advocacy efforts.

Standard Procedures. URA member jurisdictions are encouraged to use standard procedures for designated aspects of the homeless response system, thereby increasing consistency, removing roadblocks, and improving predictability for service providers and people experiencing homelessness. Participation will be voluntary.

Shared Services. The URA may offer shared services to members to reduce administrative barriers. For example, the URA could hire staff to serve as human services staff to several jurisdictions.

System Improvement. Based on work with governments and community partners, the URA will identify opportunities for system improvement and work with partners to facilitate improvement.

Governance

The Unified Regional Approach to Homelessness in Pierce County will be governed by a board of elected officials representing URA member jurisdictions

Board Powers

With support from the staff director, the URA board will create and approve:

- **Strategic plans**
- **Budgets**
- **Staff work plans**
- **Performance targets & reports**
- **Memoranda of Understanding** and amendments

In coordination with Pierce County, the URA board may advise Pierce County on the hiring and supervision of the URA's director.

The URA board will also play an active role in:

- **Monitoring compliance** with URA policies and guidelines by member jurisdictions and take corrective action as necessary.
- **Convening regional partners** to discuss issues, solve problems, and develop new strategies relating to homelessness and regional response.
- **Joint advocacy and strategies** for funding and policies to improve homeless response in Pierce County.

Board Composition

The URA board will include:

- Two voting seats each for Pierce County and the City of Tacoma (a councilmember and the executive or mayor). These seats must be filled by elected officials.
- One voting seat each for other member jurisdictions. These seats must be filled by elected officials.
- 3-4 non-voting seats for city managers/administrators or other senior administrative officials from member jurisdictions.

Board meetings will be subject to the Open Public Meetings Act (OPMA). The board will have the ability to form an executive committee, as well as develop and modify rules for testimony and/or participation in discussions by non-board members during meetings (including, but not limited to, jurisdictional staff, subject matter experts, program partners, and/or the public).

Board Decision Making

Each voting member of the board will have one vote (i.e., one vote for most member jurisdictions; two for Pierce County and Tacoma). A quorum (majority) of voting members is required for an official meeting. Routine decisions can be made by a majority vote of those present at a meeting (with a quorum of voting members). Major decisions require two-thirds support of all voting members. Major decisions include annual budgets, memoranda of understanding with jurisdictions, and others as determined by the board from time to time. Alternate board members from jurisdictions will be allowed, but proxy voting will not be allowed. The board can modify rules for alternates and proxies as needed.

Appointing and Removing Board Members

Voting board members will be appointed by their individual jurisdictions, who also have the authority to replace their representative(s).

Non-voting members will be appointed by the board with to-be-determined guidelines on eligibility. The board will also have the authority to remove non-voting members from the board.

Advisory Role for Key Partners

At its inception, the URA board will rely on existing partner efforts in Pierce County to provide advice and feedback on URA initiatives. These include, but are not limited to, the following:

- **Community** (including those with lived experience of homelessness)

- **Jurisdictional staff** (including executives, managers, and subject matter experts)
- **Implementation Advisory Board** (for the Comprehensive Plan to End Homelessness)
- **Homeless Service Providers**
- **Greater Pierce County Continuum of Care**
- **South Sound Housing Affordability Partners (SSHA³P)**
- **Nonprofit coalitions**
- **Public health & behavioral health professionals**

Functions of the URA

The URA will be authorized to serve in the following functions, with levels of service in each area to be determined by interest, topical MOUs, and funding availability.

- **Operations & Program Management**
- **Finance & Administration**
- **Data & Performance**
- **Equity & Community Engagement**
- **Legal & Compliance**

Roles & Responsibilities

The URA staff will be authorized for the following roles and responsibilities, with levels of service to be determined by interest, topical MOUs, and funding availability.

- **Regional planning, coordination, policies and procedures**
- **Staffing, operational functions, and management** of contracted services funded with funding managed by the URA
- Development, monitoring, and enforcement of **operational protocols and performance standards**
- Ensure consistent **use of HMIS** for data collection, reporting, and public transparency
- **Regional advocacy strategies** and **funding alignment** with federal, state, and local priorities
- Periodic **reporting** to the URA Board, including audits, financial statements for funds managed by the URA, and performance metrics, based on data reported from URA partner jurisdictions

Funding & Resource Support

Funding provided to the URA (by member jurisdictions and/or other sources) may be used (but is not limited) to pay for the following activities:

- **Staff** salaries and benefits
- **Ombuds** function and dispute resolution activities (related to participating in the URA and to funding administered by the URA)
- Administrative and **operational capacity**
- Joint **planning, evaluation, and technical assistance**
- **Monitoring** of shared operational protocols

Specific funding formulas, allocations, or sources will be determined through subsequent MOUs or agreements. All allocation of funds managed by the URA is contingent upon adherence to performance standards,

operational protocols, and reporting requirements as approved by the URA board. The URA board shall monitor the use of funds through audits and regular reporting to ensure alignment with regional priorities.

Structure

At its inception, the URA will be structured as follows. The URA board will be authorized to modify this structure over time, to be formalized through memoranda of understanding with member jurisdictions as needed.

Organizational Structure

Organizational Structure: Pierce County will serve as the administering organization for the URA, including as the employer for URA staff.

[Notes: ELG members expressed the importance of language in the Interlocal Agreement that somewhat insulates the URA from electoral politics and that the URA director has enough autonomy and authority to lead regional initiatives.]

Staffing

URA staff shall be employees of Pierce County. Supervision of URA staff shall be solely the responsibility of Pierce County. URA staff's intended role is to implement the URA as reasonably directed by the URA Board. Staff may include executive, program, and administrative personnel. The URA will begin with a small number of staff, which may increase over time depending on direction from the URA board.

The URA director will be, hired, supervised, and disciplined by a supervisor at Pierce County. In coordination with Pierce County, the URA board will advise Pierce County on the hiring and supervision of the URA's director. The URA director and all URA staff will be employed by Pierce County and subject to Pierce County's administrative guidelines for employees.

Budget

In its first one to three of operation, the URA's primary costs will be for limited personnel, operations, and administration. Research into similar programs in the Puget Sound region, as well as comparable regional approaches to homelessness nationally, suggests a staff of two to three positions is an appropriate starting place for the URA. It is worth noting that the nature of homeless services is highly visible and controversial, both operationally and politically. The URA director and other staff will need to be experienced in this field of work, technically sound, and highly skilled at catalytic leadership. It is mission-critical that the URA hire and retain excellent personnel.

The Elected Leadership Group aligned on an initial URA budget range of \$400,000–\$600,000, with two to three full-time staff performing executive, programmatic, and support roles. Members generally agree that the URA's funding should be raised through jurisdictional contributions using a population-based formula with specific methodology to be determined.

Implementation Action Plan: 2026 Timeline

Efforts for the remainder of 2026 will include three lines of activity: 1) Explaining the URA and gaining support from jurisdictions, service providers, and other key stakeholders; 2) Forming the URA by adopting a Resolution of Intent followed by an Interlocal Agreement; and 3) Implementing Initial URA Coordinated Activities, including Data Standards & Sharing; Inclement Weather coordination; and a Universal Process of Assessment and Entry into the homeless services system.

2026 Timeline / ELG Agendas:

- **April:**
 - Update on April 10 meeting with City Managers
 - Further discussion of Resolution of Intent
 - Initial Coordinated Activities update
- **May:**
 - Final Resolution of Intent to individual Councils for adoption
 - Discussion of 2027-28 URA funding
 - Initial Coordinated Activities update
- **July**
 - Resolution passage update
 - Funding update
 - Consider ILA development
 - Initial Coordinated Activities update
- **September**
 - Board recruitment
 - Resolutions and funding update
 - ILA update
 - Initial Coordinated Activities update
- **November**
 - URA launch / 1st board meeting¹
 - Initial Coordinated Activities update
 - ILA update
 - Final report review

Resolution of Intent

To move the Unified Regional Approach forward as soon as possible, the Elected Leadership Group asks that participating jurisdictions each adopt a Resolution of Intent to create a URA entity through a formal Interlocal Agreement. The Resolution of Intent lays out the rationale behind a Unified Regional Approach and shows each jurisdiction's intent to show conceptual support, authorize continued development of the URA structure, and direct staff to return with a formal ILA for consideration, while making no binding commitment at this time.

¹ The timing and specifics of the transition from the current Elected Leadership Group to a future URA board created by an Interlocal Agreement will be determined by the details and progress toward ILA adoption.

Stand-up & Launch

Once the Resolution of Intent has been adopted by a critical mass of jurisdictions, work can begin to recruit Governing Board members from participating jurisdictions, secure funding for the first one to three years of operations and then recruit a Director for the URA. Ideally, the Resolution of Intent, funding, board, and Director would be in place in time that the Elected Leadership Group could transfer responsibility for the URA off to the new board with a URA Launch Celebration by late 2026. Assuming the Interlocal Agreement is not approved by then, the initial URA board will be in an interim role. Details to be determined.

Interlocal Agreement

Once a critical mass of jurisdictions has adopted the Resolution of Intent, the Elected Leadership Group, with support of the respective jurisdiction legal staff, will begin modifying the draft Interlocal Agreement (ILA) for adoption by participating jurisdictions. Ultimately, the ILA will provide the legal basis for the URA and provide for its authority and operations.

2026 Coordinated Activities

The Elected Leadership Group encourages coordinated activities begin immediately through the voluntary cooperation of the County and their own jurisdictions – 2026 activities are conceptually described below, with the understanding that details will evolve as early implementation begins.

Data Standards & Sharing

Regional data consistency is necessary for effective homeless service operations. The Unified Regional Approach to Homelessness will support the universal use of Homeless Management Information System (HMIS) across Pierce County. There are three main pieces to this activity (1) participating jurisdictions must require homeless services they fund to use HMIS, (2) ensure that HMIS data standards include requirements for all funding streams, and (3) expand HMIS access to all service providers, government staff (as needed), and non-government funded homeless service providers (as interested). Some of these changes will need to take place over time as contracts end or are up for renewal.

This activity will begin in April 2026 by convening relevant staff members from participating jurisdictions that fund homeless services, as well as a few power users from service providers. This group will review a comparison of Pierce County Human Services (PCHS) HMIS Policies & Procedures with the requirements of other local funders, such as the City of Tacoma. The URA team will use their feedback to develop an updated **unified data standard** for review by the Staff Planning Group and Elected Leadership Group. The group will also discuss **HMIS training and technical assistance needs** for inclusion in the future URA workplan.

Concurrently, the URA team will support an **HMIS user audit** to identify gaps in HMIS licensing and HMIS training. After the audit is complete, the URA project team will partner to ensure all participating jurisdictions and providers have HMIS licenses.

Inclement Weather

To address life-threatening conditions, the URA will coordinate a unified regional inclement weather framework based on current inclement weather policies in participating jurisdictions by Winter 2026/27. This initiative aims to **secure jurisdictional buy-in and streamline local implementation** by updating current policies (if needed) to ensure consistency while preserving necessary local flexibility. A primary focus of this activity involves engaging jurisdictional leadership and emergency preparedness staff to align on formal protocols, including regional agreement on which specific agency and roles hold the authority to declare inclement weather events.

Operationalizing this response requires a dual focus on **resource mobilization and jurisdictional support**. This framework will establish a centralized process for the collection and distribution of essential resources, such as cooling/warming kits, water, and transportation. To support implementation across Pierce County, the project team will meet directly with participating jurisdictional leaders to assist them in operationalizing their local response plans.

A critical component of this framework is the **balance between mandatory activation and local autonomy**. Under the new policy, jurisdictions will be required to mobilize their response once a county-wide inclement weather event is officially declared. However, recognizing the county's geographic diversity, the framework will allow for threshold flexibility; each jurisdiction maintains the authority to trigger its own local response ahead of a county declaration to meet the specific safety needs of its residents.

Universal Entry and Assessment

This activity aims to ensure that anyone seeking homeless services in Pierce County experiences a consistent and transparent process, regardless of their location. By aligning local efforts with Federal Housing & Urban Development (HUD) requirements, this activity supports both unhoused residents and local jurisdictions. The activity is organized into three primary workstreams: (1) updating universal assessment tool, (2) creating a county-wide connection process for housing and shelter, and (3) supporting jurisdictions in operationalizing local responses that align with this regional system.

Updating the **Universal Assessment tool**, is currently being led by the Pierce County Continuum of Care (CoC) Coordinated Entry Committee via a contract with the Lived Experience Coalition (LEC). Coordinated Entry is a HUD-mandated requirement, and this refinement project is scheduled for completion by the end of 2026. The result will be an updated tool and process integrated into the Homeless Management Information System (HMIS), ensuring that all providers are working from a single, shared data platform.

The URA team will work with service providers and jurisdictional staff to ensure participating jurisdictions have a way to connect their residents to Coordinated Entry, the Shelter Access Hub, and other elements of the unified entry system. Importantly, this connection process will include shelter and potentially other temporary housing that does not require coordinated entry. A **Standardized Checklist** will serve as the backbone of this pathway, providing jurisdictional point people, outreach teams, and service providers with standard process including connecting to coordinated entry, shelter, and other resources needed to respond to homelessness effectively. This streamlined approach is designed to move households efficiently from initial outreach to assessment, into shelter if necessary, and ultimately toward permanent housing referrals.

Finally, the URA team will **support jurisdictions in operationalizing their local processes** to align with this single, transparent pathway. This involves engaging local leaders to secure formal buy-in, providing training on new tools like the standardized checklist, and launching the framework in jurisdictions. The URA will iterate the connection process & standardized checklist over time based on real-world feedback from jurisdictions, the URA will ensure the system is practical and sustainable.

Operational Agreements (2027 and beyond)

Operational agreements (via Memoranda of Understanding) can be negotiated **over time** as results demonstrate a track record and build trust in the Unified Regional Approach. For review and development **after** initial data sharing, inclement weather, and universal assessment programs are in place, these include:

Standards & Measurement

- **Data Standards & Sharing** (further development after 2026): systemwide use of HMIS, standards, and sharing
- **Standard Procedures**: common definitions, standards, and ombuds function
- **Standard Contract Terms**: systemwide baseline, updates, measurement

Planning & Programs

- **Evaluation & Measurement**: common metrics, monitoring, evaluation, reporting
- **Universal Assessment & Entry**: systemwide assessment tool, protocols, launch, review, update, expand
- **Consolidated Funding for Joint Programs**: ad-hoc sharing; then strategic pooling; finally regional pooling

Funding & Advocacy

- **New & Sustainable Revenue**: Jurisdictions may choose to independently pursue new councilmanic tax authority from the state to fund homelessness response (i.e., real estate excise tax, short-term rental tax, etc.). Passage of any new local revenue source would be achieved through voluntary coordinated advocacy efforts.
- **Coordinated Advocacy for Policy & Funding**: ad-hoc and voluntary until the time that an ILA is in place – when advocacy becomes coordinated and strategic – or a critical mass of jurisdictions passes the Resolution of Intent and demonstrates interest in collaboration – whichever is sooner.



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: June 11, 2026

SUBJECT: Planning Commission recommendation amending GHMC 18.08 Critical Areas based upon review of best available science

SUBMITTED BY: Eric Baker

DEPARTMENT: Community Development

PHONE: 253-530-7073

SUGGESTED MOTION:

BACKGROUND INFORMATION: The Washington State Growth Management Act mandates jurisdictions adopt development regulations that provide for the protection of critical areas including wetlands, riparian management zones (RMZ), hillsides and slopes, frequently flooded areas and aquifer recharge areas (GHMC 18.08). These regulations must be reviewed and revised as necessary every 10 years. Pursuant to this state requirement, City staff and its consultant team reviewed best available science and whether any gaps existed in the current GHMC 18.08 Critical Areas. Based upon this gap analysis, staff prepared draft revisions to City Code and released it for public review on January 22, 2026. This draft included updated definitions, terminology, process, required buffer widths for wetlands and riparian management zones (RMZ), mitigation ratios and other clarifications. After significant public outreach including multiple community meetings, stakeholder interviews, state agency feedback, postcard mailings to all properties with 300 feet of a wetland or RMZ and multiple informational presentations to the Planning Commission and City Council, staff revised the draft proposal on April 30, 2026 and presented it to the public and Planning Commission for review, public hearing and deliberation. After a public hearing on May 14, 2026 and deliberation on May 21, 2026, the Planning Commission prepared a recommendation to City Council.

FISCAL CONSIDERATION: This section details the financial issues involved in the issue before Council, if applicable. It can include only the information contained in the table below or it can include additional financial information.

Expenditure Required: \$ 0	Amount Budgeted: \$ 0	Appropriation Required: \$ 0
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ATTACHMENTS:

1. CAO 18.08 GHMC Update PC Rec 052126
 2. CAO PC Revision Matrix SIGNED 052126
-

STRATEGIC PLAN PRIORITY: Promote environmental sustainability and preserve Gig Harbor's natural beauty

CRITICAL AREAS CODE UPDATE

Chapter 18.08 GHMC

PLANNING COMMISSION RECOMMENDATION

May 21, 2026



Chapter 18.08 CRITICAL AREAS

Sections:

- ~~18.08.010 Purpose. 18.08.010 Purpose.~~
- ~~18.08.020 Goal. 18.08.020 Goal.~~
- ~~18.08.030 Definitions. 18.08.030 Definitions.~~
- ~~18.08.032 Best available science. 18.08.032 Best available science.~~
- ~~18.08.034 Applicability. 18.08.034 Applicability.~~
- ~~18.08.038 Wetlands – Designation and mapping. 18.08.038 Wetlands –
Designation and mapping.~~
- ~~18.08.040 Wetlands – Classification guidelines/ratings. 18.08.040
Wetlands – Classification guidelines/ratings.~~
- ~~18.08.050 Wetlands – Regulated activities. 18.08.050 Wetlands –
Regulated activities.~~
- ~~18.08.060 Repealed. 18.08.060 Repealed.~~
- ~~18.08.070 Wetlands – Permitting process. 18.08.070 Wetlands –
Permitting process.~~
- ~~18.08.080 Wetlands – Administration. 18.08.080 Wetlands –
Administration.~~
- ~~18.08.090 Wetlands – Analysis report requirements. 18.08.090
Wetlands – Analysis report requirements.~~
- ~~18.08.100 Wetlands – Buffer areas. 18.08.100 Wetlands – Buffer areas.~~
- ~~18.08.110 Wetlands – Alteration of buffers. 18.08.110 Wetlands –
Alteration of buffers.~~
- ~~18.08.120 Wetlands – Permitted uses in buffer areas. 18.08.120
Wetlands – Permitted uses in buffer areas.~~
- ~~18.08.130 Repealed.~~
- ~~18.08.140 Wetlands – Alteration of wetlands and sequence of mitigation
actions. 18.08.140 Wetlands – Alteration of wetlands and
sequence of mitigation actions.~~
- ~~18.08.150 Wetlands – Mitigation plan submittal requirements. 18.08.150
Wetlands – Mitigation plan submittal requirements.~~

- ~~18.08.160~~ ~~Wetlands – Criteria for compensatory mitigation/location and timing of compensatory mitigation.~~ 18.08.160 Wetlands – Criteria for compensatory mitigation/location and timing of compensatory mitigation.
- ~~18.08.170~~ ~~Wetlands – Replacement criteria.~~ 18.08.170 Wetlands – Replacement criteria.
- ~~18.08.180~~ ~~Wetlands – Monitoring program and contingency plan.~~ 18.08.180 Wetlands – Monitoring program and contingency plan.
- ~~18.08.182~~ ~~Streams – Designation and rating of streams.~~ 18.08.182 Streams – Designation and rating of streams.
- ~~18.08.183~~ ~~Streams – Critical areas report.~~ 18.08.183 Streams – Critical areas report.
- ~~18.08.184~~ ~~Streams – Performance standards – General.~~ 18.08.184 Streams – Performance standards – General.
- ~~18.08.185~~ ~~Streams – Mitigation requirements.~~ 18.08.185 Streams – Mitigation requirements.
- ~~18.08.186~~ ~~Critical fish and wildlife habitat areas.~~ 18.08.186 Critical fish and wildlife habitat areas.
- ~~18.08.188~~ ~~Aquifer recharge areas.~~ 18.08.188 Aquifer recharge areas.
- ~~18.08.190~~ ~~Hillsides, ravine sidewalls and bluffs.~~ 18.08.190 Hillsides, ravine sidewalls and bluffs.
- ~~18.08.192~~ ~~Landslide and erosion hazard areas.~~ 18.08.192 Landslide and erosion hazard areas.
- ~~18.08.193~~ ~~Mudslide hazard.~~ 18.08.193 Mudslide hazard.
- ~~18.08.194~~ ~~Seismic hazard areas.~~ 18.08.194 Seismic hazard areas.
- ~~18.08.196~~ ~~Flood hazard areas.~~ 18.08.196 Flood hazard areas.
- ~~18.08.200~~ ~~Maintenance of existing structures and developments.~~ 18.08.200 Maintenance of existing structures and developments.
- ~~18.08.202~~ ~~Exemptions from development standards.~~ 18.08.202 Exemptions from development standards.
- ~~18.08.204~~ ~~Variances from the minimum requirements.~~ 18.08.204 Variances from the minimum requirements.

18.08.206	Reasonable use exceptions.	<u>18.08.206</u>	<u>Reasonable use exceptions.</u>
18.08.208	Performance bonding.	<u>18.08.208</u>	<u>Performance bonding.</u>
18.08.210	Suspension and revocation.	<u>18.08.210</u>	<u>Suspension and revocation.</u>
18.08.220	Enforcement.	<u>18.08.220</u>	<u>Enforcement.</u>
18.08.230	Repealed.	<u>18.08.230</u>	<u>Repealed.</u>
18.08.240	Nonconforming uses.	<u>18.08.240</u>	<u>Nonconforming uses.</u>
18.08.250	Repealed.	<u>18.08.250</u>	<u>Repealed.</u>
18.08.260	Repealed.	<u>18.08.260</u>	<u>Repealed.</u>

18.08.010 Purpose.

The ordinance codified in this chapter is intended to promote the maintenance, enhancement and preservation of critical areas and environmentally sensitive natural systems by avoiding or minimizing adverse impacts from construction and development. This chapter implements the goals and objectives of the State Growth Management Act of 1990 through the development and implementation of policies and ~~interim~~ regulations to manage critical areas in the public’s interest and welfare. It is not the intent of this chapter to deny a reasonable use of private property, but to assure that development on or near critical areas is accomplished in a manner that is sensitive to the environmental resources of the community.

18.08.020 Goal.

In implementing the purposes stated in GHMC [18.08.010](#), it is the intent of this chapter to accomplish the following:

- A. Protect environmentally sensitive natural areas and the functions they perform by the careful and considerate regulation of development;
- B. Minimize damage to life, ~~limb~~ [safety](#) and property due to landslides and erosion on steep or unstable slopes, seismic hazard areas and areas subject to subsidence;

- C. Protect wetlands and their functions and values;
- D. Protect and maintain stream flows and water quality within the streams;
- E. Minimize or prevent siltation to the receiving waters of Gig Harbor Bay for the maintenance of marine water quality and the maintenance and preservation of marine fish and shellfish;
- F. Preserve natural forms of flood control and stormwater storage from alterations to drainage or stream flow patterns;
- G. Protect aquifer recharge areas from undesirable or harmful development;
- H. Protect, maintain and enhance areas suitable for wildlife, including rare, threatened or endangered species;
- I. Protect, maintain and enhance fish and wildlife habitat conservation areas within their natural geographic distribution so as to avoid the creation of subpopulations;
- J. Implement the goals, policies and requirements of the Growth Management Act.

K. The result of a proposed regulated activity achieves no net loss of critical area functions.

18.08.030 Definitions.

For purposes of this chapter, the following definitions shall apply:

A.

“Alteration” means any activity which materially affects the existing condition of land or improvements.

“Applicant” means the person, party, firm, corporation, or other legal entity that proposes any activity. The applicant is either the owner of the land on which the proposed activity would be located, a contract vendee, a lessee of the land, the person who would actually control and direct the proposed activity, or the authorized agent of such a person.

“Aquifer” means a subsurface, saturated geologic formation which produces, or is capable of producing, a sufficient quantity of water to serve as a private or public water supply.

“Aquifer recharge areas” means those areas which serve as critical ground water recharge areas and which are highly vulnerable to contamination from intensive land uses within these areas.

B.

“Best management plan” means a plan or program developed by the local Soil Conservation District (USDA) which specifies best management practices for the control of animal wastes, stormwater runoff and erosion.

“Bluff” means a steeply rising, near vertical slope which abuts and rises from the Puget Sound shoreline. Bluffs occur in the east area of the city, fronting the Tacoma Narrows, and are further identified in the Coastal Zone Atlas, Volume 7, for Pierce County. The toe of the bluff is the beach and the top is typically a distinct line where the slope abruptly levels out. Where there is no distinct break in a slope, the top is the line of vegetation separating the unvegetated slope from the vegetated uplands, or, if the bluff is vegetated, that point where the bluff slope diminishes to 15 percent or less.

~~“Buffer” means a natural area adjacent to hillsides or ravines which provides a margin of safety through protection of slope stability, attenuation of surface water flows and landslide, seismic and erosion hazards reasonably necessary to minimize risk to the public from loss of life, well-being or property damage from natural disaster~~ means a natural area that separates one type, category, or use of land from another. Buffers typically serve to provide a defined area between more intensive land uses and land that is more sensitive. Buffers are typically referenced by the associated critical area such as wetland buffer, stream buffer, etc.

“Building setback line” means a distance, in feet, beyond which the footprint or foundation of a building or structure shall not extend.

C.

“City” means the city of Gig Harbor.

“Clearing” means the removal of timber, brush, grass, ground cover or other vegetative matter from a site which exposes the earth’s surface of the site.

“Compensatory mitigation” means mitigation for wetland losses or impacts resulting from alteration of wetlands and/or their buffers. It includes, but is not limited to, creation, enhancement and restoration.

“Contaminant” means any chemical, physical, biological or radiological material that is not naturally occurring and is introduced into the environment by human action, accident or negligence.

“Creation” means the producing or forming of a wetland through artificial means from an upland (nonwetland) site.

“Critical areas” consist of those lands which are subject to natural hazards, contain important or significant natural resources or which have a high capability of supporting important natural resources. These include the following areas and ecosystems: wetlands; fish and wildlife habitat conservation areas; hillsides, ravine sidewalls and bluffs; landslide and erosion hazard areas; mudslide hazard, seismic hazard areas, and flood hazard areas.

D.

“Department” means the city planning department.

~~“Designated wetland” means those lands identified through the classification process established by this chapter.~~

~~“Development” means alteration (see definition for alteration) any man-made change to improve or unimproved a site. Development activities include, but are not limited to, construction of buildings or other structures, additions, reconstruction, paving, or any activities that results in vegetation clearing or alteration of existing site characteristics.~~

“Director” means the planning director or his/her designee.

“Ditches” are those artificial drainage features created in uplands through purposeful human action, such as irrigation and drainage ditches, grass-lined swales, and canals. Purposeful creation must be demonstrated through documentation.

photographs, statements and/or other evidence. Ditches are excluded from regulation as streams under this section. Artificial drainage features with documented fish usage are regulated as streams. Drainage setbacks are required as per the city’s surface water manual. (Ord. 1036 § 26, 2006).

“DRASTIC” means a model developed by the National Water Well Association and Environmental Protection Agency and which is used to measure aquifer susceptibility to contamination.

E.

“Earth/earth material” means naturally occurring rock, soil, stone, sediment, organic material, or combination thereof.

“Enhancement” means actions performed to improve the conditions of existing degraded wetlands and/or buffers so that the functions they provide are of a higher quality (e.g., increasing plant diversity, increasing wildlife habitat, installing environmentally compatible erosion controls, removing nonindigenous plant or animal species, removing fill material or garbage).

“Erosion” means the wearing away of the earth’s surface as a result of the movement of wind, water, or ice.

“Erosion hazard areas” means those areas which are vulnerable to erosion due to natural characteristics including vegetative cover, soil texture, slope, gradient or which have been induced by human activity. Those areas which are rated severe or very severe for building site development on slopes or cut banks, in accordance with the United States Department of Agriculture Soil Conservation Service Soil Survey for Pierce County Area (February 1979), are included within this definition.

“Excavation” means the mechanical removal of earth material or fill.

“Existing and ongoing agricultural activities” means those activities conducted on lands defined in RCW [84.34.020\(2\)](#), and those activities involved in the production of crops and livestock, including but not limited to operation and maintenance of farm and stock ponds or drainage ditches, irrigation systems, changes between agricultural activities, and normal operation, maintenance or repair of existing serviceable structures, facilities or improved areas. Activities which bring an area

into agricultural use are not part of an ongoing activity. An operation ceases to be ongoing when the area on which it was conducted has been converted to a nonagricultural use or has lain idle both more than five years and so long that modifications to the hydrological regime are necessary to resume operations, unless the idle land is registered in a federal or state soils conservation program.

F.

“Fill/fill material” means a deposit of earth material, placed by human or mechanical (machine) means, and which is not defined by solid waste according to Chapter [70.95](#) RCW.

“Filling” means the act of placing fill material on any surface.

“Fish and wildlife habitat [conservation](#) areas” means those areas identified as being of critical importance in the maintenance and preservation of fish, wildlife and natural vegetation including waters of the state, and as further identified in GHMC [18.08.186 such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.](#)

“Flood hazard areas” means those areas within the city of Gig Harbor which are determined to be at risk of having a one percent or greater chance of experiencing a flood in any one year, with those areas defined and identified on the Federal Emergency Management Administration (FEMA) flood insurance rate maps for the city of Gig Harbor.

“Floodplain development permit” means the permit required by the city flood hazard construction ordinance.

G.

“Geologically hazardous areas” means those areas as designated in the city of Gig Harbor comprehensive plan as “landslide hazards,” in the Washington Department of Ecology Coastal Zone Atlas, Volume 7, [hillsides, ravine sidewalls and bluffs](#) and “areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to siting commercial, residential, or industrial

development consistent with public health or safety concerns” (WAC [365-190-030\(9\)](#)).

“Geologist” means a person who is licensed in the state of Washington and meets all experience and training requirements in accordance with Chapter 308-15 WAC, as now or hereafter amended.

“Geotechnical engineer” means a practicing geotechnical/civil engineer licensed as a professional civil engineer with the state of Washington, with professional training and experience in geotechnical engineering, including at least four years’ professional experience in evaluating geologically hazardous areas.

“Grading” means any excavating, filling, clearing, leveling, or contouring of the ground surface by human or mechanical means.

“Grading permit” means the permit required by the city grading and clearing ordinance.

H.

“Habitat management plan” means a report prepared by a qualified wildlife biologist.

“Hazardous substance” means any material that exhibits any of the characteristics or criteria of hazardous waste, inclusive of waste oil and petroleum products, and which further meets the definitions of “hazardous waste” pursuant to Chapter [173-303](#) WAC.

“Hillsides” means geologic features with slopes of 15 percent or greater. The ordinance codified in this chapter provides four classes of hillsides in order to differentiate between the levels of protection and the application of development standards.

I.

“In-kind mitigation” means to replace wetlands with substitute wetlands whose characteristics and functions and values are intended to replicate those destroyed or degraded by a regulated activity.

J. *Reserved.*

K. *Reserved.*

L.

“Landslide” means an abrupt downslope movement of soil, rock or ground surface material.

“Landslide hazard area” means those areas which are susceptible to risk of mass movement due to a combination of geologic, topographic and hydrologic factors.

M. “Mitigation” ~~means to avoid, minimize, or compensate for adverse wetland impacts, as defined in WAC 197-11-768, means:~~ a) Avoid the impact altogether by not taking a certain action or parts of an action; b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts; c) Rectifying the impact to the critical area by repairing, rehabilitating, or restoring the affected environment; d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; e) Compensating for the impact by replacing, enhancing, or providing substitute resources or environment; and f) Monitoring the impact and taking adaptive management actions when necessary. -

N. *Reserved.*

O. “Out-of-kind mitigation” means to replace wetlands with substitute wetlands whose characteristics do not closely approximate those destroyed or degraded by a regulated activity.

P.

“Permanent erosion control” means continuous on-site and off-site control measures that are needed to control conveyance or deposition of earth, turbidity or pollutants after development, construction, or restoration.

“Person” means an individual, firm, co-partnership, association or corporation.

Q.

“Qualified biologist” means a person with a minimum of a four-year degree in wildlife sciences, biology, environmental sciences, soil science, limnology or an equivalent

academic background who also has at least two years of experience in stream restoration.

“Qualified wetland specialist” is a person with a minimum of a four-year degree in wildlife sciences, biology, environmental sciences, soil science, limnology or an equivalent academic background who also has experience in performing wetland delineations, analysis of wetland functions and values and project impacts, and wetland mitigation and restoration techniques. The person must be familiar with [the U.S. Army Corps of Engineers the Washington State Department of Ecology Wetland Identification and Delineation Manual \(1997\), which is consistent with the 1987 Federal Manual and applicable regional supplement used by the U.S. Army Corps of Engineers](#), city grading and clearing regulations and the requirements of this chapter.

“Qualified wildlife biologist” means a person having, at a minimum, a bachelor’s degree in wildlife biology, wildlife science, wildlife ecology, wildlife management or zoology, or a bachelor’s degree in natural resource or environmental science plus 12 semester or 18 quarter hours on wildlife coursework and two years of professional experience.

R.

“Ravine sidewall” means a steep slope which abuts and rises from the valley floor of a stream and which was created by the normal erosive action of the stream. Ravine sidewalls are characterized by slopes predominantly in excess of 25 percent although portions may be less than 25 percent. The base of a ravine sidewall is the stream valley floor. The top of a ravine sidewall is a distinct line where the slope abruptly levels out. Where there is no distinct break in slope, the top shall be that point where the slope diminishes to 15 percent or less.

“Restoration” means the reestablishment of a viable wetland from a previously filled or degraded wetland site.

[“Riparian management zone” means a designated area contiguous or adjacent to a stream that is required for the continued maintenance, function, and structural stability of the stream. Functions of a riparian management zone include shading,](#)

input of organic debris and coarse sediments, uptake of nutrients, stabilization of banks, protection from intrusion, or maintenance of wildlife habitat.

S.

“Seismic hazard areas” means those areas which are susceptible to severe damage from earthquakes as a result of ground shaking, slope failure, settlement or soil liquefaction.

“Significant impact” means a meaningful change or recognizable effect to the ecological function and value of a critical area, which is noticeable or measurable, resulting in a loss of function and value.

“Single-family dwelling” means a building or structure, or portion thereof, which is designed for and used to provide a place of abode for human beings, including mobile homes, as defined in the city zoning code.

“Site” means any parcel or combination of contiguous parcels, or right-of-way or combination of contiguous rights-of-way under the applicant’s ownership or control where the proposed project impacts a critical area(s).

“Slope” means an inclined earth surface, the inclination of which is expressed as the ratio (percentage) of vertical distance to horizontal distance by the following formula: V (vertical distance)/ H (horizontal distance) x 100 = % slope.

“Species of local importance” means a species of animal which is of local concern due to their population status or their sensitivity to habitat manipulation. This term also includes game species.

“Stockpiling” means the placement of material with the intent to remove at a later time.

~~“Stream buffer zone” means a designated area contiguous or adjacent to a stream that is required for the continued maintenance, function, and structural stability of the stream. Functions of a buffer include shading, input of organic debris and coarse sediments, uptake of nutrients, stabilization of banks, protection from intrusion, or maintenance of wildlife habitat.~~

“Streams” means those areas where surface waters produce a defined channel or bed, not including irrigation ditches, canals, storm or surface water runoff devices, or other entirely artificial watercourses, unless they are used by salmonids or are used to convey streams naturally occurring prior to construction in such watercourses. For the purpose of this definition, a defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes, but is not limited to, bedrock channels, gravel beds, sand and silt beds, and defined-channel swales. The channel or bed need not contain water year-round.

“Structure” means anything that is constructed in or on the ground or over water, including any edifice or any piece of work artificially built up or composed of parts and joined together. Structures do not include such features as paved or gravel areas, sidewalks, or like amenities.

“Substrate” means the soil, sediment, decomposing organic matter or combination of those located on the bottom surface of the wetland.

T. *Reserved.*

U. “Utility line” means pipe, conduit, cable or other similar facility by which services are conveyed to the public or individual recipients. Such services shall include, but are not limited to, water supply, electric power, gas and communications.

V. *Reserved.*

W.

“Wetland” or “wetlands” means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, retention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street or highway. Wetlands include those

artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

“Wetland buffer zone” means a designated area contiguous or adjacent to a wetland that is required for the continued maintenance, function, and structural stability of the wetland. Functions of a buffer include shading, input of organic debris and coarse sediments, uptake of nutrients, stabilization of banks, protection from intrusion, or maintenance of wildlife habitat. For further information on permitted uses, see GHMC [18.08.020](#).

“Wetland class” means the U.S. Fish and Wildlife Service wetland classification scheme using a hierarchy of systems, subsystems, classes and subclasses to describe wetland types (refer to USFWS, December 1979, Classification of Wetlands and Deepwater Habitats of the United States for a complete explanation of the wetland classification scheme). Eleven class names are used to describe wetland and deepwater habitat types. These include: forested wetland, scrub-shrub wetland, emergent wetland, moss-lichen wetland, unconsolidated shore, aquatic bed, unconsolidated bottom, rock bottom, rocky shore, streambed, and reef.

X. *Reserved.*

Y. *Reserved.*

Z. *Reserved.*

18.08.032 Best available science.

A. The Growth Management Act requires jurisdictions to include the best available science when designating and protecting critical areas. The Growth Management Act also requires the implementation of conservation or protection measures necessary to preserve or enhance anadromous fish and their habitat (WAC [365-195-900](#) through [365-195-925](#)). Anadromous fish are those that spawn and rear in freshwater and mature in the marine environment, including salmon and char (bull trout).

B. Best available science shall be used in developing policies and development regulations to protect the functions and values of critical areas. Critical area reports and

decisions to alter critical areas shall rely on the best available science to protect the functions and values of critical areas and ensure no net loss. The best available science is that scientific information applicable to the critical area prepared by local, state or federal natural resource agencies, a qualified scientific professional or team of qualified scientific professionals that is consistent with criteria established in WAC 365-195-900 through 365-195-925.

18.08.034 Applicability.

A. *Critical Area Review.* All development in critical areas and their buffers, whether on public or private property, shall comply with the requirements of this chapter. The director or his/her designee shall utilize the procedures and rules established in the city of Gig Harbor environmental policy ordinance, Chapter 18.04 GHMC, Environmental Review (SEPA), and the applicable provisions of GHMC Titles 16, 17 and 19 to implement the provisions of this chapter. Critical area review shall be required for all development and any of the following permits:

1. Building permit for any construction;
2. Grading as provided for in Chapter 14.40 GHMC;
3. Any shoreline management permit or exemption as authorized under Chapter 90.58 RCW;
4. Site plan review as provided for in Chapter 17.96 GHMC;
5. Subdivision, short subdivision or planned unit development;
6. Zoning variance or conditional use permit;
7. Land clearing as provided for in Chapter 17.94 GHMC.

B. *Special Studies Required.* When an applicant submits an application for any development proposal, the application shall indicate whether any critical area is located on the site. The director or designee shall visit the site, and in conjunction with the review of the information provided by the applicant and any other suitable information, shall make a determination as to whether or not sufficient information is available to

evaluate the proposal. If it is determined that the information presented is not sufficient to adequately evaluate a proposal, the director shall notify the applicant that additional studies as specified herein shall be provided.

C. Critical Area Reports. Wetland analysis reports and/or habitat management plans required for permit approval including delineations, classifications, buffer determinations, and/or any proposed mitigation measures shall be applied to subsequent permits related to and consistent with the original permit approval, unless the original permit expires, is rescinded or no longer valid; or specific, site-specific information demonstrates the approved report is erroneous. Nothing in this section limits the City's authority to apply performance standards necessary to achieve no net loss of critical area functions and values.

DC. *Appeals.* A decision of the director to approve, conditionally approve or deny a permit, or any official interpretation in the administration of this chapter may be appealed in accordance with the procedures established under GHMC Title 19.

18.08.038 Wetlands – Designation and mapping.

A. Pursuant to WAC 197-11-908, the city designates wetlands as critical areas defined in this chapter.

B. The approximate location and extent of critical areas are shown on the city's critical area map. These maps are to be used as a guide and may be updated as new critical areas are identified. They are a reference and do not provide final critical area designations. Mapping sources include:

1. Areas designated on the National Wetland Inventory maps;
2. Areas which have been designated as wetlands on the Pierce County wetland atlas.

18.08.040 Wetlands – Classification guidelines/identification and ratings.

A. General. All wetland delineations shall utilize the currently approved federal delineation manual and applicable regional supplements. Wetland rating and

classification shall be established based upon the completion of a delineation report prepared by a qualified wetland specialist to determine boundary, size, function and value. Guidelines for preparing a wetland delineation report are defined in GHMC [18.08.090](#) and the ~~Department of Ecology currently approved federal manual and applicable regional supplements.~~

B. *Wetland Ratings.* Wetlands shall be rated according to the most recent version of the Washington State Department of Ecology’s Wetland Rating System for Western Washington. This document contains the definitions and methods for determining if the criteria below are met.

1. *Wetland Rating Categories.*

a. *Category I.* Category I wetlands are those wetlands of exceptional resource value based on their functional value and diversity. Category I wetlands are:

- i. Undisturbed estuarine wetlands larger than one acre;
- ii. Wetlands designated by Washington Natural Heritage Program as high quality;
- iii. Bogs;
- iv. Mature and old-growth forested wetlands larger than one acre;
- v. Wetlands in coastal lagoons;
- vi. Wetlands that perform high functions (wetlands scoring 23 to 27 points on the Ecology wetland rating form).

b. *Category II.* Category II wetlands are those wetlands of significant resource value based on their functional value and diversity. Category II wetlands are:

- i. Estuarine wetlands smaller than one acre or disturbed estuarine wetlands larger than one acre; or
- ii. Wetlands scoring 20 to 22 points on the Ecology wetland rating form.

c. *Category III.* Category III wetlands are those wetlands of important resource value based on their functional value and diversity. Category III wetlands are

wetlands with a moderate to low level of functions (wetlands scoring 16 to 19 points on the wetland rating form).

d. *Category IV.* Category IV wetlands are those wetlands with the lowest level of functions scoring nine to 15 points on the Ecology wetland rating form.

~~Hydrologically isolated Category IV wetlands less than 1,000 square feet are exempt as per GHMC 18.08.202(H).~~

18.08.050 Wetlands – Regulated activities.

A. Unless specifically exempted by GHMC [18.08.202](#), the following activities in a wetland and/or its associated buffer shall be regulated pursuant to the requirements of this chapter. The regulated activities are as follows:

1. Removing, excavating, disturbing or dredging soil, sand, gravel, minerals, organic matter or materials of any kind;
2. Dumping, discharging or filling with any material;
3. Draining, flooding or disturbing the water level or water table;
4. Constructing, reconstructing, demolishing or altering the size of any structure or infrastructure, except repair of an existing structure or infrastructure, where the existing square footage or foundation footprint is not altered;
5. Destroying or altering vegetation through clearing, harvesting, cutting, intentional burning, shading or planting vegetation that would alter the character of a wetland;
6. Activities from construction or development that result in significant, adverse changes in water temperature, physical or chemical characteristics of wetland water sources, including quantity and pollutants.

B. Activities listed in subsection [\(A\)](#) of this section which do not result in alteration in a wetland and/or its associated buffer may require fencing along the outside perimeter of the buffer or erosion control measures.

18.08.060 Exemptions.

Repealed by [Ord. 1036](#).

18.08.070 Wetlands – Permitting process.

A. *Overview.* Inquiries regarding conduct of a regulated activity in a wetland can be made to the department. The department shall utilize the National Wetlands Inventory (NWI) maps and the Pierce County wetland atlas to establish general location of wetland sites. If the maps indicate the presence of a wetland, a wetland delineation report shall be filed, unless the department determines that a wetland is not on or within the site. This determination may be based on information provided by the applicant and from other sources. If the map does not indicate the presence of a wetland or wetland buffer zone within the site, but there are other indications that a wetland may be present, the department shall determine whether a wetland analysis report is required.

B. *Permit Requirements.* No separate application or permit is required to conduct regulated activities within a wetland or its associated buffer. Review of regulated activities within a wetland and buffers is subject to the permit processing procedure for the required permit type as defined under GHMC Title [19](#). The department shall utilize existing environmental review procedures, the city SEPA ordinance, Chapter [18.04](#) GHMC, to assess impacts to wetlands and impose required mitigation. Department review of proposed alterations to wetlands and buffer areas and a wetland mitigation plan may be required prior to issuance of a SEPA determination by the city's responsible official.

C. Prior to submittal of a wetland delineation report, recommendation on wetland category, proposed alterations to wetlands and buffer areas, or wetland mitigation plan, the applicant may request a preapplication conference in accordance with the procedures established in GHMC [19.02.001](#).

D. *Request for Official Determination.* A request for an official determination of whether a proposed use or activity at a site is subject to this chapter must be in writing and made to the planning department. The request can be accompanied by a SEPA environmental checklist. The request shall contain plans, data and other information in sufficient detail

to allow for determination, including a wetland delineation report. The applicant shall be responsible for providing plans and the wetland delineation report to the department.

E. A wetland analysis report shall be submitted to the department for review of a proposal for activity which lies within a wetland, or within 300 feet of a wetland. The purpose of the wetland analysis report is to determine the extent and function of wetlands to be impacted by the proposal.

F. *Preliminary Site Inspection.* Prior to conducting a wetland analysis report, the applicant may request that the department conduct a preliminary site inspection to determine if a wetland may be present on the proposal site. Upon receipt of the appropriate fee, the department shall make a site inspection. If the department determines that a wetland is not on the site, this shall be indicated to the applicant in writing, and a wetland analysis report shall not be required.

G. Prior to submittal of the wetland analysis report or the development of a lot which has a classified wetland, boundaries of wetlands shall be staked and flagged in the field by a qualified wetland specialist and surveyed by a licensed professional surveyor registered in the state. Field flagging shall be distinguishable from other survey flagging on the site.

H. If alteration of a wetland or buffer is proposed, a wetland mitigation plan shall be submitted pursuant to requirements of this chapter, subsequent to staff review of the wetland analysis report. In no event will a wetland mitigation plan be required prior to a determination of whether a designated wetland is present on a site.

18.08.080 Wetlands – Administration.

A. *Filing Fees.* A wetland regulatory processing fee in an amount established under the city's development fee ordinance, GHMC Title [3](#), shall be paid at the time of a request for official determination of whether a proposed use or activity at a site is subject to this chapter. The fee shall be paid prior to administrative review, including environmental review. It shall include all costs of administrative and environmental review, including the preliminary site inspection, and review and approval of a wetland analysis report. It shall be in addition to any other fees for environmental assessment

and environmental impact review, provided by the city environmental policy ordinance, Chapter [18.04](#) GHMC.

B. *Notice and Title.*

1. *Notice.* Upon submission of a complete application for a wetland development approval, notice shall be provided in accordance with the city zoning code for site plan review for notification of property owners within 300 feet of the subject property.

2. *Notice of Title.* The owner of any property with field-verified presence of wetland or wetland buffer on which a development proposal is submitted shall file for record with the Pierce County auditor a notice approved by the department in a form substantially as set forth below. Such notice shall provide notice in the public record of the presence of a wetland or wetland buffer, the application of this chapter to the property, and that limitations on actions in or affecting such wetlands and their buffers may exist. The notice shall be notarized and shall be recorded prior to approval of any development proposal for such site. The notice shall run with the land and shall be in the following form:

WETLAND AND/OR WETLAND BUFFER NOTICE

Legal Description:

Present Owner:_____

NOTICE: This property contains wetlands or their buffers as defined by City of Gig Harbor Ordinance. Restrictions on use or alteration of the wetlands or their buffers may exist due to natural conditions of the property and resulting regulations.

Date Signature Owner

C. *Other Laws and Regulations.* No approval granted pursuant to this chapter shall remove an obligation to comply with the applicable provisions of any other federal, state or local law or regulation.

D. *Atlas.* As part of its review, the department shall include the appropriately designated wetland in the Pierce County wetlands atlas or in the city wetland atlas, as may be adopted.

18.08.090 Wetlands – Analysis report requirements.

A. A wetland analysis report shall be prepared by a qualified wetland specialist and submitted to the department as part of the SEPA review process established by the city of Gig Harbor environmental policy ordinance, Chapter [18.04](#) GHMC. ~~A wetlands analysis report is not required for those wetlands mapped and classified per the city of Gig Harbor wetlands map.~~ A wetlands analysis report is required with all annexation petitions and land use applications ~~for properties which do not have wetlands mapped and classified per the city of Gig Harbor wetlands map.~~

B. The wetland analysis report shall be ~~prepared in accordance with the methods outlined in the Ecology Publication No. 10-06-002 Wetlands and CAO Updates – Guidance for Small Cities (Western Washington) or, if updated, a more recent version~~ and submitted to the department for review for any proposals that are within 300 feet of a wetland and shall include, but not be limited to, the following:

1. Vicinity map;

2. A site map containing the following:

a. Surveyed wetland boundaries based upon delineation by a qualified wetland specialist;

b. Property lines, existing physical features of the site including buildings, fences, and other structures, etc.;

c. Locations of all test pits, numbered to correspond with flagging and field data sheets;

d. The department may require an aerial underlay displaying the site boundaries and wetland delineation or any other type of supporting details.

3. A delineation report which includes the following:

a. A summary of the general site conditions including topography, acreage, vegetation, existing development, etc.;

b. Methodology for the wetland delineation;

c. A summary of the wetland rating(s), including supporting rationale;

d. A summary of the required wetland buffer(s), consistent with GHMC 18.08.100;

4. A summary of the proposed activities and potential impacts to the wetland(s).

C. Within 30 days of receipt of the wetland analysis report and other information, the department shall determine the appropriate wetland category, buffering requirement, and required mitigation. The report shall be accorded substantial weight and the department shall approve the report's findings and approvals, unless specific, written reasons are provided which justify not doing so. Once accepted, the report shall control future decision-making related to designated wetlands unless the permit in which the report was required expires, is rescinded or no longer valid or new information is found demonstrating the report is in error.

18.08.100 Wetlands – Buffer areas.

A. Following the department's determination of the category for a wetland associated with a proposal, the department shall determine appropriate buffer widths. Wetland buffer zones shall be evaluated for all development proposals and activities adjacent to wetlands to determine their need to protect the integrity, functions and values of the wetland. Wetland buffer widths are determined by the category of wetland, the intensity of impacts of a land use ~~and the functions or special characteristics of the wetland that need to be protected as determined by the rating system~~. All wetland buffer zones are measured perpendicular from the wetland boundary as surveyed in the field. Except as otherwise permitted by this chapter, wetland buffers shall consist of a relatively intact

native vegetation community adequate to protect the wetland functions and values at the time of proposed activity. If the vegetation is inadequate then the buffer width shall be planted to ~~maintain the buffer width~~ provide the necessary protection and maintain buffer width.

B. *Impact of Land Use.* Different uses of land can result in a high, moderate or low level of impact to adjacent wetlands. Types of land use are categorized into impact levels as shown on the following table:

Level of Impact from Land Use	Types of Land Uses Based on Common Use Categories
High	Residential uses (greater than one unit per acre); schools; churches; public facilities, public/private services and government administrative uses (excluding parks, rights-of-way and utilities); lodging uses; personal, professional, product and automotive services; health care services; commercial and sales uses; animal clinics and kennels; marine-related uses; industrial uses; restaurant uses; museum, club and recreation hall uses; high-intensity parks, outdoor and indoor recreation (golf courses, ballfields, tennis clubs, swimming pools, etc.); conversion to high-intensity agriculture (dairies, nurseries, greenhouses, growing and harvesting crops requiring annual tilling and raising and maintaining animals, etc.); hobby farms.

Moderate	Residential uses (less than one unit per acre); moderate-intensity parks and outdoor recreation (parks with biking, jogging, etc.); conversion to moderate-intensity agriculture (orchards, hay fields, etc.) and paved trails; building of logging roads; utility corridor or right-of-way shared by several utilities and including access/maintenance road.
Low	Forestry (cutting of trees only); low-intensity parks and open space (hiking, bird-watching, preservation of natural resources, etc.) and unpaved trails; utility corridor without a maintenance road and little or no vegetation management.

C. If a wetland meets more than one of the wetland characteristics listed in the tables in subsection [D](#), [E](#), [F](#) or [G](#) of this section, the buffer width required to protect the wetland is the widest buffer width.

D. *Category I Wetlands*. The following buffer widths for Category I wetlands are required:

Wetland Characteristics	Buffer Widths by Impact of Land Use	Other Protection Measures Required
Natural Heritage Wetlands <u>Wetlands of High Conservation Value</u>	Low <u>All land uses</u> – 250 <u>125</u> feet Moderate – <u>190 feet</u> High – <u>250 feet</u>	No additional surface discharges to wetland or its tributaries No septic systems within 300 feet of wetland Restore degraded parts of buffer
Bogs	<u>All land uses</u> Low – <u>250</u> 125 feet	No additional surface discharges to wetland or its tributaries

Wetland Characteristics	Buffer Widths by Impact of Land Use	Other Protection Measures Required
	<p>Moderate – 190 feet</p> <p>High – 250 feet</p>	Restore degraded parts of buffer
Forested	<p><u>Low – 100 feet</u></p> <p><u>Moderate – 150 feet</u></p> <p><u>High – 300 feet</u>Buffer width to be based on score for habitat functions or water quality functions</p>	<p>If forested wetland scores high for habitat, need to maintain connections to other habitat areas</p> <p>Restore degraded parts of buffer</p>
<u>Estuarine and wetlands in coastal lagoons</u>	<p><u>All land uses – 200 feet</u></p> <p>Low – 100 feet</p> <p>Moderate – 150 feet</p> <p>High – 200 feet</p>	None required
Wetlands in coastal lagoons	<p>Low – 100 feet</p> <p>Moderate – 150 feet</p> <p>High – 200 feet</p>	None required
High level of function for habitat (score for habitat 8 – 9 points)	<p>Low – 150 feet</p> <p>Moderate – 225 feet</p> <p>High – 300 feet</p>	<p>Maintain connections to other habitat areas</p> <p>Restore degraded parts of buffer</p>
Moderate level of function for habitat (score for	<p>Low – 75 feet</p> <p>Moderate – 110 feet</p>	None required

Wetland Characteristics	Buffer Widths by Impact of Land Use	Other Protection Measures Required
habitat 5 – 7 points)	High – 150 feet	
High level of function for water quality improvement (8 – 9 points) and low for habitat (3 – 4 points)	Low – 50 feet Moderate – 75 feet High – 100 feet	No additional surface discharges of untreated runoff
Not meeting any of the above characteristics	Low – 150 feet Moderate – 225 feet High – 300 feet	N/A

E. *Category II Wetlands.* The following buffer widths for Category II wetlands are required:

Wetland Characteristics	Buffer Widths by Impact of Land Use	Other Protection Measures Required
High level of function for habitat (score for habitat 8 – 9 points)	Low – 150 feet Moderate – 225 feet High – 300 feet	Maintain connections to other habitat areas
Moderate level of function for habitat (score for habitat 5 – 7 points)	Low – 75 feet Moderate – 110 feet High – 150 feet	None required
High level of function for water quality improvement and low for	Low – 50 feet	No additional surface discharges of untreated runoff

Wetland Characteristics	Buffer Widths by Impact of Land Use	Other Protection Measures Required
habitat (score for water quality 8 – 9 points; habitat 3 – 4 points)	Moderate – 75 feet High – 100 feet	
<u>Estuarine and wetlands in coastal lagoons</u> Estuarine	<u>All land uses – 150 feet</u> Low – 75 feet Moderate – 110 feet High – 150 feet	None required
Interdunal	Low – 75 feet Moderate – 110 feet High – 150 feet	None required
Not meeting above characteristics	Low – 150 50 feet Moderate – 225 150 75 feet High – 300 225 100 feet	None required

F. *Category III Wetlands.* The following buffer widths for Category III wetlands are required:

Wetland Characteristics	Buffer Widths by Impact of Land Use	Other Protection Measures Required
Score for all three basic functions is 16 – 19 points Moderate to high level of function for habitat (score for habitat 5 – 9 points)	Low – 75 feet Moderate – 110 feet High – 150 feet	None required
Not meeting above characteristic	Low – 40 feet Moderate – 60 feet High – 80 feet	None required

G. *Category IV Wetlands.* The following buffer widths for Category IV wetlands are required:

Wetland Characteristics	Widths by Impact of Land Use	Other Protection Measures Required
Score for all three basic functions is 9 – 15 points	Low – 25 feet Moderate – 40 feet High – 50 feet	None required

H. A 15-foot building setback is required from the edge of a wetland buffer.

I. Where a legally established substantial development or developed roadway transects a wetland buffer, the director may approve a modification of the minimum required buffer to the edge of the roadway or substantial improvement. The permanent substantial development must serve to eliminate or greatly reduce buffer function.~~the director may approve a modification of the minimum required buffer width to the edge of~~

~~the roadway if the part of the buffer on the other side of the road does not provide any buffer functions to protect the wetland in question.~~

~~J. Where a legally established bulkhead transects a wetland buffer, the director may approve a modification of the minimum required buffer width as long as the biologic, hydrologic and water quality functions of the wetland are protected. This modification would be evaluated on a case-by-case basis and rely upon a sensitive areas study provided by a qualified biologist where it can be demonstrated that an equal or greater protection of the wetland would occur. Measures may include bioengineering of shoreline protection, revegetation with native species, or other shoreline or buffer enhancement measures. (Ord. 1322 § 8, 2015; Ord. 1036 § 17, 2006; Ord. 726 § 4, 1996; Ord. 628 § 1, 1992; Ord. 611 § 1, 1991).~~

18.08.110 Wetlands – Alteration of buffers.

Alteration of a buffer may occur in two ways: (1) quantitative alteration, in which the boundaries of the designated buffer area are adjusted, so that the actual area within the buffer is altered; and (2) qualitative alteration, in which permitted activities within the buffer area alter its character. In determining appropriate buffer alterations, quantitative and qualitative alterations are generally reviewed concurrently.

A. *Wetland Buffer Reductions.* Buffer width reductions shall be considered on a case-by-case basis to take varying values of individual portions of a given wetland into consideration. Buffers shall not be reduced where the buffer has been degraded as a result of a documented code violation. Reductions may be allowed where the applicant demonstrates to the department that the wetland contains variations in sensitivity due to existing physical characteristics and that reducing the buffer width would not adversely affect the wetland functions and values.

1. *Maximum Buffer Reductions.* The buffer widths required for uses of land with “high” impacts to wetlands can be reduced to those required for “moderate” impacts under the conditions below:

a. For wetlands that score moderate or high for habitat (~~five~~ six points or more for the habitat functions), the width of the buffer can be reduced if both of the following conditions are met:

i. A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland and any other priority habitats as defined by the Washington State Department of Fish and Wildlife. Priority habitats include, but may not be limited to, wetlands, riparian zones, aspen stands, cliffs, prairies, caves, stands of Oregon white oak, old-growth forests, estuaries, marine/estuarine shorelines, eelgrass meadows, talus slopes and urban natural open space. The corridor must be protected for the entire distance between the wetland and the priority habitat via some legal protection such as a conservation easement; and

ii. Measures to minimize the impacts of different land uses on wetlands are applied, as summarized in the following table:

Examples of Disturbance	Activities That Cause Disturbances	Examples of Measures to Minimize Impacts
Lights	Parking lots, warehouses, manufacturing, residential	Direct lights away from wetland.
Noise	Manufacturing, residential	Locate activity that generates noise away from wetland.
Toxic runoff ¹	Parking lots, roads, manufacturing, residential areas, application of agricultural	Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered.
		Establish covenants limiting use of

Examples of Disturbance	Activities That Cause Disturbances	Examples of Measures to Minimize Impacts
	pesticides, landscaping	pesticides within 150 ft. of wetland. Apply integrated pest management.
Stormwater runoff	Parking lots, roads, manufacturing, residential areas, commercial, landscaping	Retrofit storm water detention and treatment for roads and existing adjacent development. Prevent channelized flow from lawns that directly enters the buffer.
Change in water regime	Impermeable surfaces, lawns, tilling	Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns.
Pets and human disturbance	Residential areas	Use privacy fencing; plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion; place wetland and its buffer in a separate tract.
Dust	Tilled fields	Use best management practices to control dust.

This is not a complete list of mitigation measures. Additional mitigation measures that minimize impacts may be proposed.

1 These examples are not necessarily adequate for minimizing toxic runoff if threatened or endangered species are present at the site.

b. For wetlands that score less than ~~five~~six points for habitat functions, the width of the buffer can be reduced if measures to minimize the impacts of different uses of land are applied, as summarized in the table in subsection (A)(1)(a) of this section.

2. *Decision Criteria.* Prior to approval, a buffer reduction proposal shall meet all of the decisional criteria listed below. The buffer modification will be approved in a degraded wetland buffer only if:

- a. It will provide an overall improvement in water quality protection for the wetland; and
- b. It will not adversely affect fish or wildlife species and will provide an overall enhancement to fish and wildlife habitat; and
- c. It will provide a net improvement in drainage and/or storm water detention capabilities; and
- d. All exposed areas are stabilized with native vegetation, as appropriate; and
- e. It will not lead to unstable earth conditions or create an erosion hazard; and
- f. It will not be materially detrimental to any other property or the city as a whole.

3. *Buffer Enhancement Plan.* As part of the buffer reduction request, the applicant shall submit a buffer enhancement plan prepared by a qualified wetland specialist. The report shall assess the habitat, water quality, storm water detention, ground water recharge, shoreline protection, and erosion protection functions of the buffer; assess the effects of the proposed modification on those functions; and address the six criteria listed in this subsection. The buffer enhancement plan shall also provide the following:

- a. A map locating the specific area of enhancement;

b. A planting plan that uses native plant species indigenous to this region including groundcover, shrubs, and trees;

c. Provisions for monitoring and maintenance consistent with GHMC 18.08.180~~over the monitoring period;~~

d. A contingency plan, consistent with GHMC 18.08.180.

B. *Wetland Buffer Width Averaging.* Buffer width averaging shall be considered on a case-by-case basis when the proposed averaging is in accordance with an approved wetland mitigation plan and the best available science. Buffer averaging shall not be used in conjunction with the provisions for buffer reductions in this section. Averaging of buffer widths may only be allowed where a qualified wetland specialist demonstrates that:

1. It will not reduce wetland functions or values;
2. The wetland contains variations in sensitivity due to existing physical characteristics or the character of the buffer varies in slope, soils, or vegetation, and the wetland would benefit from a wider buffer in places and would not be adversely impacted by a narrower buffer in other places;
3. The buffer is increased adjacent to the higher-functioning area of habitat or more sensitive portion of the wetland and decreased adjacent to the lower-functioning or less sensitive portion;
4. The total area contained in the buffer area after averaging is no less than that which would be contained within the standard buffer; and
5. The buffer width is not reduced, at any single point, to less than 75 percent of the standard buffer width.

C. *Wetland Buffer Increases.* The department may require increased buffer widths in accordance with the recommendations of a qualified wetland specialist and the best available science on a case-by-case basis when a larger buffer is necessary to protect wetland functions and values based on site-specific characteristics. This determination shall be reasonably related to protection of the functions and values of the regulated wetland. Such determination shall demonstrate that:

1. A larger buffer is necessary to maintain viable populations of existing species; or
2. The wetland is used by species listed by the federal government or the state as endangered, threatened, sensitive or as documented priority species or habitats, or essential or outstanding potential sites such as heron rookeries or raptor nesting areas; or
3. The adjacent land is susceptible to severe erosion and erosion control measures will not effectively prevent adverse wetland impact; or
4. The adjacent land has minimum vegetative cover or slopes greater than 30 percent.

D. *Alteration of Character of Buffer (Qualitative Alteration).*

1. Qualitative alteration of buffer for Categories II, III and IV wetlands shall be allowed when it is demonstrated that modification of the existing character of the buffer would not reduce the functions and values of the wetland; and
2. That the alteration does not include structures associated with the modificationdevelopment unless identified in GHMC [18.08.120\(A\)\(2\)](#) and (3), i.e., wells and associated access; and
3. No net loss of wetland acreage due to the alteration occurs.

18.08.120 Wetlands – Permitted uses in buffer areas.

The following activities are permitted within the wetland buffer; provided, that any impacts are mitigated through the requirements of this chapter:

A. Wells and necessary appurtenances associated with single-family dwellings, including a pump and appropriately sized pump house, including a storage tank, may be allowed on each site in a wetland buffer if all the following conditions are met:

1. The well is either an individual well (serving only one residence) or a Class B well (a maximum of 15 connections including necessary storage tanks);

2. For Category I and II wetlands, the minimum distance from the well and appurtenances to the wetland edge is not less than 75 percent of the buffer widths established in GHMC [18.08.100](#). A decrease in the required buffer width through buffer reduction or buffer width averaging or other means does not indicate a corresponding decreased distance is allowed from the wetland edge to the well and appurtenances;

3. Access to the well and pump house shall be allowed.

B. Pervious trails and associated viewing platforms; provided, ~~that in the case of Category I wetlands,~~ the minimum distance from the wetland edge is not less than 75 percent of the ~~Category I~~ buffer width established in GHMC [18.08.100](#), and located to avoid removal of significant or mature trees. Where trails are permitted, they shall be limited to be no more than five feet in width and designed for pedestrian use only. A decrease in the required buffer width through buffer width averaging or other means does not indicate a corresponding decreased distance from ~~a Category I~~ the wetland edge for trails and viewing platforms.

C. The placement of underground utility lines, on-site septic drainfields meeting the requirements of the Pierce County health code, and grass-lined swales and detention/retention facilities for water treated by biofiltration or other processes prior to discharge, provided the minimum distance from the wetland edge is not less than 75 percent of the buffer widths established in GHMC [18.08.100](#).

D. Placement of access roads and utilities across Category II, III and IV wetland buffers, if the department determines that there is no reasonable alternative location for providing access and/or utilities to a site and mitigation is provided as designated in this chapter.

18.08.130 Alteration of wetlands.

Repealed by [Ord. 1036](#).

18.08.140 Wetlands – Alteration of wetlands and sequence of mitigation actions.

- A. Alteration of Category I wetlands is prohibited.
- B. Alteration of Category II, III and IV wetlands may be allowed when all adverse impacts to wetland functions and values can be shown to be fully mitigated. Criteria to be considered by the applicant or the property owner are:
 - 1. Avoiding the impact altogether by not taking a certain action or parts of actions;
 - 2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
 - 3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
 - [4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;](#)
 - [5. Compensating for the impact by replacing or providing substitute resources or environments;](#)
 - [6. Monitoring the impact and taking the appropriate adaptive management actions when necessary.](#)
- C. Mitigation may include a combination of the above measures and may occur concurrently, unless a phased schedule is agreed.

18.08.150 Wetlands – Mitigation plan submittal requirements.

Following submittal of any proposed alterations to wetland and buffer areas, the applicant shall submit to the department a wetland mitigation plan substantially in the following form:

A. *Conceptual Phase.* A conceptual wetland mitigation plan shall be submitted to the department. In cases in which environmental review is required, a threshold determination may not be made prior to department review of the conceptual wetland mitigation plan. The conceptual wetland mitigation plan shall include:

1. General goals of the wetland mitigation plan, including an overall goal of no net loss of wetland function and acreage, and to strive for a net resource gain in wetlands over present conditions;
2. A review of literature or experience to date in restoring or creating the type of wetland proposed;
3. Approximate site topography following construction;
4. Location of proposed wetland compensation area;
5. General hydrologic patterns on the site following construction;
6. Nature of compensation, including wetland types (in-kind and out-of-kind), general plant selection and justification, approximate project sequencing and schedule, and approximate size of the new wetland buffer;
7. A conceptual maintenance plan;
8. Conceptual monitoring and contingency plan.

B. *Detailed Phase.* Following approval of the conceptual wetland mitigation plan by the department, a detailed wetland mitigation plan shall be submitted to the department. The detailed wetland mitigation plan shall contain, at a minimum, the following components, and shall be consistent with the standards in GHMC [18.08.160](#) and [18.08.180](#):

1. Text and map of the existing condition of the proposed compensation area, including:

- a. Existing vegetation community analysis;
 - b. Hydrological analysis, including topography, of existing surface and significant subsurface flows into and out of the area in question;
 - c. Soils analysis providing both Soil Conservation Service mapping and data provided by on-site verified determinations;
 - d. Detailed description of flora and fauna existing on the site;
 - e. Description of existing site conditions in relation to historic conditions for those sites which have been recently altered or degraded;
2. Text and map of the proposed alterations to the compensation area, including:
- a. Relationship of the project to the watershed and existing water bodies;
 - b. Topography of site using one-foot contour intervals;
 - c. Water level data, including depth and duration of seasonally high water table;
 - d. Water flow patterns;
 - e. Grading, filling and excavation, including a description of imported soils;
 - f. Irrigation requirements, if any;
 - g. Water pollution mitigation measures during construction;
 - h. Aerial coverage of planted areas to open water areas (if any open water is to be present);
 - i. Appropriate buffers.

The wetland mitigation plan shall include detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome. The wetland mitigation plan shall provide for elevations which are appropriate for the desired habitat type(s) and which provide sufficient tidal prism and circulation data;

3. As part of the wetland mitigation plan, a landscaping plan shall be designed by a registered landscape architect or contractor working with a qualified wetland specialist, describing what will be planted where and when. The landscape plan shall include the following:
 - a. Soils and substrate characteristics;
 - b. Specification of substrate stockpiling techniques;
 - c. Planting instructions, including species, stock type and size, density or spacing of plants, and water and nutrient requirement;
 - d. Specification of where plant materials will be procured. Documentation shall be provided which guarantees plant materials are to be procured from licensed regional nurseries, or from wetlands on-site which are part of the wetland mitigation plan;
4. A schedule shall be provided showing dates for beginning and completing the mitigation project, including a sequence of construction activities;
5. A monitoring and maintenance plan, consistent with GHMC [18.08.180](#). The plan shall include all the following:
 - a. Specification of procedures for monitoring and site maintenance;
 - b. A schedule for submitting monitoring reports to the department;
6. A contingency plan, consistent with GHMC [18.08.180](#);
7. A detailed budget for implementation of the wetland mitigation plan, including monitoring, maintenance and contingency phases;
8. A guarantee that the work will be performed as planned and approved, consistent with GHMC [18.08.180](#);
9. The wetland mitigation plan shall be signed by the qualified wetland specialist to indicate that the plan is according to specifications determined by the qualified wetland specialist. A signed original wetland mitigation plan shall be submitted to the department.

C. Following the approval of the detailed wetland mitigation plan by the department, the plan shall be signed and notarized by the applicant and director, and recorded with the Pierce County auditor.

D. Approval of the detailed wetland mitigation plan shall occur prior to the issuance of building permits or other development permits. No development activity shall occur on the site prior to approval. Required mitigation may also be required prior to issuance of permits or prior to commencing development activity. Timing of required mitigation shall be determined on a case-by-case basis.

18.08.160 Wetlands – Criteria for compensatory mitigation/location and timing of compensatory mitigation.

A. The applicant shall develop a wetland mitigation plan that provides for construction, maintenance, monitoring and contingencies of the replacement wetland. In addition, the applicant and landowner shall meet the following criteria:

1. The restored, created, or enhanced wetland shall be as persistent as the wetland it replaces;
2. The applicant shall demonstrate sufficient capability to carry out the compensation project;
3. The compensation area shall be provided with permanent protection and management to avoid further development or degradation and to provide for the long-term persistence of the compensation area as designed.

B. In cases in which it is determined that compensatory mitigation is appropriate, the following shall apply:

1. Compensatory mitigation shall be provided on-site, except where on-site mitigation is not scientifically feasible or practical due to physical features of the site. The burden of proof shall be on the applicant to demonstrate that mitigation cannot be provided on-site.

2. When compensatory mitigation cannot be provided on-site, mitigation shall be provided in the immediate vicinity of and within the same watershed as the permitted activity.
3. Compensatory mitigation shall duplicate the overall functions and values of the wetland to be replaced and shall include at least 50 percent in-kind compensation mitigation unless it can be demonstrated by the applicant that the overall wetland values of the mitigation area and adjacent or connecting wetlands can be enhanced by a higher percentage of out-of-kind mitigation.
4. Only when it is determined by the department that subsections [\(B\)\(1\)](#), [\(2\)](#) and [\(3\)](#) of this section are inappropriate and/or impractical shall off-site, compensatory mitigation be considered.
5. Mitigation projects shall be completed concurrent with other activities on the site, unless a phased schedule is agreed upon between the department and the applicant. Refer to GHMC [18.08.170](#) for guidelines on determining wetland acreage replacement ratios.

18.08.170 Wetlands – Replacement criteria.

- A. Where wetlands are altered, the applicant shall meet the minimum requirements of this section.
- B. When it is proposed to alter or eliminate a wetland and the department is considering the alteration or elimination, the applicant shall be required to replace or enhance the functions and values of the affected wetland. The wetland values will be based on an approved evaluation procedure. The recommended ratios for replacement/compensation are as established in the following table:

Wetland Type	Replacement Ratio	
Category I	6 to 1 (for unauthorized	

	wetland impact only)			
Category II	3 to 1			
Category III	2 to 1			
Category IV	1.5 to 1			
<u>Table 4 – Wetland Replacement Ratios</u>				
<u>Category and Type of Impact Wetland</u>	<u>Restoration or Creation</u>	<u>Rehabilitation</u>	<u>Enhancement Only</u>	<u>Preservation</u>
<u>Category I: Estuarine</u>	<u>4:1</u>	<u>8:1</u>	<u>Case-by-case</u>	<u>Case-by-case</u>
<u>Category I: Mature forested</u>	<u>6:1</u>	<u>12:1</u>	<u>24:1</u>	<u>24:1</u>
<u>Category I: (All others)</u>	<u>4:1</u>	<u>8:1</u>	<u>16:1</u>	<u>16:1</u>
<u>Category II: Estuarine</u>	<u>3:1</u>	<u>8:1</u>	<u>Case-by-case</u>	<u>Case-by-case</u>
<u>Category II (All others)</u>	<u>3:1</u>	<u>6:1</u>	<u>12:1</u>	<u>12:1</u>
<u>Category III</u>	<u>2:1</u>	<u>4:1</u>	<u>8:1</u>	<u>8:1</u>
<u>Category IV</u>	<u>1.5:1</u>	<u>3:1</u>	<u>6:1</u>	<u>6:1</u>

C. Ratios provided are for proposed projects with on-site, in-kind replacement which occurs prior to development of the site. Replacement ratio for unauthorized wetland impact requires replacement at a ratio two times that listed for the wetland categorical type. The increased ratio is based on the uncertainty of probable success of proposed replacement, projected losses of wetland functions and values, or significant period of time between elimination and replacement of wetland. Such required increases in replacement ratios will be made by the department after review of all pertinent data relating to the proposed or committed alteration.

D. The department will allow the ratios to be decreased if the applicant provides findings of special studies coordinated with agencies with expertise which demonstrate to the satisfaction of the department that no net loss of wetland function or value is attained under the decreased ratio.

E. The replacement ratio may be decreased to a ratio of 1:1, if the following criteria are met:

1. The applicant shows to the satisfaction of the department that a replacement ratio of greater than 1:1 is either not feasible on-site, would be likely to result in substantial degradation of other natural features or results in an increase of wetland function and values; and
2. The applicant submits to the department a wetland mitigation plan according to the requirements of GHMC [18.08.150](#), ~~and~~ [18.08.160](#), and [18.06.180](#) which shows to the satisfaction of the department that a net increase in wetland functions and values will result from the mitigation; and
3. The mitigation is completed and monitored by the department for one year after completion of the mitigation. After one year the department shall make a determination of whether or not the mitigation has been successful.
 - a. If the department is satisfied that the mitigation will successfully meet the anticipated final outcome of the wetland mitigation plan, development permits may be issued and development activity on the site may begin.
 - b. If the department is not satisfied that the mitigation will successfully meet the anticipated final outcome of the wetland mitigation plan, development permits shall not be issued and development activity on the site shall not begin.

Modifications to the wetland mitigation plan and further monitoring may be required until the department is satisfied that the mitigation will be successful.

F. In-kind compensation shall be provided except where the applicant can demonstrate to the satisfaction of the department that:

1. The wetland system is already significantly degraded and out-of-kind replacement will result in a wetland with greater functional value; or
2. Scientific problems such as exotic vegetation and changes in watershed hydrology make implementation of in-kind compensation impossible; or
3. Out-of-kind replacement will best meet identified regional goals (e.g., replacement of historically diminished wetland types); or
4. Where out-of-kind replacement is accepted, greater acreage replacement ratios may be required to compensate for lost functions and values.

G. Site-specific quantifiable criteria shall be provided for evaluating whether or not the goals and objectives for the proposed compensation are being met. Such criteria include but are not limited to water quality standards, survival rates for planted vegetation, habitat diversity indices, species abundance or use patterns, hydrological standards including depths and durations of water patterns. Detailed performance standards for mitigation planning shall include the following criteria:

1. Use only plants indigenous to Pierce County (not introduced or foreign species);
2. Use plants appropriate to the depth of water at which they will be planted;
3. Use plants available from local sources;
4. Use plant species high in food and cover value for fish and wildlife;
5. Plant mostly perennial species;
6. Avoid committing significant areas of site to species that have questionable potential for successful establishment;
7. Plant selection must be approved by a qualified wetland specialist;
8. Water depth is not to exceed six and one-half feet (two meters);

9. The grade or slope that water flows through the wetland is not to exceed six percent;
10. Slopes within the wetland basin and the buffer zone should not be steeper than 3:1 (horizontal to vertical);
11. The substrate should consist of a minimum of one foot, in depth, of clean (uncontaminated with chemicals, or solid/hazardous wastes) inorganic/organic materials;
12. Planting densities and placement of plants shall be determined by a qualified wetland specialist and shown on the design plans;
13. The wetland (excluding the buffer area) should not contain more than 60 percent open water as measured at the seasonal high water mark;
14. The planting plan must be approved by a qualified wetland specialist;
15. Stockpiling shall be confined to upland areas and contract specifications should limit stockpile durations to less than four weeks;
16. Planting instructions shall describe proper placement, diversity, and spacing of seeds, tubers, bulbs, rhizomes, sprigs, plugs, and transplanted stock;
17. Apply controlled release fertilizer at the time of planting and afterward only as plant conditions warrant (determined during the monitoring process), and only to the extent that the release would be conducted in an environmentally sound manner;
18. Install an irrigation system, if necessary, for initial establishment period;
19. Construction specifications and methods shall be approved by a qualified wetland specialist and the department;
20. All mitigation shall be consistent with requirements of Chapter [15.04](#) GHMC and city storm drainage comprehensive plan;
21. As appropriate, and if impacts to natural wetland functions and values can be fully mitigated, capacity of the wetland to store surface water should be equal to or greater than surface water storage capacity prior to the proposed activity;

22. As appropriate, and if impacts to natural wetland functions and values can be fully mitigated, ability of the wetland to intercept surface water runoff on the site should be equal to or greater than such ability prior to the proposed activity;

23. As appropriate, and if impacts to natural wetland functions and values can be fully mitigated, the ability of the wetland to perform stormwater detention functions should be equal to or greater than such functions prior to the proposed activity.

H. Wetland mitigation shall occur according to the approved wetland mitigation plan, and shall be consistent with all provisions of this regulation.

I. On completion of construction required to mitigate for impacts to wetlands, the wetland mitigation project shall be signed off by an approved qualified wetland specialist and the city's environmental official. Signature will indicate that the construction has been completed as planned.

J. Wetland buffer mitigation ratios shall be a minimum of a 1:1 ratio.

18.08.180 Wetlands – Monitoring program and contingency plan.

A. ~~If the wetland mitigation plan includes compensatory mitigation, a~~ monitoring program shall be implemented to determine the success of the compensatory mitigation project.

B. Specific criteria shall be provided for evaluating the mitigation proposal relative to the goals and objectives of the project and for beginning remedial action or contingency measures. Such criteria may include water quality standards, survival rates of planted vegetation, species abundance and diversity targets, habitat diversity indices, or other ecological, geological or hydrological criteria.

C. A contingency plan shall be established for compensation in the event that the mitigation project is inadequate or fails.

D. Requirements of the monitoring program and contingency plan are as follows:

1. During monitoring, use scientific procedures for establishing the success or failure of the project;

2. For vegetation determinations, permanent sampling points shall be established;
3. Vegetative success equals 80 percent per year survival of planted trees and shrubs and 80 percent per year cover of desirable understory or emergent species;
4. Submit monitoring reports of the current status of the mitigation project to the department. The reports are to be prepared by a qualified wetland specialist and shall include monitoring information on wildlife, vegetation, water quality, water flow, stormwater storage and conveyance, and existing or potential degradation, and shall be produced on the following schedule:
 - a. At time of construction;
 - b. Thirty days after planting;
 - c. Early in the growing season of the first year;
 - d. End of the growing season of first year;
 - e. Twice the second year;
 - f. Annually;
5. Monitor a minimum of ~~three~~five and up to 10 growing seasons, depending on the complexity of the wetland system. The time period will be determined and specified in writing prior to the implementation of the site plan;
6. If necessary, correct for failures in the mitigation project;
7. Replace dead or undesirable vegetation with appropriate plantings;
8. Repair damages caused by erosion, settling, or other geomorphological processes;
9. Redesign mitigation project (if necessary) and implement the new design;
10. Correction procedures shall be approved by a qualified wetland specialist and the city's environmental official.

18.08.182 Streams – Designation and rating of streams.

~~A. Streams are waterbodies with a defined bed and banks and demonstrable flow of water as defined in this chapter. Streams are designated as environmentally critical areas.~~

~~B. *Stream Classification.* Streams shall be designated Type 1, Type 2, Type 3, and Type 4 according to the criteria in this subsection.~~

~~1. Type 1 streams are those streams identified as “shorelines of the state” under Chapter 90.58 RCW.~~

~~2. Type 2 streams are those streams which are:~~

~~a. Natural streams that have perennial (year-round) flow and are used by salmonid fish; or~~

~~b. Natural streams that have intermittent flow and are used by salmonid fish.~~

~~3. Type 3 streams are those streams which are:~~

~~a. Natural streams that have perennial flow and are used by fish other than salmonids; or~~

~~b. Natural streams that have intermittent flow and are used by fish other than salmonids.~~

~~4. Type 4 streams are those natural streams with perennial or intermittent flow that are not used by fish.~~

~~C. *Ditches.* Ditches are artificial drainage features created in uplands through purposeful human action, such as irrigation and drainage ditches, grass-lined swales, and canals. Purposeful creation must be demonstrated through documentation, photographs, statements and/or other evidence. Ditches are excluded from regulation as streams under this section. Artificial drainage features with documented fish usage are regulated as streams. Drainage setbacks are required as per the city’s surface water manual. (Ord. 1036 § 26, 2006).~~

~~18.08.183 Streams – Critical areas report.~~

~~A.— A stream analysis report shall be prepared by a qualified biologist and submitted to the department as part of the SEPA review process established by the city of Gig Harbor environmental policy ordinance, Chapter 18.04 GHMC.~~

~~B.— The stream analysis report shall be prepared in accordance with the methods provided by the Washington State Department of Fish and Wildlife or Pierce County planning and land services or other acceptable scientific method and submitted to the department for review for any proposals that are within 200 feet of a stream.~~

~~C.— Within 30 days of receipt of the stream analysis report and other information, the department shall determine the appropriate stream category, buffering requirement, and required mitigation. The report shall be accorded substantial weight and the department shall approve the report's findings and approvals, unless specific, written reasons are provided which justify not doing so. Once accepted, the report shall control future decision-making related to designated streams unless new information is found demonstrating the report is in error. (Ord. 1036 § 27, 2006).~~

18.08.184 Streams – Performance standards – General.

~~A.— *Establishment of Stream Buffers.* The establishment of buffer areas shall be required for all development proposals and activities in or adjacent to streams. The purpose of the buffer shall be to protect the integrity, function, and value of the stream. Buffers shall be protected during construction by placement of a temporary barricade, on-site notice for construction crews of the presence of the stream, and implementation of appropriate erosion and sedimentation controls. Native vegetation removal or disturbance is not allowed in established buffers.~~

~~Required buffer widths shall reflect the sensitivity of the stream or the risks associated with development and, in those circumstances permitted by these regulations, the type~~

~~and intensity of human activity and site design proposed to be conducted on or near the sensitive area. Buffers or setbacks shall be measured as follows.~~

~~B. *Stream Buffers.*~~

~~1. The following buffers are established for streams:~~

Stream Type	Buffer Width- (Feet)
Type 1	200
Type 2	100
Type 3	50
Type 4	25

~~2. *Measurement of Stream Buffers.* Stream buffers shall be measured perpendicularly from the ordinary high water mark.~~

~~3. *Increased Stream Buffer Widths.* The director shall require increased buffer widths in accordance with the recommendations of a qualified biologist and the best available science on a case-by-case basis when a larger buffer is necessary to protect stream functions and values based on site-specific characteristics. This determination shall be based on one or more of the following criteria:~~

~~a. A larger buffer is needed to protect other critical areas;~~

~~b. The buffer or adjacent uplands has a slope greater than 30 percent or is susceptible to erosion and standard erosion-control measures will not prevent adverse impacts to the wetland.~~

~~4. *Buffer Conditions Shall Be Maintained.* Except as otherwise specified or allowed in accordance with this title, stream buffers shall be retained in an undisturbed condition.~~

~~5. *Degraded Buffers Shall Be Enhanced.* Stream buffers vegetated with non-native species or otherwise degraded shall be enhanced with native plants, habitat features or other enhancements.~~

~~6. *Buffer Uses.* The following uses may be permitted within a stream buffer in accordance with the review procedures of this chapter, provided they are not prohibited by any other applicable law and they are conducted in a manner so as to minimize impacts to the buffer and adjacent stream:~~

~~a. *Conservation and Restoration Activities.* Conservation or restoration activities aimed at protecting the soil, water, vegetation, or wildlife;~~

~~b. *Passive Recreation.* Passive recreation facilities designed in accordance with an approved critical area report, including:~~

~~i. Walkways and trails; provided, that those pathways that are generally parallel to the perimeter of the stream shall be located in the outer 25 percent of the buffer area;~~

~~ii. Wildlife viewing structures; and~~

~~iii. Fishing access areas;~~

~~c. *Stormwater Management Facilities.* Grass-lined swales and dispersal trenches may be located in the outer 25 percent of the buffer area. All other surface water management facilities are not allowed within the buffer area.~~

~~7.— *Building Setback.* A 15-foot building setback is required from the edge of the stream buffer.~~

~~C.— *Stream Crossings.* Stream crossings may be allowed and may encroach on the otherwise required stream buffer if:~~

~~1.— All crossings use bridges or other construction techniques which do not disturb the stream bed or bank, except that bottomless culverts or other appropriate methods demonstrated to provide fisheries protection may be used for Type 2 or Type 3 streams if the applicant demonstrates that such methods and their implementation will pose no harm to the stream or inhibit migration of fish;~~

~~2.— All crossings are constructed during the summer low flow and are timed to avoid stream disturbance during periods when use is critical to salmonids;~~

~~3.— Crossings do not occur over salmonid spawning areas unless the city determines that no other possible crossing site exists;~~

~~4.— Bridge piers or abutments are not placed within the FEMA floodway or the ordinary high water mark;~~

~~5.— Crossings do not diminish the flood-carrying capacity of the stream;~~

~~6.— Underground utility crossings are laterally drilled and located at a depth of four feet below the maximum depth of scour for the base flood predicted by a civil engineer licensed by the state of Washington. Temporary bore pits to perform such crossings may be permitted within the stream buffer established in this title; and~~

~~7.— Crossings are minimized and serve multiple purposes and properties whenever possible.~~

~~D.— *Stream Relocations.*~~

- ~~1. Stream relocations may be allowed only for:
 - ~~a. All stream types as part of a public project for which a public agency and utility exception is granted pursuant to this title; or~~
 - ~~b. Type 3 or 4 streams for the purpose of enhancing resources in the stream if:
 - ~~i. Appropriate floodplain protection measures are used; and~~
 - ~~ii. The location occurs on the site, except that relocation off the site may be allowed if the applicant demonstrates that any on-site relocation is impracticable, the applicant provides all necessary easements and waivers from affected property owners and the off-site location is in the same drainage sub-basin as the original stream.~~~~~~
- ~~2. For any relocation allowed by this section, the applicant shall demonstrate, based on information provided by a civil engineer and a qualified biologist, that:
 - ~~a. The equivalent base flood storage volume and function will be maintained;~~
 - ~~b. There will be no adverse impact to local ground water;~~
 - ~~c. There will be no increase in velocity;~~
 - ~~d. There will be no interbasin transfer of water;~~
 - ~~e. There will be no increase in the sediment load;~~
 - ~~f. Requirements set out in the mitigation plan are met;~~
 - ~~g. The relocation conforms to other applicable laws; and~~
 - ~~h. All work will be carried out under the direct supervision of a qualified biologist.~~~~

~~E.— *Stream Enhancement.* Stream enhancement not associated with any other development proposal may be allowed if accomplished according to a plan for its design, implementation, maintenance and monitoring prepared by a civil engineer and a qualified biologist and carried out under the direction of a qualified biologist.~~

~~F.— *Minor Stream Restoration.* A minor stream restoration project for fish habitat enhancement may be allowed if:~~

- ~~1.— The project results in an increase in stream function and values;~~
- ~~2.— The restoration is sponsored by a public agency with a mandate to do such work;~~
- ~~3.— The restoration is not associated with mitigation of a specific development proposal;~~
- ~~4.— The restoration is limited to removal and enhancement of riparian vegetation, placement of rock weirs, log controls, spawning gravel and other specific salmonid habitat improvements;~~
- ~~5.— The restoration only involves the use of hand labor and light equipment; or the use of helicopters and cranes which deliver supplies to the project site; provided, that they have no contact with sensitive areas or their buffers; and~~
- ~~6.— The restoration is performed under the direction of a qualified biologist. (Ord. 1036-§ 28, 2006).~~

18.08.185 Streams – Mitigation requirements.

~~A. *Stream Mitigation.* Mitigation of adverse impacts to riparian habitat areas shall result in equivalent functions and values on a per function basis, be located as near the alteration as feasible, and be located in the same subdrainage basin as the habitat impacted.~~

~~B. *Alternative Mitigation for Stream Areas.* The performance standards set forth in this subsection may be modified at the city's discretion if the applicant demonstrates that greater habitat functions, on a per function basis, can be obtained in the affected subdrainage basin as a result of alternative mitigation measures. (Ord. 1036 § 29, 2006).~~

18.08.186 ~~F~~Critical fish and wildlife habitat conservation areas.

~~F~~Critical fish and wildlife habitat conservation areas are those areas identified as being of critical importance in the maintenance and preservation of fish, wildlife and natural vegetation. Areas which are identified or classified as fish and wildlife habitat conservation areas subject to this section shall be subject to the requirements of this section.

A. *General.* ~~Critical~~ fish and wildlife habitat conservation areas are identified as follows:

1. Areas with which federal or state endangered, threatened and sensitive species of fish, wildlife and plants have a primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term;
2. Habitats and species of local importance, including:
 - a. Areas with which state-listed monitor or candidate species or federally listed candidate species have a primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term;

b. Special habitat areas which are infrequent in occurrence in the city of Gig Harbor and which provide specific habitats as follows:

i. Old-growth forests;

ii. Snag-rich areas;

~~iii. Category 2 wetland areas;~~

~~iiiv.~~ Significant stands of trees which provide roosting areas for endangered, threatened, rare or species of concern as identified by the Washington State Department of [Fish and Wildlife](#);

3. Commercial and public recreational shellfish areas;

4. Kelp and eelgrass beds;

5. Herring and smelt spawning areas;

6. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat;

7. Lakes, ponds and streams planted with fish by a governmental agency, and agency-sponsored group or tribal entity;

8. All streams which meet the criteria as set forth in DNR water rating system as defined in WAC 222-16-030 and 222-16-031;

8. State natural area preserves and natural resource conservation areas.

B. *Classification.* The following documents are used as guidance to identify fish and wildlife habitat conservation areas ~~Critical fish and wildlife habitat areas are identified in the following documents:~~

1. Puget Sound Environmental Atlas (Puget Sound Water Quality Authority);

2. Coastal Zone Atlas of Washington, Volume IV, Pierce County (Washington State Department of Ecology);

3. Commercial and Recreational Shellfish Areas in Puget Sound (Washington State Department of Health);

4. The Department of Natural Resources stream typing maps and natural heritage database;
5. The Washington State Department of [Fish and Wildlife](#) priority habitats and species program, the nongame database, and the Washington rivers information system.

C. *Regulation.*

1. *Habitat Assessment.* For all regulated activity proposed on a site which contains or is within 300 feet of ~~fish and wildlife habitat conservation area~~[critical fish and wildlife habitat](#), a habitat assessment shall be prepared by a qualified wildlife biologist. The habitat assessment shall include, at a minimum, the following:

- a. An analysis and discussion of species or habitats known or suspected to be located within 300 feet of the site;
- b. A site plan which clearly delineates the critical fish and wildlife habitats found on or within 300 feet of the site.

2. *Habitat Assessment Review.* A habitat assessment shall be forwarded for review and comment to agencies with expertise or jurisdiction on the proposal, including, but not limited to:

- a. Washington State Department of Fish and Wildlife;
- b. Washington State Department of Natural Resources;
- c. United States Fish and Wildlife Service.

Comments received by the requested review agencies within 45 days of the submittal of the assessment shall be considered by the department. If it is determined, based upon the comments received, that critical fish and wildlife habitat does not occur on or within 300 feet of the site, the development may proceed without any additional requirements under this section. If it is determined that a ~~fish and wildlife habitat conservation area~~[critical fish and wildlife habitat](#) is on or within 300 feet of the site, a habitat management plan shall be prepared.

3. *Habitat Management Plan.* Habitat management plans required under this section shall be prepared in coordination with the Washington State Department of Fish and Wildlife by a qualified wildlife biologist. A habitat management plan shall contain, at a minimum, the following:

a. Analysis and discussion on the project's effects on fish and wildlife habitat conservation areas~~critical fish and wildlife habitat~~;

b. An assessment and discussion on special management recommendations which have been developed for species or habitat located on the site by any federal or state agency;

c. Proposed mitigation measures which could minimize or avoid impacts;

d. An analysis demonstrating that the project's effects on fish and wildlife habitat conservation areas and proposed mitigation measures will achieve no net loss of ecological functions and values.

ed. Assessment and evaluation of the effectiveness of mitigation measures proposed;

fe. Assessment and evaluation of ongoing management practices which will protect fish and wildlife habitat conservation areas~~critical fish and wildlife habitat~~ after development of the project site, including proposed monitoring and maintenance programs;

gf. Assessment of project impact or effect on water quality in Crescent or Donkey (north) Creeks, and any proposed methods or practices to avoid degradation of water quality. Upon a review of the habitat management plan by appropriate federal and state agencies, comments received by the agencies within 45 days of the submittal of the proposed plan shall be considered by the city and, if mitigation is recommended, may be incorporated into conditions of project approval, as appropriate. If it is determined, based upon the comments received, that a project or proposal will result in the extirpation or isolation of a critical fish or wildlife species, including critical plant communities, the project or proposal may be denied.

D. Stream Development Standards.

1. Riparian Management Zones. The establishment of a riparian management zone shall be required for all development proposals and activities in or adjacent to streams. The purpose of the riparian management zone shall be to protect the integrity, function, and value of the stream. Riparian management zones shall be protected during construction by placement of a temporary barricade, on-site notice for construction crews of the presence of the stream, and implementation of appropriate erosion and sedimentation controls. Native vegetation removal or disturbance is not allowed in established riparian management zones.

Riparian management zone widths shall reflect the sensitivity of the stream or the risks associated with development and, in those circumstances permitted by these regulations, the type and intensity of human activity and site design proposed to be conducted on or near the sensitive area. Riparian management zone or setbacks shall be measured as follows.

a. The following riparian management zones are established for streams:

<u>Stream Type</u>	<u>Buffer Width</u>
<u>Type S</u>	<u>200</u>
<u>Type F</u>	<u>175200</u>
<u>Type Np</u>	<u>100</u>
<u>Type Ns</u>	<u>100</u>

b. Measurement of Stream Riparian Management Zone. Riparian management zone shall be measured perpendicularly from the ordinary high water mark.

c. Increased Stream Buffer Widths. The director shall require increased riparian management zone widths in accordance with the recommendations of a qualified biologist and the best available science on a case-by-case basis when a larger riparian management zone is necessary to protect stream functions and values based on site-specific characteristics. This determination shall be based on one or more of the following criteria:

- i. A larger riparian management zone is needed to protect other critical areas;
- ii. The riparian management zone or adjacent uplands has a slope greater than 30 percent or is susceptible to erosion and standard erosion-control measures will not prevent adverse impacts to the wetland.
- d. *Riparian Management Zone Conditions Shall Be Maintained.* Except as otherwise specified or allowed in accordance with this title, the riparian management zone shall be retained in an undisturbed condition.
- e. *Degraded Riparian Management Zone Shall Be Enhanced.* Riparian management zones vegetated with non-native species or otherwise degraded shall be enhanced with native plants, habitat features or other enhancements.
- f. *Riparian Management Zone Interruptions.* Where a legally established substantial development or developed roadway transects a riparian management zone, the director may approve a modification of the minimum required riparian management zone width to the edge of the substantial development or developed roadway.
- g. *Riparian Management Zone Uses.* The following uses may be permitted within a riparian management zone in accordance with the review procedures of this chapter, provided they are not prohibited by any other applicable law and they are conducted in a manner so as to minimize impacts to the riparian management zone and adjacent stream:

 - i. *Conservation and Restoration Activities.* Conservation or restoration activities aimed at protecting the soil, water, vegetation, or wildlife;
 - ii. *Passive Recreation.* Passive recreation facilities designed in accordance with an approved critical area report, including:

 - a. Walkways and trails; provided, that those pathways that are generally parallel to the perimeter of the stream shall be located in the outer 25 percent of the riparian management zone;
 - b. Wildlife viewing structures; and

c. Fishing access areas;

iii. Stormwater Management Facilities. Grass-lined swales and dispersal trenches may be located in the outer 25 percent of the riparian management zone. All other surface water management facilities are not allowed within the riparian management zone.

h. Building Setback. A 15-foot building setback is required from the edge of the riparian management zone.

i. Stream Crossings. Stream crossings may be allowed and may encroach on the otherwise required riparian management zone if:

i. All crossings use bridges or other construction techniques which do not disturb the stream bed or bank, except that bottomless culverts or other appropriate methods demonstrated to provide fisheries protection may be used for Type F streams if the applicant demonstrates that such methods and their implementation will pose no harm to the stream or inhibit migration of fish;

ii. All crossings are constructed during the summer low flow and are timed to avoid stream disturbance during periods when use is critical to salmonids;

iii. Crossings do not occur over salmonid spawning areas unless the city determines that no other possible crossing site exists;

iv. Bridge piers or abutments are not placed within the FEMA floodway or the ordinary high water mark;

v. Crossings do not diminish the flood-carrying capacity of the stream;

vi. Underground utility crossings are laterally drilled and located at a depth of four feet below the maximum depth of scour for the base flood predicted by a civil engineer licensed by the state of Washington. Temporary bore pits to perform such crossings may be permitted within the stream buffer established in this title; and

vii. Crossings are minimized and serve multiple purposes and properties whenever possible.

j. Stream Relocations. Stream relocations may be allowed only for:

i. All stream types as part of a public project for which a public agency and utility exception is granted pursuant to this title; or

ii. Type F streams for the purpose of enhancing resources in the stream if:

a. Appropriate floodplain protection measures are used; and

b. The location occurs on the site, except that relocation off the site may be allowed if the applicant demonstrates that any on-site relocation is impracticable, the applicant provides all necessary easements and waivers from affected property owners and the off-site location is in the same drainage sub-basin as the original stream.

iii. For any relocation allowed by this section, the applicant shall demonstrate, based on information provided by a civil engineer and a qualified biologist, that:

a. The equivalent base flood storage volume and function will be maintained;

b. There will be no adverse impact to local ground water;

c. There will be no increase in velocity;

d. There will be no inter-basin transfer of water;

e. There will be no increase in the sediment load;

f. Requirements set out in the mitigation plan are met;

g. The relocation conforms to other applicable laws; and

h. All work will be carried out under the direct supervision of a qualified biologist.

k. Stream Enhancement. Stream enhancement not associated with any other development proposal may be allowed if accomplished according to a plan for its design, implementation, maintenance and monitoring prepared by a civil

engineer and a qualified biologist and carried out under the direction of a qualified biologist.

l. *Minor Stream Restoration.* A minor stream restoration project for fish habitat enhancement may be allowed if:

- i. The project results in an increase in stream function and values;
- ii. The restoration is sponsored by a public agency with a mandate to do such work;
- iii. The restoration is not associated with mitigation of a specific development proposal;
- iv. The restoration is limited to removal and enhancement of riparian vegetation, placement of rock weirs, log controls, spawning gravel and other specific salmonid habitat improvements;
- v. The restoration only involves the use of hand labor and light equipment; or the use of helicopters and cranes which deliver supplies to the project site; provided, that they have no contact with the stream or riparian management zone; and
- vi. The restoration is performed under the direction of a qualified biologist.

m. *Stream Mitigation.* Mitigation of adverse impacts to riparian habitat areas shall result in equivalent functions and values on a per function basis, be located as near the alteration as feasible, and be located in the same subdrainage basin as the habitat impacted.

n. *Alternative Mitigation for Stream Areas.* The performance standards set forth in this subsection may be modified at the city's discretion if the applicant demonstrates that greater habitat functions, on a per function basis, can be obtained in the affected subdrainage basin as a result of alternative mitigation measures.

ED. *Non-Stream Buffer Requirements.* If it is determined, based upon a review of the comments received on the habitat management plan, that a buffer would serve to

mitigate impacts to a fish and wildlife habitat conservation area~~critical fish or wildlife habitat~~, an undisturbed buffer shall be required on the development site. The width of the buffer shall be based upon a recommendation of at least one of the appropriate review agencies but, in no case, shall exceed 150 feet, nor be less than 25 feet.

~~E. *Buffer Reduction.* A buffer required under this section may be reduced or eliminated if the local conservation district has approved a best management plan (BMP) for the site which would provide protection to a critical fish or wildlife habitat.~~

F. *Specific Habitats – Anadromous Fish.*

1. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, adhering to the following standards:

- a. Activities shall be timed to occur only during the allowable work window as designated by the Washington State Department of Fish and Wildlife for the applicable species;
- b. An alternative alignment or location for the activity is not feasible;
- c. The activity is designed so that it will not degrade the functions or values of the fish habitat or other critical areas; and
- d. Any impacts to the functions or values of the habitat conservation area are mitigated in accordance with an approved critical area report.

2. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies currently or historically used by anadromous fish. Fish bypass facilities shall be provided that allow the upstream migration of adult fish and shall prevent fry and juveniles migrating downstream from being trapped or harmed.

3. Fills, when authorized by the city of Gig Harbor's shoreline management master program, SEPA review or clearing and grading, shall not adversely impact anadromous fish or their habitat or shall mitigate any unavoidable impacts, and shall only be allowed for a water-dependent use.

18.08.188 Aquifer recharge areas.

Aquifer recharge areas are particularly susceptible to contamination and degradation from land use activities. Areas which have a high potential for ground water resource degradation are identified as aquifer recharge areas under this section and shall be subject to the requirements herein.

A. *Designation/Classification.* For the purposes of this section, the following criteria are used to designate aquifer recharge areas:

1. The boundaries of any aquifer recharge areas within the city shall consist of the two highest DRASTIC zones which are rated 180 and above on the DRASTIC index range. Any site located within these boundaries is included in the aquifer recharge area.

2. Any site locations identified on Pierce County’s Aquifer Recharge Area Map.

B. *Regulation.*

1. *Hydrogeologic Assessment Required.* The following land uses shall require a hydrogeologic assessment of the proposed site if the site is located within an aquifer recharge area:

- a. Hazardous substance processing and handling;
- b. Hazardous waste treatment and storage facility;
- c. Wastewater treatment plant sludge disposal categorized as S-3, S-4 and S-5;
- d. Solid waste disposal facility.

2. *Hydrogeologic Assessment Minimum Requirements.* A hydrogeologic assessment shall be submitted by a firm, agent or individual with experience in hydrogeologic assessments and shall contain, at a minimum, and consider the following parameters:

- a. Documentable information sources;
- b. Geologic data pertinent to well logs or borings used to identify information;

- c. Ambient ground water quality;
- d. Ground water elevation;
- e. Depth to perched water table, including mapped location;
- f. Recharge potential of facility site, respective to permeability and transmissivity;
- g. Ground water flow vector and gradient;
- h. Currently available data on wells and any springs located within 1,000 feet of the facility site;
- i. Surface water location and recharge potential;
- j. Water supply source for the facility;
- k. Analysis and discussion of the effects of the proposed project on the ground water resource;
- l. Proposed sampling schedules;
- m. Any additional information that may be required or requested by the Pierce County environmental health department.

3. Proposed use shall adhere to Ecology’s current stormwater manual for protecting water quality.

43. *Review of Hydrogeologic Assessment.* A hydrogeologic assessment prepared under this section shall be submitted to the Pierce County department of environmental health for review and comment. Comments received by the department of health within 60 days of submittal of the assessment shall be considered by the city in the approval, conditional approval or denial of a project.

54. *Findings for Consideration of Approval.* A hydrogeologic assessment must clearly demonstrate that the proposed use does not present a threat of contamination to the aquifer system, or provides a conclusive demonstration that application of new or improved technology will result in no greater threat to the

ground water resource than the current undeveloped condition of the site.
Successful demonstration of these findings warrants approval under this section.

18.08.190 Geologically hazardous areas - Hillsides, ravine sidewalls and bluffs.

A. *Disturbance Limitations.* If a hillside, ravine sidewall or bluff is located on or adjacent to a development site, all activities on the site shall be in compliance with the following requirements:

1. *Ravine Sidewalls and Bluffs.*

a. *Buffers.* An undisturbed buffer of natural vegetation equal to the height of the ravine sidewall or bluff shall be established and maintained from the top, toe and sides of all ravine sidewalls and bluffs. All buffers shall be measured on a horizontal plane.

b. *Buffer Delineation.* The edge of a buffer shall be clearly staked, flagged and fenced prior to any site clearing or construction. Markers shall be clearly visible and weather-resistant. Site clearing shall not commence until such time that the project proponent or authorized agent for the project proponent has submitted written notice to the city that the buffer requirements of this section have been met. Field marking of the buffer shall remain in place until all phases of construction have been complete and an occupancy permit has been issued by the city.

c. *Buffer Reduction.* A buffer may be reduced upon verification by a qualified professional and supporting environmental information to the satisfaction of the city that the proposed construction method will:

- i. Not adversely impact the stability of ravine sidewalls;
- ii. Not increase erosion and mass movement potential of ravine sidewalls;
- iii. Use construction techniques which minimize disruption of existing topography and vegetation;

iv. *Includes measures to overcome any geological, soils and hydrologic constraints of the site.* The buffer may be reduced to no less than the minimum rear yard setback established in the respective zoning district, pursuant to GHMC Title [17](#).

d. *Building Setback Lines.* A building setback line of 10 feet is required from the edge of any buffer of a ravine sidewall or bluff.

2. *Hillsides of 15 Percent Slope and Greater – Studies Required.* Developments on hillsides shall comply with the following requirements:

a. *Site Analysis Reports Required.* The following chart sets forth the level of site analysis report required to be developed based upon the range of the slope of the site and adjacent properties:

Slope of Site and/or Adjacent Properties	Length of Slope (Feet)	Parameters of Report (See Key)	Report Prepared By
0% to 15%	No limit	Report not required	
15% to 25%	> 50	1, 2, 3	Building contractor or other technical consultant
25% to 40%	> 35	1, 2, 3, 4	Registered civil engineer
40% +	> 20	1, 2, 3, 4	Registered engineer or geotechnical engineer

Report Key Contents:

- 1 Recommended maximum site ground disturbance.

2 Estimate of storm drainage (gpm) for preconstruction, during construction and postconstruction.

3 Recommended methods to minimize erosion and storm water runoff from site during construction and postconstruction.

4 Seismic stability of site, preconstruction, during construction and postconstruction.

b. *Development Location.* Structures and improvements shall be located to preserve the most sensitive portion of the site, its natural land forms and vegetation.

c. *Landscaping.* The disturbed areas of a development site not used for buildings and other developments shall be landscaped according to the landscape standards of the zoning code (Chapter [17.78](#) GHMC).

d. Project construction shall be required to implement all recommended requirements of the report referenced in subsection [\(A\)\(2\)\(a\)](#) of this section, and any additional requirements as determined by city staff. In addition, should adjacent properties be adversely impacted by the implementation or construction, additional mitigation measures necessary to minimize or eliminate these impacts shall be implemented by the applicant.

18.08.192 Landslide and erosion hazard areas.

Areas which are identified as landslide or erosion hazard areas shall be subject to the requirements established in this section.

A. *Regulation.* Applications for regulated activities proposed within designated landslide and erosion hazard areas shall be accompanied by a geotechnical report prepared by a geologist or geotechnical engineer licensed as a civil engineer with the state. If it is satisfactorily demonstrated to the director that a landslide or erosion hazard potential does not exist on the site, the requirements of this section may be waived.

B. *Geotechnical Report Requirements.* A geotechnical report required under this section shall include, at a minimum, the following information:

1. Topographic data at a minimum scale of 1:240 (1 inch equals 20 feet). Slope ranges shall be clearly delineated in increments of 15 percent to 25 percent, 25 percent to 40 percent and greater than 40 percent;
2. Subsurface data, including boring logs and exploratory methods, soil and rock stratigraphy, ground water levels and any seasonal variations of ground water levels;
3. Site history, including description of prior grading and clearing, soil instability or slope failure.

If a geotechnical report has been prepared and accepted by the director within the previous two years for a specific site and the proposed land use development and site conditions have not changed, the report may be utilized without the requirement for a new report.

C. *Development Standards.* Upon submission of a satisfactory geotechnical report or assessment, site development may be authorized by the director subject to the following:

1. Buffers shall comply with the requirements of GHMC [18.08.190\(A\)](#);
2. Approved erosion control measures are in place prior to, or simultaneous with, site clearing or excavation;
3. Such other conditions as deemed appropriate by the administrator to ensure compliance with the provisions of this chapter.

18.08.193 Mudslide hazard.

The director shall require review of each permit application to determine whether the proposed site and improvements will be reasonably safe from mudslide hazards; a further review must be made by persons qualified in geology and soils engineering; and the proposed new construction, substantial improvement, or grading must be adequately protected against mudslide damage and not aggravate the existing hazard.

18.08.194 Seismic hazard areas.

Designated seismic hazard areas shall be subject to the requirements of this section. At a minimum, seismic hazard areas shall include areas of alluvial and recessional outwash surficial geologic units as identified in “Water Resources and Geology of the Kitsap Peninsula and Certain Adjacent Lands, Water Supply Bulletin Number 18, Plate One,” U.S. Department of the Interior, Geological Survey, Water Resources Division, and any lot, tract, site or parcel which has been modified by imported or excavated earthen fill material.

A. *Regulation.* Applications for regulated activities proposed within designated seismic hazard areas shall be accompanied by a geotechnical report prepared by a geologist or geotechnical engineer licensed as a civil engineer with the state. If it is satisfactorily demonstrated that a seismic hazard potential does not exist on the site, the requirements of this section may be waived.

B. *Geotechnical Report Requirements.* The required report shall evaluate the existing site conditions, including geologic, hydrologic and site capability to accommodate the proposed activity. At a minimum, the following shall be included:

1. Analysis of subsurface conditions;
2. Delineation of the site subject to seismic hazards;
3. Analysis of mitigation measures which may be employed to reduce or eliminate seismic risks, including an evaluation of the effectiveness of mitigation measures.

If a proposal is required to submit a seismic risk analysis pursuant to any requirements of the most recently adopted edition of the International Building Code by the city of Gig Harbor, the report requirements of this section may be waived by the department.

18.08.196 Flood hazard areas.

Areas which are prone to flooding and which are identified in the Federal Emergency Management Administration ~~flood insurance rate maps for the city of Gig Harbor (September 2, 1981)~~[current flood insurance rate maps](#) shall be subject to the requirements of this section.

A. *Regulation.* All development within flood hazard areas shall be subject to the requirements of the city of Gig Harbor flood hazard construction standards (Chapter [18.10](#) GHMC).

18.08.200 Maintenance of existing structures and developments.

Structures and developments lawfully existing prior to the adoption of this section shall be allowed to be maintained and repaired without any additional review procedures under this title; provided, that the maintenance or repair activity itself remains consistent with the provisions of this chapter and does not increase its nonconformity of such structures or development. Additionally, such construction activity shall not prove harmful to adjacent properties. Maintenance consists of usual actions necessary to prevent a decline, lapse or cessation from a lawfully established condition. Repair consists of the restoration of a development comparable to its original condition within two years of sustaining damage or partial destruction. Maintenance and repair shall include damage incurred as a result of accident, fire or the elements. Total replacement of a structure or development which is not common practice does not constitute repair. In addition to the requirements of this section, the requirements of Chapter [17.68](#) GHMC, Nonconformities, shall apply.

18.08.202 Exemptions from development standards.

Certain activities and uses may be of such impact and character or of such dependency to the maintenance and welfare of a lawfully permitted use that the requirements of this title shall not apply and may be waived at the discretion of the department.

Notwithstanding the requirements of GHMC Title [17](#), the following uses and activities are exempt from the requirements of this chapter:

A. Emergency actions which must be undertaken immediately or for which there is insufficient time for full compliance with this chapter where necessary to:

1. Prevent an imminent threat to public health or safety; or
2. Prevent an imminent danger to public or private property; or

3. Prevent an imminent threat of serious environmental degradation.

The department shall determine on a case-by-case basis emergency action which satisfies the general requirements of this subsection. In the event a person determines that the need to take emergency action is so urgent that there is insufficient time for review by the department, such emergency action may be taken immediately. The person undertaking such action shall notify the department within one working day of the commencement of the emergency activity. Following such notification the department shall determine if the action taken was within the scope of the emergency actions allowed in this subsection. If the department determines that the action taken or part of the action taken is beyond the scope of allowed emergency action, enforcement action according to the provisions of this chapter is warranted;

B. Public and private pedestrian trails which consist of a pervious surface not exceeding four feet in width;

C. Science research and educational facilities, including archaeological sites and attendant excavation, which do not require the construction of permanent structures or roads for vehicle access;

D. Site investigative work necessary for land use application submittals such as surveys, soil logs, percolation tests and other related activities;

E. The placement of signs consistent with Chapter [17.80](#) GHMC;

F. Existing and ongoing agricultural activities, as defined in this chapter;

G. Forestry practices regulated and conducted in accordance with the provisions of Chapter [76.09](#) RCW and forest practice regulations;

H. [Buffer a](#)Activities affecting a hydrologically isolated Category IV wetland, if the functional wetland size is less than 1,000 square feet, except that such activities shall comply with the city flood hazard construction code and the city storm drainage management plan;

I. Maintenance, operation and reconstruction of existing roads, streets, utility lines and associated structures; provided, that reconstruction of any such facilities does not extend outside the scope of any designated easement or right-of-way;

- J. Activities on improved roads, rights-of-way, easements, or existing driveways;
- K. Normal maintenance and reconstruction of structures; provided, that reconstruction may not extend the existing ground coverage;
- L. Activities having minimum adverse impacts on wetlands, such as passive recreational uses, sport fishing or hunting, scientific or educational activities.

18.08.204 Variances from the minimum requirements.

A. Variance applications shall be considered by the city according to variance procedures described in Chapter [17.66](#) GHMC and shall be processed as a Type III application under the permit processing procedures of GHMC Title [19](#). The required showings for a variance shall be according to this section. The burden is upon the applicant in meeting the required showings for the granting of a variance.

B. The examiner shall have the authority to grant a variance from the provisions of this chapter, when, in the opinion of the examiner, the conditions as set forth in this section have been found to exist. In such cases a variance may be granted which is in harmony with the general purpose and intent of this chapter.

1. *Required Showings for a Variance.* Before any variance may be granted, it shall be shown:

- a. That there are special circumstances applicable to the subject property or the intended use such as shape, topography, location or surroundings that do not apply generally to other properties and which support the granting of a variance from the minimum requirements; and
- b. That such variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated property but which, because of the ordinance codified in this chapter, is denied to the property in question; and
- c. That the granting of such variance will not be materially detrimental to the public welfare.

2. *Granting a Variance.* When granting a variance, the examiner shall determine that the circumstances do exist as required by this section, and attach specific conditions to the variance which will serve to accomplish the standards, criteria and policies established by this chapter.

C. To apply for a variance, the applicant shall submit to the city a complete variance application. Such application shall include a site plan, pertinent information, a cover letter addressing the required showings for a variance and required fees.

18.08.206 Reasonable use exceptions.

If the application of this chapter would preclude all reasonable use of a site, development may be permitted, consistent with the general purposes and intent of this chapter. Applications for a reasonable use permit shall be processed in accordance with the procedures established under GHMC Title [19](#) for a Type III project permit application.

A. *Information Required.* An application for a reasonable use exception shall be in writing to the department director and shall include the following information:

1. A description and map of the area of the site which is within a critical resource area or within the setbacks or buffers as required under this title;
2. The area of the site which is regulated under the respective setbacks (minimum yards) and maximum impermeable surface and hard surface coverage of the zoning code (GHMC Title [17](#));
3. An analysis of the impact that the amount of development proposed would have on the critical area as defined under this title;
4. An analysis of whether any other reasonable use with less impact on the critical area and buffer area, as required, is possible;
5. A design of the project as proposed as a reasonable use so that the development will have the least practicable impact on the critical area;

6. A description and analysis of the modification requested of the minimum requirements of this title to accommodate the proposed development;

7. Such other information as may be required by the department which is reasonable and necessary to evaluate the reasonable use respective to the proposed development.

B. *Findings for Approval of Reasonable Use Exception.* If an applicant successfully demonstrates that the requirements of this title would deny all reasonable use of a site, development may be permitted. The hearing examiner shall make written findings as follows:

1. There is no feasible alternative to the proposed development which has less impact on the critical area;

2. The proposed development does not present a threat to the public health, safety or welfare;

3. Any modification of the requirements of this title shall be the minimum necessary to allow for the reasonable use of the property;

4. The inability of the applicant to derive a reasonable use of the property is not the result of actions by the applicant which resulted in the creation of the undevelopable condition after the effective date of the ordinance codified in this title;

5. The proposal mitigates the impacts to the critical area to the maximum extent practicable, while maintaining the reasonable use of the site;

6. That all other provisions of this chapter apply excepting that which is the minimum necessary to allow for the reasonable use of the site or property. The hearing examiner may impose any reasonable conditions on the granting of the reasonable use exception, consistent with the minimum requirements of this chapter.

C. *Notification of Decision.* Notice of the decision shall be provided as set forth in GHMC [19.02.007](#).

D. *Appeal.* The decision on a reasonable use exception may be appealed in accordance with the procedures established under GHMC Title [19](#).

E. *Limits of Applying Reasonable Use Exception.* A reasonable use exception shall only be considered in those situations where a reasonable use would be prohibited under this title. An applicant who seeks an exception from the minimum requirements of this title shall request a variance under the provisions of this title.

F. *Duration of Approval and Expiration.* The duration of reasonable use exception approval and permit expiration shall be governed by GHMC [19.02.008](#).

18.08.208 Performance bonding.

As part of any mitigation plan, the city shall require the applicant to post a performance bond or other security in a form and amount deemed acceptable by the city to insure mitigation is fully functional.

A. A performance bond shall be in the amount of 125 percent of the estimated cost of the uncompleted actions or the estimated cost of restoring the functions and values of the critical area that are at risk, whichever is greater.

B. The bond shall be in the form of a surety bond, performance bond, assignment of savings account, or an irrevocable letter of credit guaranteed by an acceptable financial institution with terms and conditions acceptable to the city attorney.

C. Bonds or other security authorized by this section shall remain in effect until the city determines, in writing, that the standards bonded for have been met. Bonds or other security shall be held by the city for a minimum of five years to ensure that the required mitigation has been fully implemented and demonstrated to function, and may be held for longer periods when necessary.

D. Depletion, failure, or collection of bond funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, monitoring, or restoration.

E. Public development proposals shall be relieved from having to comply with the bonding requirements of this section.

F. Any failure to satisfy critical area requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within 30 days

after it is due or comply with other provisions of an approved mitigation plan shall constitute a default, and the city may demand payment of any financial guarantees or require other action authorized by the city code or any other law.

G. Any funds recovered pursuant to this section shall be used to complete the required mitigation.

18.08.210 Suspension and revocation.

In addition to other penalties provided elsewhere, the department may suspend or revoke an approval if it finds that the applicant has not complied with any or all of the conditions or limitations set forth in the approval, has exceeded the scope of work set forth in the approval, or has failed to undertake the project in the manner set forth in the approved application.

18.08.220 Enforcement.

The administrator shall investigate any potential violation the administrator reasonably believes has occurred involving critical areas governed by this chapter. If the administrator determines that a violation has occurred, the administrator shall use the enforcement process found in Chapter [2.60](#) GHMC.

18.08.230 Designated wetlands.

Repealed by [Ord. 1036](#).

18.08.240 Nonconforming uses.

An established use of existing structure that was lawfully permitted prior to adoption of this chapter, may continue subject to the following:

- A. Nonconforming uses shall not be expanded or changed in any way that increases their nonconformity. However, an existing use may be changed to a less intensive use provided all other zoning and land use regulations are met;
- B. Existing structures shall not be expanded or altered in any manner which will increase the nonconformity;
- C. Activities or uses which are discontinued for 12 consecutive months shall be allowed to resume only if they are in compliance with this chapter; and
- D. Nonconforming uses or structures destroyed by an act of God may be replaced or resumed.

18.08.250 Severability.

Repealed by [Ord. 726](#). 18.08.260 Chapter and ordinance updates.

CRITICAL AREAS CODE UPDATE PLANNING COMMISSION RECOMMENDATION - MAY 21, 2026

The matrix below is a summary of proposed revisions to the Draft Critical Areas Code dated April 30, 2026 recommended by the Planning Commission during deliberations on May 14, 2026 and May 21, 2026. This recommendation will be forwarded to City Council for consideration.

No.	Code Section	Code Revision	Comments/Analysis	Planning Commission
1	18.08.030.F Definitions.	“Fish and wildlife habitat <u>conservation</u> areas” means those areas identified as being of critical importance in the maintenance and preservation of fish, wildlife and natural vegetation including waters of the state, and as further identified in GHMC 18.08.186 <u>such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.</u>	Based on Dept. of Commerce Comment Ensures definition is consistent with current state statutes.	Passed revision.
2	18.08.034 Applicability	<u>C. Critical Area Reports. Wetland analysis reports and/or habitat management plans required for permit approval including delineations, classifications, buffer determinations, and/or any proposed mitigation measures shall be applied to subsequent permits related to and consistent with the original permit approval, unless the original permit expires, is rescinded or no longer valid; or specific, site-specific information demonstrates the approved report is erroneous. Nothing in this section limits the City’s authority to apply performance standards necessary to achieve no net loss of critical area functions and values.</u> Appeals subsection (previously C) renumbered to D.	Provides clarity in environmental protection for future permits directly related to a larger land use/subdivision approval (preliminary plat, binding site plan). Valid as long as the larger land use/subdivision approval does not expire or rescinded.	Passed revision.

No.	Code Section	Code Revision	Comments/Analysis	Planning Commission
3	18.08.090.C Wetlands – Analysis report requirements	C. Within 30 days of receipt of the wetland analysis report and other information, the department shall determine the appropriate wetland category, buffering requirement, and required mitigation. The report shall be accorded substantial weight and the department shall approve the report's findings and approvals, unless specific, written reasons are provided which justify not doing so. Once accepted, the report shall control future decision-making related to designated wetlands unless <u>the permit in which the report was required expires, is rescinded or no longer valid or</u> new information is found demonstrating the report is in error.	Provides clarity in environmental protection for future permits directly related to a larger land use/subdivision approval (preliminary plat, binding site plan). Valid as long as the larger land use/subdivision approval does not expire or rescinded.	Passed revision.
4	18.08.186.D.1.a Critical fish and wildlife habitat conservation areas	a. The following riparian management zones are established for streams: Stream Type Riparian Management Zone Width (Feet) <u>Type S</u> <u>200</u> <u>Type F</u> <u>175-200</u> <u>Type Np</u> <u>100</u> <u>Type Ns</u> <u>100</u>	Based on the best science review from Pierce County and their adoption of 175-foot buffers for Type F streams. Also, ensures consistency in development regulations between the City and surrounding unincorporated area. Reduced from 200 feet for Type F streams.	Passed revision.

The Planning Commission recommends Council consider the April 30, 2026 draft update to GHMC 18.08 Critical Areas as revised in the matrix above. The Planning Commission held deliberations and passed the revisions by majority vote.

The revisions are consistent with the Growth Management Act, best available science, Puget Sound Regional Council's VISION 2050, the Pierce County Countywide Planning Policies and City of Gig Harbor Comprehensive Plan.

Dated: May 21, 2025

CITY OF GIG HARBOR PLANNING COMMISSION



Chair



**City of Gig Harbor
City Council Agenda Bill**

Meeting Date: June 11, 2026

SUBJECT: Commercial Fishing Homeport Moorage Agreements and Regulations

SUBMITTED BY: Public Works Director Jeff Langhelm
Parks Manager Jennifer Haro

DEPARTMENT: Public Works

PHONE: 253-853-8253

SUGGESTED MOTION:

BACKGROUND INFORMATION: The city has been working for many years to construct a commercial fishing homeport at the city's Ancich Waterfront Park. As the permitting process approaches completion and the project is getting closer to construction, staff has been finalizing the details of how to operate the Homeport once it is built. Operational considerations include staff costs for maintenance, moorage agreement management, billing, meter reading and utilities.

Staff has researched rates, rules and regulations for vessel moorage based on port districts that operate commercial fishing ports in western Washington. These rates, rules and regulations are attached in draft format for council consideration. Also in draft format for council consideration is the Homeport moorage application and moorage agreement. Adoption of these rules, regulations, and agreement will also require an amendment to Chapter 11.04 of the municipal code prior to opening the Homeport.

Staff has met multiple times with representatives from the Gig Harbor Commercial Fishermen's Club for input on the moorage agreement and rules and regulations and incorporated many of their suggestions into the draft documents. Staff also received input from the city attorney and the city's risk management partner on the agreement and rules.

Staff recommends charging \$10/foot per month for all commercial fishing vessels, regardless of size. While this is slightly more than the average rate in other Washington for vessels less than 80 feet in length, it is much less than average marina rates in Gig Harbor. While staff recognize the Homeport may not have the same amenities that commercial fishing vessels use in other port-operated facilities, moorage is at a premium in Gig Harbor. The city also intends to charge a kilowatt hour rate for power usage that is comparable to the city's electrical rate at Ancich Park.

It is also staff's intention to seek Washington Clean Marina certification at the Homeport, which will include a list of best management practices (BMPs) for vessel operators to follow.

At the June 11 study session, staff will present the proposed documents, discuss cost recovery and maintenance expenses, and ask council for input on the proposed moorage agreement, rules and regulations and pricing proposals.

FISCAL CONSIDERATION:

	Ancich Homeport Annual Income		
\$/ft/mo	LF of Slips		Annual Income
\$10.00		1,015	\$121,800

**Ancich Homeport Annual Expenses
(2026 dollars)**

Staff Management (0.3 FTE)	\$ 30,000
Billing Staff (not meter reading)	\$ 5,000
City Insurance	\$ 9,500
Maintenance Expenses (50 yr avg)	\$ 10,000
Total =	\$ 54,500

Estimated Life Expectancy	50 yrs
Estimated Return on Investment	45 yrs

ATTACHMENTS:

- 1. DRAFT Moorage Agreement
- 2. DRAFT Rules and Regulations
- 3. 2026 Commercial Fishing Moorage Rates

STRATEGIC PLAN PRIORITY: Ensure sustainable future for public services and facilities

Maintain smalltown character and historic preservation while growing responsibly
Promote and enhance a dynamic and robust economy



**COMMERCIAL FISHING HOMEPORT
MOORAGE AGREEMENT**

CUSTOMER INFORMATION

Vessel Legal/Reg. Owner (First, M. Last):		Account#	
Vessel Legal/Reg. Owner's Spouse (First, Last, M):			
Street Address:	City:	State:	Zip:
Mailing Address:	City:	State:	Zip:
Email Address:			
Home Phone:	Work Phone:	Cell:	
Emergency Contact:	Emergency Contact Phone:		
Vessel Owner's Employer:			
City:		State:	Zip Code:

COMPANY INFORMATION

Company Name:		TID/UB#:	
Address:	City:	State:	Zip Code:
Phone #:	Email Address:		

PARTNER INFORMATION

Name: (First, Middle, Last):			
Address:	City:	State:	Zip Code:
Phone #:	Email Address:		

LIEN HOLDER INFORMATION

Lien Holder: <input type="checkbox"/> Yes <input type="checkbox"/> No	Lien Holder:		
Address:	City:	State:	Zip Code:

VESSEL INFORMATION

Vessel Name:		Vessel Reg/Doc. Number:		
If not registered, by initialing you intend to register the vessel according to WA State Dept. of Licensing Regulations. _____ int.				
As of today is the vessel >35' and older than 40 years old? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Is latest USCG xx provided? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Make:	Model:	LOA:	Beam:	Draft:
HIN #:		Year of Vessel:		Fuel <input type="checkbox"/> Gas <input type="checkbox"/> Diesel
Vessel Home Port:				

INSURANCE INFORMATION

Insurance Company:	Phone Number:
Type of Coverage: <input type="checkbox"/> General Liability <input type="checkbox"/> Legal Liability <input type="checkbox"/> Pollution Liability	
Policy Number:	Amount of Coverage:

SLIP & BILLING INFORMATION *Staff Use Only*

Slip #:		Power <input type="checkbox"/> Yes <input type="checkbox"/> No
Start Date:	Monthly Rate:	Annual Moorage: <input type="checkbox"/> Yes <input type="checkbox"/> No
Boat Measured At:	New Customer Fee: <input type="checkbox"/> Yes <input type="checkbox"/> No	ACH: <input type="checkbox"/> Yes <input type="checkbox"/> No
Bank Account Information (required if not on ACH):		
Moorage Use Permitted Under this agreement: <input type="checkbox"/> Active Commercial Fishing <input type="checkbox"/> Merchant Leaseholder		

AGREEMENT TERMS AND CONDITIONS

Subject to the terms and conditions set forth herein, the City of Gig Harbor hereby grants a Moorage Agreement, which is a month-to-month lease to the Customer for use of an assigned slip. This Agreement is granted subject to the terms and conditions of the Gig Harbor's Rules and Regulations as they now exist of and are from time to time amended. Failure to comply with all terms and conditions of this Agreement and the Rules and Regulations may result in termination of this Agreement.

1. Moorage Customer Information

The Moorage Customer acknowledges that information provided by the Moorage Customer is true, accurate and complete. Moorage Customer shall notify the City of any change in the information, including but not limited to, contact information such as address, phone number, email, etc.

2. Agreement for Permitted Use

This Agreement is for the moorage of Active Commercial Fishing vessels only per the Rules & Regulations. Other uses may be conditionally approved in writing by the Public Works Director or Designee. By signing this agreement, Moorage Customer agrees to abide by the Rules and Regulations for the facility provided in a separate document.

3. Moorage Charges & Fees

The first month's moorage is non-refundable. The City of Gig Harbor sets moorage rates, fees, and other charges. All moorage charges, rates, and fees are set forth in the City's adopted fee resolution and Appendix A of the Rules and Regulations. Charges that are not paid by the end of the calendar month, will be assessed a late fee, per the City's adopted fee resolution. Electricity costs will be billed to the Moorage Customer directly.

4. Non-Payment of Moorage Charges

Moorage Customer understands that the City may impound the vessel for non-payment of moorage charges or other fees.

5. Harbor Rules and Regulations

It is the Moorage Customer's responsibility to read the current Rules and Regulations (posted on the Homeport website and city engineering office) and failure to abide by the terms and conditions of the Rules and Regulations or failure to pay moorage charges, storage rental fees, or any other fee charged by the City by the due date, shall constitute a default under the terms of this Agreement. A default under this Agreement shall constitute a default under any other lease or agreement the Moorage Customer has with the City.

By signing this Agreement, Moorage Customer acknowledges and agrees to comply with the Rules and Regulations which are updated annually. Failure to comply with the Rules and Regulations is a default under this Agreement. A copy of the current Rules and Regulations can be obtained on the City's website at:

6. No Assignment or Transfer of Slip

This Agreement may not be assigned, transferred, or sublet without authorization from the City, and all charges will continue until this Agreement is terminated as explained in the Rules and Regulations. Subletting will be allowed for other commercial fishing vessels if agreed to by Moorage Customer. Subleasing will be handled by the City. If the Moorage Customer's account becomes delinquent, he/she agrees to pay all late charges, interest, additional handling, impound, and collection costs, attorney fees, and all court costs connected with the collection of the amount due.

7. Prior Account Delinquency

The city has reserved the right to deny any services to Moorage Customers who have become ninety (90) days delinquent on their account. Moorage Customers with a history of late payments or account write-offs, as determined by the City, will have to pre-pay three (3) months in advance before moorage is granted or continued.

8. Vessel Registration

This Agreement must be in the name of the registered/legal owner of the vessel. Moorage Customer agrees to supply the City with a current copy of the vessel registration or federal documentation annually. If vessel is currently not registered, Moorage Customer agrees to register the vessel immediately according to the Washington State Department of Licensing regulations. Information on the Dept. of Licensing regulations may be obtained from the Department of Licensing. It is the Moorage Customer's responsibility to know and understand the vessel registration requirements in RCW 88.02.

9. Insurance

Moorage Customer will comply with insurance policy requirements in the Rules and Regulations.

10. Insurance-Transfer of Ownership-Vessels Greater than 35 feet and more than 40 years old

Moorage Customer will comply with RCW 79.100.170 and the Rules and Regulations with regard to the transfer of vessels greater than 35 feet and more than 40 years old.

11. Vessel Inspection-Vessels Greater than 35 feet and more than 40 years old

Moorage Customer will comply with RCW 79.100.150 and the Rules and Regulations insurance policy requirements in the Rules and Regulations prior to transfer of vessels greater than 35 feet and more than 40 years old.



COMMERCIAL FISHING HOMEPORT

12. Vessel Seaworthiness

Vessels moored at the Homeport must be completely without hazardous conditions as determined solely by the City, and ready for cruising in local waters. Upon approval of this Agreement, the Moorage Customer grants permission to the City when requested for an on-board inspection of his/her Vessel by a city, county, state, or federal representative, or the vessel shall be deemed unseaworthy. Failure to allow such an inspection shall be cause for termination of moorage. Without limiting the foregoing, the City is under no obligation or duty to undertake any inspection of any vessel. The City may require that the Moorage Customer provide, at no cost to the City, additional information (such as a marine survey) to establish seaworthiness.

13. Best Management Practices and Environmental Rules

A copy of Clean Marina Washington's Best Management Practices is included as **Attachment A** to this Agreement and Moorage Customer agrees to abide by these practices. Moorage Customer understands that the facility is a 'NO DISCHARGE' facility and will abide by all federal, state and local environmental laws, rules and regulations. The discharge of black water is prohibited. Pumpout facilities are located at Maritime Pier.

Any fuel or oil that is spilled into the harbor must be reported immediately to the U.S. Coast Guard National Response Center, Department of Ecology, and the Harbor Office. Those numbers are available in the Harbor Office or on **Attachment B**.

14. Maintenance or Repair on Vessels

The Rules and Regulations contain requirements regarding maintenance, repair or new work on vessels. All contractors or vendors who perform work on vessels at the Homeport must (i) have a city-issued Business License and (ii) must provide insurance naming the City as an additional insured. The complete requirements are contained in the Rules and Regulations. Utilization of contractors or vendors that do not meet these requirements is a default of this Agreement.

15. Waiver and Release

THE MOORAGE CUSTOMER ACKNOWLEDGES THAT THE CITY DOES NOT ACCEPT MOORAGE CUSTOMER'S VESSEL FOR BAILMENT OR STORAGE AND SHALL NOT BE LIABLE OR RESPONSIBLE IN ANY MANNER FOR ITS SAFE KEEPING AND CONDITION OF ITS TACKLE, GEAR, APPAREL, EQUIPMENT, AND/OR FURNISHINGS. IN PART CONSIDERATION FOR THE GRANTING OF THE AGREEMENT HEREIN, THE MOORAGE CUSTOMER DOES HEREBY FOREVER, RELEASE AND DISCHARGE THE CITY ITS COUNCIL, EMPLOYEES AND AGENTS FROM ANY AND ALL CLAIMS, DEMANDS, OR DAMAGES FOR PROPERTY DAMAGE OR PERSONAL INJURY ARISING FROM OR RELATED TO THE PRESENCE OF THE MOORAGE CUSTOMER OR THE VESSEL WITHIN THE CITY'S HARBOR(S) EXCEPT TO THE EXTENT AND IN PROPORTION THAT SUCH PROPERTY DAMAGE OR PERSONAL INJURY IS CAUSED BY THE GROSS NEGLIGENCE OF THE CITY, OR ITS EMPLOYEES. THIS WAIVER AND RELEASE SHALL BE BINDING UPON THE HEIRS, EXECUTORS AND ASSIGNS OF THE MOORAGE CUSTOMER. THIS RELEASE IS A NEGOTIATED TERM OF THE ECONOMICS OF THE AGREEMENT.

16. Indemnification and Hold Harmless

TO THE FULLEST EXTENT PROVIDED BY LAW: MOORAGE CUSTOMERS SHALL DEFEND, INDEMNIFY, AND HOLD HARMLESS THE CITY OF GIG HARBOR, ITS ELECTED OFFICIALS, OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, ACTIONS, DAMAGES, LIABILITY, COSTS, AND EXPENSES (INCLUDING REASONABLE ATTORNEY'S FEES) ARISING OUT OF OR IN CONNECTIONS WITH : THE VESSEL OPERATOR'S USE OF THE HOMEPORT OR MOORING OF ITS VESSEL, ANY ACT OR OMISSION OF THE VESSEL OPERATOR, ITS CREW, AGENTS, CONTRACTORS OR INVITEES: ANY DAMAGE CAUSED BY VESSEL OPERATOR'S VESSEL TO THE FACILITY, OTHER VESSELS, OR THIRD PARTIES; OR ANY FUEL SPILL, POLLUTION DISCHARGE, OR ENVIRONMENTAL CONTAMINATION CAUSED BY THE VESSEL OPERATOR'S VESSEL. THIS INDEMNIFICATION OBLIGATION SHALL BE PROPORTIONATE TO THE VESSEL OPERATOR'S OWN NEGLIGENCE OR FAULT AND SHALL NOT REQUIRE INDEMNIFICATION FOR LOSSES CAUSED BY THE SOLE NEGLIGENCE OF THE CITY, CONSISTENT WITH RCW 4.24.115.

IN THE EVENT THAT THE VESSEL OPERATOR'S VESSEL BECOMES DISABLED, ADRIFT, SUNKEN OR DERELICT AT THE FACILITY, THE VESSEL OPERATION SHALL BE SOLELY RESPONSIBLE FOR ALL COSTS OF REMOVAL, CLEANUP, AND REMEDIATION, AND SHALL INDEMNIFY AND DEFEND THE CITY AGAINST ALL SUCH COSTS AND CLAIMS. THE CITY RESERVES THE RIGHT, AFTER REASONABLE NOTICE (OR IMMEDIATELY IN THE EVENT OF EMERGENCY) TO TAKE ACTION TO REMOVE OR ADDRESS ANY SUCH VESSEL AT THE VESSEL OPERATOR'S SOLE COST AND EXPENSE.

17. Jurisdiction and Law

This Agreement shall be governed by Washington law. Exclusive jurisdiction and venue for any dispute arising under this Agreement shall be the Pierce County Superior Court. Without limiting the foregoing, the Moorage Customer specifically waives any jurisdiction of the federal district court or the right to seek removal to the federal district court.

Initial _____



COMMERCIAL FISHING HOMEPORT

19. Waiver

The failure or delay of the City to enforce any term or condition of this Agreement shall not be a waiver of any right to enforce this Agreement.

20. Notice

All notices to Moorage Customer under this License shall be made to the address provided in this License. Notice shall be deemed complete upon the third calendar day after such notice is placed in the United States mail postage prepaid and addressed to the address provided pursuant to this License or upon receipt of actual notice, whichever occurs first.

21. Amendment

This Agreement may only be amended in writing. Without limiting the foregoing, no statements by City employees shall be deemed an amendment or waiver of this Agreement.

MOORAGE CUSTOMER SIGNATURE

Moorage Customer has read and understands the foregoing and agrees to all terms and conditions contained in this Agreement and the current Homeport Rules, Regulations, and Rates .

This Agreement contains a Waiver, Release and Indemnification-Hold Harmless Agreement in Sections 15, 16 and 18. Moorage Customer has read and understands these provisions.

This is a public record subject to Washington State Public Records Act (RCW 42.56).

Signature of Registered/Legal Owner:	Date:
Signature of Registered/Legal Owner:	Date:
Signature of City of Gig Harbor Public Works Director or Designee:	Date:

*Draft agreement based upon Port of Bellingham Commercial moorage agreement



Clean Marina Washington

BEST MANAGEMENT PRACTICES (BMP's)

BMP's are intended to be practical and affordable actions that can reduce pollution at the source, but they will only work with everyone's participation. By effectively implementing source control measures now, marinas and marina tenants may be able to avoid more expensive and restrictive measures being placed on the boating public by regulatory agencies in the future. By adopting the following BMP's, we can show our commitment to preserving the surrounding environment in accordance with the guidelines issued by the Washington State Department of Ecology and the requirements of the Federal Clean Water Act.

Commercial Activity

- Boat hulls with soft or ablative anti-fouling paint shall not be scrubbed or cleaned in the Marina by divers or with underwater scrubbing devices. Approved haul-out facilities must be used for these coatings. Mechanical devices or scrapers, or any process that removes paint underwater may not be used.
- Divers are not allowed to leave any sort of material in the water including film, debris or zinc.
- Contractors must dispose of their own waste off site. The marina is not permitted to handle hazardous wastes generated by commercial operators or maintenance contractors.

Engines and Bilges

- Absolutely no oil, fuel, or anti-freeze is to be discharged into the open waters. Use absorbent pads to soak up oil and fuel in bilges.
- Do not pump contaminated bilge water into the open waters. Install a manual bilge pump shutoff switch to avoid discharging contaminated bilge water.
- Never drain oil, antifreeze or other liquids into the bilge. Use pumps to drain engine oil directly. Recycle all waste oil and antifreeze on shore.
- Do not dispose of fuel, oil or filters in the dumpsters. Recycle oil, antifreeze and oil filters at appropriate shore-side facilities. Do not mix any other fluid with waste oil when pouring into recycling tanks. Waste oil contaminated with other materials cannot be readily recycled and disposal costs increase dramatically.
- Do not use detergents or soaps on fuel, oil or otherwise contaminated bilge water. While enzyme-based bilge cleaners are generally safe to use, it may take some time before the oil sheen is gone. It is best to remove contaminated water and dispose of it appropriately at on-shore facilities. The discharge of emulsified oil is a violation of state law. Use absorbent pads.
- In Washington State, boats that are over 26' in length are required to display an "oil Discharge is Prohibited" placard near the bilge pump switch (placards are available at most marine supply stores). Fines for discharging oil from a bilge can amount to as much as \$20,000 per day per violation.

Boat Fueling

- Report oil and fuel spills immediately to Washington State's hotline at 1(800) OILS-911 and the National Response Center 1-800-424-8802. If you cause a spill, stop it at the source and start to clean it up immediately. Do not pour liquid detergent onto the spill; this is illegal, makes recovery impossible and makes the spill worse under the surface.
- Do not "top-off" or overfill tanks. Know your fuel tank capacity and don't wait for fuel to spill out of the overflow vent to indicate full. Place a bucket or an absorbent pad at the fuel vent in case of accidental overflow. Special No-Spill containers are available at marine supply stores for this purpose. Remember warm weather and direct sunlight can cause expansion and a fuel vent spill even after fueling is completed. In-line fuel/air separators and indicator whistles can be installed to reduce fuel vent spills.
- Do not hose down accidental fuel spills. Do not use detergents or soaps to clean up fuel and oil spills. Use absorbent pads when feasible.

Sewage and Gray Water

- Do not discharge sewage directly overboard. Discharge within three (3) miles of land is illegal and subject to fines up to \$2,000.
- Y-valves must be safety wired to ensure sewage flows into holding tank only.
- Store sewage in holding tanks and dispose of properly at a pump-out station or use a pump-out service.
- Even treated sewage is a threat to the shallow water environments. Do not discharge treated sewage (including Coast Guard approved MSD's) while within Port PMA.
- Minimize detergent usage and oily food waste in on-board sinks and showers. Scrape off table scraps and dispose of in the trash. Use shore side facilities whenever possible.

Vessel Cleaning

- Scrub and rinse your boat often. A quick rinse after each outing reduces the need to scrub the top-side with harsh cleaners.
- If cleaners are used, no visible suds or discoloration of the water are permitted. Spot clean or use small amounts of phosphate-free and biodegradable soaps only when necessary. Otherwise, use alternatives such as baking soda or vinegar as all-purpose cleaners. Remember there is no legal discharge of any cleaner to our waters.

Surface Preparation and Refinishing

- Painting and refinishing of boats (when in the water) is limited to minor touch ups. All work must be contained. Major work involving more than 25% of the boats above water surface areas must occur on land at a permitted boatyard. Schedule cosmetic work during annual haul-outs.
- Tarps must be used to capture all dust, drips, and debris. Any discharge to marine waters is a violation of state and federal law. Airborne particles may damage adjacent boats. The open water area between the hull and the dock must be tarped during rail or minor hull work.
- Do not work from a float or small boat.
- Limit use of paint, thinners and varnish on board or on the dock to containers of one (1) gallon in size or smaller.
- All paint mixing must be done on the shore, not the dock or the deck of the vessel. Open cans should be placed inside some type of secondary containment that will catch spills. A five gallon bucket or plastic tote works well for this purpose.
- Spray painting is not allowed while boats are in the water.

Hazardous Wastes

- Contact the county to locate an off-site disposal facility. Do not dispose of any liquid paint, solvents or other hazardous wastes in the facility trash receptacles or any solid waste container. Completely dry all paint cans before placing in the trash.
- All hazardous waste must be disposed of properly. Do not dispose of the following in the facility trash receptacles:
 - Fuel, used oil, used oil filters, antifreeze or transmission fluid
 - Paints, solvents or varnish
 - Batteries
 - Wet shop rags
- Buy only the amount of materials you need. Use up remaining paint if possible. Take excess paints and chemicals home or dispose of them at the local hazardous waste facility. Do not discard these materials in the sewer or storm drains.
- Store usable chemicals, coatings and fuels securely on-board to prevent accidental overboard discharge. Do not store any hazardous or flammable materials on the dock, or in lockers / dock boxes.
- For additional information about disposal of hazardous waste, please contact the Tacoma Recovery and Transfer Station at (253)502-2100

Solid Waste Disposal

- Securely store all garbage for shore-side disposal. “If it goes aboard, it comes ashore.”
- Dispose of all garbage in the facility trash receptacles.
- Collect all pet waste in plastic bags and dispose of in the facility trash receptacles.
- Let empty paint cans dry out completely before disposing of them in the facility trash receptacles.
- Recycle aluminum, cardboard, glass, plastic drink bottles and newspapers.
- Whenever possible select non-disposable containers for food and other items to minimize waste and chance of losing overboard.

Stormwater and runoff

- No pressure washing of any kind is permitted in upland areas except on approved pressure wash pads.
- No boat or vehicle washing is allowed in facility parking areas.
- No dumping of any material into storm-drains.

DRAFT Rules and Regulations

Gig Harbor Commercial Fishing Homeport

RULES AND REGULATIONS

These rules and regulations are intended to supplement GHMC 11.04.060 (future code).

Anyone visiting or using the City of Gig Harbor Commercial Fishing Homeport at Ancich Waterfront Park (Homeport) premises or its facilities does so at his/her own risk. The City of Gig Harbor (City) does not assume any responsibility for loss or damage to property or persons within the premises. Vessels at the Homeport are private property and trespassing is prohibited.

1. Moorage assignments and payment of moorage charges shall be administered by the City of Gig Harbor in accordance with the most recent adopted fee ordinance.
2. Any vessel, vehicle, property, gear, or equipment will be parked, stored, moored or maneuvered in a safe and orderly manner.
3. The City may establish such reasonable traffic and parking regulations as may be required for orderly handling of motor vehicles at City facilities. A vehicle parked in violation of any such sign or regulations may be towed and impounded in accordance with the City parking requirements at owner's expense.
4. Loud or boisterous conduct, sleeping, lewd or lascivious conduct, unnecessary blowing of horns, etc., are not permitted on City Premises. Vessel owners/operators will not maintain anything that may be dangerous to life or limb or permit any violation of GHMC 9.34.020, or premises adjacent thereto, and will not create a nuisance or disturb any other vessel owner, guest or lessee of the Ancich Park or neighboring properties.
5. All vessels or vehicles using facilities or space within City premises will be subject to all of the charges, rules, and conditions as prescribed in the fee ordinance, these rules and regulations and Gig Harbor Municipal Code. The City may deny the use of any of the facilities of the Homeport to any person who refuses to comply with these rules and regulations. Any such person may be subject to prosecution as a trespasser to the

fullest extent possible under the law.

6. All vessels entering Homeport facilities must have a valid identification permanently affixed to the hull and clearly visible from the outside. Coast Guard registered vessels must have the name of the vessel on the hull. Failure to have either may be cause for refusal or termination of moorage.

7. Drinking of alcoholic beverages on or in City facilities is prohibited, but is allowed on boats.

8. It is against the law to discharge hazardous substances, oil and untreated sewage into U.S. navigable waters. The owner, operator or person in charge of a vessel at the time of such a discharge will be subject to fines and charged for clean-up costs. If the responsible party fails to report the spill to appropriate authorities, higher fines and a jail sentence may be imposed. See 33 USC 1321. No garbage, trash, oil, fuel, debris, or other material, liquid or solid, shall be deposited in the water or on land areas of City facilities, except into containers provided for that specific purpose. Waste oils must be poured into special containers provided for that specific purpose.

9. All vessel owners, operators, crew or guests using City facilities or its facilities for moorage or otherwise shall keep his/her vessel, gear locker, boathouse, net areas, and the pier or finger in the vicinity of his/her vessel neat, clean, and orderly.

10. No storage is permitted on piers or fingers. Oily rags, open paints, or other flammable or explosive material must not be stored in locker boxes, net lockers, or other City facilities.

11. Vessels which, in the opinion of the Gig Harbor Police Chief, do not meet normal safety standards or because of their size or construction are hazardous to the City property or other vessels or facilities will be denied permission to remain at City facilities.

12. Vessels moored in City facilities must, at all times, be completely seaworthy and ready for immediate cruising in local waters, except in cases of machinery replacement or repair. Vessels must be able to maneuver under their own power, using a propulsion system that is consistent with the vessel's original design plans. Affixing tow ropes, outboard engines or other power workarounds does not satisfy the propulsion requirement and may result in a notice of termination. City Staff may ask owners to demonstrate seaworthiness at any time.

13. A vessel owner who denies permission when requested for an on-board inspection of his/her vessel by the Gig Harbor Police Department, U.S. Coast Guard Boarding Officer, U.S. Coast Guard Auxiliary Boat Examiner, shall be deemed in non-compliance with these rules and regulations.

14. Those utilizing the City's facilities shall obey all Municipal, County, State, and Federal regulations and laws, and generally accepted safety standards and requirements to ensure that their actions or vessel do not become a hazard to themselves or other vessels, or persons, in the City's facilities. This includes providing up to date proof of vessel insurance and current registration, upon slip assignment and/or as requested by the City. Non-residents of the state may present the following as a substitute for Washington State vessel registration: Proof of non-residence (vessel may only stay 60 days), a one-year use permit for vessels 30' or longer obtained under RCW 82.08.700 or 82.12.700, a nonresident vessel permit under RCW 88.02.620 where use in this state does not exceed 6 months in any continuous 12 month period. Foreign vessels may present a US Customs service cruising license or permits issued by the State of Washington allowing an extended stay.

15. Discharging any material from vessels in a manner inconsistent with federal, state or local law is prohibited while at City facilities. This prohibition includes discharge of sewage from toilet facilities. See Environmental Protection Agency regulations implementing the Clean Water Act, section 312 (standards for marine sanitation devices (MSDs)): 40 C.F.R. 140 et seq, USC Title 33 Chapter I Subchapter O Part 159, Revised Code of Washington (RCW) 90.48.080, Washington Administrative Code (WAC) 173-201A, and Coast Guard regulations implementing CWA section 312, 33 C.F.R. 159, Subparts A-D. The owner, operator, or person in charge of the vessel at the time of illegal discharge can be fined according to applicable laws. Vessels violating federal, state or local discharge laws shall be deemed in violation of these rules and regulations and the moorage agreement and may be subject to termination of moorage.

16. Living aboard vessels is prohibited at the Homeport. The captain may sleep aboard; and the crew is allowed to sleep aboard for ten days immediately before and immediately after the fishing season.

17. Vessels may be moved by the City for the protection of life or property or best utilization of the facility.

18. Moorage space, once assigned, may not be sub-assigned by the user without written approval of the City Public Works Department.

19. Pets (e.g. dogs and cats) must be kept on a leash and controlled at all times in areas owned by the City. Owners will be responsible for proper clean-up and disposal of animal waste in a proper container; waste shall not be put into the water. Pet owners will ensure their pets are not disruptive. Non-compliance may lead to termination of moorage.

20. Swimming, or moorage of any type of vessel other than a commercial fishing vessel is not permitted at the Commercial Fishing Homeport.

21. Any rowboats, skiffs, dinghies, rafts, nets, reels, and or other equipment or gear left on dock without proper storage arrangements will be in violation of the rules and subject

to being removed as a nuisance, at the owner's expense.

22. Children under twelve (12) years of age are not permitted on piers unless accompanied by a parent or other responsible adult. A personal flotation device is recommended.

23. All moorage facilities are no-wake zones.

24. Vessels, when unattended, must be securely moored with bow, stern, and spring lines of an adequate size and number to keep the vessel secure.

25. Posting of signs for the sale, charter or rental of vessels while moored at City facilities is prohibited.

26. Boat gear and private dock carts shall not be left on the ramp or dock.

27. No commercial use of City facilities will be allowed unless a City permit or license has been granted. The requirements and conditions for such permits and licenses shall be as outlined in separate instructions as issued by the City.

28. The City reserves the right to inspect any of its property, such as finger piers, slips, and any other property, at any time. Failure to inspect shall not be deemed to create any responsibility and/or liability upon the City.

29. No major repair work or outfitting, spray-painting, sandblasting, sanding, welding or burning on vessels will be performed without specific approval of the Public Works Director and permit from the Fire Department.

30. Transfer of fuels, oils, lubricants, or other flammable liquids of any kind, from vessel to float/dock or from float/dock to vessel, is strictly prohibited.

31. Any commercial fishing or vessel is required to carry a minimum of \$300,000 (three hundred thousand dollars) of liability insurance if moored for 30 days or more. Liability insurance shall name the City of Gig Harbor as additionally insured. Proof of vessel and crew coverage is also required.

A. ENFORCEMENT

The Public Works Director or Police Chief may request persons violating these regulations to leave City's facilities and/or obtain the assistance of law enforcement officers to protect property, lives or preserve the peace. The Director may interpret the reasonable intent of these regulations to carry out the purposes of these regulations. If a vessel, the owner of which has been notified to remove the vessel from the City's facilities, is not removed immediately, it may be impounded by the Police Department, and may be removed by a private contractor, charges for which will be assessed against the vessel and/or its owner.

B. LIMITATION OF RIGHTS PRIVILEGES OR REMEDIES

Nothing contained in these rules and regulations shall be construed as a limitation of any rights, privileges, or remedies available to the City under any applicable laws.

C. VESSEL REGISTRATION AND PROCEDURES

1. All vessels must be registered with the city by owners or operators prior to arrival at the city's facility. Registration must occur at the Gig Harbor Civic Center at 3510 Grandview Street.
2. All vessel owners must agree to terms of this agreement upon signing the Commercial Fishing Homeport Moorage Agreement.

D. PRIORITY OF MOORAGE ASSIGNMENT

1. The Homeport is intended to serve as a facility for the fishing industry. Vessels mooring at the Homeport must be actively engaged in commercial fishing operations as in 4 below..
2. The City shall be the exclusive judge of whether a particular vessel is actively engaged in bona fide commercial operations based upon 4 below.
3. A vessel otherwise qualifying as active but which is prohibited from engaging in commercial fishing operations by reason of government mandated closure of the fishery(ies) in which it would otherwise operate, shall be considered as actively engaged in bona fide commercial fishing operations.
4. Vessels that were actively engaged in commercial marine operations but become inactive for more than two years will no longer be eligible to moor at this facility. Fish tickets shall be provided upon request of the city.
5. In the event that more applications for moorage are received than space allows, the following prioritization will be implemented (proof of address of owner or operator required):
 - a. City of Gig Harbor residents
 - b. Gig Harbor Urban Growth Area residents
 - c. All others
6. If there is more demand for moorage than slips available, slips will be awarded via the prioritization in 5 above, and a random drawing after the prioritization has been implemented, based on size of slips available.

E. WAITING LIST

In the event a moorage waiting list for active commercial fishing vessels is created, the City will manage this list on a first-come, first-served basis, prioritized as in section D5 above, where each time a slip comes available the City will contact the first person on the list with a boat size that works for the vacant slip. The city will provide no more than 48-hours to respond. The city will continue down the list until a fishing vessel fills the open slip. A fee, as established by the city's adopted fee resolution, will be required to secure a spot on the waiting list.

Commercial Moorage Rates at Washington Marinas

Facility Operator	Location	Length	Rate Per Foot/Month	Tax* 12.84%	Total Rate Incl. Tax
Port of Bellingham	Squalicum Harbor	Less than 80 feet	\$ 6.39	\$ 0.82	\$ 7.21
		80 feet and larger	\$ 7.20	\$ 0.92	\$ 8.12
	Blaine Harbor	Less than 80 feet	\$ 6.39	\$ 0.82	\$ 7.21
		80 feet and larger	\$ 7.20	\$ 0.92	\$ 8.12
Port of Port Townsend	Boat Haven	Up to 70 feet	\$ 9.06	\$ 1.16	\$ 10.22
		71 feet +	\$ 10.31	\$ 1.32	\$ 11.63
Port of Seattle	Fisherman's Terminal	30-79 feet	\$ 9.50	\$ 1.22	\$ 10.72
		80-125 feet	\$ 13.47	\$ 1.73	\$ 15.20
Port of Everett	Port of Everett Marina	Any	\$ 10.12	includes tax	\$ 10.12
Port of Anacortes	Cap Sante Marina	Any	\$ 7.97	\$ 1.02	\$ 8.99
Port of Skagit	La Conner Marina	Under 30	\$ 8.04	\$ 1.03	\$ 9.07
		30 - 35	\$ 8.69	\$ 1.12	\$ 9.81
		35 - 40	\$ 9.14	\$ 1.17	\$ 10.31
		41 - 45	\$ 9.56	\$ 1.23	\$ 10.79
		45 - 50	\$ 9.92	\$ 1.27	\$ 11.19
		Over 60	\$ 11.33	\$ 1.45	\$ 12.78
Port of Grays Harbor	Westport Marina	Any	\$ 11.50	\$ 1.48	\$ 12.98

*Current leasehold tax rate

Note: Extra charges for electricity, environmental fees, etc.

Average rate per foot = \$ 10.26

Average rate for < 80 feet = \$ 9.97

9.479