

SHORELINE COMMITTEE AGENDA COVER SHEET

Meeting Date	Staff Contact	
5/27/2010	STEVEN SUNDIN, 778-8359	
Subject:		
<p>Project: Installation of a new sewer pump-out station, three new remote pump outs, and a new 3-inch service connection on an existing float / gangway / pier. The new 3-inch service will be connected to an existing sanitary sewer main – upland from the project area. A site plan is attached.</p> <p>APPLICANT: Port of Bellingham, Adam Fulton, contact, 676-2500. LOCATION: Berth 2 at the Bellingham Cruise Terminal. Area1B, Fairhaven Neighborhood. Urban Maritime shoreline designation.</p>		
Attachments:		
1. EXHIBIT A Site plan		
2. EXHIBIT B SMP Findings of Fact		
Meeting Type	Category	
<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Legislative	
<input checked="" type="checkbox"/> Public Meeting	<input checked="" type="checkbox"/> Quasi-judicial	
<input type="checkbox"/> Work Session	<input type="checkbox"/> Information Only	
<input type="checkbox"/> Briefing		
Clearances	Initials	Date
Tim Stewart, Director	DMS	5-11-10
Steven Sundin, Planner	SS	5-7-2010
Previous Commission Meeting or Action:		
None.		
Recommended Action:		
Approve as proposed.		

1 **STAFF REPORT**

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3 **Agenda Topic:** New sewer pump-out facilities at Berth 2 at the Bellingham Cruise
4 Terminal in Fairhaven.

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6 **For:** May 27, 2010 Shoreline Committee public meeting (Quasi-judicial)

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8 **Staff Contact:** Steve Sundin, Planner

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10 **I. SUMMARY OF PROPOSAL:**

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12 One new sewer pump-out and three new remote stations, a new sewer service connection
13 line (2-3") at Berth 2 at the Bellingham Cruise Terminal (BCT) in Fairhaven. Currently there
14 are no pump-outs at Berth 2. This berth is used primarily for SOLAS class vessels. (Safety
15 of Life At Sea)

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17 The purpose of the project is to provide sewer pump-out stations at Berth 2 so that it is
18 convenient for proper discharge of personal waste materials. This also decreases instances
19 of disposal in open waters of Bellingham Bay and beyond. Please see EXHIBIT A.

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21 The Planning and Community Development Department issued a SEPA DNS on this
22 proposal on May 3, 2010.

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24 **II. SHORELINE COMMITTEE ROLE**

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26 The Shoreline Committee will review the proposal and the staff recommendation in terms of
27 the proposal's consistency with the 1989 Shoreline Master Program. The Shoreline
28 Committee recommendation will be forwarded to the Director for his consideration and final
29 approval.


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31 **III. STAFF RECOMMENDATION**

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33 Based upon the Findings of Fact in EXHIBIT B, staff recommends approval of the project as
34 proposed.

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36 **IV. ATTACHMENTS**

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38 EXHIBIT A Site Plan
39 EXHIBIT B Findings of Fact

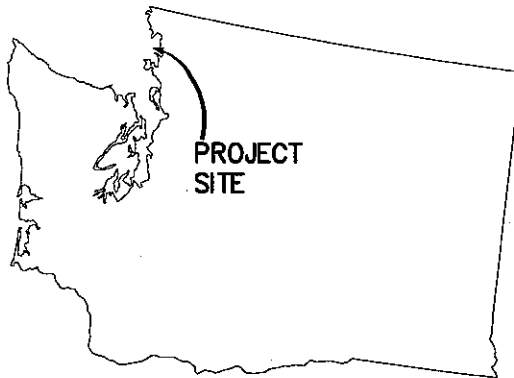
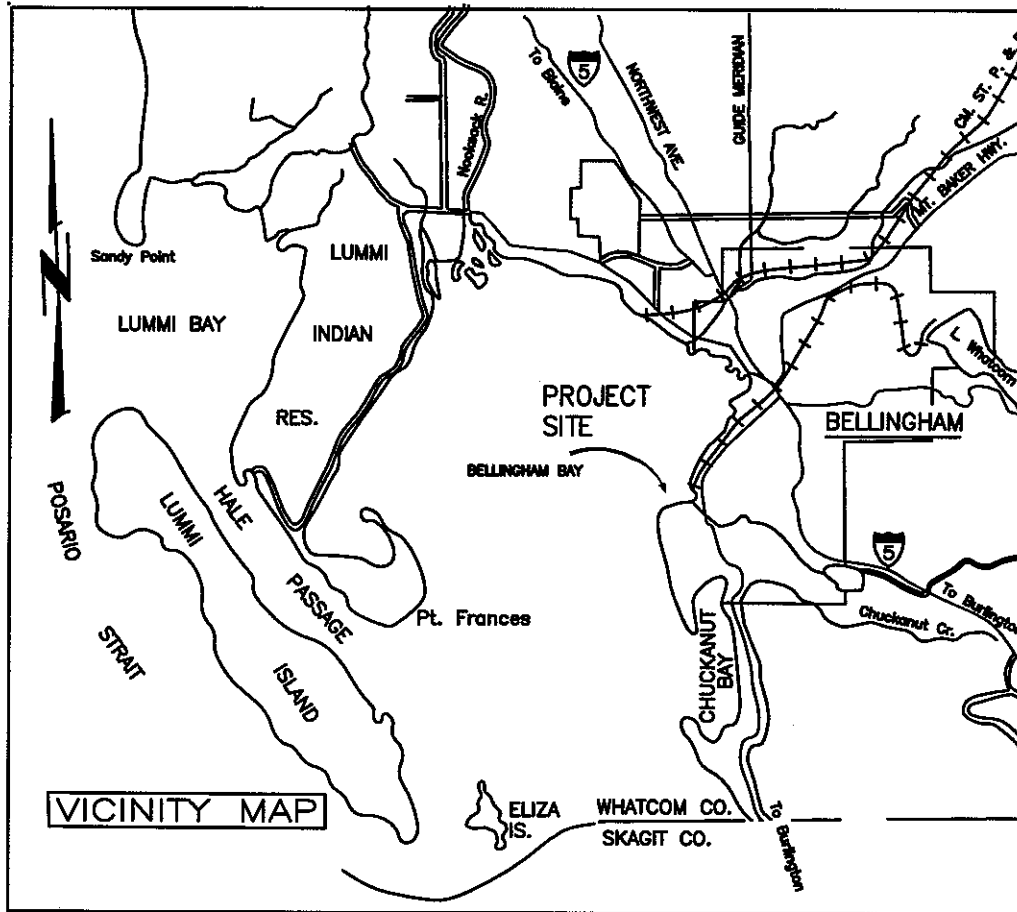
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45 Staff Report prepared by:

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49 Steven Sundin, Planner *KDH*

Staff Report reviewed for submittal by:

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Tim Stewart, Planning and Community
Development Department Director

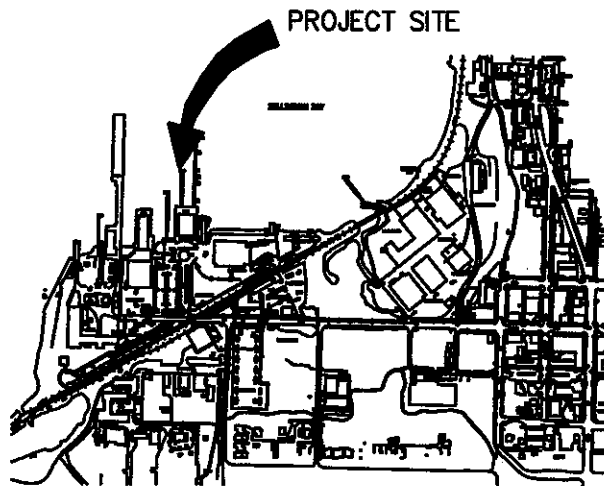
EXHIBIT A



DIRECTIONS TO SITE FROM SEATTLE

1. I-5 NORTH TO EXIT #250 "VALLEY PARKWAY"
2. GO WEST ON VALLEY PARKWAY.
3. GO WEST ON HARRIS AVENUE.

MILES
84.0
2.0
0.5



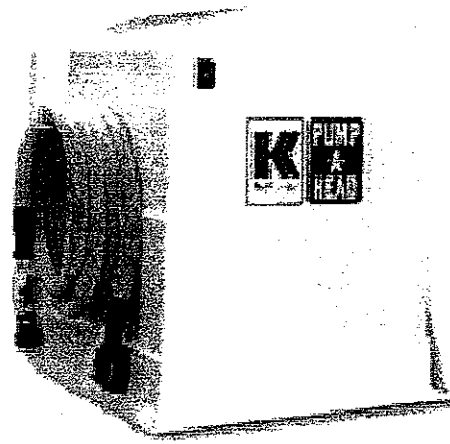
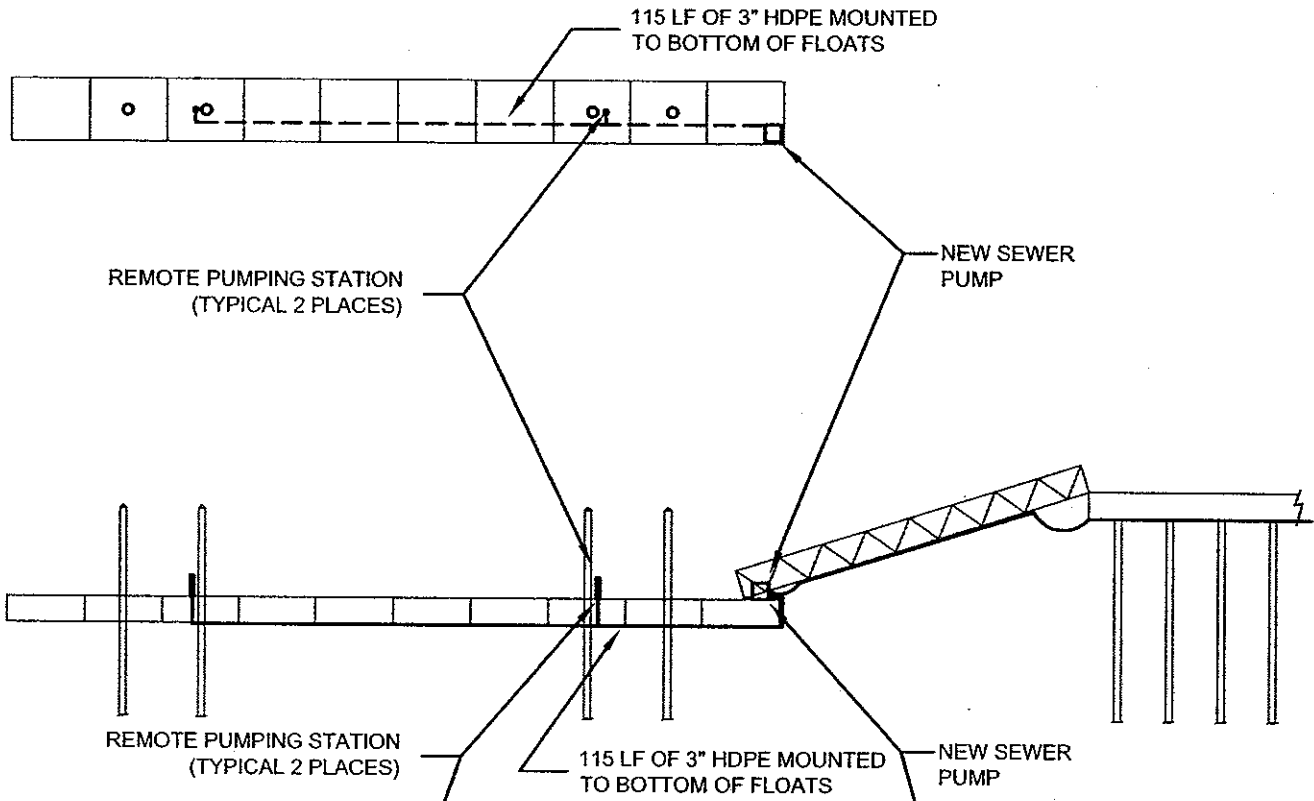
48°43''N
122°30'W

PURPOSE:
JARPA PERMIT FOR BELLINGHAM CRUISE TERMINAL
BERTH #2 SEWER PUMP-OUT STATION
SOURCE: USGS

VICINITY MAP
PORT OF BELLINGHAM

BCT BERTH #2 SEWER PUMP-OUT STATION
IN : BELLINGHAM
AT: BELLINGHAM CRUISE TERMINAL
COUNTY OF: WHATCOM STATE: WA
APPLICATION BY: PORT OF BELLINGHAM
SHEET: 1 OF 2 DATE: MARCH 5, '10

EXHIBIT A



<p>PURPOSE: JARPA PERMIT FOR BELLINGHAM CRUISE TERMINAL BERTH #2 SEWER PUMP-OUT STATION SOURCE: USGS</p>	<p>SCOPE OF WORK</p> <p>PORT OF BELLINGHAM</p>	<p>BCT BERTH #2 SEWER PUMP-OUT STATION IN : BELLINGHAM AT: BELLINGHAM CRUISE TERMINAL COUNTY OF: WHATCOM STATE: WA APPLICATION BY: PORT OF BELLINGHAM SHEET: 2 OF 2 DATE: 3/5/10</p>
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FINDINGS OF FACT : SHR2010-00010

Compliance with the City's 1989 Shoreline Master Program

Section 24 – URBAN MARITIME ENVIRONMENT:

A. **DEFINITION:** Areas proximate to navigable waters and are suitable for water borne commerce or other water dependent use.

B. **PURPOSE AND INTENT:** The purpose of the Urban Maritime Environment is to reserve areas of land use activities that require proximity to navigable waters.

C. REGULATIONS

1. Permitted uses must be:

a. Water-dependent, or

b. Publicly owned waterfront recreational uses, which make use of a unique shoreline resource such as a waterfront park, view, tower, public pathway, public maritime interpretive display, or aquarium.

c. Required public access features. The above uses are permitted on over-water construction.

2. Non-water dependent uses, excluding residences, may be permitted as accessory uses provided they functionally support a permitted use. Accessory uses must be vacated if the primary use they support is vacated. Uses permitted as accessory uses shall not be built on over-water construction in the Urban Maritime Environment.

3. **Conditional Uses:** Water enjoyment uses may be permitted as conditional uses on land above the ordinary high water mark in the Urban Maritime Environment provided they meet all other ordinances, codes and regulations and provided they meet the following conditions:

a. The proposed development provides continuous public access at the water's edge.

b. The proposed use does not interfere or restrict existing or permitted water-dependent uses. Water-dependent commercial and industrial uses have primary over water-enjoyment uses in the Urban Maritime Environment.

c. Other conditions as set by the Direction of the Planning and Economic Development. Water enjoyment uses except for publicly owned waterfront recreational uses may not be built on over-water construction in the Urban Maritime Environment.

STAFF RESPONSE: The new pump-out stations and sewer line connections functionally support a permitted water-dependent use – in this case – Berth 2.

Section 26: GENERAL REGULATIONS:

A. The following activities are allowed within the setbacks required in Section 18 through 25 of this ordinance or in any water body, EXCEPT in a Natural Environment.

1. Road, railroad, and utility construction necessary to span the shorelines to facilitate the circulation or utility network of the City.
2. Over-water construction including: Piers docks, floats, breakwaters, jetties and groins are permitted within Urban I, Urban Maritime and Urban Multi-Use Environments and those areas of Conservancy I designation located from the north section line of Section 14 Township 37 north, Range 2 east northerly to the south right-of-way line of Willow Road and from the extended north line of Lot 7, Block 3, Division No. 2 northerly to the southerly line of Cowgill Avenue extended westerly subject to pertinent provisions contained herein.

STAFF RESPONSE: There are no setback requirements in the Urban Maritime shoreline designation. The new pump-out station, the two remote pump-out stations (hydrants) and sewer connection lines are allowed. No additional floats or in-water structure is proposed. Sewer connection line will be mounted to bottom of whaler slightly above the water-surface and underneath pier-head before connection to existing city sewer main upland from the proposal.

Section 27: USE REGULATIONS

MARINAS: The following regulations shall apply to all marina activities including wet moorage, dry storage and launch ramps.

3. Discharge of solid waste or sewage into the water body is prohibited. Marinas shall be supplied with adequate restroom and solid waste receptacles to accommodate marina users.
6. All new marinas shall provide adequate space and utility capability for pump-out, holding and/or treatment facilities for sewage contained on boats or vessels.

UTILITIES: The following regulations shall apply to the installation of electrical, gas, oil, telephone, television, sanitary and storm sewer and water utilities on the shorelines of the City.

1. All utilities shall be placed underground where feasible. Following installation/maintenance projects, project areas shall be returned to pre-project configuration and shall be planted with shrubs, grasses and trees of similar types and concentration as exists in the general vicinity of the project, PROVIDED, the requirement for vegetative installation may be waived or altered if, in the opinion of the Planning and Economic Development Department the utility easement may be utilized for public access and such access is consistent with the protection of private property.

STAFF RESPONSE: The new pump-out stations will improve convenience and is anticipated to decrease the probability of discharge of personal waste material into open water. The upland portions of the new sewer line connections will be undergrounded and do not traverse environmentally sensitive areas but rather parking lot areas.

The proposal is an allowed activity and complies with the regulations stated above. The proposal is also anticipated to improve the existing shoreline ecological function within the project vicinity and the waters of Bellingham Bay based on the information specified above.