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BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

In the Matter of the Appeal of )  
)  
8 **Michael Schmautz** )  
) No. S-16-005  
9 From an Interpretation by the Director, Seattle )  
Department of Construction and Inspection. ) Declaration of Megan Mueller in Support of  
) City's Motion for Summary Judgment  
)  
11 \_\_\_\_\_ )

I, MEGAN L. MUELLER, declare under penalty of perjury under the laws of the State of Washington that:

1. This declaration is based on my personal knowledge of the facts described below.
2. I am over eighteen years of age and am otherwise competent to testify regarding these matters.
3. At all times relevant to this Declaration I was employed as a Shoreline Analyst for the Seattle Department of Construction and Inspections.
4. I have a Bachelor of Science degree in marine science and biology from the University of South Carolina and a J.D. with a certificate in environmental law from the University of Maryland.

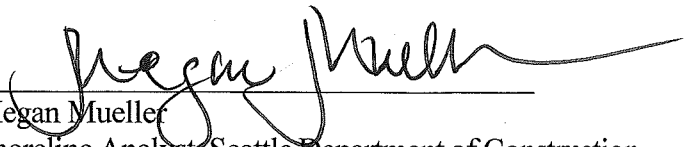


- 1 5. Prior to my tenure with the City, I worked in state and federal coastal and fisheries policy  
2 and as a private sector consultant in coastal development. A copy of my resume is  
3 attached.
- 4 6. I have worked as a Shoreline Compliance Analyst for the City for a little over a year and  
5 have processed a majority of the Floating OnWater Residence, House Barge, and Vessel  
6 Containing Dwelling Unit applications that have been submitted during that time.
- 7 7. A true and correct copy of the standard moorage agreement from Shilshole Bay Marina is  
8 attached as Exhibit A, and provides that that the only permitted watercraft are “vessels  
9 being used as a means of transportation, recreational boating, yachting, or commercial  
10 fishing which are designed for and capable of navigation on open waters. Houseboats are  
11 not allowed.”
- 12 8. A survey of potential floating on water residences was conducted by the City in 1015,  
13 prior to implementation of the FOWR verification program, and approximately 222 were  
14 identified. A true and correct copy of that survey is attached as EXHIBIT B.
- 15 9. FOWRs can affect the ecological function of shoreline areas, impede public access to the  
16 water, impact views, and displace water dependent uses such as vessel moorage. FOWRs  
17 traditionally come with greater square footage and height, and contain fixtures more  
18 traditional to residential structures than vessels, such as bathrooms, kitchens, laundry  
19 facilities, and others that create more wastewater and greywater and have the potential to  
20 create greater environmental degradation to the shorelines
- 21 10. On August 5, 2016, I wrote a letter to Mr. Schmautz, denying his application for  
22 verification of a Floating On Water Residence, because his vessel is a conventional  
23 recreational vessel that does not need to be verified.



1 DATED this \_\_\_\_\_ day of November, 2016.

2  
3 By:

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5 Megan Mueller  
6 Shoreline Analyst, Seattle Department of Construction  
7 and Inspections  
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# MEGAN L. MUELLER

2142 8<sup>th</sup> Ave N Apt 210 | Seattle, WA 98109 | (972) 322-7104 | Megan.L.Mueller@gmail.com

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## MARINE RESOURCES MANAGER & ENVIRONMENTAL POLICY SPECIALIST

Accomplished natural resources professional with unique combination of science background and law degree with environmental specialty. Demonstrated ability to bridge the gap between policy and practice by interpreting and communicating complex regulations and scientific concepts with diverse stakeholders. Recognized for success in operating at executive levels of administration including working closely NOAA Administrator to lead multi-million dollar initiatives.

### Selected areas of expertise:

- Environmental Law
- Fisheries Management
- Marine Biology
- Project Management
- Regulatory Policy
- Environmental Legislation
- Community Outreach
- Ecosystem Assessment
- Public Speaking

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## WORK EXPERIENCE

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City of Seattle, Seattle, WA

Nov 2015 to Present

### Shoreline Compliance Analyst

- Implemented the City's Shoreline Master Program updated in June 2015. Conducted public outreach and developed interpretations and enforcement policies for new code provisions.
- Analyzed and investigated violations of shoreline regulations. Negotiated compliance with property owners, developers, and attorneys. Represented the City in appeals before the Hearing Examiner.
- Developed Best Management Practices (BMPs) for 300+ over-water residences and shoreline developments. Worked with state biologists to ensure consistency with ESA and salmon protections.

Hans Wilson and Associates, Ft. Myers, FL

Oct 2014 to Oct 2015

### Lead Marine and Environmental Consultant

- Managed the environmental consulting portfolio leading projects involving environmental planning, marine and coastal environmental services, environmental resource permitting, and wildlife.
- Exceeded \$250,000 funding levels through spearheading entire grant process from initial research through application for opportunities such as shoreline enhancement and habitat restoration.
- Researched, wrote, and delivered new management plan for multi-million dollar filter marsh project.
- Identified solutions to repair shoreline infrastructure and seawalls that also created fisheries habitat for endangered smalltooth sawfish.

National Oceanic and Atmospheric Administration (NOAA), Washington, DC

Feb 2011 to Sep 2014

### Attorney-Advisor, Office of General Counsel for Enforcement (Feb 2014 to Sep 2014)

- Spearheaded the production of new National Practice Manual and Seizure/Forfeiture Policy to modernize processes and ensure compliance with regulatory requirements.
- Generated policy improvements to NOAA regulations to increase compliance with law and create more efficient practices that curb natural resource abuse.
- Partnered with government agencies including Department of Justice to develop new environmental law enforcement procedures resulting in a more consistent and streamlined process.

### Program Analyst, Oceanic and Atmospheric Research (Oct 2013 to Feb 2014)

- Conceptualized, implemented and evaluated plans for national research strategy for the Office of Oceanic and Atmospheric Research (OAR).
- Pioneered the creation of environmental compliance policies and training including NEPA for OAR.
- Managed cross program collaboration through mediation and communication with NOAA line offices.

### Policy Advisor to the NOAA Administrator (Feb 2012 to Oct 2013)

- Represented NOAA's \$400 million research and climate portfolio among the executive leadership, acting as the primary liaison between OAR and the NOAA Administrator.





- Analyzed and delivered comprehensive reports on policy analysis and programs, including writing executive speeches for the NOAA Administrator.
- Selected to act as spokesperson for NOAA and OAR at a variety of high level meetings and public fora including interagency groups, federal advisory committees, press events, and conferences.
- Maximized support for programs through strategic relationship building with partners including federal and state governments, academia, the military, NGOs, media, Congress, and the public.

**Special Assistant to the Assistant Administrator, Knauss Fellow** (Feb 2011 to Jan 2012)

- Selected to lead the NOAA task force to the Fukushima nuclear incident and formulated a response strategy in conjunction with the Government of Japan, including travel as a member of the US Delegation.
- Oversaw special projects from conceptualization through execution including NOAA's engagement with the internationally recognized X-Prize foundation for the Wendy Schmidt Ocean Health X-Prize.
- Advanced US ocean policy including coastal and marine spatial planning through development of policy guidelines.

Marine Conservation Biology Institute, Washington, DC

Aug 2010 to Jan 2011

**Ocean Policy Fellow** 40 Hours/Week

- Researched US marine policy, marine conservation, and high seas fisheries enforcement.
- Executed a comprehensive review of marine protected area (MPA) management priorities and proposed policy options to facilitate multiagency operations.
- Generated daily reports for foundation executive leadership on current marine conservation issues.

The Chesapeake Bay Foundation, Annapolis, MD

May 2009 to Jul 2009

**Legal Intern, Maryland Office** 40 Hours/Week

- Advocated for state and regional policies to improve the water quality and health of the Chesapeake.
- Interpreted previously untested regulations for the protection of water quality.

Maryland Department of Natural Resources, Annapolis, MD

Jan 2008 to Oct 2009

**Legal and Regulatory Intern, Fisheries Service**

- Delivered recommendations to General Assembly on the reorganization of state fisheries management structures in collaboration with fishermen and NGOs.
- Investigated the feasibility and enforceability of fisheries management schemes including individual quota allocation and fishing gear restrictions.
- Wrote and researched fisheries regulations, legislation, habitat criteria, and management plans.

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**EDUCATION**

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University of Maryland School of Law, Baltimore, MD

May 2010

**Juris Doctor, Certificate in Environmental Law**

University of South Carolina, South Carolina Honors College, Columbia, SC

May 2007

**Bachelor of Science in Biology, Marine Science, Minor: French**

- Cum Laude, with Honors from the South Carolina Honors College, President's List, Dean's List
- McNair Scholar, Recipient of USC's highest academic scholarship for out-of-state students
- Thesis: An Analysis of Habitat Designations by the South Atlantic Fishery Management Council

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**ADDITIONAL HONORS & ASSOCIATIONS**

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NOAA Safe and Sustainable Seafood Sea Grant Performance Review Panel, 2015 Admitted to the Bar of Maryland, 2010



# **Exhibit A**



## MONTHLY MOORAGE APPLICATION

Select location:	<input type="checkbox"/> Shilshole Bay Marina	<input type="checkbox"/> Harbor Island Marina	<input type="checkbox"/> Bell Harbor Marina
Select Moorage Type:	<input type="checkbox"/> Wet Moorage	<input type="checkbox"/> Dry Moorage (SBM)	<input type="checkbox"/> Live-aboard (SBM) <input type="checkbox"/> Kayak Storage
Select Term:	<input type="checkbox"/> Monthly Moorage: Starting _____ <input type="checkbox"/> Temporary Moorage: From _____ to _____		

How did you find us? (Check One)	<input type="checkbox"/> Boat Show	<input type="checkbox"/> Friend Referral	<input type="checkbox"/> Referral from another Marina
	<input type="checkbox"/> Broker Referral	<input type="checkbox"/> Internet	<input type="checkbox"/> Other: _____
	<input type="checkbox"/> Former Customer	<input type="checkbox"/> Newspaper or Magazine: _____	

Customer Name:		City:	
Address:		State:	Zip:
Home Phone:	Mobile Phone:	Work Phone:	
E-mail (REQUIRED):			
Vessel Name:		WN or Document Number:	
ELOV*:	Beam**:	Make & Model:	Sail/Power:
Emergency Contact:		Emergency Phone:	
		Emergency Phone:	

\* ELOV = Extreme Length of Vessel includes bow sprint, swim step, davits, dinghy, rudder posts, or anything else that adds to the overall length.

\*\* Beam is measured at widest point of vessel.

- 1) **The non-refundable waitlist fee is \$50 for Shilshole Bay Marina and \$25.00 for Harbor Island Marina.** This fee only applies if moorage is not immediately available and your name is placed on a waitlist. This administrative fee is not a deposit and will not be applied towards any of your moorage fees.
- 2) **Applicant agrees to keep the marina office advised of any changes in address and contact information.** When moorage becomes available we will notify you by email and follow up by telephone if there is no response to the emailed offer. If we are unable to reach you, or you fail to accept our offer of moorage in a timely manner, your application fee is forfeit and your name will be removed from the wait list without further notice.
- 3) **Prior to move-in the Port of Seattle requires a signed moorage agreement, proof of ownership, proof of insurance, and the first month's moorage fee.** Upon completion of the moorage agreement and receipt of these items you will be issued key-fobs, a parking permit, and other pertinent information.
- 4) **Only the applicant signing this application will have rights to moorage at a Port of Seattle marina.** The slip for which you have applied will be for the benefit of the below named/signed applicant, his/her spouse/valid domestic partner, and/or minor children.
- 5) This application only applies to the vessel size and characteristics stated above. If you decide to moor a larger or smaller vessel and want a different size slip, you may submit a Change Request for a fee of \$10.00. Each subsequent change request by the same customer will be \$35.00. Please note the waiting times vary for each slip size.
- 6) **Your vessel must fit the assigned slip in order to retain moorage.** It is important that the vessel size listed above remains accurate.
- 7) Permitted watercraft includes vessels being used as a means of transportation, recreational boating, yachting, or commercial fishing which are designed for and capable of navigation on open waters. **Houseboats are not allowed.**
- 8) See appropriate Customer Handbook for complete list of policies. A copy of the current tariff and Marina Regulations, Policies and Procedures are all available at the marina office or online at [www.portseattle.org](http://www.portseattle.org).

By signing this application, I agree to the above conditions.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

**For office use only:**

Method of Payment:  Cash  Check  Visa  MasterCard

Credit card number: \_\_\_\_\_

Exp. Date: \_\_\_\_\_

Processed by: \_\_\_\_\_

Date: \_\_\_\_\_

Customer #: \_\_\_\_\_

Payment ID: \_\_\_\_\_

Revised 6/11

Return applications to

Shilshole Bay Marina • 7001 Seaview Avenue NW, Suite 100 • Seattle, WA 98117

Phone: 206.787.3006 • Fax: 206.787.3391 • Email: [sbm@portseattle.org](mailto:sbm@portseattle.org)



## AUTHORIZATION TO LIVE ABOARD

This Authorization to Live Aboard is for (check one):  Current moorage Customer  Sublease Customer:

Requesting Liveaboard Status at (check one):  Shilshole Bay Marina  Harbor Island Marina.

Customer Name (please print): \_\_\_\_\_ Customer #: \_\_\_\_\_

Slip#: \_\_\_\_\_ Home Phone: \_\_\_\_\_ Cell #: \_\_\_\_\_ Boat Name: \_\_\_\_\_

I hereby request permission to live aboard my vessel while moored in the marina indicated above. I also request permission for those persons listed below to live aboard my vessel. I understand that should I terminate my liveaboard status, or my liveaboard status otherwise be terminated, neither I nor the persons listed below will be able to live aboard my vessel as defined below (please print).

1) \_\_\_\_\_ (Relationship): \_\_\_\_\_ 2) \_\_\_\_\_ (Relationship): \_\_\_\_\_

3) \_\_\_\_\_ (Relationship): \_\_\_\_\_ 4) \_\_\_\_\_ (Relationship): \_\_\_\_\_

\*\*\*\*\*

**Liveaboard Definition:** A Liveaboard is defined as any person who sleeps aboard a vessel more than fifteen days in any month while the vessel is moored at the marina. Only the moorage customer or authorized sublease may apply for live aboard authorization.

**Continuation of Liveaboard Agreement:** If for any reason, during the tenure of the liveaboard(s) listed above, the verbiage, conditions, or related rules, laws or regulations related to this agreement are changed, the most current version, tariff and procedures, will take precedence over this agreement.

**Liveaboard Fee:** A monthly liveaboard fee, as published in the Port of Seattle Moorage Tariff Number 6, is required and is the responsibility of the current moorage customer. The fee will commence on the same month as liveaboard moorage was authorized by the Marina Office. Balances unpaid after 60 days (including monthly moorage, liveaboard fee and electrical costs) will be in default and moorage will be subject to termination. The fee will continue even if the customer is temporarily off the vessel or out of the slip.

**Status Termination:** Liveaboard status may be terminated by the authorized person (moorage customer) on this agreement by written notice to the Marina Office. Notice of termination must be received in the Marina Office prior to the last day of the current month (e.g. received April 25<sup>th</sup> to be effective May 1<sup>st</sup>).

**Liveaboard status:** Liveaboard status may be terminated if the authorized person(s) on this agreement no longer sleeps aboard the vessel as per the definition above. However, those persons who will be temporarily not living aboard in the marina (not to exceed 12 months in an 18-month period including any sublease time) must advise the marina office in writing prior to leaving as to the dates leaving and returning to live aboard. The monthly liveaboard fee will continue to be charged during this temporary absence.

**Sublease Slip:** The current moorage customer per this agreement may sublease the above noted slip by completing a Marina Sublease Agreement and providing proof of insurance for the sublessee. All sublease agreements must be approved by the Marina Office in advance. The moorage customer will continue to pay the liveaboard monthly fee during the duration of the sublease agreement. The moorage customer may charge the sublease customer the monthly liveaboard fee regardless of whether the sublease customer is living aboard or not. Sublease customers who

## AUTHORIZATION TO LIVE ABOARD

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wish to live aboard as part of their sublease agreement are bound by all aspects of this authorization and the moorage agreement between the port and the moorage customer. Fees and charges (moorage, liveaboard, electrical, etc.) must be paid directly by the moorage customer.

**Security:** All liveaboard tenants are encouraged to enhance marina security by participating in the Marina Neighborhood Watch Program. Participation may include calling to the attention of the marina staff and/or Port of Seattle Police any possible or potential damage to vessels, piers, docks, or other parts of the marina facilities. Additionally, this may include unauthorized persons on piers or docks, possible theft, suspicious behavior, unsafe practices, or any other incidents that threaten the safety and security of the marina community. In case of fire or other emergency, liveaboards should call 911. Please inquire at the Marina Office for more information about the Marina Neighborhood Watch Program.

**Best Management Practices:** All liveaboard tenants agree to comply with current Best Management Practices (BMP's) for the proper handling and disposal of fuel, oil, chemicals, hazardous waste, gray water and other solid waste. A copy of the document can be obtained in the Marina Office.

**Customer Behavior:** Behavior that disturbs or creates a nuisance for others in the Marina is not permitted. Complaints regarding liveaboard behavior shall be referred to the Marina Office. In case of Emergency, call 911. Repeated nuisance behavior will result in termination of this liveaboard authorization and the moorage agreement.

**Pets:** While on marina property, including the docks, pets are subject to Seattle Municipal Animal Control Code (9.25). This includes, but is not limited to, pet licensing, vaccination, and noise ordinances. Pet owners are responsible for controlling the behavior of their pet(s), keeping them on a leash (applies to all types of pets) and cleaning up after them in a timely way and manner. Moorage customers are responsible for their guests and their pets.

Initial: \_\_\_ I understand that pet wastes are a source of fecal contamination to the waters of the marina, and all pet owners will clean up all wastes from their pet(s) and dispose of these wastes properly in the garbage disposal station. Pet complaints or disputes will be referred to the dock captain. Repeated failure to comply will result in termination of this authorization and the moorage agreement. So that you can be notified in case of a lost pet or problem, please provide the type of animal (i.e. dog, cat, bird) and a description:

Type of Pet: \_\_\_\_\_ Breed: \_\_\_\_\_ Color: \_\_\_\_\_ License #: \_\_\_\_\_

Type of Pet: \_\_\_\_\_ Breed: \_\_\_\_\_ Color: \_\_\_\_\_ License #: \_\_\_\_\_

**Sewage Disposal:** Discharge of untreated sewage anywhere within the waters of Puget Sound, including Shilshole Bay Marina and Harbor Island Marina waters, is prohibited by law (Federal Water Pollution Control Act, 33 USC 1322, Washington State Water Pollution Control Act, Chapter 90.48 RCW, and other federal, state, and local laws and regulations). Discharge of treated sewage is not allowed within Shilshole Bay or Harbor Island marinas as per the moorage agreement.

I use the following method of sewage disposal on my vessel: (Please initial at least one)

Initial: \_\_\_ The vessel has no head (toilet) or has a compostable head. I only use shore side facilities. I understand that my vessel may be inspected by port staff. I will notify the Marina Office immediately if a head is installed on my vessel.



## AUTHORIZATION TO LIVE ABOARD

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Initial: \_\_\_ The vessel has a working portable toilet that is dumped at appropriate discharge stations. The following is for Shilshole liveboard customers only: I will contact marina staff and obtain the signature of a marina staff member on a "Disposal Voucher" provided by marina staff once each quarter (every 3 months). I understand that failure to provide this verification at least once a quarter may result in termination of this authorization and my moorage agreement.

Initial: \_\_\_ The vessel has a working Type III Marine Sanitation Device (MSD III) that is pumped out regularly at the self-service pump out station. The following is for Shilshole liveboard customers only: Self-service pump out stations are located on H-Dock and the north end of lower A-Dock. I will contact marina staff and obtain the signature of a marina staff member on a "Disposal Voucher" provided by marina staff once each quarter (every 3 months). I understand that failure to provide this verification at least once a quarter may result in termination of this authorization and my moorage agreement.

Initial: \_\_\_ The vessel has a working Type III Marine Sanitation Device (MSD III), that is pumped out regularly by a pump out service provider. The following is for Shilshole liveboard customers only: I will provide the Marina Office with a copy of my bill, returned check or other confirming evidence of pump-out service at least on a quarterly basis. This verification must be provided to the Marina Office once a quarter (every three months). I understand that failure to provide this verification may result in termination of this authorization and my moorage agreement.

Initial: \_\_\_ The vessel also has a working USCG certified Type I or II Marine Sanitation Device (MSD). I understand that the MSD Type I or II is not allowed as a method of sewage disposal within Shilshole Bay or Harbor Island Marinas. I only use shore side facilities. I understand that my vessel may be inspected by Port staff.

Please Note: Repeated or willful noncompliance of proper sewage handling may result in termination of this Authorization to Liveaboard and/or the Moorage Agreement. The vessel MSD may be inspected if the vessel is suspected of non-compliant discharge.

\*\*\*\*\*

I agree that only the persons named in this agreement shall live aboard this vessel. No other person shall be permitted to live aboard. I agree that I will not rent, lease, or loan my boat as a domicile. This authorization to live aboard does not alter the rights and duties of the Port or the moorage customer under the separate moorage agreement. I understand that failure to comply with marina regulations may result in termination of this authorization to live aboard and the moorage agreement. I have read and understand the Best Management Practices and the conditions to live aboard at Shilshole Bay Marina as stated in this document and in the Tariff.

Customer Name (Printed): \_\_\_\_\_

Customer Signature: \_\_\_\_\_ Date \_\_\_\_\_

Authorized by (marina staff only): \_\_\_\_\_ Date \_\_\_\_\_

## AUTHORIZATION TO LIVE ABOARD

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*Participation in the following programs is entirely optional and is not required as a condition of liveaboard status.*

**Shilshole Bay Marina SPLASH newsletter, Updates, and Alerts:** By signing up at the website below, you may receive our quarterly SPLASH newsletter and other valuable information directly to your email inbox. Only information related to Shilshole Bay Marina will be distributed through this email.

To sign up, go to [www.portseattle.org](http://www.portseattle.org) and click on "Sign up for News by Email" at the bottom of page. Then choose "Shilshole Bay Marina News" and any other Port of Seattle email you would like to receive.

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**Dock Captain Program (Shilshole Bay Marina only):** In cooperation with the Shilshole Liveaboard Association, Shilshole Bay Marina has established a Dock Captain Program where one liveaboard customer per dock is selected to be a Dock Captain. For the safety and security purposes, it is helpful for the Dock Captain of your dock to have some contact information for each liveaboard customer on their particular dock. Please indicate your participation, or non-participation, by filling out the information below. If no selection is made, your information will not be shared with the Dock Captain Program.

No, I do not wish to participate in the Dock Captain Program at this time.

Yes, I do wish to participate in the Dock Captain Program and would like to share only the following information (check all that apply and fill in the blank with the particular information you would like to share):

Slip Number: \_\_\_\_\_

Name 1: \_\_\_\_\_ Name 2: \_\_\_\_\_

Phone 1: \_\_\_\_\_ Phone 2: \_\_\_\_\_

Email 1: \_\_\_\_\_ Email 2: \_\_\_\_\_

Emergency Contact Name 1: \_\_\_\_\_ Phone: \_\_\_\_\_

Emergency Contact Name 2: \_\_\_\_\_ Phone: \_\_\_\_\_

Other: \_\_\_\_\_

*This document may be subject to the Washington State Public Records Act.*

# **Exhibit B**





# City of Seattle

Department of Planning and Development  
Code Compliance Division

## Floating Residence Survey and Verification

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Scarlett Philibosian  
October 16, 2015

### Summary

I conducted a photographic survey of 146 properties within the City of Seattle. These are properties where floating residences exist or are properties where these residences could potentially move. This best available knowledge shows that there are at least 222 potential House Barges, Floating on-water Residences, and Vessels Containing a Dwelling Unit that are required to verify with the City. These residences are spread over 37 different properties. In addition, DPD records show that there are 505 Floating Homes within the City, for a total of at least 727 floating residences required to verify or register with the City.

Two important caveats:

- None of these numbers reflect liveaboards on Conventional Recreational Vessels, a type of floating residence which the City does not regulate.
- DPD expects the total number of City-verified floating residences to be greater than 727. This is because liveaboards on Conventional Recreational Vessels can opt to verify their vessel with the City as a Vessel Containing a Dwelling Unit; some floating homes have been permitted but are not yet built; and there may be some floating residences in undocumented locations.

### General Categories of Floating Residences

The City has five categories of floating residences:

1. **Floating Homes** are connected to the municipal sewer system, exist in floating home moorages, and owners usually own their tax parcel.
2. **House Barges** are not necessarily capable of navigation and usually are not connected to the municipal sewer system. They have been moored at a recreational marina and used as a dwelling unit in the City before July 1, 1990, and have been formerly permitted with City. House Barge owners can choose whether to verify as a House Barge or as a FOWR.
3. **Floating On-water Residences (FOWRs)** are not necessarily capable of navigation and are not connected to the municipal sewer system. They have been moored at a marina and used as a dwelling unit in the City before July 1, 2014.
4. **Vessels Containing a Dwelling Unit (VDUs)** are vessels that are shown to be designed and used for navigation, but do not necessarily meet the City's definition of a CRV. They have been moored legally and used as a dwelling unit in the City before June 15, 2015.
5. **Conventional Recreational Vessels (CRVs)** are vessels that meet specific City criteria, including pointed hull shape, deck and cleat gear, and steering and propulsion systems. Currently we do not regulate liveaboards on CRVs and these owners are not required to verify their vessel with the City.

## **Purpose of Survey**

The City of Seattle's updated Shoreline Master Program took effect on June 15, 2015. As part of the update, all owners of non-CRV floating residences are required to verify or register their residence as legally established within the City. Additionally, the updated code prohibits all floating residences that do not qualify as one of the five categories above.

Because of this change, it is necessary for the City to know how many floating residences are currently within the City and their locations. This information helps the City communicate with property managers and residence owners about the verification process, best management practices, and other parts of the Shoreline code. This in turn helps the City ensure that all floating residences moored within the City are legally established and in compliance with municipal codes.

## **Survey Methods**

I conducted a photographic survey of 146 properties within the City of Seattle, at which House Barges, FOWRs, and/or VDUs currently or potentially could exist. I compiled this set of properties by searching for all properties that looked like a marina, shipyard, or marine terminal on DPD's 2012 aerial layers. I also collected properties that extend into the water and could potentially establish a marina use but no obvious moorage was visible in the aerial. In addition to these two main methods to find candidate properties, I also used King County reported use data, conducted Google searches, and collected colleague knowledge at DPD.

I conducted the photo survey on foot or by boat between April 1, 2015 and July 27, 2015. At each property, I obtained the consent of a tenant, property manager, or property owner to photograph the property, or photographs were taken from publicly-accessible areas.

For each property, I recorded:

- Main established address
- Current business name  Shoreline environment
- Reported King County use
- An estimate of number of moored objects
- Number of non-CRV floating residences observed on the survey date
- Photos of all moorage area within the property
- Photos of all structures and vessels over water within the property

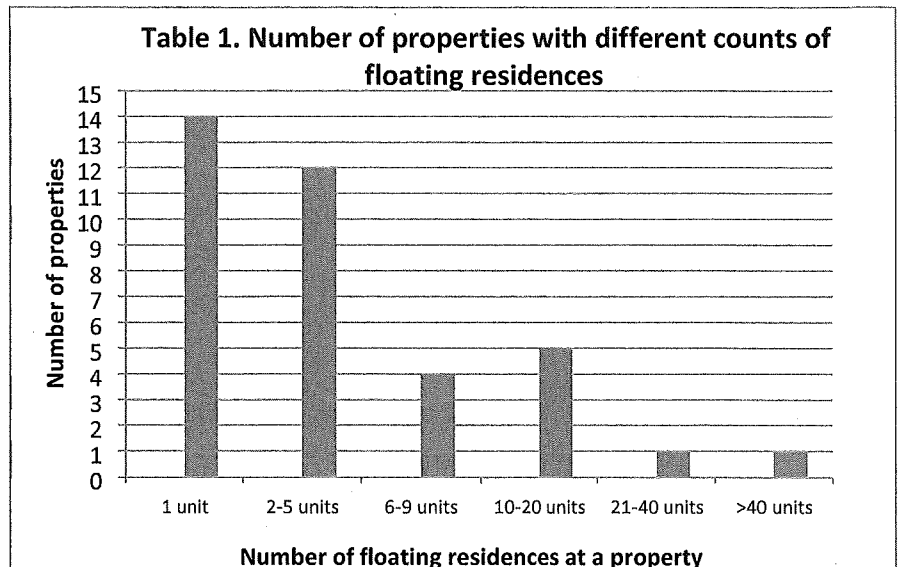
## **Survey Results**

### **Total properties surveyed.**

I took and archived 4,654 photos of properties and their moorage. There are at least 146 properties that currently or in the future could harbor house barges, FOWRs, VDUs, and CRVs with liveboards. This number excludes floating home moorages.

### Properties with to-be-verified residences

I observed 37 properties that contain potential or already verified house barges, FOWRs, and/or VDUs. Because floating residences can move to different, authorized locations within the City, we can expect this number to change over time. Note that this number excludes properties where all the over-water residents live on CRVs, because those owners do not have to verify with the City. The number of floating residences at each property varied from a low of 1 unit to a high of 56 units. Most properties with these types of floating residences have fewer than 5 units (Table 1).



### Floating residences required to verify

I observed 222 potential house barges, FOWRs, and VDUs moored in the City. However, some liveboards on CRVs are choosing to verify as a VDU. In addition, there may be some floating residences in still undocumented locations. Therefore, assuming that all of these residences are able to verify and do not leave the City, we can expect that there will eventually be more than 222 verified house barges, FOWRs, and VDUs.

### Floating homes

Although this survey did not include floating homes, already collected records indicate that there are 505 Floating Homes moored in the City. In addition, some floating homes are permitted to be built but are not yet completed.

### Data Storage and Mapping

- Survey photos are stored under K/ISD/Shoreline/From Scarlett/Moorage Photo Inventory. Photos of sites are then organized according to their location: on the Duwamish River, Lake Washington, Puget Sound, and North and South sides of the area between Puget Sound and Lake Washington. Site folders are listed according to the main address as shown in DPD Geocortex.
- A list of all addresses surveyed is stored under K/ISD/Shoreline/From Scarlett/Moorage Photo Inventory.
- A list of all Shoreline properties with floating residences other than floating homes is stored under K/ISD/Shoreline/From Scarlett/Verification and Registration Docs. This list also shows how many of the residences are currently verified; the verification IDs located at each property; and name and contact information for the property manager.
- Each verified floating residence is mapped as a single dot in the Geocortex layer "Floating Dwelling Units." Each dot includes information about the residence: current property name and address, slip number, verification number, owner name and mailing address, type of floating residence, and photos of the residence from the photo survey.

- Each approved verification application is scanned into the code compliance section of EDMS, with verification ID number as the case number.