

APP XV – Bluffs Management Advisory Committee

Adopted February 19, 2008; Amended December 10, 2013; Amended March 13, 2018; Amended December 11, 2018; Amended March 12, 2019; Amended February 11, 2025

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A. Objective

- To observe and assess the condition of the KPOA common area of the bluff annually with Geotech professional.
- To develop bluff management recommendations.
- To assess requests for tree actions.

B. Policy

- The Committee reviews, screens, and prepares a package of recommendations for the Board on proposals for tree and vegetation actions limited to the KPOA common area of the bluff (as defined in the *Bluffs Management Plan*) and adjacent private property that lies within established landslide hazard zones.
- The Committee neither approves nor disapproves any proposals for tree/vegetation control or action; this is the function of the Board.
- The Committee is comprised of three to nine voting members. These members are approved by the Board. The Committee selects a Chair and Secretary. The Committee meets as frequently as necessary.
- Following the Annual Membership Meeting, the Board appoints two Directors to the Committee, one to act as a Representative and one to act as Alternate Representative. These Directors have an advisory role and do not vote on decisions in the development of Committee recommendations, but will vote on any Board of Director action relating to the Committee and/or its recommendations.
- The KPOA General Manager (GM) participates in Committee meetings as an ex-officio member and function as a liaison to county and state agencies along with one or more BMAC members. Other KPOA staff will assist the Committee as necessary.
- The Committee may seek advice and/or support from any KPOA member as the Committee deems necessary. Committee meetings are open to all KPOA members.

- The Chair develops meeting agendas, provides updates to the Board and KPOA members as needed, and assure that the Committee accomplishes its objectives.
- The Secretary assumes Chair responsibilities the Chair's absence. The Secretary maintains a list of current members and keeps written meeting minutes, which are submitted to the Board prior to the regular monthly Board meeting. The Committee members are subject to APP II, Committee Membership Policy.
- The Committee defines and presents written recommendations to the Board about the desired character for the common area of the bluff and recommends actions to achieve and consistently maintain that character. The Committee endeavors to develop considerations that will:
 - Comply with Federal, State, and County regulations.
 - Be based upon studies required by the County.
 - Enhance and protect the value, desirability, and attractiveness of the community, including marine views consistent with KPOA governing documents.
 - Promote the health, safety, and attractiveness of the bluff common area by providing long-range vegetation policy recommendations that encourage native plant diversity and preservation of significant trees to maintain the wooded character of the community.
 - Include community input.
 - Include actions to minimize (as much as is reasonably practical) erosion and land sliding on the bluff.
- The KPOA common bluff is divided into three sectors: North, Central, and South. Each year, one sector is the focus of an annual review, and the review process will rotate amongst the three sectors each year. Members owning property within the sector that is under review have an opportunity to submit a [*BMAC Tree Action Proposal*](#) during the month of February of the review year. [See Appendix A.](#)
- If a sector has a few requests that would prove economically unviable, the group may choose to defer their requests to the following year with the next sector under consideration.
- Review the *BMP* on an ongoing basis and propose changes to the Board as appropriate.
- Review and update Committee APPs as needed and submit any proposed changes to its policies to the Board.
- Develop an educational program (i.e., Workshop) designed to increase community awareness and understanding of the natural processes of bluff erosion and land sliding, and the contribution from appropriate vegetation.
- Develop a library of appropriate resource materials available to all KPOA members.

- The County requires expert guidance on proposed tree actions by a licensed Arborist, a licensed Wildlife Biologist, and in the case of tree removals by a licensed Engineering Geologist.

C. Procedure

- Provide organized meaningful information related to existing conditions and decisions of tree actions so that members may better understand cumulative impacts of tree/vegetation actions. (See *BMAC Tree Request Workshop* on BMAC's Landing Page.)
- The Committee examines the bluff carefully, at least once each year by walking the beach and the bluff's crest and viewing the bluff from the water to identify problem areas.
- Solicit, Tree Action Proposals from members for the bluff common area using consistently applied standard criteria.
- KPOA requests a \$250 deposit per Tree Action Proposals application. (See [BMAC Tree Action Proposal](#) form on the KPOA website.)
- The County Department of Community Development (DCD) charges KPOA for review of our Tree Request package.
- In accordance with Jefferson County Shoreline Management Plan (SMP), BMAC solicits proposals from experts and, with Board approval, chooses the best proposals for the required studies. Experts include a licensed Arborist, a licensed Wildlife Biologist, and a licensed Engineering Geologist. BMAC establishes the timelines and scope of deliverable products required by the County.
- The costs for these studies are paid by the requesters prior to signing the consultants' contracts and are binding whether or not the tree action is approved.
- These costs are split evenly among our clients since the package is being reviewed in total, not by client request.
- An equitable cost-sharing procedure is as follows.
 - Expert studies are commissioned for Geologist, Arborist, and Wildlife Biologist Management plans. As an example, consider we have five clients, the two plans cost \$4,000 total, and the number of trees vary as such: client #1—10 trees; #2—20 trees; #3—6 trees; #4— 3 trees; and #5—1 tree (40 trees in total).
 - Hence,
 - One half (\$2,000) of the cost is billed evenly among the five clients (i.e., \$400 each), and
 - One half (\$2,000) of the cost is billed proportionately depending on the number of trees requested per client. Example as follows:
client #1—10 trees; 25% (10/40ths), or \$500.
client #2—20 trees; 50% (20/40ths), or \$1,000.

client #3—6 trees; 15% (6/40ths), or \$300.

client #4—3 trees; 7.5% (3/40ths), or \$150.

client #5—1 tree; 2.5% (1/40ths), or \$50.

- The cost for expert guidance is the sum of items billed for each client.
 - The above example will differ from an actual request in that tree removal requires a Geotechnical evaluation and a tree trimming does not.
 - Member agreement is obtained before submitted to the experts.
 - Recalculate the cost-sharing if any member changes their request.
 - In the case of tree removals, a separate study is commissioned from a Geotech or Engineering Geologist and from a Wildlife Biologist. The same cost-sharing procedure outlined above is applied to the Geotech survey and Wildlife Biologist charges.
- Obtain any monitoring reports that are required by the County in terms of remediation or non-compliance and submit to the County DCD. Tree action taken on the bluff that is not in accordance with BMAC is an example of non-compliance.
 - When the County DCD completes their review and invoices KPOA, we determine each client's portion and refund any excess from their deposit.
 - Review Geologist, Arborist, and Wildlife Biologist reports, then prepare and distribute interim report for community input.
- NOTE: State and Federal Law provide for the protection of wildlife and may significantly limit possible tree and vegetation actions. It is understood that recommendations made in the Wildlife Biologist report may override those made in the Geotechnical and Arborist reports.
- Prepare final report as necessary, with recommendations that define common area bluff management actions for Board review and decision making. This includes reporting any non-compliance issues.
 - Prepare an annual report for the Board and the community on the current state of the bluff including a summary of the number and description of tree/vegetation actions carried out during the preceding year and the cumulative effects of those actions.
 - Meet with the contracted tree-cutting service prior to approved tree activity. This should include the GM and/or BMAC Chair.
 - Monitor and document Board approved common area bluff management actions.
 - Maintain records of activities.

D. Appendix – Sector Map

