

**STAFF REPORT
LINCOLN ROCK STATE PARK
SWIM BEACH IMPROVEMENTS**

TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: Lincoln Rock, SP-14-09
DATE: October 27, 2014

I. GENERAL INFORMATION

Requested Action: An application for a shoreline substantial development permit to address the problems of beach erosion and ADA Compliance at the swim beach at Lincoln Rock State Park. Beach improvements proposed include: an ADA access ramp, concrete stair extension, boulder sill, gravel beach fill, and wading line modification.

Location: The proposed project will serve Lincoln Rock State Park. The subject property is described as being located at 13253 State Route 97, East Wenatchee. The subject property is further described as being located within the East Half of Section 35, Township 24 N, Range 20 EWM, Douglas County, Washington. The Douglas County Assessor's parcel numbers is: 24203510001.

II. SITE INFORMATION

Site Characteristics: Lincoln Rock State Park is a 219 acres campground along approximately 3,600 linear feet of the Columbia River. Currently, there are three campsite loops for RVs, four cabins, and swim beach that are heavily utilized.

The project area encompasses approximately 0.5 acres. Vegetation on the site limited to lawn grass and few trees and shrubs. The remainder of the project area consists of sand, gravel, and concrete / sheetpile bulkheads. There is no existing riparian vegetation in the project location.

The existing slopes of the riparian buffer are primarily flat and vertical (at the bulkheads). The concrete stairs, bulkheads, and swim beach spate the aquatic habitat from the upland habitats. The shoreline immediately waterward of these existing elements have eroded over time, exposing portions of the stair foundations. For the majority of the shoreline, the OHWM of the river is the waterward side of the stairs, bulkheads, and beach. Waterward of the stairs, bulkheads, and swim beach, the slope of the shoreline is gradual and the substrates are dominated by sand and gravel.

The riparian functions and values provided the project area are very limited. The lack of riparian functions and values is a direct result of the heavy public use and lack of riparian vegetation. The beach undergoes ongoing maintenance activities that includes the placement of gravel. Wave energy from the long fetch to the north currently transports beach gravel and sand from the west to east, resulting in erosion along the western swim beach area and accumulation of sediment in the eastern portion of the beach.

Access: The project will access US 2/97 via Lincoln Rock Park Road.

Zoning and Development Standards: The subject property is located within the Rural Essential Public Facilities (R-EPF) Zoning District. The propose of the R-EPF district is to accommodate essential public facilities and associated public and quasi-public land uses that typically require a rural location with significant land area. The development and performance standards ensure compatibility with and protection to surrounding properties and mitigate the impacts of traffic congestion, noise, glare, vibration, odors, and airborne particulates. Facilities shall not create a need for the extension of urban governmental services, nor provide for the premature conversion of adjacent agricultural lands. Potential impacts to critical areas and archaeological and/or cultural sites must be considered and addressed.

III. COMPREHENSIVE PLAN:

The Douglas County Countywide Comprehensive Plan designates this property as Rural Essential Public Facilities. The following goals and policies set forth in the comprehensive plan are relevant to this development:

RURAL:

POLICY RD-4: Development and recreational opportunities in rural shoreline and other rural areas shall minimize potential adverse impacts to water quality, slope stability, vegetation, wildlife and aquatic life.

CRITICAL AREAS – FISH AND WILDLIFE HABITAT CONSERVATION AREAS

GOAL 2: Protect fish and wildlife habitat areas as an important natural resource for Douglas County, particularly in regard to their economic, aesthetic and quality of life values.

POLICY CA-14: Impacts of new development on the quality of land, wildlife and vegetative resources will be considered as part of the environmental review process and require any appropriate mitigating measures. Such mitigation may involve the retention and/or enhancement of habitats.

POLICY CA-15: The maximum amount of vegetation should be maintained in its natural state and be disturbed only as minimally necessary for the development. Disturbed areas should be re-vegetated with native vegetation as soon as possible. Re-vegetation will be maintained in good growing conditions, as well as being kept free of noxious weeds.

POLICY CA 16: If a development proposal is located in or near a habitat conservation area shown on the reference maps, a consultation and subsequent mitigation measures, if needed, should be encouraged from the WDFW or other appropriate agency.

POLICY CA-19: Proper riparian management that maintains existing riparian habitat and is consistent with best agricultural management practices should be encouraged.

POLICY CA-20: Ensure that land uses adjacent to naturally occurring wetlands and other fish and wildlife habitat areas will not negatively impact the habitat areas. If a change in land use occurs, adequate buffers will be provided to the habitat areas.

POLICY CA-21: Activities allowed in fish and wildlife habitat conservation areas and open space will be consistent with the species located there, including all applicable state and

federal regulations and/or best management practices for the activity regarding that species.

CRITICAL AREAS – AQUIFER RECHARGE AREAS

POLICY CA-29: It is the responsibility of the developer(s) to prove that their proposal would not adversely affect the recharge of an aquifer.

POLICY CA-32: Reduce danger to health by protecting surface and ground water supplies from the impairment that results from incompatible land uses by providing safe and sanitary drainage.

ESSENTIAL PUBLIC FACILITIES

GOAL: Douglas County will promote inter-jurisdictional consistency for identifying and siting essential public facilities.

IV. SHORELINE MASTER PROGRAM

The Douglas County Shoreline Master Program classifies this reach of the Columbia River shoreline as Rural Conservancy. The purpose of the rural conservancy environment is to protect ecological functions, conserve existing natural resources and valuable historic and cultural areas in order to provide for sustained resource use, achieve natural flood plain processes, and provide recreational opportunities.

A listing of the applicable policies and regulations are found in the analysis section of this staff report.

WASHINGTON ADMINISTRATIVE CODE (WAC)

WAC 173-27 provides updated rules for administering the Shoreline Management Act (RCW 90.58) and the local master program. WAC 173-27-150 establishes minimum review criteria for substantial development permits. The criteria states that a substantial development permit shall be granted only when the proposed development is consistent with:

- The policies and procedures of the Act;
- The provisions of this regulations; and
- The applicable master program adopted or approved for the area.

V. ENVIRONMENTAL REVIEW

Chelan County PUD issued a Determination of Non-significance, as the lead agency, on August 19, 2014 in accordance with WAC 197-11-350(3).

VI. AGENCY AND PUBLIC COMMENTS:

Applicable agencies have been given the opportunity to review this proposal. The following agencies have been sent copies of the proposal and have commented as indicated below:

Agency Notified	Response Received	Agency Notified	Response Received
Army Corps of Engineers	N/R	Colville Tribes	10/5/2014
WA DOE	N/R	WA Archaeology	N/R
WA State Parks	N/R	WDFW	N/R
Yakama Tribes	N/R	Yakama Tribes	N/R

* N/R = No Reply

Agency comments have been included as Attachment A.

No public comments were received at the writing of this staff report.

VII. PROJECT ANALYSIS

Upon review of the application materials, site plans, public and agency comments, the Douglas County Countywide Comprehensive Plan, the Douglas County Regional Shoreline Master Program, and applicable codes and requirements, planning staff offers the following analysis and recommendations for the subject application:

Comprehensive plan consistency:

Recreational opportunities in shoreline areas of the Rural Essential Public Facilities land use designation can be considered when potential adverse impacts to water quality, slope stability, vegetation, wildlife and aquatic life have been sufficiently addressed. Critical area policies place preference on the protection of and preservation of wetlands over the alteration and mitigation of impacts to wetlands. The proposal is consistent with the goals and policies of the Douglas County Countywide Comprehensive Plan.

Consistency with Douglas County Chapter 19.18E, "Resource Lands/Critical Areas – Aquifer Recharge Areas"

The subject property is located within the Regional Wellfield, Area A, designated as a protected Aquifer Recharge Area. The project does not propose any new or expansion of water or sewer systems. A stormwater management plan consistent with the Stormwater Manual of Eastern Washington was designed and implemented for the entire park and will be adhered to for this project.

As conditioned, the proposal is consistent with the provisions of this chapter.

Consistency with the Douglas County Shoreline Master Program

Water-related and recreational enjoyment of the property is permitted in the Rural Conservancy shoreline designation.

4.1 ECOLOGICAL PROTECTION AND CRITICAL AREAS

POLICY 1: Shoreline use and development should occur in a manner that assures no net loss of existing ecological functions and processes and protects critical areas. Uses should be designed and conducted to avoid, minimize, or to fully mitigate in so far as practical, any damage to the ecology and environment.

The project has been designed to minimize damage and to fully mitigate pursuant to adopted mitigation ratios.

REGULATION 1: Mitigation sequencing – applicants shall demonstrate all reasonable efforts have been taken to mitigate potential adverse impacts in the following prioritized order:

- a. Avoiding the impact altogether by not taking a certain action or parts of an action;

The project is located in the aquatic environment and therefore cannot avoid impacts.

- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, or timing, to avoid or reduce impacts;

The project is designed to minimize impacts by keeping pathways and ADA ramp as small as possible.

- c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment to the conditions existing at the time of the initiation of the project;

The project includes new structures to be placed in the aquatic environment; therefore rectifying the impact is not possible.

- d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;

The project includes new fill to be placed in the aquatic environment, therefore reducing or eliminating the impact over time via this permit is not possible. The project is proposing mitigation per the adopted mitigation ratios that will compensate for the impact.

- e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and

The project is proposing mitigation per the adopted mitigation ratios that will compensate for the impact. Suggested conditions of approval require installation of mitigation per the approved plan.

- f. Monitoring the impact and the compensation projects and taking appropriate corrective measures.

Suggested conditions of approval require that the mitigation measures be monitored for 5 years after construction to determine survivability and corrective measures be taken if survivability is not achieved.

4.2 WATER QUALITY

POLICY 1: The location, construction, operation, and maintenance of all shoreline uses and developments should maintain or enhance the quantity and quality of surface and ground water over the long-term.

The proposed project proposes new fill and structures in an already disturbed area, and will result in no new impacts to water quality in area.

4.3 VEGETATION CONSERVATION

REGULATION 2: Where impacts to buffers are permitted under Section 4.1, Ecological Protection and Critical Areas, new developments shall be required to develop and implement a management and mitigation plan. When required, management and mitigation plans shall be prepared by a qualified biologist and shall be consistent with the requirements of Appendix H. Management and mitigation plans shall describe actions that will ensure no net loss of ecological functions. Vegetation shall be maintained over the life of the use and/or development by means of a conservation easement or similar legal instrument recorded with the County Auditor.

A fish and wildlife management and mitigation plan prepared by Hatch Associates was submitted in the application materials.

REGULATION 4: Native vegetation clearing shall be limited to the minimum necessary to accommodate approved shoreline development.

There is no native vegetation in the project area.

4.4 ARCHAEOLOGICAL AND HISTORICAL RESOURCES

POLICY 2: The jurisdiction should work with tribal, state, federal and local governments as appropriate to maintain an inventory of all known significant local historic, cultural and archaeological sites in observance of applicable state and federal laws protecting such information from general public disclosure. As appropriate, such sites should be protected, preserved and/or restored for study, education and/or public enjoyment to the maximum possible extent.

The applicant states that previous cultural resource surveys have been completed for the entirety of Lincoln Rock State Park. Previous reports found that "No Historic Properties Affected," in which the state and tribes concurred. Suggested conditions of approval includes inadvertent discovery protocols.

4.6 PUBLIC ACCESS

POLICY 4: Public access area and/or facility requirements should be commensurate with the scale and character of the development and should be reasonable, fair and effective.

The addition of ADA access ramp will result in a more equitable and fair access to the swim beach for more members of the public.

POLICY 13: Public access should be designed for accessibility by disabled persons.

The proposed project includes the addition of an ADA access ramp to the swim beach.

4.7 RESTORATION

POLICY 2: Mitigation associated with shoreline development projects shall be designed to achieve no net loss of ecological function.

A fish and wildlife management and mitigation plan prepared by Hatch Associates was submitted in the application materials. The plan identifies that the project will result in no net loss of ecological function.

5.8 FILLING, GRADING, AND EXCAVATION

POLICY 1: Filling, grading, and excavation should only be permitted to the minimum extent necessary to accommodate an approved shoreline use or development and with assurance of no net loss of shoreline ecological functions and processes.

Filling, grading, excavation will be limited to that necessary to improve the beach such that safe use is continued and that future maintenance is reduced. The project will not result in any loss of ecological function.

POLICY 2: Filling, grading, and excavation in water bodies, floodways, and/or wetlands should not be permitted for creation of new uplands, unless it is part of an approved ecological restoration activity. Fill should be permitted in limited instances to restore uplands where recent erosion has rapidly reduced upland area, to build beaches and protective berms for shore stabilization or recreation, to restore or enhance degraded shoreline ecological functions and processes, or to moderately elevate low uplands to make such uplands more suitable for purposes consistent with this Program.

No new upland will be created as a result of the proposal.

POLICY 3: Filling, grading, and excavation should not be allowed where shoreline stabilization works would be required to maintain the materials placed.

No shoreline stabilization works to maintain the materials placed are proposed.

POLICY 4: Filling, grading, and excavation should be located and developed so that water quality and hydrologic and runoff patterns are not altered.

Water quality and hydrologic and runoff patterns will not be altered as result of the proposal.

POLICY 5: Excavation and grading may be permitted landward of the ordinary high water mark of a water body for projects with the primary purpose of restoring ecological functions and natural character.

The swim beach improvement fill waterward of the OHWM is necessary to support the safe continued use of the established and permitted swim beach at Lincoln Rock State Park. The project proposes the restoration of an area of shoreline which will include excavation and grading that will provide for the establishment of a riparian corridor that does not currently exist.

REGULATION 1: Filling, grading, and excavation shall be minimized to the maximum extent practicable and only authorized along with approved shoreline use and development activities that consistent with this Program.

Filling, grading, and excavation will be limited to that necessary to improve the beach such that safe use is continued and that future maintenance is reduced and to setback the riverbank to create a riparian corridor where the proposed mitigation plantings will be installed.

REGULATION 2: Fills waterward of the ordinary high water mark shall be allowed only when necessary to support:

- a. Water-dependent use
- b. Public access

Fill proposed to be installed waterward of the OHWM is necessary to support the continued use of the existing and permitted swim beach.

REGULATION 4: Filling, grade or excavation shall not be located where shoreline stabilization will be necessary to protect materials placed or removed. Disturbed areas shall be immediately stabilized and re-vegetated, as applicable.

No shoreline stabilization works to maintain the materials placed are proposed. All exposed or disturbed areas, including upland staging areas, would be stabilized to prevent erosion.

REGULATION 5: Filling, grading, beach nourishment, and excavation shall be designed to blend physically and visually with existing topography whenever possible, so as not to interfere with long-term appropriate use including lawful access and enjoyment of scenery.

The proposal would restore the existing and permitted swim beach area and would result in safer use of the park. The proposed project would result in a net increase in public recreational opportunities on the Columbia River.

REGULATION 6: Cut and fill slopes shall generally be no steeper than one foot vertical for every three feet horizontal unless a specific engineering analysis has been provided certifying that the proposed slope is stable, and the Administrator determines that the fill blends physically and visually with existing topography.

Proposed design meets the above listed cut and fill slope standards.

REGULATION 7: A temporary erosion and sediment control (TESC) plan, consistent with the standards found in the Stormwater Manual for Eastern Washington, shall be provided for all proposed filling, grading, and excavation activities.

A temporary erosion and sediment control plan was submitted with the application materials.

5.11 RECREATION

POLICY 7: Recreational uses and facilities should be designed and located to ensure no net loss of critical areas and shoreline ecological functions.

The proposed swim beach improvements will result in no net loss of critical areas.

Appendix H, Chapter 3: Critical Areas – Fish and Wildlife Habitat Conservation Areas

The fish and wildlife habitat management and mitigation plan uses the default 150 foot riparian buffer as determined by the Rural Conservancy shoreline environment designation.

The development of the ADA access ramp, concrete stair extension, boulder sill, gravel beach fill, and wading line modification will have minimal impact in the riparian buffer and aquatic environments. The proposed project would result in the disturbance of approximately 11,400 sq. ft. of the riparian buffer and aquatic environment. The project would result in the excavation of approximately 800 sq. ft. of lawn grass/walkway, 500 sq. ft. of beach/riverbed material, the placement of approximately 8,300 sq. ft. of pea gravel, the installation of 350 sq. ft. of cast-in-place concrete, and the installation of approximately 1,800 sq. ft. of boulders/cobbles.

The concrete stair extension, boulder sill, and gravel beach fill will occur in a project area that is already disturbed, consists of sand and gravel, and provides no ecological function along the riparian buffer or in the aquatic environment. No mitigation is proposed for the placement of the concrete stair extension, boulder sill, or gravel beach fill. No impact will result from the wading line modification. The ADA access ramp will result in approximately 416 sq. ft. of impervious surface within the riparian buffer. The SMP calls for a mitigation ratio of 1:1 for impacts within the riparian, which would result in the need for 416 sq. ft. of mitigation in the project area.

Approximately 1,850 sq. ft. of new riparian area will be created through the riverbank stabilization project area. Mitigation plantings will include the placement of native trees and shrubs. The new riparian plantings will provide shade, overhanging cover and a source of organic matter for the river. The proposed 1,850 sq. ft. of mitigation area and plantings exceed the required mitigation ratio of 1:1. A planting plan is proposed in on sheets 8-10 of 10 in the Habitat Management and Mitigation Plan Sheets.

In order to further minimize disturbance of riparian vegetation, best management practices are proposed to be employed when working in or adjacent to the riparian buffer during construction. All exposed or disturbed areas, including upland staging areas,

would be stabilized to prevent erosion. All erosion control devices would be inspected during construction to ensure that they are working adequately.

As conditioned, the proposal is consistent with this section.

Consistency with WAC 173-27 and RCW 90.58:

As conditioned below, the project appears consistent with the requirements and criteria of the Shoreline Management and Enforcement Procedures, and the Shoreline Management Act

VIII. RECOMMENDATION

As conditioned below, this application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 18 and 19 of the Douglas County Code, the Douglas County Countywide Comprehensive Plan, and the Douglas County Shoreline Master Program. Staff recommends approval of SP#14-09, subject to the following findings of fact and conditions:

Suggested Findings of Fact

1. The applicant is Public Utility District No. 1 of Chelan County (Chelan PUD), PO Box 1231, Wenatchee, WA 98807
2. General Description: An application for a shoreline substantial development permit to address the problems of beach erosion and ADA Compliance at the swim beach at Lincoln Rock State Park. Beach improvements proposed include: an ADA access ramp, concrete stair extension, boulder sill, gravel beach fill, and wading line modification.
3. The swim beach improvements will serve Lincoln Rock State Park. The subject property is described as being located at 13253 State Route 97, East Wenatchee. The subject property is further described as being located within the East Half of Section 35, Township 24 N, Range 20 EWM, Douglas County, Washington.
4. The Douglas County Assessor's parcel numbers is: 24203510001.
5. The Comprehensive Plan Designation is Rural Essential Public Facilities.
6. The subject property is located in the R-EPF district.
7. The Columbia River Shoreline section of the subject property is designated as Rural Conservancy by the Douglas County Shoreline Master Program.
8. The proposed project is a permitted use within the R-EPF district.
9. WAC 173-27-150 establishes minimum review criteria for Shoreline Management Substantial Development Permits. This criteria states that a substantial development permit shall be granted only when the development proposed is consistent with the policies and procedures of the Act; the provisions of this regulation; and the applicable master program adopted or approved for the area.
10. An erosion and sediment control plan was performed for the project.
11. A fish and wildlife habitat management and mitigation plan dated August 2014 was performed for the project by Hatch Associates Consultants, Inc.
12. The fish and wildlife habitat management and mitigation plan utilizes the 150 foot riparian buffer as determined by the Rural Conservancy shoreline designation.
13. The development of the ADA access ramp, concrete stair extension, boulder sill, gravel beach fill, and wading line modification will impact the riparian and aquatic

environments. A fish and wildlife habitat management and mitigation plan has determined that approximately 11,400 sq. ft. of impact, of which only 416 sq. ft. of will result in impact to the riparian buffer and aquatic environment which will require mitigation. The application proposes 1,850 sq. ft. of mitigation. A planting plan is proposed in Sheets 8-10 of 10 in the Fish & Wildlife Habitat Management and Mitigation Plan Sheets.

14. The mitigation proposed in the Fish and Wildlife Management and Mitigation Plan meets the requirements of the Douglas County Regional Shoreline Master Program.
15. Comments from reviewing agencies have been considered and addressed where appropriate.
16. Chelan County PUD issued a Determination of Non-significance, as the lead agency, on August 19, 2014 in accordance with WAC 197-11-350(3).
17. Surrounding property owners were given the opportunity to comment on the proposals, can request a copy of the decision, and can appeal the decision subject to the requirements outlined in DCC Title 14.
18. Proper legal requirements were met and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.
19. WAC 173-27-090 requires that construction of projects receiving shoreline substantial development permits must be commenced within 2 years of the effective date of the shoreline permit and that authorization for construction shall terminate 5 years after the effective date of the shoreline permit.
20. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.

Suggested Conclusions:

1. As conditioned, the development meets the goals, policies and implementation recommendations as set forth in the Douglas County Countywide Comprehensive Plan and the Douglas County Shoreline Master Program.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. As proposed, revised, and conditioned, potential impacts of the project can be mitigated.
4. Public interests will be served by approval of this proposal.
5. As conditioned, the proposal is consistent with Title 18 "Zoning" and Title 19 "Environment" of the Douglas County Code.

Suggested Conditions of Approval for Shoreline Substantial Development Permit, SP#14-09:

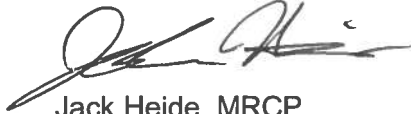
1. The project shall proceed in substantial conformance with the plans and application materials of file submitted on September 3, 2014 except as amended by the conditions herein.
2. The applicant shall comply with all applicable local, state and federal regulations.
3. A copy of this permit and attached conditions shall be kept on-site and provided to the contractor and all others working within the shoreline area at all times. The applicant, contractor, machinery operators and all others working within the shoreline area shall have read this permit and attached conditions and shall follow its conditions at all times.

4. The project application shall proceed consistent with the Erosion and Sediment Control Plan (TESC) received with application.
5. In the event that human remains, burials, funerary items, sacred objects, or objects of cultural patrimony are found during project implementation, the proponent or authorized agent shall cease work immediately within 200 ft. of the find and take steps to protect the find from further damage or disruption. Then they shall contact the THPO at (509) 634-2695 to report the find. No further work shall be allowed on the project until an approved plan for managing or preserving the remains or items is in place.
6. In the event that prehistoric artifacts (i.e., arrowheads, spear points, mortars, pestles, other ground stone tools, knives, scrapers, or flakes from the manufacture of tools, fire pits, peeled trees, etc.) or historic-period artifacts or features (i.e., fragments of old plates or ceramic vessels, weathered glass, dumps old cans, cabins, root cellars, etc.) are found during project implementation, the proponent or authorized agent shall cease work immediately within 200 ft. of the find. Then they shall contact the THPO at (509) 634-2695. No further work shall be allowed on the project until an approved plan for managing or preserving the artifacts or features is in place.
7. Activities that have the potential to disturb cultural resources outside the specified project area should not proceed prior to a cultural resources review of potential adverse effects in the new area.
8. The project application shall proceed consistent with the Fish & Wildlife Habitat Management and Mitigation Plan prepared by Hatch Associates, dated August, 2014.
9. Where necessary, a permanent means of irrigation shall be installed for the mitigation plantings that are designed by a landscape architect or equivalent professional. Said design shall meet the specific needs of riparian and shrub steppe vegetation.
10. Mitigation planting as shown on the mitigation planting plan sheets 8-10 of 10, dated 12/13/13 shall be planted upon completion of the swim beach improvements.
11. The mitigation site shall be maintained to ensure the management and mitigation plan objectives are successful. Maintenance shall ensure 80% survival during the 5 year monitoring period and shall include corrective actions to rectify problems, include rigorous, as-needed elimination of undesirable plants; protection of shrubs and small trees from competition by grasses and herbaceous plants, and repair and replacement of any dead plants.
12. A five year monitoring period shall commence upon placement of the planting materials and irrigation system.
13. Onsite monitoring and monitoring reports shall be submitted to Douglas County Transportation and Land Services 1 year after mitigation installation; 3 years after mitigation installation; and 5 years after mitigation installation. Monitoring reports shall be submitted by a qualified biologist, as defined by Douglas County Code. The biologist must verify that the conditions of approval and provisions in the fish & wildlife habitat management and mitigation plan submitted by Hatch Associates, dated August, 2014 have been satisfied.
14. Where a condition imposed herein may be found inconsistent with the requirements of the Washington State Department of Fish and Wildlife, HPA Permit, or permitting issued by the United States Army Corps of Engineers, the Douglas County Land Services Director shall have discretion to allow for project redesign consistent with the approvals granted by said agencies; if the redesign can be found consistent with

the Douglas County Code, the Shoreline Master Program, and the Shoreline Management Act.

15. Construction of the project for which this permit has been granted must be commenced within two (2) years of the effective date of this permit. Authorization to conduct development activities granted by the permit shall terminate five (5) years from the filing date of the permit.

Respectfully Submitted,



Jack Heide, MRCP
Associate Planner

Attachments

Appendix A
Agency Comments



The Confederated Tribes of the Colville Reservation

History/Archaeology Program
P.O. Box 150, Nespelem, WA 99155

(509) 634-2693
FAX: (509) 634-2694



5 October 2014

Jack Heide
Douglas County Transportation & Land Services
140 19th St. N.W
East Wenatchee, WA 98802

HA# U14-290
14.0369

RE: SP-14-09 Application for Shoreline Development Permit at Lincoln Rock State Park.

Dear Jack Heide,

The Confederated Tribes of the Colville Reservation (also known as the Colville Confederated Tribes or CCT) received a packaged from you dated to 4 September 2014 pertaining to the SP-14-09 Application for Shoreline Development Permit at Lincoln Rock State Park.

The CCT Tribal Historic Preservation Officer (THPO), who has been delegated the responsibility of representing the CCT with regards to cultural resources management issues throughout the traditional territories of all the constituent tribes under Resolution 1996-29, advises you that this proposed undertaking lies within the traditional territory of the Wenatchi tribe. The Wenatchi tribe is one of the tribes that make up the CCT, which is governed by the Colville Business Council (CBC). In addition, the THPO has assumed the responsibilities of the state historic preservation office within the exterior boundaries of the Colville Reservation and associated parcels of trust land that lay outside the current reservation boundaries, as outlined in Section 101 (d) (2) of the National Historic Preservation Act (NHPA).

It is recommended an inadvertent discovery protocol be inserted into the permit/contract.

Thank you for consulting with the CCT. Please note these comments are based on information available to us at the time of the project review. If the project changes in design or scope, then we request notification of such amendment(s), as consultation should be reinitiated. We reserve the right to revise our comments as information becomes available. If you have any questions or concerns, please contact Aaron Naumann (509) 634-2696 or aaron.naumann@colvilletribes.com. If you wish to speak with the THPO, please call (509) 634-2695.

Sincerely,

for
Guy Moura
Tribal Historic Preservation Officer

cc: Chron
File (AN)
Rob Whitlam, Ph.D., Department of Archaeology and Historic Preservation