

**SHORELINE MANAGEMENT PERMIT
ACTION SHEET**

Application #: SP-2017-11
Administering Agency Douglas County Transportation and Land Services

Type of Permit: ■ Shoreline Substantial Development Permit
Action: ■ Approved □ Denied

Date of Action: July 9th, 2018

Date Mailed to DOE/AG

Pursuant to Chapter 90.58 RCW and the Douglas County Regional Shoreline Master Program, a permit is hereby granted to:

**The Public Utility District No. 1 of Chelan County
POB 1231
Wenatchee, WA 98807**

To undertake the following development: An application for a shoreline substantial development permit to replace two existing public docks at Beebe Bridge Park.

Upon the following property: The dock will serve Beebe Bridge Park. The properties are described as being Lots 4, 5 & 8 of the Beebe Bridge Park development. The property is further described as being located within the SW Quarter of Section 29, Township 27N, Range 23E., W.M., Douglas County, Washington. The Douglas County Assessor's Parcel Number is 27232910002.

Within 200 feet of the Columbia River and/or its associated wetlands.

The project will be within a shoreline of state-wide significance (RCW 90.58.030). The project will be located within a rural conservancy designation. The Douglas County Regional Shoreline Master Program is applicable to this development.

Development pursuant to this permit shall be undertaken in conformance with the following terms and conditions:

1. All conditions imposed herein shall be binding on the "Applicant," which terms shall include the owner or owners of the property, heirs, assigns and successors.
2. The project shall proceed in substantial conformance with the plans and application materials on file submitted on September 5, 2017 and May 11, 2018, except as amended by the conditions herein.
3. The applicant shall comply with all applicable local, state and federal regulations.

4. A copy of this permit and attached conditions shall be kept on-site and be 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.
5. The docks shall be marked with reflectors to prevent unnecessarily hazardous conditions for water surface users during day or night. Documentation shall be provided to the County.
6. The docks shall be permanently marked with name, address, telephone number and date of installation. Documentation shall be provided to the County.
7. The project application shall proceed consistent with the Fish & Wildlife Habitat Management and Mitigation Plan prepared by Anchor QEA, dated May 2018.
8. The applicant must obtain building permits for the two new docks.
9. 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.
10. Prior to installation of the project, copies of approval from applicable agencies must be submitted to the County.
11. 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.

FINDINGS OF FACT

1. The applicant is The Public Utility District No. 1 of Chelan County, POB 1231, Wenatchee, WA 98807.
2. The applicant's agent is: Edrie Risdon, Chelan County PUD.
3. General Description: An application for a shoreline substantial development permit to replace two existing public docks at Beebe Bridge Park.
4. The dock will serve Beebe Bridge Park. The properties are described as being Lots 4, 5 & 8 of the Beebe Bridge Park development. The property is further described as being located within the SW Quarter of Section 29, Township 27N, Range 23E., W.M., Douglas County, Washington. The Douglas County Assessor's Parcel Number is 27232910002.
5. The Comprehensive Plan designation is Rural Recreation (R-REC).
6. The subject property is located in the R-REC zoning district.
7. The Columbia River Shoreline section of the subject properties is designated as "rural conservancy" by the Douglas County Regional Shoreline Master Program.
8. 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.

9. A Fish & Wildlife Habitat Management and Mitigation Plan dated May 2018 was performed for the project by Anchor QEA, LLC.
10. The existing moorage docks were installed in 1993 and have exceeded their functional lifespan.
11. The installation of the two replacement docks will have minimal impact to the aquatic and riparian environments
12. The Douglas County Regional Shoreline Master Program does not require mitigation plantings for replacement of existing docks with no impact to the surrounding vegetation.
13. The Chelan County PUD (lead agency) issued a Determination of Non-Significance on August 18, 2017 in accordance with WAC 197-11-340(2).
14. No agency or public comments were received at the writing of the staff report.
15. 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.
16. Proper legal requirements were met and surrounding property owners were given the opportunity to comment on the proposal at a public hearing.
17. WAC 173-27-090 requires that construction 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.
18. As conditioned, the development will not adversely affect the general public, health, safety and general welfare.
19. The Douglas County Department of Land Services recommended approval of the requested permit(s), subject to the recommended conditions of approval.
20. An open record public hearing after legal notice was held on June 28, 2018. Appearing and testifying at the hearing on behalf of the applicant was Edrie Risdon. Ms. Risdon testified that she concurred with all representations stated within the staff report and that the applicant had no objection to any of the proposed conditions of approval.
21. No member of the public appeared at the hearing.
22. At the open record public hearing, the entire planning staff file was admitted into the record.
23. Public agencies with potential jurisdiction over this project were given an opportunity to review the proposal. Agencies that responded with comments were admitted into the record and considered by the Hearing Examiner in rendering this Decision.
24. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

CONCLUSIONS OF LAW

1. The Hearing Examiner has been granted authority to render this Decision.
2. 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 Regional Shoreline Master Program.
3. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
4. As proposed, revised, and conditioned, potential impacts of the project can be mitigated.

5. Public interests will be served by approval of this proposal.
6. As conditioned, the proposal is consistent with Title 18 "Zoning" and Title 19 "Environment" of the Douglas County Code.
7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

This permit is granted pursuant to the Douglas County Regional Shoreline Master Program, as amended, and nothing in this permit shall excuse the applicant from compliance with any other federal, state, or local statutes, ordinances, or regulations applicable to this project, but not inconsistent with the Shoreline Management Act of 1971 (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(7) in the event the permittee fails to comply with the terms and conditions hereof.

CONSTRUCTION PURSUANT TO THIS PERMIT SHALL NOT BEGIN NOR IS AUTHORIZED UNTIL TWENTY-ONE (21) DAYS FROM THE DATE OF FILING AS DEFINED IN RCW 90.58.140(6) AND WAC 173-14-090, OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED; EXCEPT AS PROVIDED IN RCW 90.58.140(5)(a)(b)(c).

Substantial progress toward construction of the project for which this permit has been granted must be accomplished within two (2) years of the filing date of this permit. Authorization to conduct development activities granted by this permit shall terminate five (5) years from the filing date of this permit.

Approved this 5th day of July, 2018.

DOUGLAS COUNTY HEARING EXAMINER



Andrew L. Kottkamp

Anyone aggrieved by this decision has twenty-one (21) days from the "date of receipt" as defined in RCW 43.21B.001 to file a petition for review with the Shorelines Hearings Board as provided for in Washington law.

**THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD TO A
CONDITIONAL USE OR VARIANCE PERMIT**

Date received by the Department _____

Approved _____

Denied _____

This conditional use/variance permit is approved/denied by the Department pursuant to Chapter 90.58 RCW.

Development shall be undertaken pursuant to the following additional terms and conditions:

Date

Signature of Authorized Department Official