

**STAFF REPORT
JENSEN/CHRISTENSON
GROUND-BASED BOATLIFTS**

TO: Douglas County Hearing Examiner
FROM: Douglas County Land Services Staff
RE: SP-2018-06 - Jensen/Christenson Ground-based Boatlifts
DATE: August 21, 2018

I. GENERAL INFORMATION

Requested Action: An application for a shoreline substantial development permit to install two ground-based boatlifts to serve two parcels on Desert Shores Drive (boatlifts to be installed at community dock and serve properties located at 140 and 160 Desert Shores Drive) Orondo, WA, 98843.

Location: The proposed boatlifts are to be in addition to the existing community dock. The existing community dock is along and within the Columbia River and within the Desert Shores Subdivision. The project area is located within the Rural Conservancy shoreline environment and is further described as being located within the NW Quarter of Section 21, Township 26N, Range 21E., W.M., Douglas County, Washington. The Douglas County Assessor's Parcel Numbers are: 96700000000 (serving parcel numbers 96700000500 and 96700000700). The subject properties are located within the Rural Recreation (R-Rec) Zoning District.

II. SITE INFORMATION

Site Characteristics: The subject properties are located in the Desert Shores Subdivision in Orondo, which was historically used as an orchard. The property was converted to residential, which established nine residential parcels and a small community lot. The majority of the properties have established residential and recreational uses. The vegetation on the properties consist of mowed and maintained lawn grass located immediately landward of the OHWM with a community trail system. On the Christenson property, vegetation is dominated by mowed and maintained lawn grass that extends from the residence to the top of the bank. The top of the bank is located approximately 10-12 ft above the OHWM and approximately 10-15 feet landward. The vegetation on the property consists of upland grasses and weedy species. Within the lawn grass portion of the property, there are numerous mature ponderosa pines. On the Jensen property, the shoreline immediately landward of the OHWM consists of gradually sloped sand with little vegetation. Landward of the sand area (approximately 26 ft landward of the OHWM), the shoreline is moderately sloped and vegetated with upland grasses and weedy species. There are numerous mature deciduous trees. Landward of this steep sloped area, the shoreline consists of mowed and maintained lawn grass. Overall, due to the current use of the properties, which allows for the mowing and maintaining of the existing vegetation on the property, the properties are providing a low level of habitat function and value.

Due to the lack of riparian vegetation and existing conditions at the site, riparian functions and values are limited.

Project Proposal: The applicants propose to install two ground-based boatlifts on the Columbia River. The proposed boatlifts would be placed at the permitted Desert Shores Community Dock on parcel 967000000000 (Tract A Desert Shores (Common Area); 0 Desert Shores Drive). The boatlifts will serve waterfront lots 5 and 7 of the Desert Shores Subdivision (Parcels 96700000500 and 96700000700; located at 140 and 160 Desert Shores Drive). The ground based boatlifts will be installed on the landward side of the farthest float from the shoreline. The proposed boatlifts will be installed as soon as the permits are received and within the current work window for the Columbia River (July 16 to February 28). The boatlifts will be installed approximately 129 ft waterward of the OHWM in a water depth of approximately 11 ft below the OHWM. Current USACE regulations require an 11 ft water depth at the landward end of the boatlift(s). The ground-based boatlifts will have a maximum footprint of approximately 10ft x 12.5 ft, although the boatlifts consists of open steel framing. The bars that lift the boat are 2-3 inches by 5 inch. The legs are approximately 3 inch by 3 inch. The main support bars are approximately 3 inch by 7 inch. The boatlifts will be delivered to the property either via barge and installed by hand on-site. The boatlifts will be installed by slowly lowering the boatlift over the side of the barge. The barge will not be allowed to ground out during installation. In order to compensate for the placement of the proposed boatlifts in a water depth greater than 11 ft, the proposed project will require the installation of a 305 sq ft mitigation planting area on each of the lot served by the boatlifts. Both of the 305 sq ft mitigation planting areas will entail the installation of native riparian trees and shrubs, which is based on the USACE mitigation ratio for boatlift (2.44:1).

The proposed project will allow the applicant to safely moor and elevate a boat above water to avoid damage due to wave activity.

The boatlifts would be assembled at the project site using hand tools (or delivered fully constructed), and installed by hand from a barge mounted crane. The work barge would be launched at the nearest boat launch. During installation of the boat lifts the work barge will not be allowed to groundout. Extreme care would be taken to prevent any petroleum products, chemicals, or other toxic or deleterious materials from entering the water. If a spill were to occur, work would be stopped immediately, steps would be taken to contain the material, and appropriate agency notifications would be made.

Zoning and Development Standards: The subject properties are located within the Rural Recreation (R-Rec) Zoning District. The purpose of the rural recreation (R-REC) district is to provide the opportunity for the development, redevelopment, and infill of existing intensely developed rural recreational areas for residential, recreation, and tourist-related development consistent with the rural character in the vicinity. These areas provide a distinct rural lifestyle closely associated with the many natural amenities found within Douglas County. These areas are clearly identifiable as existing intensely developed rural recreational developments where a logical boundary can be delineated and as set by the built environment. Such boundary shall not permit or encourage a new pattern of sprawling low density. The predominate parcel size is generally less than one acre in size. Uses may include intensification of existing residential development or new development of residential, small scale recreational or tourist uses, provided uses rely on a rural location and do not encourage urban type development or services.

III. COMPREHENSIVE PLAN:

The Douglas County Countywide Comprehensive Plan designates this property as Rural Recreation (R-Rec). The following goals and policies, set forth in the comprehensive plan, are relevant to this development:

RURAL DEVELOPMENT:

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.

POLICY RD-7: Rural developments should consider and comply with the spirit, intent and requirements of all the chapters and sections of the comprehensive plan, including but not limited to, the Resource Lands Element and Resource and Critical Areas Conservation Element.

CRITICAL AREAS – FISH AND WILDLIFE HABITAT CONSERVATION AREAS

GOAL 1: 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.

IV. SHORELINE MASTER PROGRAM

The Douglas County Regional 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 these regulations; and
- The applicable master program adopted or approved for the area.

V. ENVIRONMENTAL REVIEW

Douglas County issued a Determination of Nonsignificance on September 4, 2108 in accordance with WAC 197-11-355 (Optional DNS).

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
WA Department of Ecology	N/R	WA Dept. of Fish & Wildlife	N/R
WA Department of Ecology - Shorelines	N/R	Army Corps of Engineers	N/R
Chelan County PUD	6/13/18	Yakama Nation	N/R
Dept. of Natural Resources – Rivers Dist.	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, agency comments, the Douglas County Countywide Comprehensive Plan, the Douglas County Regional Shoreline Master Program and other applicable codes and requirements, planning staff offers the following analysis and recommendations for the subject application:

Comprehensive Plan consistency:

Residential development and recreational opportunities in shoreline areas of the Rural Recreation (R-Rec) 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 / riparian areas over the alteration and mitigation of impacts to wetlands / riparian areas. The proposal is consistent with the goals and policies of the Douglas County Countywide Comprehensive Plan.

Consistency with the Douglas County Shoreline Master Program

Analysis: Watercraft lifts (boatlifts) are permitted uses in the rural conservancy shoreline designation (pursuant to SMP 3.10 Table 1. Use matrix).

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.

Analysis: The project cannot avoid damage to the aquatic environment, and the applicant states the project will not affect water quality, water supply, recreation or aesthetics of the Columbia River. The project has been designed to minimize damage and to fully mitigate per the standards set forth by the United States Army Corp of Engineers, Washington Department of Fish & Wildlife and County adopted mitigation ratios.

The proposed project will have no negative impact on water quality, water supply, recreation, or aesthetics of the Columbia River. The project would result in approximately 250 sq ft of new in-water structure, though it would be of an open nature and consist of open steel framing. The boatlifts would be installed approximately 129 ft from the OHWM and at a depth of approximately 11 ft. No piles are proposed for the boatlifts. The boatlifts will be installed within the in-water work window to minimize potential effects on migrating juvenile salmonids.

Best Management Practices (BMPs) would be employed to reduce the potential for construction-related impacts on species and habitats. The following BMPs will be followed for this Project:

- Extreme care will be taken to prevent any petroleum products, chemicals, or other toxic or deleterious materials from entering the water. If a spill were to occur, work would be stopped immediately, steps would be taken to contain the material, and appropriate agency notifications would be made.*
- No fueling of any boats will occur at the boatlifts.*
- All equipment operating waterward of the OHW line will be inspected daily for fluid leaks. Leaking equipment will be repaired prior to resuming operation.*
- The Contractor will develop and implement a site-specific spill prevention, containment, and control (SPCC) plan, and is responsible for containment and removal of any toxicants released.*
- All exposed or disturbed areas, including upland staging areas, will be stabilized to prevent erosion.*
- All erosion control devices will be inspected during construction to ensure that they are working adequately.*
- Shoreline planting efforts will be completed in the first planting season following the boatlift installations. Planting will be completed either prior to or concurrent*

with the construction of the proposed boatlifts (or the first optimal planting time following the completion of the project; spring or fall). Planting will be installed within one year of the construction of the proposed boatlifts.

- *No herbicides, fertilizer, or pesticides will be applied to the mitigation planting area.*

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;

Analysis: The project is located in the aquatic environment and therefore cannot avoid impacts, although it is designed to minimize 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;

Analysis: The project is designed to minimize impacts by utilizing current state and federal boatlift designs.

- 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;

Analysis: The project includes land-based boatlifts in the aquatic environment, therefore rectifying the impact is not possible. The new boatlifts have been designed following mitigation sequencing.

Impacts resulting from the proposed boatlifts will be mitigated through the installation of native riparian vegetation within the riparian buffer. A 305 sq ft mitigation planting area will be installed on each of the subject properties as part of the proposed project. The 305 sq ft mitigation planting area (per property) will satisfy the current mitigation requirement of 2.44:1 for boatlifts in 11 ft of water, per the USACE and NMFS. The proposed native riparian vegetation will be installed as close to the OHWM as possible, in an area devoid of native riparian vegetation. The mitigation planting area would consist of water birch, coyote willow, red-osier dogwood, common snow berry and nootka rose. Trees will be planted within the planting area at a spacing of 10 ft on center and shrubs will be planted at a spacing of 3-5 ft on center. The installation of the native riparian vegetation will increase the ecological function of the riparian habitat and will offset the impacts associated with the increase in in-water coverage.

The installation of native riparian vegetation would not only provide fish and wildlife habitat on the subject properties but would also result in an increase of organic debris and prey species into the river (from overhanging vegetation). This would enhance the aquatic habitat on the subject properties. The riparian planting installed to mitigate for the potential impacts of the project will be preserved and maintained for as long as the authorized project remains in place.

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

Analysis: The project includes new structures to be placed in the aquatic environment, therefore reducing or eliminating the impact over time via this permit is not possible.

To ensure the success of the planting area, a five-year monitoring plan will be conducted to determine percent survival. 100 percent survival will be required for the first year. After the first five years trees must be maintained at 100 percent survival and shrubs at 80 percent survival. Individual plants that do not survive must be replaced with appropriate species (trees for trees and shrubs for shrubs). A Riparian Restoration Monitoring Report will be completed and submitted to the appropriate agencies annually following completion of the riparian plantings. The applicant will be responsible for ensuring that the Riparian Restoration Monitoring Reports are submitted on the schedule and that success measures are met.

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

Analysis: The project is proposing mitigation per the USACE and NMFS mitigation ratios that will compensate for the impacts (see above). 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.

Analysis: See above; and suggested conditions of approval require that the mitigation measures be monitored for 5 years after installation to determine survivability and corrective measures be taken if survivability is not achieved.

4.2 WATER QUALITY

REGULATION 5: All building materials that may come in contact with water shall be constructed of untreated wood, cured concrete or steel. Materials used for decking or other structural components shall be approved by applicable state agencies for contact with water to avoid discharge of pollutants. Wood treated with creosote, arsenate compounds, copper chromium arsenic or pentachlorophenol is prohibited in shoreline water bodies.

Analysis: The boatlifts and any structural component materials shall be of a type approved by state agencies to avoid discharge of pollutants.

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.

Analysis: A Fish & Wildlife Management and Mitigation Plan prepared by Grette Associates was submitted in the application materials.

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

Analysis: No vegetation clearing is proposed since the project will only take place below the OHWM. Mitigation requirements for the entire project are detailed within the HMMP and JARPA.

4.7 RESTORATION

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

Analysis: A Fish & Wildlife Management and Mitigation Plan prepared by Grette Associates was submitted in the application materials. The plan identifies that the project will result in no net loss of ecological function through proper mitigation.

5.10 MOORAGE: DOCKS, PIERS, WATERCRAFT LIFTS, MOORING BUOYS, FLOATS

POLICY 4: Moorage should be spaced and oriented in a manner that minimizes hazards and obstructions to navigation and other water-oriented activities such as fishing, swimming and pleasure boating, as well as property rights of adjacent land owners.

Analysis: The proposed boatlifts will have a net increase in over-water coverage of approximately 250 sq ft of new in-water structure. The structures will be constructed of open aluminum or steel framing. The addition of the two boatlifts will not pose a hazard to navigation.

REGULATION 7: Moorage facilities shall be the minimum size necessary to meet the needs of the proposed water-dependent use and shall observe the following criteria:

- a. If allowed, only one private dock with one accessory float, and two watercraft lifts (the combination of one boat and one jet ski or other watercraft together) shall be permitted on a shoreline lot owned for residential or private recreational use.

Analysis: The proposed project is for two new boatlifts to serve 2 lots.

- d. Moorage shall be designed to avoid the need for maintenance dredging. The moorage of a boat larger than provided for in the original moorage design shall not be grounds for approval of dredging.

Analysis: The location does not indicate the need for maintenance dredging.

REGULATION 15: Moorage facilities shall be marked with reflectors, or shall be otherwise identified to prevent unnecessarily hazardous conditions for water surface users during day or night. Exterior finish shall be generally non-reflective.

Analysis: Suggested conditions of approval require that the boatlifts be marked with reflectors or otherwise identified.

REGULATION 16: Moorage facilities shall be constructed and maintained so that no part of a facility creates hazardous conditions nor damages other shore property or natural features during predictable flood conditions. Floats shall be securely anchored.

Analysis: The boatlifts are designed and secured so that they will not damage shoreline property or natural features.

REGULATION 21: All moorage facilities must permanently mark all of the components with name, address, telephone number and date of installation.

Analysis: Suggested conditions of approval require that the boatlifts be permanently marked for identification.

REGULATION 23: Moorage facilities shall avoid locations that will adversely impact shoreline ecological functions or processes.

Analysis: The dock currently exists. The area is already disturbed by the existing dock and is adjacent to residential properties. The project will consist of open, aluminum and steel design and will be installed to minimize shadows cast over shallow waters. In addition, the boatlifts will be placed adjacent to the dock at a depth required by the USACE.

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

The Fish & Wildlife Habitat Management and Mitigation Plan has determined that the riparian buffer will not be adversely affected by the proposed ground-based boatlifts installed below the OHWM.

A Fish & Wildlife Habitat Management and Mitigation Plan has determined that there will be approximately 250 sq ft of impact from the boatlifts to the aquatic environment. The plan proposes a total of 610 sq ft of riparian vegetation plantings to meet the mitigation for disturbance of the entire project.

In order to compensate for the placement of the proposed boatlifts, proposed boatlifts will be mitigated through the installation of native riparian vegetation within the riparian buffer. A 305 sq ft mitigation planting area will be installed on each of the subject properties as part of the proposed project. The 305 sq ft mitigation planting area (per property) will satisfy the current mitigation requirement of 2.44:1 for boatlifts in 11 ft of water, per the USACE and NMFS. The proposed native riparian vegetation will be installed as close to the OHWM as possible, in an area devoid of native riparian vegetation. The mitigation planting area would consist of water birch, coyote willow, red-osier dogwood, common snow berry and nootka rose. Trees will be planted within the

planting area at a spacing of 10 ft on center and shrubs will be planted at a spacing of 3-5 ft on center. The installation of the native riparian vegetation will increase the ecological function of the riparian habitat and will offset the impacts associated with the increase in in-water coverage.

The mitigation for the project will be installed within two areas, on the two parcels. The mitigation planting areas will be located within portions of the buffer that are currently devoid of native trees and shrubs and partially near the existing mitigation site for the existing dock.

The Douglas County Regional Shoreline Master Program requires a minimum mitigation ratio of 1:1 for development within aquatic habitat. The more restrictive mitigation ratios determined by the USACE and NMFS are used for this project. A planting plan is proposed within the Fish & Wildlife Habitat Management and Mitigation Plan.

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 Regional Shoreline Master Program. Staff recommends approval of SP-2018-06, subject to the following suggested findings of fact and conditions:

Suggested Findings of Fact:

1. The applicants are Dwight Jensen, Riverview Enterprises LLC, 23826 Bostian Rd, Woodinville, WA 98072 and Jeffrey Christenson, 5561 Kenwood PI N, Seattle WA 98103
2. The applicant's agent is: Larry Lehman, Grette Associates LLC, 151 S. Worthen St. Ste. 101, Wenatchee, WA 98801
3. General Description: An application for a shoreline substantial development permit to install two ground-based boatlifts.
4. The project will serve 2 Lots on Desert Shores Drive, Orondo, WA.
5. The proposed boatlifts are to be in addition to the existing community dock. The existing community dock is along and within the Columbia River and within the Desert Shores Subdivision.
6. The project area is located within the Rural Conservancy shoreline environment and is further described as being located within the NW Quarter of Section 21, Township 26N, Range 21E., W.M., Douglas County, Washington. The Douglas County Assessor's Parcel Numbers are: 96700000000 (serving 96700000500 and 96700000700).
7. The subject properties are located in the Rural Recreation zoning district.
8. The Columbia River Shoreline section of the subject properties is designated as Rural Conservancy by the Douglas County Regional Shoreline Master Program.

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. A Fish & Wildlife Habitat Management and Mitigation Plan received May 9, 2018 was performed for the project by Grette Associates.
11. The installation of the two boatlifts will impact the aquatic environment. A Fish & Wildlife Habitat Management and Mitigation Plan has determined that a total of 250 sq ft of aquatic habitat will be disturbed by the boatlifts.
12. The application proposes 610 sq ft of mitigation. A planting plan is proposed within the Fish & Wildlife Habitat Management and Mitigation Plan.
13. The mitigation proposed in the Fish & Wildlife Management and Mitigation Plan meets the requirements of the Douglas County Regional Shoreline Master Program.
14. Douglas County issued a Determination of Non-Significance on September 4, 2018 in accordance with WAC 197-11-355 (Optional DNS).
15. Agency comments were received from the PUD (Attachment A).
16. No comments have been received from private citizens.
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 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 Regional 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:

1. The project shall proceed in substantial conformance with the plans and application materials on file submitted on May 9, 2018 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 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.

4. The boatlifts 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.
5. The boatlifts shall be permanently marked with name, address, telephone number and date of installation. Documentation shall be provided to the County.
6. The project application shall proceed consistent with the Fish & Wildlife Habitat Management and Mitigation Plan prepared by Grette Associates, received May 9, 2018.
7. Where necessary, a permanent means of irrigation shall be installed for the mitigation plantings that is designed by a landscape architect or equivalent professional. Said design shall meet the specific needs of riparian and shrub steppe vegetation.
8. Mitigation planting as shown on the mitigation planting plan received May 9, 2018 shall be planted upon completion of the project.
9. A five year monitoring period shall commence upon placement of the planting materials and irrigation system. A performance surety agreement in conformance with Title 14 Douglas County Code shall be entered into between the property owner and Douglas County Transportation and Land Services upon approval of the shoreline permit. Douglas County must approve quotes for the cost of installation, delivery, plant material, soil amendments, irrigation, seed mix and necessary monitoring visits and reports by the biologist of record and Washington State sales tax.
10. The mitigation site shall be maintained to ensure the management and mitigation plan objectives are successful. Maintenance shall ensure 100% survival for the first year and 80% survival for each of the 4 years following 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.
11. 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 Habitat Management and Mitigation Plan submitted by Grette Associates, received May 9, 2018 have been satisfied.
12. Sequential release of funds associated with the surety agreement shall be reviewed for conformance with the conditions of approval and the management and mitigation plan. Release of funds may occur in increments of 1/3 for substantial conformance with the plan and conditions of approval. If the standards that are not met are only minimally out of compliance and contingency actions are actively being pursued by the property owner to bring the project into compliance, the County may choose to consider a partial release of the scheduled increment. Non-compliance can result in one or more of the following actions: carry-over of the surety amount to the next review period; use of funds to remedy the nonconformance; scheduling a hearing with the Douglas County Hearing Examiner to review conformance with the conditions of approval and to determine what actions may be appropriate.
13. 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.

14. Prior to installation of the project, copies of approval from applicable agencies, including the Chelan County PUD, must be submitted to the County.
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,

Nathan Pate, AICP
Principal Planner – Land Services