

Attachment C:

Ecology Recommended Changes

The following changes are recommended to clarify elements of the City of Chelan’s updated SMP

ITEM	SMP Submittal Provision (Cite)	TOPIC	BILL FORMAT CHANGES (underline = additions; strikethrough = deletions)	RATIONALE
1.	Table of contents	Tables	<p>Table 3-1. Shoreline Use and Modification Matrix for the City of Chelan. 3-Error! Bookmark not defined.</p> <p>Table 3-2. Shoreline Development Standards Matrix for the City of Chelan. 3-Error! Bookmark not defined.</p> <p><u>Table 4.4-1 Shoreline Setbacks by Environment Designation for the City of Chelan.....4-13</u></p> <p><u>Table 4.4-2 Design Standards for Public Parks and Recreation Lands and Facilities in Lieu of a Shoreline Setback.....4-14</u></p> <p><u>Table 4.4-3 Shoreline Setback Reduction Options for Each Environment Designation.....4-19</u></p> <p>Table 4.5-1. Shoreline Buffers by Environment Designation for the City of Chelan.... 4-Error! Bookmark not defined.</p> <p>Table 5.5-1. Design Standards for Boating Facilities..... 5-Error! Bookmark not defined.</p> <p>Table 5.5-2. Dimensional and Materials Standards for Docks. 5-Error! Bookmark not defined.</p>	List of tables amended to include all tables in document.
2.	1.2.1	Public Access Policies	<p>N. Plan Implementation. The City should implement the goals, policies and facilities identified within the City of Chelan Recreation Department, Parks Division: Comprehensive Plan Parks, Recreation, and Open Space Plan, City Resolution 534 dated August 23, 1977, the Lakeside Trail Feasibility Study and the Don Morse Park Shoreline Study, Lake Chelan Valley Trail Plan, and Northshore Pathway Feasibility Study.</p>	Change proposed by city in response to public comments received.

3.	1.2.1	Public Access Policies	P. Trail Connections to Public Sites. The City should <u>integrate continuous trail corridors and local spur or loop routes with parks, schools, other public facilities, historical sites, and Chelan's historic downtown district.</u> maximize the use of parks, schools, recreation and open space resources within the City by connecting them with a coordinated system of trails.	Change proposed by city in response to public comments received.
4.	1.2.1	Public Access Policies	R. Accessible Parks and Recreation Facilities. The City should <u>design outdoor picnic areas, trails, playgrounds, courts, fields, parking lots, restrooms, and other active and supporting facilities to be accessible to individuals and organized groups of all physical capabilities, skill levels, age groups, income, and activity interests.</u> provide parks and recreation facilities that are inclusive and accessible to all of the population regardless of age or physical ability.	Change proposed by city in response to public comments received.
5.	1.2.1	Public Access Policies	V. Water Trail. The City should support a system of kayak, canoe, and other hand carry boat access landings and other improvements for appropriate access to the city's Lake Chelan shoreline. W. Hiking and Biking Trails. Consistent with the Chelan Bike & Pedestrian Plan, the City should support a comprehensive system of hike and bike trails that access scenic, environmental, historic, and open space attributes in and around the city including between Lake Chelan and the Columbia River, and along the west Columbia River shoreline. X. Acquire and Support Shoreline Access. The City should acquire and support additional shoreline access for waterfront fishing, wading, swimming, and other related recreational activities and pursuits along the Lake Chelan and Columbia River shorelines.	Change proposed by city in response to public comments received.
6.	1.7.1	Archaeological and Historic Resources Policies	A. Preservation, Restoration, Education. Whenever possible, a <u>Archeological, cultural, and-or historic sites-resources</u> should be permanently preserved for scientific study, and public observation <u>education, and for maintaining cultural associations and community character.</u> In areas known to contain significant archaeological, <u>cultural,</u> and historic data <u>resources,</u> a condition should be placed on shoreline permits <u>applications shall</u> which would allow for site inspection and evaluation to ensure proper salvage of such data <u>survey work only by authorized and qualified cultural resource professionals.</u>	Change proposed by city in response to public comments received.

7.	1.7.1	Archaeological and Historic Resources Policies	C. Consultation. <u>Using the services of qualified cultural resource professionals is required to identify areas of archaeological, cultural, and/or historic significance. Consultation with professional archaeologists and historians is encouraged to identify areas containing potentially valuable archaeological data, and to establish procedures for salvaging data.</u> Appropriate agencies, <u>organizations, and governments to consult shall to consult</u> include, but are not limited to, the Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of the Colville Reservation, and the Washington State Department of Archaeology and Historic Preservation (DAHP).	Change proposed by city in response to public comments received.
8.	2.9	Effective Date	The SMP is hereby adopted on the 24th day of November 2015, with an effective date of January 1, 2016 or upon approval by the Washington State Department of Ecology, whichever is later (Ordinance 2015-1500). This SMP and all amendments thereto shall become effective 14 days from the date of the Washington State Department of Ecology's written notice of final approval.	Changed for clarity. The effective date will be 14 days from Ecology's final approval of the SMP.
9.	4.1.2	Archaeological and Historic Resources	<p>4.1.2 Regulations</p> <p>A. <u>Site Assessment:</u> <u>Upon receipt of an application for a shoreline permit or application for a demolition permit within the shoreline zone, or request for a statement of exemption for development on properties within 500 feet of a site known to contain a historic, cultural, or archaeological resource(s), the City shall require a cultural resource site survey/assessment. Such assessment shall be consistent with DAHP Standards for cultural resource reporting.</u></p> <ol style="list-style-type: none"> 1. <u>The site assessment shall be conducted by a professional archaeologist or historic preservation professional, as applicable, to determine the presence of historic or significant archaeological resources.</u> 2. <u>Buildings or structures over 40 years in age shall be inventoried in a DAHP Historic Property Inventory Database entry and archaeological sites shall be recorded on DAHP Archaeological Site Inventory Forms. The fee for the services of the professional archaeologist or historic preservationist shall be paid by the applicant.</u> 3. <u>If the cultural resource site assessment identifies the presence of archaeological, or significant historic, cultural resources, recommendations shall be prepared by a professional archaeologist or historic preservation</u> 	Multiple changes to Archaeological and Historic Resource section proposed by city in response to comments received from the Department of Archeology and Historic Preservation.

			<p>professional, as part of the survey/assessment. The fee for the services of the professional archaeologist or historic preservation professional shall be paid by the applicant.</p> <p>4. In the preparation of such site assessments and recommendations, the professional archaeologist or historic preservation professional shall solicit comments from DAHP, and affected Indian tribes. Comments received shall be incorporated into the conclusions and recommended conditions of the survey/assessment to the maximum extent practicable.</p> <p>A. Known Archaeological Resources. The City shall require that permits issued in areas documented by DAHP to contain archaeological resources require a site inspection or evaluation by a professional archaeologist in coordination with affected Indian tribes.</p> <p>B. Uncovered Archaeological Resources. Developers and property owners shall immediately stop work and notify the City, the Washington State Department of Archaeology and Historic Preservation DHAP, and affected Indian tribes if archaeological resources are uncovered during excavation <u>in order to discuss and agree upon appropriate next steps.</u></p> <p>C. <u>Mitigation – Archaeological, Cultural, and Historic Resources.</u> Where a professional archaeologist or historian, recognized by At locations where a qualified cultural resource professional as defined by the State of Washington, has identified an area or a site, building, structure, district or object as having <u>significant value</u> archaeological, cultural, and/or historical significance, or where <u>such resources are an area or site is</u> listed in national, state or local historical registers of historic places, the City may shall require require an evaluation of the <u>identification and implementation of steps to avoid, minimize, or mitigate negative impacts to the resources(s).</u> Mitigation measures may include but not be limited to <u>preservation and/or retrieval of data, proposal modifications to reduce impacts, or other resource, and appropriate conditions, which may include preservation and/or retrieval of data, proposal modifications to reduce impacts, or other</u> mitigation <u>measures</u> authorized through the State Environmental Policy Act, or other local, state, or federal laws. Archaeological sites located both in and outside shoreline jurisdiction are subject to Chapter 27.44 RCW (Indian graves and records) and Chapter 27.53 RCW (Archaeological sites and resources) and development or uses that may impact such sites shall comply with Chapter 25-48 WAC, as well as the provisions of this Master Program.</p>	
--	--	--	--	--

10.	4.3.2	Public Access - Regulations	<p>B. Supporting Plans. The City shall promote and implement shoreline public access consistent with the following plans that are the basis for the Shoreline Public Access Plan:</p> <ol style="list-style-type: none"> 1. City of Chelan Comprehensive Land Use Plan 2. Don Morse Park Shoreline Study & Master Plan 3. Lake Chelan Valley Trail Plan 4. Lakeside Trail Feasibility Study 5. Lord Acres Subarea Plan 6. Northshore Pathway Feasibility Study 7. Parks, & Recreation, and Open Space Comprehensive Plan 2008-2014 8. <u>City Resolution 534 dated August 23, 1977</u> 	Change proposed by city in response to public comments received.
11.	4.3.2	Public Access - Regulations	<p>G. Alternatives Analysis. Except in the case of F.5, wWhen an exception from public access requirements is sought, an applicant shall demonstrate that all feasible alternatives have been exhausted, including, but not limited to:</p>	Change proposed by city in response to public comments received.
12.	4.3.2	Public Access - Regulations	<p><u>Q. Conspicuous permanent signage shall ordinarily be required under subsection P.5 above, in accordance with the sign regulations in part 5.1.2.G below, unless there is compelling cause for substituting another form of public notification</u></p>	Change proposed by city in response to public comments received.
13.	7.6.3	Exemptions	<p>H. Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single-family and multiple-family residences. A dock is a landing and moorage facility for watercraft and does not include recreational decks, storage facilities or other appurtenances. This exception applies if in fresh waters the fair market value of the dock does not exceed <u>:(I) Twenty thousand dollars for docks that are constructed to replace existing docks, are of equal or lesser square footage than the existing dock being replaced; or (II) ten thousand dollars for all other docks constructed in fresh waters. However, if subsequent construction occurs within five years of completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified in either (A) or (B) of this subsection, the subsequent construction shall be considered a substantial development for the purpose of this ten thousand dollars (\$10,000), but if</u></p>	Recommended change for consistency with RCW 90.58.030(vii) (HB 1090 2013-14)

			subsequent construction having a fair market value exceeding two thousand five hundred dollars (\$2,500) occurs within five years of completion of the prior construction, the subsequent construction shall be considered a substantial development for the purpose of this Shoreline Master Program.	
14.	Chapter 9	Definitions	<u>CULTURAL RESOURCE: Sites, buildings, structures, districts, objects, and landscapes that are listed in, or eligible for listing in a national, state, or local register of historic places.</u>	New definition proposed by city in response to public comments received.
15.	Chapter 9	Definitions	<u>CULTURAL RESOURCE PROFESSIONAL: Individuals who meet standards promulgated by the DAHP as well as the National Park Service and published in 36 CFR Part 61. These standards address minimum education and experience required to perform identification, evaluation, registration, and treatment activities for historic properties. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the properties involved.</u>	New definition proposed by city in response to public comments received.
16.	Chapter 9	Definitions	<u>IMPLEMENTED: For the purposes of the Chelan Public Access Plan Section 4.3.2.F, implemented means that public access improvements or strategies identified in Section 4.3 and Appendix C are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. Such financial commitment is based on inclusion in a City-approved six-year capital improvement program with secured funding, development agreement, voluntary agreement, application of fees in lieu (Section 4.3.2.I.2) or other similar executed instrument designed to fulfill the improvement.</u>	New definition proposed by city in response to public comments received.
17.	Chapter 9	Definitions	<u>VICINITY: For the purposes of the Chelan Public Access Plan Section 4.3.2.F, vicinity means that physical or visual public access improvements in the Public Access Plan are within a half mile of the subject property and accessible to the population of residents, employees, or visitors the proposed development is designed to accommodate.</u>	New definition proposed by city in response to public comments received.
18.	Appendix B: Critical Area Regulations 1.050	Designation, classification and protection	A. Wetlands. 2. Classification. Wetlands shall be classified according to the <i>Washington State Wetlands Rating System for Eastern Washington</i> (Department of Ecology Publication No. 14- XX06-XX030 , or as amended). Wetland rating categories shall be applied as the regulated wetland exists on the date of the adoption or revision of the rating system by the Department of Ecology. As of the date of this writing, the rating system includes the following four categories	Complete citation to wetlands rating system.