



November 8, 2007

Mr. Tim Pelton
City of Spokane
4401 N Aubrey L. White Parkway
Spokane, WA 99205

Subject: NPDES Permit No. WA-002447-3

Dear Mr. Pelton:

Thank you for the opportunity to review the NPDES Permit for the Riverside Park Water Reclamation Facility.

The Department of Natural Resources is steward of Washington's aquatic lands and their resources. Aquatic lands are managed for current and future citizens of the state to sustain long-term ecosystem and economic viability; and to ensure access to the aquatic lands and the benefits derived from them.

Washington DNR's management authority derives from the State's Constitution (Articles XV, XVII, XXVII), Revised Code (RCW 79.02 and 79.105) and Administrative Code (WAC 332-30). As proprietary manager of state-owned aquatic lands Washington State Department of Natural Resources has been directed to manage the lands "...for the benefit of the public." in a manner that provides "...a balance of public benefits¹ for all citizens of the state..." that includes:

- "(1) Encouraging direct public use and access,*
- (2) Fostering water-dependant uses²;*
- (3) Ensuring environmental protection; and*
- (4) Utilizing renewable resources."*

¹ WAC 332-30-106 defines public benefit as "... that all of the citizens of the state may derive a direct benefit from departmental actions..."

² Water dependent uses are those uses that "...cannot logically exist in any location but on the water" Examples include water-borne commerce; terminals; watercraft construction, repair or maintenance; moorage; aquaculture; and log booming (RCW 79.90.465)

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In addition, generating revenue in a manner consistent with subsections (1) through (4) of this section is a public benefit (RCW 79 105.030).

The Spokane River belong(s) to the State of Washington and is managed by the Department of Natural Resources (DNR). The activity that you have planned would require a use authorization from DNR.

I have enclosed an Application for Authorization to Use State-Owned Aquatic Lands. Please complete the application and return it to:

Department of Natural Resources
Aquatic Region/Rivers District
PO Box 280
Castle Rock, WA 98611

If you have any questions I may be contacted at (509) 220-3009 or by email at dave.harsh@dnr.wa.gov.

Sincerely,

Mundi Bund for

Dave Harsh, Land Manager
Aquatic Region/Rivers District

Enclosures (1)

cc: Department of Ecology, 4601 N Monroe Street, Spokane, WA 99205