



## **PUBLIC UTILITY DISTRICT NO. 1 of CHELAN COUNTY**

P.O. Box 1231, Wenatchee, WA 98807-1231 • 327 N. Wenatchee Ave., Wenatchee, WA 98801  
(509) 663-8121 • Toll free 1-888-663-8121 • [www.chelanpud.org](http://www.chelanpud.org)

June 24, 2013

Chelan County Public Utility District will release draft Land Management Plans for the Rocky Reach and Rock Island reservoirs for public comment on Monday, June 24, 2013. These plans provide the PUD, public, and regulatory agencies with a framework for the PUD's management of shoreline and land use requests.

Members of the public are encouraged to view and comment on the draft plans online at [www.chelanpud.org](http://www.chelanpud.org). Printed copies of the draft plans are available by contacting Kris Pomianek at Chelan County PUD, 509-661-4186. Comments may also be mailed to Kris at Chelan County PUD, PO Box 1231, Wenatchee, WA 98807-1231. Comments will be reviewed as the plans are finalized this fall, 2013.

An open house to visit with PUD staff about the plans is slated for Tuesday evening, July 9, 2013, 4:00 p.m. – 7:00 p.m. in the Chelan PUD Auditorium in Wenatchee. The open house will give the public an opportunity to pick up a printed copy of the plans, view classification maps, and talk to staff about the draft plans. No formal presentation will be made. Staff will be available to talk with you about your property and answer any questions you may have about how these plans might affect you.

Chelan PUD owns and operates both the Rocky Reach and Rock Island hydroelectric projects under licenses from the Federal Energy Regulatory Commission (FERC). These licenses require Chelan PUD to manage the multiple resources and uses of lands within the defined FERC Project boundary located along the Rocky Reach and Rock Island hydroelectric project shorelines and including some upland lands. Chelan PUD already implements oversight and management of land uses as required by the FERC Licenses and these new plans do not change existing practices. The plans do create a new way for Chelan PUD to review resource management areas along the shoreline to align with License requirements making it easier to

provide input to landowners and regulatory agencies during permitting of shoreline use proposals. As part of the project Licenses, Chelan PUD has classified areas along the shoreline into three categories; integrated use, resource management and project operations.

Enclosed with this letter you will find map information and "frequently asked questions" which may be helpful in answering questions you might have. We look forward to seeing you on July 9. If you are unable to attend the Open House, please feel free to contact Kris Pomianek at 509-661-4186, Monday - Thursday, 8:00 a.m. – 5:00 p.m.

### **Open House**

4:00 p.m. to 7:00 p.m., Tuesday evening, July 9, 2013

Chelan PUD Auditorium  
327 North Wenatchee Ave.  
Wenatchee, WA

Sincerely,

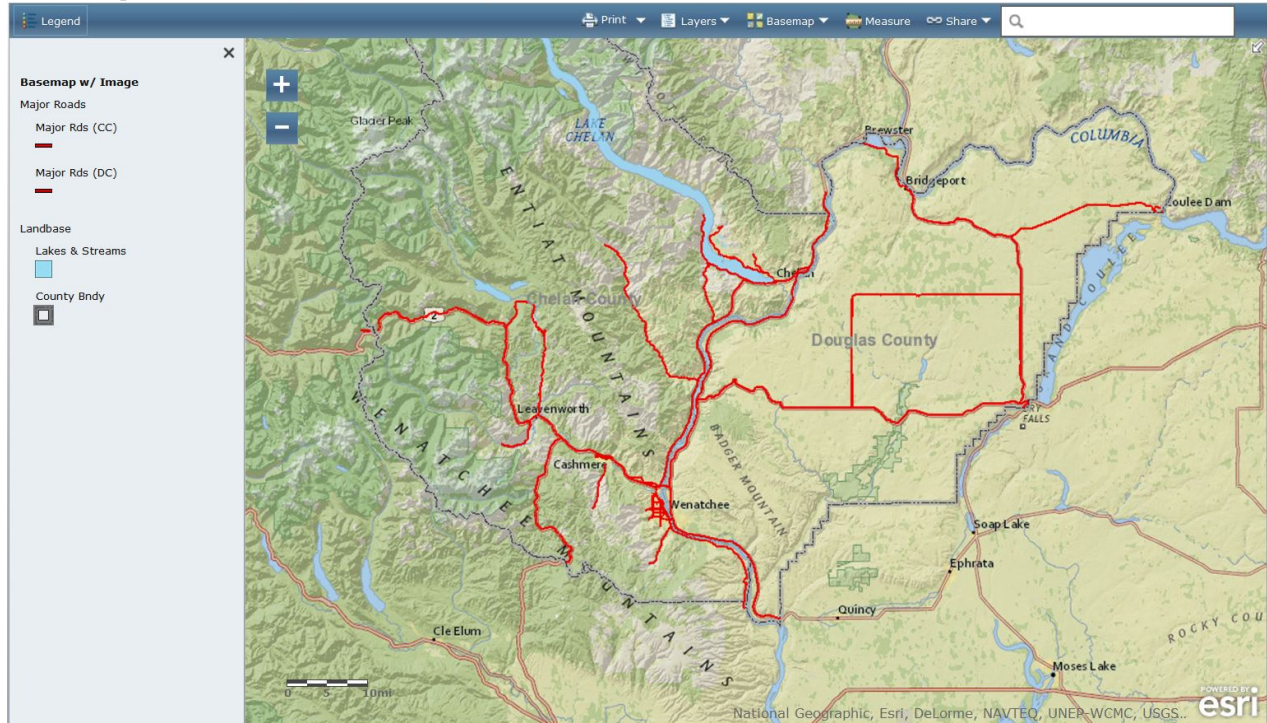
A handwritten signature in black ink, appearing to read "Michelle Smith". The signature is fluid and cursive, with the first name "Michelle" being more prominent than the last name "Smith".

Michelle Smith  
License and Compliance Manager  
michelle.smith@chelanpud.org  
(509) 661-4180

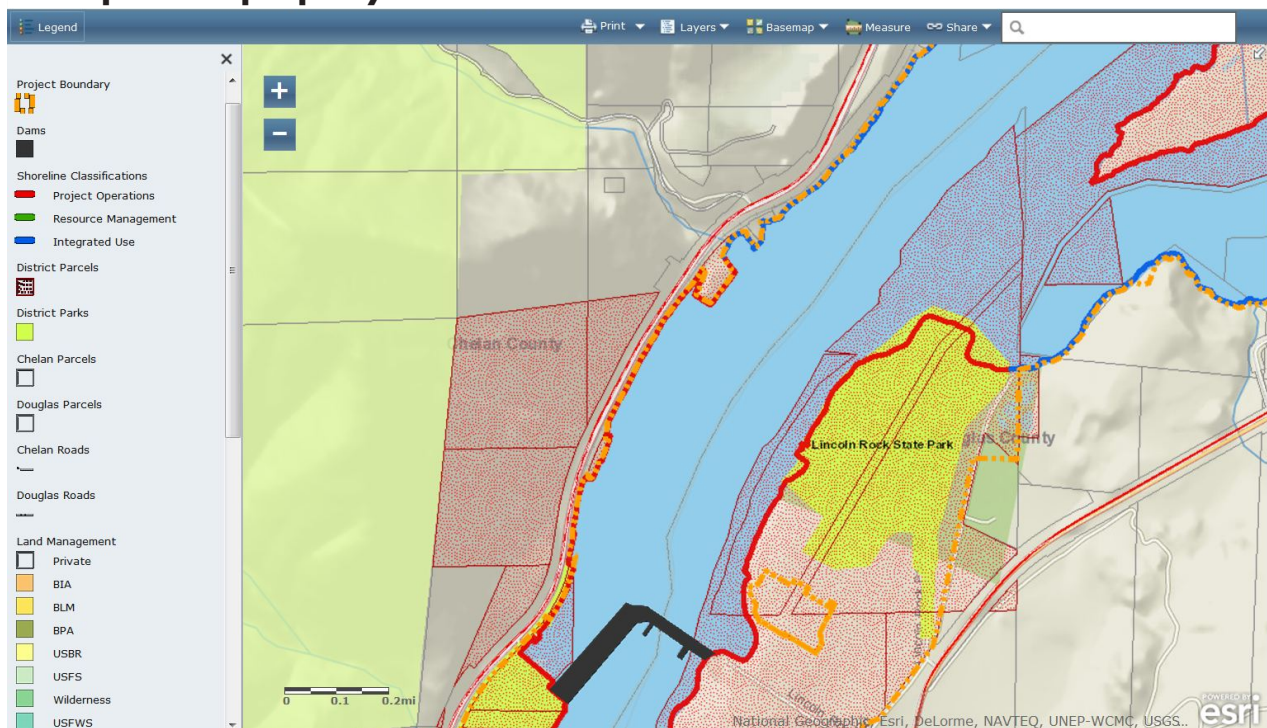
A link to maps of both the Rocky Reach and Rock Island Reservoirs is available on Chelan PUD's Land Management Plan website, <http://www.chelanpud.org/10962.html>. Clicking on the link you will see an aerial photo where you will be able to focus in on your property. You will also be able to find your property on the map by entering your complete address in the search field (example 327 So Wenatchee Ave, Wenatchee, WA). The maps show the shoreline classifications, which are defined in Section 5.0 of the Rocky Reach or Rock Island Land Management Plans, <http://www.chelanpud.org/10966.html>.



## Aerial photo



## Example of a property view





# Land Management Plans: Frequently Asked Questions



## **What is a land management plan?**

In general, land management plans (LMPs) acknowledge where important and/or protected natural and cultural resources exist, denote where facilities and uses occur, and identify the process for considering new facilities and uses. Specific to hydroelectric projects, LMPs apply to land within project boundaries, which are lands a licensee and the Federal Energy Regulatory Commission (FERC) have identified as necessary to protect natural/cultural resources, provide public access and operate the project. LMPs for the Rocky Reach and Rock Island hydro projects will ensure Chelan PUD manages lands within the project boundaries to meet FERC license requirements and project operational needs. The LMPs will help the public understand the application/review process for new facilities and uses and explain what Chelan PUD must consider in order to meet its FERC license and operational requirements. The intent of the plans is to provide the best balance for public and private access while protecting the river's natural resources.

## **What is Chelan PUD's responsibility for shoreline and land management under its FERC licenses?**

Chelan PUD is responsible for reviewing uses of project lands and waters, in cooperation with local, federal and state agencies, to assure compatibility with Federal Energy Regulatory Commission (FERC) license terms and conditions and other relevant regulations. Chelan PUD's role in the permitting process is to ensure consistency with project purposes (e.g. dam operations and implementation of various natural resources and cultural plans required by the FERC License), including safety, environmental concerns and aesthetics. Chelan PUD also encourages consistency with local and county management plans and zoning. Chelan PUD administers a Shoreline Development Tracking System as a means of ensuring that structures built within project lands and waters have minimal environmental or visual effects.

## **Did FERC require Land Management Plan development, and what is their role in this?**

Federal Energy Regulatory Commission (FERC) did not require the development of land management plans (LMPs) as part of the Rocky Reach or Rock Island project licenses. Chelan PUD is developing the LMPs voluntarily to provide consistent, coordinated and long-term management and stewardship of the Rocky Reach and Rock Island reservoirs and to provide more comprehensive and clear guidance to the public when they want to use shoreline lands. As part of the relicensing process for the Rocky Reach Project, Chelan PUD submitted a Land Management Study report to the FERC on May 30, 2003. The new land management plans use that information, and Chelan PUD has updated and expanded that information to include current land use review processes and practices. FERC may choose to use the LMPs during review of certain land use applications that require FERC approval and/or to ensure Chelan PUD has sufficient shoreline and land use management processes in place to assure consistency with license requirements.

## **Who will use the Rocky Reach or Rock Island land management plans?**

The land management plans (LMPs) can be used by the public, by permitting agencies, by other regulatory agencies, by Chelan PUD and by Federal Energy Regulatory Commission (FERC) as a guide to evaluating land use activities within the boundaries of the Rocky Reach and Rock Island hydro projects and to explain Chelan PUD's review process for all land use applications.

### **Does this change how Chelan PUD reviews applications?**

Two important additions will streamline and improve the process. A shoreline and land use classification tool has been added to provide consistent review and approval of various shoreline development proposals. The tool has a set of maps showing various types and uses of the lands and shorelines with the project boundaries, including areas with greater protection requirements for environmental or habitat values, area containing project works (e.g. dams, parks, hatcheries, etc.) and areas of existing development. In addition, the final land management plans (LMPs) will be publicly available with valuable links and contact information to help land owners make sure all activities within the project reservoirs will be consistent with Chelan PUD license requirements.

### **How often will Chelan PUD update the plans?**

Chelan PUD will review and, if necessary, update the land management plans (LMPs) every five years. Should local, state or federal regulations change, the LMPs will be updated (for example, new endangered species or new critical habitat that warrants protection). Changes in the LMPs will be highlighted on Chelan PUD's website <http://www.chelanpud.org/10960.html> and through other means such as newspaper notices and direct mailings to a stakeholder list.

### **Will the new land management plans affect recreational opportunities on the Rocky Reach and Rock Island reservoirs?**

The land management plans (LMPs) proactively consider public recreation needs and access to the river, resource conservation and protection, and the interests of property owners adjacent to the shoreline. They will not change the recreational opportunities now provided by Chelan PUD on either the Rocky Reach or Rock Island reservoirs.

### **What is the project boundary?**

The project boundary is an administrative marker to clearly delineate those lands necessary for operations and maintenance of the hydroelectric project and for other project purposes such as recreation, shoreline control or protection of environmental resources. The project boundary depends on the topography of the land and includes some upland property such as campgrounds, parks, hatcheries and wildlife lands.

### **Does Chelan PUD own all of the land within the project boundary?**

No. For additional information on a specific shoreline area, contact the Real Estate Department at Chelan County PUD (509) 661-4240.

### **What are shoreline classifications, and are they different from those used by Chelan County and Douglas County?**

Chelan PUD is ultimately responsible for managing project shorelines consistent with project purposes and license obligations. The land management plans (LMPs) identify land use classifications along the Rocky Reach and Rock Island shorelines that reflect Chelan PUD's resource and operational obligations under its licenses for both the Rocky Reach and Rock Island hydroelectric projects. The classifications are specific to the lands within Chelan PUD's project boundaries. The classifications are independent of any adjacent state or county land use designations or zoning; however, they are generally consistent with these. Chelan PUD uses this land use classification system to evaluate land use requests within the project boundaries. The system acknowledges where sensitive natural resources exist and where project facilities and uses occur. The system alerts Chelan PUD staff and the public to considerations and potential resource protection that might be needed if permits for construction activities are to be issued.

## **What are Chelan PUD's shoreline classifications?**

The shoreline classifications provide the public with important information that can be used in making development, purchase and/or construction decisions on shoreline lands. Chelan PUD's three land use classifications that have been assigned to lands within the project boundary are explained below:

- **Project operations:** Denotes areas within the project boundary occupied by project works such as dams, powerhouses and other structures, as well as any areas necessary to meet any requirements of the Federal Energy Regulatory Commission (FERC) license such as recreational and fish production facilities. Land use requests within these areas are generally prohibited.
- **Resource management:** Denotes areas within the project boundary with specific resource management, species protection and environmental or cultural purposes. Typically these areas require extensive environmental review, permitting and mitigation and activities may be prohibited.
- **Integrated use:** Denotes areas within the project boundary where shorelines have no known significant environmental or cultural resources or associated resource management goals that would preclude existing or future shoreline uses.

## **Will maps be available?**

Maps showing the shoreline classification areas along the Rocky Reach and Rock Island reservoirs are part of the land management plans (LMPs). The draft LMPs, along with maps depicting the classified areas, are on Chelan PUD's website <http://www.chelanpud.org/10960.html> for public review. Once completed, the final plans and associated maps will be permanently located on the website.

## **What is the JARPA process?**

JARPA stands for Joint Aquatic Resource Permit Application. The JARPA consolidates federal, state and local permit forms into one convenient application. The process begins when a property owner or project proponent completes the JARPA, which includes describing the proposed project, its potential effects on regulated resources (e.g. wetlands, waterways, shorelines) and proposed construction methods. The JARPA is then submitted to Chelan County or Douglas County offices. The county then distributes the JARPA to the following agencies for review under specific regulations:

- Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife (WDFW)
- Water Quality Certifications from the Washington Department of Ecology (DOE)
- Aquatic Resources Use Authorizations from the Washington Department of Natural Resources (DNR)
- Shoreline Management Act permits from participating city or county agencies
- The U.S. Army Corps of Engineers (Corps)

## **How does Chelan PUD work with Chelan County and Douglas County on permit applications?**

Chelan PUD is part of the Joint Aquatic Resource Permit Application (JARPA) process. The respective county distributes the JARPA to Chelan PUD when construction or uses within the Rocky Reach or Rock Island project boundaries are proposed. Chelan PUD then reviews the proposed action within the project boundaries for consistency with Federal Energy Regulatory Commission (FERC) license requirements and resource management plans and provides input to the county. In some instances, Chelan PUD will consult with other permitting agencies. Depending on the nature, size and location of the proposed project, Chelan PUD may also be required to seek FERC approval of the proposed activity. After all JARPA reviews are completed and permits received, including FERC approval if required, Chelan PUD will issue a "license/permit to occupy" project lands.

## **Where do I get information on the steps to take to build a dock or a shoreline structure?**

Contacting either Chelan County or Douglas County is a good place to start. The links below should also be helpful resources.

- Washington State Office of Regulatory Assistance  
[www.ora.wa.gov/resources/permitting.asp](http://www.ora.wa.gov/resources/permitting.asp)
- US Army Corps of Engineers Permit Guidebook  
[www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook.aspx](http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook.aspx)
- Chelan County Current Planning  
[www.co.chelan.wa.us/bl/bl\\_current\\_planning.htm](http://www.co.chelan.wa.us/bl/bl_current_planning.htm)
- Douglas County Information Brochures/Checklists  
[www.douglascountywa.net/departments/tls/permits/info.asp](http://www.douglascountywa.net/departments/tls/permits/info.asp)

## **Is it still possible to apply for a dock permit?**

Yes. Contact either Chelan County or Douglas County, who will initiate the Joint Aquatic Resource Permit Application (JARPA) process. The JARPA consolidates application forms for federal, state and local permits.

## **Who sets the dock design criteria?**

The U.S. Army Corps of Engineers has design criteria, based on guidance from the federal agencies who implement the Endangered Species Act (ESA). The following links should also be helpful:

- Chelan County Dock Standards:  
[www.co.chelan.wa.us/bi/data/dockstds.pdf](http://www.co.chelan.wa.us/bi/data/dockstds.pdf)
- Douglas County Regional Shoreline Master Program – includes design standards for docks/marinas in Chapter 5, Section 3 and 10: [www.douglascountywa.net/departments/tls/growth/pdf/Chapter\\_1-9\\_Final\\_8-27-09.pdf](http://www.douglascountywa.net/departments/tls/growth/pdf/Chapter_1-9_Final_8-27-09.pdf)

## **What if a dock owner has no proof that his/her dock was built before permits were required? Is there a grandfather clause?**

This is a permitting question to discuss with either Chelan County or Douglas County. If the dock was installed on Chelan PUD-owned land, generally, Chelan PUD would issue a land-use permit (or license) as long as all other agency permits are in order.

## **Will the development of the land management plan jeopardize existing docks or shoreline structures?**

Chelan PUD's land management plan (LMP) development and implementation will not change currently approved structures or uses.

## **Does Chelan PUD monitor the shoreline?**

In partnership with Chelan County and Douglas County, Chelan PUD does monitor the shoreline along both Rocky Reach and Rock Island reservoirs approximately 20 times per year. If a violation is observed, it is reported to the appropriate county office and/or agency for further follow-up.