



PLANNING & DEVELOPMENT
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3329
509.625.6300
FAX 509.625.6013
my.spokanecity.org

Exemption from Shoreline Substantial Development Permit

February 29, 2016

City of Spokane Parks and Recreation
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Re: File # Z16-050SDET: Howard Street South Channel Bridge Replacement and Theme Stream Crossing Access

Dear Mr. Ellison:

CH2M is proposing to replace the Howard Street South Channel Bridge (South Channel Bridge) with a smaller bridge within the existing bridge footprint to mitigate deteriorated capacity and safety of the existing bridge. The proposed work also includes the temporary modification of the existing Theme Stream Bridge with contained earth fill to provide construction access to the South Channel Bridge. The exemption request also includes other temporary construction related activities for the bridge replacement, including the Sister Cities' laydown and staging area north of the bridge and another staging area south of the bridge. The project site is located in the City of Spokane in the N. 1/2 Section 18, Township 25N, Range 43 East Willamette Meridian. The Spokane River is a shoreline of statewide significance (RCW 90.58.030). This project site is located in the Downtown Shoreline District and the Limited Urban Environmental designation within the Spokane Shoreline Master Program.

City of Spokane Planning and Development finds the above outlined project to be exempt from a shoreline substantial development permit under the provisions of the Washington Administrative Code section 173-27-040(2)(b) and Spokane Municipal Code Section 17E.060.300 (B)(2). *The proposed activities are found to be "normal maintenance" to prevent a decline, lapse, or cessation of a lawfully established condition and would not cause substantial adverse effects to the shoreline resources or environment.*

This project is permitted in compliance with Spokane Municipal Code, Section 17E.060-04 Shoreline Primary Uses Table, and Article VII Shoreline Development Standards by District Section 17E.060.710. An Environmental Checklist was routed to departments and agencies with jurisdiction on January 22, 2016 and February 9, 2016. The City of Spokane issued a Determination of Non-Significance on February 8, 2016.

The project is located on and adjacent to the Ordinary High Water Mark (OWHM). The project shall meet the intent of the Spokane Shoreline Master Program and be consistent with the policies of the Shoreline Management Act. It is unforeseen that this project will have an adverse impact on the shoreline area, its values or functions. As such, City of Spokane Planning and Development authorizes the proposed bridge rebuild and temporary Theme Stream crossing access along with associated staging, in substantial compliance with the site plans as submitted and attached, subject to the conditions stated below and of any other agency permits.

Condition(s):

1. In compliance with the Spokane Municipal Code 17E.020.070 Fish and Wildlife Conservation Areas-Exemptions: All exempt activities shall be undertaken using best management practices; the applicant shall maintain records documenting compliance with best management practices.
2. In compliance with the Spokane Municipal Code 17E.060.230 (H), this exploration shall not expand further into the critical area, shall not directly impact endangered species and shall result in *no net loss of shoreline ecological functions*. In addition, whenever possible, activities shall be confined to late summer and fall or winter.
3. This project shall conform to the requirements of any additional permits required from outside agencies with jurisdiction.
4. If the individual project will require the removal of native vegetation within the shoreline jurisdiction, a vegetation replacement plan shall be required prior to construction activities, pursuant to SMC 17E.060.260.
5. An Erosion and Sediment Control Plan will be required for any construction work adjacent to the waterways. It will need to be designed and monitored by a Certified Erosion and Sediment Control Lead (CESCL). The installation of a temporary silt fence (BMP C233) is required as well as any additional measures identified in the Erosion and Sediment Control Plan.
6. Maintain ongoing communication with Avista Utilities as it relates to any additional FERC requirements.
7. Spokane Tribe has recommended that there be a Cultural survey, Sub-surface testing and monitoring, and also an Inadvertent Discovery plan implemented into the scope of work. Please continue to coordinate with the Tribe prior to construction activities commencing.
8. If any artifacts or human remains are found upon excavation, the Spokane Tribe of Indians and the Planning Department shall be immediately notified and the work in the immediate area cease. Pursuant to RCW 27.53.060 it is unlawful to destroy any historic or prehistoric archaeological resources. RCW 27.44 and RCW 27.53.060 require that a person obtain a permit from the Washington State Department of Archaeology & Historic Preservation before excavating, removing

or altering Native American human remains or archaeological resources in Washington State.

Expiration: In compliance with WAC 173-27-090, construction activities shall commence within two years of the effective date of this permit unless an extension has been granted; authorization to conduct development activities shall terminate five years after the effective date of filing.

Appeals of the Planning Director's decision are governed by Spokane Municipal Code 17G.060.210. Any aggrieved party may file an appeal of this decision. Decisions of the Planning Director regarding administrative permits (Type II) are final. They may be appealed to the City of Spokane Hearing Examiner within fourteen (14) calendar days of the date of this decision.

If you have any questions regarding this exemption, please contact Tami Palmquist in the Planning and Development Department, at (509)625-6157 or tpalmquist@spokanecity.org.

Sincerely,

A handwritten signature in blue ink that reads "Tami Palmquist". The signature is written in a cursive, flowing style.

Tami Palmquist, AICP, CFM
Associate Planner, Planning and Development

CC: Jacob McCann, WA Department of Ecology, Eastern Regional Office
File # Z16-050SDET