



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 # Z16-060SDET: Ice Rink/Sky Ride Site Exploration and Investigation

Dear Mr. Ellison:

CH2M is proposing to conduct geotechnical investigations to gain subsurface knowledge for the future construction of the new Ice Rink/Sky Ride that will replace the existing ice rink located at Riverfront Park's Pavilion. 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)(m) and Spokane Municipal Code Section 17E.060.300 (B)(13). *The proposed activity is found to be site exploration and investigation activities that are prerequisite to preparation of an application for development authorization.*

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 28, 2016 and February 10, 2016. The City of Spokane issued a Determination of Non-Significance on February 10, 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 geotechnical investigations for the new Ice Rink/Sky

Ride, 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. DAHP has requested a professional archaeologist be present to monitor the geotechnical investigations under a monitoring plan reviewed by DAHP and the Tribes. They also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues.
5. 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.
6. 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 cursive script that reads "Tami Palmquist". The signature is written in dark ink and is positioned above the typed name and title.

Tami Palmquist, AICP
Associate Planner, Planning and Development

CC: Jacob McCann, WA Department of Ecology, Eastern Regional Office
File # Z16-060SDET