

**3<sup>rd</sup> REQUEST FOR COMMENTS**  
**FILE NO. Z25-419SCUP**

**Date:** December 16, 2025

**To:** Interested Parties, City Departments  
and Agencies with Jurisdiction.  
(Distribution list on reverse side)

**From:** Donna deBit, Principal Planner  
808 West Spokane Falls Boulevard  
Spokane, WA 99201 or call (509) 625-6637  
ddebit@spokanecity.org

**Subject:** Shoreline Conditional Use Permit – Ruby River Hotel Recreational Dock

**Owners:** GVD Commercial  
c/o Jerry Dicker  
909 W 1<sup>st</sup> Ave, STE B  
Spokane WA 99201

**Agent:** Facet NW  
c/o Hilary Hahn  
601 W Main Ave  
Spokane WA 99201  
(509) 991-2958

**File Number:** Z25-419SCUP

**Location Description:** 700 N Division St. – Parcel No. 35175.0031

**Description of Proposal:** The applicant is proposing a public recreational dock, *with accessory parking*, to be used for non-motorized watercraft, sightseeing, and other recreational activities, along the Spokane River. This is proposed within the Shoreline Buffer and Jurisdiction. This is a Type III application and there will be a Public Hearing in front of the City Hearing Examiner.

**Legal Description:** The entire legal description can be obtained through Planning and Development.

**SEPA:** SEPA is required. The Environmental Checklist is attached.

**Current Zoning:** Community Business (CB-150)

**REPORT NEEDED BY: 5 P.M. January 6, 2026.** If additional information is required in order for your department or agency to comment on this proposal, please notify Planning and Development as soon as possible so that the application processing can be suspended while the necessary information is being prepared. Under the procedures of SMC 17G.061, this referral to affected departments and agencies is for the following:

- 1) The determination of a complete application. If there are materials that the reviewing departments and agencies need to comment on this proposal, notice of such must be provided to the applicant;
- 2) Provides notice of application;
- 3) Concurrency Testing, **please note one of the following:**
  - a) ( X ) This application is subject to concurrency and agency is required to notify this department that applicant meets/fails currency; OR
  - b) ( ) This application is exempt from concurrency testing but will use capacity of existing facilities.

Under the revised procedures of SMC 17G.061, this referral to affected Departments and Agencies is to provide notice of a pending application. **THIS WILL BE THE LAST NOTICE PROVIDED TO REFERRAL DEPARTMENTS AND AGENCIES UNLESS WARRANTED.** If there are materials that the reviewing Departments and Agencies need to comment on this proposal, notice of such must be provided to the Applicant. The lack of comment by any referral agency will be considered to be acceptance of this application as Technically Complete.

\* - The lack of comment including concurrency by any referral agency will be considered acceptance of this application as technically complete and meeting concurrency requirements.

\*\* - Please forward your comments to Adam Hayden, Planning and Development at least 2 working days before the "Report needed by" date shown on the front page.

***Submitted electronically***

January 6, 2026

City of Spokane  
c/o Donna deBit, Principal Planner  
808 West Spokane Falls Boulevard  
Spokane, WA 9920  
[ddebit@spokanecity.org](mailto:ddebit@spokanecity.org)

Facet NW  
c/o Hilary Hahn, Ecologist  
601 W Main Ave, Suite 617  
Spokane, WA 99201  
[hhahn@facetnw.com](mailto:hhahn@facetnw.com)

**RE: Third Request for Comments on the Ruby River Hotel Recreational Dock  
Shoreline Conditional Use Permit application (Z25-419SCUP)**

Dear Ms. deBit and Ms. Hahn,

Thank you for the opportunity to review and comment on the revised application for the Ruby River Hotel Recreational Dock. As you are aware, Avista previously submitted comments on the dock proposal on July 30, 2025 and November 3, 2025. On December 16, 2025, the City of Spokane distributed a resubmittal of the Ruby River Hotel Dock Proposal with a third request for comments due January 6, 2026. We appreciate the applicant's response matrix, which provides a summary of all comments submitted by Avista and others.

In response to the applicant's second comment matrix and the resubmittal distributed on December 16, 2025, we respectfully reiterate our concerns and propose the following conditions to be incorporated into the Shoreline Conditional Use Permit (SCUP), consistent with applicable provisions of the Spokane Municipal Code (SMC) and Washington Administrative Code (WAC).

### **Public Safety and Access Management**

To ensure recreational use of the dock does not interfere with public shoreline access or safety, Avista proposes the following as permit conditions:

- The applicant submit an access management plan prior to SCUP issuance, demonstrating that a specific need exists to support the intended water-dependent uses and is restricted to the minimum size necessary to meet the needs of the proposed use (SMC 17E.060.430(F),(G)). The Plan shall also detail how recreational use of the dock will be regulated to prevent interference with normal public use of the Spokane River (SMC 17G.061.310(D)(2)(a)(ii)). The plan should demonstrate how the dock design ensures public safety and welfare (WAC 173-26-241(3)(c)(ii)). The plan should include:
  - Defined hours of public access and usage limitations.
  - Safety signage and public rights information.
  - Emergency contact protocols.

### **Dam Safety**

Avista is concerned that, should it fail, the dock could pose a hazard to its downstream facilities. Avista maintains that Ruby River Hotel should work with appropriate experts to develop comprehensive marine engineering and operational plans that demonstrates how the dock and associated infrastructure will withstand high flow events and avoid interference with Avista downstream infrastructure, including the Upper Falls Control Works Dam. Avista proposes the following as permit conditions:

- The dock design demonstrates, through hydrologic and hydraulic analyses, that the proposed development would not result in any increase in flood levels during the occurrence of the flood discharge (SMC 17E.30.160(A)).
- The dock is engineered and constructed to withstand high-water flows (see [USGS 12422500 Spokane River at Spokane, WA](#)) and debris impact, meeting or exceeding standards, including those for FEMA-designated floodways. Stamped engineering plans will be submitted prior to building permit issuance (SMC 17E.060.430(C)(2)).

Avista understands that Ruby River Hotel will engage with Avista on this topic during the building permit process.

### **Operational Impacts**

Avista remains concerned that the proposed dock could become a log jam for debris flows/debris fields during a high flow event, which may compromise the structural stability of the dock and associated infrastructure and its ability to withstand a high flow event. Avista proposes that as a condition of the permit Ruby River Hotel work with appropriate experts to engineer the dock and associated infrastructure such that it will neither pose a hazard to Avista's downstream facilities nor compromise Avista's ability to operate its facilities safely and reliably (WAC 173-27-160(1)(e)); (SMC 17E.060.430(C)(2)). The permit should also include a condition that the applicant prepare and follow a comprehensive operational plan to adequately address debris management strategies.

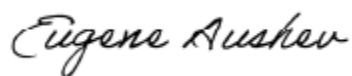
### **Recreation and Navigability**

To preserve public recreational use and navigability of the Spokane River, permit should require that the dock be designed and located to ensure it does not unreasonably interfere with public navigation (WAC 173-26-241(3)(c)(vii)) and the normal public use of public shorelines (WAC 173-27-160(1)(b)). We also request that the City, in its review of this conditional use permit, consider the cumulative impact of additional similar actions in the area (WAC 173-27-160(2)).

Avista is dedicated to public safety, environmental stewardship, and the responsible management of the Spokane River. While we support appropriate recreational access, safety and operational integrity are priorities that should be considered with this application. We respectfully urge the City to include the above items as condition of the Shoreline Conditional Use Permit.

Thank you for the opportunity to comment, we appreciate it. If you have any questions, please feel free to contact me at 208-769-1369 or email me at [eugene.aushev@avistacorp.com](mailto:eugene.aushev@avistacorp.com).

Sincerely,

A handwritten signature in cursive script that reads "Eugene Aushev".

Eugene Aushev

Permitting Specialist

Cc: Hilary Hahn, Facet NW (Permit Application Agent)

**From:** [McNair, Ryan \(ECY\)](#)  
**To:** [deBit, Donna](#)  
**Subject:** RE: 3rd Request for Comments - Ruby River Dock - Z25-419SCUP  
**Date:** Monday, January 12, 2026 10:27:47 AM  
**Attachments:** [image002.png](#)

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[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hi Donna,

We did not have any additional comments or concerns that will not be able to be covered by permit review and/or conditions if needed.

Thanks,

Ryan McNair  
Wetland, Shoreland and Aquatic Resource Specialist  
Shorelands & Environmental Assistance Program  
Eastern Region Office  
[rmcn461@ecy.wa.gov](mailto:rmcn461@ecy.wa.gov)  
(509) 309-5547



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**From:** deBit, Donna <ddebit@spokanecity.org>  
**Sent:** Monday, January 12, 2026 8:49 AM  
**To:** McNair, Ryan (ECY) <RMCN461@ECY.WA.GOV>  
**Cc:** Hayes, Meagan (ECY) <mhay461@ECY.WA.GOV>  
**Subject:** FW: 3rd Request for Comments - Ruby River Dock - Z25-419SCUP

External Email

Hi Ryan-

Did Ecology have any other comments/concerns with this proposal?

Thanks!



**Donna deBit** | Principal Planner \ Development Case Manager | Development Services Center  
Direct 509.625.6637 | Cell 509.530.0814 | [ddebit@spokanecity.org](mailto:ddebit@spokanecity.org) | [my.spokanecity.org](http://my.spokanecity.org)

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**From:** deBit, Donna

**Sent:** Tuesday, December 16, 2025 3:52 PM

**To:** Aushev, Eugene <[eugene.aushev@avistacorp.com](mailto:eugene.aushev@avistacorp.com)>; McNair, Ryan (ECY) <[rmcn461@ecy.wa.gov](mailto:rmcn461@ecy.wa.gov)>; [David.J.Moore@usace.army.mil](mailto:David.J.Moore@usace.army.mil); DNR RE AQ LEASING RIVERS <[dnrreagleasingrivers@dnr.wa.gov](mailto:dnrreagleasingrivers@dnr.wa.gov)>; [katy@spokaneriverkeeper.org](mailto:katy@spokaneriverkeeper.org); [r1planning@dfw.wa.gov](mailto:r1planning@dfw.wa.gov)

**Cc:** Hilary Hahn <[hhahn@facetnw.com](mailto:hhahn@facetnw.com)>; Jerry Dicker <[gvd@gvdcommercial.com](mailto:gvd@gvdcommercial.com)>; Kaitlin Malmquist <[kaitlin@gvdcommercial.com](mailto:kaitlin@gvdcommercial.com)>

**Subject:** 3rd Request for Comments - Ruby River Dock - Z25-419SCUP

Good afternoon,

Attached are the resubmittal documents for the 3rd Request for Comments for the Ruby River Hotel Dock proposal.

The applicant has responded the outstanding comments in the attached Matrix. Please use the 'Responses Matrix' and 'Matrix Identification' to review the responses.

Please note in your response any items that your agency would be requesting as a 'Condition of Approval', if any. These conditions would then be recommended to the Hearing Examiner. The city has an obligation to move a project forward once it's been determined that the documentation meets "*compliance with state laws, ordinances and concurrency requirements*". If your agency believes the project does not meet state laws, ordinances, and concurrency requirements, please identify in your response specific code citations that the applicant would need to address.

Please have any questions, comments, or requests for more time to me by **January 6, 2026**.

Thank you,



**Donna deBit** | Principal Planner \ Development Case Manager | Development Services Center  
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