

## Scott Boettcher

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**From:** Jane Hewitt <JHewitt@co.grays-harbor.wa.us>  
**Sent:** Thursday, May 28, 2020 3:18 PM  
**To:** 'smp@ecy.wa.gov'  
**Cc:** Rob Wilson; Scott Boettcher; 'Meyer, Zachary (ECY)'; Alice Shawyer  
**Subject:** Grays Harbor County Shoreline Substantial Development with Conditional Use and Flood Development Permit for Lower Satsop River Protection Project  
**Attachments:** Approval Letter\_SSDCUP Lower Satsop.pdf; Final Order\_2020-0384\_Lower Satsop.pdf; Record of Action\_Lower Satsop.pdf; Data Sheet Transmittal ECY\_AG.pdf

Permit Coordinator:

Please find attached and process accordingly a *Conditional Shoreline Permit and Flood Development Permit* for Case 2020-0384, the Lower Satsop Restoration and Protection Project (Phase I).

Rob Wilson, acting as Authorized Agent multiple landowners, has applied for a Shoreline Substantial Development with Conditional Use Permit (SSDCU) and Flood Development Permit to bank protection project to improve floodplain connectivity, stabilize river flow paths, reduce rates of erosion along the lower 1.5 miles of the Satsop River upstream of its confluence with the Chehalis River, protect Keys (County) Road and the Port of Grays Harbor's well.

Please note that the staff report also considers a CAPO Variance (Case 2020-1000) to allow activities with a wetland buffer and the Type-S stream that are not a subject of the SSD with Conditional Use permit.

Location of the Property: The proposal is located at several locations on the southerly 1.5 miles of Satsop River in the Northwest ¼ of Section 6, Township 17 N., Range 06 W., W. M. in Grays Harbor County, Washington. (See JARPA form for detail)

If you have any questions concerning this permit and/or materials please contact me at (360) 249-4222 or email at [jhewitt@co.grays-harbor.wa.us](mailto:jhewitt@co.grays-harbor.wa.us)

I have attached the Record of Action. The application (JARPA and supporting technical drawings, maps, and reports) relied on for the approval of Grays Harbor County Shoreline Substantial Development with Conditional Use and Flood Development Permit for the Lower Satsop project may be found here: [http://www.co.grays-harbor.wa.us/government/board\\_of\\_county\\_commissioners/planning\\_commission.php](http://www.co.grays-harbor.wa.us/government/board_of_county_commissioners/planning_commission.php)

Additional studies, maps, and other agency applications may be found at: [https://www.ezview.wa.gov/site/alias\\_1492/administration\\_jarpa\\_submittal\\_phase\\_i/37637/jarpa\\_submittal\\_phase\\_i.aspx](https://www.ezview.wa.gov/site/alias_1492/administration_jarpa_submittal_phase_i/37637/jarpa_submittal_phase_i.aspx)

Thank you.

*Jane W. Hewitt*

Jane W. Hewitt, Principal Planner  
Grays Harbor County  
Planning & Building Division  
100 W. Broadway Suite 31

Montesano, WA 98563  
360-249-4222 ext. 1684

[jhewitt@co.grays-harbor.wa.us](mailto:jhewitt@co.grays-harbor.wa.us)

All e-mails sent to this address will be received by the Grays Harbor County e-mail system and may be subject to Public Disclosure under Chapter 42.56 RCW and is subject to archiving and review by someone other than the recipient.

**Department of Public Services**

Phone: 360-249-4222

Fax: 360-249-3203



100 West Broadway, Suite 31  
Montesano, Washington 98563  
[www.co.grays-harbor.wa.us](http://www.co.grays-harbor.wa.us)

May 27, 2020

Washington State Department of Ecology  
Shorelands  
P.O. Box 47775  
Olympia, WA 98504-7775

VIA EMAIL

RE: Case 2020-0384 *Conditional Shoreline Permit with Flood Development permit*

Permit Coordinator:

Please find enclosed and process accordingly a *Conditional Shoreline Permit and Flood Development Permit* for Case 2020-0384, the Lower Satsop Restoration and Protection Project (Phase I).

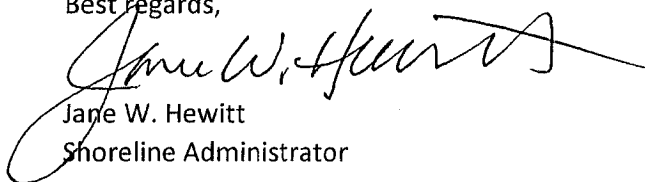
Rob Wilson, acting as Authorized Agent multiple landowners, has applied for a Shoreline Substantial Development with Conditional Use Permit (SSDCU) and Flood Development Permit to bank protection project to improve floodplain connectivity, stabilize river flow paths, reduce rates of erosion along the lower 1.5 miles of the Satsop River upstream of its confluence with the Chehalis River, protect Keys (County) Road and the Port of Grays Harbor's well..

Please note that the staff report (Case 2020-1000) also considers a CAPO Variance to allow activities with a wetland buffer and the Type-S stream that are not a subject of the SSD with Conditional Use permit.

Location of the Property: The proposal is located at several locations on the southerly 1.5 miles of Satsop River in the Northwest ¼ of Section 6, Township 17 N., Range 06 W., W. M. in Grays Harbor County, Washington. (See JARPA form for detail)

If you have any questions concerning this permit and/or materials please contact me at (360) 249-4222 or email via [jhewitt@co.grays-harbor.wa.us](mailto:jhewitt@co.grays-harbor.wa.us)

Best regards,



Jane W. Hewitt  
Shoreline Administrator

cc: Case 2020-0384

**Department of Public Services**

Phone: 360-249-4222

Fax: 360-249-3203



100 West Broadway; Suite 31  
Montesano, Washington 98563  
www.co.grays-harbor.wa.us

# **GRAYS HARBOR COUNTY**

## **STATE OF WASHINGTON**

### **SHORELINE MANAGEMENT ACT OF 1971 CONDITIONAL SHORELINE PERMIT**

#### **FINAL ORDER**

Note: This section for local  
government use only.

CASE NUMBER: 2020-0384  
AGENCY: Grays Harbor County  
DATE RECEIVED: 3/27/2020  
TODAY'S DATE: 5/27/2020

Type of Action(s):

- ☒ Substantial Development Permit
- ☒ Conditional Use
- ☒ Flood Development Permit
- ☐ Variance
- ☐ Revision

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#### **FINAL ORDER**

Pursuant to RCW 90.58, a Conditional Shoreline Permit & Conditional Land-Use Permit and Flood Development Permit Is Hereby Granted To:

#### **AUTHORIZED AGENT:**

Rob Wilson  
Grays Harbor County Public Works  
100 West Broadway, Suite 31  
Montesano, WA 98563

#### **PROPERTY OWNERS:**

Washington Department of Fish & Wildlife  
Port of Grays Harbor  
Norberto Contreras  
Beverly Scott  
Barbara Chapman  
Greg & Terry Willis

**DESCRIPTION OF PROPOSAL:** Grays Harbor County Public Works Division proposes a bank protection project to improve floodplain connectivity, stabilize river flow paths, reduce rates of erosion along the lower 1.5 miles of the Satsop River upstream of its confluence with the Chehalis River, protect Keys (County) Road and the Port of Grays Harbor's well. Specifically, the project would construct two setback revetments comprised of 18 engineered log jams (ELJs) in the floodplain to protect Keys Road. The project also includes construction of a 1,200-foot-long temporary bypass/side channel, 7 floodplain roughness ELJs, 17 ELJs in the river, and 320 feet of timber complex ELJ directly in front of the Port of Grays Harbor's potable water well. The project objectives are to reduce high rates of erosion by improving floodplain connectivity and reducing stream power and main channel velocities.

**LOCATION OF PROPOSAL:** The proposal is located at several locations on the southerly 1.5 miles of Satsop River in the Northwest ¼ of Section 6, Township 17 N., Range 06 W., W. M. in Grays Harbor County, Washington. (See JARPA form for detail)

**SHORELINE ENVIRONMENTAL DESIGNATION:** The shoreline environment designation for the site is Conservancy.

**THE FOLLOWING MASTER PROGRAM PROVISIONS ARE APPLICABLE TO THIS DEVELOPMENT:**

<u>SMP Chapter 5</u>	<i>entitled Siting Regulations</i>
<u>SMP Chapter 6</u>	<i>entitled Earth-changing Regulations</i>
<u>SMP Chapter 17</u>	<i>entitled Restoration</i>
<u>SMP Chapter 18</u>	<i>entitled Scenic View and Vista Regulations</i>
<u>SMP Chapter 19</u>	<i>entitled Valuable site and structure protection</i>
<u>SMP Chapter 22</u>	<i>entitled Conservancy Environmental Regulations</i>

**DEVELOPMENT PURSUANT TO THIS PERMIT SHALL BE UNDERTAKEN PURSUANT TO THE FOLLOWING TERMS AND CONDITIONS:**

1.

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Applicant shall use Best Management Practices (BMPs) to avoid and minimize unintentional effects on wetlands or aquatic sites not designated for impacts. Construction limits shall be delineated prior to the beginning of ground-disturbing activities. Applicant shall inspect, maintain, and repair all BMPs to assure continued performance of their intended function. Applicant shall design an erosion control plan and submit it to the County for approval prior to construction.

2.

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All vehicles and equipment shall be equipped with factory-installed emission control devices.

3.

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The applicant shall conduct construction activities in a manner consistent with the best management practices for mobile fueling of vehicles and heavy equipment compliant with the 2012 Washington State Department of Ecology's *Stormwater Management Manual for Western Washington*.

4.

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Construction work shall cease immediately upon the discovery of any cultural or historical artifact, with the applicant immediately contacting Washington State Department of Archeology and Historic Preservation (DAHP) to report the discovery. Work shall not resume on that portion of the site containing the discovery until approval is granted by DAHP, and the Confederated Tribes of the Chehalis and the Quinault Indian Nation.

5.

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During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills shall take precedence over other work.

6.

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Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Proper disposal of construction debris must be on land and in such a manner that debris cannot enter waters of the state or stormdrains draining to waters of the state or cause water quality degradation of state waters.

7.

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The issuance of this Shorelines permit does not relieve the applicant of other State and Federal permits that may be required for this proposal.

8.

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Environmental contamination caused, encountered, or suspected during construction shall be reported to the Washington State Department of Ecology.

9.

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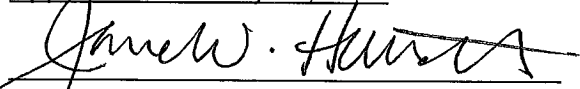
Design, construction, construction practices and mitigation/restoration shall comply with all conditions of approval stipulated by all state and local permits.

10.

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The issuance of this Shorelines permit does not relieve the applicant of other State and Federal permits that may be required for this proposal.

Approval Date: May 27, 2020

A handwritten signature in black ink, appearing to read "Jane W. Hewitt", written over a horizontal line.

Jane W. Hewitt,  
Shoreline Administrator

THIS SECTION FOR DEPARTMENTAL USE ONLY IN REGARD TO A VARIANCE OR  
CONDITIONAL-USE PERMIT.

Date received by the DEPARTMENT: \_\_\_\_\_

This conditional-use permit is approved/denied by the DEPARTMENT pursuant to RCW 90.58.

Development shall be undertaken pursuant to the following additional terms and conditions:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Department Official



**Department of Public Services**

Phone: 360-249-4222

Fax: 360-249-3203



100 West Broadway, Suite 31  
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**GRAYS HARBOR COUNTY PLANNING COMMISSION**

Shoreline Substantial Development Permit with Conditional Use and Flood Development Permit  
With Critical Area Protection Ordinance Variance  
CASE 2020-0384, 2020-1000  
RECORD OF ACTION

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**General Information**

**Authorized Representative:** Grays Harbor County Department of Public Works, Attn: Rob Wilson, 100 W. Broadway, Suite 31, Montesano, WA 98563

**PROPERTY OWNERS:**

Washington Department of Fish & Wildlife  
Port of Grays Harbor  
Beverly Scott  
Barbara Chapman

**REQUEST:** Grays Harbor County Public Works Division proposes a bank protection project to improve floodplain connectivity, stabilize river flow paths, reduce rates of erosion along the lower 1.5 miles of the Satsop River upstream of its confluence with the Chehalis River, protect Keys (County) Road and the Port of Grays Harbor's well. Specifically, the project would construct two setback revetments comprised of 18 engineered log jams (ELJs) in the floodplain to protect Keys Road. The project also includes construction of a 1,200-foot-long temporary bypass/side channel, 7 floodplain roughness ELJs, 17 ELJs in the river, and 320 feet of timber complex ELJ directly in front of the Port of Grays Harbor's potable water well. The project objectives are to reduce high rates of erosion by improving floodplain connectivity and reducing stream power and main channel velocities.

**LOCATION:** The proposal is located at several locations on the southerly 1.5 miles of Satsop River in the Northwest ¼ of Section 6, Township 17 N., Range 06 W., W. M. in Grays Harbor County, Washington. (See JARPA form for detail)

**SHORELINE DESIGNATION:** Conservancy Environment.

**APPLICABLE SECTION OF THE COUNTY CODE:** Grays Harbor County Code Chapter 17.12 governing the Long Term Agricultural Use (A-2) Zoning District, Grays Harbor County Code Chapter 18.06 governing Critical Areas, Grays Harbor County Shoreline Management Master Program, Chapter 22 governing the Conservancy Environment.

**PUBLIC NOTIFICATION:** The application was deemed complete for the purposes of beginning the project review on April 2, 2020. A public notice was mailed to the appropriate local and state agencies,

interested parties, and all property owners within 300-feet of the subject property, and published in the The Daily World on April 23, 2020. See Attachment “B”.

**ENVIRONMENTAL REVIEW:** Grays Harbor County issued a Determination of Non-significance on April 9, 2020 under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2).

# FINDINGS OF FACT

## 1. Application

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Rob Wilson, Grays Harbor County Department of Public Works, acting as Authorized Agent for cooperating property owners and agencies, has applied for a Shoreline Substantial Development with Conditional Use Permit (SSDCU) and Critical Protection Areas Variance to construct two setback revetments comprised of 18 engineered log jams (ELJs) on the floodplain to protect Keys (County) Road. The project also includes construction of a 1,200-foot-long bypass/side channel, 7 floodplain roughness ELJs, 17 ELJs in the river, and 320 feet of timber complex ELJ directly in front of the Port of Grays Harbor's potable water well.. See Joint Aquatic Resources Permit (JARPA) Attachment "A"

The project is funded by a grant from the Chehalis River Basin Flood Authority and Economic Development funds appropriated by Grays Harbor County's distressed county sales and use tax grant (.09 funds) . All elements of the project are located within the Conservancy Environment of Grays Harbor County's Shoreline Master Program and within of the habitat conservation buffer of a Type "S" stream and associated wetlands.

**The following technical documents were relied upon in this staff report and are incorporated into the findings by reference:**

SEPA Environmental Checklist and project technical maps and drawings  
Joint Aquatic Resources Project Application (JARPA) dated 3/25/2020  
Joint Aquatic Resources Project Application (JARPA) Supplemental dated 4/23/2020  
Biological Evaluation for Informal ESA Consultation, Natural Systems Design, February 2019  
Keys Road Protection Cultural Resources Survey, March 2020  
Keys Road Flood Protection Floodplain Impacts Assessment Report, March 10, 2020  
USACE Nationwide Permit Regional General Condition and NWP Bank Stabilization Waiver  
Keys Road Flood Protection Critical Areas Report, February 25, 2020

See Attachment A for these documents maintained at:

[http://www.co.grays-harbor.wa.us/government/board\\_of\\_county\\_commissioners/planning\\_commission.n.php](http://www.co.grays-harbor.wa.us/government/board_of_county_commissioners/planning_commission.n.php)

See Attachment B – Public Notice maintained at [http://www.co.grays-harbor.wa.us/government/board\\_of\\_county\\_commissioners/planning\\_commission.n.php](http://www.co.grays-harbor.wa.us/government/board_of_county_commissioners/planning_commission.n.php)

See Attachment C – State Environmental Policy Act maintained at [http://www.co.grays-harbor.wa.us/government/board\\_of\\_county\\_commissioners/planning\\_commission.n.php](http://www.co.grays-harbor.wa.us/government/board_of_county_commissioners/planning_commission.n.php)

## **2. State Environmental Policy Act Review**

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Grays Harbor County issued a Determination of Non-significance on April 9, 2020 under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2). The combined notice of hearing and SEPA determination was circulated to agencies with interest as well as the Confederated Tribes of the Chehalis and the Quinault Indian Nation.

## **3. Characterization of Site**

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### ***Location:***

The project is proposed at several locations on the lower Satsop River between (south of) State Route 12 and its confluence with the Chehalis River. These sites are all in the NW ¼ of Section 6, Township 17N, Range 06 West, W.M., near Brady in unincorporated Grays Harbor County, WA. Elements of the project are located on Assessor's Tax Parcels: 170701410010, 170701440010, 170701440020, 170701440030, 170606240010, 170606240030, 170606310010, 170606310020, 170606340010, 170606430020, 170606330010.

### ***Description:***

The entirety of the property is in the flood plain of the Satsop River. The various project locations are largely undeveloped floodplain. The properties on and near lower Satsop River are subject to frequent flooding, often accompanied by bank erosion and channel migration.

The surrounding land uses are small and large farms in hay and row crop production. Existing structures on the property include the Port of Grays Harbor potable water well that provides water to the Satsop Business Park and a Cascade Natural Gas pipeline that runs along Keys Road.

## **4. Comprehensive Plan Designation**

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The guiding portion of The Grays Harbor County Comprehensive Plan for this request is the adopted Grays Harbor County Comprehensive Land Use Plan Map adopted July 12, 1971 that designated the subject property and surrounding area as General Development. The Agricultural Element of the Comprehensive Plan re-designated and rezoned the subject parcels as Agricultural Use 2 – Long-Term Agricultural Use 2 describes areas of currently farmed or prime agricultural land, capable of long-term agriculture use, and within the principal farming areas.

## **5. Zoning Designation**

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Grays Harbor County Code (GHCC) Chapter 17.16 designates the site as Long Term Agricultural Use (Ag-2). The Long Term Agricultural Use district is a zone classification that encourages the

conservation and protection of agricultural lands and reserves areas for use by large commercial farms. The establishment of this district recognizes the importance of the agricultural industry in Grays Harbor County and provides protection for those soils and areas most suitable for commercial agriculture. (GHCC 17.16.010).

## **6. Flood Zone Designation**

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Federal Emergency Management Act (FEMA) Flood Insurance Rate Map (FIRM) panel 53027C-0957D designates the property as Flood Zone "A", which indicates areas of more frequent flooding.

Approval of this project will serve as a flood development permit.

## **7. Critical Areas Protection Ordinance**

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The proposal was reviewed for GHCC Title 18.06 Critical Protection Area requirements with the following findings:

### **Frequently Flooded Areas**

*According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 53027C 976D, the entire parcel is located within flood zone "A", base flood elevation not determined, which indicates areas of more frequent flooding. A Flood Development permit is required to place fill within a special flood hazard areas (GHCC 18.06.110).*

### **Wetland Areas:**

A review of the National Wetland Inventory Map and Department of Natural Resources resource map and the wetland delineation submitted by the applicant indicates the presence of on-site wetlands. According to the application (and analysis of the design drawings and Critical Area Report) the south setback revetment will be constructed along the outer edge of Wetland PFO6. The north setback revetment will be constructed in uplands. The other ELJs will be constructed below OHWM of the lower Satsop River. No fill will be placed in wetlands or waters or placed in such a way as to change the ecologic function from waters/wetlands to upland.

### **Fish Habitat Conservation Areas:**

There is one (1) typed water, the Satsop River, found on the subject property. The Satsop River is designated as a Type "S" water on the Washington State Department of Natural Resources (DNR) Forest Practices Application Review System (FPARS). A Type "S" designation indicates it is a Shoreline of Statewide Significance. The standard buffer width along a Type "S" water is 150-feet (GHCC 18.06.140(A)(8)(a)(2)(I)).

A Special Study, prepared by Natural System Design, dated February 25, 2020, evaluated the “extent and nature of wetlands, water, and fish and wildlife habitat conservation areas”<sup>1</sup> This delineation identifies both in-water work and impacts to critical area buffers requiring approval of a variance from the development standards of 18.06.140.

**Review Criteria for Critical Area Variances:**

18.06.040 - Authority to grant variances.

The board of adjustment must approve all applications for variances from requirements of this chapter.

- A. The board of adjustment may authorize variances from the standards of this chapter in accordance with procedures set forth in Chapters 2.12 and 17.80 of this code, but excepting Section 17.80.020. The board of adjustment shall review the variance request and make written findings that the request meets or fails to meet the variance criteria set forth herein below.
- B. Variance Decision Criteria. A variance may be granted only if the applicant demonstrates that the requested action conforms to all of the criteria set forth as follows:
  - 1. Special conditions and circumstances exist that are peculiar to the land, the lot, or something inherent in the land and that are not applicable to other lands in the same zoning district.
  - 2. The special conditions and circumstances do not result from the actions of the applicant.
  - 3. A literal interpretation of the provisions of this chapter would deprive the applicant of all reasonable economic uses and privileges permitted to other properties in the vicinity and zoning district of the subject property under the terms of this chapter.
  - 4. The variance requested is the minimum necessary to provide the applicant with such rights.
  - 5. Granting the variance requested will not confer on the applicant any special privilege denied by this chapter to other lands, structures, or buildings under similar circumstances.
  - 6. The granting of the variance is consistent with the general purpose and intent of this chapter.
  - 7. The granting of the variance will not further degrade the functions or values of the associated critical areas.

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<sup>1</sup> Keys Road Flood Protection Critical Areas Report, Natural Systems Design, February 25, 2020.

8. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the subject property;
  9. The decision to grant the variance includes the best available science set forth in this chapter and gives special consideration to conservation or protection measures necessary to preserve or enhance anadromous fish habitat.
  10. The granting of the variance is consistent with the general purpose and intent of the Comprehensive Plan and adopted development regulations.
- C. Conditions May Be Required. In granting any variance, the board of adjustment may prescribe such conditions and safeguards as are necessary to secure adequate protection of critical protection areas from adverse impacts, and to ensure conformity with this chapter.
- D. Time Limit. The board of adjustment shall prescribe a time limit within which the action for which the variance has been granted is required shall be begun or completed or both. Failure to begin or complete such action within the established time limit shall result in a rescission of the variance.
- E. Burden of Proof. The burden of proof shall be on the applicant to produce evidence in support of the application.

(Ord. No. 393, § 8, 6-7-2010)

## **8. Shorelines Management Master Program Designation**

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The project is within the jurisdiction of the Grays Harbor County Shorelines Management Master Program (SMMP). This program is an evolving effort to find the appropriate balance between the value and function of the shoreline areas, and human actions within this environment.

The proposal is in an area designated as **Conservancy**. The Conservancy Environment is intended to protect lands, wetlands, and water of economic, recreational, and natural value.

Development for purposes which would be detrimental to resource capability and utilization is not permitted.

Permitted Uses: The permitted uses in the Conservancy Environment are those fostered by lands, wetlands, and waters of that environment. The following uses are permitted subject to compliance with the Master Program Policies and Regulations: Single family dwelling; outdoor storage incidental to permitted use; appurtenant signs; accessory building; incidental off-street parking; vista point; dock, pier, and other water-land connectors; **water control devices and structures**; aquaculture use and structure, agricultural use and structure, fishing and water sport, timber harvesting, industrial forestry, watercraft of all kinds, necessary bridges; open space; wildlife preserve; day use recreation and **incidental**

improvements necessary for the safety and convenience of the public transmission line, lesser streets; public access area and devices and parks.

Conditional Uses: The following uses are generally inappropriate or unnecessary shoreline uses in the Conservancy Environment. These and other unlisted uses may be allowed as conditional uses subject to the provisions of Chapter 33: Duplex; dwelling group; apartment; townhouse; condominium; hotel; motel; professional office; personal service; financial service; retail and secondhand sale, outdoor sales; vehicle and merchandise repair; campground; mobile home park; animal hospital; kennel; non-appurtenant signs; outdoor amusement; commercial parking lot; restaurant; tavern; water related industry; water related commercial use; marina; boat basin, boat sales and service; landfill; non-water related commercial use; non-water related industry; solid waste disposal; wood waste fill; public building; convenience goods sale, club, fraternal organization; service station; truck terminal; wrecking or junk yard; cemetery; school; church; mortuary; hospital; rest home; bulkheads and other protective devices; dredging and mineral extraction; pollution control facility; shake-shingle mill; utility substation; power generating facility; airport; gravel crushing; asphalt or concrete batch plant; freeway; expressway; railroad; highway; log storage and rafting; and golf course.

## **9. Shorelines Management Master Program: Shoreline Elements & Goals**

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Applicable Goals, as listed in Chapter 1, of the Shorelines Management Master Program include: the Economic Goal, Land and Water Use Goal, and the Conservation Goal.

**Economic Development Goal:** To maintain and enhance our shorelines-related industry. To secure an adequate amount of shorelands and wetlands of an appropriate nature for these industries. Yet, at all times to see that we create and maintain an industrial and economic environment which can co-exist harmoniously with the natural and human environment.

**Land and Water Use Goal:** To promote the best possible pattern of land and water uses, to assure a minimum of conflict between uses, to assure that individual uses are placed on sites appropriate to such uses, to assure that lands and waters of specific natures are available to uses which need such special types of lands and waters, to see that all of the uses needed by the region have a place, and to generally devise a pattern beneficial to the natural and human environments.

**Conservation Goal:** To identify the resources of the region including: fish, wildlife, timber, estuaries, shorelines, beaches, scenic areas, fragile ecological areas, land, water, and air. Further to identify standards which will guarantee a continuing supply of these resources in sufficient quality and quantity to meet all the region's foreseeable needs with an excess



to absorb accidental losses or economic slumps which might occur, and to continually enhance those resources so that the standards can be achieved.

## **10. Shorelines Management Master Program: Shoreline Management Policies**

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Grays Harbor County SMMP policies listed in Chapter 2 further elaborate on the goals and give specific direction in making management decisions. Applicable policies include the following:

### **ACTIVITY POLICIES**

#### **Agricultural Practices:**

Agricultural practices are those methods used in vegetation and soil management, such as tilling of soil, control of weeds, control of plant diseases and insect pests, soil maintenance and fertilization.

- Buffer strips should be maintained where needed between cultivated areas and bodies of water to protect the aquatic environment. Landowners should be compensated for such buffer strips as provided in Chapter 90.58.290 RCW when buffers need to be significantly wider than buffers provided by recognized agricultural practices.
- Proper plowing patterns should be used to avoid excess runoff and erosion.
- Diversion of waters for agricultural purposes should be done only in accordance with water right procedures.
- Animal feedlots should, whenever possible, be located outside the Shorelines Management area and when located in shoreline areas should be separated from water bodies by a buffer strip of natural vegetation, and the feedlot should be drained in such a manner that water is absorbed on-site and not allowed to flow directly into the nearby waters.
- Pesticides, herbicides, and fertilizers should be applied in a manner which minimizes direct or indirect entrance into nearby waters. Application of pesticides intended to abate mosquitoes or similar water-related infestations should be administered in accordance with Environmental Protection Agency standards.

#### **Landfill:**

Landfill is the creation of dry upland area by the filling or depositing of sand, soil, or gravel into a shoreline area.

- Shoreline fills or cuts should be designed and located so that significant damage to existing ecological values or natural resources, or alteration of local currents will not occur, creating a hazard or significant injury to adjacent life, property, and natural resources systems.
- All perimeter of fills should be provided with suitable means for erosion prevention where appropriate and necessary.
- Fill material should be of such quality that it will not cause serious water quality degradation.
- Priority should be given to landfills for water dependent uses and public uses. In evaluating fill projects and in designating areas appropriate for fill, such factors as total water surface reduction, floodplain impact, navigation restriction, impediment to water flow and circulation, reduction of water quality and destruction of habitat should be considered.

## **NATURAL SYSTEM POLICIES**

### **Riverine Floodplains:**

Land use controls and strict building requirements in riverine floodplains is the preferred management practice rather than structural improvements intended to channelize the waterway. Regulations should consider building elevation, the impact of fills on flowage and storage, emergency access, etc.

### **Vegetation:**

Vegetative clearing including harvesting of farm crops, logging, site-clearing, right-of-way clearing, thinning, grazing and damage to vegetation from pedestrians and vehicles should be controlled to the extent required depending on soil type, steepness, etc., so that erosion will not be caused, shade will not be removed from shallow streams used by salmon and other fish sensitive to warm water, debris will not be released or rainwater runoff on slopes will not be increased.

### **Wildlife:**

In areas identified as harboring rare or endangered species, the impact of any development requiring a substantial development permit should be considered. Seasonal constraints or other limitations should be added to the permit as necessary to protect the wildlife resource. Local government should, whenever possible, obtain the assistance of wildlife experts in making such determination.

**General:**

Excavation, including dredging of channels and marinas, removal of sand or gravel for construction of roads or fills, excavation of drainage ditches and grading should be controlled to minimize removal of vegetation and cemented surface soil layers; release of sediment into water; removal of fertile soils, deepening of water where this would have adverse impacts on habitat; breaking the seal of an aquifer; change or blockage of current; smothering of underwater habitat; reduction of tidal flushing action or reduction of water depth where this would be adverse to production of desirable plant and animal life, or would stimulate undesirable forms; undesirable changes in shoreline configuration; reduction of floodwater capacity of a riverine floodplain; elimination of fertile marsh habitat or creation of navigational hazards.

**AMENITY POLICIES****Visual Enhancement:**

- An unappealing operation which must have a waterfront site should be located where visual appearance, or emissions can be best screened and should be grouped together if possible to avoid spreading visual blight along the waterfront and to facilitate screening.
- Urban, rural, and sparsely developed shorelines should be evaluated as to their visual amenity and where amenity is generally high, operations which are prone to release smoke or gases that would reduce visibility, release visible particulate fallout, discolor the sky or stimulate fog formation should not be allowed.
- The natural shoreline configuration should be preserved to protect scenic beauty and to prevent inappropriate eye-catchers. In prime scenic areas buildings should not rise above the skyline and where possible should be set behind an existing topographic or vegetation barrier to protect the vista. The leveling of hills or dunes, the filling of troughs or the terracing of slopes or other activities which can have the effect of creating an unnatural and visually unappealing shoreline configuration.
- Outdoor advertising, above ground utilities, parking lots, and structures which are not architecturally related to the site and topography should not be allowed within identified scenic corridors or vista areas.
- Residential and commercial developments should locate waste collection areas away from the area between buildings and waterfront, should provide an attractive building façade along the waterfront and provide a building layout, which maximizes vistas from adjacent public streets to the waterfront.

- Density and use occupancy on recreationally attractive shorelines should be limited to avoid overcrowding and destruction of the environment by over use. These limitations should include: dispersion of structures so that sight-lines across the development are available to view the nearby scenery; encourage clustering of structures (planned unit development) when this will provide larger areas of natural vegetation; avoid view blockage between upland structures and shoreline vistas; encourage design of buildings, roadways, bridges and other service structures so that they harmonize with the environment and surrounding architectural styles, encourage location of tourist service facilities along upland access highways rather than allowing uses and service roads to penetrate into the attractive environment; protect critical vegetation areas from heavy pedestrian and vehicular use, and spread access into the desirable environment rather than concentrating them.

## **ENVIRONMENT POLICIES**

### **Conservancy Environment:**

- The Conservancy Environment is intended to be used in areas where man is managing a natural resource but not establishing permanent development and high intensity uses. This includes all prime agricultural land, forestlands, aquacultural areas.
- Areas of poor drainage, flood danger, unstable earth or simple fragility should also be placed in the Conservancy Environment to limit possible development which would not be compatible with the ecosystem. This includes the primary dunes and most of the ocean beaches and the riverine floodplains on the Chehalis.
- Land Uses within the Conservancy Environment should be limited to those which do not adversely impact the renewable resource management systems, and permitted activities should take into consideration the ecological factors which must be protected in order to continue utilizing the resources in the future.
- Conservancy areas are often attractive recreational areas and low intensity recreation can be permitted if it does not adversely affect the management of the resources and other values such as wildlife habitat and scenic amenity.

## **ADMINISTRATION POLICIES**

### **General Administration:**

- When development is proposed on a shoreline of statewide significance every effort should be made to give priority to the statewide interest over the local interest and not to depend on the Department of Ecology for representation of this interest.
- Every activity is affected by policies and regulations in several different categories and every effort should be made to look at proposed activities from all aspects and to give each aspect balanced consideration.
- Each proposal must be considered on its merits and the best possible technical and professional assistance should be obtained to provide the administrator with the best basis for determinations.

### **Shorelines of Statewide Significance:**

When considering the appropriateness of development on shorelines of statewide significance, local government and the developer should:

- Recognize and protect the statewide interest over local interest. This can be accomplished by:
  - Soliciting comments and opinions from groups and individuals representing statewide interests.
  - Recognizing and considering state agencies' policies, programs, and recommendations.
  - Soliciting comments and opinions from individuals with expertise in ecology, oceanography, geology, aquaculture, and other pertinent scientific field.
- Prefer the long-term over short-term benefit. This can be accomplished by:
  - Preserving the shorelines for future generations and severely limiting anything that will detrimentally alter the natural conditions.
- Protect the resources and ecology of the shorelines. This can be accomplished by:
  - Leaving undeveloped those areas that contain a unique or fragile natural resource.
  - Severely limiting excavation or other activities that increase erosion.
  - In certain fragile areas, restricting or prohibiting public access.

## **SHORELINES DESIGNATIONS:**

The shorelines which are designed as shorelines of statewide significance are:

- Those portions of the Satsop River and its associated wetlands under the jurisdiction of the Act, from the Olympic National Forest boundary (Sec.1, T21N, R6W) downstream to mouth at Chehalis River (Sec. 18, T17N, R7W). The 1,000 cfs MAF point begins at mouth of Carter Creek (Sec. 14, T19 N, R8W).

## **9. Shorelines Management Master Program Regulations**

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Shoreline regulations are contained in Chapters 5 through 24 of the Grays Harbor County SMMP. Regulations that affect this proposal include the following:

### **SMMP Chapter 5: *Siting Regulations***

This chapter applies to the site lay-out of shoreline developments. The design of buildings themselves is not regulated herein except by virtue of the siting constraints.

- Those aspects of a shoreline use which do not need to locate near the shoreline (incidental off-street parking, accessory buildings, storage areas, etc.) shall be located as far upland from the shorelines as site utilization requirements permit.
- No structure, fill, or other appurtenance that would significantly interfere with the passage of stream waters or the natural flood flow or flood water storage capacity of the 100 year flood plain will be permitted except when the blocking of such passage is specifically intended and authorized by permit.
- Where property has been previously impacted or disturbed by man, and part not so disturbed, then where reasonable, new development shall occur on the previously disturbed section of property.

### **SMMP Chapter 6: *Earth-Changing Regulations***

The chapter applies to all acts that alter the existing or natural contour of the land, wetland, or bottomland. Such acts as mining, dredging, land clearing, grading, road building, landfilling, and the like. Land, wetland, and bottomland shall be termed "land" for this section.

- Protection from siltation and erosion shall be provided for all earth-changing acts.

- Where landfill does occur, the fill material used shall be such that the leachate resulting from it will cause no more serious a degradation in water quality than naturally occurring leachate from surrounding lands.
- Earth-changes shall not interfere with the free passage of stream and floodwaters except where such is specifically intended and authorized.
- All changes in contour, for roads or any other purpose shall account for drainage by property channeling and culverts. All drainage shall accept the 25-year storm. No culverts shall be less than 18 inches in diameter and all culverts will spill out onto rock or other non-erodible material.

#### **SMMP Chapter 17: Restoration**

Every Substantial Development Permit will contain the Administrator's findings concerning restoration. Such findings will include a statement as to whether restorative actions will be required for the project at all, and if such actions are needed, the details of each shall be spelled out on the permit. As the proposed farm pad is located within an existing farm storage area, restorative actions will not be required

#### **SMMP Chapter 18: Scenic View and Vista Regulations**

All applications for Substantial Development Permits must be evaluated for possible detrimental effects on scenic views and vistas. As the proposed Engineer Log jams (ELJs) are constructed of timber material nearly indistinguishable from the large amounts of large woody debris naturally found in the area, no detrimental effect on scenic views and vistas either from boats on the river or from Keys Road is anticipated..

#### **SMMP Chapter 19: Valuable Site and Structure Protection**

These regulations are designed to protect sites and structures seen to have historic, educational, cultural, scientific or archeological value.

- Where alternative sites can be used, a site or structure recognized as valuable will not be disturbed.
- After finding of fact, the legislative body will determine if a site or structure is to be recognized as valuable.
- The State of Washington may also declare a site or structure to be valuable.
- If there should be an attempt to destroy a valuable site or structure, or potentially valuable site or structure which is yet unrecognized, persons wishing to prevent such

destruction may attempt to do so by filing objection with the permit authority. Denial of a permit which would result in destruction shall be based only upon:

- Other alternatives are economically available to the applicant, or
- Objecting parties have made a bona fide offer, which results in no economic loss to the applicant, by means of an offer to acquire the site or structure or similar means.

## **10. REVIEW CRITERIA FOR ALL DEVELOPMENT**

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Washington Administrative Code (WAC) 173-27-140 states:

(1) No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon review the use or development is determined to be consistent with the policy and provisions of the *Shoreline Management Act* and the master program.

(2) No permit shall be issued for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

## **11. REVIEW CRITERIA FOR SHORELINES SUBSTANTIAL DEVELOPMENT PERMITS**

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WAC 173-27-150 states:

(1) A substantial development permit may be granted only when the development proposed is consistent with:

- (a) The policies and procedures of the act;
- (b) The provisions of this regulation; and
- (c) The applicable master program adopted or approved for the area.

(2) Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program.



## 12. REVIEW CRITERIA FOR SHORELINES CONDITIONAL USE PERMITS

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WAC 173-27-160 states:

The purpose of a conditional use permit is to provide a system within the master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW [90.58.020](#). In authorizing a conditional use, special conditions may be attached to the permit by local government or the department to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the act and the local master program.

(1) Uses which are classified or set forth in the applicable master program as conditional uses may be authorized provided that the applicant demonstrates all of the following:

(a) That the proposed use is consistent with the policies of RCW [90.58.020](#) and the master program;

(b) That the proposed use will not interfere with the normal public use of public shorelines;

(c) That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;

(d) That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and

(e) That the public interest suffers no substantial detrimental effect.

(2) In the granting of all conditional use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW [90.58.020](#) and shall not produce substantial adverse effects to the shoreline environment.

(3) Other uses which are not classified or set forth in the applicable master program may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the master program.

(4) Uses which are specifically prohibited by the master program may not be authorized pursuant to either subsection (1) or (2) of this section.

### **13. SEPA Determination**

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Grays Harbor County, acting as the lead agency, issued a Determination of Non-significance on April 9, 2020 under the State Environmental Policy Act (SEPA) and WAC 197-11-340(2). See Attachment "C".

### **14. Notification of Surrounding Property Owners**

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A public notice was mailed to the appropriate local and state agencies, interested parties, and all property owners within 300-feet of the subject property and notice of application was published in The Daily World on April 9, 2020. See Attachments "B" and "C"

### **15. Comments Received**

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No comments were received from surrounding property owners.

Washington State Department of Ecology responded in a letter dated April 24, 2020. This letter is incorporated into these findings in its entirety and appears as Attachment "D" of this report.

# CONCLUSIONS

## 1.

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The proposal is consistent with the policies of RCW 90.58.020, and the goals, policies, and regulations of the Grays Harbor County Shorelines Management Master Program for the following reasons:

- The project *protects a valuable commercial resource* by protecting the public well which provides potable water to the Port of Grays Harbor's Satsop Industrial Park.
- The project *protects a valuable public resource* by protecting Keys (County) Road which provides an irreplaceable transportation route for commercial agriculture and is the primary route to the Port of Grays Harbor's Satsop Industrial Park.
- The project purpose – to reduce rates of erosion and stabilize the river channels – will reduce the loss of valuable prime agricultural soils on the surrounding highly productive commercial farmland.

## 2.

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The proposal, as conditioned, will not interfere with the normal public-use of the public shorelines, and will cause no unreasonable adverse effects to the shoreline environment in which it is to be located for the following reasons:

- Impacts to the shoreline are minimized as most project elements are below Ordinary High Water. These elements are not expected to have visual impact or present a hazard to recreational navigation of the river channel.
- The project is conditioned to require the use of construction best management practices to prevent silt-laden water from entering the Satsop River. The long-term effect of the project is intended to reduce the volume of silt delivered to the Satsop and ultimately to the Chehalis River and Grays Harbor.
- Evaluation of the project considered the following (SMP Activity Policy - *Landfill*):

### 1. Navigation Restriction and impediment to water flow.

*This project will not cause a restriction to navigation or impediment to water flow because the proposed location is upland of the ordinary high water mark of the Satsop River.*

2. Reduction of water quality.

*This project purpose is to stabilize river flow and reduce the rates of erosion . The net effect of the project is to reduce the volume of silt-laden stormwater entering the water during flood events.*

3. Destruction of habitat.

*The net benefit of the project is intended to prevent further loss of erodible river bank, prevent or reduce avulsion events, and restore riverine habitat.*

3.

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The project will not adversely impact valuable sites and structures or scenic views and vistas.

*The engineered log jams (ELJs), once reflooded will appear as a natural element likely blending with the large woody debris common in this part of the river.*

4.

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*This section pertains to that portion of the project within the fish habitat conservation buffer and wetland conservation buffer as defined by Grays Harbor County Code 18.06.*

**CASE 2020-1000 - CRITICAL AREAS PROTECTION ORDINANCE VARIANCE:**

The proposal is consistent with the review criteria of GHCC 18.06.040 for the following reasons:

1. Special conditions and circumstances exist that are peculiar to the land, the lot, or something inherent in the land and that are not applicable to other lands in the same zoning district.

*The properties include wetland fringe and high energy floodplain. The project is intended to stabilize the river channel; work is near or below Ordinary High Water of the Satsop River by necessity. The proposed pad (land fill) site preserves the existing crop areas while not further encroaching into vegetated buffer of Geissler Creek.*

2. The special conditions and circumstances do not result from the actions of the applicant.

*The project is focused on protection of existing highly erodible river banks and by association a County road, natural gas pipeline, potable water well and valuable agriculture.*

3. A literal interpretation of the provisions of this chapter would deprive the applicant of all reasonable economic uses and privileges permitted to other properties in the vicinity and zoning district of the subject property under the terms of this chapter.

*Work will be performed in the conservation buffer to the Type S stream and in the conservation buffer to jurisdictional wetlands. No wetland will be converted to upland. All impacts will be fully mitigated with the review of this work is administered by State and Federal agencies.*

4. The variance requested is the minimum necessary to provide the applicant with such rights.

*No wetlands will be permanently converted to upland. The proposal will cause no additional loss of buffer ecological function.*

5. Granting the variance requested will not confer on the applicant any special privilege denied by this chapter to other lands, structures, or buildings under similar circumstances.

*The applicant has shown that, due to circumstances particular to the land, that the variance will not confer on the applicant any special privilege denied by the chapter to other lands, structures, or buildings under similar circumstances.*

6. The granting of the variance is consistent with the general purpose and intent of this chapter.

*Approval of this variance will adequately protect the resource by providing causing no additional loss of buffer function and reducing the rates of erosion of during high water events.*

7. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the subject property;

*Design and placement of the of the ELJs considered safety of recreational users in the project area. The project will not affect existing access to and from the waterbody as the locations where structures are proposed coincide with severe erosion and near vertical banks. Proposed structures in these locations will create downstream eddies at the channel edge where a boat could safely pull away from the main current.*

*No comments have been received to indicate that the project elements would be detrimental to the public welfare or injurious to any property or improvements near the subject property.*

8. The decision to grant the variance includes the best available science set forth in this chapter and gives special consideration to conservation or protection measures necessary to preserve or enhance anadromous fish habitat.

*The environmental impact of the project was evaluated by qualified professionals who determined that the construction of revetments, engineered log jam (ELJ) structures and construction of additional off-channel waterways would have result in a net improvement of the protected resource and would lower or disperse flood elevations.*

9. The granting of the variance is consistent with the general purpose and intent of the Comprehensive Plan and adopted development regulations.

*The Grays Harbor County Comprehensive plan designates the property as Agricultural. Approval of a variance to protect valuable farm to market transportation route and*

*reduce permanent loss of prime agricultural soils is consistent with the general purpose and intent of the Comprehensive plan designation of Agriculture and adopted development regulations.*

## CONDITIONS OF APPROVAL

1.

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Applicant shall use Best Management Practices (BMPs) to avoid and minimize unintentional effects on wetlands or aquatic sites not designated for impacts. Construction limits shall be delineated prior to the beginning of ground-disturbing activities. Applicant shall inspect, maintain, and repair all BMPs to assure continued performance of their intended function. Applicant shall design an erosion control plan and submit it to the County for approval prior to construction.

2.

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All vehicles and equipment shall be equipped with factory-installed emission control devices.

3.

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The applicant shall conduct construction activities in a manner consistent with the best management practices for mobile fueling of vehicles and heavy equipment compliant with the 2012 Washington State Department of Ecology's *Stormwater Management Manual for Western Washington*.

4.

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Construction work shall cease immediately upon the discovery of any cultural or historical artifact, with the applicant immediately contacting Washington State Department of Archeology and Historic Preservation (DAHP) to report the discovery. Work shall not resume on that portion of the site containing the discovery until approval is granted by DAHP, and the Confederated Tribes of the Chehalis and the Quinault Indian Nation.

5.

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During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills shall take precedence over other work.

6.

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Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Proper disposal of construction debris must be on land and in such a manner that debris cannot enter waters of the state or stormdrains draining to waters of the state or cause water quality degradation of state waters.

7.

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The issuance of this Shorelines permit does not relieve the applicant of other State and Federal permits that may be required for this proposal.

8.

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Environmental contamination caused, encountered, or suspected during construction shall be reported to the Washington State Department of Ecology.

9.

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Design, construction, construction practices and mitigation/restoration shall comply with all conditions of approval stipulated by all state and local permits.

10.

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The issuance of this Shorelines permit does not relieve the applicant of other State and Federal permits that may be required for this proposal.

## STAFF RECOMMENDATION

Based on the aforementioned findings of fact and conclusions, the Grays Harbor County Planning Division recommends the Planning Commission make the following motions:

Kim Roberts made a motion to ACCEPT both the Findings of Fact and Conclusions for Shoreline Substantial Development with Conditional Use Case 2020-0384 as presented in the staff report. Bruce Daniels seconded the motion. All approved by voice vote 6-0.

Bruce Daniels made a motion to APPROVE Case Shoreline Substantial Development with Conditional Use Case 2020-0384 as conditioned, based on the Findings of Fact and Conclusions as presented in the staff report. Jamie Walsh seconded the motion. All approved by voice vote 6-0.

Jamie Walsh made a motion to ACCEPT both the Findings of Fact and Conclusions for Critical Areas Protection Ordinance Variance Case 2020-1000 as presented in the staff report. Brooke Priest seconded the motion. All approved by voice vote 6-0.

Jamie Walsh made a motion to APPROVE Critical Areas Protection Ordinance Variance Case 2020-1000 as conditioned based on the Findings of Fact and Conclusions as presented in the staff report. Bruce Daniels seconded the motion. All approved by voice vote 6-0.



**SHORELINE MANAGEMENT ACT  
DATA SHEET AND TRANSMITTAL LETTER  
CONDITIONAL SHORELINE PERMIT  
CASE 2020-0384**

From: Grays Harbor County  
Planning Division  
100 W. Broadway Ave. #31  
Montesano, WA 98563

To: Office of the Attorney General  
Ecology Division  
P.O. Box 40117  
Olympia, WA 98504-0117

Date of Transmittal: May 28, 2020

Date of Receipt: \_\_\_\_\_

Type of Permit (Indicate all that apply): Substantial Development ( );  
Conditional Use (X); Flood Development (X); Variance ( ); Revision ( ); Other ( ) \_\_\_\_\_

Local Government Decision: Approval ( ); Conditional Approval (X); Denial ( ).

Applicant Information

Rob Wilson  
Grays Harbor County  
100 W. Broadway, Suite 31  
Montesano, WA 98563

Applicant's Representative (contact)

Is the applicant the property-owner? Yes ( ); No (X).

Location of the Property: The proposal is located at several locations on the southerly 1.5 miles of Satsop River in the Northwest ¼ of Section 6, Township 17 N., Range 06 W., W. M. in Grays Harbor County, Washington. (See JARPA form for detail)

Water-body Name: Satsop River

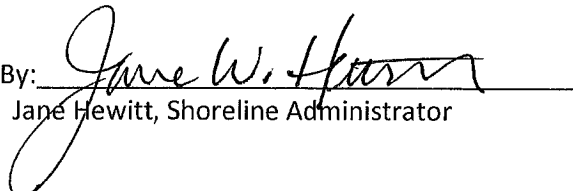
Shoreline of State-wide Significance: Yes (X); No ( ).

Environment Designation: Conservancy Shoreline Environment

Description of the Project: Grays Harbor County Public Works Division proposes a bank protection project to improve floodplain connectivity, stabilize river flow paths, reduce rates of erosion along the lower 1.5 miles of the Satsop River upstream of its confluence with the Chehalis River, protect Keys (County) Road and the Port of Grays Harbor's well. Specifically, the project would construct two setback revetments comprised of 18 engineered log jams (ELJs) in the floodplain to protect Keys Road. The project also includes construction of a 1,200-foot-long temporary bypass/side channel, 7 floodplain roughness ELJs, 17 ELJs in the river, and 320 feet of timber complex ELJ directly in front of the Port of Grays Harbor's potable water well. The project objectives are to reduce high rates of erosion by improving floodplain connectivity and reducing stream power and main channel velocities.

Notice of Application Date: 4/23/2020

Final Decision Date: 5/23/2020

By:   
Jane Hewitt, Shoreline Administrator

Phone: 360-249-4222 x 1684

**SHORELINE MANAGEMENT ACT  
DATA SHEET AND TRANSMITTAL LETTER  
CONDITIONAL SHORELINE PERMIT  
CASE 2020-0384**

From: Grays Harbor County  
Planning Division  
100 W. Broadway Ave. #31  
Montesano, WA 98563

To: Department of Ecology  
Shorelands  
P.O. Box 47775  
Olympia, WA 98504-7775

Date of Transmittal: May 28, 2020

Date of Receipt: \_\_\_\_\_

Type of Permit (Indicate all that apply): Substantial Development ( );  
Conditional Use (X); Flood Development (X); Variance ( ); Revision ( ); Other ( ) \_\_\_\_\_

Local Government Decision: Approval ( ); Conditional Approval (X); Denial ( ).

Applicant Information

Rob Wilson  
Grays Harbor County  
100 W. Broadway, Suite 31  
Montesano, WA 98563

Applicant's Representative (contact)

Is the applicant the property-owner? Yes ( ); No (X).

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Notice of Application Date: 4/23/2020

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