



City of Seattle

Gregory J. Nickels, Mayor

Seattle City Light

Jorge Carrasco, Superintendent

March 6, 2009

Brenda Werden
Washington Department of Natural Resources
919 N Township Street
Sedro-Woolley, WA 98284

SUBJECT: Aquatic Lands Lease No. 20-083242 (Boat Ramp at Copper Creek)

Dear Ms. Werden:

Mark Morrow of your staff has been coordinating with Seattle City Light (SCL) about an Aquatic Lands Lease for extending the Copper Creek boat ramp below the ordinary high water mark (OHWM). In September 2008, Mark sent us two copies of a proposed lease with DNR for our signature. After internal discussions, as well as consultation with the National Park Service (NPS), North Cascades District, we have decided to alter the original plans and not extend the ramp below the OHWM, where DNR's jurisdiction is invoked.

Background: This project was originally proposed by the NPS as part of their 1986 Development Concept Plan for Ross Lake National Recreation Area (RLNRA). It was subsequently affirmed in NPS's 1988 General Management Plan this area. SCL funded the project as part of our Skagit Hydropower License. The project area is on land owned by SCL but the NPS agreed to carry out the permitting and compliance process as an "in-kind" donation to maximize the funds available for the work. Subsequently, the following permits and approvals were obtained:

- Skagit County Shorelines Permit and Variance (PL05-0748)
- HPA for the boat ramp improvements (110867-1)
- Skagit County Clear and Grade Permit (BP07-1025)
- Mitigated Determination of Non-significance in accordance with the Washington SEPA

At first, a Type IV General Forest Practice permit from DNR was deemed necessary. Our NPS project manager discussed this with Doug Lancaster, a forester for DNR, who affirmed the permit criteria and concluded a forest practice permit would not be needed, after all, since a *de minimus* amount of timber would be removed.

The only remaining compliance action needed after this was a long-term lease for the small portion of the Skagit River bed where the boat ramp would extend below the OHWM. DNR agreed to waive the lease fees in light of the beneficial public purposes provided by the



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project. DNR also waived the typical survey requirement in lieu of accurate measurement with Global Positioning System (GPS) by the NPS. We appreciate the accommodations and understanding received from your agency.

Changed Circumstances: When the Copper Creek boat launch project was initiated SCL and the NPS solicited input from rafting groups and also from Skagit Search and Rescue. The rafting groups were mainly concerned about traffic patterns and the parking lot. Skagit Search and Rescue wanted the launch improved and the idea of traction pads was introduced. Since that time the Marblemount boat launch has been completed, and Skagit Search and Rescue is no longer interested in the Copper Creek site because the Marblemount launch meets all their needs. With this new information SCL and the NPS chose to leave the Copper Creek launch as is and to concentrate improvements on the parking area and the new loop access road. As originally planned, we have added more parking along the road beyond the 200 foot wild and scenic river set back and improved the road surface. The access loop is complete and native vegetation has been planted along the river edge to screen the parking area from the river.

Conclusion: At this time SCL does not plan to install the pre-cast concrete ramps at the Cooper Creek boat launch as originally proposed and the project is now considered complete. Thus, we will not be signing the Aquatic Lands Lease.

We thank you for your time and help in getting this public recreation project completed. If you have any questions please do not hesitate to call me at 206-684-4238.

Sincerely,



Colleen McShane, Manager
Natural Resources & Environmental Planning
Environmental Affairs Division

CM/EE:kts

cc: Mark Morrow (DNR)
Palmer Jenkins, (NPS)
Cathi Winnings, (NPS)
Roy Zip, (NPS)



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