



December 14, 2011

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HABITAT PROGRAM

Bob Zeigler, SEPA/NEPA Coordinator  
WDFW Regulatory Services Section  
600 Capitol Way North  
Olympia, WA 98501-1091

Subject: WDFW MODROW ACCESS - BOAT LAUNCH REPLACEMENT  
Aquatic Land Lease No. 20-086129

Dear Mr. Zeigler:

Thank you for the opportunity to review the SEPA DNS for the proposed boat ramp replacement at the WDFW / Modrow Access site, Washington, Cowlitz County.

The Department of Natural Resources is steward of Washington's aquatic lands and their resources. Aquatic lands are managed for current and future citizens of the state to sustain long-term ecosystem and economic viability; and to ensure access to the aquatic lands and the benefits derived from them.

Washington DNR's management authority derives from the State's Constitution (Articles XV, XVII, XXVII), Revised Code (RCW 79.02 and 79.105) and Administrative Code (WAC 332-30). As proprietary manager of state-owned aquatic lands Washington State Department of Natural Resources has been directed to manage the lands "...for the benefit of the public." in a manner that provides "...a balance of public benefits<sup>1</sup> for all citizens of the state..." that includes:

- "(1) Encouraging direct public use and access;*
- (2) Fostering water-dependant uses<sup>2</sup>;*
- (3) Ensuring environmental protection; and*
- (4) Utilizing renewable resources."*

<sup>1</sup> WAC 332-30-106 defines public benefit as "...that all of the citizens of the state may derive a direct benefit from departmental actions..."

<sup>2</sup> Water dependent uses are those uses that "...cannot logically exist in any location but on the water." Examples include water-borne commerce; terminals; watercraft construction, repair or maintenance; moorage; aquaculture; and log booming. (RCW 79.105.060)

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As you are aware, the WDFW has entered into Aquatic Lands Lease No. 20-086129 with WDNR for the purpose of replacing the Modrow boat launch. This Lease did not include the proposed project mitigation that involves the installation of 5 large woody debris (LWD) placed at OHW along the river bank. Per Section 7.3--**Construction, Major Repair, Modification, and Demolition**, requires the Tenant to submit to the State, plans and specifications describing the proposed work. This proposed mitigation work will require an amendment to the existing Aquatic Lands Lease to incorporate specific project information. Please contact me to discuss the information required for this amendment.

You may reach me by phone at (360) 480-2891 or via email at [allen.lebovitz@dnr.wa.gov](mailto:allen.lebovitz@dnr.wa.gov).

Sincerely,



Allen Lebovitz, Habitat Restoration Specialist  
Aquatic Resources Division/Rivers District

c: Cindy Knudsen, WDFW  
District File No. 20-086129  
TRO File No. 20-086129