



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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January 24, 2014

Gwen Clear
Environmental Review Coordinator
Department of Ecology
15 W Yakima Ave. Suite 200
Yakima, WA 98902

Re: DNS 14-002 – Chopaka Access Improvement Comment

Dear Ms. Clear:

Thank you for your comment regarding the nonsignificance for the Chopaka Access Improvement project. We have received your comment, dated January 21, 2014.

As the project applicant, please note that we do not make the shoreline determination. It is under the authority of Okanogan County to make that determination. What WDFW provided in the SEPA Checklist was our best estimate of what type of Shoreline permit would be required by Okanogan County.

To our best interpretation, this project meets WAC 173-27-040 exemption from substantial development permit. Under section (2) (b), the WAC states:

“Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements “Normal maintenance” includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. “Normal repair” means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment.”

WDFW considers this project a “Normal repair.” The current hand launch is dirt and it will be replaced with a gravel hand launch of comparable size, shape, configuration, location, and appearance. Because this area is already in use as a hand launch, there will be no alterations of the shoreline resource or environment. The minor grading shall be treated as repair. The final decision is left to Okanogan County.

Sincerely,

Christina Gourley
Washington Department of Fish and Wildlife Biologist
(360) 902-8392