

PUBLIC UTILITY DISTRICT NO. 1 OF DOUGLAS COUNTY
LAND USE POLICY
SUPPLEMENT NO. 1, ADMINISTRATIVE RULES
GOVERNING DOCKS AND PIERS
REVISED DECEMBER 17, 2007
UPDATED FEBRUARY 1, 2010

1. ALLOWABLE DOCKS

A. Docks and piers are defined as:

Any structure, fixture, improvement, barge, substantial development, vessel or other platform, whether powered or not powered, whether licensed or not licensed; that is temporary, semi-permanent or permanently moored, affixed or attached to the shoreline; which is customarily or typically used for moorage of vessels, watercraft or floating craft, for recreational uses which include but are not limited to swimming, diving and jumping into the water and/or as a staging location for water associated activities such as waterskiing, fishing, personal watercraft or simple flotation devices; which may interfere or obstruct the use of surface waters or which may extend over surface waters within the Wells Project.

B. Single Party Docks.

1. A permit for a single party dock may be requested by the owner of land adjacent to Wells Project lands. Permits for single party docks are not transferable and must be renewed if the property is sold or transferred.
2. Single party docks may be allowed within the city limits of the Cities of Brewster, Bridgeport and Pateros, as those boundaries exist on or before October 15, 2007.
3. In accordance with FERC's standard land use license article, single party docks may be permitted by Douglas PUD for "noncommercial piers, landings, boat docks, or similar structures and facilities that can accommodate no more than 10 watercraft at a time where said facility is intended to serve a single-family dwelling."
4. Single party docks are prohibited outside the city limits of Brewster, Bridgeport and Pateros as those boundaries exist on or before October 15th, 2007.

C. Joint Use Docks (docks serving two properties)

1. A permit for a joint use dock may be requested if there is a recorded agreement between the parties applying for the permit. Permits for joint use docks are not transferable and must be renewed if either property changes ownership. Two single party docks may be converted to a joint use dock permit.

2. Joint use docks may be allowed within the city limits of the Cities of Brewster, Bridgeport and Pateros.

3. Joint use docks are prohibited outside the city limits of Brewster, Bridgeport and Pateros as those boundaries exist on or before October 15th, 2007.

D. Community Docks (docks serving three or more properties)

1. A permit for a community dock may be requested by a land developer platting or subdividing property or a home owner's association for land adjacent to Wells Project lands. All applicants for community docks must provide a common area within the plat or subdivision for access to the shoreline and the dock.

2. Permits for community docks will be issued to the developer in the name of the homeowner's association or directly to the homeowner's association. The developer or the homeowner's association will be responsible for obtaining the insurance required by the permit.

3. Community docks will be encouraged where necessary for protection of life, health or property or where Douglas PUD determines that it is necessary or desirable for the proper operation of the Wells Project.

4. Community docks are prohibited outside the city limits of Brewster, Bridgeport and Pateros as those boundaries exist on or before October 15th, 2007.

1. INSURANCE

A. Dock and pier permits being requested by the owner and/or homeowner's association of land adjacent to Wells Project lands, must furnish proof of liability insurance at the time of permit request. The proof of liability insurance shall be furnished in the following amounts:

1. Single party docks/piers: \$1,000,000.00 (One Million Dollars).

2. Joint use docks/piers: \$1,000,000.00 (One Million Dollars), for each adjacent land owner or; \$2,000,000.00 (Two Million Dollars), for a joint policy.

3. Community docks/piers: \$4,000,000.00 (Four Million Dollars).

B. The applicant also agrees that during the term of this permit a liability insurance policy will be provided covering all operations on the land in an amount not less than prescribed above for the specified permit request. The Permittee will provide Douglas PUD a certificate of insurance evidencing such coverage annually.

3. RESTRICTED AREAS

A. Wetlands, Woody Riparian and Native Vegetation

1. Private docks and piers will not be allowed in shoreline cattail/wetland areas unless the following conditions are met:

- a. A mitigation plan is developed and approved by Douglas PUD that addresses the replacement of an area at least equal to the area to be disturbed.
- b. The mitigation plan must address the conditions of Douglas PUD, and must consider the comments, if any, of the Washington State Department of Fish and Wildlife, signatories to the Wells Project Habitat Conservation Plan (HCP), Washington State Department of Ecology, the Corps of Engineers, and all local, state and federal agencies with shoreline jurisdiction
- c. The approved mitigation plan must be implemented at the Permittee's expense prior to any construction activities related to the dock or pier installation.

C. Cultural Resources

1. No boat docks or piers will be allowed in areas of significant cultural resource value. Federal regulations mandate that these areas are not to be disclosed to the general public.

2. All applications, for dock and pier installations that will result in ground-disturbing activities, will be subject to a site review by a qualified archaeologist prior to construction. Construction activities are subject to the results of the site review. Costs for archaeological review shall be the responsibility of the Permittee.

D. Parks and Trail Areas

1. No additional private docks or piers will be permitted in areas designated as parks or in areas through which improved public access trails pass. Permits for existing facilities are not transferable upon a change of ownership. Areas considered as parks and trails are:

- a. Memorial Park, Pateros;
- b. Peninsula Park, Pateros;
- c. Columbia Cove Park, Brewster;
- d. Waterfront Trail, Brewster;
- e. Marina Park, Bridgeport;
- f. Any new recreation facilities constructed by Douglas PUD in association with the Wells Project.

4. DOCK AND PIER INSTALLATION AND CONSTRUCTION

A. Landscaping on Douglas PUD's Wells Project lands shall be requested by the applicant at the same time and on the same form as when requesting dock or pier approval.

B. The point of attachment to the shoreline shall adequately address erosion control.

C. Dock configuration and installation shall conform to the terms and conditions set forth in all regulatory permits as issued by the overseeing governmental agencies.