

Cushman Hydroelectric Project

FERC Project No. 460

SHORELINE MANAGEMENT PLAN



Prepared by

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Prepared for:

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**Tacoma Power
Cushman Project
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Shoreline Management Plan

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ACRONYMS AND ABBREVIATIONS LIST

BIA	Bureau of Indian Affairs
BMP	Best Management Practice
cfs	cubic feet per second
DAHP	Department of Archaeology and Historic Preservation
DNS	Determination of Non-Significance
ESA	Endangered Species Act
FERC	Federal Energy Regulatory Commission
FPA	Federal Power Act
GIS	Geographic information system
HPMP	Historic Properties Management Plan
LCC	Lake Cushman Company
LCMC	Lake Cushman Maintenance Company
msl	mean sea level
MW	Megawatt
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
NPS	National Park Service
OHW	Ordinary high water
ONF	Olympic National Forest
ONP	Olympic National Park
PD	Project Datum
RRMP	Recreation Resource Management Plan
RT&E	Rare, threatened, and endangered
SEPA	State Environmental Policy Act
SHPO	State Historic Preservation Office
SMC	Shoreline Management Classifications
SMP	Shoreline Management Plan
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USFS	United States Forest Service
WDOE	Washington Department of Ecology
WDFW	Washington Department of Fish and Wildlife
WDNR	Washington Department of Natural Resources
WHE Plan	Wildlife Habitat Enhancement Plan
WMA	Wildlife Management Area

STANDARD TERMS LIST

Terms defined in the Federal Power Act and the Project License have the same meaning in this document unless defined differently below.

Acre-Feet	The amount of water required to cover one acre of ground (43,560 square feet) to a depth of one foot.
Allowable Use	A Non-Project Use or activity that may occur on land within the Project Boundary but for which a permit from Tacoma Power and/or a governmental entity may be required.
Applicant	A proponent of a Non-Project Use applying for a permit from Tacoma Power. To be eligible to apply for a permit, project proponents must be owners and lessees of parcels that share a property line with Tacoma Power Shoreline Property and in an area designated by Tacoma Power as eligible for Shoreline Use Permits.
Bioengineering	The use of vegetation and natural materials to stabilize a slope or alleviate erosion.
Boat House	Any walled and/or roofed structure built onshore or offshore for storage of watercraft or floatplanes. Prohibited pursuant to Section 5.
Boat Ramp	An alteration to the shoreline allowing for loading and unloading of watercraft. Ramps may include an inclined slab, set of pads, planks, or graded slope used for transferring watercraft or equipment to or from land or water. Boat ramps may not be surfaced with asphalt or otherwise paved.
Commercial Dock	A dock development owned by a private entity that provides moorage for watercraft and/or accommodates recreational activities and which requires a fee for use.
Commercial Facility/Use	Facilities and uses intended to serve non-residential enterprises operated, directly or indirectly, for financial profit or gain.
Commission	See Federal Energy Regulatory Commission.
Community	A non-commercial use by two or more parties associated with two or more land parcels/lots.
Community Dock	A dock development that provides moorage for pleasure craft and/or accommodates recreational activities for use in common by residents of a certain subdivision or community. Adjacent landowners, homeowner associations, and/or residents of a specific subdivision or other similar groups must own and maintain community docks. Tacoma Power does not consider commercial docking facilities or marinas to be community docks.

Community Park	A shoreline site developed for outdoor recreation activities for use in common by residents of a certain subdivision or community.
Deck	An open, unroofed platform constructed of wood lumber or wood-like building materials. Prohibited pursuant to Section 5.
Dock	A manmade shoreline structure used to secure, protect, and provide access to boats or personal watercraft or for recreation (e.g. fishing, wildlife viewing, etc.).
Drawdown	The act of discharging water to lower reservoir levels.
Dredge/Dredging	To disturb or remove any material below the Ordinary High Water (OHW) line of a reservoir, stream, or river. The removal, displacement, and disposal of unconsolidated earth material such as silt, sand, gravel, or other submerged material from the bottom of water bodies, ditches or biological wetlands; maintenance dredging and other support activities are included in this definition.
Drydock	A structure or facility to store vessels out of or above a reservoir. Prohibited pursuant to Section 5.
Exempt Activity	Activities within the Cushman Project that do not require a Shoreline Use Permit.
Federal Energy Regulatory Commission/FERC	Federal regulatory agency responsible for issuing hydroelectric generation license(s) and mandating/conditioning such licenses to accommodate Project Operations, environmental and cultural resource protection, and public access.
FERC Form 80	FERC report process for periodic review of recreation use.
FERC License	The license issued by FERC for a project, setting forth the rights, privileges, and responsibilities of Licensees and others using project lands.
Fill	To add any solid material within or below the OHW line of a reservoir, river, or stream.
Fire Ring/Pit	A three-foot or smaller diameter constructed ring or pit intended to contain a recreational fire. This does not include fire rings or pits constructed for the purpose of burning debris or garbage.
Fish/Wildlife Support Activities & Devices	Structures such as nesting platforms, bird or bat houses, or other facilities developed to enhance, protect, or promote wildlife.
Flood Plain	The relatively level area of land bordering a water body or channel prone to inundation during moderate to severe floods.

Floating Recreation Apparatus	Water toys including slides, trampolines, swings, or other recreational equipment equipped with floats or placed on floats, docks, swimming floats, or rafts. Prohibited pursuant to Section 5.
Flowage Easement	A right of the owner of an easement to flood the land of another.
Habitable Structures	Living quarters or other enclosed structures intended for or routinely used for human occupation.
Historic Properties Management Plan/HPMP	A plan for protecting cultural and historic resources within the Cushman Project developed in consultation with appropriate agencies and tribes.
Inconsistent Use	A Non-Project Use that Tacoma Power does not list as an Allowable Use within the SMP. These types of uses may not be allowed and/or require FERC approval before Tacoma Power issues a permit.
Industrial	Heavy construction, manufacturing, or other commercial production enterprises.
In-kind Repair/Maintenance	Maintenance and repair of an existing, permitted and allowable shoreline use structure within an existing footprint that does not alter the structure's original design, dimensions, or purpose. The repair or maintenance may not exceed the replacement of 50 percent of the original structure over a five-year period as determined by Tacoma Power.
In-kind Replacement	Replacement of more than 50 percent of an existing, permitted and allowable shoreline use structure within an existing footprint that does not alter the structure's original design, dimensions, materials or purpose within a five-year period.
Jurisdictional Entity	Any (local, state, or federal) governmental entity that has jurisdiction (or has been requested by Tacoma Power) to regulate a proposed or existing Non-Project Use.
Licensee	Holder of FERC license (i.e. Tacoma Power)
Lift(s)	A fixed apparatus used to lower (or raise) a watercraft into and out of the reservoir. Prohibited pursuant to Section 5.
Log Boom	A chain of floating logs (or other floating barrier) placed in a waterway to obstruct navigation or enclose floating objects.
Marina	A moorage with or without a dry storage facility for over ten pleasure or commercial craft excluding canoes, kayaks, and rowboats. Goods or services related to boating may be sold commercially. Uses associated with marinas shall conform to the regulations for these uses.

Marine Fueling or Pumping Station	A commercial boating facility providing fuel and/or pump out facilities. Prohibited pursuant to Section 5.
Marine Trestles, Railways, Trams, and Lifts	Mechanical devices permanently affixed to a shoreline, dock, or pier used to land or launch watercraft. Permanent structures prohibited pursuant to Section 5.
Mooring/Mooring Buoy	A chain, pylon, buoy, or other non-dock structure used to secure a watercraft in place.
Multi-boat slip	A pier, dock, or float where more than two watercraft are berthed, moored, or used for embarking or disembarking.
Non-Project Use	Any activity or structure(s) within the Project Boundary not related to Tacoma Power operations.
Ordinary High Water Line	A designated elevation intended to correspond to the actual high water line around a Project reservoir during normal operation (a/k/a "normal high water line" or full pool).
Path	A trail, passage or access way to the shoreline that does not require installation of retaining walls, pilings, or the construction of steps or other structures. Establishment of paths may involve limited clearing of vegetation and placement of natural materials such as woodchips to define the access, but does not include hardened surfaces, excavation, or construction of other structures such as bridges or stairs.
Patio	A surfaced area consisting of concrete, stone, brick, tile, grout, asphalt, or other hardened, impervious surface. Prohibited pursuant to Section 5.
Permanent Use	Any Non-Project Use expected to endure one year or longer.
Permit	See Shoreline Use Permit - A written, revocable authorization from Tacoma Power for a Non Project use that does not convey a property right.
Permittable Use	A proposed Non-Project Use that is considered an Allowable Use under SMP policies and/or, dependent on meeting criteria within Tacoma Power's <i>Shoreline Use Specifications and Permitting Guidelines</i> , can be permitted within a specific Shoreline Management Classification.
Permitted Use	A Non-Project Use authorized by Tacoma Power through issuance of a Shoreline Use Permit.
Permittee	An individual or group to which Tacoma Power issues permission (a Permit) for shoreline uses.
Pier	An elevated dock typically supported by pilings.

Pre-Application Review	A voluntary, but highly recommended meeting between Tacoma Power and potential Permit Applicants to review proposed shoreline uses.
Prior Existing Use	An existing Non-Project Use established prior to FERC approval of the SMP that Tacoma Power may or may not have permitted previously.
Private	Owned by one or more individuals, associated with a single parcel/lot, and not available for public use.
Private Dock/Single-family Dock	A noncommercial shoreline structure designed for mooring up to two private watercraft associated with a single-family residence.
Private Recreation Site	A shoreline site developed for outdoor recreation activities and associated with a single parcel or lot that is not open to the public. This includes picnic and gathering areas, but does not include areas with constructed or impervious surfaces such as decks and patios. Prohibited pursuant to Section 5.
Project/Cushman Project	The Cushman Project (FERC No. 460) as defined in its respective FERC license.
Project Boundary	The outer extent of a project, as recognized by FERC in Exhibit G of a FERC license. Specific to the Project, at a minimum, the 742.0-foot contour around Lake Cushman and the 482.0-foot contour around Lake Kokanee.
Project Lands/Project Area	All land and aquatic areas located within the Project Boundary. The phrase "on Project Lands" includes activities or uses on water overlying Project Lands.
Project Operations/Uses	Any use of Project Lands (including operation of the reservoirs, maintenance, studies, and other actions) by Tacoma Power or its agent undertaken pursuant to, or in conformance with, the Project license.
Project Vicinity	A general area around the Project Boundary; generally within a 20-mile radius.
Public	A non-commercial facility available for use by the general public.
Public Dock	Non-commercial shoreline structure designed for mooring and docking watercraft and accommodating recreational activities for the general public. May require a use fee to cover maintenance costs, but not to generate a profit.
Public Recreation Site	Project Lands designated for public recreational uses such as camping, boating, hiking, or other appropriate activities, and structures related thereto.

Public Utilities	Infrastructure related to the generation or transmission of public power, water, or other services.
Recreation Plan	A plan required under the terms of the FERC license and/or Settlement Agreement that details measures the Licensee will undertake to protect and enhance recreational resources at the Cushman Project for the term of the license.
Relicensing	The process of acquiring a new FERC license for an existing licensed hydroelectric project.
Reservoir	A body of water created by a dam impounding a river or stream. For the Cushman Project – Cushman Dam #1 forms Lake Cushman, Cushman Dam #2 forms Lake Kokanee.
Retaining Wall/ Bulkhead	A constructed or installed structure that is employed to restrain a vertical-faced or near-vertical-faced mass of earth. The earth behind the wall may be either the natural embankment or the backfill material placed adjacent to the retaining wall.
Rip-Rap	Rock or other material used to armor shorelines, streambeds, bridge abutments, pilings and other shoreline structures against scour, water or ice erosion.
Scientific Instrumentation	Any equipment, machine, apparatus, or device designed to measure, record, and report environmental or biological data (e.g. temperature, water quality data, etc.)
Settlement Agreement	The collaborative agreement filed with FERC to resolve the relicensing of the Project. The Settlement Agreement was developed among Tacoma Power and stakeholders (e.g., resource agencies and other interested parties) The Cushman Project Settlement Agreement was made part of the final FERC license.
Shoreline	The area of interface between a river, stream or reservoir and uplands. Shoreline includes reservoir bed exposed during drawdowns.
Shoreline Management Classification	A designation of an area within the Cushman Project under the SMP that defines the types of Allowable Uses within that area. See Appendix A for maps showing the Shoreline Management Classification of Project Lands at the Cushman Project.
Shoreline Management Plan	A plan, as stipulated in the FERC license, describing how Tacoma Power will manage and regulate Non-Project Uses around the reservoirs at the Cushman Project.

Shoreline Stabilization Measures (non-structural)	Shoreline stabilization accomplished through bioengineering techniques that preserve or enhance natural hydrological and biological processes. Non-structural measures typically incorporate the use of natural materials, require minimal physical alteration of the landscape, and do not involve the construction of artificial structures. Materials often include jute mats, coir logs, native vegetation, root wads, and other natural materials used to minimize erosion, stabilize slopes, control runoff, and attenuate the effects from wave action.
Shoreline Stabilization Measures (structural)	Shoreline stabilization accomplished through significant alteration of the landscape and/or the construction and/or placement of artificial structures and materials to stabilize slopes. Such measures may include the establishment of bulkheads, retaining walls, dikes, revetments, and riprap.
Shoreline Use Permit	A written, revocable authorization from Tacoma Power that approves a shoreline use within the Project Boundary, but does not convey a property right. An instrument with which Tacoma Power authorizes Non-Project Uses along shorelines within the Project Boundary.
Shoreline Use Specifications and Permitting Guidelines	An accompanying document to the SMP that identifies specifications and other pertinent details that pertain to allowable shoreline uses and provides guidance on obtaining permits from Tacoma Power.
Single Family Dock	Private, noncommercial shoreline structure designed for mooring and docking up to two, private watercraft associated with a single-family residence or single lot.
Stairways, Steps and Walkways	A constructed passage for shoreline access.
Stakeholders	The public (both resident and non-resident), tribes, federal, state, and local agencies, non-governmental organizations, and other parties interested in the operations of the Cushman Project.
Swimming float	A floating platform detached from shore, used for swimming and other aquatic recreation
Tacoma Power	The Licensee for the Cushman Project (FERC No. 460).
Temporary Use	Any Non-Project Use that endures for less than one year and does not require construction of permanent structures (e.g. public fireworks shows, boat races, fishing derbies).
Terrestrial Resources Protection Plan	A FERC license mandated plan to monitor and protect terrestrial resources during Project construction and operation.

Threatened and Endangered Species Plan	A FERC license mandated plan to protect species of concern, including plants and animals, during Project construction and operation.
Use	A structure or an activity. See also – Allowable Use.
Vegetation Modification	The act of removing, trimming, planting, or otherwise altering vegetation.
Vista pruning	Any trimming, cutting, or other pruning activity within the Project Boundary designed to enhance the view from an adjacent property.
Watercraft	A vessel used for traveling on water including boats, jet skis and non-motorized vessels.
Wildlife Habitat Enhancement Plan	A FERC license mandated plan pertaining to land acquisition and enhancement of habitat and wildlife populations.
Woody Debris Removal	The act of removing floating or loose wood debris from the Project reservoirs

1. INTRODUCTION

The Cushman Project (FERC No. 460) (Project) is an existing hydroelectric facility owned and operated by the City of Tacoma, Department of Public Utilities, Light Division (Tacoma Power) and licensed by the Federal Energy Regulatory Commission (FERC or Commission). On July 15, 2010, the Commission issued an amended license for the Project to Tacoma Power. License Article 424 requires that within two years of license issuance, Tacoma Power file for Commission approval a shoreline management plan (SMP) developed in consultation with the U.S. Forest Service (USFS), U.S. Fish and Wildlife Service (USFWS), Washington Department of Fish and Wildlife (WDFW), and Mason County.

The Project SMP includes the following:

- a discussion of Tacoma Power's management goals and objectives;
- descriptions and maps of the areas affected by the SMP at the Project;
- definitions of land use management classifications;
- descriptions of the Allowable Uses of the Project's shorelines;
- shoreline management guidelines for lands within the Project Boundary;
- a process for the evaluation of new shoreline facilities or activities under the classification and permitting system;
- a description of Tacoma Power's permitting system;
- a discussion of agency consultation and enforcement issues; and
- a monitoring and amendment process for the SMP.

1.1. Project Description

The Project consists of two dams and impoundments on the North Fork Skokomish River with associated power tunnels, penstocks, powerhouses, and a 25.8-mile-long primary transmission system.

The Dam No. 1 development consists of a 260-foot-high concrete arch dam that impounds Lake Cushman; a 9.6-mile-long storage reservoir with a 4,058-acre surface area and storage capacity of 453,350 acre-foot at full pool (elevation 738.0 feet Cushman Datum); a spillway with two radial gates; a power intake upstream of the dam; a 17-foot-diameter, 540-foot-long power tunnel; and two 10-foot-diameter, 150-foot-long penstocks. Powerhouse No. 1, located approximately 600 feet downstream from the dam, contains two single-runner, vertical shaft Francis turbines with a hydraulic capacity of 2,800 cubic feet per second (cfs) and a total installed generating capacity of about 50 megawatts (MW). A switchyard abuts the powerhouse and two 115-kilovolt (kV) primary transmission lines extend approximately 5.0 miles to the Dam No. 2 development.

The Dam No. 2 development consists of a 230-foot-high concrete arch dam approximately 2 miles downstream of Dam No. 1 that impounds Lake Kokanee; a 128-acre lake with a gross storage capacity of 7,300 acre-feet at full pool (elevation 478.0 feet Cushman Datum); a gated spillway structure abutting the dam; a power intake; a 2.5-mile-long, 17-foot-diameter pressure tunnel; a steel surge tank; and three 12-foot-diameter, 1,350-foot-long steel penstocks. Powerhouse No. 2 contains three turbine-generator units for a total installed capacity of 81 MW and a maximum hydraulic capacity of approximately 3,000 cfs. From a switchyard adjacent to

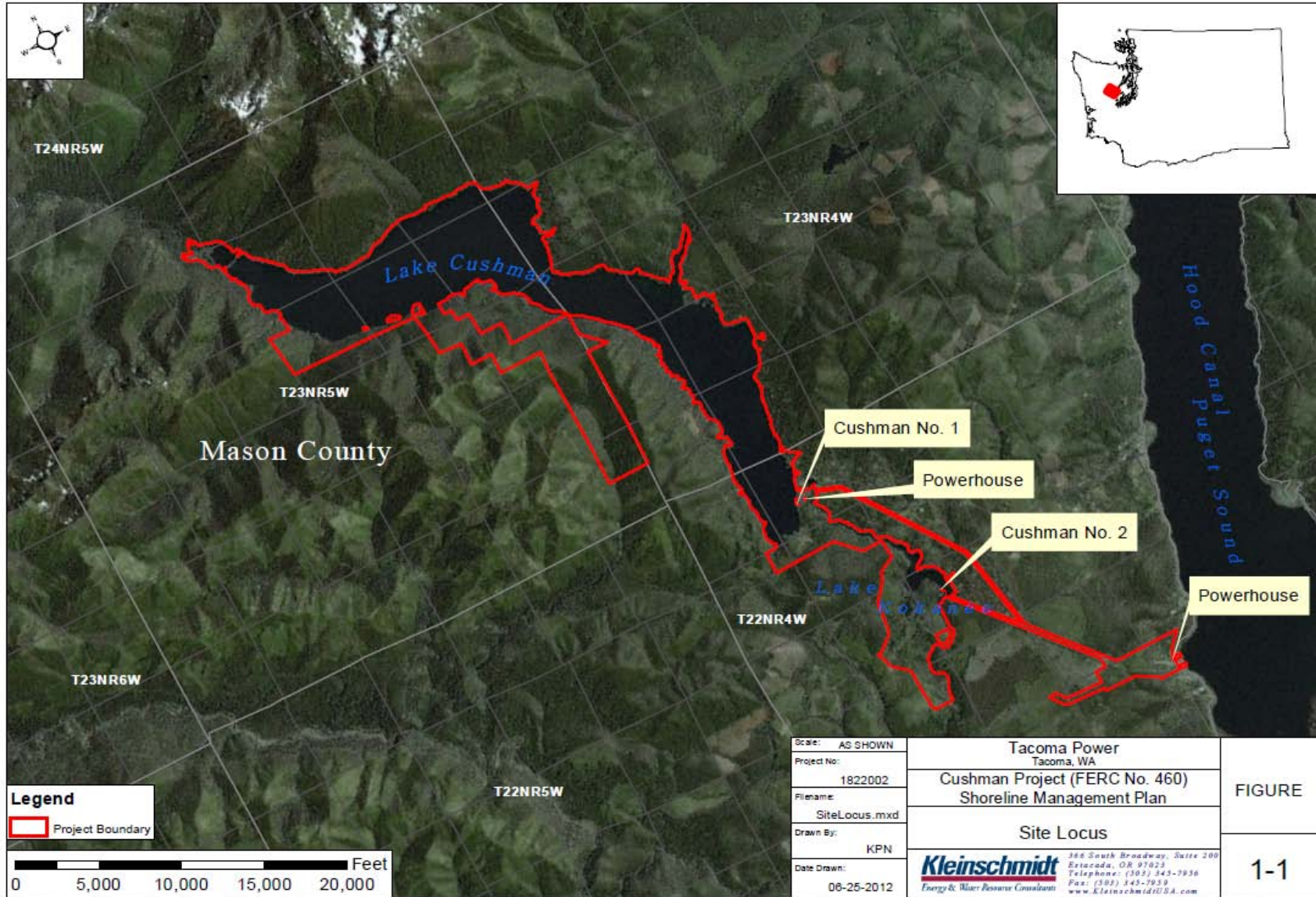
Powerhouse No. 2, two 115-kv transmission lines extend approximately 20.8 miles from Powerhouse No. 2 to Tacoma Power's Vaughn Tap.

1.2. Regulatory Setting

In 1924, FERC issued an original 50-year license for the Project, authorizing the flooding of 8.8 acres of lands for its construction and operation. This original license covered a minor part of the overall Project. Tacoma Power completed construction of Cushman Dam No. 1 in 1926 and Cushman Dam No. 2 in 1930. The Project operated under the original license until its expiration in 1974 when Tacoma Power filed an application for relicensing of the complete Project. FERC issued a new license for the Cushman Project in 1998, subsequently issuing a stay in 1999 in response to multiple filings of petition for judicial review. Tacoma Power, the Skokomish Indian Tribe, and six other federal and state agencies reached a Settlement Agreement on January 12, 2009. The Settlement Agreement, intended to resolve all outstanding issues regarding the Project relicensing, set forth amended and new license articles replacing those in the 1998 license order. On July 15, 2010, FERC amended the license to include those issues outlined in the Settlement Agreement, extended the license expiration date to June 30, 2048, and amended the license to authorize construction of the new powerhouse.

Among the new license articles included in the Settlement Agreement was a provision for the creation of an SMP for the Project. FERC licenses typically contain conditions requiring Licensees to manage lands within the Project Boundary, including shorelines, in the public interest. This includes balancing the various public and private uses of a project as well as protecting and managing a project's environmental and cultural resources. During the lengthy negotiation and consultation periods of the relicensing and Settlement Agreement effort, increasing development and competing demands for the limited shoreline at the Cushman Project pointed to the need for Tacoma Power to develop a clearly defined, comprehensive, and consistent management strategy for the Project's shorelines.

Figure 1-1. Project Location



2. PURPOSE AND SCOPE OF THE SHORELINE MANAGEMENT PLAN

The intent of an SMP is to ensure that a Licensee's actions conform to the project license requirements and are consistent with the purposes of protecting and enhancing the scenic, recreational, and environmental values of the project, while affording reasonable public access. FERC guidelines provide a framework to determine what proposed shoreline uses are most appropriate in relation to existing shoreline uses, environmental resources, cultural resources, and operational requirements of a project. These guidelines recommend that an SMP use existing resource information to designate Shoreline Management Classifications (SMC), determine appropriate Non-Project Uses within these SMCs, and develop criteria for use and development of the shorelines.

Tacoma Power developed this SMP in consideration of FERC guidelines; the goals and objectives of the Settlement Agreement; and the concerns of agencies, stakeholders, and shoreline property owners to provide the framework for a comprehensive shoreline planning approach for managing Non-Project-related shoreline use and development. The SMP does not apply to uses authorized or required by the Project license (Project Uses).

2.1. Shoreline Management Plan Goal and Objectives

This SMP encompasses the spirit and objectives of the Project Settlement Agreement to manage the multiple resources and uses of FERC-licensed project shorelines in a manner that is consistent with license requirements. The SMP will serve as a tool to assist in effectively analyzing appropriate shoreline uses within the Project Boundary, as well as providing a supportable and defensible means for shoreline management and permitting decisions.

The objectives of the Cushman Project SMP are to:

- provide a means by which Tacoma Power may manage its shoreline resources in compliance with the Settlement Agreement and its FERC license;
- protect and maintain the shoreline's natural and cultural resources;
- establish an opportunity for some private shoreline uses while protecting natural and cultural resources;
- establish SMCs and Allowable Uses to aid in the management of lands within the Project Boundary;
- acknowledge and protect the types and locations of existing and future recreational opportunities and enhancements;
- describe the SMP amendment and monitoring process;
- describe inspection and enforcement process;
- provide support and rationale for permitting processes and regulations within the Project Boundary;
- identify shoreline user responsibilities related to use and maintenance of shoreline uses as well as permit and other regulatory requirements; and
- alert adjacent property owners to Best Management Practices (BMP) that they may voluntarily implement on lands outside the Project Boundary and that Tacoma Power may require them to implement within the Project Boundary.

2.2. FERC Jurisdiction

When granting a license to construct and/or operate a hydroelectric facility, FERC is required to make a determination that a Licensee manages and operates the project in a comprehensive manner that provides opportunities for improving or developing a waterway to provide beneficial public uses. The FERC license identifies those lands and waters necessary to operate the hydroelectric facility, including those necessary for all of the beneficial uses. The project boundary encompasses those lands and waters. The license governs all future activity (of the Licensee and third parties) within that project boundary.

Licensees are responsible for operating and maintaining licensed hydroelectric projects in accordance with license requirements and project purposes (i.e., public safety, fish and wildlife protection, public recreation, etc.). Consistent with these license responsibilities, a Licensee may authorize specific uses and occupancies within the project boundary unrelated to hydroelectric power production or other project purposes (Non-Project Uses)¹ with Commission approval.

The Standard Land Use Article, within a given FERC license, directs the Licensee to oversee land use activities and take action to prevent unauthorized uses of project lands and waters. The Standard Land Use Article authorizes Tacoma Power to administer and enforce a permit system for regulating Non-Project Uses within the Cushman Project Boundary. The article further allows Tacoma Power to grant easements, rights of way, leases, and fee interests in Project Lands in limited situations. Subject to specified requirements and limitations, Tacoma Power may approve proposed uses that it deems appropriate under a FERC-approved SMP, and permissible under the Standard Land Use Article, without further FERC approvals. Proposed uses that are outside the scope of the Standard Land Use Article or the SMP require review and approval from FERC.

To aid in managing lands within a project boundary, FERC can require Licensees to develop an SMP. The SMP provides guidelines and regulations for developing and using the project shorelines and is an important part of FERC's mandate to protect and enhance a project's recreational, environmental, cultural, and scenic resources while operating in its primary function of producing electricity.

The Standard Land Use Article also requires the Licensee to monitor and remedy any unauthorized use of project lands. Unauthorized use of project lands may be considered a nuisance or an encroachment and the Licensee may take legal or regulatory action to correct the violation. This may include revocation of permission to use project lands and removal of non-complying structures and facilities at the owner's expense. While generally not mandated by FERC, the Commission also encourages Licensees to develop a permitting program to support and enforce SMP policies, goals, and objectives.

2.3. Scope of Shoreline Management Plan

The portion of the Project Boundary that is of interest in the SMP follows the 742.0-foot contour around the perimeter of Lake Cushman (4 feet above the full pool elevation of 738.0 feet Cushman Datum) and the 482.0-foot contour around Lake Kokanee (4 feet above the full pool elevation of 478.0 feet Cushman Datum). Accordingly, this SMP applies to those Project Lands below the 742-foot contour around Lake Cushman and below the 482-foot contour around Lake

¹ FERC Shoreline Management Guide, April 2001.

Kokanee. Tacoma Power owns the majority of the lands within the Project Boundary in fee simple.

The Project Boundary extends further inland beyond these minimum limits in several locations adjacent to the reservoirs and in other areas. Tacoma manages all lands within the Project Boundary under resource specific management plans² or for Project Operations. Lands included in the SMP may be subject to one or more of these other plans and operational uses. Figure 1-1 shows the Project Boundary and the locations of its two developments. The SMC maps in Appendix A also depict these boundaries.

2.4. Other Applicable Regulations and Management Policies

Tacoma Power requires that shoreline uses comply with other applicable regulations and receive the necessary permissions required by other governing agencies for those uses. Should any regulation conflict with this SMP or the associated *Shoreline Use Specifications and Permitting Guidelines* for the Cushman Project, the most restrictive requirements will apply.

² Wildlife Habitat Enhancement, Recreation, Cultural Resources, Road Management, or Terrestrial Resources Protection Plans

3. CONSULTATION

Article 424 of the 2009 Project Settlement Agreement set forth the provision for this SMP. This Settlement Agreement was the culmination of years of consultation and negotiation. As outlined in the article requiring an SMP, the Licensee has prepared this SMP in consultation with the WDFW, USFWS, USFS, and Mason County. Tacoma Power also consulted with Skokomish Tribal representatives during SMP development. This process has also solicited input from stakeholders through three public meetings held throughout the SMP development process, and by providing access to the draft SMP for review and comment.

Appendix C provides a summary of stakeholder and agency meetings and an SMP comment matrix. In many instances, Tacoma Power made changes in response to stakeholder comments and suggestions. In those instances where Tacoma Power did not respond directly through SMP modification, the matrix provides a response explaining the reasons specific comments were not acted upon.

4. PROJECT SETTING AND RESOURCES

The following is a general description of Skokomish River basin and Cushman Project resources. As several existing FERC licensing documents provide in-depth descriptions and analysis of these topics, the following is an overview provided to identify resource considerations included in the SMP policy development. Tacoma Power is undertaking many resource-specific management activities within the Project Boundary, but outside the area covered under this SMP. The SMP's intent is to support these efforts through the development of complimentary shoreline use policies.

4.1. Regional Setting

The Cushman Project is located in the Skokomish River basin in western Washington on the southeastern side of the Olympic Peninsula. Most of the Project is located in the North Fork Skokomish River basin. A large part of the Skokomish River watershed is located within the Olympic National Forest (ONF) and Olympic National Park (ONP).

The Skokomish River is the largest river flowing into the Hood Canal. In its upper reaches, the Skokomish River Basin is composed of mostly forested steep, rugged terrain. The upper portions of the basin exceed 6,000 feet elevation in the Olympic Mountains, where numerous streams discharge into the North Fork Skokomish River, South Fork Skokomish River, and Vance Creek. The mainstem of the Skokomish River flows through the Skokomish Valley until it eventually forms the Skokomish Delta, which is the largest delta on Hood Canal. In the Skokomish Valley, the terrain is generally flat, with some areas of hilly topography.

The Project, located in Mason County, occupies portions of the North Fork Skokomish River and shoreline areas located on the southeastern portion of the Olympic Peninsula along Hood Canal. The Cushman Project regulates the North Fork Skokomish River, which drains 118 square miles of the Skokomish River Watershed. The North Fork Skokomish River originates in the Olympic Mountains and flows through ONP until it reaches Lake Cushman, formed by Cushman Dam No. 1. A short distance south of Lake Cushman the North Fork River flows into Lake Kokanee, formed by Cushman Dam No. 2. From Cushman Dam No. 2, a diversion tunnel passes approximately 2,700 cfs (maximum) of water to Powerhouse 2 on the shoreline of Hood Canal, where the Project discharges to the canal. An average of 240 cfs is discharged down the North Fork Skokomish River from Cushman Dam No. 2. The North Fork River continues south from Cushman Dam No. 2 until it joins the South Fork River with which it forms the main stem of the Skokomish River.

4.2. Environmental Resources

4.2.1. Aquatic Resources

Five anadromous salmonids utilize the North Fork Skokomish River. These include Chinook and coho salmon, steelhead and sea-run cutthroat trout, and Dolly Varden. The Coastal-Puget Sound bull trout is also anadromous and listed as threatened under the Endangered Species Act (ESA). There is currently no anadromous fish access to spawning and rearing habitat above the dams (FERC, 1996). Under the new license, Tacoma Power will install and operate fish passage facilities to transport anadromous fish upstream of the Project.

Resident salmonids include kokanee, rainbow, cutthroat, and bull trout. Rainbow and cutthroat trout are the dominant species and have always been present throughout the upper watershed. The North Fork Skokomish River bull trout population is restricted to Lake Cushman, its tributaries, and the upper North Fork. The USFWS designated portions of the Skokomish River basin as bull trout critical habitat. The USFWS identifies the Skokomish River basin as a core area in the draft Recovery Plan addressing the Olympic Peninsula Bull Trout Management Unit (USFWS, 2004). Lake Cushman also supports a small population of largemouth bass.

Under the new license, Tacoma Power will be responsible for developing fish supplementation facilities for sockeye, spring Chinook and coho salmon, and steelhead. In addition, Tacoma Power will release rainbow trout into Lake Kokanee and other lakes each year.

The SMP acknowledges that any shoreline uses have the potential to affect near shore fish and aquatic habitat. Development and application of the SMC involved analyzing the proximity and potential effects of shoreline uses on known, significant fisheries habitat. Additionally, permitting standards for water dependent structures will include considerations to minimize effects to this resource.

4.2.2. Terrestrial Resources

A diverse array of wetlands exist in the region, with riverine, estuarine, and palustrine wetlands occurring adjacent to streams, the confluence of the mainstem and Hood Canal, and other low-lying areas, respectively. At full pool elevation, Lakes Cushman and Kokanee cover approximately 4,000 acres and 130 acres, respectively, and are classified as lacustrine wetlands. Little palustrine wetland borders the reservoirs because of water level fluctuations associated with Project Operations. Adjacent lands primarily consist of coniferous forests and riparian areas dominated by hardwood species.

While no sensitive plant species have been documented within the Project Boundary, suitable habitat could exist for a number of state and/or federally listed, candidate, threatened, and endangered wildlife species. The USFWS lists two species that have the potential to occur within the Project area as threatened or endangered. These include marbled murrelets and northern spotted owls. Other special status bird species recognized by the USFWS and/or WDFW with potential to occur within the area include bald eagles, ospreys, peregrine falcons, northern goshawks, mountain quail, band-tailed pigeons, Vaux's swifts, and pileated woodpeckers. A variety of mammalian species occur in the Project area, among them, Roosevelt elk, which have experienced suppressed population levels for many years in the Skokomish River watershed.

Rather than species-specific management plans to address potential Project effects on terrestrial wildlife, Tacoma Power prepared a Wildlife and Habitat Enhancement (WHE) Plan. Tacoma Power manages approximately 2,800 acres of land in the Project Vicinity for wildlife. This includes two additional parcels of land totaling approximately 750 acres that Tacoma Power purchased to manage for wildlife. Management objectives of these lands are to improve native plant and wildlife populations. Tacoma Power developed the WHE Plan in conjunction with the Threatened and Endangered Species Plan and the Terrestrial Resource Protection Plan (Terrestrial Plan). Development of SMCs considered and incorporated the goals and objectives of these plans.

4.3. Land Use

Forestry dominates land use in Mason County, with approximately 81 percent of land in the county devoted to forestry management. The majority of private lands are dedicated to raising trees for commercial purposes. The Washington Department of Natural Resources (WDNR), USFS, and National Park Service (NPS) control a majority of the public lands. Traditionally, the Skokomish River Basin has been used for recreation, timber production, fish harvest, agriculture, and residences. Land adjacent to the Project Boundary includes lands within the ONP and ONF, as well as lands owned by the Skokomish Indian Tribe, timber companies, small farms, and private holdings. Tacoma Power owns all lands within the Cushman Project Boundary (6,952 acres) with the exception of four small segments owned by the USFS.

Pursuant to the Settlement Agreement and amended license, Tacoma Power will dedicate about 2,800 acres of land to enhance native plant and wildlife populations as part of its WHE Plan. Approximately 230 acres of that land abuts the west side of Lake Cushman near Dry Creek and approximately 750 acres about the west side of Lake Kokanee and are relevant to the SMP. All lands set aside by Tacoma Power for wildlife and habitat enhancement are available for passive, public recreation but do not support “built” facilities.

Shoreline recreation sites within the Project Boundary occur at the Staircase Road Recreation Area on Lake Cushman, the Deer Meadows day use site on Lake Cushman, the Lake Kokanee boat access, and Saltwater Park on the Hood Canal. The Dry Creek trail, managed by the USFS, follows a portion of the western shoreline of Lake Cushman. Informal overnight camping is accommodated adjacent to Lake Cushman near Dry Creek.

Most existing shoreline development is associated with leased land adjacent to the Project Boundary. The Lake Cushman Company (LCC) leases approximately 3,000 acres of land from Tacoma Power through a 99-year lease established in 1966. Much of the leased lands lie adjacent to the Project reservoirs but none lie within the Project boundary. LCC sub-divided and developed these parcels for residential use. The most intense shoreline use occurs on the southeastern and northeastern shoreline of Lake Cushman where lots are typically less than 100 feet wide. Paved roads access and utilities serve the lots. While access and topography limit development along much of the more rural western lake shoreline, there are additional leased parcels adjacent to the Project boundary in several locations. These lots are typically wider than 200 feet and not served by utilities. They are accessible by unimproved roads or by boat.

Steep topography limits access along most of the Lake Kokanee shoreline. Non-Project Uses occur along a small portion of the lake’s southeastern shoreline adjacent to the dam. Shoreline development consists of a public boat launch facility, a LCC community park, and a few Private Docks.

Mason County’s Shoreline Master Program serves to preserve the scenic, aesthetic, and environmental qualities of county shorelines when possible. Because the shorelines of the Project reservoirs possess many environments, the county assigns a variety of designations relative to its Shoreline Master Program. These include Natural, Conservancy, Rural, and Urban Residential. Lake Cushman is a Shoreline of Statewide Significance. This requires local governments to recognize statewide interest over local interest, preserve the character of the shoreline, and enhance public access including recreational opportunities when implementing shoreline regulations. Tacoma Power considered land use in the Project Vicinity, with particular attention to Mason County’s shoreline designations, in the development of this SMP and will implement SMP policies in consideration of the best uses of shoreline resources. Shoreline

designations can change based on county processes. Mason County's website identifies the most current shoreline designations (see Section 8.6).

4.4. Aesthetics

The over 7,000-foot-high Olympic Mountains provide the scenic Project backdrop, which is located on the southeastern edge of the Olympic Peninsula. The area is known for its landscape of snowcapped peaks, remote valleys, and water-carved rock. The Skokomish River basin is a mix of heavily forested terrain and floodplain, marked by deep canyons and broad valleys. Lake Cushman and Lake Kokanee are among the most prominent features associated with the Skokomish River basin. The region's landscape makes aesthetic experiences an integral part of recreational opportunities that are available in the Project Area.

Because of the reservoir's natural appearance and setting, Lake Cushman is a draw to recreators. Although vegetation and topography often limit direct views of the reservoir, several recreation sites in the area offer views of Lake Cushman. Most residential lots adjacent to the shoreline have views of the reservoir. Additionally, Mount Ellinor and Mount Washington are visible from essentially all locations on the reservoir. The rugged terrain surrounding the lake provides scenery that makes the lake a popular attraction. Lake Kokanee is a smaller reservoir with territorial views that are visible from the boating access site. Most residences occur on a high plateau above the Lake Kokanee's eastern shoreline. Because the hydropower facilities are on the National Register of Historic Places (NRHP or National Register), they are often a popular tourist attraction. In addition to recreation areas that provide views of Lake Cushman and Lake Kokanee, visitors interested in the Project works can obtain views from overlook areas.

The NPS maintains lands within the ONP in a relatively natural state, with attention to screening park buildings and structures from view. The USFS classifies land within the Lake Cushman viewshed as Preservation, Retention, or Partial Retention lands for visual management purposes. The LCC, which manages land subleased primarily to private residences, has shoreline development policies designed to protect visual resources adjacent to the reservoirs. Additionally, the Mason County Shoreline Master Program includes provisions to protect the visual quality of private shoreline lands.

In developing this SMP, Tacoma Power considered existing and future visual resource management goals of Tacoma Power and other landowners and managers in the area. Accordingly, implementation of the SMP will help to ensure that shoreline uses such as private and public recreational development will be coordinated to protect the scenic character of the shorelines.

4.5. Recreation

Recreation is a predominant use of Project shorelines and is relevant to the objective of continuing public access to the Project reservoirs. The Settlement Agreement parties agreed on a provision³ requiring the development of a Recreation Plan. The Recreation Plan details measures that Tacoma Power will undertake to protect and enhance the area's recreational resources. The SMP considers recreational uses and facilities within the Project Boundary along the shorelines. Implementation of the SMP will help to ensure that private development and other shoreline uses will be coordinated with recreational developments and uses to insure that

³ subsequently adopted in the 2010 Order Amending License

the Project continues to provide public recreational access while protecting its scenic and environmental character.

The Cushman Project is in a regionally important recreational area because Lake Cushman is the largest freshwater body in Mason County. Access to the lake provides an important gateway to the ONP. During peak-summer season in particular, significant recreational use occurs on Project shorelines. The predominant recreational uses include sightseeing, fishing, hiking, boating, swimming, and camping, along with less prevalent uses such as picnicking, wildlife observation, and hunting. Both Lake Cushman and Lake Kokanee offer a range of experiences, with Lake Cushman being larger and well suited to larger motorboat activities and Lake Kokanee providing a calmer waterbody suited to activities such as canoeing. Both reservoirs have private shoreline parks for residents of the LCC subdivisions.

Historically, Tacoma Power owned eight recreational facilities at the Project including: the Lake Cushman Viewpoint; the Hood Canal Recreation Park (commonly referred to as “Saltwater Park”); the Staircase Road Recreation Area; Mount Rose and Dry Creek trailheads; Lake Cushman Park (formerly known as “Camp Cushman” and “Cushman State Park”); and the Dry Creek and Deer Meadow boater destination sites. In addition, Tacoma Power owns the Lake Kokanee boat ramp facility that the WDFW has operated historically. These facilities provide a variety of amenities including picnic areas, public boat ramps, scenic views, parking areas, and restrooms. As part of the Settlement Agreement, Tacoma Power has discontinued operating and maintaining a portion of the Hood Canal Recreation Park and the entirety of Lake Cushman Park. Tacoma Power removed these lands from the Project Boundary, transferring them to the Skokomish Tribe.

Pursuant to the Settlement Agreement and the Project Recreation Plan, Tacoma Power will make several improvements to five existing informal shoreline access sites along the Staircase Road Recreation Area by providing picnic sites, parking, toilets, and access trails. Tacoma Power will improve the USFS-owned and operated Bear Gulch Picnic Area by adding picnic sites, improving parking, and repairing or replacing the existing toilet. These areas will remain largely undeveloped. Additionally, Tacoma Power will improve access to the Lake Cushman Viewpoint, which is currently a pullout off Lake Cushman Road, by developing day-use picnic sites, a restroom facility, and improved parking facilities. Further enhancements include improving the Lake Kokanee boat ramp facility by installing a boat loading dock, providing picnic tables and kiosks, and improving trail systems near Lake Cushman. Tacoma Power will also work with the USFS to expand and improve camping facilities at the USFS-owned Big Creek Campground and establishing a trail that links to Staircase Road along Lake Cushman. While Big Creek Campground is outside the Project Boundary, visitors to this site will be able to access the Project waters via this trail.

Also pursuant to the Settlement Agreement, Tacoma Power will develop and implement a Recreational Use Monitoring Plan studying recreational use to determine if the existing recreational facilities are meeting recreational demands. Tacoma Power considered the maintenance and enhancement of current and future recreational facilities as it developed this SMP.

4.6. Cultural Resources

Cultural resources include prehistoric and historic-period archaeological sites, historical buildings and structures, and traditional cultural properties. The latter are places that may or may not have human alterations but are important to maintaining the cultural identity of a community such as an Indian tribe. Consistent with the National Historic Preservation Act

(NHPA) and FERC's regulations, Tacoma Power has: 1) inventoried and evaluated cultural resources at the Project to determine eligibility for listing in the National Register; 2) determined Project effects on such resources; and, 3) consulted with FERC, the Washington State Historic Preservation Officer (SHPO), and affected parties about mitigation and management measures.

The Area of Potential Effects (APE) is the area in which the Project could affect National Register-listed or eligible resources. Archaeological sites and historical structures were defined within the APE, and were grouped into three specific geographic portions of the Project Area, including the reservoirs, the transmission line corridor, and the Skokomish River-Hood Canal.

To protect cultural and historic resources within the Project Boundary, Tacoma Power, in consultation with the Washington SHPO, the Skokomish Tribe, and the BIA, will develop a Historic Properties Management Plan (HPMP). Measures and activities in the HPMP will provide for ongoing coordination with the Washington SHPO and the Skokomish Tribe; identification and protection of traditional sites and artifacts; and educational opportunities for the public and Tacoma Power staff to help protect cultural and historic values. Additionally, recommendations regarding properties eligible for listing in the National Register of Historic Places will be included in the HPMP. Portions of the HPMP will be kept confidential to protect the locations of culturally sensitive sites.

Any ground disturbance within the Project Boundary has the potential to affect sensitive cultural sites. The SMP acknowledges and supports the efforts detailed in the HPMP by requiring review of any proposed, new shoreline uses to determine the potential effect of these actions on cultural resources. Because of the sensitive nature of cultural or historic resources, Tacoma Power does not depict known cultural resource locations on any SMP mapping to protect these locations from disturbance; however, it maintains location data on cultural resources. Tacoma Power will review new ground-disturbing shoreline uses and Shoreline Use Permit applications consistent with the HPMP, regardless of their SMC. Tacoma Power will consult with the SHPO and Skokomish Tribe as necessary regarding proposed shoreline uses.

5. SHORELINE MANAGEMENT GUIDELINES FOR LANDS WITHIN THE PROJECT BOUNDARY

Tacoma Power made qualitative evaluations of existing land uses, environmental resources, immediate conditions, and potential new uses adjacent to and within the Project Boundary in order to define, identify and map Shoreline Management Classifications (SMCs). Tacoma Power gathered input from state and federal agencies, Mason County land management staff, and the public. Four SMC zones include the “A”, “B”, Resource Management, and Operational Lands classifications. The SMCs encompass and anticipate a spectrum of existing and potential shoreline development and uses as they relate to:

- resource management objectives defined in the Project license and Settlement Agreement;
- resources of special consideration;
- existing and potential public access and use;
- existing and potential private access and use;
- project operational needs;
- adjacent land-use development trends;
- Mason County zoning;
- appropriate shoreline development intensity assessment; and
- appropriate commercial and/or residential use assessment.

This analysis and mapping effort provide Tacoma Power a basis for defining and assessing Allowable Uses and supporting appropriate and consistent permitting for the reservoir shoreline within each of the designated classifications.

Section 5.1 below defines each SMC. The SMC definitions identify the existing and intended shoreline uses that largely define each classification. Accordingly, the classifications represent differing levels of allowed shoreline development and use, detailing the parameters within which Tacoma Power will consider any new uses. The classifications also recognize that Tacoma Power must assess shoreline uses differently at different locations within the Project Boundary to regulate Public, Private, and Commercial Use while meeting resource management and operational requirements. SMC designations are illustrated in Appendix A. Section 5.3 identifies Allowable Uses for each classification.

Tacoma Power reserves the right to undertake any actions required by the Settlement Agreement and/or Project license within all SMCs. These actions include, but are not limited to, construction, installation, and/or maintenance of habitat enhancements; public access and recreation sites; and shoreline stabilization. Project Operations, maintenance and construction are, by FERC’s Project license issuance or other FERC directives, also allowed in all SMCs.

5.1. Shoreline Management Classifications

5.1.1. “A” Management Classification

Tacoma Power defines the “A” management classification as shoreline areas with no known significant environmental/cultural resources or associated resource management goals precluding existing or future shoreline uses. This classification acknowledges existing private uses and anticipates potential future private and light commercial shoreline uses. It incorporates

developed shoreline areas as well as some currently undeveloped shoreline areas that may be appropriate for these future uses.

The “A” SMC areas are generally shorelines adjacent to relatively dense development and/or subdivided land outside the Project Boundary. These areas typically have small lots served by utilities and paved roads with few, if any, environmentally sensitive areas and no documented significant cultural resources. These shorelines are generally associated with the core development areas on the east side of the Project reservoirs. Areas within the “A” classification are available for a variety of uses, including, but not limited to: existing or future shoreline development associated with private residences, public access, and water dependent uses operated for financial profit.

Currently, there are a limited number of Commercial Uses within the Project Boundary. While not expressly disallowed, Commercial Uses have the potential for larger structures and more intensive use patterns than Private Uses. Accordingly, Tacoma Power exercises a higher level of scrutiny for Commercial Uses. Tacoma Power requires separation between Commercial Uses or private development within the “A” classification. FERC’s standard, recommended distance for separating Commercial Uses is a one-half mile minimum radius. Commercial Use proponents must also include a clear and supportable purpose and needs analysis for the use in their applications⁴. Tacoma Power will require a Commercial Use proponent to meet governing agency standards and address public input on the potential effects of the proposed use.

5.1.2. “B” Management Classification

Some areas within the Project Boundary, because of shoreline topography, adjacent resource management areas, limited infrastructure, aesthetic values, known or potential environmental or cultural resources, or Project operation needs, will not or should not support the same level of development as represented by classification “A”. Tacoma Power classifies these areas as “B” management classifications. It anticipates that over time these classification areas will represent a less dense residential aesthetic with no commercial uses.

The “B” SMC areas are generally shorelines adjacent to rural development and/or subdivided land with relatively large lots not served by utilities or paved roads. These shorelines may occur near resource areas and may have a higher incident of environmentally sensitive features such as steep slopes, but are without known, significant cultural resources. These shorelines are generally associated with the development areas on the west side of Lake Cushman.

In an effort to manage and maintain a less intense level of development and Non-Project Uses within “B” classification areas, Tacoma Power applies requirements for Allowable Uses at these locations more stringently. Primarily, Tacoma Power requires more shoreline frontage and increased spacing of structures to buffer Private Uses from Public Uses and resource management activities and to maintain a less intense development pattern.

Docks must meet minimum spacing requirements. Tacoma Power allows no more than one dock on an existing platted lot⁵. On large, unplatted parcels mapped as “B” classification, docks must be spaced at least 200 feet apart. If docks cannot meet the minimum shoreline spacing

⁴ Pursuant to FERC requirements, the Commission must approve any commercial uses within the Project boundary prior to Tacoma permitting such actions or uses. See Appendix B.

⁵ Based on the existing platted lots as recorded in Mason County at the time FERC approves this Shoreline Management Plan.

requirements, Tacoma Power requires Common Use facilities to minimize overall effects to the shoreline within these areas.

5.1.3. Resource Management Classification

Tacoma Power classifies shoreline areas designated for specific resource management, species protection, environmental, aesthetic, and public use purposes as Resource Management. The primary objective for the Resource Management Classification is to protect such resources. Generally, this classification includes shoreline areas within the Project Boundary identified in the Settlement Agreement, licensing process, and subsequent resource management plans as areas that merit special protection. No Private Uses are allowed within the Resource Management Classification.

Undeveloped shoreline and open space are environmental and public resources that are not necessarily included in resource specific management plans. Tacoma Power also applies the Resource Management classification to some shoreline areas to protect habitat, character, and aesthetic value of particular locations. These resources could be lost without oversight and management. Undeveloped steep slopes and bluffs typify some of the reservoirs' shorelines, presenting panoramic vistas that, if developed, would adversely affect the scenic viewsheds and overall aesthetic quality of the reservoirs. Additionally, because of topography and the challenges of accessing and/or constructing structures on the shoreline, some of these areas are inappropriate for development.

All Tacoma Power- and publicly-owned land within the Resource Management classification is available for low impact day uses such as hiking or picnicking. Some locations are available for uses such as dispersed camping and hunting. On a case-by-case basis, Tacoma Power may allow temporary activities within the Resource Management Classification if they do not require any form of construction, do not establish long-term uses, or do not result in any adverse effect on sensitive or protected resources. Examples of temporary activities include one-time outdoor events, educational projects, or other noncommercial gatherings. If appropriate, Tacoma Power will issue short-term permits for these temporary uses; however, the permits will be highly restrictive to avoid negative impacts to sensitive or protected resources.

Types of uses typically allowed in the Resource Management Classification include site-specific maintenance, resource protection activities (e.g. fish habitat enhancement), public recreation site improvements, specific actions required by the Settlement Agreement or Project license, or uses administered and authorized by Tacoma Power or other signatories to the Settlement Agreement. Tacoma Power will consider new uses proposed for a designated Resource Management Classification area only if the:

1. proposed use is identified as an "allowed" or "considered" use in Table 5-1;
2. proposed use meets the resource protection objectives of the classification;
3. proposed use provides environmental, cultural, or public benefits;
4. proposed use has no more than negligible impacts on environmental and cultural resources; and
5. use proponent can provide specific protection, mitigation, and/or environmental enhancements as Tacoma Power may prescribe or as required by jurisdictional agencies.

While the SMP “grandfathers” certain Prior Existing Uses within the Resource Management Classification (provided the owner or Permittee maintains these uses properly and Tacoma Power permitted them at the time of enactment of this SMP), new uses in the Resource Management Classification will be stringently limited. If allowed, Tacoma Power will require site- and use-specific restrictions designed to protect the resource in question. Section 7.3 provides further discussion regarding Prior Existing Uses. Any new uses that Tacoma Power permits permitted in Resource Management Classification areas will be limited to resource enhancement and protection measures and projects that benefit the public such as recreation enhancements.

5.1.4. Operational Lands Classification

The Operational Lands Classification includes areas occupied by the dams, powerhouses, transmission corridors, and other primary structures or facilities that are essential to Tacoma Power’s Project Operations and to which it may legitimately restrict use due to safety, security, operational, or other constraints. This can include areas behind log booms, buoys, and other warning devices Tacoma Power places on the lakes. While unavailable for non-Project-related construction or Private Uses, Tacoma Power may implement specific resource protection, structural upgrades, or other shoreline activities under the terms of the Project license and Settlement Agreement.

5.2. Determination of Allowable Uses

Defining parameters for Allowable Uses within the SMCs involves recognition of how and why Tacoma Power assigned classifications and the fact that particular uses are more appropriate in particular locations or environmental settings. A use’s potential effect on environmental and cultural resources, aesthetics, future public access, and Project Operations is a strong factor in determining appropriateness within a particular classification. Using the defined SMCs, Tacoma Power evaluated the appropriateness of existing and potential uses in relation to the intent of the classifications, the Settlement Agreement, and FERC license.

Tacoma Power, with review from other relevant signatories to the Settlement Agreement, reserves the right to undertake certain activities for habitat protection and public access within all SMCs. Such activities include, but are not limited to trail upkeep and placement of structures and/or facilities deemed necessary for safety and sanitation. Additionally, barring any site-specific resource, security, safety or other constraints or protection efforts, Tacoma Power allows public recreation use and support facilities in all classification areas.

5.3. Allowable Uses within Specific Management Classifications

Not all Allowable Uses are appropriate for all SMCs. As section 5.1 describes, Tacoma Power developed SMCs to manage and direct appropriate levels of shoreline development within the Project. Tacoma Power defined and delineated the SMCs, as well as the associated Allowable Uses, recognizing the need to protect existing environmental and cultural resources and to plan for future mitigation or enhancement of those resources should development affect them.

Classification “A”, which Tacoma Power applies to areas with few or no resources requiring special consideration, is the least restrictive. Tacoma Power allows identified uses in Table 5-1 that are compatible with the immediate area if the use proponent has met applicable permitting requirements. Tacoma Power will subject proposed shoreline uses in classification “B” to more stringent permitting requirements because of the potential to affect identified resources. Tacoma

Power does not allow many of the identified uses in the more restrictive Resource Management and Operational Lands Classifications because of the existence of resources requiring protection and operational constraints (Table 5-1).

While Tacoma Power may identify a use as “allowable” within a classification, this does not mean that it will automatically issue a permit for that use at all locations. Permit issuance is always dependent on the specific circumstance, the actual request, and the information provided in the permit application. Tacoma Power’s *Shoreline Use Specifications and Permitting Guidelines* provide design and siting details and specifications for allowable shoreline uses and provides guidance on obtaining Shoreline Use Permits. If an applicant cannot meet the specific requirements established in the SMP or the *Shoreline Use Specifications and Permitting Guidelines*, Tacoma Power will not approve the use. Some of the identified Allowable Uses may also require review and approval by local, county, state, and/or federal authorities.

Tacoma Power may review and permit other potential shoreline uses not listed in Table 5-1. Tacoma Power considers unlisted shoreline uses ‘Inconsistent Uses’. Tacoma Power will consider permitting Inconsistent Uses on a case-by-case basis. These types of uses will require all other applicable state, county, and federal permits and may require FERC approval prior to Tacoma Power issuing a permit.

The public is allowed access to all shoreline areas classified as “A”, “B”, and “Resource Management” unless otherwise designated by Tacoma Power. Tacoma Power may designate portions of the shoreline within these classifications as closed to the public when necessary for the protection of life, health, and property. No private shoreline structures can restrict public access to the shoreline within the Project Boundary.

Written permission from Tacoma Power and all applicable permits from regulatory agencies must be obtained prior to constructing/establishing allowed structures, uses, and activities within the Project Boundary. All structures, uses, and activities must comply with Tacoma Power’s permitting policies and shoreline use standards described in the *Shoreline Use Specifications and Permitting Guidelines*.

Table 5-1. Allowable Shoreline Structures, Uses, and Activities

SHORELINE USE/ACTIVITY	SHORELINE CLASSIFICATION		
	"A"	"B"	RESOURCE MANAGEMENT
BOAT RAMP (COMMUNITY)	CONSIDERED ⁶	PROHIBITED	PROHIBITED
BOAT RAMP (PUBLIC)	ALLOWED	ALLOWED	CONSIDERED
COMMUNITY PARK	ALLOWED	ALLOWED	PROHIBITED
DOCK/PIER – COMMUNITY	ALLOWED	ALLOWED	PROHIBITED
DOCK/PIER – SINGLE-FAMILY	ALLOWED	ALLOWED	PROHIBITED
DOCK/PIER – COMMERCIAL	CONSIDERED	PROHIBITED	PROHIBITED
DOCK/PIER - PUBLIC	ALLOWED	ALLOWED	PROHIBITED
DREDGING	CONSIDERED	CONSIDERED	PROHIBITED
FIRE RINGS (3' DIA. OR SMALLER)	ALLOWED	ALLOWED	CONSIDERED
FISH/WILDLIFE SUPPORT ACTIVITY & DEVICE	ALLOWED	ALLOWED	ALLOWED
IRRIGATION (SURFACE ONLY WITH OFF-SITE WATER SOURCE)	ALLOWED	ALLOWED	PROHIBITED
LIGHTING	CONSIDERED	CONSIDERED	PROHIBITED
LOG BOOM	CONSIDERED	CONSIDERED	PROHIBITED
MARINA	ALLOWED	PROHIBITED	PROHIBITED
MOORING BUOY	CONSIDERED	CONSIDERED	PROHIBITED
MULTI-BOAT SLIP	ALLOWED	CONSIDERED	PROHIBITED
PATH	ALLOWED	ALLOWED	ALLOWED
PLANTING NATIVE VEGETATION	ALLOWED	ALLOWED	ALLOWED
PLANTING ORNAMENTAL VEGETATION	ALLOWED	PROHIBITED	PROHIBITED
RECREATION SITE (PUBLIC)	ALLOWED	CONSIDERED	CONSIDERED
PUBLIC UTILITIES	CONSIDERED	CONSIDERED	PROHIBITED
SCIENTIFIC INSTRUMENTATION	ALLOWED	ALLOWED	ALLOWED
SHORELINE STABILIZATION MEASURES (STRUCTURAL)	CONSIDERED	CONSIDERED	PROHIBITED
SHORELINE STABILIZATION MEASURES (NON-STRUCTURAL)	ALLOWED	ALLOWED	CONSIDERED
STAIRWAY/STEPS/WALKWAY	ALLOWED	ALLOWED	PROHIBITED
SWIMMING FLOAT	CONSIDERED	CONSIDERED	PROHIBITED
TEMPORARY ACCESS	ALLOWED	ALLOWED	CONSIDERED
TEMPORARY USE	ALLOWED	ALLOWED	CONSIDERED
VEGETATION MODIFICATION	ALLOWED	ALLOWED	CONSIDERED
VISTA PRUNING	ALLOWED	CONSIDERED	PROHIBITED
WOODY DEBRIS REMOVAL (HPA ISSUED ONLY)	ALLOWED	ALLOWED	CONSIDERED

⁶ Considered = typically not allowed, but the use/activity will be considered on a case-by-case basis. Tacoma will determine if the proposed use is consistent with the management classification's intent and/or the project license and settlement agreement requirements.

5.4. Prohibited Shoreline Structures, Uses, and Activities

Tacoma Power provides the following list of prohibited structures, uses, and activities within the Project Boundary for guidance purposes. It is not intended to be an exhaustive or complete description. If a proposed use is not listed in Table 5-1 but is also not included in this section, it is assumed prohibited unless otherwise confirmed by Tacoma Power.

- Any activity or action pursued without proper permits and authorization
- Boat houses (covered moorage) over water⁷
- Boats that serve as docks or homes
- Buildings/appurtenant structures
- Buildings over water (including portable storage sheds)
- Decks
- Deposition or burning of garbage or yard waste
- Dog kennels or other animal containment areas
- Drain fields and septic systems
- Drydocks
- Excavation that would cause the reservoirs to flow or drain if raised to 742 feet elevation (Lake Cushman) and 482 feet elevation (Lake Kokanee)
- Fences, signs, or other features that inhibit or discourage public access or use of the shoreline
- Floating recreational apparatus (e.g. slides, diving platforms, water trampolines, large water toys, etc.)
- Habitable structures
- In-kind replacement of existing structures (including grandfathered structures) that do not meet current SMP criteria
- Lawns
- Livestock grazing
- Long term construction material storage
- Long-term storage of personal property (e.g. woodpiles, cars, trailers, building materials, topsoil, etc.)
- Marine fueling stations
- Multi-story structures
- Patios
- Permanent marine trestles, railways, trams, and lifts
- Placement of fill material (except that permitted as part of a bulkhead installation)
- Private boat ramps
- Private multi-boat slips
- Private recreation sites
- Roads and parking areas that are not specifically granted in City of Tacoma Lease No. 83
- Roofed structures
- Rope swings, diving platforms, bungee cords, zip lines
- Toilets, outhouses, and waste disposal
- Tree houses or other structures in or attached to trees

⁷ Pursuant to Mason County ordinance

6. TACOMA POWER'S AUTHORITY TO AUTHORIZE NON-PROJECT USES

Uses of Project Lands other than for Project Operations are 'Non-Project Uses'. FERC is ultimately responsible for regulating Non-Project Uses; however, FERC has delegated primary regulatory responsibilities at the Cushman Project to Tacoma Power. FERC requires that Tacoma Power control Non-Project Uses of Project Lands using the mechanisms described in this section.

6.1. The Shoreline Use Permit Program

Tacoma Power's primary mechanism for regulating Non-Project Uses is through its Shoreline Use Permit program. Section 7 summarizes this program. Tacoma Power will develop *Shoreline Use Specifications and Permitting Guidelines* as a standalone document outside the SMP. This document will describe Tacoma Power's shoreline use permitting procedures in detail. Through the Shoreline Use Permit program, Tacoma Power implements the land use policies and substantive requirements set forth in this SMP by issuing Shoreline Use Permits (Permits) for Allowable Uses (see Section 5). In administering the Shoreline Use Permit program, Tacoma Power strives to establish and maintain a process that achieves uniform and transparent application of the standards and principles established in this SMP.⁸

6.2. Other Types of Authorization for Non-Project Uses

Tacoma Power has limited authority to authorize Non-Project Uses of Project Lands outside of the Shoreline Use Permit program. Tacoma Power may authorize state and federal highways, minor access roads, buried and overhead utility transmission and local service lines, recreational facilities, and other uses, provided they meet the criteria set forth in, and are subject to the conditions of, the Standard Land Use Article (attached as Appendix B). Tacoma Power's license generally does not require it to approve Non-Project Uses that are not eligible for a Shoreline Use Permit. In the event Tacoma Power does authorize such a use, however, Tacoma Power will condition its authorization on the use being consistent with this SMP's guidelines and policies.

6.3. FERC Authorization of Non-Project Uses

Request for permits for Non-Project Uses outside the SMP policies and sections "b" and "c" of the Standard Land Use Article 431 require prior FERC approval before Tacoma Power may issue a permit. If a shoreline use proponent request requires FERC approval, the proponent must: 1) have Tacoma Power's agreement on the proposed Non-Project Use, 2) comply with all FERC rules regarding the content of the amendment, and 3) be responsible for the costs of any analyses, studies, or other documentation and the cost for staff time to prepare the submittal to FERC. Should the request require a Project license amendment, the applicant must comply with FERC's rules governing amendments to FERC licenses.

⁸ Tacoma Power's permitting authority does not apply to any part of public lands and reservations of the United States included within the Cushman Project Boundary.

7. SHORELINE USE EVALUATION PROCESS

The Shoreline Use Permit process begins with a determination of the SMC for the location where a Non-Project Use is proposed. Once the applicable SMC is identified, it can be determined whether the proposed use is an Allowable Use under the SMP (Section 5), and therefore potentially eligible for a Permit. Shoreline use proponents who consider seeking a Permit (Applicant) can make this initial determination themselves by using the SMC maps provided in Appendix A and the Allowable Use matrix included in Section 5.3. Alternatively, Tacoma Power will assist a potential Applicant in making an initial determination of eligibility based on the location and nature of the proposed use. Tacoma Power's *Shoreline Use Specifications and Permitting Guidelines* provide instructions for applying for a Shoreline Use Permit. The guidelines explain the criteria Tacoma Power uses to determine if it can issue a Permit for a proposed use and provides siting, material, and design specifications for shoreline uses.

7.1. Criteria for Issuing a Shoreline Use Permit

Eligible Applicants for Shoreline Use Permits include:

1. owners/lessees of property that occurs adjacent to Tacoma Power's shoreline lands as identified on the SMC maps;
2. individuals and entities requesting a commercial permit or entities seeking a Permit to develop a public recreation facility; or
3. individuals and entities interested in enhancing or maintaining fish or wildlife habitat.

When Tacoma Power receives a completed application for a use that is allowable in the proposed location, Tacoma Power will initiate permit processing upon determining that the use:

1. is consistent with the SMP goals and objectives and the management guidelines;
2. is consistent with the purpose of protecting and enhancing the scenic, recreational, and other environmental values of the Project, including the SMC in which the use will be located;
3. is consistent with the Project's Wildlife Habitat Enhancement Plan;
4. is consistent with the Project's Threatened and Endangered Species Plan;
5. is consistent with the Project's Terrestrial Resources Protection Plan;
6. is consistent with the purpose of protecting and enhancing the Project's cultural resources (as described in the HPMP);
7. is consistent with the Project's Recreation Plan;
8. will comply with the use-specific requirements set forth in the *Shoreline Use Specifications and Permitting Guidelines*; and

9. will comply with applicable federal, state, and local regulations.

Tacoma Power may impose conditions upon the Permit in order to ensure that the use as permitted satisfies the above criteria. An applicant who accepts a Shoreline Use Permit agrees to abide by the terms and conditions therein. Standardized General Conditions apply to every Permit and are provided as an appendix to the *Shoreline Use Specifications and Permitting Guidelines*. Tacoma Power determines additional, specific conditions during the application review process. These conditions apply only to the specific Permit to which they are attached.

7.2. Agency Consultation for Proposed Commercial Uses

Because Commercial Uses typically are larger or more involved than non-commercial shoreline uses and have a potentially greater impact on the Project and Project Lands, Tacoma Power may consult with federal and state fish and wildlife or recreation agencies (as appropriate), the SHPO, and other agencies as required, and consider their remarks when applying the approval criteria listed above. Additionally, FERC must review and approve all Commercial Uses prior to Tacoma Power issuing a Permit. Applicants requesting a Permit for a Commercial Use may be required to supplement their Permit applications with additional information requested by consulting agencies or Tacoma Power. Tacoma Power may treat a non-commercial use like a Commercial Use if it would have impacts to Project resources similar in magnitude to a Commercial Use.

7.3. Prior Existing Uses

'Prior Existing Uses' are Non-Project Uses established prior to FERC approval of this SMP. Tacoma Power will notify owners of Prior Existing Uses that are not in possession of a valid Permit issued by Tacoma Power. The notification will identify the need to initiate consultation with Tacoma Power to acquire a Permit for their shoreline structures. Once notified, owners of unpermitted structures are required to initiate consultation with Tacoma Power within a specified timeframe in order to qualify for a Permit. Owners of unpermitted structures who do not initiate consultation with Tacoma Power will not qualify for a Permit for their Prior Existing Use and may be responsible for its removal from the Project Boundary. In consultation with the use owner, Tacoma Power will determine the permissibility of Prior Existing Uses on a case-by-case basis. Tacoma Power may permit Prior Existing Uses even if the use is not listed in Section 5.3 or is inconsistent with the criteria contained in the *Shoreline Use Specifications and Permitting Guidelines*. Tacoma Power may condition any Permit for a Prior Existing Use, as necessary, to ensure that it satisfies the following criteria:

1. will not unduly interfere with Project purposes or operations;
2. is adequately maintained and does not pose an undue hazard to persons or property;
3. is consistent with the intent of the SMP; and
4. receives the necessary permits from the applicable regulatory agencies.

Tacoma Power considers Prior Existing Use permitting or "grandfathering" on a case-by-case basis. Tacoma Power is not obligated to grandfather a Prior Existing Use and this SMP does not require it to do so. Tacoma Power's ability to grandfather does not create, and is not intended to create, an opportunity to automatically allow or continue Prior Existing Uses.

Tacoma Power may condition any Permit for a Prior Existing Use to ensure that it satisfies the criteria above. Permitted Prior Existing Uses typically become subject to the most current permitting criteria established under the SMP when the use requires (1) replacement, (2) undergoes substantive modification (greater than 50 percent of replacement in footprint or value based on Tacoma Power's estimate), or (3) changes ownership⁹. If fire, natural disasters, or other events destroy or damage a previously permitted or grandfathered structure such that it needs major repairs involving more than 50 percent of the structure, the owner will need to seek new Permits to repair or replace the structure. The repaired or replacement structure must comply with the most current requirements and procedures as established by this SMP.

Tacoma Power's ability to grandfather is not intended to override or nullify the terms of existing lease agreements between Tacoma Power and other parties. Tacoma Power will not grandfather uses that are in violation of the terms of existing leases or agreements with Tacoma Power or its authorized agents, except as those agreements may be replaced or otherwise changed, with Tacoma Power's consent, to allow for the existing use in question¹⁰.

Owners of existing Non-Project Uses at the Cushman Project that have a valid Permit from Tacoma Power are required to obtain a new Permit, valid for up to five years, but will not be charged an initial application fee. Once permitted under the SMP policies and procedures, renewal permits, valid for up to five years, will be required of all Non-Project Uses. Tacoma Power will notify owners of the permitted uses when they are required to apply for a new Permit.

7.4. Temporary Activity Permits

Tacoma Power may permit a Non-Project Use of less than one year duration if it does not interfere with Project Operations; does not require any form of construction; does not establish a long-term use; and does not result in any significant adverse effect on a sensitive or protected Project resource. Some examples of temporary activities that Tacoma Power may allow include one-time outdoor events, educational projects, and other non-commercial programs associated with schools, universities, service clubs, or youth organizations.

7.5. License Implementation Measures and Project Operations

Tacoma Power's uses of Project Lands for operational purposes, including implementation of its FERC license and Settlement Agreement, are Project Uses; therefore, those uses are not subject to the permitting requirements of the *Shoreline Use Specifications and Permitting Guidelines*. Tacoma Power may still require Permits for uses that third parties operate or design in order to facilitate Tacoma Power's administration of Project Lands.

7.6. Permit Conditions

An Applicant who accepts a Shoreline Use Permit agrees to abide by the terms and conditions therein. Standardized General Conditions apply to every Permit and are provided as an appendix to the *Shoreline Use Specifications and Permitting Guidelines*. Specific conditions apply only to the specific Permit to which they are attached, and are determined by Tacoma Power during the application review process.

⁹ Tacoma Power will consider the potential environmental effect of retrofitting or removing serviceable, permitted structures on a case-by-case basis.

¹⁰ Changes in leases or other agreements may also require prior FERC notification and/or approval.

8. OTHER AGENCY REGULATORY REVIEW AND PERMITTING

All uses within the Project Boundary require review and approval by Tacoma Power and, in some instances (see Section 7), FERC. Additionally, most uses within the shoreline environment in Washington State will likely require review and approval by the local municipality, the Washington Department of Ecology (WDOE), the WDFW, and in some instances, the U. S. Army Corps of Engineers (USACE).

Tacoma Power requires that all shoreline uses receive all necessary permits and authorizations from applicable regulatory agencies. Tacoma Power will not authorize any shoreline use without proof of receipt of required Mason County permits and approvals. Tacoma Power recommends contacting its permitting staff for pre-application review as well as the contacts listed below for local, state and federal regulatory agencies. This will assist shoreline use proponents in assessing the feasibility of their proposals before entering into the permitting process.

8.1. Army Corps of Engineers

Under Section 404 of the Clean Water Act, the United States Congress directs the USACE to regulate the discharge of dredged and fill material into all waters of the United States, including their adjacent wetlands. The intent of this law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain the chemical, physical, and biological integrity of those waters. Typical activities requiring permits include, but are not limited to, boat ramps, docks, bulkheads/retaining walls, ditches, dams, dikes, weirs, dredging, filling, intake structures, outfall structures, rip-rap, and similar activities. Penalties for violations can range from being required to remove the structures and material to substantial fines or even imprisonment. If a proposed use includes any of the above activities, or it is uncertain if an activity requires a permit, please contact the USACE Seattle District Office Regulatory at:

U.S. Army Corps of Engineers, Seattle District
Regulatory Branch
P.O. Box 3755
Seattle, WA 98124-2255
(206) 764-3495

8.2. Washington Department of Ecology

The WDOE exercises jurisdiction under several state and federal authorities. WDOE is responsible for certifying that construction activities meet Section 401 of the Clean Water Act. This "water quality certification" is required when a project requires federal approval (USACE, FERC, etc.). WDOE also exercises jurisdiction under the Washington State Shoreline Management Act (SMA) of 1971. The SMA establishes a cooperative program of shoreline management between local government and the state. Local government has the primary responsibility for initiating the planning required by this chapter and administering the regulatory program consistent with the policy and provisions of the SMA. WDOE acts primarily in a support and review capacity with an emphasis on providing assistance to local government and on ensuring compliance with the policy and provisions of the SMA. Most shoreline use applicants will deal directly with the respective county planning commission; however, it is important to note that WDOE reviews preliminary decisions made by a county commission prior to a permit or authorization being finalized.

The SMA applies to all 39 Washington counties and more than 200 cities that have "shorelines of the state" within their jurisdictional boundaries. Relevant areas designated as Washington state shorelines are:

- streams with greater than 20 cfs mean annual flow;
- lakes 20 acres or larger;
- upland areas called shorelands that extend 200 feet landward from the edge of these waters; and
- the following areas when they are associated with one of the above:
 - biological wetlands and river deltas, and
 - some or all of the 100-year floodplain including all wetlands within the 100-year floodplain.

The SMA also states "the interests of all the people shall be paramount in the management of shorelines of statewide significance." Areas relevant to the SMP and defined in the SMA are:¹¹

- lakes or reservoirs with a surface acreage of 1,000 acres or more;
- larger rivers (1,000 cfs or greater for rivers in Western Washington, 200 cfs and greater east of the Cascade crest); and
- wetlands associated with all the above.

For further information, shoreline use proponents may contact the WDOE at:

Washington State Department of Ecology
Southwest Region -- Headquarters
300 Desmond Drive
Lacey, WA 98503 (physical address)
(360) 407-6904

P.O. Box 47600
Olympia, WA 98504-7600 (mailing address)

¹¹ http://www.ecy.wa.gov/programs/sea/sma/st_guide/intro.html 3/21/2011

WDOE also provides guidance regarding the Washington State Environmental Policy Act (SEPA) process. SEPA provides a means to identify potential environmental impacts that could result from government decisions regarding, among other things, issuance of permits for private projects. If a proposed project requires SEPA review, an applicant must fill out a checklist regarding the proposed project and its potential impacts to the environment. This checklist allows lead permitting agencies to make decisions on the significance of the proposed project and either issue a determination of non-significance (DNS), or require the applicant to prepare an Environmental Impact Statement (EIS) evaluating alternatives and measures to eliminate or minimize the potential effects of the project. SEPA gives agencies authority to condition a proposal when the DNS or EIS identify specific adverse impacts. In some rare cases, an agency may deny a proposal based on the findings of the EIS.¹²

For further information, shoreline use proponents may contact the WDOE at:

Washington State Department of Ecology
Environmental Coordination Section
P.O. Box 47600
Olympia, WA 98504-7600
(360) 407-6922

8.3. Washington Department of Fish and Wildlife

Hydraulic Project Approval from the WDFW is required if a proposed shoreline use includes construction or other work that will use, divert, obstruct, or change the natural flow or bed of any fresh or salt water of the state. This includes all construction or other work waterward and over the ordinary high water (OHW) line, and may include projects landward of the OHW line, if the proposed use has the potential to directly affect fish life and habitat. In general, most construction, installation, and often maintenance of any structure in or over the water requires this permit.

For further information, shoreline use proponents may contact WDFW at:

WDFW – Headquarters
600 Capitol Way North
Olympia, WA 98501-1091
(360) 902-2534

WDFW – Coastal - Region 6
48 Devonshire Road
Montesano, WA 98563
(360) 249-4628

8.4. Washington Department of Natural Resources

An Aquatic Resource Use Authorization (Aquatic lease) is required if a proposed shoreline use is on, crosses, or impacts the bedlands, tidelands, or shorelands of a navigable water.

¹² Focus Washington State Environmental Policy Act, WDOE, Publication # 02-06-013, May, 2002.

For further information, shoreline use proponents may contact Washington Department of Natural Resources (WDNR) at:

South Puget Sound Region
950 Farman Avenue N
Enumclaw, WA 98022-9282
(360) 825-1672
Southpuget.region@dnr.wa.gov

8.5. Washington Department of Archaeology and Historic Preservation/State Historic Preservation Office

Proposed shoreline uses within the Project Boundary may require review and comment from the SHPO. Tacoma Power staff will review all proposed new uses consistent with procedures defined in the HPMP, regardless of the SMC in which they occur, to determine whether the activity has the potential to affect cultural resources. Early identification of proposed shoreline uses, as well as identification of activities requiring permit applications and those that do not, will be key to minimizing problems for project proponents. Tacoma Power will review the permit application and supporting information to ensure that the permit applicant provides the appropriate information. Tacoma Power will assist Applicants in determining whether the proposed action is subject to Washington state cultural resource laws and regulations and if it requires consultation with the SHPO.

Tacoma Power requires any Applicant proposing ground-disturbing activities within the Project Boundary to undertake the appropriate level of cultural resource investigations, mitigation measures, and/or monitoring measures consistent with the level of resource protection measures outlined in the HPMP. Tacoma Power will determine the need for a cultural resource investigation based on the submitted application material. For proposed uses that require a cultural resource investigation, the Applicant is required to reimburse Tacoma Power for the cost of the investigation. Tacoma Power will notify Applicants when cultural resource investigations are required. The results of the cultural resource investigation will identify if there is a need for mitigation or monitoring.

8.6. Local Government

The SMA and associated County Shoreline Masters Programs regulate development within 200 feet of the OHW line, or within the 100-year floodplain of designated shorelines. Most development within the FERC Project Boundary will also fall under the State and County SMA jurisdiction. Accordingly, any new proposed uses require review and approval by local and/or Mason County Planning Board(s) with subsequent review by the WDOE. Typically, a County will review a proposed use to determine if the use qualifies as a Shoreline Substantial Development Permit, Conditional Use Permit, Variance Permit, or Exemption.

Local government also reviews shoreline uses in frequently flooded areas, geographically unstable areas, wildlife habitats, aquifer recharge areas, and wetlands and may require application for Floodplain Management Permits and/or compliance with local critical areas ordinances.

For further information, shoreline use proponents may contact:

Mason County Community Development Office
P.O. Box 279
Shelton, WA 98584
(360) 427-9670 ext. 352
http://www.co.mason.wa.us/community_dev/index.php

9. BUFFER ZONES, VEGETATION MODIFICATION, AND EROSION CONTROL

Tacoma Power requires implementing the following strategies within the Project Boundary to lessen the potential effects of the direct or indirect use of a shoreline resource. Many of these strategies will be a requirement of new Permits within the “A” and “B” SMCs. Tacoma Power will only permit removal of vegetation within the Resource Management Classification if a resource agency or Project-related management plan prescribes the practice. The goal of promoting these strategies is to assist in the conservation and protection of valuable shoreline resources and to help reduce potential effects to shoreline resources and water quality.

If property owners choose to cut or remove vegetation from their property outside the Project Boundary to improve access or the viewshed, they should consider conducting selective clearings and/or replanting low-lying vegetation that will help maintain soil stability rather than to remove all vegetation. Selective clearing and replanting lessens the potential effects of the clearing. Tacoma Power also recommends shoreline use proponents follow established guidelines presented in the Integrated Streambank Protection Guidelines published by the Washington State Aquatic Habitat Guidelines Program (2003). As discussed below, some activities and shoreline uses within the Project Boundary may have additional requirements.

9.1. Shoreline Buffer Zones

Vegetated shorelines are an important component of a healthy reservoir ecosystem. Naturally vegetated shorelines act as natural filters, facilitating the absorption and processing of runoff pollutants. This filtering ultimately reduces the amount of potentially harmful contaminants that enter a reservoir and that contribute to water quality degradation. In addition to filtering potentially harmful pollutants, the root systems of naturally vegetated shorelines provide a structure that helps maintain shoreline integrity and reduces excessive erosion that lowers water quality and in some cases adversely affects aquatic habitat. While limited planting of natural grasses can be an aspect of maintaining buffers, especially when used to stabilize disturbed soils, mowed lawns and non-native grass do not provide adequate contaminant filtering or long-term erosion control. Naturally vegetated shorelines improve the aesthetic integrity of the reservoir and provide preferred aquatic and terrestrial habitat. Best Management Practices (BMPs) that promote naturally vegetated shorelines are an integral part of efforts to maintain and improve water quality, shoreline stabilization, aesthetics, and wildlife habitat within the Project.

Tacoma Power requires BMPs that support the preservation or establishment of natural vegetation along the shoreline. These BMPs include practices that:

1. avoid clearing native trees and vegetation when possible, unless otherwise authorized by Tacoma Power;
2. avoid removal of large trees (that do not pose a hazard) along shorelines or other steep and erodible areas;
3. provide temporary soil protection in disturbed areas through planting low maintenance, native grasses or other groundcovers recommended for site-specific conditions; and

4. avoid dumping leaves or yard debris on or near the shoreline (no dumping of yard waste or debris is allowed within the Project Boundary including along any portion of the shoreline).

9.2. Vegetation Modification

Tacoma Power requires that anyone planning to clear, remove, or mow vegetation or planning to plant or landscape with vegetation or other materials along the shorelines within the Project Boundary consult with Tacoma Power staff as such actions may require a Permit. Special circumstances, such as the presence of wetlands, may result in a requirement for mitigation or alternative vegetation management practices. Tacoma Power will only permit removal of vegetation within the Resource Management Classification if a resource agency or Project-related management plan prescribes the practice for habitat enhancement or as described below. Anyone considering removal of trees or other vegetation within 200 feet of shorelines should be aware that other local, state, and federal regulatory approval might also be required.

9.3. Dead or Dangerous Trees

Tacoma Power requires prior approval to remove standing trees within the Project Boundary including those cases where the trees present a safety hazard. Documentation from a certified arborist that indicates a tree is considered a hazard, is typically necessary for Tacoma Power to authorize its removal.

9.4. Vista Pruning

'Vista pruning' is any trimming, cutting, or other pruning activity within the Project Boundary designed to enhance the view from an adjacent property. Vista pruning typically involves removal of limbs from living trees and shrubs and up to one-third of the plant height of shrubs and non-woody vegetation within the designated shoreline area. Tacoma Power allows Vista pruning within the "A" SMC and may consider it with the "B" SMC. Tacoma Power's prior approval is required in any location proposed for vista pruning.

9.5. Clearing for Shoreline Access Paths

Vegetation may be cleared in all SMC areas to create and maintain a path to the reservoir or to an approved or permitted shoreline use such as a dock or other shoreline facility. Paths must be constructed or maintained with natural materials such as native grass, wood chips, or gravel/crushed rock. Tacoma Power generally approves paths as part of its Permit review of docks or other shoreline uses when they are necessary to attain access. When reviewing proposed path layouts, Tacoma Power will focus on minimizing ground disturbance and vegetation removal. Paths may extend from the common boundary between the Project and the adjacent lot to the full pool elevation (738 feet elevation at Lake Cushman and 478 feet elevation at Lake Kokanee).

9.6. Landscape Planting

Generally, planting herbaceous, non-invasive vegetation within the Project Boundary does not require a Permit; however, planting woody vegetation such as trees and shrubs, or adding or removing other features that involves movement of earth and ground disturbance within the Project Boundary requires a Permit from Tacoma Power.

9.7. Shoreline Debris

Adjacent property owners may remove floating debris, driftwood, litter, and trash from the Project Boundary at any time without prior Tacoma Power approval, provided the action complies with applicable laws and regulations. Additionally, the removal method must not involve the use of heavy machinery (i.e. bobcats, tractors, bulldozers, skidders, excavators, etc.) grading, or other mechanical means that have the potential to disturb the shoreline through movement of soil, rocks, or existing, live vegetation. Tacoma Power does not allow commercial recovery of large woody debris from Project reservoirs.

9.8. Erosion Control and Shoreline Stabilization

A variety of physical (structural) and biological (non-structural) control measures are available to address erosion depending on the dynamics of each situation. Tacoma Power will evaluate proposed erosion control measures on a case-by-case basis depending on shoreline characteristics and classification. In general, construction techniques and methods to minimize adverse effects to the riparian environment are Tacoma Power's preferred methodology. While Tacoma Power prefers non-structural stabilization methods, it will consider structural stabilization measures in the "A" and "B" SMCs. Bulkheads are the least preferable method of shoreline stabilization. Tacoma Power will require certification from a professional engineer indicating non-structural techniques will be ineffective prior to Permit issuance. Tacoma Power allows only natural or non-structural methods in the Resource Management SMC.

10. ENFORCEMENT OF THE SHORELINE MANAGEMENT PLAN

The FERC Project license, and more specifically the Standard Land Use Article within the license, directs the Licensee to oversee shoreline activities and take action to prevent unauthorized uses of Project shorelines. As referenced in other portions of this document, all proposed shoreline uses that potentially affect Project Lands are subject to approval of Tacoma Power. Pursuant to the authority granted Tacoma Power under its Standard Land Use Article, Tacoma Power retains the right to review and modify all proposed and existing uses and occupancies of Project Lands for consistency with its permitting criteria and standards, Project license requirements, and applicable local, state, and federal laws.

All shoreline uses approved by Tacoma Power through its permitting process are subject to inspection by Tacoma Power staff. Should an inspection reveal that uses deviate from the approved plans, Tacoma Power will require that the use owner correct the discrepancy in compliance with Permit requirements. Failure to meet Permit specification will result in Permit revocation and removal of the use from the Project Lands. Tacoma Power must approve any alterations, additions, relocation, or other physical changes to an existing permitted use prior to such changes. In an effort to ensure Tacoma Power meets the goals and objectives of the SMP, as well as all license requirements, Tacoma Power reserves the right to revoke a Permit for good cause. Good cause includes, but is not limited to failure to follow Permit requirements or applicable local, state, and federal laws related to the Permitted Use; interference with Project Operations; or causing damage to Project Lands or facilities. Tacoma Power may take any legal measures necessary to prohibit unauthorized use and require removal of structures and the restoration of Project Lands to their original condition, if Permit holders do not follow Permit conditions.

11. MONITORING/AMENDMENT PROCESS

In developing this SMP, Tacoma Power has committed to the long-term stewardship of the Project's lands, water, and environmental, recreational, and socioeconomic values. Tacoma Power formulated this SMP in anticipation of continued growth and new uses within and adjacent to the Cushman Project Boundary. Tacoma Power recognizes that the region is a popular tourist destination and residential area, and that Non-Project Uses change over time. While these changes in use may occur slowly, they may also result in patterns that necessitate reassessment of the SMP.

To assure the SMP continues to remain relevant, Tacoma Power intends to review and, if necessary, to amend the SMP periodically, with input from interested parties. Due to the anticipated moderate to slow pace at which conditions around the reservoirs will change over the foreseeable future, Tacoma Power coordinates review of the SMP with submittal of recreation reports to FERC (FERC Form 80 Reports), which occur every six years. The six-year period allows Tacoma Power to assess new issues that may arise because of development around the reservoirs in addition to reviewing the need for any SMP changes as it relates to public access and recreational use. This review process will provide the means for evaluating the appropriateness and efficacy of the SMP program and policies. It will also accommodate modification of the permitting program, if necessary, and will allow Tacoma Power to adopt additional, or replace existing, BMPs as their effectiveness is tested. Sections 11.2 and 11.3 discuss the distinction between minor modification to the SMP that Tacoma Power will undertake internally and major modification that may require reopening the SMP through an amendment process.

11.1. Overall Land Use Monitoring

Tacoma Power's primary means of tracking and monitoring shoreline uses is through its shoreline permitting programs. Because of the SMP land classification system and associated mapping and Tacoma Power's requirement that any owners of existing, unpermitted uses obtain a new Permit, Tacoma Power will monitor new applications (and existing Permits) through a geographic information system (GIS). With the data already in place for the SMCs, Tacoma Power will use the global positioning system (GPS) coordinates of any new Permit application to determine the applicable SMC. Additionally, Tacoma Power will review the number and location of Permits it has processed within each classification type, and on each reservoir annually to assess overall shoreline use and the effectiveness of the SMP in managing these uses.

11.2. Triggers for Minor Modification

Tacoma Power will contact the Lake Cushman Maintenance Company (LCMC) and county planning staff periodically for updates on development adjacent to the reservoirs that may be relevant to the SMP. As appropriate and relevant, Tacoma Power will advise stakeholders of these discussions. If ongoing dialog with other land management entities identifies land use trends that may result in increased demand for Non-Project Use of Project Lands, Tacoma Power will note the location as an area of potential concern and monitor such developments as part of the established annual review noted above in Section 11.1. As long as resource and use criteria established by this SMP do not change, Tacoma Power will not seek additional review by stakeholders or FERC.

Tacoma Power also anticipates the potential need to make site-specific changes in the location of SMCs to reflect unanticipated or unobserved on-the-ground conditions. This will most likely involve minor relocation of classification boundaries or site-specific waivers dependent on field observations. Unless an SMC is entirely removed or modified to an extent that requires remapping the entire shoreline at a particular location, Tacoma Power does not intend to amend the SMP. During the review of Project mapping, Tacoma Power will note minor changes, such as new development within an existing subdivision adjacent to the reservoirs or changes in recreational uses, in its land use database and on the Project maps. Tacoma Power does not anticipate such minor modifications will warrant amendments to the SMP. Tacoma Power will make new maps available to adjacent property owners and interested resource agencies every six years. Tacoma Power will also provide updated maps to FERC as part of its six-year review process.

11.3. Triggers for SMP Amendment

Major changes within the Project Boundary may change goals and assumptions presented in this SMP. Tacoma Power established the following criteria that may indicate the need to consider an amendment of the plan:

New Residential Uses, Pressures, or Development Opportunities: These may include county-approved modifications to existing zoning, new housing developments, infrastructure improvements that could lead to new development, or socioeconomic changes affecting the influx, and out-migration of populations.

Major Commercial Upgrades or New Uses: Land adjacent to the Project reservoirs is currently not experiencing commercial growth or development. This could change over the lifetime of the SMP and would likely necessitate reconsideration of Tacoma Power's management policies. Tacoma Power will continue to monitor this type of shoreline use and compile data that may be useful in the event an SMP amendment becomes necessary during the review period.

Large Parcel Land Sales/Major Changes in Land Ownership: In the event that major parcels of previously undeveloped land change ownership, with an identifiable purchaser and new intent for use, Tacoma Power may review both the SMC designation, as well as the Allowable Uses within the area to determine if amendments to the SMP are warranted.

Changes within the Management Classifications: The SMCs identified in this SMP are based on environmental, cultural, and aesthetic resources. Some of these classifications are dynamic in nature. It is possible that within the review period new concerns such as nuisance aquatic vegetation or wetland habitat may change, therefore necessitating the re-evaluation and possible amendment of both management classifications as well as the Allowable Uses within them. Tacoma Power also acknowledges the possibility that mapping of the classifications may require site-specific modification. It will, during its six-year review of the SMP, compare the original mapping with mapping it has updated in the interim between SMP implementation and review period to assess any changes in classification locations over time. If this change has resulted in modification of at least 50 percent reclassification of a particular shoreline classification area, Tacoma Power will consider the need to amend the SMP.

11.4. Amendment Process

As the previous sections detailed, Tacoma Power will update Project and resource maps on an ongoing basis to assure they reflect field conditions. As long as SMP-established resource and use criteria do not change, Tacoma Power will not seek additional review by FERC. If it appears

there may be major impacts on the SMP's effectiveness, Tacoma Power will initiate agency and stakeholder review of SMP language and/or assessment of the overall document. Tacoma Power will invite a group of reviewers (to include representatives from various coordinating committees, county planning staff, and other interested stakeholders) to assess if any changes need to be made to the SMP. If, after this consultation, Tacoma Power determines that an amendment to the plan is necessary, Tacoma Power will notify FERC of its intentions, provide draft language to FERC for review, and implement such changes, as approved. These changes may include revising SMC definitions or establishing other Allowable Uses not currently in the SMP. Tacoma Power will continue to coordinate and consult with resource agencies, tribal representatives, working group members, and county planning staff throughout the SMP revision or redrafting process and will supply consultation records to FERC with any SMP amendment application.

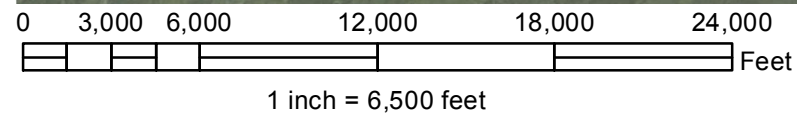
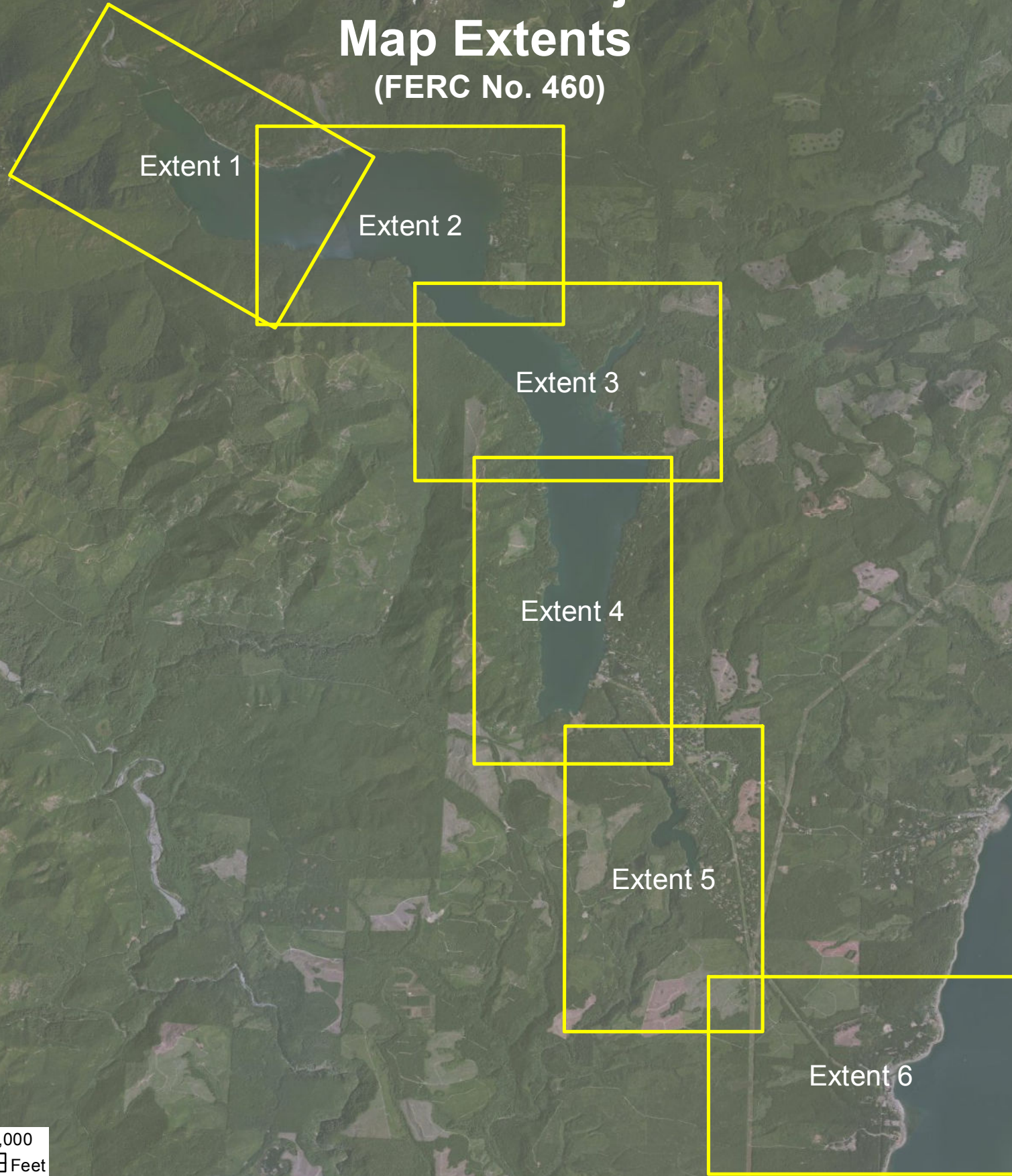
12. BIBLIOGRAPHY

- Federal Energy Regulatory Commission (FERC). 2010. Order On Remand and On Offer of Settlement, Amending License, Authorizing New Powerhouse, and Lifting Stay. July 15, 2010. Accession number 20100715-3017.
- Federal Energy Regulatory Commission (FERC). 2001. Shoreline Management Guide. April 2001. [Online] URL: www.ferc.gov/industries/hydropower/gen-info/guidelines/smpbook.pdf. Accessed March 21, 2011.
- Federal Energy Regulatory Commission (FERC). 1996. Final Environmental Impact Statement. November, 1996. Accession number 20080607-0126.
- Mason County. 2011. Code of Ordinances, Title 17.50 Zoning – Shoreline Master Program Use Regulations. Enacted March 15, 2011. Mason County, Washington.
- Tacoma Power et. al. 2009. Settlement Agreement Concerning the Cushman Project. January 12, 2009.
- U.S. Fish and Wildlife Service (USFWS). 2004. Draft Recovery Plan for the Coastal-Puget Sound Distinct Population Segment of Bull Trout (*Salvelinus confluentus*) – Volume II (of II), Olympic Peninsula Management Unit. May 2004. [Online] URL: http://www.fws.gov/pacific/bulltrout/RP/Olympic%20Penn_Vol2_Puget%20Sound.pdf. Accessed April 20, 2011.
- Washington State Aquatic Habitat Guidelines Program. 2003. Integrated Streambank Protection Guidelines. Accessed October 13, 2011.
- Washington State Department of Ecology. 2007. Introduction to the Shoreline Management Act. [Online] URL: http://www.ecy.wa.gov/programs/sea/sma/st_guide/intro.html. Accessed March 21, 2011.
- Washington State Department of Ecology. 2002. Focus – Washington State Environmental Policy Act. [Online] URL: <http://www.ecy.wa.gov/pubs/0206013.pdf>. Accessed March 21, 2011.

Appendix A

Shoreline Management Classification Maps

Cushman Project Map Extents (FERC No. 460)



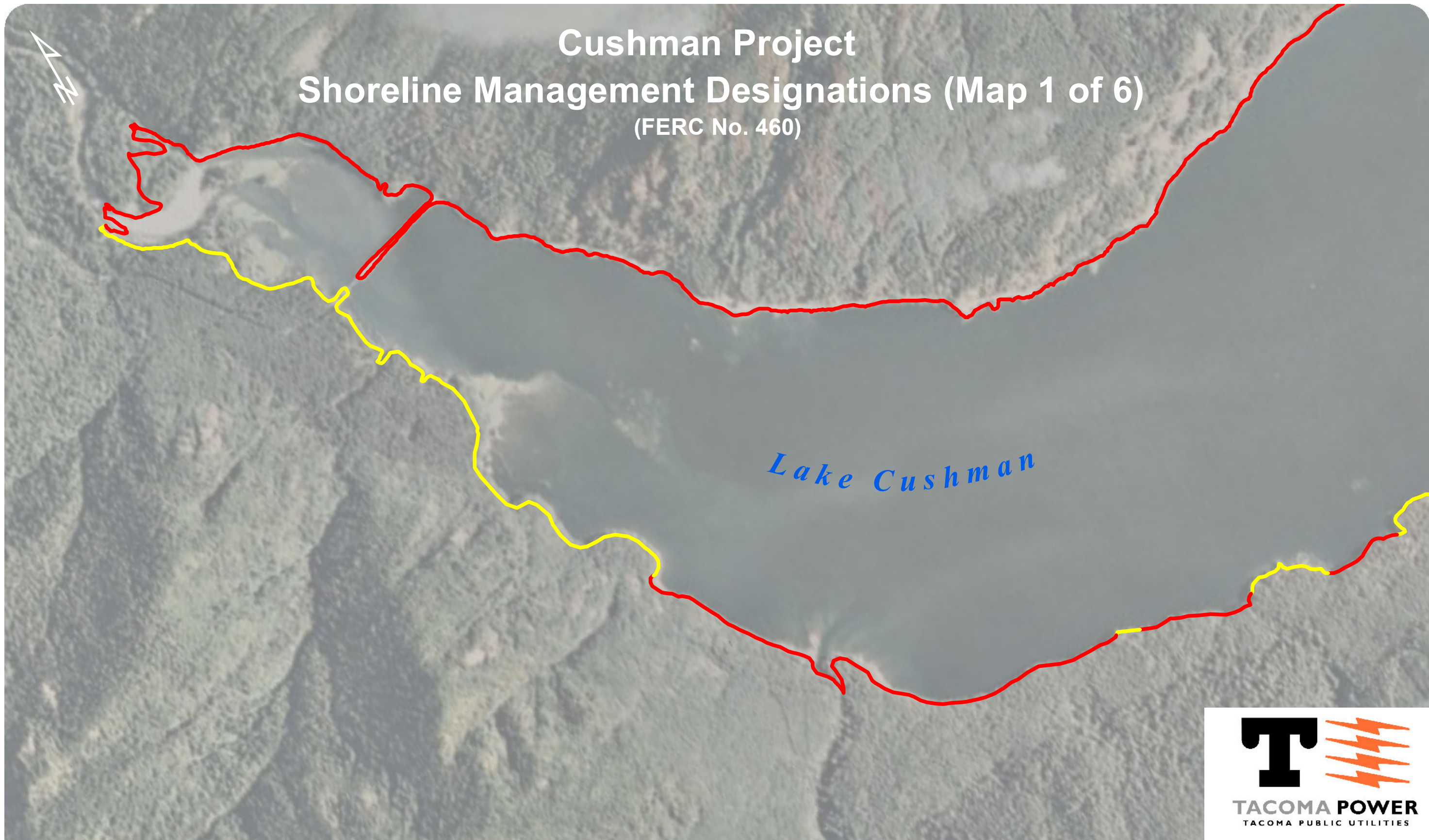
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Cushman Project

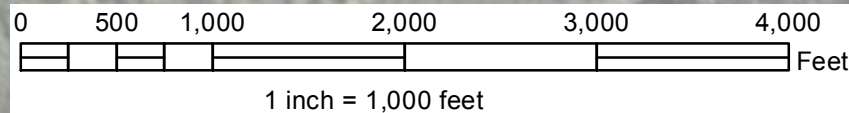
Shoreline Management Designations (Map 1 of 6)

(FERC No. 460)



Legend

- A
- B
- Operational Lands
- Resource Management



created by:



Cushman Project Shoreline Management Designations (Map 2 of 6)

(FERC No. 460)

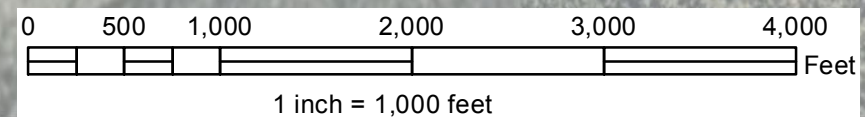
STATE ROUTE 119

Lake Cushman



Legend

-  A
-  B
-  Operational Lands
-  Resource Management



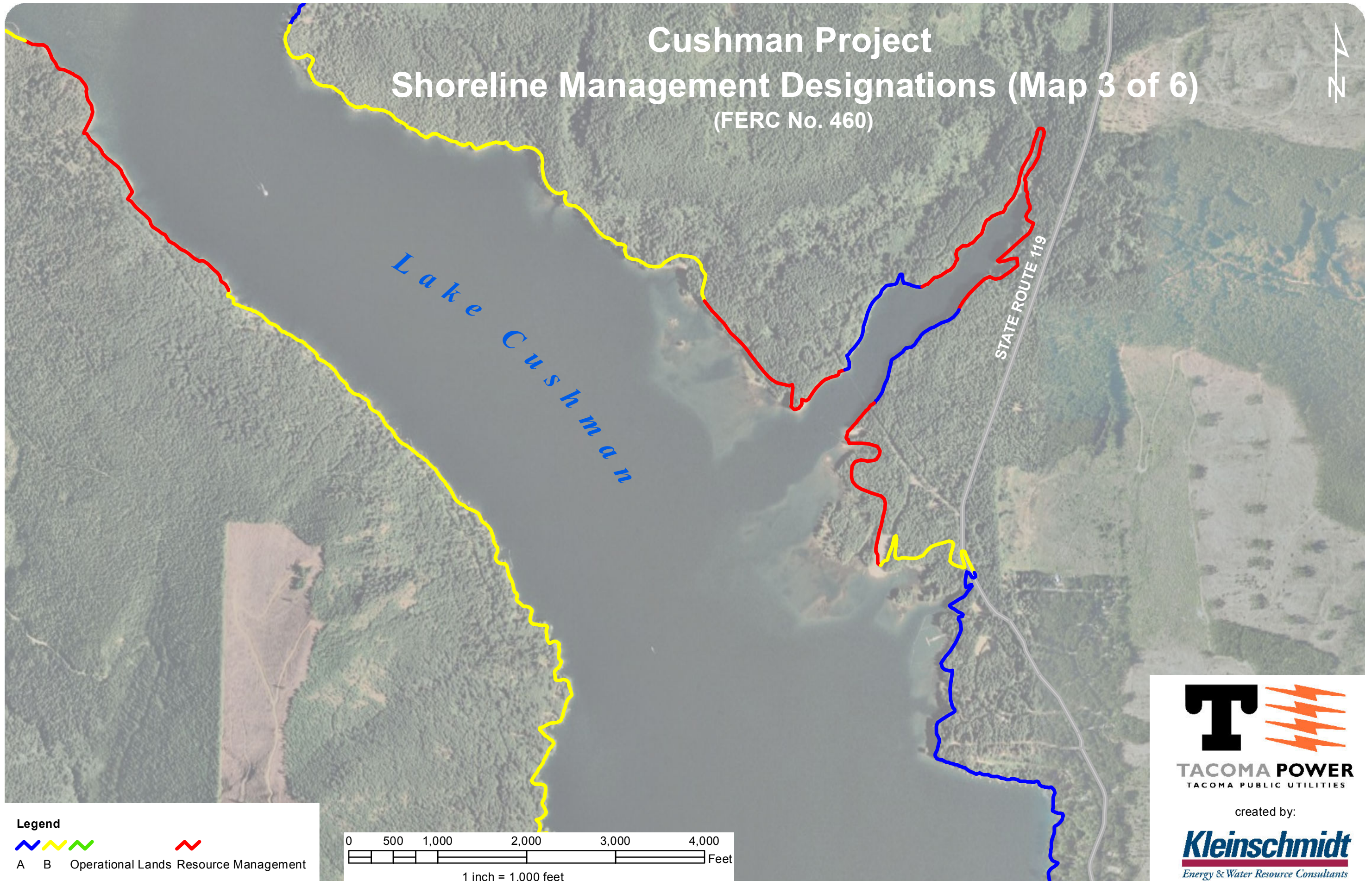
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Cushman Project

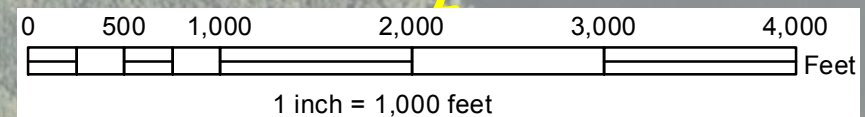
Shoreline Management Designations (Map 3 of 6)

(FERC No. 460)



Legend

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-  B
-  Operational Lands
-  Resource Management



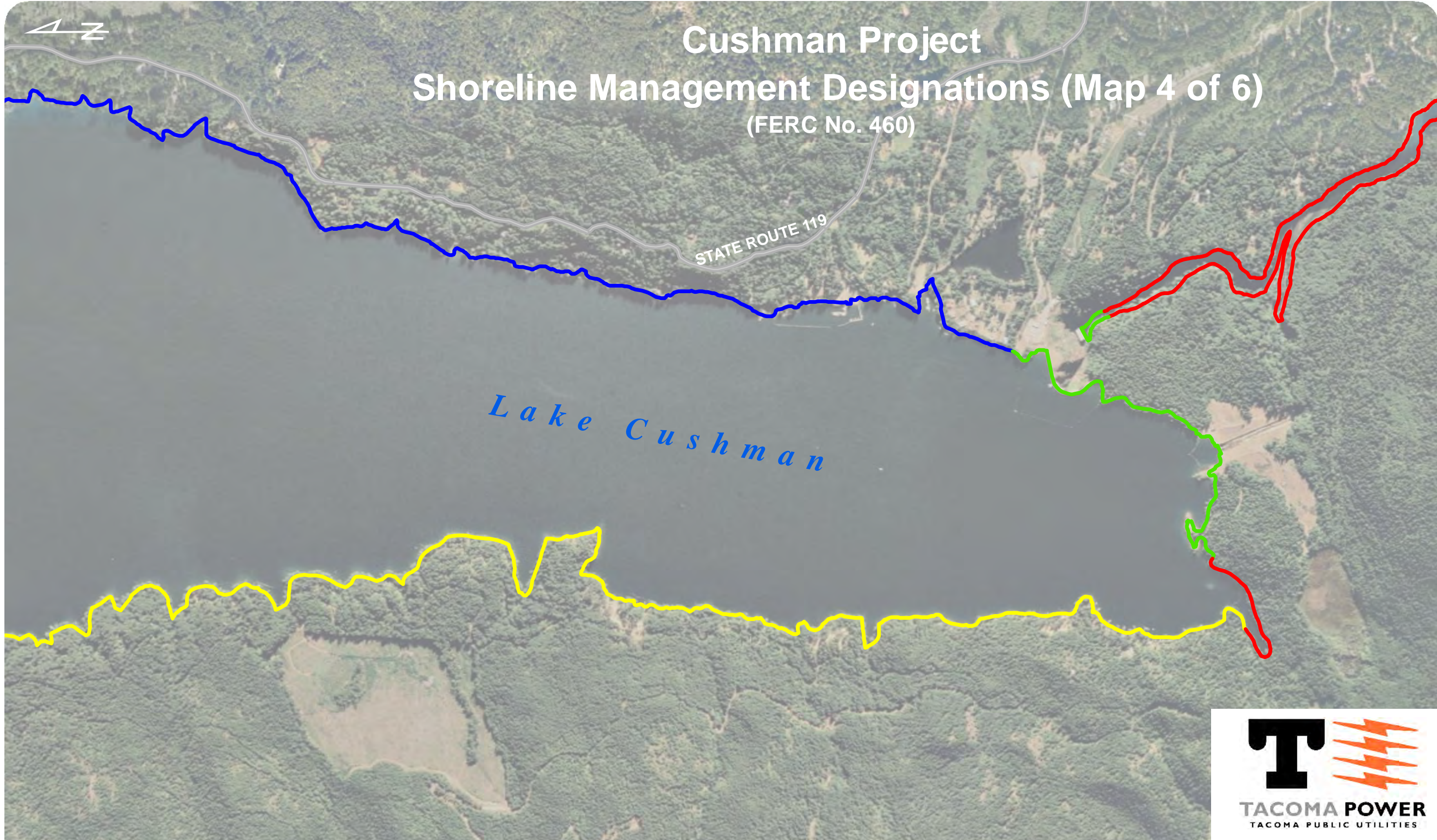
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Cushman Project

Shoreline Management Designations (Map 4 of 6)

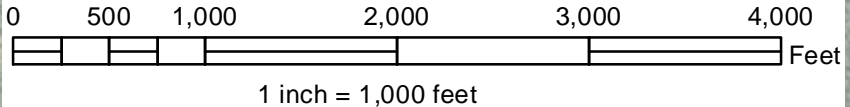
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Legend

A B Operational Lands Resource Management



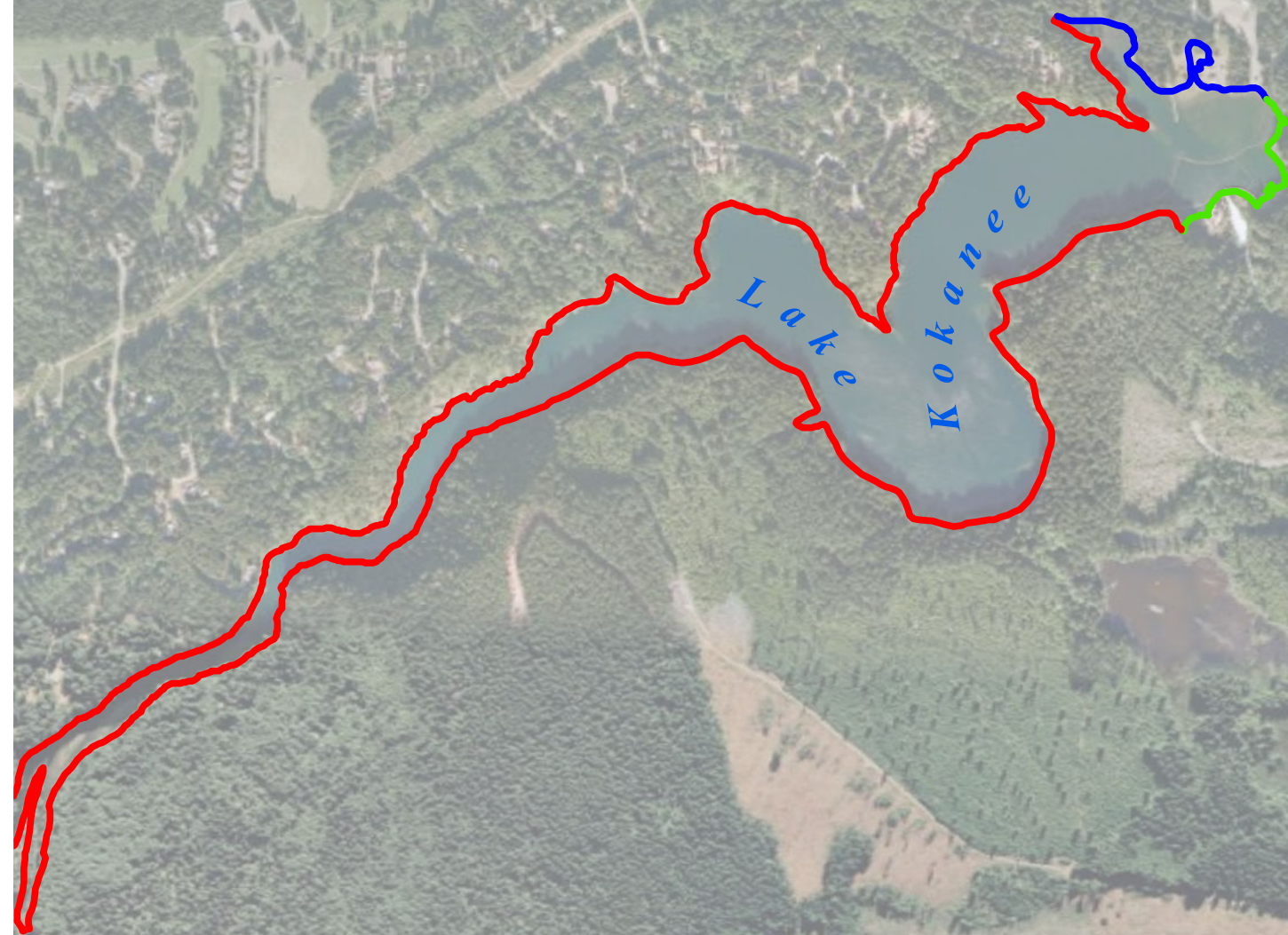
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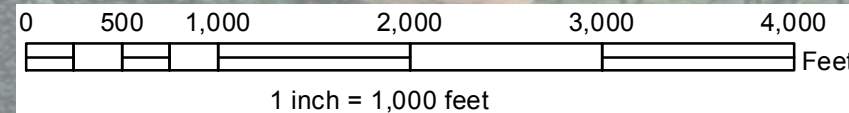
STATE ROUTE 119

Cushman Project Shoreline Management Designations (Map 5 of 6) (FERC No. 460)



Legend

- A
- B
- Operational Lands
- Resource Management



created by:



Cushman Project

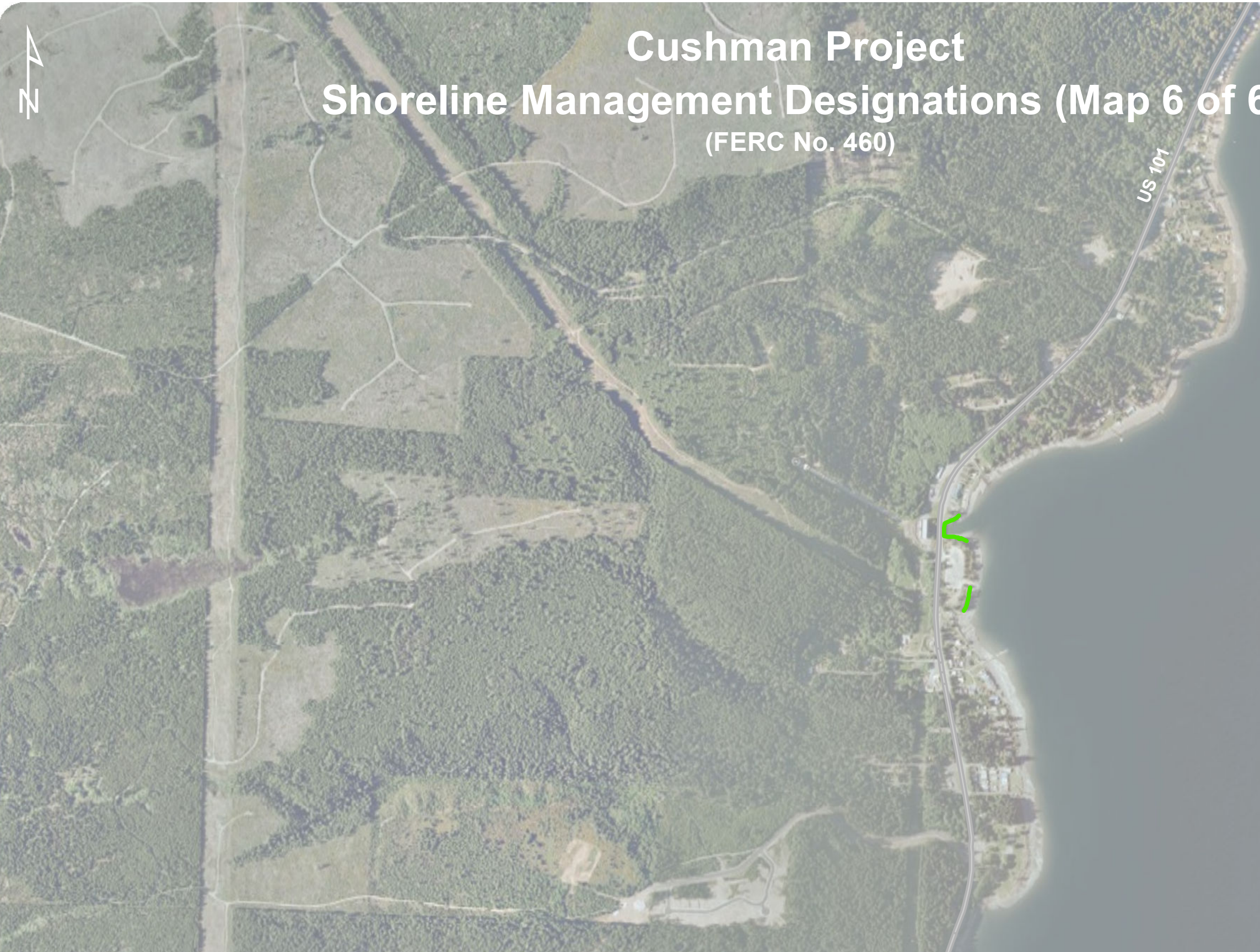
Shoreline Management Designations (Map 6 of 6)

(FERC No. 460)



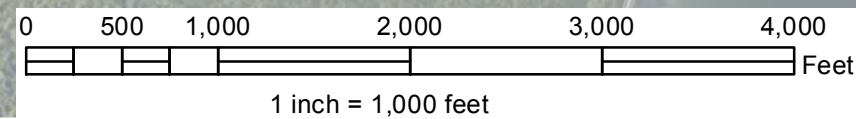
US 101

Hood Canal



Legend

-  A
-  B
-  Operational Lands
-  Resource Management



created by:



Appendix B

Relevant License Articles and Language

Article 424

Shoreline Management Plan

Within 2 years after issuance of the amended license, the licensee shall file with the Commission, for approval, a detailed management plan for the use of shoreline project buffer zone lands. The Shoreline Management Plan, at a minimum, shall include: (1) allowable uses for the buffer zone lands; (2) conditions to be specified for such allowable uses (such as measures to maintain the aesthetic quality of the reservoir); and (3) any proposed permit system (with a sample permit).

The licensee shall prepare the Shoreline Management Plan in consultation with the Washington Department of Fish and Wildlife, U.S. Fish and Wildlife Service, U.S. Forest Service, and Mason County. The licensee shall allow a minimum of 30 days for comment and recommendation of the agencies before filing the plan with the Commission. The licensee shall include with the plan documentation of consultation, copies of comments and recommendations on the plan, and specific descriptions of how the agencies' comments are accommodated by the licensee's plan. If the licensee does not adopt a recommendation, the filing shall include the licensee's reasons based upon operation and landscape conditions at the site.

The Commission reserves the right to require changes to the Plan. Implementation of the plan shall not begin until the licensee is notified by the Commission that the plan is approved. Upon Commission approval the licensee shall implement the plan, including any changes required by the Commission.

Article 431

Use and Occupancy:

- a. In accordance with the provisions of this article, the licensee shall have the authority to grant permission for certain types of use and occupancy of project lands and waters and to convey certain interests in project lands and waters for certain types of use and occupancy, without prior Commission approval. The licensee may exercise the authority only if the proposed use and occupancy is consistent with the purposes of protecting and enhancing the scenic, recreational, and other environmental values of the project. For those purposes, the licensee shall also have continuing responsibility to supervise and control the use and occupancies, for which it grants permission, and to monitor the use of, and ensure compliance with the covenants of the instrument of conveyance for, any interests that it has conveyed, under this article. If a permitted use and occupancy violates any condition of this article or any other condition imposed by the licensee for protection and enhancement of the project's scenic, recreational, or other environmental values, or if a covenant of a conveyance made under the authority of this article is violated, the licensee shall take any lawful action necessary to correct the violation. For a permitted use or occupancy, that action includes, if necessary, canceling the permission to use and occupy the project lands and waters and requiring the removal of any non-complying structures and facilities.
- b. The type of use and occupancy of project lands and waters for which the licensee may grant permission without prior Commission approval are: (1) landscape plantings; (2) non-commercial piers, landings, boat docks, or similar structures and facilities that can accommodate no more than 10 water craft at a time and where said

- facility is intended to serve single-family type dwellings; (3) embankments, bulkheads, retaining walls, or similar structures for erosion control to protect the existing shoreline; and (4) food plots and other wildlife enhancement. To the extent feasible and desirable to protect and enhance the project's scenic, recreational, and other environmental values, the licensee shall require multiple use and occupancy of facilities for access to project lands or waters. The licensee shall also ensure, to the satisfaction of the Commission's authorized representative, that the use and occupancies for which it grants permission are maintained in good repair and comply with applicable state and local health and safety requirements. Before granting permission for construction of bulkheads or retaining walls, the licensee shall: (1) inspect the site of the proposed construction; (2) consider whether the planting of vegetation or the use of riprap would be adequate to control erosion at the site; and (3) determine that the proposed construction is needed and would not change the basic contour of the reservoir shoreline. To implement this paragraph (b), the licensee may, among other things, establish a program for issuing permits for the specified types of use and occupancy of project lands and waters, which may be subject to the payment of a reasonable fee to cover the licensee's costs of administering the permit program. The Commission reserves the right to require the licensee to file a description of its standards, guidelines, and procedures for implementing this paragraph (b) and to require modification of those standards, guidelines, or procedures.
- c. The licensee may convey easements or rights-of-way across, or leases of project lands for: (1) replacement, expansion, realignment, or maintenance of bridges or roads where all necessary state and federal approvals have been obtained; (2) storm drains and water mains; (3) sewers that do not discharge into project waters; (4) minor access roads; (5) telephone, gas, and electric utility distribution lines; (6) non-project overhead electric transmission lines that do not require erection of support structures within the project boundary; (7) submarine, overhead, or underground major telephone distribution cables or major electric distribution lines (69-kV or less); and (8) water intake or pumping facilities that do not extract more than one million gallons per day from a project reservoir. No later than January 31 of each year, the licensee shall file three copies of a report briefly describing for each conveyance made under this paragraph (c) during the prior calendar year, the type of interest conveyed, the location of the lands subject to the conveyance, and the nature of the use for which the interest was conveyed.
- d. The licensee may convey fee title to, easements or rights-of-way across, or leases of project lands for: (1) construction of new bridges or roads for which all necessary state and federal approvals have been obtained; (2) sewer or effluent lines that discharge into project waters, for which all necessary federal and state water quality certification or permits have been obtained; (3) other pipelines that cross project lands or waters but do not discharge into project waters; (4) non-project overhead electric transmission lines that require erection of support structures within the project boundary, for which all necessary federal and state approvals have been obtained; (5) private or public marinas that can accommodate no more than 10 water craft at a time and are located at least one-half mile (measured over project waters) from any other private or public marina; (6) recreational development consistent with an approved Exhibit R or approved report on recreational resources of an Exhibit E; and (7) other uses, if: (i) the amount of land conveyed for a particular use is five acres or less; (ii) all of the land conveyed is located at least 75 feet, measured horizontally, from project waters at normal surface elevation; and (iii) no more than

- 50 total acres of project lands for each project development are conveyed under this clause (d)(7) in any calendar year. At least 60 days before conveying any interest in project lands under this paragraph (d), the licensee must submit a letter to the Director, Office of Energy Projects, stating its intent to convey the interest and briefly describing the type of interest and location of the lands to be conveyed (a marked Exhibit G map may be used), the nature of the proposed use, the identity of any federal or state agency official consulted, and any federal or state approvals required for the proposed use. Unless the Director, within 45 days from the filing date, requires the licensee to file an application for prior approval, the licensee may convey the intended interest at the end of that period.
- e. The following additional conditions apply to any intended conveyance under paragraph (c) or (d) of this article:
1. Before conveying the interest, the licensee shall consult with federal and state fish and wildlife or recreation agencies, as appropriate, and the State Historic Preservation Officer.
 2. Before conveying the interest, the licensee shall determine that the proposed use of the lands to be conveyed is not inconsistent with any approved Exhibit R or approved report on recreational resources of an Exhibit E; or, if the project does not have an approved Exhibit R or approved report on recreational resources, that the lands to be conveyed do not have recreational value.
 3. The instrument of conveyance must include the following covenants running with the land: (i) the use of the lands conveyed shall not endanger health, create a nuisance, or otherwise be incompatible with overall project recreational use; (ii) the grantee shall take all reasonable precautions to ensure that the construction, operation, and maintenance of structures or facilities on the conveyed lands will occur in a manner that will protect the scenic, recreational, and environmental values of the project; and (iii) the grantee shall not unduly restrict public access to project waters.
 4. The Commission reserves the right to require the licensee to take reasonable remedial action to correct any violation of the terms and conditions of this article, for the protection and enhancement of the project's scenic, recreational, and other environmental values.
- f. The conveyance of an interest in project lands under this article does not in itself change the project boundaries. The project boundaries may be changed to exclude land conveyed under this article only upon approval of revised Exhibit G drawings (project boundary maps) reflecting exclusion of that land. Lands conveyed under this article will be excluded from the project only upon a determination that the lands are not necessary for project purposes, such as operation and maintenance, flowage, recreation, public access, protection of environmental resources, and shoreline control, including shoreline aesthetic values. Absent extraordinary circumstances, proposals to exclude lands conveyed under this article from the project shall be consolidated for consideration when revised Exhibit G drawings would be filed for approval for other purposes.

- g. The authority granted to the licensee under this article shall not apply to any part of the public lands and reservations of the United States included within the project boundary.

**Form L-1
(October, 1975)
FEDERAL ENERGY REGULATORY COMMISSION
TERMS AND CONDITIONS OF LICENSE
FOR CONSTRUCTED MAJOR PROJECT AFFECTING
LANDS OF THE UNITED STATES**

Article 13.

On the application of any person, association, corporation, Federal agency, State or municipality, the Licensee shall permit such reasonable use of its reservoir or other project properties, including works, lands and water rights, or parts thereof, as may be ordered by the Commission, after notice and opportunity for hearing, in the interests of comprehensive development of the waterway or waterways involved and the conservation and utilization of the water resources of the region for water supply or for the purposes of steam-electric, irrigation, industrial, municipal or similar uses. The Licensee shall receive reasonable compensation for use of its reservoir or other project properties or parts thereof for such purposes, to include at least full reimbursement for any damages or expenses which the joint use causes the Licensee to incur. Any such compensation shall be fixed by the Commission either by approval of an agreement between the Licensee and the party or parties benefiting or after notice and opportunity for hearing. Applications shall contain information in sufficient detail to afford a full understanding of the proposed use, including satisfactory evidence that the applicant possesses necessary water rights pursuant to applicable State law, or a showing of cause why such evidence cannot concurrently be submitted, and a statement as to the relationship of the proposed use to any State or municipal plans or orders which may have been adopted with respect to the use of such waters.

Article 16.

Whenever the United States shall desire, in connection with the project, to construct fish and wildlife facilities or to improve the existing fish and wildlife facilities at its own expense, the Licensee shall permit the United States or its designated agency to use, free of cost, such of the Licensee's lands and interests in lands, reservoirs, waterways and project works as may be reasonably required to complete such facilities or such improvements thereof. In addition, after notice and opportunity for hearing, the Licensee shall modify the project operation as may be reasonably prescribed by the Commission in order to permit the maintenance and operation of the fish and wildlife facilities constructed or improved by the United States under the provisions of this article. This article shall not be interpreted to place any obligation on the United States to construct or improve fish and wildlife facilities or to relieve the Licensee of any obligation under this license.

Article 17.

The Licensee shall construct, maintain, and operate, or shall arrange for the construction, maintenance, and operation of such reasonable recreational facilities, including modifications thereto, such as access roads, wharves, launching ramps, beaches, picnic and camping areas, sanitary facilities, and utilities, giving consideration to the needs of the physically handicapped,

and shall comply with such reasonable modifications of the project, as may be prescribed hereafter by the Commission during the term of this license upon its own motion or upon the recommendation of the Secretary of the Interior or other interested Federal or State agencies, after notice and opportunity for hearing.

Article 18.

So far as is consistent with proper operation of the project, the Licensee shall allow the public free access, to a reasonable extent, to project waters and adjacent project lands owned by the Licensee for the purpose of full public utilization of such lands and waters for navigation and for outdoor recreational purposes, including fishing and hunting: Provided, That the Licensee may reserve from public access such portions of the project waters, adjacent lands, and project facilities as may be necessary for the protection of life, health, and property.

Article 19.

In the construction, maintenance, or operation of the project, the Licensee shall be responsible for, and shall take reasonable measures to prevent, soil erosion on lands adjacent to streams or other waters, stream sedimentation, and any form of water or air pollution. The Commission, upon request or upon its own motion, may order the Licensee to take such measures as the Commission finds to be necessary for these purposes, after notice and opportunity for hearing.

Article 25.

The Licensee shall allow any agency of the United States, without charge, to construct or permit to be constructed on, through, and across those project lands which are lands of the United States such conduits, chutes, ditches, railroads, roads, trails, telephone and power lines, and other routes or means of transportation and communication as are not inconsistent with the enjoyment of said lands by the Licensee for the purposes of the license. This license shall not be construed as conferring upon the Licensee any right of use, occupancy, or enjoyment of the lands of the United States other than for the construction, operation, and maintenance of the project as stated in the license.

Appendix C
Consultation Record

MEETING SCHEDULE

Meeting Date	Group	Topics
6/23/2011	Fisheries & Habitat Committee	SMP Process Overview
7/13/2011	Skokomish Tribe	SMP Process Overview
7/13/2011	Lake Cushman Community	SMP Process Overview
10/17/2011	Skokomish Tribe	SMP Process Update
10/25/2011	Mason County	SMP Process Overview
11/30/2011	Lake Cushman Community	SMP Update & Comment Solicitation
12/1/2012	Fisheries & Habitat Committee	SMP Update & Comment Solicitation
3/6/2012	Skokomish Tribe	SMP Update & Comment Solicitation
5/18-6/18/2012	30-day agency review	SMP Comment Solicitation
5/24/2012	Fisheries & Habitat Committee	SMP Update & Comment Solicitation
6/27/2011	Lake Cushman Community	Final SMP Roll Out & Comment Solicitation

From: Richards, Rebecca [<mailto:rrichards@ci.tacoma.wa.us>]
Sent: Friday, May 18, 2012 11:27 AM
To: Tim_Romanski@fws.gov; Yeh, Sharon -FS; Metzger, Robert P -FS; Peggy.Miller@dfw.wa.gov; Gbm@co.mason.wa.us
Cc: Hickey, Paul; Young, Debbie; Forrester, Bret
Subject: Subject: Tacoma Power's Cushman Hydroelectric Project Draft Shoreline Management Plan

Tim Romanski, US Fish and Wildlife Service
Sharon Yeh, US Forest Service
Bob Metzger, US Forest Service
Peggy Miller, Washington Department of Fish and Wildlife
Grace Miller, Mason County Planning Department

The draft Cushman Project Shoreline Management Plan (SMP) is attached for your review as stipulated in License Article 424 of Tacoma Power's FERC license. Article 424 requires a 30-day review and comment period prior to submitting to FERC for approval. Please provide written comments (or notification that you have no comments) by June 18, 2012. Comments received by that date will be addressed and the SMP updated as necessary prior to submittal to FERC. Please submit comments or refer any questions to:

Bret Forrester
Tacoma Power
3628 South 35th Street
Tacoma, WA 90409

bret.forrester@cityoftacoma.org

253-502-8782

Tacoma Power will provide a Shoreline Management Plan update at the next Fisheries Habitat Committee meeting on May 24, 2012 and will be prepared to answer questions about the draft plan.

Thank you.

Rebecca Richards
Office Assistant / Tacoma Power
253-502-8008 phone
253-502-8396 fax
rrichards@cityoftacoma.org / www.tacomapower.com

Stakeholder Comment Matrix¹

Comment	
Skokomish Tribe	Tacoma Power Response
<i>Request that Tacoma Power assign a separate zoning designation on lands adjacent to the Tribal lands.</i>	<p>Tacoma Power based the draft shoreline classification designations on existing and anticipated future adjacent land use, existing environmental and cultural resources, and desired future shoreline conditions. Tacoma Power cannot justify establishing a unique classification based on a particular landowner. The shoreline classifications apply to those lands owned by Tacoma Power below elevation 742 and do not apply to other land ownership outside the Project Boundary. The classifications should appropriately apply to the shoreline segments to which they are assigned regardless of the adjacent property ownership.</p> <p>Tacoma Power has not incorporated this recommendation into the SMP.</p>
<i>Request that no new community boat ramps be allowed under classification “B” and only Considered under classification “A.”</i>	<p>Given access limitations associated with most of the shorelines listed under the “B” classification, Tacoma Power agrees that limiting community boat ramps to “A” shoreline classification areas is appropriate. Tacoma Power incorporated this recommended change into the SMP.</p>
<i>Request that no new decks be permitted in all classification types.</i>	<p>Given that decks are not water dependent structures and could be established near the shoreline, but outside of the lands to be governed by the SMP, Tacoma Power has incorporated this recommendation.</p>
<i>Request that no community docks/piers be allowed under classification “B” and only “Considered” under classification “A”.</i>	<p>Allowing community docks in lieu of docks for individual lots reduces the potential number of docks on the reservoirs. Tacoma Power is in favor of conditions that would reduce the number of shoreline structures while maintaining access to the shoreline. Therefore, this condition was not changed.</p>
<i>Request that no new single family docks/piers be permitted in all classification types</i>	<p>Tacoma Power’s lease with the Lake Cushman Company allows the construction of docks. Tacoma Power cannot incorporate this recommendation without violating the lease terms. Additionally, private docks are typically an allowed used on FERC-licensed hydroelectric projects.</p>

¹ Note that Tacoma Power has summarized comments it received for clarity. Comments in their entirety are included in this appendix after the table.

Comment	
<i>Request that Tacoma Power list any new commercial docks/piers as "Considered" and only under classification "A".</i>	Given the relatively large size and higher level of use typically associated with commercial docks, Tacoma Power agrees that shoreline classification "A" is the only appropriate shoreline classification for this use and has incorporated this recommendation.
<i>Request that Tacoma Power consider all dredging activities on a case by case analysis; all classifications should be given a Considered rank</i>	Given the potential for environmental impacts and the low probability for a need to dredge, Tacoma Power has incorporated this recommendation into the SMP.
<i>Request that Tacoma Power not permit any new marinas in all classification types.</i>	Marina's are not allowed under the "B" or "Resource Management" shoreline classifications. Tacoma Power is in favor of allowing marina's in the "A" shoreline classifications because they increase public recreation access. Additionally, marinas will generally require FERC prior review if they include over ten boat slips, which provides additional oversight and consideration prior to approval. Therefore, this condition was not changed.
<i>Request that Tacoma Power permit no new marine fueling stations in all classification types.</i>	Given the potential for environmental contamination and the absence of large boats that are permanently afloat, Tacoma Power agrees that marine fueling stations are not appropriate at Lake Cushman and have incorporated this recommendation.
<i>Request that Tacoma Power not permit any new mooring buoys in all classification types.</i>	Tacoma Power will allow mooring buoys; however, there will be distinct timeframes within which they are allowed. Tacoma Power will stipulate these limitations in its draft <i>Shoreline Use Specifications and Permitting Guidelines</i> .
<i>Request that all new multi-boat slips only be associated with community/commercial dock/piers (see above under dock/pier community).</i>	Tacoma Power agrees that community and commercial docks are where multi-boat slips are most appropriate. Tacoma Power will limit private docks to no more than two slips.
<i>Request that public recreation sites be moved to Considered for classification "B" and Resource Management, as each recreation site should receive a case by case review to determine if the type recreation allowed will have an impact (and if so what type) to the ecosystem</i>	Tacoma Power agrees that considering public recreation sites proposed within the "B" or "Resource Management" classifications on a case-by-case basis is appropriate and has incorporated this recommendation.
<i>Request that Tacoma Power permit no new retaining walls/bulkheads or other type of hard armoring in all classification types, unless the property owner or proponent can demonstrate that other types of shoreline protection (soft armoring, setbacks) via a geotechnical report indicating other methods will not be sufficient to protect the property in question.</i>	Tacoma Power agrees that hard armoring should only be allowed when soft armoring is not appropriate. The draft <i>Shoreline Use Specifications and Permitting Guidelines</i> will stipulate these conditions.

Comment	
<p><i>Request that Tacoma Power move any new stairways, steps, or walkways to the Considered category for classifications “A” and permit no new stairways, steps, or walkways under classification “B”.</i></p>	<p>Given the steep gradient along much of the Lake Cushman shoreline, Tacoma Power feels that stairs are appropriate and necessary to provide safe access to the shoreline. The use of stairs will generally result in less bank erosion than would pathways across this steep terrain. Therefore, Tacoma Power did not incorporate this condition into the SMP.</p>
<p><i>Swimming Float; Request for clarification: If these are simply floats used to demarcate a swimming area, no change is needed. However, if this is a floating structure like a dock used for swimming request that no new swimming floats be permitted in all classification types.</i></p>	<p>The draft <i>Shoreline Use Specifications and Permitting Guidelines</i> provide the requested clarification. Pursuant to the Lake Cushman Company lease, Tacoma Power is obligated to allow swimming floats. Their use and placement will be limited because they interfere with the collection of floating debris. Tacoma Power will consider swimming floats on a case-by-case basis.</p>
<p><i>Vegetation Management; Request for Clarification -Native vegetation may not be removed or altered in shoreline buffers zones (i.e. the Counties’ SMP buffers). The language needs to be tightened here about the types of vegetation management activities that can and cannot be done, or if the proposed use will have more than negligible impacts on the environment and cultural resources.</i></p>	<p>The draft <i>Shoreline Use Specifications and Permitting Guidelines</i> provide the requested clarification on the extent of vegetation management allowed. Allowed vegetation management described in that document includes planting of non-native vegetation, limited limbing of trees to enhance views, limited clearing for access, fertilizer and pesticide use restrictions, and hazard tree removal. Compliance with Mason County requirements will still be required. In the event there is a discrepancy between requirements, the most restrictive shall apply.</p>
<p><i>Woody Debris Removal; request that all classification types be given a Considered rank, except Resource Management where it should not be allowed. Woody debris on the shoreline is known to be a key habitat component for the micro and macro organisms that form the base of the local food chain, while also provided critical wildlife refuge.</i></p>	<p>The draft <i>Shoreline Use Specifications and Permitting Guidelines</i> will identify the extent of wood gathering allowed. Woody debris removal will be limited to non-embedded pieces of wood. Only small pieces collected by hand will be allowed without specific permission from Tacoma Power. A Hydraulic Project Approval must be acquired to collect wood when required by the Washington Department of Fish and Wildlife. These conditions should effectively prohibit activities that would affect key habitat that supports micro and macro organisms. Therefore, Tacoma Power did not incorporate this condition into the SMP.</p>

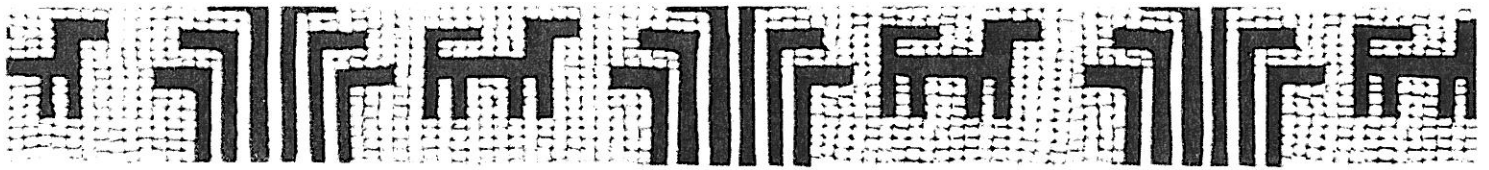
Private Stakeholder Comments	Tacoma Power Response
<p><i>The shoreline plan requires that strong consideration be given to use of the project for recreation. Request for clarification that the shoreline plan has a strong emphasis on continuing the Lake for recreation.</i></p>	<p>Tacoma Power has an obligation to accommodate recreation. FERC requires that we provide <i>public</i> recreation opportunities on Project reservoirs. FERC does not oppose providing private recreation opportunities (such as private docks) as long as they do not impact public recreation opportunities; however, they do not regard private recreation facilities the same as public and in fact, require that we make sure the private uses do not restrict public recreation opportunities.</p>
<p><i>Request that Tacoma Power maintain summer lake levels through September.</i></p>	<p>Please note that the SMP does not address reservoir elevations as its purpose is for managing shoreline uses, not reservoir elevations.</p>
<p><i>Request that Tacoma Power allow log booms for dock, swimmer, and shoreline protection.</i></p>	<p>The draft SMP lists log booms as “considered” in the “A” and “B” shoreline classifications. Tacoma Power does not generally allow private log booms on the Project reservoirs because they interfere with floating wood debris collection and potentially restrict public access to portions of the reservoirs and shoreline. Tacoma Power will consider allowing private log booms only when unique circumstances exist that justify their use. These circumstances include site-specific locations where log booms would significantly reduce severe bank erosion or where they would prevent excessive lake debris accumulation that obstructs shoreline access. The severity of the situation and likelihood of success using a log boom must be well documented and substantiated in order to be considered for permitting. Uses of log booms to demarcate private use areas or to diminish wave action at docks are not justifiable reasons for permitting log booms. Tacoma Power may permit log booms associated with public or community recreation sites, such as to enclose a public swimming area or marina; however, such uses for private purposes result in privatization of shoreline and reservoir areas that are intended to be open to the public.</p>

Comment	Tacoma Power Response
<p><i>Request that Tacoma Power allow mooring buoys unless it maintains a full lake through the end of September.</i></p>	<p>The Draft Shoreline Management Plan currently identifies buoys as “Considered” in the “A” and “B” shoreline classifications meaning that they are typically not allowed, but we will consider allowing them under certain circumstances. This status would allow Tacoma Power to permit buoys on a case-by-case basis pursuant to the draft <i>Shoreline Specifications and Permitting Guidelines</i> timing restrictions.</p> <p>Use of retrievable anchors is the recommended alternative to moor boats off shore temporarily. No permit is required for short-term mooring providing the anchor is retrieved after each use.</p>
<p><i>Request that Tacoma Power allow both docks and buoys in front of waterfront lots. Note that Mason County boating rules permit buoys. Comment that removal of docks and buoys is not a FERC requirement and is only being considered as a convenience to Tacoma Power. This convenience to Tacoma Power would come at a great inconvenience to boaters. Choosing between the two will be difficult.</i></p>	<p>See above response</p>
<p><i>Request that Tacoma Power allow both docks and buoys. Buoys are very important due to wind conditions, boat wake (no regulated “no wake zone”) and many times, lake level variance. The need for a dock is important for off-loading people, gear, etc. Tacoma Power and shoreline users could work out a system to avoid conflicts.</i></p>	<p>See above response</p>

Comment	Tacoma Power Response
<p><i>Five-year permit renewal with recurring fee is excessive. Request for clarification regarding initial application and five-year renewal fee structure. Suggestion that once the initial permit renewal, Tacoma Power could assess future fees.</i></p>	<p>Tacoma Power intends to impose fees to cover costs associated with permit processing. Fees have not been charged in the past at the Cushman Project as they have at our other hydroelectric projects. We intend to begin doing so with the implementation of the SMP only to help recover costs of permitting and to establish a consistent use of fees.</p> <p>Tacoma Power also intends to limit shoreline use permits to a duration of no more than five years. This is intended to help achieve better permit compliance by providing an opportunity to reevaluate each permit on a regular interval. This should help address issues relating to change of ownership, maintenance and modification of structures, and changes of use. It will require that all permittees regularly assess their structures and uses to assure that they remain in compliance with the permit terms.</p>

USFWS Comments	Tacoma Power Response
<i>Language in Section 4.2 regarding fisheries does not reflect the Settlement Agreement which calls for no stocking in Lake Cushman.</i>	Section 4.2 revised to reflect the Settlement Agreement.
<i>Use of the term “minimize” in Section 9.1 regarding clearing and removal of native trees, large trees, and vegetation will be difficult to enforce. Suggest using “avoid unless authorized”.</i>	Section 9.1 revised to reflect this suggestion.
WDFW Comments	Tacoma Power Response
<i>Request for opportunity to review Shoreline Use Specifications and Permitting Guidelines</i>	Tacoma Power intends to provide a draft of the Shoreline Use Specifications and Permitting Guidelines for agency review.
<i>Concern that allowing paths in Resource Management Classifications may result in motor vehicle access on Wildlife lands.</i>	The lack of roads and steep topography prevent vehicle access to the wildlife lands located within shoreline areas. Therefore, any paths in these areas would not have the potential for motor vehicle use.
<i>Request to identify that motor vehicle access is prohibited on paths</i>	Motor vehicle access will not be allowed along most paths; however, some exceptions could apply such as for construction and maintenance of shoreline recreation sites along Staircase Road.
<i>Request that the SMP and Permitting Guidelines restrict paths to 3 feet in width</i>	Tacoma Power will limit path widths on wildlife lands to 3 feet, but wider paths in other areas may be justified in some instances such as to provide access for the disabled. Therefore, a 5-foot width limit will be established for paths, but the minimum width necessary will be required in all instances.
<i>Request that Figure 1-1 include a key and/or define the red line</i>	Figure 1-1 now defines the red line as the Project boundary.
<i>Request for clarification of “varies” (SMP Section 2.3) when describing the Project boundary.</i>	Section 2.3 revised to clarify the Project boundary definition.
<i>Clarification that Dolly Varden are char not trout</i>	Section 4.2.1 revised to distinguish Dolly Varden from trout.
<i>Suggest identifying the bull trout population as the “North Fork bull trout population”.</i>	Section 4.2.1 revised to reflect this request
<i>Request to verify stocking program with the Settlement Agreement</i>	Section 4.2 revised to reflect the Settlement Agreement.
<i>Request to verify and update the status of the Wildlife and Habitat Enhancement Plan and land purchases.</i>	Section 4.2.2. revised to reflect current status.
<i>Request to provide more emphasis on native plant retention in “A” SMC.</i>	Section 9.0 revised to provide additional emphasis and connectivity between BMPs and vegetation modifications specific to SMCs.

USFS Comments	Tacoma Power Response
<p><i>Five rec sites along the Staircase Road and the FS Bear Gulch Picnic are being improved for public recreation access to the lake, but there is a potential conflict with the “Resource Management” designation of the lakeshore along the Staircase Road. Tacoma Power has specified in the SMP that improvements will be made to sites, yet Table 5-1 (page 5-6) would not allow in-kind repair and maintenance, or replacement in the resource management designation area. Will the FS be able to repair and manage these sites as per the off-license agreement?</i></p>	<p>Pursuant to the SMP, actions taken by Tacoma Power to implement the Project license and Settlement Agreement are considered “Project Uses”. Project uses are exempt from SMP requirements. Additionally, recreation improvements are an allowed use within the Resource Management Classification.</p>
<p><i>Specify who will manage overnight camping at Dry Creek (not USFS) – not identified in 4.5 Recreation</i></p>	<p>Tacoma Power manages overnight camping at Dry Creek: however, management of camping areas is not applicable to the SMP. No changes have been made.</p>
<p><i>Limited mention of road management - “Tacoma Power will also implement water quality enhancements including installing emergency intake shutoff valves on all penstock intakes; improving and maintaining Staircase Road in conjunction with the USFS to protect water quality; and monitoring dissolved gases at powerhouse outfalls and spillways” (4.2.1 Aquatic Resources, page 4-2). Would like to see reference to the upcoming Cushman Road Maintenance/Management Plan.</i></p>	<p>As a standalone plan outside the SMP, additional discussion of the Road Maintenance Plan and other water quality enhancements is not directly related to the SMP policies. No changes have been made to incorporate this comment.</p>



Skokomish Indian Tribe

Natural Resources Department (360) 877-5213

4. 541 Tribal Center Road

Fax (360) 877-5148

Skokomish Nation, WA 98584

November 18, 2011

Bret Forrester
City of Tacoma
3628 South 35th Street
Tacoma, Washington 98409

Mr. Forrester,

The Skokomish Tribe has reviewed the City of Tacoma's Draft Shoreline Management Plan (SMP) for the Cushman Hydroelectric Project. The Skokomish Tribe's Department of Natural Resources has the following comments on allowable shoreline structures, uses, and activities. Most of these comments stem from the fact that the Tribe and Tacoma Power are investing a lot of time and resources into enhancing, restoring and preserving the ecosystem value and function of these shorelines, and many of the allowed structures, uses, and activities listed in your draft SMP are counter to this effort and will only add to the overall degradation of the watershed. These comments address only non-Tribal lands. The Skokomish Tribe request that a separate zoning designation be placed on lands adjacent to the Tribal lands, please see the attached spreadsheet for the Tribes desire for lands owned by the Tribe.

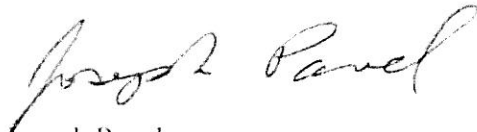
- Boat Ramp (Community): the Tribe request that no new community boat ramps be allowed under classification "B" and only Considered under classification "A".
- Decks: the Tribe request that no new decks be permitted in all classification types.
- Dock/Pier (community): the Tribe request that no new community docks/piers be allowed under classification "B" and only Considered under classification "A".
- Dock/Pier (Single Family): the Tribe request that no new single family docks/piers be permitted in all classification types.
- Dock/Pier (commercial): the Tribe request that any new commercial docks/piers be Considered only under classification "A".

- Dredging; the Tribe request that all dredging activities be required to have a case by case analysis; all classifications should be given a Considered rank.
- Marina; the Tribe request that no new marinas be permitted in all classifications types.
- Marine Fueling Station; the Tribe request that no new marine fueling stations be permitted in all classifications types.
- Mooring Buoys; the Tribe request that no new mooring buoys be permitted in all classifications types.
- Multi-boat slip; the Tribe request that all new multi-boat slips only be associated with community/commercial dock/piers (see above under dock/pier community).
- Public Recreation Sites; the Tribe request that public recreation sites be moved to Considered for classifications "B" and Resource Management, as each recreation site should receive a case by case review to determine if the type recreation allowed will have an impact (and if so what type) to the ecosystem.
- Retaining Wall/Bulkhead; the Tribe requests that no new retaining walls/bulkheads or other types of hard armoring be permitted in all classification types, unless the property owner or proponent can demonstrate that other types of shoreline protection (soft armoring, setbacks) via a geotechnical report will not be sufficient to protect the property in question.
- Shoreline Stabilization Measures; see Retaining Wall/Bulkhead comments above.
- Stairway/Steps/Walkway; the Tribe requests that any new stairways, steps, or walkways be moved to the Considered category for classifications "A" and no new stairways, steps, or walkways be permitted under classification "B".
- Swimming Float. Clarification is needed here. If these are simply floats used to demarcate a swimming area, no change is needed. However, if this is a floating structure like a dock used for swimming the Tribe request that no new swimming floats be permitted in all classification types.
- Vegetation Management; Clarification is needed here. Native vegetation may not be removed or altered in shoreline buffers zones (i.e. the Counties' SMP buffers). The language needs to be tightened here about the types of vegetation management activities that can and cannot be done, or if the proposed use will have more than negligible impacts on the environment and cultural resources.
- Woody Debris Removal; the Tribe requests that all classification types be given a Considered rank, except Resource Management where it should not be allowed.

Woody debris on the shorelines is known to be a key habitat component for the micro and macro organisms that form the base of the local food chain, while also providing critical wildlife refuge.

Overall the language on many of these allowable shoreline uses & activities is somewhat vague or ambiguous and needs to be tightened down and more clearly defined. Structures are a little more straightforward, meaning, the question is simply "do you want this type of structure in your shoreline or not?" Thank you for the opportunity to comment and we hope the suggestions prove useful

Sincerely,

A handwritten signature in cursive script that reads "Joseph Pavel".

Joseph Pavel
Director
Skokomish Natural Resources Department

Shoreline Use/Activity	Tribal Lands
Boat Ramp (Community)	Considered
Decks	Considered
Dock/Pier--community	Considered
Dock/Pier--single-family	Considered
Dock/Pier--commercial	Considered
Dredging	Considered
Fire Rings	Allowable
Fish/Wildlife Support Activity & Device	Allowable
Footpath	Allowable
In-Kind Repair and Maintenance	Allowable
In-Kind Replacement	Allowable
Irrigation (Surface only with off-site water source)	Allowable
Lighting and Signs	Considered
Marina	Considered
Marine Fueling Station	Considered
Mooring Buoy	Considered
Multi-boat slips	Considered
Planting Native Vegetation	Allowable
Planting Ornamental Vegetation	Considered
Public Recreation Sites	Considered
Retaining Wall/Bulkhead	Considered
Scientific Instrumentation	Allowable
Shoreline Stabilization Measures	Considered (see comments)
Stairway/Steps/Walkway	Considered
Swimming Float	Considered (see comments)
Temporary access	Considered
Temporary Use	Considered
Vegetation Management	Allowable
Woody Debris Removal (HPA issued only)	Considered
The Skokomish Tribe will follow BMP's when implementing any of the above	



3628 South 35th Street

Tacoma, Washington 98409-3192

TACOMA PUBLIC UTILITIES

March 20, 2012

Mr. Joseph Pavel
Skokomish Indian Tribe
Natural Resources Department
North 541 Tribal Center Road
Skokomish Nation, WA 98584

RE: Comments on Tacoma Power's Draft Shoreline Management Plan

Mr. Pavel,

Thank you for reviewing Tacoma Power's draft Shoreline Management Plan (SMP) for the Cushman Hydroelectric Project and providing the detailed comments in your November 18, 2011 letter. License Article 424 of the Project's Federal Energy Regulatory Commission (FERC) license requires development of the SMP. While the SMP policies apply only to lands within the FERC Project Boundary, pursuant to FERC guidelines, Tacoma Power has been soliciting comments on the SMP from adjacent landowners, including the Tribe.

Your letter expresses the Skokomish Tribe's interest in assuring the protection of environmental resources and your concern that the draft SMP may be counter to such an effort. The protection of environmental and cultural resources is a fundamental intent of the SMP. The SMP will not allow any shoreline structures or uses that are not already allowed by current laws and regulations. As I expressed in our March 6, 2012 meeting, the SMP will provide another layer of regulation over shoreline uses that are already in place. The SMP will further limit many shoreline actions beyond what is allowed by current laws and regulations thereby providing improved environmental protection.

Your letter recommends establishing a unique shoreline management classification for all shorelines adjacent to lands owned by the Tribe. The current draft classification designations were based on existing and anticipated future adjacent land use, existing environmental and cultural resources, and desired future shoreline conditions. Tacoma cannot justify establishing a unique classification based on a particular landowner. The classifications must apply to the shoreline segments to which they are assigned regardless of the adjacent property ownership. In finalizing the SMP, Tacoma Power will consider the specific changes to the allowable shoreline uses recommended in your letter. We understand that the Tribe's primary intent with most of the recommended

changes is to increase environmental protection. Tacoma Power is committed to the protection of environmental and cultural resources at the Cushman Project and will consider stakeholder recommendations when finalizing the SMP. Please understand that, in addition to environmental protection, Tacoma Power must also consider a variety of other factors such as cultural resources, public recreation, aesthetics, and lease obligations.

I would like to also reiterate that the SMP is considered a planning level document. Tacoma Power is in the process of preparing an accompanying standards and guidelines document that will provide details regarding design standards and construction limitations. This document should provide the necessary detail you recommend in your letter. We will notify you when a draft of that document is available for review.

Please feel free to contact me if you have any questions regarding the development of our Cushman Project SMP. Tacoma Power welcomes your continued interest in this process.

Sincerely,

A handwritten signature in blue ink that reads "Bret Forrester". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Bret Forrester
Wildlife and Recreation Coordinator

From: Larry miller
[sawdusterlarry@hotmail.com]
Sent: Thursday, December 08, 2011 2:16
PM
To: bforrest@ci.tacoma.wa.us
Cc: Allison Murray
Subject: Cushman shoreline management plan

Bret,
My wife and I attended the discussion at the firehouse on Wednesday, November 30. We've had property at Lake Cushman since 1988 at division 11 lot 17. First I'd like to say that I've been in several meetings with you over the years regarding various aspects of Lake Cushman and I wanted you to know that I appreciate your attitude and approach (or at least the appearance thereof) of working with us as homeowners/lease holders around Lake Cushman. I've dealt with many people in my professional life who took the "us versus them" attitude and it never works as well as if we're in a "shared destiny" journey.

I do have just a couple of minor comments on the shoreline plan for your consideration:

- 1) Although you said in the meeting that we lot owners use the lake at the "good graces of Tacoma Light" (or something similar to that), I see the shoreline plan requires that strong consideration be given to use of the project for recreation. I did hear some other owners complain about the comment you made and I just wanted to bring to your attention, plus make sure that I understand the shoreline plan has a strong emphasis on continuing the Lake for recreation. If I'm mistaken, then this needs to be corrected.
- 2) There was mention made in the meeting about the "need" to have a full lake from Memorial day to Labor day. Because of a meeting Tacoma lighting had a year or so ago in which they provided historical data on rain fall, etc. I understand the difficulty in "guaranteeing" a full lake; however, I do know that often when we've had a full lake, it sometimes drops starting mid August. I'd like to see more emphasis placed on keeping the lake full until at least Labor day and furthermore encourage that you work with FEMA to get relaxation on their requirement to drop it in September. I understand that storms can start in September, but if you look at the historical records, I think you'll find it's extremely rare. I know it happened the first labor day week end after the spill way was completed, but in the 23 years we've lived there, that's the only storm of which I'm aware. We often get the best weather in September and having one of those docks that floats only at full lake (I have about 2-3' draft under my boat at full lake when it's moored to the dock) it would be nice to take advantage of that weather.
- 3) You also mentioned having either buoys or docks. Because of the previous item, when the lake is lowered so that my dock isn't usable I do use a mooring buoy and would ask that we still have that available to us, unless we get a full lake through the end of September.

Thanks for your consideration and keep up the good work.

Larry Miller
360-412-1583
<http://www.woodturnerlarry.com/>

From: barb miller [mailto:barbmknit@hotmail.com]
Sent: Thursday, February 02, 2012 7:58 PM
To: bret.forrester@cityoftacoma.org
Subject: Draft Shoreline Management Plan for Lake Cushman (Log Booms)

Attention: Tacoma Power, in regards to the Draft Shoreline Management Plan for Lake Cushman.

I have been a property owner up at Lake Cushman since 1973 and have enjoyed each and every year. I am writing you because I am concerned of the new rule for not having a log boom in front of my cabin. We built our floating dock the summer of 1974 and after a year of being thrashed around and damaged we made the decision to put out a log boom. Without the log boom our dock would not have lasted another year. As you can imagine having a log boom has saved me a lot of money and time it would take to make the continuous repairs the rough waters of Lake Cushman would have caused without the protection of the log boom. It also protects the shore in front of my cabin from decay that could cause debris to get in the water or even cause trees to fall over.

Not only does it save the life of my dock and property but even more importantly it gives my family safety to play and have fun in the water. Without the protection of the log boom my children, grand children, and great grand children will not be able to swim safely. The log boom not only offers protection from the waves but also from the boats and jet skis that get dangerously close to the shore. My son has even on occasion flagged down some of the motor boaters and asked them to slow down or stay further from the shore for the safety of swimmers. This however is with the protection of the log boom, without it how can my grand and great grand children learn to swim on the summer weekends when the lake is at its busiest with white caps from the many boats out on the water as well as the strong north wind.

Thank you for your time and consideration in this matter and I truly hope that you will reconsider your decision for the sake of the property owners, friends and family that have enjoyed Lake Cushman for many years and hope to enjoy it for many more.

Sincerely,

Barbara Miller, Lake Cushman Property Owner, Westside 1, Block 2, Lot 18

From: Marilyn Ahnemiller [mailto:mbahnemiller@earthlink.net]
Sent: Monday, February 20, 2012 2:09 PM
To: Bret Forrester
Cc: brett forrester
Subject: Lake Cushman Shoreline Management Plan

Dear Mr. Forrester

My wife and I are leasees of waterfront lots 129 and 130 in division 4 at Lake Cushman. I am writing this to urge Tacoma Power to allow both docks and bouys in front of waterfront lots. My dock was permitted by Tacoma Power and the bouy is permitted by Mason County boating rules. I believe that removal of docks and bouys is not a FERC requirement and is only being considered as a convience to Tacoma Power. This convience to Tacoma Power would come at a great inconvenience to boaters. Being forced to choose between a dock and a bouy would be like choosing between a rock and a and a hard place. I hope that Tacoma Power will consider the adverse affect this will have on the way that we have enjoyed for over 30 years at Lake Cushman. Thank you for your consideration.

Sincerely,

Bruce and Marilyn Ahnemiller

From: Jabara, Bryan [mailto:Bryan_Jabara@mcgraw-hill.com]
Sent: Wednesday, February 22, 2012 12:29 PM
To: bret.forrester@cityoftacoma.org
Cc: bryanjab@frontier.com
Subject: Shoreline Management Plan

Hello Bret,

You and I met at the meeting back in Nov. and I really only have a few items to comment on.

1. Page 5-9
MOORING BUOY
CONSIDERED
CONSIDERED

You had mentioned the possibility of a choice - dock or buoy but maybe not both. The need for a buoy is quite important due to wind conditions, boat wake (no regulated "no wake zone") and many times, lake level variance. The need for a dock is important for off-loading people, gear, etc. If the issue here is the buoys being a hindrance to debris cleanup, then I would say most of us would be glad to create a method to keep them out of your way at those times. There are solutions and I am sure we can work as a team on this, but let us keep both dock and buoy.

2. Page 7-3
Owners of existing Non-Project Uses at the Cushman Project that have a valid Permit from Tacoma Power are required to obtain a new Permit, valid for five years, but will not be charged an initial application fee. Once permitted under the SMP policies and procedures, renewal permits, valid for five years, will be required of all Non-Project Uses. Tacoma Power will notify owners of the permitted uses when they are required to apply for a new Permit.

I feel every five years for renewal is just a little extreme, considering we have to pay each time. No initial application fee, but we would have to pay for each permit at 5 years, right? I understand the logic behind making certain everyone is updated with permits but maybe reviews can take place after a period and then assess the issue. Please correct me if I am misreading this; if so I have nothing more to say about it.

Bret, I know you and your team have a real task on your hands here and I applaud you for your efforts, it cannot be easy. I also know you are regulated and your #1 concern is power and the plant – that is what you do there.

Having property on Lake Cushman is a wonderful part of life and we want to enjoy the beautiful lake and area for many years to come. We will do what it takes to make life easier for Tacoma Power and hope you and your team will do the same for us on the lake.

Thanks for your time Bret ~ Bryan

Bryan Jabara
Associate Manager
McGraw-Hill Construction
Seattle, WA
206-378-4760

From: Marilyn Ahnemiller [mailto:mbahnemiller@earthlink.net]
Sent: Tuesday, February 28, 2012 5:52 PM
To: Brett Forrester
Subject: Shoreline Management Plan

Bret

This is meant to answer the question in your e-mail dated 2/24/12. (Why is a bouy necessary if you have a dock?)

I launch my boat as early in the spring as the lake level will allow. The boat remains in the water, moored to the bouy when not in use, until I take it out of the water shortly after Labor Day.

When I want to use the boat I paddle a small rubber boat out to the bouy. I then drive the boat to the dock to load passengers and gear. When I am finished using the boat for the day I then return it to the bouy.

I can't load or unload the boat from the beach because the beach is too rocky and would damage the underside of the boat or the outdrive.

When the winds are strong I can't leave the boat tied to the dock as this would damage the boat. The boat is moored at the bouy at night for fear of heavy winds. Believe me we do get strong westerly winds at night in Divisions 2, 3 and 4.

I hope this helps explain why both docks and bouys are necessary for safe boat handling and moorage.

Regards,

Bruce and Marilyn Ahnemiller

From: Tim_Romanski@fws.gov [Tim_Romanski@fws.gov]

Sent: Thursday, June 07, 2012 9:00 AM

To: Richards, Rebecca

Subject: Re: Subject: Tacoma Power's Cushman Hydroelectric Project Draft Shoreline Management Plan - FWS comments

Page 4-2

Under the new license, Tacoma Power will implement a Fish Supplementation Program including annual stocking of Lake Cushman with kokanee salmon and catchable sea-run cutthroat trout. Tacoma Power will also be responsible for developing fish supplementation facilities for sockeye, spring Chinook, steelhead, coho and rainbow trout. In addition, Tacoma Power has made a commitment to release rainbow trout into Lake Kokanee and other lakes each year. Tacoma Power will release approximately 25 to 30 percent of these fish into Lake Kokanee with the remainder released into lakes that are outside the Project boundary.

Comment: The SMP should be updated to reflect Settlement Agreement which calls for no stocking in Cushman.

Page 9-1

Tacoma Power requires BMPs that support the preservation or establishment of natural vegetation along the shoreline. These BMPs include practices that:

1. minimize clearing of native trees and vegetation,
2. minimize the removal of large trees along shorelines or other steep and erodible areas,

Comment: Minimize does not tell us much. Difficult to enforce. Maybe you should say "avoid unless authorized".

Tim Romanski
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Washington Fish and Wildlife Office
Division of Conservation and Hydropower Planning
510 Desmond Drive SE, Lacey, WA 98503
360.753.5823 (phone) 360.753.9518 (fax)

From: Eng, Aleta M -FS [mailto:aeng@fs.fed.us]
Sent: Monday, June 18, 2012 11:10 AM
To: Forrester, Bret
Cc: Yoshina, Dean -FS; Davis, Timothy E -FS
Subject: OLY Rec Feedback: Tacoma Power's Cushman Hydroelectric Project Draft Shoreline Management Plan

Morning Bret,

Items identified:

- Five rec sites along the Staircase Road and the FS Bear Gulch Picnic are being improved for public recreation access to the lake, but there is a potential conflict with the “Resource Management” designation of the lakeshore along the Staircase Road. Tacoma Power has specified in the SMP that improvements will be made to sites, yet Table 5-1 (page 5-6) would not allow in-kind repair and maintenance, or replacement in the resource management designation area. Will the FS be able to repair and manage these sites as per the off-license agreement?
- Specify who will manage overnight camping at Dry Creek (not USFS) – not identified in 4.5 Recreation
- Limited mention of road management - “Tacoma Power will also implement water quality enhancements including installing emergency intake shutoff valves on all penstock intakes; improving and maintaining Staircase Road in conjunction with the USFS to protect water quality; and monitoring dissolved gases at powerhouse outfalls and spillways” (4.2.1 Aquatic Resources, page 4-2). Would like to see reference to the upcoming Cushman Road Maintenance/Management Plan.
- Recommend placing some language in reference to fire management (per settlement agreement)

Aleta Eng

Partnership Specialist, MBS

Acting Rec Program Manager, OLY

MBS Direct 425.783.6017 Fax: 425.783.0212

OLY Direct 360.765.2213 Fax: 360.765.2202

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State of Washington
Department of Fish and Wildlife

Mailing Address: 600 Capitol Way N, Olympia WA 98501-1091, (360) 902-2200, TDD (360) 902-2207
Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia WA

June 18, 2012

Mr. Patrick D. McCarty, General Manager
Tacoma Power
3628 South 35th Street
Tacoma, WA 98409-3192

RE: Draft Shoreline Management Plan, License Article 424

Thank you for the opportunity to review and comment on the Cushman Project draft License Article 424 Shoreline Management Plan (SMP). Tacoma Power has worked diligently with the Washington Department of Fish and Wildlife (WDFW) to produce the SMP. Washington Department of Fish and Wildlife appreciates Tacoma Power's efforts to produce a plan that provides detailed management policies for the use of lands within the project shoreline buffer zone.

WDFW offers the following comments.

The Standard Terms List defines Shoreline Use Specifications and Permitting Guidelines as “an accompanying document to the SMP that identifies specifications and other pertinent details that pertain to allowable shoreline uses and provides guidance on obtaining permits from Tacoma Power”. The SMP establishes the land use policies and substantive requirements whereas the Shoreline Use Specifications and Permitting Guidelines will provide design and siting details and specifications for allowable shoreline uses not found in the SMP. All structures, uses, and activities must comply with the permitting policies and shoreline use standards described in the Shoreline Use Specifications and Permitting Guidelines making this an important document for combining healthy ecosystem components with public interests.

Since the *Shoreline Use Specifications and Permitting Guidelines* will develop as a standalone document outside the SMP, when will it be developed and will agencies have the opportunity to review it? WDFW would like the opportunity to review the guidelines and suggest that buffer widths, vegetation retention requirements and path widths be included in the guidelines.

Table 5-1. Allowable shoreline structures, uses and activities, Page 5-6
Standard Terms List: Footpath, Page v

Table indicates that footpaths as defined on page v are allowed on lands classified within the Resource Management shoreline classification. The Cushman Comprehensive Wildlife Enhancement Plan, License Article 421, states that motor vehicle travel is prohibited by the public on Cushman Project wildlife lands unless otherwise posted. Wildlife lands fall in the Resource Management shoreline classification. WDFW suggests adding the following to the Standard Terms List, Footpath to discourage ORV use within the Resource Management shoreline classification.

- Motor vehicle travel prohibited on footpaths
- Footpath width limited to 3 ft (Unless covered in Shoreline Use Specifications and Permitting Guidelines)

Limits to footpath width should also be added to 9.5 Clearing for Shoreline Access Footpaths.

If motor vehicle travel is allow on footpaths in shoreline classifications A and B to transport gear utilizing an ORV, then other methods may be necessary to discourage/prevent motor vehicle travel on footpaths in the Resource Management shoreline classification.

The rest of the comments provide additional clarification to the SMP.

Figure 1-1. Project Location, Page 1-3

For clarification, please provide a legend and define the red line.

2.3 Scope of Shoreline Management Plan, Page 2-2

The first paragraph states that “This boundary varies and is based on reservoir and shoreline elevations along with other lands required for Project uses.” It is my understanding that the project boundary is static as recognized by Exhibit G of the FERC license. The amount of land exposed from the edge of Lake Cushman and Lake Kokanee to the project boundary varies with lake elevation. If this is not the case, please clarify how the boundary varies.

4.2.1 Aquatic Resources, Page 4-1

The first sentence states that “Six anadromous salmonids utilize the North Fork Skokomish River including three salmon species (Chinook, coho, and sockeye) and three trout species (steelhead, sea-run cutthroat, and Dolly Varden). Even though Dolly Varden is referred to as a Dolly Varden trout at times it is actually from the char genus rather than the trout genus.

Page 4-2

Bull trout are found in the South Fork Skokomish River as well and the North Fork Skokomish River. Even though the North Fork population is limited to above Cushman Dam No.1, the South Fork population may stray into the lower portions of the North Fork below Cushman Dam No. 2. WDFW suggests identifying the bull trout population as the North Fork bull trout population in the first paragraph and/or acknowledge the South Fork population.

The second paragraph on page 4-2 states “Under the new license, Tacoma Power will implement a Fish Supplementation Program including annual stocking of Lake Cushman with kokanee salmon and catchable sea-run cutthroat trout”. Please verify the stocking program with the Settlement Agreement and the Fish Supplementation Program.

Mr. Patrick D. McCarty
Tacoma Power
June 18, 2012

4.2.2 Terrestrial Resources, Page 4-2 and 4-3

Please verify and update the status of the preparation of the Wildlife and Habitat Enhancement Plan and purchasing two additional parcels of land.

9. Buffer Zones, Vegetation Modification, and Erosion Control, Page 9-1

Please provide more emphasis on native plant retention in the shoreline of designation A. This could be incorporated into section 9 or other appropriate section. Section 9.1 Shoreline Buffer Zones provides a good explanation of the importance of native vegetation to a healthy reservoir ecosystem but it does not mention Shoreline Management Classifications. Expanding this to acknowledge the importance of maintaining native plants in all shoreline classifications would make that connection.

WDFW looks forward to continuing to work with Tacoma Power and partners to protect, restore and enhance fish and wildlife and their habitats, while providing sustainable fish and wildlife-related recreational opportunities within the Skokomish River watershed.

If you have any questions or comments, please feel free to contact me at 360-902-2593 or peggy.miller@dfw.wa.gov.

Sincerely,



Peggy Miller, Energy/Major Projects Biologist
Washington State Department of Fish and Wildlife
(360) 902-2593
peggy.miller@dfw.wa.gov

From: Eng, Aleta M -FS [mailto:aeng@fs.fed.us]
Sent: Friday, June 22, 2012 9:36 AM
To: Forrester, Bret
Subject: RE: OLY Rec Feedback: Tacoma Power's Cushman Hydroelectric Project Draft Shoreline Management Plan

Bret-

Go ahead and disregard comment - *Recommend placing some language in reference to fire management (per settlement agreement).*

Thanks,

Aleta Eng

Partnership Specialist, MBS

Acting Rec Program Manager, OLY

MBS Direct 425.783.6017 Fax: 425.783.0212

OLY Direct 360.765.2213 Fax: 360.765.2202

From: Forrester, Bret [mailto:bforrest@ci.tacoma.wa.us]
Sent: Wednesday, June 20, 2012 2:27 PM
To: Eng, Aleta M -FS
Subject: RE: OLY Rec Feedback: Tacoma Power's Cushman Hydroelectric Project Draft Shoreline Management Plan

Aleta,

Can you clarify for me what type of language you would like to have added relating to fire management? The only reference to fire management in the settlement agreement that I can find is the mention of a fire plan which is included in a release of liability clause. That doesn't seem to relate to the shoreline plan in any way I can see. I understand your other comments and we will address them in the revised document. I can explain to you how we plan to address each of them if you like.

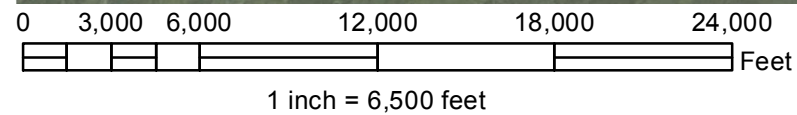
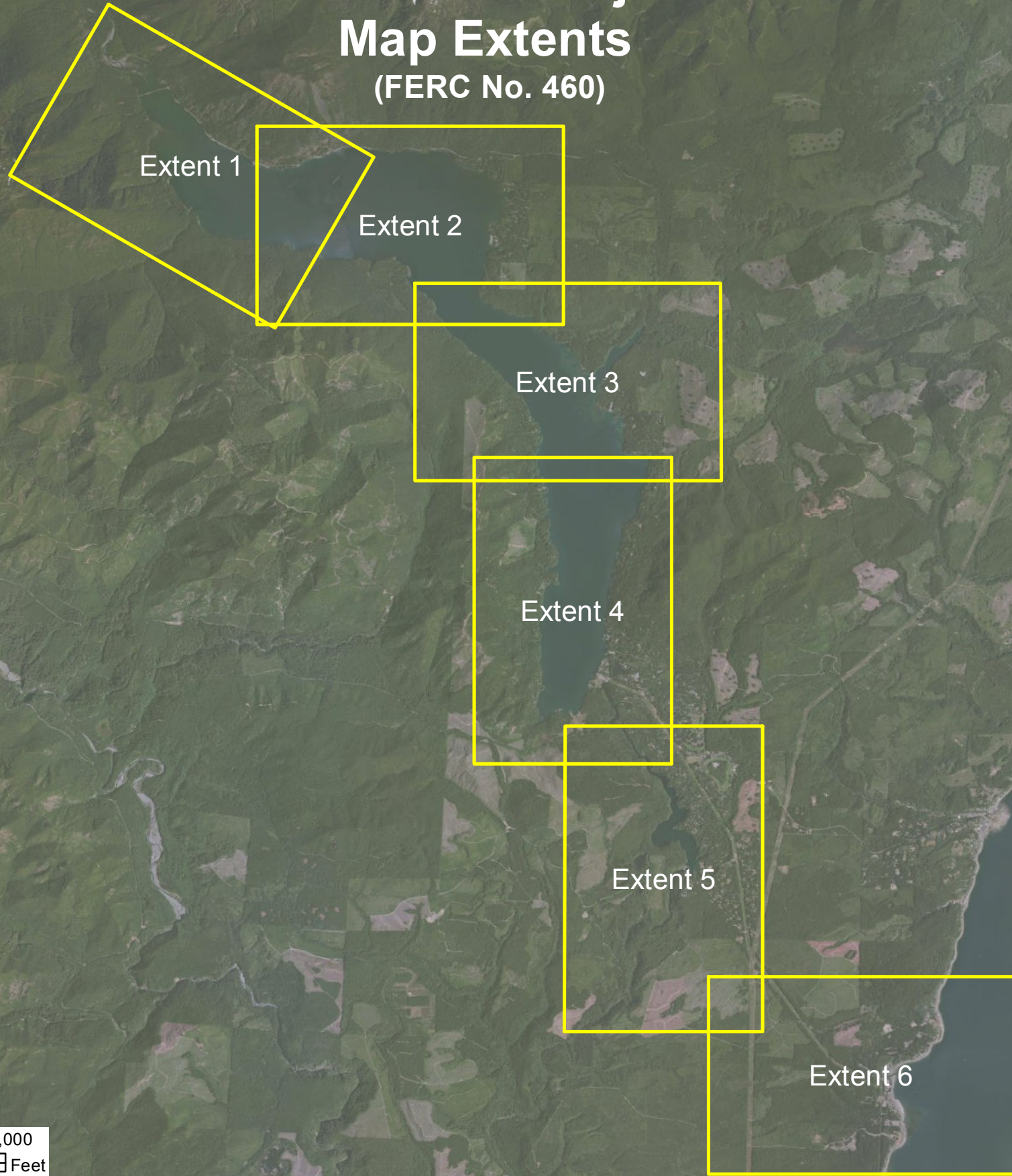
Bret

Bret Forrester | Tacoma Power
Wildlife & Recreation Coordinator
P: (253) 502-8782 | F: (253) 502-8396
www.tacomapower.com

Appendix D

Existing Resources and Shoreline Use Maps

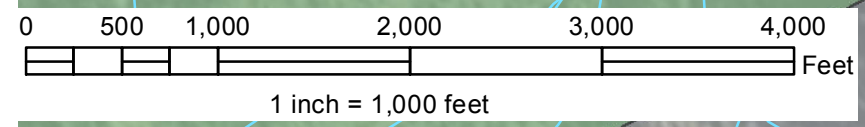
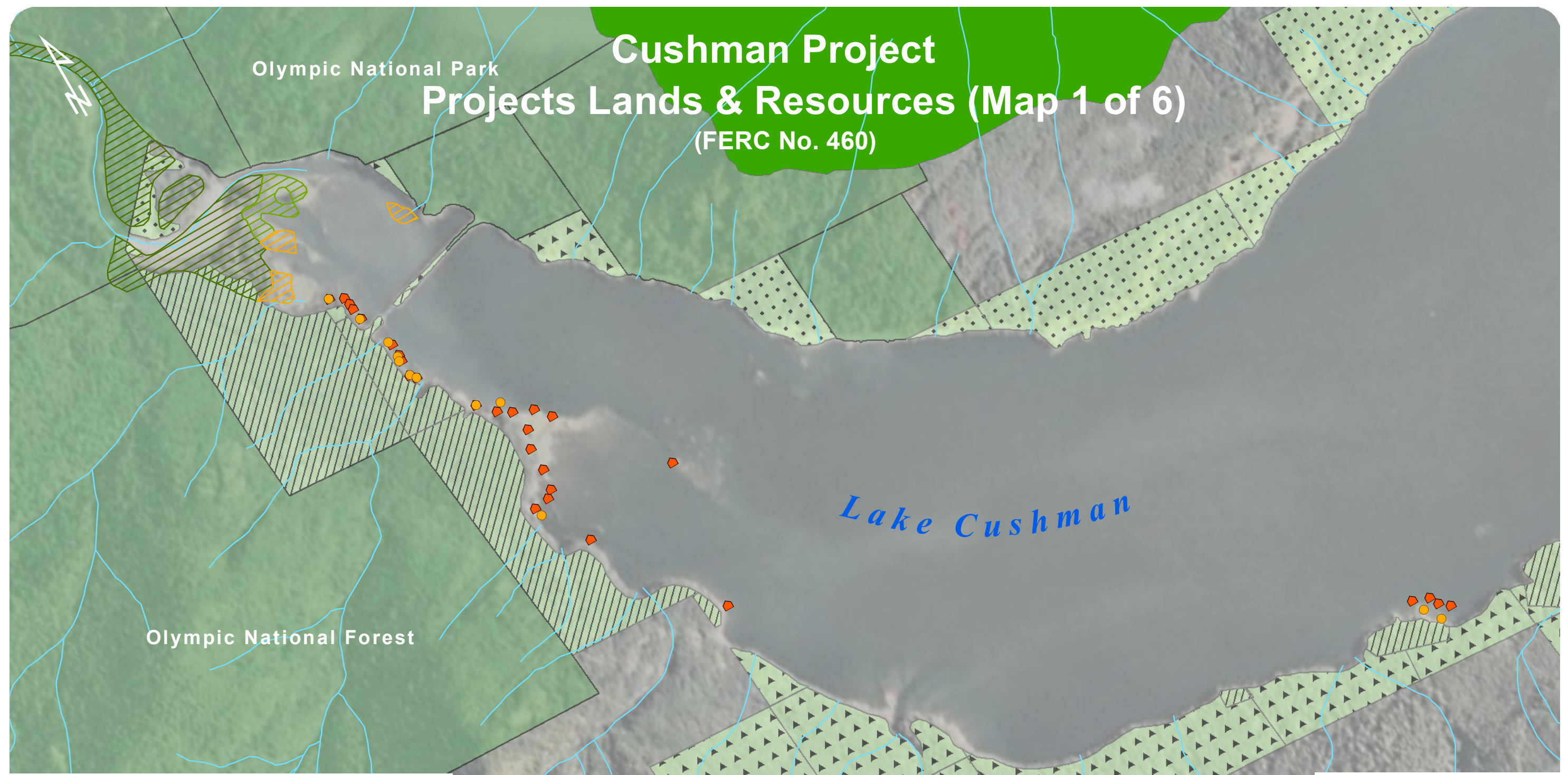
Cushman Project Map Extents (FERC No. 460)



created by:



Cushman Project Projects Lands & Resources (Map 1 of 6) (FERC No. 460)



Legend

- | | | | | |
|--------------------|--------------------------|--------------------------|---------------------------------------|-------------------------------|
| ● Docks | ~ Rivers and Streams | NWI Wetlands | Ownership Classification | □ Tacoma - Non Project Lands |
| ▣ Structures | ▨ RTE Species Occurrence | □ Estuarine | □ Settlement Parcel (Skokomish Tribe) | ▣ Tacoma - Operational Lands |
| ⌘ County Parks | ■ Wilderness Areas | ▨ Palustrine Emergent | □ Private | ▨ Tacoma - Recreational Lands |
| ⌘ Non County Parks | | ▨ Palustrine Forested | □ Other Public Recreation Lands | ▨ Tacoma - Wildlife Lands |
| | | ▨ Palustrine Scrub Shrub | ▨ Tacoma - Leased/Private | |

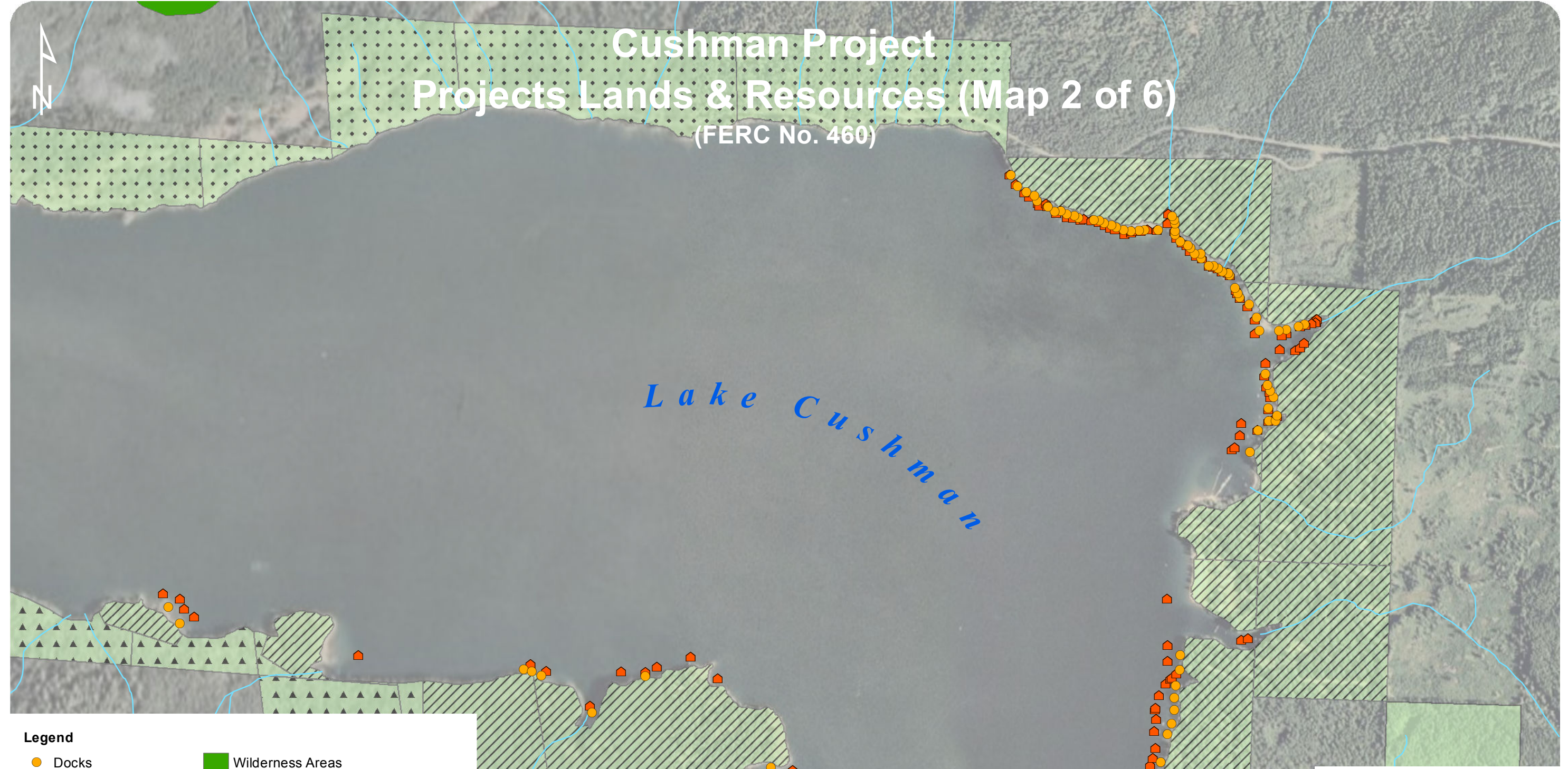


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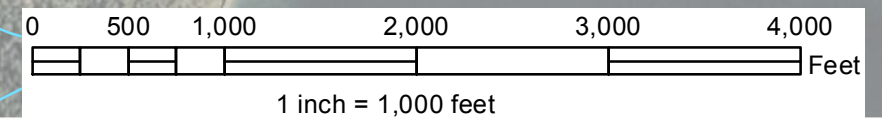
Cushman Project Projects Lands & Resources (Map 2 of 6)

(FERC No. 460)



Legend

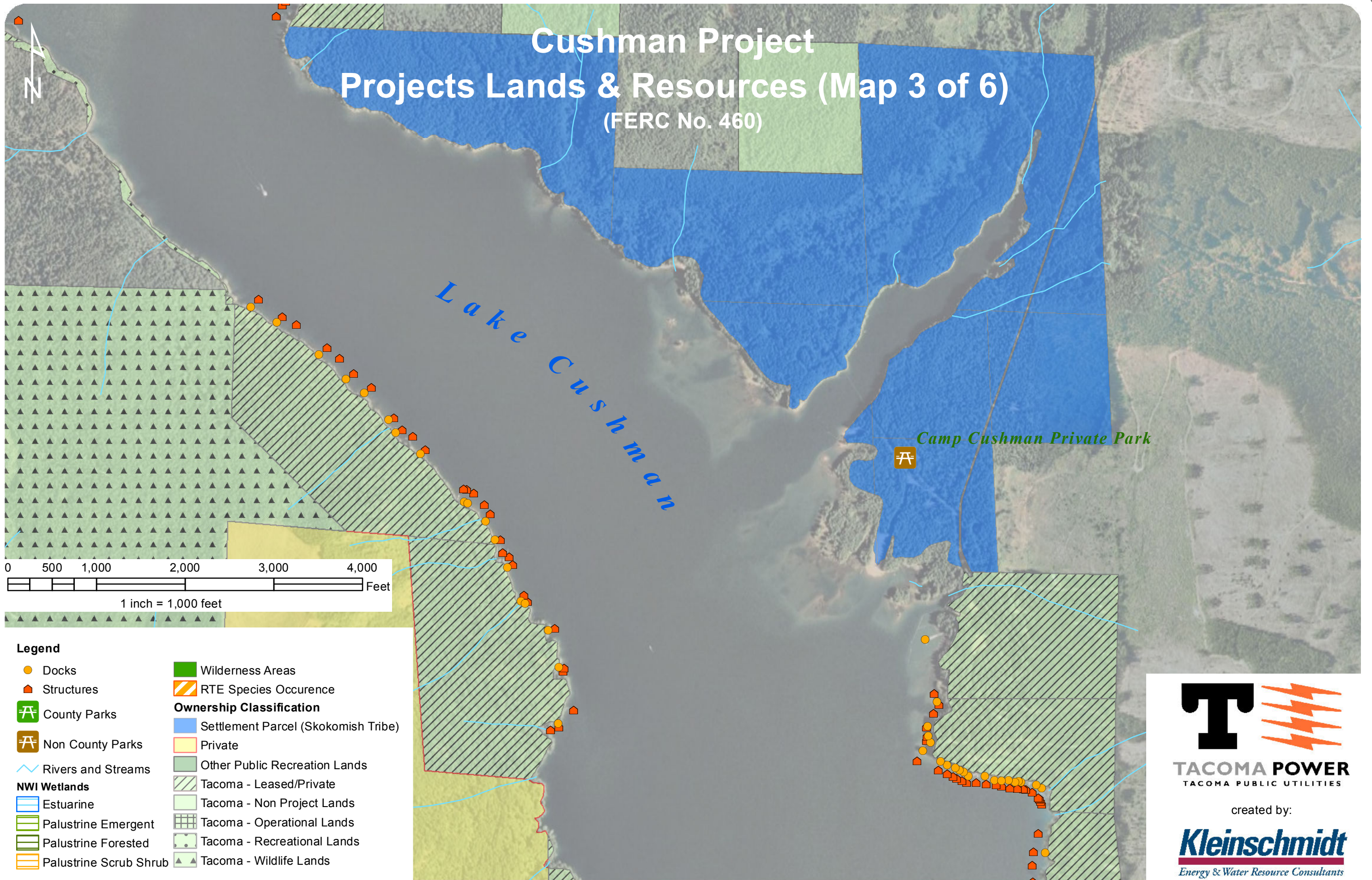
- Docks
- Structures
- County Parks
- Non County Parks
- Rivers and Streams
- NWI Wetlands**
- Estuarine
- Palustrine Emergent
- Palustrine Forested
- Palustrine Scrub Shrub
- Wilderness Areas
- RTE Species Occurrence
- Ownership Classification**
- Settlement Parcel (Skokomish Tribe)
- Private
- Other Public Recreation Lands
- Tacoma - Leased/Private
- Tacoma - Non Project Lands
- Tacoma - Operational Lands
- Tacoma - Recreational Lands
- Tacoma - Wildlife Lands



created by:



Cushman Project Projects Lands & Resources (Map 3 of 6) (FERC No. 460)



Legend

- Docks
- ▲ Structures
- ⌘ County Parks
- ⌘ Non County Parks
- ~ Rivers and Streams
- NWI Wetlands**
- Estuarine
- Palustrine Emergent
- Palustrine Forested
- Palustrine Scrub Shrub
- Wilderness Areas
- RTE Species Occurrence
- Ownership Classification**
- Settlement Parcel (Skokomish Tribe)
- Private
- Other Public Recreation Lands
- Tacoma - Leased/Private
- Tacoma - Non Project Lands
- Tacoma - Operational Lands
- Tacoma - Recreational Lands
- Tacoma - Wildlife Lands



TACOMA POWER
TACOMA PUBLIC UTILITIES

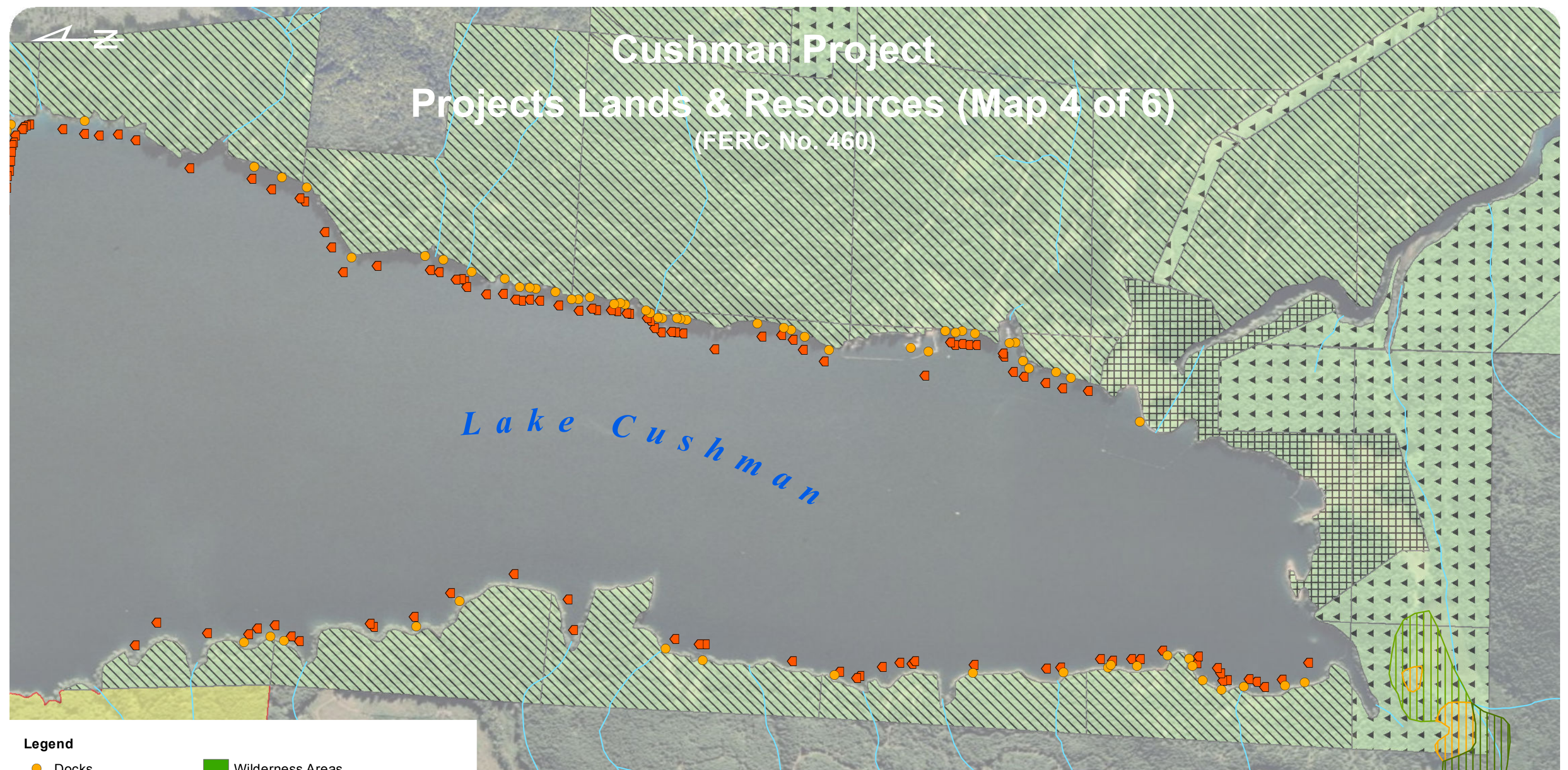
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Cushman Project

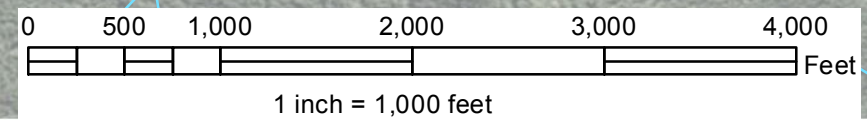
Projects Lands & Resources (Map 4 of 6)

(FERC No. 460)



Legend

- Docks
- Structures
- ⌘ County Parks
- ⌘ Non County Parks
- ~ Rivers and Streams
- NWI Wetlands**
- ▭ Estuarine
- ▭ Palustrine Emergent
- ▭ Palustrine Forested
- ▭ Palustrine Scrub Shrub
- ▭ Wilderness Areas
- ▭ RTE Species Occurrence
- Ownership Classification**
- ▭ Settlement Parcel (Skokomish Tribe)
- ▭ Private
- ▭ Other Public Recreation Lands
- ▭ Tacoma - Leased/Private
- ▭ Tacoma - Non Project Lands
- ▭ Tacoma - Operational Lands
- ▭ Tacoma - Recreational Lands
- ▭ Tacoma - Wildlife Lands



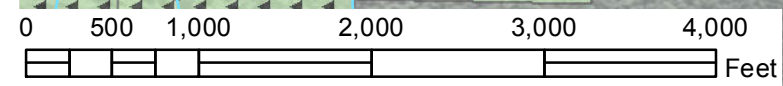
created by:
Kleinschmidt
 Energy & Water Resource Consultants



Cushman Project Projects Lands & Resources (Map 5 of 6) (FERC No. 460)

Hoodsport Trail State Park

Lake
Kokanee



1 inch = 1,112 feet

Legend

- | | | | | |
|------------------|------------------------|------------------------|-------------------------------------|-----------------------------|
| Docks | Rivers and Streams | NWI Wetlands | Ownership Classification | Tacoma - Non Project Lands |
| Structures | Wilderness Areas | Estuarine | Settlement Parcel (Skokomish Tribe) | Tacoma - Operational Lands |
| County Parks | RTE Species Occurrence | Palustrine Emergent | Private | Tacoma - Recreational Lands |
| Non County Parks | | Palustrine Forested | Other Public Recreation Lands | Tacoma - Wildlife Lands |
| | | Palustrine Scrub Shrub | Tacoma - Leased/Private | |



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TACOMA PUBLIC UTILITIES

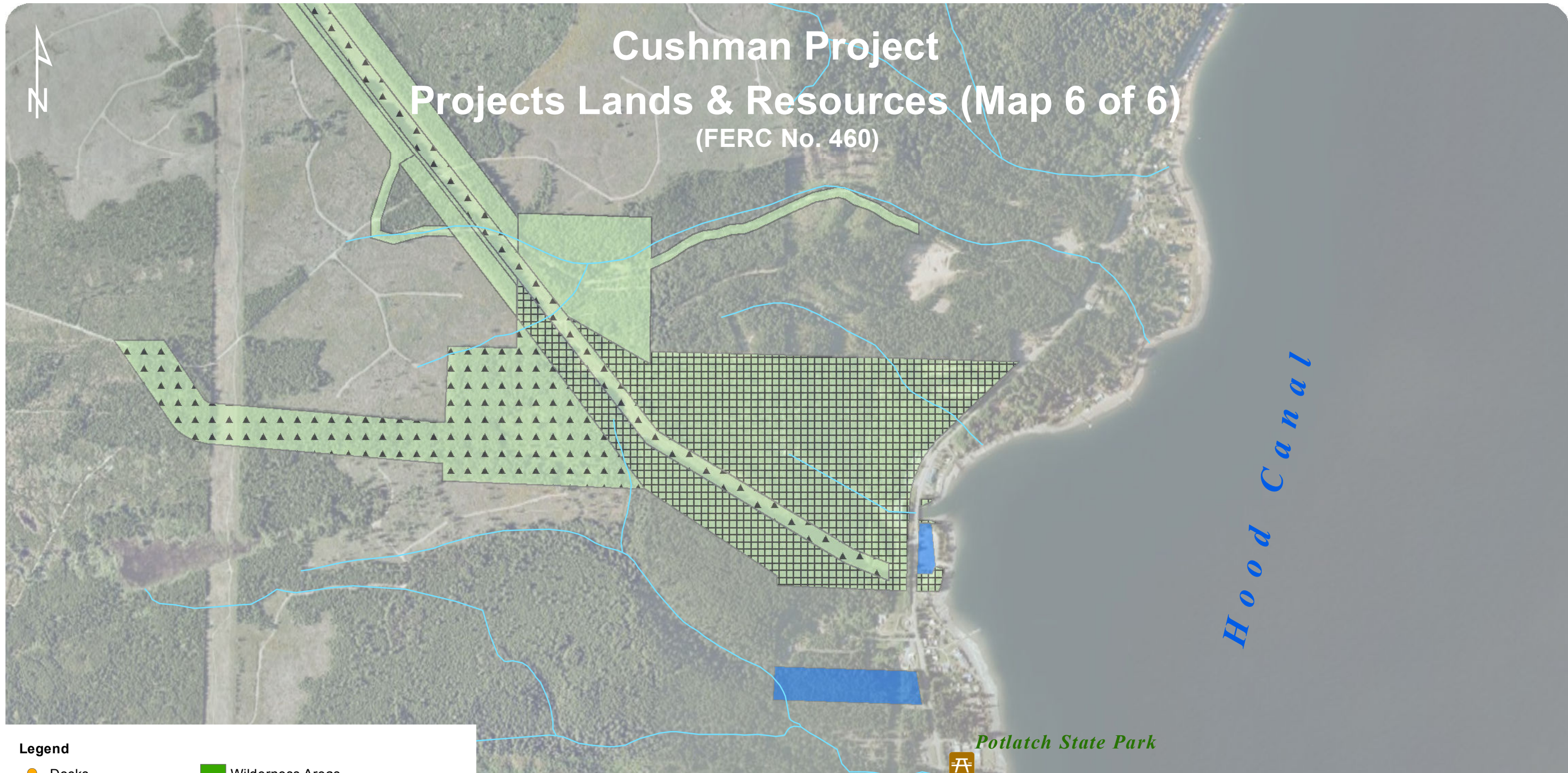
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Cushman Project

Projects Lands & Resources (Map 6 of 6)

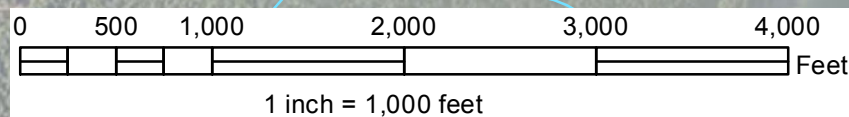
(FERC No. 460)



Legend

- Docks
- Structures
- County Parks
- Non County Parks
- Rivers and Streams
- NWI Wetlands**
- Palustrine Emergent
- Palustrine Forested
- Palustrine Scrub Shrub
- Wilderness Areas
- RTE Species Occurrence
- Ownership Classification**
- Settlement Parcel (Skokomish Tribe)
- Private
- Other Public Recreation Lands
- Tacoma - Leased/Private
- Tacoma - Non Project Lands
- Tacoma - Operational Lands
- Tacoma - Recreational Lands
- Tacoma - Wildlife Lands

Potlatch State Park



created by:

