

Lewis County Community Development Staff Report: Findings, Conclusions and Recommendations for:

Shoreline Substantial Development Permit (SHD25-0003)

Project Applicant: Lewis County Public Works (Ann Weckback)

Project Description: Landslide repair and road stabilization of Rosebrook Rd between Milepost 0.49 and 0.69. Repair work includes pressure grouted soil anchors on 13 existing soldier piles to stabilize the roadway, six (6) new piles extending the wall to the northwest, replacing of the guardrail and road resurfacing.

Project Location: The project is located at milepost 0.49 of Rosebrook Rd Chehalis, Lewis County, WA – Section 20, Township 13 N, Range 01 W, WM

Project Parcel Number: Within the road right-of-way and adjacent to parcel number 017073002000.

Shoreline Stream: Newaukum River

Shoreline Environment: Rural Conservancy

Comprehensive Plan Designation: Rural

Zoning Classification: Rural Development District – One Unit per 5 acres (RDD-5)

Background Information:

The application was submitted on September 9, 2025 and the application was determined to be complete on October 17, 2025. The application was reviewed for compliance with zoning and critical areas compliance at time of completeness review.

Lewis County is Lead Agency for this proposal. The SEPA Checklist, SEPA Threshold Determination and Shoreline Substantial Development Permit Application were routed internally to county departments and externally to state agencies on October 20, 2025 to request comments. The SEPA Threshold Determination was published in The Chronicle on October 21, 2025. No appeals of the SEPA threshold determination were submitted within the appeal timeframe. The Determination of Non-Significance (DNS) was retained and is final.

The proposed project was reviewed under the Lewis County 2021 Shoreline Master Program and other applicable Lewis County Codes in effect at the time of complete application.

2021 Lewis County Shoreline Master Program Findings:

Applicability: The project is located within the Shoreline Jurisdiction of the Newaukum River and/or its associated wetlands. The 2021 Lewis County Shoreline Master Program applies to this project.

Shoreline Jurisdiction: Yes; Rural Conservancy Environment

Shoreline of Statewide Significance: No

Shoreline Environment Designations:

Rural Conservancy Management Policies:

1. Uses in the Rural Conservancy shoreline environment designation should include those that sustain the shoreline area's physical and biological resources and do not substantially degrade ecological functions or the rural or natural character of the shoreline area.
2. Water-dependent and water-enjoyment recreation facilities that do not deplete the resource over time, such as boating and water access facilities, angling, hunting, wildlife viewing trails, and swimming beaches, are preferred uses, provided significant adverse impacts to the shoreline are mitigated.
3. Agriculture, aquaculture, forest practices, and low-intensity residential development when consistent with provisions of the SMP are preferred uses.
4. Low-intensity, water-oriented commercial and industrial uses are limited to areas where those uses have located in the past or at sites that possess conditions and services to support the development.
5. Mining and related uses may be appropriate within the rural conservancy environment when conducted in a manner consistent with the environment policies and the provisions of WAC 173-26-241(3)(h) and when located consistent with mineral resource lands designation criteria in accordance with RCW 36.70A.170 and WAC 365-190-070.
6. Developments and uses that would substantially degrade or permanently deplete the biological resources of the area should not be allowed.
7. Construction of new structural shoreline stabilization and flood control works should be allowed when the documented need exists to protect an existing primary structure or ecological functions. Mitigation may be necessary for such

construction. New development should be designed and located to preclude the need for such work. Shoreline stabilization measures shall infringe on private property rights to the minimum extent necessary.

8. Proposed residential development should be designed to ensure no net loss of shoreline ecological functions and preserve the existing character of the shoreline.

Staff Response: The project is located in the Rural Conservancy Environment. The purpose of the project is to repair a portion of existing roadway which was damaged during a landslide event. The proposed work includes stabilization of the slope and resurfacing of the road. As proposed the project meets the applicable policies.

General Regulations:

Archaeological and Historic Resources:

Regulations:

- A. Permits issued in areas documented to contain archaeological resources shall require a site inspection or evaluation by a professional archaeologist in coordination with affected tribes and DAHP prior to any ground disturbance. Failure to complete a site survey shall be considered a violation of the shoreline permit.
- B. Where a professional archaeologist has identified an area or site as having significant value, or where an area or site is listed in local, State, or Federal historical registers, the Shoreline Administrator may condition the development approval to preserve the features. Potential conditions may include measures to preserve or retrieve the resources, modify the site development plan to reduce impacts, or mitigate the impacts as authorized through the State Environmental Policy Act (SEPA), or other County, State, or Federal laws.
- C. The applicant shall stop work immediately and contact the County, the DAHP, and affected tribes if any archaeological resources are uncovered during work within shoreline jurisdiction.

Staff Response: Within 1 mile of the project there are approximately 17 known cultural sites. The proposal was sent to DAHP and affect Tribes during the SEPA comment period. Comments were provided by the Chehalis Tribe. An Inadvertent Discovery Plan will be required to remain on-site during the construction. As conditioned the project meets the applicable policies.

Environmental Impacts and Mitigation:

Regulations:

- A. The environmental impacts of development proposals shall be analyzed and include measures to mitigate environmental impacts not otherwise avoided or mitigated by compliance with the SMP and other applicable regulations.
- B. Mitigation measures shall be considered and applied in the following sequence of steps, listed in order of priority:
 - 1. Avoiding the impact altogether by not taking a certain action or parts of an action;
 - 2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts;
 - 3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
 - 4. Reducing or eliminating the impact over time by preservation and maintenance operations;
 - 5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and
 - 6. Monitoring the impact and the compensation projects and taking appropriate corrective measures.
- C. In determining appropriate mitigation measures applicable to development in shoreline jurisdiction, lower priority measures should be applied only where higher priority measures are determined to be infeasible or inapplicable.
- D. Mitigation shall not be required that exceeds what is necessary to assure the development will result in no net loss of ecological functions in shoreline jurisdiction.
- E. When compensatory measures are appropriate pursuant to the mitigation priority sequence above, preferential consideration shall be given to measures that replace the impacted functions directly and in the immediate vicinity of the impact. However, alternative compensatory mitigation measures that have been identified within a watershed plan, and address limiting factors or other critical resource conservation needs in the shoreline jurisdiction may be authorized. Authorization of compensatory mitigation measures may require appropriate safeguards, terms, or conditions as necessary to ensure no net loss of ecological functions.

Staff Response: The proposed work is the repair of an existing roadway and stabilization of the adjacent bank. A mitigation concept was prepared and noticed with the rest of the SEPA documents. As proposed the project meets the applicable policies.

Critical Areas and Shoreline Vegetation Conservation:

Regulations:

- A. Critical Areas Ordinance Adopted and Modified.
 - 1. Whether or not a shoreline permit or written statement of exemption is required, the provisions of this section shall apply to all uses, alterations, or developments within shoreline jurisdiction or shoreline buffers. All shoreline uses and activities shall be located, designed, constructed, and managed to protect the ecological functions and ecosystem wide processes provided by critical areas and shoreline vegetation.

Staff Response: As proposed, the project meets these regulations.

- B. Shoreline Buffers.
 - 1. The required critical area buffers for Type S streams, as established in SMP Table 4-1: Shoreline Buffers, shall be considered shoreline buffers.
 - 4. New uses and development that are not water-dependent, water-related, or water-enjoyment, accessory to water-dependent, water-related, or water-enjoyment uses or development, or that do not facilitate public access to waters of the State generally will not be authorized in shoreline buffers. Some uses or developments not meeting the criteria above may be authorized through buffer averaging or through issuance of a shoreline variance.
 - 5. SMP Table 4-1: Shoreline Buffers establishes shoreline buffers by shoreline environment designation.

Staff Response: As proposed the project meets these regulations.

Flood Hazard Management:

Regulations:

- A. All proposed flood hazard management measures shall comply with the County's Comprehensive Flood Hazard Management Plan.

Staff Response: As proposed, the project meets these regulations.

Public Access:

Regulations:

- A. Shoreline public access shall be required for the following shoreline developments and uses:
 - 1. Shoreline recreation in accordance with SMP Section 5.13;

2. New structural public flood hazard reduction measures, such as dikes and levees;
3. Shoreline development by public entities, including the County, port districts, State agencies, and public utility districts;
4. New marinas when water-enjoyment uses are associated with the marina; and
5. All other development and use types that are required to incorporate shoreline public access as identified in the SMP, or other State or Federal requirements.

Staff Response: The proposed project is a repair to an existing County road used for public access. The regulations have been met.

Specific Shoreline Use Regulations:

General Shoreline Use:

Regulations:

- A. Use and development standards shall not apply retroactively to existing, legally established structures, or uses and developments in place at the time of the adoption of the SMP update. Existing structures, uses and developments, including residential appurtenances, may be maintained, repaired, and operated within shoreline jurisdiction and the shoreline buffers established in the SMP.
- B. Development shall comply with the most restrictive bulk and dimensional requirements in LCC Title 17 or SMP Section 5.04.
- C. Accessory uses, such as parking, stormwater management facilities, and utilities shall be located outside of shoreline and critical area buffers, and associated building setbacks, unless authorized in SMP Section 4.04.02(D).
- D. Shoreline uses and developments shall be designed to complement the setting of the property and minimize glare. Shoreline applicants shall demonstrate efforts to minimize potential impacts to the extent feasible.

Staff Response: The project includes the repair of an existing structure (roadway). The listed in Section A above, existing structures are authorized to be repaired.

Allowed Shoreline Uses:

Staff Response: The repair activity of the roadway damage is a required part of maintaining the existing public road (transportation) system. Transportation

Facilities are listed as permitted uses in the Rural Conservancy Environment. As proposed the regulations are met.

Transportation Facilities:

Regulations:

- A. New transportation facilities shall only be placed within shoreline jurisdiction, when no other option for the location of the facility exists.
- B. When located within the shoreline jurisdiction, new and expanded transportation facilities shall:
 - 1. Be set back from the OHWM as far as feasible and locate any new water crossings as near to perpendicular with the waterbody as feasible, unless an alternate path would minimize the disturbance of native vegetation or result in the avoidance of critical areas;
 - 2. Be designed with the minimum pavement area required;
 - 3. Minimize adverse effects to unique or fragile shoreline features;
 - 4. Implement the mitigation sequence in SMP Section 4.03 and ensure no net loss of shoreline ecological functions;
 - 5. Include a mitigation plan prepared by a qualified professional consistent with the provisions of Section 4.04;
 - 6. Avoid adverse impacts on existing or planned water-dependent uses;
 - 7. Allow the joint use of the right-of-way with nonmotorized uses and existing or planned primary utility facilities to consolidate the crossings of waterbodies and minimize adverse impacts to shoreline jurisdiction, where feasible; and
 - 8. Provide and/or maintain visual access to scenic vistas on public roads, where feasible. Visual access may include, but is not limited to turnouts, rest areas, and picnic areas.
- C. Crossings of waterbodies, such as bridges, shall be designed to minimize impacts to aquatic habitat, allow for fish passage, and permit the passage of flood debris.
- D. Existing roads that are of a non-paved surface, such as gravel, may be paved, if the facilities comply with all applicable mitigation, water quality, stormwater, and landscaping standards, as well as other requirements of the SMP and local regulations.
- E. Seasonal work windows may be required for construction projects to minimize impacts to shoreline functions.
- F. Where public access to shorelines across transportation facilities is intended, facility designs must provide safe pedestrian and non-motorized vehicular crossings.

Staff Response: The repair activity of the roadway and adjacent bank damage is part of maintaining the existing public transportation system. The transportation facility is not being expanded only repaired to a safe condition. Transportation facilities are permitted uses in the Rural Conservancy Environment. The repair is designed to minimize impacts and Best Management Practices (BMP's) will be installed prior to the start of work, no equipment will operate below the OHWM. Once construction is complete, the disturbed soils will be hydroseeded and replanted with native vegetation as appropriate. As proposed the regulations are met.

Shoreline Modification Regulations:

Shoreline Modification Table (6-1):

Staff Response: Clearing, grading and placement of fill landward of the OHWM are listed as permitted uses in Table 6-1. As proposed the project meets these requirements.

Shoreline Modification Provisions:

Regulations:

- A. Structural shoreline modifications may be allowed if they are demonstrated to be necessary to support or protect a legally permitted shoreline structure or use that is in danger of loss or substantial damage or are necessary for mitigation or enhancement.
- B. Shoreline modifications shall be limited in number and extent.
- C. The Shoreline Administrator shall base all decisions regarding shoreline modification on available scientific and technical information and a comprehensive analysis of site-specific conditions provided by the applicant.
- D. Shoreline modifications must be designed and located to ensure that they will not result in a net loss of shoreline ecological functions and will not have significant adverse impacts to shoreline uses, resources, and values provided for in RCW 90.58.020.
- E. Shoreline modifications and uses shall be designed and managed to prevent degradation of water quality and alteration of natural hydrographic conditions.
- F. Shoreline modification standards shall not apply retroactively to existing, legally established shoreline modifications. Existing structures may be maintained, repaired, and operated within shoreline jurisdiction and within the shoreline buffers established in the SMP. Repair and replacement provisions in later sections of this chapter may apply to specific modifications.

- G. All disturbed upland areas shall be restored and protected from erosion by using native vegetation or other means.
- H. All shoreline modifications are subject to the mitigation sequence in SMP Section 4.03, with appropriate mitigation required for unavoidable impacts to ecological functions. If critical areas in shoreline jurisdiction are impacted, the project is also subject to relevant requirements of SMP Section 4.04.

Staff Response: The shoreline modifications are necessary to protect the existing roadway that is currently damaged to a potentially unsafe condition. As outlined above the mitigation sequence in SMP Section 4.03 has been met.

Clearing, Grading and Fill:

Regulations:

- A. Clearing, grading, and the placement of fill shall be minimized to the extent feasible and only allowed when necessary to accommodate an approved shoreline use or development.
- B. All clearing, grading, and the placement of fill shall be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.
- C. Speculative clearing, grading, and the placement of fill are prohibited.
- D. When clearing, grading, or the placement of fill will cause adverse impacts to ecological functions, a mitigation plan, prepared by a qualified professional, must be completed consistent with the provisions of SMP Section 4.04.
- E. Clearing, grading, and the placement of fill within wetlands, floodways, or CMZs, and/or the placement of fill waterward of the OHWM, is only allowed when:
 - 1. Due consideration has been given to the site specific conditions;
 - 2. All impacts have been mitigated;
 - 3. All required State and Federal permits, and necessary approvals from WDNR for State-owned aquatic lands, have been obtained; and
 - 4. The shoreline use or development is one of the following:
 - a. A water-dependent use or public access to the shoreline;
 - b. The cleanup and disposal of contaminated sediments as part of an interagency environmental clean-up plan;
 - c. The disposal of dredged material considered suitable under, and conducted in accordance with, the WDNR's Dredged Material Management Program and the United States Army Corps of Engineers' (USACE) Dredged Material Management Office. See also SMP Section 6.04;

- d. The expansion or alteration of transportation facilities of statewide significance that are currently located in the shoreline, where alternatives to fill are infeasible;
 - e. Ecological enhancement, restoration or mitigation, when consistent with an approved plan; or
 - f. The protection of historic or cultural resources when fill is the most feasible method to avoid continued degradation, disturbance, or erosion of a site. Such fill must be coordinated with any affected tribes and comply with applicable provisions of SMP Section 4.02.
- F. Upland clearing, grading and the placement of fill outside of wetlands, floodways, and CMZs is permitted provided it:
 - 1. Is the minimum necessary to implement the approved use or modification;
 - 2. Does not significantly change the topography of the landscape in a manner that affects hydrology or increases the risk of slope failure, consistent with the applicable provisions of SMP Section 4.04; and
 - 3. Is conducted outside required shoreline buffers, unless specifically authorized by the SMP, or is necessary to provide protection to historic or cultural resources.
- G. Grading, the placement of fill, and beach nourishment shall be designed to blend physically and visually with the existing topography whenever feasible, so as not to interfere with lawful access and enjoyment of scenery.
- H. Clearing, grading, and the placement of fill shall not be located where shoreline stabilization will be necessary to protect the materials placed or removed, except when part of an approved plan for the protection of historic or cultural resources, or as part of an approved environmental cleanup plan or project.
- I. Cut and fill slopes shall generally be sloped no steeper than one foot vertical for every two feet horizontal (1:2) unless a specific engineering analysis has been provided that demonstrates the stability of a steeper slope.
- J. A temporary erosion and sediment control plan, including BMPs, consistent with the County's stormwater manual, shall be submitted to and approved by the Shoreline Administrator prior to commencement of all clearing, grading, and fill activities.
- K. To prevent a loss of flood storage, compensatory storage shall be provided commensurate with the amount of fill placed in the floodway per SMP Section 4.05.
- L. The placement of fill on State-owned aquatic lands must comply with WDNR and WDFW standards and regulations.

Staff Response: As designed, the project minimizes the amount of clearing, grading and placement of fill material to only that necessary to accommodate the

repair of the roadway and stabilize the adjacent bank. No clearing, grading or fill placement will be located within wetlands, floodways or CMZs. Temporary erosion and sediment control plan and BMPs are required to be in place prior to commencement of any clearing, grading or fill activities.

Staff Report Conclusions:

After review of the shoreline permit application, its drawings, designs, reports, studies and mitigation plans, the following are staff conclusions regarding the proposed project.

The project is in compliance with the State Environmental Policy Act, the Lewis County Code (LCC) Chapter 17.38 (Critical Areas) and the applicable elements of the 2021 Lewis County Shoreline Master Program.

Shoreline Permit Recommendation:

Staff recommendation is to approve the shoreline substantial development permit with appropriate conditions citing specific regulations from the above referenced master program elements.