

Leavenworth Shoreline Public Access Plan

This Leavenworth Shoreline Public Access Plan documents how the City has planned for parks and recreation in the community. The City's primary waterbody is the Wenatchee River, though a short segment of Chumstick Creek is also present in the City and its Urban Growth Area. The plan has been prepared pursuant to WAC 173-26-221 (4)(c), including identifying specific public needs and opportunities to provide public access through an open public process. This plan is based on the City's *Comprehensive Plan* elements as well as the City's *Parks & Recreation Comprehensive Plan*, the City's *Upper Valley Regional Trails Plan*, and the City's *Downtown Master Plan*. The City's plans provide a variety of shoreline access opportunities and circulation for pedestrians, bicycles, and vehicles, as well as public viewing areas and include recommended projects and actions.

Shoreline Public Access Laws and Rules

Public access refers to the ability of the general public "to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations" (WAC 173-26-221(4)(a)). Public access can be physical access such as via a trail or park and/or visual such as a view corridor from a road.

Public access is a preferred use per the Shoreline Management Act (RCW 90.58.020). The Shoreline Master Program (SMP) Guidelines require that public access be provided with most new development, except that more flexibility is allowed where there is a coordinated public access planning process (WAC 173-26-221(4)(c)). When public access is addressed in a SMP, it implements the "public trust doctrine" which is a common law principle holding that "the waters of the state are a public resource owned by and available to all citizens equally for the purposes of navigation, conducting commerce, fishing, recreation and similar uses." While the doctrine "protect(s) public use of navigable water bodies below the ordinary high water mark," the doctrine "does not allow the public to trespass over privately owned uplands to access the tidelands."¹ Generally, public or private landowners are limited in terms of liability when there are unintentional injuries to any public access users based on state law at RCW 4.24.210.

¹ See the State of Washington's Department of Ecology's website at: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/public_trust.html. Accessed March 24, 2010.

Shoreline Recreation Goals and Plans

Much of the City's shorelines are in public ownership and reserved for recreational purposes, such as parks, golf courses, boat launches, and trails. These have been developed over several decades based on a clear vision in City plans.

The City of Leavenworth's *Comprehensive Plan* includes goals and policies that seek to maintain and improve parks and recreation facilities:

- Conserve open space and encourage open space considerations in future development. (Land Use Element, Open Space/Recreation, Goal 1)
- Enhance public recreational opportunities by providing a variety of year-round active and passive recreational activities for both residents and visitors. (Land Use Element, Open Space/Recreation, Goal 2)
- Develop and maintain parks and recreational facilities capable of serving the anticipated needs of Leavenworth, including the urban growth area. (Capital Facilities Element, General Goal 3)

Additionally, the City prepared the *Parks & Recreation Comprehensive Plan* in 1997 and intends to update the plan in 2010. The current plan includes the following goals:

- Where appropriate for recreation or open space purposes, the City of Leavenworth should encourage recreational use of derelict land, easements, tax delinquent land, surplus roadway/highway rights-of-way, and other land not presently in productive use where such land can be used for land exchange, purchase, or long-term leases for recreation purposes. (Parks and Recreation Comprehensive Plan Policy 1, bullet 2)
- The City of Leavenworth should encourage the planning, development and full utilization of trails and recreation facilities. (Parks and Recreation Comprehensive Plan Policy 3)

More recently, the City prepared the 2009 *Upper Valley Regional Trails Plan* which includes the following goals relevant to shoreline recreation:

- **Connectivity:** Facilitate the development of an interconnecting trail system for the Upper Valley of Chelan County, consisting of sidewalks, bike lanes, and non-motorized shared-use paths for variety of trail users including bicyclists, equestrians, cross-country skiers, and pedestrians of all ages and skill levels.
- **Recreational Opportunities:** Increase access to local and regional recreational opportunities for people of all ages and levels of mobility. Provide a variety of trail experiences by locating trails of varying lengths and difficulty through diverse terrain, scenery, and points of attraction to draw users and maintain their interest.

In addition the 2009 City of *Leavenworth Downtown Master Plan* identifies various enhancement areas and provides for a system of trails providing connectivity to shoreline areas.

Parks and Recreation Plans and Public Review Process

The City’s parks and recreation goals and plans have been created with extensive public review. Public review opportunities have included citizen committees, open houses, surveys, public meetings and hearings.

Parks Documentation and Process	Description
Comprehensive Plan	City of Leavenworth Comprehensive Plan, Adopted 2003 and annually amended through the docket process, including open space and recreation goals and policies. This plan is undergoing a comprehensive update in 2010
Parks & Recreation Comprehensive Plan	Parks & Recreation Comprehensive Plan Adopted 1997. Plan includes planning process, existing system, goals and standards, and implementation including an acquisition and improvement program. This plan is undergoing a comprehensive update in 2010.
Upper Valley Regional Trails Plan	Upper Valley Regional Trails Plan. Adopted in 2009. Plans for multiple modes such as pedestrian, bicycle, equestrian, and cross-country skiing trails in the City and the region.
Downtown Master Plan	City of Leavenworth Downtown Master Plan. Plans for pedestrian and bicycle access through the downtown to shorelines and provides designated shoreline viewing areas.
Public Involvement Process	Open houses, news ads, public meetings and workshops, community survey, Regional Trails Planning Steering Committee, Planning Commission meetings, and legislative hearings.

Current Facilities in Shoreline Jurisdiction

Approximately 75 acres of parks and open space lie in the shoreline jurisdiction along the Wenatchee River and Chumstick Creek, with the vast majority located on the Wenatchee River. The following parks and recreation facilities along the Wenatchee River provide physical and visual shoreline access and are owned by the City (City of Leavenworth 1997, 2008). Acres represent total acres of parks within and beyond the shoreline jurisdiction:

- Waterfront Park including Blackbird Island – over 26 acres including trails, play apparatus, an amphitheater, picnic areas, and restrooms. Blackbird Island contains productive steelhead rearing ponds and is a popular fishing spot for children.

- Enchantment Park – 36 acres (10 developed acres/26 natural acres) with natural areas, baseball and softball fields, picnic tables, trails and play equipment. The trails connect to Blackbird Island and Waterfront Park.
- Leavenworth Golf Club – over 100 acres with an 18-hole public golf course and a restaurant. The course operator leases the site from the City.
- Boat/raft/tube takeout - There are two boat access facilities, one formal boat launch on the southeast side of the Wenatchee River (previously known as the Trout Unlimited Park), and an informal raft/tube takeout south of the Golf Course on the west. In addition, the City allows private companies to take access from City-owned property through contractual arrangement.

In addition to public facilities, the Barn Beach Reserve is located along the Wenatchee River adjacent to Waterfront Park. The reserve contains a nature center and a museum. The Chelan Douglas Land Trust now owns property adjacent to the Barn Beach Reserve property and City waterfront property. The Land Trust, Reserve, and City are working together on a collaborative trail system in keeping with the system identified in the *Upper Valley Regional Trails Plan*.

There are also privately owned facilities such as the Pine Village KOA in the City’s Urban Growth Area. Within the Urban Growth Area, lies a park associated with the Riverbend Park subdivision though the face of the plat does not appear to publicly dedicate the property.

Community Parks and Recreation Standards

The City’s 1997 *Parks & Recreation Comprehensive Plan* includes level of service standards for different facilities community wide.

Facility Type	Level of Service Standard
Parks and Open Space	acres/1000 population
Playground	0.5-1.5
Neighborhood	2.5
Community	3.5

Public Access Analysis & Objectives by Shoreline Reach

Public access conditions are presented in order of numbered reaches as mapped in the “Shoreline Inventory and Analysis Report for Shorelines in Chelan County and the Cities of Cashmere, Chelan, Entiat, Leavenworth, and Wenatchee” dated March 2009.

Waterbody and Reach	Current Shoreline Facilities	Planned Shoreline Facilities	Discussion
Wenatchee River			

Waterbody and Reach	Current Shoreline Facilities	Planned Shoreline Facilities	Discussion
CLV 01	CLV 01 R: Pine Village KOA	None	Serves tourists.
CLV 02	CLV 02 L: None CLV 02 R: Riverbend Park, Pine Village KOA, Potential ROW access	None	CLV 02 L: Residential lots. Limited potential for new development. CLV 02 R: KOA serves tourists, park serves subdivision (dedication unknown), ROW access exists but access and parking are difficult.
CLV 03	CLV 03 L: Wastewater Treatment Plant CLV 03 R: Fishing Easement, Potential ROW access	CLV 03 R: Upper Valley Trails Plan	CLV 03 L: City owned property. CLV 03 R: WDFW is investigating status of all fishing easements. Trails Plan identifies pedestrian crossing enhancement at bridge. ROW access exists but access and parking are difficult.
CLV 04	CLV 04 L: None CLV 04 R: Chelan-Douglas Land Trust and Barn Beach Reserve	Upper Valley Trails Plan	CLV 04 L: Trails plan identifies a community trail. CLV 04 R: Trails Plan identifies Icicle Station Trail, a planned trail and trail access point.
CLV 05	CLV 05 L: Boat Launch CLV 05 R: Barn Beach Reserve, Waterfront Park, portion of Blackbird Island with existing Community Trail	None	
CLV 06	Waterfront Park, portion of Blackbird Island with existing Community Trail	None	
CLV 07	Potential ROW access	None.	Residential lots. Right of way exists but difficult to access.
CLV 08	Enchanted Park with some fishing access ponds, portion of Blackbird Island with existing Community Trail	None	
CLV 09 and CLV 10	Golf Course; winter public access – cross country skiing	Upper Valley Trails Plan	Trails plan identifies a proposed community trail.
Chumstick Creek			

Waterbody and Reach	Current Shoreline Facilities	Planned Shoreline Facilities	Discussion
CLV 01	None	None	Residential lots. Limited potential for new development.
CLV 02	Visual access from highway bridge. County shops property. No formal access.	Upper Valley Trails Plan	Trails Plan: Identifies Icicle Station Trail, a planned trail; a new bridge; and a proposed regional trail.

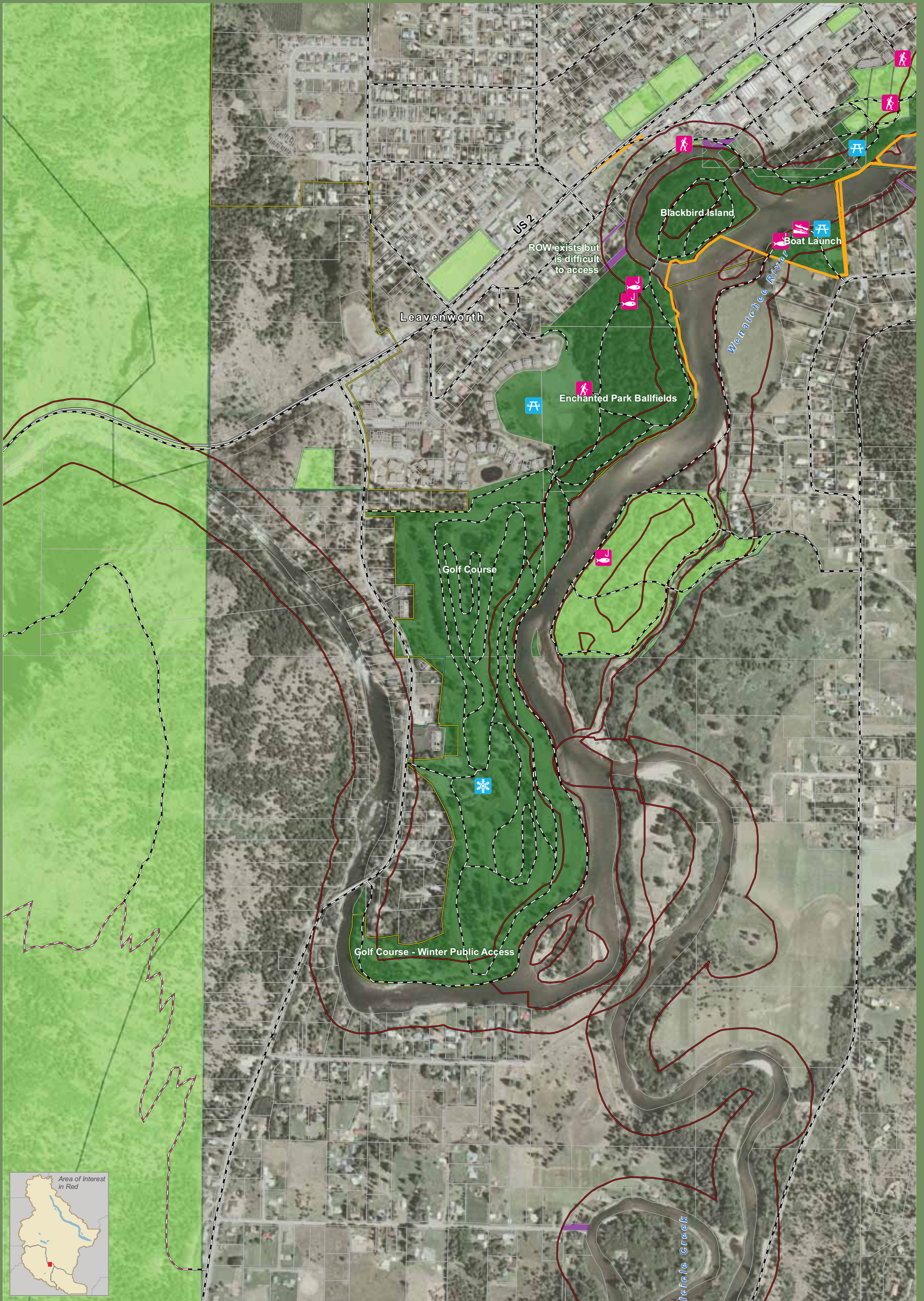
Implementation

The City will implement its shoreline public access plan through implementation of its *Comprehensive Plan, Upper Valley Trails Plan, and Parks & Recreation Comprehensive Plan* (current and forthcoming). The City's *Upper Valley Trails Plan* includes a section on implementation addressing priorities, cost, funding sources, maintenance & operations, and an action plan. The City's budget also contains a capital improvement program. The Shoreline Master Program update also contains public access and recreation standards designed to be compatible with and support the shoreline public access plan. The City may also revisit its shoreline public access plan during periodic reviews of the SMP, anticipated every seven years. (RCW 90.58.080)

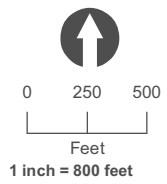
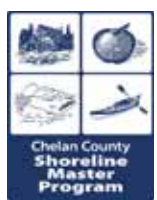
Supporting Maps

The following attached maps are provided for reference and in support of the shoreline public access plan:

- Public Access maps prepared for the Shoreline Master Program update, July 22, 2010



Public Access Leavenworth 01

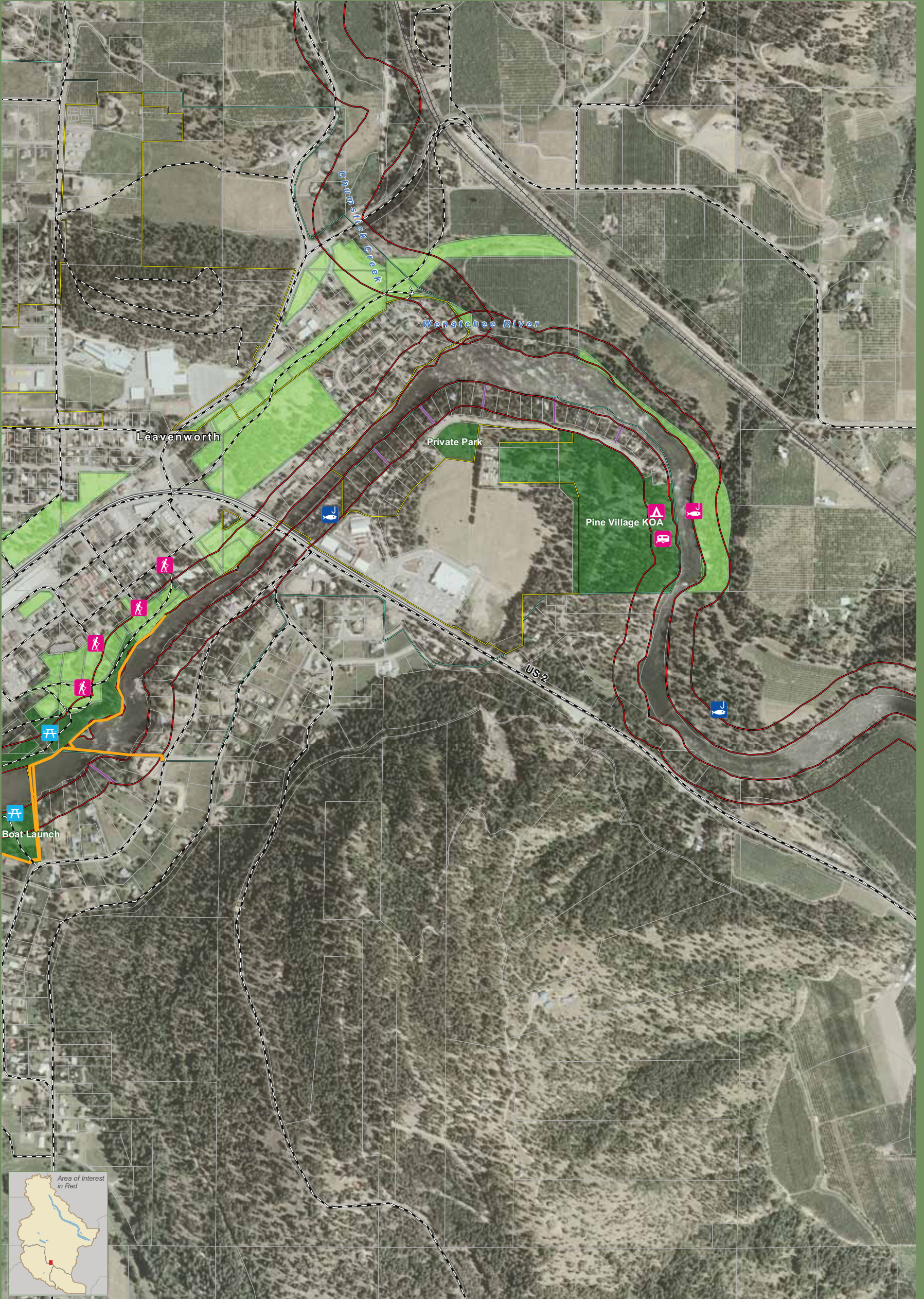


July 22, 2010
Data: WA DOE,
WA OFM, TPL,
TNC, Chelan County,
WA State Parks, WNF

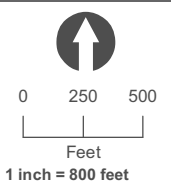
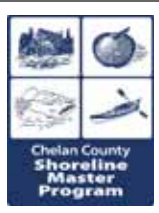
Public Access, Parks, and Other Public Lands

- | | | | |
|------------------------|----------------------|----------------------------------|-----------------|
| Boat Launch | Picnic Area | WDFW Fishing Easements | Hiking Trails |
| Campground | RV Camp | Fishing Easement with Boatlaunch | Proposed Trails |
| Comm. Dock/Marina | Ski Area | Parks | Highways |
| Fishing Access | SnoPark | Other Public and Protected Lands | Railroads |
| Horse Camp | Trailhead | Potential ROW Access | Parcels |
| Marina | Visitor Info Site | View Corridors | Jurisdiction |
| Other Boating Facility | Winter Rec. Facility | | City Boundaries |
| | | | UGA Boundaries |

Shoreline jurisdiction boundaries depicted on this map are approximate. They have not been formally delineated or surveyed and are intended for planning purposes only. Additional site-specific evaluation may be needed to confirm/verify information shown on this map.



Public Access Leavenworth 02



July 22, 2010
Data: WA DOE,
WA OFM, TPL,
TNC, Chelan County,
WA State Parks, WNF

Public Access, Parks, and Other Public Lands

- | | | | |
|------------------------|----------------------|----------------------------------|-----------------|
| Boat Launch | Picnic Area | WDFW Fishing Easements | Hiking Trails |
| Campground | RV Camp | Fishing Easement with Boatlaunch | Proposed Trails |
| Comm. Dock/Marina | Ski Area | Parks | Highways |
| Fishing Access | SnoPark | Other Public and Protected Lands | Railroads |
| Horse Camp | Trailhead | Potential ROW Access | Parcels |
| Marina | Visitor Info Site | View Corridors | Jurisdiction |
| Other Boating Facility | Winter Rec. Facility | | City Boundaries |
| | | | UGA Boundaries |

Shoreline jurisdiction boundaries depicted on this map are approximate. They have not been formally delineated or surveyed and are intended for planning purposes only. Additional site-specific evaluation may be needed to confirm/verify information shown on this map.