

CITY OF MERCER ISLAND

8/13/75-004

H-5

3505 - 88th Avenue S.E.
Mercer Island, Washington 98040
Phone: 232-6400

Holyoke, Bruce

Mr. Gerald A. Newgard
U. S. Army Corps of Engineers
1519 - Alaskan Way South
Seattle, Wa. 98134



RE: 071-OYB-002164 Holyoke, Bruce W.

Dear Mr. Newgard:

The City of Mercer Island has received and reviewed comments from various departments relative to the above Public Notice. Based upon those comments, the City of Mercer Island offers the following statement(s):

- 1. We have no objection to the project as stated in the above notice. A building permit is required and may be secured at the Building Department.
- 2. This agency has determined that this project is exempt from the Shoreline Management Act and has notified the applicant.
- 3. A Shoreline Management Permit is required and, accordingly, we notified the applicant to initiate appropriate proceedings at our office.
- 4. Applicant has applied for a Shorelines Management Permit.
- 5. We request that the Corps permit be withheld until a Substantial Development Permit application has been reviewed.
- 6. Other:

Yours very truly,

Robert W. Thorpe
Assistant Director of Planning

RWT:dg

cc: Department of Ecology, Northwest Regional Office
Office of Attorney General
Applicant
Applicant's Engineer/Architect
Mercer Island Building Department ✓

RECEIVED

AUG 12 1974

CITY OF MERCER ISLAND
PUBLIC WORKS DEPARTMENT

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS

4735 East Marginal Way South
SEATTLE, WASHINGTON 98134

NPSOP-RF

13 August 1974

PUBLIC NOTICE

Reference: 071-OYB-1-002164
Holyoke, Bruce W.

Application has been received by this office from Bruce W. Holyoke, 6802 96th Avenue Southeast, Mercer Island, Washington 98040 (Telephone (206) 232-2838), for Department of the Army permit in accordance with Section 10 of the River and Harbor Act of March 3, 1899 for certain work described below and shown on the reverse side of this public notice.

Proposed Work:

- a. Location: In Lake Washington at the City of Mercer Island, Washington.
- b. Physical Character: Drive two mooring piles.
- c. Purpose (as explained by the applicant): Private boat moorage.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land classification, navigation, recreation, water supply, water quality and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

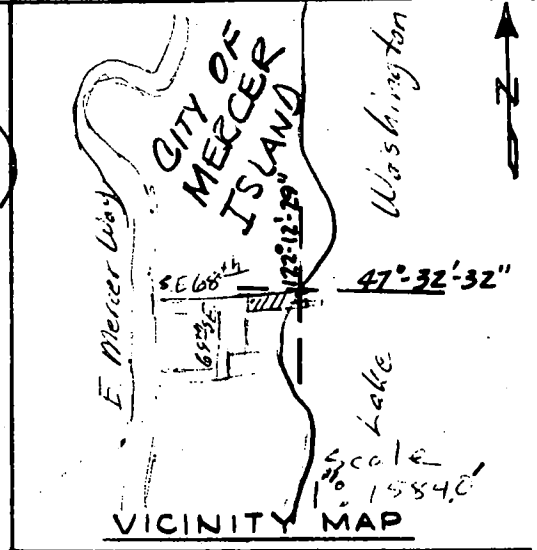
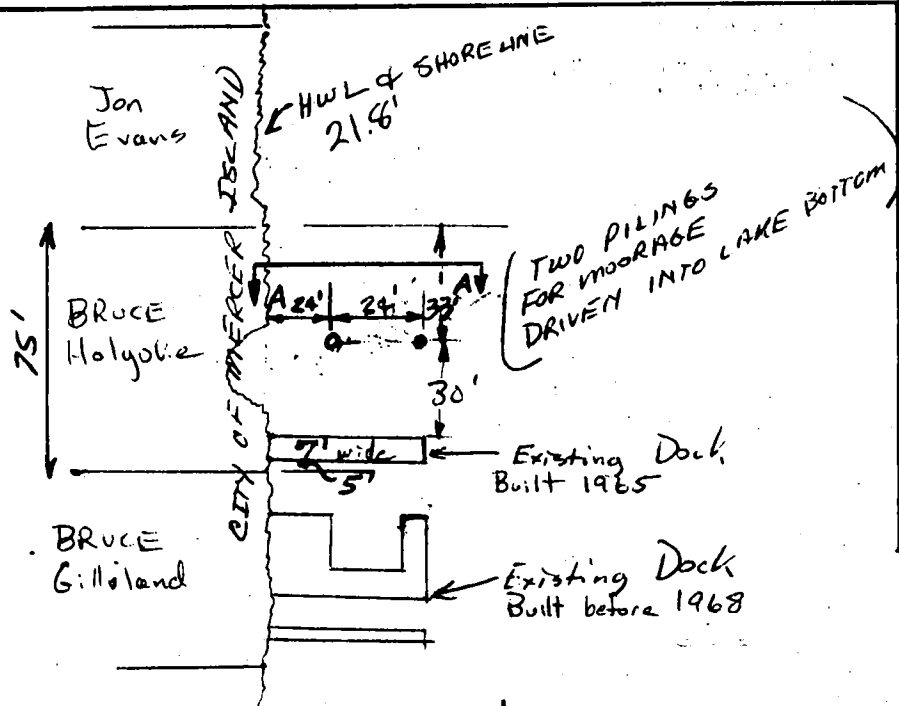
Preliminary determinations indicate the issuance of a permit will not be a significant Federal action and an environmental impact statement will not be required.

Comments on these factors will be accepted and made part of the record and will be considered in determining whether it would be in the best public interest to grant a permit. Comments should refer to the reference number shown above and reach this office not later than 13 September 1974 to insure consideration.



PETER L. THORSEN
Permit Section

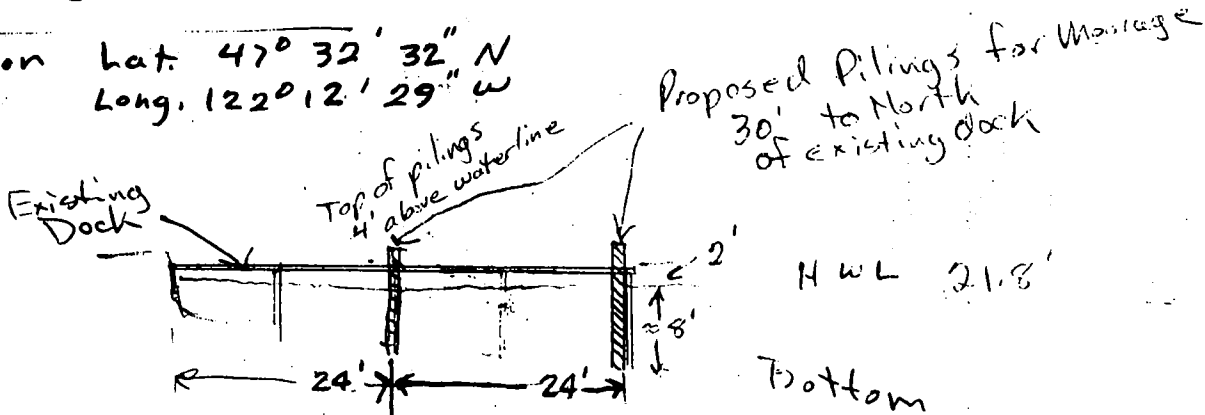
Proposed Location of Two PILINGs FOR MOORAGE



From Short Plat survey
Prepared by Jack Ellert &
Associates Nov. 15, 1973

PLAN Scale 1" = 60'

Site Location Lat. 47° 32' 32" N
Long. 122° 12' 29" W



Section AA
Scale 1" = 20'

NOTES.

1. PURPOSE: Private boat moorage pilings

2. DATUM: HWL - 21.8' ELEVATION

3. SOUNDINGS ARE IN FATHOMS/ FEET

4. ARE FEDERAL HARBOR LINES ESTABLISHED? YES NO

5. NAME AND ADDRESS OF ADJACENT PROPERTY OWNERS

① BRUCE GILLILAND
6810 96th Ave SE.
MERCER ISLAND, WA. 98040

② Jon Evans
6800 96th Ave SE.
MERCER ISLAND WA 98040

071-0YB-1-002164

Proposed Moorage pilings

IN: Lake Washington
ON: ~~Mercer Island~~ Mercer Island
COUNTY OF King STATE Wa.

APPLICATION BY: BRUCE HOLYOKE
MERCER ISLAND, WA.

DATE: 28/6/74 SHEET 1 of 1

File copies

75-004



**DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS**

NOTICE OF AUTHORIZATION

19

**A PERMIT TO DRIVE TWO MOORING PILES (PRIVATE BOAT MOORAGE) IN LAKE
WASHINGTON**

AT THE CITY OF MERCER ISLAND, WASHINGTON

HAS BEEN ISSUED TO MR. BRUCE W. HOLYOKE

ON 19

**ADDRESS OF PERMITTEE 6802 - 96TH S. E.
MERCER ISLAND, WA 98040**

PERMIT NUMBER 071-OYB-1-002164

Raymond J. Eineigl
RAYMOND J. EINEIGL
District Engineer
Colonel, Corps of Engineers

ENG Form 4336
Jul 70

THIS NOTICE MUST BE CONSPICUOUSLY DISPLAYED AT THE SITE OF WORK.

* GPO: 1971 O-415-598



DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
4735 EAST MARGINAL WAY SOUTH
SEATTLE, WASHINGTON 98134

NPSOP-RF

25 OCT 1974

Mr. Bruce W. Holyoke
6802 - 96th S. E.
Mercer Island, Washington

Reference: 071-OYB-1-002164
Holyoke, Bruce W.

Dear Mr. Holyoke:

Pursuant to your application dated-----26 June 1974-----inclosed is Department of the Army permit to drive two mooring piles in Lake Washington at the City of Mercer Island, Washington.

Sections 9 and 10 of the River and Harbor Act of 3 March 1899 make it unlawful to build or to commence to build any structure across or in any navigable water of the United States and/or to excavate, or fill, or in any manner to alter or to modify the course of such navigable water, except on plans that have had the prior approval of the Chief of Engineers and the Secretary of the Army.

You are therefore cautioned that if any material changes in the location or plans of the structure or work are found necessary on account of unforeseen or altered conditions or otherwise, revised plans should be submitted promptly to this office in order that these revised plans, if found unobjectionable, may receive the approval required by law before construction thereon is begun.

You are requested to notify this office when the work authorized by the inclosed permit is begun, and immediately after it is completed.

Sincerely yours,

1 Incl
Permit w/Notice of Authorization

Raymond J. Eineigl
RAYMOND J. EINEIGL
Colonel, Corps of Engineers
District Engineer

NPSOP-RF

DEPARTMENT OF THE ARMY

PERMIT

SEATTLE DISTRICT, CORPS OF ENGINEERS
Seattle, Washington

Application No. 071-OYB-1-002164
Name of Applicant Holyoke, Bruce W.
Effective Date 25 OCT 1974
Expiration Date (If applicable) _____

Referring to written request dated 26 June 1974 for a permit to:

(X) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

() Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

() Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052, P.L. 92-532);

Mr. Bruce W. Holyoke
6802 - 96th S. E.
Mercer Island, Washington 98040

(Here insert the full name and address of the permittee)

is hereby authorized by the Secretary of the Army to drive two mooring piles (private boat moorage)

(Here describe the proposed structure or activity, and its intended use. In the case of an application for a fill permit, describe the structures,

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~~if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)~~

~~in Lake Washington~~

~~(Here to be named the ocean, river, harbor or waterway concerned.)~~

~~at the City of Mercer Island, Washington~~

~~(Here to be named the nearest well-known locality -- preferably a town or city -- and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)~~

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks.) Subject to the following conditions:

I. GENERAL CONDITIONS:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized

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activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the construction or work authorized herein in a manner so as to minimize any adverse impact of the construction or work on fish, wildlife and natural environmental values.

e. That the permittee agrees that it will prosecute the construction or work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension,

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(2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

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o. That if the activity authorized herein is not started on or before _____ day of _____, 19____, (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before _____ day of _____, 19____, (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and conditions of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

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II. SPECIAL CONDITIONS: Here list conditions relating specifically to the proposed structure or work authorized by this permit. The following Special Conditions will be applicable when appropriate:-----

w. STRUCTURES FOR SMALL BOATS: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.-----

x. DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS: That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

y. ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS: That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.-----

z. MAINTENANCE DREDGING: (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for _____ years from the date of issuance of this permit (ten years unless otherwise indicated); and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

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This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

17 Oct 74
Date

Bruce W Holyoke
Bruce W. Holyoke
Permittee

By authority of the Secretary of the Army:

10/25/74
Date

Raymond J. Eineigl
RAYMOND J. EINEIGL
Colonel, Corps of Engineers
District Engineer

Transferee hereby agrees to comply with the terms and conditions of this permit.

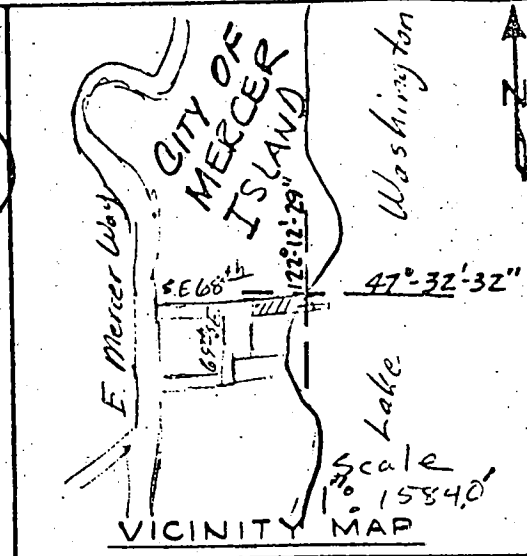
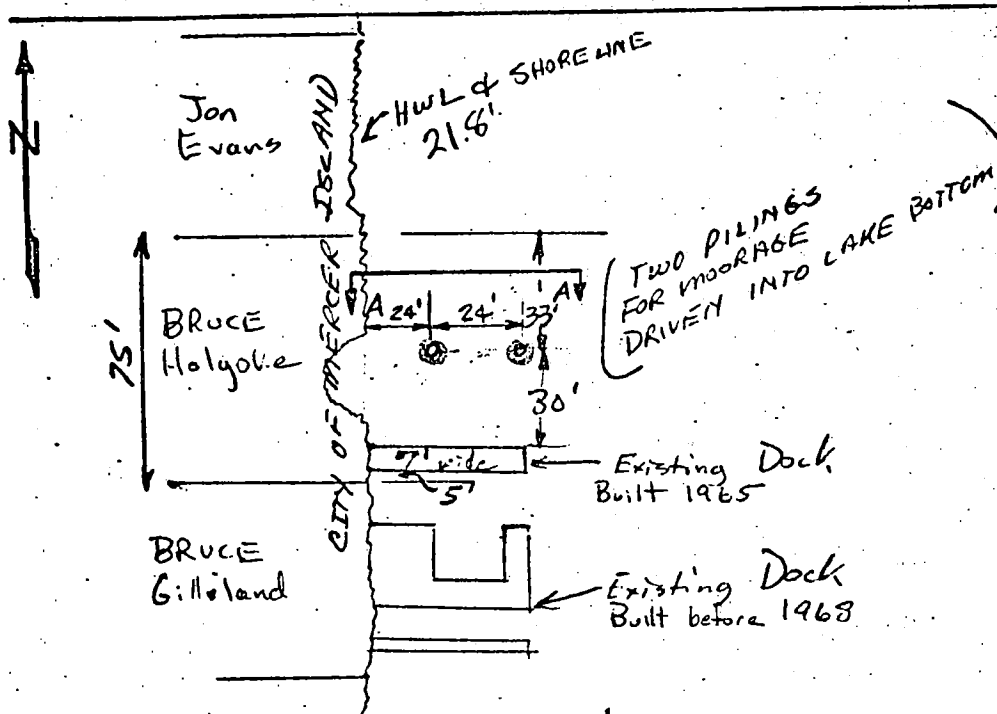
Date

Transferee

- Proposed

75-004

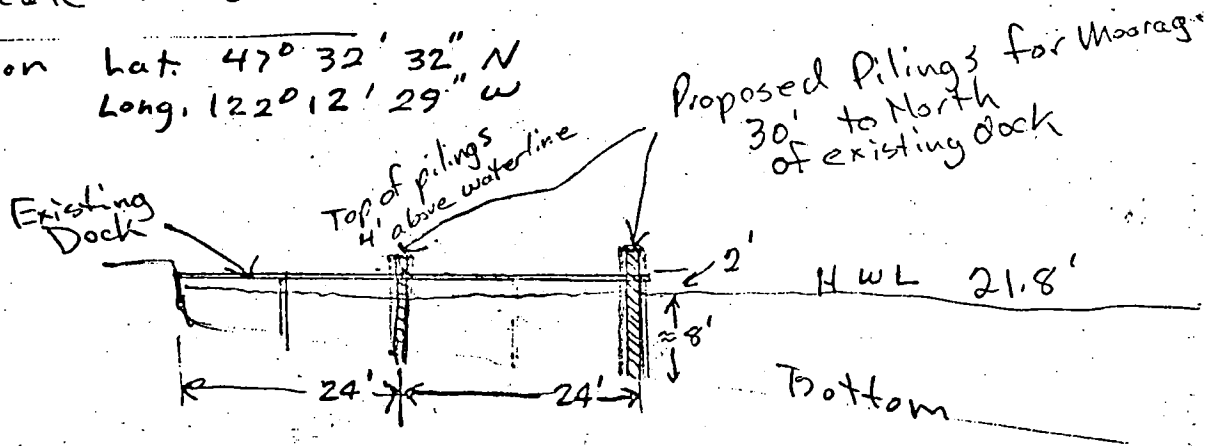
Location of Two PILINGs FOR MOORAGE



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MERCER ISLAND, WA.
DATE: 28/6/74 SHEET 1 of 1