Ecological No Net Loss Assessment Report

Prepared for

Suzanne Skinner 7601 W. Mercer Way Mercer Island, WA 98040

Prepared by

Worthwest Environmental Consulting, LLC

Northwest Environmental Consulting, LLC 3639 Palatine Avenue North Seattle, WA 98103 206-234-2520

August 2022

Purpose

The purpose of this report is to fulfill the requirements of City of Mercer Island Municipal Code (MICC) 19.13.050 Shoreline Master Program by assessing overall project impacts and proposed mitigation to determine if the project meets the "No Net Loss" General Regulation of the Shoreline Master Program.

No Net Loss is defined as "An ecological concept whereby conservation losses in one geographic or otherwise defined area are equaled by conservation gains in function in another area."

Permits are being applied for a dock and bulkhead repair.

Location

The subject property is located at 7601 W. Mercer Way (King County parcel number 9389700005) in the City of Mercer Island, Washington (see Appendix A – Sheet A1.0). The parcel is on the waterfront of Lake Washington, which contains several endangered fish species listed under the Endangered Species Act and Washington State designated priority fish species.

Project Description

The proposed work includes repairing the existing dock by repairing 12 existing wood pilings (3, 10-inch, 2 12-inch, 2 13-inch, 3 14-inch, 1 16-inch and 1 18-inch) by pile splicing. The existing failing wood bulkhead and stairs will be removed and a new granite rock bulkhead and stairs will be constructed replacing approximately 116 linear feet of bulkhead. See sheets A2.0 to A5.0.

During construction, a floating boom with silt boom will surround the work barge and work area. See sheet A6.0 for a list of BMPs.

Native trees including a Pacific willow will be planted along the shoreline and the existing vegetation will be preserved. See sheets A7.0 and A8.0.

Project drawings are included in Attachment A.

Approach

Northwest Environmental Consulting LLC (NWEC) biologist Brad Thiele conducted a site visit on August 16, 2022 to evaluate conditions on site and adjacent to the site. NWEC also consulted the following sources for information on potential critical fish and wildlife habitat along this shoreline:

- Washington Department of Fish and Wildlife (WDFW): Priority Habitats and Species online database (http://apps.wdfw.wa.gov/phsontheweb/)
- WDFW SalmonScape online database of fish distribution and ESA listing units (https://apps.wdfw.wa.gov/salmonscape/)

 Mercer Island GIS online database (https://chgis1.mercergov.org/Html5Viewer/Index.html?viewer=PubMaps&viewer=PubM aps)

Site Description

The subject property is a shoreline tract in a residential neighborhood. It has shoreline on its western boundary with residential properties to the north and south.

The only existing structures on the property are the house and dock (Photos 1 through 6). The subject property yard is extensively vegetated with maintained with lawn, landscaped beds, trees and footpaths. Three mature big leaf maples and 2 lodgepole pines are planted overhanging the shoreline. The other vegetation includes a laurel hedge, English ivy and other ornamental vegetation.

The shoreline includes a wood bulkhead along the length of the shoreline. The substrate of the lake is gravel and cobble. Eurasian milfoil has colonized the shoreline starting about 30 feet from the shore.

The property to the north and south have similar configurations with various shoreline plantings, bulkheads and docks.

Species Use

WDFW's PHS mapping and SalmonScape mapping tools show the following salmonid species using Lake Washington for migration and/or rearing: residential coastal cutthroat (*Oncorhynchus clarkii*), winter steelhead (*O. mykiss*), Dolly Varden/bull trout (*Salvelinus malma*), sockeye salmon (*O. nerka*), fall Chinook (*O. tshawytscha*), coho salmon (*O. kisutch*), and kokanee (*O. nerka*). The SalmonScape database maps the site as accessible to the Endangered Species Units (ESU) of Threatened Chinook and steelhead. Juveniles may rear in the waters near the project when traveling from spawning sites on other lake tributaries to the lake's outlet at the Hiram M. Chittenden Locks. The project site is accessible to any fish migrating or rearing in the lake.

Sockeye spawning has been mapped along the shoreline at the site.

Mercer Island GIS does not show any stream on or adjacent to the property. The nearest reference is a piped watercourse about 600 feet to the south of the project.

No other priority habitats are directly associated with or mapped within 1,500 feet of the project site for aquatic or terrestrial species.

Project Impacts and Conservation Measures

Direct Impacts:

Sediments: Sediment disturbance may occur below the OHWM and along the shoreline of Lake Washington during pile repair. Additionally, the tug and barge propwash may disturb sediments temporarily when making trips to/from the site. Pile repair is not a significant source of turbidity.

Removal of the existing timber bulkhead and constructing a new rock bulkhead has the potential

to create turbidity. A boom with a silt curtain will surround the work area to decrease the potential of turbidity from leaving the site. Any disturbed soils landward of the bulkhead will be stabilized upon completing the work.

Shoreline: Planting additional native vegetation will increase the habitat functions of the shoreline by creating shade along the shoreline that will be an improvement from the existing baseline habitat conditions at the project site. These plants will provide overhanging cover for fish, structural diversity for birds and wildlife, detritus for aquatic invertebrates and long-term recruitment of woody material and other allochthonous food sources. The proposed planting plan is included (see Appendix A - Sheet A7.0 – 8.0). The existing trees and vegetation will be preserved and is already providing these shoreline functions, the additional willow will increase these functions over the existing in the longterm.

Changing the bulkhead from a near vertical wall to rock will reduce the effects of reflecting waves that cause additional sediment erosion from the lake bed along the bulkhead. The rock bulkhead provides more surface area and creates an uneven surface that helps to attenuate wave action along the shoreline and reduces the occurrence of reflecting waves. This will help stabilized substrates along the shoreline and lead to more sorted substrates along the shoreline.

Lakebed: No change in lakebed coverage will occur.

Noise: Construction equipment will create noise audible to neighbors and in-water. Noise disturbance will be short-term and should have negligible effects on fish and wildlife in the area. Work will be completed during the in-water work window when juvenile fish are not expected to be present.

Potential spills: Short-term risks include the potential for petroleum spills that can occur with any equipment operation. The level of potential impact to the aquatic environment is expected to be minimal because of a crew trained in spill containment measures will be on site should a spill occur and will begin cleanup immediately if a spill is to occur.

Indirect Impacts:

Shading: The project will not affect overwater coverage.

Recreational Boating: The project supports continued recreational boating, which has been identified as a limiting factor for salmonid populations in Lake Washington. The dock and bulkhead repair will not introduce additional boating to Lake Washington, as the owners could still access the lake from a public boat launch or private moorage facility.

Other Conservation measures:

Work window: The work will be completed during the prescribed in-water work window for this area of Lake Washington (July 16 to December 31). Operating within this time frame helps protect Chinook salmon, steelhead, bull trout and other salmonid fish species by doing work when juvenile fish are not expected to be present. The work can also occur when lake levels are lower in the fall.

Best Management Practices: Applicable BMPs will be used, such as a floating boom and silt curtain around the in-water work area, to contain any floating debris that may escape during construction. The barge will have a perimeter containment sock to absorb oil and grease that might inadvertently wash from the barge during construction.

Hazardous material containment supplies such as spill absorbent pads and trained personnel will be required onsite during any phase of construction where machinery is in operation near surface waters.

In-lieu Fee: The shoreline on the subject property will be planted with native, overhanging vegetation and additional mitigation planting is not possible. The project also requires approval from the National Marine Fisheries Service (NMFS). NMFS has developed a calculator to determine appropriate mitigation costs for proposed in-water structures in Lake Washington. This calculator has established a fund that owners can pay into if they are not willing or cannot find mitigation to offset impacts from the project. The owner is not able to complete the required mitigation at the subject property and the property owners will pay into the in-lieu fee program to mitigate project impacts. An in-lieu fee program is defined as follows:

"A program involving the restoration, establishment, enhancement, and/or preservation of aquatic resources through funds paid to a governmental or non-profit natural resources management entity to satisfy compensatory mitigation requirements... Similar to a mitigation bank, an in-lieu fee program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the in-lieu program sponsor." (Fed. Reg. 40 CFR Part 230)

The fee has been determined using the Restoration And Permitting (RAP) Calculator for Lake Washington and will be paid to King County Water & Land Resources Division. This funding has been used to remove 350 derelict piles from the mouth of the Cedar River in Lake Washington.

Conclusion

Juvenile Chinook salmon, and other salmonids, rear and migrate along the Lake Washington shoreline.

There will be temporary impacts from noise and disturbed sediments during construction. No change to overwater is proposed.

Changing the bulkhead from a vertical structure to rock helps attenuate wave action and reduces the occurrence of erosion of shoreline substrates from occurring.

A shoreline planting plan will be implemented, mature lodgepole pines and big leaf maple are already present and functioning to improve the shoreline conditions. The owner will also add one pacific willow to the shoreline. The owner has also opted to pay into the In Lieu Fee program that will be used for conservation projects that benefit salmon in King County.

The project will minimize construction effects on the environment by following the prescribed fish window and using applicable BMPs to prevent construction spills and floating debris from escaping the area. The construction crew will retrieve all dropped items from the bottom and dispose of them properly.

This project has been designed to meet current dock replacement standards and will use Best Management Practices to reduce project impacts. The conservation measures are designed to improve ecological functions or prevent further degradation of habitat **and will result in No Net Loss of ecological functions** at the site.

Document Preparers

Brad Thiele

Biologist

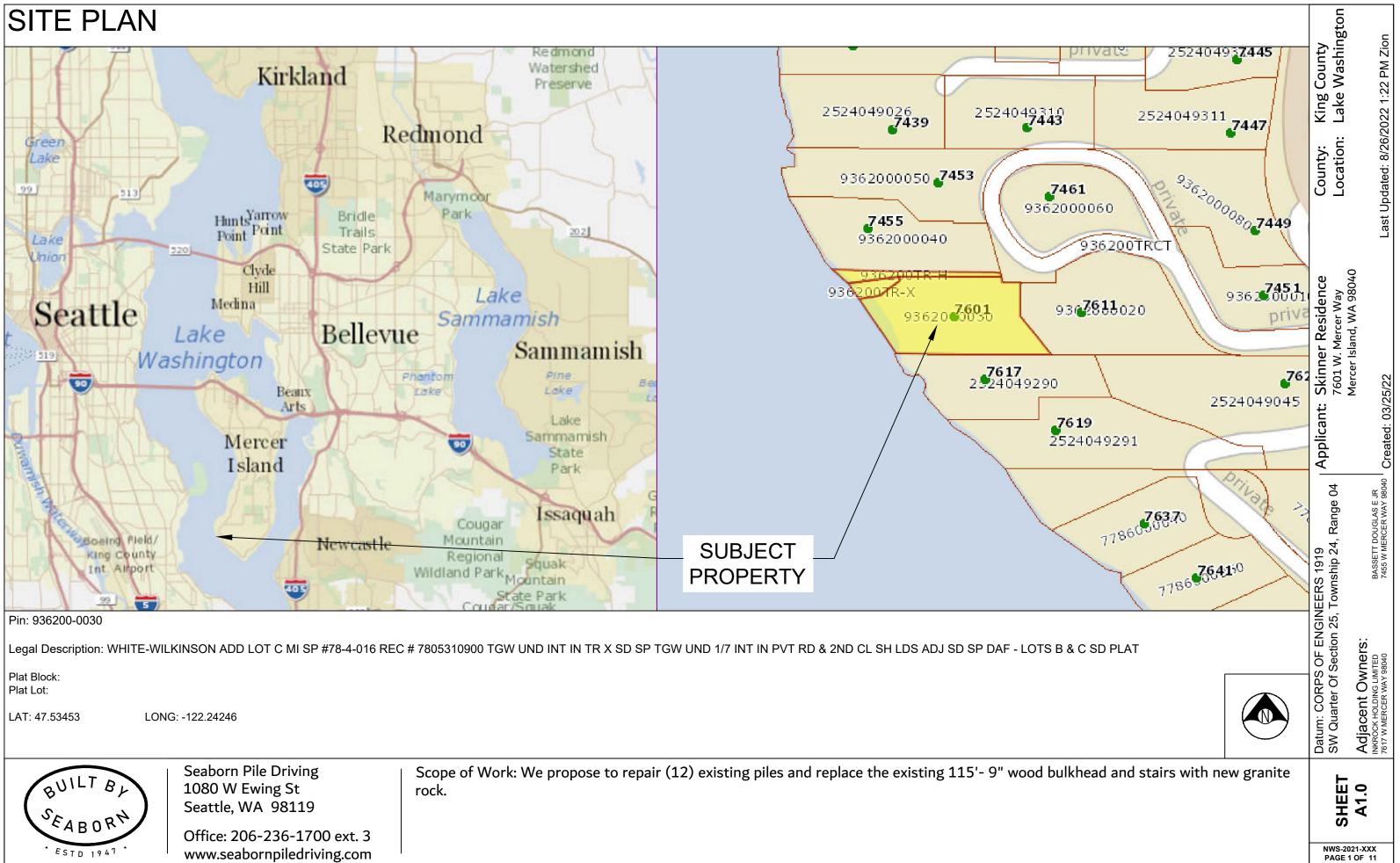
28 years of experience

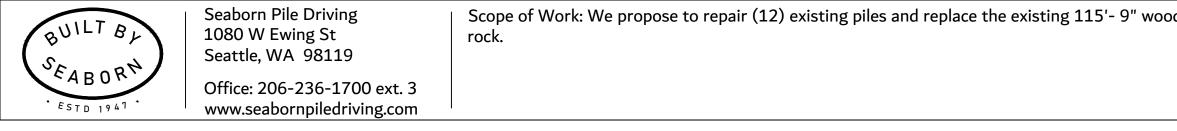
Northwest Environmental Consulting, LLC. (NWEC) NWEC followed standard acceptable field methods and protocols at the time work was performed. These standards may include delineation of wetland and stream boundaries, characterization, rating, functional analyses, impact assessments and mitigation of impacts. The conclusions and findings in this report are based on field observations and measurements and represent our best professional judgment and to some extent rely on other professional service firms and available site information. Within the limitations of project scope, budget, and seasonal variations, we believe the information provided herein is accurate and true to the best of our knowledge. Northwest Environmental Consulting does not warrant any assumptions or conclusions not expressly made in this report or based on information or analyses other than what is included herein.

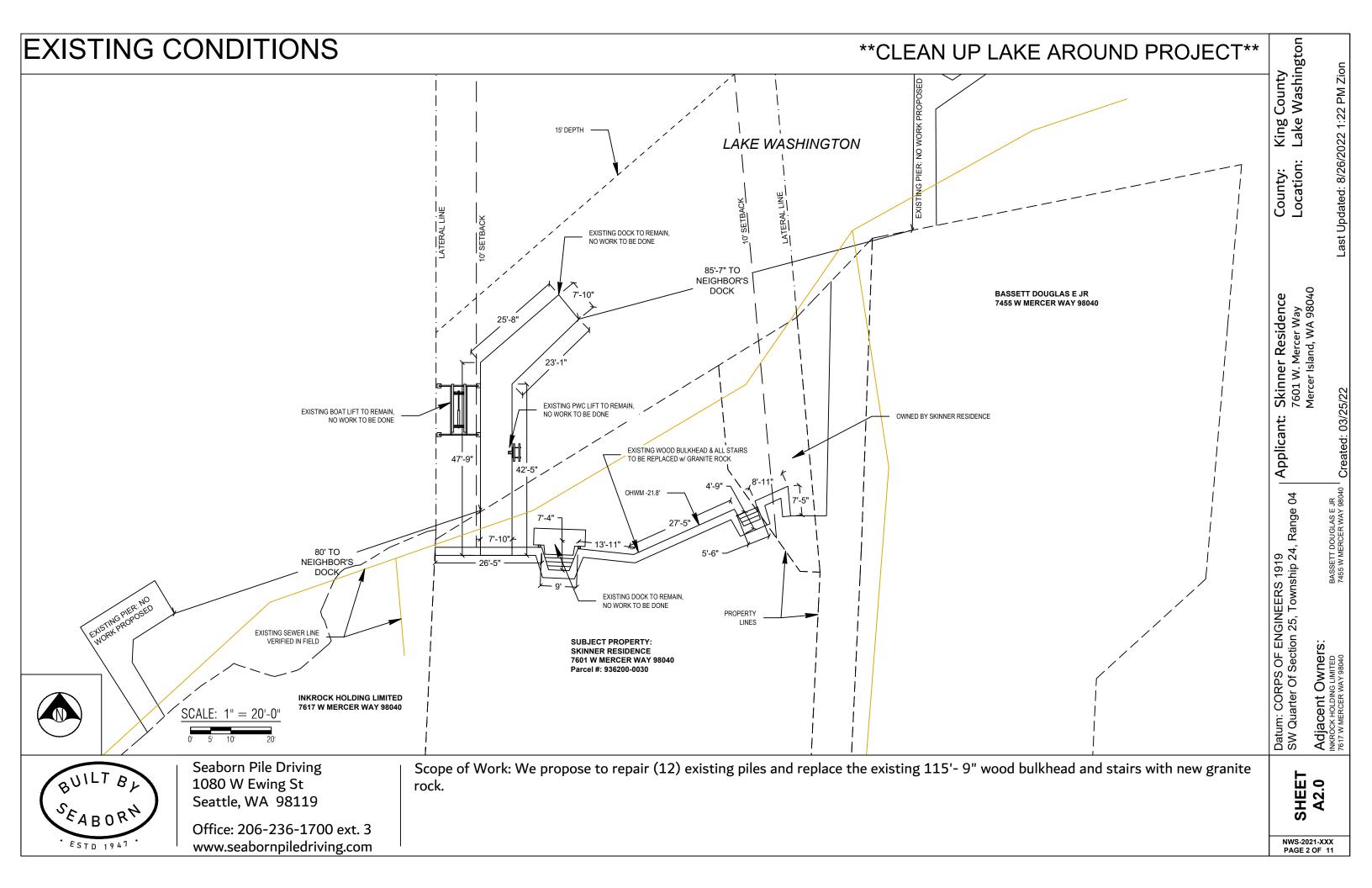
ThruFlow. 2021. Legacy Series. Online at https://thruflow.com/products/legacy/.

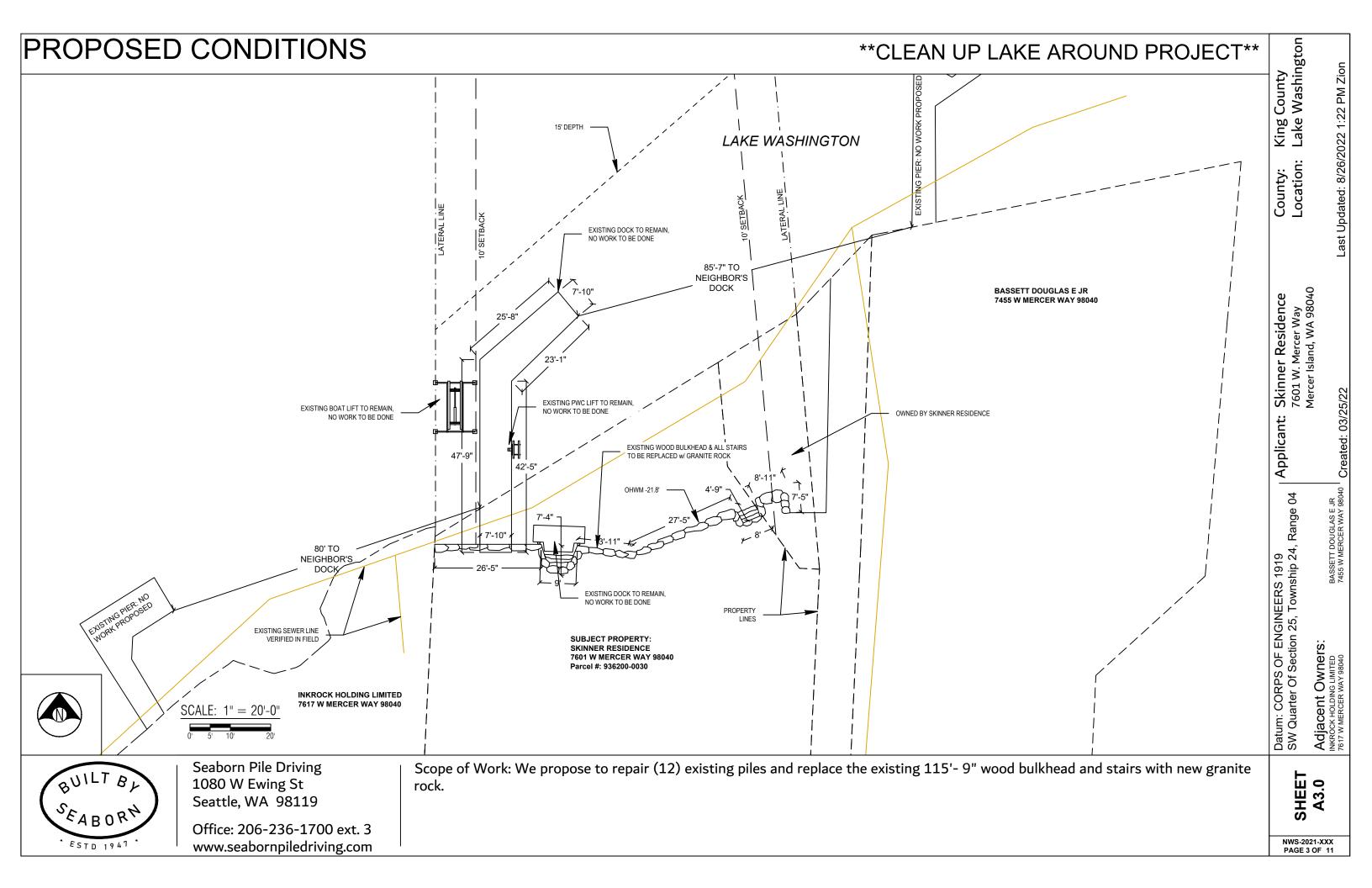
- US Army Corps of Engineers (USACE). 2004. Final Biological Evaluation, Regional General Permit: Construction of New or Expansion of Existing Residential Overwater Structures and Driving of Moorage Piling. Lake Washington, Lake Sammamish, the Sammamish River and Lake Union, Including the Lake Washington Ship Canal, in the State of Washington.
- Washington Department of Fish and Wildlife (WDFW). 2022. Priority Habitats and Species. Online database. Accessed August 2022 at http://apps.wdfw.wa.gov/phsontheweb/
- WDFW. 2022. SalmonScape. Online database. Accessed August 2022 at http://apps.wdfw.wa.gov/salmonscape/

Appendix A: Project Drawings





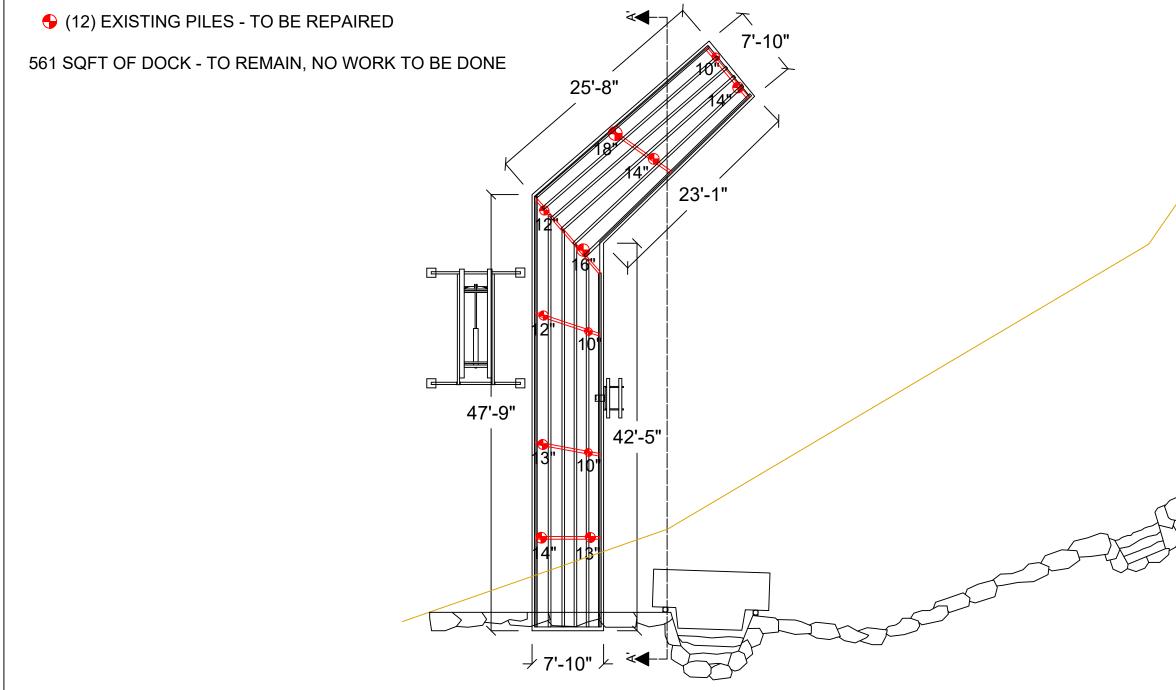




PIER DETAILS - EXISTING/PROPOSED

<u>LEGEND</u>

EXISTING DOCK TO REMAIN



PLAN VIEW

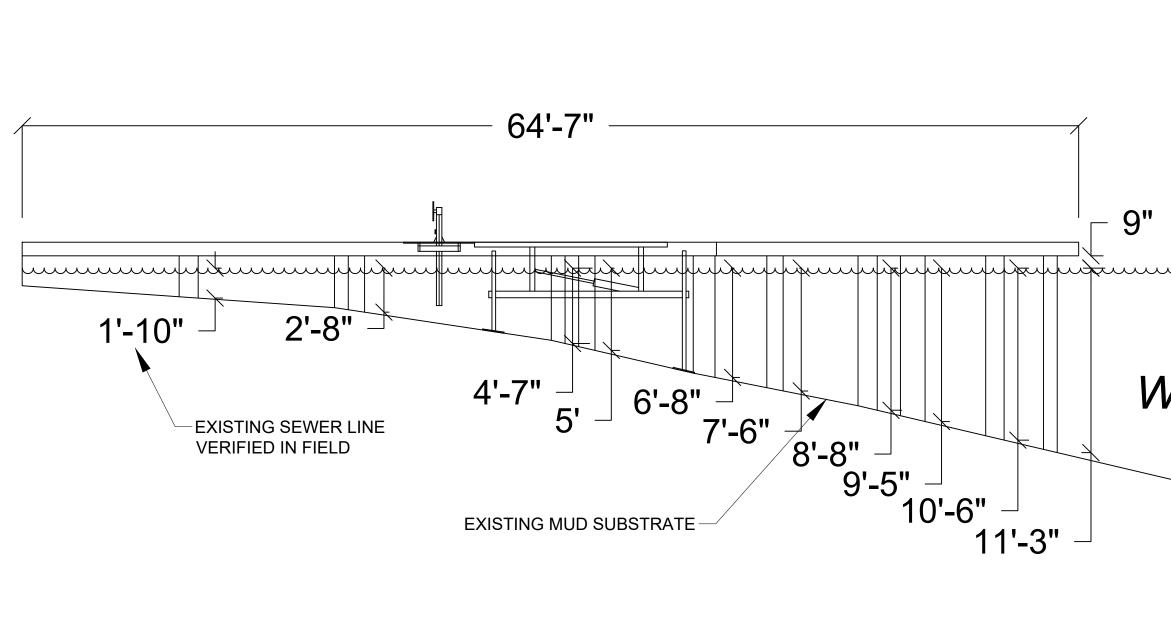


Seaborn Pile Driving 1080 W Ewing St Seattle, WA 98119

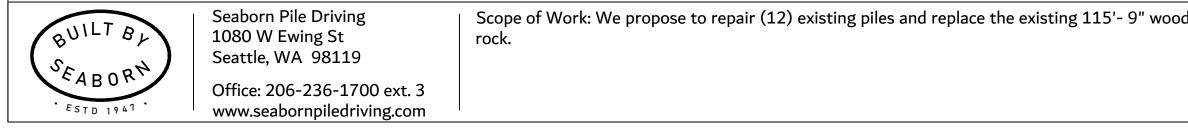
Office: 206-236-1700 ext. 3 www.seabornpiledriving.com Scope of Work: We propose to repair (12) existing piles and replace the existing 115'- 9" wood rock.

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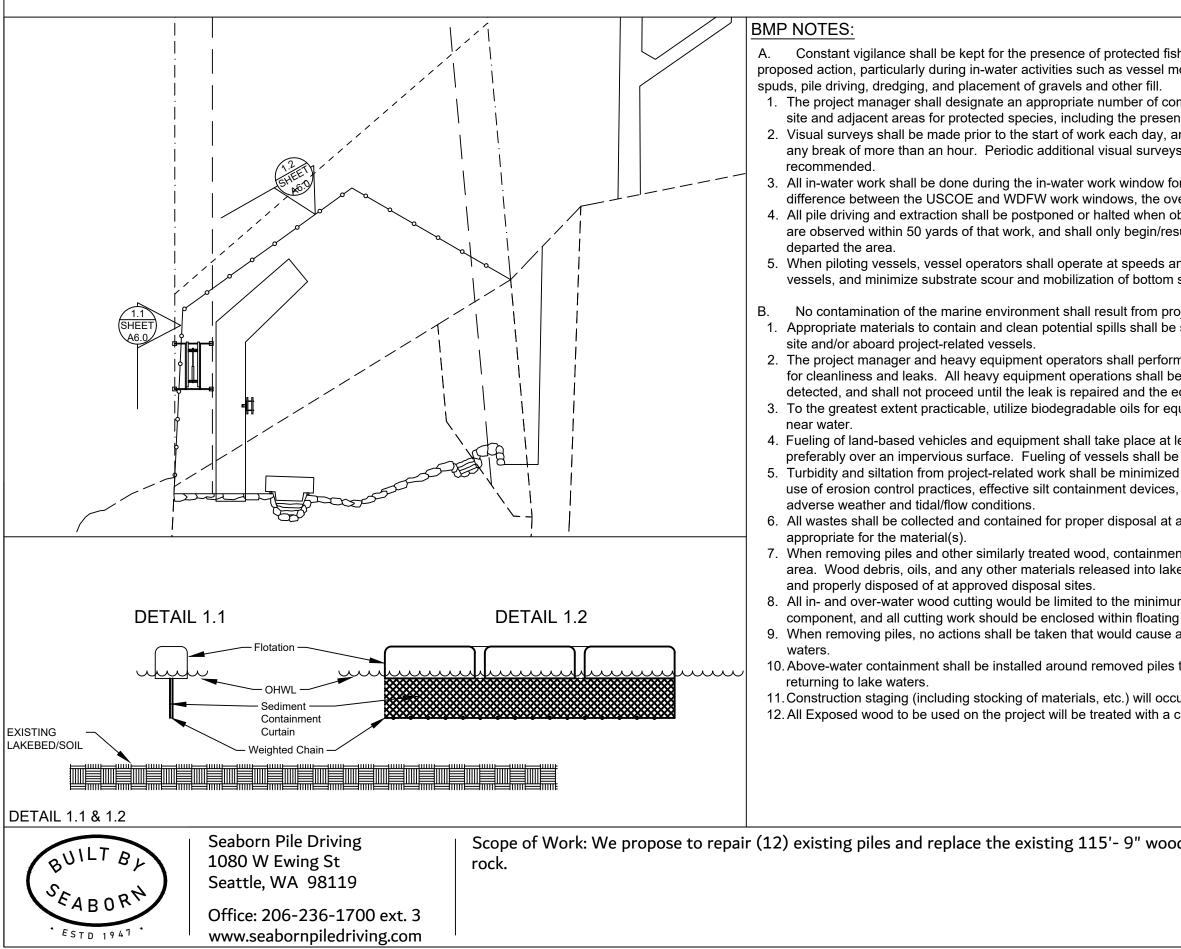


SECTION VIEW: A'-A'

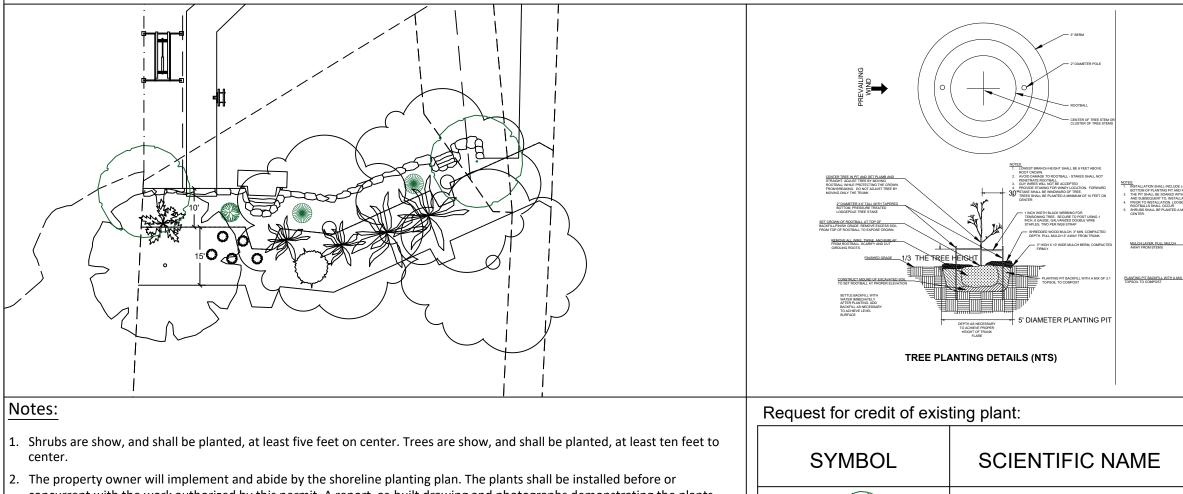


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BMP INFORMATION



MITIGATION PLAN



- 2. The property owner will implement and ablde by the shoreline planting plan. The plants shall be installed before or concurrent with the work authorized by this permit. A report, as-built drawing and photographs demonstrating the plants have been installed or a report on the status of project construction will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, within 12 months from the date of permit issuance. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Report for Mitigation Work Completion form.
- 3. The property owner will maintain and monitor the survival of installed shoreline plantings for five years after the U.S. Army Corps of Engineers accepts the as-built report. Installed plants shall achieve 100% survival during monitoring Years 1 and 2. Installed plants shall achieve at least 80% survival during monitoring Years 3, 4 and 5. Percent survival is based on the total number of plants installed in accordance with the approved riparian planting plan. Individual plants that die will be replaced with native riparian species in order to meet the survival performance standards.
- 4. The property owner will provide annual monitoring reports for five years (Monitoring Years 1-5). Each annual monitoring report will include written and photographic documentation on plant mortality and replanting efforts and will document whether the performance standards are being met. Photos will be taken from established points and used repeatedly for each monitoring year. In addition to photos at designated points, photo documentation will include a panoramic view of the entire planting area. Submitted photos will be formatted on standard 8 1/2 x 11" paper, dated with the date the photo was taken, and clearly labeled with the direction from which the photo was taken. The photo location points will be identified on an appropriate drawing. Annual shoreline planting monitoring reports will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, by November 31 of each monitoring year. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Mitigation Planting Monitoring Report form.

·	Salix sitch	Salix sitchensis				
PROPOSE	ED PLANTING S	SPECIES				
SYMBOL	LATIN NAME	соммо				
	Rosa Nutkana	Nootk				
	Philadelphus lewisii	Mock (
$\left(\cdot \right)$	Salix Sitchensis	Sitka \				

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SEABORN
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Seaborn Pile Driving 1080 W Ewing St Seattle, WA 98119 Office: 206-236-1700 ext. 3

www.seabornpiledriving.com

Scope of Work: We propose to repair (12) existing piles and replace the existing 115'- 9" woor rock.

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EXISTING PLANT PLAN

		EXISTING I	PLANTING SPECI
		SYMBOL	SCIENTIFIC NAME
			Pinus contorta
			Wintercreeper euonymus
			Phorium tenex
		· ·	Salix sitchensis
1 Mars 10" L			Pinus mugo
			Muhlenbergia rigens
PLAN VIEW			
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SEABORN Office: 206-236-1700 ext. 3 • FSTD 1941 www.seabornpiledriving.com			

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	COMMON NAME	QTY	SIZE			
	Lodgepole Pine	3	~30'	County: Location: st Updated: 8/26/		
	Fortune's spindle	4	varies			
	New Zealand flax	1	~5'	Skinner Residence 7601 W. Mercer Way Mercer Island, WA 98040		
	Sitka Willow	1	~15'			
	Dwarf Mugo Pine	1	~8'	Applicant: Ski 760 Merc		
	Deergrass	6	~3'	nge 04		
				Datum: CORPS OF ENGINEERS 1919 SW Quarter Of Section 25, Township 24, Range 04 Adjacent Owners: NKROCK HOLDING LIMITED NKROCK HOLDING LIMITED 7455 W MERCER WAY 98040		
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GENERAL NOTES:

MATERIALS SPEC LIST:

Sewer:

* All sewer is field verified by probing the lake bed manually during the allowed work windows for the area.

Piles:

* Repair piles are done as a sleeve/strap method

CODE REFERENCES: Mercer Island

We are applying for the permit to be reviewed under the:

"Development Standards for Replacement, Repair and Maintenance of Overwater Structu

2. Development Standards for Replacement, Repair and Maintenance of Overwater S and complete replacement of legally existing overwater structures is permitted; provided, i. All permit requirements of federal and state agencies are met;

N/A

ii. The area, width, or length of the structure is not increased, but may be decreased;

The structure is not being altered.

iii. The height of any structure is not increased, but may be decreased; provided, that the h subsection (F)(2)(ix)(b) of this section;

The height of the structure is not being altered.

iv. The location of any structure is not changed unless the applicant demonstrates to the d in: (A) a net gain in ecological function, and (B) a higher degree of conformity with the location of the structure of

The location of the structure is not being altered.

v. Piles shall not be treated with pentachlorophenol, creosote, CCA or comparably toxic are proposed, the applicant shall meet all of the best management practices, including a performance of the Western Wood Preservers. All piling sizes are in nominal did of the overwater structure must be leach resistant, completely dried or cured prior to instatic creosote, CCA or comparably toxic compounds;

Piles are being repaired with epoxy coated steel.

vii. The applicant shall abide by the work windows for listed species established by the U.I

All work will be done within the work windows.

viii. Disturbance of bank vegetation shall be limited to the minimum amount necessary replaced with native, locally adapted herbaceous and/or woody vegetation. Herbaceous p construction. Woody vegetation components shall be planted in the fall or early winter, w measures to ensure revegetation success; Ch. 19.13 Shoreline Master Program | Mercer Is current through Ordinance 20C-13, passed June 16, 2020.

No bank vegetation will be disturbed.

ix. Structural Repair. The structural repair, which may include replacement of framing ele than 50 percent of the structure's framing elements within a five-year period shall comply section. For this section, framing elements include, but are not limited to, stringers, piles,

a.One hundred percent of the decking area of the pier, dock, and any platform lifts must b percent light transmittance;

The structure is not being altered.

b. The height above the OHWM for moorage facilities, except floats, shall be a minimum

The structure is not being altered.

c.An existing moorage facility that is five feet wide or more within 30 feet waterward from face

The structure is not being altered.

Last permit issued for property: 0602-106 BLDG Permit Dock established/constructed: 1997 (bulkhead), 1998 (dock)

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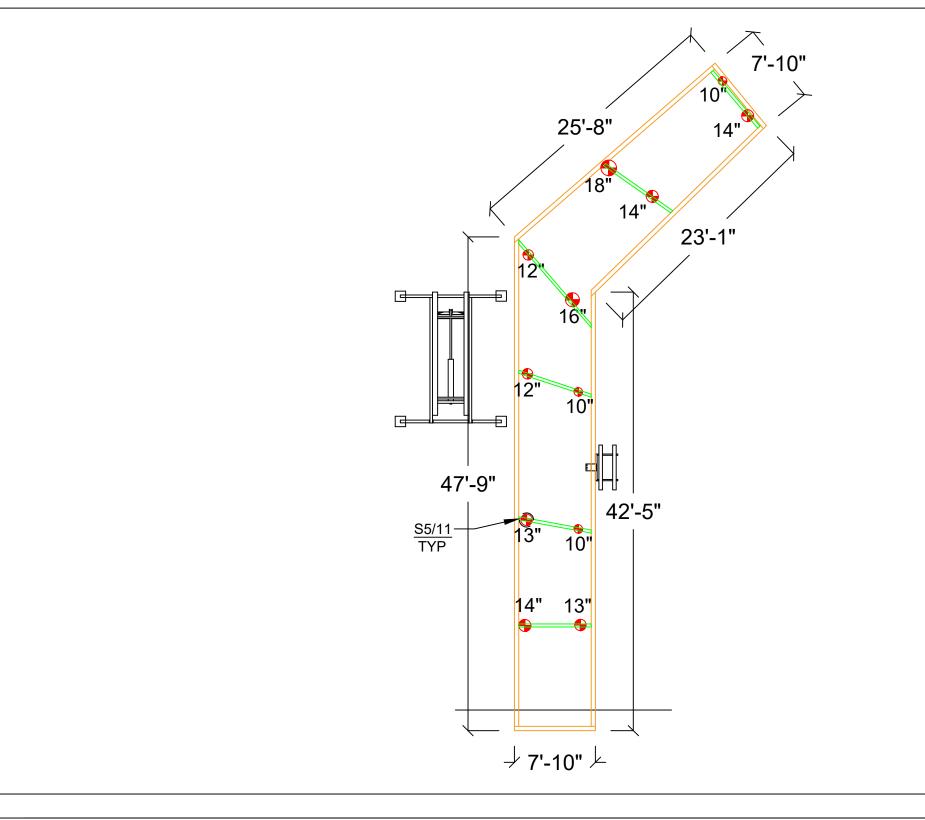
Seaborn Pile Driving 1080 W Ewing St Seattle, WA 98119 Office: 206-236-1700 ext. 3

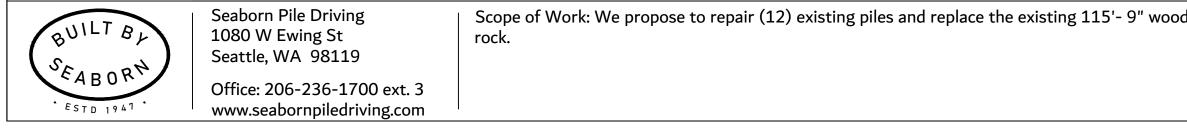
www.seabornpiledriving.com

Scope of Work: We propose to repair (12) existing piles and replace the existing 115'- 9" wood b rock.

ures, Including Moorage Facilities" per MIMC 19.13050(F)(2). Structures, Including Moorage Facilities. The maintenance, repair , that:	King County : Lake Washington	-ast Updated: 8/26/2022 1:22 PM Zion
height above the OHWM may be increased as provided in	County: Location:	Last Updated: 8/26
director's satisfaction that the proposed change in location results ocation standards for a new overwater structure;		
compounds. If ammoniacal copper zinc arsenate (ACZA) pilings oost-treatment procedure, as outlined in the amended Best liameter; Any paint, stain or preservative applied to components allation. Materials shall not be treated with pentochlorophenol,	Applicant: Skinner Residence 7601 W. Mercer Way Mercer Island, WA 98040	
.S. Army Corps of Engineers and Washington Fish and Wildlife;	Skini 7601 V Merce	5/22
v to accomplish the project. Disturbed bank vegetation shall be lantings shall occur within 48 hours of the completion of vhichever occurs first. The applicant shall take appropriate sland City Code Page 29 of 34 The Mercer Island City Code is	Applicant:	Created: 03/25/22
ements, of moorage facilities that results in the repair of more y with subsections $(F)(2)(ix)(a)$ through $(F)(2)(ix)(c)$ of this pile caps, and attachment brackets, as shown in Figure D:	, Range 04	BASSETT DOUGLAS E JR 7455 W MERCER WAY 98040
be fully grated with materials that allow a minimum of 40		SSETT DO
m of one and one-half feet and a maximum of five feet; and	ERS 1 ownsh	BA: 745
m the OHWM shall be replaced or repaired with a moorage	Datum: CORPS OF ENGINEERS 1919 SW Quarter Of Section 25, Township 24	Adjacent Owners: INKROCK HOLDING LIMITED 7617 W MERCER WAY 98040
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FRAMING PLAN





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ENGINEERS 1919 tion 25, Township 24, Range 04
Applicant:
County: King County Location: Lake Washington

DETAILS - REPAIR

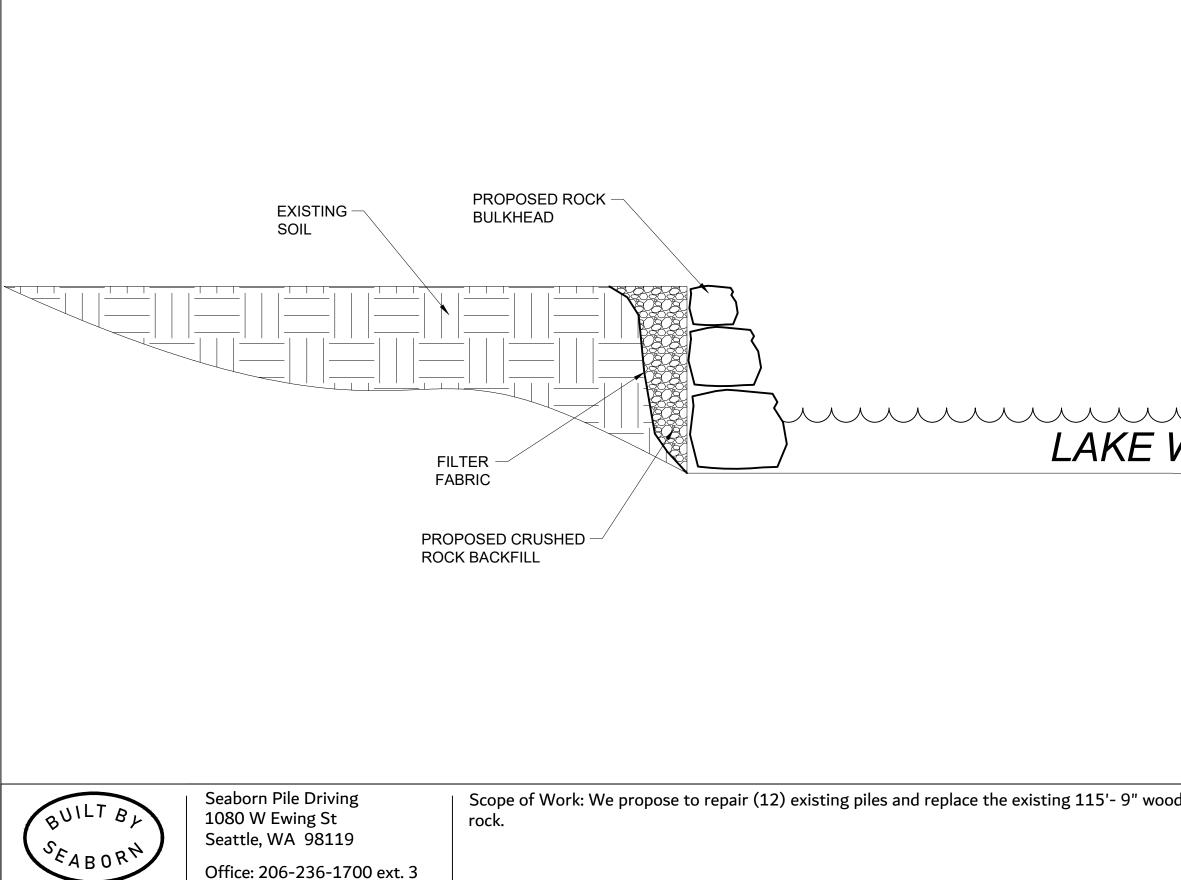
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		CONTAC 2) MINIMUM 3) STRAP A	1 BOLT SPACING = XIS SHALL BE ORI	F BOAT SIZE EX(3" IENTED PERPEN	CEEDS GENERAL	3" 3" DOCK). NOTES MAXIMUM IGITUDINAL AXIS C		SECTION B' EXISTING WOOD PILE - TYP SECTION A'	STEEL PILE- TYP THRUBOLT -
SA DETAIL NOT IN USE BUILT BL SEABORN · ESTD 1941	Seaborn Pile Driving 1080 W Ewing St Seattle, WA 98119 Office: 206-236-1700 ext. 3 www.seabornpiledriving.com	5)SLEEVE F SCALE: 1/2"- 1'			air (12) e	xisting pile	es and replace	e the existing 115'- 9	9" woc

d bulkhead and stairs with new granite	SHEET A11.0	
TYP WAX SPLICE HEIGHT (N) STEEL PILE TO MATCH (N) THE SOLID BEARING (N) THE SOLID BEARING (S) STATUS (S) SAUCUT TOP (E) PILE TO PROVIDE SOLID BEARING (E) WOOD PILE PER SCHED, SAUCUT TOP (E) PILE TO (F) SOLID UNDAMAGED WOOD TO REMAIN @ (E) PILE	Datum: CORPS OF ENGINEERS 1919 SW Quarter Of Section 25, Township 24, Range 04 Mercer Island, WA 9804(Adjacent Owners: BASSETT DOUGLAS E JR INKROCK HOLDING LIMITED BASSETT DOUGLAS E JR 7455 W MERCER WAY 98040 7455 W MERCER WAY 98040
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BULKHEAD DETAIL

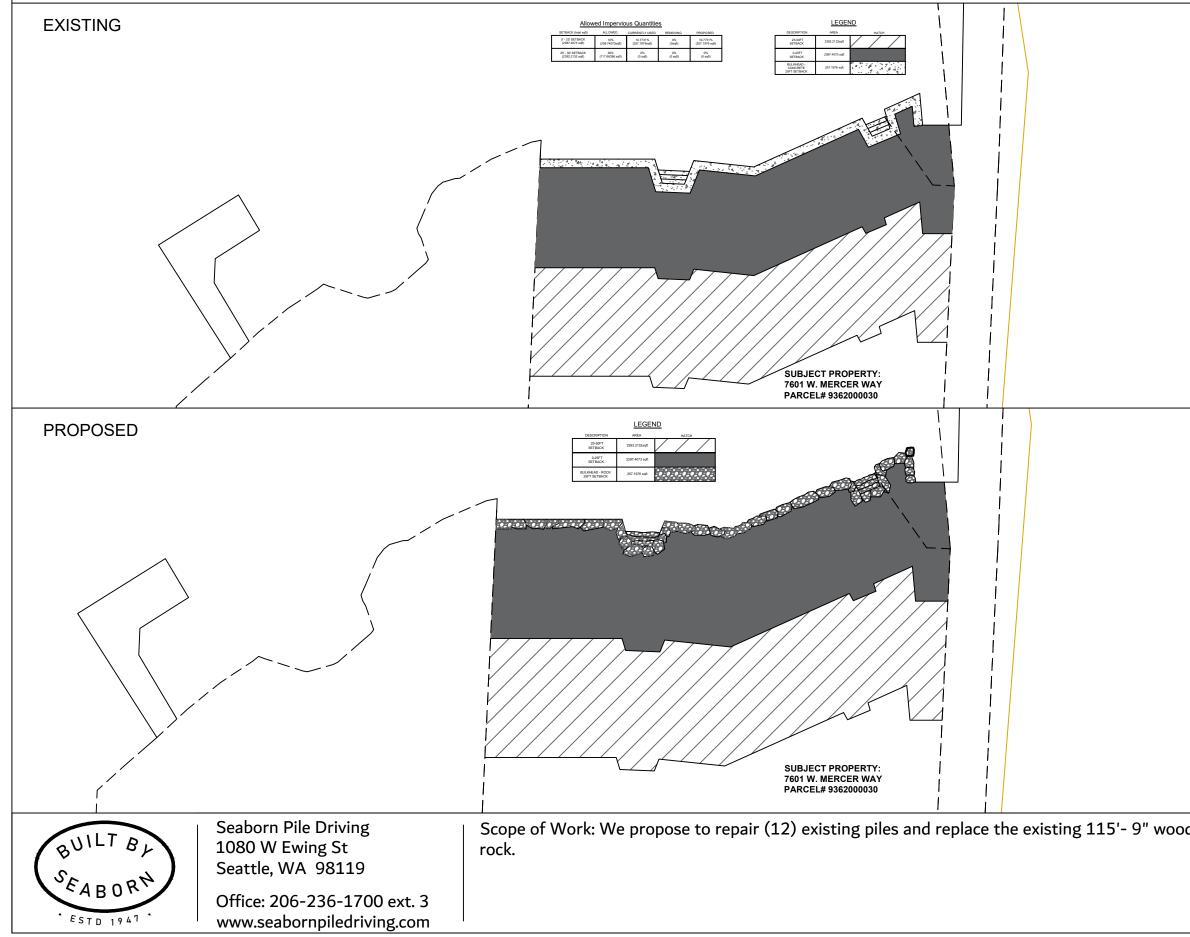
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d bulkhead and stairs with new granite	SHEET	12.0
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IMPERVIOUS SURFACE CALCULATIONS



SHET Datum: CORPS of ENGINEERS 1919 13.0 Matter of Section 25, Township 24, Range 04 Moderner Of Section 25, Township 24, Range 04 Applicant: Skinner Residence 13.0 Matter of Section 25, Township 24, Range 04 Moderner Of Section 25, Township 24, Range 04 Applicant: Skinner Residence Moderner Of Section 25, Township 24, Range 04 Applicant: Skinner Residence Moderner Of Section 25, Township 24, Range 04 Applicant: Skinner Residence Moderner Of Section 25, Township 24, Range 04 Applicant: Skinner Residence Moderner Of Section 25, Township 24, Range 04 Applicant: Skinner Residence		NWS-202 PAGE 3	
ENGINEERS 1919 ENGINEERS 1919 Film 25, Township 24, Range 04 S: BASETT DOUGLAGE LR Mercer Island, WA 98040 Created: 03/25/22 Created: 03/25/22 Last Updated: 8/26/24	d bulkhead and stairs with new granite		
County: Location: Last Updated: 8/26/20		4, Rai	S.
County: King County Location: Lake Washing Last Updated: 8/26/2022 3:51 PM Zion		Applicant: Skinner Residence 7601 W. Mercer Way	Created: 03/25/22
to			Last Updated: 8/26/2022 3:51 PM Zion

Appendix B: Site Photographs



Photo 1 - Existing dock looking waterward.



Photo 2 - Existing dock looking landward.



Photo 3 - Shoreline conditions looking north of the dock. Bulkhead to be replaced.



Photo 4 - Shoreline conditions looking south of the dock. Bulkhead to be replaced.



Photo 5 - Shoreline conditions north of the site.



Photo 6 - Shoreline conditions south of the site.