
CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org



STAFF REPORT

SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

Project No.:	SHL22-027
Description:	A request for a Shoreline Substantial Development Permit with SEPA Review for the installation of (2) new dock mounted personal watercraft (PWC) lifts, (1) new boatlift, relocation and permitting of (1) existing platform lift and permitting of (1) existing boat lift.
Applicant / Owner:	Dray Davick (Seaborn Pile Driving Company) / Samuel and Sarah Leclercq
Site Address:	4548 E Mercer Way, Mercer Island, WA 98040; Identified by King County Assessor tax parcel number 182405-9033.
Zoning District:	Single Family Residential (R-15)
Staff Contact:	Molly McGuire, Planner
Exhibits:	<ol style="list-style-type: none">1. Development Application, received by the City of Mercer Island on November 17, 20222. Development Plan Set, dated November 9, 2022 and received November 17, 20223. SHL01-007 Shoreline Exemption Permit Decision, dated March 13, 20014. SHL14-001 Shoreline Exemption Permit Decision, dated January 27, 20145. Project Narrative, received November 17, 20226. Revised SEPA Checklist, received November 17, 20227. No Net Loss Report prepared by Northwest Environmental Consulting, LLC, dated August 2022 and received November 17, 20228. SEPA Determination of Nonsignificance Issued by the City of Mercer Island on January 17, 2023

INTRODUCTION

I. Project Description

The applicant has requested approval of a Shoreline Substantial Development Permit for the installation of (2) new dock mounted personal watercraft (PWC) lifts, (1) new boatlift, relocation and permitting of (1) existing platform lift and permitting of (1) existing boat lift.

The proposal consists of the following components:

1. A request to install two new dock mounted PWC lifts subject to the standards of Mercer Island City Code (MICC) 19.13.050(F)(3) Alternative development standards.
2. A request to install one new boatlift subject to the standards of MICC 19.13.050(F)(3) Alternative development standards.
3. A request to retroactively permit and relocate an existing platform lift that was installed in the current location without a permit subject to the standards of MICC 19.13.050(F)(3) Alternative development standards.
4. A request to retroactively permit an existing boatlift that was installed without a permit subject to the standards of MICC 19.13.050(F)(3) Alternative development standards.

II. Site Description and Context

1. The proposed activity is to occur at 4548 E Mercer Way, Mercer Island, WA 98040. The site is designated Single Family Residential (zoned R-15) in the Urban Residential Environment on Mercer Island in Lake Washington pursuant to Appendix F of Title 19 of the Mercer Island City Code and described in MICC 19.13.030(B). Adjacent properties are within the R-15 zone and contain residential uses.

Findings of Fact & Conclusions of Law

III. Application Procedure

1. The application for a Shoreline Substantial Development Permit was received by the City of Mercer Island on November 17, 2022. The application was determined to be complete on December 1, 2022.
2. Under MICC 19.15.030, Table A, applications for Shoreline Substantial Development Permits must undergo Type III review. Type III reviews require notice of application (discussed below). A notice of decision is issued once the project review is complete.
3. The City of Mercer Island provided public notice of application for this Shoreline Substantial Development Permit, as set forth in MICC 19.15.090. The comment period for the public notice period lasted for 30 days, from December 5, 2022 to January 5, 2023. The following methods were used for the public notice of application:
 - 1) A mailing sent to neighboring property owners within 300 feet of the subject parcel.
 - 2) A sign posted on the subject parcel.
 - 3) A posting in the City of Mercer Island's weekly permit bulletin.

IV. State Environmental Policy Act (SEPA)

A Determination of Nonsignificance (DNS) is being issued concurrently with the approval of this shoreline substantial development permit following the optional DNS process per Washington Administrative Code (WAC) 197-11-355 (Exhibit 8). The SEPA application is identified by City of Mercer Island project number SEP22-015.

V. Consistency with the Shoreline Master Program and Land Development Code

1. MICC 19.13.050(D), Table D lists requirements for moorage facilities and development located waterward from the OHWM:

- a. Moorage facilities may be developed and used as an accessory to dwellings on shoreline lots. Only one noncommercial, residential moorage facility per upland residential waterfront lot authorized.

Staff Analysis: The subject property contains only one noncommercial, residential moorage facility (Exhibit 2, Sheet 3.0); therefore, this standard is met.

- b. Setbacks for all moorage facilities, covered moorage, and floating platforms shall be 10 feet from the lateral line, except where the moorage facility is built pursuant to the agreement between adjoining property owners.

Staff Analysis: The existing pier is located less than 10 ft away from the south lateral line (Exhibit 2, Sheet 3.0). The pier was constructed prior to 1963, based on the City's online mapping system. The pier was previously repaired in 2001 via Shoreline Exemption permit no. SHL01-007 (Exhibit 3) and again in 2014 via Shoreline Exemption permit no. SHL14-001 (Exhibit 4). Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The pier was legally established, and no work is proposed on the existing pier through this permit.

- c. Setbacks for boat ramps and other facilities for launching boats by auto or hand, including parking and maneuvering space, shall be 25 feet from any adjacent private property line.

Staff Analysis: The proposed development does not include a boat ramp or other facilities for launching boats; therefore, this standard does not apply.

- d. The length or maximum distance from the OHWM for moorage facilities, covered moorage, boatlifts and floating platforms shall be a maximum of 100 feet. In cases where water depth is less than 11.85 feet below the OHWM, length may extend up to 150 feet or to the point where water depth is 11.85 feet at OHWM, whichever is less.

Staff Analysis: The existing pier extends approximately 204 feet from the OHWM (Exhibit 2, Sheet 3.0). The pier was previously repaired in 2001 via Shoreline Exemption permit no. SHL01-007 and again in 2014 via Shoreline Exemption permit no. SHL14-001. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The pier was legally established, and no work is proposed on the existing pier through this permit.

- e. The width of moorage facilities within 30 feet waterward from the OHWM shall be a maximum of 4 feet. This maximum width may increase to 5 feet if one of the following is met:

- Water depth is 4.85 feet or more, as measured from the OHWM.
- A moorage facility is required to comply with Americans with Disabilities Act (ADA) requirements.
- A resident of the property has a documented permanent state disability as defined in WAC 308-96B-010(5).
- The proposed project includes mitigation option A, B or C listed in Table E; and for replacement actions, there is either a net reduction in overwater coverage within 30 feet

waterward from the OHWM, or a site-specific report is prepared by a qualified professional demonstrating no net loss of ecological function of the shorelands. Moorage facility width shall not include pilings, boat ramps and lift stations.

Staff Analysis: The existing pier is approximately 6 feet, 3 inches wide within 30 feet waterward from the OHWM (Exhibit 2, Sheet 3.0). The pier was previously repaired in 2001 via Shoreline Exemption permit no. SHL01-007 and again in 2014 via Shoreline Exemption permit no. SHL14-001. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The pier was legally established, and no work is proposed on the existing pier through this permit.

- f. The width of moorage facilities more than 30 feet waterward from the OHWM shall be a maximum of 6 feet. Moorage facility width shall not include pilings, boat ramps and boatlifts.

Staff Analysis: The existing pier is approximately 13 feet, 3 inches wide at the widest point greater than 30 feet waterward from the OHWM (Exhibit 2, Sheet 3.0). The pier was previously repaired in 2001 via Shoreline Exemption permit no. SHL01-007 and again in 2014 via Shoreline Exemption permit no. SHL14-001. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The pier was legally established, and no work is proposed on the existing pier through this permit.

- g. The maximum height limits for walls, handrails and storage containers located on piers shall be 3.5 feet above the surface of a dock or pier. Ramps and gangways designed to span the area between 0 and 30 feet from the OHWM may be 4 feet above the surface of the dock or pier.

Staff Analysis: The proposed development does not include walls, handrails, or storage containers on the existing pier; therefore, this standard does not apply.

- h. The height limit for mooring piles, diving boards and diving platforms shall be 10 feet above the elevation of the OHWM.

Staff Analysis: The proposed development does not include mooring piles, diving boards or diving platforms; therefore, this standard does not apply.

- i. The minimum water frontage for a dock used by one single-family lot on the shoreline is 40 feet.

Staff Analysis: The subject property has water frontage of greater than 40 feet; therefore, this standard is met.

- j. Covered moorage is permitted on single-family residential lots subject to the following:

- i. Maximum height above the OHWM: 16 feet; 16 to 21 feet subject to criteria of MICC 19.13.050(E)(1).

Staff Analysis: The existing covered moorage was installed prior to 1963, based on the City's online mapping system. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally

created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The covered moorage was legally established, and no work is proposed to the existing covered moorage.

- ii. Location/area requirements: The covered portion of a moorage shall be restricted to the area lying within a triangle as illustrated in Figure A (MICC 19.13.050(E)), except as otherwise provided in subsection (E)(1) of this section.

Staff Analysis: The existing covered moorage was installed prior to 1963, based on the City's online mapping system. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The covered moorage was legally established, and no work is proposed to the existing covered moorage.

- iii. A covered moorage is allowed outside the triangle, or a canopy up to 21 feet in height, if the covered moorage meets all other regulations and:

- Will not constitute a hazard to the public health, welfare, and safety, or be injurious to affected shoreline properties within the vicinity;
- Will constitute a lower impact for abutting property owners; and
- Is not in conflict with the general intent and purpose of the SMA, the shoreline master program and the development code.

Staff Analysis: The existing covered moorage was installed prior to 1963, based on the City's online mapping system. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The covered moorage was legally established, and no work is proposed to the existing covered moorage.

- iv. Building area: 600 square feet; however, a covered moorage may be built larger than 600 square feet within the triangle subject to a shoreline conditional use permit.

Staff Analysis: The existing covered moorage was installed prior to 1963, based on the City's online mapping system. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The covered moorage was legally established, and no work is proposed to the existing covered moorage.

- v. Covered moorage shall have open sides.

Staff Analysis: The existing covered moorage was installed prior to 1963, based on the City's online mapping system. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not

increased. The covered moorage was legally established, and no work is proposed to the existing covered moorage.

- vi. Prohibited in semi-private recreational tracts and noncommercial recreational areas.

Staff Analysis: The existing covered moorage was installed prior to 1963, based on the City's online mapping system. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The covered moorage was legally established, and no work is proposed to the existing covered moorage.

- vii. Translucent coverings are required.

Staff Analysis: The existing covered moorage was installed prior to 1963, based on the City's online mapping system. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The covered moorage was legally established, and no work is proposed to the existing covered moorage.

- 2. MICC 19.13.050(F) states that all permits for new and expanded moorage facility, other than public access piers or boardwalks, shall meet the following standards unless otherwise exempted. Moorage facilities have the option of meeting either the development standards prescribed in subsection (F)(1) or (F)(2) of this section, or the "alternative development standards" in subsection (F)(3) of this section.

Staff Analysis: The applicant has requested that the proposed development be reviewed under MICC 19.13.050(F)(3), Alternative development standards.

- 3. MICC 19.13.050(F)(3) lists alternative development standards for new or expanded moorage facilities. The code official shall approve moorage facilities not in conformance with the development standards in subsection (F)(1) or (F)(2) of this section subject to both U.S. Army Corps of Engineers and Washington Department of Fish and Wildlife approval to an alternate project design. The following requirements and all other applicable provisions in this chapter shall be met:

- a. The dock must be no larger than authorized through state and federal approval.

Staff Analysis: As conditioned, the applicant must obtain any applicable permits for this project from federal and state agencies prior to building permit issuance; therefore, this standard will be met.

- b. The maximum width must comply with the width of moorage facilities standards specified in subsection D of this section (Table D).

Staff Analysis: The existing pier is approximately 13 feet, 3 inches wide at the widest point greater than 30 feet waterward from the OHWM. The pier was previously repaired in 2001 via Shoreline Exemption permit no. SHL01-007 and again in 2014 via Shoreline Exemption permit no. SHL14-001. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be

maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The pier was legally established, and no work is proposed on the existing pier through this permit.

- c. The minimum water depth must be no shallower than authorized through state and federal approval.

Staff Analysis: The existing pier is approximately 13 feet, 3 inches wide at the widest point greater than 30 feet waterward from the OHWM. The pier was previously repaired in 2001 via Shoreline Exemption permit no. SHL01-007 and again in 2014 via Shoreline Exemption permit no. SHL14-001. Pursuant to MICC 19.13.020(A), overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased. The pier was legally established, and no work is proposed on the existing pier through this permit.

- d. The applicant must demonstrate to the code official's satisfaction that the proposed project will not create a net loss in ecological function of the shorelands.

Staff Analysis: The applicant has submitted a No Net Loss Report prepared by Northwest Environmental Consultants, LLC, dated August 2022 (Exhibit 7) demonstrating that the proposed development will not create a net loss in ecological function of the shorelands; therefore, this standard is met.

- e. The applicant must provide the city with documentation of approval of the moorage facilities by both the U.S. Army Corps of Engineers and the Washington Department of Fish and Wildlife.

Staff Analysis: As conditioned, the applicant must obtain any applicable permits for this project from federal and state agencies prior to building permit issuance; therefore, this standard will be met.

CONDITIONS OF APPROVAL

1. The project proposal shall be in substantial conformance with Exhibit 2 and all applicable development standards contained within Mercer Island City Code (MICC) Chapter 19.13.
2. The applicant shall obtain any permits from state and federal agencies that are applicable to this project. The applicant is also responsible for documenting any required changes in the project proposal due to conditions imposed by any applicable local, state and federal government agencies.
3. Construction shall not be authorized, nor may begin within twenty-one days of the date of filing of the decision as defined in RCW 90.58.140(6).
4. A City of Mercer Island Building Permit may be required for construction of this project proposal. The Building Official may require an appropriate performance bond in an amount to be determined prior to Building Permit issuance to ensure all required vegetation installation is completed in compliance with applicable code requirements.

5. Construction of this project proposal shall only occur during approved fish windows by local, state, and/or federal government agencies. The applicant is responsible for obtaining permit approvals from all state and federal agencies.
6. Construction of this project proposal shall only occur during approved construction hours by the City of Mercer Island and/or as otherwise restricted by the Building Official.
7. The applicant shall provide the City with documentation of approval of the project from the U.S. Army Corps of Engineers and the Washington Department of Fish and Wildlife. This documentation shall be received by the City prior to issuance of building permits for this project.
8. The applicant shall provide the City with an affidavit prior to **permit issuance**. The affidavit shall state that the applicant has field located the sewer lake line and the location on the site plan (as revised) is the actual location within Lake Washington. The affidavit shall acknowledge that the applicant is responsible for any damages to the sewer lake line caused by the construction. **Please note:** Damage can occur from pile driving, grounding the barge or securing it with vertical steel shafts (spuds), and other possible impacts from the project.
9. The applicant shall provide the City with development plans that reflect the field verified location of the sewer lake line pre-construction prior to **permit issuance**. If the lakebed is being disturbed, please contact Fish and Wildlife and the U.S. Army Corps of Engineers, as a permit may be required. **Please note:** Field verification should be performed with due care as the sewer lake line is pressurized in some locations and the pipe material could be prone to damage.

The applicant shall provide development plans based upon a pre-construction field survey locating the sewer lake line, and shall deliver the results to the City in one of the formats listed below, ranked from top to bottom, (a) being the top preferred method:

- a. A hand-drawn or plotted as-built of the lake line location with accurate distance measurements to multiple visible and permanent reference points. Reference points can include dock corners, utilities, structures, stairs, etc.
- b. A CAD file including the lake line and surveyed area in WGS-1984 or Washington State Plane North coordinate systems.
- c. A CAD file including the lake line and surveyed area in an assumed coordinate system, including multiple visible and permanent reference points.
- d. A list of coordinates denoting the lake line location, in WGS-1984 or Washington State Plane North coordinate systems.
- e. If none of the above options are viable, the City will consider reasonable efforts to provide field verification of the sewer lake line. Possible constraints that may make field verification nonviable includes, but is not limited to, the following: if the sewer pipe is too deep to locate or if there are fish window constraints.

If a coordinate system is used, the survey must be performed using high accuracy GPS or total station (half-foot accuracy). This **excludes** cellphone or handheld GPS surveys.

10. The applicant shall inform the Mercer Island Maintenance Department at (206) 275-7608 of the anticipated start date of in-water work prior to commencement of construction.
11. Piles, floats or other structures in direct contact with water shall not be treated or coated with toxic substances harmful to the aquatic environment. Chemical treatment of structures shall comply with all applicable state and federal regulations. Any pollutants entering Lake Washington shall be reported

immediately to the Department of Ecology. N.W. Regional Office: (425) 649-7000 and the City of Mercer Island (206) 275-7605.

12. Construction or substantial progress toward construction of a development for which a permit has been granted must be undertaken within two years after the approval of the permit or the permit shall terminate. The code official shall determine if substantial progress has been made. A single extension before the end of the time limit, with prior notice to parties of record, for up to one year, based on reasonable factors may be granted.

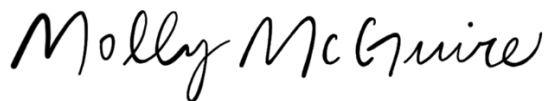
DEVELOPMENT REGULATION COMPLIANCE – DISCLOSURE

1. The applicant is responsible for obtaining any required permits or approvals from the appropriate Local, State, and Federal Agencies. The applicant is responsible for meeting the conditions are required by the agencies pursuant to MICC 19.13.010(E) and 19.13.040.
2. All required permits must be obtained prior to the commencement of construction.

DECISION

Based upon the above noted Findings of Fact and Conclusions of Law, Shoreline Substantial Development Permit application SHL22-027, as depicted in Exhibit 2, is hereby **APPROVED**. This decision is final, unless appealed in writing consistent with adopted appeal procedures, MICC 19.15.130(A), and all other applicable appeal regulations.

Approved this 17th day of January, 2023



Molly McGuire
Planner
Community Planning & Development
City of Mercer Island

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercerisland.gov



CITY USE ONLY

PROJECT#

RECEIPT #

FEE

Date Received:

Received By:

DEVELOPMENT APPLICATION

STREET ADDRESS/LOCATION		ZONE
COUNTY ASSESSOR PARCEL #'S		PARCEL SIZE (SQ. FT.)
PROPERTY OWNER (required)	ADDRESS (required)	CELL/OFFICE (required) E-MAIL (required)
PROJECT CONTACT NAME	ADDRESS	CELL/OFFICE E-MAIL
TENANT NAME	ADDRESS	CELL PHONE E-MAIL

DECLARATION: I HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY OR I HAVE BEEN AUTHORIZED BY THE OWNER(S) OF THE SUBJECT PROPERTY TO REPRESENT THIS APPLICATION, AND THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Dray Davick
SIGNATURE

DATE

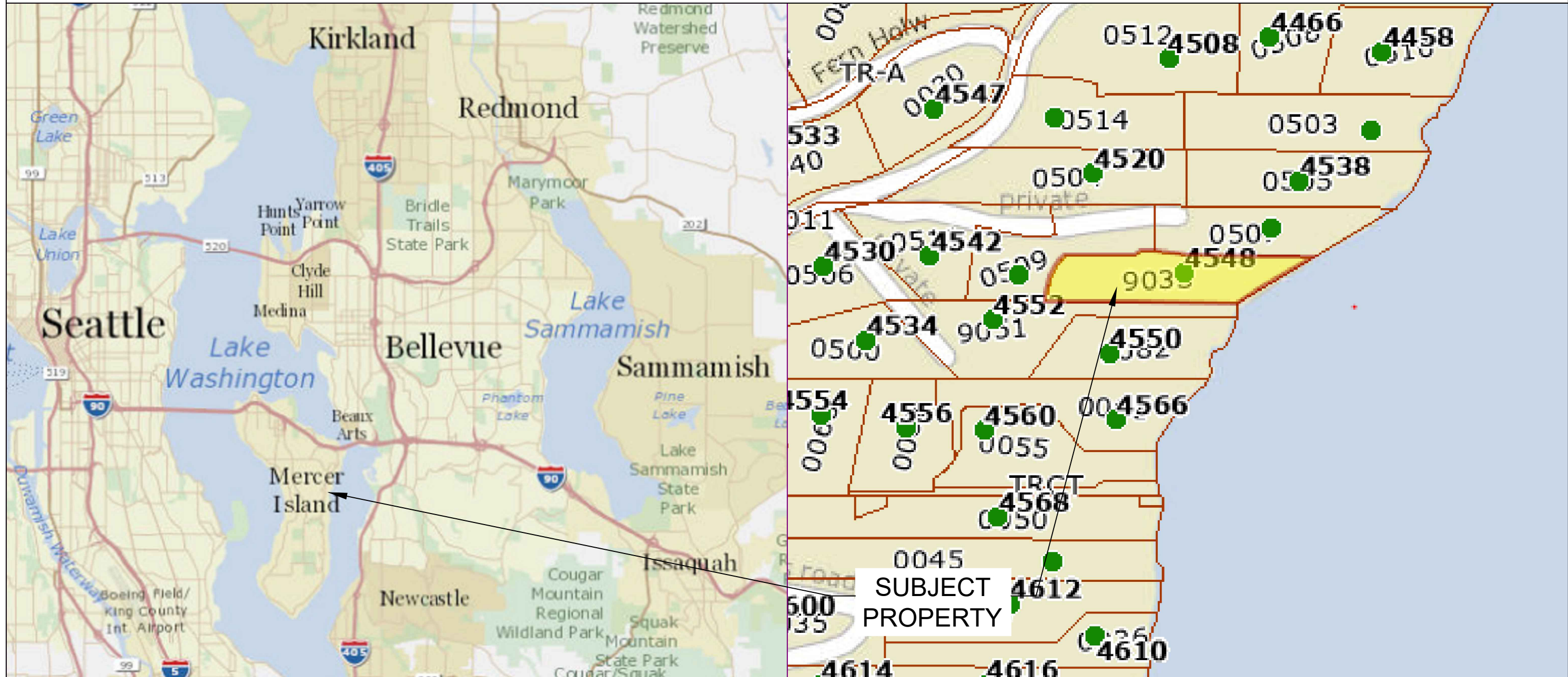
PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL (PLEASE USE ADDITIONAL PAPER IF NEEDED):

ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

CHECK TYPE OF LAND USE APPROVAL REQUESTED:

CRITICAL AREAS	ENVIRONMENTAL REVIEW (SEPA)	SUBDIVISION
<input type="checkbox"/> Critical Area Review 1	<input type="checkbox"/> SEPA Review	<input type="checkbox"/> Short Plat- Preliminary
<input type="checkbox"/> Critical Area Review 2	<input type="checkbox"/> Environmental Impact Statement	<input type="checkbox"/> Short Plat- Alteration
		<input type="checkbox"/> Short Plat- Final Plat
DESIGN REVIEW		<input type="checkbox"/> Long Plat- Preliminary
<input type="checkbox"/> Design Review – Signs	LEGISLATIVE	<input type="checkbox"/> Long Plat- Alteration
<input type="checkbox"/> Design Review – Code Official	<input type="checkbox"/> Code Amendment	<input type="checkbox"/> Long Plat- Final Plat
<input type="checkbox"/> Design Commission Study Session	<input type="checkbox"/> Comprehensive Plan Docket Application	<input type="checkbox"/> Lot Line Revision
<input type="checkbox"/> Design Commission Review – Exterior Alteration	<input type="checkbox"/> Comprehensive Plan Application (If Docketed)	
<input type="checkbox"/> Design Commission Review – Major New Construction	<input type="checkbox"/> Rezone	
	OTHER LAND USE	
	<input type="checkbox"/> Accessory Dwelling Unit	
	<input type="checkbox"/> Code Interpretation Request	
	<input type="checkbox"/> Conditional Use (CUP)	WIRELESS COMMUNICATION FACILITIES
<input type="checkbox"/> Deviations to Antenna Standards – Code Official	<input type="checkbox"/> Noise Exception Type I - IV	<input type="checkbox"/> New Wireless Communication Facility
<input type="checkbox"/> Deviations to Antenna Standards – Design Commission	<input type="checkbox"/> Other Permit/Services Not Listed	<input type="checkbox"/> Wireless Communications Facilities- 6409 Exemption
<input type="checkbox"/> Public Agency Exception	SHORELINE MANAGEMENT	<input type="checkbox"/> Small Cell Deployment
<input type="checkbox"/> Reasonable Use Exception	<input type="checkbox"/> Shoreline Exemption	<input type="checkbox"/> Height Variance
<input type="checkbox"/> Variance	<input type="checkbox"/> Shoreline Substantial Development Permit	
<input type="checkbox"/> Seasonal Development Limitation Waiver – Wet Season Construction Approval	<input type="checkbox"/> Shoreline Variance	
	<input type="checkbox"/> Shoreline Conditional Use Permit	
	<input type="checkbox"/> Shoreline Permit Revision	

SITE PLAN



Pin: 182405-9033

Legal Description: LOT 2 & SH LDS ADJ MERCER ISLAND SHORT PLAT NO 84-0415 REC NO 840625-9006 SD SHORT PLAT DAF - 560 FT OF TR 6 & OF GL 2 IN SE 1/4 18-24-5 LY ELY & NLY OF LN BAAP ON S LN SD TR 6 & ELY LN OF E MERCER WAY TH N89-16-30E ALG SD S LN TAP ON SELY LN OF FERNCROFT RD AF 5999004 DIST N 89-16-30 E 1150 FT M/L FR SW COR SD TR 6 TH NELY ALG SD SELY LN 103.17 FT M/L TO NELY LN OF PVT RD & TPOB TH S 38-34-27 E 65.16 FT TAP ON S LN SD TR 6 TH S 47-19-30 E 87.86 FT TH N 89-16-30 E TO SH LN OF LAKE & TERM SD LN

Plat Block:

Plat Lot:

Parcel
LAT: 47.56444
LONG: -122.20957

Dock
LAT: 47.564387
LONG: -122.209049



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 relocate & permit (1) existing platform lift, permit (1) existing boat lift, install (2) new dock mounted PWC lifts, and install (1) new boat lift.

County: King County
Location: Lake Washington

Applicant: LeClercq Residence
4548 E Mercer Way
Mercer Island, WA 98042

Datum: CORPS OF ENGINEERS 1919
SE Quarter Of Section 18, Township 24, Range 05

Adjacent Owners:
GEISNER IRENE MARKMAN AND K
4552 E MERCER WAY 98040

FUCHS ROBIN+JENNELL D
4540 FERNCROFT RD 98040

Created:

Last Updated: 11/9/2022 1:51 PM Dray

SHEET
1.0

GENERAL NOTES:

MATERIALS SPEC LIST:

Boat Lifts: Aluminum

- * SL8012ARW - 146" x 167"
- * Dock mounted PWC lift - 34"x16"

Sewer:

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

CODE REFERENCES: Mercer Island

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

“Alternative Development Standards” per MIMC 19.13050(F)(3).

The code official shall approve moorage facilities not in compliance with the development standards in subsection (F)(1) or (F)(2) of this section subject to both U.S. Army Corps of Engineers and Washington Department of Fish and Wildlife approval to an alternate project design. The following requirements and all other applicable provisions in this chapter shall be met:

i. The dock must be no larger than authorized through state and federal approval; Ch. 19.13 Shoreline Master Program | Mercer Island City Code Page 30 of 34 The Mercer Island City Code is current through Ordinance 20C-13, passed June 16, 2020.

The dock is not being altered.

ii. The maximum width must comply with the width of moorage facilities standards specified in standards specified in subsection D of this section (Table D);

N/A

iii. The minimum water depth must be no shallower than authorized through state and federal approval;

N/A

iv. The applicant must demonstrate to the code official's satisfaction that the proposed project will not create a net loss in ecological function of the shorelands; and

The No Net Loss report is attached.

v. The applicant must provide the city with documentation of approval of the moorage facilities by both the U.S. Army Corps of Engineers and the Washington Department of Fish and Wildlife.

The plan is under review by the CORPS and WDFW.

Mitigation Disturbance of bank vegetation shall be limited to the minimum amount necessary to accomplish the project. Disturbed bank vegetation shall be replaced with native, locally adapted herbaceous and/or woody vegetation. Herbaceous plantings shall occur within 48 hours of the completion of construction. Woody vegetation components shall be planted in the fall or early winter, whichever occurs first. The applicant shall take appropriate measures to ensure revegetation success;

Last permit issued for property: 1410-015 Building Permit on 10/2/2014

Dock established/constructed: 7/27/1984

County: King County
 Location: Lake Washington
 Applicant: LeClerc Residence
 4548 E Mercer Way
 Mercer Island, WA 98042
 Datum: CORPS OF ENGINEERS 1919
 SE Quarter Of Section 18, Township 24, Range 05
 Adjacent Owners:
 GEISNER IRENE MARKMAN AND K
 4552 E MERCER WAY 98040
 FUCHS ROBIN+JENNELL D
 4540 FERNCREFT RD 98040
 Created: 11/9/2022 1:51 PM Dray
 Last Updated: 11/9/2022 1:51 PM Dray



Seaborn Pile Driving
 1080 W Ewing St
 Seattle, WA 98119

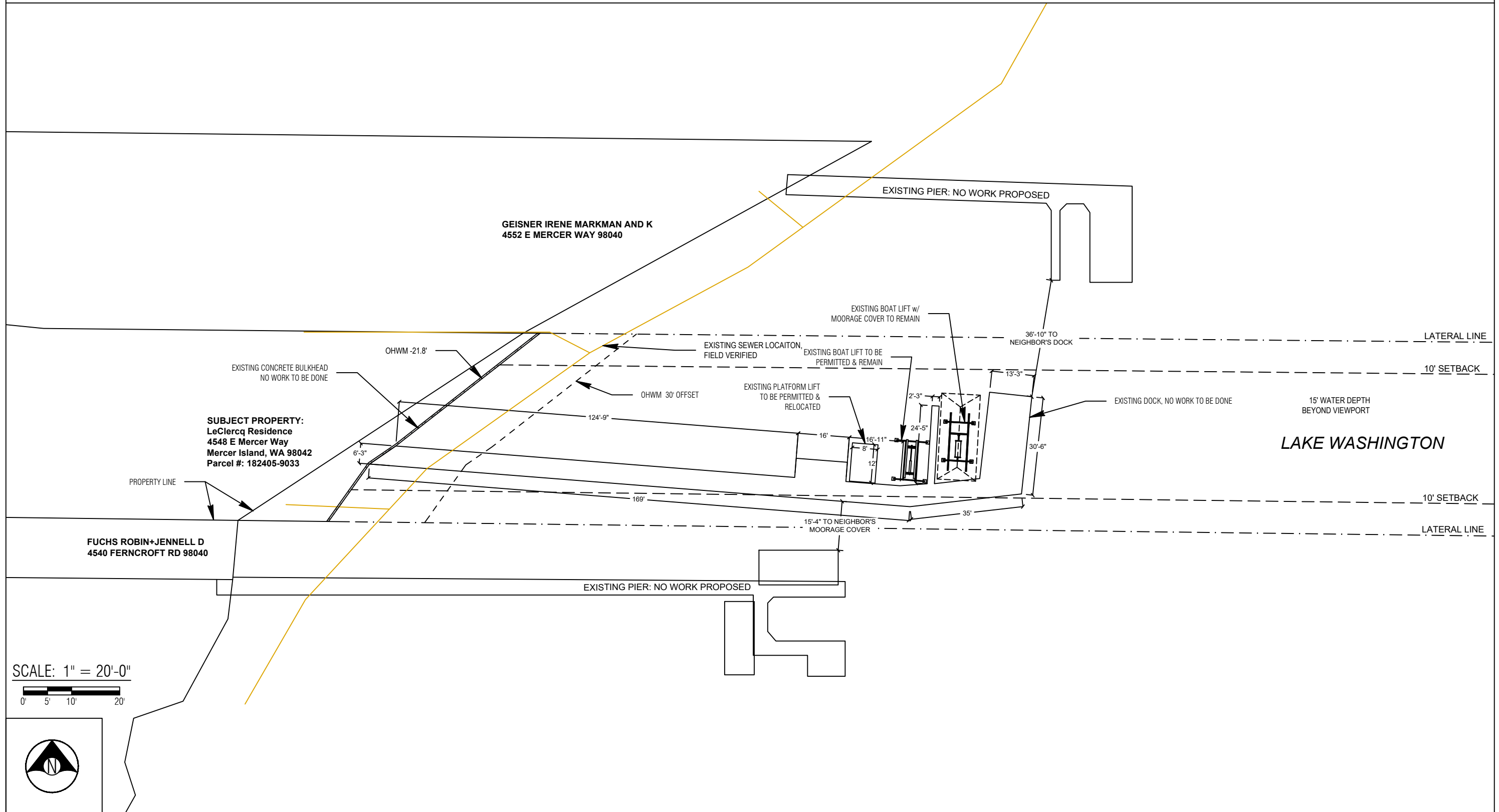
Office: 206-236-1700 ext. 3
 www.seabornpiledriving.com

Scope of Work: We propose to relocate & permit (1) existing platform lift, permit (1) existing boat lift, install (2) new dock mounted PWC lifts, and install (1) new boat lift.

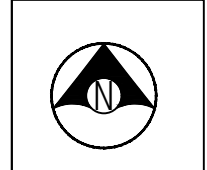
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EXISTING CONDITIONS

****CLEAN UP LAKE AROUND PROJECT****



SCALE: 1" = 20'-0"
 0' 5' 10' 20'



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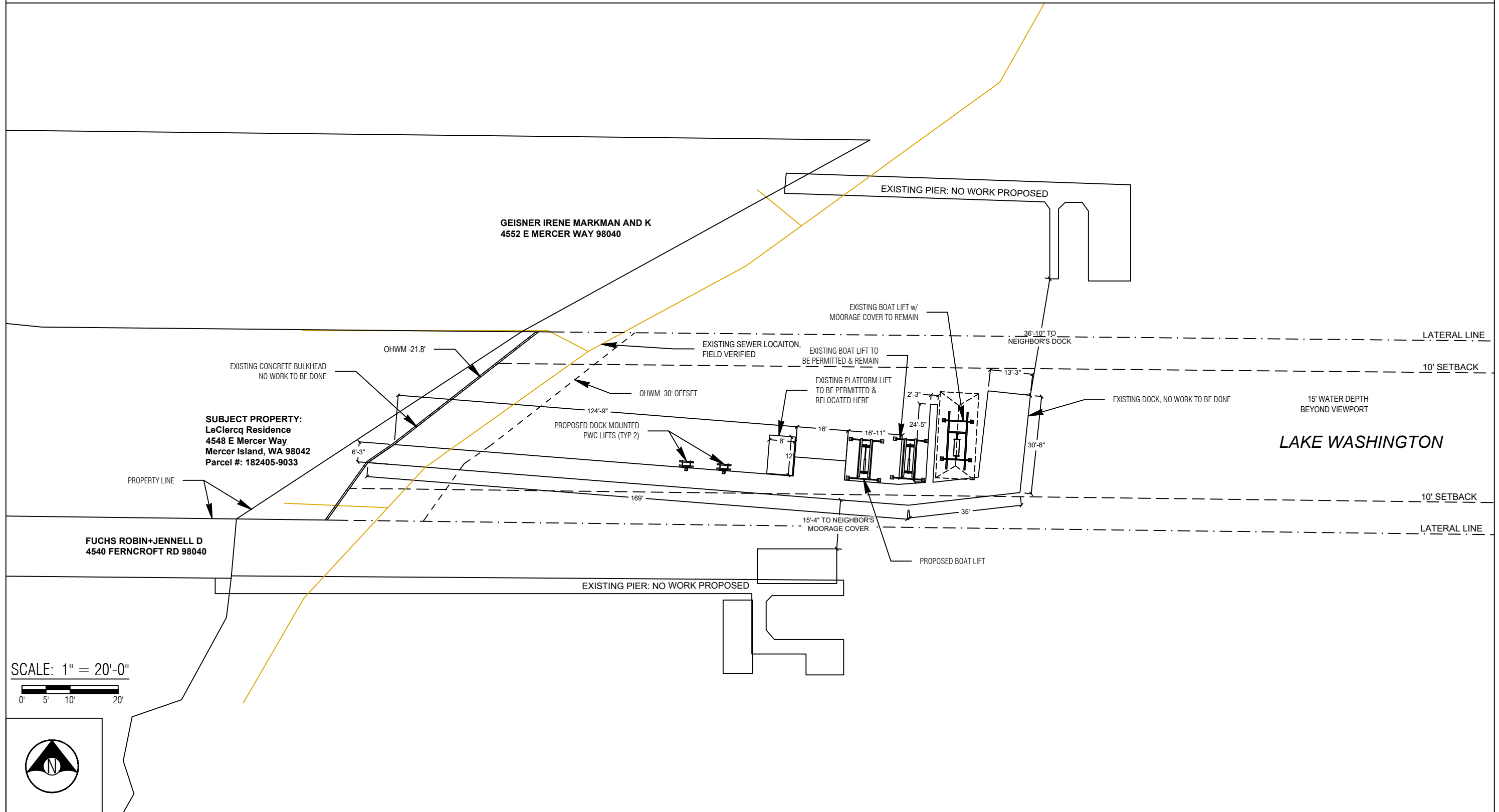
Scope of Work: We propose to relocate & permit (1) existing platform lift, permit (1) existing boat lift, install (2) new dock mounted PWC lifts, and install (1) new boat lift.

County: King County
 Location: Lake Washington
 Applicant: LeClercq Residence
 4548 E Mercer Way
 Mercer Island, WA 98042
 Datum: CORPS OF ENGINEERS 1919
 SE Quarter Of Section 18, Township 24, Range 05
 Adjacent Owners:
 GEISNER IRENE MARKMAN AND K
 4552 E MERCER WAY 98040
 FUCHS ROBIN+JENNELL D
 4540 FERN CROFT RD 98040
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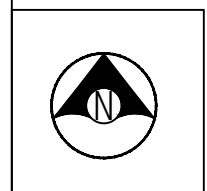
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 PAGE 3 OF 9

PROPOSED CONDITIONS

****CLEAN UP LAKE AROUND PROJECT****



SCALE: 1" = 20'-0"
 0' 5' 10' 20'



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Applicant: LeClercq Residence
 4548 E Mercer Way
 Mercer Island, WA 98042

County: King County
 Location: Lake Washington

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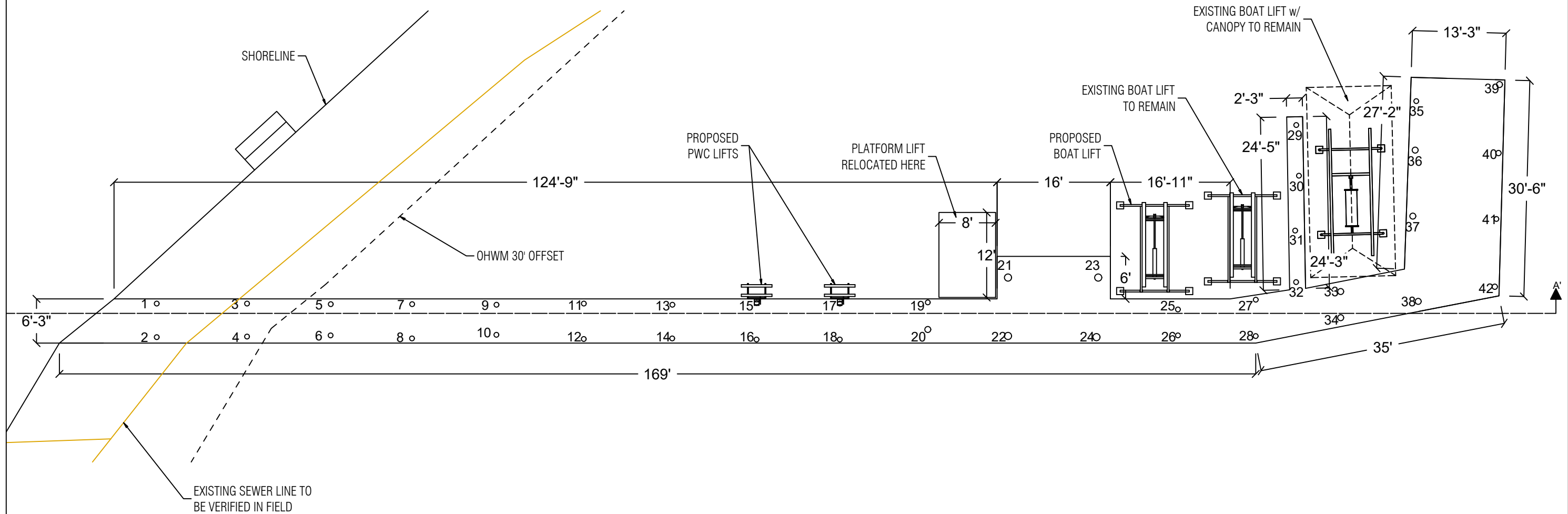
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 PAGE 4 OF 9

PIER DETAILS - EXISTING/PROPOSED PLAN VIEW

LEGEND

○ (42) EXISTING PILES - NO WORK TO BE DONE

Existing Dock: 1,747 sqft (no work to be done)



PLAN VIEW



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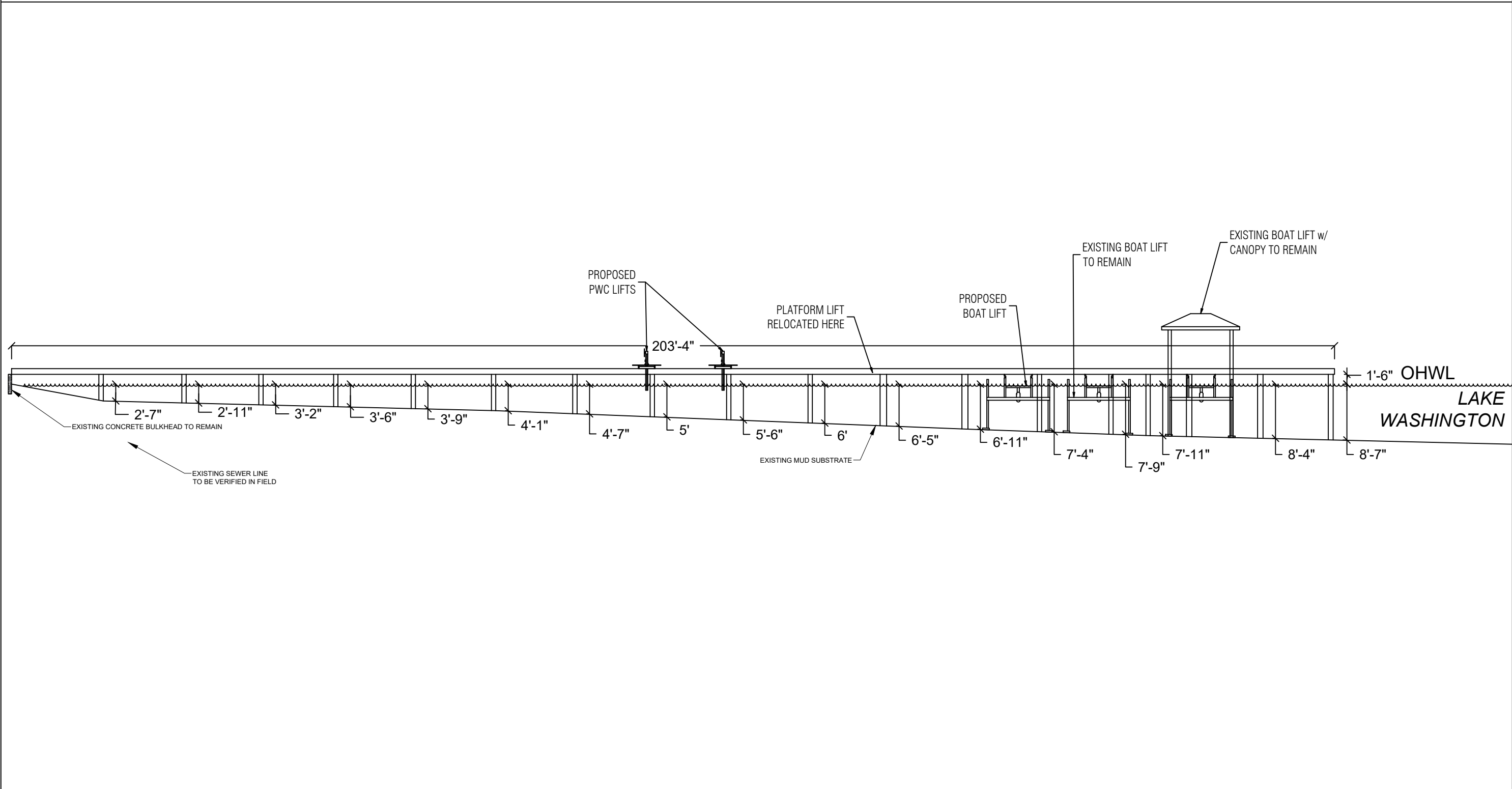
Adjacent Owners:
GEISNER IRENE MARKMAN AND K
4552 E MERCER WAY 98040

FUCHS ROBIN+JENNELL D
4540 FERNCREFT RD 98040

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PIER DETAILS EXISTING/PROPOSED - SECTION VIEW



SECTION VIEW: A'-A'

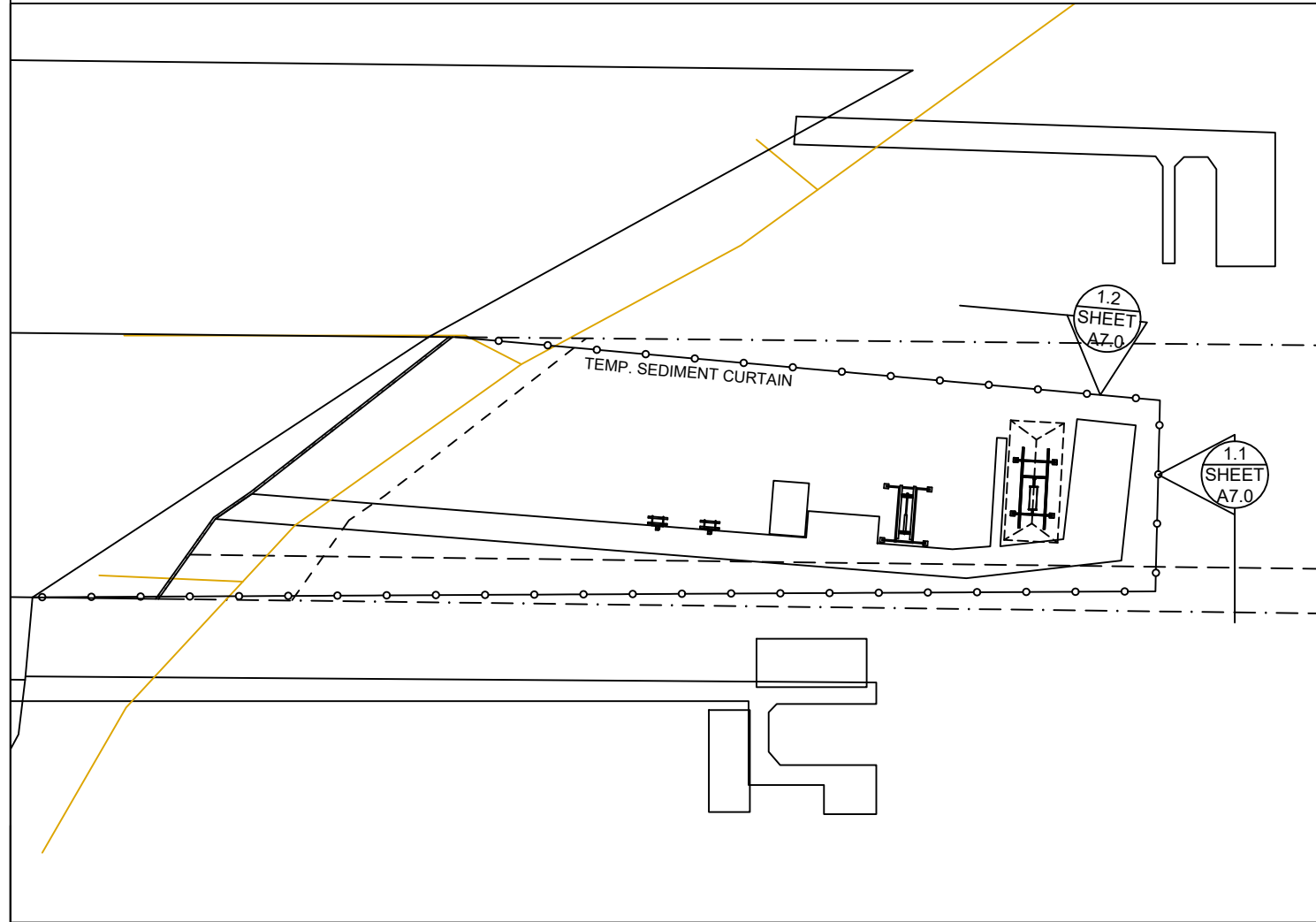


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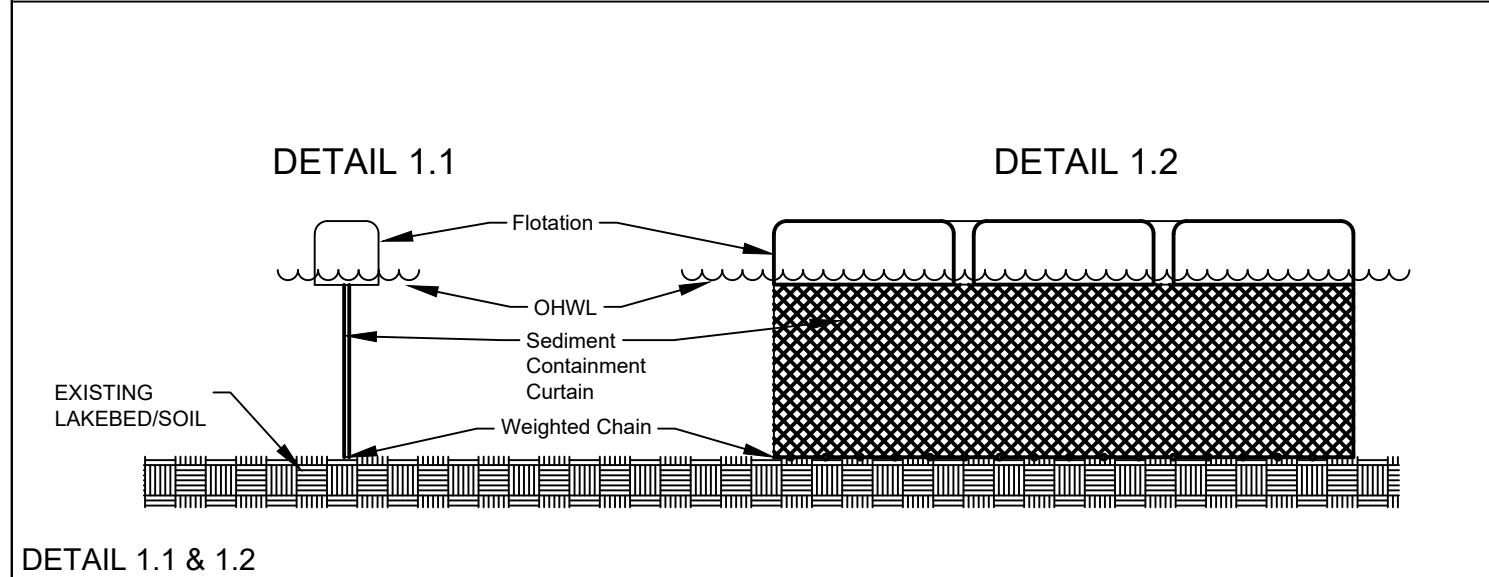
County: King County Location: Lake Washington	Applicant: LeClercq Residence 4548 E Mercer Way Mercer Island, WA 98042	Datum: CORPS OF ENGINEERS 1919 SE Quarter Of Section 18, Township 24, Range 05	Created: 11/9/2022 1:51 PM Dray
Adjacent Owners: GEISNER IRENE MARKMAN AND K 4552 E MERCER WAY 98040	FUCHS ROBIN+JENNELL D 4540 FERNCROFT RD 98040	SHEET 6.0	NWS-2022-602 PAGE 6 OF 9

BMP INFORMATION



BMP NOTES:

- A. Constant vigilance shall be kept for the presence of protected fish species during all aspects of the proposed action, particularly during in-water activities such as vessel movement, deployment of anchors & spuds, pile driving, dredging, and placement of gravels and other fill.
 1. The project manager shall designate an appropriate number of competent observers to survey the project site and adjacent areas for protected species, including the presence of fish as conditions allow.
 2. Visual surveys shall be made prior to the start of work each day, and prior to resumption of work following any break of more than an hour. Periodic additional visual surveys throughout the work day are strongly recommended.
 3. All in-water work shall be done during the in-water work window for the waterbody. Where there is a difference between the USCOE and WDFW work windows, the overlap of the two shall apply.
 4. All pile driving and extraction shall be postponed or halted when obvious aggregations or schooling of fish are observed within 50 yards of that work, and shall only begin/resume after the animals have voluntarily departed the area.
 5. When piloting vessels, vessel operators shall operate at speeds and power settings to avoid grounding vessels, and minimize substrate scour and mobilization of bottom sediments.
- B. No contamination of the marine environment shall result from project-related activities.
 1. Appropriate materials to contain and clean potential spills shall be stored and readily available at the work site and/or aboard project-related vessels.
 2. The project manager and heavy equipment operators shall perform daily pre-work equipment inspections for cleanliness and leaks. All heavy equipment operations shall be postponed or halted should a leak be detected, and shall not proceed until the leak is repaired and the equipment is cleaned.
 3. To the greatest extent practicable, utilize biodegradable oils for equipment that would be operated in or near water.
 4. Fueling of land-based vehicles and equipment shall take place at least 50 feet away from the water, preferably over an impervious surface. Fueling of vessels shall be done at approved fueling facilities.
 5. Turbidity and siltation from project-related work shall be minimized and contained through the appropriate use of erosion control practices, effective silt containment devices, and the curtailment of work during adverse weather and tidal/flow conditions.
 6. All wastes shall be collected and contained for proper disposal at approved upland disposal sites appropriate for the material(s).
 7. When removing piles and other similarly treated wood, containment curtain must fully enclose the work area. Wood debris, oils, and any other materials released into lake waters must be collected, removed, and properly disposed of at approved disposal sites.
 8. All in- and over-water wood cutting would be limited to the minimum required to remove the subject wood component, and all cutting work should be enclosed within floating containment curtain.
 9. When removing piles, no actions shall be taken that would cause adhering sediments to return to lake waters.
 10. Above-water containment shall be installed around removed piles to prevent sediment laden waters from returning to lake waters.
 11. Construction staging (including stocking of materials, etc.) will occur on the supply barge.
 12. All Exposed wood to be used on the project will be treated with a cheminite treatment.



DETAIL 1.1 & 1.2



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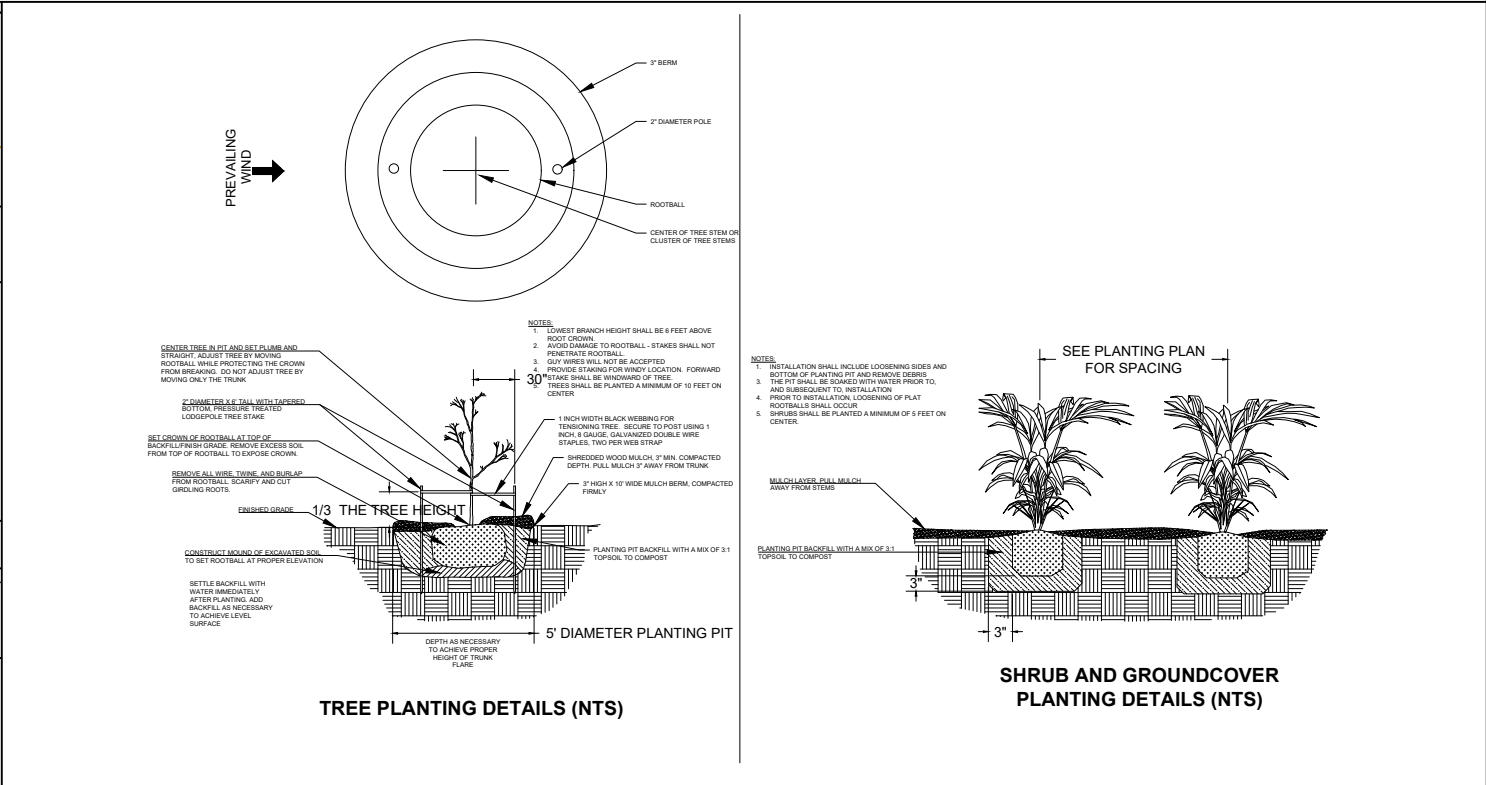
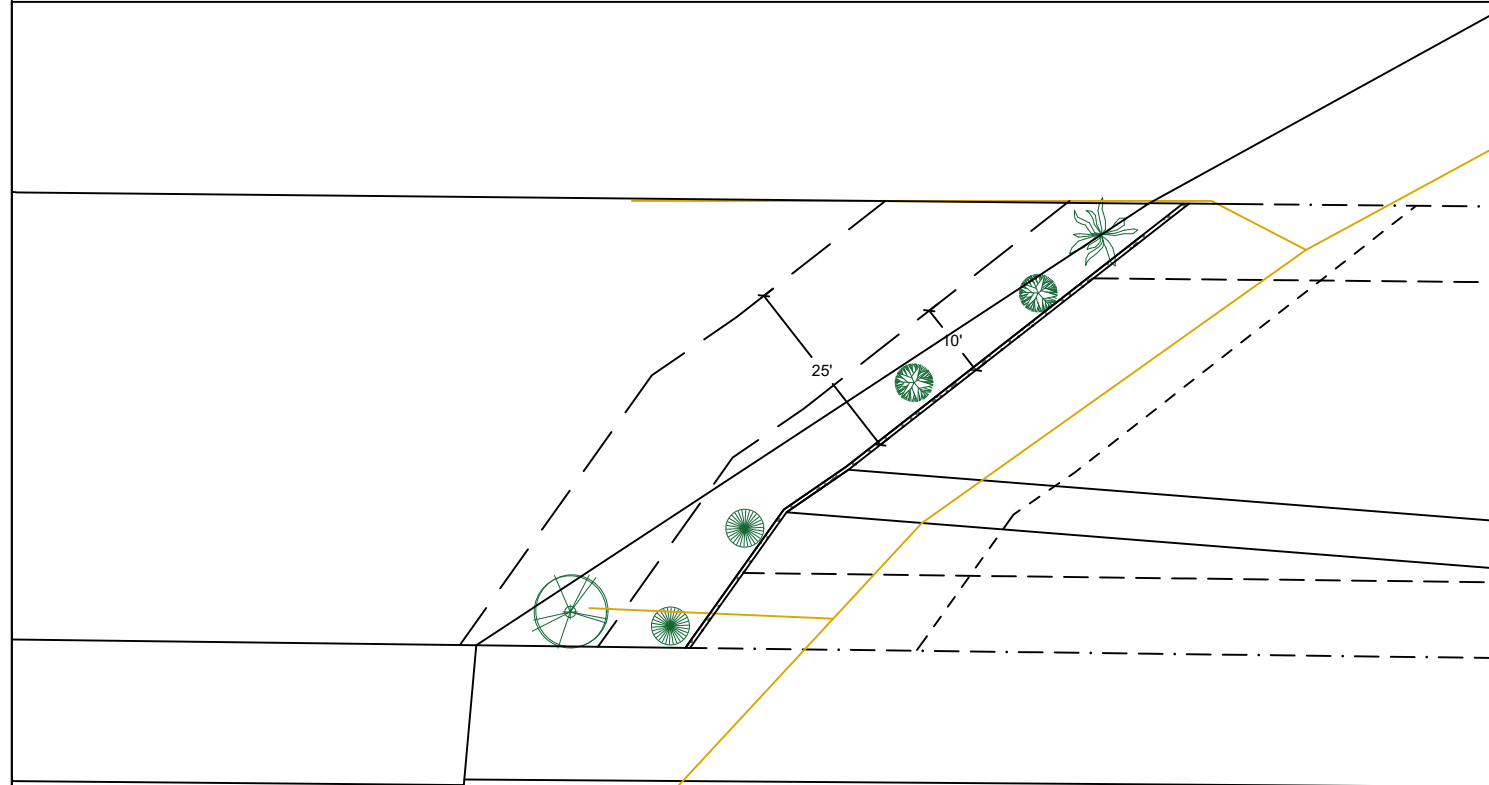
Adjacent Owners:
GEISNER IRENE MARKMAN AND K
4552 E MERCER WAY 98040

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MITIGATION PLAN



Notes:

1. Shrubs are show, and shall be planted, at least five feet on center. Trees are show, and shall be planted, at least ten feet to center.
2. The property owner will implement and abide 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.

PROPOSED PLANTING SPECIES/QUANTITIES

SYMBOL	LATIN NAME	COMMON NAME	QTY	SIZE
	<i>Thuja plicata</i>	Western Red Cedar	1	3 ft
	<i>Pinus contorta v contorta</i>	Shore pine	1	3 ft
	<i>Rosa nutkana</i>	Nootka Rose	2	1 Gallon
	<i>Philadelphus lewisii</i>	Mock Orange	2	1 Gallon

PLANTS: Shrubs to be installed 5ft on center and trees to be installed 10ft on center. All proposed existing plants for credit have been established for 5 years or more on the property.

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 Created:

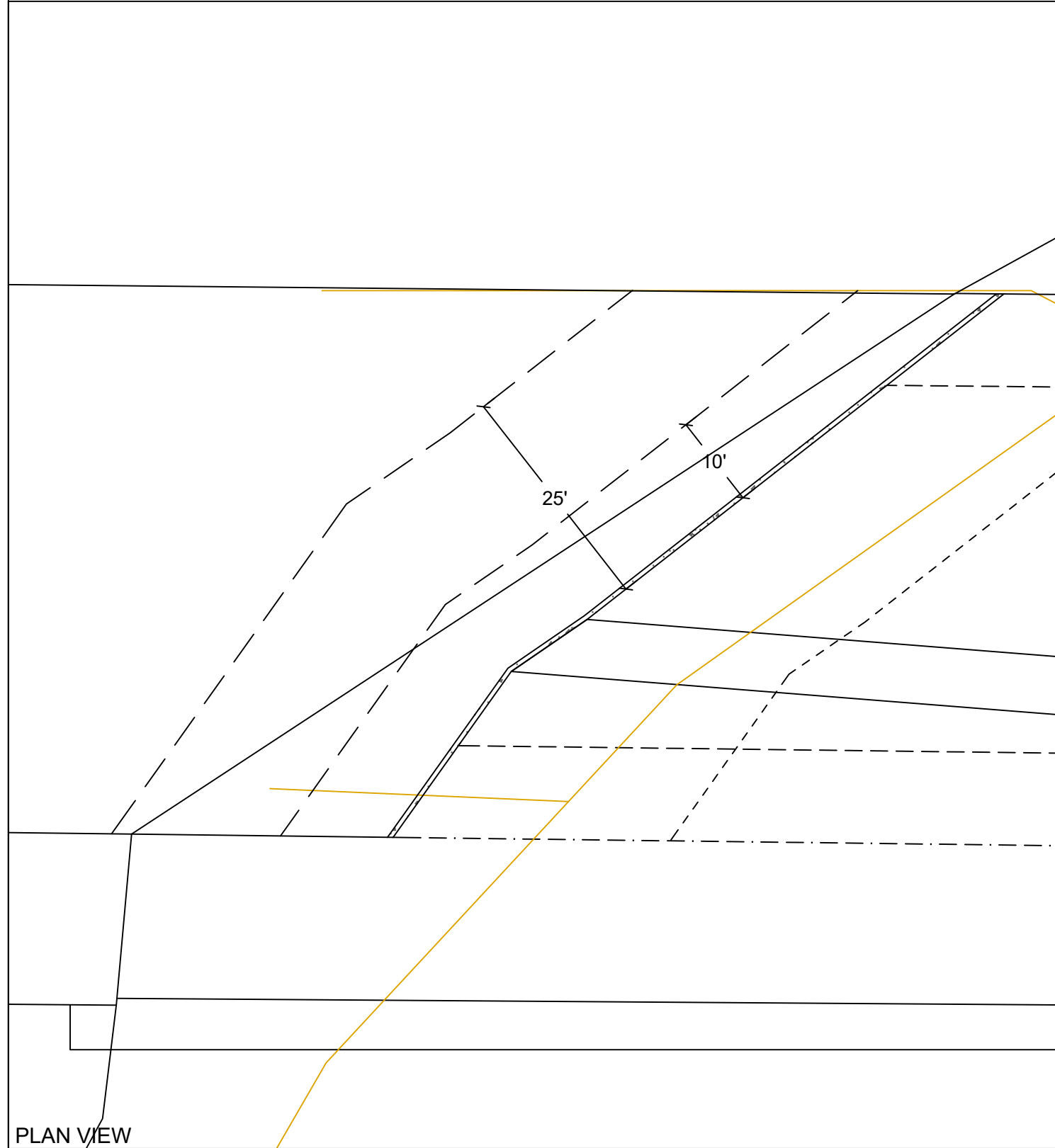


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SHEET 8.0

EXISTING PLANT PLAN



NO EXISTING PLANTS

PLAN VIEW

EXISTING PLANTS TABLE



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FILE COPY



CITY OF MERCER ISLAND
DEVELOPMENT SERVICES GROUP
9611 SOUTHEAST 36TH STREET
MERCER ISLAND, WA 98040-3732
206) 236-5300

Permit No. SHL01-007

Date of Issuance: March 13, 2001

Owners Name and Address:

Lee C. Archer
4548 East Mercer Way
Mercer Island, WA 98040

Applicants Name and Address:

Gregory Ashley
P. O. Box 53301
Bellevue, WA 98005

Description of Proposal:

Repair the existing pier and caps, stringers, and decking and piles. If pile replacement is necessary, **no more than 50% of the piles will be replaced.** (The exiting pier has approximately thirty [30] piles.) The shape, area, and footprint of the existing pier will not be modified.

Location:

4548 East Mercer Way

Name of Water Area:

LAKE WASHINGTON

Description of any other work planned in the future which is related to this project: NONE KNOWN

This project is EXEMPT because it is classified as normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts established to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original conditions within a reasonable period after decay or partial destruction except where repair involves total replacement which is not common practice or causes substantial adverse effects to the shoreline resource or environment.

Mercer Island City Code, Title 19 – Unified Land Development Code, Shoreline Management Master Program 19.07.080 B.1. c; 3.; C.2. a. and b. ii; and 19.01.050 pp.19-48 –19-50 and pp. 19-5 and WAC 173-27-040 (2)(b).

THE PROPOSAL IS: X Consistent Inconsistent

with the policies of the Shoreline Management Act AND City Shoreline Master Program:

USE CATEGORIES

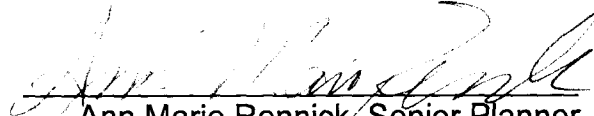
Bulkheads X Docks

SPECIAL CONDITIONS:

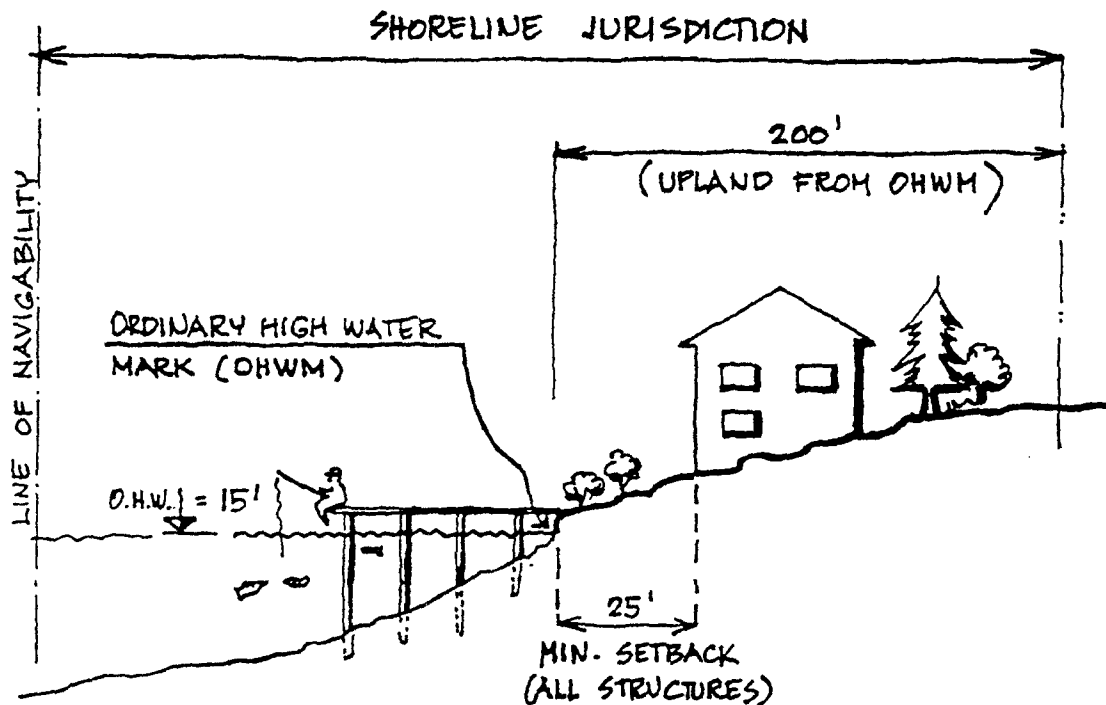
1. A Building Permit from the City of Mercer Island is required.
2. Any applicable and required state or federal permits must be obtained by the applicant.
3. Toxic materials, petrochemicals and construction debris shall not enter into the lake during construction.
4. No more than fifty (50) percent of the piles may be replaced. If more than fifty (50) percent of piles are replaced a Substantial Development Permit is required.

NOTE: OTHER PERMITS OR APPROVALS FROM THE STATE OF WASHINGTON AND ARMY CORPS OF ENGINEERS MAY BE REQUIRED.

March 13, 2001
Date


Ann Marie Rennick, Senior Planner

The following illustration shows the applicability of the shoreline master program jurisdiction:



3. Applicability. The regulations and procedures of the shoreline master program apply to all development within the shoreline jurisdiction of the city including the waters and underlying land of Lake Washington and to the shoreline uses established within the shoreline designated environments.

4. Adoption Authority. The regulations contained in MICC 19.07.080 are hereby adopted as the shoreline master program for the city of Mercer Island. These regulations are adopted under the authority of the Chapter 90.58 RCW and Chapter 173-16 WAC.

5. Relationship to Land Use Code and Other Ordinances.

a. The shoreline master program regulations are supplemental to the city of Mercer Island comprehensive plan, the Mercer Island development code and various other provisions of city, state and federal laws. Applicants must comply with all applicable laws prior to commencing any use, activity, or development.

b. The shoreline jurisdiction and the shoreline designated environments are superimposed upon the existing zoning classifications. The zoning regulations specified in the development code and this section are

intended to operate together to produce coherent and thorough regulations. All uses, activities and developments must comply with both the Mercer Island development code and shoreline master program. If there is a conflict between the two, the more restrictive regulation applies.

6. Goals and Policies. In 1974 the city of Mercer Island adopted shoreline goals and policies. These goals and policies are consistent with the city's comprehensive plan adopted in 1993.

B. Shoreline Designated Environments.

1. Designated Environments. Different areas of the city's shoreline have different natural characteristics and development patterns. As a result, three shoreline designated environments are established to regulate developments and uses consistent with the specific conditions of the designated environments and to protect resources of the Mercer Island shoreline jurisdiction. They are:

a. Conservancy Environment. This environment constitutes large undeveloped areas with some natural constraints such as wetland conditions, containing a variety of flora and fauna. The purpose of this environment is to protect and manage the existing nat-

ural resources in order to achieve sustained resource utilization and provide recreational opportunities.

b. Urban Park. This environment consists of shoreline areas designated for public access and active and passive public recreation. It includes, but is not limited to street ends, public utilities and other publicly owned rights-of-way. The uses located in this environment should be water-dependent and designed to maintain the natural character of the shorelines.

c. Urban Residential. The purpose of this environment is to provide for residential and recreational utilization of the shorelines, compatible with the existing residential character in terms of bulk, scale and type of development.

2. Shoreline Environment Map. The map in Appendix F of this development code is the official map of the city designating the various shoreline environments and the shoreline jurisdiction within the city.

3. Permit Requirements for Shoreline Uses and Development within the Designated Environments. All proposed development within the shoreline jurisdiction shall be consistent with the regulations of this Shoreline Master Program, the Shoreline Management Act of 1971 and the Mercer Island development code. In addition all development shall

conform to permit requirements of all other agencies having jurisdiction within the designated environments.

The following table specifies the shoreline uses and developments which may take place or be conducted within the designated environments. It also specifies the type of shoreline permit required and further states the necessary reviews under the State Environmental Policy Act (SEPA). The uses and developments listed in the matrix are allowed only if they are not in conflict with more restrictive regulations of the Mercer Island development code and are in compliance with the regulations specified in subsection D of this section.

- Key:
- CE: Categorically Exempt
 - SEP: Shoreline Exemption Permit
 - SDP: Substantial Development Permit
 - SEPA: Required Review under the State Environmental Policy Act
 - NP: Not Permitted Use

The regulations of the shoreline master program apply to all shoreline uses and development, whether or not that development is exempt from the permit requirements (CE, SEP, or SDP).

Shoreline Use	Designated Environments		
	Conservancy Environment	Urban Park Environment	Urban Residential Environment
Single-family residential and associated appurtenances	NP	NP	CE or SDP if the construction is not by an owner, lessee or contract purchaser for his/her own use or if alteration applies.
Multifamily residential	NP	NP	SDP, SEPA
Public and private recreational facilities and parks	SDP, SEPA	SDP, SEPA	SDP, SEPA
Moorage facilities	SDP, SEPA	SDP, SEPA	SDP, SEPA
Commercial marinas, moorage and storage of commercial boats and ships	NP	NP	NP

Designated Environments			
Bulkheads and shoreline protective structures	SDP, SEPA	SDP, SEPA	SEP, SEPA
Breakwaters and jetties	NP	NP	NP
Utilities	SDP, SEPA	SDP, SEPA	CE, SEP or SDP, SEPA
Dredging	SDP, SEPA	SDP, SEPA	SDP, SEPA
Alterations over 250 cubic yards – outside the building footprint	SDP, SEPA	SDP, SEPA	SDP, SEPA
If a use is not listed in this matrix, it is not permitted.			

C. Administration and Procedures.

1. Administrative Responsibility. Except as otherwise stated in this section, the code official is responsible for:

- a. Administering the shoreline master program.
- b. Approving, approving with conditions or denying shoreline exemption permit, substantial development permits, variances and permit revisions in accordance with the provisions of this shoreline master program.

c. Determining compliance with Chapter 43.21C RCW, State Environmental Policy Act.

2. Permits and Decisions. No development shall be undertaken within the shoreline jurisdiction without first obtaining a permit in accordance with the procedures established in the shoreline master program. In addition such permit shall be in compliance with permit requirements of all other agencies having jurisdiction within the shoreline designated environment.

a. Categorical Exemptions. Construction and normal maintenance of a single-family dwellings by the owner, lessee or contract purchaser, for his/her own use, which complies with all requirements of this shoreline master program and the city of Mercer Island development code, including appurtenances, is categorically exempt (CE) from the substantial development permit. Construction authorized under this exemption shall be located landward of the ordinary high water mark.

b. Shoreline Exemption Permit. A shoreline exemption permit (SEP) may be granted to the following development as long as such development is in compliance with all applicable requirements of this shoreline master program, the city of Mercer Island development code and WAC 173-27-040:

i. Any development of which the total cost or fair market value, whichever is higher, does not exceed \$2,500, if such development does not materially interfere with the normal public use of the water or shorelines of the state.

ii. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts established to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction except where repair involves total replacement which is not common practice or causes substantial adverse effects to the shoreline resource or environment. Normal maintenance of single-family dwellings is categorically exempt as stated above;

iii. Construction of the normal protective bulkhead common to single-family dwellings. A "normal protective" bulkhead is constructed at or near the ordinary high water mark to protect a single-family dwelling and is for protecting land from erosion, not for the

2. Catastrophic Loss of a Nonconforming Structure.

a. A single-family dwelling which suffers a catastrophic loss may be reconstructed in its previous configuration regardless of the extent of damage or reconstruction cost.

b. Multiple-family dwellings in the MF-2L, MF-2, and MF-3 zones that are nonconforming due to the number of dwelling units, number of parking spaces, yard requirements, site coverage, or height limit that are partially or totally destroyed due to a catastrophic loss may be reconstructed subject to design commission review and approval. The structure may not be reconstructed so as to increase the degree of its nonconformity. Notwithstanding the above, the design commission may not impose a condition in its design review of a catastrophically lost building which would have the effect of reducing the number of units otherwise permitted.

c. The reconstruction of a nonconforming structure in the Town Center zone is governed by Part 1(D)(6), of the Town Center District Development and Design Requirements in Division II of this title.

d. Any other nonconforming structure which is damaged or partially destroyed through a catastrophic loss may only be reconstructed to be in compliance with development code requirements; provided, such a structure whose reconstruction cost is not more than 50 percent of its value at the time of the occurrence may be restored and the use of such structure which existed at the time of the occurrence may be continued subject to the following conditions:

i. Such restoration shall not extend the abatement date, if any, of the original structure and/or use;

ii. The value of a partially destroyed or damaged nonconforming structure shall be its assessed value at the time of its damage or destruction unless the owner of the structure establishes through evidence acceptable to the code official that the structure's value is higher than its assessed value.

3. Structural Alterations or Enlargements.

a. Unless otherwise specifically provided in this code, nonconforming structures may not be enlarged or structurally altered unless the enlargement or structural alteration makes the structure more closely conform to code requirements, or is required by law.

b. Where a structure is nonconforming only by reason of yards or open spaces, structural alterations or enlargements are allowed if they do not increase the nonconforming intrusion into the setback or yard. An alteration that increases the height of that portion of a structure that intrudes into a setback or yard, except for a change from a flat roof to a pitched roof as allowed by MICC 19.02.020(C)(2), is an increase in the nonconformity and is not allowed.

c. Normal upkeep, repair and maintenance of nonconforming structures are allowed, but nonconforming structures that become unsafe as a result of lack of routine maintenance shall be considered abandoned.

4. Abandonment of Nonconforming Structures. A nonconforming structure that has been unoccupied continuously for six months or more shall be deemed to have been abandoned and shall be abated.

C. Nonconforming Uses.

1. Any change from a nonconforming use shall be to a conforming use only.

2. If a nonconforming use is discontinued for a period of six months or more, any subsequent use shall be a conforming use.

3. If the owner of a nonconforming structure voluntarily destroys or demolishes such structure, any nonconforming uses associated with the structure shall be deemed to have been abandoned.

4. While a nonconforming use exists on any lot, no additional use may be established thereon, even though such additional use would be a conforming one, unless an abatement date has been established for the nonconforming use.

D. Establishment of Abatement Date.

1. When any nonconforming structure or use exists in any zone, the city council, on recommendation of the planning commission, is authorized to fix an abatement date for that structure or use. Written notice shall be sent to



CITY OF MERCER ISLAND

9611 SE 36th Street • Mercer Island, WA 98040-3732
(206) 275-7729 • www.mercergov.org

SHORELINE EXEMPTION PERMIT

NOTICE OF DECISION

JANUARY 27, 2014

I. PROJECT SUMMARY

File Nos.:	SHL14-001
Location:	4548 EAST MERCER WAY; King County Assessor's Parcel #:1824059033
Applicant Name:	SEABORN PILE DRIVING COMPANY
Owner Name(s):	CLAYTON MARCH
Description of Proposal:	A Shoreline Exemption Permit for the normal maintenance and repair of an existing dock, repairs to include replacing existing solid decking with grated decking, stringer and pile caps with new treated stringer and pile caps. No additional pilings are proposed. No expansion of the existing dock is proposed.
Summary of Staff Findings:	The proposal has been reviewed by the City of Mercer Island for consistency with regulations set forth in the adopted City of Mercer Island Shoreline Master Program (SMP) and Title 19, the Unified Land Development Code of the City of Mercer Island. The City has determined that this proposal is consistent with SMP regulations and Title 19 regulations as conditioned herein.
Shoreline Exemption Permit Decision:	Approved subject to conditions included herein.
Exhibit:	A. Site plan and drawings dated received by the City of Mercer Island Development Services on January 10, 2014. B. Work Description and plan dated received by the City of Mercer Island Development Services on January 10, 2014 C. Photo of existing dock dated received by the City of Mercer Island Development Services on January 10, 2014.

FINDINGS OF FACT

I. Request/Project Description

The request is for approval of a Shoreline Exemption Permit for the replacement of existing solid decking with grated decking, stringer and pile caps with new treated stringer and pile caps as described in Exhibit A.

II. Site Description and Context

The subject site is designated Single Family Residential in an Urban Residential Shoreline zone on the north eastern shore of Mercer Island in Lake Washington. The existing dock is located waterward of the Ordinary High Water Mark (OHWM) as described in Exhibits A, B and C.

III. Consistency with the Shoreline Master Program and Land Development Code

The site is in a Shoreline Designated Environment – Urban Residential, and may be granted a shoreline exemption permit for development in compliance with all applicable requirements of the shoreline master program, the city of Mercer Island development code per MICC 19.07.110(C)(2)(a), and WAC 173-27-040.

Mercer Island City Code MICC 19.15.010 *General Procedures*, MICC 19.07.100 *Shoreline Areas*, and MICC 19.07.110 *Shoreline Management Master Program* provide the criteria for approval of the proposed work. The following is an analysis of the criteria for approval:

- A. **19.15.010(C)(5) states:** *The responsible officials in the development services group act upon ministerial and administrative permits.*

Staff Analysis:

MICC 19.15.010(E) lists shoreline exemption permits as a ministerial action. Staff finds that the regulation is applicable to the proposal. Responsible officials in the Development Services Group may act upon the request for a shoreline exemption permit as a ministerial action.

- B. **19.15.010(D)(1) states:** *Ministerial actions are based on clear, objective and nondiscretionary standards or standards that require the application of professional expertise on technical issues.*

Staff Analysis:

Staff finds that the regulation is applicable to the proposal. A shoreline exemption permit is listed as a ministerial action.

- C. **19.07.110(C)(2)(a)(ii) states** a shoreline exemption permit may be granted for the following, if also in compliance with all applicable requirements of the shoreline master program, the city code, and WAC 173-27-040:

Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts established to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition within a reasonable period after decay or partial destruction except where repair involves total replacement which is not common practice or causes substantial adverse effects to the shoreline resource or environment. Normal maintenance of single-family dwellings is categorically exempt as stated above.

Washington Administrative Code (WAC) 173-27-040(2)(B) states the following developments shall not require substantial development permits:

Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not

limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment;

Staff Analysis:

The applicant is proposing to repair existing piers with no change in the size, location or configuration. Although the WAC and City Code have slightly different language for exemptions, both allow for the issuance of a shoreline exemption for such repair.

- D. **19.07.110(C)(4) states:** *The following time limits shall apply to all shoreline exemption, substantial development, deviation and variance permits:*

a. Construction or substantial progress toward construction of a development for which a permit has been granted must be undertaken within two years of the effective date of a shoreline permit. The effective date of a shoreline permit shall be the date of the last action required on the shoreline permit and all other government permits and approvals that authorize the development to proceed, including all administrative and legal actions on any such permit or approval.

b. A single extension before the end of the time limit, with prior notice to parties of record, for up to one year, based on reasonable factors may be granted.

Staff Analysis:

Staff finds that the requirement is appropriate as a condition of approval. The terms "substantial progress" and "reasonable factors" are not defined in the city code. However, MICC 19.15.010(C)(5)(a) states the Code Official is responsible for administration, interpretation and enforcement of the development code. Therefore, the Code Official shall be responsible for determining if an applicant has made "substantial progress" and determining "reasonable factors".

- E. **19.07.100(E) states:** *Any alteration in this area requires either: (1) a shoreline exemption or (2) a substantial development permit, a building/grading permit, and storm water permit.*

Staff Analysis:

Staff finds that the regulation is applicable to the proposal. The work as proposed is an alteration within the shoreline area and requires a Shoreline Exemption permit per 19.07.100(E)(1) and 19.07.110(C)(2)(a).

- IV. The project is exempt from the State Environmental Policy Act (SEPA) per WAC 197-11-800(3).

- V. A Notice of Application is not required per MICC 19.15.020(D)(7)(h).

- VI. State and Federal Approvals

Per MICC 19.07.020(E) the applicant is responsible for obtaining any required permits or approvals from the appropriate government agencies, (U.S. Army Corps of Engineers, NOAA - Fisheries, and the Washington Department of Fish and Wildlife). The applicant is responsible for meeting the conditions as required by the listed agencies.

CONCLUSIONS OF LAW

VII. Applicable Decision Criteria & Conclusions

The following conclusions are hereby made based on the findings of fact listed above in sections I. through VI.:

- 1) The proposal as conditioned meets the applicable requirements of the Shoreline Management Act under RCW 90.58 & WAC 173-27.
- 2) Any of the above listed findings of fact that are conclusions are hereby incorporated as conclusions.

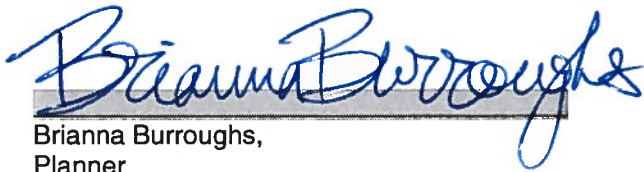
VIII. Decision

After conducting the various administrative reviews associated with this proposal, including Shoreline Management Master Program, the Development Services Group does hereby **APPROVE WITH CONDITIONS** the request for repairs as depicted in Exhibits A and B.

CONDITIONS OF APPROVAL

1. The project proposal shall only occur significantly in compliance with Exhibit A and B and all applicable development standards contained within Mercer Island City Code (MICC) Chapter 19.07.
2. The applicant is responsible for documenting any required changes in the project proposal due to conditions imposed by any applicable local, state and federal government agencies. Any proposed revisions to an issued shoreline permit are regulated per MICC 19.09.110(C)(6) and the requirements of WAC173-27-100, as amended, shall be met.
3. The applicant shall obtain any required permits or approvals from all applicable local, state and federal government agencies. [MICC 19.07.020(E)]
4. Construction or substantial progress toward construction of a development for which a permit has been granted must be undertaken within two years after the approval of the permit or the permit shall terminate. The code official shall determine if substantial progress has been made. [MICC 19.07.110(C)(4)(a)]
5. Appropriate erosion control measures shall be installed and maintained at all times during construction of the project proposal. [MICC 19.07.040(H)]
6. The applicant shall field locate the sewer main (lakeline) underlying the lakebed and mark clearly prior to the start of construction. Contact the Mercer Island Maintenance Department at (206) 275-7608 for available information about the lakeline and assistance with identifying the general location of the lakeline prior to construction. The applicant shall be responsible for any damage to said sewer main resulting from construction. [MICC 15.08.090]
7. Inform the Mercer Island Maintenance Department at (206) 275-7608 of the anticipated start date of in-water work prior to commencement of construction. [MICC 15.08.090]
8. To ensure quick response from emergency services workers, a house number must be conspicuously posted at the end of the dock. The numbers must be made of durable material, be at least six inches in height, and contrast with the color of the building upon which it is placed. [MICC 19.09.050(I)]

Approved this 27th day of January, 2014



Brianna Burroughs,
Planner
City of Mercer Island

Bulletin Publication Date: January 27th, 2014

Parties of record have the right to appeal this decision. If you desire to file an appeal, you must submit the appropriate form, available from the Development Services Group, and file it with the City Clerk within fourteen (14) days from the date this decision is signed. Upon receipt of a timely complete appeal application and appeal fee, an appeal hearing will be scheduled. To reverse, modify or remand this decision, the appeal hearing body must find that there has been substantial error, the proceedings were materially affected by irregularities in procedure, the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city's applicable decision criteria.

If you have any questions, please call the Development Services Group at (206) 275-7729

Please note that the City will provide notice of this decision to the King County Department of Assessment, as required by State Law (RCW 36.70B.130). Pursuant to RCW 84.41.030(1), affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation by contacting the King County Department of Assessment at (206) 296-7300.

PROJECT SITE



PROJECT ADDRESS: 4548 E. MERCER WAY MERCER ISLAND, WA. 98040 ¼: SE-18-24-5 LAT: 47.564438 N. LONG: -122.209564 W.
PARCEL NUMBER: 1824059033
APPLICANT: TED BURNS – SEABORN PILE DRIVING CO. 9311 SE 36TH STREET SUITE 204 MERCER ISLAND, WA. 98040 206.236.1700

PURPOSE: PERFORM NORMAL REPAIR AND MAINTENANCE TO AN EXISTING RESIDENTIAL PIER.



PROPOSED: Normal repair of a residential dock consisting of removing the wood deck, stringers and pile caps and replace with new treated pile caps and stringers and a fully grated deck. Repair ten wood piles with the pile stub method

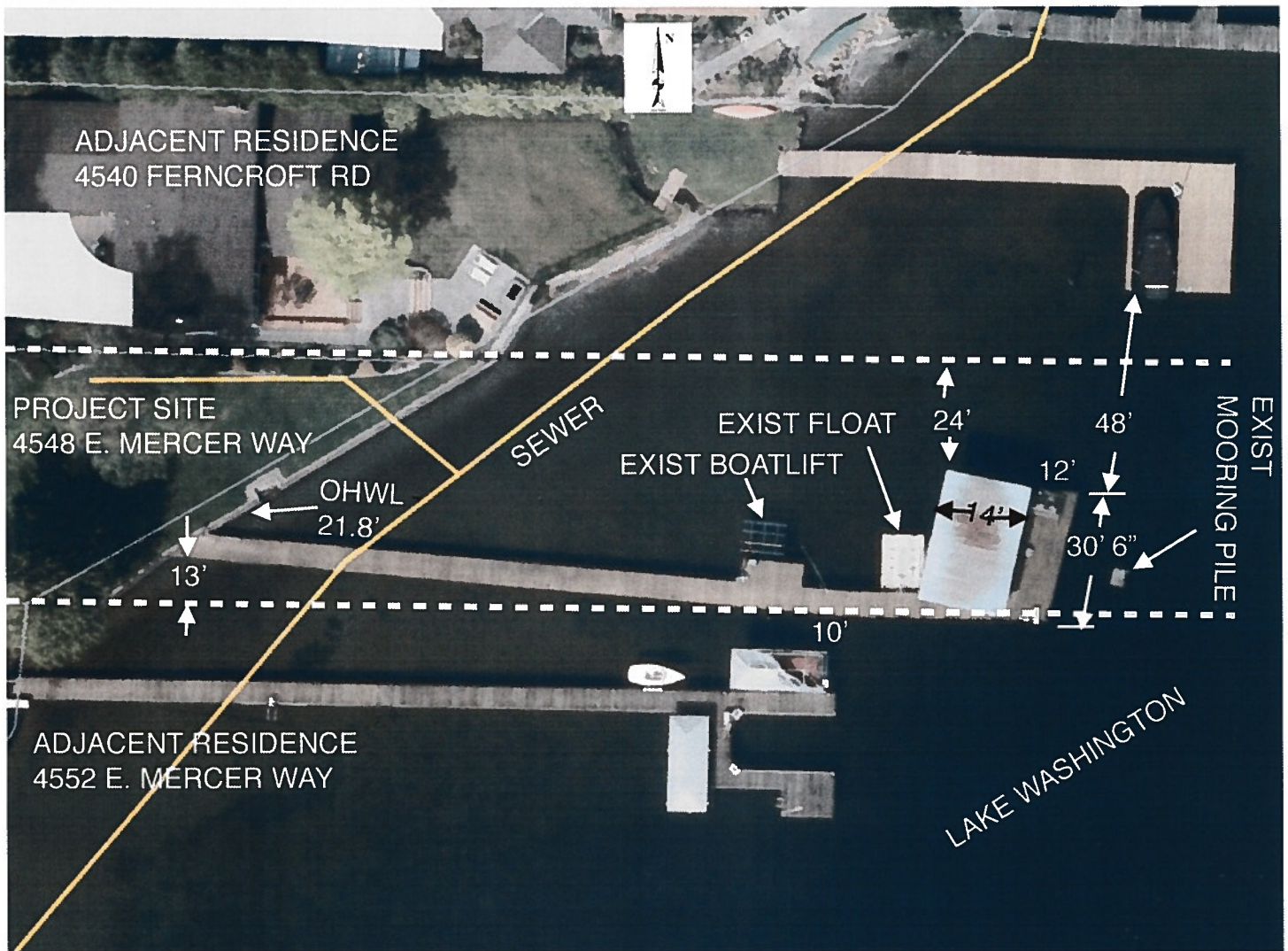
DATUM: CORPS OF ENGINEERS 1919

ADJACENT OWNERS:
 ROBIN FUCHS
 4540 FERNCROFT RD
 MERCER ISLAND, WA. 98040

DR RICE
 4552 E. MERCER WAY
 MERCER ISLAND, WA. 98040

IN: LAKE WASHINGTON
 AT: MERCER ISLAND
 COUNTY: KING

APPLICANT: CLAYTON MARCH
 4548 E. MERCER WAY
 MERCER ISLAND, WA. 98040



SITE PLAN
SCALE 1" – 40'

PURPOSE: PERFORM NORMAL REPAIR AND MAINTENANCE TO AN EXISTING RESIDENTIAL PIER.



PROPOSED: Normal repair of a residential dock consisting of removing the wood deck, stringers and pile caps and replace with new treated pile caps and stringers and a fully grated deck. Repair ten wood piles with the pile stub method

DATUM: CORPS OF ENGINEERS 1919

ADJACENT OWNERS:
ROBIN FUCHS
4540 FERNCROFT RD
MERCER ISLAND, WA. 98040

DR RICE
4552 E. MERCER WAY
MERCER ISLAND, WA. 98040

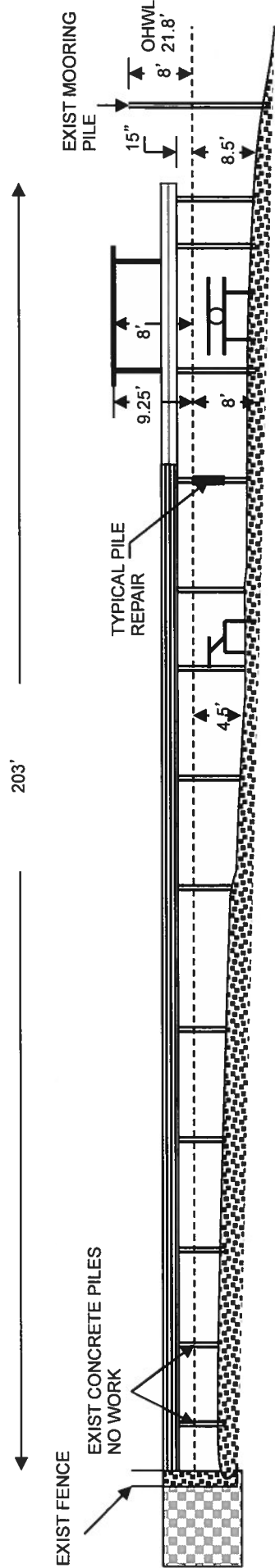
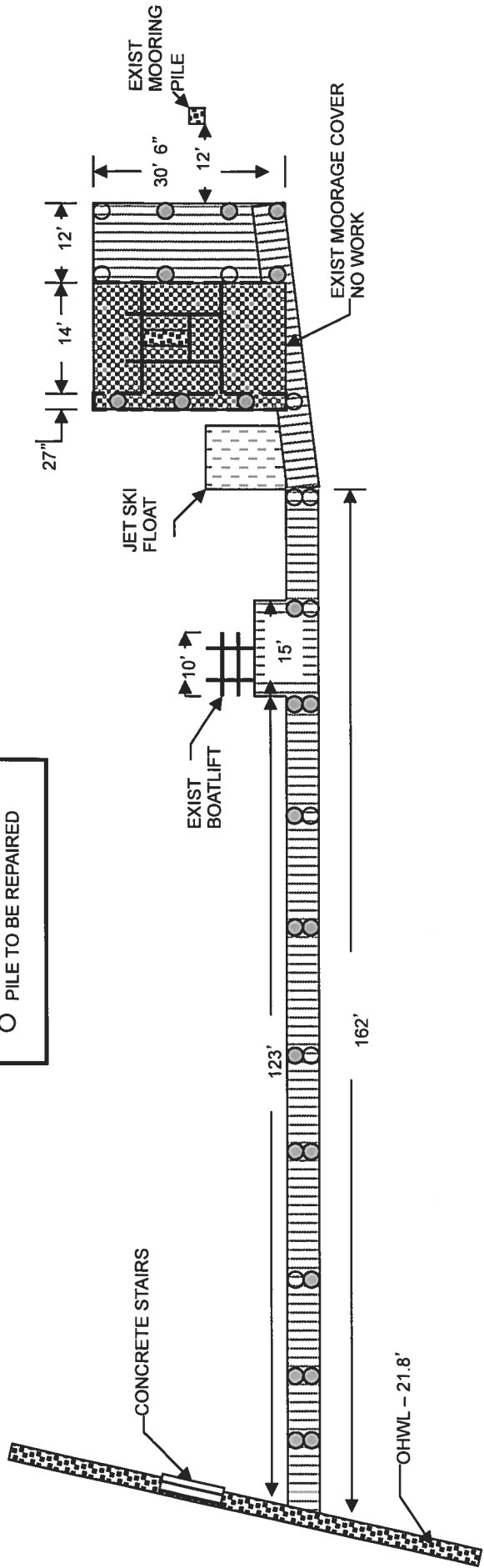
IN: LAKE WASHINGTON
AT: MERCER ISLAND
COUNTY: KING

APPLICANT: CLAYTON MARCH
4548 E. MERCER WAY
MERCER ISLAND, WA. 98040

DATE: 1/10/14

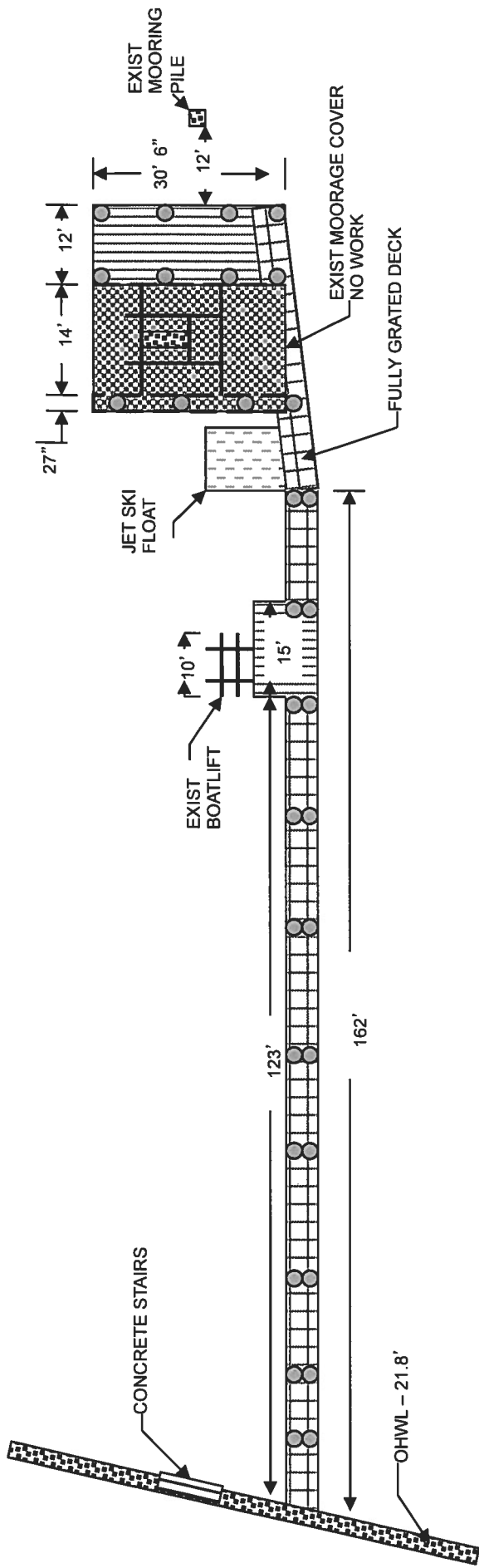
PAGE 2 OF 8

- PILE IN GOOD CONDITION
- PILE TO BE REPAIRED

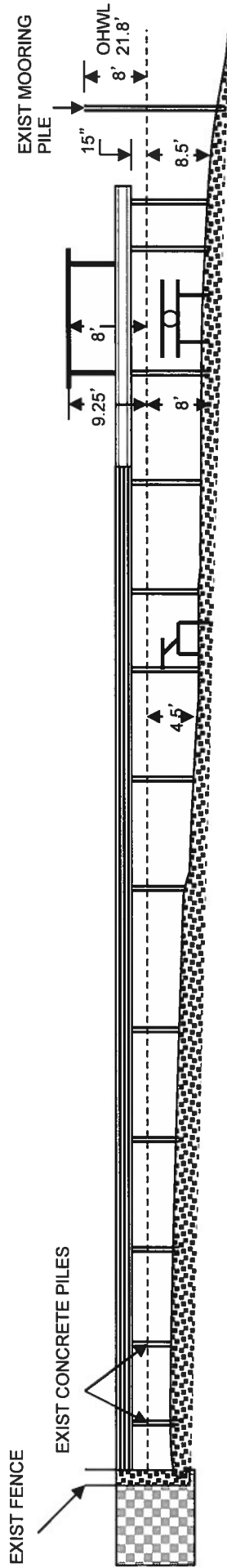


EXISTING DOCK
SCALE 1" = 25'

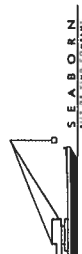
<p>PURPOSE: PERFORM NORMAL REPAIR AND MAINTENANCE TO AN EXISTING RESIDENTIAL PIER.</p>	<p>PROPOSED: Normal repair of a residential dock consisting of removing the wood deck, stringers and pile caps and replace with new treated pile caps and stringers and a fully grated deck. Repair ten wood piles with the pile stub method.</p>
<p>DATUM: CORPS OF ENGINEERS 1919 ADJACENT OWNERS: ROBIN FUCHS 4540 FERNCKROFT RD MERCER ISLAND, WA. 98040</p>	<p>IN: LAKE WASHINGTON AT: MERCER ISLAND COUNTY: KING</p> <p>APPLICANT: CLAYTON MARCH 4548 E. MERCER WAY MERCER ISLAND, WA. 98040</p>
<p>DR. RICE 4552 E. MERCER WAY MERCER ISLAND, WA. 98040</p>	<p>DATE: 1/10/14</p> <p>PAGE 3 OF 8</p>



203'



PROPOSED DOCK
SCALE 1" = 25'



PURPOSE: PERFORM NORMAL REPAIR AND MAINTENANCE TO AN EXISTING RESIDENTIAL PIER.

PROPOSED: Normal repair of a residential dock consisting of removing the wood deck, stringers and pile caps and replace with new treated pile caps and stringers and a fully grated deck. Repair ten wood piles with the pile stub method.

DATUM: CORPS OF ENGINEERS 1919
ADJACENT OWNERS:
ROBIN FUCHS
4540 FERNCROFT RD
MERCER ISLAND, WA. 98040

IN: LAKE WASHINGTON
AT: MERCER ISLAND
COUNTY: KING

APPLICANT: CLAYTON MARCH
4548 E. MERCER WAY
MERCER ISLAND, WA. 98040

DATE: 1/10/14

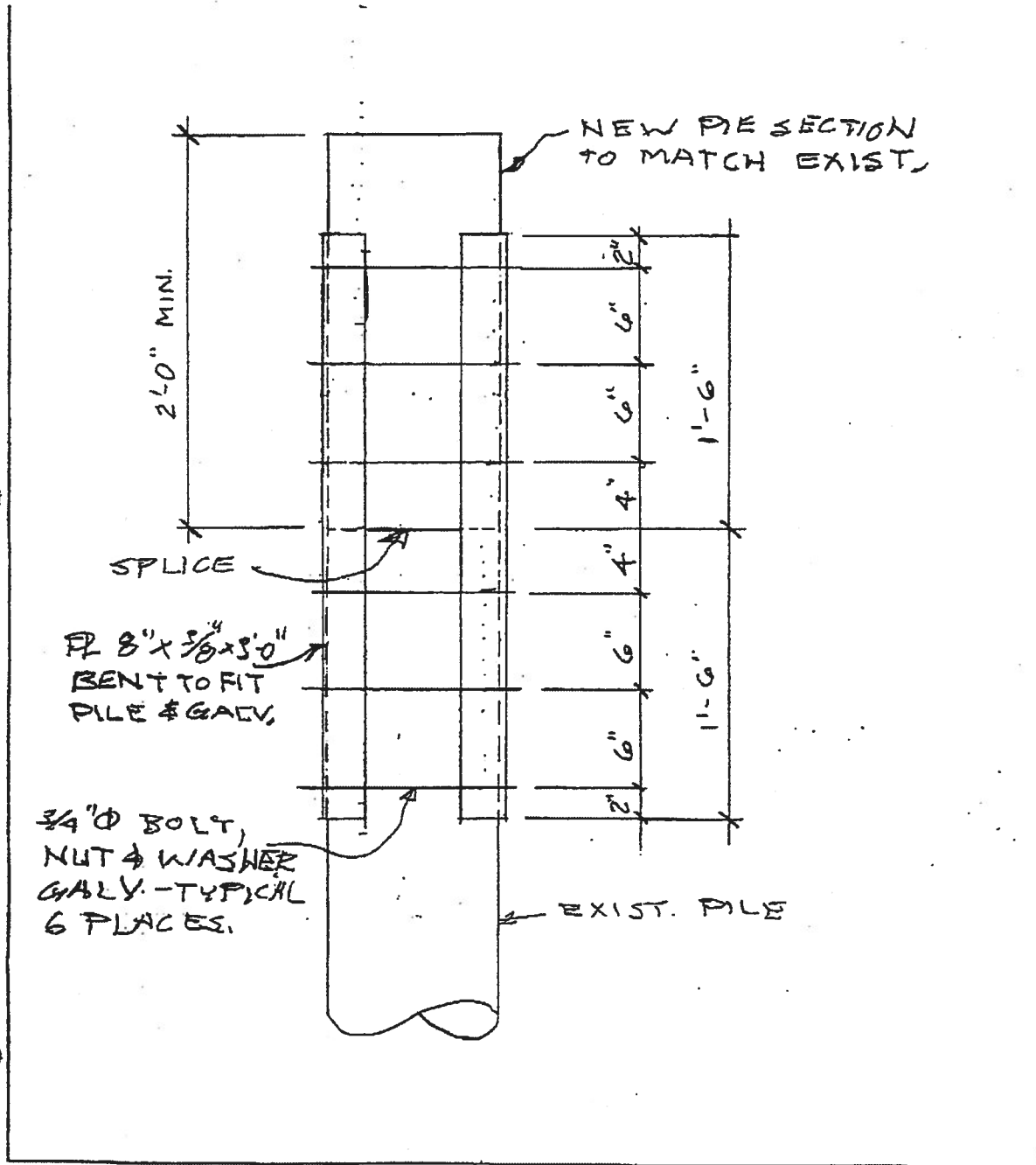
PAGE 4 OF 8

DR. RICE
4552 E. MERCER WAY
MERCER ISLAND, WA. 98040

HOWE ENGINEERING
 CONSULTING ENGINEERS
 2807 E. LK. SAMMAMISH N.E.
 SAMMAMISH, WA 98074

SUBJECT _____

JOB NO. 0447 DATE 11-1-04
 JOB NAME PILE SPLICE
 BY LA SHEET NO. 2 OF _____



PURPOSE: PERFORM NORMAL REPAIR AND MAINTENANCE TO AN EXISTING RESIDENTIAL PIER.



PROPOSED: Normal repair of a residential dock consisting of removing the wood deck, stringers and pile caps and replace with new treated pile caps and stringers and a fully grated deck. Repair ten wood piles with the pile stub method

DATUM: CORPS OF ENGINEERS 1919

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 ROBIN FUCHS
 4540 FERNCROFT RD
 MERCER ISLAND, WA. 98040

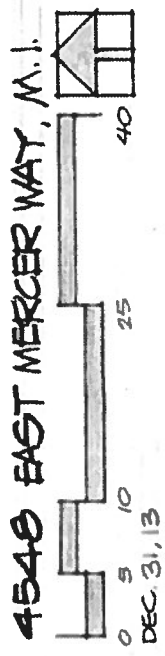
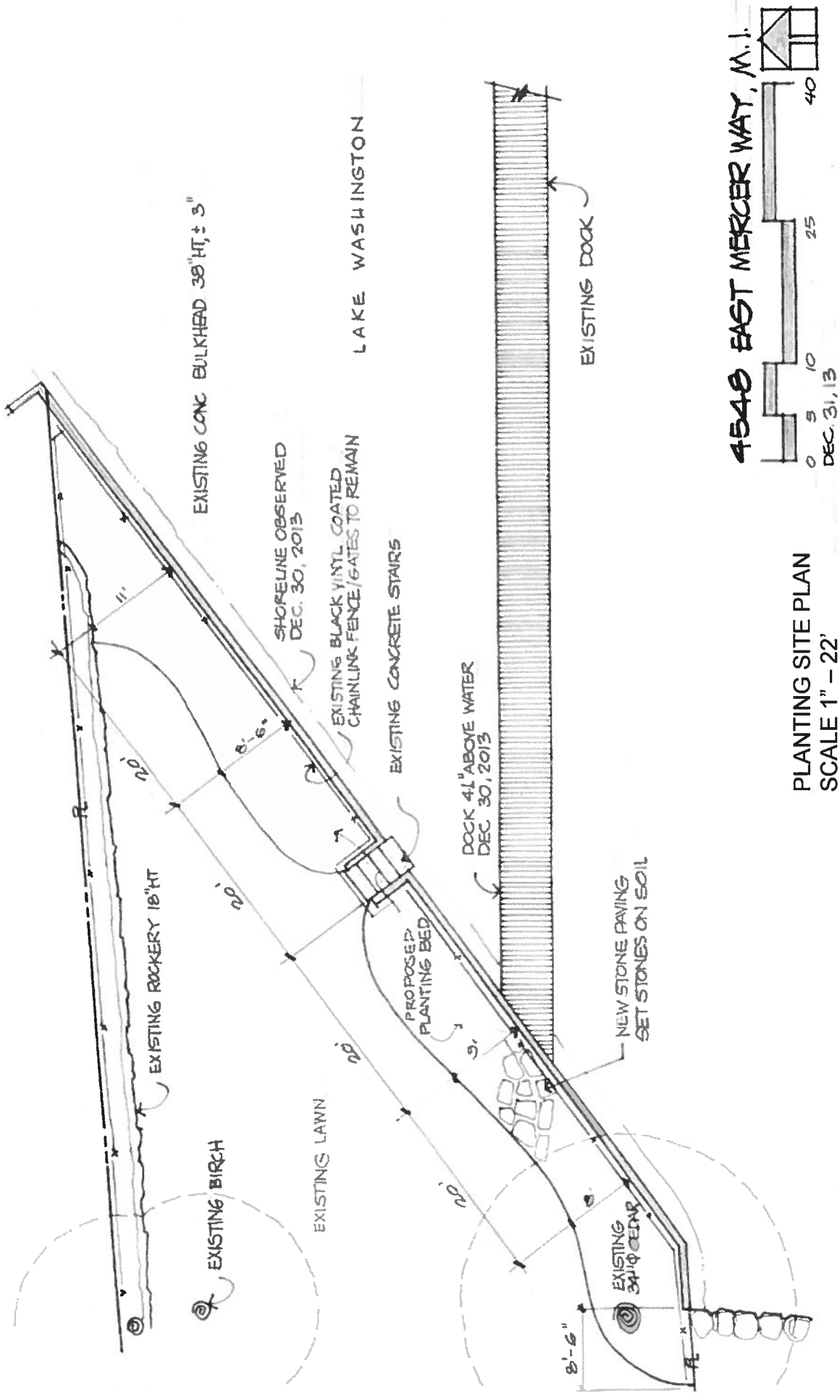
DR RICE
 4552 E. MERCER WAY
 MERCER ISLAND, WA. 98040

IN: LAKE WASHINGTON
 AT: MERCER ISLAND
 COUNTY: KING

APPLICANT: CLAYTON MARCH
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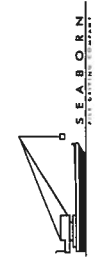
DATE: 1/10/14

PAGE 5 OF 8



PLANTING SITE PLAN
SCALE 1" = 22'

PROPOSED: Normal repair of a residential dock consisting of removing the wood deck, stringers and pile caps and replace with new treated pile caps and stringers and a fully grated deck. Repair ten wood piles with the pile stub method.



PURPOSE: PERFORM NORMAL REPAIR AND MAINTENANCE TO AN EXISTING RESIDENTIAL PIER.

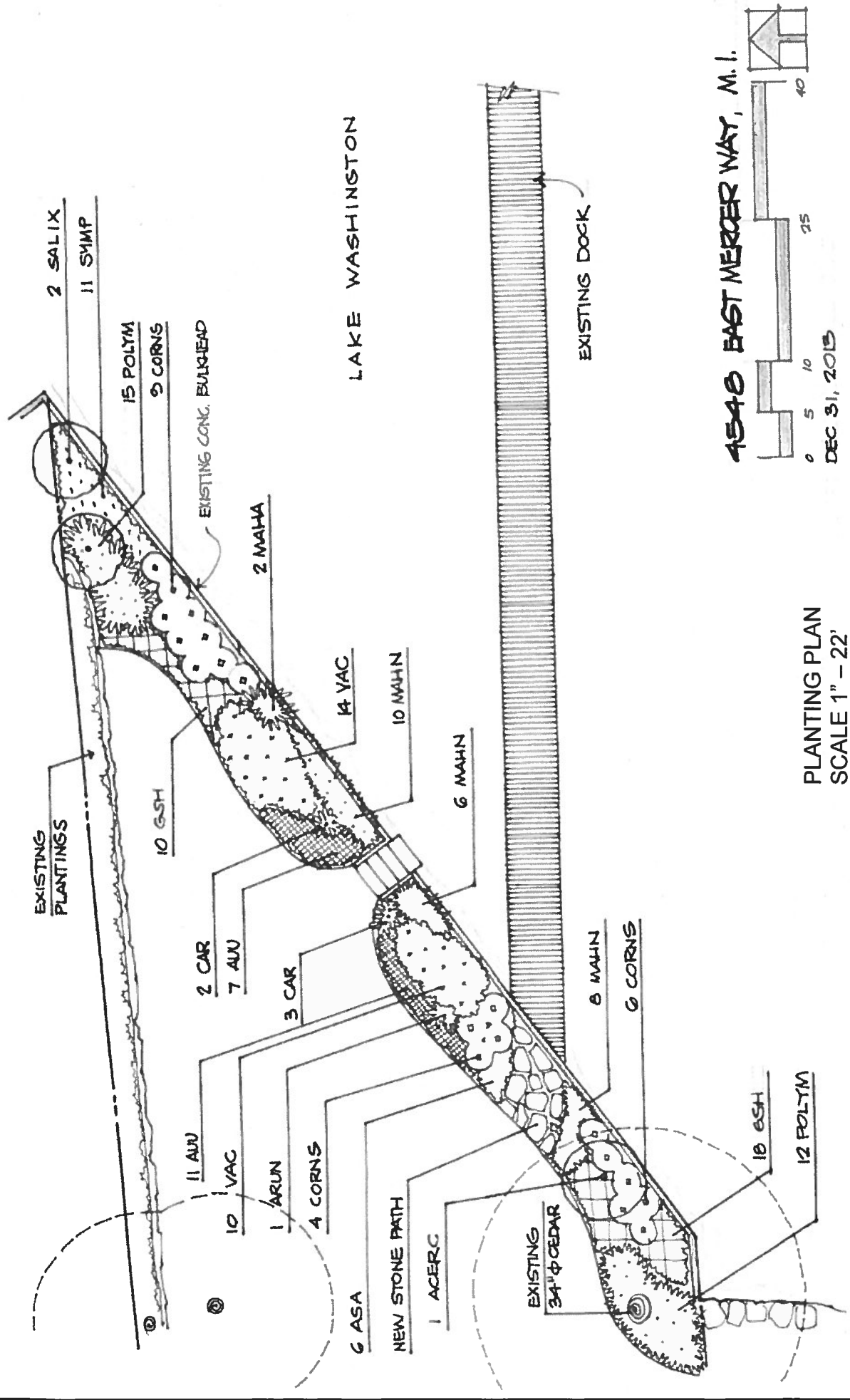
IN: LAKE WASHINGTON
AT: MERCER ISLAND
COUNTY: KING

APPLICANT: CLAYTON MARCH
4548 E. MERCER WAY
MERCER ISLAND, WA. 98040

DATE: 1/10/14 PAGE 6 OF 8

DATUM: CORPS OF ENGINEERS 1919
ADJACENT OWNERS:
ROBIN FUCHS
4540 FERNCROFT RD
MERCER ISLAND, WA. 98040

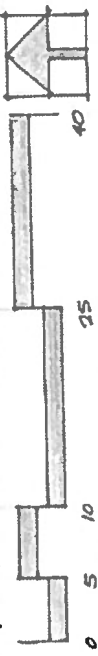
DR RICE
4552 E. MERCER WAY
MERCER ISLAND, WA. 98040



LAKE WASHINGTON

EXISTING DOCK

4540 EAST MERCER WAY, M. I.



DEC 31, 2015

PLANTING PLAN
SCALE 1" = 22'

PROPOSED: Normal repair of a residential dock consisting of removing the wood deck, stringers and pile caps and replace with new treated pile caps and stringers and a fully grated deck. Repair ten wood piles with the pile stub method.



PURPOSE: PERFORM NORMAL REPAIR AND MAINTENANCE TO AN EXISTING RESIDENTIAL PIER.

DATUM: CORPS OF ENGINEERS 1919
ADJACENT OWNERS:
ROBIN FUCHS
4540 FERNCKROFT RD
MERCER ISLAND, WA. 98040

IN: LAKE WASHINGTON
AT: MERCER ISLAND
COUNTY: KING

APPLICANT: CLAYTON MARCH
4548 E. MERCER WAY
MERCER ISLAND, WA. 98040

DATE: 1/10/14 PAGE 7 OF 8

PLANT LIST

4548 East Mercer Way, Mercer Island, WA. 98040

Q	SYMBOL	WETLAND INDICATOR STATUS	BOTANICAL/ COMMON NAME	SIZE
1	ACERC	FACU+	ACER CIRCINATUM/ VNE MAPLE	3' B/B
1	ARUN	FACU+	ARUNCUS DIOICUS/ GOATSBEARD	ONE GALLON CAN
6	ASA		ASARUM CAUDATUM/ WILD GINGER	4" POTS, 18" SPACING
18	AUU	FACU	ARCTOSTAPHYLOS UVA URSI/ KINNNINNICK	1 GALLON CAN 2' TRI SPACING
5	CAR	FACU	CAREX PACHYSTACHYA/ CHAMISSO SEDGE	4" POTS, 12" SPACING
15	CORNS	FACW	CORNUS SERICEA/ REDTWIG DOGWOOD	1 GALLON CAN, 3' TRIANGULAR SPACING
28	GSH		GAULTHERIA SHALLON/ SALAL	4" POTS, 18" TRIANGULAR SPACING
2	MAHA		MAHONIA AQUIFOLIUM/ TALL OREGON GRAPE	1 GALLON CAN, 3' SPACING
18	MAHN		MAHONIA NERVOSA/ CASCADE OREGON GRAPE	1 GALLON CAN, 2' TRI SPACING
27	POLYM	FACU	POLYSTICHUM MUNITUM/ SWORD FERN	1 GALLON CAN 2' TRI SPACING
2	SALIX	FACW	SALIX HOOKERIANA/ HOOKER WILLOW	1 GALLON CAN, AS SHOWN
11	SYMP	FACU	SYMPHIOCARPUS ALBUS/ SNOWBERRY	1 GALLON CAN 3' TRI SPACING
24	VAC		VACCINIUM OVATUM/ EVERGREEN HUCKLEBERRY	1 GALLON CAN, 3' SPACING

PURPOSE: PERFORM NORMAL REPAIR AND MAINTENANCE TO AN EXISTING RESIDENTIAL PIER.



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MERCER ISLAND, WA. 98040

DATE: 1/10/14

PAGE 8 OF 8



City of Mercer Island

9611 SE 36th Street • Mercer Island, WA 98040-3732
 PHONE (206) 275-7605 • FAX (206) 275-7726
 www.mercergov.org • www.mybuildingpermit.com

Development Application

CITY USE ONLY		
PERMIT #	RECEIPT #	FEE
SHL14-001	137439	419.21
DATE RECEIVED		1/10/14
BY <i>Jae</i>		

STREET ADDRESS/LOCATION 4548 E. MERCER WA-C	ZONE
COUNTY ASSESSOR PARCEL #'S 1824059033	PARCEL SIZE (SQ. FT.)

PROPERTY OWNER CLAYTON WARCH	ADDRESS 4548 E. MERCER WA-C	CELL/OFFICE: E-MAIL:
PROJECT CONTACT NAME TED BURB - SEABOARD PILE DRIVING #204 WE	ADDRESS 9311 SE 36th St	CELL/OFFICE: 206.947.4070 E-MAIL: TEDEBURB@YAHOO.COM
TENANT NAME	ADDRESS	CELL PHONE: E-MAIL:



DECLARATION: I HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY OR I HAVE BEEN AUTHORIZED BY THE OWNER(S) OF THE SUBJECT PROPERTY TO REPRESENT THIS APPLICATION, AND THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

[Signature]
SIGNATURE

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL:

NORMAL REPAIR OF A RESIDENTIAL DECK CONSISTING OF REMOVING THE WOOD DECK, STRINGERS AND PILE CAPS AND REPLACE WITH NEW TREATED PILE CAPS AND STRINGERS AS A FULL GRADE DECK. REPAIR 10 WOOD PILES.

CHECK TYPE OF USE PERMIT(S) REQUESTED (3% Technology Fee is included in fees below):

APPEALS <input type="checkbox"/> Building (+cost of file preparation) \$837.39 <input type="checkbox"/> Land use (+cost of verbatim transcript) \$837.39 CRITICAL AREAS <input type="checkbox"/> Determination \$2,591.48 <input type="checkbox"/> Reasonable Use Exception \$5,185.02 DESIGN REVIEW <input type="checkbox"/> Administrative Review (of sign & colors) \$415.09 <input type="checkbox"/> Administrative Review (of other than sign & colors) \$692.16 <input type="checkbox"/> Change to Final Design Approval \$692.16 <input type="checkbox"/> Design Commission Study Session \$692.16 DESIGN REVIEW & WIRELESS COMMUNICATIONS FACILITIES <input type="checkbox"/> \$0-5,000 \$692.16 <input type="checkbox"/> \$5,001-25,000 \$1,728.34 <input type="checkbox"/> \$25,001-50,000 \$2,592.51 <input type="checkbox"/> \$50,001-\$100,00 \$3,974.77 <input type="checkbox"/> Over \$100,001 Valuation \$6,913.36 DEVIATIONS <input type="checkbox"/> Changes to antenna requirements \$1,728.34 <input type="checkbox"/> Change to Open Space \$1,728.34 <input type="checkbox"/> Fence Height \$864.17	DEVIATIONS (Continued) <input type="checkbox"/> Setback Critical Areas \$2,592.51 <input type="checkbox"/> Impervious Surface (5% Lot coverage) \$2,592.51 <input type="checkbox"/> Shoreline \$3,456.68 <input type="checkbox"/> Wet Season Construction Moratorium \$901.25 ENVIRONMENTAL REVIEW (SEPA) <input type="checkbox"/> Checklist: Single Family Residential Use \$518.09 <input type="checkbox"/> Checklist: Non-Single Family Residential Use \$1,728.34 <input type="checkbox"/> Environmental Impact Statement \$2,592.51 (Revision = 40% of Fee) SHORELINE MANAGEMENT <input checked="" type="checkbox"/> Exemption \$419.21 <input type="checkbox"/> Permit Revision \$692.16 <input type="checkbox"/> Semi-Private Recreation Tract (modify) \$692.16 <input type="checkbox"/> Semi-Private Recreation Tract (new) \$1,728.34 <input type="checkbox"/> Substantial Dev. Permit \$2,592.51 SUBDIVISION LONG PLAT <input type="checkbox"/> 2-3 Lots \$8,641.70 <input type="checkbox"/> 4-5 Lots \$12,098.38 <input type="checkbox"/> 6 or greater \$15,555.06 <input type="checkbox"/> Subdivision Alteration to Existing Plat \$4,320.85 <input type="checkbox"/> Final Subdivision Review \$3,456.68	SUBDIVISION SHORT PLAT <input type="checkbox"/> Two Lots \$4,320.85 <input type="checkbox"/> Three Lots \$5,185.02 <input type="checkbox"/> Four Lots \$6,049.19 <input type="checkbox"/> Deviation of Acreage Limitations \$864.17 <input type="checkbox"/> Short Plat Amendment \$2,159.91 <input type="checkbox"/> Final Short Plat Approval \$864.17 VARIANCES (Plus Hearing Examiner Fee) <input type="checkbox"/> Type 1* \$3,456.68 <input type="checkbox"/> Type 2** \$1,913.74 OTHER LAND USE <input type="checkbox"/> Accessory Dwelling Unit (ADU) \$173.04 <input type="checkbox"/> Code Interpretation Request (+\$139.05/hr over 6 hrs) \$838.42 <input type="checkbox"/> Comp Plan Amendment (CPA) \$3,974.77 <input type="checkbox"/> Conditional Use Permit (CUP) \$6,913.36 <input type="checkbox"/> Lot Line Revision \$2,592.51 <input type="checkbox"/> Lot Line Consolidation \$864.17 <input type="checkbox"/> Noise Variance (+\$139.05/hr over 3 hrs) \$419.21 <input type="checkbox"/> Reclassification of Property (Rezone) \$4,320.85 <input type="checkbox"/> Right-of-Way Encroachment Agreement (Requires Separate ROW Use Permit) \$512.94 <input type="checkbox"/> Zoning Code Text Amendment \$3,974.77
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* Includes all variances of any type or purpose in all zones other than single family residential zone: B,C,O,PBZ,MF-2,MF2L,MF-2L,MF-3,TC,PJ
 ** Includes all variances of any type or purpose in single family residential zone: R-8.4,R-9.6,R-12,R-15

CITY USE ONLY		
SEPA Categorically Exempt:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
SEPA Checklist Required:	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Permit Fee:		
Permit Fee:		
Total Fees:		

Applicant Information

Project Address: 4548 E. Mercer Way, Mercer Island WA. 98040

Parcel Number: 1824059033

Applicant: Ted Burns, Seaborn Pile Driving Company, 9311 SE 36th Street, Mercer Island, Wa. 98040 206.236.1700

Property Owner: Clayton March, 4548 E. Mercer Way Mercer Island WA. 98040

Legal Description: OT 2 & SH LDS ADJ MERCER ISLAND SHORT PLAT NO 84-0415 REC NO 840625-9006 SD SHORT PLAT DAF - 560 FT OF TR 6 & OF GL 2 IN SE 1/4 18-24-5 LY ELY & NLY OF LN BAAP ON S LN SD TR 6 & ELY LN OF E MERCER WAY TH N89-16-30E ALG SD S LN TAP ON SELY LN OF FERNCROFT RD AF 5999004 DIST N 89-16-30 E 1150 FT M/L FR SW COR SD TR 6 TH NELY ALG SD SELY LN 103.17 FT M/L TO NELY LN OF PVT RD & TPOB TH S 38-34-27 E 65.16 FT TAP ON S LN SD TR 6 TH S 47-19-30 E 87.86 FT TH N 89-16-30 E TO SH LN OF LAKE & TERM SD LN

Description of Work: Normal repair of a residential dock consisting of removing the wood deck, stringers and pile caps and replace with new treated pile caps and stringers and a fully grated deck. Repair ten wood piles with the pile stub method.

Job specific comments

Original dock construction

The dock and moorage cover was originally constructed prior to 1963 (refer Mercer Island mapping portal).

Permits

The dock was repaired in 2001 with Mercer Island permit Shoreline Exemption permit SHL01-007, and building permit number 0102-211 and signed-off on 10/18/01.

A Corps permit and HPA were acquired for the 2001 repair.

Water Quality

The piles to be repaired are untreated and will not shed any treatment or creosote into the water when they're cut.

A containment boom will surround the piles to be repaired to ensure that all woody debris that enters the lake will be captured.

Pile Stubs

The replacement pile stub will be treated with ACZA per Best Management Practices and as recommended as part of the RGP-3 guidelines. This includes treating the pile stub off-site at a professional treatment plant where they will be dried and cured prior to shipment to our yard and mobilizing to the job site.



The pile stub will not leach or cause any treatment to enter the lake when they are installed or at any time in the future.

Mitigation

The project features the installation of a fully grated deck to provide light penetration below the dock.

The project features a Shoreline Planting Plan to mitigate for the existing dock and proposed boatlift.

Contractor: Seaborn Pile Driving Company License #: SEABOPD942CG

Address: 9311 SE 36th Street Mercer Island, Wa. 98040

Phone: 206.236.2700

Fax: 206.236.2700

Contact: Ted Burns

Mobile: 206.947.4010

Email: tedeburns@yahoo.com

Construction Narrative

Mobilization and existing pier removal

1. Mobilize crew, crane barge, supply and debris barges, and materials on site. Make sure that the barges don't come in contact with the lake bottom.
2. Remove and set aside the owner items located on the dock for reinstallation after the new dock is completed.
3. Remove the moorage cover and set on the barge for re-attachment after the dock is repaired.
4. Remove the existing dock structure consisting of the decking and timbers and place on the debris barge for disposal.
5. Tow the debris barge to the yard in Seattle and dispose in an approved upland waste location.

Pile Repair

1. Cut the exposed pilings under water to the level where good wood is reached. (approximately 4-5 feet).
2. Install a new treated pile section directly on top of the pile to be repaired.
3. Install the epoxy coated steel pile splicing brackets so they are below the low water line.
4. Bolt the steel plates to the existing and new pile section with 4 each, 3/4" galvanized through bolts.

Dock construction

1. Using a chainsaw, cut the pilings to the designated elevation using a laser for confirmation.
2. Confirm the pilings are straight and solid.
3. Attach preservative and tar paper over the top of all piles for protection.
4. Install, level and fasten the treated 6" X 8" Douglas Fir pile caps per the laser elevation.
5. Attach the treated 4" X 8" Douglas Fir stringers.
6. Frame the dock to support the fiberglass grating panels. This includes oversized 4" X 8" treated Douglas fir stringers 16" on center. These oversized stringers act to provide additional support to the dock framing. This is important to reduce the sway as much as possible.

7. Install the fiberglass deck panels of ThruFlow grating with stainless steel “button head” screws making sure the screws are flush with the surface.
8. Install the double wood fascia.
9. Install the owner supplied cleats and other items that were removed prior to start of work.
10. Clean the job site before towing back to the yard.

Structural Notes

General

- All materials, workmanship, design and construction shall conform to the submitted drawings and the International Building Code.
- The contractor will be responsible for all safety precautions and methods and processes to perform the designated work.

Design Criteria

- The existing and repaired design and construction meets the live load specification of a minimum of 40 PSF.

Carpentry

- Lumber will be graded in conformance with WCLIB grading rules.
- Dock pile caps and stringers are Doug Fir # 2 or better treated with ACZA to Best Management Practices.
- Pile stubs are Doug Fir #2 or better treated with ACZA to Best Management Practices.

Preservatives

- All wood preservatives to be federal and state approved and will be applied and fully cured prior to installation over the water.
- All hardware and fasteners to be hot dipped galvanized.

Best Management Practices

1. Above the Water Line Work

- Seaborn Pile Driving Co. will employ one each crane barge and one each supply and debris barge for above water work. A tug will tow the barges on and off the job site.
- Seaborn Pile Driving Co. personnel working in, near or over the water will at all time wear either USCG approved life vests or work vest as well as hard hats and safety glasses.

2. Material Handling

- During repair of the dock and piles, a floating containment boom will completely surround the work area.

3. Hazardous Materials

- No hazardous materials will be mixed or stored in or near the water. No cleaning of materials will be performed in or near the water.

4. Polluting Materials in Water

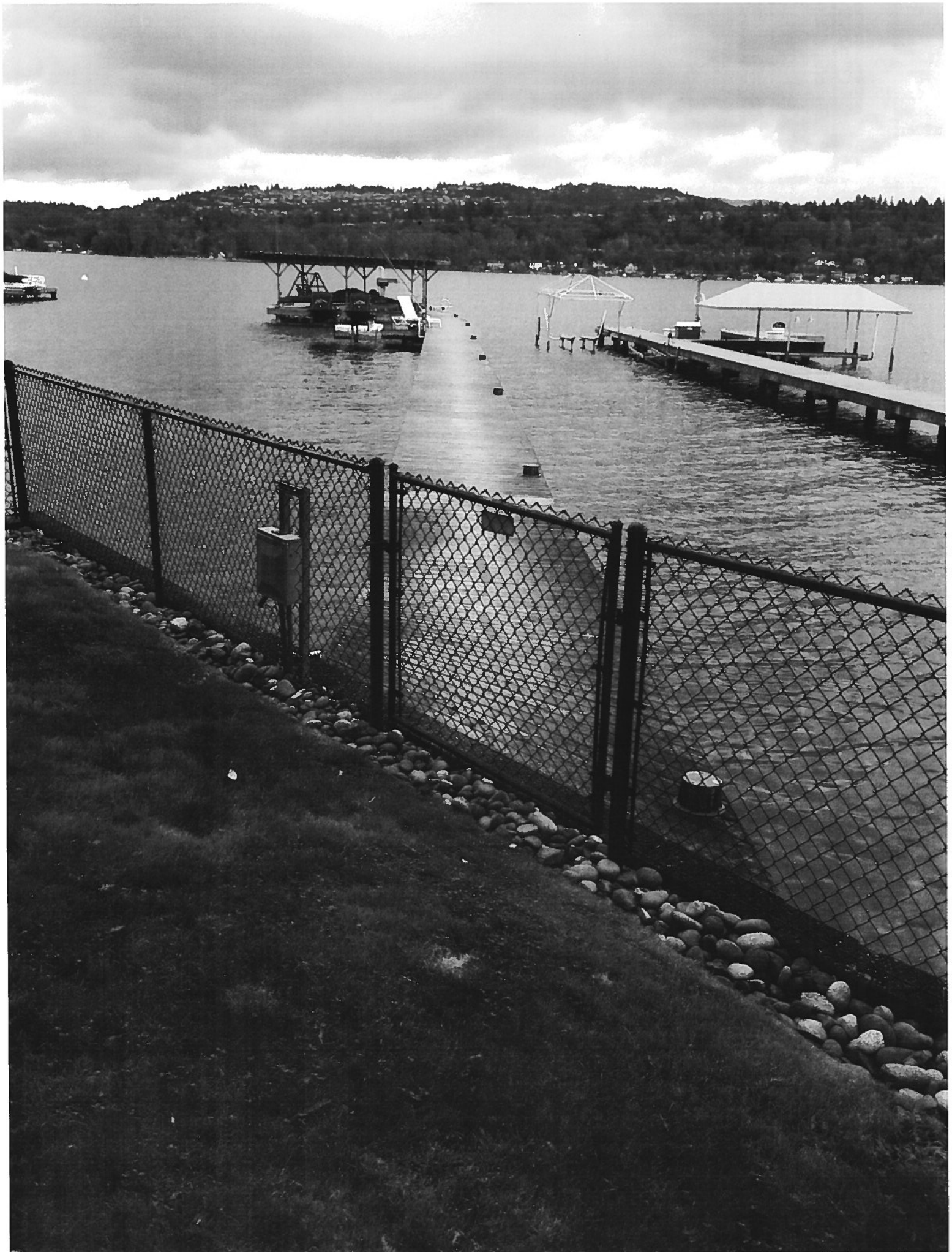
- Seaborn Pile Driving Company has developed and implemented a Spill Prevention Plan. In addition, a very visible Spill Kit is maintained and secured on the barge at all times.

5. Materials Disposal

- Seaborn Pile Driving Company will dispose of all wood pile debris in an approved disposal site in accordance with all applicable laws and permit requirements.

6. Treated Wood

- The pile stubs will be treated with ACZA per AWPAC UC5A and Best Management Practices including complete drying and curing of the treated wood prior to loading on the barge and transporting to the job site.
- All treated wood installed by Seaborn Pile Driving Co. will meet the Best Management Practices for Treated Wood in Western Aquatic Environments.



Applicant Information

Project Address: 4548 E Mercer Way, Mercer Island, WA 98042

Parcel Number: 182405-9033

Applicant: Seaborn Pile Driving Company, 1080 W Ewing St Building B, Seattle, WA 98119
206-236-1700

Property Owner: Sam LeClercq

Legal Description: LOT 2 & SH LDS ADJ MERCER ISLAND SHORT PLAT NO 84-0415 REC NO 840625-9006 SD SHORT PLAT DAF - 560 FT OF TR 6 & OF GL 2 IN SE 1/4 18-24-5 LY ELY & NLY OF LN BAAP ON S LN SD TR 6 & ELY LN OF E MERCER WAY TH N89-16-30E ALG SD S LN TAP ON SELY LN OF FERNCROFT RD AF 5999004 DIST N 89-16-30 E 1150 FT M/L FR SW COR SD TR 6 TH NELY ALG SD SELY LN 103.17 FT M/L TO NELY LN OF PVT RD & TPOB TH S 38-34-27 E 65.16 FT TAP ON S LN SD TR 6 TH S 47-19-30 E 87.86 FT TH N 89-16-30 E TO SH LN OF LAKE & TERM SD LN

Description of Work: We propose to relocate & permit (1) existing platform lift, permit (1) existing boat lift, install (2) new dock mounted PWC lifts, and install (1) new boat lift.

Job specific comments

Purpose

The proposed dock is to provide for safe boat moorage and safe water recreational activities for a single-family residence.

Habitat Enhancement

The proposed planting plan has been designed to mitigate for the existing and proposed pier.

Water Quality

In order to prevent debris from entering the lake during the demolition stage of the project, a containment boom will surround the crane barge and work area.

Permits

Mercer Island SSDP Permit:

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

“Alternative Development Standards” per MIMC 19.07.110(6)(c)

Mitigation

Shoreline Plantings: The shoreline plantings have been designed to provide the spread of tree and shrub nutrients into the adjacent waters of Lake Washington.

Contractor: Seaborn Pile Driving Company License #: SEABOPD942CG
Address: 1080 W Ewing St. Bldg B. Seattle WA 98119
Office: 206.236.1700 Mobile: 253-459-3267
Contact: Madison Johnson Email: permits@seabornpiledriving.com

Construction Narrative

Mobilization

Mobilize crew, crane barge, supply and debris barges, and materials on site

Structural Notes

General

- All materials, workmanship, design, and construction shall conform to the submitted drawings and the International Building Code.
- The contractor will be responsible for all safety precautions and methods and processes to perform the designated work.

Materials

All materials used in the construction of the dock will be for use on the water and of the highest quality available on the market. All materials will conform to the International Building Code.

For example:

- Wood piles and pile stubs. The proposed wood pile stub will be Class B (12" @ 3' from Butt) – 40' Douglas Fir pilings per ASTM D-25.
- Steel pile collars – ASTM A53 GrB with Devran 261QC low temperate cure epoxy (16 mils) finish coated full length.
- Structural Lumber – All lumber will be graded and marked in conformance with WCLIB standard grading rules.

- Fasteners – All fasteners, bolts, nuts and nails will be epoxy-coated.
- Decking – The decking will consist of SunWalk fiberglass grating which is pet and children friendly and will provide years of safe and comfortable use.

Preservatives

- All wood preservatives to be state approved and will be applied and fully cured prior to installation over the water.
- All hardware and fasteners to be epoxy-coated.

Best Management Practices

1. Above the Water Line Work

1. Seaborn Pile Driving Company will employ one each crane barge, one supply and one debris barge to complete the scope of work. A tug will tow the barges on and off the job site.
2. Seaborn Pile Driving Company personnel working in, near or over the water will at all time wear either USCG approved life vests or work vest as well as hard hats and safety glasses.

2. Material Handling

1. While at the job site, a floating containment boom will completely surround the work area.
2. All removed piles and the existing dock structure will be placed on the debris barge where they will be contained and kept out of the lake.

3. Hazardous Materials

- No hazardous materials will be mixed or stored in or near the water. No cleaning of materials will be performed in or near the water.

4. Polluting Materials in Water

- Seaborn Pile Driving Company will take extra precautions to ensure materials don't fall into or pollute the water. Any material that enters the water will be removed immediately. Any hazardous material such as oily rags will not be handled near or over the water.
- A spill kit will be employed on the barges at the job site.
- If any pollutants enter the water, Seaborn Pile Driving Company will contact the appropriate agencies and report the spill immediately.

5. Materials Disposal

- Seaborn Pile Driving Company will dispose of the rotten wood and pile sections in an approved legal disposal site in accordance with all applicable laws and permit requirements.

**CITY OF MERCER ISLAND
COMMUNITY PLANNING & DEVELOPMENT**

9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercergov.org



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File No	
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ENVIRONMENTAL CHECKLIST

PURPOSE OF CHECKLIST

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

PRE-APPLICATON MEETING

A pre-application meeting is used to determine whether a land use project is ready for review, to review the land use application process, and to provide an opportunity for initial feedback on a proposed application. Some land use applications require a pre-application – in particular: short and long subdivisions, lot line revisions, shoreline permits, variances, and critical area determinations. The City strongly recommends that all land use applications use the pre-application process to allow for feedback by City staff.

Please note: pre-application meetings are held on Tuesdays, by appointment. To schedule a meeting, submit the meeting request form and the pre-application meeting fee (see fee schedule). Meetings must be scheduled at least one week in advance. Applicants are required to upload a project narrative, a list of questions/discussion points, and preliminary plans to the Mercer Island File Transfer Site one week ahead of the scheduled meeting date.

SUBMITTAL REQUIREMENTS

In addition to the items listed below, the code official may require the submission of any documentation reasonably necessary for review and approval of the land use application. An applicant for a land use approval and/or development proposal shall demonstrate that the proposed development complies with the applicable regulations and decision criteria.

- A. **Completed pre-application.**
- B. **Development Application Sheet.** Application form must be fully filled out and signed.
- C. **Development Plan Set.** Please refer to the Land Use Application- Plan Set Guide in preparing plans.
- D. **Title Report.** Less than 30 days old.
- E. **SEPA checklist.**

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later. Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you. The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For nonproject proposals complete this checklist and the supplemental sheet for nonproject actions (Part D). The lead agency may exclude any question for the environmental elements (Part B) which they determine do not contribute meaningfully to the analysis of the proposal. For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

2. Name of applicant:

3. Address and phone number of applicant and contact person:

4. Date checklist prepared:

5. Agency requesting checklist:

6. Proposed timing or schedule (including phasing, if applicable):

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain:

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

10. List any government approvals or permits that will be needed for your proposal, if known:

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (check one):

Flat Rolling Hilly Steep slopes Mountainous Other

b. What is the steepest slope on the site (approximate percent slope)?

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, and industrial wood smoke) during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

3. Water

a. Surface:

i. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

ii. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

iii. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

iv. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

v. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

- vi. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

b. Ground

- i. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well? Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

- ii. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, [containing the following chemicals...]; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

c. Water runoff (including stormwater):

- i. Describe the source of runoff (including stormwater) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

- ii. Could waste materials enter ground or surface waters? If so, generally describe.

- d. Proposed measures to reduce or control surface, ground, runoff water, and drainage pattern impacts, if any:

4. Plants

- a. Check types of vegetation found on the site
- Deciduous tree: Alder, Maple, Aspen, other
 - Evergreen tree: Fir, Cedar, Pine, other
 - Shrubs
 - Grass

- Pasture
- Crop or grain
- Wet soil plants: Cattail, buttercup, bulrush, skunk cabbage, other
- Water plants: Water lily, eelgrass, milfoil, other
- Other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

c. List threatened or endangered species known to be on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

e. List all noxious weeds and invasive species known to be on or near the site.

5. Animals

a. State any birds and animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: hawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other:

Fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

c. Is the site part of a migration route? If so, explain.

d. Proposed measure to preserve or enhance wildlife, if any:

-
-
- e. List any invasive animal species known to be on or near the site.
-
-

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
-
-

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
-
-

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
-
-

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.
-
-

- i. Describe any known or possible contamination at the site from present or past uses.
-
-

- ii. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.
-
-

- iii. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
-
-

iv. Describe special emergency services that might be required.

v. Proposed measures to reduce or control environmental health hazards, if any:

b. Noise

i. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

ii. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

iii. Proposed measures to reduce or control noise impacts, if any:

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

c. Describe any structures on the site.

d. Will any structures be demolished? If so, what?

e. What is the current zoning classification of the site?

f. What is the current comprehensive plan designation of the site?

g. If applicable, what is the current shoreline master program designation of the site?

h. Has any part of the site been classified as an “environmentally sensitive” area? If so, specify.

i. Approximately how many people would reside or work in the completed project?

j. Approximately how many people would the completed project displace?

k. Proposed measures to avoid or reduce displacement impacts, if any:

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

- c. Proposed measures to reduce or control housing impacts, if any:

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas? What is the principal exterior material(s) proposed?

- b. What views in the immediate vicinity would be altered or obstructed?

- c. Proposed measures to reduce or control aesthetics impacts, if any:

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

- c. What existing off-site sources of light or glare may affect your proposal?

- d. Proposed measures to reduce or control light and glare impacts, if any:

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

b. Would the proposed project displace any existing recreational uses? If so, describe.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

c. How many additional parking spaces would the completed project or nonproject proposal have? How many would the project or proposal eliminate?

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

h. Proposed measures to reduce or control transportation impacts, if any:

15. Public services

a. Would the project result in an increased need for public services (for example; fire protection, police protection, health care, schools, other)? If so, generally describe.

b. Proposed measures to reduce or control direct impacts on public services, if any.

16. Utilities

a. Check utilities currently available at the site:

- | | | | |
|--------------------------------------|---|--|---|
| Electricity <input type="checkbox"/> | Natural Gas <input type="checkbox"/> | Water <input type="checkbox"/> | Refuse Service <input type="checkbox"/> |
| Telephone <input type="checkbox"/> | Sanitary sewer <input type="checkbox"/> | Septic system <input type="checkbox"/> | Other <input type="checkbox"/> |

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

C. SIGNATURE

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the answers to the attached SEPA Checklist are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Dray Davick

Date Submitted: _____

SEPA RULES

SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; productions, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

[Statutory Authority: RCW [43.21C.110](#), WSR 16-13-012 (Order 15-09), § 197-11-960, filed 6/2/16, effective 7/3/16. Statutory Authority: RCW [43.21C.110](#) and [43.21C.100](#) [43.21C.170]. WSR 14-09-026 (Order 13-01), § 197-11-960, filed 4/9/14, effective 5/10/14. Statutory Authority: RCW [43.21C.110](#), WSR 13-02-065 (Order 12-01), § 197-11-960, filed 12/28/12, effective 1/28/13; WSR 84-05-020 (Order DE 83-39), § 197-11-960, filed 2/10/84, effective 4/4/84.]

Ecological No Net Loss Assessment Report

Prepared for

Sam Leclercq
4548 E Mercer Way
Mercer Island, WA 98040

Prepared by



Northwest Environmental Consulting, LLC
600 North 36th Street, Suite 423
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) 19.07.110 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 extension and repair.

Location

The subject property is located at 4548 E Mercer Way (King County parcel number 1824059033) in the City of Mercer Island, Washington (see Appendix A – Sheet A1.0). The parcel is on the waterfront of Lake Washington, a shoreline of the state, that contains several endangered fish species listed under the Endangered Species Act and Washington State designated priority fish species.

Project Description

The proposed work includes permitting an existing unpermitted platform lift, a new boat lift, and two dock mounted personal watercraft lifts. No work is being proposed to the existing bulkhead or dock. (See Appendix A – Sheets 2.0 – 6.0)

During construction, a floating boom will surround the work barge and work area. (See Appendix A – Sheets A7.0)

A shoreline vegetation plan is proposed, that will add 2 native trees and 4 native shrubs. These shoreline plantings will provide shade and allow allochthonous material to enter the lake along the shoreline and improve shoreline conditions (see Appendix A – Sheet A8.0).

Approach

Northwest Environmental Consulting LLC (NVEC) biologist Brad Thiele conducted a site visit on August 16, 2022 to evaluate conditions on site and adjacent to the site. NVEC 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=PubMaps>)

Site Description

The subject property is a shoreline tract in a residential neighborhood. It has shoreline on its eastern boundary with single-family homes to the north and south also with lake front access.

The only existing structures on the property are the house and the existing dock. The yard is landscaped with beds and lawn. The lawn extends to the landward side of the bulkhead and no plantings are present along the shoreline.

The shoreline is bulkhead with a concrete bulkhead with steps down into the water north of the dock. A chain-link fence is present along the top of bulkhead. Shoreline substrates include mostly sand along the bulkhead shifting to sands and gravels about 10 feet from shore. Milfoil was present starting about 120 feet from shore.

The neighboring properties include armored shoreline, lawn, and landscaped beds. See attached photos in Appendix B – Photos.

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 migrate and 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. The shoreline is or is close to a mapped sockeye salmon spawning location.

Priority Habitats and Species mapping does not show any other aquatic or terrestrial occurrences within 1,500 feet of the project location.

The Mercer Island GIS does not show any environmental layers on or on the adjacent properties.

Project Impacts and Conservation Measurements

Direct Impacts:

Sediments: Sediment disturbance will occur below the OHWM and along the shoreline of Lake Washington lift installation and relocation. Additionally, the tug and barge propwash may disturb sediments temporarily when making trips to/from the site.

Impacts to sediments should be negligible as any movement of the lifts is done by lifting and not dragging the lift. The lift is set gently on the bottom using the crane and will not result in much bottom substrate disturbance.

Shoreline: Planting additional native vegetation, especially a native western red cedar and shorepine, 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 A8.0).

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 impact to the aquatic environment is expected to be reduced because a crew competent using spill containment measures will be on site and employ these measures should a spill occur.

Indirect Impacts:

Shading: The lifts will not contribute to shading significantly.

Recreational Boating: The project supports continued recreational boating, which has been identified as a limiting factor for salmonid populations in Lake Washington. The new moorage 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 April 30). 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.

Best Management Practices: Applicable BMPs will be used, such as a floating boom 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 containment materials 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.

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. The work is considered minor and these impacts will be temporary with negligible effects. The new free standing lifts will be placed as far from shore as possible in water about 7 feet or deeper.

A shoreline planting plan will be implemented and will add native trees and shrubs to the shoreline that will provide natural shading, allochthonous food sources and will eventually be a source of woody materials and will improve shoreline conditions at the site in the long-term to offset temporary construction impacts. The planting includes 2 native trees and 4 native shrubs.

The project will minimize construction effects on the environment by following the prescribed fish window and using applicable BMPs to prevent construction spills, turbidity, 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 residential dock standards and will use Best Management Practices to reduce project impacts during construction. The conservation measures are designed to improve ecological functions or prevent further degradation of habitat. The project will improve shoreline conditions, reduce overwater coverage in the nearshore and reduce effective overwater coverage at the site. The proposed project has been designed to improve baseline ecological conditions at the site **and will result in No Net Loss of ecological functions.**

Document Preparers

Brad Thiele	Biologist	28 years of experience	Northwest Environmental Consulting, LLC (NVEC)
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NVEC 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.

REFERENCES

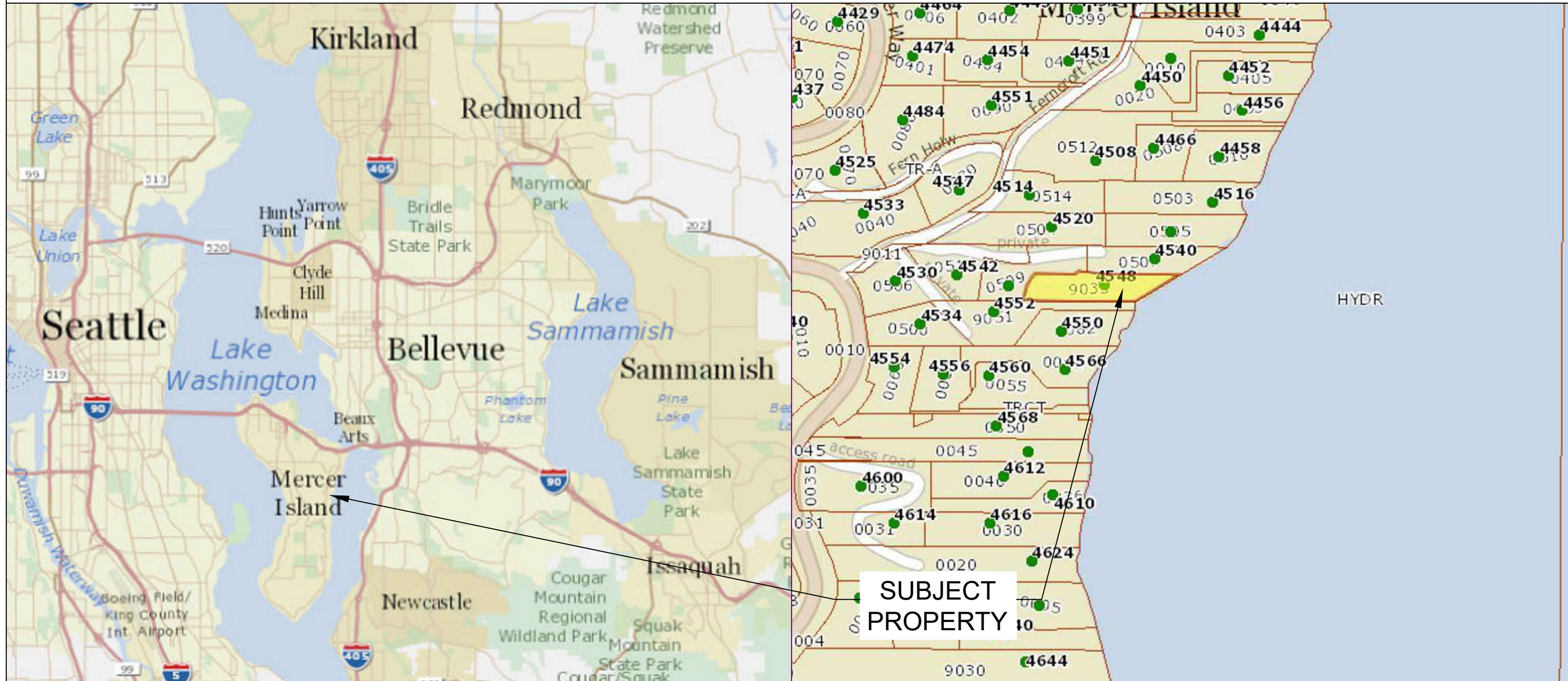
King County. 2022. King County iMap. Online database. Accessed March 2022 at <https://gismaps.kingcounty.gov/iMap/>

Washington Department of Fish and Wildlife (WDFW). 2022. Priority Habitats and Species. Online database. Accessed April 2021 at <http://apps.wdfw.wa.gov/phsontheweb/>

WDFW. 2022. SalmonScape. Online database. Accessed March 2022 at <http://apps.wdfw.wa.gov/salmonscape/>

Appendix A: Project Drawings

SITE PLAN

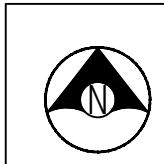


Pin: 182405-9033

Legal Description: LOT 2 & SH LDS ADJ MERCER ISLAND SHORT PLAT NO 84-0415 REC NO 840625-9006 SD SHORT PLAT DAF - 560 FT OF TR 6 & OF GL 2 IN SE 1/4 18-24-5 LY ELY & NLY OF LN BAAP ON S LN SD TR 6 & ELY LN OF E MERCER WAY TH N89-16-30E ALG SD S LN TAP ON SELY LN OF FERNCROFT RD AF 5999004 DIST N 89-16-30 E 1150 FT M/L FR SW COR SD TR 6 TH NELY ALG SD SELY LN 103.17 FT M/L TO NELY LN OF PVT RD & TPOB TH S 38-34-27 E 65.16 FT TAP ON S LN SD TR 6 TH S 47-19-30 E 87.86 FT TH N 89-16-30 E TO SH LN OF LAKE & TERM SD LN

Plat Block:
Plat Lot:

LAT: 47.56444 LONG: -122.20957



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 relocate & permit (1) existing platform lift, install (2) new dock mounted PWC lifts, and install (1) new boat lift.

County: King County	Applicant: LeClercq Residence	Datum: CORPS OF ENGINEERS 1919 SE Quarter Of Section 18, Township 24, Range 05	SHEET 1.0
Location: Lake Washington	4548 E Mercer Way Mercer Island, WA 98042	Adjacent Owners: GEISNER IRENE MARKMAN AND K 4552 E MERCER WAY 98040	NWS-2022-XXX PAGE 1 OF 9
Last Updated: 7/15/2022 12:12 PM Dray		Created: FUCHS ROBIN+JENNELL D 4540 FERNCROFT RD 98040	

GENERAL NOTES:

MATERIALS SPEC LIST:

Boat Lifts:

- * SL8012ARW - 146" x 167"
- * Dock mounted PWC lift - 34"x16"

Sewer:

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

CODE REFERENCES: Mercer Island

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

“Alternative Development Standards” per MIMC 19.13050(F)(3).

The code official shall approve moorage facilities not in compliance with the development standards in subsection (F)(1) or (F)(2) of this section subject to both U.S. Army Corps of Engineers and Washington Department of Fish and Wildlife approval to an alternate project design. The following requirements and all other applicable provisions in this chapter shall be met:

i. The dock must be no larger than authorized through state and federal approval; Ch. 19.13 Shoreline Master Program | Mercer Island City Code Page 30 of 34 The Mercer Island City Code is current through Ordinance 20C-13, passed June 16, 2020.

The dock is not being altered.

ii. The maximum width must comply with the width of moorage facilities standards specified in standards specified in subsection D of this section (Table D);

N/A

iii. The minimum water depth must be no shallower than authorized through state and federal approval;

N/A

iv. The applicant must demonstrate to the code official's satisfaction that the proposed project will not create a net loss in ecological function of the shorelands; and

The No Net Loss report is attached.

v. The applicant must provide the city with documentation of approval of the moorage facilities by both the U.S. Army Corps of Engineers and the Washington Department of Fish and Wildlife.

The plan is under review by the CORPS and WDFW.

Mitigation Disturbance of bank vegetation shall be limited to the minimum amount necessary to accomplish the project. Disturbed bank vegetation shall be replaced with native, locally adapted herbaceous and/or woody vegetation. Herbaceous plantings shall occur within 48 hours of the completion of construction. Woody vegetation components shall be planted in the fall or early winter, whichever occurs first. The applicant shall take appropriate measures to ensure revegetation success;

Last permit issued for property: 1410-015 Building Permit on 10/2/2014

Dock established/constructed: 7/27/1984

County: King County
Location: Lake Washington

Applicant: LeClerc Residence
4548 E Mercer Way
Mercer Island, WA 98042

Datum: CORPS OF ENGINEERS 1919
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Adjacent Owners:
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4552 E MERCER WAY 98040

Created: FUCHS ROBIN+JENNELL D
4540 FERNCREFT RD 98040

Last Updated: 7/15/2022 12:12 PM Dray



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Seattle, WA 98119

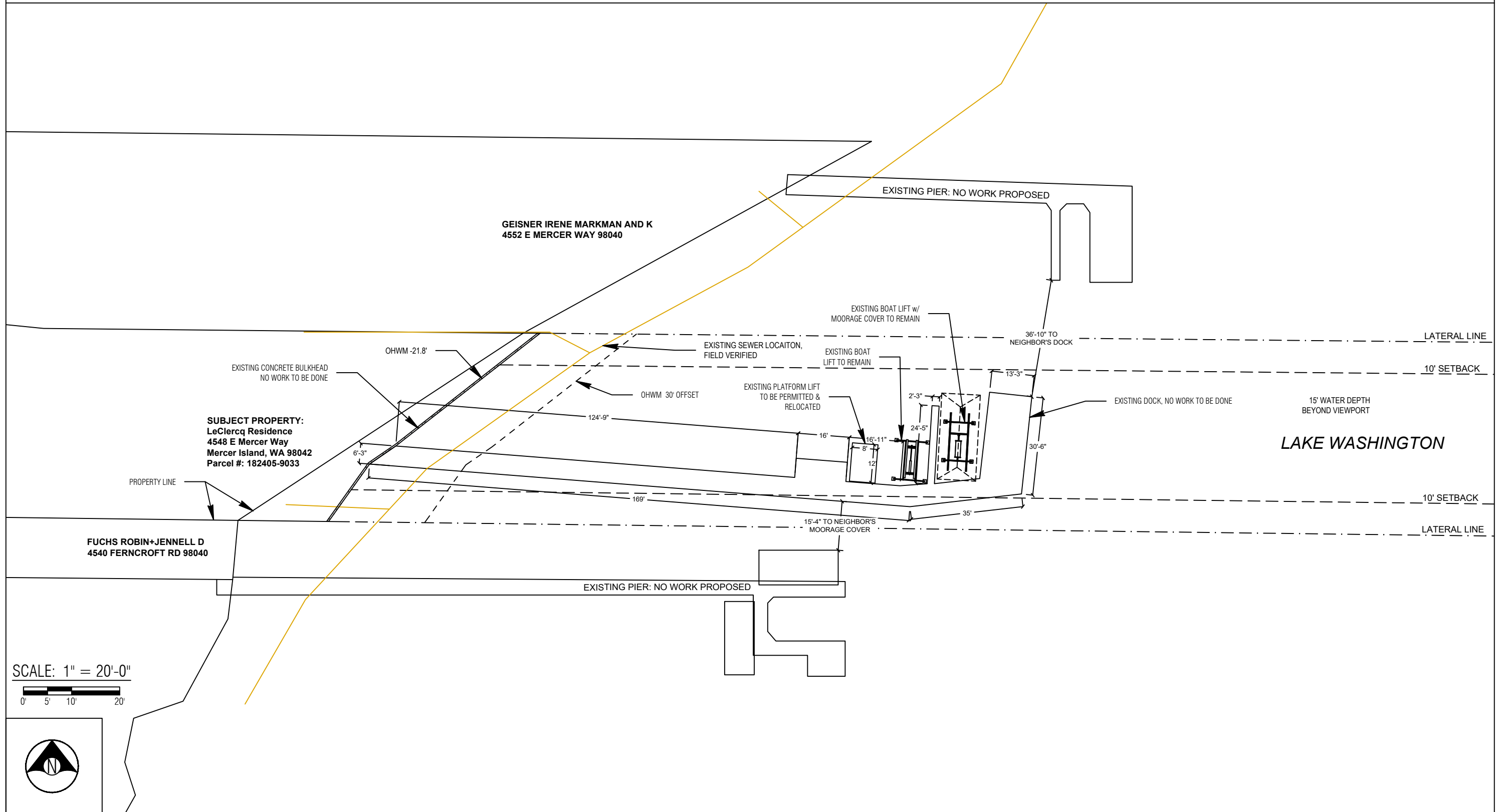
Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

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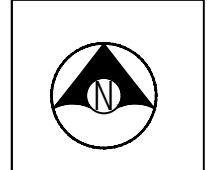
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EXISTING CONDITIONS

****CLEAN UP LAKE AROUND PROJECT****



SCALE: 1" = 20'-0"
 0' 5' 10' 20'



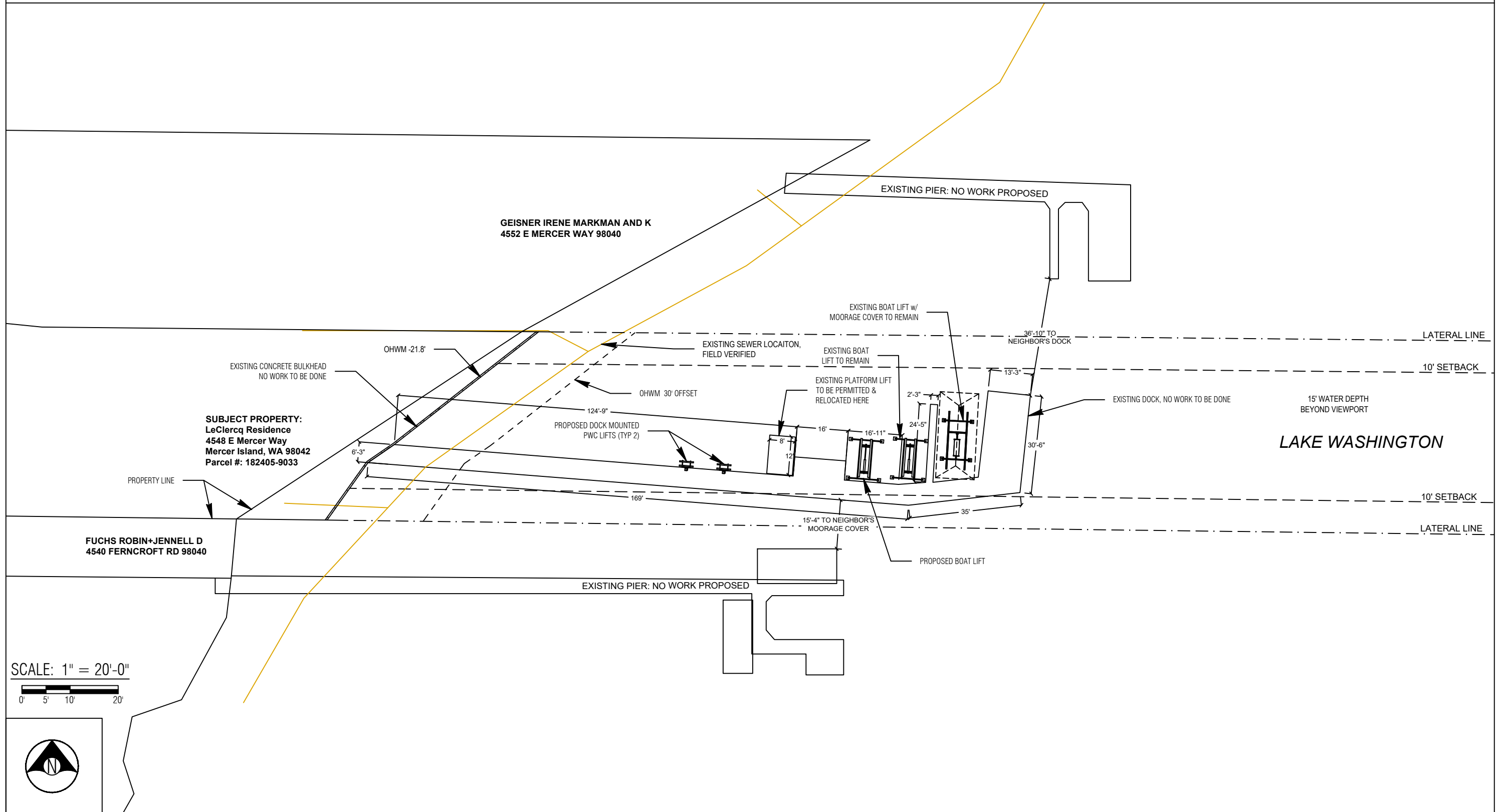
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PROPOSED CONDITIONS

****CLEAN UP LAKE AROUND PROJECT****



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SCALE: 1" = 20'-0"



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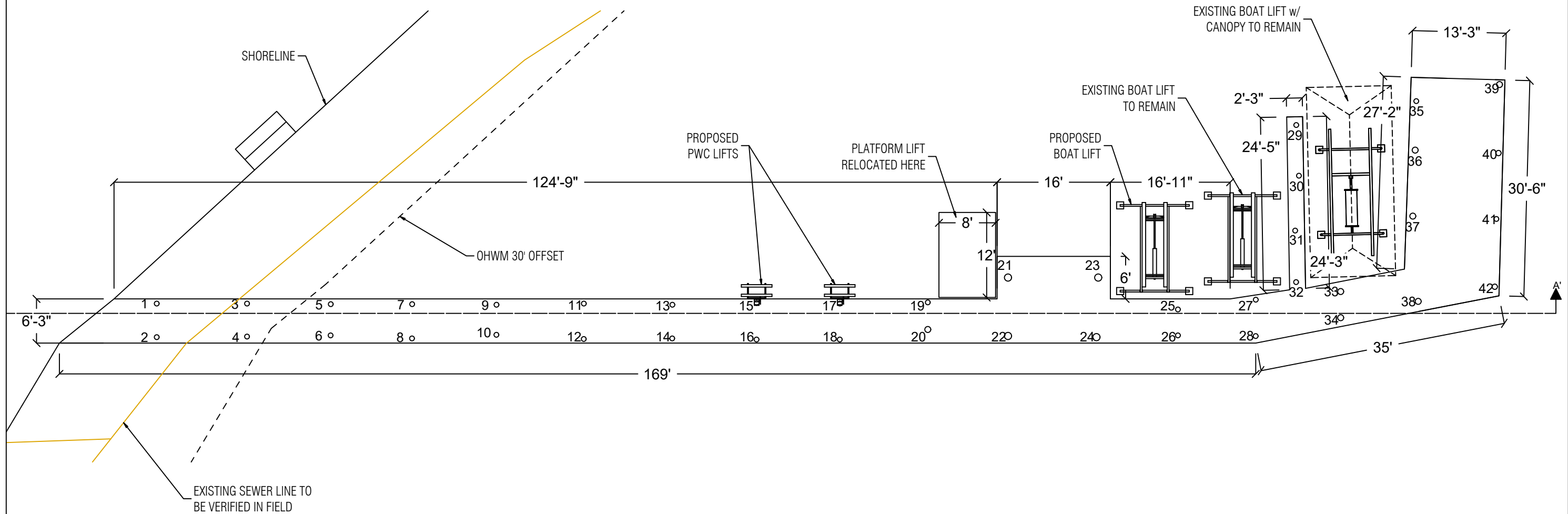
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 NWS-2022-XXX
 PAGE 4 OF 9

PIER DETAILS - EXISTING/PROPOSED PLAN VIEW

LEGEND

○ (42) EXISTING PILES - NO WORK TO BE DONE

Existing Dock: 1,747 sqft (no work to be done)



PLAN VIEW



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4552 E MERCER WAY 98040

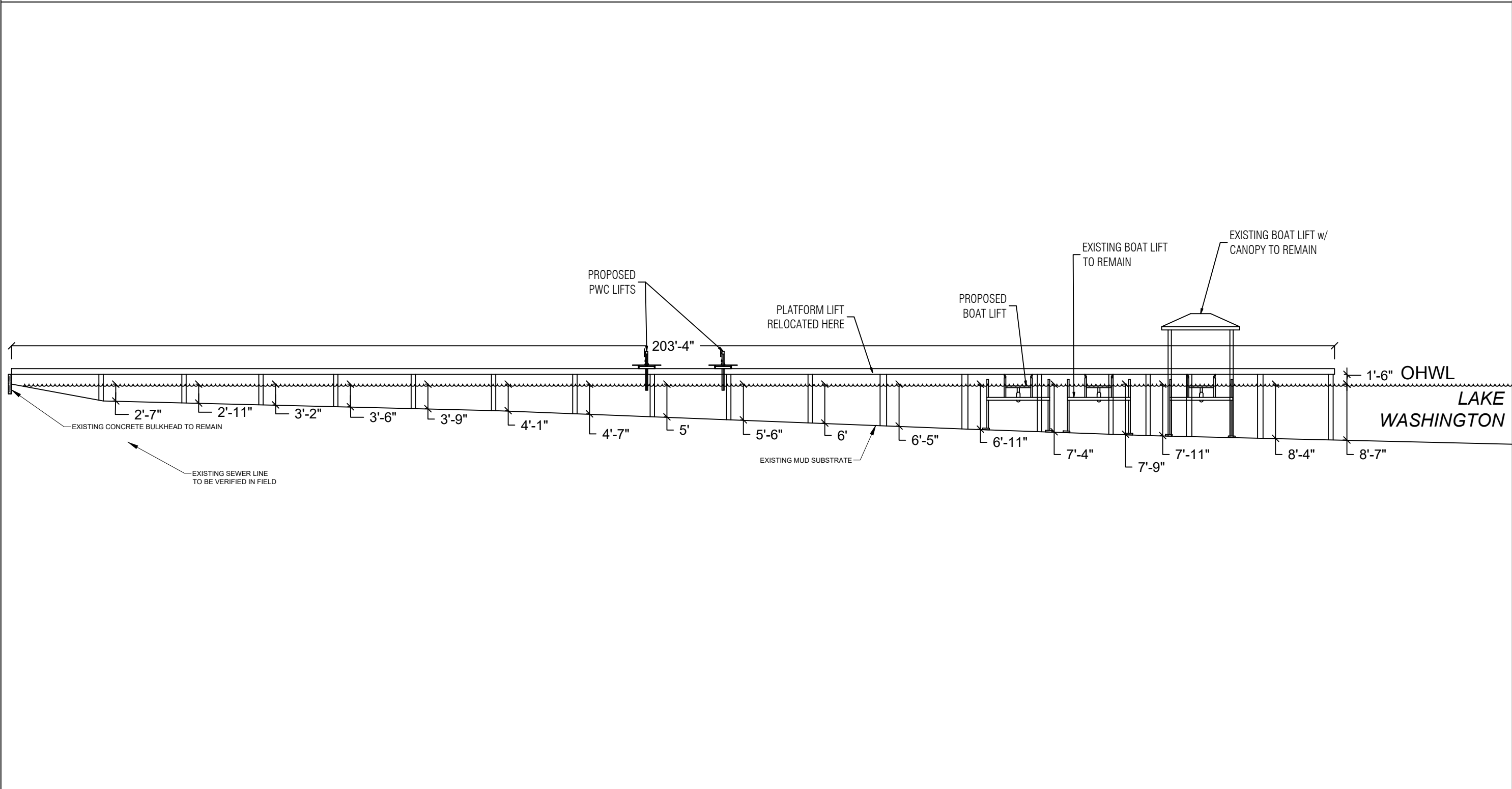
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4540 FERNCREFT RD 98040

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PIER DETAILS EXISTING/PROPOSED - SECTION VIEW



SECTION VIEW: A'-A'

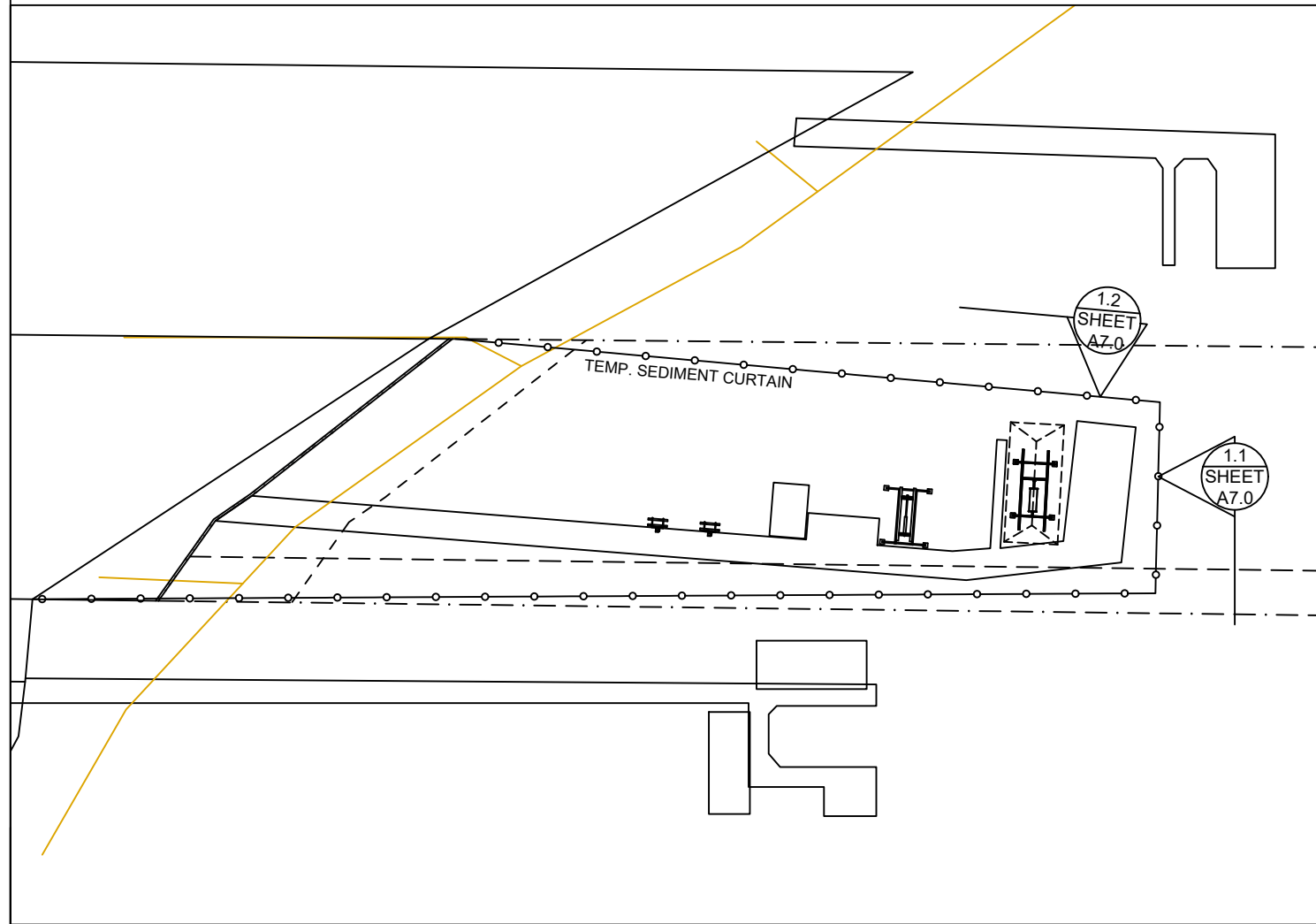


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BMP INFORMATION

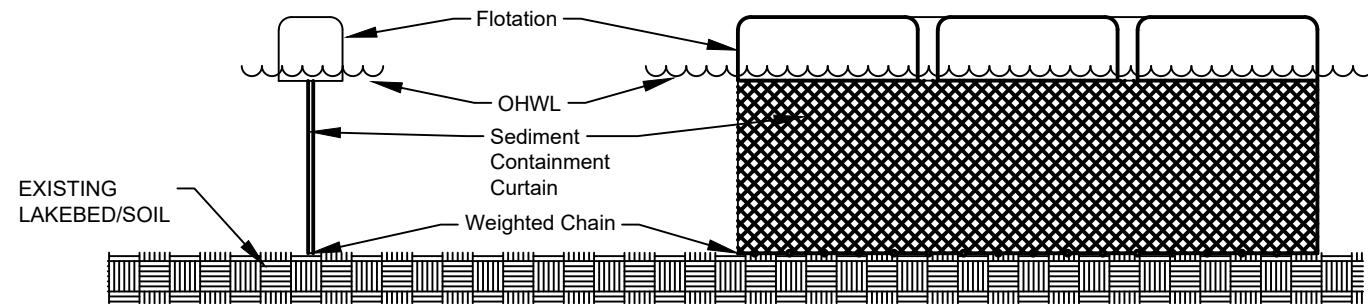


BMP NOTES:

- A. Constant vigilance shall be kept for the presence of protected fish species during all aspects of the proposed action, particularly during in-water activities such as vessel movement, deployment of anchors & spuds, pile driving, dredging, and placement of gravels and other fill.
1. The project manager shall designate an appropriate number of competent observers to survey the project site and adjacent areas for protected species, including the presence of fish as conditions allow.
 2. Visual surveys shall be made prior to the start of work each day, and prior to resumption of work following any break of more than an hour. Periodic additional visual surveys throughout the work day are strongly recommended.
 3. All in-water work shall be done during the in-water work window for the waterbody. Where there is a difference between the USCOE and WDFW work windows, the overlap of the two shall apply.
 4. All pile driving and extraction shall be postponed or halted when obvious aggregations or schooling of fish are observed within 50 yards of that work, and shall only begin/resume after the animals have voluntarily departed the area.
 5. When piloting vessels, vessel operators shall operate at speeds and power settings to avoid grounding vessels, and minimize substrate scour and mobilization of bottom sediments.
- B. No contamination of the marine environment shall result from project-related activities.
1. Appropriate materials to contain and clean potential spills shall be stored and readily available at the work site and/or aboard project-related vessels.
 2. The project manager and heavy equipment operators shall perform daily pre-work equipment inspections for cleanliness and leaks. All heavy equipment operations shall be postponed or halted should a leak be detected, and shall not proceed until the leak is repaired and the equipment is cleaned.
 3. To the greatest extent practicable, utilize biodegradable oils for equipment that would be operated in or near water.
 4. Fueling of land-based vehicles and equipment shall take place at least 50 feet away from the water, preferably over an impervious surface. Fueling of vessels shall be done at approved fueling facilities.
 5. Turbidity and siltation from project-related work shall be minimized and contained through the appropriate use of erosion control practices, effective silt containment devices, and the curtailment of work during adverse weather and tidal/flow conditions.
 6. All wastes shall be collected and contained for proper disposal at approved upland disposal sites appropriate for the material(s).
 7. When removing piles and other similarly treated wood, containment curtain must fully enclose the work area. Wood debris, oils, and any other materials released into lake waters must be collected, removed, and properly disposed of at approved disposal sites.
 8. All in- and over-water wood cutting would be limited to the minimum required to remove the subject wood component, and all cutting work should be enclosed within floating containment curtain.
 9. When removing piles, no actions shall be taken that would cause adhering sediments to return to lake waters.
 10. Above-water containment shall be installed around removed piles to prevent sediment laden waters from returning to lake waters.
 11. Construction staging (including stocking of materials, etc.) will occur on the supply barge.
 12. All Exposed wood to be used on the project will be treated with a cheminite treatment.

DETAIL 1.1

DETAIL 1.2



DETAIL 1.1 & 1.2



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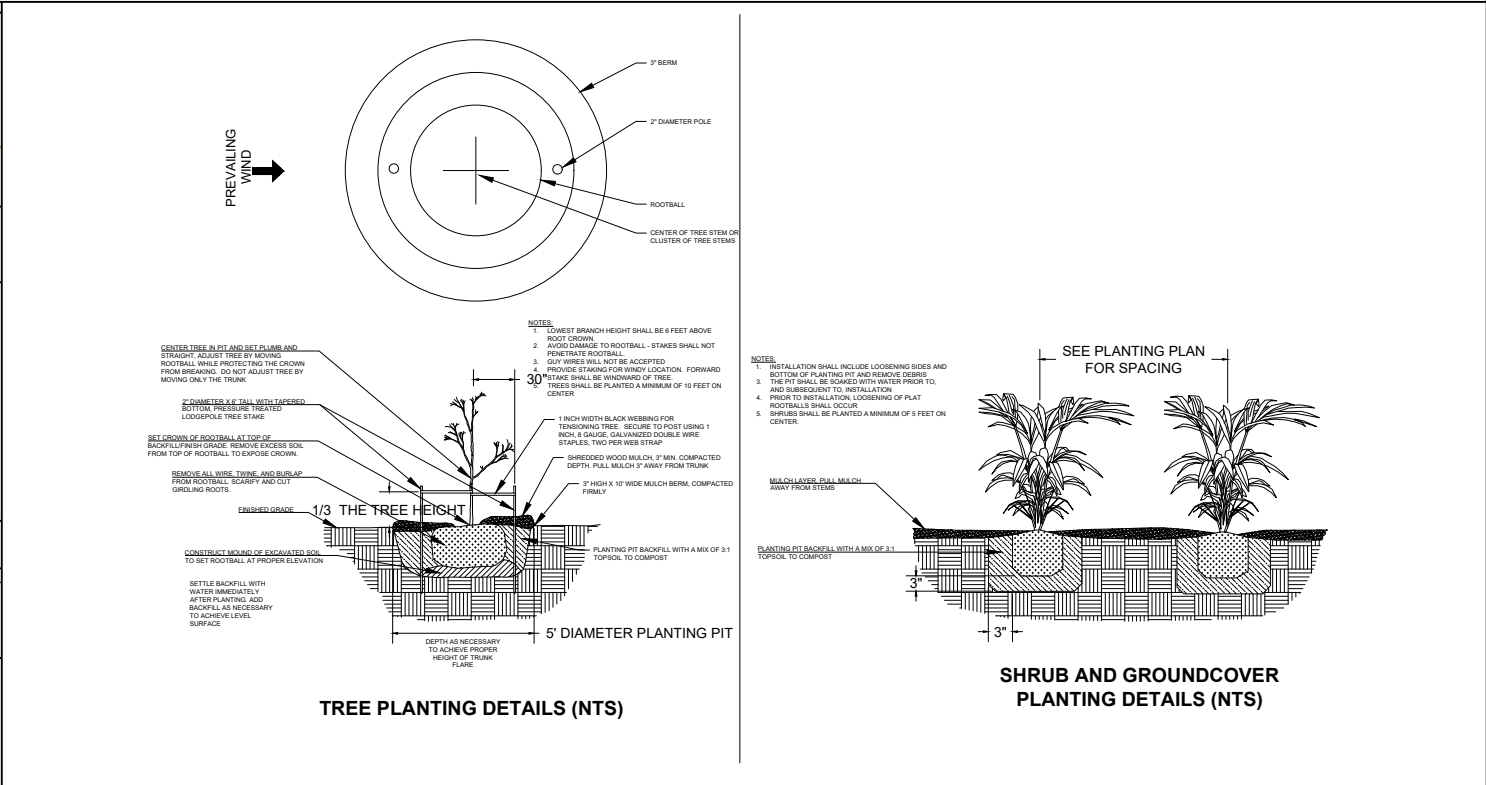
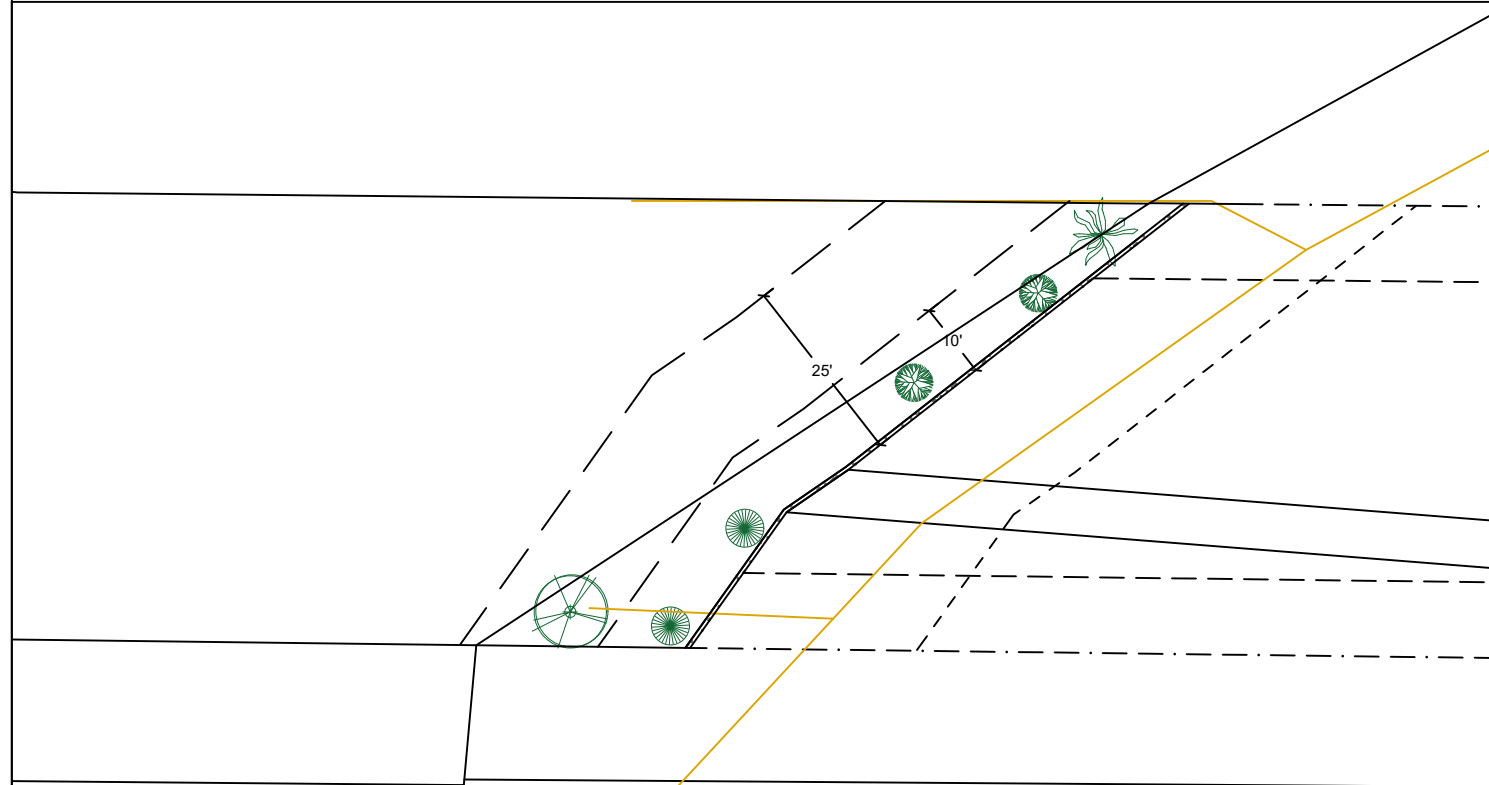
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MITIGATION PLAN



Notes:

1. Shrubs are show, and shall be planted, at least five feet on center. Trees are show, and shall be planted, at least ten feet to center.
2. The property owner will implement and abide 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.

PROPOSED PLANTING SPECIES/QUANTITIES

SYMBOL	LATIN NAME	COMMON NAME	QTY	SIZE
	<i>Thuja plicata</i>	Western Red Cedar	1	3 ft
	<i>Pinus contorta v contorta</i>	Shore pine	1	3 ft
	<i>Rosa nutkana</i>	Nootka Rose	2	1 Gallon
	<i>Philadelphus lewisii</i>	Mock Orange	2	1 Gallon

PLANTS: Shrubs to be installed 5ft on center and trees to be installed 10ft on center. All proposed existing plants for credit have been established for 5 years or more on the property.

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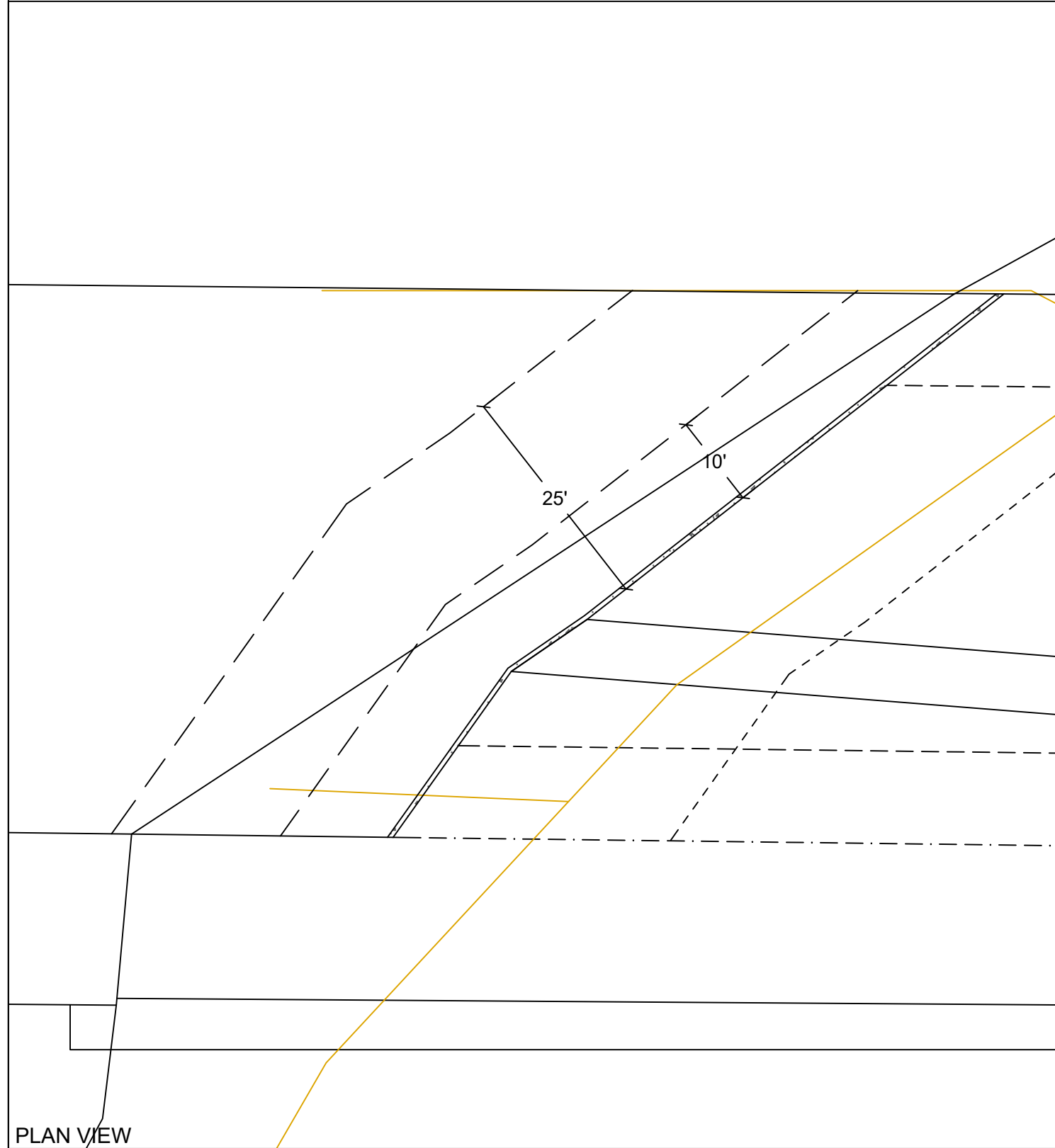


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 PAGE 8 OF 9

EXISTING PLANT PLAN



NO EXISTING PLANTS

PLAN VIEW

EXISTING PLANTS TABLE



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 4552 E MERCER WAY 98040

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 4548 E Mercer Way
 Mercer Island, WA 98042

County: King County
 Location: Lake Washington

Created: FUCHS ROBIN+JENNELL D
 4540 FERNCROFT RD 98040

Last Updated: 7/15/2022 12:12 PM Dray

SHEET
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Appendix B: Site Photographs



Photo 1 - Existing dock looking waterward.



Photo 2 - Existing dock looking landward.



Photo 3 - Existing shoreline conditions looking north.



Photo 4 - Existing shoreline conditions looking south.



Photo 5 - Shoreline conditions north of the project site.



Photo 6 - Existing shoreline conditions south of the project site.



DETERMINATION OF NON-SIGNIFICANCE (DNS)

Application No.: **SEP22-015**

Description of proposal: **Review under the State Environmental Policy Act (SEPA) for the installation of (2) new dock mounted personal watercraft (PWC) lifts, (1) new boatlift, relocation and permitting of (1) existing platform lift and permitting of (1) existing boat lift.**

Proponent: **Dray Davick (Seaborn Pile Driving Company)**

Owner: **Samuel and Sarah Leclercq**

Location of proposal: **4548 E Mercer Way, Mercer Island, WA 98040;
Identified by King County Assessor tax parcel number 182405-9033**

Lead agency: **City of Mercer Island**

Project Documents: **Please follow this file path to access the associated documents for this project: <https://mieplan.mercergov.org/public/SHL22-027&SEP22-015>**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist. This information is available to the public on request.

_____ There is no comment period for this DNS.

_____ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

_____ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by N/A at 5:00pm.

Responsible Official: Molly McGuire, Planner
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
Phone: (206) 275-7712
Email: molly.mcguire@mercerisland.gov

Date: **January 16, 2023**

Signature: *Molly McGuire*

APPEAL INFORMATION

This decision to issue a Determination of Non-significance (DNS) rather than to require an EIS may be appealed pursuant to Section 19.21 of the Mercer Island Unified Land Development Code, Environmental procedures.



Any party of record may appeal this determination to the City Clerk at 9611 SE 36th Street Mercer Island, WA 98040 no later than **5:00 PM on January 31, 2023** by filing a timely and complete appeal application and paying the appeal fee. You should be prepared to make specific factual objections. Contact the City Clerk to read or ask about the procedures for SEPA appeals. To reverse, modify or remand this decision, the appeal hearing body must find that there has been substantial error, the proceedings were materially affected by irregularities in procedure, the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city's applicable decision criteria.

There is no agency appeal.