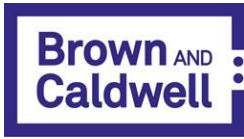


701 Pike Steet, Suite 1200  
Seattle, WA 98101-2310

T: 206.624.0100



March 1, 2023

Molly McGuire  
City Planner  
Community Planning and Development  
9611 SE 36<sup>th</sup> Street  
Mercer Island, WA 98040

Subject: Shoreline Exemption Permit, Flushing Station 12 – 4000 E. Mercer Way.

Dear Ms. McGuire:

This is a written response to the review comments provided by the Community Planning and Development Department regarding the application for the Shoreline Exemption Permit, SHL23-001, for Flushing Station 12 located at 4000 E. Mercer Way.

Comment Responses:

1. Development Plan Set:

- a. Provide address of all pump stations on plans

**Response:** *The address for the pump station has been added to Development Plan, Instrumentation Drawing page 1. The address was also included in the aerial photo of the pump station.*

- b. Provide plan of entire site and include distance from antenna structures / proposed developments to OHWM

**Response:** *An aerial view photo of the pump station has been provided in the Development Plan set on page 2 showing the OHWM and distances to the antenna structures.*

- c. Include elevations in plan set or call out height on site plan.

**Response:** *An aerial view photo of the pump station has been provided in the Development Plan set on page 2 showing the height and location of the antenna and vent stacks.*

2. Project Narrative:

- a. Per MICC 19.13.050(A) - Table C, structures are not allowed within 25 ft from the OHWM. The pump stations that are located within 25 ft from the OHWM can be considered legally nonconforming. Please provide information that demonstrates compliance with MICC 19.13.020(B) for expansion of legally nonconforming structures and show that the nonconformance will not be increased as a result of the project.

**Response:** *None of the internal equipment replacements or exterior antenna placements result in the structures being moved closer to the OHWM. As a result, the nonconformance of existing pump stations will not be increased. This explanation has been added to the Project Narrative on page 2.*

- b. Provide information that demonstrates compliance with MICC 19.13.050(K)(2) for utilities on shorelands.

**Response:** *Additional information demonstrating the compliance with MICC 19.13.050(K)(2), has been added to the Project Narrative on page 2 and 3.*

- c. Further describe how the installation of a new antenna meets the criteria for developments exempt from substantial development permits (WAC 173--27-040). Stating that it is normal repair and maintenance is not sufficient - describe how antenna installation is normal repair and maintenance for this type of utility.

**Response:** *To maintain the pump stations as part of a functioning system, it is necessary to upgrade communication technology to enable the station to continue to communicate with the SCADA system. The existing communication system is no longer viable, and the installation of the new antenna will maintain the remote monitoring that exists. The repair is critical to maintain the existing level of service for the sewer utility. This description has been added to the Project Narrative on page 2.*

Please do not hesitate to contact me at 206-749-2329 or via email at [sbrittain@brwncald.com](mailto:sbrittain@brwncald.com) if you have any questions.

Very truly yours,

**Brown and Caldwell**



Samantha Brittain, PMP  
Project Manager

cc: Allen Hunter, City of Mercer Island  
Alaine Sommargren, City of Mercer Island