
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.:	SHL23-025
Description:	A request for a Shoreline Substantial Development Permit with SEPA Review for the construction of a new 552 square foot, fully grated private single-family pier and relocation of an existing boatlift.
Applicant / Owner:	Troy Hussing (Ecco Design Inc.) / O'Neil Generation Trust
Site Address:	4452 Ferncroft Rd, Mercer Island, WA 98040; Identified by King County Assessor tax parcel number 004610-0405.
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 April 6, 20232. Revised Development Plan Set, dated August 25, 2023 and received October 26, 20233. Revised Project Narrative, received October 26, 20234. Revised SEPA Checklist, received October 26, 20235. City of Mercer Island SUB1 Review Comments, dated May 30, 20236. Applicant Response to City of Mercer Island SUB1 Review Comments, dated August 28, 20237. City of Mercer Island SUB2 Review Comments, dated September 26, 20238. Applicant Response to City of Mercer Island SUB2 Review Comments, dated October 3, 20239. No Net Loss Report prepared by Northwest Environmental Consulting, LLC, dated March 2023 and received April 6, 202310. Shoreland Setback Agreement, King County Recording No. 20230202000621, recorded on February 2, 202311. SEPA Determination of Nonsignificance Issued by the City of Mercer Island on October 30, 2023

INTRODUCTION

I. Project Description

The applicant has requested approval of a Shoreline Substantial Development Permit for the construction of a new 552 square foot private dock, relocation of an existing boatlift, and removal of an existing boatlift and canopy.

The proposal consists of the following components:

1. A request to construct a new 552 square foot private dock subject to the standards of Mercer Island City Code (MICC) 19.13.050(F)(1) Development standards for new and expanded moorage facilities or MICC 19.13.050(F)(3) Alternative development standards.
2. A request to install a new boatlift subject to the standards of MICC 19.13.050(F)(1) Development standards for new and expanded moorage facilities or MICC 19.13.050(F)(3) Alternative development standards.

II. Site Description and Context

1. The proposed activity is to occur at 4452 Ferncroft Rd, 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 April 6, 2023. The application was determined to be complete on April 21, 2023.
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 May 1, 2023 to May 31, 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 11**). The SEPA application is identified by City of Mercer Island project number SEP23-010.

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 proposed moorage facility would be the only moorage facility associated with the subject upland residential waterfront lot (**Exhibit 2**). The existing dock located primarily on the adjacent property, but encroaching over the lateral line will be modified to be contained solely within the adjacent property's lateral lines, as conditioned. The existing joint-use dock agreement has been modified per the Shoreland Setback Agreement (**Exhibit 10**).

- 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 moorage facility located between the subject property and the adjacent property at 4456 Ferncroft Rd would be reconstructed to remove the portions of the dock on the subject property (**Exhibit 2**). The remaining portions of the existing moorage facility would remain in the same location, within the 10 foot lateral line setback, as authorized through the Shoreland Setback Agreement (**Exhibit 10**). The proposed moorage facility will be located 10 feet from the north lateral line; therefore, this requirement is met.

- 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 boat ramps or other facilities for launching boats; therefore, this requirement 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 proposed moorage facility would extend approximately 132 feet waterward from the OHWM (**Exhibit 2, Sheet 4**). Based on the plan set, the dock does not extend beyond the point where water depth is 11.85 feet at OHWM; therefore, this requirement is met.

- 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 proposed moorage facility would not exceed 4 feet in width within 30 feet waterward from the OHWM (**Exhibit 2, Sheet 4**); therefore, this requirement is met.

- 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 proposed moorage facility would not exceed 6 feet in width more than 30 feet waterward from the OHWM (**Exhibit 2, Sheet 4**); therefore, this standard is met.

- 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 located on the pier; therefore, this requirement 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 requirement 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 70 feet of water frontage on the shoreline (**Exhibit 2, Sheet 4**); therefore, this requirement 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).
 - 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.
 - 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
 - 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.
 - v. Covered moorage shall have open sides.
 - vi. Prohibited in semi-private recreational tracts and noncommercial recreational areas.
 - vii. Translucent coverings are required.

Staff Analysis: There is an existing boatlift with a canopy that will be removed as part of the proposed development. The proposed development does not include any new covered moorage; therefore, this requirement does not apply.

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) for 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 proposed moorage facility would not be greater than 4 feet in width; therefore, this requirement is met.

- c. The minimum water depth must be no shallower 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.

- 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 provided a No Net Loss Report prepared by Northwest Environmental Consulting, LLC (**Exhibit 9**) demonstrating that the proposed project will not create a net loss in ecological function of the shorelands; therefore, this requirement 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. Prior to construction of the development authorized in this permit, the portions of the existing dock that encroach over the lateral line from the adjacent property at 4456 Ferncroft Road must be removed in their entirety.
13. 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 SHL23-025, 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 30th day of October, 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.

Troy Hussing
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	

PROJECT INFORMATION

OWNERS

O'NEIL GENERATIONAL TRUST

DRAWINGS BY:

ECCO DESIGN INC.
7413 GREENWOOD AVE. N.
SEATTLE, WA 98103
206.706.3937

SITE ADDRESS

4452 FERNCROFT RD
MERCER ISLAND WA 98040

PARCEL

004610-0405

LEGAL DESCRIPTION:

ADAMS LAKE WASHINGTON TRS POR OF N 70 FT
OF S 87.88 FT OF 5 E OF LN RNNG N 00 DEG 43
MIN 30 SEC W FR PT ON S LN OF N 22.12 FT OF 6
THAT IS N 89 DEG 16 MIN 30 SEC E 314.41 FT FR C/L
OF 30 FT ESMT & SH LDS ADJ

BASE ZONE: R-15

USE: SINGLE FAMILY RESIDENTIAL

LOT AREA: 16,100 SF

DESCRIPTION OF WORK

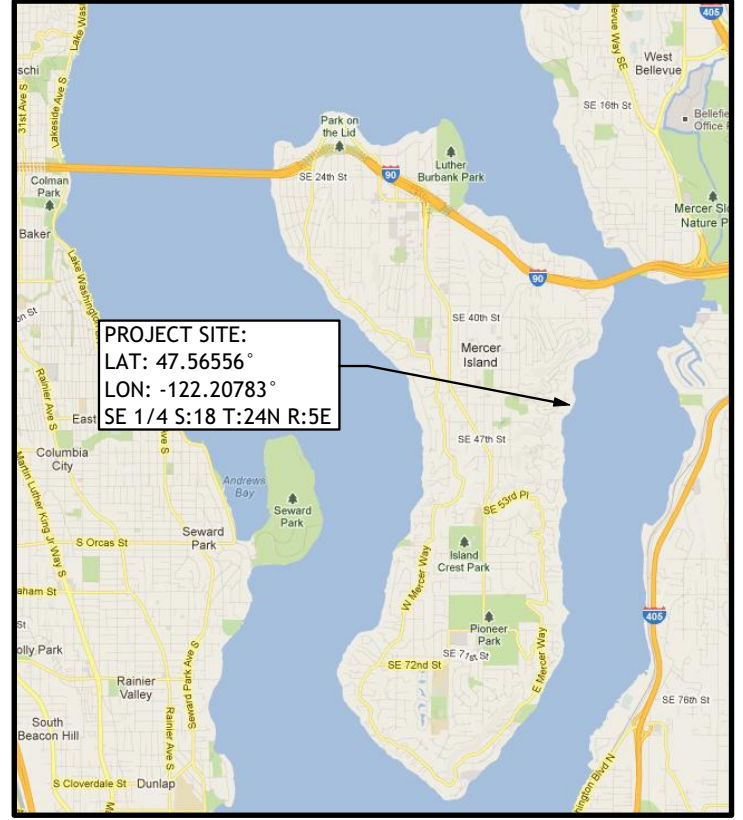
REMOVE A PORTION OF THE EXISTING SHARED
FIXED PIER (APPROX. 315SF) AND ASSOCIATED
WOOD PILES (NINE TOTAL). NOTE: THIS WORK IS
BEING PERFORMED BY OTHERS UNDER A SEPARATE
PERMIT. REMOVE ONE EXISTING BOTTOM BASED
BOATLIFT AND CANOPY. RELOCATE ONE EXISTING
BOTTOM BASED BOATLIFT TO THE NEW PIER.
INSTALL NEW FULLY GRATED SINGLE FAMILY PIER
(APPROX. 528SF OVERWATER) & 552SF TOTAL.
INSTALL NEW NATIVE SHORELINE PLANTINGS.

1 SDP & BLG.

GENERAL NOTES:

- 1) IT IS THE CONTRACTORS RESPONSIBILITY TO HAVE A LOCATE COMPLETED AND CALL BEFORE YOU DIG.
- 2) IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY FINAL LOCATION OF ALL STRUCTURES PRIOR TO INSTALLATION

VICINITY MAP



PURPOSE: Boat Moorage

DATUM: 21.8' EST. By
Corp of Engineers, 1919.

ADJACENT PROPERTY

OWNERS:

1. George Richter
2. Echard Evers

NAME: O'Neil Generational Trust

REFERENCE #:

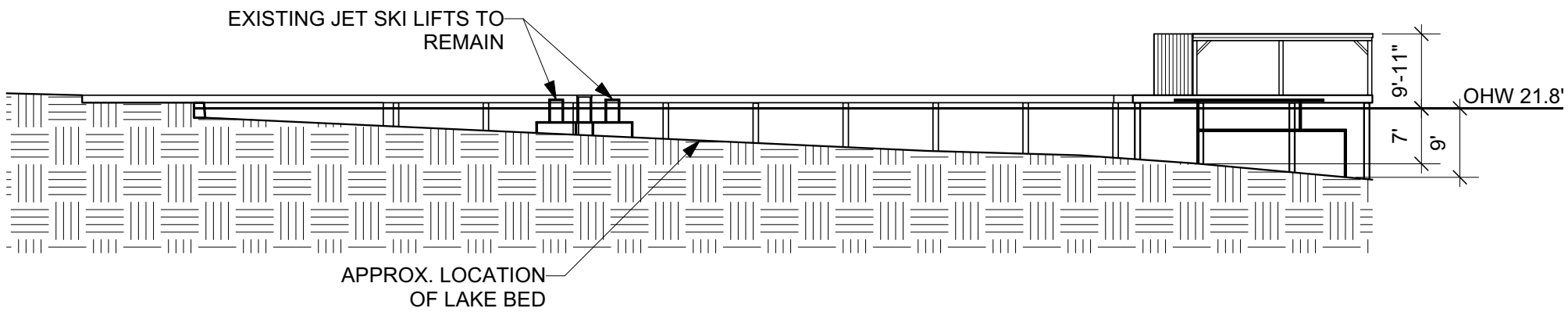
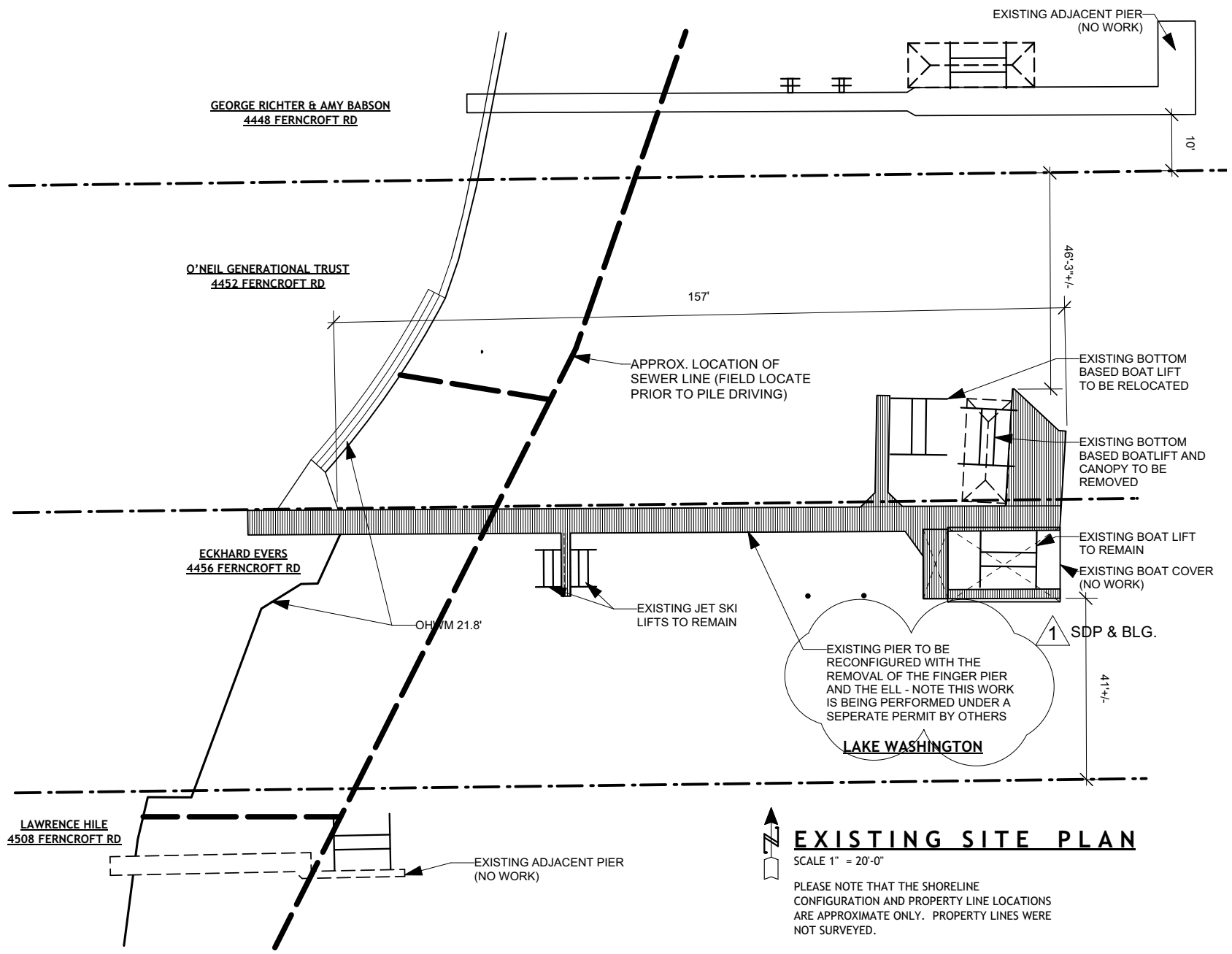
SITE LOCATION ADDRESS:

4456 Ferncroft Rd
Mercer Island, WA 98040

PROPOSED: New Pier &
Reconfigure (E) Pier
IN: Lake Washington
AT: Mercer Island
COUNTY: King **STATE:** WA

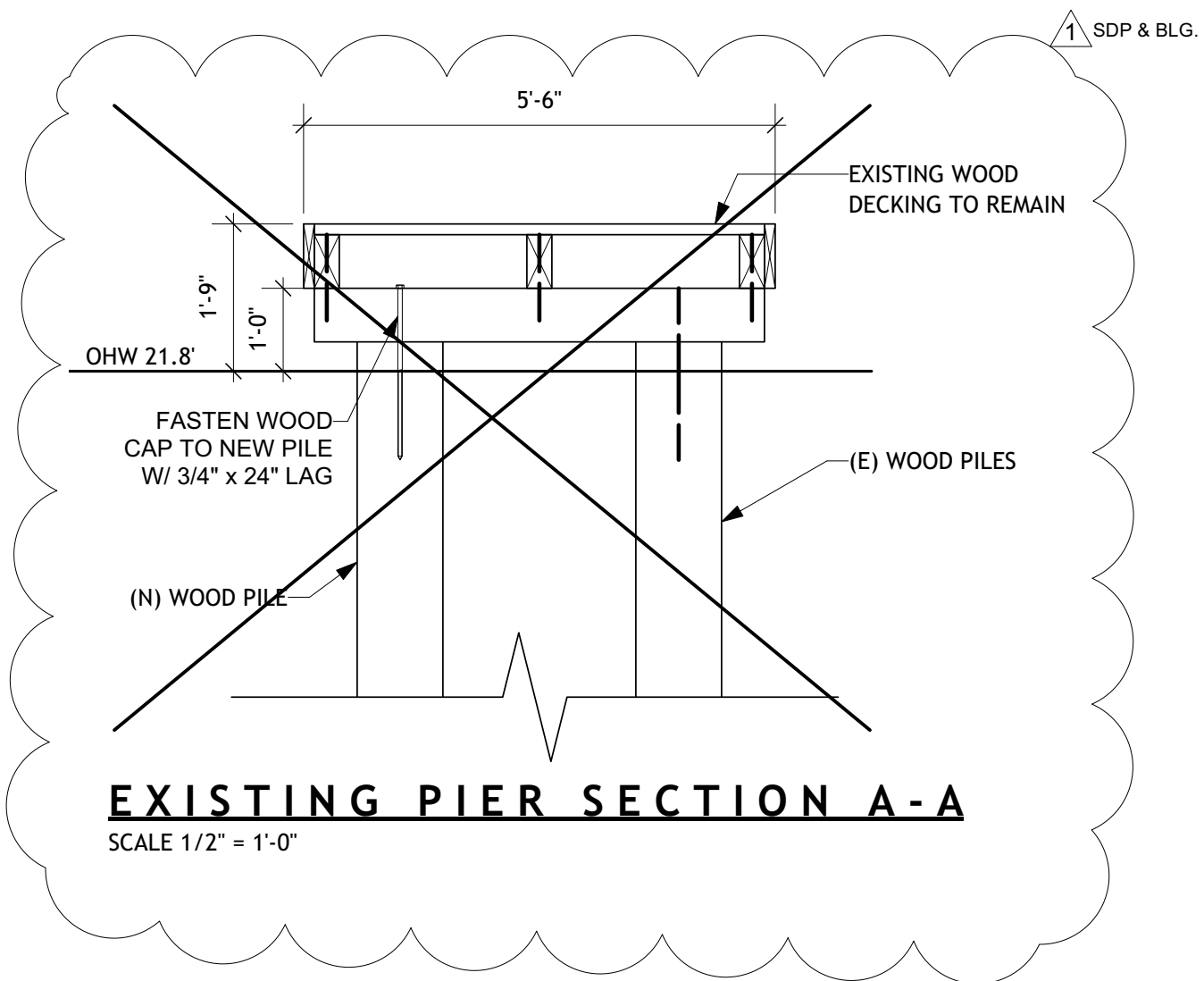
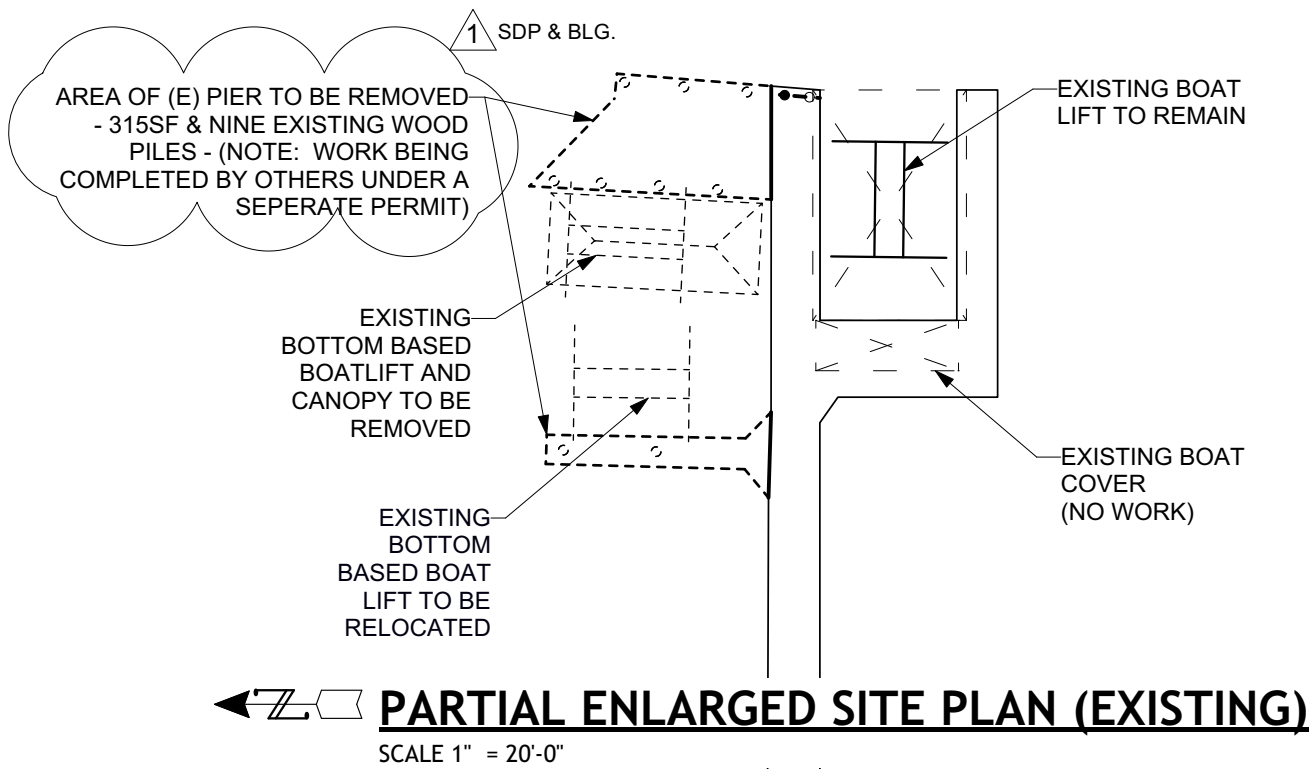
SHEET 1 of 9

DATE: April 25, 2023
REV ONE: August 25, 2023



SOUTH ELEVATION (EXISTING PIER)
SCALE 1" = 20'-0"

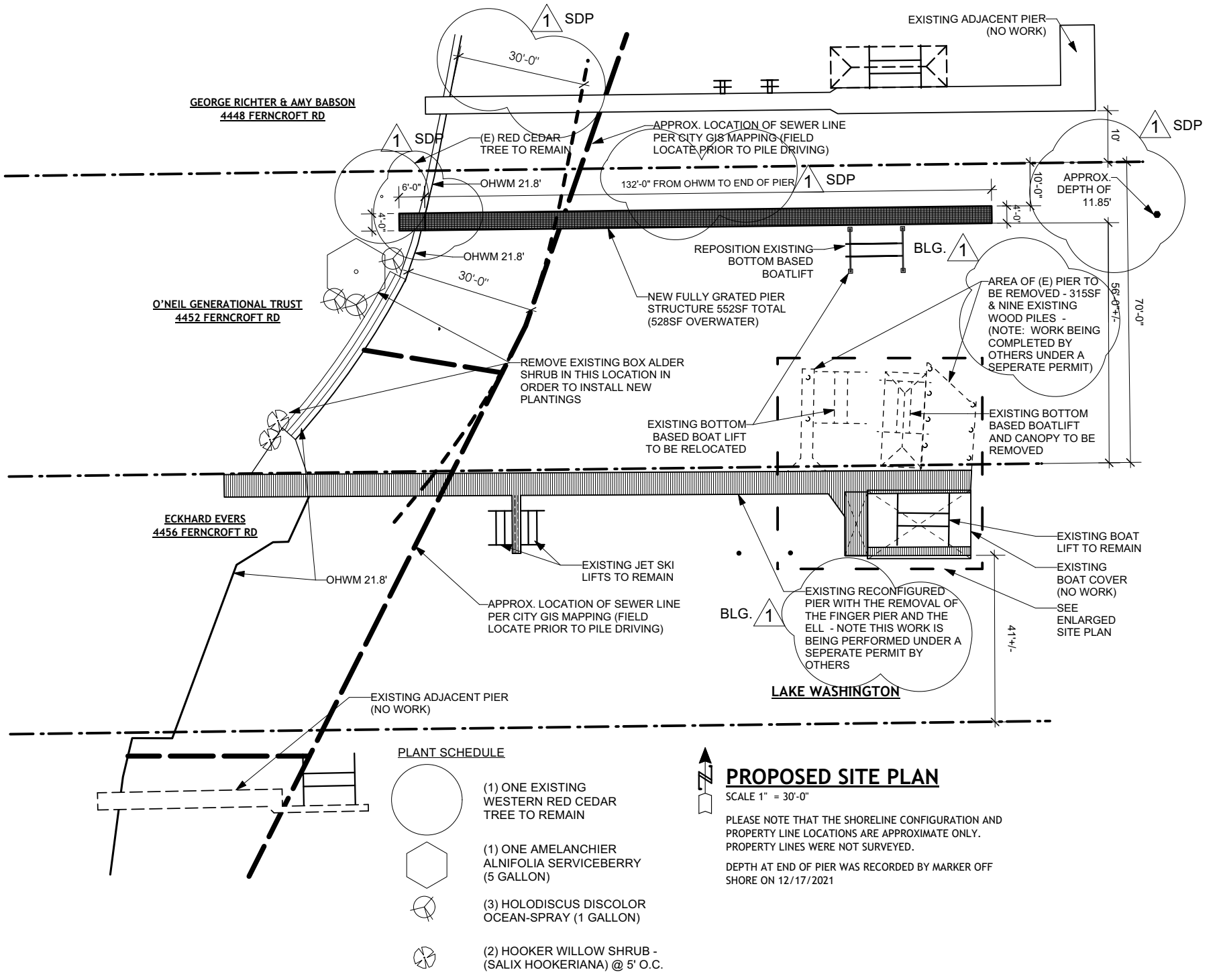
Reference:
Applicant: O'Neil Generational Trust
Proposed: New Pier & Recon. (E)Pier
At: Mercer Island, WA
Sheet 2 of 9 **Date:** 4/25/2023
Rev One: 8/25/2023



Reference:
Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E)Pier
At: Mercer Island, WA

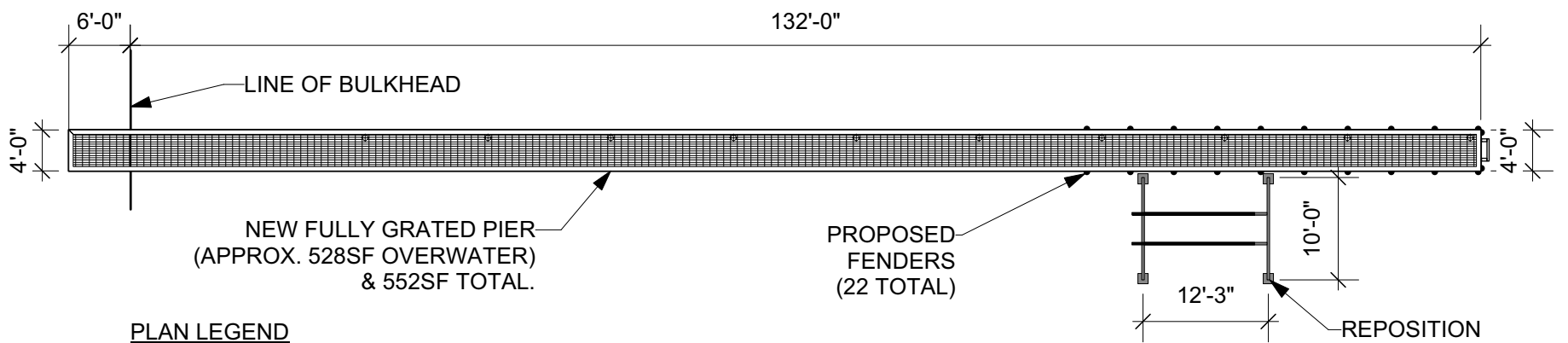
Sheet 3 of 9 **Date:** 4/25/2023
Rev One: 8/25/2023



Reference:
Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E)Pier
At: Mercer Island, WA

Sheet 4 of 9 **Date:** 4/25/2023
Rev One: 8/25/2023



PLAN LEGEND

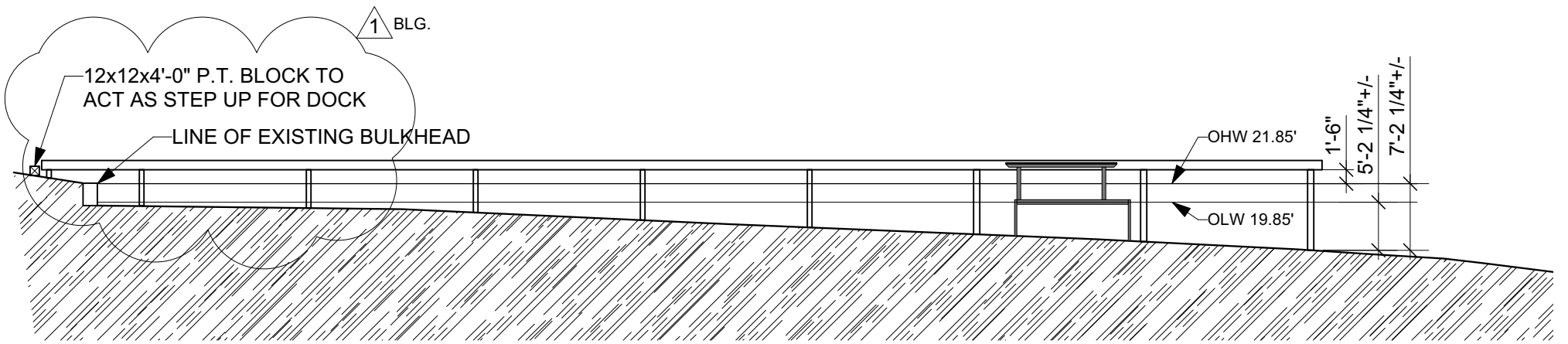
- ALUM. SWIM LADDER (1) LOCATION
- FENDERS 5"X5", TYP. 22 LOCATIONS
- DOCK LIGHT (EPL1 OR 3) DEPENDING ON LOCATION - CONFIRM LIGHT MEETS SPECIFICATIONS BELOW, TYP. (10) LOCATIONS.

NOTE: ARTIFICIAL NIGHT LIGHTING ON AND FROM OVERWATER STRUCTURES MUST BE MINIMIZED BY FOCUSING THE LIGHT ON THE PIERS SURFACE, AND USING SHADES THAT MINIMIZE ILLUMINATION OF THE SURROUNDING ENVIRONMENT AND REDUCES GLARE ON THE WATER SURFACE. THE VISIBLE LIGHT EMITTED BY AN INDIVIDUAL FIXTURE SHALL NOT EXCEED 450 LUMENS, AND THE TOTAL VISIBLE LIGHT EMITTED BY ALL FIXTURES ON A PIER SHALL NOT EXCEED 2,700 LUMENS



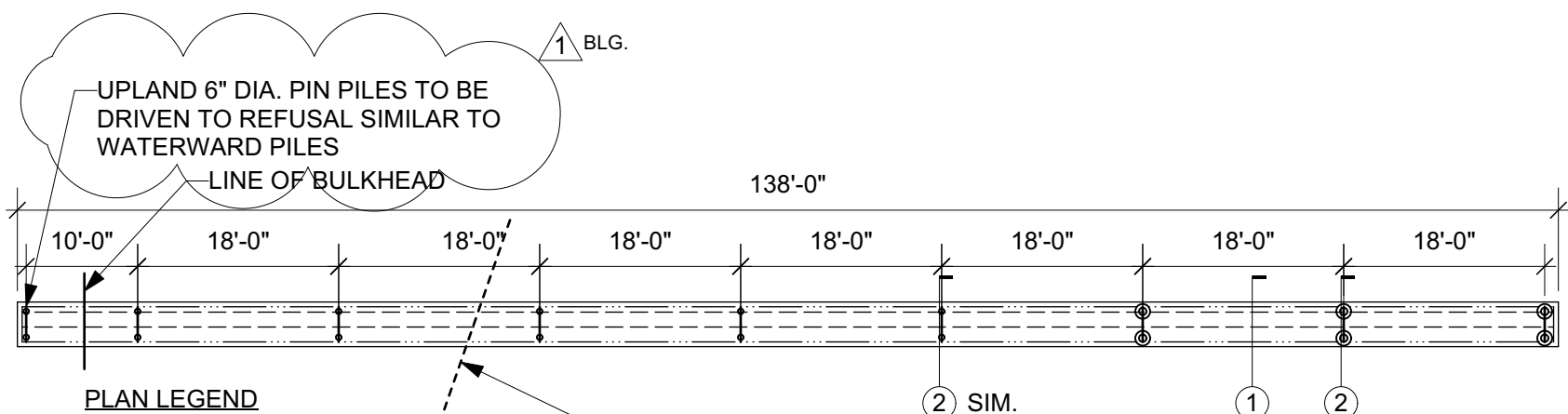
PROPOSED PIER PLAN

SCALE 1/16" = 1'-0"



PROPOSED ELEVATION

SCALE 1/16" = 1'-0"



PLAN LEGEND

- 6" DIA. STD. PIPE (12 TOTAL) (note that two are upland of bulkhead)
- ⊙ 8" DIA. XX-STRONG PIPE (6 TOTAL)
- APPROX. LOCATION OF SEWER LINE (FIELD LOCATE PRIOR TO PILE DRIVING)

GENERAL NOTE:
MIN. PILE EMBEDMENT - 16'-0" BELOW MUD LINE



PROPOSED FRAMING PLAN

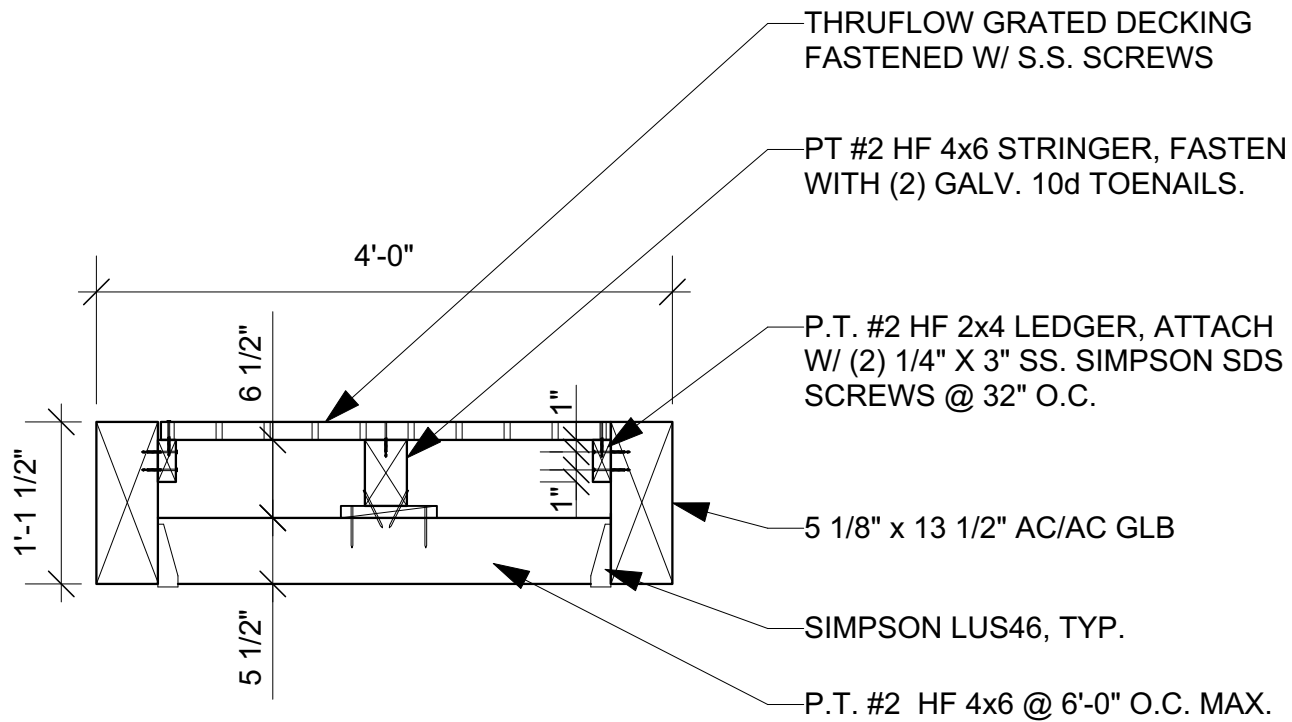
SCALE 1/16" = 1'-0"



MC SQUARED OLYMPIA WASHINGTON
360-754-9339

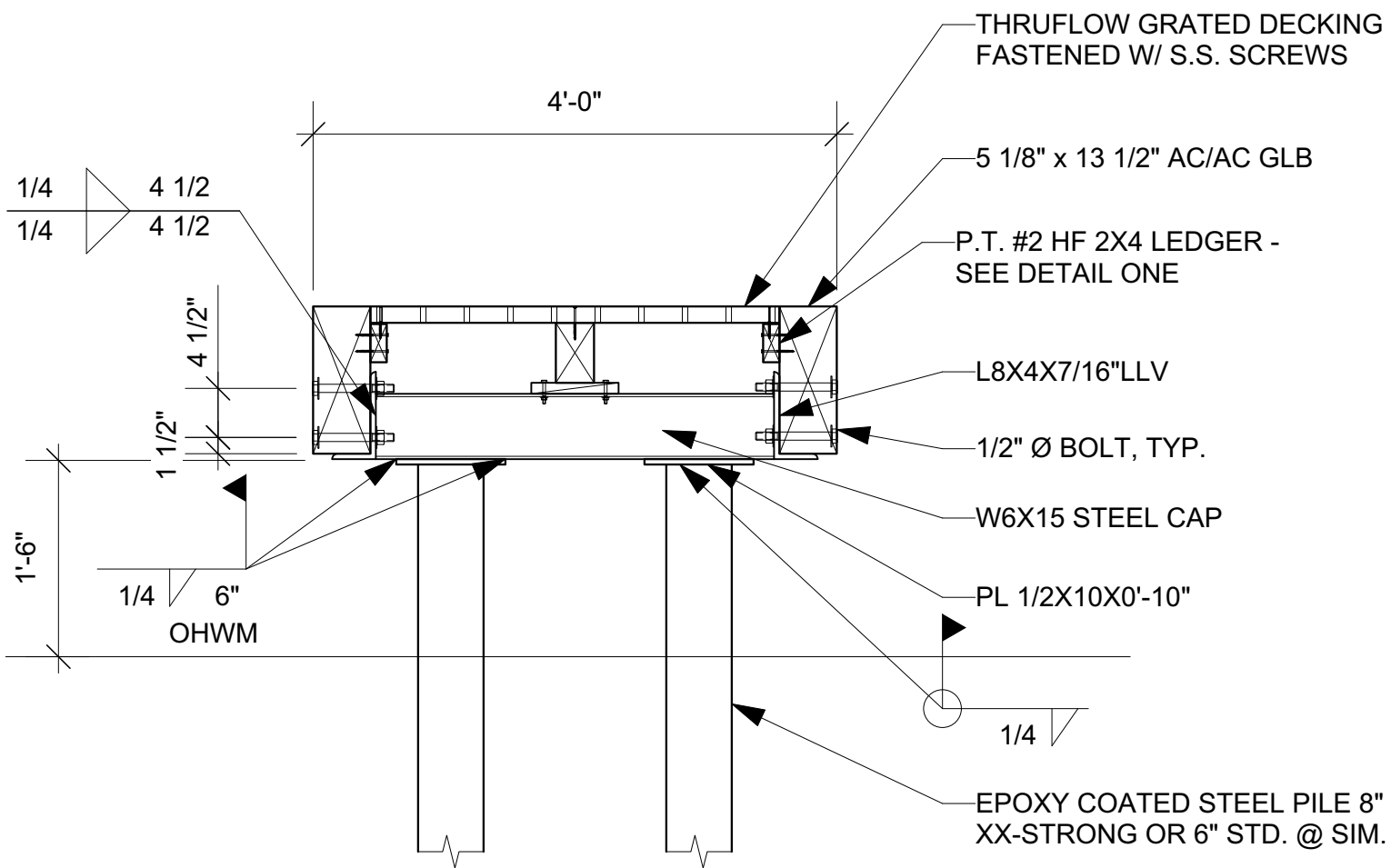
STRUCTURAL ONLY

Reference:
Applicant: O'Neil Generational Trust
Proposed: New Pier & Recon. (E)Pier
At: Mercer Island, WA
Sheet 5 of 9 **Date:** 4/25/2023
Rev One: 8/25/2023



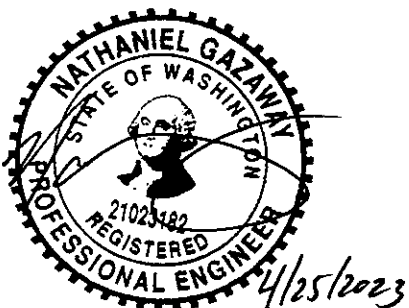
MIDSPAN SECTION - B

SCALE 1/2" = 1'-0"



PILE CAP SECTION - A

SCALE 1/2" = 1'-0"



Reference:
Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E)Pier
At: Mercer Island, WA

Sheet 6 of 9 Date: 4/25/2023
Rev One: 8/25/2023

STRUCTURAL ONLY

GENERAL NOTES

- A. These notes are in abbreviated form. The intent is to further define those areas of work not clearly delineated on the drawings. The quality of workmanship throughout should be first class and all materials shall meet or exceed the normal industry standards applicable in each case.
- B. All work is to be performed in strict compliance with applicable provisions of prevailing local, state, and federal code ordinances, including appropriate licensing laws including local amendments.
- C. Notify and consult with Owner and Permit Agent if discrepancies are found between drawings and/or on site conditions and/or building or zoning requirements prior to start of work.
- D. Contractor to physically inspect site prior to commencing any work. Report any discrepancy to Owner and Permit Agent. Contractor to review construction documents prior to commencing construction. Any questions should be directed to owner and permit agent. Contractor to crossreference with city approved plans for any changes and/or additional requirements by city.
- E. Area measurements: area is measured from the perimeter of each floor/space within the footprint of the structure and is inclusive of all open areas, stairways, stairwells and basement stem walls, at each level. Projections such as bay windows are also included in heated area calculations. Interior walls separating heated and unheated enclosed space is measured from the exterior of conditioned space.
- F. Do not scale drawings. During the reprographic process, proportions may have been altered. Use written dimensions. Where conflicts exist, notify the permit agent immediately. Written dimensions take precedence.
- G. Contractor to maintain in force at all times, insurance as required by Article II of the General Conditions of the Contract for Construction, AIA Document A201.
- H. The Contractor should carry all insurance required by law.
- I. Contractor is solely responsible for all construction means and methods and shall maintain the structural integrity of any construction until all final lateral and vertical load carrying systems are completed. Approvals from the permit agent do not extend to approval of construction means and methods.
- J. Drawings are for a complete installation with fully-functional assemblies. Contractor is to field verify all dimensions and conditions prior to any work, and shall be responsible for all work and materials including those finished by subcontractor.
- K. All information contained in these documents represents a "basic limited architectural service" that requires the contractor to be knowledgeable and experienced with all aspects of construction including all building codes and regulations imposed by the city or county and any other agency having jurisdiction over the project.
- L. All work shall comply with the state and local ordinances and shall be done to the highest standards of craftsmanship by journeymen of the respective trades.
- M. Safety, care of adjacent properties during construction, compliance with local, state, federal regulations regarding safety on site shall be the contractors responsibility.
- N. No deviations from these documents shall be made without written approval from the owner and permit agent. Any changes can affect the structural integrity and code related issues of the structure.
- O. All information contained in these documents is for the purpose of construction permit acquisition and construction only. The information provided is not intended for any other purpose and no other use is intended or implied. e.g. plan information is not intended to be used as a base for sale or transfer of real estate.
- P. Unless otherwise specified, electrical, mechanical, etc. is bidder designed. Owner and/or agent (contractor) is responsible for all work done on site (field) as to proper installation etc.
- Q. The permit agent may assist in coordination with consultants (such as soils, structural, civil engineers etc.) but under the terms of basic limited service, receives no compensation for, and assumes no responsibility or liability for the area of their (consultants) work and expertise.

Acceptance of these plans for construction constitutes an understanding of above mentioned terms and basic limited architectural service as described in agreement between owner/permit agent.

GENERAL NOTES - CONT.

GENERAL REQUIREMENTS

- A. Provide all required temporary facilities and all temporary utilities as required. Contractor is responsible for all costs associated with temporary facilities and temporary utilities.
- B. Construction Barricades: Provide construction barricade as required to keep public and employees safe, following all applicable federal, state and city codes and regulations.

DRAWINGS / PERMITS BY OTHERS:

It is the contractor's responsibility to provide additional drawings and permits as required to complete the project. The following list is by no means meant to be comprehensive, rather suggestive of the possible types of additional permits, drawings, and submittals that may be required during the course of the project. Depending on the project, some of the following permits, drawings, and submittals could come up including others not listed below:

- Provide information to City regarding disposal of materials.
- Provide Design / obtain Permit for any required Shoring work.
- Provide Drawings / obtain Permit for Plumbing work.
- Provide Drawings / obtain permit for Electrical work.
- Obtain permit for Storm Sewer design and hook-up
- Apply and pay for any required Water Meters.
- Obtain separate permits for Demolition, accessory buildings, and retaining walls.
- Any deferred submittals shall be submitted to the Building Department for review and approval.

Reference:
Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E)Pier
At: Mercer Island, WA

Sheet 7 of 9 **Date:** 4/25/2023
Rev One: 8/25/2023

STRUCTURAL NOTES

General Notes:

These structural notes supplement the drawings. Any discrepancy found among the drawings, these notes, and the site conditions shall be reported to the Engineer, who shall correct such discrepancy in writing. Any work done by the Contractor after discovery of such discrepancy shall be done at the Contractor's risk. **The Contractor shall verify and coordinate the dimensions among all drawings prior to proceeding with any work or fabrication.** The Contractor is responsible for all bracing and shoring during construction.

All construction shall conform to the applicable portions of the latest edition of the International Building Code except where noted.

Design Criteria:

- | | | |
|--------------|---|---|
| 1. Live Load | = | 60 PSF (Dock) |
| 2. Dead Load | = | 12 PSF (Dock) |
| 3. Wind | = | 2018 IBC Exposure D @ 100 mph (LRFD), 77 MPH (ASD), 3 second gust |
| 4. Wave | = | Wind Speed: 77 MPH
Controlling Fetch 0.89 mi
Wave Ht: 2.4 ft
Wave Period: 2.3 secs
Wave Acceleration: 9.5 ft/sec ² |
| 5. Soil | = | 1500 PSF, Assumed Bearing Capacity
40 PCF, Active Pressure
150 PCF, Passive Pressure
0.45 coefficient of Friction |

Steel:

1. All steel shall be ASTM A36 except as noted.
2. Structural pipe shall be ASTM A53 type S.
3. All bolts shall be ASTM A325, except as noted.
4. Welding shall be by AWS certified welders with E70 electrodes in accordance with AWS D1.1-75.
5. All steel members and parts exposed to weather or in contact with the ground shall be galvanized per ASTM A-123 with 1.25 oz. of zinc spelter per square foot of contact area. All other steel surfaces shall be shop painted with two coats of red oxide primer after fabrication. Columns and other steel parts placed below grade and exposed to earth shall be painted with two coats of red oxide primer in addition to the galvanization.



Reference:

Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E)Pier
At: Mercer Island, WA

Sheet 8 of 9 **Date:** 4/25/2023
Rev One: 8/25/2023

Piles:

1. Pile shall meet structural pipe material identified under Steel, note 2.
2. Welding shall be by AWS certified welders with E70 electrodes in accordance with AWS D1.1-75.
3. Drive to piles to minimum depth identified on the plans or until refusal. Refusal is defined as less than one inch of penetration per one minute of continuous jacking using a vibratory driver. If using a hammer driver, refusal is defined as 50 blows with less than 1" of penetration.
4. Cut off piles at equal final elevations.
5. Attach steel pile cap plates. See details for plate size and attachment.

Note: Pile splices may either be field welded or connected with friction fittings as approved by the engineer. Damaged piles should be removed and a new pile shall be re-driven.

Carpentry:

1. Structural framing shall be pressure treated #2 Hem Fir.
2. 6X beams shall be #1 pressure treated Hem Fir.
3. 4X joists shall be kiln dried and stored in a dry area prior to installation.
4. Alaskan Cedar Glue laminated beams shall be 20F-V12

(Fb = 2000 PSI)
(Fv = 265 PSI)
(E = 1,500,00 PSI)
(FcL = 560 PSI)

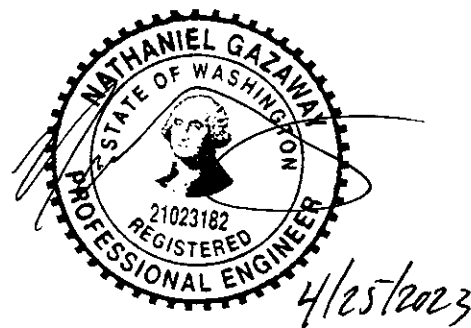
Hardware:

All connection hardware shall be Simpson "Strong Tie", unless noted otherwise.

Connection hardware exposed to weather or in contact with the ground or pressure treated wood shall be galvanized per ASTM A-123 with 1.25 oz. of zinc spelter per square foot of contact area.

CAUTION

CONTRACTOR TO FIELD VERIFY ALL CONDITIONS AND ALL ELEVATIONS.



Reference:

Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E)Pier
At: Mercer Island, WA

Sheet 9 of 9 **Date:** 4/25/2023

Rev One: 8/25/2023

O'Neil Pier

Project Narrative

Remove a portion of the existing shared fixed pier (approx. 315sf) and associated wood piles (nine total). Note: this work is being performed by others under a separate permit. Remove one existing bottom based boatlift and canopy. Relocate one existing bottom based boatlift to the new pier. Install new fully grated single family pier (approx. 528sf overwater) & 552sf total. Install new native shoreline plantings.

CITY OF MERCER ISLAND
COMMUNITY PLANNING & DEVELOPMENT

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



CITY USE ONLY	
Date Received	
File No	
Received By	

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:

O'Neil Pier

- 2. Name of applicant:

Michael Vranizan - O'Neil Generational Trust

- 3. Address and phone number of applicant and contact person: Troy Hussing - ecco design inc.

4452 Ferncroft Rd. (206) 661-0657 7413 Greenwood Ave. N. 206-706-3937
Mercer Island, WA 98040 Seattle, WA 98103

- 4. Date checklist prepared:

03/01/2023

- 5. Agency requesting checklist:

City of Mercer Island

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

Winter 2023

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

No

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

No Net Loss Report

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:

None Known

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

Shoreline Substantial Development Permit, LOP from Army Corps, HPA from WDFW

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.)

Remove a portion of the existing shared fixed pier (approx. 315sf) and associated wood piles (nine total). Drive one new pile at waterward end of the existing pier to support the reconfigured structure. (Note this work is under a separate permit and being completed by others. Remove one existing bottom based boatlift and canopy. Relocate one existing bottom based boatlift to the new pier. Install new fully grated single family pier (approx. 528sf overwater) & 552sf total. Install new native shoreline plantings.

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.

4452 Ferncroft Rd.

Section: SE 1/4 18

Mercer Island, WA 98040

Township: 24N

Range: 5E

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)?

Site is relatively flat where shoreline work is to occur. Upland site is approximately 3%

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.

The lake bed is sand and gravel.

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

None known.

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.

None

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

No

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

No change.

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

A construction boom will be in place during the work.

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.

General construction dust could occur during pier repair. No emissions will occur once the project is completed.

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

None known.

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

Equipment will have dust collectors where possible. A construction boom will be in place around the work area while work is being completed.

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.

Lake Washington

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.

Yes, the pier construction will take place within Lake Washington. See attached drawings for details.

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.

None

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

No

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

No - lake level regulated by Army Corp of Engineers Locks.

- 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.

No

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.

No

- 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.

None

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.

N/A

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

No

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

N/A

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?

A portion of the existing box alder will be removed in order to make room for the new native shoreline planting plan is being installed. See plans for details, numbers and species.

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

None known.

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

A new native shoreline planting plan is being installed along the perimeter of the shoreline. See plans for details, numbers and species.

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

None known.

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:

Bald eagle, blue heron, sockeye salmon, chinook salmon, coho salmon, and steelhead.

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

Bald eagle, blue heron, sockeye salmon, chinook salmon, coho salmon, and steelhead.

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

Yes, salmon migrate through Lake Washington.

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

A portion of existing solid decked pier is being removed (this work is under a separate permit and being completed by others. New pier is only four feet wide and bottom of framing is 18" above OHW. Native shoreline vegetation will be planted. Existing lift and canopy is being removed.

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

None known.

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.

Solar power will be used to charge the batteries for the existing lift. The pier will have electric power.

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

No

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:

None

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.

No

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

None known

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.

None known

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.

None known

iv. Describe special emergency services that might be required.

None

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

None

b. Noise

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

None

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.

Short term construction noise. Typical boat noise when coming and going from site.

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

None

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.

Single family residential

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?

No

c. Describe any structures on the site.

Single family residence and pier

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

Yes, a portion of the existing shared pier will be removed and its associated piles. (Note: this work is being completed under a separate permit to be done by others. A ground based boatlift with canopy will also be removed.

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

R-15

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

R-15

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

Urban Residential

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

Yes, Lake Washington

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

Not Applicable

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

None

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

None

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

None

9. Housing

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

Not Applicable

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

None

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

None

10. Aesthetics

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

Approximately 3' above ordinary high water

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

None

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

None

11. Light and glare

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

None

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

No

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

None

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

None

12. Recreation

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

Boating, Fishing and swimming

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

No

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

None

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.

No

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.

None known

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.

None

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.

None

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.

E. Mercer Way

- 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?

Service at E. Mercer Way

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

No Change

- 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).

No

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

No

- 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?

No Change

- 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.

No

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

None

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.

No

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

Not Applicable

16. Utilities

a. Check utilities currently available at the site:

Electricity Natural Gas Water Refuse Service
Telephone Sanitary sewer Septic system Other

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.

Not Applicable

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: Troy Hussing

Date Submitted: March 1, 2023

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.]



May 30, 2023

Ecco Design Inc.
Attn: Troy Hussing
Via: Email

RE: **SHL23-025 & SEP23-010** SUB1 Review Letter; 4452 Ferncroft Rd, Mercer Island, WA 98040

Dear Troy Hussing,

The City of Mercer Island Community Planning and Development Department has completed a review for compliance with the zoning code, Title 19 of the Mercer Island City Code (MICC) for the above Shoreline Substantial Development Permit and SEPA Threshold Determination applications. The following issues need to be addressed in your resubmission:

Planning:

1. Provide recording number of Shoreline Setback Agreement.
2. The Shoreline Setback Agreement states that "Evers" has agreed to obtain separate permits to rebuild and/or restructure the dock entirely on the Evers Property. Based on the application materials, it appears that there will be a new pile driven on the Evers Property to support the restructuring of the existing dock. Please provide documentation that this work is authorized by the Evers Property owner to be performed under this Shoreline Substantial Development Permit.
3. Prepare responses to the comments from Land Use Review in the shared review file linked below. Follow the instructions below for resubmission.

The City's processing of the Shoreline Substantial Development Permit and SEPA Threshold Determination applications have been put on hold until these issues are resolved. Pursuant to MICC 19.15.110, all requested information must be submitted within 60 days or a request for extension requested. The deadline for a complete response or request for extension is July 31, 2023. If a complete response is not received or an extension response has been received prior to that date, the application will expire and be canceled for inactivity. No additional notification regarding this deadline or expiration of

the application will be provided.

Sincerely,



Molly McGuire, Planner
City of Mercer Island Community Planning and Development
molly.mcguire@mercerisland.gov
(206) 275-7712

Download the Correction Drawing File to Review and Respond to Comments:

<https://MlePlan.mercergov.org/adobe/eplan/~CurrentSharedReviews/SHL23-025-SUB1-PLANS-040623_review.pdf>.

1. To access the file, enter the following credentials into your web browser:

Username: eguest@mercergov.org

Password: @mercer123

2. To view comments, download the file to your hard drive and open in an Adobe Reader or Adobe Acrobat.
3. The first time you access this system, you will enter the same credentials two times. Once to open the plan in your web browser, and then again to open the plan in Adobe.

Please note, you can forward this link to your sub-consultants for their review, input, and replies.

Responding and Resubmitting: [Click for More Detailed Instructions](#)

1. Reply to all plan review comments within the correction drawing file.
2. Update your drawings, and any necessary supplemental documents or forms.
3. Upload updated drawings to the [Mercer Island Permit Submittal Portal](#).

Having Trouble? Please Review the Following:

[Accessing, Reviewing, and Responding to MlePlan Comments](#)

[Troubleshooting MlePlan](#)

[MlePlan Overview](#)

Thank you for your participation in the MlePlan review process.



ECCO

August 28, 2023

Re: Project# SHL23-025 & SEP23-010
Review Type Planning
Project Address 4452 Ferncroft Rd, Mercer Island, WA 98040

Contact: Troy Hussing
Contact Phone (206) 706-3937
Contact Email troy@eccodesigninc.com

Reviewer Molly McGuire

Molly-

Below are our responses to the correction. Your original comments are in italics, followed by our responses in plain text.

Corrections

1. Provide recording number of Shoreline Setback Agreement.

See attached Shoreline Setback Agreement with recording number.

2. *The Shoreline Setback Agreement states that “Evers” has agreed to obtain separate permits to rebuild and/or restructure the dock entirely on the Evers Property. Based on the application materials, it appears that there will be a new pile driven on the Evers Property to support the restructuring of the existing dock. Please provide documentation that this work is authorized by the Evers Property owner to be performed under this Shoreline Substantial Development Permit.*

The drawings have been revised showing the Ever’s work as being completed by others. The Ever’s permit will now be handling all structural work including any necessary pile driving.

3. *Prepare responses to the comments from Land Use Review in the shared review file linked below. Follow the instructions below for resubmission.*

See the attached revised drawings with area’s being clouded for both the Land Use and Building Permit review comments.

Please feel free to contact me if you have any questions regarding these changes, or if you require any additional information.

Sincerely,
Troy Hussing



September 26, 2023

Ecco Design Inc.
Attn: Troy Hussing
Via: Email

RE: **SHL23-025 & SEP23-010** SUB2 Review Letter; 4452 Ferncroft Rd, Mercer Island, WA 98040

Dear Troy Hussing,

The City of Mercer Island Community Planning and Development Department has completed a review for compliance with the zoning code, Title 19 of the Mercer Island City Code (MICC) for the above Shoreline Substantial Development Permit and SEPA Threshold Determination applications. The following issues need to be addressed in your resubmission:

Planning:

1. All application materials must accurately reflect the scope of work. The project narrative submitted with the original materials describes portions of the project that will be permitted under separate permits by the adjacent property. Please revise all application materials to accurately reflect the proposed development.
2. No Action Necessary – The Shoreline Substantial Development Permit and associated building permit will contain the following Conditional of Approval:
 - a. Prior to final inspection of the development activities authorized in this permit, the portions of the existing dock that encroach over the lateral line from the adjacent property at 4456 Ferncroft Road must be removed in their entirety.

The City's processing of the Shoreline Substantial Development Permit and SEPA Threshold Determination applications have been put on hold until these issues are resolved. Pursuant to MICC 19.15.110, all requested information must be submitted within 60 days or a request for extension requested. The deadline for a complete response or request for extension is November 25, 2023. If a complete response is not received or an extension response has been received prior to that date, the application will expire and be

canceled for inactivity. No additional notification regarding this deadline or expiration of the application will be provided.

Sincerely,



Molly McGuire, Planner
City of Mercer Island Community Planning and Development
molly.mcguire@mercerisland.gov
(206) 275-7712

Download the Correction Drawing File to Review and Respond to Comments:

<https://MlePlan.mercergov.org/adobe/eplan/~CurrentSharedReviews/SHL23-025-SUB2-PLANS-083023_review.pdf>.

1. To access the file, enter the following credentials into your web browser:

Username: equst@mercergov.org

Password: @mercer123

2. To view comments, download the file to your hard drive and open in an Adobe Reader or Adobe Acrobat.
3. The first time you access this system, you will enter the same credentials two times. Once to open the plan in your web browser, and then again to open the plan in Adobe.

Please note, you can forward this link to your sub-consultants for their review, input, and replies.

Responding and Resubmitting: [Click for More Detailed Instructions](#)

1. Reply to all plan review comments within the correction drawing file.
2. Update your drawings, and any necessary supplemental documents or forms.
3. Upload updated drawings to the [Mercer Island Permit Submittal Portal](#).

Having Trouble? Please Review the Following:

[Accessing, Reviewing, and Responding to MlePlan Comments](#)

[Troubleshooting MlePlan](#)

[MlePlan Overview](#)

Thank you for your participation in the MlePlan review process.



ECCO

October 3, 2023

Re: Project# SHL23-025 & SEP23-010
Review Type Planning
Project Address 4452 Ferncroft Rd, Mercer Island, WA 98040

Contact: Troy Hussing
Contact Phone (206) 706-3937
Contact Email troy@eccodesigninc.com

Reviewer Molly McGuire

Molly-

Below are our responses to the correction. Your original comments are in italics, followed by our responses in plain text.

Corrections

1. *All application materials must accurately reflect the scope of work. The project narrative submitted with the original materials describes portions of the project that will be permitted under separate permits by the adjacent property. Please revise all application materials to accurately reflect the proposed development.*

- I have re-attached the revised drawings that reflect the current scope of work. Please note these were the drawings that were submitted with correction one. There have been no changes to these drawings.
- I have revised and submitted the project narrative to reflect the current scope of work.
- I have revised and submitted the SEPA checklist. Item A (11), 5(d) and 8(d) have been revised to reflect the current scope of work.

2. *No Action Necessary – The Shoreline Substantial Development Permit and associated building permit will contain the following Conditional of Approval:*

a. Prior to final inspection of the development activities authorized in this permit, the portions of the existing dock that encroach over the lateral line from the adjacent property at 4456 Ferncroft Road must be removed in their entirety.

- I have reviewed this condition with the owners and they have no issue with this condition..

Please feel free to contact me if you have any questions regarding these changes, or if you require any additional information.

Sincerely,
Troy Hussing

Ecological No Net Loss Assessment Report

Prepared for

**O'Neil Generational Trust
4452 Ferncroft Road
Mercer Island, WA 98040**

Prepared by

 **Northwest**
Environmental Consulting, LLC

Northwest Environmental Consulting, LLC
600 North 36th Street, Suite 423
Seattle, WA 98103
206-234-2520

March 2023

Purpose

The purpose of this report is to fulfill the requirements of City of Mercer Island Municipal Code (MICC) 19.13 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 associated moorage improvements.

Location

The subject property is located at 4452 Ferncroft Road (King County parcel number 0046100405) in the City of Mercer Island, Washington (see Appendix A – Sheet 1 of 10). 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

A new dock is proposed at the waterfront residence. The new dock will be constructed by driving 18 (12 6-inch and 6 8-inch) epoxy coated steel piles to support the new dock above the water. Two 6-inch piles will be driven landward of the OHWM to support part of the structure over the shoreline. The dock superstructure will be constructed on the pilings and the new 552 square foot (528 square feet overwater) dock will be fully grated.

The proposed construction also includes removal of 315 square feet of wood decked dock from the adjacent shared use dock. Removal also includes relocation of one of the bottom base lifts and removal of a second bottom based lift and 220 square foot opaque canopy. 9 13-inch timber piles will also be removed and a single 10-inch epoxy coated steel pile will be driven to support the existing dock. See Appendix A – Sheets 2 of 10 to 10 of 10.

During construction, a floating boom will surround the work barge and dock.

A shoreline vegetation plan is proposed, that will add 2 native conifers and 3 native shrubs. These shoreline plantings will provide shade and allow beneficial allochthonous material to enter the lake along the shoreline. Existing vegetation will be persevered to the extent practicable. See Appendix A – Sheet 2 of 10.

Project drawings are included in Attachment A.

Approach

Northwest Environmental Consulting LLC (NVEC) biologist Brad Thiele conducted a site visit on March 10, 2023 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 western boundary with single-family homes to the north and south along the shoreline.

The only existing structure on the property is the house.

The shoreline is lawn with some ornamental shrubs up to the landward side of a concrete tiered bulkhead. The uplands are maintained with lawn and an ornamental hedgerow is present where the proposed dock will be placed. The substrates along the shore are sand with gravel. No aquatic vegetation was present at the time of the site visit.

The neighboring shorelines are landscaped similarly with docks. 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 mapped as a sockeye salmon spawning location.

Priority Habitats and Species mapping does not list any priority species or habitats within 1,000 feet of the project other than Lake Washington as mentioned above.

The Mercer Island GIS does not show any environmental layers at the location.

Project Impacts and Conservation Measurements

Direct Impacts:

Sediments: Sediment disturbance may occur below the OHWM during pile installation, removal, and relocation and removal of the boat lifts. Additionally, the tug and barge propwash may disturb sediments temporarily when making trips to and from the site.

Impacts to sediments should be minimal from installation of the pilings and lifts and are

expected to stay within State Water Quality Standards.

Shoreline: Planting native vegetation, including native trees and shrubs, 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 3 of 10.

Lakebed: Construction of the dock construction includes driving 16 (12 6-inch, 6 8-inch and 1 10-inch) epoxy coated steel piles and removing 9 13-inch timber piles resulting in restoring 3.3 square feet of lake bottom.

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 in larger numbers.

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 minor because a trained crew will be onsite that will implement spill containment measures should a spill occur.

Shading: The proposed dock will increase overwater coverage by 651 square feet. The proposed decking will be ThruFlow grated decking. Grated decking allows light to penetrate the waters below the dock, which can increase productivity in the water column and reduce the full shade favored by salmonid predators. Salmonid predators are known to use hard shadowing under solid-decked docks to ambush juvenile salmonids. Reducing these hard shadows limits their ability to effectively hunt salmonids. In addition, hard shadowing may increase juvenile salmonid outmigration times when encountered along the shoreline.

ThruFlow grated decking has a measured performance at 43 percent light penetration (ThruFlow, 2021). Thus, the increase in lighting under the pier is effectively 57% of the area of a solid decked structure. Table 1 provides a summary of effective coverage:

Table 1 – Effective coverage

	Existing/ Proposed	Proposed grated	Conversion	Effective coverage	Reduction in effective coverage
New Grated Dock (SF)	0	528	0.57	301	227

The use of grated decking at the site reduces the effective coverage of the new structure by 2227 square feet. Removal of a portion of the shared use dock will reduce overwater coverage by an additional 315 square feet. Removal of the boat lift with opaque boat cover will remove and additional 220 square feet of overwater coverage. Using boat lifts to lift watercraft out of the water reduces shading under the boat that would otherwise be tied to the dock.

The dock has been designed to be only 4 feet wide and will place moorage more than 100 feet from shore. Juvenile salmonids often follow the shoreline while migrating so placing the moorage away from shore is least impacting to the salmonid using the Lake.

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

Other Conservation measures:

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

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

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. Construction disturbance will degrade ecological conditions at the site in the short term and long term by increasing overwater coverage at the site.

The dock will use grated decking to minimize the effective overwater coverage to a net gain of 301 square feet. This will be offset by removing 315 square feet of the existing wooden decked shared dock. In addition removal of the opaque boat cover will reduce overwater coverage by 220 square feet. Using grated decking reduces the hard shadows favored by salmonid predators and increases productivity under the pier.

In addition, the new moorage is in deeper water more than 100 feet from shore. Overwater structures may slow juvenile salmonid outmigration times. Constructing the new moorage away from shore will reduce the chances of delaying outmigrating juvenile salmonids.

The project will restore about 3.3 square feet of lakebed from net installation and removal of pilings.

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. The effects of construction will be short term.

A shoreline planting plan will be implemented that will preserve an existing western red cedar, add 2 hooker willow and 4 native shrubs to the shoreline that will provide natural shading, allochthonous food sources and will eventually be a source of woody materials that will improve shoreline conditions at the site in the long-term.

This project has been designed to meet current residential dock standards and will use Best Management Practices to reduce project impacts. The conservation measures are designed to

improve ecological functions or prevent further degradation of habitat **and will result in No Net Loss of ecological functions.**

Document Preparers

Brad Thiele Biologist 29 years of experience Northwest Environmental Consulting, LLC (NVEC)

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 2023 at <https://gismaps.kingcounty.gov/iMap/>

Washington Department of Fish and Wildlife (WDFW). 2023. Priority Habitats and Species. Online database. Accessed March 2023 at <http://apps.wdfw.wa.gov/phsontheweb/>

WDFW. 2022. SalmonScape. Online database. Accessed March 2023 at <http://apps.wdfw.wa.gov/salmonscape/>

Appendix A: Project Drawings

PROJECT INFORMATION

OWNERS

O'NEIL GENERATIONAL TRUST

DRAWINGS BY:

ECCO DESIGN INC.
7413 GREENWOOD AVE. N.
SEATTLE, WA 98103
206.706.3937

SITE ADDRESS

4452 FERNCROFT RD
MERCER ISLAND WA 98040

PARCEL

004610-0405

LEGAL DESCRIPTION:

ADAMS LAKE WASHINGTON TRS POR OF N 70 FT OF S 87.88 FT OF 5 E OF LN RNNG N 00 DEG 43 MIN 30 SEC W FR PT ON S LN OF N 22.12 FT OF 6 THAT IS N 89 DEG 16 MIN 30 SEC E 314.41 FT FR C/L OF 30 FT ESMT & SH LDS ADJ

BASE ZONE: R-15

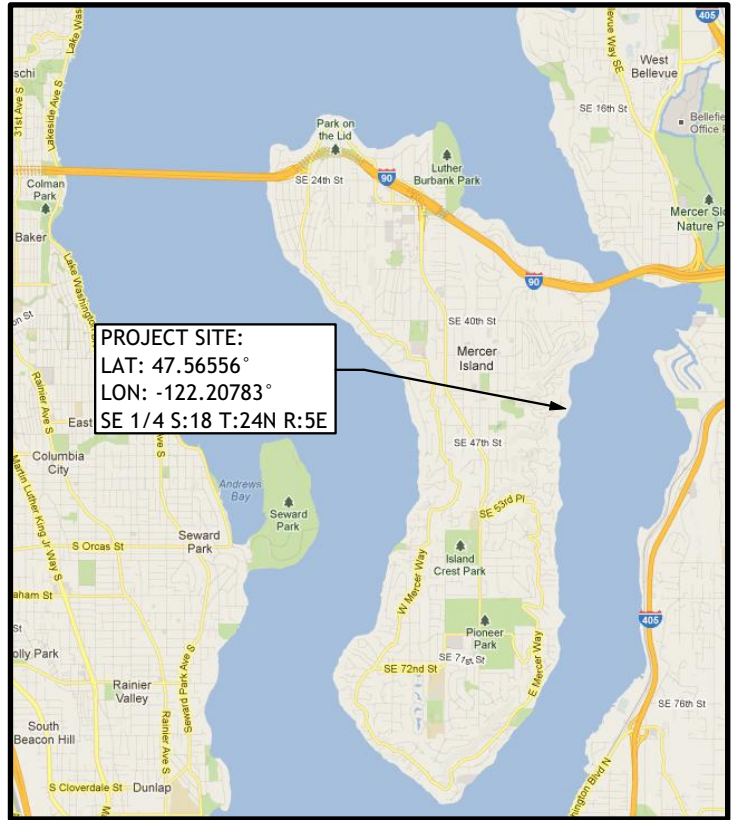
USE: SINGLE FAMILY RESIDENTIAL

LOT AREA: 16,100 SF

DESCRIPTION OF WORK

REMOVE A PORTION OF THE EXISTING SHARED FIXED PIER (APPROX. 315SF) AND ASSOCIATED WOOD PILES (NINE TOTAL). DRIVE ONE NEW PILE AT WATERWARD END OF THE EXISTING PIER TO SUPPORT THE RECONFIGURED STRUCTURE. REMOVE ONE EXISTING BOTTOM BASED BOATLIFT AND CANOPY. RELOCATE ONE EXISTING BOTTOM BASED BOATLIFT TO THE NEW PIER. INSTALL NEW FULLY GRATED SINGLE FAMILY PIER (APPROX. 528SF OVERWATER) & 552SF TOTAL. INSTALL NEW NATIVE SHORELINE PLANTINGS.

VICINITY MAP



GENERAL NOTES:

- 1) IT IS THE CONTRACTORS RESPONSIBILITY TO HAVE A LOCATE COMPLETED AND CALL BEFORE YOU DIG.
- 2) IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY FINAL LOCATION OF ALL STRUCTURES PRIOR TO INSTALLATION

PURPOSE: Boat Moorage

NAME: O'Neil Generational Trust

PROPOSED: New Pier & Reconfigure (E) Pier

DATUM: 21.8' EST. By Corp of Engineers, 1919.

REFERENCE #:

IN: Lake Washington

ADJACENT PROPERTY OWNERS:

SITE LOCATION ADDRESS:
4456 Ferncroft Rd
Mercer Island, WA 98040

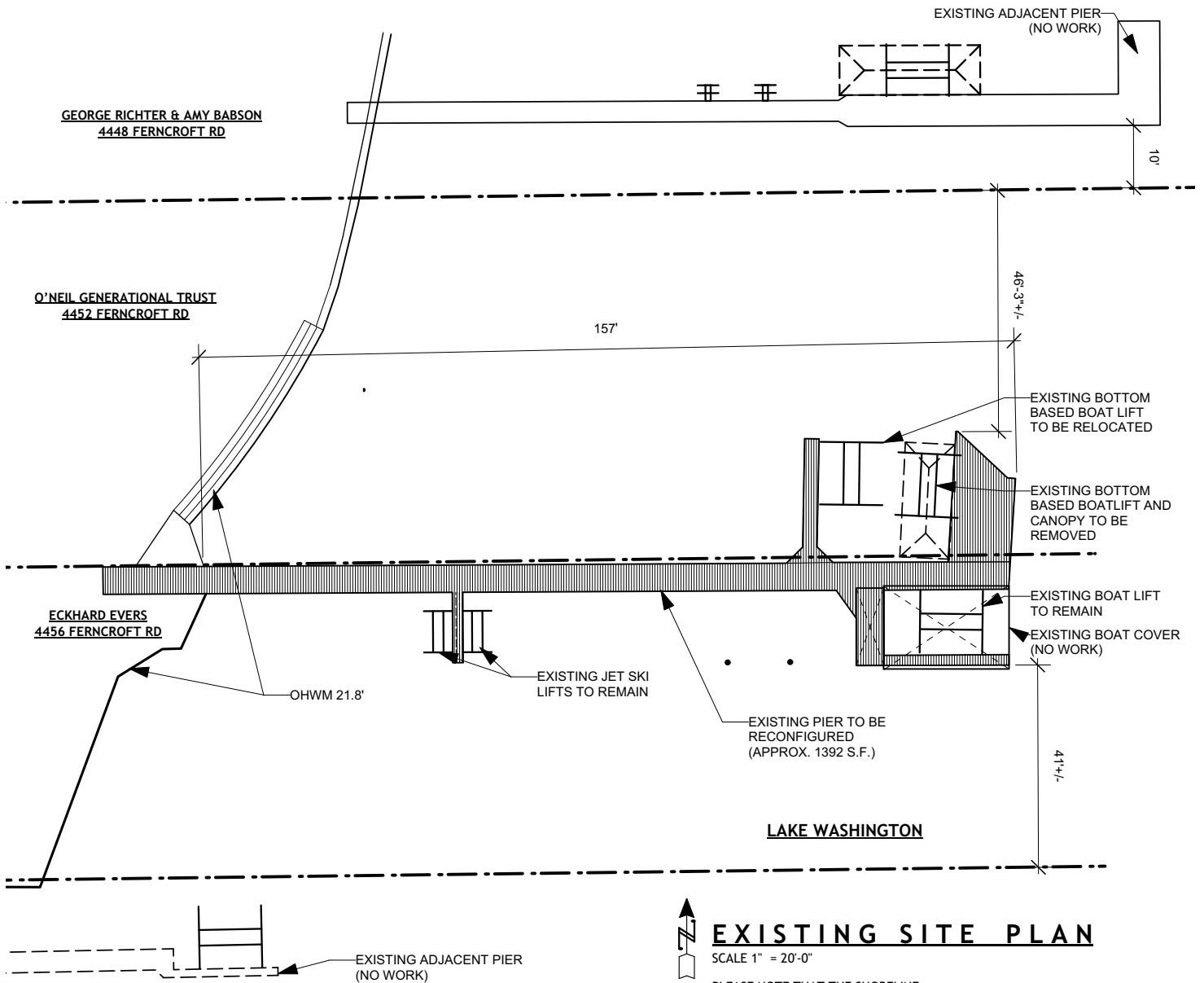
AT: Mercer Island

COUNTY: King **STATE:** WA

1. George Richter
2. Echard Evers

SHEET 1 of 10

DATE: February 17, 2023



EXISTING SITE PLAN

SCALE 1" = 20'-0"

PLEASE NOTE THAT THE SHORELINE CONFIGURATION AND PROPERTY LINE LOCATIONS ARE APPROXIMATE ONLY. PROPERTY LINES WERE NOT SURVEYED.

Reference:

Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E) Pier

At: Mercer Island, WA

Sheet 2 of 10 **Date:** 2/17/2023

GEORGE RICHTER & AMY BABSON
4448 FERNCROFT RD

O'NEIL GENERATIONAL TRUST
4452 FERNCROFT RD

ECKHARD EVERS
4456 FERNCROFT RD

EXISTING ADJACENT PIER
(NO WORK)

(E) RED CEDAR TREE
TO REMAIN

OHWM 21.8'

132'-0"

4'-0"

OHWM 21.8'

NEW FULLY GRATED PIER
STRUCTURE 552SF
TOTAL (528SF
OVERWATER)

REPOSITION EXISTING
BOTTOM BASED
BOATLIFT

REMOVE EXISTING BOX ALDER
SHRUB IN THIS LOCATION IN
ORDER TO INSTALL NEW
PLANTINGS

EXISTING BOTTOM
BASED BOAT LIFT
TO BE RELOCATED

AREA OF (E) PIER TO
BE REMOVED - 315SF
& NINE EXISTING
WOOD PILES
EXISTING BOTTOM
BASED BOATLIFT
AND CANOPY TO BE
REMOVED

ONE 10" DIA. PILE TO BE
ADDED TO SUPPORT THE
END OF THE (E) PIER

EXISTING BOAT
LIFT TO REMAIN

EXISTING
BOAT COVER
(NO WORK)

SEE
ENLARGED
SITE PLAN

OHWM 21.8'

EXISTING JET SKI
LIFTS TO REMAIN

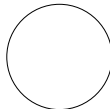
EXISTING
RECONFIGURED PIER
(APPROX. 1077 S.F.)

4'-1"±

LAKE WASHINGTON

EXISTING ADJACENT PIER
(NO WORK)

PLANT SCHEDULE



(1) ONE EXISTING
WESTERN RED CEDAR
TREE TO REMAIN



(1) ONE AMELANCHIER
ALNIFOLIA SERVICEBERRY
(5 GALLON)



(3) HOLODISCUS DISCOLOR
OCEAN-SPRAY (1 GALLON)



(2) HOOKER WILLOW SHRUB -
(SALIX HOOKERIANA) @ 5' O.C.



OPTION TWO

SCALE 1" = 30'-0"

PLEASE NOTE THAT THE SHORELINE CONFIGURATION AND
PROPERTY LINE LOCATIONS ARE APPROXIMATE ONLY.
PROPERTY LINES WERE NOT SURVEYED.

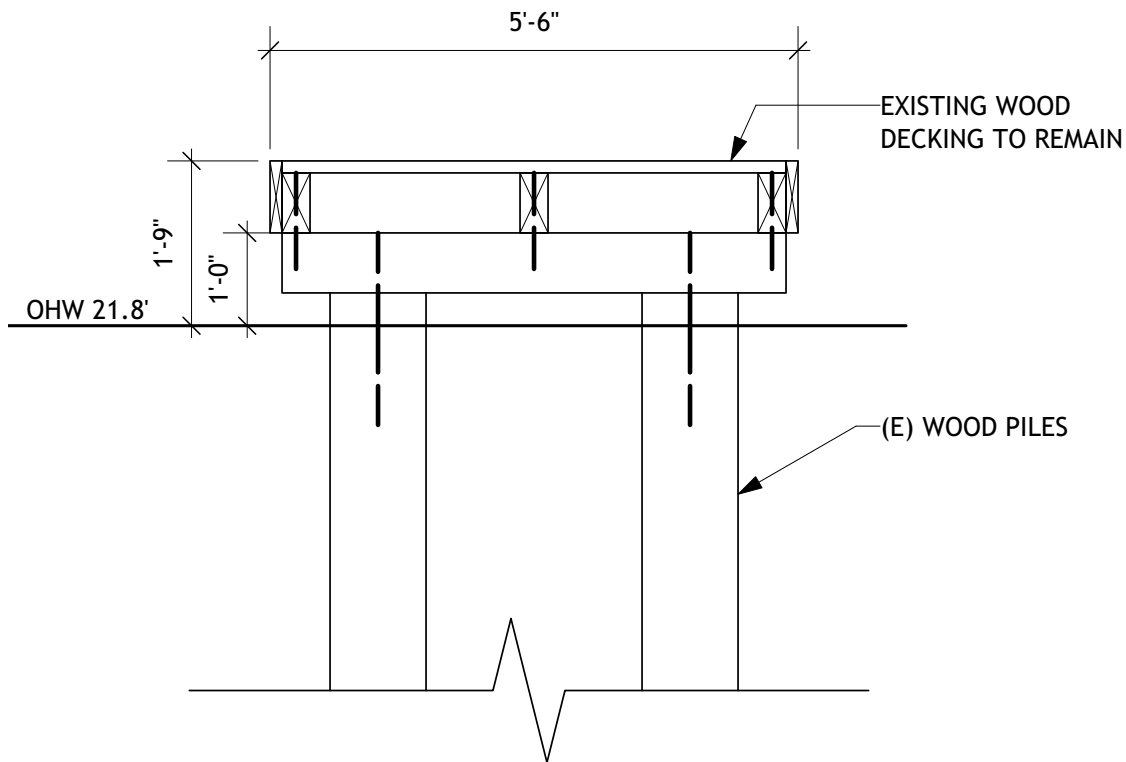
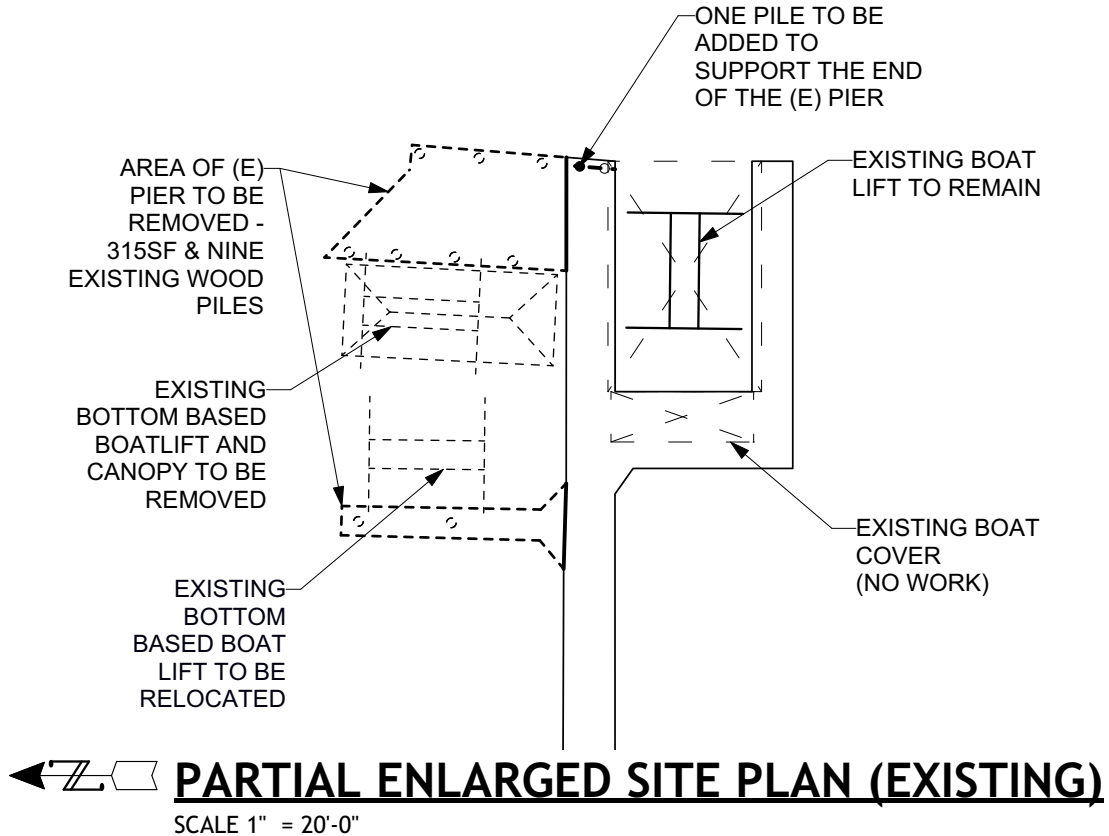
DEPTH AT END OF PIER WAS RECORDED BY MARKER OFF
SHORE ON 12/17/2021

Reference:

Applicant: O'Neil Generational Trust

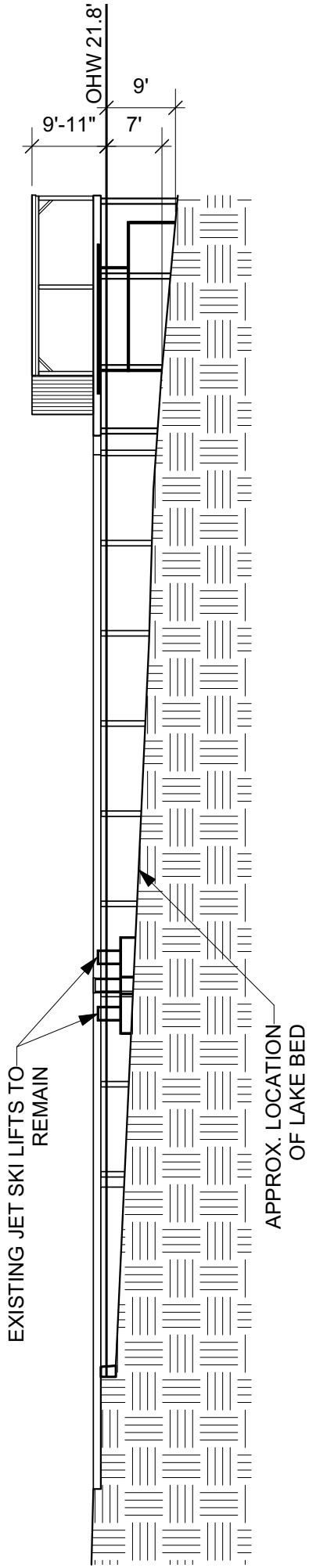
Proposed: New Pier & Recon. (E) Pier

At: Mercer Island, WA



Reference:
Applicant: O'Neil Generational Trust

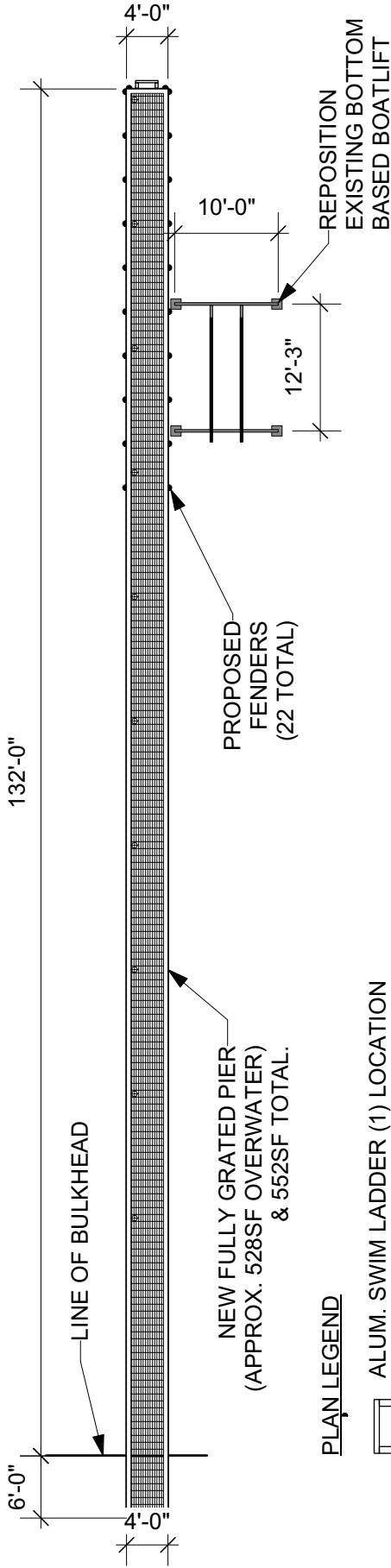
Proposed: New Pier & Recon. (E) Pier
At: Mercer Island, WA






SOUTH ELEVATION (EXISTING PIER)

SCALE 1" = 20'-0"

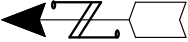
Reference:
Applicant: O'Neil Generational Trust
Proposed: New Pier & Recon. (E) Pier
At: Mercer Island, WA

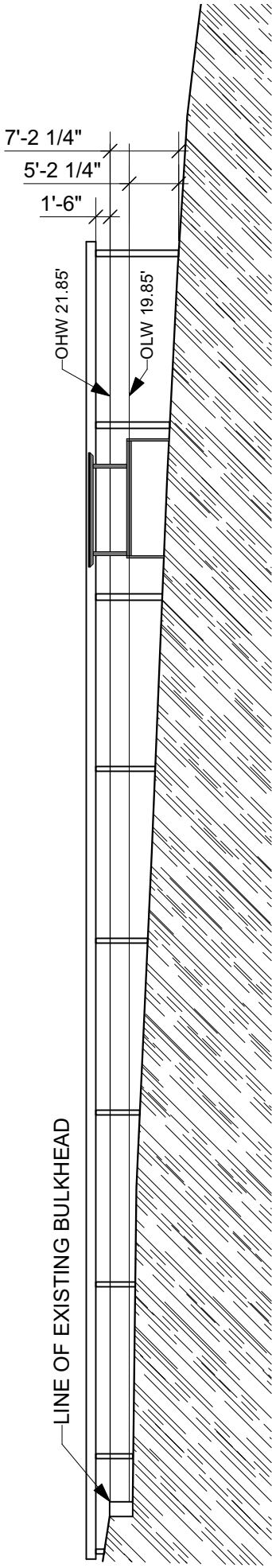


PLAN LEGEND

-  ALUM. SWIM LADDER (1) LOCATION
-  FENDERS 5"X5", TYP. 22 LOCATIONS
-  DOCK LIGHT (EPL1 OR 3) DEPENDING ON LOCATION - CONFIRM LIGHT MEETS SPECIFICATIONS BELOW, TYP. (10) LOCATIONS.

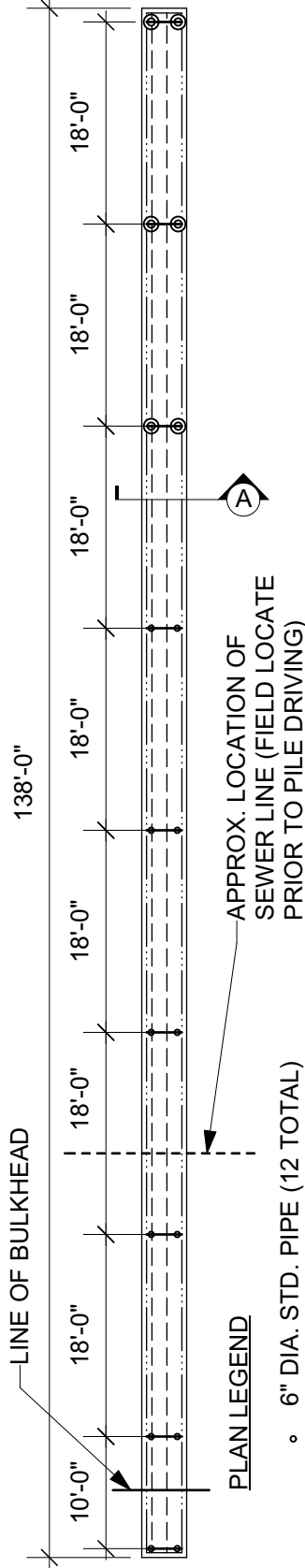
NOTE: ARTIFICIAL NIGHT LIGHTING ON AND FROM OVERWATER STRUCTURES MUST BE MINIMIZED BY FOCUSING THE LIGHT ON THE PIERS SURFACE, AND USING SHADES THAT MINIMIZE ILLUMINATION OF THE SURROUNDING ENVIRONMENT AND REDUCES GLARE ON THE WATER SURFACE. THE VISIBLE LIGHT EMITTED BY AN INDIVIDUAL FIXTURE SHALL NOT EXCEED 450 LUMENS, AND THE TOTAL VISIBLE LIGHT EMITTED BY ALL FIXTURES ON A PIER SHALL NOT EXCEED 2,700 LUMENS

 **PROPOSED PIER PLAN**
SCALE 1/16" = 1'-0"



PROPOSED ELEVATION

SCALE 1/16" = 1'-0"

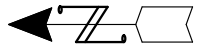


PLAN LEGEND

- 6" DIA. STD. PIPE (12 TOTAL)
(note that two are upland of bulkhead)
- ⊙ 8" DIA. STD. PIPE (6 TOTAL)

GENERAL NOTE:

PILES DRIVEN WITH HYDRAULIC HAMMER TO REFUSAL OR A MIN. OF 15'-0" EMBEDMENT. REFUSAL IS DEFINED AS LESS THAN ONE INCH OF PENETRATION PER ONE MINUTE OF CONTINUOUS JACKING



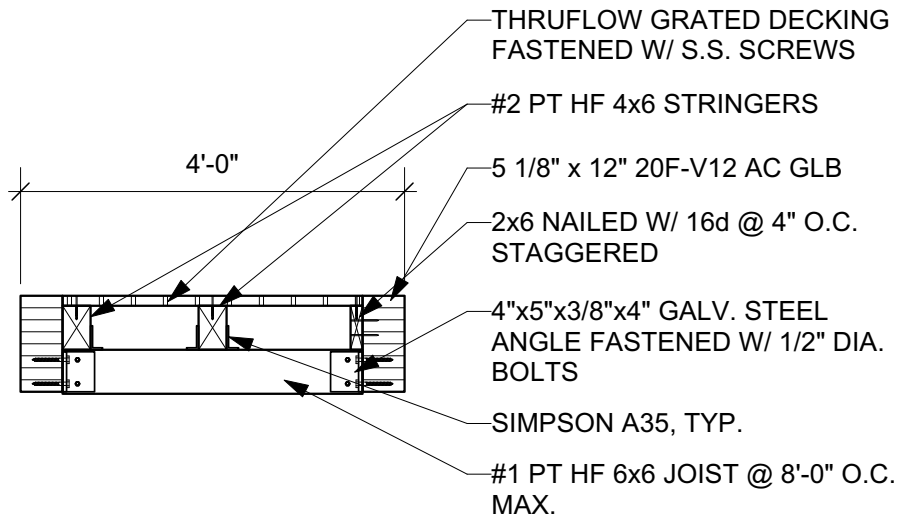
PROPOSED FRAMING PLAN

SCALE 1/16" = 1'-0"

Reference: O'Neil Generational Trust
Applicant: O'Neil Generational Trust

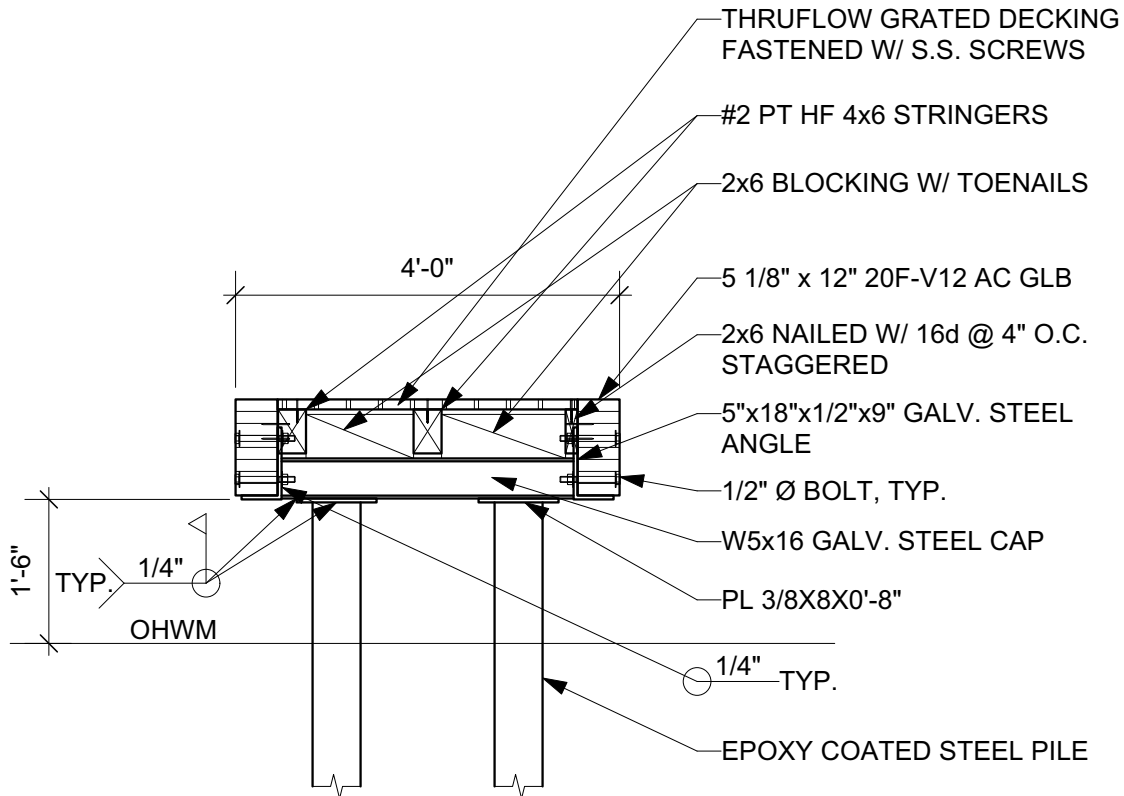
Proposed: New Pier & Recon. (E)Pier
At: Mercer Island, WA

Sheet 7 of 10 Date: 2/17/2023



MIDSPAN SECTION - B

SCALE 1/2" = 1'-0"



PILE CAP SECTION - A

SCALE 1/2" = 1'-0"

Reference:

Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E)Pier

At: Mercer Island, WA

Sheet 8 of 10 **Date:** 2/17/2023

GENERAL NOTES

- A. These notes are in abbreviated form. The intent is to further define those areas of work not clearly delineated on the drawings. The quality of workmanship throughout should be first class and all materials shall meet or exceed the normal industry standards applicable in each case.
- B. All work is to be performed in strict compliance with applicable provisions of prevailing local, state, and federal code ordinances, including appropriate licensing laws including local amendments.
- C. Notify and consult with Owner and Permit Agent if discrepancies are found between drawings and/or on site conditions and/or building or zoning requirements prior to start of work.
- D. Contractor to physically inspect site prior to commencing any work. Report any discrepancy to Owner and Permit Agent. Contractor to review construction documents prior to commencing construction. Any questions should be directed to owner and permit agent. Contractor to crossreference with city approved plans for any changes and/or additional requirements by city.
- E. Area measurements: area is measured from the perimeter of each floor/space within the footprint of the structure and is inclusive of all open areas, stairways, stairwells and basement stem walls, at each level. Projections such as bay windows are also included in heated area calculations. Interior walls separating heated and unheated enclosed space is measured from the exterior of conditioned space.
- F. Do not scale drawings. During the reprographic process, proportions may have been altered. Use written dimensions. Where conflicts exist, notify the permit agent immediately. Written dimensions take precedence.
- G. Contractor to maintain in force at all times, insurance as required by Article II of the General Conditions of the Contract for Construction, AIA Document A201.
- H. The Contractor should carry all insurance required by law.
- I. Contractor is solely responsible for all construction means and methods and shall maintain the structural integrity of any construction until all final lateral and vertical load carrying systems are completed. Approvals from the permit agent do not extend to approval of construction means and methods.
- J. Drawings are for a complete installation with fully-functional assemblies. Contractor is to field verify all dimensions and conditions prior to any work, and shall be responsible for all work and materials including those finished by subcontractor.
- K. All information contained in these documents represents a "basic limited architectural service" that requires the contractor to be knowledgeable and experienced with all aspects of construction including all building codes and regulations imposed by the city or county and any other agency having jurisdiction over the project.
- L. All work shall comply with the state and local ordinances and shall be done to the highest standards of craftsmanship by journeymen of the respective trades.
- M. Safety, care of adjacent properties during construction, compliance with local, state, federal regulations regarding safety on site shall be the contractors responsibility.
- N. No deviations from these documents shall be made without written approval from the owner and permit agent. Any changes can affect the structural integrity and code related issues of the structure.
- O. All information contained in these documents is for the purpose of construction permit acquisition and construction only. The information provided is not intended for any other purpose and no other use is intended or implied. e.g. plan information is not intended to be used as a base for sale or transfer of real estate.
- P. Unless otherwise specified, electrical, mechanical, etc. is bidder designed. Owner and/or agent (contractor) is responsible for all work done on site (field) as to proper installation etc.
- Q. The permit agent may assist in coordination with consultants (such as soils, structural, civil engineers etc.) but under the terms of basic limited service, receives no compensation for, and assumes no responsibility or liability for the area of their (consultants) work and expertise.

Acceptance of these plans for construction constitutes an understanding of above mentioned terms and basic limited architectural service as described in agreement between owner/permit agent.

Reference:

Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E)Pier

At: Mercer Island, WA

Sheet 9 of 10 Date: 2/17/2023

GENERAL NOTES - CONT.

GENERAL REQUIREMENTS

- A. Provide all required temporary facilities and all temporary utilities as required. Contractor is responsible for all costs associated with temporary facilities and temporary utilities.
- B. Construction Barricades: Provide construction barricade as required to keep public and employees safe, following all applicable federal, state and city codes and regulations.

DRAWINGS / PERMITS BY OTHERS:

It is the contractor's responsibility to provide additional drawings and permits as required to complete the project. The following list is by no means meant to be comprehensive, rather suggestive of the possible types of additional permits, drawings, and submittals that may be required during the course of the project. Depending on the project, some of the following permits, drawings, and submittals could come up including others not listed below:

- Provide information to City regarding disposal of materials.
- Provide Design / obtain Permit for any required Shoring work.
- Provide Drawings / obtain Permit for Plumbing work.
- Provide Drawings / obtain permit for Electrical work.
- Obtain permit for Storm Sewer design and hook-up
- Apply and pay for any required Water Meters.
- Obtain separate permits for Demolition, accessory buildings, and retaining walls.
- Any deferred submittals shall be submitted to the Building Department for review and approval.

Reference:

Applicant: O'Neil Generational Trust

Proposed: New Pier & Recon. (E)Pier

At: Mercer Island, WA

Sheet 10 of 10 Date: 2/17/2023

Appendix B: Site Photographs



Photo 1 - Existing conditions where new dock is proposed. Note section of pier to be removed from adjacent dock.



Photo 2 - Existing shoreline conditions.

After Filing Return To:

Cairncross & Hempelmann
524 Second Avenue, Suite 500
Seattle, WA 98104
Attn: Jonathan Tebbs

Document Title	Shoreland Setback Agreement
Reference Nos. of Related Documents	N/A
Grantor	Michael Vranizan as trustee for the O'Neil Generational Trust 2011, under Irrevocable Living Trust Agreement Dated December 28, 2011
Grantee	Eckhard Evers, an individual
Abbreviated Legal Description	Second Class Shorelands adjacent to Portions of Tracts 5 and 6, Adams Lake Washington Tract, W.M., King County, Washington
Full Legal Descriptions	Exhibits A and B
Tax Parcel Numbers	0046100405; 0046100453

SHORELAND SETBACK AGREEMENT

This Shoreland Setback Agreement (“**Agreement**”) is entered into by and between Michael Vranizan as trustee for the O’Neil Generational Trust 2011, under Irrevocable Living Trust Agreement Dated December 28, 2011 (“**O’Neil**”) and Eckhard Evers (“**Evers**”).

Recitals

A. O’Neil owns real property located at 4452 Ferncroft Road, Mercer Island, Washington (King County parcel no. 0046100405) and legally described on attached Exhibit A (“**O’Neil Property**”).

B. Evers owns real property located at 4456 Ferncroft Road, Mercer Island, Washington (King County parcel no. 0046100453) and legally described on attached Exhibit B (“**Evers Property**”). The Evers Property abuts the southern boundary of the O’Neil Property. Together, the Evers Property and O’Neil Property are referred to herein as the “**Properties**.”

C. Recently, a dispute arose between parties regarding use, ownership, and maintenance of a dock that is located on the Evers Property (the “**Dock**”) with finger piers that extend onto the O’Neil Property. An aerial photograph of the Dock and finger piers extending onto the O’Neil Property is attached as Exhibit C. To resolve the dispute, O’Neil has agreed to seek permits to build a separate dock entirely on the O’Neil Property (the “**O’Neil Dock**”). Likewise, Evers has agreed to seek permits to rebuild and/or restructure the Dock entirely on the Evers Property.

D. The Mercer Island City Code (“**Code**”) requires that shoreland docks be set back at least (10) feet from shoreland lot lines (known as the “**lateral line**” under the Code), unless the neighboring property owners agree otherwise. The Dock currently is within ten (10) feet of the lateral line between the Properties (“**Setback**”).

E. The parties are now executing this Agreement at the request of the City of Mercer Island and to facilitate a settlement between the parties. This agreement shall not be used as an adverse inference or admission of liability or fact against either party hereto.

Terms

- 1. Recitals Incorporated.** The Recitals above are incorporated herein.
- 2. Consent to Dock Location in Setback.** O’Neil hereby consents, subject to paragraph 3 below, to the Dock being located in the Setback in its current location and at its current length, excluding any finger piers or other protrusions extending northward from the north edge of the Dock. This consent applies to the existing Dock and the Dock as it may be rebuilt, reconstructed, replaced, or otherwise relocated in the Setback, provided that O’Neil retains the right to object to the siting of any additional, larger (per square footage), or longer dock in the Setback.
- 3. Effective Date.** No obligation in this Agreement shall be binding on either party unless and until O’Neil receives final approval of all required permits for the construction of the

O'Neil Dock referred to in Recital C above. Upon final approval of all required permits for the construction of the O'Neil Dock, all obligations under this Agreement shall automatically and immediately be binding upon all parties to this Agreement, and the Effective Date of this Agreement shall be the date of such final approval. "Final approval" shall mean the final issuance of the permit(s) and expiration of thirty (30) days after the permit(s) issue with no appeal having been filed or a final decision resolving all such appeals that upholds the permit(s) in their entirety.

4. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington, without respect to their choice of law principles. Any litigation arising out of or related to this Agreement shall be conducted in King County, Washington.

5. Binding Effect. This Agreement and its rights and obligations shall run with the lands described herein and shall bind the parties hereto and their respective successors, heirs, and assigns.

6. Amendments. This Agreement may be changed, modified, or amended in whole or in part only by a written and recorded agreement executed by all parties hereto.

7. Entire Agreement. This Agreement constitutes the entire agreement between the parties pertaining to the Setback and fully supersedes all prior written or oral agreements and understandings between the parties pertaining to such subject matter.

8. Counterparts. This Agreement may be executed and delivered in any number of counterparts, and such counterparts shall together constitute one and the same instrument.


9. Severability. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder shall remain in full force and effect.

10. Attorneys' Fees. If any suit or other proceeding arises out of or in connection with this Agreement, the substantially prevailing party shall be entitled to, in addition to such other relief as may be awarded, reasonable attorneys' fees and all costs and expenses incurred in such proceedings, including on appeal.

[Signatures and acknowledgements on following pages.]

O'NEIL

O'Neil Generational Trust 2011,
 under Irrevocable Living Trust Agreement
 Dated December 28, 2011

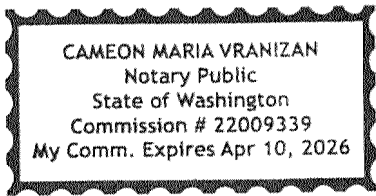


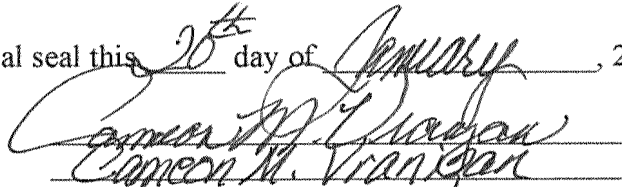
 Michael Vranizan
 Its: Trustee
 Date: 1/20/2023

STATE OF WASHINGTON)
) ss.
King COUNTY)

I certify that I know or have satisfactory evidence that Michael Vranizan is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as a trustee of the O'Neil Generational Trust 2011, under Irrevocable Living Trust Agreement Dated December 28, 2011, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.


GIVEN under my hand and official seal this 20th day of January, 2023





 Cameron M. Vranizan
 (Print name of notary)
 NOTARY PUBLIC in and for the State of
 Washington, residing at Spokane WA
 My commission expires 04/10/2026

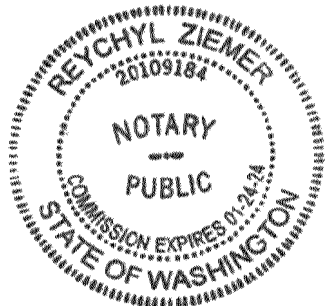
EVERS



Eckhard Evers
Date: 1-30-2023

STATE OF WASHINGTON)
)SS.
King COUNTY)

On this day personally appeared before me Eckhard Evers, to me known to be the individual who executed the within and foregoing instrument and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 1 day of February, 2023.




Reychyl Ziemer
(Print name of notary)
NOTARY PUBLIC in and for the State of
Washington, residing at Seattle
My commission expires 1/24/24

[Exhibits on following pages.]

Exhibit A

Legal Description of O'Neil Property

THAT PORTION OF THE NORTH 70 FEET OF THE SOUTH 87.88 FEET OF TRACT 5, ADAMS LAKE WASHINGTON TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS, PAGE 80, IN KING COUNTY, WASHINGTON, LYING EAST OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTH 22.12 FEET OF TRACT 6 OF SAID PLAT WHICH IS NORTH 89 DEGREES 16 MINUTES 30 SECONDS EAST 314.41 FEET FROM ITS INTERSECTION WITH THE CENTER LINE OF THE 30-FOOT EASEMENT HEREINAFTER DESCRIBED; THENCE NORTH 00 DEGREES 43 MINUTES 30 SECONDS WEST 110 FEET TO THE TERMINUS OF SAID LINE;

TOGETHER WITH SECOND CLASS TIDE LANDS, AS CONVEYED BY THE STATE OF WASHINGTON, TO THE LINE OF MEAN LOW TIDE, SITUATE IN FRONT OF, ADJACENT TO, OR ABUTTING THEREON;

(BEING KNOWN AS A PORTION OF TRACTS 6, 7, AND 8, FERNCROFT, ACCORDING TO THE UNRECORDED PLAT THEREOF);

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES OVER A STRIP OF LAND 30 FEET IN WIDTH LYING 15 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:

BEGINNING AT A POINT IN SOUTH LINE OF SAID TRACT 6, SAID ADAMS LAKE WASHINGTON TRACTS WHICH IS NORTH 89 DEGREES 16 MINUTES 30 SECONDS EAST 1125.17 FEET FROM THE SOUTHWEST CORNER THEREOF;
THENCE NORTH 50 DEGREES 04 MINUTES 10 SECONDS EAST 55.11 FEET;
THENCE ALONG ARC OF CURVE TO THE RIGHT HAVING A RADIUS OF 150 FEET, A DISTANCE OF 73.00 FEET;
THENCE NORTH 77 DEGREES 57 MINUTES 10 SECONDS EAST 33.94 FEET;
THENCE ALONG ARC OF CURVE TO THE LEFT HAVING A RADIUS OF 100 FEET, A DISTANCE OF 35.63 FEET;
THENCE NORTH 57 DEGREES 32 MINUTES 10 SECONDS EAST 118.74 FEET;
THENCE ALONG ARC OF CURVE TO THE LEFT HAVING A RADIUS OF 100 FEET A DISTANCE OF 70.67 FEET;
THENCE NORTH 17 DEGREES 02 MINUTES 40 SECONDS EAST 61.99 FEET;
THENCE ALONG ARC OF CURVE TO THE RIGHT HAVING A RADIUS OF 100 FEET A DISTANCE OF 59.06 FEET;
THENCE NORTH 50 DEGREES 53 MINUTES 10 SECONDS EAST TO NORTH LINE OF SAID TRACT 6, AND TERMINUS OF SAID CENTER LINE ALSO THAT PORTION OF SOUTH 30 FEET OF SAID TRACT 6, LYING BETWEEN MERCER WAY AND FOREGOING DESCRIBED STRIP OF LAND;

TOGETHER WITH EASEMENT FOR ROAD PURPOSES OVER THE FOLLOWING:

BEGINNING AT A POINT WHICH IS THE NORTHWEST CORNER OF THE ABOVE-DESCRIBED MAIN TRACT;

THENCE SOUTH 89 DEGREES 16 MINUTES 30 SECONDS WEST 15 FEET;

THENCE SOUTH 00 DEGREES 43 MINUTES 30 SECONDS EAST 90 FEET;

THENCE SOUTH 89 DEGREES 16 MINUTES 30 SECONDS WEST TO THE SOUTHEASTERLY LINE OF THE ABOVE-DESCRIBED EASEMENT;

THENCE SOUTH 50 DEGREES 53 MINUTES 10 SECONDS WEST ALONG SAID SOUTHEASTERLY LINE TO THE SOUTH LINE OF THE NORTH 22.12 FEET OF TRACT 6 IN SAID PLAT;

THENCE NORTH 89 DEGREES 16 MINUTES 30 SECONDS EAST ALONG SAID LINE 290.26 FEET TO A POINT FROM WHICH THE TRUE POINT OF BEGINNING BEARS NORTH 00 DEGREES 43 MINUTES 30 SECONDS WEST;

THENCE NORTH 00 DEGREES 43 MINUTES 30 SECONDS WEST TO THE TRUE POINT OF BEGINNING.

Exhibit B

Legal Description of Evers Property

THAT PORTION OF THE NORTH 22.12 FEET OF TRACT 6 AND OF THE SOUTH 17.98 FEET OF TRACT 5, ADAMS LAKE WASHINGTON TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS, PAGE 80, IN KING COUNTY, WASHINGTON, LYING EAST OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTH 22.12 FEET OF TRACT 6 OF SAID PLAT, WHICH IS NORTH 89 DEGREES 16'30" EAST 314.41 FEET FROM ITS INTERSECTION WITH THE CENTERLINE OF THE 30 FOOT EASEMENT HEREINAFTER DESCRIBED;
THENCE NORTH 0 DEGREES 43'30" WEST 40 FEET TO THE TERMINUS OF SAID LINE;

ALSO THAT PORTION OF THE SOUTH 20 FEET OF THE NORTH 42.12 FEET OF TRACT 6, ADAMS LAKE WASHINGTON TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 11 OF PLATS, PAGE 80, IN KING COUNTY, WASHINGTON, LYING EAST OF A LINE WHICH EXTENDS SOUTH 0 DEGREES 43'30" EAST FROM A POINT ON THE NORTH LINE OF SAID SOUTH 20 FEET WHICH IS NORTH 89 DEGREES 16'30" EAST 285.41 FEET FROM ITS INTERSECTION WITH THE CENTERLINE OF THE 30 FOOT EASEMENT HEREINAFTER DESCRIBED;

TOGETHER WITH SHORELANDS OF THE SECOND CLASS ADJOINING AND LYING BETWEEN THE EASTERLY PRODUCTION OF THE NORTH AND SOUTH LINES OF SAID PORTIONS OF SAID LOTS 5 AND 6 OF ADAMS LAKE WASHINGTON TRACTS;

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES OVER A STRIP OF LAND 30 FEET IN WIDTH LYING 15 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT IN SOUTH LINE OF SAID TRACT 6, SAID ADAMS LAKE WASHINGTON TRACTS WHICH IS NORTH 89 DEGREES 16 '30" EAST 1,125.17 FEET FROM THE SOUTHWEST CORNER THEREOF, AND RUNNING
THENCE NORTH 50 DEGREES 04'10" EAST 55.11 FEET;
THENCE ALONG AN ARC OF A CURVE TO RIGHT HAVING A RADIUS OF 150 FEET A DISTANCE OF 73.00 FEET;
THENCE NORTH 77 DEGREES 57'10" EAST 33.94 FEET;
THENCE. ALONG AN ARC OF CURVE TO LEFT HAVING A RADIUS OF 100 FEET, A DISTANCE OF 35.63 FEET;
THENCE NORTH 57 DEGREES 32'10" EAST 118.74 FEET;
THENCE ALONG AN ARC OF CURVE TO LEFT HAVING RADIUS OF 100 FEET, A DISTANCE OF 70.67 FEET;
THENCE NORTH 17 DEGREES 02'40" EAST 61.99 FEET;
THENCE ALONG AN ARC OF CURVE TO RIGHT HAVING A RADIUS OF 100 FEET, A DISTANCE OF 59.06 FEET;

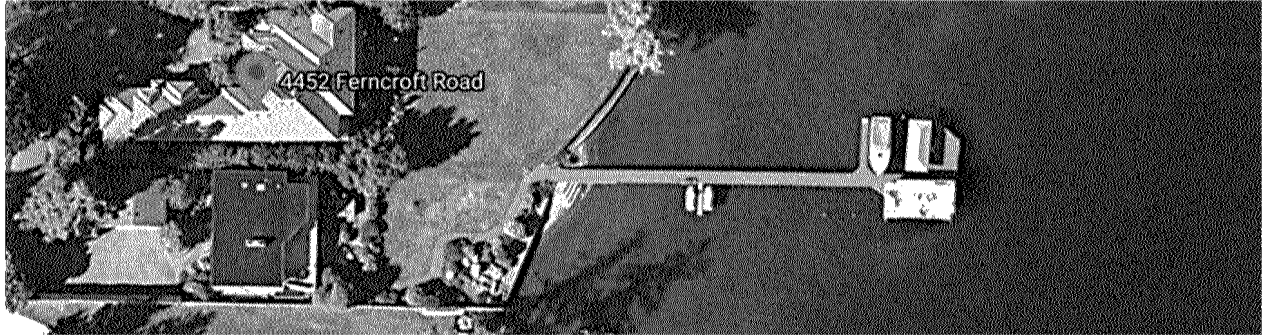
THENCE NORTH 50 DEGREES 53'10" EAST TO NORTH LINE OF SAID TRACT 6, AND THE TERMINUS OF SAID CENTERLINE, ALSO THAT PORTION OF THE SOUTH 30 FEET OF TRACT 6, LYING BETWEEN EAST MERCER WAY AND THE FOREGOING DESCRIBED STRIP OF LAND;

TOGETHER WITH AN EASEMENT FOR ROAD PURPOSES OVER THE FOLLOWING:

BEGINNING AT THE NORTHWEST CORNER OF THE FIRST DESCRIBED MAIN TRACT;
THENCE SOUTH 0 DEGREES 43'30" EAST 20 FEET TO THE TRUE POINT OF THE BEGINNING;
THENCE SOUTH 89 DEGREES 16'30" WEST TO THE SOUTHWESTERLY LINE OF THE ABOVE DESCRIBED EASEMENT;
THENCE SOUTH 50 DEGREES 53'10" WEST ALONG SAID SOUTHEASTERLY LINE TO THE SOUTH LINE OF THE NORTH 22.12 FEET OF TRACT 6 IN SAID PLAT;
THENCE NORTH 89 DEGREES 16'30" EAST ALONG SAID LINE 290.26 TO A POINT WHICH THE TRUE POINT OF BEGINNING BEARS NORTH 0 DEGREES 43'30" WEST;
THENCE NORTH 0 DEGREES 43'30" WEST TO THE TRUE POINT OF BEGINNING.

Exhibit C

Aerial Photograph of the Dock



COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercerisland.gov/cpd



DETERMINATION OF NON-SIGNIFICANCE (DNS)

Application Nos.: SEP23-010

Description of proposal: Review under the State Environmental Policy Act (SEPA) for the construction of a new 552 square foot, fully grated private single-family pier and relocation of an existing boatlift.

Proponent: Troy Hussing (Ecco Design, Inc.) / O'Neil Generation Trust

Location of proposal: 4452 Ferncroft Rd, Mercer Island, WA 98040

Lead agency: City of Mercer Island

Project Documents: <https://mieplan.mercergov.org/public/SHL23-025 & SEP23-010/>

Possible critical area and shoreline impacts are addressed by Mercer Island City Code Chapter 19.07. In addition, the proposed dock must comply with the City's Shoreline Master Program (MICC 19.07.110). Based on review of the proposal and applicable City code sections, the lead agency for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment that is not addressed by the aforementioned code sections. 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.

<input type="checkbox"/>	There is no comment period for this DNS.
<input checked="" type="checkbox"/>	This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
<input type="checkbox"/>	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 NA <u>at 5:00 pm.</u>

Responsible Official: Molly McGuire, Planner
molly.mcguire@mercerisland.gov | (206) 275-7712

Date: October 30, 2023 Signature: /s/ Molly McGuire, Planner

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.

<input checked="" type="checkbox"/>	Any party of record may appeal this determination to the City Clerk at 9611 SE 36 th Street, Mercer Island, WA 98040 no later than 5pm on November 14, 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.
<input type="checkbox"/>	There is no agency appeal.

<input type="checkbox"/>	<p>Any person aggrieved by the issuance of this decision may seek review from the Shorelines Hearings Board by filing a petition for review within twenty-one days from the date of filing of the decision as defined in RCW 90.58.140(6).</p> <p>Within seven days of the filing of any petition for review with the Board, the petitioner shall serve copies of the petition on the Washington State Department of Ecology, the Office of the Attorney General, and the City of Mercer Island.</p> <p>More information on this process can be found on the Shoreline Hearing Board's website: http://www.eho.wa.gov/ or by calling (360) 664-9160.</p>
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