



MARINE RESTORATION & CONSTRUCTION LLC

P.O. Box 208
Fall City, WA 98024
Phone: (425) 576-8661

May 18, 2023

To: City of Mercer Island
Attn: Molly McGuire
9611 SE 36th Street
Mercer Island, WA 98040

Property Owner: Mr. Kevin Dallas
4403 Forest Ave SE
Mercer Island, WA 98040

Permitting Agent: Marine Restoration & Construction LLC
ATTN: Becky Henderson
PO Box 208
Fall City, WA 98027

Re: ***SHL23-028; 4403 Forest Ave SE***

Dear Molly,

We are providing information regarding the above referenced permit. We are hoping to, in this response, provide a path for next steps which in itself addresses the responses we've received from you. Further, if it raises more questions, we can use it for additional revisions.

Per MICC 19.15.210(B) - If development inconsistent with the purposes and requirements of this title has occurred on a development proposal site without prior city approval, the city shall not issue any land use review approvals for the development proposal site **unless the land use review approval requires that the restoration of the site to a state that complies with the purposes and requirements of this title be addressed.**

In order to address MICC 19.15.210(B), we would like permission to propose that we bring the site up to compliance with the original intended permit by placing a boatlift in the original permit location. This will be adhered to upon obtaining permission through our land use review process. A boatlift will be placed after July 16th when the in-water work window is open in the approved location. The location of the lift placed at this time will be 35' 1" from the adjacent property line and much further from any adjacent structure.

Please see the following statement we provide to answer, "*Provide existing permit for the jet-ski lift, or include the jet-ski lift in the scope of work to retroactively permit via a shoreline exemption or shoreline substantial development permit.*", from your email dated May 3, 2023.

We would like to proceed with retroactively permitting the jet-ski lift via a shoreline exemption. This is categorically exempt WAC 173-27-040(2)(a).

WAC 173-27-040(2)(a): Any development of which the total cost or fair market value, whichever is higher, does not exceed five thousand dollars, if such development does not materially interfere with the normal public use of the water or shorelines of the state. The dollar threshold established in this subsection must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2007, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any

calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the Bureau of Labor and Statistics, United States Department of Labor. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the *Washington State Register* at least one month before the new dollar threshold is to take effect. For purposes of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on shorelines of the state as defined in RCW 90.58.030 (2)(c). The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials;

The value of the proposed jet-ski lift is \$2500.00.

Please get back to us as soon as possible with your questions or comments and let us know if we may proceed in this manner. Thank you for your patience and direction in working with us on this project. We really appreciate it.

Respectfully,

Becky Henderson and Jessica Miller
Marine Restoration & Construction LLC
(206) 571-5993