



## **Shoreline Exemption Project Narrative**

### **Sewer Generator Replacement – PS 25**

#### **BACKGROUND**

Each pump station on the island is equipped with its own emergency standby generator. These generators provide backup power should utility power be disrupted. These generators, along with their associated transfer switches and electrical panels, are typically located within a short vicinity of the station itself, and are mounted on an above ground pad, or below ground vault. The generator at pump stations 23 is beyond its useful life of 25-30 years. Once this replacement is completed, the current replacement cycle for all pump stations will be completed. This program will begin again in 2028 to fund one generator replacement per year.

This memo and associated documentation have been prepared to demonstrate the project's compliance with the shoreline exemption requirements.

#### **PROJECT INFORMATION**

Mercer Island Public Works proposes to upgrade pump station generator at Pump Station 25, located at 4266 E Mercer Way (Refer to PS 25 Generator Plans). The project area includes the pump station and associated emergency generator, as well as the immediately adjacent areas. The pump station generator and pump station are located within easements Mercerwood Shore Club lower parking lot/play structure above Lake Washington. Interior work (within the underground vaults) at the pump station generator includes like for like replacement of the existing generator. Exterior work (above ground) for the generator includes installation of fuel tank ventilation and ventilation pipe support as required by current National Fire Protection Agency (NFPA) codes, and replacement and relocation of the existing automatic transfer switch (ATS), manual transfer switch (MTS), and associated electrical equipment to the existing electrical pedestal adjacent to the pump station to comply with current National Electric Code (NEC) requirements.

Upgrades to the emergency generator are designed to not expand beyond the existing station footprint and are considered repair, maintenance, reconstruction and replacement of existing public utility structures under MICC 19.07.120(E)(2). More specifically, the project replaces existing generator which has reached the end of its service life, with today's industry accepted equivalent while meeting current regulations and maintaining the same level of service and sewage pumping capacities. All repair and maintenance activities at the the emergency back-up generator, and any associated appurtenances are landward of the Ordinary High Water Mark (OHWM).

#### **SHORELINE EXEMPTION REQUEST**

The project is subject to compliance with criteria for developments exempt from substantial development permits (MICC 19.13; WAC 173--27-040) and standards and requirements included in MICC 19.13.050(A) - Table C, and MICC 19.13.050(K)(2). Compliance with these rules and standards is described below.

Pump Station 25 is located within 200 feet of Lake Washington's OHWM, placing the project within the shoreline jurisdiction and subject to the regulations defined in the City of Mercer Island's shoreline code (MICC 19.13).

This project qualifies for a shoreline exemption under WAC 173-27-040(2)(b) which states:

*(2) The following developments shall not require substantial development permits:*

*(b) Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment.*

To maintain the pump station as part of a functioning system, it is necessary to replace the emergency standby generator. The addition of above ground fuel tank ventilation and relocation of ATS, MTS to a new above ground service panel is a direct result of updated NFPA and NEC requirements. The repair is critical to maintain the existing level of service for the sewer utility. No buildings or other structures are being expanded as part of these upgrades.

The project is subject to shoreline development standards included in MICC 19.13.050(A) - Table C, Setbacks for All Structures (Including Fences over 48 Inches High) and Parking (a) 25 feet from the OHWM and all required setbacks of the development code.

No portions of pump station 25 is located within 25 feet of the OHWM. No proposed replacements or upgrades will result in non-conformity.

The project is subject to general requirements outlined in MICC 19.13.050(K)(2) for utilities on shorelines.

*i. Utilities shall be placed underground and in common rights-of-way wherever economically and technically practical.*

Sewer pump station 25 and its emergency standby generator already exist. The work under this project performs necessary in-kind replacement of the generator. No new utilities are being constructed as part of this project.

*ii. Shoreline public access shall be encouraged on publicly owned utility rights-of-way, when such access will not unduly interfere with utility operations or endanger public health and safety. Utility easements on private property will not be used for public access, unless otherwise provided for in such easement.*

The project does not change the location or access characteristics of shoreline public access where it currently exists.

*iii. Restoration of the site is required upon completion of utility installation.*

One tree requires removal to accommodate construction. In addition, the existing horizontal ladder play structure may require removal/reinstallation. The grassy area between the parking lot, the pump station, the sandy play area, and lake Washington may be impacted. Restoration of this area will be required.

#### **DEVELOPMENT APPLICATION SHEET**

Attached.

#### **TITLE REPORT**

Attached. Title Report is dated April 6, 2023. Request that the requirement for Title Report not less than 30 days old be waived.

#### **DEVELOPMENT PLAN SET**

Attached.

Request certain items in the Site Plan be waived and have all of the Landscaping Plans waived, due to location and nature of the work to existing facilities.

#### **CRITICAL AREAS STUDY**

This project is exempt from this section and does not require review for compliance under MICC 19.07.120 (E)(2), which says.

*Activities listed as exempt in this section do not require review for compliance with this chapter, provided they are otherwise consistent with the provisions of other city, state, and federal laws and requirements.*

*E. The following activities are exempt from city review and approval but must comply with the standards of this chapter:*

*2. Repair and maintenance of existing utility facilities. Repair, maintenance, reconstruction and replacement of public utility structures and conveyance systems and their associated facilities, including but not limited to service lines, pipes, mains, poles, equipment and appurtenances, both above and below ground.*

This project by definition performs replacement of generator and SCADA system equipment within the pump station and associated standby generator. Replacement of this associated equipment requires the installation new equipment (fuel tank ventilation, control panel, instruments, go/no-go panel, associated wiring, and communication antenna), to meet industry standards and applicable codes. There is no expansion of use, capacity, or footprint as a result of this project. No new utilities will be constructed as a result of this project. This activity is therefore exempt from city critical area review and approval.

#### **ARBORIST REPORT**

See arborist notes

#### **SEPA CHECKLIST**

This project is categorically exempt from SEPA under WAC 197-11-800 (3), which states:

*(3) Repair, remodeling and maintenance activities. The following activities shall be categorically exempt: The repair, remodeling, maintenance, or minor alteration of existing private or public structures, facilities or equipment, including utilities, recreation, and transportation facilities involving no material expansions or changes in use beyond that previously existing; except that, where undertaken wholly or in part on lands covered by water, only minor repair or replacement of structures may be exempt (examples include repair or replacement of piling, ramps, floats, or mooring buoys, or minor repair, alteration, or maintenance of docks).*