

5/21/24

**PROJECT and  
CRITERIA  
COMPLIANCE  
NARRATIVE**

**Project Description:**

The proposed project involves the installation of a new block retaining wall along the waterfront edge of the property to create a flat, graded surface. A safety railing will be installed above the new retaining wall. The retaining wall will not cross over easement areas; breaks will be maintained at all easement sections in accordance with site restrictions.

The project site is developed with a 4,810 square foot single-family residence that includes a deck and an existing stairway leading down to the waterfront and dock area. All proposed work will occur landward of the Ordinary High Water Mark (OHWM). No work will take place waterward of the OHWM.

Above the existing rockery wall, a new block retaining wall will be constructed to help level the area. No trees will be removed as part of this project.

**Critical Areas:**

The property is located adjacent to the shoreline and is subject to a Critical Area Review (Category 2). The proposed work complies with MICC Title 19 requirements for shoreline and critical area development.

**Shoreline Exemption Justification:**

This project qualifies for a shoreline exemption under **WAC 173-27-040(2)(g)**, which exempts the construction of a normal protective bulkhead common to single-family residences. The retaining wall is necessary to stabilize the upland area and maintain usable yard space, and it does not extend waterward of the OHWM.

The applicant requests a shoreline exemption under WAC 173 27 040 (2)(g) as a normal appurtenance to an existing single family residence. The work occurs entirely landward of the ordinary high water mark and outside wetlands. The project consists of a low modular block retaining wall and limited grading to create a safe pedestrian connection to the existing dock. Estimated earthwork is well below two hundred fifty cubic yards. This narrative and the plan set together demonstrate consistency with the Shoreline Management Act and the Mercer Island Shoreline Master Program. The exemption criteria in WAC 173 27 040 subsection 2(g) define a normal appurtenance as necessarily connected to the use and enjoyment of a single family residence and located landward of the ordinary high water mark and the perimeter of any wetland. On a statewide basis normal appurtenances include grading that does not exceed two hundred



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fifty cubic yards and that does not place fill waterward of the ordinary high water mark or in wetlands. The proposed work meets these conditions.

City staff has confirmed that SEPA review, JARPA, a No net loss report, and a Sewer Lake Line Affidavit are not required for this scope.

The existing Critical Areas Study is already covered under the City's Critical Areas permit CAO24 015 for 7905 W Mercer Way.

Please approve the proposal as a shoreline exemption under WAC 173 27 040(2)(g) based on the facts summarized above and the attached plans.