
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.:	SHL22-002
Description:	Shoreline Substantial Development Permit for the construction of a 786 square foot extension with grated decking to an existing dock, installation of 18 new 8" steel piles, permitting an existing personal watercraft (PWC) lift, and installation of a new platform lift, boat lift, and dual PWC lift.
Applicant / Owner:	Madison Johnson (Seaborn Pile Driving) / Melina Lin
Site Address:	8630 N Mercer Way, Mercer Island, WA 98040; Identified by King County Assessor tax parcel number 810610-0105.
Zoning District:	Single Family Residential (R-15)
Staff Contact:	Molly McGuire, Planner
Exhibits:	<ol style="list-style-type: none">1. Development Application dated February 15, 20222. Development Plan Set dated August 25, 20223. Ecological No Net Loss Assessment Report, dated November 20214. Public comment response letter dated April 14, 20225. Applicant response to public comment letter dated June 10, 20226. Previous permit approvals, including VAR8104-0017. SEPA Checklist dated February 14, 20228. SEPA Determination of Nonsignificance issued by the City of Mercer Island on August 26, 2022

INTRODUCTION

I. Project Description

The applicant has requested approval of a Shoreline Substantial Development Permit for the construction of a 786 square foot extension with grated decking to an existing dock, installation of 18 new 8" steel piles, permitting an existing personal watercraft (PWC) lift, and installation of a new platform lift, boat lift, and dual PWC lift.

This application consists of the following components:

1. A request for an extension with 18 8-inch piles and grated decking material to an existing dock. Applications for development involving additions to moorage facilities are subject to the development standards of Mercer Island City Code (MICC) 19.13.050(F)(3).
2. A request to permit an existing, unpermitted PWC lift. Applications for development involving additions to moorage facilities, including boatlifts and PWC lifts, are subject to the development standards of MICC 19.13.050(F)(3).
3. A request for the installation of a new platform lift, boat lift, and dual PWC lift. Applications for development involving additions to moorage facilities, including boatlifts and PWC lifts, are subject to the development standards of MICC 19.13.050(F)(3).

II. Site Description and Context

1. The proposed activity is to occur at 8630 W Mercer Way, Mercer Island, WA 98040. This 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 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 February 15, 2022. The application was determined to be complete on March 14, 2022.
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 March 21, 2022 to April 22, 2022. 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 8). The SEPA application is identified by City of Mercer Island project number SEP22-003.

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. 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 proposed dock extension, dual PWC lift, platform lift, and boatlift would be located more than 10 feet from the lateral lines. The existing dock and covered moorage are located less than 10 feet from the northern lateral line. This portion of the dock was permitted in 1981 by VAR8104-001 and is legally nonconforming. No work is proposed to be done on this portion of the dock (Exhibit 2); therefore, this standard is met.

- b. 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: This site does not contain a boat ramp or other facility for launching boats; therefore, this standard does not apply.

- c. 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 pier would extend approximately 150 feet from the OHWM. The water depth is less than 11.85 feet for the extent of the pier; therefore, the additional 50 feet past 100 feet from the OHWM is allowed (Exhibit 2). This standard is met.

- d. 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 dock extension will not be located within the first 30 feet waterward from the OHWM (Exhibit 2); therefore, this standard does not apply to the proposed scope of work. The existing dock is legally nonconforming as it was previously permitted in 1981 by VAR8104-001. No work is proposed on the existing dock.

- e. 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 dock extension is 5 feet 10 inches wide more than 30 feet waterward from the OHWM (Exhibit 2); therefore, this standard is met. The existing dock is

legally nonconforming as it was previously permitted in 1981 by VAR8140-001. No work is proposed on the existing dock.

- f. 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 dock does not include walls, rails, or storage containers; therefore, this standard does not apply.

- g. 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 project does not include mooring piles, diving boards or diving platforms; therefore, this standard does not apply.

- h. The minimum water frontage for a private dock used by a single-family lot on the shoreline is 40 feet.

Staff Analysis: The proposed dock extension is located on a lot with greater than 40 feet of water frontage (Exhibit 2); therefore, this standard is met.

- i. 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).

Staff Analysis: The proposed scope of work does not include covered moorage; therefore, this standard does not apply. The existing covered moorage is legally nonconforming as it was previously permitted in 1981 by VAR8104-001. No work is proposed to the existing covered moorage.

- ii. Location/area requirements: See MICC 19.13.050(E), Figure A for single-family lots and Figure B for shared moorage.

Staff Analysis: The proposed scope of work does not include covered moorage; therefore, this standard does not apply. The existing covered moorage is legally nonconforming as it was previously permitted in 1981 by VAR8104-001. No work is proposed to the existing covered moorage.

- iii. 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.

Staff Analysis: The proposed scope of work does not include covered moorage; therefore, this standard does not apply. The existing covered moorage is legally nonconforming as it was previously permitted in 1981 by VAR8104-001. No work is proposed to the existing covered moorage.

- iv. Covered moorage shall have open sides.

Staff Analysis: The proposed scope of work does not include covered moorage; therefore, this standard does not apply. The existing covered moorage is legally nonconforming as it was previously permitted in 1981 by VAR8104-001. No work is proposed to the existing covered moorage.

- v. Prohibited in semi-private recreational tracts and noncommercial recreational areas.

Staff Analysis: The proposed scope of work does not include covered moorage; therefore, this standard does not apply. The existing covered moorage is legally nonconforming as it was previously permitted in 1981 by VAR8104-001. No work is proposed to the existing covered moorage.

- vi. Translucent coverings are required.

Staff Analysis: The proposed scope of work does not include covered moorage; therefore, this standard does not apply. The existing covered moorage is legally nonconforming as it was previously permitted in 1981 by VAR8104-001. No work is proposed to the existing covered moorage.

- 3. MICC 19.13.050(F). 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 project be reviewed under MICC 19.13.050(F)(3) Alternative development standards.

MICC 19.13.050(F)(3) lists development standards for moorage facilities not in compliance 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 shall be met:

- i. 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; therefore, this standard will be met.
- ii. The maximum width must comply with the width of moorage facilities standards specified in subsection D of this section (Table D).
Staff Analysis: Finding of Fact 1.e. finds that the proposed dock extension complies with the width of moorage facilities standards; therefore, this standard is met.
- iii. 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; therefore, this standard will be met.
- iv. 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 has submitted an Ecological No Net Loss Assessment Report, prepared by Northwest Environmental Consulting, LLC (Exhibit 3) demonstrating that the proposed project will not create a net loss of ecological function of the shorelands; therefore, this standard is met.
- v. 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; 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. 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 SHL22-002, 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 26th day of August, 2022

Molly McGuire

Molly McGuire

Planner

Community Planning & Development

City of Mercer Island

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COMMUNITY PLANNING & DEVELOPMENT

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CITY USE ONLY

PROJECT#	RECEIPT #	FEE


Date Received:

Received By:

DEVELOPMENT APPLICATION

STREET ADDRESS/LOCATION 8630 N Mercer Way		ZONE R-15
COUNTY ASSESSOR PARCEL #'S 810610-0105		PARCEL SIZE (SQ. FT.) 21,300
PROPERTY OWNER (required) Melina Lin	ADDRESS (required) 8630 N Mercer Way	CELL/OFFICE (required) 206-686-9886 E-MAIL (required) melinalin48gmail.com
PROJECT CONTACT NAME Madison Johnson - Seaborn Pile Driving	ADDRESS 1080 W Ewing St. Bldg B. Seattle, WA 98119	CELL/OFFICE 206.263.1700 E-MAIL permits@seabornpiledriving.com
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.


SIGNATURE

2/14/2022
DATE

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL (PLEASE USE ADDITIONAL PAPER IF NEEDED):

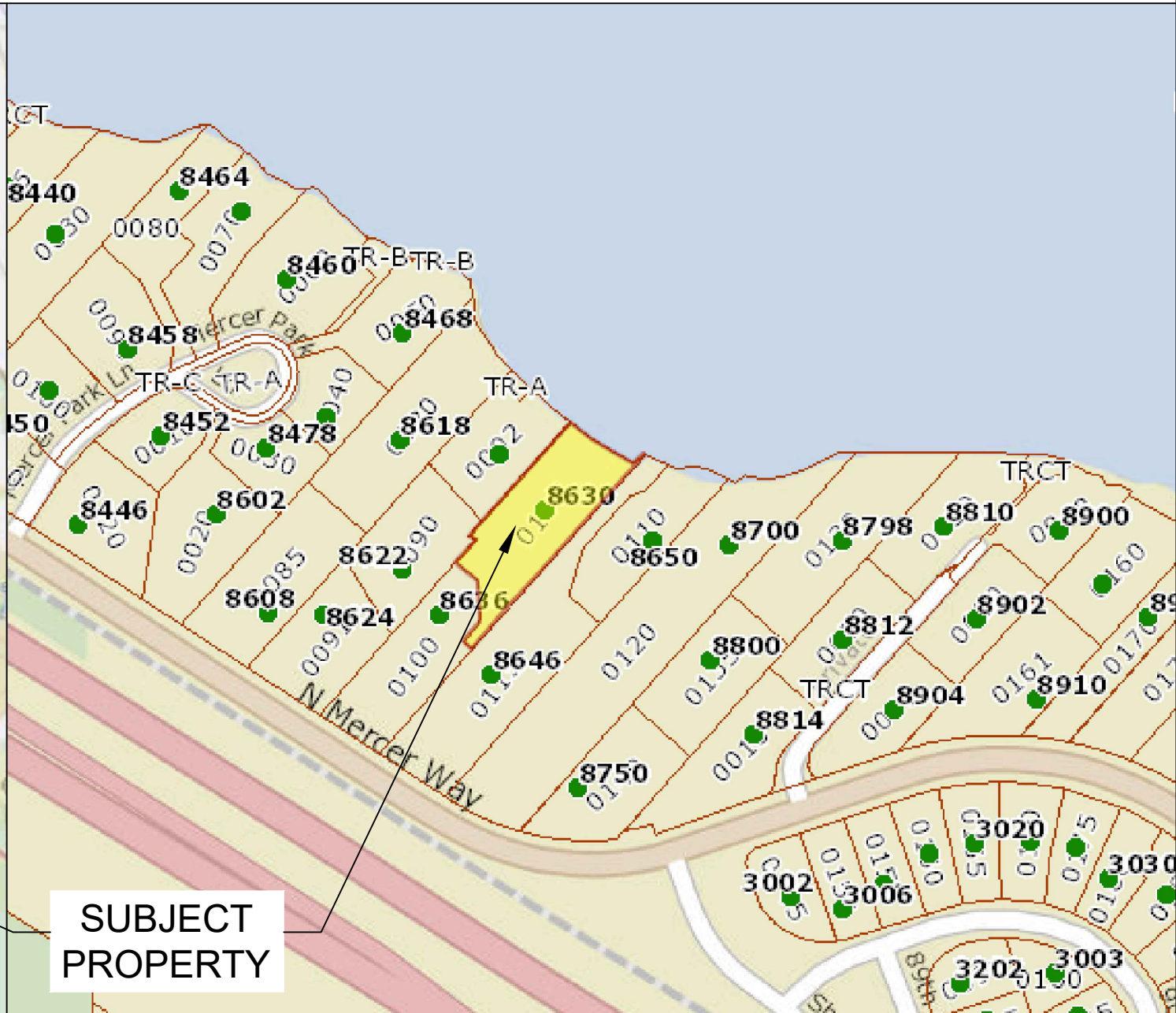
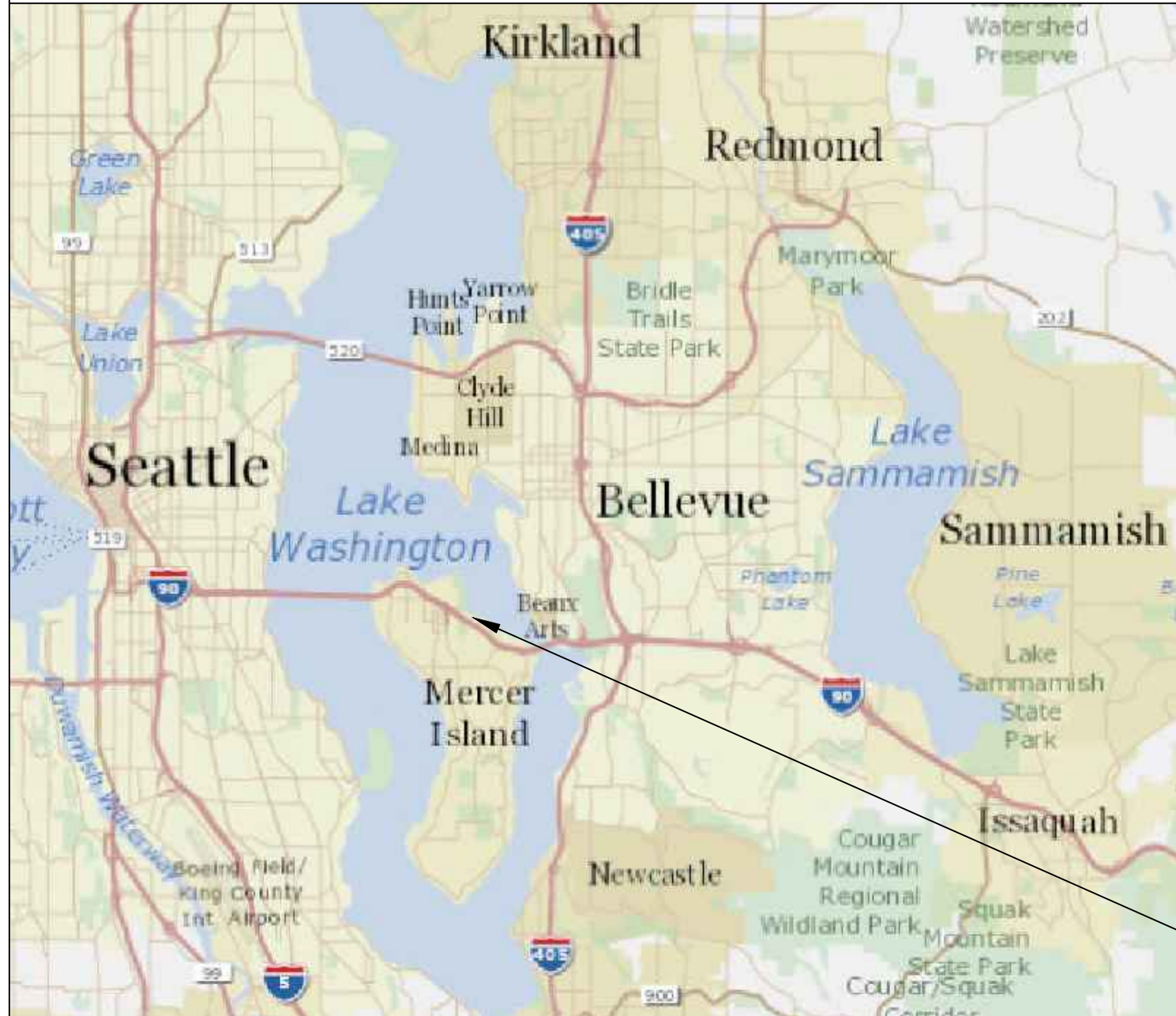
We propose to install (20) new 8" steel piles, permit (1) existing PWC lift, a walkway & extension with grated decking material. We will also install a platform lift, a boat lift and a dual jetski lift.

ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

CHECK TYPE OF LAND USE APPROVAL REQUESTED:

APPEALS	DEVIATIONS	SUBDIVISION SHORT PLAT
<input type="checkbox"/> Building	<input type="checkbox"/> Changes to Antenna requirements	<input type="checkbox"/> Short Plat- Two Lots
<input type="checkbox"/> Code Interpretation	<input type="checkbox"/> Changes to Open Space	<input type="checkbox"/> Short Plat- Three Lots
<input type="checkbox"/> Land use	<input type="checkbox"/> Shoreline	<input type="checkbox"/> Short Plat- Four Lots
<input type="checkbox"/> Right-of-Way Use	<input type="checkbox"/> Seasonal Development Limitation Waiver	<input type="checkbox"/> Short Plat- Deviation of Acreage Limitation
CRITICAL AREAS	ENVIRONMENTAL REVIEW (SEPA)	OTHER LAND USE
<input type="checkbox"/> Critical Area Review 1 (Hourly Rate 2hr Min)	<input checked="" type="checkbox"/> SEPA Review (checklist)- Minor	<input type="checkbox"/> Short Plat- Amendment
<input type="checkbox"/> Critical Area Review 2 (Determination)	<input type="checkbox"/> SEPA review (checklist)- Major	<input type="checkbox"/> Short Plat- Final Plat
<input type="checkbox"/> Reasonable Use Exception	<input type="checkbox"/> Environmental Impact Statement	OTHER LAND USE
DESIGN REVIEW	SHORELINE MANAGEMENT	<input type="checkbox"/> Accessory Dwelling Unit
<input type="checkbox"/> Pre Design Meeting	<input type="checkbox"/> Exemption	<input type="checkbox"/> Code Interpretation Request
<input type="checkbox"/> Design Review (Code Official)	<input type="checkbox"/> Permit Revision	<input type="checkbox"/> Comprehensive Plan Amendment (CPA)
<input type="checkbox"/> Design Commission Study Session	<input type="checkbox"/> Shoreline Variance	<input type="checkbox"/> Conditional Use (CUP)
<input type="checkbox"/> Design Review- Design Commission- Exterior Alteration	<input type="checkbox"/> Shoreline Conditional Use Permit	<input type="checkbox"/> Lot Line Revision
<input type="checkbox"/> Design Review- Design Commission- New Building	<input checked="" type="checkbox"/> Substantial Development Permit	<input type="checkbox"/> Noise Exception
WIRELESS COMMUNICATION FACILITIES	SUBDIVISION LONG PLAT	<input type="checkbox"/> Reclassification of Property (Rezoning)
<input type="checkbox"/> Wireless Communications Facilities- 6409 Exemption	<input type="checkbox"/> Long Plat- Preliminary	<input type="checkbox"/> Transportation Concurrency (see supplemental application form)
<input type="checkbox"/> New Wireless Communication Facility	<input type="checkbox"/> Long Plat- Alteration	<input type="checkbox"/> Planning Services (not associated with a permit or review)
	<input type="checkbox"/> Long Plat- Final Plat	<input type="checkbox"/> Zoning Code Text Amendment
	VARIANCES (Plus Hearing Examiner Fee)	<input type="checkbox"/> Request for letter
	<input type="checkbox"/> Variance	

SITE PLAN



Pin: 8106100105
 Legal Description: SUNNY BANK ADD POR SLY & ELY OF LN BEG ON SELY LN THOF 179.96 FT NELY FR SE COR TH N 48-30 W 14.51 FT TH N 41-30 E 25.01 FT TH ON CRV LFT RAD 22 FT C/A 46-23-27 DIST 17.81 FT TH N 04-53-27 W 41.19 FT TH N 48-30 W 36.84 FT TH N 41-30 E 39.33 FT TH N 57-08-50 W 10.11 FT TH N 41-30 E TO SH LN OF LAKE TGW SH LD ADJ AKA PARCEL B MI BLA #83-05-17 REC NO 8309159010

Parcel A: LOT B, AS DESCRIBED IN CITY OF MERCER ISLAND SUBDIVISION RECORDING NO. 7812180972 AND AS DELINEATED ON SURVEY THEREOF, RECORDED UNDER RECORDING NO. 7911309020, AS REVISED UNDER RECORDING NO. 8309159010, BEING A SUBDIVISION OF TRACT 10, SUNNYBANK, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 29 OF PLATS, PAGE 31 IN KING COUNTY, WASHINGTON; TOGETHER WITH THE SHORELANDS OF THE SECOND CLASS ADJOINING AND LYING BETWEEN THE NORTHEASTERLY PROJECTIONS OF THE SIDELINES OF SAID TRACT.

Plat Block:
 Plat Lot: 10
 LAT: 47.58493 LONG: -122.22153



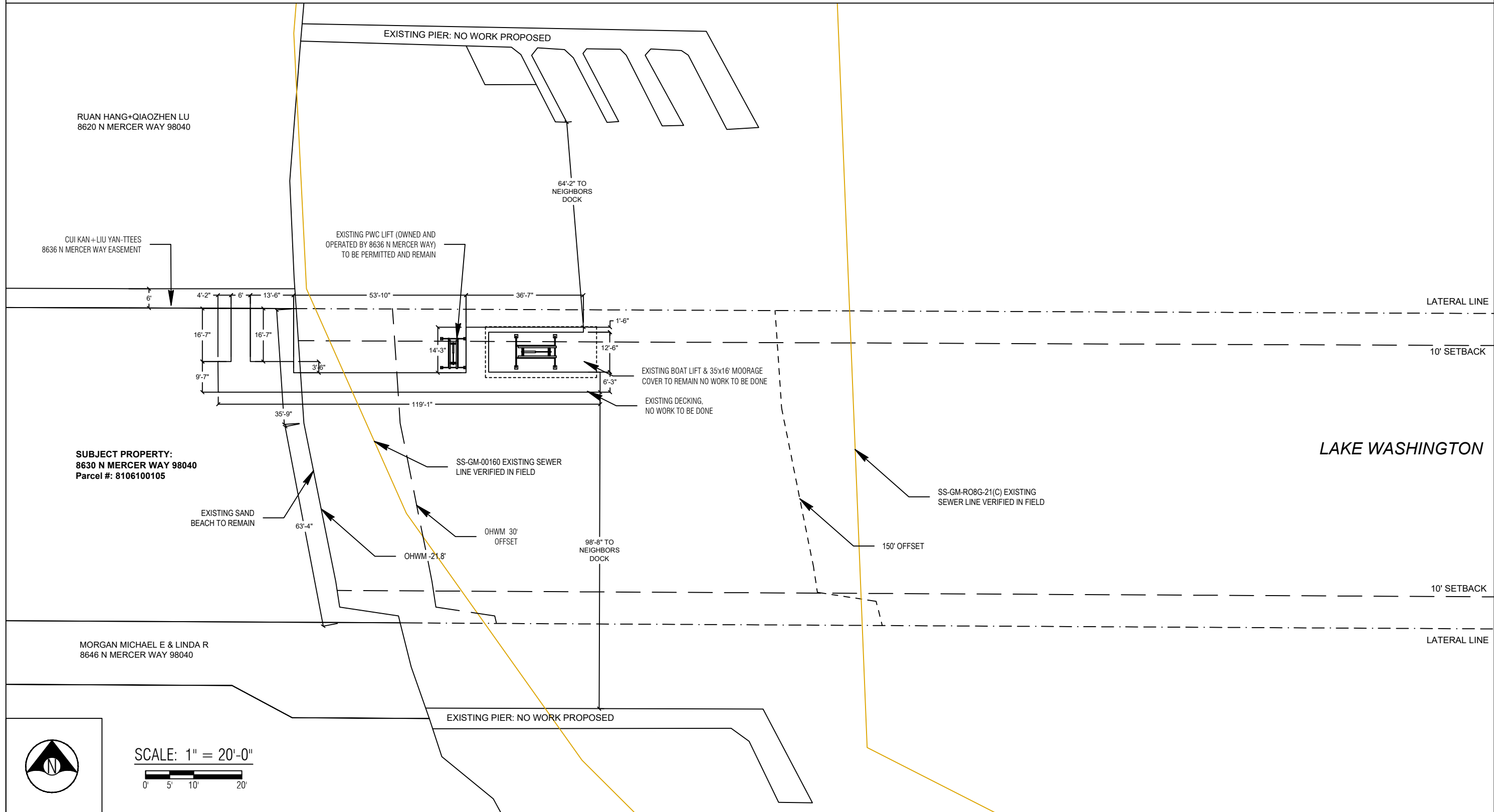
Seaborn Pile Driving
 1080 W Ewing St
 Seattle, WA 98119
 Office: 206-236-1700 ext. 3
 www.seabornpiledriving.com

Scope of Work: We propose to install (18) new 8" steel piles, permit (1) existing PWC lift, a walkway & extension with grated decking material. We will also install a platform lift, a boat lift and a dual jetski lift.

County: King County
 Location: Lake Washington
 Applicant: Lin Residence
 8630 N. Mercer Way
 Mercer Island, WA 98040
 Datum: CORPS OF ENGINEERS 1919
 NW Quarter Of Section 07, Township 24, Range 05
 Adjacent Owners:
 RUAN HANG+QIAOZHEN LU
 8620 N MERCER WAY 98040
 MORGAN MICHAEL E & LINDA R
 8646 N MERCER WAY 98040
 SHEET
A1.0
 NWS-2021-XXX
 PAGE 1 OF 12
 Created: 05-26-2021
 Last Updated: 8/25/2022 3:11 PM Zion

EXISTING CONDITIONS

****CLEAN UP LAKE AROUND PROJECT****



SCALE: 1" = 20'-0"
 0' 5' 10' 20'



Seaborn Pile Driving
 1080 W Ewing St
 Seattle, WA 98119

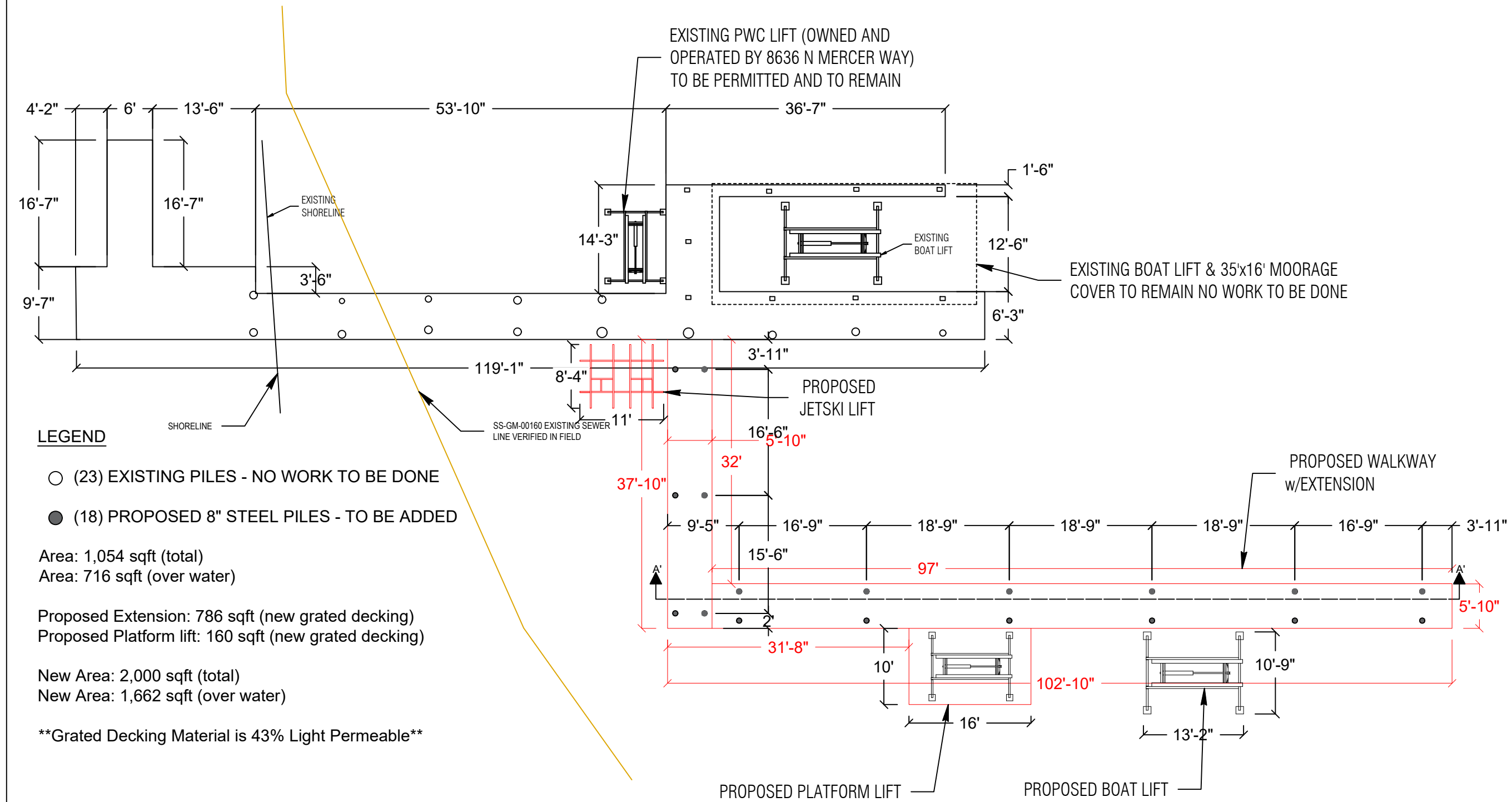
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 Created: 05-26-2021
 Last Updated: 8/25/2022 3:11 PM Zion

**SHEET
 A2.0**

PIER DETAILS - EXISTING/PROPOSED



PLAN VIEW



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

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Adjacent Owners:
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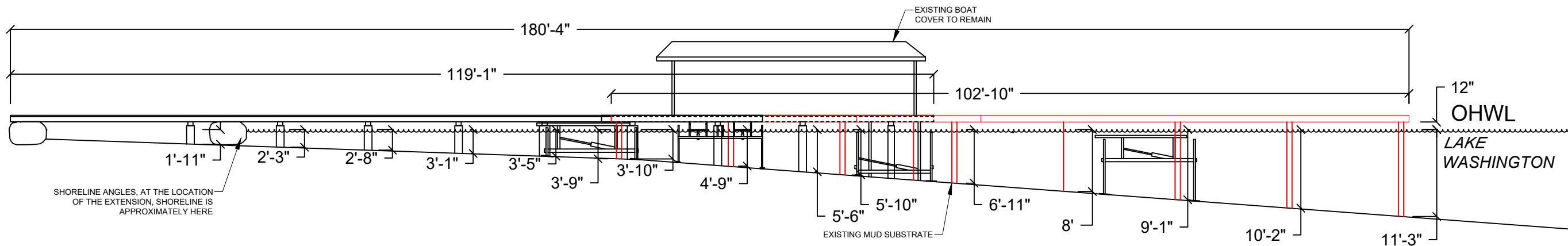
RUAN HANG+QIAOZHEN LU
8620 N MERCER WAY 98040

Last Updated: 8/25/2022 3:11 PM Zion
Created: 05-26-2021

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NWS-2021-XXX
PAGE 4 OF 12

PIER DETAILS EXISTING/PROPOSED



SECTION VIEW: A'-A'



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

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NW Quarter Of Section 07, Township 24, Range 05

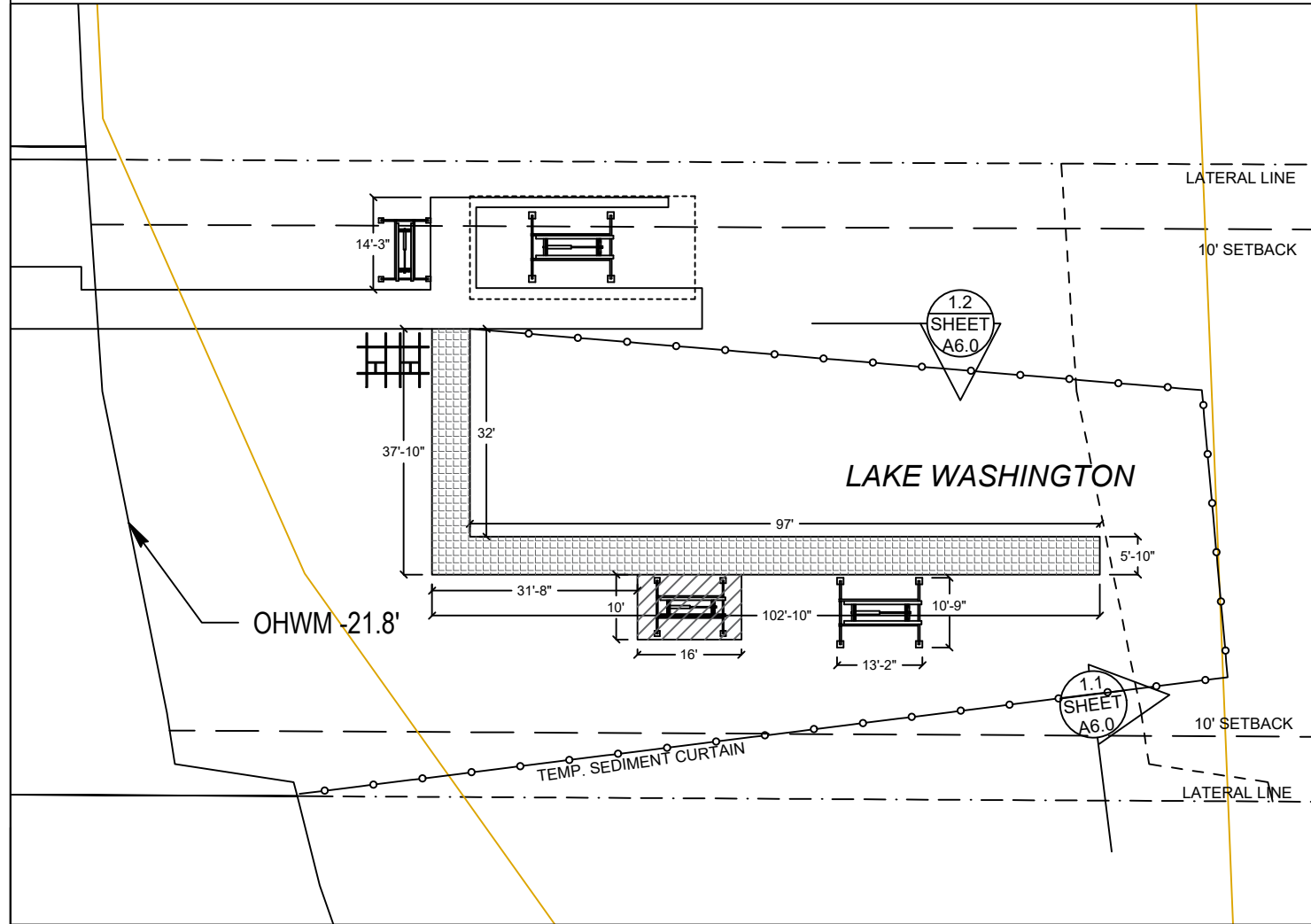
Adjacent Owners:
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RUAN HANG+QIAOZHEN LU
8620 N MERCER WAY 98040

Created: 05-26-2021
Last Updated: 8/25/2022 3:11 PM Zion

SHEET
A5.0

BMP INFORMATION

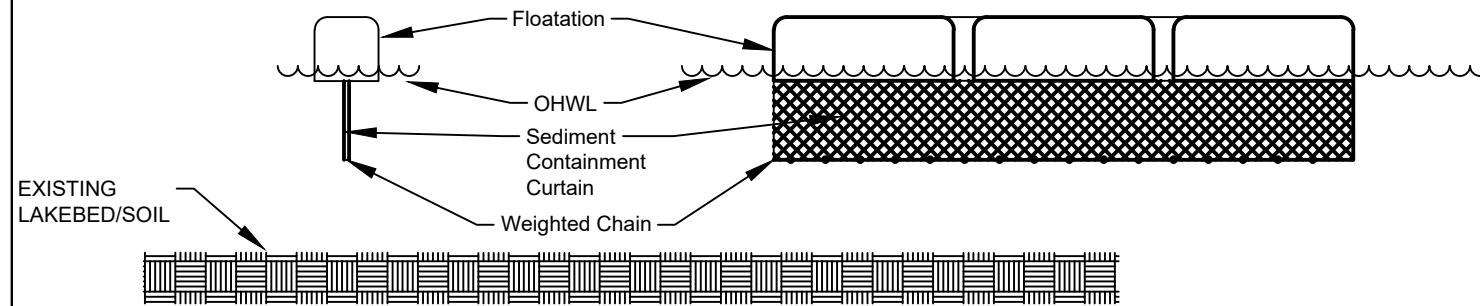


BMP NOTES:

- A. Constant vigilance shall be kept for the presence of protected fish species during all aspects of the proposed action, particularly during in-water activities such as vessel movement, deployment of anchors & spuds, pile driving, dredging, and placement of gravels and other fill.
1. The project manager shall designate an appropriate number of competent observers to survey the project site and adjacent areas for protected species, including the presence of fish as conditions allow.
 2. Visual surveys shall be made prior to the start of work each day, and prior to resumption of work following any break of more than an hour. Periodic additional visual surveys throughout the work day are strongly recommended.
 3. All in-water work shall be done during the in-water work window for the waterbody. Where there is a difference between the USCOE and WDFW work windows, the overlap of the two shall apply.
 4. All pile driving and extraction shall be postponed or halted when obvious aggregations or schooling of fish are observed within 50 yards of that work, and shall only begin/resume after the animals have voluntarily departed the area.
 5. When piloting vessels, vessel operators shall operate at speeds and power settings to avoid grounding vessels, and minimize substrate scour and mobilization of bottom sediments.
- B. No contamination of the marine environment shall result from project-related activities.
1. Appropriate materials to contain and clean potential spills shall be stored and readily available at the work site and/or aboard project-related vessels.
 2. The project manager and heavy equipment operators shall perform daily pre-work equipment inspections for cleanliness and leaks. All heavy equipment operations shall be postponed or halted should a leak be detected, and shall not proceed until the leak is repaired and the equipment is cleaned.
 3. To the greatest extent practicable, utilize biodegradable oils for equipment that would be operated in or near water.
 4. Fueling of land-based vehicles and equipment shall take place at least 50 feet away from the water, preferably over an impervious surface. Fueling of vessels shall be done at approved fueling facilities.
 5. Turbidity and siltation from project-related work shall be minimized and contained through the appropriate use of erosion control practices, effective silt containment devices, and the curtailment of work during adverse weather and tidal/flow conditions.
 6. All wastes shall be collected and contained for proper disposal at approved upland disposal sites appropriate for the material(s).
 7. When removing piles and other similarly treated wood, containment booms must fully enclose the work area. Wood debris, oils, and any other materials released into lake waters must be collected, removed, and properly disposed of at approved disposal sites.
 8. All in- and over-water wood cutting would be limited to the minimum required to remove the subject wood component, and all cutting work should be enclosed within floating containment booms.
 9. When removing piles, no actions shall be taken that would cause adhering sediments to return to lake waters.
 10. Above-water containment shall be installed around removed piles to prevent sediment laden waters from returning to lake waters.
 11. Construction staging (including stocking of materials, etc.) will occur on the supply barge.
 12. All Exposed wood to be used on the project will be treated with a cheminite treatment.

DETAIL 1.1

DETAIL 1.2



DETAIL 1.1 & 1.2



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work: We propose to install (18) new 8" steel piles, permit (1) existing PWC lift, a walkway & extension with grated decking material. We will also install a platform lift, a boat lift and a dual jetski lift.

County: King County
Location: Lake Washington

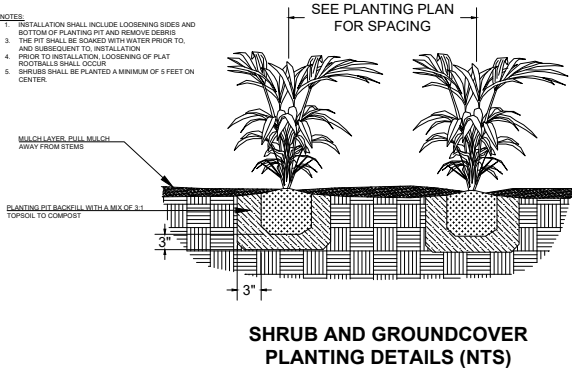
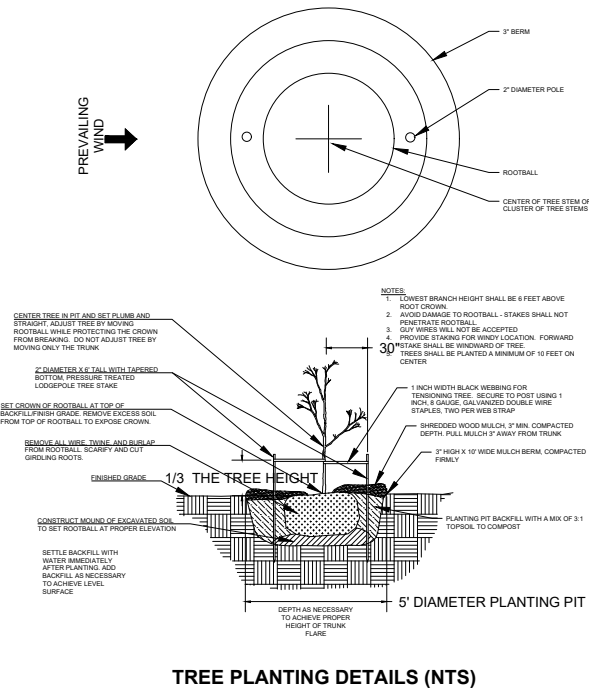
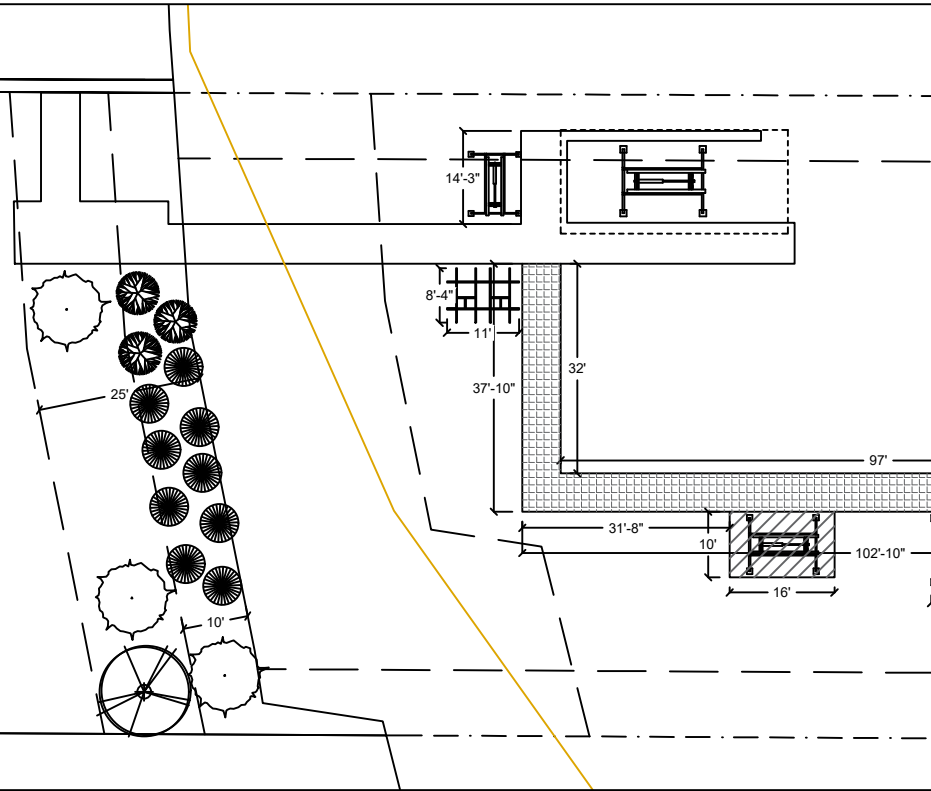
Applicant: Lin Residence
8630 N. Mercer Way
Mercer Island, WA 98040

Datum: CORPS OF ENGINEERS 1919
NW Quarter Of Section 07, Township 24, Range 05

Adjacent Owners:
MORGAN MICHAEL E & LINDA R
8646 N MERCER WAY 98040
RUAN HANG+QIAOZHEN LU
8620 N MERCER WAY 98040

SHEET
A6.0

MITIGATION PLAN



Notes:

1. Shrubs are show, and shall be planted, at least five feet on center. Trees are show, and shall be planted, at least ten feet to center.
2. The property owner will implement and abide by the shoreline planting plan. The plants shall be installed before or concurrent with the work authorized by this permit. A report, as-built drawing and photographs demonstrating the plants have been installed or a report on the status of project construction will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, within 12 months from the date of permit issuance. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Report for Mitigation Work Completion form.
3. The property owner will maintain and monitor the survival of installed shoreline plantings for five years after the U.S. Army Corps of Engineers accepts the as-built report. Installed plants shall achieve 100% survival during monitoring Years 1 and 2. Installed plants shall achieve at least 80% survival during monitoring Years 3, 4 and 5. Percent survival is based on the total number of plants installed in accordance with the approved riparian planting plan. Individual plants that die will be replaced with native riparian species in order to meet the survival performance standards.
4. The property owner will provide annual monitoring reports for five years (Monitoring Years 1-5). Each annual monitoring report will include written and photographic documentation on plant mortality and replanting efforts and will document whether the performance standards are being met. Photos will be taken from established points and used repeatedly for each monitoring year. In addition to photos at designated points, photo documentation will include a panoramic view of the entire planting area. Submitted photos will be formatted on standard 8 1/2 x 11" paper, dated with the date the photo was taken, and clearly labeled with the direction from which the photo was taken. The photo location points will be identified on an appropriate drawing. Annual shoreline planting monitoring reports will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, by November 31 of each monitoring year. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Mitigation Planting Monitoring Report form.

PROPOSED PLANTING SPECIES/QUANTITIES

SYMBOL	LATIN NAME	COMMON NAME	QTY	SIZE
	Thuja picatta	Western Redcedar	1	3 ft
	Rosa nutkana	Nootka Rose	3	1 Gallon
	Salix sitchensis	Sitka Willow	9	1 Gallon
	Salix lasiandra	Pacific Willow	3	3 ft

PLANTS: Shrubs to be installed 5ft on center and trees to be installed 10ft on center.

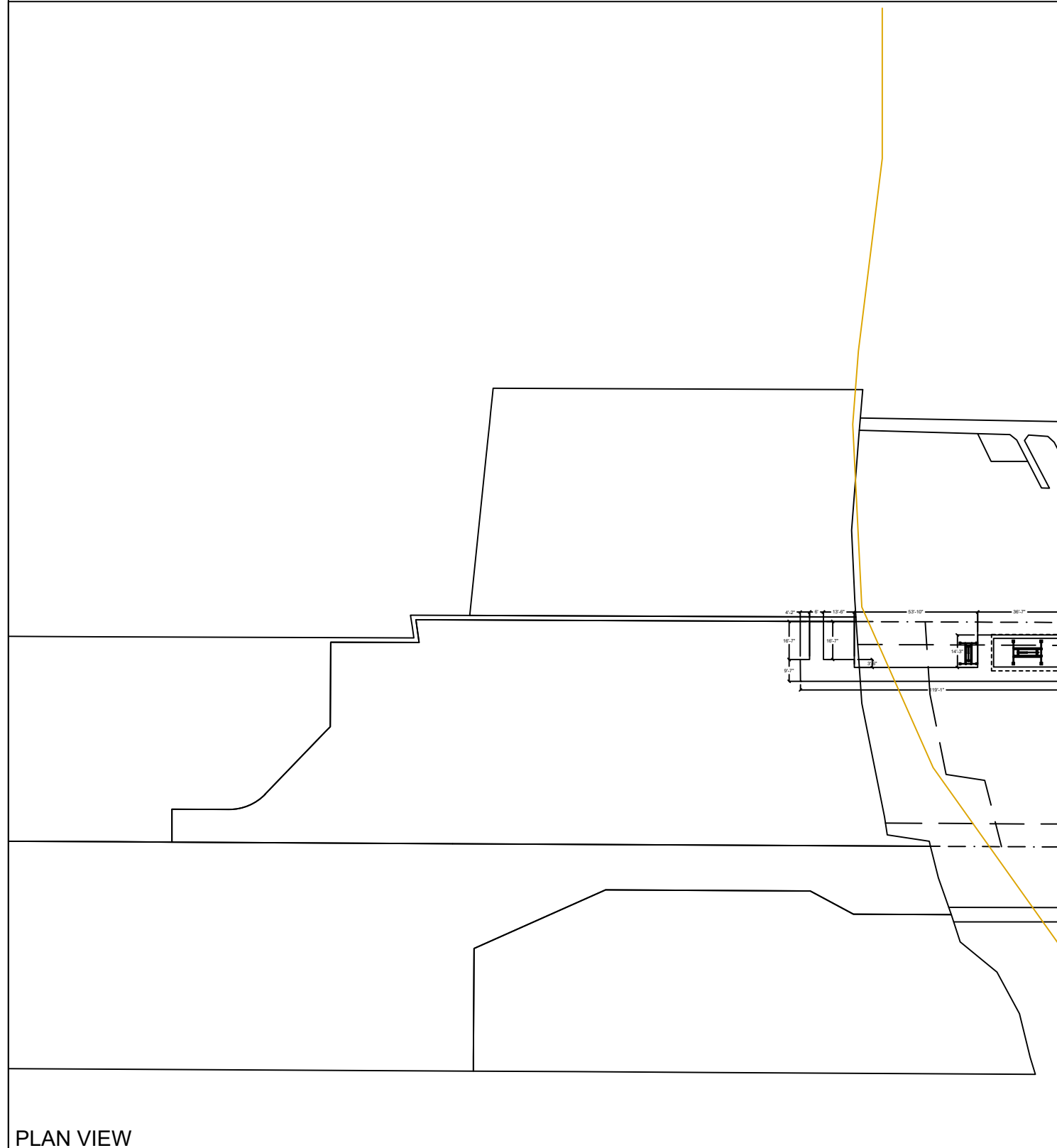


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County: King County
Location: Lake Washington
Applicant: Lin Residence
8630 N. Mercer Way
Mercer Island, WA 98040
Datum: CORPS OF ENGINEERS 1919
NW Quarter Of Section 07, Township 24, Range 05
Adjacent Owners:
MORGAN MICHAEL E & LINDA R
8646 N MERCER WAY 98040
RUAN HANG-QIAOZHEN LU
8620 N MERCER WAY 98040
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NWS-2021-XXX
PAGE 7 OF 12

EXISTING PLANT PLAN



NO EXISTING PLANTINGS

PLAN VIEW

EXISTING PLANTS TABLE



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 Applicant: Lin Residence
 8630 N. Mercer Way
 Mercer Island, WA 98040
 County: King County
 Location: Lake Washington
 Created: 05-26-2021
 Last Updated: 8/25/2022 3:11 PM Zion

**SHEET
A8.0**

GENERAL NOTES:

MATERIALS SPEC LIST:

Boat Lifts:

- * SL10014ARW - 158" x 129"
- * SL8012ARW - 120" x 192"
- * SL2008AR2D2 - 100" x 132" (dual jet ski)
- * New canopy covers will be constructed with translucent material

Thruflow Decking Material: FRPP - Fiberglass reinforced polypropylene

Light permeable percentage:

- * Surface - 43%
- * 18" Dock Height - 61%

PILES:

- * All new piles are epoxy coated Steel piles *size varies, see plan set

SEWER:

- * All sewer is field verified by probing the lake bed manually during the allowed work windows for the area.

CODE REFERENCES: Mercer Island

We are applying for the permit to be reviewed under the:

“Alternative Development Standards” per MIMC 19.13050(F)(3).

The code official shall approve moorage facilities not in compliance 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:

i. The dock must be no larger than authorized through state and federal approval; Ch. 19.13 Shoreline Master Program | Mercer Island City Code Page 30 of 34 The Mercer Island City Code is current through Ordinance 20C-13, passed June 16, 2020.

The dock will be no larger than authorized through state and federal approval.

ii. The maximum width must comply with the width of moorage facilities standards specified in standards specified in subsection D of this section (Table D);

The maximum width will comply with the moorage facilities standards.

iii. The minimum water depth must be no shallower than authorized through state and federal approval;

The minimum water depths will be no shallower than authorized through state and federal approval.

iv. 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; and

NNL Report attached.

v. 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.

Plan set is under review by CORPS and WDFW.

Mitigation Disturbance of bank vegetation shall be limited to the minimum amount necessary to accomplish the project. Disturbed bank vegetation shall be replaced with native, locally adapted herbaceous and/or woody vegetation. Herbaceous plantings shall occur within 48 hours of the completion of construction. Woody vegetation components shall be planted in the fall or early winter, whichever occurs first. The applicant shall take appropriate measures to ensure revegetation success;

Last permit issued for property: 1910-099 BLDG Permit

Dock established/constructed: 1959 Sewer Easement



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A9.0**

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RUAN HANG+QIAOZHEN LU
8620 N MERCER WAY 98040

Plotted: Nov 11, 2021 - 4:48pm gmachuca
 N: \2021\2100134 Seaborn Pile Driving On-Call\2021 Projects\Lin-Melina\KPF Drawings\CURRENT\LIN1_S1.1-STRUCTURAL NOTES.dwg

GENERAL

- ALL CONSTRUCTION SHALL CONFORM TO THESE PLANS.
- CONTRACTOR SHALL VERIFY ALL LEVELS, DIMENSIONS, AND EXISTING CONDITIONS IN THE FIELD BEFORE PROCEEDING. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR FIELD CHANGES PRIOR TO INSTALLATION OR FABRICATION. IN CASE OF DISCREPANCIES BETWEEN THE EXISTING CONDITIONS AND THE DRAWINGS, THE CONTRACTOR SHALL OBTAIN DIRECTION FROM THE ENGINEER BEFORE PROCEEDING. DIMENSIONS NOTED AS PLUS OR MINUS (\pm) OR REF INDICATE UNVERIFIED DIMENSIONS AND ARE APPROXIMATE. NOTIFY ENGINEER IMMEDIATELY OF CONFLICTS OR EXCESSIVE VARIATIONS FROM INDICATED DIMENSIONS, NOTED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS - DO NOT SCALE DRAWINGS. DIMENSIONS OF EXISTING CONDITIONS ARE BASED ON RECORD DRAWINGS AND ARE TO BE FIELD-VERIFIED BY THE CONTRACTOR.
- CONTRACTOR SHALL PROVIDE ADEQUATE SHORING AND BRACING OF ALL STRUCTURAL MEMBERS AND EXISTING MEMBERS, AS REQUIRED, AND IN A MANNER SUITABLE TO WORK SEQUENCE. TEMPORARY SHORING AND BRACING SHALL NOT BE REMOVED UNTIL ALL FINAL CONNECTIONS HAVE BEEN COMPLETED IN ACCORDANCE WITH THE DRAWINGS AND MATERIALS HAVE ACHIEVED DESIGN STRENGTH.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SAFETY PRECAUTIONS AND THE METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES REQUIRED TO PERFORM THE WORK.
- ALL MATERIALS SHALL BE NEW, UNO.
- ALL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE WITH THE DRAWINGS, NOTES, AND MANUFACTURER RECOMMENDATIONS. IF THERE ARE ANY CONFLICTS BETWEEN THESE DOCUMENTS, THE ENGINEER SHALL BE CONTACTED FOR DIRECTION.
- THE CONTRACTOR SHALL CAREFULLY DECONSTRUCT EXISTING ELEMENTS AS NECESSARY TO ACCESS THE WORK AREAS. SUCH DECONSTRUCTION MAY INCLUDE, INTERIOR AND EXTERIOR FINISHES. ALL DECONSTRUCTION ELEMENTS SHALL BE RECONSTRUCTED TO MATCH THE ORIGINAL APPEARANCE AND MEET THE REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE.
- ALL BOAT COVERS AND LIFTS SHALL BE FREESTANDING AND SHALL NOT BE ATTACHED TO THE DOCK, UNLESS NOTED OTHERWISE.

CODES AND STANDARDS

- ALL METHODS AND MATERIALS SHALL CONFORM TO THE INTERNATIONAL BUILDING CODE, 2018 EDITION.
- AMERICAN SOCIETY OF CIVIL ENGINEERS STANDARD 7-16 (ASCE) MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES.
- WOOD WORK SHALL CONFORM TO THE NATIONAL DESIGN SPECIFICATION (NDS) 2018 EDITION.
- AMERICAN SOCIETY FOR TESTING AND MATERIALS, CURRENT EDITION

DESIGN CRITERIA

WIND DESIGN: WIND LOAD IS BASED ON ASCE CHAPTER 29 WITH THE FOLLOWING FACTORS

EXPOSURE CATEGORY = D RISK CATEGORY = II
 $V_{3s} = 98\text{MPH}$ WIND IMPORTANCE FACTOR, $I_w = 1.0$

VESSEL: LENGTH = 50 FT
 FREEBOARD = 15 FT

WAVE LOADS: P = 328 LBS

LIVE LOADS: LIVE LOAD = 40 PSF
 SNOW LOAD = 25 PSF

SEISMIC LOADS: DOCK PILING R = 2.0
 SEISMIC IMPORTANCE - 1.0
 $SD1 = 0.613g$

STRUCTURAL STEEL

- ALL MISCELLANEOUS STEEL SHAPES AND PLATES, EXCEPT AS NOTED BELOW, SHALL CONFORM TO ASTM 36.
- ALL WF SHAPES SHALL CONFORM TO ASTM A992, $F_y = 50$ KSI
- ALL PILES SHALL CONFORM TO ASTM A252 GRADE 3, $F_y = 45$ KSI
- ALL BOLTS SHALL BE ASTM A307, UNO.
- ALL NUTS SHALL BE ASTM A563, UNO.
- ALL WASHERS SHALL BE ASTM F436, UNO.
- ALL THREADED RODS SHALL CONFORM TO ASTM F155, GRADE 36.
- ALL STEEL MEMBERS AND FASTENERS THAT ARE NOT COATED SHALL BE HOT DIPPED GALVANIZED IN ACCORDANCE WITH ASTM A153 AS APPLICABLE.

WELDING

- ALL WELDING SHALL PERFORMED BY WELDERS QUALIFIED FOR THE WELD AND POSITION SHOWN IN ACCORDANCE WITH AWS AND HAVING CURRENT CERTIFICATION FROM WABO.
- ALL WELDS SHALL BE PERFORMED WITH PROCEDURES PREQUALIFIED OR QUALIFIED IN ACCORDANCE WITH AWS D1.1.
- THE WELDS SHOWN ARE FOR THE FINAL CONNECTIONS, FIELD WELD SYMBOLS ARE SHOWN WHERE FIELD WELDS ARE REQUIRED BY THE STRUCTURAL DESIGN. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING IF A WELD SHOULD BE SHOP OR FIELD WELDED IN ORDER TO FACILITATE THE STRUCTURAL STEEL ERECTION.
- WELDING ELECTRODES SHALL BE 70 KSI STRENGTH AND SHALL BE "LOW-HYDROGEN ELECTRODES."

WOOD

- EACH PIECE OF LUMBER SHALL BEAR A STAMP INDICATING A GRADE MARK OF THE WEST COAST LUMBER INSPECTION BUREAU (WCLIB), WESTERN WOOD PRODUCTS ASSOCIATION (WWPA), OR OTHER AGENCY ACCREDITED BY THE AMERICAN STANDARD COMMITTEE (ALSC).
- DIMENSION LUMBER SHALL BE P.T. DOUG-FIR NO 2 OR BETTER.
- STRUCTURAL GLUED LAMINATED TIMBER SHALL BE AC.AC 20F-V12.
- WOOD SHALL BE SEASONED DRY WITH A MAXIMUM MOISTURE CONTENT OF 19%.
- PRESERVATIVE TREATED WOOD SHALL CONFORM TO THE AMERICAN WOOD PROTECTION ASSOCIATION (AWPA) UC4A. ALL WOOD SHALL BEAR A TREATMENT IDENTIFICATION MARK BY THE CERTIFYING AGENCY.
- ALL BOLT HOLES IN WOOD MEMBERS SHALL BE A MINIMUM OF 1/32" TO MAXIMUM OF 1/16" LARGER THAN THE BOLT DIAMETER. PROVIDE PLATE WASHERS WHERE NUTS BEAR ON WOOD. CUT WASHERS SHALL MEASURE 2 1/4" ϕ x 3/16" THICK.

DECKING

- GRATED DECKING SHALL BE SUNWALK 90 SERIES OR APPROVED EQUAL.

SPECIAL INSPECTION

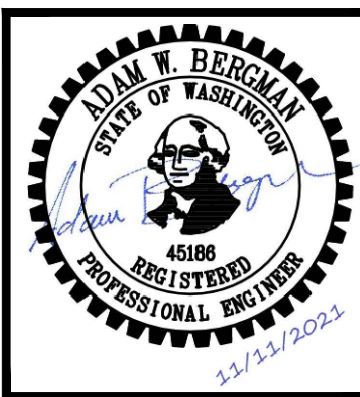
- ALL FULL PENETRATION WELDS SHALL BE UT TESTED BY A CERTIFIED TESTING AGENCY.

ABBEVIATIONS

©	AT
AWS	AMERICAN WELDING SOCIETY
CL	CENTER LINE
CLR	CLEAR
COL	COLUMN
CONT.	CONTINUOUS
DF	DOUG FIR
EA	EACH
EX OR (E)	EXISTING
GLB	GLULAM BEAM
LLH	LONG LEG HORIZONTAL
MIN	MINIMUM
MNFR	MANUFACTURER
OC	ON CENTER
PL	PLATE
PSI	POUNDS PER SQUARE INCH
PSF	POUNDS PER SQUARE FOOT
P.T.	PRESERVATIVE TREATED
SF	SQUARE FOOT
REF	REFERENCE
SS	STAINLESS STEEL
t	THICK
TYP	TYPICAL
UNO	UNLESS NOTED OTHERWISE
VIF	VERIFY IN FIELD
WABO	WASHINGTON ASSOCIATION OF BUILDING OFFICIALS
WF	WIDE FLANGE
W/	WITH

kpff

2407 North 31st Street, Suite 100
 Tacoma, Washington 98407
 (253) 396-0150 Fax (253) 396-0162



NO.	DATE	BY	REVISION

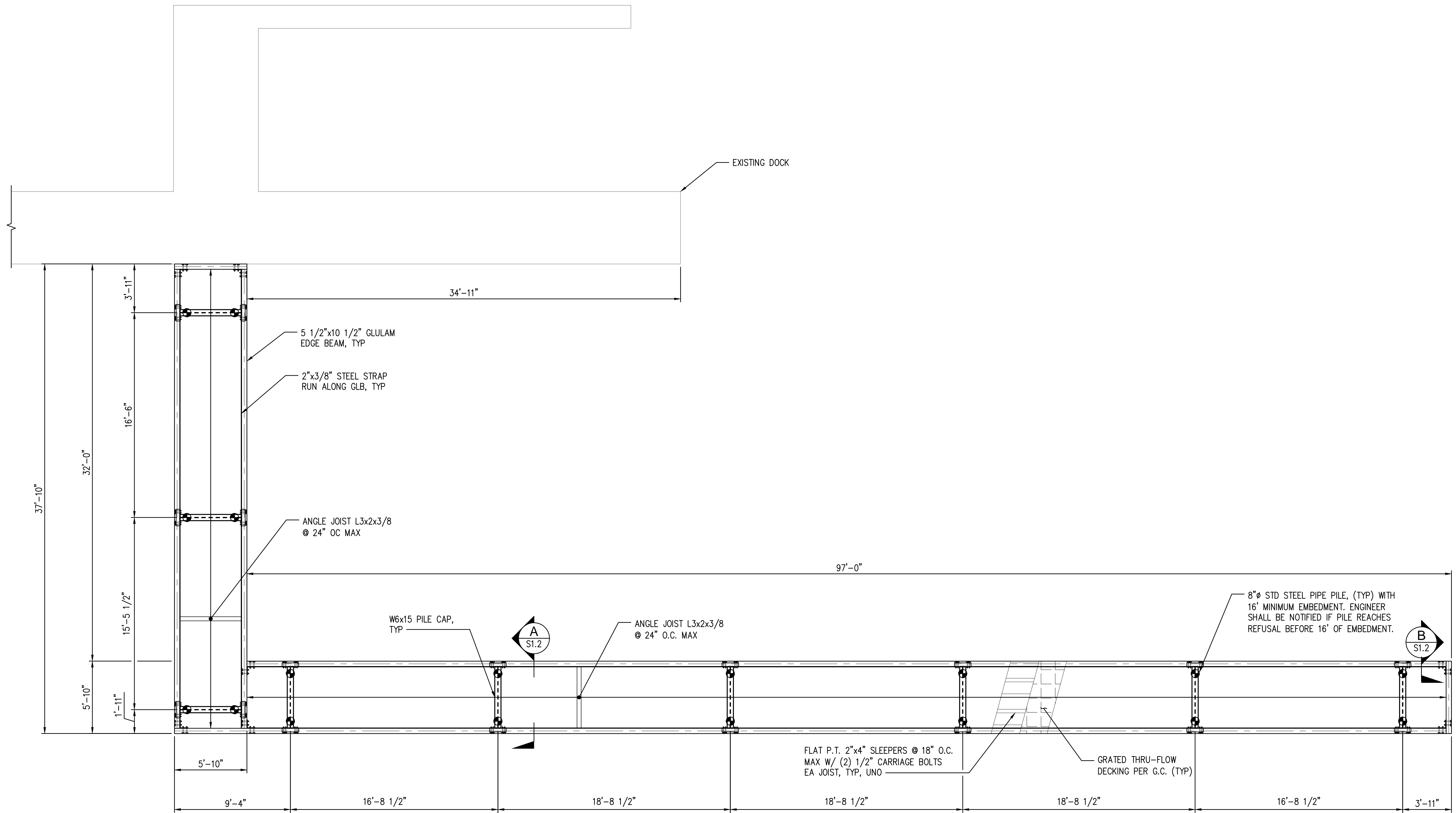
LIN RESIDENCE
8630 N. MERCER WAY MERCER ISLAND, WA 98040

STRUCTURAL NOTES

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DESIGN: DMR	SCALE: AS SHOWN
CHECKED: AWB	DATE: 11-11-2021
DRAWING NO.	S1.1
SHEET NO.	01 OF 03

FOR PERMIT

Plotted: Nov 11, 2021 - 4:48pm
 N: \\2021\2100134 Seaborn Pile Driving On-Call\2021 Projects\Lin-Melina\KPF\Drawings\CURRENT\LIN_S1.2-FRAMING PLAN.dwg
 Layout: LIN_S1.2-FRAMING PLAN
 gmachuca

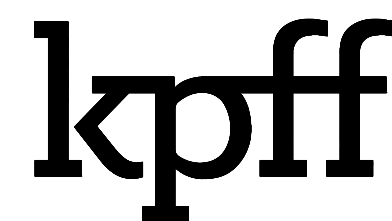


LEGEND

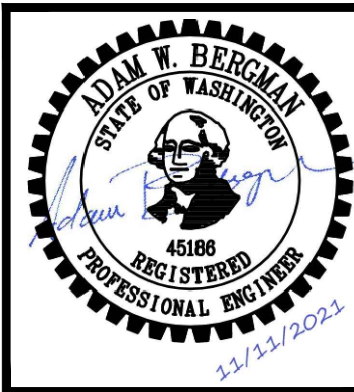
● PROPOSED 8" Ø STEEL PIPE PILES

DOCK FRAMING PLAN

SCALE: 1/4" = 1'-0"



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NO.	DATE	BY	REVISION

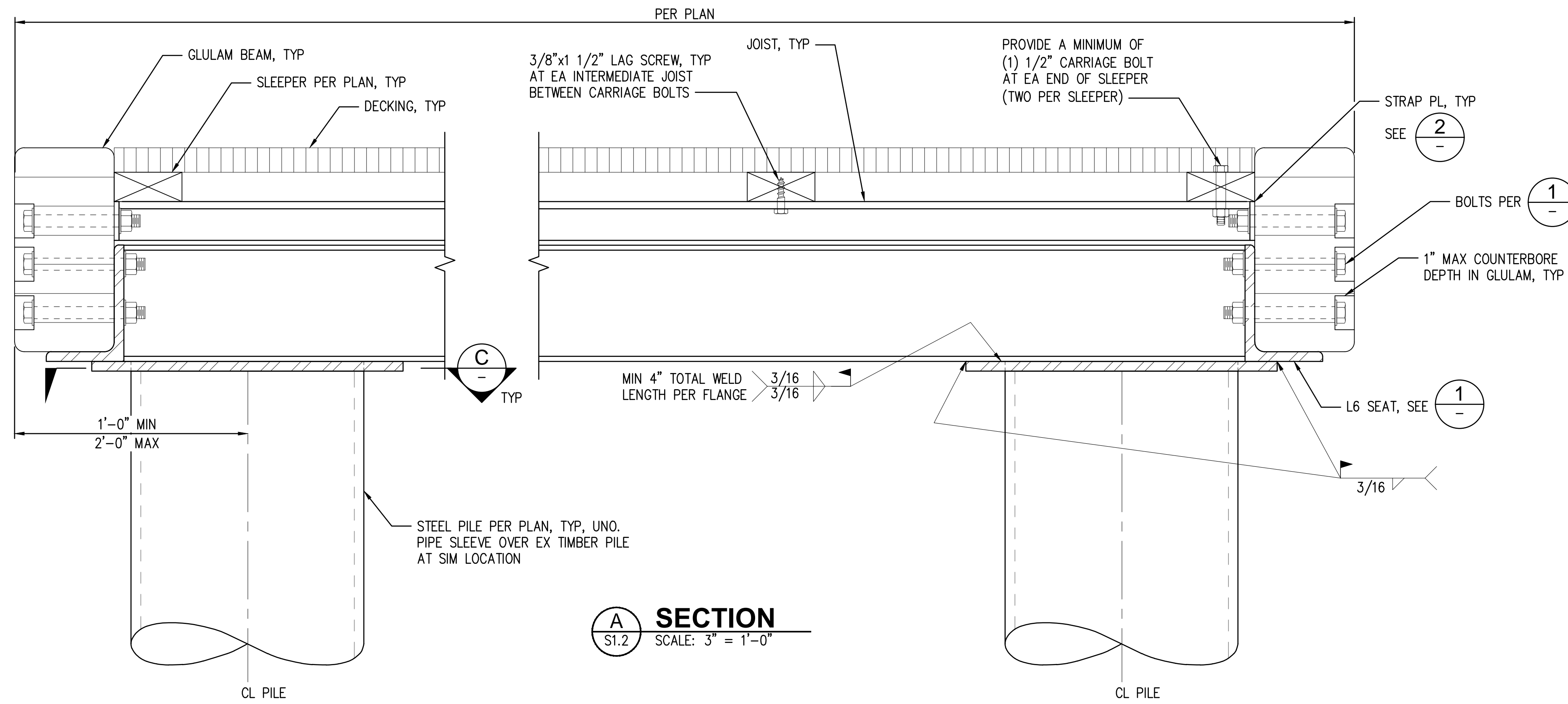
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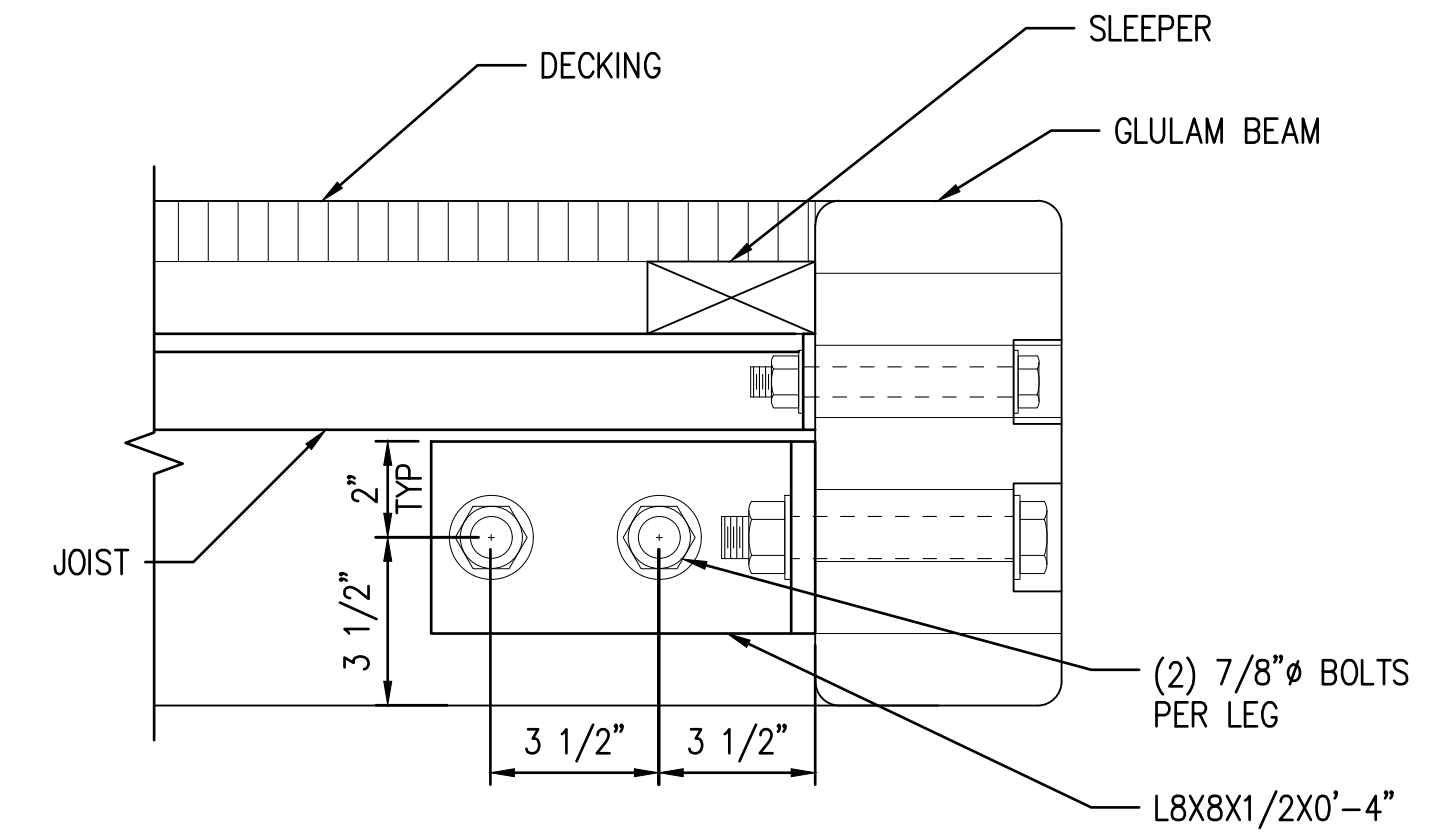
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DESIGN: DMR	SCALE: AS SHOWN
CHECKED: AWB	DATE: 11-11-2021
DRAWING NO.	S1.2
SHEET NO.	02 OF 03

FOR PERMIT

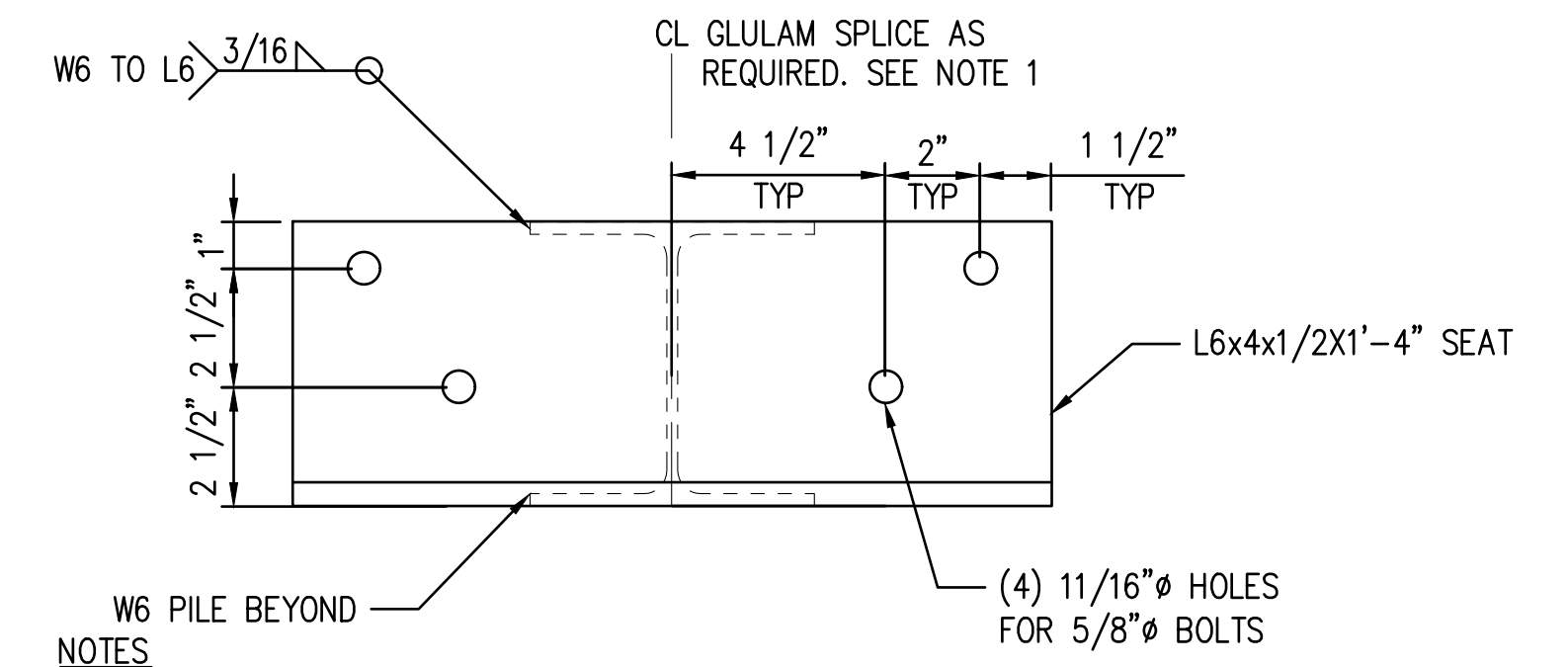
Plotted: Nov 11, 2021 - 4:48pm gmachuca
 N: \\2021\2100134 Seaborn Pile Driving On-Call\2021 Projects\Lin-Melina\KPF\Drawings\CURRENT\LIN_S1.3-SECTIONS AND DETAILS.dwg



A SECTION
 S1.2 SCALE: 3" = 1'-0"

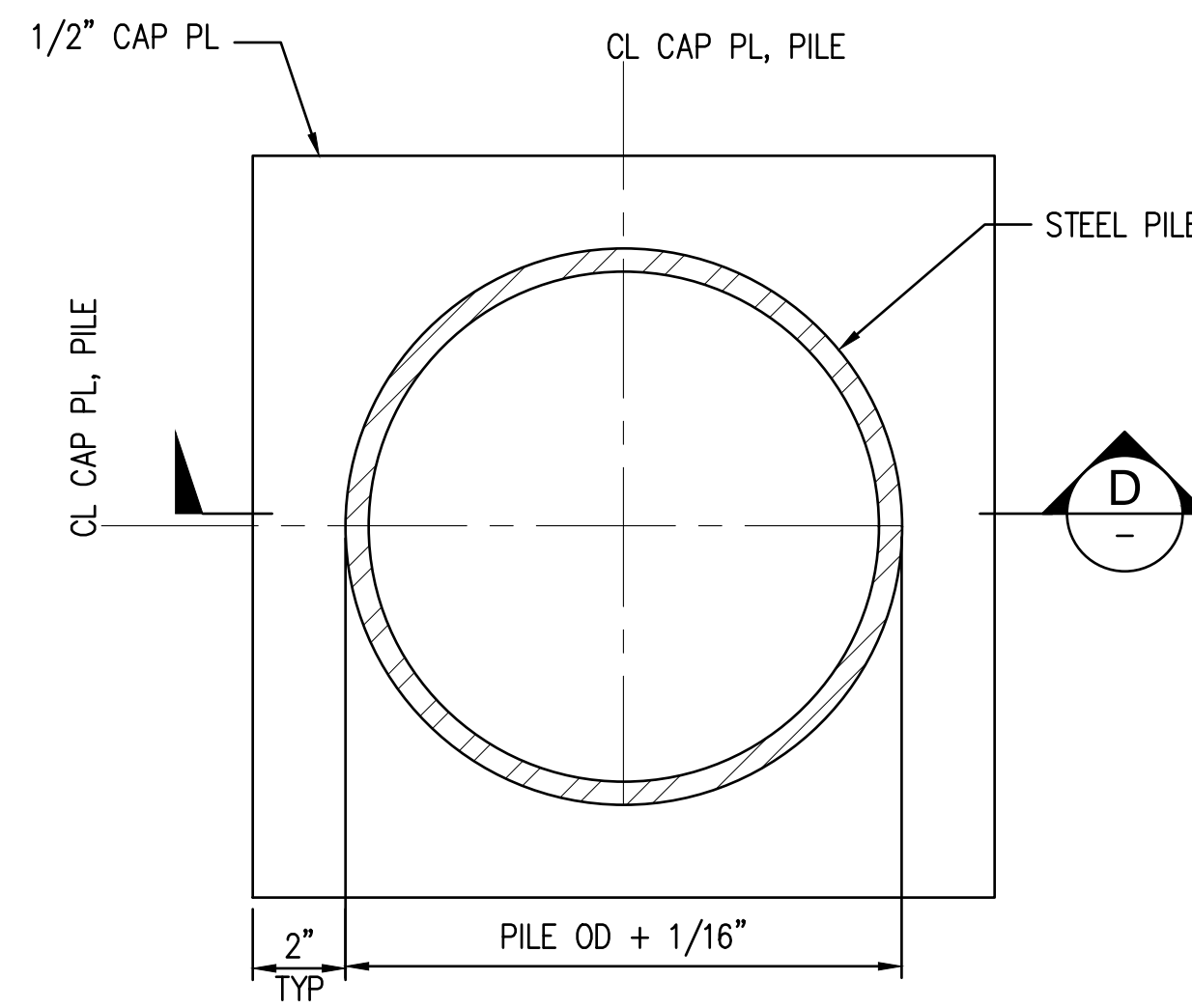


B SECTION
 S1.2 SCALE: 3" = 1'-0"

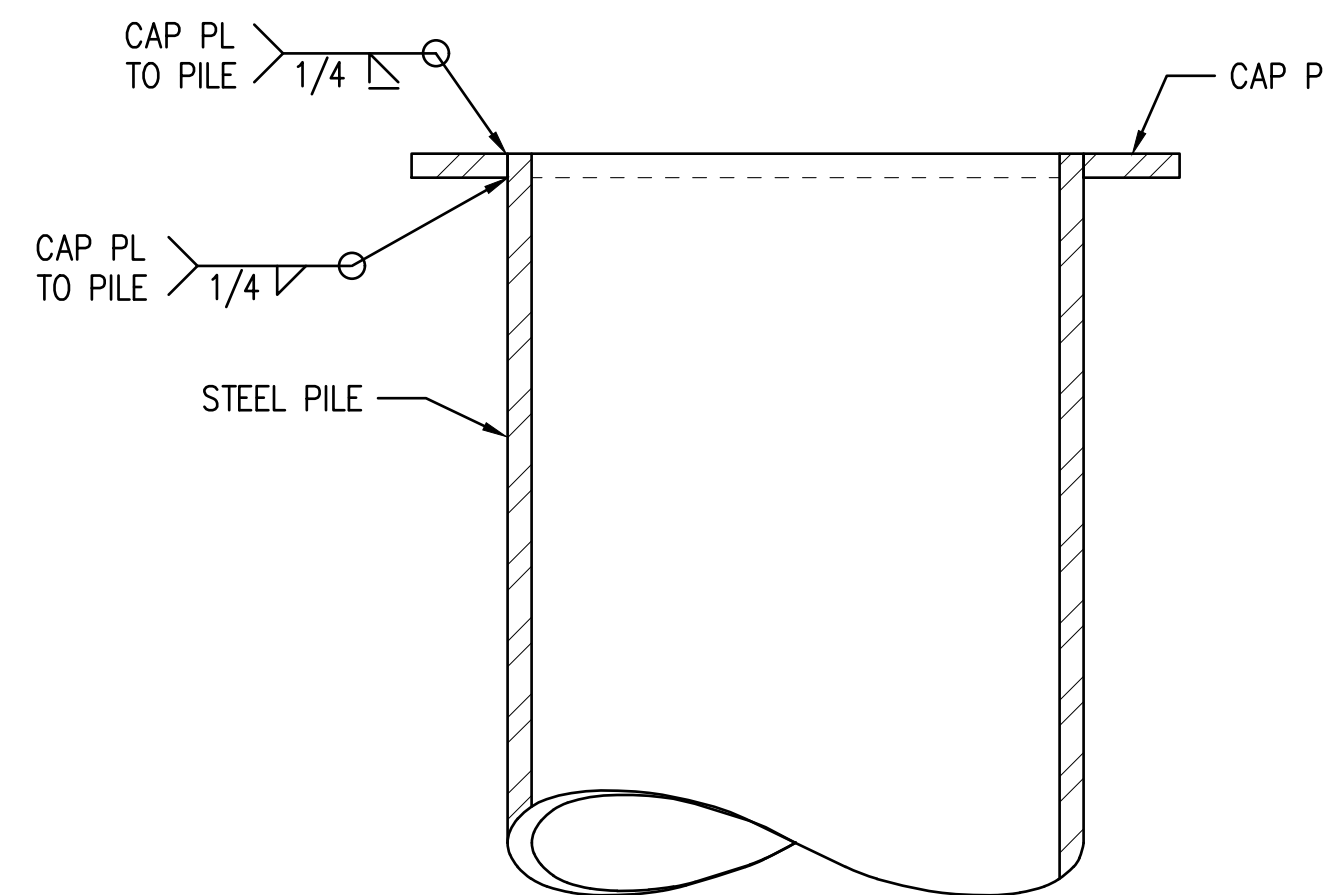


NOTES
 1. ALL GLULAM BEAMS SHALL BE SUPPORTED BY A MINIMUM OF (2) PILE CAPS

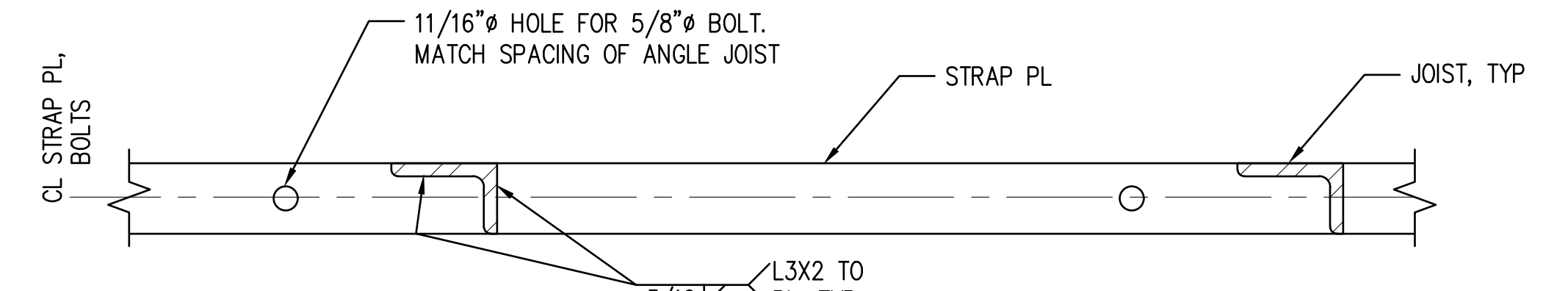
1 DETAIL
 SCALE: 3" = 1'-0"



C SECTION
 SCALE: 3" = 1'-0"



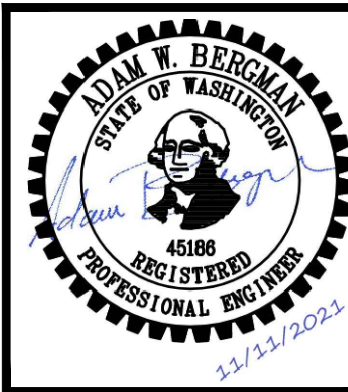
D SECTION
 SCALE: 3" = 1'-0"



2 DETAIL
 SCALE: 3" = 1'-0"

kpff

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NO.	DATE	BY	REVISION

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SECTIONS AND DETAILS

DRAWN: GM	PROJECT NO.: 2100134
DESIGN: DMR	SCALE: AS SHOWN
CHECKED: AWB	DATE: 11-11-2021
DRAWING NO.	S1.3
SHEET NO.	03 OF 03

FOR PERMIT

Ecological No Net Loss Assessment Report

Prepared for

**Lin Residence
8630 N. Mercer Way
Mercer Island, WA 98040**

Prepared by



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

November 2021

Purpose

The purpose of this report is to fulfill the requirements of City of Mercer Island Municipal Code (MICC) 19.07.110 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 with a new platform lift, boat lift, and dual jet ski lift.

Location

The subject property is located at 8630 N Mercer Way (King County parcel number 8106100105) in the City of Mercer Island, Washington (see Appendix A – Sheet A1.0). 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

The work on the dock will include a 5-foot-10-inch wide by 37-foot-10-inch long extension connecting a 97-foot long by 5-foot-10-inch wide extension waterward from shore to the main dock. The extension will require driving 20 8-inch steel piles. ThruFlow grated decking will be used on the 786 square foot extension. The new 160-square-foot platform lift will also use ThruFlow decking. The new watercraft lift and platform lift will be located away from shore in water 6 to 9 feet deep and the new jet ski lift will be in water 3 to 4 feet deep. The Jet ski lifts will be placed approximately 50 feet from shore and the remainder of the work will be waterward of the proposed jet ski lifts. Project drawings are included in Attachment A.

During construction, a floating boom will surround the work barge and dock. (See Appendix A – Sheets A6.0)

A shoreline vegetation plan is proposed, that will add one native conifer trees and 15 native deciduous trees and shrubs. These shoreline plantings will provide shade and allow allochthonous material to enter the lake along the shoreline and improve shoreline conditions (see Appendix A – Sheet A7.0).

Approach

Northwest Environmental Consulting LLC (NVEC) biologist Brad Thiele conducted a site visit on November 10, 2021 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 northern boundary with single-family homes to the east and west along the shoreline and waterward of the parcel.

The only existing structures on the property are the house, and the existing wood decked dock, existing moorage cover, and a small gazebo on the beach.

The shoreline is beach with lawn landward of the sand and gravel beach. The substrate of the lake is sand with some Eurasian milfoil starting about 50 feet from shore. Vegetation along the shore includes a few clumps of hard stem bulrush planted in the beach and a single clump rooted below the waterline about 10 feet from shore on the north side of the dock.

The neighboring properties are similar in shoreline conditions and have docks. See attached 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, maps a forested scrub/shrub wetland east of the project about 100 feet away. Review of aerial photography of the site shows a lawn, patio and pool that is actively being maintained indicating this mapping may be an error.

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

Project Impacts and Conservation Measurements

Direct Impacts:

Sediments: Sediment disturbance will occur below the OHWM and along the shoreline of Lake Washington during pile installation and placement of boat lifts. Additionally, the tug and barge propwash may disturb sediments temporarily when making trips to/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 additional native vegetation, especially a native cedar tree and native willow trees, 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 A7.0).

Lakebed: Installation of 20 new 8-inch diameter piles will displace 7.0 square feet of lakebed at the site.

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.

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 reduced because a crew competent using spill containment measures will be on site and employ these measures should a spill occur.

Indirect Impacts:

Shading: The proposed decking will be ThruFlow grated decking. Grated decking allows more light to penetrate the waters below a 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.

ThruFlow grated decking has 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. The new extension and platform lift will cover 946 square feet. Using grated decking the effective new coverage from the pier extension will be reduced to 539 square feet.

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 April 30). 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 materials 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. The project will cover an additional 7.0 square feet of lake bed. The dock extension and platform lift will use grated decking to minimize the effective overwater coverage to 539 square feet. The grating reduces the hard shadows favored by salmonid predators and increases productivity under the pier. Construction disturbance and the additional lifts and dock extension will degrade ecological conditions at the site.

The new personal watercraft lifts will be placed or relocated in the deepest water possible to prevent sediment disturbance during docking and castoff and away from the nearshore where juvenile salmonids are known to prefer during out migration. The new dock extension is designed to allow access to these lifts and will be constructed starting approximately 50 feet from shore.

A shoreline planting plan will be implemented and will add native trees and shrubs to the shoreline that will provide natural shading, allochthonous food sources and will eventually be a source of woody materials and will improve shoreline conditions at the site in the long-term to offset temporary construction impacts. The planting includes 9 small trees and 4 full size growing trees and 3 native shrubs.

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.

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. All new moorage will be constructed more than 50 feet from shore. The robust planting plan will improve baseline conditions at the site **and will result in No Net Loss of ecological functions.**

Document Preparers

Brad Thiele	Biologist	27 years of experience	Northwest Environmental Consulting, LLC (NVEC)
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NVEC followed standard acceptable field methods and protocols at the time work was performed. These standards include delineation of wetland and stream boundaries, characterization, rating, functional analyses, impact assessments and mitigation of impacts. 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

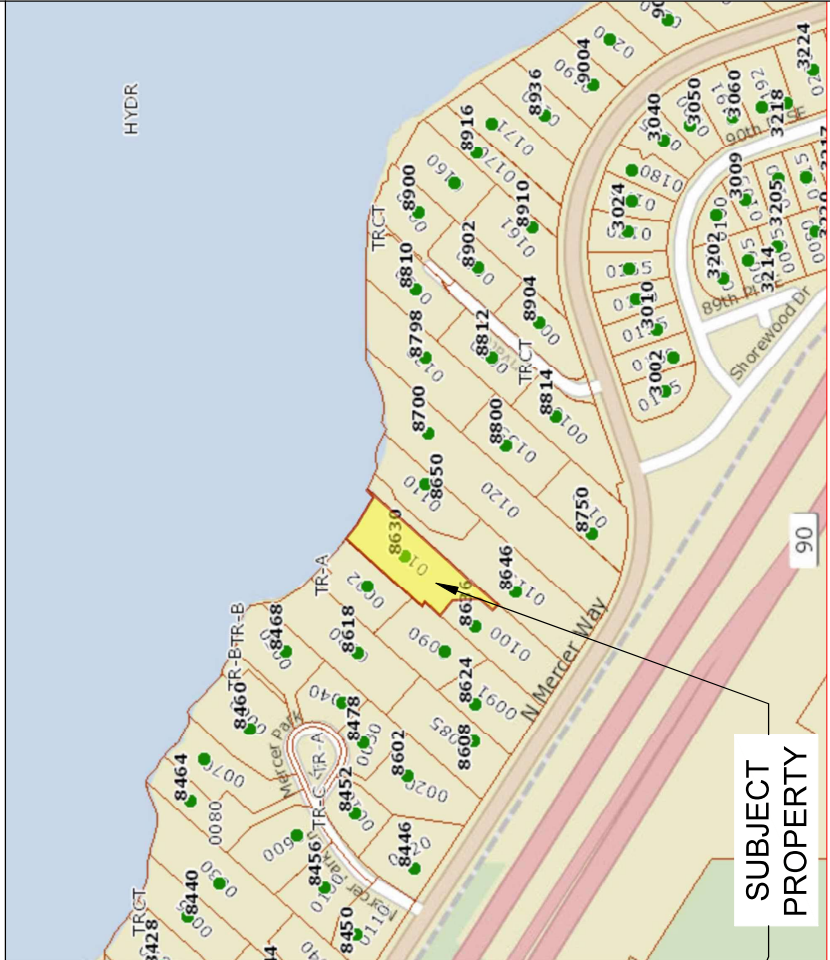
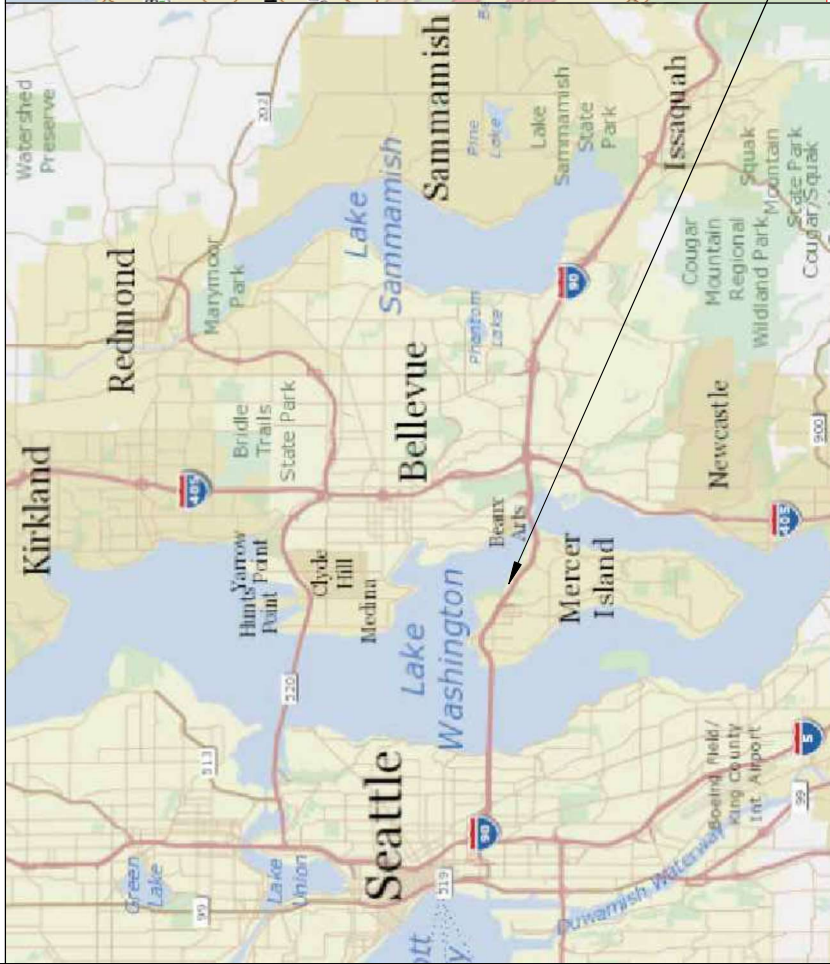
King County. 2021. King County iMap. Online database. Accessed April 2021 at <https://gismaps.kingcounty.gov/iMap/>

Washington Department of Fish and Wildlife (WDFW). 2021. Priority Habitats and Species. Online database. Accessed April 2021 at <http://apps.wdfw.wa.gov/phsontheweb/>

WDFW. 2021. SalmonScape. Online database. Accessed April 2021 at <http://apps.wdfw.wa.gov/salmonscape/>

Appendix A: Project Drawings

SITE PLAN

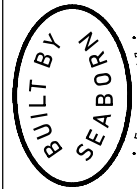


Pin: 8106100105

Legal Description: SUNNY BANK ADD. POR S1/4 & ELY OF LN. BEG. ON SELLY LN. THOF. 179.96 FT. NELY. FR. SE. COR. TH. N. 48-30 W. 14.51 FT. TH. N. 41-30 E. 25.01 FT. TH. ON CRV. LFT. RAD. 22 FT. C/A. 46-23-27 DIST. 17.81 FT. TH. N. 04-53-27 W. 41.19 FT. TH. N. 48-30 W. 36.84 FT. TH. N. 41-30 E. 39.33 FT. TH. N. 57-08-50 W. 10.11 FT. TH. N. 41-30 E. TO SH. LN. OF LAKE TGV. SH. LD. ADJ. AKA. PARCEL B. MI. BLA. #63-05-17 REC. NO. 6309159010

Plat Block:
Plat Lot: 10

LAT: 47.56493
LONG: -122.22153

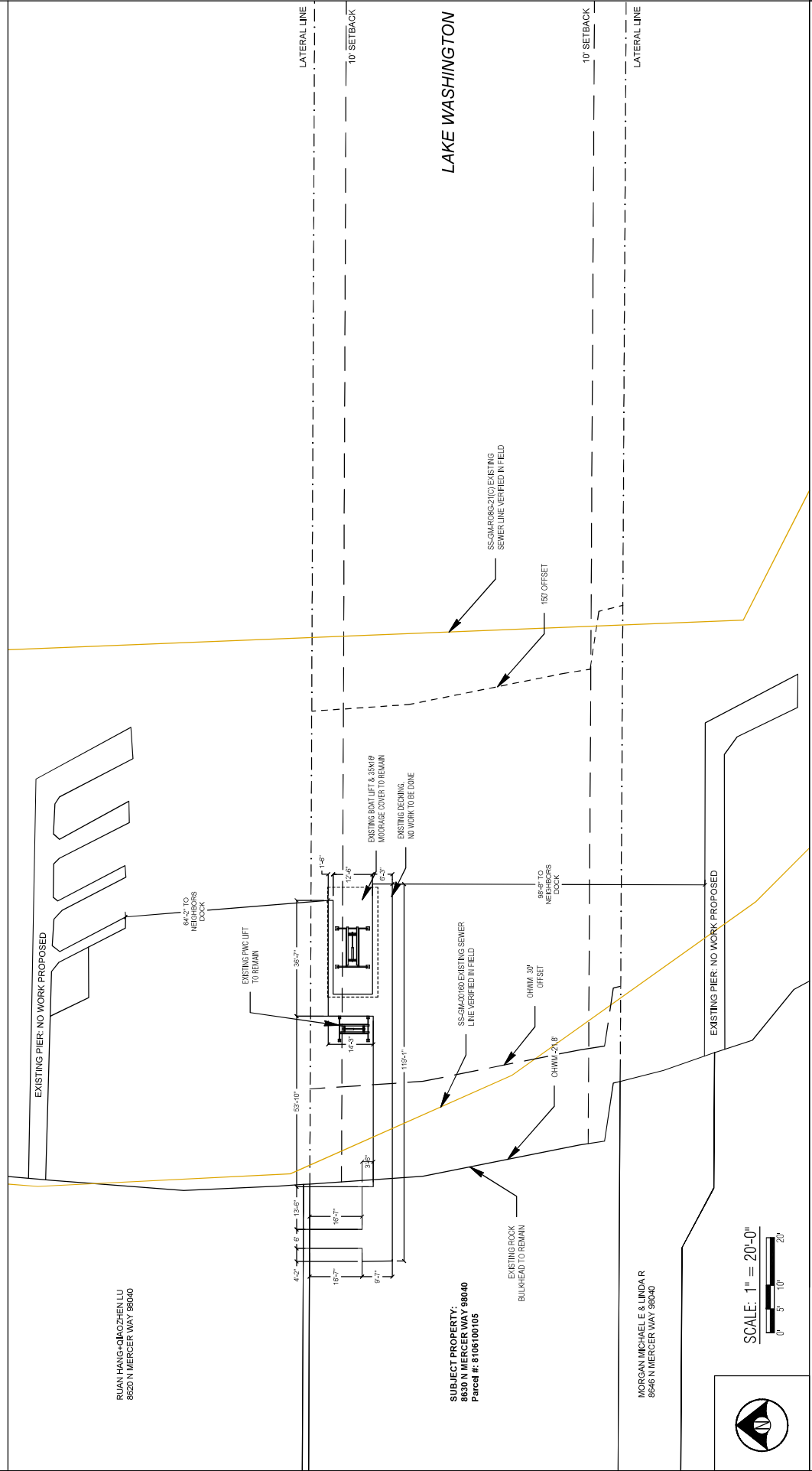


Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119
Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work: We propose to install (20) new 8" steel piles, a walkway & extension with grouted decking material. We will also install a platform lift, a boat lift and a dual jetski lift.

EXISTING CONDITIONS

CLEAN UP LAKE AROUND PROJECT



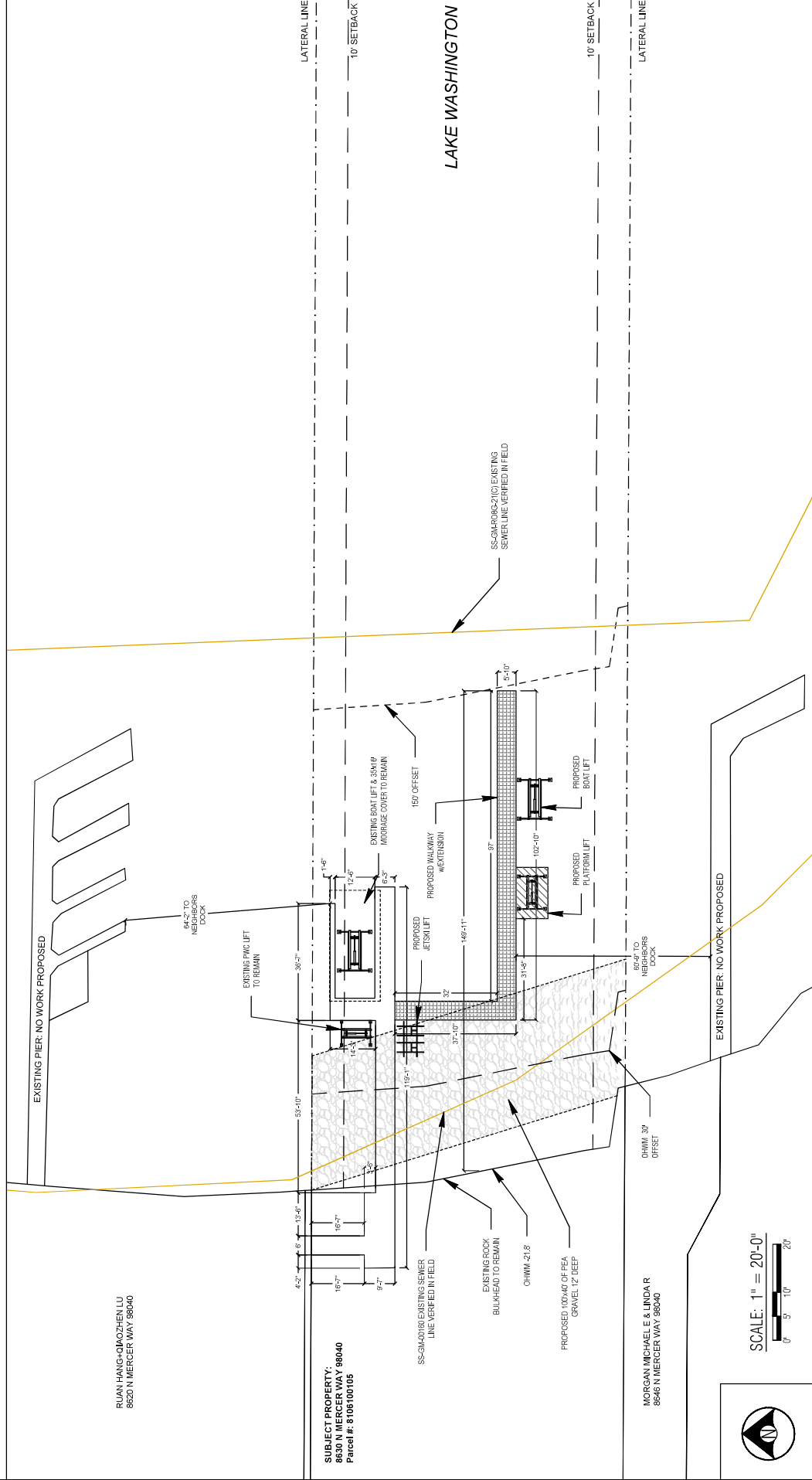
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BUILT BY SEABORN
 ESTD 1941

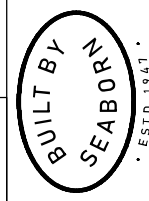
PROPOSED CONDITIONS

CLEAN UP LAKE AROUND PROJECT



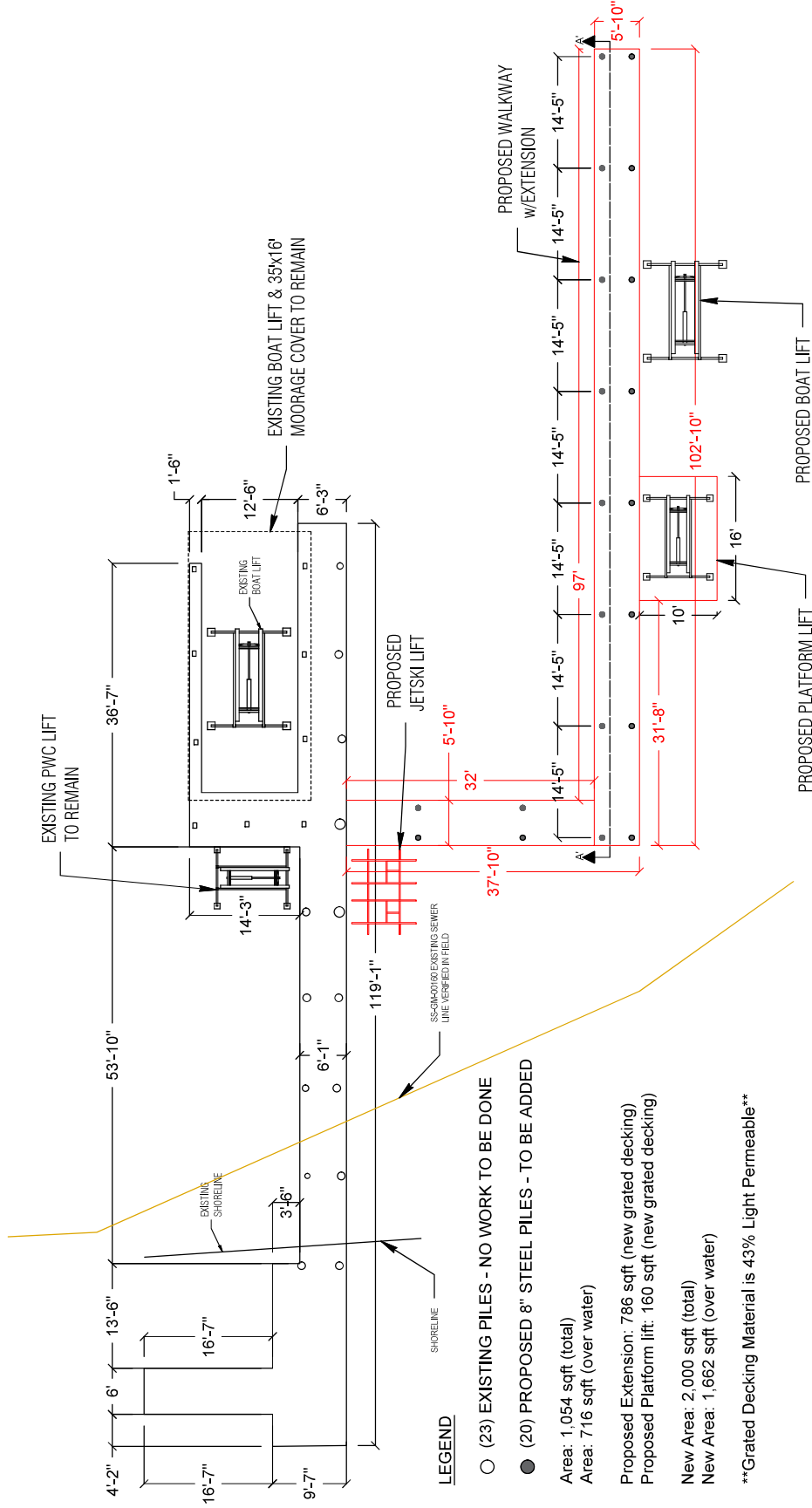
SCALE: 1" = 20'-0"
 0' 5' 10' 20'

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PIER DETAILS - EXISTING/PROPOSED



LEGEND

- (23) EXISTING PILES - NO WORK TO BE DONE
- (20) PROPOSED 8" STEEL PILES - TO BE ADDED

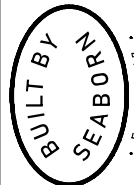
Area: 1,054 sqft (total)
 Area: 716 sqft (over water)

Proposed Extension: 786 sqft (new grated decking)
 Proposed Platform lift: 160 sqft (new grated decking)

New Area: 2,000 sqft (total)
 New Area: 1,662 sqft (over water)

Grated Decking Material is 43% Light Permeable

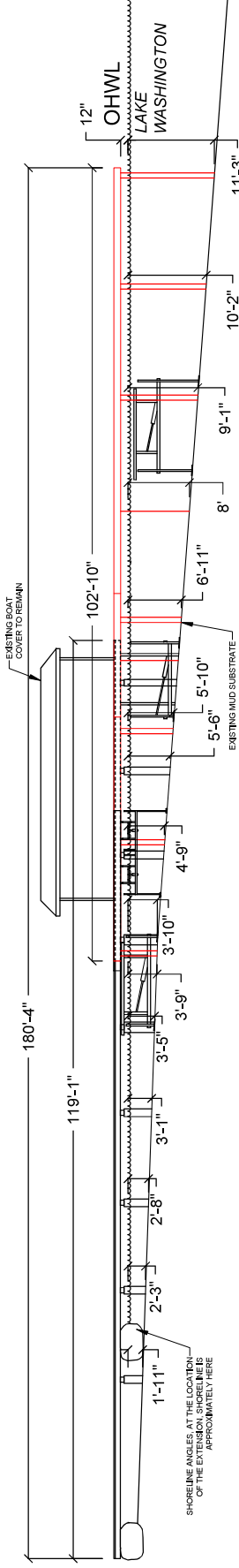
PLAN VIEW



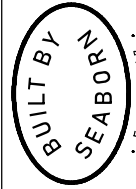
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PIER DETAILS EXISTING/PROPOSED



SECTION VIEW: A-A'



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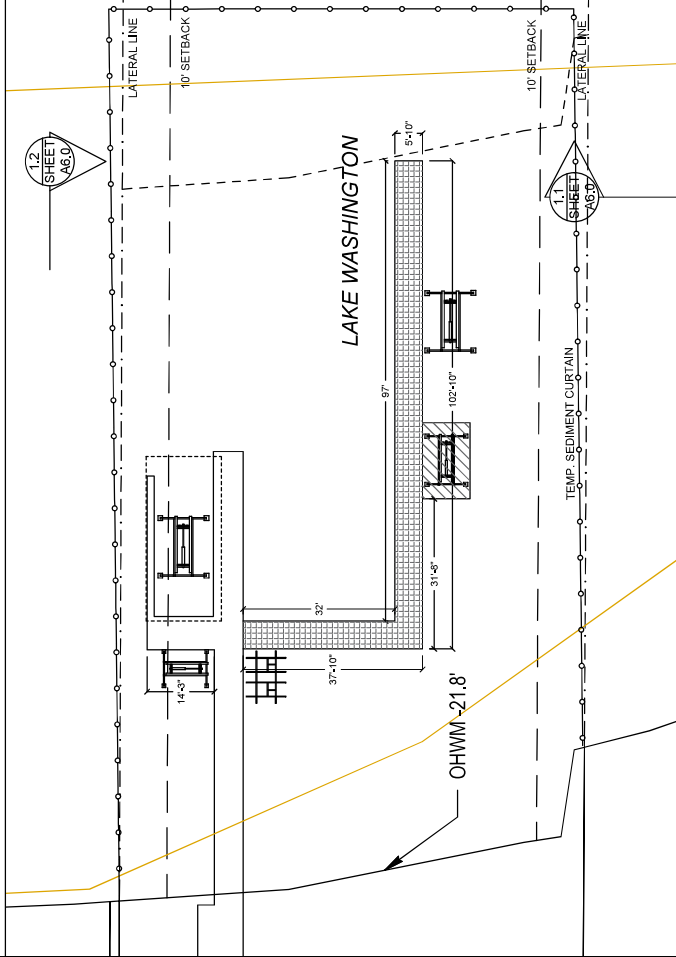
Scope of Work: We propose to install (20) new 8" steel piles, a walkway & extension with grouted decking material. We will also install a platform lift, a boat lift and a dual jetski lift.

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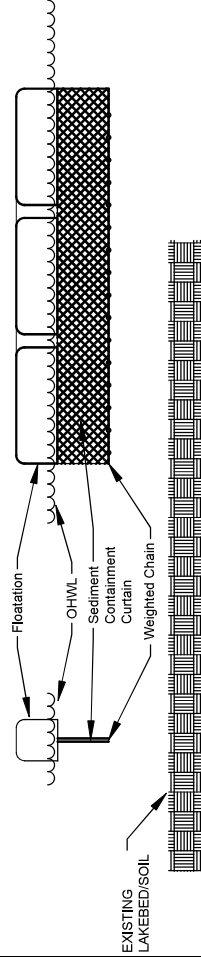
Datum: CORPS OF ENGINEERS 1919
 NW Quarter Of Section 07, Township 24, Range 05
 Adjacent Owners:
 MORGAN M CHAEL E & LINDA R
 8646 N MERCER WAY 98040
 RUAN HANG+QIAOZHEN LU
 8620 N MERCER WAY 98040
 Applicant: Lin Residence
 8630 N. Mercer Way
 Mercer Island, WA 98040
 Location: Lake Washington
 County: King County
 Created: 05-26-2021
 Last Updated: 10/21/2021 7:56 AM Keise

BMP INFORMATION



DETAIL 1.1

DETAIL 1.2

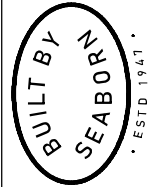


DETAIL 1.1 & 1.2

BMP NOTES:

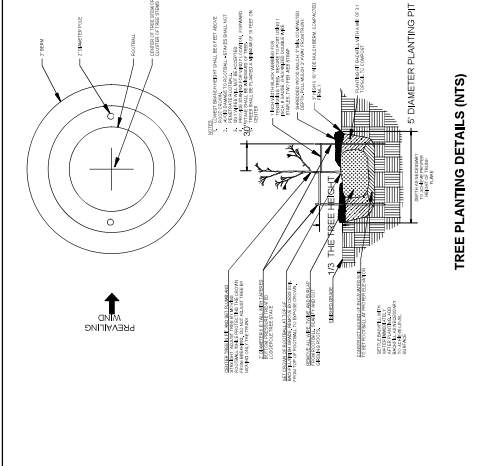
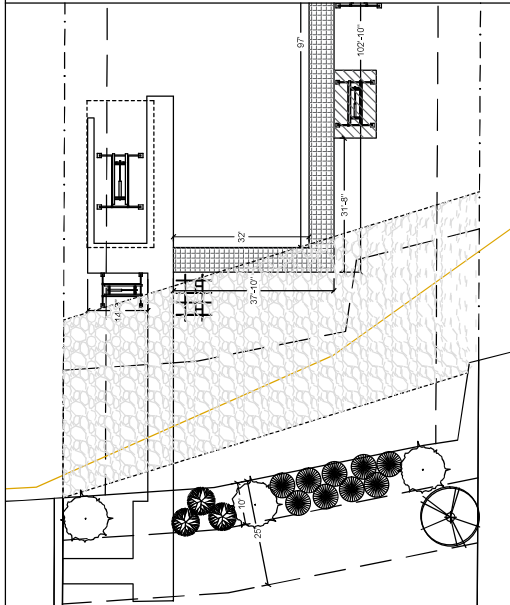
- A. Constant vigilance shall be kept for the presence of protected fish species during all aspects of the proposed action, particularly during in-water activities such as vessel movement, deployment of anchors & spuds, pile driving, dredging, and placement of gravels and other fill.
 1. The project manager shall designate an appropriate number of competent observers to survey the project site and adjacent areas for protected species, including the presence of fish as conditions allow.
 2. Visual surveys shall be made prior to the start of work each day, and prior to resumption of work following any break of more than an hour. Periodic additional visual surveys throughout the work day are strongly recommended.
 3. All in-water work shall be done during the in-water work window for the waterbody. Where there is a difference between the USCOE and WDFW work windows, the overlap of the two shall apply.
 4. All pile driving and extraction shall be postponed or halted when obvious aggregations or schooling of fish are observed within 50 yards of that work, and shall only begin/resume after the animals have voluntarily departed the area.
 5. When piloting vessels, vessel operators shall operate at speeds and power settings to avoid grounding vessels, and minimize substrate scour and mobilization of bottom sediments.
- B. No contamination of the marine environment shall result from project-related activities.
 1. Appropriate materials to contain and clean potential spills shall be stored and readily available at the work site and/or aboard project-related vessels.
 2. The project manager and heavy equipment operators shall perform daily pre-work equipment inspections for cleanliness and leaks. All heavy equipment operations shall be postponed or halted should a leak be detected, and shall not proceed until the leak is repaired and the equipment is cleaned.
 3. To the greatest extent practicable, utilize biodegradable oils for equipment that would be operated in or near water.
 4. Fueling of land-based vehicles and equipment shall take place at least 50 feet away from the water, preferably over an impervious surface. Fueling of vessels shall be done at approved fueling facilities.
 5. Turbidity and siltation from project-related work shall be minimized and contained through the appropriate use of erosion control practices, effective silt containment devices, and the curtailment of work during adverse weather and tidal/flow conditions.
 6. All wastes shall be collected and contained for proper disposal at approved upland disposal sites appropriate for the material(s).
 7. When removing piles and other similarly treated wood, containment booms must fully enclose the work area. Wood debris, oils, and any other materials released into lake waters must be collected, removed, and properly disposed of at approved disposal sites.
 8. All in- and over-water wood cutting would be limited to the minimum required to remove the subject wood component, and all cutting work should be enclosed within floating containment booms.
 9. When removing piles, no actions shall be taken that would cause adhering sediments to return to lake waters.
 10. Above-water containment shall be installed around removed piles to prevent sediment laden waters from returning to lake waters.
 11. Construction staging (including stocking of materials, etc.) will occur on the supply barge.
 12. All Exposed wood to be used on the project will be treated with a cheminite treatment.

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MITIGATION PLAN



Notes:

- Shrubs are show, and shall be planted, at least five feet on center. Trees are show, and shall be planted, at least ten feet on center.
- The property owner will implement and abide by the shoreline planting plan. The plants shall be installed before or concurrent with the work authorized by this permit. A report, as-built drawing and photographs demonstrating the plants have been installed or a report on the status of project construction will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, within 12 months from the date of permit issuance. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Report for Mitigation Work Completion form.
- The property owner will maintain and monitor the survival of installed shoreline plantings for five years after the U.S. Army Corps of Engineers accepts the as-built report. Installed plants shall achieve 100% survival during monitoring Years 1 and 2. Installed plants shall achieve at least 80% survival during monitoring Years 3, 4 and 5. Percent survival is based on the total number of plants installed in accordance with the approved riparian planting plan. Individual plants that die will be replaced with native riparian species in order to meet the survival performance standards.
- The property owner will provide annual monitoring reports for five years (Monitoring Years 1-5). Each annual monitoring report will include written and photographic documentation on plant mortality and replanting efforts and will document whether the performance standards are being met. Photos will be taken from established points and used repeatedly for each monitoring year. In addition to photos at designated points, photo documentation will include a panoramic view of the entire planting area. Submitted photos will be formatted on standard 8 1/2 x 11" paper, dated with the date the photo was taken, and clearly labeled with the direction from which the photo was taken. The photo location points will be identified on an appropriate drawing. Annual shoreline planting monitoring reports will be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, by November 31 of each monitoring year. This reporting requirement may be met by completing and submitting a U.S. Army Corps of Engineers approved Mitigation Planting Monitoring Report form.

PROPOSED PLANTING SPECIES/QUANTITIES

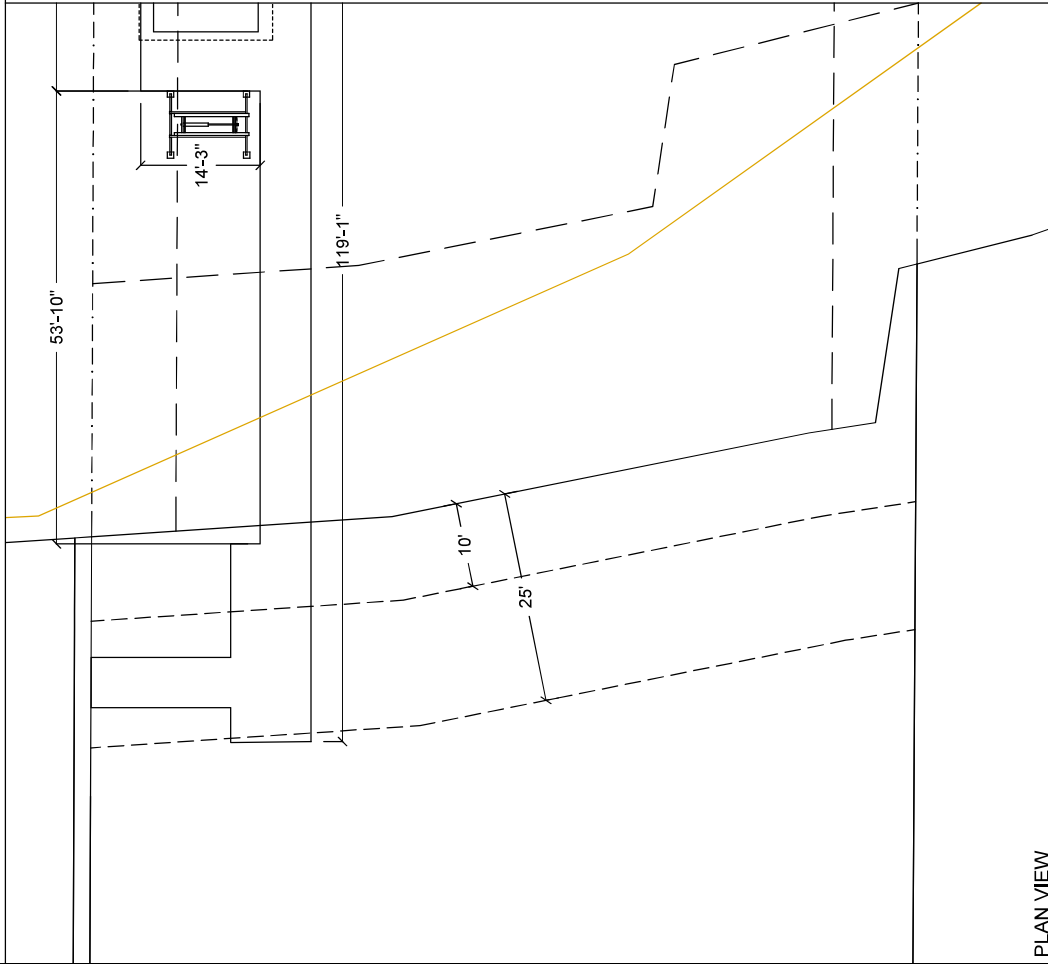
SYMBOL	LATIN NAME	COMMON NAME	QTY	SIZE
	Thuja picata	Western Redcedar	1	3 ft
	Rosa nutkana	Nootka Rose	3	1 Gallon
	Salix sitchensis	Sitka Willow	9	1 Gallon
	Salix lasiandra	Pacific Willow	3	3 ft

PLANTS: Shrubs to be installed 5ft on center and trees to be installed 10ft on center.

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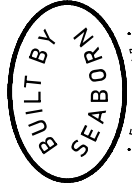
EXISTING PLANT PLAN



NO EXISTING PLANTINGS

PLAN VIEW

EXISTING PLANTS TABLE



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SHEET
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NWS-2021-000X
PAGE 8 OF 12

Datum: CORPS OF ENGINEERS 1919
NW Quarter Of Section 07, Township 24, Range 05
Adjacent Owners:
8620 N MERCER WAY 98040
RUAN HANG+QIAOZHEN LU
MORGAN MICHAEL E & LINDA R
8646 N MERCER WAY 98040
Applicant: Lin Residence
8630 N. Mercer Way
Mercer Island, WA 98040
County: King County
Location: Lake Washington
Created: 05-26-2021
Last Updated: 10/21/2021 7:56 AM Keise

GENERAL NOTES:

MATERIALS SPEC LIST:

Boat Lifts:

- * SL10014ARW - 146" x 191"
- * SL8012ARW - 146" x 167"
- * SL2008AR2D2 - 104" x 132" (dual jet ski)

Grated Decking Material: FRPP - Fiberglass reinforced polypropylene

Light permeable percentage:

- * Surface - 43%
- * 18" Dock Height - 61%

Piles:

- * All new piles are epoxy coated Steel piles *size varies, see plan set

Sewer:

- * All sewer is field verified by probing the lake bed manually during the allowed work windows for the area.

Mitigation:

- * All gravel used by Seaborn Pile Driving for covers, beaches or as mitigation will be fish friendly spawning gravel (naturally occurring water rounded aggregates) The sizes will be noted as:
** 100% less than 1 inch, 85% less than 0.5 inch, and 40% less than 0.25 inch for areas outside of documented sockeye spawning zone 5/8 minus mix for spawning zones

CODE REFERENCES: Mercer Island

We are applying for the permit to be reviewed under the:

****Alternative Development Standards** per MIMC 19.13050(F)(3).**

3) Alternative Development Standards. The code official shall approve moorage facilities not in compliance 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:

i) The dock must be no larger than authorized through state and federal approval, Ch. 19.13 Shoreline Master Program | Mercer Island City Code Page 30 of 34 The Mercer Island City Code is current through Ordinance 20C-13, passed June 16, 2020.

- **Project in review with Army CORPS and WDFW**

ii) The maximum width must comply with the width of moorage facilities standards specified in standards specified in subsection D of this section (Table D);

- **Proposed width of the extension (over 30ft from shoreline) does not exceed 6'**

iii) The minimum water depth must be no shallower than authorized through state and federal approval;

- **Project in review with Army CORPS and WDFW**

iv) 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; and

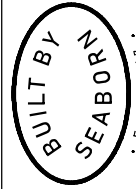
- **NNL Report Included**

v) 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

- **Project in review with Army CORPS and WDFW and we will upload approvals upon receiving them**

Mitigation Disturbance of bank vegetation shall be limited to the minimum amount necessary to accomplish the project. Disturbed bank vegetation shall be replaced with native, locally adapted herbaceous and/or woody vegetation. Herbaceous plantings shall occur within 48 hours of the completion of construction. Woody vegetation components shall be planted in the fall or early winter, whichever occurs first. The applicant shall take appropriate measures to ensure revegetation success;

Last permit issued for property: BLDG Permit
Dock established/constructed: 1959 Sewer Easement



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MMS-2021-00X
PAGE 3 OF 12

County: King County
Location: Lake Washington

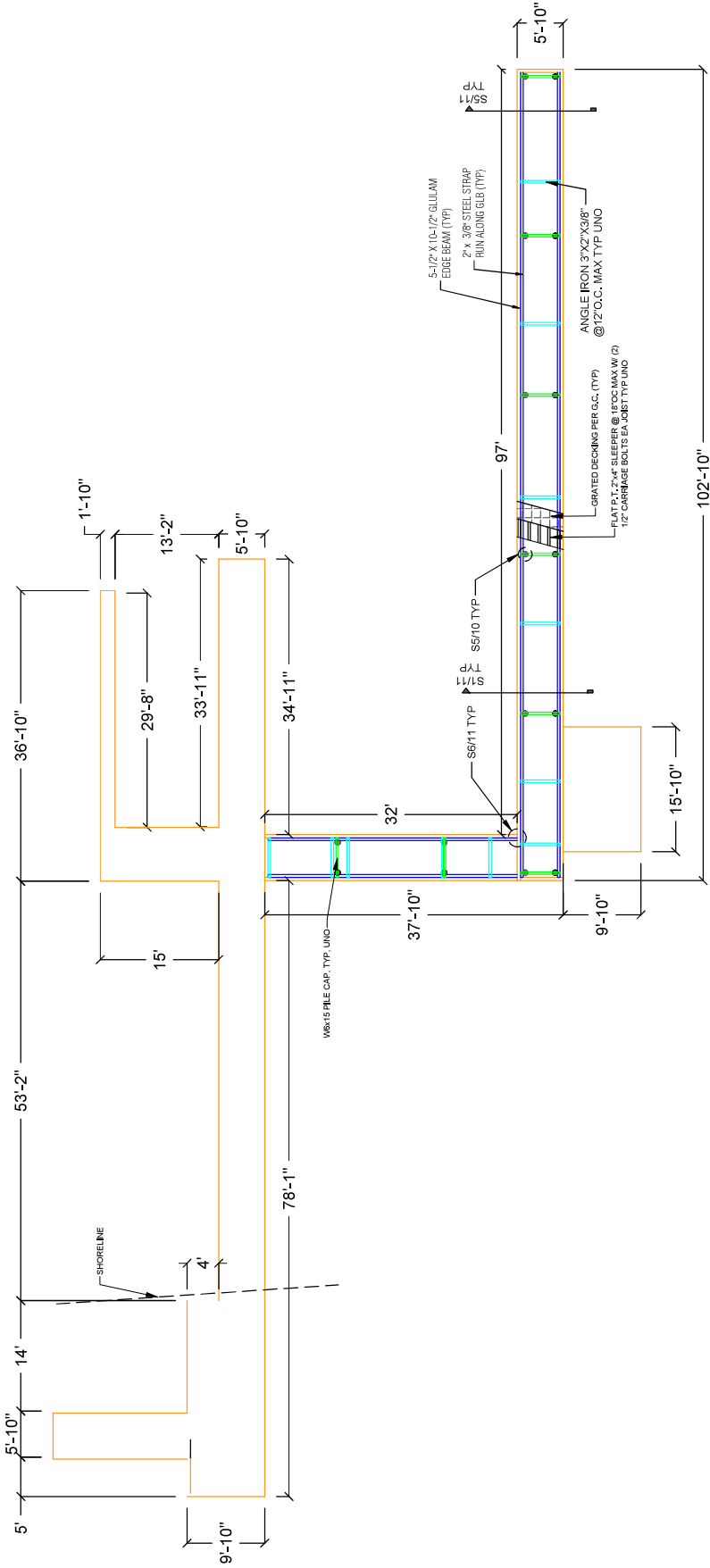
Applicant: Lin Residence
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Datum: CORPS OF ENGINEERS 1919
NW Quarter Of Section 07, Township 24, Range 05
Adjacent Owners:
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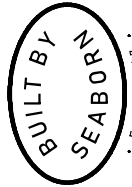
Last Updated: 10/21/2021 7:56 AM Kelsee

Created: 05-26-2021

FRAMING PLAN



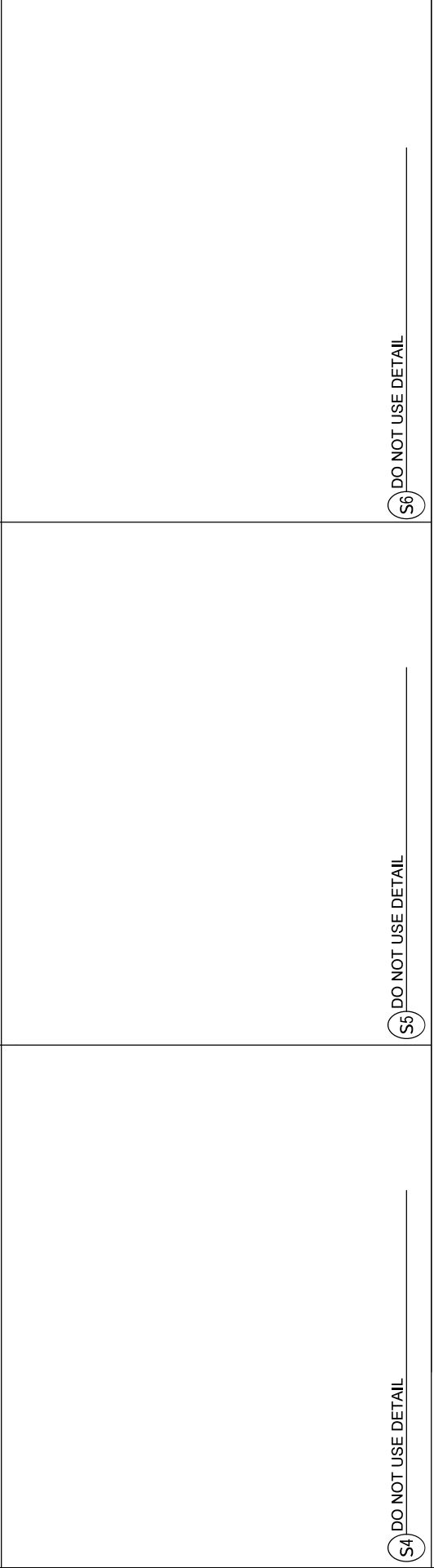
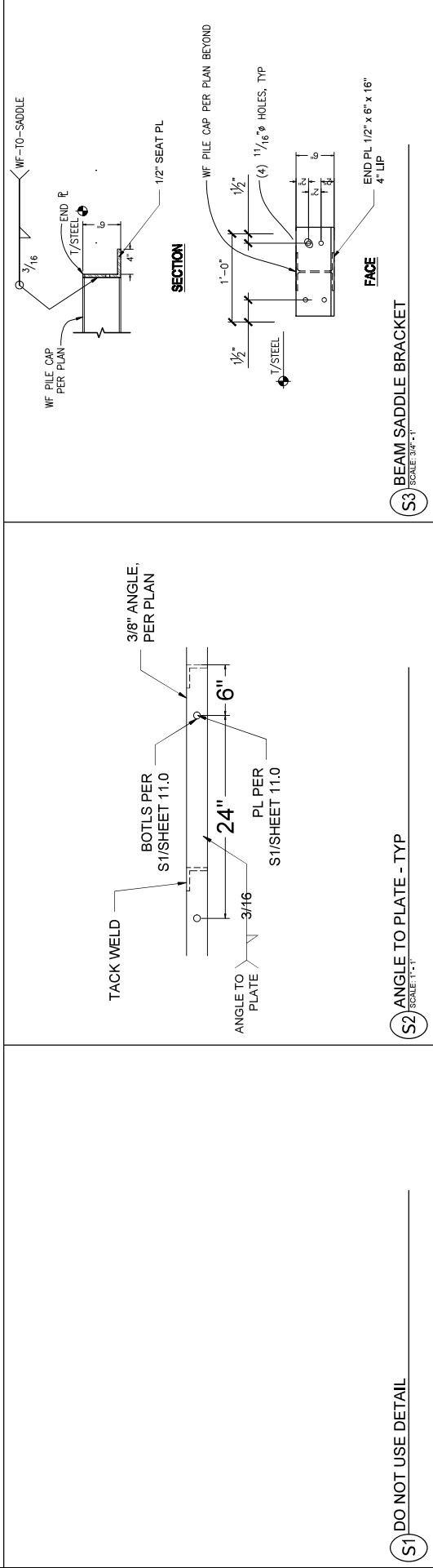
PLAN VIEW



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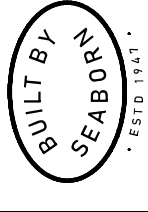
DETAILS - TRACK



S4 DO NOT USE DETAIL

S5 DO NOT USE DETAIL

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Appendix B: Site Photographs



Photo 1 - Existing dock looking waterward.



Photo 2 - Existing dock looking landward.



Photo 3 - Shoreline conditions looking East.



Photo 4 - Shoreline conditions looking West.



Photo 5 - Shoreline conditions offsite to the east.



Photo 6 - Shoreline conditions offsite to the west.

Molly McGuire, Assistant Planner
City of Mercer Island
Community Planning & Development
9611 SE 36th Street
Mercer Island, WA 98040

VIA FIRST CLASS U.S. MAIL
VIA E-MAIL TRANSMISSION
MOLLY.MCGUIRE@MERCERISLAND.GOV

COMMENTS TO DOCK APPLICATION

**RE: Mercer Island File Nos.: SHL22-002 & SEP22-003
8630 North Mercer Way
Mercer Island, Washington**

Dear Ms. McGuire:

The following are written comments and objections to the Shoreline Substantial Development Permit and SEPA Threshold Determination proposal concerning the above project for the extension of the existing dock.

INTRODUCTION

We are Kan Cui and Yan Liu, also known as "Cui". We live at the address of 8636 North Mercer Way, Mercer Island, Washington. We are the upland adjoining neighbors of applicant Melina Lin. We share with Ms. Lin several use and easement rights including easement and use rights to the existing dock and beach which are a part of the plans to expand the existing dock.

LEGAL RIGHTS

According to the Declaration of Easements dated December 6, 1979 under King County Recording No. 8107070095, the Cui property shares with the applicant Lin property a common driveway. Other easement and use rights that the Cui property is entitled to are:

1. A non-exclusive easement for pedestrian ingress and egress across the northerly six feet of the Lin property which consists of a gravel path extending from the common driveway to Lake Washington. In 1983 a two foot strip of land along this easement pathway from the Cui property to Lake Washington was deeded to the Cui's by the former owner of the Lin property.
2. A non-exclusive easement for customary waterfront uses which encompasses the beach area of the Lin property. Customary waterfront uses including swimming, boating and the installation of one moorage buoy. No shrubbery or other device shall physically enclose any easement without the Cui's written consent.
3. The Cui's have exclusive right to use the boathouse on the dock where their boat is now located.
4. The Cui's shall have a non-exclusive right to use the existing dock for water related uses and access to the boathouse.

According to the Amendment to Declaration of Easements under King County Recording No. 9112020542 dated November 14, 1991 a location was established for the placement of the Cui

ring buoy as referenced in the previous document. This buoy is to be 50 feet off shore from the end of the existing dock and is delineated by a map attached as Exhibit A to this Amendment.

According to an Amendment to Declaration of Easements dated July 21, 1994 under King County Recording No. 9408241323 such customary waterfront uses within the waterfront easement shall include sitting and relaxing in the waterfront easement area, picnicking and barbequing, swimming, sun bathing and to moor a recreational craft less than 30 feet at the moorage buoy as per the Amended to Declaration dated November 14, 1991. Provision 2b of this Amendment provides for a specific landscaping within the waterfront easement area including a provision that states: "**All plants placed outside of the grass area shall be of such type or be placed in such manner so as not to overhang the grass into the waterfront easement.**" Provision 4a provides that the dock is to be kept free of obstructions.

INTERFERENCE WITH USE

The Cui property has substantial easement, use and moorage rights to the dock and beach area which have not been considered in the Shoreline Substantial Development Permit Application. In fact, it appears that the proposed dock extension plan would substantially violate existing covenants that govern both the Cui and the Lin properties. Examples of some, but not all, of these violations appear to be:

1. **Recreational Uses.** Section 12 of the Lin February 14, 2022 Development Application asks:

b. Would the proposed project displace any existing recreational uses? If so, describe. No.

This is not true. The Cui's recreational uses would be substantially interfered with and displaced by such things as the floating boom, the planting of trees on or near the waterfront easement, denial of access and use of the current dock, denial of access and use of the moorage buoy, etc.

2. **Vegetation Plan.** The shoreline vegetation plan which adds "conifer trees and 15 native deciduous trees and shrubs" appears to be in direct violation of the July 21, 1994 Amendment to Declaration of Easements which prohibits any plants from overhanging the waterfront easement area. It also seems to interfere with the permitted uses of the Cui's within that waterfront easement. One of the planned three pacific willows seems to be planted directly in the pathway which obstructs the Cui's deeded access to Lake Washington and would be in violation of the December 6, 1979 Declaration of Easements.

3. **Work Window.** The work window period from July 16, 2022 to April 30, 2023 encompasses a prime time in the Summer months for water recreation. Lake Washington's water temperature and the weather is ideal after about July 5 each year. The current dock development plan would interrupt and even prohibit the Cui's permitted activities during this time.

4. **Floating Boom.** The Cui's currently have a boat moored in their boathouse on the dock plus moorage rights on the ring buoy 50 feet off the existing dock. It appears that the construction and the floating boom would prohibit the Cui's boat from getting in and out of their boathouse and would disrupt their use of the dock and the ring buoy.

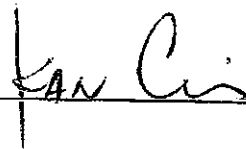
5. **Jet Ski Lifts.** The current jet ski lift belongs to the Cui family. The new proposed double jet ski lifts would belong to the Lin family. Plus there would be three solar powered charging boxes in this area. Placing the two proposed jet ski lifts built on the dock in an opposite position to the current single jet ski lift in such a narrow dock area causes congestion and safety concerns.

CONCLUSION

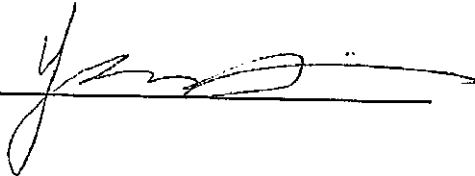
The Development Application assumes that Melina Lin is the only person with any rights or uses of the dock and beach area. This is clearly not the case. The recorded documents which govern the easements and uses of the Lin property and the dock have been overlooked in this application and must not be violated in any plans for the extension of the existing dock. The Cui's must continue to have unobstructed use of the beach easement, existing dock, moorage ring buoy and boathouse especially during nice weather. Agreed upon accommodations by the Cui's must be made for any dock extension plans. Otherwise, the Cui's fully object to this project.

Please provide us with copies of all additional reports, E-Mails, plans, submissions and other documents and notifications concerning this project.

Dated this 1st day of April, 2022



Kan Cui



Yan Liu

cc: Madison Johnson - Seaborn Pile Driving
1080 W Ewing Street, Building B
Seattle, WA 98119

June 10, 2022

To: Molly McGuire
Assistant Planner
City of Mercer Island
Tel: 206-275-7712
Email: molly.mcguire@mercergov.org
Sent by Email

Dear Ms. McGuire,

RE: Mercer Island File Nos: SHL22-002 & SEP22-003
New Dock Extension at
8630 N Mercer Way, Mercer Island, WA 98040

This is to respond to your letter dated on May 26, 2022.

I had a chance to talk with you after I received your letter and indicated that my neighbor is difficult to work with. You asked me to provide information to prove that 8630 House have right to construct the dock extension without the consent of neighbor 8636. This is what this letter for.

I went back to the property legal description, title documents, easement agreements, and King County Tax Parcel information, and consulted the legal counsel. I was told a very important fact - my property 8630 house owns the dock, boat house, and the shorelands abutting my house waterfront backyard. With 98ft waterfront footage, the dock and boathouse are entirely located within the shorelands of my property. My neighbor only has 2ft waterfront, and it is not much usage without an access easement on my property. It is combined with a 4ft easement on my property to form a 6ft wide walkway for 8636 house to reach the water front. The 8636 house is granted certain non-exclusive easement rights to access to dock and boathouse but they do not own them. Based on this fact, as an owner of the water front property, dock, boathouse and shoreline area, I should be the party to decide what to do with my waterfront and dock work, as long as it meets the code, and the work or construction does not interfere or violate the existing easement rights of 8636 house.

Definitions:

8630 House: 8630 N Mercer Way, Mercer Island, my house / the subject house that has prosed a new dock extension.

8636 House: 8636 N Mercer Way. Mercer Island, the neighbor Cui and Liu's house. They provided comments to my dock design and our shoreline permit review.

Existing Docks: owned by 8630 House and are constructed on 8630 Shorelands.

Existing Boathouse: Owned by 8630 House and constructed on 8630 Shorelands.

The followings are the detailed descriptions and reasons:

- 1. Existing docks, boathouse and new proposed extension of the dock are all in the shorelands of the 8630 House. The 8630 house granted certain access easements to 8636 house to allow them for beach, dock access only.**

Please see the legal descriptions of 8630 house below. The 8630 house has the property land and also the shorelands of the second class adjoining and lying between the northeasterly projections of the sidelines of the said tract.

Legal Description of 8630 N Mercer Way, Mercer Island

FIRST AMERICAN TITLE INSURANCE COMPANY **Exhibit "A"**

Vested Owner: JING MA AND XINFANG LIU, HUSBAND AND WIFE

Real property in the County of King, State of Washington, described as follows:

PARCEL A:

LOT B, AS DESCRIBED IN CITY OF MERCER ISLAND SUBDIVISION RECORDED UNDER RECORDING NO. 7812180972 AND AS DELINEATED ON SURVEY THEREOF, RECORDED UNDER RECORDING NO. 7911309020, AS REVISED UNDER RECORDING NO. 8309159010, BEING A SUBDIVISION OF TRACT 10, SUNNYBANK, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 29 OF PLATS, PAGE 31, IN KING COUNTY, WASHINGTON;

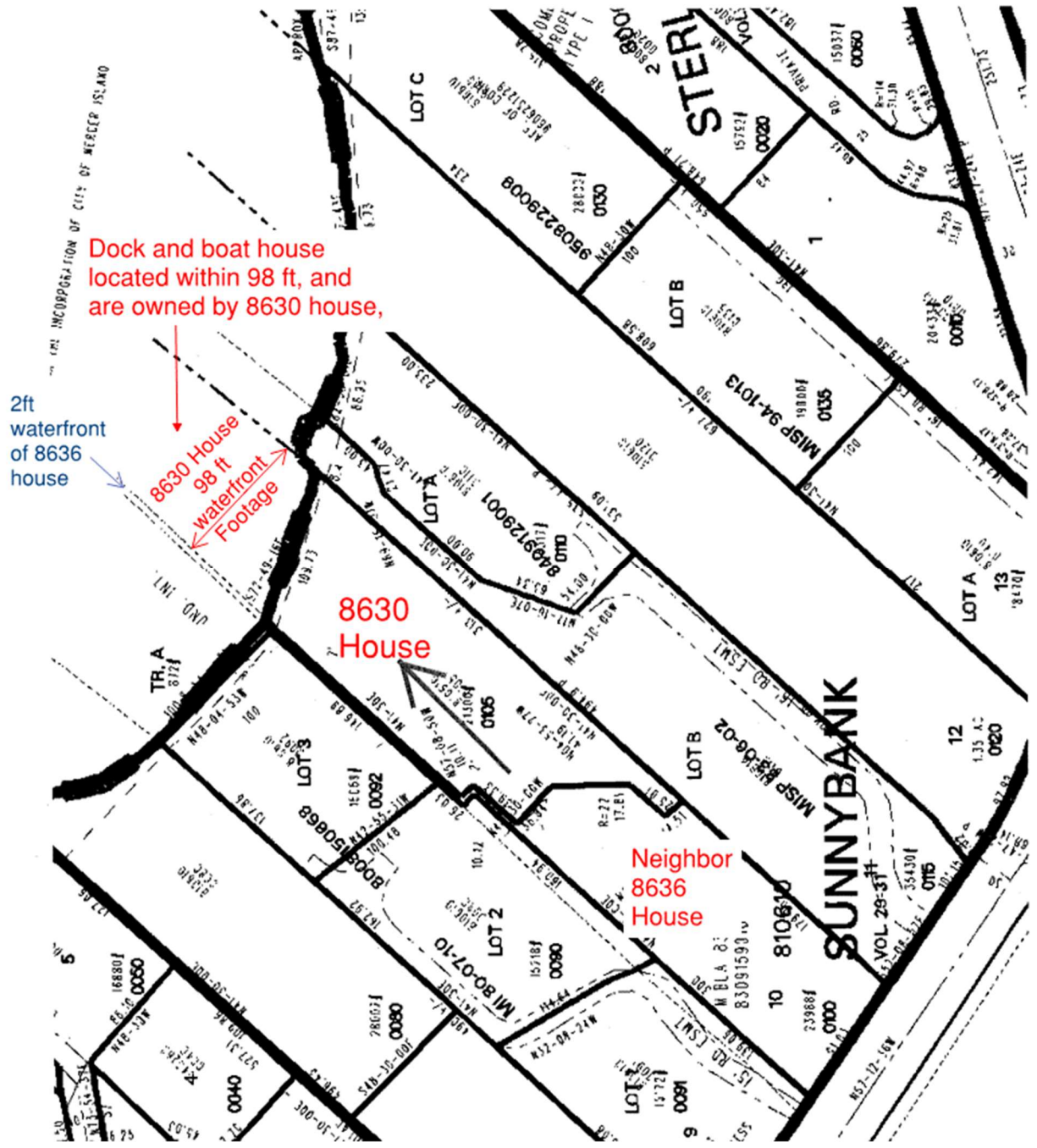
TOGETHER WITH THE SHORELANDS OF THE SECOND CLASS ADJOINING AND LYING BETWEEN THE NORTHEASTERLY PROJECTIONS OF THE SIDELINES OF SAID TRACT.

PARCEL B:

A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS DELINEATED ON THE CITY OF MERCER ISLAND SUBDIVISION RECORDED UNDER RECORDING NO. 7812180972 AND AS DELINEATED ON SURVEY THEREOF, RECORDED UNDER RECORDING NO. 7911309020, AS REVISED UNDER RECORDING NO. 8309159010, BEING A SUBDIVISION OF TRACT 10, SUNNYBANK, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 29 OF PLATS, PAGE 31, IN KING COUNTY, WASHINGTON.

Tax Parcel Number: 810610010508

Situs Address: 8630 N Mercer Way, Mercer Island, WA 98040



8630 Lot Plot Map from the 8630 House Title document

From the above legal description and plat lot map, the 8630 house has a waterfront footage 98 ft. The existing dock, boathouse and lifts are all located within the shorelands of the second class (or 98 ft waterfront) of the 8630 house. The 8630 house granted non-exclusive easements rights and restrictions to the 8636 house, under Recording No. 8107070095 (called declaration) and subsequent amendments #9112020540 and #9408241323. These agreements are to define the easements granted to 8636 house, on the dock, boathouse and usage of beach front that are owned by 8630 house.

2. The 8630 house owns Dock and Boat house (shown by King County Parcel Information) – Exhibit A.

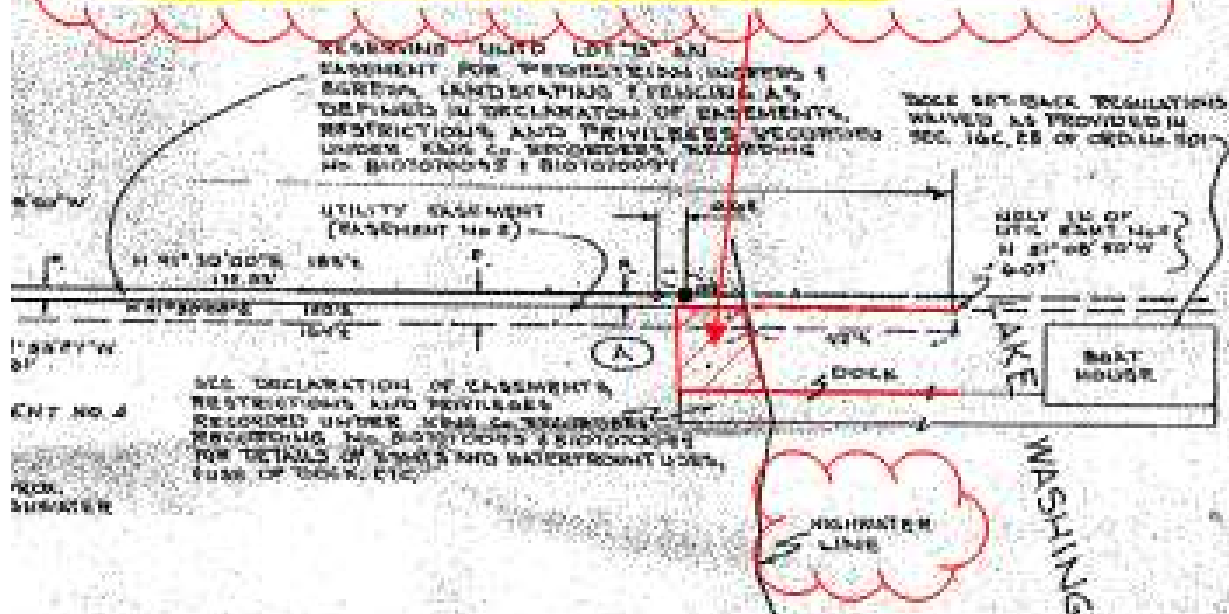
King County Parcel information shows 8630 owns dock, boathouse and shorelands, it has been responsible for paying property taxes on them. It further proves that 8630 house is the owner of the shorelands area and 8636 only has easement access right to the dock and beachfront. Even though 8636 house has exclusive usage for the boat house but 8636 does not own the Boathouse.

3. The Agreement 5C of # 8107070095, it shows the 8636's non-exclusive easement to use the waterfront is restricted on the north side of the dock (the side boathouse is located)

c. A non-exclusive easement for customary waterfront uses by the owners of the upland parcel, their guests and invitees, over, upon and across the following portion of the waterfront parcel:

Beginning at the northwestern corner of the existing dock, thence westerly a distance of six (6) feet along a line running parallel to the northerly boundary of the waterfront parcel, thence northerly to the northerly boundary of the waterfront parcel along a line perpendicular to the said northerly boundary, thence easterly along the northerly boundary of the waterfront parcel to the ordinary high water line of Lake Washington, then southerly along the ordinary high water line of Lake Washington to the northwestern corner of the existing dock, the point of beginning; together with the shorelands of the second class adjacent thereto.

Beginning at the northwestern corner of the existing dock, thence westerly a distance of six (6) feet along a line running parallel to the northerly boundary of the waterfront parcel, thence northerly to the northerly boundary of the waterfront parcel along a line perpendicular to the said northerly boundary, thence easterly along the northerly boundary of the waterfront parcel to the ordinary high water line of Lake Washington, then southerly along the ordinary high water line of Lake Washington to the northwestern corner of the existing dock, the point of beginning; together with the shorelands of the second class adjacent thereto.



The above describes the 8630 house granted an non-exclusive easement for customary waterfront uses by the owners of 8636 house, with restrictions. It described the location and its shoreland area as shown on the above plan. This area and its shoreland / waterbody **is at the northwest side of the dock**, i.e the dock side that has the boathouse.

The use of that area is not absolute, instead, it has been labeled as “customary use”. That means it has certain restrictions, such as the use of the beach front is limited between hours of 8:00 a.m. through daylight hours and limited to a group of no larger than 8 people along with many other restrictions.

You asked me to show you where in the easement documents says the 8636 house only can use one side of the dock. This is it, please see 5C of # 8107070095 (page 4).

I have also reached out to Mr. Dell Keehn who is the previous owner of my house for 30+ years. He negotiated and signed all these easement documents with the previous owner Gerstel of 8636 House.

Mr. Keehn indicated: *"....I will say that for us it was important that we establish that the entire right hand side (meant – 'southeast side') of the dock was exclusively ours and in return we bargained away the use of the boat house...."*. That explained why 8636 has obtained the exclusive right to use the boathouse, and Mr. Keehn has used that to gain the exclusive right to the right side (east side) of the dock.

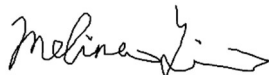
4. No Interference

New Proposed dock – new dock has no interference for the existing easements that 8630 house had granted to 8636 house. All the comments from Neighbor 8636 have been addressed in our response letter by Seaborn. One new Tree (seemed on the easement walkway) has been relocated to be clear off from the walkway. The new proposed dock does not interfere the boat in and out from the boathouse. The battery for the two new lifts will be installed in the side wall of the new dock, so no occupancy of the deck surface area. The buoy mentioned in the comments does not exist currently. Even though they re-install a new buoy that is 50 ft from the existing dock, the buoy is still 32+ ft away from the new proposed dock. The tying boat is restricted at the northwest side of the dock, so there will be no interference. Seaborn has addressed the construction window will be in the fall (not in the summer months) and 12 working days, so the impact is minimum to none.

I hope the above has explained our case. The City is able to proceed with the application and permit approval without my neighbor's approval.

Should you have any questions, please feel free to reach out to me.

Respectfully,



Melina Lin
8630 N Mercer Way
Mercer Island, WA 98040
Tel: 206-355-9468
Email: melinalin48@gmail.com

FINDINGS AND DECISION

OF THE HEARING EXAMINER FOR THE CITY OF MERCER ISLAND

In the Matter of the Application of

DELL E. KEEHN

For variances from the Zoning Code and the Shoreline Master Program to reconstruct an existing pier and boathouse

DECISION: The variances are GRANTED.

I. INTRODUCTION

The applicant, DELL E. KEEHN, filed an application on April 3, 1981, for variances from the Zoning Code and the Shoreline Master Program to reconstruct an existing pier and boathouse.

This matter was heard before the Hearing Examiner on May 1, 1981. Present at the public hearing were: the applicant, Mr. Keehn; Ms. Catherine Hall, the applicant's representative; Mr. Scott Daggatt, the project engineer; Mr. Doug Ruud, a developer of one of the properties to the east; and Mr. David P. Guillen and Ms. Phyllis Meck-Emery, from the Department of Community Development.

The following exhibits were admitted into the record:

- Exhibit No. 1 - Staff report, including application for variance.
- Exhibit No. 2 - Project plan prepared by Scott Daggatt.
- Exhibit No. 3 - Project cross-section drawing.
- Exhibit No. 4 - Photograph of the existing pier and boathouse.
- Exhibit No. 5 - Same as Exhibit No. 4.

After due consideration of the evidence presented in the exhibits, all evidence elicited during the public hearing, and as a result of the personal inspection of the subject property and surrounding area by the Hearing Examiner,

the following findings of fact and conclusions shall constitute the decision of the Hearing Examiner on this application.

II. FINDINGS OF FACT

1. The applicant's waterfront property is located at 8630 North Mercer Way. The property includes a single-family residence with 100 feet of frontage on the north shore of the Island. There are single-family properties adjacent to the east and west. Each of the adjoining properties has a pier situated near its west boundary line. The property on the east is a semi-private waterfront tract serving the Kipper short subdivision.

2. Applicant's property has an existing 100 foot pier and a boathouse, both of which are in disrepair. The pier is nonconforming with respect to the 10 foot separation from the lateral property line, and the boathouse is non-conforming because it is located outside the equilateral triangle. The applicant proposes to reconstruct the existing pier and replace the boathouse with a roof but no sides. Variances are required for a pier within 10 feet of the lateral property line and for covered moorage outside the equilateral triangle. Zoning Code Section 16.06.1-4. Shoreline Master Program, Section S, l g and i.

3. Initially, the applicant applied for a variance from the 100 foot dock length limitation, but he later withdrew this application. He now plans to reconstruct the existing 100 foot dock without adding additional length.

4. The neighboring piers to the east and west also are nonconforming as to the 10 foot lateral separation from the lot line. In addition, one of the adjoining lots has covered moorage located outside the equilateral triangle.

5. Applicant's project will substantially improve the appearance of the pier and boathouse. The project will also make the boathouse more conforming to existing regulations by lowering the height of the roof and eliminating the sides.

III. CONCLUSIONS

1. The application satisfies the criteria of the Zoning Code for a variance:

- (a) There are special circumstances applicable to this particular lot. There is an existing pier which the applicant is attempting to maintain while at the same time making the

boathouse more conforming by lowering the height of the roof and eliminating the sides.

- (b) The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated. The project will be a substantial improvement of the pier and dock and will benefit the entire area.
- (c) The granting of the variance will not alter the character of the neighborhood nor impair the appropriate use or development of adjacent property. The adjoining piers to the east and west have a similar configuration, and are located near their west property lines.
- (d) The granting of the variance will not conflict with the general purposes and objectives of the Comprehensive Plan. The project will promote public enjoyment of the shoreline. Additionally, the City Council has recommended to the State Department of Ecology that covered moorage be permitted subject to the issuance of a variance thus eliminating the equilateral triangle.

2. The application satisfies the shoreline variance criteria as follows:

- (a) The hardship, which serves as a basis for granting of the variance, is specifically related to the property of the applicant. The hardship is related to the existing pier which is estimated to be at least 20 years old.
- (b) The hardship results from the application of the requirement of the Act and Master Program and not from, for example, deed restrictions or the applicant's own actions. The hardship results from the location of the existing pier that was on the property at the time the applicant purchased the property.
- (c) The variance granted will be in harmony with the general purpose and intent of the Master Program. The project will promote enjoyment of the shoreline which is one of the general purposes and intents of the Master Program.

- (d) The public welfare and interest will be preserved.

IV. DECISION

For the reasons set forth above, the variances are hereby GRANTED to permit the applicant's project as indicated in Exhibit No. 2.

Entered this 13 day of MAY, 1981, pursuant to authority granted under Section 18.01, as amended by Ordinance 492, of the Zoning Code.

Thomas M. Walsh

THOMAS M. WALSH

Variance Hearing Examiner

NOTICE OF RIGHT TO REQUEST RECONSIDERATION OR TO APPEAL

1. Request for Reconsideration. Pursuant to Section 18.01(j) of the City Zoning Code, any party to the proceeding who is aggrieved by the decision of the Examiner may submit a written request for reconsideration to the Examiner by filing the request with the City Clerk within ten (10) calendar days of the date of the Examiner's written decision. Such request shall specify the error of law or fact, procedural error, or new evidence which could not have been reasonably available at the time of the hearing conducted by the Examiner, which is the basis for the request.
2. Appeal. Pursuant to Section 18.01(k) of the City Zoning Code, any party to the proceeding who is aggrieved by the decision of the Examiner may submit a written appeal to the City Council by filing the appeal with the City Clerk within ten (10) calendar days of the date of the Examiner's written decision. Such appeal shall specify the error of law or fact, procedural error, or new evidence which could not have been reasonably available at the time of the hearing conducted by the Examiner, which is the basis for the request.
3. Any Request for Reconsideration by the Variance Hearing Examiner or Appeal to the City Council shall be filed with:

City Clerk
City of Mercer Island
3505 - 88th Avenue S.E.
Mercer Island, WA 98040

NOTICE OF TIME LIMITATION UPON APPROVAL OF VARIANCE

Pursuant to Section 18.01(i) of the City Zoning Code, a variance authorized by the Examiner shall become void after the expiration of one (1) year from the date of the decision unless:

1. A building permit application conforming to the approved variance is filed with the City; or
2. A subdivision application conforming to the approved variance is filed with the City; or
3. The approved variance specifically provides for a greater authorization period.

PARTIES OF RECORD

DELL E. KEEHN

CATHERINE HALL

SCOTT DAGGATT

DOUG RUUD

RECEIVED
MAY 13 1981

STATEMENT

**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-APPLICATION 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:

Lin Residence

- 2. Name of applicant:

Madison Johnson - Seaborn Pile Driving

- 3. Address and phone number of applicant and contact person:

1080 W Ewing St Bldg B Seattle WA 98119 206-236-1700

- 4. Date checklist prepared:

10/22/2021

- 5. Agency requesting checklist:

City of Mercer Island

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

during work window

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:

no

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

City of Mercer Island SSDP w/ SEPA, City of Mercer Island Building, CORPS, and 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.)

We propose to install (20) new 8" steel piles, permit (1) existing PWC lift, a walkway & extension with grated decking material. We will also install a platform lift, a boat lift and a dual jetski lift.

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.

Pin: 8106100105

Legal Description: SUNNY BANK ADD POR SLY & ELY OF LN BEG ON SELY LN THOF 179.96 FT NELY FR SE COR TH N 48-30 W 14.51 FT TH N 41-30 E 25.01 FT TH ON CRV LFT RAD 22 FT C/A 46-23-27 DIST 17.81 FT TH N 04-53-27 W 41.19 FT TH N 48-30 W 36.84 FT TH N 41-30 E 39.33 FT TH N 57-08-50 W 10.11 FT TH N 41-30 E TO SH LN OF LAKE TGW SH LD ADJ AKA PARCEL B MI BLA #83-05-17 REC NO 8309159010

Plat Lot: 10

LAT: 47.58493 LONG: -122.22153

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)?

1%

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.

Sand and gravel

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

No

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)?

None - decking will be grated material

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

N/A

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.

Exhaust smoke from construction equipment

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

No

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

Run equipment only as necessary

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.

We propose to install (20) new 8" steel piles, permit (1) existing PWC lift, a walkway & extension with grated decking material. We will also install a platform lift, a boat lift and a dual jetski lift.

- 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

- 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.

N/A

- 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
 - Sing 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?

N/A

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

No known threatened or endangered plant species are on or near the site.

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

Please see associated native planting and vegetation.

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

None present along the shoreline adjacent to the work site.

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:

Potential for Steelhead salmon, Chinook salmon, and bull trout to be in the adjacent waters in Lake Washington.

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

Potential for Steelhead salmon, Chinook salmon, and bull trout to be in the adjacent waters in Lake Washington.

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

Unknown.

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

Mitigation including fully grated decking material, native shoreline vegetation plan, and construction activities during approved fish friendly work windows.

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

Unknown.

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.

None

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:

N/A

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.

Unknown

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

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

iv. Describe special emergency services that might be required.

None

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

N/A

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.

Noise from construction equipment

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

Operate machinery only as required

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 residence

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

S

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

No

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

R-15

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

Urban residential

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.

No

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

None

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

None

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

N/A

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

To ensure local, state, and federal compliance, the project will include a SSDP and SEPA review by the city of Mercer Island, a Hydraulic Project Approval permit from WDFW, and federal section 10 (work in navigable waters) permit from the US Army Corps of Engineers.

9. Housing

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

None

- 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:

N/A

10. Aesthetics

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

Less than 60" above OHWM

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

None

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

N/A

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:

N/A

12. Recreation

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

Single family residential swimming and boating

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:

N/A

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.

Unknown

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.

No

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.

Review by the Army Corps of Engineers

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.

N/A

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.

N 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?

Nearest transit stop is at N Mercer Way & 80th Ave SE (0.6mi from residence)

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

None

- 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?

None

- 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.

N/A

16. Utilities

a. Check utilities currently available at the site:

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

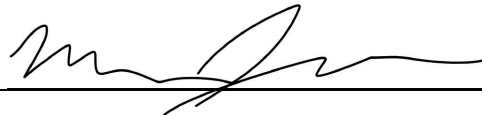
b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None

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: _____



Date Submitted: 2/14/2022

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.]



DETERMINATION OF NON-SIGNIFICANCE (DNS)

Application No.: **SEP22-003**

Description of proposal: **Review under the State Environmental Policy Act (SEPA) for the construction of a 786 square foot extension with grated decking to an existing dock, installation of 18 new 8" steel piles, permitting an existing personal watercraft (PWC) lift, and installation of a new platform lift, boat lift, and dual PWC lift.**

Proponent: **Madison Johnson (Seaborn Pile Driving)**

Owner: **Melina Lin**

Location of proposal: **8630 N Mercer Way, Mercer Island, WA 98040; Identified by King County Assessor tax parcel number 810610-0105.**

Lead agency: **City of Mercer Island**

Project Documents: **Please follow this file path to access the associated documents for this project: <https://mieplan.mercergov.org/public/SHL22-002&SEP22-003/>**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. 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.

_____ There is no comment period for this DNS.

✓
_____ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

_____ 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 N/A at 5:00pm.

Responsible Official: Molly McGuire, Planner
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
Phone: (206) 275-7712
Email: molly.mcguire@mercerisland.gov

Date: **August 26, 2022** Signature:

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.



Any party of record may appeal this determination to the City Clerk at 9611 SE 36th Street Mercer Island, WA 98040 no later than **5:00 PM on Friday, September 9, 2022** 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.

There is no agency appeal.