



January 6, 2026

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

Re: Shoreline Exemption Request for No-Wake/Non-Motorized Vessel Buoys for Luther Burbank Park Waterfront Improvements Project (Related Permit Approvals/Applications: SHL22-023, SHL22-024, SHL23-043, SHL23-044, SHL23-045, and Building Permit Application 2509-100)

The City of Mercer Island (Applicant) seeks a shoreline exemption to replace one buoy and install two new buoys in Lake Washington adjacent to Luther Burbank Park as part of the Luther Burbank Park Waterfront Improvements Project (Project).

Project Overview

The Applicant proposes to repair, maintain, and enhance access to and use of the Luther Burbank Park docks and waterfront in the City of Mercer Island, WA. The Project includes repairing and replacing portions of the existing dock structures, including repairs to the north dock structure; replacing and reconfiguring the central and south docks; installing a new grated overwater platform off the plaza bulkhead; improving the north beach with fish habitat gravel and riparian plantings; creating new ADA-accessible routes that connect the north shoreline trail, north beach, waterfront plaza, docks, and south shoreline trail; incorporating low-impact development (LID) features to provide stormwater buffering and biofiltration functions; installing utility improvements, including upsized electrical service, a new sanitary sewer vault and line for the restrooms, and a lake water intake system and irrigation connection; providing a fire suppression system for the docks; and adding new wayfinding and regulatory signage, a kiosk, and art and interpretive elements. Once completed, the renovated/replaced docks will serve the needs of a range of motorized and non-motorized watercraft recreating on Lake Washington and visiting Luther Burbank Park.

Necessity for Safety Buoys

The Project is located on Department of Natural Resources (DNR)-managed aquatic lands and requires an Aquatic Use Authorization (AUA) to construct. The Applicant began consulting with DNR at the 30% design phase; in November 2021, DNR representatives communicated to the Applicant that the agency would require installation of additional no-wake buoys to enhance navigational safety for motorized vessels passing through the channel as well as park users handling non-motorized watercraft, such as kayaks and paddleboards, around the renovated/replaced docks.

After consulting with the Mercer Island Police Department's Marine Patrol unit, the Applicant incorporated three buoys into the project:

- The existing buoy located east of the docks will be replaced with a new "No Wake" buoy.
- A new "No Wake" buoy will be installed southeast of the docks.
- A new "Non-Motorized Vessels" buoy will be installed south of the new general-purpose float intended for use by hand-powered watercrafts such as kayaks and paddleboards.

See Figure 1 for the buoy plan details.

Code Compliance Criteria

The Project received conditional approvals for a Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, and Shoreline Variances (four) in April 2025 (refer to approvals issued for SHL22-023, SHL22-024, SHL22-025, SHL23-043, SHL23-044, SHL23-045). The Applicant now requests a shoreline exemption for the installation of the proposed "no-wake" and "non-motorized vessels" buoys. This safety element of the Project is categorically exempt from a Shoreline Substantial Development Permit per the following:

WAC 173-27-040(2) The following developments shall not require substantial development permits:

(f) Construction or modification of navigational aids such as channel markers and anchor buoys.

The proposed buoys are necessary to enhance navigational safety for passing vessels and to clearly delineate vessel use areas to protect hand-powered watercraft users landing and launching from the south dock. The buoys function solely as navigational aids and will not be used as mooring buoys. They are intended only to safely manage vessel activity in the vicinity of the docks. Because this intended purpose satisfies the exemption outlined in WAC 173-040(2)(f), this element of the Project qualifies for a shoreline exemption from the City of Mercer Island.

Feel free to reach out with questions or requests for additional information.

Sincerely,



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