



Shoreline Exemption Report for Permit# 2604-054

Date: 4/20/2026

Property Address: 6424 E Mercer Way, Mercer Island, WA 98040

Client: Linda and George Ojemann

Prepared for: Tony Newton- City of Mercer Island Community and Planning Development

Prepared by: Ryan Murphy, Certified Arborist #PN-9949A

Project Narrative (Shoreline Exemption – Hazard Tree Removal)

The proposed project involves the removal of one hazardous tree located on a developed single-family residential property within approximately 81 feet of the shoreline of Lake Washington. The subject tree has exhibited active structural failure in response to Brittle Cinder Fungus (*Kretzschmaria deusta*), including a longitudinal split through the primary stem below the union, creating an imminent risk of failure. The tree is within striking distance of the home and common use areas (the porch), posing a clear threat to property and safety.

No grading, land disturbance, or development beyond the removal of the hazardous tree is proposed. Work will be performed using standard arboricultural practices, with minimal ground disturbance. All debris will be removed from the site, and no work is proposed within the lakebed or below the ordinary high water mark.

This proposal is limited in scope to hazard mitigation and does not include additional development or tree removal beyond the identified risk tree.

Code Compliance Matrix (MICC 19.13.050 & Shoreline Exemption Criteria)

1. Consistency with Shoreline Master Program (MICC 19.13.050)

The proposal is consistent with the policies and regulations of the Shoreline Master Program as it is limited to the removal of a hazardous tree necessary to protect public safety and existing development. The activity represents a low-impact action that avoids shoreline degradation and preserves overall ecological function.



- No new structures or impervious surfaces are proposed
- No alteration of shoreline configuration or lakebed
- Work is confined to an already developed residential setting

2. Compliance with Shoreline Exemption Criteria (WAC 173-27-040)

This proposal qualifies for exemption under:

WAC 173-27-040(2)(f) – Construction or modification of single-family residences and normal appurtenances (*if applicable*)

AND/OR more directly:

WAC 173-27-040(2)(d) – Actions necessary to prevent an imminent threat to public health, safety, or the environment

The subject tree is actively failing, as evidenced by a visible structural split, and poses an immediate hazard to people and/or property. Removal is necessary to eliminate this imminent threat.

Exemptions are construed narrowly; this proposal strictly meets the criteria as:

- The hazard is current and observable (active splitting)
- The risk is imminent (potential for sudden failure)
- The action (tree removal) is the minimum necessary to mitigate the hazard

3. Critical Areas & No Net Loss (MICC 19.13.020(C))

The proposal will not result in a net loss of ecological function because:

- Only one hazardous tree is proposed for removal
- The replanting plan will increase overall canopy coverage of the property
- No additional vegetation clearing is proposed
- Disturbance is limited and temporary
- Existing surrounding vegetation will remain intact

If required, mitigation may include replacement planting with native species to maintain long-term ecological function.



4. SEPA Compliance (WAC 197-11-800)

The proposal is categorically exempt from SEPA review as it involves minor land disturbance from hazard tree removal with no expansion of development footprint.

5. Summary of Compliance

The proposed hazard tree removal:

- Meets the exemption criteria under WAC 173-27-040(2)(d)
- Is consistent with MICC 19.13 shoreline regulations
- Avoids impacts to shoreline ecological functions
- Represents the minimum necessary action to address an immediate safety concern

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