



City of Bellevue
Development Services Department
Land Use Staff Report

Date of Receipt by Ecology:

**SHORELINE MANAGEMENT ACT
DECISION ON SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

File Number:	22-100257-WG
Proposal Name:	Follett Pier
Proposal Address and Location:	5205 Lakehurst Ln, NE-20-24-K
Water Body:	Lake Washington
Shoreline Environment Designation:	Shoreline Residential
Proposal Description: Land Use review of a Shoreline Substantial Development Permit to reconfigure and expand an existing 802 square-foot residential dock to 906 square feet; install one (1) dual jet ski lift; relocate an existing boatlift; and install two (2) new mooring piles. Mitigation has been included to ensure no net loss of ecological function.	
Applicant: <input checked="" type="checkbox"/> Applicant owns property David & Leann Follett	
Applicant Representative: Madison Johnson, Seaborn Pile Driving Co., permits@seabornpiledriving.com, 206-360-1700	
Application Date:	January 6, 2022
Notice of Application Date:	January 27, 2022
Notice of Decision Date:	April 20, 2023

SEPA Determination:

Determination of Non-Significance

SEPA Appeal Deadline:

May 4, 2023

Reilly Pittman

Planning Manager

Elizabeth Stead, Environmental Coordinator
Development Services Department

Decision on SSDP:

Approval with Conditions

Elizabeth Stead, Interim Co-Director
Development Services Department

By:

David Wong, Land Use Planner

The appeal period for a Shoreline Substantial Development Permit is 21 days from the "date of filing" with the Department of Ecology, as defined in RCW 90.58.140(6) and WAC 173-27-130. Appeal of the decision must be made to the Washington State Shoreline Hearings Board.

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof. This permit approval will expire within two years of the date of filing unless the construction, use, or activity pursuant to this permit is commenced. Final expiration of this permit approval is five years from the date of filing. Request for extension of expiration is subject to LUC 20.25E.250.E.6.

Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date of filing or until all review proceedings initiated within twenty-one (21) days from the date of such filing have terminated; except as provided in RCW 90.58.140(5) (A) (B) (C) (D).



Development Services Department
Environmental Coordinator
450 110th Avenue NE
Bellevue, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPOSAL NAME:	Follett Pier
LOCATION:	5205 Lakehurst Ln
FILE NUMBERS:	22-100257-WG
PROPONENT:	Madison Johnson, Seaborn Pile Driving Co.
DESCRIPTION OF PROPOSAL: Proposal to reconfigure and expand an existing 802 square-foot residential dock to 906 square feet; install one (1) dual jet ski lift; relocate an existing boatlift; and install two (2) new mooring piles. Mitigation has been included to ensure no net loss of ecological function.	

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision.

DATE ISSUED: 4/20/2023

APPEAL DATE: 5/4/2023

A written appeal must be filed in the City Clerk's Office by 5 p.m. on the appeal date noted above.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposal's probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project) or if the DNS was procured by misrepresentation or lack of material disclosure.

Reilly Pittman

Issued By: Planning Manager **for** **Date:** April 20, 2023
Elizabeth Stead, Environmental Coordinator
Development Services Department

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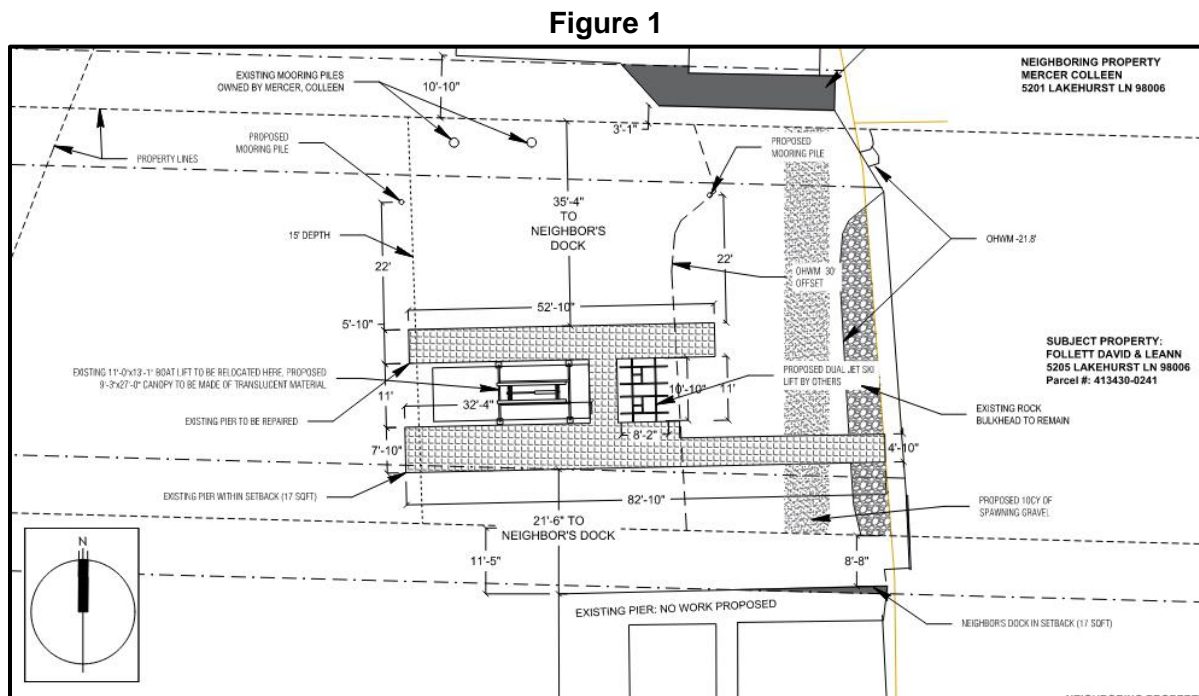
Attachments:

1. Site Plan
2. Ecological No Net Loss Assessment Report – Northwest Environmental Consulting (Dated January 2023)
3. U.S. Army Corps of Engineers Approval Letter (Dated September 6, 2022)
4. Agreement for Intrusion into Required Setback from Adjacent Property for Private Moorage or Other Structures (Dated September 28, 2022)

I. Proposal Description

Applicant requests approval to partially demolish one (1) existing residential dock and expand the dock area from 802 to 906 square-feet. Demolition activities will include removal of an existing ell and finger pier; 15 structural piles; all decking, stringers and caps; and existing personal watercraft lift. Expansion of the dock includes installation of 15 steel piles; expansion of the remaining portion of the ell; and installation of thru-flow open grated decking over the entire dock. An existing boat lift with an opaque lift canopy will be relocated to the outer slip and the canopy will be replaced with a translucent canopy. In addition to dock work, two (2) new moorage piles will be installed north of the dock.

The proposal includes installation of spawning gravel within the nearshore and native shoreline plantings to ensure no net loss of ecological shoreline function. See Figure 1 for proposed dock and moorage conditions.



The proposed project is subject to a Shoreline Substantial Development Permit and SEPA requirements because the proposed work is within a shoreline of statewide significance. The total cost of the proposed dock, lifts, and moorage piles exceeds the threshold allowance of \$10,000 granted in LUC 20.25E.170.C.8 and therefore requires a Shoreline Substantial Development Permit review. The provisions of the Shoreline Overlay District apply.

II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description and Land Use Context

The subject property is located on Lake Washington and contains an existing single-family residence constructed in 1961 and a residential dock. The existing dock area includes an existing covered boat lift and attached personal watercraft lift. Properties in the vicinity are generally developed with single family residences and residential docks, and the neighborhood is characterized by typical residential landscaping and highly developed shoreline properties. The adjacent properties to the north and south are developed with residential docks. See Figure 2 for existing conditions.

Figure 2



B. Zoning, Neighborhood Area, and Comprehensive Plan

The property is zoned R-4 and is located within the Newport neighborhood area. Properties in the vicinity to the north and south are also within the R-4 zoning district which is a single-family high-density (SF-H) Comprehensive Plan designation. Properties in the vicinity to north, south, and east are located within the R-2.5 zoning district which is a single-family medium-density (SF-M) Comprehensive Plan designation.

C. Shoreline Environment and Functions

The site is in the Shoreline Residential shoreline environment designation. Per LUC 20.25E.010, the shoreline residential environment is to accommodate single or multifamily residential development and appurtenant structures. A shoreline residential environment designation is assigned to Bellevue shorelands which are predominantly characterized by residential development or are planned for residential development and exhibit moderate to low levels of ecological functions because of historic shoreline modification activities.

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al. 1996). Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation, among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values.

III. Consistency with Land Use Code (LUC) Requirements:

A. Zoning District Dimensional Requirements:

The site is located in the R-4 zoning district. There are no general dimensional requirements applicable to the subject proposal.

B. Shoreline Master Program Requirements LUC 20.25E:

A. General Requirements – Dock Materials

Dock Materials. Environmentally neutral materials approved by the Environmental Protection Agency for use in aquatic environments shall be used. No materials treated with known toxic preservatives are allowed. Dock materials shall not be treated with pentachlorophenol, creosote, chromated copper arsenate (CCA) or comparably toxic compounds. Preservative and surface treatments are limited to products approved for use in aquatic environments and must be applied according to label directions. Construction hardware that comes into contact with water either directly, or through precipitation that causes discharges either directly or indirectly into surface waters shall not be susceptible to dissolution by corrosion.

Finding: The proposed dock complies with above listed materials requirements including, but not limited to, structural piling, stringers, decking, and hardware. Dock material compliance will be confirmed during the review of the required Building Permit. Proof of State approval of the proposed dock will be required to be submitted

under the Building Permit application. See Section IX for conditions of approval related to dock materials and State and Federal approval.

B. Residential Dock Standards – LUC 20.25E.065.H.4

New or Reconfigured Residential Dock Standards		
Standard	Required/Max. Allowed	Proposed
Dock Side Setback (ft)	10	8.8*
Max. Dock Length (ft)	150	76.8
Max. Dock Size (sf)	480	906.0**
Nearshore Max. Walkway Width (ft)	4	4.8**
Min. Ell Location and Depth	30 ft waterward of the OHWM or 9 ft of depth	22.1 ft waterward of the OHWM; 6.5 ft in depth**
Mooring Piles	2	4**
Decking	Grated	Grated

* Structures, including boatlifts and watercraft lifts, may be located within the dock side setback where a mutual agreement of adjoining property owners is recorded with the King County Records and Election Division and the Bellevue City Clerk and submitted as part of the permit application for the use or activity.

** These standards or limitations may be modified through approval of larger dimensions or alternative materials authorized by the U.S. Army Corps of Engineers (pursuant to the approval authority provided under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act) or by Washington Department of Fish and Wildlife (pursuant to the approval authority under Hydraulic Project Approvals) through their respective permitting processes.

Finding: The proposed dock meets limits and standards for dock length, side setback requirements (allowed through recorded mutual agreement, Attachment 4), and decking, but has gained approval (Attachment 3) from the U.S. Army Corps of Engineers (USACE) to modify the standards for dock size; nearshore walkway width, and ell location and depth, and quantity of moorage piles as allowed under 20.25E.065.H.4 (4).

Conformance with all dock dimensional requirements and USACE modification will be reviewed at the time of Building Permit application. See Section IX for conditions of approval related to the required Building Permit.

C. Boatlifts & Watercraft Lifts – LUC 20.25E.065.H.6

To reduce disturbance of the lake substrate, attached boatlifts and watercraft lifts are preferred over freestanding lifts. Lifts are limited in the number allowed and location:

- a. **Number. The number of combined boat and watercraft lifts is limited to four per dock.**

Finding: The proposal will result in a total of two (2) lifts for the subject property.

- b. Location.** The landward stanchion of any boat or watercraft lift shall be located more than 30 feet waterward of OHWM or within 30 feet waterward of OHWM if located in at least 9 feet of water depth when measured from the OHWM unless otherwise approved by State or Federal Agencies pursuant to LUC Chart 20.25E.065.H.4 Note 4.

Finding: The proposed boat lift and dual jet ski lift are located approximately 33 feet and 48 feet from the OHWM and at depths of 8.7 ft and 10.3 ft respectively. Conformance with watercraft placement and depth requirements and USACE modification will be reviewed at the time of Building Permit application. See Section IX for conditions of approval related to the required Building Permit.

- c. Number of Lift Canopies Allowed.** One fabric watercraft or boat lift canopy is allowed per single-use dock. Two fabric watercraft or boat lift canopies are allowed per joint-use dock. Canopy fabric shall be light-transmitting, unless alternative materials are approved by State or Federal Agencies pursuant to LUC Chart 20.25E.065.H.4, Note 4.

Finding: A translucent canopy is proposed to cover the boatlift located on the west slip of the dock. Compliance with material type and light transmission will be reviewed under the Building Permit application. See Section IX for conditions of approval related to canopy lift materials.

D. No Net Loss of Ecological Function

The use of alternative standards and/or limitations for dock and watercraft lift standards allowed by LUC 20.25E.065.H.4 and H.6 are not covered by the presumption of no net loss of ecological function of the on-site shoreline. Applicants that choose to exceed or alter the standards for docks and watercraft lifts must demonstrate their proposal results in no net loss based on mitigation provided as part of the proposal. As a result, the applicant has provided a report (Attachment 2) authored by a qualified professional, Northwest Environmental Consulting, to document pre- and post- shoreline function; analysis of impacts due to the modified standards; analysis of mitigation sequencing, and mitigation to demonstrate the proposal results in no net loss of ecological function of the on-site shoreline as a result of the proposed mitigation measures. The Table in Figure 3 below outlines the mitigation proposed to achieve no net loss of shoreline ecological functions.

Figure 3

Modified Standard	Impact	Mitigation
Maximum Dock Size	Overwater coverage Structural piles in the lakebed	Replace wood decking with grated decking over the entire dock Remove 11 wooden structural piles and replace with small diameter steel piles to restore 2.3 SF of lakebed
Nearshore Walkway	Walkway width 10"	Fully grate walkway

Width	wider than standard	Provide lakebed and beach nourishment spawning gravel within nearshore Native vegetation planting along the shoreline
Min. Ell Location and Depth	Overwater coverage in nearshore	Fully grate ell Provide lakebed and beach nourishment spawning gravel Remove existing ell to reduce existing overwater coverage in the nearshore
Mooring Piles	Increase number of mooring piles from 2 to 4 Lakebed impacts	Remove 11 wooden structural piles and replace with smaller diameter steel piles to restore 2.3 SF of lakebed Provide lakebed and beach nourishment spawning gravel

In addition to mitigation listed in Figure 3, a final planting plan and annual maintenance and monitoring plan for the shoreline plantings will be required to be provided as part of the Building Permit application. See Section IX for conditions of approval related to the final planting plan; required maintenance and monitoring; and financial assurance device.

IV. Public Notice and Comment

Date of Application: January 6, 2022
Notice of Application: January 27, 2022
Minimum Comment Period: February 28, 2022

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin on January 27, 2022. It was mailed to property owners within 500 feet of the project site. Staff received no comments prior to the writing of this report.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development.

Utilities Department:

The Utilities Division of the Development Services Department has reviewed the proposed development for compliance with Utilities codes and standards. Utilities will require the public sewer main to be shown on all construction plans. These plans shall note that the sewer main is "as located by COB waste water crew" and the date that the location was done.

The Utilities Division also restricts construction, installation of piles, and anchoring and landing of boats and barges from occurring within 5' of the sewer main. See Section IX for conditions of approval related to activity restrictions within proximity to the sewer main.

VI. State Environmental Policy Act (SEPA)

The applicant has provided a complete SEPA checklist supported by detailed analysis for review in demonstrating no significant adverse environmental impact. Staff has reviewed the checklist, analysis, and supporting documentation and has determined that, for the proposed action, environmental review indicates no probability of significant adverse environmental impacts provided that applicable city codes and standards are implemented. Therefore, issuance of a Determination of Non-Significance pursuant to WAC 197-11-340 and Bellevue City Code (BCC) 22.02.034 is appropriate.

A. Earth, Air, and Water

No dredging, withdrawals, diversions, or discharges are anticipated from the proposed construction, and minor disturbance is anticipated as the only in-water work is placement of the lifts, mooring piles, and structural piles.

B. Animals

Chinook salmon, bull trout, and steelhead are found in Lake Washington. The entire dock is proposed to be fully grouted which will allow for increased light penetration, and spawning gravel is proposed within the nearshore area waterward of the beach cove. Fish species and their habitat will be protected during the project construction through the timing of in-water work. The applicant will be required to receive State and Federal permit approval and all in-water work is required to occur within the construction window as established by the agencies to minimize or avoid impacts to fish and wildlife. See Section IX for conditions of approval related to in-water work and additional agency permitting.

C. Plants

Existing vegetation on the shoreline is sparse, consisting of lawn and ornamental plants. No vegetation will be disturbed as part of the proposal.

D. Noise

Installation of mooring and structural piles and general construction will occur within a single-family residential zoned area and is adjacent to existing single-family uses. Noise from installation and general construction will be required to comply with Noise Control (BCC 9.18) requirements.

VII. Decision Criteria

A. Shoreline Substantial Development Permit Decision Criteria – LUC 20.25E.160

The Director of the Development Services Department may approve or approve with modifications if:

- 1. The proposal is consistent with the policies and procedures of the Shoreline Management Act;**

Finding: As evaluated the proposal is consistent with applicable policies and

procedures of the Shoreline Management Act (SMA). The SMA includes broad policies that give priority to water-dependent uses and activities and single-family residences are specifically identified as a preferred use. Residential docks and moorage are allowed uses in the Residential shoreline environment and are reviewed and permitted through a shoreline substantial development permit.

2. The proposal is consistent with the provisions of Chapter 173-27 WAC;

Finding: The applicant's proposal is consistent with the general policies and has demonstrated compliance with the applicable procedures and requirements of the WAC through this permit application.

3. The proposal is consistent with the SMP;

Finding: As evaluated in Section III of this report, the applicant has submitted project plans that demonstrate the proposal's consistency with the policies and procedures of the Shoreline Management Program (SMP) including, but not limited, those policies and procedures related to allowed uses, dock dimensional requirements and allowed modifications, boat lifts, and no net loss of ecological function.

4. The proposal is consistent with the Bellevue Comprehensive Plan; and

Finding: The applicant's proposal is consistent with the following policies and has demonstrated compliance with the SMP through this application. Specifically:

SH-1 - Allow compatible water-dependent uses and development when associated with permitted upland uses and in accordance with applicable policies and regulations.

SH-3 - Locate and design uses and development to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife and material necessary to create or sustain their habitat, particularly those species dependent on migration

SH-9 - Recognize residential development, appurtenant structures, and water-dependent and water-enjoyment recreation activities as preferred where they are appropriate and can be developed without significant impact to ecological functions identified in the Shoreline Analysis Report or displacement of water-dependent uses.

SH-18 - Give preference to residential and water dependent, water-enjoyment, and water-related uses (in that order) when the use, activity, or development preserves shoreline ecological functions and processes or, where necessary, mitigates impacts to water quality, fish and wildlife habitat, and other shoreline functions.

Finding: The proposed dock and lifts are consistent with this goal to allow residential use of the shoreline, will be constructed with materials suitable for in-water

construction, and will not have an adverse effect on water quality, vegetation, fish, and wildlife in or near the water.

5. The proposal complies with applicable requirements of the Bellevue City Code.

Finding: As reviewed in Section III and V of this report, the proposal complies with all applicable requirements of the Bellevue City Code. Final determination of compliance with Bellevue City Code will occur during review of the required Building Permit. See Section IX for conditions of approval related to Building Permit requirements.

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including LUC consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the location, construction, and installation of the proposed reconfiguration and expansion, mooring piles, boatlift, dual jet ski lift, and associated mitigation at 5205 Lakehurst Ln. Revision to this approval shall be in accordance with LUC 20.25E.150.E.2.

Note—Expiration of Approval: In accordance with LUC 20.25E.250.C.2, a Shoreline Substantial Development Permit automatically expires and is void if the applicant fails to file for a Building Permit and fails to make substantial progress towards completion of the project within two (2) years of the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension for the Shoreline Substantial Development Permit pursuant to LUC 20.25E.250.C.6.

Permit authorization expires finally, despite commencement of construction, five years after the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension pursuant to LUC 20.25E.250.

IX. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Utilities Code- BCC 24	Jason Felgar, 425-452-7851
Land Use Code- BCC 20.25H	David Wong, 425-452-4282
Noise Code- BCC 9.18	David Wong, 425-452-4282

The following conditions are imposed under the BCC or SEPA authority referenced:

- 1. Building Permit Required:** Approval of the Shoreline Substantial Development Permit does not constitute approval of a development permit. A Building Permit) shall be required and approved. Plans consistent with those submitted as a part of this permit application

shall be included in the Building Permit application.

Authority: LUC 20.25E.160
Reviewer: David Wong, Land Use

2. Mitigation and Restoration Planting Plan:

A mitigation planting plan in conformance with the conceptual plan (Attachment 1) shall be submitted with the Building Permit application.

Authority: LUC 20.25E.060.D
Reviewer: David Wong, Land Use

3. Maintenance and Monitoring:

A maintenance and monitoring plan consisting of five (5) years of maintenance and monitoring activities to ensure successful establishment of native shoreline plantings shall be submitted with the Building Permit application. Annual reporting is required to be transmitted to the City of Bellevue following the end of the growing season or by December 1 of each year following the installation and inspection of the mitigation planting. All reporting shall be sent to DWong@Bellevuewa.gov or by mail to:

Environmental Planning Manager
Development Services Department
City of Bellevue
PO Box 98012
Bellevue, WA 98009-9012

Authority: LUC 20.25E.060.D
Reviewer: David Wong, Land Use

4. State Permits Required: Prior to the issuance of the required Building Permit, the applicant shall produce evidence of receipt of required state permits for the proposed dock, mooring piles, boatlift, and jet ski lift.

Authority: LUC 20.25E.065
Reviewer: David Wong, Land Use

5. Lake Washington Allowed In-Water Work Windows: The US Army Corps of Engineers regulates work windows for when work can occur in Lake Washington and this project shall comply with the approved work window.

Authority: LUC 20.25E.160
Reviewer: David Wong, Land Use

- 6. Allowed Dock Materials:** All materials used for decking, structural components, pile (including splicing), pile installation, and hardware shall be approved by the Environmental Protection Agency for aquatic environments.

Authority: LUC 20.25E.065
Reviewer: David Wong, Land Use

- 7. Allowed Boatlift Canopy Materials:** The number of boatlift canopies is limited one (1) and the boatlift canopy shall be fabric and provide adequate light transmission. Information about the canopy material and light transmissibility shall be provided with the Building Permit application materials.

Authority: LUC 20.25E.065
Reviewer: David Wong, Land Use

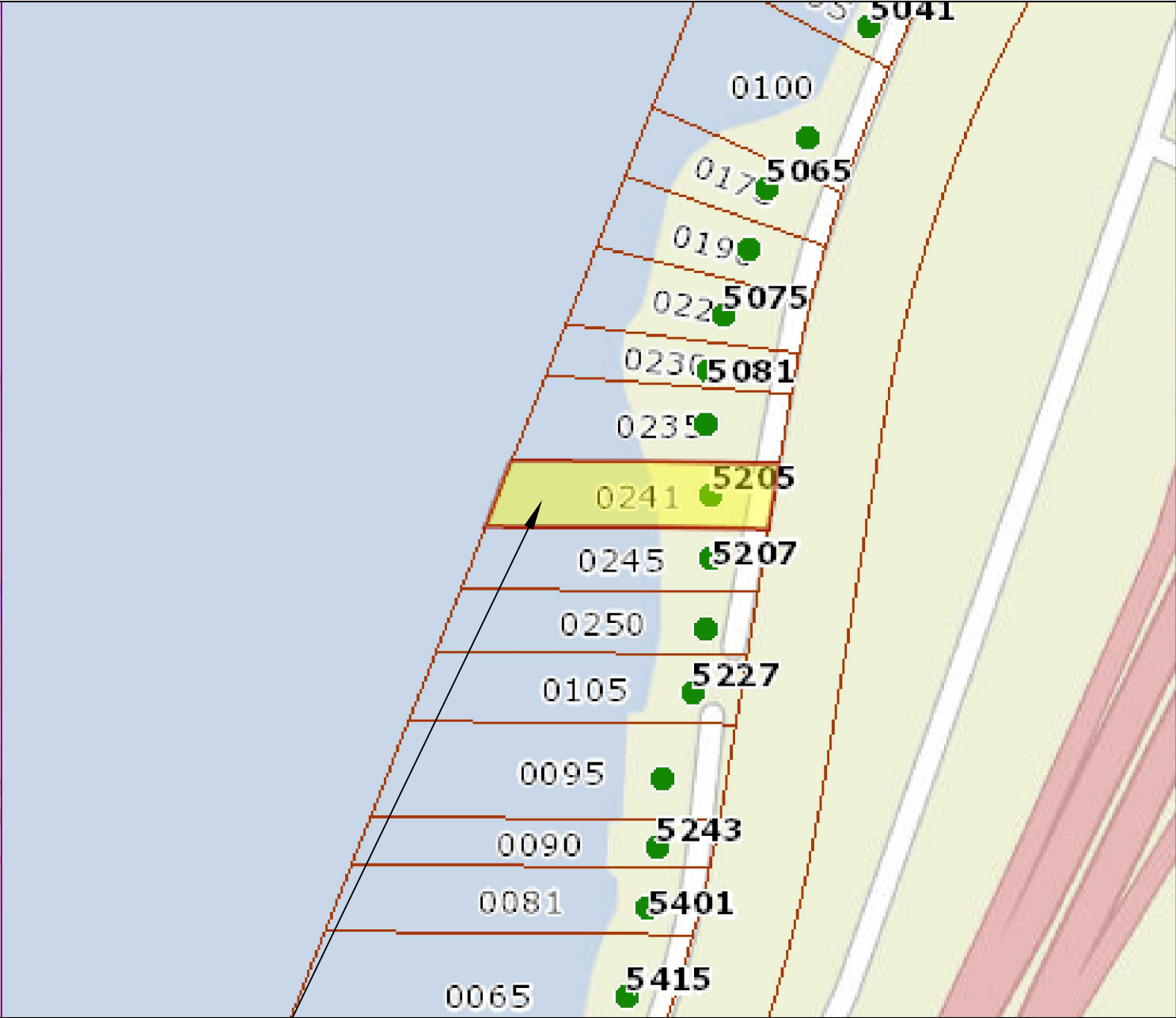
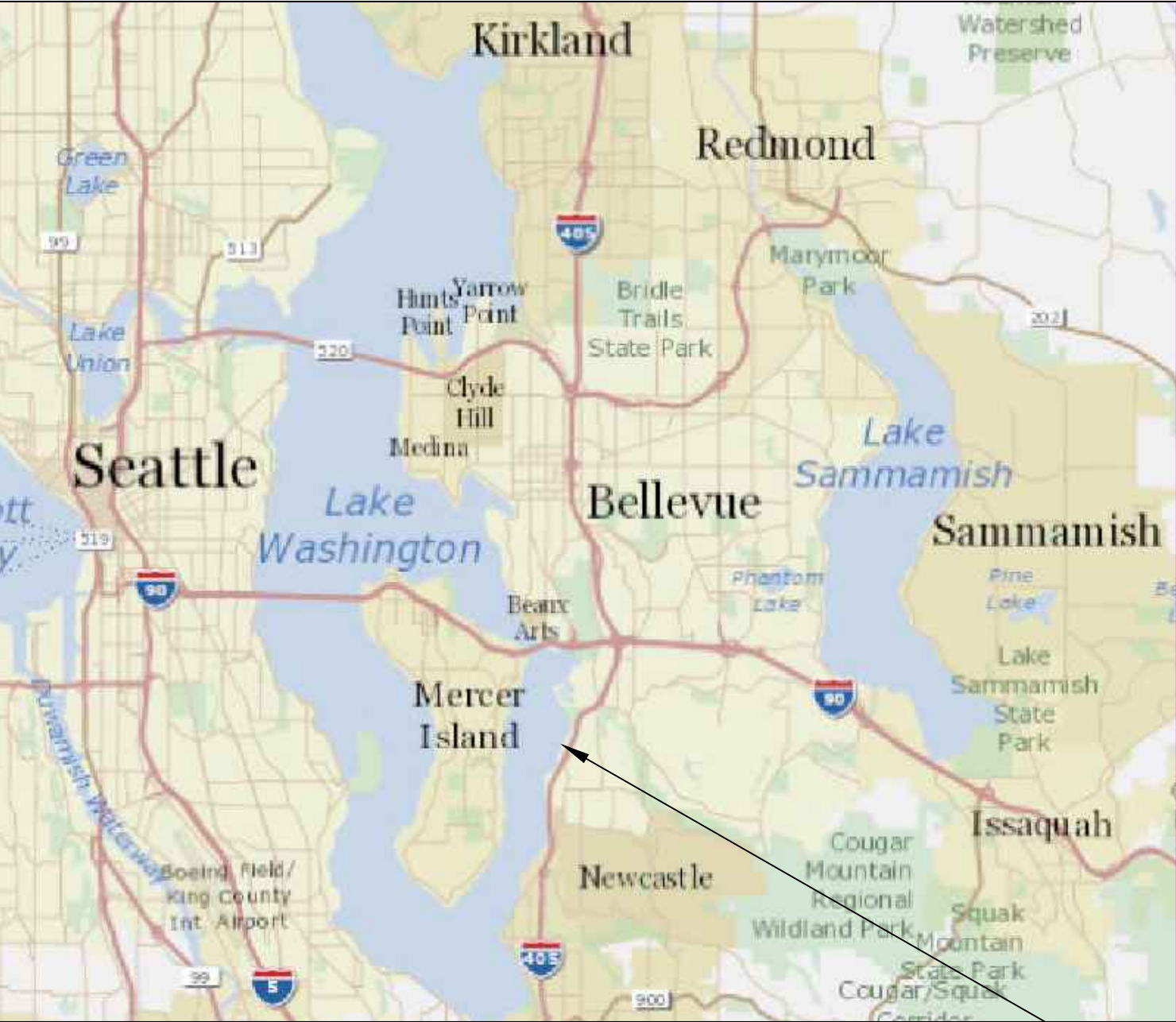
- 8. Sewer Main Location:** The public sewer main shall be shown on all demolition and construction plans. The plans shall note that the sewer main is “as located by COB waste water crew” and the date that the location was done.

Authority: Sanitary Sewer Engineering Standards
Reviewer: Jason Felgar, Utilities

- 9. Setback From Sewer:** New structural pilings are not allowed within 5’ of the sewer main on-site. All equipment, barges, and anchors must be kept away from the sewer main during construction.

Authority: Sanitary Sewer Engineering Standards
Reviewer: Jason Felgar, Utilities

SITE PLAN



Pin: 413430-0241

Legal Description: LAKEHURST UNREC S 20 FT OF 48 & ALL 49 & SH LDS ADJ

Plat Block:
Plat Lot: 48-49

LAT: 47.55625 LONG: -122.19323

SUBJECT
PROPERTY



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

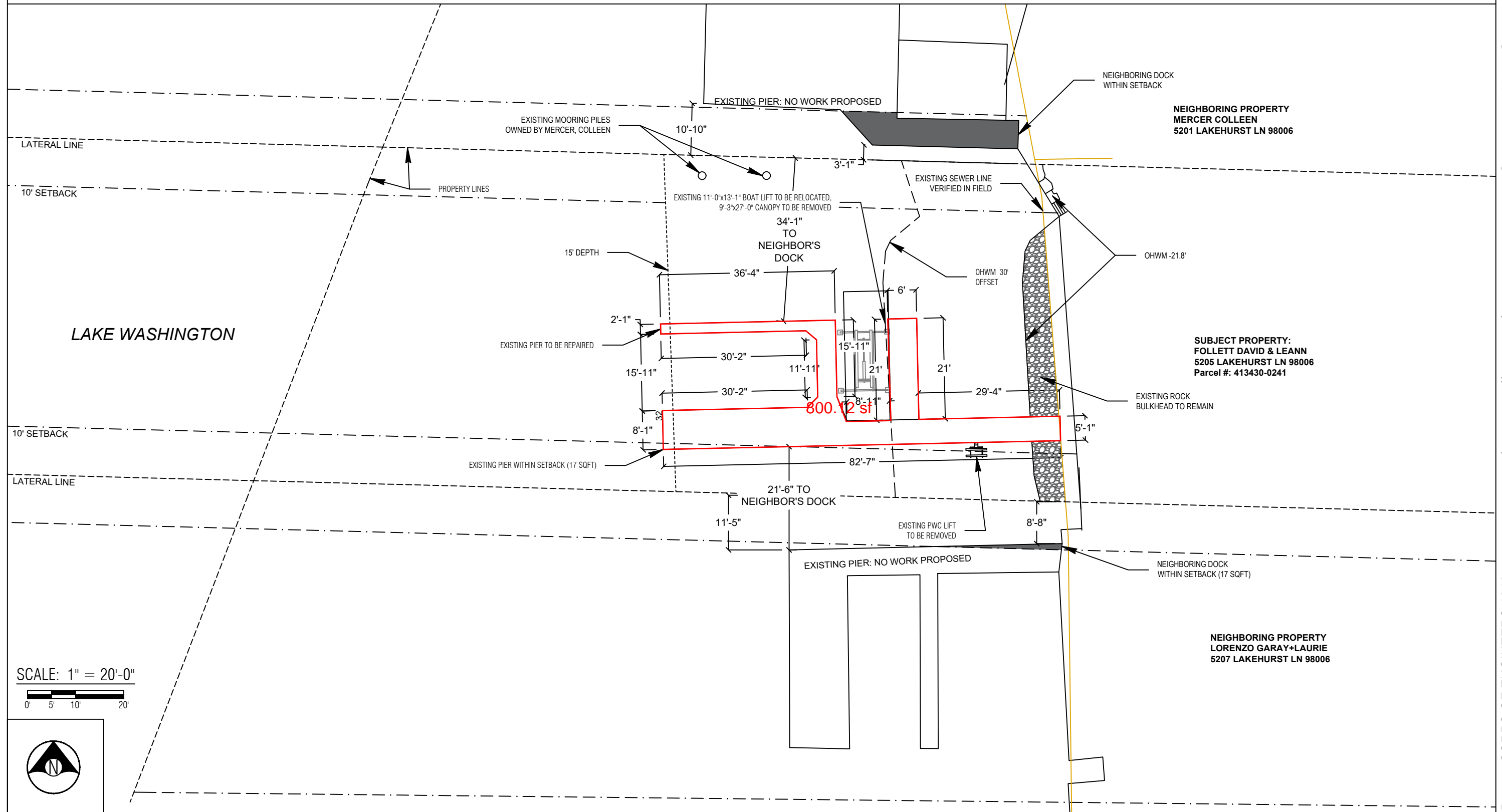
Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work: We propose to remove (15) existing piles, relocate (1) existing pile, repair (6) existing piles, drive (13) 8" piles, drive (1) 8" brace pile, rebuild the current dock with grated decking material, drive (2) 10" mooring piles, removing a part of the dock section, remove (1) dock mounted jetski lift, add (1) dual jet ski lift, remove (1) moorage cover, add (1) moorage cover made of translucent material, and reconfigure the existing finger.

County: King County Location: Lake Washington	
Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006	
Datum: CORPS OF ENGINEERS 1919 NE Quarter Of Section 20, Township 24, Range 05	Created: 09/23/21 Last Updated: 1/19/2023 4:59 PM Dray
Adjacent Owners: MERCER COLLEEN 5201 LAKEHURST LN 98006 LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006	
SHEET A1.0	
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EXISTING CONDITIONS

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



County: King County
Location: Lake Washington

Last Updated: 1/19/2023 4:59 PM Dray

Applicant: Follet Residence
5205 Lakehurst Lane.
Bellevue, WA 98006

Created: 09/23/21

Datum: CORPS OF ENGINEERS 1919
NE Quarter Of Section 20, Township 24, Range 05

MERCER COLLEEN
5201 LAKEHURST LN 98006

Adjacent Owners:
LORENZO GARAY+LAURIE
5207 LAKEHURST LN 98006

SHEET
A2.0

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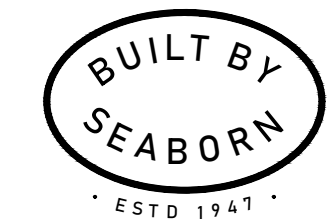
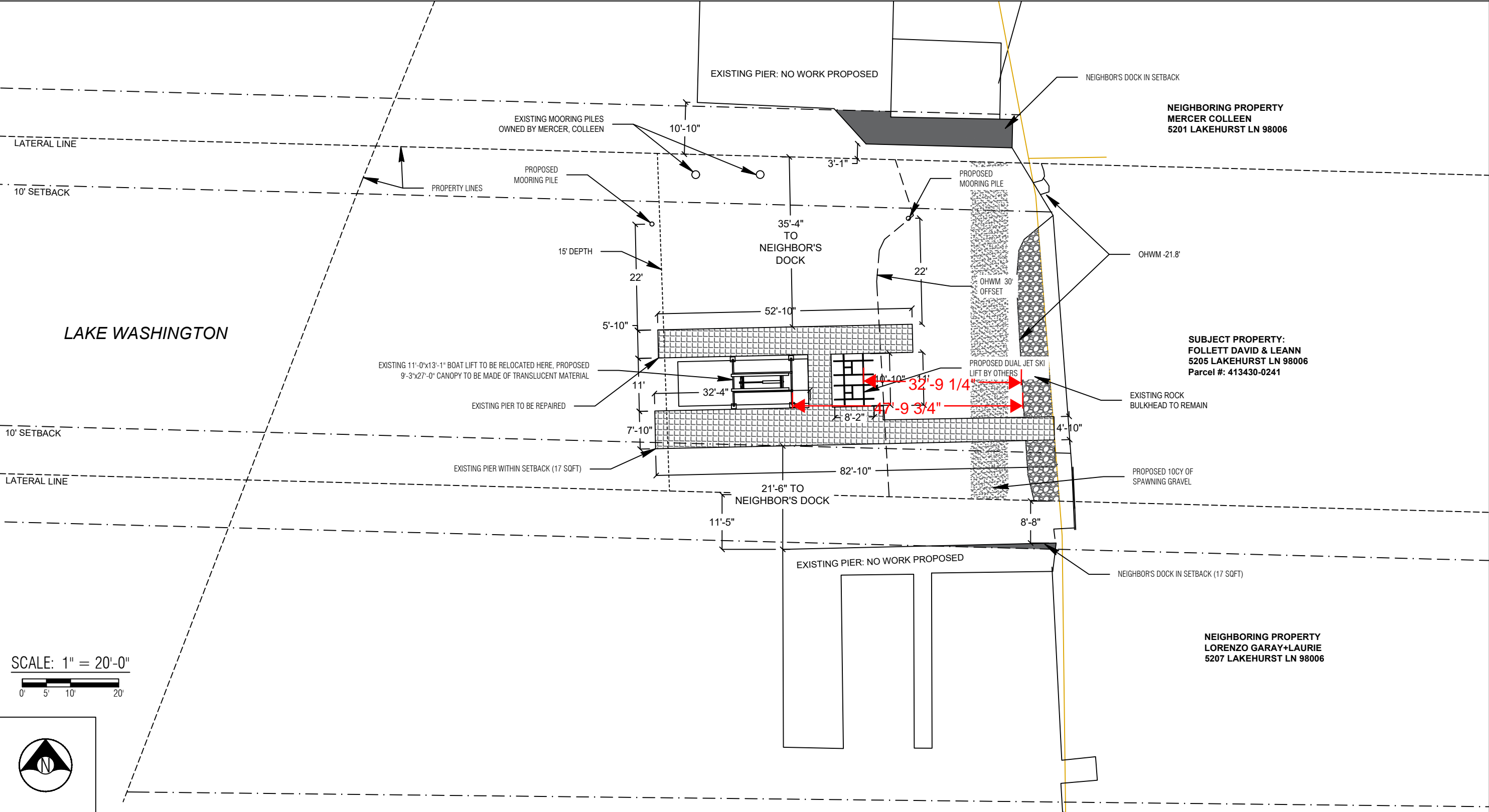


Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

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

Scope of Work: We propose to remove (15) existing piles, relocate (1) existing pile, repair (6) existing piles, drive (13) 8" piles, drive (1) 8" brace pile, rebuild the current dock with grated decking material, drive (2) 10" mooring piles, removing a part of the dock section, remove (1) dock mounted jetski lift, add (1) dual jet ski lift, remove (1) moorage cover, add (1) moorage cover made of translucent material, and reconfigure the existing finger.

PROPOSED CONDITIONS



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 remove (15) existing piles, relocate (1) existing pile, repair (6) existing piles, drive (13) 8" piles, drive (1) 8" brace pile, rebuild the current dock with grated decking material, drive (2) 10" mooring piles, removing a part of the dock section, remove (1) dock mounted jetski lift, add (1) dual jet ski lift, remove (1) moorage cover, add (1) moorage cover made of translucent material, and reconfigure the existing finger.

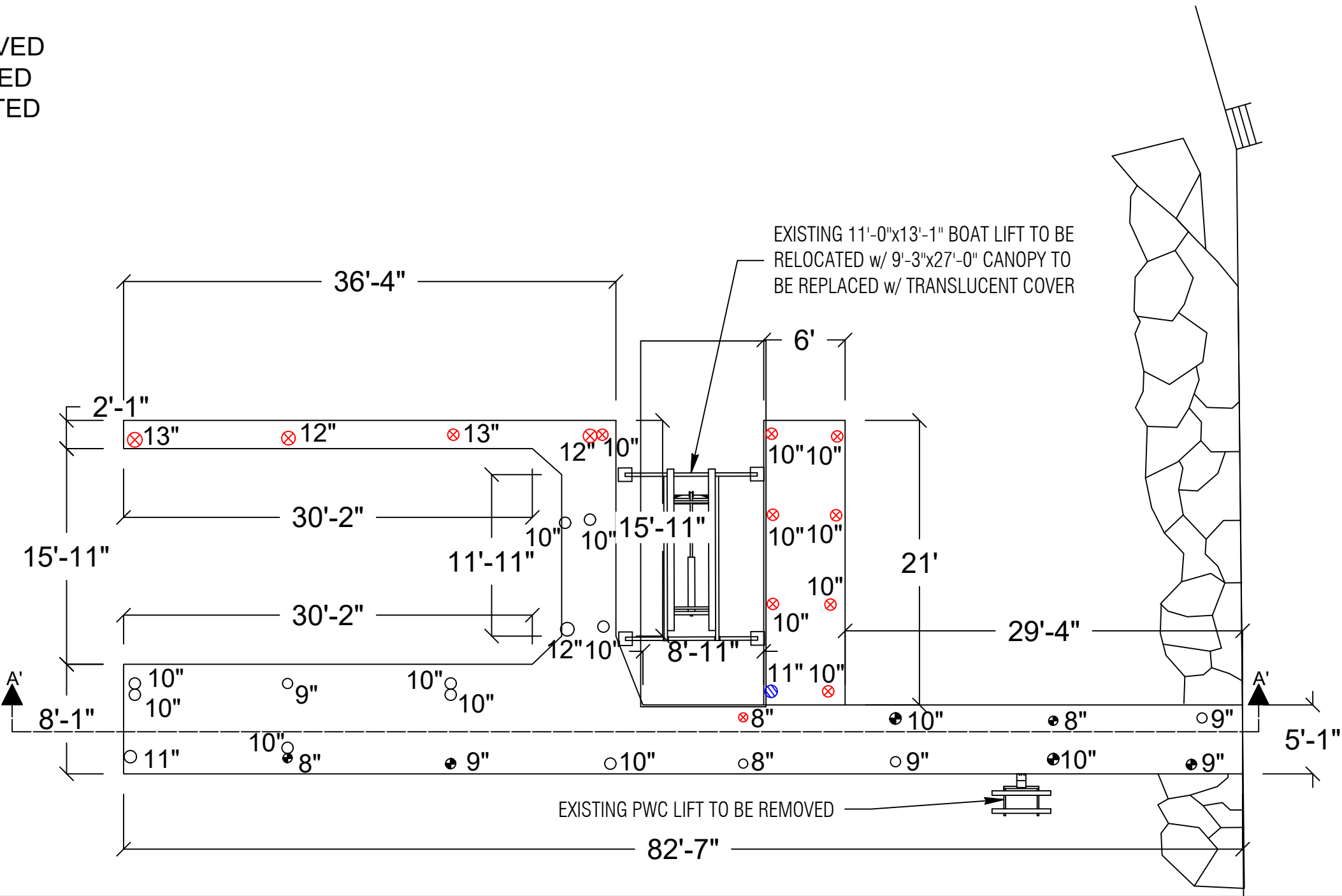
SHEET A3.0	Datum: CORPS OF ENGINEERS 1919 NE Quarter Of Section 20, Township 24, Range 05	Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006	County: King County Location: Lake Washington
	Adjacent Owners: LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006	MERCER COLLEEN 5201 LAKEHURST LN 98006	Last Updated: 1/19/2023 4:59 PM Dray Created: 09/23/21

PIER DETAILS - EXISTING

LEGEND

- (15) EXISTING PILES - TO REMAIN
- ⊗ (13) EXISTING PILES - TO BE REMOVED
- (6) EXISTING PILES - TO BE REPAIRED
- ⦿ (1) EXISTING PILE - TO BE RELOCATED

Existing Area: 803 sqft (total)



PLAN VIEW



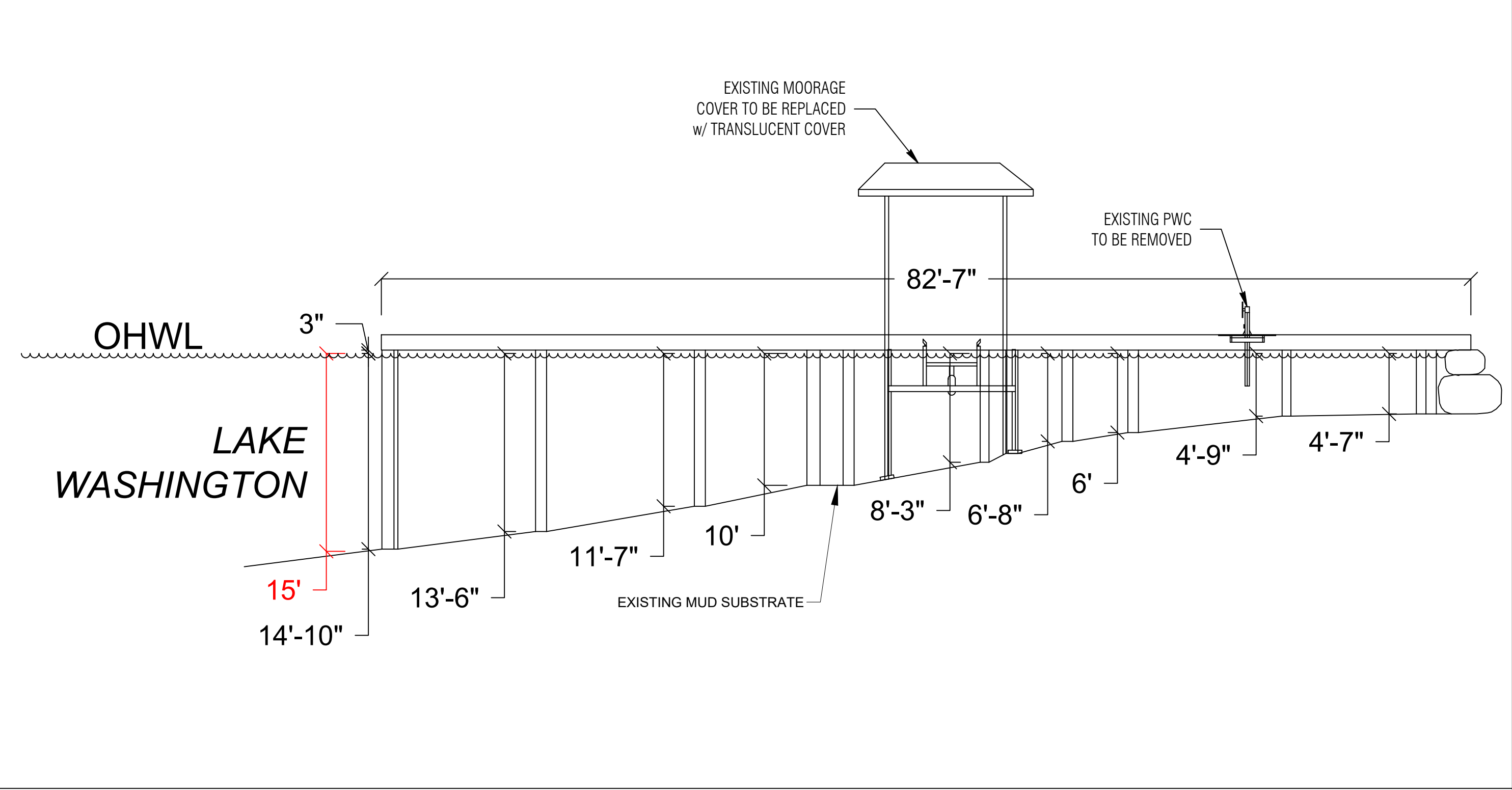
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Seattle, WA 98119

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www.seabornpiledriving.com

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Datum: CORPS OF ENGINEERS 1919 NE Quarter Of Section 20, Township 24, Range 05	County: King County	Last Updated: 1/19/2023 4:59 PM Dray
	Location: Lake Washington	
	Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006	
Adjacent Owners: LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006	Created: 09/23/21	

PIER DETAILS EXISTING



SECTION VIEW: A'-A'



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PIER DETAILS - PROPOSED

LEGEND

PILES

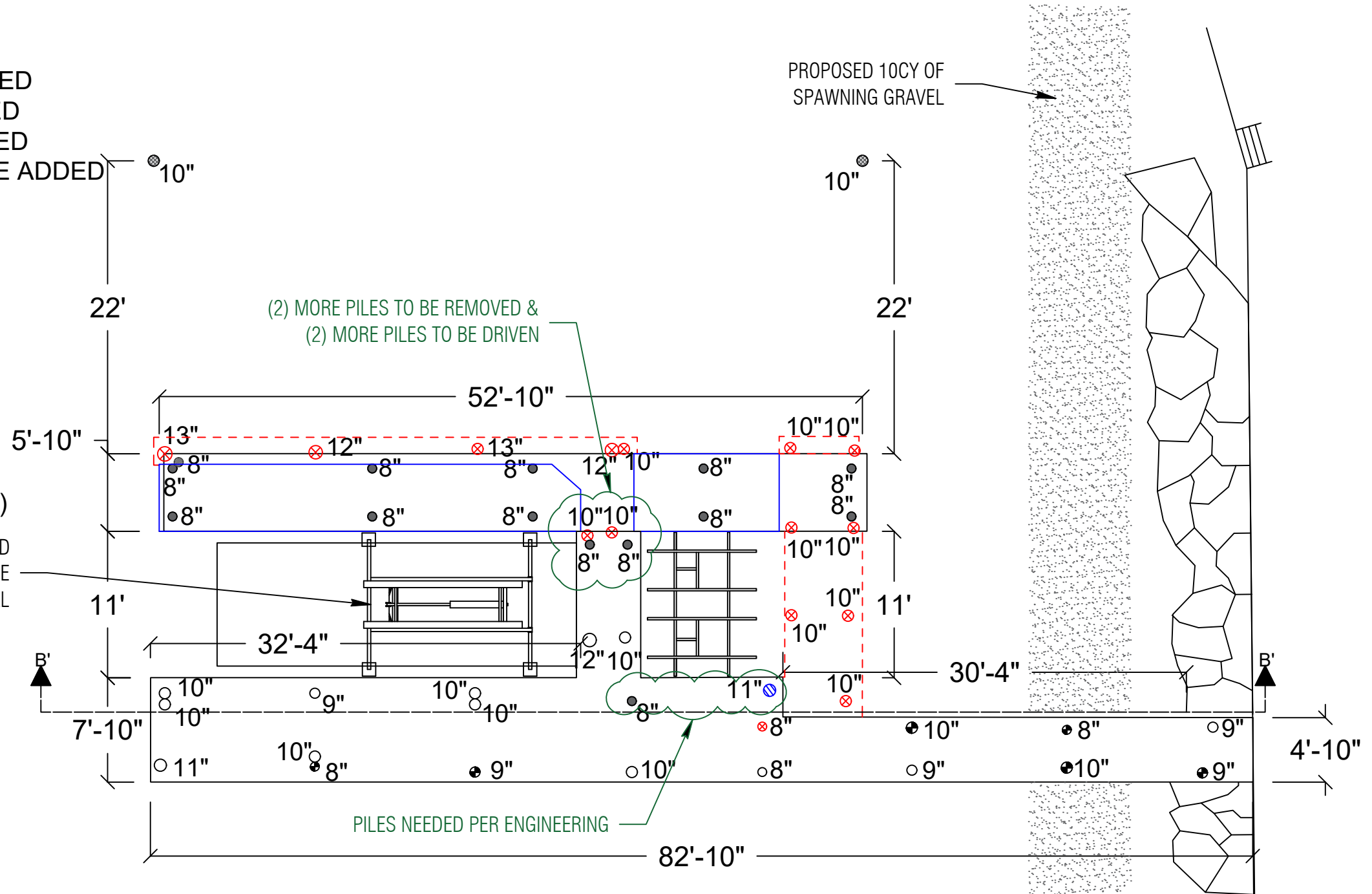
- (13) EXISTING PILES - TO REMAIN
- ⊗ (15) EXISTING PILES - TO BE REMOVED
- ⦿ (6) EXISTING PILES - TO BE REPAIRED
- ⦿ (1) EXISTING PILE - TO BE RELOCATED
- (13) PROPOSED STEEL PILES - TO BE ADDED
- (1) PROPOSED BRACE PILE
- (2) PROPOSED MOORING PILE

DOCK

- ☐ Existing Area: 803 sqft (existing total)
- ☐ Existing Area: 150 sqft (to be added)

Proposed Area: 222 (area to be added)
Proposed Area: 875 sqft (proposed total)

EXISTING 11'-0"x13'-1" BOAT LIFT TO BE RELOCATED
HERE, PROPOSED 9'-3"x27'-0" CANOPY TO BE MADE
OF TRANSLUCENT MATERIAL



PLAN VIEW



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MERCER COLLEEN
5201 LAKEHURST LN 98006

Adjacent Owners:
LORENZO GARAY+LAURIE
5207 LAKEHURST LN 98006

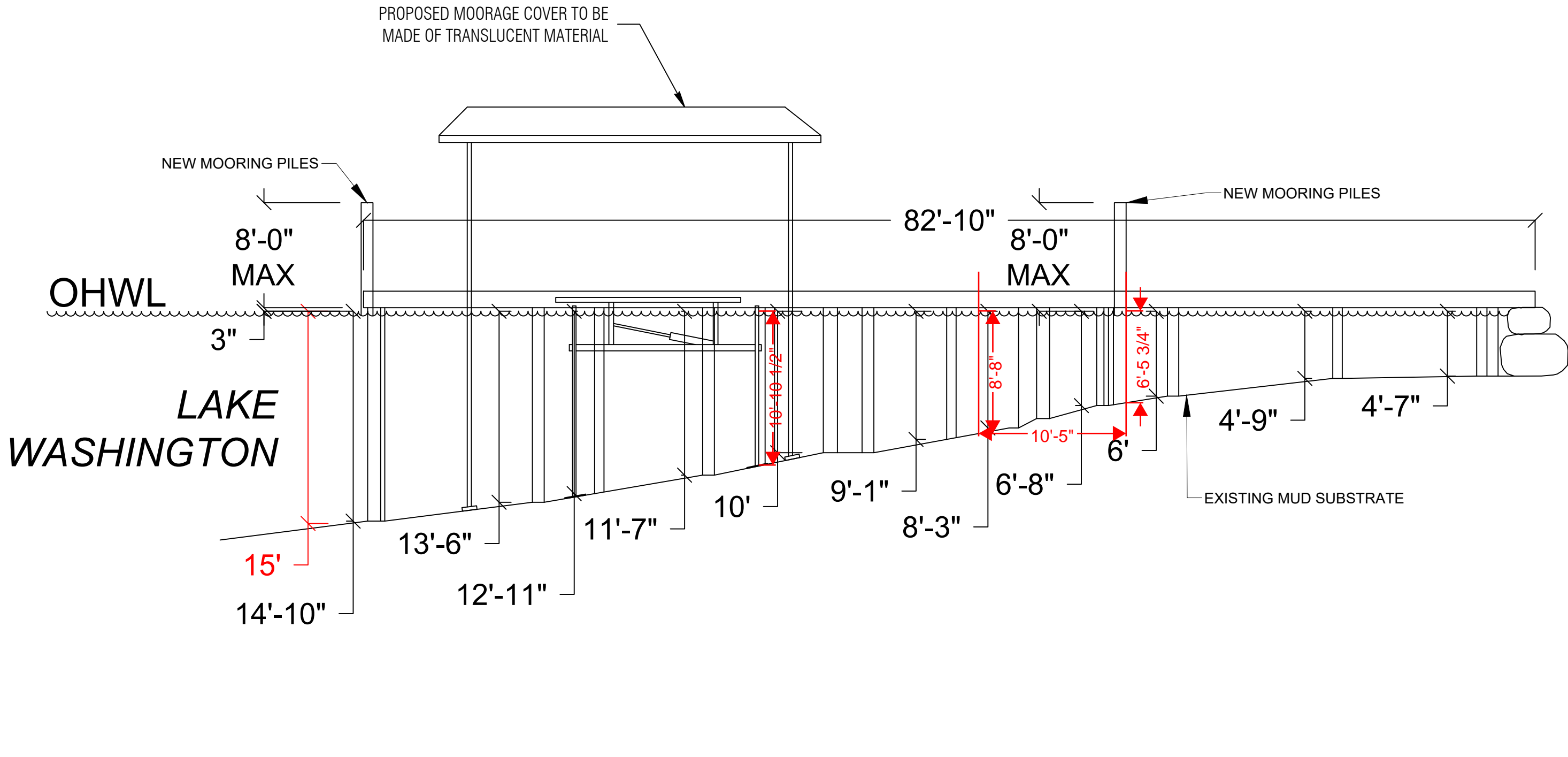
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PIER DETAILS PROPOSED



SECTION VIEW: B'-B'



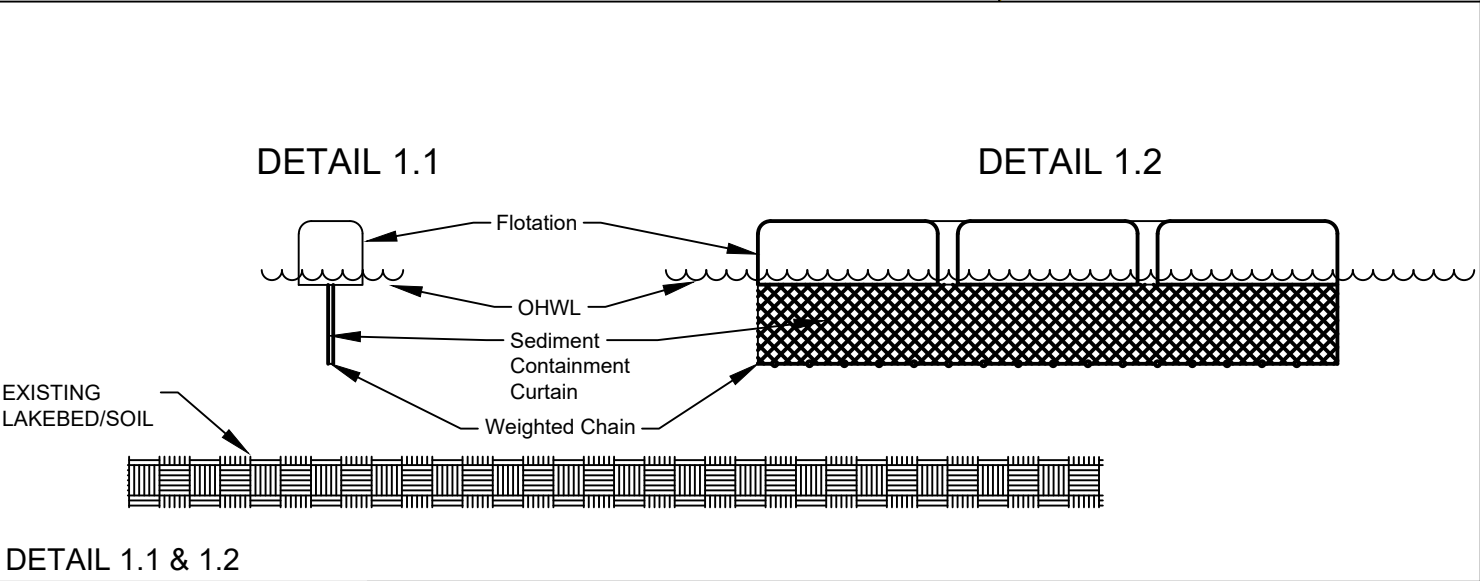
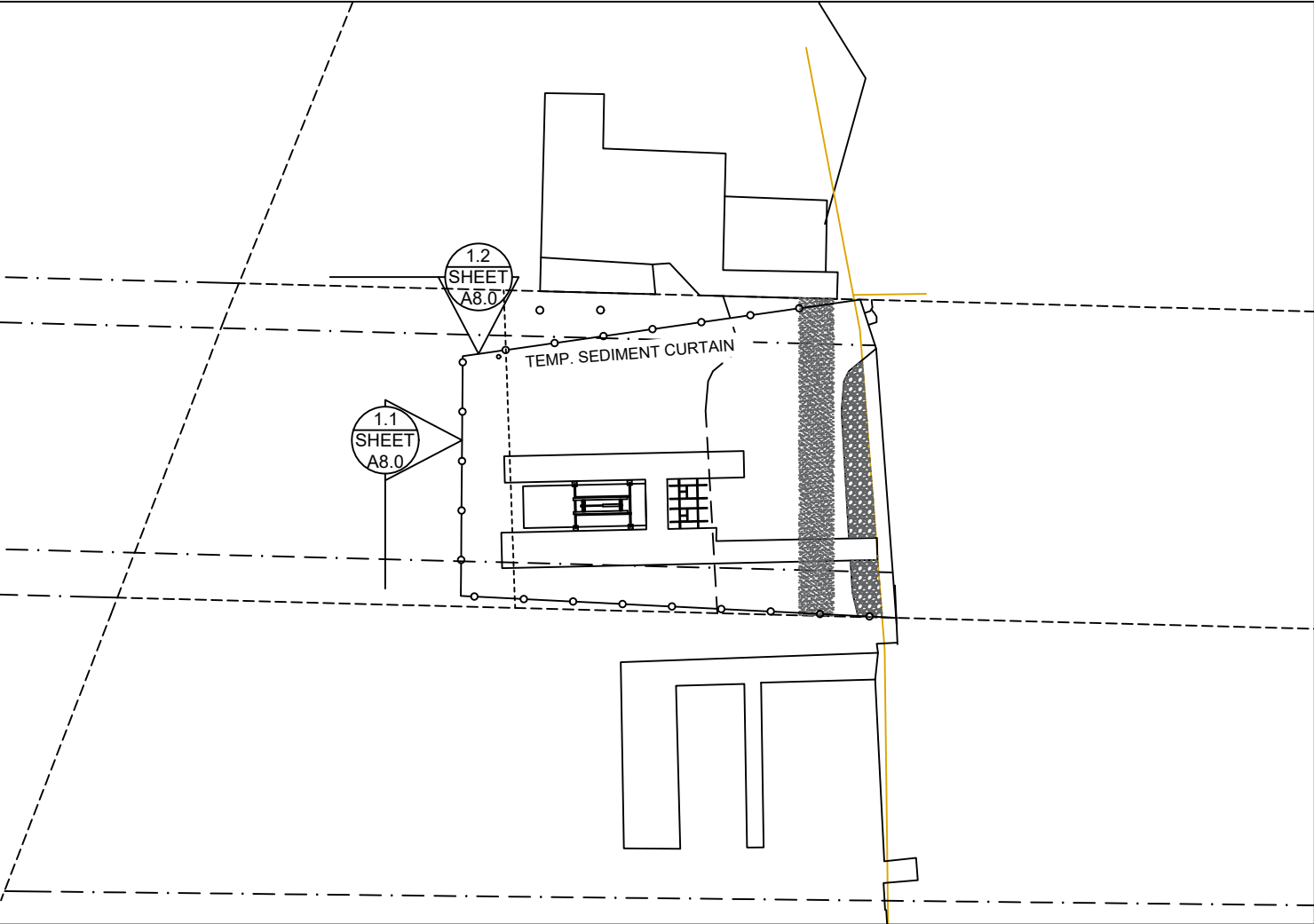
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BMP INFORMATION



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- 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.

County: King County

Location: Lake Washington

Applicant: Follet Residence

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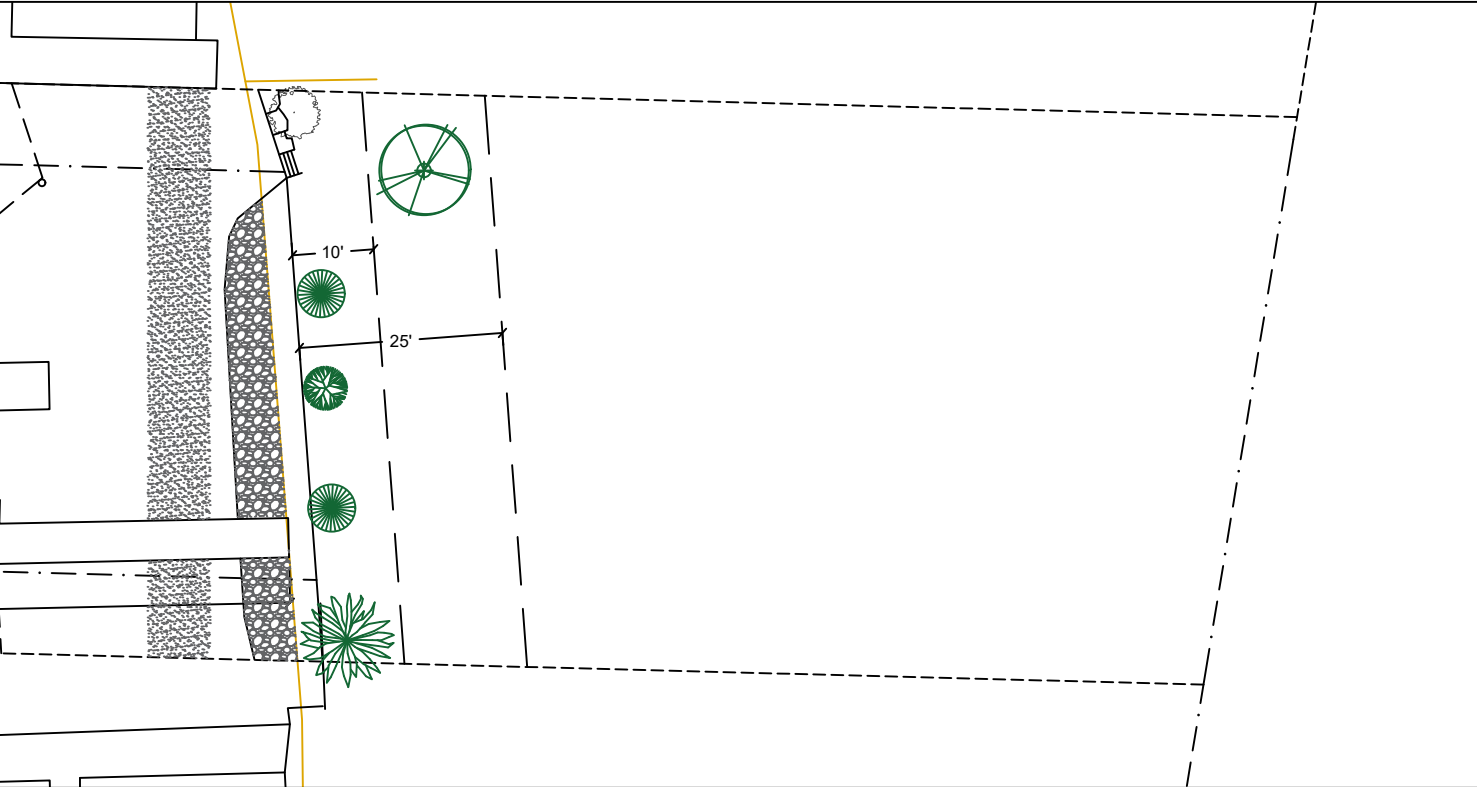
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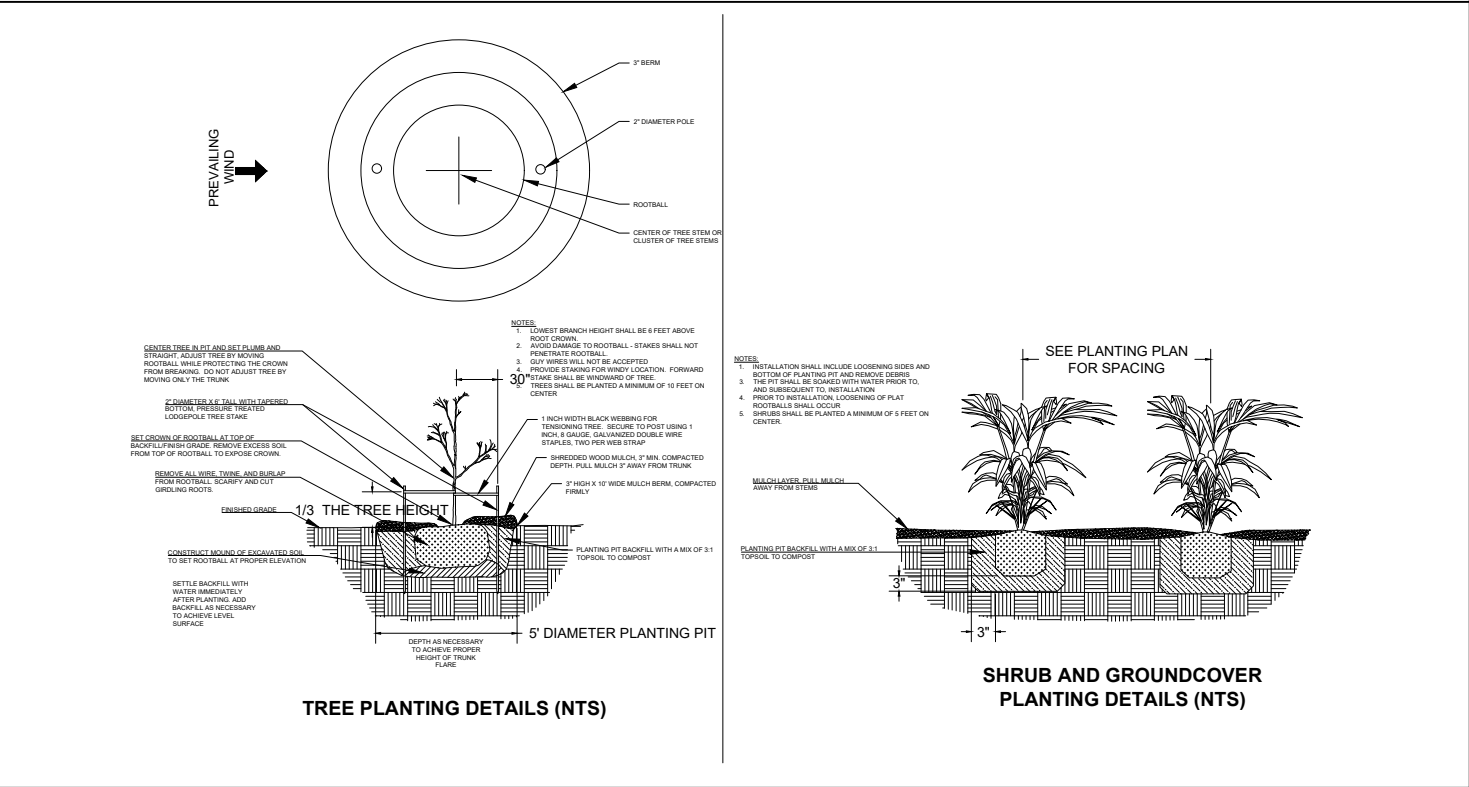
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Created: 09/23/21

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 to 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 picatta	Western Redcedar	1	3 ft
	Pinus contorta v contorta	Shore pine	1	3 ft
	Rosa nutkana	Nootka Rose	1	1 Gallon
	Philadelphus lewisii	Mock Orange	2	1 Gallon

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



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5207 LAKEHURST LN 98006

Created: 09/23/21

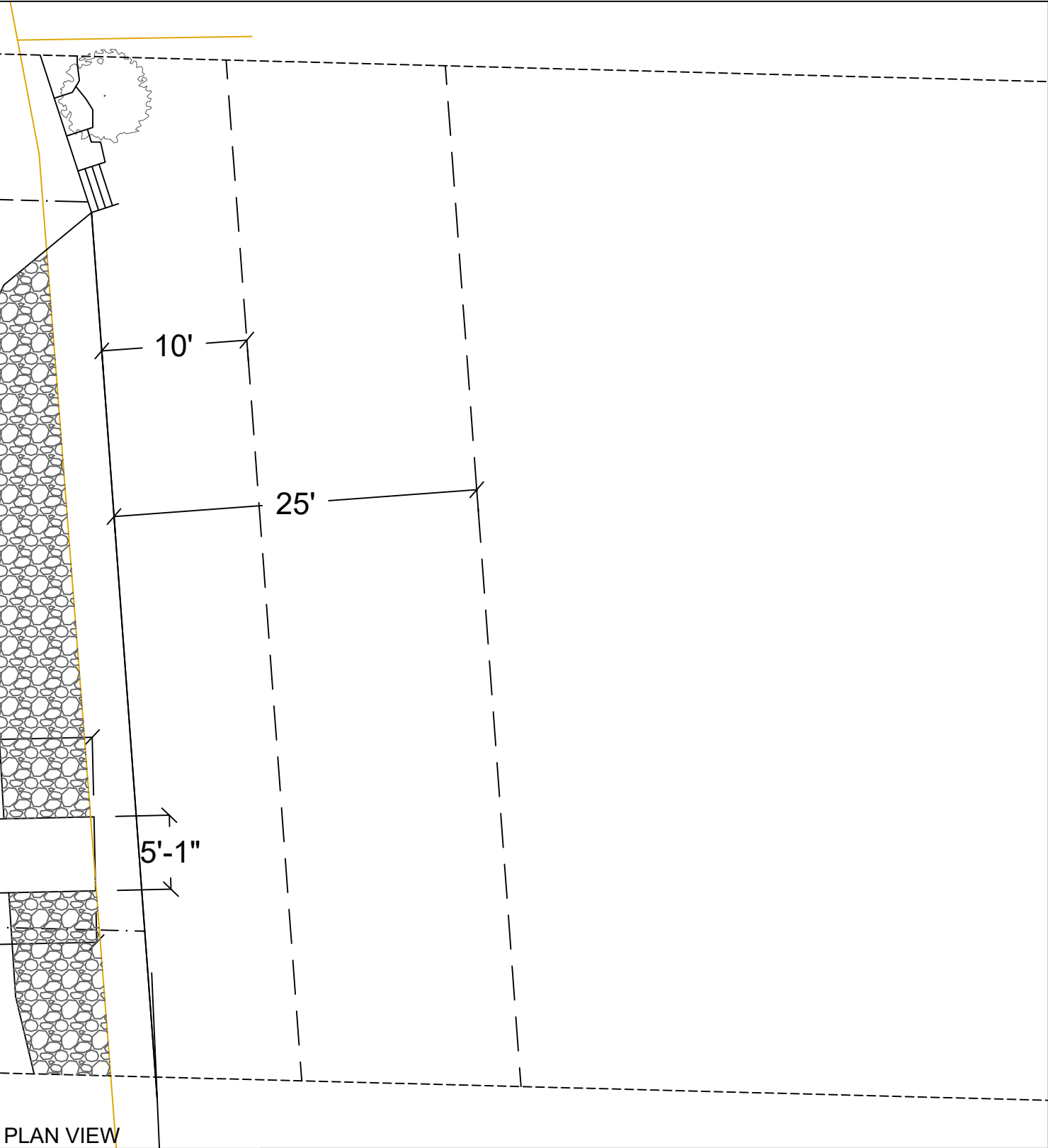
County: King County
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EXISTING PLANT PLAN



NO EXISTING INDIGENOUS PLANTS



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GENERAL NOTES:									
<div>MATERIALS SPEC LIST:</div> <div><div>Boat Lifts:</div><div>*SL2008AR2D2 - 104" x 132" (dual jet ski)</div></div> <div><div>Decking Material:</div><div>FRPP - Fiberglass reinforced polypropylene</div><div>Light permeable percentage:</div><div>*Surface - 43%</div><div>*18" Dock Height - 61%</div></div> <div><div>SEWER:</div><div>*All sewer is field verified by probing the lake bed manually during the allowed work windows for the area.</div></div> <div><div>PILES:</div><div>*All new piles are epoxy Steel piles *size varies, see plan set</div><div>*Repair piles are done as a sleeve/strap method</div><div>*All Pile tops exposed will have a conical cap placed on top</div><div>*Piles are driven using the vibro method</div></div> <div><div>DOCK:</div><div>being repaired/replaced</div><div>*_100%_ % of Decking</div><div>*_100%_ % of stringers</div><div>*_100%_ % of caps</div></div> <div><div>MITIGATION:</div><div>*Originally submitted mitigation will change following CORPS submittal. We will update the plan set to reflect all changes before submitting for an amendment</div></div>			<div>CODE REFERENCES: BELLEVUE</div> <div><div>We are applying for the permit to be reviewed under the:</div><div>"20.25E.065.H.5 - Repair and Replacement of Existing Residential Docks"</div><div>Per note table 4: with CORP and HPA approval, we can modify for larger dimensions</div></div> <div><div>Last permit issued for property:</div><div>Dock established/constructed: date</div></div> <div><div>ADDITIONAL INFORMATION:</div><div><div>*We have discussed the RAP fee and possible changes with the customers prior to submitting and they are aware it may change from submittal</div><div>*We cannot adjust dock heights if we are not repairing all of the piles and decking on the project</div><div>*All debris around job site will be removed from the lake bed as part of this project</div><div>*Any logs noted on site will stay as necessary and we will avoid touch the log at all costs.</div></div></div>			<div>Datum: CORPS OF ENGINEERS 1919 NE Quarter Of Section 20, Township 24, Range 05</div> <div>Adjacent Owners: LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006</div>		<div>Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006</div> <div>County: King County Location: Lake Washington</div> <div>Created: 09/23/21 Last Updated: 1/19/2023 4:59 PM Dray</div>	

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Last Updated: 1/19/2023 4:59 PM Dray

Ecological No Net Loss Assessment Report

Prepared for

Dave Follett
5205 Lakehurst Lane
Bellevue, WA 98006

Prepared by



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

January 2023

Purpose

The purpose of this report is to fulfill the requirements of City of Bellevue Land Use Code (LUC) 20.25E.060 for General requirements applicable to all shoreline development and uses by assessing overall project impacts and proposed mitigation to determine if the project meets the “No Net Loss” standard.

No net loss incorporates the following concepts:

- The existing condition of shoreline ecological functions should not deteriorate due to permitted development. The existing condition or baseline is documented in the shoreline inventory and characterization. Shoreline functions may improve through shoreline restoration.
- New adverse impacts to the shoreline environment that result from planned development should be avoided. When this is not possible, impacts should be minimized through mitigation sequencing.
- Mitigation for development projects alone cannot prevent all cumulative adverse impacts to the shoreline environment, so restoration is also needed.

Location

The subject property is located at 5205 Lakehurst Lane (King County parcel number 413430-0241) in the City of Bellevue, Washington (see Appendix A – Sheet A1.0). The parcel is on the waterfront of Lake Washington that contains several endangered fish species listed under the Endangered Species Act and Washington State designated priority fish species. Permits are being applied for a pier reconfiguration, expansion and repairs.

Project Description

The proposed work includes relocating the existing boat lift waterward of the existing connector pier into deeper water. The existing finger pier will be expanded in width by 3-feet 9 inches and extended landward to the existing side pier. The existing side pier and pilings will be removed. The main pier will be narrowed by 3 inches and extended 3 inches. An additional dual jet ski lift will be placed landward of the connector pier. The existing decking will be replaced with Thruflow decking. The opaque moorage cover will be replaced with a translucent moorage cover. See Appendix A - Sheet A2.0 to Sheet A7.0 for additional information.

The proposed work will remove 11 timber pilings and repair 7 existing piles. Eleven 8-inch steel piles, 1 brace pile and 2 mooring piles will be driven. The remaining 17 pilings will be left in place.

During construction, a floating boom will surround the work barge, pier, and mooring piles.

A shoreline vegetation planting plan is proposed (see Appendix A – Sheet A8.0 and A9.0).

Project drawings are included in Attachment A.

Approach

Northwest Environmental Consulting LLC (NWECC) biologist Brad Thiele conducted a site visit on December 16, 2021 to evaluate conditions on site and adjacent to the site. NWECC 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/>)

Site Description

The subject property is shoreline tract in a residential neighborhood. It has shoreline on its western boundary with single-family homes to the north and south.

The only existing structures on the property are the house, the existing dock, and a rock bulkhead. The dock consists of a boatlift with cover and wooden decks and pilings. The shoreline is armored with a rock bulkhead. The shoreline is planted with a lawn and kinnikinnick along the bulkhead (Photos 1 through 6).

The substrate of the lake is sand with some gravel. Milfoil is present near the dock. No other aquatic vegetation was observed during the site visit.

The property to the north has a similar shoreline with a rock bulkhead and overhanging vegetation along the bulkhead. The property to the south includes a small outbuilding adjacent to the dock and a concrete bulkhead and patio along the shoreline.

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.

The nearest stream mapped salmonid bearing stream is Coal Creek, more than a mile to the north is modeled by Washington Department of Fish and Wildlife (WDFW) for rearing of non-listed Coho salmon, sockeye salmon, coastal cutthroat trout and listed Steelhead and Fall Chinook. The shoreline is not mapped as a Sockeye spawning area by WDFW but a sockeye spawning area is mapped starting about 500 feet to the south. Juveniles may rear in the waters near the project when traveling from spawning sites on other lake tributaries to the lake's outlet at the Locks. The project site is accessible to any fish migrating or rearing in the lake.

No other priority habitats are directly associated with the project site for aquatic or terrestrial species.

Project Impacts and Conservation Measurements

Direct Impacts:

Sediments: Sediment disturbance will occur below the OHWM and along the shoreline of Lake Washington during pile driving, removal, and repair. Additionally, the tug and barge propwash may disturb sediments temporarily when making trips to/from the site.

Sediments are expected to be minimally disturbed during pile driving and the coarse sediments (sand and cobbles) found at the site will lessen the chances of fine sediments becoming suspended. In addition, a floating boom surrounding the work area to contain floating debris (see BMP Notes on Sheet A7.0 in Appendix A). The project is expected to meet state water quality standards for turbidity.

The boat lift and jet-ski lift are being placed in the deepest water possible where effects of propwash are negligible during moorage and launch.

Beach nourishment gravels will be added to the shoreline. The gravels will be pre-rinsed to prevent excessive turbidity from occurring during placement. Beach nourishment gravels slow beach erosion, provides wind and storm protection, mimics beneficial natural shoreline erosion processes, and can provide better access to the water for recreation.

Shoreline: Planting native vegetation 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. These plants will be planted within 10 feet of the shoreline and have canopy coverage from about 9 feet to 42 feet at maturity. The proposed planting plan is included (see Appendix A - Sheet A9.0). No shoreline work except for planting is proposed.

The beach nourishment gravels will build up shallow water to help attenuated waves, provide gravels preferred by salmonids, and add sediments that will offset loss of bank erosion from hardened shorelines.

Lakebed: The project will add 14 8-inch steel piles and remove 2 13-inch, 2 12-inch, and 7 10-inch timber piles. This will restore 2.3 square feet of lakebed.

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. A vibratory hammer will be used to install the 8-inch steel piles. Noise from this size pile does not reach levels that harm fish species when using a vibratory hammer.

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 minor because of spill containment measures that will be employed should a spill occur (see BMP Notes on Sheet A8.0 in Appendix A).

Indirect Impacts:

Shading: The existing dock covers approximately 803 square feet of the lake surface and the proposed configuration will result in an increase of 82 square feet of overwater coverage from the dock. The existing solid wood decking will be replaced with grated ThruFlow decking.

The opaque moorage cover will be replaced with a transparent moorage cover reducing overwater shading at the site by 250 square feet.

Grated decking allows more light to penetrate the water below a dock that can increase productivity in the littoral zone below the dock, 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 preferred habitat under the dock.

ThruFlow grated decking has measured performance at 43 percent light penetration (ThruFlow, 2020). Thus, effective cover of the area is 57% of the area of a solid decked structure. Table 1 provides a summary of effective coverage:

Table 1 – Effective coverage

	Existing/ Proposed	Proposed grated	Conversion	Effective coverage	Reduction in coverage
Existing solid decking (SF)	803	803	0.57	458	345
Additional area (SF)	82	82	0.57	47	35
Moorage cover removed	250				
Total (SF)	635	885		504	381

The use of grated decking reduces the existing overwater coverage by 345 square feet over existing. The extension will add 47 square feet of effective overwater coverage. Using grated decking on the existing and proposed cover will reduce the effective coverage at the site by 381 square feet.

Removing the opaque moorage cover and replacing with a translucent cover will further reduce the overwater coverage at the site by 250 square feet resulting in a decrease of effective overwater coverage from 803 square feet to 254 square feet.

In addition, the pier will be reconfigured into deeper water. The existing dock configuration covers 272 square feet within 30 feet of shore. The new configuration will have 182 square feet within 30 feet of shore resulting in a decrease of 90 square feet of overwater coverage within 30 feet of shore.

Recreational Boating: The project supports continued recreational boating, which has been identified as a limiting factor for salmonid populations in Lake Washington. The pier reconfiguration 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 (see BMP Notes on Sheet A8.0 in Appendix A). 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.

In-lieu Fee: The shoreline on the subject property will be planted with native, overhanging vegetation and additional mitigation planting is not possible. The project also requires approval from the National Marine Fisheries Service (NMFS). NMFS has developed a calculator to determine appropriate mitigation costs for proposed in-water structures in Lake Washington. This calculator has established a fund that owners can pay into if they are not willing or cannot find mitigation to offset impacts from the project. The owner is not able to complete the required mitigation at the subject property and the property owners will pay into the in-lieu fee program to mitigate project impacts. An in-lieu fee program is defined as follows:

“A program involving the restoration, establishment, enhancement, and/or preservation of aquatic resources through funds paid to a governmental or non-profit natural resources management entity to satisfy compensatory mitigation requirements... Similar to a mitigation bank, an in-lieu fee program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the in-lieu program sponsor.” (Fed. Reg. 40 CFR Part 230)

The fee has been determined using the Restoration And Permitting (RAP) Calculator for Lake Washington and will be paid to King County Conservation Fund. This fund has been used to remove 350 piles from the mouth of the Cedar River within Lake Washington to date.

The City of Bellevue has not codified the In Lieu Fee program and does not recognize program within the City Limits. This program is part of the Alternative Design Criteria and is used by Federal and State agencies during review.

Compliance with LUC

Dock Location: Lake Washington		
Development Standard	Required by LUC 20.25E.065	Proposed Standards
Number of Docks Allowed	1 per residential lot	Complies
Dock Side Setback	10' or as established per mutual agreement	Will be established via mutual agreement - complies
Maximum Dock Length	150'	82'7" - complies

Maximum Dock Size	480 square feet	875 square feet – approved through Alternative Design Criteria to add 72 square feet
Maximum Walkway Width	4' within 30' of OHWM 6' beyond 30' from OHWM	Existing 5'1" to be reduced to 4'10" within 30 feet of shore. Existing walkway to be reduced from 8'1" to 7'10" to make more conforming. Return walkway is configured from 6' non-conforming ell into 5'10" finger pier making the new configuration more conforming.
Ell Location vs. Depth	30' waterward of OHWM or at least 9' of water depth	Complies
Mooring Piles	2 per lot	Adds two mooring piles. Two existing piles are owned by the adjacent owner and associated with moorage on that lot. Complies with WDFW/CORPS approval.
Decking	Grated	Open Grating Proposed - complies
Number of Lifts	4 allowed per lot	2 new proposed for a total of 3 - complies

IMPACT MINIMIZATION AND MITIGATION

Reasonable efforts were made to apply mitigation sequencing when altering habitats within shoreline areas, as required by City Code LUC 20.25E.060.D.2. This sequence has three steps: avoidance, minimization, and mitigation.

Avoidance and Minimization

The pier reconfiguration and addition is necessary to allow for the additional of a boat lifts and to provide safe moorage.

The pier-repair portion of the project is designed to minimize impacts to the aquatic environment by using the existing piles to the extent practicable and to re-deck the existing structure with grated decking. The configuration moves the existing Jet-Ski moorage into deeper water where there is less chance of propwash causing turbidity during docking and castoff. In addition the new boatlift and most of the additional pier area will be placed in deeper water more than 30 feet from shore.

During construction, BMPs will be used to prevent construction debris from entering Lake Washington. All construction debris will be removed from the site.

Additional avoidance and minimization measures include the following:

- No floats are proposed in the nearshore;
- Artificial night lighting on and from overwater structures will be minimized by focusing the light on the pier surface (not the water), and using shades that minimize illumination of the surrounding environment and reduces glare on the water surface. The visible light emitted by an individual fixture shall not exceed 450 lumens, and the total visible light emitted by all fixtures on a pier shall not exceed 2,700 lumens.
- No new boathouses are proposed;
- No new or replaced pier skirting is proposed;
- No use of treated wood for any in-water structures or components are proposed;

- Piles will be epoxy coated steel and the smallest size and quantity practicable;
- No impact pile driving or proofing will occur.
- No galvanized coated steel will be placed below the waterline;
- Gravels will be clean (minimal fine sediments) and well-rounded;
- Larger sized gravel, rocks, or boulders will not be part of the gravel mix;
- Gravel size in and within 100 yards of areas with documented spawning of sockeye salmon will be 2-inch minus; and
- Outside of the sockeye areas, the gravel will be 1-inch minus.

Mitigation Approach

Long-term impacts include increases in overwater coverage from the new dock configuration. Improvements to the aquatic environment to offset the overwater coverage are limited at the site.

The owner proposes to enhance the nearshore environment by placing 10 cubic yards of beach nourishment gravels and enhancing the shoreline with native trees and shrubs.

The City of Bellevue considers native plantings within 10 feet of the shoreline to be mitigation for impacts to the shoreline. The existing dock and deck will use grated decking to reduce effective overwater coverage. The project proposes to enhance the shoreline by planting 3 shrubs and 2 trees within 10 feet of the shoreline. The plants may provide up to 1,800 square feet of aerial shading coverage once mature.

In addition, the owner has opted to pay the required in-lieu fee to King County to complete the mitigation requirements as required by the National Marine Fisheries Service using the RAP process. The City of Bellevue does not consider in lieu fees as mitigation for impacts within City Limits since the mitigation typically occurs outside of the City Limits.

Shoreline Functions and Values Improvements

Installing plantings will increase habitat diversity in this area and will contribute beneficial nutrients to the nearshore environment. The grated decking will improve the productivity of the nearshore littoral zone of the lake by allowing light penetration. In addition, grated decking may improve juvenile salmonid migration times and reduce habitat for predatory fish.

Beach nourishment gravels slow beach erosion, provide wind and storm protection, mimic beneficial natural shoreline erosion processes, and can provide better access to the water for recreation.

Shoreline enhancements will increase the buffer functions and values by adding native tree and shrub buffer between the house and Lake Washington that will increase screening, filtering of runoff, and vertical and overhanging structure along the lake edge, will provide food sources for songbirds and other native fauna that use the Lake Washington shoreline and provide woody material, leaf litter and other beneficial allochthonous nutrients to Lake Washington in the long-term.

PROPOSED MITIGATION

Mitigation Goals

The mitigation goals for the project will include the following:

- Grating the existing dock and using grated decking on the existing dock to allow more light penetration under the existing and proposed dock and remove the opaque moorage cover.
- Enhance inwater shoreline functions by adding 25 yards for beach nourishment gravels.
- Planting shoreline native plants including two trees and three shrubs with 100% survival for 5 years after planting.

Performance Standards

The performance standards include replacing the decking on the dock, removing the opaque moorage cover, and placing 25 cubic yards of beach nourishment along the shoreline, and paying into the in lieu fee program. These performance standards will be complete upon completion of the project.

Buffer plantings shall maintain a 100% survival for the 5 years. For proper functioning, species diversity will be maintained. The planting areas will maintain a minimum of 2 tree species and 3 shrub species for the 5-year monitoring period. On the 5th year of monitoring, the radius of each planting shall be measured and the area of aerial coverage calculated.

Planting Plan

Shrubs and trees will be containerized or bare root. The planting layouts, details, and quantities are shown in Appendix A – Sheet A 9.0.

Schedule and Maintenance

Plantings shall be installed in the same season or before completion of the dock construction. Watering will be required for at least the first year after planting during the summer months, and any invasive plants removed.

Maintenance and Monitoring Program

No Maintenance or monitoring of the performance is required for the dock

To ensure that the performance standards are met, plantings will be counted in August or September for survival for five years. All dead plantings will be replaced with similar native plants so that 100% survival is reached for the monitoring period.

To ensure that the performance standards are met, plantings will be counted in August or September for survival for the first and second year. All dead plantings will be replaced with similar native plants so that 100% survival is reached for the first and second year.

In years 3, 4 and 5 all shrub plantings will maintain at least 100% survival rate. All dead plantings will be replaced with similar native plants so that 100% survival is reached for the remaining years. Survival rates will be figured from the amount of plants that were planted in the planting plan. On the final year (5th) of monitoring the plants will obtain at least 83 square

feet of coverage. The aerial coverage will be calculated by measuring the radius of each planting

Reporting

An as-built report with drawings and photographs demonstrating the plants have been installed per plans. This as-built (Year 0) documentation is to be submitted, labeled with the reference number NWS-2016-965, to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch (Corps) for review and approval within 12 months from the date of permit issuance.

Monitoring reports shall be prepared and submitted to City of Bellevue annually on years 1-5. In addition, monitoring reports will be sent to the Corps of Engineers by October 31 of each monitoring year. The Monitoring report must include at a minimum, written and photographic documentation on plant mortality and replanting efforts, and 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 must include a panoramic view of the entire planting area.

Conclusion

Juvenile Chinook salmon, and other salmonids, rear and migrate along the Lake Washington shoreline.

The proposed dock reconfiguration will add 82 square feet of overwater coverage. However, using grated decking on the existing and new decked surfaces will have a positive effect by reducing the effective overall coverage by 381 square feet. The grated decking will allow light penetration into the littoral zone of the lake and reduce the preferred habitat of salmonid predatory fish. Replacing the opaque moorage cover with a translucent moorage cover will reduce the effective overwater coverage by another 250 square feet resulting in a reduction of effective coverage at the site from 803 square feet to 254 square feet.

In addition, the width of the dock in the nearshore will be reduced slightly. The existing dock configuration covers 272 square feet within 30 feet of shore. The new configuration will have 182 square feet within 30 feet of shore resulting in a decrease of 90 square feet of overwater coverage within 30 feet of shore.

Docks may act as a partial barrier to outmigrating juvenile salmonids that use the nearshore when migrating out of Lake Washington to saltwater. Narrowing the dock within 30 feet of the shore and reducing effective overwater coverage may help reduce hesitation of outmigrating juvenile salmonids.

The boatlift and jet-ski lift are being placed in the deepest water possible where effects of propwash are reduced. The boat lift is in the deepest water possible (10 to 12 feet) without adding additional structural elements. The Jet-ski lifts can not be placed along the northern edge of the dock as that will interfere with moorage on that side and the southern side of the dock is too close to the neighboring moorage.

The project will increase the number of piles at the site by 3, but removal of the existing wider piles will decrease the volume of piling in the water column and restore the lake bottom by 2.3 square feet.

The nearshore will be enhanced by adding 25 yards of beach nourishment gravels slow beach erosion, provides wind and storm protection, mimics beneficial natural shoreline erosion processes, and can provide better access to the water for recreation.

A shoreline planting plan will be implemented that will add two native trees and three native shrubs that will improve 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.

The owner is paying into an in-lieu fee program that will be used for habitat projects by King County that is supported by State and Federal agencies that provide feedback on the impacts to the aquatic habitat from this project and is required as part of the Alternative Design Criteria review. The City of Bellevue does not recognize mitigation completed outside of the limits.

The project will minimize construction effects on the environment by following the prescribed fish window and using applicable BMPs to prevent construction spills and debris from escaping the area.

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 **and will result in No Net Loss of ecological functions** from the proposed dock.

Document Preparers

Brad Thiele

Biologist

29 years of experience

Northwest Environmental
Consulting, LLC. (NVEC)

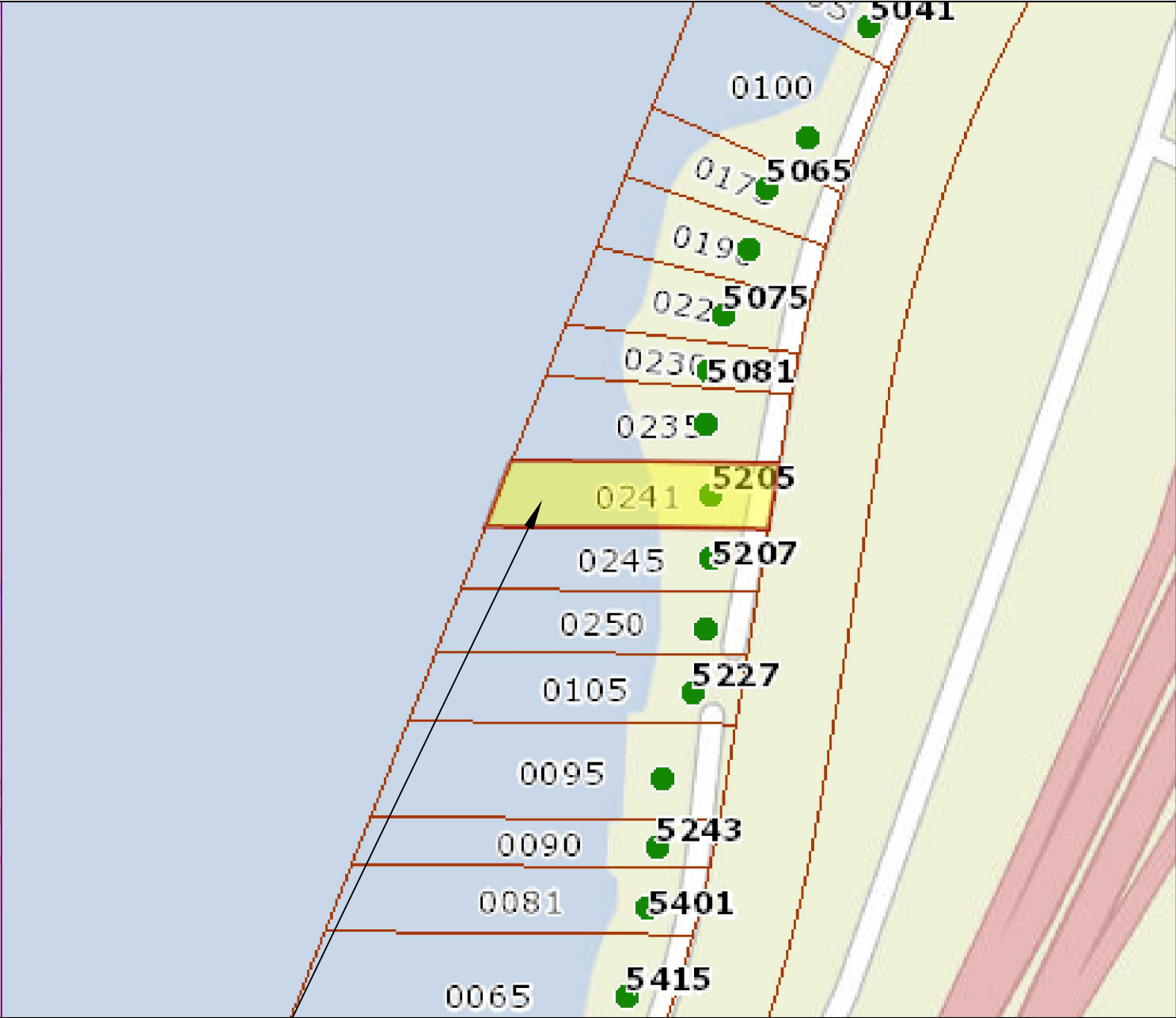
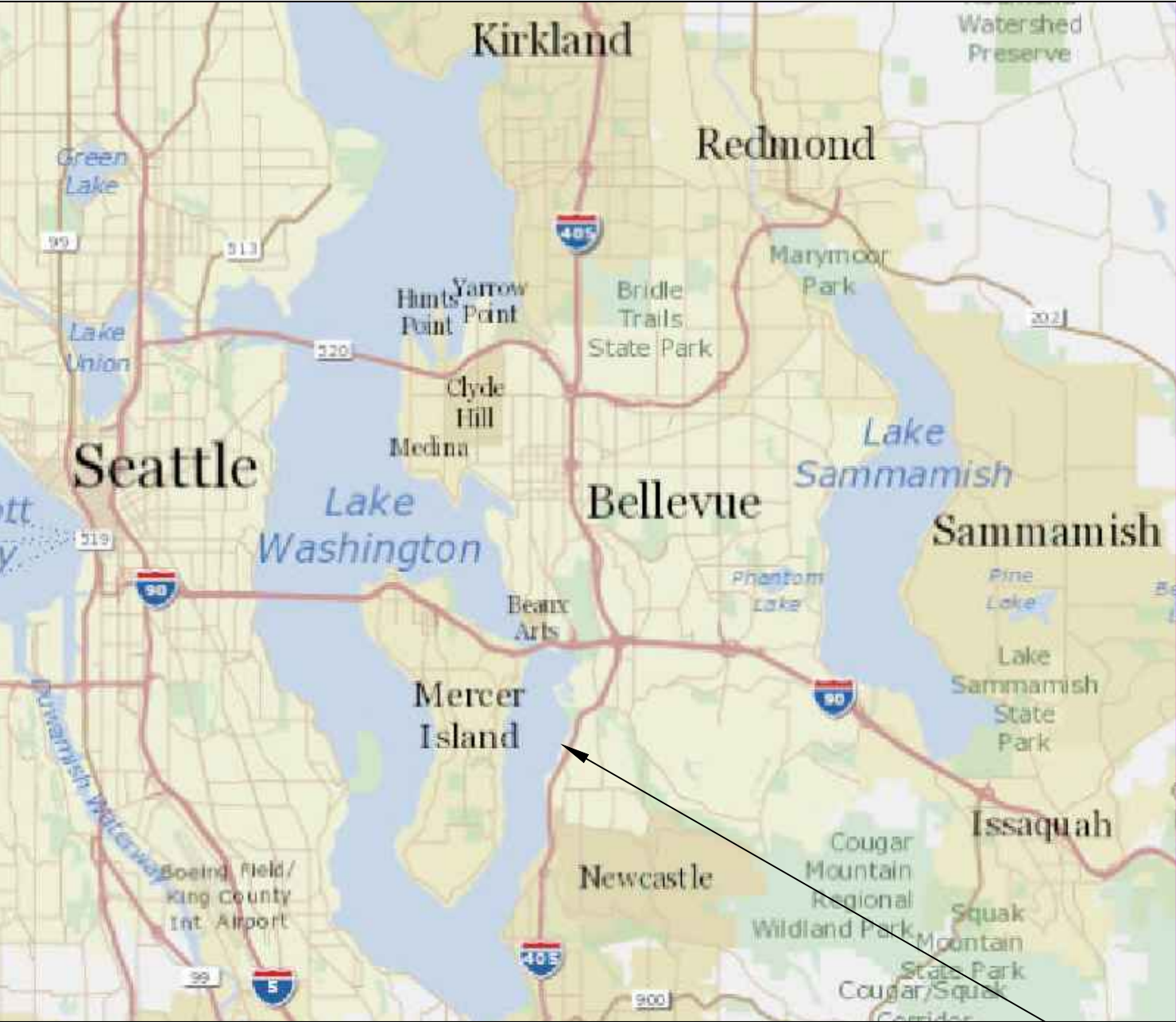
NVEC followed standard acceptable field methods and protocols at the time work was performed. These standards may include delineation of wetland and stream boundaries, characterization, rating, functional analyses, impact assessments and mitigation of impacts. The conclusions and findings in this report 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

- Kitsap Conservation District (Kitsap). 2022. Kitsap Conservation District Native Plant Sale <https://kitsapcd.org/plant-sale> accessed 2022.
- ThruFlow. 2020. Legacy Series. Online at <https://thruflow.com/products/legacy/>.
- US Army Corps of Engineers (USACE). 2004. Final Biological Evaluation, Regional General Permit: Construction of New or Expansion of Existing Residential Overwater Structures and Driving of Moorage Piling. Lake Washington, Lake Sammamish, the Sammamish River and Lake Union, Including the Lake Washington Ship Canal, in the State of Washington.
- Washington Department of Fish and Wildlife (WDFW). 2022. Priority Habitats and Species. Online database. Accessed August 2022 at <http://apps.wdfw.wa.gov/phsontheweb/>
- WDFW. 2020. SalmonScape. Online database. Accessed August 2022 at <http://apps.wdfw.wa.gov/salmonscape/>

Appendix A: Project Drawings

SITE PLAN



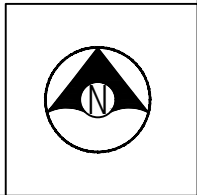
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Legal Description: LAKEHURST UNREC S 20 FT OF 48 & ALL 49 & SH LDS ADJ

Plat Block:
Plat Lot: 48-49

LAT: 47.55625 LONG: -122.19323

SUBJECT
PROPERTY



Seaborn Pile Driving
1080 W Ewing St
Seattle, WA 98119

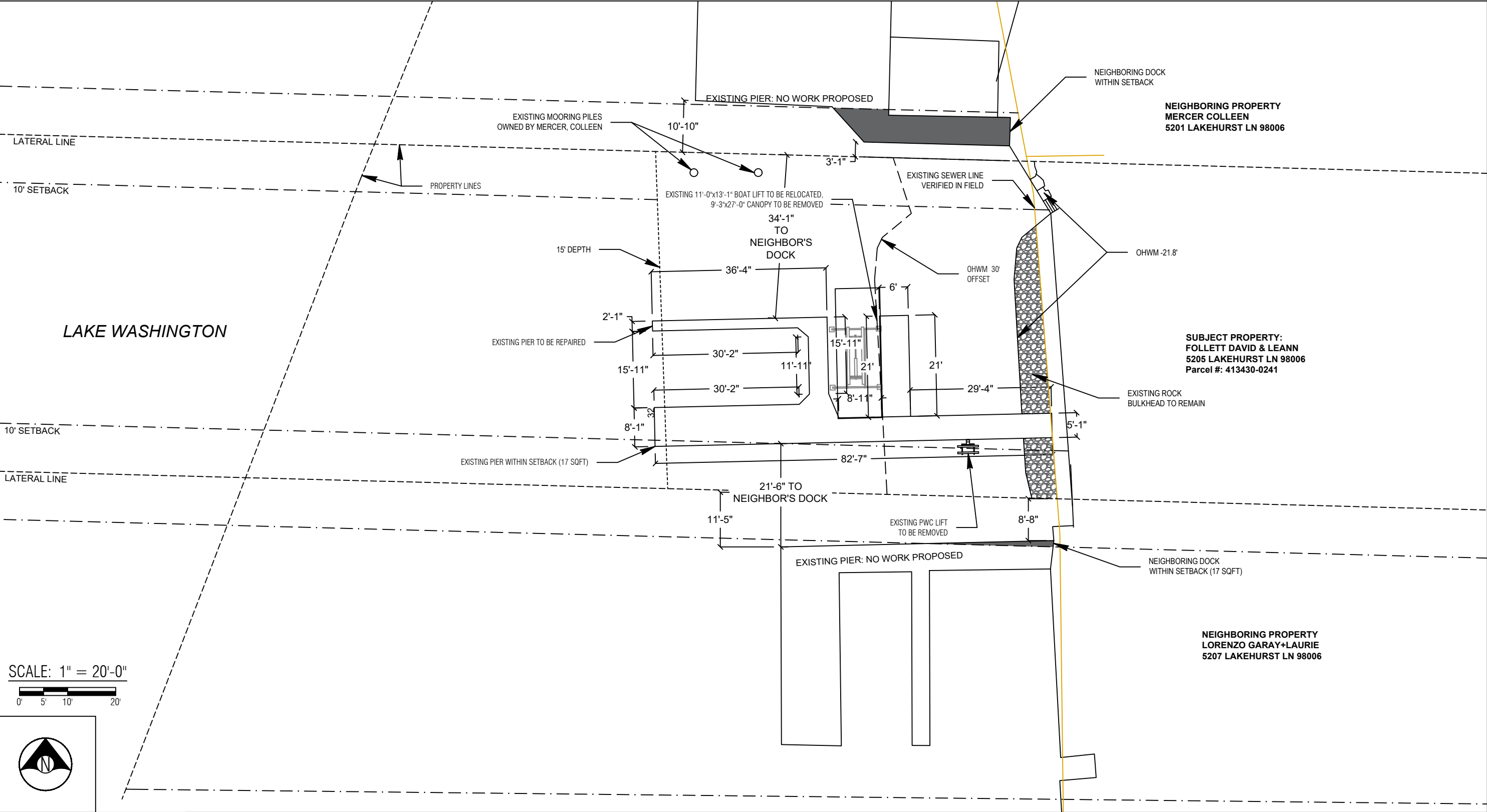
Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

Scope of Work: We propose to remove (15) existing piles, relocate (1) existing pile, repair (6) existing piles, drive (13) 8" piles, drive (1) 8" brace pile, rebuild the current dock with grated decking material, drive (2) 10" mooring piles, removing a part of the dock section, remove (1) dock mounted jetski lift, add (1) dual jet ski lift, remove (1) moorage cover, add (1) moorage cover made of translucent material, and reconfigure the existing finger.

County: King County Location: Lake Washington	
Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006	
Datum: CORPS OF ENGINEERS 1919 NE Quarter Of Section 20, Township 24, Range 05	Created: 09/23/21 Last Updated: 1/19/2023 4:59 PM Dray
Adjacent Owners: MERCER COLLEEN 5201 LAKEHURST LN 98006 LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006	
SHEET A1.0	
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EXISTING CONDITIONS

CLEAN UP LAKE AROUND PROJECT



County: King County
Location: Lake Washington

Applicant: Follet Residence
5205 Lakehurst Lane.
Bellevue, WA 98006

Datum: CORPS OF ENGINEERS 1919
NE Quarter Of Section 20, Township 24, Range 05

Adjacent Owners:
LORENZO GARAY+LAURIE
5207 LAKEHURST LN 98006

MERCER COLLEEN
5201 LAKEHURST LN 98006

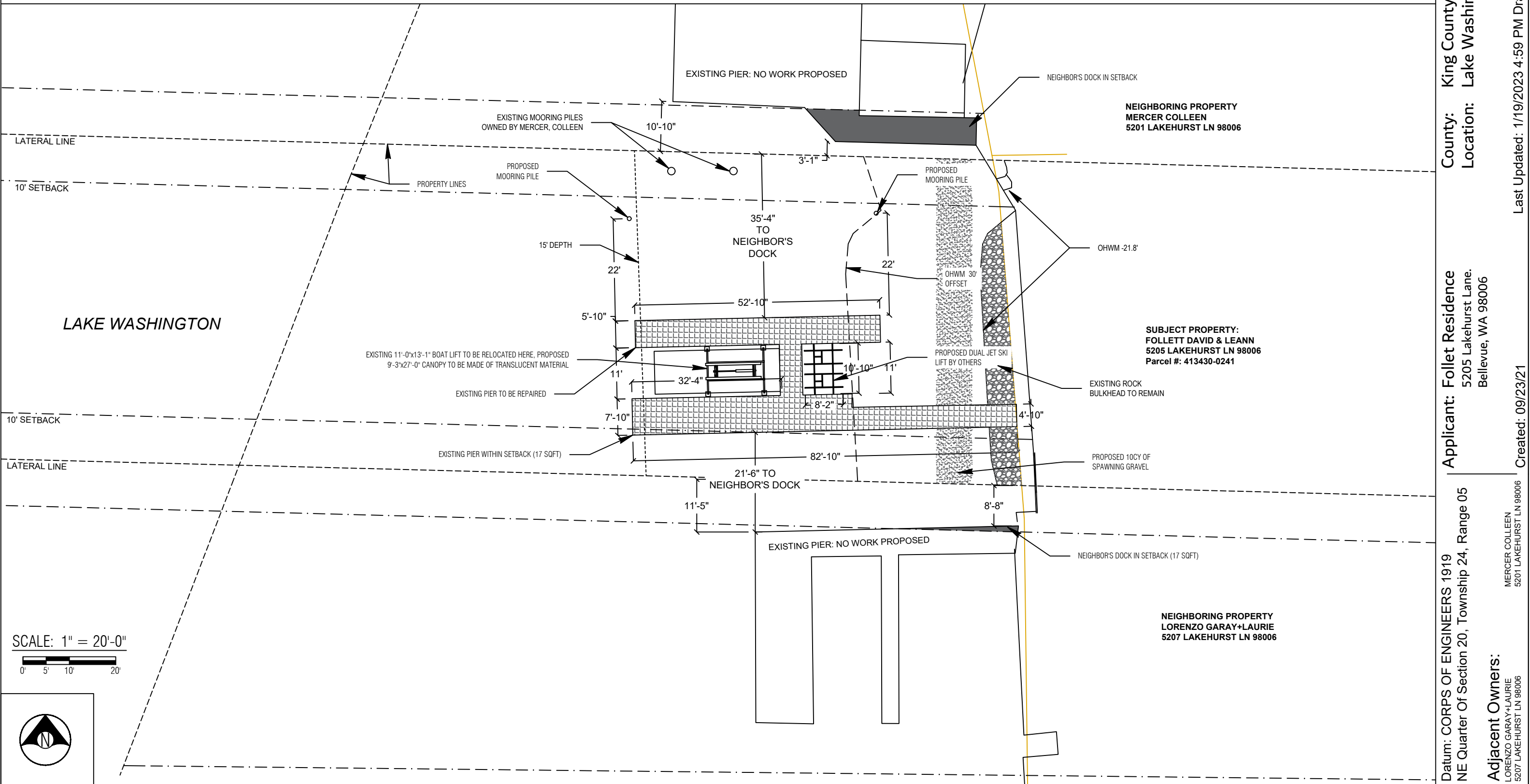
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Created: 09/23/21



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PROPOSED CONDITIONS



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**SHEET
A3.0**

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PAGE 3 OF 14

NE Quarter Of Section 20, Township 24, Range 05

LORENZO GARAY+LAURIE
5207 LAKEHURST LN 98006

5201 LAKEHURST LN 98006

5205 Lakehurst Lane.
Bellevue, WA 98006

Location: Lake Washington

Created: 09/23/21

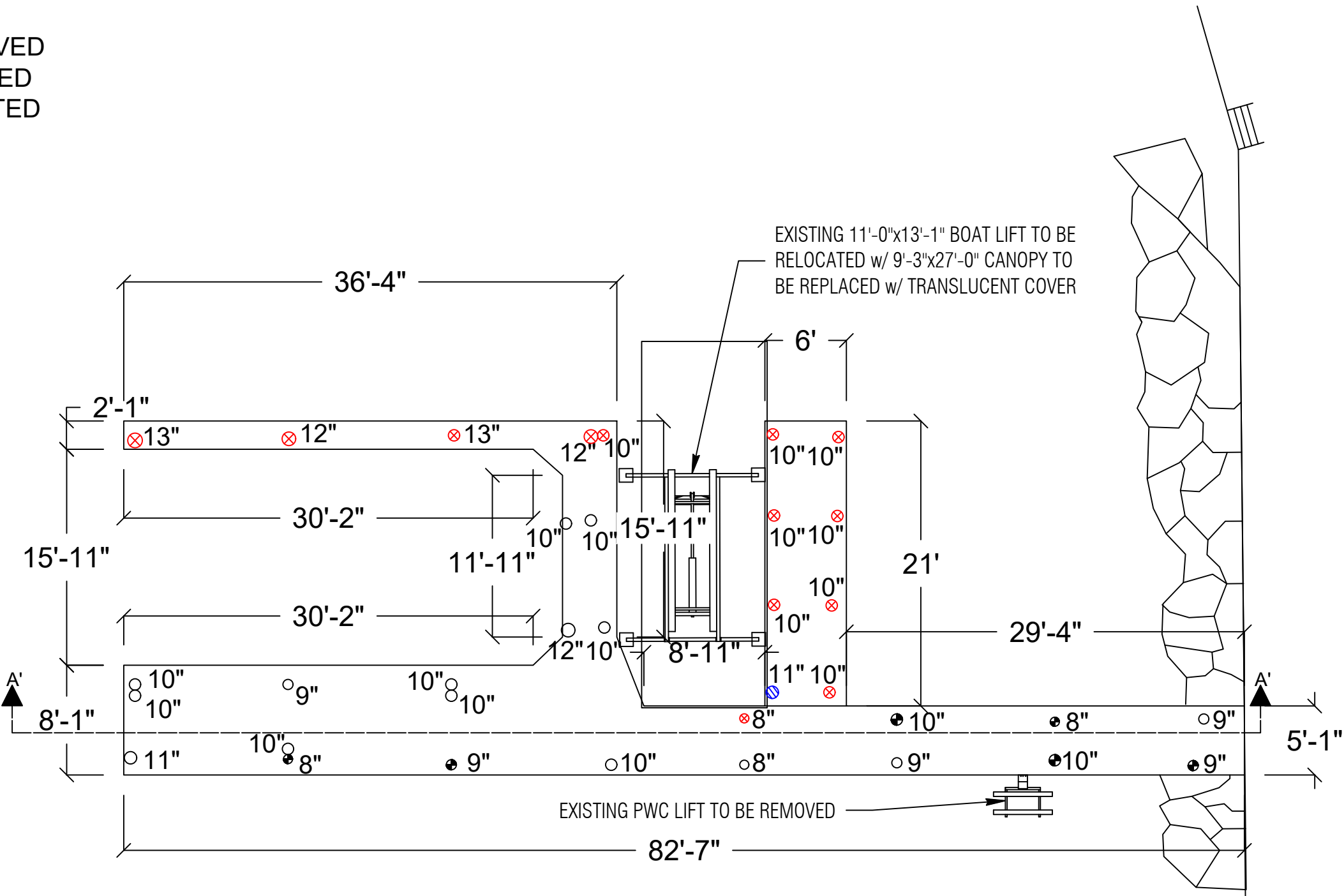
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PIER DETAILS - EXISTING

LEGEND

- (15) EXISTING PILES - TO REMAIN
- ⊗ (13) EXISTING PILES - TO BE REMOVED
- (6) EXISTING PILES - TO BE REPAIRED
- ⦿ (1) EXISTING PILE - TO BE RELOCATED

Existing Area: 803 sqft (total)



PLAN VIEW



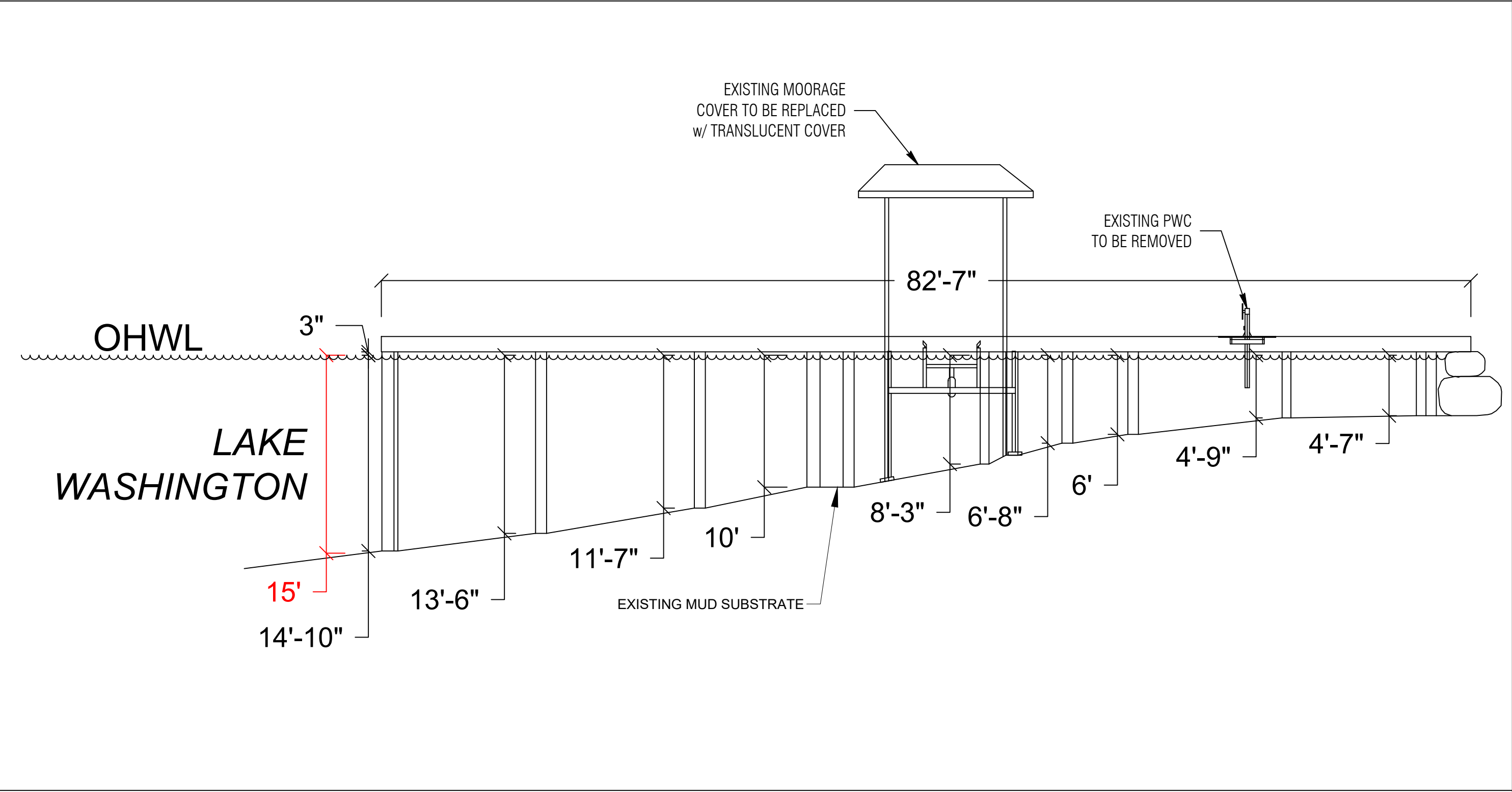
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	Location: Lake Washington	
	Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006	
Adjacent Owners: LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006	Created: 09/23/21	

PIER DETAILS EXISTING



SECTION VIEW: A'-A'



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SHEET A5.0	
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PIER DETAILS - PROPOSED

LEGEND

PILES

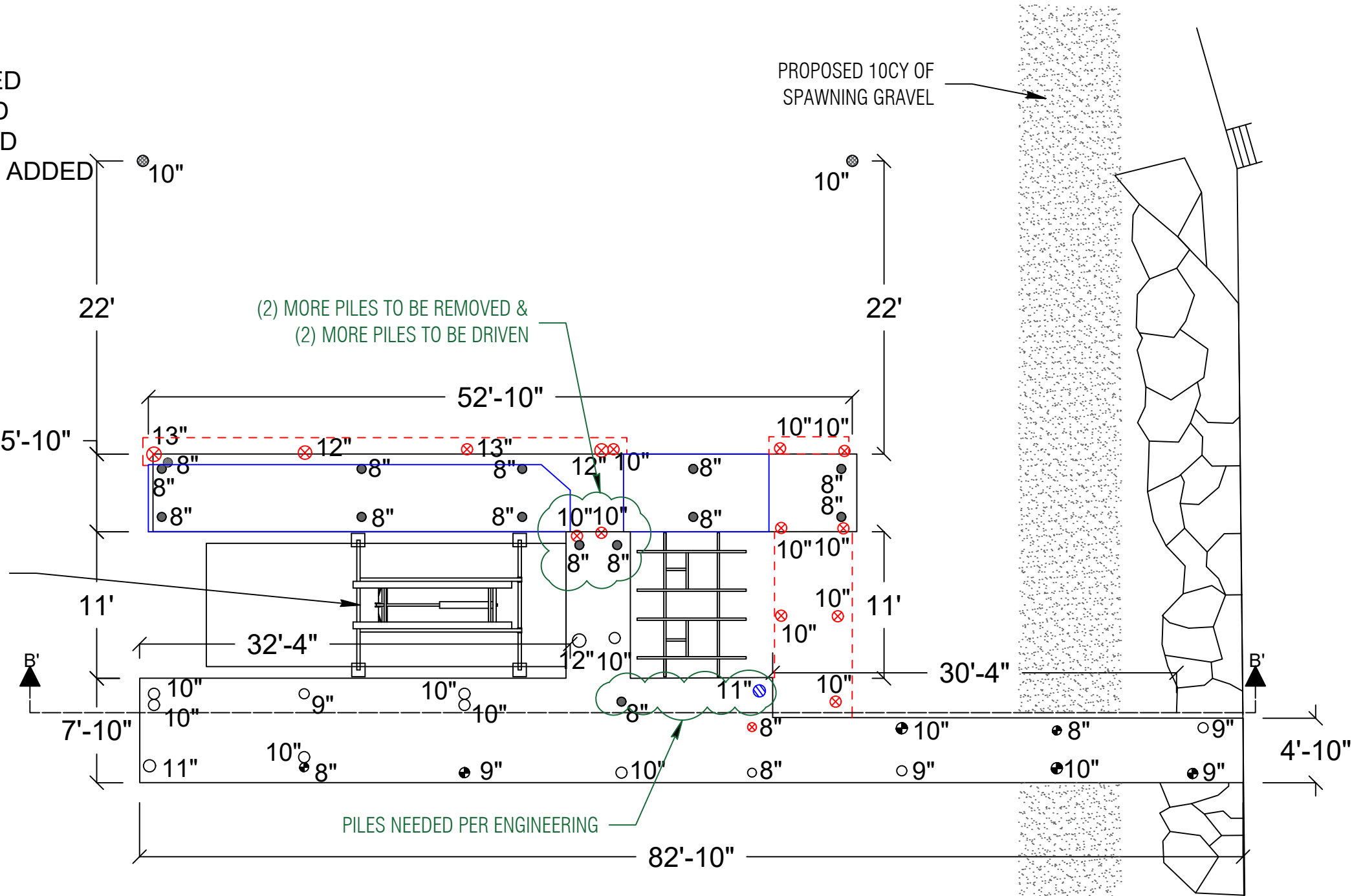
- (13) EXISTING PILES - TO REMAIN
- ⊗ (15) EXISTING PILES - TO BE REMOVED
- ⊕ (6) EXISTING PILES - TO BE REPAIRED
- ⊖ (1) EXISTING PILE - TO BE RELOCATED
- (13) PROPOSED STEEL PILES - TO BE ADDED
- (1) PROPOSED BRACE PILE
- (2) PROPOSED MOORING PILE

DOCK

- Existing Area: 803 sqft (existing total)
- Existing Area: 150 sqft (to be added)

Proposed Area: 222 (area to be added)
Proposed Area: 875 sqft (proposed total)

EXISTING 11'-0"x13'-1" BOAT LIFT TO BE RELOCATED
HERE, PROPOSED 9'-3"x27'-0" CANOPY TO BE MADE
OF TRANSLUCENT MATERIAL



PLAN VIEW



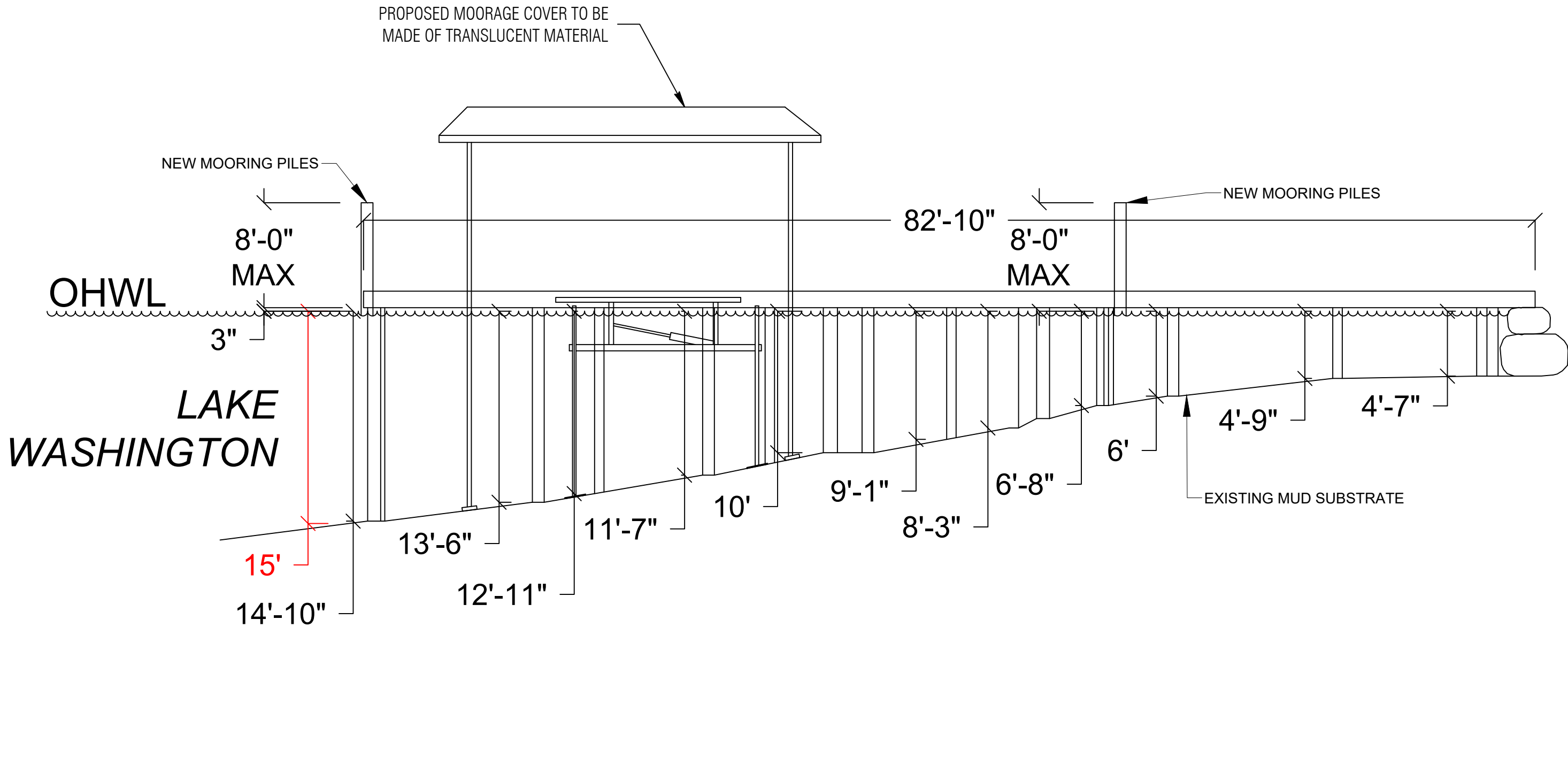
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	Adjacent Owners: LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006 MERCER COLLEEN 5201 LAKEHURST LN 98006	Last Updated: 1/19/2023 4:59 PM Dray

PIER DETAILS PROPOSED



SECTION VIEW: B'-B'



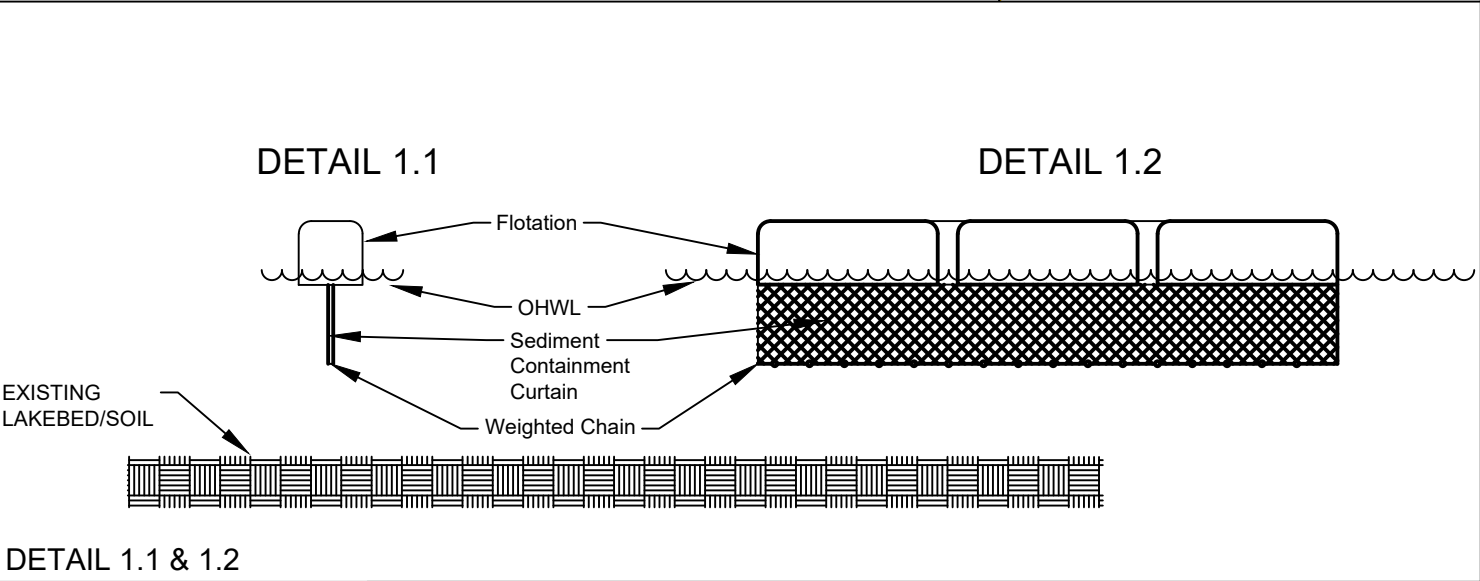
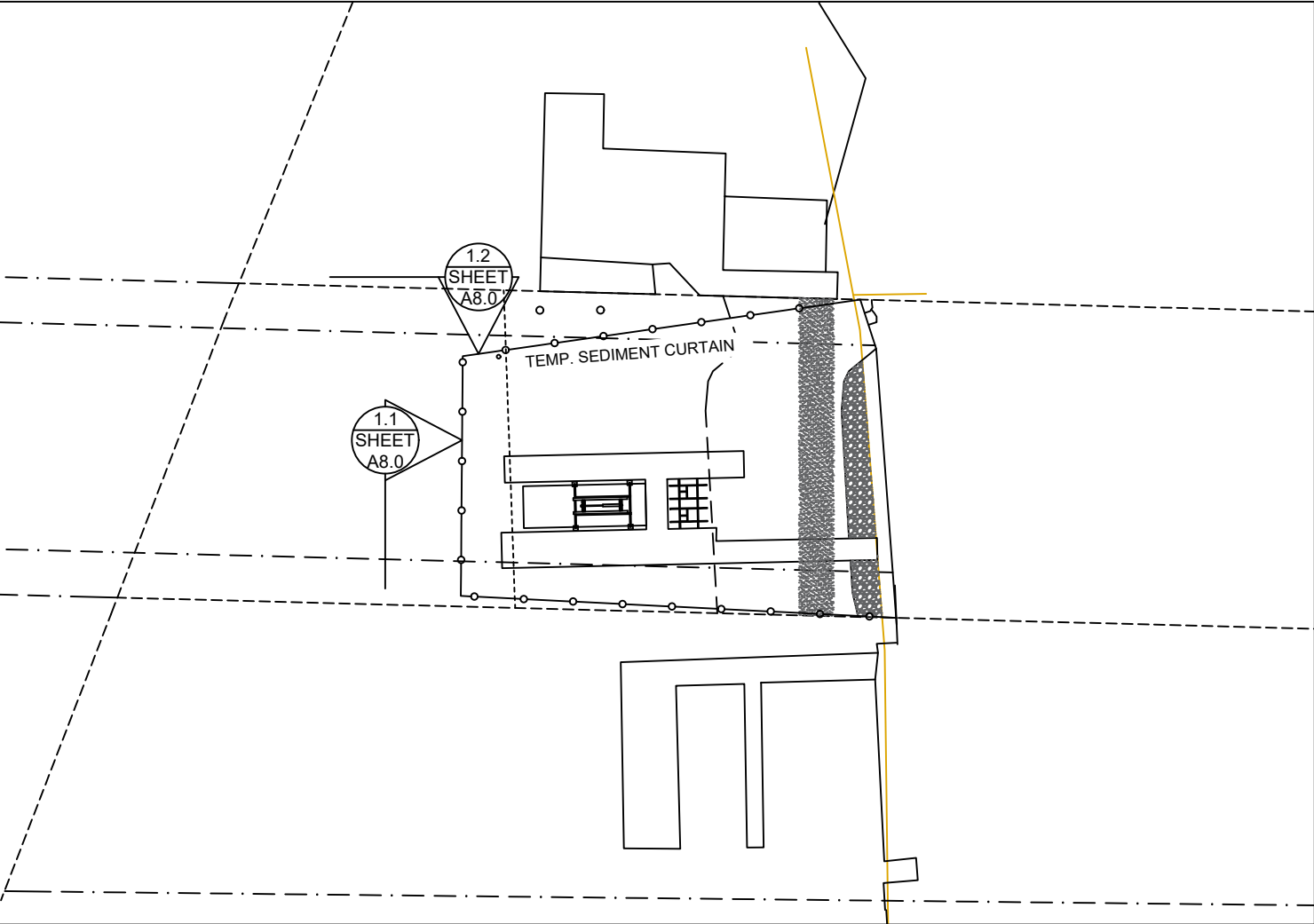
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County: King County Location: Lake Washington	
Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006	
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SHEET A7.0	
NWS-2021-XXX PAGE 7 OF 14	

BMP INFORMATION



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.



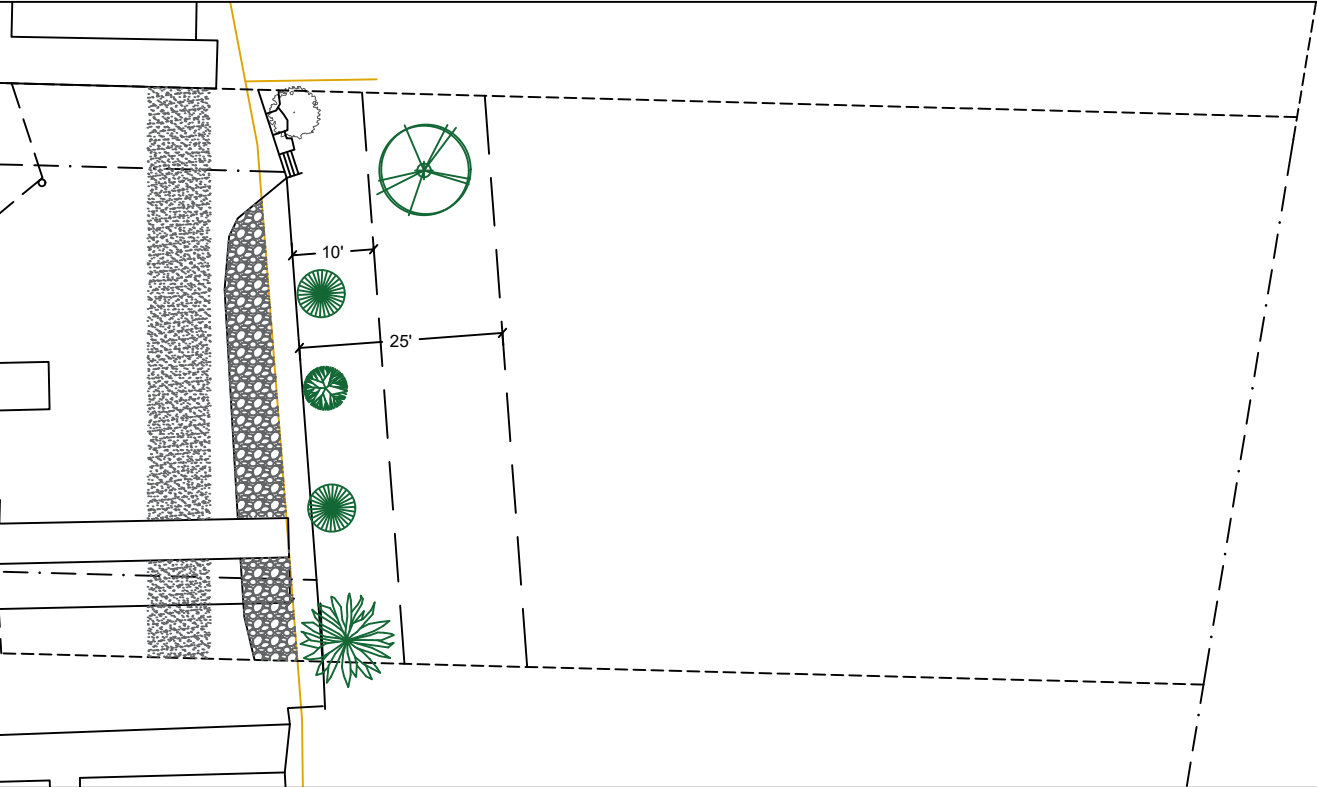
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Office: 206-236-1700 ext. 3
www.seabornpiledriving.com

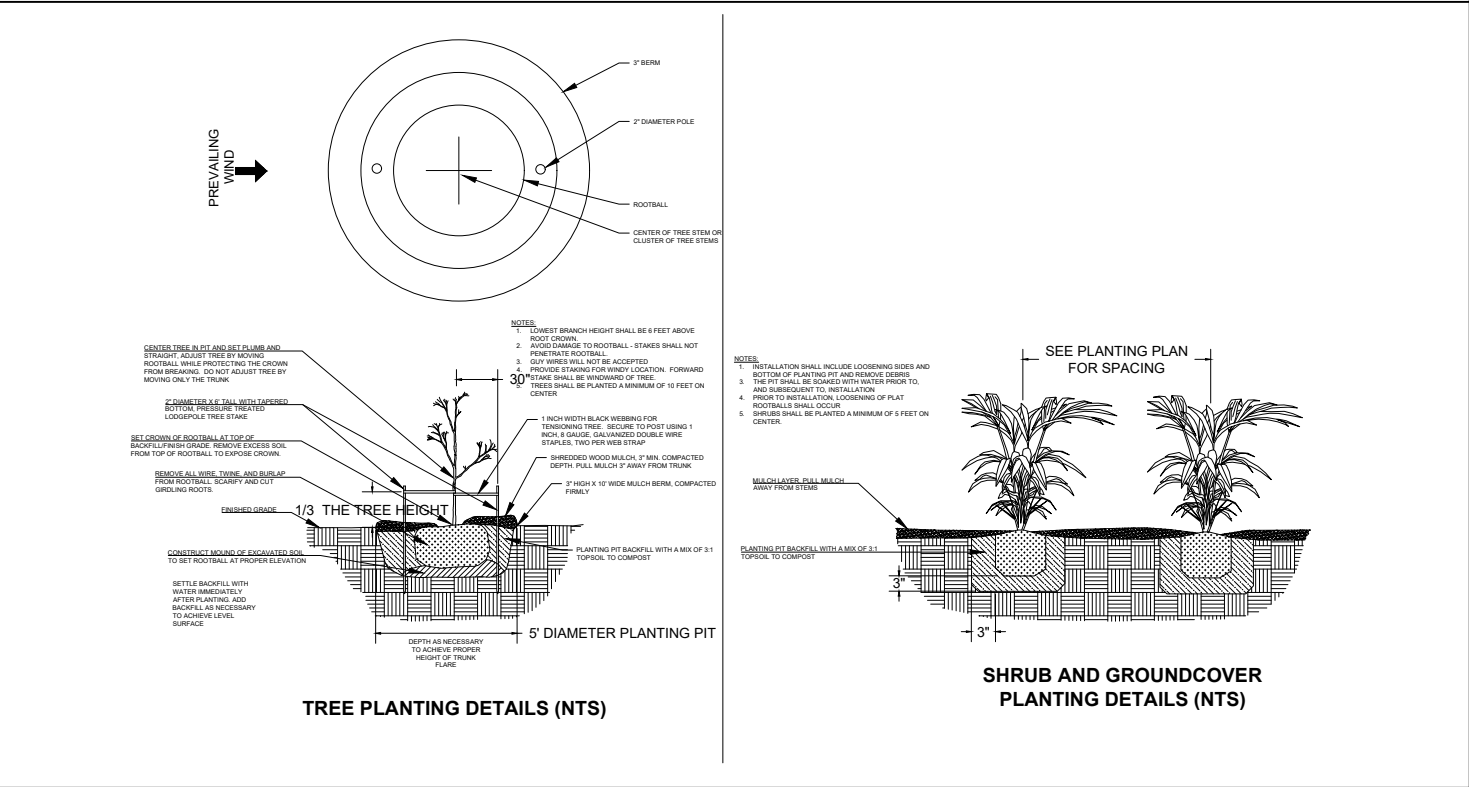
Scope of Work: We propose to remove (15) existing piles, relocate (1) existing pile, repair (6) existing piles, drive (13) 8" piles, drive (1) 8" brace pile, rebuild the current dock with grated decking material, drive (2) 10" mooring piles, removing a part of the dock section, remove (1) dock mounted jetski lift, add (1) dual jet ski lift, remove (1) moorage cover, add (1) moorage cover made of translucent material, and reconfigure the existing finger.

SHEET A8.0	Datum: CORPS OF ENGINEERS 1919 NE Quarter Of Section 20, Township 24, Range 05	Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006	County: King County Location: Lake Washington
	Adjacent Owners: LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006	MERCER COLLEEN 5201 LAKEHURST LN 98006	Created: 09/23/21 Last Updated: 1/19/2023 4:59 PM Dray

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 to 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 picatta	Western Redcedar	1	3 ft
	Pinus contorta v contorta	Shore pine	1	3 ft
	Rosa nutkana	Nootka Rose	1	1 Gallon
	Philadelphus lewisii	Mock Orange	2	1 Gallon

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



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 remove (15) existing piles, relocate (1) existing pile, repair (6) existing piles, drive (13) 8" piles, drive (1) 8" brace pile, rebuild the current dock with grated decking material, drive (2) 10" mooring piles, removing a part of the dock section, remove (1) dock mounted jetski lift, add (1) dual jet ski lift, remove (1) moorage cover, add (1) moorage cover made of translucent material, and reconfigure the existing finger.

County: King County
Location: Lake Washington

Applicant: Follet Residence
5205 Lakehurst Lane,
Bellevue, WA 98006

Datum: CORPS OF ENGINEERS 1919
NE Quarter Of Section 20, Township 24, Range 05

Adjacent Owners:
LORENZO GARAY-LAURIE
5207 LAKEHURST LN 98006

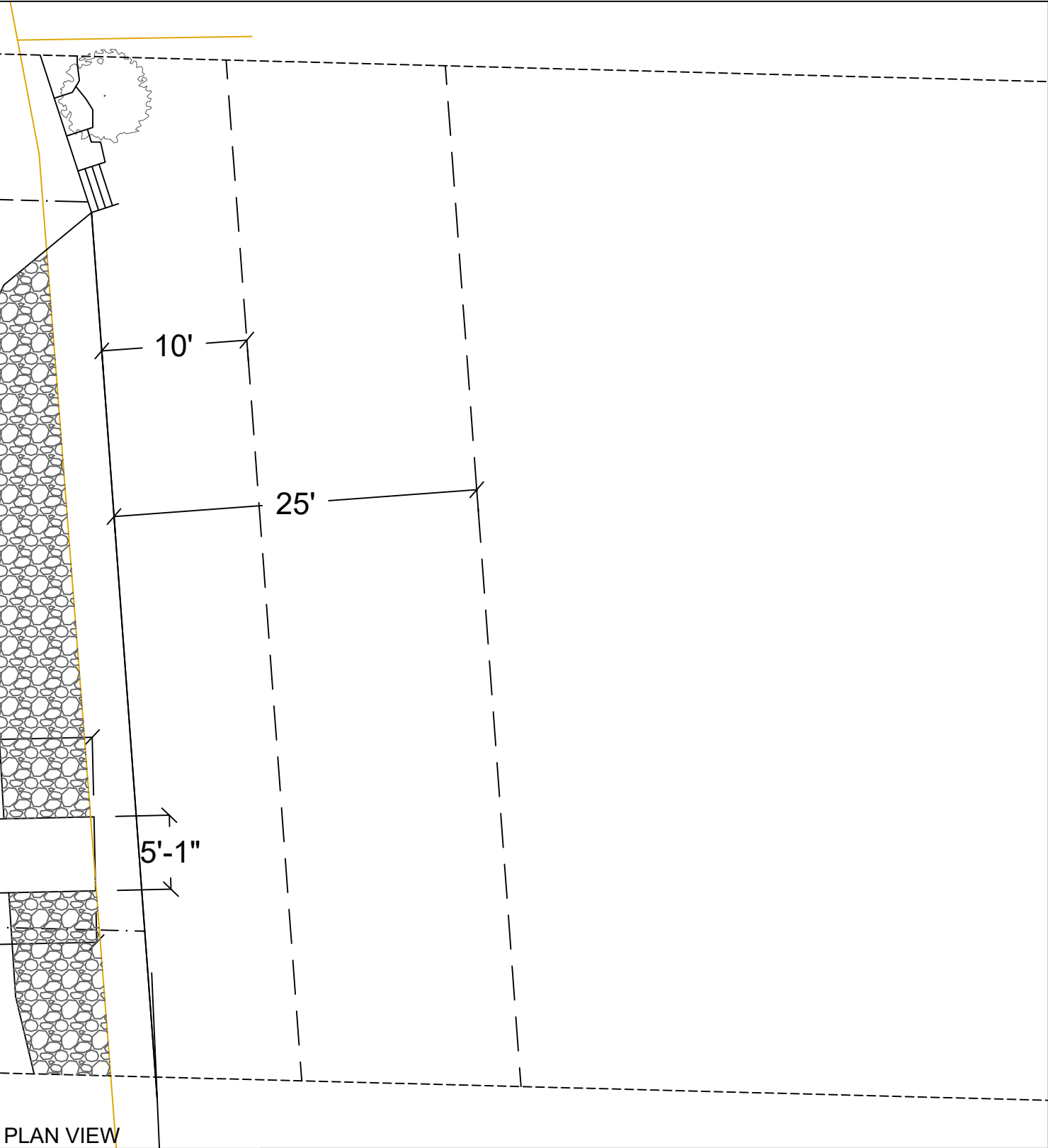
Created: 09/23/21

Last Updated: 1/19/2023 4:59 PM Dray

SHEET
A9.0

NWS-2021-XXX
PAGE 9 OF 14

EXISTING PLANT PLAN




NO EXISTING INDIGENOUS PLANTS



Seaborn Pile Driving
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Scope of Work: We propose to remove (15) existing piles, relocate (1) existing pile, repair (6) existing piles, drive (13) 8" piles, drive (1) 8" brace pile, rebuild the current dock with grated decking material, drive (2) 10" mooring piles, removing a part of the dock section, remove (1) dock mounted jetski lift, add (1) dual jet ski lift, remove (1) moorage cover, add (1) moorage cover made of translucent material, and reconfigure the existing finger.

Datum: CORPS OF ENGINEERS 1919 NE Quarter Of Section 20, Township 24, Range 05 Adjacent Owners: LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006	Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006	County: King County Location: Lake Washington	Last Updated: 1/19/2023 4:59 PM Dray
SHEET A10.0			NWS-2021-XXX PAGE 10 OF 14

GENERAL NOTES:			
<u>MATERIALS SPEC LIST:</u> Boat Lifts: <ul style="list-style-type: none">SL2008AR2D2 - 104" x 132" (dual jet ski) Decking Material: FRPP - Fiberglass reinforced polypropylene Light permeable percentage: <ul style="list-style-type: none">Surface - 43%18" Dock Height - 61% SEWER: <ul style="list-style-type: none">All sewer is field verified by probing the lake bed manually during the allowed work windows for the area. PILES: <ul style="list-style-type: none">All new piles are epoxy Steel piles *size varies, see plan setRepair piles are done as a sleeve/strap methodAll Pile tops exposed will have a conical cap placed on topPiles are driven using the vibro method DOCK: being repaired/replaced <ul style="list-style-type: none">_100%_ % of Decking_100%_ % of stringers_100%_ % of caps MITIGATION: <ul style="list-style-type: none">Originally submitted mitigation will change following CORPS submittal. We will update the plan set to reflect all changes before submitting for an amendment		<u>CODE REFERENCES: BELLEVUE</u> We are applying for the permit to be reviewed under the: "20.25E.065.H.5 - Repair and Replacement of Existing Residential Docks" Per note table 4: with CORP and HPA approval, we can modify for larger dimensions Last permit issued for property: Dock established/constructed: date <u>ADDITIONAL INFORMATION:</u> <ul style="list-style-type: none">We have discussed the RAP fee and possible changes with the customers prior to submitting and they are aware it may change from submittalWe cannot adjust dock heights if we are not repairing all of the piles and decking on the projectAll debris around job site will be removed from the lake bed as part of this projectAny logs noted on site will stay as necessary and we will avoid touch the log at all costs.	
<div><div></div><div><div>Seaborn Pile Driving 1080 W Ewing St Seattle, WA 98119</div><div>Office: 206-236-1700 ext. 3 www.seabornpiledriving.com</div></div></div> <div>Scope of Work: We propose to remove (15) existing piles, relocate (1) existing pile, repair (6) existing piles, drive (13) 8" piles, drive (1) 8" brace pile, rebuild the current dock with grated decking material, drive (2) 10" mooring piles, removing a part of the dock section, remove (1) dock mounted jetski lift, add (1) dual jet ski lift, remove (1) moorage cover, add (1) moorage cover made of translucent material, and reconfigure the existing finger.</div>		<div><div>Datum: CORPS OF ENGINEERS 1919 NE Quarter Of Section 20, Township 24, Range 05</div><div>Adjacent Owners: LORENZO GARAY+LAURIE 5207 LAKEHURST LN 98006</div></div> <div>MERCER COLLEEN 5201 LAKEHURST LN 98006</div>	
<div><div>SHEET A11.0</div><div>NWS-2021-XXX PAGE 11 OF 14</div></div>		County: King County Location: Lake Washington Applicant: Follet Residence 5205 Lakehurst Lane. Bellevue, WA 98006 Created: 09/23/21 Last Updated: 1/19/2023 4:59 PM Dray	

Appendix B: Site Photographs



Photo 1 - Existing dock looking waterward.



Photo 2 - Existing dock looking landward.



Photo 3 - Shoreline conditions looking northward.



Photo 4 - Shoreline conditions looking southward.



Photo 5 - Shoreline conditions on adjacent property to the north.



Photo 6 - Shoreline conditions on adjacent property to the south.



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, SEATTLE DISTRICT
4735 EAST MARGINAL WAY SOUTH, BLDG 1202
SEATTLE, WA 98134-2388

Regulatory Branch

September 6, 2022

Mr. Dave Follett
5205 Lakehurst Lane
Bellevue, Washington 98006

Reference: NWS-2022-166
Follett, Dave (Piling,
Dock, Ski Lift, Moorage
Cover)

Dear Mr. Follett:

We have reviewed your application to reconfigure and expand an existing 803-square foot pier to 875 square foot, remove (15) piles, sleeve (6) piles, relocate (1) pile, drive (16) epoxy coated steel piles, replace all solid decking with grated decking, remove a 20 square foot dock mounted personal watercraft lift, install a 89 square foot dual personal watercraft lift, relocate an existing boat lift and replace an existing moorage cover in Lake Washington at Bellevue, Washington. Based on the information you provided to us, this "Letter of Permission" (LOP) permit authorizes your proposal as depicted on the enclosed drawings dated July 1, 2022, which are made part of this permit. In order for this LOP authorization to be valid, you must ensure that the work is performed in accordance with the enclosed Letter of Permission General Conditions and the following special conditions:

a. In order to meet the requirements of the Endangered Species Act you may conduct the authorized activities from July 16 through December 31 in any year this permit is valid. You shall not conduct work authorized by this permit from January 1 through July 15 in any year this permit is valid.

b. In order to meet the requirements of the Endangered Species Act (ESA) and Magnuson-Stevens Fishery Conservation and Management Act (MSA) Restoration and Permitting (RAP) programmatic consultation (National Marine Fisheries Service (NMFS) Reference Number WCRO-2016-00008), you must implement and abide by the ESA requirements and/or agreements set forth in the Biological Opinion (BO) dated February 17, 2017, the NMFS' RAP Implementation Guide dated July 25, 2019, and the RAP form for your individual project (NMFS Reference Number WCRO-2016-00008-4605). The BO is available on the U.S. Army Corps of Engineers (Corps) website (Permit Guidebook, Endangered Species, Programmatic Consultations,

Activities on Lakes Washington and Sammamish). Upon completion of the permitted work, you must submit an As-Built Report (see RAP Implementation Guide, Appendix E) to the Corps and the NMFS (rap-reports.wcr@noaa.gov). You must visually monitor the work area during construction when the substrate is disturbed and ensure that observable turbidity increases do not extend beyond a 150-foot radius around the work area. If turbidity increases occur beyond this area, you must include it in your As-Built Report. You must comply with any required RAP planting plan (see RAP Implementation Guide, Appendices C and D) requirements and submit annual monitoring reports for five years to the Corps and the NMFS (rap-reports.wcr@noaa.gov). All reports must prominently display the reference number NWS-2022-166. Failure to comply with these requirements constitutes non-compliance with the ESA and your Corps permit. The NMFS is the appropriate authority to determine compliance with the terms and conditions of its BO and with the ESA. If you cannot comply with the terms and conditions of this programmatic consultation, you must, prior to commencing construction, contact the Corps, Seattle District, Regulatory Branch for an individual consultation in accordance with the requirements of the ESA and/or the MSA.

c. To be in compliance with Special Condition "b", you must request an invoice from the King County Mitigation Reserves Program (ATTN: Ms. Megan Webb, megan.webb@kingcounty.gov; In-lieu Fee Mitigation and Transfer of Development Rights, King County Water and Land Resources Division, Department of Natural Resources and Parks, 201 South Jackson Street, Room 600, Seattle, Washington, 98104-3855) and provide the U.S. Army Corps of Engineers a receipt that you have paid the required conservation fees of \$8,967.25 within 60 days from the date of permit authorization. This information must prominently display the reference number NWS-2022-166.

d. In order to meet the requirements of the Endangered Species Act (ESA) programmatic letter of concurrence for selected activities in the Lake Washington/Lake Sammamish Basins (U.S. Fish and Wildlife Service (USFWS) Reference Number 13410-2009-I-0386-R001) you must comply with the relevant conservation measures in the document titled, Conservation Measures for Activities Covered under the Lake Washington Programmatic Consultation Letter of Concurrence available on the U.S. Army Corps of Engineers (Corps) website (Permit Guidebook, Endangered Species, Programmatic Consultations, Activities on Lakes Washington and Sammamish). If you cannot comply with these conservation measures, you must, prior to commencing construction, contact the Corps, Seattle District, Regulatory Branch for an individual consultation in accordance with the requirements of the ESA. The USFWS is the appropriate authority to determine compliance with the ESA.

e. To ensure that light transmission is not impacted, grating must not be covered with or blocked by any objects, such as, but not limited to, buildings, planters, storage sheds or boxes, kayaks, nets, carpets, boards, tables, lawn furniture, or utility conduits or boxes

f. You must implement and abide by the shoreline planting plan as detailed on Sheet 9 of 10 of the project drawings dated July 1, 2022. The plants shall be installed before or concurrent with the work authorized by this permit. A report, as-built drawing, and photographs demonstrating the trees/plants have been installed or a report on the status of project construction must be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, within 12 months from the date of project construction. You can meet this reporting requirement by completing and submitting the enclosed Report for Mitigation Work Completion form.

g. You must 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 trees/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 shoreline planting plan. Individual plants that die must be replaced with native riparian species in order to meet the survival performance standards.

h. You must submit annual monitoring reports for five years (Monitoring Years 1-5). Each annual monitoring report shall include written and photographic documentation on plant mortality and replanting efforts and must document whether the performance standards are being met. Photos must be taken from established points used for each monitoring year. In addition to photos at designated points, photo documentation must include a panoramic view of the entire planting area. Submitted photos must be formatted on standard 8 ½" 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 must be identified on an appropriate drawing. Annual shoreline planting monitoring reports must be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch, by December 31 of each monitoring year. You can meet this reporting requirement by completing and submitting the enclosed Mitigation Planting Monitoring Report form.

i. To ensure the long-term protection of the mitigation site, you shall record on the mitigation site property deed a copy of this Department of the Army permit and a description of the mitigation area identified in the final mitigation plan. These documents shall be recorded with the Registrar of Deeds or other appropriate official charged with maintaining records on real property. Proof of this recorded documentation must be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch within 60 days from the date of construction.

Please be reminded that Special Condition “b” of your permit requires that you implement and abide by the ESA requirements and/or agreements set forth in the Biological Opinion (BO) for this project. In particular, note that the BO requires that you implement a shoreline planting plan, monitor and submit monitoring reports on the planted area to the Corps and Services annually for a period of 5 years, and record the location and description of the planting area on your deed. Failure to comply with the commitments made in the BE constitutes non-compliance with the ESA and your Corps permit.

The Washington State Department of Ecology determined your project does not trigger the need for a Water Quality Certification or a Coastal Zone Management consistency determination.

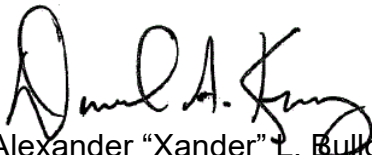
You have not requested a jurisdictional determination for this proposed project. If you believe the U.S. Army Corps of Engineers does not have jurisdiction over all or portions of your project, you may request a preliminary or approved jurisdictional determination (JD). If one is requested, please be aware that we may require the submittal of additional information to complete the JD and work authorized in this letter may not occur until the JD has been completed.

Any change in the plans for this work will require that you submit revised drawings to this office and receive our written approval of those changes prior to conducting the work. If you object to any terms or conditions of this LOP or the JD, you may request an administrative appeal under our regulations (33 CFR Part 331) as described in the enclosed Notification of Administrative Appeal Options and Process and Request for Appeal form.

Your authorization to conduct the proposed work under this permit expires 3 years from the date of this letter. Within 30 days of completing the authorized work, you must fill out and return the enclosed Certificate of Compliance with Department of the Army Permit. Your signature on this form is our assurance you have conducted the work and any required mitigation in accordance with the terms and conditions of this LOP, including all special conditions. All compliance reports should be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch at nws.compliance@usace.army.mil. Please remember that failure to comply with the terms and conditions of this LOP, including any special conditions, will invalidate your authorization and could result in a violation of Federal law.

While this project will not require further authorization from us, please note that it must comply with all local, State, and other Federal requirements that may apply. A copy of this letter with permit drawings will be furnished to Ms. Madison Johnson of Seaborn Pile Driving at permits@seabornpiledriving.com. If you have any questions, please contact Mr. Ryan Cochoit at Ryan.J.Cochoit@usace.army.mil or by phone at (206) 601-2691.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:


for Alexander "Xander" L. Bullock
Colonel, Corps of Engineers
District Engineer

Enclosures

cc:

Ecology (ecyrefedpermits@ecy.wa.gov)

USFWS (wfwoclap@fws.gov)

NMFS, RAP (rap-wa.wcr@noaa.gov)

KCMRP (megan.webb@kingcounty.gov)

When recorded return to:

City of Bellevue – Development Services

405 110th Ave NE

PO Box 90012

Bellevue WA 98004

TITLE: Agreement for Intrusion into Required Setback from Adjacent Property for Private Moorage or Other Structures

Grantors: Lorenzo & Laurie Garay

Grantees: David & LeAnn Follett

Legal Descriptions:

Grantor property: LAKEHURST UNREC N 1/2 AS MEAS ALG E LN OF FOLG
POR OF GL 2 BAAP ON E LN SEC 20-24-5 TH S 00-02-40 W 1645.89 FT FR NE
COR THOF TH N 89-44-38 W 1809 FT M/L TAP IN WLY LN NP R/W & TPOB
TH NLY ALG SD WLY LN 150 FT TH N 89-44-38 W TO WLY LN SD GL TH SLY
ALG SD WLY LN TAP N 89-44-38 W FR TPOB TH S 89-44-38 E TO TPOB LESS
NLY 50 FT AS MEAS AL G SD R/W & N 32 FT OF S 1004.82 FT OF SD GL 2 LY
WLY OF NP R/W - ABOVE DESC BEING LOTS 50 & 51 OF LAKEHURST UNREC
& SH LDS ADJ & N 32 FT & SH LDS ADJ OF LOT 20 OF PLEASURE POINT PARK
#2 UNREC AKA LOT 1 & SH LDS ADJ OF BELLEVUE BLA 85-37 REC NO
8511069011

Grantee property: LAKEHURST UNREC S 20 FT OF 48 & ALL 49 & SH LDS ADJ

Parcel ID #s:

Grantor property: 413430-0245

Grantee property: 413430-0241

WHEN RECORDED RETURN TO:

CITY OF BELLEVUE
DEVELOPMENT SERVICES DEPARTMENT
405 110th Ave NE
P.O. Box 90012
Bellevue, WA 98009-9012

Attention: Reviewer, Land Use Division
Permit No. 22 100257 WG

**AGREEMENT FOR INTRUSION INTO REQUIRED SETBACK FROM ADJACENT
PROPERTY FOR PRIVATE MOORAGE OR OTHER STRUCTURE**

Grantor: Lorenzo & Laurie Garay
(Owners of Property Abutting Property Where Private Moorage or other Structure
is Proposed to Intrude into the Required Setback)

Grantee: David & LeAnn Follett
(Owners of Property Containing Private Moorage or Other Structure)

Legal Description for Grantor's Property: LAKEHURST UNREC N 1/2 AS MEAS ALG E LN OF
FOLG POR OF GL 2 BAAP ON E LN SEC 20-24-5 TH S 00-02-40 W 1645.89 FT FR NE COR THOF
TH N 89-44-38 W 1809 FT M/L TAP IN WLY LN NP R/W & TPOB TH NLY ALG SD WLY LN 150 FT
TH N 89-44-38 W TO WLY LN SD GL TH SLY ALG SD WLY LN TAP N 89-44-38 W FR TPOB TH S
89-44-38 E TO TPOB LESS NLY 50 FT AS MEAS AL G SD R/W & N 32 FT OF S 1004.82 FT OF SD
GL 2 LY WLY OF NP R/W - ABOVE DESC BEING LOTS 50 & 51 OF LAKEHURST UNREC & SH LDS
ADJ & N 32 FT & SH LDS ADJ OF LOT 20 OF PLEASURE POINT PARK #2 UNREC AKA LOT 1 & SH
LDS ADJ OF BELLEVUE BLA 85-37 REC NO 8511069011

Grantor Assessor's Property Tax Parcel/Account Number: 413430-0245

THE GRANTORS, Lorenzo and Laurie Garay as owners of the property addressed as 5207
LAKEHURST LN 98006 and located in King County, Washington, agree that, in accordance
with the current City of Bellevue Land Use Code (20.25E.065.H.4.a), the private moorage or
other structure located at 5205 LAKEHURST LN 98006 may intrude into the required setback
from the adjacent property as shown on the plan attached as EXHIBIT A to this agreement.
Note that the Exhibit is meant for purposes of illustrating the intrusion into the required
setback, not as a legal description nor an alteration of the legal boundaries of the properties as
recorded with King County.

This agreement shall run with the land, and shall be binding on the successors, assigns,
personal representatives, and heirs of the Grantor(s), including but not limited to all
subsequent owners of the subject property. This agreement shall be extinguished only by the
removal of the structure(s) to which it relates, or by amendments to the applicable provisions in
the Bellevue Land Use Code which expressly supersede the relevant provisions of the codes
or regulations in effect at the time that this agreement is made.

DATED this 26th day of August, 2022.

[Signature]
[Signature]
Signature of Grantors

(If married, both husband and wife must sign)

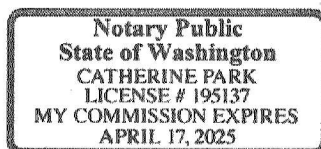
STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

On this day personally appeared before me Lorenzo Garay
and Laine Garay, to me known to be the
individual(s) described in and who executed the foregoing instrument and
acknowledged that he/she signed the same as his/her free and voluntary act and deed,
for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26th
day of August, 2022.



[Signature]
(Notary Signature)

Catherine Park
(Print Name)

Notary Public, in and for the State of
Washington, residing at

Bellevue, WA My
Commission Expires 04/17/2025