Shoreline Management Act
Permit Data Sheet and Transmittal Letter

Local permit no. 22-100587-WG

State permit no. _____

From: Leticia Wallgren, City of Bellevue

To: Maria Sandercock, Department of Ecology

Transmittal Date: March 16, 2023

Receipt Date: *(provided by Ecology)* _____

Type of Permit: *(Indicate all that apply)*

- ☒ Substantial Development
- ☐ Conditional Use
- ☐ Variance
- ☐ Revision
- ☐ Other _____

Local Government Decision:

- ☐ Approval
- ☒ Conditional Approval
- ☐ Denial

Applicant Information:

Name:	Andrew John & Nicolet Sharp
Address:	875 Shoreland Dr Bellevue, WA 98004
Phone:	(425)445-0757
Email:	drew@prime8consulting.com

Applicant's Representative: *(If primary contact)*

Name:	Evan Wehr
Address:	7413 Greenwood Ave N Seattle WA 98103
Phone:	(206)706-3937
Email:	evan@eccodesign.com

Is the applicant the property owner? ☒ Yes ☐ No

Location of the Property: 875 Shoreland Dr, NE 06-24-5

Water Body Name: Lake Washington **Shoreline of State Significance:** ☒ Yes ☐ No

Environment Designation: Shoreline Residential

Project Description: Shoreline Substantial Development Permit to replace an existing pier, remove of the existing float plane lift, installation of a new platform lift, installation of a new double jet-ski lift, and repair of a 7-foot segment of rock bulkhead.

Notice of Application Date: March 10, 2022 **Final Decision Date:** March 16, 2023

By: Leticia Wallgren
Phone: (425)452-2044
Email: lwallgren@bellevuewa.gov

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

DETERMINATION OF NON-SIGNIFICANCE

PROPOSAL NAME:	Sharp Pier
LOCATION:	875 Shoreland Dr
FILE NUMBERS:	22-100587-WG
PROPONENT:	Evan Wehr, Ecco Design, evan@eccodesign.com

DESCRIPTION OF PROPOSAL:

Application for preliminary SEPA review to replace an existing pier, remove of the existing float plane lift, installation of a new platform lift, installation of a new double jet-ski lift, and repair of a 7-foot segment of rock bulkhead.

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: March 16, 2023

APPEAL DATE: March 30, 2023

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

Issued By: ***Reilly Pittman Planning Manager*** **for** **Date:** 3/16/2023

Elizabeth Stead, Environmental Coordinator
Development Services Department

Development Services

SEPA Environmental Checklist

The City of Bellevue uses this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions

The checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully and to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions.

You may respond with “Not Applicable” or "Does Not Apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies and reports. Please make complete and accurate answers to these questions to the best of your ability in order to avoid delays. For assistance, see SEPA Checklist Guidance on the Washington State Department of Ecology website.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The city may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Background

1. Name of proposed project, if applicable Sharp Pier
2. Name of applicant Andrew Sharp
3. Contact person Evan Wehr Phone 206-706-3937
4. Contact person address 7413 Greenwood Ave N Seattle, WA 98103
5. Date this checklist was prepared 1/13/2022
6. Agency requesting the checklist City of Bellevue

Reviewed 3/2/22
LW

7. Proposed timing or schedule (including phasing, if applicable)

Summer 2022

8. Do you have any plans for future additions, expansion or further activity related to or connected with this proposal? If yes, explain.

No

9. List any environmental information you know about that has been prepared or will be prepared, that is directly related to this proposal.

None

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None Known

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

Approval from the U.S. Army Corps of Engineers, Washington Department of Fish and Wildlife, and City of Bellevue.

Reviewed 3/2/22
LW

12. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Replace an existing pier with a new pier configuration. Replace a boat cover with a new cover configuration. Install a new boat lift, platform lift, and double jet-ski lift. Repair a 7 lineal foot section of rock bulkhead.

13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and the section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

875 Shoreland Dr SE, Legal Description on sheet A1.0

NE Sec: 6 Township: 24N Range: 5E

Environmental Elements

Earth

1. General description of the site:
   - ☐ Flat
   - ☐ Rolling
   - ☑ Hilly
   - ☐ Steep Slopes
   - ☐ Mountainous
   - ☐ Other _____
2. What is the steepest slope on the site (approximate percent slope)? ~50%

Reviewed 3/2/22
LW

3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Sand, Gravel, and Muck

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

None Known

5. Describe the purpose, type, total area and approximate quantities and total affected area of any filling, excavation and grading proposed. Indicate the source of the fill.

Approximately 2 cubic yards of 4" to 8" crushed rock will be placed landward of the repaired bulkhead section.

6. Could erosion occur as a result of clearing, construction or use? If so, generally describe.

Soils will be exposed during the bulkhead repair. A floating containment boom with silt curtain will be used to contain siltation.

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? No change

Reviewed 3/2/22
LW

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

A floating containment boom with silt curtain will be used to contain siltation.

Air

1. What types of emissions to the air would result from the proposal during construction, operation and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

None

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

None Known

3. Proposed measures to reduce or control emissions or other impacts to air, if any.

Not applicable

Reviewed 3/2/22
LW

Water

1. Surface Water
   a. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Lake Washington

   b. Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Yes, the pier and bulkhead repair will be in Lake Washington

   c. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of the fill material.

None

   d. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose and approximate quantities, if known.

No

   e. Does the proposal lie within a 100-year floodplain? No
   If so, note the location on the site plan.

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LW

f. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

2. Ground Water

a. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No

b. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals…; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

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LW

3. Water Runoff (including stormwater)
   a. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not Applicable

   b. Could waste materials enter ground or surface waters? If so, generally describe.

No

   c. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

   Indicate any proposed measures to reduce or control surface, ground and runoff water, and drainage pattern impacts, if any.

Not Applicable

Reviewed 3/2/22
LW

Plants

1. Check the types of vegetation found on the site:
   - ☑ deciduous tree: alder, maple, aspen, other _____
   - ☑ evergreen tree: fir, cedar, pine, other _____
   - ☑ shrubs
   - ☑ grass
   - ☐ pasture
   - ☐ crop or grain
   - ☐ orchards, vineyards or other permanent crops
   - ☐ wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other _____
   - ☑ water plants: water lily eelgrass, milfoil, other _____
   - ☐ other types of vegetation _____

2. What kind and amount of vegetation will be removed or altered?

   None

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

   Chinook Salmon, Coho Salmon, Steelhead, and Bull Trout

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

   Native shoreline plantings will be planted per the planting plan.

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LW

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

Animals

1. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

   Birds: ☑hawk, ☑heron, ☑eagle, ☐songbirds, ☐other _____

   Mammals: ☐deer, ☐bear, ☐elk, ☑beaver, ☐other _____

   Fish: ☑bass, ☑salmon, ☑trout, ☐herring, ☐shellfish, ☐other _____

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

   Chinook Salmon, Coho Salmon, Steelhead, and Bull Trout

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

   Salmon migrate through Lake Washington.

4. Proposed measures to preserve or enhance wildlife, if any.

   Native shoreline plantings will be planted.

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LW

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

None known

Energy and Natural Resources

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The lifts batteries will be recharged by solar.

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

Not Applicable

Reviewed 3/2/22
LW

Environmental Health

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.

No

   a. Describe any known or possible contamination at the site from present or past uses.

None Known

   b. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None Known

   c. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None Known

Reviewed 3/2/22
LW

d. Describe special emergency services that might be required.

None

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

None

2. Noise

a. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None Known

b. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

There will be elevated noise levels during construction and low levels of noise from use.

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

Construction will take place only during allowed construction hours.

Reviewed 3/2/22
LW

Land and Shoreline Uses

1. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

   The property is a single family residence. The adjacent properties are also single family residences.

2. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to non-farm or non-forest use?

   No

   a. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling and harvesting? If so, how?

      Not Applicable

3. Describe any structures on the site.

   A single family house and a pier with boat cover.

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

The existing pier and boat cover will be demolished.

5. What is the current zoning classification of the site? R-2.5

6. What is the current comprehensive plan designation of the site? SF-L

7. If applicable, what is the current shoreline master program designation of the site?

Shoreline Residential

8. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Yes, Lake Washington

9. Approximately how many people would reside or work in the completed project? N/A

10. Approximately how many people would the completed project displace? N/A

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

None

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

None

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LW

13. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any.

Not Applicable

Housing

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

Not Applicable

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

Not Applicable

3. Proposed measures to reduce or control housing impacts, if any.

Not Applicable

Aesthetics

1. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The proposed boat cover will be approximately 12' above ordinary high water.

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

None

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LW

3. Proposed measures to reduce or control aesthetic impacts, if any

Not Applicable

Light and Glare

1. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not Applicable

2. Could light or glare from the finished project be a safety hazard or interfere with views?

Not Applicable

3. What existing off-site sources of light or glare may affect your proposal?

None Known

4. Proposed measures to reduce or control light and glare impacts, if any.

Not Applicable

Recreation

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

Boating

2. Would the proposed project displace any existing recreational uses? If so, describe.

No

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LW

3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

Not Applicable

Historic and Cultural Preservation

1. Are there any buildings, structures or sites located on or near the site that are over 45 years old listed in or eligible for listing in national, state or local preservation registers located on or near the site? If so, specifically describe.

None Known

2. Are there any landmarks, features or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None Known

3. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None

Reviewed 3/2/22
LW

4. Proposed measures to avoid, minimize or compensate for loss, changes to and disturbance to resources. Please include plans for the above and any permits that may be required.

Not Applicable

Transportation

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Shoreland Dr SE

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No, approximately 1 mile.

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

No change to parking.

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No

Reviewed 3/2/22
LW

5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

Yes, Lake Washington

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

No Change

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No

8. Proposed measures to reduce or control transportation impacts, if any.

Not Applicable

Reviewed 3/2/22
LW

Public Service

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

No

2. Proposed measures to reduce or control direct impacts on public services, if any.

None

Utilities

1. Check the utilities currently available at the site:
   - ☑ Electricity
   - ☑ natural gas
   - ☑ water
   - ☑ refuse service
   - ☑ telephone
   - ☑ sanitary sewer
   - ☐ septic system
   - ☐ other

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

None

Reviewed 3/2/22
LW

Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature Evan Wehr

Name of signee Evan Wehr

Position and Agency/Organization ecco design inc.

Date Submitted 1/13/2022

Reviewed 3/2/22
LW

City of Bellevue
Development Services Department
Land Use Staff Report

SHORELINE MANAGEMENT ACT
DECISION ON SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

File Number:	22-100587-WG
Proposal Name:	Sharp Residential Pier
Proposal Address	875 Shoreland Dr SE, Bellevue WA 98004
Water Body:	Lake Washington
Shoreline Environment Designation:	Shoreline Residential
Proposal Description: Application for review of a Shoreline Substantial Development Permit to replace an existing pier, removal of the existing float plane lift, installation of a new platform lift, installation of a new double jet-ski lift, and repair of a 7-foot segment of rock bulkhead.	
Applicant: ☒Applicant owns property Andrew John & Nicolet Sharp 875 Shoreland Dr SE Bellevue, WA 98004 drew@prime8consulting.com (425)445-0757	**Applicant Representative:** Evan Wehr, Ecco Design Inc. evan@eccodesigninc.com (206)706-3937
Application Date:	January 14, 2022
Notice of Application Date:	March 10, 2022
Notice of Decision Date:	March 16, 2023

SEPA Determination: **Determination of Non-Significance**

SEPA Appeal Deadline: **March 30, 2023**

Reilly Pittman
By: ***Planning Manager*** for
Elizabeth Stead, Environmental Coordinator
Development Services Department

Decision on SSDP: **Approval with Conditions**

Reilly Pittman
By: ***Planning Manager*** for
Elizabeth Stead, Interim Co-Director
Development Services Department

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).

CONTENTS

Attachments to this Decision

No Net Loss Report with attached site plan and mitigation planting plan

See project file for all other submitted documents and forms.

I. Proposal Description

The proposal is to replace the existing pier with a new 955-square foot pier, replace the existing boat cover, remove the existing float plane lift, install a new boat lift, install a new platform lift, install a new double jet-ski lift, and repair a 7-foot section of the rock bulkhead. The proposed construction value of the pier exceeds the exempt construction amount of $10,000 for a new pier pursuant to LUC 20.25E.170.C.8; this proposal requires a Shoreline Substantial Development Permit. **See Attachment 1 for project plans and Figure 1 and Figure 2 below for the proposed dock.**

Figure 1

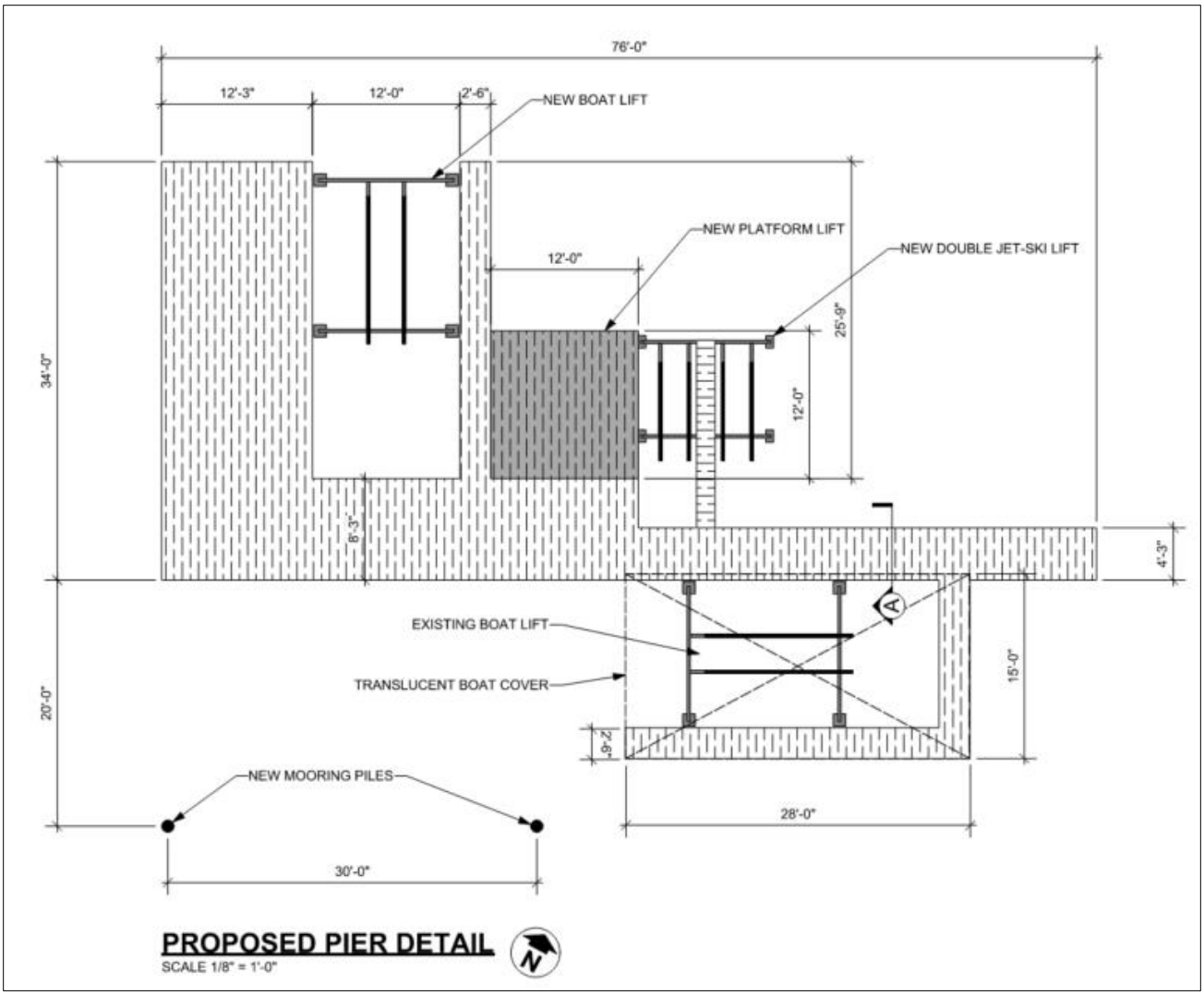
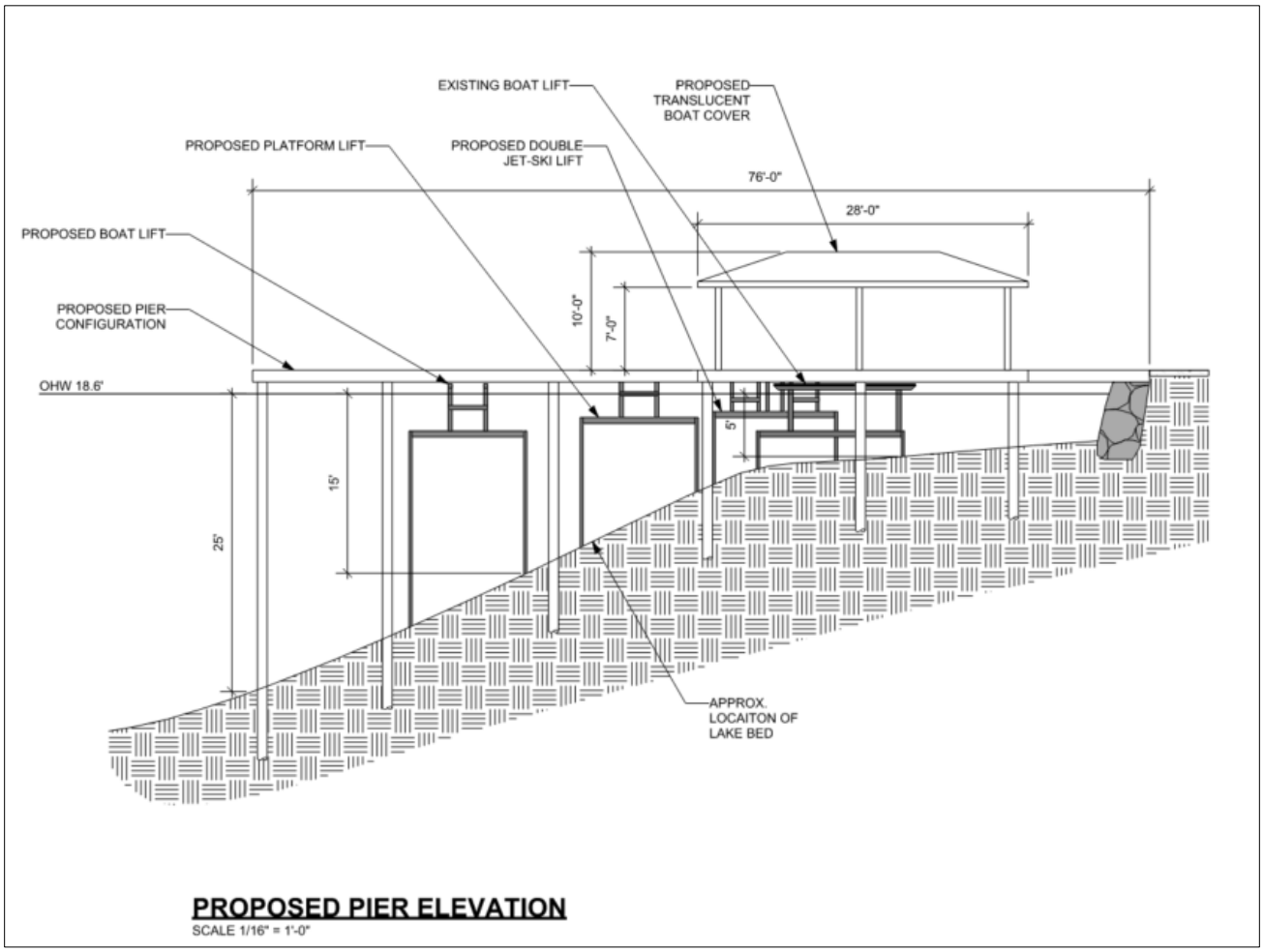


Figure 2



II. Site Description, Zoning, Land Use Context and Shoreline Environment and Functions

A. Site Description

The site is located on Lake Washington and has an existing single-family residence that was built in 1958. The site has a shoreline environment designation of SR, Shoreline Residential. All work is proposed in the lake Aquatic environment. The City's sewer lake lane intersects with the northeastern most portion of the pier near the bulkhead (see **figure 4).** The shoreline primarily consists of lawn, landscaping (shrubs and small trees), and beach; no changes are proposed to the shoreline vegetation. **See Figure 3 for existing site condition.**

B. Zoning and Land Use Context

The property is zoned R-2.5, a single-family residential zoning district. Surrounding properties are zoned R-2.5 to the south and R-1.8 to the north and east. Surrounding parcels are developed with single-family residences and docks. The property has a Comprehensive Plan Land Use Designation of SF-M (Single Family Medium Density). The project is consistent with this land use designation.

Figure 3. Existing Conditions

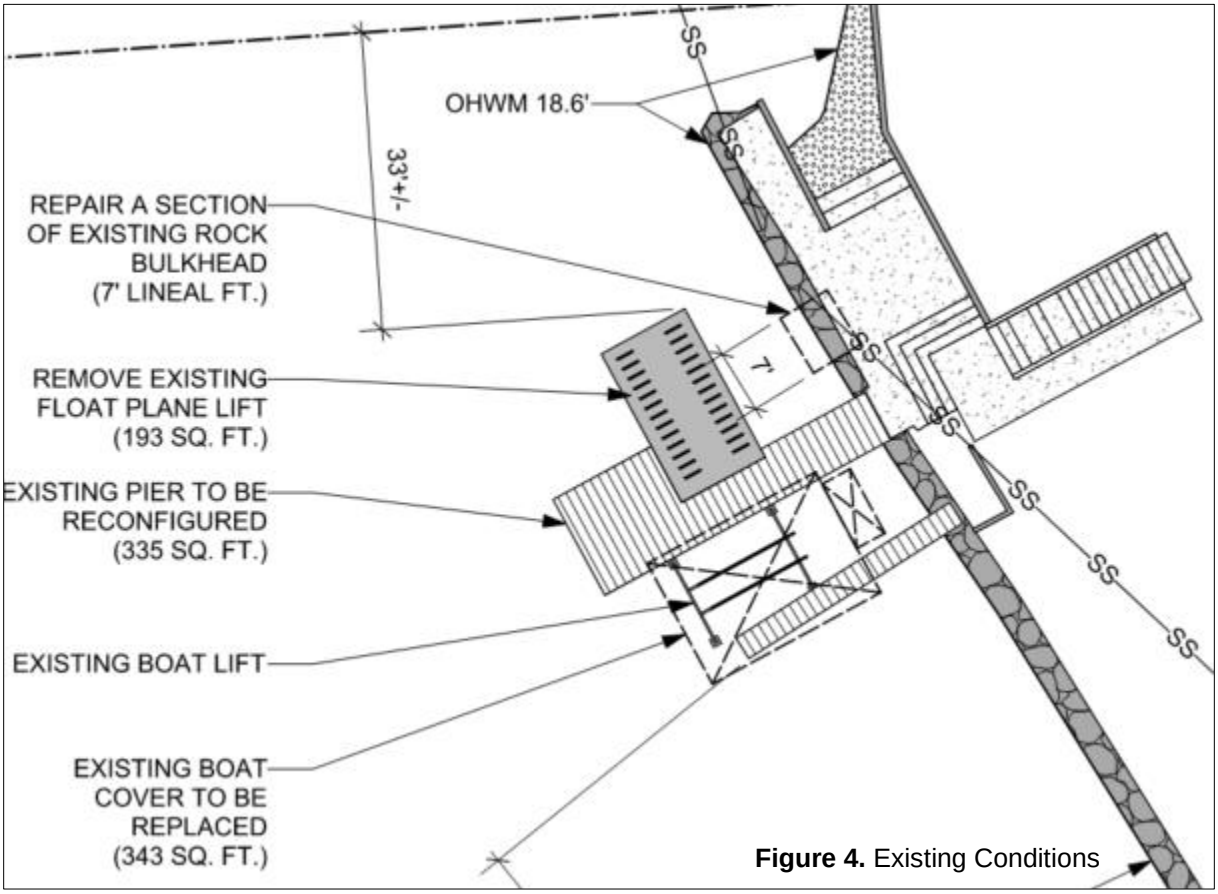


Figure 4. Existing Conditions

C. Shoreline Environment and Functions

The proposal includes work that is in the Shoreline Residential shoreline environment designation and Aquatic environment. 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. An aquatic environment designation is assigned waterward from the OHWM to the City of Bellevue jurisdictional limit.

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 Requirements

A. Zoning District Dimensional Requirements:

No upland structures are proposed that are subject to zoning requirements.

B. Shoreline Overlay District LUC 20.25E.065:

The property has frontage along Lake Washington and is within the Shoreline Overlay District which regulates areas within 200-feet of the Ordinary High-Water Mark of shorelines identified in LUC 20.25E and the City's Shoreline Master Program. The Shoreline Overlay District regulations (LUC 20.25E) allow residential moorage facilities provided the applicable performance standards in LUC 20.25E.065 are met. The repair of shoreline stabilization measures are allowed pursuant to the provisions set forth in 20.25E.080.F.

i. Consistency with LUC 20.25E.065.H

Each application for a new or reconfigured residential dock shall comply with the requirements in LUC 20.25E.065.H.4 or as amended by approval from the US Army Corps of Engineers under Section 404 or Section 10 or by the Washington Department of Fish and Wildlife HPA as follows:

Dock Location: Lake Washington		
Development Standard	**Required by LUC 20.25E.065**	**Proposed Standards**
Number of Docks Allowed	1 per residential lot	**1 proposed**
Dock Side Setback	10' or as established per mutual agreement	**38'/108'**
Maximum Dock Length	150'	**76'**
Maximum Dock Size	480 square feet	**955 square feet***
Maximum Walkway Width	4' within 30' of OHWM 6' beyond 30' from OHWM	**6' within 30' of OHWM*** **6' beyond 30' from OHWM**
Ell Location vs Depth	30' waterward of OHWM or at least 9' of water depth	**11.5' and 5' of depth***
Mooring Piles	2 per lot	**2 Proposed**
Decking	Grated	**Grated**
Number of Lifts	4 allowed per lot	**3 Lifts Proposed for a total of 4**

*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. The proposal seeks to exceed the maximum allowed square footage for a pier and exceed the maximum walkway width within 30-feet of the OHWM. Federal and/or State approval is required. **See Conditions of Approval regarding Federal and State permit requirements in Section X of this report.**

ii. General Requirements Applicable to all Residential Docks

a. 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 is allowed. Dock materials shall not be treated with pentachlorophenol, creosote, chromate 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 proposal will comply with dock material requirements. The decking and superstructure will be constructed on top of the pilings and the new deck will use ThruFlow grated decking. All new piles are proposed to be epoxy coated steel. No lighting is proposed. **See Conditions of Approval regarding building permit submittal in Section X of this report.**

iii. Boats and Watercraft Lifts

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 four (4) 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 boatlift and platform are located approximately 11.5 feet and 28 feet from the OHWM and at depths of approximately 5-feet and 8-feet, respectively. The prescriptive standards for distance from OWHM and depth have been modified by the plans and will require approval by USACE as allowed under 20.25E.065.H.6.b, which references Note 4 of the table found in LUC 20.25E.065.H.4. 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.

iv. 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 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 attached reporting and mitigation plan adequately demonstrates the ecological function replaced with the use of grated, light-penetrating decking and shoreline planting, the reconfiguration of the dock

into deeper water, and reduction of overwater coverage in the nearshore environment with the removal of the opaque moorage cover & float plane lift. As proposed, the mitigation plans achieve no net loss of shoreline ecological functions. A final planting plan, annual maintenance and monitoring plan for the shoreline plantings, and financial surety 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.

Figure 5. Existing Shoreline conditions north of dock

Figure 5. Existing Shoreline conditions south of dock

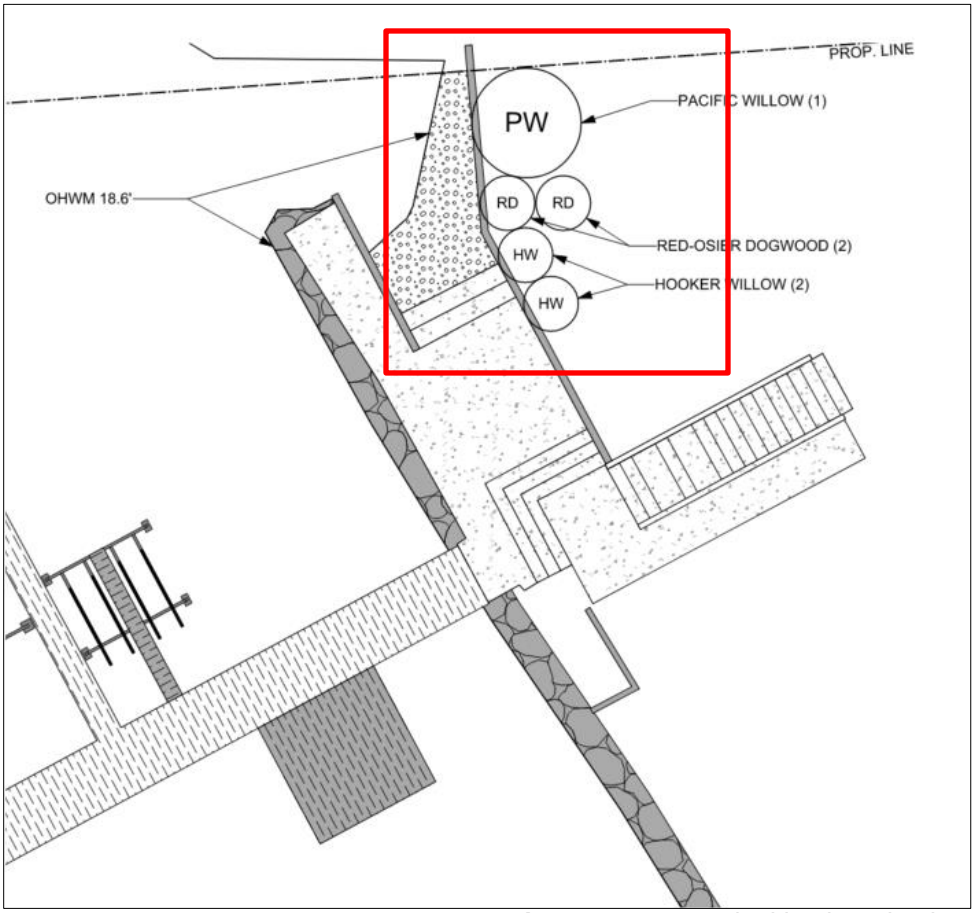


Figure 6. Proposed Mitigation Planting

v. Consistency with LUC 20.25E.080F.5

Existing legally established shoreline stabilization measures may be repaired. Repair is defined as any actions to less than 75 percent of the existing structure over a 5-year period that are designed to restore a stabilization measure to its original condition and configuration. Cumulative repairs within a five-year period exceeding this threshold shall be considered a complete replacement subject to the standards set forth in LUC20.25E.080.F.6. The proposal seeks to repair approximately seven (7) linear feet of existing rock bulkhead resulting in repair of approximately 5 percent of the overall stabilization measure.

IV. Public Notice and Comment

Application Date:	January 14, 2022
Public Notice Date:	March 10, 2022
30-Day Comment Period End:	April 09, 2022

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on March 10, 2022. It was mailed to property owners within 500 feet of the project site. No comments were received.

V. Summary of Technical Reviews

A. Clearing and Grading

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards and approved the application subject to the conditions below. **See Conditions of Approval regarding Clear and Grade submittal in Section X of this report.**

B. Utilities

The Utilities Department has reviewed the proposed site development for compliance with Utility codes and standards and approved the application. A lake line locate is recommended.

VI. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth, Air, and Water

No dredging, withdrawals, diversions, or discharges are anticipated from the proposal. The lakebed will be disturbed from installation of new piles. The site will be required to utilize best management practices to contain disturbed sediment. Work will also be done during the allowed in-water work window to prevent disturbance to juvenile salmon.

B. Animals

Provided that it meets City standards, the proposal is allowed. 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 Conditions of Approval regarding in-water work and additional agency permitting in Section X of this report**

C. Plants

Existing vegetation will not be disturbed as all construction is on the beach or in the water.

VII. Changes to Proposal Due to Staff Review

No changes to the proposal were submitted or requested by the City.

VIII. Decision Criteria

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

The Director may approve, or approve with modifications a Shoreline Substantial Development Permit 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.

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

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).

4. **The proposal will be served by adequate public facilities including streets, fire protection, and utilities;**
   Finding: The proposed pier or their associated improvements do not alter existing service of public facilities to the property.

5. **The proposal is consistent with the Bellevue Comprehensive Plan;**
   Finding: Shoreline Management Goal 6. To recognize existing residential uses and to regulate new residential construction within the intent of shoreline policies.

   The proposal is consistent with the City of Bellevue Shoreline Comprehensive Plan policies SH-3, SH-18, SH-90, and SH-93.

   POLICY 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*

   POLICY 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*

   POLICY SH-90. *Allow piers, docks, and floats only for residential or water-dependent uses such as access to pleasure craft, emergency vessels, recreation, commercial uses, and public access.*

   POLICY SH-93. *Design and construct new or expanded piers and their components, such as boatlifts and associated fabric canopies, to prevent or minimize impacts on nearshore ecological functions, including aquatic vegetation and fish and wildlife habitat.*

   The proposed pier and improvements are consistent with the goal to allow residential use of the shoreline, as well as the above policies as this proposal enhances residential shoreline recreation, ensures continued surface navigation, and will be constructed with materials and at times suitable for in-water construction to avoid any adverse effect on water quality, vegetation, fish, and wildlife in or near the water.

6. **The proposal complies with applicable requirements of the Bellevue City Code.**
   Finding: As identified in Section III of this report the applicant has submitted project plans that demonstrate the proposal's compliance with the applicable City of Bellevue Codes and Standards.

IX. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the repair of a 7-foot

section of rock bulkhead, construction of a new pier, boatlift, platform lift, double jet-ski lift, and boat cover at 875 Shoreland Dr SE. **Approval of this Shoreline Substantial Development Permit does not constitute a permit for construction. A building permit is required, and plans are subject to review for compliance with applicable City of Bellevue codes and standards.**

Note- Expiration of Approval: In accordance with LUC 20.25E.250, the Shoreline Substantial Development Permit automatically expires and is void if the applicant fails to commence construction, use, or activity granted by the shoreline permit within two years of the effective date of the permit unless the applicant has received an extension for the Shoreline Substantial Development Permit pursuant to LUC 20.25E.250.

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.

X. 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 – BCC Title 24	James Henderson, 425-452-7889
Land Use Code- BCC Title 20	Leticia Wallgren, 425-452-2044
Noise Control- BCC 9.18	Leticia Wallgren, 425-452-2044

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

1. **Building Permit Required**
   Approval of this Shoreline Substantial Development Permit does not constitute an approval of a building permit. Application for a building permit must be submitted and approved. Plans submitted as part of the building permit application shall be consistent with the activity permitted under this approval.

   Authority: Land Use Code 20.25E.160
   Reviewer: Leticia Wallgren, Development Services Department

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. A restoration plan for any temporary impacts associated with the new construction, repairs or mitigation planting associated with the project shall also be submitted with the Building Permit application.

Authority: LUC 20.25E.060.D
Reviewer: Leticia Wallgren, Development Services Department

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 LWallgren@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: Leticia Wallgren, Development Services Department

4. **Cost Estimate and Assurance Device:**
A cost estimate for all plants, labor, and materials needed to complete the mitigation planting plan shall be submitted with the Building Permit application. Upon successful review, an assurance device totaling 100% of the cost of the plants, labor, and materials shall be provided to the City prior Land Use approval of the Building Permit.

Authority: LUC 20.25E.060.D
Reviewer: Leticia Wallgren, Development Services Department

5. **Federal and State Permits**
Federal and state water quality standards shall be met. All required federal and state permits and approvals must be received by the applicant prior to commencement of any work including. A copy of the approved federal and state permits is required to be submitted under the building permit application. Any changes required by federal or state review shall be shown on the plans.

Authority: Land Use Code 20.25E.065
Reviewer: Leticia Wallgren, Development Services Department

6. **In-Water Work Window**
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: Land Use Code 20.25E.160
Reviewer: Leticia Wallgren, Development Services Department

7. 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: Leticia Wallgren, Development Services Department

8. Clearing and Grading Review Required

Approval of this Shoreline Development Permit does not constitute an approval of any construction permit. A Clearing and Grading review of the building permit is required, and approval must be granted before construction can begin. Plans submitted as part of any permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.30P.140 Clearing & Grading Code 23.76.035
Reviewer: Savina Uzunow, Development Services Department, Clearing & Grading Section

9. Wall Design and Calculations

Rockeries and block walls that exceed 48” in height (as measured from the bottom of the base rock to the top) must be designed by a licensed geotechnical engineer.

Authority: Clearing & Grading Code 23.76.085 & 086
Reviewer: Savina Uzunow, Development Services Department, Clearing & Grading Section

10. Rainy Season Restrictions

Due to critical area proximity, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A,
Reviewer: Savina Uzunow, Development Services Department, Clearing & Grading Section

11. 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: James Henderson, Utilities

Ecological No Net Loss Assessment Report

Prepared for

Andrew and Nicolette Sharp
875 Shoreland Drive SE
Bellevue, WA 98004

Prepared by

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

February 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 is defined as "a balancing of unavoidable shoreline ecological function losses with replacement for those losses so that further reduction to shoreline ecological functions of ecosystem-wide processes may be prevented."

Permits are being applied for a pier reconfiguration, expansion and new boat lifts (see Appendix A – A1.0 to A4.0).

Location

The subject property is located at 875 Shoreland Drive SE 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.

Project Description

The proposed work includes: replacing the existing pier with a new reconfigured pier; replacement of moorage cover, removal of and an existing float plane lift, installation of a new boatlift, platform and double jet-ski lift and repair of a section of the bulkhead.

Completion of the project will be done by removing the existing 335 square foot solid decked pier (both walkways and ell), 193 square foot solid decked float plane lift and the 343 square foot deck and boat cover. The existing 12 13-inch timber pilings will be removed by dead pulling or using a vibratory hammer. Removed material will be placed on a barge and shipped off site to the contractors yard for removal. Once demo is complete, 7 linear feet of bulkhead will be repaired by removing the existing rocks, placing Geotech filter fabric backfilling with a crushed rock base and resetting the existing rocks.

The new dock will be constructed by driving 20, 10-inch steel epoxy coated piles. The decking and superstructure will be constructed on top of the pilings and the new deck will use ThruFlow grated decking to create a new 981 square foot dock. Two new 12-inch epoxy coated steel mooring pilings will be installed. The existing boat lift will be relocated into the new dock configuration and a new boat lift with a translucent cover and a new double jet ski will also be installed. A new 144 platform lift with grated ThruFlow decking will be installed. See Sheets A1.0 to A4.0 for additional information and layout.

During construction, a floating boom will surround the work barge, pier, and mooring piles. A silt curtain will be used for work on the bulkhead.

A shoreline vegetation planting plan is proposed and will include a pacific willow and 4 native woody shrubs. (See Appendix A – Sheet A4.0).

Project drawings are included in Attachment A.

Approach

Northwest Environmental Consulting LLC (NWEC) biologist Brad Thiele conducted a site visit on January 27, 2023 to evaluate conditions on site and adjacent to the site. NWEC 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 complex includes two walkways from shore with a float plane lift on the north side of the dock. A boat lift with a covered deck above is between the two walkways. The shoreline is armored with a rock bulkhead.

The shoreline is planted with a lawn and a few ornamental beds. A concrete patio is present from the base of the stairs and slope down to the lake to the north of the dock and stairs. The concrete patio leads to a ramp and cove. (Photos 1 through 6).

The substrate of the lake is sand with some gravel. No submerged aquatic vegetation was observed at the time of 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 is similar with lawn to the bulkhead. Both properties have docks.

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 shoreline is mapped as a Sockeye spawning area by WDFW.

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.

Bulkhead repair has the potential to create turbidity. A boom with a silt curtain will surround the work area to decrease the potential of turbidity from leaving the site. Any disturbed soils landward of the bulkhead will be stabilized upon completing the work.

Sediments are expected to be minimally disturbed during pile driving. In addition, a floating boom surrounding the work area to contain floating debris. The project is expected to meet state water quality standards for turbidity.

The boat lifts and jet-ski lift are being placed in the deepest water possible where effects of propwash are negligible during moorage and launch. The largest lifts with the expected largest watercraft will be placed waterward of the other lifts. The platform lift is not expected to be used by mechanized watercraft.

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 about 30 feet at maturity. The proposed planting plan is included (see Appendix A - Sheet A4.0).

Lakebed: The project will add 20 10-inch and 2 12-inch steel piles and remove 12 13-inch timber piles. This will displace 1.4 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 new pilings.

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.

Indirect Impacts:

Shading: The project results in an increase in overwater coverage. The existing dock, deck and platform lift cover 871 square feet of the lake. The new dock and lift will be 1,125 square feet. All new decking will be decked using grated decking and the new moorage will be translucent to allow light to reach the water below.

Grated decking allows more light to penetrate the waters below a dock, which can increase productivity in the waters, and reduce the full shade favored by salmonid predators. Salmonid predators are known to use hard shadowing under solid-decked docks to ambush juvenile salmonids. Reducing these hard shadows limits their ability to effectively hunt salmonids. Overwater structures may also increase outmigration times of juvenile salmonids. Juvenile salmonids have been shown to hesitate before passing under structures. Grated decking may reduce this behavioral effect. ThruFlow grated decking has measured performance at 43 percent light penetration (ThruFlow, 2021). Thus, the increase in lighting under the pier is

effectively 57% of the area of a solid decked structure. A summary of how this will affect this project's shading is shown below:

Table 1 – Effective coverage

	Existing/ proposed	Proposed grated	Conversion to grated	Effective coverage
Existing solid decking, deck, and platform lift (SF)	871	0	0	871
New dock and platform lift (SF)	1,128	1,128	0.57	641
Change in Total (SF)	+257	+1,128		-228

The use of grated decking and removal of opaque coverage reduces the effective overwater coverage by 228 square feet over existing.

In addition, the pier will be reconfigured into deeper water away from shore. The existing dock and associated overwater coverage is 758 square feet of opaque cover within 30 feet of shore and 810 square feet of overwater coverage in nearshore waters shallower than 15 feet.

The proposed configuration will be limited to 347 square feet of grated decking within 30 feet of shore and 616 square feet in water shallower than 15 feet. The reconfiguration reduces overwater coverage by 411 square feet within 30 feet of shore and 194 square feet in waters shallower than 15 feet.

In addition, all new overwater coverage within these area will also be grated reducing the effective overwater coverage in the nearshore by 560 square feet within 30 feet of shore and 449 square feet in waters shallower than 15 feet resulting in a benefit to the aquatic nearshore environment over the existing conditions.

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. 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 and the discussion is required in this report.

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	Complies
Maximum Dock Length	150'	76' - complies
Maximum Dock Size	480 square feet	Expanded from 335 square feet to 961 square feet, overwater coverage expanded from 871 square feet to 1,128 square feet– approved through Alternative Design Criteria to expand.
Maximum Walkway Width	4' within 30' of OHWM 6' beyond 30' from OHWM	Existing walkways total 8'7" to be replaced by a single 6' walkway to make 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. Complies
Decking	Grated	Open Grating Proposed - complies
Number of Lifts	4 allowed per lot	2 new proposed for a total of 4 - 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 4 lifts and to provide safe moorage.

The pier-repair portion of the project is designed to minimize impacts to the aquatic environment by removing all opaque decking and using grated decking on all new decks and lifts. The configuration moves moorage into deeper water where there is less chance of propwash causing turbidity during docking and castoff.

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;

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 dock is being configured to reduce ongoing shading impacts to the nearshore environment by reducing overwater coverage within the nearshore environment.

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 willows and 2 native woody shrubs 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

Decreasing overwater coverage in the nearshore reduces habitat for predatory fish that feed on outmigrating salmonids. Juvenile salmonid outmigration times may also be improved by reducing overwater coverage in the nearshore. Productivity in the littoral zone in the nearshore will also be improved be reduction of overwater coverage in the nearshore environment.

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, increase vertical and overhanging structure along the lake edge, 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.
- Decrease overwater coverage in the aquatic environment in the nearshore.
- Planting shoreline native plants including two trees and three shrubs with 100% survival for 5 years after planting.

Performance Standards

The performance standards include reconfiguring the dock into deeper water and reducing overwater coverage in the nearshore environment, removing the opaque moorage cover and float plane lift, and paying into the RAP 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 3 willow species and 2 shrub species for the 5-year monitoring period.

Planting Plan

Shrubs and trees will be containerized or bare root. The planting layouts, details, and quantities are shown in Appendix A – Sheet A 4.0.

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.

Reporting

Monitoring reports shall be prepared and submitted to City of Bellevue annually on years 1-5. 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.

Conclusion

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

The proposed dock reconfiguration will add 257 square feet of overwater coverage. However, using grated decking on the reconfigured dock and new decked surfaces will have a positive effect by reducing the effective overall coverage by 228 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.

In addition the reconfiguration will reduce overwater coverage in the nearshore environment within 30 feet of shore by 411 square feet and within water shallower than 15 feet by 194 square feet. The use of grated decking reduces the effective overwater coverage by 560 square feet within 30 feet of shore and 459 square feet in water shallower than 15 feet.

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 project will increase the number of piles at the site by 10 increasing the volume of piling in the water column and displacing an additional 1.4 square feet.

A shoreline planting plan will be implemented that will add three native willows and two 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. (NWEC)

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/.

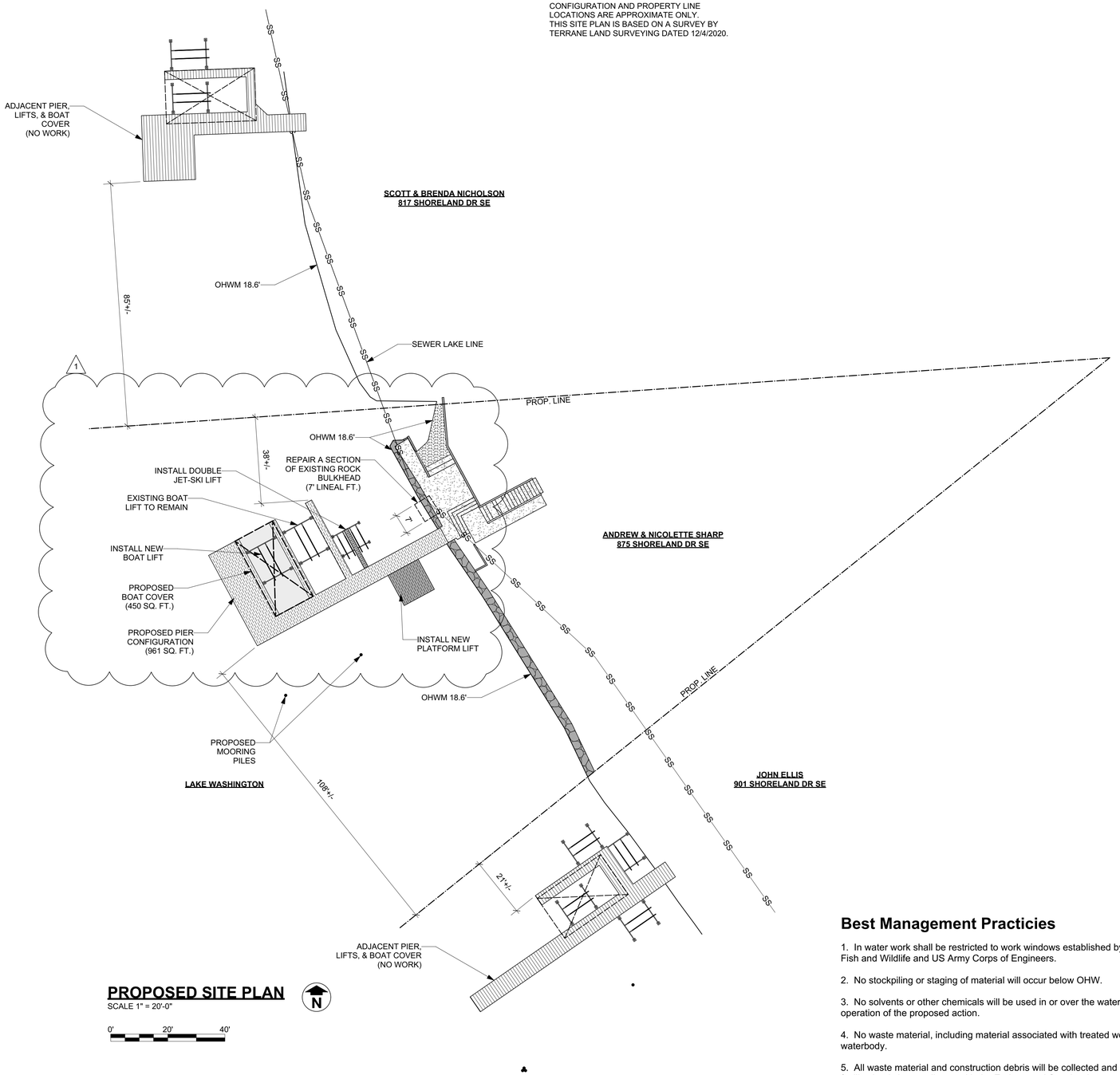
US Army Corps of Engineers (USACE). 2004. Final Biological Evaluation, Regional General Permit: Construction of New or Expansion of Existing Residential Overwater Structures and Driving of Moorage Piling. Lake Washington, Lake Sammamish, the Sammamish River and Lake Union, Including the Lake Washington Ship Canal, in the State of Washington.

Washington Department of Fish and Wildlife (WDFW). 2023. Priority Habitats and Species. Online database. Accessed February 2023 at http://apps.wdfw.wa.gov/phsontheweb/

WDFW. 2023. SalmonScape. Online database. Accessed February 2023 at http://apps.wdfw.wa.gov/salmonscape/

Appendix A:
Project Drawings

PLEASE NOTE THAT THE SHORELINE CONFIGURATION AND PROPERTY LINE LOCATIONS ARE APPROXIMATE ONLY. THIS SITE PLAN IS BASED ON A SURVEY BY TERRANE LAND SURVEYING DATED 12/4/2020.



PROPOSED SITE PLAN

SCALE 1" = 20'-0"

0' 20' 40'

PROJECT INFORMATION

OWNER:
ANDREW & NICOLETTE SHARP

SITE ADDRESS:
875 SHORELAND DR SE
BELLEVUE, WA 98004

PARCEL NUMBER:
562730-0070

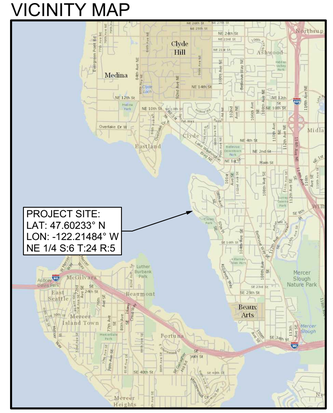
BODY OF WATER:
LAKE WASHINGTON

LEGAL DESCRIPTION:
LOTS 1 AND 2, BLOCK 2, PLAT OF MOORLAND, ACCORDING TO PLAT RECORDED IN VOLUME 4 OF PLATS, PAGE 103, RECORDS OF SAID COUNTY, AND THOSE PORTIONS OF VACATED ALBERCA AVENUE AND VACATED AQUA AVENUE LYING SOUTH OF THE CENTER LINE OF ALBERCA AVENUE AND NORTHWESTERLY OF THE NORTHEASTERLY PROJECTION OF THE SOUTHEAST LINE OF SAID LOT 2, TOGETHER WITH SECOND CLASS SHORE LANDS ADJACENT THERETO.

SITUATED IN THE COUNTY OF KING, STATE OF WASHINGTON.

PROJECT DESCRIPTION:
REPLACE AN EXISTING PIER WITH A NEW PIER CONFIGURATION. REPLACE A BOAT COVER WITH A NEW COVER CONFIGURATION. REMOVE AN EXISTING FLOAT PLANE LIFT. INSTALL A NEW BOAT LIFT, PLATFORM LIFT, AND DOUBLE JET-SKI LIFT. REPAIR A 7 LINEAL FOOT SECTION OF ROCK BULKHEAD.

VICINITY MAP



Best Management Practicies

1. In water work shall be restricted to work windows established by Washington Department of Fish and Wildlife and US Army Corps of Engineers.

2. No stockpiling or staging of material will occur below OHW.

3. No solvents or other chemicals will be used in or over the water during the construction or operation of the proposed action.

4. No waste material, including material associated with treated wood decks, will enter the waterbody.

5. All waste material and construction debris will be collected and disposed of at an approved facility that is in compliance with the Endangered Species Act.

6. All floating debris generated during construction will be retrieved, removed, and disposed of at an approved upland location.

7. All equipment that will operate over water or below OHWM or MHHW will be cleaned of accumulated grease, oil, or mud. All leaks will be repaired prior to arriving on site. Equipment will be inspected daily for leaks, accumulations of grease, etc., and any identified problems will be fixed before operating over water or below the OHWM or MHHW.

8. Two oil absorbing floating booms, appropriate for the size of the work area, will be available onsite whenever heavy equipment operates within 150 feet of open water and there is a potential for hazardous materials to enter surface waters. The booms will be stored in a location that facilitates immediate deployment in the event of a spill.

9. Work done by barge will be done with a crane and a guide on the end of the barge for placement of the piling in specific locations. The working barge will be kept in place with steel spuds or large steel piles that act as anchors at each corner of the barge to prevent the barge from grounding out. The barge will not ground or rest on the substrate or be over or within 25 feet of vegetated shallows (except where such vegetation is limited to State-designated noxious weeds).

10. Fueling and servicing of equipment will be confined to an established staging area that is at least 150 feet from open water or wetlands. Spill containment systems must be adequate to contain all fuel leaks.

11. Equipment and vehicles will be stored in established staging areas when not in use (excluding cranes, which cannot be easily moved).

12. A written spill prevention, control, and countermeasures plan will be prepared for activities that include the use of heavy equipment. The plan will describe measures to prevent or reduce impacts from accidental leaks or spills, and will contain a description of all hazardous materials that will be used, proper storage and handling, and monitoring methods. A spill kit will be available onsite during construction and stored in a location that facilitates immediate deployment if needed.

13. Treated wood and other material shall be the least toxic according to industry standards. Treated wood used shall be applied and used in accordance with the American Wood Preserver Association (AWPA) standards for aquatic use. Wood treated with pentachlorophenol, creosote, chromate copper arsenate (CCA), or comparably toxic compounds is prohibited for decking or piling.

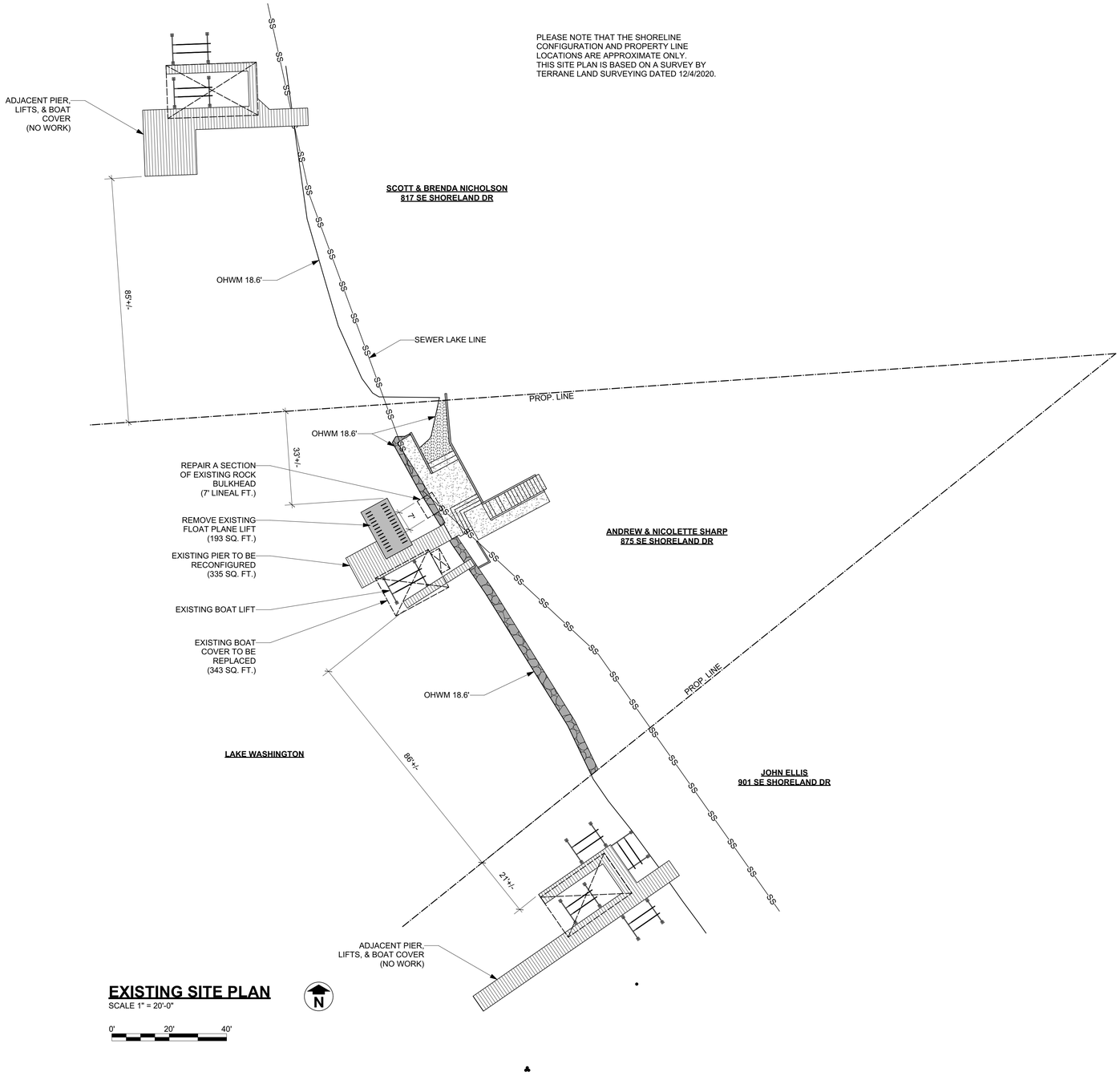
ECCO
Architecture & Design
7413 Greenwood Ave N
Seattle, WA 98103

PROJECT INFO
SITE PLAN

DATE: 12/17/2021
REVISIONS: 1 3/18/2022

SHARP PIER
875 SHORELAND DR SE
BELLEVUE, WA 98004

A1.0



EXISTING SITE PLAN

SCALE 1" = 20'-0"

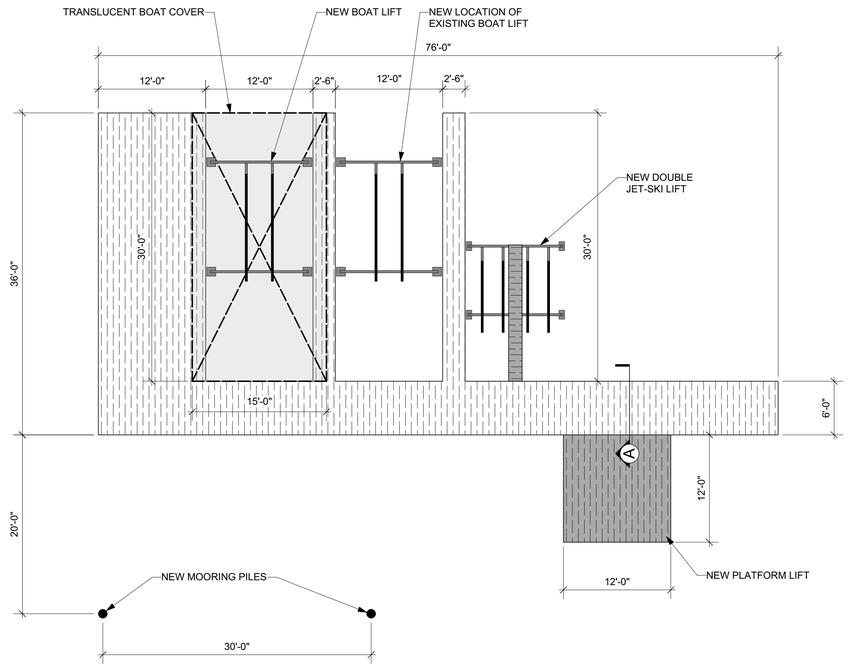
ECCO
Architecture & Design
7413 Greenwood Ave N
Seattle, WA 98103

SITE PLAN

DATE: 12/17/2021
REVISIONS: 1 3/18/2022

SHARP PIER
875 SHORELAND DR SE
BELLEVUE, WA 98004

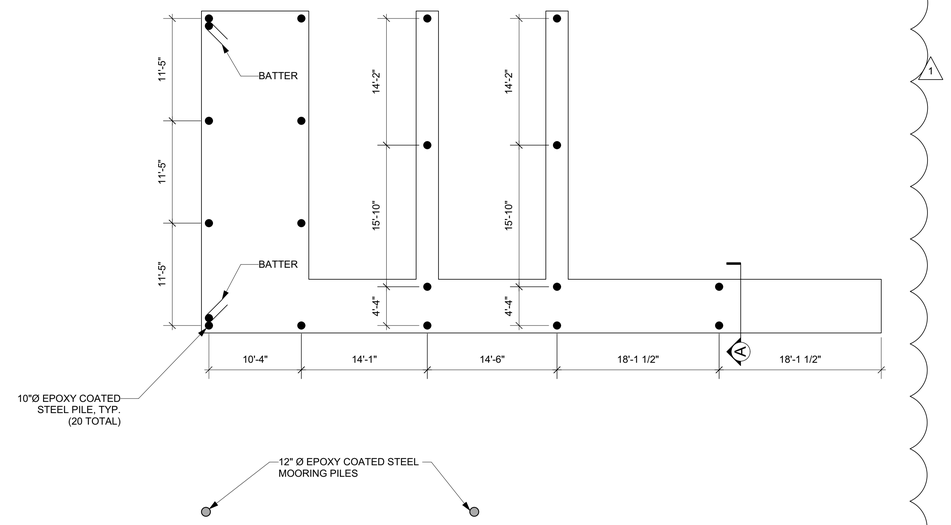
A2.0



PROPOSED PIER DETAIL

SCALE 1/8" = 1'-0"

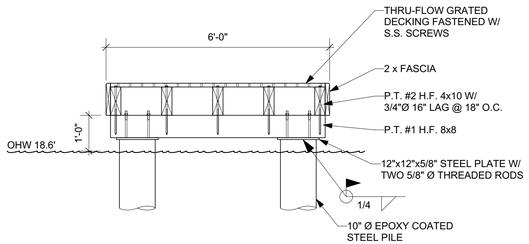
0' 8' 16'



PROPOSED PILE PLAN

SCALE 1/8" = 1'-0"

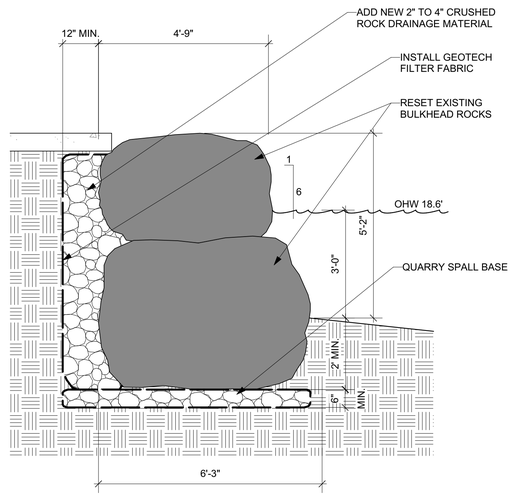
0' 8' 16'



PIER WALKWAY SECTION A (PROPOSED)

SCALE 1/2" = 1'-0"

0' 2' 4'



ROCK BULKHEAD SECTION

SCALE 1/2" = 1'-0"

0' 2' 4'

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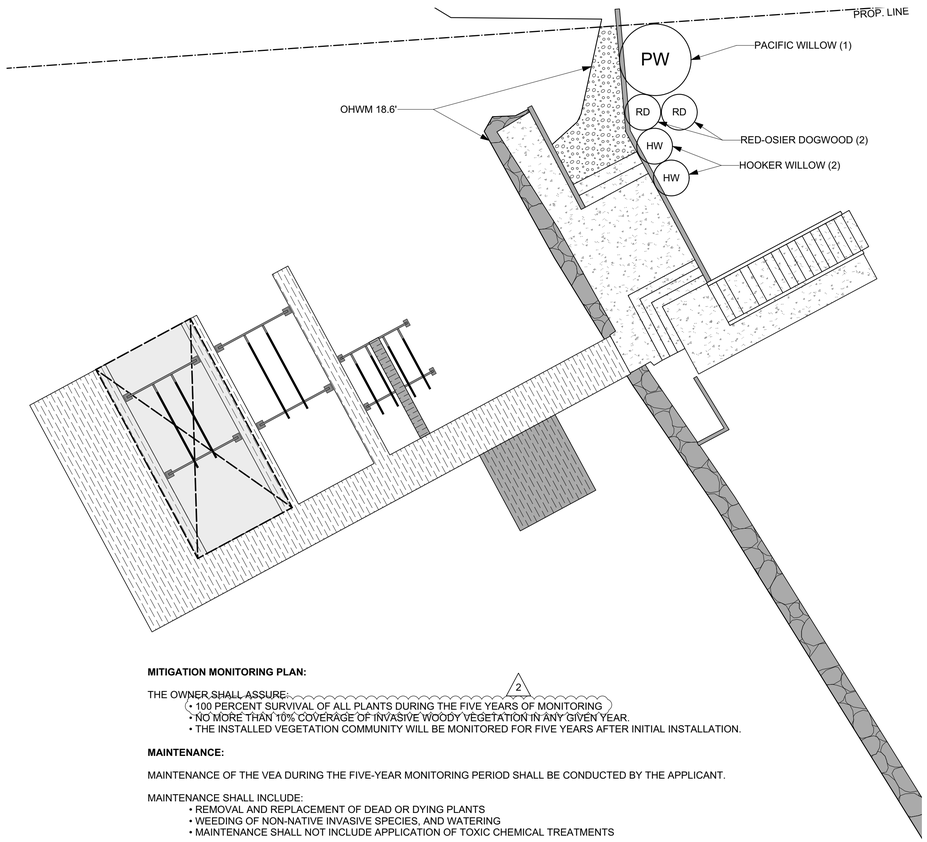
Seattle, WA 98103

PIER PLAN SECTIONS

DATE: 12/17/2021
REVISIONS: 1 3/18/2022

SHARP PIER
875 SHORELAND DR SE
BELLEVUE, WA 98004

A3.0



MITIGATION MONITORING PLAN:

THE OWNER SHALL ASSURE:
- 100 PERCENT SURVIVAL OF ALL PLANTS DURING THE FIVE YEARS OF MONITORING
- NO MORE THAN 10% COVERAGE OF INVASIVE WOODY VEGETATION IN ANY GIVEN YEAR.
- THE INSTALLED VEGETATION COMMUNITY WILL BE MONITORED FOR FIVE YEARS AFTER INITIAL INSTALLATION.

MAINTENANCE:

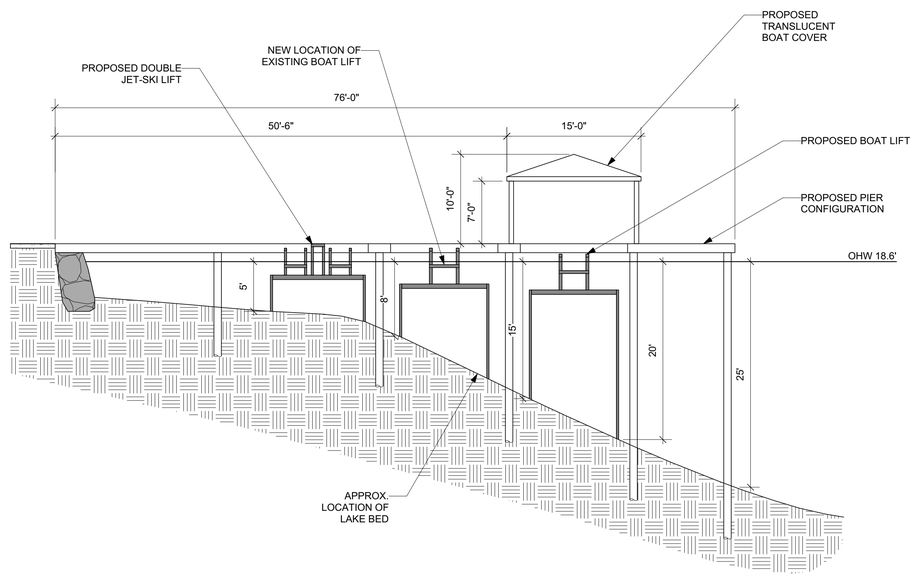
MAINTENANCE OF THE VEA DURING THE FIVE-YEAR MONITORING PERIOD SHALL BE CONDUCTED BY THE APPLICANT.

MAINTENANCE SHALL INCLUDE:
- REMOVAL AND REPLACEMENT OF DEAD OR DYING PLANTS
- WEEDING OF NON-NATIVE INVASIVE SPECIES, AND WATERING
- MAINTENANCE SHALL NOT INCLUDE APPLICATION OF TOXIC CHEMICAL TREATMENTS

PLANTING PLAN

SCALE 1" = 10'-0"

0' 10' 20'



PROPOSED PIER ELEVATION

SCALE 1/16" = 1'-0"

16' 8' 0'

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Seattle, WA 98103

PLANTING PLAN ELEVATION

DATE: 12/17/2021
REVISIONS: 1 3/18/2022
2 2/8/2023

S H A R P P I E R
875 SHORELAND DR SE
BELLEVUE, WA 98004

A4.0

Appendix B:
Site Photographs

Photo 1 - Existing dock looking waterward.

Photo 2 - Existing dock looking landward.

Photo 3 - Existing shoreline conditions looking north from dock.

Photo 4 - Existing shoreline conditions looking south from dock.

Photo 5 - Shoreline conditions north of the site.

Photo 6 - Existing conditions south of the site.