Shoreline Management Act
Permit Data Sheet and Transmittal Letter

Local permit no. 22-117645-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: Michael King
Address: 94 Cascade Key, Bellevue WA 98006
Phone: (831)915-9149
Email: 68mak@comcast.net

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

Name: Ted Burns
Address: 1080 W Ewing St, Bldg. B, Seattle WA 98119
Phone: (206)236-1700
Email: permits@seabornpiledriving.com

Is the applicant the property owner? ☐ Yes ☒ No

Location of the Property: 94 Cascade Key, NE 17-24-05

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

Environment Designation: Shoreline Residential

Project Description: Land Use review of a Shoreline Substantial Development Permit to repair 13 existing piles, drive two (2) new steel piles, install a new platform lift, and repair the existing dock material with new grated material. The proposal also seeks to expand the dock; the new dock extension is proposed to be approximately 12'x6'- an approximately72 square-foot expansion. Mitigation has been included to ensure no net loss of ecological function

Notice of Application Date: December 8, 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:	King Pier
LOCATION:	94 Cascade Key
FILE NUMBERS:	22-117645-WG
PROPONENT:	Ted Burns, Seaborn Piledriving Co. (206)236-1700 permits@seabornpiledriving.com

DESCRIPTION OF PROPOSAL:

Application for preliminary SEPA review of a Shoreline Substantial Development Permit to repair 13 existing piles, drive two (2) new steel piles, install a new platform lift, and repair the existing dock material with new grated material. The proposal also seeks to expand the dock; the new dock extension is proposed to be approximately 12'x6'- approximately72 square feet. 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

Leticia Wallgren, Associate Land Use Planner

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 King Pier
2. Name of applicant Michael King
3. Contact person Madison Johnson - Seaborn Pile Driving Phone 206-236-1700
4. Contact person address 1080 W Ewing St Bldg B Seattle WA 98119
5. Date this checklist was prepared 7/19/2022
6. Agency requesting the checklist City of Bellevue

Reviewed 11/28/22
LW

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

Upon receipt of all permits & open work window

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.

N/A

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.

No

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

SSDP
Building
federal Section 10 permit from US Army Corps of Engineers
Hydraulic Project Approval permit from WA Dept of Fish & Wildlife

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.)

We propose to repair (13) existing piles, drive (2) new steel piles, install (1) new platform lift, propose a new extension, and repair the existing dock with grated decking material.

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.

607280-0105
NEWPORT REVISED DIV #1
SE Quarter Of Section 17, Township 24, Range 05
94 Cascade Key, Bellevue, WA 98006

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)? less than 5%

Reviewed 11/28/22
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 and gravel

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

No

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.

None

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

No

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? None

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

N/A

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.

Exhaust smoke from construction equipment

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

No

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

Run equipment only as necessary

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.

We propose to repair (13) existing piles, drive (2) new steel piles, install (1) new platform lift, propose a new extension, and repair the existing dock with grated decking material.

   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.

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

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.

N/A

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

N/A

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

N/A

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

N/A

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.

   No know threatened or endangered species on or near the site.

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

   Please see associated native planting & vegetation plan.

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

None present along shoreline adjacent to work 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.

No know threatened or endangered species on or near the site.

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

Unknown

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

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

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

Unknown

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.

None

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.

N/A

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.

Unknown

   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

   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

d. Describe special emergency services that might be required.

None

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

N/A

2. Noise

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

None

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.

Noise from construction equipment

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

Run equipment only as necessary

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.

Single-family residential

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?

No

3. Describe any structures on the site.

Multi-story single family home

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

No

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

6. What is the current comprehensive plan designation of the site? Urban residential

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

Urban residential

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

No

9. Approximately how many people would reside or work in the completed project? None

10. Approximately how many people would the completed project displace? None

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

N/A

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

To ensure local, state, and federal compliance, the project will include a SSDP and Building from the city of Bellevue, a Hydraulic Project Approval permit from WDFW, and a federal Section 10 permit from the US Army Corps of Engineers.

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

N/A

Housing

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

None

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

None

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

N/A

Aesthetics

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

Less than 60" above OHWM

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

None

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

N/A

Light and Glare

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

None

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

No

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

None

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

N/A

Recreation

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

Residential swimming & boating

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

No

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

N/A

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.

Unknown

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.

Unknown

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.

Review by the US Army Corps of Engineers

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.

N/A

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.

Cascade Key

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?

South Bellevue Station Bus Plaza, 2.6 miles away

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

None

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

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

No

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?

None

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.

N/A

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.

N/A

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

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 Dray Davick

Name of signee Dray Davick

Position and Agency/Organization Permit Technician - Seaborn Pile Driving

Date Submitted 9/12/2022

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:	22-227645-WG
Proposal Name:	King Pier
Proposal Address and Location:	94 Cascade Key, NE 17-24-5
Water Body:	Lake Washington
Shoreline Environment Designation:	Shoreline Residential
Proposal Description: Land Use review of a Shoreline Substantial Development Permit to repair 13 existing piles, drive two (2) new steel piles, install a new platform lift, and repair the existing dock material with new grated material. The proposal also seeks to expand the dock; the new dock extension is proposed to be approximately 12'x6'- an approximately72 square-foot expansion. Mitigation has been included to ensure no net loss of ecological function.	
Applicant: ☒Applicant owns property Michael King 94 Cascade Key (831)915-9149 68mak@comcast.net	**Applicant Representative:** Ted Burns, Seaborn Piledriving Company, (206)236-1700, permits@seabornpiledriving.com
Application Date:	September 19, 2022
Notice of Application Date:	December 8, 2022
Notice of Decision Date:	March 16, 2023

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

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

Reilly Pittman
Planning Manager
Elizabeth Stead, Environmental Coordinator
Development Services Department

Decision on SSDP: **Approval with Conditions**

Reilly Pittman
By: ***Planning Manager***
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:
1. No Net Loss Report with attached Site Plan and Mitigation Planting Plan

I. Proposal Description

Applicant requests approval to repair the existing residential dock, add a new platform lift, and construct a 70 square-foot expansion resulting in a 1,095 (over-water) square foot dock. Repair activities will include 13 existing piles and the existing grated decking. New additions to the dock include a 70 square foot expansion supported by two (2) new steel piles and a new platform lift. Lastly, the existing dual jet-ski lift will be relocated.

The proposal includes installation of native shoreline plantings to ensure no net loss of ecological shoreline function. See **Figure 1** for proposed conditions. See **Figure 2** for proposed mitigation planting.

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 reconfigured dock is proposed to be expanded resulting in increased overwater coverage which requires review under the Shoreline Code and requires Shoreline Review. In addition, the proposal exceeds thresholds for repair. The provisions of the Shoreline Overlay District apply.

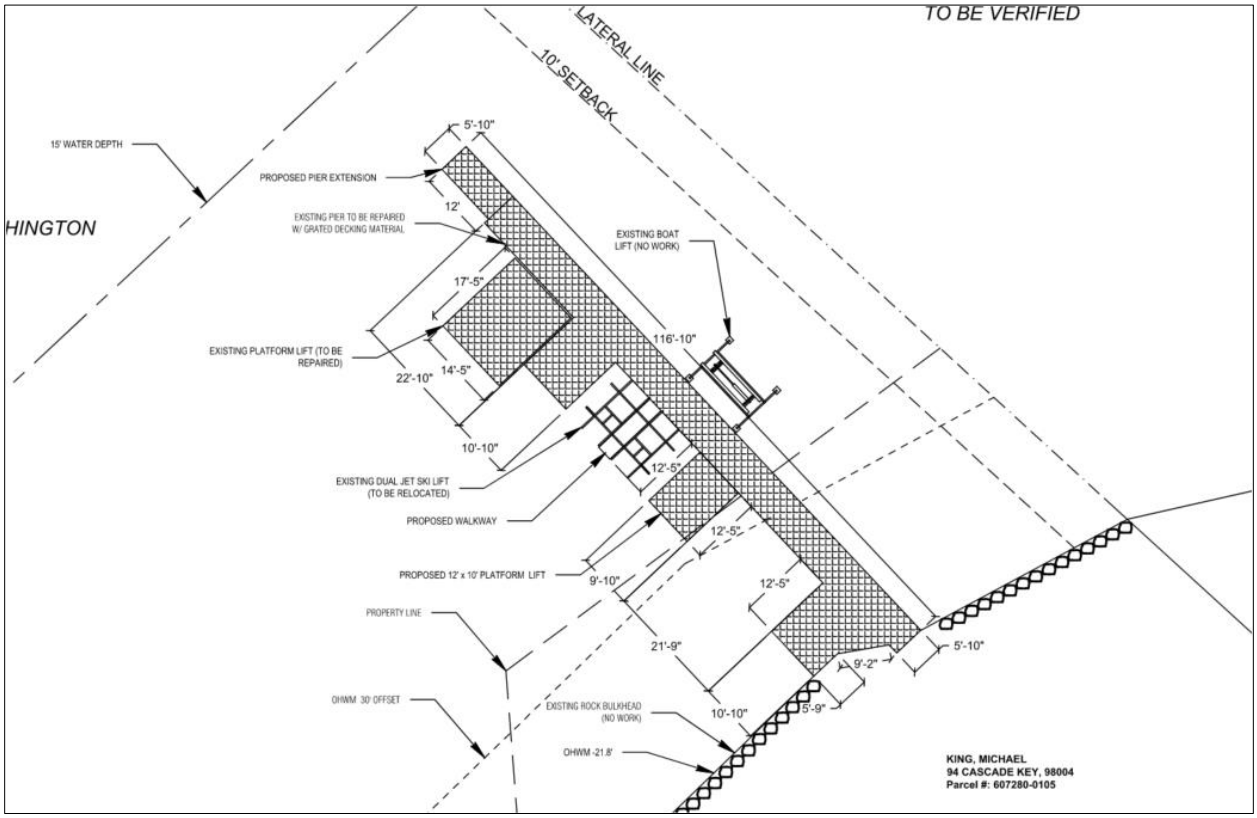

Figure 1. Proposed Conditions

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 2020, a pool, and a residential dock. Properties in the vicinity are generally developed with single family residences and residential docks. The lot contains mostly mowed lawn with ornamental trees and landscaping. The existing shoreline is vegetated with shrubs concentrated mostly in the immediate proximity of the dock entrance. Adjacent properties to the north and south are developed, similarly, with residential docks. The neighborhood character is consistent with typical single family development containing residential structures and typical vegetation, both native and ornamental. See **Figure 3** for existing conditions.

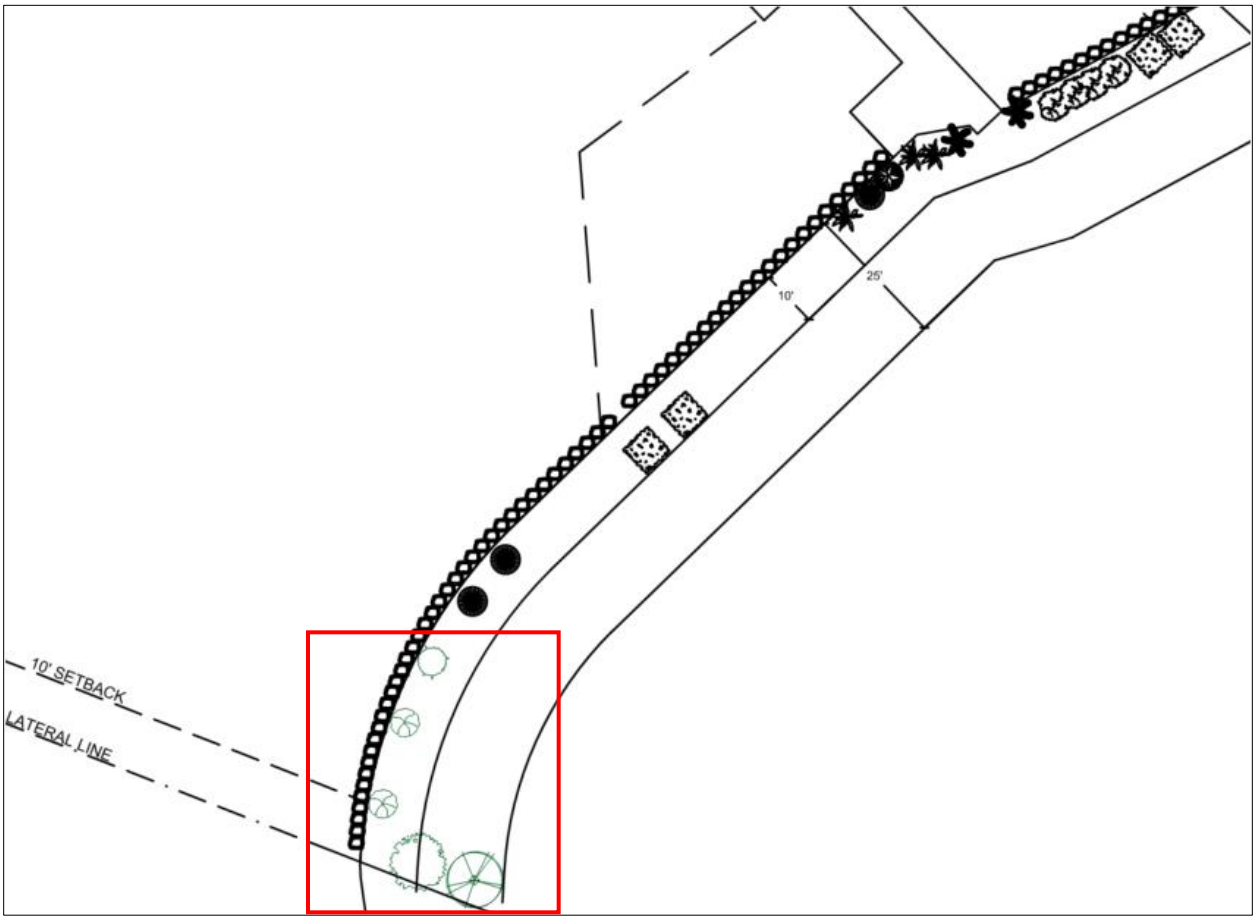

Figure 2. Proposed Mitigation Planting

B. Zoning, Neighborhood Area, and Comprehensive Plan

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

Figure 3. Existing Conditions

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 in the R-2.5 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. See Section IX for conditions of approval related to dock.

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

Table 1. Dock Standards

Dock Location: Lake Washington		
Development Standard	**Required by LUC 20.25E.065**	**Proposed Standards**
Number of Docks Allowed	1 per residential lot	**No change, existing (Complies)**
Dock Side Setback	10’ or as established per mutual agreement	**No change, existing (Complies)**
Maximum Dock Length	150’	**116’-10” (after expansion) (Complies)**

Maximum Dock Size	480 square feet	**1,025 square feet (existing) Expansion adds 70 sf Total proposed (after expansion) 1,095 sf (Does not comply- USACE approval required; No Net Loss Reporting Required)**
Maximum Walkway Width	4' within 30' of OHWM 6' beyond 30' from OHWM	**No change within 30' Proposed Expansion 5'10" Beyond 30' from OHWM (Complies)**
Ell Location vs Depth	30' waterward of OHWM or at least 9' of water depth	**No change, existing (Complies)**
Mooring Piles	2 per lot	**No change, existing (Complies)**
Decking	Grated	**Grated (Complies)**
Number of Lifts	4 allowed per lot	**1 New Lift Proposed, 3 existing for a total of 4 (Complies)**

Finding: The proposed dock meets general limits and standards for new and re-configured docs as indicated in **Table 1** above, but must gain approval from the U.S. Army Corps of Engineers (USACE) to modify the standards for dock size. 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 is to add one (1) new lift to the existing three (3) lifts and 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: All proposed boatlifts/platforms are located more than 30-feet waterward of the OHWM. Conformance with watercraft placement and depth requirements will be reviewed and confirmed at the time of Building Permit application. See Section IX for conditions of approval related to the required Building Permit.

D. No Net Loss of Ecological Function

Applicants that choose to exceed or alter the standards for dock size 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 1) authored by a qualified professional, Northwest Environmental Consulting LLC, 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. As proposed, the mitigation plans achieve no net loss of shoreline ecological functions.

Figure 4. Existing Shoreline Vegetation north of dock.

Figure 5. Existing Shoreline Vegetation south of dock.

In addition to mitigation listed above, 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.

IV. Public Notice and Comment

Date of Application: September 19, 2022
Notice of Application: December 8, 2022
Minimum Comment Period: January 7, 2023

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin on December 8, 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. See Section IX for conditions of approval related to activity restrictions within proximity to the sewer main and easement.

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 and structural piles.

B. Animals

Chinook salmon, bull trout, and steelhead are found in Lake Washington. The entire dock is proposed to be fully grated which will allow for increased light penetration Fish species and their habitat will be protected during the project construction through the timing of in-water work and BMPs related to the protection of the fish and their habitat. 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 moderately dense, consisting of lawn and ornamental plants/shrubs. No vegetation will be disturbed as part of the proposal.

D. Noise

Installation of 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 are an allowed use of 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 dock expansion with supporting steel piles, new platform lift, repair of 13 existing piles and associated mitigation at 94 Cascade Key. 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	Janney Gwo, 425-452-6190
Utilities Code- BCC 24	James Henderson, 425-452-7889
Land Use Code- BCC 20.25H	Leticia Wallgren, 425-452-2044
Noise Code- BCC 9.18	Leticia Wallgren, 425-452-2044

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: 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. **State/Federal Permits Required:** Prior to the issuance of the required Building Permit, the applicant shall produce evidence of receipt of required state and/or federal permits for the proposed dock, boatlift, and watercraft lifts.

   Authority: LUC 20.25E.065
   Reviewer: Leticia Wallgren, Development Services Department

6. **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: 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. **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

Michael King
94 Cascade Key
Bellevue, WA 98006

Prepared by

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

September 2022

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.

Permits are being applied for a dock repair and extension.

Location

The subject property is located at 94 Cascade Key (King County parcel number 607280-0105) 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 improvements will require removal of the existing deck. The existing platform lift will be repaired and a new platform lift will be installed with all grated decking. Thirteen existing piles (2 8-inch, 6 10-inch, 4 12-inch, and 1 14-inch) will be repaired. Two new 8-inch piles will be driven to support the new 70 square foot extension. All the new and existing decking will be replaced with ThruFlow grated decking. See Appendix A - Sheet A2.0 to Sheet A6.0 for additional information.

During construction, a floating boom will surround the work barge, pier, and mooring piles. See Appendix A Sheet 7.0

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 (NWEC) biologist Brad Thiele conducted a site visit on August 31, 2022 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 and the existing dock. The shoreline is armored with a rock bulkhead. The shoreline is planted with ornamental shrubs along the shoreline with lawn and walkways. (Photos 1 through 6).

The substrate of the lake is sand with some gravel. Milfoil is present near the dock starting about 40 feet from shore. No other aquatic vegetation was observed during the site visit.

The property to the north has a similar shoreline with a rock bulkhead and mostly lawn and some ornamental vegetation planted along the bulkhead. A treed strip is planted along north of the fence separating the two properties. The property to the south has a similar shoreline with some mature trees.

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, about 1,200 feet 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 and no sockeye spawning areas are within 1,000 feet of the site. 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. Mercer Slough is located about 2,800 feet to the north of the project.

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

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.

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 the western red cedar within 25 feet of the shoreline and have canopy coverage from about 9 feet to 42 feet at maturity depending on species. The proposed planting plan is included (see Appendix A - Sheet A8.0). No shoreline work except for planting is proposed.

Lakebed: The project will add 2 8-inch steel piles. This will displace 0.7 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. 8-inch steel piles will be installed using a vibratory driver and noise from this size pile does not reach levels that harm fish species.

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 minimized because of spill containment measures that will be employed should a spill occur (see BMP Notes on Sheet A7.0 in Appendix A).

Indirect Impacts:

Shading: The existing dock covers 1,218 square feet of the lake surface and the proposed configuration will result in an increase of 105 square feet of overwater coverage from the dock. The existing solid wood decking will be replaced with grated ThruFlow decking.

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 grated	Conversion	Effective coverage	Effective coverage change
Existing solid decking (SF)	1,281	1,281	0.57	709	-535

Dock Expansion (SF)	0	105	0.57	60	
New platform lift (SF)	0	70	0.57	70	
Total (SF)	1,244	1,436		819	-425

The use of grated decking reduces the existing overwater coverage by 709 square feet over existing by grating the existing dock and platform lift. The extension will add 40 square feet of effective overwater coverage and the new platform lift will add 70 square feet of effective overwater coverage. Using grated decking on the existing and proposed cover will reduce the effective coverage at the site by 425 square feet.

Recreational Boating: The project supports continued recreational boating, which has been identified as a limiting factor for salmonid populations in Lake Washington. The pier 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 December 31). 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 A7.0 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 sorbent 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 but this program is part of the Alternative Design Criteria that Federal and State agencies 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	Complies
Maximum Dock Length	150'	116'10" - complies
Maximum Dock Size	480 square feet	1,095 square feet – approved through Alternative Design Criteria to add 70 square feet
Maximum Walkway Width	4' within 30' of OHWM 6' beyond 30' from OHWM	Existing 5'10" – no change.
Ell Location vs. Depth	30' waterward of OHWM or at least 9' of water depth	Complies
Mooring Piles	2 per lot	Complies
Decking	Grated	complies
Number of Lifts	4 allowed per lot	1 new proposed for a total of 4- complies

IMPACT MINIMIZATION AND MITIGATION

Reasonable efforts were made to apply mitigation sequencing when altering habitats within critical 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 safe moorage at the site.

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 new boatlift and additional pier area will be placed in deeper water more than 30 feet from shore. The existing dock and deck will use grated decking to reduce effective overwater coverage.

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

Mitigation Approach

Mitigation will be provided by a shoreline planting plan along the shoreline. The City of Bellevue considers native plantings within 10 feet of the shoreline to be mitigation for impacts to the shoreline. The alternative design criteria allows for native trees to be planted within 25-feet of the shoreline as large northwest native trees have a canopy larger than 25 feet in diameter when 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 as part of the alternative design standard.

The City of Bellevue requires enhancement of the shoreline at a ratio of 1 to 1.15 of the impacts. The addition on the dock will overwater coverage by 192 square feet and increase effective overwater coverage by 110 square feet. The planting plan will enhance the shoreline with 3 native shrubs and two native trees. The City of Bellevue Code (LUC 20.25E.065.F.8.g.ii.) states that shrubs account for 30 square feet of enhancement. The following plants are proposed and the average diameter at maturity according Kitsap Conservation District (Kitsap 2022).

Planting	Mature diameter Feet	Average diameter SF	Areal coverage SF	Number of plants	Mature areal coverage planted SF
Western red cedar	25-60	42.5	1,418	1	1,418
Shorepine	15-20	17.5	240	1	240
Rose	10-12	11	95	1	95
Mock orange	6-12	9	64	2	127
Total area					**1,880**

The project proposes to enhance at least 142 square feet of shoreline at within 5 years of planting by planting 3 shrubs and 1 tree within 10 feet of the shoreline. A western red cedar is proposed within 25 feet of the shoreline that will have a diameter that will reach the shoreline. The plants will exceed the required 142 square feet of planting once mature.

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.

The in-lieu fee will be used for conservation projects within King County improving watershed conditions.

Shoreline enhancements will increase the buffer functions and values by adding native shrub and tree buffer between the house and Lake Washington that will increase screening, filtering of runoff, and vertical and overhanging structure along the lake edge, and will provide food sources for songbirds and other native fauna that use the Lake Washington shoreline.

PROPOSED MITIGATION

Mitigation Goals

The mitigation goals for the project will include the following:

- Planting shoreline native plants including two trees and three shrubs.
- The plants will achieve at least 142 square feet of aerial coverage after 5 years.

Performance Standards

The performance standards include replacing the decking on the dock 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 2 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 8.0.

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.

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 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 80% survival rate. All dead plantings will be replaced with similar native plants so that 80% 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.

Conclusion

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

The proposed dock extension and new platform lift will add 192 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 425 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. The new extension is at the end of the dock and will be in the deepest water possible at the site.

The project will increase the number of piles at the site by 2 and will displace the lakebed by 0.7 square feet.

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 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	28 years of experience	Northwest Environmental Consulting, LLC. (NWEC)

NWEC 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.

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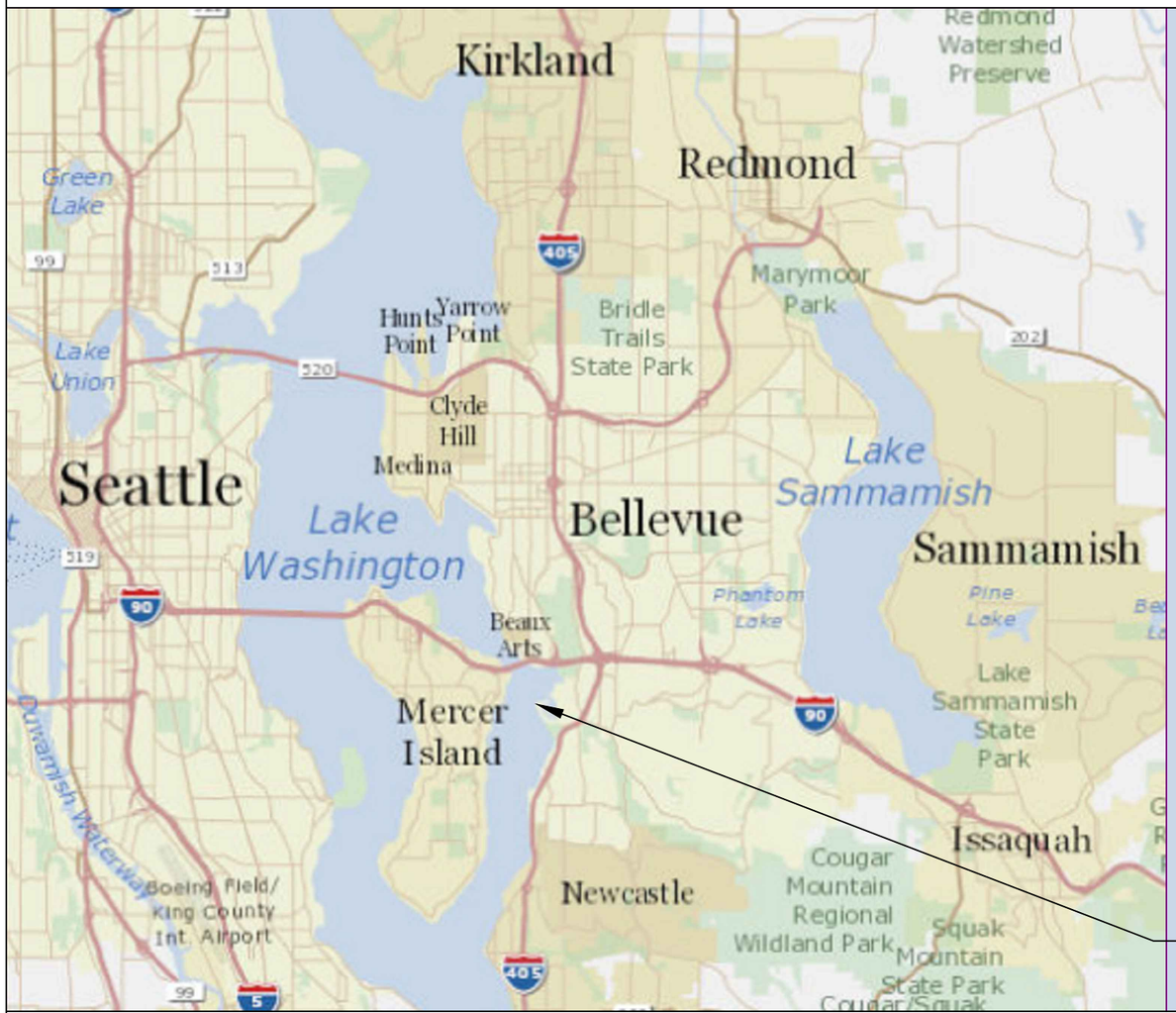
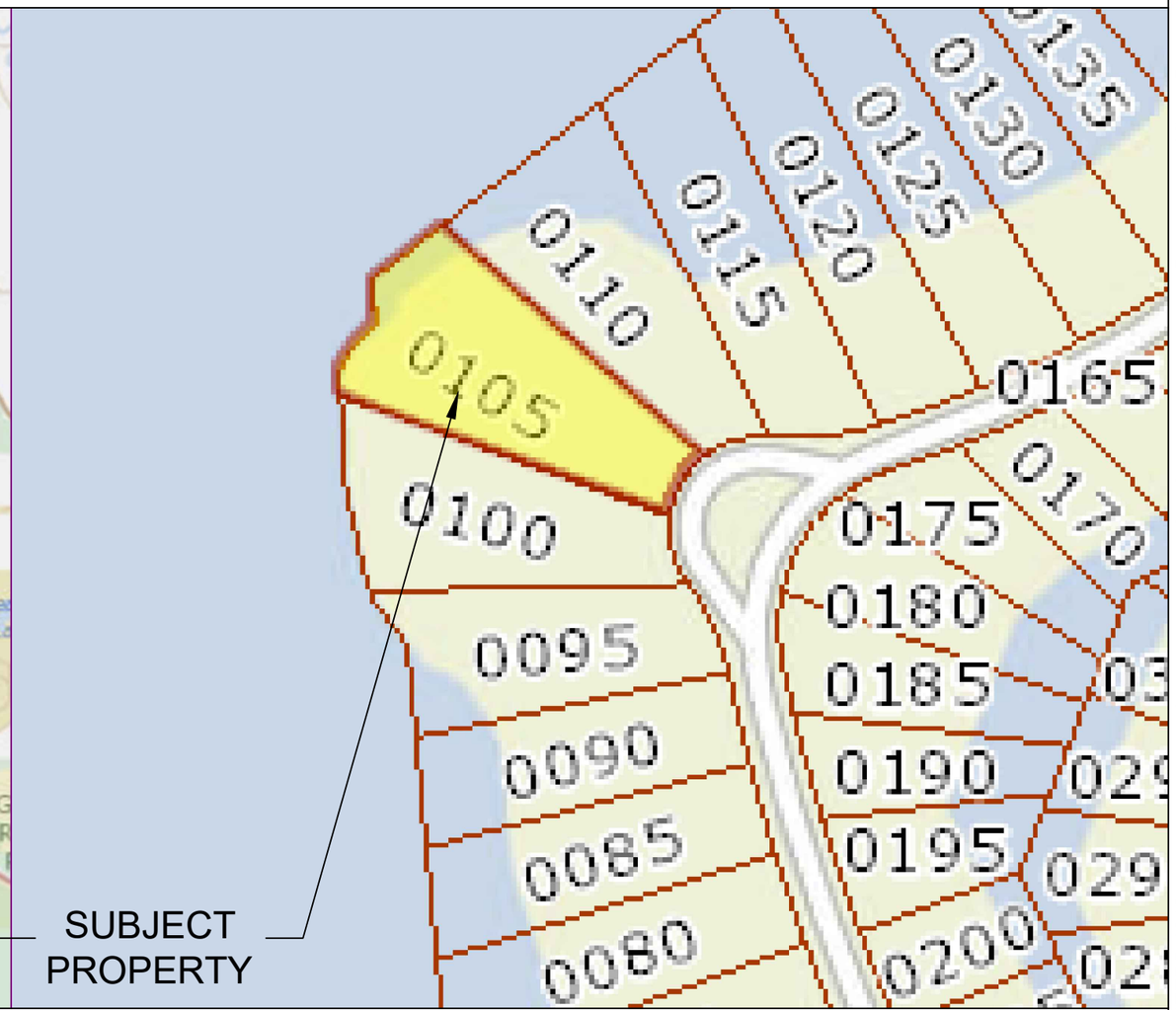
WDFW. 2020. SalmonScape. Online database. Accessed August 2022 at http://apps.wdfw.wa.gov/salmonscape/

Appendix A:
Project Drawings

SITE PLAN





Pin: 607280-0105

Legal Description: NEWPORT REVISED DIV #1

Plat Block:
Plat Lot: 21

LAT: 47.57111 LONG: -122.19415

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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 repair (13) existing piles, drive (2) new steel piles, install (1) new platform lift, propose a new extension, and repair the existing dock with grated decking material.

County: King County
Location: Lake Washington

Applicant: King, Michael
94 Cascade Key
Bellevue, WA 98006

Created: 07-06-22

Last Updated: 7/27/2022 11:22 AM Dray

Datum: CORPS OF ENGINEERS 1919
SE Quarter Of Section 17, Township 24, Range 05

Adjacent Owners:

HASTINGS, BRADFORD
92 CASCADE PLACE, 98006

TLH LLC
96 CASCADE KEY, 98006

SHEET 1.0

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PAGE 1 OF 13

GENERAL NOTES:

MATERIALS SPEC LIST:

Boat Lifts:

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

Decking Material: FRPP - Fiberglass reinforced polypropylene
Open space percentage:

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

Sewer:

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

Piles:

* All new piles are epoxy coated steel piles *size varies, see plan set
* Repair piles are done as a sleeve/strap method
* Piles are driven using the vibro method

CODE REFERENCES: Bellevue

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

20.25E.065.H.4 - New and Reconfigured Residential Dock

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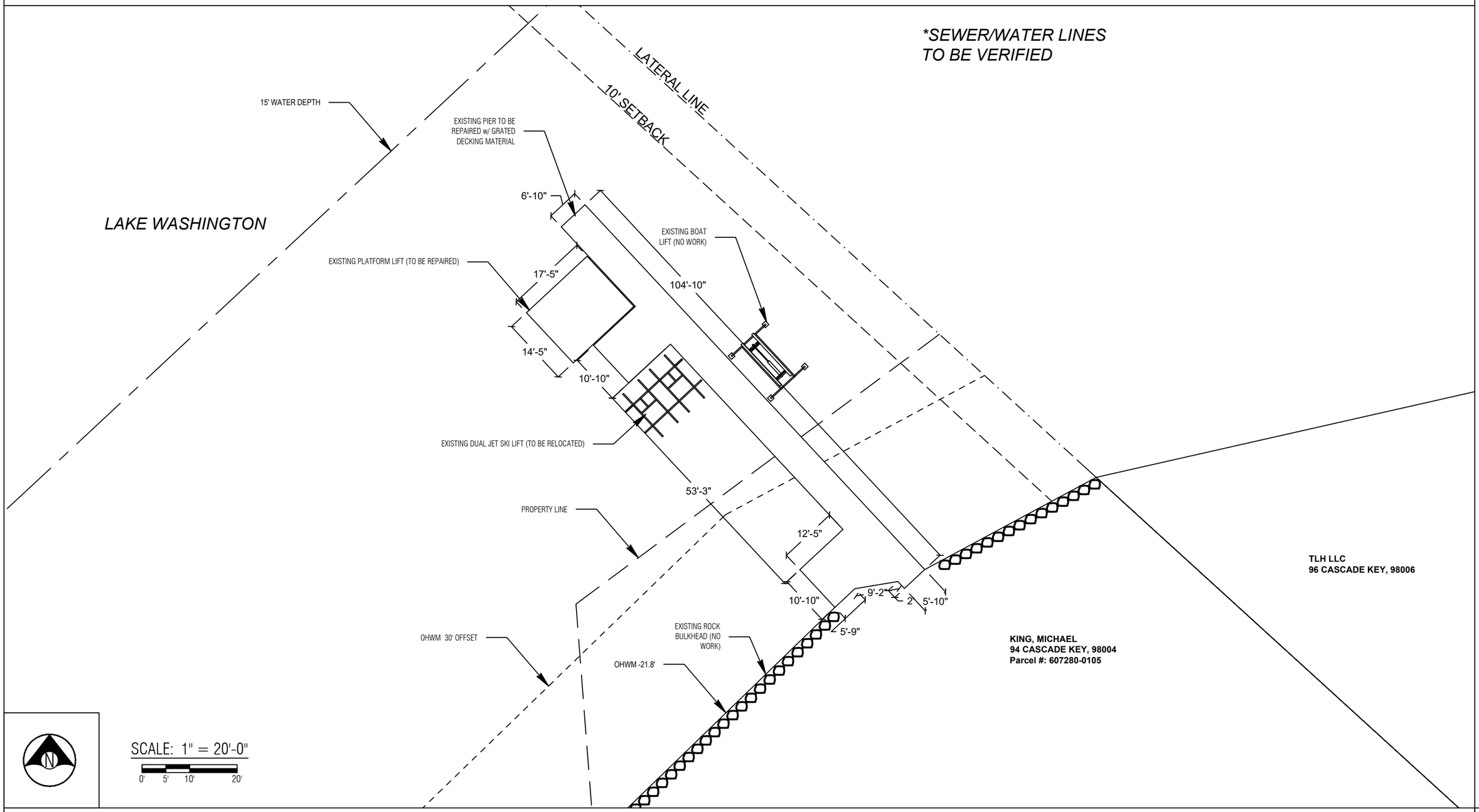
EXISTING CONDITIONS

CLEAN UP LAKE AROUND PROJECT



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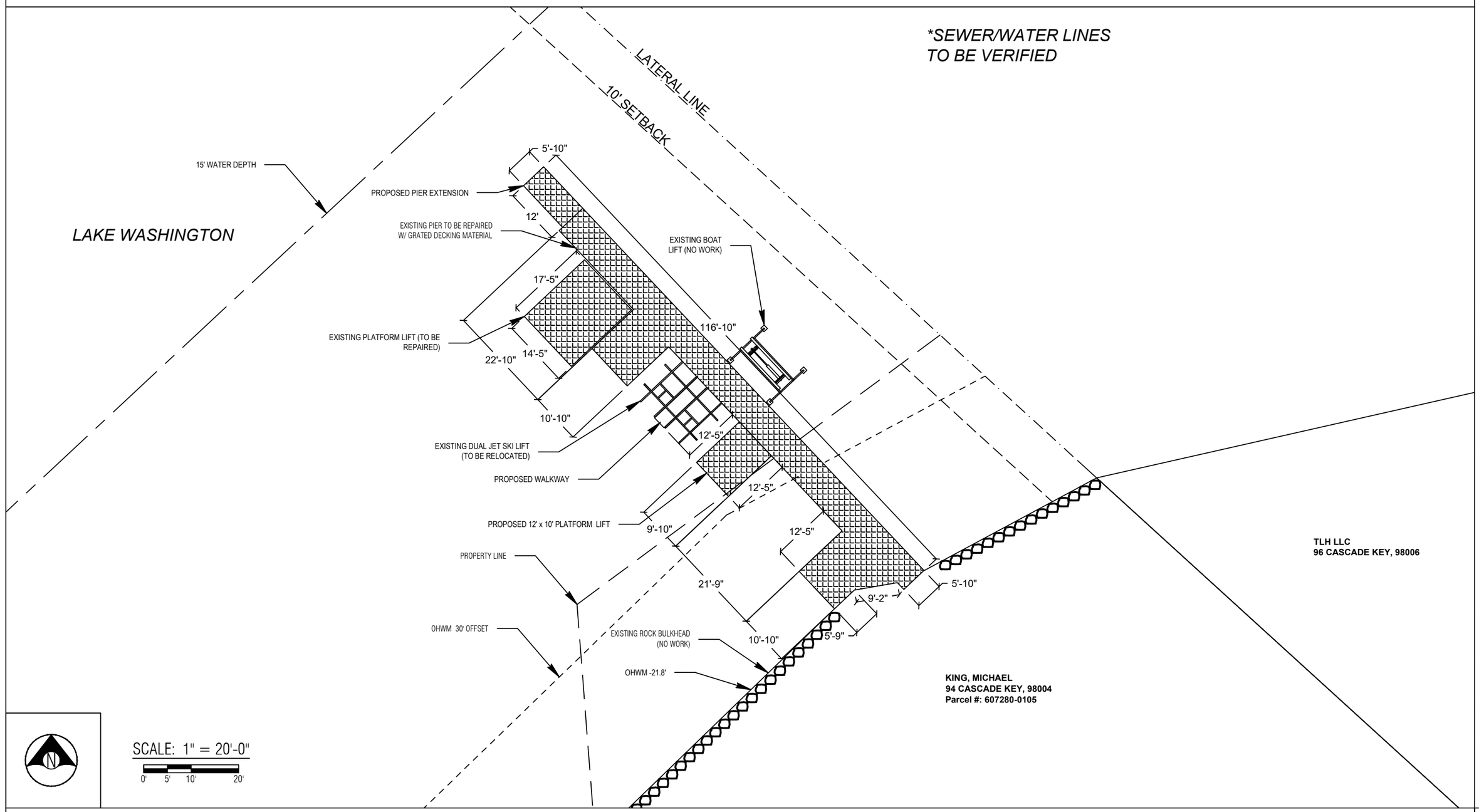
SHEET 3.0

PROPOSED CONDITIONS

CLEAN UP LAKE AROUND PROJECT

*SEWER/WATER LINES
TO BE VERIFIED



SCALE: 1" = 20'-0"

0' 5' 10' 20'

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SHEET 4.0

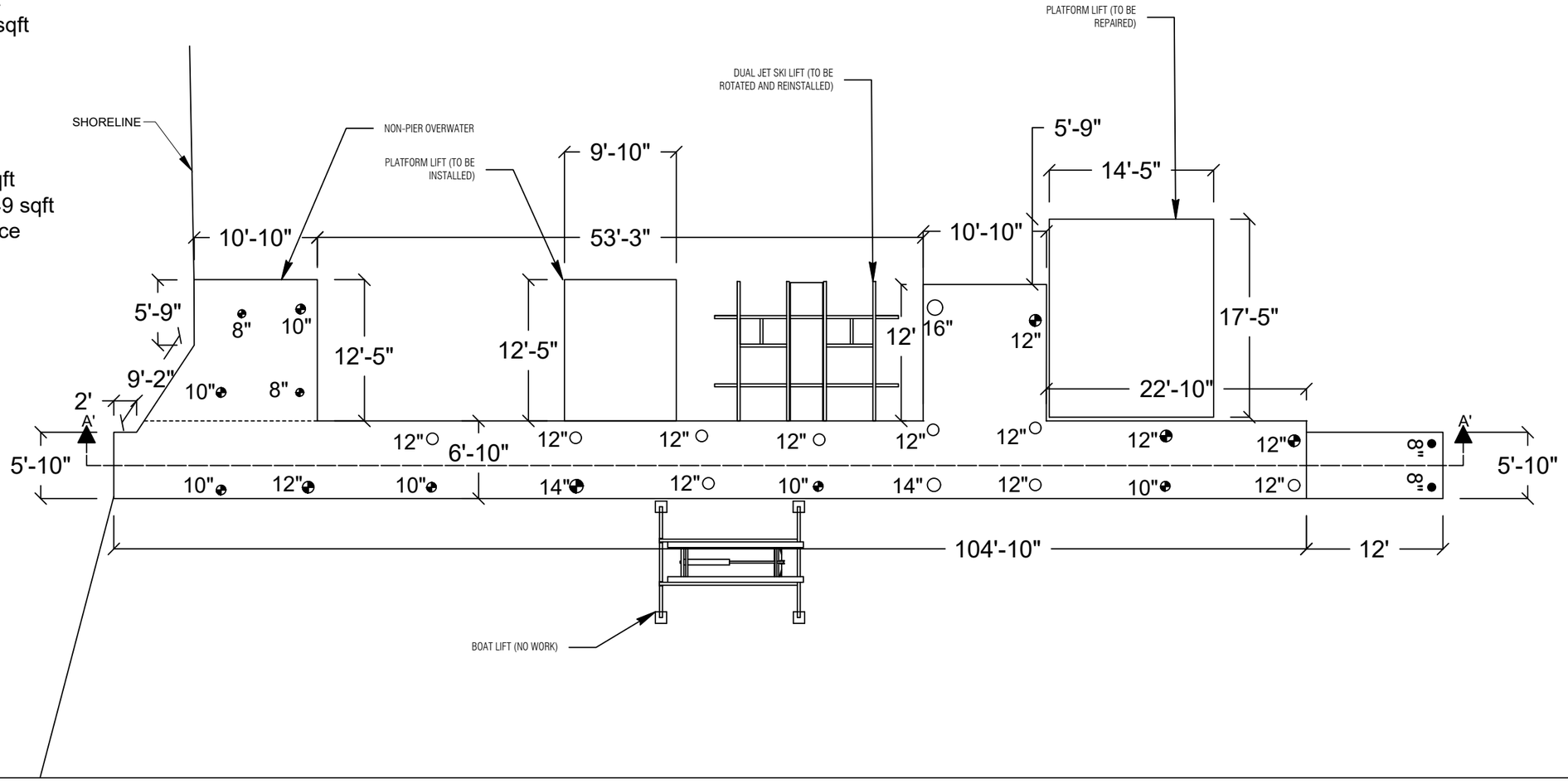
PIER DETAILS - EXISTING/PROPOSED PLAN VIEW

LEGEND

- (13) EXISTING PILES - TO BE REPAIRED
- (2) PROPOSED STEEL PILES - TO BE ADDED
- (11) EXISTING PILES - NO WORK TO BE DONE

Existing Pier Overwater: 1,095 sqft
Existing Non-Pier Overwater: 149 sqft

Proposed Pier Extension: 70 sqft
Proposed Platform Lift: 122 sqft
Repaired Platform Lift: 251 sqft
Repaired Pier Overwater: 844
New Pier Overwater total: 1,287 sqft
New Non-Pier Over Water total: 149 sqft
**Grated decking is 43% open space



PLAN VIEW

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SHEET 5.0

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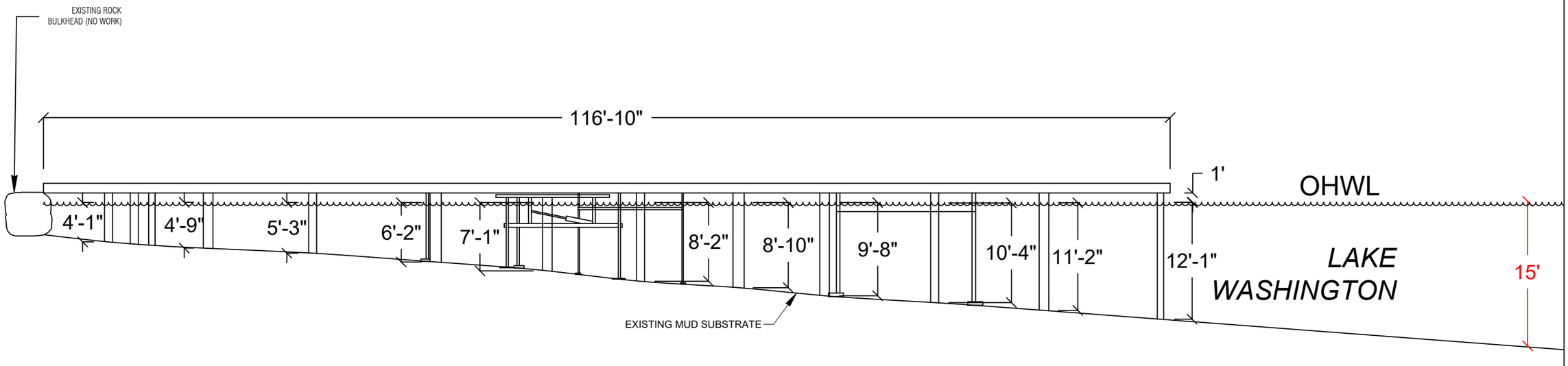
PAGE 5 OF 13

PIER DETAILS EXISTING/PROPOSED - SECTION VIEW



SECTION VIEW: A'-A'

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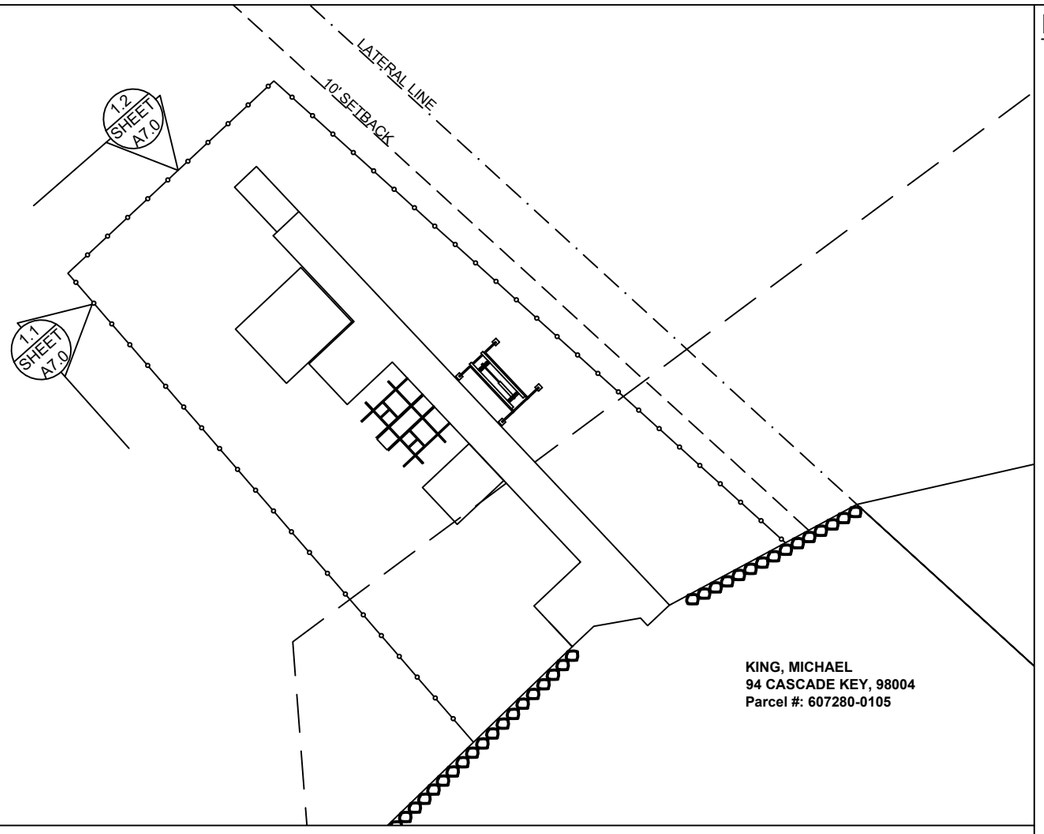
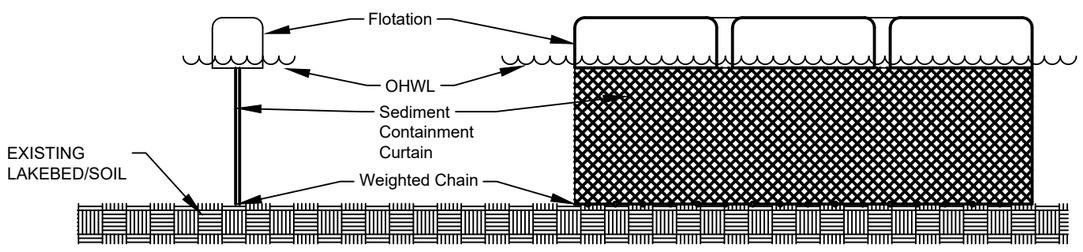
SHEET 6.0

BMP INFORMATION



DETAIL 1.1 DETAIL 1.2



DETAIL 1.1 & 1.2

BMP NOTES:

A. Constant vigilance shall be kept for the presence of protected fish species during all aspects of the proposed action, particularly during in-water activities such as vessel movement, deployment of anchors & spuds, pile driving, dredging, and placement of gravels and other fill.

1. The project manager shall designate an appropriate number of competent observers to survey the project site and adjacent areas for protected species, including the presence of fish as conditions allow.
2. Visual surveys shall be made prior to the start of work each day, and prior to resumption of work following any break of more than an hour. Periodic additional visual surveys throughout the work day are strongly recommended.
3. All in-water work shall be done during the in-water work window for the waterbody. Where there is a difference between the USCOE and WDFW work windows, the overlap of the two shall apply.
4. All pile driving and extraction shall be postponed or halted when obvious aggregations or schooling of fish are observed within 50 yards of that work, and shall only begin/resume after the animals have voluntarily departed the area.
5. When piloting vessels, vessel operators shall operate at speeds and power settings to avoid grounding vessels, and minimize substrate scour and mobilization of bottom sediments.

B. No contamination of the marine environment shall result from project-related activities.

1. Appropriate materials to contain and clean potential spills shall be stored and readily available at the work site and/or aboard project-related vessels.
2. The project manager and heavy equipment operators shall perform daily pre-work equipment inspections for cleanliness and leaks. All heavy equipment operations shall be postponed or halted should a leak be detected, and shall not proceed until the leak is repaired and the equipment is cleaned.
3. To the greatest extent practicable, utilize biodegradable oils for equipment that would be operated in or near water.
4. Fueling of land-based vehicles and equipment shall take place at least 50 feet away from the water, preferably over an impervious surface. Fueling of vessels shall be done at approved fueling facilities.
5. Turbidity and siltation from project-related work shall be minimized and contained through the appropriate use of erosion control practices, effective silt containment devices, and the curtailment of work during adverse weather and tidal/flow conditions.
6. All wastes shall be collected and contained for proper disposal at approved upland disposal sites appropriate for the material(s).
7. When removing piles and other similarly treated wood, containment curtain 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 curtain.
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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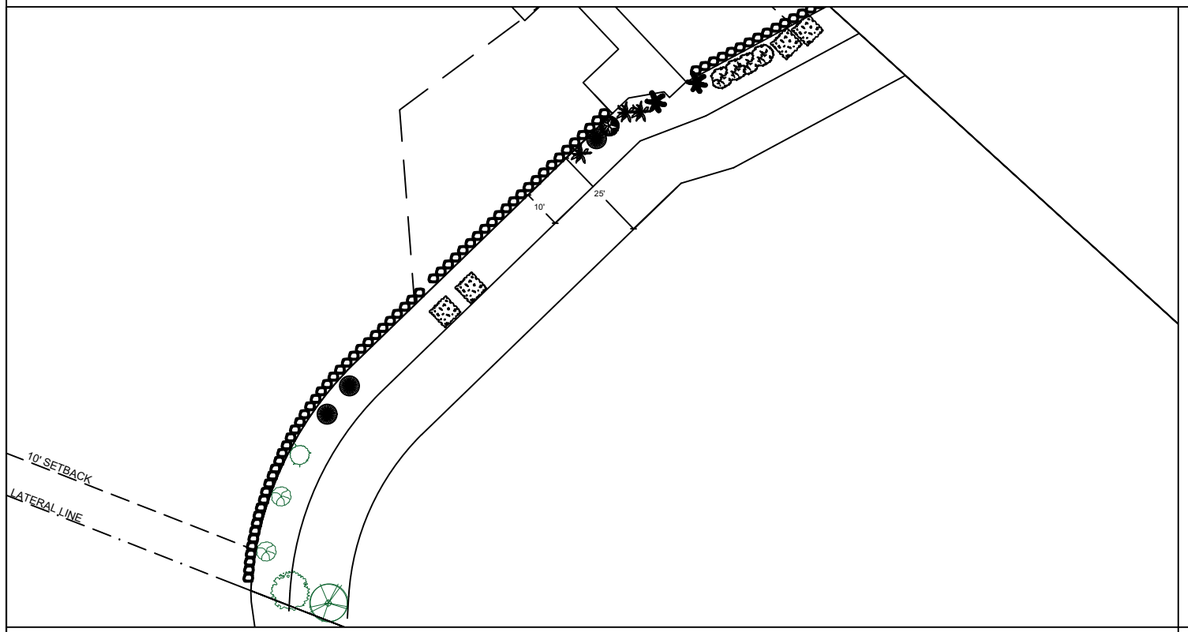
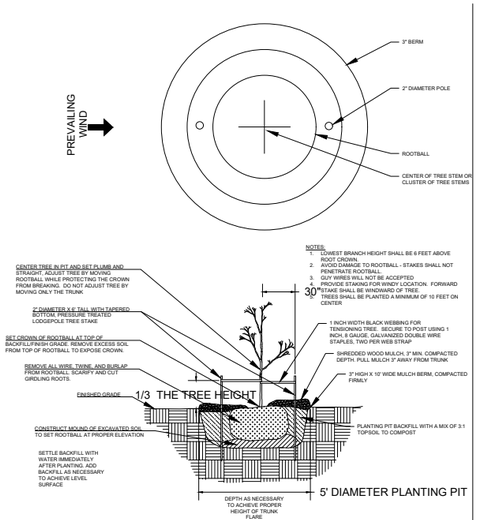
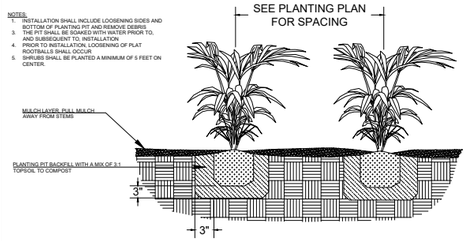
SHEET 7.0

MITIGATION PLAN





TREE PLANTING DETAILS (NTS)



SHRUB AND GROUNDCOVER PLANTING DETAILS (NTS)

Notes:

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

PROPOSED PLANTING SPECIES/QUANTITIES

SYMBOL	LATIN NAME	COMMON NAME	QTY	SIZE
	Thuja plicata	Western Red Cedar	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. All proposed existing plants for credit have been established for 5 years or more on the property.

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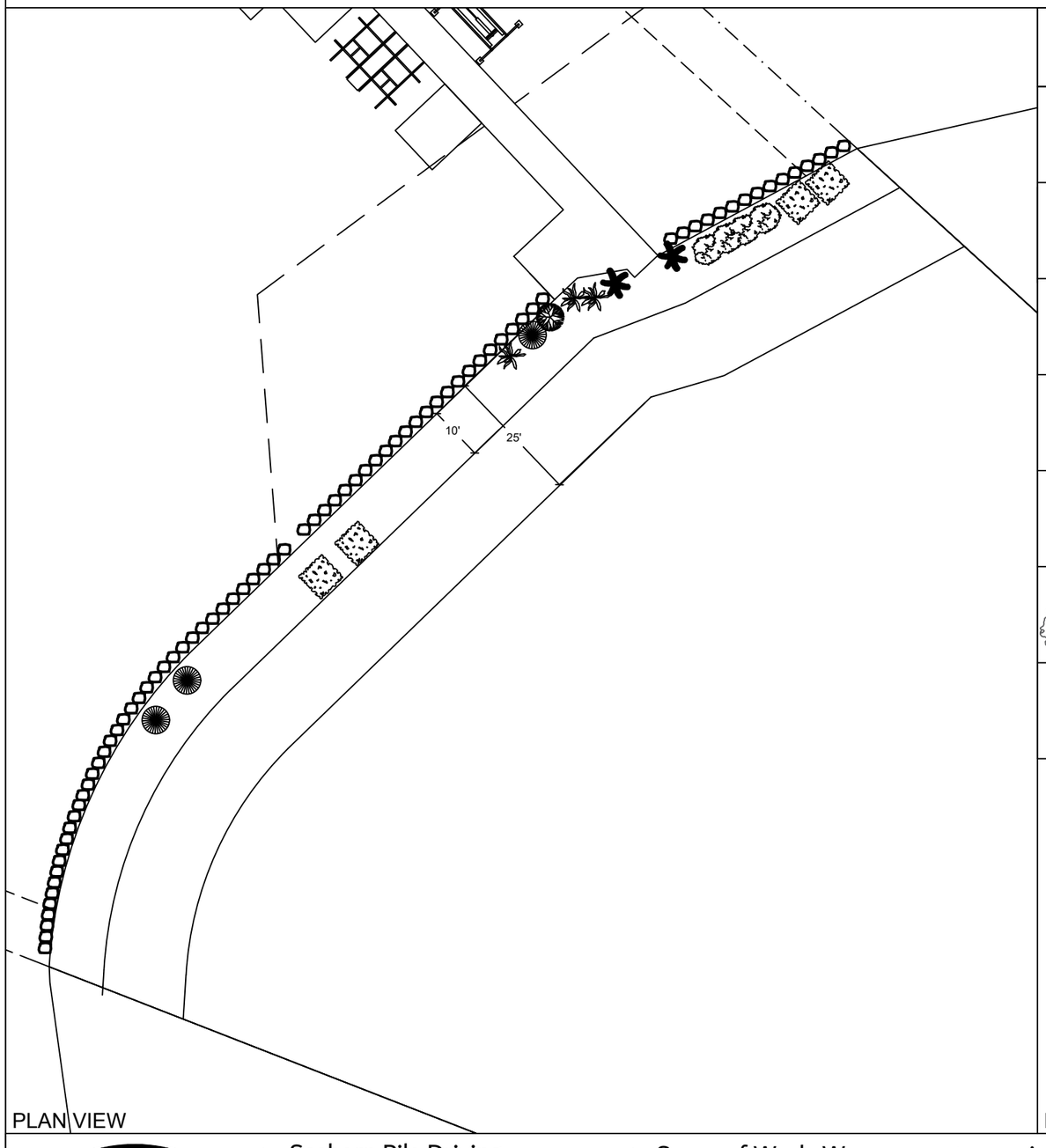
SHEET 8.0

EXISTING PLANT PLAN



PLAN VIEW

EXISTING PLANTING SPECIES/QUANTITIES

SYMBOL	SCIENTIFIC NAME	COMMON NAME	QTY	SIZE
	Calluna Vulgaris	Common Heather	1	1'x1'x1'
	Berberis Thunbergii	Japanese Barberry	3	~2ft
	Rhaphiolepis Indica	Indian Hawthorne	2	~ 1ft
	Euonymus Japonicus	Japanese Spindle Tree	3	~3ft x 6ft
	Photinia Serratifolia	Chinese Photinia	N/A	~3ft x 6ft
	Boxus Sempervirens	Common Boxwood	4	~4ftx2ftx1ft

EXISTING PLANTS TABLE

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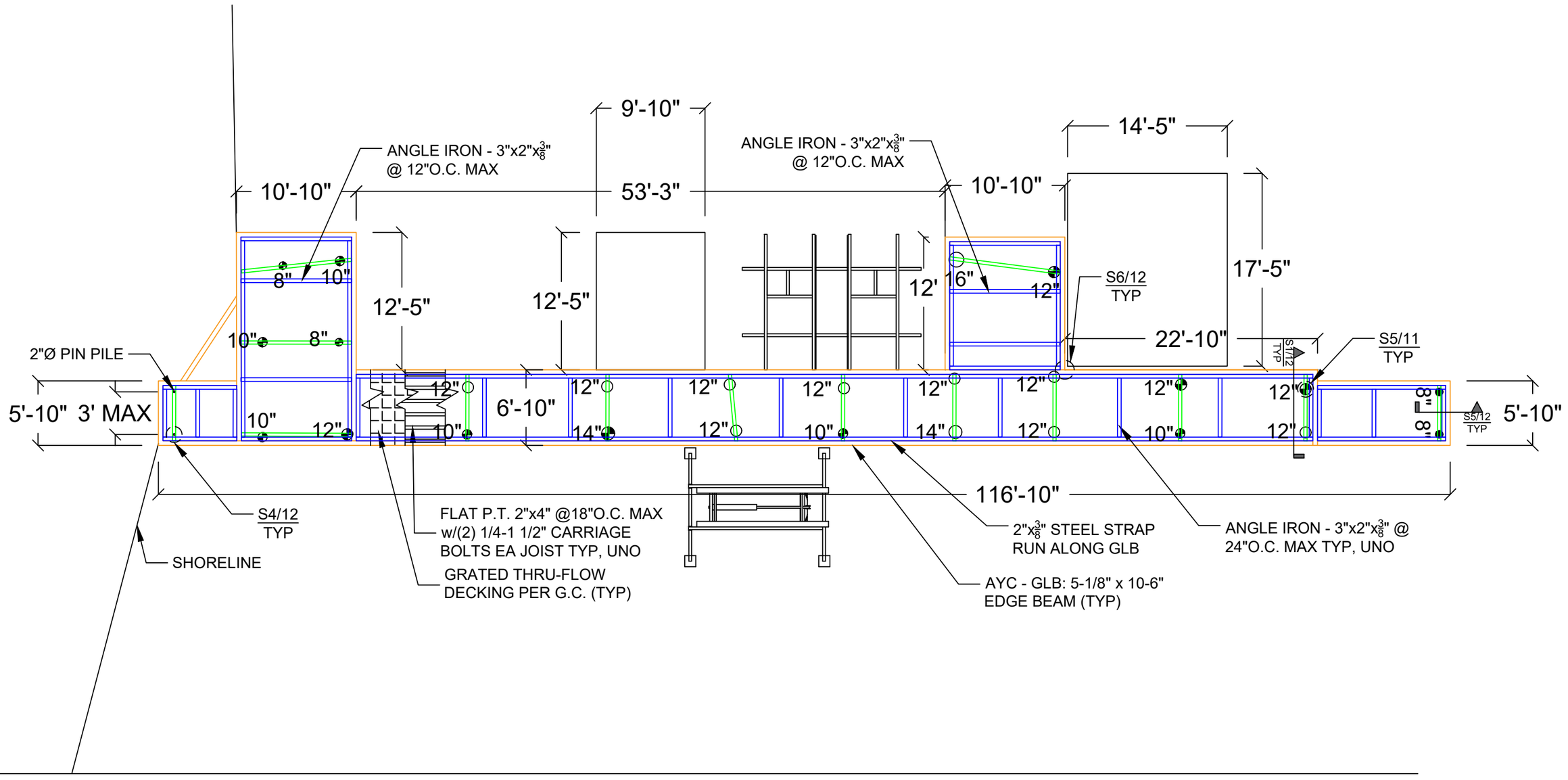
FRAMING PLAN



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SHEET 11.0

DETAILS - REPAIR

S1 DETAIL NOT IN USE

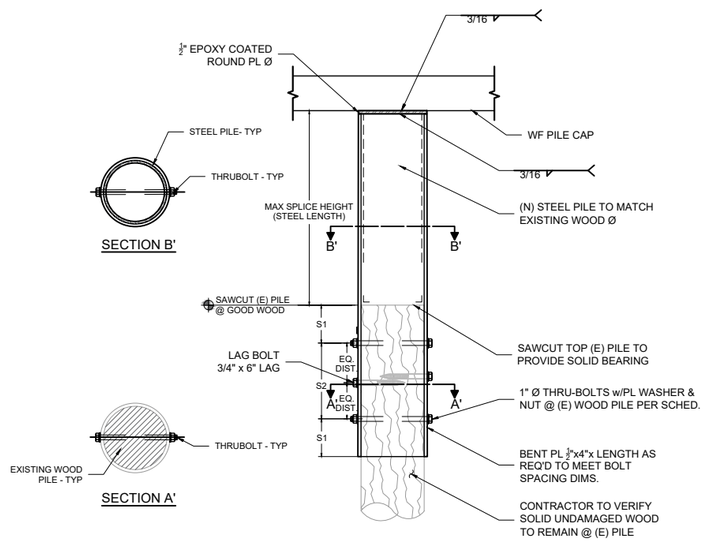
S2 DETAIL NOT IN USE

S3 DETAIL NOT IN USE

S4 DETAIL NOT IN USE

STEEL SLEEVE TABLE				
PILE Ø	MAX SPLICE HEIGHT	S1	S2	S3
9"	15"	6"	12"	3"
12"+	28"	6"	12"	3"

NOTES:
1) MAX PILE LOAD = 1,200 # / PILE (BOAT LOAD PARALLEL TO DOCK).
   CONTACT ENGINEERING IF BOAT SIZE EXCEEDS GENERAL NOTES MAXIMUM ALLOWABLE.
2) MINIMUM BOLT SPACING = 3"
3) STRAP AXIS SHALL BE ORIENTED PERPENDICULAR TO LONGITUDINAL AXIS OF DOCK.



S5 SPLICE PILE REPAIR - TYP
SCALE: 1/2" - 1'

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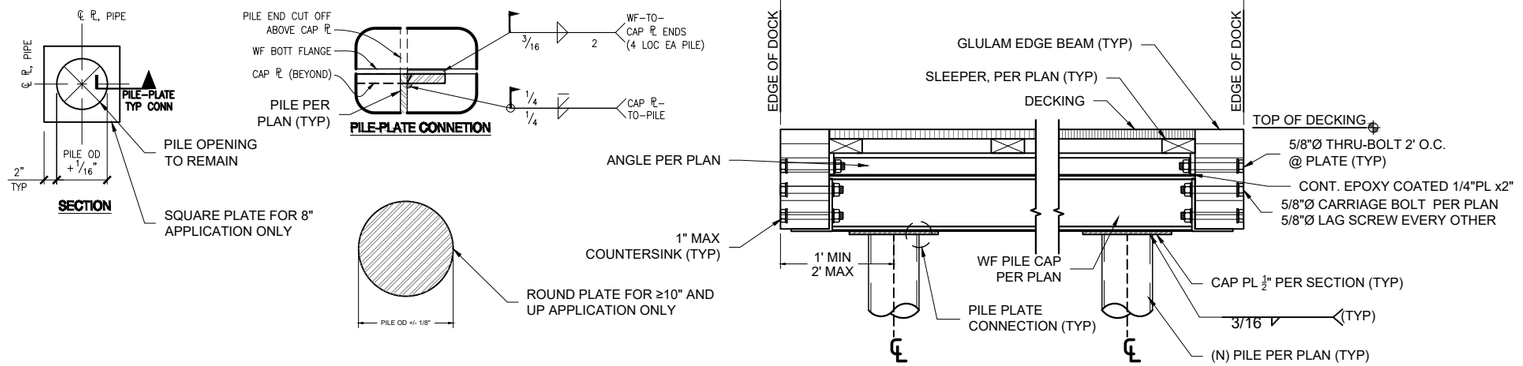
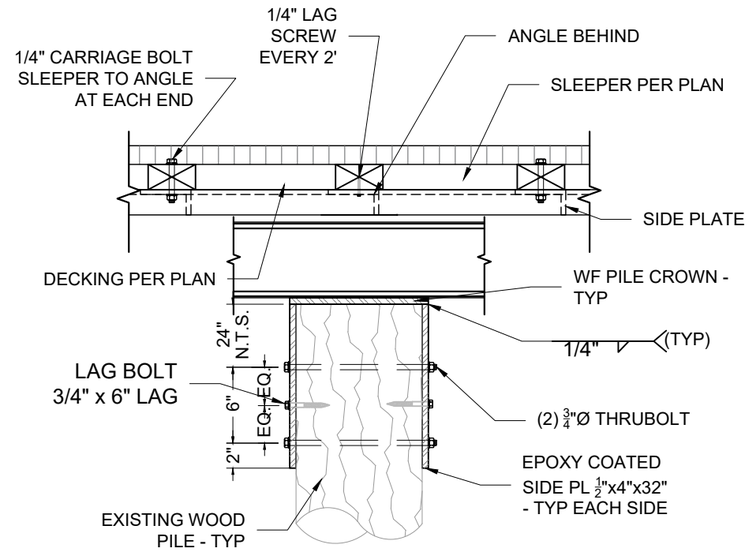
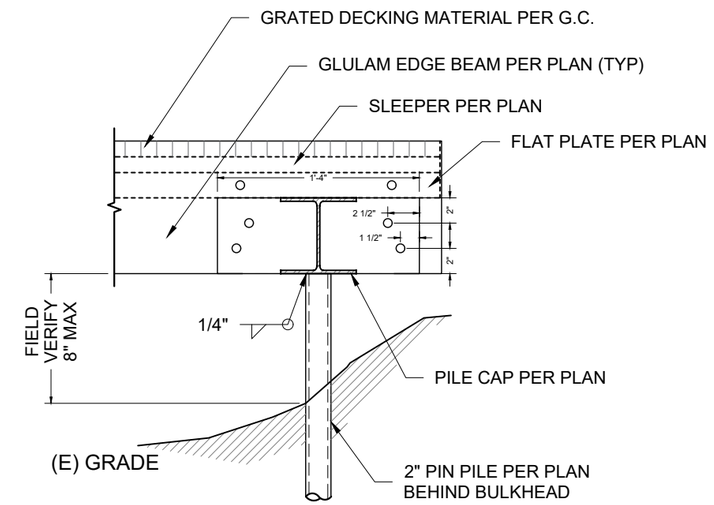
DETAILS - TRACK



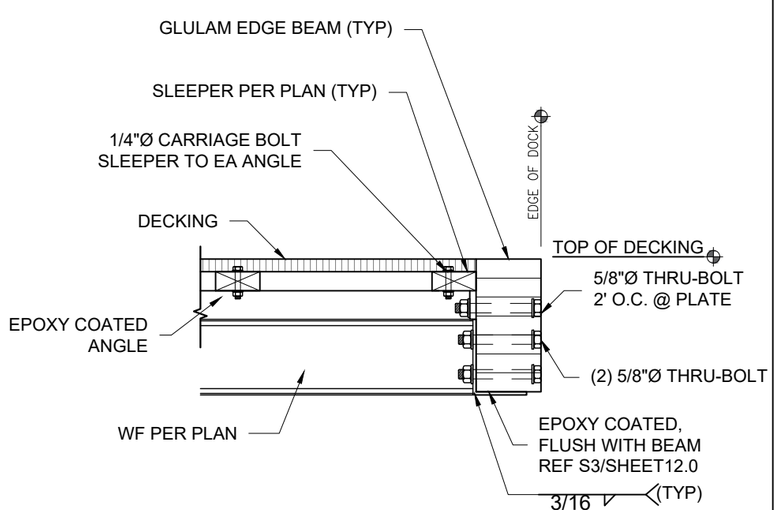
S1 DOCK SECTION w/PILES - TYP
SCALE: 1" - 1'



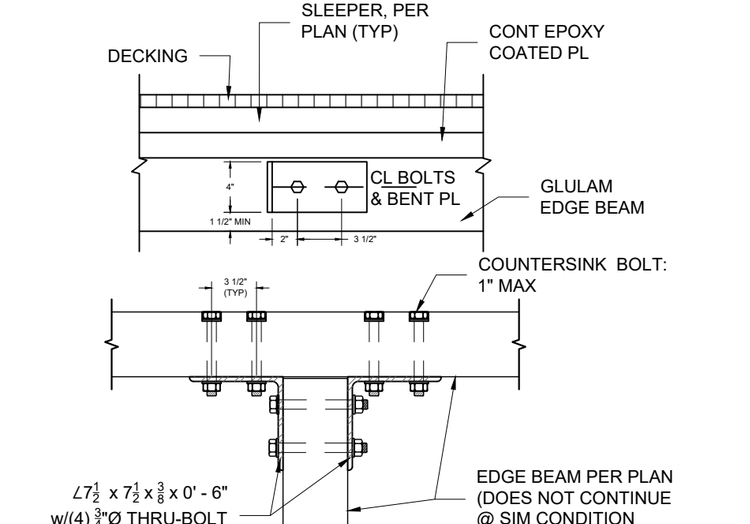
S3 I-BEAM CAP TO WOOD PILE - TYP
SCALE: 1" - 1"



S4 PIN PILE @SHORE MOUNT - TYP
SCALE: 1" - 1'



S5 EDGE SECTION (STEEL TRACK) - TYP
SCALE: 1" - 1'



S6 BEAM TO BEAM - TYP
SCALE: 1" - 1'

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Bellevue, WA 98006

Created: 07-06-22
Last Updated: 7/27/2022 11:22 AM Dray

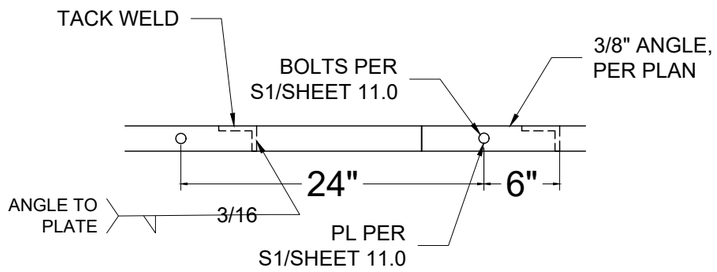
Datum: CORPS OF ENGINEERS 1919
SE Quarter Of Section 17, Township 24, Range 05

Adjacent Owners:
HASTINGS, BRADFORD
92 CASCADE PLACE, 98006
TLH LLC
96 CASCADE KEY, 98006

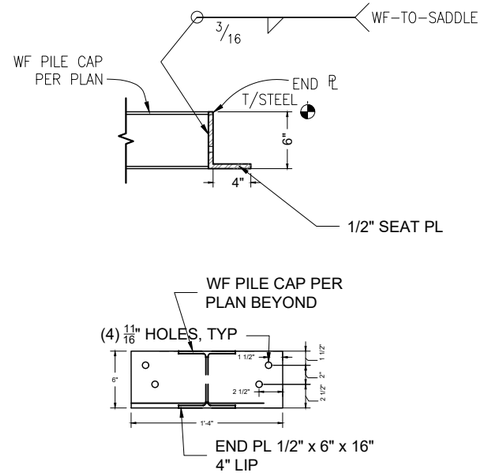
SHEET 12.0

DETAILS - TRACK

S1 DETAIL NOT IN USE



S2 ANGLE TO PLATE - TYP
SCALE: 1" - 1'



S3 BEAM SADDLE BRACKET
SCALE: 3/4" - 1'

S4 DETAIL NOT IN USE

S5 DETAIL NOT IN USE

S6 DETAIL NOT IN USE

County: King County
Location: Lake Washington

Applicant: King, Michael
94 Cascade Key
Bellevue, WA 98006

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BUILT BY SEABORN · ESTD 1947 ·

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 repair (13) existing piles, drive (2) new steel piles, install (1) new platform lift, propose a new extension, and repair the existing dock with grated decking material.

SHEET 13.0

Appendix B:
Site Photographs

Photo 1 - Existing dock looking waterward.

Photo 2 - Existing dock looking landward.

Photo 3 - Shoreline conditions north of the dock.

Photo 4 - Shoreline conditions south of the dock.

Photo 5 - Shoreline conditions north of the site.

Photo 6 - Shoreline conditions south of the site.