



# MEDINA, WASHINGTON

## HEARING EXAMINER

Remote Public Hearing

Tuesday, February 22, 2022 – 3:00 PM

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### AGENDA

#### Virtual Meeting Participation

City of Medina's city hall is currently closed to the public. The scheduled hearing will be held using remote meeting technology. Please either log in or call in a few minutes prior to the start of the meeting to participate. Written comments may still be submitted prior to the hearing by emailing Stephanie Keyser, Planning Manager at [skeyser@medina-wa.gov](mailto:skeyser@medina-wa.gov) comments are given the same weight as public testimony.

Join Zoom Meeting

<https://us06web.zoom.us/j/89587211237?pwd=a21JU0JDeE9XVGdOaFR2QUw4QnZBdz09>

Meeting ID: 895 8721 1237

Passcode: 625226

One tap mobile +12532158782,,89587211237#,,,,\*625226# US (Tacoma)

#### Public Hearings:

**NOTE:** *The Hearing Examiner has the discretion to limit testimony to relevant non-repetitive comments and to set time limits in order to ensure an equal opportunity is available for people to testify.*

#### PRE-DECISION HEARING:

**File No.:** P-21-037 Non-Administrative Substantial Development Permit

**Proposal:** Non-Administrative Substantial Development Permit to remove 1,745 square feet of timber decking and replace with grating, construct one finger pier, install 4 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats. Pile caps and stringers will be replaced as needed.

**Location:** 1447 Evergreen Point Road (Parcel 226030-0080)

**Applicant:** Alex Capron of The Watershed Company (agent)

Beach Club Owners Association (owners)



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

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## STAFF ANALYSIS AND RECOMMENDATION BEACH CLUB OWNERS' SUBSTANTIAL DEVELOPMENT PERMIT APPLICATION

Prepared by Stephanie Keyser, AICP Planning Manager  
Date: February 16, 2022

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**Summary of Decision:** Recommend approval, subject to conditions.

### PART 1 – GENERAL INFORMATION

CASE NO: P-21-037 Non-Administrative Substantial Development Permit

LOCATION: 1447 Evergreen Point Road

TAX PARCEL NO: 226030-0080

PROPERTY OWNER: Beach Club Owners Association

APPLICANT: Alex Capron of The Watershed Company (agent)

#### LEGAL DESCRIPTION:

TRACT A OF EDGECLIFFE, AS PER PLAT RECORDED IN VOLUME 96 OF PLATS, PAGES 67 AND 68, RECORDS OF KING COUNTY; SITUATE IN THE CITY OF MEDINA, COUNTY OF KING, STATE OF WASHINGTON

PROPOSAL: Non-administrative substantial development permit to remove 1,745 square feet of timber decking and replace with grating, construct one finger pier, install 4 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats. Pile caps and stringers will be replaced as needed.

ZONING: Single Family Residence, R-20

SHORELINE ENVIRONMENT DESIGNATION: Residential and Aquatic Environments

COMPREHENSIVE PLAN DESIGNATION: Single Family Residential

CRITICAL AREAS: Fish and Wildlife Habitat Conservation Area (Lake Washington)

ENVIRONMENTAL (SEPA) REVIEW: The responsible official issued a Determination of Nonsignificance (DNS) on January 31, 2022, pursuant to WAC 197-11-355. No appeals were filed.

#### EXHIBITS:

1. Staff Report
2. Declaration of Agency
  - a. Alex Capron of the Watershed Company on behalf of Clint Mead, received December 13, 2021

- b. Remaining owners’ authorization, Received December 13, 2021
- 3. Proof of Ownership
  - a. Quitclaim Deed, received June 14, 2021
  - b. Declaration of Covenants, received June 14, 2021
- 4. Legal Notices
  - a. Notice of Complete Application, dated December 16, 2021
  - b. Notice of Application and SEPA, dated December 20, 2021
  - c. Notice of Hearing and DNS (mailed and published), dated January 31, 2022
  - d. Notice of Hearing and DNS (posted), dated February 1, 2022
- 5. Substantial Development Permit Application, received December 13, 2021
- 6. SEPA
  - a. SEPA Checklist, received July 13, 2021
  - b. Determination of Nonsignificance, dated January 31, 2022
- 7. Drawings, received December 13, 2021
- 8. No Net Loss Report, dated, August 2021
- 9. Water Depth Waiver, received December 28, 2021
- 10. Army Corps Letter of Permission, dated July 10, 1981
- 11. Repair vs. Replacement Cost, received December 13, 2021
- 12. Mitigation Plan, received December 13, 2021

**PART 2 – SITE CHARACTERISTICS**

EXISTING CONDITIONS:

The site is a jointly owned tract of land with an existing pier on it; there are no other structures on it.

SURROUNDING ZONING:

| Direction | Zoning        | Present Use     |
|-----------|---------------|-----------------|
| North     | R-20 District | Residential     |
| South     | R-20 District | Residential     |
| East      | R-20 District | Residential     |
| West      | N/A           | Lake Washington |

ACCESS: Ingress and egress is from a private lane off Evergreen Point Road

**PART 3 – COMPREHENSIVE PLAN**

It is the basic policy of the City to retain and promote the high-quality residential setting that has become the hallmark of the Medina community.

The following comprehensive plan goals and policies apply to the proposed project:

LU-G1: To maintain Medina’s high-quality residential setting and character.

H-G1: The City shall preserve and foster housing development consistent with Medina’s high-quality residential setting.

**PART 4 – SHORELINE MASTER PROGRAM**

The goals and policies for shoreline development are set forth in Sub-Element 2.1 of the City of Medina Comprehensive Plan. The vision of the Medina Shoreline Master Program is to preserve the residential nature of the City’s shoreline character, encourage good stewardship and enjoyment of the shoreline, and protect and preserve shoreline ecological functions.

The following goals and policies of the shoreline master program apply to this proposal:

**CHAPTER 2.1 SHORELINE MANAGEMENT SUB-ELEMENT**

*Section C: Shoreline Uses and Activities:*

Goal: SM-G3: Locate, design and manage shoreline uses to prevent and, where possible, restore significant adverse impacts on water quality, fish and wildlife habitats, the environment, and other uses.

Goal: SM-G9: Minimize impacts to the natural environment and neighboring uses from new or renovated piers and docks and their associated components, such as boatlifts and canopies.

Policy SM-P9-4: Moorage facilities should be constructed of materials that will not adversely affect water quality or aquatic plants and animals in the long term and have been approved by applicable state agencies.

*Section H: Natural Environment:*

Goal: SM-G16: Preserve, protect, and restore shoreline environment.

Policy SM-P16.3: Adverse impacts on the natural environment should be minimized during all phases of development (e.g., design, construction, operation, and management).

**PART 5 – PUBLIC COMMENT**

NOTICES: (Exhibit 4)

|   |                   |
|---|-------------------|
| Application received:                           | June 14, 2021     |
| Determination of Completeness:                  | December 16, 2021 |
| Notice of Application:                          | December 20, 2021 |
| Notice of Hearing (mailed, published, website): | January 31, 2022  |
| Notice of Hearing (posted):                     | February 1, 2022  |

The application was received on June 14, 2021, and was determined complete on December 16, 2021, pursuant to MMC 16.80.100. A Notice of Application was issued on December 20, 2021, by mailing to property owners pursuant to MMC 16.80.140(B)(2); posting on-site; and posting at other public notice locations (City Hall, Medina Post Office, Park Board, and City of Medina website). A 30-day comment period was used pursuant to MMC 16.80.110(B)(7). A Notice of Hearing was issued on January 31, 2021, consistent with MMC 16.80.120 by being mailed to property owners pursuant to MMC 16.80.140(B)(2), published in *The Seattle Times* newspaper, and posted on the City of Medina website. Due to an unforeseen staffing shortage, the posting of

the Notice of Hearing did not occur until Tuesday, February 1, 2022, by being posted on the site and other public notices locations (City Hall, Medina Post Office, and Medina Park Posting Board). Despite the posting on site occurring a day after it was mailed, published, and made available on the City's website, the Notice of Hearing did occur at least 15 days prior to the hearing date consistent with MMC 16.80.120(A)(1).

GENERAL PUBLIC COMMENTS: No public comments were received.

AGENCY COMMENTS: No agency comments were received.

## **PART 5 – STAFF ANALYSIS**

1. The Beach Club Owners' Association is the owner and taxpayer of record of the property identified as 1447 Evergreen Point Road, tax parcel no. 226030-0080, according to the Quit Claim Deed (Exhibit 3a). The owners designated Alex Capron of The Watershed Company as the agent for this application (Exhibits 2a, 2b).
2. According to the City's official zoning map, the property is zoned R-20 and is approximately 11,900 square feet (0.27 acres) of dry land area, according to the King County Assessor. The property is located at 1447 Evergreen Point Road and is irregularly shaped with maximum overall dimensions of approximately 94 feet at its greatest length and approximately 120 feet at its greatest width. The area of the property landward of the ordinary high-water mark (OHWM) is designated as Residential Environment and the area waterward of the OHWM is designated Aquatic Environment pursuant to MMC 16.61.020.
3. The parcel is a jointly owned tract with no other development on it except the pier.
4. The applicant is requesting a substantial development permit to remove 1,745 square feet of timber decking and replace with grating, construct one finger pier, install 4 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats. Pile caps and stringers will be replaced as needed.

## **EXISTING NONCONFORMITIES**

5. Table 16.65.040 sets forth the dimensional and design standards that apply to piers, docks, buoys, moorage piles, and floats. The maximum length of a pier is 100 feet, measured from where the centerline intersects the ordinary high-water line (MMC 16.65.040(D)). The existing pier's length is approximately 146' from the ordinary high-water line (Exhibit 7).
6. The maximum width for an existing structure within 30-feet of the ordinary high-water line is 4-feet, except that an additional 2-feet of width is permitted if the property owner or family member living on the property has a condition that qualifies for state disabled accommodations (Table 16.65.040). The existing walkway is 8-feet wide (Exhibit 7).
7. The minimum setback from the side property lines is 12-feet for a joint use pier (Table 16.65.040). The pier is located approximately 11'-4" from the south side property line and approximately 66' from the north side property line (Exhibit 7).

8. MMC 16.66.090 defines a nonconforming development as a shoreline development which was lawfully constructed or established prior to the effective date of the Act or the shoreline master program, or amendments thereto, but which does not conform to present regulations or standards of the shoreline master program. The applicant submitted a letter of permission dated July 10, 1981, from the Army Corps of Engineers authorizing the construction of the pier (Exhibit 10). This demonstrates the pier was legally established prior to April 18, 2014 and is considered a legally nonconforming structure.
9. A legally nonconforming pier shall be determined to have its nonconformity abandoned and all nonconforming rights lost when it experiences repairs exceeding those listed in MMC 16.65.060, or, if not listed, it experiences substantial reconstruction (MMC 16.66.090(E)(4)(b)). The scope of work includes constructing an additional finger pier, which is beyond the repair and maintenance work listed in MMC 16.65.060. This means the pier cannot experience substantial reconstruction and still retain the nonconforming rights. Reconstruction is defined as construction within and/or on an existing structure that has a valid construction permit with fair-market construction costs greater than 60 percent of the replacement cost of the existing structure enlarged, extended, repaired, remodeled, or structurally altered (MMC 16.12.190). The applicant submitted a cost estimate for a new pier compared to the cost of the remodeling/improvements (Exhibit 11). The estimated cost of a new pier is \$448,245 while the repair work is estimated at \$264,120, which is less than 60% ( $448,245 \times .6 = 268,947 > 264,120$ ). The pier will not experience substantial reconstruction and repair and modifications/additions of a legally nonconforming structure is permitted pursuant to MMC 16.65.040 and 16.65.060(E).

#### WATER DEPTH

10. The proposed project includes three boat lifts and five jet ski lifts to be placed in water less than nine feet deep. While the minimum water depth required for boat lifts is nine feet (Table 16.65.080), MMC 16.65.080(D) allows for this requirement to be waived when the following conditions are present: 1) Compliance with the water depth is not feasible without the need for a shoreline variance, 2) No reasonable alternative exists due to the bathymetry and/or existing overwater structures on adjacent properties; and 3) A minimum water depth of five feet is maintained. The city received a water depth waiver from the applicant, dated December 28, 2021, that was approved on January 7, 2022 (Exhibit 9). The lifts will be in water less than nine feet; however, all will be located in at least five feet of water depth, which is required.

#### STATE ENVIRONMENTAL POLICY ACT:

11. The Responsible Official issued a Determination of Nonsignificance pursuant to WAC 197-11-355 on January 31, 2022 (Exhibit 6b). The administrative appeal period expired on February 14, 2022, at 4pm and no appeals were filed.

#### CRITICAL AREAS:

12. Within the shoreline jurisdiction, critical areas are regulated by Chapter 16.67 MMC. Pursuant to MMC 16.67.080(A)(5), Lake Washington is designated as a Fish and Wildlife Habitat Conservation Area. Northwest Environmental Consulting, LLC prepared an Ecological No Net Loss Assessment set forth in MMC 16.66.010(D) (Exhibit 8). The report

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was informed by a site visit to the property in August, 2021, as well as consulting the Washington Department of Fish and Wildlife's (WDFW) Priority Habitats and Species online database and the WDFW's map of Lake Washington Sockeye Spawning Areas. 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 Puget Sound Evolutionarily Significant Units (ESU)s of Threatened Chinook and steelhead. Streams run north and south from the Overlake Golf and Country Club about a half mile east of the site, discharging on the shoreline more than a mile northeast and southeast of the site. The entire western shoreline of Mercer Island is mapped as an erosion hazard area; the shoreline is steeply sloped. The project site is accessible to any fish migrating or rearing in the lake, and sockeye spawning has been mapped along the shoreline at the subject parcel. No other priority habitats are directly associated with the project site for aquatic or terrestrial species.

#### ANALYSIS OF SHORELINE MASTER PROGRAM

13. Pursuant to MMC 16.60.050 and RCW 90.58.030, Lake Washington and areas extending 200 feet upland from the ordinary high-water mark of Lake Washington are subject to the Medina Shoreline Master Program (SMP), Chapters 16.60 through 16.67 MMC. The SMP applies as an overlay and in addition to zoning, land use regulations, development regulations, and all other regulations established by the City pursuant to MMC 16.60.070. All development regulated by the SMP must also comply with all other zoning and land use regulations set forth in the Medina Municipal Code. The location of the pier is adjacent to Lake Washington and are therefore subject to the Medina SMP.
14. Pursuant to MMC 16.72.110(D), all uses and activities meeting the definition of development located within the shoreline jurisdiction that do not qualify for an exemption pursuant to WAC 173-27-040 require a substantial development permit. The proposed in-water work does not qualify for any of the exemptions listed in WAC 173-27-040 and the project cost prohibits the qualification as an administrative substantial development permit pursuant to MMC 16.71.060.
15. The Shoreline Use Table in MMC 16.62.030 lists piers, docks, boatlifts, moorage pilings, and covered moorage as permitted uses within the Residential and Aquatic Environments. This proposal includes repairing and expanding an existing pier, which qualify as permitted uses.

#### Pier

16. The pier work includes removing the timber decking (1,752 square feet) and replacing it with grating, installing one finger pier, and narrowing the walkway by two feet for the first 30-feet from the ordinary high water line. Existing overwater structures are required to meet the design standards of MMC 16.65.040:

- a. The pier is a joint use pier serving five residential owners under a cooperative owners' association. Pursuant to Table 16.65.040, the maximum allowable overwater surface coverage for an existing structure shared by more than two properties is 1,500 square feet. Once completed, the proposed pier work will result an overwater surface coverage of 831 square feet (for a total reduction of 744 square feet), which complies with this requirement (Exhibit 7).
- b. The minimum setback from side property lines is 12-feet each side. The pier is approximately 11'-4" from the south side property line and approximately 66' from the north side property line (Exhibit 7). Repair and modifications/additions of a legally nonconforming structure is permitted pursuant to MMC 16.65.040 and 16.65.060(E). The nonconforming south side yard setback may remain and is not required to be brought into conformance. The proposal complies with the dimensional requirement.
- c. The dimensions for an existing pier is limited to the following: maximum length is 100 feet from the ordinary high-water line (OHWL); maximum width of the walkway for the portion located within the first 30 feet waterward of the OHWL is four feet, except an additional two feet width is permitted if the property owner or family member has a condition that qualifies for state disabled accommodations; beyond the first 30 feet waterward of the OHWL, the walkway may be widened to six feet; and there is no maximum length for fingers. As previously mentioned, the work is to an existing, legally nonconforming pier. The pier is approximately 146' from the OHWL and the width of the walkway is 8-feet. The proposal includes reducing the walkway within the first 30-feet of the OHWL by 2-feet, for a maximum width of 6-feet. There is no dimensional requirement for fingers on existing piers and the new finger will match the length of the existing ones (Exhibit 7). Repair and modifications/additions of a legally nonconforming structure is permitted pursuant to MMC 16.65.040 and 16.65.060(E), as such the design complies with the dimensional requirements.
- d. No pier skirting is proposed. The applicant will be using a plastic grated decking allowing a minimum of 43 percent light transmission and will be replacing twelve timber piles with steel, meeting the materials requirements set forth in Table 16.65.040 (Exhibit 7).

### Boat Lift

17. Four boat lifts and five jet ski lifts are proposed to be installed. Boat lifts are required to comply with the dimensional and design standards set forth in Table 16.65.120:
  - a. Where an existing pier exceeds 100 feet in length, a boat lift may be located beyond the maximum distance set forth in Table 16.65.080 provided: 1) No point of the boat lift extends waterward further than the farthest point of the pier or dock measured from the ordinary high water line; 2) Placement of the boat lift does not include installing a platform, finger or similar structure that would be located beyond the maximum distance set forth in Table 16.65.080; 3) The placement of the boat lift will not create obstacles to access and navigation by nearby property owners; and 4) The nonconformity of the existing pier or dock is not abandoned as prescribed in MMC 16.66.090. The boat will all be installed landward from the



farthest point of the pier and will not create an obstacle for access or navigation for surrounding property owners. The nonconformity will not be abandoned, as discussed in paragraph 9. The applicant submitted a water depth waiver on December 28, 2021, which was approved on January 7, 2022 (Exhibit 9). The proposed lifts meet the dimensional and water depth requirements.

- b. A maximum of three freestanding or deck-mounted boat lifts (including personal watercraft lifts) are allowed per single-family dwelling that shares the pier or dock. Five properties share ownership of the pier and the proposal includes installing 4 boat lifts and 5 jet ski lifts (Exhibit 7). The proposal meets this requirement.
- c. The minimum setback from the side property lines for a boat lift is 12-feet. The boat lifts will be 28' from the south side property line and approximately 40' from the north side property line (Exhibit 7). The locations comply with the dimensional setback requirement.
- d. Mitigation for boat lifts is required pursuant to MMC 16.65.120 and must comply with the US Army Corps of Engineers requirement for watercraft lift mitigation. Proposed mitigation includes two tree and three shrub plantings within 10-feet of the ordinary high-water mark (Exhibit 12).

#### Shoreline Vegetation Management

- 18. The applicant submitted a planting plan for this project (Exhibit 12). The City's Arborist Consultant reviewed the plans and found them consistent with the requirements for vegetation management in MMC 16.66.050 and Chapter 16.52 MMC (Tree Code). A further breakdown of this analysis follows:
  - a. The applicant is proposing to plant one Shore Pine (*Pinus Contorta*), one Pacific Willow (*Salix Lucida*), and three Red Osier Dogwoods (*Cornus Sericea*) within 10-feet of the ordinary high water mark.

#### General Shoreline Regulations

- 19. The following general shoreline regulations set forth in Chapter 16.66 MMC are applicable to the proposal:
  - a. MMC 16.66.060 Surface water runoff. MMC 16.66.060 sets forth requirements for surface water runoff and water quality measures during and after construction. The proposal is required to comply with the City's adoption of the Department of Ecology Stormwater Manual for Western Washington set forth in MMC 16.43.

The applicant will take measures to ensure that construction work will not adversely impact Lake Washington. Measures include the installation of a temporary floating turbidity curtain (Exhibit 7).

- b. MMC 16.66.070 In-water construction. MMC 16.66.070 sets forth in-water construction requirements:
- i. The proposal is required to prevent waste material and unauthorized fill from entering the lake, and all excess material must be removed from the site. A temporary floating turbidity curtain will be in place to ensure materials do not enter the lake.
  - ii. Measures must be taken in advance and during construction to ensure that no petroleum products, hydraulic fluid, cement, sediments, sediment-laden water, chemicals, or any other toxic or deleterious materials are allowed to enter the lake, and appropriate spill clean-up materials must be on-site at all times for immediate containment and cleaning. As discussed above, a temporary floating turbidity curtain will be installed to prevent materials from entering the lake.

#### FEDERAL AND STATE PERMITS:

20. Pursuant to MMC 16.66.030, all work waterward of the ordinary high-water line is required to receive permits or approvals from one or more state and Federal agencies. The applicant is required to submit a Letter of Permission from the U.S. Army Corps of Engineers and Hydraulic Project Approval from the Washington Department of Fish and Wildlife prior to issuance of construction permits.

#### PART 6 - CONCLUSION

1. Pursuant to MMC 16.72.110(C) and MMC 16.80.060(C) the Hearing Examiner has authority to decide the proposal after conducting a public hearing. The proposal requires a Substantial Development Permit as the work is non-exempt development activity within the meaning set forth in the Medina Shoreline Master Program.
2. Proper notice for the public hearing has been provided. Notice was posted on the property, mailed to property owners within 300 feet and published in the *Seattle Times* newspaper on January 31, 2022, more than 15 days prior to the date of the hearing (Exhibits 4c and 4d).
3. Pursuant to MMC 16.72.110(F), a substantial development permit may only be approved if specific criteria are met:
  - a. *The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (RCW 90.58).*

CONCLUSION: Pursuant to RCW 90.58.020, permitted uses in the shorelines of the state shall be designed and constructed in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water. The proposed work is the repair of an existing pier with an addition. The pier's dock will be resurfaced with new thruflow

grated decking which is 43 percent light permeable. Although the pier will have an additional finger, the net result of the overwater coverage will decrease from 1,568 square feet to 831 square feet as a result of the thruflow light permeable decking (Exhibits 7 and 8). The repair and addition to the existing pier is a reasonable and appropriate uses of the lake shore. As proposed and conditioned, the proposal will result in no net loss of shoreline ecological function or value and will not infringe on the public's right to use and enjoy Lake Washington. This matter has been properly noticed and brought before the Hearing Examiner.

- b. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures (WAC 173-27).*

CONCLUSION: The proposal meets the review criteria set forth in WAC 173-27-150. The proposed development is consistent with the policies and procedures of the Shoreline Management Act of 1971 (see Conclusion 3a), meets permitting requirements described in WAC 173-27, and is consistent with the Medina Shoreline Master Program (see Conclusion 3c).

- c. The proposed development is consistent with the provisions of the Medina Shoreline Master Program.*

CONCLUSION: The proposal is consistent with the policies and procedures of the Shoreline Management Act, State Shoreline Management and Enforcement Procedures, and the City of Medina Shoreline Master Program. The requirements set forth in Table 16.64.010 for residential construction and MMC 16.66.050 for vegetation management are satisfied.

The proposed development is a permitted use in the Residential and Aquatic Environment designations, will provide adequate mitigation for new overwater coverage, and results in no net loss of shoreline ecological function and value. Vegetation management within the shoreline area, as conditioned, will be consistent with the requirements of the shoreline master program and will result in no net loss of shoreline ecological functions. The Shoreline Master Program enumerates goals and policies for shoreline development. The proposal meets the goals of the program:

- i. Locate, design, and manage shoreline uses to prevent and, where possible, restore significant adverse impacts on water quality, fish and wildlife habitats, the environment, and other uses.*

CONCLUSION: The repair and addition to the existing pier will result in no net loss of shoreline ecological functions. The installation of light permeable decking and shoreline landscaping will improve water quality and wildlife habitats and the environment. The pier, as proposed and conditioned, is consistent with Shoreline Master Program policies SMP-P 4.1, 4.2, and 4.4. It is adequately set back from other structures to protect natural features and ecological functions, preserve views, and minimize land use conflicts; the proposed landscape design will improve

wildlife habitat by providing native landscaping, controlling erosion, and protecting quality using best management practices; and the proposed development achieves no net loss of ecological functions.

- ii. *Manage shoreline modifications to avoid, minimize, or mitigate significant adverse impacts.*

CONCLUSION: The proposed development minimizes significant adverse impacts by employing best management practices for construction and control of siltation and erosion. The proposed development mitigates significant adverse impact by providing shoreline habitat improvements, including overall reduction in overwater surface coverage, installation of shoreline habitat vegetation, and installation of shoreline habitat vegetation.

- iii. *Minimize impacts to the natural environment and neighboring uses from new or renovated piers and docks and their associated components, such as boatlifts and canopies*

CONCLUSION: The proposal minimizes impacts to the natural environment and neighboring uses by reducing overwater structural coverage and improving shoreline habitat.

- iv. *Limit the visual and environmental impacts of trams in the shoreline area.*

CONCLUSION: The project, as proposed, does not include a tram; this criterion is not applicable.

## Part 8 – Staff Recommendation

Staff recommends **approval** of the Shoreline Substantial Development Permit at 1447 Evergreen Point Road (Parcel 226030-0080), Medina, Washington, subject to the following conditions:

1. Final design and location of the pier and related improvements shall substantially comply with the drawings provided in Exhibit 7.
2. Pertinent construction permits shall be obtained for the pier prior to starting construction activity. Any conditions set forth in the construction permits pertaining to the inspection and verification of compliance with the Medina Shoreline Master Program consistent with this decision shall be included as conditions for approving this substantial development permit.
3. Construction materials shall be stored in a manner that ensures no adverse impacts occur to the shoreline area and prevent erosion or runoff. The contractor shall take extreme care to ensure that no petroleum products, hydraulic fluid, or any other toxic or deleterious

materials are allowed to enter or leach into surface waters. The permittee shall report all spills immediately to the Washington Department of Ecology (425-479-7000) and the City of Medina.

4. The applicant shall obtain a Letter of Permission or other applicable approval from the U.S. Army Corps of Engineers. A copy of the Letter of Permission shall be submitted to the City prior to the issuance of any building permits authorizing pier repair and addition. Conditions of approval set forth in the Letter of Permission shall be included as conditions for approving this substantial development permit.
5. The applicant shall obtain Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife. A copy of the approved HPA shall be submitted to the City prior to the issuance of any building permits authorizing pier repair and addition. Conditions of approval set forth in the HPA shall be included as conditions for approving this substantial development permit.
6. This substantial development 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.
7. Construction pursuant to this substantial development permit will not begin or is not authorized until twenty-one (21) days from the date the permit decision was filed pursuant to RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated; except as provided in RCW 90.58.140(5)(a) and (b).
8. Revisions to the substantial development permit shall be reviewed pursuant to WAC 173-27-100. Approval of any revisions shall be consistent with these requirements.
9. Pursuant to RCW 90.58.140(8), this substantial development permit may be rescinded upon the finding that a permittee has not complied with the conditions of this permit.
10. Construction activities shall be commenced within two years of the effective date as set forth in RCW 90.58.143. The City, however, may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to all parties of record and to the Department of Ecology.
11. Authorization to conduct construction activities shall terminate five years after the effective date as set forth in RCW 90.58.143. The City, however, may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record and to the Department of Ecology.
12. Any work performed in the next eight years beginning the date the decision becomes final

shall consider the repairs that are part of this proposal consistent with MMC 16.65.130(B).



\_\_\_\_\_  
Stephanie Keyser, AICP  
Planning Manager

Date: 2/16/2022



**DEVELOPMENT SERVICES**

**OWNER'S DECLARATION OF AGENCY A-05**

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

Project Address 1447 Evergreen Point Road Parcel No. 2260300080

I/We \_\_\_\_\_ do hereby declare and affirm that I/we are:  
 the owners or contract purchasers of the above property  
 an officer or representative of \_\_\_\_\_, a Washington corporation or trust which is the owner of the above property. I am duly authorized by this entity to represent the above property in matters of ownership, land use, and construction. Attached, please find a copy of the Power of Attorney or other document by which I have been appointed.

**AGENCY**

I/We are applying for one or more permits for development of the above property. I/We understand that the proposed work may also include additional permits for land use approvals.

For the purposes of applying for the applicable permits and managing the owner's responsibility for compliance with the approved plans and any land use permits associated with this project, I/we

- will act as my own agent
- do hereby appoint Alex Capron, The Watershed Company to act as my agent in dealing with the City of Medina in all acts and decisions related to processing the application for permit, review and approval of the application, authorization of revisions, and coordination of required inspections and project approvals.

**AGREEMENT TO CONDITIONS**

I/We agree as a condition of this permit:

- To comply with all applicable codes, ordinances, laws and conditions of approval in effect at time of permit issue.
- To ensure that all work shall be done in accord with the approved plans and specifications, which shall not be modified without the prior approval of the Building Official. I/We will provide all data and details of revisions to the approved plans to the City prior to undertaking any work that differs from the approved plans. The official approved plans for the project shall be those plans that are stamped and dated as approved by the City of Medina.
- To inform all contractors, subcontractors and workers of these conditions and any project mitigation requirements agreed to, and I/we will enforce compliance thereto.
- To maintain the approved plans, all correction notices, all inspection reports, and all permit documents on the project site and readily available to the inspectors.
- To ensure that requests are made to the City for the required inspections. Failure to notify the Development Services Department that the work is ready for inspection may necessitate the removal of some of the construction materials at the owner's expense in order to perform required inspections.
- To cause all certifications required by the City to be completed and to reconcile the permit fees upon completion of the work. I/We understand that the City will not issue a Certificate of Completion or a Certificate of Occupancy until these documents are completed.
- I/We acknowledge that consultant fees may be incurred as a result of the review and inspection of the proposed work. I/We agree to be responsible for the payment of these fees and understand that the payment of these fees is required prior to issuance of a Certificate of Occupancy.

**SALES TAX**

All contractors and vendors must report sales taxes for transactions in the City of Medina on quarterly combined excise tax returns. The 4-digit location code for the City of Medina is 1718.

**OWNER OR OFFICER/REPRESENTATIVE NAME AND SIGNATURES**

I HAVE READ, UNDERSTOOD AND AGREE TO THE ABOVE REQUIREMENTS.

Signature  Date 11-21-21

Name Clat Medd President

### Beach Club Owner's Association Representative Agreement

*Owner Name:* Robert Lawrence Moline & Mari Isabel Moline Trust

*Owner Address:* 1601 Evergreen Point Road

This agreement is entered into between each undersigned owner of the real property and the City of Medina, in consideration of approval by the City of a permit for work on the Beach Club Owner's Association joint use pier.

As a Beach Club Owners' Association member and part-owner of the joint use pier at 1447 Evergreen Point Road in Medina (parcel #2260300080), we authorize Clint Mead to act on our behalf for the following proposed joint use pier project, per the most recent Waterfront Construction Plan submittal.

DATED at Medina, Washington, this 4<sup>th</sup> day of December, 2021





(Sign in blue ink)

(Individuals Only)

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

*RM*  
Robert Lawrence Moline

Robert Lawrence Moline

Mari Moline

Mari Isabel Moline

(Individuals Only)

STATE OF WASHINGTON

County of King

} SS.

On this 4<sup>th</sup> day of Dec, 2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Robert Lawrence Moline and Mari Isabel Moline to me known to be the individual(s) described herein and who executed the Maintenance and Retention Agreement for Trees and Required Landscaping and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

*by proof of ID*

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary's Signature

Print Notary's Name

Notary Public in and for the State of Washington,

Residing at: Renton

My commission expires: Dec 31, 2023

*Debra J. Roberts*

Debra J. Roberts



**Beach Club Owner's Association Representative Agreement**

---

Owner Name: *Sheryl Newport*

Owner Address: *1603 Evergreen Pt. Road Medina, WA. 98039*

This agreement is entered into between each undersigned owner of the real property and the City of Medina, in consideration of approval by the City of a permit for work on the Beach Club Owner's Association joint use pier.

As a Beach Club Owners' Association member and part-owner of the joint use pier at 1447 Evergreen Point Road in Medina (parcel #2260300080), we authorize Clint Mead to act on our behalf for the following proposed joint use pier project, per the most recent Waterfront Construction Plan submittal.

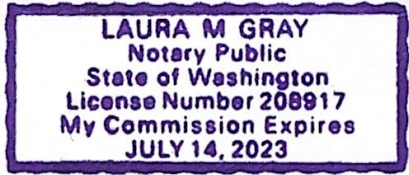
DATED at Medina, Washington, this *15* day of *November*, *2021*

(Sign in blue ink)

(Individuals Only)

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

[Signature] 11/1/2021  
\_\_\_\_\_  
\_\_\_\_\_



(Individuals Only)

STATE OF WASHINGTON

} SS.

County of King

On this        day of November, 2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Sheryl Neupene and

\_\_\_\_\_ to me known to be the individual(s) described herein and who executed the Maintenance and Retention Agreement for Trees and Required Landscaping and acknowledged that She signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

[Signature]  
\_\_\_\_\_  
Notary's Signature

Laura M. Gray  
\_\_\_\_\_  
Print Notary's Name

Notary Public in and for the State of Washington,  
Residing at: Bellevue

My commission expires: July 14, 2023

Beach Club Owner's Association Representative Agreement

Owner Name:

Owner Address:

This agreement is entered into between each undersigned owner of the real property and the City of Medina, in consideration of approval by the City of a permit for work on the Beach Club Owner's Association joint use pier.

As a Beach Club Owners' Association member and part-owner of the joint use pier at 1447 Evergreen Point Road in Medina (parcel #2260300080), we authorize Clint Mead to act on our behalf for the following proposed joint use pier project, per the most recent Waterfront Construction Plan submittal.

DATED at Medina, Washington, this 23 day of November, 2021

(Sign in blue ink)

(Individuals Only)

[Signature]

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

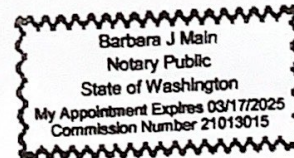
(Individuals Only)

STATE OF WASHINGTON )

) SS.

County of King, )

On this 23<sup>rd</sup> day of Nov, 2021 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Jeff Razole and



\_\_\_\_\_ to me known to be the individual(s) described herein and who executed the Maintenance and Retention Agreement for Trees and Required Landscaping and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written.

[Signature: Barbara J Main] Comm Exp 3/17/2025

**Beach Club Owner's Association Representative Agreement**

---

Owner Name: David W. Vincent and Maxine Lee

Owner Address: 1405 Evergreen Point Rd, Medina, WA 98039

This agreement is entered into between each undersigned owner of the real property and the City of Medina, in consideration of approval by the City of a permit for work on the Beach Club Owner's Association joint use pier.

As a Beach Club Owners' Association member and part-owner of the joint use pier at 1447 Evergreen Point Road in Medina (parcel #2260300080), we authorize Clint Mead to act on our behalf for the following proposed joint use pier project, per the most recent Waterfront Construction Plan submittal.

DATED at Medina, Washington, this 28<sup>th</sup> day of October, 2021

(Sign in blue ink)

(Individuals Only)

OWNER(S) OF REAL PROPERTY (INCLUDING SPOUSE)

David W. Vincent  
Maxine Lee

(Individuals Only)

STATE OF WASHINGTON

} SS.

County of King

On this 28<sup>th</sup> day of October, 2021, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared

DAVID W. VINCENT and MAXINE LEE to me known to

be the individual(s) described herein and who executed the Maintenance and Retention Agreement for Trees and Required Landscaping and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

WITNESS my hand and official seal hereto affixed the day and year first above written

Miles F. Holden

Notary's Signature

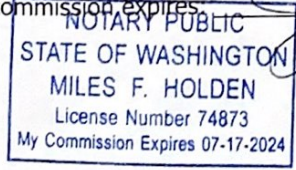
**Miles F. Holden**

Print Notary's Name

Notary Public in, and for the State of Washington,

Residing at: FIRKLAND, WA 98037

My commission expires July 17<sup>th</sup> 2024



**Filed for Record at Request of  
and after filing return to:**

Hunter G. Jeffers  
Mills Meyers Swartling  
1000 Second Avenue, 30<sup>th</sup> Floor  
Seattle, WA 98104-1064



**20161222000964**

MILLS MEYERS S QCD 85.00  
PAGE-001 OF 013  
12/22/2016 13:44  
KING COUNTY, WA

**E2840992**

12/22/2016 13:44  
KING COUNTY, WA  
TAX \$10.00  
SALE \$0.00

PAGE-001 OF 001

**DOCUMENT TITLE:** Quitclaim Deed

**GRANTORS:** Steve and Polly Hiller; Helen and Meredith Smith; Clinton and Lisa Mead; Peter and Sheryl Neupert; Lawrence and Jane Thompson; Ty and Jaime Schultz, all married individuals, and The Beach Club, an inactive Washington nonprofit corporation.

**GRANTEES:** The Beach Club Owners' Association, a Washington nonprofit corporation.

**LEGAL DESCRIPTION:** TRACT A OF EDGECLIFFE, AS PER PLAT RECORDED IN VOLUME 96 OF PLATS, PAGES 67 AND 68, RECORDS OF KING COUNTY;

SITUATE IN THE CITY OF MEDINA, COUNTY OF KING, STATE OF WASHINGTON.

**ASSESSOR'S PROPERTY TAX PARCEL NO.:** 226030-0080

Unofficial Copy

**QUITCLAIM DEED**

Steve and Polly Hiller, Helen and Meredith Smith, Clinton and Lisa Mead, Peter and Sheryl Neupert, Lawrence and Jane Thompson, Ty and Jaime Schultz, all married individuals, and The Beach Club, an inactive Washington nonprofit corporation, (collectively, "Grantors"), without receipt of consideration, release, convey and quit claim to The Beach Club Owners' Association, a Washington nonprofit corporation ("Grantee"), any and all interest Grantors have in the following real property situated in King County, Washington:

TRACT A OF EDGECLIFFE, AS PER PLAT RECORDED IN VOLUME 96 OF PLATS, PAGES 67 AND 68, RECORDS OF KING COUNTY;

SITUATE IN THE CITY OF MEDINA, COUNTY OF KING, STATE OF WASHINGTON.

This Quit Claim Deed may be executed in multiple counterparts, each of which shall be deemed to be an original Quit Claim Deed, and all of which shall constitute one Quit Claim deed, by each of the parties hereto on the dates respectively indicated in such counterparts, to be effective as of the effective date of this Quit Claim Deed.

Dated: December 20, 2016.

[signatures on following page]



GRANTORS:

|                     |                   |                     |                 |
|---------------------|-------------------|---------------------|-----------------|
| <u>Steve Hiller</u> | <u>12.20.2016</u> | <u>Polly Hiller</u> | <u>12/19/16</u> |
| Steve Hiller        | Date              | Polly Hiller        | Date            |

|                            |             |                    |             |
|----------------------------|-------------|--------------------|-------------|
| <u>Meredith Buzz Smith</u> | <u>Date</u> | <u>Helen Smith</u> | <u>Date</u> |
| Meredith Buzz Smith        | Date        | Helen Smith        | Date        |

|                     |             |                  |             |
|---------------------|-------------|------------------|-------------|
| <u>Clinton Mead</u> | <u>Date</u> | <u>Lisa Mead</u> | <u>Date</u> |
| Clinton Mead        | Date        | Lisa Mead        | Date        |

|                      |                 |                       |                 |
|----------------------|-----------------|-----------------------|-----------------|
| <u>Peter Neupert</u> | <u>12/19/16</u> | <u>Sheryl Neupert</u> | <u>12/19/16</u> |
| Peter Neupert        | Date            | Sheryl Neupert        | Date            |

|                   |             |                      |             |
|-------------------|-------------|----------------------|-------------|
| <u>Ty Schultz</u> | <u>Date</u> | <u>Jaime Schultz</u> | <u>Date</u> |
| Ty Schultz        | Date        | Jaime Schultz        | Date        |

|                          |             |                      |             |
|--------------------------|-------------|----------------------|-------------|
| <u>Lawrence Thompson</u> | <u>Date</u> | <u>Jane Thompson</u> | <u>Date</u> |
| Lawrence Thompson        | Date        | Jane Thompson        | Date        |

THE BEACH CLUB      Date  
 By: Lawrence Thompson  
 Its: Immediate Past President

Unofficial Copy

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

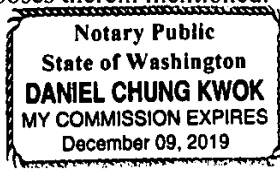
On this 19<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Peter Newport personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



[Signature]  
Notary Public in and for the State of Washington  
Residing at: Bellevue  
My commission expires: 12/9/2019

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 19<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Sheryl Newport personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.

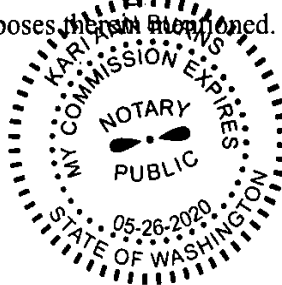


[Signature]  
Notary Public in and for the State of Washington  
Residing at: Bellevue  
My commission expires: 12/9/2019

Unofficial Copy

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Steve Hiller personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



[Signature]  
Notary Public in and for the State of Washington  
Residing at: Gold Bar  
My commission expires: 5/26/20

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Polly Hiller personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



[Signature]  
Notary Public in and for the State of Washington  
Residing at: Gold Bar  
My commission expires: 5/26/20

Unofficial Copy

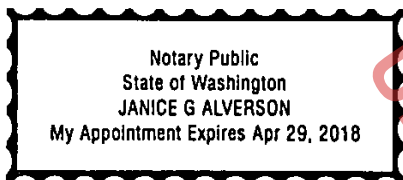
GRANTORS:

|                               |                 |                         |                 |
|-------------------------------|-----------------|-------------------------|-----------------|
| _____<br>Steve Hiller         | _____<br>Date   | _____<br>Polly Hiller   | _____<br>Date   |
| <i>Meredith Buzz Smith</i>    | <i>12-20-16</i> | <i>Helen Smith</i>      | <i>12-20-16</i> |
| _____<br>Meredith Buzz Smith  | _____<br>Date   | _____<br>Helen Smith    | _____<br>Date   |
| _____<br>Clinton Mead         | _____<br>Date   | _____<br>Lisa Mead      | _____<br>Date   |
| _____<br>Peter Neupert        | _____<br>Date   | _____<br>Sheryl Neupert | _____<br>Date   |
| _____<br>Ty Schultz           | _____<br>Date   | _____<br>Jaime Schultz  | _____<br>Date   |
| _____<br>Lawrence Thompson    | _____<br>Date   | _____<br>Jane Thompson  | _____<br>Date   |
| _____<br>THE BEACH CLUB       | _____<br>Date   |                         |                 |
| By: Lawrence Thompson         |                 |                         |                 |
| Its: Immediate Past President |                 |                         |                 |

Unofficial Copy

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

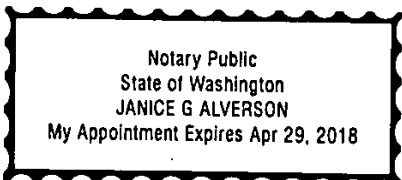
On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Meredith P. Smith personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Janice G Alverson  
Notary Public in and for the State of Washington  
Residing at: King County  
My commission expires: 4-29-18

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Helen M. Smith personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Janice G Alverson  
Notary Public in and for the State of Washington  
Residing at: King County  
My commission expires: 4-29-18

Official Copy

GRANTORS:

\_\_\_\_\_  
Steve Hiller                      Date                      Polly Hiller                      Date

\_\_\_\_\_  
Meredith Buzz Smith                      Date                      Helen Smith                      Date

                      12-20-16                                            12-20-16  
Clinton Mead                      Date                      Lisa Mead                      Date

\_\_\_\_\_  
Peter Neupert                      Date                      Sheryl Neupert                      Date

\_\_\_\_\_  
Ty Schultz                      Date                      Jaime Schultz                      Date

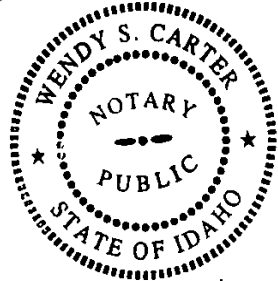
\_\_\_\_\_  
Lawrence Thompson                      Date                      Jane Thompson                      Date

\_\_\_\_\_  
THE BEACH CLUB                      Date  
By: Lawrence Thompson  
Its: Immediate Past President

Unofficial Copy

STATE OF IDAHO )  
 )  
COUNTY OF BLAINE ) ss.

On this <sup>4th</sup> 20 day of December, 2016, I certify that I know or have satisfactory evidence that CLINTON MEAD personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.

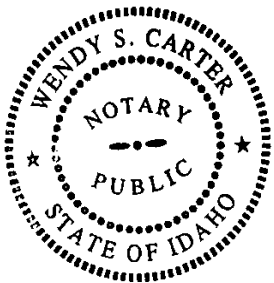


Wendy S. Carter

Notary Public in and for the State of  
Residing at: 221 Pica bo St, Ketchum ID 83340  
My commission expires: 12/7/17

STATE OF IDAHO )  
 )  
COUNTY OF BLAINE ) ss.

On this <sup>4th</sup> 20 day of December, 2016, I certify that I know or have satisfactory evidence that LISA MEAD personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Wendy S. Carter

Notary Public in and for the State of  
Residing at: 221 Pica bo St, Ketchum ID 83340  
My commission expires: 12/7/2017

Unofficial Copy

GRANTORS:

\_\_\_\_\_  
Steve Hiller                      Date                      Polly Hiller                      Date

\_\_\_\_\_  
Meredith Buzz Smith                      Date                      Helen Smith                      Date

\_\_\_\_\_  
Clinton Mead                      Date                      Lisa Mead                      Date

\_\_\_\_\_  
Peter Neupert                      Date                      Sheryl Neupert                      Date

*J. Schultz*                      *12-15-16*                      *J. Schultz*                      *12.16.16*  
\_\_\_\_\_  
Ty Schultz                      Date                      Jaime Schultz                      Date

\_\_\_\_\_  
Lawrence Thompson                      Date                      Jane Thompson                      Date

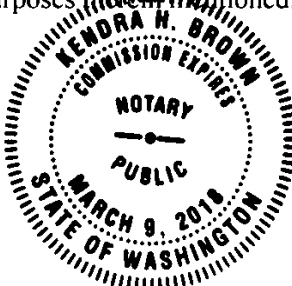
\_\_\_\_\_  
THE BEACH CLUB                      Date  
By: Lawrence Thompson  
Its: Immediate Past President

Unofficial Copy



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF KING )

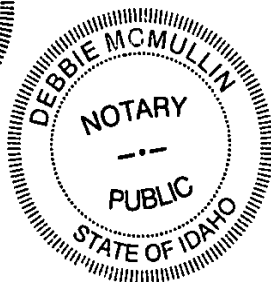
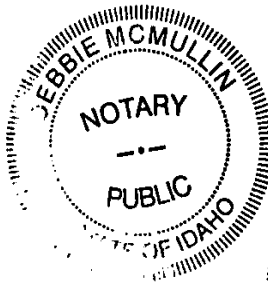
On this 15 day of December, 2016, I certify that I know or have satisfactory evidence that Ty Schultz personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Kendra H. Brown  
Notary Public in and for the State of Washington  
Residing at: Burien WA  
My commission expires: March 9 2018

STATE OF ~~WASHINGTON~~ Idaho )  
 ) ss.  
COUNTY OF ~~KING~~ Blaine )

On this 16<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Jaime Schultz personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Debbie McMullin  
Notary Public in and for the State of ~~Washington~~ Idaho  
Residing at: Hailey, ID  
My commission expires: 12/17/2022

Unofficial Copy

GRANTORS:

Steve Hiller \_\_\_\_\_ Date \_\_\_\_\_ Polly Hiller \_\_\_\_\_ Date \_\_\_\_\_

Meredith Buzz Smith \_\_\_\_\_ Date \_\_\_\_\_ Helen Smith \_\_\_\_\_ Date \_\_\_\_\_

Clinton Mead \_\_\_\_\_ Date \_\_\_\_\_ Lisa Mead \_\_\_\_\_ Date \_\_\_\_\_

Peter Neupert \_\_\_\_\_ Date \_\_\_\_\_ Sheryl Neupert \_\_\_\_\_ Date \_\_\_\_\_

Ty Schultz \_\_\_\_\_ Date \_\_\_\_\_ Jaime Schultz \_\_\_\_\_ Date \_\_\_\_\_

*L. Thompson* \_\_\_\_\_ 12/20/16  
Lawrence Thompson \_\_\_\_\_ Date

*J. Thompson* \_\_\_\_\_ 12-20-16  
Jane Thompson \_\_\_\_\_ Date

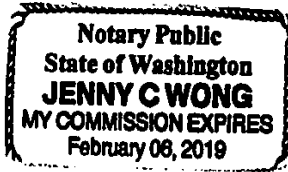
*L. Thompson* \_\_\_\_\_ 12/20/16  
THE BEACH CLUB \_\_\_\_\_ Date

By: Lawrence Thompson  
Its: Immediate Past President

Unofficial Copy

STATE OF WASHINGTON )  
 )  
 ) ss.  
COUNTY OF KING )

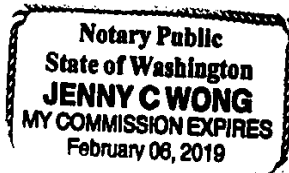
On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Jane M. Thompson personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Jenny Wong  
Notary Public in and for the State of Washington  
Residing at: Bellevue, WA  
My commission expires: FEB 6, 2019

STATE OF WASHINGTON )  
 )  
 ) ss.  
COUNTY OF KING )

On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Lawrence C. Thompson personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Jenny Wong  
Notary Public in and for the State of Washington  
Residing at: Bellevue, WA  
My commission expires: FEB 6, 2019

UNOFFICIAL COPY

**Filed for Record at Request of  
and after filing return to:**

Hunter G. Jeffers  
Mills Meyers Swartling  
1000 Second Avenue, 30<sup>th</sup> Floor  
Seattle, WA 98104-1064



---

**DOCUMENT TITLE:** Declaration of Covenants, Conditions and Restrictions

---

**GRANTORS:** Steve and Polly Hiller; Helen and Meredith Smith; Clinton and Lisa Mead; Peter and Sheryl Neupert; and Ty and Jaime Schultz, all married individuals.

---

**GRANTEES:** The Beach Club Owners' Association, a Washington nonprofit corporation.

---

**LEGAL DESCRIPTION:** TRACT A OF EDGECLIFFE, AS PER PLAT RECORDED IN VOLUME 96 OF PLATS, PAGES 67 AND 68, RECORDS OF KING COUNTY;

SITUATE IN THE CITY OF MEDINA, COUNTY OF KING, STATE OF WASHINGTON.

Additional legal descriptions are on pages 18–23 of document.

---

**ASSESSOR'S PROPERTY TAX PARCEL NO.:** 226030-0080; 252504-9196; 252504-9221; 252504-9218; 226030-0060; 226030-0070.

---

Unofficial Copy

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF  
THE BEACH CLUB OWNERS' ASSOCIATION**

These Covenants, Conditions and Restrictions (or this “**Declaration**”) are hereby established by The Beach Club Owners’ Association (the “**Association**”), which owns certain land legally described in Exhibit A (the “**Common Area**”), and the owners of the properties legally described on the attached Exhibit B (the “**Property**” or “**Properties**”). The Common Area has been established for the use and enjoyment of the members of the Association, and this Declaration is established to ensure the maintenance of a high quality environment within the boundaries of the Common Area. All provisions of this Declaration shall be binding upon all parties having or acquiring any right, title or interest in the Properties and shall inure to the benefit of each owner thereof and to the benefit of the “**Association**” and shall otherwise in all respects be regarded as covenants running with the land.

**ARTICLE I  
Deed and Common Area**

The Association holds title to the Common Area for the common use and enjoyment of the Association and its members in accordance with these Covenants, Conditions, and Restrictions. This title was duly granted by the legal owners of the Common Area.

**ARTICLE II  
Membership and Use of Common Area**

2.1 *Membership Appurtenant to the Properties.* The qualifications for membership shall be as stated in that certain Bylaws of The Beach Club Owners’ Association (the “**Bylaws**”) executed on or about December 20, 2016, as amended or supplemented from time to time.

2.2 *Members’ Easements of Enjoyment.* Every member shall have a right in easement of enjoyment in and to the Common Area, which shall be appurtenant to and shall pass with title to the Properties, subject to the following provisions:

2.2.1 The right of the Association to establish use and operation standards (rules) for the Common Area to be binding on all Association members along with enforcement standards.

2.2.2 The right of the Association to suspend a member’s right to vote and to use the Common Area for any period during which assessments against his or her Property remain unpaid.

2.2.3 The right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority or utility for such purposes and subject to such conditions as the members may unanimously deem appropriate. No such dedication or transfer shall be effective unless the instrument agreeing to the transfer is signed by all members and has been recorded.

2.3 *Guests.* Members and immediate family may use the Common Area. Other friends and family may be allowed to use the Common Area provided that: (a) a member or a member's immediate family is present at all times; (b) the hosting member shall be responsible and liable for the actions of his or her guests; and (c) the hosting member shall defend, indemnify, and hold harmless the Association and its Directors and members for any claims, causes of action, damages, liability, or costs or expenses related to or arising out of the guests' use of the Common Area. The Board of Directors may withdraw authority for specific guests to be upon the Common Area upon a majority vote of the directors.

2.4 *Damage from Use of Common Area.* Any damage to the Common Area or improvements thereon shall be reported to the Association and be repaired within one week by the member who caused the damages or whose guest caused the damages. If such repairs are not made in a timely manner, the President of the Association or the Board of Directors shall have authority to execute the repairs and assess the repair costs to the responsible member(s).

2.5 *Trash.* Members and their guests shall take care not to allow waste, garbage, or debris of any kind to accumulate in the Common Area.

2.6 *Boat Moorage.* The Association owns and maintains a dock located on the Common Area. Only boats and watercraft owned by members shall be allowed to moor at the Association's dock. Each member shall have the right to moor one (1) boat at the dock pursuant to rules adopted by the Board of Directors.

2.7 *New Member Transfer Fee.* In the event of new member(s) to the Association resulting from the transfer of a Property, the Association may charge the new member(s) a transfer fee equal to the sum of that property's outstanding and unpaid assessments, if any. The Board of Directors shall have authority to reduce or waive the transfer fee by majority vote.

2.8 *Tree Trimming.* If any trees on the Common Area obstruct a member's view or use of the Common Area, that member can trim those trees with reasonable care and maintenance at his or her own expense. That member shall be solely responsible and liable for any damages or claims related to the tree trimming and shall defend, indemnify and hold harmless the Association, its Directors and all other members for any claims or damages related to or arising out of the tree trimming.

### ARTICLE III Board of Directors and Officers

3.1 *The Board of Directors.* The management of the Association shall be vested in a Board of Directors as stated in the Bylaws. The Board of Directors shall take action and conduct meetings in accordance with the Bylaws.

3.2 *Powers of the Board.* All powers of the Board must be exercised in accord with the Bylaws. The Board shall enforce the provisions of this Declaration and the Bylaws for the benefit of the Common Area and all the members. In addition to the duties and powers imposed by the

Bylaws and any resolution of the Association that may be hereafter adopted, the Board shall have the power and be responsible for the following, in way of explanation but not limitations:

3.2.1 *Insurance.* The Board may, but is not required to, obtain policies of insurance for the Common Area.

3.2.2 *Legal and Accounting Services.* Obtain legal and accounting services if necessary to the administration of Association affairs, administration of the Common Area, or enforcement of this Declaration.

3.2.3 *Maintenance, Repair and Improvement of Common Area.* Pay from Association funds, all costs of maintaining, repairing and improving the Common Area for the enjoyment of the members. However, any maintenance, repairs or improvements to be paid by the Association and exceeding \$5,000 shall require majority approval by the directors, recorded in writing.

3.2.4 *Discharge of Liens.* The Board may pay any amount necessary to discharge any lien encumbrance levied against the Common Area or any part thereof, which is claimed or may, in the opinion of the Board, constitute a lien against the Common Area rather than merely against the interest therein of a particular member. Where one or more members are responsible for the existence of such liens, they shall be jointly and severally liable for the entire cost of discharging the lien(s) and all of any costs or expenses, including reasonable attorney's fees and costs of title search incurred by the Board by reason of such lien or liens. Such fees and costs shall be assessed against the member or members responsible to the extent of their responsibility.

3.2.5 *Utilities.* Pay all utility charges attributable to the Common Area.

3.2.6 *Right to Contract.* Have the exclusive right to contract for goods, services, maintenance, and capital improvements for the Common Area, subject to the provisions of this Declaration.

3.2.7 *Promulgation of Rules.* Adopt and publish any rules and regulations governing the members and their guests and establish penalties for any infraction thereof.

3.2.8 *Impose Assessments.* Adopt an annual budget and impose annual and special assessments.

3.2.9 *Bank Accounts.* Open bank accounts on behalf of the Association and designate the signatories required.

3.2.10 *Removal.* Require that property be removed from the Common Area and assess the charges associated with its removal to the responsible member(s).

3.2.11 *Taxes.* Pay all taxes related to the Association or its assets, including the Common Area.

3.3 *President's Powers.* As stated in the Bylaws, the Board shall elect and maintain officers of the Association and the Officers shall have the authority granted to them by the Bylaws. Pursuant to section 4.2 of the Bylaws, the President shall have authority to exercise the powers of the Board provided in this Article III. The President's authority may be overridden by a majority vote of the directors.

#### ARTICLE IV Assessments

4.1 *Agreement to Pay Assessments.* Each member is deemed to covenant and agree to pay to the Association (1) annual assessments or charges, (2) special assessments for capital improvements, repairs, and maintenance, and (3) any other assessments deemed necessary by the President of the Association, subject to approval by a majority of directors. Liability for assessments, together with any interest, costs and a reasonable attorneys' fees incurred to collect such assessments, shall be a lien on that member's Property and shall also be the personal obligation of that member. The personal obligation for delinquent assessments shall continue even if the member subsequently transfers legal or equitable title to the property; however, the personal obligation for delinquent assessments shall not pass to the delinquent member's successor(s) unless expressly assumed by the successor(s). The Association shall record such liens with the Office of the King County Auditor. It is the obligation of the seller and seller's agents to notify purchasers of any existing liens, unpaid assessments and the terms set forth in these covenants.

4.2 *Purpose of Assessments.* The assessments levied by the Association shall be used exclusively (a) for the improvements and maintenance of the Common Area; (b) for the enforcement of this Declaration, the Bylaws, and the Articles of Incorporation; (c) to promote the recreation, health, safety and welfare of the members using the Common Area; (d) to pay taxes related to the Association or its assets, including the Common Area; and (e) to obtain polices of insurance for the Common Area.

4.3 *Annual Assessment.* The annual assessment shall initially be \$1,200 per Property per calendar year. Annual assessments shall always be fixed at a uniform rate for all Properties. The President of the Association shall determine the amount of the annual assessment. The annual assessment may be increased each year up to fifteen percent (15%) above the annual assessment for the previous year without a vote of the Board of Directors. The annual assessment may be increased by more than fifteen percent (15%) with majority vote of the Board of Directors. The President shall provide notice of the annual assessment by December 1st of the preceding year, and annual assessments shall be due and transferred to the Association no later than December 31st of the preceding year. The Board shall have the authority to reduce the amount of the annual assessment by a majority vote of the directors, recorded in writing.

4.4 *Special Assessments for Capital Improvements.* In addition to the annual assessments authorized above, the President may, on behalf of the Association, levy, in any assessment year, a special assessment, applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the Common Area not prohibited by these Covenants, Conditions and



Restrictions, including fixtures and personal property related thereto. Any such assessment exceeding \$5,000.00 shall be approved by a majority of directors, recorded in writing.

4.5 *Special Assessments for Repairs or Reimbursement.* Notwithstanding Article 4.4, the President has authority to collect the cost of any repairs or maintenance required due to violation of these covenants, by providing notification of a special assessment against the responsible member(s). Notice of such an assessment and a date when payment is due shall be provided to all members. If not paid when due, the amount owed is subject to lien rights and interest as set forth in this Declaration. Any such special assessment may be overridden or reduced by a majority of directors, recorded in writing.

4.6 *Effect of Non-Payment of Assessments; Remedies of Association.* Any annual assessment not paid by December 31st and any special assessment not paid within thirty (30) days after the due date shall bear interest at the rate of twelve (12) percent per annum. Each member hereby expressly vests in the Association, or its agent, the rights and powers to bring all actions against such member personally for the collection of such assessments as debts and to enforce lien rights of the Association by all methods available for the enforcement of such liens. These liens shall be in favor of the Association and shall be for the benefit of the Association. The member is responsible for payment of all attorneys' fees incurred in collecting past due assessments or enforcing the terms of assessment liens. No member may waive or otherwise escape liability for the assessments provided herein by non-use of the Common Area.

4.7 *Right to Suspend.* The Board shall have the right to suspend the voting rights and enjoyment of the Common Area for any Director and member whose Property is delinquent on any amount due under the terms of this Declaration, the Articles of Incorporation, or the Bylaws. Suspension shall require a majority vote of the other directors. The director representing the delinquent property shall be excluded from the vote.

4.8 *Priority of Lien.* A lien under this section shall be prior to all other liens and encumbrances on the Property affected except, (a) liens and encumbrances recorded before the recording of the notice of lien; (b) a mortgage on the unit recorded before the date on which the assessment sought to be enforced became delinquent; and (c) liens for real property taxes and other governmental assessments or charges against the member that have statutory priority to the assessment liens by law.

## ARTICLE V General Provisions

5.1 *Insurance.* Unless waived by unanimous consent of the Directors, members shall each maintain liability insurance in excess of \$1,000,000 for the Common Area as a rider on each member's respective homeowners' insurance policy. To the extent any member or member's guest is responsible for a claim, that member or the hosting member's policy shall be primary and all other policies of the Association or its members shall be secondary.

5.2 *Covenants Running with the Land.* These covenants are to run with the land and be binding on all parties and persons claiming under them. These covenants will replace and

supersede any prior covenants in effect that relate to the Common Area. The effective date of these revised covenants is the date when this document is signed by the President of the Association, which can occur only after approval by all members.

5.3 *Amendment.* This Declaration may be amended by a majority vote of the directors. All Amendments must be recorded with the office of the King County Auditor.

5.4 *Enforcement.* The Association, the Board, or any member with the Board's majority approval, shall have the right to enforce, by any legal proceeding, all restrictions conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration, the Articles of Incorporation, or the Bylaws. The Association shall pay the costs and fees associated with such proceedings.

5.5 *Applicable Law and Attorney's Fees.* This Declaration shall be construed and applied according to the laws of the State of Washington. Venue for any action related to this Declaration shall be in King County, Washington. The substantially prevailing party in any claim or dispute related to or arising out of this Declaration or the Bylaws shall be entitled to its reasonable attorney's fees and costs incurred in connection therewith.

5.6 *Successors and Assigns.* This Declaration shall run with the land and be binding on all successors and assigns.

5.7 *Severability.* If any part of this Declaration is held to be unenforceable, it shall be severed and shall not affect the rest of this Declaration or the duties of the members.

5.8 *Rule Against Perpetuities.* In the event that any provision or provisions of this Declaration violate the rule against perpetuities, such provision or provisions shall be construed as being void and of no effect as of twenty-one (21) years after the death of the last surviving member alive at the time this Declaration is adopted.

5.9 *Counterparts.* This Declaration may be executed in any number of counterparts, and all such counterparts and copies shall be and constitute an original instrument. Execution of this Declaration by facsimile or electronic signature shall be valid and binding on the parties.

IN WITNESS WHEREOF the undersigned is the President of the Association and represents that this Declaration has been approved by the Association's members.

[signature on following page]

*Meredith A. Smith*

Meredith Buzz Smith

12-20-16  
Date

*Helen Smith*

Helen Smith

12-20-16  
Date

Clinton Mead

Date

Lisa Mead

Date

Peter Neupert

Date

Sheryl Neupert

Date

Ty Schultz

Date

Jaime Schultz

Date

Steve Hiller

Date

Polly Hiller

Date

Beach Club Owners' Association Date

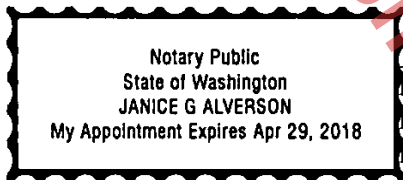
By: Steve Hiller

Its: President

Unofficial Copy

STATE OF WASHINGTON )  
 )  
 ) ss.  
COUNTY OF King )

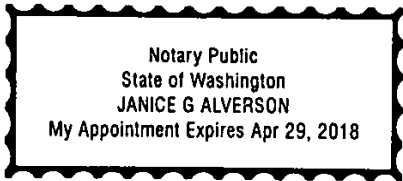
On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Meredith P Smith personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



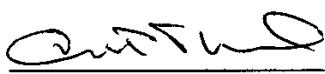

Janice G Alverson  
Notary Public in and for the State of Washington  
Residing at: King County  
My commission expires: 4-29-18

STATE OF WASHINGTON )  
 )  
 ) ss.  
COUNTY OF King )

On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Helen M Smith personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Janice G Alverson  
Notary Public in and for the State of Washington  
Residing at: King County  
My commission expires: 4-29-18

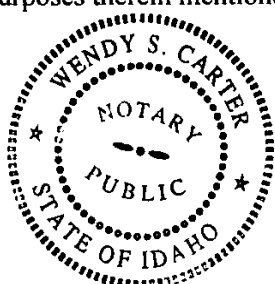
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| _____   | _____    | _____  | _____    |
| Meredith Buzz Smith   | Date     | Helen Smith  | Date     |
|  | 12-20-16 |  | 12-20-16 |
| Clinton Mead  | Date     | Lisa Mead  | Date     |
| _____   | _____    | _____  | _____    |
| Peter Neupert   | Date     | Sheryl Neupert   | Date     |
| _____   | _____    | _____  | _____    |
| Ty Schultz  | Date     | Jaime Schultz  | Date     |
| _____   | _____    | _____  | _____    |
| Steve Hiller  | Date     | Polly Hiller   | Date     |

\_\_\_\_\_ Date  
 Beach Club Owners' Association  
 By: Steve Hiller  
 Its: President

UNOFFICIAL COPY

STATE OF IDAHO )  
 )  
COUNTY OF BLAINE ) ss.

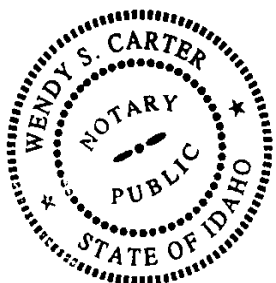
On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Clinton Mead personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Wendy S Carter  
Notary Public in and for the State of  
Residing at: 221 Picabo Street, Ketchum ID 83340  
My commission expires: 12/7/2017

STATE OF IDAHO )  
 )  
COUNTY OF BLAINE ) ss.

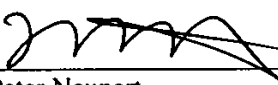
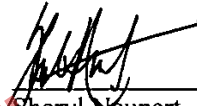
On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that LISA Mead personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



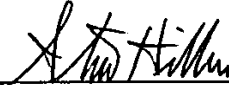
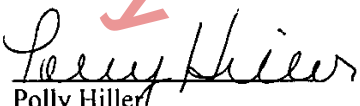
Wendy S Carter  
Notary Public in and for the State of  
Residing at: 221 Picabo Street, Ketchum ID 83340  
My commission expires: 12/7/2017

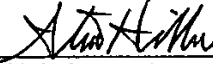
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|----------------------------|-------------|--------------------|-------------|
| <u>Meredith Buzz Smith</u> | <u>Date</u> | <u>Helen Smith</u> | <u>Date</u> |
|----------------------------|-------------|--------------------|-------------|

|                     |             |                  |             |
|---------------------|-------------|------------------|-------------|
| <u>Clinton Mead</u> | <u>Date</u> | <u>Lisa Mead</u> | <u>Date</u> |
|---------------------|-------------|------------------|-------------|

|  |                 |   |                 |
|--|-----------------|---|-----------------|
| <u></u> | <u>12/19/16</u> | <u></u> | <u>12/19/16</u> |
| Peter Neupert  | Date            | Sheryl Neupert  | Date            |

|                   |             |                      |             |
|-------------------|-------------|----------------------|-------------|
| <u>Ty Schultz</u> | <u>Date</u> | <u>Jaime Schultz</u> | <u>Date</u> |
|-------------------|-------------|----------------------|-------------|

|  |                   |   |                 |
|--|-------------------|---|-----------------|
| <u></u> | <u>12.20.2016</u> | <u></u> | <u>12/19/16</u> |
| Steve Hiller   | Date              | Polly Hiller  | Date            |

|  |                   |
|--|-------------------|
| <u></u> | <u>12.20.2016</u> |
| Beach Club Owners' Association   | Date              |
| By: Steve Hiller   |                   |
| Its: President   |                   |

Unofficial Copy

STATE OF WASHINGTON )  
 )  
COUNTY OF King ) ss.

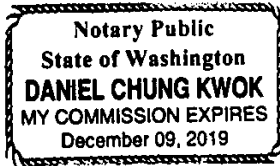
On this 19 day of December, 2016, I certify that I know or have satisfactory evidence that Peter Newport personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



[Signature]  
Notary Public in and for the State of Washington  
Residing at: Bellevue  
My commission expires: 12/9/2017

STATE OF WASHINGTON )  
 )  
COUNTY OF King ) ss.

On this 19 day of December, 2016, I certify that I know or have satisfactory evidence that Sheryl Newport personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



[Signature]  
Notary Public in and for the State of Washington  
Residing at: Bellevue  
My commission expires: 12/9/2019



STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF )

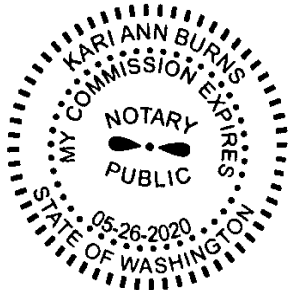
On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Steve Hiller personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



[Signature]  
Notary Public in and for the State of Washington  
Residing at: ETA Bur  
My commission expires: 5/26/20

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF )

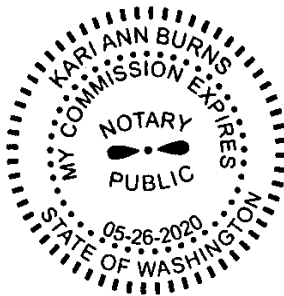
On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that Polly Hiller personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



[Signature]  
Notary Public in and for the State of Washington  
Residing at: ETA Bur  
My commission expires: 5/26/20

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF )

On this 20<sup>th</sup> day of December, 2016, I certify that I know or have satisfactory evidence that STEVE HILLER personally appeared before me, signed this instrument, on oath stated that he was authorized to execute this instrument as the President of The Beach Club Owners' Association, an inactive Washington nonprofit corporation, and acknowledged said instrument to be his free and voluntary act and deed for the uses and purposes therein mentioned.



[Signature]  
Notary Public in and for the State of Washington  
Residing at: Eda Bur  
My commission expires: 5/26/20

Unofficial Copy

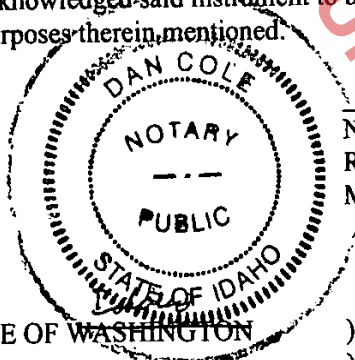
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|-------------------------------------|-------------------------|--|-------------------------|
| <u>Meredith Buzz Smith</u>          | <u>Date</u>             | <u>Helen Smith</u>                     | <u>Date</u>             |
| <u>Clinton Mead</u>                 | <u>Date</u>             | <u>Lisa Mead</u>                       | <u>Date</u>             |
| <u>Peter Neupert</u>                | <u>Date</u>             | <u>Sheryl Neupert</u>                  | <u>Date</u>             |
| <u>Ty Schultz</u> <i>Ty Schultz</i> | <u>12-19-16</u><br>Date | <u>Jaime Schultz</u> <i>J. Schultz</i> | <u>12.19.16</u><br>Date |
| <u>Steve Hiller</u>                 | <u>Date</u>             | <u>Polly Hiller</u>                    | <u>Date</u>             |

Unofficial Copy

Beach Club Owners' Association      Date  
 By: Steve Hiller  
 Its: President

STATE OF ~~WASHINGTON~~ <sup>Idaho</sup> )  
 )  
 COUNTY OF ~~Blaine~~ ) ss.

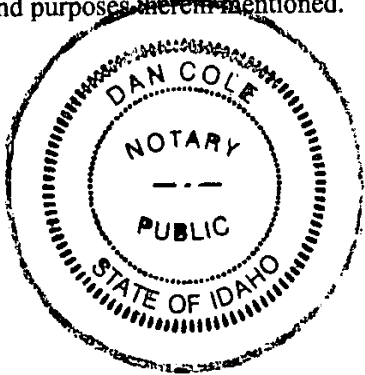
On this 19 day of December, 2016, I certify that I know or have satisfactory evidence that Tracy Schultz personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Dan Cole  
 Notary Public in and for the State of Washington Idaho  
 Residing at: Lincoln County  
 My commission expires: Dec 28, 2016

STATE OF WASHINGTON )  
 )  
 COUNTY OF ~~Blaine~~ ) ss.

On this 19 day of December, 2016, I certify that I know or have satisfactory evidence that Jaimie Schultz personally appeared before me, signed this instrument, and acknowledged said instrument to be his or her free and voluntary act and deed for the uses and purposes therein mentioned.



Dan Cole  
 Notary Public in and for the State of Washington Idaho  
 Residing at: Lincoln County  
 My commission expires: Dec 28, 2016

UNOFFICIAL COPY

**EXHIBIT A**

TRACT A OF EDGELIFFE, AS PER PLAT RECORDED IN VOLUME 96 OF PLATS, AT PAGES 67 AND 68, RECORDS OF KING COUNTY;

SITUATE IN THE CITY OF MEDINA, COUNTY OF KING, STATE OF WASHINGTON.

*Unofficial Copy*

**EXHIBIT B**

*Unofficial Copy*

Address:  
1403 Evergreen Pt Rd  
Parcel: 252504-9196

LEGAL:

That portion of Government Lot 3, Section 25, Township 25 North, Range 4 East, W.M., in King County, Washington, described as follows:

Commencing at a point on the east line of Government Lot 3 in said Section 25, which point is 2,065.77 feet north of the southeast corner of Government Lot 4 in said section;  
thence north 88°58'29" west 257.87 feet to the TRUE POINT OF BEGINNING;  
thence continuing north 88°58'29" west 179.46 feet;  
thence north 18°50'29" west 125.84 feet;  
thence north 88°09'44" west 102.80 feet;  
thence north 1°54'31" east 153.39 feet;  
thence south 88°09'44" east 319.28 feet;  
thence south 0°17'22" west 268.63 feet to the TRUE POINT OF BEGINNING;

AND TOGETHER WITH that portion of Government Lot 3, Section 25, Township 25 North, Range 4 East, W.M., in King County, Washington, described as follows:

Commencing on the centerline of 76th Avenue Northeast at a point which is north 1°24'15" east a distance 2,065.77 feet from the south quarter corner of said Section 25;  
thence north 87°15'36" west 437.33 feet to the TRUE POINT OF BEGINNING;  
thence north 67°40'27" west 28.97 feet;  
thence north 87°51'36" west 80.00 feet;  
thence north 42°25'58" west 56.14 feet;  
thence north 87°51'36" west 3.50 feet;  
thence north 02°59'38" east 153.22 feet;  
thence south 87°00'22" east 3.50 feet;  
thence south 02°59'38" west 83.53 feet;  
thence south 87°02'51" east 102.80 feet;  
thence south 17°43'36" east 125.84 feet to the TRUE POINT OF BEGINNING;

AND TOGETHER WITH that portion of Government Lot 3, Section 25, Township 25 North, Range 4 East, W.M., in King County, Washington, described as follows:

Commencing at the south quarter corner and the centerline of 76th Avenue Northeast;  
thence north 01°24'15" east 2,045.00 feet;  
thence north 87°51'36" west 585.25 feet;  
thence north 02°51'38" east 223.94 feet to the TRUE POINT OF BEGINNING of this description;  
thence north 87°00'22" west 143.00 feet;  
thence north 02°59'38" east 45.00 feet;  
thence south 87°00'22" east 143.00 feet;  
thence south 02°59'38" west 45.00 feet to the TRUE POINT OF BEGINNING;

AND TOGETHER WITH a perpetual non-exclusive easement for ingress and egress, as a driveway and for utilities, over a 20 foot strip of land described as follows:

Beginning at a point north 88°58'29" west 30 feet from a point on the east line of said Government Lot 3, which point is 2,065.77 feet north of the southeast corner of Government Lot 4;  
thence north 88°58'29" west 407.33 feet;  
thence south 18°50'29" east 20.41 feet;  
thence south 88°58'29" east 400 feet;  
thence north 0°17'22" east 20 feet to the point of beginning.

Address:  
1405 Evergreen Pt Rd

Parcel: 252504-9221

PARCEL A

That portion of Government Lot 3 in Section 25, Township 25 North, Range 4 East, W M , in King County, Washington, described as follows

Beginning at a point on the East line of Government Lot 3 in said Section, which point is 2,045 feet North of the Southeast corner of Government Lot 4 of said Section,  
Thence North 00° 17' 22" East 50 feet to the True Point of Beginning,  
Thence continuing North 00° 17' 22" East 131 67 feet,  
Thence North 88° 58' 29" West 257 87 feet,  
Thence South 00° 17' 22" West 131 67 feet,  
Thence South 88° 58' 29" East 257 87 feet to the True Point of Beginning,  
Except the East 30 feet conveyed to King County for a road,

Situate in the County of King, State of Washington

PARCEL B

That portion of Government Lot 3 in Section 25, Township 25 North, Range 4 East, W M , in King County, Washington, described as follows

Beginning at a point on the North-South center line of said Section and the center line of 76<sup>th</sup> Avenue N E which is 2,077 feet North of the South quarter corner of said Section 25,  
Thence North 87° 51' 36" West 30 feet to the True Point of Beginning,  
Thence continuing North 87° 51' 36" West 227 87 feet,  
Thence North 01° 24' 15" East 18 00 feet,  
Thence South 87° 51' 36" East 227 87 feet,  
Thence South 01° 24' 15" West 18 feet to the True Point of Beginning



Address:  
1407 76<sup>TH</sup> Ave NE

Parcel: 252504-9218

That portion of Government Lot 3, in Section 25, Township 25 North, Range 4 East, W. M., in King County, Washington, described as follows:

Beginning at a point on the East line of Government Lot 3 in said Section, which point is 2045 feet North of the Southeast corner of Government Lot 4 in said Section; thence North 00°17'22" East 181.67 feet to the true point of beginning; thence continuing North 00°17'22" East 131.67 feet; thence North 88°58'29" West 257.87 feet; thence South 00°17'22" West 131.67 feet; thence South 88°58'29" East 257.87 feet to the true point of beginning; Except the East 30 feet conveyed to King County for road.

Official Copy

Address:  
1601 Evergreen Pt Rd  
Parcel: 226030-0060

LEGAL:

**LOT 6 OF EDGECLIFFE, AS PER PLAT RECORDED IN VOLUME 96 OF PLATS, PAGES 67  
AND 68, RECORDS OF KING COUNTY;**

Unofficial Copy

Address:  
1603 Evergreen Pt Rd  
Parcel: 226030-0070

LEGAL:

LOT 7 OF EDGECLIFFE, AS PER PLAT RECORDED IN VOLUME 96 OF PLATS, PAGES 67 AND 68, RECORDS OF KING COUNTY.

Unofficial Copy



## CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

---

December 16, 2021

Alex Capron  
The Watershed Company  
750 6<sup>th</sup> St. South  
Kirkland, WA 98033  
Via email: [acapron@watershedco.com](mailto:acapron@watershedco.com)

Re: **Determination of Complete Applications – 1447 Evergreen Point Road**  
Administrative Substantial Development Permit (P-21-037)  
SEPA Threshold (P-21-057)

Dear Mr. Capron,

The City has reviewed the above referenced applications for 1447 Evergreen Point Road and has determined they are complete pursuant to MMC 16.80.100. The City will issue a Notice of Application to notify parties of the application in accordance with MMC 16.80.110. The notice will be mailed and posted by the City within 14 days of the date of this letter pursuant to MMC 16.80.140.

Please be aware that this determination does not preclude the City from requesting additional information. If you have questions, please do not hesitate to contact me directly at [skeyser@medina-wa.gov](mailto:skeyser@medina-wa.gov) or 425.233.6416.

Sincerely,

Stephanie Keyser, AICP  
Planning Manager

**CITY OF MEDINA  
DECLARATION OF POSTING**

Exhibit 4b

Michael Holly does declare as follows:

That s/he is an employee of the city of Medina and that on the:

20<sup>th</sup> day of DECEMBER 20 21

s/he caused a true and correct legible copy of the following described documents to be posted at each of the following indicated locations:

PH Medina City Hall, 501 Evergreen Point Road, Medina

PH City Website

MH Medina Post Office, 816 Evergreen Point Road, Medina

MH Public notice board at Medina Park Northeast 12<sup>th</sup> Street parking lot.

MH At two locations within 300 feet of the property in question described by its street address as follows:

1447 EPR

Description of document:

P-21-037; P-21-057 (NOA & SEPA)

A copy of the posted item is attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

20<sup>th</sup> day of DECEMBER 20 21

Michael Holly  
Signature of posting employee



# CITY OF MEDINA

## NOTICE OF APPLICATION AND SEPA

Exhibit 4b

**Proposal:** Request for a non-administrative substantial development permit and SEPA to remove 1,745 square feet of timber decking and replace with grating, construct one finger pier, install 4 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats. Pile caps and stringers will be replaced as needed.

**File No.** P-21-037 Non-Administrative Substantial Development Permit  
P-21-057 SEPA Threshold Determination

**Applicant:** Alex Capron of The Watershed Company (agent)  
Beach Club Owners Association (owners)

**Site Address:** 1447 Evergreen Point Road

**Required Permits/Studies:** Future Building Permit

Application Received: December 13, 2021  
Determination of Completeness: December 16, 2021  
Notice of Application: December 20, 2021

**PUBLIC COMMENTS:** Pursuant to MMC 21680.110(B)(7), this application has a 30-day public comment period to receive written comments on the proposal. Persons wishing to provide written comments on this proposal must submit them by **4:00 pm on January 20, 2022**, via the staff email below.

**STATE ENVIRONMENTAL POLICY ACT:** The Responsible Official has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS). The Optional DNS process is being used pursuant to WAC 197-11-355. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measure regardless of whether an EIS is prepared.

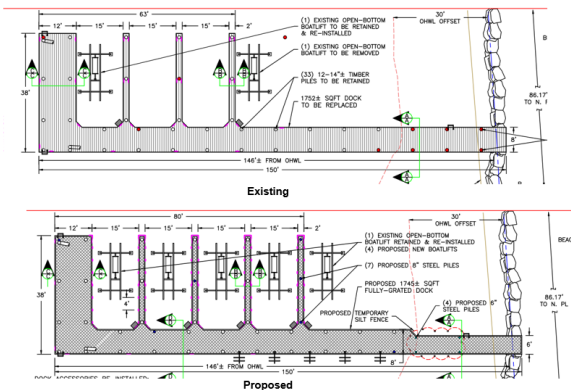
**DETERMINATION OF CONSISTENCY:** Pursuant to RCW 36.70B.040, a preliminary determination has found the proposal consistent with the provisions of the Medina Municipal.

**PUBLIC HEARING:** The Non-Administrative Substantial Development Permit will have a hearing before the Medina Hearing Examiner. **A SEPARATE MAILING** will be sent with the date and time of the hearing once the public comment period has expired.

**APPEAL RIGHTS:** A Type 2 SEPA Threshold Determination may be appealed to the Medina Hearing Examiner pursuant to MMC 16.80.220(A). A Type 3 Non-Administrative Substantial Development Permit may be appealed to the King County Superior Court pursuant to MMC 16.80.220(B) and 36.70C RCW).

**QUESTIONS:** Due to COVID-19 and temporary changes to City Hall, please email the staff contact below to review the complete application electronically, or if you have any questions.

**STAFF CONTACT:** Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or [skeyser@medina-wa.gov](mailto:skeyser@medina-wa.gov)



Above: Site Plan

Stephanie Keyser, AICP Planning Manager

**12/20/2021**  
Notice Issued

WARNING!

Posted notice is not to be removed, mutilated or concealed in any way.

# CITY OF MEDINA DECLARATION OF MAILING

Stephanie Keyser does declare as follows:

That s/he is an employee of the city of Medina and that on the 20<sup>h</sup> day of December 2021 s/he caused a true and correct legible copy of the following described documents to be mailed to all residences which are within 300 feet of the property in question described by its street address as follows:

1447 EPR (Parcel 226030-0080)

Description of document:

NOA & SEPA

A copy of the mailed item and the addresses to which it was mailed are attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

20<sup>th</sup> day of November 20 21



\_\_\_\_\_  
Signature of mailing employee



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
 TELEPHONE 425-233-6400 | [www.medina-wa.gov](http://www.medina-wa.gov)

## NOTICE OF APPLICATION AND SEPA

**Proposal:** Request for a non-administrative substantial development permit and SEPA to remove 1,745 square feet of timber decking and replace with grating, construct one finger pier, install 4 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats. Pile caps and stringers will be replaced as needed.

**File No.** P-21-037 Non-Administrative Substantial Development Permit  
 P-21-057 SEPA Threshold Determination

**Applicant:** Alex Capron of The Watershed Company (agent)  
 Beach Club Owners Association (owners)

**Site Address:** 1447 Evergreen Point Road (Parcel 226030-0080)

**Required Permits/Studies:** Future Building Permit

|                                |                   |
|--------------------------------|-------------------|
| Application Received:          | December 13, 2021 |
| Determination of Completeness: | December 16, 2021 |
| Notice of Application:         | December 20, 2021 |

**PUBLIC COMMENTS:** This application has a 30-day public comment period to receive written comments on this proposal. Comments must be submitted to Medina City Hall (via staff email below) by **4:00 pm January 20, 2022**.

**STATE ENVIRONMENTAL POLICY ACT:** The Responsible Official has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS). The Optional DNS process is being used pursuant to WAC 197-11-355. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measure regardless of whether an EIS is prepared.

**DETERMINATION OF CONSISTENCY:** Pursuant to RCW 36.70B.040, a preliminary determination has found the proposal consistent with the provisions of the Medina Municipal Code.

**PUBLIC HEARING:** The Non-Administrative Substantial Development Permit will have a hearing before the Medina Hearing Examiner. **A SEPARATE MAILING** will be sent with the date and time of the hearing once the public comment period has expired.

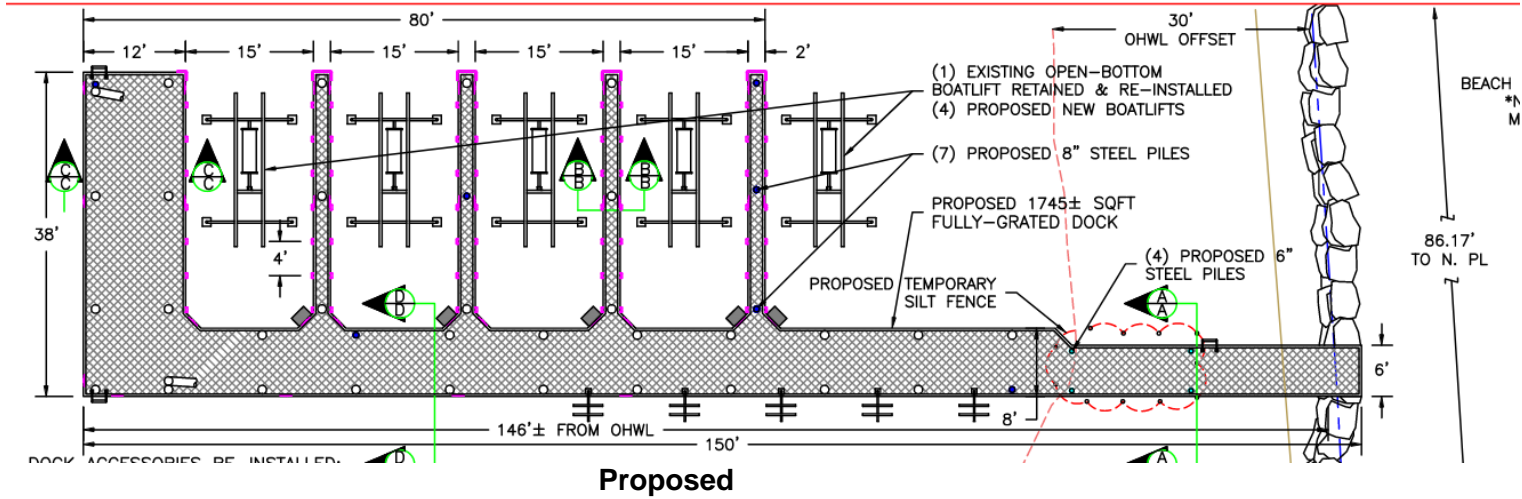
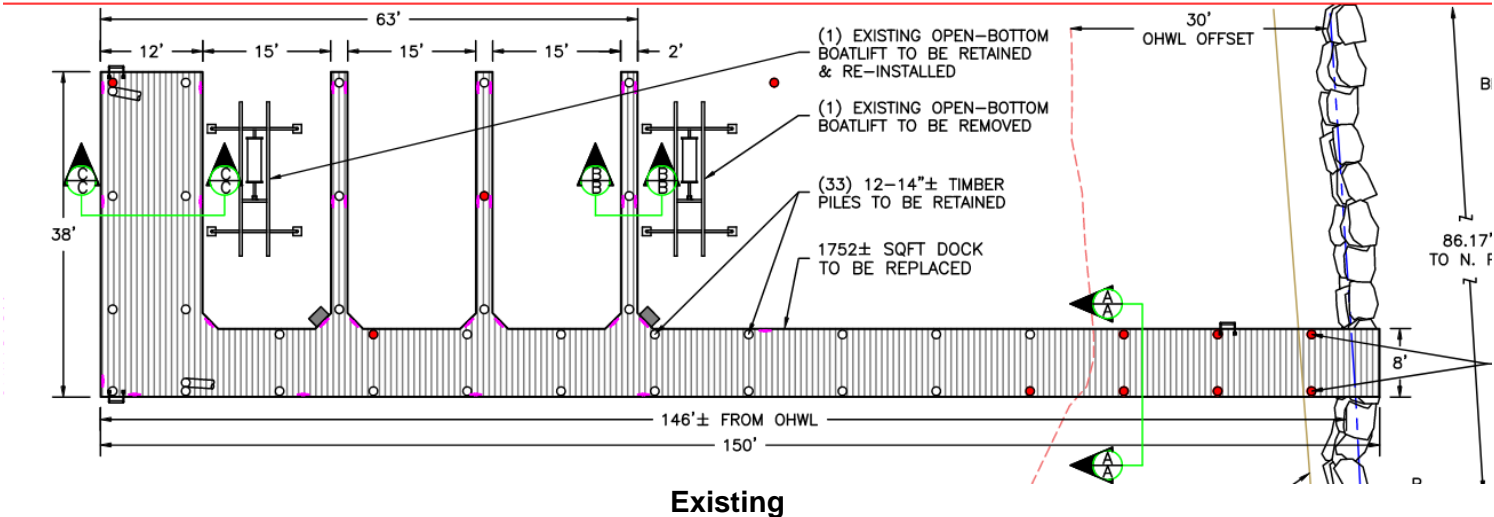
**APPEAL RIGHTS:** A Type 2 SEPA Threshold Determination may be appealed to the Medina Hearing Examiner pursuant to MMC 16.80.220(A). A Type 3 Non-Administrative Substantial Development Permit may be appealed to the Shoreline Hearings Board pursuant to RCW 90.58.140(6).

**QUESTIONS:** **City Hall is still closed to the public**, please **email** the staff contact below to review the complete application electronically, or if you have any questions.

**STAFF CONTACT:** Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or [skeyser@medina-wa.gov](mailto:skeyser@medina-wa.gov)



# Site Plan



1247 Evergreen Point Road  
MEDINA WA 98039

1253 EVERGREEN POINT RD  
MEDINA WA 98039

1526 79TH PL NE  
MEDINA WA 98039

1257 EVERGREEN POINT RD  
MEDINA WA 98039

1255 EVERGREEN POINT RD  
MEDINA WA 98039

1251 EVERGREEN PT RD  
MEDINA WA 98039

P O BOX 02939126  
SIOUX FALLS SD 57186

17449 NE 98TH WAY  
REDMOND WA 98052

1445 EVERGREEN POINT RD  
MEDINA WA 98039

1403 EVERGREEN POINT RD  
MEDINA WA 98039

1449 EVERGREEN PT RD  
MEDINA WA 98039

1465 EVERGREEN POINT RD  
MEDINA WA 98039

1603 EVERGREEN POINT RD  
BELLEVUE WA 98004

POB BOX 3946  
BELLEVUE WA 98009

# CITY OF MEDINA DECLARATION OF MAILING

Stephanie Keyser does declare as follows:

That s/he is an employee of the city of Medina and that on the 31<sup>st</sup> day of January 2022 s/he caused a true and correct legible copy of the following described documents to be mailed to all residences which are within 300 feet of the property in question described by its street address as follows:

1447 Evergreen Point Road (Parcel 226030-0080)

Description of document:

NOH & DNS

A copy of the mailed item and the addresses to which it was mailed are attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

31<sup>st</sup> day of January 20 22



\_\_\_\_\_  
Signature of mailing employee



## NOTICE OF HEARING AND DETERMINATION OF NONSIGNIFICANCE

**NOTICE IS HEREBY GIVEN** that the Medina Hearing Examiner will conduct a remote public hearing on **Tuesday, February 22, 2022, at 3:00 PM**. The purpose of this hearing is to consider public testimony for and against the following:

**Proposal:** Request for a non-administrative substantial development permit and SEPA to remove 1,745 square feet of timber decking and replace with grating, construct one finger pier, install 4 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats. Pile caps and stringers will be replaced as needed.

**File No.** P-21-037 Non-Administrative Substantial Development Permit  
P-21-057 SEPA Threshold Determination

**Applicant:** Alex Capron of The Watershed Company (agent)  
Beach Club Owners Association (owners)

**Site Address:** 1447 Evergreen Point Road (Parcel 226030-0080)

**YOU ARE INVITED** to attend the remote hearing and make oral and written comments. The Hearing Examiner has the discretion to limit testimony to relevant, non-repetitive comments and to set time limits. If you are unable to attend, written comments, photographs, or other exhibits on the application may be submitted to the staff contact or address below before the hearing date. The Hearing Examiner gives equal weight to testimony submitted in person at a hearing and written comments that are submitted.

For information on how to participate in the remote hearing, please see the City's website for the hearing agenda which will be posted by **Friday, February 18, 2022, at 4:00 PM**. Please either log in or phone in at the beginning of the hearing to participate. If you need special accommodations, please contact the staff below.

**STATE ENVIRONMENTAL POLICY ACT (SEPA):** The Responsible Official for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment subject to the proposed conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request via the staff contact below.

The Determination of Nonsignificance is issued after using the Optional DNS process in WAC 197-11-355. There is no additional comment period.

**APPEAL RIGHTS:** Pursuant to MMC 16.80.220, a person may appeal a SEPA Threshold Determination to the Medina Hearing Examiner, which will be consolidated with and heard at the pre-decision hearing on the substantial development permit and site plan review applications. Appeals must be in writing and contain specific factual objections. Appeals must be submitted along with the appropriate fee to the address listed below by **4:00 PM, Monday, February 14, 2022**.

Appeal of the Non-Administrative Substantial Development Permit is to the Shoreline Hearings Board pursuant to RCW 90.58.140(6).

**QUESTIONS:** City hall remains closed to the public. However, the complete application may be reviewed by emailing the staff contact below. Requests for information and/or written comments may be directed to Medina City Hall, Attn: Development Services, 501 Evergreen Point Road, Medina, WA 98039.

**STAFF CONTACT:** Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or [skeyser@medina-wa.gov](mailto:skeyser@medina-wa.gov)

Stephanie Keyser, AICP, Planning Manager

1/31/2022

Notice Issued

**WARNING!**

**Posted notice is not to be removed, mutilated or concealed in any way.**

1247 Evergreen Point Road  
MEDINA WA 98039

1253 EVERGREEN POINT RD  
MEDINA WA 98039

1526 79TH PL NE  
MEDINA WA 98039

1257 EVERGREEN POINT RD  
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1255 EVERGREEN POINT RD  
MEDINA WA 98039

1251 EVERGREEN PT RD  
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1449 EVERGREEN PT RD  
MEDINA WA 98039

1465 EVERGREEN POINT RD  
MEDINA WA 98039

1603 EVERGREEN POINT RD  
BELLEVUE WA 98004

POB BOX 3946  
BELLEVUE WA 98009

**Stephanie Keyser**

---

**From:** Legals <legals@seattletimes.com>  
**Sent:** Thursday, January 27, 2022 10:05 AM  
**To:** Stephanie Keyser  
**Subject:** RE: 20155 - Legal Ad - City of Medina  
**Attachments:** 20155.jpg

Hi Stephanie,  
This notice is scheduled to publish on January 31<sup>st</sup>, the total is \$254.22. Proof is attached.  
Thank you!

**Holly Botts** (she/her)  
*Legal Advertising Representative*  
p: (206) 652-6604  
e: [hbotts@seattletimes.com](mailto:hbotts@seattletimes.com)



---

**From:** Stephanie Keyser <skeyser@medina-wa.gov>  
**Sent:** Thursday, January 27, 2022 6:49 AM  
**To:** Legals <legals@seattletimes.com>  
**Subject:** 20155 - Legal Ad - City of Medina

Good Morning!

Attached please find a legal ad for publication on Monday, January 31, 2022.

Thanks!  
Stephanie

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**CITY OF MEDINA**  
**NOTICE OF PUBLIC HEARING AND DETERMINATION OF NONSIGNIFICANCE**

NOTICE IS HEREBY GIVEN that the Medina Hearing Examiner will conduct a remote public hearing on Tuesday, February 22, 2022, at 3:00 PM. The purpose of this hearing is to consider public testimony for and against the following:

Request for a non-administrative substantial development permit and SEPA to remove 1,745 square feet of timber decking and replace with grating, construct one finger pier, install 4 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats. Pile caps and stringers will be replaced as needed.

File No: Non-Administrative Substantial Development Permit (P-21-037)  
 SEPA Threshold Determination (P-21-057)

Applicant: Alex Capron of The Watershed Company (agent)  
 Beach Club Owners Association (owners)

Address: 1447 Evergreen Point Road (Parcel 226030-0080)

YOU ARE INVITED to attend the remote hearing and make oral and written comments. The Hearing Examiner has the discretion to limit testimony to relevant, non-repetitive comments and to set time limits. If you are unable to attend, written comments, photographs, or other exhibits on the application may be submitted to the staff contact or address below before the hearing date. The Hearing Examiner gives equal weight to testimony submitted in person at a hearing and written comments that are submitted.

For information on how to participate in the remote hearing, please see the City's website for the hearing agenda which will be posted by Friday, February 18, 2022, at 4:00 PM. Please either log in or phone in at the beginning of the hearing to participate. If you need special accommodations, please contact the staff below.

STATE ENVIRONMENTAL POLICY ACT (SEPA): The Responsible Official for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment subject to the proposed conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request via the staff contact below.

The Determination of Nonsignificance is issued after using the Optional DNS process in WAC 197-11-355. There is no additional comment period.

APPEAL RIGHTS: Pursuant to MMC 16.80.220, a person may appeal a SEPA Threshold Determination to the Medina Hearing Examiner, which will be consolidated with and heard at the pre-decision hearing on the substantial development permit and site plan review applications. Appeals must be in writing and contain specific factual objections. Appeals must be submitted along with the appropriate fee to the address listed below by 4:00 PM, Monday, February 14, 2022.

Appeal of the Non-Administrative Substantial Development Permit is to the Shoreline Hearings Board pursuant to RCW 90.58.140(6).

QUESTIONS: City hall remains closed to the public. However, the complete application may be reviewed by emailing the staff contact below. Requests for information and/or written comments may be directed to Medina City Hall, Attn: Development Services, 501 Evergreen Point Road, Medina, WA 98039.

STAFF CONTACT: Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or [skeyser@medina-wa.gov](mailto:skeyser@medina-wa.gov)



# CITY OF MEDINA DECLARATION OF POSTING

Michael Holly does declare as follows:

That s/he is an employee of the city of Medina and that on the:

1<sup>st</sup> day of FEBRUARY 20 22

s/he caused a true and correct legible copy of the following described documents to be posted at each of the following indicated locations:

MH Medina City Hall, 501 Evergreen Point Road, Medina

CF/MH City Website

MH Medina Post Office, 816 Evergreen Point Road, Medina

MH Public notice board at Medina Park Northeast 12<sup>th</sup> Street parking lot.

MH At two locations within 300 feet of the property in question described by its street address as follows:

1447 Evergreen Point Road (Parcel 226030-0080)

Description of document:

NOH & DNS (P-21-037 & P-21-057)

A copy of the posted item is attached hereto.

Signed under the penalties of perjury of the laws of the state of Washington at Medina, Washington this:

1<sup>st</sup> day of FEBRUARY 20 22

Michael Holly  
Signature of posting employee





## NOTICE OF HEARING AND DETERMINATION OF NONSIGNIFICANCE

**NOTICE IS HEREBY GIVEN** that the Medina Hearing Examiner will conduct a remote public hearing on **Tuesday, February 22, 2022, at 3:00 PM**. The purpose of this hearing is to consider public testimony for and against the following:

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**File No.** P-21-037 Non-Administrative Substantial Development Permit  
P-21-057 SEPA Threshold Determination

**Applicant:** Alex Capron of The Watershed Company (agent)  
Beach Club Owners Association (owners)

**Site Address:** 1447 Evergreen Point Road (Parcel 226030-0080)

**YOU ARE INVITED** to attend the remote hearing and make oral and written comments. The Hearing Examiner has the discretion to limit testimony to relevant, non-repetitive comments and to set time limits. If you are unable to attend, written comments, photographs, or other exhibits on the application may be submitted to the staff contact or address below before the hearing date. The Hearing Examiner gives equal weight to testimony submitted in person at a hearing and written comments that are submitted.

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**STATE ENVIRONMENTAL POLICY ACT (SEPA):** The Responsible Official for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment subject to the proposed conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request via the staff contact below.

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Appeal of the Non-Administrative Substantial Development Permit is to the Shoreline Hearings Board pursuant to RCW 90.58.140(6).

**QUESTIONS:** City hall remains closed to the public. However, the complete application may be reviewed by emailing the staff contact below. Requests for information and/or written comments may be directed to Medina City Hall, Attn: Development Services, 501 Evergreen Point Road, Medina, WA 98039.

**STAFF CONTACT:** Stephanie Keyser, AICP, Planning Manager, at (425) 233-6416 or [skeyser@medina-wa.gov](mailto:skeyser@medina-wa.gov)

Stephanie Keyser, AICP, Planning Manager

1/31/2022

Notice Issued

**WARNING!**

*Posted notice is not to be removed, mutilated or concealed in any way.*



**This packet may be submitted for the following:**

- All development activity inside the shoreline jurisdiction not exempt from a substantial development permit (see WAC 173-27-040)

**General Information**

- A complete application is required at the time of submittal. Please answer all questions on the application clearly and completely.
- The City's application form must be used, however, the project narrative and answers to the criteria questions may be submitted on a separate sheet of paper.
- A Notice of Complete Application or Notice of Incomplete Application will be issued within twenty-eight (28) days of submittal.
- A Non-Administrative Substantial Development Permit requires a hearing in front of the Medina Hearing Examiner.

**Requirements**

**I. APPLICATION**

- The following documents are required at the time of submittal, unless otherwise indicated. The information is required prior to processing of the application unless otherwise indicated. An incomplete application will not be processed. A complete application will include:
  - Completed Substantial Development Permit Checklist, Substantial Development Permit Application and Declaration of Agency form
  - Proof of ownership (copy of deed)
  - Site Plan with the following:
    - A general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project;
    - Identification of the shoreline water body;
    - A general description of the property as it now exists, including physical characteristics and improvements and structures;
    - A general description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics;
    - Identification of the ordinary highwater mark:
      - This may be an approximate location; provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark, the mark shall be located precisely and the biological and hydrological basis for the mark's location as indicated on the plans shall be included in the development plan;



DEVELOPMENT SERVICES

# NON-ADMINISTRATIVE SUBSTANTIAL DEVELOPMENT PERMIT CHECKLIST

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
 PHONE: 425-233-6414/6400

This checklist contains the minimum submission requirements for a non-administrative substantial development permit that are due at the time of submittal. Please note that not all items listed may apply to your submittal.

## COMPLETE APPLICATION

|                                     |  |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Non-Administrative Substantial Development Permit Checklist  |
|                                     | Complete Substantial Development Permit Application:<br><input checked="" type="checkbox"/> Application form<br><input checked="" type="checkbox"/> Signature of applicant/agent<br><input checked="" type="checkbox"/> All questions answered in full   |
| <input checked="" type="checkbox"/> | Declaration of Agency form   |
| <input checked="" type="checkbox"/> | Proof of Ownership (copy of deed)  |
| <input checked="" type="checkbox"/> | Site Plan with required information  |
| <input checked="" type="checkbox"/> | Landscaping and/or restoration plan (if applicable)  |
| <input checked="" type="checkbox"/> | Mitigation Measures (if applicable)  |
| <input type="checkbox"/>            | Quantity, source and composition of all fill material that is placed on the site, whether temporary or permanent (if applicable)   |
| <input type="checkbox"/>            | Quantity, composition and destination of all excavation and/or dredged material (if applicable)  |
| <input checked="" type="checkbox"/> | Additional submittal information set forth in the Medina shoreline master program for the use  |
| <input checked="" type="checkbox"/> | State Environmental Policy Act (SEPA) Checklist (if applicable)  |
| Already Provided                    | Mailing labels – Word doc formatted to Avery address labels<br><input type="checkbox"/> Mailing labels containing the names of property owners and their mailing addresses for all properties within 300 feet <b>or</b> three (3) parcels depth, whichever distance is greater but not to exceed 1,000 feet.<br><input type="checkbox"/> Vicinity map showing the site with the 300' or three (3) parcels depth minimum buffer of property owners who will be notified of the application. |



**DEVELOPMENT SERVICES**

# SUBSTANTIAL DEVELOPMENT PERMIT APPLICATION

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

**Complete this form for the following:**

- All development activity inside the shoreline jurisdiction not exempt from a substantial development permit (see WAC 173-27-040)
- All non-exempt development having a fair market value of \$50,000 or less, involving no dredging, and having grading of 500 cubic yards or less (excluding fill used for habitat) are eligible for an administrative approval process

**General Information**

|  |                                       |   |
|--|---------------------------------------|---|
| <b>Owner Name:</b> BEACH CLUB OWNERS ASSOCIATION C/O CLINT MEAD (PRESIDENT)  |                                       |   |
| <b>Property Address:</b> NONE  |                                       |   |
| <b>Legal Description:</b> EDGECLIFFE TR A  | <b>Tax Parcel Number:</b> 226030-0080 |   |
| <b>Please check one:</b><br><input checked="" type="checkbox"/> Non-administrative <input type="checkbox"/> Administrative |                                       | <input type="checkbox"/> Check this box if this is a revision to an approved substantial development permit |

**Agent / Primary Contact**

|                                      |                                       |                                    |
|--------------------------------------|---------------------------------------|------------------------------------|
| <b>Name:</b> Alex Capron             | <b>Email:</b> acapron@watershedco.com |                                    |
| <b>Contact Phone:</b> 425-822-5242   | <b>Alternative Phone:</b>             |                                    |
| <b>Mailing Address:</b> 750 6TH ST S | <b>City:</b> Kirkland                 | <b>State:</b> WA <b>Zip:</b> 98036 |

**Property Information**

|   |   |   |
|---|---|---|
| <b>Project Fair Market Value (include all phases for the next five years):</b> \$264,120  | <b>Other than Lake Washington, are there any critical area(s) located on the property (Ch. 16.67 MMC)?</b><br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO   |   |
| <b>Will work occur in Lake Washington?</b><br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO   | <b>Shoreline Environment Designation(s) [Check all that apply]:</b><br><input checked="" type="checkbox"/> Residential<br><input type="checkbox"/> Urban Conservancy<br><input type="checkbox"/> Transportation<br><input type="checkbox"/> Aquatic<br><span style="float: right;">See MMC 16.61.020</span> |   |
| <b>If work will occur in Lake Washington, what is the type of development (Check all that apply):</b><br><input checked="" type="checkbox"/> Pier/ dock <input type="checkbox"/> Hard shoreline stabilization structure<br><input type="checkbox"/> Moorage cover <input type="checkbox"/> Soft shoreline stabilization measures<br><input checked="" type="checkbox"/> Boatlift <input type="checkbox"/> Dredging/ Fill<br><input type="checkbox"/> Other Overwater Structure <input type="checkbox"/> Other _____ |   | <b>Does the project include a shoreline variance or shoreline conditional use permit?</b><br><input checked="" type="checkbox"/> No<br><input type="checkbox"/> Shoreline Variance<br><input type="checkbox"/> Shoreline Conditional Use Permit |

**Please provide a complete description of the proposed project (attach additional pages if necessary):**

This project proposes to replace the surface area of the dock with light penetrating grating, replace 11 piles and add 4 new boat lifts and 5 new jetski lifts. One boatlift will be retained. Further, the pier will be reduced in size within the first 30-foot waterward of the OHWM, decreasing the pier width from 8-feet to 6-feet. This results in a reduction in pier size from 1,752 square feet to 1,745 square feet. Approximately 80 square feet of mitigation plantings will be provided to account for the increased overwater cover created by the new open-bottomed boat lifts and jetski lifts.

## Approval Criteria

The following is the approval criteria for a substantial development permit application. Please respond to each item by providing as much detailed information as possible to support your request. Attach additional pages if necessary.

**1. The proposed development is consistent with the policy and provisions of the State Shoreline Management Act of 1971 (Chapter 90.58 RCW)**

The proposed project follows SMP policies and regulations for re-configuring an existing legally nonconforming pier and will use best management practices for construction. The rebuild will update the structure and improve the environment and habitat for wildlife.

*RCW 90.58.020:*

- *Foster all reasonable and appropriate uses*
- *Protect against adverse effects to the public health, the land and its vegetation and wildlife*
- *Priority to single-family residences and appurtenant structures*
- *Minimize insofar as practical, any resultant damage to the ecology and environment and interference to the public's use of the water*

**2. The proposed development is consistent with the State Shoreline Management Permit and Enforcement Procedures**

The project proposed grated decking and a reduction of nonconforming area, especially within the 30' nearshore area.

- *Washington Administrative Code 173-27*
- *Chapters 16.80, and Chapter 16.71 or 16.72 MMC*

**3. The proposed development is consistent with the provisions of the Medina shoreline master program:**

**a. *Comprehensive Plan Goals & Policies (Element 2.1 – Shoreline Management Sub-element)***

The proposed project furthers use and enjoyment of shoreline by upland residential property owners. Further, the joint use pier by updating the structure to meet current building codes.

**b. *Shoreline Master Program Chapters 16.60 through 16.67 MMC***

See attached December 2021 response narrative.

I certify under the penalty of perjury that I am the owner of the above property or the duly authorized agent of the owner(s) acting on behalf of the owner(s) and that all information furnished in support of this application is true and correct.



Signature \_\_\_\_\_ Owner  Agent  Date 1/5/2022

Signature \_\_\_\_\_ Owner  Agent  Date \_\_\_\_\_





DEVELOPMENT  
SERVICES

# STATE ENVIRONMENTAL POLICY ACT

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

## ENVIRONMENTAL CHECKLIST WAC 197-11-960

### Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all government agencies to identify and consider the environmental impacts that may result from governmental decisions. These decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies or plans. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an Environmental Impact Statement (EIS) is required.

### When does a project require a SEPA Checklist?

Any project not exempt under WAC 197-11-800 requires a SEPA checklist to be completed. If there is a question about whether a project is exempt, complete the checklist and a determination will be made by the Responsible Official.

**Review Fee:** See fee schedule.

### Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you are not sure, city staff can assist you.

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. You may be asked to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.



**DEVELOPMENT SERVICES**

**STATE ENVIRONMENTAL POLICY ACT**

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

**General Information**

|   |                   |  |
|---|-------------------|--|
| <b>Name of proposed project:</b> Mead Beach Club Dock                           |                   |  |
| <b>Applicant Name:</b> BEACH CLUB OWNERS ASSOCIATION C/O CLINT MEAD             |                   |  |
| <b>Address of applicant and contact person:</b><br>205 NE Northlake Way Ste 230 |                   | <b>Phone:</b> 206-334-5096                         |
| <b>City, State:</b><br>Seattle, WA 98105  | <b>Zip:</b> 98015 | <b>Email:</b><br>amanda@waterfrontconstruction.com |

**Background**

|   |                       |
|---|-----------------------|
| <b>Proposed timing or schedule (including phasing, if applicable):</b>  | As work window allows |
| <b>Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.</b><br>No  |                       |
| <b>List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.</b><br>None  |                       |
| <b>Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.</b><br>No  |                       |
| <b>List any government approvals or permits that will be needed for your proposal, if known.</b><br>City of Medina land use and building permits, WDFW HPA, Army Corps permit   |                       |
| <b>Give 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.</b><br>The proposal is to replace the surface area of the dock with light penetrating grating, replace 11 piles and add 4 new boat lifts and 4 new jetski lifts. |                       |

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 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.

The location is at the waterfront of Lake Washington at the property with the parcel number 2260300080

**Environmental Elements**

**1. Earth**

a. General description of the site (select one):

- Flat     Rolling     Hilly     Steep Slopes     Mountainous     Other: \_\_\_\_\_

b. What is the steepest slope on the site (approximate percent slope)?

+/-5%

c. 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 prime farmland.

Not known

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

None

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

None

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

No

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

None

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

None

|    |     |  |
|----|-----|--|
| 2. | Air | <p>a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.</p> <p>None</p> |
|    |     | <p>b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.</p> <p>None</p>  |
|    |     | <p>c. Proposed measures to reduce or control emissions or other impacts to air, if any:</p> <p>None</p>  |

|    |       |   |
|----|-------|---|
| 3. | Water | <p>a. <u>Surface:</u></p> <p>1) 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.</p> <p>Lake Washington</p> |
|    |       | <p>2) 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.</p> <p>Yes, the repair will be over the water. Please see plans.</p>   |
|    |       | <p>3) 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 fill material.</p> <p>None</p>   |
|    |       | <p>4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.</p> <p>None</p>  |
|    |       | <p>5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.</p> <p>No</p>  |

|             |   |
|-------------|---|
| <p>No</p>   | <p>6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.</p>   |
| <p>No</p>   | <p>b. <u>Ground:</u><br/>         1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.</p>   |
| <p>None</p> | <p>2) 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.</p> |
| <p>None</p> | <p>c. <u>Water runoff (including storm water):</u><br/>         1) 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.</p>   |
| <p>No</p>   | <p>2) Could waste materials enter ground or surface waters? If so, generally describe.</p>  |
| <p>None</p> | <p>3) Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:</p>   |

**4. Plants:**

**a. Check or circle 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

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

---

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

None removed.

---

**c. List threatened or endangered species known to be on or near the site.**

None

---

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

A planting plan has been created and proposed. It includes two trees and three shrubs, all of which are approved by NOAA's RAP program.

**5. Animals**

**a. Check any birds and animals which have been observed on or near the site or are known to be on or near the site:**

|  |   |   |                                 |  |   |
|--|---|---|---------------------------------|--|---|
| <input checked="" type="checkbox"/> birds: | <input checked="" type="checkbox"/> hawk, | <input type="checkbox"/> heron,             | <input type="checkbox"/> eagle, | <input checked="" type="checkbox"/> songbirds, | <input type="checkbox"/> other: _____                                     |
| <input type="checkbox"/> mammals:          | <input type="checkbox"/> deer,            | <input type="checkbox"/> bear,              | <input type="checkbox"/> elk,   | <input type="checkbox"/> beaver,               | <input type="checkbox"/> other: _____                                     |
| <input checked="" type="checkbox"/> fish:  | <input checked="" type="checkbox"/> bass, | <input checked="" type="checkbox"/> salmon, | <input type="checkbox"/> trout, | <input type="checkbox"/> herring,              | <input type="checkbox"/> shellfish, <input type="checkbox"/> other: _____ |

---

**b. List any threatened or endangered species known to be on or near the site.**

Puget Sound Chinook Salmon, Coastal Puget Sound Bull Trout, Puget Sound Strait of Georgia Coho Salmon, Puget Sound Steelhead

---

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

No

---

**d. Proposed measures to preserve or enhance wildlife, if any:**

None proposed

|   |
|---|
| <p><b>6. Energy and natural resources</b></p> <p>a. 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.</p> <p>None: this project has no energy requirements upon completion.</p> |
| <p>b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.</p> <p>No</p>  |
| <p>c. 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:</p> <p>None</p>  |

|   |
|---|
| <p><b>7. Environmental health</b></p> <p>a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, which could occur as a result of this proposal? If so, describe.</p> <p>None known</p>  |
| <p>1) Describe special emergency services that might be required.</p> <p>None anticipated</p>   |
| <p>2) Proposed measures to reduce or control environmental health hazards, if any:</p> <p>There are no known hazardous chemicals or conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the vicinity of the project area.</p> |
| <p>b. <u>Noise:</u></p> <p>1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?</p> <p>None</p>  |

|      |   |
|------|---|
| None | 2) 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. |
| None | 3) Proposed measures to reduce or control noise impacts, if any:  |

|   |   |
|---|---|
| <p>8. Land and shoreline use</p> <p>a. What is the current use of the site and adjacent properties?<br/>The site is a vacant lot for single-family home. The adjacent properties are single-family homes.</p> |   |
| No  | b. Has the site been used for agriculture? If so, describe.   |
| c. Describe any structures on the site.<br>Structures include the current pier.   |   |
| No  | d. Will any structures be demolished? If so, what?  |
| R30   | e. What is the current zoning classification of the site?   |
| Unknown   | f. What is the current comprehensive plan designation of the site?                                  |
| Unknown   | g. If applicable, what is the current shoreline master program designation of the site?             |
| No  | h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify. |
| None  | i. Approximately how many people would reside or work in the completed project?                     |



|   |
|---|
| <p>j. Approximately how many people would the completed project displace?</p> <p>None</p>   |
| <p>k. Proposed measures to avoid or reduce displacement impacts, if any:</p> <p>none needed</p>                                       |
| <p>l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:</p> <p>None</p> |

|  |
|--|
| <p>9. Housing</p> <p>a. Approximately how many units would be provided, if any? Indicate whether high, mid-middle or low-income housing.</p> <p>None</p> |
| <p>b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.</p> <p>None</p>                   |
| <p>c. Proposed measures to reduce or control housing impacts, if any:</p> <p>None</p>  |

|  |
|--|
| <p>10. Aesthetics</p> <p>a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?</p> <p>The pier would be 10" in height.</p> |
| <p>b. What views in the immediate vicinity would be altered or obstructed?</p> <p>None</p>   |
| <p>c. Proposed measures to reduce or control aesthetic impacts, if any:</p> <p>None</p>  |

|  |
|--|
| <p><b>11. Light and glare</b></p> <p>a. What type of light or glare will the proposal produce? What time of day would it mainly occur?</p> <p>None</p> |
| <p>b. Could light or glare from the finished project be a safety hazard or interfere with views?</p> <p>None</p>                                       |
| <p>c. What existing off-site sources of light or glare may affect your proposal?</p> <p>None</p>   |
| <p>d. Proposed measures to reduce or control light and glare impacts, if any:</p> <p>None</p>  |

|  |
|--|
| <p><b>12. Recreation</b></p> <p>a. What designated and informal recreational opportunities are in the immediate vicinity?</p> <p>Swimming, boating, fishing.</p>           |
| <p>b. Would the proposed project displace any existing recreational uses? If so, describe.</p> <p>No</p>   |
| <p>c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:</p> <p>None</p> |

|  |
|--|
| <p><b>13. Historic and cultural preservation</b></p> <p>a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.</p> <p>No</p> |
| <p>b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.</p> <p>None</p>   |

c. Proposed measures to reduce or control impacts, if any:  
 none

14. Transportation  
 a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.  
 None

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?  
 No

c. How many parking spaces would the completed project have? How many would the project eliminate?  
 None

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).  
 No

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.  
 No

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.  
 None

g. Proposed measures to reduce or control transportation impacts, if any:  
 None

15. Public services  
 a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.  
 No

b. Proposed measures to reduce or control direct impacts on public services, if any.  
None

16. Utilities  
a. Select utilities currently available at the site:  
 electricity  natural gas  water  refuse service  telephone  sanitary sewer  other: \_\_\_\_\_  
b. 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**

I certify (or declare) under penalty of perjury under the laws of the State of Washington that 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 of person preparing the checklist: Amanda McIntosh  
Date checklist prepared: 5/20/2021



# CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144  
TELEPHONE 425-233-6400 | www.medina-wa.gov

## DETERMINATION OF NONSIGNIFICANCE

- Proposal:** Request for a non-administrative substantial development permit and SEPA to remove 1,745 square feet of timber decking and replace with grating, construct one finger pier, install 4 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats. Pile caps and stringers will be replaced as needed.
- File No.:** P-21-037 Non-Administrative Substantial Development Permit  
P-21-057 SEPA Threshold Determination
- Applicant:** Alex Capron of The Watershed Company (agent)  
Beach Club Owners Association (owners)
- Location:** 1447 Evergreen Point Road (Parcel 226030-0080)
- Lead Agency:** City of Medina

The SEPA Responsible Official of the City of Medina hereby makes the following Findings and Conclusions based upon a review of the Environmental Checklist and other information on file with the City of Medina.

### FINDINGS OF FACT

1. The applicant submitted a SEPA checklist on August 26, 2021, in support of a non-administrative substantial development permit (file no. P-21-037). The applicant is proposing to remove 1,745 square feet of timber decking and replace with grating, construct one finger pier, install 3 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats. Pile caps and stringers will be replaced as needed.
2. The application was determined complete on December 16, 2021, and a Notice of Application was issued on December 20, 2021. The notice was mailed to state agencies and property owners pursuant to MMC 16.80.140(B)(2) and posted on the property and City notice boards. No comments were received.
3. Northwest Environmental Construction prepared an Ecological No Net Loss Assessment Report dated August 2021. The report concludes that the reduction in overwater coverage by installing Thruflow grating (reduction of 744 square feet) and narrowing the walkway will lessen the migration times of juvenile salmonids that sometimes hesitate to move under docks.
4. Best management practices, such as a floating boom that will surround the work barge and boatlift will be used 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.
5. The proposal is required to comply with applicable regulations in the Medina Shoreline Master Program.

### CONCLUSIONS OF RESPONSIBLE OFFICIAL

The Responsible Official for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW [43.21C.030\(2\)\(c\)](#). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request at the address below.

This Determination of Nonsignificance (DNS) is issued pursuant to WAC 197-11-355. There is no further comment period.

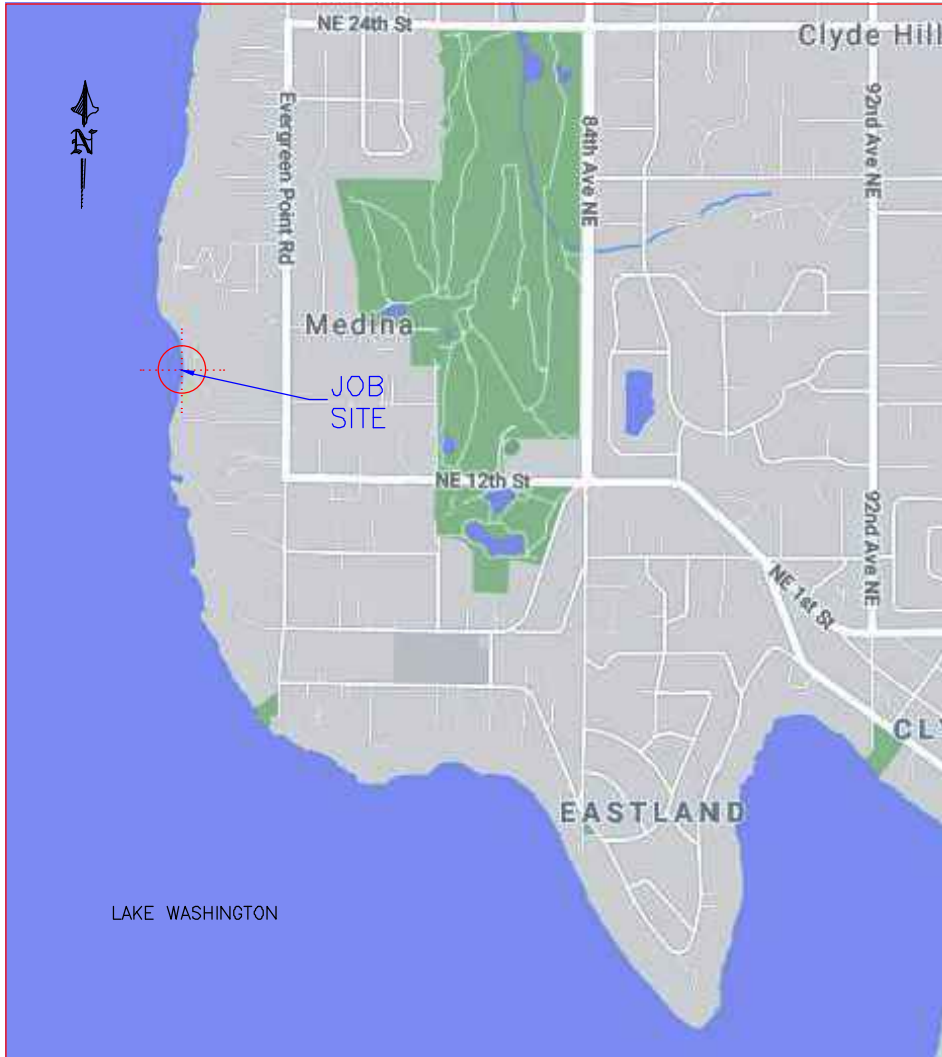
**Responsible Official:** Stephanie Keyser, AICP  
Planning Manager  
501 Evergreen Point Road  
Medina, WA 98039  
**Phone:** (425) 233-6416

**Date of Issuance:** January 31, 2022  
**Date of Publication:** January 31, 2022  
**Appeal Deadline:** February 14, 2022

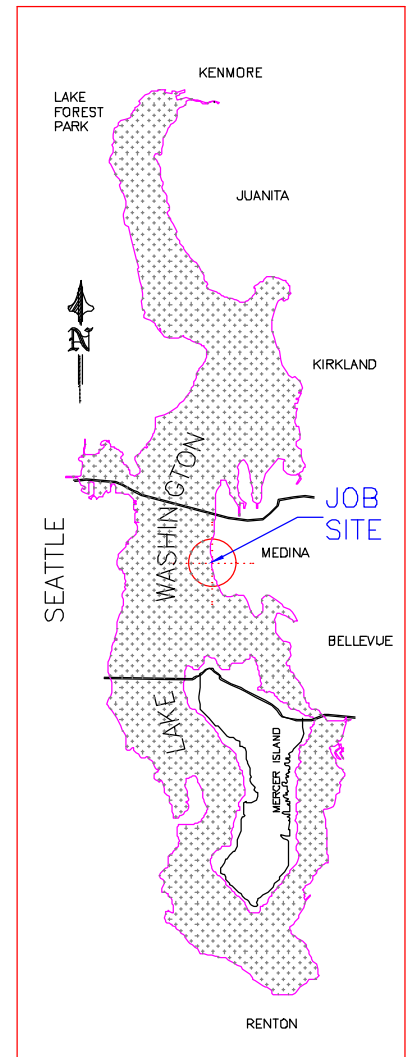
|                  |  |                           |
|------------------|--|---------------------------|
| <b>Signature</b> | <br>_____ | <u>1/31/2022</u><br>_____ |
|                  | Responsible Official   | Date                      |

**APPEAL:** Pursuant to MMC 16.80.220, decisions of the Responsible Official may be appealed to the City of Medina Hearing Examiner. A written notice of appeal identifying the grounds for appeal must be filed within 14 days the determination becomes final. Appeals must be in writing and contain specific factual objections. Appeals may be submitted along with the appropriate appeal fee to the address above.

**NOTE:** The issuance of this DNS does not constitute project approval. The applicant must comply with all other applicable requirements of the City of Medina.



VICINITY MAP/NO SCALE



AREA MAP/NO SCALE

LEGAL DESCRIPTION

SECTION: SW-25-25-04  
 TAXLOT #: 226030-0080  
 LAT: 47.624772 (47° 37' 29.1792" N)  
 LONG: -122.242781 (122° 14' 34.0116" W)

EDGECLIFFE  
 Plat Block:  
 Plat Lot: TR A

PROJECT DESIGNED BY:

*Waterfront Construction Inc.*

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**REVISED**  
**10/14/2021**

TO INCLUDE FENDER ACCESSORIES.

ADJACENT OWNERS:

- ① ROBERT SHORT  
1449 EVERGREEN POINT RD  
MEDINA, WA 98039
- ② JAMES WEYMOUTH  
1445 EVERGREEN POINT RD  
MEDINA, WA 98039

APPLICATION#:

PROPOSED: JOINT-USE PIER REBUILD

PURPOSE: RESTORE PIER INTEGRITY & IMPROVE  
 ECOLOGICAL SUSTAINABILITY

DATUM: C.O.E. MLLW=0.0'

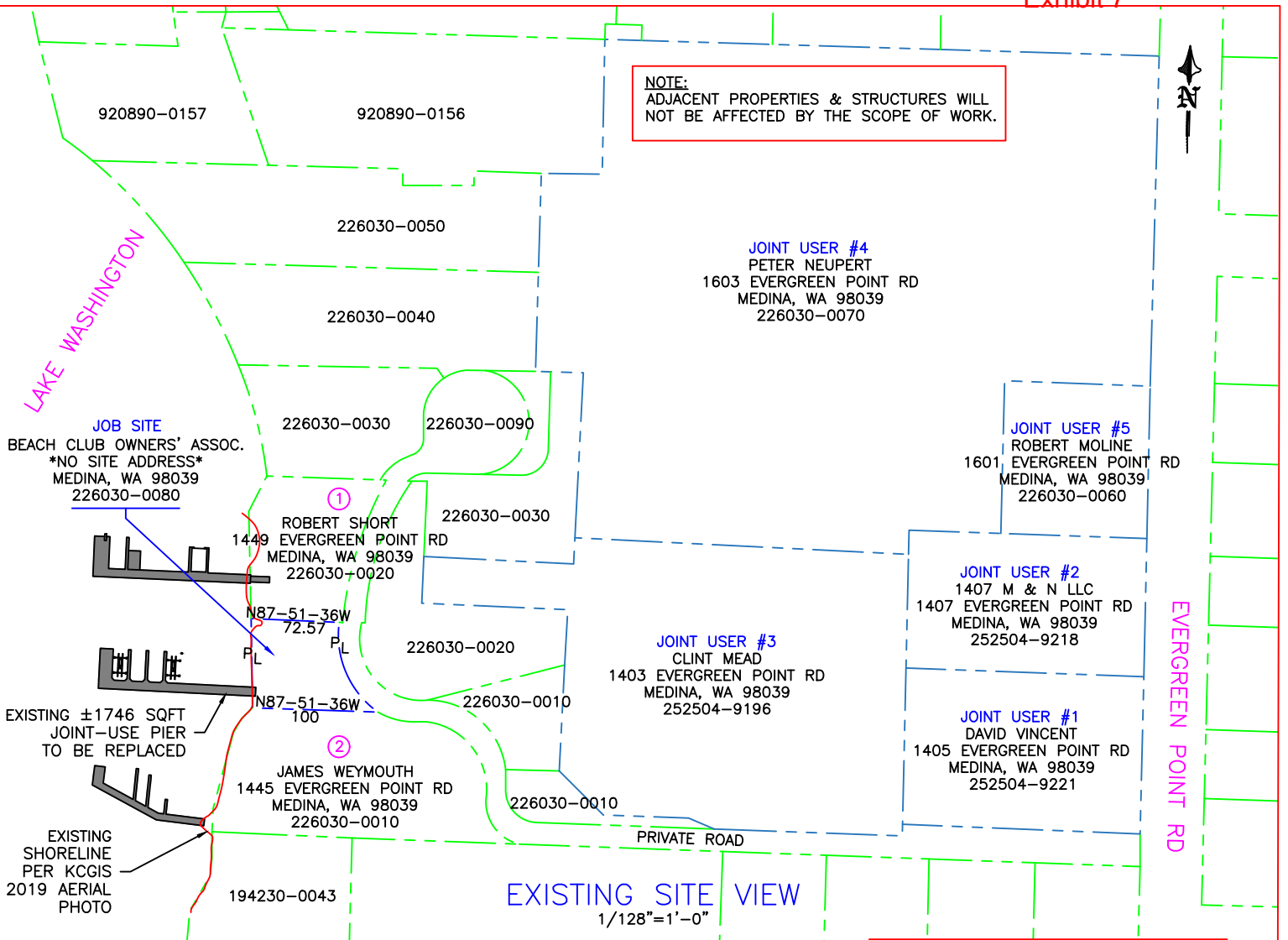
DWG#: 20-32048-A3-1

APPLICANT: BEACH CLUB OWNERS' ASSOCIATION

\*NO SITE ADDRESS\*  
 SITE ADD. 1447 EVERGREEN POINT RD  
 MEDINA, WA 98039

MAIL ADD. c/o CLINT MEAD  
 1403 EVERGREEN POINT RD  
 MEDINA, WA 98039

PAGE: 1 OF: 9 DATE: 06-09-2021



**JOINT-USE LEGAL DESCRIPTIONS**

**JOINT USER #1:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 252504-9221

PORTION GOVT LOT 3 STR 25-25-04 DESCRIBED AS FOLLOWS: BEGINNING AT PT ON EAST LINE SD GOVT LOT 3 2045 FT NORTH OF SE CORNER OF GOVT LOT 4 SD SECTION 25 TH N 00-17-22 E ALONG SD EAST LINE 50 FT TO TPOB TH CONTINUING N 00-17-22 E ALONG SD EAST LINE 131.67 FT TH N 88-58-29 W 257.87 FT TH S 00-17-22 W 131.67 FT TH S 88-58-29 E 257.87 FT TO TPOB LESS EAST 30 FT FOR 76TH AVE NE; TGW PORTION SD GOVT LOT 3 DESCRIBED AS FOLLOWS: BEGINNING AT PT ON EAST LINE SD GOVT LOT 3 2077 FT NORTH OF SE CORNER OF GOVT LOT 4 SD SECTION 25 TH N 87-51-36 W 30 FT TO TPOB TH CONTINUING N 87-51-36 W 227.87 FT TH N 01-24-15 E 18 FT TH S 87-51-36 E 227.87 FT TO WEST MGN 76TH AVE NE TH S 01-24-15 W ALONG SD WEST MGN 18 FT TO TPOB

**JOINT USER #2:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 252504-9218

POR OF GL 3 DAF-BAAP ON E LN GL 3 2045 FT N OF SE COR GL 4 TH N 00-17-22 E 181.67 FT TO TPOB TH CONTG N 00-17-22 E 131.67 FT TH N 87-51-36 W 257.87 FT TH S 00-17-22 W 131.67 FT TH S 88-58-29 E 257.87 FT TO TPOB LESS CO RD

**JOINT USER #3:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 252504-9196

BEG AT PT ON E LN OF GL 3 WH PT IS 2065.77 FT N OF SE COR OF GL 4 TH N 87-51-36 W 257.87 FT TO POB TH CONTG N 87-51-36 W 179.48 FT TH N 67-40-27 W 28.97 FT TH N 87-51-36 W 80 FT TH N 42-25-58 W 56.14 FT TH N 87-51-36 W 3.5 FT TH N 02-59-38 E 153.22 FT TH N 87-00-22 W 139.50 FT TH N 02-59-38 E 45 FT TH S 87-00-22 E 143 FT TH N 02-59-38 E 25 FT TH S 87-02-51 E 319.31 FT TH S 00-17-22 W 268.63 FT TO POB

**JOINT USER #4:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 226030-0070

EDGECLIFFE BEG AT N 1/4 COR OF SEC 25-25-4 TH S 01-24-15 W 2462.35 FT ALG N-S C/L OF SD SEC 25 TH N 88-04-15 W 30 FT TO WLY R/W OF 76TH AVE NE ALSO BEING NE COR OF SD LOT 7 & TPOB TH N 88-04-15 W 529 FT TH S 01-24-15 W 130 FT TH N 88-04-15 W 58.39 FT TH ALG E LN OF LOTS 4 & 5 OF SD PLAT S 01-55-45 W 191.19 FT TH S 88-41-44 E 46.46 FT TH S 02-59-38 W 158.08 FT TH S 87-02-51 E 319.31 FT TH N 01-24-15 E 23.94 FT TH S 87-51-36 E 87.87 FT TH ALG W LN OF LOT 6 OF SD PLAT N 01-24-15 E 146 FT TH ALG N LN OF SD LOT 6 S 87-51-36 E 140 FT TO NLY R/W OF 76TH AVE NE TH ALG SD WLY R/W N 01-24-15 E 315.36 FT TO TPOB AKA MEDINA LLA #2000-01 REC #20000613900013

**JOINT USER #5:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 226030-0060  
EDGECLIFFE

PROJECT DESIGNED BY:

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**REVISED**  
**10/14/2021**

TO INCLUDE FENDER ACCESSORIES.

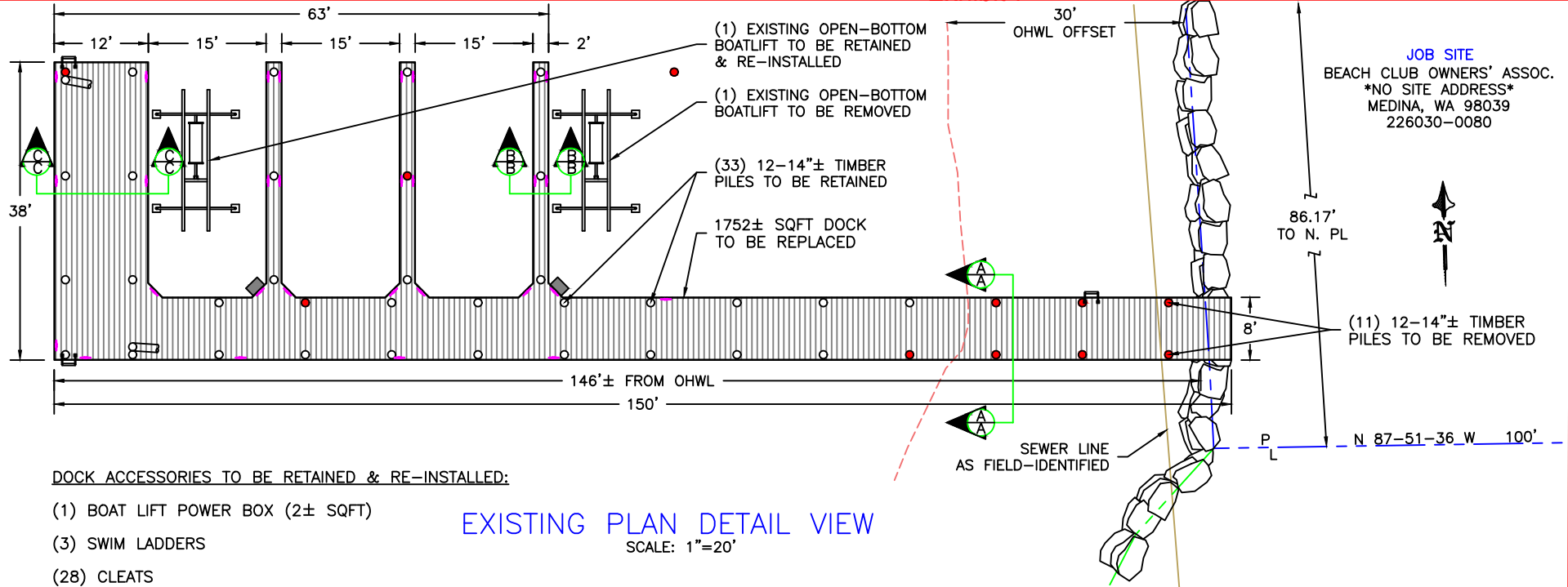
**REFERENCE #:**

**APPLICANT:** BEACH CLUB OWNERS' ASSOCIATION  
**PROPOSED:** JOINT-USE PIER REBUILD

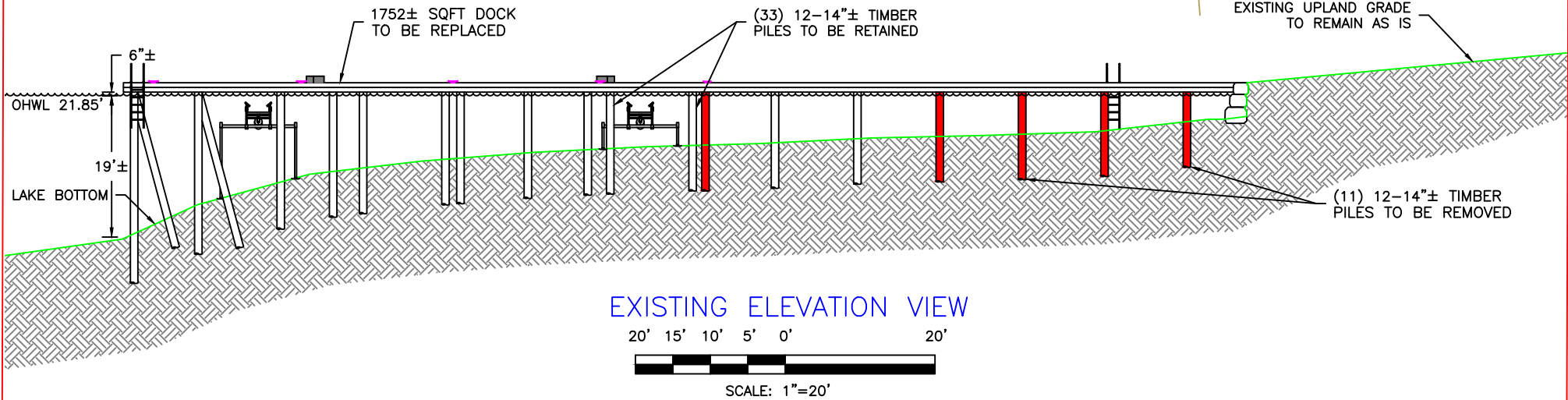
**SHEET:** 2 **OF:** 9 **NEAR/AT:** MEDINA  
**DATE:** 06-09-2021 **DWG#:** 20-32048-A3-2



LAKE WASHINGTON



**JOB SITE**  
 BEACH CLUB OWNERS' ASSOC.  
 \*NO SITE ADDRESS\*  
 MEDINA, WA 98039  
 226030-0080



**REVISED**  
 10/14/2021

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REFERENCE #:

APPLICANT: BEACH CLUB OWNERS' ASSOCIATION

PROPOSED: JOINT-USE PIER REBUILD

SHEET: 3

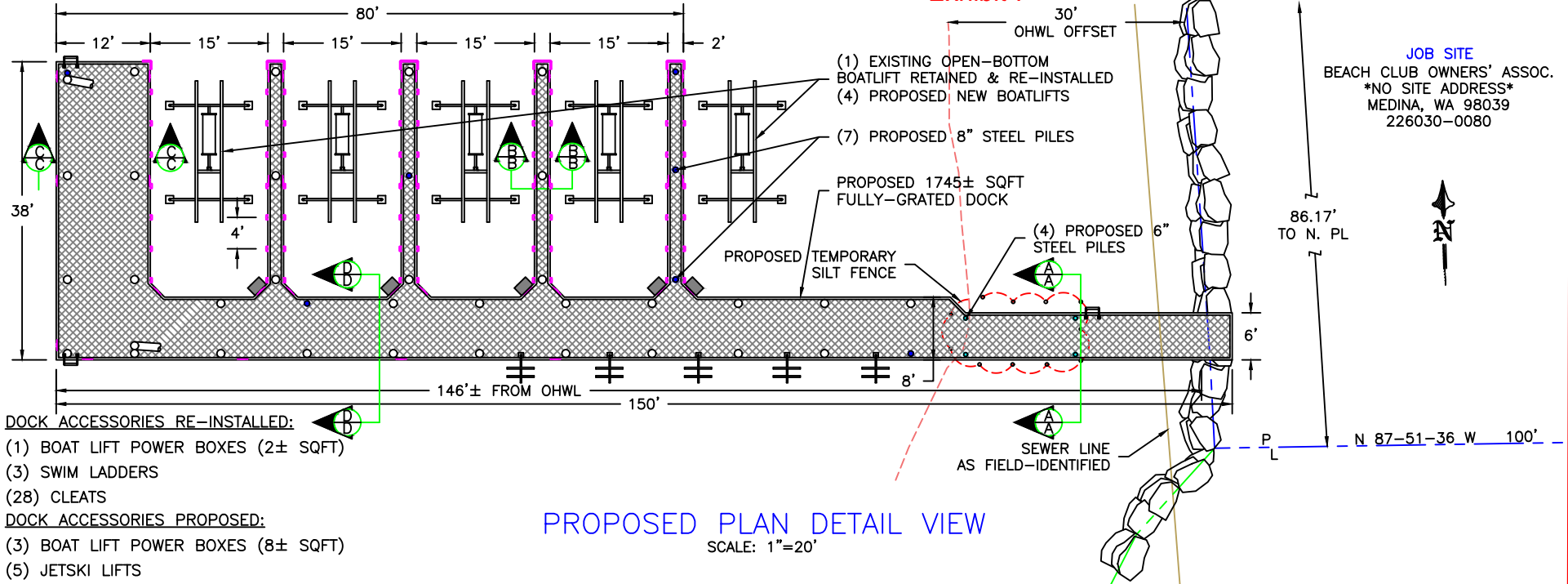
OF: 9

NEAR/AT: MEDINA

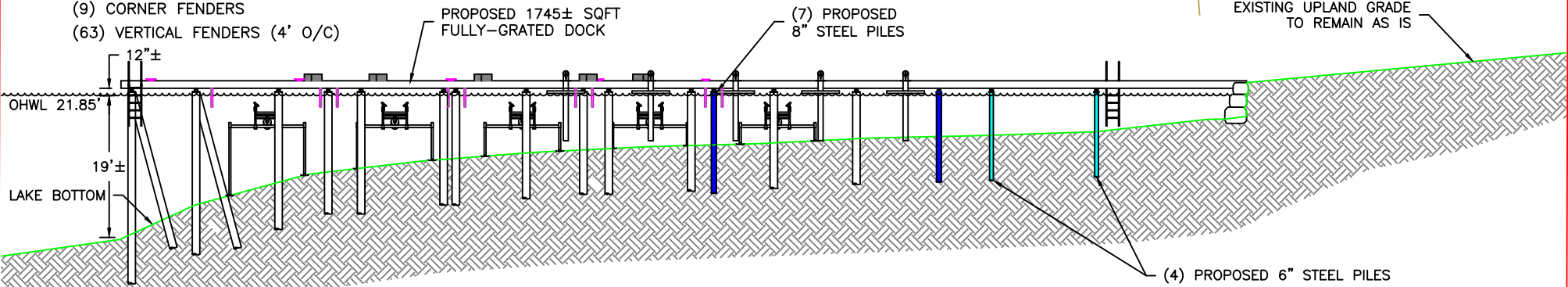
DATE: 06-09-2021

DWG#: 20-32048-A3-3

LAKE WASHINGTON



**JOB SITE**  
 BEACH CLUB OWNERS' ASSOC.  
 \*NO SITE ADDRESS\*  
 MEDINA, WA 98039  
 226030-0080



|            | EXISTING | PROPOSED   | NET CHANGE |
|------------|----------|------------|------------|
| PIER       | 1752 S/F | 1745 S/F   | -7         |
| GRATING    | 0 S/F    | 1568.5 S/F | 1568.5     |
| PILING >8" | 44       | 40         | -4         |
| PILING <8" | 0        | 4          | 4          |
| SLIPS      | 4        | 5          | 1          |
| BOATLIFTS  | 2        | 5          | 3          |
| PW-LIFTS   | 0        | 5          | 5          |

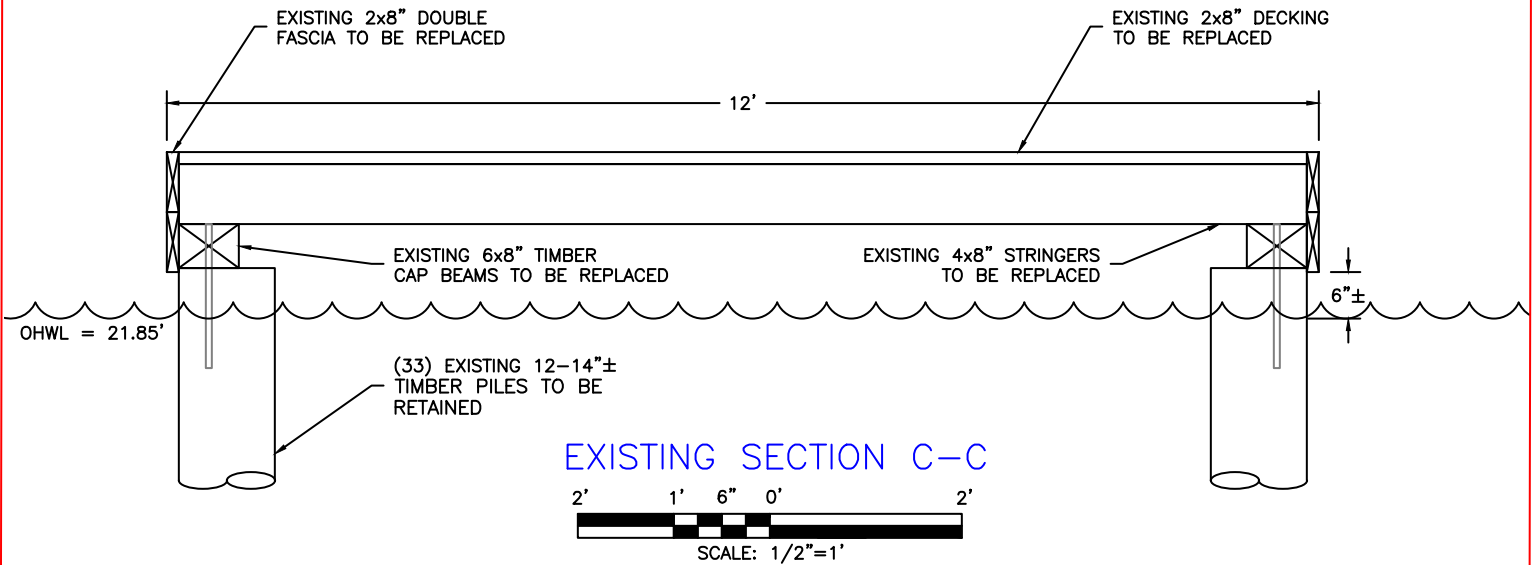
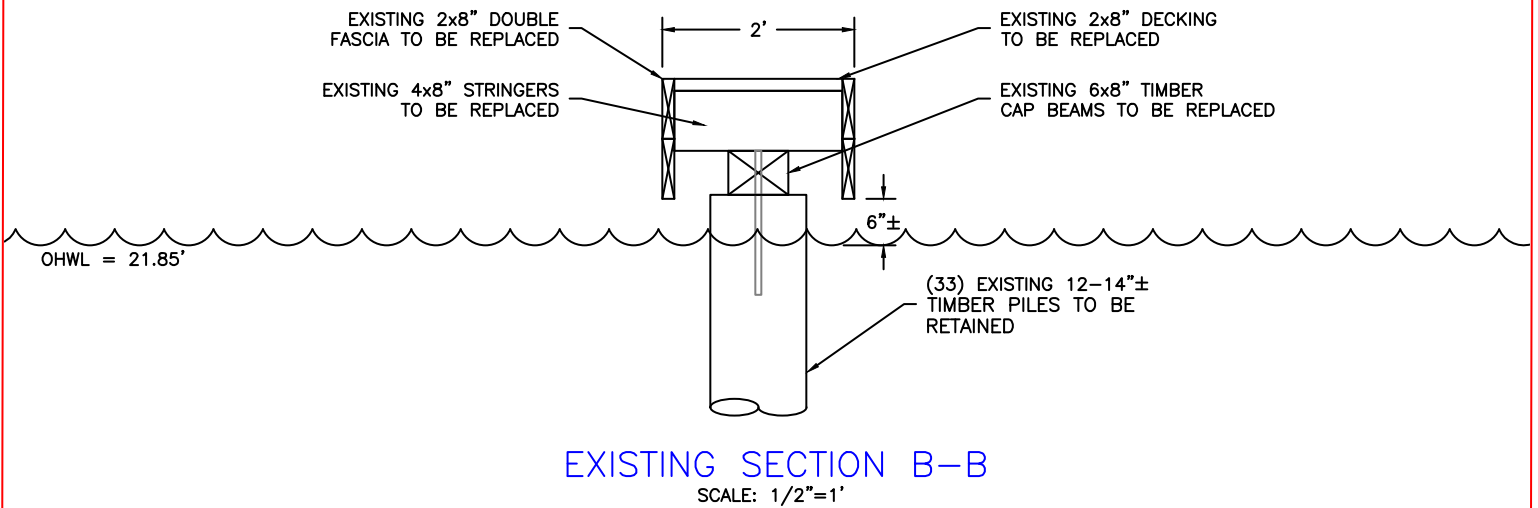
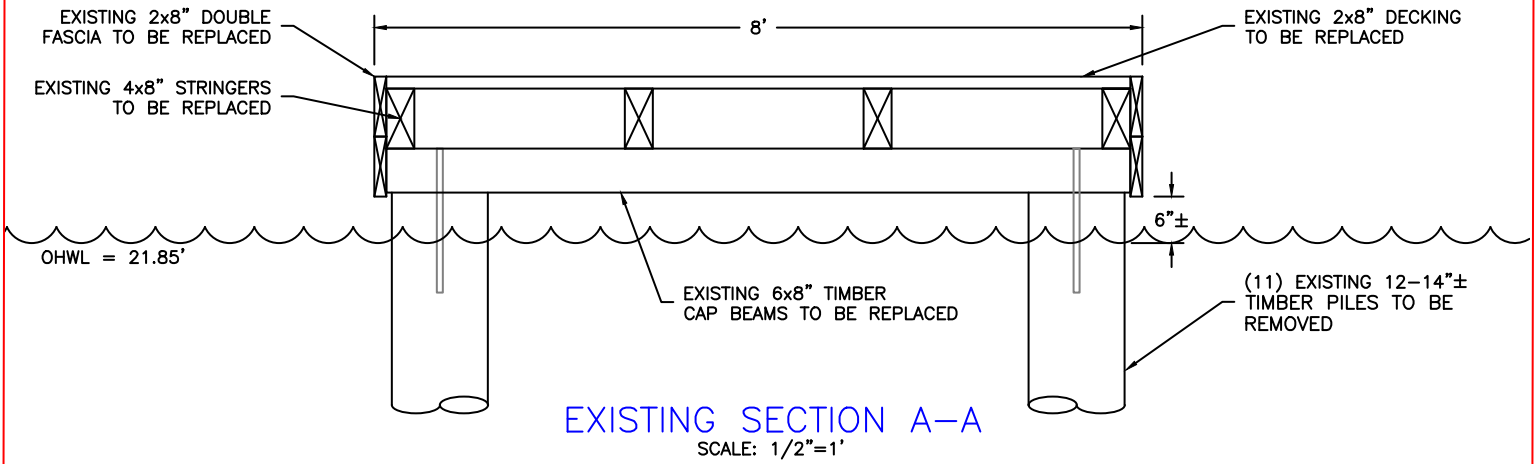
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 10/14/2021

TO INCLUDE FENDER ACCESSORIES.

REFERENCE #:  
 APPLICANT: BEACH CLUB OWNERS' ASSOCIATION  
 PROPOSED: JOINT-USE PIER REBUILD

SHEET: 4 OF: 9 NEAR/AT: MEDINA  
 DATE: 06-09-2021 DWG#: 20-32048-A3-4



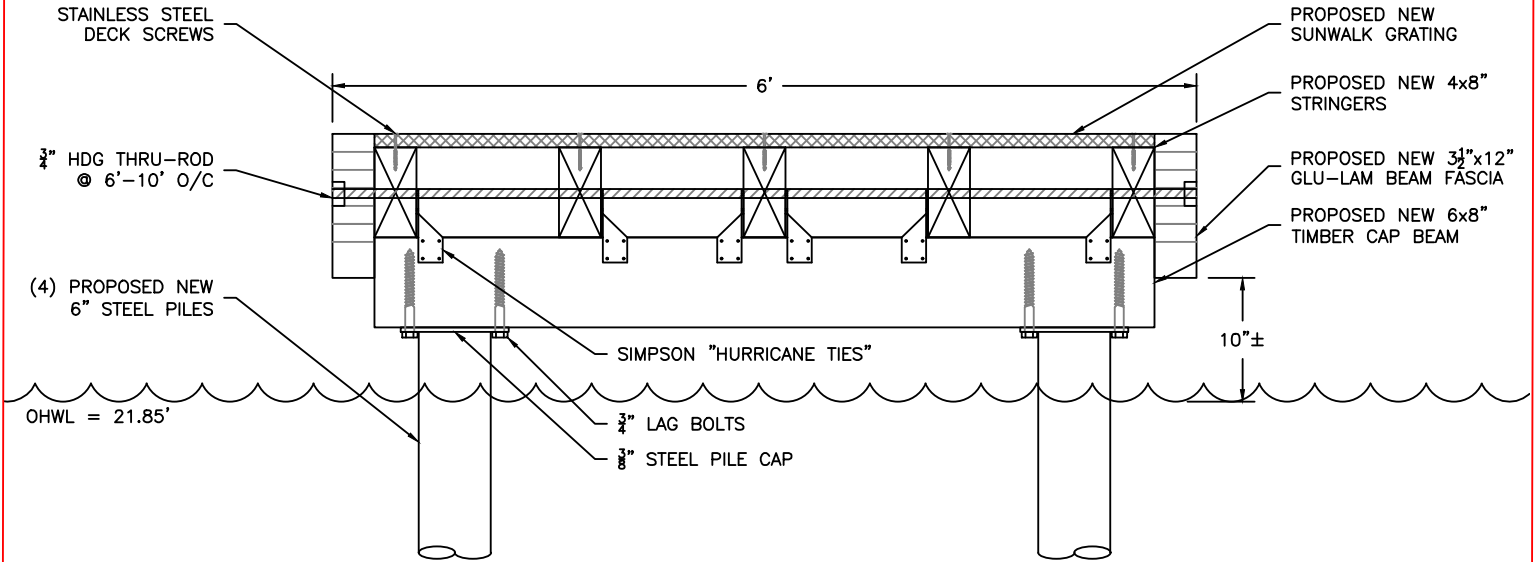
PROJECT DESIGNED BY:  
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**10/14/2021**

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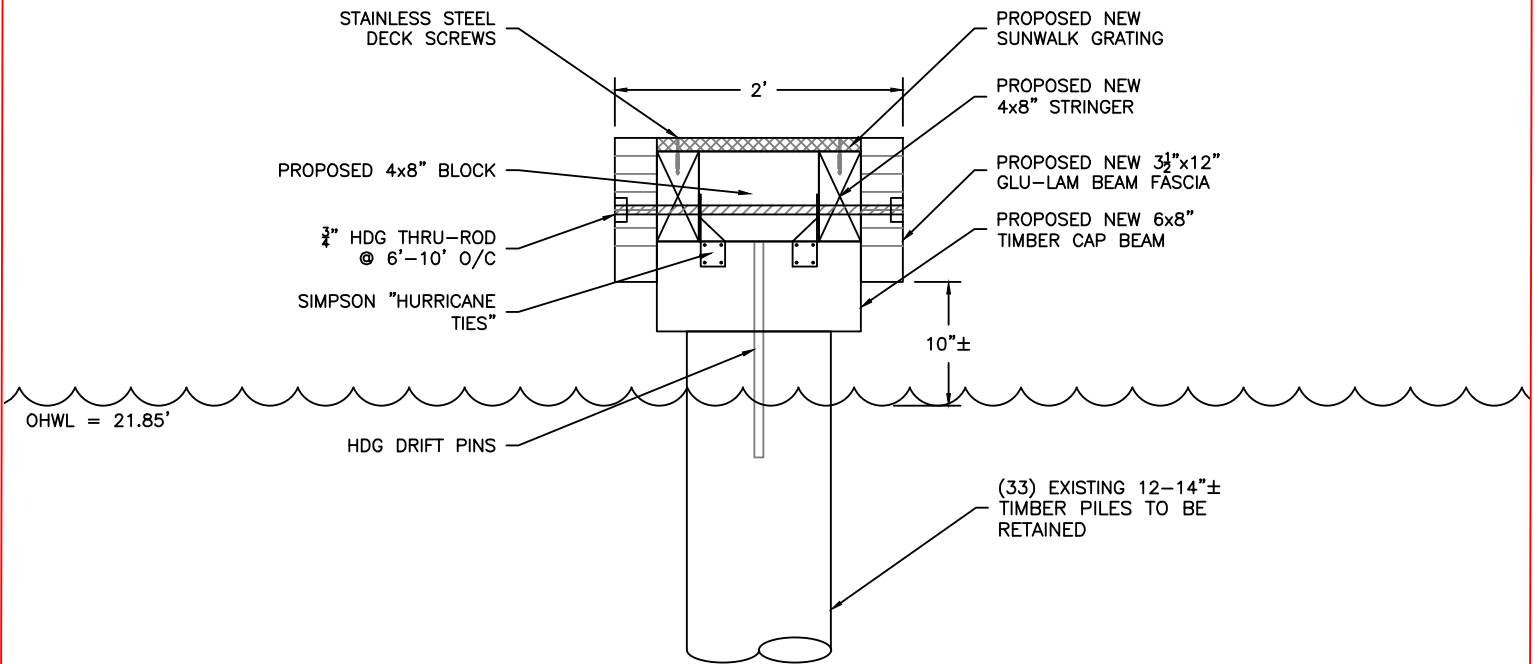
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 APPLICANT: BEACH CLUB OWNERS' ASSOCIATION  
 PROPOSED: JOINT-USE PIER REBUILD

SHEET: 5 OF: 9 NEAR/AT: MEDINA  
 DATE: 06-09-2021 DWG#: 20-32048-A3-5

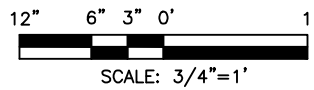


PROPOSED SECTION A-A

SCALE: 3/4"=1'



PROPOSED SECTION B-B



**REVISED**  
10/14/2021

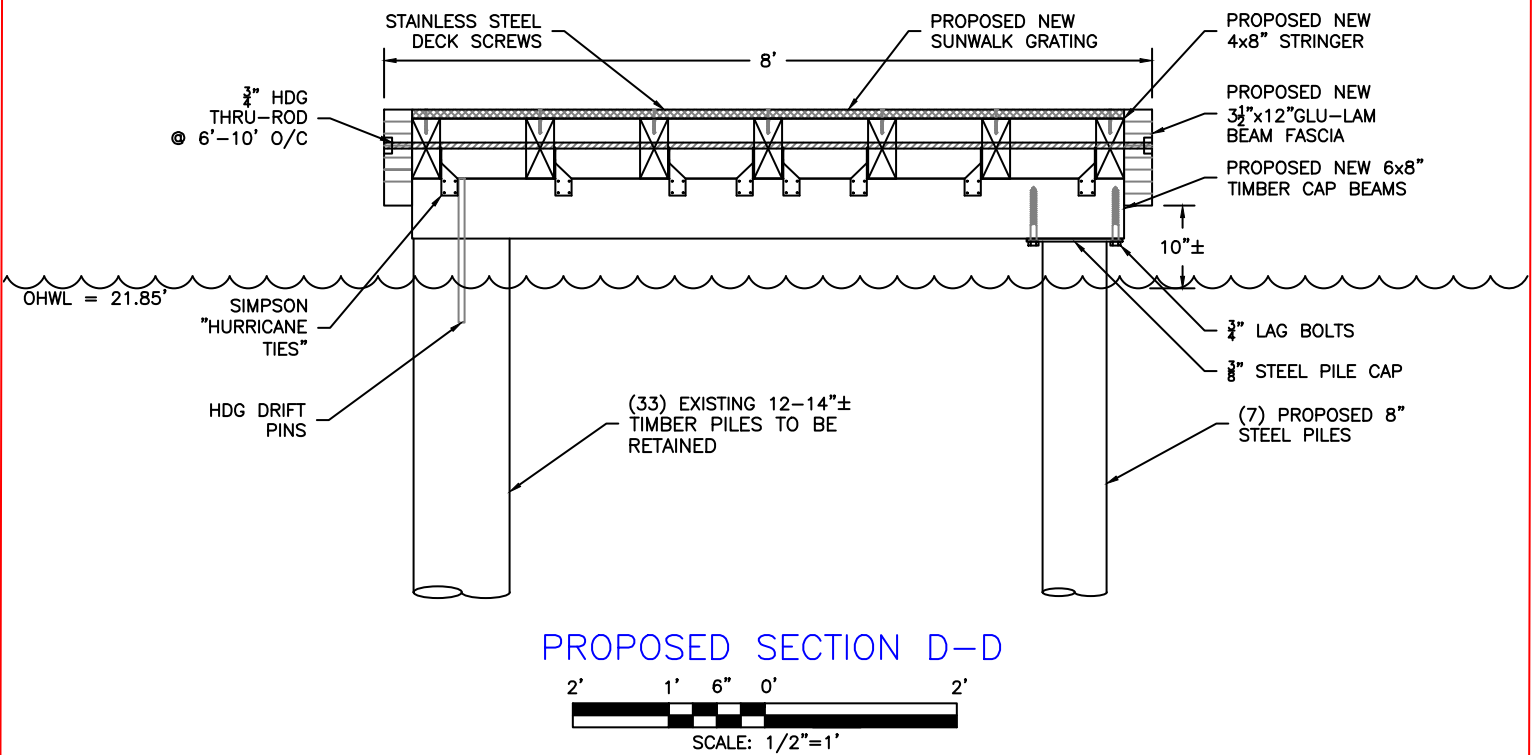
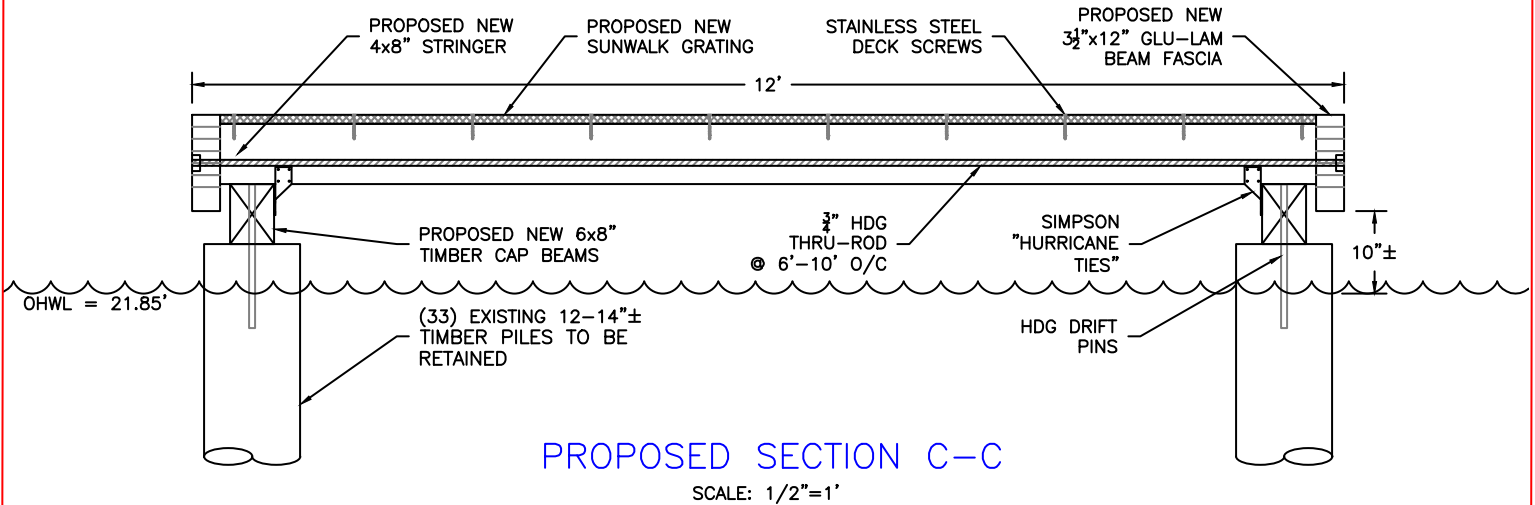
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|   |                     |                 |
|---|---------------------|-----------------|
| REFERENCE #:                              |                     |                 |
| APPLICANT: BEACH CLUB OWNERS' ASSOCIATION |                     |                 |
| PROPOSED: JOINT-USE PIER REBUILD          |                     |                 |
| SHEET: 6                                  | OF: 9               | NEAR/AT: MEDINA |
| DATE: 06-09-2021                          | DWG#: 20-32048-A3-6 | 100             |



**REVISED**  
10/14/2021

TO INCLUDE FENDER ACCESSORIES.

PROJECT DESIGNED BY:

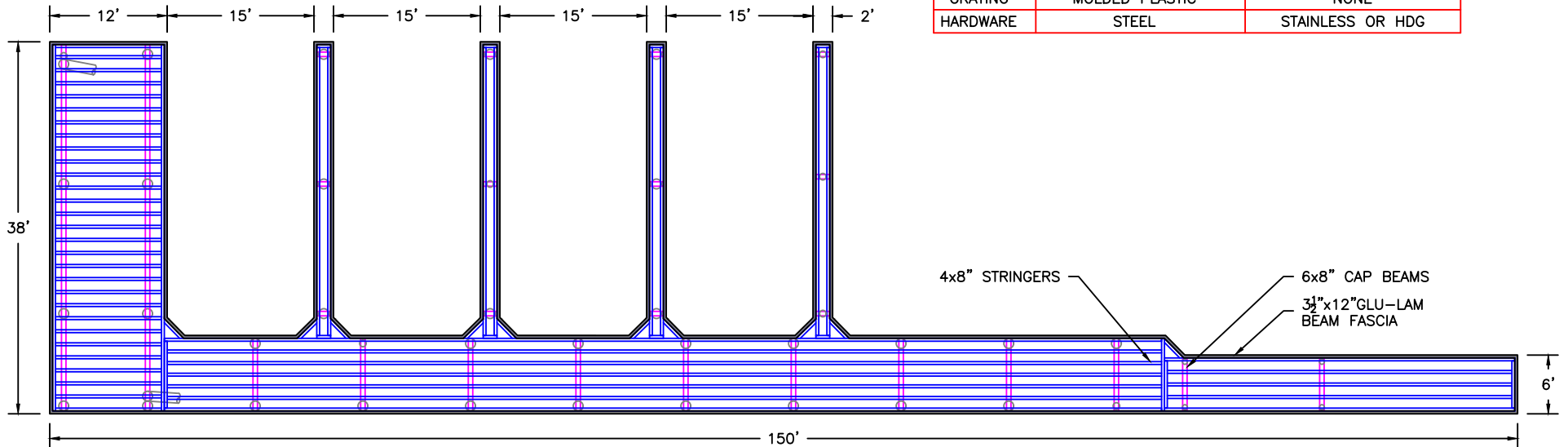
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|---|---------------------|-----------------|
| REFERENCE #:                              |                     |                 |
| APPLICANT: BEACH CLUB OWNERS' ASSOCIATION |                     |                 |
| PROPOSED: JOINT-USE PIER REBUILD          |                     |                 |
| SHEET: 7                                  | OF: 9               | NEAR/AT: MEDINA |
| DATE: 06-09-2021                          | DWG#: 20-32048-A3-7 |                 |

MATERIAL LIST

| PART      | SPECS              | TREATMENT        |
|-----------|--------------------|------------------|
| PILES     | 6" & 8" X-STRONG   | GALVANIZED       |
| CAPS      | 6"x8" DF #2 OR BTR | ACZA             |
| GLU-LAMS  | 3 1/8"x12" DF      | ACZA             |
| STRINGERS | 4"x8" DF #2 OR BTR | ACZA             |
| GRATING   | MOLDED PLASTIC     | NONE             |
| HARDWARE  | STEEL              | STAINLESS OR HDG |



PROPOSED FRAMING PLAN DETAIL



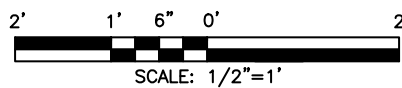
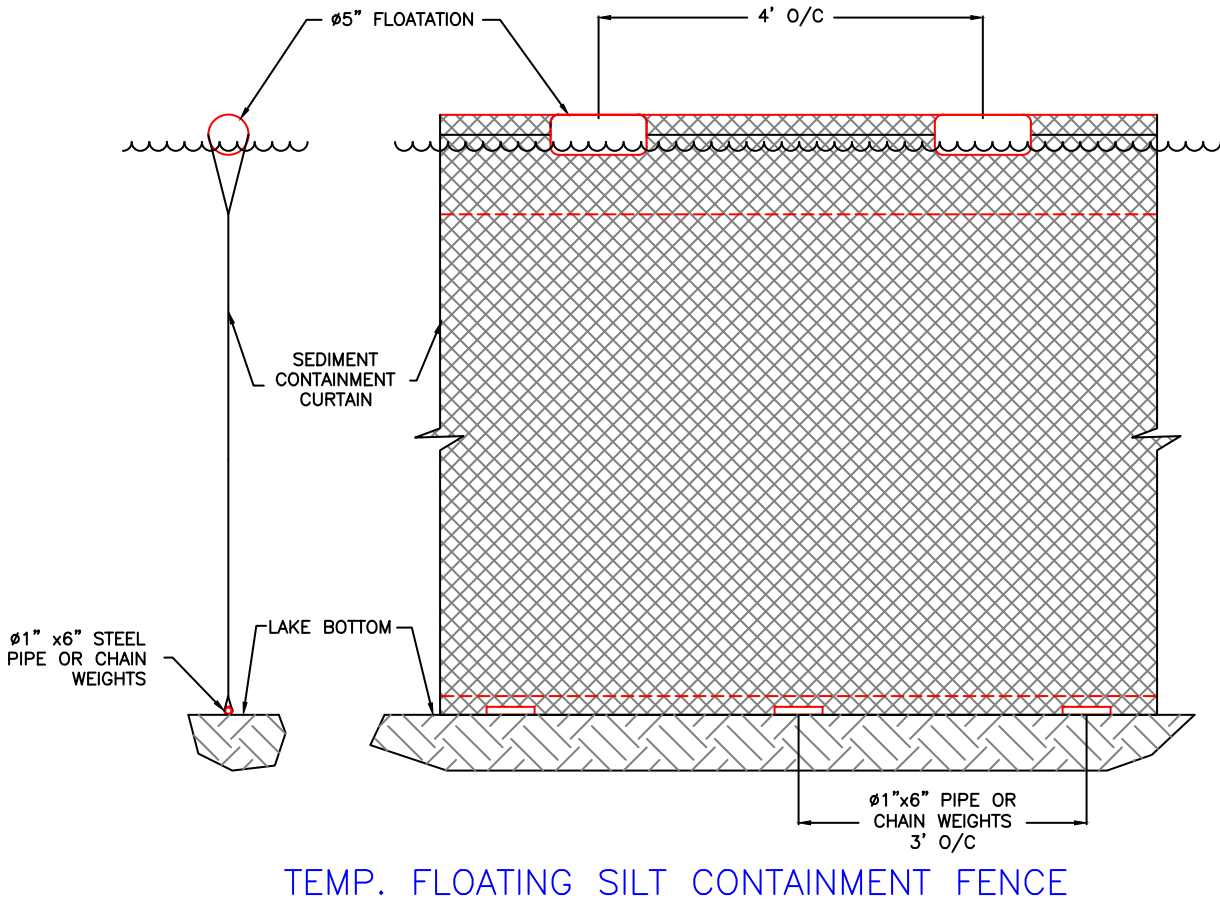
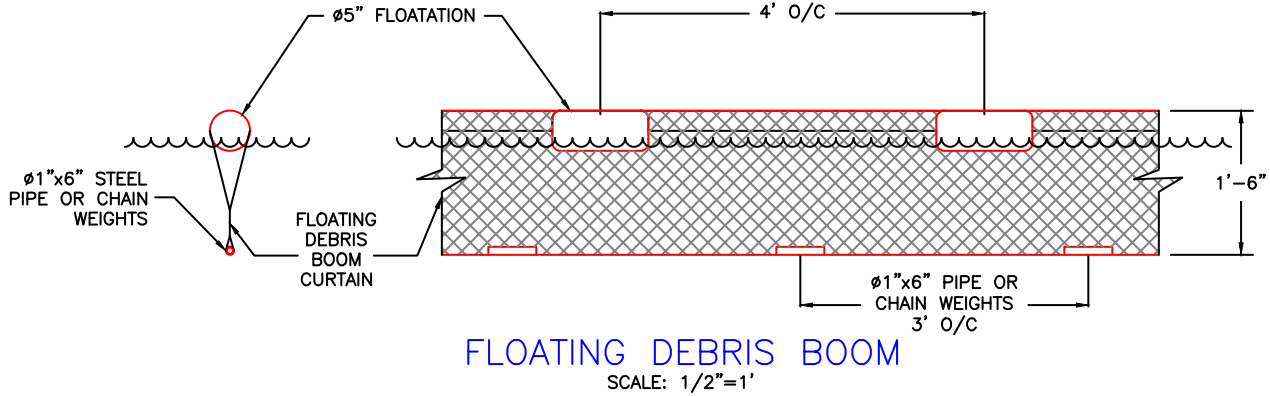
**REVISED**  
10/14/2021

TO INCLUDE FENDER ACCESSORIES.

REFERENCE #:  
 APPLICANT: BEACH CLUB OWNERS' ASSOCIATION  
 PROPOSED: JOINT-USE PIER REBUILD

SHEET: 8 OF: 9 NEAR/AT: MEDINA  
 DATE: 06-09-2021 DWG#: 20-32048-A3-8

PROJECT DESIGNED BY:  
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**REVISED**  
10/14/2021

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|   |                     |                 |
|---|---------------------|-----------------|
| REFERENCE #:                              |                     |                 |
| APPLICANT: BEACH CLUB OWNERS' ASSOCIATION |                     |                 |
| PROPOSED: JOINT-USE PIER REBUILD          |                     |                 |
| SHEET: 9                                  | OF: 9               | NEAR/AT: MEDINA |
| DATE: 06-09-2021                          | DWG#: 20-32048-A3-9 |                 |

# **Ecological No Net Loss Assessment Report**

Prepared for

**Beach Club Owners' Association  
c/o Clint Mead  
1403 Evergreen Point Road  
Medina, WA 98039**

Prepared by



**Northwest Environmental Consulting, LLC  
600 North 36<sup>th</sup> Street, Suite 423  
Seattle, WA 98103  
206-234-2520**

**August 2021**



## Purpose

The purpose of this report is to fulfill the requirements of City of Medina Municipal Code (MMC) 20.66.000 for General requirements applicable to all shoreline development and uses by assessing overall project impacts and proposed mitigation to determine if the project meets the “No Net Loss” standard.

No net loss incorporates the following concepts:

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

## Location

The subject property is located at 1447 Evergreen Point Road (King County parcel number 226030-0080) in the City of Medina, Washington (Sheet 1). The parcel is on the waterfront of Lake Washington, which supports several endangered fish species listed under the Endangered Species Act and Washington State designated priority fish species. The dock is a joint-use dock serving 5 residential owners under a cooperative owners’ association. Permits are being applied for a dock replacement. (Sheets 3-8).

## Project Description

The work will include removing 12 14-inch-diameter timber piles, to be replaced with 7 8-inch and 4 6-inch steel piles. The timber decking (1,752 square feet) will be removed and replaced with grating. One finger pier will be added and the walkway will be narrowed by 2 feet at the shore end. 3 boat lifts with accompanying power boxes, 5 jet-ski lifts, and 6 new mooring cleats will be added. Pile caps and stringers will be replaced as needed.

Project drawings are included in Attachment A.

## Approach

Northwest Environmental Consulting LLC (NVEC) biologist Brad Thiele conducted a site visit in August 2021 to evaluate conditions on site and adjacent to the site. NVEC 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 a shoreline tract in a residential neighborhood. It has shoreline on its western boundary with residential properties to the north and south.

The dock is on the property line between two of the joint owners' lots; the other joint owners live upland of the shoreline. The shoreline is armored with a riprap bulkhead (Photos 1 through 8). South of the dock, A laurel shrub is present along the shoreline (Photos 4, 6, and 7). The subject property yards are maintained with lawns.

The substrate of the lake is sand with some gravel and cobble.

## 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 Puget Sound Evolutionarily Significant Units (ESU)s of Threatened Chinook and steelhead. Streams run north and south from the Overlake Golf and Country Club about a half mile east of the site, discharging on the shoreline more than a mile northeast and southeast of the site. The entire western shoreline of Mercer Island is mapped as an erosion hazard area; the shoreline is steeply sloped. The project site is accessible to any fish migrating or rearing in the lake, and sockeye spawning has been mapped along the shoreline at the subject parcel.

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

## Project Impacts and Conservation Measures

### **Direct Impacts:**

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

A sediment containment curtain will be attached to a floating boom surrounding the work area to limit suspended sediment and contain floating debris (Sheet 9). Work will be completed during the in-water work window when juvenile fish are not expected to be present. The project will meet state water quality standards.

**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. Steel piles will be installed with a vibratory hammer. Noise is not expected to reach the behavioral disturbance threshold for salmonids of 150 dBA. Work will be completed during the in-water work window when juvenile fish are not expected to be present.

**Shading:** 1,752 square feet of solid timber decking will be replaced with a 1,745-square-foot pier with grated decking. While the overwater coverage (OWC) is reduced by only 7 square feet, effective OWC will also be reduced. 177 square feet of the grating will be occluded by stringers and other frame elements, leaving 1,568 square feet of translucent grating. Grated decking allows 43% light penetration (ThruFlow 2017), thus 1,568.5 square feet of OWC is reduced to 831 square feet of effective OWC (for a total reduction of 744 square feet).

Narrowing the walkway by 2 feet close to the shore will also lessen effects of shading in the nearshore zone. Out-migrating juvenile salmonids tend to migrate along the shoreline, reducing the width in the shoreline by 60 square feet and grating will lessen the migration times of juvenile salmonids that sometimes hesitate to move under docks.

**Lakebed coverage:** Pile replacement will result in a reduction of approximately 0.5 square foot of lakebed coverage. The additional boat and jet ski lifts are supported by framing, and only the corner supports contact the bottom. Lakebed coverage will remain approximately the same.

**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 the small amount of petroleum products available for spillage during typical construction activities, and because of spill containment measures that will be employed should a spill occur. The use of BMPs and properly trained personnel reduces the risk to the aquatic environment.

***Indirect Impacts:***

By removing some of the overwater shading, benthic productivity beneath the dock may improve slightly. Grated decking softens the light/dark interface, reducing the usefulness of the piles as a hiding place for predators like smallmouth bass, which prey on juvenile salmon (WSDOT 2001).

***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 and silt curtain 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.

## **IMPACT MINIMIZATION AND MITIGATION**

Reasonable efforts were made to apply mitigation sequencing when altering habitats within critical areas, as required by MMC 20.66.020. This sequencing has three steps: avoidance, minimization, and mitigation.

## Avoidance and Minimization

The dock repair cannot be avoided; to do so would compromise safety.

Effects have been minimized with the following:

- Twelve of the timber piles will be replaced with steel; this will remove treated wood from the water column and contribute to regional removal efforts.
- Replacement of the decking with grating reduces effective overwater coverage by approximately 744 square feet.
- Narrowing of the walkway on the shoreward end minimizes effects of shading in the nearshore zone.
- The project will be done within the allowable work window to minimize effects to rearing and migrating juvenile salmonids.

## Mitigation Approach

The project has been designed to increase moorage capacity at this joint-use dock, while reducing the dock's impact on the shoreline environment. Conditions along the shoreline will actually be improved by the repairs.

## Shoreline Functions and Values Improvements

The shoreline at the site already has overhanging shrubs along the portion south of the dock. This vegetation will be retained.

Removal of solid decking and replacement with grating will allow light to penetrate the dock, possibly increasing benthic productivity and allowing for growth of aquatic vegetation. The light/dark interface is also softened by grating, resulting in possible reduction of predation on juvenile salmonids (WSDOT 2001). Narrowing the walkway within 30 feet of the shoreline will also lessen hesitation by out-migrating salmonids.

## Conclusion

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

The project will overall have a net benefit to the nearshore environment by replacing the existing solid timber decking with grated decking that allows light penetration through the dock to the lake bottom.

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 construction 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 bulkhead replacement.

## Document Preparers

|                |                       |                        |   |
|----------------|-----------------------|------------------------|---|
| Brad Thiele    | Biologist             | 26 years of experience | Northwest Environmental Consulting, LLC. (NVEC) |
| Kristin Noreen | Permitting Specialist | 24 years of experience | NVEC  |

NVEC followed standard acceptable field methods and protocols at the time work was performed. These standards 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.

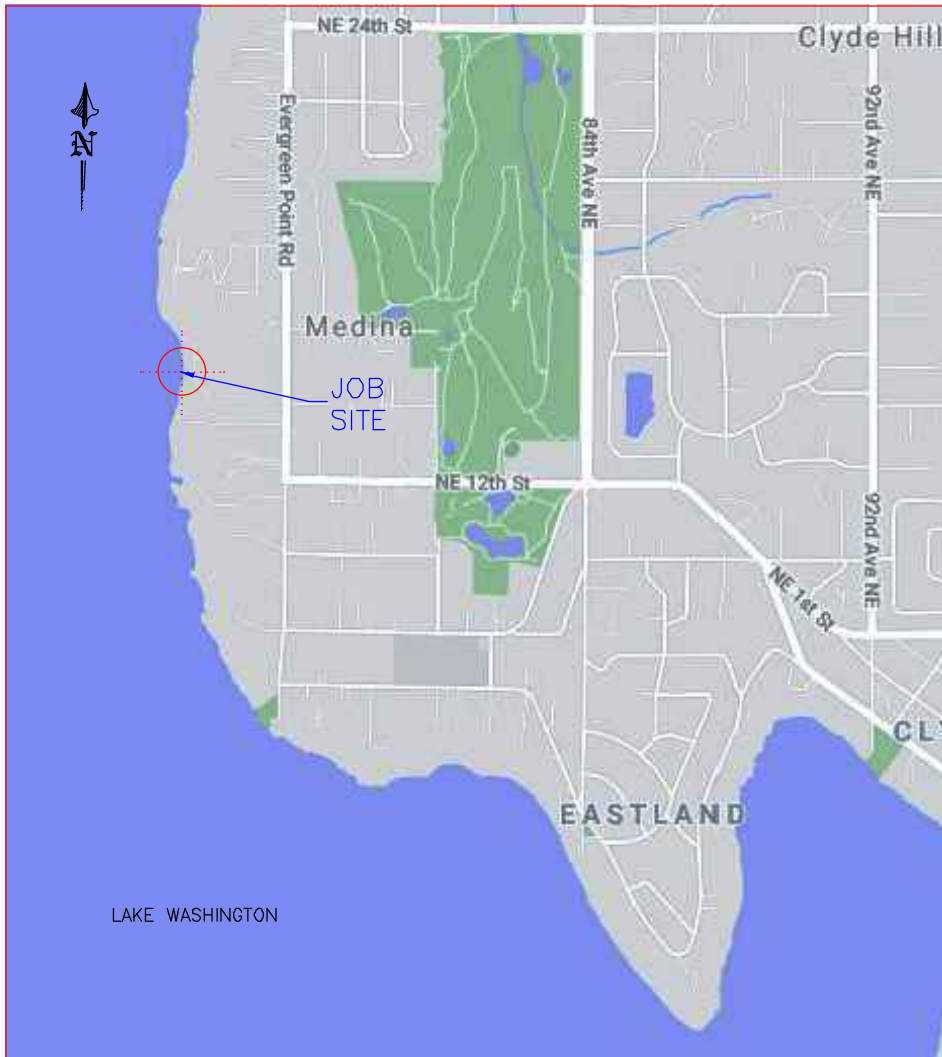
## REFERENCES

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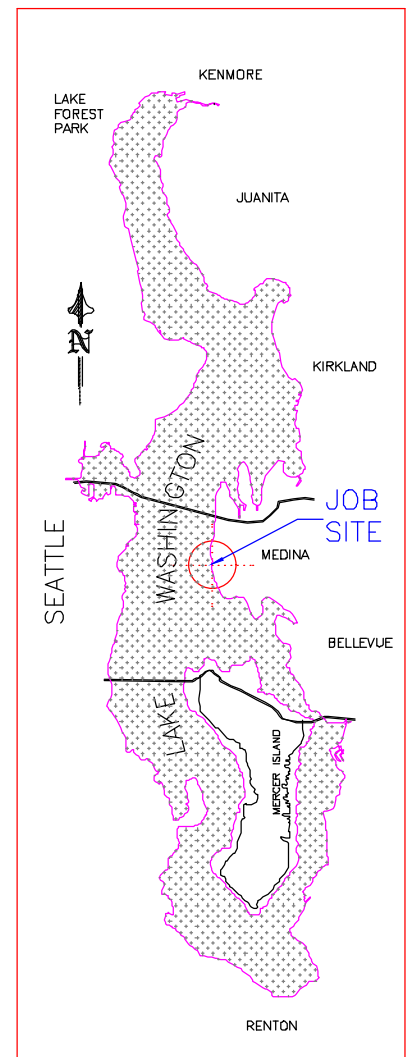
- ThruFlow. 2020. Legacy Series. Online. Accessed August 2021 at <https://thruflow.com/products/legacy/>.
- US Army Corps of Engineers (USACE). 2004. Final Biological Evaluation, Regional General Permit: Construction of New or Expansion of Existing Residential Overwater Structures and Driving of Moorage 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). 2020. Priority Habitats and Species. Online database. Accessed August 2020 at <http://apps.wdfw.wa.gov/phsontheweb/>
- WDFW. 2020. SalmonScape. Online database. Accessed August 2020 at <http://apps.wdfw.wa.gov/salmonscape/>
- Washington State Department of Transportation (WSDOT). 2001. White Paper. Overwater Structure: Marine Issues. Nightingale, B. and Simenstad, C.A. Olympia, WA. May 2001.

# **Attachment A: Project Drawings**

---



VICINITY MAP/NO SCALE



AREA MAP/NO SCALE

LEGAL DESCRIPTION

SECTION: SW-25-25-04  
 TAXLOT #: 226030-0080  
 LAT: 47.624772 (47° 37' 29.1792" N)  
 LONG: -122.242781 (122° 14' 34.0116" W)

EDGECLIFFE  
 Plat Block:  
 Plat Lot: TR A

PROJECT DESIGNED BY:

*Waterfront Construction Inc.*

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**REVISED**  
**08/23/2021**

TO INCLUDE TABLE ON SHEET 04.

ADJACENT OWNERS:

- ① ROBERT SHORT  
1449 EVERGREEN POINT RD  
MEDINA, WA 98039
- ② JAMES WEYMOUTH  
1445 EVERGREEN POINT RD  
MEDINA, WA 98039

APPLICATION#:

PROPOSED: JOINT-USE PIER REBUILD

PURPOSE: RESTORE PIER INTEGRITY & IMPROVE ECOLOGICAL SUSTAINABILITY

DATUM: C.O.E. MLLW=0.0'

DWG#: 20-32048-A2-1

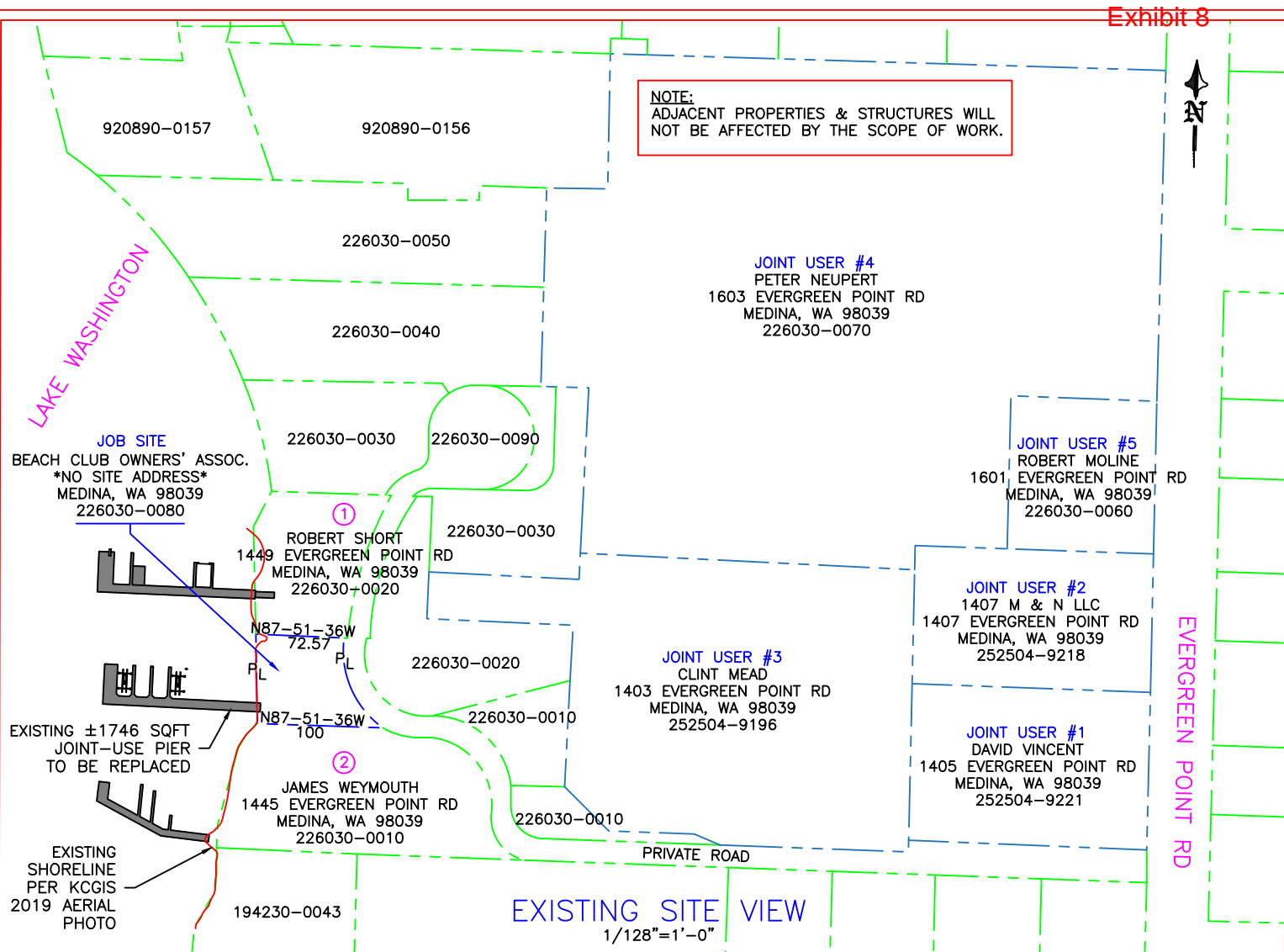
APPLICANT: BEACH CLUB OWNERS' ASSOCIATION

\*NO SITE ADDRESS\*  
 SITE ADD. 1447 EVERGREEN POINT RD  
 MEDINA, WA 98039

MAIL ADD. c/o CLINT MEAD  
 1403 EVERGREEN POINT RD  
 MEDINA, WA 98039

PAGE: 1 OF: 9 DATE: 06-09-2021





**JOINT-USE LEGAL DESCRIPTIONS**

**JOINT USER #1:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 252504-9221

PORTION GOVT LOT 3 STR 25-25-04 DESCRIBED AS FOLLOWS: BEGINNING AT PT ON EAST LINE SD GOVT LOT 3 2045 FT NORTH OF SE CORNER OF GOVT LOT 4 SD SECTION 25 TH N 00-17-22 E ALONG SD EAST LINE 50 FT TO TPOB TH CONTINUING N 00-17-22 E ALONG SD EAST LINE 131.67 FT TH N 88-58-29 W 257.87 FT TH S 00-17-22 W 131.67 FT TH S 88-58-29 E 257.87 FT TO TPOB LESS EAST 30 FT FOR 76TH AVE NE; TGW PORTION SD GOVT LOT 3 DESCRIBED AS FOLLOWS: BEGINNING AT PT ON EAST LINE SD GOVT LOT 3 2077 FT NORTH OF SE CORNER OF GOVT LOT 4 SD SECTION 25 TH N 87-51-36 W 30 FT TO TPOB TH CONTINUING N 87-51-36 W 227.87 FT TH N 01-24-15 E 18 FT TH S 87-51-36 E 227.87 FT TO WEST MGN 76TH AVE NE TH S 01-24-15 W ALONG SD WEST MGN 18 FT TO TPOB

**JOINT USER #2:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 252504-9218

POR OF GL 3 DAF-BAAP ON E LN GL 3 2045 FT N OF SE COR GL 4 TH N 00-17-22 E 181.67 FT TO TPOB TH CONTG N 00-17-22 E 131.67 FT TH N 87-51-36 W 257.87 FT TH S 00-17-22 W 131.67 FT TH S 88-58-29 E 257.87 FT TO TPOB LESS CO RD

**JOINT USER #3:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 252504-9196

BEG AT PT ON E LN OF GL 3 WH PT IS 2065.77 FT N OF SE COR OF GL 4 TH N 87-51-36 W 257.87 FT TO POB TH CONTG N 87-51-36 W 179.48 FT TH N 67-40-27 W 28.97 FT TH N 87-51-36 W 80 FT TH N 42-25-58 W 56.14 FT TH N 87-51-36 W 3.5 FT TH N 02-59-38 E 153.22 FT TH N 87-00-22 W 139.50 FT TH N 02-59-38 E 45 FT TH S 87-00-22 E 143 FT TH N 02-59-38 E 25 FT TH S 87-02-51 E 319.31 FT TH S 00-17-22 W 268.63 FT TO POB

**JOINT USER #4:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 226030-0070

EDGECLIFFE BEG AT N 1/4 COR OF SEC 25-25-4 TH S 01-24-15 W 2462.35 FT ALG N-S C/L OF SD SEC 25 TH N 88-04-15 W 30 FT TO WLY R/W OF 76TH AVE NE ALSO BEING NE COR OF SD LOT 7 & TPOB TH N 88-04-15 W 529 FT TH S 01-24-15 W 130 FT TH N 88-04-15 W 58.39 FT TH ALG E LN OF LOTS 4 & 5 OF SD PLAT S 01-55-45 W 191.19 FT TH S 88-41-44 E 46.46 FT TH S 02-59-38 W 158.08 FT TH S 87-02-51 E 319.31 FT TH N 01-24-15 E 23.94 FT TH S 87-51-36 E 87.87 FT TH ALG W LN OF LOT 6 OF SD PLAT N 01-24-15 E 146 FT TH ALG N LN OF SD LOT 6 S 87-51-36 E 140 FT TO NLY R/W OF 76TH AVE NE TH ALG SD WLY R/W N 01-24-15 E 315.36 FT TO TPOB AKA MEDINA LLA #2000-01 REC #20000613900013

**JOINT USER #5:**

**SECTION:** SW-25-25-04  
**TAXLOT #:** 226030-0060  
EDGECLIFFE

PROJECT DESIGNED BY:

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**REVISED**  
**08/23/2021**

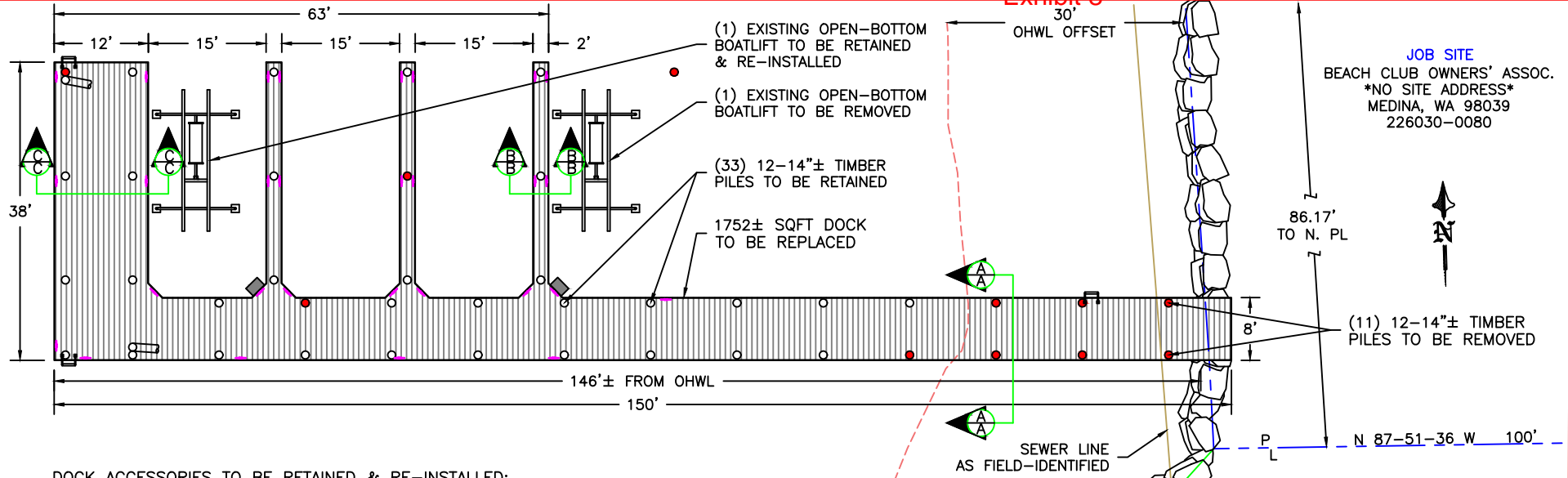
TO INCLUDE TABLE ON SHEET 04.

**REFERENCE #:**

**APPLICANT:** BEACH CLUB OWNERS' ASSOCIATION  
**PROPOSED:** JOINT-USE PIER REBUILD

**SHEET:** 2 **OF:** 9 **NEAR/AT:** MEDINA  
**DATE:** 06-09-2021 **DWG#:** 20-32048-A2-2

LAKE WASHINGTON

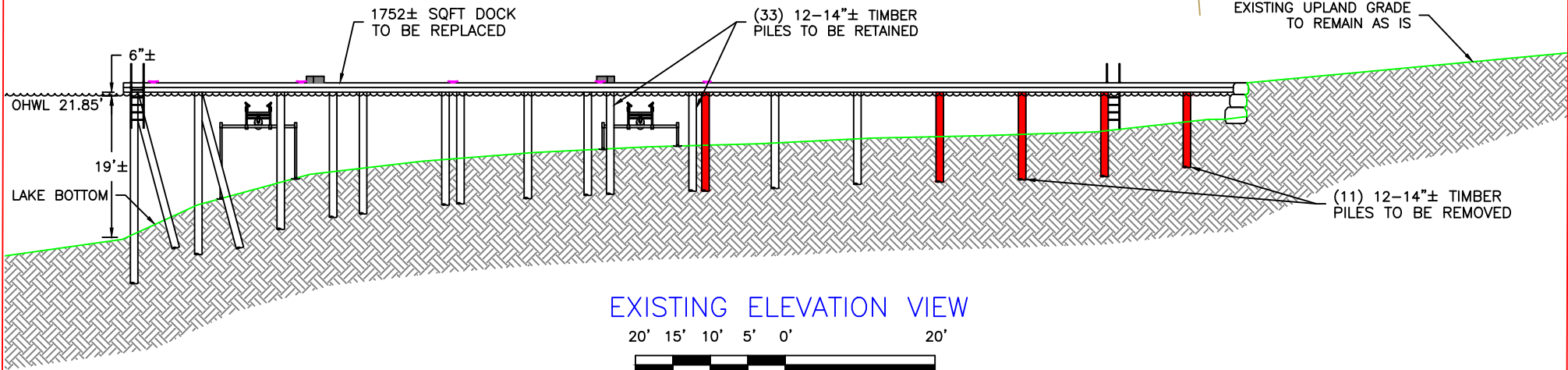


**JOB SITE**  
 BEACH CLUB OWNERS' ASSOC.  
 \*NO SITE ADDRESS\*  
 MEDINA, WA 98039  
 226030-0080

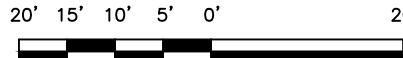
DOCK ACCESSORIES TO BE RETAINED & RE-INSTALLED:

- (1) BOAT LIFT POWER BOX (2± SQFT)
- (3) SWIM LADDERS
- (28) CLEATS

**EXISTING PLAN DETAIL VIEW**  
 SCALE: 1"=20'



**EXISTING ELEVATION VIEW**



SCALE: 1"=20'

**REVISED**  
 08/23/2021

TO INCLUDE TABLE ON SHEET 04.

PROJECT DESIGNED BY:

*Waterfront Construction Inc.*

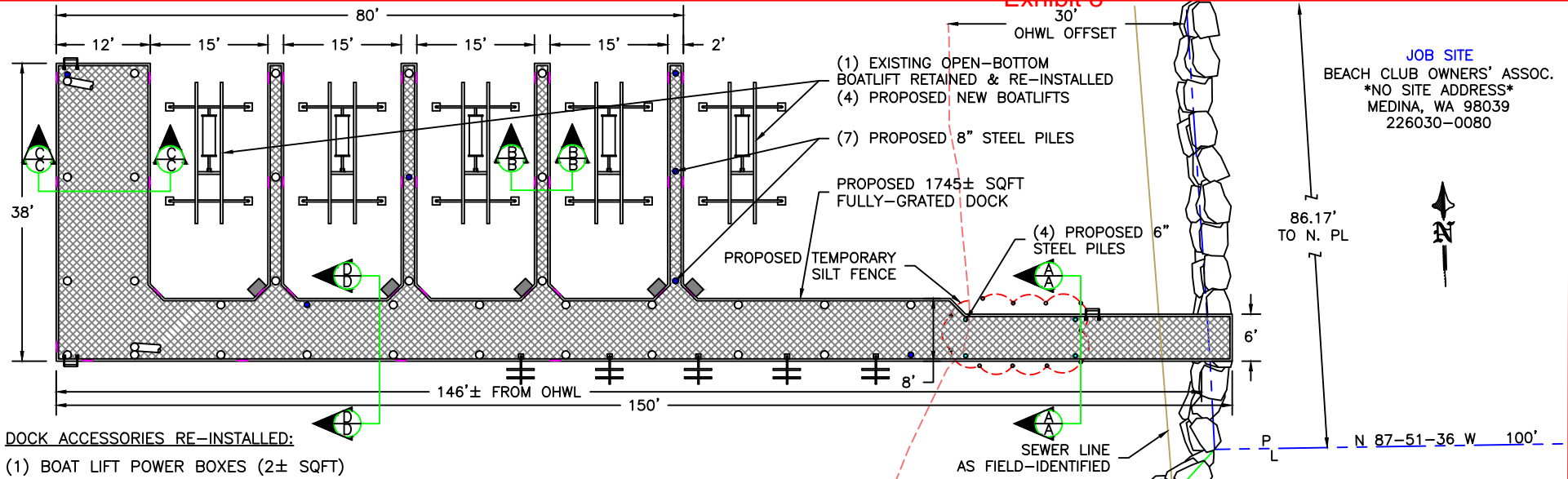
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 APPLICANT: BEACH CLUB OWNERS' ASSOCIATION  
 PROPOSED: JOINT-USE PIER REBUILD

SHEET: 3 OF: 9 NEAR/AT: MEDINA  
 DATE: 06-09-2021 DWG#: 20-32048-A2-3

Exhibit 8

LAKE WASHINGTON



**JOB SITE**  
 BEACH CLUB OWNERS' ASSOC.  
 \*NO SITE ADDRESS\*  
 MEDINA, WA 98039  
 226030-0080



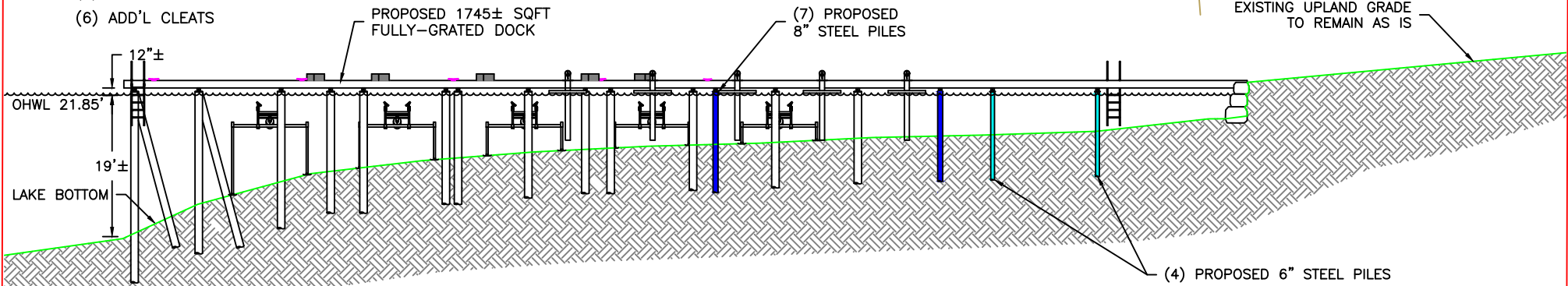
**DOCK ACCESSORIES RE-INSTALLED:**

- (1) BOAT LIFT POWER BOXES (2± SQFT)
- (3) SWIM LADDERS
- (28) CLEATS

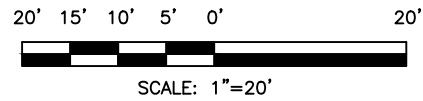
**DOCK ACCESSORIES PROPOSED:**

- (3) BOAT LIFT POWER BOXES (8± SQFT)
- (5) JETSKI LIFTS
- (6) ADD'L CLEATS

**PROPOSED PLAN DETAIL VIEW**  
 SCALE: 1"=20'



**PROPOSED ELEVATION VIEW**



|            | EXISTING | PROPOSED   | NET CHANGE |
|------------|----------|------------|------------|
| PIER       | 1752 S/F | 1745 S/F   | -7         |
| GRATING    | 0 S/F    | 1568.5 S/F | 1568.5     |
| PILING >8" | 44       | 40         | -4         |
| PILING <8" | 0        | 4          | 4          |
| SLIPS      | 4        | 5          | 1          |
| BOATLIFTS  | 2        | 5          | 3          |
| PW-LIFTS   | 0        | 5          | 5          |

**REVISED**  
 08/23/2021

TO INCLUDE TABLE ON SHEET 04.

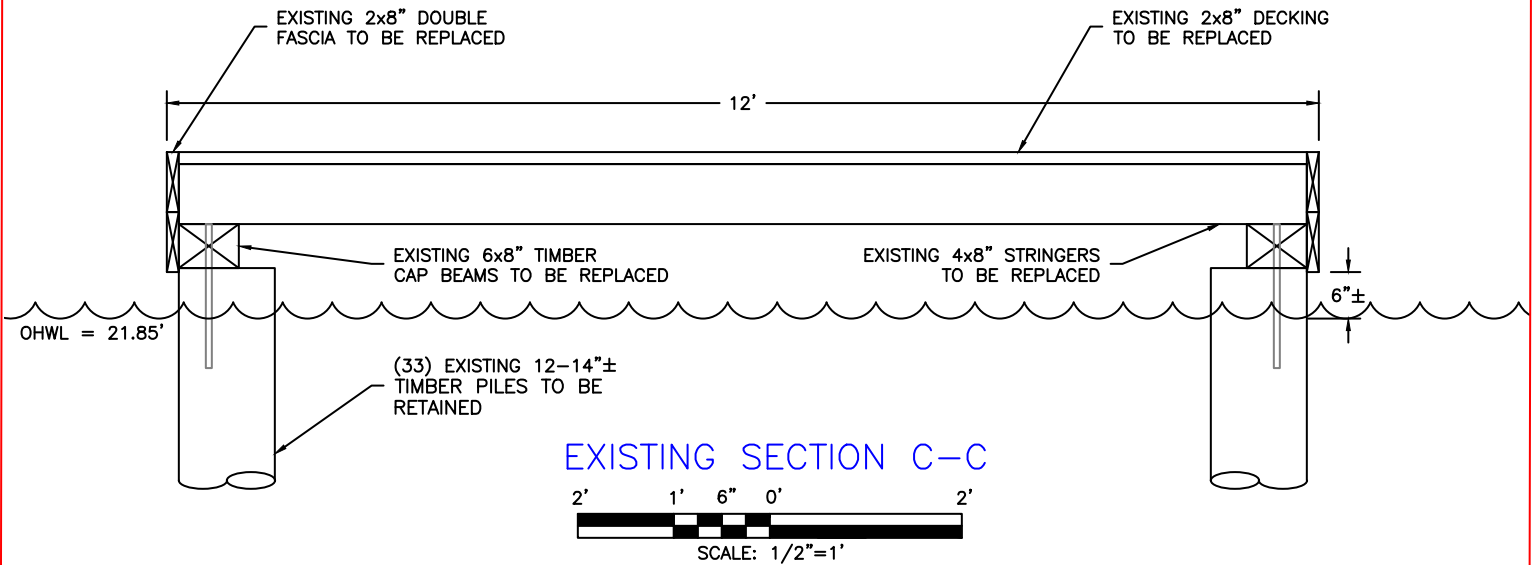
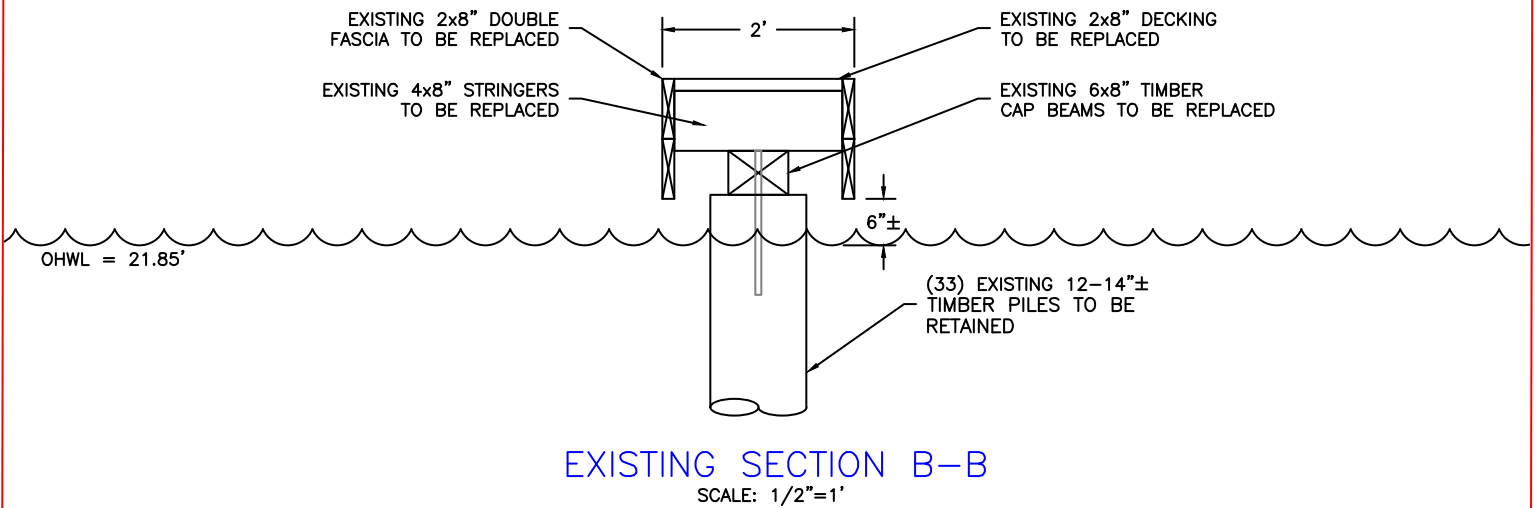
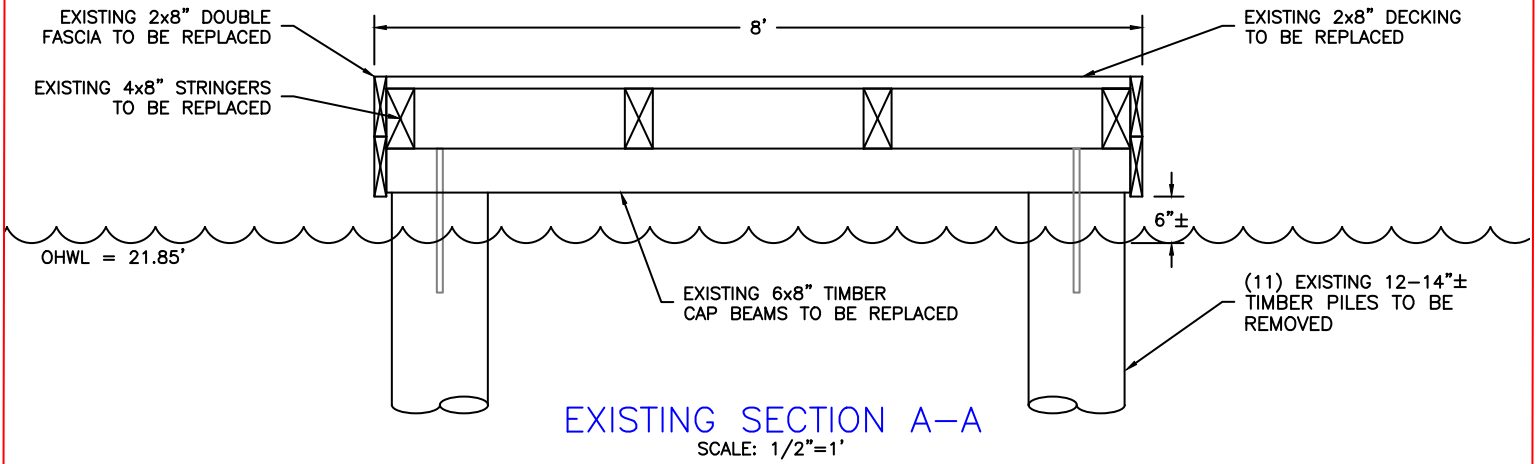
PROJECT DESIGNED BY:

*Waterfront Construction Inc.*

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**REFERENCE #:**  
**APPLICANT:** BEACH CLUB OWNERS' ASSOCIATION  
**PROPOSED:** JOINT-USE PIER REBUILD

**SHEET:** 4 **OF:** 9 **NEAR/AT:** MEDINA  
**DATE:** 06-09-2021 **DWG#:** 20-32048-A2-4



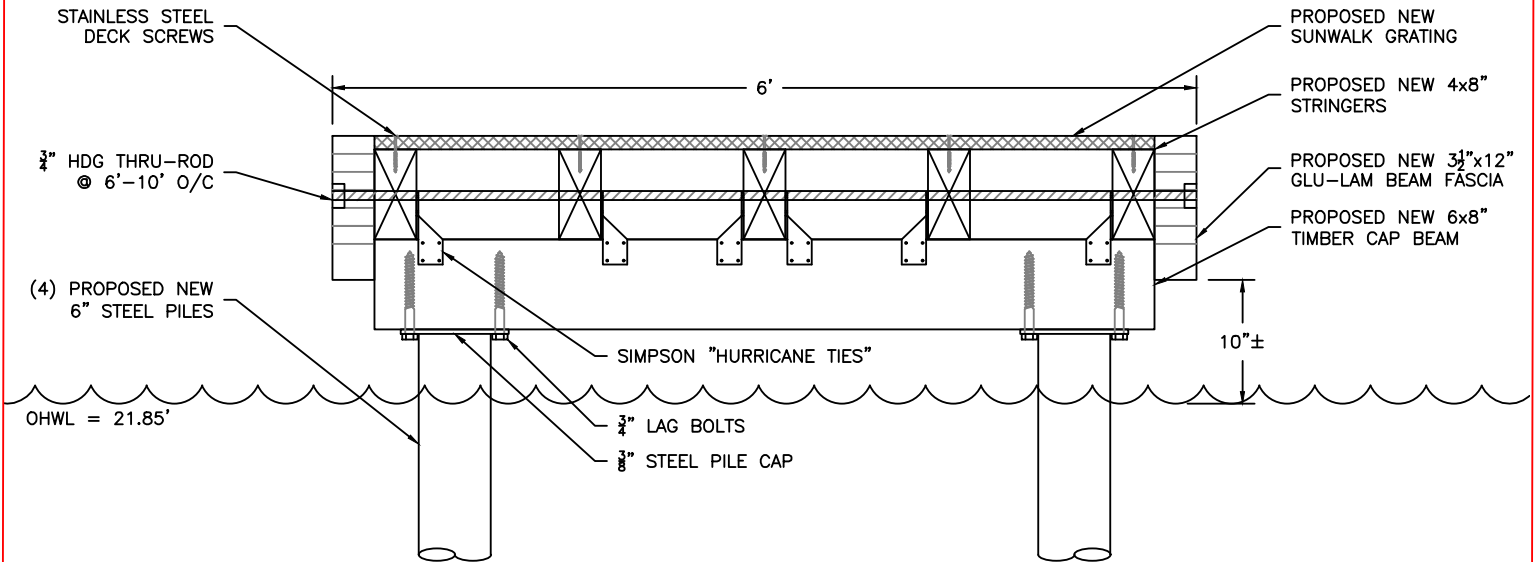
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**REVISED**  
**08/23/2021**

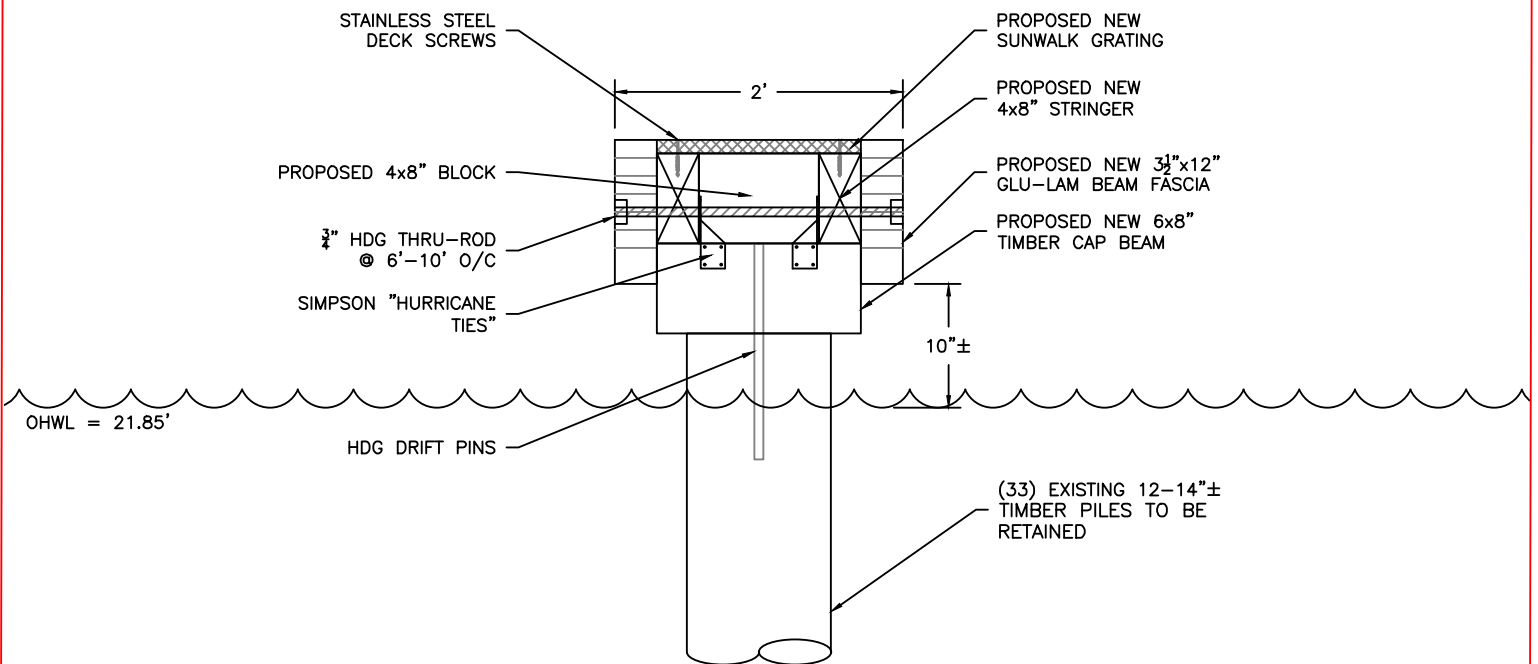
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REFERENCE #:  
 APPLICANT: BEACH CLUB OWNERS' ASSOCIATION  
 PROPOSED: JOINT-USE PIER REBUILD

SHEET: 5 OF: 9 NEAR/AT: MEDINA  
 DATE: 06-09-2021 DWG#: 20-32048-A2-5



PROPOSED SECTION A-A  
SCALE: 3/4"=1'



PROPOSED SECTION B-B  
SCALE: 3/4"=1'

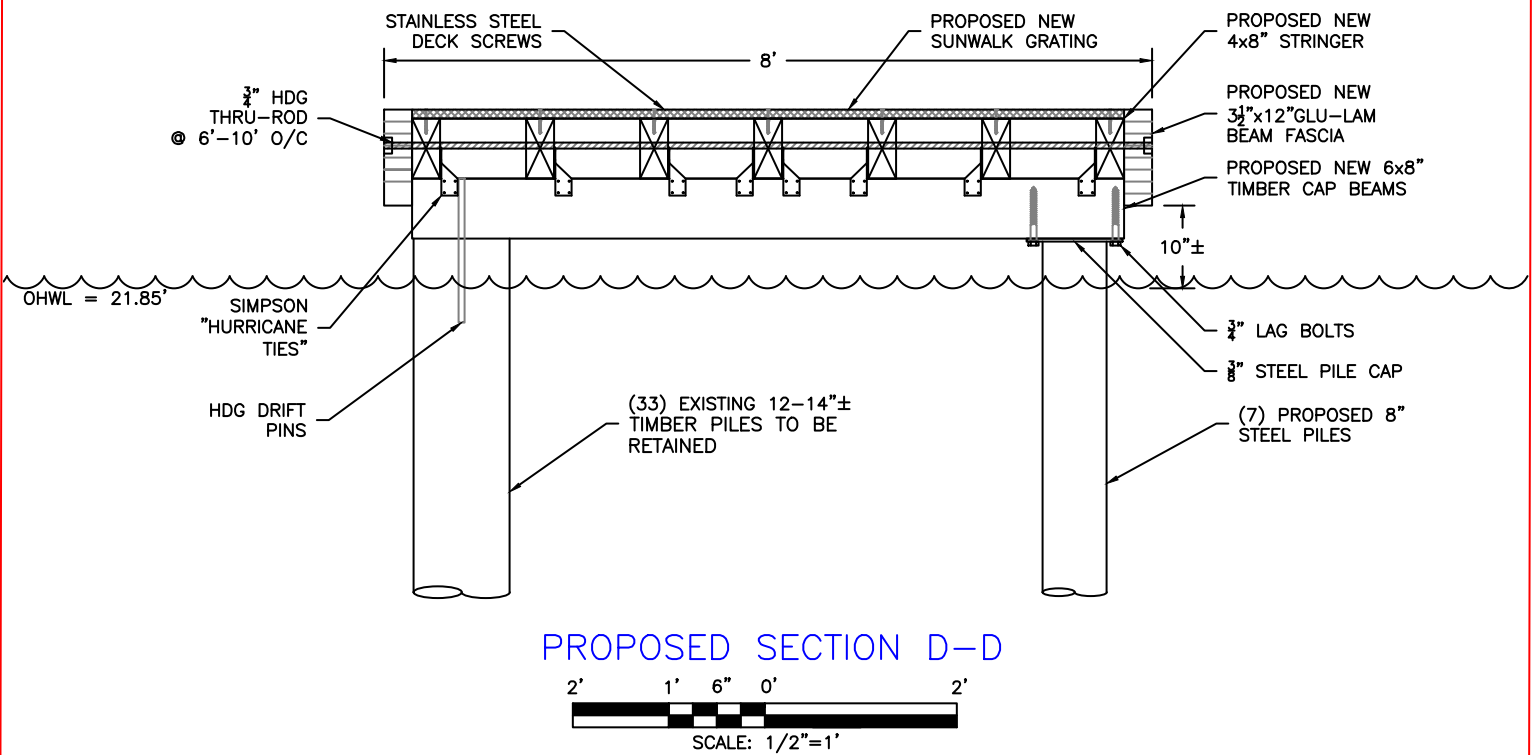
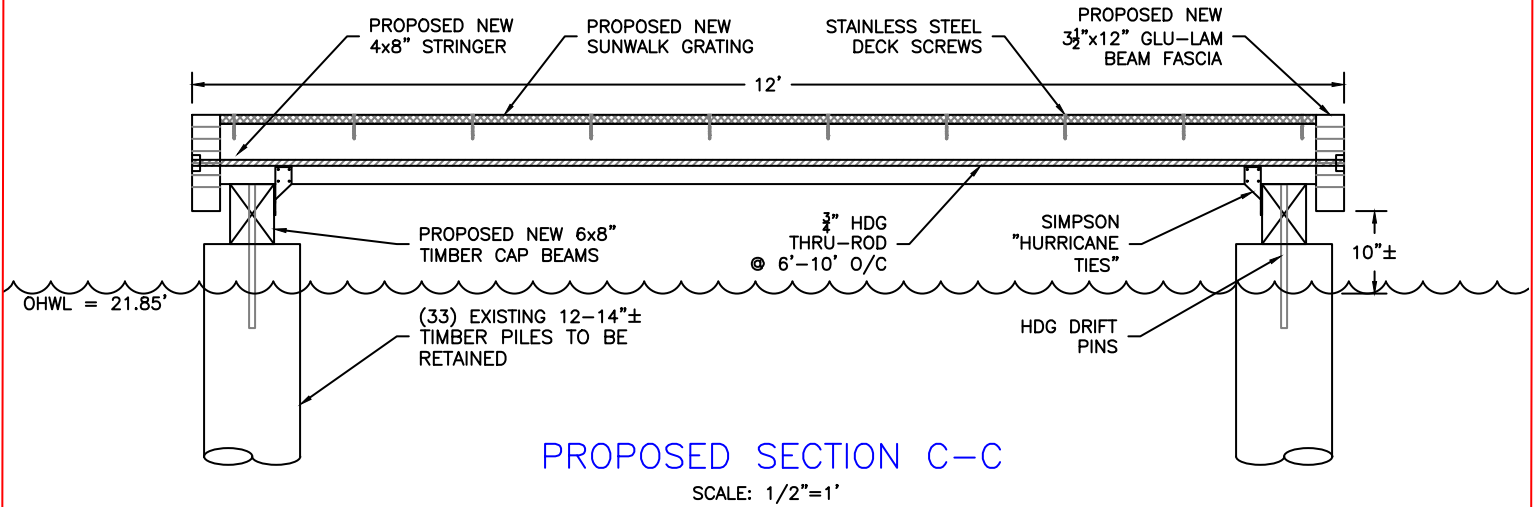
PROJECT DESIGNED BY:  
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**REVISED**  
**08/23/2021**

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APPLICANT: BEACH CLUB OWNERS' ASSOCIATION  
PROPOSED: JOINT-USE PIER REBUILD

SHEET: 6 OF 9 NEAR/AT: MEDINA  
DATE: 06-09-2021 DWG#: 20-32048-A2-6



PROJECT DESIGNED BY:

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**REVISED**  
**08/23/2021**

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REFERENCE #:

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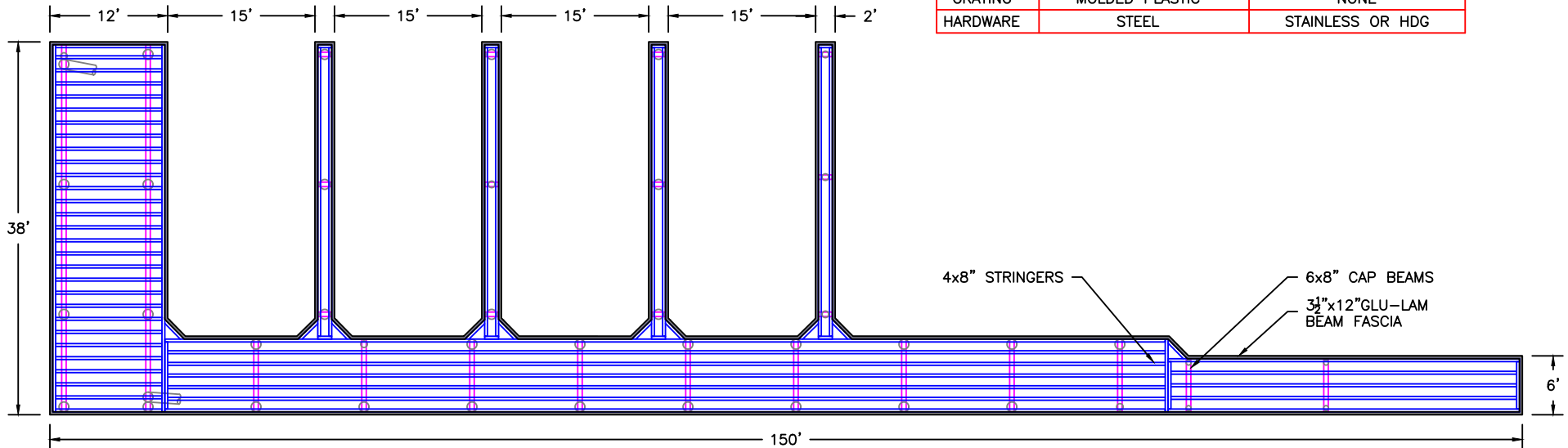
PROPOSED: JOINT-USE PIER REBUILD

SHEET: 7 OF: 9 NEAR/AT: MEDINA

DATE: 06-09-2021 DWG#: 20-32048-A2-7

MATERIAL LIST

| PART      | SPECS              | TREATMENT        |
|-----------|--------------------|------------------|
| PILES     | 6" & 8" X-STRONG   | GALVANIZED       |
| CAPS      | 6"x8" DF #2 OR BTR | ACZA             |
| GLU-LAMS  | 3 1/8"x12" DF      | ACZA             |
| STRINGERS | 4"x8" DF #2 OR BTR | ACZA             |
| GRATING   | MOLDED PLASTIC     | NONE             |
| HARDWARE  | STEEL              | STAINLESS OR HDG |



PROPOSED FRAMING PLAN DETAIL

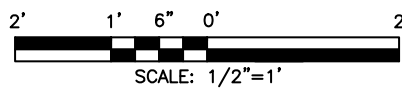
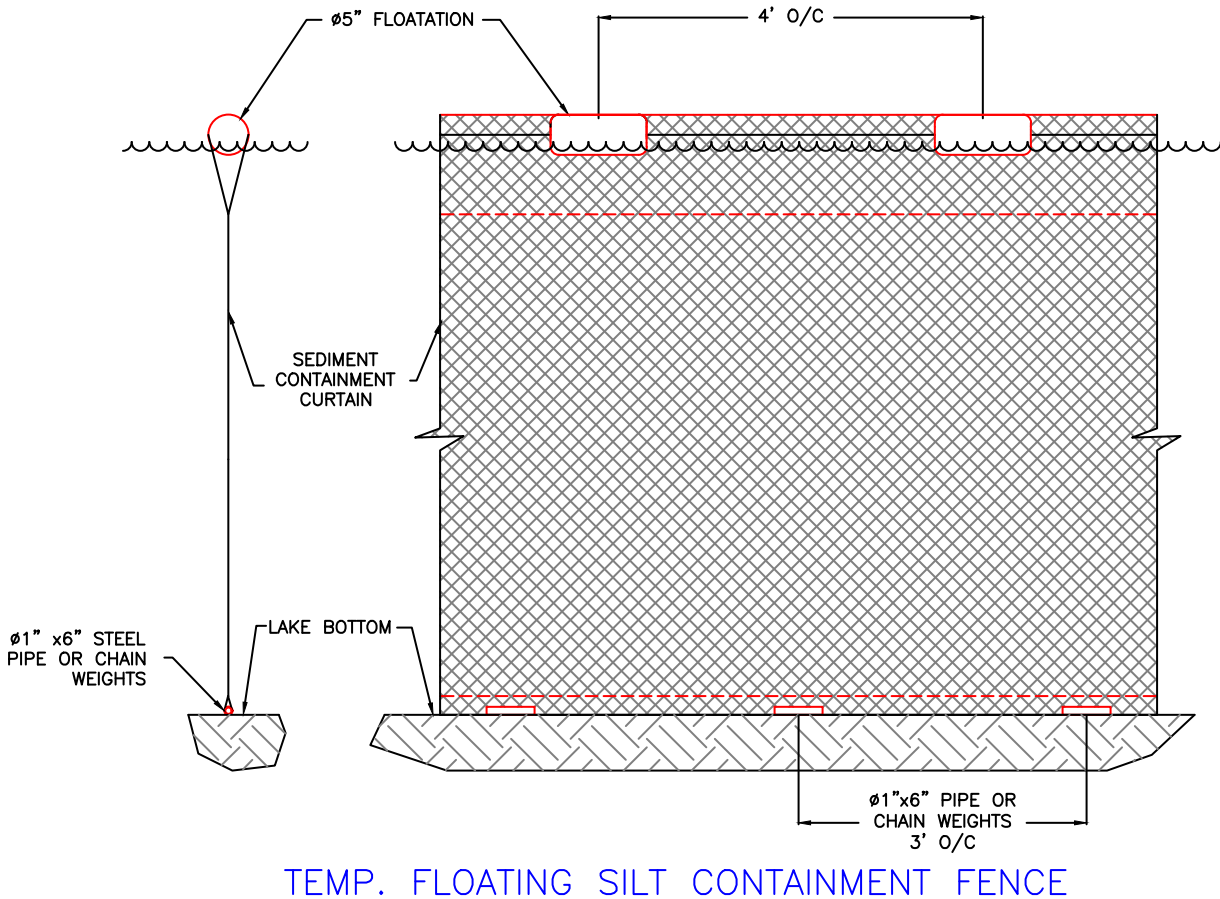
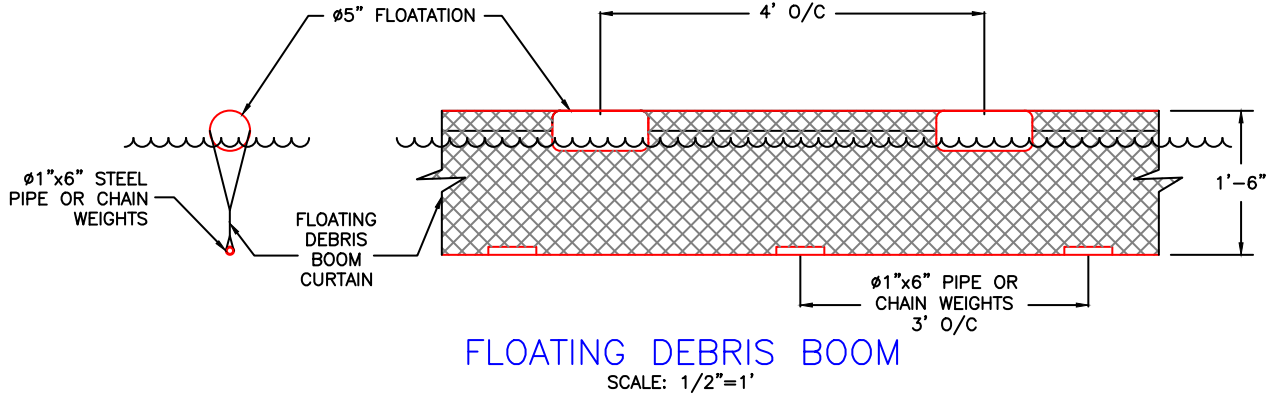


PROJECT DESIGNED BY:  
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**REVISED**  
 08/23/2021

TO INCLUDE TABLE ON SHEET 04.

|   |                     |                 |
|---|---------------------|-----------------|
| REFERENCE #:                              |                     |                 |
| APPLICANT: BEACH CLUB OWNERS' ASSOCIATION |                     |                 |
| PROPOSED: JOINT-USE PIER REBUILD          |                     |                 |
| SHEET: 8                                  | OF: 9               | NEAR/AT: MEDINA |
| DATE: 06-09-2021                          | DWG#: 20-32048-A2-8 |                 |



PROJECT DESIGNED BY:

*Waterfront Construction Inc.*

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**REVISED**  
08/23/2021

TO INCLUDE TABLE ON SHEET 04.

|   |                     |                 |
|---|---------------------|-----------------|
| REFERENCE #:                              |                     |                 |
| APPLICANT: BEACH CLUB OWNERS' ASSOCIATION |                     |                 |
| PROPOSED: JOINT-USE PIER REBUILD          |                     |                 |
| SHEET: 9                                  | OF: 9               | NEAR/AT: MEDINA |
| DATE: 06-09-2021                          | DWG#: 20-32048-A2-9 | 120             |



## **Attachment B: Site Photographs**

---



Photo 1 - View from shoreline.



Photo 2 - Dock looking waterward.



Photo 3 - Shoreline conditions looking north.



Photo 4 - Shoreline conditions looking south.



Photo 5 - Shoreline conditions at site north of dock.



Photo 6 - Shoreline conditions south of dock.



Photo 7 - Shoreline conditions to the north.



Photo 8 - Shoreline conditions to the south.



DEVELOPMENT  
SERVICES

# Water Depth Waiver Request

501 EVERGREEN POINT ROAD MEDINA, WA 98039  
PHONE: 425-233-6414/6400

## Instructions:

1. The Medina Shoreline Master Program requires overwater structures such as piers, floats, moorage covers and boatlifts to have a minimum water depth. (See Chapter 16.65 MMC for water depth standards.)
2. This form may be used to request a waiver from the minimum water depth standard. If requesting a water depth waiver for more than one structure, please complete a separate water depth waiver request for each.
3. Please complete this form and answer the criteria thoroughly. Attach supporting documents as necessary. Your answers must satisfy the criteria to receive approval of the waiver. Requests will be denied if they do not satisfy the criteria.

## General Information

|  |  |
|--|--|
| <b>Property Owner Name:</b> Clint Mead (Beach Club Owners)                                       | <b>Water depth waiver request is for (check one):</b><br><br><input type="checkbox"/> Pier/ Float<br><input type="checkbox"/> Covered Moorage<br><input checked="" type="checkbox"/> Boatlift/ Jet Ski Lift<br><input type="checkbox"/> Buoy/ Moorage Pile |
| <b>Property Address:</b><br>None assigned (approx : 1447 Evergreen Pt Way) - parcel #:2260300080 |  |

## Contact Information

|  |  |
|--|--|
| <b>Contact Person:</b> Alex Capron The Watershed Company | <b>Phone:</b> 425-822-5242                               |
|  | <b>Email:</b> acapron@watershedco.com                    |
| <b>Mailing Address:</b> 750 6th Ave S                    | <b>City:</b> Kirkland <b>State:</b> WA <b>Zip:</b> 98036 |

## Approval Criteria

Please answer the following and provide supporting documentation.

### 1. Compliance with the water depth is not *feasible* without the need for a shoreline variance:

*"Feasible" means an action, such as a development project, mitigation, or preservation requirement, that meets all the following conditions: (1) Can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests that have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results; (2) Provides a reasonable likelihood of achieving its intended purpose; and (3) Does not physically preclude achieving the project's primary intended legal use.*

The required nine-foot water depth occurs approximately 100 feet from the OHWM. Therefore, all five jet ski lifts and the three most landward boat lifts are to be placed within less than nine feet of water depth. As such, we request a waiver from the minimum water depth requirement for these project components. This request is based upon the below showing of compliance with the provisions of MMC 16.65.080(D) below.

The proposed boat lifts are to be located within each of the respective slips. The three most landward slips are located within areas of water depth ranging between six and nine feet. Locating each of these lifts in water depth greater than nine feet would require lengthening the entire pier structure, beyond the current 146-foot length. Expanding the length of the entire structure is not a reasonable alternative, as it would include additional overwater cover and corresponding ecological impacts that can be avoided by implementation of the current proposal.

In addition to the three boat lifts described above, all five proposed jet ski lifts would also be located within areas of six to nine feet of water depth. Similar to the boat lift situation, the existing dock is not long enough to support all five jet ski lifts within nine-plus feet of water depth. In addition, it was decided to locate the jet ski lifts in their proposed locations in order to limit the potential for damage from storm events and corresponding high wave action. The lifts would be positioned along the southern side of the pier which is exposed to significant wave fetch during prevailing southwest-to-northeast storm events. Locating the lifts further landward would help to mitigate the potential for damage from such events.

**Staff Review: Applicant provided evidence satisfying criterion:**  Yes  No

Approval Criteria (Continued)

**2. No reasonable alternative exists due to the bathymetry and/or existing overwater structures on adjacent properties:**

*Bathymetry is the measurement of water depth at various places in a body of water (topography) and the information derived from such measurements.*

The proposed project includes three boat lifts and five jet ski lifts to be placed in water less than nine feet deep. However, all lifts would be located within areas of at least a five-foot water depth. Therefore, the project can be achieved without the need for a shoreline variance.

Staff Review: Applicant provided evidence satisfying criterion:  Yes  No

**3. A minimum water depth of five feet is maintained.**

All of the proposed boat lifts (four total replaced and one existing) and jet ski lifts will be located within areas of at least five feet of water depth.

Staff Review: Applicant provided evidence satisfying criterion:  Yes  No

I declare under penalty of perjury that that all applicable information furnished in support of this request for a waiver is true, correct and complete.

Printed Name: Alex Capron/The Watershed Company, Agent

Signature:  Date: 12/28/2021

**DECISION:**

The request for a waiver from the minimum water depth requirement for a 3 boat lifts & 5 jet skis at 1447 Evergreen Point Road (Parcel 226030-0080) is hereby:

- Approved
- Denied

Signature:  Date: January 7, 2022  
 Director of Development Services



DEPARTMENT OF THE ARMY  
SEATTLE DISTRICT, CORPS OF ENGINEERS  
P.O. BOX C-3755  
SEATTLE, WASHINGTON 98124

NPSOP-RF

10 JUL 1981

Mr. Herb Mead  
1403 Evergreen Point Road  
Bellevue, Washington 98004

Reference: 071-OYB-1-007115  
Mead, Herb

Dear Mr. Mead:

Inclosed is a Department of the Army permit which authorizes performance of the work described in your referenced application.

You are cautioned that any change in the location or plans of the work will require submittal of a revised plan to this office for approval prior to accomplishment.

Your attention is drawn to conditions "o" and "n" of the permit which specify the expiration dates for both commencement and completion of the work and that you notify this office of the dates the work is started and completed.

Sincerely yours,

A handwritten signature in cursive script that reads "Gerald A Keller".

GERALD A. KELLER  
Chief, Regulatory Functions Branch

1 Incl  
As stated

NPS FL 199  
AUG 80



Application No. 071-OYB-1-007115

Name of Applicant Herb Mead

Effective Date 10 JUL 1981

Expiration Date (If applicable) See General Condition o

DEPARTMENT OF THE ARMY  
PERMIT

Referring to written request dated ..21 January 1981.. for a permit to:

(  ) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

( ) Discharge dredged or fill material into waters of the United States upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

( ) Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

Mr. Herb Mead  
1403 Evergreen Point Road  
Bellevue, Washington 98004

is hereby authorized by the Secretary of the Army:

to construct a pier and install one mooring pile (private boat moorage)

in Lake Washington

at Medina, Washington

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks.) 071-OYB-1-007115, 1 sheet

subject to the following conditions:

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

*encl 1'*

- b. That all activities authorized herein shall, if they involve, during their construction or operation, any discharge of pollutants into waters of the United States or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, pretreatment standards and management practices established pursuant to the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), the Marine Protection, Research and Sanctuaries Act of 1972 (P.L. 92-532, 86 Stat. 1052), or pursuant to applicable State and local law.
- c. That when the activity authorized herein involves a discharge during its construction or operation, of any pollutant (including dredged or fill material), into waters of the United States, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementat on plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.
- d. That the discharge will not destroy a threatened or endangered species as identified under the Endangered Species Act, or endanger the critical habitat of such species.
- e. That the permittee agrees to make every reasonable effort to prosecute the construction or operation of the work authorized herein in a manner so as to minimize any adverse impact on fish, wildlife, and natural environmental values.
- f. That the permittee agrees that he will prosecute the construction or work authorized herein in a manner so as to minimize any degradation of water quality.
- g. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
- h. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.
- i. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.
- j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.
- k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.
- l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.
- m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.
- n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not started on or before 10th day of July, 19 82, (one year from the date of issuance of this permit unless otherwise specified) and is not completed on or before 10th day of July, 19 84, (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

q. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition t hereof, he must restore the area to a condition satisfactory to the District Engineer.

r. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

s. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

t. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and conditions of this permit or by the transferee subscribing to this permit in the space provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

**II. Special Conditions:** (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

The following special Conditions will be applicable when appropriate.

STRUCTURES IN OR AFFECTING NAVIGABLE WATERS OF THE UNITED STATES:

a. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

b. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

c. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

d. That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

e. Structures for Small Boats: That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

MAINTENANCE DREDGING:

a. That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for \_\_\_\_\_ years from the date of issuance of this permit (ten years unless otherwise indicated);

b. That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

DISCHARGES OF DREDGED OR FILL MATERIAL INTO WATERS OF THE UNITED STATES:

a. That the discharge will be carried out in conformity with the goals and objectives of the EPA Guidelines established pursuant to Section 404(b) of the FWPCA and published in 40 CFR 230;

b. That the discharge will consist of suitable material free from toxic pollutants in other than trace quantities;

c. That the fill created by the discharge will be properly maintained to prevent erosion and other non-point sources of pollution; and

d. That the discharge will not occur in a component of the National Wild and Scenic River System or in a component of a State wild and scenic river system.

DUMPING OF DREDGED MATERIAL INTO OCEAN WATERS:

a. That the dumping will be carried out in conformity with the goals, objectives, and requirements of the EPA criteria established pursuant to Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, published in 40 CFR 220-228.

b. That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

X Herb Mead  
Mr. Herb Mead PERMITTEE

X 7/10/81  
DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Gerald A Keller  
for LEON K. MORASKI  
Colonel

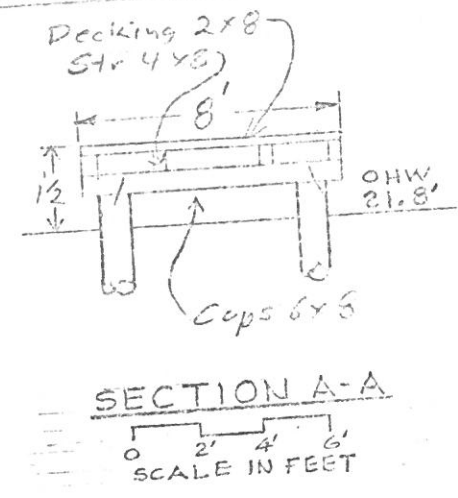
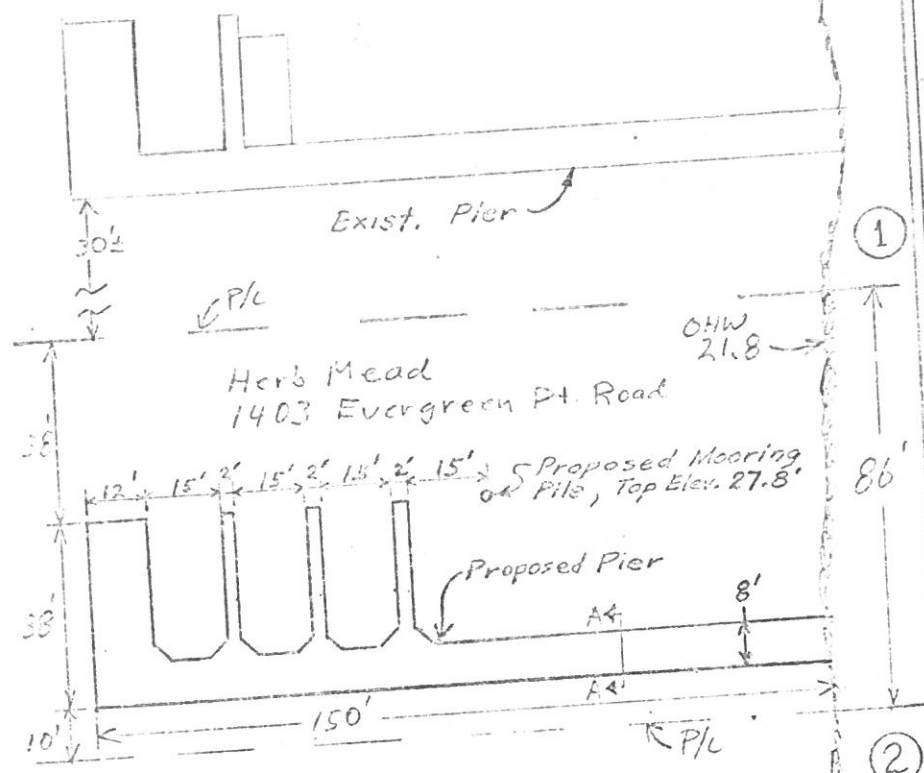
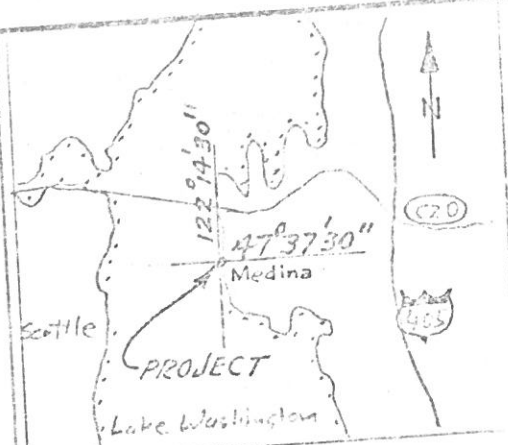
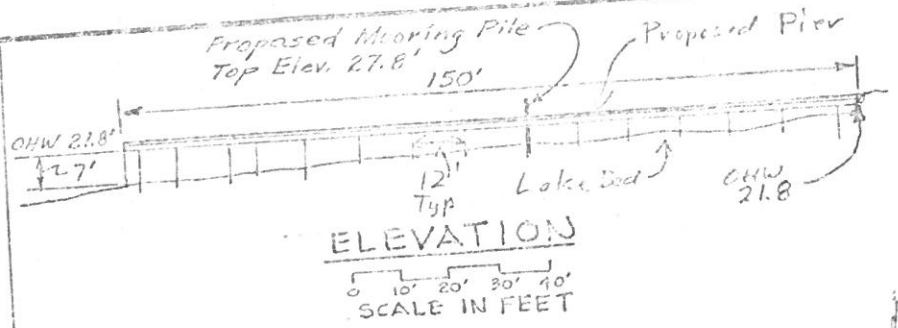
10 July 81  
DATE

DISTRICT ENGINEER,  
U.S. ARMY, CORPS OF ENGINEERS

Transferee hereby agrees to comply with the terms and conditions of this permit.

\_\_\_\_\_  
TRANSFEEEE

\_\_\_\_\_  
DATE



071-OYB-1-007115

PURPOSE: Private Boat Moorage  
 DATUM C. OF E. 0.0 feet estab. 1910  
 ADJACENT PROPERTY OWNERS:  
 ① James Pigett  
 ② Elgin White

PROPOSED PIER & MOORING PILE  
 IN Lake Washington  
 AT Medina  
 COUNTY OF King STATE Wa.  
 APPLICATION BY Herb Mead  
 Agent Waterfront Const. Co.  
 SHEET 1 OF 1 DATE 2/1/12

Customer Name: 1.14.2021  
Site Address:  
Phone:  
Email Address:

## New Dock

### We propose to make the operations as follows:

- Prefabricate New dock in shop with overhead cranes \$67,360
- Load materials needed for the scope of work \$8,250
- Mobilize crane barge to site \$2,600
- Demo dock \$36,645
  - Remove decking and sup structure and dispose of
  - Remove 13 piles - 12 load barring piles and 1 mooring pile
  - Demo ~2-4' from the first 30 ft of the dock (mitigation)
- Drive 44 Piles \$192,600
  - Adding in one additional finger pier (total of 4)
  - (41) 8" galvanized steel piles for finger piers
  - (21) Galvanized Steel caps
  - (3) 6" galvanized steel piles for narrowed first 30 ft modification
- Install new dock \$110,520
  - Narrowing the distance between fingers from 15' to 12'
  - All decking will be "Sun Walk" product
  - All screws will be stainless steel
  - All brackets, bolts and hardware will be galvanized steel
  - All wood will be Ammonium Copper Zink Arsenic treated
- Glu-Lam fascia will be installed around circumference of the dock \$30,270

**Base price for the above: \$448,245**

### Notes:

- This proposal excludes W.S.S.Tax
- This proposal excludes Electrical & Water work
- **Job costs are subject to change due to inflation on an annual basis**

*Proposal submitted by Project Manager Justin Wilcox  
206-548-9800 ~ Justin@waterfrontconstruction.com*



# Waterfront Construction Incorporated

205 NE Northlake Way Suite 230, Seattle WA 98105 Phone 206 548 9800

Customer Name: Clint, Mead  
 Site Address: between the houses 1445 and 1449 Evergreen Pt Road  
 Phone: 425-466-6323 (Clint Mead)  
 Email Address: Clint Mead <Clint@meadinvestments.com>

8-8-19

## Dock Rebuild – Glu-Lam Fascia

### We propose to make the operations as follows:

- Prefabricate New dock in shop with overhead cranes \$67,360
- Load materials needed for the scope of work \$2,850
- Mobilize crane barge to site \$2,600
- Demo dock \$16,860
  - Remove decking and sup structure and dispose of
  - Remove 13 piles - 12 load barring piles and 1 mooring pile
  - Demo ~2-4' from the first 30 ft of the dock (mitigation)
- Drive 15 Piles (11) piles 7) 8" 4) 6" \$47,750
  - (12) 8" galvanized steel piles for finger piers
  - (3) 6" galvanized steel piles for narrowed first 30 ft modification
- Install new dock \$96,430
  - Adding in one additional finger pier (total of 4)
  - Narrowing the distance between fingers from 15' to 12'
  - All decking will be "Sun Walk" product
  - All screws will be stainless steel
  - All brackets, bolts and hardware will be galvanized steel
  - All wood will be Ammonium Copper Zink Arsenic treated
- Glu-Lam fascia will be installed around circumference of the dock \$30,270

**Base price for the above: \$264,120**  
**Base price for 5 boat lifts: \$108k - 2019 prices**

### New dock

#### Additional cost:

- Permits may cost 10k
- 9k boat lifts will cost around 21k installed
- Mitigation may cost 5-8k

#### Notes:

- The proposal excludes W.S.S.Tax
- If engineering is required, a change order may be required
- Mitigation may be required and would be a change order



- Damage may occur to landscaping but all efforts will be made to avoid this
- This proposal excludes Electrical and Water work
- **Job costs are subject to change due to inflation on an annual basis**

Exhibit 11



F 720 #  
Sq 1850

*Proposal submitted by Project Manager Justin Wilcox  
206-548-9800 ~ Justin@waterfrontconstruction.com*



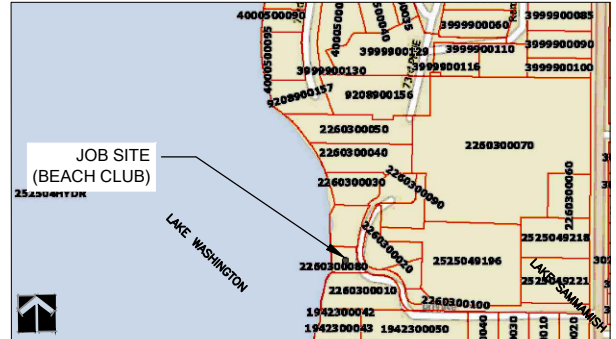


# BEACH CLUB

## SECTION SW-25, TOWNSHIP 25, RANGE 04



AREA MAP - NO SCALE



VICINITY MAP - NO SCALE

### NOTES

1. MITIGATION OPPORTUNITIES ASSESSED BY THE WATERSHED COMPANY ON JULY 14, 2021; 750 6TH STREET SOUTH; KIRKLAND, WA 98033; 425-822-5242.
2. PROPOSED DOCK PLAN PROVIDED BY WATERFRONT CONSTRUCTION INC. ON JULY 13, 2021; 205 NE NORTHLAKE WAY, SUITE 230; SEATTLE, WA 98105; 206-548-9800.
3. OHWM PROVIDED BY WATERFRONT CONSTRUCTION BASED UPON LAKE ELEVATION OF 21.85 FEET. (USACE) OHWM DEPICTION IS APPROXIMATED BASED ON FIELD OBSERVATIONS; OHWM HAS NOT BEEN SURVEYED.

### PROJECT INFORMATION:

APPLICANT: CLINT MEAD  
 ADDRESS: 1447 EVERGREEN POINT ROAD  
 MEDINA, WA 98039

### PROJECT CONSULTANT:

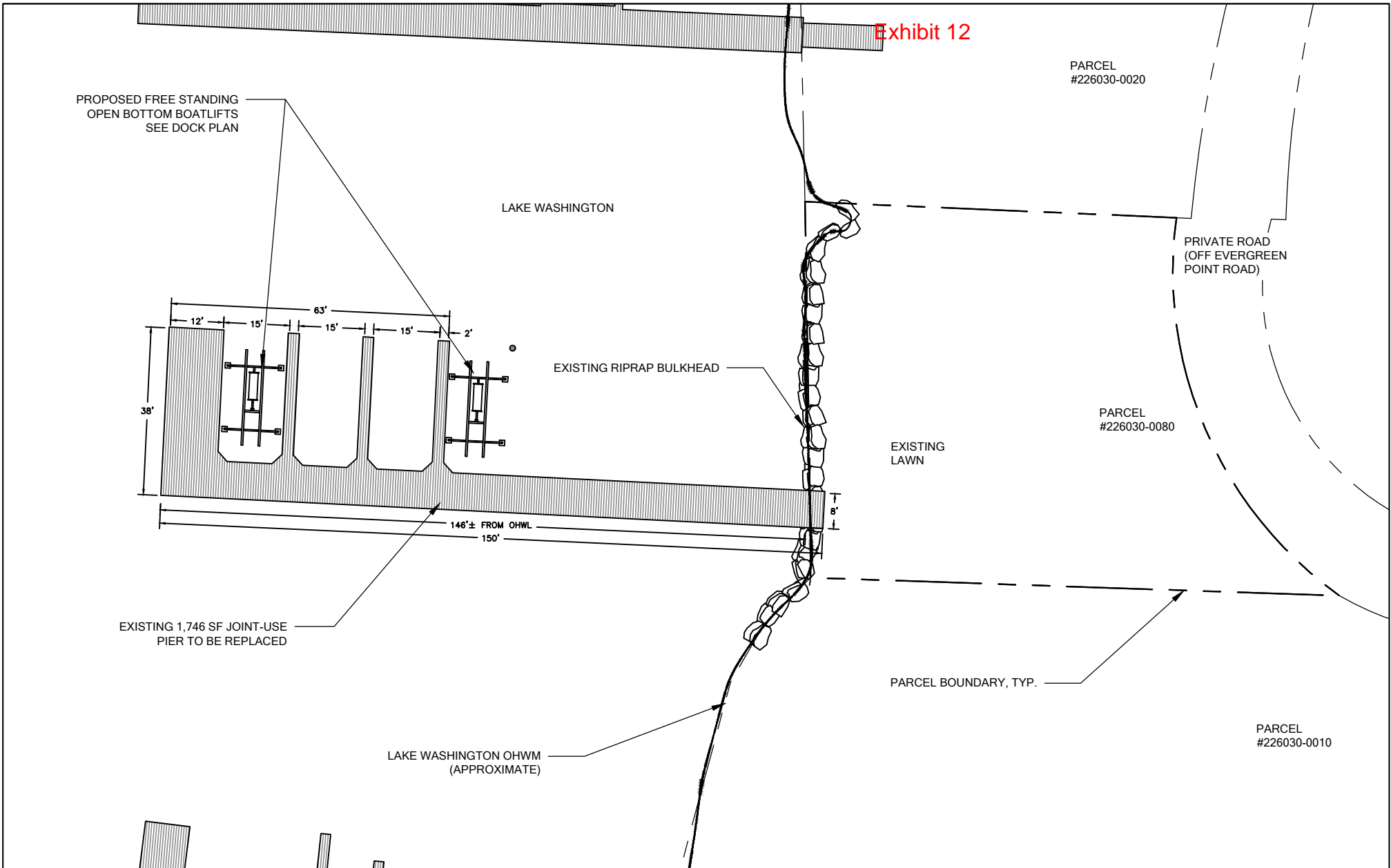
THE WATERSHED COMPANY  
 ADDRESS: 750 6TH ST SOUTH  
 KIRKLAND, WA 98033  
 CONTACT: KENNY BOOTH  
 (425) 822-5242  
 KBOOTH@WATERSHEDCO.COM

### SHEET INDEX

- 1 TITLE PAGE
- 2 PROPOSED SHORELINE PLAN
- 3 PROPOSED PLANTING PLAN
- 4 PLANT INSTALLATION SPECIFICATIONS
- 5 SHORELINE MITIGATION NOTES (1 OF 2)
- 6 SHORELINE MITIGATION NOTES (2 OF 2)

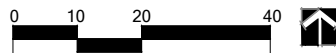
|   |  |  |
|---|--|--|
| PROPOSED: DOCK REPLACEMENT<br>PURPOSE: FOR RESIDENTIAL USE                    | <b>BEACH CLUB:<br/>                 DOCK REPLACEMENT<br/>                 AND SHORELINE MITIGATION</b> | <b>THE WATERSHED COMPANY</b><br>750 Sixth Street South   Kirkland   WA 98033<br>p 425.822.5242 f 425.827.8136<br>watershedco.com |
| LOCATION: LAKE WASHINGTON, MEDINA, WA<br>SECTION SW-25, TOWNSHIP 25, RANGE 04 | REFERENCE #:   | APPLICANT: CLINT MEAD  |
| TAX LOT No: 226030-0080   | COUNTY OF: KING, WA  | DATE: 07   |
| VERTICAL DATUM:<br>C.O.E MLLW = 21.85' NGVD                                   | NEAR/IN: MEDINA  | SHEET 1 OF 6   |
| WATER BODY: LAKE WASHINGTON   | 137  | 137  |

Exhibit 12



**PROPOSED SHORELINE PLAN**

SCALE: 1" = 30'-0"



PROPOSED: DOCK REPLACEMENT  
PURPOSE: FOR RESIDENTIAL USE

LOCATION: LAKE WASHINGTON, MEDINA, WA  
SECTION SW-25, TOWNSHIP 25, RANGE 04

TAX LOT No: 226030-0080

VERTICAL DATUM:  
C.O.E MLLW = 21.85' NGVD

BEACH CLUB:  
DOCK REPLACEMENT  
AND SHORELINE MITIGATION



750 Sixth Street South | Kirkland | WA 98033  
p 425.822.5242 f 425.827.8136  
watershedco.com

REFERENCE #:

COUNTY OF: KING, WA

NEAR/IN: MEDINA

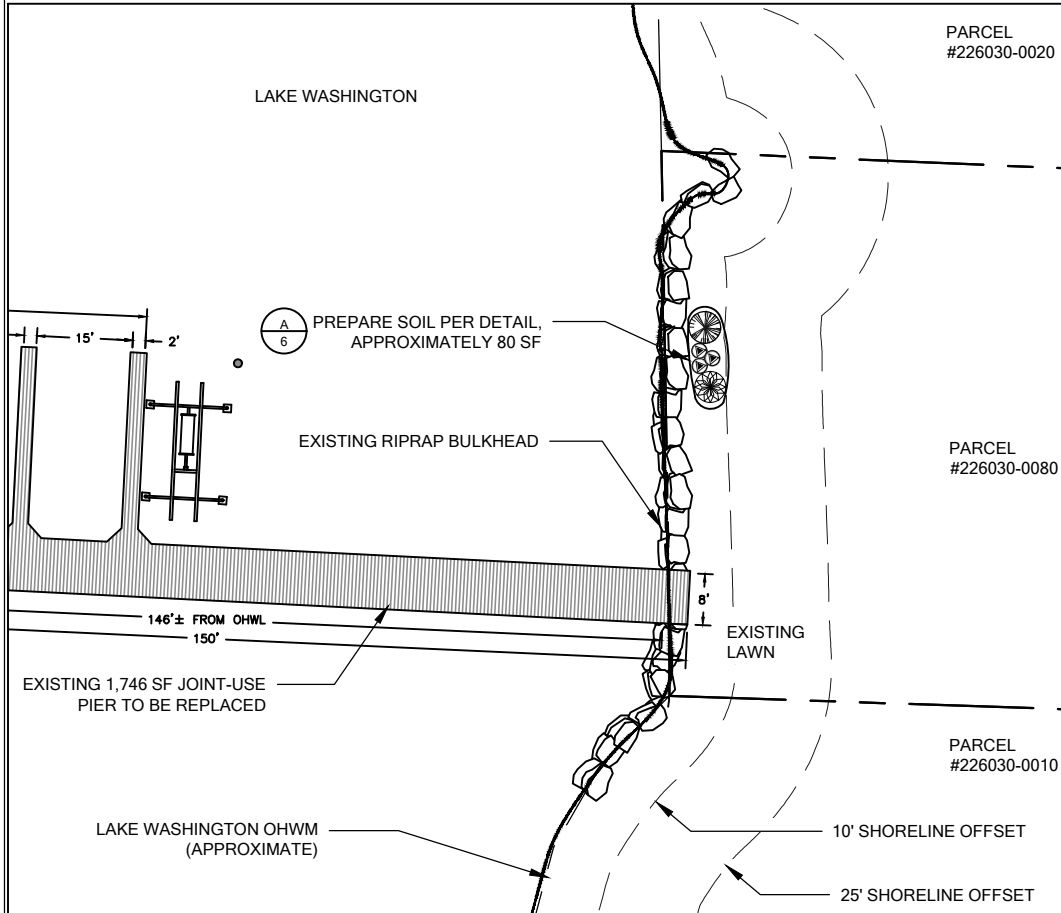
WATER BODY: LAKE WASHINGTON

APPLICANT: CLINT MEAD

DATE: 07

SHEET 2

# Exhibit 12



## PLANT SCHEDULE

| BOTANICAL NAME (COMMON NAME)       | QTY. | SIZE   | SPACING  |
|------------------------------------|------|--------|----------|
| <b>TREES</b>                       |      |        |          |
| PINUS CONTORTA (SHORE PINE)        | 1    | 5 GAL  | PER PLAN |
| SALIX LUCIDA (PACIFIC WILLOW)      | 1    | 5 GAL  | PER PLAN |
| <b>SHRUBS</b>                      |      |        |          |
| CORNUS SERICEA (RED-OSIER DOGWOOD) | 3    | 1 GAL. | PER PLAN |

## LEGEND

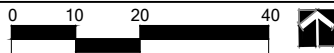
|  |                   |
|--|-------------------|
|  | PARCEL BOUNDARY   |
|  | MITIGATION OFFSET |
|  | OHWM              |

## NOTES

- SHORELINE JURISDICTION IS NOT SHOWN WITHIN PLAN EXTENTS - SEE DOCK REPAIR AND REDECKING PLAN BY WATERFRONT CONSTRUCTION
- FIELD ADJUST PLANTING LOCATIONS TO PROTECT EXISTING VEGETATION

## PROPOSED PLANTING PLAN

SCALE: 1" = 30'-0"



### NOTES

- SEE SHEET 4 FOR PLANTING NOTES AND SHEET 6 FOR SITE PREPARATION AND PLANTING DETAILS.

PROPOSED: DOCK REPLACEMENT  
PURPOSE: FOR RESIDENTIAL USE

LOCATION: LAKE WASHINGTON, MEDINA, WA  
SECTION SW-25, TOWNSHIP 25, RANGE 04

TAX LOT No: 226030-0080

VERTICAL DATUM:  
C.O.E MLLW = 21.85' NGVD

BEACH CLUB:  
DOCK REPLACEMENT  
AND SHORELINE MITIGATION



750 Sixth Street South | Kirkland | WA 98033  
p 425.822.5242 f 425.827.8136  
watershedco.com

REFERENCE #:

COUNTY OF: KING, WA

NEAR/IN: MEDINA

WATER BODY: LAKE WASHINGTON

APPLICANT: CLINT MEAD

DATE: 07

SHEET 3

139

**GENERAL NOTES**

**QUALITY ASSURANCE**

1. PLANTS SHALL MEET OR EXCEED THE SPECIFICATIONS OF FEDERAL, STATE, AND LOCAL LAWS REQUIRING INSPECTION FOR PLANT DISEASE AND INSECT CONTROL.
2. PLANTS SHALL BE HEALTHY, VIGOROUS, AND WELL-FORMED, WITH WELL DEVELOPED, FIBROUS ROOT SYSTEMS, FREE FROM DEAD BRANCHES OR ROOTS. PLANTS SHALL BE FREE FROM DAMAGE CAUSED BY TEMPERATURE EXTREMES, LACK OR EXCESS OF MOISTURE, INSECTS, DISEASE, AND MECHANICAL INJURY. PLANTS IN LEAF SHALL BE WELL FOLIATED AND OF GOOD COLOR. PLANTS SHALL BE HABITUATED TO THE OUTDOOR ENVIRONMENTAL CONDITIONS INTO WHICH THEY WILL BE PLANTED (HARDENED-OFF).
3. TREES WITH DAMAGED, CROOKED, MULTIPLE OR BROKEN LEADERS WILL BE REJECTED. WOODY PLANTS WITH ABRASIONS OF THE BARK OR SUN SCALD WILL BE REJECTED.
4. NOMENCLATURE: PLANT NAMES SHALL CONFORM TO FLORA OF THE PACIFIC NORTHWEST BY HITCHCOCK AND CRONQUIST, UNIVERSITY OF WASHINGTON PRESS, 1973 AND/OR TO A FIELD GUIDE TO THE COMMON WETLAND PLANTS OF WESTERN WASHINGTON & NORTHWESTERN OREGON, ED. SARAH SPEAR COOKE, SEATTLE AUDUBON SOCIETY, 1997.

**DEFINITIONS**

1. PLANTS/PLANT MATERIALS. PLANTS AND PLANT MATERIALS SHALL INCLUDE ANY LIVE PLANT MATERIAL USED ON THE PROJECT. THIS INCLUDES BUT IS NOT LIMITED TO CONTAINER GROWN, B&B OR BAREROOT PLANTS; LIVE STAKES AND FASCINES (WATTLES); TUBERS, CORMS, BULBS, ETC.; SPRIGS, PLUGS, AND LINERS.
2. CONTAINER GROWN. CONTAINER GROWN PLANTS ARE THOSE WHOSE ROOTBALLS ARE ENCLOSED IN A POT OR BAG IN WHICH THAT PLANT GREW.

**SUBSTITUTIONS**

1. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN SPECIFIED MATERIALS IN ADVANCE IF SPECIAL GROWING, MARKETING OR OTHER ARRANGEMENTS MUST BE MADE IN ORDER TO SUPPLY SPECIFIED MATERIALS.
2. SUBSTITUTION OF PLANT MATERIALS NOT ON THE PROJECT LIST WILL NOT BE PERMITTED UNLESS AUTHORIZED IN WRITING BY THE RESTORATION CONSULTANT.
3. IF PROOF IS SUBMITTED THAT ANY PLANT MATERIAL SPECIFIED IS NOT OBTAINABLE, A PROPOSAL WILL BE CONSIDERED FOR USE OF THE NEAREST EQUIVALENT SIZE OR ALTERNATIVE SPECIES, WITH CORRESPONDING ADJUSTMENT OF CONTRACT PRICE.
4. SUCH PROOF WILL BE SUBSTANTIATED AND SUBMITTED IN WRITING TO THE CONSULTANT AT LEAST 30 DAYS PRIOR TO START OF WORK UNDER THIS SECTION.

**INSPECTION**

1. PLANTS SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE RESTORATION CONSULTANT FOR CONFORMANCE TO SPECIFICATIONS, EITHER AT TIME OF DELIVERY ON-SITE OR AT THE GROWER'S NURSERY. APPROVAL OF PLANT MATERIALS AT ANY TIME SHALL NOT IMPAIR THE SUBSEQUENT RIGHT OF INSPECTION AND REJECTION DURING PROGRESS OF THE WORK.
2. PLANTS INSPECTED ON SITE AND REJECTED FOR NOT MEETING SPECIFICATIONS MUST BE REMOVED IMMEDIATELY FROM SITE OR RED-TAGGED AND REMOVED AS SOON AS POSSIBLE.
3. THE RESTORATION CONSULTANT MAY ELECT TO INSPECT PLANT MATERIALS AT THE PLACE OF GROWTH. AFTER INSPECTION AND ACCEPTANCE, THE RESTORATION CONSULTANT MAY REQUIRE THE INSPECTED PLANTS BE LABELED AND RESERVED FOR PROJECT. SUBSTITUTION OF THESE PLANTS WITH OTHER INDIVIDUALS, EVEN OF THE SAME SPECIES AND SIZE, IS UNACCEPTABLE.

**MEASUREMENT OF PLANTS**

1. PLANTS SHALL CONFORM TO SIZES SPECIFIED UNLESS SUBSTITUTIONS ARE MADE AS OUTLINED IN THIS CONTRACT.
2. HEIGHT AND SPREAD DIMENSIONS SPECIFIED REFER TO MAIN BODY OF PLANT AND NOT BRANCH OR ROOT TIP TO TIP. PLANT DIMENSIONS SHALL BE MEASURED WHEN THEIR BRANCHES OR ROOTS ARE IN THEIR NORMAL POSITION.
3. WHERE A RANGE OF SIZE IS GIVEN, NO PLANT SHALL BE LESS THAN THE MINIMUM SIZE AND AT LEAST 50% OF THE PLANTS SHALL BE AS LARGE AS THE MEDIAN OF THE SIZE RANGE. (EXAMPLE: IF THE SIZE RANGE IS 12" TO 18", AT LEAST 50% OF PLANTS MUST BE 15" TALL).

**SUBMITTALS**

**PROPOSED PLANT SOURCES**

1. WITHIN 45 DAYS AFTER AWARD OF THE CONTRACT, SUBMIT A COMPLETE LIST OF PLANT MATERIALS PROPOSED TO BE PROVIDED DEMONSTRATING CONFORMANCE WITH THE REQUIREMENTS SPECIFIED. INCLUDE THE NAMES AND ADDRESSES OF ALL GROWERS AND NURSERIES.

**PRODUCT CERTIFICATES**

1. PLANT MATERIALS LIST - SUBMIT DOCUMENTATION TO CONSULTANT AT LEAST 30 DAYS PRIOR TO START OF WORK UNDER THIS SECTION THAT PLANT MATERIALS HAVE BEEN ORDERED. ARRANGE PROCEDURE FOR INSPECTION OF PLANT MATERIAL WITH CONSULTANT AT TIME OF SUBMISSION.
2. HAVE COPIES OF VENDOR'S OR GROWERS' INVOICES OR PACKING SLIPS FOR ALL PLANTS ON SITE DURING INSTALLATION. INVOICE OR PACKING SLIP SHOULD LIST SPECIES BY SCIENTIFIC NAME, QUANTITY, AND DATE DELIVERED (AND GENETIC ORIGIN IF THAT INFORMATION WAS PREVIOUSLY REQUESTED).

**DELIVERY, HANDLING, & STORAGE**

**NOTIFICATION**

CONTRACTOR MUST NOTIFY CONSULTANT 48 HOURS OR MORE IN ADVANCE OF DELIVERIES SO THAT CONSULTANT MAY ARRANGE FOR INSPECTION.

**PLANT MATERIALS**

1. TRANSPORTATION - DURING SHIPPING, PLANTS SHALL BE PACKED TO PROVIDE PROTECTION AGAINST CLIMATE EXTREMES, BREAKAGE AND DRYING. PROPER VENTILATION AND PREVENTION OF DAMAGE TO BARK, BRANCHES, AND ROOT SYSTEMS MUST BE ENSURED.
2. SCHEDULING AND STORAGE - PLANTS SHALL BE DELIVERED AS CLOSE TO PLANTING AS POSSIBLE. PLANTS IN STORAGE MUST BE PROTECTED AGAINST ANY CONDITION THAT IS DETRIMENTAL TO THEIR CONTINUED HEALTH AND VIGOR.
3. HANDLING - PLANT MATERIALS SHALL NOT BE HANDLED BY THE TRUNK, LIMBS, OR FOLIAGE BUT ONLY BY THE CONTAINER, BALL, BOX, OR OTHER PROTECTIVE STRUCTURE, EXCEPT BAREROOT PLANTS SHALL BE KEPT IN BUNDLES UNTIL PLANTING AND THEN HANDLED CAREFULLY BY THE TRUNK OR STEM.
4. LABELS - PLANTS SHALL HAVE DURABLE, LEGIBLE LABELS STATING CORRECT SCIENTIFIC NAME AND SIZE. TEN PERCENT OF CONTAINER GROWN PLANTS IN INDIVIDUAL POTS SHALL BE LABELED. PLANTS SUPPLIED IN FLATS, RACKS, BOXES, BAGS, OR BUNDLES SHALL HAVE ONE LABEL PER GROUP.

**WARRANTY**

**PLANT WARRANTY**

PLANTS MUST BE GUARANTEED TO BE TRUE TO SCIENTIFIC NAME AND SPECIFIED SIZE, AND TO BE HEALTHY AND CAPABLE OF VIGOROUS GROWTH.

**REPLACEMENT**

1. PLANTS NOT FOUND MEETING ALL OF THE REQUIRED CONDITIONS AT THE CONSULTANT'S DISCRETION MUST BE REMOVED FROM SITE AND REPLACED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.
2. PLANTS NOT SURVIVING AFTER ONE YEAR TO BE REPLACED AT THE CONTRACTOR'S EXPENSE.

**PLANT MATERIAL**

**GENERAL**

1. PLANTS SHALL BE NURSERY GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICES UNDER CLIMATIC CONDITIONS SIMILAR TO OR MORE SEVERE THAN THOSE OF THE PROJECT SITE.
2. PLANTS SHALL BE TRUE TO SPECIES AND VARIETY OR SUBSPECIES. NO CULTIVARS OR NAMED VARIETIES SHALL BE USED UNLESS SPECIFIED AS SUCH.


**QUANTITIES**

SEE PLANT LIST ON ACCOMPANYING PLANS AND PLANT SCHEDULES.

**ROOT TREATMENT**

1. CONTAINER GROWN PLANTS (INCLUDES PLUGS): PLANT ROOT BALLS MUST HOLD TOGETHER WHEN THE PLANT IS REMOVED FROM THE POT, EXCEPT THAT A SMALL AMOUNT OF LOOSE SOIL MAY BE ON THE TOP OF THE ROOTBALL.
2. PLANTS MUST NOT BE ROOT-BOUND; THERE MUST BE NO CIRCLING ROOTS PRESENT IN ANY PLANT INSPECTED.
3. ROOTBALLS THAT HAVE CRACKED OR BROKEN WHEN REMOVED FROM THE CONTAINER SHALL BE REJECTED.

**PLANT INSTALLATION SPECIFICATIONS**

|   |   |  |
|---|---|--|
| PROPOSED: DOCK REPLACEMENT<br>PURPOSE: FOR RESIDENTIAL USE                    | BEACH CLUB:<br>DOCK REPLACEMENT<br>AND SHORELINE MITIGATION | <br>THE WATERSHED COMPANY<br>750 Sixth Street South   Kirkland   WA 98033<br>p 425.822.5242 f 425.827.8136<br>watershedco.com |
| LOCATION: LAKE WASHINGTON, MEDINA, WA<br>SECTION SW-25, TOWNSHIP 25, RANGE 04 |   |  |
| TAX LOT No: 226030-0080   | REFERENCE #:  | APPLICANT: CLINT MEAD  |
| VERTICAL DATUM:<br>C.O.E MLLW = 21.85' NGVD                                   | COUNTY OF: KING, WA   |  |
|   | NEAR/IN: MEDINA   |  |
|   | WATER BODY: LAKE WASHINGTON                                 | DATE: 07/14/2014   |

THE PROPOSED RAP PLANTING PLAN SEEKS TO RESTORE AND ENHANCE PORTIONS OF THE LAKE WASHINGTON SHORELINE AND ON-SITE SHORELINE BUFFER IN RESPONSE TO THE REPLACEMENT OF AN EXISTING DOCK. 80 SQUARE FEET OF EXISTING LAWN WILL BE REMOVED AND REPLACED WITH NATIVE PLANTINGS ALONG A PORTION OF THE SHORELINE. THIS 80 SQUARE FEET OF THE SITE, LOCATED WITHIN THE SHORELINE JURISDICTION, WILL THEN BE RESTORED WITH NATIVE VEGETATION INCLUDING TWO TREE SPECIES (PINUS CONTORTA/SHORE PINE & SALIX LUCIDA/PACIFIC WILLOW) AND ONE SHRUB SPECIES (RED-OSIER DOGWOOD/CORNUS SERICEA).

**MAINTENANCE AND MONITORING PLAN**

THE 5-YEAR MAINTENANCE AND MONITORING PLAN IS DETAILED BELOW.

**GOALS**

- 1) WITHIN THE PROPOSED RESTORATION AREA, ESTABLISH NATIVE VEGETATION THAT IS APPROPRIATE TO THE ECO-REGION AND SITE.
- 2) WHERE INDICATED ON THE PLAN, AREAS WITHIN THE RESTORATION AREA WILL REMAIN SUBSTANTIALLY VEGETATED WITH NATIVE PLANTS AND WILL CONTAIN LITTLE INVASIVE OR NOXIOUS WEED COVER.
- 3) INCREASE HABITAT COVER AND REFUGE FOR AMPHIBIANS, SMALL MAMMALS, AND INVERTEBRATES. PROVIDE PERCHING HABITAT FOR NATIVE BIRDS.

**PERFORMANCE STANDARDS**

THE STANDARDS LISTED BELOW WILL BE USED TO JUDGE THE SUCCESS OF THE INSTALLATION OVER TIME. IF PERFORMANCE STANDARDS ARE MET AT THE END OF YEAR 5, THE SITE WILL THEN BE DEEMED SUCCESSFUL AND, IF APPLICABLE, THE PERFORMANCE SECURITY BOND WILL BE ELIGIBLE FOR RELEASE BY THE CITY OF MEDINA.

- 1) SURVIVAL: ACHIEVE 100% SURVIVAL OF INSTALLED SHRUBS AND TREES THROUGHOUT THE 5 YEAR MONITORING PERIOD. THIS STANDARD CAN BE MET THROUGH PLANT ESTABLISHMENT OR THROUGH REPLANTING AS NECESSARY TO ACHIEVE THE REQUIRED NUMBERS
- 2) SPECIES DIVERSITY: ESTABLISH AT LEAST TWO NATIVE TREE SPECIES AND ONE NATIVE SHRUB SPECIES, AND MAINTAIN THIS DIVERSITY THROUGH YEAR 5. NATIVE VOLUNTEER SPECIES MAY COUNT TOWARDS THIS STANDARD.
- 3) INVASIVE COVER: AERIAL COVER FOR ALL NON-NATIVE, INVASIVE AND NOXIOUS WEEDS WILL NOT EXCEED 10% AT ANY YEAR DURING THE MONITORING PERIOD. INVASIVE PLANTS INCLUDE ALL SPECIES IDENTIFIED AS CLASS A, B, OR C NOXIOUS WEEDS BY THE KING COUNTY NOXIOUS WEED CONTROL BOARD.

**MONITORING METHODS**

THIS MONITORING PROGRAM IS DESIGNED TO TRACK THE SUCCESS OF THE MITIGATION SITE OVER TIME AND TO MEASURE THE DEGREE TO WHICH IT IS MEETING THE PERFORMANCE STANDARDS OUTLINED IN THE PRECEDING SECTION.

AN AS-BUILT PLAN WILL BE PREPARED BY THE RESTORATION PROFESSIONAL (WATERSHED COMPANY [(425) 822-5242] PERSONNEL OR OTHER PERSONS QUALIFIED TO EVALUATE ENVIRONMENTAL RESTORATION PROJECTS) PRIOR TO THE BEGINNING OF THE MONITORING PERIOD. THE AS-BUILT PLAN WILL BE A MARK-UP OF THE PLANTING PLANS INCLUDED IN THIS PLAN SET. THE AS-BUILT PLAN WILL DOCUMENT ANY DEPARTURES IN PLANT PLACEMENT OR OTHER MINOR VARIATIONS FROM THE PROPOSED PLAN.

MONITORING WILL TAKE PLACE ONCE ANNUALLY IN THE LATE SUMMER OR EARLY FALL FOR FIVE YEARS. YEAR-1 MONITORING WILL COMMENCE IN THE FIRST SEPTEMBER SUBSEQUENT TO INSTALLATION.

THE FORMAL MONITORING VISIT SHALL RECORD AND REPORT THE FOLLOWING IN AN ANNUAL REPORT SUBMITTED TO THE CITY OF MEDINA:

- 1) VISUAL ASSESSMENT OF THE OVERALL SITE.
- 2) YEAR-1 THROUGH YEAR-5 COUNTS OF ESTABLISHED NATIVE TREES AND SHRUBS BY SPECIES.
- 3) COUNTS OF DEAD PLANTS WHERE MORTALITY IS SIGNIFICANT IN ANY MONITORING YEAR.
- 4) ESTIMATE OF NON-NATIVE, INVASIVE WEED COVER.

- 5) TABULATION OF ESTABLISHED NATIVE SPECIES, INCLUDING BOTH PLANTED AND VOLUNTEER SPECIES.
- 6) PHOTOGRAPHIC DOCUMENTATION FROM AT LEAST TWO FIXED REFERENCE POINTS.
- 7) ANY INTRUSIONS INTO OR CLEARING OF THE PLANTING AREAS, VANDALISM, OR OTHER ACTIONS THAT IMPAIR THE INTENDED FUNCTIONS OF THE MITIGATION AREA.
- 8) RECOMMENDATIONS FOR MAINTENANCE OR REPAIR OF ANY PORTION OF THE MITIGATION AREA.

**CONSTRUCTION NOTES AND SPECIFICATIONS**

NOTE: THE WATERSHED COMPANY [(425) 822-5242] PERSONNEL, OR OTHER PERSONS QUALIFIED TO EVALUATE ENVIRONMENTAL RESTORATION PROJECTS, WILL MONITOR:

1. ALL SITE PREPARATION
  - a. SOIL PREPARATION.
  - b. MULCH PLACEMENT.
2. PLANT MATERIAL INSPECTION
  - a. PLANT MATERIAL DELIVERY INSPECTION.
  - b. 100% PLANT INSTALLATION INSPECTION.


**GENERAL WORK SEQUENCE**

1. ALL PLANT INSTALLATION IS TO TAKE PLACE DURING THE DORMANT SEASON (OCTOBER 15TH - MARCH 1ST), FOR BEST SURVIVAL.
2. PREPARE A PLANTING PIT FOR EACH PLANT AND INSTALL PER THE PLANTING DETAILS.
3. MULCH PLANTED AREA WITH WOOD CHIP MULCH, FOUR INCHES THICK.
4. PROVIDE WATERING SYSTEM TO ENSURE FULL COVERAGE TO ALL PLANTS WITHIN THE RESTORATION AREA.

**MATERIAL SPECIFICATIONS AND DEFINITIONS**

1. FERTILIZER: SLOW RELEASE, GRANULAR PHOSPHOROUS-FREE FERTILIZER. FOLLOW MANUFACTURER'S INSTRUCTIONS FOR APPLICATION. KEEP FERTILIZER IN A WEATHER-TIGHT CONTAINER WHILE ON SITE. NOTE THAT FERTILIZER IS TO BE APPLIED ONLY IN YEARS 2 THROUGH 5 AND NOT IN THE FIRST YEAR.
2. WATERING SYSTEM: APPLICANT TO ENSURE THAT RESTORATION PLANTINGS ARE DELIVERED AT LEAST ONE INCH OF WATER PER WEEK FROM JUNE 1 THROUGH SEPTEMBER 30 FOR THE FIRST TWO YEARS FOLLOWING INSTALLATION.
3. RESTORATION PROFESSIONAL: WATERSHED COMPANY [(425) 822-5242] PERSONNEL, OR OTHER PERSONS QUALIFIED TO EVALUATE ENVIRONMENTAL RESTORATION PROJECTS.
4. WOOD CHIP MULCH: ARBORIST CHIPS (CHIPPED WOODY MATERIAL) APPROXIMATELY 1 TO 3 INCHES IN MAXIMUM DIMENSION (NOT SAWDUST OR COARSE HOG FUEL). THIS MATERIAL IS COMMONLY AVAILABLE IN LARGE QUANTITIES FROM ARBORISTS OR TREE-PRUNING COMPANIES. THIS MATERIAL IS SOLD AS "ANIMAL FRIENDLY HOG FUEL" AT PACIFIC TOPSOILS [(800) 884-7645]. MULCH MUST NOT CONTAIN APPRECIABLE QUANTITIES OF GARBAGE, PLASTIC, METAL, SOIL, AND DIMENSIONAL LUMBER OR CONSTRUCTION/DEMOLITION DEBRIS.
5. COMPOST: CEDAR GROVE COMPOST OR EQUIVALENT "COMPOSTED MATERIAL" PER WASHINGTON ADMIN. CODE 173-350-220.

**SHORELINE MITIGATION NOTES (1 OF 2)**

|   |   |  |
|---|---|--|
| PROPOSED: DOCK REPLACEMENT<br>PURPOSE: FOR RESIDENTIAL USE                    | BEACH CLUB:<br>DOCK REPLACEMENT<br>AND SHORELINE MITIGATION | <br>THE WATERSHED COMPANY<br>750 Sixth Street South   Kirkland   WA 98033<br>p 425.822.5242 f 425.827.8136<br>watershedco.com |
| LOCATION: LAKE WASHINGTON, MEDINA, WA<br>SECTION SW-25, TOWNSHIP 25, RANGE 04 |   |  |
| TAX LOT No: 226030-0080   | REFERENCE #:  |  |
| VERTICAL DATUM:<br>C.O.E MLLW = 21.85' NGVD                                   | COUNTY OF: KING, WA   | APPLICANT: CLINT MEAD  |
|   | NEAR/IN: MEDINA   | DATE: 07   |
|   | WATER BODY: LAKE WASHINGTON                                 | SHEET 5 OF 6   |

(MITIGATION NOTES CONTINUED)

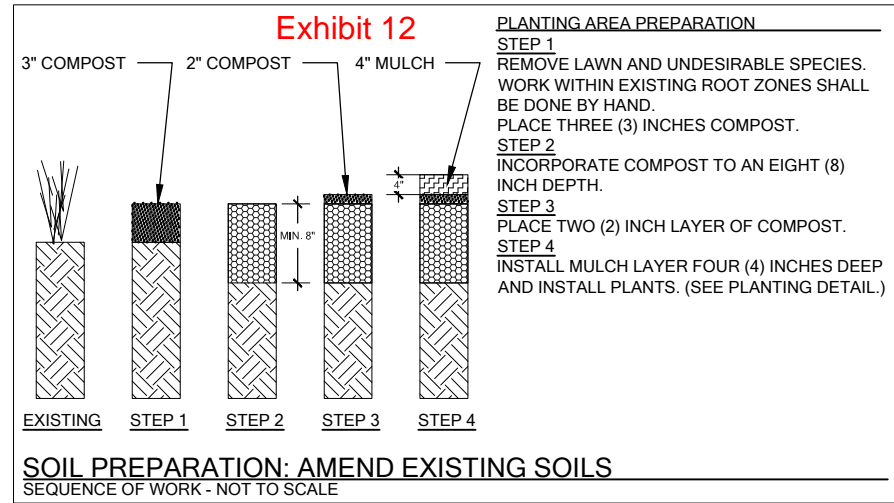
**CONTINGENCIES**

IF THERE IS A SIGNIFICANT PROBLEM WITH THE RESTORATION AREAS MEETING PERFORMANCE STANDARDS, A CONTINGENCY PLAN WILL BE DEVELOPED AND IMPLEMENTED. CONTINGENCY PLANS CAN INCLUDE, BUT ARE NOT LIMITED TO: SOIL AMENDMENT; ADDITIONAL PLANT INSTALLATION; AND PLANT SUBSTITUTIONS OF TYPE, SIZE, QUANTITY, AND LOCATION.

**MAINTENANCE**

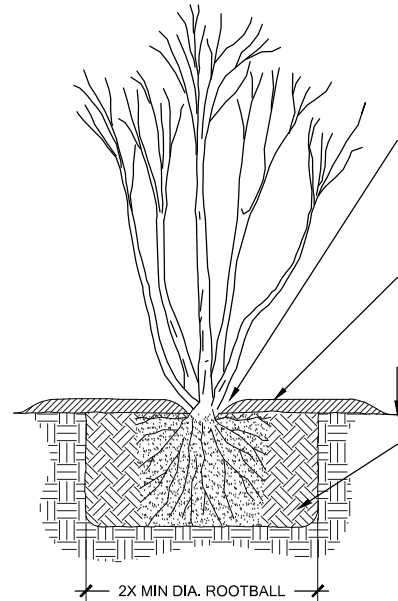
THE SITE WILL BE MAINTAINED IN ACCORDANCE WITH THE FOLLOWING INSTRUCTIONS FOR FIVE YEARS FOLLOWING COMPLETION OF THE CONSTRUCTION.

- 1) FOLLOW THE RECOMMENDATIONS NOTED IN THE PREVIOUS MONITORING SITE VISIT.
- 2) GENERAL WEEDING FOR ALL PLANTED AREAS:
  - a. **AT LEAST TWICE YEARLY**, REMOVE ALL COMPETING WEEDS AND WEED ROOTS FROM BENEATH EACH INSTALLED PLANT AND ANY DESIRABLE VOLUNTEER VEGETATION TO A DISTANCE OF 18 INCHES FROM THE MAIN PLANT STEM. WEEDING SHOULD OCCUR AT LEAST TWICE DURING THE SPRING AND SUMMER. FREQUENT WEEDING WILL RESULT IN LOWER MORTALITY, LOWER PLANT REPLACEMENT COSTS, AND INCREASED LIKELIHOOD THAT THE PLAN MEETS PERFORMANCE STANDARDS BY YEAR 5.
  - b. MORE FREQUENT WEEDING MAY BE NECESSARY DEPENDING ON WEED CONDITIONS THAT DEVELOP AFTER PLAN INSTALLATION.
  - c. DO NOT WEED THE AREA NEAR THE PLANT BASES WITH STRING TRIMMER (WEED WHACKER/WEED EATER). NATIVE PLANTS ARE EASILY DAMAGED OR KILLED, AND WEEDS EASILY RECOVER AFTER TRIMMING.
  - d. SELECTIVE APPLICATIONS OF HERBICIDE MAY BE NEEDED TO CONTROL INVASIVE WEEDS, ESPECIALLY WHEN INTERMIXED WITH NATIVE SPECIES. HERBICIDE APPLICATION, WHEN NECESSARY, SHALL BE CONDUCTED ONLY BY A STATE-LICENSED APPLICATOR.
- 3) APPLY SLOW RELEASE GRANULAR FERTILIZER TO EACH INSTALLED PLANT ANNUALLY IN THE SPRING (BY JUNE 1) OF YEARS 2 THROUGH 5.
- 4) REPLACE MULCH AS NECESSARY TO MAINTAIN A 4-INCH-THICK LAYER, RETAIN SOIL MOISTURE, AND LIMIT WEEDS.
- 5) REPLACE EACH PLANT FOUND DEAD IN THE SUMMER MONITORING VISITS DURING THE UPCOMING FALL DORMANT SEASON (OCTOBER 15 TO MARCH 1).
- 6) THE HOMEOWNER WILL ENSURE THAT WATER IS PROVIDED FOR THE ENTIRE PLANTED AREA WITH A MINIMUM OF 1 INCH OF WATER PROVIDED PER WEEK FROM JUNE 1 THROUGH SEPTEMBER 30 FOR THE FIRST TWO YEARS FOLLOWING INSTALLATION THROUGH THE OPERATION OF AN IRRIGATION SYSTEM. LESS WATER IS NEEDED DURING MARCH, APRIL, MAY AND OCTOBER.



**A MITIGATION AREA SITE PREP DETAIL**

Scale: NTS



**NOTES:**


1. PLANTING PIT SHALL NOT BE LESS THAN (2) TIMES THE WIDTH OF THE ROOT BALL DIA.
2. LOOSEN SIDES AND BOTTOMS OF PLANTING PIT
3. SOAK PLANTING PIT AFTER PLANTING

REMOVE FROM POT OR BURLAP & ROUGH-UP ROOT BALL BEFORE INSTALLING. UNTANGLE AND STRAIGHTEN CIRCLING ROOTS - PRUNE IF NECESSARY. IF PLANT IS EXCEPTIONALLY ROOT-BOUND, DO NOT PLANT AND RETURN TO NURSERY FOR AN ACCEPTABLE ALTERNATIVE

**B CONTAINER PLANTING DETAIL**

Scale: NTS

**SHORELINE MITIGATION NOTES (2 OF 2)**

|   |   |   |
|---|---|---|
| PROPOSED: DOCK REPLACEMENT<br>PURPOSE: FOR RESIDENTIAL USE                    | BEACH CLUB:<br>DOCK REPLACEMENT<br>AND SHORELINE MITIGATION | <br>750 Sixth Street South   Kirkland   WA 98033<br>p 425.822.5242 f 425.827.8136<br>watershedco.com |
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|   | WATER BODY: LAKE WASHINGTON                                 | DATE: 07/10/2024  |