

KING CONSERVATION DISTRICT
Special Board of Supervisors Meeting
August 23rd, 2021
5:30 PM to 7:00 PM– via Teleconference Only
Zoom Link: <https://zoom.us/j/94234356584>
Call In Number: (253) 215-8782
Meeting ID: 942 3435 6584
Meeting Agenda

Call to Order

- | | |
|--|--------------------------|
| 1. Preliminary Matters
a) Introductions
b) Additions or Corrections to the Agenda
c) Adoption of the Board Agenda | 5:30 PM – 5:35 PM |
| 2. Public Comment | 5:35 PM – 5:40 PM |
| 3. Presentations
a) Board Governance – Third Sector | 5:40 PM – 5:55 PM |
| 4. Unfinished Business
a) AI 21-056: Watershed Company Sullivan Bulkhead Removal Project – Redmond
b) Covid Policies | 5:55 PM – 6:10 PM |
| 5. New Business
a) AI 21-060: Resolution 21-003: Local Government Investment Pool Authorization
b) KCD Annual Report – Dostal | 6:10 PM – 6:20 PM |
| 6. Executive Session
a) per RCW 42.30.110(1) to discuss litigation/potential litigation/legal risk | 6:20 PM – 6:50 PM |

Unfinished Business

King Conservation District Board of Supervisors Meeting 08/09/2021**Agenda Action Briefing/Report AI 21- 056****SUBJECT:**

Approve KCD Landowner Incentive Program cost-share application from Susan Sullivan, for a Bulkhead Removal, in the amount of \$30,000.00. Review policy consideration to allow cooperator to apply for planting of shoreline as a separate practice after bulkhead removed.

FISCAL IMPACT

The current balance of cost-share funding for KCD LIP 2021 is summarized in the following table:

2021 LIP Cost-share Available	\$243,108.42
Current Request	\$30,000.00
Balance Remaining	\$213,108.42

The project's estimated budget is summarized in the following table:

Practice	KCD LIP Contribution	Landowner Contribution
Bulkhead Removal BMP	\$30,000.00	\$102,386.00
Critical Area Planting BMP	\$TBD	\$46,643.00
Totals:	\$30,000.00 (+TBD)	\$149,029.00

Because of the tight timeline for the Washington Department of Fish and Wildlife (WDFW) HPA permitting window, there was not time to submit to the Washington State Conservation Commission (WSCC) for cost-share for a Bulkhead Removal.

POLICY CONSIDERATION

This proposed cost-share contract has been vetted through a staff approval committee and has been advanced for due pass by the Board of Supervisors.

This proposed cost-share contract is requesting approval to apply for funding for planting of the shoreline as a separate practice once the bulkhead is removed.

STAKEHOLDER INTERESTS

- District cooperators working with District farm management, forestry and aquatic area enhancement programs
- King CD Board members and staff
- NRCS
- Regional partners working to advance Puget Sound recovery, particularly salmonid and Orca recovery

BACKGROUND**The Project:**

The Sullivan property is located along the shore of Lake Washington in Medina. A basalt angled rock bulkhead is located along most the immediate shoreline area, with a 44-foot-long degraded log bulkhead situated along the remainder of the shoreline from the middle of the south property running south to the property line. A 26-foot long in-water groin exists perpendicular to the shoreline within the north portion of the property. Areas of lawn and ornamental hedges are situated between the shoreline and the existing single-family residences. The shoreline along the water's edge of the southern property contains knotweed.

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Agenda Action Briefing/Report AI 21-

This project proposes to restore vital functions to the nearshore environment aquatic habitat by providing habitat for birds, small mammals, and adult stages of aquatic insects as well as overwater shade, cover, and input of organic matter and insects to the aquatic environment. The removal of the bulkhead; addition of shoreline gravel, keystone boulders and anchored logs; and the installation of riparian vegetation will enhance the nearshore environment by replenishing preferable substrate for salmonids, shading the nearshore aquatic environment, and providing inputs to the aquatic food web. This project will removal a total of 101 linear feet of bulkhead as well as a 26-foot groin. Finally, native enhancement plantings will be installed along the shoreline (up to the shoreline setback), including a robust shoreline community of grasses, forbs, shrubs, and trees.

This project is being managed by the Watershed Company, who was hired by the cooperator to restore their shoreline. Mid Sound Fisheries Enhancement Group has written a letter of support for the project which can be found in the following application packet. The Watershed Company managed the removal of a separate bulkhead for cooperators on a neighboring property directly adjacent and to the south of the proposed project, providing connectivity to this project. All required permitting has been obtained and approved and can be viewed in the attached file.

The bulkhead removal began this month and will end in September, to remain in line with the HPA permitting window. The planting will occur in 2022.

Policy Consideration Background:

The Practice

Bulkhead Removal is an approved LIP Best Management Practice (BMP). The purpose of this practice is primarily to remove bulkhead, restore natural, native shoreline to improve habitat for aquatic species such as salmonids and protect and enhance surface and ground water resources. The LIP models it's practice standards after Natural Resources Conservation Service (NRCS) and Washington State Conservation Commission (WSCC).

NRCS - Similar to LIP's Forest Health Management BMP, Bulkhead Removal is not a standalone NRCS practice but rather is a combination of several NRCS practices such as: Shoreline Protection (580), Critical Areas Planting (342), and Structures for Wildlife (large wood) (649).

WSCC – The WSCC cost-shares on Bulkhead Removals as a stand-alone practice. The WSCC also cost-shares on Bulkhead Removals as a separate practice from Critical Area Plantings allowing a cooperator to apply for both practices separately.

In a recent Bulkhead Removal project, LIP allowed the Bulkhead Removal BMP to reimburse the cooperator for costs pertaining to both the removal of the bulkhead and installation of shoreline stabilization materials as well as the planting. However, this project had enough time prior to the permitting window to apply for and receive additional financial support from WSCC cost-share, offsetting the costs of the project. Bulkhead removals can be extremely expensive due to the large scope of the project, which can be prohibitive to a cooperator installing their practice to it's full potential scope, or at all. For example, recent projects have shown that the costs associated with barging alone can be upwards of \$50,000,

OPTIONS CONSIDERED

- 1- Award cost-share funding for the Bulkhead Removal and approve the submittal of a second request for cost-share for the critical area planting at a later date at the standard LIP Aquatic Areas Plantings cost-share rates.

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- Pros – Project would count towards ILA metrics for Shorelines for 2021. Allowing two practices would support practice success. Cooperator has already communicated they have had to reduce the scope of the project due to budgeting limitations. This would reduce the likelihood of additional reductions in scope needing to be made due to unforeseen circumstances.
 - Cons – Would potentially utilize more cost-share that could have been awarded to another project.
- 2- Award cost-share funding for the Bulkhead Removal but do not allow the submittal of a separate request for cost-share for the critical area planting at a later date.
- Pros – Retain additional funding to allocate to a different project, although this is not guaranteed.
 - Cons – There would be less resources to support the current scope of the project, potentially impacting deliverables.
- 3- Do not award the cost-share funding to the Bulkhead Removal
- Pros – None observed.
 - Cons – Would be missing an opportunity to support reaching ILA metrics for the Shorelines Program and to restore native shoreline on Lake Washington.

EFFECTIVE DATE

The cost-share award will become effective upon approval by the Board of Supervisors and the LIP contract will become effective upon signature by a Board representative.

RECOMMENDATION – Option 1

Staff seeks Board approval of Landowner Incentive Program cost-share application from Susan Sullivan, for a Bulkhead Removal, in the amount of \$30,000.00 with the option to apply for additional funding for the Critical Area Planting at a later date.

This recommendation was reached after determining the benefits of having the additional support to ensure that the full project scope was met, as well as to assist staff in meeting ILA metrics for 2021. Additionally, this recommendation has precedent in WSCC cost-share allocation for Bulkhead Removal BMPs in conjunction with Critical Area Plantings.

MOTION

_____*Moved,* _____*Seconded; Passed a motion to Approve KCD Landowner Incentive Program cost-share application from Susan Sullivan, for a Bulkhead Removal, in the amount of \$30,000.00 with the option to apply for additional funding for the Critical Area Planting at a later date at the standard LIP Aquatic Areas Plantings cost-share rates.*

KING CONSERVATION DISTRICT (KCD) LANDOWNER INCENTIVE PROGRAM APPLICATION

Section 1. Applicant (If applicant is not the landowner, then landowner must also sign the agreement)

Applicant Name: Susan Sullivan		Farm/Business Name: n/a	
Mailing Address: 1645 Rambling Lane Medina, WA 98039		Project Address: 444/438 Overlake Dr E Medina, WA 98039	
Phone (home): 425-941-1268		Phone (work/mobile):	
Email Address: sullhenn@msn.com		KCD Staff: Debbie Meisinger	
Parcel #(s): 3835502356 & 9389100040	<input checked="" type="checkbox"/> Incorporated <input type="checkbox"/> Unincorporated	Total Farm/Land Acreage: 0.78 (total combined of both lots)	<input checked="" type="checkbox"/> T.A. <input type="checkbox"/> Farm Plan <input type="checkbox"/> Forest Plan
Is email an acceptable primary form of communication?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Would you like to be added to our newsletter list?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Section 2. Project Information

Best Management Practice (BMP): Bulkhead Removal
Project Completion Date (month and year): December 2022
<p>Current Site Conditions (Provide a brief summary of resource management problem addressed by BMP: also note if streams, wetlands, and steep slopes are near or within the project area):</p> <p>This project aims to restore much of the shoreline's natural features and functions of the nearshore environment by removing large sections of bulkhead and replacing it with riparian plantings, shoreline gravel, boulders, and logs. A basalt angled rock bulkhead is located along most the immediate shoreline area, with a 44-foot-long degraded log bulkhead situated along the remainder of the shoreline from the middle of the south property running south to the property line. Substrate waterward of the bulkhead includes medium-sized rounded cobble; no small gravels are present waterward of the bulkhead, indicating the bulkhead is focusing wave energy down into the nearshore environment and dispersing fine sediments from the project area. A 26-foot long in-water groin exists perpendicular to the shoreline within the north portion of the property. Areas of lawn and ornamental hedges are situated between the shoreline and the existing single-family residences. The shoreline along the water's edge of the southern property contains knotweed. (See page 2 of plans)</p>
<p>Project Details (Provide a brief summary of the project. Include acres treated, length of fence, dimensions of compost bin, types and numbers of plants, etc.):</p> <p>The proposed project includes selected bulkhead removal and the placement of shoreline gravel, anchored logs, and keystone boulders for beach creation at both 438 and 444 Overlake Drive East in Medina. Cumulatively, 101 linear feet of bulkhead removal will occur: 34 linear feet at 444 Overlake Drive East and 67 linear feet at 438 Overlake Drive East. In addition, a 26-foot groin on 444 Overlake Drive E will be removed. Finally, native enhancement plantings will be installed along the shoreline (up to the shoreline setback), including emergent plants near OHWM and a robust shoreline community of grasses, forbs, shrubs, and trees.</p>
<p>Maintenance Plan (Summarize your plan to maintain the practice. Include frequency and scope of inspections, repairs anticipated, etc.):</p> <p>Per HPA approval, shoreline plants will be maintained for at least 3 years, ensuring 80% survival by year 3. The homeowner will continually monitor shoreline gravel and placement of logs and boulders, as well as fulfill the requirements of maintenance and monitoring as outlined in the Jobsheet.</p>

Permits <i>(List all permits required to complete this project):</i> JARPA, HPA, City of Medina Building Permit, City of Medina Demo Permit, SEPA Exemption
Photos: Before photos must be submitted with this application.

Section 3. Cost-share Programs

- A. Have you previously applied for cost-share through the KCD Landowner Incentive Program (LIP)? ☐ Yes ☒ No
 If yes, please list contract number and BMP below:

- B. Are you applying for (or received) funding (cost-share or grants) through other agencies or programs? ☐ Yes ☒ No
 Please describe below:

1. **King County Cost-share**

Please list practices and date installed below:

2. **NRCS EQIP (Natural Resources Conservation Service's Environmental Quality Incentive Program)**

Please list practices and date installed below:

3. **Other**

Please list agency and describe project:

Other Cost-Share History/Notes:

There was not time to apply for WSCC cost-share and still meet project deadlines outlined in the permit windows.

Section 4. Budget (attached as Exhibit A)

The cost-share application budget is the applicant's statement for how the KCD cost-share funds will be spent. Use the attached Excel document to detail the budget for the project. Reimbursement values are restricted by unit maximums as well as practice maximums. KCD will be unable to provide a budget that exceeds either maximum. The cost differential for practices installed at a higher standard or cost shall be the responsibility of the applicant. In cases where a budget for a cost-share award needs to be updated, submit a budget revision request for approval. In the absence of an approved budget revision, the cost differential shall be the responsibility of the applicant. Furthermore, receiving financial assistance for an approved Best Management Practices will be subject to inspection by KCD planners. Approval for reimbursement will be based on the satisfactory completion of the project to the minimum specifications detailed in this application.

Partial reimbursements are available on a limited basis and must be requested in advance. They will only be considered when the installation of a project can be phased to achieve the standard described in the attached job sheet when reimbursement is requested.

- ☐ Select this box if you intend to request partial reimbursement as the project is installed.

Section 5. Education and Outreach

KCD encourages public education through demonstration projects. Demonstration projects are used to educate other landowners about innovative ways to address natural resource concerns. A demonstration project may be showcased in a guided tour, or featured in presentations or written fact sheets.

- Will you consider becoming a demonstration project?

☒ Yes ☐ No

Section 6. Maintenance and Monitoring Expectations

The applicant is responsible to maintain the Best Management Practice (BMP) to standard as detailed in the attached Job Sheet for the lifetime of the BMP.

- ☒ A. I understand the lifetime of the BMP is 15 years.
- ☒ B. I understand KCD will work with me to verify proper maintenance of the installed BMP, which will include a combination of site visits with KCD staff and/or annual photo documentation submitted by me for the lifetime listed in Section 7A.
- ☒ C. I understand I am obligated to maintain and monitor the BMP for the lifetime listed in Section 6A.

Section 7. Application and Agreement

I request financial assistance (cost-share) under the KCD LIP to install the Best Management Practice (BMP) described in this application and detailed in the attached *Job Sheet and Map*. This practice is needed to solve the natural resource problems described in Section 2 of this application. This Agreement expires if the project is not completed by the specified completion date in Section 2 or in an approved timeline revision request. _____ (Initial Here)

I agree to ensure that all applicable local, state, and federal permits are obtained for installation of the BMP for which funds are requested. Furthermore, I understand that KCD must receive a copy of any applicable permit to process my cost-share reimbursement. _____ (Initial Here)

I agree to work cooperatively with KCD to ensure the funded BMP is maintained consistent with the design life identified in the attached Job Sheet and in Section 6 of this application. _____ (Initial Here)

I agree to indemnify, defend, and hold harmless KCD, its elected or appointed officials, employees and agents, from all claims, alleged liability, damages, losses to or death of person or damage to property allegedly resulting from the negligent or intentional acts of the applicant or any of its employees, agents, contractors or subcontractors in connection with this Agreement. _____ (Initial Here)

I represent that the information provided in Section 3 of this application is a full disclosure of all other natural resource financial cost-share relationships in which I have or am participating. Furthermore, I agree to disclose if I am applying for or receive funding (cost-share or grants) for the BMP described in this application through other agencies or programs and to provide KCD with written documentation detailing this funding support. This may include copies of reimbursement checks or letters showing value of provided contribution. I understand that I must provide proof of reimbursement for alternate funding prior to receiving reimbursement through the KCD LIP. I acknowledge that KCD LIP funds cannot be used in combination with other funding sources to exceed 100% of project costs. I agree to allow communication between KCD and any other agency regarding the details of the project as well as funding details. _____ (Initial Here)

I understand that LIP cost-share reimbursement is contingent upon installing the BMP to the minimum standard provided by KCD, and that KCD will verify standard compliance. Furthermore, I understand that changes to the installation details (attached *Job Sheet and Map*) must be approved through a *Scope of Work Revision Process*. Unapproved changes will not be eligible for reimbursement. _____ (Initial Here)

I understand that there may be federal tax liability associated with a LIP cost-share reimbursement, and that KCD will issue a 1099-G for reimbursements made through the LIP. Furthermore, I understand that KCD cannot provide advice with respect to the tax liability associated with LIP cost-share reimbursements and that I have been advised to consult with my own tax professional.

_____ (Initial Here)

I understand that I am applying for public funding and am responsible for notifying a buyer upon sale or loss of the property of the installed BMP. If I sell or lose control of the property covered by this Agreement and the new owner or transferee does not assume responsibility for maintaining the installed BMP as required by this Agreement, I may be required to refund all or a portion of the cost-share received through this Agreement. In the event of litigation arising from or related to this Agreement, attorney's fees and costs incurred by the prevailing party shall be paid by the non-prevailing party. _____ (Initial Here)

I give permission to KCD to photograph my property to document the site conditions and/or the implementation and maintenance of the funded practice. In the event that I or any of my family members or dependents choose to be photographed in a setting that reflects the assistance provided by KCD, I give KCD permission to publish such photographs in KCD promotional literature, advertising, social media, and other public displays. The photographs will be the property of KCD and may be used by KCD at any time, in the manner described above, without my additional consent. _____ (Initial Here)

I understand that this Agreement is subject to disclosure under the Public Records Act, Chapter 42.56 RCW. _____ (Initial Here)

I understand that I will no longer be eligible for KCD cost-share funds if one or more of the following occurs: _____ (Initial Here)

- a. The KCD funded BMP fails within its design life due to circumstances within my control (e.g., neglect, failure to maintain the BMP, destruction of the BMP before expiration of the design life, or other actions which cause the KCD funded BMP to become non-viable). *Note: Landowners are not responsible for BMP failure caused by circumstances beyond their control (e.g. fire, flood, storm damage, etc.).*
- b. I relinquish or lose ownership of equipment purchased with KCD cost-share.
- c. The KCD funded BMP is not being used for the intended purpose (e.g. cross fencing purchased with KCD funding, but no animals on property).
- d. I cancel 2 cost-share contracts awarded through the KCD Landowner Incentive Program.
- e. I deny KCD staff access to my property to verify BMP installation and maintenance.

I understand KCD will provide a sign free of charge after completion of a project, and I agree that: _____ (Initial Here)

- a. I will select a visible location on my property for display of the sign and will install it.
- b. I will maintain the sign and keep it free of visual barriers for at least five years after installation.
- c. I am not responsible for damage to the sign that is beyond my control (e.g. auto accident, storm damage, vandalism, etc.)

Susan Sullivan

Signature of applicant

Date

Signature of Landowner (If applicant If Lessee)

Date

FOR KCD OFFICE USE

Approved for Award (KCD LIP Coordinator)	Date	
Approved for Funding (KCD Management)	Date	LIP ID:



Landowner Incentive Program Applicant Budget

Cooperator:

Budget Items	Units	Cost
Demolition / Site Preparation	LS	\$18,716.00
Shoreline Boulders	LS	\$20,700.00
Shoreline Spawning Gravel	LS	\$9,870.00
Shoreline Log Placement and Anchoring	LS	\$13,100.00
Barging	LS	\$70,000.00
Shoreline Setback Plants (estimated)	LS	\$46,643.00
Machinery Rental (not personally owned equipment)		\$0.00
	Subtotal	\$179,029.00

In-Kind Labor/Machinery	# hours	Cost
Manual labor		\$ -
Person with power equipment (i.e. chainsaw)		\$ -
Small Tractor (up to 40 hp)		\$ -
Medium Tractor (40-70 hp)		\$ -
Large Tractor (71 or above hp)		\$ -
Excavator (up to 100 hp)		\$ -
Excavator (over 100 hp)		\$ -
D-4 Cat or equivalent		\$ -
D-6 Cat or equivalent		\$ -
D-7 Cat or equivalent		\$ -
Backhoe		\$ -
Truck (under 2 tons)		\$ -
Truck (2 tons or over)		\$ -
Bobcat		\$ -
4-wheeler or side-by-side		\$ -
Subtotal	0.00	\$ -

Project Totals		
Total Cost (Budget Items + In Kind Labor/Machinery)		\$179,029.00
Units	Linear Feet	104.00
Cost/Unit		\$ 1,721.43

Conservation Practice	select BMP (x)	Cost Share Am
Animal Trails & Walkways		
Aquatic Area Buffer		
Aquatic Area Buffer (WCC)		
Buffer Fencing		
Building Relocation for Aquatic Area/Buffer		
Bulkhead Removal (Freshwater, Marine)	x	\$ 30,000.00
Cover Crops		
Cross Fencing		
Forest Health Management		
Heavy Use Area Protection		
Pasture & Hay Planting		
Roof Runoff Management		
Stream Crossing		
Subsurface Drain		
Upland Wildlife Habitat Management		
Waste Storage Facility		
Watering Facility		

Amount eligible for reimbursement
(based on 2015 rates)

\$30,000.00



Local Food
Healthy Forests
Clean Water
Better Ground

Job Sheet

Bulkhead Removal – Freshwater and Marine

Landowner: Susan Sullivan	Lifetime of Practice: 15 years
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***This Job Sheet must be attached to your completed application**

Purpose (check all that apply)	
<input checked="" type="checkbox"/> Restore natural beach profile.	<input checked="" type="checkbox"/> Reduce introduction of pollutants from treated timber.
<input checked="" type="checkbox"/> Create or Restore Marine Intertidal or Freshwater Emergent Habitat.	<input checked="" type="checkbox"/> Restore native shoreline plant communities.
<input type="checkbox"/> Create or restore freshwater or marine riparian habitat.	<input checked="" type="checkbox"/> Improve access to freshwater and marine beaches.
<input checked="" type="checkbox"/> Improve or restore sediment and woody debris recruitment and transport.	<input type="checkbox"/> Create shade to moderate water and sediment temperatures to improve habitat for aquatic organisms.
<input checked="" type="checkbox"/> Improve fish and wildlife habitat.	<input type="checkbox"/> Reduce delivery of uphill pollutants and nutrients from surface water runoff.
<input type="checkbox"/> Restore natural erosion rates to bluff and high bank shorelines.	<input type="checkbox"/> Other (specify):

Summarize the Project Proposal. Provide the following: 1) describe project activities, including permitting, site prep, installation, and maintenance and monitoring; 2) describe the anticipated project outcome (e.g. fish and wildlife benefits, other environmental benefits); 3) outline the project implementation timeline
<p>1) Remove 104 linear feet of bulkhead 26 linear feet of a concrete groin that is perpendicular to the shoreline, and an opaque mooring cover attached to the dock of 438. Place sand, gravel, anchored logs, and keystone boulders to create a beach.</p> <p>Site prep requires installing a floating turbidity curtain 30' waterward of the existing OHWL. Construction activities would occur in the following sequence:</p> <p>All landward construction activities will be staged from the upland area. Barges and in-water machinery will be used waterward of the ordinary high water mark.</p> <ol style="list-style-type: none"> 1. Install TESC measures, including both upland silt fence and in-water sediment curtain, 2. Bulkhead portions identified for removal will be removed by barge and disposed of off-site, 3. Remove groin at north end of the property, 4. Remove opaque mooring cover adjacent to dock on 438, 5. Conduct course grading, then finish grading, 6. Shoreline gravel fill will be brought in and placed below the OHWM and graded to produce a gradual slope to the adjacent upland area, 7. Place boulders and logs along the shoreline, and

8. Clean up site and remove TESC fencing and sediment curtain. No monitoring or maintenance is planned.

No formal maintenance and monitoring plan was required by local, state, or federal jurisdictions for permit approval as this is a voluntary restoration project, with no mitigation criteria. However, all maintenance required per KCD LIP cost-share application do apply as well as further instructions on cooperator responsibilities to monitor and maintain the practice listed in the Additional Specifications and Notes section below.

- 2) The proposed project aims to restore much of the shoreline's natural features and functions by removing large sections of the bulkhead and placing it with aquatic plants gravel, boulders, and logs along the shoreline area. Total avoidance of impacts would result in a prolonged existence of the current shoreline, while the result of the project helps restore vital functions to the nearshore environment aquatic habitat by providing habitat for birds, small mammals, and adult stages of aquatic insects as well as overwater shade, cover, and allochthonous input of detritus and insects to the aquatic environment. The removal of the bulkhead; addition of gravel and wood; and the installation of riparian vegetation will enhance the nearshore environment by replenishing preferable substrate for salmonids, shading the nearshore aquatic environment, and providing allochthonous inputs to the aquatic food web.
- 3) Project start date: September 2021; shoreline planting: Fall 2022; project end date: December 2022

Describe Project Area. *Provide the following: 1) extent of project area above and below ordinary high water mark – for freshwater projects, the number of feet above and below ordinary high water mark; for marine projects, the number of feet above mean lower low water; 2) dimensions of site; 3) briefly describe the existing vegetation and habitat conditions; 4) is the site identified by the RCRA (Resource Conservation Recovery Act), CERCLA, i.e., Superfund (Comprehensive Environmental Response, Compensation, and Liability Act), other EPA databases (e.g., spills sites, Brownfields, etc.)*

- 1) Above OHWM: 10'
Below OHWM: 30'
- 2) Project spans two lots, totaling approximately 156 x 40'
- 3) See page 2 and 3 of the plans
- 4) No

Name and Type of Shoreline to be Restored or Enhanced (S, F or N; Wetland I, II, or III; Marine)

Lake Washington (S)

Land Uses and Associated Impacts. *Provide the following: 1) describe how the property is used (e.g., residential, commercial, recreational); 2) describe adjacent properties, including land uses and any potential adverse impacts to adjacent properties associated with the proposed project*

- 1) residential
- 2) residential

Toxic and Hazardous Materials Disposal. *Provide the following if applicable: 1) describe removal and disposal plan for hazardous materials on site (e.g. creosote pilings)*

- 1) not applicable

Permits. *Provide the following: 1) a list of all permits necessary for approval of project; 2) copies of all permits secured to date*

- 1) JARPA; HPA; City of Medina Building Permit; City of Medina Demo Permit; City of Medina Grading Drainage Permit; SEPA Exemption
- 2) attached

Grading and Demolition Activities. *Describe the plan to remove structures and grade project areas, including specific construction methods and equipment to be used.*

See pages 3-5 of the plans

Habitat Restoration Activities. *Provide the following that apply: 1) describe site preparation activities (e.g. weed control, substrate to be applied, soil amendment to used); 2) identify the type and source of plant materials (e.g. potted, bareroot, ball and burlap and native plant nurseries providing plant material; 3) describe the care and temporary storage of plant materials; 4) describe installation plan (e.g. planting plan, installation techniques, sheet mulching, etc.)5) describe maintenance and monitoring plan (e.g. number of years to be conducted, survival data collection, etc.)*

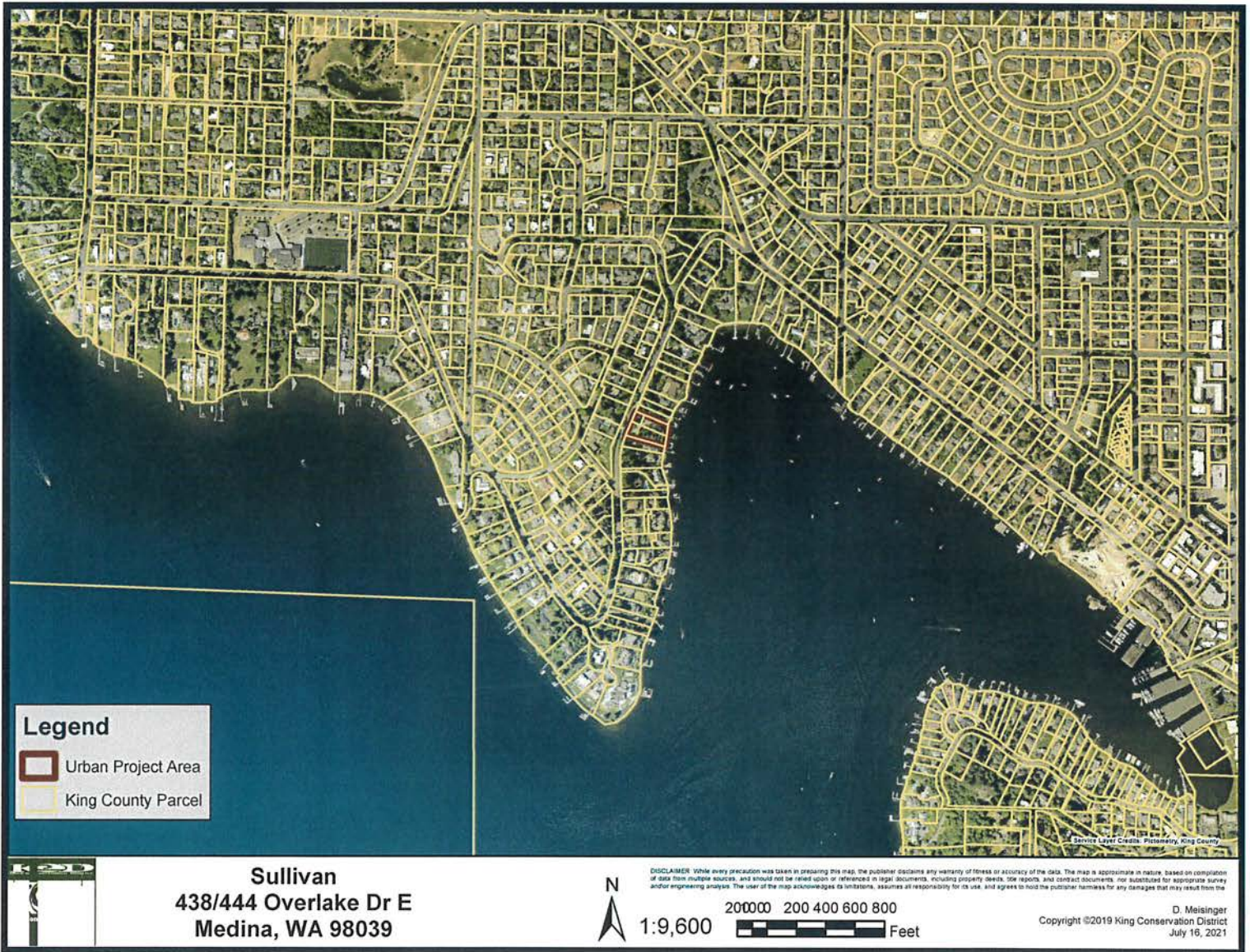
- 1) See page 3 of the plans
- 2) See page 6-7 of the plans for full plant list, including species and sizes.
- 3) N/A
- 4) See page 4 of the plans
- 5) No formal maintenance and monitoring plan was required by local, state, or federal jurisdictions for permit approval as this is a voluntary restoration project, with no mitigation criteria. However, the homeowner will continually monitor shoreline gravel and placement of logs and boulders as outlined below.

Additional Specifications and Notes:

The following are operational and maintenance requirements for the practice. These requirements were adopted primarily, in part, from the NRCS Operation and Maintenance standards for practice 580 (Streambank and Shoreline Protection).

- Inspect after significant storm events and at least annually to identify repair and maintenance needs.
- Inspect all stone structures, rock riprap sections for accelerated weathering and displacement. Replace to original grades if necessary. If maintenance and repair are needed replace any concrete blocks, rock, riprap, or tree revetments, or other practice components to their original positions. Contact your technical service provider or consultant/contractor in the event of significant structure shifting or other damage.
- If holes or scour occur in the areas of shoreline protection practice, repair immediately with erosion resistant materials consistent with the original design.
- Maintain vigorous growth of desirable vegetative coverings. This includes reseeding, fertilization, and controlled application of herbicides when necessary. Periodic mowing may also be needed to control height.
- All settlement or cracks in the soil should be investigated to determine the cause and immediately repaired.
- Large woody debris is a part of many shoreline environments. Most of this material is not a problem. If very large debris enters the practice area and directs flow between rocks or other structures and is causing erosion, contact your technical service provider or consultant/contractor immediately to affect removal of the debris in a manner consistent with federal, state and local laws.
- Eradicate or otherwise remove all rodents or burrowing animals. Immediately repair any damage caused by their activity.
- Protect the practice components from damage from vehicles or animals. Special emphasis should be placed on protecting trees and shrubs on banks and slopes on and near the constructed shoreline protection practice.







Mid Sound Fisheries Enhancement Group

July 13, 2021

Laura Redmond
Landowner Incentive Program Coordinator
King Conservation District
800 SW 39th St., Suite 150
Renton, WA 98057

I am writing on behalf of Mid Sound Fisheries Enhancement Group in support of the shoreline restoration project at 438 and 444 Overlake Drive East in Medina on Lake Washington. Based on our review of the project plans and details, this project aligns with our goals of bulkhead removal and shoreline restoration on Lake Washington for the benefit of water quality, migratory salmon, and other wildlife.

We support this application for funding assistance through the bulkhead removal category of the King Conservation District Landowner Incentive Program because of the following notable project characteristics:

- The proposed project includes removal of 102 linear feet of bulkhead and a 26 linear foot concrete groin on Lake Washington.
- Shoreline gravel, anchored logs, and rounded keystone boulders will be used for beach creation which aims to restore much of the shoreline's natural features and functions.
- This project occurs on Lake Washington where chinook, coho, steelhead, sockeye, and kokanee salmon are known to occur; and, this project is located within a documented lake sockeye spawning area according to WDFW.

In addition to the items above, this project may also serve as an example of the potential of bulkhead removal for achieving aesthetic and water access improvements, which may inspire other landowners to take restorative actions at their own shorelines.

Sincerely,

Sarah Heerhartz, Executive Director
sarah@midsoundfisheries.org

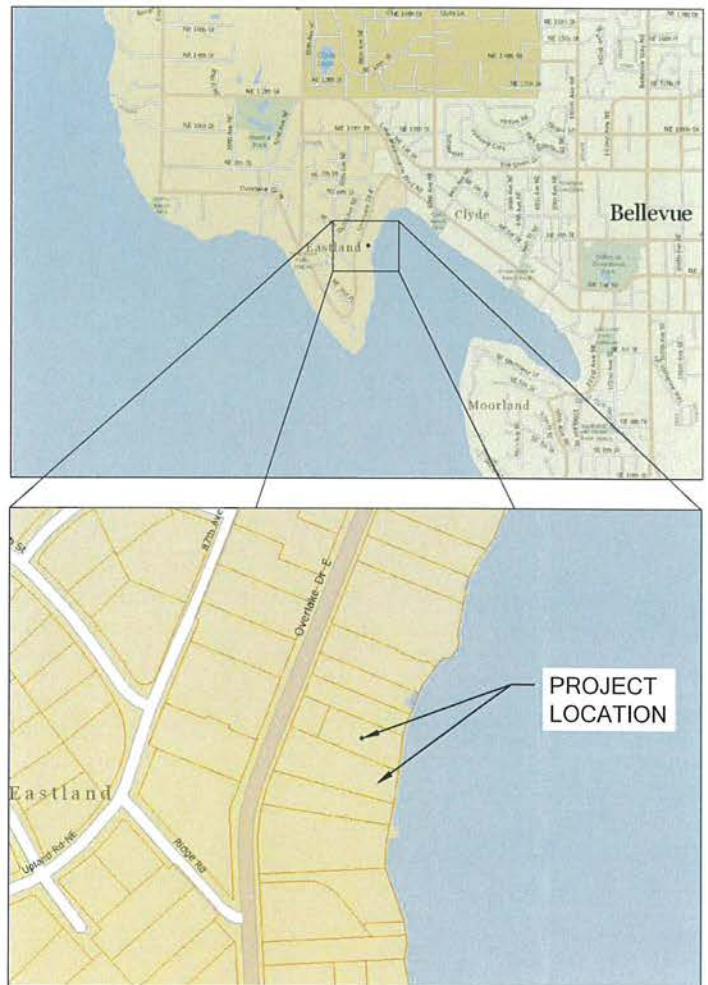
SULLIVAN SHORELINE

NOTES

1. SURVEY CONDUCTED BY TERRANE ON DECEMBER 8, 2016, AND RECEIVED BY THE WATERSHED COMPANY ON OCTOBER 21, 2019. TERRANE 10801 MAIN STREET, SUITE 102, BELLEVUE, WA 98004.
2. OHWL SHOWN ON PLANS IS 18.6 NAVD 88 AND CORPS OF ENGINEERS DATUM IS EQUIVALENT TO 21.8.
3. IN-WATER WORK WINDOW IS JULY 16 - SEPTEMBER 30, PER WDFW.

SHEET INDEX

- 1 TITLE PAGE
- 2 EXISTING CONDITIONS
- 3 DEMO AND TESC PLAN
- 4 SITE PLAN
- 5 SITE SECTIONS
- 6 PLANTING PLAN AND SCHEDULE
- 7 PLANT SCHEDULES



VICINITY MAPS



PURPOSE: NEARSHORE RESTORATION

DATUM: NAVD88

ADJACENT PROPERTY OWNERS:
SEE JARPA APPLICATION

APPLICANT: SUSAN SULLIVAN

REFERENCE #: NWS-2020-398

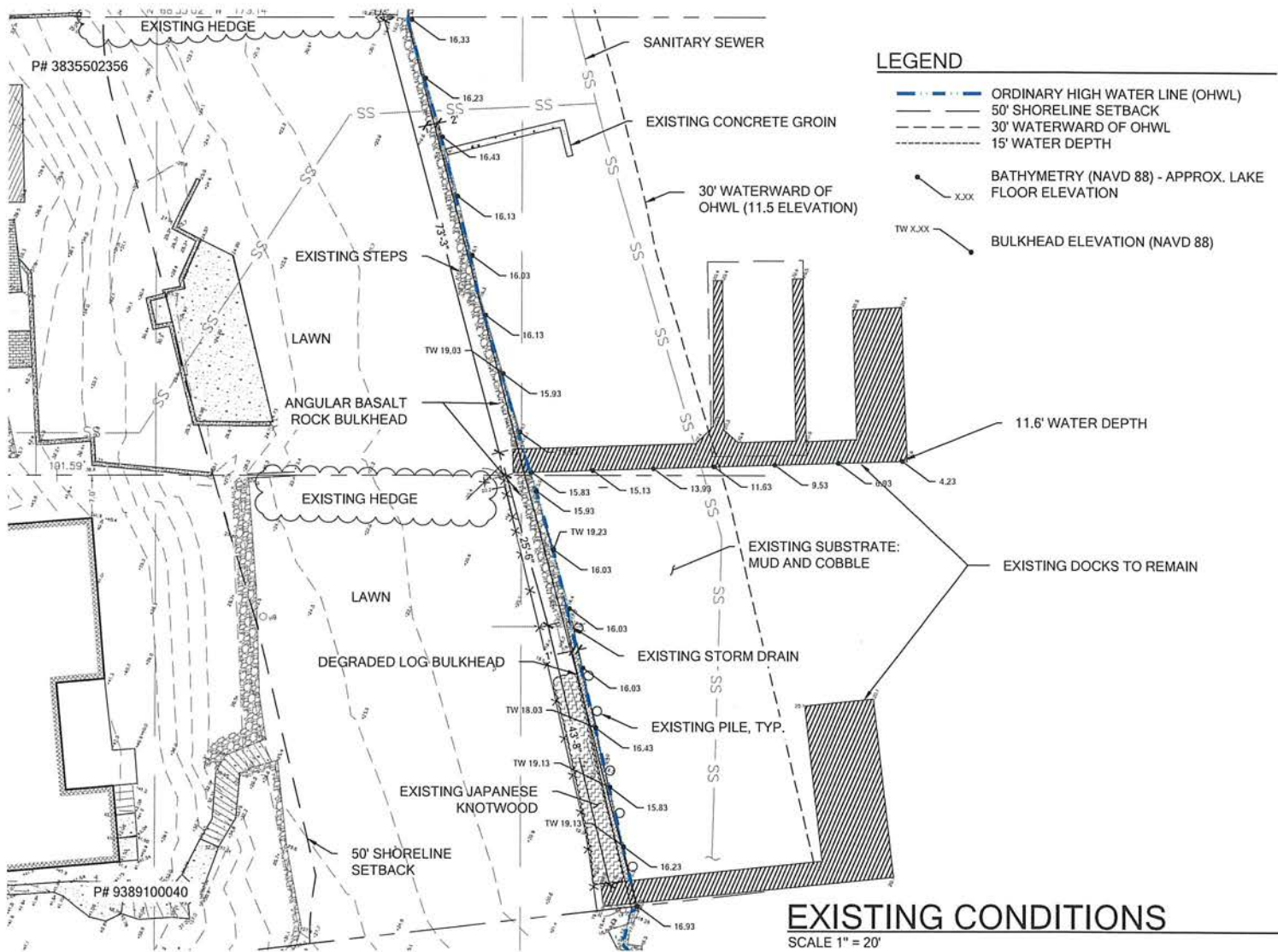
SITE LOCATION ADDRESS: 444 & 438 OVERLAKE
DR. E, MEDINA, WA 98039

PROPOSED: BULKHEAD REMOVAL, LWD PLACEMENT,
AND BEACH NOURISHMENT

NEAR: LK WASHINGTON AT: MEDINA
COUNTY: KING

SHEET: I

DATE: 10/23/2020



IN: LK WASHINGTON
AT: MEDINA

REF #: NWS-2020-398

APPLICANT: SUSAN
SULLIVAN

PROPOSED: BULKHEAD REMOVAL, LWD
PLACEMENT, AND BEACH NOURISHMENT

DATE: 10/28/2020
SHEET: 2 OF 7

0 5' 10' 20'





LEGEND

- EXISTING**
- — — — — ORDINARY HIGH WATER LINE (OHWL)
 - — — — — 50' SHORELINE SETBACK
- PROPOSED**
- - - - - LIMIT OF WORK BOUNDARY (L.O.W.)
 - — — — — — FLOATING TURBIDITY CURTAIN
 - — — — — — SILT FENCE
 - ▨ — — — — — BULKHEAD TO BE REMOVED (104 LF)

SITE DEMOLITION NOTES

- 1 PROTECT ADJACENT BULKHEAD TO REMAIN.
- 2 SAW CUT BULKHEAD.
- 3 REMOVE CONCRETE GROIN AND DISPOSE (26 LF).
- 4 REMOVE BULKHEAD AND DISPOSE (104 LF).
- 5 REMOVE CONCRETE STEPS AND DISPOSE.
- 6 PROTECT EXISTING STORM DRAIN.
- 7 REMOVE EXISTING PILES TO 1' BELOW EXISTING GRADE AND DISPOSE (6 EA.).
- 8 REMOVE EXISTING FENCE AND DISPOSE.
- 9 REMOVE JAPANESE KNOTWEED AND JAPANESE KNOTWEED INFESTED SOIL AND DISPOSE OF OFFSITE. REMOVE SOIL TO THE DEPTH OF SIX (6) INCHES.
- 10 REMOVE EXISTING LAWN.
- 11 REMOVE ANGULAR ROCK AND OTHER DEBRIS IN THE NEARSHORE AREA AS FEASIBLE, ESPECIALLY AROUND EXISTING GROIN AND PORTIONS OF BULKHEAD TO BE REMOVED.

DEMO AND TESC PLAN

SCALE 1" = 20'

IN: LK WASHINGTON
AT: MEDINA

REF #: NWS-2020-398

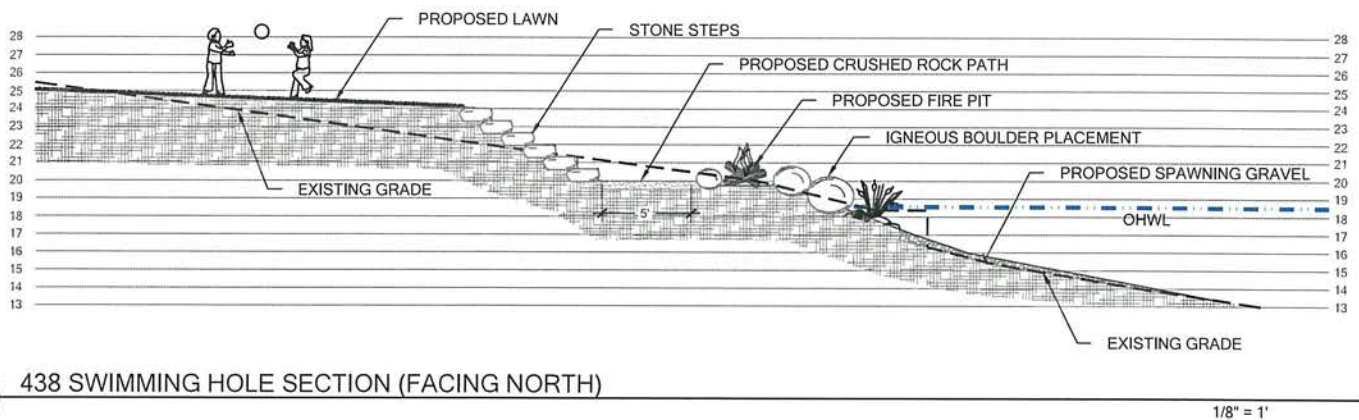
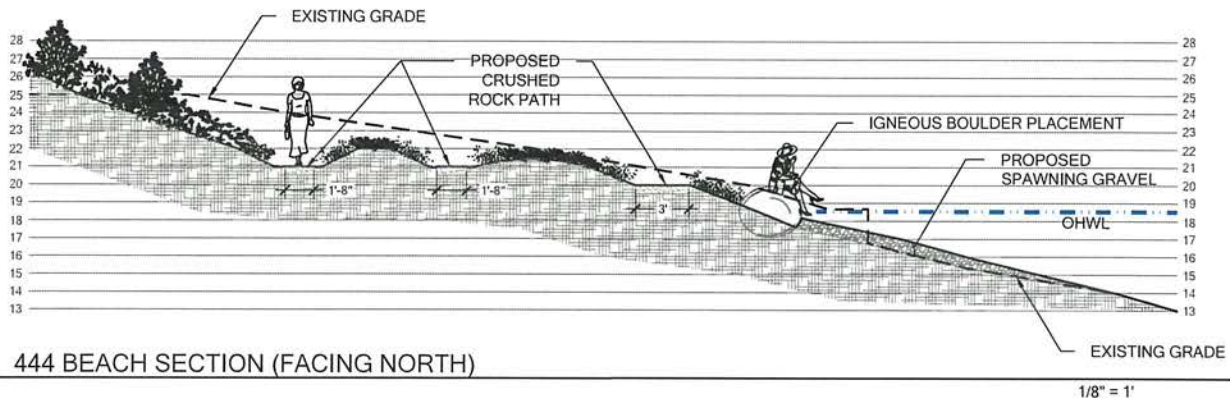
APPLICANT: SUSAN
SULLIVAN

PROPOSED: BULKHEAD REMOVAL, LWD
PLACEMENT, AND BEACH NOURISHMENT

DATE: 10/28/2020
SHEET: 3 OF 7

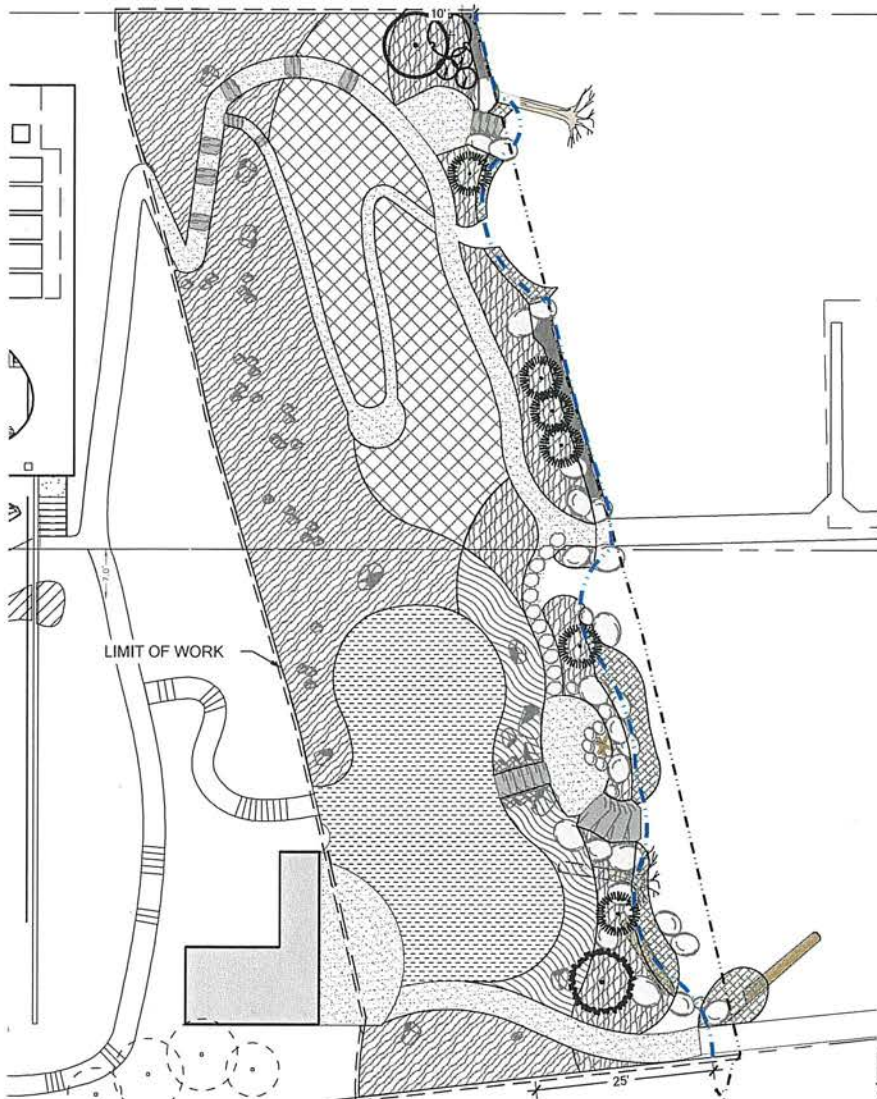
0 5' 10' 20'





SITE SECTIONS

IN: LK WASHINGTON AT: MEDINA	REF #: NWS-2020-398	APPLICANT: SUSAN SULLIVAN	PROPOSED: BULKHEAD REMOVAL, LWD PLACEMENT, AND BEACH NOURISHMENT	DATE: 10/28/2020 SHEET: 5 OF 7
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LEGEND

---	EXISTING
---	ORDINARY HIGH WATER LINE (OHWL)
---	50' SHORELINE SETBACK
---	PROPOSED
---	ORDINARY HIGH WATER LINE (OHWL)
---	LAWN (1,204 SF)

PLANTING NOTES

- SEE PLANT SCHEDULE ON SHEET 6 FOR PLANTS INTENDED TO MEET RAP REQUIREMENTS.
- HATCHED AREAS ARE INCLUDED TO CONVEY PROPOSED PLANTING IN THE 50-FOOT SHORELINE SETBACK BUT ARE NOT INTENDED TO MEET RAP REQUIREMENTS. THE ASSOCIATED PLANT SCHEDULES ARE SHOWN ON PAGE 7.

PLANT SCHEDULE FOR RAP REQUIREMENTS

TREES	BOTANICAL / COMMON NAME	SIZE	QTY
	PINUS CONTORTA CONTORTA / SHORE PINE	MIN 6' TALL	1
	THUJA PLICATA / WESTERN RED CEDAR	MIN 6' TALL	1
SHRUBS	BOTANICAL / COMMON NAME	SIZE	QTY
	CORNUS STOLONIFERA / RED TWIG DOGWOOD	1 GALLON	6
	PHILADELPHUS LEWISII / MOCKORANGE	1 GALLON	1
	SYMPHORICARPOS ALBUS / SNOWBERRY	1 GALLON	3

PLANTING PLAN AND SCHEDULE

SCALE 1" = 20'

IN: LK WASHINGTON REF #: NWS-2020-398 APPLICANT: SUSAN SULLIVAN

PROPOSED: BULKHEAD REMOVAL, LWD PLACEMENT, AND BEACH NOURISHMENT

DATE: 10/28/2020 SHEET: 6 OF 7

0 5' 10' 20'



PLANT SCHEDULES



HILLSIDE MOSAIC

ACHILLEA MILLEFOLIUM / COMMON YARROW
 ALLIUM CERNUUM / NODDING WILD ONION
 AMELANCHIER ALNIFOLIA / WESTERN SERVICEBERRY
 ANAPHALIS MARGARITACEA / PEARLY EVERLASTING
 ARBUTUS MENZIESII / PACIFIC MADRONE
 ARCTOSTAPHYLOS X MEDIA / MANZANITA
 BRODIAEA CORONARIA / CROWN BRODIAEA
 CEANOTHUS VELUTINUS / SNOWBRUSH
 ELYMUS GLAUCUS / BLUE WILD RYE
 ERICA CARNEA 'NATHALIE' / WINTER HEATH
 ERICA X DARLEYENSIS 'ALBA' / WHITE DARLEY HEATH
 ERIGERON SPECIOSUS / SHOWY FLEABANE
 ERIOPHYLLUM LANATUM / WOOLLY SUNFLOWER
 FESTUCA ROEMERI / ROEMER'S FESCUE
 FRITILLARIA AFFINIS / CHECKER LILY
 GAULTHERIA SHALLON / SALAL
 HOLODISCUS DISCOLOR / OCEAN-SPRAY
 LILIUM COLUMBIANUM / TIGER LILY
 LOMATIUM UTRICULATUM / FINE-LEAVED DESERT PARSLEY
 LUPINUS ALBICAULIS / SICKLE-KEELED LUPINE
 MAHONIA REPENS / CREEPING MAHONIA
 PHILADELPHUS LEWISII / WILD MOCKORANGE
 PINUS CONTORTA CONTORTA / SHORE PINE
 SEDUM OREGANUM / OREGON SEDUM
 SEDUM SPATHULIFOLIUM / BROADLEAF STONECROP
 SYMPHORICARPOS ALBUS / COMMON WHITE SNOWBERRY
 VACCINIUM CAESPITOSUM / DWARF BLUEBERRY
 VACCINIUM MEMBRANACEUM / THINLEAF HUCKLEBERRY
 XEROPHYLLUM TENAX / COMMON BEARGRASS

27 CI POT
 10 CI POT
 1 GALLON
 27 CI POT
 MIN. 6' TALL
 2 GALLON
 BULB
 1 GALLON
 40 CI POT
 4" CONTAINER
 4" CONTAINER
 19 CI POT
 27 CI POT
 40 CI POT
 BULB
 1 GALLON
 1 GALLON
 19 CI POT
 19 CI POT
 4" CONTAINER
 1 GALLON
 1 GALLON
 MIN. 6' TALL
 4" CONTAINER
 4" CONTAINER
 1 GALLON
 40 CI POT
 2 GALLON
 27 CI POT



SEEP MOSAIC

ACHILLEA MILLEFOLIUM / COMMON YARROW
 AQUILEGIA FORMOSA / WESTERN COLUMBINE
 CAREX PACHYSTACHYA / THICK-HEAD SEDGE
 DESCHAMPSIA CESPITOSA / TUFTED HAIR GRASS
 ERYTHRONIUM OREGONUM / FAWN LILY
 HEUCHERA MICRANTHA / ALUM ROOT
 IRIS TENAX / OREGON IRIS
 LILIUM COLUMBIANUM / TIGER LILY
 PENSTEMON SERRULATUS / COAST PENSTEMON
 SEDUM OREGANUM / OREGON SEDUM
 SEDUM SPATHULIFOLIUM / BROADLEAF STONECROP
 SPIRAEA LUCIDA / SHINYLEAF SPIRAEA
 VACCINIUM CAESPITOSUM / DWARF BLUEBERRY
 VACCINIUM MEMBRANACEUM / THINLEAF HUCKLEBERRY

27 CI POT
 40 CI POT
 40 CI POT
 40 CI POT
 BULB
 19 CI POT
 4" CONTAINER
 19 CI POT
 40 CI POT
 4" CONTAINER
 4" CONTAINER
 1 GALLON
 40 CI POT
 1 GALLON



SHORELINE MOSAIC

CAMASSIA LEICHTLINII / GREAT CAMAS
 CAMASSIA QUAMASH / COMMON CAMAS
 CAREX OBNUPTA / SLOUGH SEDGE
 CAREX PACHYSTACHYA / THICK-HEAD SEDGE
 DESCHAMPSIA CESPITOSA / TUFTED HAIR GRASS
 ERIGERON SPECIOSUS / SHOWY FLEABANE
 ERYTHRANTHE GUTTATA / YELLOW MONKEYFLOWER
 MAHONIA REPENS / CREEPING MAHONIA
 MYRICA GALE / SWEETGALE
 SEDUM OREGANUM / OREGON SEDUM
 SEDUM SPATHULIFOLIUM / BROADLEAF STONECROP
 SIDALCEA HENDERSONII / HENDERSON'S CHECKERBLOOM
 SISYRINCHIUM IDAHOENSIS / IDAHO BLUE EYED GRASS
 SPIRAEA LUCIDA / SHINYLEAF SPIRAEA
 SYMPHYOTRICHUM SUBSPICATUM / DOUGLAS ASTER

BULB
 BULB
 40 CI POT
 40 CI POT
 40 CI POT
 40 CI POT
 19 CI POT
 27 CI POT
 1 GALLON
 1 GALLON
 4" CONTAINER
 4" CONTAINER
 27 CI POT
 19 CI POT
 1 GALLON
 40 CI POT



MEADOW MOSAIC

ACHILLEA MILLEFOLIUM / COMMON YARROW
 ALLIUM CERNUUM / NODDING WILD ONION
 AQUILEGIA FORMOSA / WESTERN COLUMBINE
 CAMASSIA LEICHTLINII / GREAT CAMAS
 CAMASSIA QUAMASH / COMMON CAMAS
 CAREX PACHYSTACHYA / THICK-HEAD SEDGE
 CLARKIA AMOENA / FAREWELL TO SPRING
 COLLOMIA GRANDIFLORA / LARGE-FLOWERED COLLOMIA
 COREOPSIS TINCTORIA / PLAINS COREOPSIS
 DANTHONIA CALIFORNICA / CALIFORNIA OATGRASS
 DESCHAMPSIA CESPITOSA / TUFTED HAIR GRASS
 DODECATHEON PULCHELLUM / SIERRA SHOOTING STAR
 ERIGERON SPECIOSUS / SHOWY FLEABANE
 FESTUCA ROEMERI / ROEMER'S FESCUE
 GLIA CAPITATA / BLUE THIMBLE FLOWER
 IRIS TENAX / OREGON IRIS
 LILIUM COLUMBIANUM / TIGER LILY
 PLECTRITIS CONGESTA / SHORTSPUR SEABLUSH
 ROSA NUTKANA / NOOTKA ROSE
 SIDALCEA HENDERSONII / HENDERSON'S CHECKERBLOOM
 SISYRINCHIUM IDAHOENSIS / IDAHO BLUE EYED GRASS

27 CI POT
 10 CI POT
 40 CI POT
 BULB
 BULB
 40 CI POT
 SEED MIX
 SEED MIX
 40 CI POT
 40 CI POT
 19 CI POT
 19 CI POT
 40 CI POT
 SEED MIX
 4" CONTAINER
 19 CI POT
 SEED MIX
 1 GALLON
 27 CI POT
 19 CI POT



EMERGENT MOSAIC

ELEOCHARIS PALUSTRIS / COMMON SPIKERUSH
 SAGITTARIA LATIFOLIA / WAPATO
 SCHOENOPLECTUS ACUTUS / HARDSTEM BULRUSH
 SCIRPUS MICROCARPUS / SMALL-FRUITED BULRUSH

40 CI POT
 BULB/TUBER
 40 CI POT
 40 CI POT

PLANT SCHEDULES

SCALE 1" = 20'

IN: LK WASHINGTON AT: MEDINA	REF #: NWS-2020-398	APPLICANT: SUSAN SULLIVAN	PROPOSED: BULKHEAD REMOVAL, LWD PLACEMENT, AND BEACH NOURISHMENT	DATE: 10/28/2020 SHEET: 7 OF 7
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DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, SEATTLE DISTRICT
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

Regulatory Branch

September 14, 2020

Ms. Susan Sullivan
1645 Rambling Lane
Medina, Washington 98039

Reference: NWS-2020-398
Sullivan, Susan
(Sullivan Bulkhead)

Dear Ms. Sullivan:

We have reviewed your application to remove 101 linear feet of existing log bulkhead and 6 associated wood piles; remove an existing 26-foot groin; retain 38 linear feet of an existing rock bulkhead; place 26 cubic yards (CY) of boulders, 4 CY of gravel, and 4 anchored logs totaling 5 CY; and place 32 CY of spawning gravel to enhance the shoreline and maintain existing bank protection in Lake Washington at Medina, King County, Washington. Based on the information you provided to us, Nationwide Permits (NWP) 3, *Maintenance* and 27, *Aquatic Habitat Restoration, Enhancement, and Establishment Activities* (Federal Register January 6, 2017, Vol. 82, No. 4), authorize your proposal as depicted on the enclosed drawings dated August 3, 2020.

In order for this authorization to be valid, you must ensure the work is performed in accordance with the enclosed *NWP 3 and 27 Terms and Conditions* and the following special conditions:

a. In order to meet the requirements of the Endangered Species Act (ESA) and Magnuson-Stevens Fishery Conservation and Management Act (MSA) Restoration and Permitting (RAP) programmatic consultation (National Marine Fisheries Service (NMFS) Reference Number WCRO-2016-00008), you must implement and abide by the ESA requirements and/or agreements set forth in the Biological Opinion (BO) dated February 17, 2017, the NMFS' RAP Implementation Guide dated July 25, 2019, and the RAP form for your individual project (NMFS Reference Number WCRO-2016-00008-2108). The BO is available on the U.S. Army Corps of Engineers (Corps) website (Permit Guidebook, Endangered Species, Programmatic Consultations, Activities on Lakes Washington and Sammamish). Upon completion of the permitted work, you must submit an As-Built Report (see RAP Implementation Guide, Appendix E) to the Corps and the NMFS (rap-reports.wcr@noaa.gov). You must visually monitor the work area during construction when the substrate is disturbed and ensure that observable

turbidity increases do not extend beyond a 150-foot radius around the work area. If turbidity increases occur beyond this area, you must include it in your As-Built Report. You must comply with any required RAP planting plan (see RAP Implementation Guide, Appendices C and D) requirements and submit annual monitoring reports for five years to the Corps and the NMFS (rap-reports.wcr@noaa.gov). All reports must prominently display the reference number NWS-2020-398. Failure to comply with these requirements constitutes non-compliance with the ESA and your Corps permit. The NMFS is the appropriate authority to determine compliance with the terms and conditions of its BO and with the ESA. If you cannot comply with the terms and conditions of this programmatic consultation, you must, prior to commencing construction, contact the Corps, Seattle District, Regulatory Branch for an individual consultation in accordance with the requirements of the ESA and/or the MSA.

b. Incidents where any individuals of fish species, marine mammals and/or sea turtles listed by National Oceanic and Atmospheric Administration Fisheries (NOAA Fisheries) under the Endangered Species Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the U.S. or structures or work in navigable waters of the U.S. authorized by this Nationwide Permit verification shall be reported to NOAA Fisheries, Office of Protected Resources at (301) 713-1401 and the Regulatory Office of the Seattle District of the U.S. Army Corps of Engineers at (206) 764-3495. The finder should leave the animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved and, if possible, take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed by discharge exposure or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries to collect specimens or take other measures to ensure that evidence intrinsic to the specimen is preserved.

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

d. In order to meet the requirements of the Endangered Species Act you may conduct the authorized activities from July 16 through April 30 in any year this permit is valid. You shall not conduct work authorized by this permit from May 1 through July 15 in any year this permit is valid.

We have reviewed your project pursuant to the requirements of the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act and the National Historic Preservation Act. We have determined this project complies with the requirements of these laws provided you comply with all of the permit general and special conditions.

Please be reminded that Special Condition "a" of your permit requires that you implement and abide by the Endangered Species Act (ESA) requirements set forth in the programmatic Biological Opinion (BO) for this project. In particular, you must provide an As-Built Report upon completion of the work and annual monitoring reports, as described in the BO.

The authorized work complies with the Washington State Department of Ecology's (Ecology) Water Quality Certification (WQC) requirements and Coastal Zone Management (CZM) consistency determination response for this NWP. No further coordination with Ecology for WQC and CZM is required.

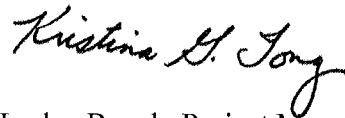
You have not requested a jurisdictional determination for this proposed project. If you believe the U.S. Army Corps of Engineers does not have jurisdiction over all or portions of your project you may request a preliminary or approved jurisdictional determination (JD). If one is requested, please be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

Our verification of this NWP authorization is valid until March 18, 2022, unless the NWP is modified, reissued, or revoked prior to that date. If the authorized work has not been completed by that date and you have commenced or are under contract to commence this activity before March 18, 2022, you will have until March 18, 2023, to complete the activity under the enclosed terms and conditions of this NWP. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act. You must also obtain all local, State, and other Federal permits that apply to this project.

Upon completing the authorized work, you must fill out and return the enclosed *Certificate of Compliance with Department of the Army Permit*. Thank you for your cooperation during the permitting process. We are interested in your experience with our Regulatory Program and encourage you to complete a customer service survey. These documents and information about

our program are available on our website at www.nws.usace.army.mil, select "Regulatory Branch, Permit Information" and then "Contact Us." A copy of this letter will be furnished to Alex Capron, The Watershed Company, at acapron@watershedco.com. If you have any questions, please contact me at jordan.a.bunch@usace.army.mil or (206) 764-3482.

Sincerely,

A handwritten signature in black ink that reads "Kristina H. Tong". The signature is written in a cursive style with a large, stylized 'T' at the end.

for Jordan Bunch, Project Manager
Regulatory Branch

Enclosures



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: October 30, 2020
Project End Date: October 29, 2025

Permit Number: 2020-4-855+01
FPA/Public Notice Number: N/A
Application ID: 23078

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Susan Sullivan 1645 Rambling Lane Medina, WA 98039	Watershed Company ATTENTION: Alex Capron 750 6th St S Kirkland, WA 98033-6715

Project Name: Sullivan Residence

Project Description: The proposed project includes selected bulkhead removal; and the placement of gravel, anchored logs, and keystone boulders for beach creation at both 438 and 444 Overlake Drive East in Medina. Cumulatively, 101 linear feet of bulkhead removal will occur, 34 linear feet at 444 Overlake Drive East and 67 linear feet at 438 Overlake Drive East. In addition, a 26-foot groin on 444 Overlake Drive E will be removed. Finally, two separate areas of enhancement plantings will be installed adjacent to the OHWM.

PROVISIONS

1. This STANDARD Hydraulic Project Approval (HPA) is issued for:

A. Shoreline modification and enhancement along two adjacent residential properties, including:

- Permanent removal of approximately 101 linear feet of bulkhead and (6) associated piles;
- Removal and disposal of a 26-foot long concrete groin;
- Removal of fallen bulkhead material and other debris from the nearshore area;
- Installation of spawning gravels along the shoreline and nearshore area;
- Installation of (4) pieces of large woody material and (44) 2-4 man rounded boulders near the shoreline;
- Installation of granite stairs landward of the ordinary high water line; AND
- Implementation of native shoreline plantings, consisting of invasive species eradication and control, installation of 2 trees and 10 shrubs within 10 feet of the ordinary high water line, and installation of a variety of groundcover and emergent species along the shoreline.

TIMING - PLANS - INVASIVE SPECIES CONTROL

2. **TIMING LIMITATION:** You may begin the project immediately and you must complete the project by October 29, 2025, provided any work below the ordinary high water line occur between July 16 and September 30 of a given calendar year.

NOTE: This project occurs on Lake Washington where chinook, coho, steelhead, sockeye, and kokanee salmon are known to occur. This project is located within a documented lake sockeye spawning area.

3. **APPROVED PLANS:** You must accomplish the work per plans and specifications submitted with the application and approved by the Washington Department of Fish and Wildlife, entitled, "20201028-JARPA-SULLIVAN.pdf," received October 30, 2020, and all supporting documents and communications uploaded to the Aquatic Protection Permitting System (APPS) project file; except as modified by this Hydraulic Project Approval. You must have a copy of these plans available on site during all phases of the project construction.

4. **INVASIVE SPECIES CONTROL:** Follow Method 1 for low risk locations (i.e. clean/drain/dry). Thoroughly remove visible dirt and debris from all equipment and gear (including drive mechanisms, wheels, tires, tracks, buckets, and



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: October 30, 2020
Project End Date: October 29, 2025

Permit Number: 2020-4-855+01
FPA/Public Notice Number: N/A
Application ID: 23078

undercarriage) before arriving and leaving the job site to prevent the transport and introduction of invasive species. For contaminated or high risk sites please refer to the Method 2 Decontamination protocol. Properly dispose of any water and chemicals used to clean gear and equipment. You can find this and additional information in the Washington Department of Fish and Wildlife's "Invasive Species Management Protocols", available online at <https://wdfw.wa.gov/species-habitats/invasive/prevention>.

NOTIFICATION REQUIREMENTS

5. PRE- AND POST-CONSTRUCTION NOTIFICATION: You, your agent, or contractor must contact the Washington Department of Fish and Wildlife by e-mail at HPAapplications@dfw.wa.gov; mail to Post Office Box 43234, Olympia, Washington 98504-3234; or fax to (360) 902-2946 at least three business days before starting work, and again within seven days after completing the work. The notification must include the permittee's name, project location, starting date for work or date the work was completed, and the permit number. The Washington Department of Fish and Wildlife may conduct inspections during and after construction; however, the Washington Department of Fish and Wildlife will notify you or your agent before conducting the inspection.

6. PHOTOGRAPHS: You, your agent, or contractor must take photographs of the job site before the work begins and after the work is completed. You must upload the photographs to the post-permit requirement page in the Aquatic Protection Permitting System (APPS) or mail them to Washington Department of Fish and Wildlife at Post Office Box 43234, Olympia, Washington 98504-3234 within 30-days after the work is completed.

7. FISH KILL/ WATER QUALITY PROBLEM NOTIFICATION: If a fish kill occurs or fish are observed in distress at the job site, immediately stop all activities causing harm. Immediately notify the Washington Department of Fish and Wildlife of the problem. If the likely cause of the fish kill or fish distress is related to water quality, also notify the Washington Military Department Emergency Management Division at 1-800-258-5990. Activities related to the fish kill or fish distress must not resume until the Washington Department of Fish and Wildlife gives approval. The Washington Department of Fish and Wildlife may require additional measures to mitigate impacts.

STAGING, JOB SITE ACCESS, AND EQUIPMENT

8. Establish staging areas (used for equipment storage, vehicle storage, fueling, servicing, and hazardous material storage) in a location and manner that will prevent contaminants such as petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials from entering waters of the state.

9. Clearly mark boundaries to establish the limit of work associated with site access and construction.

10. Limit the use of equipment waterward of the ordinary high water line to that necessary to gain position for the work.

11. Remove soil or debris from the drive mechanisms (wheels, tires, tracks, etc.) and undercarriage of equipment prior to operating the equipment waterward of the ordinary high water line.

12. If wet or muddy conditions exist, in or near a riparian zone or wetland area, use equipment that reduces ground pressure.

13. Check equipment daily for leaks and complete any required repairs in an upland location before using the equipment in or near the water.

14. Use environmentally acceptable lubricants composed of biodegradable base oils such as vegetable oils, synthetic esters, and polyalkylene glycols in equipment operated in or near the water.

15. Operate and anchor vessels and barges during construction in a manner that protects native aquatic vegetation and prevents grounding.

CONSTRUCTION-RELATED SEDIMENT, EROSION AND POLLUTION CONTAINMENT

16. Protect all disturbed areas from erosion. Maintain erosion and sediment control until all work and cleanup of the job site is complete.

17. All erosion control materials that will remain onsite must be composed of 100% biodegradable materials.



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

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18. Straw used for erosion and sediment control, must be certified free of noxious weeds and their seeds.
19. Stop all hydraulic project activities except those needed to control erosion and siltation, if flow conditions arise that will result in erosion or siltation of waters of the state.
20. Prevent project contaminants, such as petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials, from entering or leaching into waters of the state.
21. Use tarps or other methods to prevent treated wood, sawdust, trimmings, drill shavings and other debris from contacting the bed or waters of the state.
22. Deposit waste material from the project, such as construction debris, silt, excess dirt, or overburden, in an upland area above the limits of anticipated floodwater unless the material is approved by the Washington Department of Fish and Wildlife for reuse in the project.
23. Deposit all trash from the project at an appropriate upland disposal location.

CONSTRUCTION MATERIALS

24. Store all construction and deconstruction material in a location and manner that will prevent contaminants such as petroleum products, hydraulic fluid, fresh cement, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials from entering waters of the state.
25. Do not stockpile construction material waterward of the ordinary high water line, unless it is contained on a barge.

PILE REMOVAL

26. Remove the 6 existing piling as shown in the approved plans and dispose of them in an upland area unless the material is approved by the Washington Department of Fish and Wildlife for reuse in the project.
27. Piling removal:
 - a. Vibratory or direct pull extraction is the preferred method of pile removal.
 - b. Place the piling on a construction barge or other dry storage site after the piling is removed. The piling must not be shaken, hosed off, left hanging to dry or any other action intended to clean or remove adhering material from the piling near waters of the state.
 - c. If a treated wood piling breaks during extraction, remove the stump from the water column by fully extracting. If the stump cannot be fully extracted, remove the remainder of the stump with a clamshell bucket, chain, or similar means, or cut it off three feet below the mudline. Cap all buried cut stumps and fill holes left by piling extraction with clean sediment that matches the native material.
 - d. When removing creosote piling, containment booms and absorbent booms (or other oil absorbent fabric) must be placed around the perimeter of the work area to capture wood debris, oil, and other materials released into marine waters as a result of construction activities to remove creosote pilings. All debris on the bed and accumulated in containments structures must be collected and disposed upland at an approved disposal site.
 - e. Submit post-project surveys (e.g., underwater video, photos at low-tide) along transects within the project area to Washington Department of Fish and Wildlife within two weeks of pile removal to verify debris removal.

LAKE SHORELINE RESTORATION

28. Remove approximately 101 linear feet of the existing bulkhead and associated materials from the beach and deposit in an upland area above the limits of floodwater, as shown in the approved plans.
29. Use fir, cedar, or other coniferous species to construct the log or rootwad fish habitat structure(s).
30. Securely anchor the large wood (embedded, chain, cable, duckbill, or manta ray anchors) to provide stable and functional lakeshore habitat.
31. Do not drag large woody material. Suspend large woody material during placement and repositioning so it does not damage the bed or banks.
32. Large woody material and rounded boulders placed waterward of the ordinary high water line must not be placed at



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a depth greater than 2 feet as measured vertically from the ordinary high water line elevation, as shown in the approved plans.

33. All shoreline feature logs and boulders must be placed and/or secured in such a manner that will allow them to withstand high water and wave energy.

34. Do not stockpile dredged material waterward of the ordinary high water line.

35. The installation of 32 cubic yards of spawning gravels along the shoreline and nearshore area is required as part of this HPA. The gravel specification (washed 2-inch) is 100% less than 2 inches, 85% less than 1 inch, and 40% between 0.25 and 0.75 inch.

36. Excavated or removed unnatural shoreline materials (e.g. quarry spalls, concrete, refuse, bricks, etc.) must be removed from the lakebed in and around project site and disposed of at an appropriate facility.

37. Reslope the banks to an appropriate angle which promotes shoreline stability.

38. Replant the job site with the plant species composition and planting densities approved by the Washington Department of Fish and Wildlife.

39. Complete replanting of riparian vegetation during the first dormant season (late fall through late winter) after project completion per the approved plan. Maintain plantings for at least three years to ensure at least eighty percent of the plantings survive. Failure to achieve the eighty percent survival in year three will require you to submit a plan with follow-up measures to achieve requirements or reasons to modify requirements.

40. Install fencing or other structures to prevent livestock, wildlife, or unauthorized persons from accessing the replanted riparian and wetland sites until the plantings are well established.

DEMOBILIZATION AND CLEANUP

41. Upon completion of the project, remove all materials or equipment from the site and dispose of all excess spoils and waste materials in an upland area above the limits of anticipated floodwater.

42. Remove temporary erosion and sediment control methods after job site is stabilized or within three months of project completion, whichever is sooner.

43. To prevent fish from stranding, backfill trenches, depressions, and holes in the bed that may entrain fish during high water or wave action.

LOCATION #1: 444/438 Overlake DR E, , WA						
WORK START: October 30, 2020			WORK END: October 29, 2025			
WRIA		Waterbody:			Tributary to:	
08 - Cedar - Sammamish		Lake Washington			Ship Canal	
1/4 SEC:	Section:	Township:	Range:	Latitude:	Longitude:	County:
	31	25 N	05 E	47.613366	-122.222915	King
Location #1 Driving Directions						



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From I-405:
Take the exit for NE 8th St; Head west on NE 8th St;
Continue onto NE 1st Street;
Turn left onto Lake Washington Blvd NE;
Turn right onto Overlake Dr E;
Continue south through the intersection at Overlake Drive E towards the project site which is on the left.

APPLY TO ALL HYDRAULIC PROJECT APPROVALS

This Hydraulic Project Approval pertains only to those requirements of the Washington State Hydraulic Code, specifically Chapter 77.55 RCW. Additional authorization from other public agencies may be necessary for this project. The person(s) to whom this Hydraulic Project Approval is issued is responsible for applying for and obtaining any additional authorization from other public agencies (local, state and/or federal) that may be necessary for this project.

This Hydraulic Project Approval shall be available on the job site at all times and all its provisions followed by the person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work.

This Hydraulic Project Approval does not authorize trespass.

The person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work may be held liable for any loss or damage to fish life or fish habitat that results from failure to comply with the provisions of this Hydraulic Project Approval.

Failure to comply with the provisions of this Hydraulic Project Approval could result in civil action against you, including, but not limited to, a stop work order or notice to comply, and/or a gross misdemeanor criminal charge, possibly punishable by fine and/or imprisonment.

All Hydraulic Project Approvals issued under RCW 77.55.021 are subject to additional restrictions, conditions, or revocation if the Department of Fish and Wildlife determines that changed conditions require such action. The person(s) to whom this Hydraulic Project Approval is issued has the right to appeal those decisions. Procedures for filing appeals are listed below.



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MINOR MODIFICATIONS TO THIS HPA: You may request approval of minor modifications to the required work timing or to the plans and specifications approved in this HPA unless this is a General HPA. If this is a General HPA you must use the Major Modification process described below. Any approved minor modification will require issuance of a letter documenting the approval. A minor modification to the required work timing means any change to the work start or end dates of the current work season to enable project or work phase completion. Minor modifications will be approved only if spawning or incubating fish are not present within the vicinity of the project. You may request subsequent minor modifications to the required work timing. A minor modification of the plans and specifications means any changes in the materials, characteristics or construction of your project that does not alter the project's impact to fish life or habitat and does not require a change in the provisions of the HPA to mitigate the impacts of the modification. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a minor modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you did not use APPS you must submit a written request that clearly indicates you are seeking a minor modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234, or by email to HPAapplications@dfw.wa.gov. You should allow up to 45 days for the department to process your request.

MAJOR MODIFICATIONS TO THIS HPA: You may request approval of major modifications to any aspect of your HPA. Any approved change other than a minor modification to your HPA will require issuance of a new HPA. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a major modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you did not use APPS you must submit a written request that clearly indicates you are requesting a major modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send your written request by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. You may email your request for a major modification to HPAapplications@dfw.wa.gov. You should allow up to 45 days for the department to process your request.

APPEALS INFORMATION

If you wish to appeal the issuance, denial, conditioning, or modification of a Hydraulic Project Approval (HPA), Washington Department of Fish and Wildlife (WDFW) recommends that you first contact the department employee who issued or denied the HPA to discuss your concerns. Such a discussion may resolve your concerns without the need for further appeal action. If you proceed with an appeal, you may request an informal or formal appeal. WDFW encourages you to take advantage of the informal appeal process before initiating a formal appeal. The informal appeal process includes a review by department management of the HPA or denial and often resolves issues faster and with less legal complexity than the formal appeal process. If the informal appeal process does not resolve your concerns, you may advance your appeal to the formal process. You may contact the HPA Appeals Coordinator at (360) 902-2534 for more information.

A. INFORMAL APPEALS: WAC 220-660-460 is the rule describing how to request an informal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete informal appeal procedures. The following information summarizes that rule.



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A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request an informal appeal of that action. You must send your request to WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. WDFW must receive your request within 30 days from the date you receive notice of the decision. If you agree, and you applied for the HPA, resolution of the appeal may be facilitated through an informal conference with the WDFW employee responsible for the decision and a supervisor. If a resolution is not reached through the informal conference, or you are not the person who applied for the HPA, the HPA Appeals Coordinator or designee may conduct an informal hearing or review and recommend a decision to the Director or designee. If you are not satisfied with the results of the informal appeal, you may file a request for a formal appeal.

B. FORMAL APPEALS: WAC 220-660-470 is the rule describing how to request a formal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete formal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request a formal appeal of that action. You must send your request for a formal appeal to the clerk of the Pollution Control Hearings Boards and serve a copy on WDFW within 30 days from the date you receive notice of the decision. You may serve WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, you may request a formal appeal within 30 days from the date you receive the Director's or designee's written decision in response to the informal appeal.

C. FAILURE TO APPEAL WITHIN THE REQUIRED TIME PERIODS: If there is no timely request for an appeal, the WDFW action shall be final and unappealable.

Habitat Biologist Ashley.Kees@dfw.wa.gov
Ashley Kees 425-765-9157

for Director
WDFW



CITY OF MEDINA

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

EXEMPTION FROM SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT AND STATE ENVIRONMENTAL POLICY ACT

Proposal Locations: 438 and 444 Overlake Drive East

Applicant: Alex Capron of The Watershed Company (agent)

Property Owner(s): Susan Sullivan

Permit Numbers: P-20-003; P-20-007

Proposal Description: Removal of 101 linear feet of bulkhead, a 20-foot groin, and 194 square-foot covered moorage; install soft shoreline techniques such as sand, gravel, anchored logs

Other Permits: Demo permit, state and federal permits as applicable

Water Body: Lake Washington – Aquatic Environment Designation

SHORELINE EXEMPTION:

The City of Medina has exempted the above described project from both submitting an environmental (SEPA) checklist and from obtaining a Shoreline Management Program Substantial Development Permit for the following reasons:

- Construction of a normal protective bulkhead utilizing via beach nourishment and bioengineered erosion control pursuant to WAC 173-27-040(2)(c)

The exemption is granted subject to the following findings and conditions:

1. The applicant is proposing the following work: removal of 101 linear feet of bulkhead, a 20-foot groin, and 194 square-foot covered moorage while installing soft shoreline techniques such as sand, gravel and anchored logs.
2. WAC 173-27-040(2)(c) provides an exemption from a substantial development permit for the construction of a normal protective bulkhead common to single-family residences. "Normal protective bulkhead" includes both structural and nonstructural developments installed at or near, and parallel to, the ordinary high-water mark for the sole purpose of protecting an existing single-family residence and appurtenant structures from loss or damage by erosion. Beach nourishment and bioengineered erosion control projects may be considered a normal protective bulkhead when any structural elements are consistent with the specified requirements and when the project has been approved by the department of fish and wildlife. The proposal will be requesting approval from the Washington Department of Fish and Wildlife prior to removing the armored bulkhead and replacing it with soft shoreline stabilization

techniques. This project seeks to enhance the existing shoreline environment and will not cause substantial adverse effects to shoreline resources or the environment.

3. The exemption is granted only for the scope of work identified in the materials received by the City on January 20, 2020. Any modifications to the scope of work must be reviewed by the City for compliance with the exemption criteria prior to starting work on the site.
4. Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid, or other toxic or deleterious materials can enter or leach into surface waters. The permittee shall report all spills immediately to the Washington State Department of Ecology (425-849-7000).
5. The granting of this exemption is not a determination by the City that the proposal complies with the provisions of the Medina Shoreline Master Program. This exemption is limited only to the requirements for obtaining a substantial development permit. It does not relieve the applicant from complying with the requirements of the Medina Shoreline Master Program and any other applicable federal, state, or local regulations and permitting requirements.

STATE ENVIRONMENTAL POLICY ACT:

The Responsible Official has determined the proposal is exempt from review under the state environmental policy act for the following reason:

- The scope of the project meets the exemption for repair and maintenance activities found in WAC 197-11-800(3), as the proposal will remodel an existing bulkhead by removing the armor and replacing it with soft shoreline stabilization techniques



Stephanie Keyser, AICP
Planning Manager
501 Evergreen Point Road
Medina, WA 98039

March 4, 2020

Date

NOTE: The issuance of this SDP/ SEPA exemption does not constitute project approval. The applicant must comply with all other applicable requirements of the City of Medina.

NOTE: The City of Medina is designated lead agency on this due to the requirement for local government action on an exemption letter from a substantial development permit.

Sullivan Bulkhead Removal Project
LIP Application - July 2021

Project Before Photos



Sullivan Bulkhead Removal Project
LIP Application - July 2021

Project Before Photos





New Business

**KING CONSERVATION DISTRICT
KING COUNTY, WASHINGTON**

RESOLUTION NO. 21-003

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE KING CONSERVATION DISTRICT, KING COUNTY, WASHINGTON, AUTHORIZING INVESTMENT OF KING CONSERVATION DISTRICT MONIES IN THE LOCAL GOVERNMENT INVESTMENT POOL

WHEREAS, pursuant to Chapter 294, Laws of 1986, the Legislature created a trust fund to be known as the public funds investment account (commonly referred to as the Local Government Investment Pool (LGIP)) for the contribution and withdrawal of money by an authorized governmental entity for purposes of investment by the Office of the State Treasurer; and

WHEREAS, from time to time it may be advantageous to the authorized governmental entity, King Conservation District, the “governmental entity”, to contribute funds available for investment in the LGIP; and

WHEREAS, the investment strategy for the LGIP is set forth in its policies and procedures; and

WHEREAS, any contributions or withdrawals to or from the LGIP made on behalf of the governmental entity shall be first duly authorized by the Board of Supervisors, the “governing body” or any designee of the governing body pursuant to this resolution, or a subsequent resolution; and

WHEREAS, the governmental entity will cause to be filed a certified copy of said resolution with the Office of the State Treasurer; and

WHEREAS the governing body and any designee appointed by the governing body with authority to contribute or withdraw funds of the governmental entity has received and read a copy of the prospectus and understands the risks and limitations of investing in the LGIP; and

WHEREAS, the governing body attests by the signature of its members that it is duly authorized and empowered to enter into this agreement, to direct the contribution or withdrawal of governmental entity monies, and to delegate certain authority to make adjustments to the incorporated transactional forms, to the individuals designated herein; now, therefore

BE IT RESOLVED by the Board of Supervisors of the King Conservation District, King County, Washington, that the governing body does hereby authorize the contribution and

withdrawal of governmental entity monies in the LGIP in the manner prescribed by law, rule, and prospectus; and

BE IT FURTHER RESOLVED by the Board of Supervisors of the King Conservation District, King County, Washington, that the governing body has approved the Local Government Investment Pool Transaction Authorization Form (Form) as completed by Kirstin Haugen, Board Chair, and incorporates said form into this resolution by reference and does hereby attest to its accuracy; and

BE IT FURTHER RESOLVED that the governmental entity designates the Chair of the Board of Supervisors as the “authorized individual” to authorize all amendments, changes, or alterations to the Form or any other documentation including the designation of other individuals to make contributions and withdrawals on behalf of the governmental entity; and

BE IT FURTHER RESOLVED that this delegation ends upon the written notice, by any method set forth in the prospectus, of the governing body that the authorized individual has been terminated or that his or her delegation has been revoked. The Office of the State Treasurer will rely solely on the governing body to provide notice of such revocation and is entitled to rely on the authorized individual’s instructions until such time as said notice has been provided; and

BE IT FURTHER RESOLVED that the Form as incorporated into this resolution or hereafter amended by delegated authority, or any other documentation signed or otherwise approved by the authorized individual shall remain in effect after revocation of the authorized individual’s delegated authority, except to the extent that the authorized individual whose delegation has been terminated shall not be permitted to make further withdrawals or contributions to the LGIP on behalf of the governmental entity. No amendments, changes, or alterations shall be made to the Form or any other documentation until the entity passes a new resolution naming a new authorized individual; and

BE IT FURTHER RESOLVED that the governing body acknowledges that it has received, read, and understood the prospectus as provided by the Office of the State Treasurer. In addition, the governing body agrees that a copy of the prospectus will be provided to any person delegated or otherwise authorized to make contributions or withdrawals into or out of the LGIP and that said individuals will be required to read the prospectus prior to making any withdrawals or contributions or any further withdrawals or contributions if authorizations are already in place.

ADOPTED BY THE BOARD OF SUPERVISORS of the King Conservation District, Washington, at a special open public meeting thereof, and effective this 23rd day of August, 2021.

Kirstin Haugen, Chair

CERTIFICATE

I, Chris Porter, Vice Chair of the Board of Supervisors, King County, Washington, do hereby certify that the foregoing resolution is a true and correct copy of Resolution No. 21 - 001 of such Board, duly adopted at a special meeting thereof held on August 23, 2021.

Chris Porter, Vice Chair