US Army Corps of Engineers
Seattle District

WASHINGTON STATE DEPARTMENT OF ECOLOGY

Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone: (206) 764-3273
ATTN: Catherine Blackwell,
Project Manager

WA Department of Ecology
SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6068
ATTN: SEA Program,
Federal Permit Coordinator

Public Notice Date: March 15, 2013
Expiration Date: April 14, 2013

Reference No.: NWS-2012-1258
Name: Bel Lago Condominiums, LLC

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings dated February 19, 2013.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT:

Bel Lago Condominiums, LLC
Attention: Mr. Ken Nelson
18435 Olympic Avenue South
Tukwila, Washington 98188
Telephone: (425) 298-0980

AGENT:

Ecco Design, Incorporated
Attention: Mr. Evan Wehr
203 North 36th Street, Suite 201
Seattle, Washington 98103
Telephone: (206) 706-3937

LOCATION: In Lake Washington at Kirkland, Washington.

WORK: Remove an existing pier and construct new structures for private boat moorage. The proposed work involves the following: remove an existing 1,021 square-foot pier and 16 piles, place up to 2 cubic yards of gravel to backfill piling holes, construct a 1,914 square-foot pier, drive 43 steel piles, 10-inches in diameter, and 4 steel piles, 6-inches in diameter, and install 18 boat lifts.

PURPOSE: Private boat moorage.

MITIGATION: Install 750 square feet of native plantings along the shoreline of the property.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

ESSENTIAL FISH HABITAT (EFH): The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect EFH. The proposed action could impact EFH in the project area. If the Corps determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The Corps has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively disturbed by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The Corps invites responses to this public notice from Native American Tribes or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Tribes in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION – CORPS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

SOURCE OF FILL MATERIAL: The source of the fill material will be an offsite commercial provider.

EVALUATION – ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit No. SHR12-01359, being processed by the City of Kirkland.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentator's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

CORPS COMMENTS: All e-mail comments should be sent to catherine.m.blackwell@usace.army.mil. Conventional mail comments should be sent to: U.S. Army Corps of Engineers; Regulatory Branch; Attention: Ms. Catherine Blackwell; P.O. Box 3755; Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov.

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Bel Lago Condominiums, LLC; NWS-2012-1258

Encl: Figures (7)

PROJECT INFORMATION

OWNER:
BEL LAGO CONDOMINIUMS, LLC
KEN NELSON
18435 OLYMPIC AVE S
TUKWILA, WA 98188
425-298-0980

SITE ADDRESS:
9123 NE JUANITA DR.
KIRKLAND, WA 98034

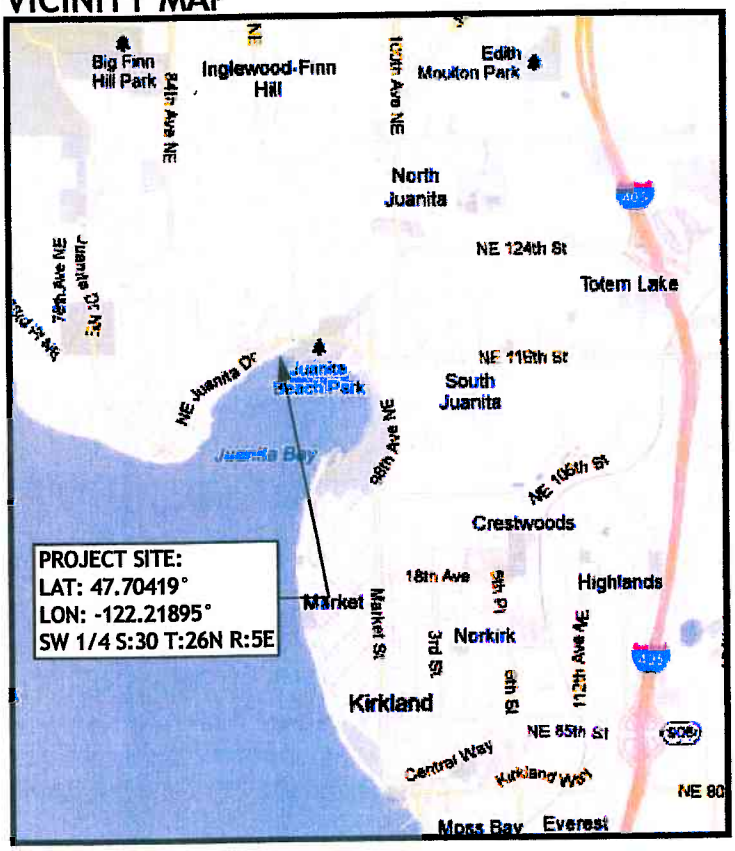
PARCEL NUMBER:
376050-0005

BODY OF WATER:
LAKE WASHINGTON

LEGAL DESCRIPTION:
JUANITA POINT A RESIDENCE PARK LESS BLK O LAKE WASH SH LDS TGW UND INT IN COMMUNITY BEACH FOR ASSESSMENT PURPOSES ONLY LESS POR FOR RD PER REC # 20040709000554

PROJECT DESCRIPTION:
DEMOLISH AND EXISTING PIER (APPROXIMATELY 1,021 SQUARE FEET OF OVER WATER COVERAGE) WITH 16 PILES AND CONSTRUCT A NEW PIER (APPROXIMATELY 1,914 SQUARE FEET OF OVER WATER COVERAGE) WITH 39 STEEL PILES (6" DIAMETER FOR FIRST SET ON LAND AND IN WATER AND 10" DIAMETER FOR ALL OTHERS). GRATED DECKING WILL BE USED TO DECK THE ENTIRE SURFACE OF THE PROPOSED PIER. INSTALL 18 BOAT LIFTS AT THE PROPOSED PIER. INSTALL EIGHT 10" DIAMETER STEEL MOORING PILES AT THE PROPOSED PIER. PLANT NATIVE SHORELINE VEGETATION PER THE PLANTING PLAN.

VICINITY MAP



PURPOSE: Boat Moorage

DATUM: C.O.E. Locks Datum
Est. 1919

ADJACENT PROPERTY OWNERS:
1. David D'Souza & Linda Floyd
2. Juanita Bay Condominiums

NAME: Bel Lago Condominiums, L.L.C.

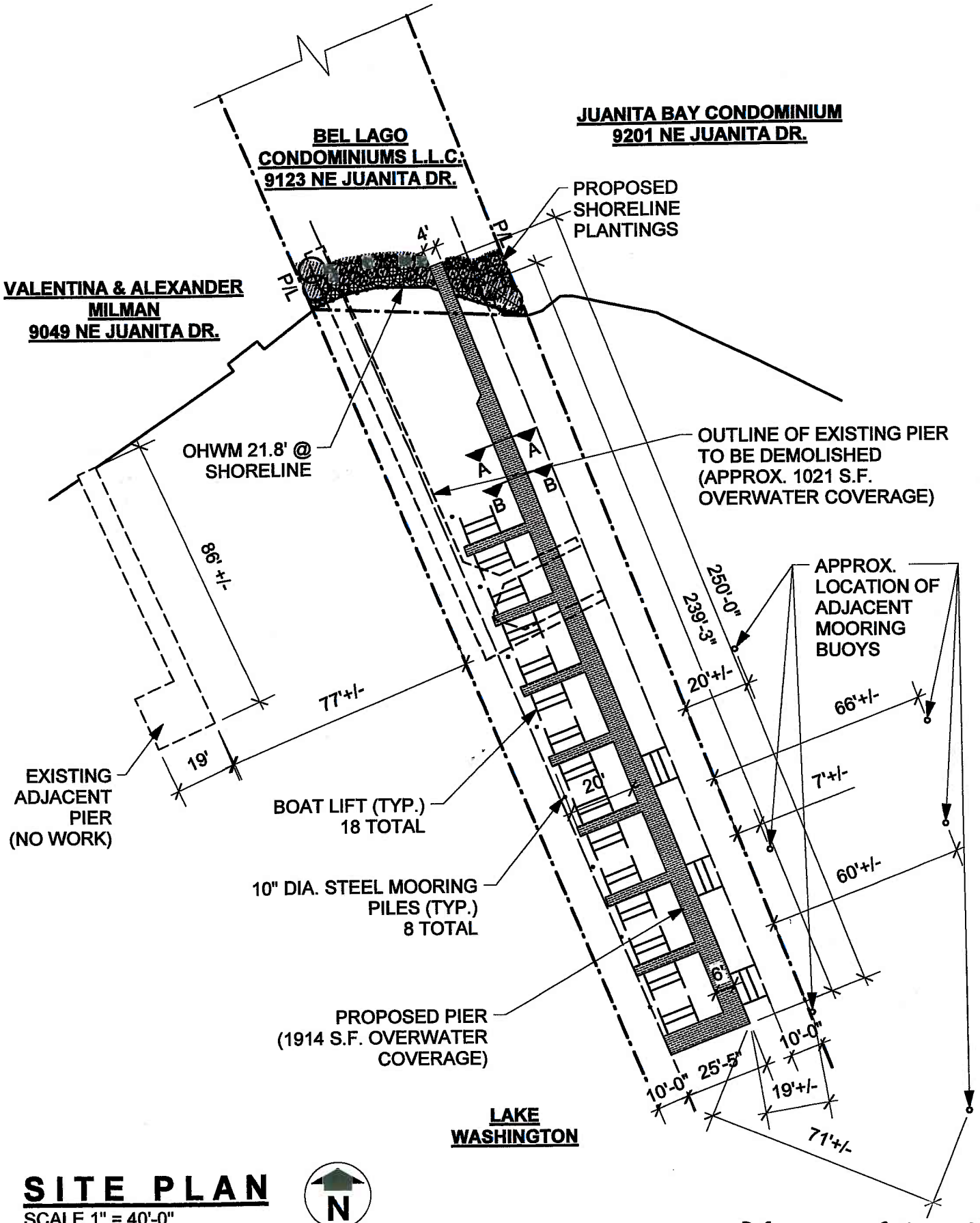
REFERENCE #: NWS-2012-1258

SITE LOCATION ADDRESS:
9123 NE Juanita Drive
Kirkland, WA 98034

PROPOSED: Pier & Boat Lifts
IN: Lake Washington
AT: Kirkland
COUNTY: King **STATE:** WA

SHEET 1 of 7

DATE: February 19, 2013

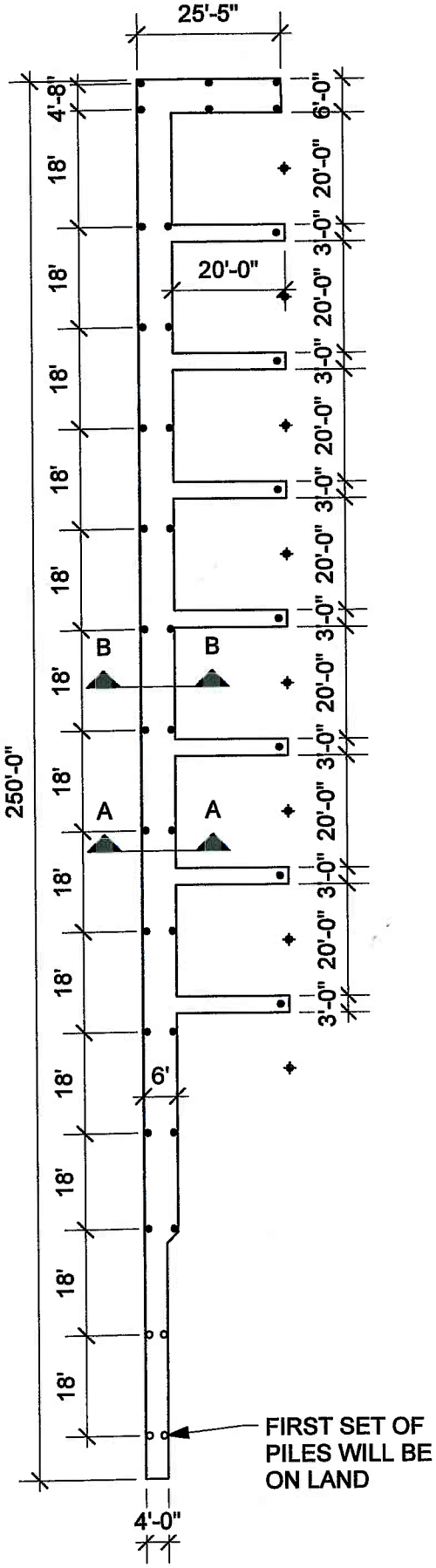


SITE PLAN

SCALE 1" = 40'-0"

Reference: NWS-2012-1258
Applicant: Bel Lago Condominiums L.L.C.
Proposed: Pier & Boat Lifts
At: Kirland, WA

Sheet 2 of 7 **Date:** 2/19/2013



LEGEND

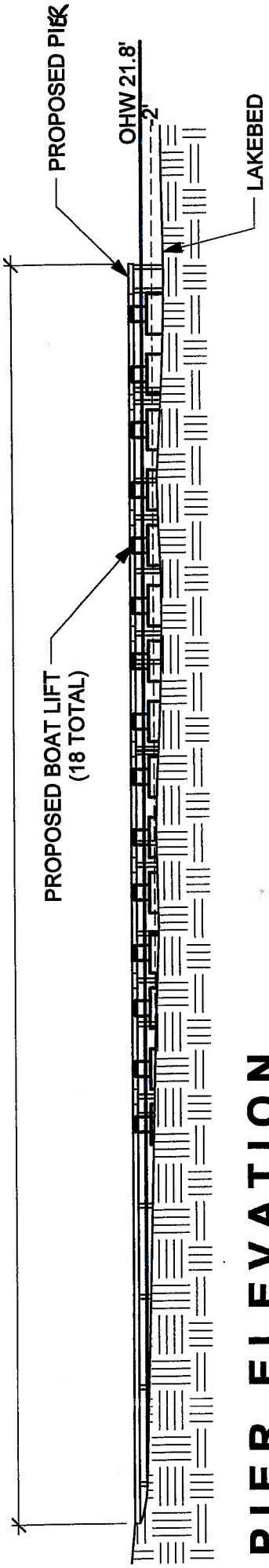
- • 10" DIA. GALV. STEEL PIER PILE (35 TOTAL)
- ∘ 6" DIA. GALV. STEEL PIER PILE (4 TOTAL)
- ✦ 10" DIA. GALV. STEEL MOORING PILE (8 TOTAL)

PIER PILE LAYOUT

SCALE 1" = 30'-0"

Reference: NWS-2012-1258
Applicant: Bel Lago Condominiums L.L.C.
Proposed: Pier & Boat Lifts
At: Kirland, WA

Sheet 3 of 7 **Date:** 2/19/2013



PIER ELEVATION

SCALE 1" = 20'-0"

Reference: NWS-2012-1258
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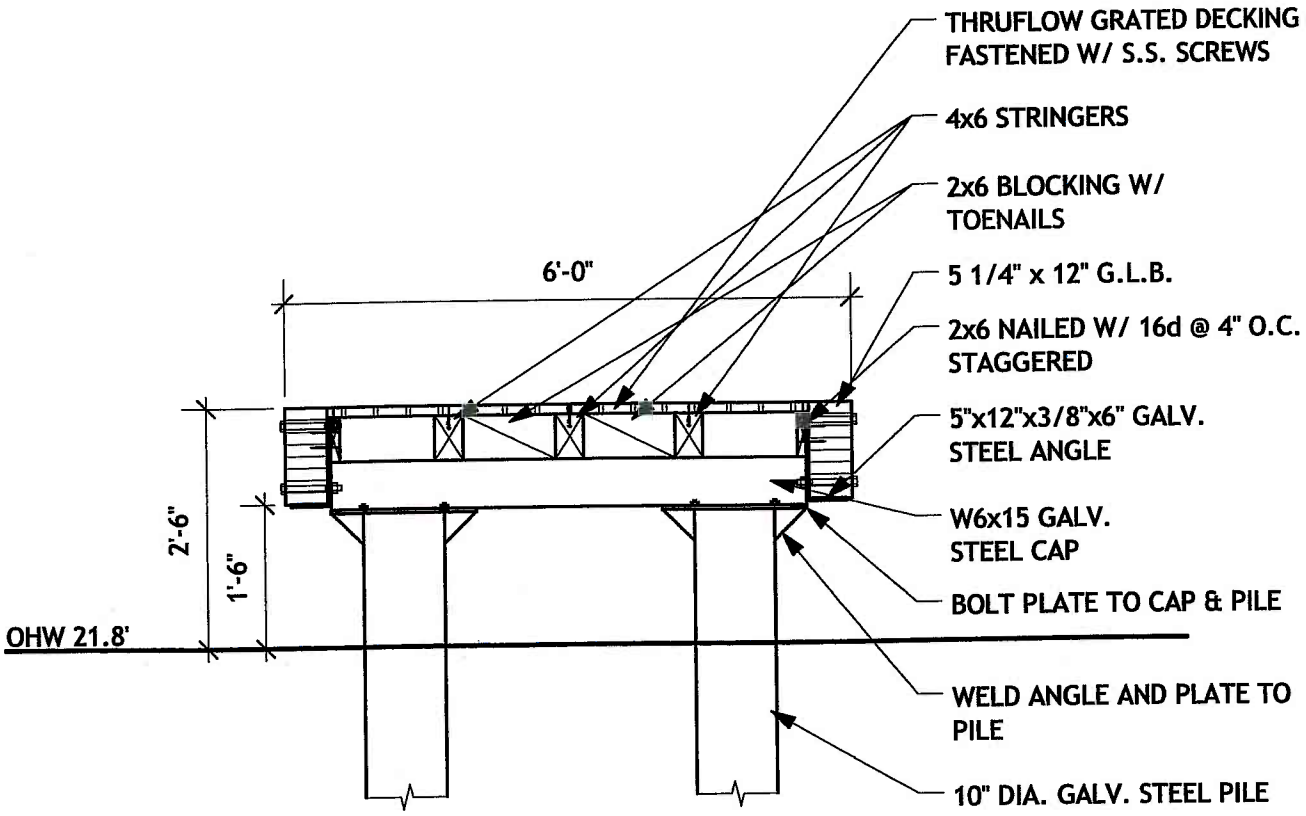
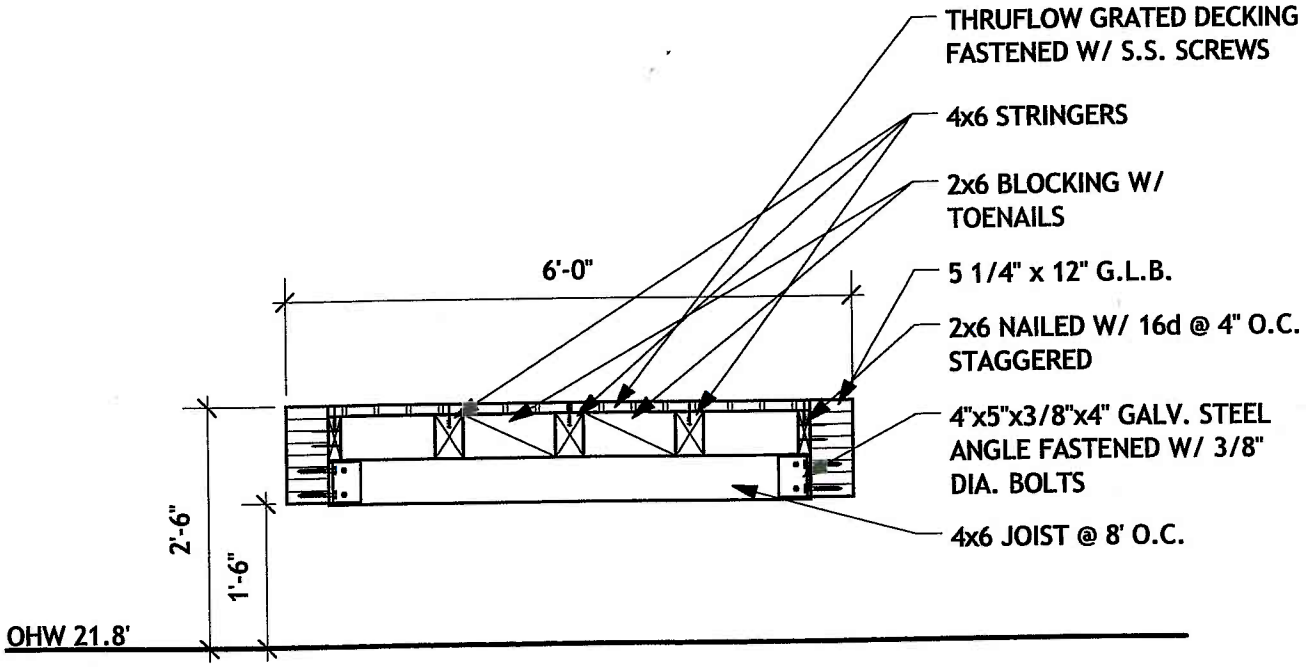
Condominiums L.L.C.
Proposed: Pier & Boat Lifts
At: Kirland, WA

Sheet 4 of 7 Date: 2/19/2013



A-A PILE CAP SECTION

SCALE 1/2" = 1'-0"

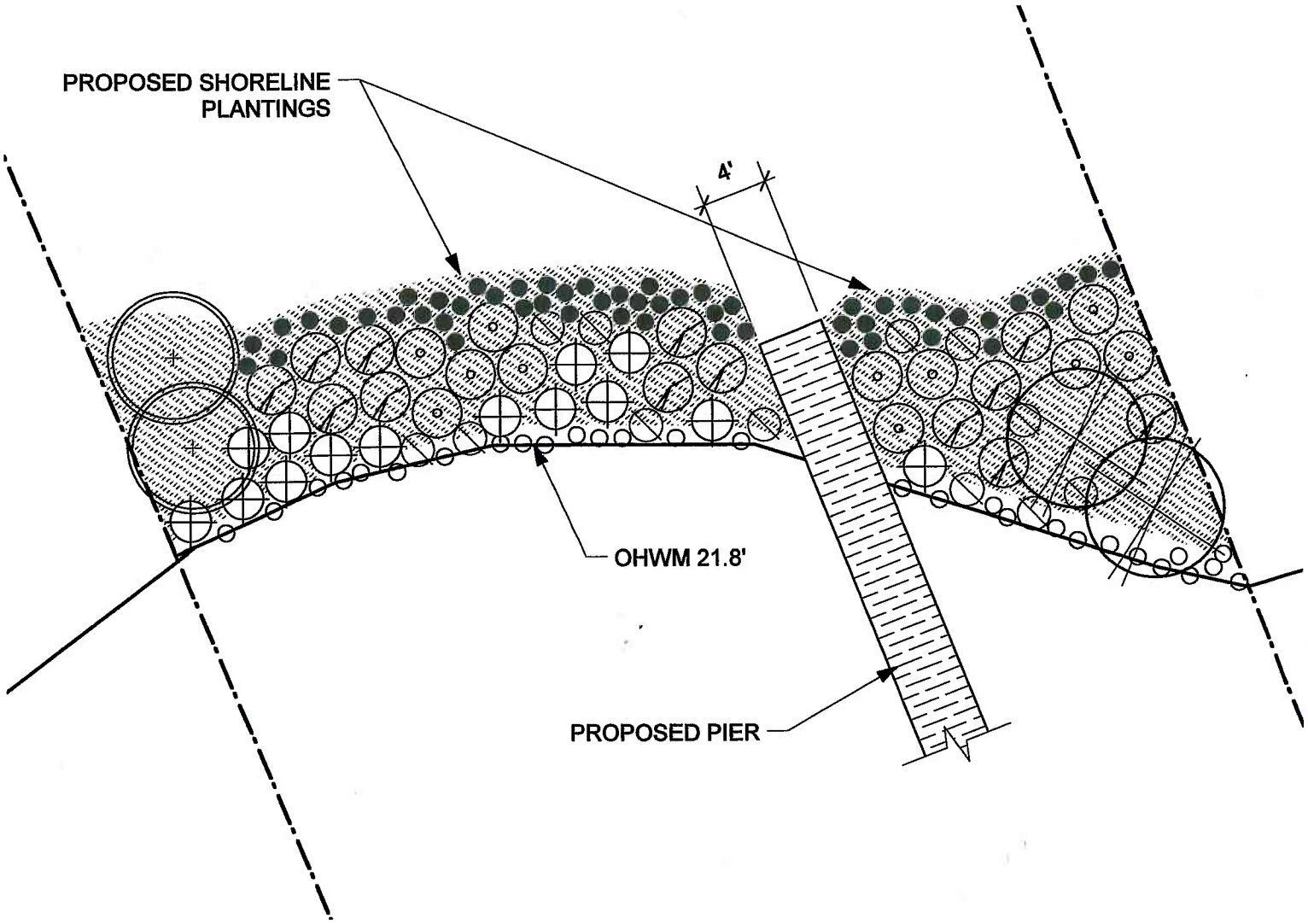


B-B MIDSPAN SECTION

SCALE 1/2" = 1'-0"

Reference: NWS-2012-1258
Applicant: Bel Lago Condominiums L.L.C.
Proposed: Pier & Boat Lifts
At: Kirland, WA

Sheet 5 of 7 **Date:** 2/19/2013



PLANTING PLAN

SCALE 1" = 10'-0"

Reference: NWS-2012-1258
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Proposed: Pier & Boat Lifts
At: Kirland, WA

Sheet 6 of 7 **Date:** 2/19/2013

SHORELINE PLANTINGS

SYMBOL	TREES	SIZE	QUANT.	NOTE
	PINUS CONTORTA (SHORE PINE)	1.5" CAL CONTAINER	2	WELL BRANCHED
	BETULA PAPYRIFERA (PAPER BIRCH)	1.5" CAL CONTAINER	2	WELL BRANCHED
	SHRUBS			
	RIBES SANGUINEUM (RED FLOWERING CURRANT)	2 GAL.	13	ALL SHRUBS FULL & WELL BRANCHED
	HOLODISCUS DISCOLOR (OCEANSPRAY)	2 GAL.	11	
	SYMPHORICARPOS ALBUS (SNOWBERRY)	2 GAL.	14	
	PERENNIALS & FERNS			
	MAHONIA NERVOSA (OREGON GRAPE)	1 GAL.	12	ALL PERENNIALS FULL
	POLYSTICHUM MUNITUM (SWORD FERN)	1 GAL.	54	
	EMERGENTS			
	SCIRPUS MICROCARPUS (SMALL-FRUITED BULRUSH)	10 CU. IN. POTS	29	@ 12" O.C.
	GROUNDCOVER			
	FRAGARIA CHILOENSIS (BEACH STRAWBERRY)	4" POTS		@ 18" O.C.

PLANTING SCHEDULE

NO SCALE

Reference: NWS-2012-1258
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Proposed: Pier & Boat Lifts
At: Kirland, WA

Sheet 7 of 7 **Date: 2/19/2013**