



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone (206) 764-3495  
ATTN: Susan Powell, Project Manager

Public Notice Date: October 18, 2004  
Expiration Date: November 18, 2004  
Reference: 200401121  
Name: Hobart Properties Trust

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Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of March 3, 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT - Hobart Properties Trust  
250 West Perimeter Road  
Renton, Washington 98055  
Telephone: (425) 204-2061

AGENT - Waterfront Construction, Incorporated  
Mr. David Douglas  
205 Northeast Northlake Way, Suite 230  
Seattle, Washington 98105  
Telephone: (206) 548-9800

LOCATION - In Lake Washington at Mercer Island, Washington

WORK - Construct a pier, and install a boatlift and seaplane lift.

PURPOSE - Provide private moorage and recreational access to the lake.

ADDITIONAL INFORMATION - An existing 6 by 59 foot concrete pier will be removed; and a shoreline-planting plan will be implemented as in drawing sheet 7 of 7.

ENDANGERED SPECIES - The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The Puget Sound chinook salmon (*Oncorhynchus tshawytscha*) threatened, Puget Sound bull trout (*Salvelinus confluentus*) threatened, and bald eagle (*Haliaeetus leucocephalus*) threatened in the state of Washington, may occur in the proposed project area. After receipt of comments from this public notice, the U.S. Army Corps of Engineers (Corps) will evaluate the potential impacts to the Chinook, bull trout, and bald eagle

ESSENTIAL FISH HABITAT - The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon occurs in the project area. The proposed action would impact approximately 0.03 acres of EFH for these species.

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 District Engineer (DE) has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property.

The DE invites responses to this public notice from Native American Nations or tribal governments, Federal, State, and local agencies, historical and archeological societies, and other parties likely to have knowledge of or concerns with historic properties in the area.

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 - The decision whether to issue a permit will be based on an evaluation of the probable impact, 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; 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. 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.

ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of Shorelines Substantial Development Permit No. SHL04-018 being processed by the city of Mercer Island.

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

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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. All e-mail comments should be sent to [Susan.M.Powell@nws02.usace.army.mil](mailto:Susan.M.Powell@nws02.usace.army.mil). Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor'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. Please include the following name and reference number:

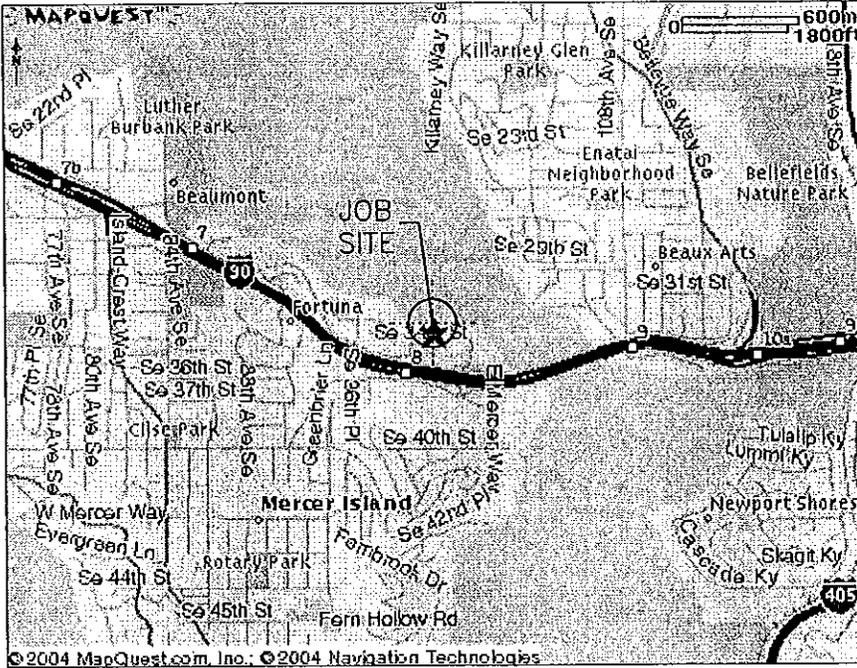
Hobart Properties Trust  
200401121

Encl  
Drawings (7)

PROJECT DESIGNED BY:

**Waterfront Construction Inc.**

205 NE NORTHLAKE WAY, Suite 230  
SEATTLE, WA. 98105 (206) 548-9800



VICINITY MAP/NO SCALE

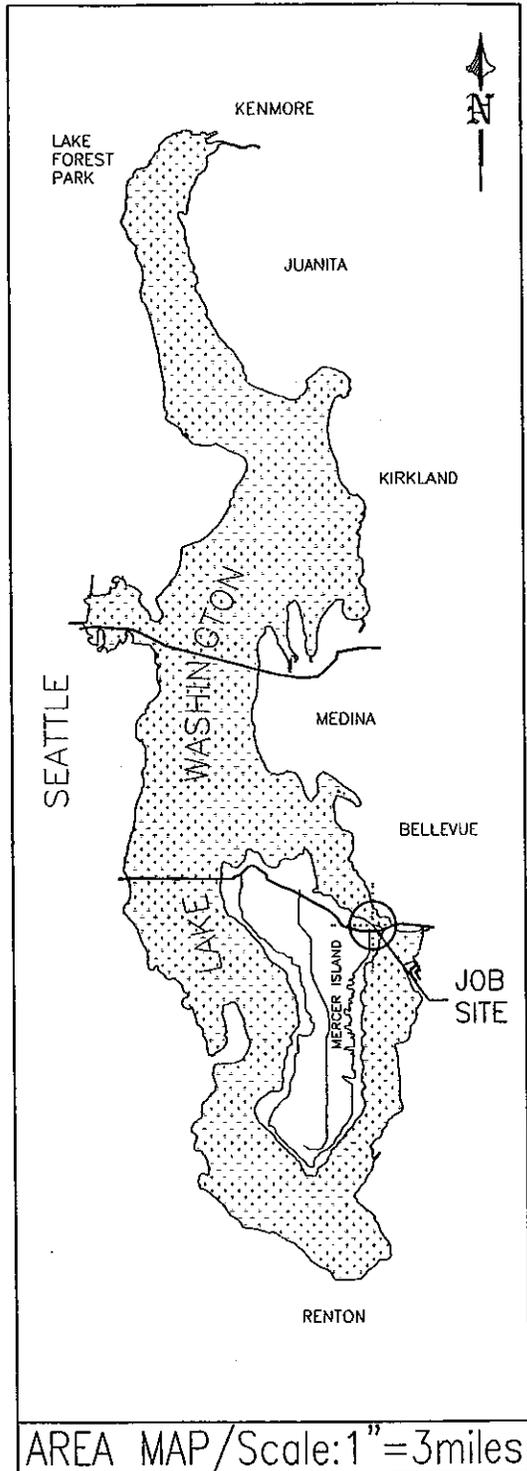
**LEGAL DESCRIPTION**

1/4 SEC: SE 07-24N-05E  
TAXLOT #: 072405 9038

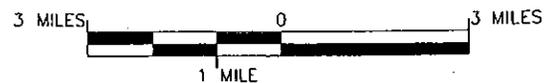
STR 072405 TAXLOT 38 CONSOLIDATED LOT PER  
MI LOT CONSOLIDATION FOR NANESS REC #  
20010416900004 SD CONSOLIDATION BEING W 100  
FT OF E 921.44 FT OF GL 5 LESS S 770 FT

LAT: 47°-34'-53"  
LONG: 122°-12'-26"

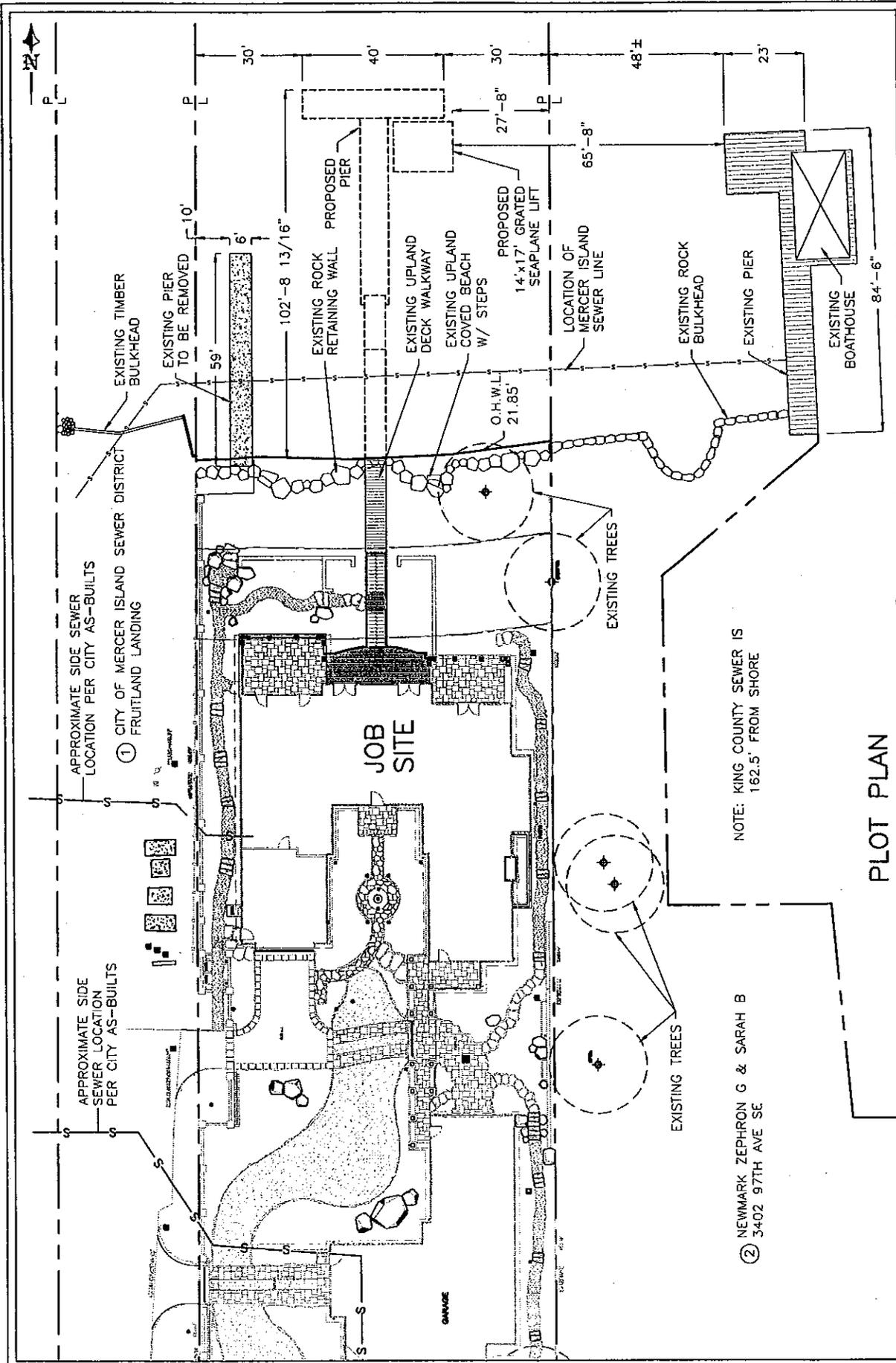
200401121



AREA MAP/Scale: 1"=3miles



<p>ADJACENT OWNERS:</p> <p>① CITY OF MERCER ISLAND SEWER DISTRICT FRUITLAND LANDING</p> <p>② NEWMARK ZEPHRON G &amp; SARAH B 3402 97TH AVE SE MERCER ISLAND, WA. 98040</p> <p>APPLICATION#:</p>	<p>PROPOSED: REMOVE EXISTING PIER AND CONSTRUCT NEW PIER IN NEW LOCATION.</p> <p>PURPOSE: PROVIDE PRIVATE MOORAGE</p> <p>DWG#: 04-3306-A.1-1</p>	<p>APPLICANT: HOBART PROPERTIES TRUST</p> <p>SITE ADD. 3310 97TH AVE SE MERCER ISLAND, WA. 98040</p> <p>MAIL ADD. P.O. BOX 1479 RENTON, WA. 98057</p> <p>DATUM: C.O.E. 0.0' EST. 1919</p> <p>SHEET: 1 OF: 7 DATE: 9-7-04</p>
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PROPOSED: REMOVE EXISTING PIER AND INSTRUCT NEW PIER IN NEW LOCATION.
IN: LAKE WASHINGTON
AT: MERCER ISLAND
APPLICATION#: HOBART PROPERTIES TRUST 3310 97TH AVE SE MERCER ISLAND, WA 98040
SHEET: 2 OF 7
DATE: 9-7-04 DWG#: 04-3306-A-2-1

200401121

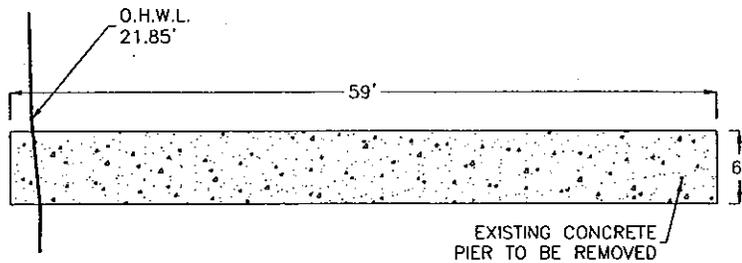
PLOT PLAN



NOTE: KING COUNTY SEWER IS  
182.5' FROM SHORE

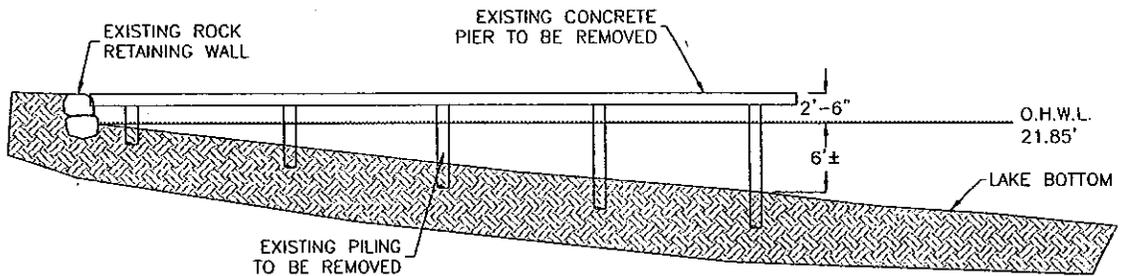
② NEWMARK ZEPHRON G & SARAH B  
3402 97TH AVE SE

REMOVE EXISTING PIER (354 S.F.) AND CONSTRUCT AN ALL NEW PIER (980 S.F.) ON NEW PILING, CONSISTING OF A 6'x30' FIXED PIER TO A FULLY GRATED 6'x15' RAMP SECTION, AND A 8'x52' MAIN WALKWAY PIER, EXTENDING TO AN 8'x40' CENTERED END "T". A 14'x17' SEAPLANE LIFT AND A BOATLIFT ARE SITUATED ON THE SOUTHEAST SIDE OF THE WALKWAY PIER. UPON COMPLETION OF THE NEW PIER, REMOVE THE EXISTING 6'x59' CONCRETE PIER AND PILING SITUATED AT THE NORTHWEST SIDE OF THE PROPERTY.



### EXISTING DETAIL VIEW

SCALE: 1/16"=1'



### EXISTING ELEVATION VIEW

16' 8' 4' 0' 16'



SCALE: 1/16"=1'

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PROPOSED: REMOVE EXISTING PIER AND  
CONSTRUCT NEW PIER IN NEW LOCATION.

IN: LAKE WASHINGTON

AT: MERCER ISLAND APPLICATION#:

APPLICANT: HOBART PROPERTIES TRUST

3310 97TH AVE SE

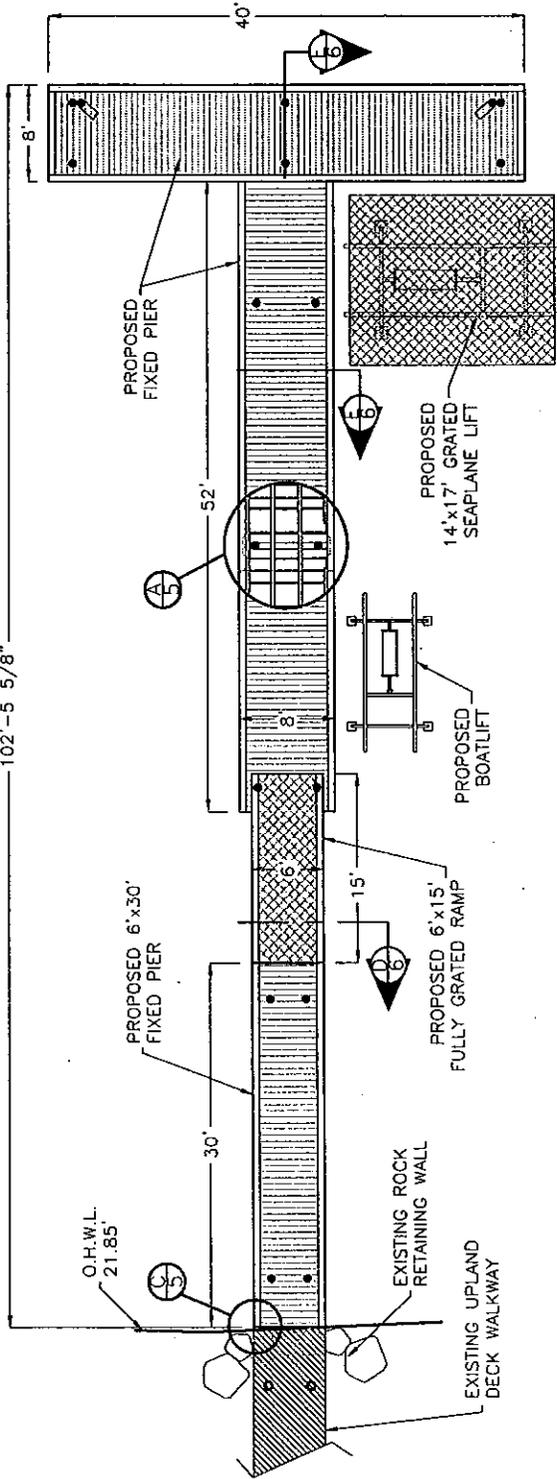
MERCER ISLAND, WA. 98040

SHEET: 3 OF: 7

DATE: 9-7-04

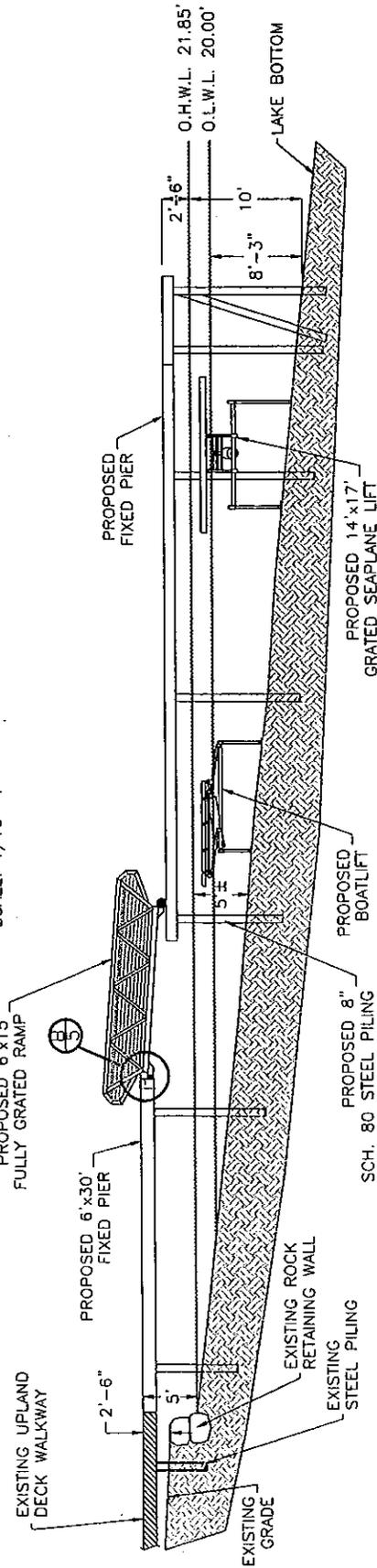
DWG#: 04-3306-A.3-1

102'-5 5/8"

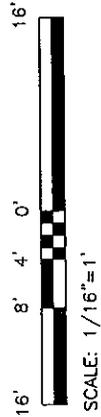


PROPOSED DETAIL VIEW

SCALE: 1/16"=1'



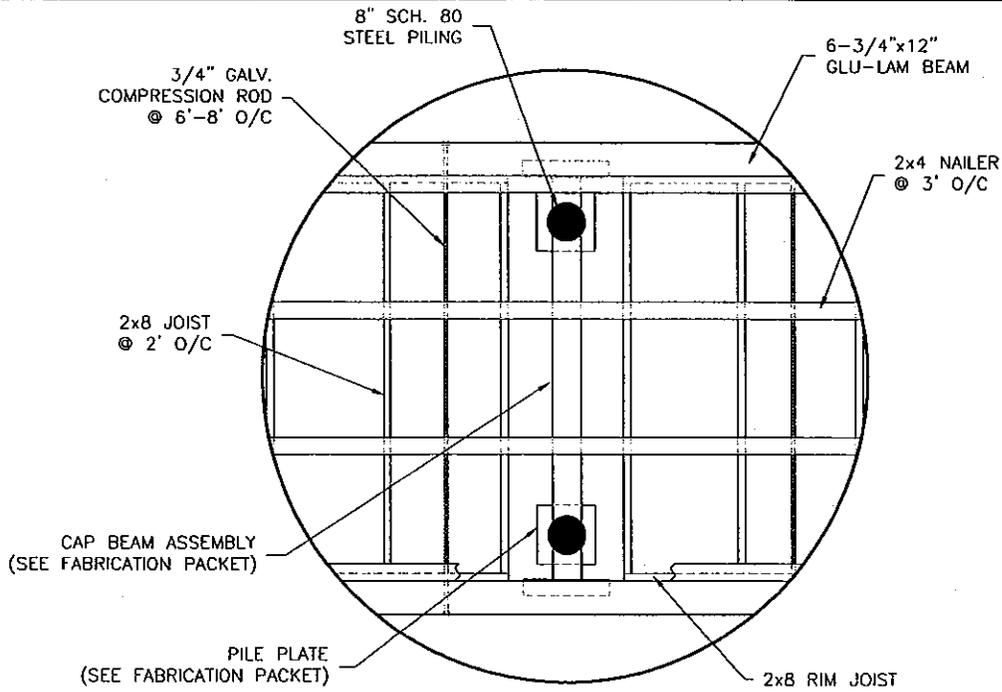
PROPOSED ELEVATION VIEW



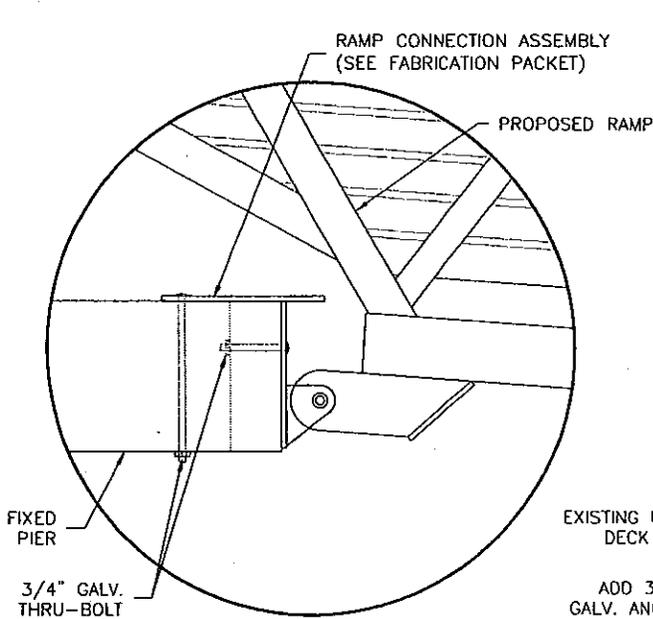
200401121

PROPOSED: REMOVE EXISTING PIER AND CONSTRUCT NEW PIER IN NEW LOCATION.	
IN: LAKE WASHINGTON	APPLICATION#:
AT: MERCER ISLAND	APPLICANT: HOBART PROPERTIES TRUST
	3310 97TH AVE SE
	MERCER ISLAND, WA. 98040
SHEET: 4	OF: 7
DATE: 9-7-04	DWG#: 04-3306-A.4-1

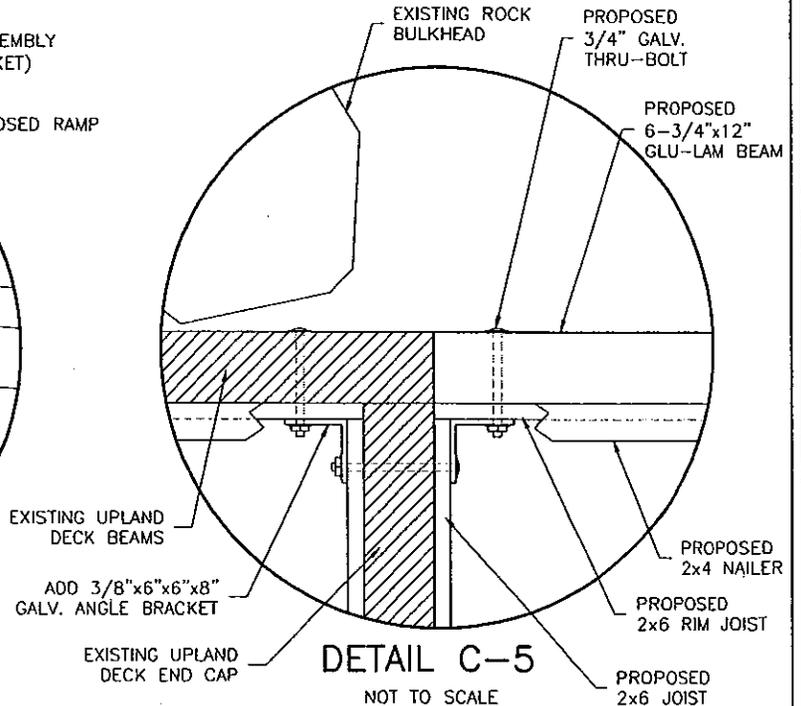
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**DETAIL A-5**  
NOT TO SCALE



**DETAIL B-5**  
NOT TO SCALE



**DETAIL C-5**  
NOT TO SCALE

MATERIAL LIST

PART	SPECS	TREATMENT
PILING	8" SCH. 80	EPOXY COATED
CAPS	W6x15 "I" BEAM	GALVANIZED
GLU-LAMS	6-3/4"x12" 24F-V8	ACZA
JOIST	2"x8" & 2"x6" D.F. #1	ACZA
NAILER	2"x4" DOUG FIR	ACZA
DECKING	2"x6" D.F. #1	ACZA
RIM JOIST	2"x8" & 2"x6" D.F. #1	ACZA
GRATING	MOLDED PLASTIC	NONE

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AT: MERCER ISLAND APPLICATION#:

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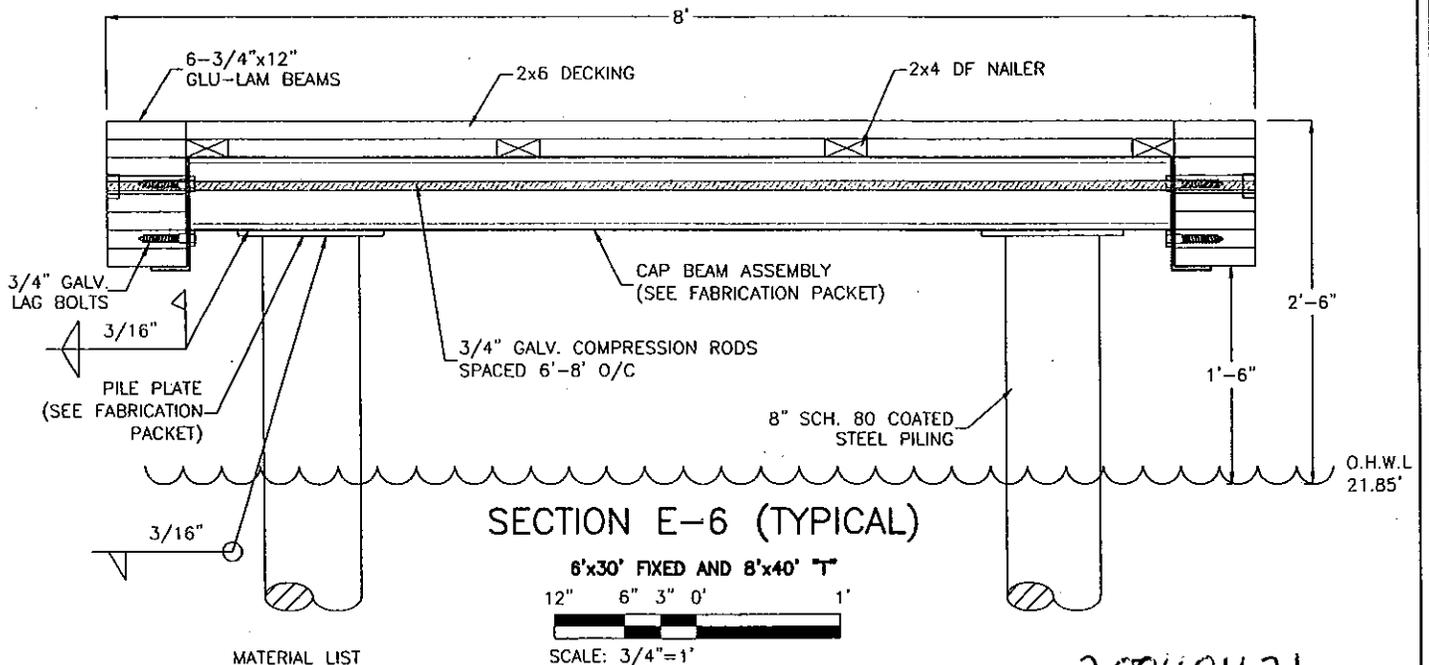
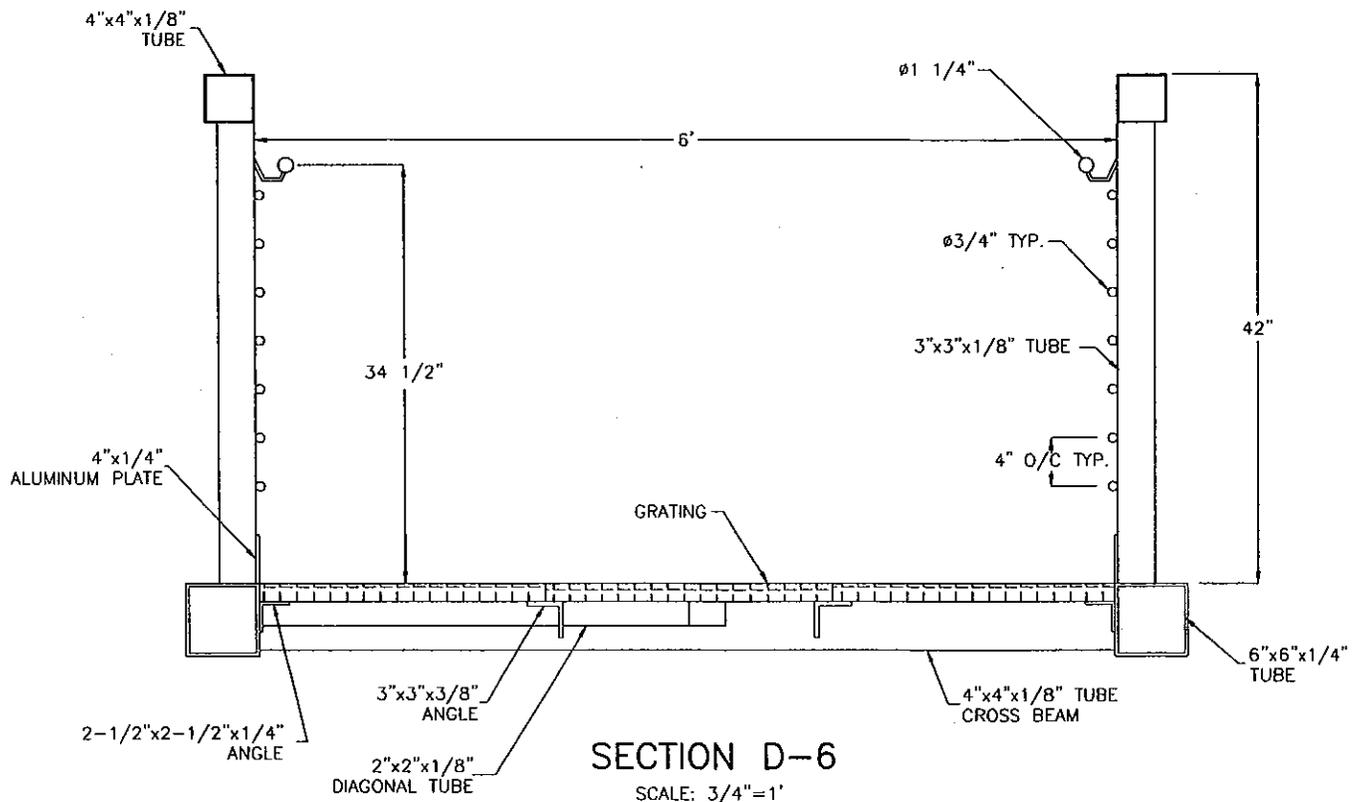
3310 97TH AVE SE

MERCER ISLAND, WA. 98040

SHEET: 5 OF: 7

DATE: 9-7-04

DWG#: 04-3306-A-5-1



MATERIAL LIST

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PILING	8" SCH. 80	EPOXY COATED
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IN: LAKE WASHINGTON	
AT: MERCER ISLAND	APPLICATION#:
APPLICANT: HOBART PROPERTIES TRUST	
3310 97TH AVE SE	
MERCER ISLAND, WA. 98040	
SHEET: 6	OF: 7
DATE: 9-7-04	DWG#: 04-3306-A.6-1

TREES

SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE/SPACING	NOTES
	5	ACER CERNICUM	WINE MAPLE	6-8 FT.	FULL 4-5 YEAR OLD FULL WELL ROOTED
	7	THUJA PLICATA	WESTERN RED CEDAR	6-8 FT.	FULL 4-5 YEAR OLD FULL WELL BRANCHED

SHRUBS

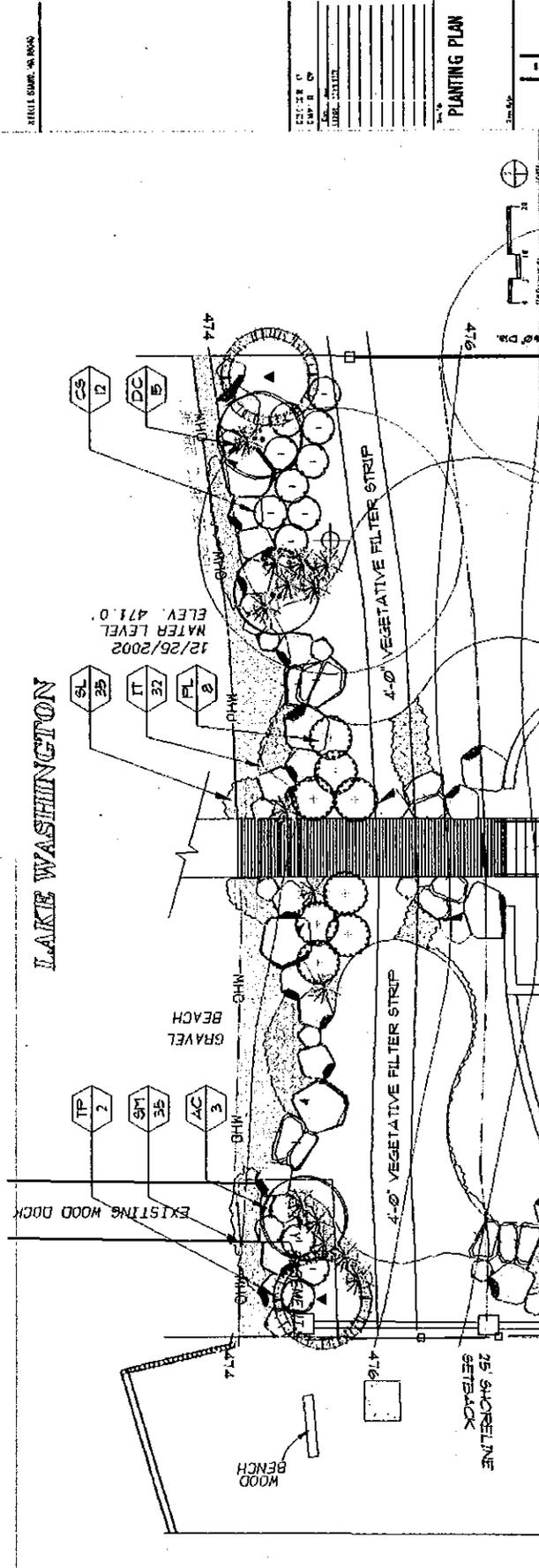
SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE/SPACING	NOTES
	8	CORNUS BERGEA	RED TIBB DOGWOOD	3 GAL.	FULL WELL ROOTED
	15	OSYRIS SPICATA	TUPED HAWK GRASS	1 GAL.	FULL WELL ROOTED
	8	PRUNELLA SP.	ROCK CRABAPPLE	3 GAL.	FULL WELL ROOTED

EMERGENTS

SYMBOL	QTY.	SCHEMATIC	COMMON NAME	SIZE/SPACING	NOTES
	35	SCHEMATIC	SMALL FLOATED BULLRUSH	1 GAL.	FULL WELL ROOTED
	30	SCHEMATIC	ORISON PIR	BULB AT 1/2 GAL.	
	35	SCHEMATIC	LARGE FLOATED BULLRUSH	1 GAL.	FULL WELL ROOTED

Ken Philp  
 12/26/2002  
 12/26/2002

ROBERT TRUST  
 12/26/2002



PLANTING PLAN

L-1

Figure 7. Proposed native planting plan (prepared by Ken Philp Landscape Architects).

200401121



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600  
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Notice of Application for  
Certification of Consistency with the  
Washington Coastal Zone Management Program

Date: 10/18/04

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200401121 will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views on the project pertaining to the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator  
Department of Ecology  
SEA Program  
Post Office Box 47600  
Olympia, Washington 98504-7600