



US Army Corps  
of Engineers  
Seattle District



# 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) 316-3360  
ATTN: Rory Lee,  
Project Manager

### WA Department of Ecology

SEA Program  
Post Office Box 47600  
Olympia, WA 98504-7600  
Telephone: (360) 407-6076  
ATTN: SEA Program,  
Federal Permit Coordinator

**Public Notice Date:** January 11, 2019

**Expiration Date:** January 22, 2019

**Reference No.:** NWS-2010-140

**Name:** Conner Homes at Barbee Mill

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Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received a revised application to perform work in waters of the U.S. as described below and shown on the enclosed drawings dated December 12, 2018. The work was previously described in Public Notice Reference No. NWS-2010-140, dated July 16, 2010. The revision consists of modifying the original permit language from "permanent private boat moorage for one resident," to allow for two permanent (Lots 34 and 36) private boat moorages on the finger pier. As shown on Sheet 2, the original permit application drawings indicated the finger pier would be used for joint-use (Lots 34 and 36). The modification would also include a boat lift for the additional permanent private moorage, as shown on Sheets 3 and 4.

The Corps will review the work in accordance with Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to the Coastal Zone Management Act.

**APPLICANT:** Barbee Mill Home Owners Association  
Attention: Patrick Donohue  
600 Smithers Avenue South  
Renton, WA 98056  
Telephone: (206)-427-5301

**AGENT:** ECCO Architecture & Design  
Attention: Evan Wehr  
203 North 36<sup>th</sup> Street, Suite 201  
Seattle, WA 98103  
Telephone: (206)-706-3937

**LOCATION:** In Lake Washington at 4125 Williams Avenue North at Renton, Washington.

**WORK:** The Barbee Mill Home Owners Association proposed to modify their standard individual permit to allow for an additional permanent private vessel moorage to their existing finger pier. The second private moorage proposes to install 13-foot by 11-foot (143 square feet) free standing boatlift.

**PURPOSE:** To provide vessel moorage and recreational access to the lake.

## **NWS-2010-140, Connor Homes at Barbee Mill**

**MITIGATION:** Compensatory mitigation was not required for the original permit. The applicant had voluntarily proposed a mitigation planting plan for impacts for the new structure. The boatlift does not require Corps compensatory mitigation. However, impacts associated with Endangered Species Act have been mitigated through the Integrated Restoration and Permitting Program (IRPP) for Lakes Washington and Sammamish by the applicant agreeing to pay a conservation fee.

**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 U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

**ESSENTIAL FISH HABITAT:** 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 Essential Fish Habitat (EFH). The proposed action would impact EFH in the project area.

If the U.S. Army Corps of Engineers (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, Washington Information System for Architectural and Archaeological Records Data and other sources of information. A historic properties investigation has been conducted within the permit area. No historic properties determined eligible for or listed on the National Register of Historic Places were found to exist within the permit area. 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 amend the 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.

## **NWS-2010-140, Connor Homes at Barbee Mill**

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.

**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. LUA18-000617, being processed by City of Renton.

**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 authorizing the work would not be contrary to the public interest. 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 commenter'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 [rory.w.lee@usace.army.mil](mailto:rory.w.lee@usace.army.mil)  
Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch,  
Attention: Rory Lee, 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 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, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to [ecyrefedpermits@ecy.wa.gov](mailto: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: Connor Homes at Barbee Mill; NWS-2010-140.

Encl: Figures (4)

## Vicinity Map

**OWNER:**  
BARBEE MILL COMMUNITY ORGANIZATION

**DRAWINGS BY:**  
ECCO DESIGN INC.  
203 N 36TH ST SUITE 201  
SEATTLE, WA 98103  
206-706-3937

**SITE ADDRESS:**  
4151 WILLIAMS AVE N  
RENTON, WA 98056

**PARCEL NUMBER:**  
3224059066

**BODY OF WATER:**  
LAKE WASHINGTON

**LEGAL DESCRIPTION:**  
AREA IN FRONT OF GL 1-SEE MINOR #9034 DNR  
LEASE # 23-077640 17.17 AC

**PROJECT DESCRIPTION:**

Amend permit NWS-2010-140 to add an  
additional permanent private boat  
moorage and boatlift.



**PURPOSE:** Boat Moorage

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

**ADJACENT PROPERTY OWNERS:**

1. Michael & Dorothy Urban
2. Scott & Quyen Lee

**NAME:** Barbee Mill Community Org.

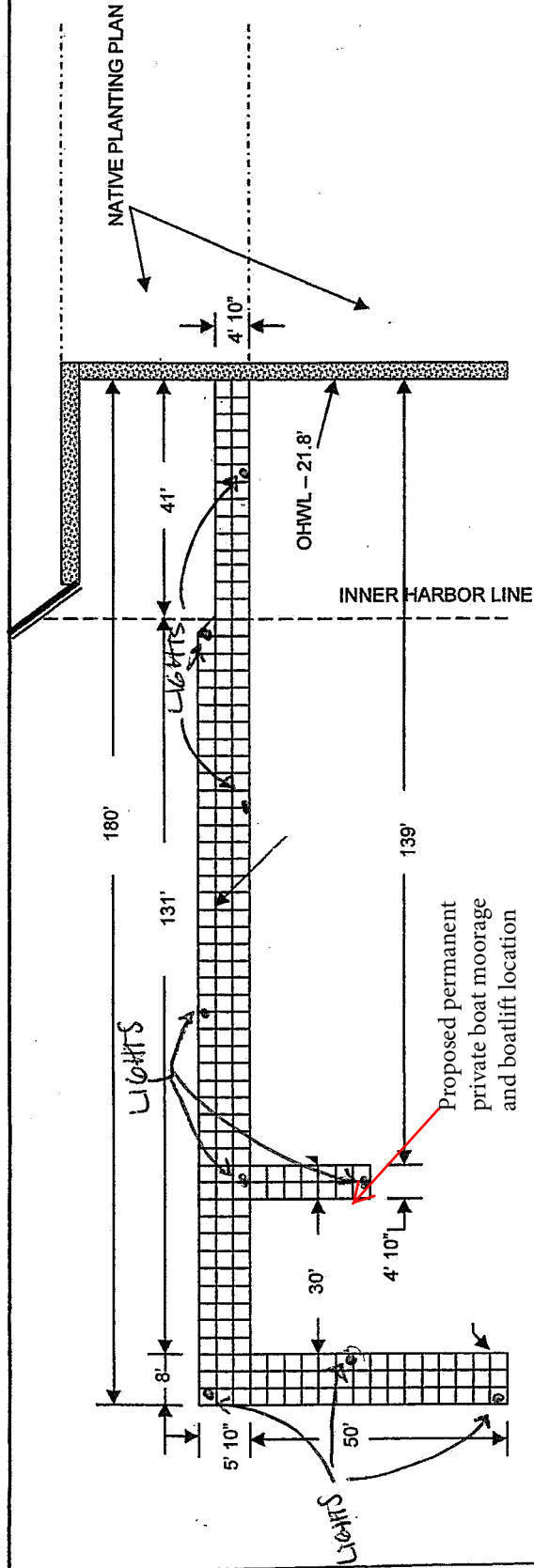
**REFERENCE #:** NWS-2010-140

**SITE LOCATION ADDRESS:**  
4151 Williams Ave. N  
Renton, WA 98056

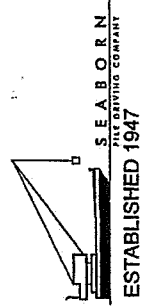
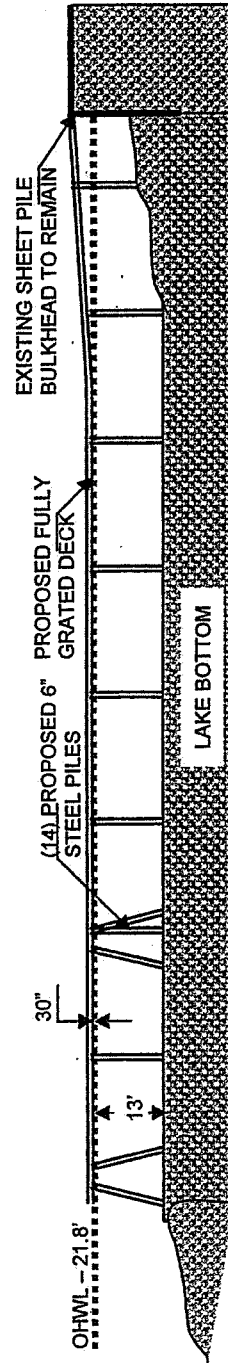
**IN:** Lake Washington  
**AT:** Renton  
**COUNTY:** King **STATE:** WA

**SHEET** 1 of 4

**DATE:** 12/12/2018



PLAN VIEW  
SCALE 1" = 30'

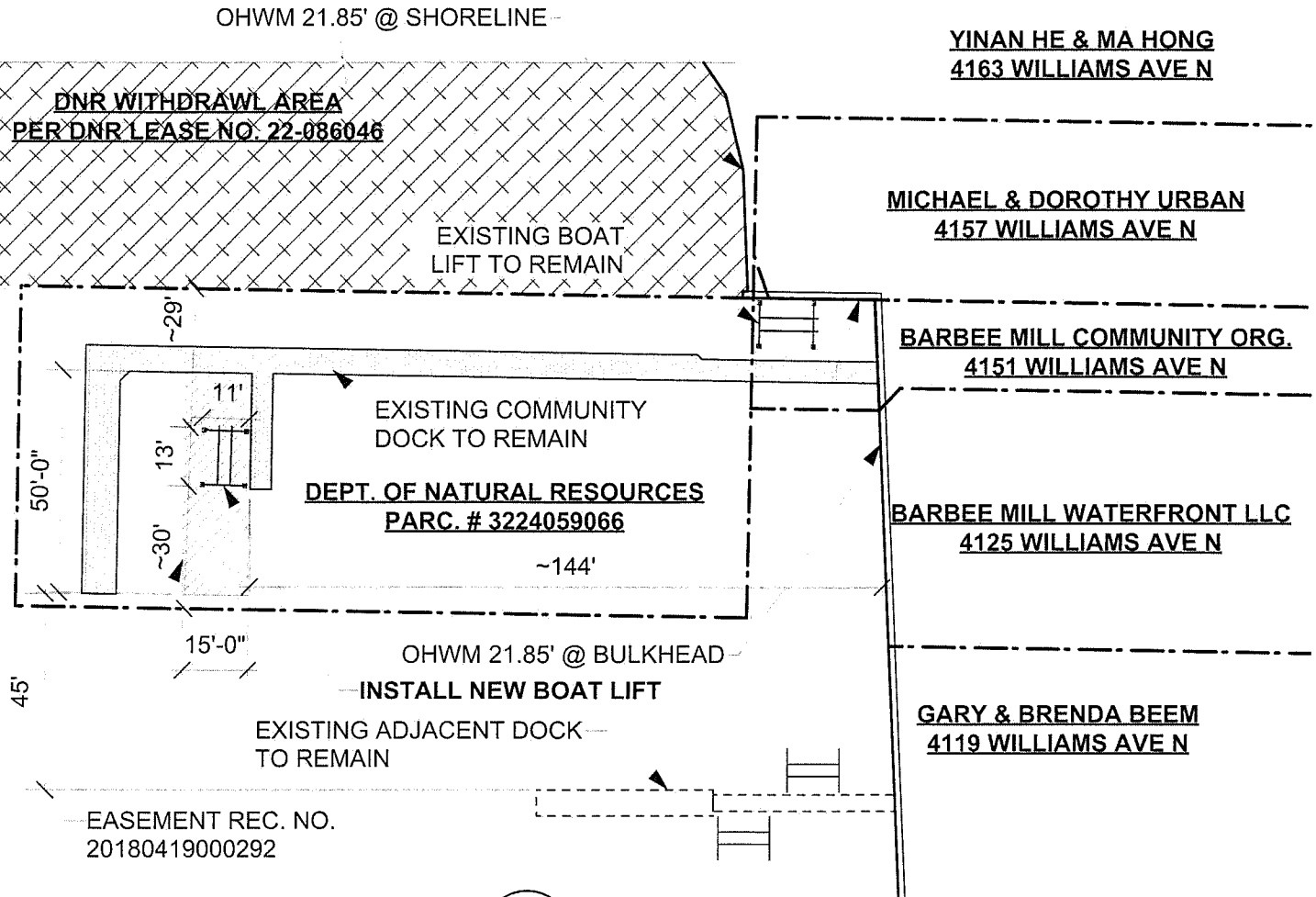


ELEVATION VIEW  
SCALE 1" = 30'

**NWS-2010-140**  
 APPLICANT: CONNER HOMES  
 PROPOSED: COMMUNITY DOCK  
 SHEET 2 of 4

Date 12/12/18

PLEASE NOTE THAT THE SHORELINE  
CONFIGURATION AND PROPERTY LINE  
LOCATIONS ARE APPROXIMATE ONLY.  
PROPERTY LINES ARE BASED ON AN  
AUGUST 2012 SURVEY BY CORE DESIGN.



## **SITE PLAN**

SCALE 1" = 40'-0"



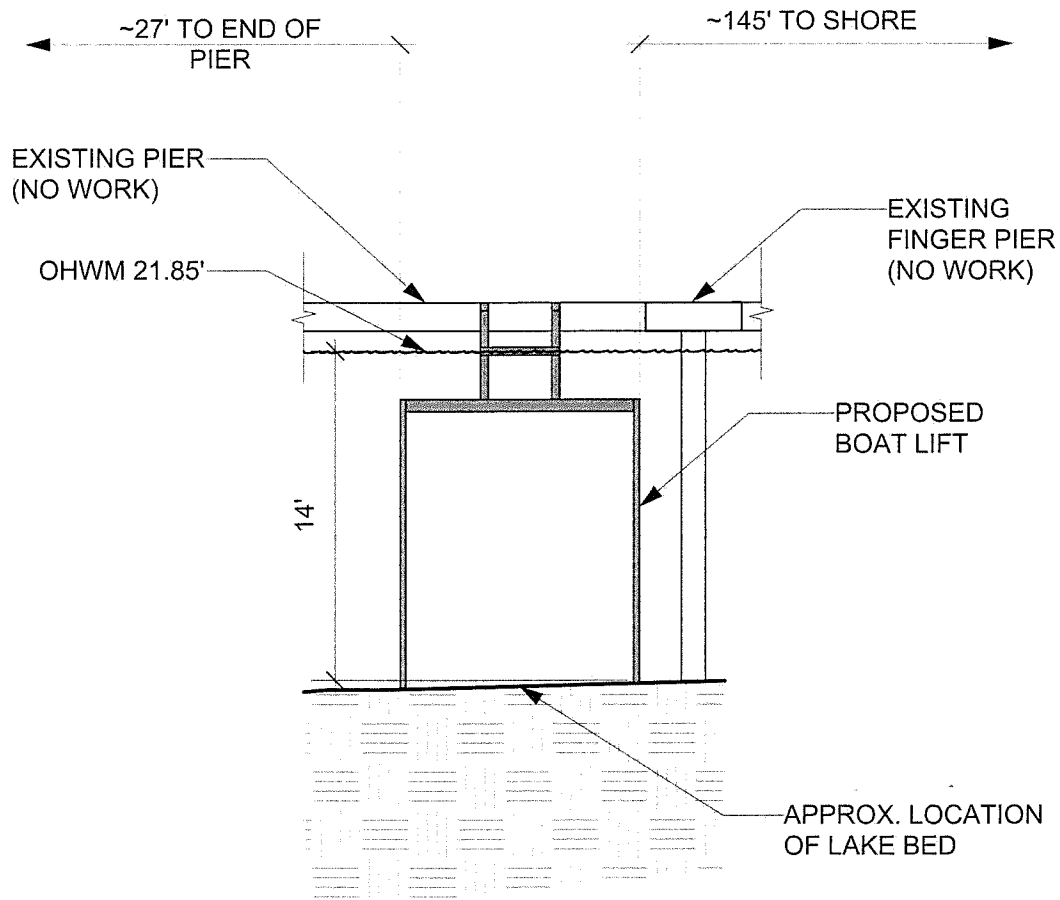
Reference: **NWS-2010-140**

**12/12/2018**

Proposed: Boat Lift

At: Renton, WA

Sheet **3 of 4**



## **BOAT LIFT ELEVATION**

SCALE 1/8"=1'-0"

Reference: **NWS-2010-140**

**12/12/2018**

Proposed: Boat Lift  
At: Renton, WA

Sheet **4 of 4**