



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

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**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Numbers: 3004101

Applicant Name: Seattle Department of Parks and Recreation (DOPAR)

Addresses of Proposal: 845 Terry Ave. N.

SUMMARY OF PROPOSED ACTION

Shoreline Substantial Development Permit to allow a 21.5 foot by 30-foot recreational floating dock, partially covered by an art structure, in a public park.

The following approvals are required:

Shoreline Substantial Development Permit to allow a floating dock partially covered by an art structure in a public park in a US environment. (Seattle Municipal Code 23.60.600).

SEPA - Conditioning pursuant to Seattle's SEPA policies. Chapter 25.05.600, Seattle Municipal Code. (Environmental documents prepared by DOPAR).

SEPA DETERMINATION: Exempt DNS MDNS* EIS

DNS with conditions

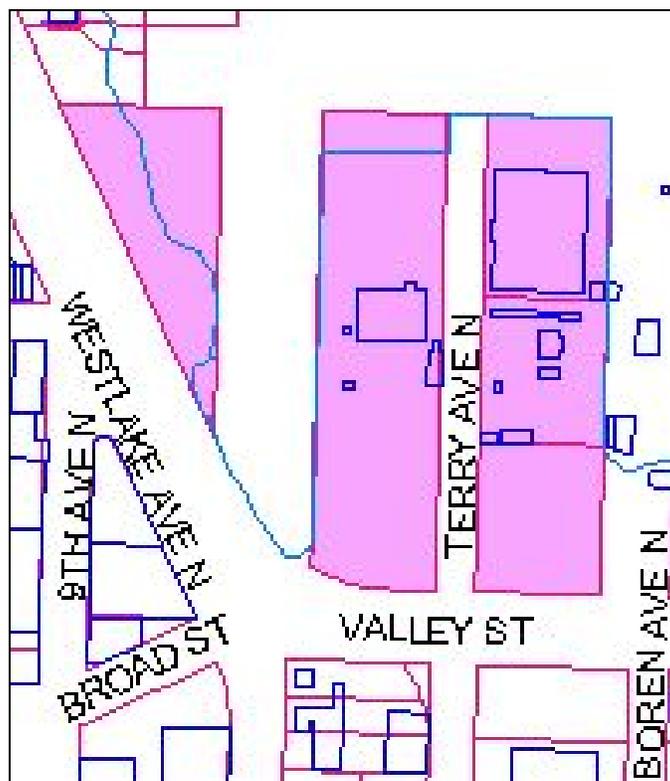
DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

*Mitigated Determination of Non-significance (MDNS) issued by Seattle Department of Parks and Recreation on August 30, 2005. A revised SEPA Checklist was prepared on October 11, 2005.

BACKGROUND DATA

Site and Vicinity Description

The project site is located along the southern shore of Lake Union, just east of Waterway No. 3. The float is to be located just east of (and attached to) the northwestern edge of an existing bulkhead. The project site is part of a larger, 12-acre site which was recently established as a public park under DPD Project Nos. 3003318, 3003264, 3003268 and 3003269 and includes Waterway Nos. 3 and 4. The larger site is currently developed with the Center for Wooden Boats and the former U.S. Naval Armory Building, which was recently converted to a community center use under the permits cited above. Revisions to the existing bulkhead where the float will be attached were also authorized under the referenced permits.



Project site and vicinity map for South Lake Union Park

Other uses in the vicinity include marinas, restaurants, offices and retail uses. There are no water-dependent industrial or manufacturing uses in the immediate vicinity.

Proposal Description

The Seattle Department of Parks and Recreation (DOPAR) proposes to locate a floating dock, measuring twenty-one feet six inches (21'-6") wide by thirty feet (30') long, just east of the northwest corner of the north bulkhead of South Lake Union Park (near Waterway No. 3) in South Lake Union. The float will be accessed from the bulkhead by a thirty-foot (30') by four-foot-eight-inch (4'-8") ramp. Total new over-water coverage for the floating dock and ramp is approximately 785 square feet.

The floating dock will provide a platform for an “art piece” and will provide access to the water for park visitors. In addition to pedestrian access to the float, the floating dock will provide a platform where small craft may tie up and gain access to the park from the water.

According to the plans dated April 3rd 2006, and information in the project file, the floating dock will be located in a depth of about 26 to 29 feet of water. It will be stabilized by anchor chains attached to two concrete anchors to be placed on the lakebed. The floating dock will also be attached to the bulkhead by the access ramp. It is anticipated the dock may be moved to other locations within the park a few times per year, to accommodate various programmed activities with the park and the water.

The floating dock will be constructed of composite lumber, plastic or fiberglass grating, and aluminum. According to a Shannon and Wilson report dated May 18, 2006 (in the project file); the grated portion of the floating dock will comprise approximately sixty percent (60 %) of the surface. The floating dock will rest about 18 inches above the surface of the water. The ramp will be constructed of aluminum and will also be grated. The float will have an opening, or “well,” in the center measuring approximately twenty-four feet (24) feet by five (5) feet, but this well will be covered by the “art piece.” The art piece resembles the overturned hull of a sailboat, and also measures about 24’ long by 5’ wide by 14’ tall. Materials to be used in the art piece include steel, copper, wood and plastic.

The floating dock, ramp and art piece will be constructed off-site and moved into position on the lake generally intact.

Public Comments

The official comment period for this project ended on March 24, 2006. No public comments were received.

ANALYSIS - -COMPLIANCE WITH UNDERLYING ZONING

Commercial Two Zoning

The property is located within a C2-40’ zone: Commercial Two with a structure height limit of forty feet. The floating dock and associated “art piece” will be located in an existing park (established by DPD Permit Nos. 3003318, 3003264, 3003268 and 3003269). Open space uses, including parks and their accessory uses, are permitted outright in C2-40’ zones. The project is consistent with the development standards of the C2-40 zone.

ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

The proposal is located within the Urban Stable (US) Shoreline Environment as designated by the Seattle Shoreline Master Program (SSMP). The Shoreline Master Program, Chapter 23.60 of the Seattle Municipal Code, regulates use and development in the City’s shoreline districts to implement the policy and provisions of the Shoreline Management Act of 1971 and the Shoreline Goals and Policies.

The SSMP requires that a shoreline permit be obtained prior to the undertaking of any substantial development within a shoreline environment. SMC Section 23.60.030 includes criteria for evaluating a shoreline permit. A substantial development permit shall be issued only when the development proposed is consistent with:

- A. The policies and procedures of Chapter 90.58 RCW;
- B. The regulations of this Chapter; and
- C. The provisions of Chapter 173-27 WAC.

Conditions may be attached to the approval of a permit as necessary to assure consistency of the proposed development with the Seattle Shoreline Master Program and the Shoreline Management Act.

A. THE POLICIES AND PROCEDURES OF CHAPTER 90.58.RCW

The State of Washington Shoreline policies (RCW Chapter 90.58) provide for the control of pollution and prevention of damage to the natural environment, and to protect the resources and ecology of the shoreline over the long term. It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. The Shoreline Management Act of 1971 provides definitions and concepts, and gives primary responsibility for initiating and administering the regulatory program of the Act to local governments. The Department of Ecology is to primarily act in a supportive and review capacity, with primary emphasis on insuring compliance with the policy and provisions of the Act. As a result of this Act, the City of Seattle and other jurisdictions with shorelines, adopted a local shoreline master program, codified in the Seattle Municipal Code at Chapter 23.60 that also incorporates the provisions of Chapter 173.27 WAC. Development on the shorelines of the State is not to be undertaken unless it is consistent with the policies and provisions of the Act, and with the local master program. The Act sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions.

The City of Seattle Shoreline policies incorporate these goals by reference and include area objectives pursuant to these goals. These policies contemplate protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting public rights of navigation and corollary incidental rights. Permitted uses in the shorelines shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.

As discussed below, the City's Shoreline policies encourage public access and increased opportunities for the public to enjoy water-dependent recreation. The proposal to establish a recreational floating dock and "art piece" in a public park is consistent with the objectives for Lake Union. Thus, this proposal is consistent with the policies and procedures of the RCW Chapter 90.58.

B. THE REGULATIONS OF CHAPTER 23.60

The regulations of Section 23.60.064 SSMP require that the proposed use(s): 1) conform to all applicable development standards of both the shoreline environment and underlying zoning; 2) be permitted in the shoreline environment and the underlying zoning district and 3) satisfy the criteria of shoreline variance, conditional use, and/or special use permits as may be required.

The proposed recreational floating dock and “art piece” to be located in an established park use are permitted outright in the underlying commercial zone and as open space and water-related public facility uses on waterfront lots in the US environment.

SSMP 23.60.004 - Shoreline Policies

Policies governing approval of development in shoreline districts are set out in the Land Use Element of the Seattle Comprehensive Plan and SSMP Section 23.60.004. Seattle’s Comprehensive Plan Shoreline Goals and Policies encourage improved public access along shorelines. Policy LU 236 promotes “public enjoyment of the shorelines through public access standards by requiring improvements that are safe, well designed and offer adequate access to the water.” Policy LU 258 reads: “Allow for increased opportunity for the public to enjoy water-dependent recreation including boating, fishing, swimming, diving and enjoyment of views.”

More specifically, with regard to Lake Union, Policy LU 242 recognizes the importance of waterways in Lake Union for providing public access from dry land to the water. Adopted area objectives for Lake Union in Policy LU 269 include providing a “maximum amount of public access in locations that do not conflict with water-dependent manufacturing uses” and “restore and enhance the Lake’s natural environment.”

This project establishes a floating dock and “art piece” to be located in an established park. The proposed float will provide public access from the park to the water, and will provide a place for small craft to tie up and access the park from the water. Therefore, it is consistent with adopted Comprehensive Plan policies.

Shoreline Development Standards

The proposed floating dock and “art piece” to be located in an established park are regulated as open space and shoreline recreation uses, and will be located in the US Shoreline Environment.

Pursuant to the Seattle Shoreline Master Plan, the proposed action is subject to:

1. the general development standards (SSMP 23.60.152); and,
2. development standards for uses in the US environment (SSMP 23.60.630).

1. SSMP 23.60.152 - General Development Standards for all Shoreline Environments

General standards for all uses and development in all shoreline environments are established in SMC Section 23.60.152. Generally, these standards require that all shoreline activity be designed, constructed, and operated in an environmentally sound manner consistent with the Shoreline Master Program and with best management practices for the specific use or activity, in order to have minimal impact on the shoreline environment. The following general development standards are relevant to the proposed project:

- A. The location, design, construction and management of all shoreline developments and uses shall protect the quality and quantity of surface and ground water on and adjacent to the lot and shall adhere to the guidelines, policies, standards and

regulations of applicable water quality management programs and regulatory agencies. Best management practices such as paving and berming of drum storage areas, fugitive dust controls and other good housekeeping measures to prevent contamination of land or water shall be required.

- B. Solid and liquid wastes and untreated effluents shall not enter any bodies of water or be discharged onto the land.
- D. The release of oil, chemicals or other hazardous materials onto or into the water shall be prohibited. Equipment for the transportation, storage, handling or application of such materials shall be maintained in a safe and leak-proof condition. If there is evidence of leakage, the further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.
- E. All shoreline developments and uses shall minimize any increases in surface runoff, and control, treat and release surface water runoff so that receiving water quality and shore properties and features are not adversely affected. Control measures may include, but are not limited to, dikes, catch-basins or settling ponds, interceptor drains and planted buffers.
- H. All shoreline developments and uses shall be located, designed, constructed and managed to avoid disturbance, minimize adverse impacts and protect fish and wildlife habitat conservation areas including, but not limited to, spawning, nesting, rearing and habitat areas, commercial and recreational shellfish areas, kelp and eel grass beds, and migratory routes. Where avoidance of adverse impacts is not practicable, project mitigation measures relating the type, quantity and extent of mitigation to the protection of species and habitat functions may be approved by the Director in consultation with state resource management agencies and federally recognized tribes.
- I. All shoreline developments and uses shall be located, designed, constructed and managed to minimize interference with or adverse impacts to beneficial natural shoreline processes such as water circulation, littoral drift, sand movement, erosion and accretion.
- J. All shoreline developments and uses shall be located, designed, constructed and managed in a manner that minimizes adverse impacts to surrounding land and water uses and is compatible with the affected area.
- L. All shoreline development shall be located, constructed and operated so as not to be a hazard to public health and safety.
- N. All debris, overburden and other waste materials from construction shall be disposed of in such a way as to prevent their entry by erosion from drainage, high water or other means into any water body.
- O. Navigation channels shall be kept free of hazardous or obstructing development or uses.

- P. No pier shall extend beyond the outer harbor or pierhead line except in Lake Union where piers shall not extend beyond the Construction Limit Line as shown in the Official Land Use Map, Chapter 23.32, or except where authorized by this chapter and by the State Department of Natural Resources and the U.S. Army Corps of Engineers.

Analysis of the environmental impacts of the proposal was provided in a report prepared by Shannon and Wilson, Inc, dated May 18, 2006, and in the revised SEPA Checklist dated October 11, 2005.

As noted on the Shannon and Wilson report, the proposed floating dock and “art piece” will increase shade in the lake habitat underneath it. The report identified this shading as an adverse environmental impact, as follows: “It is well known that shade along shorelines may be used as cover by largemouth and smallmouth bass (study by W. Peirce in Adolfson, 2001: National Marine Fisheries Service website: U.S Fish and Wildlife Service website). Since bass utilize shaded areas in the migration corridor as predatory cover, shaded area are typically avoided by juvenile salmon. Therefore, the addition of over-water shading, particularly if it is within 18 feet of ordinary high water (OHW) could reduce the amount of aquatic habitat available to salmon during the out-migration period.” The Shannon and Wilson report notes that the proposed floating dock will be located approximately 21 feet from OHW, placing it just outside of the nearshore area. However, the ramp to the floating dock will be located within the nearshore area, as it extends from the bulkhead to the float. Additionally, recent research by Roger Tabor (personal communication 2006) of USFWS indicates that fish use all areas of the lake including water farther than 18 feet from the shoreline. The Shannon and Wilson report also notes that the additional over-water coverage of the floating dock will be partially mitigated by the use of grating to allow some light to pass through the surface.

Per the plans, the new over-water coverage of the dock is 30 ft. by 21.5 ft and the ramp is 30 ft. by 4.66 ft. with a combined total over-water coverage equaling approximately 785 square feet. Grated surface is proposed for 60 percent of the floating dock. The grated decking allows 50 percent light passage resulting in an effective over-water coverage area of 451.5 sq. ft. The entire surface of the ramp is proposed to be grated, resulting in effective over-water coverage of 70 sq. ft. Therefore, mitigation is required for 521.5 sq. ft. of effective total over-water coverage for both the floating dock and the ramp. Mitigation for this increase in over-water coverage will be in the form of substrate amendment in Waterway # 3.

Additional impacts include the potential of heavy metals leaching from the materials used for the “art piece,” the maintenance of the “art piece” and the relocation of the “art piece” when the proposed location of the float is used for other activities. Conditioning the project to mitigate for these impacts includes requiring: 1) the material used for the “art piece” shall not leach toxins into the aquatic environment; 2) maintenance of the “art piece” must occur on dry land; and, 3) when the float with the “art piece” is relocated to accommodate other activities the structure is relocated to land, or in water deeper than 20 feet at Ordinary Low Water.

The floating dock will not extend beyond the Construction Limit Line as shown in the Official Land Use Map, Chapter 23.32.

Construction activity will be restricted to timing limitations set forth in the Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife.

3. SSMP 23.60.600 - Development Standards in the US Environments

Permitted uses in the Urban Stable (US) are contained in SSMP Subchapter XV, Part 1, in sections SMC 23.60.600, 23.60.420, and 23.60.482, respectively. The proposed floating dock and “art piece” are permitted outright as open space and water-related public facility uses on waterfront lots US environment.

Development Standards in the US Environment

Development standards in the US environment regulate structure height, lot coverage, view corridors, public access, and maximum size limits and location of specific uses (the latter two standards are not applicable to the proposal).

The proposed floating dock and “art piece” will be approximately 14 feet in height, well below the allowed 30-foot height limit in the US Shoreline Environment. Structures on waterfront lots, including floats and piers, shall not occupy more than fifty percent (50%) of the submerged land portion of a lot. With approximately 785 square feet of new over-water coverage, the proposal covers roughly four percent (4%) of the submerged portion of the lot, well below the maximum allowed. A view corridor of not less than 35 percent is required; the proposal occupies about ten percent of the width of the lot and therefore meeting this standard as well. The proposed dock is intended to increase public access to the water, so the requirements for public access are also met.

Per SMC 23.60.642, “Structures located between the Pierhead Line and the Construction Limit Line shall be limited to piers and floats without accessory buildings, drydocks and existing floating homes at existing floating home moorages.” The proposal is consistent with this standard as well.

Therefore, this project is consistent with the development standards of the US Shoreline Environment.

C. THE PROVISIONS OF CHAPTER 173-27 WAC

Chapter 173-27 WAC sets forth permit requirements for development in shoreline environments, and give the authority for administering the permit system to local governments. The State acts in a review capacity. The Seattle Municipal Code Section 23.60 (Shoreline Development) and the RCW 90.58 incorporates the policies of the WAC by reference. These policies have been addressed in the foregoing analysis and have fulfilled the intent of WAC 173-27.

DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

The proposed shoreline substantial development permit for this floating dock and “art piece” to be located in an established public park is **CONDITIONALLY GRANTED.**

Shoreline Substantial Development conditions are listed below.

ANALYSIS – STATE ENVIRONMENTAL POLICY ACT (SEPA)

Environmental impacts of the proposal have been analyzed in environmental documents prepared by Seattle Department of Parks and Recreation (DOPAR) Mitigated Determination of Non-significance (MDNS) issued by Seattle Department of Parks and Recreation on August 30, 2005, a revised SEPA Checklist was prepared on October 11, 2005, and a report prepared by Shannon and Wilson, Inc, dated May 18, 2006.

Seattle Municipal Code (SMC) Section 25.05.660 provides that proposals can be conditioned or denied in order to mitigate environmental impacts. All conditions must be related to impacts identified in the environmental documents, based on adopted policies, be reasonable and capable of being accomplished. This proposal is reviewed under that substantive SEPA authority.

Disclosure of the potential impacts from this project was made in the environmental documents listed above. This information and supplemental information provided by the applicant (plans, written descriptions of the project) a field visit and the experience of this agency with review of similar projects form the basis for this analysis and conditioning.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term impacts are anticipated from the proposal and are discussed below.

Short-term Impacts

Short-term or construction-related impacts related to this proposal are expected to be minimal, since the floating dock and “art piece” are to be constructed off-site and installed on-site already generally intact. Two anchors are proposed to fix the float in position. However, temporary increased water turbidity levels, decreased air quality due to transport of materials to and from the site as well as due to vehicle exhaust from operation of construction equipment; increased noise and vibration from construction operations and equipment and slightly increased traffic and parking demand from construction personnel traveling to and from the work site may occur. Additionally, there will be temporary disturbance of the substrate during the installation of the anchors.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Seattle Noise Ordinance (construction noise); and State Air Quality Codes administered by the Puget Sound Clean Air Agency (air quality). In addition Federal and State regulations and permitting authority (Section 10 Permit, 404 Permit from the Army Corps and HPA permit from Washington Department of Fish and Wildlife) are effective to control short-term impacts on water quality. Compliance with these codes and/or ordinances will lessen the environmental impacts of the proposed project.

The applicant's SEPA Checklist discloses that the proposed construction work will take place in the waters of Lake Union and in the near shore environment. With the proposed work taking place in and near water, there exists the potential for debris and other deleterious material to enter the water during this proposed work. Best Management Practices (BMPs) should be employed to decrease the probability of debris or other deleterious material from entering the water during the proposed work and to decrease the water quality impacts of the work. At a minimum any floating debris that enters the water during construction shall be collected, secured, and then disposed of at the appropriate upland facility. If heavy debris or deleterious material enters the water and sinks, the location of the material shall be recorded in a log that is kept through the duration of the construction. When construction is completed, this material/debris shall be removed by a diver and disposed of at the appropriate upland facility.

Construction material and equipment pose some potential danger of water and near shore contamination and shoreline erosion. The contamination and erosion could lead to both water quality and aquatic habitat damage. In order to be prepared to provide a fast and effective response to spills or other actions which cause new contaminants to be introduced into the shoreline environment, it is necessary to condition the project to require that prior to commencing construction an emergency containment plan and procedures be developed and all necessary equipment be stocked on the site.

Construction activity will be restricted to timing limitations set forth in the Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife.

No further SEPA conditioning of potential short-term impacts appears to be warranted.

Long-term Impacts

Long-term or use related impacts are also anticipated from the proposal and include: increased human activity in the near-shore and shoreline environment for recreation; increased traffic on surrounding streets; and increased over-water coverage in the aquatic. Notwithstanding the determination of non-significance, some of these long-term impacts are potentially significant without mitigation and therefore merit a detailed discussion of the impacts and the required mitigation.

Plants and Animals

Chinook salmon, a species listed as threatened under the Endangered Species Act (ESA) in March 1999, are known to inhabit Lake Union including the proposed project area. Lake Union is also designated critical habitat for Chinook salmon under ESA (2004 or 2005). Under the City of Seattle's Environmental Policies and Procedures 25.05.675 N (2) it states in part: *A high priority shall also be given to meeting the needs of state and federal threatened, endangered, and sensitive species of both plants and animals.*

This project is proposed to occur in the nearshore environment and in waters of Lake Union, which is designated critical habitat of Chinook salmon. The project site serves as a migration corridor as well as rearing area for juvenile Chinook salmon from the Cedar River and other water bodies in Water Resource Inventory Area 8.

Long-term impacts on juvenile Chinook salmon and the aquatic environment include disturbance in the littoral area by recreational users of the water and the increase in over-water coverage, which may increase bass habitat, a predatory species of juvenile Chinook salmon. As provided by 25.05.675 N 2 c, the project may be conditioned to mitigate impacts. These mitigation measures can be in the form of relocating the project on the site; reducing the size or scale of the project; preserving specific on-site habitats, such as trees or vegetated areas, limiting the uses allowed on the site; limiting times of operation during periods significant to the affected species (i.e. spawning season, mating season, etc.): and landscaping and/or retention of existing vegetation. Therefore, to mitigate the impacts of the increase in effective over-water coverage of 521.5 sq. ft., an equal amount of substrate enhancement in the form of a mix of one to two inch minus substrate with sand shall be placed in Waterway No. 3.

Additionally, this project is conditioned so that lights are not placed on the floating structure to eliminate light impacts to the aquatic environment. To eliminate the risk of pedestrian access to the float at night a gate to secure the float at night is allowed.

This mitigation, along with grating of the surface of the float and ramp, is intended to minimize impacts on juvenile salmon habitat and improve the aquatic habitat at the site.

Other Impacts

Several adopted Codes and Ordinances and other Agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Puget Sound Air Pollution Control Agency (increased airborne emissions); and the Seattle Energy Code (long-term energy consumption).

The other impacts mentioned above (increased ambient noise and increased traffic) are not sufficiently adverse to warrant further mitigation by conditions.

CONDITIONS – SEPA and SHORELINE

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

SEPA and Shoreline – During Construction Conditions

1. Prior to commencement of work the owner(s) and/or responsible party (ies) shall notify in writing all contractors and sub-contractors of the general requirements of the Seattle Shoreline Master Program (SSMP 23.60.152), including the requirements set forth in conditions of the MUP.
2. Prior to commencing construction an emergency containment plan and procedures shall be developed and all necessary equipment shall be stocked on the site.
3. Construction activity shall be restricted to timing limitations set forth in the Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife.

4. Best Management Practices shall be employed during the installation of the floating dock and “art piece” to meet applicable State of Washington water quality standards.
5. Any floating debris that enters the water during construction shall be collected once per day, contained on site, secured, and then disposed of at the appropriate upland facility.
6. If heavy debris or deleterious material enters the water and sinks, the location of the material shall be recorded in a log that is kept through the duration of construction. When construction is completed, this material/debris shall be removed by a diver and disposed of at the appropriate upland facility.
7. The substrate shall be amended in a 521.5 sq. ft. area in Waterway #3. The substrate size shall be a mix of one to two inch minus size material with sand. The depth of the substrate shall be a minimum of 12 inches thick and this area shall be located from the OHW level out into the water. The preferable location is along the western side of Waterway # 3 south of the area that the articulating concrete block (ACB) matting will be placed by the Parks Department under Project #s 3003318, 3003264, 3003268, and 3003269 or on the eastern side of Waterway # 3 south of the existing bulkhead. This gravel placement is intended to be an overlay of the existing bottom material and will be done without digging into the silt bottom. It is intended to cover much of the existing substrate. The gravel and sand substrate shall be deposited from the water side using a barge.

Shoreline - During Construction Conditions

8. The “art piece” shall be constructed of material that does not leach heavy metals or other toxins into the aquatic environment.

SEPA - Life of the Project

9. No lights shall be installed on the float.

Shoreline – Life of the Project

10. When the float is relocated to accommodate other activities the float shall be stored on land or in water deeper than 20 feet at Ordinary Low Water.
11. The “art piece” shall be removed from the water for any maintenance that is required.

Signature: (signature on file)
Molly Hurley, Senior Land Use Planner
Department of Planning and Development

Date: October 2, 2006