



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

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

**Application Number:** 3006115  
**Applicant Name:** Dave Buck for Mark Lakefish  
**Address of Proposal:** 2466 Westlake Avenue North

**SUMMARY OF PROPOSED ACTION**

Shoreline Substantial Development Application to allow a two-story floating home and float in an environmentally critical area. Existing floating home to be relocated.

The following Master Use Permit components are required:

**Shoreline Substantial Development Permit** – To allow an expansion of a floating home in an Urban Stable (US) Shoreline Environment. - (SMC 23.60.600.A)

**SEPA – Environmental Determination** – (Chapter 25.05 SMC)

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions

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

**BACKGROUND DATA**

Existing Conditions

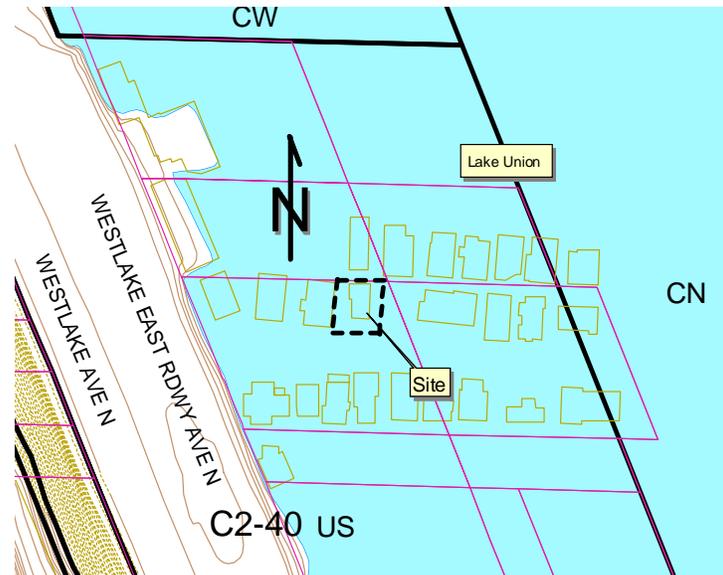
The subject site is located on Lake Union in an Urban Stable (US) shoreline environment in a Commercial zone with a 40' height limit (C2-40). The site is located on Westlake Ave N., north of the McGraw St right of way. The existing floating home is in a portion of the moorage that is considered to be conforming (letter from Andy McKim of DPD July 31, 2007, RE: "Project No. 6117998, 2466 Westlake Avenue North"). The use of floating home is an administrative conditional use in the C2-40 zone. The expansion of the existing floating home doesn't require an Administrative Conditional Use Permit (per 7/31/2007 letter from Andy McKim).

The existing float area for the subject floating home is a rectangular shape with a total area of 816 square feet. The current float and approximately 600 square foot one-story floating home are located on the west side of Lake Union.

No parking spaces are currently provided for this site, and no additional parking spaces are proposed.

#### Area Development

The floating home is located four moorage slots off the Westlake East Roadway Ave N on a dock which has 15 floating homes. There are floating homes to the north, south, east and west of the site. Commercial space is located in buildings to the south facing the parking area on Westlake East Roadway Ave N. Commercial and multi-family structures are located to the west across Westlake Ave N.



#### Proposal

The applicant proposes to tow away the existing float and one-story home for demolition. The applicant proposes to build a new 861 square foot float containing a 1,319 square foot two-story home with an 861 square foot basement. All demolition and construction would occur off-site. The finished product would be towed to the current location in Lake Union. The height of the proposed residence would be 21' above the water line with an additional 18" high open railing for a rooftop deck. The total water coverage including eave overhangs and decks would be 1,065 square feet.

#### Public Comment

Notice of the proposal was issued on April 26, 2007. The Muckleshoot Tribe submitted public comments noting concerns with the effects of a basement on water temperature, lighting fixture effects on salmonid populations, and whether the existing float was reviewed under previous permits.

### **ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

#### Substantial Development Permit Required

Section 23.60.030 of the Seattle Municipal Code provides criteria for review of a shoreline substantial development permit and reads: 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**

Chapter 90.58 RCW is known as the Shoreline Management Act of 1971. 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. This policy contemplates protecting against effects to public health, the land use and its vegetation and wild life, and the waters of the state and their aquatic life, while protecting public right to navigation and corollary incidental rights. Permitted uses in the shoreline shall be designed and conducted in a manner to minimize, insofar as possible, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.

The Shoreline Management Act 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 adopted a local shoreline master program, codified in the Seattle Municipal Code at Chapter 23.60. 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. As the following analysis will demonstrate, the subject proposal is consistent with the procedures outlined in RCW 90.58.

**B. THE REGULATIONS OF CHAPTER 23.60**

The regulations of SMC, Section 23.60.064 require that the proposed use(s): 1) conform to all applicable development standards of both the shoreline environment and underlying zoning; 2) are 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.

**SMC 23.60.004 - Shoreline Policies**

The Shoreline Goals and Policies which are part of the Seattle Comprehensive Plan's Land Use Element and the purpose and locational criteria for each shoreline environment designation contained in SMC 23.60.220 must be considered in making all discretionary decisions in the shoreline district.

The policies support and encourage the establishment of water dependent uses. Floating homes, because of their historic role in Seattle, are designated as a water dependent use but the increase of floating home moorages or the increase in use of the shoreline or water area by floating homes

is not necessarily encouraged. The intent is to recognize the existing floating home community in Lake Union and Portage Bay, while protecting natural areas, preserving public access to the shoreline, and preventing the displacement of water dependent commercial and manufacturing uses by floating homes. Areas with substantial concentrations of existing floating homes are designated to preserve residential uses. The proposal site is located in an area designated as Urban Stable. This designation is listed in the Seattle Municipal Code and referenced in the Comprehensive Plan and is intended to provide opportunities for a variety of water-dependent recreational uses and allow some non-water dependent commercial uses. Floating home moorage is allowed as a conditional use meeting certain conditions. The proposal is to replace an existing floating home at an existing floating home moorage location. Therefore, the proposed project would conform to the policies of the comprehensive plan and would be consistent with the purpose of the US designation.

### Development Standards

The applicant proposes to demolish the existing float and home and build a new expanded float and residence. This activity is permitted outright in SMC 23.60.600 governing the US shoreline environment. The proposed action is therefore subject to:

1. *General development standards for all shoreline environments (SSMP 23.60.152);*
2. *Development standards for conforming floating home moorages (SSMP 23.60.196.B);*
3. *Development standards for uses in the US environment (SSMP 23.60.600);*
4. *Development standards for Commercial zones (SMC 23.47A).*

#### 1. General Development Standards for all Shoreline Environments (SSMP 23.60.152)

There are 18 (23.60.152 A – R) general development standards that apply to all development and uses in all shoreline environments. They 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. These measures are required to prevent degradation of land and water. These general development standards state, in part, that all shoreline development and uses must: D) not release oil, chemicals or other hazardous materials onto or into the water; E) minimize and control any increase in surface water runoff so that receiving water quality and shoreline properties are not adversely affected; 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) be located, designed, constructed, and managed in a manner that minimizes adverse impact to surrounding land and water uses and is compatible with the affected area; and L) be located, constructed, and operated so as not to be a hazard to public health and safety.

Construction material such as wood used in the aquatic environment poses a risk of introducing toxins into the environment through the leaching of chemicals used to preserve the material. Common chemicals used to preserve wood are copper, zinc, and arsenic. In high levels copper can negatively impact aquatic organisms. Additionally, an inherent risk that exists when humans live over the water is the potential for debris and other deleterious material to enter the aquatic environment. Therefore to ensure conformance with these general development standards, no treated wood shall be allowed in decking material, if treated wood is used in other structural elements of the floating home it shall meet or exceed the Western Wood Preservers Standards for use of treated wood in the aquatic environment and best management practices shall be required of the owners living in the new houseboat that prevent debris and other deleterious material from entering the water.

Impacts also include interruption of water circulation, which impacts the temperature of the lake in a negative way. According to King County personnel, the proposed basements would impact longshore drift in the lake. Structures on top of the lake already impact circulation and the ability of the lake's water to mix, which allows colder water from the bottom to cool warmer surface water because wind drives this circulation. The wind is now blocked from the surface due to the presence of the houseboats on the surface. The increase in depth of the structures will now impact the underwater circulation caused by natural flow through the system; therefore, the water has the potential to become more stagnant, which can lead to high water temperatures and low DO (below 4 mg/l). Data shows that warm temperatures in the surface of Lake Union are increasing in duration over time; over 25 years, the number of days when surface water temperatures have exceeded 20 degrees C has increased from 40 days to over 80 days.

Additionally during periods of low flow (summer months when Chinook are present and there is heavy use of the Locks) flushing of Lake Union can take up to a week. This increases the water temperature problems in Lake Union. High temperatures act as a barrier to Chinook (and other fishes) use of a habitat area.

Other impacts could result from maintenance and repair of the structure. The proposed concrete hull will require periodic maintenance to seal the material from water intrusion. The sealant can potentially enter the water column when this maintenance is performed. Additional hull area in the water column translates to larger volumes of sealant and more potential for water contamination.

Additionally, potential impacts to the predator prey interactions in the lake are possible due to the increased depth of the in-water structure. Juvenile salmonids use overwater coverage as a place of refuge when being chased by avian predators. When birds prey on salmonids, overwater structures that are near the surface offer the salmonids the opportunity to seek shelter under the structure. If that structure occupies more of the water column, the salmonids have less chance of survival, since they have to swim deeper to escape the avian predators. Therefore, structures that occupy more of the water column may lead to increased predation on juvenile salmonids.

The Muckleshoot Tribe wrote a comment letter in response to this project stating that the proposed basement depth of 12' would likely be heated, and this heat will transfer to the waters of Lake Union. Even if the basement is well insulated, a heated space within the water is likely to affect the temperature of the surrounding water.

The Muckleshoot Tribe wrote, “Any increase in temperature should be viewed as a negative impact because water temperatures in Lake Union and the Ship Canal already exceed tolerable temperatures for adult salmonids returning to the basin in the summer and early fall, i.e. sockeye and Chinook. In addition, increasing the surrounding water temperature may increase the rate of juvenile salmonid predation by warm water species such as bass which like use the site and would continue to so with the proposed structure as noted in the Impact Assessment Letter”... “Furthermore, if this project is permitted to have a 12' deep basement, then it will be likely that other floating home new and redevelopment projects will also seek basements, thus creating a cumulative impact for water circulation and as well as cumulative causing adverse impacts upon juvenile chinook migration and bass predation.”

Increased water temperatures are recognized as a threat to salmonid migratory routes and habitat conservation areas. In order to avoid adverse impacts, any basement area should not be heated. the depth of the basement float area is a potential adverse impact to the circulation patterns of salmonids, as described by the Muckleshoot letter. Although the depth of the float is reduced from the existing float depth, the proposed 12 foot deep float would likely have adverse impacts to the salmonid circulation patterns. To minimize the adverse impacts to salmonid habitat conservation areas and migratory routes, the float for the proposed floating home will be conditioned to be unheated with a maximum draft of 6 feet.

The proposed off-site demolition and construction of the proposed float and floating home are consistent with the general standards for development within the shoreline area. General development standards (SSMP 23.60.152) state that Best Management Practices shall be followed for any development in the shoreline environment. These measures are required to prevent contamination of land or water. The Stormwater, Grading and Drainage Control Code (SMC 22.800) places considerable emphasis on improving water quality. To ensure conformance with the standards in SMC 23.60.157, the proponent will be required to notify contractors and subcontractors of these requirements.

The applicant and owner shall be required to notify contractors and subcontractors of these requirements.

## 2. Development Standards for Conforming Floating Home Moorages (SSMP 23.60.196.B)

There are two sets of development standards for floating homes; conforming and nonconforming moorages. The subject moorage is considered conforming, per the code interpretation response provided by Andy McKim of DPD (July 31, 2007, RE: “Project No. 6117998, 2466 Westlake Avenue North”). The remodeling, replacement, or rebuilding of a conforming floating home moorage is permitted subject to the provisions set forth in SMC 23.60.196.B. The floating home moorage is located on Washington State Lake Union shore lands, and the applicant has indicated they hold a lease from Washington State (DNR lease #9046, per SMC 23.60.193.A.2). The existing views of the water from other moorage tenants will not be blocked, subject to conditions listed below (SMC 23.60.196.A3). This floating home moorage site is considered pre-existing for the purposes of the Seattle Shoreline Master Program because the float has an assigned King County Assessor's (KCA) No. (KCA #393). The KCA established it as a pre-existing use at the established moorage in Lake Union as of the effective date of this Chapter (SMC 23.60.196.A4). A moorage plan was submitted with this application and is on file with the Department of Planning and Development (SMC 23.60.196 A6).

**Conforming Floating Home Requirements:**

	<b>Code Provision</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
<b>Height</b>	23.60.196.B.1.a	21 feet maximum height from water level; additional 36" height for open railings	Less than 21'	21' maximum height above water; additional 18" open railing
<b>Water Coverage</b>	23.60.196.B.1.b	1,200 square feet maximum water coverage	Approx. 816 square feet	1,065 square feet (includes eaves and decks)
<b>Minimum Site Area</b>	23.60.196.B.1.c	2,000 square feet	2,014 square feet	No change
<b>Total Water Coverage</b>	23.60.196.B.1.d	45% maximum total coverage for all floating homes and fixed walkways within the submerged part of parcel	Less than 45% total water coverage	34% total water coverage (18,129 square feet with 6,141 square feet total coverage)
<b>Setback</b>	23.60.196.B.1.e .1	10' open water between adjacent floating home floats or walls	16.6' open water to the west; 50' open water to the east	16'3 1/2" open water to the west; 50' 3/4" to the east
<b>Setback</b>	23.60.196.B.1.e .2	10' minimum between floating homes across a moorage walkway	More than 10' between floating homes across the walkway	No change
<b>Setback</b>	23.60.196.B.1.e .3	5' minimum between floating home wall or float and moorage lot line	More than 5' between floating home wall or float and moorage lot line	9' on the west, 5' on the north, 8' on the east, 7' on the south
<b>Pedestrian Access</b>	23.60.196.B.1.f	5' minimum width moorage walkway to street	More than 5' wide moorage walkway to street	No change
<b>Open water Access</b>	23.60.196.B.1.g	Shall abut open water min 20' wide and open to navigable waters	Abuts open water 36' wide and open to navigable waters	No change

The proposed floating home meets the requirements of SMC 23.60.196.A, 23.60.196.B, and 23.60.196.C.

The proposed project is consistent with the development standards for new conforming structures in the US shoreline environment. Therefore, the proposed project is consistent with the standards for the US shoreline environment.

### 3. Development Standards for US Shoreline Environments (SSMP 23.60.600 – 23.60.642)

The development standards set forth in the Urban Stable Shoreline Environment relate to height, maximum size of uses, lot coverage, view corridors, public access, and permitted areas of development. The subject site is conforming and therefore subject to the development standards set forth in the specific floating home standards for conforming floating home moorages. Please refer to the previous section for these requirements.

4. General Development Standards for Commercial Zone Uses (23.47A SMC)

SMC 23.47A.004.Chart A states that residential uses are permitted as a Conditional Use in C2 zones. The interpretation response letter from Andy McKim has clarified that no Administrative Conditional Use Permit is required to expand the size of this existing floating home (letter from Andy McKim of DPD July 31, 2007, RE: “Project No. 6117998, 2466 Westlake Avenue North”). Therefore, the floating home is considered an existing conforming use and the expanded residence is not required to meet the development standards of Commercial zone code requirements in SMC 23.47A.

The existing floating homes at this moorage do not have designated required off-street parking spaces. No additional floating homes are proposed at this moorage. Therefore, no off-street parking will be required for this project.

C. THE PROVISIONS OF CHAPTER 173-27 WAC

Chapter 173-27 of the WAC, sets forth permit requirements for development in shoreline environments and gives 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.

Summary

In conclusion, no additional adverse impacts to the lakebed or water quality are expected, subject to the conditions listed below. The proposed addition and alterations at this moorage site will be consistent with the provisions set forth by 90.58 RCW, 173-27 WAC, and Chapter 23.60 SMC also known as the Seattle Shoreline Master Program (SSMP), subject to the conditions listed at the end of this report.

**DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

The Shoreline Substantial Development Permit is **CONDITIONALLY GRANTED** subject to the conditions listed at the end of this report.

**ANALYSIS – SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 9<sup>th</sup>, 2007. The information in the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element 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/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Construction Noise Impacts

The SEPA Construction Impacts Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. The proposed demolition and construction would take place off-site, as stated in the SEPA checklist. Any construction noise would be limited in scope and hours, since it would occur only during towing of the old float and home, and installation of the newly constructed float and home. Therefore, additional conditions under SEPA are not warranted.

### Height, Bulk, and Scale

The total height of the additions to the existing floating home at twenty-one feet (21 feet) will be the maximum allowed from the water surface. There is adequate separation between the floating home and the floating homes to the east, north, and south so solar access to those sites will not be obstructed. The appearance of bulk of the floating home will be reduced by design elements incorporated into the structure. There are a number of existing floating homes in the vicinity of a similar size and scale as the proposal. For these reasons, the proposed floating home at KCA #393 will not be out of scale with other floating homes in the vicinity, and no adverse impacts are expected related to bulk and scale.

### Plants and Animals

Assessing environmental impacts of the project for purposes of possible SEPA conditioning requires comparison to the existing on-site conditions. The project proponent has compared the impacts using the existing conditions of float material that has been placed under the existing floating home as the baseline conditions. However, the current depth of the float was achieved through the addition depth of float material in the form of additional logs, foam and barrels. These items were added beneath the existing float without a shoreline substantial development permit or exemption; therefore, the analysis between proposed and existing conditions is between a typical float with a draft of between 4 and 6 ft and the applicants proposal of a float with living space to that extends to 12-ft below the surface of the water.

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. 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 aquatic environment of Lake Union, which is 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. Additionally, predators of juvenile chinook are known to inhabit areas under float structures and may use these areas as cover while preying on juvenile chinook. Chinook salmon also use under float areas as refuge from avian predators. Therefore the additional in water structure may interfere with Chinook juveniles ability to avoid predators.

Clearly identified impacts include increase of in-water structures and continued overwater coverage in habitat of a threatened species. Overwater coverage in the form of a pier structure reduces the amount and quality of natural habitat of juvenile chinook salmon and provides habitat for introduced predator species of juvenile chinook. Additionally the proposed in-water structure may negatively impact the predator avoidance ability of juvenile Chinook. Therefore to avoid this impact this project will be conditioned to limit the draft of the float to a depth of 6-ft below the surface of the water.

### Water Quality Impacts

No disturbance of the lakebed sediments is expected since all work will be done above water, with connections to utilities in the water column (water, sewer). There is the potential for debris to enter the water during removal and installation of the floating home, therefore the project will be conditioned to include best management practices (BMPs) to be employed during the removal and replacement of the floating home structure.

The proposed depth of the float and the potential impacts from heat transfer to the surrounding water column, water circulation and predator prey interaction have been discussed above in response to SSMP 23.60.152. The project is conditioned below to minimize adverse impacts of the proposal.

### Conclusion

In conclusion, the proposed replacement floating home and replacement float will be consistent with the provisions of Chapter 23.60 SMC, also known as the Seattle Shoreline Master Program, subject to the conditions listed below.

### **DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

### **SEPA AND SHORELINE CONDITIONS**

The following conditions to be enforced during construction shall be posted at the site in a location on or near the property line that is visible and accessible to the public and to construction personnel from adjoining street right-of-way(s). The conditions will be affixed to placards prepared by DPD, to be issued along with the building permit set of plans. The placards shall remain posted on-site for the duration of the construction.

Prior to Issuance of a Master Use Permit

1. The final plan set shall address all zoning corrections from the September 4<sup>th</sup>, 2007 correction letter.
2. The final plan set shall include the square feet of the existing residence and the square feet of the proposed residence on the cover page.
3. The final plan set shall be revised to show a float with a maximum draft of six feet below the water surface and shall include a note stating this area shall be unheated for the life of the structure.

Prior to Issuance of a Construction Permit

4. All work shall protect surface and ground water on and adjacent to the lot and reflect agencies' requirements.
5. Best Management Practices (BMPs) shall be developed. Include on the plans a written description of the BMP to be used during the proposed work. All deleterious material entering the water during the proposed work this material shall be removed immediately and disposed of appropriately. Any sinking debris entering the water shall be entered in a log and retrieved by a diver after construction.
6. An emergency containment plan is required for all toxic material kept on site, including on-site containment equipment and trained personnel.
7. No treated wood shall be used in any decking material.
8. If treated wood is proposed for other structures, this wood shall be professionally treated and completely cured using the best management practices developed by the Western Wood Preservers Institute (<http://www.wwpinstitute.org/>) before this wood is used for this project.

During Removal/Installation of Floating Home (During Construction)

9. The applicant shall notify in writing all contractors and sub-contractors that proposal is subject to the following conditions
10. The owner(s), builder(s), or responsible party(s) shall follow the BMPs developed to prevent debris and other deleterious material from entering the water during demolition and construction.
  - a. If floating debris enters the water during the proposed work this debris shall be removed immediately and stored until it can be disposed of at an appropriate upland facility.
  - b. If heavy (sinking) debris enters the water during the proposed work the location of the debris shall be documented in a log that is kept on site for the duration of the construction work. When construction is complete a diver shall retrieve all debris that has entered the water and sunk during the proposed work.
11. No treated wood shall be used in the decking material.
12. If treated wood is proposed for other structures, this wood shall be professionally treated and completely cured using the best management practices developed by the Western Wood Preservers Institute (<http://www.wwpinstitute.org/>) before this wood is used for this project.
13. Equipment for the transportation, storage, handling and application of oil, chemicals, or other hazardous materials shall be maintained in a safe and leak-proof condition to

prevent release of this material into the water. This equipment shall be checked daily for evidence of leaks, if evidence of a leak is found, the leak shall be contained and further use of such equipment shall be suspended until the deficiency has been satisfactorily corrected.

For the Life of the Project

14. Standard best management practices (BMPs) (such as using secondary receptacle containers when handling toxic material so that any spilled material is contained in the second receptacle rather than entering the water and using toxic material so that none of this material enters the water) shall be used to ensure that no petroleum products, other toxic substances, including household chemicals, herbicides pesticides, chemical fertilizers, miscellaneous debris and/or other deleterious materials are allowed to enter or leach into the water.
15. The in-water float area of the floating home shall be unheated.

Signature: \_\_\_\_\_ (signature on file) Date: January 7, 2008  
Shelley Bolser, Land Use Planner  
Department of Planning and Development

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