SH-007

Lake Washington Piling Removal

Lake Washington Derelict Piling Data from 5-18-06

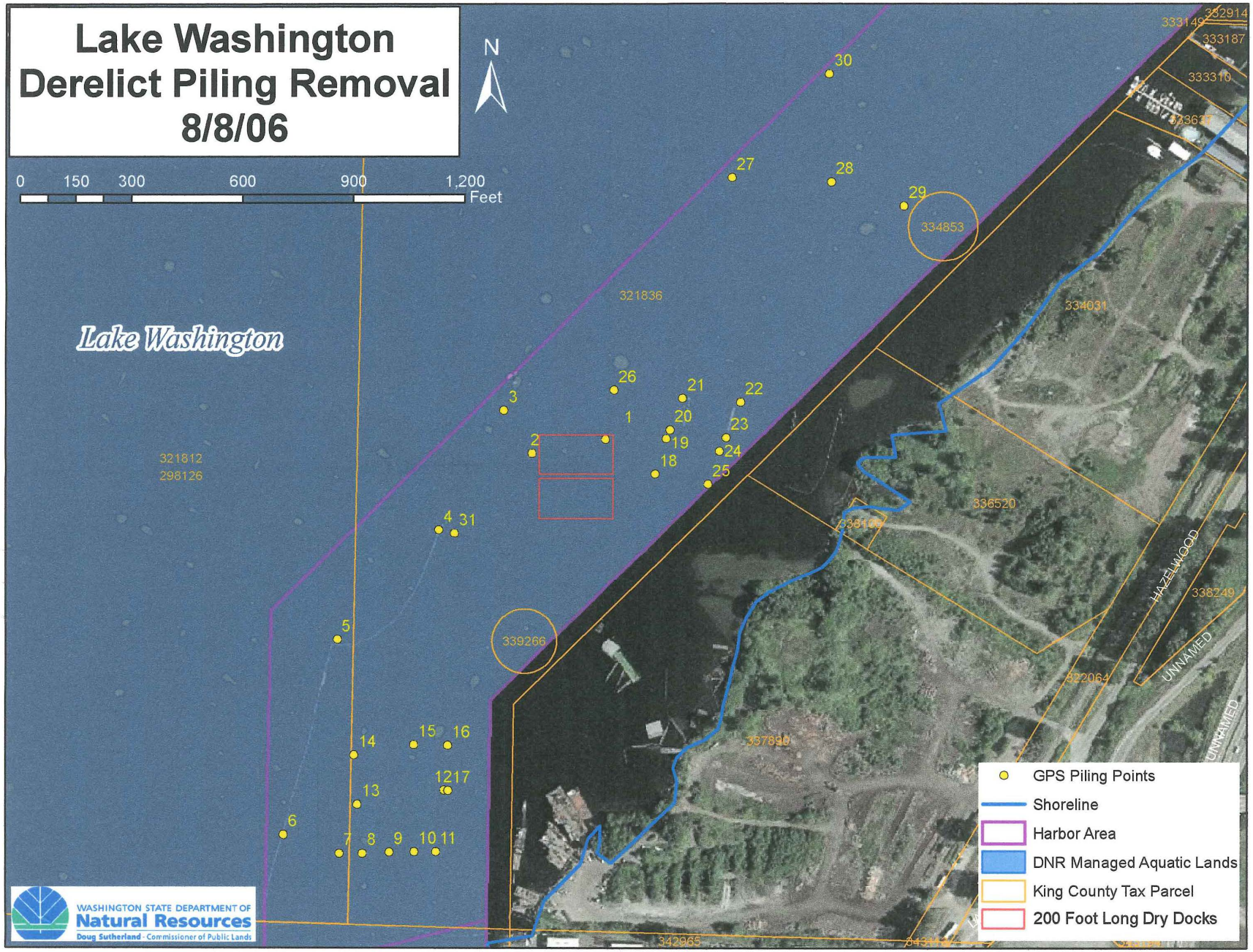
GPS Points	Number of pilings	Latitude	Longitude	Y Lat	X Lon
1	floating dry dock	N 47° 32.093'	W 122° 12.248'	47.534883	-122.204133
2	floating dry dock	N 47° 32.086'	W 122° 12.296'	47.534766	-122.204933
3	metal cylinder	N 47° 32.105	W 122° 12.315'	47.535083	-122.20525
4	18	N 47° 32.051'	W 122° 12.356'	47.534183	-122.20593
5	6	N 47° 32.001'	W 122° 12.421'	47.53335	-122.20701
6	4	N 47° 31.914'	W 122° 12.453	47.5319	-122.20755
7	3	N 47° 31.904'	W 122° 12.396'	47.531733	-122.2066
8	2	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
9	2	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
10	3	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
11	3	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
+18 * 12	2	N 47° 31.935'	W 122° 12.349'	47.53225	-122.20581
13	3	N 47° 31.928'	W 122° 12.405'	47.532133	-122.20675
14	4	N 47° 31.950'	W 122° 12.408'	47.5325	-122.2068
15	3	N 47° 31.955'	W 122° 12.369'	47.532583	-122.20615
16	3	N 47° 31.955'	W 122° 12.347'	47.532583	-122.205783
17	2	N 47 31.935'	W 122° 12.346'	47.53225	-122.205766
18	1	N 47° 32.078'	W 122° 12.215'	47.534633	-122.203583
19	1	N 47° 32.094'	W 122° 12.208'	47.5349	-122.203466
20	1	N 47° 32.098'	W 122° 12.206'	47.534966	-122.203433
21	8	N 47° 32.112'	W 122° 12.198'	47.5352	-122.2033
22	3	N 47° 32.111'	W 122° 12.160'	47.535183	-122.202666
23	3	N 47° 32.095'	W 122° 12.169'	47.534916	-122.202816
24	3	N 47° 32.089'	W 122° 12.173'	47.534816	-122.202883
25	3	N 47° 32.074'	W 122° 12.180'	47.534566	-122.203
26	6	N 47° 32.115'	W 122° 12.243'	47.53525	-122.20405
27	9 +3	N 47° 32.211'	W 122° 12.169'	47.53685	-122.202816
28	9 +3	N 47° 32.210'	W 122° 12.104'	47.536833	-122.201733
29	8	N 47° 32.200'	W 122° 12.056'	47.536666	-122.200933
30	metal ball	N 47° 32.258'	W 122° 12.107'	47.537633	-122.201783
31	10	N 47° 32.0472	W 122° 12.345'	47.53412	-122.20575
total pilings	**123**				

Explanation of Areas	Total Pilings
Adjacent to Port Quendall upland	26
Adjacent to QT not w/in PAH	48
Woodwaste area	21
PAH area	28
total pilings	123

Pilings 18-25 were left in place, everything else was removed

Between GPS points 13 + 14 an additional 18 piles were found. They were just below the water line + posed as navigational hazards. There were 3 additional piles @ GPS points #27 + 28. So 24 additional piles were found. GPS pt. 18-25 were left in place in order to remove the additional piles ~~that~~ were found + more hazardous.

Map #1 page 2


Lake Washington
Derelict Piling Removal
8/8/06
N
0 150 300 600 900 1,200
Feet
Lake Washington
321836
321812
298126
334853
334031
336520
338249
339266
342965
333149
332914
333187
333310
HAZELWOOD
UNNAMED
GPS Piling Points
Shoreline
Harbor Area
DNR Managed Aquatic Lands
King County Tax Parcel
200 Foot Long Dry Docks
WASHINGTON STATE DEPARTMENT OF
Natural Resources
Doug Sutherland - Commissioner of Public Lands

SHOEMAKER, MONICA (DNR)

From: SHOEMAKER, MONICA (DNR)
Sent: Tuesday, June 30, 2009 11:38 AM
To: 'Jake Yoos'
Subject: RE: [Fwd: RE: Chart updates, NOAA chart 18447, around May Creek]
Attachments: map of pilings.pdf; Quendall Terminals Pilings.xls; Lake Washington Dry Dock Concrete Coordinates.pdf; Lake Washington Dry Dock Dolphin Coordinate Plot.pdf; Lake Washington Dry Dock Sand Placement Grid.pdf

Hello Jake,
I'm sorry this data did not get to you earlier, we usually send information on our completed projects to your office. We must have missed this location.

Attached are a few different maps. The first map shows the location of pilings on state lands. The excel spreadsheet provides the lat/long for these GPS points. All of these piles except #18-25 were removed. There are more piles and other pieces of junk on the private shorelands that are landward of the Harbor Area. I believe these piles were a part of the T dock. We do not have an inventory of this. Hopefully the remainder of the piles will be removed when this Superfund site is cleaned up.

The remaining maps are of the dry docks and 2 dolphins that were just recently removed from the site. Two dry docks were tied to 2 dolphins and later sunk on the state property. DNR removed the dry dock walls and the concrete hulls were left on the bottom of the lake. The dolphins were cut at the mudline. A bucket of sand was placed at each of the intersections in the grid, while no sand was placed over the concrete hulls.

I hope this information is helpful. If you have any questions feel free to call or email me.

Thanks,

Monica Shoemaker
Natural Resource Specialist
WA State Department of Natural Resources 950 Farman Avenue North Enumclaw, WA 98022

Phone: (206) 799-2949
Fax: (360) 825-1672
www.dnr.wa.gov

-----Original Message-----
From: Jake Yoos [mailto:Jake.Yoos@noaa.gov]
Sent: Friday, June 26, 2009 11:27 AM
To: SHOEMAKER, MONICA (DNR)
Subject: Re: [Fwd: RE: Chart updates, NOAA chart 18447, around May Creek]

Monica,

Thanks so much for your email. It is frustrating when we leave a survey area (we are up in AK right now) without sufficient data to make the chart right, and I am thrilled that we will be able to include the extra documentation to get the area correctly depicted. Look forward to the info when you get a chance.

Kind regards,
Jake

SHOEMAKER, MONICA (DNR) wrote:
> Hello,
> I wanted to let you know I've received your request and have some

> information that will help you complete your chart. I am retrieving
> the info from our files and will provide it you shortly. The barge
> that was at the site while you were collecting data was actually in
> the process of removing two sunken dry docks and a couple dolphins. I
> will provide you some information on this as well.
> Thanks and I will be in contact with you again shortly.
> Monica
>
>
> Monica Shoemaker
> Natural Resource Specialist
> WA State Department of Natural Resources 950 Farman Avenue North
> Enumclaw, WA 98022
>
> Phone: (206) 799-2949
> Fax: (360) 825-1672
> www.dnr.wa.gov
>
>
> -----Original Message-----
> From: Jake Yoos [mailto:Jake.Yoos@noaa.gov]
> Sent: Wednesday, June 24, 2009 5:06 PM
> To: SHOEMAKER, MONICA (DNR)
> Subject: [Fwd: RE: Chart updates, NOAA chart 18447, around May Creek]
>
> Ms. Shoemaker,
>
> Erika Conkling gave me your email address (see correspondence below)
> in regards to a question I had regarding shoreline along May Creek.
> We conducted a survey of Lake Washington and were not able to
> completely disprove via sonar the T-Pier at the mouth of May Creek (see attached).
>
> When we were surveying, there was an excavation barge on-scene and we
> assume they were actively removing the remains of the pier. Do you
> have any documentation that we could submit with our survey that
> indicates the ruins have, in fact, been removed? A post-removal
> survey or contract with the excavator or anything else that we could
> submit with our survey would help complete our survey package and
> ensure that the chart is properly updated.
>
> Thanks in advance for any help you can provide.
>
> Very respectfully,
> Jake Yoos
> Field Operations Officer
> NOAA Ship /Rainier/
>
> -------- Original Message --------
> Subject: RE: Chart updates, NOAA chart 18447, around May Creek
> Date: Wed, 24 Jun 2009 15:06:05 -0700
> From: Erika Conkling <EConkling@Rentonwa.gov>
> To: Jake Yoos <Jake.Yoos@noaa.gov>
> References: <4A3DD820.2010308@noaa.gov>
>
>
>

> Mr. Yoos-
>
> It is my understanding that DNR has completed the work to remove the
> pilings associated with the submerged pier on your chart. For
> documentation, please contact Monica Shoemaker at
> monica.shoemaker@dnr.wa.gov <mailto:monica.shoemaker@dnr.wa.gov> or
> 360-802-7070 ext. 2006
>
>
>
> Erika Conkling, AICP
>
> Senior Planner
>
> City of Renton Department of Community and Economic Development
>
> 1055 S. Grady Way
>
> Renton, WA 98057
>
> (425)430-6578 voice (425)430-7300 fax
>
> econkling@rentonwa.gov
>
>
>
> *From:* Jake Yoos [mailto:Jake.Yoos@noaa.gov]
> *Sent:* Saturday, June 20, 2009 11:50 PM
> *To:* Shoreline
> *Subject:* Chart updates, NOAA chart 18447, around May Creek
>
>
>
> Ms. Conkling,
>
> Hello - my name is Jake Yoos and I am the Field Operations Officer on
> the NOAA Ship /Rainier/. /Rainier/'s mission is to collect
> hydrographic data to update nautical charts. Last fall, we were
> working on some surveys of Lake Washington in order to update NOAA Chart 18447.
> Although our primary focus is on updating the bathymetry of the lake,
> we also try to address features such as piers, wharves, pilings, etc.
> in the nearshore area to assist mariners.
>
> In order to remove submerged features from the chart, we have to
> obtain adequate coverage with our survey vessel to 'prove' that the
> feature no longer exists. Although we ran data in the area around the
> mouth of May Creek, we were unable to gather enough data to disprove
> the large T-pier that is currently charted as submerged (see
> attached.) Ironically, one of the reasons we were unable to get good
> sonar coverage is because there was an excavation barge sitting on top
> of the submerged pier, apparently pulling out pilings.
>
> I wanted to contact you to see if you have any information that the
> pier ruins were, in fact, removed that we might be able to include
> with our survey documentation. I guess first I should as if, to your
> knowledge, the ruins were removed. Secondly, if you have any

> documentation - post removal surveys, contract with removal company,
> etc. that you could share with us so that we may get the ruined pier
> off the chart and make it more accurate for everyone.
>
> Thanks in advance for any information you have.
>
> Very respectfully,
> LT Jake Yoos, NOAA
> Field Operations Officer
> NOAA Ship /Rainier/
>
>

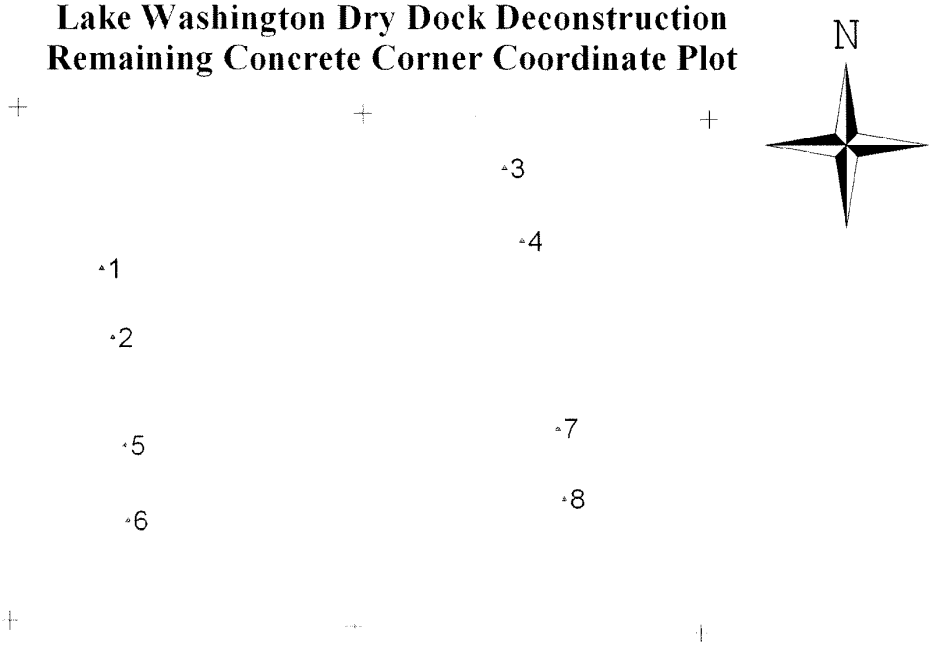
W 122-12-18 W 122-12-16 W 122-12-14

Lake Washington Dry Dock Deconstruction
Remaining Concrete Corner Coordinate Plot

N 47-32-6 N 47-32-6

N 47-32-4 N 47-32-4

N 47-32-2 N 47-32-2



CORNER 1 COORDINATES: WGS 84, LAT 47 32 5.4 N, LONG 122 12 17.5 W, MAX PDOP 1.3, 230 FIXES
CORNER 2 COORDINATES: WGS 84, LAT 47 32 5.1 N, LONG 122 12 17.4 W, MAX PDOP 1.3, 225 FIXES
CORNER 3 COORDINATES: WGS 84, LAT 47 32 5.8 N, LONG 122 12 15.2 W, MAX PDOP 1.3, 235 FIXES
CORNER 4 COORDINATES: WGS 84, LAT 47 32 5.5 N, LONG 122 12 15.1 W, MAX PDOP 1.3, 240 FIXES
CORNER 5 COORDINATES: WGS 84, LAT 47 32 4.7 N, LONG 122 12 17.3 W, MAX PDOP 1.3, 225 FIXES
CORNER 6 COORDINATES: WGS 84, LAT 47 32 4.4 N, LONG 122 12 17.3 W, MAX PDOP 1.4, 230 FIXES
CORNER 7 COORDINATES: WGS 84, LAT 47 32 4.8 N, LONG 122 12 14.8 W, MAX PDOP 1.3, 227 FIXES
CORNER 8 COORDINATES: WGS 84, LAT 47 32 4.5 N, LONG 122 12 14.8 W, MAX PDOP 1.4, 229 FIXES

PACIFIC PILE & MARINE, LP.
Washington Department
of Natural Resources

LAKE WASHINGTON
DRY DOCK DE-CONSTRUCTION

REMAINING CONCRETE CORNER COORDINATES

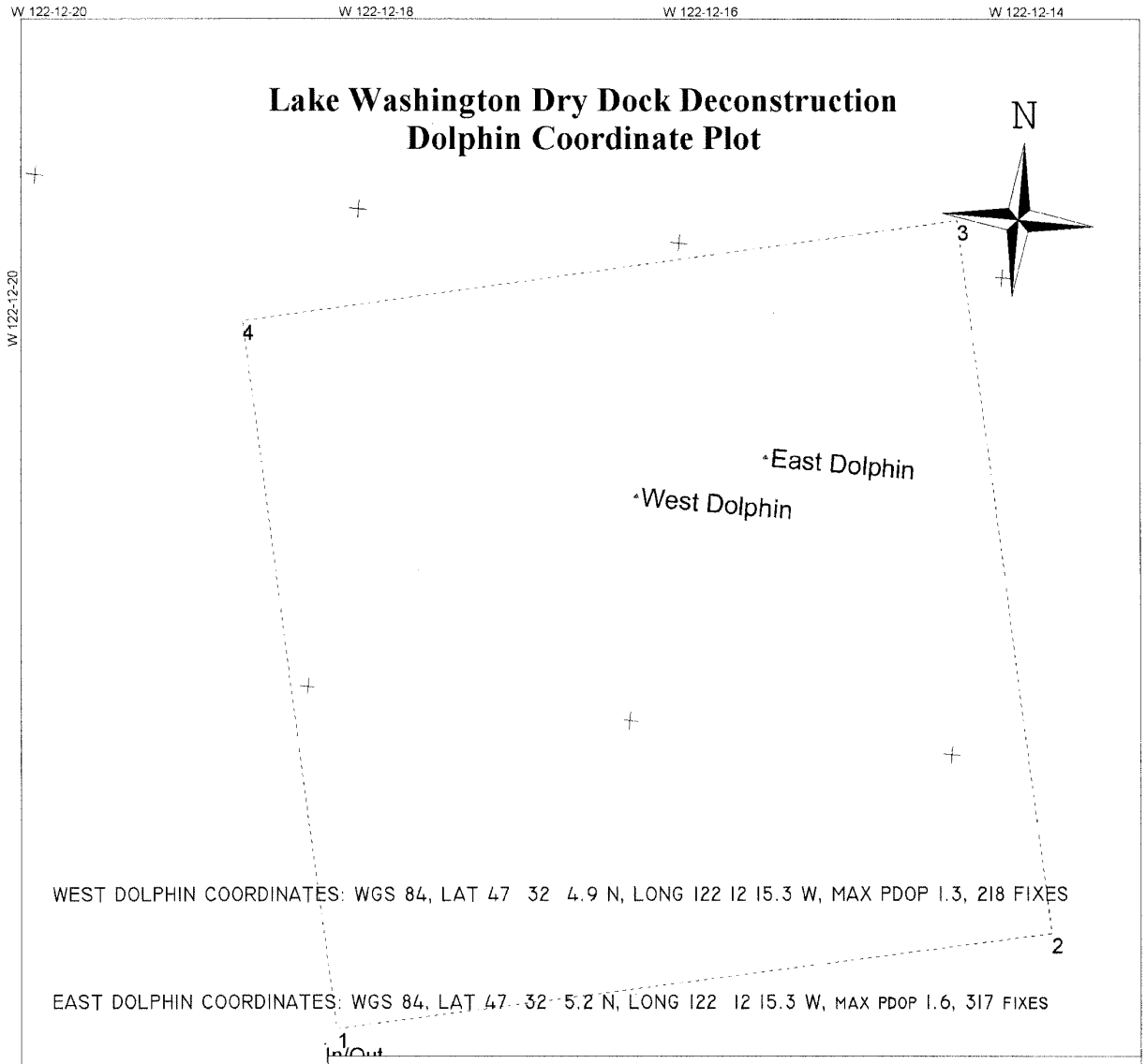
RENTON WASHINGTON

VERTICAL DATUM:	HORIZONTAL DATUM	SCALE:
MLLW	NAD 83 WA-4601 WA NORTH	1" = 65'

JAN 2, 2008

W 122-12-18 W 122-12-16 W 122-12-14

Lake Washington Dry Dock Deconstruction
Dolphin Coordinate Plot



WEST DOLPHIN COORDINATES: WGS 84, LAT 47 32 4.9 N, LONG 122 12 15.3 W, MAX PDOP 1.3, 218 FIXES

EAST DOLPHIN COORDINATES: WGS 84, LAT 47 32 5.2 N, LONG 122 12 15.3 W, MAX PDOP 1.6, 317 FIXES

PACIFIC PILE & MARINE, LP.
Washington Department
of Natural Resources

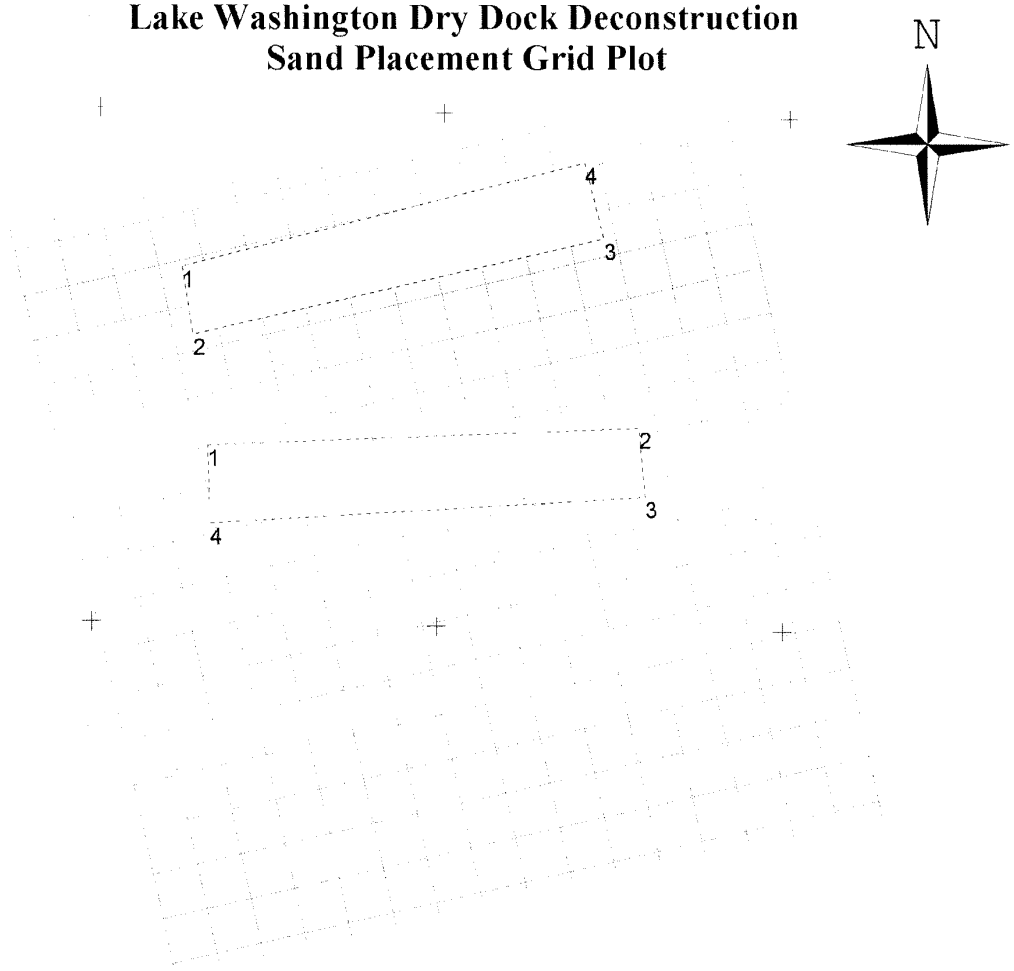
LAKE WASHINGTON
DRY DOCK DE-CONSTRUCTION DOLPHIN

RENTON WASHINGTON

VERTICAL DATUM:	HORIZONTAL DATUM	SCALE:
MLLW	NAD 83 WA-4601 WA NORTH	1" = 65'

JAN 2, 2008

Lake Washington Dry Dock Deconstruction
Sand Placement Grid Plot



Department of Natural Resources
Washington Department
of Natural Resources

LAKE WASHINGTON

DRY DOCK DE-CONSTRUCTION

SAND PLACEMENT GRID

RENTON WASHINGTON

VERTICAL DATUM:	HORIZONTAL DATUM	SCALE:
MLLW	NAD 83 WA-4601 WA NORTH	1" = 65'

JAN 2, 2008

SHOEMAKER, MONICA (DNR)

From: MONTGOMERY, MELISSA (DNR)
Sent: Tuesday, June 30, 2009 8:52 AM
To: SHOEMAKER, MONICA (DNR)
Subject: FW: Dry Dock GPS Coordinates
Attachments: Lake Washington Dry Dock Concrete Coordinates.pdf; Lake Washington Dry Dock Dolphin Coordinate Plot.pdf; Lake Washington Dry Dock Sand Placement Grid.pdf

Here is the complete set of coordinate drawings. I think I also have a table with the coordinates.

Melissa Montgomery
Derelict Vessel Removal Program
Washington Dept. of Natural Resources
360-902-1574
1111 Washington St SE
PO Box 47027
Olympia, WA 98504-7027

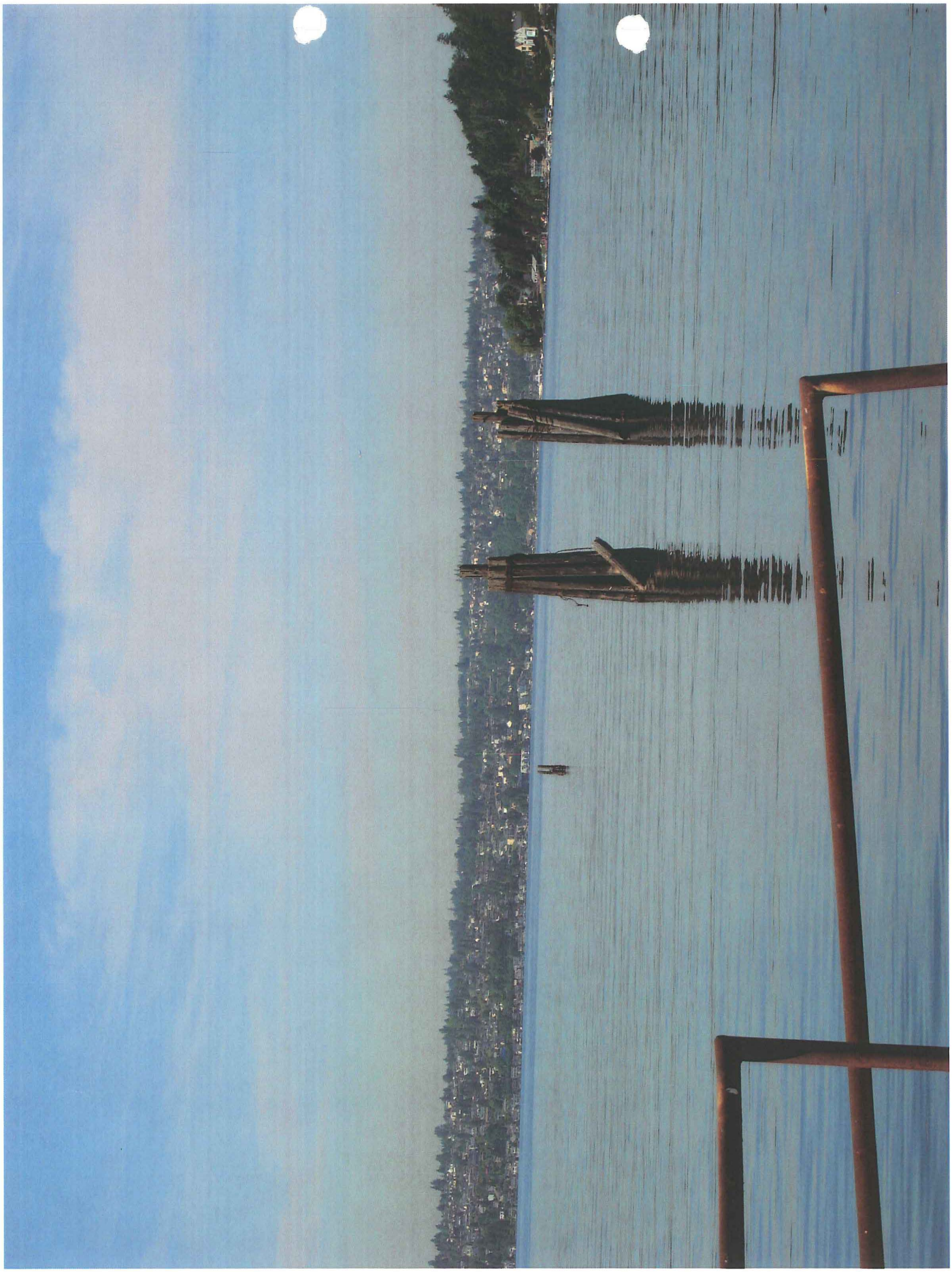
From: Erin Breckel [mailto:Erin.Breckel@floydsnider.com]
Sent: Thursday, January 15, 2009 8:43 AM
To: MONTGOMERY, MELISSA (DNR)
Cc: 'Priddy.Lynda@epamail.epa.gov'; MattWoltman
Subject: Dry Dock GPS Coordinates

Melissa -

Attached is a figure (which includes GPS coordinates) that Pacific Pile and Marine (PPM) has provided showing the corners of the remaining dry dock hulls at the site. PPM has also put together a similar figure for where the cutoff dolphin pilings are located (second attached figure). The third figure attached shows the area where the sand was placed at the site. PPM said that a bucket of sand was placed at each intersection in the grid and that they avoided placing sand over the remaining dry dock sturctures as best they could.

Erin Breckel
FLOYD|SNIDER
601 Union Street, Suite 600
Seattle, WA 98101
tel: 206.292.2078
fax: 206.682.7867
erin.breckel@floydsnider.com

DNR-008101

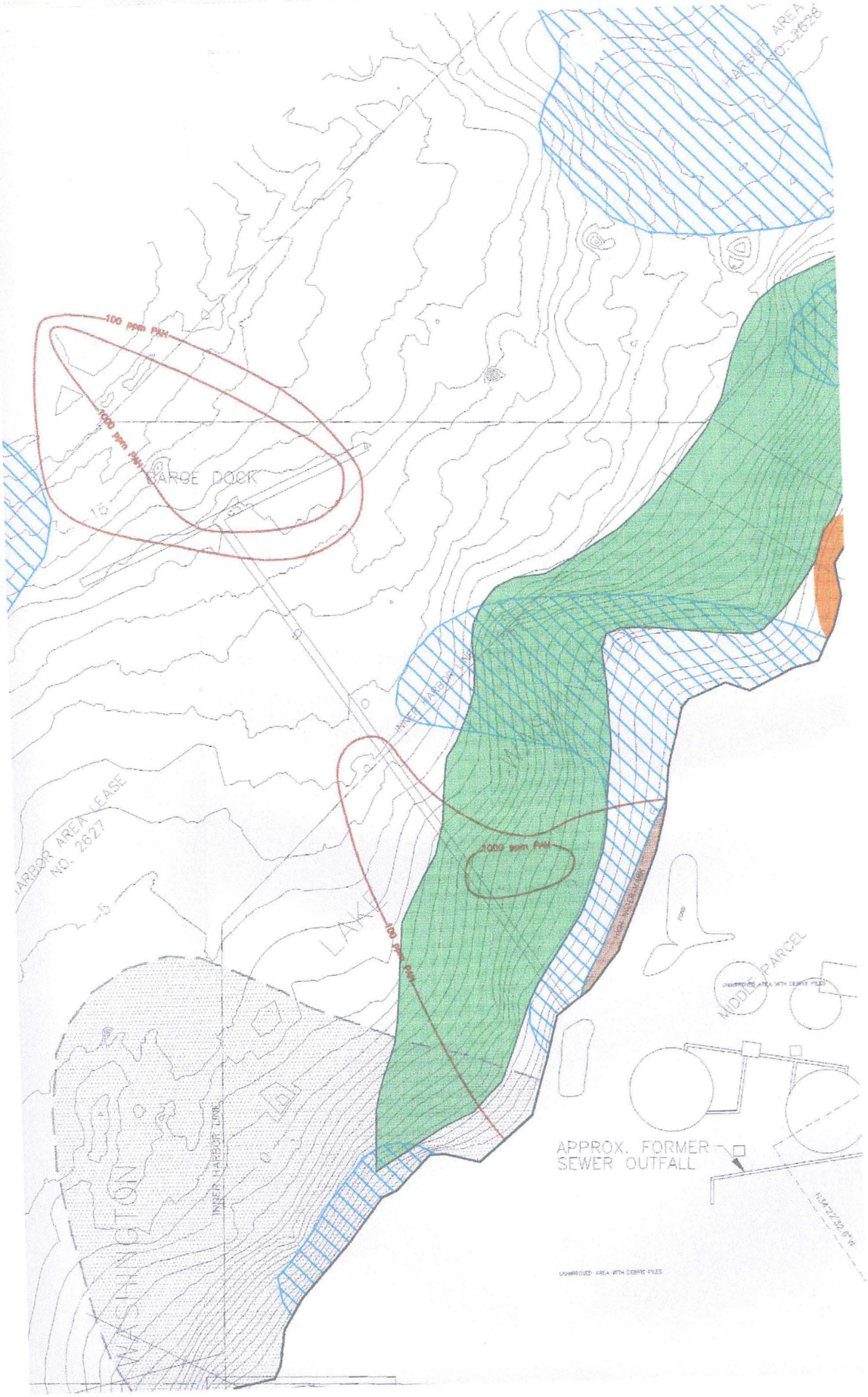


DNR-008102

DNR-008103

DNR-008104

Lake Washington
Derelict Piling Removal
8/8/06
N
0 150 300 600 900 1,200
Feet
Lake Washington
321836
321812
296126
339266
334853
382914
333187
333310
HAZELWOOD
UNNAMED
UNNAMED
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
GPS Piling Points
Shoreline
Harbor Area
DNR Managed Aquatic Lands
King County Tax Parcel
200 Foot Long Dry Docks
WASHINGTON STATE DEPARTMENT OF
Natural Resources
Doug Sutherland - Commissioner of Public Lands


HARBOR AREA NO. 2628
100 ppm PAH
1000 ppm PAH
LARGE DOCK
15
HARBOR AREA LEASE NO. 2627
1000 ppm PAH
100 ppm PAH
LAKE
WASHINGTON
INNER HARBOR LINE
MIDDLE PARCEL
APPROX. FORMER SEWER OUTFALL
UNIMPROVED AREA WITH DEBRIS PILES

DNR-008107

Lake Washington Hydraulic Project Coordination

Wednesday, February 9, 2005, 1:00 PM to 3:30 PM
WA Department of Fish and Wildlife, Region 4
16018 Mill Creek Boulevard, WA 98012
Large Conference Room

Literature consulted and Other Sources of Information

Jose Carrasquero. 2001. (White Paper) Over-water structures: fresh water issues. Prepared by Herrera Environmental Consultants for the Washington Department of Fish and Wildlife, Washington Department of Ecology, and Washington Department of Transportation.
www.wdfw.wa.gov/hab/ahg/overwatr.htm

Barbara Nightingale and Charles Simenstad. 2001. (White Paper) Overwater structures: marine issues. Prepared by University of Washington, School of Aquatic and Fishery Sciences, Wetland Ecosystem Team for the Washington Department of Fish and Wildlife, Washington Department of Ecology, and Washington Department of Transportation.
www.wdfw.wa.gov/hab/ahg/overwatr.htm

Tom Kahler, Martin Grassley, and David Beauchamp. 2000. A summary of the effects of bulkheads, piers and other artificial structures and shorezone development on ESA-listed salmonids in lakes. Prepared by The Watershed Company and the University of Washington, College of Fisheries, Fisheries Research Institute for the City of Bellevue.
www.cityofbellevue.org/departments/ Utilities/pdf/dock_**bulkhead**.pdf

Ted Poston. 2001. (White Paper) Treated wood issues associated with overwater structures in marine and freshwater environments. Prepared by Battelle Pacific Northwest Laboratory for the Washington Department of Fish and Wildlife, Washington Department of Ecology, and Washington Department of Transportation.
www.wdfw.wa.gov/hab/ahg/overwatr.htm

Blake Feist. 1991. Potential impacts of pile driving on juvenile Pink (Oncorhynchus gorbuscha) and Chum (O. keta) Salmon behavior and distribution. Masters thesis, University of Washington
www.cbr.washington.edu/papers/Feist1991UWMSThesis.pdf

James Anderson. 1990. Assessment of the risk of pile driving to juvenile fish. Prepared by University of Washington, College of Fisheries, Fisheries Research Institute for the Deep Foundation Institute.
www.cbr.washington.edu/papers/jim/deep.foundations.pdf

Perry Gayaldo and Kitty Nelson. 2005. Preliminary results of light transmission under residential piers in Lake Washington, King county, Washington; a comparison between prisms and grating. (Draft)

Contact Kitty Nelson, NOAA, National Marine Fisheries Service, Northwest Region, Seattle, Washington, 206-526-6075.

WRIA 8 Steering Committee. 2002. Lake Washington/Cedar/Sammamish Watershed (WRIA 8) near-term action agenda for salmon habitat conservation. www.dnr.metrokc.gov/Wrias/8/near-term-action-agenda.htm

Charles Simenstad, Barbara J. Nightingale, Ronald M. Thom, David K. Shreffler, and Paul Wagner. 1999. Impacts of ferry terminals on juvenile salmon migrating along Puget Sound shorelines phase I: synthesis of state of knowledge. Prepared by University of Washington, School of Fisheries and Marine Affairs, Battelle Maine Science Laboratory, and the Washington State Transportation Center for the Washington State Transportation Commission and in cooperation with U.S. Department of Transportation. www.depts.washington.edu/trac/bulkdisk/pdf/472.1.pdf

Eric Warner and Brian Footen. 1999. The relationship of piscivorous fishes to juvenile salmon: Lake Washington, Lake Sammamish and the Ship Canal February – June, 1997. (Draft)
Contact Muckleshoot Indian Tribe, Fisheries Department, Auburn, Washington, 253-931-0652.

Merri Martz, Fred Goetz, Jeffrey Dillon, and Travis Shaw. 1996. Study element II: early life history of Sockeye Salmon (Oncorhynchus nerka) in Lake Washington, Year 1: 1994. Prepared by the U.S. Army Corps of Engineers, Seattle District.
Contact U.S. Army Corps of Engineers, Seattle District, Washington, 206-764-3742.

Merri Martz, Fred Goetz, Jeffrey Dillon, and Travis Shaw. 1996. Study element II: early life history of Sockeye Salmon (Oncorhynchus nerka) in Lake Washington, Year 2: 1995. Prepared by the U.S. Army Corps of Engineers, Seattle District.
Contact U.S. Army Corps of Engineers, Seattle District, Washington, 206-764-3742.

Additional White Papers are available on Marine and Estuarine Shoreline Modification Issues, Channel Design, Ecological Issues in Floodplain and Riparian Corridors, and Marine and Fresh Water Dredging and Gravel Removal at www.wdfw.wa.gov/hab/ahg/ahgwhite.htm

For additional information on habitat protection and restoration guidelines please review the 2003 Integrated Streambank Protection Guidelines at www.wdfw.wa.gov/hab/ahg/ispgdoc.htm and the 2004 Stream Habitat Restoration Guidelines at http://wdfw.wa.gov/hab/ahg/shrg/index.htm

For additional information concerning barge work please review the WDFW guidance policy 865.02 entitled, "Interim guidance regarding hydraulic project approvals (HPAS) for barge or landing craft landing sites.".

Lakeshore Marine Construction, Inc.

P.O. Box 255
Mukilteo, WA 98275

Invoice

Date	Invoice #
1/17/2007	565

Bill To	Ship To
WA Dept of Natural Resouces 815 88th Ave SE Tumwater, WA 98501 Attn: Lori Johnson	

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			1/17/2007			

Quantity	Item Code	Description	Price Each	Amount
1	Original Contract	Original Contract Price for Contract No.029 " Lake Washington Derelict Pile Removal Project "	83,902.00	83,902.00T
		Sales Tax	0.00%	0.00

All work is complete! This is your final invoice. Thank you.

Total $83,902.00

From: MONICA DURKIN
To: JOHNSON, LORI
Date: 10/19/2006 4:14:17 PM
Subject: Piling removal in Lake Washington

Hello Lori,

I need to put a piling removal project out to bid. These pilings are located in Lake Washington and are not part of the Puget Sound wide creosote removal project. These pilings are derelict and have become a navigational hazard and need to be removed before the spring and the beginning of boating season.

I will be receiving the Shoreline Exemption on November 1st and should receive the Fish and Wildlife permit shortly after. I have estimated that the project will cost $30,000 to $50,000. The problem I am coming across is that I need to spend our funds for this project before June 30, 2007 and due to the fish closure work windows the project has to be completed before December 31, 2007.

With the amount this project will costs don't we have to go through a longer bidding process? Is it possible to have this project set up under an emergency bid, since the money will be gone by June 30th and the project can't occur between January and June?

Thanks for your help!
Monica

Monica Durkin
Natural Resource Specialist
Washington Department of Natural Resources
South Puget Sound Region
950 Farman Avenue North
Enumclaw, WA 98022

p. (360) 825-1631 ext. 2006
f. (360) 825-1672

From: MONICA DURKIN
To: JOHNSON, LORI
Date: 11/2/2006 8:35:20 AM
Subject: Re: Piling removal in Lake Washington

Thank you Lori. I hope you have a great time off.

>>> LORI JOHNSON 11/2/2006 8:31 AM >>>
Monica,

I will separate the cost also vendor selection is based on low bid and who meets the specs. If we don't go with low bid then we have to justify why. When I get the bids back I will fax low bid to you for your approval or rejection.

>>> MONICA DURKIN 10/30/2006 12:05 PM >>>
Lori,
I made some minor corrections to the scope, that I missed on my first draft. Attachment A and B are also attached to this email.

Could we separate the cost of the removal and the cost of the placement of sand in the holes? I want to make sure they show how much each is going to cost.

Could you send me guidance or any type of paper/worksheet on contractor selection? I am unsure about the selection process if more than one contractor bids for the job.

Thanks,
Monica

Monica Durkin
Natural Resource Specialist
Washington Department of Natural Resources
South Puget Sound Region
950 Farman Avenue North
Enumclaw, WA 98022

p. (360) 825-1631 ext. 2006
f. (360) 825-1672

>>> LORI JOHNSON 10/27/2006 4:10:06 PM >>>
Hi Monica,

You're welcome! Here is my rough draft of the scope of work and bid document. I still need to add the out clause, this is incase we are unhappy with their performance we can give them 30 days notice to cancel the contract. If you want some other things added to the bid let me know. Thanks.

>>> MONICA DURKIN 10/27/2006 3:29 PM >>>
Hi Lori,
That would be great to get it out the soonest we can, that way the contractors have more time to prepare.

Thanks again for all of your help. I wouldn't be able to do it without you!
Have a good weekend,
Monica

>>> LORI JOHNSON 10/27/2006 12:00 PM >>>
Hi Monica,

Everything looks good. I don't have to wait for your permits to put this on the street. I plan on putting out for two weeks. Do you want the bid out soon? I ask because I will be going on vacation Nov 7 - 17. If you want it on the street while I am gone I need to finalize things next week. I am putting the scope of work in my outline I will send a copy to you for review. Thanks.

>>> MONICA DURKIN 10/24/2006 4:28 PM >>>
Thanks Lori.
I have drafted a scope of work for the project, which is attached. I also have attached a list of possible contractors for the project. Do we have to wait until I receive all of the permits before you put this out for bid?

Thank you!
Monica

>>> LORI JOHNSON 10/19/2006 4:23 PM >>>
Hi Monica,

This amount of money doesn't require the sealed bid process. If you get me the scope of work and list of vendors, I can put this on the street for two weeks and then award after your approval.

>>> MONICA DURKIN 10/19/2006 4:14 PM >>>
Hello Lori,

I need to put a piling removal project out to bid. These pilings are located in Lake Washington and are not part of the Puget Sound wide creosote removal project. These pilings are derelict and have become a navigational hazard and need to be removed before the spring and the beginning of boating season.

I will be receiving the Shoreline Exemption on November 1st and should receive the Fish and Wildlife permit shortly after. I have estimated that the project will cost $30,000 to $50,000. The problem I am coming across is that I need to spend our funds for this project before June 30, 2007 and due to the fish closure work windows the project has to be completed before December 31, 2007.

With the amount this project will costs don't we have to go through a longer bidding process? Is it possible to have this project set up under an emergency bid, since the money will be gone by June 30th and the project can't occur between January and June?

Thanks for your help!
Monica

Monica Durkin
Natural Resource Specialist
Washington Department of Natural Resources
South Puget Sound Region
950 Farman Avenue North
Enumclaw, WA 98022

p. (360) 825-1631 ext. 2006
f. (360) 825-1672

Piling Removal Vendor List

General Construction
P.O. Box 1684
Tacoma, WA 98401-1684
Phone: (253) 572-7432
Fax: (253) 627-4904
http://www.generalconstructionco.com/index.cfm

Waterfront Construction, Inc.
205 NE Northlake Way, Suite 230
Seattle, WA 98105
Phone: (206) 548-9800
Fax: (206) 548-1022
http://www.waterfrontconstruction.com/

Manson Construction
PO Box 24067
Seattle, WA 98124
Phone: (206) 762-0850
Fax: (206) 764-8590
http://www.mansonconstruction.com/

NRC Environmental
20500 Richmond Beach Dr. NW
Seattle WA 98177
Phone: (206) 546-7153
Fax: (206) 546-7170
http://www.nrces.com/

Global Diving and Salvage
3840 West Marginal Way SW
Seattle, WA 98106
Phone: (206) 623-0621
Fax: (206) 932-9036
www.globaldivingandsalvage.com

General & Marine Construction
12713 33rd Ave NE
Seattle, WA 98125 - 4503
Phone: (206) 363-3195
Fax: (206)

ACC Hurlen Construction
700 South Riverside
Seattle, WA 98108
Phone: (206) 763-1230
Fax: (206) 762-1854
http://www.acconstructors.com

Seaborn Pile Driving Co.
The Ogden Building
9311 Southeast 36th Street, Suite 204
Mercer Island, WA 98040
Phone: (206) 236-1700
Fax: (206) 236-2700
http://www.seabornpiledriving.com

Western Marine Construction, Inc.
1001 SW Klickitat Way, Suite 200A
Seattle, WA 98134
Phone: (206) 622-9161
Fax: (206) 622-9170
westernmarine@westernmarineconst.com

06-E34

Invoice

Lakeshore Marine Construction, Inc.

P.O. Box 255
Mukilteo, WA 98275

Date	Invoice #
1/17/2007	565

Bill To	Ship To
WA Dept of Natural Resouces 815 88th Ave SE Tumwater, WA 98501 Attn: Lori Johnson	

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			1/17/2007			

Quantity	Item Code	Description	Price Each	Amount
1	Original Contract	Original Contract Price for Contract No.029 " Lake Washington Derelict Pile Removal Project "	83,902.00	83,902.00T
		Sales Tax	0.00%	0.00

All work is complete! This is your final invoice. Thank you.

Total $83,902.00

Transmission Report

Date/Time	01-23-2007	10:31:42	Transmit Header Text	
Local ID 1	3608251672		Local Name 1	Natural Resources
Local ID 2			Local Name 2	

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

01/23/2007 10:17 3605965184 MATERIALS MANAGEMENT PAGE 01/02

WASHINGTON STATE DEPARTMENT OF
Natural Resources

FACSIMILE COVER LETTER

TO: Monika Durken
Telephone: **Fax:**

FROM: **MATERIALS MANAGEMENT**
815 88th AVE SE
TUMWATER WA 98501
Telephone: (360) 596-5185

SENDER'S NAME:
LORI JOHNSON
Fax: (360) 596-5184

Date: 1.23.07 **Time:** 9:10
Total number of pages (including cover sheet): 2
Description:
Here is the invoice. Is it ok to pay?

Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	023	253 926 8956	10:30:45 01-23-2007	00:00:23	2/2	1	EC	HS	CP28800

Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user	
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system	G3: Group 3
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report	EC: Error Correct

WASHINGTON STATE DEPARTMENT OF
Natural Resources

FACSIMILE COVER LETTER

TO:	Monika Durken	
	Telephone:	Fax:

FROM:	MATERIALS MANAGEMENT 815 88th AVE SE TUMWATER WA 98501	SENDER'S NAME: LORI JOHNSON
	Telephone: (360) 596-5185	Fax: (360) 596-5184

Date: 1.23.07 Time: 9:10

Total number of pages (including cover sheet): 2

Description:

Here is the invoice. Is it ok to pay?

IAA-08-64

MCKINLEY, FLOELLA

From: MCKINLEY, FLOELLA
Sent: Tuesday, December 05, 2006 11:16 AM
To: MARTINEZ, JENNIFER
Cc: DURKIN, MONICA; PRICE, LORI; KIEHLE, DAVID; TOBA, DERRICK
Subject: RE: IAA procedure and invoices

Jennifer,

Since I have not gotten a response from you, I am sending the original invoice to you (today) via campus mail to be paid.

Thank you, Flo

From: MCKINLEY, FLOELLA
Sent: Friday, December 01, 2006 10:55 AM
To: MARTINEZ, JENNIFER
Cc: DURKIN, MONICA; PRICE, LORI; KIEHLE, DAVID; TOBA, DERRICK
Subject: IAA procedure and invoices
Importance: High

Good Morning Jennifer,

Our fiscal tech just brought me a copy of an invoice for the Maury Island creosote piling removal project asking how to code so she could pay it.

Would you please send me the written procedures as requested earlier, so we can move forward correctly and ensure everyone is on the same page.

In the mean time, how would you like this invoice to be handled and paid?

Thank you, Flo

12/18/06

Jennifer —
This is the same invoice.
I have added $6.53 as late finance charges.
Flo

Puget Sound Initiative
986-ORA
Maury Island

12/5/2006

King County
Department of Development
and Environmental Services
900 Oakesdale Ave SW
Renton, Washington 98055-1219

INVOICE

Invoice Number:	0612312377
Invoice Date:	12/11/2006
Customer:	
Permit#:	L06SX068
Project#:	
Billing Period Ending:	12/10/2006
Permit Type:	SHOR-XMT
Parcel No:	2222039058
Status:	GRANTED

Project Name:

Project Location:

WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES
SOUTH PUGET SOUND REGION
950 FARMAN AVE N
ENUMCLAW WA 98022-9282

Charges

Description	Amount
TOTAL CHARGES:	$0.00

Payments

Date Posted	Payment Type	Check #	Amount
TOTAL PAYMENTS:			$0.00

Billing Summary

Previous Amount Due:	$653.27
Finance Charges:	$6.53
Payment Received:	$0.00
Current Charges:	$0.00
Amount Due:	**$659.80**

RECEIVED
DEC 13 2006
DNR-SPS

Lake Washington
public removal

DDES permit fees were restructured effective March 4th, 1999. Many fees that were previously assessed a flat fee, now are assessed as hourly charges. Because of this change, and to ensure that our customers secure permits as quickly as possible, permits may be issued prior to all hourly charges being recorded into our billing system.

For services that are rendered on an hourly basis, the cost of those services will be based on the actual hours worked. Hourly fees are charged at the rate in effect at the time of service, and will be billed monthly, along with any other outstanding fees.

Fees that have been posted prior to permit issuance will be collected at that time. Fees subsequently posted will be billed to the applicant. All fees must be paid in full before DDES issues Final Approval, T.C.O. or C.O.

For billing questions, please call 206-296-6659

King County
Department of Development
and Environmental Services
900 Oakesdale Ave SW
Renton, Washington 98055-1219

INVOICE

Invoice Number:	0612312377
Invoice Date:	12/11/2006
Customer:	
Permit#:	L06SX068
Project#:	
Billing Period Ending:	12/10/2006
Permit Type:	SHOR-XMT
Parcel No:	2222039058
Status:	GRANTED

Project Name:

Project Location:

WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES
SOUTH PUGET SOUND REGION
950 FARMAN AVE N
ENUMCLAW WA 98022-9282

WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES
SOUTH PUGET SOUND REGION
950 FARMAN AVE N
ENUMCLAW WA 98022-9282

Amount Due:	***$659.80***
Due Date:	***12/31/2006***
Project#:	
Invoice Date:	12/11/2006
Reference No:	0612312377

Please return this page with your payment to:

KC DDES
900 Oakesdale Ave SW Renton, WA 98055.

Please make check payable to King County Office of Finance. To insure proper credit, please include the permit number on your check.

All fees are due and payable on or before the due date. A late penalty equal to 1% of the unpaid balance will be charged for all accounts past due. Accounts over 30 days past due may be sent to King County Collection Enforcement pursuant to RCW 19.16. In accordance with King County Code, permits with unpaid balances 60 days or more past due may be subject to suspension or revocation.

RECEIVED
DEC 1 3 2006
DNR-SPS

MCKINLEY, FLOELLA

From: MCKINLEY, FLOELLA
Sent: Tuesday, December 05, 2006 11:16 AM
To: MARTINEZ, JENNIFER
Cc: DURKIN, MONICA; PRICE, LORI; KIEHLE, DAVID; TOBA, DERRICK
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Thank you, Flo

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Cc: DURKIN, MONICA; PRICE, LORI; KIEHLE, DAVID; TOBA, DERRICK
Subject: IAA procedure and invoices
Importance: High

Good Morning Jennifer,

Our fiscal tech just brought me a copy of an invoice for the Maury Island creosote piling removal project asking how to code so she could pay it.

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In the mean time, how would you like this invoice to be handled and paid?

Thank you, Flo

King County
Department of Development
and Environmental Services
900 Oakesdale Ave SW
Renton, Washington 98055-1219

RECEIVED
NOV 14 2006
DNR-SPS

INVOICE

Invoice Number:	0611310491
Invoice Date:	11/12/2006
Customer:	
Permit#:	L06SX068
Project#:	
Billing Period Ending:	11/12/2006
Permit Type:	SHOR-XMT
Parcel No:	2222039058
Status:	GRANTED

Project Name:

Project Location:

WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES
SOUTH PUGET SOUND REGION
950 FARMAN AVE N
ENUMCLAW WA 98022-9282

Charges

Description	Amount
Counter Service Fees	$102.64
Hourly Charges: (** Details on Following Pages **)	$550.63
TOTAL CHARGES:	**$653.27**

Payments

Date Posted	Payment Type	Check #	Amount
TOTAL PAYMENTS:			**$0.00**

Billing Summary

Previous Amount Due:	$0.00
Payment Received:	$0.00
Current Charges:	$653.27
Amount Due:	**$653.27**

Post-it® Fax Note 7671	Date	# of pages ▶
To Kelly	From	
Co./Dept.	Co.	
Phone # Please + program	Phone # Thanks Suzy	
Fax #	Fax #	

DDES permit fees were restructured effective March 4th, 1999. Many fees that were previously assessed a flat fee, now are assessed as hourly charges. Because of this change, and to ensure that our customers secure permits as quickly as possible, permits may be issued prior to all hourly charges being recorded into our billing system.

For services that are rendered on an hourly basis, the cost of those services will be based on the actual hours worked. Hourly fees are charged at the rate in effect at the time of service, and will be billed monthly, along with any other outstanding fees.

Fees that have been posted prior to permit issuance will be collected at that time. Fees subsequently posted will be billed to the applicant. All fees must be paid in full before DDES issues Final Approval, T.C.O. or C.O.

For billing questions, please call 206-296-6659

Invoice Number: 0611310491 Permit Number: L06SX068 Invoice Date: 11/12/2006

Hours Detail

Function SH - Shoreline Review

Task Description	Name	Workday	Rate	Hours	Amount
Field Check	Laura Casey	11/1/2006	$144.90	2.0	$289.80
Permit / Plan Review	Laura Casey	10/25/2006	$144.90	0.25	$36.23
Permit / Plan Review	Laura Casey	11/6/2006	$144.90	1.3	$188.37
Permit / Plan Review	Laura Casey	11/8/2006	$144.90	0.25	$36.23
Subtotal SH				**3.8**	**$550.63**

TOTAL Hours:	**3.8**	**$550.63**

The hours shown above represent the actual hours of service charged on this permit for the current billing period. Hours worked that are covered by payment of a base fee, are shown with an amount of zero. Hourly charges not covered by a base fee are charged at the rate in effect at the time of service.

King County Home News Services Comments Search

Department of Development and Environmental Services

DDES Homepage

Online Permit Applications Report

1 Search Results for File No: **l06sx068**
Reported through: November 21, 2006

A/P/D No	Permit Type	Urban Rural	Project Title/Description	Applied	Status	Applicant
L06SX068	SHOR-XMT		Creosote removal from pilings	10/20/2006	GRANTED	WASHINGTON STATE DEPARTME

List Date: November 30, 2006

King County DDES | New Application Search | News | Services | Comments | Search

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By visiting this and other King County web pages,
you expressly agree to be bound by terms and conditions of the site.
The details.

Department of Labor and Industries
Prevailing Wage
(360) 902-5335 141692
www.lni.wa.gov//TradesLicensing/PrevailingWage

STATEMENT OF INTENT TO PAY PREVAILING WAGES

Public Works Contract
$25.00 Filing Fee Required

- This form must be typed or printed in ink.
- Large, bold numbers match instructions on back of form.
- Please allow a minimum of 10 working days for processing.
- Once approved your form will be posted online at the above website.

APPROVED FORM WILL BE MAILED TO THIS ADDRESS

Contractor, company or agency name, address, city, state & ZIP+4

Lakeshore Marine Construction, Inc
P.O. Box 255
Mukilteo, WA 98275

RECEIVED
MAR 13 2007
DNR-SPS

Project Name: Lake WA Derelict Pile Removal	Contract#: DNR-029
Contract Awarding Agency (public agency - not federal or private): WA State Dept of Natural Resources	
Address: 950 Farman Ave N.	
City: Enumclaw	State: WA ZIP+4: 98022
Awarding Agency Project Contact Person: Monika Durkin	Phone #: 360-825-1672
County where work was performed: King County	City where work was performed: Renton
Bid due date (mm/dd/yy): 12/05/06	Date contract awarded (mm/dd/yy): 12-22-06
Will all work be subcontracted? ☐ Yes ☒ No	Do you intend to use subcontractors? ☐ Yes ☒ No
Prime contractor (has contract with the public agency): LAKESHORE MARINE CONSTRUCTION INC	Contractor Registration #: LAKESMC984M4
Expected job start date (mm/dd/yy): 12-23-06	Do you intend to use apprentices? ☐ Yes ☒ No

Craft/trade/ occupation (Do NOT list apprentices) Indicate number of owners expected to perform work.	Estimated no. of workers	Rate of hourly pay	Rate of hourly fringe benefits
OWNER/OPERATOR (CRANE OPERATOR)	1	-0-	-0-
Deckhand - Inland Boatmen (PW)	1	30.90	-0-
General Laborer	2	32.51 ~~34.36~~	1.85
General Laborer	1	32.90 ~~34.36~~	1.46
Carpenter - Pile Driver (PW)	1	39.18	2.29

RECEIVED
FEB 20 2007
DEPT. OF L & I
EVERETT, WA

Company name: Lakeshore Marine Construction	
Address: P.O. Box 255	
City: Mukilteo	State: WA ZIP+4: 98275
Contractor Registration No.: LAKESMC984M4	UBI: 602 214 619
Industrial Insurance Account Number: 935,628-02	
Email address: Dave@lakeshoremarine.com	Phone number: 425 828-3625

Indicate total dollar amount of your contract or time and materials if applicable. $83,902.00

I hereby certify that the above information is correct and that all workers I employ on this Public Works Project will be paid no less than the Prevailing Wage Rate(s) as determined by the Industrial Statistician of the Department of Labor and Industries

Title: President Signature: [signature]

For L&I Use Only

Check Number: _____ ☒ $25 or $ _____

Issued By: [signature]

For L&I Use Only

APPROVED: Department of Labor and Industries

INDUSTRIAL STAT MAR 08 '07

By _____
Industrial Statistician

RECEIVED
MAR 07 2007
Prevailing Wage Section

FrontCounter
2/20/2007 3:09:11 PM
Activity 2006087006
ES-PW Fees 1 EA 22 @ $25.00 12-06

F700-029-000 statement of intent to pay prevailing wages 12-04

After APPROVAL, send white copy to Awarding Agency.
Canary copy – L&I

How to expedite the processing of your form:

REQUIRED FOR PROCESSING	ERRORS THAT CAUSE REJECTION
Filing Fee	No fee or wrong amount. $25.00 filing fee required
Bid Due Date and Date Contract Awarded	Missing. Award date is before bid due date. Prevailing Wage is based on the date bids from prime contractor were due to the contract awarding agency.
Craft/trade/occupation	Craft not listed, not specific, or does not match prevailing wage occupation listings. **Owner/Operators**: If the work will be performed by owners/partners, state "Owner/Operator" under the "Craft" section, and the wage and fringe need not be completed. Do list the number of owners on the job. (Individuals who own less than 30% of the company are not considered to be owner/operators and must be paid prevailing wage.) **All work subcontracted**: If all work will be performed by subcontractors, check the appropriate box on the form.
Rate of Hourly Pay	Missing or incorrect wages. Enter the rate of hourly pay and rate of qualified hourly fringe benefits, as defined by RCW 39.12.010, that you will actually provide to the workers. The amount listed for "Rate of Hourly Pay" plus the amount listed for the "Rate of Hourly Fringe Benefits", if any, must equal or exceed the Prevailing Wage rate.
Estimated number of workers	Missing
Total Dollar Amount of Your Contract	Missing -- Enter "time and materials" if applicable. The exact dollar amount will be required on the Affidavit of Wages Paid form.
Contractor Registration No. or UBI	Missing or not registered. Companies not required to obtain a contractor's registration number need only indicate UBI (i.e., janitorial, surveying, truck driving).
Signature	Missing -- Intent must be signed by an authorized representative.

Apprentices: Do not list apprentices or apprenticeship wages on this Statement of Intent. If you use apprentices on this project, they must be listed on the Affidavit of Wages Paid form (F700-007-000), and registered with the Washington State Apprenticeship and Training Council within 60 days of hire. Any workers not registered as such must be paid prevailing journey level wages. Call (360) 902-5323 to verify registration. Electrical and Plumber trainees registered with the Department of Labor and Industries MUST ALSO be registered with the Washington State Apprenticeship and Training Council to qualify for apprentice rates.

If there is not enough space to list all required information on one form, use additional Intent forms as needed. Please indicate at the top of each form "Page 1 of 2", "Page 2 of 2", etc. No additional fee is required. No other attachments will be accepted.

Approval of this Intent will be based on the information provided by the contractor/subcontractor. It does not signify approval of the classifications of labor used by the contractor/subcontractor.

L&I will mail the approved white copy of this Intent to the organization provided on the front of this form. Make a copy for your records.

A copy of the approved Intent form for each employer must be posted at the jobsite for contracts in excess of $10,000.00.

Prevailing wage rates are available on the Internet at www.Lni.wa.gov/TradesLicensing/PrevailingWage

Submit both copies (white and canary) and the $25.00 filing fee to:

MANAGEMENT SERVICES
DEPT. OF LABOR AND INDUSTRIES
PO BOX 44835
OLYMPIA, WASHINGTON 98504-4835

Please fold in thirds so the address will show in a window envelope

For questions call (360) 902-5335

Department of Labor and Industries
Prevailing Wage
(360) 902-5335
http://www.lni.wa.gov/TradesLicensing/PrevailingWage

130040

AFFIDAVIT OF WAGES PAID

Public Works Contract
$25.00 Filing Fee Required

- This form must be typed or printed in ink.
- Fill in all blanks or form will be returned for correction (see back).
- Please allow a minimum of 10 working days for processing.
- Once approved, your form will be posted online at the website above

APPROVED FORM WILL BE MAILED TO THIS ADDRESS

Contractor, company or agency name, address, city, state & ZIP+4

Lakeshore Marine Construction, Inc.
P.O. Box 255
Mukilteo, WA 98275

RECEIVED
MAR 13 2007
DNR-SPS

Project Name: LAKEWA Derelict Pile Removal	Contract #: DNR-029
Contract Awarding Agency (public agency - not federal or private): WA STATE Dept of Natural Resources	
Address: 950 Farman Ave N.	
City: Enumclaw	State: WA ZIP+4: 98022
Awarding Agency Project Contact Person: Monica Durkin	Phone #: 360-825-1672
County where work was performed: King County	City where work was performed: Renton
Bid due date (mm/dd/yy): 12/05/06	Date contract awarded (mm/dd/yy): 12-22-06
Date work completed (mm/dd/yy): 12-28-06	Date Intent filed (mm/dd/yy): 2/20/07
Was all work subcontracted? ☐ Yes ☒ No	Did you intend to use subcontractors? ☐ Yes ☒ No
Prime contractor (has contract with the public agency): Lakeshore Marine Construction Inc.	Contractor Registration No.: LALESMC984MM
Job start date (mm/dd/yy):	

Craft/trade/occupation and apprentices (For apprentices, give name, registration #, trade, dates of work on project, stage of progression, wage and fringe) Indicate number of owners that performed work.	Number of Workers	Total # of hours worked – ea. trade	Rate of Hourly Pay	Rate of Hourly Fringe Benefits
Owner/Operator (Crane Operator)	1	56.5	—	—
Deckhand - Inland Boatmen	1	78	30.90	—
Carpenter - Pile Driver	1	51	39.18	2.29
General Laborer	2	83	32.51 32.90	1.85 1.46

RECEIVED
FEB 20 2007
DEPT. OF L&I
EVERETT, WA

Company name: Lakeshore Marine Construction	Indicate total dollar amount of your contract or time and materials if applicable. $83,902.00
Address: P.O. Box 255	I hereby certify that the above information is correct and that all workers I employ on this Public Works Project will be paid no less than the Prevailing Wage Rate(s) as determined by the Industrial Statistician of the Department of Labor and Industries
City: Mukilteo, WA State: WA ZIP+4: 98275	Title: President Signature: [signature]
Contractor Registration No.: LALESMC984MM UBI: 602 214 619	
Industrial Insurance Account Number: 935,628-02	
Email address: Dave@lakeshoremarine.com Phone number: 425-828-3625	

For L&I Use Only

APPROVED: Department of Labor and Industries
INDUSTRIAL STAT MAR 08 '07

By _____
Industrial Statistician

ES/PW RCVD FEB 22 '07 PM12:06

For L&I Use Only

Check Number: _____ ☒ $25 or $ _____

Input By: [signature]

RECEIVED
MAR 07 2007
Prevailing Wage Section

FrontCounter
2/20/2007 3:09:11 PM
Activity 2006087006
TransId=101574066
$50.00
MOP: Currency

F700-007-000 affidavit of wages 12-04

After APPROVAL, send white copy to Awarding Agency.
Canary copy – L&I

How to expedite the processi of your form:

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Filing Fee	No fee or wrong amount. $25.00 filing fee required.
Bid Due Date and Date Contract Awarded	Missing. Award date is before bid due date. Prevailing Wage is based on the date bids from prime contractor were due to the contract awarding agency
Date work completed	Missing or a date in the future.
Date Intent Filed	Missing - An affidavit cannot be approved without the Statement of Intent to Pay Prevailing Wages being filed.
Craft/trade/occupation	Craft not listed, not specific, or does not match prevailing wage occupation listings. **Owner/Operators:** If the work was performed by owners/partners, state "Owner/Operator" under the "Craft" section, and the wage and fringe need not be completed. Do list the number of owners on the job. (Individuals who own less than 30% of the company are not considered to be owner/operators and must be paid prevailing wage.) **All work subcontracted:** If all work was performed by subcontractors, check the appropriate box on the form.
Number of workers each trade	Missing
Total number of hours worked each trade	Missing
Rate of Hourly Pay	Missing or incorrect wages. Enter the rate of hourly pay and rate of qualified hourly fringe benefits, as defined by RCW 39.12.010, that you actually provided to the workers. The amount listed for "Rate of Hourly Pay" plus the amount listed for the "Rate of Hourly Fringe Benefits", if any, must equal or exceed the Prevailing Wage rate.
Apprentices*	Missing information or apprentice not registered*. List each apprentice by name, registration number, trade, stage of progression, beginning and ending dates of work performed on the project (m/d/y to m/d/y), and rate of hourly pay and fringe benefits.
Total Dollar Amount of Your Contract	Missing – Enter exact amount (not "time and materials").
Contractor Registration No. or UBI	Missing or not registered. Companies not required to obtain a contractor's registration number need only indicate UBI (i.e., janitorial, surveying, truck driving).
Signature	Missing – Affidavit must be signed by an authorized representative.

* Any apprentice not registered with the Washington State Apprenticeship and Training Council within 60 days of hire must be paid prevailing journey level wages for the time preceding the date of registration. Call (360) 902-5323 to verify registration. NOTE: Electrical and Plumber trainees registered with the Department of Labor and Industries MUST ALSO be registered with the Washington State Apprenticeship and Training Council to qualify for apprentice rates.

If there is not enough space to list all required information on one form, use additional Affidavit forms as needed. Please indicate at the top of each form "Page 1 of 2", "Page 2 of 2", etc. No additional fee is required. No other attachments will be accepted.

Approval of this Affidavit will be based on the information provided by the contractor/subcontractor. It does not signify approval of the classifications of labor used by the contractor/subcontractor.

L&I will mail the approved white copy of this Affidavit to the organization provided on the front of this form. Make a copy for your records.

Prevailing wage rates are available on the Internet at http://www.lni.wa.gov/TradesLicensing/PrevailingWage.

Submit both copies (white and canary) and the $25.00 filing fee to:

MANAGEMENT SERVICES
DEPT. OF LABOR AND INDUSTRIES
PO BOX 44835
OLYMPIA, WASHINGTON 98504-4835

Please fold in thirds so the address will show in a window envelope

For questions call (360) 902-5335

F700-012-000 affidavit of wages - backer 12-04

LINCOLN GENERAL INSURANCE COMPANY

(When Completed, return this form to:)
FRONTIER BONDING SERVICE, INC.
130 Nickerson Street Suite 311
Seattle, WA 98109
(206) 281-8411 (800) 441-0712 Fax (206) 281-8456

To: STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
950 FARMAN AVE N
ENUMCLAW, WA 98022

Date: 2/21/2007

Bond No: 661120016

Contractor: LAKESHORE MARINE CONSTRUCTION, INC.
PO BOX 255
MUKILTEO, WA 98275

Description of Contract: CONTRACT NO. 029 LAKE WASHINGTON DERELICT PILING REMOVAL PROJECT

Owner: STATE OF WASHINGTON

Contract Price $ 83,902 *Bond Amount* $ 83,902 *Effective Date* 12/22/2006

WITHOUT PREJUDICING YOUR RIGHT OR AFFECTING OUR LIABILITY UNDER OUR BOND(S) DESCRIBED ABOVE, WE WOULD APPRECIATE AS MUCH OF THE FOLLOWING INFORMATION AS IS NOW AVAILABLE.

Very truly yours,

By _____

---

1. If Contract Is Completed, Please State:

DATE CONTRACT COMPLETED: 12/31/06 DATE CONTRACT ACCEPTED: 2/20/07 DATE OF FINAL PAYMENT: 2/23/07 FINAL CONTRACT PRICE: $ 83,902

2. If Contract Is Not Complete, Please State:

APPROX % OR $ AMOUNT OF CONTRACT COMPLETED OR DELIVERED: _____ ANTICIPATED COMPLETION DATE: _____

3. Do You Know Of Any Unpaid Bills For Labor Or Material: (Circle One) *NO or YES*

Remarks: (Would you recommend this contractor) _____

PLEASE RETURN THE INQUIRY TO:
FRONTIER BONDING SERVICE, INC.
130 Nickerson Street Suite 311
Seattle, WA 98109

Signature: _____

Title: _____

Date: _____

Phone: ( ) _____

(A 2) (69)

WASHINGTON STATE DEPARTMENT OF
Natural Resources

FACSIMILE COVER LETTER

TO: Monica Durkee
Telephone: Fax:

FROM: MATERIALS MANAGEMENT
815 88th AVE SE
TUMWATER WA 98501
Telephone: (360) 596-5185

SENDER'S NAME:
LORI JOHNSON
Fax: (360) 596-5184

Date: 12.4.06 Time: 11:40

Total number of pages (including cover sheet): 32

Description:

Here is the contract. I will need a program to change trunks.

When you get signatures I need the original. Thanks!

DNR FIELD ORDE..

DATE ORDERED: 12/1/20..
ORDER NO.: M006710

PREPARED BY
LORI JOHNSON, Natural Resource Project/Section

From: DEPARTMENT OF NATURAL RESOURCES
MATERIALS MANAGEMENT
MS: 47042
OLYMPIA, WA 98504-7042

PHONE FAX (360)596

AGENCY 0490 LOCATION 038

Ship To:
DEPARTMENT OF NATURAL RESOURCES
See attached Maps for locations.

To: LakeShore Marine Construction, Inc.
PO BOX 255
Mukilteo, WA 98275
ATTN: David F. Wells, JR.
(206)730-3643
Phone Fax

Acct #:

☐ Faxed ☐ Mailed ☐ Confirme

DNR VENDOR # | VENDOR / TIN

AGENCY 490 LOCATION 038

Mail two copies of Invoice to:
DEPARTMENT OF NATURAL RESOURCES
MATERIALS MANAGEMENT
MS: 47042
OLYMPIA, WA 98504-7042

AUTHORIZATION NO.	SHIP FROM	PRICE FOB	TERMS	PROMISED DELIVERY DATE
7.1.b.7	--	--	N30	

ITEM	COMMODITY CODE	DESCRIPTION	QTY	UNIT	UNITS RECD	UNIT PRICE	AMOUNT
1.		Purchased Service Contract for Lake Washington Derelict Piling Removal and Disposal. Please see attached for contracts and maps.	1	LOT		83,902.00	83,902.00

SPECIAL INSTRUCTIONS:

Sub Total	83,902.00
Freight	
Tax Rate/Total	0.00
Total	$83,902.00

INSTRUCTIONS TO VENDOR: 1. SHOW BOTH AUTHORIZATION NO. & FIELD ORDER NO. ON ALL INVOICES, PACKAGES & SHIPPING DOCUMENTS. 2. MAIL TWO COPIES OF INVOICE AT TIME OF SHIPMENT. 3. WASHINGTON STATE SALES TAX APPLIES TO THIS ORDER.

PURCHASE AUTHORIZATION SIGNATURE	DATE	COMPLETE/RECEIVING VERIFICATION	DATE RECEIVED
Lori Johnson	12/1/2006		

ACCOUNTING CLASSIFICATION

ITEM NO	TRANS CODE	FUND	APPN INDEX	PROG INDEX	SUB OBJ	SUB SUB OBJECT	ORG INDEX	PROJECT	NET AMOUNT	INVOICE NUMBER

ACCOUNTING APPROVAL FOR PAYMENT	DATE	WARRANT TOTAL	WARRANT NUMBER

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
DOUG SUTHERLAND, Commissioner of Public Lands

LAKE WASHINGTON DERELICT PILING REMOVAL PROJECT
Lakeshore Marine Construction, Inc.

Contract No. 029

This Contract is between the State of Washington Department of Natural Resources, referred to as the DNR, and Lakeshore Marine Construction, Inc., referred to as the Contractor, for the express purposes described in the following provisions of this Contract.

The purpose of this Contract is to establish the terms and conditions under which the Contractor will remove and dispose of approximately 123 derelict pilings, one steel ball float, and one steel cylinder float which are located on state-owned aquatic lands (SOAL) on the eastern shores of Lake Washington, in King County Washington.

The parties mutually agree to the terms, conditions and covenants described below, attached, or incorporated by reference as follows:

TERMS AND CONDITIONS

1.01 Scope of Work.

The Contractor shall furnish the necessary personnel, equipment, material, and services necessary to accomplish the work as outlined below.

The pilings will be extracted using a vibratory hammer that is mounted on a barge. A collar will be fastened around the pilings and will pull up the piling while vibrating it out of the sediment. Once the pilings are pulled from the sediment the vibratory hammer will be turned off. The pilings will be placed on the barge and disposed of off site. The contractor will be required to remove pilings slowly to reduce the amount of sediment that is displaced during the extraction process. Piles will not be washed off in the water. The holes that remain after removal of the pilings will be filled with clean sand.

Some areas within the project area are part of a larger CERCLA cleanup of the upland property and lake sediments. Attachment E indicates the areas within the Harbor Area that will undergo future cleanup of polynuclear aromatic hydrocarbons (PAH) and woodwaste. Pilings that are located in the Polynuclear aromatic hydrocarbons (PAH) areas will be cut at the mud line. This includes approximately 28 pilings located on the Attachment A at GPS points 4 and 31. Prior to commencement of the work the contractor will discuss with the DNR project Manager which pilings will be cut. The contractor will keep a log of the location using GPS and the number of pilings that were cut. The bottom sediments will not be swept to search for underwater piles in known contaminated areas.

DNR-008134

As shown on Attachment F, Puget Sound Energy and King County have right-of-ways with DNR near the project site. Contractor may not anchor, use spuds, or use a clam shell bucket in these right-of way areas.

Pilings that break which are not located within a sediment cleanup area as shown in Attachment E or within the right-of-way areas shown in Attachment F, will be pulled out of the sediment with a clam shell bucket. The size of the clamshell bucket will be minimized to reduce turbidity during piling removal. The clamshell bucket will be emptied of material onto a contained area on the barge before it is lowered into the water. Any debris that is associated with the removal will be picked up and placed on the barge.

The Contractor will be required to maintain water quality standards for turbidity as dictated by Washington Department of Ecology.

Spill Prevention, Control and Countermeasures (SPCC) Plans must be in place during the project. The SPCC Plan will outline measures to be taken to prevent release or spread of discharged materials including those the contractor may store, use, or generate during construction activities. These items include, but are not limited to gasoline, oils, and chemicals.

Additional pilings that are found within the project area will be removed by Contractor after consultation and approval by the DNR project manager. As approved, the cost for removal and disposal of any additional pilings will be added and invoiced on the same invoice as this scope of work and as defined in 4.01 of this Agreement.

Attachment A contains a detailed description of the work area.

Attachment B contains the WDFW Hydraulic Project Approval (HPA).

Attachment C contains the Determination of Non-Significance and City of Renton Shoreline Exemption.

Attachment D contains the Army Corps Letter of Approval.

Attachment E contains a detailed description of the sediment cleanup areas.

Attachment F contains a detailed description of the right-of-way locations.

The aforementioned Attachments are made integral parts of the Contract.

2.01 Conduct of Work and Materials.

Materials and workmanship shall conform to all codes, regulations and requirements for such equipment, specifications contained herein, and the normal uses for which intended. Materials shall be manufactured in accordance with the best commercial practices and standards for this

type of equipment. The Contractor shall manage and direct the same to timely complete the work described in the Scope of Work.

The Contractor must conduct the work in accordance with all federal, state and local laws, rules and regulations, including the state solid waste disposal and hazardous waste management provisions provided for in Chapters 70.95 RCW and 70.105 RCW.

OSHA and WISHA Requirements
Contractor agrees to comply with conditions of the Federal Occupational Safety and Health Acts of 1970 (OSHA), as may be amended, and, if it has a workplace within the State of Washington, the Washington Industrial Safety and Health Act of 1973 (WISHA), as may be amended, and the standards and regulations issued thereunder, and certifies that all items furnished and purchased under this Scope of Work will conform to and comply with said standards and regulations.

3.01 Period of Performance.

The period of performance under this contract will begin on December 1, 2006 and end on December 31, 2006 unless terminated sooner, or extended as mutually agreed in writing by both parties.

4.01 Compensation and Payment.

The DNR shall pay an amount not to exceed eighty three thousand nine hundred and two dollars ($83,902), for the performance of all things necessary for, or incidental to the performance of work as set forth in the Scope of Work. The compensation for services rendered shall be based on the following rate:

Mobilization
Unit Price $500
Removal
Unit Price $419
Sand Placement
Unit Price $123
Disposal
Unit Price $160

5.01 Billing Procedure.

The DNR will pay the Contractor upon receipt of properly completed invoices which shall be submitted to Accounts Payable. The invoices shall describe and document, to the DNR's satisfaction, the work performed and fees. Invoices will be submitted after completion of the Scope of Work.

Payment shall be considered timely if made by the DNR within thirty (30) days after receipt of properly completed invoices. Payment shall be sent to the address designated by the contractor.

The DNR may, in its sole discretion, terminate the agreement or withhold payments claimed by the Contractor for services rendered if the firm fails to comply with any term or condition of this Agreement.

DNR will make no payments in advance or in anticipation of services or supplies under this Agreement.

6.01 General Insurance Requirements.
At its own expense and prior to commencement of any work on the Property, Contractor shall procure and maintain a security performance bond or provide other financial security satisfactory to State (the "Bond") in an amount equal to the value of the total contract amount, which shall secure Contractor's full performance of its obligations under this Agreement. The Bond shall be in a form and issued by a surety company acceptable to State.

At all times during the term of this Scope of Work, the Contractor shall, at its cost and expense, buy and maintain insurance of the types and amounts listed below. Failure to buy and maintain the required insurance may result in the termination of the Scope of Work at DNR's option.

All insurance shall be issued by companies admitted to business in the State of Washington and have a rating of A-, Class VII or better in the most recently published edition of Best's Reports unless otherwise approved by DNR. Any exception must be reviewed and approved by the DNR Risk Manager or in the absence of, the DNR Contracts Specialist. If an insurer is not admitted, all insurance policies and procedures for issuing the insurance policies must comply with Chapter 48.15 RCW and 284-15 WAC.

Before starting work, Contractor shall furnish DNR, with a certificate(s) of insurance, executed by a duly authorized representative of each insurer, showing compliance with the insurance requirements specified in this contract. Said certificate(s) shall contain the number 029 and include the State of Washington, DNR, its elected and appointed officials, agents, and employees as additional insured on all general liability excess, umbrella and property insurance policies.

Contractor shall include all subcontractors as insureds under all required insurance policies, or shall furnish separate certificates of insurance and endorsements for each subcontractor. Subcontractor(s) must comply fully with all insurance requirements stated herein. Failure of subcontractor(s) to comply with insurance requirements does not limit Contractor's liability or responsibility.

All insurance provided in compliance with this contract shall be primary as to any other insurance or self-insurance programs afforded to or maintained by DNR. Contractor waives all rights against the DNR for recovery of damages to the extent these damages are covered by general liability of umbrella insurance maintained pursuant to this contract.

DNR shall be provided written notice before cancellation or non-renewal of any insurance referred to therein, in accord with the following specifications.

Insurers subject to Chapter 48.18 RCW (Admitted and Regulated by the Insurance Commissioner): The insurer shall give the DNR 45 days advance notice of cancellation or non-renewal. If cancellation is due to nonpayment of premium, the DNR shall be given 10 days advance notice of cancellation.

Insurers subject to Chapter 48.15 RCW (Surplus lines): The DNR shall be given 20 days advance notice of cancellation. If cancellation is due to nonpayment of premium, the DNR shall be given 10 days advance notice of cancellation.

In lieu of coverages required under this section, DNR at its sole discretion, may accept evidence of self-insurance by the Contractor, provided Contractor provides the following:

Contractor shall provide a statement by a CPA or actuary, satisfactory to the DNR, that demonstrates Contractor's financial condition is satisfactory to self-insure any of the required insurance coverages.

DNR may require Contractor to provide the above from time to time to ensure Contractor's continuing ability to self-insure. If at any time the Contractor does not satisfy the self-insurance requirement, Contractor shall immediately purchase insurance as set forth under this section.

By requiring insurance herein, DNR does not represent that coverage and limits will be adequate to protect Contractor, and such coverage and limits shall not limit Contractor's liability under the indemnities and reimbursements granted to DNR in this contract.

The limits of insurance, which may be increased by DNR, as deemed necessary, shall not be less than as follows:

General Liability Insurance.
Contractor shall procure and maintain commercial general liability insurance (CGL) or marine general liability (MGL) covering claims for bodily injury, personal injury, or property damage arising on the Property and/or arising out of Tenant's use, occupation, or control of the Property and, if necessary, commercial umbrella insurance with a limit of not less than One Million Dollars ($1,000,000) per each occurrence. If such CGL or MGL insurance contains aggregate limits, the general aggregate limit shall be at least twice the "each occurrence" limit. CGL or MGL insurance shall have products-completed operations aggregate limit of at least two times the "each occurrence" limit.

CGL insurance shall be written on Insurance Services Office (ISO) Occurrence Form CG 00 01 (or a substitute form providing equivalent coverage). All insurance shall cover liability arising out of premises, operations, independent contractors, products completed operations, personal injury and advertising injury, and liability assumed under an insured contract (including the tort liability of another party assumed in a business contract) and contain separation of insured (cross-liability) condition.

MGL insurance shall have no exclusions for non-owned watercraft.

Protection and Indemnity Insurance.
Contractor shall procure and maintain Protection and Indemnity (P and I) insurance, including hull coverage. This insurance will cover all claims with respect to injuries or damages to persons or property, including nets and fishing lines, sustained in, on, or about the property, including while at a marina and in transit, with limits of liability not less than One Million dollars ($1,000,000). If necessary, commercial umbrella insurance covering claims for these risks shall be procured and maintained. Insurance covering claims for these risks shall be procured and maintained.

Workers' Compensation Coverage.
Contractor shall comply with all State of Washington workers' compensation statutes and regulations. Workers' compensation coverage shall be provided for all employees of Contractor and employees of any subcontractor or sub-subcontractor. Coverage shall include bodily injury (including death) by accident or disease, which exists out of or in connection with the performance of this agreement. Except as prohibited by law, Contractor waives all rights of subrogation against State for recovery of damages to the extent they are covered by workers' compensation, employer's liability, commercial general liability, or commercial umbrella liability insurance.

If Contractor, subcontractor or sub-subcontractor fails to comply with all State of Washington workers' compensation statutes and regulations and State incurs fines or is required by law to provide benefits to or obtain coverage for such employees, Contractor shall indemnify State. Indemnity shall include all fines, payment of benefits to Contractor or subcontractor employees, or their heirs or legal representatives, and the cost of effecting coverage on behalf of such employees.

Longshore and Harbor Worker's Insurance
Certain work or services under this agreement may require insurance coverage for longshore and harbor workers other than seaman as provided in the Longshore and Harbor Worker's Compensation Act [33 U.S.C.A. Section 901 et seq.]. Failure to obtain coverage in the amount required by law may result in civil and criminal liabilities. Contractor is fully responsible for ascertaining if such insurance is required and shall maintain insurance in compliance with this Act. Contractor is responsible for all civil and criminal liability that may arise from the failure to maintain such coverage.

Jones Act
Certain work or services under this agreement may require insurance coverage for seaman injured during employment resulting from negligence of the owner, master or fellow crew members as provided in 46 U.S.C.A. Section 688. Failure to obtain coverage in the amount required by law may result in civil and criminal liabilities. Contractor is fully responsible for ascertaining if such insurance is required and shall maintain insurance in compliance with this Act. Contractor is responsible for all civil and criminal liability that may arise from the failure to maintain such coverage.

Marine Environmental Impairment and Contractor's Pollution Liability Insurance.
Contractor shall maintain in force for the duration of this contract insurance covering losses caused by pollution conditions that arise from the operations of the contractor described under the scope of services of this agreement. Insurance shall apply to bodily injury; property damage, including loss of use of damaged property or of property that has not been physically injured; cleanup costs, and defense, including cost and expenses incurred in the investigation, defense, or settlement of claims. The insurance policy affording these required coverages shall be written in an amount of at least One Million dollars ($1,000,000) per loss, with an annual aggregate of at least Two Million dollars ($2,000,000). The insurance policy shall be endorsed to include as additional insured the State of

Washington, Department of Natural Resources, its officers and employees. An insurer acceptable to the Department shall write the policy of insurance.

If coverage is written on a claims-made basis, the Contractor warrants that any retroactive date applicable to coverage under the policy precedes the effective date of this agreement, and that continuous coverage will be maintained or an extended discovery period will be exercised for a period of 36 months beginning from the time that work under the contract is completed. If the scope of services as defined in the agreement includes the disposal of any hazardous or non-hazardous materials from the job site, the Contractor must furnish to the Department evidence of pollution legal liability insurance maintained by the disposal site operator for losses arising from the insured facility accepting waste under this agreement. Coverage certified to the Department must be maintained in minimum amounts of One Million dollars ($1,000,000) per loss, with an annual aggregate of at least Five Million dollars ($5,000,000).

Marine Vessel Pollution Liability Insurance.
Contractor shall obtain for the duration of the agreement marine vessel pollution liability, including investigation and defense costs, for bodily injury and property damage, including loss of use of damaged property or of property that has been physically damaged or destroyed. Failure to buy and maintain the required insurance may result in a breach and/or termination of the contract at State's option. Such coverage must provide coverage for on-site clean-up costs and cover gradual and sudden pollution, and includes in its scope of coverage, natural resource damage claims. The State of Washington, Department of Natural Resources shall be named as additional insured. Coverage shall be maintained in an amount of at least:

One Million dollars ($1,000,000) each occurrence for contractor's operations at the site(s) identified above, and if the policy contains a general aggregate limit or policy limit, it shall be at least Five Million dollars ($5,000,000).

Such insurance may be provided on an occurrence or claims-made basis. If such coverage is obtained as an endorsement to the CGL and is provided on a claims-made basis, the following additional conditions must be met:

The Insurance Certificate must state that the insurer is covering hazardous substance removal.
The policy must contain no retroactive date, or the retroactive date must precede abatement services.
Coverage must be continuously maintained with the same insurance carrier through the official completion of any work on the agreement Area. The extended reporting period (tail) must be purchased to cover a minimum of 36 months beyond completion of work.

Business Auto Policy Insurance.
As applicable, Contractor shall maintain business auto liability insurance and, if necessary, commercial umbrella liability insurance with a limit not less than One Million Dollars ($1,000,000) per accident. Such insurance shall cover liability arising out of "Any Auto." Business auto coverage shall be written on ISO Form CA 00 01, or substitute liability form providing equivalent coverage. If necessary, the policy shall be endorsed to provide contractual liability coverages and cover a "covered pollution cost or expense" as provided in the 1990 or later editions of CA 00 01.

Contractor shall indemnify DNR for all claims arising out of Contractor's, its subcontractor's, or sub-subcontractor's failure to comply with any State of Washington worker's compensation laws where DNR incurs fines or is required by law to provide benefits to or obtain coverage for such

employees. Indemnity shall include all fines, payment of benefits to Contractor or subcontractor employees, or their heirs or legal representatives, and the cost of effecting coverage on behalf of such employees. Any amount owed to DNR by Contractor pursuant to the indemnity may be deducted from any payments owed by DNR to Contractor for performance of this Scope of Work.

7.01 Hold Harmless.

To the fullest extent permitted by law, the Contractor shall indemnify, defend and hold harmless the State against all claims arising out of or resulting from the performance of the contract. A Claim as used in this contract means any financial loss, claim, suit, action, damage, or death, or injury to or destruction of tangible property including loss of use resulting therefrom. Contractor's obligation to indemnify, defend, and hold harmless includes any claim by the Contractor's agents, employees, representatives, or any subcontractor of its employees.

The Contractor expressly agrees to indemnify, defend and hold harmless the State for any claim arising out of or incident to the Contractor's or any subcontractor's performance or failure to perform the Scope of Work. The Contractor's obligation to indemnify, defend and hold harmless the State shall not be eliminated or reduced by an actual or alleged concurrent negligence of the State or its agents, agencies, employees and officials.

The Contractor waives its immunity under Title RCW to extent it is required to indemnify, defend and hold harmless the State and its agencies, official, agents or employees.

8.01 Personal Liability.

It is agreed by and between the parties hereto that in no event shall any official, officer, employee or agent of the State of Washington be in any way personably liable or responsible for any covenant or agreement herein contained whether expressed or implied, nor for any statement or representation made herein or in any connection with this agreement.

9.01 Retention of Records

Contractor shall retain all records relating to this contract for a period of two years following the date of final payment or completion of any required audit, whichever is earlier. Any authorized representative of the state or federal government (where federal funds are involved) shall have access to and the right to examine, audit, excerpt, and transcribe all said records within a reasonable time.

10.01 Advertising.

Contractor shall not advertise or publish information concerning the work in any form or media without prior written consent from the DNR Project Manager.

11.01 Assurances.

The DNR and Contractor agree that all activity pursuant to this contract will be in accordance with all the applicable current federal, state and local laws, rules and regulations.

12.01 Independent Capacity

The employees or agents of each party engaged in performing this agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

13.01 Termination for Default.

The DNR may terminate this Agreement for default, in whole or part, by written notice to Contractor if the DNR has reasonable basis to believe that Contractor has:

Failed to meet or maintain any requirement for contracting with DNR
Failed to ensure the health or safety of any client for whom services are being provided under this agreement.
Failed to perform under, or otherwise breached, any term or condition of this agreement.
Violated any applicable law or regulation.

If it is later determined that Contractor was not in default, the termination shall be considered a termination for convenience.

14.01 Severability

The provisions of this Agreement are severable. If any provision of this Agreement should be held invalid, the other provisions of this Agreement that are effective without the invalid provision remain valid if the agreement formed by the remaining clauses conforms to the requirements of applicable law and the fundamental purpose of this Agreement.

15.01 Amendments

This agreement may be amended by mutual agreement of the parties. Amendments shall be in writing and signed by personnel authorized to bind each of the parties.

16.01 Entire Agreement.

This Agreement contains all the terms and conditions agreed upon by the parties. No other understanding, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties.

17.01 Conformance.

If any provision of this Agreement violates any statute or rule of law of the State of Washington, it is considered modified to conform to that statute or rule of law.

18.01 Project Management.

(1) The Project Manager for the Contractor is:
David Wells (206) 730-3643
PO Box 255
Mukilteo, WA 98275

(2) The Project Managers for the DNR is:
Monica Durkin (206) 799-2949
950 Farman Avenue North
Enumclaw, WA 98022

19.01 Approval

This Agreement shall be subject to the written approval of the DNR's authorized representative and shall not be binding until so approved. The Agreement may be altered, amended, or waived only by a written amendment executed by both parties.

This Agreement, consisting of 11 pages, is executed by the persons signing below who warrant that they have the authority to execute the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement.

LAKESHORE MARINE CONSTRUCTION, INC.

Dated: 12/8/ ,20 06

By: David F Wells

DAVID WELLS JR.
Title: President
Address: PO BOX 255 Mukilteo, WA 98275
Telephone: (206) 730-3643
FTIN: 54-2063756
UBI Number:

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

Dated: 12/14 ,20[illegible]

By: [signature]

FRANCEA L. MCNAIR

Title: Aquatic Lands Steward

Address: 1111 Washington St.
PO Box 47001
Olympia, WA 98504-7001

3 Bid Submittals:

3.1 OFFER AND AWARD

Bidders are required to read and understand all information contained within this entire bid package. There are some standard documents, which are referred to in this bid package that are not automatically printed or sent out with this bid. For example, Competitive Procurement Standards (Standard Terms and Conditions, Instructions to Bidders, Definitions), Sales/Service & Subcontractor Report are binding terms of this contract. It is important that you read and understand these documents. These documents are available on our website at http://www.ga.wa.gov/pca/cps.htm. If you do not have Internet access, you may contact the State Procurement Officer to obtain copies of any and all documents contained in this bid package.

STANDARD DEFINITIONS ***revised 06/02/03***
STANDARD INSTRUCTIONS FOR BIDDERS ***revised 06/02/03***
STANDARD TERMS AND CONDITIONS ***revised 07/31/06***

Bidder further offers to furnish materials, equipment or services in compliance with all terms, conditions, and specifications herein including all amendments. Submitting this document with an authorized signature constitutes complete understanding and compliance with the terms and conditions and certifies that all-necessary facilities or personnel are available and established at the time of bid submittal.

LAKESHORE MARINE CONSTRUCTION, INC.
(Company Name)

P.O Box 255
(Address)

MUKILTEO WA 98275
(City) (State) (Zip)

54-2063756
(Federal Tax Identification Number)

DAVE@LAKESHOREMARINE.COM
Email

DAVID F. WELLS JR
(Typed or Printed Name)

President
(Title)

206-730-3643
(Phone No.)

David F Wells Jr 11-20-06
(Bidder's Signature) (Date)

CONTRACT AWARD
(For State of Washington Use Only)

A contract is hereby awarded between the above company and the State of Washington, Office of State Procurement, Purchasing and Contract Administration, to be effective _____, Year_____. This is a Partial/Total award for _____.

Authorized Signatures

(State Procurement Officer)	(Date)	(Purchasing Manager)	(Date)
		[illegible]	12.1.06

Bidder's Company Name Lakeshore Marine Construction Inc.

3.2 BID INFORMATION

Bidder shall complete the following:

1. Prompt Payment Discount 2 % 30 days. Note: Prompt payment discount periods equal to (or greater than) 60 calendar days will receive consideration and bid pricing will be reduced (for evaluation purposes only) by the amount of that discount(s).

2. Purchasing (Credit) Cards accepted Yes _____ No X
(Washington State Purchasing card is VISA)
If yes, please list major brands below:

_____ _____

_____ _____

_____ _____

Payment discount for transactions involving card use: N/A % Discount.

3. Authorized Representative:

Primary Contact-Contract Administration		Alternate Contact - Contract Administration	
Name:	DAVID F. WELLS JR	Name:	Kristi Axford
Telephone:	206-730-3643	Telephone:	425-828-3625
Fax:	425-513-0581	Fax:	425-513-0581
Email:	DAVE@LAKESHOREMARINE.com	Email:	INFO@LAKESHOREMARINE.COM

Customer Service/Order Placement

Name:	DAVID F. WELLS JR	Name:	Kristi Axford
Telephone:	206-730-3643	Telephone:	425-828-3625
Fax:	425-513-0581	Fax:	425-513-0581
Email:	DAVE@LAKESHOREMARINE.com	Email:	INFO@LAKESHOREMARINE.COM

4. Lead-time: Materials, equipment or services will be delivered within calendar 15 days after receipt of order (ARO).

5. Addresses:

Orders to be sent to:	Billing will be from:	Payment to be sent to:
LAKESHORE MARINE CONST.	LAKESHORE MARINE CONST.	LAKESHORE MARINE CONST.
P.O Box 255	P.O Box 255	P.O Box 255
MUKILTEO WA 98275	MUKILTEO WA 98275	MUKILTEO WA 98275

6. Federal Tax Identification Number: 54-2063756

Bidder's Company Name LAKESHORE MARINE CONSTRUCTION, INC.

Invitation for Bid #029

7. Firms bidding from California only: Is your firm currently cer...d as a small business under California Code, Title 2, Section 1896.12? Yes _____ No _X_____.

Bidder's Company Name Lakeshore Marine Construction Inc

3.3 PRICE SHEETS

Req. Item	Comm. Code	Description	Qty	Unit	Unit Price	Total Price
1.		Mobilization: Bidder must identify all componenents of mobilization). MOBILIZE VIBRO TO AND FROM JOBSITE. TUG AND CRANE BARGE ARE ON SITE AS THIS IS OUR YARD.	2		$ 500	$ 1,000
2.		Removal: Removal of pilings	123		$ 419	$ 51,537
3.		Placement of clean sand in holes after pilings are removed.	95		$ 123	$ 11,685
4.		Disposal: Disposal of pilings.	123		$ 160	$ 19,680
					Total	$83,902

Bidder's Company Name Lakeshore Marine Construction Inc.

3.6 REFERENCES

Bidder must supply three (3) references (Name, address and phone number) which they have performed equal requirements and used similar equipment. Please give a brief description of the work performed for each reference.

Reference #1:
Name: Island Tug & Barge
Address: 3546 W. MARGINAL WAY SW SEATTLE, WA 98106
Phone Number: 206-938-0403

Project Description: Remove concrete dock panels. Remove timber framing and pull 80 creosote piles with vibro.

Reference #2:
Name: Centenial Contractors Enterprises, Inc.
Address: P.O Box 33697 Fort Lewis WA 98433-0697
Phone Number: 253-912-1910

Project Description: Provide and install 24"x100' epoxy pipe piles for New coast guard pier at Everett naval station. Install concrete floats and ramp for accessing coast guard vessel. Vibro was used to install piling.

Reference #3:
Name: Centenial Contractors Enterprises, Inc
Address: P.O Box 33697 Fort Lewis WA 98433-0697
Phone Number: 253-912-1910
Project Description: Provide and install 18"x85' epoxy pipe piles for New coast guard pier in Bellingham Bay. Install concrete floats, ramp, and modify existing pier. Vibro was used to install piling.

Bidder's Company Name Lakeshore Marine Construction, Inc.

Washington Department of FISH and WILDLIFE

HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - Appeal pursuant to Chapter 34.05 RCW

North Puget Sound
16018 Mill Creek Boulevard
Mill Creek, WA 98012-1299
(425) 775-1311

Issue Date: November 07, 2006 | Control Number: 106673-1
Project Expiration Date: November 11, 2010 | FPA/Public Notice #: N/A

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Washington State Department of Natural Resources ATTENTION: Monica Durkin 950 Farman Avenue North Enumclaw, WA 98022	RECEIVED NOV 08 2006 DNR-SPS

Project Name: Remove derelict piles

Project Description: Remove derelick piles

PROVISIONS

1. TIMING LIMITATIONS: The project may begin November 11, 2006 and shall be completed by November 11, 2010; Provided: Work below the ordinary high water line (OHWL) shall only occur between July 16 and December 31 of each year in the specified allotted time.

2. Work shall be accomplished per plans and specifications approved by the Washington Department of Fish and Wildlife except as modified by this Hydraulic Project Approval. A copy of these plans shall be available on site during construction.

3. NOTIFICATION REQUIREMENT: The Area Habitat Biologist listed below shall receive written notification (FAX or mail) from the person to whom this Hydraulic Project Approval (HPA) is issued (permittee) or the agent/contractor no less than three working days prior to start of work, and again within seven days of completion of work to arrange for a compliance inspection. The notification shall include the permittee's name, project location, starting date for work or completion date of work, and the control number for this HPA.

4. All trash and unauthorized fill, including concrete blocks or pieces, bricks, asphalt, metal, treated wood, glass, and paper, below the OHWL in and around the applicant's project area shall be removed and deposited above the limit of flood water in an approved upland disposal site.

5. All applicable Best Management Practices as described in "Regional Road Maintenance, Endangered Species Act, Program Guidelines" (January 18, 2002) shall be implemented to assure protection of fish life.

6. All abandoned piling holes shall be filled and capped with substrate consisted with current existing natural surrounding substrate, sand and/or clean one-inch minus well-rounded gravel.

7. Removal of existing structures shall be accomplished so the structure and associated material does not re-enter the lake.

Washington Department of FISH and WILDLIFE

HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - Appeal pursuant to Chapter 34.05 RCW

North Puget Sound
16018 Mill Creek Boulevard
Mill Creek, WA 98012-1296
(425) 775-1311

Issue Date: November 07, 2006 Control Number: 106673-1
Project Expiration Date: November 11, 2010 FPA/Public Notice #: N/A

8. All work operations shall be conducted in a manner that causes little or no siltation to adjacent areas.

9. If at any time, as a result of project activities, fish are observed in distress, a fish kill occurs, or water quality problems develop (including equipment leaks or spills), immediate notification shall be made to the Washington Department of Ecology at 1-800-258-5990, and to the Area Habitat Biologist listed below.

10. All waste material such as construction debris, silt, excess dirt or overburden resulting from this project shall be deposited above the limits of flood water in an approved upland disposal site.

11. Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid, fresh cement, sediments, sediment-laden water, chemicals, or any other toxic or deleterious materials are allowed to enter or leach into the lake

PROJECT LOCATIONS

Location #1

WORK START: November 11, 2006					WORK END: November 11, 2010	
WRIA: 08.0007	Waterbody: Lake Washington				Tributary to: Ship Canal	
1/4 SEC: SW 1/4	Section: 29	Township: 24 N	Range: 05 E	Latitude: N 47.53481	Longitude: W 122.20288	County: King
Location #1 Driving Directions						
Piling located offshore of 4503 Lake Washington Boulevard Renton.						

NOTES

APPLY TO ALL HYDRAULIC PROJECT APPROVALS

This Hydraulic Project Approval pertains only to those requirements of the Washington State Hydraulic Code, specifically Chapter 77.55 RCW (formerly RCW 77.20). Additional authorization from other public agencies may be necessary for this project. The person(s) to whom this Hydraulic Project Approval is issued is responsible for applying for and obtaining any additional authorization from other public agencies (local, state and/or federal) that may be necessary for this project.

This Hydraulic Project Approval shall be available on the job site at all times and all its provisions followed by the person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work.

This Hydraulic Project Approval does not authorize trespass.

The person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work may be held liable for any loss or damage to fish life or fish habitat that results from failure to comply with the provisions of this Hydraulic Project Approval.

Washington Department of FISH and WILDLIFE

HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - Appeal pursuant to Chapter 34.05 RCW

North Puget Sound
16018 Mill Creek Boulevard
Mill Creek, WA 98012-1296
(425) 775-1311

Issue Date: November 07, 2006 | Control Number: 106673-1

Project Expiration Date: November 11, 2010 | FPA/Public Notice #: N/A

Failure to comply with the provisions of this Hydraulic Project Approval could result in a civil penalty of up to one hundred dollars per day and/or a gross misdemeanor charge, possibly punishable by fine and/or imprisonment.

All Hydraulic Project Approvals issued pursuant to RCW 77.55.021 (EXCEPT agricultural irrigation, stock watering or bank stabilization projects) or 77.55.141 are subject to additional restrictions, conditions or revocation if the Department of Fish and Wildlife determines that new biological or physical information indicates the need for such action. The person(s) to whom this Hydraulic Project Approval is issued has the right pursuant to Chapter 34.04 RCW to appeal such decisions. All agricultural irrigation, stock watering or bank stabilization Hydraulic Project Approvals issued pursuant to RCW 77.55.021 may be modified by the Department of Fish and Wildlife due to changed conditions after consultation with the person(s) to whom this Hydraulic Project Approval is issued: PROVIDED HOWEVER, that such modifications shall be subject to appeal to the Hydraulic Appeals Board established in RCW 77.55.301.

APPEALS INFORMATION

If you wish to appeal the issuance or denial of, or conditions provided in a Hydraulic Project Approval, there are informal and formal appeal processes available.

A. INFORMAL APPEALS (WAC 220-110-340) OF DEPARTMENT ACTIONS TAKEN PURSUANT TO RCW 77.55.021, 77.55.141, 77.55.181, and 77.55.291: A person who is aggrieved or adversely affected by the following Department actions may request an informal review of:

(A) The denial or issuance of a Hydraulic Project Approval, or the conditions or provisions made part of a Hydraulic Project Approval; or

(B) An order imposing civil penalties. A request for an INFORMAL REVIEW shall be in WRITING to the Department of Fish and Wildlife HPA Appeals Coordinator, 600 Capitol Way North, Olympia, Washington 98501-1091 and shall be RECEIVED by the Department within 30 days of the denial or issuance of a Hydraulic Project Approval or receipt of an order imposing civil penalties. If agreed to by the aggrieved party, and the aggrieved party is the Hydraulic Project Approval applicant, resolution of the concerns will be facilitated through discussions with the Area Habitat Biologist and his/her supervisor. If resolution is not reached, or the aggrieved party is not the Hydraulic Project Approval applicant, the Habitat Technical Services Division Manager or his/her designee shall conduct a review and recommend a decision to the Director or his/her designee. If you are not satisfied with the results of this informal appeal, a formal appeal may be filed.

B. FORMAL APPEALS (WAC 220-110-350) OF DEPARTMENT ACTIONS TAKEN PURSUANT TO RCW 77.55.021 (EXCEPT agricultural irrigation, stock watering or bank stabilization projects) or 77.55.291:

A person who is aggrieved or adversely affected by the following Department actions may request a formal review of:

(A) The denial or issuance of a Hydraulic Project Approval, or the conditions or provisions made part of a Hydraulic Project Approval;

(B) An order imposing civil penalties; or

(C) Any other 'agency action' for which an adjudicative proceeding is required under the Administrative Procedure Act, Chapter 34.05 RCW.

A request for a FORMAL APPEAL shall be in WRITING to the Department of Fish and Wildlife HPA Appeals Coordinator, shall be plainly labeled as 'REQUEST FOR FORMAL APPEAL' and shall be RECEIVED DURING OFFICE HOURS by the Department at 600 Capitol Way North, Olympia, Washington 98501-1091, within 30-days of the Department action that is being challenged. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, the deadline for requesting a formal appeal shall be within 30-days of the date of the Department's written decision in response to the informal appeal.

C. FORMAL APPEALS OF DEPARTMENT ACTIONS TAKEN PURSUANT TO RCW 77.55.021 (agricultural irrigation, stock watering or bank stabilization only), 77.55.141, 77.55.181, or 77.55.241: A person who is aggrieved or adversely affected by the denial or issuance of a Hydraulic Project Approval, or the conditions or provisions made part of a Hydraulic Project Approval may request a formal appeal. The request for FORMAL APPEAL shall be in WRITING to the Hydraulic Appeals Board per WAC 259-04 at Environmental Hearings Office, 4224 Sixth Avenue SE, Building Two - Rowe Six, Lacey, Washington 98504; telephone 360/459-6327.

Washington Department of FISH and WILDLIFE

HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - Appeal pursuant to Chapter 34.05 RCW

North Puget Sound
16018 Mill Creek Boulevard
Mill Creek, WA 98012-1296
(425) 775-1311

Issue Date: November 07, 2006 Control Number: 106673-1
Project Expiration Date: November 11, 2010 FPA/Public Notice #: N/A

D. FORMAL APPEALS OF DEPARTMENT ACTIONS TAKEN PURSUANT TO CHAPTER 43.21L RCW: A person who is aggrieved or adversely affected by the denial or issuance of a Hydraulic Project Approval, or the conditions or provisions made part of a Hydraulic Project Approval may request a formal appeal. The FORMAL APPEAL shall be in accordance with the provisions of Chapter 43.21L RCW and Chapter 199-08 WAC. The request for FORMAL APPEAL shall be in WRITING to the Environmental and Land Use Hearings Board at Environmental Hearings Office, Environmental and Land Use Hearings Board, 4224 Sixth Avenue SE, Building Two - Rowe Six, P.O. Box 40903, Lacey, Washington 98504; telephone 360/459-6327.

E. FAILURE TO APPEAL WITHIN THE REQUIRED TIME PERIODS results in forfeiture of all appeal rights. If there is no timely request for an appeal, the department action shall be final and unappealable.

ENFORCEMENT: Sergeant Chandler (34) P2

Habitat Biologist Stewart Rainbold	425-649-4423	Stewart B. Rainbold	for Director WDFW.

CC:

CITY OF RENTON

CERTIFICATE OF EXEMPTION FROM SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

DATE: November 7, 2006

LAND USE ACTION FILE NO.: LUA06-114, SME

PROJECT NAME: Lake Washington Piling Removal Shoreline Exemption

OWNER/APPLICANT: Washington State Department of Natural Resources
950 Farman Avenue N
Enumclaw WA 98022

CONTACT: Monica Durkin, DNR
(360) 825-1631, ext. 2006

PROJECT MANAGER: Elizabeth Higgins, AICP
Senior Planner

PROPOSAL: The applicant, the Washington State Department of Natural Resources, is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float that are located on state-owned acuatic lands within the open harbor area of the eastern shores of Lake Washington within the jurisdiction of the City of Renton.

Portions of the site area are part of the larger Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup that is on-going with the on-shore, upland property known as Quendall Terminals. The CERCLA work is managed by the Environmental Protection Agency.

The pilings and floats are no longer used and are currently a potential navigational hazard for boaters on Lake Washington.

Required work would be below the ordinary high water mark, within the harbor area. The lake bottom at the project location consists of silty mud with areas of sandy substrate. A portion of the lake bottom, within the removal area for 28 pilings, includes sediments that have been indentified as containing Polynuclear Aromatic Hydrocarbons (PAH). Twenty-one pilings, at the southern end of the project site, are situated in an area littered with woodwaste.

Work would occur in accordance with allowed "fish windows" and bird nesting and migration time frames, as determined by the Washington State Department of Fish and Wildlife. These considerations require that work be completed by December 31, 2006.

The removal technique would be to remove the pilings with a vibratory hammer. A temporary increase in localized emissions from the equipment used to remove the pilings is expected. The vibrating hammer is mounted on a floating barge. A collar is fastened around each piling individually and the piling would be pulled out of the lake bottom while vibration occurs.

In order to displace the minimal amount of lake bottom material, pilings would be removed as slowly as possible. To prevent suspension of sediments, the vibratory hammer would be turned off once each piling was removed from the lake bottom. Pilings would not be washed off with lake water. If pilings break during removal, a clam shell bucket would be used to remove them from the lake bottom.

A Spill Prevention, Control, and Countermeasures (SPCC) Plan would be developed with the contractor prior to the initiation of work. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged materials indlucing those the contractor may store, use, or generate during construction activities. These may include gasoline, oils, chemicals, and other potential items.

Removed pilings and debris associated with the removal would be placed on the barge and disposed of off site.

Pilings located in or near the PAH contaminated sediments (points 4 and 31 of Map 1) would be cut at the mudline of the lake bottom. Within potentially contaminated areas, bottom sediments would be undisturbed and not sweep to locate additional pilings.

The steel ball and steel cylinder floats are located on the lake surface, but are anchored to the bedland. They would be removed by extracting and lifting the anchors from the bottom sediments or by cutting the chains and leaving the anchors in place.

The work described would occur during daylight hours Monday through Friday.

The estimated project cost is $35,000.

This project would improve the navigability of the Lake by removing potential hazards and would enhance the nearshore, shallow-water environment, thereby providing a benefit to migrating juvenile salmon.

Due to the designation of the waters of Lake Washington as a "critical area" within the City of Renton, the proposed project was reviewed by the Environmental Review Committee on October 9, 2006, receiving a Determination of Non-significance from that body.

Although the City of Renton has determined that the project is exempt from Shoreline Management Act requirements, it is subject to Hydraulic Permit Approval (Washington State Department of Fish and Wildlife) and Section 10 Permit approval (U.S. Army Corps of Engineers).

PROJECT LOCATION: Between the Inner and Outer Lines of Lake Washington in Northeast Renton (see Legal Description)

LEGAL DESCRIPTION: That portion of the harbor area facing Government Lots 4 and 5, W ½ of the SW ¼ Section 29 Township 24N Range 5E, W.M., lying between the Inner and Outer Harbor Lines of Lake Washington as the same were established by the State of Washington, as shown on Plat 29 of Lake Washington Shorelands.

WATER BODY: Lake Washington (Urban Environment)

An exemption from a Shoreline Substantial Development Permit is hereby granted on the proposed project in accordance with RMC 4-9-190C3:

XX Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements.

a. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition.

The proposed development is consistent or inconsistent with (check one):

CONSISTENT	INCONSISTENT	
XX	____	Policies of the Washington State Shoreline Management Act.
N/A	____	The guidelines of the Department of Ecology where no Master Program has been finally approved or adapted by the Department.
XX	____	The City of Renton Shoreline Master Program.

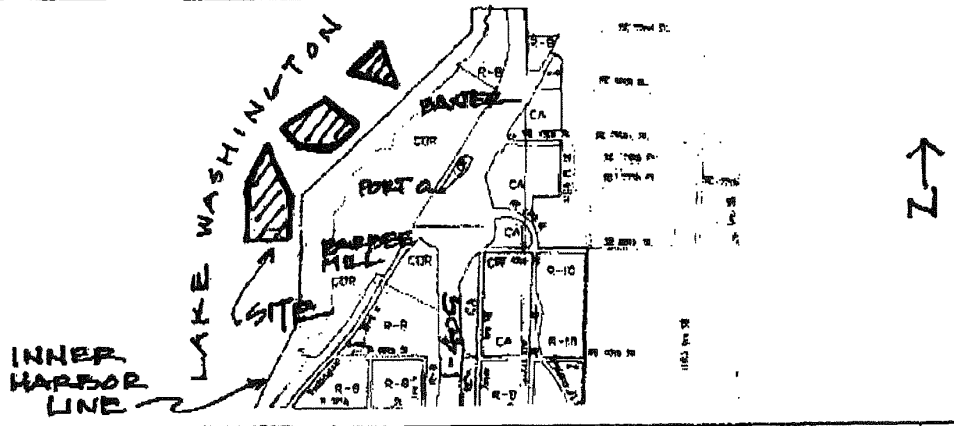
Neil Watts

Neil Watts, Director
Development Services Division

Attachments: Environmental Review Committee Staff Report

cc: Owner/Applicant
Contact1

REPORT & DECISION	**City of Renton** Department of Planning / Building / Public Works **ENVIRONMENTAL REVIEW COMMITTEE REPORT**
ERC MEETING DATE:	October 9, 2006
Project Name:	Lake Washington Derelict Piling Removal
Owner:	State of Washington Department of Natural Resources
Applicant:	Monica Durkin; WADNR 950 Farman Avenue N Enumclaw, WA 98022
Contact:	Monica Durkin; WADNR (360) 825-1631 ext. 2006
File Number:	LUA06-114, ECF, SME
Project Manager:	Elizabeth Higgins, Senior Planner
Project Description:	The applicant, the Washington State Department of Natural Resources, is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float that are located on state-owned aquatic lands within the open harbor area of the eastern shores of Lake Washington within the jurisdiction of the City of Renton. Portions of the site area are part of the larger Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup that is on-going with the on-shore, upland property known as Quendall Terminals. The CERCLA work is managed by the Environmental Protection Agency. The pilings and floats are no longer used and are currently a potential navigational hazard for boaters on Lake Washington. *Continued next page*
Project Location:	Harbor area of Lake Washington; Section 29, Township 24N, Range RE
Site Area:	Approximately 36 acres total area *Total Building Area SF:* N/A
RECOMMENDATION:	Staff recommends that the Environmental Review Committee issue a Determination of Non-Significance (DNS).



Project Location Map

PART ONE: PROJECT DESCRIPTION/BACKGROUND, CONTINUED

Required work would be below the ordinary high water mark, within the harbor area. The lake bottom at the project location consists of silty mud with areas of sandy substrate. A portion of the lake bottom, within the removal area for 28 pilings, includes sediments that have been identified as containing Polynuclear Aromatic Hydrocarbons (PAH). Twenty-one pilings, at the southern end of the project site, are situated in an area littered with woodwaste.

Work would occur in accordance with allowed "fish windows" and bird nesting and migration time frames, as determined by the Washington State Department of Fish and Wildlife. These considerations require that work be completed by December 31, 2006.

The removal technique would be to remove the pilings with a vibratory hammer. A temporary increase in localized emissions from the equipment used to remove the pilings is expected. The vibrating hammer is mounted on a floating barge. A collar is fastened around each piling individually and the piling would be pulled out of the lake bottom while vibration occurs.

In order to displace the minimal amount of lake bottom material, pilings would be removed as slowly as possible. To prevent suspension of sediments, the vibratory hammer would be turned off once each piling was removed from the lake bottom. Pilings would not be washed off with lake water. If pilings break during removal, a clam shell bucket would be used to remove them from the lake bottom.

A Spill Prevention, Control, and Countermeasures (SPCC) Plan would be developed with the contractor prior to the initiation of work. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged materials including those the contractor may store, use, or generate during construction activities. These may include gasoline, oils, chemicals, and other potential items.

Removed pilings and debris associated with the removal would be placed on the barge and disposed of off site.

Pilings located in or near the PAH contaminated sediments (points 4 and 31 of Map 1) would be cut at the mudline of the lake bottom. Within potentially contaminated areas, bottom sediments would be undisturbed and not sweep to locate additional pilings.

The steel ball and steel cylinder floats are located on the lake surface, but are anchored to the bedland. They would be removed by extracting and lifting the anchors from the bottom sediments or by cutting the chains and leaving the anchors in place.

The work described would occur during daylight hours Monday through Friday.

The estimated project cost is $35,000.

This project would improve the navigability of the Lake by removing potential hazards and would enhance the nearshore, shallow-water environment, thereby providing a benefit to migrating juvenile salmon.

Although the City of Renton has determined that the project is exempt from Shoreline Management Act requirements, it is subject to Hydraulic Permit Approval (Washington State Department of Fish and Wildlife) and Section 10 Permit approval (U.S. Army Corps of Engineers).

PART TWO: ENVIRONMENTAL REVIEW

In compliance with RCW 43.21C.240, the following project environmental review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

A. Recommendation

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials make the following Environmental Determination:

	DETERMINATION OF NON-SIGNIFICANCE		DETERMINATION OF NON - SIGNIFICANCE - MITIGATED.
	Issue DNS with 14-day Appeal Period.		Issue DNS-M with 14-day Appeal Period.
X	Issue DNS with 15-day Comment Period with a Concurrent 14-day Appeal Period.		Issue DNS-M with 15-day Comment Period with a Concurrent 14-day Appeal Period.

B. Mitigation Measures

There are no mitigation measures required for this project.

C. Environmental Impacts

The Proposal was circulated and reviewed by various City Departments and Divisions to determine whether the applicant has adequately identified and addressed environmental impacts anticipated to occur in conjunction with the proposed development. Staff reviewers have identified that the proposal is likely to have the following probable impacts:

1. Earth

Impacts: The site of the proposed project consists of gently sloped aquatic lands, including freshwater bedlands in the harbor area, below the Ordinary High Water Mark of Lake Washington. Lake Washington is a Class 1 Inventoried Shoreline of the State and Critical Area subject to the City of Renton Critical Areas Ordinance.

Under surface slopes are approximately 1.6 percent. The lake bottom sediment consists primarily of silty mud with areas of sandy substrate. The southern portion of the removal area is littered with woodwaste.

Although the Seattle Fault, which runs under Mercer Island and through Lake Washington, is north of here within fairly close proximity, there are no known unstable soils within the project area and it is not designated as a known landslide area on Sensitive Areas Ordinance maps.

Although pilings would be removed, no filling or grading is proposed. Localized disturbance of the lake bottom sediments would be temporary and not anticipated to be significant. Techniques to minimize disturbance have been incorporated into the project, including cutting pilings rather than completely removing them and remove the pilings slowly to reduce the amount of sediment that is displaced.

Mitigation Measures: None required

Nexus: Not applicable

2. Air

Impacts: It is anticipated that there would be a temporary increase in localized emissions from the equipment that would be used to remove the pilings. Odor impacts during construction are unavoidable and would be short-term in nature. The effects of these temporary emissions would be minimal. Equipment used would meet King County, state, and federal emissions control requirements.

Mitigation Measures: None required

Nexus: Not applicable

3. Water

Impacts: The proposal is for in-water work within Lake Washington on state-owned aquatic lands. All work would take place below the surface of the Lake, except for piling and debris removal from the area by barge. Any debris that is associated with the removal would be picked up and placed on the barge.

Spill Prevention, Control, and Countermeasures (SPCC) Plans would be developed with the selected contractor. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged

materials including those the contractor may store, use, or generate during the construction activities. These items include, but are not limited to gasoline, oils, and chemicals.

Mitigation Measures: None required

Nexus: Not applicable

4. Vegetation
Impacts: There are no known threatened or endangered species of plants on the site. The primary vegetation consists of milfoil.

Mitigation Measures: None required

Nexus: Not applicable

5. Wildlife
Impacts: Birds and fish that can be expected to frequent the project area include: hawk, heron, songbirds, osprey, cormorant, domestic quail, bass, salmon, trout, smelt, stickleback, threespine, freshwater shrimp, pike minnow, prickly sculpin, black crapple, bluegill, pumpkinseed sunfish, trench, and yellow perch.

Threatened or endangered species that may be in the vicinity of the project site include: sockeye salmon, cutthroat trout, steelhead salmon, coho salmon, Puget Sound Chinook salmon, bull trout, and bald eagle.

The project area is within the Pacific Flyway, a major north-south seasonal migration route for many bird species. The site is also a migratory and rearing corridor for Chinook salmon and Lake Washington contains the largest population of naturally occurring sockeye salmon in Washington State. Most spawning and fry projection occur in the Cedar River, just south of the project site.

Piling removal may enhance the habitat of these species because at the present time pilings may provide cover for predators of juvenile Chinook and coho salmon.

All in-water work would occur in accordance with allowed fish windows and bird nesting and migration windows as determined by the Washington State Department of Fish and Wildlife.

The project is compatible with the Water Resource Inventory Area (WRIA) 8 Chinook Salmon Conservation Plan.

Mitigation Measures: None required

Nexus: Not applicable

6. Environmental Health
Impacts: The adjacent upland parcel was used for wood processing activities for many decades. Polynuclear aromatic hydrocarbons (PAH) and woodwaste are located in a few areas of the harbor area due to these past uses of the property. Approximately 21 of the pilings are located in an area that has been shown to have woodwaste. Approximately 28 pilings are located in an area that has been shown to contain some PAH contamination.

The 28 pilings in the PAH area would be cut at the lake bottom and the underground portion of the piling left in place to reduce disturbance of lake bottom sediments. Cutting the pilings at the mudline will prevent remobilization of buried PAHs.

The proposed activities would have short term noise associated with the piling removal equipment. Removal of the pilings would occur during daylight hours Monday through Friday. No other unusual noise impacts are expected to occur.

The proposed project would improve the navigability of Lake Washington in this area by removing submerged obstructions.

Mitigation Measures: None required

Nexus: Not applicable

D. Comments of Reviewing Departments
The proposal has been circulated to City Departmental / Divisional Reviewers for their review. Where applicable, these comments have been incorporated into the text of this report as Mitigation Measures and/or Notes to Applicant.

X ***Copies of all Review Comments are contained in the Official File.***
____ ***Copies of all Review Comments are attached to this report.***

Environmental Determination Appeal Process **Appeals of the environmental determination must be filed in writing on or before 5:00 PM, October 30, 2006.**

Appeals must be filed in writing together with the required $75.00 application fee with: Hearing Examiner, City of Renton, 1055 South Grady Way, Renton, WA 98055. Appeals to the Examiner are governed by City of Renton Municipal Code Section 4-8-110.B. Additional information regarding the appeal process may be obtained from the Renton City Clerk's Office, (425) 430-6510.

ADVISORY NOTES TO APPLICANT
The following notes are supplemental information provided in conjunction with the administrative land use action. Because these notes are provided as information only, they are not subject to the appeal process for the land use actions

Planning

1. Commercial, multi-family, new single-family and other nonresidential construction activities shall be restricted to the hours between seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., Monday through Friday. Work on Saturdays shall be restricted to the hours between nine o'clock (9:00) a.m. and eight o'clock (8:00) p.m. No work shall be permitted on Sundays.

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

REPLY TO ATTENTION OF

RECEIVED
NOV 20 2006
DNR-SPS

Regulatory Branch

NOV 15 2006

Ms. Monica Durkin
Washington Department of Natural Resources
950 Farman Avenue North
Enumclaw, Washington 98022

Reference: 200601094
WA ST Dept of
Natural Resources

Dear Ms. Durkin:

We have reviewed your application to remove approximately 123 piles and fill the holes with clean sand in Lake Washington at Renton, Washington. Based on the information you provided to us, Nationwide Permit 27, Stream and Wetland Restoration Activities (Federal Register, January 15, 2002, Vol. 67, No. 10), authorizes your proposal as depicted on the enclosed drawings dated August 8, 2006. In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the enclosed *Nationwide Permit 27, Terms and Conditions* and the following special conditions:

For compliance with the Endangered Species Act:

a. You must implement and abide by the Endangered Species Act (ESA) requirements and/or agreements set forth in your Reference Biological Evaluation Specific Project Information Form, dated October 23, 2006, in its entirety. You must also comply with the conditions included in the enclosed *General Implementation Conditions*. The National Marine Fisheries Service (NMFS) concurred with a finding of "may affect, not likely to adversely affect" based on this document on October 30, 2006. The U.S. Fish and Wildlife Service (USFWS) concurred with a finding of "may affect, not likely to adversely affect" based on this document on November 7, 2006, (USFWS Reference Number 13410-2007-1-0047). Both agencies will be informed of this permit issuance. Failure to comply with the commitments made in this document constitutes non-compliance with the ESA and your U.S. Army Corps of Engineers permit. The USFWS/NMFS is the appropriate authority to determine compliance with ESA.

b. In order to protect Puget Sound Chinook and bull trout, the permittee may conduct the authorized activities from July 16 through December 31 in any year this permit is valid. The permittee shall not conduct work authorized by this permit from January 1 through July 15 in any year this permit is valid.

The authorized work complies with the Washington State Department of Ecology's (Ecology) Water Quality Certification and the Coastal Zone Management Act requirements for this NWP. No further coordination with Ecology is required for these requirements.

We have reviewed your project pursuant to the requirements of the Endangered Species Act and the Magnuson-Stevens Fishery Conservation and Management Act in regards to Essential Fish Habitat (EFH). We have determined that this project complies with the requirements of NWP National General Condition 11 and will not adversely affect EFH.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2007. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit.

Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 404 of the Clean Water Act and/or Section 10 of the 1899 Rivers and Harbors Act. Also, you must obtain all State and local permits that apply to this project.

Upon completing the authorized work, you must fill out and return the enclosed *Certificate of Compliance with Department of the Army Permit* form. Thank you for your cooperation during the permit process. We are interested in your experience with our Regulatory Program and encourage you to complete a customer service survey form. This form and information about our program is available on our website at: www.nws.usace.army.mil (select "Regulatory" and then "Regulatory/Permits").

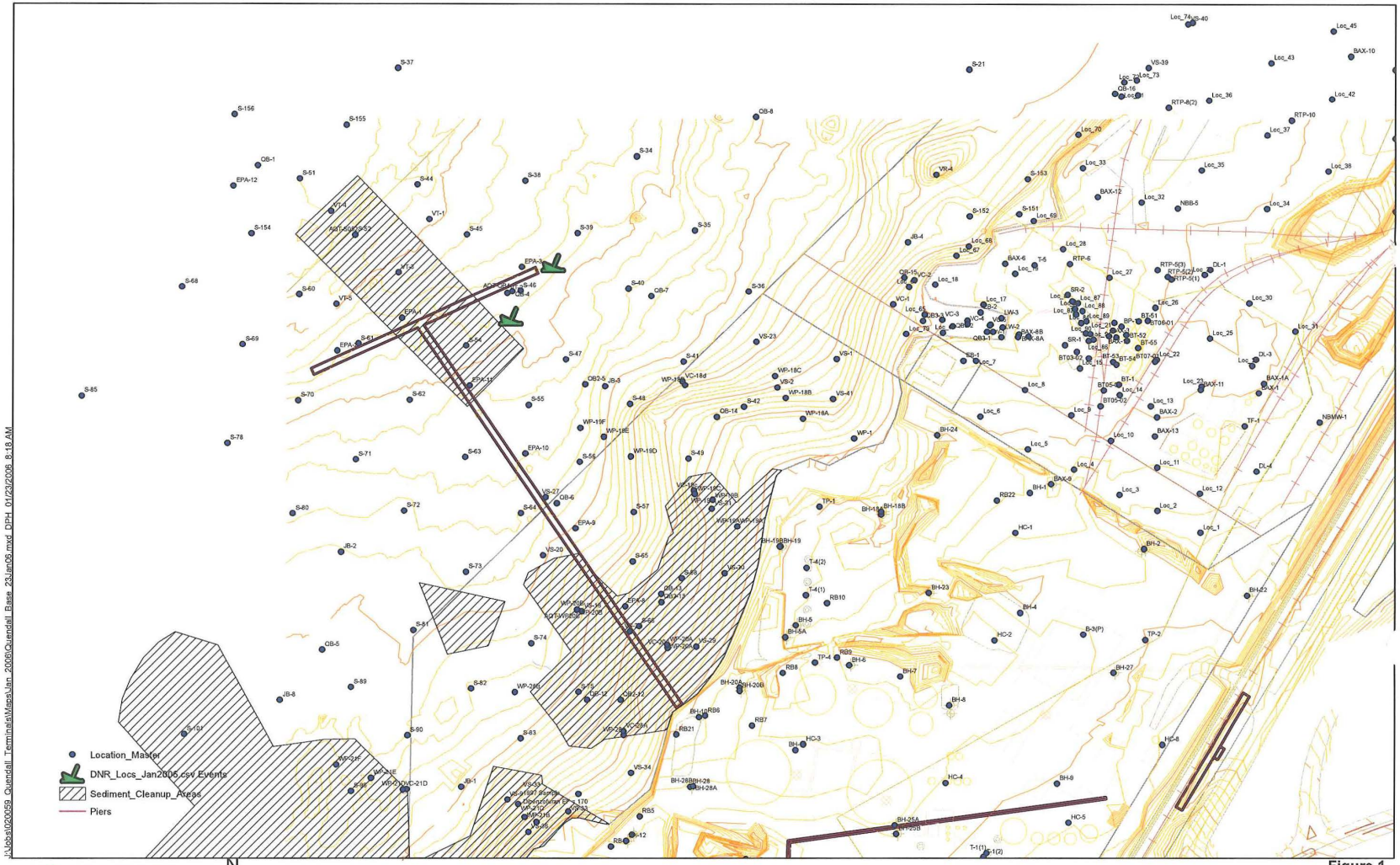
If you have any questions about this letter, please contact me at (206) 764-5527 or via email at Susan.M.Powell@usace.army.mil.

Sincerely,

Susan Powell

Susan Powell, Project Manager
North Application Section

Enclosures



ANCHOR ENVIRONMENTAL, L.L.C.

N

0 40 80 160 240 320 Feet

Figure 1
Port Quendall Terminals
DNR GIS Points and Sample Locations

WASHINGTON STATE DEPARTMENT OF
Natural Resources

FACSIMILE COVER LETTER

TO: monka Durkin
Telephone: Fax:

FROM: MATERIALS MANAGEMENT
815 88th AVE SE
TUMWATER WA 98501

SENDER'S NAME:
LORI JOHNSON

Telephone: (360) 596-5185 Fax: (360) 596-5184

Date: 11.22.06 Time: 10:20

Total number of pages (including cover sheet): 11

Description:

Remember not to reveal any prices to anybody. Let Joe know if I can assist. Thanks.

State of Washington
DEPARTMENT OF NATURAL RESOURCES
Materials Management
MS: 47042, Olympia, WA 98504. 815 88th Ave SE • Tumwater, Washington 98501 • (360) 596-5185

INVITATION FOR BID (IFB)

LAKE WASHINGTON DERELICT PILING REMOVAL AND DISPOSAL

Contract Number	*Prebid Meeting Date & Time*	*Bid/Proposal Closing Date & Time*
029	**n/a**	**11/21/06- 4:30 PM.**

BIDS MUST BE RECEIVED& STAMPED ON OR BEFORE THE CLOSING DATE & TIME AT THIS LOCATION:
815 88TH AVE SE, TUMWATER, WA 98501

Lori L. Johnson
DNR Purchasing Manager
Phone (360) 596-5185
Fax (360) 596-5184
E-mail Lori.Johnson@wadnr.gov

11-21-06P03:32 RCVD

The State of Washington is an equal opportunity employer.

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Bidder's Company Name Lakeshore Marine Construction Inc

1 ANNOUNCEMENT AND SPECIAL INFORMATION

Bidders are required to read and understand all information contained within this entire bid package. The Competitive Procurement Standards, which are referred to in this bid package are not automatically printed or sent out with this IFB. By responding to this IFB the bidder agrees to read and understand these documents. These documents are available on the website at http://www.ga.wa.gov/pca/cps.htm.

In support of the State's economic and environmental goals, we encourage you to consider the following elements in responding to our bids. These are not a factor of award (unless otherwise specified in this document):

- Using environmentally preferable products and products that exceed EPA guidelines
- Supporting a diverse supplier pool, including small, minority, and women-owned firms
- Featuring products made or grown in Washington

1.1 PUBLIC DISCLOSURE

Bid information, including price sheets, will not be available for public disclosure until after award of the contract. At the time of bid opening, only the name of the bidder and time of bid receipt will be read aloud.

1.2 SCOPE

See Attachment titled Scope of Work for Lake Washington Derelict Piling Removal and Disposal.

1.2.1 Bid evaluation and award criteria can be found in the section entitled BID EVALUATION

Bidder's Company Name Lakeshore Marine Construction Inc

2 CHECK LIST:

This checklist is provided for bidder's convenience only and identifies the bid documents that must be submitted with each package. Any bid packages received without these documents may be deemed non-responsive and may not be considered for award.

Bid submittal entitled: Offer and Award	✓ DW
Bid submittal entitled: Bid Information	✓ DW
Bid submittal entitled: Price Sheets	✓ DW
Bid submittal entitled: References	✓ DW

Bidder's Company Name Lakeshore Marine Construction Inc

3 Bid Submittals:

3.1 OFFER AND AWARD

Bidders are required to read and understand all information contained within this entire bid package. There are some standard documents, which are referred to in this bid package that are not automatically printed or sent out with this bid. For example, Competitive Procurement Standards (Standard Terms and Conditions, Instructions to Bidders, Definitions), Sales/Service & Subcontractor Report are binding terms of this contract. It is important that you read and understand these documents. These documents are available on our website at http://www.ga.wa.gov/pca/cps.htm. If you do not have Internet access, you may contact the State Procurement Officer to obtain copies of any and all documents contained in this bid package.

STANDARD DEFINITIONS ***revised 06/02/03***
STANDARD INSTRUCTIONS FOR BIDDERS ***revised 06/02/03***
STANDARD TERMS AND CONDITIONS ***revised 07/31/06***

Bidder further offers to furnish materials, equipment or services in compliance with all terms, conditions, and specifications herein including all amendments. Submitting this document with an authorized signature constitutes complete understanding and compliance with the terms and conditions and certifies that all-necessary facilities or personnel are available and established at the time of bid submittal.

LAKESHORE MARINE CONSTRUCTION, INC.
(Company Name)

P.O Box 255
(Address)

MUKILTEO WA 98275
(City) (State) (Zip)

54-2063756
(Federal Tax Identification Number)

DAVE@LAKESHOREMARINE.COM
Email

DAVID F. WELLS JR
(Typed or Printed Name)

President
(Title)

206-730-3643
(Phone No.)

David F Wells Jr 11-20-06
(Bidder's Signature) (Date)

CONTRACT AWARD
(For State of Washington Use Only)

A contract is hereby awarded between the above company and the State of Washington, Office of State Procurement, Purchasing and Contract Administration, to be effective _____, Year_____. This is a Partial/Total award for _____.

Authorized Signatures

(State Procurement Officer)	(Date)	(Purchasing Manager)	(Date)

Bidder's Company Name Lakeshore Marine Construction Inc.

3.2 BID INFORMATION

Bidder shall complete the following:

1. Prompt Payment Discount 2 % 30 days. Note: Prompt payment discount periods equal to (or greater than) 60 calendar days will receive consideration and bid pricing will be reduced (for evaluation purposes only) by the amount of that discount(s).

2. Purchasing (Credit) Cards accepted Yes _____ No X
(Washington State Purchasing card is VISA)
If yes, please list major brands below:

_____ _____

_____ _____

_____ _____

Payment discount for transactions involving card use: N/A % Discount.

3. Authorized Representative:

Primary Contact-Contract Administration		Alternate Contact - Contract Administration	
Name:	DAVID F. WELLS JR	Name:	Kristi Axford
Telephone:	206-730-3643	Telephone:	425-828-3625
Fax:	425-513-0581	Fax:	425-513-0581
Email:	DAVE@LAKESHOREMARINE.com	Email:	INFO@LAKESHOREMARINE.com

Customer Service/Order Placement

Name:	DAVID F. WELLS JR	Name:	Kristi Axford
Telephone:	206-730-3643	Telephone:	425-828-3625
Fax:	425-513-0581	Fax:	425-513-0581
Email:	DAVE@LAKESHOREMARINE.com	Email:	INFO@LAKESHOREMARINE.com

4. Lead-time: Materials, equipment or services will be delivered within calendar 15 days after receipt of order (ARO).

5. Addresses:

Orders to be sent to:	Billing will be from:	Payment to be sent to:
LAKESHORE MARINE CONST.	LAKESHORE MARINE CONST.	LAKESHORE MARINE CONST.
P.O Box 255	P.O Box 255	P.O Box 255
MUKILTEO WA 98275	MUKILTEO WA 98275	MUKILTEO WA 98275

6. Federal Tax Identification Number: 54-2063756

Bidder's Company Name LAKESHORE MARINE CONSTRUCTION, INC.

Invitation for Bid #029

7. Firms bidding from California only: Is your firm currently certified as a small business under California Code, Title 2, Section 1896.12? Yes _____ No _X_____.

Bidder's Company Name Lakeshore Marine Construction Inc

3.3 PRICE SHEETS

Req. Item	Comm. Code	Description	Qty	Unit	Unit Price	Total Price
1.		Mobilization: Bidder must identify all componenents of mobilization). MOBILIZE UIBRO TO AND FROM JOBSITE. TUG AND CRANE BARGE ARE ON SITE AS THIS IS OUR YARD.	2		$ 500	$ 1,000
2.		Removal: Removal of pilings	123		$ 419	$ 51,537
3.		Placement of clean sand in holes after pilings are removed.	95		$ 123	$ 11,685
4.		Disposal: Disposal of pilings.	123		$ 160	$ 19,680
					Total	$83,902

Bidder's Company Name Lakeshore Marine Construction Inc.

3.6 REFERENCES

Bidder must supply three (3) references (Name, address and phone number) which they have performed equal requirements and used similar equipment. Please give a brief description of the work performed for each reference.

Reference #1:
Name: Island Tug & Barge
Address: 3546 W. MARGINAL WAY SW SEATTLE, WA 98106
Phone Number: 206-938-0403

Project Description: Remove concrete dock panels. Remove timber framing and pull 80 creosote piles with vibro.

Reference #2:
Name: Centenial Contractors Enterprises, Inc.
Address: P.O Box 33697 Fort Lewis WA 98433-0697
Phone Number: 253-912-1910

Project Description: Provide and install 24"x100' epoxy pipe piles for new coast guard pier at Everett naval station. Install concrete floats and ramp for accessing coast guard vessel. Vibro was used to install piling.

Reference #3:
Name: Centenial Contractors Enterprises, Inc
Address: P.O Box 33697 Fort Lewis WA 98433-0697
Phone Number: 253-912-1910
Project Description: Provide and install 18"x85' epoxy pipe piles for new coast guard pier in Bellingham Bay. Install concrete floats, ramp, and modify existing pier. Vibro was used to install piling.

Bidder's Company Name Lakeshore Marine Construction, Inc.

EXTERNAL Routing Slip
Department of Natural Resources

To: Monika Durkin

From: Lori J

Date: 11.2.06

VIA Consolidated Mail Service

40100	___	Office of Attorney ..... *Hwy-Lic Bldg* General
47034	___	Aviation ..... *Airport*
47042	___	Materials Management .... *Tumwater*
	___	Fire Cache
	___	FMD Warehouse
47017	___	Webster Nursery and Meridian Seed Orchard
S-12	___	Pacific Cascade Region ..... *Castle Rock*
NE-92	✓	So. Puget Sound Region ... *Enumclaw*

VIA Parcel Service

___	Northeast Region ..... *Colville*
___	Northwest Region ..... *Sedro Woolley*
___	Olympic Region ..... *Forks*
___	Southeast Region ..... *Ellensburg*

Remarks: Here is a copy of the bill that is on the street.

WASHINGTON STATE DEPARTMENT OF
Natural Resources

State of Washington
DEPARTMENT OF NATURAL RESOURCES
Materials Management
MS: 47042, Olympia, WA 98504, 815 88th Ave SE • Tumwater, Washington 98501 • (360) 596-5185

RECEIVED
NOV 06 2006
DNR-SPS

INVITATION FOR BID (IFB)

LAKE WASHINGTON DERELICT PILING REMOVAL AND DISPOSAL

Contract Number	*Prebid Meeting Date & Time*	*Bid/Proposal Closing Date & Time*
029	**n/a**	**11/21/06- 4:30 PM.**

BIDS MUST BE RECEIVED& STAMPED ON OR BEFORE THE CLOSING DATE & TIME AT THIS LOCATION:
815 88TH AVE SE, TUMWATER, WA 98501

Lori L. Johnson
DNR Purchasing Manager
Phone (360) 596-5185
Fax (360) 596-5184
E-mail Lori.Johnson@wadnr.gov

The State of Washington is an equal opportunity employer.

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6.2 CONTRACTOR PERFORMANCE 11
6.3 PURCHASING CARD ACCEPTANCE 11
6.4 BIDDER COMPLIANCE 11

Bidder's Company Name_____

1 ANNOUNCEMENT AND SPECIAL INFORMATION

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In support of the State's economic and environmental goals, we encourage you to consider the following elements in responding to our bids. These are not a factor of award (unless otherwise specified in this document):

- Using environmentally preferable products and products that exceed EPA guidelines
- Supporting a diverse supplier pool, including small, minority, and women-owned firms
- Featuring products made or grown in Washington

1.1 PUBLIC DISCLOSURE

Bid information, including price sheets, will not be available for public disclosure until after award of the contract. At the time of bid opening, only the name of the bidder and time of bid receipt will be read aloud.

1.2 SCOPE

See Attachment titled Scope of Work for Lake Washington Derelict Piling Removal and Disposal.

1.2.1 Bid evaluation and award criteria can be found in the section entitled BID EVALUATION

Bidder's Company Name_____

2 CHECK LIST:

This checklist is provided for bidder's convenience only and identifies the bid documents that must be submitted with each package. Any bid packages received without these documents may be deemed non-responsive and may not be considered for award.

Bid submittal entitled: Offer and Award _____

Bid submittal entitled: Bid Information _____

Bid submittal entitled: Price Sheets _____

Bid submittal entitled: References _____

Bidder's Company Name_____

3 Bid Submittals:

3.1 OFFER AND AWARD

Bidders are required to read and understand all information contained within this entire bid package. There are some standard documents, which are referred to in this bid package that are not automatically printed or sent out with this bid. For example, Competitive Procurement Standards (Standard Terms and Conditions, Instructions to Bidders, Definitions), Sales/Service & Subcontractor Report are binding terms of this contract. It is important that you read and understand these documents. These documents are available on our website at http://www.ga.wa.gov/pca/cps.htm. If you do not have Internet access, you may contact the State Procurement Officer to obtain copies of any and all documents contained in this bid package.

STANDARD DEFINITIONS ***revised 06/02/03***
STANDARD INSTRUCTIONS FOR BIDDERS ***revised 06/02/03***
STANDARD TERMS AND CONDITIONS ***revised 07/31/06***

Bidder further offers to furnish materials, equipment or services in compliance with all terms, conditions, and specifications herein including all amendments. Submitting this document with an authorized signature constitutes complete understanding and compliance with the terms and conditions and certifies that all-necessary facilities or personnel are available and established at the time of bid submittal.

(Company Name)	(Typed or Printed Name)
(Address)	(Title)
(City) (State) (Zip)	(Phone No.)
(Federal Tax Identification Number)	(Bidder's Signature) (Date)
Email	

CONTRACT AWARD
(For State of Washington Use Only)

A contract is hereby awarded between the above company and the State of Washington, Office of State Procurement, Purchasing and Contract Administration, to be effective _____, Year_____. This is a Partial/Total award for _____.

Authorized Signatures

(State Procurement Officer)	(Date)	(Purchasing Manager)	(Date)

Bidder's Company Name_____

3.2 BID INFORMATION

Bidder shall complete the following:

1. Prompt Payment Discount_____% 30 days. Note: Prompt payment discount periods equal to (or greater than) _____ calendar days will receive consideration and bid pricing will be reduced (for evaluation purposes only) by the amount of that discount(s).

2. Purchasing (Credit) Cards accepted Yes _____ No _____
(Washington State Purchasing card is VISA)
If yes, please list major brands below:

_____ _____

_____ _____

_____ _____

Payment discount for transactions involving card use: _____% Discount.

3. Authorized Representative:

Primary Contact-Contract Administration		Alternate Contact - Contract Administration	
Name:	_____	Name:	_____
Telephone:	_____	Telephone:	_____
Fax:	_____	Fax:	_____
Email:	_____	Email:	_____

Customer Service/Order Placement

Name:	_____	Name:	_____
Telephone:	_____	Telephone:	_____
Fax:	_____	Fax:	_____
Email:	_____	Email:	_____

4. Lead-time: Materials, equipment or services will be delivered within calendar _____ days after receipt of order (ARO).

5. Addresses:

Orders to be sent to:	Billing will be from:	Payment to be sent to:
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Federal Tax Identification Number: _____

Bidder's Company Name_____

7. Firms bidding from California only: Is your firm currently certified as a small business under California Code, Title 2, Section 1896.12? Yes _____ No _____.

Bidder's Company Name_____

3.3 PRICE SHEETS

Req. Item	Comm. Code	Description	Qty	Unit	Unit Price	Total Price
1.		Mobilization: Bidder must identify all componenents of mobilization).			$	$
2.		Removal: Removal of pilings			$	$
3.		Placement of clean sand in holes after pilings are removed.			$	$
4.		Disposal: Disposal of pilings.			$	$
					Total	**$**

Bidder's Company Name_____

3.6 REFERENCES

Bidder must supply three (3) references (Name, address and phone number) which they have performed equal requirements and used similar equipment. Please give a brief description of the work performed for each reference.

Reference #1:
Name:
Address:
Phone Number:

Project Description:

Reference #2:
Name:
Address:
Phone Number:

Project Description:

Reference #3:
Name:
Address:
Phone Number:
Project Description:

Bidder's Company Name_____

4 BID EVALUATION

4.1 EVALUATION / AWARD

4.2 EVALUATION CONFERENCE

To aid in the evaluation process, after bid opening, the state may require individual bidders to appear at a date, time and place determined by the state for the purpose of conducting discussions to determine whether both parties have a full and complete understanding of the nature and scope of contractual requirements. In no manner shall such action be construed as negotiations or an indication of the state's intention to award.

5 CONTRACT REQUIREMENTS

5.1 RETENTION OF RECORDS

The contractor shall maintain, for at least three years after completion of this contract, all relevant records pertaining to this contract. This shall include, but not be limited to, all records pertaining to actual contract performance from the date of contract award. It shall also include information necessary to document the level of utilization of MWBE's and other businesses as subcontractors and suppliers in this contract as well as any efforts the contractor makes to increase the participation of MWBE's. The contractor shall also maintain, for at least three years after completion of this contract, a record of all quotes, bids, estimates, or proposals submitted to the Contractor by all businesses seeking to participate as subcontractors or suppliers in this contract. The State shall have the right to inspect and copy such records. If this contract involves federal funds, Contractor shall comply with all record keeping requirements set forth in any federal rules, regulations, or statutes included or referenced in the contract documents.

5.2 REPORTS

6 SPECIAL TERMS AND CONDITIONS:

6.1 PRICING AND ADJUSTMENTS

Unless otherwise stipulated all bids must include unit prices and extensions where applicable and be otherwise in the format requested.

All bid pricing is to be FOB Destination, freight prepaid and included, for any destination within the State of Washington. If bidder agrees to extend contract pricing to State of Oregon ORCCP members, a percent increase to bid pricing to accommodate additional freight costs to Oregon locations may be indicated in Section IV, Bid Submittals.

6.1.1 All pricing shall include the costs of bid preparation, servicing of accounts, and all contractual requirements. During contract period:

6.1.2 pricing shall remain firm and fixed for the duration of the contract.

Bidder's Company Name_____

6.2 CONTRACTOR PERFORMANCE

6.2.1 General Requirements: The state, in conjunction with purchasers, monitors and maintains records of Contractor performance. Said performance shall be a factor in evaluation and award of this and all future contracts. Purchasers will be provided with product/service performance report forms to forward reports of superior or poor performance to the State Procurement Officer.

6.3 PURCHASING CARD ACCEPTANCE

In an effort to streamline the purchasing and payment process, the State is encouraging agencies to use the state contracted purchasing card to facilitate small dollar purchases. While at the present time, it is not mandatory that contractors accept credit card purchases, we encourage all state contractors to consider this alternate payment process. Please indicate in Bid Submittals which card(s) you presently accept and payment discount you may offer the state. The current card available for state agency use is a VISA product.

6.4 BIDDER COMPLIANCE

The State reserves the right to consider the actual level of bidder's compliance with the requirements specified in this IFB, and to consider a bid responsive if it substantially complies with the state's intent relative to overall bid requirements and specifications.

Bidder's Company Name_____

SCOPE OF WORK FOR
LAKE WASHINGTON DERELICT PILING REMOVAL AND DISPOSAL

OCTOBER 27, 2006

PURPOSE

The Washington State Department of Natural Resources (DNR) is soliciting bids for a Purchased Services Contract for the removal and disposal of one steel ball float, one steel cylinder float, and approximately 123 derelict pilings. These items are located on state-owned aquatic lands (SOAL) on the eastern shores of Lake Washington, north of May Creek.

PROJECT LOCATION

This site is located on the eastern shores of Lake Washington, north of the mouth of May Creek. It is located in the West 1/2 of the Southwest ¼ Section 29, Township 24N, Range 5E. This site is located on state-owned aquatic land that is within the Harbor Area of Lake Washington. The parcel numbers for this site include 2924059014 and 2924059013. These dolphins and pilings are spread out in an area of approximately 36 acres. The bedlands are managed for the public by the Washington State of Natural Resources, Aquatic Resources Program.

The site locations are shown on Attachment A. Photos or more details are available from DNR.

PROJECT SCOPE

The Contractor will be responsible for the removal and disposal of the designated pilings as indicated in Attachment A. Removal and disposal methods must meet all Federal, State and Local laws, rules and regulations.

The pilings (which are NOT creosote treated)will be extracted using a vibratory hammer that is mounted on a barge. A collar will be fastened around the pilings and will pull up the piling while vibrating it out of the sediment. Once the pilings are pulled from the sediment the vibratory hammer will be turned off. The pilings will be placed on the barge and disposed of off site. The Contractor will be required to remove the pilings slowly to reduce the amount of sediment that is displaced during the extraction process. Piles will not be washed off in the water. The holes that remain after removal of the pilings will be filled with clean sand.

PROJECT SCOPE

Pilings that break will be pulled out of the sediment with a clam shell bucket. The size of the clamshell bucket will be minimized to reduce turbidity during piling removal. The clamshell bucket will be emptied of material onto a contained area on the barge before it is lowered into the water. Any debris that is associated with the removal will be picked up and placed on the barge

Some areas within the project area are part of a larger Environmental Protection Agency directed cleanup (CERCLA cleanup of the upland property and lake sediments). Attachment B indicates the areas within the Harbor Area that will undergo future cleanup of polynuclear aromatic hydrocarbons (PAH) and woodwaste. Pilings that are located in the Polynuclear Aromatic Hydrocarbons (PAH) areas will be cut at the mud line. This includes approximately 28 pilings located on the Attachment B at GPS points 4 and 31. Prior to commencement of the work the Contractor will discuss with the DNR Project Manager which pilings will be cut. The Contractor will keep a log of the location using the GPS and the number of pilings that were cut. The bottom sediments will not be swept to search for underwater piles in known contaminated areas.

NOTE: Additional pilings that are found within the project area will be removed by the Contractor after consultation and approval by the DNR Project Manager. The cost for removal and disposal of the additional pilings can be added and invoiced on the same invoice of the other scope.

TECHNICAL REQUIREMENTS

Equipment Requirements:
The Contractor will be responsible for the removal and disposal of the designated pilings as indicated in Attachment A. Removal and disposal methods must meet all Federal, State and Local laws, rules and regulations.

Required Equipment includes but not limited to: Vibratory hammer; clamshell bucket for extraction of broken pilings.

Water Quality:

The Contractor will be required to maintain water quality standards for turbidity as dictated by Washington Department of Ecology.

Spill Management:

Spill Prevention, Control and Countermeasures (SPCC) Plans must be in place during the project. The SPCC Plan will outline measures to be taken to prevent release or spread of discharged materials including those the Contractor may store, use, or generate during construction activities. These items include, but are not limited to gasoline, oils, and chemicals.

PERMITS

All required permits will be secured by DNR prior to start of the project. Permits include: Hydraulic Project Approval (HPA) issued by WDFW; Determination of Non-Significance; City of Renton Shoreline Exemption; Army Corps Letter of Approval.

WORK SCHEDULE

Work must be completed by December 31, 2007. This project must be completed within the approved Aquatic work windows as dictated by WDFW. Specific timing will be determined cooperatively between the DNR and the Contractor.

The DNR Project Manager is Monica Durkin. If you have questions about this project please contact the DNR Project Manager at:

Monica Durkin
Phone: (360)825-1631 ext. 2006
E-mail: monica.durkin@wadnr.gov

Any questions about the bid process or bid document should be directed to the DNR Purchasing Manager.

NORTHERN PACIFIC RAILROAD R/W

SECONDARY STATE HIGHWAY NO. 2A

LAKE WASHINGTON BLVD.

INNER HARBOR LINE

OUTER HARBOR LINE

BASE LINE

ORIGINAL KCAS CO-ORD.

EXISTING KCAS CO-ORD. (USBM)

METEO STA. 1484103.33

MEASURED CORNER (LOCATED)

DEPTH DATA PER HYDROGRAPHIC SURVEY PROJECT H60-3 DATED 6-22-60 BY EARL M. BERRY PROF. ENG.

PACIFIC TEL AND TEL RIGHT OF WAY

INFORMATION & DATA FOR THIS R/W WAS TAKEN FROM PACIFIC TEL & TEL CO. BELLEVUE-MERCER ISLAND & MERCER ISLAND-KENNYDALE PERMIT APP. NO. 25350

SCALE 1"=100'

DETAIL "A"

MERCER ISLAND

LAKE WASHINGTON

SEE DETAIL "A"

SOUTH PORT. LOT 5.

E. MERCER WAY

SE 71ST ST.

SE 84TH ST.

SE 80TH ST.

100TH AVE. SE.

104TH AVE. SE.

NOTE:
ALL CO-ORDINATES BASED ON K.C.A.S. DATUM.

W.L. = +8.7' PER CITY OF SEATTLE DATUM

FLOOD - QUIENDALL SUBM CABLE XING LOCATION

ROBERT P. McKIDDY STATE OF WASHINGTON REGISTERED PROFESSIONAL LAND SURVEYOR

R. P. McKIDDY
PROFESSIONAL LAND SURVEYOR
TEL. CONTINENTAL - LL-1490

MERCER ISLAND CABLE CROSSING LOCATION

PUGET SOUND POWER & LIGHT CO.

DRAWN BY	DATE 1-10-69	
TRACED BY	DATE 1-16-69	
PROOFED BY	DATE 1-16-69	

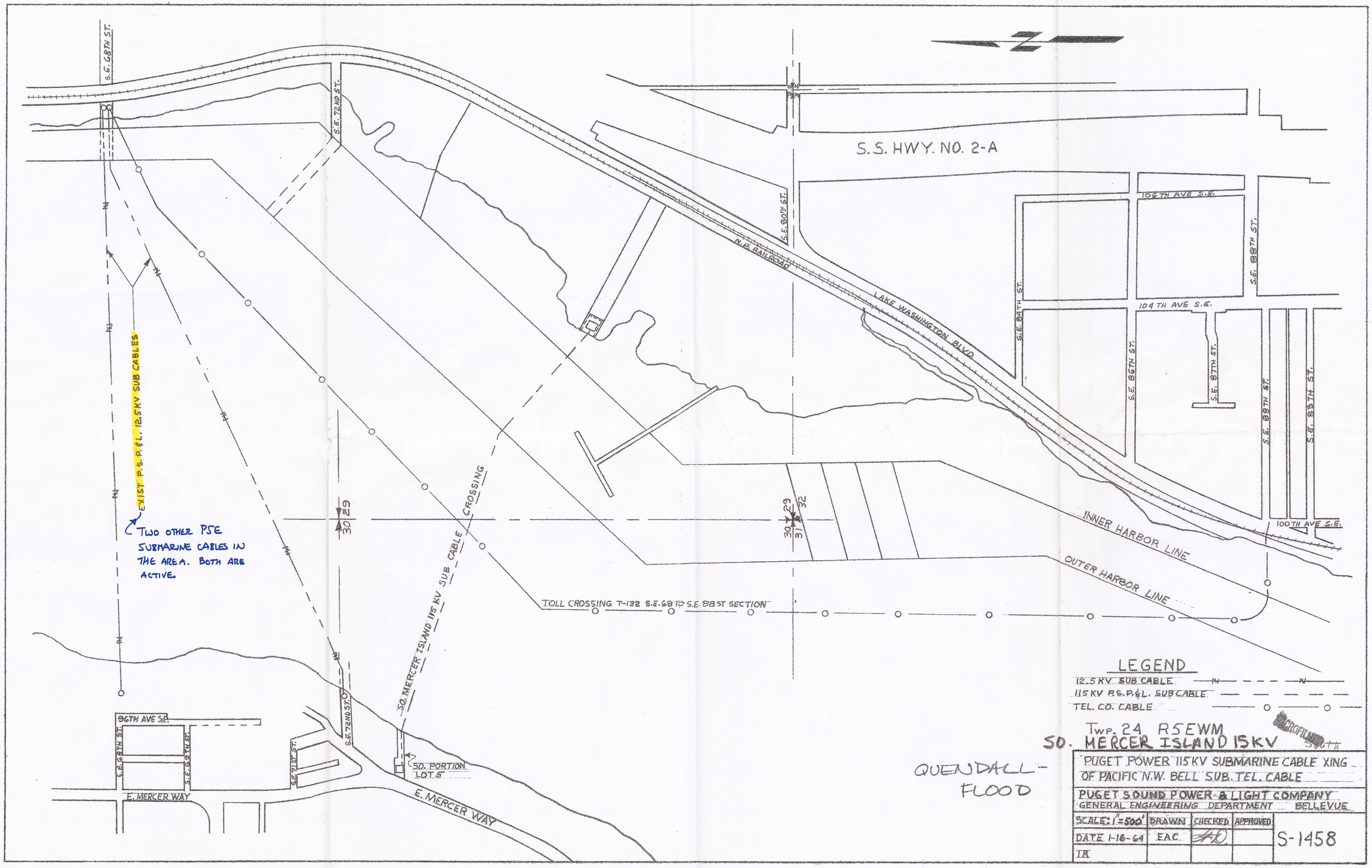
SHEET 1 OF 1 SHEETS

KM1

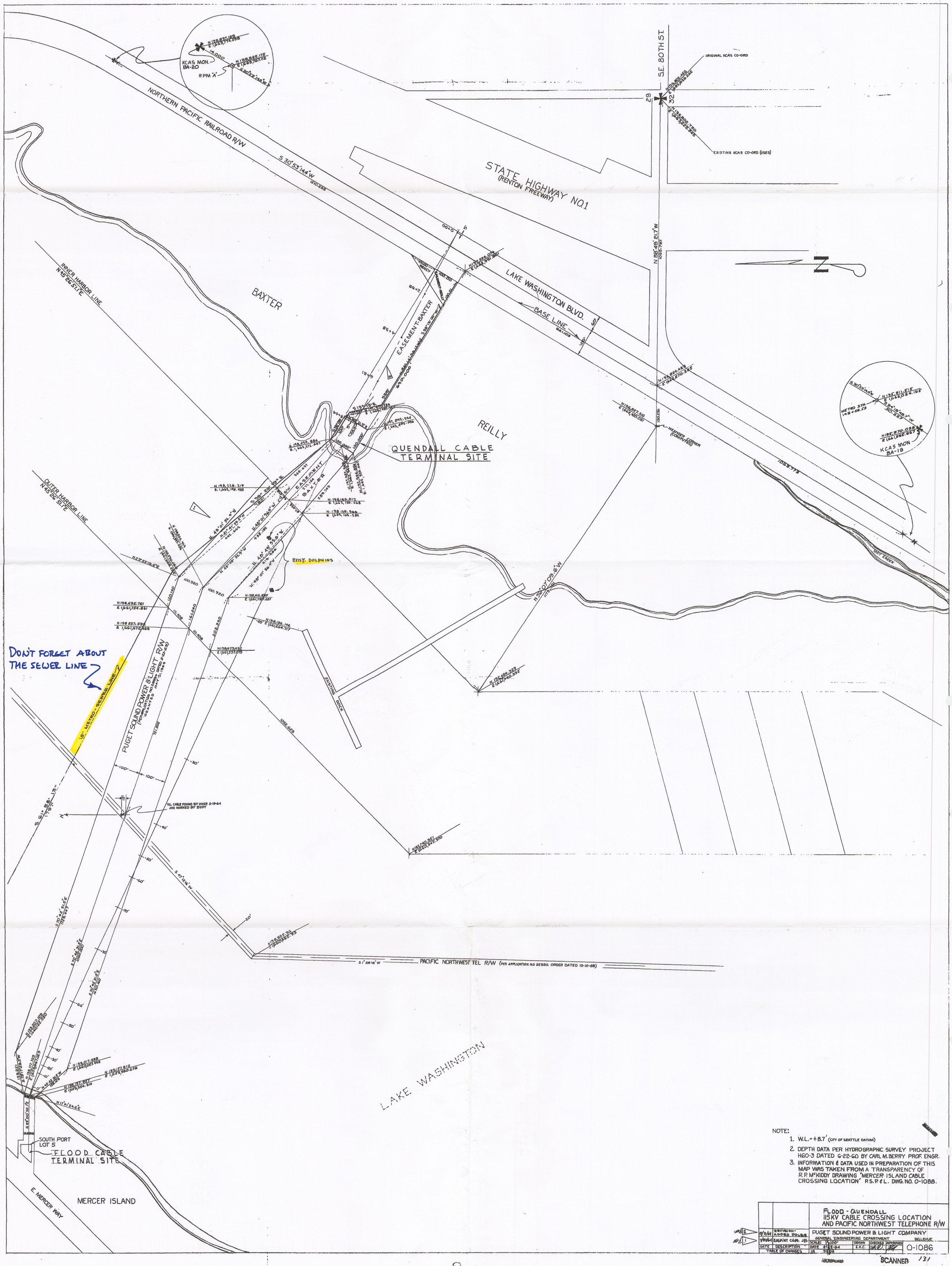
P.S.P.L. DWG NO. Q-1088

DWR. 131

DNR-008190


S.E. 68TH ST.
S.E. 72ND ST.
S.S. HWY. NO. 2-A
S.E. 80TH ST.
N.P. RAILROAD
LAKE WASHINGTON BLVD.
106TH AVE S.E.
104 TH AVE S.E.
100TH AVE S.E.
S.E. 84TH ST.
S.E. 86TH ST.
S.E. 87TH ST.
S.E. 88TH ST.
S.E. 89TH ST.
EXIST P.S.P.&L. 12.5KV SUB CABLES
TWO OTHER PSE SUBMARINE CABLES IN THE AREA. BOTH ARE ACTIVE.
SO. MERCER ISLAND 115 KV SUB CABLE CROSSING
TOLL CROSSING T-132 S.E. 68 TO S.E. 88 ST SECTION
INNER HARBOR LINE
OUTER HARBOR LINE
LEGEND
12.5 KV SUB CABLE
115 KV P.S.P.&L. SUB CABLE
TEL. CO. CABLE
Twp. 24 R5EWM
SO. MERCER ISLAND 15KV
PUGET POWER 115KV SUBMARINE CABLE XING OF PACIFIC N.W. BELL SUB. TEL. CABLE
PUGET SOUND POWER & LIGHT COMPANY
GENERAL ENGINEERING DEPARTMENT BELLEVUE
SCALE: 1"=500'
DRAWN EAC
CHECKED
APPROVED
DATE 1-16-64
S-1458
SO. PORTION LOT 5
E. MERCER WAY
QUENDALL-FLOOD
EN
DWR. 131
QUE-FLO-115

DNR-008191



DON'T FORGET ABOUT THE SEWER LINE

NOTE:

1. W.L. = +8.7' (CITY OF SEATTLE DATUM)
2. DEPTH DATA PER HYDROGRAPHIC SURVEY PROJECT H60-3 DATED 6-22-60 BY CARL M. BERRY PROF. ENGR.
3. INFORMATION & DATA USED IN PREPARATION OF THIS MAP WAS TAKEN FROM A TRANSPARENCY OF R.P. McKIDDY DRAWING "MERCER ISLAND CABLE CROSSING LOCATION" P.S.P. & L. DWG. NO. O-1088.

DATE	DESCRIPTION	BY
6/3/64	REVISION - ADDED DOLPHINS	
7/26/64	EASM'NT CHGS.	JPL

TABLE OF CHANGES

FLOOD - QUENDALL
115KV CABLE CROSSING LOCATION
AND PACIFIC NORTHWEST TELEPHONE R/W

PUGET SOUND POWER & LIGHT COMPANY
GENERAL ENGINEERING DEPARTMENT
BELLEVUE

SCALE: 1"=100'	DRAWN	CHECKED	APPROVED
DATE 8-15-64	E.A.C.		
JB 9202			

O-1086

MICROFILMED

SCANNED 131

seq # 37807

DNR-008192

Washington Department of FISH and WILDLIFE

HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - Appeal pursuant to Chapter 34.05 RCW

North Puget Sound
16018 Mill Creek Boulevard
Mill Creek, WA 98012-1296
(425) 775-1311

Issue Date: November 07, 2006
Project Expiration Date: November 11, 2010

Control Number: 106673-1
FPA/Public Notice #: N/A

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Washington State Department of Natural Resources ATTENTION: Monica Durkin 950 Farman Avenue North Enumclaw, WA 98022	RECEIVED NOV 08 2006 DNR-SPS

Project Name: Remove derelict piles

Project Description: Remove derelick piles

PROVISIONS

1. TIMING LIMITATIONS: The project may begin November 11, 2006 and shall be completed by November 11, 2010; Provided: Work below the ordinary high water line (OHWL) shall only occur between July 16 and December 31 of each year in the specified allotted time.

2. Work shall be accomplished per plans and specifications approved by the Washington Department of Fish and Wildlife except as modified by this Hydraulic Project Approval. A copy of these plans shall be available on site during construction.

3. NOTIFICATION REQUIREMENT: The Area Habitat Biologist listed below shall receive written notification (FAX or mail) from the person to whom this Hydraulic Project Approval (HPA) is issued (permittee) or the agent/contractor no less than three working days prior to start of work, and again within seven days of completion of work to arrange for a compliance inspection. The notification shall include the permittee's name, project location, starting date for work or completion date of work, and the control number for this HPA.

4. All trash and unauthorized fill, including concrete blocks or pieces, bricks, asphalt, metal, treated wood, glass, and paper, below the OHWL in and around the applicant's project area shall be removed and deposited above the limit of flood water in an approved upland disposal site.

5. All applicable Best Management Practices as described in "Regional Road Maintenance, Endangered Species Act, Program Guidelines" (January 18, 2002) shall be implemented to assure protection of fish life.

6. All abandoned piling holes shall be filled and capped with substrate consisted with current existing natural surrounding substrate, sand and/or clean one-inch minus well-rounded gravel.

7. Removal of existing structures shall be accomplished so the structure and associated material does not re-enter the lake.

8. All work operations shall be conducted in a manner that causes little or no siltation to adjacent areas.

9. If at any time, as a result of project activities, fish are observed in distress, a fish kill occurs, or water quality problems develop (including equipment leaks or spills), immediate notification shall be made to the Washington Department of Ecology at 1-800-258-5990, and to the Area Habitat Biologist listed below.

10. All waste material such as construction debris, silt, excess dirt or overburden resulting from this project shall be deposited above the limits of flood water in an approved upland disposal site.

11. Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid, fresh cement, sediments, sediment-laden water, chemicals, or any other toxic or deleterious materials are allowed to enter or leach into the lake

PROJECT LOCATIONS

Location #1

WORK START: November 11, 2006					WORK END: November 11, 2010	
WRIA: 08.6007	Waterbody: Lake Washington				Tributary to: Ship Canal	
1/4 SEC: SW 1/4	Section: 29	Township: 24 N	Range: 05 E	Latitude: N 47.53481	Longitude: W 122.20288	County: King
Location #1 Driving Directions Piling located offshore of 4503 Lake Washington Boulevard Renton.						

NOTES

APPLY TO ALL HYDRAULIC PROJECT APPROVALS

This Hydraulic Project Approval pertains only to those requirements of the Washington State Hydraulic Code, specifically Chapter 77.55 RCW (formerly RCW 77.20). Additional authorization from other public agencies may be necessary for this project. The person(s) to whom this Hydraulic Project Approval is issued is responsible for applying for and obtaining any additional authorization from other public agencies (local, state and/or federal) that may be necessary for this project.

This Hydraulic Project Approval shall be available on the job site at all times and all its provisions followed by the person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work.

This Hydraulic Project Approval does not authorize trespass.

The person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work may be held liable for any loss or damage to fish life or fish habitat that results from failure to comply with the provisions of this Hydraulic Project Approval.

Failure to comply with the provisions of this Hydraulic Project Approval could result in a civil penalty of up to one hundred dollars per day and/or a gross misdemeanor charge, possibly punishable by fine and/or imprisonment.

All Hydraulic Project Approvals issued pursuant to RCW 77.55.021 (EXCEPT agricultural irrigation, stock watering or bank stabilization projects) or 77.55.141 are subject to additional restrictions, conditions or revocation if the Department of Fish and Wildlife determines that new biological or physical information indicates the need for such action. The person(s) to whom this Hydraulic Project Approval is issued has the right pursuant to Chapter 34.04 RCW to appeal such decisions. All agricultural irrigation, stock watering or bank stabilization Hydraulic Project Approvals issued pursuant to RCW 77.55.021 may be modified by the Department of Fish and Wildlife due to changed conditions after consultation with the person(s) to whom this Hydraulic Project Approval is issued: PROVIDED HOWEVER, that such modifications shall be subject to appeal to the Hydraulic Appeals Board established in RCW 77.55.301.

APPEALS INFORMATION

If you wish to appeal the issuance or denial of, or conditions provided in a Hydraulic Project Approval, there are informal and formal appeal processes available.

A. INFORMAL APPEALS (WAC 220-110-340) OF DEPARTMENT ACTIONS TAKEN PURSUANT TO RCW 77.55.021, 77.55.141, 77.55.181, and 77.55.291: A person who is aggrieved or adversely affected by the following Department actions may request an informal review of:

(A) The denial or issuance of a Hydraulic Project Approval, or the conditions or provisions made part of a Hydraulic Project Approval; or

(B) An order imposing civil penalties. A request for an INFORMAL REVIEW shall be in WRITING to the Department of Fish and Wildlife HPA Appeals Coordinator, 600 Capitol Way North, Olympia, Washington 98501-1091 and shall be RECEIVED by the Department within 30 days of the denial or issuance of a Hydraulic Project Approval or receipt of an order imposing civil penalties. If agreed to by the aggrieved party, and the aggrieved party is the Hydraulic Project Approval applicant, resolution of the concerns will be facilitated through discussions with the Area Habitat Biologist and his/her supervisor. If resolution is not reached, or the aggrieved party is not the Hydraulic Project Approval applicant, the Habitat Technical Services Division Manager or his/her designee shall conduct a review and recommend a decision to the Director or his/her designee. If you are not satisfied with the results of this informal appeal, a formal appeal may be filed.

B. FORMAL APPEALS (WAC 220-110-350) OF DEPARTMENT ACTIONS TAKEN PURSUANT TO RCW 77.55.021 (EXCEPT agricultural irrigation, stock watering or bank stabilization projects) or 77.55.291:
A person who is aggrieved or adversely affected by the following Department actions may request a formal review of:

(A) The denial or issuance of a Hydraulic Project Approval, or the conditions or provisions made part of a Hydraulic Project Approval;

(B) An order imposing civil penalties; or

(C) Any other 'agency action' for which an adjudicative proceeding is required under the Administrative Procedure Act, Chapter 34.05 RCW.

A request for a FORMAL APPEAL shall be in WRITING to the Department of Fish and Wildlife HPA Appeals Coordinator, shall be plainly labeled as 'REQUEST FOR FORMAL APPEAL' and shall be RECEIVED DURING OFFICE HOURS by the Department at 600 Capitol Way North, Olympia, Washington 98501-1091, within 30-days of the Department action that is being challenged. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, the deadline for requesting a formal appeal shall be within 30-days of the date of the Department's written decision in response to the informal appeal.

C. FORMAL APPEALS OF DEPARTMENT ACTIONS TAKEN PURSUANT TO RCW 77.55.021 (agricultural irrigation, stock watering or bank stabilization only), 77.55.141, 77.55.181, or 77.55.241: A person who is aggrieved or adversely affected by the denial or issuance of a Hydraulic Project Approval, or the conditions or provisions made part of a Hydraulic Project Approval may request a formal appeal. The request for FORMAL APPEAL shall be in WRITING to the Hydraulic Appeals Board per WAC 259-04 at Environmental Hearings Office, 4224 Sixth Avenue SE, Building Two - Rowe Six, Lacey, Washington 98504; telephone 360/459-6327.

D. FORMAL APPEALS OF DEPARTMENT ACTIONS TAKEN PURSUANT TO CHAPTER 43.21L RCW: A person who is aggrieved or adversely affected by the denial or issuance of a Hydraulic Project Approval, or the conditions or provisions made part of a Hydraulic Project Approval may request a formal appeal. The FORMAL APPEAL shall be in accordance with the provisions of Chapter 43.21L RCW and Chapter 199-08 WAC. The request for FORMAL APPEAL shall be in WRITING to the Environmental and Land Use Hearings Board at Environmental Hearings Office, Environmental and Land Use Hearings Board, 4224 Sixth Avenue SE, Building Two - Rowe Six, P.O. Box 40903, Lacey, Washington 98504; telephone 360/459-6327.

E. FAILURE TO APPEAL WITHIN THE REQUIRED TIME PERIODS results in forfeiture of all appeal rights. If there is no timely request for an appeal, the department action shall be final and unappealable.

ENFORCEMENT: Sergeant Chandler (34) P2

Habitat Biologist Stewart Reinbold	425-649-4423	Stewart S. Reinbold	for Director WDFW

CC:

WASHINGTON STATE DEPARTMENT OF
Natural Resources
Doug Sutherland - Commissioner of Public Lands

FACSIMILE COVER LETTER

To: Stewart Reinbold - Fish and Wildlife

Telephone: (425) 649-4423 **Fax:** (425) 649-7098

From: South Puget Sound
950 Farman Ave N.
Enumclaw, WA 98022-9282

Sender's Name: Monica Durkin

Telephone:(360) 825-1631 TTY:(360) 825-6381 Fax:(360) 825-1672

Date: 12/5/06

Time: 8:40am

Total number of pages (including cover sheet): 1

Description:
As per HPA #106673-1 for the removal of derelict piles within Lake Washington requires, I am giving you notice that work will commence for this project late this week (Dec. 8th) or early next week (Dec. 11th). Work will take 2 weeks to complete. Thanks, Monica

Land Use Fee for the City of Renton

Address: City of Renton Development Services Division
1055 South Grady Way-Renton, WA 98055
Phone: 425-430-7200 Fax: 425-430-7231
Contact: Elizabeth Higgins (425) 430-7382

DNR needs to pay a $1,000 fee to the City of Renton for the Environmental Checklist for environmental review of a project occurring within lands covered by water. The City of Renton's permit code for this project is LUA06-114. DNR is proposing the removal of derelict pilings from Lake Washington. The City is processing the Environmental Checklist for this project.

Charge Code: 973 OMO

Amount: $1,000 Please see the attached Land Use Fee sheet.

9/27/06

Floella McKinley for Monica Durkin

A19-2A Voucher Distribution

AGENCY NUMBER: 490

VENDOR NAME AND ADDRESS

City of Renton
Development and Services Division att. Elizabeth Higgins
Renton City Hall - 6th Floor
1055 South Grady Way
Renton, WA 98057

AGENCY NAME AND LOCATION

Department of Natural Resources
Aquatic Resources Division
1111 Washington St. SE
P O Box 47027
Olympia, WA 98504-7001

FEDERAL I.D. NO OR SOCIAL SECURITY NO

Description:
$1,000 fee for the Environmental Checklist review that includes lands covered by water. Fee is part of the environmental permitting of the derelict piling removal in Lake Washington. The City of Renton processing code is LUA06-114.

0.00

PREPARED BY	DATE	AGENCY APPROVAL	DATE
Monica Durkin	9/27/2006	for Monica Durkin	9/27/06

DOC. DATE | CURRENT DOC. NO | VENDOR NO.

U P	Trans Code	Fund	Appn. Index	Program Index	Sub Object	Sub Sub Object	Project	Org Index	AMOUNT	INVOICE NO.
							973	OMO	$1,000.00	

AGENCY APPROVAL FOR PAYMENT | DATE | TOTAL $1,000.00

LAND USE PERMIT FEES

City of Renton Development Services Division
1055 South Grady Way-Renton, WA 98055
Phone: 425-430-7200 Fax: 425-430-7231

APPLICATION TYPE:	FEE AMOUNT:
Annexation	Expense for postage
Appeal of Hearing Examiner's Decision, Administrative Decision, or Environmental Decision	$75.00
Binding Site plan Approval	$1,000.00
Comprehensive Plan Amendment	$1,000.00
Conditional Use Permit:	
Hearing Examiner Review	$2,000.00
Administrative Review	$1,000.00
Environmental Impact Statement/Draft and Final	100% of costs of coordination, review and appeals
Environmental Checklist:	
Less than $100,000 project value	$400.00
$100,000 or more project value	$1,000.00
Environmental Review/sensitive lands or lands covered by water, except minor residential additions or modifications	$1,000.00
Fence Permit (special)	$100.00
Grading and Filling Permits	$2,000.00
Hobby Kennel License	$20.00
Lot Line Adjustment	$450.00
Mobile Home Park:	
Tentative	$500.00
Preliminary	$2,000.00
Final	$1,000.00
Plats:	
Short Plat	$1000.00
Preliminary Plat	$2,000.00
Final Plat	$1,000.00
Planned Unit Development:	
Tentative	$500.00
Preliminary	$2,000.00
Final	$1,000.00
Rebuild Approval Permit:	
Hearing Examiner Review	$500.00
Administrative Review	$250.00

DNR-008200

APPLICATION TYPE:	FEE AMOUNT:
Rezones: Less than 10 acres 10 to 20 acres More than 20 acres	 $2,000.00 $3,000.00 $4,000.00
Routine Vegetation Management Permit	$75.00
Shopping Cart Plan Review:	$100.00
Shoreline Permits: Shoreline Permit Exemption Shoreline Substantial Development Permit	 No charge $1,000.00
Site Plan Approval: Hearing Examiner Review Administrative Review	 $2,000.00 $1,000.00
Special Permit	$2,000.00
Temporary Permit	$100.00
Temporary Permit Sign Deposit (refundable)	$25.00
Variance Administrative Board of Adjustment or Hearing Examiner	 $100.00 $500.00
Waiver	$100.00

JOINT LAND USE APPLICATIONS: For joint land use applications, applicant shall pay full price for the most expensive (major) application and half-price for related applications.

EXTRA FEES: Whenever any application is to be handled under the terms of any portion of the City's land use codes, adopted codes, or the Uniform Building Code, and that application is so large, complicated or technically complex that it cannot be handled with existing city staff, then an additional fee can be charged which is equivalent to the extra costs incurred by the City of Renton. Such fees shall be charged only to the extent incurred beyond that normally incurred for processing an application. When the application or development plans are modified so as to require additional review by the City beyond the review normally required for like projects, at the discretion of the Development Services Director, an additional fee may be charged at $75.00 per hour.

Any questions regarding land use fees should be directed to the Development Services Division, 6th floor customer service counter, at (425) 430-7294.

DNR-008201

CITY OF RENTON

Kathy Keolker, Mayor

Planning/Building/PublicWorks Department
Gregg Zimmerman P.E., Administrator

RECEIVED
NOV 14 2006
DNR-SPS

November 9, 2006

Monica Durkin
State Department of Natural Resources
950 Farman Avenue N
Enumclaw, WA 98022

Subject: Lake Washington Piling Removal
LUA06-114, SME

Dear Ms. Durkin:

This letter is to inform you that the appeal period has ended for the Shoreline Substantial Development Permit approval. No appeals were filed. This decision is final. The Shoreline Substantial Development Permit is enclosed.

If you have any questions regarding the report and decision issued for this permit, please call me at (425) 430-7382.

Sincerely,

Elizabeth Higgins

Elizabeth Higgins, AICP
Senior Planner

Encl.

1055 South Grady Way - Renton, Washington 98055

This paper contains 50% recycled material, 30% post consumer

RENTON
AHEAD OF THE CURVE

CITY OF RENTON

CERTIFICATE OF EXEMPTION FROM SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

RECEIVED
NOV 14 2006
DNR-SPS

DATE: November 7, 2006

LAND USE ACTION FILE NO.: LUA06-114, SME

PROJECT NAME: Lake Washington Piling Removal Shoreline Exemption

OWNER/APPLICANT: Washington State Department of Natural Resources
950 Farman Avenue N
Enumclaw WA 98022

CONTACT: Monica Durkin, DNR
(360) 825-1631, ext. 2006

PROJECT MANAGER: Elizabeth Higgins, AICP
Senior Planner

PROPOSAL: The applicant, the Washington State Department of Natural Resources, is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float that are located on state-owned acuatic lands within the open harbor area of the eastern shores of Lake Washington within the jurisdiction of the City of Renton.

Portions of the site area are part of the larger Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup that is on-going with the on-shore, upland property known as Quendall Terminals. The CERCLA work is managed by the Environmental Protection Agency.

The pilings and floats are no longer used and are currently a potential navigational hazard for boaters on Lake Washington.

Required work would be below the ordinary high water mark, within the harbor area. The lake bottom at the project location consists of silty mud with areas of sandy substrate. A portion of the lake bottom, within the removal area for 28 pilings, includes sediments that have been indentified as containing Polynuclear Aromatic Hydrocarbons (PAH). Twenty-one pilings, at the southern end of the project site, are situated in an area littered with woodwaste.

Work would occur in accordance with allowed "fish windows" and bird nesting and migration time frames, as determined by the Washington State Department of Fish and Wildlife. These considerations require that work be completed by December 31, 2006.

The removal technique would be to remove the pilings with a vibratory hammer. A temporary increase in localized emissions from the equipment used to remove the pilings is expected. The vibrating hammer is mounted on a floating barge. A collar is fastened around each piling individually and the piling would be pulled out of the lake bottom while vibration occurs.

In order to displace the minimal amount of lake bottom material, pilings would be removed as slowly as possible. To prevent suspension of sediments, the vibratory hammer would be turned off once each piling was removed from the lake bottom. Pilings would not be washed off with lake water. If pilings break during removal, a clam shell bucket would be used to remove them from the lake bottom.

A Spill Prevention, Control, and Countermeasures (SPCC) Plan would be developed with the contractor prior to the initiation of work. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged materials indlucing those the contractor may store, use, or generate during construction activities. These may include gasoline, oils, chemicals, and other potential items.

Removed pilings and debris associated with the removal would be placed on the barge and disposed of off site.

Pilings located in or near the PAH contaminated sediments (points 4 and 31 of Map 1) would be cut at the mudline of the lake bottom. Within potentially contaminated areas, bottom sediments would be undisturbed and not sweep to locate additional pilings.

The steel ball and steel cylinder floats are located on the lake surface, but are anchored to the bedland. They would be removed by extracting and lifting the anchors from the bottom sediments or by cutting the chains and leaving the anchors in place.

The work described would occur during daylight hours Monday through Friday.

The estimated project cost is $35,000.

This project would improve the navigability of the Lake by removing potential hazards and would enhance the nearshore, shallow-water environment, thereby providing a benefit to migrating juvenile salmon.

Due to the designation of the waters of Lake Washington as a "critical area" within the City of Renton, the proposed project was reviewed by the Environmental Review Committee on October 9, 2006, receiving a Determination of Non-significance from that body.

Although the City of Renton has determined that the project is exempt from Shoreline Management Act requirements, it is subject to Hydraulic Permit Approval (Washington State Department of Fish and Wildlife) and Section 10 Permit approval (U.S. Army Corps of Engineers).

PROJECT LOCATION: Between the Inner and Outer Lines of Lake Washington in Northeast Renton (see Legal Description)

LEGAL DESCRIPTION: That portion of the harbor area facing Government Lots 4 and 5, W ½ of the SW ¼ Section 29 Township 24N Range 5E, W.M., lying between the Inner and Outer Harbor Lines of Lake Washington as the same were established by the State of Washington, as shown on Plat 29 of Lake Washington Shorelands.

WATER BODY: Lake Washington (Urban Environment)

An exemption from a Shoreline Substantial Development Permit is hereby granted on the proposed project in accordance with RMC 4-9-190C3:

XX Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements.

a. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition.

The proposed development is consistent or inconsistent with (check one):

CONSISTENT	INCONSISTENT	
XX	_____	Policies of the Washington State Shoreline Management Act.
N/A	_____	The guidelines of the Department of Ecology where no Master Program has been finally approved or adapted by the Department.
XX	_____	The City of Renton Shoreline Master Program.

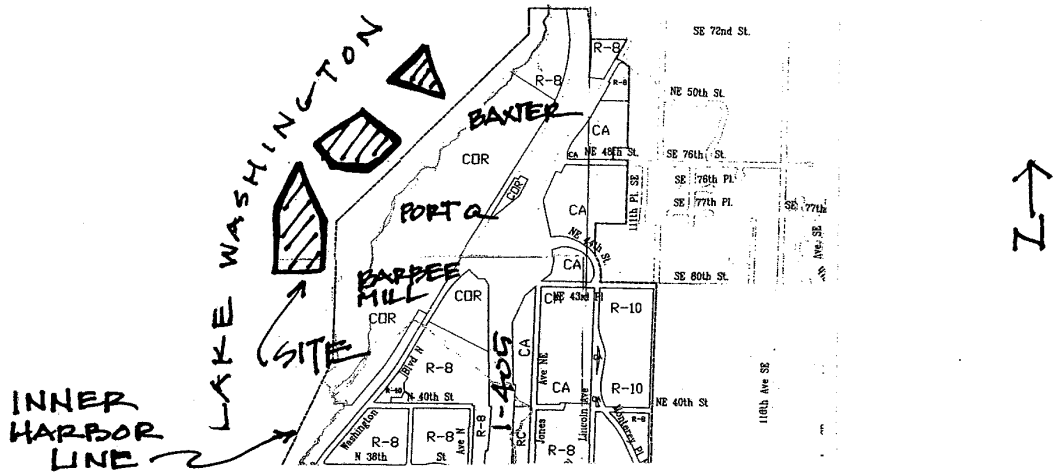
Neil Watts

Neil Watts, Director
Development Services Division

Attachments: Environmental Review Committee Staff Report

cc: Owner/Applicant
Contact1

REPORT & DECISION	**City of Renton** Department of Planning / Building / Public Works **ENVIRONMENTAL REVIEW COMMITTEE REPORT**
ERC MEETING DATE:	October 9, 2006
Project Name:	Lake Washington Derelict Piling Removal
Owner:	State of Washington Department of Natural Resources
Applicant:	Monica Durkin; WADNR 950 Farman Avenue N Enumclaw, WA 98022
Contact:	Monica Durkin; WADNR (360) 825-1631 ext. 2006
File Number:	LUA06-114, ECF, SME
Project Manager:	Elizabeth Higgins, Senior Planner
Project Description:	The applicant, the Washington State Department of Natural Resources, is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float that are located on state-owned aquatic lands within the open harbor area of the eastern shores of Lake Washington within the jurisdiction of the City of Renton. Portions of the site area are part of the larger Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup that is on-going with the on-shore, upland property known as Quendall Terminals. The CERCLA work is managed by the Environmental Protection Agency. The pilings and floats are no longer used and are currently a potential navigational hazard for boaters on Lake Washington. *Continued next page*
Project Location:	Harbor area of Lake Washington; Section 29, Township 24N, Range RE
Site Area:	Approximately 36 acres total area *Total Building Area SF:* N/A
RECOMMENDATION:	Staff recommends that the Environmental Review Committee issue a Determination of Non-Significance (DNS).



Project Location Map

PART ONE: PROJECT DESCRIPTION/BACKGROUND, CONTINUED

Required work would be below the ordinary high water mark, within the harbor area. The lake bottom at the project location consists of silty mud with areas of sandy substrate. A portion of the lake bottom, within the removal area for 28 pilings, includes sediments that have been identified as containing Polynuclear Aromatic Hydrocarbons (PAH). Twenty-one pilings, at the southern end of the project site, are situated in an area littered with woodwaste.

Work would occur in accordance with allowed "fish windows" and bird nesting and migration time frames, as determined by the Washington State Department of Fish and Wildlife. These considerations require that work be completed by December 31, 2006.

The removal technique would be to remove the pilings with a vibratory hammer. A temporary increase in localized emissions from the equipment used to remove the pilings is expected. The vibrating hammer is mounted on a floating barge. A collar is fastened around each piling individually and the piling would be pulled out of the lake bottom while vibration occurs.

In order to displace the minimal amount of lake bottom material, pilings would be removed as slowly as possible. To prevent suspension of sediments, the vibratory hammer would be turned off once each piling was removed from the lake bottom. Pilings would not be washed off with lake water. If pilings break during removal, a clam shell bucket would be used to remove them from the lake bottom.

A Spill Prevention, Control, and Countermeasures (SPCC) Plan would be developed with the contractor prior to the initiation of work. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged materials including those the contractor may store, use, or generate during construction activities. These may include gasoline, oils, chemicals, and other potential items.

Removed pilings and debris associated with the removal would be placed on the barge and disposed of off site.

Pilings located in or near the PAH contaminated sediments (points 4 and 31 of Map 1) would be cut at the mudline of the lake bottom. Within potentially contaminated areas, bottom sediments would be undisturbed and not sweep to locate additional pilings.

The steel ball and steel cylinder floats are located on the lake surface, but are anchored to the bedland. They would be removed by extracting and lifting the anchors from the bottom sediments or by cutting the chains and leaving the anchors in place.

The work described would occur during daylight hours Monday through Friday.

The estimated project cost is $35,000.

This project would improve the navigability of the Lake by removing potential hazards and would enhance the nearshore, shallow-water environment, thereby providing a benefit to migrating juvenile salmon.

Although the City of Renton has determined that the project is exempt from Shoreline Management Act requirements, it is subject to Hydraulic Permit Approval (Washington State Department of Fish and Wildlife) and Section 10 Permit approval (U.S. Army Corps of Engineers).

PART TWO: ENVIRONMENTAL REVIEW

In compliance with RCW 43.21C.240, the following project environmental review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

A. Recommendation

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials make the following Environmental Determination:

	DETERMINATION OF NON-SIGNIFICANCE		DETERMINATION OF NON - SIGNIFICANCE - MITIGATED.
	Issue DNS with 14-day Appeal Period.		Issue DNS-M with 14-day Appeal Period.
X	Issue DNS with 15-day Comment Period with a Concurrent 14-day Appeal Period.		Issue DNS-M with 15-day Comment Period with a Concurrent 14-day Appeal Period.

B. Mitigation Measures

There are no mitigation measures required for this project.

C. Environmental Impacts

The Proposal was circulated and reviewed by various City Departments and Divisions to determine whether the applicant has adequately identified and addressed environmental impacts anticipated to occur in conjunction with the proposed development. Staff reviewers have identified that the proposal is likely to have the following probable impacts:

1. Earth

Impacts: The site of the proposed project consists of gently sloped aquatic lands, including freshwater bedlands in the harbor area, below the Ordinary High Water Mark of Lake Washington. Lake Washington is a Class 1 Inventoried Shoreline of the State and Critical Area subject to the City of Renton Critical Areas Ordinance.

Under surface slopes are approximately 1.6 percent. The lake bottom sediment consists primarily of silty mud with areas of sandy substrate. The southern portion of the removal area is littered with woodwaste.

Although the Seattle Fault, which runs under Mercer Island and through Lake Washington, is north of here within fairly close proximity, there are no known unstable soils within the project area and it is not designated as a known landslide area on Sensitive Areas Ordinance maps.

Although pilings would be removed, no filling or grading is proposed. Localized disturbance of the lake bottom sediments would be temporary and not anticipated to be significant. Techniques to minimize disturbance have been incorporated into the project, including cutting pilings rather than completely removing them and remove the pilings slowly to reduce the amount of sediment that is displaced.

Mitigation Measures: None required

Nexus: Not applicable

2. Air

Impacts: It is anticipated that there would be a temporary increase in localized emissions from the equipment that would be used to remove the pilings. Odor impacts during construction are unavoidable and would be short-term in nature. The effects of these temporary emissions would be minimal. Equipment used would meet King County, state, and federal emissions control requirements.

Mitigation Measures: None required

Nexus: Not applicable

3. Water

Impacts: The proposal is for in-water work within Lake Washington on state-owned aquatic lands. All work would take place below the surface of the Lake, except for piling and debris removal from the area by barge. Any debris that is associated with the removal would be picked up and placed on the barge.

Spill Prevention, Control, and Countermeasures (SPCC) Plans would be developed with the selected contractor. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged

materials including those the contractor may store, use, or generate during the construction activities. These items include, but are not limited to gasoline, oils, and chemicals.

Mitigation Measures: None required

Nexus: Not applicable

4. Vegetation
Impacts: There are no known threatened or endangered species of plants on the site. The primary vegetation consists of milfoil.

Mitigation Measures: None required

Nexus: Not applicable

5. Wildlife
Impacts: Birds and fish that can be expected to frequent the project area include: hawk, heron, songbirds, osprey, cormorant, domestic quail, bass, salmon, trout, smelt, stickleback, threespine, freshwater shrimp, pike minnow, prickly sculpin, black crappie, bluegill, pumpkinseed sunfish, trench, and yellow perch.

Threatened or endangered species that may be in the vicinity of the project site include: sockeye salmon, cutthroat trout, steelhead salmon, coho salmon, Puget Sound Chinook salmon, bull trout, and bald eagle.

The project area is within the Pacific Flyway, a major north-south seasonal migration route for many bird species. The site is also a migratory and rearing corridor for Chinook salmon and Lake Washington contains the largest population of naturally occurring sockeye salmon in Washington State. Most spawning and fry projection occur in the Cedar River, just south of the project site.

Piling removal may enhance the habitat of these species because at the present time pilings may provide cover for predators of juvenile Chinook and coho salmon.

All in-water work would occur in accordance with allowed fish windows and bird nesting and migration windows as determined by the Washington State Department of Fish and Wildlife.

The project is compatible with the Water Resource Inventory Area (WRIA) 8 Chinook Salmon Conservation Plan.

Mitigation Measures: None required

Nexus: Not applicable

6. Environmental Health
Impacts: The adjacent upland parcel was used for wood processing activities for many decades. Polynuclear aromatic hydrocarbons (PAH) and woodwaste are located in a few areas of the harbor area due to these past uses of the property. Approximately 21 of the pilings are located in an area that has been shown to have woodwaste. Approximately 28 pilings are located in an area that has been shown to contain some PAH contamination.

The 28 pilings in the PAH area would be cut at the lake bottom and the underground portion of the piling left in place to reduce disturbance of lake bottom sediments. Cutting the pilings at the mudline will prevent remobilization of buried PAHs.

The proposed activities would have short term noise associated with the piling removal equipment. Removal of the pilings would occur during daylight hours Monday through Friday. No other unusual noise impacts are expected to occur.

The proposed project would improve the navigability of Lake Washington in this area by removing submerged obstructions.

Mitigation Measures: None required

Nexus: Not applicable

D. Comments of Reviewing Departments
The proposal has been circulated to City Departmental / Divisional Reviewers for their review. Where applicable, these comments have been incorporated into the text of this report as Mitigation Measures and/or Notes to Applicant.

__X__ Copies of all Review Comments are contained in the Official File.
____ Copies of all Review Comments are attached to this report.

Environmental Determination Appeal Process Appeals of the environmental determination must be filed in writing on or before 5:00 PM, October 30, 2006.

Appeals must be filed in writing together with the required $75.00 application fee with: Hearing Examiner, City of Renton, 1055 South Grady Way, Renton, WA 98055. Appeals to the Examiner are governed by City of Renton Municipal Code Section 4-8-110.B. Additional information regarding the appeal process may be obtained from the Renton City Clerk's Office, (425) 430-6510.

ADVISORY NOTES TO APPLICANT
The following notes are supplemental information provided in conjunction with the administrative land use action. Because these notes are provided as information only, they are not subject to the appeal process for the land use actions

Planning

1. Commercial, multi-family, new single-family and other nonresidential construction activities shall be restricted to the hours between seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., Monday through Friday. Work on Saturdays shall be restricted to the hours between nine o'clock (9:00) a.m. and eight o'clock (8:00) p.m. No work shall be permitted on Sundays.

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

REPLY TO
ATTENTION OF

RECEIVED
NOV 20 2006
DNR-SPS

Regulatory Branch

NOV 15 2006

Ms. Monica Durkin
Washington Department of Natural Resources
950 Farman Avenue North
Enumclaw, Washington 98022

Reference: 200601094
WA ST Dept of
Natural Resources

Dear Ms. Durkin:

We have reviewed your application to remove approximately 123 piles and fill the holes with clean sand in Lake Washington at Renton, Washington. Based on the information you provided to us, Nationwide Permit 27, Stream and Wetland Restoration Activities (Federal Register, January 15, 2002, Vol. 67, No. 10), authorizes your proposal as depicted on the enclosed drawings dated August 8, 2006. In order for this NWP authorization to be valid, you must ensure that the work is performed in accordance with the enclosed *Nationwide Permit 27, Terms and Conditions* and the following special conditions:

For compliance with the Endangered Species Act:

a. You must implement and abide by the Endangered Species Act (ESA) requirements and/or agreements set forth in your Reference Biological Evaluation Specific Project Information Form, dated October 23, 2006, in its entirety. You must also comply with the conditions included in the enclosed *General Implementation Conditions*. The National Marine Fisheries Service (NMFS) concurred with a finding of "may affect, not likely to adversely affect" based on this document on October 30, 2006. The U.S. Fish and Wildlife Service (USFWS) concurred with a finding of "may affect, not likely to adversely affect" based on this document on November 7, 2006, (USFWS Reference Number 13410-2007-1-0047). Both agencies will be informed of this permit issuance. Failure to comply with the commitments made in this document constitutes non-compliance with the ESA and your U.S. Army Corps of Engineers permit. The USFWS/NMFS is the appropriate authority to determine compliance with ESA.

b. In order to protect Puget Sound Chinook and bull trout, the permittee may conduct the authorized activities from July 16 through December 31 in any year this permit is valid. The permittee shall not conduct work authorized by this permit from January 1 through July 15 in any year this permit is valid.

The authorized work complies with the Washington State Department of Ecology's (Ecology) Water Quality Certification and the Coastal Zone Management Act requirements for this NWP. No further coordination with Ecology is required for these requirements.

We have reviewed your project pursuant to the requirements of the Endangered Species Act and the Magnuson-Stevens Fishery Conservation and Management Act in regards to Essential Fish Habitat (EFH). We have determined that this project complies with the requirements of NWP National General Condition 11 and will not adversely affect EFH.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2007. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit.

Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 404 of the Clean Water Act and/or Section 10 of the 1899 Rivers and Harbors Act. Also, you must obtain all State and local permits that apply to this project.

Upon completing the authorized work, you must fill out and return the enclosed *Certificate of Compliance with Department of the Army Permit* form. Thank you for your cooperation during the permit process. We are interested in your experience with our Regulatory Program and encourage you to complete a customer service survey form. This form and information about our program is available on our website at: www.nws.usace.army.mil (select "Regulatory" and then "Regulatory/Permits").

If you have any questions about this letter, please contact me at (206) 764-5527 or via email at Susan.M.Powell@usace.army.mil.

Sincerely,

Susan Powell

Susan Powell, Project Manager
North Application Section

Enclosures

Lake Washington Derelict Piling Removal 8/8/06

200601094

WASHINGTON STATE DEPARTMENT OF **Natural Resources**

Doug Sutherland - Commissioner of Public Lands

Map#1 Page 1

Lake Washington Derelict Piling Data from 5-18-06

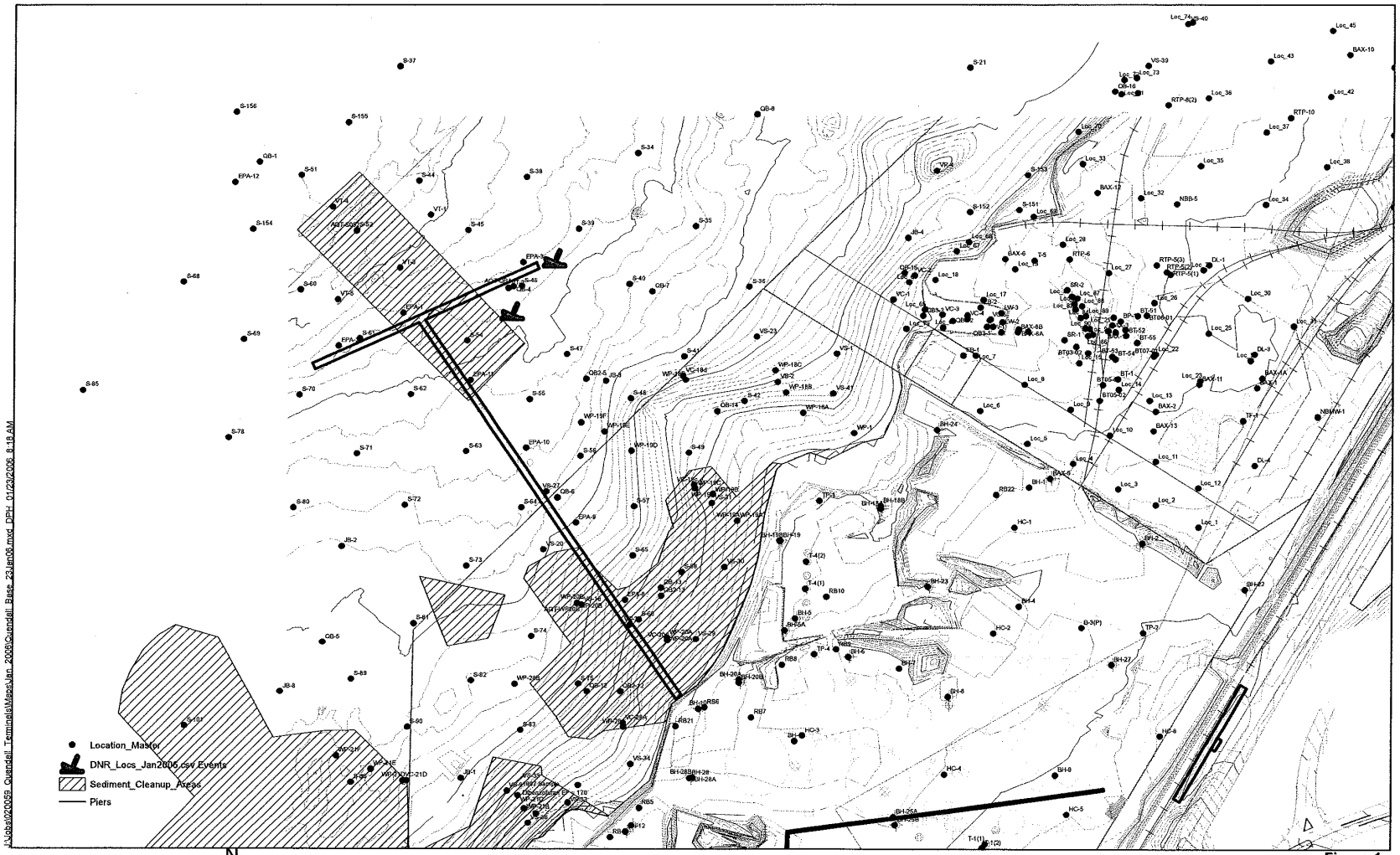
GPS Points	Number of pilings	Latitude	Longitude	Y Lat	X Lon
1	floating dry dock	N 47° 32.093'	W 122° 12.248'	47.534883	-122.204133
2	floating dry dock	N 47° 32.086'	W 122° 12.296'	47.534766	-122.204933
3	metal cylinder	N 47° 32.105	W 122° 12.315'	47.535083	-122.20525
4	18	N 47° 32.051'	W 122° 12.356'	47.534183	-122.20593
5	6	N 47° 32.001'	W 122° 12.421'	47.53335	-122.20701
6	4	N 47° 31.914'	W 122° 12.453	47.5319	-122.20755
7	3	N 47° 31.904'	W 122° 12.396'	47.531733	-122.2066
8	2	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
9	2	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
10	3	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
11	3	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
12	2	N 47° 31.935'	W 122° 12.349'	47.53225	-122.20581
13	3	N 47° 31.928'	W 122° 12.405'	47.532133	-122.20675
14	4	N 47° 31.950'	W 122° 12.408'	47.5325	-122.2068
15	3	N 47° 31.955'	W 122° 12.369'	47.532583	-122.20615
16	3	N 47° 31.955'	W 122° 12.347'	47.532583	-122.205783
17	2	N 47 31.935'	W 122° 12.346'	47.53225	-122.205766
18	1	N 47° 32.078'	W 122° 12.215'	47.534633	-122.203583
19	1	N 47° 32.094'	W 122° 12.208'	47.5349	-122.203466
20	1	N 47° 32.098'	W 122° 12.206'	47.534966	-122.203433
21	8	N 47° 32.112'	W 122° 12.198'	47.5352	-122.2033
22	3	N 47° 32.111'	W 122° 12.160'	47.535183	-122.202666
23	3	N 47° 32.095'	W 122° 12.169'	47.534916	-122.202816
24	3	N 47° 32.089'	W 122° 12.173'	47.534816	-122.202883
25	3	N 47° 32.074'	W 122° 12.180'	47.534566	-122.203
26	6	N 47° 32.115'	W 122° 12.243'	47.53525	-122.20405
27	9	N 47° 32.211'	W 122° 12.169'	47.53685	-122.202816
28	9	N 47° 32.210'	W 122° 12.104'	47.536833	-122.201733
29	8	N 47° 32.200'	W 122° 12.056'	47.536666	-122.200933
30	metal ball	N 47° 32.258'	W 122° 12.107'	47.537633	-122.201783
31	10	N 47° 32.0472	W 122° 12.345'	47.53412	-122.20575
total pilings	**123**				

Explanation of Areas	Total Pilings
Adjacent to Port Quendall upland	26
Adjacent to QT not w/in PAH	48
Woodwaste area	21
PAH area	28
total pilings	123

WA DNR
200601094

Map #1 page 2

revised 8-8-06



ANCHOR ENVIRONMENTAL, L.L.C.

Figure 1
Port Quendall Terminals
DNR GIS Points and Sample Locations

WA DNR MW#2 20060104 8-8-06

US Army Corps of Engineers ®
Seattle District

NATIONWIDE PERMIT 27
Terms and Conditions

Effective Date: March 18, 2002

A. Description of Authorized Activities – page 1

B. Corps Regional Specific Conditions for this NWP – page 3

C. EPA, Puyallup Tribe and Chehalis Tribe WQC Conditions for this NWP – page 3

D. State WQC Conditions for this NWP – page 3

E. State CZM Consistency Determination Conditions for this NWP – page 4

F. Corps National General Conditions for all NWPs – page 5

G. Corps Regional General Conditions for all NWPs – page 12

H. Additional Limitations on the Use of NWPs – page 14

I. Further Information – page 14

In addition to any special condition that may be required on a case-by-case basis by the District Engineer, the following terms and conditions must be met, as applicable, for a Nationwide Permit 27 authorization to be valid in Washington State.

A. DESCRIPTION OF AUTHORIZED ACTIVITIES

Activities in waters of the US associated with the restoration of former waters, the enhancement of degraded tidal and non-tidal wetlands and riparian areas, the creation of tidal and non-tidal wetlands and riparian areas, and the restoration and enhancement of non-tidal streams and non-tidal open water areas as follows:

(a) The activity is conducted on:

(1) Non-Federal public lands and private lands, in accordance with the terms and conditions of a binding wetland enhancement, restoration, or creation agreement between the landowner and the U.S. Fish and Wildlife Service (FWS) or the Natural Resources Conservation Service (NRCS), the National Marine Fisheries Service, the National Ocean Service, or voluntary wetland restoration, enhancement, and creation actions documented by the NRCS pursuant to NRCS regulations; or

(2) Reclaimed surface coal mine lands, in accordance with a Surface Mining Control and Reclamation Act permit issued by the OSM or the applicable state agency (the future reversion does not apply to streams or wetlands created, restored, or enhanced as mitigation for the mining impacts, nor naturally due to hydrologic or topographic features, nor for a mitigation bank); or

(3) Any other public, private or tribal lands;

(b) Notification: For activities on any public or private land that are not described by paragraphs (a)(1) or (a)(2) above, the permittee must notify the District Engineer in accordance with General Condition 13; and

(c) Planting of only native species should occur on the site.

Activities authorized by this NWP include, to the extent that a Corps permit is required, but are not limited to: the removal of accumulated sediments; the installation, removal, and maintenance of small water control structures, dikes, and berms; the installation of current deflectors; the enhancement, restoration, or creation of riffle and pool stream structure; the placement of in-stream habitat structures; modifications of the stream bed and/or banks to restore or create stream meanders; the backfilling of artificial channels and drainage ditches; the removal of existing drainage structures; the construction of small nesting islands; the construction of open water areas; the construction of oyster habitat over unvegetated bottom in tidal waters; activities needed to reestablish vegetation, including plowing or discing for seed bed preparation and the planting of appropriate wetland species; mechanized land clearing to remove non-native invasive, exotic or nuisance vegetation; and other related activities.

This NWP does not authorize the conversion of a stream to another aquatic use, such as the creation of an impoundment for waterfowl habitat. This NWP does not authorize stream channelization. This NWP does not authorize the conversion of natural wetlands to another aquatic use, such as creation of waterfowl impoundments where a forested wetland previously existed. However, this NWP authorizes the relocation of non-tidal waters, including non-tidal wetlands, on the project site provided there are net gains in aquatic resource functions and values. For example, this NWP may authorize the creation of an open water impoundment in a non-tidal emergent wetland, provided the non-tidal emergent wetland is replaced by creating that wetland type on the project site. This NWP does not authorize the relocation of tidal waters or the conversion of tidal waters, including tidal wetlands, to other aquatic uses, such as the conversion of tidal wetlands into open water impoundments.

Reversion. For enhancement, restoration, and creation projects conducted under paragraphs (a)(3), this NWP does not authorize any future discharge of dredged or fill material associated with the reversion of the area to its prior condition. In such cases a separate permit would be required for any reversion. For restoration, enhancement, and creation projects conducted under paragraphs (a)(1) and (a)(2), this NWP also authorizes any future discharge of dredged or fill material associated with the reversion of the area to its documented prior condition and use (i.e., prior to the restoration, enhancement, or creation activities). The reversion must occur within five years after expiration of a limited term wetland restoration or creation agreement or permit, even if the discharge occurs after this NWP expires. This NWP also authorizes the reversion of wetlands that were restored, enhanced, or created on prior-converted cropland that has not been abandoned, in accordance with a binding agreement between the landowner and NRCS or FWS (even though the restoration, enhancement, or creation activity did not require a Section 404 permit). The five-year reversion limit does not apply to agreements without time limits reached under paragraph (a)(1). The prior condition will be documented in the original agreement or permit, and the determination of return to prior conditions will be made by the Federal agency or appropriate state agency executing the agreement or permit. Before any reversion activity the permittee or the appropriate Federal or state agency must notify the District Engineer and include the documentation of the prior condition. Once an area has reverted to its prior physical condition, it will be subject to whatever the Corps Regulatory requirements will be at that future date. (Sections 10 and 404)

Note: Compensatory mitigation is not required for activities authorized by this NWP, provided the authorized work results in a net increase in aquatic resource functions and values in the project area. This NWP can be used to authorize compensatory mitigation projects, including mitigation banks, provided the permittee notifies the District Engineer in accordance with General Condition 13, and the project includes compensatory mitigation for impacts to waters of the US caused by the authorized work. However, this NWP does not authorize the reversion of an area used for a compensatory mitigation project to its prior condition. NWP 27 can be used to authorize impacts at a mitigation bank, but only in circumstances where it has been approved under the Interagency Federal Mitigation Bank Guidelines.

B. CORPS REGIONAL CONDITIONS FOR THIS NWP

1. If the proposed work results in impacts to a special aquatic sites (e.g., wetlands or riffle and pool complexes), the "Notification" must include a statement of why the impacts are necessary, how the impacts have been minimized, and how the overall project is beneficial, despite these impacts.

2. The permittee must notify the District Engineer in accordance with General Condition 13 for proposed projects in stream or wetland restoration and enhancement areas previously authorized as mitigation by a Department of the Army permit.

3. The permittee must notify the District Engineer in accordance with General Condition 13 for a stream and wetland restoration projects occurring in a designated Federal Superfund site (Comprehensive Environmental Response, Compensation and Liability Act), hazardous waste clean-up site (Resource Conservation and Recovery Act), or State clean-up site (Model Toxics Control Act).

NOTE: The restoration of former waters can occur in either tidal or non-tidal waters. However, NWP 27 cannot be used for the enhancement or creation of tidal waters other than wetland and riparian areas. See the definition section for more information.

C. EPA, Puyallup Tribe and Chehalis Tribe WQC CONDITIONS FOR THIS NWP

EPA, Puyallup Tribe and Chehalis Tribe water quality certification (WQC) has been denied without prejudice. An individual WQC is required for all Section 404 activities.

D. STATE WQC CONDITIONS FOR THIS NWP

State WQC has been partially denied without prejudice for this permit. Written approval of the proposed mitigation plan for the project is required by Ecology for the activities and impacts listed below:

1. Any fill-related impacts to tidal waters or to non-tidal wetlands adjacent to tidal waters.

2. Any fill-related impacts greater than ½ acre.

An individual 401 certification, in addition to an approved mitigation plan, is required prior to starting work for the following:

a. For the activities listed in 1. and 2. above where Ecology determines the mitigation proposed for the project is insufficient and written approval is not received;

b. Any project impacting 1 acre or greater of wetlands

NOTE: Mitigation plans submitted for Ecology review and approval shall be based on the guidance provided in Guidelines for Developing Freshwater Wetlands Mitigation Plans and Proposals (Ecology Publication 94-29 or as revised).

For projects proposing mitigation at an Ecology-approved mitigation bank, applicants shall provide a copy of the bank credit withdrawal transaction recorded at the county auditor's office.

An individual 401 Certification is required for projects or activities authorized under this NWP if the project/activity will likely result in any of the following adverse effects:

1. The project or activity will likely cause or contribute to an exceedance of a State water quality standard (WAC 173-201A) or sediment quality standard (WAC 173-204). The requirement to obtain an individual 401 certification shall not apply to projects or activities that are carried out in accordance with the following permits, approvals, or management practices. These projects are presumed to comply with state water quality standards including state sediment management standards:

    a. Projects or activities where the discharges authorized under this NWP are explicitly authorized or covered by a National Pollutant Discharge Elimination System permit.

    b. Projects, activities or portions of projects or activities designed, constructed and maintained in accordance with the stormwater standards and practices contained in the most current version of Ecology's Stormwater Manual or an Ecology approved equivalent.

2. For projects/activities not designed in accordance with either Ecology's stormwater manual or an Ecology approved equivalent, or for projects where there is credible site specific information which indicates that the permits, approvals, or management practices identified above will not be sufficient to meet state water quality standards, the applicant may provide documentation with the application that the project/activity will otherwise comply with state water quality standards. An individual 401 Certification is required for projects which are unable to provide documentation that the project/activity will otherwise comply with state water quality standards.

3. Projects or activities that cause or contribute to a discharge to a waterbody on the state's list of impaired waterbodies [i.e., the 303(d) list] and the discharge may result in further exceedances of a specific parameter the waterbody is listed for. The current list of 303(d)-listed waterbodies is available on Ecology's web site at http://www.ecy.wa.gov/programs/wq/303d/1998/1998_by_wrias.html or by contacting Ecology's Federal Permits staff.

NOTE: An individual 401 Certification will not be required if the applicant provides documentation showing that the project or activity will either not result in a discharge containing the listed parameter or, if present, the parameter will not contribute to an increased impairment of the waterbody.

4. Projects that do not incorporate structures and/or modifications beneficial for fish or wildlife habitat (e.g., soil bioengineering, biotechnical design, rock barbs, etc.).

NOTE: An individual 401 certification will not be required if the project/activity is designed and constructed in accordance to guidelines developed by the Washington State Department of Fish and Wildlife.

E. STATE CZM CONSISTENCY DETERMINATION CONDITIONS FOR THIS NWP

The Coastal Zone Management (CZM) Consistency Determination has been partially denied without prejudice subject to the 401 Certification conditions for this NWP. An individual CZM Consistency Response must be obtained for projects requiring individual 401 Certification and located within counties in the coastal zone.

DNR-008219

F. CORPS NATIONAL GENERAL CONDITIONS FOR ALL NWPs

1. **Navigation**. No activity may cause more than a minimal adverse effect on navigation.

2. **Proper Maintenance**. Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.

3. **Soil Erosion and Sediment Controls**. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.

4. **Aquatic Life Movements**. No activity may substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.

5. **Equipment.** Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.

6. **Regional and Case-By-Case Conditions**. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state or tribe in its Section 401 Water Quality Certification and Coastal Zone Management Act consistency determination.

7. **Wild and Scenic Rivers**. No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status; unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation, or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

8. **Tribal Rights**. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

9. **Water Quality**.

(a) In certain states and tribal lands an individual 401 Water Quality Certification must be obtained or waived (See 33 CFR 330.4(c)).

(b) For NWPs 12, 14, 17, 18, 32, 39, 40, 42, 43, and 44, where the state or tribal 401 certification (either generically or individually) does not require or approve water quality management measures, the permittee must provide water quality management measures that will ensure that the authorized work does not result in more than minimal degradation of water quality (or the Corps determines that compliance with state or local standards, where applicable, will ensure no more than minimal adverse effect on water quality). An important component of water quality management includes stormwater management that minimizes degradation of the downstream aquatic system, including water quality (refer to General Condition 21 for stormwater management requirements). Another important component of water quality management is the establishment and maintenance of vegetated buffers next to open waters, including streams (refer to General Condition 19 for vegetated buffer requirements for the NWPs). This condition is only applicable to projects that have the potential to affect water quality. While appropriate measures must be taken, in most cases it is not necessary to conduct detailed studies to identify such measures or to require monitoring.

10. **Coastal Zone Management**. In certain states, an individual state coastal zone management consistency concurrence must be obtained or waived (see 33 CFR 330.4(d)).

11. **Endangered Species**.

(a) No activity is authorized under any NWP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in the designated critical habitat and shall not begin work on the activity until notified by the District Engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. As a result of formal or informal consultation with the FWS or NMFS the District Engineer may add species-specific regional endangered species conditions to the NWPs.

(b) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the USFWS or the NMFS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS and NMFS or their world wide web pages at *http://www.fws.gov/r9endspp/endspp.html* and *http://www.nmfs.noaa.gov/prot_res/overview/es.html* respectively.

12. **Historic Properties**. No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR part 325, Appendix C. The prospective permittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)). For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the notification must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

13. **Notification**.

(a) **Timing**: Where required by the terms of the NWP, the prospective permittee must notify the District Engineer with a preconstruction notification (PCN) as early as possible. The District Engineer must determine if the notification is complete within 30 days of the date of receipt and can request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the District Engineer will notify the prospective permittee that the notification is still incomplete and the PCN review process will not commence until all of the requested information has been received by the District Engineer. The prospective permittee shall not begin the activity:

(1) Until notified in writing by the District Engineer that the activity may proceed under the NWP with any special conditions imposed by the District or Division Engineer; or

(2) If notified in writing by the District or Division Engineer that an Individual Permit is required; or

(3) Unless 45 days have passed from the District Engineer's receipt of the complete notification and the prospective permittee has not received written notice from the District or Division Engineer. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) **Contents of Notification**: The notification must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed project;

(3) Brief description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), Regional General Permit(s), or Individual Permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP (Sketches usually clarify the project and when provided result in a quicker decision.);

(4) For NWPs 7, 12, 14, 18, 21, 34, 38, 39, 40, 41, 42, and 43, the PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f));

(5) For NWP 7 (Outfall Structures and Maintenance), the PCN must include information regarding the original design capacities and configurations of those areas of the facility where maintenance dredging or excavation is proposed;

(6) For NWP 14 (Linear Transportation Projects), the PCN must include a compensatory mitigation proposal to offset permanent losses of waters of the US and a statement describing how temporary losses of waters of the US will be minimized to the maximum extent practicable;

(7) For NWP 21 (Surface Coal Mining Activities), the PCN must include an Office of Surface Mining (OSM) or state-approved mitigation plan, if applicable. To be authorized by this NWP, the District Engineer must determine that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are minimal both individually and cumulatively and must notify the project sponsor of this determination in writing;

(8) For NWP 27 (Stream and Wetland Restoration Activities), the PCN must include documentation of the prior condition of the site that will be reverted by the permittee;

(9) For NWP 29 (Single-Family Housing), the PCN must also include:

(i) Any past use of this NWP by the Individual Permittee and/or the permittee's spouse;

(ii) A statement that the single-family housing activity is for a personal residence of the permittee;

(iii) A description of the entire parcel, including its size, and a delineation of wetlands. For the purpose of this NWP, parcels of land measuring 1/4-acre or less will not require a formal on-site delineation. However, the applicant shall provide an indication of where the wetlands are and the amount of wetlands that exists on the property. For parcels greater than 1/4-acre in size, formal wetland delineation must be prepared in accordance with the current method required by the Corps. (See paragraph 13(f));

(iv) A written description of all land (including, if available, legal descriptions) owned by the prospective permittee and/or the prospective permittee's spouse, within a one mile radius of the parcel, in any form of ownership (including any land owned as a partner, corporation, joint tenant, co-tenant, or as a tenant-by-the-entirety) and any land on which a purchase and sale agreement or other contract for sale or purchase has been executed;

(10) For NWP 31 (Maintenance of Existing Flood Control Facilities), the prospective permittee must either notify the District Engineer with a PCN prior to each maintenance activity or submit a five year (or less) maintenance plan. In addition, the PCN must include all of the following:

(i) Sufficient baseline information identifying the approved channel depths and configurations and existing facilities. Minor deviations are authorized, provided the approved flood control protection or drainage is not increased;

(ii) A delineation of any affected special aquatic sites, including wetlands; and,

(iii) Location of the dredged material disposal site;

(11) For NWP 33 (Temporary Construction, Access, and Dewatering), the PCN must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources;

(12) For NWPs 39, 43 and 44, the PCN must also include a written statement to the District Engineer explaining how avoidance and minimization for losses of waters of the US were achieved on the project site;

(13) For NWP 39 and NWP 42, the PCN must include a compensatory mitigation proposal to offset losses of waters of the US or justification explaining why compensatory mitigation should not be required. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(14) For NWP 40 (Agricultural Activities), the PCN must include a compensatory mitigation proposal to offset losses of waters of the US. This NWP does not authorize the relocation of greater than 300 linear-feet of existing serviceable drainage ditches constructed in non-tidal streams unless, for drainage ditches constructed in intermittent non-tidal streams, the District Engineer waives this criterion in writing, and the District Engineer has determined that the project complies with all terms and conditions of this NWP, and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively;

(15) For NWP 43 (Stormwater Management Facilities), the PCN must include, for the construction of new stormwater management facilities, a maintenance plan (in accordance with state and local requirements, if applicable) and a compensatory mitigation proposal to offset losses of waters of the US. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(16) For NWP 44 (Mining Activities), the PCN must include a description of all waters of the US adversely affected by the project, a description of measures taken to minimize adverse effects to waters of the US, a description of measures taken to comply with the criteria of the NWP, and a reclamation plan (for all aggregate mining activities in isolated waters and non-tidal wetlands adjacent to headwaters and any hard rock/mineral mining activities);

(17) For activities that may adversely affect Federally-listed endangered or threatened species, the PCN must include the name(s) of those endangered or threatened species that may be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work; and

(18) For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

(c) **Form of Notification**: The standard Individual Permit application form (Form ENG 4345) may be used as the notification but must clearly indicate that it is a PCN and must include all of the information required in (b) (1)-(18) of General Condition 13. A letter containing the requisite information may also be used.

(d) **District Engineer's Decision**: In reviewing the PCN for the proposed activity, the District Engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. The prospective permittee may submit a

proposed mitigation plan with the PCN to expedite the process. The District Engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. If the District Engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the District Engineer will notify the permittee and include any conditions the District Engineer deems necessary. The District Engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee is required to submit a compensatory mitigation proposal with the PCN, the proposal may be either conceptual or detailed. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the District Engineer will expeditiously review the proposed compensatory mitigation plan. The District Engineer must review the plan within 45 days of receiving a complete PCN and determine whether the conceptual or specific proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the District Engineer to be minimal, the District Engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP. If the District Engineer determines that the adverse effects of the proposed work are more than minimal, then the District Engineer will notify the applicant either: (1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an Individual Permit; (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level; or (3) that the project is authorized under the NWP with specific modifications or conditions. Where the District Engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level. When conceptual mitigation is included, or a mitigation plan is required under item (2) above, no work in waters of the US will occur until the District Engineer has approved a specific mitigation plan.

(e) **Agency Coordination**: The District Engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level. For activities requiring notification to the District Engineer that result in the loss of greater than 1/2-acre of waters of the US, the District Engineer will provide immediately (e.g., via facsimile transmission, overnight mail, or other expeditious manner) a copy to the appropriate Federal or state offices (USFWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the District Engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the District Engineer will wait an additional 15 calendar days before making a decision on the notification. The District Engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The District Engineer will indicate in the administrative record associated with each notification that the resource agencies' concerns were considered. As required by section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, the District Engineer will provide a response to NMFS within 30 days of receipt of any Essential Fish Habitat conservation recommendations. Applicants are encouraged to provide the Corps multiple copies of notifications to expedite agency notification.

(f) **Wetland Delineations**: Wetland delineations must be prepared in accordance with the current method required by the Corps (For NWP 29 see paragraph (b)(9)(iii) for parcels less than (1/4-acre in size). The permittee may ask the Corps to delineate the special aquatic site. There may be some delay if the Corps does the delineation. Furthermore, the 45-day period will not start until the wetland delineation has been completed and submitted to the Corps, where appropriate.

14. **Compliance Certification**. Every permittee who has received NWP verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include:

(a) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions;

(b) A statement that any required mitigation was completed in accordance with the permit conditions; and

(c) The signature of the permittee certifying the completion of the work and mitigation.

15. **Use of Multiple Nationwide Permits**. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the US authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit (e.g. if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the US for the total project cannot exceed 1/3-acre).

16. **Water Supply Intakes**. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in the proximity of a public water supply intake except where the activity is for repair of the public water supply intake structures or adjacent bank stabilization.

17. **Shellfish Beds**. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4.

18. **Suitable Material.** No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.) and material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the CWA).

19. **Mitigation**. The District Engineer will consider the factors discussed below when determining the acceptability of appropriate and practicable mitigation necessary to offset adverse effects on the aquatic environment that are more than minimal.

(a) The project must be designed and constructed to avoid and minimize adverse effects to waters of the US to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland impacts requiring a PCN, unless the District Engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. Consistent with National policy, the District Engineer will establish a preference for restoration of wetlands as compensatory mitigation, with preservation used only in exceptional circumstances.

(d) Compensatory mitigation (i.e., replacement or substitution of aquatic resources for those impacted) will not be used to increase the acreage losses allowed by the acreage limits of some of the NWPs. For example, 1/4-acre of wetlands cannot be created to change a 3/4-acre loss of wetlands to a 1/2-acre loss associated with NWP 39 verification. However, 1/2-acre of created wetlands can be used to reduce the impacts of a 1/2-acre loss of wetlands to the minimum impact level in order to meet the minimal impact requirement associated with NWPs.

(e) To be practicable, the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of the overall project purposes. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferably in the same watershed.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., easements, deed restrictions) of vegetated buffers to open waters. In many cases, vegetated buffers will be the only compensatory mitigation required. Vegetated buffers should consist of native species. The width of the vegetated buffers required will address documented water quality or aquatic habitat loss concerns. Normally, the vegetated buffer will be 25 to 50 feet wide on each side of the stream, but the District Engineers may require slightly wider vegetated buffers to address documented water quality or

habitat loss concerns. Where both wetlands and open waters exist on the project site, the Corps will determine the appropriate compensatory mitigation (e.g., stream buffers or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where vegetated buffers are determined to be the most appropriate form of compensatory mitigation, the District Engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland impacts.

(g) Compensatory mitigation proposals submitted with the "notification" may be either conceptual or detailed. If conceptual plans are approved under the verification, then the Corps will condition the verification to require detailed plans be submitted and approved by the Corps prior to construction of the authorized activity in waters of the US.

(h) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases that require compensatory mitigation, the mitigation provisions will specify the party responsible for accomplishing and/or complying with the mitigation plan.

20. **Spawning Areas**. Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., excavate, fill, or smother downstream by substantial turbidity) of an important spawning area are not authorized.

21. **Management of Water Flows**. To the maximum extent practicable, the activity must be designed to maintain preconstruction downstream flow conditions (e.g., location, capacity, and flow rates). Furthermore, the activity must not permanently restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters) and the structure or discharge of dredged or fill material must withstand expected high flows. The activity must, to the maximum extent practicable, provide for retaining excess flows from the site, provide for maintaining surface flow rates from the site similar to preconstruction conditions, and provide for not increasing water flows from the project site, relocating water, or redirecting water flow beyond preconstruction conditions. Stream channelizing will be reduced to the minimal amount necessary, and the activity must, to the maximum extent practicable, reduce adverse effects such as flooding or erosion downstream and upstream of the project site, unless the activity is part of a larger system designed to manage water flows. In most cases, it will not be a requirement to conduct detailed studies and monitoring of water flow. This condition is only applicable to projects that have the potential to affect waterflows. While appropriate measures must be taken, it is not necessary to conduct detailed studies to identify such measures or require monitoring to ensure their effectiveness. Normally, the Corps will defer to state and local authorities regarding management of water flow.

22. **Adverse Effects From Impoundments**. If the activity creates an impoundment of water, adverse effects to the aquatic system due to the acceleration of the passage of water, and/or the restricting its flow shall be minimized to the maximum extent practicable. This includes structures and work in navigable waters of the US, or discharges of dredged or fill material.

23. **Waterfowl Breeding Areas**. Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

24. **Removal of Temporary Fills**. Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

25. **Designated Critical Resource Waters**. Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, National Wild and Scenic Rivers, critical habitat for Federally listed threatened and endangered species, coral reefs, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the District Engineer after notice and opportunity for public comment. The District Engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Except as noted below, discharges of dredged or fill material into waters of the US are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, and 44 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. Discharges of dredged or fill materials into waters of the US may be authorized by the above NWPs in National Wild and Scenic Rivers if the activity complies with General Condition 7. Further, such discharges may be authorized in designated critical habitat for Federally listed threatened or endangered species if the activity complies with General Condition 11 and the USFWS or the NMFS has concurred in a determination of compliance with this condition.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with General Condition 13, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The District Engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

26. **Fills Within 100-Year Floodplains**. For purposes of this General Condition, 100-year floodplains will be identified through the existing Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or FEMA-approved local floodplain maps.

(a) Discharges in Floodplain; Below Headwaters. Discharges of dredged or fill material into waters of the US within the mapped 100-year floodplain, below headwaters (i.e., 5 cfs), resulting in permanent above-grade fills, are not authorized by NWPs 39, 40, 42, 43, and 44.

(b) Discharges in Floodway; Above Headwaters. Discharges of dredged or fill material into waters of the US within the FEMA or locally mapped floodway, resulting in permanent above-grade fills, are not authorized by NWPs 39, 40, 42, and 44.

(c) The permittee must comply with any applicable FEMA-approved state or local floodplain management requirements.

27. **Construction Period**. For activities that have not been verified by the Corps and the project was commenced or under contract to commence by the expiration date of the NWP (or modification or revocation date), the work must be completed within 12-months after such date (including any modification that affects the project). For activities that have been verified and the project was commenced or under contract to commence within the verification period, the work must be completed by the date determined by the Corps. For projects that have been verified by the Corps, an extension of a Corps approved completion date maybe requested. This request must be submitted at least one month before the previously approved completion date.

G. CORPS REGIONAL GENERAL CONDITIONS FOR ALL NWPs

1. **Mature Forested and Bog and Bog-like Wetlands**. The use of NWPs is specifically prohibited in mature forested wetlands or bog and bog-like wetlands or just these components of a wetland system (as defined in the Definition section of this Public Notice), except for projects provided coverage under the following NWPs:

NWP 3(i,ii)	–	Maintenance
NWP 20	–	Oil Spill Cleanup
NWP 32	–	Completed Enforcement Actions
NWP 38	–	Cleanup of Hazardous and Toxic Waste
NWP 40(a)	–	USDA program participant

NOTE: NWP regulations do not allow the regional conditioning of NWP 40(a).

2. **Access**. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being, or has been, accomplished in accordance with the terms and conditions of your permit.

3. **Commencement Bay**. An individual permit is required in the Commencement Bay Study Area (CBSA) for activities which would have qualified for the following NWPs:

NWP 12 – Utility Line Activities (substations and access roads)
NWP 13 – Bank Stabilization
NWP 14 – Linear Transportation Crossings
NWP 23 – Approved Categorical Exclusions
NWP 29 – Single-Family Housing
NWP 39 – Residential, Commercial, and Institutional Developments
NWP 40 – Agricultural Activities
NWP 41 – Reshaping Existing Drainage Ditches
NWP 42 – Recreational Facilities
NWP 43 – Stormwater Management Facilities

The CBSA is located near the southern end of Puget Sound's main basin at Tacoma, Pierce County, Washington. The CBSA extends from Brown's Point around the bay to Point Defiance and includes the commercial waterways, wetlands, and any other jurisdictional waters. From Point Defiance, the line runs southeast to State Route 7 (Pacific Avenue), then south to the centerline of I-5; then east (northbound lanes) along I-5 to the Puyallup River. The boundary extends 200 feet on either side of the Puyallup River southeast to the Clark Creek Road (Melroy) Bridge. From the Puyallup River, the boundary extends east along I-5 to 70th Avenue E. The line then returns to Brown's Point to the northwest, following the 100-foot contour elevation above sea level located east of Hylebos Creek and Marine View Drive.

4. **Mill Creek Special Area Management Plan (SAMP)**. Within the boundaries of the (SAMP), the following NWPs can be used only in those areas designated as "Developable Wetlands":

NWP 14 – Linear Transportation Crossings
NWP 23 – Approved Categorical Exclusions
NWP 29 – Single-Family Housing
NWP 33 – Temporary Construction, Access and Dewatering
NWP 39 – Residential, Commercial, and Institutional Developments
NWP 40 – Agricultural Activities
NWP 41 – Reshaping Existing Drainage Ditches
NWP 42 – Recreational Facilities
NWP 43 – Stormwater Management Facilities

Until the SAMP is approved, the users of these NWPs listed above (except NWP 40a.) must notify the District Engineer in accordance with General Condition 13 for any acreage or volume proposed. Once the SAMP is approved, the "Notification" limits will be as specified in the individual NWPs.

Mitigation requirements for these projects must either be onsite or within the areas designated as "Preferred Mitigation Sites". Mitigation plans must comply with the requirements found within the Mill Creek Special Area Management Plan, King County, Washington, dated April 2000.

An individual permit is required for all proposals in "Developable Wetlands" that would have qualified for NWPs other than those listed above.

NWP 27, Stream Restoration and Enhancement Activities, can be used within the SAMP, but, must comply with the requirements found within the Mill Creek Special Area Management Plan, King County, Washington.

The Mill Creek SAMP applies to all areas and tributaries drained by Mill Creek (Auburn), Mullen Slough, Midway Creek, Auburn Creek, and the area bounded by 4th Street Northeast in Auburn on the south, and the Ordinary High Water mark of the Green River on the east and north.

5. **Prohibited Work Times for Bald Eagle Protection**. For compliance with National General Condition 11, the following construction activity prohibitions apply to protect bald eagles, listed as threatened under the Endangered Species Act:

(a) No construction activity authorized under a NWP shall occur within 1/4 mile of an occupied bald eagle nest, nocturnal roost site, or wintering concentration area, within the following seasonal work prohibition times.

(b) No construction activity authorized under a NWP shall occur within 1/2 mile BY LINE OF SIGHT of an occupied bald eagle nest or nocturnal roost site, within the following seasonal work prohibition times:

Work prohibition times:

(1) Nesting between January 1 and August 15 each year.
(2) Wintering areas between November 1 and March 31 each year.

Exceptions to these prohibited work times can be made by request to the Corps and approved by the U.S. Fish and Wildlife Service (USFWS).

Contact the USFWS to determine if a bald eagle nest, nocturnal roost, or wintering concentration occurs near your proposed project:

West of Cascades: Olympia Office – (360) 753-9440
East of Cascades: Ephrata – (509) 754-8580 or Spokane – (509) 893-8002
Mainstem of the Columbia River downstream from McNary Dam: Portland – (503) 231-6179

H. ADDITIONAL LIMITATIONS ON THE USE OF NWPs

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other Federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed Federal project.

6. If future operations by the United States require the removal, relocation, or other alteration of the work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, you will be required, upon due notice from the U. S Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

I. FURTHER INFORMATION

Further information about the U.S. Army Corps of Engineers regulatory program, including nationwide permits, may also be accessed on our Internet page: ***http://www.nws.usace.army.mil*** (select "Regulatory/Permits").

DNR-008229

US Army Corps of Engineers ®
Seattle District

Programmatic Consultation – Phase I
General Implementation Conditions

Permittees must follow these conditions, as well as stipulations specifically related to the work, in order for the permit to be covered by this informal programmatic consultation.

I. General Conditions:

1. **Notification**. Applicants and permittees must notify the Corps via *Programmatic Endangered Species Act (ESA) Consultation Specific Project Information Form* for all actions proposed or completed under this programmatic consultation. If the notification is accomplished prior to completing the work, applicants must complete the *Programmatic ESA Consultation Specific Project Information Form* and submit it with their JARPA or pre-construction notification package.

2. **Agency Access.** Permittee must provide access to the work site to representatives of the Corps, National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), Washington Department of Ecology (Ecology), and Washington Department of Fish and Wildlife (WDFW) during all hours of construction or operation.

3. **Suitable Material**. Only clean, suitable material shall be used as dredged or fill material (e.g., no trash, debris, car bodies, asphalt, etc.,). Material must be free from toxic pollutants in toxic amounts.

4. **Removal of Temporary Fills**. Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation and contours.

5. **No work in a Superfund or Model Toxic Clean up Site**. No work shall occur in or adjacent to an existing or previously designated Superfund Clean-up site by the U.S. Environmental Protection Agency (EPA), or a site currently or previously designated for clean up under the Washington State Model Toxic Control Act (173-340 WAC), except for projects meeting conditions of Nationwide Permit 20.

II. In-water Work Conditions:

1. **In-Water Work Period.** Where specified, all in-water work shall occur within the approved work window as outlined in the Programmatic Consultation – Phase I: Approved Work Windows. Allowable in-water work periods are subject to revision as new information on ESA listed or proposed fish use is obtained.

2. **In-Stream Work Prohibited.** Work shall be done from the top of the bank. Operation of heavy equipment directly in the active flowing channel is not covered by this consultation.

3. **Restrictions on Heavy Equipment.** Permittee shall use equipment having the least impact. Hand labor rather than heavy equipment will be used when possible and as required for individual actions under this informal programmatic consultation. Heavy equipment working in wetlands must be placed on mats, or other temporary structures to minimize soil

DNR-008230

disturbance and compaction. If gravel is used, the gravel must be placed on a mat and the gravel and mat removed in their entirety immediately after completion of construction.

4. **No Disturbance to Woody Riparian Vegetation.** Woody riparian vegetation shall not be disturbed or removed within 300 feet landward of the ordinary high water mark (OHW) of the stream, lake or the line of mean higher high water (MHHW) of the marine/estuarine area.

5. **No Dumping.** Material shall be carefully placed, not dumped, into the stream, lake or marine/estuarine area.

6. **Discharges in Special Areas.** Discharges into or adjacent to fish spawning area or areas with submerged vegetation are not authorized.

7. **No Herbicides Use**. No herbicides, pesticides, fertilizers, or other toxic substances are to be applied within 300 feet of a stream, lake or marine/estuarine area.

III. Erosion Control and Water Quality Monitoring: Permittees must ensure they take all practicable steps to control erosion during construction, and establish permanent erosion protection upon completion of the work, or during extended work stoppages.

1. **Erosion Control**. Erosion and siltation controls (such as hydro seeding, filter bags, silt fences, grass and rock-lined swales, check dams, sediment traps, truck wheel wash, soil coverings (bonded fiber matrix), organic or fabric soil detention systems, leave strips, berms, temporary sediment basins, etc.) must be used and maintained in effective operating condition during construction to protect all exposed soil, stock piles and fills from erosion. Permittees are expected to implement the following erosion control measures as appropriate:

   a. Stabilize exposed ground. All exposed ground surfaces are stabilized prior to the closure of the approved work window and/or within one week of project completion, whichever occurs first. Rock check dams will be used, although sterile straw bales may be used as an adjunct.

   b. Stockpiling to minimize erosion. Stockpiles shall be constructed in a manner that minimizes erosion, and is permanently stabilized at the earliest practicable date. Material will be stockpiled to reduce erosion by preventing runoff from the top of the stockpile from flowing down the stockpile face. Stockpiles shall be sloped away from the side facing the waterbody or wetland at all times (i.e. placing fill in tiers). Stockpiles shall be stabilized by hydroseeding (for long-term stockpiles) or covered with visqueen or other appropriate material for short-term erosion control of the stockpile.

   c. No stockpiling in a wetland or the waterbody. No stockpiling shall occur in a wetland, riparian zone, or waterward of the OHW in any stream or lake, or MHHW in any marine/estuarine area.

   d. Excess material stockpiled in uplands. All excess dredged or excavated material shall be placed in an upland location.

e. Temporary erosion control. Permittee shall install and maintain temporary erosion control and ensure that erosion control measures are inspected on a regular basis during the life of the construction.

f. Use non-persistent and non-invasive plants. If plants are utilized for temporary erosion control, species selected shall be non-persistent and non-invasive. Sterile straw or hay bales shall be used to prevent introduction of weeds. Native vegetation will be planted on disturbed sites (including project site, disposal and staging areas, and access roads) when necessary to reduce soil erosion, establish cover, prevent invasive plant colonization, and provide shade.

g. Stabilize and restore temporary upland access areas. Any temporary access areas will be built to avoid impacts to fish, wildlife, wetlands, or other sensitive resources. Construction of access roads and associated staging areas shall be protected with appropriate matting, i.e. sheet piling or geo-textile fabric placed under a gravel blanket or other suitable material. Any temporary roads or staging areas and associated matting constructed for the project will be removed and the area restored to pre-existing or enhanced conditions upon project completion.

h. Use existing access areas. Where specified, existing upland access areas will be used to access the beach or stream areas.

i. Sedimentation ponds. Sedimentation ponds, sump ponds, swales, pumps, and any supplemental treatment facilities (may include chemical batch treatment cells, high-volume mechanical filtering devices, with or without chemical treatment, flow-through clarifiers, with or without chemical treatment, flow-through ponds, with chemical treatment) necessary for a particular project must be constructed and operational prior to fill placement. The facilities will be designed to accommodate the runoff flow that can be expected depending on the time of the year project construction will take place.

j. Wet season construction. If construction occurs during 1 November through 30 April of any year, only fill material containing less than 5 percent of very fine particles (such as silts, clays or the like) will be placed in the project area to reduce the amount of sedimentation generated in the construction stormwater runoff.

k. Stormwater treatment. Stormwater collected in temporary sedimentation basins must be treated before release into any waterbody or wetland and monitored for pH, turbidity, and settleable solids, as well as bioassays to assess treated water toxicity.

l. Pumping of stormwater. Pumping of stormwater runoff to sedimentation ponds will be used when such a procedure can minimize impacts and/or allow flexibility in locating sedimentation ponds.

m. Construction runoff. During construction, runoff from undisturbed areas will be routed around disturbed areas. This will reduce runoff quantities from exposed surfaces to further assure water quality standards are met. Diversion will be accomplished using diversion swales and/or temporary piping around construction areas. Pipe outlets, level

spreaders, swales, or other devices may be used to reduce erosion at the discharges of these diverted clean water flows.

n. Stormwater management maintenance. The stormwater management facilities will be regularly maintained throughout the life of the project. Maintenance may include soil and turf repair as necessary, removal of sediment accumulation from the swales and ponds, and restoration of silt fencing, pipe outlets, and outfalls.

2. **Water Quality Limited Streams**. Before beginning work on Water Quality Limited streams with limits on toxic substances, metals or organic chemicals, the permittee shall coordinate with the Washington State Department of Ecology (Ecology) to develop a sediment-testing plan. The plan shall include the proper testing protocol and reporting requirements. The results shall be submitted to Ecology, and permittee must receive Ecology approval before beginning work. The Washington State Water Quality Standards (WAC 173-201A) requires that runoff from construction projects not increase receiving stream turbidity by more than 5 NTU (Nephelometric Turbidity Units).

IV. Spill Prevention and Control: Petroleum products, chemicals, fresh cement, construction, or deleterious materials shall not be allowed to enter waters (streams, lakes, or marine/estuarine areas) or wetlands. Permittees shall take the following precautions:

1. **No fuel storage in or adjacent to waterbody.** Areas for fuel storage, and refueling and servicing of construction equipment and vehicles, shall be located a minimum of 300 feet landward from the edge of any water body or wetlands.

2. **No uncured concrete.** No uncured concrete shall be placed in any water body. Where specified in this informal programmatic consultation, concrete must be cured before it comes into contact with the waterbody.

3. **Use Biodegradable[1] Hydraulic Fluids**. Hydraulic fluids for machinery used for in-water work should be biodegradable in case of accidental loss of fluid.

4. **Use Clean Equipment and no "washout" of equipment in or adjacent to a waterbody.** All equipment that is used for in-water work shall be cleaned to remove external oil, grease, dirt and mud prior to placing the equipment in the water. Wash sites shall be placed so that wash water does not flow into the water body or a wetland without adequate treatment, no sediment will enter the waterbody or wetland, and it is located at a minimum of 300 feet landward from the edge of any waterbody or wetland.

5. **Report Accidental Spills to Ecology**. In the event of a spill, permittee shall stop work immediately and notify the Washington State Department of Ecology (Ecology). For Northwest Washington, contact Ecology's Northwest Regional Spill Response Office at (425) 649-7000. For Southwest Washington, contact Ecology's Southwest Regional Spill

[1] According to established ASTM (American Society of Testing Material) procedures the following is the definition of biodegradability: A minimum of 40% of the original sample has been decomposed to inert ingredients within twenty-eight (28) days.

Response Office at (360) 407-6300. For Central Washington, contact Ecology's Central Regional Spill Response Office at (509) 575-2490. For Eastern Washington, contact Ecology's Eastern Regional Spill Response Office at (509) 456-2926. In addition, for Endangered Species Act purposes, accidental spills must also be reported immediately (within one business day) to the Corps at (206) 764-3495, NMFS at (360) 753-9530, and USFWS at (360) 753-9467.

V. Minimization and Revegetation Guidelines:

1. **Minimization.** All projects and associated construction activities must be designed so that impacts to waters of the U.S., wetlands, and habitat for listed or proposed fish species are avoided and minimized to the full extent practicable.

2. **Natural Beach/Stream Complexity Features.** Boulder, rock, and woody debris material must not be removed from any stream or shoreline area.

3. **Revegetation Guidelines.** Upon completion of work covered in this informal programmatic consultation, all disturbed herbaceous areas of the site shall be replanted with native herbaceous and/or woody vegetation. Herbaceous plantings shall occur within 48 hours of the completion of construction. Woody vegetation components shall be planted in the Fall or early Winter, whichever occurs first. The applicant shall take appropriate measures to ensure revegetation success.

    a. Planting Plan. A planting plan must be submitted to the Corps for approval, including species names of all plants proposed and method of planting (i.e. hydroseeding, density of cuttings, etc.).

    b. As-built Drawings. "As-built" drawings and photographs of the planted areas or a status report must be submitted to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch (the Corps) and USFWS within 13 months of the date of permit issuance.

    c. Submittal of Monitoring Reports. Two monitoring reports with photographs must be submitted to the Corps and USFWS: the first monitoring report one year after the Corps written approval of the "as-built" drawings and a final monitoring report three years after the Corps written approval of the "as-built" drawings. Monitoring reports must include information on the percent of plants replaced, by species. Monitoring reports should state what caused plant failure.

    d. Performance Standard - Year 1. At the end of "Year 1" (Year 0 being the year of "as-builts"), planted species must have a survival rate of 100%, and be considered viable and healthy. Replanting shall be done as necessary to meet the 100% performance standard.

    e. Final Performance Standard – Year 3. At the end of "Year 3", planted species must have a survival rate of 80% and be considered viable and healthy. Eighty percent

(80%) of the herbaceous revegetated area must be covered with native planted species or native recruit species.

f. Contingency Plan. If the percent survival and cover of planted species (herbaceous and woody as outlined in the planting plan) does not achieve success (*guidelines d and e*), then remedial measures (e.g. replanting, soil amendments, or additional monitoring) may be required until the Corps and USFWS have determined that success has been achieved.

g. Non-native, invasive plant control. The presence of non-native, invasive plant species shall not exceed 10% coverage of the revegetated area during the three-year monitoring period. A list of non-native, invasive wetland plant species for Western Washington is provided in Table 1.

h. Preservation. During and after the three-year monitoring period, any planted woody vegetation within the revegetated areas shall not be removed, cut, or otherwise disturbed unless specifically approved, in writing, by the Corps. Herbaceous plants may be cut or mowed but not removed.

Table 1: Common Non-native Plants Often Found in Western Washington
(Source: Methods for Assessing Wetland Functions, Part 2: Procedures for Collecting Data, Washington State Department of Ecology (99-116), 1999.)

Washington's Wetlands

SPECIES NAME	*COMMON NAME*
Agropyron repens	Quackgrass
Alopecurus pratensis, A. aequalis	Meadow foxtail
Arcticum minus	Burdock
Bromus tectorum, B. rigidus, B. brizaeformis, B. secalinus, B. japonicus, B. mollis, B. commutatus, B. inermis, B. erectus	Bromes
Cenchrus longispinus	Sanbur
Centaurea solstitialis, C repens C cyanus, C maculosa, C diffusa	Knapweeds
Cirsium vulgare, C. arvense	Thistles
Cynosurus cristasus, C echinatus	Dogtail
Cytisus scoparius	Scot's broom
Dactylis glomerata	Orchardgrass
Dipsacus sylvestris	Teasel
Digitaria sanguinalis	Crabgrass
Echinochloa crusgalli	Barnyard grass
Euphorbia peplus, E. esula	Spurge
Festuca arundinacea, F. pratensis, F. rubra	Fescue
Holcus lanatus, H. mollis	Velvet grass
Hordeum jabatum	Foxtail barley
Hypericum perforatum	St. John's Wort
Iris pseudacorus	Yellow iris
Ilex aquifolium	English holly
Lolium perenne, L. multiflorum, L. temulentum	Ryegrass
Lotus corniculatus	Birdsfoot trefoil
Lythrum salicaria.	Purple loosestrife

Matricaria matricarioides	Pineapple weed
Medicago sativa	Alfalfa
Melilotus alba, M. offiinalis	Sweet clover
Phalaris arundinacae	Reed canarygrass
Phleum pratense	Timothy
Phragmites australis	Common reed
Poa compressa P. palustris, P. pratensis	Bluegrass
Polygonium aviculare, P. convolutus, P. cuspidatum, P. lapathifolium, P. persicaria, P. sachalineuse	Knotweeds
Ranunculus repens	Creeping buttercup
Rubus procerus (discolor), R. lacinatus, R. vestitus, R. macrophyllus, R. leucodermis	Non-native blackberries
Salsola kali	Russian thistle
Setaria viridis	Green bristlegrass
Sisymbrium altissimum, S. loeselii, S. officinale	Tumblemustards
Tanacetum vulgare	Tansy
Trifolium dubium, T. pratense, T. repens, T. arvense, T. subterraneum, T. hybridium	Clovers
Misc. cultivated species	Wheat, corn, barley, rye, etc.

DNR-008236

US Army Corps
of Engineers
Seattle District

CERTIFICATE OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT

Permit Number: 200601094

Name of Permittee: WA ST Dept of Natural Resources

Date of Issuance: NOV 15 2006

Upon completion of the activity authorized by this permit, please check the applicable boxes below, sign this certification, and return it to the following address:

Department of the Army
U.S. Army Corps of Engineers
Seattle District, Regulatory Branch
Post Office Box 3755
Seattle, Washington 98125-3755

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the terms and conditions of your authorization, your project is subject to suspension, modification, or revocation.

☒ The work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of this permit.

☐ The mitigation required (not including monitoring) by the above-referenced permit has been completed in accordance with the terms and conditions of this permit.

Signature of Permittee

* PSE cables and KC sewer line — Do not anchor or use spuds in area. Also do not use clam shell bucket near sediment/bottom.
  Area → #22, 23, 21, 24

* PAH's - #4, 31 area
  don't use any equipment to disturb sediment
  Must cut @ mudline → Take GPS pts of location

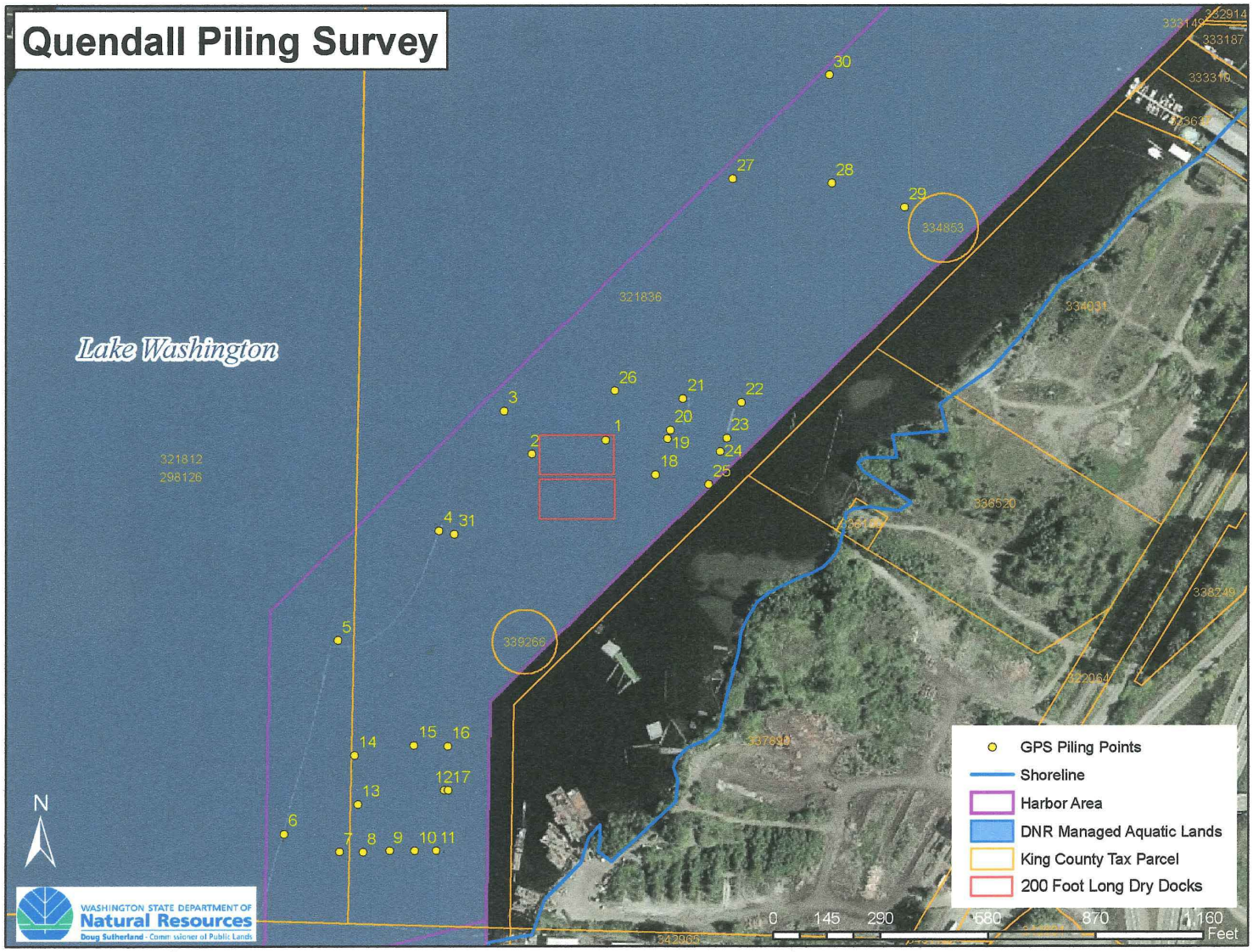
* Wood waste area — ~~too~~ clam shell shouldn't be used if bringing up a lot of waste. Allow to break below navigationally hazardous area.

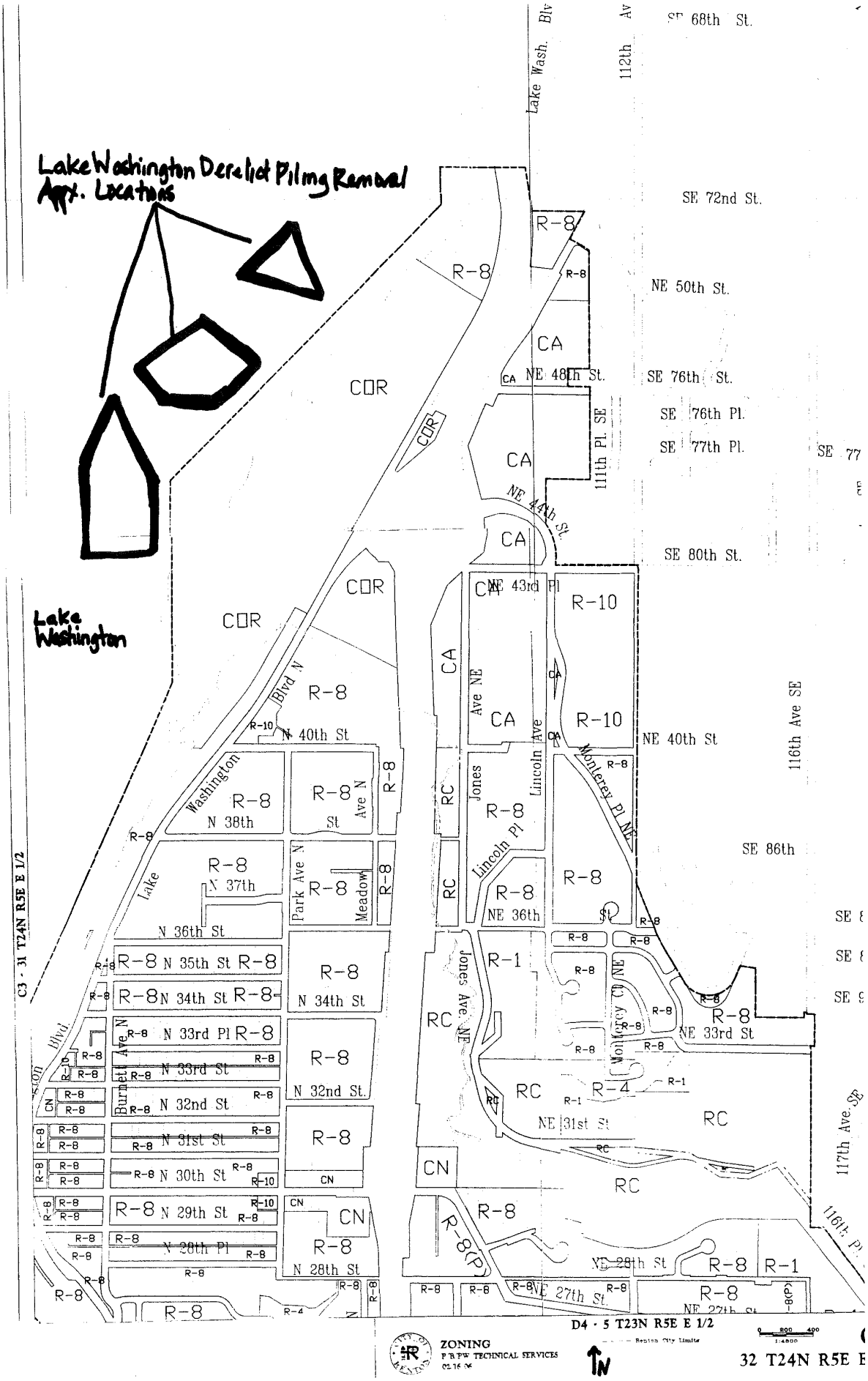
* Global & Dry Dock - K^m - 10:30 (EPA)

* Media - 22nd - 1 pm or 19th morning

Schedule?
Site visits -

~~1st~~ 10 days


Quendall Piling Survey
Lake Washington
321836
321812
298126
334853
339268
334031
338520
338249
322064
337890
342968
333187
333310
GPS Piling Points
Shoreline
Harbor Area
DNR Managed Aquatic Lands
King County Tax Parcel
200 Foot Long Dry Docks
0 145 290 580 870 1,160
Feet
N
WASHINGTON STATE DEPARTMENT OF
Natural Resources
Doug Sutherland - Commissioner of Public Lands


Lake Washington Derelict Piling Removal
Appx. Locations
Lake Washington
SE 68th St.
SE 72nd St.
NE 50th St.
NE 48th St.
SE 76th St.
SE 76th Pl.
SE 77th Pl.
NE 44th St
SE 80th St.
NE 43rd Pl
NE 40th St
N 40th St
116th Ave SE
SE 86th
NE 33rd St
NE 31st St
117th Ave SE
NE 28th St
NE 27th St
112th Ave
Lake Wash. Blvd
111th Pl. SE
Washington Blvd N
Lake Washington Blvd
Burnett Ave N
Park Ave N
Meadow Ave N
Jones Ave NE
Lincoln Ave
Lincoln Pl
Monterey Pl NE
Monterey Ct NE
N 38th St
N 37th
N 36th St
N 35th St
N 34th St
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N 33rd St
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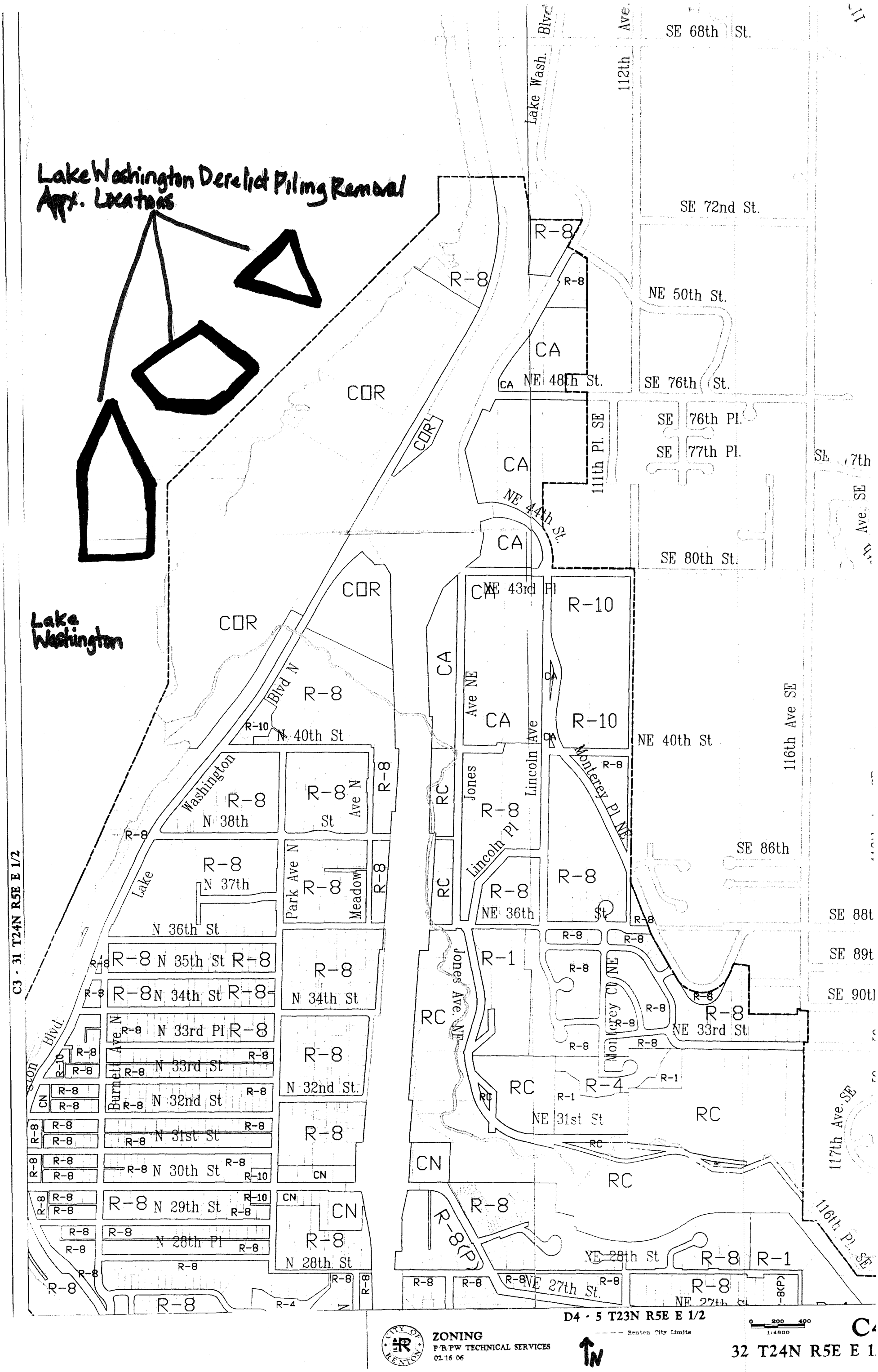
NE 36th St
C3 · 31 T24N R5E E 1/2
D4 · 5 T23N R5E E 1/2
32 T24N R5E E
ZONING
P R P W TECHNICAL SERVICES
Renton City Limits
N

DNR-008240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SE 80th St.
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NE 27th St.
117th Ave. SE
116th Pl. SE
Jones Ave. NE
Lincoln Ave
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Monterey Pl NE
Monterey Ct NE
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Jones
Washington
Lake
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Burnett Ave N
Park Ave N
Meadow
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N 29th St
N 28th Pl
N 28th St
NE 36th
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R-10
R-1
R-4
R-8(P)
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RC
CN
C3 · 31 T24N R5E E 1/2
D4 · 5 T23N R5E E 1/2
32 T24N R5E E 1
ZONING
P/B/PW TECHNICAL SERVICES
02/16/06
Renton City Limits
0 200 400
1:4800
DNR-008241

Lake Washington Derelict Piling Removal
Approx. Locations

SE 68th St.
SE 72nd St.
NE 50th St.
SE 76th St.
SE 76th Pl.
SE 77th Pl.
SE 80th St.
NE 40th St
SE 86th
SE 88t
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NE 33rd St
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N 28th St
NE 36th
Lake Wash. Blvd
112th Ave.
116th Ave SE
117th Ave. SE
116th Pl. SE
111th Pl. SE
Lake Washington Blvd N
Washington St
Park Ave N
Meadow Ave N
Burnett Ave N
Jones Ave. NE
Lincoln Ave NE
Lincoln Pl
Monterey Pl NE
Monterey Ct NE
SE 77th
Ave. SE

R-8
R-10
R-4
R-1
CA
COR
RC
CN
R-8(P)

C3 - 31 T24N R5E E 1/2

D4 - 5 T23N R5E E 1/2

C4
32 T24N R5E E 1

Renton City Limits

0 200 400
1:4800

CITY OF RENTON

ZONING
P/B/PW TECHNICAL SERVICES
02-16-06

DNR-008242

Lake Washington Derelict Piling Removal
Approx. Locations

SE 68th St.
112th Ave
Lake Wash. Blvd
SE 72nd St.
NE 50th St.
SE 76th St.
SE 76th Pl.
SE 77th Pl.
111th Pl. SE
NE 48th St.
NE 44th St.
SE 80th St.
NE 43rd Pl
NE 40th St
116th Ave SE
SE 86th
SE 88t
SE 89t
SE 90t
NE 33rd St
NE 31st St
NE 28th St
NE 27th St.
117th Ave. SE
116th Pl. SE
Lake Washington Blvd N
N 40th St
Washington
N 38th
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N 36th St
N 35th St
N 34th St
N 33rd Pl
N 33rd St
N 32nd St
N 31st St
N 30th St
N 29th St
N 28th Pl
N 28th St
Ave N
Park Ave N
Meadow
Burnett Ave N
Jones Ave NE
Lincoln Ave
Lincoln Pl
Jones
Monterey Pl NE
Monterey Ct NE
Jones Ave. NE

R-8
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R-8(P)

C3 - 31 T24N R5E E 1/2

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Renton City Limits

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1:4800

ZONING
P/B/PW TECHNICAL SERVICES
02/16/06

32 T24N R5E E 1

DNR-008243

Lake Washington Derelict Piling Removal
Approx. Locations

SE 68th St.
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Lake Wash. Blvd
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NE 50th St.
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SE 77th Pl.
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NE 48th St.
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NE 44th St.
SE 80th St.
NE 43rd Pl
116th Ave SE
NE 40th St
SE 86th
SE 88t
SE 89t
SE 90t
117th Ave. SE
116th Pl. SE
NE 33rd St
NE 31st St
NE 28th St
NE 27th St.
NE 27th St
Monterey Pl NE
Monterey Ct NE
Lincoln Ave
Lincoln Pl
Jones Ave NE
Jones Ave. NE
Park Ave N
Meadow
Burnett Ave N
Washington Blvd N
Lake Washington Blvd.
N 40th St
N 38th St
N 37th St
N 36th St
N 35th St
N 34th St
N 33rd Pl
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N 31st St
N 30th St
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N 28th St
NE 36th St

R-8
R-10
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C3 - 31 T24N R5E E 1/2

D4 - 5 T23N R5E E 1/2

Renton City Limits

0 200 400
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ZONING
P/B/PW TECHNICAL SERVICES
02-16-06

C
32 T24N R5E E 1

DNR-008244

Neal Parker, P.E.
Consulting Engineer
Standards & Compliance
Phone: (425) 462-3756
Fax: (425) 462-3770

PSE PUGET SOUND ENERGY

Cellular: (206) 391-3491
E-mail: neal.parker@pse.com
Mail: P.O. Box 90868 EST-07W
Bellevue, WA 98009-0868
Location: 355 110th Avenue NE / EST-07W
Bellevue, WA 98004

APWA UNIFORM COLOR CODE

FOR MARKING
UNDERGROUND UTILITY LINES

- PROPOSED EXCAVATION
- TEMPORARY SURVEY MARKINGS
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STATE OF WASHINGTON

DEPARTMENT OF NATURAL RESOURCES

APPLICATION 25350

In re: App. Section No. 25350 by Pacific Telephone and Telegraph Company for Right of Way for a Submarine Cable over certain State Land in King County	ORDER December 10, 1958 DEC 10, 1958

PACIFIC TELEPHONE AND TELEGRAPH

It appearing to the Commissioner of Public Lands at this time that Application No. 25350 has been filed in this office by Pacific Telephone and Telegraph Company for an easement for a right of way for submarine cables over the bed of Lake Washington and Harbor area between Bellevue, Mercer Island and Kennydale in Sections 3, 17, 20, 29, 30 and 31, all in Township 24 North, Range 5 East, W.M., in King County and

It further appearing that the applicant is a company proposing to construct over said land covered by said application a submarine cable; that the land within the right of way as applied for is limited to an amount necessary for the purpose required, together with sufficient land on either side thereof for ingress and egress to maintain and repair the same; and

It further appearing that there is no merchantable timber on the area covered by said application; and the Commissioner being fully advised and believing that the right of way should be granted, it is therefore

ORDERED and DETERMINED that the full value of the land included in said application No. 25350 is and the same is hereby fixed at $200.00; that the total amount, together with the statutory fee, has been paid; and the right, power, privilege and authority to construct, operate and maintain a submarine cable upon and over the land hereinafter described may be exercised in accordance with the statutes; the land included within the right of way being more particularly described as follows:

Those portions of the bed of Lake Washington and harbor area, owned by the State of Washington, between sections of Sections 3, 17, 20, 29, 30 and 31, all in Township 24 North, Range 5 East, W.M., included within the limits of a strip 20 feet in width, having 10 feet of such width on each side of the following described centerline:

Beginning at a point in said Section 3 which is N 0° 02' 24.9" E 2100.13 feet from the center of said Section and running thence N 1° 03' W 200.00 feet, thence S 52° 30' 30" W 225.37 feet to a point in said Section 17 on Mercer Island, said point lying S 87° 49' 30" W 453.33 feet from the northeast corner of said Section 17, thence S 52° 00' E 131.83 feet, thence S 6° 35' 30" E 11,[illegible].43 feet, thence N 88° 39' E 222.15 feet, thence N 1° 51' E 50.00 feet, thence S 88° 59' W 37[illegible].[illegible] feet, thence S 47° 12' 30" W 3669.53 feet, thence N 1° 28' 30" W 1[illegible].50 feet, and thence N 88° 59' E 179.29 feet to a point in said Section 31 in Kennydale, said point lying S 32° 22' 30" W 182.08 feet from the east quarter section corner of said Section 31, containing an area of 10.70 acres according to the plat thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington.

Subject, however, to an easement for a right of way for submarine cables granted to Pacific Telephone and Telegraph Company on January 22, 1957 under application No. 20519.

Subject, however, to an easement for a right of way for submarine cables granted to Puget Sound Power and Light Company on December 19, 1957 under Application No. 21338.

PROVIDED, however, that the State reserves unto itself, its successors or assigns, the right to cross this right of way at any and all times in connection with the use of the adjoining property.

Dated this 10th day of December, A. D., 1958.

Commissioner of Public Lands

jer
App. No. 25350

Order Book
Jacket
D. A.

RECEIVED
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DRAWING Q-975

O. MAPS

X3

CITY OF RENTON

CERTIFICATE OF EXEMPTION FROM SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT

RECEIVED NOV 14 2006 DNR-ASPB

DATE: November 7, 2006

LAND USE ACTION FILE NO.: LUA06-114, SME

PROJECT NAME: Lake Washington Piling Removal Shoreline Exemption

OWNER/APPLICANT: Washington State Department of Natural Resources
950 Farman Avenue N
Enumclaw WA 98022

CONTACT: Monica Durkin, DNR
(360) 825-1631, ext. 2006

PROJECT MANAGER: Elizabeth Higgins, AICP
Senior Planner

PROPOSAL: The applicant, the Washington State Department of Natural Resources, is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float that are located on state-owned acuatic lands within the open harbor area of the eastern shores of Lake Washington within the jurisdiction of the City of Renton.

Portions of the site area are part of the larger Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup that is on-going with the on-shore, upland property known as Quendall Terminals. The CERCLA work is managed by the Environmental Protection Agency.

The pilings and floats are no longer used and are currently a potential navigational hazard for boaters on Lake Washington.

Required work would be below the ordinary high water mark, within the harbor area. The lake bottom at the project location consists of silty mud with areas of sandy substrate. A portion of the lake bottom, within the removal area for 28 pilings, includes sediments that have been indentified as containing Polynuclear Aromatic Hydrocarbons (PAH). Twenty-one pilings, at the southern end of the project site, are situated in an area littered with woodwaste.

Work would occur in accordance with allowed "fish windows" and bird nesting and migration time frames, as determined by the Washington State Department of Fish and Wildlife. These considerations require that work be completed by December 31, 2006.

The removal technique would be to remove the pilings with a vibratory hammer. A temporary increase in localized emissions from the equipment used to remove the pilings is expected. The vibrating hammer is mounted on a floating barge. A collar is fastened around each piling individually and the piling would be pulled out of the lake bottom while vibration occurs.

In order to displace the minimal amount of lake bottom material, pilings would be removed as slowly as possible. To prevent suspension of sediments, the vibratory hammer would be turned off once each piling was removed from the lake bottom. Pilings would not be washed off with lake water. If pilings break during removal, a clam shell bucket would be used to remove them from the lake bottom.

A Spill Prevention, Control, and Countermeasures (SPCC) Plan would be developed with the contractor prior to the initiation of work. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged materials indlucing those the contractor may store, use, or generate during construction activities. These may include gasoline, oils, chemicals, and other potential items.

Removed pilings and debris associated with the removal would be placed on the barge and disposed of off site.

Pilings located in or near the PAH contaminated sediments (points 4 and 31 of Map 1) would be cut at the mudline of the lake bottom. Within potentially contaminated areas, bottom sediments would be undisturbed and not sweep to locate additional pilings.

The steel ball and steel cylinder floats are located on the lake surface, but are anchored to the bedland. They would be removed by extracting and lifting the anchors from the bottom sediments or by cutting the chains and leaving the anchors in place.

The work described would occur during daylight hours Monday through Friday.

The estimated project cost is $35,000.

This project would improve the navigability of the Lake by removing potential hazards and would enhance the nearshore, shallow-water environment, thereby providing a benefit to migrating juvenile salmon.

Due to the designation of the waters of Lake Washington as a "critical area" within the City of Renton, the proposed project was reviewed by the Environmental Review Committee on October 9, 2006, receiving a Determination of Non-significance from that body.

Although the City of Renton has determined that the project is exempt from Shoreline Management Act requirements, it is subject to Hydraulic Permit Approval (Washington State Department of Fish and Wildlife) and Section 10 Permit approval (U.S. Army Corps of Engineers).

PROJECT LOCATION: Between the Inner and Outer Lines of Lake Washington in Northeast Renton (see Legal Description)

LEGAL DESCRIPTION: That portion of the harbor area facing Government Lots 4 and 5, W ½ of the SW ¼ Section 29 Township 24N Range 5E, W.M., lying between the Inner and Outer Harbor Lines of Lake Washington as the same were established by the State of Washington, as shown on Plat 29 of Lake Washington Shorelands.

WATER BODY: Lake Washington (Urban Environment)

An exemption from a Shoreline Substantial Development Permit is hereby granted on the proposed project in accordance with RMC 4-9-190C3:

_XX_ Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements.

a. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition.

The proposed development is consistent or inconsistent with (check one):

CONSISTENT	INCONSISTENT	
_XX_	_____	Policies of the Washington State Shoreline Management Act.
_N/A_	_____	The guidelines of the Department of Ecology where no Master Program has been finally approved or adapted by the Department.
_XX_	_____	The City of Renton Shoreline Master Program.

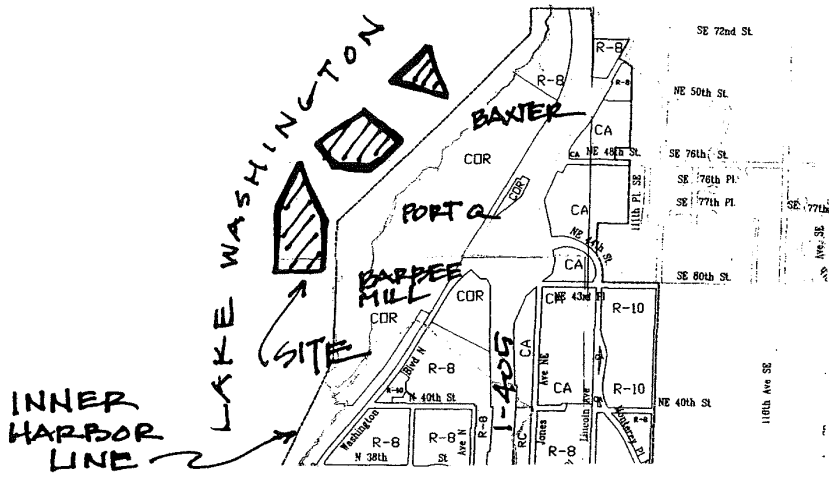
Neil Watts

Neil Watts, Director
Development Services Division

Attachments: Environmental Review Committee Staff Report

cc: Owner/Applicant
Contact1

REPORT & DECISION	**City of Renton** Department of Planning / Building / Public Works **ENVIRONMENTAL REVIEW COMMITTEE REPORT**
ERC MEETING DATE:	October 9, 2006
Project Name:	Lake Washington Derelict Piling Removal
Owner:	State of Washington Department of Natural Resources
Applicant:	Monica Durkin; WADNR 950 Farman Avenue N Enumclaw, WA 98022
Contact:	Monica Durkin; WADNR (360) 825-1631 ext. 2006
File Number:	LUA06-114, ECF, SME
Project Manager:	Elizabeth Higgins, Senior Planner
Project Description:	The applicant, the Washington State Department of Natural Resources, is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float that are located on state-owned aquatic lands within the open harbor area of the eastern shores of Lake Washington within the jurisdiction of the City of Renton. Portions of the site area are part of the larger Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup that is on-going with the on-shore, upland property known as Quendall Terminals. The CERCLA work is managed by the Environmental Protection Agency. The pilings and floats are no longer used and are currently a potential navigational hazard for boaters on Lake Washington. *Continued next page*
Project Location:	Harbor area of Lake Washington; Section 29, Township 24N, Range RE
Site Area:	Approximately 36 acres total area *Total Building Area SF:* N/A
RECOMMENDATION:	Staff recommends that the Environmental Review Committee issue a Determination of Non-Significance (DNS).



Project Location Map

PART ONE: PROJECT DESCRIPTION/BACKGROUND, CONTINUED

Required work would be below the ordinary high water mark, within the harbor area. The lake bottom at the project location consists of silty mud with areas of sandy substrate. A portion of the lake bottom, within the removal area for 28 pilings, includes sediments that have been identified as containing Polynuclear Aromatic Hydrocarbons (PAH). Twenty-one pilings, at the southern end of the project site, are situated in an area littered with woodwaste.

Work would occur in accordance with allowed "fish windows" and bird nesting and migration time frames, as determined by the Washington State Department of Fish and Wildlife. These considerations require that work be completed by December 31, 2006.

The removal technique would be to remove the pilings with a vibratory hammer. A temporary increase in localized emissions from the equipment used to remove the pilings is expected. The vibrating hammer is mounted on a floating barge. A collar is fastened around each piling individually and the piling would be pulled out of the lake bottom while vibration occurs.

In order to displace the minimal amount of lake bottom material, pilings would be removed as slowly as possible. To prevent suspension of sediments, the vibratory hammer would be turned off once each piling was removed from the lake bottom. Pilings would not be washed off with lake water. If pilings break during removal, a clam shell bucket would be used to remove them from the lake bottom.

A Spill Prevention, Control, and Countermeasures (SPCC) Plan would be developed with the contractor prior to the initiation of work. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged materials including those the contractor may store, use, or generate during construction activities. These may include gasoline, oils, chemicals, and other potential items.

Removed pilings and debris associated with the removal would be placed on the barge and disposed of off site.

Pilings located in or near the PAH contaminated sediments (points 4 and 31 of Map 1) would be cut at the mudline of the lake bottom. Within potentially contaminated areas, bottom sediments would be undisturbed and not sweep to locate additional pilings.

The steel ball and steel cylinder floats are located on the lake surface, but are anchored to the bedland. They would be removed by extracting and lifting the anchors from the bottom sediments or by cutting the chains and leaving the anchors in place.

The work described would occur during daylight hours Monday through Friday.

The estimated project cost is $35,000.

This project would improve the navigability of the Lake by removing potential hazards and would enhance the nearshore, shallow-water environment, thereby providing a benefit to migrating juvenile salmon.

Although the City of Renton has determined that the project is exempt from Shoreline Management Act requirements, it is subject to Hydraulic Permit Approval (Washington State Department of Fish and Wildlife) and Section 10 Permit approval (U.S. Army Corps of Engineers).

PART TWO: ENVIRONMENTAL REVIEW

In compliance with RCW 43.21C.240, the following project environmental review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

A. Recommendation

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials make the following Environmental Determination:

	DETERMINATION OF NON-SIGNIFICANCE		DETERMINATION OF NON - SIGNIFICANCE - MITIGATED.
	Issue DNS with 14-day Appeal Period.		Issue DNS-M with 14-day Appeal Period.
X	Issue DNS with 15-day Comment Period with a Concurrent 14-day Appeal Period.		Issue DNS-M with 15-day Comment Period with a Concurrent 14-day Appeal Period.

B. Mitigation Measures

There are no mitigation measures required for this project.

C. Environmental Impacts

The Proposal was circulated and reviewed by various City Departments and Divisions to determine whether the applicant has adequately identified and addressed environmental impacts anticipated to occur in conjunction with the proposed development. Staff reviewers have identified that the proposal is likely to have the following probable impacts:

1. Earth

Impacts: The site of the proposed project consists of gently sloped aquatic lands, including freshwater bedlands in the harbor area, below the Ordinary High Water Mark of Lake Washington. Lake Washington is a Class 1 Inventoried Shoreline of the State and Critical Area subject to the City of Renton Critical Areas Ordinance.

Under surface slopes are approximately 1.6 percent. The lake bottom sediment consists primarily of silty mud with areas of sandy substrate. The southern portion of the removal area is littered with woodwaste.

Although the Seattle Fault, which runs under Mercer Island and through Lake Washington, is north of here within fairly close proximity, there are no known unstable soils within the project area and it is not designated as a known landslide area on Sensitive Areas Ordinance maps.

Although pilings would be removed, no filling or grading is proposed. Localized disturbance of the lake bottom sediments would be temporary and not anticipated to be significant. Techniques to minimize disturbance have been incorporated into the project, including cutting pilings rather than completely removing them and remove the pilings slowly to reduce the amount of sediment that is displaced.

Mitigation Measures: None required

Nexus: Not applicable

2. Air

Impacts: It is anticipated that there would be a temporary increase in localized emissions from the equipment that would be used to remove the pilings. Odor impacts during construction are unavoidable and would be short-term in nature. The effects of these temporary emissions would be minimal. Equipment used would meet King County, state, and federal emissions control requirements.

Mitigation Measures: None required

Nexus: Not applicable

3. Water

Impacts: The proposal is for in-water work within Lake Washington on state-owned aquatic lands. All work would take place below the surface of the Lake, except for piling and debris removal from the area by barge. Any debris that is associated with the removal would be picked up and placed on the barge.

Spill Prevention, Control, and Countermeasures (SPCC) Plans would be developed with the selected contractor. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged

materials including those the contractor may store, use, or generate during the construction activities. These items include, but are not limited to gasoline, oils, and chemicals.

Mitigation Measures: None required

Nexus: Not applicable

4. Vegetation
Impacts: There are no known threatened or endangered species of plants on the site. The primary vegetation consists of milfoil.

Mitigation Measures: None required

Nexus: Not applicable

5. Wildlife
Impacts: Birds and fish that can be expected to frequent the project area include: hawk, heron, songbirds, osprey, cormorant, domestic quail, bass, salmon, trout, smelt, stickleback, threespine, freshwater shrimp, pike minnow, prickly sculpin, black crappie, bluegill, pumpkinseed sunfish, trench, and yellow perch.

Threatened or endangered species that may be in the vicinity of the project site include: sockeye salmon, cutthroat trout, steelhead salmon, coho salmon, Puget Sound Chinook salmon, bull trout, and bald eagle.

The project area is within the Pacific Flyway, a major north-south seasonal migration route for many bird species. The site is also a migratory and rearing corridor for Chinook salmon and Lake Washington contains the largest population of naturally occurring sockeye salmon in Washington State. Most spawning and fry projection occur in the Cedar River, just south of the project site.

Piling removal may enhance the habitat of these species because at the present time pilings may provide cover for predators of juvenile Chinook and coho salmon.

All in-water work would occur in accordance with allowed fish windows and bird nesting and migration windows as determined by the Washington State Department of Fish and Wildlife.

The project is compatible with the Water Resource Inventory Area (WRIA) 8 Chinook Salmon Conservation Plan.

Mitigation Measures: None required

Nexus: Not applicable

6. Environmental Health
Impacts: The adjacent upland parcel was used for wood processing activities for many decades. Polynuclear aromatic hydrocarbons (PAH) and woodwaste are located in a few areas of the harbor area due to these past uses of the property. Approximately 21 of the pilings are located in an area that has been shown to have woodwaste. Approximately 28 pilings are located in an area that has been shown to contain some PAH contamination.

The 28 pilings in the PAH area would be cut at the lake bottom and the underground portion of the piling left in place to reduce disturbance of lake bottom sediments. Cutting the pilings at the mudline will prevent remobilization of buried PAHs.

The proposed activities would have short term noise associated with the piling removal equipment. Removal of the pilings would occur during daylight hours Monday through Friday. No other unusual noise impacts are expected to occur.

The proposed project would improve the navigability of Lake Washington in this area by removing submerged obstructions.

Mitigation Measures: None required

Nexus: Not applicable

D. Comments of Reviewing Departments
The proposal has been circulated to City Departmental / Divisional Reviewers for their review. Where applicable, these comments have been incorporated into the text of this report as Mitigation Measures and/or Notes to Applicant.

_X_ Copies of all Review Comments are contained in the Official File.
____ Copies of all Review Comments are attached to this report.

Environmental Determination Appeal Process Appeals of the environmental determination must be filed in writing on or before 5:00 PM, October 30, 2006.

Appeals must be filed in writing together with the required $75.00 application fee with: Hearing Examiner, City of Renton, 1055 South Grady Way, Renton, WA 98055. Appeals to the Examiner are governed by City of Renton Municipal Code Section 4-8-110.B. Additional information regarding the appeal process may be obtained from the Renton City Clerk's Office, (425) 430-6510.

ADVISORY NOTES TO APPLICANT
The following notes are supplemental information provided in conjunction with the administrative land use action. Because these notes are provided as information only, they are not subject to the appeal process for the land use actions

Planning

1. Commercial, multi-family, new single-family and other nonresidential construction activities shall be restricted to the hours between seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., Monday through Friday. Work on Saturdays shall be restricted to the hours between nine o'clock (9:00) a.m. and eight o'clock (8:00) p.m. No work shall be permitted on Sundays.

Transmission Report

Date/Time	09-22-2006	10:00:52	Transmit Header Text	
Local ID 1	3608251672		Local Name 1	Natural Resources
Local ID 2			Local Name 2	

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(reduced sample and details below)
Document size : 8.5"x11"

WASHINGTON STATE DEPARTMENT OF
Natural Resources

DOUG SUTHERLAND
Commissioner of Public Lands

FACSIMILE COVER LETTER

To: Elizabeth Higgins

Telephone: **Fax:** (425) 430-7300

From: **Sender's Name:** Monica Durkin
Shoreline District Aquatics Region
950 Farman Ave N.
Enumclaw, WA 98022-9282

Telephone:(360)825-1631 TTY:(360)825-6381 Fax:(360)825-1672

Date: September 22, 2006

Time: 9:50 a.m.

Total number of pages (including cover sheet): 2

Description: Please call me at (206) 799-2949 if you have any questions

Total Pages Scanned : 2 Total Pages Confirmed : 2

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Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user	
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system	G3: Group 3
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report	EC: Error Correct

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Natural Resources

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Date: September 22, 2006

Time: 9:50 a.m.

Total number of pages (including cover sheet): 2

Description: Please call me at (206) 799-2949 if you have any questions

Construction Mitigation Description

Project Name: Lake Washington Derelict Piling Removal

The Washington State Department of Natural Resources (DNR) proposes to complete this piling removal before the work window closes on December 31, 2006. Removal of the pilings will occur during daylight hours on Monday through Friday. The pilings will be hauled off site on the barge they are loaded onto during removal. This project will provide for the restoration of shallow water habitat elements by removing pilings. The pilings represent unnatural physical structures within the local environment. The project represents a net positive gain relative to environmental effects.

To prevent suspension of sediments the vibratory hammer will be turned off once the pilings are pulled from the sediment. Piles will not be washed off in the water. The contractor will be required to remove pilings slowly to reduce the amount of sediment that is displaced during the extraction process. Any debris that is associated with the removal will be picked up and placed on the barge.

This proposal will not affect traffic, due to the project occurring on the Lake. There will be a temporary increase in localized emissions from the equipment that will be used to remove the pilings, however effects are expected to be minimal.

Noise impacts to fish species are mitigated by completing the project within the in-water work window of July 16, 2006 to December 31, 2006, preventing disturbance to fish.

A barge and the associated equipment for piling removal will be located at the site. This is not expected to cause any impacts to the water, however a Spill Prevention, Control and Countermeasures (SPCC) Plans will be developed with the selected contractor. The SPCC Plan will outline measures to be taken to prevent release or spread of discharged materials including those the contractor may store, use, or generate during construction activities. These items include, but are not limited to gasoline, oils, and chemicals.

Approximately 28 pilings are located in an area where sediments are thought to contain Polynuclear aromatic hydrocarbons (PAH). These pilings will not be pulled to prevent any resuspension of contaminated sediments. Rather, these pilings will be cut at the mud line.

Project Narrative

Project Name: Lake Washington Derelict Piling Removal

Washington State Department of Natural Resources (DNR) is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float which are located on state-owned aquatic lands (SOAL) on the eastern shores of Lake Washington, north of May Creek. The pilings are no longer in use and are currently a navigational hazard for boaters on Lake Washington. The pilings are spread out over an area that is approximately 36 acres. The pilings are located in the W ½ of the SW ¼ S 29, T 24 N, R 5 E.

The following permits are required for this proposed project:
Shoreline Substantial Development Permit (Exemption), City of Renton
Hydraulic Permit Approval (HPA), Washington Department of Fish and Wildlife
Section 10 Permit, U.S. Army Corps of Engineers

The project area is located in a State designated Harbor Area. SOAL is generally not classified using upland zoning categories. The neighboring upland properties are zoned as Commercial/Office/Residential.

The site currently does not have any exclusive uses. The improvements located on the property are the 123 derelict pilings, steel ball and cylinder. There are also two, two hundred foot dry docks on the property that are not a part of this project proposal. Portions of the site are currently part of the larger Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup that is on going with the upland property (parcel # 29924059002). This cleanup is under the management of the Environmental Protection Agency. An area within the project site includes sediments that contain Polynuclear aromatic hydrocarbons (PAH). The southern portion of the project site contains woodwaste. These future clean up areas are shown on Map #2.

Generally the lake bottom sediment at this site is a silty mud with a few patches of sandy substrate. The southern portion of the site where approximately 21 pilings are located contains woodwaste.

All of the work will take place below the ordinary water mark, within the Harbor Area of Lake Washington. The work will occur in accordance with allowed fish windows and bird nesting and migration windows as determined by the Washington State Department of Fish and Wildlife. DNR is aiming to remove the piling before the work window closes in December 2006. The pilings will be extracted using a vibratory hammer that is mounted on a barge. A collar will be fastened around the pilings and will pull up the piling while vibrating it out of the sediment. Once the pilings are pulled from the sediment the vibratory hammer will be turned off. The pilings will be placed on the barge and disposed of off site.

The contractor will be required to remove pilings slowly to reduce the amount of sediment that is displaced during the extraction process. Piles will not be washed off in the water. Any debris that is associated with the removal will be

picked up and placed on the barge. Pilings that break will be pulled out of the sediment with a clam shell bucket.

Pilings located in or near the PAH contaminated sediments will be cut at the mudline. This includes approximately 28 pilings located at the GPS points 4 and 31 as shown on Map #1. The bottom sediments will not be swept to search for underwater piles in known contaminated areas.

The steel ball and steel cylinder are floating on the lake and anchored to the bedland. These two improvements will be removed by extracting or lifting their anchors from the sediments or cutting the chain and leaving the anchor in place.

The estimated project cost is $35,000. This project will improve the navigability of the lake and enhance the nearshore environment which will benefit migrating juvenile salmon.

DEVELOPMENT SERVICES DIVISION

WAIVER OF SUBMITTAL REQUIREMENTS FOR LAND USE APPLICATIONS

LAND USE PERMIT SUBMITTAL REQUIREMENTS:	WAIVED BY:	MODIFIED BY:	COMMENTS:
Calculations 1			
Colored Maps for Display 4	ERH		(vicinity map)
Construction Mitigation Description 2 AND 4			
Deed of Right-of-Way Dedication 2			
Density Worksheet 4	NRW		
Drainage Control Plan 2	NRW		
Drainage Report 2	NRW		
Elevations, Architectural 3 AND 4	NRW		
Environmental Checklist 4			
Existing Covenants (Recorded Copy) 4			
Existing Easements (Recorded Copy) 4			
Flood Hazard Data 4	NRW		
Floor Plans 3 AND 4	NRW		
Geotechnical Report 2 AND 3	NRW		
Grading Plan, Conceptual 2	NRW		
Grading Plan, Detailed 2			
Habitat Data Report 4	ERH		
Improvement Deferral 2			
Irrigation Plan 4			
King County Assessor's Map Indicating Site 4			
Landscape Plan, Conceptual 4	NRW		
Landscape Plan, Detailed 4			
Legal Description 4			
List of Surrounding Property Owners 4			
Mailing Labels for Property Owners 4			
Map of Existing Site Conditions 4			
Master Application Form 4			
Monument Cards (one per monument) 1			
Neighborhood Detail Map 4			
Engineering Report for Dredging	NRW		

This requirement may be waived by:

1. Property Services Section
2. Public Works Plan Review Section
3. Building Section
4. Development Planning Section

PROJECT NAME: DNR Piling Removal

DATE: 6/20/06

Revised 8/14/06 ERH

Q:\WEB\PW\DEVSERV\Forms\Planning\waiver.xls 11/04/2005

DEVELOPMENT SERVICES DIVISION

WAIVER OF SUBMITTAL REQUIREMENTS FOR LAND USE APPLICATIONS

LAND USE PERMIT SUBMITTAL REQUIREMENTS:	WAIVED BY:	MODIFIED BY:	COMMENTS:
Parking, Lot Coverage & Landscaping Analysis 4			
Plan Reductions (PMTs) 4	ERH		
Plat Name Reservation 4			
Postage 4			
Preapplication Meeting Summary 4	NRW		
Public Works Approval Letter 2			
Rehabilitation Plan 4			
Screening Detail 4			
Site Plan 2 AND 4			
Stream or Lake Study, Standard 4	ERH		
Stream or Lake Study, Supplemental 4	"		
Stream or Lake Mitigation Plan 4	"		
Street Profiles 2			
Title Report or Plat Certificate 4			
Topography Map 3	ERH		
Traffic Study 2	NRW		
Tree Cutting/Land Clearing Plan 4	NRW		
Urban Center Design Overlay District Report 4			
Utilities Plan, Generalized 2	NRW		
Wetlands Mitigation Plan, Final 4	ERH		
Wetlands Mitigation Plan, Preliminary 4	ERH		
Wetlands Report/Delineation 4	NRW		
Wireless:			
Applicant Agreement Statement 2 AND 3			
Inventory of Existing Sites 2 AND 3			
Lease Agreement, Draft 2 AND 3			
Map of Existing Site Conditions 2 AND 3			
Map of View Area 2 AND 3			
Photosimulations 2 AND 3			

This requirement may be waived by:
1. Property Services Section
2. Public Works Plan Review Section
3. Building Section
4. Development Planning Section

PROJECT NAME: DNR Piling Removal

DATE: 6/20/06

Revised 8/14/06 ERH

Q:\WEB\PW\DEVSERV\Forms\Planning\waiver.xls 11/04/2005

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

REPLY TO
ATTENTION OF

SEP 22 2006

RECEIVED
SEP 27 2006
DNR-SPS

Regulatory Branch

Ms. Monica Durkin
Washington State Dept of
Natural Resources
950 Farman Avenue North
Enumclaw, Washington 98022

Reference: 200601094
WA ST Dept of
Natural Resources

Dear Ms. Durkin:

We have received your application for a Department of the Army (DA) permit to remove approximately 123 derelict piles, a steel ball, and a steel cylinder from Lake Washington at=Renton, Washington. We have reviewed the information you provided to us pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. We have determined that a DA permit is not required for your proposed work as described in your application and drawings.

Under Section 10 of the Rivers and Harbors Act of 1899, a Section 10 DA permit is normally required for work or structures in or affecting navigable waters of the U.S. The Seattle District U.S. Army Corps of Engineers does not exert jurisdiction over the removal of structures; therefore, a Section 10 DA permit is not required.

Under Section 404 of the Clean Water Act, a DA permit is normally required for the discharge of dredged or fill material (e.g., fill, excavation, or mechanized land clearing) into waters of the U.S., including wetlands and navigable waters of the U.S. Because no excavation or placement of fill will occur as a result of this project, a Section 404 DA permit is not required.

While a DA permit is not required, local, state, and other federal requirements may still apply. If you have any questions about this letter or our regulatory program, please contact me at (206) 764-5527 or via email at Susan.M.Powell@usace.army.mil.

Sincerely,

Susan Powell

Susan Powell, Project Manager
North Application Review Section

WASHINGTON STATE DEPARTMENT OF
Natural Resources

DOUG SUTHERLAND
Commissioner of Public Lands

October 23, 2006

Ms. Susan Powell
Department of the Army
Seattle District, Corps of Engineers
P.O. Box 3755
Seattle, WA 98124-3755

Subject: Programmatic ESA Consultation for Project No. 200601094

Dear Ms. Powell;

As you are aware per the JARPA application, the Washington State Department of Natural Resources (DNR) is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float which are located on state-owned aquatic lands on the eastern shores of Lake Washington, north of May Creek. State Department of Fish and Wildlife will be requiring the placement of clean sand within any holes that remain after the removal. This will require DNR to go through the ESA consultation process.

The pilings at this location are derelict and have become a navigational hazard to boaters on the lake. Many of the pilings are breaking apart and some have broken off just below the water surface or a few feet above. Due to this safety hazard and the environmental benefits of removing these derelict pilings, DNR has made this project a priority and is using limited restoration funds to complete this project. These funds must be utilized by June 30, 2007 and the work window for removal closes December 31, 2006 and opens again in July 16, 2007. With these time restraints in order to successfully complete this project DNR needs to complete the removal before December 31, 2006. For this reason we are asking for your expedited review of this project. Please feel free to call me at (360) 825-1631 ext. 2006 if you have any questions. Thank you for your help.

Sincerely,

Monica Durkin
Natural Resource Specialist

Enclosures

SOUTH PUGET SOUND REGION ‖ 950 FARMAN AVE N ‖ ENUMCLAW, WA 98022-9282
TEL: (360) 825-1631 ‖ FAX: (360) 825-1672 ‖ TTY: (360) 825-6381
Equal Opportunity Employer
RECYCLED PAPER

US Army Corps of Engineers ®
Seattle District

PROGRAMMATIC ESA[1] CONSULTATION
Specific Project Information Form
For Replacement of up to Eighteen (18) Existing Piling
Version: 21 April 2006

Eligibility for Programmatic Consultation
This application: ☐ Meets all of the requirements of this programmatic consultation ☒ Does not meet all of the requirements of this programmatic consultation. This form constitutes a reference biological evaluation in association with: NMFS reference: WSB-00-582 USFWS reference: 1-3-00-I-1524 & 1-3-00-IC-I525

1. **Programmatic Activity**: Replacement of up to Eighteen (18) Piling
2. **Drawings and Photographs** - Drawings and photographs must be submitted. Drawings must include a vicinity map; plan, profile, and cross-section drawings of the proposed structures; and over- and in-water structures on adjacent properties. (For assistance with the preparation of the drawings, please refer to our *Drawing Checklist* located on our website at www.nws.usace.army.mil Select Regulatory – Regulatory/Permits – Forms.) If the work is in a tidal area, please see Section 11 of this form for additional photo requirements.
3. **Date**: October 23, 2006
4. **Applicant**: WA Department of Natural Resources **Corps Reference No.**: 200601094
   Address: 950 Farman Avenue North
   City: Enumclaw State: WA Zip: 98022
5. **Agent**: Monica Durkin
   Address: Same as above
   City: _____ State: _____ Zip: _____
6. **Project Name** (e.g., Alice's Restaurant): Lake Washington Derelict Piling Removal
7. **Location(s) of Activity**:
   Section: 29 Township: 24N Range: 5E
   Latitude: N 47° 31.914' Longitude: W 122° 12.453'
   Waterbody: Lake Washington County: King
8. **Listed or Proposed Fish Species and their Critical Habitat Present** (If critical habitat is present, please attach an assessment on impacts to critical habitat primary constituent elements. A template for this assessment can be found on the Corps' webpage under Forms): Sockeye salmon, cutthroat trout, steelhead salmon, coho salmon, Puget Sound Chinook salmon, bull trout.

[1] Endangered Species Act

9. **Listed Non-Fish Species and their Critical Habitat Present** (listed non-fish species are not covered under this programmatic consultation; individual consultation is required for the non-fish species): NA

Summary of Endangered Species Act Consultation for Non-Fish Species and their Critical Habitat Present (e.g., no effect with work window, addendum with effects analysis, etc.): NA

10. **Description of Work:** Describe what is being replaced (e.g., support piling for pier, dolphin, etc.). Include diameter, composition and treatment of piling (e.g., 10" diameter, untreated wood piling). No replacement structure is proposed under this project. Washington State DNR is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float which are located on state-owned aquatic lands (SOAL) on the eastern shores of Lake Washington, north of May Creek. See Map #1.

Construction Techniques – Describe how the work will be done:

Pile driver type (e.g., vibratory or impact hammer, maximum rated energy, strokes per minute, etc.): The pilings will be extracted using a vibratory hammer that is mounted on a barge. A collar will be fastened around the pilings and will pull up the piling while vibrating it out of the sediment. Once the pilings are pulled from the sediment the vibratory hammer will be turned off. The pilings will be placed on the barge and disposed of off site. Pilings that break will be pulled out of the sediment with a clam shell bucket. WDFW has required that the holes remaining after the piling extraction must be filled in with clean sand.

For vibratory installation, estimate the number of piling that will be proofed and the duration of proofing per piling: No installation will take place, all of the pilings will be removed and not replaced.

Describe any sound attenuation measures that will be employed: NA

Substrate into which piling will be installed: NA

Water depth into which piling will be installed: NA

Installation by hand?: NA

Please note that the National Marine Fisheries Service and the U.S. Fish and Wildlife Service require individual review of any projects that propose installation or proofing of steel piling with an impact hammer. Individual project review is not required for projects proposing wood, plastic or concrete piling. Similarly, projects proposing vibratory installation are exempt from the review provided no proofing of steel piles is required for the project.

11. **Forage Fish Habitat** – only complete this section if the project is in tidal waters.

Check box if Washington Department of Fish and Wildlife (WDFW) documented habitat is present. Go to the WDFW website for this information: http://wdfw.wa.gov/fish/forage/forage.htm, then search for each species under the link to Biology, then the link to Documented Spawning Grounds (if available, please attach a copy of the Hydraulic Project Approval from WDFW):

Surf Smelt: ☐

Pacific Herring: ☐

Sand Lance: ☐

If there is no WDFW documented habitat present, please describe the type of substrate and elevation and presence of aquatic vegetation at the project area. For example:
At +10 to +5 feet above MLLW, there is no aquatic vegetation, the substrate consists of large cobbles.
At +5 to +1 foot above MLLW, there is eelgrass and the substrate consists of fine sand.

_____

_____

_____

Photo requirements: The photographs should be taken at ground level and at low tide and should show a panoramic view of the entire project area in the dry. Photographs should clearly show the presence or absence of vegetation and the substrate composition. Close up photographs of the substrate and/or vegetation should be included if there are any areas of particular interest. To most accurately reflect vegetation distribution, photos should be taken at low tide during June 1 through October 1.

12. **Programmatic Conditions.** In order to meet all ESA requirements for this programmatic consultation, all programmatic conditions listed below **must be met**. Check each condition that you will meet. Check each item "not applicable" if they do not apply to your project. If you checked "will not meet" for any of the conditions, you must complete the "Will Not Meet" section at the end of this document.

Will Meet	Will Not Meet	Not Applicable	Programmatic Conditions
☒	☐	☐	Work will be performed within the approved work windows.
☒	☐	☐	Timing: The action shall only occur once within one approved work window for a single and complete project. The approved work windows are described in *Programmatic Consultation – Phase I: Approved Work Windows.* (Note: These work windows are located on our website at www.nws.usace.army.mil Click on Regulatory – Regulatory/Permits – Endangered Species Act.) For example, only a maximum of 18 piles shall be replaced on a single pier within the approved work window. The following year, up to 18 piles may be replaced on the same pier within the approved work window for that year.
☐	☒	☐	No work will be done in or within 300 feet of an existing or previously designated Superfund Clean-up sites or a site currently or previously designated for cleanup under the Washington State Model Toxic Cleanup Act.

Will Meet	Will Not Meet	Not Applicable	Programmatic Conditions
☒	☐	☐	No piles are associated with log raft booms.
☒	☐	☐	No sheet piling will be used in lieu of pole piling.
☐	☐	☒	Existing piling will be partially cut with a new pile secured directly on top, fully extracted, or cut 2-feet below the mudline.
☐	☐	☒	For all treated piling that are fully extracted or cut 2-feet below the mudline, the holes or cut piling will be capped with appropriate material (such as clean sand, or plastic or steel pile cap for cut piling) to ensure that the chemicals from the existing pile do not leach into the adjacent sediments or water column. If fill (i.e. clean sand) is used to cap the area, the fill material should match sediment substrate of the site.
☐	☐	☒	All removed creosote treated piling will be cut into maximum lengths of 4 feet prior to disposal.
☐	☐	☒	No piling treated with creosote or pentachlorophenol will be used.
☒	☐	☐	If a barge is used, the barge does not ground out and the barge will not be over or within 300 feet of vegetated shallows (except where such vegetation is limited to State-designated noxious weeds).
☒	☐	☐	Hydraulic water jets will not be used to remove or place piling.
☐	☐	☒	Piling will be replaced in the same general location and do not extend beyond the footprint of the existing structure (i.e., pier).
☐	☒	☐	The project complies with the *General Implementation Conditions* for our programmatic consultations (Note: These are located on our website at www.nws.usace.army.mil Click on Regulatory – Regulatory/Permits – Forms.)
☐	☐	☒	In Fresh Waters, *including* the Columbia River mainstem, Baker Bay, and the Snake River: Only non-treated piling are used.
☐	☐	☒	In Marine/Estuarine Waters *excluding* Baker Bay: Use of vibratory pile drivers is prohibited where the piling is located in or within 300 feet of eelgrass beds.

If the applicant will meet **all** of the above conditions, then the applicant must sign below:

I, as the applicant, have read all the activity and waterway specific conditions and the general implementation conditions for the "Not Likely to Adversely Affect" Programmatic Consultation, dated 30 May 2001. I certify that this project meets all conditions of the programmatic consultation. In the event that the U.S. Army Corps of Engineers, Seattle District, the U.S. Fish and Wildlife Service, and/or the National Marine Fisheries Service/NOAA Fisheries determines that the conditions have not been met, I agree to comply with all resolution measures in accordance with Corps regulations.

DNR-008269

Applicant

Date

If the applicant **has checked "Will Not Meet" for any of the above conditions**, then this section must be completed and the applicant must sign below:

1. Why can't you meet all of the conditions of this programmatic consultation? The piling removal is occuring within and adjacent to a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site managed by the Environmetal Protection Agency. Portions of the project site contain polynuclear aromatic hydrocarbons (PAH) contamination and wood waste. DNR has coordinated with the EPA site lead regarding this proposal. Pilings located in sediments containing PAHs will be cut at the mud line to prevent remobilization of buried PAHs. The location of the contamination can be seen on Map #2.

2. Why are the impacts of the proposed project "Not Likely to Adversely Affect" ESA species? How have you minimized impacts? (Note: If your effect analysis is lengthy, you may attach an addendum.) All work will occur in accordance with allowed fish windows and bird nesting and migration windows as determined by WDFW. This project will remove pilings and dolphins from the lake that currently provide cover, shade, and focal points for predators of juvenile chinook and coho salmon. Spill Prevention, Control and Countermeasures (SPCC) Plans will be developed with the selected contractor. The SPCC Plan will outline measures to be taken to prevent release or spread of discharged materials including those the contractor may store, use, or generate during construction activities. These items include, but are not limited to gasoline, oils, and chemicals. The contractor will be required to remove pilings slowly to reduce the amount of sediment that is displaced during the extraction process. Piles will not be washed off in the water. Any debris that is associated with the removal will be picked up and placed on the barge. Pilings located near the Polynuclear aromatic hydrocarbons (PAH) contamination will be cut at the mud line to prevent remobilization of buried PAHs.

I, as the applicant, have read all the activity and waterway specific conditions and the general implementation conditions for this programmatic consultation, dated May 30, 2001. I understand that informal consultation with National Marine Fisheries Service and U.S. Fish and Wildlife Service will be initiated with this form. I will not proceed with construction until I receive written notification from the U.S. Army Corps of Engineers that the proposed work is authorized.

Applicant

Date

---------- Below to be completed by the Corps ----------

Note to PM: If the applicant meets **all** of the conditions of this programmatic consultation, complete this section. If the applicant does **not** meet all of the conditions of this programmatic consultation, do **not** complete this section; instead, complete a Memorandum for the Services – Reference Biological Evaluation Form.

☐ I have reviewed the Department of the Army application and this form for consistency with the "Not Likely to Adversely Affect" Programmatic Consultation, dated 30 May 2001.

Additional Information (complete as applicable):

1. **Summary of ESA consultation for associated project activities not covered by the Programmatic Consultation** (e.g., "no effect" for replacement of overwater structures such as decking): _____

_____

_____

_____

_____

2. **Approved Work Window**:

_____ to _____

3. **Summary of ESA Consultation for non-fish species** (e.g., "no effect" analysis, date consultation completed, etc): _____

_____

_____

4. **Summary of ESA Consultation for critical habitat** (e.g., "no effect" analysis, date consultation completed, etc): _____

_____

_____

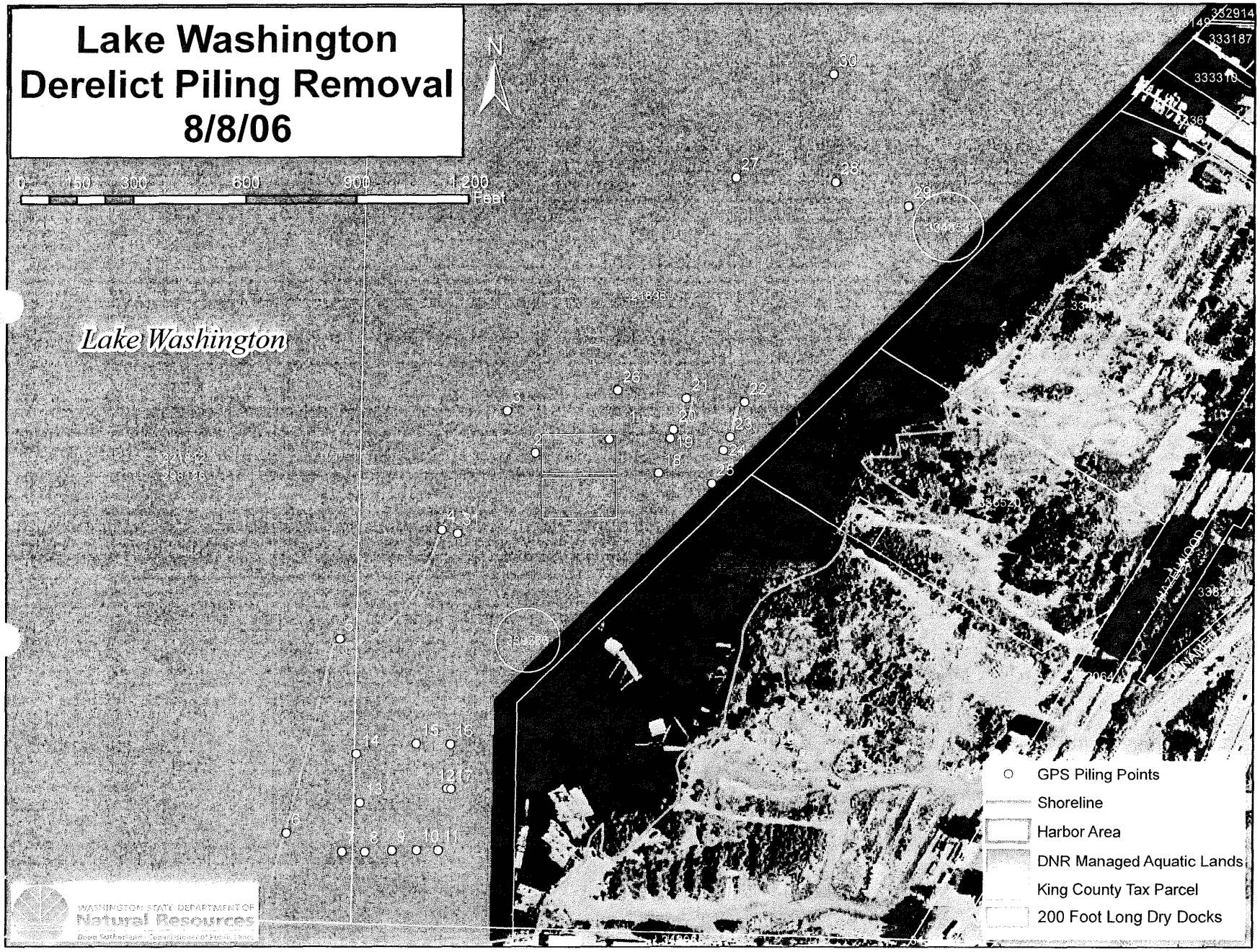
_____ _____

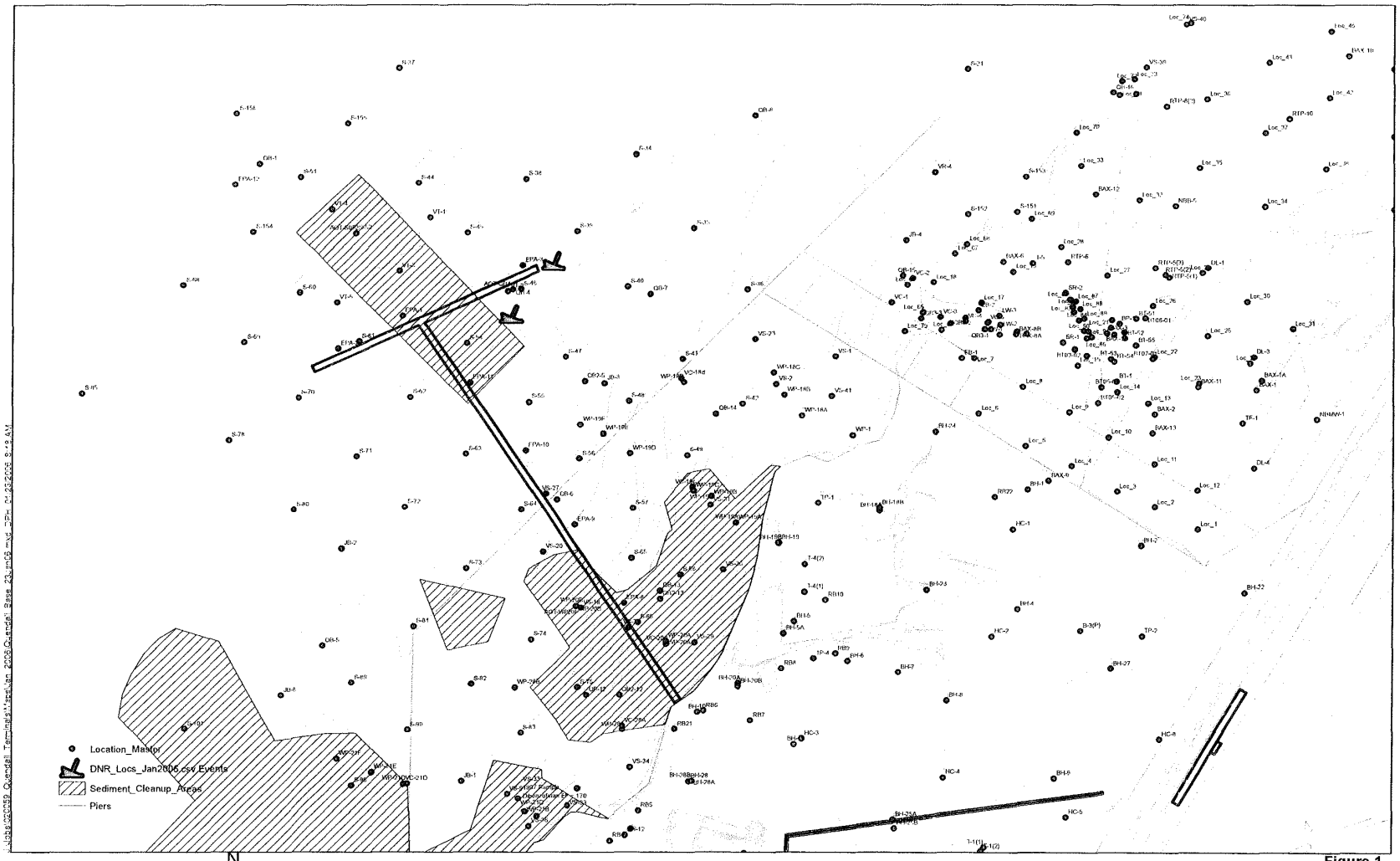
Corps Project Manager Date

_____ _____

Corps Environmental Analyst/ESA Coordinator Date

Lake Washington Derelict Piling Removal 8/8/06



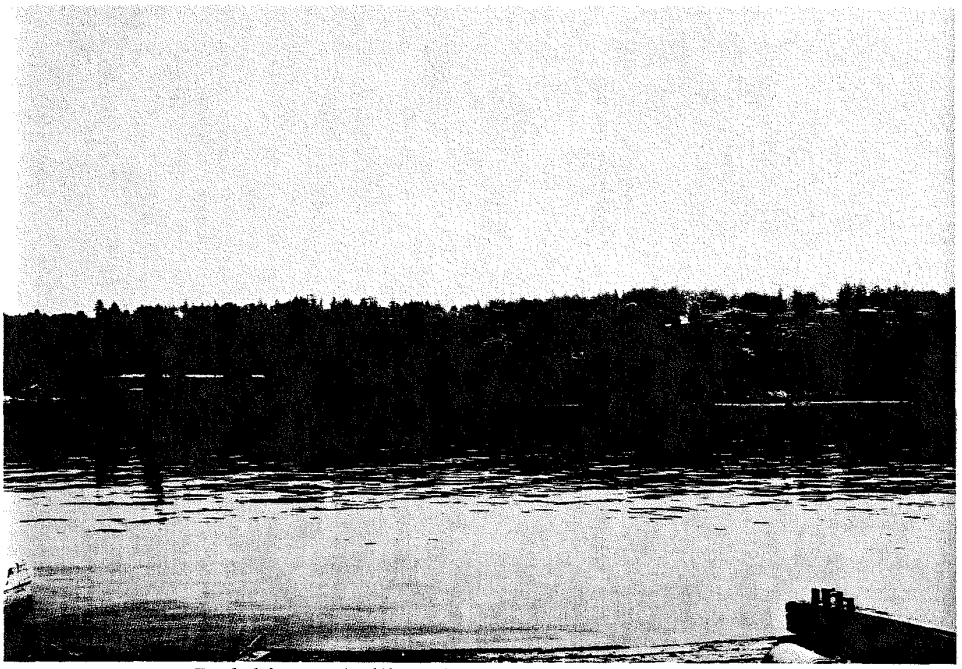


ANCHOR

N

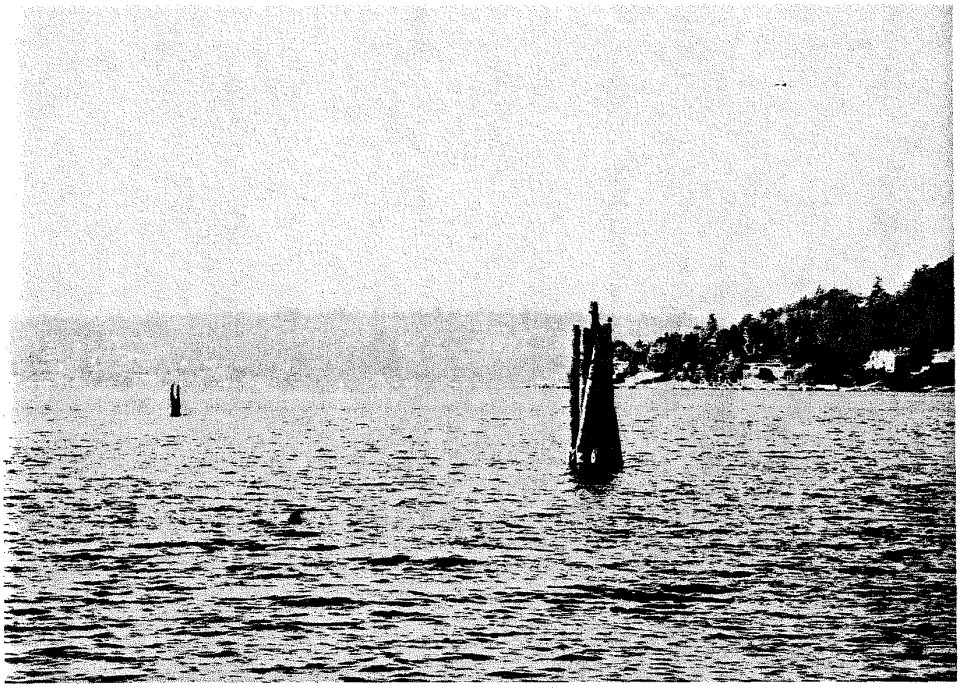
0 40 80 160 240 320 Feet

Figure 1
Port Quendall Terminals
DNR GIS Points and Sample Locations

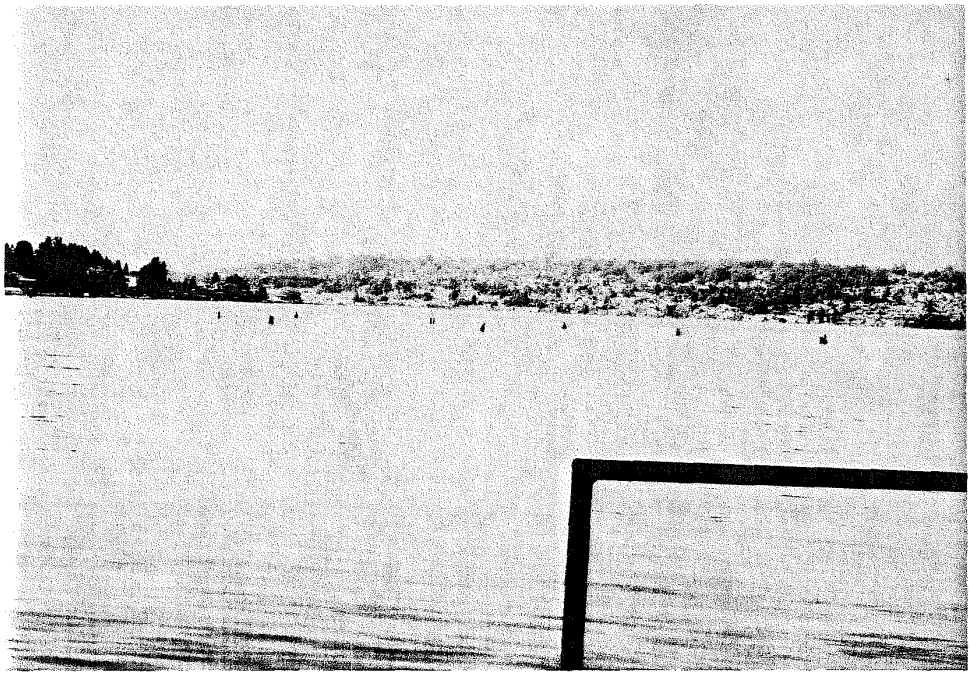


Dolphins and pilings located at GPS points 18-25

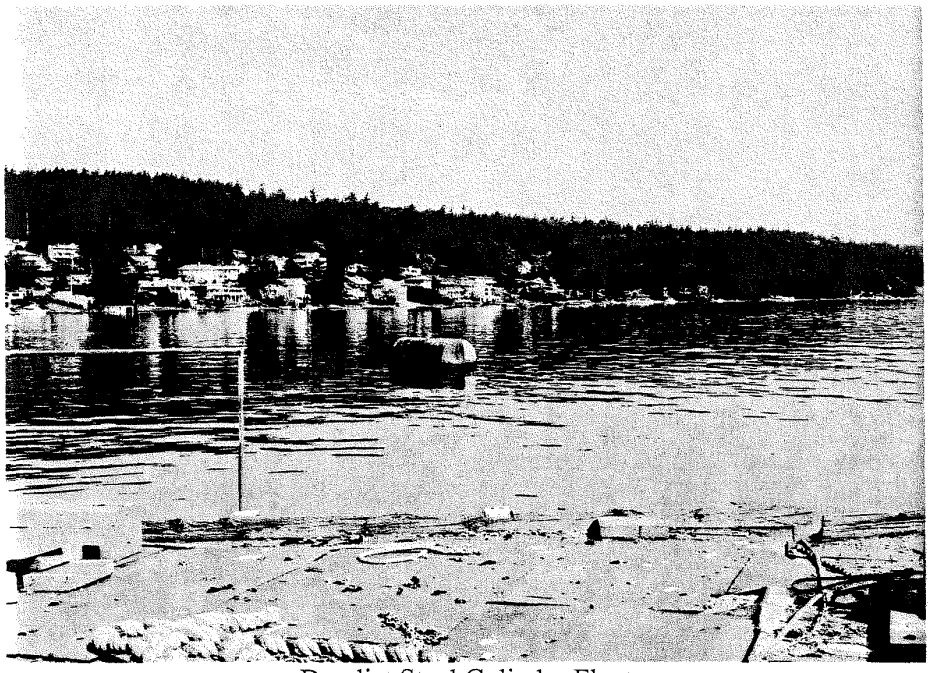
Dolphins at GPS points 26, 27, and cylinder ball at GPS point 30



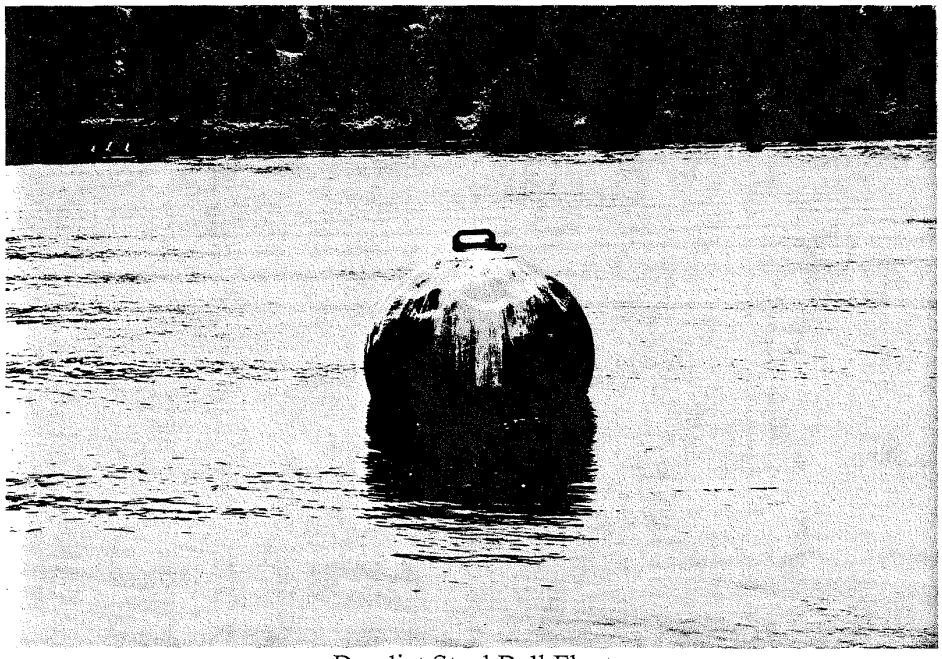
Dolphins located at GPS points 4, 31, and 5



Dolphins and pilings located at GPS points ranging from 6-16



Derelict Steel Cylinder Float



Derelict Steel Ball Float

City of Renton

Development Services Division
Planning/Building/Public Works Department
Renton City Hall, Sixth Floor
1055 South Grady Way
Renton, WA 98055

FAX TRANSMITTAL

Date: October 2, 2006

TO:	Monica Durkin Dept of Natural Resources	**FROM:**	Elizabeth Higgins, AICP Senior Planner
Address:			Current Planning
Phone:	(360)825-1631 ext. 2006	**Phone:**	(425)430-7382
Fax:	(360) 825-1672	**Fax:**	(425) 430-7300

SUBJECT:

Number of items including cover sheet:

REMARKS: ☒ As Requested ☐ Urgent ☐ Reply ASAP ☐ Please Comment ☒ For your review

- W-9 form

Renton.
Ahead of the curve

City of Renton
Finance & IS Department
1055 S Grady Way 1st Fl
Renton WA 98055

VENDOR SETUP FORM

To be filled out by vendor ONLY

☒ New Vendor
☐ Reactivate Vendor
☐ Address Change
Vendor No: _____

City of Renton Contact: Elizabeth Higgins, AICP; Senior Planner

City of Renton Department: Planning/Building/Public Works Department - Current Planning Division

To add your business to our vendor file, **please complete all sections** of this form and return by fax or U.S. mail.

Phone: 425.430.6918 or 6919 **Tax ID #:** 91-6001271 **E-mail:** tschuld@ci.renton.wa.us. (Tracy Schuld)
Fax: 425.430.6855 **Website:** www.ci.renton.wa.us nbeardsley@ci.renton.wa.us (Natalie Beardsley)

☛ ***Note: EFT (electronic fund transfer) payments available. Please visit our website for more information.***

Please fill out this form completely. An incomplete form will create a delay in our payment(s) to you, and your payment(s) could be subject to the IRS required back up holding.

Name, as it appears on check (NO ABBREVIATIONS) _____ Doing Business As (if different than name on check) _____

Payment Address _____ Business Address _____

City _____ State _____ Zip _____ City _____ State _____ Zip _____

( ) - Ext. _____ Accounts Receivable Contact _____

Phone Number/Extension

Vendor type: (check the appropriate box)

☐ Corporation ☐ Government Agency ☐ Individual/Sole Proprietor ☐ Non-Profit ☐ Partnership

Answer each question below:

Will you provide medical services to the City of Renton?	☐ Yes	☐ No
Will you provide legal services to the City of Renton?	☐ Yes	☐ No
Will you provide other services to the City of Renton (other than medical or legal)?	☐ Yes	☐ No
Will you provide parts, supplies, or materials to the City of Renton	☐ Yes	☐ No
Do you pay sales tax to the State of Washington?	☐ Yes	☐ No

Check here ☐ if exempt from Form 1099 reporting, and check your qualifying exemption reason below:

☐ 1. Corporation, except there is no exemption for medical and healthcare payments or payments for legal services.
☐ 2. Tax Exempt Charity under 501(a), or IRA
☐ 3. The United States or any of its agencies or instrumentalities
☐ 4. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions
☐ 5. A foreign government or any of its political subdivisions

Name (Owner of the Tax Payer Identification Number (EIN or SSN) as name appears on IRS of Social Security Administration Records): _____
Social Security Number: _____ or Federal TIN: _____

State of Washington U.B.I. #: _____ *Renton Business License #: _____

**Required by City of Renton Municipal Code, Business Regulation #5-5-3.*
Questions? Contact Business Licensing at 425-430-6851, or email nkuhn@ci.renton.wa.us

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me) and,
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding.

Signature: _____ Date _____

Printed Name: _____

I am a U.S. person (including a U.S. resident alien): ☐ Yes ☐ No

Form **W-9**
(Rev. January 2003)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See **Specific Instructions** on page 2.

Name

Business name, if different from above

Check appropriate box: ☐ Individual/ Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ▶ ..... ☐ Exempt from backup withholding

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). **However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3.** For other entities, it is your employer identification number (EIN). If you do not have a number, see **How to get a TIN** on page 3.

Social security number

or

Employer identification number

Note: *If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.*

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
2. I am not subject to backup withholding because: **(a)** I am exempt from backup withholding, or **(b)** I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or **(c)** the IRS has notified me that I am no longer subject to backup withholding, **and**
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item **2** above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item **2** does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here **Signature of U.S. person ▶** **Date ▶**

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: *If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.*

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see **Pub. 515,** Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

DNR-008280

City of Renton
Finance & IS Department
1055 S Grady Way 1st Fl
Renton WA 98055

VENDOR SETUP FORM

To be filled out by vendor ONLY

☒ New Vendor
☐ Reactivate Vendor
☐ Address Change
Vendor No: _____

City of Renton Contact: Elizabeth Higgins, AICP; Senior Planner

City of Renton Department: Planning/Building/Public Works Department - Current Planning Division

To add your business to our vendor file, **please complete all sections** of this form and return by fax or U.S. mail.

Phone: 425.430.6918 or 6919 **Tax ID #:** 91-6001271 **E-mail:** tschuld@ci.renton.wa.us. (Tracy Schuld)
Fax: 425.430.6855 **Website:** www.ci.renton.wa.us nbeardsley@ci.renton.wa.us (Natalie Beardsley)

☛ ***Note: EFT (electronic fund transfer) payments available. Please visit our website for more information.***

Please fill out this form completely. An incomplete form will create a delay in our payment(s) to you, and your payment(s) could be subject to the IRS required back up holding.

Name, as it appears on check (NO ABBREVIATIONS) _____ Doing Business As (if different than name on check) _____

Payment Address _____ Business Address _____

City _____ State _____ Zip _____ City _____ State _____ Zip _____

( ) - Ext.
Phone Number/Extension _____ Accounts Receivable Contact _____

Vendor type: (check the appropriate box)

☐ Corporation ☐ Government Agency ☐ Individual/Sole Proprietor ☐ Non-Profit ☐ Partnership

Answer each question below:

Will you provide medical services to the City of Renton? ..... ☐Yes ☐No
Will you provide legal services to the City of Renton? ..... ☐Yes ☐No
Will you provide other services to the City of Renton (other than medical or legal)? ..... ☐Yes ☐No
Will you provide parts, supplies, or materials to the City of Renton ..... ☐Yes ☐No
Do you pay sales tax to the State of Washington? ..... ☐Yes ☐No

Check here ☐ if exempt from Form 1099 reporting, and check your qualifying exemption reason below:

☐ 1. Corporation, except there is no exemption for medical and healthcare payments or payments for legal services.
☐ 2. Tax Exempt Charity under 501(a), or IRA
☐ 3. The United States or any of its agencies or instrumentalities
☐ 4. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions
☐ 5. A foreign government or any of its political subdivisions

Name (Owner of the Tax Payer Identification Number (EIN or SSN) as name appears on IRS of Social Security Administration Records): _____
Social Security Number: _____ or Federal TIN: _____

State of Washington U.B.I. #: _____ *Renton Business License #: _____

**Required by City of Renton Municipal Code, Business Regulation #5-5-3.*
Questions? Contact Business Licensing at 425-430-6851, or email nkuhn@ci.renton.wa.us

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me) and,
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding.

Signature: _____ Date _____

Printed Name: _____

I am a U.S. person (including a U.S. resident alien): ☐ Yes ☐ No

City of Renton

Development Services Division
Planning/Building/Public Works Department
Renton City Hall, Sixth Floor
1055 South Grady Way
Renton, WA 98055

FAX TRANSMITTAL

Date: ~~October 2, 2006~~ 10/4/06

From:		To:	
~~TO:~~	Monica Durkin Dept of Natural Resources	~~FROM:~~	Elizabeth Higgins, AICP Senior Planner
Address:			Current Planning
Phone:	(360)825-1631 ext. 2006	Phone:	(425)430-7382
Fax:	(360) 825-1672	Fax:	(425) 430-7300

SUBJECT:

Number of items including cover sheet:

REMARKS: ☒ As Requested ☐ Urgent ☐ Reply ASAP ☐ Please Comment ☒ For your review

- W-9 form

Elizabeth - the form that you faxed to me was a "Vendor Setup Form". Please complete the attached W-9 form and fax back to me as soon as possible.
Thanks, Monica

Renton.
Ahead of the curve

Transmission Report

Date/Time	10-04-2006	11:12:58	Transmit Header Text	
Local ID 1	3608251672		Local Name 1	Natural Resources
Local ID 2			Local Name 2	

This document : Confirmed
(reduced sample and details below)
Document size : 8.5"x11"

City of Renton
Development Services Division
Planning/Building/Public Works Department
Renton City Hall, Sixth Floor
1055 South Grady Way
Renton, WA 98055

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Total Pages Scanned : 2 Total Pages Confirmed : 2

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
001	867	4254307300	11:11:48 10-04-2006	00:00:36	2/2	1	EC	HS	CP24000

Abbreviations:

HS: Host send	PL: Polled local	MP: Mailbox print	TU: Terminated by user	
HR: Host receive	PR: Polled remote	CP: Completed	TS: Terminated by system	G3: Group 3
WS: Waiting send	MS: Mailbox save	FA: Fail	RP: Report	EC: Error Correct

City of Renton

Development Services Division
Planning/Building/Public Works Department
Renton City Hall, Sixth Floor
1055 South Grady Way
Renton, WA 98055

FAX TRANSMITTAL

Date: October 5, 2006

TO:	*Monica Durkin* *Dept of Natural Resources*	***FROM:***	*Elizabeth Higgins, AICP* *Senior Planner*
Address:			*Current Planning*
Phone:	*(360)825-1631 ext. 2006*	***Phone:***	*(425)430-7382*
Fax:	*(360) 825-1672*	***Fax:***	*(425) 430-7300*

SUBJECT: *Piling Removal fee*

Number of items including cover sheet: *2*

REMARKS: ☒ *As Requested* ☐ *Urgent* ☐ *Reply ASAP* ☐ *Please Comment* ☒ *For your review*

- W-9 form

Renton.
Ahead of the curve

Form **W-9**
(Rev. January 2003)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name
CITY OF RENTON

Business name, if different from above

Check appropriate box: ☐ Individual/ Sole proprietor ☐ Corporation ☐ Partnership ☒ Other ▶ MUNICIPALITY ☒ Exempt from backup withholding

Address (number, street, and apt. or suite no.)
1055 SOUTH GRADY WAY

Requester's name and address (optional)

City, state, and ZIP code
RENTON WASHINGTON 98055

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on page 3.

Social security number
| | | | | | | | | |

or

Employer identification number
9 1 6 0 0 1 2 7 1

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here Signature of U.S. person ▶ Date ▶

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: *If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.*

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

AGENCY USE ONLY	
Agency Reference #:	Date Received:
Circulated by:	(local govt. or agency)

JOINT AQUATIC RESOURCES PERMIT APPLICATION FORM (JARPA)

(for use in Washington State)

PLEASE TYPE OR PRINT IN BLACK INK.

TO FILL IN ELECTRONICALLY, USE F11 TO MOVE THROUGH THE FORM

☐ Application for a Fish Habitat Enhancement Project per requirements of RCW 77.55.290. You must submit a copy of this completed JARPA application form and the (Fish Habitat Enhancement JARPA Addition) to your local Government Planning Department and Washington Department of Fish & Wildlife Area Habitat Biologist on the same day.

NOTE: LOCAL GOVERNMENTS – You must submit any comments on these projects to WDFW within 15 working days.

Based on the instructions provided, I am sending copies of this application to the following: *(check all that apply)*

[X] Local Government for shoreline: ☐ Substantial Development ☐ Conditional Use ☐ Variance [X] Exemption ☐ Revision ☐ Floodplain Management ☐ Critical Areas Ordinance

[X] Washington Department of Fish and Wildlife for HPA (Submit 3 copies to WDFW Region)

☐ Washington Department of Ecology for 401 Water Quality Certification (to Regional Office-Federal Permit Unit)

☐ Washington Department of Natural Resources for Aquatic Resources Use Authorization Notification

[X] Corps of Engineers for: ☐ Section 404 [X] Section 10 permit

☐ Coast Guard for: ☐ General Bridge Act Permit ☐ Private Aids to Navigation (for non-bridge projects)

☐ For Department of Transportation projects only: This project will be designed to meet conditions of the most current Ecology/Department of Transportation Water Quality Implementing Agreement

SECTION A - Use for all permits covered by this application. Be sure to ALSO complete Section C (Signature Block) for all permit applications.

1. APPLICANT
Washington State Department of Natural Resources; Monica Durkin

MAILING ADDRESS
950 Farman Avenue North Enumclaw, WA 98022

WORK PHONE	E-MAIL ADDRESS	HOME PHONE	FAX #
360-825-1631 x2006	monica.durkin@wadnr.gov	NA	360-825-1672

If an agent is acting for the applicant during the permit process, complete #2. Be sure agent signs Section C (Signature Block) for all permit applications

2. AUTHORIZED AGENT

MAILING ADDRESS

WORK PHONE	E-MAIL ADDRESS	HOME PHONE	FAX #

3. Relationship of applicant to property: [X] OWNER ☐ PURCHASER ☐ LESSEE ☐ _____

4. Name, address and phone number of property owner(s) if other than applicant:

5. Location (street address, including city, county and zip code, where proposed activity exists or will occur)
Activity will occur within the Harbor Area of Lake Washington within Renton, King County.
Local government with jurisdiction (city or county)

Waterbody you are working in Lake Washington
Is this waterbody on the 303(d) List** YES [X] NO ☐
If **YES**, what parameter(s)? Fecal Coliform, Sediment Bioassy
**For 303d List, http://www.ecy.wa.gov/programs/wq/303d/index.html

Tributary of	WRIA #
N/A	8

Shoreline designation N/A

Zoning designation COR 2

¼ Section	Section	Township	Range	Government Lot
SW	29	24 N	5 E	N/A

DNR stream type if known N/A

Latitude and Longitude: N 47°32' and W122°12'

Tax Parcel Number 2924059014 and 2924059013

6. Describe the current use of the property, and structures existing on the property. Have you completed any portion of the proposed activity on this property? ☐ YES ☒ NO
For any portion of the proposed activity already completed on this property, indicate month and year of completion.

There are approximately 123 derelict pilings, one steel ball, and one steel cylinder located on the property. The site is state-owned aquatic land that is designated as a harbor area. There are no exclusive uses of the property, rather it is open to recreational uses such as boating.

Is the property agricultural land? ☐ YES ☒ NO Are you a USDA program participant? ☐ YES ☒ NO

7a. Describe the proposed work that needs aquatic permits: Complete plans and specifications should be provided for all work waterward of the ordinary high water mark or line, including types of equipment to be used. If applying for a shoreline permit, describe all work within and beyond 200 feet of the ordinary high water mark. If you have provided attached materials to describe your project, you still must summarize the proposed work here. Attach a separate sheet if additional space is needed.

Washington State DNR is proposing to remove approximately 123 derelict pilings, one steel ball, and one steel cylinder which are located on state-owned aquatic lands (SOAL) on the eastern shores of Lake Washington, north of May Creek. This site is located in the W ½ of the SW ¼ Section 29, Township 24, Range 5. The county parcels include 2924059014 and 2924059013.

The pilings will be extracted using a vibratory hammer that is mounted on a barge. A collar will be fastened around the pilings and will pull up the piling while vibrating it out of the sediment. Once the pilings are pulled from the sediment the vibratory hammer will be turned off. The pilings will be placed on the barge and disposed of off site. Pilings that break will be pulled out of the sediment with a clam shell bucket.

Some areas within the project area are part of a larger Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup of the upland property and lake sediments. The management of this cleanup is being led by the Environmental Protection Agency. Map #2 indicates the areas within the Harbor Area that will undergo future cleanup of polynuclear aromatic hydrocarbons (PAH) and woodwaste.

Pilings that are located in the sediment that contains Polynuclear aromatic hydrocarbons (PAH) will be cut at the mud line. This includes approximately 28 pilings located on the attached Map #1 at GPS points 4 and 31. The bottom sediments will not be swept to search for underwater piles in this known contaminated area.

The steel ball and steel cylinder are floating on the lake and anchored to the bedland. These two improvements will be removed by extracting or lifting their anchors from the sediments or cutting the chain and leaving the anchor in place.

PREPARATION OF DRAWINGS: See sample drawings and guidance for completing the drawings. ***ONE SET OF ORIGINAL OR GOOD QUALITY REPRODUCIBLE DRAWINGS MUST BE ATTACHED.*** NOTE: Applicants are encouraged to submit photographs of the project site, but these DO NOT substitute for drawings. ***THE CORPS OF ENGINEERS AND COAST GUARD REQUIRE DRAWINGS ON 8-1/2 X 11 INCH SHEETS. LARGER DRAWINGS MAY BE REQUIRED BY OTHER AGENCIES.***

7b. Describe the purpose of the proposed work and why you want or need to perform it at the site. Please explain any specific needs that have influenced the design.

The purpose of this work is to remove the 123 derelict pilings, steel ball and steel cylinder from state-owned property on Lake Washington. The removal of these derelict structures will improve the navigability of the lake and enhance the nearshore environment and benefit migrating juvenile salmon.

7c. Describe the potential impacts to characteristic uses of the water body. These uses may include fish and aquatic life, water quality, water supply, recreation and aesthetics. Identify proposed actions to avoid, minimize, and mitigate detrimental impacts and provide proper protection of fish and aquatic life. Identify which guidance documents you have used. Attach a separate sheet if additional space is needed.

Some potential impacts of the project could be:

Noise impacts to fish species. This is mitigated by completing the project within the in-water work window of July 16, 2006 to December 31, 2006, to prevent any disturbance to fish.

There will be a temporary increase in localized emissions from the equipment that will be used to remove the pilings however effects are expected to be minimal.

Suspension of sediments in the lake. Suspension of sediments will be prevented by turning off the vibratory hammer once the pilings have been pulled from the sediments. Piles will not be washed off in the water. The contractor will be required to remove pilings slowly to reduce the amount of sediment that is displaced during the extraction process. Approximately 28 pilings that are located in sediments containing PAH will be cut off at the mudline to prevent any resuspension of contaminated sediments.

This project is not expected to cause any impacts to the water. However, a barge and the associated equipment for piling removal will be located at the site. Spill Prevention, Control and Countermeasures (SPCC) Plans will be developed with the selected contractor. The SPCC Plan will outline measures to be taken to prevent release or spread of discharged materials including those the contractor may store, use, or generate during construction activities. These items include, but are not limited to gasoline, oils, and chemicals.

7d. For in water construction work, will your project be in compliance with the State of Washington water quality standards for turbidity WAC 173.201A-110? [x] YES [ ] NO (See USEFUL DEFINITIONS AND INSTRUCTIONS)

8. Will the project be constructed in stages? YES [ ] NO [x]

Proposed starting date: December 2006

Estimated duration of activity: Five days

9. Check if any temporary or permanent structures will be placed:

[ ] Waterward of the ordinary high water mark or line for fresh or tidal waters AND/OR

[ ] Waterward of the mean higher high water for tidal waters?

10. Will fill material (rock, fill, bulkhead, or other material) be placed:

[ ] Waterward of the ordinary high water mark or line for fresh waters? Sand will be placed in the holes that remain after the removal of the pilings.

If **YES**, VOLUME (cubic yards) / AREA (acres)

[ ] Waterward of the mean higher high water for tidal waters?

If **YES**, VOLUME (cubic yards) / AREA (acres)

11. Will material be placed in wetlands? ☐ YES ☒ NO

If **YES**:

A. Impacted area in acres:

B. Has a delineation been completed? **If YES**, please submit with application. ☐ YES ☒ NO

C. Has a wetland report been prepared? **If YES**, please submit with application ☐ YES ☒ NO

D. Type and composition of fill material (e.g., sand, etc.)

E. Material source:

F. List all soil series (type of soil) located at the project site, and indicate if they are on the county's list of hydric soils. Soils information can be obtained from the natural Resources Conservation Service (NRCS).

G. WILL PROPOSED ACTIVITY CAUSE FLOODING OR DRAINING OF WETLANDS? ☐ YES ☒ NO

If **YES**, IMPACTED AREA IS _____ ACRES OF DRAINED WETLANDS.

NOTE: If your project will impact greater than ½ of an acre of wetland, submit a mitigation plan to the Corps and Ecology for approval along with the JARPA form.

NOTE: A 401 water quality certification will be required from Ecology in addition to an approved mitigation plan if your project impacts wetlands that are: a) greater than ½ acre in size, or b) tidal wetlands or wetlands adjacent to tidal water. Please submit the JARPA form and mitigation plan to Ecology for an individual 401 certification if a) or b) applies.

12. Stormwater Compliance for Nationwide Permits Only: This project is (or will be) designed to meet ecology's most current stormwater manual, or an Ecology approved local stormwater manual. ☐ YES ☐ NO

If **YES** – Which manual will your project be designed to meet? _____

If **NO** – For clean water act Section 401 and 404 permits only – Please submit to Ecology for approval, along with this JARPA application, documentation that demonstrates the stormwater runoff from your project or activity will comply with the water quality standards, WAC 173.201(A)

13. Will excavation or dredging be required in water or wetlands? ☐ YES ☒ NO

If **YES**:

A. Volume: _____ (cubic yards) /area _____ (acre)

B. Composition of material to be removed: _____

C. Disposal site for excavated material: _____

D. Method of dredging: _____

14. Has the State Environmental Policy Act (SEPA) been completed ☐ YES ☒ NO

SEPA Lead Agency: City of Renton, Completed and turned in SEPA application on August 31, 2007.

SEPA Decision: DNS, MDNS, EIS, Adoption, Exemption Decision Date (end of comment period)

SUBMIT A **COPY OF YOUR SEPA DECISION LETTER** TO WDFW AS REQUIRED FOR A COMPLETE APPLICATION

15. List other Applications, approvals or certifications from other federal, state or local agencies for any structures, construction discharges or other activities described in the application (i.e. preliminary plat approval, health district approval, building permit, SEPA review, federal energy regulatory commission license (FERC), Forest practices application, etc.). Also, indicate whether work has been completed and indicate all existing work on drawings. NOTE: For use with Corps Nationwide Permits, identify whether your project has or will need an NPDES permit for discharging wastewater and/or stormwater.

TYPE OF APPROVAL	ISSUING AGENCY	IDENTIFICATION NO.	DATE OF APPLICATION	DATE APPROVED	COMPLETED?
Shoreline Substantial Development	City of Renton		8/31/06		
Hydraulic Project Approval	WDFW		8/31/06		
Section 10	US Army Corps		8/31/06		

16. Has any agency denied approval for the activity you're applying for or for any activity directly related to the activity described herein?

☐ YES ☒ NO

If **YES**, explain:

SECTION B - Use for Shoreline and Corps of Engineers permits only:

17a. Total cost of project. This means the fair market value of the project, including materials, labor, machine rentals, etc.

approximately $35,000

17b. If a project or any portion of a project receives funding from a federal agency, that agency is responsible for ESA consultation. Please indicate if you will receive federal funds and what federal agency is providing those funds. See instructions for information on ESA.*

FEDERAL FUNDING ☐ YES ☒ NO If **YES**, please list the federal agency.

18. Local government with jurisdiction: City of Renton

19. For Corps, Coast Guard and DNR permits, provide names, addresses and telephone numbers of adjoining property owners, lessees, etc. - ***Please note:*** *Shoreline Management Compliance may require additional notice – consult your local government.*

NAME	ADDRESS	PHONE NUMBER
Robert Cugini	P.O. Box 359, Renton WA 98057	425-226-3900
Port Quendall Company	C/O Vulcan Inc 505 5th Ave S #900 Seattle, WA 98104	206-342-2000
J.H. Baxter & Company	85 N. Baxter Rd Eugene, OR 97401	541-689-1834

SECTION C - This section MUST be completed for any permit covered by this application

20. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed, in-progress or completed work. I agree to start work **ONLY** after all necessary permits have been received..

SIGNATURE OF APPLICANT	DATE 8/30/06
SIGNATURE OF AUTHORIZED AGENT	DATE

I HEREBY DESIGNATE_____TO ACT AS MY AGENT IN MATTERS RELATED TO THIS APPLICATION FOR PERMIT(S). I UNDERSTAND THAT IF A FEDERAL PERMIT IS ISSUED, I MUST SIGN THE PERMIT.

SIGNATURE OF APPLICANT DATE

SIGNATURE OF LANDOWNER (EXCEPT PUBLIC ENTITY LANDOWNERS, E.G. DNR)

THIS APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE AGENT, IF AN AUTHORIZED AGENT IS DESIGNATED.

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than 5 years or both.

COMPLETED BY LOCAL OFFICIAL

A. Nature of the existing shoreline. (Describe type of shoreline, such as marine, stream, lake, lagoon, marsh, bog, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap; and extent and type of bulkheading, if any)

B. In the event that any of the proposed buildings or structures will exceed a height of thirty-five feet above the average grade level, indicate the approximate location of and number of residential units, existing and potential, that will have an obstructed view:

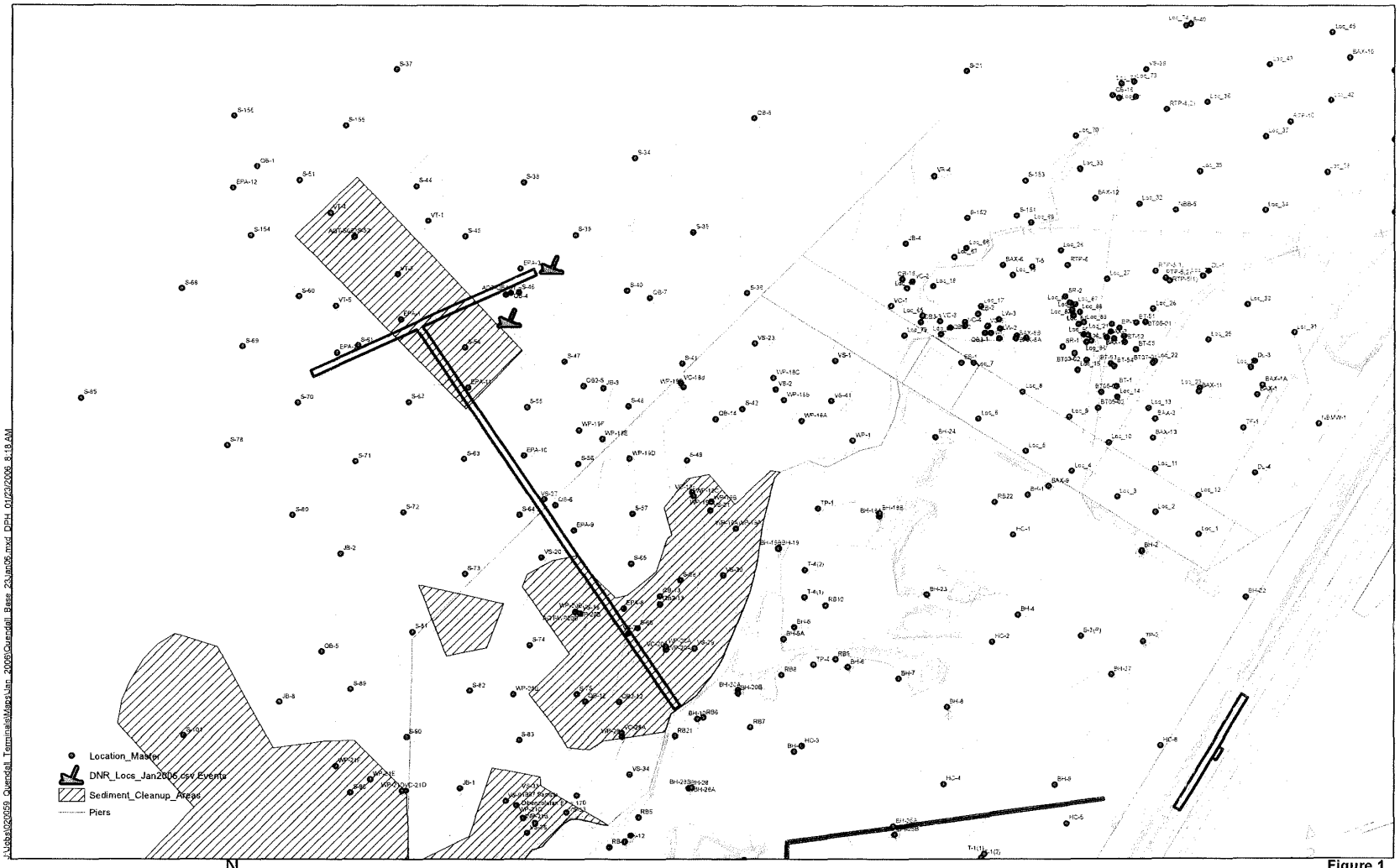
C. If the application involves a conditional use or variance, set forth in full that portion of the master program which provides that the proposed use may be a conditional use, or, in the case of a variance, from which the variance is being sought:

Lake Washington
Derelict Piling Removal
8/8/06
N
0 150 300 600 900 1,200
Feet
Lake Washington
GPS Piling Points
Shoreline
Harbor Area
DNR Managed Aquatic Lands
King County Tax Parcel
200 Foot Long Dry Docks
WASHINGTON STATE DEPARTMENT OF
Natural Resources
Doug Sutherland - Commissioner of Public Lands

Lake Washington Derelict Piling Data from 5-18-06

GPS Points	Number of pilings	Latitude	Longitude	Y Lat	X Lon
1	floating dry dock	N 47° 32.093'	W 122° 12.248'	47.534883	-122.204133
2	floating dry dock	N 47° 32.086'	W 122° 12.296'	47.534766	-122.204933
3	metal cylinder	N 47° 32.105	W 122° 12.315'	47.535083	-122.20525
4	18	N 47° 32.051'	W 122° 12.356'	47.534183	-122.20593
5	6	N 47° 32.001'	W 122° 12.421'	47.53335	-122.20701
6	4	N 47° 31.914'	W 122° 12.453	47.5319	-122.20755
7	3	N 47° 31.904'	W 122° 12.396'	47.531733	-122.2066
8	2	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
9	2	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
10	3	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
11	3	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
12	2	N 47° 31.935'	W 122° 12.349'	47.53225	-122.20581
13	3	N 47° 31.928'	W 122° 12.405'	47.532133	-122.20675
14	4	N 47° 31.950'	W 122° 12.408'	47.5325	-122.2068
15	3	N 47° 31.955'	W 122° 12.369'	47.532583	-122.20615
16	3	N 47° 31.955'	W 122° 12.347'	47.532583	-122.205783
17	2	N 47 31.935'	W 122° 12.346'	47.53225	-122.205766
18	1	N 47° 32.078'	W 122° 12.215'	47.534633	-122.203583
19	1	N 47° 32.094'	W 122° 12.208'	47.5349	-122.203466
20	1	N 47° 32.098'	W 122° 12.206'	47.534966	-122.203433
21	8	N 47° 32.112'	W 122° 12.198'	47.5352	-122.2033
22	3	N 47° 32.111'	W 122° 12.160'	47.535183	-122.202666
23	3	N 47° 32.095'	W 122° 12.169'	47.534916	-122.202816
24	3	N 47° 32.089'	W 122° 12.173'	47.534816	-122.202883
25	3	N 47° 32.074'	W 122° 12.180'	47.534566	-122.203
26	6	N 47° 32.115'	W 122° 12.243'	47.53525	-122.20405
27	9	N 47° 32.211'	W 122° 12.169'	47.53685	-122.202816
28	9	N 47° 32.210'	W 122° 12.104'	47.536833	-122.201733
29	8	N 47° 32.200'	W 122° 12.056'	47.536666	-122.200933
30	metal ball	N 47° 32.258'	W 122° 12.107'	47.537633	-122.201783
31	10	N 47° 32.0472	W 122° 12.345'	47.53412	-122.20575
total pilings	**123**				

Explanation of Areas	Total Pilings
Adjacent to Port Quendall upland	26
Adjacent to QT not w/in PAH	48
Woodwaste area	21
PAH area	28
total pilings	123

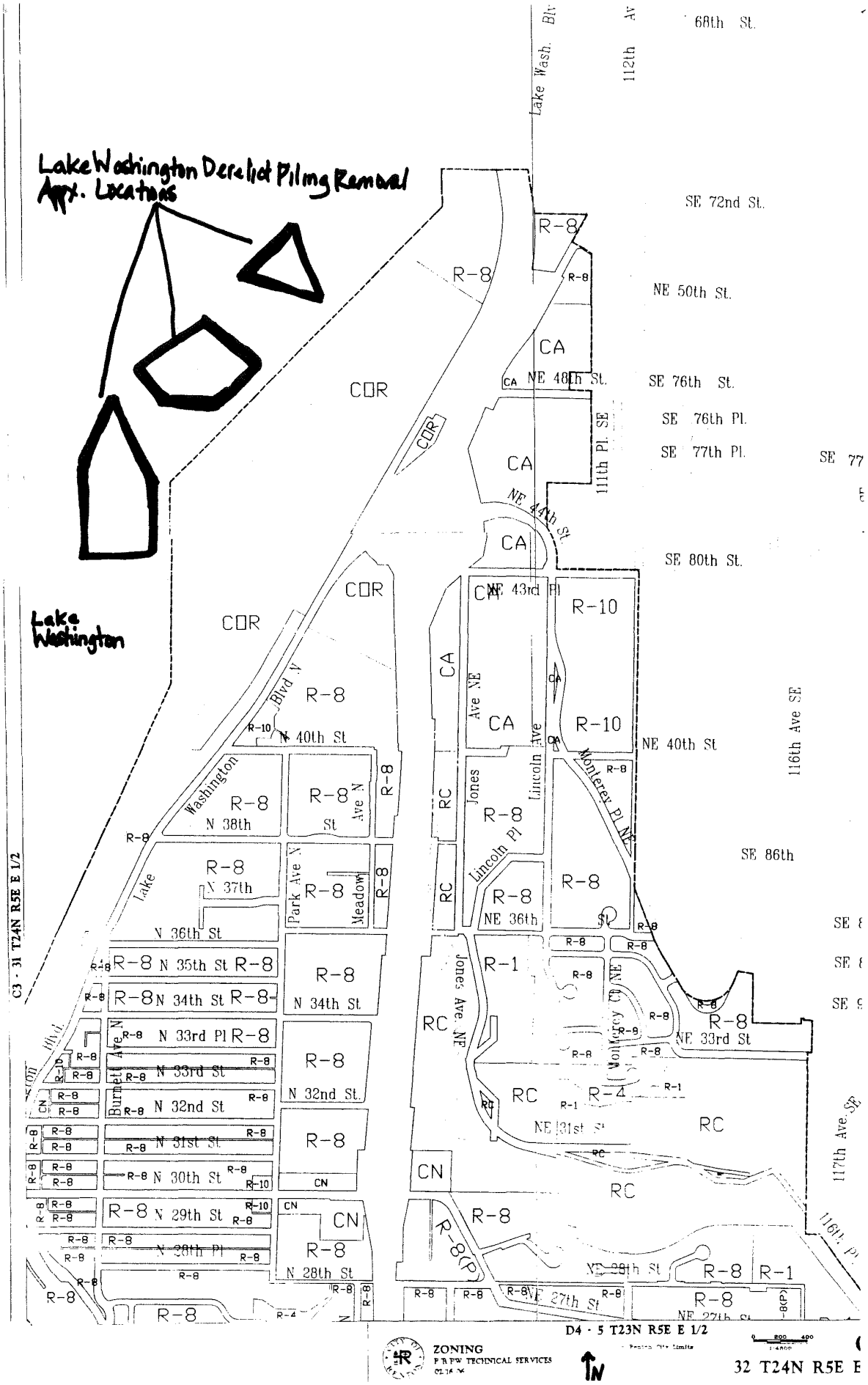


N

0 40 80 160 240 320 Feet

ANCHOR ENVIRONMENTAL, L.L.C.

Figure 1
Port Quendall Terminals
DNR GIS Points and Sample Locations


Lake Washington Derelict Piling Removal
Appx. Locations
Lake Washington
68th St.
112th Av
Lake Wash. Blv
SE 72nd St.
NE 50th St.
SE 76th St.
SE 76th Pl.
SE 77th Pl.
111th Pl. SE
NE 44th St
SE 80th St.
NE 43rd Pl
NE 40th St
116th Ave SE
SE 86th
NE 33rd St
117th Ave SE
116th Pl
NE 31st St
NE 28th St
NE 27th St
N 40th St
N 38th
N 37th
N 36th St
N 35th St
N 34th St
N 33rd Pl
N 33rd St
N 32nd St
N 31st St
N 30th St
N 29th St
N 28th Pl
N 28th St
Washington Blvd N
Lake
Park Ave N
Meadow
Burnett Ave N
Jones Ave NE
Lincoln Pl
Lincoln Ave
Monterey Pl NE
Monterey Ct NE
C3 - 31 T24N R5E E 1/2
D4 - 5 T23N R5E E 1/2
32 T24N R5E E
ZONING
P R PW TECHNICAL SERVICES
N

DNR-008294

City of Renton

LAND USE PERMIT MASTER APPLICATION

PROPERTY OWNER(S)

NAME	State Department of Natural Resources
ADDRESS:	950 Farman Avenue North
CITY:	Enumclaw ZIP: 98022
TELEPHONE NUMBER:	(360) 825-1631

APPLICANT (if other than owner)

NAME:	
COMPANY (if applicable):	
ADDRESS:	
CITY:	ZIP:
TELEPHONE NUMBER	

CONTACT PERSON

NAME:	Monica Durkin
COMPANY (if applicable):	WADNR
ADDRESS:	950 Farman Avenue North
CITY	Enumclaw ZIP: 98022
TELEPHONE NUMBER AND E-MAIL ADDRESS:	(360) 825-1631 ext. 2006 monica.durkin@wadnr.gov

PROJECT INFORMATION

PROJECT OR DEVELOPMENT NAME: **Lake Washington Derelict Piling Removal**

PROJECT/ADDRESS(S)/LOCATION AND ZIP CODE:

Lake Washington, Sec. 29, Township 24N, Range 5E

KING COUNTY ASSESSOR'S ACCOUNT NUMBER(S):

2924059014 and 2924059013

EXISTING LAND USE(S): **Open Harbor Area**

PROPOSED LAND USE(S): **None**

EXISTING COMPREHENSIVE PLAN MAP DESIGNATION: **COR**

PROPOSED COMPREHENSIVE PLAN MAP DESIGNATION (if applicable): **No change**

EXISTING ZONING: **COR 2**

PROPOSED ZONING (if applicable): **No change**

SITE AREA (in square feet): **covers approximately 36 acres**

SQUARE FOOTAGE OF PUBLIC ROADWAYS TO BE DEDICATED: **0**

SQUARE FOOTAGE OF PRIVATE ACCESS EASEMENTS: **0**

PROPOSED RESIDENTIAL DENSITY IN UNITS PER NET ACRE (if applicable): **N/A**

NUMBER OF PROPOSED LOTS (if applicable): **N/A**

NUMBER OF NEW DWELLING UNITS (if applicable): **N/A**

PROJECT INFORMATION (continued)

NUMBER OF EXISTING DWELLING UNITS (if applicable): N/A	PROJECT VALUE: **$35,000**
SQUARE FOOTAGE OF PROPOSED RESIDENTIAL BUILDINGS (if applicable): **N/A**	IS THE SITE LOCATED IN ANY TYPE OF ENVIRONMENTALLY CRITICAL AREA, PLEASE INCLUDE SQUARE FOOTAGE (if applicable):
SQUARE FOOTAGE OF EXISTING RESIDENTIAL BUILDINGS TO REMAIN (if applicable): N/A	❑ AQUIFER PROTECTION AREA ONE
SQUARE FOOTAGE OF PROPOSED NON-RESIDENTIAL BUILDINGS (if applicable): N/A	❑ AQUIFER PROTECTION AREA TWO
SQUARE FOOTAGE OF EXISTING NON-RESIDENTIAL BUILDINGS TO REMAIN (if applicable): N/A	❑ FLOOD HAZARD AREA _____ sq. ft.
NET FLOOR AREA OF NON-RESIDENTIAL BUILDINGS (if applicable): **N/A**	❑ GEOLOGIC HAZARD _____ sq. ft.
NUMBER OF EMPLOYEES TO BE EMPLOYED BY THE NEW PROJECT (if applicable): N/A	❑ HABITAT CONSERVATION _____ sq. ft.
	❑ SHORELINE STREAMS AND LAKES _____ sq. ft.
	❑ WETLANDS _____ sq. ft.

LEGAL DESCRIPTION OF PROPERTY

(Attach legal description on separate sheet with the following information included)

SITUATE IN THE W1/2 of SW 1/4 QUARTER OF SECTION 29, TOWNSHIP 24N, RANGE 5E, IN THE CITY OF RENTON, KING COUNTY, WASHINGTON.

TYPE OF APPLICATION & FEES

List all land use applications being applied for:

1. Shoreline Exemption
2. _____
3. _____
4. _____

Staff will calculate applicable fees and postage: $_____

AFFIDAVIT OF OWNERSHIP

I, (Print Name/s) FRANCEA L. McNAIR, declare that I am (please check one) ____ the current owner of the property involved in this application or ✓ the authorized representative to act for a corporation (please attach proof of authorization) and that the foregoing statements and answers herein contained and the information herewith are in all respects true and correct to the best of my knowledge and belief.

(Signature of Owner/Representative)

(Signature of Owner/Representative)

I certify that I know or have satisfactory evidence that FRANCEA L McNAIR signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in the instrument.

Notary Public in and for the State of Washington

PHYLLIS KLEIST COMMISSION EXPIRES NOTARY PUBLIC 7-25-08 STATE OF WASHINGTON

Notary (Print) PHYLLIS KLEIST

My appointment expires: 07.25.08

Legal Description

That portion of the Harbor Area in front of Government Lots 4 and 5, W ½ of the SW ¼ Section 29, Township 24 North, Range 5 East, W.M., lying between the Inner and Outer Harbor Lines of Lake Washington as the same were established by the State of Washington, as shown on Plat 29 of Lake Washington Shorelands.

DELEGATION ORDER

Authority to act on behalf of the Commissioner and the Department is specifically retained or delegated by the Commissioner of Public Lands, the Department Stewards, and Executive Directors, as set forth below. Delegated authority may be further delegated unless specifically addressed in this policy. Each level retains the authority delegated by this policy to their employees and may recall any delegated authority so long as notice is given to the Commissioner. Authority delegated by the Commissioner under this policy may be changed only by the Commissioner. Authority delegated by the Department Stewards and Executive Directors may be changed only by the Department Stewards and Executive Directors.

Commissioner. The Commissioner may recall or exercise any delegated authority. The Commissioner delegates all authority necessary to operate the Department of Natural Resources to the Department Stewards and Executive Directors except the following, which shall be exercised exclusively by the Commissioner:

- The authority to enter into any contract or award any grant greater than $250,000 that has not otherwise been approved in the budget process. This reservation of authority shall not apply to the approval of timber sale contracts and geoduck sale contracts;

- The authority to concur with the Attorney General's Office in the settlement of any litigation or claims greater than $250,000;

- The authority to make adjustments to the budget allotment which are greater than $250,000;

- The authority to purchase, sell, or exchange any real property subject to approval by the Board of Natural Resources;

- The authority to approve any long-term commitment which obligates the Department or encumbers any of its resources, whether by lease, easement, contract or memorandum of understanding or agreement and amendments to long-term commitments when the amendment constitutes a material change to the commitment. For purposes of this delegation, long-term means any commitment, other than preference grazing permits, greater than fifteen (15) years, calculated using the original term plus any commitments for preferential renewal or extension. Preference grazing permits shall be considered short-term commitments;

- The authority to approve any contract or action that by statute must be approved solely by the Commissioner (such as coal leases, oil and gas leases, vacation of waterways, and any Commissioner Orders);

- The authority to hire, appoint, or discipline any exempt employee. This includes the exclusive ability to terminate exempt employees.

Deputy Commissioner. The Deputy Commissioner's authority is set forth in RCW 79.01.056.

Department Stewards and Executive Directors (Supervisors). The authority of the Department Stewards and Executive Directors, all having been appointed Department Supervisors, is set forth in RCW 43.30.170. In addition, the Stewards and Executive Directors are delegated the authority to act on behalf of the Department on any matter, contract, commitment or activity not specifically reserved to the Commissioner and to ensure the smooth day-to-day operations of the Department. The Stewards and Executive Directors delegate all authority necessary to operate the Department of Natural Resources to the lower levels of the Department described in this delegation order, except for the following authorities, which shall be reserved to the Stewards and Executive Directors and not further delegated, except during times of extended absences these reserved authorities may also be delegated:

- The authority to enter into any contract or award any grant greater than $50,000 but no more than $250,000 when such contract or grant has not otherwise been approved in the budget process. This reservation of authority shall not apply to the approval of timber sale contracts and geoduck sale contracts;

- The authority to concur with the Attorney General's Office in the settlement of any litigation or claims greater than $50,000 but no more than $250,000;

- The authority to approve the budget and to make any adjustments to budget allotments which are greater than $50,000, but no more than $250,000;

- The authority, with the consent of the Commissioner, to organize top management of the Department and to organize the Department into subordinate divisions and regions;

- The authority to hire, appoint, or discipline all permanent employees for which the authority to hire, appoint, or discipline has not been delegated to Division or Region Managers;

- The authority to approve any reductions-in-force;

- The authority to approve or disapprove leave without pay for greater than 30 days or any educational leave;

- The authority to approve the hiring or reallocation/reclassification of all new or vacant positions within the Washington Management Service (WMS);

- The authority to approve the creation of any new positions or the reallocation/reclassification or elimination of any existing positions;

- The authority to approve, after consultation with the Commissioner, all new rules promulgated by the Department, except for those which require approval by the Board of Natural Resources or the Forest Practices Board.

Division Managers. The Division Managers, in addition to providing advice, plans, suggestions and recommendations to their designated Steward or Executive Director, act as line managers to the extent required to maintain their responsibilities for control of functional activities assigned to them. They are delegated responsibility for the successful, cost-effective operation of assigned programs. Division Managers exercise overall program administrative responsibilities for program design, development, planning and budgeting. Division Managers are responsible for assuring their programs are properly implemented in the field through the Region Managers. Division Managers are delegated the authority to act on behalf of the Department on any matter, contract, commitment or activity within their functional area unless specifically reserved to the Commissioner, Stewards, or Executive Directors, and to ensure the smooth day-to-day operations of the programs or units which they manage. During times of extended absences, such as vacations, Division Managers may further delegate all or any part of their authority except discipline or termination decisions.

Except for delegations during extended absences, the Division Managers shall not further delegate the following delegated authority:

- The authority to enter into any contract, or apply for, accept or award any grant;

- The authority to concur with the Attorney General's Office in the settlement of any litigation or claims of $50,000 or less;

- The authority to approve any short-term commitments that obligate the Department or encumber any of its resources that are not the responsibility of a specific region manager, whether by lease, easement, contract or memorandum of understanding or agreement. For purposes of this delegation, short-term means any commitment equal to or less than fifteen (15) years, calculated using the original term plus any commitments for preferential renewal or extension;

- The authority to approve assignments of long-term commitments and the authority to approve amendments to long-term commitments so long as the amendments do not constitute a material change to the commitment;

- The authority to change the organizational structure within their division, after consultation with the appropriate Steward or Executive Director;

- The authority to hire, appoint, discipline, and terminate all positions in their division;
- The authority to spend their allotments;
- The authority to approve guidelines to implement the various policies that impact their division.

Region Managers. Region Managers are responsible for managing the affairs of the Department in designated large geographic areas. They have line authority extending down through their assistants to the units in the field. While they report directly to the Lands Steward or Aquatic Steward, they will also receive direction from other members of the Executive Team. With the exception of the Aquatics Region, Region Managers will generally receive functional direction through the Division Managers, but may also receive functional direction from the Operations Manager. The Operations Manager will generally represent operations issues to the Executive Team and Division Managers. The Aquatics Region Manager will follow policy direction from the Aquatics Division Manager. Balancing of functional activities and major personnel decisions within the region is the responsibility of the Region Manager. The Region Managers are delegated the authority to act on behalf of the Department on any matter, contract, commitment or activity within their regional boundaries unless specifically reserved to the Commissioner, Stewards, Executive Directors, or Division Managers, and to ensure the smooth day-to-day operations of the programs or units which they manage. During times of extended absences, such as vacations, Region Managers may further delegate all or any part of their authority except discipline or termination decisions.

Except for delegations during extended absences, the Region Managers shall not further delegate the following delegated authority:

- The authority to enter into any contract, or apply for, accept or award any grant;
- The authority to concur with the Attorney General's Office in the settlement of any litigation or claims of $50,000 or less;
- The authority to approve any short-term commitments that obligate the Department or encumber any of its resources within the region's geographic boundaries, whether by lease, easement, contract or memorandum of understanding or agreement. For purposes of this delegation, short-term means any commitment equal to or less than fifteen (15) years, calculated using the original term plus any commitments for preferential renewal or extension. Preference grazing permits shall be considered short-term commitments;

- The authority to approve assignments of long-term commitments and the authority to approve amendments to long-term commitments so long as the amendments do not constitute a material change to the commitment;
- The authority to approve timber sale contracts, regardless of the dollar amount;
- The authority to change the organizational structure within their region, after consultation with the appropriate Steward or Executive Director;
- The authority to hire, appoint, discipline, and terminate all positions in their region;
- The authority to spend their allotments;
- **Aquatics region exceptions to non-delegable authority**: In the Aquatics Region only, the Aquatics Region Manager may delegate to assistant region managers the authority to approve any short-term commitments, and the authority to approve assignments or non-material amendments to long-term commitments. Aquatics Region assistant managers may not further delegate these authorities.

SPECIAL DELEGATIONS

Presiding Officers of Brief Adjudicative Proceedings. Region managers and assistant region managers are designated to serve as the presiding officers of brief adjudicative proceedings for matters arising within regions.

Emergency Fire Suppression. Region Managers and the Resource Protection Division Manager are responsible for fire suppression efforts and need the corresponding authority to fulfill those responsibilities. During emergency fire suppression actions Region Managers, the Resource Protection Division Manager, and their designees, shall have the authority to enter into contracts regardless of amount within normal department purchasing authorities, to authorize expenditures regardless of amount, and to hire and terminate temporary employees utilized in the emergency fire suppression actions. This special delegation supercedes any inconsistent reservation of authorities contained in the delegation order.

State Forester. The role of the State Forester is one that arises from federal programs related to fire, landowner assistance, and other resource protection programs. The Executive Director for Regulatory Programs is hereby designated as the State Forester and authorized to carry out those functions as set forth in state and federal law and shall represent the Department at the National Association of State Foresters and the Council of Western State Foresters.

Law Enforcement Officers. In order to have the authority to utilize the full police power of custodial arrest and the ability to carry and use firearms, each appropriate law enforcement

officer in the Department must have a specific individualized delegation of authority signed by the Commissioner of Public Lands.

Public Records Officer. The Department's Section Administrator in the Title and Records Office is delegated the authority of Records Officer for the Commissioner of Public Lands. Such authority may be further delegated only when the Section Administrator is absent.

Internal Auditor. The Commissioner shall by separate order designate the Internal Auditor for the Department. The Internal Auditor shall report directly to the Commissioner.

DNR Supply Officer. The purchase of goods and services must be consistent with procedures published by the Office of State Procurements. The DNR Supply Officer is responsible and has the authority for making purchases on behalf of the divisions and/or regions for the amounts specified by the DNR Purchasing Authorities. Within this authority, the DNR Supply Officer is responsible and has the authority for developing and publishing the DNR Purchasing Authorities in accordance with the authorities delegated by the Office of State Procurement and DNR Policy Manuals.

IMPLEMENTATION

Monitoring Process. The Stewards and Executive Directors have the responsibility to monitor the exercise of delegated authority by every employee in the Department. This shall be done through periodic audits, quarterly performance reports, and specific reporting on the use of delegated authority. The Stewards and Executive Directors shall develop a systematic method for reporting on the exercise of delegated authority and shall annually apprise the Commissioner of the status.

Approval Date: November 5, 2001 Approved By: Doug Sutherland
DOUG SUTHERLAND
Commissioner of Public Lands

Approved By: Bruce Mackey
Bruce Mackey
Lands Steward

Approved By: Bonnie Bunning
Bonnie Bunning
Executive Director of
Policy and Administration

Approved By: Fran McNair
Fran McNair
Aquatics Steward

Approved By: Pat McElroy
Pat McElroy
Executive Director of
Regulatory Programs

DEVELOPMENT SERVICES DIVISION

ENVIRONMENTAL CHECKLIST

City of Renton Development Services Division
1055 South Grady Way, Renton, WA 98055
Phone: 425-430-7200 Fax: 425-430-7231

PURPOSE OF CHECKLIST:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTIONS FOR APPLICANTS:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions (actions involving decisions on policies, plans and programs), the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Lake Washington Derelict Piling Removal

2. Name of applicant:

Washington State Department of Natural Resources (DNR)

3. Address and phone number of applicant and contact person:

Monica Durkin
950 Farman Avenue North
Enumclaw, WA 98022
(360) 825-1631 ext. 2006

4. Date checklist prepared:

August 30, 2006

5. Agency requesting checklist:

City of Renton

6. Proposed timing or schedule (including phasing, if applicable):

The project will be completed within the in-water work window of July 16, 2006 to December 31, 2006. The project is expected to be completed in five work days and should not take any longer than two weeks.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

As shown on attached Map #2 areas within the project site will be included in a future sediment cleanup led by the Environmental Protection Agency under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Portions of the project site contain Polynuclear aromatic hydrocarbons (PAH) contamination and wood waste.

10. List any governmental approvals or permits that will be needed for your proposal, if known.

Shoreline Substantial Development Permit, City of Renton
Hydraulic Permit Approval (HPA), Washington Department of Fish and Wildlife
Section 10, Army Corps of Engineers

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site.

Washington State DNR is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float which are located on state-owned aquatic lands (SOAL) on the eastern shores of Lake Washington, north of May Creek. See Map #1.

The pilings will be extracted using a vibratory hammer that is mounted on a barge. A collar will be fastened around the pilings and will pull up the piling while vibrating it out of the sediment. Once the pilings are pulled from the sediment the vibratory hammer will be turned off. The pilings will be placed on the barge and disposed of off site. Pilings that break will be pulled out of the sediment with a clam shell bucket. The contractor will be required to remove pilings slowly to reduce the amount of sediment that is displaced during the extraction process. Piles will not be washed off in the water. Any debris that is associated with the removal will be picked up and placed on the barge.

Some areas within the project area are part of a larger CERCLA cleanup of the upland property and lake sediments. Map #2 indicates the areas within the Harbor Area that will undergo future cleanup of polynuclear aromatic hydrocarbons (PAH) and woodwaste. Pilings that are located in the Polynuclear aromatic hydrocarbons (PAH) areas will be cut at the mud line. This includes approximately 28 pilings located on the attached Map #1 at GPS points 4 and 31. The bottom sediments will not be swept to search for underwater piles in known contaminated areas.

The steel ball and steel cylinder are floating on the lake and anchored to the bedland. These two improvements will be removed by extracting or lifting their anchors from the sediments or cutting the chain and leaving the anchor in place.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

This site is located on the eastern shores of Lake Washington, north of the mouth of May Creek. It is located in the W ½ of the SW ¼ Section 29, Township 24N, Range 5E. This site is located on state-owned aquatic land that is within the Harbor Area of Lake Washington. The parcel numbers for this site include 2924059014 and 2924059013. The area proposed for piling and dolphin removal can be seen on the attached Map #3. These dolphins and pilings are spread out in an area that is approximately 36 acres. These bedlands are managed for the public by the State Department of Natural Resources, Aquatic Resources Program.

B. ENVIRONMENTAL ELEMENTS

1. EARTH

a. General description of the site (circle one); flat, rolling, hilly, steep slopes, mountainous, **other: gently sloped aquatic lands below the ordinary high water mark, which include freshwater bedlands in the harbor area of Lake Washington**.

b. What is the steepest slope on the site (approximate percent slope?)

1.6% slope

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Generally the lake bottom sediment at this site is a silty mud with a few patches of sandy substrate. The southern portion of the site where approximately 21 pilings are located is littered with woodwaste.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

The recently discovered Seattle Fault runs directly under Mercer Island and through Lake Washington, however in the proposal area there is no known history of unstable soils or surface indications of any unstable soils. This site is not designated as a landslide hazard on the King County Sensitive Areas Ordinance map.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

No filling or grading is proposed.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Localized disturbance may occur as a result of removing pilings that are embedded deep in the sediments. All efforts will be taken to minimize this disturbance, which will be temporary and insignificant.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This proposal will not create any impervious surfaces.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

The contractor will be required to remove pilings slowly to reduce the amount of sediment that is displaced during the extraction process. Pilings located near the Polynuclear aromatic hydrocarbons (PAH) contamination will be cut at the mud line to prevent remobilization of buried PAHs.

2. AIR

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

There will be a temporary increase in localized emissions from the equipment that will be used to remove the pilings, however effects are expected to be minimal.

b. Are there any off-site sources of emission or odor that may affect your proposal? If so, generally describe.

There are no off-site sources of emission or odor that will affect the proposal.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Equipment used at the site will meet King County emission requirements.

3. WATER

a. **Surface Water:**

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The proposal is for in-water work within in Lake Washington located on state-owned aquatic land.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

The entire project will occur within Lake Washington. A barge with the appropriate equipment will be used to remove the pilings from the site.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

The proposal will not require surface water withdrawals or diversions.

5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.

This proposal does not lie within the 100-year flood plain. The proposal is located within Lake Washington where the water level is regulated by the Army Corps of Engineers at the Hiram M. Chittenden Locks.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

The proposal does not involve any discharges of waste materials to surface waters.

b. **Ground Water:**

1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No ground water will be withdrawn and no water will be discharged to ground water.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Does not apply.

c. **Water Runoff (including storm water):**

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters, If so, describe.

Does not apply.

2) Could waste material enter ground or surface waters? If so, generally describe.

A barge and its associated equipment will be used to remove the pilings. Oil or other fuels could be released from this equipment.

Debris associated with the pilings and dolphins may come loose.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Spill Prevention, Control and Countermeasures (SPCC) Plans will be developed with the selected contractor. The SPCC Plan will outline measures to be taken to prevent release or spread of discharged materials including those the contractor may store, use, or generate during construction activities. These items include, but are not limited to gasoline, oils, and chemicals.

Pilings will be transferred directly onto the barge after removal. Any debris that is associated with the removal will be picked up and placed on the barge.

4. PLANTS

a. Check or circle types of vegetation found on the site:

____ deciduous tree: alder, maple, aspen, other
____ evergreen tree: fir, cedar, pine, other
____ shrubs
____ grass
____ pasture
____ crop or grain
____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
_X_ water plants: water lily, eel grass, milfoil, other-**milfoil is likely present at the site.**
____ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

No vegetation will be removed or altered.

c. List threatened or endangered species known to be on or near the site.

There are no known threatened or endangered plant species at or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

No planting is proposed. The project occurs below Lake Washington's ordinary high water mark.

5. ANIMALS

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

Birds: **hawk, heron, eagle, songbirds**, other :**osprey, cormorant, domestic quail**
Mammals: deer, bear, elk, beaver, other _____
Fish: **bass, salmon, trout**, herring, shellfish, other: **smelt, stickleback, threespine, freshwater shrimp, pike minnow, prickly sculpin, black crappie, bluegill, pumpkingseed sunfish, trench, and yellow perch.**

b. List any threatened or endangered species known to be on or near the site.

Sockeye salmon (largest population in Washington), cutthroat trout, steelhead salmon, coho salmon (Beauchamp et al 2004), Puget Sound Chinook salmon, bull trout, and bald eagles.

c. Is the site part of a migration route? If so, explain

This site is part of the Pacific Flyway, a major north-south seasonal migration route for many bird species. This site is also a migratory and rearing corridor for Chinook salmon, and Lake Washington contains the largest population of naturally occurring sockeye salmon in Washington State. Most spawning and fry production occur in the Cedar River, just south of the project site.

d. Proposed measures to preserve or enhance wildlife, if any:

This project will remove pilings and dolphins from the lake that currently provide cover, shade, and focal points for predators of juvenile chinook and coho salmon.

All work will occur in accordance with allowed fish windows and bird nesting and migration windows as determined by WDFW.

6. ENERGY AND NATURAL RESOURCES

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Does not apply.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Does not apply.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Does not apply.

7. ENVIRONMENTAL HEALTH

a. Are there any **environmental health hazards**, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

The adjacent upland parcel housed a creosote manufacturing facility. Coal tar and oil-gas tar were refined and processed on the adjacent upland site. Tanks on this site held crude oil, waste oil and diesel. A lease within the harbor area was in place for log storage and booming for many years.

Polynuclear aromatic hydrocarbons (PAH) and woodwaste are located in a few areas of the Harbor Area due to the past uses of the site. See Map #2 for the location of the PAH and woodwaste. Approximately 21 of the pilings are located in an area that has been shown to have woodwaste located in the area. Approximately 28 pilings are located in an area that has been shown to contain some PAH contamination.

Cutting the pilings located in the PAH sediments and removing the pilings located in the woodwaste is not expected to cause any environmental health hazard.

1) Describe special emergency services that might be required.

No need for emergency services are expected.

2) Proposed measures to reduce or control environmental health hazards, if any:

Pilings located in sediments containing Polynuclear aromatic hydrocarbons (PAH) will be cut at the mud line to prevent remobilization of buried PAHs.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Does not apply.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

This proposal will have short term noise associated with the machinery that is needed to removal the pilings.

3) Proposed measures to reduce or control noise impacts, if any:

Removal of the pilings will occur during daylight hours from Monday through Friday. No other unusual noise impacts are expected to occur that would need further measures of control.

8. LAND AND SHORELINE USE

a. What is the current use of the site and adjacent properties?

The site is state-owned aquatic land that is designated as a harbor area. The site is open water that has over 100 derelict pilings located on it. The adjacent properties are Quendall Terminals (parcel 29924059002) a site which is used for upland log storage and the Port Quendall Company (parcel 2924059015) a site which is currently vacant.

b. Has the site been used for agriculture? If so, describe.

No, this site is located below the ordinary high water mark of Lake Washington.

c. Describe any structures on the site.

There are approximately 123 pilings, one steel ball, and one steel cylinder on the site. There are also two, 200 foot long dry docks located in the vicinity of the pilings within the harbor area. This proposal does not include any work related to the dry docks.

d. Will any structures be demolished? If so, what?

No.

e. What is the current zoning classification of the site?

SOAL is generally not classified using upland zoning categories. The adjacent upland property is zoned Commercial/Office/Residential.

f. What is the current comprehensive plan designation of the site?

The site is not included in any comprehensive plan designation. The site is submerged state-owned aquatic land located just outside the City of Renton limits, yet within their adjacent waters jurisdiction and located within unincorporated King County.

g. If applicable, what is the current shoreline master program designation of the site?

Urban.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

This site has not be designated under King County's Sensitive Areas Ordinance.

i. Approximately how many people would reside or work in the completed project?

None.

j. Approximately how many people would the completed project displace?

None.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Does not apply.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

This proposal will improve the navigability of Lake Washington in this area. The project is compatible with the Water Resource Inventory Area (WRIA) 8 Chinook Salmon Conservation Plan.

9. HOUSING

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None, does not apply.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None, does not apply.

c. Proposed measures to reduce or control housing impacts, if any:

Does not apply.

10. AESTHETICS

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed.

Does not apply.

b. What views in the immediate vicinity would be altered or obstructed?

Does not apply, no structures are proposed.

c. Proposed measures to reduce or control aesthetic impacts, if any:

Does not apply. The proposed project will increase the aesthetic quality of the site.

11. LIGHT AND GLARE

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No, does not apply.

c. What existing off-site sources of light or glare may affect your proposal?

None.

d. Proposed measures to reduce or control light and glare impacts, if any:

Does not apply.

12. RECREATION

a. What designated and informal recreational opportunities are in the immediate vicinity?

Lake Washington is used for recreational boating, swimming, and fishing.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

This project has no impacts on recreation rather, the project will remove the existing pilings and dolphins so the area will be safer for boaters to navigate through.

13. HISTORIC AND CULTURAL PRESERVATION

a. Are there any places or objects listed on, or proposed for, national state, or local preservation registers known to be on or next to the site? If so, generally describe.

No nearby historical sites are known.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None known.

c. Proposed measures to reduce or control impacts, if any:

Not applicable.

14. TRANSPORTATION

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Does not apply. The proposed project area is located in Lake Washington.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Does not apply. The proposed project area is located in Lake Washington.

c. How many parking spaces would the completed project have? How many would the project eliminate?

Does not apply.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private?

No.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

None.

g. Proposed measures to reduce or control transportation impacts, if any:

Does not apply.

15. PUBLIC SERVICES

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No.

b. Proposed measures to reduce or control direct impacts on public services, if any.

Does not apply.

16. UTILITIES

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

No utilities are located at the site.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

No utilities are proposed for this project.

C. SIGNATURE

I, the undersigned, state that to the best of my knowledge the above information is true and complete. It is understood that the lead agency may withdraw any declaration of non-significance that it might issue in reliance upon this checklist should there be any willful misrepresentation or willful lack of full disclosure on my part.

Proponent: _____

Name Printed: _____

Date: _____

D. SUPPLEMENTAL SHEETS FOR NONPROJECT ACTIONS

(These sheets should only be used for actions involving decisions on policies, plans and programs. You do not need to fill out these sheets for project actions.)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

   Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

   Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

   Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains, or prime farmlands?

   Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

   Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

SIGNATURE

I, the undersigned, state that to the best of my knowledge the above information is true and complete. It is understood that the lead agency may withdraw any declaration of non-significance that it might issue in reliance upon this checklist should there be any willful misrepresentation or willful lack of full disclosure on my part.

Proponent: Monica Durkin

Name Printed: Monica Durkin

Date: 8/30/06

ENVCHLST.DOC
REVISED 6/98

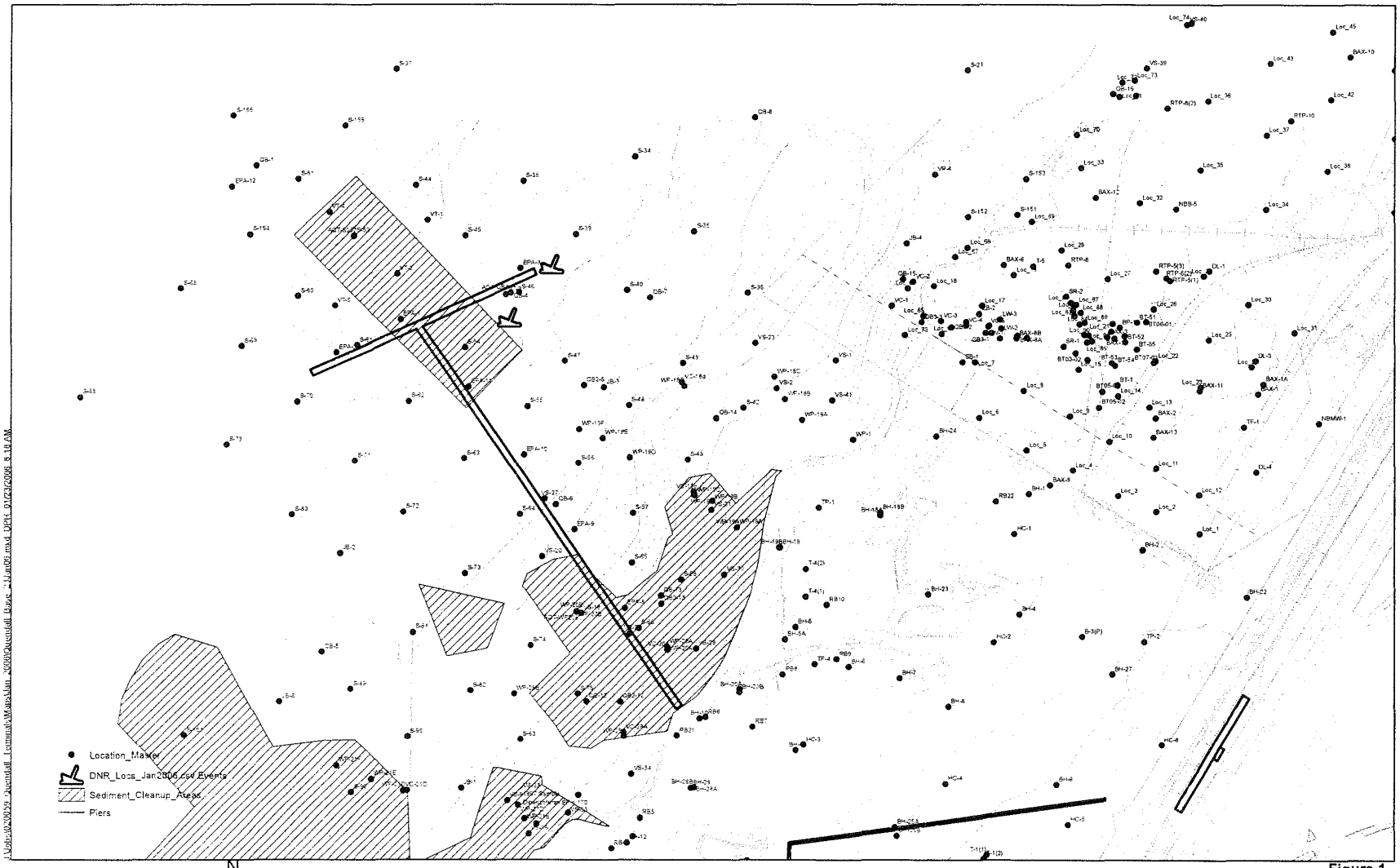
Lake Washington Derelict Piling Removal 8/8/06

Map 1 Page 1

Lake Washington Derelict Piling Data from 5-18-06

GPS Points	Number of pilings	Latitude	Longitude	Y Lat	X Lon
1	floating dry dock	N 47° 32.093'	W 122° 12.248'	47.534883	-122.204133
2	floating dry dock	N 47° 32.086'	W 122° 12.296'	47.534766	-122.204933
3	metal cylinder	N 47° 32.105	W 122° 12.315'	47.535083	-122.20525
4	3	N 47° 32.091'	W 122° 12.356'	47.534849	-122.20593
5	3	N 47° 32.001'	W 122° 12.421'	47.53335	-122.20701
6	4	N 47° 31.914'	W 122° 12.453	47.5319	-122.20755
7	3	N 47° 31.904'	W 122° 12.396'	47.531733	-122.2066
8	2	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
9	2	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
10	3	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
11	3	N 47° 31.903'	W 122° 12.403'	47.531716	-122.20671
12	2	N 47° 31.935'	W 122° 12.349'	47.53225	-122.20581
13	3	N 47° 31.928'	W 122° 12.405'	47.532133	-122.20675
14	4	N 47° 31.950'	W 122° 12.408'	47.5325	-122.2068
15	3	N 47° 31.955'	W 122° 12.369'	47.532583	-122.20615
16	3	N 47° 31.955'	W 122° 12.347'	47.532583	-122.205783
17	2	N 47 31.935'	W 122° 12.346'	47.53225	-122.205766
18	1	N 47° 32.078'	W 122° 12.215'	47.534633	-122.203583
19	1	N 47° 32.094'	W 122° 12.208'	47.5349	-122.203466
20	1	N 47° 32.098'	W 122° 12.206'	47.534966	-122.203433
21	8	N 47° 32.112'	W 122° 12.198'	47.5352	-122.2033
22	3	N 47° 32.111'	W 122° 12.160'	47.535183	-122.202666
23	3	N 47° 32.095'	W 122° 12.169'	47.534916	-122.202816
24	3	N 47° 32.089'	W 122° 12.173'	47.534816	-122.202883
25	3	N 47° 32.074'	W 122° 12.180'	47.534566	-122.203
26	6	N 47° 32.115'	W 122° 12.243'	47.53525	-122.20405
27	9	N 47° 32.211'	W 122° 12.169'	47.53685	-122.202816
28	9	N 47° 32.210'	W 122° 12.104'	47.536833	-122.201733
29	8	N 47° 32.200'	W 122° 12.056'	47.536666	-122.200933
30	metal ball	N 47° 32.258'	W 122° 12.107'	47.537633	-122.201783
31	19	N 47° 32.0472	W 122° 12.245'	47.53412	-122.20575
total pilings	**123**				

Explanation of Areas	Total Pilings
Adjacent to Port Quendall upland	26
Adjacent to QT not w/in PAH	48
Woodwaste area	21
PAH area	28
total pilings	123



ANCHOR ENVIRONMENTAL LLC

N

0 40 80 160 240 320 Feet

Figure 1
Port Quendall Terminals
DNR GIS Points and Sample Locations

Map #2

DNR-008320

City of Renton

Development Services Division
1055 South Grady Way, 6th Flr
Renton, WA 98055

Date: 6/22 2006

TO: Monica Durkin

Phone:

Fax Phone:

FROM: Laureen Nicolay
Senior Planner

Phone: (425) 430-7294

Fax Phone: (425) 430-7300

SUBJECT: ~~Free Preapplication Review Process~~ Waiver form

Number of pages including cover sheet: 3

REMARKS: ☐ Original to be mailed ☒ Per your request ☐ Reply ASAP ☐ Please Comment ☐ For your review

Renton.
Ahead of the curve

DEVELOPMENT SERVICES DIVISION

WAIVER OF SUBMITTAL REQUIREMENTS FOR LAND USE APPLICATIONS

LAND USE PERMIT SUBMITTAL REQUIREMENTS:	WAIVED BY:	MODIFIED BY:	COMMENTS:
Calculations 1			
Colored Maps for Display 4	ERH		(vicinity map)
Construction Mitigation Description 2 AND 4			
Deed of Right-of-Way Dedication 2			
✓ Density Worksheet 4	NRW		
✓ Drainage Control Plan 2	NRW		
✓ Drainage Report 2	NRW		
✓ Elevations, Architectural 3 AND 4	NRW		
Environmental Checklist 4			
Existing Covenants (Recorded Copy) 4			
Existing Easements (Recorded Copy) 4			
✓ Flood Hazard Data 4	NRW		
✓ Floor Plans 3 AND 4	NRW		
✓ Geotechnical Report 2 AND 3	NRW		
✓ Grading Plan, Conceptual 2	NRW		
Grading Plan, Detailed 2			
✓ Habitat Data Report 4	ERH		
Improvement Deferral 2			
Irrigation Plan 4			
King County Assessor's Map Indicating Site 4			
✓ Landscape Plan, Conceptual 4	NRW		
Landscape Plan, Detailed 4			
Legal Description 4			
List of Surrounding Property Owners 4			
Mailing Labels for Property Owners 4			
Map of Existing Site Conditions 4			
Master Application Form 4			
Monument Cards (one per monument) 1			
Neighborhood Detail Map 4			
/ Engineering Report for Dewatering	NRW		

This requirement may be waived by:

1. Property Services Section
2. Public Works Plan Review Section
3. Building Section
4. Development Planning Section

PROJECT NAME: DNR Piling Removal

DATE: 6/20/06

Revised 8/14/06 ERH

DEVELOPMENT SERVICES DIVISION

WAIVER OF SUBMITTAL REQUIREMENTS FOR LAND USE APPLICATIONS

LAND USE PERMIT SUBMITTAL REQUIREMENTS:	WAIVED BY:	MODIFIED BY:	COMMENTS:
Parking, Lot Coverage & Landscaping Analysis 4			
✓ Plan Reductions (PMTs) 4	ERH		
Plat Name Reservation 4			
Postage 4			
✓ Preapplication Meeting Summary 4	NRW		
Public Works Approval Letter 2			
Rehabilitation Plan 4			
Screening Detail 4			
Site Plan 2 AND 4			
✓ Stream or Lake Study, Standard 4	ERH		
✓ Stream or Lake Study, Supplemental 4	"		
✓ Stream or Lake Mitigation Plan 4	"		
Street Profiles 2			
✓ Title Report or Plat Certificate 4			
✓ Topography Map 3	ERH		
✓ Traffic Study 2	NRW		
✓ Tree Cutting/Land Clearing Plan 4	NRW		
Urban Center Design Overlay District Report 4			
✓ Utilities Plan, Generalized 2	NRW		
✓ Wetlands Mitigation Plan, Final 4	ERH		
✓ Wetlands Mitigation Plan, Preliminary 4	ERH		
✓ Wetlands Report/Delineation 4	NRW		
Wireless:			
Applicant Agreement Statement 2 AND 3			
Inventory of Existing Sites 2 AND 3			
Lease Agreement, Draft 2 AND 3			
Map of Existing Site Conditions 2 AND 3			
Map of View Area 2 AND 3			
Photosimulations 2 AND 3			

This requirement may be waived by:
1. Property Services Section
2. Public Works Plan Review Section
3. Building Section
4. Development Planning Section

PROJECT NAME: DNR Piling Removal

DATE: 6/20/06

Revised 8/14/06 ERH

Q:\WEB\PW\DEVSERV\Forms\Planning\waiver.xls 11/04/2005

CITY OF RENTON

Kathy Keolker, Mayor

Planning/Building/PublicWorks Department
Gregg Zimmerman P.E., Administrator

October 13, 2006

Monica Durkin
State Department of Natural Resources
950 Farman Avenue N
Enumclaw, WA 98022

SUBJECT: Lake Washington Derelict Piling Removal
LUA-06-114, SME, ECF

Dear Ms. Durkin:

This letter is written on behalf of the Environmental Review Committee (ERC) and is to inform you that they have completed their review of the environmental impacts of the above-referenced project. The Committee, on **October 9, 2006**, decided that your project will be issued a Determination of Non-Significance.

The City of Renton ERC has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made by the ERC under the authority of Section 4-6-6, Renton Municipal Code, after review of a completed environmental checklist and other information, on file with the lead agency. This information is available to the public on request.

This Determination of Non-significance has been issued with a 15-day Comment Period and a concurrent 14-day Appeal Period. Comments must be sent, in writing, to the attention of the project planner prior to 5 pm on October 31, 2006. Appeals of the environmental determination must be filed in writing on or before 5:00 PM on October 30, 2006. Appeals must be filed in writing together with the required $75.00 application fee with: Hearing Examiner, City of Renton, 1055 South Grady Way, Renton, WA 98055. Appeals to the Examiner are governed by City of Renton Municipal Code Section 4-8-110.B. Additional information regarding the appeal process may be obtained from the Renton City Clerk's Office, (425) 430-6510.

If the Environmental Determination is appealed, a public hearing date will be set and all parties notified. If you have any questions or desire clarification of the above, please call me at (425) 430-7382.

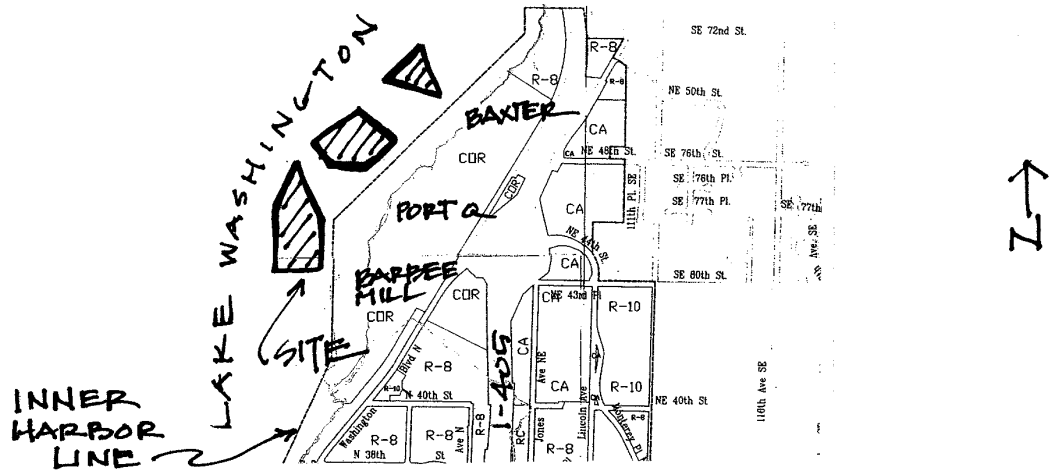
For the Environmental Review Committee,

Elizabeth Higgins

Elizabeth Higgins, AICP
Senior Planner

RECEIVED
OCT 16 2006
DNR-SPS

REPORT & DECISION	**City of Renton** Department of Planning / Building / Public Works **ENVIRONMENTAL REVIEW COMMITTEE REPORT**
ERC MEETING DATE:	October 9, 2006
Project Name:	Lake Washington Derelict Piling Removal
Owner:	State of Washington Department of Natural Resources
Applicant:	Monica Durkin; WADNR 950 Farman Avenue N Enumclaw, WA 98022
Contact:	Monica Durkin; WADNR (360) 825-1631 ext. 2006
File Number:	LUA06-114, ECF, SME
Project Manager:	Elizabeth Higgins, Senior Planner
Project Description:	The applicant, the Washington State Department of Natural Resources, is proposing to remove approximately 123 derelict pilings, one steel ball float, and one steel cylinder float that are located on state-owned aquatic lands within the open harbor area of the eastern shores of Lake Washington within the jurisdiction of the City of Renton. Portions of the site area are part of the larger Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) cleanup that is on-going with the on-shore, upland property known as Quendall Terminals. The CERCLA work is managed by the Environmental Protection Agency. The pilings and floats are no longer used and are currently a potential navigational hazard for boaters on Lake Washington. *Continued next page*
Project Location:	Harbor area of Lake Washington; Section 29, Township 24N, Range RE
Site Area:	Approximately 36 acres total area *Total Building Area SF:* N/A
RECOMMENDATION:	Staff recommends that the Environmental Review Committee issue a Determination of Non-Significance (DNS).



Project Location Map

PART ONE: PROJECT DESCRIPTION/BACKGROUND, CONTINUED

Required work would be below the ordinary high water mark, within the harbor area. The lake bottom at the project location consists of silty mud with areas of sandy substrate. A portion of the lake bottom, within the removal area for 28 pilings, includes sediments that have been identified as containing Polynuclear Aromatic Hydrocarbons (PAH). Twenty-one pilings, at the southern end of the project site, are situated in an area littered with woodwaste.

Work would occur in accordance with allowed "fish windows" and bird nesting and migration time frames, as determined by the Washington State Department of Fish and Wildlife. These considerations require that work be completed by December 31, 2006.

The removal technique would be to remove the pilings with a vibratory hammer. A temporary increase in localized emissions from the equipment used to remove the pilings is expected. The vibrating hammer is mounted on a floating barge. A collar is fastened around each piling individually and the piling would be pulled out of the lake bottom while vibration occurs.

In order to displace the minimal amount of lake bottom material, pilings would be removed as slowly as possible. To prevent suspension of sediments, the vibratory hammer would be turned off once each piling was removed from the lake bottom. Pilings would not be washed off with lake water. If pilings break during removal, a clam shell bucket would be used to remove them from the lake bottom.

A Spill Prevention, Control, and Countermeasures (SPCC) Plan would be developed with the contractor prior to the initiation of work. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged materials including those the contractor may store, use, or generate during construction activities. These may include gasoline, oils, chemicals, and other potential items.

Removed pilings and debris associated with the removal would be placed on the barge and disposed of off site.

Pilings located in or near the PAH contaminated sediments (points 4 and 31 of Map 1) would be cut at the mudline of the lake bottom. Within potentially contaminated areas, bottom sediments would be undisturbed and not sweep to locate additional pilings.

The steel ball and steel cylinder floats are located on the lake surface, but are anchored to the bedland. They would be removed by extracting and lifting the anchors from the bottom sediments or by cutting the chains and leaving the anchors in place.

The work described would occur during daylight hours Monday through Friday.

The estimated project cost is $35,000.

This project would improve the navigability of the Lake by removing potential hazards and would enhance the nearshore, shallow-water environment, thereby providing a benefit to migrating juvenile salmon.

Although the City of Renton has determined that the project is exempt from Shoreline Management Act requirements, it is subject to Hydraulic Permit Approval (Washington State Department of Fish and Wildlife) and Section 10 Permit approval (U.S. Army Corps of Engineers).

PART TWO: ENVIRONMENTAL REVIEW

In compliance with RCW 43.21C.240, the following project environmental review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

A. Recommendation

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials make the following Environmental Determination:

	DETERMINATION OF NON-SIGNIFICANCE		DETERMINATION OF NON - SIGNIFICANCE - MITIGATED.
	Issue DNS with 14-day Appeal Period.		Issue DNS-M with 14-day Appeal Period.
X	Issue DNS with 15-day Comment Period with a Concurrent 14-day Appeal Period.		Issue DNS-M with 15-day Comment Period with a Concurrent 14-day Appeal Period.

B. Mitigation Measures

There are no mitigation measures required for this project.

C. Environmental Impacts

The Proposal was circulated and reviewed by various City Departments and Divisions to determine whether the applicant has adequately identified and addressed environmental impacts anticipated to occur in conjunction with the proposed development. Staff reviewers have identified that the proposal is likely to have the following probable impacts:

1. Earth

Impacts: The site of the proposed project consists of gently sloped aquatic lands, including freshwater bedlands in the harbor area, below the Ordinary High Water Mark of Lake Washington. Lake Washington is a Class 1 Inventoried Shoreline of the State and Critical Area subject to the City of Renton Critical Areas Ordinance.

Under surface slopes are approximately 1.6 percent. The lake bottom sediment consists primarily of silty mud with areas of sandy substrate. The southern portion of the removal area is littered with woodwaste.

Although the Seattle Fault, which runs under Mercer Island and through Lake Washington, is north of here within fairly close proximity, there are no known unstable soils within the project area and it is not designated as a known landslide area on Sensitive Areas Ordinance maps.

Although pilings would be removed, no filling or grading is proposed. Localized disturbance of the lake bottom sediments would be temporary and not anticipated to be significant. Techniques to minimize disturbance have been incorporated into the project, including cutting pilings rather than completely removing them and remove the pilings slowly to reduce the amount of sediment that is displaced.

Mitigation Measures: None required

Nexus: Not applicable

2. Air

Impacts: It is anticipated that there would be a temporary increase in localized emissions from the equipment that would be used to remove the pilings. Odor impacts during construction are unavoidable and would be short-term in nature. The effects of these temporary emissions would be minimal. Equipment used would meet King County, state, and federal emissions control requirements.

Mitigation Measures: None required

Nexus: Not applicable

3. Water

Impacts: The proposal is for in-water work within Lake Washington on state-owned aquatic lands. All work would take place below the surface of the Lake, except for piling and debris removal from the area by barge. Any debris that is associated with the removal would be picked up and placed on the barge.

Spill Prevention, Control, and Countermeasures (SPCC) Plans would be developed with the selected contractor. The SPCC Plan would outline measures to be taken to prevent release or spread of discharged

materials including those the contractor may store, use, or generate during the construction activities. These items include, but are not limited to gasoline, oils, and chemicals.

Mitigation Measures: None required

Nexus: Not applicable

4. Vegetation
Impacts: There are no known threatened or endangered species of plants on the site. The primary vegetation consists of milfoil.

Mitigation Measures: None required

Nexus: Not applicable

5. Wildlife
Impacts: Birds and fish that can be expected to frequent the project area include: hawk, heron, songbirds, osprey, cormorant, domestic quail, bass, salmon, trout, smelt, stickleback, threespine, freshwater shrimp, pike minnow, prickly sculpin, black crappie, bluegill, pumpkinseed sunfish, trench, and yellow perch.

Threatened or endangered species that may be in the vicinity of the project site include: sockeye salmon, cutthroat trout, steelhead salmon, coho salmon, Puget Sound Chinook salmon, bull trout, and bald eagle.

The project area is within the Pacific Flyway, a major north-south seasonal migration route for many bird species. The site is also a migratory and rearing corridor for Chinook salmon and Lake Washington contains the largest population of naturally occurring sockeye salmon in Washington State. Most spawning and fry projection occur in the Cedar River, just south of the project site.

Piling removal may enhance the habitat of these species because at the present time pilings may provide cover for predators of juvenile Chinook and coho salmon.

All in-water work would occur in accordance with allowed fish windows and bird nesting and migration windows as determined by the Washington State Department of Fish and Wildlife.

The project is compatible with the Water Resource Inventory Area (WRIA) 8 Chinook Salmon Conservation Plan.

Mitigation Measures: None required

Nexus: Not applicable

6. Environmental Health
Impacts: The adjacent upland parcel was used for wood processing activities for many decades. Polynuclear aromatic hydrocarbons (PAH) and woodwaste are located in a few areas of the harbor area due to these past uses of the property. Approximately 21 of the pilings are located in an area that has been shown to have woodwaste. Approximately 28 pilings are located in an area that has been shown to contain some PAH contamination.

The 28 pilings in the PAH area would be cut at the lake bottom and the underground portion of the piling left in place to reduce disturbance of lake bottom sediments. Cutting the pilings at the mudline will prevent remobilization of buried PAHs.

The proposed activities would have short term noise associated with the piling removal equipment. Removal of the pilings would occur during daylight hours Monday through Friday. No other unusual noise impacts are expected to occur.

The proposed project would improve the navigability of Lake Washington in this area by removing submerged obstructions.

Mitigation Measures: None required

Nexus: Not applicable

D. Comments of Reviewing Departments

The proposal has been circulated to City Departmental / Divisional Reviewers for their review. Where applicable, these comments have been incorporated into the text of this report as Mitigation Measures and/or Notes to Applicant.

_X_ Copies of all Review Comments are contained in the Official File.
____ Copies of all Review Comments are attached to this report.

Environmental Determination Appeal Process Appeals of the environmental determination must be filed in writing on or before 5:00 PM, October 30, 2006.

Appeals must be filed in writing together with the required $75.00 application fee with: Hearing Examiner, City of Renton, 1055 South Grady Way, Renton, WA 98055. Appeals to the Examiner are governed by City of Renton Municipal Code Section 4-8-110.B. Additional information regarding the appeal process may be obtained from the Renton City Clerk's Office, (425) 430-6510.

ADVISORY NOTES TO APPLICANT

The following notes are supplemental information provided in conjunction with the administrative land use action. Because these notes are provided as information only, they are not subject to the appeal process for the land use actions

Planning

1. Commercial, multi-family, new single-family and other nonresidential construction activities shall be restricted to the hours between seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., Monday through Friday. Work on Saturdays shall be restricted to the hours between nine o'clock (9:00) a.m. and eight o'clock (8:00) p.m. No work shall be permitted on Sundays.

DURKIN, MONICA

From: DURKIN, MONICA
Sent: Tuesday, December 05, 2006 12:32 PM
To: 'Rthomas@jhbaxter.com'; 'lynnmanolopoulos@DWT.com'; 'jhanken@hankenlaw.biz'; 'robertc@barbeemill.com'; 'Priddy.Lynda@epamail.epa.gov'
Cc: Snoey, Janis (ATG); KIEHLE, DAVID; TOBA, DERRICK
Subject: Piling Removal in Harbor Area

Hello,
I'm writing to notify you that DNR was successful in receiving permits and awarding a contract for the removal of the pilings located within the Harbor Area adjacent to the Quendall Terminals property. The contractor will begin work late this week or early next week. It is expected to take up to 2 weeks to complete the project. If you have any questions please feel free to contact me at (206) 799-2949 or by email.

Thank you,

Monica Durkin
WA State Department of Natural Resources
South Puget Sound Region
950 Farman Avenue North
Enumclaw, WA 98022

Phone: (360) 825-1631 ext. 2006
Fax: (360) 825-1672
monica.durkin@dnr.wa.gov

WASHINGTON STATE DEPARTMENT OF
Natural Resources

DOUG SUTHERLAND
Commissioner of Public Lands

October 23, 2006

Stewart Reinbold
State Department of Fish and Wildlife
c/o DOE, 3190 160th Ave, SE
Bellevue, WA 98008

Subject: Derelict Piling Removal in Lake Washington Log No. IC-106673-1

Dear Mr. Reinbold;

Please find enclosed a copy of the JARPA that was received by your office on September 6, 2006, with the signature and date on page 5. The City of Renton is leading the SEPA review process. They have determined that the project will be issued a Determination of Non-Significance. It is currently under a 15-day comment period, and DNR should receive the DNS and shoreline exemption on November 1, 2006. I will notify you upon receiving these determinations.

Sincerely,

Monica Durkin
Natural Resource Specialist

Enclosure

SOUTH PUGET SOUND REGION ‖ 950 FARMAN AVE N ‖ ENUMCLAW, WA 98022-9282
TEL: (360) 825-1631 ‖ FAX: (360) 825-1672 ‖ TTY: (360) 825-6381
Equal Opportunity Employer

11/22/06 Spoke w/ Neal Parker regarding the PSE cable right-of-way area near the pilings and dolphins. Neal does not have a problem w/ contractor using a vibratory hammer to remove them. I told him we would not be digging near the right-of-way. Agreed to make sure contractor does not anchor or set spuds anywhere near the easement right-of-way.

From: MONICA DURKIN
To: Glenn.Olson
Date: 11/7/2006 1:14:35 PM
Subject: RE: IFB Lake Washington Derelict piling removal & disposal

Based off a 1997 bathymetry map I believe the depth ranges from 10-15 feet. I don't know for sure how far into the ground the pilings are since they are very old, but I would estimate around five feet. Hope this is a bit helpful!

>>> "Glenn.Olson" <Glenn.Olson@kiewit.com> 11/7/2006 12:03 PM >>>
Thank you for the pictures, do you have any data as to how deep the lake is in this area, an average would be great. Also, how far into the ground are the existing piles driven?

The reason I'm asking is to try and figure what effort will be needed to remove the piles, and how long the piles are going to be. I need to figure a disposal cost, but without knowing how long the piles are, I have no way of knowing what to assume for total weight of piling to dispose of.

-----Original Message-----
From: MONICA DURKIN [mailto:MDUR490@wadnr.gov]
Sent: Tuesday, November 07, 2006 10:11 AM
To: Glenn.Olson
Subject: Re: IFB Lake Washington Derelict piling removal & disposal

Hello,
I have attached some photos of the pilings/dolphins and buoys. When the bid closes on 11/21/06 I am hoping to be able to award the contract very soon afterwards. One of the upland addresses is 4503 Lake Wa Blvd.

If you have any further questions feel free to call me on my cell at (206) 799-2949. My fax number is (360) 825-1672.

Thank you,
Monica

Monica Durkin
Natural Resource Specialist
Washington Department of Natural Resources
South Puget Sound Region
950 Farman Avenue North
Enumclaw, WA 98022

p. (360) 825-1631 ext. 2006
f. (360) 825-1672

>>> "Glenn.Olson" <Glenn.Olson@kiewit.com> 11/6/2006 10:19 AM >>>
Good morning, I received the IFB in the mail for the above mentioned piling removal. Contract number 029. I'm sending this e-mail to both of you because I have questions concerning both the bid documents and general questions regarding the work.

Is a copy of the HPA available? It may have restrictions as to when the work can take place (Fisheries restrictions).

I see the contract has to be completed by Dec. 31, 2007. Is that correct? Or should it read Dec. 31, 2006? If it is indeed 2007, can the work be done next summer?

Page 6 of the bid documents, Item #4 Lead-Time...we are to state how long after ARO, materials, equipment or services are to be delivered. This ties into the question stated above regarding completion deadline and whatever restrictions the HPA may have regarding when the work can be done.

If the contract completion is indeed 12/31/06, how long after bid date (11/21/06) do you anticipate award to be?

Can the bids be faxed in? If so, what fax number?

Can you provide a physical address, is the site available to be seen from land? The map provided and the legal description does not offer a lot of information. We were able to look up the parcel numbers via King County and see that is the old Baxter Piling facility on the lake. Again, a physical address would help so that we can visit the site.

Thank you in advance for you response to these question. I can be reached by either this e-mail address, office 253-572-7432 or my cell phone 253-377-4078.

Glenn "Ole" Olson

General Construction Company

Cell 253-377-4078

E-mail glenn.olson@kiewit.com

www.generalconstructionco.com

From: MONICA DURKIN
To: Parker, Neal
Date: 11/16/2006 1:12:18 PM
Subject: DNR Piling Removal and PSE cables

Hello Neal,
Attached is the map I previously sent you with an additional overlay of our aquatic plate. The plate shows where the PSE and Metro sewer right of ways are located. It looks like there are 3 dolphins located very close if not within the PSE 100 foot wide right of way. Please give me a call at (206) 799-2949 at your convenience and we can discuss how DNR will proceed without disturbing the lines.

Thanks,
Monica

Monica Durkin
Natural Resource Specialist
Washington Department of Natural Resources
South Puget Sound Region
950 Farman Avenue North
Enumclaw, WA 98022

p. (360) 825-1631 ext. 2006
f. (360) 825-1672

>>> "Parker, Neal" <neal.parker@pse.com> 11/9/2006 9:36 AM >>>
I have printed several drawings (1964 vintage) that show PSE's cable corridor. They do not show where in the corridor the three cables are. Who should I send these drawings to?

I remember a number of years ago, a clandestine log salvaging operation damaged the Metro sewer line that parallels PSE's submarine cables. The Metro people said that when they inspected their line, they saw PSE's submarine cable, so Metro may have some information about the exact location of the power cables (there are three individual 115,000-volt power cables in the corridor).

Neal

Neal K. Parker, P.E.
425-462-3756
Puget Sound Energy

-----Original Message-----
From: MELISSA MONTGOMERY [mailto:MMON490@wadnr.gov]
Sent: Wednesday, November 08, 2006 1:54 PM
To: Parker, Neal
Cc: MONICA DURKIN
Subject: Drydocks

Hi Neal,
As you probably gathered from talking to Monica I sent her a copy of

your e-mail about the utility lines near the Lake Washington Drydocks. DNR took custody of the dry docks and hired a contractor to secure them last June. The floating one is using the sunken one as an anchor and, quite literally, we battened down the hatches and added signage & lights to help mitigate the hazards they present. When/if we reach the point of having the funds to remove them I will let you know. Thanks for letting us know about the nearby cables. Thanks for your patience waiting for a response, the e-mail was waiting for me when I started this position and I just made it to the bottom of the inbox.
If you have any questions feel free to give me a call.

Melissa Montgomery
Derelict Vessel Removal Program
Washington Department of Natural Resources
360-902-1574
1111 Washington St SE
PO Box 47027
Olympia, WA 98504-7027

>>> MONICA DURKIN 11/8/2006 12:25 PM >>>
Hello Neal,
It was a pleasure talking with you today. I've attached to this email a map that shows the locations of the dolphins and pilings that we hope to remove this December. I've also attached a spreadsheet that describes what each of the points represents. I will be doing further research to determine exactly where the PSE cable is located in relation to the pilings we will be removing. I will keep you updated as to what I find and any maps I create. Any useful information you may have regarding the cable location would be much appreciated. Thank you for your help and I look forward to our future correspondence concerning the various issues and projects that are occuring at this site.

Thanks,
Monica

Monica Durkin
Natural Resource Specialist
Washington Department of Natural Resources South Puget Sound Region 950 Farman Avenue North Enumclaw, WA 98022

p. (360) 825-1631 ext. 2006
f. (360) 825-1672

CC: KIEHLE, DAVE; MONTGOMERY, MELISSA; THOMPSON, REX

From: "Parker, Neal" <neal.parker@pse.com>
To: "MELISSA MONTGOMERY" <MMON490@wadnr.gov>
Date: 11/9/2006 9:38:43 AM
Subject: RE: Drydocks

I have printed several drawings (1964 vintage) that show PSE's cable corridor. They do not show where in the corridor the three cables are. Who should I send these drawings to?

I remember a number of years ago, a clandestine log salvaging operation damaged the Metro sewer line that parallels PSE's submarine cables. The Metro people said that when they inspected their line, they saw PSE's submarine cable, so Metro may have some information about the exact location of the power cables (there are three individual 115,000-volt power cables in the corridor).

Neal

Neal K. Parker, P.E.
425-462-3756
Puget Sound Energy

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To: Parker, Neal
Cc: MONICA DURKIN
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If you have any questions feel free to give me a call.

Melissa Montgomery
Derelict Vessel Removal Program
Washington Department of Natural Resources
360-902-1574
1111 Washington St SE
PO Box 47027
Olympia, WA 98504-7027

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Thanks,
Monica

Monica Durkin
Natural Resource Specialist
Washington Department of Natural Resources South Puget Sound Region 950 Farman Avenue North Enumclaw, WA 98022

p. (360) 825-1631 ext. 2006
f. (360) 825-1672

CC: "MONICA DURKIN" <MDUR490@wadnr.gov>

From: MONICA DURKIN
To: Higgins, Elizabeth
Date: 10/3/2006 12:23:35 PM
Subject: Re: Piling Removal

This is what they were looking for. The $1,000 fee should be sent to your Department.

Thanks for the help.
Monica

>>> "Elizabeth Higgins" <Ehiggins@ci.renton.wa.us> 10/2/2006 3:52 PM >>>
sent

>>> "MONICA DURKIN" <monica.durkin@wadnr.gov> 10/02/06 2:54 PM >>>
Elizabeth,
Actually that sounds like the right W-9. We have to set Renton up as a vendor in order to pay you. If you fax it over I can give it to our finance person and double check.

Wow, I'm jealous! A 2 week trip to Boliva. I hope you have fun!
Monica

>>> "Elizabeth Higgins" <Ehiggins@ci.renton.wa.us> 10/2/2006 2:45:28 PM >>>
Monica - I went through the process last week of getting the "city's W-9" form, only to find out it is the form that goes to vendors. I asked again today, but don't know if such a form is available. All the City does is provide service, that is all we do, but the City is not (typically) a "vendor."

I hope we can get this resolved soon. I am leaving for Boliva in 2 weeks.

Elizabeth River Higgins, AICP
Senior Planner
Development Services Division
Planning/Building/Public Works Department
Renton City Hall, Sixth Floor
1055 South Grady Way
Renton Washington 98055
(t) 425-430-7382 (f) 425-430-7300

>>> "MONICA DURKIN" <monica.durkin@wadnr.gov> 10/02/06 2:10 PM >>>
Hi Elizabeth,
Just wanted to check in and see if you were able to find a copy of Renton's W-9? Unfortunately, my finance department tells me they need this to process the $1,000 fee.

Fax (360) 825-1672.

Thanks!
Monica (206) 799-2949

Monica Durkin
Natural Resource Specialist
Washington Department of Natural Resources
South Puget Sound Region
950 Farman Avenue North
Enumclaw, WA 98022

p. (360) 825-1631 ext. 2006
f. (360) 825-1672

>>> "Elizabeth Higgins" <Ehiggins@ci.renton.wa.us> 9/27/2006 11:45:43 AM >>>
Monica - The exemption certificate for your project is ready to be reviewed by the planning manager, but I can't really give it to her until the fee is paid. I left a message earlier today, don't want to bug you, but would like to move your project on to completion.

Please let me know what you would like me to do at this point.

Thanks!

Elizabeth River Higgins, AICP
Senior Planner
Development Services Division
Planning/Building/Public Works Department
Renton City Hall, Sixth Floor
1055 South Grady Way
Renton Washington 98055
(t) 425-430-7382 (f) 425-430-7300

From: "Elizabeth Higgins" <Ehiggins@ci.renton.wa.us>
To: <monica.durkin@wadnr.gov>
Date: 9/27/2006 11:49:57 AM
Subject: Piling Removal

Monica - The exemption certificate for your project is ready to be reviewed by the planning manager, but I can't really give it to her until the fee is paid. I left a message earlier today, don't want to bug you, but would like to move your project on to completion.

Please let me know what you would like me to do at this point.

Thanks!

Elizabeth River Higgins, AICP
Senior Planner
Development Services Division
Planning/Building/Public Works Department
Renton City Hall, Sixth Floor
1055 South Grady Way
Renton Washington 98055
(t) 425-430-7382 (f) 425-430-7300

From: "Elizabeth Higgins" <Ehiggins@ci.renton.wa.us>
To: <monica.durkin@wadnr.gov>
Date: 9/27/2006 11:49:57 AM
Subject: Piling Removal

Monica - The exemption certificate for your project is ready to be reviewed by the planning manager, but I can't really give it to her until the fee is paid. I left a message earlier today, don't want to bug you, but would like to move your project on to completion.

Please let me know what you would like me to do at this point.

Thanks!

Elizabeth River Higgins, AICP
Senior Planner
Development Services Division
Planning/Building/Public Works Department
Renton City Hall, Sixth Floor
1055 South Grady Way
Renton Washington 98055
(t) 425-430-7382 (f) 425-430-7300

Emailed to Monica 9/18/06

RECEIVED
SEP 15 2006
DNR-SPS

State of Washington

Department of Fish and Wildlife

Mailing Address: c/o DOE, 3190 160th Ave SE, Bellevue, WA 98008, (425) 649-4423, TDD (360) 902-2207

September 13, 2006

Washington State Department of Natural Resources
Monica Durkin
950 Farman Avenue North
Enumclaw, WA 98022

Dear Mr. Monica Durkin,

SUBJECT: Incomplete Hydraulic Project Application Package; Remove piles. Lake Washington, Tributary to Lake Washington Ship Canal SW Section 29 Township 24 North, Range 5 East, King County, WRIA 08.6007, WDFW Log No. IC-106673-1

The Washington Department of Fish and Wildlife (WDFW) received your application for a Hydraulic Project Approval (HPA) on September 6, 2006. Your application was incomplete but will be held on file. To complete your application, please submit the following information to me at the above address. If you would prefer to have your application returned to you, please contact me.

The Applicant needs to sign and date the application.

Written notice of compliance with the State Environmental Policy Act (SEPA), including exemption or type of determination, date of exemption or final determination date, and lead agency is required.

Please contact your local planning department for information regarding SEPA requirements and procedures

Once the above-referenced information has been received by this office, your application will be complete and evaluation of your HPA application will begin. The 45-day review period for evaluating applications for HPA per RCW 77.55.100 or 77.55.110 will not start until the above-referenced information is received.

If you have any questions or need assistance in completing your application, please contact me at 425-649-4423.

Sincerely,

Stewart G. Reinbold
Habitat Program

SGR:sgr: IC-106673-1
cc: WRIA File, Olympia

emailed <- Monica Region

CITY OF RENTON

Kathy Keolker, Mayor

Planning/Building/PublicWorks Department
Gregg Zimmerman P.E., Administrator

September 11, 2006

Monica Durkin
State Department of Natural Resources
950 Farman Avenue N
Enumclaw, WA 98022

Subject: Lake Washington Piling Removal
LUA06-114, SME

Dear Ms. Durkin:

The Development Planning Section of the City of Renton has determined that the subject application is complete according to submittal requirements and, therefore, is accepted for review.

You will be notified if any additional information is required to continue processing your application.

Please contact me at (425) 430-7382 if you have any questions.

Sincerely,

Elizabeth Higgins

Elizabeth Higgins, AICP
Senior Planner

OLYMPIA COPY

RECEIVED
SEP 12 2006
DNR-SPS

WASHINGTON STATE DEPARTMENT OF
Natural Resources

DOUG SUTHERLAND
Commissioner of Public Lands

September 5, 2006

Mr. Denis Law, Councilmember
City of Renton
Renton City Hall-7th Floor
1055 South Grady Way
Renton, WA 98055

Subject: Lake Washington Derelict Piling Removal Project

Dear Councilmember Law:

The Department of Natural Resources (DNR) is proposing to remove approximately 123 derelict pilings from the Harbor Area of Lake Washington adjacent to the Quendall Terminals property. These pilings have recently become a safety hazard to boaters on the lake. This occurred after the restoration and removal of all of the piling located on the property just south, which were a part of the old Barbee Mill Companies milling operations.

DNR Shoreline District receives capital funds of $100,000 per biennium to dedicate to the restoration of aquatic lands. Due to the hazards these pilings pose and the environmental benefits of the removal, DNR has made it a priority to dedicate a portion of our restoration funds to the removal of the derelict pilings.

We have submitted all the requirements for Renton's environmental review in order for a determination to be made on the project. I would like to request the City to waive the $1,000 environmental review fee for this project. Money for this fee will be coming from our meager restoration fund, which will diminish the amount that will be used for actual on the ground restoration of aquatic lands.

A waiver of the fee can act as a match towards the project, and the City of Renton will be recognized as a partner in completing this beneficial project. This is an important project that must be completed to protect the safety of the many boaters on Lake Washington. Thank you for your consideration.

Sincerely,

Fran McNair
Aquatic Lands Steward

cc: The Honorable Kathy Keolker, Mayor of Renton
Councilmember Randall Corman, City of Renton
Councilmember Toni Nelson, City of Renton
Councilmember Terri Briere, City of Renton
Councilmember Dan Clawson, City of Renton
Councilmember Don Persson, City of Renton

1111 WASHINGTON ST SE ▮ PO BOX 47000 ▮ OLYMPIA, WA 98504-7000
FAX: (360) 902-1775 ▮ TTY: (360) 902-1125 ▮ TEL: (360) 902-1000
Equal Opportunity/Affirmative Action Employer

RECYCLED PAPER

From: MONICA DURKIN
To: Cugini, Robert; jhanken@hankenlaw.biz; Manolopoulos, Lynn; Thomas, RueAnn
Date: 7/26/2006 3:05:42 PM
Subject: RE: Piling Removal

Thank you Lynn and RueAnn.

I will make sure to place in the plans that pilings in the vicinity of points 4 and 31 will be cut below the mudline and not fully extracted. I am currently working on permitting the project and as you know this can take a while. I am hoping to receive the permits to complete the work before December 2006. I will keep you informed as I go through the process and when I have a better idea of when we will actually get out there for the removal.

Feel free to contact me if you have any questions. Thanks!
Monica

Monica Durkin
Natural Resource Specialist
South Puget Sound Region
Department of Natural Resources
(360) 825-1631 ext. 2006

>>> "Manolopoulos, Lynn" <lynnmanolopoulos@DWT.com> 7/11/2006 1:17 PM >>>
Janis/Monica,

I checked with Clay Patmont of Anchor Environmental and he recommends that piling in the vicinity of GPS points 4 and 31 be broken off at or below the mudline (i.e., there should be no attempt to fully extract these pilings) to minimize the potential for remobilization of buried PAHs. He had not other comments.

Can you please let us know when this work is expected to occur. I understand from Janis's e-mail that it will occur before the close of the fish window in 2007. It would be helpful to have more definitive information on the schedule for the piling removal.

Also, DNR should follow up with RueAnn Thomas to determine if J.H. Baxter has any further comment. RueAnn and Jim Hanken, J.H. Baxter's counsel, are included as cc's on this e-mail.

Thanks.

Lynn T. Manolopoulos

Partner

Davis Wright Tremaine

777 108th Avenue N.E., Suite 2300

Bellevue, WA 98004

Direct Dial: (425) 646-6146

Facsimile: (425) 646-6199

E-mail: lynnmanolopoulos@dwt.com

http://www.dwt.com/lawdir/attorneys/ManolopoulosLynn.cfm

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From: Manolopoulos, Lynn
Sent: Wednesday, July 05, 2006 7:30 AM
To: 'Snoey, Janis (ATG)'
Cc: MONICA DURKIN
Subject: RE: Piling Removal

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Thanks for your assistance and please call with any questions or comments.

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Janis Snoey, Assistant Attorney General
Attorney General of Washington
Natural Resources Division

1125 Washington Street SE
PO Box 40100
Olympia, Washington 98504-0100
Phone: 360-753-6204
Fax: 360-586-2756
E: janiss@atg.wa.gov

CC: SNOEY, JANIS; THOMPSON, REX

From: MONICA DURKIN
To: Cugini, Robert; jhanken@hankenlaw.biz; Manolopoulos, Lynn; Thomas, RueAnn
Date: 7/26/2006 3:05:42 PM
Subject: RE: Piling Removal

Thank you Lynn and RueAnn.

I will make sure to place in the plans that pilings in the vicinity of points 4 and 31 will be cut below the mudline and not fully extracted. I am currently working on permitting the project and as you know this can take a while. I am hoping to receive the permits to complete the work before December 2006. I will keep you informed as I go through the process and when I have a better idea of when we will actually get out there for the removal.

Feel free to contact me if you have any questions. Thanks!
Monica

Monica Durkin
Natural Resource Specialist
South Puget Sound Region
Department of Natural Resources
(360) 825-1631 ext. 2006

>>> "Manolopoulos, Lynn" <lynnmanolopoulos@DWT.com> 7/11/2006 1:17 PM >>>
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CC: SNOEY, JANIS; THOMPSON, REX

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CC: "MONICA DURKIN" <monica.durkin@wadnr.gov>, <jhanken@hankenlaw.biz>, "Robert Cugini" <robertc@barbeemill.com>

From: "RueAnn Thomas" <Rthomas@jhbaxter.com>
To: "Manolopoulos, Lynn" <lynnmanolopoulos@DWT.com>, "Snoey, Janis (ATG)" <JanisS@ATG.WA.GOV>
Date: 7/12/2006 10:31:01 AM
Subject: RE: Piling Removal

I have consulted with Jim Hanken and Baxter concurs with Clay Patmont and Lynn Manolopoulos's comments. Baxter would also like to be notified when the work is to be performed.

Thanks

RueAnn

RueAnn Thomas

Environmental Programs Director

J.H. Baxter & Company

85 N. Baxter Rd

Eugene, OR 97401

541-689-1834 (Direct)

541-689-3801 (Main)

541-689-8303 (Fax)

541-968-9768 (Cell)

-----Original Message-----
From: Manolopoulos, Lynn [mailto:lynnmanolopoulos@DWT.com]
Sent: Tuesday, July 11, 2006 1:18 PM
To: Manolopoulos, Lynn; Snoey, Janis (ATG)
Cc: MONICA DURKIN; RueAnn Thomas; jhanken@hankenlaw.biz; Robert Cugini
Subject: RE: Piling Removal

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Thanks.

Lynn T. Manolopoulos

Partner

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Sent: Thursday, June 15, 2006 11:04 AM

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CC: "MONICA DURKIN" <monica.durkin@wadnr.gov>, <jhanken@hankenlaw.biz>, "Robert Cugini" <robertc@barbeemill.com>

From: "Parker, Neal" <neal.parker@pse.com>
To: <DVRP@wadnr.gov>
Date: Tue, Jul 11, 2006 7:47 AM
Subject: Derelict Vessels in Lake Washington

Concerning the derelict vessels described below, please be aware that Puget Sound Energy operates a 115,000 volt submarine cable that runs close to these abandoned dry docks. The submarine cables run approximately east-west, just to the north of the derelict dry docks. We ask that care be taken by any party who moves these vessels so as not to damage PSE's submarine cables. The submarine cable serves Mercer Island and it is a critical link in our electrical system. Also, there is a Metro sewer line in the same vicinity as PSE's submarine cable. Not to be outdone, AT&T has a fiber optic cable running approximately north-south in the lake in this area.

The presence of these derelict vessels near our power lines makes us nervous, so we encourage the DNR to address these vessels as soon as practical. The vessels appear to be held in place by two spuds on one vessel, and then the two vessels are tied together. One dry dock is partially sunk, but whether it is resting on the bottom is unknown. We are concerned that one or both vessels could drag and damage the underwater utilities.

Vessel ID KI05-007
Priority Rating 2A
Vessel Name Lk Wa Dry Docks
Vessel Location Lake Washington, King Co (South end of Lk Washington, near the old Barbie Mill)

Thank you for your attention,

Neal Parker

Neal K. Parker, P.E.
425-462-3756
Puget Sound Energy

CC: "Hogan, Jim" <jim.hogan@pse.com>, "Adams, Richard M -Rich" <rich.adams@pse.com>, "Harris, Wayne A" <wayne.harris@pse.com>, "Jaeger, Carol" <carol.jaeger@pse.com>

To Monica Durkin

From Melissa Montgomery

From: "Manolopoulos, Lynn" <lynnmanolopoulos@DWT.com>
To: "Manolopoulos, Lynn" <lynnmanolopoulos@DWT.com>, "Snoey, Janis (ATG)" <JanisS@ATG.WA.GOV>
Date: 7/11/2006 1:19:05 PM
Subject: RE: Piling Removal

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From: "Casey, Laura" <Laura.Casey@METROKC.GOV>
To: "MONICA DURKIN" <monica.durkin@wadnr.gov>
Date: 6/20/2006 1:03:25 PM
Subject: RE: derelict pilings in Lake Wa

Hello, Monica;

I apologize for taking so long to respond to your request. Joe Burcar at the Department of Ecology sent me this excerpt from the RCW regarding shoreline jurisdiction:

"RCW 35.21.160
Jurisdiction over adjacent waters.

The powers and jurisdiction of all incorporated cities and towns of the state having their boundaries or any part thereof adjacent to or fronting on any bay or bays, lake or lakes, sound or sounds, river or rivers, or other navigable waters are hereby extended into and over such waters and over any tidelands intervening between any such boundary and any such waters to the middle of such bays, sounds, lakes, rivers, or other waters in every manner and for every purpose that such powers and jurisdiction could be exercised if the waters were within the city or town limits. In calculating the area of any town for the purpose of determining compliance with the limitation on the area of a town prescribed by RCW 35.21.010, the area over which jurisdiction is conferred by this section shall not be included."

The derelict pilings that you are asking to remove are in Lake Washington, offshore from land that is under the City of Renton's jurisdiction. Therefore, DDES concludes that these pilings should be reviewed for shoreline jurisdiction by the City of Renton, rather than by King County.

I'll be happy to discuss this with you further if you have more questions.

Laura Casey
Environmental Scientist III
Dept. of Development and Environmental Services
Land Use Services - Critical Areas Section
206-296-7158

-----Original Message-----
From: MONICA DURKIN [mailto:monica.durkin@wadnr.gov]
Sent: Tuesday, June 13, 2006 2:33 PM
To: Casey, Laura
Subject: derelict pilings in Lake Wa

Hi Laura,
Thank you for the call. Attached is the map of the location of the 100+ pilings. The parcel numbers for the area are 2924059014 and 2924059013. All of the pilings are located on State property that is managed by State Department of Natural Resources. Let me know if I can provide you with any more information.

Thanks so much for your help!
Monica

Monica Durkin
Natural Resource Specialist
South Puget Sound Region
Department of Natural Resources
(360) 825-1631 ext. 2006

CC: "Bottheim, Steve" <Steve.Bottheim@METROKC.GOV>, "Burcar, Joe (ECY)" <jobu461@ECY.WA.GOV>

turbidity to the waterway. Piling will not be rinsed or washed in any way. Piles will be recycled or properly disposed of at an approved upland disposal facility.

- To contain sediment or creosote-treated wood fragments, return water draining from the pile receiving barge will be treated by filtering water through straw bales and absorbents as necessary to remove sheens and to minimize the loss of adhered sediments.
- All areas where pilings are to be removed, either by full extraction or by cut off procedures, will be covered with riprap and habitat mix and/or deepened by dredging during subsequent remedial action construction. These activities will minimize exposure of cut off piling at the post-project mudline and fill in any holes left behind during piling removal.

4.2 PILE REMOVAL BEST MANAGEMENT PRACTICES

The BMPs that will be implemented for the removal of piles include:

- Absorbent containment booms with a 4- to 6-foot turbidity curtain will be deployed around the piling removal area to contain any potential debris or petroleum sheens released to the waterway as the result of pile removal disturbance.
- If debris or spill material accidentally enters the waterway, actions will be taken to remove the material. All debris or spill material will be properly disposed of at an approved disposal facility. Any spills, other than construction debris, that enter the waterway will be reported immediately to Ecology's Northwest Regional Office.
- As the piles are pulled from the subsurface, they will be directly placed onto a receiving barge to minimize potential releases of creosote, petroleum sheens, and

Monica, below are the BMPs but after looking at them I see that they are not applicable to your situation. They are for the removal of a large number of creosoted piles in an area that is to be dredged or capped. Right now I can only think of the following: the operator should not attempt to dig around a pile as an aid to its removal unless it is known that the area is not contaminated. For your project I don't see the need for a boom. Piles should not be washed off in the water. The operator should not sweep the bottom sediments in search of underwater piles unless it is known that the area is not contaminated.

From: "Casey, Laura" <Laura.Casey@METROKC.GOV>
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Subject: RE: derelict pilings in Lake Wa

Hello, Monica;

I apologize for taking so long to respond to your request. Joe Burcar at the Department of Ecology sent me this excerpt from the RCW regarding shoreline jurisdiction:

"RCW 35.21.160
Jurisdiction over adjacent waters.

The powers and jurisdiction of all incorporated cities and towns of the state having their boundaries or any part thereof adjacent to or fronting on any bay or bays, lake or lakes, sound or sounds, river or rivers, or other navigable waters are hereby extended into and over such waters and over any tidelands intervening between any such boundary and any such waters to the middle of such bays, sounds, lakes, rivers, or other waters in every manner and for every purpose that such powers and jurisdiction could be exercised if the waters were within the city or town limits. In calculating the area of any town for the purpose of determining compliance with the limitation on the area of a town prescribed by RCW 35.21.010, the area over which jurisdiction is conferred by this section shall not be included."

The derelict pilings that you are asking to remove are in Lake Washington, offshore from land that is under the City of Renton's jurisdiction. Therefore, DDES concludes that these pilings should be reviewed for shoreline jurisdiction by the City of Renton, rather than by King County.

I'll be happy to discuss this with you further if you have more questions.

Laura Casey
Environmental Scientist III
Dept. of Development and Environmental Services
Land Use Services - Critical Areas Section
206-296-7158

-----Original Message-----
From: MONICA DURKIN [mailto:monica.durkin@wadnr.gov]
Sent: Tuesday, June 13, 2006 2:33 PM
To: Casey, Laura
Subject: derelict pilings in Lake Wa

Hi Laura,
Thank you for the call. Attached is the map of the location of the 100+ pilings. The parcel numbers for the area are 2924059014 and 2924059013. All of the pilings are located on State property that is managed by State Department of Natural Resources. Let me know if I can provide you with any more information.

Thanks so much for your help!
Monica

Monica Durkin
Natural Resource Specialist
South Puget Sound Region
Department of Natural Resources
(360) 825-1631 ext. 2006

CC: "Bottheim, Steve" <Steve.Bottheim@METROKC.GOV>, "Burcar, Joe (ECY)" <jobu461@ECY.WA.GOV>

From: "Casey, Laura" <Laura.Casey@METROKC.GOV>
To: "MONICA DURKIN" <monica.durkin@wadnr.gov>
Date: 6/20/2006 1:03:25 PM
Subject: RE: derelict pilings in Lake Wa

Hello, Monica;

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(360) 825-1631 ext. 2006

CC: "Bottheim, Steve" <Steve.Bottheim@METROKC.GOV>, "Burcar, Joe (ECY)" <jobu461@ECY.WA.GOV>

From: "Snoey, Janis (ATG)" <JanisS@ATG.WA.GOV>
To: "Manolopoulos, Lynn" <lynnmanolopoulos@DWT.com>
Date: 6/15/2006 11:05:51 AM
Subject: Piling Removal

Hello Lynn,

As we discussed on the phone yesterday, DNR wants to remove pilings from state-owned aquatic land in front of the Quendall Terminals site. The potential hazard to navigation that the pilings represent necessitates the removal. Some of the pilings appear to be in areas that may be contaminated as a result of on-shore activities. In undertaking this effort, DNR does not assume any liability for any of the contamination. However, we do want to offer your client the opportunity to your client to review and comment on the plans because it is in everyone's best interest to avoid exacerbation of the situation.

Attached is a memorandum from DNR describing the proposed operations and a plan showing the locations of pilings.

<<Quendall piling removal memorandum.pdf>> <<map of pilings.pdf>>
Thanks for your assistance and please call with any questions or comments.

Janis

Janis Snoey, Assistant Attorney General
Attorney General of Washington
Natural Resources Division
1125 Washington Street SE
PO Box 40100
Olympia, Washington 98504-0100
Phone: 360-753-6204
Fax: 360-586-2756
E: janiss@atg.wa.gov

CC: "MONICA DURKIN" <monica.durkin@wadnr.gov>

From: "Snoey, Janis (ATG)" <JanisS@ATG.WA.GOV>
To: "Manolopoulos, Lynn" <lynnmanolopoulos@DWT.com>
Date: 6/15/2006 11:05:51 AM
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E: janiss@atg.wa.gov

CC: "MONICA DURKIN" <monica.durkin@wadnr.gov>

From: "Snoey, Janis (ATG)" <JanisS@ATG.WA.GOV>
To: "MONICA DURKIN" <monica.durkin@wadnr.gov>, "JOHN BOWER" <john.bower@wadnr.gov>, "TIM GOODMAN" <tim.goodman@wadnr.gov>
Date: 6/14/2006 1:31:27 PM
Subject: RE: Quendall Terminals Update--pilings

Confidential Attorney-Client Privileged Communication
Note: This communication is intended only for the addressee shown above. It may contain information that is privileged, confidential or otherwise protected from disclosure. Any review, dissemination, or use of this communication or its contents by persons other than the addressee is strictly prohibited. If you have received this communication in error, please notify me immediately.

[redacted]

-----Original Message-----
From: MONICA DURKIN [mailto:monica.durkin@wadnr.gov]
Sent: Thursday, June 08, 2006 1:19 PM
To: JOHN BOWER; TIM GOODMAN
Cc: Snoey, Janis (ATG); McNair, Fran; REX THOMPSON
Subject: Quendall Terminals Update--pilings

Piling Update
With the removal of the pilings and other improvements from the Barbee Mill site just south, the Quendall Terminals and J.H. Baxter harbor area has opened up and the remaining deteriorating pilings out in the lake pose a navigational hazard. The Marine Patrol is concerned about the hazards these pilings present to boaters. [redacted]

[redacted] ration

[redacted]

From: "Snoey, Janis (ATG)" <JanisS@ATG.WA.GOV>
To: "MONICA DURKIN" <monica.durkin@wadnr.gov>, "JOHN BOWER" <john.bower@wadnr.gov>, "TIM GOODMAN" <tim.goodman@wadnr.gov>
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Just to clarify, more than ten years has passed since the lease lapsed and, to my knowledge, the State has never asked the former lessee to remove the pilings from state-owned aquatic lands. Therefore, we have no legal hammer to get them to pay.

As Monica and I discussed on the phone, I have a call into Cyndy Mackey -the EPA lawyer- to discuss the possibility of a written waiver from EPA. I'll let you know when I hear from her.

I just got off the phone with Lynn Manoloupoulous. She represents the Cuginis, one of two joint venture partners in Quendall Terminals, who is the PRP at this site. She requested that DNR send her a plan of the pilings to be removed and the description of how the pilings will be removed, so she can forward to Anchor to review. This will help avoid potential claims of State liability for a release in the PAH, wood waste area.

Call with any questions or comments. Thanks. Janis

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The pilings are not treated. I am proposing to remove the approximate 123 derelict pilings, one steel ball float, and one steel cylinder float that are located on SOAL within the harbor area. Our district has some restoration

funds that can be put towards the removal of these pilings. Along with improving navigation, the removal of the pilings and dolphins will benefit juvenile chinook and coho salmon by removing improvements that currently provide cover, shade, and focal points for predators.

Most of the pilings (appx. 74) are not located within the woodwaste or PAH areas. However, I have estimated that approximately 21 of the pilings are located in an area that has been shown to have woodwaste and approximately 28 pilings are located in an area that has been shown to contain some PAH contamination.

EPA has no problem with us removing the pilings from the area. Since they are not treated, EPA cannot press the PRP's to remove them during the cleanup. WDFW will also approve the removal and would just like to see the holes filled with clean sand after removal.

Proposal
Below are my proposed actions. Please take a look and let me know what you think. I am particularly interested in how to treat the removal of the pilings located in the PAH and woodwaste areas.

The pilings will be extracted using a vibratory hammer that is mounted on a barge. A collar will be fastened around the pilings and will pull up the piling while vibrating it out of the sediment. Once the pilings are pulled from the sediment the vibratory hammer will be turned off. The pilings will be placed on the barge and disposed of off site.

Pilings that break which are located in clean sediment will be completely removed by pulling them out of the sediment with a clam shell bucket. Pilings that break that are located in the PAH or woodwaste areas will be cut at the mud line.

All holes created by the removal of the pilings will be filled and capped with sand. Piles will not be washed off in the water. The bottom sediments will not be sweeped to search for underwater piles in known contaminated areas.

The steel ball and steel cylinder are floating on the lake and anchored to the bedland. These two improvements will be removed by lifting or extracting their anchors from the sediments or cutting the chain and leaving the anchor in place.

Thanks!
Monica

CC: "McNair, Fran" <fran.mcnair@wadnr.gov>, "REX THOMPSON" <rex.thompson@wadnr.gov>

From: "Snoey, Janis (ATG)" <JanisS@ATG.WA.GOV>
To: "MONICA DURKIN" <monica.durkin@wadnr.gov>, "JOHN BOWER" <john.bower@wadnr.gov>, "TIM GOODMAN" <tim.goodman@wadnr.gov>
Date: 6/14/2006 1:31:27 PM
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CC: "McNair, Fran" <fran.mcnair@wadnr.gov>, "REX THOMPSON" <rex.thompson@wadnr.gov>

From: "Laureen Nicolay" <Lnicolay@ci.renton.wa.us>
To: <monica.durkin@wadnr.gov>
Date: 6/12/2006 3:29:22 PM
Subject: Re: piling/dolphin removal near Quendall Terminals

Laureen Nicolay
City of Renton Development Services
1055 South Grady Way
Renton WA 98055
Phone: (425) 430-7294
Fax: (425) 430-7231
lnicolay@ci.renton.wa.us

>>> "MONICA DURKIN" <monica.durkin@wadnr.gov> 6/12/06 1:11:35 PM >>>
Hello,
The pilings/dolphins at this location have become a navigational hazard out on Lake Washington. DNR has some restoration funds we can dedicate to the removal of these pilings. Attached is a map that shows the location of over 100 pilings. I am wondering if the City of Renton will take the lead on my SEPA checklist.

Thanks so much for your help!
Monica
(206) 799-2949

Monica Durkin
Natural Resource Specialist
South Puget Sound Region
Department of Natural Resources
(360) 825-1631 ext. 2006

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Janis Snoey, Assistant Attorney General
Attorney General of Washington
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Phone: 360-753-6204
Fax: 360-586-2756
E: janiss@atg.wa.gov

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Monica
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Natural Resource Specialist
South Puget Sound Region
Department of Natural Resources
(360) 825-1631 ext. 2006

From: <Priddy.Lynda@epamail.epa.gov>
To: <monica.durkin@wadnr.gov>
Date: 6/5/2006 3:58:23 PM
Subject: BMPs

Monica, below are the BMPs but after looking at them I see that they are not applicable to your situation. They are for the removal of a large number of creosoted piles in an area that is to be dredged or capped. Right now I can only think of the following: the operator should not attempt to dig around a pile as an aid to its removal unless it is known that the area is not contaminated. For your project I don't see the need for a boom. Piles should not be washed off in the water. The operator should not sweep the bottom sediments in search of underwater piles unless it is known that the area is not contaminated.

(Embedded image moved to file: pic21859.jpg)

(Embedded image moved to file: pic20864.jpg)

Lynda Priddy, Environmental Scientist
Office of Environmental Cleanup
Region 10, US Environmental Protection Agency
206.553.1987
FAX 206.553.0124
e-mail: priddy.lynda@epa.gov.

From: "David Jokinen" <David.Jokinen@mercergov.org>
To: "MONICA DURKIN" <monica.durkin@wadnr.gov>
Date: 5/30/2006 12:49:33 PM
Subject: RE: Pilings of concern

Monica,

Awesome!! Great job. Removing the pilings will really make this area safer for the boating public, and should be very, much appreciated by the City of Renton and all of us who use Lake Washington. Let me know if there is anything I can do to help.

Thanks - Dave

-----Original Message-----
From: MONICA DURKIN [mailto:monica.durkin@wadnr.gov]
Sent: Tuesday, May 30, 2006 11:47 AM
To: David Jokinen
Subject: Re: Pilings of concern

Hi Dave,
Thanks again for taking me out to assess the pilings at Quendall Terminals. I've attached the map that I put together with the GPS points from the site visit. Good News! I have received approval to use our restoration funds to remove the 100+ pilings and other debris.

I will be working with EPA and will also start putting together the permit applications for the removal. I will try to go through the process as quick as possible to get them out of there. As we spoke of if you know of any other derelict pilings in the lake let me know. I might be able to include them in the project.

Thanks,
Monica

Monica Durkin
Natural Resource Specialist
South Puget Sound Region
Department of Natural Resources
(360) 825-1631 ext. 2006

>>> "David Jokinen" <David.Jokinen@mercergov.org> 5/16/2006 9:45 PM >>>
Monica,

Here are some photographs of pilings at Barbee Mill. I am most concerned about the two most western pilings. They are several hundred yards off shore and not very visible during certain times of the day. Now that the log boom is gone it is just a matter of time before someone hits them. Global Salvage, Rick Mraz and I will be going out to the dry docks on this Thursday at 9:00 a.m. to do some further assessing of the docks. If you would like to come out to see the pilings I'm concerned about you are more then welcome. We will likely meet at the

boat launch around 9:00 a.m.

Thanks for your assistance.

Dave

Sgt. Dave Jokinen
Mercer Island Marine Patrol
Office (206) 236-5309
Nextel (206) 947-4388
david.jokinen@mercergov.org

CC: "Kathleen McClincy" <Kmcclincy@ci.renton.wa.us>, "Ed Holmes" <Ed.Holmes@mercergov.org>, "Greg Levinson" <Greg.Levinson@mercergov.org>, "Keith McDonough" <Keith.McDonough@mercergov.org>

From: MONICA DURKIN
To: priddy.lynda@epa.gov
Date: 5/30/2006 11:38:45 AM
Subject: pilings

Hi Lynda,
I left you a voice message regarding my inventory of the pilings in the Harbor Area adjacent to the Quendall Terminals site. I've attached the map I put together showing the location of the pilings. The Mercer Island Harbor Patrol has expressed concern that they have become a navagational hazard since the boom at the Barbee Mill site has been removed.

They are not creosote, so my solution for removal is to use some of DNR's restoration funds to have them removed. I would like to begin putting together the permit applications and wanted to check in with you to see if you have any input or concerns regarding the removal of these pilings.

Thanks so much!
Monica

Monica Durkin
Natural Resource Specialist
South Puget Sound Region
Department of Natural Resources
(360) 825-1631 ext. 2006

From: "David Jokinen" <David.Jokinen@mercergov.org>
To: <monica.durkin@wadnr.gov>
Date: 5/16/2006 9:47:28 PM
Subject: Pilings of concern

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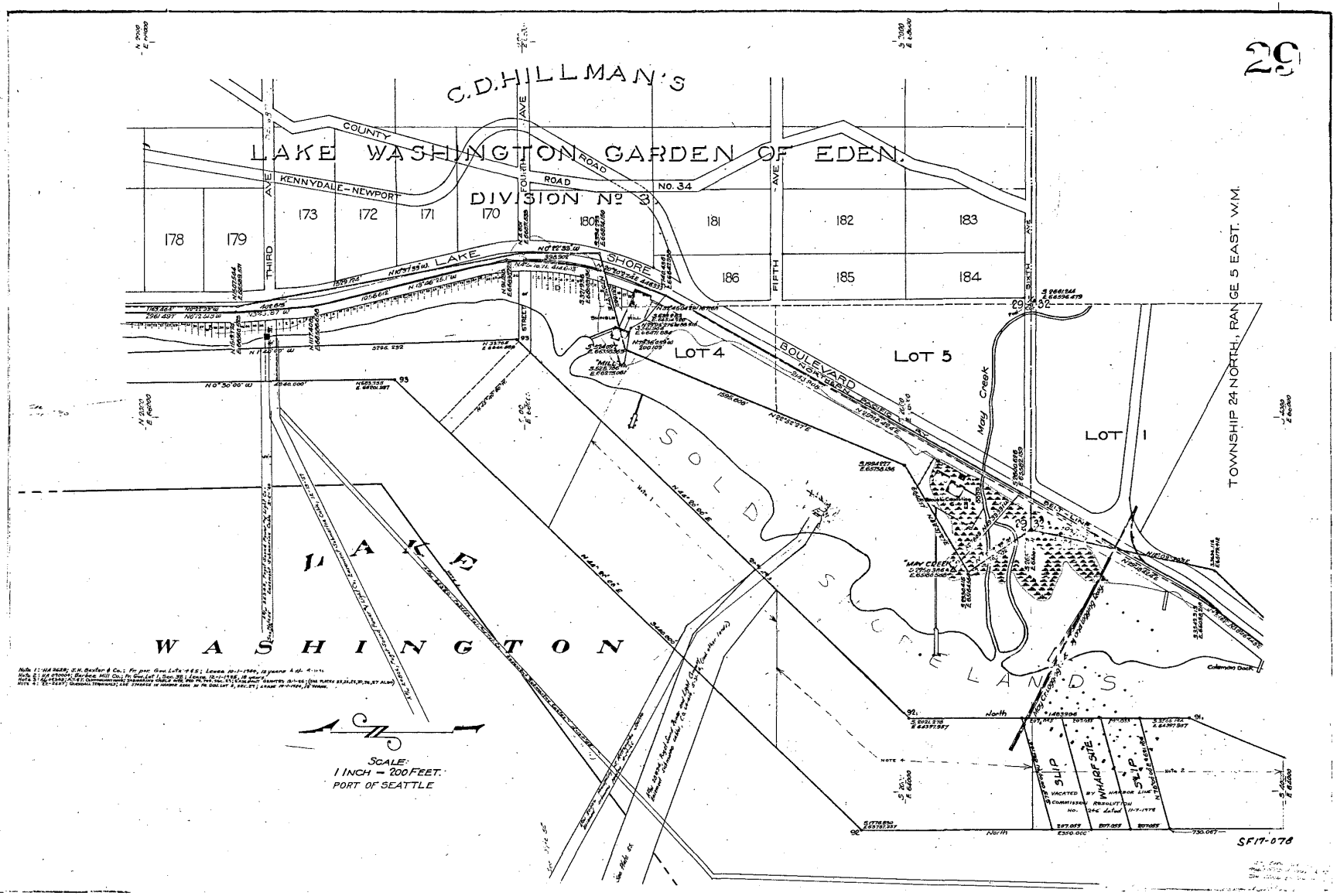
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C.D.HILLMAN'S
LAKE WASHINGTON GARDEN OF EDEN.
DIVISION Nº 3
COUNTY ROAD No. 34
KENNYDALE-NEWPORT
THIRD AVE
FOURTH AVE
FIFTH AVE
SIXTH AVE
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LAKE SHORE BOULEVARD
LOT 4
LOT 5
LOT 1
May Creek
TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M.
SOLD SHORELANDS
LAKE WASHINGTON
SCALE:
1 INCH = 200 FEET.
PORT OF SEATTLE
WHARF SITE
SLIP
SF17-078