

## DEPARTMENT OF THE ARMY PERMIT

**Permittee:** Seattle Department of Planning and Development

700 5<sup>th</sup> Avenue, Suite 2000  
Seattle, Washington 98124

**Permit No:** NWS-2014-1186-WRD

**Issuing Office:** Seattle District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the U.S. Army Corps of Engineers (Corps) having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** Install five navigational buoys to demarcate a takeoff/landing area for seaplanes in accordance with the plans and drawings dated July 12, 2016, attached hereto which are incorporated in and made a part of this permit. The purpose of the project is to improve safety for boats navigating in areas of seaplane operation on Lake Union.

**Project Location:** In Lake Union at Seattle, Washington.

**Permit Conditions:**

*General Conditions:*

1. The time limit for completing the work authorized ends on JUL 18 2020. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in accordance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification to this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. 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.

7. After a detailed and careful review of all the conditions contained in this permit, the permittee acknowledges that, although said conditions were required by the Corps, nonetheless the permittee agreed to those conditions voluntarily to facilitate issuance of the permit; the permittee will comply fully with all the terms of all the permit conditions.

*Special Conditions:*

a. You must provide a copy of the permit transmittal letter, the permit form, and drawings to all contractors performing any of the authorized work.

b. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or 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, the permittee 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.

c. You must implement and abide by the programmatic Endangered Species Act (ESA) consultation requirements and/or agreements set forth in your Specific Project Information Form dated April 7, 2015 for *Aids to Navigation*. Failure to comply with the commitments made in this document constitutes non-compliance with the ESA and your U.S. Army Corps of Engineers (Corps) permit. If you cannot comply with the terms and conditions of this programmatic consultation, you must, prior to commencing construction, contact the Corps, Seattle District, Regulatory Branch for an individual consultation in accordance with the requirements of the ESA and/or the Magnuson-Stevens Fishery Conservation and Management Act.

d. You must implement and abide by the agreements set forth in the Lake Union Buoy Operation Plan, dated July 2016, in their entirety. Failure to comply with the commitments made in this document constitutes non-compliance with your U.S. Army Corps of Engineers permit.

**Further Information:**

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:

- ☒ Section 10 of the Rivers and Harbor Act of 1899 (33 United States Code (U.S.C.) 403).
- ☐ Section 404 of the Clean Water Act (33 U.S.C. 1344).
- ☐ Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.



3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of the permit.
- b. The information provided by you in support of your application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 Code of Federal Regulations (CFR), Part 325.7 or enforcement procedures such as those contained in 33 CFR, Parts 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR, Part 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.


6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

  
\_\_\_\_\_  
Seattle Department of Planning and Development

7-12-17  
\_\_\_\_\_  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

  
\_\_\_\_\_  
John G. Buck  
Colonel, Corps of Engineers  
District Engineer

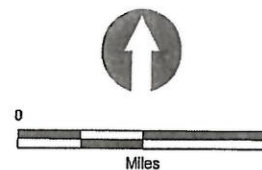
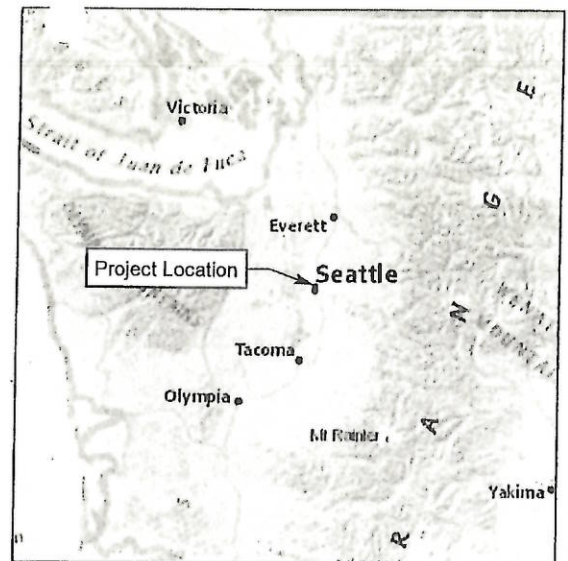
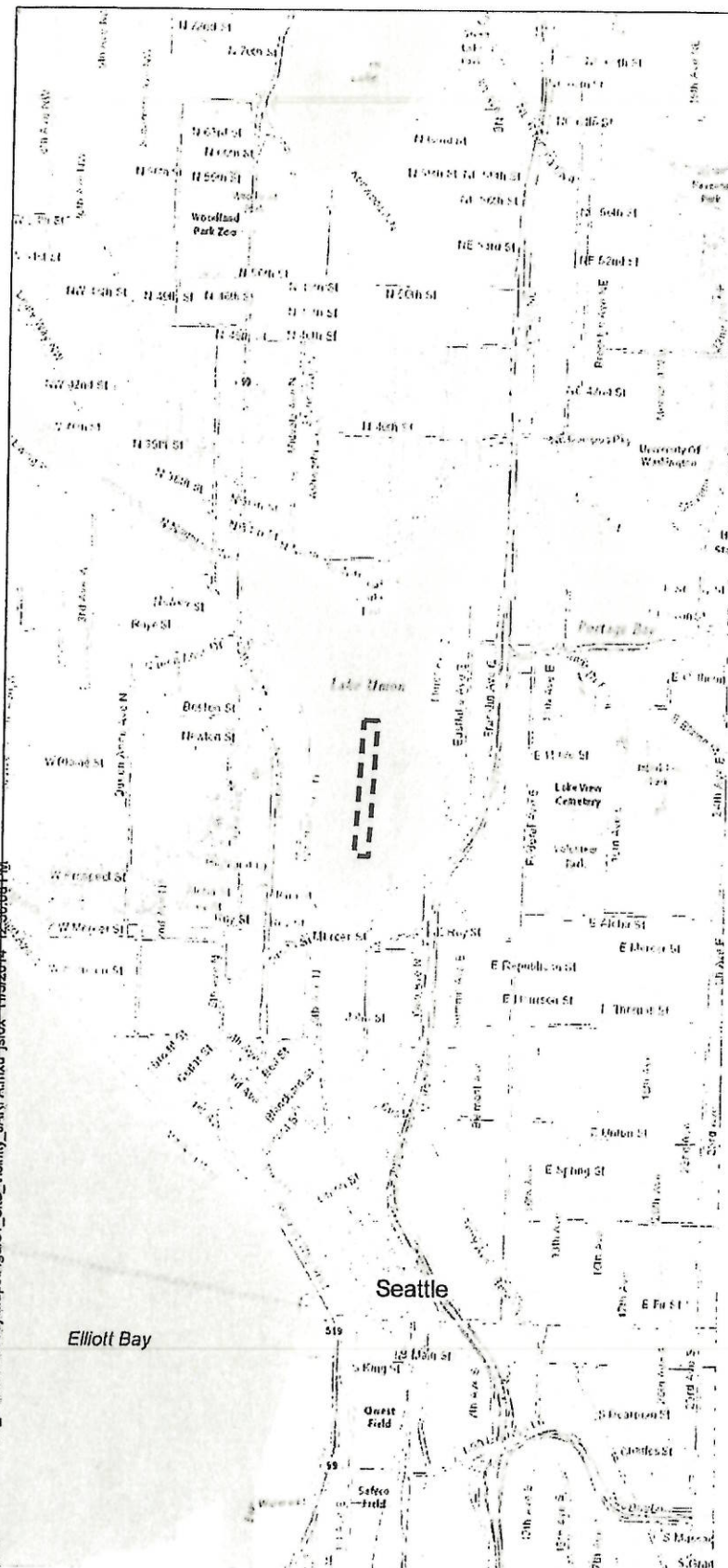
7/17/17  
\_\_\_\_\_  
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFeree)

\_\_\_\_\_  
(DATE)

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SOURCE: Content may not reflect National Geographic's current map policy. Sources: National Geographic, Esri, DeLorme, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, Increment P Corp.

#### VICINITY MAP

NWS-2014-1186-WRD

PURPOSE: DEMARCAT A LANDING ZONE FOR SAFE INGRESS AND EGRESS OF FLOATPLANES

DATUM: MLLW 0.0'  
LATITUDE: 47°38'04"N  
LONGITUDE: -122°20'06"W

NAME: SOUTH LAKE UNION BUOY INSTALLATION  
SEATTLE, WASHINGTON 98109  
ADJACENT PROPERTY OWNERS:  
1 - WASHINGTON STATE DNR  
2 - KENMORE AIR  
3 - ASSOCIATED GENERAL CONTRACTORS OF WASHINGTON  
4 - WATERMARK ESTATE MANAGEMENT SERVICES  
5 - CITY INVESTORS X LLC

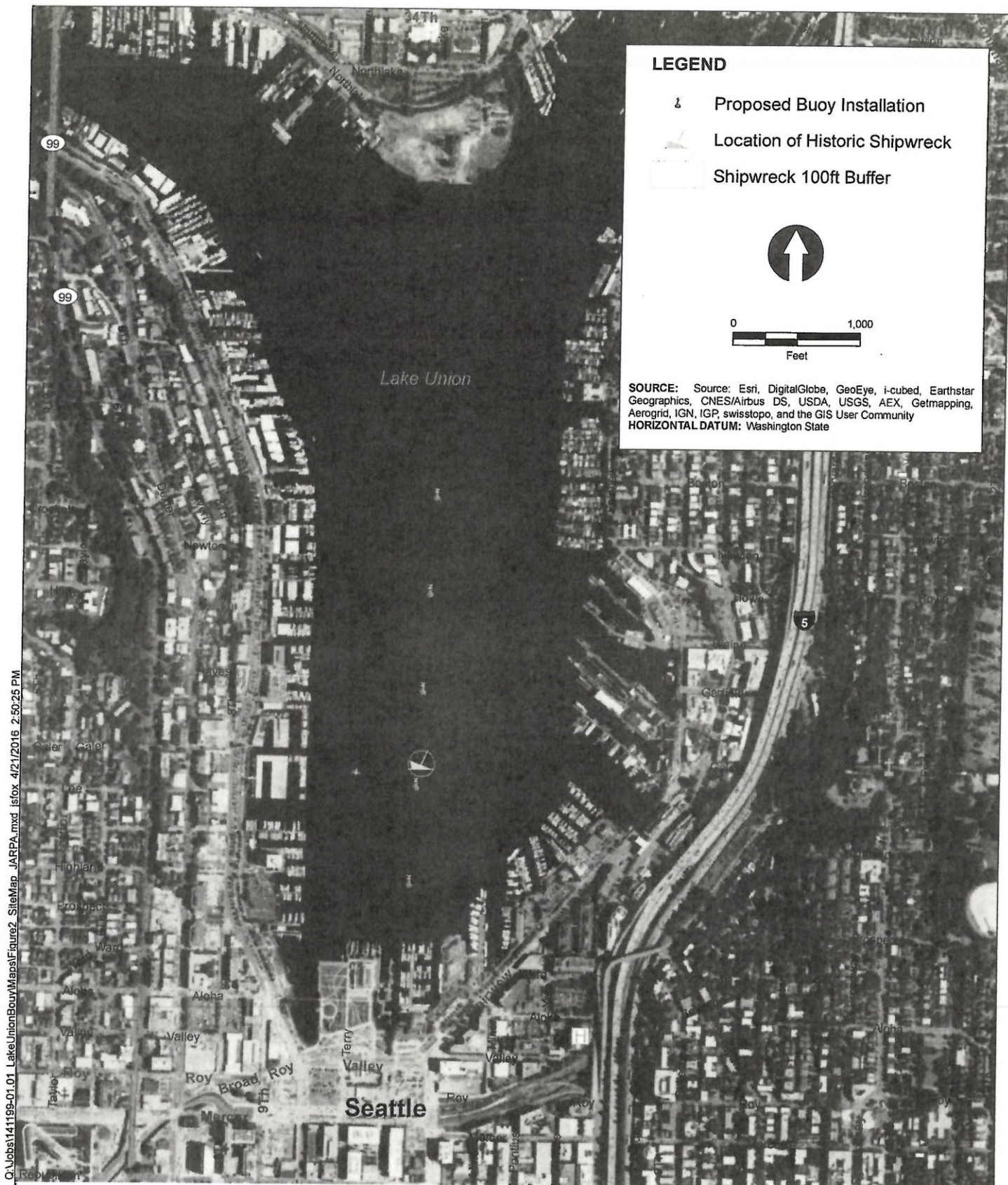
PROPOSED: INSTALLATION OF FIVE NAVIGATIONAL BUOYS AND ASSOCIATED ANCHORS

IN: LAKE UNION  
NEARBY: CITY OF SEATTLE  
COUNTY OF: KING  
STATE: WASHINGTON

Revised  
7/12/2016  
Sheet 1 of 3

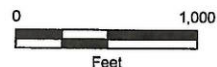
ANCHOR  
GOEA  
720 Olive Way  
Suite 1900  
Seattle, WA 98101  
206-287-9130





### LEGEND

- Proposed Buoy Installation  
Location of Historic Shipwreck  
Shipwreck 100ft Buffer



**SOURCE:** Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar  
Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping,  
Aerogrid, IGN, IGP, swisstopo, and the GIS User Community  
**HORIZONTAL DATUM:** Washington State

PURPOSE: DEMARCATATE A LANDING ZONE FOR SAFE INGRESS AND EGRESS OF FLOATPLANES

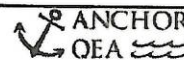
DATUM: MLLW 0.0'  
LATITUDE: 47°38'04"N  
LONGITUDE: -122°20'06"W

NAME: SOUTH LAKE UNION BUOY  
INSTALLATION  
SEATTLE, WASHINGTON 98109  
ADJACENT PROPERTY OWNERS:  
1 - WASHINGTON STATE DNR  
2 - KENMORE AIR  
3 - ASSOCIATED GENERAL CONTRACTORS OF  
WASHINGTON  
4 - WATERMARK ESTATE MANAGEMENT SERVICES  
5 - CITY INVESTORS X LLC

PROPOSED: INSTALLATION OF FIVE  
NAVIGATIONAL BUOYS AND ASSOCIATED  
ANCHORS

IN: LAKE UNION  
NEAR/AT: CITY OF SEATTLE  
COUNTY OF: KING  
STATE: WASHINGTON

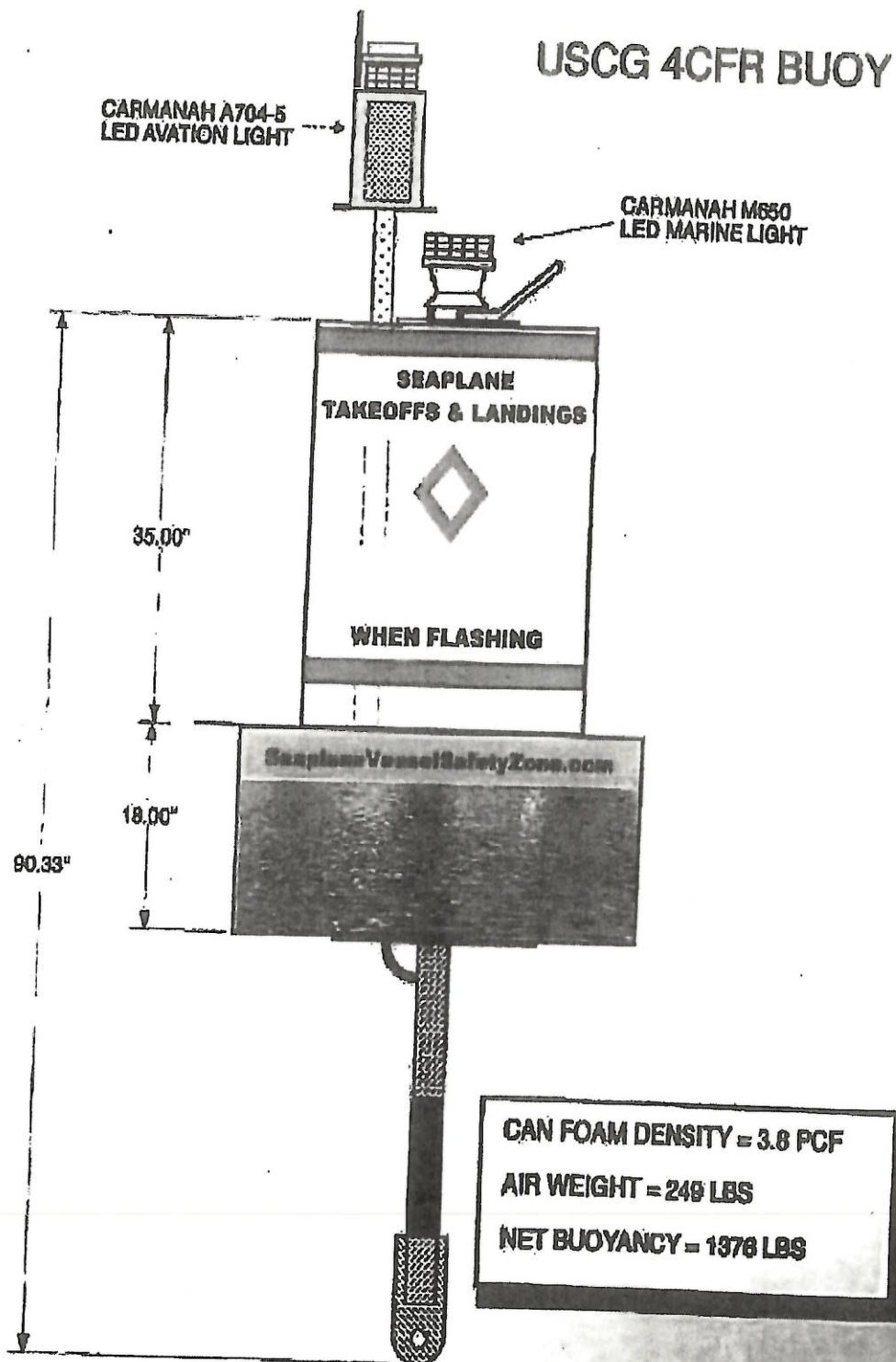
Revised  
7/12/2016  
Sheet 2 of 3



720 Olive Way  
Suite 1900  
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206-287-9130

NW5-2014-1186-WRD

# Lake Union Seaplane Buoy/Lighting Design



Q:\Jobs\141199-01.01 LakeUnionBuoy\Map\Figure3 BuoyDesign JARPA.mxd 11/3/2014 12:46:42 PM

PURPOSE: DEMARCAT A LANDING  
ZONE FOR SAFE INGRESS AND  
EGRESS OF FLOATPLANES

DATUM: MLLW 0.0'  
LATITUDE: 47°38'04"N  
LONGITUDE: -122°20'06"W

NAME: SOUTH LAKE UNION BUOY  
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PROPOSED: INSTALLATION OF ~~FOUR~~ **FIVE**  
NAVIGATIONAL BUOYS AND ASSOCIATED  
ANCHORS

IN: LAKE UNION  
NEAR/AT: CITY OF SEATTLE  
COUNTY OF: KING  
STATE: WASHINGTON

**Revised**  
7/12/2016  
Sheet 3 of 3

**ANCHOR**  
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Seattle, WA 98101  
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