



MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Application No.: **SEP22-017**

Description of proposal: **Review under the State Environmental Policy Act (SEPA) for a 233 square foot expansion to an existing residential pier and the repair of 74 linear feet of an existing bulkhead. The project also involves the removal of a 12.44 cubic yard concrete slab, the installation of a new cove with stairs, and the permitting of two existing boat lifts.**

Proponent: **Dray Davick (Seaborn Pile Driving)**

Owner: **Jenn Henry**

Location of proposal: **6802 96th Ave SE, Mercer Island, WA 98040;
Identified by King County Assessor tax parcel numbers 258070-0005**

Lead agency: **City of Mercer Island**

Project Documents: **Please follow this file path to access the associated documents for this project: <https://mieplan.mercergov.org/public/SHL22-021&SEP22-017/>**

The lead agency for this proposal 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 after review of a completed environmental checklist. This information is available to the public on request.

_____ There is no comment period for this DNS.

✓
_____ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

_____ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by N/A at 5:00pm.

Responsible Official: **Andrew Leon, Planner
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
Phone: (206) 275-7720
Email: andrew.leon@mercergov.org**

Date: **May 1, 2023**

Signature:

A handwritten signature in black ink, appearing to read "Andrew Leon", is written over the signature line.

APPEAL INFORMATION

This decision to issue a Determination of Non-significance (DNS) rather than to require an EIS may be appealed pursuant to Section 19.21 of the Mercer Island Unified Land Development Code, Environmental procedures.

- ✓ Any party of record may appeal this determination to the City Clerk at 9611 SE 36th Street Mercer Island, WA 98040 no later than **5:00 PM on Tuesday, May 15, 2023** by filing a timely and complete appeal application and paying the appeal fee. You should be prepared to make specific factual objections. Contact the City Clerk to read or ask about the procedures for SEPA appeals. To reverse, modify or remand this decision, the appeal hearing body must find that there has been substantial error, the proceedings were materially affected by irregularities in procedure, the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city's applicable decision criteria.

_____ There is no agency appeal.

MITIGATION CONDITIONS

The following conditions are required pursuant to RCW 43.21C.060 and WAC 197-11-350 to mitigate probable and unavoidable impacts identified for this proposal. All conditions of mitigation must be completed prior to building permit final approval.

1. Any soils or sediments exported off site shall be sampled and analyzed for arsenic and lead. If soils are found to be contaminated with arsenic or lead, they shall be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards (Chapter 173-350 WAC).