

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercerisland.gov/cpd



SEPA THRESHOLD OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (ODNS)

NOTICE IS HEREBY GIVEN for the application described below:

Application No.: SEP24-006

Permit Type: Type III

Description of Request: Review under the State Environmental Policy Act (SEPA) for the repair the contiguous shoreline by removing the existing bulkhead and replacing it with a new rock bulkhead and beach cove. Other project elements include construction of a 120 SF barbeque, the removal of two trees, and the installation of native trees, shrubs, and groundcover plantings.

Applicant: Devin Melville (Facet) / Ken Lustig

Location of Proposal: 3820 E Mercer Way, Mercer Island, WA 98040
King County Assessor tax parcel number: 0824059185, 0824059184, 0824059189, 0824059029, 0824059181, and 0824059240

Lead Agency: City of Mercer Island, Department of Community Planning & Development

Project Documents: <https://permitbulletin.mercerisland.gov/public/SHL24-013%20&%20SEP24-006/>

Application Process Information:

Date of Application:	May 14, 2024
Determined to be Complete:	August 22, 2024
Bulletin Notice of Application:	August 26, 2024
Date of Mailing:	August 26, 2024
Date of Sign Posting:	August 26, 2024
Comment Period Ended:	5:00PM on September 25, 2024

The lead agency determined that the proposed development will not have a probably significant adverse impact on the environment. An environmental impact statement (EIS) is not required pursuant to RCW 43.21C.031(2). This decision was made 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.

<input type="checkbox"/>	There is no comment period for this ODNS.
<input checked="" type="checkbox"/>	This ODNS is issued after using the optional ODNS process in WAC 197-11-355. There is no further comment period on the ODNS.
<input type="checkbox"/>	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 5:00 PM.

Responsible Official: Grace Manahan, Code Compliance Planner
grace.manahan@mercerisland.gov | (206) 275-7764

Issued Date: October 28, 2024 Signature: /s/ Grace Manahan, Code Compliance Planner

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.

<input checked="" type="checkbox"/>	Any party of record may appeal this determination to the City Clerk at 9611 SE 36 th Street, Mercer Island, WA 98040 no later than 5pm on November 11, 2024 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.
<input type="checkbox"/>	There is no agency appeal.
<input type="checkbox"/>	Any person aggrieved by the issuance of this decision may seek review from the Shorelines Hearings Board by filing a petition for review within twenty-one days from the date of filing of the decision as defined in RCW 90.58.140(6) . Within seven days of the filing of any petition for review with the Board, the petitioner shall serve copies of the petition on the Washington State Department of Ecology, the Office of the Attorney General, and the City of Mercer Island. More information on this process can be found on the Shoreline Hearing Board’s website: http://www.eho.wa.gov/ or by calling (360) 664-9160.