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## NOTICE OF ADMINISTRATIVE DECISION and MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

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The City of Bainbridge Island has made a decision concerning the following land use application:

**Date of Issuance:** October 06, 2017  
**Project Name & Number:** Stone Dock SSDE PLN50860  
**Project Type:** Shoreline Substantial Development Exemption  
**Owner:** ROOT LLC BLACKBERRY  
**Project Site & Tax Parcel:** 6071 CRYSTAL SPRINGS DR NE, TA# 41420000080409

**Project Description:** The project consists of replacement of a pier, ramp, and float (160 feet total) within the existing footprint, and the removal and disposal of a 7 foot by 85 foot marine railway. The proposed dock will be comprised of a fully grated pier and ramp, and the float will include grating over 50% of the surface area. The dock height will be increased to meet current SMP standards. The 20 existing creosote treated piles will be removed and replaced with 10 galvanized steel piles.

**Permit Decision:** The application is **approved**. The staff report, containing the statement of facts upon which the decision, including conditions, is based and the conclusions of law derived from those facts, is available to the public upon request. The decision becomes effective after 14 days from the date of issuance, or after **Friday, October 19, 2017**

**SEPA Determination:** The City of Bainbridge Island (lead agency) has determined that the proposal does not have a probable significant impact on the environment if mitigation measures are properly implemented. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This determination 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 upon request.

**Responsible Official:** Gary R. Christensen, AICP, Director  
City of Bainbridge Island  
**Address:** Department of Planning and Community Development  
280 Madison Avenue North  
Bainbridge Island, WA 98110 (206) 842 - 2552

Signature:  Date: 10/6/17

**Appeal Procedure:** This administrative decision and/or SEPA determination may be appealed by filing a written appeal and paying a \$530.00 filing fee to the City Clerk at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 2.16.020P and/or 16.04.170. An appeal must be filed **no later than 4:00 p.m., Friday, October 19, 2017**. You should be prepared to make specific factual objections.

**Mitigation Measures for Stone** This threshold determination is for file number PLN50860. A threshold

**Dock SSDE SEPA Determination:** determination under the State Environmental Policy Act in no way allows construction work to commence without appropriate construction permits, such as a building or grading permit. Mitigation measures become conditions of approval for the permit.

Mitigation measures to ensure no probable adverse environmental impact will occur during project construction.

**If you have any questions, contact:**

**Annie Hillier**

City of Bainbridge Island

Department of Planning & Community Development

280 Madison Avenue North

Bainbridge Island, WA 98110

(206) 780-3773 or [ahillier@bainbridgewa.gov](mailto:ahillier@bainbridgewa.gov)

1. All work must be in substantial compliance with the SSDE application materials, dated June 8, 2017 and June 14, 2017 (revisions).
2. Activities to be undertaken as part of this permit require approvals or permits from the Washington Department of Fish and Wildlife and US Army Corps of Engineers. Evidence of required approvals shall be submitted to the City prior to start of work.
3. All in-water and over-water installation and construction activities shall adhere to authorized work windows established by the Washington Department of Fish and Wildlife provisions found in WAC 220-660-330 and as specified in the LOP issued by the US Army Corps of Engineers.
4. No over-water application of paint, preservative treatment, or other chemical compounds shall be permitted at any time.
5. All materials that may contact surface water shall be constructed of materials that will not adversely affect water quality or aquatic plants or animals.
6. Wood that is treated with creosote, copper chromium arsenic (CCA) or pentachlorophenol (PCP) is prohibited.
7. Any equipment used in or around waters shall be clean and inspected daily before use to ensure that the equipment has no fluid leaks. Should a leak develop during use, the leaking equipment will be removed from the site immediately and not used again until it has been adequately repaired. Equipment should be stored and/or fueled at least 100 feet from any surface water where possible.
8. Extreme care shall be taken to prevent petroleum products, chemicals, or other toxic or deleterious materials from entering the water and degrading water quality. If a spill does occur, or if oil sheen or any distressed or dying fish are observed in the project vicinity, work shall cease immediately and Washington Department of Ecology shall be notified of such conditions. Contact: Northwest Regional Spill Response Section at (206) 649-7000.
9. The barge shall not be allowed to ground.
10. All construction activities shall comply with noise limitations in residential zones per BIMC 16.16.020.
11. Any use, construction, placement, removal, alteration, or demolition of any

structure, land, vegetation or property in a manner that violates the terms or conditions of this exemption shall be considered a violation of the Bainbridge Island Shoreline Master Program and be subject to the applicable violations, enforcement and penalties provisions of the Program.

12. Best Management Practices (BMPs) for construction practices shall be followed at all times to prevent adverse environmental impacts to water quality.
13. Flotation for the float shall be fully enclosed and contained in a shell (e.g., polystyrene tubs not shrink wrapped or sprayed coatings) that prevents breakup or loss of the flotation material into the water and is not readily subject to damage by ultraviolet radiation and/or abrasion caused by rubbing against piling and/or waterborne debris. Flotation components shall be installed under the solid portions of the float, not under the grating.
14. Float stops shall be installed on pilings located at the 4 corners of the float, suspending flotation tubs no less than 1 foot from the substrate at all tide levels.
15. If any historical or archaeological artifacts are uncovered during excavation or construction, work shall immediately stop and the Department of Planning and Community Development and the Washington State Department of Archaeology and Historic Preservation shall be immediately notified. Construction shall only continue thereafter in compliance with the applicable provisions of law.
16. A building permit is required prior to the start of any construction.
17. Materials removed from the project site as a part of the project shall be disposed of at an appropriate upland location.
18. FEMA Endangered Species Act (ESA) Requirements: Any construction or development occurring within a FEMA Special Flood Hazard Area (SFHA) shall require a report demonstrating "no adverse effect" to ESA listed species. Please reference <https://www.fema.gov/national-flood-insurance-program-endangered-species-act>.