



**Received by Email**

2021-10-29

STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

*Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000  
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October 28, 2021

City of Mukilteo  
Attn: Lauren Balisky  
11930 Cyrus Way  
Mukilteo, WA 98275

**Re: City of Mukilteo Local Permit SH1013-001  
Washington State Department of Transportation - Applicant  
Simultaneous Filing of Revisions to Permit #2021-NW-2279  
Approved Revised Shoreline Conditional Permit (CUP)**

Dear Lauren Balisky:

On October 12, 2021 the Department of Ecology (Ecology) received the City of Mukilteo's decision on the WSDOT revision request to amend Condition No. 30 of Ecology's CUP approval to ensure that ferry operations comply with the American with Disabilities Act (ADA) standards during all hours of operation.

City of Mukilteo staff recommends the proposed revision be subject to the following condition:

1. SCUP Condition No. 30 shall be revised to read as follows:

“30. Submit an operations plan addressing noise impacts on the upland residential neighborhood from loud speakers / intercoms used to announce loading / unloading of the ferry. ~~Announcements shall be limited to 9 AM—6 PM to protect the quality of life of the upland residents.~~ In order to protect the quality of life of the upland residents, announcements made outside the hours of 9 AM- 6 PM shall be limited to the hours of ferry operations and to those announcements necessary for travelers required accommodation under the Americans with Disabilities Act (ADA).”

2. A land use binder shall be prepared and recorded with Snohomish County upon any approval by Ecology referencing the updated Conditions of Approval for the SCUP.

3. The applicant shall comply with all other applicable local, state, and federal rules, policies, and regulation.

These modifications will not result in adverse environmental impact.

By law, Ecology must review CUP revisions for compliance with:

- The Shoreline Management Act (Chapter 90.58 RCW)
- Ecology's permit revision criteria (Chapter 173-27-100 WAC)
- The City of Mukilteo Local Shoreline Master Program

After reviewing the CUP revision for compliance, Ecology must decide whether to approve, approve with conditions, or disapprove it.

### **Our Decision:**

Ecology **approves** your CUP revision. Please note, however, that other federal, state, and local permits may be required in addition to this shoreline permit.

### **What Happens Next?**

At your own risk, you may immediately begin the activities authorized by the approved SDP and CUP revisions. However, there is a 21-day appeal period beginning on the date of this letter during which time anyone may appeal the SDP or CUP revision to the State Shorelines Hearings Board. The Shorelines Hearings Board could deny or modify your SDP or CUP revision. The Shorelines Hearings Board will notify you by letter if they receive an appeal. They can be reached at (360) 664-9160 or <http://www.eho.wa.gov>.

If **you** want to appeal this decision, you can find appeal instructions (Chapter [461-08](#) WAC) at the Shorelines Hearings Board website above. They are also posted on the website of the Washington State Legislature at <http://apps.leg.wa.gov/wac/default.aspx?cite=461-08>.

If you have any questions, please contact Stephanie Barney, Shoreline Planner at (360) 296-2103 or [stephanie.barney@ecy.wa.gov](mailto:stephanie.barney@ecy.wa.gov).

Sincerely,



Joe Burcar, Section Manager  
Shorelands and Environmental Assistance Program

Sent via email: [ibalisky@mukilteowa.gov](mailto:ibalisky@mukilteowa.gov)