

1 No other parties were present to testify.

2 **The Hearing Examiner closed the public hearing at 1:18 p.m.**

3 **TABLE OF EXHIBITS:**

LOG ITEM	DOCUMENT	DATE
1	Staff Report	6/6/2002
2	Master Land Use Application	4/16/2002
3	Environmental Checklist	4/16/2002
4	JARPA Application	4/16/2002
5	Jefferson County Small Parcel Erosion and Sediment Control Plan	4/16/2002
6	Stormwater Calculation Sheet	4/17/2002
7	Tillman Engineering Letter	4/17/2002
8	Certification of Mailing Type III Notice and Pending SEPA Determination	5/1/2002
9	Affidavit of Posting Notice of Hearing	5/14/2002
10	Affidavit of Posting Notice of Application and Pending SEPA Determination	5/7/2002
11	Parcel Information	4/16/2002
12	Application Substantially Complete Letter	4/30/2002
13	Letter to Agencies	4/30/2002
14	Project Plans	4/16/2002

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17 **FINDINGS OF FACT**

18 1. On or about April 16, 2002, Tuscan Windorn, as representative of
19 David & Jeannine Van Etten, filed an application to construct a wooden
20 staircase to access the beach from the top of an approximate 12-foot
21 steep shoreline bluff. However, the submitted design proposes to
22 cantilever 6.5 feet and suspend the stairs from the top of the bank so
23 it will not touch down directly on the beach. The cantilevered stairs
24 will be the over the Ordinary High Water Mark (OHWM).

25 2. The project site is legally described as parcel number 921 051
26 009 in Section 05, Township 29 North, Range 01 East, WM, located off
27 Smith Road, Nordland WA 98358.

28 3. Pursuant to the SMMP, the site, which is on the west shore of
29 Marrowstone Island on Kilisut Harbor, is designated "Conservancy."