



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

May 7, 2024

Mae Ancheta
Department of the Army
Corps of Engineers
Seattle District, Regulatory Branch
P.O. Box 3755
Seattle, WA 98124

RE: **U.S. Army Corps of Engineers (Corps) Reference No. NWS-2023-0567**
12009 Aqueduct Drive East, Wetlands, Pierce, Washington

Dear Mae Ancheta:

Pursuant to 15 CFR § 930.60, the Washington State Department of Ecology (Ecology) and Applicant are writing to advise you of the status of Ecology's review of the 12009 Aqueduct Drive East project Certification of Consistency with the Washington State Coastal Zone Management (CZM) Program. Ecology and 12009 Aqueduct LLC agreed to stay the CZM review period until September 30, 2024.

On December 4, 2023, the U.S. Army Corps of Engineers provided Ecology with 12009 Aqueduct LLC's Certification of Consistency with the Washington State CZM program. At this time, Ecology has notified 12009 Aqueduct LLC that a CZM federal consistency decision cannot be issued until all of the CZM Program enforceable policies are met. The applicant has not met the requirements of the state's Water Pollution Control Act. The current CZM deadline is June 4, 2024, and additional time is required for the applicant to obtain the necessary Section 401 Water Quality Certification and address how they will satisfy the Construction Stormwater General Permit requirements.

If you have any questions regarding this matter please contact Brook Swensen at 564-999-1749.

Aquatics ID No. 142756, Corps No. NWS-2023-0567


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Sincerely,

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Loree' Randall, Section Manager
Aquatic Permitting & Protection Section
Shorelands and Environmental
Assistance Program

DocuSigned by:


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Laura Livingston on behalf of Joel Simmonds,
12009 Aqueduct LLC

Sent via email: Mae.P.Ancheta@usace.army.mil

E-cc: Joel Simmonds, 12009 Aqueduct LLC
Laura Livingston, Soundview Consultants LLC
Brook Swensen, Ecology
Zach Meyer, Ecology
Lydia Albright, Ecology
fedconsistency@ecy.wa.gov