



**Public Notice of Request for
Clean Water Act Section 401 Water Quality Certification and
Coastal Zone Management Act Federal Consistency**

Public Notice Date: May 31, 2024

Comment Period Ends: June 22, 2024

The Department of Ecology (Ecology) has received a request for a Clean Water Act (CWA) Section 401 Water Quality Certification (WQC) and a Coastal Zone Management Act (CZMA) federal consistency decision for the following project.

Pursuant to Section 401 of the CWA, applicants for a federal license or permit for activities which may discharge to waters of the United States must seek WQC from the state with jurisdiction. Under Section 401 of the CWA, federal agencies cannot issue a license or permit before Ecology makes a decision on a WQC request or waives the right to review. Any conditions that are included in the WQC then become conditions of the federal permit or license. For information regarding Ecology's CWA Section 401 WQC, please visit Ecology's [webpage](#).

Ecology is evaluating this project for consistency with the [enforceable policies](#) of Washington's Coastal Zone Management Program (CZMP). The federal CZMA authorizes states with approved CZMPs to review federal actions, which include federal agency activities and the issuance of federal permits and licenses. After this review is complete, Ecology will issue a decision on whether the project is consistent with the CZMP's enforceable policies; Ecology will either concur or object that the project is consistent to the maximum extent practicable. Please see Ecology's [CZMA federal consistency](#) website for additional information about Ecology's decision process.

Under Washington's CZMP, federal actions that may affect any land use, water use, or natural resources in the coastal zone must be consistent with the enforceable policies found within the following state authorities:

- Washington Clean Air Act
- Washington State Water Pollution Control Act
- State Shoreline Management Act
- Ocean Resources Management Act
- Marine Spatial Plan for Washington's Pacific Coast

Ecology is seeking comments from the public, state and local agencies, tribes, and other interested parties regarding the project.

Comments on this public notice will be accepted and made part of the record. Please specify the proposal or project name and Aquatics identification number when submitting comments.

For additional information or to submit comments, please email the address below:

Department of Ecology—SEA Program
Federal Permit Unit
Email - ecyrefedpermits@ecy.wa.gov

1. Aquatics ID: 142148

Project Name: Belmondo Levee Repair

Applicant: King County

Location: Cedar River, River Mil 10.4 near Maple Valley, King County

Description: Repair and replace an existing failing 140-linear foot levee section along the Cedar River and conduct some wetland enhancement. The project includes the following elements:

- a. Repair an existing previously constructed Engineered Log Jam (ELJ) by placing rock and wood within the pre damaged footprint of the previously constructed ELJ.
- b. Repair an existing rock levee by constructing a new ELJ within the footprint of the previous rock levee face. This ELJ would be adjacent to the existing ELJ. All work would be within the previous rock levee footprint.
- c. Repair a section of the damaged levee with a new rock face and some wood. All work would be within the previous rock levee footprint.
- d. Placement of two anchored large wood pieces along the levee face for habitat enhancement. This would include placing rock as anchors for the habitat structures.
- e. Repair of an existing rock barb with anchor wood. This element would include placement of 25 cubic yards of rock to anchor the proposed wood pieces.
- f. Floodplain enhancement including 625 square feet of excavation within Wetland A (and remanent side channel of the Cedra River), native plantings and placement of unanchored large wood. No fill would be placed within Wetland A. In total for the levee repair (replacement of the existing ELJ, installation of the new ELJ and levee face repair), there would be 545 cubic yards of rock placed below the OHWM. This includes 350 cubic yards of riprap, 60 cubic yards of quarry spalls, and 135 cubic yards of ballast rock. To facilitate construction, site isolation would be required. Up to 100 cubic yards of material in bulk bags would be needed to isolate the area during construction. Once construction is complete, bulk bags and the material would be removed. All temporarily impacted areas would be restored following construction.

2. Aquatics ID: 142178

Project Name: Des Moines Creek Industrial Development

Applicant: Panattoni Development Company Inc.

Location: No site address (47.410338 N lat. / -122.310719 W long.), Des Moines, King County.

Description: Fill in Wetland A (684 square feet) and up to 7,238 square feet (SF) of wetland C, Category IV wetlands, to develop the site for industrial use. In addition, 5,977 square feet of Wetland C buffer would be permanently lost. Up to 8,480 square feet of Wetland C buffer and Wetland D buffer would be temporarily impacted by clearing and grading but would be restored with native vegetation after construction is complete.
