



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

July 21, 2022

U.S. Army Corps of Engineers
Attn: Melissa Leslie
4735 E. Marginal Way South Bldg. 1202
Seattle, WA 98134

RE: Coastal Zone Consistency for Activity Undertaken by a Federal Agency
Shoalwater Bay Shoreline Erosion Control Project Emergency Repair,
Pacific County, Washington

Dear Melissa Leslie:

On May 2, 2022, the Corps of Engineers (Corps) submitted a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP). On June 22, 2022, the Corps agreed to stay (extend) CZM review until July 30, 2022. The proposed federal activity includes dredging approximately 460,000 cubic yards (CY) of sand offshore of the Tokeland Peninsula to restore an existing barrier dune on Empire Spit. This barrier dune was constructed in 2013 utilizing 709,000 cy of dredge material from a borrow area one mile off shore and then repaired in 2018 utilizing 937,000 cy of dredge material in two borrow areas adjacent to the Willapa Bay entrance and channel. The current borrow location is still adjacent to the Willapa Bay entrance and channel but has been shifted southeast to an area that has higher accretion rates of sand. To access the barrier dune, a 30 foot wide temporary haul road will be constructed across Graveyard and Empire Spit. The road will be composed of 40,000 tons of quarry spalls and either removed post construction or left in place. The project is located in Willapa Bay in Pacific County, Washington.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with Corps' s determination that the proposed work is consistent with Washington's CZMP.

If you have any questions regarding Ecology's consistency determination, please contact Penny Kelley at 360-280-8856.

Your right to appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. The appeal process is governed by RCW 43.21B and WAC 371-08. "Date of receipt" is defined in RCW 43.21B.001(2). More information is available at <https://eluhwa.gov/content/11>.

To appeal, you must do all of the following within 30 days of the date of receipt of this Order:

- File your notice of appeal and a copy of this Order with the PCHB (see filing options below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this Order on the Department of Ecology, in paper form, by mail or in person (see addresses below). E-mail is not accepted.

You must also comply with other applicable requirements in RCW 43.21B and WAC 371-08.

Filing an appeal with the PCHB:

For the most current information regarding filing with the PCHB, visit:
<https://eluhwa.gov/content/11>

Filing by mail

Mailing Address:

Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

Filing in person (or by certified mail/courier)

Street Address:

Pollution Control Hearings Board
1111 Israel RD SW
STE 301
Tumwater, WA 98501

Filing electronically

Email address:

Pchb-shbappeals@eluhwa.gov

Serving a copy of the appeal on Ecology:

Electronic copies of appeals are not accepted at the Department of Ecology per WAC 371-08-305(10).

Filing by mail

Mailing Address:

Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

Filing in Person (or by certified mail/courier)

Street Address:

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

Sincerely,



Brenden McFarland, Section Manager
Environmental Review & Transportation Section
Shorelands and Environmental Assistance Program

E-cc: Justine Barton, EPA
Sarah Burgess, EPA
Lauren Bauernschmidt, WDFW
Penny Kelley, Ecology-HQ
Loree' Randall, Ecology-HQ
ecyrefedpermits@ecy.wa.gov