



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Region Office

PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

August 26, 2022

U.S. Army Corps of Engineers, Seattle District
ATTN: Laura Boerner
4735 East Marginal Way South, Bldg. 1202
Seattle, WA 98134

RE: Coastal Zone Consistency for Lake Ballinger Ecosystem Restoration Project,
Snohomish County, Washington

Dear Laura Boerner:

On April 13, 2022, the U.S. Army Corps of Engineers, Seattle District (Corps) submitted a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project. On June 1, 2022, Ecology requested a 15-day extension of its 60-day review period, extending the review period until June 27, 2022. On June 22, 2022, the Corps and Ecology agreed to a second extension of the CZM federal consistency deadline until September 5, 2022.

The proposed federal activity includes improvements to native plant and wildlife habitat through restoration of a creek channel along with riparian and wetland features in a former golf course that is now a public park. In addition, habitat enhancement will improve passive recreation opportunities for park visitors. The project includes the following components:

Demolition and Site Preparation:

- Invasive plants across approximately 5.45 acres of wetlands in the project site will be removed.
- An approximately 0.16-acre tennis court will be removed and the area restored with plantings.
- Approximately 570 cubic yards of armor rock along 860 linear feet in the upper reach of Hall Creek will be removed.
- Structural features will be removed, including minor stormwater outfalls, the 10- by 20-foot wooden bridge over the lower reach of Hall Creek, and chain-link fencing.

Construction:

- Channel diversity will be improved through creation of an approximately 880-linear-foot sinuous stream channel
- The newly disconnected channel will become a remnant feature serving as a vegetated side channel to the new Hall Creek alignment. This new side channel will connect with the new main channel at the lower end of the reach. The old channel is expected to function as off-channel habitat and forested wetland. Invasive plants will be removed and existing native vegetation will be augmented with native plantings. Additionally, an overflow swale will be constructed to capture high-flow between the re-aligned channel and the existing channel to relieve high flow pressure and reduce the risk of flooding and erosion.
- Approximately 391 cubic yards of streambed substrate will be placed in the new stream alignment and improve ecological function.
- Approximately seven large woody material structures will be placed to provide erosion protection and habitat benefits.
- Approximately 16.4 acres of the project site will be replanted with native vegetation
- An approximately 8- by 250-foot new pedestrian boardwalk will be installed at the southern end of the lower reach to improve public access while preventing wetland impacts from visitor use.
- A 12- by 50-foot vehicular bridge will be constructed at the northern end of the lower reach, just downstream of the existing bridge.

The project is located at Ballinger Park, 23000 Lakeview Drive, wetlands and Hall Creek, in Mountlake Terrace, Snohomish County, Washington.

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

If you have any questions regarding Ecology's consistency decision please contact Rebekah Padgett at (425) 365-6571 or Rebekah.Padgett@ecy.wa.gov.

Your right to appeal

You have a right to appeal this decision 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.wa.gov/content/11>.

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

- File your notice of appeal and a copy of this decision 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 decision 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.wa.gov/content/11>

Filing by mail

Mailing Address:

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

Filing electronically

E-mail Address:

Filing in person (or by certified mail/courier)

Street Address:

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

pchb-shbappeals@eluhwa.wa.gov

Serving a copy of the appeal on Ecology:

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

Filing by mail

Mailing Address:

Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-760

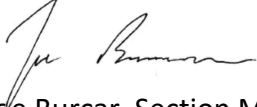
Filing in person (or by certified mail/courier)

Street Address:

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

U.S. Army Corps of Engineers, Seattle District
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Sincerely,



Joe Burcar, Section Manager
Northwest Regional Office
Shorelands and Environmental Assistance Program

Sent by electronic mail: laura.a.boerner@usace.army.mil

e-cc: Martin Fox, Muckleshoot Indian Tribe Fisheries Division
Adam Osbekoff, Snoqualmie Indian Tribe
Caren Crandell, U.S. Army Corps of Engineers
Zachary Wilson, U.S. Army Corps of Engineers
Laura Reed, City of Mountlake Terrace
Jesse Dykstra, WA Department of Fish and Wildlife
Stephanie Barney, Department of Ecology
Luis Buen-Abad, Department of Ecology
Doug Gresham, Department of Ecology
Rebekah Padgett, Department of Ecology
Loree' Randall, Department of Ecology
ecyreczmfedconsistency@ecy.wa.gov – Aquatics No. 137749

