



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

August 29, 2022

Washington Department of Fish and Wildlife
ATTN: Sara Kuhn
600 Capital Way N
Olympia, WA 98501-1091

RE: Coastal Zone Consistency for Corps Reference No. **NWS-2021-460**,
Wiley Slough Setback Dike Repair Project, Skagit County, Washington

Dear Sara Kuhn:

On November 24, 2021, the Department of Ecology received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project. On May 16, 2022, Washington Department of Fish and Wildlife (WDFW) and Ecology agreed to stay the CZM date until August 15, 2022. And on August 10, 2022, a second stay was agreed to until September 1, 2022.

This decision is for improvements to a section of dike at the Skagit Wildlife Area that will raise the dike by approximately 3 feet in elevation, which will result in the footprint of the dike to be increased. The project is located within the Skagit Wildlife Area, at 21961 Wylie Road, Mount Vernon, Washington in Skagit County.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with WDFW's 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.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.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.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

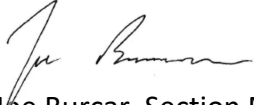
Filing in person (or by certified mail/courier)

Street Address:

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

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Sincerely,



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

Sent by electronic mail: sara.kuhn@dfw.wa.gov

e-cc: Randel Perry, U.S. Army Corps of Engineers
Marcus Reaves, Washington Department of Fish and Wildlife
Chris Luerkens, Ecology
Loree' Randall, Ecology
Rebekah Padgett, Ecology
ecyreczmfedconsistency@ecy.wa.gov – ID No. 141198

