



**STATE OF WASHINGTON**  
**DEPARTMENT OF ECOLOGY**

**Northwest Region Office**

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

October 10, 2022

Cougar Mountain Real Estate Company  
ATTN: Mike Cloutier  
726 Cherry Street  
Sumas, WA 98295

Re: Coastal Zone Consistency for Labounty Drive Industrial Project Phase II (Corps No. **NWS-2019-172**, Ferndale, Whatcom County, Washington)

Dear Mike Cloutier:

On April 21, 2022, the Department of Ecology (Ecology) received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project.

This determination is for development of light industrial facility, along with associated parking and stormwater treatment facilities. The proposal will impact approximately 0.43 acres of wetland. Compensatory mitigation for wetland impacts will occur through wetland creation on a property located to the south of the subject proposal. The project site is located at 5345 Labounty Drive, within the City of Ferndale, Whatcom County.

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

If you have any questions regarding Ecology's consistency determination, please contact Chris Luerkens at (360) 410-4807 or [Chris.Luerkens@ecy.wa.gov](mailto:Chris.Luerkens@ecy.wa.gov).

### **Your right to appeal**

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt. The appeal process is governed RCW 43.21B and WAC 371-08. "Date of receipt" is defined in RCW 43.21B.001(2). More information is available at <https://eluh.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 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**

###### **E-mail Address:**

[Pchb-shbappeals@eluhwa.gov](mailto: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:**

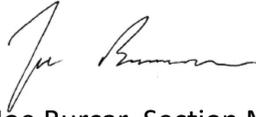
Department of Ecology  
Attn: Appeals Processing Desk  
PO Box 47608  
Olympia, WA 98504-7608

##### **Filing in person (or by certified mail/courier)**

###### **Street Address:**

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

Corps No. NWS-2019-172, Aquatics ID No. 137098  
Labounty Drive Industrial Project Phase II  
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Joe Burcar, Section Manager  
Northwest Regional Office  
Shorelands and Environmental Assistance Program

Sent by electronic mail: [mike.cloutier.mobile@gmail.com](mailto:mike.cloutier.mobile@gmail.com)

E-cc: Molly Porter, Northwest Ecological Services  
Randel Perry, U.S. Army Corps of Engineers  
Michael Cerbone, City of Ferndale  
Chris Luerkens, Department of Ecology  
Loree' Randall, Department of Ecology  
[ecyreczmfedconsistency@ecy.wa.gov](mailto:ecyreczmfedconsistency@ecy.wa.gov) – Aquatics ID No. 137098

