



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

December 14, 2022

Washington Department of Transportation
ATTN: John Maas
P.O. Box 330310
Seattle, WA 98133-9710

Re: Coastal Zone Consistency for Corps No. NWS-2020-1158-DOT, SR 9 Marsh Road to
2nd Street Vicinity Widening in Snohomish County, Washington

Dear John Maas:

On April 29, 2022, the Department of Ecology (Ecology) received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project.

On October 26, 2022, the Washington Department of Transportation (WSDOT) and Ecology agreed to stay the CZM until April 29, 2023, in order for the WSDOT to obtain the Section 401 Certification from Ecology and the Shoreline Substantial Development permit from Snohomish County.

This determination is for constructing new southbound lanes between Marsh Road and 2nd Street interchange to reduce congestion in the area. Two new bridges will be needed to span the Snohomish River and an existing wetland in the Snohomish River Floodplain, which is considered an overflow area for the river. The new lanes will have guardrail with shoulder and no median, but a gap will exist between the existing bridges (northbound lanes) and new bridges (southbound lanes). The new bridges will be located west of the existing bridges. Any new piers and columns in the river and wetland will line up with existing piers and columns to allow better flow through of the river. To build the new bridges over the river, a temporary work trestle will be constructed. Two existing stormwater culverts will be replaced with new culverts and will result in temporary impacts to wetlands. Ground improvements will be needed to construct the new bridge spanning the overflow wetland area. The ground improvement will result in

permanent impacts to existing wetlands which will be mitigated for at the Snohomish Basin Mitigation Bank. All temporary impacts to wetlands will be restored on site.

These improvements would be located on SR 9 between milepost 8.41 and milepost 9.68, crossing the Snohomish River, in Snohomish County.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with WSDOT '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 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://elaho.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://elaho.wa.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@elaho.wa.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

Signature



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

Sent via e-mail: maasja@wsdot.wa.gov

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E-cc: Jennifer Lang, U.S. Army Corps of Engineers
Pete Rinallo, WSDOT
Ashley Kees, WDFW
Stephanie Barney, Ecology
Caroline Corcoran, Ecology
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