



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

March 9, 2023

WA Department of Transportation
ATTN: Jeff Sawyer
PO Box 47440
Olympia, WA 98504-7440

Re: Coastal Zone Management Federal Consistency Decision for SR 104 Shine Creek
– Fish Barrier Removal (Corps No. NWS-2021-0798-DOT) Jefferson County,
Washington

Dear Jeff Sawyer:

On January 5, 2023, 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 replacing an existing 5-foot wide by 147-foot-long round metal culvert with a new 3-sided concrete box culvert (18-feet wide by 17-feet tall by 127-feet long). To remove the existing culvert and install the new one, a temporary detour lane and bridge will be constructed to shift traffic. The creek will be diverted around the work area utilizing a temporary bypass system and creating an isolated work area. Once the old culvert has been removed and the new one installed, the streambed materials will be placed, and the stream regraded to tie in with existing elevations on either side of the new structure. Large woody material will be placed in and on the banks of the creek to create habitat and disturbed areas will be seeded and planted. The project is located on SR 104 at milepost 10.36 in Jefferson County, Washington

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with WA Department of Transportation'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

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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



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

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

E-cc: Susan Buis, U.S. Army Corps of Engineers
Tara Stone, WSDOT
fedconsistency@ecy.wa.gov