



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

May 25, 2023

WA Department of Transportation
ATTN: Victoria Book
P.O. Box 47440
Olympia, WA 98504-4744

Re: Coastal Zone Management Federal Consistency Decision for SR 16 Black Jack Creek Fish Passage (Corps No. NWS-2022-924-DOT) in Kitsap County, Washington

Dear Victoria Book:

On April 6, 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 three culverts under SR 16 (a southbound off-ramp, the main roadway, and a northbound on-ramp) with two new bridges located 350 feet north of the existing culverts. The on and off ramps will be realigned to connect with the bridge structures and the stream channel will be realigned to flow underneath the bridges as an open channel. Temporary detour lanes will be constructed to manage traffic during construction. Items of work entail roadway excavation and embankment for the alignment, paving, striping, installing guardrail and constructing stormwater treatment facilities.

This project will impact existing wetlands but will increase aquatic resource functions. The design of new channel and bridges will replace three culverts that are currently acting as barriers to fish passage, opening up 15.6 miles of habitat upstream. The new channel design will incorporate not only in stream habitat features utilizing wood, but also riparian corridors through planting of native species. Temporary impacts will be restored using native plant species.

The project site is located on SR 16 at milepost 25.3, on Black Jack Creek in Kitsap County, Washington.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with the 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 Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

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

- 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 Chapter 43.21B RCW and Chapter 371-08 WAC.

Filing an appeal with the PCHB:

For the most current information regarding filing with the PCHB, visit:
<https://eluh0.wa.gov/content/11>

Address and Location Information

Street Address:

Department of Ecology

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

Pollution Control Hearings Board

1111 Israel RD SW
STE 301
Tumwater, WA 98501

May 25, 2023

Page 3 of 3

Mailing Addresses:

Department of Ecology

Attn: Appeals Processing Desk

PO Box 47608

Olympia, WA 98504-7608

Pollution Control Hearings Board

PO Box 40903

Olympia, WA 98504-0903

E-Mail Address:

Department of Ecology

Not currently available (see WAC 371-08)

Pollution Control Hearings Board

Pchb-shbappeals@elaho.wa.gov

Sincerely,



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

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

E-cc: Jennifer Lang, U.S. Army Corps of Engineers
Carson Masse, WSDOT
fedconsistency@ecy.wa.gov