



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

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

June 16, 2023

Nature Conservancy  
ATTN: Randi Shaw  
74 Wall Street  
Seattle, WA 98121

Re: Coastal Zone Management Federal Consistency for Port Susan Bay Estuary Restoration  
(Corps No. 202300128), Snohomish County, Washington

Dear Randi Shaw:

On March 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. The project site is located at 8380 236th St NW, near Stanwood, Snohomish County, Washington, Section 1, Township 31 N., Range 3 E., within Water Resource Inventory Area (WRIA) 5 - Stillaguamish River.

This determination is for excavation of tidal channels within a 150-acre area at the mouth of the Stillaguamish River. This involves excavating 12 primary channels, 33 secondary and tertiary channels, and lowering/breaching an existing levee to increase tidal inundation throughout the estuary. The excavated material will be mounded to create 13 acres of high salt marsh habitat for natural colonization. This construction will temporarily impact 34 acres of estuarine wetland habitat but this restoration is self-mitigating.

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

If you have any questions regarding Ecology's consistency determination, please contact Doug Gresham at (425) 429-1846.

**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 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 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 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://eluhwa.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

#### **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:**

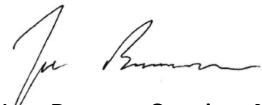
**Department of Ecology**

Not currently available (see WAC 371-08)

**Pollution Control Hearings Board**

Pchb-shbappeals@elaho.wa.gov

Sincerely,



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

Sent via email to: randi.shaw@tnc.org

E-cc: Mae Ancheta, U.S. Army Corps of Engineers  
Jason Griffith, Stillaguamish Tribe  
Molly Bogeberg, Nature Conservancy  
Loree' Randall, Ecology  
Doug Gresham, Ecology  
fedconsistency@ecy.wa.gov