



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

September 12, 2023

WA Department of Transportation
ATTN: Victoria Book
PO Box 47440
Olympia, WA 98504-7440

Re: Coastal Zone Management Federal Consistency Decision for SR 109 Hoquiam to Ocean City – Remove Fish Barriers (Bundle 4/Site 11) project (Corps No. NWS-2023-0340-DOT), within Stream 1/Un-named Tributary, Grays Harbor County, Washington

Dear Victoria Book:

On July 12, 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 the project proposing replacing the existing 48-foot long, 3-foot diameter concrete culvert with a 47-foot long, 12-foot 3-inch tall fish passable structure. Work entails diverting the stream so the existing culvert can be removed, and a new culvert installed. The stream channel, in the immediate vicinity and both upstream and downstream, will be adjusted to accommodate the new structure through excavation, placement of streambed material, and realignment as needed. Though the work will result in unavoidable temporary and permanent impacts to wetlands, the installation of this new culvert and construction of the stream channel will connect wetlands and streams resulting in improved ecological functions of the surrounding ecosystem. Additionally, installing LWD in streambed restoration areas will support salmon spawning and rearing habitat and restoring vegetation will create improved riparian areas along the creek. These improvements would be located on SR 109 at milepost 19.4 in Grays Harbor County, WA.

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 decision, please contact Penny Kelley at 360-280-8856.

Your right to appeal

You have a right to appeal this decision 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 decision:

- File your notice of appeal and a copy of this decision with the PCHB (see filing information 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 mail, in person, or by email (see addresses below).

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Filing an appeal

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://elaho.wa.gov/> or call: 360-664-9160.

Service on Ecology

Street Addresses:

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

Mailing Addresses:

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

E-Mail Address:

ecologyappeals@ecy.wa.gov

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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: Sandi Manning, U.S. Army Corps of Engineers
Camille Felkins, WSDOT
Caroline Corcoran, Ecology
Loree' Randall, Ecology
Penny Kelley, Ecology
fedconsistency@ecy.wa.gov