



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

January 30, 2024

The Department of the Army
U.S. Army Corps of Engineers
Walla Walla District
ATTN: Michael Erickson
201 North 3rd Avenue
Walla Walla, WA 99362-1876

Re: Coastal Zone Management Federal Consistency Decision for the High Cedars Non-Federal Levee Repair, Puyallup River, Orting, Pierce County, Washington

Dear Michael Erickson:

On December 13, 2023, the U.S. Army Corps of Engineers (Corps) submitted a Consistency Determination with the Washington State Coastal Zone Management Program (CZMP). Ecology issued a 21-day public notice on December 18, 2023, and received no comments. On January 4, 2024, Ecology requested a 15-day extension pursuant to 15 CFR 930.41(b) extending the CZM decision deadline to February 26, 2024. At Ecology's request, the Corps supplied additional information on January 23, 2024.

The purpose of the proposed repairs is to restore the level of flood protection provided by the High Cedars Levee to that which existed prior to flood damage sustained by the levees during a 2020 flood event, potentially incorporating resiliency measures resulting from improved technology or construction methods. The levee has an increased likelihood of damage or breach in its current condition, as confirmed by a recent assessment.

Repairs will occur at five sites for a total repair length of 1,870 feet including necessary transitions. The shoreline and river impacted by construction activities will be restricted to the damaged sections of the levee, the transition to the undamaged upstream and downstream sections of the levee, and the willow planting area. Work will require removing streamside shrubs and trees from the levee within the construction project footprint. From start to completion, the repair to the levee is expected to take several weeks and any in-water work for the repairs are intended to occur within the approved in-water work window, which is from July 15 to August 31. If there are delays in construction, coordination regarding work past August 31

may be requested. A typical work week includes six days of construction, eight to ten hours a day, depending on available daylight.

The High Cedars Levee is located along the right bank of the Puyallup River, just upstream of its confluence with the Carbon River at Orting, Washington. The levee is one segment of a three-segment system, with the High Cedars segment running approximately 11,500 feet from River Mile 18.0 to 20.2. In its undamaged state, the levee provides a 3% AEP (33-year average recurrence interval) level of protection against flooding to public infrastructure and residential, commercial, and agricultural interests.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with the Corps' determination that the proposed work is consistent with Washington's CZMP. The proposed action was reviewed for consistency under the applicable enforceable policies found in the state Shoreline Management Act, the State Water Pollution Control Act, and the Washington Clean Air Act. The enforceable policies of the Ocean Resources Management Act and the Marine Spatial Plan for Washington's Pacific Coast were not applicable to this proposal.

If you have any questions regarding Ecology's decision, please contact Tereasa Pucylowski at (360) 764-0546.

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 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

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

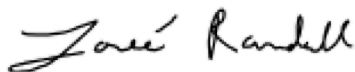
Mailing Addresses:

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PO Box 47608
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ecologyappeals@ecy.wa.gov

Sincerely,



Loree' Randall, Section Manager
Aquatic Permitting & Protection Section
Shorelands and Environmental Assistance Program

Sent via e-mail: michael.erickson@usace.army.mil

E-cc: Benjamin Tice, Corps
Tess Brandon, Ecology
Teresa Pucylowski, Ecology
fedconsistency@ecy.wa.gov