



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office

PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

April 25, 2024

JM1 Holdings LLC
Attn: Patrick McCourt
10515 20th St, Suite 202
Lake Stevens, WA 98258

Re: Coastal Zone Management Federal Consistency Decision for Bejvl Stream Restoration and Residential Development (Corps No. NWS-2023-568), Bothell, Snohomish County, Washington

Dear Patrick McCourt:

On April 1, 2024, the Department of Ecology (Ecology) received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project. Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with JM1 Holdings LLC's determination that the proposed work is consistent with Washington's CZMP.

The proposed work involves constructing 47 residential buildings with associated parking, utilities, and stormwater infrastructure. Frontage improvements required along 35th Avenue SE and 240th Street SE will realign two streams. This would directly impact 2,494 ft² of wetland, indirectly impact 1,697 ft² of wetland, fill 1,871 linear feet of stream, convert 95 ft² of wetland into stream, and directly impact 712 ft² of buffer. Proposed on-site mitigation involves: 5,014 ft² of wetland creation, 2,146 ft² of wetland restoration, daylighting 1,999 linear feet of stream channel, and restoration/enhancement of 244,295 ft² of buffer habitat.

The project site is located at 3511 240th Street SE, Bothell, Snohomish County, Washington, Section 33, Township 27 N., Range 5 E., within Water Resource Inventory Area (WRIA) 8 Cedar/Sammamish.

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

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:

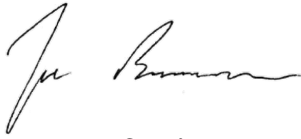
Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

E-Mail Address:

ecologyappeals@ecy.wa.gov

Corps No. NWS-2023-568, Aquatics ID No. 142689
Bejvl Stream Restoration and Residential Development
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Sincerely,

A handwritten signature in black ink, appearing to read "Joe Burcar". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

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

Sent via e-mail: pmccourt@landprogrp.com

E-cc: Mae Ancheta, U.S. Army Corps of Engineers
Matt DeCaro, Soundview Consultants
Martin Fox, Muckleshoot Tribe
Kerry Lyste, Stillaquamish Tribe
David Butler, Department of Ecology
Doug Gresham, Department of Ecology
Loree' Randall, Department of Ecology
fedconsistency@ecy.wa.gov