



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

Northwest Region Office

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

May 14, 2024

Dean Hayes
9520 Avon Allen Rd
Bow, WA 98232

Re: Coastal Zone Management Federal Consistency Decision for 2575 West Beach Rd Bulkhead (Corps No. NWS-2022-0671), Strait of Juan de Fuca, Oak Harbor, Island County, Washington

Dear Dean Hayes:

On September 11, 2023, 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 Dean Hayes' determination that the proposed work is consistent with Washington's CZMP.

On March 4, 2024, Dean Hayes and Ecology agreed to stay the CZM until June 11, 2024, in order for Dean Hayes to meet the enforceable policies of the Water Pollution Control Act and Shoreline Management Act.

The proposed work includes removing an existing riprap bulkhead, excavating for installation of a new bulkhead, installing a new concrete bulkhead and footing, and backfilling behind the new bulkhead. The toe of the new 12-foot-tall concrete bulkhead would be located at elevation +7.45 feet mean lower low water, approximately 14 horizontal feet landward of the toe of the existing riprap bulkhead. This activity would occur at 2575 W Beach Rd Oak Harbor in the Strait of Juan de Fuca, near Oak Harbor, Island County, Washington.

If you have any questions regarding Ecology's decision, please contact Austin Schmalz at 425-301-6989.

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:

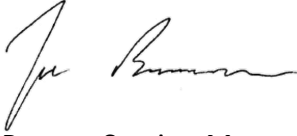
ecologyappeals@ecy.wa.gov

Corps No. NWS-2022-0671, Aquatics ID No. 142810

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Sincerely,

A handwritten signature in black ink, appearing to read "Joe Burcar". The signature is fluid and cursive, with the first name "Joe" being more prominent than the last name "Burcar".

Joe Burcar, Section Manager

Northwest Region Office

Shorelands and Environmental Assistance Program

Sent via e-mail: dean.hayes.ir@gmail.com

E-cc: Lydia Baldwin, U.S. Army Corps of Engineers

Austin Schmalz, Ecology

fedconsistency@ecy.wa.gov