



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office

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

July 25, 2024

Swinomish Indian Tribal Community
ATTN: Clyde Halstead
11404 Moorage Way
La Conner, WA 98257

Re: Coastal Zone Management Federal Consistency Decision for Swinomish Commercial Fish Dock Dredge (**Corps No. NWS-2023-0766**), Swinomish Channel, La Conner, Skagit County, Washington

Dear Clyde:

On July 10th, 2024, the Department of Ecology (Ecology) received a letter of consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project. Ecology reviewed the potential coastal effects related to water quality on the state side of the Swinomish channel only, as the project is proposed on tribal lands. Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with the Swinomish Indian Tribal Community's determination that the proposed work is consistent with Washington's CZMP.

The proposed work includes dredging up to 4551 cubic yards of sediment over 44,120 square feet from a commercial fishing dock along the Swinomish Channel to maintain vessel access. Dredging would be to a target depth of -8 feet mean lower low water (MLLW) with up to 1 foot of over-dredging to a maximum depth of -9 feet MLLW. Dredged material would be dewatered on the barge before being transported to an upland location approximately 0.9 miles north of the project. This activity would occur in the Swinomish Channel near La Conner, Skagit County, Washington.

If you have any questions regarding Ecology's decision, please contact Austin Schmalz at Austin.Schmalz@ecy.wa.gov.

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://eluh.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,

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: chalstead@swinomish.nsn.us

E-cc: Kristin Murray, U.S. Army Corps of Engineers
Austin Schmalz, Ecology
fedconsistency@ecy.wa.gov