



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

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

August 23, 2024

Pele Holdings LLC
Attn: Yanni Gholam
5160 Industrial Place, Suite 108
Ferndale, WA 98248

Re: Coastal Zone Management Federal Consistency Decision for Newkirk Storage Facility
(**Corps No. NWS-2023-235**), within wetlands, Ferndale, Whatcom County, Washington

Dear Yanni Gholam:

On May 15, 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 Pele Holdings LLC's determination that the proposed work is consistent with Washington's CZMP.

The proposed work includes construction of a storage facility and associated infrastructure. The project will result in fill of 0.33 acres of Category IV wetland and indirect wetland impacts to 0.24 acres of Category III wetland. The project site is located at 6077 Portal Way, Ferndale, Washington. Compensatory mitigation for wetland impacts will occur offsite approximately two miles southeast of the development site at 1689 West Smith Road, Ferndale, Washington.

If you have any questions regarding Ecology's decision, please contact Chris Luerkens at 360-410-4807.

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-2023-235, Aquatics ID No. 142367

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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: yanni@ldes.com

E-cc: Colin Greenan, U.S. Army Corps of Engineers
Molly Porter, Northwest Ecological Services, LLC
Loree' Randall, Ecology
Chris Luerkens, Ecology
fedconsistency@ecy.wa.gov