



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

September 16, 2024

Washington Department of Fish and Wildlife
Attn: Melissa Erkel
125 W Sunset Ave
Issaquah, WA 98027

Re: Coastal Zone Management Federal Consistency Decision for McNeil Island Floyd and Bodley Fish Passage Barrier Removal (Corps No. **NWS-2023-521**), McNeil Island, Pierce County, Washington

Dear Melissa Erkel:

On March 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 Washington Department of Fish and Wildlife's determination that the proposed work is consistent with Washington's CZMP.

On August 21, 2024, Washington Department of Fish and Wildlife and Ecology agreed to stay the CZM until October 1, 2024.

This project proposes to replace two existing barrier stream crossings on Coastal Road, McNeil Island. The existing crossings restrict tidal exchange and fish passage and impound water upstream.

Floyds Cove Crossing (47.22467, -122.70526): The project would remove the existing undersized culverts, road fill, shore armor and associated debris and set back the road. The replacement crossing would be a 60-foot by 16-foot bridge. To facilitate work, 985 CY of material would be excavated, and 140 CY of fill material would be discharged along 20 linear feet of the creek. Fill would be natural material excavated from the channel upstream and placed in the new channel under the bridge. riprap armoring, wood piling shoreline armor, submarine cable, and a boulder pile would be removed from the shoreline at low tide using an excavator within a 25-foot work corridor. The shoreline would be set back with 1:1 slope rock revetment (520 CY below HTL) and 370 CY of beach nourishment would be discharged.

Excavation over 20 SF of Wetland F-1, a Category III palustrine forested and emergent wetland, is proposed.

Bodley Creek Crossing (47.22863, -122.68899): The replacement crossing would be a 17-foot wide by 40 foot long by 16-foot-high concrete box culvert. Beaver dam analogs would be constructed upstream of the Bodley Creek road crossing. Fill material to be placed in Bodley Creek would be a streambed sediment mix following WSDOT 9-03.11(1) standard specifications. The material would be placed 46 ft downstream of the culvert, thought the culvert and 75 ft upstream from the inlet of the culvert. The streambed material would be placed to help shape the new channel (1,290 CY below the HTL). Wetland impacts include excavation over 65 SF and fill over 45 SF in wetland B-1, a Category III palustrine forested wetland; and excavation over 35 SF and fill over 25 SF in Wetland B-2, a Category I, estuarine intertidal emergent wetland. At both Crossings: A bypass method (pump or gravity) would be used to manage freshwater flows during work. All equipment would be staged in uplands. Grading would be conducted during low tide to minimize erosion and sedimentation impacts. Willow stakes and other native wetland and riparian vegetation would be installed. Invasive, non-native vegetation would be removed and replaced with native wetland and riparian vegetation adaptable to post-project conditions.

The project site is located within Floyds Cove Pond, Bodley Creek, and wetlands, McNeil Island, Pierce County, Washington.

If you have any questions regarding Ecology's decision, please contact Brook Swensen at 564-999-1749.

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

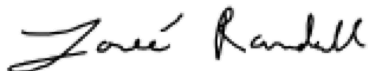
Mailing Addresses:

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

E-Mail Address:

ecologyappeals@ecy.wa.gov

Sincerely,



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

Sent via e-mail: Melissa.Erkel@dfw.wa.gov

E-cc: Jennifer Casper, U.S. Army Corps of Engineers
Brook Swensen, Ecology
fedconsistency@ecy.wa.gov