



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

October 29, 2024

WZL Enterprises LLC
ATTN: Marc Wislen
4412 Russell Road, Unit B
Mukilteo, WA 98275

Re: Coastal Zone Management Federal Consistency Decision for Ash Way Townhomes
(Corps No. NWS-2022-0712), Wetlands, Lynnwood, Snohomish County, Washington

Dear Marc Wislen:

On December 9, 2022, 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 WZL Enterprises LLC's determination that the proposed work is consistent with Washington's CZMP.

On June 6, 2023, WZL Enterprises LLC and Ecology agreed to stay the CZM until December 9, 2023, in order for WZL Enterprises LLC to meet the requirements of the state's Water Pollution Control Act. A second stay was agreed to on November 20, 2023, extending the review period until March 31, 2024, in order for the WZL Enterprises LLC to meet the requirements of the state's Water Pollution Control Act. On March 26, 2024, a third stay was agreed to, extending the review period until September 25, 2024, in order for WZL Enterprises LLC to meet the requirements of the state's Water Pollution Control Act. A fourth stay was agreed to on September 4, 2024, extending the review period until December 31, 2024, in order for the WZL Enterprises LLC to meet the requirements of the state's Water Pollution Control Act.

The proposed development involves constructing 32 townhomes, 66 parking stalls located in garages for each unit, recreation areas (garden space and a playground), pedestrian walkways, patios, and two vehicular access points from Madison Avenue. This will cause: 14,806 ft² of direct wetland impacts and 2,615 ft² of indirect impacts from encroachment into wetland buffers. Compensatory mitigation includes purchase of 0.3579 credits from the Keller Farm Mitigation Bank for direct and indirect wetland impacts.

This activity is located at 15200 Ash Way, Lynnwood, Snohomish County, Washington, Section 2, Township 27 N., Range 4 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

October 29, 2024

Page 3 of 3

E-Mail Address:

ecologyappeals@ecy.wa.gov

Sincerely,



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

Sent via e-mail: rrgregg@comcast.net

E-cc: Mae Ancheta, U.S. Army Corps of Engineers
Kenny Booth, Facet
Doug Gresham, Ecology
Loree' Randall, Ecology
fedconsistency@ecy.wa.gov