



**STATE OF WASHINGTON**  
**DEPARTMENT OF ECOLOGY**

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

December 24, 2024

Washington Department of Transportation  
ATTN: Ruth Park  
15700 Dayton Ave N  
Seattle, WA 98133

Re: Coastal Zone Management Federal Consistency Decision for SR 104 Lyon Creek Fish Passage, (Corps No. NWS-2024-0372-DOT), Lyon Creek, Lake Forest Park, King County, Washington

Dear Ruth Park:

On October 21, 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 the Washington Department of Transportation's determination that the proposed work is consistent with Washington's CZMP.

The proposed work includes removing and replacing an existing culvert with a new 24'-span arch structure that is fish passable. The stream channel would be realigned ~10' west of the current location allowing for better constructability and stream meandering. The section of abandoned channel will be filled and the existing 114' long, 48' diameter concrete box culvert will be removed. Large woody material will be added to the new stream channel creating better aquatic habitat and the banks will be planted with native plant species. In addition to the culvert and new stream channel, additional work includes excavating, testing, and properly disposing any soil and groundwater (as a result of dewatering activities) determined to be contaminated when removing a different culvert and underground storage tanks from an adjacent parcel, formerly a working gas station. Any contaminated soil that is removed will be replaced with clean material.

This activity is located on SR 104 between milepost 31.15 and milepost 31.30, Lyon Creek, in King County, Washington.

If you have any questions regarding Ecology's decision, please contact Penny Kelley at 360-280-8856.

## 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 RCW 43.21B and WAC 371-08. "Date of receipt" is defined in Chapter 43.21B.001(2) RCW.

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 Chapter 371-08-305 WAC and -335. "Notice of appeal" is defined in Chapter 371-08-340 WAC.
- Serve a copy of your notice of appeal and this decision on the Department of Ecology by mail, in person, or by email (see addresses below).

You must also comply with other applicable requirements in Chapter 43.21B RCW and 371-08 WAC.

## Address and Location Information

### Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://eluh0.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](mailto:ecologyappeals@ecy.wa.gov)

Corps No. NWS-2024-0372-DOT, Aquatics ID No. 140022

December 24, 2024

Page 3 of 3

Sincerely,



Brenden McFarland, Section Manager  
Environmental Review & Transportation Section  
Shorelands and Environmental Assistance Program

Sent via e-mail: [ruth.park@wsdot.wa.gov](mailto:ruth.park@wsdot.wa.gov)

E-cc: Samantha Standford, U.S. Army Corps of Engineers  
Martin Fox, Muckleshoot Indian Tribe, Fisheries Division  
Brandon Stevens, WSDOT  
Erin Hanlon Brown, Ecology  
Caroline Corcoran, Ecology  
Penny Kelley, Ecology  
[fedconsistency@ecy.wa.gov](mailto:fedconsistency@ecy.wa.gov)