



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

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

January 21, 2025

Port of Anacortes
ATTN: Kevin Anderson
100 Commercial Avenue
Anacortes, WA 98221

Re: Coastal Zone Management Federal Consistency Decision for the T Dock Reconfiguration (Corps No. NWS-2023-0582), Fidalgo Bay, Anacortes, Skagit County, Washington

Dear Kevin Anderson:

On August 18, 2023, 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 Port of Anacortes' determination that the proposed work is consistent with Washington's CZMP.

On January 19, 2024, the Port of Anacortes and Ecology agreed to stay the CZM until November 18, 2024 in order for the Port of Anacortes to obtain a 401 water quality certification and shoreline permit. A second stay was agreed to on October 14, 2024, extending the review period until March 18, 2025 in order for the the Port of Anacortes to obtain a 401 water quality certification and shoreline permit.

The proposed work includes demolishing and replacing an aging commercial dock in the Port's Cap Santa Marina. The project will demolish the existing creosote treated structure including decking, stringers, pile caps, bull rails, and piles. 115 creosote treated piles and 29 ammoniacal copper zinc arsenate treated piles will be removed. Approximately 130 cubic yards of riprap will be removed from the top of the bank. A sheetpile bulkhead and concrete backwall will be installed in place of the riprap. The reconfigured T Dock will be built on 40 new steel pipe piles and will be constructed with concrete pile caps, pre-cast deck panels, and steel pipe bull rails. In addition to the structural support piles, 24 galvanized steel pipe fender piles will be installed along the eastern side of the pier. HDPE pipe fender sleeves will be fitted around all fender piles following installation. Mitigation for the project includes removal of 115 creosote treated wood piles, stringers, pile caps, and decking; removal of submerged creosote pile stubs adjacent to

the T Dock; and installation of 10 large woody debris structures in the marina basin for habitat. This activity would occur in the Cap Sante Marina in Fidalgo Bay, Anacortes, Skagit County, Washington.

If you have any questions regarding Ecology's decision, please contact Austin Schmalz at 425-301-6989.

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 by 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.

Address and Location Information

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

Corps No. NWS-2023-0582, Aquatics ID No. 142975

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

E-Mail Address:

ecologyappeals@ecy.wa.gov

Sincerely,



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

Sent via e-mail: Kevin.Anderson@portofanacortes.com

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