



**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

**Northwest Region Office**

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

February 5, 2025

City of Everett Public Works  
ATTN: Grant Moen  
3200 Cedar Street  
Everett, WA 98201

Re: Coastal Zone Management Federal Consistency Decision for Downstream Dike  
Maintenance at Diking District 5, (Corps No. NWS-2021-436), Union Slough, Everett,  
Snohomish County, Washington

Dear Grant Moen:

On August 9, 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 City of Everett Public Works's determination that the proposed work is consistent with Washington's CZMP.

The proposed action will discharge permanent fill below the high tide line and mean high water mark of Union Slough and in adjacent wetlands in order to make improvements to approximately 5,300 linear feet of the Union Slough Dike. The dike would be raised to a minimum elevation of 15 feet (NAVD88) to meet regulatory requirements (except in the vicinity of the Interstate 5 bridge). The centerline of the improved dike would shift landward in order to minimize encroachment into the slough. Raising the dike will expand the footprint of the dike prism, particularly on the landward side with minimal expansion on the waterward side. The dike prism would include 2H:1V side slopes and new toe ditches would be excavated on the landward side. Portions of the waterward side of the improved dike would be excavated, regraded, and the slope would be extended at 2H:1V. Other portions of the waterward side of the dike would be minimally excavated and regraded at 2H:1V followed by the placement of a layer of quarry spall and a top layer of heavy riprap with toe revetment for scour protection.

In-water work would permanently impact Category II estuarine wetland and Category III depressional wetland. In addition, the work would have temporary and permanent impacts to

portions of Category III riverine (freshwater tidal fringe) wetland and Category III depressional wetland.

To compensate for temporary and permanent impacts to wetland (estuarine and depressional), and wetland and shoreline buffers, the applicant has developed a mitigation plan utilizing a combination of credits to be withdrawn from Diking Improvement District 5's Smith Island Advance Mitigation Site, and onsite wetland and vegetation enhancements, as required under the approved Shoreline Conditional Use Permit (2023-NW-6486) and the approved Water Quality Certification (Order # 22551).

The project site is located at 3815 28th Place NE, Everett, Snohomish County, Washington, Sections 4 and 9, Township 29 N., Range 5 E., within Water Resource Inventory Area (WRIA) 7 Snohomish River.

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 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://eluh.wa.gov/> or call: 360-664-9160.

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## Service on Ecology

### Street Addresses:

Department of Ecology  
Attn: Appeals Processing Desk  
300 Desmond Drive SE  
Lacey, WA 98503

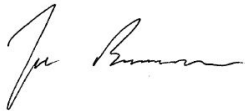
### Mailing Addresses:

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)

Sincerely,



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

Sent via e-mail: [GMoen@everettwa.gov](mailto:GMoen@everettwa.gov)

E-cc: Brody Garner, U.S. Army Corps of Engineers  
Doug Gresham, Ecology  
Loree' Randall, Ecology  
[fedconsistency@ecy.wa.gov](mailto:fedconsistency@ecy.wa.gov)