



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 8, 2025

WA Department of Transportation
ATTN: Mark Stamey
1019 Andis Road
Burlington, WA 98233

Re: Coastal Zone Management Federal Consistency Decision for I-5 Tributaries to Friday, Lake, and Chuckanut Creeks – Fish Passage (Lake Creek), (Corps No. NWS-2025-0035-DOT), Lake Creek, near Bellingham, Whatcom County, Washington

Dear Mark Stamey:

On February 3, 2025, the Department of Ecology (Ecology) received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project. Ecology issued a 21-day public notice on February 14, 2025. Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with WA Department of Transportation's determination that the proposed work is consistent with Washington's CZMP.

The proposed work includes installing two new fish passable culverts; one under the northbound lanes and one under the southbound lanes of Interstate 5. The existing culverts location to the south of the new structures will be abandoned in place by filling them with a concrete density fill. The new culverts are single span buried structures approximately 60 to 62 feet long by 28 feet wide. The stream will be re-graded and re-aligned to the new culverts. Other mitigation elements include adding meander bars inside the new culverts as well as large wood debris in the and around the new structures. The work will permanently impact existing wetlands but these impacts have been minimized to the extent practicable. The new culverts will provide an overall net increase in aquatics resources by increasing channel length, incorporating elements to increase habitat complexity and restoring all disturbed areas with native species. This activity is located on Interstate 5 at milepost 245.76 on Lake Creek and adjacent wetlands near Bellingham in Whatcom 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 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://eluhwa.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

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Sincerely,



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

Sent via e-mail: Mark.Stamey@wsdot.wa.gov

E-cc: Samantha Stanford, U.S. Army Corps of Engineers
Camille Felkins, Atlas Technical Consultants
Erin Hanlon Brown, Ecology
Penny Kelley, Ecology
fedconsistency@ecy.wa.gov