



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 25, 2025

Diana Smyth
6272 Barr Beach Road
P.O. Box 1529
Freeland, WA 98249

Re: Coastal Zone Management Federal Consistency Decision for Smyth Bulkhead Replacement (Corps No. NWS-2024-0486-1), Mutiny Bay, near Freeland, Island County, Washington

Dear Diana:

On September 23, 2024, 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 11, 2025. Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with Diana Smyth's determination that the proposed work is consistent with Washington's CZMP.

On March 3, 2025, Diana Smyth and Ecology agreed to stay the CZM until September 23, 2025, in order for Diana Smyth to obtain a Section 401 water quality certification.

This project proposes to remove an existing 50-linear foot (LF) concrete bulkhead and to install a 50 LF concrete bulkhead landward of the high tide line. The replacement armoring would be installed up to six feet landward of the existing structure. A trench would be excavated to install the replacement bulkhead footing and subgrade. Segments of the proposed wall would then be formed using plywood and rebar cages and a concrete truck staged in the uplands would pour concrete into the installed forms. The concrete would contain 2% calcium content by volume to encourage hardening within one hour. The installed armoring would be backfilled with native soil removed during excavation activities. The existing bulkhead would then be removed after the concrete has cured for three to seven days. The structure would be removed during low tides in the dry using an excavator. Fill material would then be placed within any remaining voids following the bulkhead removal as necessary.

This activity would occur at 6272 Barr Beach Road, Freeland, in Mutiny Bay, Island 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

April 25, 2025

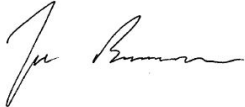
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Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

E-Mail Address:

ecologyappeals@ecy.wa.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Burcar".

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

Sent via e-mail: dianalsmyth@gmail.com

E-cc: Jaime Liljegren, U.S. Army Corps of Engineers
Allison (Martin) Lisi, Facet NW
fedconsistency@ecy.wa.gov