



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

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

September 8, 2025

Seattle Public Utilities
ATTN: Emma Burckert
Seattle Municipal Tower
700 5th Avenue, Suite 4900, PO Box 34018
Seattle, WA 98124

Re: Coastal Zone Management Federal Consistency Decision for NE 91st St Slope
Stabilization and Drainage Improvements (Corps No. NWS-2025-0167-WRD), Streams A
and B and Wetland AB, Seattle, King County, Washington

Dear Emma Burckert:

On April 10, 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 June 13, 2025. Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with Seattle Public Utilities' determination that the proposed work is consistent with Washington's CZMP.

This project proposes to construct a 40-linear-foot reinforced soil slope (RSS) at the east end of the developed right-of-way for Northeast 91st Street, Seattle, in Wetland AB, a Category III slope wetland and waterward of the Ordinary High Water Mark (OHWM) of Streams A and B. A replacement culvert will also be installed along the slope, discharging at a dissipation pad in Wetland AB.

The project site is located at NE 91st Street, Seattle, in Streams A and B, Wetland AB, King County, Washington.

If you have any questions regarding Ecology's decision, please contact Austin Schmalz at Austin.Schmalz@ecy.wa.gov.

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

E-Mail Address:

ecologyappeals@ecy.wa.gov

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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: Emma.Burckert@seattle.gov

E-cc: Colleen Anderson, U.S. Army Corps of Engineers

Austin Schmalz, Department of Ecology

fedconsistency@ecy.wa.gov