



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000
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April 16, 2020

Severin Samulski
Lakeport Reach, LLC
Unit 3A – 33790 Industrial Avenue
Abbotsford, BC V2S7T9
CANADA

**RE: Coastal Zone Federal Consistency Conditional Concurrence for Corps Reference
#NWS-2019-162, Sumas Concrete Products, Sumas, Whatcom County, Washington**

Dear Severin Samulski:

The Washington State Department of Ecology (Ecology) has completed its review of the Coastal Zone Management Act Federal Consistency (CZM Consistency) for the above-referenced project. This determination is for construction of Phases 1 and 2 of the facility, including land preparation, construction of stormwater facilities, internal roads, the concrete manufacturing facility, laydown and storage areas, and wetland mitigation. These improvements would be located at 3867 Kneuman Road, Sumas, Washington, in Whatcom County.

Ecology initiated its CZM Consistency review on March 21, 2019, upon receiving a Certification of Consistency from Lakeport Reach, LLC. Starting on September 16, 2019, Ecology and Lakeport Reach, LLC agreed to two stays of the CZM deadline to allow time for Lakeport Reach, LLC to apply for a shoreline permit under the state Shoreline Management Act (SMA) and obtain a Section 401 Water Quality Certification. Under the agreement, the current stay expires on May 15, 2020.

On March 2, 2020, Ecology received notice that the City of Sumas approved Lakeport Reach, LLC's application for a Shoreline Substantial Development Permit (SDP). On March 20, 2020, an appeal of the SDP was filed with the Shorelines Hearings Board (SHB; Case Number S20-003). A hearing before the SHB is currently scheduled for June 17-18, 2020.

Ecology concurs the proposal is consistent with Washington's CZM Program provided all applicable permits and approvals are obtained as described below. Lakeport Reach, LLC must ensure this project is constructed and operated in accordance with all applicable federal, state, and local laws and regulations. If, prior to construction, the project should change significantly and any of the enforceable policies of Washington's CZM Program

would be affected, pursuant to 15 CFR §930.66, the applicant must submit supplemental information to Ecology for review and approval.

This concurrence is conditioned that Lakeport Reach, LLC meets the enforceable policies of the SMA (RCW 90.58.020) and Shoreline Master Program Guidelines (WAC 173-2-201(2)(c) and WAC 173-26-186(8)) by obtaining a final SDP, including resolution of any appeals, from the City of Sumas.

If you have any questions regarding Ecology's consistency determination please contact Rebekah Padgett at (425) 649-7129.

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 of this decision. 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 appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person (see addresses below). Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW STE 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Burcar". The signature is fluid and cursive, with the first name "Joe" being more prominent than the last name "Burcar".

Joe Burcar, Section Manager
Shorelands and Environmental Assistance Program

Sent by electronic mail: sev@tristarblock.com

E-cc: Randel Perry, U.S. Army Corps of Engineers
Desiree Douglass, Douglass Consulting, LLC
Carole Cenci, Puget Sound Clean Air Agency
Kirsten McDade, RE Sources for Sustainable Communities
Emareya Brock
John Krieg
Meg Krieg
Steven Brock
Helen Solem
Stephanie Barney, Ecology – Water Quality Program
Josh Klimek, Ecology – Water Quality Program
Melinda Wilson, Ecology – Water Quality Program
Chris Luerkens, Ecology – Shorelands and Environmental Assistance Program
Loree' Randall, Ecology – Shorelands and Environmental Assistance Program
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