



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000  
711 for Washington Relay Service • Persons with a speech disability can call (877) 833-6341*

January 20<sup>th</sup>, 2021

Matthew Mateo  
Port of Seattle  
PO Box 1209  
Seattle, WA 98111

RE: Coastal Zone Consistency for Corps Reference #NWS-2020-760-WRD,  
Elliott Bay Acclimation Net Pen Improvements Project, Seattle, King County,  
Washington

Dear Matthew Mateo:

On December 16, 2020, the Department of Ecology received a Certification of Consistency with the Washington State Coastal Zone Management Program (WCZMP) for the above project.

This decision is for expansion of an existing 120-foot-long by 50-foot-wide by 25-foot-deep coho salmon acclimatization net pen by installing a net pen of the same dimensions directly to the south of the existing net pen. The total net pen size would be 240 feet long, 50 feet wide, and 28 feet deep. The net pen capacity would increase from 500,000 Coho salmon yearlings to 1,000,000 fish. These improvements would be located in Elliott Bay, at 955 Alaskan Way West, Seattle, Washington, in King County.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with Port of Seattle's determination that the proposed work is consistent with the WCZMP. This concurrence is given with the understanding that the operator(s) of this net pen facility will be limited to the 100,000-pound final release weight of fish (i.e., production limit) under the current U.S. Environmental Protection Agency-issued Tribal Marine Net Pen Enhancement Facilities National Pollutant Discharge Elimination System (NPDES) General Permit. If the production increases above this limit, coverage under the next cycle of the NPDES General Permit (production limit is anticipated to increase to 200,000 pounds) must be issued to the operator prior to discharge, and the project may require Federal Consistency review.

Prior to construction, if the project should change significantly, thus triggering any of the enforceable policies of the WCZMP, pursuant to 15 CFR §930.66, the applicant must submit supplemental information to Ecology for review and approval.

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

### **YOUR RIGHT TO APPEAL**

You have a right to appeal this decision to the Pollution Control Hearing 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.) E-mail 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**

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

Sincerely,



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

Sent by electronic mail: Mateo.m@portseattle.org

Matthew Mateo  
Corps #NWS-2020-760-WRD  
January 20<sup>th</sup>, 2021  
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e-cc: Jason Sweeney, U.S. Army Corps of Engineers  
Laura Arber, Washington Department of Fish and Wildlife  
Don Olmstead, Washington Department of Natural Resources  
Jon Sloan, Port of Seattle  
Maria Sandercock, Ecology  
Grant Yang – Ecology  
Laurie Niewolny – Ecology  
Loree' Randall – Ecology  
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