



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000  
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January 29, 2021

Vigor Shipyards, Inc.  
Attn: Jonathan Cook  
1801 16th Avenue SW  
Seattle, WA 98134

RE: Coastal Zone Consistency for Activity Undertaken by a Federal Agency  
Vigor Shipyards Southwest Yard Habitat Project, King County, Washington

Jonathan Cook,

On June 23, 2020, Vigor Shipyards, Inc. (Vigor) submitted a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP). On December 23, 2020, Vigor and Ecology agreed to stay the CZM concurrency determination until January 31, 2021; a signed stay letter was sent to the Corps on December 23, 2020.

The proposed federal activity includes reconfiguration and improvement of stormwater conveyance and discharge; demolition of existing overwater and in-water structures (including creosote and sheet pile removal); dredging to support in-water habitat creation; importing clean material for habitat creation; installation of plastic piles to protect new habitat; installation of untreated wood "pinch piles" below mudline for earthquake stability; environmental dredging for final cleanup of previously capped contaminated sediments; reconfiguration and reconstruction of limited portions of existing piers; removal of contaminated upland soils; and completion of earthwork and planting in the project area. Sediment sampling and long-term monitoring and maintenance activities are also included. The project is located on the Duwamish River, King County, Washington.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with Vigor's determination that the proposed work is consistent with Washington's CZMP.

If you have any questions regarding Ecology's consistency determination please contact Laura Inouye at (360) 407-6165.

## 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

Street Addresses	Mailing Addresses
<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,



Brenden McFarland, Section Manager  
Headquarters  
Shorelands and Environmental Assistance Program

e-cc: Jordan Bunch, US ACOE, Seattle  
Erin Murray, Floyd/Snider  
ECY RE FEDPERMITS  
Loree' Randall – HQ, SEA