



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1000 4th Avenue, Olympia, WA 98501-3020  
For the Washington Public Service & Consumer Council, 1000 4th Avenue, Olympia, WA 98501-3020

CERTIFIED MAIL  
7005 1820 0000 7659 3397

August 5, 2009

Mr. Jon Sloan  
Port of Seattle  
P.O. Box 1209  
Seattle WA 98111

Dear Mr. Sloan:

On July 22, 2009, the Port of Seattle submitted a Federal Consistency Determination stating that the work on this project is consistent with the Washington State Coastal Zone Management Program (CZMP). Work consists of maintenance dredging and modification of structures at Berth 1 of Terminal 115 in Duwamish Waterway in Seattle, King County, Washington. Pursuant to Section 307(c) (3) of the Coastal Zone Management Act of 1972 as amended, the Department of Ecology (Ecology) concurs with the City of Des Moines Marina determination that the proposed work is consistent with Washington's CZMP.

You have the right to appeal this decision to the Pollution Control Hearings Board. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

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**1. To file your appeal with the Pollution Control Hearings Board**

Mail appeal to:

The Pollution Control Hearings Board  
PO Box 40903  
Olympia, WA 98504-0903

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board  
4224 – 6th Ave SE Rowe Six, Bldg 2  
Lacey, WA 98503

**2. To serve your appeal on the Department of Ecology**

Mail appeal to:

The Department of Ecology  
Appeals Coordinator  
P.O. Box 47608  
Olympia, WA 98504-7608

OR

Deliver your appeal in person to:

The Department of Ecology  
Appeals Coordinator  
300 Desmond Dr SE  
Lacey, WA 98503

**3. And send a copy of your appeal to:**

Helen Pressley  
Department of Ecology  
Shorelands and Environmental Assistance  
P.O. Box 47600  
Olympia WA 98504-7600

For additional information visit the Environmental Hearings Office Website:  
<http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website:  
<http://www1.leg.wa.gov/CodeReviser>

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Ch. 43.21B RCW.

If you have any questions regarding Ecology's consistency determination please contact Helen Pressley at 360-407-6076.

Sincerely,



Brenden McFarland, Section Manager  
Environmental Review and Transportation Section  
Shorelands and Environmental Assistance Program

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cc: Olivia Romano, Seattle Corps  
Glacier Northwest  
City of Seattle Real Estate Services

ecc: Loree' Randall, Ecology  
Helen Pressley, Ecology  
Brad Helland, NWRO, Ecology  
Laura Inouye, Ecology  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)