



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

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July 27, 2011

Mr. Graham Anderson
Port Of Everett
Po Box 538
Everett WA 98206

Dear Mr. Anderson:

On March 10, 2011, the Port of Everett submitted a Federal Consistency Determination stating that the proposed maintenance dredging of 10,192 cubic yards of sediment from Pacific Terminal in Port Gardner Bay is consistent with the Washington State Coastal Zone Management Program (CZMP). Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, the Department of Ecology (Ecology) concurs with the determination that the proposed work is consistent with Washington's CZMP.

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Order. 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 the following within 30 days of the date of receipt of this Order:

- File your appeal and a copy of this Order 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 Order 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
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

CONTACT INFORMATION

Please direct all questions about this Order to:

Helen Pressley
Department of Ecology SEA Program
PO Box 47600
Olympia WA 98504-7600
360-407-6076
hpre461@ecy.wa.gov

MORE INFORMATION

Pollution Control Hearings Board Website

www.eho.wa.gov/Boards_PCHB.aspx

Chapter 43.21B RCW - Environmental Hearings Office – Pollution Control Hearings Board

<http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B>

Chapter 371-08 WAC – Practice And Procedure

<http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08>

Chapter 34.05 RCW – Administrative Procedure Act

<http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05>

Chapter 90.48 RCW – Water Pollution Control

<http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48>

Chapter 173.204 WAC – Sediment Management Standards

www.ecy.wa.gov/biblio/wac173204.html

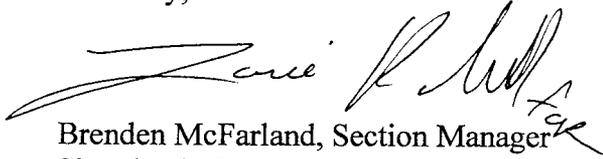
Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington

www.ecy.wa.gov/biblio/wac173201A.html

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

Sincerely,



Brenden McFarland, Section Manager
Shorelands & Environmental Assistance Program
Headquarters Office – Ecology
State of Washington

cc: Erin Legge, Corps
Doug Thompson,
Lionel Klikoff, WDNR
Carrie Andrews,
Vigor Marine
Everett Shipyards
Dunlap Towing
Lehigh Cement
Kimberly-Clark Inc
Naval Station Everett
Burlington Northern Santa Fe RR
City of Everett

ecc: Loree' Randall, Ecology
Helen Pressley, Ecology
Laura Inouye, Ecology
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ecyrefedpermits@ecy.wa.gov

Enclosure

by Certified Mail 7009 1410 0002 4001 1620

