



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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July 15, 2015

Evan Lewis
Chief, Environmental and Cultural Resources Branch
PO Box 3755
Seattle, WA 98124

**RE: Coastal Zone Consistency for 2015 Union Slough Levee Rehabilitation Project,
Snohomish River, Snohomish County, Washington**

Dear Mr. Lewis:

On June 3, 2015, U.S. Army Corps of Engineers, Seattle District (Corps) submitted a Federal Consistency Determination for rehabilitation of the Union Slough Levee at one site on the southwest corner of Smith Island, south of Everett's Water Pollution Control Facility. The proposed repair work would return the damaged levee to its pre-flood structure and reestablish its level of protection. The repair would regrade the existing damaged 1.3H:1V slope to 1.5H:1V slope, remove weight from the upper slope that is driving the stability failure, and reestablish erosion protection. Erosion protection would be placed along the 100 feet of damaged levee and an additional 25 feet to either side for tie-in purposes. The majority of the existing spall rock and riprap would be reused in the rehabilitation. Less than 200 feet of pavement on the levee crown is likely to be damaged during repairs and would be repaved after completion of the project.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with the Corps' determination that the proposed work, as described in the Corps Federal Consistency Determination dated June 3, 2015, is consistent with Washington's CZMP.

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

Sincerely,


Paul Anderson, Unit Supervisor
Shorelands and Environmental Assistance Program
Northwest Regional Office

PA:rrp:ap

By certified mail: 7012 1640 0000 6245 7715

cc: Zach Wilson, U.S. Army Corps of Engineers
Jamie Bails, Washington Department of Fish and Wildlife
Gerry Ervine, City of Everett Planning and Community Development

e-cc: David Pater – NWRO
Dave Radabaugh – NWRO
Loree' Randall – HQ
Anne Dettelbach – NWRO
ecyrefedpermits@ecy.wa.gov