



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
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October 26, 2016

Gary Goodall
Whatcom County Public Works, River and Flood
322 N. Commercial Street, Suite 120
Bellingham, WA 98225

**RE: Coastal Zone Consistency for Corps Reference #NWS-2016-657
U.S. Army Corps Public Notice for Individual Section 404 Permit, Swift Creek
Channel Maintenance Project, Swift Creek, Everson, Whatcom County,
Washington**

Dear Mr. Goodall:

On August 9, 2016, you submitted a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the Swift Creek Channel Maintenance project.

The project entails implementation of a five-year sediment management and flood prevention plan to include:

- Excavation of up to 8,500 cubic yards of accumulated sediments from within the creek channel annually.
- Placement of riprap along up to 1,200 linear feet (up to 700 cubic yards below Ordinary High Water Mark [OHWM]) annually for bank stabilization.
- Placement of the excavated sediments on existing levees within the existing levee footprint or within the approved upland fill area on site.
- Maintenance or emergency prevention work such as cleanup and removal of sediment and wood debris, revetment repair, and limited channel dredging and stockpiling, if it does not exceed the limits described above.

The project is located in and adjacent to approximately 6,000 lineal feet of the Swift Creek channel from a point 1,000 feet downstream of Oat-Coles Road to the upstream limit of the County road right-of-way at the Goodwin Road Bridge, Everson, Whatcom County, Washington, Section 33, T. 40 N., R. 4E., WRIA 1.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with your determination that the proposed work 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. Chapter 43.21B RCW and Chapter 371-08 WAC govern the appeal process. "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,



Joe Burcar, Interim Section Manager
Shorelands and Environmental Assistance Program

JB:rrp:ap

By certified mail: 9171 9690 0935 0107 0221 24

Whatcom County Public Works, River and Flood

October 26, 2016

Page | 3

Cc: Randel Perry, U.S. Army Corps of Engineers
Joel Ingram, Washington Department of Fish and Wildlife
Wendy Cole, Washington Department of Fish and Wildlife
Steve Fox, Whatcom County Public Works
Paula Harris, Whatcom County Public Works
Elly Hale, U.S. Environmental Protection Agency
Barb Trejo, Washington State Department of Health

E-cc: Chad Yunge – BFO
Cris Matthews – BFO
Mary O'Herron – BFO
Doug Allen – BFO
Kurt Baumgarten – BFO
Paul Anderson – NWRO
Loree' Randall – HQ
Greg Stegman – NWRO
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