



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

CERTIFIED MAIL

7005 1820 0000 7659 3229

September 21, 2009

Robert Brenner
Port of Tacoma
P.O. Box 1837
Tacoma WA 98401

Dear Mr. Brenner:

On April 28, 2009, the Port of Tacoma submitted a Federal Consistency Determination stating that the maintenance dredging and modification of structures at the Port of Tacoma Washington United Terminal in Blair Waterway, Tacoma, and Pierce County Washington are 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 Port of Tacoma 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.



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 Program
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

cc: Jim Green, Corps
US Oil & Refining
Concrete Technology
Tacoma Screw Products
Dave Adams
Lavilla Persoon
Kim Altoff and James Lauren
Sekor
Golden Eagle Development
Ann and Debra Tone
Roy and Harriet Tongue
Wayne and Dianne Swanson
Kristan Overby
Scott Hogman, J.L. Brevick, and Oline Pro
Crows Nest Marina
Leslie Ann Rose, Citizens for a Healthy Bay
Barbara Berntsen
Larry Viguerie and Linda Bedney
Sondra and Don Purcell
Steve and Mary Shelton

ecc: Loree' Randall, HQ ECY
Helen Pressley, HQ ECY
Laura Inouye, HQ ECY
Alex Callender – SWRO ECY
ecyrefedpermits@ecy.wa.gov

