



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000  
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September 2, 2016

Paula Harris  
River & Flood Manager/District Engineer  
Whatcom County Flood Control Zone District  
322 N. Commercial Street, Suite 120  
Bellingham, WA 98225

**RE: Coastal Zone Consistency for Corps Reference #NWS-2016-327  
U.S. Army Corps Public Notice for Individual Section 404 Permit, High Creek  
Channel Maintenance and Sediment Collection Area Installation Project, Wetlands  
and High Creek, Deming, Whatcom County, Washington**

Dear Ms. Harris:

On April 18, 2016, you submitted a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the High Creek Channel Maintenance and Sediment Collection Area Installation project.

The proposed project entails:

- Excavation of approximately 21,000 cubic yards of accumulated sand and gravel.
- Modification of the north and south berms.
- Installation of two sediment collection areas, bank protection at collection area inlets, and grade control weirs.
- Excavation of a channel downstream of the lower collection area to connect High Creek to Kendall Creek.
- Replanting disturbed areas with native shrubs and trees.

The project is located at multiple addresses with construction entrances at 6417 and 6430 Mt. Baker Highway, Deming, Whatcom County, Washington, Wetland and High Creek, Sections 34 and 35, T. 40 N., R. 5E., 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><b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503</p> <p><b>Pollution Control Hearings Board</b> 1111 Israel RD SW STE 301 Tumwater, WA 98501</p>	<p><b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608</p> <p><b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903</p>

Sincerely,



Joe Burcar, Interim Section Manager  
Shorelands and Environmental Assistance Program  
Northwest Regional Office

JB:rrp:ap

By certified mail: 7012 1640 0000 6245 8774

Cc: Randel Perry, U.S. Army Corps of Engineers  
Joel Ingram, Washington Department of Fish and Wildlife  
John Thompson, Whatcom County Public Works