



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000  
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January 16, 2018

Robert Janicki  
Mersey LLC  
103 N. Township Street  
Sedro-Woolley, WA 98284

**RE: Coastal Zone Consistency for U.S. Army Corps of Engineers (Corps) Reference #NWS-2015-737, Corps Public Notice for Individual Section 404 Permit, Mersey Residential Development Project, Bellingham, Whatcom County, Washington**

Dear Mr. Janicki:

On July 28, 2017, you submitted a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the Mersey Residential Development project.

The proposed project entails construction of 440 residential housing units, along with neighborhood parks and trails over a 32.96-acre site. Utility installation and stormwater facilities would also be included. Mitigation for fill of 5.27 acres of wetland would be through establishment of wetlands, habitat preservation, and in-fill planting

The project is located west of Northwest Road, approximately 0.25 mile north of West Bakerview Road, and approximately 0.25 mile east of Interstate 5, Bellingham, Whatcom County, Washington, in wetlands, Section 11, T. 38N, R. 2E, 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 consistency determination to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this consistency determination. 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 consistency determination:



- File your appeal and a copy of this consistency determination 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 consistency determination 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**

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

Sincerely,



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

By certified mail: 9171 9690 0935 0163 8137 42

Cc: Randel Perry, U.S. Army Corps of Engineers  
Joel Ingram, Washington Department of Fish and Wildlife  
Patrick Togher, Normandeau Associates, Inc.  
Carrie Veldman, The RJ Group

E-cc: Diane Hennessey – NWRO  
Loree' Randall – HQ  
Evan Dobrowski – NWRO  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)