

APPENDIX D

Coastal Resources

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 5, 2024

ATTN: Ilon Logan
US Department of Transportation
Federal Aviation Administration
Northwest Mountain Region
Seattle Airports District Office
2200 South 216th Street
Des Moines, WA 98198

Re: Coastal Zone Management Federal Consistency Decision for the Harvey Field Runway Improvement Project, Snohomish County, Washington

Dear Ilon Logan:

On March 8, 2024, the Federal Aviation Administration (FAA) submitted a Consistency Determination with the Washington State Coastal Zone Management Program (CZMP). On March 13, 2024, Ecology requested a 15-day extension pursuant to 15 CFR Part 930.41(b), extending the CZM decision deadline to DATE. Ecology issued a 21-day public notice on March 19, 2024, and received no comments. At Ecology's request, the FAA supplied additional information on March 27, 2024.

The proposed action includes the construction of a new 2,400-foot runway west of the existing asphalt Runway 15L/33R occurring at Harvey Field in Snohomish, Washington. The turf runway, 15R/33L would be decommissioned, and the partial parallel taxiway would be reused and extended to be a full parallel taxiway that meets FAA standards.

The proposed action include:

- Construction a new 2,400-foot asphalt Runway 15/33
- Removal of the existing asphalt Runway 15L/33R
- Construction of a new parallel taxiway with three runway connections while reusing much of the existing partial parallel taxiway pavement
- Removal of about 300 linear feet of taxiway pavement
- Relocation of Airport Way to the south to remain on County right-of way and Harvey property

- Removal of about 600 linear feet of existing Airport Way from Airport property
- Installation of new PAPIs on Runway 15/33
- Installation of Medium Intensity Runway Lights for Runway 15/33
- Installation of Medium Intensity Taxiway Lights for the new parallel taxiway
- Construction of a new perimeter fence on the south side the Airport
- Removal of about 850 linear feet of fence along existing Airport Way
- Removal of 21 trees from approach and departure surfaces of both runway ends
- Installation of a retaining wall with water passage infrastructure, including three sets of 20-foot span box culverts, on the Runway 33 end

The relocation of Airport Way would take about six months to complete. The proposed action would add about nine acres of new impervious surface, for all the airfield project components and roadway relocation and would remove about three acres of impervious surface for a net addition of six acres of new impervious surface at the Airport. Construction would begin in 2026, occurring over 24 months with the new Runway 15/33 opening for use in the Fall of 2028. Construction would be phased so that the Airport remains operational at all times. The proposed action would result in the Airport reducing the number of runways from two to one and reducing the length of the asphalt runway from 2,672 feet to 2,400 feet. The purpose of the Proposed Action is not to expand the Airport or increase the operations, but to meet current FAA standards for the critical aircraft currently operating at the Airport.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with the FAA's determination that the proposed work is consistent with Washington's CZMP.

If you have any questions regarding Ecology's decision, please contact Teresa Pucylowski at (360) 764-0546.

Your right to appeal

You have a right to appeal this decision to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. 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 decision:

- File your notice of appeal and a copy of this decision with the PCHB (see filing information below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this decision on the Department of Ecology mail, in person, or by email (see addresses below).

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Filing an appeal

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://elaho.wa.gov/> or call: 360-664-9160.

Service on Ecology

Street Addresses:

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

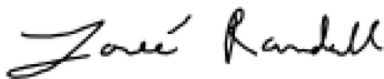
Mailing Addresses:

Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

E-Mail Address:

ecologyappeals@ecy.wa.gov

Sincerely,



Loree' Randall, Section Manager
Aquatic Permitting & Protection Section
Shorelands and Environmental Assistance Program

Sent via e-mail: ilon.logan@faa.gov

E-cc: Amanda Ogden, FAA
Teresa Pucylowski, Ecology
fedconsistency@ecy.wa.gov



U.S. Department
of Transportation
**Federal Aviation
Administration**

Northwest Mountain Region
Seattle Airports District Office
2200 S. 216th Street
Des Moines, WA 98198

March 8, 2024

Ms. Loreé Randall
Federal Consistency Coordinator
Washington State Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008
Sent by e-mail to lore.e.randall@ecy.wa.gov and fedconsistency@ecy.wa.gov

Subject: Agency Request for Concurrence with Coastal Consistency Determination
Harvey Field Runway Improvement Project
Snohomish, Washington

Dear Ms. Randall:

The Federal Aviation Administration (FAA) is submitting the attached Coastal Zone Management Act Consistency Determination (CD) for the Runway Improvement Project occurring at Harvey Field in Snohomish, Washington. The Proposed Action involves construction of a new 2,400-foot runway west of the existing asphalt Runway 15L/33R. The turf runway, 15R/33L would be decommissioned, and the partial parallel taxiway would be reused and extended to be a full parallel taxiway that meets FAA standards.

Based on the information provided in the attached document, FAA has determined that the Harvey Field Runway Improvement Project is consistent to the maximum extent practicable with the enforceable policies of Washington's Coastal Zone Management Program (CZMP). FAA respectfully seeks your concurrence with the attached CD. Thank you for your assistance and please do not hesitate to contact me at (206) 231-4220 or Ilon.Logan@faa.gov with any questions, comments, or concerns.

Sincerely,

Ilon Elizabeth Logan
Regional Environmental Protection Specialist
Federal Aviation Administration
Airports Division, Northwest Mountain Region

Cc: Kandace Harvey, Airport Owner, Harvey Field
Julie Barrow, RS&H

Enclosure: Coastal Zone Management Act Consistency Determination, submitted by FAA, for actions related to the Harvey Field Runway Improvement Project, Harvey Field, Snohomish, Washington, February 2024

COASTAL ZONE MANAGEMENT ACT CONSISTENCY DETERMINATION

Submitted by Federal Aviation Administration

For Actions Related to the

**Harvey Field Runway Improvement Project
Harvey Field, Snohomish, Washington / [Applicability]**

[February 2024]

Acronyms

CD = Consistency Determination
Coast Guard = The United States Coast Guard
Corps = United States Army Corps of Engineers
CWA = Clean Water Act
CZMA = Coastal Zone Management Act
CZMP = Coastal Zone Management Program
Ecology = Washington State Department of Ecology
EPA = Environmental Protection Agency
FERC = The Federal Energy Regulatory Commission
ISU = Important, Sensitive, & Unique Area
MSP = Marine Spatial Plan for Washington's Pacific Coast
NOAA = National Oceanic & Atmospheric Administration
NPDES = National Pollutant Discharge Elimination System
NWP = Nationwide Permit
ORMA = Ocean Resources Management Act
SMA = Shoreline Management Act
SMP = Shoreline Master Program
SMP = Shoreline Master Program
UIC = Underground Injection Control wells
WCAA = Washington Clean Air Act
WPCA = Water Pollution Control Act
WQC = Water Quality Certification
AO = Agreed Order
CSO = Combined Sewer Overflows
DMMP = Dredged Material Management Plan
NOI = Notice of Intent
PSET = Portland Sediment Evaluation Team
SEPA = State Environmental Protection Act

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A. INTRODUCTION & PROPOSAL DESCRIPTION

Briefly provide some context around the Coastal Zone Management Act: its authority, how it manages effects to coastal uses and resources, and how it relates to the proposed federal action:

Congress enacted the Coastal Zone Management Act (CZMA) in 1972 to create a voluntary program to encourage states to develop comprehensive management programs for their coastal zones. The federal consistency requirements of the CZMA apply to any federal action with a “reasonably foreseeable effect” on any coastal use or resource. How coastal effects are determined and whether and how federal consistency applies to a proposed federal action are described in the National Oceanic and Atmospheric Administration’s (NOAA) Federal Consistency regulations, which can be found at [15 CFR part 930](#).

For federal agency activities under 15 CFR part 930, subpart C, the Federal Agency makes a determination of coastal effects. Federal Consistency regulations define coastal effects as both environmental effects (impacts to air, wetlands, water bodies, aquifers, plants, animals, etc.) and effects on coastal uses (fishing, recreation, tourism, public access, historic or cultural preservation, marinas, etc.). Effects include both direct effects resulting from the proposed federal action and occur at the same time and place, and indirect (cumulative and secondary) effects resulting from the federal action and occur later in time or are farther removed in distance but are still reasonably foreseeable.

Include one of the following statements – based on what is relevant to the federal action:

Washington’s coastal zone is comprised of the 15 coastal counties that border salt water.

Harvey Field Runway Improvement Project occurs within Snohomish County Coastal Zone.

-and/or-

Although the CZMA definition of the coastal zone [\[16 U.S.C. § 1453\(1\)\]](#) excludes federal lands¹ and waters from state definitions of the coastal zone, proposed federal actions on lands inland of the state’s coastal zone or in federal waters beyond the State’s three nautical-mile boundary may be subject to Washington’s federal consistency review if they have effects in the coastal zone, pursuant to the subparts of NOAA’s regulations at 15 CFR part 930. For instance, [15 CFR 923.33\(b\)](#) obligates federal agencies to “comply with consistency provisions of section 307 of the act when federal actions on these excluded lands have spillover impacts that affect any land or water use or natural resource of the coastal zone within the purview of a state’s management program.” The Federal Aviation Administration has determined that the proposed Harvey Field Runway Improvement Project would have no effects on resources in the state’s coastal zone in Snohomish County.

¹ “Federal lands are defined as lands the federal government owns, leases, holds in trust, or otherwise has the sole discretion to determine their use.

Include one of the following statements – based on what is relevant to the federal action:

Federal agencies must consider all development projects² within the coastal zone, as defined at [15 CFR § 930.31\(b\)](#), to be activities affecting any coastal use or resource. **Harvey Field Runway Improvement Project** is considered a development project.

-or-

For non-development types of activities proposed by federal agencies, whether inside or outside the coastal zone, the agencies determine whether their activities may have reasonably foreseeable effects on uses or resources of the coastal zone, regardless of the location of the uses or resources [\[15 CFR § 930.36\(a\)\]](#).

Provide a detailed description of the proposed federal action:

[Guidance]

The Federal Action (referred to as Proposed Action), as described below, would safely and efficiently accommodate current and forecast aviation activity at the Airport by meeting current FAA standards for Runway 15L/33R for RDC B-II (small) aircraft while providing for sufficient runway length for the Airport's critical aircraft grouping, as identified in the 2018 Master Plan.

The Airport Sponsor proposes to construct a new 2,400-foot runway west of the existing asphalt Runway 15L/33R. The turf runway, 15R/33L would be decommissioned, and the partial parallel taxiway would be reused and extended to be a full parallel taxiway that meets FAA standards (see Figure 1).

Detailed components of the Proposed Action include:

- Construction a new 2,400-foot asphalt Runway 15/33
- Removal of the existing asphalt Runway 15L/33R
- Construction of a new parallel taxiway with three runway connections while reusing much of the existing partial parallel taxiway pavement
- Removal of about 300 linear feet of taxiway pavement
- Relocation of Airport Way to the south to remain on County right-of way and Harvey property
- Removal of about 600 linear feet of existing Airport Way from Airport property
- Installation of new PAPIs on Runway 15/33
- Installation of Medium Intensity Runway Lights for Runway 15/33
- Installation of Medium Intensity Taxiway Lights for the new parallel taxiway
- Construction of a new perimeter fence on the south side the Airport
- Removal of about 850 linear feet of fence along existing Airport Way
- Removal of 21 trees from approach and departure surfaces of both runway ends

² "Development projects" are defined as a federal agency activity involving the planning, construction, modification, or removal of public works, facilities, or other structures, and includes the acquisition, use, or disposal of any coastal use or resource.

- Installation of a retaining wall with water passage infrastructure, including three sets of 20-foot span box culverts, on the Runway 33 end.

During construction, access to the Proposed Action's site would be via the Airport Service Road, accessed from the public parking lot at the main entrance to the Airport. The construction staging area for the airfield project components would be located on an existing vehicle parking lot at the end of the Airport Service Road. The construction staging area for the relocation of Airport Way project component would be in the field south of existing Airport Way with the exact location to be determined at the time of construction. The relocation of Airport Way would take about six months to complete. The Proposed Action would add about nine acres of new impervious surface, for all the airfield project components and roadway relocation and would remove about three acres of impervious surface for a net addition of six acres of new impervious surface at the Airport.

Construction of the Proposed Action would begin in 2026, occurring over 24 months with the new Runway 15/33 opening for use in the Fall of 2028. Construction would be phased so that the Airport remains operational at all times. Following construction, the right-of-way would be deeded by the Airport Sponsor to Snohomish County Public Works. Additionally, the relocated road would include dedicated shoulders and bicycle lanes.

The Proposed Action would result in the Airport reducing the number of runways from two to one and reducing the length of the asphalt runway from 2,672 feet to 2,400 feet. The purpose of the Proposed Action is not to expand the Airport or increase the operations, but to meet current FAA standards for the critical aircraft currently operating at the Airport.

Figure 1: Proposed Action



Source: ESRI, 2023; RS&H, 2023

Legend

- | | | | |
|-------------------------------|------------------------------|--|------------------|
| Runway 15L/33R Removal | Tree Removal (21) | New Precision Approach Path Indicators | Retaining Wall |
| New Runway 15/33 Construction | Airport Way Pavement Removal | Medium Intensity Taxiway Lights (MITL) | Windcone Removal |
| Taxiway Removal | Airport Way Relocation | Medium Intensity Runway Lights (MIRL) | Windcone |
| Taxiway Construction | Fence Removal | Construction Haul Route | Harvey Property |
| New Runway Protection Zone | New Fence | Construction Staging Area | Airport Property |

0 500 1,000 Feet

B. JURISDICTION & CONSISTENCY REQUIREMENTS

The Washington State Department of Ecology (Ecology) administers Washington's federally approved Coastal Zone Management Program (CZMP). Under Washington's CZMP, proposed federal actions agency that may have reasonably foreseeable effects on Washington's coastal uses or resources are reviewed for consistency with four state laws and their implementing regulations as well as the state Marine Spatial Plan.

- [State Shoreline Management Act](#) [RCW 90.58]
 - Implementing Regulations at WACs 173-15 18, 20, 22, and 26
- [State Water Pollution Control Act](#) [RCW 90.48]
 - Implementing Regulations at WACs 173-40 to 270, 372-52 to 68
- [Washington Clean Air Act](#) [RCW 70A.15]
 - Implementing Regulations at WACs 173-400 to 495
- [State Ocean Resources Management Act](#) [RCW 43.143]
 - Ocean Management Guidelines at WAC 173-26-360
- [The Marine Spatial Plan for Washington's Pacific Coast](#)
 - Important, Sensitive and Unique (ISU) Areas
 - Fisheries Protection Standards

Pursuant to the CZMA Federal Consistency regulations at [15 CFR § 930.36](#), if a federal agency determines that a proposed activity will have reasonably foreseeable effects on coastal uses or resources of the state, the federal agency must prepare a Consistency Determination (CD) and submit it to Ecology for review. The CD must show how the federal agency is "consistent to the maximum extent practicable" with the enforceable policies.

The Federal Agency may submit the CD to Ecology in any manner it chooses as long as it provides the information contained at [15 CFR § 930.39](#). The amount of detail in the description of the activity and the evaluation of coastal effects, the applicable enforceable policies, and supporting information should be commensurate to the expected coastal effects of the proposed federal activity. The contents of a CD are specified at 15 CFR § 930.39(a).

In the following subsections, describe each of the enforceable policies and identify which ones apply to the proposal, and which do not. Please note that even if the Federal Agency believes an enforceable policy is not applicable, Ecology still asks that the agency describes why that is the case. Federal Agencies can also utilize Ecology's Enforceable Policies document, which the Consistency Determination template is based upon, to determine if their proposed action applies to each enforceable policy. Federal agencies are encouraged to consult with Ecology staff for guidance in determining the applicability of enforceable policies if needed. The following Ecology webpages may be used to find the appropriate contact:

- [State Shoreline Management Act](#)
- [State Water Pollution Control Act](#)
 - [Water Quality permits \(general\)](#)

- [Section 401 permits](#)
- [Washington Clean Air Act](#)
- [State Ocean Resources Management Act](#)
- [The Marine Spatial Plan for Washington's Pacific Coast](#)

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B.1 Washington Clean Air Act

[Guidance]

Determine the applicability of the WCAA to the proposed activity:

1. Does the proposed action and any associated emissions occur entirely on tribal lands?
If no, the WCAA **does apply**; continue to [Question 2](#). If yes, then the WCAA **does NOT apply**; address [Question 1.1](#), then skip to [Section B.2](#).

No

1.1 Provide a brief explanation for the response to Question 1.

The Proposed Action occurs on private property and in Snohomish County right-of-way in Snohomish County.

B.2 State Water Pollution Control Act

[Guidance]

Determine the applicability of the WPCA to the proposed activity:

1. Is the proposed action within a wetland or waterbody; or will the proposed action have a discharge into a wetland or waterbody?

If no, then the WPCA **does NOT apply**; skip to [Section B.3](#). If yes, the WPCA **does apply**; continue to [Question 2](#).

Yes

2. Describe which water(s) the proposed action is located in. Describe the waters that may be impacted by the proposed action, including both the broader classification(s) and localized description(s).

The Proposed Action would discharge into the Snohomish River and wetlands located on Harvey-owned property. Three wetlands were delineated for the Proposed Action. They are all depressional palustrine emergent wetlands. The wetlands were rated as Category III with moderate levels of function but have been disturbed.

B.3 Shoreline Management Act

[Guidance]

Determine the applicability of the SMA to the proposed activity:

1. Does the proposed action occur within SMA jurisdiction or are there reasonably foreseeable effects to coastal uses and resources within SMA jurisdiction?

If no, the SMA **does NOT apply**; skip to [Section B.4](#); if yes, the SMA **does apply**; continue to [Question 1.1](#).

Yes

1.1 Explain your response to Question 1.

The Proposed Action is within Snohomish County's Shoreline Environment designation and is classified as Urban and Resource lands.

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C. CONSISTENCY DETERMINATION

The following subsections describe how **Harvey Field Runway Improvement Project** is consistent with all applicable enforceable policies of Washington's CZMP.

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C.1 Washington Clean Air Act

1. Does the WCAA apply to the proposed activity, as identified in [Section B.1](#)?
If no, skip to [Section C.2](#). If yes, continue to [Question 2](#) and complete the following analysis to determine whether the proposal is consistent with the enforceable policies of the WCAA.
Yes
2. Using the [Washington clean air agencies map](#), note which air agencies apply to the proposed action based on location. [Guidance]
Puget Sound Clean Air Agency
3. Describe conversations and correspondence with [state or local clean air staff](#) regarding the applicability of the WCAA to the proposed activity.
There has been no conversations or correspondence with state or local staff because the Proposed Action is in an attainment area as defined by the United States Environmental Protection Agency.

PERMITS & REGISTRATION

4. List and describe any air quality permits (e.g., operating or notice construction permit) that are required for the proposal. If not applicable, please explain. Describe whether the proposed activity contains any permanent stationary sources and whether those sources need to be registered per WAC 173-400-099. Be sure to cite conversations [state or local clean air staff](#) in your response.
Not applicable. The Proposed Action is occurring in an attainment area and a construction emissions inventory showed the Proposed Action would not produce emissions above federal *de minimis* levels.

DEMONSTRATING CONSISTENCY WITH THE REGULATIONS & POLICIES OF THE WCAA

The following regulations and policies apply to all proposed activities, regardless of whether a permit is required.

General Regulations for Air Pollution Sources

Nonroad Engines

5. Does the proposed activity include **nonroad engines**, as defined in [WAC 173-400-030\(59\)](#)?
If no, skip to [Question 6](#). If yes, continue to [Question 5.1](#).
Yes
- 5.1 Describe how the proposal is consistent with the fuel standards in [WAC 173-400-035\(3\)](#). [Guidance]

The construction contractor would adhere to the fuel standards.

- 5.2 Does the proposal require the installation and operation of nonroad engines with a cumulative maximum rated brake horsepower (BHP) greater than 500 BHP and less than or equal to 2000 BHP?

If no, skip to [Question 5.3](#). If yes, continue to [Question 5.2.1](#).

Yes

5.2.1. Describe how the proposal is consistent with [WAC 173-400-035\(4\)](#). [Guidance]
The construction contractor would ensure that vehicles with greater than 500 BHP would comply with the regulations.

- 5.3 Does the proposal require the installation and operation of nonroad engines with a cumulative maximum rated brake horsepower greater than 2000 BHP?

If no, skip to [Question 6](#). If yes, continue to [Question 5.3.1](#).

No

5.3.1. Describe how the proposal is consistent with [WAC 173-400-035\(5\)](#). [Guidance]

General Standards for Maximum Emissions

6. Does the proposed activity include **sources or emission units**, as defined by [WAC 173-400-030 \(84\) and \(31\)](#), respectively?

If no, skip to [Question 7](#). If yes, continue to [Question 6.1](#).

Yes

- 6.1 Describe how the proposal is consistent with the **visible emissions** requirements in [WAC 173-400-040\(2\)](#). [Guidance]

The construction contractor would limit the emissions to less than three minutes per hour.

Operation of the Proposed Action would not create new emission sources.

- 6.2 Describe how the proposal is consistent with the **fallout** requirements in [WAC 173-400-040\(3\)](#). [Guidance]

The construction contractor of the Proposed Action would implement best management practices (BMPs) to ensure that particulate matter emissions do not deposit outside the property line.

Operation of the Proposed Action would not introduce new particulate matter emissions that could deposit off property.

- 6.3 Does the proposed activity produce **fugitive emissions**, as defined in [WAC 173-400-030\(41\)](#)?

If no, skip to [Question 6.4](#). If yes, continue to [Question 6.3.1](#).

Yes

6.3.1. Describe how the proposal is consistent with the requirements in [WAC 173-400-040\(4\)](#). [Guidance]

The Proposed Action is in an attainment area and the construction contractor would take reasonable precautions to prevent the release of air contaminants from the construction equipment.

Operation of the Proposed Action would not produce fugitive emissions.

6.4 Describe how the proposal is consistent with the **odor** requirements in WAC [173-400-040\(5\)](#). [Guidance]

The construction contractor would implement BMPs to ensure that no odors would interfere with nearby property owner's use and enjoyment of their property.

Operation of the Proposed Action would not introduce new odor sources.

6.5 Describe how the proposal does not cause or allow the emission of any air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business, as required in [WAC 173-400-040\(6\)](#).

Construction of the Proposed Action would be temporary and the construction emissions produced would be below *de minimis* levels.

Operation of the Proposed Action would not introduce new emissions sources and the emissions currently produced at Harvey Field are not considered detrimental.

6.6 Describe how the proposal is consistent with the **sulfur dioxide** requirements in [WAC 173-400-040\(7\)](#). [Guidance]

The construction contractor would ensure that equipment does not exceed the one thousand parts per million for any sixty consecutive minutes.

Operation of the Proposed Action would not produce sulfur dioxide.

6.7 Describe how the proposal does not cause or allow the installation or use of any means which **conceals or masks** – as defined in [WAC 173-400-030 \(21\) and \(49\)](#), respectively – an emission of an air contaminant which would otherwise violate the general standards for maximum emissions, as required in [WAC 173-400-040\(8\)](#).

The construction contractor would not employ any concealing or masking equipment. The Proposed Action does not include installation of any concealing or masking equipment, and none is currently in use.

6.8 Does the proposed activity produce **fugitive dust**, as defined in [WAC 173-400-030\(40\)](#)?

If no, skip to [Question 7](#). If yes, continue to [Question 6.8.1](#).

Yes

6.8.1. Describe how the proposal is consistent with the requirements in [WAC 173-400-040\(9\)](#). [Guidance]

The construction contractor would implement BMPs to prevent fugitive dust from becoming airborne.

Operation of the Proposed Action would not create fugitive dust.

Burning

7. Does the proposal involve any **indoor or residential burning**?

If no, skip to [Section C.2](#). If yes, continue to [Question 7.1](#).

No

7.1 Does the proposal include burning used oil as fuel in a land-based facility or in state water?

If no, skip to [Question 7.2](#). If yes, continue to [Question 7.1.1](#).

7.1.1. Describe how the proposal is consistent with [RCW 70A.15.4510](#). [Guidance]

7.2 Does the proposal include the purchase of any **solid fuel burning devices**, as defined in [WAC 173-433-030\(13\)](#)?

If no, skip to [Section C.2](#). If yes, continue to [Question 7.2.1](#).

7.2.1. Describe how the proposal will be consistent with the opacity standards in [WAC 173-433-110](#). [Guidance]

7.2.2. Demonstrate that the proposal does not cause or allow any of the prohibited fuel types to be burned in a solid fuel burning device, as listed in [WAC 173-433-120](#). [Guidance]

7.2.3. Has Ecology or the applicable local air authority identified a Stage 1 or Stage 2 impaired burn ban, as outlined in [WAC 173-433-140](#), that would be applicable to the proposed action? [Guidance]

If no, skip to [Section C.2](#). If yes, continue to [Question 7.2.3.i](#).

7.2.3.i. Describe how the proposal is consistent with the restrictions for Stage 1 burn bans outlined in [WAC 173-433-150\(1\)](#), and/or the restrictions for Stage 2 burn bans outlined in [WAC 173-433-150\(2\)](#). [Guidance]

C.2 State Water Pollution Control Act

1. Does the WPCA apply to the proposed activity, as identified in [Section B.2](#)?

If no, skip to [Section C.3](#). If yes, continue to [Question 2](#) and complete the following analysis to determine whether the proposal is consistent with the enforceable policies of the WPCA.

Yes

PERMITS & AUTHORIZATIONS

2. Does your proposal require a federal license/permit from one or more of the following federal agencies? *Check all that apply.*

☒ The United States Army Corps of Engineers (Corps)

☒ Section 404

☐ Section 10

☐ The United States Coast Guard (Coast Guard)

☐ The Federal Energy Regulatory Commission (FERC)

If FERC and/or Coast Guard only, skip to [Question 4](#). If Corps Section 404 or 10, continue to [Question 3](#).

3. Does the Corps plan to issue a Nationwide Permit (NWP)?³

If no, skip to [Question 4](#); if yes, continue to [Question 3.1](#).

3.1 Which NWP will be issued? **Nationwide Permit 14: Linear Transportation Projects**

3.2 Did you receive verification from the Corps or Ecology that your proposal meets Ecology's programmatic Section 401 Water Quality Certification (WQC) for the NWP that will be issued? **No**

If no, continue to [Question 3.3.1](#); if yes, skip to [Question 5](#).

3.2.1 Does the proposal trigger any of Ecology's Section 401 WQC General State Conditions and/or any of the NWP-specific WQC Conditions (if there are any) as stated in the 2021 NWP User Guide⁴. [If yes, also describe which conditions are triggered.] **Yes, In-Water Construction Activities, Discharge to Impaired Waters, Temporary Fills in Wetlands**

If no, the project meets the programmatic conditions for Section 401, skip to [Question 5](#); if yes, the project does not meet the programmatic conditions for Section 401, continue to [Question 4](#).

4. Is an individual Section 401 WQC required for the proposal? **Yes**

If no, skip to [Question 5](#). If yes, continue to [Question 4.1](#).

4.1 Who is the certifying agency? **Ecology**

If the Environmental Protection Act (EPA) or a tribe, please include a copy of the water quality certification if issued.

4.2 Is the Section 401 WQC pending or has a decision been issued? Describe who have you been in contact with. Describe conversations and status of the WQC.

³ Note that the programmatic CZM decision for the NWPs are not applicable to a federal agency, as they must follow the federal consistency requirements outlined in 15 CFR Part 930 Subpart C.

⁴ See p.106 of the [User Guide for Nationwide Permits in Washington State \(2021-2026\)](#).

No, coordination with Ecology has not been completed at this design stage; however, the Proposed Action would meet the 401 certification conditions to obtain NWP 14.

5. Does the proposal include the discharge of waste materials from construction, industrial, commercial, and municipal operations into ground and surface waters of the state or municipal sewerage systems, that would require a National Pollutant Discharge Elimination System (NPDES) and/or State Waste Discharge Permit? **Yes**

If no, skip to [Question 5.5](#). If yes, continue to [Question 5.1](#).

- 5.1 Who is the water quality permitting agency? **Ecology**

If the EPA, please include a copy of the water quality permit if issued.

- 5.2 Which type of water quality permit is required?

☐ Individual

☒ General

- 5.3 Has an application for an individual water quality permit or a Notice of Intent (NOI) for a general water quality permit been submitted? Provide supporting documentation, and if a general permit will be obtained, specify which one. **No, the construction contractor would submit an NOI for Construction Stormwater General Permit (CSWGP) during final design stages and before construction begins.**

- 5.4 Is the permit pending, or has it been issued? Describe who have you been in contact with. Describe conversations and status of the water quality permit. **The construction contractor would submit an NOI for CSWGP during final design stages and before construction begins.**

- 5.5 Describe why a permit is not required. **N/A**

5.5.1. Describe how the proposal is consistent with RCW 90.48.080, which prohibits the discharge of polluting matters in any waters of the state. **N/A**

DEMONSTRATING CONSISTENCY WITH THE REGULATIONS & POLICIES OF THE WPCA

Surface Water Impacts

If it was noted that an individual Section 401 WQC was required in [Question 4](#), skip this “Surface Waters Impacts” section. If an individual Section 401 WQC is not required, continue to [Question 6](#).

The Federal Agency may also refer to the [Water Quality Standards for Surface Waters of the State of Washington](#) document for guidance on understanding the regulatory requirements and addressing the questions in this section.

6. Does the proposal have a discharge to, or include activities that occur in or adjacent to, any **surface waters** of the state of Washington, including wetlands?

If no, continue to [Question 6.1](#); then continue to [Question 7](#). If yes, skip to [Question 7](#).

- 6.1 Describe how the proposal will have no discharge or impact to surface waters.

7. Does the proposal include the fill of wetlands or any other impacts to wetlands that are not authorized under a Section 401 WQC or Agreed Order (AO)?
If the answer is no to both [Questions 6 & 7](#), continue to [Question 11](#). If yes to either [Questions 6 or 7](#), continue to [Question 8](#).
8. Does the proposal have a discharge to, or include any activities that may have potential impacts to, a **designated freshwater use** described in [WAC 173-201A-600](#) and [WAC 173-201A-602](#)? [Guidance]
If no, skip to [Question 9](#). If yes, continue to [Question 8.1](#).
 - 8.1 Specify which designated uses are applicable to the proposal and describe the potential impacts.
 - 8.2 Describe how the proposal is consistent with each of the following narrative and numerical water quality standards outlined in [WAC 173-201A-200](#), including how the Federal Agency will be monitoring to ensure compliance.
 - 8.2.1 Toxics and aesthetics criteria [\[WAC 173201A-260\]](#) [Guidance]
 - 8.2.2 Aquatic life temperature criteria [\[WAC 173-201A-200\(1\)\(c\)\]](#) [Guidance]
 - 8.2.3 Aquatic life dissolved oxygen (D.O.) criteria [\[WAC 173-201A-200\(1\)\(d\)\]](#) [Guidance]
 - 8.2.4 Aquatic life turbidity criteria [\[WAC 173-201A-200\(1\)\(e\)\]](#) [Guidance]
 - 8.2.5 Aquatic life total dissolved gas (TDG) criteria [\[WAC 173-201A-200\(1\)\(f\)\]](#) [Guidance]
 - 8.2.6 Aquatic life pH criteria [\[WAC 173-201A-200\(1\)\(g\)\]](#) [Guidance]
 - 8.2.7 Aquatic life fine sediment criteria [\[WAC 173-201A-200\(1\)\(h\)\]](#) [Guidance]
 - 8.2.8 Water contact recreation bacteria criteria [\[WAC 173-201A-200\(2\)\(b\)\]](#) [Guidance]
9. Does the proposal have a discharge to, or include any activities that may have potential impacts to, a **designated marine waters use** described in [WAC 173-201A-610](#) and [WAC 173-201A-612](#)?
If no, skip to [Question 10](#). If yes, continue to [Question 9.1](#).
 - 9.1 Specify which designated uses are applicable to the proposal and describe the potential impacts.
 - 9.2 Describe how the proposal is consistent with each of the following narrative and numerical water quality standards outlined in [WAC 173-201A-210](#), including how the Federal Agency will be monitoring to ensure compliance:
 - 9.2.1 Toxics and aesthetics criteria [\[WAC 173201A-260\]](#) [Guidance]
 - 9.2.2 Aquatic life temperature criteria [\[WAC 173-201A-210\(1\)\(c\)\]](#) [Guidance]
 - 9.2.3 Aquatic life dissolved oxygen (D.O.) criteria [\[WAC 173-201A-210\(1\)\(d\)\]](#) [Guidance]
 - 9.2.4 Aquatic life turbidity criteria [\[WAC 173-201A-210\(1\)\(e\)\]](#) [Guidance]
 - 9.2.5 Aquatic life pH criteria [\[WAC 173-201A-210\(1\)\(f\)\]](#) [Guidance]
 - 9.2.6 Shellfish harvesting bacteria criteria [\[WAC 173-201A-210\(2\)\(b\)\]](#) [Guidance]
 - 9.2.7 Water contact recreation bacteria criteria [\[WAC 173-201A-210\(3\)\(b\)\]](#) [Guidance]
10. Describe any proposed mitigation activities that are relevant to the impacts described in this "Surface Waters Impacts" subsection.

11. Using the [Water Quality Atlas](#) as a reference [choose “Assessed Water/Sediment” as the map layer], are there any Category 4a and 5 listings that apply to the proposed activity area? If so, note the parameter(s) and describe how the proposed activity will not exceed the Total Maximum Daily Loads (TMDLs) (or other water quality improvement project) assigned to this area. [Guidance]

Marine Sediment Impacts

If it was noted that an individual Section 401 WQC was required in [Question 4](#), skip this “Marine Sediment Impacts” section. If an individual Section 401 WQC is not required, continue to [Question 12](#).

12. Does the proposal impact **marine sediment quality**, as defined by [WAC 173-204-200\(14\)](#)? [Guidance]
If no, continue to [Question 12.1](#); then continue to [Question 20](#). If yes, skip to [Question 13](#).
- 12.1 Describe how the proposal will have no impact to marine sediment quality.
13. Do you have a Suitability Determination?
If no, continue to [Question 13.1](#). If yes, skip to [Question 14](#).
- 13.1 Are you working with the Dredge Material Management Program (DMMP) or the Portland Sediment Evaluation Team (PSET) to receive a suitability determination?
[Guidance]
14. Are there known contaminated sediments on site? [Guidance]
If yes, continue to [Question 14.1](#).
- 14.1 Are you working with Ecology’s Toxics Cleanup Program or the EPA on a cleanup plan?
If the answer is no to both [Questions 13.1 & 14.1](#), continue to [Question 15](#). If yes to either [Questions 13 or 14.1](#), skip to [Question 20](#).
15. Describe how the proposal is consistent with [WAC 173-204-315](#) or [WAC 173-204-320](#).
16. Does the proposal include **identifying, investigating, and cleaning up a release or threatened release of contaminant to sediment** that may pose a threat to human health or the environment?
If no, skip to [Question 18](#). If yes, continue to [Question 17.1](#).
- 16.1 Describe how the proposal is consistent with the cleanup decision process, the cleanup process expectations, and the sediment cleanup standards in WAC 173-204-500.
- 16.2 Describe how the proposal is consistent with the general sediment cleanup standards in WAC 173-204-560.
- 16.3 Describe how the proposal is consistent with the sediment cleanup standards for human health in WAC 173-204-561.
- 16.4 Describe how the proposed action is consistent with sediment cleanup standards to protect the benthic community in low salinity sediment, as outlined in WAC 173-204-562.
- 16.5 Describe how the proposed action is consistent with the sediment cleanup standards to protect the benthic community in freshwater sediment, as outlined in WAC 173-204-563.

- 16.6 Describe how the proposal is consistent with the cleanup standards to protect higher trophic level species, as outlined in WAC 173-204-564.
- 16.7 Describe how the proposal is consistent with the standards for selecting cleanup actions in WAC 173-204-570.
- 16.8 Describe how the proposal is consistent with the remedial investigation and feasibility study requirements in WAC 173-204-550.
17. Describe how the proposal is consistent with the **antidegradation and designated use policies** in WAC 173-204-120.
18. Describe how the proposal is consistent with the **sampling and testing plan standards** in WAC 173-204-600.
19. Does the proposal include **marine finfish rearing facilities**, as defined in WAC 173-204-200(13)?
If no, skip to [Question 20](#). If yes, continue to [Question 19.1](#).
- 19.1 Describe how the proposal is consistent with WAC 173-204-412.

Groundwater Impacts

If it was noted that an individual Section 401 WQC was required in [Question 4](#) and/or an NPDES or State Waste Discharge Permit was required in [Question 5](#), skip this “Groundwater Impacts” section. If an individual NPDES or State Waste Discharge Permit is not required, continue to [Question 20](#).

20. Does the proposal impact **groundwater**, as defined in WAC 173-200-020(12)?
If no, continue to [Question 10.1](#); then skip to [Question 21](#). If yes, skip to [Question 21](#).
- 20.1 Describe how the proposal will have no impact to groundwaters.
21. Is the proposal **not** subject to the water quality standards for groundwaters of the state of Washington, according to WAC 173-200-010(3)?
If no, continue to [Question 21.1](#). If yes, skip to [Question 22](#).
- 21.1 Describe how the proposal is consistent with the maximum contaminant concentrations for the protection of beneficial uses of the state’s groundwater, as outlined in WAC 173-200-040.
22. Does the proposal include **Underground Injection Control (UIC) wells**? See WAC 173-218-040 for classifications.
If no, skip to [Question 23](#). If yes, continue to [Question 22.1](#).
- 22.1 Does the proposed activity qualify as an exemption from UIC well status, according to WAC 173-218-050?
If no, continue to [Question 22.2](#). If yes, skip to [Question 23](#).
- 22.2 Describe how the proposal is consistent with the registration requirements in WAC 173-218-070.
- 22.3 Does the proposal include a Class V UIC well, as defined in WAC 173-218-040(5)?
If no, skip to [Question 23](#). If yes, continue to [Question 22.4](#).
- 22.4 Does the proposal include a Class V UIC well that automatically meets the nonendangerment standard in WAC 173-218-100?
If no, continue to [Question 22.5](#). If yes, skip to [Question 22.8](#).
- 22.5 Does the proposal include a *new* Class V UIC well, as defined in WAC 173-218-030?

If no, skip to [Question 22.6](#). If yes, continue to [Question 22.5.1](#).

22.5.1 Describe how the proposal is consistent with the specific requirements in WAC 173-218-090(1).

22.6 Does the proposal include an *existing* Class V UIC well, as defined in WAC 173-218-030?

If no, skip to [Question 22.7](#). If yes, continue to [Question 22.6.1](#).

22.6.1 Describe how the proposal is consistent with the specific requirements in WAC 173-218-090(2).

22.7 Does the proposal include a Class V UIC well that is *not used for stormwater management*?

If no, skip to [Question 22.8](#). If yes, continue to [Question 22.7.1](#).

22.7.1 Describe how the proposal is consistent with the specific requirements in WAC 173-218-090(1).

22.8 Does the proposed activity include the decommissioning of a UIC well?

If no, skip to [Question 23](#). If yes, continue to [Question 22.8.1](#).

22.8.1 Describe how the proposal is consistent with the decommissioning standards in WAC 218-120.

Water Quality Discharges

If it was noted that an individual Section 401 WQC was required in [Question 4](#) and/or an NPDES or State Waste Discharge Permit was required in [Question 5](#), skip this “Water Quality Discharges” section. If an individual NPDES or State Waste Discharge Permit is not required, continue to [Question 23](#).

23. Does the proposal include **discharges from domestic wastewater facilities** to waters of the state?

If no, skip to [Question 24](#). If yes, continue to [Question 23.1](#).

23.1 Describe how the proposal is consistent with the effluent limits in WAC 173-221-040.

23.2 Are any of the following alternative treatments applicable to the proposed activity, as outlined in WAC 173-221-050?

(1) Trickling filters

(2) Waste stabilization ponds

(3) Domestic wastewater facilities which receive flows from combined sewers

(4) Domestic wastewater facilities which receive less concentrated influent wastewater

If no, skip to [Question 24](#). If yes, continue to [Question 23.2.1](#).

23.2.1 Describe how the proposal meets the relevant requirements in WAC 173-221-050.

24. Does the proposal include **upland finfish facilities**, as defined in WAC 173-221A-030?

If no, skip to [Question 25](#). If yes, continue to [Question 24.1](#).

24.1 Describe how the proposal is consistent with the permitting requirements in WAC 173-221A-100(1).

24.2 Describe how the proposal is consistent with the timing requirements in WAC 173-221A-100(2).

- 24.3 Describe how the proposal is consistent with the prevention, control, and treatment requirements in WAC 173-221A-100(3).
- 24.4 Describe how the proposal is consistent with the effluent standards in WAC 173-221A-100(4).
- 24.5 Describe how the proposal is consistent with the general requirements in WAC 173-221A-100(5).
- 24.6 Describe how the proposal is consistent with the requirements for water quality studies, as outlined in WAC 173-221A-100(6).
25. Does the proposal include **marine finfish rearing facilities**, as defined in WAC 173-221A-030?
- If no, skip to [Question 26](#). If yes, continue to [Question 25.1](#).
- 25.1 Describe how the proposal is consistent with the permitting requirements in WAC 173-221A-110(2).
- 25.2 Describe how the proposal is consistent with the timing requirements in WAC 173-221A-110(3).
- 25.3 Describe how the proposal is consistent with the general requirements in WAC 173-221A-110(4).
- 25.4 Describe how the proposal is consistent with the requirements for environmental studies, as outlined in WAC 173-221A-110(5).
26. Does the proposal include **combined sewer overflow (CSO) sites** not authorized by a water quality permit, as defined in WAC 173-245-020(6)?
- If no, skip to [Question 27](#). If yes, continue to [Question 26.1](#).
- 26.1 Describe how the proposal is consistent with the general requirements in WAC 173-245-015.

Miscellaneous

27. Does the proposal include the application of **barley straw** to waters of the state for the purposes of water clarification?
- If no, skip to [Question 28](#). If yes, continue to [Question 27.1](#).
- 27.1 Describe how the proposal is consistent with the requirements in RCW 90.48.310.
28. Does the proposal include **aquatic noxious weed control**?
- If no, skip to [Question 29](#). If yes, continue to [Question 28.1](#).
- 28.1 Does the federal agency have a permit from Ecology that allows the activity to take place? (Specify general vs. individual permit.)
- 28.2 Describe how the proposal is consistent with RCW 90.48.445(1) (a) and (b).
29. Does the proposal involve the control of **Eurasian water milfoil**?
- If no, skip to [Section C.3](#). If yes, continue to [Question 29.1](#).
- 29.1 Describe how the proposal is consistent with RCW 90.48.448.

C.3 Shoreline Management Act

1. Does the SMA apply to the proposed activity, as identified in Section B.3?

If no, skip to [Section C.4](#). If yes, continue to [Question 2](#) and complete the following analysis to determine whether the proposal is consistent with the enforceable policies of the SMA.

Yes

2. Which shoreline of the state is the proposed activity associated with?

Snohomish River

3. Is the waterbody or associated waterbody a “shoreline”, as defined in RCW 90.58.030(2)(e) or a “shoreline of statewide significance”, as defined in RCW 90.58.030(2)(f)?

Yes, Snohomish River <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-18>

4. Is there a component of the proposed activity occurring upland within the “shorelands”, as defined in RCW 90.58.030(2)(d)?

Yes

5. Is there a component of the proposed activity occurring within water?

No

There are two options for demonstrating consistency with the SMA: 1) through an SMA policy analysis, or 2) by following the relevant local Shoreline Master Program (SMP). If demonstrating consistency through an SMA policy analysis, please address [Questions 6-33](#). If demonstrating consistency with the SMA using a local SMP, please address [Questions 34-42](#). Note that this analysis is focused on content, not process (i.e., it is understood that the Federal Agency does not need to actually obtain a shoreline permit). The most recently updated SMPs approved by Ecology can be found on [our website](#).

DEMONSTRATING CONSISTENCY WITH THE SMA THROUGH AN ANALYSIS OF THE ENFORCEABLE POLICIES

General Provisions

SMA Policy

*The shorelines of the state are among the most valuable and fragile of its natural resources and there is great concern throughout the state relating to their utilization, protection, restoration, and preservation. In addition, ever increasing pressures of additional uses are being placed on the shorelines necessitating increased coordination in the management and development of the shorelines of the state. Much of the shorelines of the state and the uplands adjacent thereto are in private ownership; that unrestricted construction on the privately owned or publicly owned shorelines of the state is not in the best public interest; and therefore, coordinated planning is necessary in order to protect the public interest associated with the shorelines of the state while, at the same time, recognizing and protecting private property rights consistent with the public interest. **There is, therefore, a clear and urgent demand for a planned, rational, and concerted effort, jointly performed by federal, state, and local governments, to***

prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines.
[RCW 90.58.020]

The SMA is designed to be liberally construed to give full effect to the objectives and purposes for which it was enacted [RCW 90.58.920] and shall not affect any treaty rights to which the United States is party [RCW 90.58.350]. The burden is on the proponent to demonstrate that a proposed use or development is consistent with the SMA [RCW 90.58.140(7)].

Activities included under the SMA regulations but deemed uncommon in relation to direct federal agency actions were omitted from this template. This includes agricultural activities [RCW 90.58.065], commercial timber cutting [RCW 90.58.150], floating homes [RCW 90.58.270], and oil or natural gas exploration in marine waters [RCW 90.58.550]. If the proposed activity includes any of these activities, please refer to the relevant regulations and demonstrate consistency accordingly. Additionally, if seeking relief from shoreline master program development standards and use regulations for shoreline restoration project under RCW 90.58.580, please also include a discussion of this in the CD.

6. If the proposed activity is within a **“shoreline of statewide significance”** (see [Question 3](#)), describe how the proposal furthers any of the following **preferred uses** and outcomes of the SMA [RCW 90.58.020]:
 - (1) Recognize and protect the statewide interest over local interest.
 - (2) Preserve the natural character of the shoreline.
 - (3) Result in long term over short term benefit.
 - (4) Protect the resources and ecology of the shoreline.
 - (5) Increase public access to publicly owned areas of the shorelines.
 - (6) Increase recreational opportunities for the public in the shoreline.
7. Describe how the proposal will result in **“no net loss”** of shoreline ecological functions, as outlined in WAC 173-26-186(8).
8. Does the proposed activity include any **new or expanded building or structure** of more than 35ft above average grade level [RCW 90.58.320]?
If no, skip to [Question 9](#); if yes, continue to [Question 8.1](#).
 - 8.1. Describe how the proposal will not obstruct the view of a substantial number of residences or adjacent public spaces.
 - 8.2. Describe how the proposal serves the public interest.
9. Is the proposed activity near a **“critical area”**, according to WAC 173-26-221(2)?
If no, skip to [Question 10](#); if yes, continue to [Question 9.1](#).
 - 9.1. Specify the types(s) of critical areas.
 - 9.2. For each critical area identified in [Question 9.1](#), describe how the proposal is consistent with the applicable standards in WAC 173-26-221(2)(c).
10. Describe how the proposal is consistent with the **archaeological and historic resources** standards in WAC 173-26-221(1)(c).
11. Describe how the proposal is consistent with the **flood hazard reduction** standards in WAC 173-26-221(3)(c).
12. Describe how the proposal is consistent with the **public access** standards in WAC 173-26-221(4)(c).

13. Describe how the proposal is consistent with the **shoreline vegetation conservation** standards in WAC 173-26-221(5)(c).
14. Describe how the proposal is consistent with the **water quality, stormwater, and nonpoint pollution** standards in WAC 173-26-221(4)(c).

Shoreline Uses & Standards

15. Which **general environment designation(s)** does the proposed activity fall under, according to WAC 173-26-211(5) (a)(iii), (b)(iii), (c)(iii), (d)(iii), (e)(iii) and (f)(iii)? Be specific and detailed.
 - 15.1 For each of the environmental designations that apply to the proposal, describe how the proposed activity is consistent with the applicable purposes and management policies of WAC 173-26-211(5) (a)(i-ii), (b)(i-ii), (c)(i-ii), (d)(i-ii), (e)(i-ii) and (f)(i-ii).
16. Does the proposed activity include **agriculture** as defined by WAC 173-26-020(3)?
If no, skip to [Question 17](#); if yes, continue to [Question 16.1](#).
 - 16.1. Describe how the proposal is consistent with WAC 173-26-241(3)(a)(v).
17. Does the proposed activity include **aquaculture**, as defined by WAC 173-26-020(6)?
If no, skip to [Question 18](#); if yes, continue to [Question 17.1](#).
 - 17.1. Describe how the proposal is consistent with WAC 173-26-241(3)(b)(i)(C).
 - 17.2. Does the proposed activity include **geoduck** aquaculture specifically?
If no, skip to [Question 18](#); if yes, continue to [Question 17.2.1](#).
 - 17.2.1. Describe how the proposal is consistent with WAC 173-26-241(3)(b) (ii), (iv)(F)(I), and (iv)(L).
18. Does the proposed activity include any **boating facilities**, as defined by WAC 173-26-241(3)(c)?
If no, skip to [Question 19](#); if yes, continue to [Question 18.1](#).
 - 18.1. Describe how the proposal is consistent with WAC 173-26-241(3)(c).
19. Does the proposed activity include any **commercial development**?
If no, skip to [Question 20](#); if yes, continue to [Question 19.1](#).
 - 19.1. Describe how the proposal is consistent with WAC 173-26-241(3)(d).
20. Does the proposed activity include **forest practice** conversions or other Class IV-General Forest practices where there is a likelihood of conversion to nonforest uses?
If no, skip to [Question 21](#); if yes, continue to [Question 20.1](#).
 - 20.1. Describe how the proposal with WAC 173-26-241(3)(e).
21. Does the proposed activity include **industrial development**?
If no, skip to [Question 22](#); if yes, continue to [Question 21.1](#).
 - 21.1. Describe how the proposal is consistent with WAC 173-26-241(3)(f).
22. Does the proposed activity include **in-stream structures**, as defined by WAC 173-26-241(3)(g)?
If no, skip to [Question 24](#); if yes, continue to [Question 23.1](#).
 - 22.1. Describe how the proposal will be consistent with WAC 173-26-241(3)(g).
23. Does the proposal include **mining** activities, as defined by WAC 173-26-241(3)(h)?
If no, skip to [Question 24](#); if yes, continue to [Question 23.1](#).

- 23.1. Describe how the proposal is consistent with WAC 173-26-241(3)(h) (i) and (ii)(A and D).
24. Does the proposed activity include **recreational development**, as defined by WAC 173-26-241(3)(i)?
If no, skip to [Question 25](#); if yes, continue to [Question 24.1](#).
- 24.1. Describe how the proposal is consistent with WAC 173-26-241(3)(i).
25. Does the proposed activity include **residential development**?
If no, skip to [Question 26](#); if yes, continue to [Question 25.1](#).
- 25.1. Describe how the proposal is consistent with WAC 173-26-241(3)(j) (ii) and (iii).
- 25.2. Does the proposed activity include multiunit residential development?
If no, skip to [Question 26](#); if yes, continue to [Question 25.2.1](#).
- 25.2.1. Describe how the proposal is consistency with WAC 173-26-241(3)(j)(v).
26. Does the proposed activity include **transportation and parking**?
If no, skip to [Question 27](#); if yes, continue to [Question 26.1](#).
- 26.1. Describe how the proposal is consistent with WAC 173-26-241(3)(k).
27. Does the proposed activity include **utilities**, as defined by WAC 173-26-241(3)(l)?
If no, skip to [Question 28](#); if yes, continue to [Question 27.1](#).
- 27.1. Describe how the proposal is consistent with WAC 173-26-241(3)(l).

Shoreline Modification Standards

28. Does the proposed activity include **shoreline stabilization**, as defined in WAC 173-26-231(3)(a)(i)?
If no, skip to [Question 29](#); if yes, continue to [Question 28.1](#).
- 28.1. Does the proposed activity also constitute new development?
If no, skip to [Question 28.2](#); if yes, continue to [Question 28.1.1](#).
- 28.1.1. Describe how the proposal is consistent with the standards in WAC 173-26-231(3)(a)(iii)(B)(III).
- 28.2. Does the proposal aim to protect existing primary structures?
If no, skip to [Question 28.3](#); if yes, continue to [Question 28.2.1](#).
- 28.2.1. Describe how the proposal meets the requirements in WAC 173-26-231(3)(a)(iii)(B)(I).
- 28.3. Does the proposal aim to support new nonwater-dependent development (including single-family residences)?
If no, skip to [Question 28.4](#); if yes, continue to [Question 28.3.1](#).
- 28.3.1. Describe how the proposal meets the requirements in WAC 173-26-231(3)(a)(iii)(B)(II).
- 28.4. Does the proposal aim to support water-dependent development?
If no, skip to [Question 28.5](#); if yes, continue to [Question 28.4.1](#).
- 28.4.1. Describe how the proposal meets the requirements in WAC 173-26-231(3)(a)(iii)(B)(III).
- 28.5. Does the proposal aim to protect projects for the restoration of ecological functions or hazardous substance remediation projects pursuant to RCW 70.105D?
If no, skip to [Question 28.6](#); if yes, continue to [Question 28.5.1](#).

- 28.5.1. Describe how the proposal meets the requirements in WAC 173-26-231(3)(a)(iii)(B)(IV).
- 28.5.2. Describe how the proposal meets the requirements in WAC 173-26-231(3)(a)(i)(E).
- 28.6. Does the proposal aim to replace an existing shoreline stabilization structure with a similar structure?
If no, skip to [Question 28.7](#); if yes, continue to [Question 28.6.1](#).
- 28.6.1. Describe how the proposal is consistent with the standards in WAC 173-26-231(3)(a)(iii)(C).
- 28.7. Was a geotechnical report prepared for the proposal?
If no, skip to [Question 29](#); if yes, continue to [Question 28.7.1](#).
- 28.7.1. Describe how the proposal is consistent with the standards in WAC 173-26-231(3)(a)(iii)(D).
29. Does the proposed activity include **beaches and dune management**?
If no, skip to [Question 30](#); if yes, continue to [Question 29.1](#).
- 29.1 Describe how the proposal is consistent with WAC 173-26-231(3)(e).
30. Does the proposed activity include **piers and docks**?
If no, skip to [Question 31](#); if yes, continue to [Question 30.1](#).
- 30.1 Describe how the proposal is consistent with WAC 173-26-231(3)(b).
31. Does the proposed activity include **breakwaters, jetties, groins, or weirs**?
If no, skip to [Question 32](#); if yes, continue to [Question 31.1](#).
- 31.1 Describe how the proposal is consistent with WAC 173-26-231(3)(d).
32. Does the proposed activity include **dredging and/or dredge material disposal**?
If no, skip to [Question 33](#); if yes, continue to [Question 32.1](#).
- 32.1 Describe how the proposal is consistent with WAC 173-26-231(3)(f).
33. Does the proposed activity include **shoreline habitat and natural systems enhancement projects**?
If no, skip to [Section C4](#); if yes, continue to [Question 33.1](#).
- 33.1 Describe how the proposal is consistent with WAC 173-26-231(3)(g).

DEMONSTRATING CONSISTENCY WITH THE SMA ENFORCEABLE POLICIES USING THE LOCAL SMP(S)

The local SMPs are not enforceable policies of the Washington CZMP, but the standards and policies contained within SMPs were developed to meet the objectives of the SMA and its implementing WACs, many of which are approved enforceable policies for CZMA consistency review purposes. As noted above, if a shoreline permit is issued for the proposed federal action, then no further review of the SMA's enforceable policies may be necessary. However, if the applicant is not required to obtain a permit, (either because they are a federal agency or they have a shoreline permit exemption from the local government) but the SMA would apply, then, for federal consistency purposes the applicant will need to demonstrate consistency with the SMA and its implementing WACs. Thus, the applicant is advised to rely on the applicable SMP because SMPs constitute local expressions of the SMA for that particular area. The SMPs should be used as guidance or a tool to evaluate whether a proposal is consistent with the enforceable policies of the SMA and the WACs.

Unless required by Federal law, Federal agencies are not required to obtain shoreline permits. However, Ecology encourages Federal agencies to rely on the provisions of the applicable SMPs, when preparing their CDs, as an administrative convenience to demonstrate consistency. In doing so, Ecology recognizes that the Federal agency is not applying for a permit or requesting local authorization.

If a Federal Agency chooses NOT to rely on the SMPs to demonstrate consistency, it should refer to the section above in this template.

SMPs, when adopted or approved by Ecology, are authorized as regulations for implementing the policies of the SMA per RCW 90.58.100. Therefore, federal agencies may choose to follow the relevant SMP(s) that pertains to their proposal as a method of demonstrating consistency with the SMA. In doing so, the Federal Agency must be sure to address the following elements:

- Which SMP was utilized to address the proposal
- Which environmental designation the proposed activity falls under and which associated management policies and regulations apply
- Critical areas protections standards
- Public access requirements
- Vegetation conservation standards
- A discussion of how the proposal is consistent with the relevant SMP policies, allowed uses, shoreline modifications and specific bulk or dimensional standards such as buffers that apply

34. Specify which SMP was utilized to demonstrate the proposal's consistency with the SMA to (e.g. Pacific County SMP).

Snohomish County SMP

35. Describe how the proposal is consistent with each of the preferred uses identified in the SMP, including those that are specific to activities within a “shoreline of statewide significance” (see **Question 3**).

The Proposed Action is consistent with the list of reasonable and appropriate uses because it is a non-water-related use; it does not need a waterfront location to operate and is not a prohibited use.

36. Describe which shoreline environmental designation(s) the proposed activity falls under according to the specific local SMP and how the proposal is consistent with the corresponding policies and regulations.

The portion of the Proposed Action occurring within the Resource Shoreline Environment designation includes a road relocation, which is a permitted land use under Snohomish County Code 30.67.430 (see Figure 2 for Shoreline Environment Designations).

The portion of the Proposed Action occurring within the Urban Shoreline Environment designation is consistent with the definition because it is within the Snohomish Urban Growth Area (UGA). The UGA approves suitable development that supports higher intensity uses related to commerce, transportation and navigation, and is a permitted

use under Snohomish County Code 30.67.430. However, the Proposed Action also includes Air Transportation Facilities to be located in the Urban Shoreline Environment, which are not a specified use under Snohomish County Code 30.67.430. These components of the Proposed Action require a Shoreline Conditional Use Permit from Snohomish County, which would review and provide opinions, and be submitted to Ecology for approval. Additionally, a Shoreline Variance Permit would be submitted to Snohomish County, which does allow for variance of Shoreline performance standards such as those identified in SCC 30.67.535 (stating fill can only be placed in the floodplain for floodproofing / ecological restoration). The Shoreline Variance Permit would be closely tied to the Conditional Use Permit. Similarly, Snohomish County would review and provide an opinion of the Shoreline Variance Permit, which would be forwarded to Ecology for final approval.

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Figure 2: Existing Snohomish County Shoreline Management Program Designations



37. Describe how the proposal meets the general goals, policies, and regulations that apply throughout the shoreline jurisdiction. This analysis should address:

- Archaeological and historic resources
- Critical areas
- Flood hazard areas
- Public access
- Shoreline vegetation conservation
- Water quality, storm water and nonpoint pollution

A cultural resources and historic site survey was conducted for the Proposed Action. The FAA determined and the Washington State Department of Archaeology and Historic Preservation (DAHP) concurred with the no historic properties affected determination. However, the construction contractor would also be required to stop work and report if any cultural resources are found during ground disturbing activities.

The Proposed Action would result in temporary and permanent impacts to wetlands. To avoid and minimize impacts to wetlands, the alignment of Airport Way was adjusted during preliminary design while still meeting County design standards for roads. Based on preliminary design, construction of the relocated Airport Way would result in approximately 0.12-acre of permanent impacts to wetlands and 0.17-acre of temporary impacts to wetlands (see Figure 3). These impacts would be minor because they only affect a small portion of the wetland.

The Proposed Action is located entirely in the Density Fringe Floodplain (see Figure 4), which requires a Flood Hazard Permit from Snohomish County to ensure conformance to Snohomish County Density Fringe Floodplain development requirements for maximum density and maximum obstruction.⁵ The construction contractor would also provide flood hazard protection and procedures during construction to minimize damage to facilities and any adverse impacts to human safety.

The Proposed Action is in the Snohomish County Critical Aquifer Recharge Area (see Figure 5), which is considered a critical area within shorelines.⁶ The critical area that the Proposed Action is in would be monitored for groundwater quality and quantity. The Proposed Action does not take place in an area with public access to shoreline facilities. To obtain shorelines permits from Snohomish County, the Airport Sponsor would develop a Hydrogeologic Report for the Proposed Action. The report would contain a

⁵ Snohomish County. (2020). Snohomish County Code 30.65.240, Density Fringe Area. Retrieved November 2023, from Snohomish County: <https://snohomish.county.codes/SCC/30.65.240>.

⁶ Snohomish County (2019). Snohomish County Code 30.67.060, Relationship to Critical Area Regulations, chapters 30.62A, 30.62B, 30.62C and 30.65 SCC. Retrieved February 2024, from Snohomish County: <https://snohomish.county.codes/SCC/30.67.060>.

plan for monitoring groundwater quantity and quality prepared and certified by a licensed qualified professional.⁷

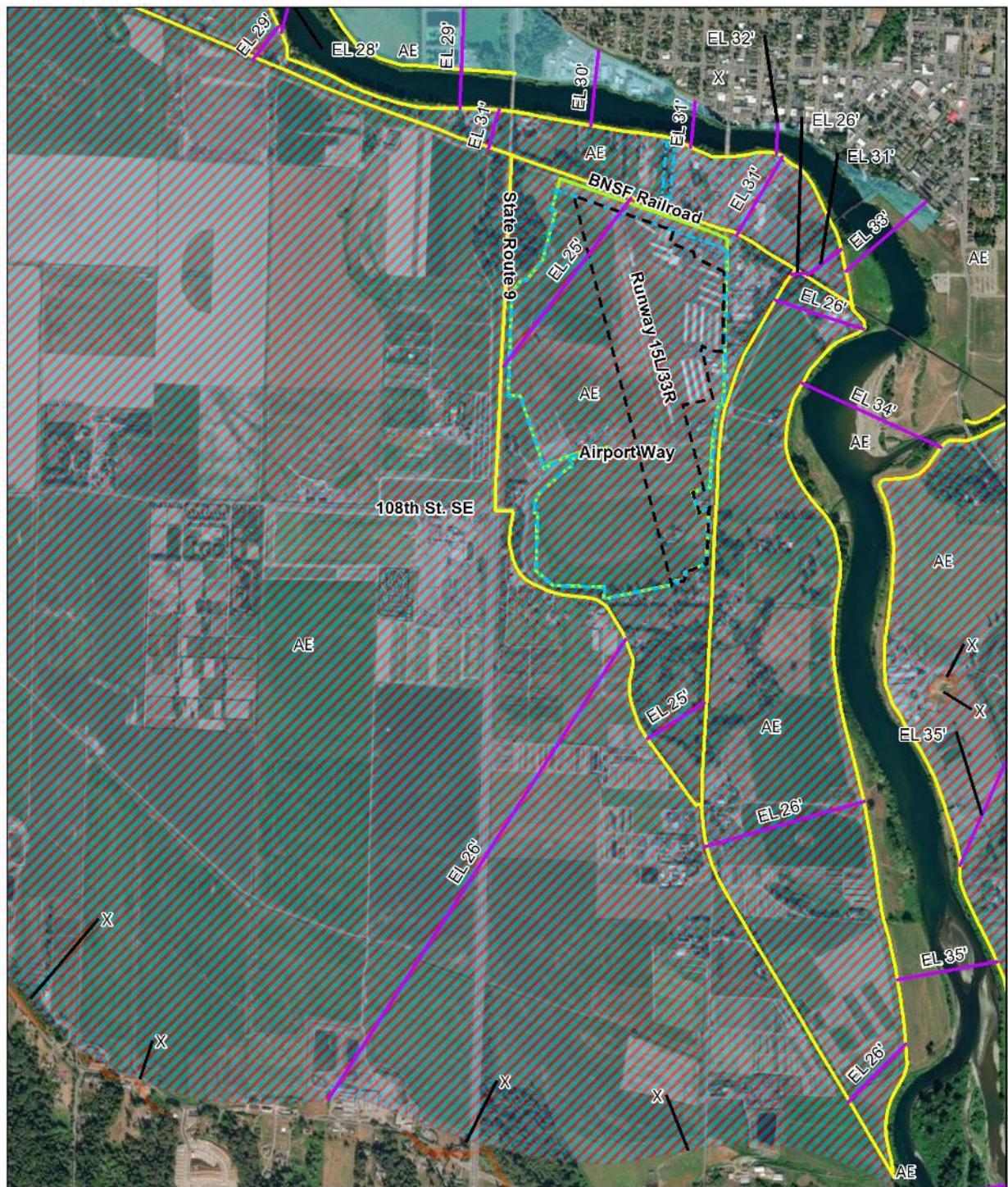
The land disturbance permit from Snohomish County would be required for construction, which would require minimization of disruption to native vegetation and native soils. A construction Stormwater Pollution Prevention Plan (SWPPP) is also required as part of the Proposed Action to implement sediment erosion and pollution-prevention control measures. In accordance with the Snohomish County Drainage Manual, proposed permanent water quality BMPs would treat areas that are disturbed as part of the Proposed Action as well as contributing areas for permanent water quality BMPs that are demolished as part of the Proposed Action (see Figures 6 and 7). Outfall monitoring as stipulated by an Industrial Stormwater General Permit would ensure relevant water quality standards are maintained through operation of the Proposed Action.

⁷ Snohomish County. (2007). Snohomish County Code 30.62C.140, Hydrogeologic Report. Retrieved December 2023, from Snohomish County: <https://snohomish.county.codes/SCC/30.62C.140>.

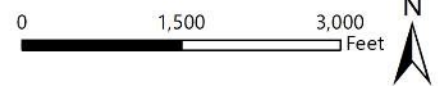
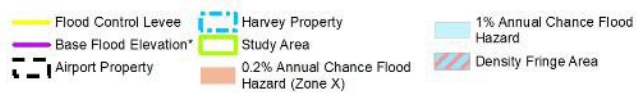
Figure 3: Proposed Action Wetland Impacts



Figure 4: FEMA-Designated Floodplains and Existing Base Flood Elevations



Source: ESRI, 2023; FEMA, 2020; RS&H, 2023.



*Note: Map Projection Vertical Datum NAVD 88

Figure 5: Critical Aquifer Recharge Areas in Snohomish County

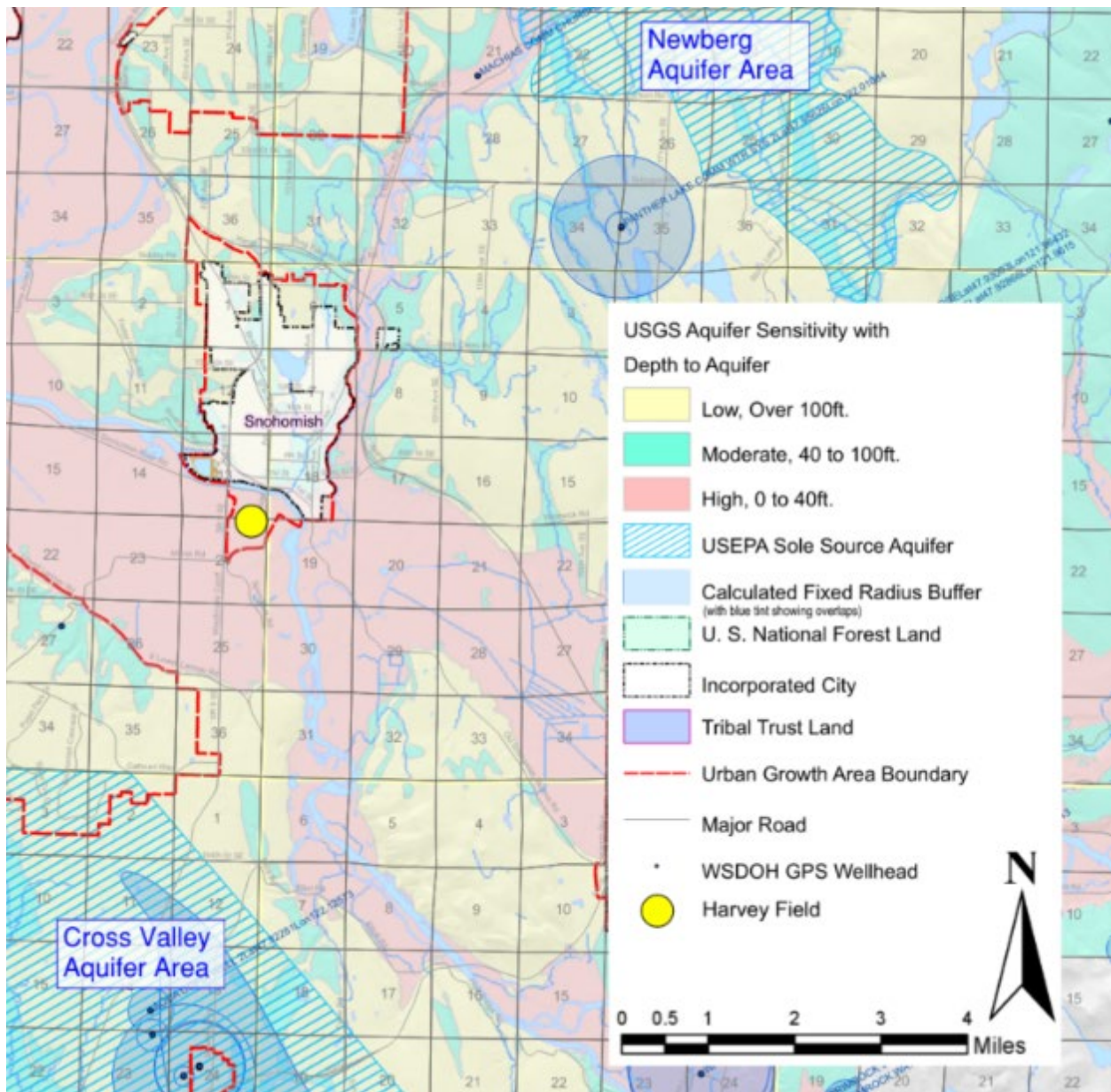


Figure 6: Existing Hydrologic Conditions and Airport Drainage System



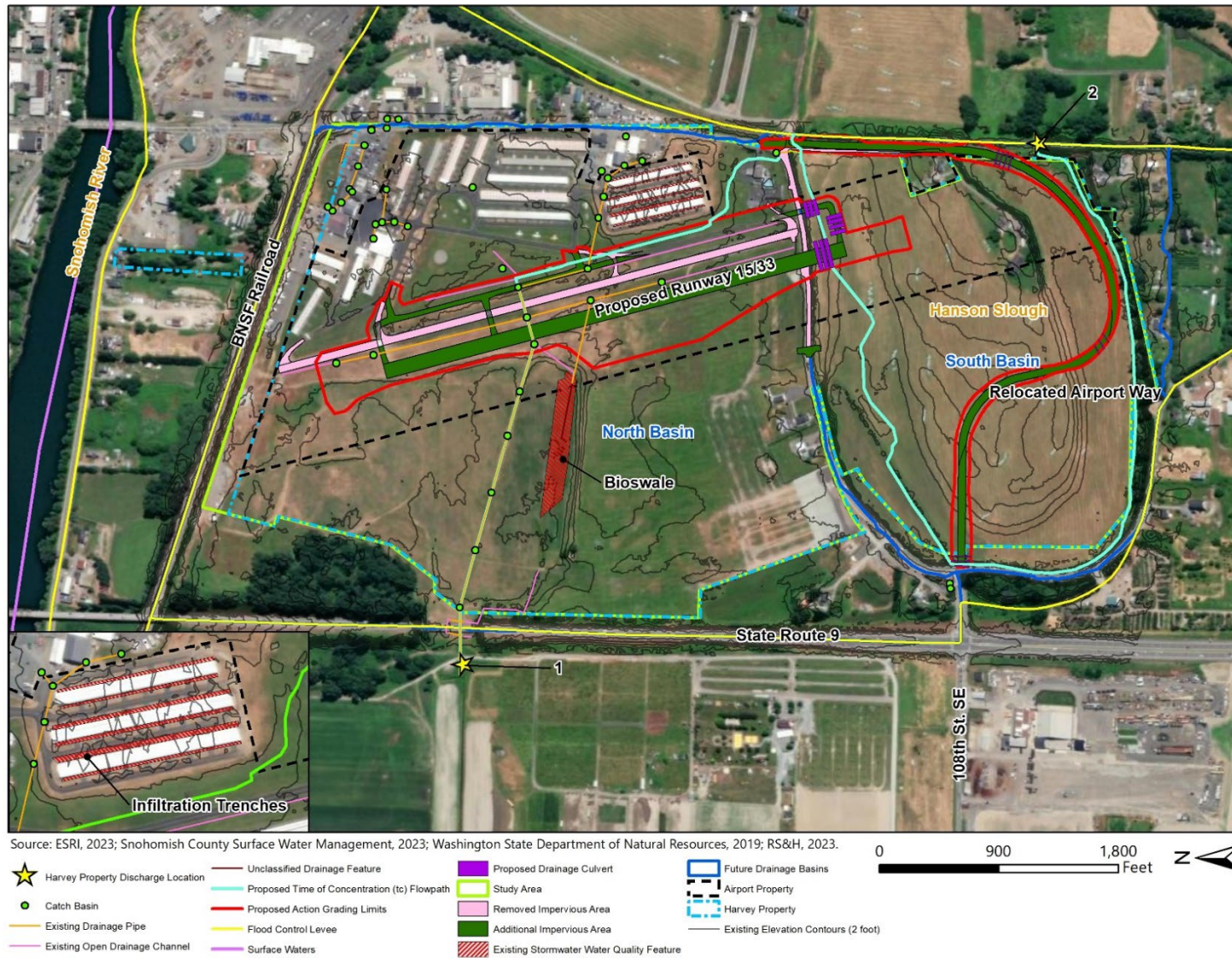
Source: ESRI, 2023; Snohomish County Surface Water Management, 2023; Washington State Department of Natural Resources, 2019; RS&H, 2023.

- | | | |
|--------------------------------------|--------------------------------------|---|
| ★ Harvey Property Discharge Location | Unclassified Drainage Feature | Existing Stormwater Water Quality Feature |
| ● Catch Basin | Time of Concentration (tc) Flowpath | Study Area |
| Existing Drainage Pipe | Surface Waters | Existing Drainage Basins |
| Existing Open Drainage Channel | Flood Control Levee | Airport Property |
| | Existing Elevation Contours (2 foot) | Harvey Property |

0 900 1,800 Feet



Figure 7: Proposed Hydrologic Conditions and Airport Drainage System



38. Identify critical areas located within or near the proposed activity and provide an analysis of whether the activity has the potential to impact a critical area. Be specific. The Proposed Action is located in the Snohomish County Critical Aquifer Recharge Area due to the high aquifer sensitivity of the site (see Figure 5, above). The construction contractor would follow the best practices outlined in the Construction Stormwater General Permit and construction SWPPP. A hydrological report would be required and would include a plan for monitoring groundwater quality and quantity. As existing and proposed permanent water quality BMPs infiltrate stormwater to provide water quality treatment, the non-structural controls listed in an industrial SWPPP would avoid adverse impacts to groundwater discharge quality.

39. Explain how the proposal will result in “no net loss” of shoreline ecological functions through application of the mitigation sequence and resulting compensatory mitigation, if applicable.

The Proposed Action would not result in a “net loss” of shoreline ecological functions. The Proposed Action would be in compliance with floodplain requirements under the SMA as there would not be a change in the established BFE, no obstruction of floodwater with the addition of proposed drainage culverts, and no change in floodwater discharge locations. The Proposed Action would not result in a notable adverse impact to natural and beneficial floodplain values per FAA significance thresholds.

Permanent water quality BMPs implemented under the Proposed Action would maintain proposed peak flow rates at or below existing peak flow rates to minimize impacts to downstream properties and to endangered species that reside in the Snohomish River. The Airport Sponsor would be responsible for obtaining a Substantial Development Permit, which would document how stormwater impacts of the Proposed Action would be consistent with the goals of the SMA and Snohomish County SMP.

As part of the Proposed Action design, the Airport Sponsor would develop and implement a mitigation plan to compensate for all unavoidable wetland and wetland buffer impacts. All applicable permits would also be obtained prior to construction, including a USACE Section 404 permit for discharge of dredged or fill material into waters of the United States as well as an NPDES permit, which would be required for clearing, grading, and excavating activities that disturb one or more acres and discharge stormwater to surface waters of the state.

40. Identify which uses are being proposed and describe how it is consistent with the policies and regulations related to each applicable shoreline use addressed in the local SMP (be specific and detailed). These uses include:

- Agriculture
- Aquaculture

- Boating facilities
- Commercial development
- Forest practices
- Industry
- In-stream structural uses
- Mining
- Recreational development
- Residential development
- Transportation and parking
- Utilities

The uses being proposed are transportation and parking, and industry. The uses are already present but are being relocated to meet current Federal Aviation Administration standards.

41. Identify which (if any) shoreline modifications are being proposed and describe how they are consistent with the policies and regulations related to each applicable shoreline modification addressed in the local SMP (be specific and detailed). These include:

- Shoreline stabilization
- Piers and docks
- Fills
- Breakwaters, jetties, groins and weirs
- Beach and dunes management
- Dredging and dredge material disposal
- Shoreline habitat and natural systems enhancement projects

The fill is an allowed use for industrial and transportation facilities and would be placed in the density fringe floodplain in accordance with Snohomish County Density Fringe Floodplain regulations (see Figure 8). The Proposed Action also includes Air Transportation Facilities, which require a Shoreline Conditional Use Permit and Shoreline Variance Permit from Snohomish County. Snohomish County would review and provide an opinion of the Conditional Use and Variance Permits, which would be forwarded to Ecology for final approval. Additional shoreline modifications are not proposed.

42. Address any other relevant components of the SMP not identified in Questions 34-41 and describe how the proposed activity is consistent.

N/A

Figure 8: Proposed Action Cut/Fill Areas



STATEMENT OF CONSISTENCY

Provide a brief statement indicating whether the proposed activity is consistent with the enforceable policies of Washington's CZMP to the maximum extent practicable, as per [15 CFR Part 930.39\(a\)](#).

Based on the information provided above, the Proposed Action would be consistent with Washington's CZMP under Snohomish County's Shoreline Management Program. The Proposed Action would construct a new 2,400-foot runway west of the existing asphalt Runway 15L/33R at Harvey Field. Additionally, Airport Way would be relocated, a full parallel taxiway, and lighting for the runway and taxiway would be installed. The Proposed Action would have culverts incorporated into the design to allow floodwaters to flow through during flood events and avoid any effects to the shoreline of the Snohomish River.

D. APPENDICES

Attach or cite any relevant resources, analyses, and/or data referenced in the CD.

N/A