



**U.S. DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL OCEAN SERVICE

MAY 11 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Melody B. McCutcheon  
Hillis Clark Martin & Peterson, P.S.  
500 Galland Building  
1221 Second Avenue  
Seattle, WA 98101-2925

Re: Port of Seattle

Dear Ms. McCutcheon:

On February 23, 2004, the Port of Seattle (Port or Appellant) filed a notice of appeal pursuant to section 307(c)(3)(A) of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. §§ 1451-1465, (CZMA) and the Department of Commerce's implementing regulations, 15 C.F.R. Part 930, Subpart H. This appeal was from an objection by the Washington State Department of Ecology (State) to Appellant's consistency certification for a U.S. Army Corps of Engineers permit to renovate the Port's existing Shilshole Bay Marina in Seattle, Washington.

Appellant has submitted additional information to the State and the State has determined that the activity is now consistent with the State's Coastal Zone Management Program. By letter to Appellant dated April 5, 2004, the State withdrew its objection. Accordingly, by your letter dated April 6, 2004, Appellant requests that the appeal be withdrawn.

Appellant's request to withdraw its appeal is hereby granted. A refund of your application fee is forthcoming.

Sincerely,

*Stephanie S. Campbell for*

Karl Gleaves  
Assistant General Counsel  
for Ocean Services

cc: Jeannie Summerhays  
Washington Dept. of Ecology  
Alice Kelly  
Washington Dept. of Ecology  
Tom Mueller  
Army Corps of Engineers  
Jim Green  
Army Corps of Engineers



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