



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
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December 11, 2014

Mr. Pete Ringen P.E.
Wahkiakum County Department of
Public Works
P.O. Box 97
Cathlamet WA 98612

RE: First Amendment to 401 Water Quality Certification Order #11035 for U.S. Army Corps of Engineers Reference #NWS-2014-0427, Puget Island Ferry Terminal berth area dredging and terminal modifications, Cowlitz County, Washington

Dear Mr. Ringen:

Enclosed is the amendment to Water Quality Certification Order # 11035, issued on October 30, 2014, for the above project.

The Department of Ecology (Ecology) received a request on December 4, 2014 to adjust the timing of the 401 certification to coincide with the latest Hydraulic Project Authorization #2014-5-54+01 (HPA) issued by the Washington State Department of Fish and Wildlife on December 4, 2014. A second request was made for the removal of Condition E8, regarding the use of a bubble curtain when placing or proofing new piling.

If you have any questions, please contact Helen Pressley at 360-407-6076. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,

Brenden McFarland, Section Manager
Shorelands and Environmental Assistance Program
Headquarters Office – Ecology
State of Washington

by certified mail 7009 0820 0001 9056 0205



Mr, Ringen
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cc: Danette Guy, U.S. Army Corps of Engineers
George Formes, WDFW
Rick Schwartz, WDNR

e-cc: Helen Pressley - HQ
Loree' Randall - HQ
Rebecca Schroeder, SWRO
ecyrefedpermits@ecy.wa.gov

IN THE MATTER OF GRANTING A) **ORDER #11035 (1st Amendment)**
WATER QUALITY) **Corps Reference No. NWS-2014-0427**
CERTIFICATION TO) Ferry ramp modifications and expansion of the
Wahkiakum County Department of) ferry berthing area on and near Puget Island,
Public Works) Columbia River, Wahkiakum County,
in accordance with 33 U.S.C. 1341) Washington
(FWPCA § 401), RCW 90.48.120, RCW)
90.48.260 and Chapter 173-201A WAC)

TO: **Wahkiakum County Department of
Public Works
Attn: Mr. Pete Ringen, P.E.
P.O. Box 97
Cathlamet WA 98612**

On October 30, 2014 the Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification to the Wahkiakum County Department of Public Works for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received a request on December 4, 2014 to adjust the timing of the 401 certification to coincide with the latest Hydraulic Project Authorization #2014-5-54+01 (HPA) issued by the Washington State Department of Fish and Wildlife on December 4, 2014. A second request was made for the removal of Condition E8, regarding the use of a bubble curtain when placing or proofing new piling.

Administrative Order No. 11035 dated October 30, 2014 is hereby amended as follows:

I. Condition number E.8 which reads:

The Applicant shall deploy a bubble curtain or other BMP(s) to protect marine life while placing or proofing new piling.

Condition E.8 is DELETED.

II. Condition number F.1 which reads:

All in-water work shall be completed within the Washington State Department of Fish and Wildlife (WDFW) work window (October 1 – December 31) identified in the most current HPA issued for this project. Any project change that requires a new or revised HPA should also be sent to Ecology for review.

Is Replaced with:

All in-water work shall be completed within the Washington State Department of Fish and Wildlife (WDFW) work window (October 1 – February 28) identified in the most current HPA issued for this project. Any project change that requires a new or revised HPA should also be sent to Ecology for review.

The Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if it appears necessary to further protect the public interest.

Failure to comply with this amended Order may result in the issuance of civil penalties or other actions whether administrative or judicial, to enforce the terms of this amended Order.

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. 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 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.) E-mail 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
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW STE 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

SIGNATURE

Dated this 11th day of December 2014 at the Department of Ecology, Lacey Washington



Brenden McFarland, Section Manager
Shorelands and Environmental Assistance Program
Headquarters Office – Ecology
State of Washington