



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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March 10, 2014

Skip Sahlin
Pacific International Terminals, Inc.
1131 SW Klickitat Way
Seattle, Washington 98134

RE: U.S. Army Corps of Engineers Reference #NWS-2008-260. Gateway Pacific Terminal unpermitted clearing in wetlands, Whatcom County, Washington.

Dear Mr. Sahlin:

On March 7, 2014, the Department of Ecology (Ecology) received the U.S. Army Corps of Engineers' (Corps) letter dated March 7, 2014. The letter approves coverage under Nationwide Permits (NWP) 6 and 33 for unpermitted clearing within wetlands for access roads to geotechnical boring sites. The letter also approves coverage under NWP 27 for enhancement of an existing degraded wetland as compensation for the temporal loss of habitat functions in the cleared wetlands.

Ecology has determined that the above project meets the requirements of Washington State 401 Water Quality Certification conditions for NWPs 6, 33 and 27. Therefore, an individual 401 certification, pursuant to Section 401 of the federal Clean Water Act will not be required for activities covered by the Corps' letter dated March 7, 2014 and you may proceed with site restoration and enhancement of the 2.9-acre off-site mitigation area.

This letter does not exempt you from other requirements of federal, state or local agencies. Please contact me at 425-649-7168 or susan.meyer@ecy.wa.gov if you have any questions.

Sincerely,

Susan Meyer, PWS
Shorelands and Environmental Assistance Program

ecc: Ari Steinberg, Pacific International Terminals
Kristie Duncan, AMEC
Randel Perry, Corps of Engineers
Josh Baldi, Ecology/NWRO

Alice Kelly, Ecology/NWRO
Loree Randel, Ecology/HQ

