



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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October 29, 2012

Ms. Lisa Willis  
Port of Vancouver  
P.O. Box 1180  
Vancouver WA 98666

**RE: Water Quality Certification - Order #5984 Third Amendment  
Corps Public Notice NWP- 2007916P**

Dear Ms. Willis:

On October 26<sup>th</sup>, 2012 it was recognized that the Second Amendment issued on January 25, 2010 to the Port of Vancouver was for a onetime event only. Berth 9 already conducted the onetime maintenance dredging in 2010. The purpose of this amendment is to allow maintenance dredging at Berths 7, 8, and 9 to be conducted to provide safe vessel access prior to implementation of the deepening project.

The attached amendment may be appealed by following the procedures described in this amendment. If you have any questions regarding the content of the amendment, please contact me at (360) 407-6976.

Sincerely,

Brenden McFarland, Section Supervisor  
Environmental Review and Transportation Section Manager  
Shorelands and Environmental Assistance Program

by Certified Mail 7010 2780 0000 2503 4225

Enclosure

cc: Tom Taylor, Corps Vancouver Field Office  
Todd Thornburg, Anchor Environmental

ecc: Jessica Moore, Ecology  
Laura Inouye, Ecology  
Loree' Randall, Ecology  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)



**IN THE MATTER OF GRANTING A ) ORDER # 5984 Third Amendment**  
**WATER QUALITY ) Corps Reference No. NWP 2007916P**  
**CERTIFICATION TO ) Phase 1 maintenance dredging of up to 200,000**  
**Port of Vancouver ) cubic yards (cy) of material to deepen berthing**  
in accordance with 33 U.S.C. 1341 ) areas in the Columbia River, Clark County,  
(FWPCA § 401), RCW 90.48.120, RCW ) Washington.  
90.48.260 and Chapter 173-201A WAC )

TO: Ms. Lisa Willis  
Port of Vancouver  
P.O. Box 1180  
Vancouver WA 98666

On February 24, 2012, the Washington State Department of Ecology (Ecology) was notified that the Port of Vancouver needed to dredge Berths 2 and 3; details of the dredging needs were provided to Ecology on October 26, 2012, which included maintenance dredging at Berths 7, 8, and 9. The purpose of this amendment is to allow the Port to conduct maintenance dredging at Berths 7, 8, and 9 which will provide safe vessel access prior to implementation of the deepening project.

Order No. 5984 dated October 1, 2008, First Amendment dated November 5, 2008, and the Second Amendment dated January 25, 2010 are hereby amended as follows:

**1. Condition D4 which was amended on January 25, 2010 to read:**

4. As part of pre-deepening maintenance, Berth 7 shall be dredged to -42 feet CRD with a 1 foot overdredge allowance as a one-time event. Berths 8 and 9 shall be dredged to -40 CRD with a 1.5 foot overdredge allowance as a one-time event.
  - a. Post-dredging bathymetric surveying is required in Berths 8 and 9.
  - b. If the survey indicates that dredging reaches or exceeds -42 feet CRD then the Port must either:
    - i. Characterize the sediment for tributyltin (TBT) using grab samples from the top 4 inches within the affected area(s) or
    - ii. Immediately place a 6 inch sand cover in those areas.
    - iii. Ecology shall be notified of the Port's decision and sample results if applicable,
  - c. For the deepening part of the project, Berth 7 shall be dredged to -42 to -43 feet with a 2 foot overdredge allowance. Berths 8 and 9 shall be dredged to -45 to -

46.5 feet with a 2 foot overdredge allowance. Z-layer testing has shown that sediments in these berths meet the sediment evaluation framework (SEF) guidance at these depths.

**Is now revised to read:**

4. As part of pre-deepening maintenance, Berth 7 shall be dredged to -42 feet CRD with a 1 foot overdredge allowance as a one-time event. Once Berth 7 has been deepened to -42, maintenance dredging is allowed given current PSET approval for sediment quality. Berths 8 and 9 shall be dredged to -40 CRD with a 1.5 foot overdredge allowance.
  - a. Maintenance dredging requires a current PSET approval (technical memorandum) for sediment quality. Sediment data used for evaluation will meet recency and frequency guidance.
  - b. Post-dredging bathymetric surveying is required in Berths 8 and 9.
  - c. If the survey indicates that dredging reaches or exceeds -42 feet CRD then the Port must either:
    - i. Characterize the sediment for tributyltin (TBT) using grab samples from the top 4 inches within the affected area(s) or
    - ii. Immediately place a 6 inch sand cover in those areas.
    - iii. Ecology shall be notified of the Port's decision and sample results if applicable,
  - d. For the deepening part of the project, Berth 7 shall be dredged to -42 to -43 feet with a 2 foot overdredge allowance. Berths 8 and 9 shall be dredged to -45 to -46.5 feet with a 2 foot overdredge allowance. Z-layer testing has shown that sediments in these berths meet the sediment evaluation framework (SEF) guidance at these depths.

**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**

<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

DATED: October 29, 2012 at Lacey, Washington



Brenden McFarland, Section Manager  
Shorelands & Environmental Assistance Program  
Headquarters Office - Ecology  
State of Washington

