



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

January 31, 2011

Jason Smith
Washington State Department of Transportation
I-90 Project Office
1710- South 24th Avenue, Suite 100
Yakima, WA 98902

RE: Water Quality Certification, Second Amendment, for Order No. 6299

Dear Mr. Smith:

Enclosed is Order No. 6299, Second Amendment, for the I-90, Hyak to Lake Keechelus Dam Project in Kittitas County, Washington.

If you have any questions, please contact Kerry Carroll at (360) 407-7503. The enclosed amended Order may be appealed by following the procedures described in the amended Order.

Sincerely,

A handwritten signature in black ink, appearing to read "Brenden McFarland".

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

BM:kc

By Certified Mail 7009 1410 0002 4001 1385

Enclosure

cc: Myria Foisey, WSDOT
Cathy Reed, Ecology



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

IN THE MATTER OF GRANTING)	
A WATER QUALITY)	ORDER # 6299
CERTIFICATION TO)	Second Amendment
)	I-90, Hyak to Lake Keechelus Dam
Washington State Department)	
of Transportation)	

This amendment is issued under the provisions of Chapter 90.48 RCW and Chapter 173-201A WAC.

Administrative Order No. 6299 is hereby amended:

The amendment is as follows

Condition F2 that reads:

The Applicant shall submit a Water Quality Monitoring and Protection Plan (WQMPP) to Ecology's Federal Project Coordinator and Brent Renfro at WDFW for review and approval at least 20 days prior to beginning in-water activities for each Phase of the project. **In-water work is not authorized to begin until approval is received.**

Is replaced as follows:

The Applicant shall submit a Water Quality Monitoring and Protection Plan (WQMPP) to Ecology's Federal Project Coordinator for review and approval at least 10 days prior to beginning work activities below the ordinary high water mark, in-water or over-water for each active construction year of the project. **Work is not authorized to begin until approval is received.**

No other conditions or requirements of the above-mentioned order are affected by this amendment.

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

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 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
<p>Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503</p> <p>Pollution Control Hearings Board 1111 Israel Road SW STE 301 Tumwater, WA 98501</p>	<p>Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608</p> <p>Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903</p>

CONTACT INFORMATION

Please direct all questions about this Order to:

Kerry Carroll
Department of Ecology
P.O. Box 47600
Olympia, WA 98503-7600
360-407-7503
Kstr461@ecy.wa.gov

MORE INFORMATION

Pollution Control Hearings Board Website

www.cho.wa.gov/Boards_PCHB.aspx

Chapter 43.21B RCW - Environmental Hearings Office – Pollution Control Hearings Board

<http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B>

Chapter 90.48 RCW – Water Pollution Control

<http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48>

SIGNATURE



Brenden McFarland, Supervisor
Environmental Review and Transportation
Shorelands and Environmental Assistance Program
Headquarters

Date

1-31-11

