



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000  
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September 19, 2013

Mr. Mike Johnson  
Port of Grays Harbor  
PO Box 660  
Aberdeen WA 98520-0141

RE: Amendment to 401 Water Quality Certification Order #6381 for U.S. Army Corps of Engineers Reference #NWS-2008-0997 Maintenance dredging of the Terminal 3 berthing area in the amount of 40,000 cubic yards (cy) per year over a period of 10 years in Hoquiam, Grays Harbor, Washington

Dear Mr. Johnson:

Enclosed is an amendment to Water Quality Certification Order #6381, issued on July 17, 2009.

The purpose of this amendment is to increase the amount of sediment being removed from 40,000 to 45,000 cubic yards.

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,

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

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

by certified mail 7010 2780 0000 2503 3716

cc: David Kendall, U.S. Army Corps of Engineers  
Ron Wilcox, U.S. Army Corps of Engineers  
Amy Spoon, WDFW

Mr. Mike Johnson  
Order #6381, Amendment  
September 18, 2013

e-cc: Helen Pressley, Ecology  
Loree' Randall, Ecology  
Laura Inouye, Ecology  
Alex Callender, Ecology  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)

**IN THE MATTER OF GRANTING A ) ORDER # 6381 – Second Amendment**  
**WATER QUALITY ) Corps Reference No. NWS-2008-0997-SO**  
**CERTIFICATION TO ) Maintenance dredging of the Terminal 3 berthing**  
**Port of Grays Harbor ) area in the amount of 40,000 cubic yards (cy) per**  
in accordance with 33 U.S.C. 1341 ) year over a period of 10 years in Hoquiam,  
(FWPCA § 401), RCW 90.48.120, RCW ) Grays Harbor County, Washington  
90.48.260 and Chapter 173-201A WAC )

TO: Port of Grays Harbor  
Mr. Mike Johnson  
P.O. Box 660  
Aberdeen WA 98520-0141

On July 17, 2009, the Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification to the Port of Grays Harbor for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received a request to increase the volume of sediment dredged from Terminal 3 from 40,000 cubic yards (cy) to 45,000 cy on September 11, 2013.

Administrative Order No. 6831 dated July 7, 2009 is hereby amended as follows:

**I. The description of the project that currently reads:**

The proposed work consists of maintenance dredging at the Port of Grays Harbor Terminal 3 in the amount of 40,000 cubic yards (cy) per year over a period of 10 years. The area to be dredged is 1,806 feet long by 232 feet wide adjacent to the existing terminal. The area will be dredged to a depth of -35 feet Mean Lower Low Water (MLLW) with a 2 foot overdredge. A clamshell dredge will be used. Dredged material will be disposed of at the Point Chehalis open water disposal site.

**Is replaced as follows:**

The proposed work consists of maintenance dredging at the Port of Grays Harbor Terminal 3 in the amount of 45,000 cubic yards (cy) per year over a period of 10 years. The area to be dredged is 1,806 feet long by 232 feet wide adjacent to the existing terminal. The area will be dredged to a depth of -35 feet Mean Lower Low Water (MLLW) with a 2 foot overdredge. A clamshell dredge will be used. Dredged material will be disposed of at the Point Chehalis open water disposal site.

Mr. Mike Johnson  
2<sup>nd</sup> Amendment Order #6381  
September 19, 2013

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

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).

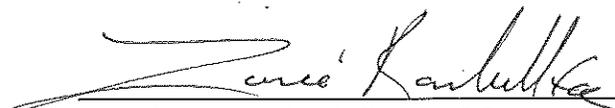
To appeal you must do all of the following within 30 days of the date of receipt of this Order:

- 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**

<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

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

9/19/2013  
Date