

IN THE MATTER OF GRANTING A WATER QUALITY CERTIFICATION TO: Port of Grays Harbor in accordance with 33 U.S.C. 1341 (FWPCA § 401), RCW 90.48.120, RCW 90.48.260 and Chapter 173-201A WAC) ORDER #6381, FIRST AMENDMENT) Corps Reference No. NWS-2008-0997-SO) 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 County, Washington
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On July 17, 2009 the Washington State Department of Ecology (Ecology) issued a 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 letter dated December 16, 2011 requesting Ecology amend water quality certification Order No. 6381 to increase the depth of dredging in this terminal from -35 feet Mean Lower Low Water (MLLW) with a 2 foot overdredge to -41 feet MLLW with a 2 foot overdredge.

No other changes in the water quality certification are necessary.

Order No.2521 dated July 29, 2005, is hereby amended as follows:

The second paragraph of the project description 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.

This paragraph is amended to read:

The proposed work consists of an initial deepening dredge at the Port of Grays Harbor Terminal 3 from -35 feet Mean Lower Low Water (MLLW) to -41 feet MLLW in the amount of 74,000 cy and subsequent annual maintenance dredging at the Terminal in the amount of 40,000 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 -41 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.

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 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 Rd 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:

Helen Pressley
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PO Box 47600
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360-407-6076
hpre461@ecy.wa.gov

MORE INFORMATION

- **Pollution Control Hearings Board Website**
www.eho.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 371-08 WAC – Practice And Procedure**
<http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**
<http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05>

- **Chapter 90.48 RCW – Water Pollution Control**
<http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48>
- **Chapter 173.204 WAC – Sediment Management Standards**
www.ecy.wa.gov/biblio/wac173204.html
- **Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington**
www.ecy.wa.gov/biblio/wac173201A.html

SIGNATURE



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

Jan 17, 2012

Date

