



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

September 13, 2010

Col. L. Ralph Hersey, RSC Regional Engineer
U.S. Army Reserve
88th Regional Support Command
60 South O St.
Ft. McCoy WI 54656-5137

**RE: Water Quality Certification - Order #6846 First Amendment/Corps Public
Notice NWS 2009-150**

Dear Colonel Hersey:

On July 10, 2009, the Washington State Department of Ecology (Ecology) issued a water quality certification to the U.S. Army Reserve for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401). Ecology received an e-mail dated September 9, 2010, requesting Ecology amend the water quality certification to allow a variable amount of overdredge throughout the old shipways area due to the number of old piling stubs in this area making it difficult to dredge to a uniform finished grade. In addition, sloughing may occur around the dredge perimeter which will increase the total dredge volume.

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 Helen Pressley at (360) 407-6976.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. McFarland".

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

Enclosure

by certified mail 70091410000240011331



cc: Olivia Romano, Seattle Corps
Aleutian Yachts, Inc.,
Harris Rebar Seattle, Inc.,
Kiewit General,
Legacy Propane,
Metalcraft Marine,
Totem Ocean Trailer Express,
Trident Seafood,
Trim Systems,
UTe Overseas, Inc.,
Yachtfish Marine, Inc.,

ecc: Loree' Randall, Ecology
Helen Pressley, Ecology
Joyce Mercuri, Ecology
Laura Inouye, Ecology
ecyrefedpermits@ecy.wa.gov

IN THE MATTER OF GRANTING A) ORDER #6846, 1st Amendment
WATER QUALITY) Corps Reference No. NWS -2009-150
CERTIFICATION TO) Dredging for sediment remediation, demolition,
U. S. Army Reserve) and reconstruction of portions of existing
in accordance with 33 U.S.C. 1341) structures at Pier 23 in Commencement Bay,
(FWPCA § 401), RCW 90.48.120, RCW) Pierce County, Washington
90.48.260 and Chapter 173-201A WAC)

On July 10, 2009, the Washington State Department of Ecology (Ecology) issued a water quality certification to the U.S. Army Reserve for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received an e-mail dated September 9, 2010 requesting Ecology amend water quality certification Order No. 6846 to allow a variable amount of over dredge throughout the old shipways area due to the number of old piling stubs in this area making it difficult to dredge to a uniform finished grade.

No other changes in the water quality certification are necessary.

Order No. 6846 dated July 10, 2009, is hereby amended as follows:

The description of the project currently reads:

The work proposed for this project includes dredging for sediment remediation, demolition, and reconstruction of portions of existing structures at Pier 23. Dredging will be done to remove up to 20,000 cubic yards of contaminated sediments and metal slag from an area of about 59,800 square feet adjacent to and under Pier 23. Dredging will occur between elevations -30 and + 15 feet Mean Lower Low Water (MLLW) line. The sediments would be removed via clamshell dredging. The deeper parts of the planned dredge area would be dredged to a depth about -35 feet MLLW, with a gradually decreasing final dredge elevation to about 0' MLLW closest to shore, with a 1 foot allowable over dredge throughout. A minimum 1-foot clean material layer, about 21,200 cubic yards, would be placed within the dredge prism footprint after dredging. Final surface elevations within the dredge prism after the placement of the clean material layer would be between about -30 and +15 feet MLLW. Dredged material would be taken by barge and offloaded at an upland site (to be determined), then shipped by truck and/or train to a permitted landfill for disposal.

The description of the project is hereby amended to read:

The work proposed for this project includes dredging for sediment remediation, demolition, and reconstruction of portions of existing structures at Pier 23. Dredging will be done to remove approximately 21,000 cubic yards of contaminated sediments and metal slag from an area of

about 59,800 square feet adjacent to and under Pier 23. Dredging will occur between elevations -30 and + 15 feet Mean Lower Low Water (MLLW) line. The sediments would be removed via clamshell dredging. The deeper parts of the planned dredge area would be dredged to a depth about -35 feet MLLW, with a gradually decreasing final dredge elevation to about 0' MLLW closest to shore, with a variable allowable over dredge throughout. A minimum 1-foot clean material layer of sand or other backfill material per the project specifications would be placed within the dredge prism footprint after dredging. At least 1 foot of clean sand must be placed above any remaining piling stubs within the dredge prism. Final surface elevations within the dredge prism after the placement of the clean material layer would be between about -30 and +15 feet MLLW. Dredged material would be taken by barge and offloaded at an upland site (to be determined), then shipped by truck and/or train to a permitted landfill for disposal.

Appeal Process:

You have a right to appeal this Order. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001 (2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:

The Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey, WA 98503

2. To serve your appeal on the Department of Ecology

Mail appeal to:

The Department of Ecology
Appeals Coordinator
P.O. Box 47608
Olympia, WA 98504-7608

OR

Deliver your appeal in person to:

The Department of Ecology
Appeals Coordinator
300 Desmond Dr SE
Lacey, WA 98503

3. And send a copy of your appeal to:

Department of Ecology
Shorelands and Environmental Assistance Program
Attn: Helen Pressley
P.O. Box 47600
Olympia WA 98504-7600

For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov>

To find laws and agency rules visit the Washington State Legislature Website:
<http://www1.leg.wa.gov/CodeReviser>

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Ch. 43.21B RCW.

DATED September 13, 2010 at Olympia, Washington.



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

