STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

February 29, 2012

Washington Department of Transportation
Attn: Kerry Pihlstrom
600 Stewart Street, Suite 520
Seattle, WA 98101

RE: Water Quality Certification, First Amendment, for Order No. 9011

Dear Ms. Pihlstrom:

On February 15, 2012, we issued the 401 Certification, Order No. 9011 for the SR 520 I-5 to Medina Bridge Replacement & HOV project. Ecology is amending the Order to correct an error in one of the conditions addressing wetland mitigation. Enclosed is the amendment to Order No. 9011.

All other conditions of Water Quality Certification, Order No. 9011 remain in effect. Any correspondence or questions can be directed to the attention of Penny Kelley, Federal Permit Manager, at Department of Ecology, P.O. Box 47600, Olympia, WA 98504, or she can be reached at 360-407-7298. The enclosed amended Order may be appealed by following the procedures described in the amendment.

Sincerely,

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

Enclosure

By Certified Mail 7009 0820 0001 9056 0700

e-cc: Scott White, WSDOT
Caroline Corcoran, Ecology
Bobb Nolan, Ecology
Joe Burcar, Ecology
Rebecca McAndrew, Corps of Engineers

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF GRANTING	)	**ORDER# 9011**
A WATER QUALITY	)	**First Amendment**
CERTIFICATION TO	)	**Corps Ref# NWS-2010-146**
	)	**Coast Guard No. 01-12**
Washington State Department	)	Widen SR 520 to six lanes, add a new bridge
of Transportation	)	over the Montlake cut, and replace the
	)	Portage Bay Bridge, Union Bay Bridge
	)	and the Evergreen Point Bridge

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

Administrative Order No. 9011 is hereby amended:

The amendment is as follows

Condition G.28 that reads:
Until the Applicant has received written notice from Ecology that the Mitigation Plan has been fully implemented, the Applicant's obligation under Condition F.1 to mitigate for wetland impacts is not met.

Is replaced as follows:
Until the Applicant has received written notice from Ecology that the Mitigation Plan has been fully implemented, the Applicant's obligation under Condition G.1 to mitigate for wetland impacts is not met.

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

Failure to comply with this Order may result in civil penalties or other actions, whether administrative or judicial, to enforce the terms of this 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

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503 **Pollution Control Hearings Board** 1111 Israel RD SW STE 301 Tumwater, WA 98501	**Department of Ecology** Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 **Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

CONTACT INFORMATION

Please direct all questions about this Order to:

Penny Kelley
Department of Ecology
P.O. Box 47600
Olympia, WA 98503-7600

360-407-7298
pkel461@ecy.wa.gov

SIGNATURE

Feb 29, 2012

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

Date