



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 23, 2012

Port of Everett  
Attn: Mr. Graham Anderson  
PO Box 538  
Everett WA 98206-0538

**RE: Water Quality Certification - Order #8541 First Amendment**

Dear Mr. Anderson:

On October 19, 2011 the Washington State Department of Ecology (Ecology) issued a water quality certification to the Port of Everett for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401). Ecology received an e-mail dated January 13, 2012 requesting Ecology amend the water quality certification to increase the volume of dredging to allow for a maximum of 39,500 cubic yards (cy). The sediment will all be disposed of at the Port Gardner in-water disposal site.

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) 407-6076.

Sincerely,

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

By Certified Mail 7009 0820 0001 9056 0953

Enclosure

cc: David Fox, Corps Seattle  
Erin Legge, Corps Seattle  
Laura Arber, WDFW

ecc: Loree' Randall, Ecology  
Helen Pressley, Ecology  
Laura Inouye, Ecology  
David Pater, Ecology  
Kevin MacLachlan, Ecology  
[DMMP@dnr.wa.gov](mailto:DMMP@dnr.wa.gov)  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)





<p><b>IN THE MATTER OF GRANTING A WATER QUALITY CERTIFICATION TO: Port of Everett</b> in accordance with 33 U.S.C. 1341 (FWPCA § 401), RCW 90.48.120, RCW 90.48.260 and Chapter 173-201A WAC</p>	<p>) <b>ORDER #8541, FIRST AMENDMENT</b> ) <b>Corps Reference No. 2010-0974</b> ) Maintenance dredging of the Port of Everett ) Marina in the amount of 29,000 cubic yards (cy) ) of sediment with disposal at the Port Gardner in- ) water disposal site in Port Gardner Bay, ) Snohomish County, Washington</p>
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On October 19, 2011 the Washington State Department of Ecology (Ecology) issued a water quality certification to the Port of Everett for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received an e-mail dated January 13, 2012 requesting Ecology amend water quality certification Order No. 8541 to increase the volume of sediment dredged from 29,000 to 39,500 cy.

No other changes in the water quality certification are necessary.

Order No.8541 dated October 19, 2011, is hereby amended as follows:

**The description in the certification currently reads:**

The Applicant plans to dredge up to 29,000 cubic yards (cy) of sediment over approximately 6.73 acres.

**The description in the certificate is amended to read:**

The Applicant plans to dredge up to 39,500 cubic yards (cy) of sediment over approximately 6.73 acres.

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

**SIGNATURE**



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

Feb 23, 2012

Date