



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000  
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August 1, 2014

Heather Haslip  
Port of Skagit  
15400 Airport Drive  
Burlington, WA 98233

RE: Requested Amendment to Administrative Order #10628 (NWS-2013-1100), Port of Skagit  
Runway 11-29 Runway Safety Area (RSA) Grading Project, Wetlands, Burlington,  
Skagit County, Washington

Dear Ms. Haslip:

Enclosed is an amendment to the Water Quality Certification issued on April 14, 2014, for the above project.

The purpose of this amendment is to respond to the July 15, 2014 request from Port of Skagit to change the mitigation per the Final Mitigation/Bank Use Plan to purchase bank credits from the Skagit Environmental Bank rather than the Nookachamps Wetland Mitigation Bank.

If you have any questions, please contact Rebekah Padgett at (425) 649-7129. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,

Erik Stockdale, Section Manager  
Shorelands and Environmental Assistance Program  
Northwest Regional Office

ES:rrp:mrw  
Enclosure

By certified mail: 7011 0470 0003 3720 8261

cc: Randel Perry, U.S. Army Corps of Engineers  
Analiese Burns, Northwest Ecological Services, LLC

e-cc: Paul Anderson, Ecology  
Raman Iyer, Ecology  
Loree' Randall, Ecology  
ecyrefedpermits@ecy.wa.gov



**IN THE MATTER OF GRANTING A ) ORDER #10628 First Amendment**  
**WATER QUALITY ) Corps Reference No. NWS-2013-1100**  
**CERTIFICATION TO ) Port of Skagit Runway 11-29 Runway Safety**  
**Port of Skagit ) Area (RSA) Grading Project; Wetlands, Skagit**  
in accordance with 33 U.S.C. 1341 ) County, Washington.  
(FWPCA § 401), RCW 90.48.120, RCW )  
90.48.260 and Chapter 173-201A WAC )

TO: Port of Skagit  
Attn: Heather Haslip  
15400 Airport Drive  
Burlington, WA 98233

This amendment is to the above-referenced Administrative Order approved and issued by the Department of Ecology (Ecology) on April 14, 2014.

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

Administrative Order #10628 is hereby amended as follows:

**1. The mitigation portion of the project description that reads:**

Mitigation for the wetland fill would include purchase of 6.96 credits from the Nookachamps Wetland Mitigation Bank. On-site mitigation measures include cattle exclusion fencing, relocating a livestock water trough, and incorporation of stormwater best management practices in order to improve or maintain water quality, hydrology, and wildlife functions in remaining wetlands.

**Is replaced with:**

Mitigation for the wetland fill would include purchase of 6.73 credits from the Skagit Environmental Bank. On-site mitigation measures include cattle exclusion fencing, relocating a livestock water trough, and incorporation of stormwater best management practices in order to improve or maintain water quality, hydrology, and wildlife functions in remaining wetlands.

**2. Condition B1 that reads:**

B1. The Applicant shall mitigate wetland impacts as described in the *Conceptual Mitigation/Bank Use Plan, Runway 11 RSA Grading Project* (hereafter called the "mitigation plan") prepared by Northwest Ecological Services, LLC, dated September 2013 or as revised and approved by Ecology.

**Is replaced with:**

- B1. The Applicant shall mitigate wetland impacts as described in the *Final Mitigation/Bank Use Plan, Runway 11 RSA Grading Project* (hereafter called the "mitigation plan") prepared by Northwest Ecological Services, LLC, dated July 2014 or as revised and approved by Ecology.

**3. Condition B2 that reads:**

- B2. Prior to impacting wetlands, the Applicant shall submit to Ecology documentation from the bank sponsor verifying the purchase of 6.96 wetland mitigation bank credits (credits) from the Nookachamps Wetland Mitigation Bank. This documentation must include the permit number, permit issuance date, impact acreage, the amount of credits required by the permit, and date of credit purchase.

**Is replaced with:**

- B2. Prior to impacting wetlands, the Applicant shall submit to Ecology documentation from the bank sponsor verifying the purchase of 6.73 wetland mitigation bank credits (credits) from the Skagit Environmental Bank. This documentation must include the permit number, permit issuance date, impact acreage, the amount of credits required by the permit, and date of credit purchase.

No other conditions or requirements of the above-mentioned Order are affected by this Amendment. The Department of 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 amendment may result in the issuance of civil penalties or other actions whether administrative or judicial, to enforce the terms of this amendment.

## **YOUR RIGHT TO APPEAL**

You have a right to appeal this Order to the Pollution Control Hearing Board (PCIIB) 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 both 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
<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 Road SW STE 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903

#### CONTACT INFORMATION

Please direct all questions about this Order to:

Rebeckah Padgett  
Department of Ecology  
Northwest Regional Office  
3190 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008  
(425) 649-7129  
[rebeckah.padgett@ecy.wa.gov](mailto:rebeckah.padgett@ecy.wa.gov)

#### MORE INFORMATION

**Pollution Control Hearings Board Website**  
[www.cho.wa.gov/Boards\\_PCIIB.aspx](http://www.cho.wa.gov/Boards_PCIIB.aspx)

**Chapter 43.21B RCW - Environmental and Land Use 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 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](http://www.ecy.wa.gov/biblio/wac173204.html)

**Chapter 173-200 WAC – Water Quality Standards for Ground Waters of the State of Washington**

[www.ecy.wa.gov/biblio/wac173200.html](http://www.ecy.wa.gov/biblio/wac173200.html)

**Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington**

[www.ecy.wa.gov/biblio/wac173201A.html](http://www.ecy.wa.gov/biblio/wac173201A.html)

**SIGNATURE**



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Erik Stockdale, Section Manager  
Shorelands and Environmental Assistance Program  
Northwest Regional Office

8-1-2014

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August 1, 2014