



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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REGISTERED MAIL
RB 252 946 523 US

October 1, 2007

Mr. Craig Heimbucher
Port of Vancouver
3101 NW Lower River Road
Vancouver WA 98660-1027

RE: First Amendment to Section 401 Water Quality Certification Order No. 95-HQ-01133R for the extension of the expiration date of the certificate.

Dear Mr. Heimbucher:

On February 28, 2001, the Washington State Department of Ecology (Ecology) issued a water quality certification to the Port of Vancouver for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401). You contacted Ecology with the following request for amendment regarding this water quality certification:

1. A request to dispose of sediment dredged as part of this project at the Ross Island Sand and Gravel upland dredge disposal site in Oregon. Ecology is amending the Order No 95-HQ-01133R to allow for disposal at other locations besides the Ports property, however Ecology has no authority to approve the use of the Ross Island site. The Ports should contact Oregon Department of Environmental Quality (DEQ) for that approval.
2. A request to extend the end of the timeframe covered by this permit from February 28, 2007 to February 28, 2008. Ecology is granting this extension, however this will be the last time Ecology will extend or amend this Order. The Port needs to submit a new request (JARPA) for water quality certification for any additional maintenance dredging needed after February 28, 2008.



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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 me at (360) 407-6976.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brenden McFarland', with a stylized, cursive script.

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

cc: Tom Taylor, Portland Corps
Penny Keys, Ecology

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
Federal Permit Coordinator
Attn: Loree’ Randall
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>

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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 this 1st day of Oct, 2007 at Lacey, Washington.



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

