



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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April 24, 2007

REGISTERED MAIL

Ben Brown  
Washington State Department of Transportation  
PO Box 330310  
Seattle, WA 98133-9710

RE: Water Quality Certification # 4176 and Coastal Zone Management consistency determination for Corp Public Notice No. 200601135 for safety improvements to SR 20 (Quiet Cove) between MP 44.65 and the SR 20 Spur (Fidalgo Bay Rd at MP 47.87 including road realignment and widening, intersection rechannelization, sight distance, and clear zone improvements in Skagit County, Washington.

Dear Mr. Brown:

On September 22, 2006, the Washington State Department of Transportation (WSDOT) submitted a Joint Aquatic Resource Permit Application (JARPA) to the Department of Ecology (Ecology) for a Section 401 Water Quality Certification (401 Certification) under the federal Clean Water Act for the proposed SR 20 Quiet Cove Road to SR 20 Spur project. This project proposes to improve SR 20 between MP 44.65 and 47.87. This includes widening the SR 20 to 12-foot lanes with 4-foot shoulders, providing left turn lanes, and improving fish passage at Meadow Creek. The Department of Ecology issued the project's public notice on December 8, 2006.

On behalf of the State of Washington, Ecology certifies that the work proposed in the JARPA and the public notice complies with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act, as amended, and other applicable requirements of state law. This certification is subject to the conditions contained in the enclosed Order.

On April 24, 2007, WSDOT submitted to Ecology a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP). Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with WSDOT's determination that this work is consistent with the approved Washington State CZMP. This concurrence is based upon the applicant's compliance with all applicable enforceable policies of the CZMP, including Section 401 of the federal Clean Water Act.



The enclosed Order may be appealed by following the procedures described in the Order.

Until further notice Terry Swanson, HQ Liaison Team, will serve as the Federal Project Coordinator for this project. Please direct all queries, notices and required materials to her. She can be reached at (360) 407-6789 or [tswa461@ecy.wa.gov](mailto:tswa461@ecy.wa.gov). Her mailing address is PO Box 47600 Olympia, WA 98504.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brenden McFarland', with a long horizontal flourish extending to the right.

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

BM:ds  
Enclosure

cc: Nina Roscow, Department of Transportation  
Terry Drochak, MAPT  
Rebecca McAndrew, Corps of Engineers  
Sherry Weber, MAPT

e-cc: Penny Keys, Ecology  
Loree' Randall, Ecology  
Terry Swanson, Ecology

**IN THE MATTER OF GRANTING A ) ORDER # 4176**  
**WATER QUALITY ) Corps Reference No. 2006901135**  
**CERTIFICATION TO ) To provide safety improvements for SR 20**  
**Washington State Department of ) (Quiet Cove Rd.) between MP 44.65 and the SR**  
**Transportation – Northwest Region ) 20 Spur (Fidalgo Bay Rd) at MP 47.87, including**  
in accordance with 33 U.S.C. 1341 ) road realignment and widening, intersection re-  
(FWPCA § 401), RCW 90.48.120, RCW ) channelization, sight distance and clear zone  
90.48.260 and Chapter 173-201A WAC ) improvements in Skagit County  
)

TO: The Washington State Department of Transportation  
Attn: Ben Brown  
P.O. Box 330310  
Seattle, WA 98133-9710

On September 22, 2006, the Washington State Department of Transportation (WSDOT) – Northwest Region submitted a Joint Aquatic Resource Permit Application (JARPA) to the Department of Ecology (Ecology) requesting a Section 401 Water Quality Certification for the SR 20 (Quiet Cove Road) to SR 20 Spur (Fidalgo Bay Rd.) project. Ecology issued a public notice for the project on December 8, 2006.

The proposed project is on SR 20, Quiet Cove Road to SR 20 Spur on Fidalgo Island in Skagit County between the cities of Oak Harbor and Anacortes, Water Resource Inventory Area (WRIA) No 3 (Lower Skagit). The project is in Sections 5, 7, 8, and 18, Township 34 North, Range 2 East and will improve 3.22 miles of SR 20 between the cities of Oak Harbor and Anacortes. Work is located within or adjacent to Meadow Creek, and an un-named creek in the area of Miller road, along with associated wetlands.

The project will be completed in two stages: Stage One is between MP 44.65 and 44.71 and will close the intersection of SR 20 at Deception Rd, provide an SR 20 left turn lane at the Lunz Rd intersection, and improve fish passage at Meadow Creek by replacing a culvert with a bridge. Stage Two of this project is between MP 47.02 and 47.87 and will provide a right turn pocket on SR 20 at South Campbell Lake Rd, close the northern intersection of Lunz Road, place a gate at Miller Rd for emergency vehicles only, and provide an east bound left turn lane at the Miller Rd/Gibraltar Rd intersection. Both stages of this project will widen SR 20 to 12 foot lanes and 4 foot shoulders to improve safety for both vehicular and bicycle traffic.

Permanent **stream buffer impacts** total 0.12 acre at Meadow Creek and 0.17 acre at Miller Road, including the filling and relocation of 400 linear feet of channel at the Un-named creek. Stream impacts at Meadow Creek will be mitigated by restoring the stream bed, enhancing 0.64 acre and restoring 0.28 acre riparian buffer including the installing habitat structures, 0.19 acre of buffer will be enhanced at the Un-named creek location adjacent to Miller Road.

**Permanent wetlands impacts** include: 0.65 acre of Category II, III, and IV wetlands, primarily emergent (0.36 acre) and scrub-shrub (.25 acre) with 0.04 acre of forested wetland impacts.

**Temporary wetland impacts** will total 0.46 acre. Compensatory mitigation for wetland impacts associated with the roadway project will occur on a site adjacent to Fidalgo Bay at MP 48.40. The mitigation restores 0.05 acre of Category II freshwater tidally influenced emergent wetland, 0.13 acre of palustrine emergent Category III wetland, and 1.21 acres of Category III palustrine scrub-shrub wetland with a 75 foot buffer on the south and east sides of the site. In addition, 0.45 acre of degraded emergent wetland will be enhanced with emergent and scrub-shrub wetland vegetation.

**Stormwater runoff** for 2.6 acres of additional impervious surface will be mitigated by detaining and treating prior to discharge under the WSDOT 2004 Highway Runoff Manual. The treatment facility is a detention treatment pond west of and adjacent to SR 20 and north of Meadow Creek. WSDOT will construct: Ecology embankments as part of existing roadside ditches between MP 44.95 and 45.24; bio-swales at MP 44.60, 45.00 and 45.60; and 3 detention ponds for flow control.

## **AUTHORITIES**

In exercising authority under 33 U.S.C. § 1341, 16 U.S.C. § 1456, RCW 90.48.120, and RCW 90.48.260, Ecology has examined this application pursuant to the following:

1. Conformance with applicable water quality-based, technology-based, and toxic or pretreatment effluent limitations as provided under 33 U.S.C. §§1311, 1312, 1313, 1316, and (FWPCA §§ 301, 303, 306 and 307);
2. Conformance with the state water quality standards contained in Chapter 173-201A WAC and authorized by 33 U.S.C. §1313 and by Chapter 90.48 RCW, and with other applicable state laws; and
3. Conformance with the provision of using all known, available and reasonable methods to prevent and control pollution of state waters as required by RCW 90.48.010.

## **WATER QUALITY CERTIFICATION CONDITIONS**

Through issuance of this Order, **Ecology certifies that it has reasonable assurance that the activity** as proposed and conditioned will be conducted in a manner that **will not violate applicable water quality standards** and other appropriate requirements of state law. In view of the foregoing and in accordance with 33 U.S.C. §1341, RCW 90.48.120, RCW 90.48.260 Chapter 173-200 WAC and Chapter 173-201A WAC, water quality certification is granted to the Applicant subject to the conditions within this Order.

Nothing in this certification absolves WSDOT from liability for contamination and any subsequent cleanup of surface waters, ground waters, or sediments resulting from project construction or operations.

## **A. General Conditions**

1. For purposes of this Order, the term “Applicant” means the Washington State Department of Transportation, Northwest Region (WSDOT), and its agents, assignees and contractors.
2. All submittals required by this Order’s conditions shall be sent to Ecology’s Northwest Region, Attn: Federal Project Coordinator – MAP Team, 3190 160<sup>th</sup> Avenue SE, WA 98008-5452. Any submittals shall reference Order No. 4176 and Corps No. 200601135.
3. Work authorized by this Order is limited to the work described in the JARPA Ecology received on September 22, 2006 and the information contained in Ecology’s Public Notice issued December 8, 2006. Any future action at this project location, emergency or otherwise, that is not defined in the JARPA or public notice, or has not been approved by Ecology, is not authorized by this Order. The Applicant will be out of compliance with this Order and must reapply with an updated application if the information contained in the JARPA and the Public Notice is voided by subsequent changes to the project not authorized by this Order. All future actions shall be coordinated with Ecology for approval prior to implementation of such action.
4. Within 30 days of receipt of an updated JARPA, Ecology will determine if the revised project requires a new water quality certification and public notice or if a modification to this Order is required.
5. This Order does not exempt, and is provisional upon, compliance with other statutes and codes administered by federal, state, and local agencies.
6. Copies of this Order shall be kept on the job site and readily available for reference by Ecology personnel, the construction superintendent, construction managers and lead workers, and state and local government inspectors.
7. The Applicant shall provide access to the project site and all mitigation sites upon request by Ecology personnel for site inspections, monitoring, necessary data collection, and/or to ensure that conditions of this Order are being met.
8. Nothing in this Order waives Ecology’s authority to issue additional orders if Ecology determines that further actions are necessary to implement the water quality laws of the state. Further, Ecology retains continuing jurisdiction to modify this Order through supplemental order, if additional, unauthorized impacts result from project construction or operation or if additional conditions are necessary to further protect water quality.
9. The Applicant shall ensure that all applicable project engineers and contractors at the project site have read and understand relevant conditions of this Order and all permits, approvals, and documents referenced in this Order. The Applicant shall provide Ecology a signed statement (see Attachment A for an example) from each Project Engineer and Contractor that they have read and understand the conditions of this Order and the above-referenced permits, plans, documents and approvals. These statements shall be provided to Ecology before construction begins at the project and/or mitigation sites.

10. This Order does not authorize direct, indirect, permanent, or temporary impacts to waters of the state or related aquatic resources, except as specifically provided.
11. Any person who fails to comply with any provision of this Order is liable for a penalty of up to ten thousand dollars (\$10,000.00) per violation per day for each day of continuing noncompliance.

## **B. Notification Requirements**

1. Notification shall be made to Ecology's Federal Project Coordinator – MAPT at 425-649-7181, Fax 425-649-7098, mail 3190 – 160<sup>th</sup> Avenue SE, Bellevue, WA 98008-5452, for the following activities:
  - a. At least 10 days prior to the pre-construction meeting;
  - b. At least 10 days prior to the onset of initiating work on project site;
  - c. At least 10 days prior to construction on all mitigation sites;
  - d. At least 10 days prior to initial in-water work activities;
  - e. At least 5 days prior to bridge demolition;
  - f. Immediately following a violation of the state water quality standards or conditions of this Order.

NOTE: These notifications shall include the Applicant's name, project name and location, the number of this Order, contact name, and contact's phone number.

## **C. Water Quality**

Certification of this proposal does not authorize the Applicant to exceed applicable state water quality standards (173-201A WAC), ground water standards (173-200 WAC) or sediment quality standards (173-204 WAC).

### **Monitoring**

1. The Applicant shall submit a Water Quality Monitoring Plan (Plan) for review and approval to the Federal Project Coordinator at least twenty (20) days prior to beginning in-water work. All in-water work activities are not authorized to be conducted until approval of the Plan is received. This Plan shall include the following information:
  - a. Name(s) and phone number(s) of person(s) responsible for monitoring;
  - b. Map with numbered or named sampling locations associated with the in-water activities for each stream, including the background and the point of compliance per WAC 173-201A-110(3a-d);
  - c. Parameters to be monitored: turbidity and pH;
  - d. A description of the Best Management Practices (BMPs) that will be used on the project to protect water quality, including a description of procedures for concrete pouring and bridge removal activities;

- e. Construction activities to be monitored, including in-water work activities causing turbidity and concrete pouring over, in, and adjacent to waters thereby affecting pH.
  - f. Sample frequency for each activity to be monitored; and
  - g. Example of monthly summary report.
2. Ecology must approve any changes to the Plan.
  3. Submit monitoring results monthly to the Federal Project Coordinator per Condition A.2. All monitoring results shall also be kept onsite and submitted to Ecology upon request.
  4. If monitoring results show that water quality standards are not being met, the Applicant shall modify or stop the activity causing the problem and commence hourly monitoring until standards are met for two (2) consecutive sample periods.
  5. Mitigation and/or additional monitoring may be required if water quality standards are not met.

#### **D. Construction Conditions**

1. The Applicant shall comply with and implement the conditions of the National Pollutant Discharge Elimination System Waste Discharge Permit (NPDES Permit) Ecology issued for this project.
2. All in-water work shall comply with the fish windows of the most current Hydraulic Project Approval (HPA) by Washington State Department of Fish and Wildlife.
3. Within the project limits,<sup>1</sup> all environmentally sensitive areas, mitigation areas, and wetland buffers shall be fenced with high visibility construction fence (HVF) prior to commencing construction activities, including equipment staging, materials storage and parking of workers' vehicles. **This condition does not apply to activities such as pre-construction surveying and the placement of construction zone signing and HVF.**
  - a. This project's JARPA indicates that construction will be done in stages,<sup>2</sup> therefore condition 3 above applies prior to commencing construction activities for each stage of the project.
  - b. All field staff shall be trained to: recognize HVF; understand its purpose; and properly install the fence in the appropriate locations.
  - c. HVF shall be maintained until all work is completed for each stage of the project.
4. All clearing limits, stockpile sites, staging areas, and trees to be preserved shall be clearly marked prior to commencing construction activities.
5. No equipment shall enter, operate, be stored, or parked within any sensitive area except as specifically provided for in conditions of this Order.

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<sup>1</sup> Project limits include mitigation sites, staging areas, borrow sources, and other sites developed or used to support the construction of the project.

<sup>2</sup> A stage is part of a project that has been separated into at least two distinct areas to be built during separate timeframes as indicated and described in the JARPA and applicable drawings.

6. If any wetlands, wetland buffers, streams, or stream buffers are temporarily impacted by the project, these areas shall be protected from erosion. These sensitive aquatic areas shall be replanted with native vegetation within the first appropriate planting season after construction is completed.
7. Work in or near waters of the state shall be done in a manner that minimizes turbidity, erosion, and other water quality impacts.
8. No petroleum products, concrete, chemicals, or other toxic or deleterious materials shall be allowed to enter waters of the state.
9. If at any time, the Applicant finds buried chemical containers, such as drums, or any unusual conditions indicating disposal of chemicals, the Applicant shall immediately notify Ecology's Northwest Regional Spill Response Office at 425-649-7000.

#### **Culvert Work, Stream Bypass, and Stream Relocation**

10. All culvert work shall be conducted in the dry or in isolation from stream flow. Culverts shall be installed and maintained to avoid stream scouring and to prevent erosion of stream banks within and downstream of the project.
11. The stream diversion system shall be designed and operated to avoid erosion or scour in the stream channel or on the banks of the waterbody in which work is being conducted.
12. Temporary sediment traps shall be cleaned out and the settled sediments removed from the stream channel before removing any stream diversion system and returning the flow of the stream to its natural channel. Settled sediments shall not be allowed to enter waters of the state, including wetlands, due to water or runoff flows that may occur during or after construction is completed.
13. Prior to returning stream flow to the de-watered work area, all bank protection and/or armoring shall be completed.
14. Reintroduction of water to the channel shall be done gradually and at a rate not higher than the normal stream flow in order to minimize the mobilization of sediments and fines into downstream waters.
15. Upon completion of the project, all materials used in the temporary bypass, or other method of work area isolation, shall be removed from the stream and stream buffer. The work area shall then be restored according to the Final Mitigation Plan (see Condition E.1 of this Order).

#### **New Bridge Construction**

Bridge construction and placement will cause temporary impacts to wetlands and Meadow Creek and its buffers. The following conditions must be followed:

16. Concrete process water shall not enter surface waters of the state. All concrete shall be completely cured prior to coming into contact with state surface waters. Any contact water discharged from the confined area with curing concrete shall be routed to upland areas to be treated and infiltrated, or disposed of appropriately with no possible entry to state waters.
17. All construction debris resulting from the Meadow Creek bridge construction shall be properly disposed of to prohibit its entrance into waters of the state. Incidental debris shall be removed from Meadow Creek.
18. Equipment used for any in-water work shall be free of external petroleum-based products and checked daily for leaks while working around waters of the state. Any necessary repairs shall be completed prior to commencing work activities.
19. Adequate containment shall be used for any mechanical equipment on a structure over water, such as a temporary work bridge or platform, in order to prevent any spills and/or discharges of contaminants to waters of the state.
20. Vegetation disturbance must be minimized during bridge construction.
21. All areas disturbed during bridge construction must be properly stabilized within 7 days after completing bridge work to prevent erosion or sediment debris from entering waters of the state, including wetlands.

**E. Wetland and Stream Mitigation and Monitoring**

1. Impacts to wetlands shall be mitigated as described in the approved *Final Revised Wetland Mitigation Report, SR 20: Quiet Cove to SR 20 Spur Safety Improvements (MP 44.65 to MP 47.87)* prepared by Washington State Department of Transportation, dated April 2007 (Mitigation Report); the SR 20 Quiet Cove mitigation plan drawings dated March 8, 2007; and memorandum from Gary Davis, WSDOT to Rebecca McAndrew, U.S. Army Corps of Engineers, dated April 6, 2007 (hereafter April 6, 2007 Memorandum).
2. Temporary and permanent impacts to streams shall be mitigated onsite at the respective streams (Meadow Creek and unnamed non-fish bearing stream) as described in the Mitigation Report.
3. The wetland restoration at the mitigation site (northwest corner of the intersection of SR 20 and March Point Road) shall include excavation and grading as described in the April 6, 2007 Memorandum.
4. Any changes to the approved final mitigation plans, beyond minor modifications, shall be submitted in writing to Ecology's Federal Project Coordinator for approval.

**Mitigation Construction**

5. Restoration of the wetland mitigation and stream sites shall be completed during construction of Stage I of the road improvements.

6. Appropriate and effective BMPs shall be installed on the mitigation sites prior to commencing any earthwork so as to minimize erosion, turbidity, and other water quality impacts to water bodies on or downstream of the mitigation site.
7. All excavated material from the wetland and stream mitigation sites shall be disposed offsite in an appropriate location outside of sensitive areas and their buffers, and shall be stabilized or contained to prevent its entry into waters of the state.
8. No materials shall be stockpiled within the wetlands or streams on the mitigation sites.
9. Appropriate BMPs shall be implemented to minimize track-out during construction at the mitigation site.
10. All earth areas that have been exposed or disturbed on the mitigation sites shall be stabilized within 7 days of completing grading to prevent erosion by using mulch or equivalent. If seeding is the selected erosion control method, then the seed mix shall consist of native grasses and forbs.
11. Upon completing grading on the wetland mitigation and stream restoration sites, and prior to planting, the applicant shall provide written confirmation to Ecology that finished grades are consistent with the mitigation plan or other subsequent Ecology-approved modifications to grading plans (e.g. signed letter or memo from the surveyor, wetland biologist, or project engineer indicating how final elevations were confirmed and whether they are consistent with the plan).
12. An as-built report documenting the final conditions of the wetland mitigation and stream restoration sites shall be prepared when constructing and planting the mitigation sites are complete. The report shall include the following:
  - a. Final site topography with site boundaries clearly marked;
  - b. Dates of implementation, including dates of grading, planting, and final completion;
  - c. Plan sheets showing what plants were installed including species, densities, sizes, approximate locations of plants, and plant sources;
  - d. Habitat features (snags, large woody debris, etc) and their locations;
  - e. Other plan features;
  - f. Planned locations of sampling and monitoring sites, if known;
  - g. Photos documenting baseline conditions (mark photo points on as-built plan);
  - h. Any changes to the plan that occurred during construction – including problems encountered, what was done to correct them, and reasons for the changes;
  - i. Any follow-up actions if needed and planned schedule for those actions; and
  - j. Responsible parties (designer, construction contractors, planting contractor) and indication of whether a qualified wetland professional or other responsible party was on-site during construction.
13. The as-built report shall be sent to Ecology's Federal Project Coordinator within 180 days of construction and planting completion of the wetland mitigation site. If plants are installed more than 180 days after construction of the mitigation sites, or planting is to be sequenced

over time, two reports shall be submitted: the first a brief report on the construction phase summarizing any changes from the mitigation plan and submitted within 180 days of completion of grading, and the second a final as-built report to be prepared after the planting is completed.

### **Mitigation Monitoring & Maintenance**

14. All plantings at the mitigation sites shall be watered and otherwise maintained to meet the performance standards in the mitigation plans.
15. When needed to meet the performance standards, dead or dying plants shall be replaced during the first available planting season with the same species or a native plant alternative appropriate for the location. The species, numbers, and approximate locations of all replanted material shall be noted in the subsequent monitoring report.
16. The Applicant shall comply with the most current applicable NPDES permit for Aquatic Noxious Weed Control if herbicides are selected to control invasive species at the mitigation sites. Methods used in areas within 20 feet of creeks shall be limited to localized application such as backpack sprayer or hand wicking. Application of herbicides shall occur only in dry weather.
17. Monitoring of the wetland mitigation site shall occur for a minimum of 10 years, with monitoring performed in years 1, 3, 5, 7 and 10. If a performance standard for monitoring years 1 through 7 is not met, the Applicant shall present to Ecology the probable reasons for non-attainment and shall submit for approval a proposed plan of action. Ecology will determine whether remedial actions should be taken, additional wetland mitigation is needed, or the performance standard should be adjusted.
18. Monitoring reports for the wetland mitigation site shall be submitted to Ecology's Federal Project Coordinator following monitoring events in years 1, 3, 5, 7 and 10.
19. If, at monitoring Year 10, all performance standards have not been met, then Ecology may require additional monitoring and/or additional wetland mitigation area.

### **F. Timing Requirements**

1. This Order is valid until all compliance requirements in this document have been met.

### **G. Emergency/Contingency Measures**

1. The Applicant shall develop a spill prevention and containment plan for this project and shall have spill cleanup material available on site at all times during construction.
2. Any work out of compliance with the provisions of this Order, or producing conditions causing distressed or dying fish, or causing any discharge of oil, fuel, or chemicals into state waters, or onto land with a potential for entry into state waters is prohibited. If such work occurs, the Applicant shall comply with WSDOT's Instructional Letter 4055.00 Environmental

Compliance Assurance Procedure for Construction projects and Activities (March, 2003) and immediately take the following actions:

- a. Cease operations at the location of the violation;
- b. Assess the cause of the water quality problem and take appropriate measures to correct the problem and/or prevent further environmental damage;
- c. In the event of finding distressed or dying fish, collect fish specimens and water samples in the affected area within the first hour of the event. These samples shall be held in refrigeration or on ice until the Applicant receives further instructions from Ecology. Ecology may require analyses of these samples before allowing the work to resume.
- d. In the event of a discharge of oil, fuel, or chemicals into state waters, or onto land with a potential for entry into state waters, containment and cleanup efforts shall begin immediately and be completed as soon as possible. This work shall take precedence over normal work. Cleanup shall include proper disposal of any spilled material and used cleanup materials.
- e. Immediately notify Ecology's Northwest Regional Spill Response Office at 425-649-7000 of the nature of the problem, any actions taken to correct the problem, and any proposed changes in operations to prevent further problems.

## **H. Appeal Process**

You have the right to appeal this Order to the Pollution Control Hearings Board. Pursuant to chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology within thirty (30) days of the date of your receipt of this document.

**To appeal this Order, your notice of appeal must contain a copy of the Ecology Order you are appealing.**

The Pollution Control Hearings Board  
4224 - 6th Avenue SE, Rowe Six, Bldg. 2  
P.O. Box 40903  
Lacey, Washington 98504-0903

**The appeal must also be served on:**

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

**In addition, please send a copy of your appeal to:**

Federal Permit Appeals Coordinator  
Department of Ecology  
P.O. Box 47600  
Olympia, Washington 98504-7600

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

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 April 24, 2006 at Olympia, Washington.



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