STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
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August 14, 2012

U.S. Army Corps of Engineers
Attn: Gretchen Smith
P.O. Box 2946
Portland, OR 97208-2946

RE: Amendment to 401 Water Quality Certification Order 9765 for U.S. Army Corps of Engineers, Columbia River Operations and Maintenance (O&M) dredging and disposal from river mile (RM) 3 and 145, including some side-channel dredging inWashington

Dear Ms. Smith:

Enclosed is an amendment to Water Quality Certification Order # 9765, issued on for the above project.

The purpose of this amendment is to correct several errors in the Order.

If you have any questions, please contact Loree' Randall at (360) 407-6068. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,

Loree' Randall for

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

By certified mail 7009 0820 0001 9056 0557

e-cc: Loree' Randall – HQ
ecyrefedpermits@ecy.wa.gov

In the Matter of Granting a Water Quality Certification to: Portland District Corps of Engineers In Accordance with 33 U.S.C. 1341 [FWPCA § 401], RCW 90.48.260, RCW 90.48.120 and WAC 173-201A	)))))))	**ORDER No. # 9765, First Amendment** Columbia River Operations and Maintenance (O&M) dredging and disposal from river mile (RM) 3 and 145, including some side-channel dredging.

TO: U.S. Army Corps of Engineers
Attn: Gretchen Smith
P.O. Box 2946
Portland, OR 97208-2946

Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification to Portland District Corps of Engineers for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received a request on March 1, 2013 to correct several errors in the Order.

Administrative Order No. 9765 is hereby amended as follows:

The amendment is as follows:

I. 2. Side-channels

- Baker Bay West Channel dredging to -18 feet and overwidth where needed
- Chinook Channel dredging to -12 feet and overwidth where needed
- Skamokawa Creek dredging to -8.5 feet and overwidth where needed
- Wahkiakum Ferry/Westport Slouh dredging to -12 feet and overwidth where needed
- Old Mouth Cowlitz river dredging to -10 feet and overwidth where needed

Is replaced as follows:

2. Side-channels

- Baker Bay West Channel dredging to -18 feet and overwidth where needed
- Chinook Channel dredging to -12 feet and overwidth where needed
- Skamokawa Creek dredging to -8.5 feet and overwidth where needed
- Wahkiakum Ferry dredging to -11 feet and overwidth where needed
- Old Mouth Cowlitz river dredging to -10 feet and overwidth where needed

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 amended Order may result in the issuance of civil penalties or other actions whether administrative or judicial, to enforce the terms of this amended 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	**Department of Ecology** Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW STE 301 Tumwater, WA 98501	**Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

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

August 14, 2013
Date