



## Public Notice of Request for Clean Water Act Section 401 Water Quality Certification

**Public Notice Date:** February 22, 2024

**Comment Period Ends:** March 14, 2024

The Department of Ecology (Ecology) has received the following request for Clean Water Act (CWA) Section 401 Water Quality Certification (WQC). Pursuant to Section 401 of the CWA, applicants for a federal license or permit for activities which may discharge to waters of the United States must seek WQC from the state with jurisdiction.

Under Section 401 of the CWA, federal agencies cannot issue a license or permit before Ecology makes a decision on a WQC request or waives the right to review. Any conditions that are included in the WQC then become conditions of the federal permit or license. For information regarding Ecology's CWA Section 401 WQC, please visit Ecology's [webpage](#).

Ecology is seeking comments from the public, state and local agencies, tribes, and other interested parties regarding the proposed activity.

Comments on this public notice will be accepted and made part of the record. Please specify project name and Aquatics identification number when submitting comments.

**For additional information or to submit comments, please send email the address below:**

Department of Ecology—SEA Program  
Federal Permit Unit  
Email - [ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)

**1. Aquatics ID:** 142357

**Project Name:** Kingfisher Energy Storage

**Applicant:** Tenaska

**Location:** 24646 164th Avenue Southeast, Covington, King County.

**Description:** This project is a proposed battery energy storage system (BESS) located on approximately 8.56 acres of private land north of the City of Covington in unincorporated King County, Washington. The proposed facility will provide a service to the regional electric grid by receiving energy (charging) from the PSE Berrydale Substation, storing energy on the site, and then later delivering energy (discharging) back to the point of interconnection when needed. Following construction, the proposed use will not emit pollutants, will not require sanitary facilities, and will not require water except for limited maintenance activities. This project will impact Wetlands A-J.

Mitigation credits will be purchased through King County's Mitigation Reserves Program which has confirmed availability.

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**2. Aquatics ID:** 142530

**Project Name:** Grandis Pond

**Applicant:** Harbor Custom Development

**Location:** North of H Street Road, between Harvey Road to the west and Sherwood Drive to the east, Blaine, Whatcom County.

**Description:** Construction of a 1,000-unit subdivision. Project includes building roads and infrastructure to serve the incoming housing development.

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**3. Aquatics ID:** 142742

**Project Name:** Union River Estuary Theler Wetlands Restoration Project

**Applicant:** Hood Canal Salmon Enhancement Group

**Location:** 600 NE Roessel Road, Belfair, Mason County.

**Description:** This project takes place in estuarine wetlands recently transferred to WDFW ownership and will result in the removal of two levees (825 ft. and a 425 ft.) consisting of a total of 7,300 cubic yards of fill material from the southern part of the Union River Estuary on Hood Canal, allowing for the re-connection of 7 acres of estuarine wetland habitat

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