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

Public Notice Date: February 11, 2025, 12:01 am
Comment Period Ends: March 3, 2025, 11:59 pm

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

1. **Aquatics ID:** 143673
   Project Name: Antoine Creek Enhancement
   Applicant: Confederated Tribes of the Colville Reservation
   Location: 245 Fancher Rd, Tonasket, Okanogan County
   Description: The applicant proposes to conduct a reach scale aquatic restoration project. Project goals are to remove Antoine Creek from its confined channel and to restore it to its historic floodplain though the use of introduced large woody debris and channel fill to combat the legacy incision. According to the Wetland Delineation report conducted in spring of 2023 this will result in channel fill impacts to 1.34 acres of Category IV fringe-riverine wetlands that are located in very close proximity to Antoine Creek. Raising the bed elevation will allow Antoine Creek to access its historic floodplain. This restoration action will result in the creation of an estimated 30 acres of

category III riverine wetland. The project includes a culvert replacement with an open-bottom arch culvert at the Whiskey Creek Road crossing.

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2. **Aquatics ID:** 145034
   Project Name: 44th Street Northeast PRD
   Applicant: East Sound Investors LLC
   Location: 4229, 4305, and 4333 83rd Avenue NE, Marysville, Snohomish County
   Description: The Applicant proposes a residential development of 61 townhomes with internal access roads and stormwater infrastructure. Utility and stormwater infrastructure will be installed immediately following installation of temporary erosion and sediment control (TESC) measures. The site will be cleared of existing buildings and associated infrastructure and grading and site preparation will be completed. The City of Marysville is requiring frontage improvements and the extension of 44th Street Northeast along the northern property boundary. This roadway extension will require the fill of Wetland A (7,585 ft2), which will be compensated through the purchase of 0.174-acre credits from the Snohomish Basin Mitigation Bank.

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3. **Aquatics ID:** 145117
   Project Name: STHD 1 – SF Toutle and Tributary Enhancement
   Applicant: Lower Columbia Fish Enhancement Group
   Location: Milepost 15.5 4100 Road, Vancouver, Cowlitz County
   Description: The project is located in the south fork (SF) Toutle headwaters valley. The 1980 eruption of Mount Saint Helens sent a lahar flow down the SF Toutle valley, clearing all riparian forests and burying the valley from valley toe to valley toe in a slurry of boulders, cobble, gravel, and sand. Over the past 44 years, the SF Toutle River has incised into the lahar deposit creating isolated terraces in the floodplain. The active floodplain has bands of young alder/willow. The gravel bars in between channels in the floodplain are largely void of vegetation with sparse Douglas fir, scotch broom, and alder. Currently, the channel migration rate of the SF Toutle is more frequent than the growth rate of the riparian vegetation. As a result, trees are mobilized downstream before they are able to mature. This project aims to reduce channel migration rates which will allow vegetation to mature.

   This project includes 4.1 miles of instream and 215 acres of floodplain habitat restoration in the headwaters valley of the South Fork Toutle River benefitting ESA-listed Chinook, coho, and steelhead. Restoration elements include placement of large wood structures, floodplain fill and grading, and riparian planting. The applicant intends to purchase adjacent DNR timber sales to supply the project with large wood that will be installed by a combination of heavy machinery and helicopter.
