



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
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May 24, 2021

Port of Longview
ATTN: Lisa Hendriksen
10 International Way
Longview, WA 98632

RE: Water Quality Certification Order No. **20073** for Corps Reference No. NWP-2017-3493,
Industrial Rail Corridor Expansion (IRCE) Test Fill Project, Cowlitz County, Washington

Dear Lisa Hendriksen:

On December 14, 2020, the Port of Longview submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Industrial Rail Corridor Expansion (IRCE) Test Fill Project, Cowlitz County, Washington.

On behalf of the state of Washington, the Department of Ecology certifies that the work described in the Joint Aquatic Resource Permit Application (JARPA) and the public notice complies with applicable provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act, as amended, and applicable state laws. This certification is subject to the conditions contained in the enclosed Order.

Please ensure that anyone doing work under this Order has read, is familiar with, and is able to follow all of the provisions within the attached Order.

If you have any questions about this decision, please contact Lori Kingsbury at (360) 407-6926. The enclosed Order may be appealed by following the procedures described within the Order.

Sincerely,

A handwritten signature in blue ink, appearing to read "Perry J Lund", is written over a circular blue stamp or seal.

Perry J Lund, Section Manager
Shorelands and Environmental Assistance Program
Southwest Regional Office

Enclosure

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e-cc: Brad Johnson, Corps of Engineers, Portland District
Matt Kuziinsky, Anchor QEA, LLC
Loree' Randall, Ecology
Lori Kingsbury, Ecology
Miranda Adams, Ecology
ECY RE FEDPERMITS – Aquatics No. 139695

IN THE MATTER OF GRANTING A)	ORDER No. 20073
WATER QUALITY)	Corps Reference No. NWP-2017-3493
CERTIFICATION TO)	Industrial Rail Corridor Expansion Test Fill
Port of Longview)	Project within Wetlands, Longview, Cowlitz
pursuant to 33 U.S.C. 1341 (FWPCA)	County, Washington
§ 401), RCW 90.48.120, RCW 90.48.260)	
and Chapter 173-201A WAC)	

Port of Longview
Attn: Lisa Hendriksen
10 International Way
Longview, WA 98632

On December 14, 2020, the Port of Longview submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Industrial Rail Corridor Expansion Test Fill Project (IRCE), Cowlitz County, Washington. Prior to submitting the WQC request, the Port of Longview submitted a pre-filing meeting request on November 6, 2020. The U.S. Army Corps of Engineers (Corps) issued a joint public notice for the project on January 12, 2021.

This project proposes to place approximately 12,180 cubic yards of fill within 0.57 acres of Category IV wetlands for geotechnical test fill. The test fill would be used as part of geotechnical investigations that would inform the design of the future Industrial Rail Corridor Expansion (IRCE).

The footprint of the test fill would be approximately 158 feet by 124 feet. A 25-footwide access ramp and a short section of access road would be constructed on the east side of the test fill to facilitate placement of fill material. Initial fill placement would include nine steel settlement base plates with Polyvinyl Chloride risers placed on geotextile fabric. Clean fill would be placed on top of the plates consisting of stabilization rock and sand. The sand fill would be placed in a series of 8- inch to 24-inch thick lifts with each lift compacted to a minimum density of 100 pounds per cubic foot.

The test fill would be in place for three years. Upon removal the applicant would reuse the material at an off-site upland location or place the material in an approved upland disposal site. The area would be restored to pre-construction contours and planted with a native vegetation.

Compensatory mitigation for temporary impacts to 0.57 acres of Category IV wetlands will be provided through the preservation of 5.7 acres at the Willow Grove Advance Mitigation Site on the Columbia River, approximately 7 miles downstream of the Project site.

The project site is located on parcel number 615200500 near 467 Fibre Way, Longview, Cowlitz County, Washington; Section 10-11, Township 7 North, Range 2 West; WRIA 25, Grays-Elochoman Watershed.

With this Order, Ecology is granting the Port of Longview's request for a Section 401 Water Quality Certification for the Industrial Rail Corridor Expansion Test Fill Project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments Ecology determined valid on March 22, 2021.

Based on the information submitted, Ecology has determined that the discharge from the project will comply with state water quality requirements. Prior to undertaking any changes that materially alter the project, the Port of Longview must contact Ecology to determine whether a new Section 401 Water Quality Certification is required.

Issuance of this Section 401 Water Quality Certification for this proposal does not authorize the Port of Longview to exceed applicable state water quality standards (Chapter 173-201A WAC), ground water quality standards (Chapter 173-200 WAC) or sediment quality standards (Chapter 173-204 WAC). Furthermore, nothing in this Section 401 Water Quality Certification absolves the Applicant from liability for contamination and any subsequent cleanup of surface waters, ground waters, or sediments resulting from project construction or operations.

Special Condition:

- Any work that causes distressed or dying fish or discharges of oil, fuel, or other chemicals into state waters or onto land with a potential for entry into state waters is prohibited¹. If such work, conditions, or discharges occur, immediately notify² Ecology's Regional Spill Response Office at 360-407-6300 and the Washington State Department of Fish & Wildlife with the nature and details of the problem, any actions taken to correct the problem, and any proposed changes in operation to prevent further problems. You will also need to notify the Washington Emergency Management Division³ at 1-800-258-5990, for actual spills to water only. This condition is necessary to prevent oil and hazardous materials spills from causing environmental damage and to ensure compliance with water quality requirements. The sooner a spill is reported, the quicker it can be addressed, resulting in less harm.

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, this WQC is granted to the Port of Longview, Industrial Rail Corridor Expansion Test Fill project.

This Certification is not effective until the U.S. Army Corps of Engineers (Corps) issues an individual Department of the Army (DA) permit for this project. Order No. **20073** will remain valid for the duration of the associated DA permit. The Port of Longview should send a copy of the final DA permit to fednotification@ecy.wa.gov within two weeks of receiving it.

¹ RCW 90.48

² WAC 173-303-145

³ RCW 90.56.280

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 both 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 Road SW, Suite 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

CONTACT INFORMATION

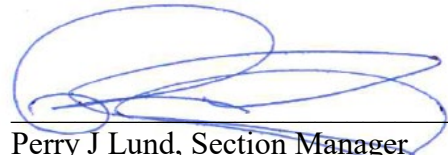
Please direct all questions about this Order to:

Lori Kingsbury
Department of Ecology
Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775
lori.kingsbury@ecy.wa.gov

MORE INFORMATION

- **Pollution Control Hearings Board Website**
<http://www.eluho.wa.gov/Board/PCHB>
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**
<http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**
<http://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**
<http://app.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Chapter 90.48 RCW – Water Pollution Control**
<http://app.leg.wa.gov/RCW/default.aspx?cite=90.48>
- **Chapter 173.204 WAC – Sediment Management Standards**
<http://apps.leg.wa.gov/WAC/default.aspx?cite=173-204>
- **Chapter 173-200 WAC – Water Quality Standards for Ground Waters of the State of Washington**
<http://apps.leg.wa.gov/WAC/default.aspx?cite=173-200>
- **Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington**
<http://apps.leg.wa.gov/WAC/default.aspx?cite=173-201A>

SIGNATURE



Perry J Lund, Section Manager
Shorelands and Environmental Assistance Program
Southwest Regional Office
Department of Ecology

May 24, 2021

Date