



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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November 23, 2021

Clark Regional Wastewater District  
ATTN: Phil Roppo  
8000 NE 52 Court  
Vancouver, WA 98665

RE: Water Quality Certification Order No. **20794** for Corps Reference No. **NWS-2021-701**,  
Clark Regional Wastewater District (CRWWD) South Trunk Sewer Replacement,  
Wetlands, Clark County, Washington

Dear Phil Roppo:

On July 15, 2021, Clark Regional Wastewater District submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the CRWWD South Trunk Sewer Replacement, Clark County, Washington.

On behalf of the state of Washington, the Department of Ecology certifies that the work described in the Water Quality Certification Request and supplemental documents 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 by e-mail at [lori.kingsbury@ecy.wa.gov](mailto:lori.kingsbury@ecy.wa.gov). 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".

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

Enclosure

CRWWD South Trunk Sewer Replacement  
Order No. 20794, Aquatics No. 140711  
Corps No. NWS-2021-701  
November 23, 2021  
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e-cc: James Carsner, Corps of Engineers  
Coli Huffman, Ecological Land Services Inc.  
Bryan Kast, City of Ridgefield  
Loree' Randall, Ecology/HQ  
Lori Kingsbury, Ecology/SWRO  
Miranda Adams, Ecology/SWRO  
ECY RE FEDPERMITS

**IN THE MATTER OF GRANTING A ) ORDER No. 20794**  
**WATER QUALITY ) Corps Reference No. NWS-2021-701**  
**CERTIFICATION TO ) CRWWD South Trunk Sewer Replacement,**  
Clark Regional Wastewater District ) Ridgefield, Clark County, Washington  
pursuant to 33 U.S.C. 1341 (FWPCA )  
§ 401), RCW 90.48.120, RCW 90.48.260 )  
and Chapter 173-201A WAC )

Clark Regional Wastewater District  
Attn: Phil Roppo  
8000 NE 52 Court  
Vancouver, WA 98665

On July 15, 2021, Clark Regional Wastewater District submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the CRWWD South Trunk Sewer Replacement, Clark County, Washington. The following required processing dates are referenced below:

- On June 14, 2021, the Clark Regional Wastewater District submitted a pre-filing meeting request.
- On July 19, 2021, the U.S. Army Corps of Engineers (Corps) sent an email notification to Ecology that they are reviewing the project for authorization under Nationwide Permit # 58 and requires an individual Section 401.
- On August 13, 2021, Clark Regional Wastewater District submitted additional information, and the Department of Ecology (Ecology) considered the Request valid on this date.
- On August 25, 2021, Ecology issued a public notice for the project.

This project proposes to abandon approximately one half mile of existing 8-inch to 10-inch diameter gravity sewer line and replace it with a new 18-inch diameter gravity sewer line to provide increased sewer capacity. Sewer line replacement will occur either in its existing alignment or directly north of the existing alignment.

The project will temporarily impact 0.25 acres of Category II, III, and IV wetlands and 1.89 acres of wetland and riparian buffers. Following construction, all disturbed areas will be restored and replanted. No work is proposed below the Ordinary High Water Mark of the on-site stream.

The project site is located at 225 South 56th Place, Ridgefield, Clark County, Washington, Southwest Quarter, Section 21, Township 4N, Range 1E, within WRIA 12 – Lewis Watershed.

With this Order, Ecology is granting Clark Regional Wastewater District’s request for a Section 401 Water Quality Certification for the CRWWD South Trunk Sewer Replacement project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments Ecology received on August 13, 2021, and the following supporting documentation:

- Best Management Practices (BMPs) sent to Ecology via e-mail on August 13, 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, Clark Regional Wastewater District 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 Clark Regional Wastewater District 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.

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 Clark Regional Wastewater District for the CRWWD South Trunk Sewer Replacement project.

This Certification is not effective until the U.S. Corps of Engineers (Corps) Seattle District issues a Department of the Army (DA) permit for this project. Order No. **20794** will remain valid for the duration of the associated DA permit. Clark Regional Wastewater District should send a copy of the final DA permit to [fednotification@ecy.wa.gov](mailto:fednotification@ecy.wa.gov) within two weeks of receiving it.

## **YOUR RIGHT TO APPEAL**

You have a right to appeal this Order to the Pollution Control Hearings 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.

### **Filing an appeal with the PCHB:**

**Mailing Address:**

Pollution Control Hearings Board  
PO Box 40903  
Olympia, WA 98504-0903

**Street Address:**

Pollution Control Hearings Board  
1111 Israel RD SW, Suite 301  
Tumwater, WA 98501

### **Serving a copy of the appeal on Ecology:**

**Mailing Address:**

Department of Ecology  
Attn: Appeals Processing Desk  
PO Box 47608  
Olympia, WA 98504-7608

**Street Address:**

Department of Ecology  
Attn: Appeals Processing Desk  
300 Desmond Drive SE  
Lacey, WA 98503

### **CONTACT INFORMATION**

Please direct all questions about this Order to:

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

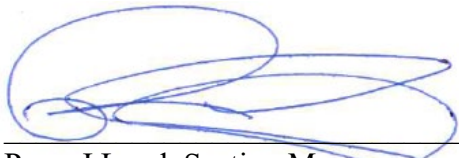
### **MORE INFORMATION**

- **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>

*Order No. 20794  
Corps No. NWS-2021-701  
Aquatics No. 140711  
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- **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**



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

November 23, 2021