



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • PO Box 330316 • Shoreline, Washington 98133-9716 • (206) 594-0000  
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December 28, 2021

Snohomish County PUD No. 1  
Attn: Matt Reynolds  
PO Box 1107  
Everett, WA 98206

**RE: Water Quality Certification Order No. 20904 for Corps Reference No. NWS-2020-1117, Woods Creek Pole Maintenance, Snohomish County, Washington**

Dear Matt Reynolds:

On November 5, 2021, Snohomish County PUD No. 1 submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Woods Creek Pole Maintenance, Snohomish 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 Doug Gresham at (425) 429-1846 or e-mail [doug.gresham@ecy.wa.gov](mailto:doug.gresham@ecy.wa.gov). The enclosed Order may be appealed by following the procedures described within the Order.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Burcar", is written over a horizontal line.

Joe Burcar, Section Manager  
Shorelands and Environmental Assistance Program  
Northwest Regional Office

December 28, 2021

Date

Enclosure

Sent via email to: [MGMCREynolds@snopud.com](mailto:MGMCREynolds@snopud.com)

ecc: Kelly Werdick, Corps of Engineers  
John Laufenberg, Wetland Resources  
Loree' Randall, Ecology  
Grant Yang, Ecology  
Rebekah Padgett, Ecology  
ECY RE FEDPERMITS

**IN THE MATTER OF GRANTING A ) ORDER No. 20904**  
**WATER QUALITY ) Corps Reference No. NWS-2020-1117**  
**CERTIFICATION TO ) Woods Creek Pole Maintenance located within**  
Snohomish County PUD No. 1 ) Snohomish County, Washington  
pursuant to 33 U.S.C. 1341 (FWPCA )  
§ 401), RCW 90.48.120, RCW 90.48.260 )  
and Chapter 173-201A WAC )

Snohomish County PUD No. 1  
ATTN: Matt Reynolds  
PO Box 1107  
Everett, WA 98206

On November 5, 2021, Snohomish County PUD No. 1 submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Woods Creek Pole Maintenance, Snohomish County, Washington. The following processing dates are referenced below:

- On October 18, 2021, the U.S. Army Corps of Engineers (Corps) notified Ecology that they are reviewing the project for authorization under Nationwide Permit 57, which requires an individual Section 401.
- On November 30, 2021, Ecology issued a public notice for the project.

This project proposes to perform maintenance on an existing electrical distribution and transmission line in two distinct locations along Bollenbaugh Hill Road and Old Pipeline Road. This maintenance includes replacement of five substandard wood poles within two wetlands. New poles will be installed adjacent to existing poles and the existing poles will be removed. Wetland impacts include 8.85 ft<sup>2</sup> of replaced impervious surface and 100 ft<sup>2</sup> of temporary impacts from vegetation clearing.

The project site is located along Bollenbaugh Hill Road and Old Pipeline Road, near Woods Creek, Snohomish County, Washington, Section 28, Township 28 N., Range 7 E., within Water Resource Inventory Area (WRIA) 7 Snohomish River.

With this Order, Ecology is granting Snohomish County PUD No. 1's request for a Section 401 Water Quality Certification for the Woods Creek Pole Maintenance project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments that Ecology received on November 5, 2021, and the following supporting documentation:

1. *Delineation Report for PUD No. 1 of Snohomish County-Woods Creek Circuit Tie Pole Maintenance*, prepared by Wetland Resources, dated November 16, 2020.
2. *Mitigation Plan for PUD No. 1 of Snohomish County-Woods Creek Circuit Tie Pole Maintenance*, prepared by Wetland Resources, dated November 16, 2020.

3. *Stormwater Pollution Prevention Plan (SWPPP)- PUD No. 1 of Snohomish County-Woods Creek Circuit Tie*, prepared by Wetland Resources, dated January 19, 2020.

Based on the information submitted, Ecology has determined that the discharge(s) from the project will comply with state water quality requirements. Prior to undertaking any changes that materially alter the project, Snohomish County PUD No. 1 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 Snohomish County PUD No. 1 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 Snohomish County PUD No. 1's for the Woods Creek Pole Maintenance 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. 20904 will remain valid for the duration of the associated DA permit. Snohomish County PUD No. 1 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  
STE 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 WQC Order to:

Doug Gresham  
Department of Ecology  
Northwest Regional Office  
(425) 429-1846  
[doug.gresham@ecy.wa.gov](mailto:doug.gresham@ecy.wa.gov)

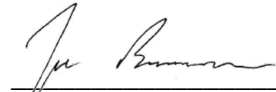
#### **MORE INFORMATION**

- **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**

Dated this 28th day of December, 2021, at the Department of Ecology, Shoreline, Washington



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Joe Burcar, Section Manager  
Shorelands and Environmental Assistance Program  
Northwest Regional Office