



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Eastern Region Office

4601 North Monroe St., Spokane, WA 99205-1295 • 509-329-3400

May 22, 2023

City of College Place  
ATTN: Robert McAndrews  
625 South College Avenue  
College Place, WA 99324

Re: Water Quality Certification Order No. **21662** (Corps No. **202200884**), Lions Park Improvements project, Walla Walla County, Washington

Dear Robert McAndrews:

On March 10, 2023, the City of College Place submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Lions Park Improvements project, Walla Walla 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 enclosed Water Quality Certification Order (WQC Order).**

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

If you have any questions about this decision, please contact Hallie Ladd at (509) 309-5547. The enclosed WQC Order may be appealed by following the procedures described within.

Sincerely,

Jeremy Sikes, Section Manager  
Eastern Regional Office  
Shorelands and Environmental Assistance Program

Enclosure (1)

By certified mail: 9489 0090 0027 6094 0258 02

WQC Order No. 21662, Corps No. 202200884

Aquatics ID No. 142328

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Sent via e-mail: rmcandrews@cpwa.us

e-cc: David Moore, U.S. Army Corps of Engineers  
Jay Peninger, Anderson Perry  
Loree' Randall, Ecology  
Hallie Ladd, Ecology  
ECYREFEDPERMITS@ecy.wa.gov

In The Matter of Granting a Water Quality  
Certification to City of College Place  
pursuant to 33 U.S.C. 1341 (FWPCA § 401), RCW 90.48.120, RCW  
90.48.260 and Chapter 173-201A WAC

City of College Place  
Attn: Robert McAndrews  
625 South College Avenue  
College Place, WA 99324

<b>WQC Order No.</b>	21662
<b>Corps Reference No.</b>	202200884
<b>Site Location</b>	Lions Park Improvements project located within Garrison Creek, College Place, Walla Walla County, Washington.

The City of College Place submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Lions Park Improvements project, Walla Walla County, Washington. The following required processing dates are listed below:

- On January 18, 2023, 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 No. 27 and 42 and requires an individual Section 401.
- On January 25, 2023, the City of College Place submitted a pre-filing meeting request.
- On March 10, 2023, Ecology received a request for Clean Water Section 401 Water Quality Certification.
- On March 15, 2023, the City of College Place submitted additional information, and the Department of Ecology (Ecology) considered the Request valid on this date.
- On March 16, 2023, Ecology issued a public notice for the project.

This project proposes to construct water quality stormwater improvements by separating and restoring Garrison Creek flow from a recreational fishing pond, removing and replacing two pedestrian bridges to better accommodate creek flows, removing two stormwater outfalls and a low-head dam at the pond, and excavating the existing recreational fishing pond following restoration and separation of the creek flow. To accomplish these improvements, up to 135 cubic yards of dredge material will be removed over 2,305 square feet to remove the low-head dam and restore Garrison Creek using a bioengineered approach. In addition, up to 1,530 cubic yards of material will be dredged over 0.3 acres of the recreational fishing pond for the bridge removal and for enhanced fishing access following separation from Garrison Creek.

The project site is located at Lions Park within College Place, Garrison Creek, Walla Walla County, Washington, Section 36, Township 7 N., Range 36 E., within Water Resource Inventory Area (WRIA) 32 Walla Walla.

With this WQC Order, Ecology is granting the City of College Place's request for a Section 401 Water Quality Certification for the Lions Park Improvements project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments Ecology received on March 10, 2023, and the following supporting documentation:

1. E-mail to Ecology dated March 15, 2023, regarding the project's documentation showing that the project's Pre-Filing Meeting Request was submitted at 30 days prior to submitting the project's section 401 Request.
2. E-mail to Ecology dated April 25, 2023, regarding the projects approved Final Water Quality and Protection Plan (WQMPP) dated April 13, 2023.

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 City of College Place 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 City of College Place 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 City of College Place for the Lions Park Improvements 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. WQC Order No. **21662** will remain valid for the duration of the associated DA permit. The City of College Place 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. 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 notice of appeal and a copy of this Order with the PCHB (see filing options below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this Order on the Department of 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.

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

For the most current information regarding filing with the PCHB, visit:

<https://eluhho.wa.gov/content/11>

### **Address and Location Information**

#### **Street Addresses:**

##### **Department of Ecology**

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

##### **Pollution Control Hearings Board**

1111 Israel RD SW  
STE 301  
Tumwater, WA 98501

#### **Mailing Addresses:**

##### **Department of Ecology**

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

##### **Pollution Control Hearings Board**

PO Box 40903  
Olympia, WA 98504-0903

#### **E-Mail Address:**

##### **Department of Ecology**

Not currently available (see Chapter 371-08 WAC)

**Pollution Control Hearings Board**  
[Pchb-shbappeals@elaho.wa.gov](mailto:Pchb-shbappeals@elaho.wa.gov)

## Americans with Disabilities Act Information

### Accommodation Requests

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-7668 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

## Contact Information

Please direct all questions about this WQC Order to:

Hallie Ladd  
Department of Ecology  
(509) 309-5547  
[hallie.ladd@ecy.wa.gov](mailto:hallie.ladd@ecy.wa.gov)

## More Information

- **Pollution Control Hearings Board Website**  
<http://www.elaho.wa.gov/content/11>
- **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 22nd day of May 2023, at the Department of Ecology, Spokane Washington.



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Jeremy Sikes, Section Manager  
Eastern Regional Office  
Shorelands and Environmental Assistance Program