

On 9/7/2023, minor edits were made
to the WQC below, see in Red.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

August 23, 2023

Alameddin Homes LLC
Attn: Saad Alameddin
3215 178th PI SE
Bothell, WA 98012

Re: Water Quality Certification Order No. **21767** (Corps No. **NWS-2022-0830**), Alameddin Residential Development, King County, Washington

Dear Saad Alameddin:

On May 15, 2023, Alameddin Homes LLC submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Alameddin Residential Development, King 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 Leah Beckett at (425) 324-5590. The enclosed WQC Order may be appealed by following the procedures described within.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Burcar".

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

Corps No. NWS-2022-0830, Aquatics ID No. 142472
Alameddin Residential Development
August 23, 2023
Page 2 of 2

Enclosure (1)

By certified mail: 9489 0090 0027 6383 6852 36

Sent via e-mail: salameddin59@gmail.com

E-cc: Trevor Williams, U.S. Army Corps of Engineers
John Altmann, Altmann Oliver Associates
Rowan Kelsall, Ecology
Leah Beckett, Ecology
ECYREFEDPERMITS@ecy.wa.gov

On 9/7/2023, minor edits were
made through out this WQC
below, see in Red.

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

Alameddin Homes LLC
Attn: Saad Alameddin
3215 178th PI SE
Bothell, WA 98012

WQC Order No.	21767
Corps Reference No.	NWS-2022-0830
Site Location	Alameddin Residential Development, Bothell, King County, Washington.

Alameddin Homes LLC submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Alameddin Residential Development, King County, Washington. The following required processing dates are referenced below:

- On April 13, 2023, the Alameddin Homes LLC submitted a pre-filing meeting request.
- On May 15, 2023, Alameddin Homes LLC submitted additional information, and the Department of Ecology (Ecology) considered the Request valid on this date.
- On March 13, 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. NWP #29 and requires an individual Section 401.
- On May 22, 2023 Ecology issued a public notice for the project.

This project proposes to fill Wetland A, a 484 square foot depressional category III wetland, with clean fill. The applicant proposes to ~~pursue an in-lieu fee approach with the purchase of~~ mitigation bank credits from the Keller Farm Mitigation Bank to offset impacts to Wetland A.

The project site is located at 19920 Bothell Way NE, King County, Washington, Section 6, Township 26 N., Range 5 E., within Water Resource Inventory Area (WRIA) 8 CedarSammamish.

With this WQC Order, Ecology is granting with conditions Alameddin Homes LLC's request for a Section 401 Water Quality Certification for the Alameddin Residential Development project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments Ecology received on 5/15/2023, ~~and the following supporting documentation:~~

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, Alameddin Homes LLC 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 Alameddin Homes LLC 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.

Wetland Mitigation Conditions

1. The Project Proponent shall mitigate wetland impacts as described in “Alameddin Residential Development Bothell, WA Mitigation Fee In Lieu Plan” (hereafter called the “Mitigation Plan”), or as required by this WQC Order.
 - Justification - Alteration of water quality necessitates the use of mitigation as a method of controlling pollution. When adequate mitigation is provided, the impacts are not considered significant enough to water quality, at least in the long-term. The water quality standards, along with mitigation, protect wetlands as well as permitting some level of degradation where unavoidable or necessary.
 - Citation - 33 CFR 332, 40 CFR 131.12, 40 CFR 230, subpart J, Chapter 90.48 RCW, Chapter 90.54 RCW, Chapter 90.74 RCW, Chapter 173-201A WAC, WAC 173-201A-260 (3)(i-ii), WAC 173-201A-300, and WAC 173-225-010.
2. ~~The Project Proponent shall obtain a Statement of Sale from the Sponsor as documentation of purchase of 0.68 credits for this impact project. The Project Proponent shall submit a copy of the Statement of Sale to Ecology (see A.2) within 60 days of receipt or before impacting wetlands, whichever is sooner for the debit project. Documentation from the Sponsor shall include the Ecology Order number, Order issuance date, description of mitigation credits purchased, signatures from the Sponsor and the Project Proponent.~~
 - ~~Justification - This condition is necessary to ensure the compensatory mitigation was actually provided by the in lieu fee program.~~
 - ~~Citation - 33 CFR 332, 40 CFR 131.12, 40 CFR 230, subpart J, RCW 47.85.040, Chapter 90.48 RCW, Chapter 90.54 RCW, Chapter 90.74 RCW, Chapter 173-201A WAC, WAC 173-201A-260 (3)(i-ii), and WAC 173-201A-300.~~

2.3. Unless otherwise authorized ~~by this Order~~, the Project Proponent shall **submit to Ecology documentations from the bank sponsor verifying the purchase of 0.0111 wetlands mitigation bank credits from the Keller Farm Mitigation Bank, complete the purchase of credits** before impacting wetlands. Otherwise, Ecology may require the Project Proponent to provide additional compensation to account for additional temporal loss of wetland functions.

- Justification - Mitigation that is not emplaced concurrent with impacts will result in degradation of existing beneficial uses of the wetlands affected by the proposed action through temporal loss of functions.
- Citation - 33 CFR 332, 40 CFR 131.12, 40 CFR 230, subpart J, RCW 47.85.040, Chapter 90.48 RCW, Chapter 90.54 RCW, Chapter 90.74 RCW, Chapter 173-201A WAC, WAC 173-201A-260 (3)(i-ii), WAC 173-201A-300, and WAC 173-225-010 WAC.

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 with conditions to the Alameddin Homes LLC for the Alameddin Residential Development 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. **21767** will remain valid for the duration of the associated DA permit. Alameddin Homes LLC should send a copy of the final DA permit to 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:

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://elaho.wa.gov/> or call: 360-664-9160.

Service on Ecology

Street Addresses:

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

Mailing Addresses:

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

E-Mail Address:

ecologyappeals@ecy.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:

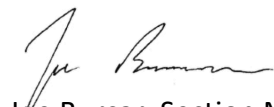
Leah Beckett
Department of Ecology
(425) 324-5590
Leah.Beckett@ecy.wa.gov

More Information

- **Pollution Control Hearings Board Website**
<http://www.eluho.wa.gov/>
- **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 23rd day of August 2023 at the Department of Ecology, Lacey, Washington.



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