



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

September 20, 2023

City of Snoqualmie
ATTN: Dylan Gamble
PO Box 987
Snoqualmie, WA 98065

Re: Water Quality Certification Order No. **22305** (Corps No. **NWS-2020-0112**), Sandy Cove Park Temporary Bank Protection (Phase 1), King County, Washington

Dear Dylan Gamble:

On June 5, 2023, the City of Snoqualmie submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Sandy Cove Park Temporary Bank Protection (Phase 1) Project, 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 Casey Vaughn at (564) 669-4201. The enclosed WQC Order may be appealed by following the procedures described within.

Sincerely,

Loree' Randall, Section Manager
Aquatic Permitting & Protection Section
Shorelands and Environmental Assistance Program

WQC Order No. 22305, Corps No. NWS-2020-0112
Aquatics ID No. 142730
September 20, 2023
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Enclosure (1)

By certified mail: 9489 0090 0027 6383 6853 66

Sent via e-mail: DGamble@snoqualmiewa.gov

E-cc: LeeAnn Simmons, U.S. Army Corps of Engineers
Matthew Baerwalde, Snoqualmie Indian Tribe
Jeff Hamlin, City of Snoqualmie
Cameron Fisher, 48 North Solutions, Inc.
Casey Vaughn, Ecology
ECYREFEDPERMITS@ecy.wa.gov

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

City of Snoqualmie
Attn: Dylan Gamble
PO Box 987
Snoqualmie, WA 98065

WQC Order No.	22305
Corps Reference No.	NWS-2020-0112
Site Location	Sandy Cove Park Temporary Bank Protection (Phase 1) located within the Snoqualmie River, Snoqualmie, King County, Washington.

City of Snoqualmie submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Sandy Cove Park Temporary Bank Protection (Phase 1), King County, Washington. The following required processing dates are listed below:

- On 7/16/2021, the City of Snoqualmie submitted a pre-filing meeting request.
- On 6/5/2023, Ecology received a request for Clean Water Section 401 Water Quality Certification.
- On 6/5/2023, the City of Snoqualmie submitted additional information, and the Department of Ecology (Ecology) considered the Request valid on this date.
- On 8/17/2023 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. 13 and requires an individual Section 401.
- On 8/25/2023, Ecology issued a public notice for the project.

This project proposes to stabilize the eroding bank of Sandy Cove Park in Two Phases. Phase 1 will consist of using bank stabilization fill methods that include placing a layer of washed gravel, coir roll, sandbag ballast, and washed gravel filled supersacks along a section of bank approximately 400 feet in length. Phase 2 will be permitted at a later date.

The project site is located at 7970 Falls Avenue SE, Snoqualmie River, King County, Washington, Section 30, 31, and 32, Township 24 N., Range 8 E., within Water Resource Inventory Area (WRIA) 7, Snohomish.

With this WQC Order, Ecology is granting with conditions the City of Snoqualmie's request for a Section 401 Water Quality Certification for the Sandy Cove Park Temporary Bank Protection (Phase 1) project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments Ecology received on 6/5/2023, and the following supporting documentation:

- 9/13/2023 Updated water quality monitoring and protection plan.

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 Snoqualmie 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 Snoqualmie 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:

1. The City of Snoqualmie must coordinate with Ecology, the Snoqualmie Indian Tribe, and other resource agencies on the design and construction of Sandy Cove Park Bank Protection Phase 2.

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 City of Snoqualmie for the Sandy Cove Park Temporary Bank Protection (Phase 1) 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. **22305** will remain valid for the duration of the associated DA permit. The City of Snoqualmie should send a copy of the final DA permit to fednotification@ecy.wa.gov within two weeks of receiving it. To transfer this Order to a new owner or operator, complete a Request for Transfer of Order form following the instructions at the top of the form. Link to form:

<https://apps.ecology.wa.gov/publications/SummaryPages/ECY070695.html>.

Your right to appeal

You have a right to appeal this decision 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 decision

- File your notice of appeal and a copy of this decision with the PCHB (see filing information 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 decision on the Department of Ecology mail, in person, or by email (see addresses below).

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:

Casey Vaughn
Department of Ecology
(564) 669-4201
Casey.Vaughn@ecy.wa.gov

More Information

- **Pollution Control Hearings Board Website**
<https://elaho.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>

WQC Order No. 22305, Corps No. NWS-2020-0112

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- **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 20th day of September, 2023, at the Department of Ecology, Lacey, Washington.

A handwritten signature in black ink that reads "Loree' Randall". The signature is written in a cursive, flowing style.

Loree' Randall, Section Manager

Aquatic Permitting & Protection Section

Shorelands and Environmental Assistance Program