



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 24, 2024

Long Island Oyster Company
Attn: James L. Kemmer
PO Box 1054
Long Beach, WA 98631

Re: Termination of Section 401 Water Quality Certification Order No. 20962

Dear James L. Kemmer:

For the reasons stated below, the Department of Ecology (Ecology) hereby terminates Section 401 Water Quality Certification Order No. 20962, pursuant to RCW 90.48.120.

Project Background

Section 401 Water Quality Certification (WQC) Order No. 20962 for Long Island Oyster Co. - OB C166 in Pacific County, was issued on January 14, 2022 for aquaculture activities.

Ecology is terminating the WQC Order because the project is certified under another WQC Order.

Your right to appeal

You have a right to appeal this action 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 letter:

- File your notice of appeal and a copy of this letter 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.

Termination of Section 401 Water Quality Certification No. 20962

Aquatics No. 140843, Corps No. NWS-2007-1461

April 24, 2024

Page 2 of 3

- Serve a copy of your notice of appeal and this letter 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

If you have questions, please contact Brook Swensen at 564-999-1749 or brook.swensen@ecy.wa.gov.

Sincerely,



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

By Certified Mail: 9489 0090 0027 6347 8918 71



Termination of Section 401 Water Quality Certification No. 20962

Aquatics No. 140843, Corps No. NWS-2007-1461

April 24, 2024

Page 3 of 3

Sent via e-mail: jaoskemmer@gmail.com

E-cc: Brody Garner, Corps
Kelsey Blubaugh, Corps
Danette Guy, Corps
Matt Bennett, Corps
Laura Hendricks, Coalition To Protect Puget Sound Habitat
Amy van Saun, Center for Food Safety
Marlene Meaders, Confluence Environmental Company
Brook Swensen, Ecology
Ecyrefedpermits@ecy.wa.gov

