



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

May 22, 2024

Weyerhaeuser NR Corporation
ATTN: Brian Hamilton
PO Box 638
Longview, WA 98632

Re: Water Quality Certification Order No. **22501** (Corps No. **NWS-2023-0668**),
Weyerhaeuser Longview Log Export Dock Replacement, Cowlitz County, Washington

Dear Brian Hamilton:

On 10/19/2023, Weyerhaeuser NR Corporation submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Weyerhaeuser Longview Log Export Dock Replacement, Cowlitz 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 Taylor Belisle at (360) 742-8814. 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. 22501, Corps No. NWS-2023-0668

Aquatics ID No. 142921

May 22, 2024

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Enclosure (1)

By certified mail: 9489 0090 0027 6381 5323 72

Sent via e-mail: brian.hamilton@weyerhaeuser.com

E-cc: Brad Johnson, U.S. Army Corps of Engineers

Becky Holloway, HDR Engineering Inc.

Taylor Belisle, Ecology

ECYREFEDPERMITS@ecy.wa.gov

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

Weyerhaeuser NR Corporation
Attn: Brian Hamilton
PO Box 638
Longview, WA 98632

WQC Order No.	22501
Corps Reference No.	NWS-2023-0668
Site Location	Weyerhaeuser Longview Log Export Dock Replacement located within Columbia River, Longview, Cowlitz County, Washington.

Weyerhaeuser NR Corporation submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Weyerhaeuser Longview Log Export Dock Replacement, Cowlitz County, Washington. The following required processing dates are listed below:

- On 8/3/2023, the Weyerhaeuser NR Corporation submitted a pre-filing meeting request.
- On 9/20/2023 the U.S. Army Corps of Engineers (Corps) sent an email notification to Ecology that they are reviewing the project for authorization under the Nationwide Permit Program.
- On 10/19/2023, Ecology received a request for Clean Water Section 401 Water Quality Certification.
- On 10/25/2023, Ecology issued a public notice for the project.
- Ecology's "Reasonable Period of Time" for this project has been established as 6/3/2024.

This project includes removal of existing piles and overwater structures, temporary relocation of on-site facilities, pile installation, restoration of existing slope armoring, and completion of over-water deck work and fender system installation. This project proposes to discharge up to 2,667 cubic yards of riprap within approximately 0.8209 acre within the Columbia River and replace approximately 2.679 acres of over-water structures within the Columbia River to replace the existing Weyerhaeuser Longview log export dock. The new, cumulative structure is intended to be a concrete deck supported on steel piles, matching the footprint of the existing dock. To simplify construction and allow the dock to remain operational during construction, dock replacement would be divided into two phases: Phase 1 consists of demolition and

replacement of Berth A and approximately 10 feet of Berth B; Phase 2 consists of demolition and replacement of Berth B, minus the 10 feet that were previously replaced during Phase 1. Phase 1 would include the removal of 990 16-inch creosote timber piles, 46 steel piles, and 20 fender piles. Phase 2 would include the removal of 921 16-inch creosote timber piles, 52 steel piles, and 20 fender piles. Phase 1 would include installing 325 30-inch steel pipe piles. Phase 2 would include installing 299 30-inch steel pipe piles. Across both construction phases, a total of up to 26 24-inch temporary steel pipe pile may be installed for temporary construction use or to address unforeseen conditions. After pile removal and installation is completed during each phase, the slope under the dock would be graded to restore the original design slope and replace riprap and filter rock blanket materials. All materials will be replaced in-kind and in-place within the existing footprint of the deteriorated armored slope. In total, for both phases combined, approximately 2,000 cubic yards of filter rock and 2,667 cubic yards of Class II riprap would be placed underneath the dock (1,387 cubic yards for Phase 1; 1,280 cubic yards for Phase 2). For maintenance purposes, beginning in the work window of 2025, the applicant proposes to replace up to 10 piles annually until both berths of the existing dock are replaced.

The project site is located at 1701 Industrial Way, Longview, Columbia River, Cowlitz County, Washington, Section 8, Township 7 N., Range 2 W., within Water Resource Inventory Area (WRIA) 25 – Grays-Elochoman.

With this WQC Order, Ecology is granting with conditions Weyerhaeuser NR Corporation's request for a Section 401 Water Quality Certification for the Weyerhaeuser Longview Log Export Dock Replacement project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments Ecology received on 10/19/2023, and the following supporting documentation:

1. E-mail to Ecology dated 3/26/2024, regarding the project's State Environmental Policy Act (SEPA) Mitigation Determination of Nonsignificance (MDNS).
2. E-mail to Ecology dated 5/9/2024, regarding the project's revised Water Quality Monitoring 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, Weyerhaeuser NR Corporation 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 Weyerhaeuser NR Corporation 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. 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. **22501** will remain valid until December 31, 2031.
 - Justification – Certifications are required for any license or permit that authorizes an activity that may result in a discharge or fill material into waters. This WQC Order is not valid until the Federal agency issues a permit. Additionally, Ecology needs to be able to specify how long the WQC Order will be in effect.
 - Citation – Chapter 90.48 RCW, Chapter 173-201A WAC, and WAC 173-225-010.
2. The Weyerhaeuser NR Corporation shall send a copy of the final Federal permit via e-mail to fednotification@ecy.wa.gov and cc to Federal Permit Manager prior to the starting of any work authorized by this WQC Order.
 - Justification - This condition is needed to ensure that the federal permit has been issued and all the conditions of the WQC Order have been included into the federal permit.
 - Citation - 40 CFR 121.10, 40 CFR 121.11, and Chapter 90.48 RCW.
3. To transfer this WQC Order to a new owner or operator the Weyerhaeuser NR Corporation shall:
 - a. Complete a Request for Transfer of Order with a specific transfer date of the WQC Order's obligations, coverage, and liability and submit it to Ecology at fednotification@ecy.wa.gov and cc to Federal Permit Manager. Link to form: <https://apps.ecology.wa.gov/publications/SummaryPages/ECY070695.html>;
 - b. Provide a copy of this WQC Order to the new owner or operator; and
 - c. The transfer is not considered valid until the Project Proponent receives written notification from Ecology that the transfer has been approved.
 - Justification – Ecology has independent state authority to ensure protection of state water quality. Ecology needs to ensure that anyone conducting work at the project, including any new owners or operators, are aware of and understand

the required conditions of this WQC Order to ensure compliance with the water quality standards and other applicable state laws.

- Citation – 40 CFR 121.5, Chapter 90.48 RCW, RCW 90.48.030, Chapter 173-201A WAC, and WAC 173-225-010.
4. The Weyerhaeuser NR Corporation shall conduct water quality monitoring as described in the approved Water Quality Monitoring Plan (hereafter referred to as the WQMP).
 - Justification - Ecology must protect waters of the state from all discharges and potential discharges of pollution and prevent exceedances of the water quality standards that protect aquatic life and beneficial uses.
 - Citation - RCW 90.48, RCW 90.48.030, Chapter 173-201A WAC, 173-201A-300-330 and WAC 173-225-010.
 5. Any project change that requires a new or revised Hydraulic Project Approval (HPA) from the Department of Fish and Wildlife should be sent to Ecology for review before the change is implemented.
 - Justification - This condition is reaffirming the project will take place during a time period that will not harm fish or other aquatic species.
 - Citation - Chapter 77.55 RCW, Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 173-201A WAC, WAC 173-201A-300, WAC 173-201A-330, WAC 173-225-010, and Chapter 220-660 WAC.
 6. Any work that causes distressed or dying fish or discharges of oil, fuel, or other chemicals into state waters or onto land with a potential for entry into state waters is prohibited¹. If such work, conditions, or discharges occur, immediately notify² Ecology's Regional Spill Response Office at 360-407-6300 and the Washington State Department of Fish & Wildlife with the nature and details of the problem, any actions taken to correct the problem, and any proposed changes in operation to prevent further problems. You will also need to notify the Washington Emergency Management Division³ at 1-800-258-5990, for spills to water only. This condition is necessary to prevent oil and other hazardous materials spills from causing environmental damage and to ensure compliance with water quality requirements. The sooner a spill is reported, the quicker it can be addressed, resulting in less harm.

¹ RCW 90.48

² WAC 173-303-145

³ RCW 90.56.280

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 Weyerhaeuser NR Corporation for the Weyerhaeuser Longview Log Export Dock Replacement project.

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 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 Order 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://eluhwa.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 360-407-6831 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:

Taylor Belisle

Department of Ecology

(360) 742-8814

TBEL461@ecy.wa.gov

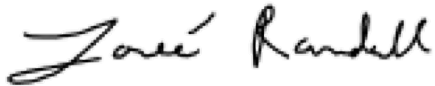
More Information

- **[Pollution Control Hearings Board Website](https://eluhc.wa.gov)**
<https://eluhc.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)**
<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)**
<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)**
<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)**
<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)**
<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 2024, at the Department of Ecology, Lacey, Washington.



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