



**STATE OF WASHINGTON**  
**DEPARTMENT OF ECOLOGY**

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

January 16, 2025

U.S. Army Corps of Engineers, Walla Walla District  
Attn: Laura Wiggins  
201 N 3rd Ave  
Walla Walla, WA 99362

Re: Amendment to 401 Water Quality Certification Order No. 22590 for U.S. Army Corps of Engineers' Stilling Basin Sediment Removal, located on the Snake River, in Columbia, Garfield, Franklin, Walla Walla and Whitman Counties, Washington

Dear Laura Wiggins:

Enclosed is an amendment to Water Quality Certification Order No. 22590, issued on 5/2/2024, for the above project. We have also included a strikeout version of the Water Quality Certification that reflects the changes made. All other conditions of Water Quality Certification No. 22590 remain in effect.

The purpose of this amendment is to correct an error in the project description in Condition E9, which switched the volumes for Little Goose and Lower Granite. The correct volumes are 28,000 CY for Little Goose and 8,000 CY for Lower Granite. The overall volume does not change.

If you have any questions, please contact Laura Inouye at (360) 515-8213. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,

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

Enclosure (2)

First Amendment to Order No. 22590  
Aquatics No. 142981, Stilling Basin Sediment Removal  
January 16, 2025  
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By certified mail: 91 7199 9991 7036 8715 4539

Sent via e-mail: [laura.a.wiggins@usace.army.mil](mailto:laura.a.wiggins@usace.army.mil)

E-cc: John Hook, U.S. Army Corps of Engineers  
Laura Inouye, Ecology  
Taylor Belisle, Ecology  
Erin Hanlon Brown, Ecology  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)

In The Matter of Granting a Water Quality  
Certification with Conditions (WQC) to U.S. Army Corps of Engineers,  
Walla Walla District  
pursuant to 33 U.S.C. 1341 (FWPCA § 401), RCW 90.48.120, RCW  
90.48.260 and Chapter 173-201A WAC

U.S. Army Corps of Engineers, Walla Walla District  
Attn: Laura Wiggins  
201 N 3rd Ave  
Walla Walla, WA 99362

<b>WQC Order No.</b>	22590, First Amendment
<b>Site Location</b>	Stilling Basin Sediment Removal, located on the Snake River, in Columbia, Garfield, Franklin, Walla Walla and Whitman Counties, Washington

On 5/2/2024 the Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification to U.S. Army Corps of Engineers, Walla Walla District for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received a request on 12/12/2024 to correct an error in the project description in Condition E9, which switched the volumes for Little Goose and Lower Granite. The correct volumes are 28,00 CY for Little Goose and 8,000 CY for Lower Granite. The overall volume does not change.

WQC Order No. 22590 dated 5/2/2024 is hereby amended as follows:

I. Condition number E9 which reads:

Only approximately 36,150 cubic yards (CY) of dredged material is allowed (approximately 28,000 CY for Lower Granite Dam, 8,000 CY for Little Goose Dam, and 150 CY for Lower Monumental Dam). Note: If additional material needs to dredge and dispose of, a new WQC pre-filing meeting request, followed by a new WQC request (after requisite 30-days) is required.

Is replaced with:

Only approximately 36,150 cubic yards (CY) of dredged material is allowed (approximately 8,000 CY for Lower Granite Dam, 28,000 CY for Little Goose Dam, and 150 CY for Lower Monumental Dam). Note: If additional material needs to dredge and dispose of, a new WQC pre-filing meeting request, followed by a new WQC request (after requisite 30-days) is required.

No other conditions or requirements of the above referenced Order are affected by this amendment.

Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if it appears necessary to further protect the public interest.

Failure to comply with this amended Order may result in the issuance of civil penalties or other actions whether administrative or judicial, to enforce the terms of this amended Order.

## **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 by 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.

## **Address and Location Information**

### **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](mailto:ecologyappeals@ecy.wa.gov)

## Contact Information

Please direct all questions about this Order to:

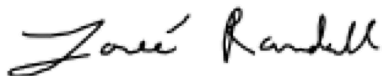
Laura Inouye  
Department of Ecology  
360-515-8213  
[Laura.Inouye@ecy.wa.gov](mailto:Laura.Inouye@ecy.wa.gov)

## 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>

## Signature

Dated this 16th day of January 2025 at the Department of Ecology, Lacey, Washington.



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

This document shows the activities and/or conditions that have been amended since the original Order was issued. Therefore, it is not the official certification and should be used for information purposes only.

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

U.S. Army Corps of Engineers, Walla Walla District  
Attn: Laura Wiggins  
201 N 3<sup>rd</sup> Ave  
Walla Walla, WA 99362

<b>WQC Order No.</b>	<b>22590, First Amendment</b>
<b>Site Location</b>	Stilling Basin Sediment Removal, located on the Snake River, in Columbia, Garfield, Franklin, Walla Walla and Whitman Counties, Washington.

U.S. Army Corps of Engineers (USACE), Walla Walla District submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act to the Department of Ecology (Ecology) for the Stilling Basin Sediment Removal, located on the Snake River, Whitman, Columbia, Garfield, Franklin and Walla Walla Counties, Washington. The following processing dates are listed below:

- On 08/21/2023, the USACE, Walla Walla District submitted a pre-filing meeting request.
- On 10/11/2023, Ecology received a request for Clean Water Section 401 Water Quality Certification.
- On 10/23/2023, USACE Walla Walla District submitted additional information, and the Department of Ecology (Ecology) considered the Request valid on this date.
- 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 10/11/2024.

The project proposes to remove accumulated sediment from the stilling basins of three dams on the Lower Snake River so that basins can be inspected for damage. Material will be placed in-water at Joso and Swift bars.

The project site is located on the Snake River, in Columbia, Garfield, Franklin, Whitman, and Walla Walla Counties, Washington.

Lower Monumental Dam, Section 34 of Township 13 North, Range 34, within Water Resource Inventory Area (WRIA) 33 (Lower Snake)

Joso Disposal Site, Section 24 of Township 14 North, Range 41 East, within Water Resource Inventory Area (WRIA) 33 (Lower Snake)

Little Goose Dam, Section 27 of Township 13 North, Range 38 East, within Water Resource Inventory Area (WRIA) 35 (Middle Snake)

Lower Granite Dam, Sections 32 and 29 of Township 14 North, Range 43 East, within Water Resource Inventory Area (WRIA) 35 (Middle Snake)

Swift Bar Disposal Site, Section 23 of Township 14 North, Range 41 East, within Water Resource Inventory Area (WRIA) 35 (Middle Snake)

## Authorities

In exercising authority under 33 U.S.C. §1341, 40 CFR Part 121, RCW 90.48.120, RCW 90.48.260, and Chapter 173-201A, Ecology has reviewed this WQC request pursuant to the following:

1. Conformance with applicable water quality-based, technology-based, and toxic or pretreatment effluent limitations as provided under 33 U.S.C. §§1311, 1312, 1313, 1316, and 1317.
2. Conformance with the state water quality standards contained in Chapter 173-201A WAC and authorized by 33 U.S.C. §1313 and by Chapter 90.48 RCW, and with other applicable state laws; and
3. Conformance with the provision of using all known, available, and reasonable methods to prevent and control pollution of state waters as required by RCW 90.48.010.
4. Conformance with Washington's prohibition on discharges that cause or tend to cause pollution of waters of the state of Washington. RCW 90.48.080.
5. The Project Proponent of the project authorized is responsible for obtaining all other permits, licenses, and certifications that may be required by federal, state, local or tribal authorities.

With this Water Quality Certification Order (WQC Order), Ecology is granting with conditions USACE, Walla Walla District's request for a Section 401 Water Quality Certification for the Stilling Basin Sediment Removal, Snake River, located in Columbia, Garfield, Franklin, Whitman, and Walla Walla Counties. Ecology has determined that the proposed discharges will comply with all applicable state water quality and other appropriate requirements of State law, provided the project is conducted in accordance with the WQC request that Ecology received on 10/11/2023, the supporting documents referenced in Table 1 below, **and the conditions of this WQC Order.**

First Amendment January 16, 2025

WQC Order No. 22590, Aquatics ID No. 142981

Stilling Basin Sediment Removal

May 2, 2024

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**Table 1** Supporting Documents

<b>Date Received</b>	<b>Document Type</b>	<b>Title and Date</b>	<b>Author</b>
10/11/2023	Joint Aquatic Resources Permit Application (JARPA) Form	JARPA 10/10/2023	USACE, Walla Walla District
10/23/2023	Drawings	Drawings Part 1 of 3. Lower Monumental Lock and Dam, 3/3/2023	USACE, Walla Walla District
10/23/2023	Drawings	Drawings Part 2 of 3. Little Goose Lock and Dam, 3/3/2023	USACE, Walla Walla District
10/23/2023	Drawings	Drawings Part 3 of 3. Lower Granite Lock and Dam, 3/3/2023	USACE, Walla Walla District
4/16/2024	Dredged Material Management Program (DMMP)	Tier 1 Antidegradation Evaluation for Lower Granite, Little Goose, and Lower Monumental Dams: Stilling Basin Sediment Removal. April 8, 2024	DMMP
4/16/2024	Cover letter for dredge plans	Cover letter for submittals, dated April 16, 2024	John Hook, USACE, Walla Walla
4/16/2024	Dredge and disposal Plan	Contract Specifications for the dredge and disposal activities Little Goose Dam Dredge and Joso Disposal action, dated May 11, 2023	USACE, Walla Walla District



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4/16/2024	Dredge and disposal Plan	Contract Specifications for Lower Granite Dam and Lower Monumental Dam Dredge and Swift Bar/Joso Disposal action, dated May 11, 2023	USACE, Walla Walla District
4/16/2024	Environmental Protection	Spillway Stilling Basin Sediment Removal Environmental Protection	USACE, Walla Walla District
4/16/2024	Biological Assessment	Biological Assessment for the Lower Snake River Stilling Basins Dredge and Disposal action, dated March 2023	USACE, Walla Walla District
4/18/2024	Water Quality Monitoring Plan	Stilling Basin Sediment Removal: Lower Granite (LGA), Little Goose (LLA), and Lower Monumental (LMA) Dams Water Quality Monitoring Plan. Prepared from Project Specifications October 2024.	USACE, Walla Walla District

Issuance of this Section 401 Water Quality Certification for this proposal does not authorize USACE, Walla Walla District 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) or other appropriate requirements of State law. Furthermore, nothing in this Section 401 Water Quality Certification absolves the USACE, Walla Walla District from liability for contamination and any subsequent cleanup of surface waters, ground waters, or sediments resulting from project construction or operations.

### Water Quality Certification Conditions

The following conditions will be incorporated into the Corps permit and strictly adhered to by the USACE, Walla Walla District. Specific condition justifications and citations are provided below.

#### A. General Conditions

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1. In this WQC Order, the term “Project Proponent” shall mean the USACE, Walla Walla District and its agents, assignees, and contractors.
  - Justification - Ecology needs to identify that conditions of this WQC Order apply to anyone conducting work on behalf of the Project Proponent to ensure compliance with the water quality standards and other applicable state laws.
  - Citation - 40 CFR 121.1(j), Chapter 90.48 RCW, RCW 90.48.080, RCW 90.48.120, RCW 90.48.260, Chapter 173-200 WAC, Chapter 173-201A WAC, and WAC 173-225-010.
2. All submittals required by this WQC Order shall be sent to Ecology’s Headquarters Office, Attn: Federal Permit Manager, via e-mail to [fednotification@ecy.wa.gov](mailto:fednotification@ecy.wa.gov) and cc to [Laura.Inouye@ecy.wa.gov](mailto:Laura.Inouye@ecy.wa.gov). The submittals shall be identified with WQC Order No. 22590 and include the Project Proponent’s name, Corps permit number, project name, project contact, and the contact phone number.
  - Justification - Ecology needs to identify where information and submittals are to be submitted to be in compliance with the requirements of this WQC Order.
  - Citation - Chapter 90.48 RCW, RCW 90.48.120, RCW 90.48.260, Chapter 173-201A WAC, and WAC 173-225-010.
3. Work authorized by this WQC Order is limited to the work described in the WQC request package received by Ecology on 10/11/2023 and the supporting documentation identified in Table 1.
  - Justification - Ecology has the authority to prevent and control pollution of state waters. By authorizing a discharge into a water of the state, through a WQC, Ecology is certifying the project as proposed will not negatively impact water quality. Therefore, it is imperative the project is conducted as it was presented during the review process. Any deviations from information within the WQC Request package and this WQC Order must be disclosed prior to the initiation of the planned work, and may require a new WQC request.
  - Citation - 40 CFR 121.5, 40 CFR 121.10, 40 CFR 121.11, Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.120, RCW 90.48.260, Chapter 173-200 WAC, Chapter 173-201A WAC, Chapter 173-204 WAC, and WAC 173-225-010.
4. The Project Proponent shall keep copies of this WQC Order on the job site and readily available for reference by Ecology personnel, the construction superintendent, construction managers and lead workers, and state and local government inspectors.

- Justification - All parties (including on-site contractors) must be aware of and comply with the WQC Order for the protection of water quality.
  - Citation - Chapter 90.48 RCW, RCW 90.48.030, Chapter 173-201A WAC, and WAC 173-225-010.
5. The Project Proponent shall provide access to the project site and all mitigation sites upon request by Ecology personnel for site inspections, monitoring, and/or necessary data collection, to ensure that conditions of this WQC Order are being met.
- Justification - Ecology must be able to investigate and inspect construction sites and facilities for compliance with all state rules and laws.
  - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.090, RCW 90.48.120, Chapter 173-201A WAC, and WAC 173-225-010.
6. The Project Proponent shall ensure that all project engineers, contractors, and other workers at the project site with authority to direct work have read and understand relevant conditions of this WQC Order and all permits, approvals, and documents referenced in this WQC Order. The Project Proponent shall provide Ecology a signed statement (see Attachment A for an example) before construction begins.
- Justification - Ecology needs to ensure that anyone conducting work at the project, on behalf of the Project Proponent, 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 - Chapter 90.48 RCW, RCW 90.48.030, Chapter 173-201A WAC, and WAC 173-225-010.
7. This WQC Order does not authorize direct, indirect, permanent, or temporary impacts to waters of the state or related aquatic resources, except as specifically provided for in conditions of this WQC Order.
- Justification - Ecology has the authority to prevent and control pollution of state waters, and to protect designated uses. By authorizing a discharge into a water of the state, through a water quality certification, Ecology is certifying the project as proposed will not negatively impact state water quality and will comply with the state's water quality requirements. Therefore, it is imperative the project is conducted as it was presented during the review process, and as conditioned herein.

- Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.120, Chapter 173-200 WAC, Chapter 173-201A WAC, WAC 173-201A-300(2)(e)(i), WAC 173-201A-310, WAC 173-204-120, and WAC 173-225-010.
8. Failure of any person or entity to comply with the WQC Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the state's water quality standards and the conditions of this WQC Order.
- Justification - Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses. Ecology has independent state authority to ensure protection of state water quality. Civil penalties and other enforcement actions are the primary means of securing compliance with water quality requirements.
  - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.037, RCW 90.48.080, RCW 90.48.120, RCW 90.48.140, RCW 90.48.142, RCW 90.48.144, and WAC 173-225-010.
9. The Project Proponent shall provide Ecology documentation for review before undertaking any major changes to the proposed project that could significantly and adversely affect water quality, other than those project changes required by this WQC Order.
- Justification - Ecology has independent authority to enforce our 401 certification conditions issued through this WQC Order pursuant to RCW 90.48, and has independent state authority to ensure protection of state water quality. In order to ensure the project will comply with water quality standards in the event of any major changes, Ecology must be able to review the scope of work involved in the construction and operation of the project, otherwise all work must stop and a new 401 certification pre-filing meeting, followed by a new WQC request (after requisite 30-days) is required.
  - Citation - 40 CFR 121.1(k) and (n), 40 CFR 121.3, 40 CFR 121.5, 40 CFR 121.11, Chapter 90.48 RCW, and Chapter 173-201 WAC.
10. To transfer this WQC Order to a new owner or operator the Project Proponent 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 per condition A.2. 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.

## B. Notification Requirements

1. The following notifications shall be made via phone or e-mail (e-mail is preferred) to Ecology's Federal Permit Manager via e-mail to [fednotification@ecy.wa.gov](mailto:fednotification@ecy.wa.gov) and cc to [Laura.Inouye@ecy.wa.gov](mailto:Laura.Inouye@ecy.wa.gov). Notifications shall be identified with WQC Order No. 22590, and include the Project Proponent name, project name, project location, project contact and the phone number.
  - a. Immediately following a violation of state water quality standards or when the project is out of compliance with any conditions of this WQC Order;
  - b. At least ten (10) days prior to all pre-dredge meetings;
  - c. At least ten (10) days prior to conducting in-water work activities for each in-water work window; and
  - d. Within seven (7) days of completion of each in-water work window.
    - Justification - Ecology has independent state authority to ensure protection of state water quality. Ecology must be aware of when a project starts and ends and whether there are any issues. This allows Ecology to evaluate compliance with the state water quality requirements.
    - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.120, Chapter 173-201A WAC, WAC 173-201A-300 - 330, Chapter 173-204 WAC, and WAC 173-225-010.
2. In addition to the phone or e-mail notification required under B.1.a. above, the Project Proponent shall submit a detailed written report to Ecology within five (5) days that describes the nature of the event, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of any samples taken, and any other pertinent information.

- Justification - Ecology has independent state authority to ensure protection of state water quality. This condition is intended to assure the Project Proponent remains in full compliance with state water quality requirements for the duration of the project.
- Citation - Chapter 90.48 RCW, RCW 90.48.120, Chapter 173-201A WAC, and WAC 173-225-010.

### C. Timing

1. This WQC Order will expire 10 years after the date of the 401 issuance.
  - Justification - Certifications are required for any license or permit that authorizes an activity that may result in a discharge. 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 following in-water work windows apply to the project:
  - a. All activities within the wetted perimeter of the Snake River may be conducted between December 15 and March 1 of any year.
    - 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.

### D. Water Quality Monitoring and Criteria

1. This WQC Order does not authorize the Project Proponent to exceed applicable water quality standards beyond the limits established in Chapter 173-201A WAC, except as authorized by this WQC Order.
  - Justification - This condition ensures compliance with water quality standards to protect surface waters of the state. Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
  - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.

2. For in-water activities within fresh waters turbidity shall not exceed 5 NTU over background when the background is 50 NTU or less; or a 10 percent increase in turbidity when the background turbidity is more than 50 NTU.
  - 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 - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.
3. This WQC Order does not authorize the Project Proponent to exceed applicable turbidity standards beyond the limits established in Chapter 173-201A WAC as set forth below, unless otherwise authorized in this WQC Order:
  - a. Temporary area of mixing for turbidity established within the state water quality standards for fresh waters (WAC 173-201A-200) is as follows:
    01. For waters up to 10 cfs flow at the time of construction, the point of compliance shall be one hundred feet downstream from the activity causing the turbidity exceedance.
    02. For waters above 10 cfs up to 100 cfs flow at the time of construction, the point of compliance shall be two hundred feet downstream of the activity causing the turbidity exceedance.
    03. For waters above 100 cfs flow at the time of construction, the point of compliance shall be three hundred feet downstream of the activity causing the turbidity exceedance.
    04. For projects working within or along lakes, ponds, wetlands, or other non-flowing waters, the point of compliance shall be at a radius of one hundred fifty feet from the activity causing the turbidity exceedance.
      - 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 - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.

4. The Project Proponent shall conduct water quality monitoring as described in the approved Water Quality Monitoring Plan, identified in Table 1 (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. If water quality exceedances for turbidity are observed outside the point of compliance, work shall cease immediately and the Project Proponent or the contractor shall assess the cause of the water quality problem and take immediate action to stop, contain, and correct the problem and prevent further water quality turbidity exceedances.
  - 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 - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.
6. Visible turbidity anywhere beyond the temporary area of mixing (point of compliance) from the activity, shall be considered an exceedance of the standard.
  - 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 - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.
7. Monitoring results shall be submitted weekly to Ecology's Federal Permit Manager, per condition A.2.
  - 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 - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.



8. Ecology may ask or could use its discretionary authority to require the Project Proponent to provide mitigation and/or additional monitoring if the monitoring results indicate that the water quality standards have not been met.
  - Justification - Ecology must protect waters of the state from all discharges and potential discharges of pollution and ensure that aquatic life and beneficial uses are protected.
  - Citation - RCW 90.48, RCW 90.48.010, RCW 90.48.030, RCW 90.48.080, RCW 90.48.120, Chapter 173-201A WAC, 173-201A-300-330 WAC, and Chapter 173-204 WAC.

#### **E. Dredging and Disposal**

1. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc., shall be checked regularly for drips or leaks, and shall be maintained and stored properly to prevent spills into state waters.
  - Justification - Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
  - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.56 RCW, Chapter 173-200, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.
2. All dredging is to be done using a mechanical (clamshell) or a diver assisted hydraulic dredge. Ecology must approve any other dredging method prior to its use.
  - Justification - Ecology has reviewed the project and the BMPs for a specific type of dredging. Changes to the dredging method would require different BMPs. If new dredging methods are proposed, a new WQC pre-filing meeting request, followed by a new WQC request (after requisite 30-days) is required.
  - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.52-040 RCW, Chapter 90.54.020(2)(b) RCW, Chapter 173-201A WAC, Chapter 173-201A-240(5)(b) WAC, and Chapter 173-204-400(2) WAC, and WAC 173-225-010.
3. All suitable dredged material will be disposed of at the Joso and Swift Bar disposal sites.
  - Justification - Ecology has reviewed the project and the BMPs for a specific type of disposal technique and disposal location. If different in-water disposal sites are proposed, a new WQC pre-filing meeting request, followed by a new WQC request (after requisite 30-days) is required.

- Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.52-040 RCW, Chapter 90.54.020(2)(b) RCW, Chapter 173-201A WAC, Chapter 173-201A-240(5)(b) WAC, and Chapter 173-204-400(2), and WAC 173-225-010.
4. Dredging operations shall be conducted in a manner that minimizes the disturbance and siltation of adjacent waters and prevents the accidental discharge of petroleum products, chemicals or other toxic or deleterious substances into state waters.
    - Justification - Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
    - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.56 RCW, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.
  5. Dredged material shall not be temporarily or permanently stockpiled below the OHWM.
    - Justification - Stockpiles below the OHWM can discharge excess sediment to waters of the state and degrade water quality. Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
    - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.
  6. All debris (including concrete) larger than two (2) feet in any dimension, or any rebar, shall be removed from the dredged sediment prior to disposal at the disposal sites. Similar-sized debris floating in the dredging or disposal area shall be removed.
    - Justification - Ecology must be assured that the Project Proponent is managing and disposing of material to protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
    - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.
  7. A pre-dredge meeting is required to be convened prior to the start of dredging for each in-water work window. A **Dredging and Disposal Work plan** (work plan) shall be submitted to Ecology per Condition A2 two weeks prior to the pre-dredge meeting. The Dredging and Disposal work plan (work plan) shall include the following:

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- a. General information including schedule, primary contact, and hours of operation.
  - b. Dredged quantities and disposal location, including any upland locations.
  - c. Dredging procedures and sequence.
  - d. Equipment list.
  - e. A description of the BMPs to be used for dredging, dewatering, transloading, and disposal.
    - Justification - Ecology needs to meet with the Project Proponent and contractor to go over the work plan prior start of work to ensure that the plan reflects the project that has been authorized by this WQC Order. This condition is intended to assure the Project Proponent remains in full compliance with state water quality requirements for the duration of the project.
    - Citation - Chapter 70A.200 RCW, Chapter 77.55 RCW, RCW 79.02.300, Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.52-040 RCW, RCW 90.54.020(2)(b), Chapter 173-201A WAC, WAC 173-201A-240(5)(b), WAC 173-201A-300, WAC 173-201A-330, WAC 173-204-400(2), WAC 173-225-010, and Chapter 220-660 WAC.
8. All dredging and disposal shall have a valid suitability determination prior to in-water work. This project received a Tier 1 evaluation (no testing required) dated April 8, 2024 (Table 1).
- Justification - The DMMP process confirms that material is suitable for in-water disposal and that the project meets state anti-degradation regulations.
  - Citation - Chapter 173-201A WAC, Chapter 173-201A-230 WAC, WAC 173-201A-240(1), WAC 173-201A-240(2), Chapter 173-204 WAC, WAC 173-204-110-120, WAC 173-204-400(2), WAC 173-204-410(7), WAC 173-204-350(d), and Chapter 173-225 WAC.
9. Only approximately 36,150 cubic yards (CY) of dredged material is allowed (approximately ~~28,000~~ 28,000 CY for Lower Granite Dam, 28,000 CY for Little Goose Dam, and 150 CY for Lower Monumental Dam). Note: If additional material needs to dredge and dispose of, a new WQC pre-filing meeting request, followed by a new WQC request (after requisite 30-days) is required.
- Justification – Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.

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- Citation - Chapter 173-201A WAC, WAC 173-201A-230, WAC 173-201A-240(1), WAC 173-201A-240(2), WAC, Chapter 173-204 WAC, WAC 173-204-110-120, WAC 173-204-400(2), WAC 173-204-410(7), WAC 173-204-350(d), and Chapter 173-225 WAC.
10. For each in-water work window, a post-dredge and disposal report (see attachment B) must be submitted to Ecology per Condition A2 within 60 days of the close of the in-water work window. The post-dredge and disposal report shall include the following:
- a. Pre- and post-bathymetric surveys.
  - b. Dredged quantities (cubic yards) and disposal location, including any upland locations.
  - c. Dredged area footprint with dredge bucket marks (if applicable).
    - Justification - Ecology needs to confirm that dredging footprint and depth for each in-water work window complies with the project descriptions authorized by this WQC Order. This condition is intended to assure the Project Proponent remains in full compliance with state water quality requirements for the duration of the project.
    - Citation - Chapter 70A.200 RCW, Chapter 77.55 RCW, RCW 79.02.300, Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.52-040 RCW, RCW 90.54.020(2)(b), Chapter 173-201A WAC, WAC 173-201A-240(5)(b), WAC 173-201A-300, WAC 173-201A-330, WAC 173-204-400(2), WAC 173-225-010, and Chapter 220-660 WAC.
11. Barges shall not be allowed to ground-out during in-water construction.
- Justification - This condition is necessary to protect shallow water habitat and prevent suspension of sediment. Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
  - Citation - Chapter 173-201A WAC, WAC 173-201A-300(2)(e)(i), WAC 173-201A-310, WAC 173-204-120, and WAC 173-225-010.
12. Barges shall be kept free of material that could be blown into the water.
- Justification - Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
  - Citation - Chapter 70A-200 RCW, RCW 79.02-300, Chapter 90.48 RCW, and WAC 173-225-010.

## F. Emergency/Contingency Measures

1. The Project Proponent shall develop and implement a spill prevention and containment plan for all aspects of this project.
  - Justification - Ecology must ensure that the Project Proponent has a plan to prevent pollution from entering waterways. Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
  - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.56 RCW, Chapter 90.56.280 RCW, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, WAC 173-225-010, and WAC 173-303-145.
2. The Project Proponent shall have adequate and appropriate spill response and cleanup materials available on site to respond to any release of petroleum products or any other material into waters of the state.
  - Justification - Ecology must have assurance that the Project Proponent has the material readily available in WQC Order to address any spills that might occur to protect waters of the state. Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
  - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.56 RCW, RCW 90.56.280, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, WAC 173-225-010, and WAC 173-303-145.
3. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc., shall be checked regularly for drips or leaks, and shall be maintained and stored properly to prevent spills into state waters.
  - Justification - Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
  - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.56 RCW, RCW 90.56.280, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, WAC 173-225-010, and WAC 173-303-145.

4. Work causing distressed or dying fish and discharges of oil, fuel, or chemicals into state waters or onto land with a potential for entry into state waters is prohibited. If such work, conditions, or discharges occur, the Project Proponent shall notify Ecology's Federal Permit Manager, per condition A2, and immediately take the following actions:
  - a. Cease operations at the location of the non-compliance.
  - b. Assess the cause of the water quality problem and take appropriate measures to correct the problem and prevent further environmental damage.
  - c. In the event of a discharge of oil, fuel, or chemicals into state waters, or onto land with a potential for entry into state waters, containment and cleanup efforts shall begin immediately and be completed as soon as possible, taking precedence over normal work. Cleanup shall include proper disposal of any spilled material and used cleanup materials.
  - d. Immediately notify Ecology's Regional Spill Response Office and the Washington State Department of Fish and 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.
  - e. Immediately notify the National Response Center at 1-800-424-8802, for actual spills to water only.
    - Justification - This condition is necessary to prevent oil and 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. Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
    - Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.56 RCW, RCW 90.56.280, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, WAC 173-225-010, and WAC 173-303-145.
5. Notify Ecology's Regional Spill Response Office immediately if chemical containers (e.g. drums) are discovered on-site or any conditions present indicating disposal or burial of chemicals on-site that may impact surface water or ground water.

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- Justification - Oil and hazardous materials spills cause environmental damage. The sooner a spill is reported, the quicker it can be addressed, resulting in less harm. Ecology must protect waters of the state from all discharges and potential discharges of pollution that can affect water quality to protect aquatic life and beneficial uses.
- Citation - Chapter 90.48 RCW, RCW 90.48.030, RCW 90.48.080, Chapter 90.56 RCW, RCW 90.56.280, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, WAC 173-225-010, and WAC 173-303-145.

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