



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

April 30, 2025

Federal Highway Administration
Western Federal Lands Highway Division
ATTN: Jennifer Chariarse
610 East 5th Street
Vancouver, Washington 98661

Re: Amendment to 401 Water Quality Certification Order No. **15772** for U.S. Army Corps of Engineers Reference No. **NWS-2015-229**, Upper Hoh River Road Bank Stabilization and Culvert Replacement, Hoh River, Jefferson County, Washington

Dear Jennifer Chariarse:

Enclosed is an amendment to Water Quality Certification Order No. 15772, issued on September 10, 2018, for the above project. All other conditions of Water Quality Certification No. 15772 remain in effect.

The purpose of this amendment is to replace the proposed bridge with a fish passable box culvert at Two Trout Creek. This change in design has been captured in the project description.

Second Amendment to Order No. 15772
Aquatics No. 135802, Corps No. NWS-2015-229
April 30, 2025
Page 2 of 2

If you have any questions, please contact Penny Kelley at 360-280-8856. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,



Brenden McFarland, Section Manager
Environmental Review & Transportation Section
Shorelands and Environmental Assistance Program

Enclosure (1)

By certified mail: 9489 0090 0027 6085 7506 07

Sent via e-mail: jennifer.chariarse@dot.gov

E-cc: Sandi Manning, U.S. Army Corps of Engineers
Dave and Carol Lewis
Penny Kelley, Ecology
Lizzie Carp, Ecology
Loree' Randall, Ecology
Erin Hanlon Brown, Ecology
ecyrefedpermits@ecy.wa.gov

In The Matter of Granting a Water Quality
Certification with (WQC) to Federal Highway Administration, Western
Federal Lands Highway Division
pursuant to 33 U.S.C. 1341 (FWPCA § 401), RCW 90.48.120, RCW
90.48.260 and Chapter 173-201A WAC

Federal Highway Administration
Western Federal Lands Highway Division
Attn: Jennifer Chariarse
610 East 5th Street
Vancouver, Washington 98661

WQC Order No.	15772, Second Amendment
Corps Reference No.	NWS-2015-229
Site Location	Upper Hoh River Road Bank Stabilization and Culvert Replacement project located within Hoh River, Jefferson County, Washington.

On September 10, 2018, the Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification to the Federal Highway Administration, Western Federal Lands Highway Division for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401). Ecology issued an amendment to the Water Quality Certification on July 20, 2023.

Ecology received a request on March 3, 2025, to amend the 401 Certification, replacing the bridge at Two Trout Creek for a fish passable box culvert. Geotechnical investigations revealed a landslide prone area on one side of the creek. It was determined that a bridge structure was more vulnerable to failure in these conditions than a box culvert.

WQC Order No. 15772 dated September 10, 2018, is hereby amended as follows:

I. The section of the project description which reads:

Mitigation to compensate for habitat impacts will consist of removing two 4' diameter culverts with a **bridge** on the Oil City Road at milepost 0.5 where it crosses Two Trout Creek. Replacing the culverts with a bridge will open access to over 0.5 miles of anadromous salmonid habitat upstream of the crossing.

Is replaced with:

Mitigation to compensate for habitat impacts will consist of removing and replacing two 4' diameter culverts with a **fish passable box culvert** on the Oil City Road at milepost 0.5 where it crosses Two Trout Creek. Replacing the existing culverts with a fish passable

box culvert will open access to over 0.5 miles of anadromous salmonid habitat upstream of the crossing.

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://eluhw.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

Contact Information

Please direct all questions about this Order to:

Penny Kelley
Department of Ecology
360-280-8856
penny.kelley@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 30th day of April 2025 at the Department of Ecology, Olympia, Washington.



Brenden McFarland, Section Manager
Environmental Review & Transportation Section
Shorelands and Environmental Assistance Program