



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

June 5, 2025

U.S. Army Corps of Engineers, Portland District  
Attn: Amy Gibbons  
PO Box 2946  
Portland, Oregon 97204

Re: Water Quality Certification Order No. **23514**, Lower Columbia River Federal Navigation Channel Operations and Maintenance and Dredged Material Management Plan, Clark, Cowlitz, Pacific, Skamania, and Wahkiakum Counties, Washington

Dear Amy Gibbons:

On November 7, 2024, the U.S. Army Corps of Engineers, Portland District, submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Lower Columbia River Federal Navigation Channel Operations and Maintenance and Dredged Material Management Plan (LCR FNC O&M and DMMP), Clark, Cowlitz, Pacific, Skamania, and Wahkiakum Counties, Washington.

On behalf of the state of Washington, the Department of Ecology certifies with conditions 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 Jessica Hausman at 564-669-9873. The enclosed WQC Order may be appealed by following the procedures described within.

Sincerely,

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Brenden McFarland on behalf of  
Loree' Randall, Section Manager  
Aquatic Permitting & Protection Section  
Shorelands and Environmental Assistance Program

LCR FNC O&M and DMMP  
WQC Order No. 23514, Aquatics ID No. 143120  
June 5, 2025  
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Enclosure (1)

By certified mail: 91 7199 9991 7036 9386 8659

Sent via e-mail: [Amy.C.Gibbons@usace.army.mil](mailto:Amy.C.Gibbons@usace.army.mil)

E-cc: Albert Williams, U.S. Army Corps of Engineers  
Darren Bradford, U.S. Army Corps of Engineers  
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Jessica Hausman, Ecology  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)

In The Matter of Granting a Water Quality  
Certification with Conditions to U.S. Army Corps of Engineers, Portland  
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, Portland District  
Attn: Amy Gibbons  
PO Box 2946  
Portland, Oregon 97204

<b>WQC Order No.</b>	23514
<b>Site Location</b>	Lower Columbia River Federal Navigation Channel Operations and Maintenance and Dredged Material Management Plan, located within Columbia River, River Miles 3 to 145, Clark, Cowlitz, Pacific, Skamania, and Wahkiakum Counties, Washington.

The U.S. Army Corps of Engineers, Portland District (USACE) 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 Lower Columbia River Federal Navigation Channel Operations and Maintenance and Dredged Material Management Plan (LCR FNC O&M and DMMP), Clark, Cowlitz, Pacific, Skamania, and Wahkiakum Counties, Washington. The required processing dates are listed below:

- On 9/29/2023, the USACE submitted a pre-filing meeting request.
- On 11/7/2024, Ecology received a request for Clean Water Section 401 Water Quality Certification.
- On 12/17/2024, Ecology issued a public notice for the project.
- Ecology's "Reasonable Period of Time" for this project has been established as 6/7/2025.

The project proposes on-going operational and maintenance dredging of the federal navigation channel of the Columbia River and seven Columbia River side channels to the federally authorized dimensions between Columbia River Miles 3.0 and 145.0. The project also incorporates a Dredged Material Management Plan (DMMP), which designates sites for the placement of dredged material within the project area to support maintenance dredging activities for at least the next 20 years. In addition to maintenance dredging and disposal of sediment, the project includes the installation and repair of several pile dike structures within the federal navigation channel.

The project will occur in both Oregon and Washington. This Section 401 Water Quality Certification only authorizes the project actions within Washington's waters.

The project sites include:

- Federal Navigation Channel Maintenance Dredging
  - River Miles 3.0 to 101.4 – Maintenance dredging will occur to a depth of -48 feet (-43 feet with up to -5 feet of advanced maintenance depth) and width of 600 feet with up to 100 feet in overwidth in selected areas.
  - River Miles 101.4 to 105.5 - Maintenance dredging will occur to a depth of -48 feet (-43 feet with up to -5 feet of advanced maintenance depth) and width of 500 feet with up to 100 feet in overwidth in selected areas.
  - River Mile 105.5 to 106.5 - Maintenance dredging will occur to a depth of -40 feet (-35 feet with up to -5 feet of advanced maintenance depth) and width of 500 feet with up to 100 feet in overwidth in selected areas.
  - River Miles 106.5 to 145.0 - Maintenance dredging will occur up to a depth of -29 feet (-27 feet with up to -2 feet of advanced maintenance depth) and width of 300 feet with up to 100 feet in overwidth in selected areas.
- Side Channel Maintenance Dredging
  - Baker Bay - Maintenance dredging will occur to a depth of -18 feet (-16 feet with up to -2 feet of advanced maintenance depth) and width up to 200 feet with overwidth where needed.
  - Chinook Channel - Maintenance dredging will occur to a depth of -12 feet (-10 feet with up to -2 feet of advanced maintenance depth) and width up to 150 feet with overwidth where needed.
  - Skamokawa Creek - Maintenance dredging will occur to a depth of -8.5 feet (-6.5 feet with up to -2 feet of advanced maintenance depth) and width up to 75 feet with overwidth where needed.
  - Elochoman Slough - Maintenance dredging will occur to a depth of -12 feet (-10 feet with up to -2 feet of advanced maintenance depth) and width up to 100 feet with overwidth where needed.
  - Old Mouth of the Cowlitz River - Maintenance dredging will occur to a depth of -10 feet (-8 feet with up to -2 feet of advanced maintenance depth) and width up to 150 feet with overwidth where needed.

- Wahkiakum Ferry Channel - Maintenance dredging will occur to a depth of -11 feet (-9 feet with up to -2 feet of advanced maintenance depth) and width up to 200 feet with overwidth where needed.
- Lake River - Maintenance dredging will occur to a depth of -8 feet (-6 feet with up to -2 feet of advanced maintenance depth) and width up to 100 feet with overwidth where needed.
- Dredged Material Management Program Disposal Areas
  - 5 Shallow Water Placement Sites: River Miles 22.2, 35.0, 37.3, 47.1, and 84.5.
  - 2 Confined Aquatic Placement Sites: River Miles 24.9 and 35.6.
  - 13 Upland Placement Sites: River Miles 21.0, 42.5, 44.0, 46.3, 59.7, 62.0, 68.3, 68.7, 69.0, 70.1, 82.0, 86.5, and 101.0.
  - 28 Shoreline Placement Sites: River Miles 22.3, 26.8, 33.4, 34.3, 34.9, 37.9, 38.5, 40.8, 41.2, 42.4, 43.0, 43.9, 45.8, 47.6, 57.4, 60.4, 69.8, 72.7, 75.8, 76.6, 79.5, 80.4, 82.3, 85.2, 86.2, 88.9, 91.0, and 95.7.
  - 6 Transfer Sites: River Miles 44.5, 60.9, 63.8, 69.6, 90.2, and 101.4.
  - Deep-Water Placement: Within the Lower Columbia River Federal Navigation Channel.
  - Ocean Placement: Deep-Water Site ocean dredges material disposal site, 6 miles offshore of the Mouth of the Columbia River.

## 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 (FWPCA § 301, 302, 303, 306 and 307).
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’s request for a Section 401 Water Quality Certification for the Lower Columbia River Federal Navigation Channel Operations and Maintenance and Dredged Material Management Plan, Columbia River located in Clark, Cowlitz, Pacific, Skamania, and Wahkiakum 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 11/7/2024 the supporting documents referenced in Table 1 below, **and the conditions of this WQC Order.**

**Table 1** Supporting Documents

Date Received	Document Type	Title and Date	Author
8/23/2024	National Environmental Policy Act	Lower Columbia River Channel Maintenance Plan Draft Integrated Dredged Material Management Plan and Environmental Impact Statement, August 2024	USACE
11/5/2024	Water Quality Monitoring Plan	Request for an extended area of mixing, November 2024	USACE
11/7/2024	Joint Aquatic Resources Permit Application (JARPA) Form	JARPA 11/6/2024	USACE
11/7/2024	Suitability Determination	Suitability Determination Memos (FNC and Side Channels), 2019 - 2024	Portland Sediment Evaluation Team (PSET)

11/7/2024	Dredge Plan	Dredging and Dredged Material Placement BMPs, November 2024	USACE
4/30/2025	Biological Opinion	Endangered Species Act – Section 7 Consultation Biological Opinion, September 2024	U.S. Fish and Wildlife Service
5/13/2025	Water Quality Monitoring Plan	Water Quality Sampling and Monitoring Plan, 2/19/2025	USACE
5/30/2025	Advisory Hydraulic Project Approval (HPA)	Advisory HPA letter to Ecology	WA Department of Fish and Wildlife
6/3/2025	Water Quality Monitoring Plan	Water Quality Sampling and Monitoring Plan (Final Draft) and Upland Placement Return Water Request, 6/3/2025	USACE

Issuance of this Section 401 Water Quality Certification for this proposal does not authorize USACE 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 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 strictly adhered to by the USACE. Specific condition justifications and citations are provided below.

#### A. General Conditions

1. In this WQC Order, the term “Project Proponent” shall mean the U.S. Army Corps of Engineers, Portland District (USACE) 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 [Jessica.Hausman@ecy.wa.gov](mailto:Jessica.Hausman@ecy.wa.gov). The submittals shall be identified with WQC Order No. 23514 and include the Project Proponent's name, 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 11/7/2024 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 all dredging and disposal sites and all other sites included in this WQC 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. 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.

7. 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.

8. 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.

## **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 [Jessica.Hausman@ecy.wa.gov](mailto:Jessica.Hausman@ecy.wa.gov). Notifications shall be identified with WQC Order No. 23514 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 fourteen (14) days prior to annual pre-dredge meetings;
  - c. At least fourteen (14) days prior to the scheduled start of the dredging and in-water work activities in any year; and
  - d. Within fourteen (14) days of completion of each dredging cycle.
    - 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.

3. Prior to each dredging cycle, the USACE shall contact the PSET agencies to determine whether additional sediment testing is required. If additional testing is required, no dredging or disposal shall be conducted until the material has been tested and a suitability determination has been issued. For areas that have suitability determinations that expire within the duration of this WQC, dredging may not occur until the USACE obtains and submits the updated suitability determination to Ecology. Areas have the following ranking in potential for contamination and the following recency determinations. Contact the PSET for a possible extension on any of these determinations.

a. Mainstem River Channel

Lower Columbia River deep-draft Federal Navigation Channel

River Miles 3.0 to 106.5

Ranking Very Low

Recency of Data March 2026

Columbia River Federal Navigation Channel, Vancouver to the Dalles

River Miles 106.5 to 192.5

Ranking Very Low

Recency of Data January 2029

b. Side Channels

Baker Bay West Channel Federal Navigation Project

Columbia River, river mile 3.2

Inner Channel Ranking Low

Inner Channel Recency of Data July 2027

Outer Channel Ranking Very Low

Outer Channel Recency of Data July 2030

Chinook Channel Federal Navigation Project

Columbia River, river mile 5.0

Inner Channel Ranking Low

Inner Channel Recency of Data July 2027

Outer Channel Ranking Very Low

Outer Channel Recency of Data July 2030

Skamokawa Creek Federal Navigation Side Channel

Columbia River, river mile 33.5

Ranking Low

Recency of Data April 2026

Wahkiakum Port District No. 1 Elochoman Marina and Marina Access Channel

Columbia River, river mile 39

Ranking Low

Recency of Data August 2022

\*Requires an updated suitability determination prior to the next dredge event.

Old Mouth Cowlitz River Federal Navigation Channel

Columbia River, river mile 67.7

Ranking Low

Recency of Data April 2026

Wahkiakum Ferry and Westport Slough Federal Navigation Side Channels

Wahkiakum Ferry at river mile 43+10 of the Columbia River

Ranking Very Low

Recency of Data September 2033

Lake River Federal Navigation Channel

Lake River, river mile 0+00 to 2+34

LAKER-01 Ranking Very Low

LAKER-01 Recency of Data November 2028

LAKER-02 to LAKER-05 Ranking Moderate

LAKER-02 to LAKER-05 Recency of Data November 2023

\*LAKER-02 to LAKER-05 requires an updated suitability determination prior to the next dredge event.

- Justification - The PSET 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

**C. Timing**

1. This WQC Order will expire June 30, 2035.

- 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. All activities within the wetted perimeter of the Columbia River, side channels, and disposal areas shall be conducted within the work windows established in the approved water quality monitoring plan.

- Justification - This condition is reaffirming that 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 (including wetlands) 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 the turbidity standards beyond the limits established in Chapter 173-201A WAC as set forth below, except as specifically authorized under condition D.4 of 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. For the activities identified below in Table 2, the Project Proponent is granted a larger area of mixing for turbidity and shall comply with the point of compliance.

Table 2: Area of Mixing

Activity	Waterbody	Point of Compliance
Federal Navigation Channel maintenance dredging	Columbia River	900 feet downcurrent from point of discharge and no more than 150 feet lateral
Dredging associated with a transfer site	Columbia River	900 feet downcurrent from point of discharge and no more than 150 feet lateral
Dredged material placement: In-water Deep Placement Sites	Columbia River	900 feet downcurrent from point of discharge and no more than 150 feet lateral
Dredged material placement: In-water Shallow Placement Sites	Columbia River	900 feet downcurrent from point of discharge and no more than 150 feet lateral
Dredged material placement: Shoreline Placement	Columbia River	900 feet downcurrent from point of discharge and no more than 150 feet lateral

- Justification - This condition is necessary to ensure that the monitoring as proposed by the Project Proponent and authorized by Ecology is conducted to protect 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.

5. The Project Proponent shall conduct water quality monitoring as described in the approved *Water Quality Sampling and Monitoring Plan* identified in Table 1 (hereafter referred to as the WQMP). Any changes to monitoring procedures or plan shall be submitted to Ecology for review and approval.

- 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.
6. Visible turbidity anywhere beyond the temporary area of mixing (point of compliance) from the activities shall be considered an exceedance of the standard. If water quality exceedances for turbidity are observed outside the point of compliance, the Project Proponent or the contractor shall immediately assess the cause of the water quality problem and take action to stop, contain, and correct the problem in accordance with the WQMP to 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.
7. An annual monitoring report shall be submitted to Ecology no more than 90 days after the dredging season ends, per condition A.2. The annual report shall include:
- a) Locations where dredging and disposal occurred
  - b) Amount of material dredged and placed in all locations
  - c) Descriptions of disposal locations, including available site conditions and monitoring data, BMPs employed and effectiveness of the BMPs at each site
  - d) Annual water quality monitoring, including explanations of 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.
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**

1. 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.

2. Dredging shall be done using the following dredging methods:

a. Mechanical (clamshell) Dredge:

01. Each pass of a clamshell bucket shall be complete with no material once in the bucket returned to the water.
02. No dumping of partial or full buckets of material back into the project area is allowed.
03. Control the volume, speed, or both of digging passes to minimize siltation.

b. Hopper and Pipeline Dredge:

01. Hopper and pipeline dredges shall be operated with the intake at or below the surface of the sediments being removed during all periods of operation.
02. Reverse purging of the intake line shall be held to an absolute minimum.
03. If water is pumped through the dragheads to flush out the hopper dredge bins, the heads shall be at least twenty (20) feet below the water surface.

- 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 debris larger than two (2) feet in any dimension shall be removed from the dredged sediment prior to disposal at the open water site. 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.

4. A pre-dredge meeting is required to be convened prior to the start of each dredging season. An **Annual Use Plan** shall be submitted to Ecology per Condition A.2. two weeks prior to the pre-dredge meeting. The Annual Use Plan shall include the following:

- a. General information including schedule, primary contact, and hours of operation.
  - b. Proposed dredged quantities and DMMP disposal locations,
  - c. Dredging procedures and sequence.
  - d. Equipment list.
  - e. A description of the BMPs to be used for dredging 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.

## **F. Dredged Material Disposal**

1. All clean, suitable dredged material will be disposed of at a combination of the following sites: shallow in-water, deep in-water (flow lane and confined aquatic sites), shoreline placement, ocean placement, and upland. Disposal activities shall be carried out in accordance with the conditions specified below, unless otherwise approved by Ecology.

a. Shallow In-Water Placement

01. Impacts on riparian vegetation shall be avoided or minimized to the maximum extent practicable.
02. During and after dredged material placement, the site should remain at elevations below ordinary high water.
03. Placement of dredged material shall be conducted in a manner that prevents mounding and reduces depth of material.
04. Shallow placement of dredged material shall not impede access to shorelines or side channels.
05. Shallow placement of dredged material shall not contribute to fish stranding or create a blockage for fish passage.

b. Deep In-Water Placement

01. Placement of material shall be conducted in a manner that prevents mounding of the disposal material.
02. Flowlane disposal by hopper dredge or bottom dump scow is approved provided the disposal sites are located:
  - i. Waterward of the minus 20-foot contour, Columbia River Datum (CRD); and,
  - ii. To the greatest extent practicable, flowlane disposal sites shall be selected so that disposal material disperses into or immediately adjacent to the mainstem navigational channel; is not likely to cause significantly increased shoaling in downstream side channels or shoreline facilities; and is not likely to cause significant alteration of bottom river habitats.
  - iii. Ecology will consider the use of alternative methods for flowlane disposal. Use of alternative methods requires review and approval under this Order prior to usage.
03. Flowlane sites may be used for the disposal of sediments dredged by pipeline provided the dredged material is discharged through a downspout that is lowered at least 20 feet into the water column.

c. Shoreline Placement

01. Shoreline placement operations, including beach nourishment, may result in the placement of dredged material waterward of the ordinary high water mark. In such cases, the disposal site shall be regraded to an approximate slope of 10 to 15 percents, with no swales.
02. Impacts on riparian vegetation shall be avoided or minimized to the maximum extent practicable.
03. Erosion control measures shall be carried out to prevent the wind erosion of dredged material back into the channel.

d. Upland Placement

01. Prior to using an upland placement site, all earthen dikes, weir structures, and outlets shall be inspected and repaired as needed.
02. Removal of vegetation within an upland placement site shall not result in areas of bare soil within 100 feet of the outlet from the weirs unless otherwise authorized by Ecology.
03. Equipment left overnight within an upland placement area shall have secondary containment to catch any leaks, drips, or spills.
  - 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.

**G. Confined Aquatic Structures and Pile Dikes**

1. Pile removal, handling, and disposal shall follow the EPA Region 10 Best Management Practices for Piling Removal and Placement in Washington State, dated February 18, 2016.
  - 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.

- Citations- 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.
2. All clearing limits, stockpiles, staging areas, and trees to be preserved shall clearly be marked prior to commencing construction activities and maintained until all work is completed for each project. Operate and anchor vessels and barges during construction in a manner that protects native aquatic vegetation.
- Justification -Ensures that the project proponent preserves sensitive areas from 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.
3. No stockpiling or staging of materials shall occur at or below the OHWM of any waterbody.
- 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 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.

## **H. Wetland Mitigation**

1. The Project Proponent shall provide compensatory mitigation for any unavoidable impacts to wetlands as described in the Lower Columbia River Channel Maintenance Plan Draft Integrated Dredged Material Management Plan and Environmental Impact Statement, August 2024, or as required by this Order.
- Justification - Alteration of water quality necessitates the use of mitigation as a method of controlling pollution. When adequate mitigation is provided, the impacts are not considered significant enough to water quality, at least in the long-term. The water quality standards, along with mitigation, protect wetlands as well as permitting some level of degradation where unavoidable or necessary.
  - Citation – 33 CFR 332, 40 CFR 131.12, 40 CFR 230, subpart J, Chapter 90.48 RCW, Chapter 90.54 RCW, Chapter 90.74 RCW, Chapter 173-201A WAC, WAC 173-201A-260 (3)(i-ii), WAC 173-201A-300, and WAC 173-225-010.

## **I. 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.
- 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.

## 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://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](mailto: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:

Jessica Hausman  
Department of Ecology  
(564) 669-9873  
[Jessica.Hausman@ecy.wa.gov](mailto:Jessica.Hausman@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>

- **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 5th day of June 2025 at the Department of Ecology, Lacey, Washington.



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Brenden McFarland on behalf of  
Loree' Randall, Section Manager  
Aquatic Permitting & Protection Section  
Shorelands and Environmental Assistance Program