



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

June 11, 2025

Taylor Shellfish Farms
ATTN: Erin Ewald
130 SE Lynch Road
Shelton, WA 98584

Re: Amendment to 401 Water Quality Certification Order No. 19978 for U.S. Army Corps of Engineers Reference No. 200901148, TSF Rudd Lease, Samish Bay, near Bow, Skagit County, Washington

Dear Erin Ewald:

Enclosed is an amendment to Water Quality Certification Order No. 19978, issued on 4/29/2021, for the above project. All other conditions of Water Quality Certification No. 19978 remain in effect.

The purpose of this amendment is to extend the expiration date of Water Quality Certification Order No. 19978 and update the project description.

If you have any questions, please contact Taylor Belisle at 360-742-8814. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,

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

Enclosure (1)

By certified mail: 91 7199 9991 7036 9386 8666

First Amendment to Order No. 19978
Aquatics No. 139733, Corps No. 200901148
June 11, 2025
Page 2 of 2

Sent via e-mail: erine@taylorshellfish.com

E-cc: Danette Guy, U.S. Army Corps of Engineers
Aquaculture-Reinforcement-Team@usace.army.mil
Taylor Belisle, Ecology
Loree' Randall, Ecology
ecyrefedpermits@ecy.wa.gov

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

Taylor Shellfish Farms
Attn: Erin Ewald
130 SE Lynch Road
Shelton, WA 98584

WQC Order No.	19978, First Amendment
Corps Reference No.	200901148
Site Location	TSF Rudd Lease project located within Samish Bay, near Bow, Skagit County, Washington.

On 4/29/2021, the Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification (WQC) to Taylor Shellfish Farms for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received a request from Taylor Shellfish Farms on September 17, 2024, to extend the expiration date of this WQC. On 3/31/2025, the Corps agreed that Ecology can modify the WQC as requested by Taylor Shellfish Farms.

WQC Order No. 19978 dated 4/29/2021 is hereby amended as follows:

I. The paragraph on page 1 which reads:

This project proposes to commercially cultivate up to 14 acres of clams and oysters between +5.0 foot (ft.) and -5.0 ft. Extreme Low tidal elevation on parcel number P48479. Access to tidelands is by boat.

Is replaced with:

This project proposes to commercially cultivate up to 14 acres of clams and oysters between +3.0 foot (ft.) and -3.0 ft. Extreme Low tidal elevation on parcel number P48479. Access to tidelands is by boat.

II. The paragraph on page 3 which reads:

This Certification is not effective until the U.S. Corps of Engineers (Corps) Seattle District issues an individual Department of the Army (DA) permit for this project. Order No. **19978** will remain valid for the duration of the associated permit. Taylor Shellfish Farms should send a copy of the final DA permit to fednotification@ecy.wa.gov within two weeks of receiving it.

Is replaced with:

This Certification is not effective until the U.S. Corps of Engineers (Corps) Seattle District issues an individual Department of the Army (DA) permit for this project. Order No. **19978** will remain valid until December 31, 2036. Taylor Shellfish Farms should send a copy of the final DA permit to fednotification@ecy.wa.gov within two weeks of receiving it.

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

Contact Information

Please direct all questions about this Order to:

Taylor Belisle
Department of Ecology
360-742-8814
Taylor.Belisle@ecy.wa.gov

More Information

- **Pollution Control Hearings Board Website**
<https://eluhho.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 11th day of June, 2025 at the Department of Ecology, Lacey, Washington.



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