



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

June 23, 2025

Port of Seattle
Attn: Matthew Szymanowicz
PO Box 1209
Seattle, WA 98111

Re: Water Quality Certification Order No. 23666 (Corps No. NWS-2024-311), Port of Seattle Programmatic Routine Maintenance, Repair, and Scientific Sampling, King County, Washington

Dear Matthew:

On 6/27/2024, the Port of Seattle submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for Port of Seattle Programmatic Routine Maintenance, Repair, and Scientific Sampling, King County, 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 Austin Schmalz at (425) 301-6989. The enclosed WQC Order may be appealed by following the procedures described within.

Sincerely,

Joe Burcar, Section Manager
Northwest Region Office
Shorelands and Environmental Assistance Program

Enclosure (1)

WQC Order No. 23666, Corps No. NWS-2024-311

Aquatics ID No. 143348

June 23, 2025

Page 2 of 2

By certified mail: [9214 8901 9403 8320 3772 80]

Sent via e-mail: Szymanowicz.m@portseattle.org

E-cc: LeeAnn Simmons, U.S. Army Corps of Engineers
Erin Hanlon Brown, Ecology
Austin Schmalz, Ecology
Laura Inouye, Ecology
ecyrefedpermits@ecy.wa.gov

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

Port of Seattle
Attn: Matthew Szymanowicz
PO Box 1209
Seattle, WA 98111

WQC Order No.	23666
Corps Reference No.	NWS-2024-311
Site Location	Port of Seattle Programmatic Routine Maintenance, Repair, and Scientific Sampling, located within Elliott Bay, Lake Washington Ship Canal, Shilshole Bay, Salmon Bay, the Duwamish River including the East and West Waterways, and Puget Sound, Seattle, King County, Washington.

The Port of Seattle 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 Port of Seattle Programmatic Routine Maintenance, Repair, and Scientific Sampling program, King County, Washington. The following required processing dates are listed below:

- On 12/14/2023, the Port of Seattle submitted a pre-filing meeting request.
- On 6/27/2024, Ecology received a request for Clean Water Section 401 Water Quality Certification.
- On 7/19/2024, the Port of Seattle submitted additional information, and the Department of Ecology (Ecology) considered the Request valid on this date.
- Ecology's "Reasonable Period of Time" for this project has been established as 6/27/2025.
- On 9/26/2024 the U.S. Army Corps of Engineers (Corps) and Ecology issued a joint public notice.

This program is composed of individual projects that propose to conduct routine maintenance, repair, relocation, replacement and/or removal of Port structures (e.g., piling, outfalls, bulkheads, fender systems, slope protection, etc.) and utilities (e.g., fire, water, storm, electrical, etc.), maintenance dredging, sediment sampling, and beneficial activities for the purposes of mitigation over a 10-year

time period in three zones. The purpose of the program is to maintain function and structural integrity of existing structures. More information on each activity is as follows:

- **Pile systems:** The Port routinely engages in repair and maintenance (including replacement) of pile systems, which includes approximately 36,000 piles of various sizes and material types in all three zones. Similarly, the Port performs repair and maintenance (including replacement) of fender system components, cathodic protection systems, and pile caps and beams. The proposed program will include repair and maintenance (including replacement) of structural, fender, dolphin, float, test, double-walled, and other types of piles ranging in size between 12 inch to 30 inch in diameter, and sheet piles in 24–32-inch sheets over the next 10 years. These estimates are very conservative; the actual number of pilings replaced is likely much lower. Piling to be installed may include ammoniacal copper zinc arsenate (ACZA)- treated timber, untreated timber, concrete, and steel piles; piling to be removed may include those listed above and creosote-treated timber piles, and piling to be repaired may include timber, steel, and concrete piles and use of pile wraps and jackets. The program will cover repair and maintenance (including replacement) activities only; it will not increase or change the use of Port facilities or structures. Piles that are replaced under this program will be mostly either the same size (diameter or sheet length) or smaller than existing piles. In some instances, piles may be larger if project design indicates that a larger pile size will result in a net reduction in square footage of the piling footprint (i.e., using a larger diameter pile will require fewer piles overall), or the contractor may need to select a larger pile size due to market availability at the time of construction.
- **Marina Piers, Ramps (gangways), and Float Assemblages:** Piers, ramps (gangways), and float assemblages such as those found at Shilshole Bay Marina, Bell Harbor Marina, Harbor Island Marina in Zone 1, and Fishermen’s Terminal and Salmon Bay Marina in Zone 3 require maintenance, repair, or replacement for the safety and operations of marina facilities.
- **Overwater Safety and Security Equipment:** Safety ladders must be maintained to operate safely and meet state and federal code requirements. Work may include maintenance (marine growth removal), repairs, installation and relocation of safety ladders to meet terminal needs. Additionally, platforms, such as line-handling platforms, must be installed, maintained, and/or relocated for safety.
- **Shoreline Stabilization:** The Port routinely engages in repair and maintenance activities along approximately 15.4 miles of Port-controlled, engineered shoreline protection structures. The Port’s shoreline protection structures (i.e., riprap and steel sheet piles) may require repair to stabilize bulging/lateral deflection, eroding, coating failure and corrosion, and/or undercut shorelines as necessary to keep Port and tenant facilities safe and operable. Shoreline slopes are subject to wave action and associated erosion, and over time, erosion from this wave action can result in the need to repair and/or replace shoreline protection structures to prevent loss of Port or tenant facilities/improvements. Activities associated with shoreline stabilization include in-kind replacement of existing hard stabilization materials, such as riprap and vertical

bulkheads, as well as alternative stabilization techniques such as slope regrading, anchored wood, and other nature-based solutions. The Port anticipates that up to 10 percent of its engineered slopes will require repair and maintenance over the next 10 years. To the greatest extent practicable, the Port will pursue alternative shoreline stabilization techniques; however, some shoreline slopes will require hard armor to be repaired and/or replaced. The proposed program does not allow the conversion of unarmored shoreline to an armored shoreline. New structures, when needed, will be reviewed separately.

- **Outfalls and Tide Gates:** Stormwater outfall structures and associated tide gates and in-line check valves must be maintained, repaired, and if necessary, new tide gates or in-line check valves installed on existing stormwater pipes, as part of the Port's Municipal Separate Storm Sewer System (MS4) Permit (required by the Section 402 of the Clean Water Act).
- **Boat Ramps and Launches (including vessel hoists and marine rail track systems):** Boat ramps and launches provide water access for launching vessels from landside facilities or vice versa. Boat ramps and launches are primarily constructed of concrete slabs and require concrete repair, maintenance, or replacement to assure continued safe use. Boat launches may include facilities with vessels entering or existing the water including hoist systems and marine rail track systems.
- **Maintenance Dredging:** Large vessels coming into and leaving berth areas can displace bottom sediments, resulting in scour holes and shoaling. The high spots generated by propeller-wash and other berthing activities result in navigation hazards, which may not allow for full vessel loading (economic and environmental impact) and can lead to grounding out of vessels (safety issue and benthic disturbance). When this occurs, targeted maintenance dredging is necessary to remove the high spots to restore and maintain previously dredged berth elevations, allowing terminal operators and vessels to operate safely and efficiently at full capacity. Maintenance is anticipated to be conducted every 3 to 5 years based on the frequency of high spot formation. The Port proposes to limit maintenance dredging to 30,000 cubic yards of material per dredge year, not to exceed 170,000 total cubic yards over the 10-year Program; actual dredge volume is expected to be significantly less based on current maintenance needs. This volume estimate is the maximum of the sum of all projects, and is conservative based on a worst-case scenario for the volume of dredged material that could occur, and accounts for 1 foot of advanced maintenance, plus 2 feet of allowable over dredge. Areas that may require maintenance dredging located in Zone 1 include adjacent to Pier 66 (Elliott Bay); within the East Waterway adjacent to Terminals 18, 25, 30 (T-18, T-25, T-30, respectively), T-46, Pier 28 (using Slip 27) and the adjacent navigation channel; and within the West Waterway adjacent to T-5, and the adjacent navigation channel. The maintenance dredging activities are intended to ensure that project elevations are effectively maintained. The proposed maintenance dredging activities of the program are not part of the USACE's Seattle Harbor Navigation Project which includes deepening the East and West Waterway navigation channels. Current project depths in the East Waterway are based on previously dredged depths and vary based on location. Depths range from -34 feet to -51 feet Mean Lower Low Water (MLLW), plus one foot of advance

maintenance, and two feet of allowable over-dredge indicate that maintenance dredging will occur entirely within the deep subtidal zone (approximately -37 feet to -54 feet MLLW). Following completion of the USACE's Seattle Harbor Navigation Project, the project depth of the federal navigation channel will be -57 feet MLLW, while the southern end of the East Waterway will have no change to the previous project depth of -34 feet MLLW. The Port intends to maintain berth and channel areas of the East Waterway to the current depth until the deepening project is complete. After the deepening project, the Port will maintain berth and channel areas to the new approved project depths if maintenance dredge activities are necessary. The authorized depth of the West Waterway navigation channel is -34 feet MLLW, however current depths range from -50 to -60 feet MLLW due to historical over-dredge of the waterway. As part of the Seattle Harbor Navigation Project the USACE intends to deepen the West Waterway channel areas to -57 feet MLLW. Following completion of the deepening project, the Port may perform maintenance dredge activities of the channel areas to the project depth of -57 feet MLLW if required to maintain vessel access to terminal berths. The Port recently completed the T-5 Berth Modernization Project which deepened the berth areas to -55 feet MLLW. The Port intends to maintain T-5 berth areas to the current project depths (-55 feet MLLW).

- **Sediment Sampling:** Periodic sediment sampling and characterization is required for the Port to support berth maintenance and to meet cleanup obligations and to inform stability and constructability concerns relating to safety. Samples may be taken from surface or subsurface sediments.
- **Under-Pier Utilities:** Under-pier utility work may occur from existing piers located above and adjacent to waterbodies; however, in some instances, work may be accessed from below the pier deck (e.g., fire sprinkler systems). Replacement consists of simple removal of the old lines and installation of new lines at the same facility. The proposed routine repair and maintenance activities related to utilities do not include construction or significant increase in capacity of the utility to support a new or expanded utility service area. Whenever possible, this work will occur in the dry.
- **Subtidal Utility Cable:** A subtidal utility cable connects the Pier 66 cruise terminal to a power feeder extension at T-46 which ties into the Seattle City Light electrical power grid to provide cruise vessels with shore power while berthed at Pier 66. The 26-kilovolt (kV) subtidal utility cable is approximately 6,110-foot-long and runs from the north end of T-46 to the south end of the Pier 66 pier structure. The subtidal utility cable also includes rigid conduit at the T-46 slope and articulated mats across the T-46 and Pier 66 berth areas. Maintenance activities of the subtidal utility cable and appurtenances may be necessary to ensure continued operations. Maintenance may include splicing cable, replacing, repairing or reinforcing protection and placement measures, and repair or replacement of the electrical equipment and its appurtenances in-kind or using cost-effective technologies that provide the same outcome. Maintenance activities will disturb as little of the seafloor and other equipment as necessary to maintain function and placement.

- **Navigational Aids:** Navigational aids assist vessels to safely negotiate hazards. Navigational aids are typically anchored buoys and must be maintained or replaced for safety reasons.
- **Minor Overwater Construction:** This includes the repair, maintenance, replacement, installation, or relocation of bull rails, bollards, cleats, walers, crane rails, picking booms, davits, hoists, safety/security equipment, navigation lights, and light poles, and utilities. Paved surfaces may be replaced or repaired in already-paved areas, and minor building exterior work may occur.
- **Scientific Studies and Experimental Habitat Restoration:** The Port has several ongoing and planned studies to enhance habitat function or address data gaps in scientific literature. Some operations require repair and maintenance of equipment (e.g., experimental octopus habitat installations “Octopods”, floating wetland platforms, etc.) to ensure their continued function and benefit. This WQC does not authorize expansion of these projects.

The program’s sites include multiple Port of Seattle facilities distributed across three Zones as follows:

- **Zone 1, marine (Greater Elliott Bay and Puget Sound including East and West Waterways),** includes the following facilities: Shilshole Bay Marina, Terminal 91, Pier 69, Pier 66, Terminal 86, Centennial Park, Terminal 46, Piers 16/17, Pier 2 and Jack Block Park, Terminal 18, Terminal 10, Terminal 5, Terminal 30, Pier 28, and Terminal 25.
- **Zone 2, estuarine (Tidally Influenced Duwamish Waterway (River Mile 0.0 to 5.0 of the Duwamish River)),** includes the following facilities: Terminal 102, Terminal 103, Terminal 104, Terminal 105, Terminal 106, Terminal 107, Terminal 108, Terminal 115, Terminal 117, and Turning Basin #3.
- **Zone 3, freshwater (Lake Washington Ship Canal and Salmon Bay),** includes the following facilities: Maritime Industrial Center, Fishermen’s Terminal, and Salmon Bay Marina

These facilities are located in King County, Washington, within Water Resource Inventory Areas (WRIA) 8 - Cedar-Sammamish and WRIA 9 - Duwamish-Green WRIsAs.

The following individual WQC Orders and any associated amendments will be terminated following issuance of this order as those activities are now authorized by this WQC Order: Order No. 22583 – East Waterway Maintenance Dredging Program, Order No. 21173 – Seattle Pile Systems Repair and Maintenance Program, Order No. 19458 – Seattle Bankline Repair and Enhancement Multi-Site Program.

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 the Port of Seattle's request for a Section 401 Water Quality Certification for the Port of Seattle Programmatic Routine Maintenance, Repair, and Scientific Sampling program, located within Elliott Bay, Shilshole Bay, Salmon Bay, the Duwamish River including the East and West Waterways, and Puget Sound in King County. Ecology has determined that the proposed discharges will comply with all applicable state water quality and other appropriate requirements of State law, provided the program is conducted in accordance with the WQC request that Ecology received on 6/27/2024 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
6/27/2024	Joint Aquatic Resources Permit Application (JARPA) Form	JARPA, 6/6/2024	Port of Seattle, Matthew Szymanowicz
6/27/2024	Drawings	Proposed Project: Programmatic Routine Maintenance, Repair, and Scientific Sampling, 5/30/2024	Port of Seattle, Farallon Consulting, and Grette Associates
6/27/2024	Example Dredge Work Plan	General Work Plan, 10/2/2015	American Construction Company, Inc.

6/27/2024	Example Dredge Work Plan Addendum	Work Plan Addendum for the Terminal 18 Maintenance Dredging Project, 1/12/2016	American Construction Company, Inc.
6/27/2024	Example Project Information Forms	Example Project Information Forms, no date (fillable forms)	Port of Seattle
4/18/2025	Endangered Species Consultation	Programmatic Biological Opinion, 4/10/2025	United States Department of the Interior, U.S. Fish and Wildlife Service
4/18/2025	Endangered Species Consultation	Endangered Species Act Section 7(a)(2) Biological Opinion and Magnuson–Stevens Fishery Conservation and Management Act Essential Fish Habitat Response, 4/10/2025	United States Department of Commerce
4/25/2025	Water Quality Monitoring and Protection Plan	Water Quality Monitoring and Protection Plan, 4/23/2025	Port of Seattle
6/17/2025	Activities and Compliance Documentation	Port of Seattle Program Activities and Compliance Documentation (no date)	Port of Seattle
5/12/2025	State Environmental Policy Act	Final Determination of Non-Significance, 5/2/2025	Port of Seattle

Issuance of this Section 401 Water Quality Certification for this proposal does not authorize the Port of Seattle 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 Port of Seattle 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 Port of Seattle. Specific condition justifications and citations are provided below.

A. General Conditions

1. In this WQC Order, the term “Project Proponent” shall mean the Port of Seattle 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 and cc to Austin.Schmalz@ecy.wa.gov. The submittals shall be identified with WQC Order No. 23666 and include the Project Proponent’s name, Corps permit number, project name, project contact, and the contact phone number. (See conditions A6, A9, A10, A13, B2, C3, D4, D7, E13, E46, and E47).
 - 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 6/27/2024 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 the project sites 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. The Project Proponent shall send (per A.2.) a copy of the final Federal permit via e-mail to fednotification@ecy.wa.gov and cc to Federal Permit Manager prior to the starting of any work authorized by this WQC Order. If the Federal Agency determines the proposed project does not require a Federal permit, the Project Proponent shall immediately inform Ecology.
- Justification - This condition is needed to ensure that the federal permit has been issued and all the conditions of the WQC Order have been included into the federal permit.
 - Citation - 40 CFR 121.10, 40 CFR 121.11, and Chapter 90.48 RCW.
11. No temporary or permanent impacts to wetlands are authorized under this certification.

- Justification – Proposed wetland impacts must be analyzed on a case-by-case basis to ensure that the mitigation sequence is followed. 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.
12. The Project Proponent is responsible for obtaining all other permits, licenses, and certifications that may be required by federal, state, local or tribal authorities.
- 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. The temporary disturbance of sediments during and immediately following in-water construction activities may only occur after the activity has received all other necessary local and state permits and approvals, and after the implementation of appropriate best management practices to avoid or minimize disturbance of in-place sediments and exceedances of the turbidity criteria.
 - 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
13. 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 on 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 and cc to Austin.Schmalz@ecy.wa.gov. Notifications shall be identified with WQC Order No. 23666, Corps Reference No. NWS-2024-311-WRD, 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-construction meetings (see Condition D44, pre-dredge meeting).
 - c. At least ninety (90) days prior to conducting in-water work activities via the Port's Project Information Form for those activities indicated on the Port of Seattle Project Activities and Compliance Documentation document listed in Table 1; and
 - d. Within seven (7) days of completion of all activities for 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 is effective upon issuance of the U.S. Corps of Engineers (Corps) individual permit for this program and will remain valid until December 31st, 2035.

- Justification – Certifications are required for any license or permit that authorizes an activity that may result in a discharge or fill material into waters. This WQC Order is not valid until the Federal agency issues a permit. Additionally, Ecology needs to be able to specify how long the WQC Order will be in effect.
 - Citation – Chapter 90.48 RCW, Chapter 173-201A WAC, and WAC 173-225-010.
2. The following in-water work windows apply: all activities below the ordinary high-water mark may be conducted as identified in Table 2, unless otherwise approved in writing by Ecology.

Table 2. Work Windows

WRIA/Waterbody	Sites	Activities	Work Window
WRIA 8 Lake Washington Ship Canal and Salmon Bay	Maritime Industrial Center, Fishermen's Terminal, Salmon Bay Marina	All activities <u>except</u> those listed in the furthermore statement below Table 2	Between October 1 and April 15 of any year
WRIA 8 Saltwater and Estuarine Areas	Shilshole Bay Marina, Terminal 46, Terminal 46 North, Smith Cove Cruise Terminal, Piers 16 and 17, Terminal 18, Terminal 10, Terminal 105 SE, Terminal 5, Terminal 30, Pier 28, Terminal 25, Pier 2, Jack Block Park	All activities <u>except</u> impact pile driving for pipe pile and the activities listed in the furthermore statement below Table 2	Between August 1 and February 15 of any year
		Impact pile driving for pipe pile	Between September 1 and February 15 of any year
WRIA 8 Saltwater Area		All activities <u>except</u> impact pile driving for pipe pile, Pier 66 fender panel and replacement activities, Pier 66 aluminum anode installation, and the activities listed in the furthermore	Between August 1 and January 15 of any year

	Terminal 86, Elliott Bay Park Fishing Pier, Pier 66, Pier 69, Pier 90, Terminal 91	statement below Table 2	
		Impact pile driving for pipe pile	Between September 1 and January 15 of any year
		Pier 66 fender panel and replacement	Year-round
		Pier 66 aluminum anode installation	Between August 1 and December 31, and between January 1 and February 15, of any year
WRIA 9 Duwamish River Estuarine Areas	Terminal 102, Terminal 103, Terminal 104, Terminal 106, Terminal 108, Terminal 107 and Kellogg Island, Terminal 105, Terminal 115, Terminal 117, Turning Basin #3	All activities <u>except</u> those listed in the furthermore statement below Table 2	Between August 1 and February 15 of any year

Furthermore, these activities may occur year-round:

- a) cathodic protection replacement and pile wraps
- b) fender systems and rub strips
- c) overwater safety and security equipment work
- d) geotechnical/sediment sampling
- e) under-pier utilities
- f) navigational aids
- g) on-dock structures and minor overwater construction

- 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.
3. Any project activity that requires a new or revised Hydraulic Project Approval (HPA) from the Department of Fish and Wildlife should be sent to Ecology for review before the action or change is implemented.
- Justification - This condition is reaffirming the projects 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. For in-water activities within marine 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.
 - b. Temporary area of mixing for turbidity established within the state water quality standards for marine waters (WAC 173-201A-210) is as follows:
 01. For estuaries or marine waters, the point of compliance for a temporary area of mixing 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 revise the Water Quality Monitoring and Protection Plan (WQMPP), identified in Table 1, to be consistent with the conditions of this WQC Order, as described in the WQMPP. The revised WQMPP shall be submitted to Ecology's Federal Permit Manager (per Condition A.2 of this Order) **for review** at least 60 days prior to beginning any work covered by this WQC Order. The WQMPP may be included on the Port's Project Information Form (identified in Table 1).

- Justification - This condition is necessary to ensure that the monitoring and BMPs that are proposed by the Project Proponent and authorized by Ecology are 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. 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. Construction

General Conditions

1. All work in and near waters of the state shall be conducted to minimize turbidity, erosion, and other water quality impacts. Construction stormwater, sediment, and erosion control Best Management Practices (BMPs) suitable to prevent exceedances of state water quality standards shall be in place before starting maintenance and shall be maintained throughout the duration of the activity.
 - Justification - Disturbed areas without appropriate BMPs and construction methods 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, Chapter 90.48.030 RCW, Chapter 90.48.080 RCW, Chapter 173-201A WAC, Chapter 173-201A-300-330 WAC, Chapter 173-204-120 WAC, and Chapter 173-225-010 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.
 - 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.

4. If required, the Project Proponent shall obtain and comply with the conditions of the Construction Stormwater General Permits (National Pollutant Discharge Elimination System - NPDES) issued for this project.
 - 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, RCW 90.48.260, Chapter 173-201A WAC, WAC 173-201A-300 - 330, WAC 173-204-120, and WAC 173-225-010.
5. Within the project limits¹ all environmentally sensitive areas including, but not limited to, wetlands, wetland buffers, shoreline riparian buffers and mitigation areas shall be fenced with high visibility construction fencing (HVF), prior to commencing construction activities. Construction activities include equipment staging, materials storage, and work vehicle parking. Note: This condition does not apply to activities such as pre-construction surveying and installing HVF and construction zone signage.
 - a. If the project will be constructed in stages² a detailed description and drawings of the stages shall be sent to Ecology for review at least 20 days prior to placing HVF.
 - b. Condition 5.a. shall apply to each stage.
 - c. All field staff shall be trained to recognize HVF, understand its purpose and properly install it in the appropriate locations.
 - d. HVF shall be maintained until all work is completed for each project or each stage of a staged project.
 - 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.
6. No petroleum products, fresh concrete, lime or concrete, chemicals, or other toxic or deleterious materials shall be allowed to enter waters of the state.

¹ Project limits include mitigation sites, staging areas, borrow sources, and other sites developed or used to support project construction.

² A stage is part of a project that has been separated into at least two distinct areas to be built during separate timeframes.

- 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.
7. All construction debris, excess sediment, and other solid waste material shall be properly managed and disposed of in an upland disposal site approved by the appropriate regulatory authority.
- 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.
8. All equipment being used below the ordinary high-water mark shall utilize biodegradable hydraulic fluid.
- 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.
9. Applicant shall ensure that fill (soil, gravel, or other material) placed for the proposed project does not contain toxic materials in toxic amounts.
- 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.
10. Work within waters of the state shall be conducted in the dry or during periods of low flow, unless written approval is obtained by Ecology.
- 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.
11. If temporary cofferdams, bladder dams, super sack dams, floating turbidity curtains, and bypasses used to divert water around the work area are required for isolation, they shall be in place prior to initiation of work below the OHWM. These shall be properly deployed and maintained in order to minimize turbidity and re-suspension of sediment.
- Justification - This condition ensures containment and limits movement of sediment that could cause water quality exceedances. 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.
12. To minimize sediment releases, re-introduction of water into the isolated work area shall be done gradually, and at a rate not higher than the normal flow.
- 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.
13. If contamination is discovered on site, it must be reported to Ecology (per Condition A.2.). Protective measures shall be implemented to isolate and remove the contaminated media and avoid escaping dust, soil or sediment erosion, and water pollution during construction activities. Contaminated sediments/soils shall be managed and disposed of in accordance with state and local regulations.
- 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 70.105D RCW, RCW 90.48, 90.48, RCW 90.48.030, Chapter 173-200 WAC, Chapter 173-201A WAC, WAC 173-201A-300-330, Chapter 173-204 WAC, and WAC 173-225-010.

Equipment and Maintenance

14. Staging areas will be located a minimum of 50 feet and, where practical, 200 feet, from waters of the state, including wetlands, unless otherwise requested by the project proponent and authorized by Ecology.

- Justification - Requiring a minimum setback ensures that material will not end up in 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.
15. Equipment used for this program shall be free of external petroleum-based products while used around the waters of the state, including wetlands. Accumulation of soils or debris shall be removed from the drive mechanisms (wheels, tires, tracks, etc.) and the undercarriage of equipment prior to its use around waters of the state, including wetlands.
- 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.
16. No equipment shall enter, operate, be stored or parked within any sensitive area except as specifically provided for in 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.
 - 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.
17. 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.
18. Wash water containing oils, grease, or other hazardous materials resulting from washing of equipment or working areas shall not be discharged into state waters. The Project Proponent shall set up a designated area for washing down equipment.

- 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.
19. A separate area shall be set aside, which does not have any possibility of draining to surface waters, for the wash-out of concrete delivery trucks, pumping equipment, and tools.
- 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.
20. 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 90.48 RCW, RCW 90.48.030, Chapter 173-201A WAC, 173-201A-300-330 WAC, and Chapter 173-204 WAC.
21. Barges shall be kept free of material that could be blown into 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 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.

Dewatering

22. Turbid dewatering water associated with in-water work shall not be discharged directly to waters of the state, including wetlands. Turbid dewatering water shall be routed to an upland area for on-site or off-site settling.
- 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.
23. Clean dewatering water associated with in-water work that has been tested and confirmed to meet water quality standards may be discharged directly to waters of the state including wetlands. The discharge outfall method shall be designed and operated so as not to cause erosion or scour in the stream channel, banks, or vegetation.
- 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.
24. Dewatering water may not be discharged to Elliott Bay, Lake Washington Ship Canal, Shilshole Bay, Salmon Bay, the Duwamish River including the East and West Waterways, or Puget Sound or conveyed to surface waters unless it meets Surface Water Quality Standards (Chapter 173-201A WAC) at the point of discharge, unless otherwise authorized by 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.
 - 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.
25. All equipment associated with dewatering activities shall be properly operated and maintained.
- Justification - Maintained equipment is less likely to fail or leak pollutants. 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.

Bank Stabilization

26. Placement of rip-rap shall be conducted in compliance with water quality standards for turbidity.
- 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.

Ground Improvements

27. Ground improvement activities shall not cause exceedance of water quality standards.

- 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.

Dolphin Removal or Removal of Creosote Piles

28. 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.

29. Piles removed from the substrate shall be moved immediately from the water onto a barge or onto upland.

- 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.

30. The pile shall not be shaken, hosed off, left hanging to drip or any other action intended to clean or remove adhering material from the pile over waters of the state.

- 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.
31. If pile removal fails, the pile stub must be cut at least 2 ft. below mudline, and the location (latitude and longitude) of all cut piling shall be reported to Ecology within 2 months of removal of all piles.
- Justification- This condition is necessary because pile stubs can release associated creosote if exposed, and stubs at the surface can result in localized erosion that leads to further exposure of the stubs. 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.
32. During pile removal, containment booms and absorbent sausage booms shall be placed around the perimeter of the in-water work area and upland storage area, if used, to capture wood debris, oil, and other materials from being released into waters of the state.
- 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.
33. All excavated piles and debris that is collected shall be disposed upland in an approved disposal site.
- Justification - Ecology must be assured that the Project Proponent is managing and disposing of piles and debris to protect water quality 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.
34. If a barge is used during pile removal, the work surface on the barge deck shall include containment for piles and any liquid or sediment removed during pulling of the piling.
- 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.
35. Sediments spilled on work surfaces shall be contained and disposed of with the pile debris at an approved upland disposal site.
- Justification - Ecology must be assured that the Project Proponent is managing and disposing of sediment to protect water quality 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.
36. Water left in the containment on the barge shall not be discharged into waters of the state.
- 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.

Geotechnical and Sediment Sampling

37. Geotechnical and sediment sampling as part of cleanup or restoration studies, for geotechnical testing to inform stability or constructability of designs, and to support DMMP Suitability Determination Memorandums shall follow the BMPs listed in the combined Biological Evaluation (section 1.3.7).
- Justification - Ecology must be assured that the Project Proponent is managing and disposing of excess sediment appropriately and to protect water quality and beneficial uses.
 - Citation - Chapter 70.105D RCW, Chapter 90.48 RCW, RCW 90.48.030, Chapter 173-200 WAC, Chapter 173-201A WAC, WAC 173-201A-300 - 330, Chapter 173-204 WAC and WAC 173-225-010.

Dredging

38. All dredging is to be done using a mechanical (clamshell) dredge. Ecology must approve any other dredging method prior to its use.
- Justification - Ecology has reviewed the program 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.
39. Only suitable dredged material will be disposed of by bottom dump barge at Elliott Bay open water disposal site.
- Justification - Ecology has reviewed the program 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.
40. All unsuitable material will be transloaded at an approved facility and disposed of at a permitted upland disposal site.
- Justification - Use of a permitted trans loading facility ensures that appropriate BMPs, including appropriate containment and spill plans, are implemented. Additionally, use of a permitted disposal location ensures appropriate BMPs will be implemented to prevent contaminants from migrating into groundwater or surface waters.
 - 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 173-200 WAC, Chapter 173-201A WAC, Chapter 173-201A-240(5)(b) WAC, and Chapter 173-204-400(2), and WAC 173-225-010.
41. 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.
42. 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.
43. 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.
44. A pre-dredge meeting is required to be convened prior to the start of dredging. A **Dredging and Disposal Work plan**, season-specific Water quality Monitoring Plan (WQMP) (condition D.4), and DMMP Suitability Determination Memorandum (SDM) (condition E.45) shall be submitted to Ecology per Condition A.2 at least two weeks prior to the pre-dredge meeting. The work plan and WQMP will be consistent with the General Work Plan and Water Quality Monitoring and Protection Plan listed in Table 1. The Dredging and Disposal work plan shall include the following:
- a. General information including schedule, primary contact, and hours of operation.
 - b. Dredged quantities and disposal location, including any upland locations (transloading and disposal).
 - 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.

45. All dredging and disposal shall have a valid suitability determination prior to in-water work.
- 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.
46. Any deviations from the authorized dredging footprint, depths, or volumes must be reported to the Project Manager within 24 hours of discovery.
- 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.
 - 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.
47. A post-dredge report shall be submitted to the Project Manager within 30 days of completion of dredging shall include:
- a. The final dredge volume
 - b. Location(s) of in-water placement
 - c. Volume and location(s) of material placed in uplands
 - d. Plotted results of the post-dredge bathymetric survey. Results must clearly display the post-dredge sediment surface in relation to the permitted dredge boundary and depth, as well as the location of project features such as docks, wharfs and other landmarks. The vertical datum must be clearly indicated.
- 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.
 - 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.

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.
- 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 WQC 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 WQC Order:

- File your notice of appeal and a copy of this WQC 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 WQC Order on the Department of Ecology mail, in person, or by email (see addresses below).

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Filing an appeal

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://eluhwa.wa.gov/> or call: 360-664-9160.

Service on Ecology

Street Addresses:

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

Mailing Addresses:

Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

E-Mail Address:

ecologyappeals@ecy.wa.gov

Americans with Disabilities Act Information

Accommodation Requests

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-6831 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Contact Information

Please direct all questions about this WQC Order to:

Austin Schmalz
Department of Ecology
360-515-8213
Austin.Schmalz@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>

WQC Order No. 23666, Corps No. NWS-2024-311

Aquatics ID No. 143348

June 23, 2025

Page 35 of 36

Signature

Dated this 23rd day of [June 2025] at the Department of Ecology, Shoreline, Washington.



Joe Burcar, Section Manager

Northwest Region Office

Shorelands and Environmental Assistance Program

Attachment A

Statement of Understanding Water Quality Certification Conditions

Port of Seattle Programmatic Routine Maintenance, Repair, and Scientific Sampling

Water Quality Certification WQC Order No. 23666

As the Project Proponent for the Port of Seattle Programmatic Routine Maintenance, Repair, and Scientific Sampling program, I have read and understand the conditions of Washington State Department of Ecology WQC Order No. 23666, and any permits, plans, documents, and approvals referenced in the WQC Order. I have and will continue to ensure that all project engineers, contractors, and other workers at the project sites with authority to direct work have read and understand the conditions of this WQC Order and any permits, plans, documents, and approvals referenced in the WQC Order.

Signature

Date

Title

Phone

Company