



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

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

July 30, 2025

Fazio Brothers Sand Company, Inc.  
Attn: Richard Fazio  
12112 Northwest Lower River Road  
Vancouver, Washington 98660

Re: Amendment to 401 Water Quality Certification Order No. 13271 for U.S. Army Corps of Engineers Reference No. NWS-2003-1265, Columbia River Mining between river miles 94 to 101.5, Columbia River, near Vancouver, Clark County, Washington

Dear Richard Fazio:

Enclosed is an amendment to Water Quality Certification Order No. 13271, issued on April 22, 2016, for the above project. All other conditions of Water Quality Certification No. 13271 remain in effect.

The purpose of this amendment is to extend the expiration date of the Water Quality Certification to include the 2026 in-water work window.

If you have any questions, please contact Jessica Hausman at (564) 669-9873. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,

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

Enclosure (1)

By certified mail: 91 7199 9991 7036 9386 8895

Sent via e-mail: [faziobro@aol.com](mailto:faziobro@aol.com)

First Amendment to Order No. 13271  
Aquatics No. 135245, Corps No. NWS-2003-1265

July 30, 2025  
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E-cc: Josh Taylor, U.S. Army Corps of Engineers  
Sam Rubin, WSP  
Jessica Hausman, Ecology  
Loree' Randall, Ecology  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)

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

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<b>WQC Order No.</b>	13271, First Amendment
<b>Corps Reference No.</b>	NWS-2003-1265
<b>Site Location</b>	Columbia River Mining between river miles 94 to 101.5 project located within Columbia River, near Vancouver, Clark County, Washington.

On April 22, 2016, the Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification to Fazio Brothers Sand Company, Inc. for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received a request on July 1, 2025, to extend the effective date of the 401 Water Quality Certification from October 26, 2026, to February 28, 2027, to accommodate the 2026 in-water work window.

WQC Order 13271 dated April 22, 2016, is hereby amended as follows:

I. Condition number E.2. which reads:

This Order shall remain in effect for a period of 10 years from date of issuance of the Corps permit. Continuing this project beyond the term of this Order will require separate certifications.

Is replaced with:

This Order shall remain in effect until February 28, 2027. Continuing this project beyond the term of this Order will require separate certifications.

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

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

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

## Your right to appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do all of the following within 30 days of the date of receipt of this Order:

- File your notice of appeal and a copy of this Order with the PCHB (see filing information below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this Order on the Department of Ecology by mail, in person, or by email (see addresses below).

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

## Address and Location Information

### Filing with the PCHB

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

### Service on Ecology

#### Street Addresses:

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

#### Mailing Addresses:

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

#### E-Mail Address:

[ecologyappeals@ecy.wa.gov](mailto:ecologyappeals@ecy.wa.gov)

## Contact Information

Please direct all questions about this Order to:

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://eluhc.wa.gov>
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice and Procedure**  
<http://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=34.05>

## Signature

Dated this 30th day of July, 2025 at the Department of Ecology, Lacey, Washington.



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