



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

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

August 7, 2025

Port of Port Angeles  
Attn: Jesse Waknitz  
P.O. Box 1350  
Port Angeles, WA 98362

Re: Water Quality Certification Order No. **23819** (Corps No. **NWS-2025-0170**), Port of Port Angeles Seawall Replacement, Clallam County, Washington

Dear Jesse Waknitz:

On 3/24/2025, Port of Port Angeles submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Port of Port Angeles Seawall Replacement, Clallam 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 Erin Everton at (564) 250-5556. The enclosed WQC Order may be appealed by following the procedures described within.

Sincerely,

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

WQC Order No. 23819, Corps No. NWS-2025-0170  
Aquatics ID No. 145435  
August 7, 2025  
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Enclosure (1)

By certified mail: 91 7199 9991 7036 9386 8871

Sent via e-mail: [jessew@portofpa.com](mailto:jessew@portofpa.com)

E-cc: Danette Guy, U.S. Army Corps of Engineers  
Connie Groven, Ecology  
Erin Hanlon Brown, Ecology  
Erin Everton, Ecology  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)

In The Matter of Granting a Water Quality  
Certification with Conditions to Port of Port Angeles 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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Attn: Jesse Waknitz  
P.O. Box 1350  
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<b>WQC Order No.</b>	23819
<b>Corps Reference No.</b>	NWS-2025-0170
<b>Site Location</b>	Port of Port Angeles Seawall Replacement located within Port Angeles Harbor, Port Angeles, Clallam County, Washington.

Port of Port Angeles submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Port of Port Angeles Seawall Replacement, Clallam County, Washington. The required processing dates are listed below:

- On 2/28/2025, the Port of Port Angeles submitted a pre-filing meeting request.
- On 3/24/2025, Ecology received a request for Clean Water Section 401 Water Quality Certification.
- On 4/9/2025, Ecology issued a public notice for the project.
- Ecology's "Reasonable Period of Time" for this project has been established as 3/24/2026.

This project proposes to install a 1.25-inch-thick fiberglass encasement waterward of the existing 335 linear foot sheet pile wall and construct a mechanically stabilized earth (MSE) wall. The existing Cofferdam Dock Facility is composed of a steel sheet pile wall running approximately 335 linear ft along the shoreline. This sheet pile wall is tied back to a second, parallel sheet pile wall located approximately 30 ft (ft) landward. These sheet pile walls are connected by tie rods attached to a double channel waler beam above the high tide line and backfill between these walls consists of loose dirt fill and wood debris. Work would include excavating up to 16,000 square feet of existing backfill material to a depth of 12 ft below ground surface. The removed material would be stockpiled onsite for future use or transported offsite to an approved upland disposal facility if it is unsuitable for reuse. Then after removing the waler beam and installing the fiberglass encasement using land-based excavators, the gap between the encasement and the existing sheet pile wall would be dewatered allowing divers to connect the structures using grout. After it is secured, the replacement waler beams and end caps would be installed, with backfill material placed to an elevation of +9 ft mean lower low

water and the MSE wall constructed. The MSE wall would be constructed using layers of compacted gravel with sheets of geogrid reinforcement, quarry spalls, crushed surface base coarse rock, ecology blocks, and a 1-foot-wide section of free draining rock to allow for stormwater infiltration and drainage.

The project site is located at 1301 Marine Drive, Port Angeles, Port Angeles Harbor, Clallam County, Washington, Section 4, Township 31 N., Range 6 W., within Water Resource Inventory Area (WRIA) 18 Elwha-Dungeness.

With this WQC Order, Ecology is granting with conditions Port of Port Angeles' request for a Section 401 Water Quality Certification for the Port of Port Angeles Seawall Replacement project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments Ecology received on 3/24/2025, and the following supporting documentation:

1. Revised Water Quality Monitoring Plan sent via e-mail to Ecology dated 6/6/2025.

Based on the information submitted, Ecology has determined that the discharge from the project will comply with state water quality requirements. Prior to undertaking any changes that materially alter the project, Port of Port Angeles must contact Ecology to determine whether a new Section 401 Water Quality Certification is required.

Issuance of this Section 401 Water Quality Certification for this proposal does not authorize Port of Port Angeles 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). Furthermore, nothing in this Section 401 Water Quality Certification absolves Port of Port Angeles from liability for contamination and any subsequent cleanup of surface waters, ground waters, or sediments resulting from project construction or operations.

### **Special Conditions:**

1. This Certification is not effective until the U.S. Corps of Engineers (Corps) Seattle District issues a Department of the Army (DA) permit for this project. WQC Order No. **23819** will remain valid until January 14, 2028.
  - 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. Port of Port Angeles shall send a copy of the final Federal permit via e-mail to [fednotification@ecy.wa.gov](mailto:fednotification@ecy.wa.gov) and cc to [Erin.Everton@ecy.wa.gov](mailto:Erin.Everton@ecy.wa.gov) 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 Port of Port Angeles 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.
3. To transfer this WQC Order to a new owner or operator Port of Port Angeles 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 at [fednotification@ecy.wa.gov](mailto:fednotification@ecy.wa.gov) and cc to [Erin.Everton@ecy.wa.gov](mailto:Erin.Everton@ecy.wa.gov). 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 Port of Port Angeles 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 at 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.
4. Any work that causes distressed or dying fish or discharges of oil, fuel, or other chemicals into state waters or onto land with a potential for entry into state waters is prohibited. If such work, conditions, or discharges occur, immediately notify Ecology's Regional Spill Response Office at 360-407-6300 and the Washington State Department of Fish & 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. You will also need to notify the Washington Emergency Management Division at 1-800-258-5990, for spills to water only. This condition is necessary to prevent oil and other 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.

- 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. The Project Proponent shall obtain and comply with the conditions of the Construction Stormwater General Permit (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.
6. Turbidity curtains 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.
7. The Project Proponent shall conduct water quality monitoring as described in the approved Water Quality Monitoring Plan.

- Justification - Ecology must protect waters of the state from all discharges and potential discharges of pollution and prevent exceedances of the water quality standards that protect aquatic life and beneficial uses.
  - Citation - RCW 90.48, RCW 90.48.030, Chapter 173-201A WAC, 173-201A-300-330 and WAC 173-225-010.
8. 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

In view of the foregoing and in accordance with 33 U.S.C. §1341, RCW 90.48.120, RCW 90.48.260 Chapter 173-200 WAC and Chapter 173-201A WAC, this WQC is granted with conditions to the Port of Port Angeles for the Port of Port Angeles Seawall Replacement project.

### **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 Address:**

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

**Mailing Address:**

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

**E-Mail Address:**

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

## Americans with Disabilities Act Information

### Accommodation Requests

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

## Contact Information

Please direct all questions about this WQC Order to:

Erin Everton  
Department of Ecology  
564-250-5556  
[Erin.Everton@ecy.wa.gov](mailto:Erin.Everton@ecy.wa.gov)



## More Information

- **Pollution Control Hearings Board Website**  
<https://elaho.wa.gov>
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**  
<http://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Chapter 90.48 RCW – Water Pollution Control**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=90.48>
- **Chapter 173.204 WAC – Sediment Management Standards**  
<http://apps.leg.wa.gov/WAC/default.aspx?cite=173-204>
- **Chapter 173-200 WAC – Water Quality Standards for Ground Waters of the State of Washington**  
<http://apps.leg.wa.gov/WAC/default.aspx?cite=173-200>
- **Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington**  
<http://apps.leg.wa.gov/WAC/default.aspx?cite=173-201A>

## Signature

Dated this 7th day of August, 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