



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

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

August 21, 2025

U.S. Army Corps of Engineers, Portland District
Attn: Amy Gibbons
P.O. Box 2946
Portland, OR 97208

Re: First Amendment to 401 Water Quality Certification Order No. 23773, Cottonwood
Island Pile Dike Repairs, Columbia River, Kalama, Cowlitz County, Washington

Dear Amy Gibbons:

Enclosed is an amendment to Water Quality Certification Order No. 23773, issued on July 22, 2025, for the above project. We have also included a strikeout version of the Water Quality Certification that reflects the changes made. All other conditions of Water Quality Certification No. 23773 remain in effect.

The purpose of this amendment is to update the project description to include the correct number of steel marker piles for installation.

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 (2)

By certified mail: 91 7199 9991 7036 9386 8741

Sent via e-mail: Amy.C.Gibbons@usace.army.mil

First Amendment to Order No. 23773

Aquatics No. 141921

August 21, 2025

Page 2 of 2

E-cc: Duncan Newberry, U.S. Army Corps of Engineers

Erin Hanlon Brown, Ecology

Jessica Hausman, Ecology

ecyrefedpermits@ecy.wa.gov – Aquatics ID No. 141921

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

U.S. Army Corps of Engineers, Portland District
Attn: Amy Gibbons
P.O. Box 2946
Portland, OR 97208

WQC Order No.	23773, First Amendment
Site Location	Cottonwood Island Pile Dike Repairs, located within the Columbia River, Kalama, Cowlitz County, Washington.

On July 22, 2025, the Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification to the U.S. Army Corps of Engineers, Portland District, for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received a request on August 11, 2025, to amend the project description to include the correct number of steel marker piles to be installed as part of the project.

WQC Order No. 23773, dated July 22, 2025, is hereby amended as follows:

I. Project description on page 1 which reads:

This project proposes to repair 10 pile dikes, located at River Miles 68.35, 68.57, 68.79, 69.01, 69.25, 69.51, 69.79, 70.17, 71.17, and 71.51. The project also includes enhancement of existing enrockment, installation of offset pile dikes with scour aprons at five locations, and installation of seven steel marker piles.

Is replaced with:

This project proposes to repair 10 pile dikes, located at River Miles 68.35, 68.57, 68.79, 69.01, 69.25, 69.51, 69.79, 70.17, 71.17, and 71.51. The project also includes enhancement of existing enrockment, installation of offset pile dikes with scour aprons at five locations, and installation of up to seventeen steel marker piles.

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

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

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

Your right to appeal

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

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

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

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

Address and Location Information

Filing with the PCHB

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

Service on Ecology

Street Addresses:

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

Mailing Addresses:

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

E-Mail Address:

ecologyappeals@ecy.wa.gov

Contact Information

Please direct all questions about this Order to:

Jessica Hausman
Department of Ecology
(564) 669-9873
jessica.hausman@ecy.wa.gov

More Information

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

Signature

Dated this 21st day of August, 2025 at the Department of Ecology, Lacey, Washington.



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

This document shows the activities and/or conditions that have been amended since the original Order was issued. Therefore, it is not the official certification and should be used for information purposes only.

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

U.S. Army Corps of Engineers, Portland District
Attn: Amy Gibbons
P.O. Box 2946
Portland, OR 97208

WQC Order No.	23773 - First Amendment
Site Location	Cottonwood Island Pile Dike Repairs, located within the Columbia River, Kalama, Cowlitz County, Washington.

The U.S. Army Corps of Engineers, Portland District (USACE), submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Cottonwood Island Pile Dike Repairs, Cowlitz County, Washington. The required processing dates are listed below:

- On 4/24/2023, the USACE submitted a pre-filing meeting request.
- On 2/25/2025, Ecology received a request for Clean Water Section 401 Water Quality Certification.
- On 6/13/2025, Ecology issued a public notice for the project.
- Ecology's "Reasonable Period of Time" for this project has been established as 8/25/2025.

This project proposes to repair 10 pile dikes, located at River Miles 68.35, 68.57, 68.79, 69.01, 69.25, 69.51, 69.79, 70.17, 71.17, and 71.51. The project also includes enhancement of existing enrockment, installation of offset ~~pile~~ **pile** dikes with scour aprons at five locations, and installation of ~~seven~~ **up to seventeen** steel marker piles.

The project site is located at Cottonwood Island, Columbia River, Cowlitz County, Washington, Sections 13, 14, 24, 25, Township 7 N., Range 2 W., within Water Resource Inventory Area (WRIA) 26 – Cowlitz.

With this WQC Order, Ecology is granting with conditions USACE's request for a Section 401 Water Quality Certification for the Cottonwood Island Pile Dike Repairs project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments Ecology received on 2/25/2025, and the following supporting documentation:

1. Updated water quality monitoring plan, received March 12, 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, USACE 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 USACE to exceed applicable state water quality standards (Chapter 173-201A WAC), ground water quality standards (Chapter 173-200 WAC), or sediment quality standards (Chapter 173-204 WAC). Furthermore, nothing in this Section 401 Water Quality Certification absolves USACE from liability for contamination and any subsequent cleanup of surface waters, ground waters, or sediments resulting from project construction or operations.

Special Conditions:

1. WQC Order No. **23773** will remain valid until June 30, 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. 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 USACE shall implement the approved Water Quality Monitoring Plan (WQMP), *Cottonwood Island Pile Dike Repair Project Water Quality Monitoring Plan, dated March 2025*. Revisions to the WQMP shall be submitted to Ecology's Federal Permit Manager via e-mail to fednotification@ecy.wa.gov and cc to Jessica.Hausman@ecy.wa.gov for review and approval at least 30 days prior to beginning any work covered by this WQC Order.
 - 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
3. 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.

First Amendment August 21, 2025

Cottonwood Island Pile Dike Repairs

WQC Order No. 23773, Aquatics ID No. 141921

July 22, 2025

Page 3 of 4

- 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
4. 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.
5. If a barge is used to remove piles, 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.
6. 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

First Amendment August 21, 2025

Cottonwood Island Pile Dike Repairs

WQC Order No. 23773, Aquatics ID No. 141921

July 22, 2025

Page 4 of 4

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.

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 USACE for the Cottonwood Island Pile Dike Repairs project.