STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

November 13, 2026

Washington Department of Transportation
Attn: Victoria Book
P.O. Box 47440
Olympia, WA 98504-7440

Re: Water Quality Certification Order No. **25214** (Corps No. **NWS-2026-745-DOT**), SR 308/SR 307 Kitsap PDB2 Liberty Bay Bundle – Remove Fish Barriers (B2) – Site 15, Kitsap County, Washington

Dear Victoria Book:

On September 11, 2026, the Washington Department of Transportation submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the SR 308/SR 307 Kitsap PDB2 Liberty Bay Bundle – Remove Fish Barriers (B2) – Site 15, Kitsap 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 Caroline Corcoran at 425-457-3378. The enclosed WQC Order may be appealed by following the procedures described within.

Sincerely,

Fran Sant, Section Manager
Environmental Review & Transportation Section
Shorelands and Environmental Assistance Program

Enclosure (1)

By certified mail: 9489 0090 0027 6698 4596 76

Sent via e-mail: bookv@wsdot.wa.gov

E-cc: Samantha Standford, U.S. Army Corps of Engineers
Camille Felkins, Atlas Technical Consultants
Haley Wolf, Atlas Technical Consultants
Caroline Corcoran, Ecology
Erin Hanlon Brown, Ecology
Penny Kelley, Ecology
ecyrefedpermits@ecy.wa.gov

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

Washington Department of Transportation
Attn: Victoria Book
P.O. Box 47440
Olympia, WA 98504-7440

WQC Order No.	25214
Corps Reference No.	NWS-2026-745-DOT
Site Location	SR 308/SR 307 Kitsap PDB2 Liberty Bay Bundle – Remove Fish Barriers (B2) – Site 15 located within Big Scandia Creek and wetlands, Silverdale, Kitsap County, Washington.

The Washington Department of Transportation (WSDOT) submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the SR 308/SR 307 Kitsap PDB2 Liberty Bay Bundle – Remove Fish Barriers (B2) – Site 15, Kitsap County, Washington. The required processing dates are listed below:

- On 7/1/2026, the WSDOT submitted a pre-filing meeting request.
- On 9/11/2026, Ecology received a request for Clean Water Section 401 Water Quality Certification.
- On 9/18/2026, the U.S. Army Corps of Engineers (Corps) sent an email notification to Ecology that they are reviewing the project for authorization under the Nationwide Permit (NWP) Program.
- On 10/2/2026, Ecology issued a public notice for the project.
- Ecology's "Reasonable Period of Time" for this project has been established as 3/11/2027.

This project proposes to replace a fish barrier culvert on Big Scandia Creek with a fish passable structure on SR 308 at mile post 1.15. The existing 72-inch diameter, 292-foot long corrugated metal pipe will be replaced with a 154-foot long, 27-foot 10-inch tall, 40-foot wide, buried structural plate arch culvert. The new culvert will have a minimum hydraulic opening of 40 feet to accommodate a bankful width of 13 feet and includes the following additional design elements:

- Construct four Redi-rock walls, two upstream and two downstream of the new culvert.
- Install two meander bars and two partial spanning deformable grade controls within the new culvert.
- Regrade 2,123 square feet to construct the proposed channel and tie into the existing channel upstream and downstream of the new culvert. The proposed culvert will be in line with the existing culvert to maintain historic channel alignment.

There will be 39 pieces of large woody debris installed within the proposed channel and all temporarily disturbed areas will be restored through replanting with native plants. Stormwater runoff from replaced roadway will be discharged into vegetated roadside areas for overland dispersion and infiltration.

A temporary stream diversion will be installed to isolate the work area and will be dewatered as necessary so construction can occur within a dry channel. Prior to installing the stream diversion, fish exclusion nets will be installed and fish removed from the area. A traffic detour will be utilized to prevent impacts to sensitive areas and large trees.

The project will result in permanent and temporary direct and indirect impacts to streams and wetlands.

The project site is located on SR 308 at mile post 1.15, Big Scandia Creek and wetlands, Kitsap County, Washington, Section 34, Township 26 N., Range 01 E., within Water Resource Inventory Area (WRIA) 15 – Kitsap.

With this WQC Order, Ecology is granting with conditions WSDOT's request for a Section 401 Water Quality Certification for the SR 308/SR 307 Kitsap PDB2 Liberty Bay Bundle – Remove Fish Barriers (B2) – Site 15 project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request and attachments Ecology received on 9/11/2026, and the following supporting documentation:

1. SR 308/SR 307 Kitsap PDB2 Liberty Bay Bundle – Remove Fish Barriers (B2) – Site 15 Water Quality Monitoring Plan dated 10/16/2026, regarding the project's proposed monitoring to determine compliance with the water quality standards while conducting in-water work.

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, WSDOT 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 WSDOT 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 WSDOT from liability for contamination and any subsequent cleanup of surface waters, ground waters, or sediments resulting from project construction or operations.

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. **25214** will remain valid until March 15, 2032.

    - 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. WSDOT shall send a copy of the final Federal permit via e-mail to fednotification@ecy.wa.gov and cc to penny.kelley@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 WSDOT 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 WSDOT 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 and cc to penny.kelley@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 WSDOT 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. WSDOT shall conduct water quality monitoring as described in the approved Water Quality Monitoring Plan, SR 308/SR 307 Kitsap PDB2 Liberty Bay Bundle – Remove Fish Barriers (B2) – Site 15 Water Quality Monitoring Plan, dated October 16, 2026.

    - 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.

5. 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.

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 WSDOT for the SR 308/SR 307 Kitsap PDB2 Liberty Bay Bundle – Remove Fish Barriers (B2) – Site 15 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 Chapters 43.21B RCW and 371-08 WAC.

Address and Location Information

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: https://eluho.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

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:

Caroline Corcoran
Department of Ecology
425-457-3378
caroline.corcoran@ecy.wa.gov

More Information

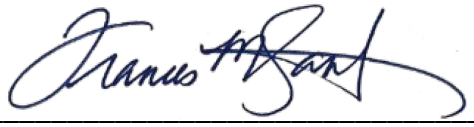
- **Pollution Control Hearings Board Website**
  https://eluho.wa.gov
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**
  http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B
- **Chapter 371-08 WAC – Practice And Procedure**
  http://app.leg.wa.gov/WAC/default.aspx?cite=371-08
- **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 13th day of November 2026 at the Department of Ecology, Lacey, Washington.



Fran Sant, Section Manager
Environmental Review & Transportation Section, HQ
Shorelands and Environmental Assistance Program