



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
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July 22, 2020

Port of Seattle
ATTN: Matthew Mateo
PO Box 1209
Seattle, WA 98111

RE: First Amendment to 401 Water Quality Certification Order #13195 for U.S. Army Corps of Engineers Reference #NWS-2015-00269, Port of Seattle T5 Wharf rehabilitation and berth deepening, Duwamish River, Seattle, King County, Washington

Dear Matthew Mateo,

Enclosed is an amendment to Water Quality Certification Order # 13195, issued on March 28, 2016, for the above project. All other conditions of Water Quality Certification # 13195 remain in effect.

The purpose of this amendment is to extend the expiration date of the certification to allow for the completion of the project.

If you have any questions, please contact Laura Inouye at 360-407-6165. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,

A handwritten signature in black ink, reading "Loree Randall".

Loree Randall for

Brenden McFarland, Section Manager
Headquarters
Shorelands and Environmental Assistance Program

e-cc: Jacalen Printz U.S. Army Corps of Engineers
Laura Inouye– HQ
Loree' Randall – HQ
ecyrefedpermits@ecy.wa.gov

IN THE MATTER OF GRANTING) **ORDER #13195,**
A WATER QUALITY) **First Amendment**
CERTIFICATION TO) **Corps Reference No. 2015-00269**
Port of Seattle) **Port of Seattle T5 Wharf Rehabilitation**
In accordance with 33U.S.C. 1341) **and Berth Deepening**
(FWPCA §401), RCW 90.48.120, RCW)
90.48.260 and Chapter 173-201A WAC)

TO: Port of Seattle
ATTN: Matthew Mateo
PO Box 1209
Seattle, WA 98111

On October 21, 2010 the Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification to the Port of Seattle for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received a request on June 20, 2020 to extend the expiration date to allow completion of the project.

Order No. 13195 dated October 21, 2010 is hereby amended as follows:

I. Condition number F.2. which reads:

This Order shall remain in effect until June 9, 2020. Continuing beyond June 9, 2020 will require a separate certification.

Is replaced with:

This Order shall remain in effect until March 23, 2023. Continuing beyond March 23, 2023 will require a separate certification.

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 Hearing Board (PCHB) within 30 days of the date of receipt of this Order. 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 both of the following within 30 days of the date of receipt of this Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

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

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW STE 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

CONTACT INFORMATION

Please direct all questions about this Order to:

Laura Inouye
Department of Ecology
Headquarters
PO Box 47600
Olympia, WA 98504-7600

360-407-6165
Laura.Inouye@ecy.wa.gov

July 22, 2020

MORE INFORMATION

- **Pollution Control Hearings Board Website**
<http://www.eluho.wa.gov/Board/PCHB>
- **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>



Loree Randall for

July 22, 2020

Brenden McFarland, Section Manager
Shorelands and Environmental Assistance Program

DATE