



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
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January 21, 2021

Discovery Clean Water Alliance
ATTN: Dale Lough
8000 NE 52nd Court
Vancouver, WA 98665

RE: Water Quality Certification Order No. **19575** Corps Reference No. NWS-2017-25, Phase 5A Project, Columbia River Outfall and Effluent Pipeline, Vancouver, Clark County, Washington

Dear Dale Lough:

On November 2, 2020, Discovery Clean Water Alliance submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Phase 5A Project, Columbia River Outfall and Effluent Pipeline, Vancouver, Clark County, Washington.

On behalf of the state of Washington, the Department of Ecology certifies that the work described in the Joint Aquatic Resource Permit Application (JARPA) and the public notice 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 conditions contained in the enclosed Order.

Please ensure that anyone doing work under this Order has read, is familiar with, and is able to follow all of the provisions within the attached Order.

If you have any questions about this decision, please contact Lori Kingsbury at Lori.kingsbury@ecy.wa.gov. The enclosed Order may be appealed by following the procedures described within the Order.

Sincerely,

A handwritten signature in blue ink, appearing to read "Perry J Lund", is written over a blue circular stamp or seal.

Perry J Lund, Section Manager
Shorelands and Environmental Assistance Program
Southwest Regional Office

Enclosure

e-cc: James Carsner, Corps of Engineers
Dustin Day, WSP
Steve Mader, Jacobs
Loree' Randall, Ecology
Lori Kingsbury, Ecology
Miranda Adams, Ecology
ECY RE FEDPERMITS

IN THE MATTER OF GRANTING A)	ORDER No. 19575
WATER QUALITY)	Corps Reference No. NWS-2017-25
CERTIFICATION TO)	Phase 5A Project, Columbia River Outfall and
Discovery Clean Water Alliance)	Effluent Pipeline located in the Columbia River
pursuant to 33 U.S.C. 1341 (FWPCA)	at Vancouver in Clark County, Washington.
§ 401), RCW 90.48.120, RCW 90.48.260)	
and Chapter 173-201A WAC)	

Discovery Clean Water Alliance
Attn: Dale Lough
8000 NE 52nd Court
Vancouver, WA 98665

On November 2, 2020, Discovery Clean Water Alliance submitted a request for a Section 401 Water Quality Certification (WQC) under the federal Clean Water Act for the Phase 5A Project, Columbia River Outfall and Effluent Pipeline in Vancouver, Clark County, Washington. Prior to submitting the WQC request, Discovery Clean Water Alliance submitted a pre-filing meeting request on October 2, 2020. On November 24, 2020, Ecology issued a public notice pursuant to the provisions of Chapter 173-225 WAC.

With this Order, Ecology is granting Discovery Clean Water Alliance its request for a Section 401 Water Quality Certification for the above-referenced project, provided that the activity is conducted in accordance with the Section 401 Water Quality Certification request Ecology received on November 2, 2020. 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, Discovery Clean Water Alliance 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 Discovery Clean Water Alliance 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 the Applicant from liability for contamination and any subsequent cleanup of surface waters, ground waters, or sediments resulting from project construction or operations.

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 to the Discovery Clean Water Alliance (Applicant).

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, Suite 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:

Lori Kingsbury
Department of Ecology
Southwest Regional Office
PO Box 47775
Olympia, WA 98504-7775
lori.kingsbury@ecy.wa.gov

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>
- **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



Perry J Lund, Section Manager
Shorelands and Environmental Assistance Program
Southwest Regional Office
Department of Ecology

January 21, 2021
Date