STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

June 9, 2016

David Carie
Hatchery Manager
U.S. Fish and Wildlife Service
12790 Fish Hatchery Road
Leavenworth, WA 98826

RE: U.S. Fish and Wildlife Service's (FWS's) Request for the Washington State Department of Ecology (Ecology) to withdraw its 2010 Clean Water Act (CWA) Section 401 Water Quality Certification No. 7192

Dear Mr. Carie:

On January 7, 2010, the Washington State Department of Ecology (Ecology) issued a Section 401 Water Quality Certification (Section 401 Certification) based on the draft National Pollutant Discharge Elimination System (NPDES) Permit No. WA0001902 for the Leavenworth National Fish Hatchery (the Hatchery) on Icicle Creek, Chelan County, Washington. The draft NPDES Permit No. WA0001902 was subsequently not finalized, and operations at the Hatchery substantially changed. In October of 2011, the Hatchery submitted a new NPDES application to the Environmental Protection Agency (EPA) and a new CWA 401 certification application to Ecology, and has submitted additional materials to Ecology. On January 6, 2016, Ecology received a letter from the Hatchery requesting that Ecology withdraw CWA 401 certification No. 7192.

Ecology's CWA 401 certification was designed to work in conjunction with an EPA NPDES Permit, which has not occurred, as no final NPDES permit was issued. Also, FWS operations have changed substantially since the issuance of the 401 certification and the new NPDES and CWA certifications regulating these new conditions are currently in development. Given these circumstances, the CWA 401 Certification Order #7192 is no longer relevant or necessary.

Ecology is officially **rescinding** the Section 401 Certification (Order #7192), dated January 7, 2010.

If you have any questions, please call David Bowen at (509) 457-7107.

Sincerely,

David B. Bowen

David B. Bowen
Section Manager
Water Quality Program

By Certified Mail 7010 0290 0000 7127 6073