

**From:** [Storm, Linda](#)  
**To:** [Kingsbury, Lori \(ECY\)](#); [Joblonski, Donna](#); [Ron Allen](#)  
**Cc:** [Pamela.Sanguinetti@usace.army.mil](#); [etobin@jamestowntribe.org](#); [hhals@jamestowntribe.org](#); [Carlson, Sean \(DNR\)](#); [BrownScott, Jennifer](#); [Jensen, Amy A.](#); [lora461@ecy.wa.gov](#); [Mraz, Richard A. \(ECY\)](#); [Rothwell, Rebecca \(ECY\)](#); [ECY RE FED PERMITS \(SEA\)](#)  
**Subject:** [EXTERNAL] RE: 401 Amendment - Jamestown S"Klallam Tribe, Dungeness Bay Oyster Farm  
**Date:** Thursday, June 10, 2021 1:10:43 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Hey the Lori,

Says that the original 401 certification was issued February 4, 2021. So, unfortunately if that's the case then the 401 certification would be subject to the 2020 401 Rule that went into effect September 11, 2020 ☹️.

Linda

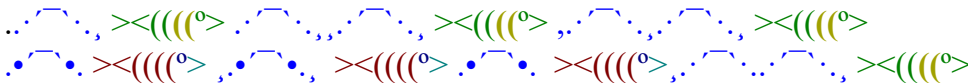


Linda E. Storm, Aquatic Ecologist  
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Black Lives Matter



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**From:** Kingsbury, Lori (ECY) <[loch461@ECY.WA.GOV](mailto:loch461@ECY.WA.GOV)>  
**Sent:** Thursday, June 10, 2021 12:21 PM  
**To:** Storm, Linda <[Storm.Linda@epa.gov](mailto:Storm.Linda@epa.gov)>; Joblonski, Donna <[dmca461@ECY.WA.GOV](mailto:dmca461@ECY.WA.GOV)>; Allen, Ron <[rallen@jamestowntribe.org](mailto:rallen@jamestowntribe.org)>  
**Cc:** [Pamela.Sanguinetti@usace.army.mil](mailto:Pamela.Sanguinetti@usace.army.mil); [etobin@jamestowntribe.org](mailto:etobin@jamestowntribe.org); [hhals@jamestowntribe.org](mailto:hhals@jamestowntribe.org); [Carlson, Sean \(DNR\) <Sean.Carlson@dnr.wa.gov>](mailto:Carlson, Sean (DNR) <Sean.Carlson@dnr.wa.gov>); [jennifer\\_brownscoth@fws.gov](mailto:jennifer_brownscoth@fws.gov); [Jensen, Amy A. <jensen.amy@epa.gov>](mailto:Jensen, Amy A. <jensen.amy@epa.gov>); [lora461@ecy.wa.gov](mailto:lora461@ecy.wa.gov); [Mraz, Richard A. \(ECY\) <rmra461@ECY.WA.GOV>](mailto:Mraz, Richard A. (ECY) <rmra461@ECY.WA.GOV>); [Rothwell, Rebecca \(ECY\) <rebs461@ECY.WA.GOV>](mailto:Rothwell, Rebecca (ECY) <rebs461@ECY.WA.GOV>); [ECY RE FED PERMITS \(SEA\) <ECYREFEDPERMITS@ECY.WA.GOV>](mailto:ECY RE FED PERMITS (SEA) <ECYREFEDPERMITS@ECY.WA.GOV>)

**Subject:** RE: 401 Amendment - Jamestown S'Klallam Tribe, Dungeness Bay Oyster Farm

Hi Linda,

The application for this project was received prior to the EPA Rule going into effect, so the 401 was issued under the old rule.

Lori

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**From:** Storm, Linda <[Storm.Linda@epa.gov](mailto:Storm.Linda@epa.gov)>

**Sent:** Thursday, June 10, 2021 11:57 AM

**To:** Joblonski, Donna <[dmca461@ECY.WA.GOV](mailto:dmca461@ECY.WA.GOV)>; Allen, Ron <[rallen@jamestowntribe.org](mailto:rallen@jamestowntribe.org)>

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**Subject:** RE: 401 Amendment - Jamestown S'Klallam Tribe, Dungeness Bay Oyster Farm

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Hey there folks,

Unfortunately under the new Clean Water Act Section 401 rule amendments or modifications to 401 certifications are not authorized. Maybe because this is an administrative order that the State issued there is some legal leeway that could allow that. But sadly the 2020 401 rule is clear no modifications (which is a beurocratic nightmare I know).



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Black Lives Matter



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**From:** Joblonski, Donna <[dmca461@ECY.WA.GOV](mailto:dmca461@ECY.WA.GOV)>

**Sent:** Thursday, June 10, 2021 11:38 AM

**To:** Allen, Ron <[rallen@jamestowntribe.org](mailto:rallen@jamestowntribe.org)>

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**Subject:** 401 Amendment - Jamestown S'Klallam Tribe, Dungeness Bay Oyster Farm

Sending on behalf of Lori Kingsbury. If you have any questions, please contact Lori at (360) 407-6926 or [lori.kingsbury@ecy.wa.gov](mailto:lori.kingsbury@ecy.wa.gov).

## **Donna Joblonski**

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**Department of Ecology | Southwest Regional Office**

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