

ENVIRONMENTAL HEARINGS  
Pollution Control Hearings Office  
Shorelines Hearings Office



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STATE OF WASHINGTON

## ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

*Physical Address: 1111 Israel Rd. SW Suite 301, Tumwater, WA 98501*

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June 28, 2021

### Sent by Email only

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Re: **PCHB Nos. 20-043c**  
**U.S. ARMY CORPS OF ENGINEERS V. STATE OF WASHINGTON,**  
**DEPARTMENT OF ECOLOGY**  
**COLUMBIA RIVERKEEPER, NORTHWEST SPORTFISHING INDUSTRY**  
**ASSOCIATION, NATURAL RESOURCES DEFENSE COUNCIL, and**  
**NORTHWEST RIVERPARTNERS (Respondent-Intervenors)**

Dear Parties:

This letter is to notify the parties that the Pollution Control Hearings Board (Board) will be issuing an order granting the Department of Ecology and Intervenors Columbia Riverkeeper, NSIA, NRDC, and NWRP motions for partial summary judgment and denying the U.S. Army Corps of Engineers' motion for summary judgment. In particular:

**Issues 1-3 and 7-9: Summary judgment granted to Ecology**

**Issues 1-2: Summary judgment granted to Intervenors**

**Issues 1-9: Summary judgment denied to Appellant**

This letter is provided as a courtesy to the parties. **This letter does not constitute the Board's final decision and order on the parties' motions, which will be issued at a later date. Therefore, this letter is not an appealable order pursuant to RCW 43.21B.180 and RCW 34.05.542, and is not subject to a request for reconsideration.**

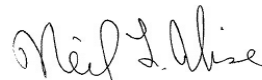
A conference has been scheduled in the above matter for **July 8, 2021, at 2:00 p.m.** to discuss the effect of the pending ruling on the hearing.

To participate in the prehearing conference you will need to call the following telephone number, enter the meeting ID code and passcode on the specified date and time above. When prompted to enter a participant ID, you will only need to enter the # (pound) key.

**Telephone Number 253-215-8782**  
**Meeting ID: 662 874 7940**  
**Passcode: 200689**

If you have any questions, please feel free to contact the staff at the Environmental and Land Use Hearings Office at 360-664-9160.

Sincerely,



Neil L. Wise, Presiding

NLW/le/P20-043c

**CERTIFICATION**

On this day, I forwarded a true and accurate copy of the documents to which this certificate is affixed via email only.

I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED 6/28/21 \_\_\_\_\_, at Tumwater, WA.

