

The Honorable Robert S. Lasnik

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

OLYMPIC FOREST COALITION, a Washington
non-profit corporation,

Plaintiff,

v.

COAST SEAFOODS COMPANY, a Washington
corporation,

Defendant.

Case No. 3:16-cv-05068-RSL

ORDER GRANTING STIPULATED
MOTION REGARDING DISCOVERY
PRODUCTION, STANDING,
PARTIAL LIABILITY, AND
PARTIAL RELIEF

The Court hereby GRANTS the Parties’ August 10, 2022 stipulated motion (Dkt.
#115). Based on the Parties’ stipulations, the Court hereby rules as follows:

1. Within five (5) days of entry of this Order, Coast Seafoods Company shall produce to Olympic Forest Coalition 2018-2021 financial records for Pacific Shellfish – Quilcene, LLC;
2. Olympic Forest Coalition has standing to bring its claims for relief in this matter;
3. Prior to the Ninth Circuit’s decision in this case, the Washington State Department of Ecology (“Ecology”) had determined a National Pollutant Discharge

1 Elimination System (“NPDES”) permit was not required under the Clean Water
2 Act for the Facility;

3 4. After issuance of the Ninth Circuit’s mandate in this case, Coast Seafoods Com-
4 pany applied to Ecology for an NPDES permit for discharges of pollutants from
5 the Facility;

6 5. Defendant Coast Seafoods Company is liable for Clean Water Act violations be-
7 cause it has violated Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a),
8 every day since November 28, 2010 by discharging pollutants from point sources
9 at the facility at issue in this case, which is located at or near 1601 Linger Longer
10 Road, Quilcene, Washington 98376, to waters of the United States without au-
11 thorization of National Pollutant Discharge Elimination System permit; and
12

13 6. The relief afforded herein shall not prohibit or prevent Olympic Forest Coalition
14 from seeking any other available relief.
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16 IT IS SO ORDERED.

17 IT IS FURTHER ORDERED that Coast Seafoods Company’s liability having been es-
18 tablished, the Court will treat Olympic Forest Coalition’s pending motion for partial summary
19 judgment on standing and liability (Dkt. #70) as withdrawn.
20

21 IT IS FURTHER ORDERED that Coast Seafoods Company shall make all reasonable
22 efforts to obtain a National Pollutant Discharge Elimination System permit authorizing dis-
23 charges of pollutants from the facility at issue in this case.

24 Dated this 23rd day of August, 2022.

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26 _____
27 The Honorable Robert S. Lasnik
28 United States District Judge

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