



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: May 13, 2021
Project End Date: October 31, 2025

Permit Number: 2021-3-14+01
FPA/Public Notice Number: N/A
Application ID: 23641

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Steve Demarest 850 Pebble Beach Dr Cle Elum, WA 98922-9491	

Project Name: Steve Bank Protection

Project Description: Stabilize the river bank as indicated on the bio-engineered plan submittal

PROVISIONS

TIMING - PLANS - INVASIVE SPECIES CONTROL

- 1. TIMING LIMITATION:** You may begin the project on July 16, 2021 and you must complete the project by October 31, 2025; provided that work below the ordinary high water mark only occurs between July 16-September 15, 2021.
- 2. RE-VEGETATION:** You must complete re-vegetation by no later than March 15, 2022, and you must monitor the success of the re-vegetation through October 15, 2025. Annual survival monitoring and replacement of dead plants is required such that at least 80% survival is achieved by October 15, 2025. Annual monitoring photos must be uploaded to APPS by October 31 for each year this HPA is valid.
- 3. APPROVED PLANS:** You must accomplish the work per plans and specifications submitted with the application and approved by the Washington Department of Fish and Wildlife, entitled Yakima River at Demarest Property Bioengineered Riverbank Stabilization, dated January 2021, except as modified by this Hydraulic Project Approval. You must have a copy of these plans available on site during all phases of the project construction.
- 4. INVASIVE SPECIES CONTROL:** Follow Method 1 for low risk locations (i.e. clean/drain/dry). Thoroughly remove visible dirt and debris from all equipment and gear (including drive mechanisms, wheels, tires, tracks, buckets, and undercarriage) before arriving and leaving the job site to prevent the transport and introduction of invasive species. For contaminated or high risk sites please refer to the Method 2 Decontamination protocol. Properly dispose of any water and chemicals used to clean gear and equipment. You can find this and additional information in the Washington Department of Fish and Wildlife's "Invasive Species Management Protocols", available online at <https://wdfw.wa.gov/species-habitats/invasive/prevention>.

NOTIFICATION REQUIREMENTS

- 5. PRE- AND POST-CONSTRUCTION NOTIFICATION:** You, your agent, or contractor must contact the Washington Department of Fish and Wildlife by e-mail at jennifer.nelson@dfw.wa.gov; or (509) 961-6639 at least three business days before starting work, and again within seven days after completing the work. The notification must include the permittee's name, project location, starting date for work or date the work was completed, and the permit number. The Washington Department of Fish and Wildlife may conduct inspections during and after construction; however, the Washington Department of Fish and Wildlife will notify you or your agent before conducting the inspection.
- 6. PHOTOGRAPHS:** You, your agent, or contractor must take photographs of the job site before the work begins, after the work is completed in 2021, and annual revegetation photos through October 2025. You must upload the photographs to the post-permit requirement page in the Aquatic Protection Permitting System (APPS) or mail them to Washington Department of Fish and Wildlife at Post Office Box 43234, Olympia, Washington 98504-3234 within 30-



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: May 13, 2021

Permit Number: 2021-3-14+01

Project End Date: October 31, 2025

FPA/Public Notice Number: N/A

Application ID: 23641

days after the work is completed.

7. FISH KILL/ WATER QUALITY PROBLEM NOTIFICATION: If a fish kill occurs or fish are observed in distress at the job site, immediately stop all activities causing harm. Immediately notify the Washington Department of Fish and Wildlife of the problem. If the likely cause of the fish kill or fish distress is related to water quality, also notify the Washington Military Department Emergency Management Division at 1-800-258-5990. Activities related to the fish kill or fish distress must not resume until the Washington Department of Fish and Wildlife gives approval. The Washington Department of Fish and Wildlife may require additional measures to mitigate impacts.

STAGING, JOB SITE ACCESS, AND EQUIPMENT

8. Establish staging areas (used for equipment storage, vehicle storage, fueling, servicing, and hazardous material storage) in a location and manner that will prevent contaminants such as petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials from entering waters of the state.
9. Design and locate new temporary access roads to prevent erosion and sediment delivery to waters of the state.
10. Limit the removal of native bankline vegetation to the minimum amount needed to construct the project.
11. Retain all natural habitat features on the bed or banks including large woody material and boulders. You may move these natural habitat features during construction but you must place them near the preproject location before leaving the job site.
12. Station and operate equipment used for this project landward of the ordinary high water line.
13. Check equipment daily for leaks and complete any required repairs in an upland location before using the equipment in or near the water.
14. Use environmentally acceptable lubricants composed of biodegradable base oils such as vegetable oils, synthetic esters, and polyalkylene glycols in equipment operated in or near the water.
15. This Hydraulic Project Approval does not authorize equipment crossings of the stream.

CONSTRUCTION-RELATED SEDIMENT, EROSION AND POLLUTION CONTAINMENT

16. Work must occur in isolation of flowing water to prevent turbid water from entering the Yakima River. Worksite isolation materials must be clean materials and must be removed upon project completion.
17. Protect all disturbed areas from erosion. Maintain erosion and sediment control until all work and cleanup of the job site is complete.
18. All erosion control materials that will remain onsite must be composed of 100% biodegradable materials.
19. Straw used for erosion and sediment control, must be certified free of noxious weeds and their seeds.
20. Stop all hydraulic project activities except those needed to control erosion and siltation, if flow conditions arise that will result in erosion or siltation of waters of the state.
21. Prevent project contaminants, such as petroleum products, hydraulic fluid, fresh concrete, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials, from entering or leaching into waters of the state. The grout used for the rock staircase must be completely cured prior to removal of the worksite isolation.
22. Deposit waste material from the project, such as construction debris, silt, excess dirt, or overburden, in an upland area above the limits of anticipated floodwater unless the material is approved by the Washington Department of Fish and Wildlife for reuse in the project.
23. Deposit all trash from the project at an appropriate upland disposal location.

CONSTRUCTION MATERIALS

24. Store all construction and deconstruction material in a location and manner that will prevent contaminants such as



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: May 13, 2021

Permit Number: 2021-3-14+01

Project End Date: October 31, 2025

FPA/Public Notice Number: N/A

Application ID: 23641

petroleum products, hydraulic fluid, fresh cement, sediments, sediment-laden water, chemicals, or any other toxic or harmful materials from entering waters of the state.

25. Do not stockpile construction material waterward of the ordinary high water line.

26. Use only clean, suitable material as fill material (no trash, debris, car bodies, tires, asphalt, concrete, etc.).

27. Use a cofferdam or similar structure to exclude water from the work area. Ecology blocks, sandbags filled with pea gravel and sand, clean river cobbles with plastic sheeting, and water bladder dams are examples of suitable clean materials to isolate the work area.

IN-WATER WORK AREA ISOLATION USING A COFFERDAM STRUCTURE

28. Install the cofferdam or similar structure and remove fish prior to the start of other work in the wetted perimeter. WDFW will help with fish rescue as time and staff allow.

29. Maintain water quality when installing and removing the cofferdam, dike or similar structure.

30. Turbid water from within the isolated work area must be pumped to an upland location where it will not flow back into waters of the State prior to meeting the State's water quality standards.

31. Sequence the work to minimize the duration of dewatering.

32. The length of the bank protection must not exceed 70 linear feet. No more than 40 linear feet will consist of large boulders and cobbles toward the middle of the project. Up to 15 linear feet on the upstream and downstream ends of the hardened bank will consist of bank sloping, erosion control fabric and riparian plantings.

STREAM BANK PROTECTION

33. Install the toe to protect the integrity of bank protection material.

34. Use clean rock to construct the bank protection. The bank protection must be designed and installed to withstand the expected 10 year flood event in this reach of the Yakima River.

35. Do not release overburden material into the waters of the state when resloping the bank.

36. Place bank protection or stabilization materials and biodegradable filter blanket material from the bank. There must be no end dumping of boulders or materials onto the banks.

37. Reslope the banks to a 2:1 slope or more.

38. Avoid damaging existing vegetation when placing bank protection material.

DEMOBILIZATION AND CLEANUP

39. Upon completion of the project, restore the disturbed bed, banks, and riparian zone to preproject condition to the extent possible.

40. Completely remove any temporary fill before the end of the in-water timing window if the fill material could erode and deliver sediment-laden water into waters of the state.

41. Seed areas disturbed by construction activities with a native seed mix suitable for the site that has at least one quick-establishing plant species.

42. No less than 24 native riparian trees and shrubs (willows, cottonwoods, alders, woods rose, snowberry, red osier dogwood, etc.) must be planted in each of the sloped areas at the upstream and downstream extents of the project. No less than 20 native riparian trees and shrubs must be planted within the 40 linear feet of more armored bank. Ensure live stakes and bare root plants are at least six inches into the low flow water table and rooted plants should have access to the low water table as well. Plant the trees and shrubs at the ordinary high water line and up the slope for long term bank stability. Please contact WDFW for assistance with planting or plant locations for additional recommendations.

43. Complete replanting of riparian vegetation during the first dormant season (late fall through late winter) after project



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: May 13, 2021
Project End Date: October 31, 2025

Permit Number: 2021-3-14+01
FPA/Public Notice Number: N/A
Application ID: 23641

completion. Maintain plantings for at least three years to ensure at least eighty percent of the plantings survive. Failure to achieve the eighty percent survival in year three will require you to submit a plan with follow-up measures to achieve requirements or reasons to modify requirements.

44. Upon completion of the project, remove all materials or equipment from the site and dispose of all excess spoils and waste materials in an upland area above the limits of anticipated floodwater.

LOCATION #1:		Site Name: Pebble Beach 850 Pebble Beach Dr, Cle Elum, WA 98922-9491				
WORK START:		July 1, 2021		WORK END:		July 31, 2021
<u>WRIA</u>		<u>Waterbody:</u>			<u>Tributary to:</u>	
39 - Yakima (Above Naches R)		Yakima River			Columbia River	
<u>1/4 SEC:</u>	<u>Section:</u>	<u>Township:</u>	<u>Range:</u>	<u>Latitude:</u>	<u>Longitude:</u>	<u>County:</u>
	35	20 N	14 E	47.18281	-121.05346	Kittitas
<u>Location #1 Driving Directions</u>						
Follow Pebble Beach Dr to house at 850.						

APPLY TO ALL HYDRAULIC PROJECT APPROVALS

This Hydraulic Project Approval pertains only to those requirements of the Washington State Hydraulic Code, specifically Chapter 77.55 RCW. Additional authorization from other public agencies may be necessary for this project. The person(s) to whom this Hydraulic Project Approval is issued is responsible for applying for and obtaining any additional authorization from other public agencies (local, state and/or federal) that may be necessary for this project.

This Hydraulic Project Approval shall be available on the job site at all times and all its provisions followed by the person (s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work.

This Hydraulic Project Approval does not authorize trespass.

The person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work may be held liable for any loss or damage to fish life or fish habitat that results from failure to comply with the provisions of this Hydraulic Project Approval.

Failure to comply with the provisions of this Hydraulic Project Approval could result in civil action against you, including, but not limited to, a stop work order or notice to comply, and/or a gross misdemeanor criminal charge, possibly punishable by fine and/or imprisonment.



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: May 13, 2021

Permit Number: 2021-3-14+01

Project End Date: October 31, 2025

FPA/Public Notice Number: N/A

Application ID: 23641

All Hydraulic Project Approvals issued under RCW 77.55.021 are subject to additional restrictions, conditions, or revocation if the Department of Fish and Wildlife determines that changed conditions require such action. The person(s) to whom this Hydraulic Project Approval is issued has the right to appeal those decisions. Procedures for filing appeals are listed below.

MINOR MODIFICATIONS TO THIS HPA: You may request approval of minor modifications to the required work timing or to the plans and specifications approved in this HPA unless this is a General HPA. If this is a General HPA you must use the Major Modification process described below. Any approved minor modification will require issuance of a letter documenting the approval. A minor modification to the required work timing means any change to the work start or end dates of the current work season to enable project or work phase completion. Minor modifications will be approved only if spawning or incubating fish are not present within the vicinity of the project. You may request subsequent minor modifications to the required work timing. A minor modification of the plans and specifications means any changes in the materials, characteristics or construction of your project that does not alter the project's impact to fish life or habitat and does not require a change in the provisions of the HPA to mitigate the impacts of the modification. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a minor modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you did not use APPS you must submit a written request that clearly indicates you are seeking a minor modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234, or by email to HPAapplications@dfw.wa.gov. You should allow up to 45 days for the department to process your request.

MAJOR MODIFICATIONS TO THIS HPA: You may request approval of major modifications to any aspect of your HPA. Any approved change other than a minor modification to your HPA will require issuance of a new HPA. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a major modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you did not use APPS you must submit a written request that clearly indicates you are requesting a major modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. Send your written request by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. You may email your request for a major modification to HPAapplications@dfw.wa.gov. You should allow up to 45 days for the department to process your request.

APPEALS INFORMATION

If you wish to appeal the issuance, denial, conditioning, or modification of a Hydraulic Project Approval (HPA), Washington Department of Fish and Wildlife (WDFW) recommends that you first contact the department employee who issued or denied the HPA to discuss your concerns. Such a discussion may resolve your concerns without the need for further appeal action. If you proceed with an appeal, you may request an informal or formal appeal. WDFW encourages you to take advantage of the informal appeal process before initiating a formal appeal. The informal appeal process includes a review by department management of the HPA or denial and often resolves issues faster and with less legal complexity than the formal appeal process. If the informal appeal process does not resolve your concerns, you may advance your appeal to the formal process. You may contact the HPA Appeals Coordinator at (360) 902-2534 for more information.



HYDRAULIC PROJECT APPROVAL

Washington Department of
Fish & Wildlife
PO Box 43234
Olympia, WA 98504-3234
(360) 902-2200

Issued Date: May 13, 2021
Project End Date: October 31, 2025

Permit Number: 2021-3-14+01
FPA/Public Notice Number: N/A
Application ID: 23641

A. INFORMAL APPEALS: WAC 220-660-460 is the rule describing how to request an informal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete informal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request an informal appeal of that action. You must send your request to WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. WDFW must receive your request within 30 days from the date you receive notice of the decision. If you agree, and you applied for the HPA, resolution of the appeal may be facilitated through an informal conference with the WDFW employee responsible for the decision and a supervisor. If a resolution is not reached through the informal conference, or you are not the person who applied for the HPA, the HPA Appeals Coordinator or designee may conduct an informal hearing or review and recommend a decision to the Director or designee. If you are not satisfied with the results of the informal appeal, you may file a request for a formal appeal.

B. FORMAL APPEALS: WAC 220-660-470 is the rule describing how to request a formal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete formal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request a formal appeal of that action. You must send your request for a formal appeal to the clerk of the Pollution Control Hearings Boards and serve a copy on WDFW within 30 days from the date you receive notice of the decision. You may serve WDFW by mail to the HPA Appeals Coordinator, Department of Fish and Wildlife, Habitat Program, PO Box 43234, Olympia, Washington 98504-3234; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, you may request a formal appeal within 30 days from the date you receive the Director's or designee's written decision in response to the informal appeal.

C. FAILURE TO APPEAL WITHIN THE REQUIRED TIME PERIODS: If there is no timely request for an appeal, the WDFW action shall be final and unappealable.

Habitat Biologist jennifer.nelson@dfw.wa.gov
Jennifer Nelson 509-961-6639

for Director
WDFW