



HYDRAULIC PROJECT APPROVAL

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

Issued Date: January 19, 2022
Project End Date: March 20, 2022

Permit Number: 2022-3-1+01
FPA/Public Notice Number: N/A
Application ID: 27329

PERMITTEE

Elk Meadows Home Owners Association
ATTENTION: Joyce Jones
461 Heron Drive
Cle Elum, WA 98922

AUTHORIZED AGENT OR CONTRACTOR

Project Name: Elk Meadows Girder Repairs

Project Description: Repair top of timber pile, re-place steel cap beam, install HSS blocks to match top of existing girder elevation and improve flood clearance, hoist two W36x135 steel repair girders from west approach with one girder placed either side of the existing waterline, and bolt steel diaphragms at 1/3 points of the span. Adjust waterline supports to load steel girders at diaphragms and bottom flanges and remove temporary pole/come-along supports. Install salvaged girder decking and through bolt deck to top flange of girders at every deck member. Install salvaged and new curb members and bridge rails. Inspect completed bridge and open to legal load vehicles.

PROVISIONS

1. This expedited Hydraulic Project Approval (HPA) authorizes the construction of a temporary bridge to provide vehicular access across the Yakima River to portions of the Elk Meadows Community after the McElroy Road Bridge was substantially damaged.
2. **TIMING LIMITATIONS:** Emergency work described in Provision 1 is authorized to begin immediately and must be completed by March 20, 2022.
3. Emergency response measures installed that do not meet current WAC standards must be removed and the site restored within 90 days unless an alternative mitigation plan is approved by the Department. (Note: Removal and restoration must be done in compliance with WAC and an HPA for work must be obtained.)
4. In compliance with WAC, within 90 days of completion of work (June 18, 2022), all remaining impacts must be mitigated (see WAC 220-660-080 (3)(d)), or an approved mitigation plan must be submitted to the Department for approval. (WAC 220-660-050 (7) (d)).
5. All work contained in the mitigation plan must be completed in accordance with timelines identified in the approved mitigation plan.
6. The WDFW Habitat Biologist must be notified when work authorized under this permit has been completed. Contact Jennifer Nelson by email at Jennifer.nelson@dfw.wa.gov or phone at (509) 961-6639.
7. **APPROVED PLANS:** You must accomplish the work per plans and information submitted with the application and approved as a temporary crossing by the Washington Department of Fish and Wildlife entitled Elk Meadows Main Span Repair, dated December 31, 2021, except as modified by this HPA. You must have a copy of these plans available onsite during all phases of the project construction.



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NOTIFICATION REQUIREMENTS

8. PRE-CONSTRUCTION NOTIFICATION: You, your agent, or contractor must contact the Washington Department of Fish and Wildlife by e-mail at HPAapplications@dfw.wa.gov or Jennifer.nelson@dfw.wa.gov; mail to Post Office Box 43234, Olympia, Washington 98504-3234; or phone (509) 961-6639 at least three business days before starting work. The notification must include the permittee's name, project location, starting date for work, 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.

9. PHOTOGRAPHS: You, your agent, or contractor must take photographs of the job site before the work begins and after the work is completed. 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-days after the work is completed.

10. 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

11. 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.

12. Equipment must use existing roadways or travel paths when constructing the project.

13. This Hydraulic Project Approval does not authorize the removal of riparian zone vegetation.

14. Equipment used for this project may operate over the Yakima River, but no work within the wetted perimeter is authorized by this project. The drive mechanisms (wheels, tracks, tires, etc.) must not enter or operate waterward of the ordinary high-water line, but the crane and snorkel lift may operate over and above the river.

15. Check equipment daily for leaks and complete any required repairs in an upland location before using the equipment in or near the water. If a leak is detected during work, work must cease, and the leak must be repaired immediately.

16. This Hydraulic Project Approval does not authorize equipment crossings of the river.

CONSTRUCTION-RELATED SEDIMENT, EROSION AND POLLUTION CONTAINMENT

17. 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.

18. 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.

19. Permittee must have spill cleanup materials (including absorbent pads and containment boom) available on site and within 100 feet of equipment working near the Yakima River. Boom kit must have enough boom materials to span



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the entire channel.

20. Equipment must be stored, serviced, and parked at the end of each workday at locations at least 50-feet from the river. Secondary containment measures must be used whenever this distance cannot be met due to slope or site conditions.

21. Use tarps or other methods to prevent treated wood, sawdust, trimmings, drill shavings, welding slag, steel grindings, wood preservatives and other debris from contacting the bed or waters of the state.

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.

CONSTRUCTION MATERIALS

23. To prevent leaching, construct forms or other isolation methods to contain any wet concrete and grout until fully cured. Place impervious material over wet concrete/grout that may come in contact with waters of the state. Forms and impervious materials must remain in place until the concrete/grout is cured.

24. All wood preservatives or paint used must be carefully applied by brush and prevented from entering the river. Spraying paint or wood preservative is prohibited.

25. Salvageable materials from the damaged bridge deck may be reused for the decking on the temporary structure provided it is cleaned of all loose dirt, debris, and preservatives. Do not use wood treated with oil-type preservatives (creosote, pentachlorophenol) for any new materials. You may use wood treated with waterborne preservatives (ACZA, ACQ) provided the wood is approved by the Western Wood Preservers Institute for use in the aquatic environment. Any use of treated wood in the aquatic environment must follow guidelines and best management practices available at www.wwpinstitute.org.

TEMPORARY BRIDGE

26. All work will occur over flowing water. The new bridge components must be clean and free of debris prior to placement over the river.

27. Repair of existing piles must be completed above the water surface and all concrete and/or grout must be sealed to avoid contact with water until fully cured.

28. The two new 60-foot-long steel girders must be placed across the river in full suspension to avoid damage to the bed or banks of the river. The new girders must be placed within the footprint of the previous McElroy Road Bridge and must span from existing pilings to the western abutment.

29. The two power poles supporting the domestic water line must be removed in full suspension after the water line has been supported by the new structure. These poles must be relocated outside the frequently flooded areas.

30. Decking material, curbing, and guard rails from the damaged bridge may be reused for this crossing provided they are cleaned of debris. Materials not suitable for reuse must be removed from the floodplain.

31. Install and maintain curbs or wheel guards to prevent material from entering the stream.

32. Silt fencing or other erosion control methods must be installed prior to excavation within or near the abutments, including any repairs to guard rails or posts.



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DEMOBILIZATION AND CLEANUP

33. Completely remove any temporary fill before the end of the project if the fill material could erode and deliver sediment-laden water into waters of the state.

LOCATION #1: McElroy Road, Cle Elum, WA 98922

WORK START: January 19, 2022

WORK END: March 20, 2022

<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>
SE 1/4	22	20 N	14 E	47.2057	-121.0761	Kittitas

Location #1 Driving Directions

Exit 78 off I-90 at Golf Course Road heading north to Hundley Road. Head west on Hundley Road for 3/4 mile and make a right to Elk Meadows Road. Follow Elk Meadows Road for 500-feet to make a right onto McElroy Road with the Bridge immediately over Yakima River.

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.

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.



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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.

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.



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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