



HYDRAULIC PROJECT APPROVAL

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

Issued Date: June 26, 2020
Project End Date: September 30, 2021

Permit Number: 2020-6-249+01
FPA/Public Notice Number: N/A
Application ID: 6836

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Robert Wilson 100 W. Broadway Suite 31 Montesano, WA 98563	

Project Name: Keys Road Flood Protection Project

Project Description: The proposed project is a bank protection project focused on improving floodplain connectivity, stabilizing river flow paths, protecting Keys Road and the Port of Grays Harbor's well, and reducing rates of erosion along the lower 1.5 miles of the Satsop River upstream of its confluence with the Chehalis River. The project will use ecologically sensitive solutions consistent with ongoing habitat restoration projects in the basin. Specifically, the project would construct two setback revetments comprised of 18 engineered log jams (ELJs) on the floodplain to protect Keys Road. The project also includes construction of a 1,200-foot-long bypass/side channel, 7 floodplain roughness ELJs, 17 ELJs in the river, and 320 feet of timber complex ELJ directly in front of the Port of Grays Harbor's potable water well. The project objectives are to reduce high rates of erosion by improving floodplain connectivity and reducing stream power and main channel velocities.

PROVISIONS

TIMING - PLANS - INVASIVE SPECIES CONTROL

1. **TIMING LIMITATION:** Work may begin July 1st, 2020 and shall be completed by September 30, 2021, provided; work below the ordinary high water line must only occur between July 1st and August 31st of any calendar year.
2. **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 Keys Road Flood Protection, dated April 22, 2020, except as modified by this Hydraulic Project Approval. You must have a copy of these plans and this HPA available on site during all phases of the project construction.
3. **INVASIVE SPECIES CONTROL:** Follow Level 1 Decontamination protocol for low risk locations. Thoroughly remove visible dirt and organic 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. Properly dispose of any water and chemicals used to clean gear and equipment. For contaminated or high risk sites please refer to the Level 2 Decontamination protocol. You can find this and additional information in the Washington Department of Fish and Wildlife's "Invasive Species Management Protocols", available online at <http://wdfw.wa.gov/publications/search.php?Cat=Aquatic Invasive Species>.

NOTIFICATION REQUIREMENTS

4. **PRE- AND POST-CONSTRUCTION NOTIFICATION:** You, your agent, or contractor must contact the Washington Department of Fish and Wildlife by e-mail at HPAapplications@dfw.wa.gov; mail to Post Office Box 43234, Olympia, Washington 98504-3234; or fax to (360) 902-2946 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



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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.

5. **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 AND EQUIPMENT

6. 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.
7. Clearly mark boundaries to establish the limit of work associated with site access and construction.
8. Limit the removal of native bankline vegetation to the minimum amount needed to construct the project. Native vegetation associated with spoil piles is authorized for removal.
9. 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.
10. Limit the use of equipment waterward of the ordinary high water line to that necessary to gain position for the work.
11. While working around the mainstem Satsop River, remove soil or debris from the drive mechanisms (wheels, tires, tracks, etc.) and undercarriage of equipment prior to operating the equipment waterward of the ordinary high water line.
12. If wet or muddy conditions exist, in or near a riparian zone or wetland area, use equipment that reduces ground pressure.
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.

CONSTRUCTION-RELATED SEDIMENT, EROSION AND POLLUTION CONTAINMENT

15. Protect all disturbed areas from erosion. Maintain erosion and sediment control until all work and cleanup of the job site is complete.
16. All erosion control materials that will remain onsite must be composed of 100% biodegradable materials.
17. Straw used for erosion and sediment control, must be certified free of noxious weeds and their seeds.
18. 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.
19. 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.
20. Route construction water (wastewater) from the project to an upland area above the limits of anticipated floodwater. When discharging construction water to areas other than ponds, remove fine sediment and other contaminants before discharging the construction water to waters of the state.
21. Use tarps or other methods to prevent treated wood, sawdust, trimmings, drill shavings and other debris from contacting the bed or waters of the state.



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22. Do not burn wood treated with preservatives, trash, waste, or other deleterious materials waterward of the ordinary high water line.

23. 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, except for the material proposed for reuse in the project, as described in the application and on the plans.

CONSTRUCTION MATERIALS

24. Store all construction and deconstruction material in a location and manner that will prevent contaminants such as 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. Deposit all trash from the project at an appropriate upland disposal location.

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

TEMPORARY ACCESS ROADS AND TEMPORARY BRIDGE INSTALLATION

27. Design and locate new temporary access roads to prevent erosion and sediment delivery to waters of the state.

28. Any temporary culverts shall be installed to provide adequate fish passage.

29. Any temporary access ramp shall be placed in a manner to minimize damage to the streambed and banks.

30. At least one end of the temporary access ramps and temporary bridges shall be securely anchored.

31. Disturbance of the streambed and banks shall be limited to that necessary to place the access roads and bridges and any required channel modification associated with it. Affected streambed and bank areas outside the temporary structure shall be restored to preproject condition following installation.

32. Temporary access roads and bridges shall be installed in the dry or in isolation from stream flow by the installation of a bypass to divert the stream flow around the work area.

33. Approach material shall be structurally stable and be composed of material that if eroded into the stream shall not be detrimental to fish life.

34. The temporary water crossing structures and fill shall be removed, and the disturbed bed and bank areas shall be reshaped to preproject configuration. Within seven calendar days of project completion, all disturbed areas shall be protected from erosion using vegetation or other means. Within one year of project completion, the banks shall be revegetated with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of three feet (on center) and maintained as necessary for three years to ensure 80 percent survival.

35. Removal of the temporary water crossing structures shall be accomplished so the structure and associated material does not enter the stream. Material shall be disposed of so it will not re-enter the stream.

36. Confine the use of equipment to the specific access and work corridor shown in the approved plans.

IN-WATER WORK AREA ISOLATION USING A COFFERDAM STRUCTURE

37. Use a cofferdam, dike, or similar structure to exclude water from the work area.

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

39. Install the cofferdam, dike or similar structure and remove fish prior to the start of other work in the wetted perimeter.

40. Route the construction water (wastewater) from the project to an upland area above the limits of anticipated floodwater. Remove fine sediment and other contaminants before discharging the construction water to waters of the state.

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



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42. A temporary bypass is not required when the following circumstances exist, provided you can comply with the Hydraulic Project Approval provisions:

- a) When installing a coffer dam, bypass or similar structure would cause greater impacts to fish life than it would prevent;
- b) When the work area is in deep or swiftly flowing water;
- c) When turbidity is not a concern (i.e. the stream is dry, very slow flow);
- d) When fish can be excluded by nets or screens; or
- e) When fish are not present.

LARGE WOODY MATERIAL STRUCTURE PLACEMENT

43. When placing, repositioning, or removing large woody material, station equipment on the bank.

44. Large woody material structures shall be placed or anchored to provide stable, functional fish habitat.

45. Do not drag large woody material. Suspend large woody material during placement, repositioning, or removal so it does not damage the bed or banks.

46. Do not cut large woody material. If you must cut large woody material so it can be suspended during removal, contact the Habitat Biologist listed below to request authorization.

47. When you cannot suspend large woody material above the bed and banks, use skid logs or similar methods to avoid bank damage. Avoid damage to stream banks and vegetation when removing skid logs after completing the yarding operation, and restore the bank to preproject condition.

48. Do not disturb large woody material embedded in a bank or bed except as approved by the Washington Department of Fish and Wildlife.

49. When repositioning or removing large woody material is approved, fill and smooth over any depressions created in the bed with material that has the same composition as native material.

50. When repositioning or removing large woody material, minimize releasing bedload, logs, or debris downstream.

51. Do not cut firewood from accumulations of large woody material in stream or river channels.

52. The use of a vibratory and/or an impact hammer, or a water jet, is authorized for piling installation under this Hydraulic Project Approval, however a vibratory driver is preferred.

SIDE CHANNEL CONSTRUCTION

53. During construction, isolate the new channel from the flowing watercourse.

54. The new channel(s) must incorporate habitat components, bed materials, channel morphology, and native or other approved vegetation to provide equal or better habitat compared to that which previously existed.

55. Before water is diverted into a permanent new channel(s), install approved habitat components and bed and bank protection materials to prevent erosion as shown in the approved plan.

56. The Habitat Biologist listed below or their representative must inspect and approve the new channel before the stream is diverted into the channel.

57. Diverting the flow into the new channel:

- a. First remove the downstream plug.
- b. Face the stream side of the plug with a sandbag or similar device.
- c. Partially remove the upstream plug to allow 1/3 to 1/2 of the flow into the new channel for a minimum of 10 hours. Do not allow the old channel to dewater.
- d. Remove the remainder of the upstream plug if the new channel has flow throughout the entire length.
- e. Close the upstream end of the old channel and securely armor the entrance of the old channel to prevent re-entry of any flow. Armor material must consist of clean, angular rock installed to withstand the 100 – year peak flow.

DEMOBILIZATION AND CLEANUP



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- 58. Before the end of the in-water work period specified in the “timing limitations” provision, abandon temporary roads and remove temporary water crossing structures in wet or flood-prone areas.
- 59. Upon completion of the project, restore the disturbed bed, banks, and riparian zone to preproject condition to the extent possible.
- 60. To prevent fish from stranding, backfill trenches, depressions, and holes in the bed that may entrain fish during high water or wave action.
- 61. Seed areas disturbed by construction activities with a native seed mix suitable for the site that has at least one quick-establishing plant species.
- 62. Complete replanting of riparian vegetation during the first dormant season (late fall through late winter) after project completion per the approved plan. 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.
- 63. 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.
- 64. Remove temporary erosion and sediment control methods after job site is stabilized or within three months of project completion, whichever is sooner.

LOCATION #1: 110 Keys Road, Montesano, WA 98563						
WORK START: July 1, 2020			WORK END: September 30, 2021			
<u>WRIA</u>		<u>Waterbody:</u>			<u>Tributary to:</u>	
22 - Lower Chehalis - Downstream of Porter		Satsop River			Chehalis River	
<u>1/4 SEC:</u>	<u>Section:</u>	<u>Township:</u>	<u>Range:</u>	<u>Latitude:</u>	<u>Longitude:</u>	<u>County:</u>
NW 1/4	06	17 N	06 W	46.992517	-123.483201	Grays Harbor
<u>Location #1 Driving Directions</u>						
Heading west on Highway 12 take a left on Keys Road. Drive approximately 0.8 mile. Destination is on the right side of the road. Improved rock surface with gate at entrance to WDFW parcels used for project access.						

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.



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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.

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.



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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.

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.



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Habitat Biologist Amy.Spoon@dfw.wa.gov
Amy Spoon 360-249-1228, Ext:228

A handwritten signature in cursive script, appearing to read "Amy Spoon".

for Director
WDFW
