

Summary Sheet for Beaver Dam Removal GHPA

Purpose: Remove newly constructed beaver dams that are less than one year old and modify beaver dams that are located in waters of the state within WSDOT's right-of-way. The purpose of the activity is to rectify water backed up behind the beaver dam that is causing flooding of the roadway/ adjacent property or is causing instability of the roadway fill.

Before conducting work:

1. Coordinate with your region RMEC.
2. Notifying WDFW Habitat Biologist is only required for planned maintenance work.
3. Ensure the proposed work fits within the timing limitations (**see provision 2**).

During the work:

1. Ensure the GHPA is on site along with other required documents in **provision 3**.
2. Read the permit and **follow the BMPs** (see sections on **staging/job site access/equipment, beaver dam management, construction related sediment/erosion/pollution containment, and demobilization/clean up**).
3. Contact your RMEC if any questions arise on the GHPA provisions.
4. Track the information that needs to be reported in HATS for the annual report (**provision 31**: SR, milepost, waterbody name, date, how long it took to complete the work, work description, and quantity and disposition of large woody material).
5. Follow the **Maintenance ECAP** if any spills occur, if there is a fish kill or other water quality problem, or when the provisions of the GHPA can not be followed.

After the work:

1. Notify WDFW within three days of completing unscheduled work.
2. Record the information collected into HATS.



HYDRAULIC PROJECT APPROVAL

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

Issued Date: December 23, 2022
Project End Date: December 21, 2027

Permit Number: 2022-9-13+01
FPA/Public Notice Number: N/A
Application ID: 29798

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
WSDOT ATTENTION: Virginia Stone 310 Maple Park Ave SE Olympia, WA 98501-2348	

Project Name: Beaver Dam Removal and Modification in WSDOT right-of-way.

Project Description: Remove newly constructed beaver dams that are less than one year old and modify beaver dams that are located in waters of the state within WSDOT's right-of-way. The purpose of the activity is to slowly release the water backed up behind the beaver dam that is causing flooding of the roadway/ adjacent property or is causing instability of the roadway fill.

PROVISIONS

1. **AUTHORIZATION LIMITATION:** This HPA authorizes the following WSDOT beaver dam management activities: Remove or modify newly constructed beaver dams that are less than one year old and located in waters of the state within WSDOT's right-of-way. This HPA does not authorize the entry of drive mechanisms of equipment into the water, or equipment crossings of the stream. All other work requires a separate HPA. A separate written HPA may be sought from the local Habitat Biologist for the project. See <https://wdfw.maps.arcgis.com/apps/MapJournal/index.html?appid=48699252565749d1b7e16b3e34422271> for a current listing of Habitat Biologists and their coverage area(s).
2. **TIMING LIMITATION:** You may begin the project immediately and you must complete the project by December 21, 2027. New or recently built beaver dams and associated debris may be removed and/or repositioned from streams, rivers, and other waters of the state year-round provided:
 - a. The beaver dam has only been in existence for one year or less and does not have newly established wetland plant communities or trees showing stress from being inundated by water.
 - b. The new beaver dam has the potential to threaten public safety, public property (in the area the dam is influencing backwater flooding and erosion), or WSDOT Right-of-way (ROW) infrastructure.
 - c. The stream is adequately flowing with enough water volume to ensure the upstream channel remains wetted and fish can move out of the area as the water level is dropping.
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, 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.
 - a. WSDOT Environmental Compliance Assurance Procedure (ECAP) for maintenance in WSDOT's Environmental Manual Section 700.02.
 - b. The Best Management Practices Field Guide consistent with the most recent version of the Regional Road Maintenance Endangered Species Act Program Guidelines (RRMP) Part 2: Best Management Practices.
 - c. **INVASIVE SPECIES CONTROL:** Thoroughly clean all equipment and gear before arriving and leaving the job site to prevent the transport and introduction of invasive species if activities are conducted within the riparian area or floodway. Properly dispose of any water and chemicals used to clean gear and equipment. WSDOT maintenance staff must implement the specifications in WSDOT Integrated Roadside Vegetation Management Plans to control the spread of noxious and nuisance weeds, and Maintenance Operations AIS (aquatic invasive species) protocols included in the



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permit application. Additionally, the Washington Department of Fish and Wildlife's Invasive Species Management Protocols (November 2012) are available online at <http://wdfw.wa.gov/publications/01490/wdfw01490.pdf> for more information.

4. NOTIFICATION: You must contact the local Habitat Biologist for the project at least three business days before starting planned maintenance work (See <https://wdfw.maps.arcgis.com/apps/MapJournal/index.html?appid=48699252565749d1b7e16b3e34422271> for a current listing of Habitat Biologists and their coverage areas). You do not have to notify WDFW prior to starting unscheduled maintenance work but must contact the local Habitat Biologist within three business days after starting the work. The notification must include:

- a. Agency name, contact person, and telephone number
- b. Waterbody name
- c. Work location including latitude/longitude, and road number and milepost or comparable site location information
- d. Description of work,
- e. The starting date,
- f. Application ID and permit number of the HPA.

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, JOB SITE ACCESS, AND EQUIPMENT

6. Work may not be accomplished by hand or with hand-held tools, such as chain saw, peavey, come-along winch or using a vehicle-mounted winch. provided compliance with the provisions of this HPA can be met.

7. Use existing roadways or travel paths to access the beaver dam if available, and if heavy equipment is needed.

8. Station and operate equipment used for this project such that the drive mechanisms (wheels, tracks, tires, etc.) do not enter waterward of the ordinary high water line (OHWL). The boom, bucket, or grapple of equipment used for this project may operate waterward of the OHWL.

9. Native bankline vegetation may be driven over or straddled to access the beaver dam. Clearing and grubbing of vegetation must not occur. Trees measuring 4.5 feet or greater in height above grade or with a diameter of four inches or greater must not be damaged or cut.

10. If wet or muddy conditions exist such that the drive mechanisms (wheels or tracks) sink greater than 6 inches into the earth, in or near a riparian zone or wetland area, use equipment that reduces ground pressure.

11. Check equipment daily for leaks and complete any required repairs in an upland location before using the equipment in or within 200 feet of the water.

12. Establish staging areas (used for equipment storage, vehicle storage, leak repairs, 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.

BEAVER DAM MANAGEMENT

13. Beaver dam material removal/relocation must occur by hand or with equipment lifting the material with full



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suspension. Dragging the material in the streambed or on streambanks is not permitted.

14. During and immediately after beaver dam management, monitor upstream and downstream for stranded fish in isolated pools. Capture and safely move all stranded or isolated fish to the nearest free-flowing water.
15. Retain all natural habitat features on the bed or banks including large woody material and boulders. Smooth over any ruts created by equipment prior to leaving the site.
16. Do not disturb large woody material embedded in the stream bed or banks. Large woody material (LWM) means trees or tree parts larger than four inches in diameter and longer than six feet, and rootwads, wholly or partially waterward of the OHWL.
17. Beaver dam notching, compressing, or removal must occur in a manner that ensures the gradual, slow release of impounded water.
18. When notching a beaver dam, the notch must not extend below the height of the accumulated sediment behind the dam. Downstream flow releases must not be beyond bank full so as to cause overland flooding.
19. After the water level across the dam equalizes and the dam is mostly dewatered, the dam may be carefully modified or removed in a manner that minimizes the release of accumulated sediments. This will also prevent damage to the stream bed and banks from scour and erosion.
20. Any breach in a beaver dam must not be wider than the downstream channel.
21. If non-embedded woody material must be moved then:
 - a. Place the wood directly back in the channel immediately downstream of the structure.
 - b. LWM must not be destroyed or reduced in value as fish habitat. LWM must not be cut into smaller pieces, except to the extent necessary to allow floating or suspension of LWM to reposition it away from the ROW infrastructure (e.g. culvert). Root wads must not be removed from the trunk (bole). Boles must not be reduced in girth.
 - c. Natural woody material that is smaller than LWM may be, in order of preference, repositioned within the stream, floated downstream, deposited on the bank, or removed and disposed of so not to re-enter the watercourse.
 - d. If releasing or repositioning LWM downstream of a work site could create an unsafe hazard to life, the public, property or roadway infrastructure, the LWM may be placed below the OHWL at another nearby location within the same waterbody.
22. Where LWM cannot be floated free, it must be suspended during repositioning, so it does not damage the bed or banks. Full suspension must be used to avoid damage to riparian vegetation. It is understood that during the careful process of repositioning the LWM, minor or temporary disturbance of the riparian vegetation and the ground could potentially occur. This level of disturbance is acceptable provided those impacts are expected to recover quickly and naturally.

CONSTRUCTION-RELATED SEDIMENT, EROSION AND POLLUTION CONTAINMENT

23. Protect all disturbed streambank areas from erosion. Maintain erosion and sediment control along stream banks during all stages of the project.
24. All erosion control materials that will remain onsite must be composed of 100% biodegradable materials.
25. Straw or hay used for erosion and sediment control, must be certified free of noxious weeds and their seeds.
26. Stop all hydraulic project activities except those needed to control erosion and siltation, if flow conditions arise that



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will result in erosion or siltation of waters of the state.

DEMOBILIZATION AND CLEANUP

27. Upon completion of the project, restore the disturbed bed, banks, and riparian zone to pre-project condition to the extent possible.

28. Replace native riparian zone vegetation damaged or destroyed by construction with native trees and native shrubs at a ratio of at least 1:1 by the end of the first growing season after impact. If replacement plants fail, additional plantings, or successful natural recruitment is required prior to the next growing season to achieve and maintain at least 1:1 replacement.

29. 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.

30. Remove temporary erosion and sediment control methods after the job site is stabilized (riparian vegetation has established to the extent that long term erosion control is provided) or within three months (1 year in Eastern Washington) of project completion, whichever is sooner.

31. ANNUAL REPORTING: A calendar year annual report must be uploaded to Application ID 29798 in the Aquatic Protection Permitting System (APPS) in unlocked Microsoft Excel (*.xlsx) format by February 28 of the following year. In the final year of the HPA, the report must be submitted prior to the expiration date. An annual report is also required if no work was conducted. The annual report may be emailed to HPAapplications@dfw.wa.gov. The annual report must include:

- a. Permittee, contact person, address, telephone number, date of report, time period.
- b. The permit number for this HPA, summary of the total number of individual projects by region and statewide.
- c. Problem(s) encountered: Such as inability to comply with provisions, lack of notification to WDFW, any impacts to fish life and water quality from problem, any corrective actions taken to rectify these problems. If the Environmental Compliance Assurance Procedure (ECAP) or similar procedure was used, what activity triggered the procedure.
- d. Recommendations for improvement to best management practices and permit provisions.
- e. List of individual projects completed: By region including water body name, road number and milepost if applicable, latitude and longitude, date and duration of work, description of work, and quantity and disposition of LWM moved.

DEFINITIONS

Environmental Compliance Assurance Procedure (ECAP): WSDOT communication protocol to monitor and measure compliance performance.

Large Woody Material (LWM): Trees or tree parts larger than four inches in diameter and longer than six feet in length, including root wads. This material is located wholly or partially waterward of the Ordinary High Water Line (OHWL).

Ordinary High Water Line (OHWL): The mark on the shores of all waters that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual and so long continued in ordinary years, as to mark upon the soil or vegetation a character distinct from that of the abutting upland provided that in any area where the ordinary high water line cannot be found the ordinary high water line adjoining saltwater shall be the line of mean higher high water and the ordinary high water line adjoining freshwater shall be the elevation of the mean annual flood.

WSDOT Right of Way: The area of land dedicated for public use or secured by the public for purposes of ingress and egress to abutting property and other public purposes. ROW includes area maintained by WSDOT through prescriptive rights. It includes the structures necessary to keep the transportation system operational.



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LOCATION #1: , , WA						
WORK START: December 22, 2022			WORK END: December 21, 2027			
<u>WRIA</u>		<u>Waterbody:</u>			<u>Tributary to:</u>	
00 - Unknown						
<u>1/4 SEC:</u>	<u>Section:</u>	<u>Township:</u>	<u>Range:</u>	<u>Latitude:</u>	<u>Longitude:</u>	<u>County:</u>
						Statewide
<u>Location #1 Driving Directions</u>						

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 elizabeth.bockstiegel@dfw.wa.gov
Liz Bockstiegel 360-791-8999

for Director
WDFW