



# HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - See appeal process at end of HPA

Statewide  
600 Capitol Way N  
Olympia, WA 98501-1091  
(360) 902-2200

Issue Date: February 14, 2014

Control Number: 132767-1

Project Expiration Date: February 13, 2019

FPA/Public Notice #: N/A

<u>PERMITTEE</u>	<u>AUTHORIZED AGENT OR CONTRACTOR</u>
Washington State Department of Transportation ATTENTION: Ken Schlatter 310 Maple Park Drive SE Olympia, WA 98504 360-740-6327	

Project Name: Marine Sediment Test Boring

Project Description: Soil cores and other geotechnical survey information at marine water locations to determine sub-surface conditions and design parameters for proposed WSDOT projects

## PROVISIONS

1. PROJECT DESCRIPTION: This HPA authorizes only Wet Rotary Sample Boring as described in the JARPA dated January 15, 2014. Any other work, including Vibracore or Mudmole Sediment Sampling requires a separate written HPA from WDFW.

The work involves exploratory soil boring drilled at various salt water locations throughout the state. Access and drilling equipment used will depend on site characteristics and will be carried out using any one or a combination of methods as listed below.

Geo-technical exploratory drilling and investigative sampling occurs to determine the sub-surface composition for the purpose of structure and roadway design, hazardous materials detection, groundwater monitoring and other exploratory activities. The sampling procedure is as follows:

- a) A 4 inch casing is sealed into the marine bed.
- b) The test boring is advanced through that casing with a 3 inch casing.
- c) At every 5 foot interval a split spoon sampler is lowered on a 2 1/4 inch rod through the 3 inch casing to the bottom of the hole for taking soil samples.
- d) This process is repeated to the required depth of the soil investigation.

### TRUCK MOUNTED DRILL

The truck mounted drill will access boring locations that are on relatively flat, easy to access sites. Each drill will have a support truck for water, tooling, and other required supplies. It may be loaded on a barge for use.

### PORTABLE BARGE

The Portable Barge is used in some situations. It consists of hauling transportable pontoons to the vicinity by trailer and setting them into the water with a boom truck for assembly into a barge. Drills and support equipment are placed on the barge and moved into position for the drilling operation. The barge is held in place by four anchors. For operations in deep water, a truck mounted drill is placed on a large barge. Tug boats are used to maneuver the barge.

Issue Date: February 14, 2014

Control Number: 132767-1

Project Expiration Date: February 13, 2019

FPA/Public Notice #: N/A

---

## CONE PENETROMETER TEST TRUCK

The Cone Penetrometer test truck is used to send sound waves into the ground to determine the density of material underground. It uses an electronic instrumented cone assembly, hollow core sounding rods, a 20 ton hydraulic thrust frame, and a computer data acquisition/processing system to perform the analysis. This truck contained and mounted unit can be used from a barge.

2. In the event that the applicant cannot comply with the provisions of this approval due to project site or other specific concerns, separate written HPA may be sought, and must be obtained, from the Area Habitat Biologist prior to implementing the project.

3. **TIMING LIMITATIONS:** The project may begin February 14, 2014 and shall be completed by February 13, 2019.

a) Inter-tidal and sub-tidal sampling work shall not occur from February 15 through August 15 of the authorized period for the protection of migrating juvenile salmonids provided: Sub-tidal Wet Rotary Sample Boring completely containing drilling mud and other products is allowed year around.

b) Wet Rotary Sample Boring, completely containing drilling mud and other products, may be acceptable above + 2 feet in reference to MLLW tidal datum during the authorized period provided: A WDFW representative confirms lack of fish spawn and spawning activity during a site inspection. Arrangements for a site inspection shall be made with the Area Habitat Biologist - Please see <http://wdfw.wa.gov/conservation/habitat/ahb/> for the current list. Work shall commence within 48 hours of notification by WDFW and shall be completed within seven days of project commencement.

4. Except as modified by this HPA work shall be accomplished per plans and specifications submitted by WSDOT as application and accepted by WDFW (January 15, 2014) for this HPA including WSDOT Environmental Compliance Assurance Procedure (ECAP) in WSDOT Construction Manual Section 1-2.2K(1).

5. These plans (Provision 4), including this HPA, reflect the requirements of Chapter 220-110 WAC. These plans reflect mitigation procedures to avoid impacts to fish resources. A copy of these plans shall be available on site during work.

6. **NOTIFICATION PRIOR TO WORK START:** The permittee or contractor shall notify the WDFW Regional Habitat Program Manager prior to starting work. Notification may be by email, facsimile (FAX), telephone, or in person. If a site inspection is conducted by an AHB, that individual shall also be notified. Notification shall include:

a) Agency name, contact person, and telephone number.

b) Water body name.

c) Work location including road number and milepost if applicable, or comparable site location information.

d) Starting date and estimated ending date for work.

Issue Date: February 14, 2014

Control Number: 132767-1

Project Expiration Date: February 13, 2019

FPA/Public Notice #: N/A

---

7. FISH KILL/ WATER QUALITY PROBLEM NOTIFICATION: If at any time, as a result of project activities, fish are observed in distress, a fish kill occurs, or water quality problems develop (including equipment leaks or spills), immediate notification shall be made to the Washington Military Department Emergency Management Division at 1-800-258-5990, and to the biologist listed below; Telephone: 360-391-4612; Email:(jeffrey.kamps@dfw.wa.gov).

8. If fish may be adversely impacted as a result of this project, the permittee is required to capture and safely move food fish, game fish or other fish life to the nearest free-flowing water.

#### DRILLING ACTIVITIES

9. No other excavation or fill work is authorized under this HPA.

10. Woody material embedded in the bank, shoreline or bed shall be left undisturbed and intact.

11. Intertidal wetland vascular plants and intertidal and sub-tidal eelgrass, macro algae or kelp shall not be adversely impacted due to project activities (e.g., temporary floating work platform shall not ground, anchors shall not be set, equipment shall not operate, and other activities shall not occur in intertidal wetland vascular plants, intertidal and sub-tidal eelgrass, macro algae or kelp.

12. A casing or other water isolation device /BMP shall be used to contain the boring operation and prevent water entry of all associated sediments and other materials, such as the water slurry used for drill lubrication and bentonite used to seal the bore hole after geo-technical data has been recorded and sampled. The discharge of turbid or slurry laden process water to state waters is not authorized by this HPA.

13. After geotechnical information has been logged, the bore hole and surface shall be restored to pre-project condition.

14. All waste material such as drill spoils and cuttings, construction debris, silt, excess dirt, excess gravel, or overburden resulting from this project shall be deposited above the limits of flood water in an upland disposal site that has appropriate regulatory approval.

#### EQUIPMENT

15. Drilling equipment shall be checked daily for leaks, be well-maintained and kept in good repair to prevent the loss of lubricants, grease, and any other deleterious materials from entering state waters.

16. No geared mechanisms (tires, tracks) shall enter the wetted perimeter. Truck mounted and tracked drilling equipment shall work from a location outside of the wetted perimeter unless working off of a temporary floating work platform.

17. Temporary floating work platforms shall not ground on the bed of state waters.

18. Equipment, except for barges, shall be parked above the Ordinary High Water Line (OHWL)

Issue Date: February 14, 2014

Control Number: 132767-1

Project Expiration Date: February 13, 2019

FPA/Public Notice #: N/A

---

after each day of construction activities to prevent leakage or accidental spills into state waters.

19. All containers storing fuel or other deleterious substances on any temporary floating work platform shall be secured to prevent incidental spills.

20. The drilling water recycle system shall be self-contained, operated, and maintained such that recycle water does not enter waters of the state.

21. Anchors shall be set and retrieved vertically; anchor cable tension shall be maintained such that anchor cables do not drag.

22. No disturbance to the shoreline shall occur when placing, using, or removing a temporary floating work platform.

23. No temporary floating work platform anchoring or grounding shall occur that would disturb eelgrass, kelp, macro algae or intertidal wetland vascular plants.

#### RIPARIAN PROTECTION

24. Care shall be used when accessing the site to minimize the disturbance of vegetation. Vegetation shall be straddled with heavy equipment and be pruned as necessary, without damaging the roots, or low ground pressure equipment shall be used, when possible.

25. All woody plants that were on the banks or in the bed of state waters and that were removed or damaged by the work beyond their capability to regenerate shall be replaced. Replacement shall be by replanting or natural recruitment with woody plants native to the area. Woody plants shall be replaced and maintained 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 natural recruitment is required prior to the next growing season to achieve and maintain at least 1:1 replacement.

26. Within seven calendar days of project completion, all disturbed areas shall be protected from erosion using vegetation or other means. Erosion control methods may include, but are not limited to filter fabric and immediate mulching of exposed areas.

27. ANNUAL REPORTING: WSDOT shall submit to the WDFW Habitat Program at [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov) or 600 Capitol Way N. Olympia, WA 98501, a calendar year annual report of work by February 28 of the following year, or in the final year of the HPA, prior to the expiration date. An annual report is also required if no work was conducted. The annual report shall be provided in unlocked Microsoft Excel (.xls) format and include:

- a) General: HPA Control Number, permittee, contact person, address, telephone number, date of report, time period.
- b) Summary: Total number of individual projects by region and statewide.
- c) Problem(s) encountered: Provision violation, notification, corrective action, impacts to fish life and water quality from problem. If the Environmental Compliance Assurance Procedure (ECAP) or similar procedure was used, what activity triggered the procedure?



# HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - See appeal process at end of HPA

Statewide  
600 Capitol Way N  
Olympia, WA 98501-1091  
(360) 902-2200

Issue Date: February 14, 2014

Control Number: 132767-1

Project Expiration Date: February 13, 2019

FPA/Public Notice #: N/A

- d) Recommendations for improvement to best management practices and mitigation [optional].
- e) List of individual projects completed: By region including water body name, road number and milepost if applicable, latitude and longitude, date duration of work, description of work.

## PROJECT LOCATIONS

### Location #1 Statewide marine

<b>WORK START:</b> February 14, 2014				<b>WORK END:</b> February 13, 2019			
<u>WRIA:</u> 99.0000		<u>Waterbody:</u> Various			<u>Tributary to:</u> Statewide		
<u>1/4 SEC:</u> All	<u>Section:</u> 99	<u>Township:</u> 99	<u>Range:</u> 99	<u>Latitude:</u> N	<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 (formerly RCW 77.20). 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 a civil penalty of up to one hundred dollars per day and/or a gross misdemeanor 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.

Issue Date: February 14, 2014

Control Number: 132767-1

Project Expiration Date: February 13, 2019

FPA/Public Notice #: N/A

---

**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. A minor modification to the required work timing means up to a one-week deviation from the timing window in the HPA when there are no spawning or incubating fish 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. Minor modifications do not require you to pay additional application fees or be issued a new HPA. To request a minor modification to your HPA, submit a written request that clearly indicates you are requesting a minor modification to an existing HPA. Include the HPA number and a description of the requested change and 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](mailto:HPAapplications@dfw.wa.gov). Do not include payment with your request. 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 paid an application fee for your original HPA you must include payment of \$150 with your written request or request billing to an account previously established with the department. If you did not pay an application fee for the original HPA, no fee is required for a change to it. To request a major modification to your HPA, submit a written request that clearly indicates you are requesting a major modification to an existing HPA. Include the HPA number, check number or billing account number, and a description of the requested change. Send your written request and payment, if applicable, by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. If you are charging the fee to a billing account number or you are not subject to the fee, you may email your request to [HPAapplications@dfw.wa.gov](mailto: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 220-110-340 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 Washington Department of Fish and Wildlife HPA Appeals Coordinator, 600 Capitol Way North, Olympia, Washington 98501-1091; e-mail to [HPAapplications@dfw.wa.gov](mailto: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 will conduct an informal hearing 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 220-110-350 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.



# HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - See appeal process at end of HPA

Statewide  
600 Capitol Way N  
Olympia, WA 98501-1091  
(360) 902-2200

Issue Date: February 14, 2014

Control Number: 132767-1

Project Expiration Date: February 13, 2019

FPA/Public Notice #: N/A

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 Washington Department of Fish and Wildlife HPA Appeals Coordinator, 600 Capitol Way North, Olympia, Washington 98501-1091; e-mail to [HPAapplications@dfw.wa.gov](mailto: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.

ENFORCEMENT: Sergeant Chadwick (24) P3

Habitat Biologist  
Jeffrey Kamps

[kampsjwk@dfw.wa.gov](mailto:kampsjwk@dfw.wa.gov)  
360-391-4612

for Director  
WDFW

CC: