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

HYDRAULIC PROJECT APPROVAL

Issued Date: December 19, 2014
Project End Date: March 08, 2017

Permit Number: 2014-4-448+01
FPA/Public Notice Number: N/A
Application ID: 2362

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Washington State Department of Transportation ATTENTION: Kerry Pihlstrom 999 3rd Ave Ste 900 Seattle, WA 98104-4039	

Project Name: HPA # 125757-12 SR 520 I-5 to Medina Bridge Replacement & HOV Project

Project Description: SR 520, I-5 to Medina: Bridge Replacement and High Occupancy Vehicle Project

PROVISIONS

1. The SR520 Floating Bridge, Landing West transition span to Medina and associated Westside work to I-5 shall be permitted in phases based upon the availability of fully designed mitigation projects. At this point with the Bear Creek and South Lake Washington DNR mitigation sites being fully permitted this HPA authorizes the construction of the Floating Bridge and Landing West transition to Medina phases of this project. This HPA will permit the proposed East Approach site mitigation work. By March 15, 2015, WSDOT will submit fully designed mitigation plans for the Union Bay Natural Area. By March 8, 2017, WSDOT will submit fully designed mitigation plans for the WSDOT Owned Peninsula, Taylor Creek, Seward and Magnuson Parks. Bear Creek and South Lake Washington DNR mitigation shall be constructed as permitted under their individual HPA's however reference under this HPA as required mitigation for the SR520 project.

2. PLAN SET CHANGE
Applicant shall provide to WDFW a copy of all updated plan sets within 30 days of each issuance.

3. TIMING LIMITATIONS: The project may begin December 19, 2014 and shall be completed by March 8, 2017: Provided: Work below the ordinary high water line (OHWL) shall only occur as following for each year in the specified allotted time.

SR520 main project
Portage Bay Section
Impact pile installation: September 1 thru April 30
Cofferdam - vibratory installation only: August 16 thru April 30
Drilled shaft - vibratory installation only: August 16 thru April 30
Geotech exploration: August 16 thru April 30
Vibratory pile installation/removal - no pile driving/proofing: August 16 thru April 30 Cofferdam Removal: August 16 thru April 30

West Approach in Union Bay (west of Foster Island) Salmonid Habitat Zone 4 Section Impact pile driving (including pile proofing): September 1 thru April 30

West Approach East of Foster Island- Salmonid Habitat Zones 4 & 6 Sections
Impact pile driving (including pile proofing): October 8 thru April 15
Drilled shaft- vibratory installation only: August 31 thru April 15

Column demolition: August 31 thru April 15
Pile removal: August 31 April 15

West Approach Connection Bridge Section
Impact pile driving (including pile proofing): October 8 thru April 15
Drilled shaft - vibratory installation only: August 31 thru April 15
Drilled shaft - vibratory installation only (Piers 25-36 only): August 1 thru April 15
Geotech exploration: July 16 thru April 30
Column demolition: August 31 thru April 15
Pile removal: August 31 thru April 15

Floating Bridge Section
Gravity or shaft anchors for the west end - vibratory installation only: July 16 thru April 30
Gravity or shaft anchors for the east end - vibratory installation only: July 1 thru June 1
Pile removal: July 1 thru May 15
Pontoon crack repair: no in water work window required, work allowed year around

East Approach Section
Impact pile driving (including pile proofing): August 16 thru March 15
Cofferdam - vibratory installation only: July 1 thru May 15
Drilled shaft - vibratory installation only: July 1 thru May 15
Geotech exploration: July 1 thru May 15
Vibratory pile installation/removal- no pile driving/proofing July 1 thru May
Cofferdam removal: July 1 thru May 15
Mitigation Gravel Placement: July 1 thru September 30

Mitigation Sites work windows not covered above: Taylor Creek and Taylor Creek Delta Project
All work below the OHWL shall only occur between July 1 and September 15 of each year in the specified allotted time.

Magnuson Park Project
All lakeshore work below the OHWL shall only occur between July 16 and March 15 of each year in the specified allotted time. Please note: any additional lakeshore work north of the proposed work zone will fall under the WDFW lakeshore sockeye spawning window. All work associated with the upland watercourse below the OHWL shall only occur between June 1 and October 31 of each year in the specified allotted time.

Seward Park
Site 1: All work below the OHWL shall only occur between July 16 and September 31 of each year in the specified allotted time. Documented Sockeye Spawning Area.
Sites 2 and 4: Sockeye spawning gravel placement shall only occur from July 16 thru September 31 of each year in the specified allotted time. Documented Sockeye Spawning Area
Site 3: All work below the OHWL shall only occur between July 16 and December 31 of each year in the specified allotted time

Union Bay Natural Area Site:
All lakeshore work below the OHWL shall only occur between July 16 and March 15 of each year in the specified allotted time.
All upland watercourse work below the OHWL shall only occur between June 1 and October 31 of each year in the specified allotted time.

General Provision

4. Work shall be accomplished per plans and specifications submitted and approved by the Washington Department of Fish and Wildlife, which plans entitled, 'SR 520 - I-5 TO Medina: Bridge Replacement and HOV Project', dated December 8, 2014, 'SOUTH LAKE WASHINGTON SHORELINE RESTORATION', dated November 2011, 'BEAR CREEK REHABILITATION PROJECT', dated March 2010, 'West Approach Bridge Site and Exploration Plan', dated June 2012, 'Lake Washington Proposed Eat Approach', received in June 19, 2012 email, email entitled, 'SR 520: I-5 to Medina Project Update (HPA #125757-2)', received May 11, 2012, letter entitled, ' Re: SR 520 Geotechnical Investigations', dated July 16, 2012, letter entitled, 'Re: SR 520 I-5 to Medina: Bridge Replacement and HOV Project Updated', dated November 15, 2015, request for a additional boring near Pier 3 in email entitled, 'FW: SR 520 I-5 to Medina mitigation timing', received July 18, 2013, email entitled 'FW: HPA 125757-8 Modification Request for SR 520 pontoon crack repair', received November 7, 2013, email entitled 'FW: SR 520 WCB proposed geotech borings to occur Tuesday', received January 14, 2014, letter entitled, 'I-5 to Medina: Bridge Replacement and HOV Project', dated October 30, 2013 and November 1, 2013, WDFW email response entitled 'RE:SR 520 HPA update needed', emailed May 19, 2014 containing comments on previous May 13, 2014 email, and email entitled, 'FW: WDFW/Ecology Plans Updated', received December 10, 2014, except as modified by this Hydraulic Project Approval. A copy of these plans shall be available on site during construction.

5. NOTIFICATION REQUIREMENTS: A preconstruction meeting between the applicant and WDFW, scheduled by the applicant, shall occur at least 20 days before each mitigation project and SR520 sub sections starts to make sure WDFW has all current construction plans and work schedule. Also a follow-up compliance meeting between the applicant and WDFW, scheduled by the applicant, shall occur within 90 days of the completion of each mitigation project and SR520 sub section.

6. All trash and unauthorized fill, including concrete blocks or pieces, bricks, asphalt, metal, treated wood, drainage tiles, glass, and paper, below the OHWL in and around the applicant's project areas, including the mitigation sites, shall be removed and deposited above the limit of flood water in an approved upland disposal site.

7. All applicable Best Management Practices described in 'Regional Road Maintenance, Endangered Species Act, Program Guidelines' (January 18, 2002) shall be implemented to assure protection of fish life.

8. All work operations shall be conducted in a manner that causes little or no siltation to adjacent areas and comply with current Washington State Department of Ecology NPDES General Construction Permit turbidity requirements.

9. Removal of the vegetation shall be limited to that necessary to gain access to the sites and complete the work.

10. Pictures of the project sites (SR 520 project and mitigation sites) shall be taken showing the sites prior to and after work is complete. These pictures shall be submitted to Stewart Reinbold at Stewart.Reinbold@dfw.wa.gov or 1775 12th Avenue NW, Suite 201, Issaquah, WA 98027 within 30 days for the project completions.

11. Removal or abandonment of existing structures shall be accomplished so that the structure and associated material does not re-enter the lake, river, wetland or stream.

12. All waste material such as construction debris, silt, excess dirt or overburden resulting from this project shall be deposited above the limits of flood water in an approved upland disposal site. This provision does not include work on the gravity anchor pads for the floating bridge.

13. All treated lumber to be used for the project shall meet or exceed the standards established in 'Best Management Practices For the Use of Treated Wood in Aquatic and Other Sensitive Environments' developed by the Western Wood Preservers Institute, revised November 1, 2011.

14. Equipment shall be checked daily for leaks and any necessary repairs shall be completed prior to commencing

work activities along the lake, river, streams, wetlands, or in dewatered areas.

15. Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid, fresh cement, sediments, sediment-laden water, chemicals, or any other toxic or deleterious materials are allowed to enter or leach into the lake, river, streams, wetlands, or in dewatered areas.

16. Equipment fueling locations and procedures shall be approved by the Department of Ecology.

17. Alteration or disturbance of the shoreline and associated vegetation shall be limited to that necessary to perform the project. Within seven calendar days of the project completion, all disturbed areas shall be protected from erosion using vegetation and other means. Prior to the start of the first viable subsequent growing season (March 1) for completed work in aquatic habitat and riparian zones, the disturbed critical area buffers and/or riparian area shall be re-vegetated with native or other woody species approved by WDFW. Vegetative cuttings shall be planted at a maximum interval of three feet (on center) or WDFW approved planting plan. For three years planting shall be maintained as necessary for three years to ensure 80 percent or greater survival at each project site. For ten years planting shall be maintained as necessary for 10 years to ensure the preformance standards outlined in the approved mitigation plans are met.

18. All work operations shall be conducted in a manner that causes little or no siltation to adjacent areas. A sediment control curtain or similar containment BMP(s) shall be deployed and maintained in a functional manner to contain suspended sediments at the work site during lakeshore bank modification/dredging/fill. Sediment control curtain or similar devices not required for fill associated with anchor ballast.

LARGE WOODY MATERIAL
19. All existing large wood debris in the lake, river or stream(s) shall remain, undisturbed when possible. All large woody debris removed or repositioned shall be reinstalled in the same general location so that it is 1/3 - 1/2 within the low flow channel/wet channel.

20. When possible tree greater than 6 inches DBH removed from the project sites during clearing shall be retained whole with root boles intact for use in fish and wildlife habitat mitigation features in the project and/or mitigation areas in the project and/or mitigation areas.

DEWATERING/BYPASS
21. All fish stranded within the dewatered area(s) shall be immediately captured and placed downstream or for cofferdam work outside of the work area. 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 Department of Ecology at 1-800-258-5990, and to the Area Habitat Biologist listed below. During afterhours please call the Washington Emergency Management Division at 1-800-258-5990 to notify the WDFW.

22. If at any time the dewatering system fails or overtops resulting in inundation of the work area by stream flow or lake water presumed to contain fish, the fish exclusion procedures must be repeated prior to resuming work.

23. If high flow or severe weather conditions that may cause siltation are encountered during this project work shall stop until the flow subsides.

24. Lakeshore, river, and/or creek bank modifications shall be conducted in the dry or in isolation from stream flows by the installation of a temporary cofferdam or bypass system to divert or pump stream flows around active work areas.

25. Prior to reintroducing stream flow to the river and/or stream channel, all bank protection/armoring, stream gravel placement, LWD and habitat rock installation, and other work within the OHWL shall be completed.

26. Dewatering water shall be routed to an area landward of the ordinary high water line to allow removal of fine sediment and other contaminants prior to being discharged to the lake, wetland and/or streams or secure containment area located in over water staging areas or barges for on-site or off-site settling/dewatering sites thru an approved sediment filter system.

27. Any device used for diverting water from a fish-bearing stream shall be equipped with a fish guard to prevent passage of fish into the diversion device pursuant to RCW 77.57.010 and 77.57.070.The pumps intakes shall be screened with 1/8-inch mesh to prevent fish from entering the system. The screened intake shall consist of a facility with enough surface area to ensure that the velocity through the screen is less than 0.4 feet per second. Screen maintenance shall be adequate to prevent injury or entrapment to juvenile fish and the screen shall remain in place whenever water is withdrawn from a stream through the pump intake.

STREAM/ RIVER BYPASS
28. Any temporary bypass to divert flow around the work areas shall be in place prior to initiation of other work in the wetted perimeter.

29. Bypassing stream flow around the work area in a gravity stream bypass system is the preferred method. Pumping may be used if a gravity stream bypass system is not a viable option.

30. Erosion control methods shall be used to prevent silt-laden water from entering the stream. These may include, but are not limited to, straw bales, filter fabric, temporary sediment ponds, check dams of pea gravel-filled burlap bags or other material, and /or immediate mulching of exposed areas.

31. A sandbag revetments or similar devices shall be installed at the bypass inlet to divert the entire stream flow through the bypass stream.

32. A sandbag revetment or similar device shall be installed at the downstream end of the bypass to prevent backwater from entering the work areas.

33. The bypasses shall be of sufficient size to pass all flows and debris for the duration of the project. Bypasses installed just for the yearly work window shall be sized to pass the 10 year flow with plans to handle larger rain events. Bypasses installed to function outside of the specified windows in provision one shall be sized to pass the 100 year flow with debris likely.

34. Upon completion of the project, all material used in the temporary bypass shall be removed from the site and the site returned to pre-project or improved conditions.

STREAMBED MATERIALS
35. Streambed materials used to build new channels shall be naturally occurring rounded well graded gravel, sand, and silt, with at least 5% fine material (passing a #200 screen) and containing large D100 sized material sized to mimic the substrate gradation found in an appropriate reference reach.

36. Streambed gravel gradations shall be designed to 'seal' the bed and shall maintain surface flow.

37. Streambed gravel gradations shall be designed to mimic the natural sediment transport regime with sufficient roughness to prevent excessive scour.

OUTFALLS
38. New and/or modified existing storm water outfall structures shall be installed above the OHWL to prevent the entry

of fish. An energy dissipation pad shall be installed above the OWHL at each location. Rock armoring below the OHWL shall be keep to a minimal.

39. Excavation for the placement of the new and/or modified existing outfall structures or armoring materials shall be isolated from the wetted perimeter.

ABANDONED PILING HOLES
40. After each pile has been extracted the abandoned pile holes shall be checked to determine if the piling holes have completely collapsed. If they have then no additional work is needed if not then each of this piling hole(s) shall be filled and capped with substrate consisted with current existing natural surrounding substrate, sand, bentonite clay and/or clean one-inch minus well-rounded gravel. All piles that can not be removed shall be cut off a minimum of two feet below the mudline. Voids left by cut-off piles shall be filled with bentonite clay and capped with substrate consistent with existing natural surrounding substrate, sand, and/or one-inch minus well-rounded gravel.

ARTIFICAL LIGHTING
41. Artificial lighting shall be focused on the existing, permanent, and/or temporary structures, with the use of light blocking materials if needed, and not on the water and/or wetlands.

LAKE WASHINGTON GRAVEL
42. Unless final gravel size distribution approved by WDFW prior to construction, lakeshore Sockeye Spawning Gravel shall be clean, well-rounded gravel, 2-inch minus in gradation spawning gravel mix.

43. Unless final gravel size distribution approved by WDFW prior to construction standard lakeshore gravel shall be clean, well-rounded gravel, 1-inch minus in gradation gravel mix.

CULVERT WORK (IF NEEDED)
44. This HPA does not authorize any culvert work. Applicant and/or agent shall request HPA to be revised if any culvert is needed.

EASTSIDE- LAKE WASHINGTON
45. All existing large rock (greater than 100 pounds) located underneath the existing eastside SR520 Bridge on the shoreline and in the water shall be removed as part of the Eastside mitigation requirement.

46. Fifty cubic yards of clean (washed), well-rounded gravel, 2-inch minus in gradation spawning gravel shall be placed extending from the bulkhead waterward 15 feet to fill in the created holes.

PONTOON CRACK REPAIR
47. WSDOT biologist or professional biologist shall be on site to coordinate and assist during the de-fishing of the Coffer Cell.

SMALL BOAT DOCK
48. This HPA allows the placement of a 4' wide by 32' long dock in Lake Washington near the Arboretum area as described in the email entitled, 'FW: WDFW/Ecology Plans Updated', received December 10, 2014. By December 19, 2017 this dock, including pilings, shall be completely removed and relocated to an approved upon site or deposited above the limit of flood water in an approved upland disposal site.

LOCATION #1:	Site Name: SR 520 Lake Washington Seattle-Medina , Seattle/Medina, WA

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WORK START:	December 19, 2014			WORK END:	March 8, 2017	
WRIA		Waterbody:			Tributary to:	
08 - Cedar - Sammamish		Lake Washington			Ship Canal	
1/4 SEC:	Section:	Township:	Range:	Latitude:	Longitude:	County:
NE 1/4	21	25 N	04 E	47.64596	-122.30124	King
Location #1 Driving Directions						

LOCATION #2:	Site Name: SR 520 Ship Canal , , WA					
WORK START:	December 19, 2014			WORK END:	March 8, 2017	
WRIA		Waterbody:			Tributary to:	
08 - Cedar - Sammamish		Lake Union			Ship Canal	
1/4 SEC:	Section:	Township:	Range:	Latitude:	Longitude:	County:
NE 1/4	20	25 N	04 E	47.64295	-122.32096	King
Location #2 Driving Directions						

LOCATION #3:	Site Name: WSDOT Owned Peninsula , Seattle, WA 98112					
WORK START:	December 19, 2014			WORK END:	March 8, 2017	
WRIA		Waterbody:			Tributary to:	
08 - Cedar - Sammamish		Lake Washington/Ship Canal			Puget Sound	
1/4 SEC:	Section:	Township:	Range:	Latitude:	Longitude:	County:
NE 1/4	21	25 N	04 E	47.64391	-122.29071	King
Location #3 Driving Directions						

LOCATION #4:	Site Name: Taylor Creek , Seattle, WA 98118

WORK START:	December 19, 2014			WORK END:	March 8, 2017	
WRIA		Waterbody:			Tributary to:	
08 - Cedar - Sammamish		Lake Washington			Ship Canal	
1/4 SEC:	Section:	Township:	Range:	Latitude:	Longitude:	County:
NE 1/4	15	24 N	04 E	47.57117	-122.27718	King
Location #4 Driving Directions						

LOCATION #5:	Site Name: Union Bay Natural Area , Seattle, WA 98105

WORK START:	December 19, 2014			WORK END:	March 8, 2017	
WRIA		Waterbody:			Tributary to:	
08 - Cedar - Sammamish		Lake Washington			Ship Canal	
1/4 SEC:	Section:	Township:	Range:	Latitude:	Longitude:	County:
SE 1/4	16	25 N	04 E	47.65475	-122.29955	King
Location #5 Driving Directions						

LOCATION #6:	Site Name: Seward Park , Seattle, WA 98118

WORK START:	December 19, 2014			WORK END:	March 8, 2017	
WRIA		Waterbody:			Tributary to:	
08 - Cedar - Sammamish		Lake Washington			Ship Canal	
1/4 SEC:	Section:	Township:	Range:	Latitude:	Longitude:	County:
NE 1/4	23	24 N	04 E	47.55451	-122.25515	King
Location #6 Driving Directions						

LOCATION #7:	Site Name: Magnuson Park , Seattle, WA 98115

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WRIA		Waterbody:			Tributary to:	
08 - Cedar - Sammamish		Lake Washington			Ship Canal	
1/4 SEC:	Section:	Township:	Range:	Latitude:	Longitude:	County:
SW 1/4	01	25 N	04 E	47.67951	-122.25203	King
Location #7 Driving Directions						

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 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.

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. 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 do not use APPS you must submit a written request that clearly indicates you are seeking 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. 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 pay an additional $150 for the major modification. If you did not pay an application fee for the original HPA, no fee is required for a change to it. 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 do not use APPS you must submit a written request that clearly indicates you are requesting a major modification to an existing HPA. Include the HPA number, check, 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. 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; 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.

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; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111Washington 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
Stewart Reinbold

Stewart.Reinbold@dfw.wa.gov
425-313-5660

for Director
WDFW