Appendix E
Commitment List

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Index #	Unique ID	Commitment Type	Topic	Requirement	Responsibility	Heading	Condition
NPDES SW-1	909	A	Clearing and Grading; Permit Coverage	1. Operators of the following construction activities are required to seek coverage under this permit: a. Clearing, grading and/or excavation which results in the disturbance of one or more acres, and discharges storm water to surface waters of the State; and clearing, grading and/or excavation on sites smaller than 1 acre which are part of a larger common plan of development or sale, if the common plan of development or sale will ultimately disturb 1 acre or more, and discharges storm water to surface waters of the State. i. This includes forest practices that are part of a construction activity that will result in the disturbance of one or more acres, and discharges to surface waters of the State (i.e., forest practices which are preparing a site for construction activities).	Design-Builder	Operators Required to Seek Coverage Under this General Permit Seek	S1.B.1.a
NPDES SW-2	910	B	Permit Coverage; SPCCP Requirements; TESCP Requirements; Water Quality	This permit also authorizes storm water discharges from support activities related to the permitted construction site (e.g., an onsite portable rock crusher, offsite equipment staging yards, material storage areas, borrow areas, etc.) provided: a. The support activity is directly related to the permitted construction site that is required to have a National Pollutant Discharge Elimination System (NPDES) Permit; and b. The support activity is not a commercial operation serving multiple unrelated construction projects, and does not operate beyond the completion of the construction activity; and c. Appropriate controls and measures are identified in the Stormwater Pollution Prevention Plan (SWPPP; or the temporary erosion and sediment control plan [TESCP] or Spill Prevention Control and Countermeasures Plan [SPCCP]) for the discharges from the support activity areas.	Design-Builder	Stormwater Associated with Construction Support Activity	S1.C.2
NPDES SW-3	819	A	Water Quality	The Design-Builder is responsible for ensuring that discharges shall not cause or contribute to a violation of surface water quality standards (Chapter 173-201A WAC), ground water quality standards (Chapter 173-200 WAC), sediment management standards (Chapter 173-204 WAC), and human health-based criteria in the National Toxics Rule (40 CFR Part 131.36). Discharges that are not in compliance with these standards are not authorized.	Design-Builder	Compliance with Standards	S3.A
NPDES SW-4	820	A	Erosion Control; Submittal Requirements; TESCP Requirements	Prior to the discharge of storm water and non-storm water to waters of the State, the Design-Builder shall apply all known, available, and reasonable methods of prevention, control, and treatment (AKART). This includes the preparation and implementation of an adequate Stormwater Pollution Prevention Plan (SWPPP; or TESCP or SPCCP), with all appropriate best management practices (BMPs) installed and maintained in accordance with the SWPPP (or TESCP or SPCCP) and the terms and conditions of this permit.	Design-Builder	Compliance with Standards	S3.B
NPDES SW-5	821	A	Water Quality	Compliance with water quality standards shall be presumed, unless discharge monitoring data or other site specific information demonstrates that a discharge causes or contributes to a violation of water quality standards, when the Design-Builder is: 1. In full compliance with all permit conditions, including planning, sampling, monitoring, reporting, and recordkeeping conditions; and 2. Fully implementing storm water BMPs contained in storm water management manuals published or approved by Ecology, or BMPs that are demonstrably equivalent to BMPs contained in storm water technical manuals published or approved by Ecology, including the proper selection, implementation, and maintenance of all applicable and appropriate BMPs for onsite pollution control.	Design-Builder	Compliance with Standards	S3.C
NPDES SW-6	822	A	Ground Water Quality	For sites that discharge to both surface water and ground water, all ground water discharges are also subject to the terms and conditions of this permit. If the Design-Builder plans to discharge to ground water through an injection well, the Design-Builder shall comply with any applicable requirements of the Underground Injection Control (UIC) regulations, Chapter 173-218 WAC.	Design-Builder	Compliance with Standards	S3.D
NPDES SW-7	823	A	BMP Inspection and Maintenance; BMP Installation; Monitoring Requirements; Recordkeeping; SPCCP Requirements; TESCP Requirements	The Design-Builder shall maintain a site log book that contains a record of the implementation of the SWPPP (or TESCP or SPCCP) and other permit requirements including the installation and maintenance of BMPs, site inspections, and storm water monitoring.	Design-Builder	Site Log Book	S4.A

NPDES SW-8	824	B	BMP Inspection and Maintenance; Recordkeeping; SPCCP Requirements; TESCP Requirements	The Design-Builder's site inspections shall include all areas disturbed by construction activities, all BMPs, and all storm water discharge points. The Design-Builder shall be visually examine storm water for the presence of suspended sediment, turbidity, discoloration, and oil sheen. Inspectors shall evaluate the effectiveness of BMPs and determine if it is necessary to install, maintain, or repair BMPs to improve the quality of storm water discharges. Based on the results of the inspection, the Design-Builder shall correct the problems identified as follows: (a) Review the SWPPP (or TESCP) for compliance with Condition S9 and make appropriate revisions within 7 days of the inspection; and (b) Fully implement and maintain appropriate source control and/or treatment BMPs as soon as possible, but no later than 10 days of the inspection; and document BMP implementation and maintenance in the site log book. If installation of necessary treatment BMPs is not feasible within 10 days, Ecology may approve additional time when an extension is requested by the Design-Builder within the initial 10-day response period.	Design-Builder	Site Inspections	S4.B.1
NPDES SW-9	825	A	BMP Inspection and Maintenance; SPCCP Requirements; TESCP Requirements; Timing Requirements	Site inspections shall be conducted by the Design-Builder at least once every calendar week and within 24 hours of any discharge from the site. The inspection frequency for temporarily stabilized, inactive sites may be reduced to once every calendar month, at the sole discretion of WSDOT.	Design-Builder	Site Inspections	S4.B.2
NPDES SW-10	826	A	BMP Inspection and Maintenance; Erosion Control	The Design-Builder shall ensure site inspections are conducted by a person who is knowledgeable in the principles and practices of erosion and sediment control. The inspector shall have the skills to: a. Assess the site conditions and construction activities that could impact the quality of storm water, and b. Assess the effectiveness of erosion and sediment control measures used to control the quality of storm water discharges.	Design-Builder	Site Inspections	S4.B.3
NPDES SW-11	827	A	BMP Inspection and Maintenance; Erosion Control; TESCP Requirements	Construction sites 1 acre or larger that discharge storm water to surface waters of the State, shall have site inspections conducted by a Certified Erosion and Sediment Control Lead (CESCL). The Design-Builder shall identify a CESCL in the SWPPP (or TESCP) who will be present onsite or on-call at all times. Certification shall be obtained through an approved erosion and sediment control training program that meets the minimum training standards established by Ecology (refer to BMP C160 in the Manual).	Design-Builder	Site Inspections	S4.B.4
NPDES SW-12	828	A	BMP Inspection and Maintenance; Erosion Control; Monitoring Requirements; SPCCP Requirements; Submittal Requirements; TESCP Requirements	The Design-Builder's inspector shall summarize the results of each inspection in an inspection report or checklist and be entered into, or attached to, the site log book. At a minimum, each inspection report or checklist shall include: a. Inspection date and time. B. Weather information; general conditions during inspection and approximate amount of precipitation since the last inspection, and within the last 24 hours. C. A summary or list of all BMPs that have been implemented, including observations of all erosion/sediment control structures or practices. D. The following shall be noted: i. locations of BMPs inspected, ii. Locations of BMPs that need maintenance, iii. The reason maintenance is needed, iv. Locations of BMPs that failed to operate as designed or intended, and v. locations where additional or different BMPs are needed, and the reason(s) why. E. A description of storm water discharged from the site. The inspector shall note the presence of suspended sediment, turbid water, discoloration, and/or oil sheen, as applicable.	Design-Builder	Site Inspections	S4.B.5
NPDES SW-13	829	A	Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	If construction activity will involve the disturbance of 5 acres or more, the Design-Builder shall conduct turbidity sampling per Condition S4.C.	Design-Builder	Sampling Methods/Effective Dates	S4.C.1.a
NPDES SW-14	830	A	Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	Sampling Frequency a. Sampling shall be conducted by the Design-Builder at least once every calendar week, when there is a discharge of storm water (or authorized non-storm water) from the site. Samples shall be representative of the flow and characteristics of the discharge. b. When there is no discharge during a calendar week, sampling is not required. c. Sampling is not required outside of normal working hours or during unsafe conditions. If the Design-Builder is unable to sample during a monitoring period, the Discharge Monitoring Report (DMR) shall include a brief explanation.	Design-Builder	Sampling Frequency	S4.C.2
NPDES SW-15	831	A	Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	Sampling Locations a. Sampling is required at all discharge points where storm water (or authorized nonstorm water) is discharged offsite. b. The Design-Builder shall identify all sampling point(s) on the SWPPP (or TESCP or Water Quality Monitoring Plan) site map and clearly mark sampling locations in the field with a flag, tape, stake or other visible marker.	Design-Builder	Sampling Locations	S4.C.3

NPDES SW-16	832	A	Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	Sampling and Analysis Methods a. The Design-Builder shall perform Turbidity analysis with a calibrated turbidity meter (turbidimeter), either onsite or at an accredited lab. The results shall be recorded in the site log book in Nephelometric Turbidity Units (NTU).	Design-Builder	Sampling and Analysis Methods	S4.C.4
NPDES SW-17	833	A	Notification Requirements; Sampling; TESCP Requirements; Water Quality	Turbidity Benchmark Values: The benchmark value for turbidity is 25 NTU (Nephelometric Turbidity Units); Turbidity 26 – 249 NTU: If discharge turbidity is greater than 25 NTU, but less than 250 NTU, the Design-Builder's CESCL shall: (1) Review the SWPPP (or TESCP or Water Quality Monitoring Plan) for compliance with Condition S9 and make appropriate revisions within 7 days of the discharge that exceeded the benchmark; and (2) Fully implement and maintain appropriate source control and/or treatment BMPs as soon as possible, but within 10 days of the discharge that exceeded the benchmark; and (3) Document BMP implementation and maintenance in the site log book. Turbidity 250 NTU or greater: If discharge turbidity is greater than or equal to 250 NTU, the Design-Builder's CESCL shall: (1) Notify WSDOT so WSDOT can notify Ecology by phone in accordance with Condition S5.A.; and (2) Review the SWPPP (or TESCP or Water Quality Monitoring Plan) for compliance with Condition S9 and make appropriate revisions within 7 days of the discharge that exceeded the benchmark; and (3) Fully implement and maintain appropriate source control and/or treatment BMPs as (4) Document BMP implementation and maintenance in the site log book; and (5) Continue to sample discharges daily until: (a) turbidity is 25 NTU (or lower); or (b) the CESCL has demonstrated compliance with the water quality standard for turbidity: (i) no more than 5 NTU over background turbidity, if background is less than 50 NTU, or (ii) no more than 10% over background turbidity, if background is 50 NTU or greater; or (iii) the discharge stops or is eliminated.	Design-Builder	Turbidity/Transparency Benchmark Values	S4.C.5
NPDES SW-18	834	A	Concrete Work; Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	pH Monitoring: Sites with Significant Concrete Work or Engineered Soils Beginning October 1, 2006, if construction activity will result in the disturbance of 1 acre or more, and involves significant concrete work or the use of engineered soils, and storm water from the affected area drains to surface waters of the State or to a storm sewer system that drains to surface waters of the State, the Design-Builder shall conduct pH monitoring as set forth in provisions S4.D.1 through S4.D.6 of this permit.	Design-Builder	pH Monitoring: Sites with Significant Concrete Work or Engineered Soils	S4.D
NPDES SW-19	835	A	Concrete Work; Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	1. For sites with significant concrete work, the Design-Builder shall ensure the pH monitoring period commences when the concrete is first exposed to precipitation and shall continue weekly until storm water pH is 8.5 or less. a. “Significant concrete work” means greater than 1000 cubic yards poured concrete or recycled concrete.	Design-Builder	pH Monitoring: Sites with Significant Concrete Work or Engineered Soils	S4.D.1
NPDES SW-20	836	A	Concrete Work; Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	2. For sites with engineered soils, the Design-Builder shall ensure the pH monitoring period commences when the soil amendments are first exposed to precipitation and continues until the area of engineered soils is fully stabilized. “Engineered soils” means soil amendments including, but not limited, to Portland cement treated base (CTB), cement kiln dust (CKD), or fly ash.	Design-Builder	pH Monitoring: Sites with Significant Concrete Work or Engineered Soils	S4.D.2
NPDES SW-21	837	A	Concrete Work; Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	3. During the pH monitoring period, the Design-Builder shall obtain a representative sample of storm water and conduct pH analysis at least once per week.	Design-Builder	pH Monitoring: Sites with Significant Concrete Work or Engineered Soils	S4.D.3
NPDES SW-22	838	A	Concrete Work; Monitoring Requirements; Sampling; TESCP Requirements; Visual Quality	4. The Design-Builder shall monitor pH in the sediment trap/pond(s) or other locations that receive storm water runoff from the area of significant concrete work or engineered soils prior to discharge to surface waters.	Design-Builder	pH Monitoring: Sites with Significant Concrete Work or Engineered Soils	S4.D.4

NPDES SW-23	839	A	Concrete Work; Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	5. The benchmark value for pH is 8.5 standard units. Any time sampling indicates that pH is 8.5 or greater, the Design-Builder shall: a. Prevent the high pH water (8.5 or above) from entering storm sewer systems or surface waters; and b. If necessary, adjust or neutralize the high pH water using an appropriate treatment BMP such as CO2 sparging or dry ice. The Design-Builder shall obtain written approval from Ecology prior to using any form of chemical treatment other than CO2 sparging or dry ice.	Design-Builder	pH Monitoring: Sites with Significant Concrete Work or Engineered Soils	S4.D.5
NPDES SW-24	840	A	Concrete Work; Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	6. The Design-Builder shall perform pH analysis onsite with a calibrated pH meter, pH test kit, or wide range pH indicator paper. The Design-Builder shall record pH monitoring results in the site log book.	Design-Builder	pH Monitoring: Sites with Significant Concrete Work or Engineered Soils	S4.D.6
NPDES SW-25	841	A	Notification Requirements; Reporting Requirements; Sampling; TESCP Requirements; Water Quality	A. High Turbidity Phone Reporting Any time sampling performed in accordance with Special Condition S4.C indicates turbidity is 250 NTU or greater the Design-Builder shall immediately notify WSDOT and the appropriate Ecology regional office by phone within 24 hours of analysis.	WSDOT/Design-Builder	High Turbidity Phone Reporting	S5.A
NPDES SW-26	842	B	Monitoring Requirements; Recordkeeping; Reporting Requirements; Sampling; Submittal Requirements; TESCP Requirements; Water Quality	Discharge Monitoring Reports 1. When the Design-Builder conducts water quality sampling in accordance with Special Conditions S.4.C (Turbidity/Transparency), S4.D (pH) and/or S8 [303(d)/TMDL sampling] the Design-Builder shall submit the results to Ecology.	WSDOT/Design-Builder	Discharge Monitoring Reports	S5.B.1
NPDES SW-27	843	A	Monitoring Requirements; Reporting Requirements; Sampling; Submittal Requirements; TESCP Requirements	The Design-Builder shall submit DMR forms electronically or by mail to Ecology within 15 days following the end of each month and provide a copy to WSDOT for their records. If there was no discharge during a given monitoring period, the Design-Builder shall submit the form as required with the words "no discharge" entered in place of the monitoring results. If the Design-Builder is unable to submit discharge monitoring reports electronically, the Design-Builder may mail reports to the address listed below: Department of Ecology Water Quality Program -Construction Stormwater PO Box 47696 Olympia, Washington 98504-7696 The Design-Builder must submit monitoring data using Ecology's WebDMR program. If the Design-Builder obtains a waiver not to use WebDMR, they must use the forms provided to them by Ecology; submittals must be mailed to Ecology. The Design-Builder shall submit DMR forms to be received by Ecology within 15 days following the end of each month. If there was no discharge during a given monitoring period, the Design-Builder must submit a DMR as required with "no discharge" entered in place of the monitoring results.	Environmental (WSDOT)	Discharge Monitoring Reports	S5.B.2
NPDES SW-28	845	A	BMP Inspection and Maintenance; Monitoring Requirements; Recordkeeping	Records Retention The Design-Builder shall retain records of all monitoring information (site log book, sampling results, inspection reports/checklists, etc.), Stormwater Pollution Prevention Plan (or TESCP or SPCCP), and any other documentation of compliance with permit requirements during the life of the construction project. This information shall be retained by the Design-Builder for a minimum of 3 years following the termination of permit coverage. Such information shall include all calibration and maintenance records, and records of all data used to complete the application for this permit. This period of retention shall be extended during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.	WSDOT/Design-Builder	Records Retention	S5.C
NPDES SW-29	846	A	Monitoring Requirements; Recordkeeping; Sampling; TESCP Requirements; Water Quality	Recording of Results For each measurement or sample taken, the Design-Builder shall record the following information: 1. Date, place, method, and time of sampling or measurement; 2. The individual who performed the sampling or measurement; 3. The dates the analyses were performed; 4. The individual who performed the analyses; 5. The analytical techniques or methods used; and 6. The results of all analyses.	Design-Builder	Recording of Results	S5.D
NPDES SW-30	847	A	Monitoring Requirements; Recordkeeping; Reporting Requirements; Sampling; TESCP Requirements; Water Quality	Additional Monitoring by the Design-Builder If the Design-Builder monitors any pollutant more frequently than required by this permit using test procedures specified by Condition S4 of this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report.	Design-Builder	Additional Monitoring by the Permittee	S5.E
NPDES SW-31	848	A	Monitoring Requirements; Notification Requirements; Sampling; Submittal Requirements; TESCP Requirements	In the event the Design-Builder is unable to comply with any of the terms and conditions of this permit that may cause a threat to human health or the environment, the Design-Builder shall: 1. Immediately notify WSDOT and Ecology of the failure to comply. 2. Immediately take action to prevent the discharge/pollution, or otherwise stop or correct the noncompliance, and, if applicable, repeat sampling and analysis of any noncompliance immediately and submit the results to WSDOT and Ecology within five (5) days after becoming aware of the violation.	WSDOT/Design-Builder	Noncompliance Notification	S5.F

NPDES SW-32	849	A	Recordkeeping	Access to Plans and Records 1. The Design-Builder and the Permittee (WSDOT) shall retain the following permit documentation (plans and records) onsite, or within reasonable access to the site, for use by the operator; or onsite review by Ecology or the local jurisdiction: a. General Permit; b. Permit Coverage Letter; c. SWPPP (or TESCP or SPCCP); and d. Site Log Book.	WSDOT/Design-Builder	Access to Plans and Records	S5.G.1
NPDES SW-33	1442	A	Recordkeeping; Submittal Requirements	Upon receiving a written request from the public for the Design-Builders plans and records, the Design Builder shall either: i. Provide a copy of the plans and records to the requestor within 14 days of receipt of the written request; or ii. Notify the requestor within 10 days of receipt of the written request of the location and times within normal business hours when the plans and records may be viewed, and provide access to the plans and records within 14 days of receipt of the written request; or iii. Within 14 days of receipt of the written request, the Design-Builder may submit a copy of the plans and records to Ecology for viewing and/or copying by the requestor at an Ecology office, or a mutually agreed upon location. If plans and records are viewed and/or copied at a location other than at an Ecology office, the Design-Builder will provide reasonable access to copying services for which a reasonable fee may be charged. The Permittee shall notify the requestor within 10 days of receipt of the request where the plans and records may be viewed and/or copied.	WSDOT/Design-Builder	Access to Plans and Records	SS.G.2
NPDES SW-34	850	A	Demolition Activities; Drainage Facilities; Hazardous Materials; Solid and Liquid Waste Disposal	Solid and liquid wastes generated by construction activity such as demolition debris, construction materials, contaminated materials, and waste materials from maintenance activities, including liquids and solids from cleaning catch basins and other storm water facilities, shall be handled and disposed of by the Design-Builder in accordance with: 1. Special Condition S3, Compliance with Standards, and 2. WAC 173-216-110, and other applicable regulations.	Design-Builder	Solid and Liquid Waste Disposal	S7
NPDES SW-35	851	B	Monitoring Requirements; Permit Coverage; Sampling; Water Quality	Sampling and Numeric Effluent Limitations For Discharges to 303(d)-listed Waterbodies 1. If the Design-Builder discharges to water bodies listed as impaired by the State of Washington under Section 303(d) of the Clean Water Act for turbidity, fine sediment, high pH, or phosphorus, the Design-Builder shall conduct water quality sampling according to the requirements of this section. 2. All references and requirements associated with Section 303(d) of the Clean Water Act mean the most current listing by Ecology of impaired waters that exists on January 1, 2011 or the date when the operator's complete permit application is received by Ecology, whichever is later.	Design-Builder	Sampling and Numeric Effluent Limitations For Discharges to 303(d)-Listed Waterbodies	S8.A.1
NPDES SW-36	852	A	Monitoring Requirements; Sampling; TESCP Requirements; Water Quality	If there are discharges to waterbodies on the 303(d) list for turbidity, fine sediment, or phosphorus the Design-Builder shall conduct turbidity sampling at the following locations to evaluate compliance with the water quality standard for turbidity: a. Background turbidity shall be measured in the 303(d)-listed receiving water immediately upstream (upgradient) or outside the area of influence of the discharge; and b. Discharge turbidity shall be measured at the point of discharge into the 303(d) listed receiving waterbody, inside the area of influence of the discharge; or Alternatively, discharge turbidity may be measured at the point where the discharge leaves the construction site, rather than in the receiving waterbody.	Design-Builder	Discharges to 303(d)-Listed Waterbodies (Turbidity, Fine Sediment, or Phosphorus)	S8.B.1
NPDES SW-37	853	B	Sampling; TESCP Requirements; Water Quality	If the Design-Builder discharges to segments of water bodies on the 303(d) list (Category 5) for turbidity, fine sediment, or phosphorus must conduct turbidity sampling in accordance with Special Condition S4.C.2 and comply with either of the numeric effluent limits noted in Table 5. As an alternative to the 25 NTU effluent limit noted in Table 5 (applied at the point where storm water [or authorized non-storm water] is discharged offsite), the Design-Builder may choose to comply with the surface water quality standard for turbidity. The standard is: no more than 5 NTU over background turbidity when the background turbidity is 50 NTU or less, or more than a 10% increase in turbidity when the background turbidity is more than 50 NTU.	Design-Builder	Discharges to 303(d)-Listed Waterbodies (Turbidity, Fine Sediment, or Phosphorus)	S8.B.2
NPDES SW-38	854	B	BMP Inspection and Maintenance; Monitoring Requirements; Notification Requirements; Sampling; TESCP Requirements; Water Quality	Discharges that exceed the numeric effluent limit for turbidity constitute a violation of this permit. If a discharge exceeds the numeric effluent limit the Design-Builder shall sample discharges daily until the violation is corrected, notify WSDOT immediately, and comply with the non-compliance notification requirements in Special Condition S5.F.	Design-Builder	Discharges to 303(d)-Listed Waterbodies (Turbidity, Fine Sediment, or Phosphorus)	S8.B.3
NPDES SW-39	1443	A	Monitoring Requirements; Sampling	Discharges to waterbodies on the 303(d) list for High pH 1) Permittees that discharge to waterbodies on the 303(d) list for high pH shall conduct sampling at one of the following locations to evaluate compliance with the water quality standard for pH (in the range of 6.5-8.5). A. pH shall be measured at the point of discharge into the 303(d) listed waterbody, inside the area of influence of the discharge, or B. Alternatively, pH may be measured at the point where the discharge leaves the construction site. rather than in the receiving water.	Design-Builder	Discharges to waterbodies on the 303(d) list for high pH	S8.C.1
NPDES SW-40	1444	A	Monitoring Requirements; Sampling	2. Based on the sampling set forth above, if the pH exceeds the water quality standard for pH (in the range of 6.5 and 8.5), all future discharges shall comply with a numeric effluent limit that is equal to the water quality standard for pH.	Design Builder	Discharges to waterbodies on the 303(d) list for high pH	S8.C.2

NPDES SW-41	1445	B	Monitoring Requirements; Notification Requirements: Sampling	3. Discharges that exceed the numeric effluent limit for pH (outside the range of 6.5-8.5 su) constitute a violation of the permit. If a discharge exceeds the numeric effluent limit the Design-Builder shall sample discharges daily until the violation is corrected, notify WSDOT immediately, and comply with the non-compliance notification requirements in Special Condition S5.F.	WSDOT/Design-Builder	Discharges to waterbodies on the 303(d) list for high pH.	S8.C.3
NPDES SW-42	855	A	Erosion Control; SPCCP Requirements; Submittal Requirements; TESCP Requirements	An adequate SWPPP (or TESCP or SPCCP) for construction activity shall be prepared and implemented by the Design-Builder in accordance with the requirements of this permit beginning with initial soil disturbance and until final stabilization.	Design-Builder	Stormwater Pollution Prevention Plan	S9
NPDES SW-43	856	A	SPCCP Requirements; Submittal Requirements; TESCP Requirements	The Design-Builder's SWPPP (or TESCP or SPCCP) shall meet the following objectives: 1. To implement Best Management Practices (BMPs) to prevent erosion and sedimentation, and to identify, reduce, eliminate or prevent storm water contamination and water pollution from construction activity. 2. To prevent violations of surface water quality, ground water quality, or sediment management standards. 3. To control peak volumetric flow rates and velocities of storm water discharges.	Design-Builder	The SWPPP shall meet the following objectives	S9.A
NPDES SW-44	857	A	TESCP Requirements	The Design-Builder's SWPPP (or TESCP) shall include a narrative and drawings. All BMPs shall be clearly referenced in the narrative and marked on the drawings. The Design-Builder's SWPPP (or TESCP) narrative shall include documentation to explain and justify the pollution prevention decisions made for the project. Documentation shall include: a. Information about existing site conditions (topography, drainage, soils, vegetation, etc.); b. Potential erosion problem areas; c. The 12 elements of a SWPPP in S9.D.1-12, including BMPs used to address each element; d. Construction phasing/sequence and general BMP implementation schedule; e. The actions to be taken if BMP performance goals are not achieved; and f. Engineering calculations for ponds and any other designed structures.	Design-Builder	General Requirements	S9.B.1
NPDES SW-45	858	A	BMP Inspection and Maintenance; Monitoring Requirements; SPCCP Requirements; TESCP Requirements	The Design-Builder shall modify the SWPPP (or TESCP or SPCCP) if, during inspections or investigations conducted by the owner/operator, or the applicable local or state regulatory authority, it is determined that the SWPPP (or TESCP or SPCCP) is, or would be, ineffective in eliminating or significantly minimizing pollutants in storm water discharges from the site. The Design-Builder shall take the following actions: a. Review the SWPPP (or TESCP) for compliance with Condition S9 and make appropriate revisions within 7 days of the inspection or investigation; b. Fully implement and maintain appropriate source control and/or treatment BMPs as soon as possible, but no later than 10 days from the inspection or investigation; and c. Document BMP implementation and maintenance in the site log book.	Design-Builder	General Requirements	S9.B.2
NPDES SW-46	859	A	Recordkeeping; SPCCP Requirements; TESCP Requirements	The Design-Builder shall modify the SWPPP (or TESCP or SPCCP) whenever there is a change in design, construction, operation, or maintenance at the construction site that has, or could have, a significant effect on the discharge of pollutants to waters of the State.	Design-Builder	General Requirements	S9.B.3
NPDES SW-47	860	A	SPCCP Requirements; TESCP Requirements	The Design-Builder shall include each of the 12 elements in S9.D.1-12 in the narrative of the SWPPP (or TESCP or SPCCP) and ensure that they are implemented unless site conditions render the element unnecessary and the exemption from that element is clearly justified in the SWPPP (or TESCP or SPCCP).	Design-Builder	SWPPP -Narrative Contents and Requirements	S9.D
NPDES SW-48	861	B	BMP Installation; Clearing and Grading; Delineation and Fencing; TESCP Requirements	1. Preserve Vegetation/Mark Clearing Limits a. Prior to beginning land disturbing activities, including clearing and grading, the Design-Builder shall clearly mark all clearing limits, environmentally sensitive areas and their buffers, and trees that are to be preserved within the construction area with high-visibility construction fencing. b. The Design-Builder shall retain the duff layer, native top soil, and natural vegetation in an undisturbed state to the maximum degree practicable.	Design-Builder	Preserve Vegetation/Mark Clearing Limits	S9.D.1
NPDES SW-49	862	A	Access Road Provisions; Clearing and Grading; Fugitive Dust Control; TESCP Requirements	a. The Design-Builder shall limit construction vehicle access and exit to one route, if possible.	Design-Builder	Establish Construction Access	S9.D.2.a
NPDES SW-50	863	A	Access Road Provisions; BMP Installation; Fugitive Dust Control; Stabilization of Entry/Exit Points; TESCP Requirements	b. The Design-Builder shall stabilize access points with a pad of quarry spalls, crushed rock, or other equivalent BMP, to minimize the tracking of sediment onto public roads.	Design-Builder	Establish Construction Access	S9.D.2.b

NPDES SW-51	864	A	Access Road Provisions; BMP Installation; Fugitive Dust Control; Stabilization of Entry/Exit Points; TESCP Requirements	c. The Design-Builder shall ensure wheel wash or tire baths are located onsite, if the stabilized construction entrance is not effective in preventing sediment from being tracked onto public roads.	Design-Builder	Establish Construction Access	S9.D.2.c
NPDES SW-52	865	A	Fugitive Dust Control; TESCP Requirements	d. If sediment is tracked off site, the Design-Builder shall ensure public roads are cleaned thoroughly at the end of each day, or more frequently during wet weather. Sediment shall be removed from roads by shoveling or pickup sweeping and shall be transported to a controlled sediment disposal area.	Design-Builder	Establish Construction Access	S9.D.2.d
NPDES SW-53	866	A	Fugitive Dust Control; TESCP Requirements	e. Street washing is allowed only after sediment is removed in accordance with S9.D.2.d. The Design-Builder shall ensure street wash wastewater is controlled by pumping back onsite or otherwise be prevented from discharging into systems tributary to waters of the State.	Design-Builder	Establish Construction Access	S9.D.2.e
NPDES SW-54	867	A	Drainage Facilities; Erosion Control; TESCP Requirements	Control Flow Rates a. The Design-Builder shall ensure properties and waterways downstream from development sites are protected from erosion due to increases in the velocity and peak volumetric flow rate of storm water runoff from the project site, as required by local plan approval authority.	Design-Builder	Control Flow Rates	S9.D.3.a
NPDES SW-55	868	A	BMP Installation; Clearing and Grading; Drainage Facilities; TESCP Requirements; Timing Requirements	b. Where necessary to comply with S9.D.3.a. of the NPDES, storm water retention or detention facilities shall be constructed by the Design-Builder as one of the first steps in grading. The Design-Builder shall ensure detention facilities are functional prior to construction of site improvements (e.g., impervious surfaces).	Design-Builder	Control Flow Rates	S9.D.3.b
NPDES SW-56	869	A	BMP Inspection and Maintenance; Drainage Facilities; TESCP Requirements	c. If permanent infiltration ponds are used for flow control during construction, the Design-Builder shall ensure these facilities are protected from siltation during the construction phase.	Design-Builder	Control Flow Rates	S9.D.3.c
NPDES SW-57	870	A	BMP Installation; Drainage Facilities; TESCP Requirements	Install Sediment Controls a. The Design-Builder shall ensure storm water runoff from disturbed areas will pass through a sediment pond or other appropriate sediment removal BMP, prior to leaving a construction site. Runoff from fully stabilized areas may be discharged without a sediment removal BMP, but shall meet the flow control performance standard of S9.D.3.a of the NPDES.	Design-Builder	Install Sediment Controls	S9.D.4.a
NPDES SW-58	871	A	BMP Installation; Clearing and Grading; Drainage Facilities; TESCP Requirements; Timing Requirements	b. The Design-Builder shall construct sediment control BMPs (sediment ponds, traps, filters, etc.) as one of the first steps in grading. These BMPs shall be functional before other land disturbing activities take place.	Design-Builder	Install Sediment Controls	S9.D.4.b
NPDES SW-59	872	A	BMP Installation; Fish Passage; Fish, Aquatic Habitat, and T&E Fish Species; TESCP Requirements	c. BMPs intended to trap sediment onsite shall be located in a manner to avoid interference with the movement of juvenile salmonids attempting to enter off-channel areas or drainages.	Design-Builder	Install Sediment Controls	S9.D.4.c
NPDES SW-60	873	A	BMP Installation; Clearing and Grading; Erosion Control; Fugitive Dust Control; TESCP Requirements	Stabilize Soils a. The Design-Builder shall stabilize exposed and unworked soils by application of effective BMPs that prevent erosion. Applicable BMPs include, but are not limited to: temporary and permanent seeding, sodding, mulching, plastic covering, erosion control fabrics and matting, soil application of polyacrylamide (PAM), the early application of gravel base on areas to be paved, and dust control.	Design-Builder	Stabilize Soils	S9.D.5.a
NPDES SW-61	874	A	BMP Inspection and Maintenance; Clearing and Grading; Erosion Control; TESCP Requirements; Timing Requirements	b. The Design-Builder shall ensure no soils remain exposed and unworked for more than the time periods set forth below to prevent erosion: During the dry season (May 1 -Sept. 30): 7 days During the wet season (October 1 -April 30): 2 days*	Design-Builder	Stabilize Soils	S9.D.5.b

NPDES SW-62	875	A	BMP Inspection and Maintenance; Erosion Control; TESCP Requirements; Timing Requirements	c. The Design-Builder shall ensure soils are stabilized at the end of the shift before a holiday or weekend if needed based on the weather forecast.	Design-Builder	Stabilize Soils	S9.D.5.c
NPDES SW-63	876	A	BMP Inspection and Maintenance; Clearing and Grading; Erosion Control; TESCP Requirements	d. The Design-Builder shall ensure soil stockpiles are stabilized from erosion, protected with sediment trapping measures, and where possible, be located away from storm drain inlets, waterways, and drainage channels.	Design-Builder	Stabilize Soils	S9.D.5.d
NPDES SW-64	877	A	Clearing and Grading; Erosion Control; Roadway Design; TESCP Requirements	Protect Slopes a. The Design-Builder shall design and construct cut and fill slopes in a manner that will minimize erosion. Applicable practices include, but are not limited to, reducing continuous length of slope with terracing and diversions, reducing slope steepness, and roughening slope surfaces (e.g., track walking).	Design-Builder	Protect Slopes	S9.D.6.a
NPDES SW-65	878	A	Drainage Facilities; TESCP Requirements	b. The Design-Builder shall divert offsite storm water (run-on) or ground water away from slopes and disturbed areas with interceptor dikes, pipes, and/or swales. The Design-Builder shall manage offsite storm water separately from storm water generated on the site.	Design-Builder	Protect Slopes	S9.D.6.b
NPDES SW-66	879	A	Drainage Facilities; Erosion Control; TESCP Requirements	c. At the top of slopes, the Design-Builder shall collect drainage in pipe slope drains or protected channels to prevent erosion. i. West of the Cascade Mountains Crest: Temporary pipe slope drains shall handle the peak 10 minute velocity of flow from a Type 1A, 10-year, 24-hour frequency storm for the developed condition. Alternatively, the 10-year, 1-hour flow rate predicted by an approved continuous runoff model, increased by a factor of 1.6, may be used. The hydrologic analysis shall use the existing land cover condition for predicting flow rates from tributary areas outside the project limits. For tributary areas on the project site, the analysis shall use the temporary or permanent project land cover condition, whichever will produce the highest flow rates. If using the WWHM to predict flows, bare soil areas should be modeled as "landscaped area."	Design-Builder	Protect Slopes	S9.D.6.c
NPDES SW-67	880	A	Clearing and Grading; TESCP Requirements	d. The Design-Builder shall place excavated material on the uphill side of trenches, consistent with safety and space considerations.	Design-Builder	Protect Slopes	S9.D.6.d
NPDES SW-68	881	A	BMP Inspection and Maintenance; BMP Installation; Erosion Control; TESCP Requirements	e. The Design-Builder shall place check dams at regular intervals within constructed channels that are cut down a slope.	Design-Builder	Protect Slopes	S9.D.6.e
NPDES SW-69	882	A	BMP Inspection and Maintenance; BMP Installation; Drainage Facilities; TESCP Requirements	Protect Drain Inlets a. The Design-Builder shall protect all storm drain inlets made operable during construction so that storm water runoff does not enter the conveyance system without first being filtered or treated to remove sediment.	Design-Builder	Protect Drain Inlets	S9.D.7.a
NPDES SW-70	883	A	BMP Inspection and Maintenance; TESCP Requirements	b. Inlet protection devices shall be cleaned or removed and replaced by the Design-Builder when sediment has filled one-third of the available storage (unless a different standard is specified by the product manufacturer).	Design-Builder	Protect Drain Inlets	S9.D.7.b
NPDES SW-71	884	A	Drainage Facilities; Erosion Control; TESCP Requirements	Stabilize Channels and Outlets a. The Design-Builder shall design, construct, and stabilize all temporary onsite conveyance channels to prevent erosion from the following expected peak flows: i. West of the Cascade Mountains Crest: Channels shall handle the peak 10 minute velocity of flow from a Type 1A, 10-year, 24-hour frequency storm for the developed condition. Alternatively, the 10-year, 1-hour flow rate indicated by an approved continuous runoff model, increased by a factor of 1.6, may be used. The hydrologic analysis shall use the existing land cover condition for predicting flow rates from tributary areas outside the project limits. For tributary areas on the project site, the analysis shall use the temporary or permanent project land cover condition, whichever will produce the highest flow rates. If using the WWHM to predict flows, bare soil areas should be modeled as "landscaped area."	Design-Builder	Stabilize Channels and Outlets	S9.D.8.a
NPDES SW-72	885	A	Drainage Facilities; Erosion Control; TESCP Requirements	b. Stabilization, including armoring material, adequate to prevent erosion of outlets, adjacent stream banks, slopes, and downstream reaches shall be provided by the Design-Builder at the outlets of all conveyance systems.	Design-Builder	Stabilize Channels and Outlets	S9.D.8.b

NPDES SW-73	886	A	Demolition Activities; Hazardous Materials; Solid and Liquid Waste Disposal; SPCCP Requirements	9. Control Pollutants a. All pollutants, including waste materials and demolition debris, that occur onsite shall be handled and disposed of by the Design-Builder in a manner that does not cause contamination of storm water.	Design-Builder	Control Pollutants	S9.D.9.a
NPDES SW-74	887	B	BMP Inspection and Maintenance; BMP Installation; Hazardous Materials; SPCCP Requirements	b. The Design-Builder shall provide cover, containment, and vandalism protection for all chemicals, liquid products, petroleum products, and other materials that have the potential to pose a threat to human health or the environment. onsite fueling tanks shall include secondary containment. Secondary containment means placing tanks or containers within an impervious structure capable of containing 110% of the volume contained in the largest tank within the containment structure. Double-walled tanks do not require additional secondary containment.	Design-Builder	Control Pollutants	S9.D.9.b
NPDES SW-75	888	A	BMP Inspection and Maintenance; Hazardous Materials; SPCCP Requirements	c. The Design-Builder shall use spill prevention and control measures when maintaining, fueling, and repairing heavy equipment and vehicles. The Design-Builder shall clean contaminated surfaces immediately following any spill incident.	Design-Builder	Control Pollutants	S9.D.9.c
NPDES SW-76	889	B	BMP Inspection and Maintenance; BMP Installation; Solid and Liquid Waste Disposal; TESCP Requirements	d. The Design-Builder shall discharge wheel wash or tire bath wastewater to a separate onsite treatment system that prevents discharge to surface water, such as a closed-loop recirculation or upland land application, or to the sanitary sewer with local sewer district approval.	Design-Builder	Control Pollutants	S9.D.9.d
NPDES SW-77	890	A	Fertilizer and Pesticide Application; Hazardous Materials; Plant Establishment; Planting Provisions	e. The Design-Builder shall ensure that application of fertilizers and pesticides, is conducted in a manner and at application rates that will not result in loss of chemical to storm water runoff. The Design-Builder shall follow manufacturers' label requirements for application rates and procedures.	Design-Builder	Control Pollutants	S9.D.9.e
NPDES SW-78	891	B	BMP Installation; Concrete Work; TESCP Requirements; Water Quality	f. The Design-Builder shall use BMPs to prevent or treat contamination of storm water runoff by pH modifying sources. These sources include, but are not limited to: bulk cement, cement kiln dust, fly ash, new concrete washing and curing waters, waste streams generated from concrete grinding and sawing, exposed aggregate processes, dewatering concrete vaults, concrete pumping and mixer washout waters. (Also refer to the definition for "concrete wastewater" in Appendix A - Definitions). The Design-Builder shall adjust the pH of storm water if necessary to prevent violations of water quality standards.	Design-Builder	Control Pollutants	S9.D.9.f
NPDES SW-79	892	A	BMP Installation; Concrete Work; Notification Requirements; TESCP Requirements; Water Quality	g. The Design-Builder shall obtain written approval from Ecology prior to using chemical treatment, other than CO2 or dry ice to adjust pH.	WSDOT/Design-Builder	Control Pollutants	S9.D.9.g
NPDES SW-80	893	A	BMP Inspection and Maintenance; Dewatering; Drainage Facilities; SPCCP Requirements; TESCP Requirements	10. Control De-Watering a. The Design-Builder shall discharge foundation, vault, and trench de-watering water, which have similar characteristics to storm water runoff at the site, into a controlled conveyance system prior to discharge to a sediment trap or sediment pond.	Design-Builder	Control De-Watering	S9.D.10.a
NPDES SW-81	894	A	Dewatering; Drainage Facilities; TESCP Requirements	b. Clean, non-turbid de-watering water, such as well-point ground water, can be discharged to systems tributary to, or directly into surface waters of the State, as specified in S9.D.8, provided the de-watering flow does not cause erosion or flooding of receiving waters. The Design-Builder shall not route clean de-watering water through storm water sediment ponds.	Design-Builder	Control De-Watering	S9.D.10.b
NPDES SW-82	895	A	Dewatering; Solid and Liquid Waste Disposal; SPCCP Requirements; TESCP Requirements	c. Other de-watering disposal options may include: i. infiltration ii. Transport offsite in a vehicle, such as a vacuum flush truck, for legal disposal in a manner that does not pollute state waters, iii. Ecology-approved onsite chemical treatment or other suitable treatment technologies, iv. Sanitary sewer discharge with local sewer district approval, if there is no other option, or v. use of a sedimentation bag with outfall to a ditch or swale for small volumes of localized dewatering.	Design-Builder	Control De-Watering	S9.D.10.c
NPDES SW-83	896	A	Dewatering; Drainage Facilities; Solid and Liquid Waste Disposal; SPCCP Requirements; TESCP Requirements	d. The Design-Builder shall handle highly turbid or contaminated dewatering water separately from storm water.	Design-Builder	Control De-Watering	S9.D.10.d

NPDES SW-84	897	A	BMP Inspection and Maintenance; Erosion Control; TESCP Requirements	11. Maintain BMPs a. All temporary and permanent erosion and sediment control BMPs shall be maintained and repaired by the Design-Builder as needed to assure continued performance of their intended function in accordance with BMP specifications.	Design-Builder	Maintain BMPs	S9.D.11.a
NPDES SW-85	898	A	BMP Removal; TESCP Requirements; Timing Requirements	b. All temporary erosion and sediment control BMPs shall be removed by the Design-Builder within 30 days after final site stabilization is achieved or after the temporary BMPs are no longer needed.	Design-Builder	Maintain BMPs	S9.D.11.b
NPDES SW-86	899	A	Clearing and Grading; Erosion Control; Roadway Design; TESCP Requirements	Manage the Project a. The Design-Builder shall phase development projects to the maximum degree practicable and shall take into account seasonal work limitations.	Design-Builder	Manage the Project	S9.D.12.a
NPDES SW-87	900	A	BMP Inspection and Maintenance; Monitoring Requirements; TESCP Requirements	b. Inspection and Monitoring All BMPs shall be inspected, maintained, and repaired by the Design-Builder as needed to assure continued performance of their intended function. Site inspections and monitoring shall be conducted in accordance with S4.	Design-Builder	Manage the Project	S9.D.12.b
NPDES SW-88	901	A	Erosion Control; SPCCP Requirements; TESCP Requirements	c. Maintaining an Updated Construction SWPPP The Design-Builder shall maintain, update, and implement the SWPPP (or TESCP or SPCCP) in accordance with Conditions S3, S4 and S9.	Design-Builder	Manage the Project	S9.D.12.c
NPDES SW-89	902	A	Submittal Requirements; TESCP Requirements	SWPPP – Map Contents and Requirements The Design-Builder's SWPPP (or TESCP) shall also include a vicinity map or general location map (e.g., USGS Quadrangle map, a portion of a county or city map, or other appropriate map) with enough detail to identify the location of the construction site and receiving waters within one mile of the site.	Design-Builder	SWPPP -Map Contents and Requirements	S9.E
NPDES SW-90	903	A	SPCCP Requirements; Submittal Requirements; TESCP Requirements	The Design-Builder's SWPPP (or TESCP or SPCCP) shall also include a legible site map (or maps) showing the entire construction site. The following features shall be identified, unless not applicable due to site conditions: 1. The direction of north, property lines, and existing structures and roads; 2. Cut and fill slopes indicating the top and bottom of slope catch lines; 3. Approximate slopes, contours, and direction of storm water flow before and after major grading activities; 4. Areas of soil disturbance and areas that will not be disturbed; 5. Locations of structural and nonstructural controls (BMPs) identified in the SWPPP **This commitment is continued in ID #1448.**	Design-Builder	SWPPP -Map Contents and Requirements	S9.E
NPDES SW-91	904	A	Monitoring Requirements; Permit Coverage; Recordkeeping; Sampling	WSDOT and the Design-Builder shall allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law: A. To enter upon the premises where a discharge is located or where any records shall be kept under the terms and conditions of this permit. B. To have access to and copy -at reasonable times and at reasonable cost -any records required to be kept under the terms and conditions of this permit. C. To inspect -at reasonable times -any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit. D. To sample or monitor -at reasonable times -any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.	WSDOT/Design-Builder	Right of Inspection and Entry	G3
NPDES SW-92	905	A	BMP Inspection and Maintenance; Drainage Facilities; Hazardous Materials; Solid and Liquid Waste Disposal	The Design-Builder shall ensure collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of storm water will not be resuspended or reintroduced to the final effluent stream for discharge to state waters.	Design-Builder	Removed Substances	G10
NPDES SW-93	906	A	Hazardous Materials; Permit Coverage; Solid and Liquid Waste Disposal	The Design-Builder shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.	Design-Builder	Toxic Pollutants	G18
NPDES SW-94	907	A	Drainage Facilities; Pontoon Construction	A. Bypass Procedures Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited for storm water events below the design criteria for storm water management. Ecology may take enforcement action against the Design-Builder for bypass unless one of the circumstances outlined in G26.A1 through G26.A5 of the NPDES is applicable.	Design-Builder	Bypass Procedures	G26.A
NPDES SW-95	908	A	Hazardous Materials; Solid and Liquid Waste Disposal	Duty to Mitigate The Design-Builder is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.	Design-Builder	Duty to Mitigate	G26.B

NPDES SW-96	911	A	Recordkeeping; Submittal Requirements	The Permittee (Design-Builder) shall address written requests for plans and records (with notification to WSDOT) listed under Condition S5.G.1 as follows: a. A copy of plans and records shall be provided to Ecology within 14 days of receipt of a written request from Ecology. Upon receiving a written request from the public for the Permittee's plans and records, the Permittee shall either: i. Provide a copy of the plans and records to the requestor within 14 days of a receipt of the written request; or ii. Notify the requestor within 10 days of receipt of the written request of the location and times within normal business hours when the plans and records may be viewed, and provide access to the plans and records within 14 days of receipt of the written request; or iii. Within 14 days of receipt of the written request, the Permittee may submit a copy of the plans and records to Ecology for viewing and/or copying by the requestor at an Ecology office, or a mutually agreed upon location. If plans and records are viewed and/or copied at a location other than at an Ecology office, the Permittee will provide re fee may be charged. The Permittee shall notify the requestor within 10 days of receipt of the request where the plans and records may be viewed and/or copied.	WSDOT/Design-Builder	Access to Plans and Records	S5.G.2
NPDES SW-97	912	A	Recordkeeping; Submittal Requirements	The Design-Builder shall submit to Ecology, within a reasonable time, all information which Ecology may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. WSDOT (with information provided by the Design-Builder as requested) shall also submit to Ecology upon request, copies of records required to be kept by this permit [40 CFR 122.41(h)].	WSDOT/Design-Builder	Duty to Provide Information	G11
NPDES SW-98	913	A	Hazardous Materials; Solid and Liquid Waste Disposal	Any person who is found guilty of willfully violating the terms and conditions of this permit shall be deemed guilty of a crime, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars ($10,000) and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation. Any person who violates the terms and conditions of a waste discharge permit shall incur, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars ($10,000) for every such violation. Each and every such violation shall be a separate and distinct offense, and in case of a continuing violation, every day's continuance shall be deemed to be a separate and distinct violation.	Design-Builder	Penalties for Violating Permit Conditions	G14
NPDES SW-99	914	A	Monitoring Requirements; Sampling; TESCP Requirements; Visual Quality	The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment shall be a fine of not more than $20,000 per day of violation, or imprisonment of not more than four (4) years, or both.	WSDOT/Design-Builder	Penalties for Tampering	G19
NPDES SW-100	916	A	Notification Requirements	REPORTING PLANNED CHANGES The Design-Builder shall notify Ecology immediately if there are any planned physical alterations, modification or additions to the construction activity permitted in the NPDES permit. The Design-Builder shall be responsible for any schedule delays that result from design changes. The Design-Builder shall, as soon as possible, give notice to Ecology of planned physical alterations, modifications or additions to the permitted construction activity, which will result in changes outlined under provision G20.A through D of this permit.	WSDOT/Design-Builder	Reporting Planned Changes	G20
NPDES SW-101	1438	A	Monitoring Requirements; Notification Requirements; Sampling; TESCP Requirements; Water Quality	**This commitment is a continuation of ID #828.** f. Any water quality monitoring performed during inspection. g. General comments and notes, including a brief description of any BMP repairs, maintenance or installations made as a result of the inspection. h. A statement that, in the judgment of the person conducting the site inspection, the site is either in compliance or out of compliance with the terms and conditions of the SWPPP and the permit. If the site inspection indicates that the site is out of compliance, the inspection report shall include a summary of the remedial actions required to bring the site back into compliance, as well as a schedule of implementation. i. Name, title, and signature of the person conducting the site inspection; and the following statement: "I certify that this report is true, accurate and complete, to the best of my knowledge and belief."	Design-Builder	Site Inspections	S4.B.5
NPDES SW-102	1440	A	Monitoring Requirements; Notification Requirements; Sampling; Submittal Requirements; TESCP Requirements; Water Quality	v. Continue to sample discharges daily until: 1. turbidity is.25 NTU (or lower); or 2. the CESCL has demonstrated compliance with the water quality standard for turbidity; a. no more than 5 NTU over background turbidity, if background is less than 50 NTU, or b. no more than 10% over background turbidity, if background is 50 NTU or greater; or 3. the discharge stops or is eliminated.	Design-Builder	Turbidity 250 NTU or greater	S4.C.5.b
NPDES SW-103	1439	A	Monitoring Requirements; Notification Requirements; Sampling; Submittal Requirements; TESCP Requirements; Water Quality	b. Turbidity 250 NTU or greater: If discharge turbidity is greater than or equal to 250 NTU, the Design-Builder's CESCL shall: i. Notify WSDOT immediately in accordance with ECAP procedures and notify Ecology by phone in accordance with Condition S5.A.; and iL Review the SWPPP (or TESCP or Water Quality Monitoring Plan) for compliance with Condition S9 and make appropriate revisions within 7 days of the discharge that exceeded the benchmark; and iil. Fully implement and maintain appropriate source control and/or treatment BMPs as soon as possible, but within 10 days of the discharge that exceeded the benchmark; iv. Document 8MP implementation and maintenance in the site log book.	Design-Builder	Turbidity 250 NTUor greater	S4.C.5.b

NPDES SW-104	1441	B	Monitoring Requirements; Notification Requirements; Sampling; Submittal Requirements; TESCP Requirements; Water Quality	3. The Design-Builder shall submit a detailed written report to Ecology (and copy WSDOT on any correspondence) within five (5) days, unless requested earlier by Ecology. The report shall contain a description of the noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Design-Builder must report any unanticipated bypass and/or upset that exceeds any effluent limit in the permit in accordance with the 24-hour reporting requirement contained in 40 C.F.R. 122.41(1)(6). Compliance with these requirements does not relieve the Design-Builder from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.	WSDOT/Design-Builder	Noncompliance Notification	S5.F
NPDES SW-105	1447	A	TESCP Requirements	BMPs shall be consistent with the Stormwater Management Manual for Western Washington (most recent edition) for sites west of the crest of the Cascade Mountains, or the SWPPP shall document that the BMPs selected provide an equivalent level of pollution prevention, compared to the applicable Stormwater Management Manuals, including: a. The technical basis for the selection of all storm water BMPs (scientific, technical studies and/or modeling) that support the performance claims for the BMPs being selected; and b. An assessment of how the selected BMP will satisfy AKART requirements and the applicable federal technology-based treatment requirements under 40 CFR part 125.3.	Design-Builder	Stormwater Best Management Practices (BMPs)	S9.C
NPDES SW-106	1448	A	SPCCP Requirements; Submittal Requirements; TESCP Requirements	**This commitment is a continuation of ID #903.** 6. Locations of offsite material, stockpiles, waste storage, borrow areas, and vehicle/equipment storage areas; 7. Locations of all surface water bodies, including wetlands; 8. Locations where storm water or non-storm water discharges offsite and/or to a surface water body, including wetlands; 9. Location of water quality sampling station(s), if sampling is required by state or local permitting authority; and 10. Areas where final stabilization has been accomplished and no further construction phase permit requirements apply.	Design-Builder	SWPPP -Map Contents and Requirements	S9.E
ESA-1	1668	A	Clearing and Grading; Erosion Control; TESCP Requirements	The Design-Builder shall develop and implement a TESCP for clearing, grading, ditching, filling, compaction and/or excavation in accordance with the requirements of RFP Section 2.8. The BMPs in the plan shall be used to reduce sediment transport from disturbed ground to nearby waterbodies.	Construction (Design-Builder)	Site Preparation-grading #1	Upland Construction
ESA-2	1669	B	Delineation and Fencing	The Design-Builder shall clearly define construction limits with survey stakes prior to the beginning of ground-disturbing activities. No disturbance shall occur beyond these limits. High-visibility Construction Fencing (HVCF) shall be installed in accordance with RFP Section 2.8 to protect environmentally sensitive areas illustrated in the JARPA drawings and approved permits.	Environmental (Design-Builder)	Site Preparation-grading #2	Upland Construction
ESA-3	1702	A	Dredging; Fish, Aquatic Habitat, and T&E Fish Species; Pile Driving; Timing Requirements	The Design-Builder shall only conduct armoring, pile-installation, and other in-water work during the in-water work window agreed upon through Endangered Species Act (ESA) consultation and per the window prescribed in the Hydraulic Project Approval Permit. WSDOT and the regulatory agencies, through early coordination, have determined that the Design-Builder shall only conduct work below the Mean Higher High Water (MHHW) Mark from July 16 to August 31 annually.	Engineering Management (Design-Builder)	Site Preparation-grading #2	Upland Construction
ESA-4	1670	A	BMP Installation; Wetlands	The Design-Builder shall utilize BMPs to protect wetland areas and connected waterways outside of the Impact Area Line that are within 200 feet.	Environmental (Design-Builder)	Site Preparation-grading #3	Upland Construction
ESA-5	1703	A	Dredging; Pile Driving; Water Quality	Water quality restrictions imposed by the Washington State Department of Ecology (Ecology), which specify a mixing zone beyond which water quality standards cannot be exceeded by the Design-Builder's Work and shall be complied with during construction activities.	Engineering Management (Design-Builder)	Site Preparation-grading #3	Upland Construction
ESA-6	1671	A	Clearing and Grading; Plant Establishment; Planting Provisions	The Design-Builder shall minimize riparian vegetation removal to the degree practical and salvage native plant species for reuse onsite where feasible. In addition, native vegetation from other sources will be used during replanting where feasible.	Landscaping (Design-Builder)	Site Preparation-grading #4	Upland Construction
ESA-7	1672	B	Clearing and Grading; Permit Coverage; Solid and Liquid Waste Disposal; Submittal Requirements	The Design-Builder is required to provide WSDOT with copies of environmental permits for offsite disposal sites prior to taking the materials offsite.	Environmental (Design-Builder)	Site Preparation-grading #5	Upland Construction
ESA-8	1673	A	Dewatering; Drainage Facilities; TESCP Requirements; Water Bypass Provisions; Water Quality	The Design-Builder shall ensure any discharges from the site be directed to the existing channels that drain the perimeter of the site and the proposed landward portion of the launch channel. The Design-Builder shall ensure that no discharges are directed to the existing shoreline outside the mouth of the drainage channels unless the proposed discharge point is landward of the 2009 MHHW Mark and the flow is directed to the proposed launch channel footprint.	Environmental (Design-Builder)	Site Preparation -installation of dewatering wells #2	Upland Construction
ESA-9	1674	A	Hazardous Materials; SPCC Plan Requirements; Submittal Requirements; Timing Requirements	The Design-Builder shall be responsible for the preparation of a spill prevention control and countermeasures (SPCC) plan to be used for the duration of the project. The plan shall be prepared in accordance with RFP Section 2.8 and it shall be submitted to the WSDOT Project Engineer prior to the commencement of any construction activities. The Design-Builder shall maintain a copy of the plan at the work site.	Environmental (Design-Builder)	Construction of ancillary facilities #1	Upland Construction

ESA-10	1675	A	Hazardous Materials; SPCCP Requirements	The Design-Builder shall ensure spill response equipment and materials designated in the SPCC plan are located on the construction site and are replenished throughout the life of the project, including oil absorbent materials to be used in the event of a spill or if any oil product is observed in the water.	Environmental (Design-Builder)	Construction of ancillary facilities #1c	Upland Construction
ESA-11	1676	A	Hazardous Materials; SPCCP Requirements; Water Quality	The Design-Builder shall secure and proactively store oil booms such that rapid and effective deployment of each oil boom can be accomplished in the event of a hazardous material spill. The Design-Builder shall take the necessary measures to ensure no discharges are directed to a location outside the watershed area contained by these oil booms.	Environmental (Design-Builder)	Construction of ancillary facilities #1d	Upland Construction
ESA-12	1677	A	Drainage Facilities; Permit Coverage; TESCP Requirements	The Design-Builder shall design the Puyallup River Bridge Site to treat all water up to the 10-year storm event to meet the requirements of the NPDES and the Highway Runoff Manual . Refer to commitments pertaining to the NPDES Permit and the Highway Runoff Manual for specific design requirements (Sections 2.8 and 2.14).	Drainage (Design-Builder)	Construction of ancillary facilities #2	Upland Construction
ESA-13	1678	A	Dewatering; Drainage Facilities; Permit Coverage; Water Quality	The Design-Builder shall comply with water quality restrictions imposed by the Washington State Department of Ecology (Ecology), which specify a mixing zone beyond which water quality standards cannot be exceeded, during in-water construction activities. The turbidity criteria established under WAC 173-201A-210 (1)(e) shall be modified, without specific written authorization from the department, to allow a temporary area of mixing during and immediately after necessary in-water construction activities that result in the disturbance of in-place sediments. This temporary area of mixing is subject to the constraints of WAC 173-201A-400 (4) and (6) and can occur only after the Design-Builder has received all other necessary local and state permits and approvals, and after the implementation of appropriate best management practices to avoid or minimize disturbance of in-place sediments and exceedances of the turbidity criteria.	Environmental (Design-Builder)	Construction of ancillary facilities #3	Upland Construction
ESA-14	1679	A	Monitoring Requirements; Sampling; Water Quality	The Design-Builder shall comply with the Ecology 401 Water Quality Certification requirements when in-water work. The point of compliance shall be at a radius of one hundred fifty feet from the activity causing the turbidity exceedance. Turbidity criteria for marine waters include turbidities that do not exceed 5 NTU over background when the background is 50 NTU or less; or a 10 percent increase in turbidity when the background turbidity is more than 50 NTU to maintain extraordinary to excellent water quality category standards. Or, 10 NTU over background when the background is 50 NTU or less; or a 20 percent increase in turbidity when the background turbidity is more than 50 NTU to maintain good to fair water quality category standards.	Environmental (Design-Builder)	Construction of ancillary facilities #3a	Upland Construction
ESA-15	1680	A	Monitoring Requirements; Sampling; Water Quality	The Design-Builder shall perform visual turbidity monitoring periodically to ensure compliance with state water quality standards. If at any time, the visual turbidity levels are estimated to be approaching the turbidity exceedance criteria, field-testing shall be performed by the Design-Builder.	Environmental (Design-Builder)	Construction of ancillary facilities #3b	Upland Construction
ESA-16	1681	A	Equipment Provisions; SPCCP Requirements; Water Quality	Equipment that enters waterways shall be maintained such that no visible sheen from petroleum products appears within waterways. If a sheen appears around equipment in the water, the equipment will be contained within an oil boom and shall be removed from the water, cleaned and/or maintained appropriately.	Environmental (Design-Builder)	Construction of ancillary facilities #5	Upland Construction
ESA-17	1682	A	Equipment Provisions; Solid and Liquid Waste Disposal; SPCCP Requirements	If equipment leaks occur during in-water work, the Design-Builder's project manager shall see that the equipment is immediately removed from within the waterway to a location where pollutants cannot enter any waterway. The equipment shall not be allowed within the waterway until all leaks have been corrected and the equipment cleaned. The Design-Builder shall ensure upland areas where the leaking equipment is stored are also cleaned/remediated immediately.	Environmental (Design-Builder)	Construction of ancillary facilities #5a	Upland Construction
ESA-18	1683	A	Equipment Provisions; SPCCP Requirements; Training and Awareness	The Design-Builder and their associated subcontractors shall regularly check fuel hoses, oil drums, oil or fuel transfer valves, fittings, etc. for leaks, and shall maintain and store materials properly to prevent spills.	Environmental (Design-Builder)	Construction of ancillary facilities #5b	Upland Construction
ESA-19	1684	A	Access Road Provisions; Equipment Provisions; Shoreline Provisions; SPCCP Requirements	The Design-Builder shall not store construction materials and equipment on land where high tides, wave action, or upland runoff can cause materials to enter waterways. Equipment on land shall be stored at least 100 feet away from the shoreline; the only exception being large equipment (e.g., cranes), that due to low mobility, cannot be practicably moved between the work periods. Provided they are equipped with a spill containment system, such equipment may be fueled in place at the discretion of the project engineer in consultation with WSDOT environmental staff and NMFS/USFWS.	Environmental (Design-Builder)	Construction of ancillary facilities #5c	Upland Construction
ESA-20	1685	A	Hazardous Materials; SPCCP Requirements; Water Quality	The Design-Builder shall ensure no cleaning solvents or chemicals used for tools or equipment cleaning shall be discharged to ground or surface waters.	Environmental (Design-Builder)	Construction of ancillary facilities #6	Upland Construction
ESA-21	1686	A	Concrete Work; Equipment Provisions; SPCCP Requirements; Timing Requirements	The Design-Builder shall ensure no wet or curing concrete, including washout of equipment enter waterways or waterbodies. Forms and impervious materials within waterways shall remain intact until the concrete has cured for at least 72 hours.	Environmental (Design-Builder)	Construction of ancillary facilities #7	Upland Construction

ESA-22	1687	A	Air Quality; Energy and Natural Resources; Equipment Provisions; Training and Awareness	Equipment shall be turned off by the Design-Builder when not in use.	Environmental (Design-Builder)	Construction of ancillary facilities #8	Upland Construction
ESA-23	1688	A	Air Quality; Energy and Natural Resources; Equipment Provisions	The Design-Builder shall ensure only well-maintained and properly functioning equipment and vehicles be used.	Engineering Management (Design-Builder)	Construction of ancillary facilities #9	Upland Construction
ESA-24	1689	A	Fish, Aquatic Habitat, and T&E Fish Species; Lighting	The Design-Builder shall keep nighttime lighting intensity and illuminated areas to the minimum necessary for the intended purpose (e.g., safety, Coast Guard Requirements, etc.). The Design-Builder shall direct lights on to the work area and away/shielded from the water.	Engineering Management (Design-Builder)	Construction of ancillary facilities #10	Upland Construction
ESA-25	1690	A	Air Quality; Erosion Control; Excavation; Fugitive Dust Control; TESCP Requirements	The Design-Builder shall wet down and/or cover exposed soils when not in use to minimize fugitive dust and erosion due to wind.	Environmental (Design-Builder)	Construction of ancillary facilities #11	Upland Construction
ESA-26	1691	A	Drainage Facilities; Water Quality	The Design-Builder shall design and construct storm water treatment facilities in accordance with Section 2.14 and 2.8 of the RFP. These facilities may include but are not limited to wet ponds to hold process water, sediment ponds for turbidity reduction, as well as bioswales and/or underground vaults to capture construction site related runoff, ground water, and process water. The Design-Builder is responsible for designing and constructing water treatment facilities to ensure compliance with the NPDES Sand and Gravel Permit, NPDES Construction Stormwater General Permit, and the Ecology 401 Water Quality Certification.	Drainage (Design-Builder)	Construction of stormwater facilities #1	Upland Construction
ESA-27	1692	B	Clearing and Grading; Excavation; Solid and Liquid Waste Disposal	The Design-Builder shall ensure materials excavated from the site, that are not stockpiled onsite, and which are not reused, shall be disposed of in an approved, offsite, upland location.	Engineering Management (Design-Builder)	Excavation/construction of casting basin #1	Upland Construction
ESA-28	1693	A	Shoreline Provisions; Water Quality	The Design-Builder shall ensure riprap and any other placed material below the future (proposed) mean higher high water (MHHW) shall be clean and that the placement has approved in the environmental permits obtained for the Project.	Environmental (Design-Builder)	Construction of berm/berm armoring #2	Upland Construction
ESA-29	1694	A	Energy and Natural Resources; Monitoring Requirements; Noise; Pile Driving	The underwater sound pressure levels (SPL) from in water impact pile driving of piles shall be monitored by the Design-Builder. If the recorded sound pressure levels exceed the thresholds agreed upon by NOAA Fisheries, USFWS, FHWA and WSDOT, appropriate energy reduction measures shall be deployed by the Design-Builder to attenuate the SPLs.	Environmental (Design-Builder)	Upland pile driving #1	Upland Construction
ESA-30	1695	A	Monitoring Requirements; Noise; Pile Driving; Submittal Requirements	Monitoring plans for underwater sound shall be prepared by the Design-Builder and approved by WSDOT, NOAA Fisheries and USFWS prior to initiating any pile driving.	Environmental (Design-Builder)	Upland pile driving #2	Upland Construction
ESA-31	1696	B	Noise; Pile Driving	~~A noise shroud shall be deployed by the Design-Builder to reduce airborne sound associated with pile driving.~~ Agreement for commitment deletion.	Environmental (Design-Builder)	Upland pile driving #3	Upland Construction
ESA-32	1697	A	Concrete Work; Permit Coverage; Water Quality	The Design-Builder shall ensure no wet or curing concrete or grout (including washout of equipment) shall enter waterways. The Design-Builder shall treat all water coming in contact with uncured concrete according to standards defined in the National Pollution Discharge Elimination System and Sand and Gravel General permits to prevent a discharge of high pH water.	Environmental (Design-Builder)	Concrete work for forming casting basin #1	Upland Construction
ESA-33	1698	A	Pile Driving	The Design-Builder shall use a vibratory hammer to drive sheet piles in and immediately adjacent to water to the maximum extent practicable.	Geotechnical (Design-Builder)	Construction of sheet pile cofferdams to stabilize bank between upland launch channel	Upland Construction
ESA-34	1699	A	Clearing and Grading; Excavation; Transportation	Materials shall be transported within existing travel routes. The Design-Builder shall secure the necessary street use permits prior to the start of construction.	Engineering Management (Design-Builder)	Material export/import #1	Upland Construction
ESA-35	1700	A	Excavation; Solid and Liquid Waste Disposal; Transportation	Exposed materials shall be enclosed during transport to minimize fugitive dust and to prevent any loss of sediment or pollution to the surrounding environment.	Environmental (Design-Builder)	Material export/import #2	Upland Construction
ESA-38	1705	A	Equipment Provisions; Fish, Aquatic Habitat, and T&E Fish Species; Noise; Pile Driving	The Design-Builder shall install all in water piles and piles immediately adjacent to water with a vibratory hammer to the maximum extent practicable. If impact pile driving is required, a bubble curtain or other approved sound attenuation system will be deployed and the Design-Builder will be required to comply with mitigation measures identified within an Underwater Noise Monitoring Plan and project environmental commitments and permit conditions.	Structures (Design-Builder)	Construction of dolphins/piles #1	Launch Channel/Dolp hin Construction
NEPA-1	1810	A	Air Quality; Fugitive Dust Control	State law requires the Design-Builder to take reasonable precautions to prevent fugitive dust from becoming airborne.	Construction (Design-Builder)		

NEPA-2	1811	A	Air Quality; Clearing and Grading; Excavation; Fugitive Dust Control	To control fugitive dust emissions, the Design-Builder shall spray exposed soil with water or other suppressant to reduce emissions of PM10 and deposition of particulate matter.	Construction (Design-Builder)		
NEPA-3	1812	A	Air Quality; Clearing and Grading; Excavation; Fugitive Dust Control; Schedule	To control fugitive dust emissions, the Design-Builder shall use phased development to keep disturbed areas to a minimum.	Construction (Design-Builder)		
NEPA-4	1813	A	Air Quality; Delineation and Fencing; Erosion Control; Fugitive Dust Control	To control fugitive dust emissions, the Design-Builder shall use wind fencing to reduce disturbance to soils.	Construction (Design-Builder)		
NEPA-5	1814	A	Air Quality; Excavation; Fugitive Dust Control	To control fugitive dust emissions, the Design-Builder shall minimize dust emissions during transport of fill material or soil by wetting down or by making sure there is adequate freeboard (i.e., space from the top of the material to the top of the truck bed) on trucks.	Construction (Design-Builder)		
NEPA-6	1815	A	Access Road Provisions; Air Quality; Fugitive Dust Control	To control fugitive dust emissions, the Design-Builder shall promptly clean up any spills of transported material or track out on public roads.	Construction (Design-Builder)		
NEPA-7	1816	A	Access Road Provisions; Air Quality; Fugitive Dust Control; Maintenance of Traffic	To control fugitive dust emissions, the Design-Builder shall schedule work tasks to minimize disruption of the existing vehicle traffic on streets.	Construction (Design-Builder)		
NEPA-8	1817	A	Access Road Provisions; Air Quality; Excavation; Fugitive Dust Control; Stabilization of Entry/Exit Points	To control fugitive dust emissions, the Design-Builder shall minimize traffic on the unstabilized portions of site and implement the BMPs necessary to prevent the transport of sediments onto adjacent roadways and haul routes.	Construction (Design-Builder)		
NEPA-9	1818	A	Air Quality; Equipment Provisions; Fugitive Dust Control	To control fugitive dust emissions, the Design-Builder shall locate construction equipment and truck staging areas away from sensitive receptors (such as residences, hospitals, and schools) as practical and in consideration of potential effects on other resources.	Construction (Design-Builder)		
NEPA-10	1819	A	Access Road Provisions; Air Quality; Fugitive Dust Control; Stabilization of Entry/Exit Points	To control fugitive dust emissions, the Design-Builder shall install and maintain a tire wash to remove particulate matter that would otherwise be carried offsite by vehicles to decrease deposition of particulate matter on area roadways. The system shall include adequate containment for the wash water to ensure compliance with state water quality standards and all permit conditions.	Construction (Design-Builder)		
NEPA-11	1820	A	Air Quality; Excavation; Fugitive Dust Control	To control fugitive dust emissions, the Design-Builder shall cover truck beds, dirt, gravel, and debris piles as needed to reduce wind-blown debris.	Construction (Design-Builder)		
NEPA-12	1821	A	Air Quality; Fugitive Dust Control	The Design-Builder shall minimize emissions of PM10, VOCs, NOX, SO2, and CO whenever reasonable and possible.	Environmental (Design-Builder)		
NEPA-13	1823	A	BMP Installation; Erosion Control; TESCP Requirements; Water Resources; Wetlands	The Design-Builder shall use best management practices (BMPs) to avoid and minimize unintentional effects to wetlands or aquatic sites not permitted for impacts. BMPs could include implementing temporary erosion and sediment control measures and a storm water pollution prevention plan in accordance with the NPDES permits obtained for the Work.	Environmental (Design-Builder)		
NEPA-14	1824	A	Equipment Provisions; SPCCP Requirements	The Design-Builder shall take the appropriate measures to prohibit the servicing and refueling of vehicles within 100 feet of aquatic habitats to reduce potential spills of petroleum and hydraulic fluids in sensitive areas.	Construction (Design-Builder)		
NEPA-15	1825	A	BMP Installation; Drainage Facilities; Water Quality	The Design-Builder shall implement the necessary BMPs to ensure runoff from newly created impervious surfaces is treated for water quality to meet the requirements stipulated in RFP Section 2.8 and 2.17.	Drainage (Design-Builder)		
NEPA-16	1826	A	Concrete Work; Fish, Aquatic Habitat, and T&E Fish Species; Water Quality	The Design-Builder shall ensure that fresh concrete will not come in contact with waters of the State, as required by Washington Administrative Code (WAC)110220-070(1)(g).	Construction (Design-Builder)		
NEPA-17	1827	A	Fish, Aquatic Habitat, and T&E Fish Species; Noise; Pile Driving	The Design-Builder shall minimize the potential effects of driving piles by adhering to the conservation measures included within the Biological Assessment and the associated Biological Opinion issued for the Project. Several methods such as the use of air bubble cushions; management practices for sound pressure attenuation during pile driving will reduce the transmission of energy to the surrounding water, thus minimizing levels that would potentially injure fish.	Construction (Design-Builder)		

NEPA-18	1828	A	Dredging; Excavation; Fish, Aquatic Habitat, and T&E Fish Species; Pile Driving; Schedule; Timing Requirements	The Design-Builder shall ensure that in-water work will take place only during designated work windows, as identified by the appropriate agencies (i.e., WDFW, NOAA Fisheries, and USFWS).	Construction (Design-Builder)		
NEPA-19	1829	B	BMP Installation; Delineation and Fencing; TESCP Requirements; Timing Requirements	Construction limits shall be clearly surveyed and environmentally sensitive areas shall be delineated with high-visibility construction fencing prior to the beginning of ground-disturbing activities. The Design-Builder shall ensure that no disturbance will occur beyond these limits.	Construction (Design-Builder)		
NEPA-20	1830	A	BMP Installation; Clearing and Grading; Excavation; TESCP Requirements; Water Quality	The Design-Builder shall install the necessary BMPs to isolate the active work areas from waterways and aquatic habitat that is not permitted for impacts.	Construction (Design-Builder)		
NEPA-21	1831	A	Fish, Aquatic Habitat, and T&E Fish Species; Lighting	The Design-Builder shall keep the intensity of and area illuminated by nighttime lighting to the minimum that is necessary for the intended purpose. The Design-Builder shall direct lights onto the work areas and away from the water, where applicable.	Construction (Design-Builder)		
NEPA-22	1832	A	Energy and Natural Resources; Equipment Provisions; Excavation	The Design-Builder shall adhere to construction practices that encourage efficient energy use, such as avoiding the double-handling of excavated soil (unless required for archaeological monitoring), limiting idling equipment, and locating staging areas near work sites.	Construction (Design-Builder)		
NEPA-23	1833	A	Energy and Natural Resources; Transportation	The Design-Builder shall encourage carpooling of workers to the site.	Traffic (Design-Builder)		
NEPA-24	1834	A	Economic Impacts; Energy and Natural Resources	The Design-Builder shall purchase construction materials from local suppliers as much as possible, to limit fuel consumption associated with material transport.	Construction (Design-Builder)		
NEPA-25	1836	A	Energy and Natural Resources; Utilities	The Design-Builder shall coordinate with the local utilities to minimize the impact on energy demand and supply.	Utilities (Design-Builder)		
NEPA-26	1838	A	Access Road Provisions; Energy and Natural Resources; Equipment Provisions; Excavation	The Design-Builder shall set up active construction areas, staging areas, and material transfer sites in ways that reduce equipment and vehicle idling. WSDOT and the Design-Builder shall work together to promote ridesharing and other commute trip reduction efforts for employees working on the project.	Construction (Design-Builder)		
NEPA-27	1840	B	Ground Water Quality; SPCCP Requirements	The Design-Builder shall implement the necessary BMPs to ensure compliance with state water quality standards. The BMPs utilized for compliance could include, but would not be limited to, source control, Chitosan-enhanced filtration, and/or wet ponds. Fueling areas shall include covers and spill containment features. Groundwater shall be kept separate from storm water.	Construction (Design-Builder)		
NEPA-28	1841	A	Dewatering; Geology and Soils	The Design-Builder shall refine settlement estimates as the design continues. If potential settlements caused by project construction and operation could damage pipes, structures, or rail lines, the Design-Builder shall prepare plans for repair or reconstruction, mobilize repair or reconstruction materials to the site, monitor settlement, and be prepared to repair damage if it occurs.	Geotechnical (Design-Builder)		
NEPA-29	1842	A	Dewatering; Geology and Soils	The Design-Builder shall refine settlement estimates as the design continues. If the Design-Builder determines that potential settlements caused by project construction and operation could damage any of the constructed facilities or adjacent offsite structures, the Design-Builder shall reduce the settlement-inducing ground water drawdown in the areas of concern by constructing temporary or permanent ground water cutoff walls. Alternative settlement-abating methods may be implemented upon review and approval by WSDOT.	Geotechnical (Design-Builder)		
NEPA-30	1845	A	Geology and Soils	During the design stage of the Project, the Design-Builder will need to identify approaches for avoiding settlement of onsite and offsite adjacent structures. For example, the Design-Builder may need to take measures prior to construction to improve soils where facilities will be situated.	Geotechnical (Design-Builder)		
NEPA-31	1847	A	Land Use	The Design-Builder shall be responsible for meeting the requirements of local shoreline management plans and permits.	Environmental Mitigation (Design-Builder)		
NEPA-32	1848	A	Cumulative and Secondary Impacts; Economic Impacts; Land Use	The Design-Builder shall be responsible for obtaining permits from local municipalities. Furthermore, the Design-Builder shall ensure the project is consistent and complies with applicable policies and regulations of local Comprehensive Plans, Shoreline Master Programs, Zoning Ordinances, and Critical Area Ordinances.	Environmental (Design-Builder)		

NEPA-33	1849	B	Equipment Provisions; Noise	The Design-Builder shall implement best management practices to ensure compliance with State WAC noise requirements. All engine-powered equipment shall have mufflers installed according to the manufacturer's specifications, and all equipment shall comply with United States Environmental Protection Agency (EPA) equipment noise standards.	Construction (Design-Builder)		
NEPA-34	1850	B	Noise; Timing Requirements	The Design-Builder shall limit construction activities that produce the highest noise levels (such as hauling, loading spoils, jack-hammering, and using other demolition equipment) to the periods of time permitted by the City of Puyallup.	Construction (Design-Builder)		
NEPA-35	1851	A	Noise; Pile Driving; Wildlife, Habitat, and Upland T&E Species	The Design-Builder shall avoid and minimize pile-driving effects on fish. Effects shall be mitigated with appropriate BMPs that are to be developed and provided to WSDOT prior to submittal of the JARPA application for this Project.	Environmental (Design-Builder)		
NEPA-36	1852	B	Noise; Recordkeeping	The Design-Builder shall keep a construction log for each of the construction staging areas. The log would contain general construction information such as the time an activity took place, type of equipment used, and any other information that may help with potential noise effects. Construction logs are helpful when determining noise sources associated with noise complaints.	Construction (Design-Builder)		
NEPA-37	1853	B	Noise; Social Impacts	The Design-Builder shall establish a Project hotline to record all noise complaints, compare them to the construction logs, and use this information to identify the source of the noise, ensure that appropriate noise-mitigating BMPs are in place, and to identify any equipment that may require repairs.	Public Relations (Design-Builder)		refer to 1862
NEPA-38	1854	A	Equipment Provisions; Noise	The Design-Builder shall remove from service any equipment not meeting noise standards until proper repairs can be made, and the equipment is re-tested and is in compliance with noise standards. This procedure applies to, but is not limited to, all haul trucks, loaders, excavators, and other equipment that would have extensive use at the construction sites and are major contributors to potential noise effects.	Construction (Design-Builder)		
NEPA-39	1855	A	Equipment Provisions; Noise	The Design-Builder shall equip all engine-powered equipment with mufflers, installed according to the manufacturer's specifications.	Construction (Design-Builder)		
NEPA-40	1856	A	Equipment Provisions; Noise	The Design-Builder shall acquire and maintain all equipment to comply with pertinent USEPA equipment noise standards.	Construction (Design-Builder)		
NEPA-41	1858	A	Equipment Provisions; Monitoring Requirements; Noise	The Design-Builder shall minimize noise by regular inspection and replacement of defective mufflers and other parts that do not meet the manufacturer's specifications.	Construction (Design-Builder)		
NEPA-42	1859	B	BMP Installation; Equipment Provisions; Noise	If the State WAC noise requirements are confirmed to be exceeded, the Design-Builder shall install or implement noise procedures and best management practices to reduce noise levels. These BMPs may include the installation of temporary or portable acoustic barriers around stationary construction noise sources including pile driving equipment, jackhammers, concrete cutters, and generators, or rescheduling of the noise generating activities. The Design-Builder shall also have the opportunity to work with the Department of Ecology and the City of Puyallup as the enforcement authorities to consider issuance of a variance under WAC 173-60-080.	Construction (Design-Builder)		
NEPA-43	1860	A	Equipment Provisions; Noise	The Design-Builder shall locate stationary construction equipment as far from nearby noise-sensitive properties as feasible.	Construction (Design-Builder)		
NEPA-44	1861	A	Air Quality; Equipment Provisions; Noise	The Design-Builder shall shut off idling equipment during extended periods of non use.	Construction (Design-Builder)		
NEPA-45	1863	A	Demolition Activities; Noise; Notification Requirements; Pile Driving; Schedule	The Design-Builder shall notify nearby residents seven days prior to when extremely noisy work (such as pile driving) would be occurring.	Public Relations (Design-Builder)		
NEPA-46	1865	A	Utilities	The Design-Builder shall coordinate closely with utility providers to minimize service interruptions.	Utilities (Design-Builder)		
NEPA-47	1866	A	Public Services; Utilities	The Design-Builder shall, in the event of temporary waterline shutdowns, notify and coordinate with the appropriate fire department and public works departments.	Utilities (Design-Builder)		
NEPA-48	1867	A	Notification Requirements; Public Services; Schedule; Utilities	The Design-Builder shall, in the event of temporary utility service interruptions, notify area businesses and residents and provide a schedule of construction activities in the affected areas	Utilities (Design-Builder)		

NEPA-49	1868	A	Monitoring Requirements; Public Services; Schedule; Utilities	The Design-Builder shall coordinate with public service providers and provide them with construction schedules to minimize the effects of utility relocations on public services.	Public Relations (Design-Builder)		
NEPA-50	1869	A	Access Road Provisions; Maintenance of Traffic; Notification Requirements; Public Services; Schedule	The Design-Builder shall coordinate with law enforcement agencies to keep them fully informed about the project construction schedule, type of activities, location of activities, and anticipated activity along haul routes.	Public Relations (Design-Builder)		
NEPA-51	1870	A	Air Quality; Equipment Provisions; Noise; Social Impacts	The Design-Builder shall maintain equipment in good mechanical condition, equipping engines with mufflers to minimize exhaust emissions and noise, and use newer equipment or equipment with add-on emission controls whenever possible.	Construction (Design-Builder)		
NEPA-52	1872	A	Equipment Provisions; Noise; Social Impacts	The Design-Builder shall reducing idling time of construction equipment by turning off during periods of nonuse.	Construction (Design-Builder)		
NEPA-53	1873	A	Erosion Control; Excavation; Fugitive Dust Control; Social Impacts	The Design-Builder shall require their own staff and hauling contractors to effectively cover loads and to spray exposed soils with water or other suppressant to minimize dust and windblown debris.	Construction (Design-Builder)		
NEPA-54	1874	A	Access Road Provisions; Maintenance of Traffic; Transportation	The Design-Builder shall work closely with local jurisdictions before initiating project construction, to establish a process for assessing current conditions of the haul route and for determining if any road maintenance would be needed during or at Project Physical Completion to repair damage caused by project-related heavy truck traffic.	Traffic (Design-Builder)		
NEPA-55	1877	A	Access Road Provisions; Maintenance of Traffic; Schedule; Timing Requirements; Transportation	The Design-Builder shall manage the construction schedule in a manner that encourages the dispersal of daily employee departures over a longer time span (i.e. not all employees arriving and departing within a single hour each day). The Design-Builder shall address this issue in their Traffic Management Plan as required per RFP Section 2.22.	Traffic (Design-Builder)		
NEPA-56	1879	A	Lighting; Visual Quality	The Design-Builder shall shield and/or direct temporary and operational construction site lighting to reduce the amount of light spilling onto nearby residences and businesses.	Construction (Design-Builder)		
NEPA-57	1882	A	SPCCP Requirements; Submittal Requirements; TESCP Requirements	The Design-Builder develop and comply with the temporary erosion and sediment control (TESC) plan requirements described in Section 2.8 of the RFP, including NPDES permit requirements for the development of a Stormwater Pollution Prevention Plan (SWPPP), and the spill prevention control and countermeasures (SPCC) plan.	Construction (Design-Builder)		
NEPA-58	1885	A	Drainage Facilities; Monitoring Requirements; Water Quality; Water Resources	The Design-Builder may use chitosan treatment (a linear polysaccharide produced from the treatment of chitin, a structural element in crab and shrimp shells) to meet permit requirements. The Design-Builder shall conduct online monitoring prior to discharging this material to marine-receiving environments to determine whether or not these treatments are necessary in order to meet state limits for TSS and pH and any other water quality standards consistent with applicable NPDES construction and operations approvals.	Drainage (Design-Builder)		
NEPA-59	1886	A	Dewatering; Drainage Facilities; Geology and Soils; Ground Water Quality; Water Resources	The Design-Builder shall develop mitigation measures to minimize drawdown and impacts to ground water resulting from dewatering activities.	Geotechnical (Design-Builder)		
HPA-1	1887	C	Fish, Aquatic Habitat, and T&E Fish Species; Pile Driving; Schedule; Timing Requirements	TIMING LIMITATIONS: The project may begin and shall be completed within the following timing constraints: a. The Design-Builder shall ensure that construction work below the ordinary high water line at the Puyallup River Site shall not occur from July 16 through August 31 of any year for the protection of migrating juvenile salmonids.	Construction (Design-Builder)	Timing Limitations	1
HPA-2	1888	B	Notification Requirements; Reporting Requirements; Water Bypass Provisions; Water Resources	NOTIFICATION REQUIREMENT: The Design-Builder shall notify WSDOT so WSDOT can notify the WDFW Area Habitat Biologist (AHB) of the project start date. Notification shall be received by the AHB prior to the start of construction. The Design-Builder shall notify WSDOT so WSDOT can provide written notice to the WDFW Enforcement Sergeant no less than three working days prior to start of work, and again within seven (7) days of completion of work to arrange for a compliance inspection. The notification shall include the permittee's name, project location, starting date for work or completion date of work, and the control number for the Hydraulic Project Approval obtained for the Project.	Environmental (Design-Builder)	Notification Requirement	2
HPA-3	1893	A	Drainage Facilities; Fish, Aquatic Habitat, and T&E Fish Species	The Design-Builder shall ensure that design and construction of drainage outfalls shall be equipped with a Tideflex or other similar type of tide gate, to prevent fish from entering the drainage system.	Drainage (Design-Builder)	Drainage Outfalls	7
HPA-4	1896	B	Clearing and Grading; Excavation; Fish, Aquatic Habitat, and T&E Fish Species; Water Quality; Water Resources	The Design-Builder shall ensure that materials, excavated or otherwise, shall not be stockpiled below Ordinary High Water (OHW) and the Mean Higher High Water (MHHW) Mark.	Construction (Design-Builder)	Excavated Material	10

HPA-5	1897	A	Excavation; Fish, Aquatic Habitat, and T&E Fish Species	Unless otherwise explicitly allowed by permit conditions, trenches, depressions, and holes created by the Design-Builder during project activities conducted below the MHHW Mark shall be filled with clean material and reshaped to pre-project elevations prior to inundation with tidal waters.	Construction (Design-Builder)	Excavation Requirements	11
HPA-6	1900	A	Fish, Aquatic Habitat, and T&E Fish Species; Pile Driving	The preferred pile driving method is by the use of vibratory equipment; an impact driver, however, may be used where vibratory techniques are impracticable. Hydraulic, cable, or other types of impact drivers where the driving force can be regulated are preferred over diesel impact drivers. Use of impact drivers by the Design-Builder will be governed by applicable in-water work fish windows, limitations, and BMPs as specified by associated Federal, State, and local permits.	Engineering Management (Design-Builder)	Intertidal and In-Water Pile Driving and Removal Provisions	15
HPA-7	1902	A	Solid and Liquid Waste Disposal; Timing Requirements	The Design-Builder shall be responsible for removing any temporary pilings used for coffer dams (or other uses) by the use of vibratory equipment within the permitted work window. The Design-Builder shall ensure that the pilings are disposed or stored upland following completion of the Work.	Construction (Design-Builder)	Intertidal and In-Water Pile Driving and Removal Provisions	17
HPA-8	1904	B	Fish, Aquatic Habitat, and T&E Fish Species; Monitoring Requirements; Notification Requirements; Pile Driving	If a fish kill occurs or fish are observed in distress from pile driving, the Design-Builder shall immediately cease the activity and WSDOT shall be notified. WSDOT will notify the Washington Military Department's Emergency Management Division and to the WDFW Area Habitat Biologist immediately. The Design-Builder shall ensure that a project inspector/biologist is onsite during all in water pile driving operations to monitor for distressed fish. The project inspector/biologist qualification shall include demonstrated field experience in fish identification. The Design-Builder shall ensure that this inspector has full authority to stop work in the event that dead or distressed fish are observed.	Construction (Design-Builder)	Intertidal and In-Water Pile Driving and Removal Provisions	19
HPA-9	1911	A	Dredging; Excavation; Shoreline Provisions	The Design-Builder shall limit removal or destruction of overhanging bankline vegetation to that necessary for the construction of the Project.	Environmental (Design-Builder)	Habitat Feature and Water Quality Provisions	26
HPA-10	1915	A	Fish, Aquatic Habitat, and T&E Fish Species; Notification Requirements; Pile Driving; Pontoon Construction; Shoreline Provisions	If a fish kill occurs or fish are observed in distress, the Design-Builder shall immediately cease activities within the vicinity and WSDOT shall be notified immediately. WSDOT will in turn notify the WDFW Habitat Program.	WSDOT/Design-Builder	Habitat Feature and Water Quality Provisions	30
HPA-11	1916	A	Excavation; Shoreline Provisions; Solid and Liquid Waste Disposal	The Design-Builder shall ensure that all construction related debris on the river bank be removed and disposed of at an upland permitted facility such that it does not enter waters of the State.	Landscaping (Design-Builder)	Habitat Feature and Water Quality Provisions	31
HPA-12	1918	A	Hazardous Materials; Solid and Liquid Waste Disposal; SPCCP Requirements; Water Quality	The Design-Builder shall take great care to ensure that no petroleum products or other deleterious materials enter surface waters.	Construction (Design-Builder)	Habitat Feature and Water Quality Provisions	33
HPA-13	1919	A	Fish, Aquatic Habitat, and T&E Fish Species; Solid and Liquid Waste Disposal; SPCCP Requirements; Water Quality	The Design-Builder shall ensure that Project activities not degrade water quality to the detriment of fish life.	Construction (Design-Builder)	Habitat Feature and Water Quality Provisions	34
CORPS 404-1	1920	A	Notification Requirements; Permit Coverage; Schedule; Timing Requirements	The time limit for completing the work authorized will be specified in the approved permit. The Design-Builder shall notify WSDOT of any need for an extension of time to complete the authorized activity so WSDOT can submit a request to the U. S. Army Corps of Engineers (USACE) at least 1 month prior to the end date specified in the approved permit.	Environmental (Design-Builder)	General Conditions	1
CORPS 404-2	1921	A	Historic, Cultural, Archaeological Resources; Monitoring Requirements; Notification Requirements	If any previously unknown historic or archeological remains are discovered by WSDOT or the Design-Builder while accomplishing the activity authorized by the permits for the project, the Design-Builder must immediately notify WSDOT and follow the procedures spelled out in the Unanticipated Discovery Plan for this Project. WSDOT will provide notification to the USACE.	Environmental (Design-Builder)	General Conditions	2
CORPS 404-3	1922	A	Permit Coverage; Water Quality	The Design-Builder shall comply with the conditions specified within the 401 Water Quality Certification issued for the Project as special conditions to this permit. A copy of the certification will be attached if it contains such conditions.	Environmental (Design-Builder)	General Conditions	3
HPA-3	1922	A	Permit Coverage; Water Quality	The Design-Builder shall comply with the conditions specified within the 401 Water Quality Certification issued for the Project as special conditions to this permit. A copy of the certification will be attached if it contains such conditions.	Environmental (Design-Builder)	Notification Requirement	3
CORPS 404-4	1923	A	Monitoring Requirements; Permit Coverage	The Design-Builder shall allow representatives from the USACE to inspect the authorized activity at anytime deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of the Section 404 permit.	Construction (Design-Builder)	General Conditions	4

CORPS 404-5	1924	A	Recordkeeping; Submittal Requirements; Training and Awareness	The Design-Builder shall provide a copy of the Section 404 Permit transmittal letter, the permit form, and drawings to all contractors and subcontractors performing any of the authorized Work.	Construction (Design-Builder)	Special Conditions	a
CORPS 404-6	1925	A	Permit Coverage	WSDOT understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the WSDOT will be required, upon due notice from the USACE, to remove, relocate, or alter the structural work or obstructions caused thereby, without Expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.	Environmental (Design-Builder)	Special Conditions	b
CORPS 404-7	1931	A	Fish, Aquatic Habitat, and T&E Fish Species; Permit Coverage; Water Resources; Wildlife, Habitat, and Upland T&E Species	In order to legally take a listed species, WSDOT must have a separate authorization under the Endangered Species Act (ESA) (e.g., an ESA Section 7 consultation Biological Opinion with non-discretionary Incidental Take provisions with which the Design-Builder must comply).	WSDOT/Design-Builder	Special Conditions	h
CORPS 404-8	1932	A	Fish, Aquatic Habitat, and T&E Fish Species; Permit Coverage; Wildlife, Habitat, and Upland T&E Species	The Biological Opinions (BO) prepared by the National Marine Fisheries Service (NMFS or NOAA) and the U.S. Fish and Wildlife Service (USFWS) for this Project contain mandatory terms and conditions the Design-Builder shall implement which include reasonable and prudent measures that are associated with the specified incidental take in the BOs . WSDOT's authorization under the USACE permit is conditional upon the Design-Builder's compliance with all of the mandatory terms and conditions associated with incidental take of these BOs. These terms and conditions will be incorporated by reference into the permit. The Design-Builder's failure to comply with the commitments made in the document constitutes non-compliance with the ESA and USACE permit. The USFWS and NMFS (NOAA) are the appropriate authorities to determine compliance with ESA.	Environmental (Design-Builder)	Special Conditions	i
CORPS 404-9	1933	A	Excavation; Historic, Cultural, Archaeological Resources; Monitoring Requirements; Submittal Requirements	The Federal Highways Administration (FHWA) has been designated the lead Federal agency responsible for implementing and enforcing the requirements of Section 106 of the National Historic Preservation Act (NHPA.) In order to meet the requirements of Section 106 of the NHPA, WSDOT must, prior to commencing construction, submit to the U.S. Army USACE of Engineers (Corps), Seattle District, Regulatory Branch, a copy of the monitoring plan submitted to the State Historic Preservation Officer. Authorization under the USACE permit is conditional upon the Design-Builder and WSDOT's compliance with the monitoring plan. FHWA and WSDOT are the agencies responsible for ensuring compliance with the monitoring plan.	WSDOT/Design-Builder	Special Conditions	j
CORPS 404-10	1934	A	Excavation; Historic, Cultural, Archaeological Resources; Notification Requirements	If human remains or archaeological resources are encountered during construction, the Design-Builder shall cease all ground disturbing activities in the immediate area and WSDOT shall immediately (within one business day of discovery) notify the U.S. Army USACE of Engineers (Corps). The Design-Builder shall perform any work required by the USACE in accordance with Section 106 of the National Historic Preservation Act and USACE regulations. If the Design-Builder or WSDOT discovers any previously unknown historic or archeological remains while accomplishing the activity authorized by the permits for the project, the Design-Builder shall immediately notify WSDOT and follow the procedures spelled out in the Unanticipated Discovery Plan for this Project.	WSDOT/Design-Builder	Special Conditions	k
401-1	1936	A	Hazardous Materials; Water Quality	Puyallup River is designated as waters of the State. Certification of this proposal does not authorize the Design-Builder to exceed applicable state water quality standards (173-201A WAC) or sediment quality standards (173-204 WAC) beyond what is authorized by the Department of Ecology. Furthermore, nothing in the approved Department of Ecology 401 permit shall absolve the Design-Builder from liability for contamination and any subsequent cleanup of surface waters or sediments occurring as a result of project construction or operations.	Environmental (Design-Builder)	Compliance with Water Quality Standards	A.1
401-2	1938	A	BMP Installation; Clearing and Grading; TESCP Requirements; Timing Requirements	From October 1 through April 30, the Design-Builder shall ensure no soils remain exposed and unworked for more than two (2) days. From May 1 to September 30, the Design-Builder shall ensure no soils remain exposed and unworked for more than seven (7) days.	Construction (Design-Builder)	Timing	B.3
401-3	1939	A	Notification Requirements	The Design-Builder shall provide notification to WSDOT so WSDOT can provide notification to Ecology at least 30 Calendar days prior to the pre-construction meeting.	WSDOT/Design-Builder	Notification Conditions	C.1 (1st bullet)
401-4	1940	A	Notification Requirements	The Design-Builder shall provide notification to WSDOT so WSDOT can provide notification to Ecology at least 30 Calendar days prior to starting construction activities.	WSDOT/Design-Builder	Notification Conditions	C.1 (2nd bullet)
401-5	1944	A	Notification Requirements	The Design-Builder shall provide notification to WSDOT so WSDOT can provide notification to Ecology at least 30 Calendar days after the completion of the project.	WSDOT/Design-Builder	Notification Conditions	C.1 (6th bullet)

401-6	1945	A	Notification Requirements; Reporting Requirements; Water Quality	The Design-Builder shall provide notification to WSDOT so WSDOT can provide immediate notification to Ecology any time a violation of the state water quality standards occurs or if a revision from the permitted Work is needed.	WSDOT/Design-Builder	Notification Conditions	C.1 (7th bullet)
401-7	1946	B	Permit Coverage; Training and Awareness; Water Quality	WSDOT and the Design-Builder shall ensure that all appropriate Project Engineers, Lead Contractors, Sub-Contractors and Site Managers at the project site have read and understand relevant conditions of the Ecology 401 Water Quality Certification and all permits, approvals, and documents referenced in the Ecology 401 Water Quality Certification.	WSDOT/Design-Builder	Notification Conditions	C.2
401-8	1947	B	Submittal Requirements; Training and Awareness; Water Quality	The Design-Builder shall ensure that all project engineers, contractors, and other workers at the project site with authority to direct work, have read and understand the conditions in the project Water Quality Certification (WQC). The Design-Builder shall provide Ecology a signed statement for each signatory that s/he has read and understands the conditions of the project WQC and WQC referenced permits, documents, and approvals. The Design-Builder shall submit these statements to Ecology before construction begins at each project component.	WSDOT/Design-Builder	Notification Conditions	C.2.a
401-9	1948	B	Submittal Requirements; Timing Requirements	The signed statements required per Commitment ID #1947 shall be provided to WSDOT within three (3) Calendar days following receipt of final project permits. WSDOT will provide them to Ecology and shall include in this statement the Ecology 401 Water Quality Certification number and project contact.	WSDOT/Design-Builder	Notification Conditions	C.2.b
401-10	1949	A	Reporting Requirements; Schedule; Submittal Requirements	The Design-Builder shall submit to WSDOT a detailed construction schedule for work in-water, overwater, near shore and on steep slopes, staging areas, and temporary parking and access areas so WSDOT can submit the schedule to Ecology prior to the start of Work.	WSDOT/Design-Builder	Notification Conditions	C.3
401-11	1959	B	Excavation; Hazardous Materials; Solid and Liquid Waste Disposal; Submittal Requirements; Timing Requirements	The Design-Builder shall submit a Soils Management Plan to WSDOT for Review and Comment at least 30 Calendar days prior to the start of construction. Final characterization of the upland soils, and disposal options, including location-specific conditions for management of excavated materials, will be outlined and evaluated in the Management Plan.	WSDOT/Design-Builder	Upland Soils/Sediment Management and Stockpiling	F.1
401-12	1960	B	Dredging; Solid and Liquid Waste Disposal; Visual Quality	If dredged material is temporarily stockpiled in the uplands (above +10.1 ft MHHW), the Design-Builder shall ensure that stockpiling and containment of such material is in compliance with the Project 401 Ecology Water Quality Certification and the associated Water Quality Monitoring Plan. No dewatering water from stockpiled dredged materials will be allowed to discharge to waters of the State.	Construction (Design-Builder)	Upland Soils/Sediment Management and Stockpiling	F.2
401-13	1961	B	Dewatering; Dredging; Hazardous Materials	Prior to offsite disposal, temporarily stockpiled soils that are determined to be contaminated or the object of a cleanup, shall be fully contained by the Design-Builder in a lined facility. The Design-Builder shall use the appropriate controls to prevent runoff from the stockpile and to prevent windblown dusts from leaving the stockpile. The Design-Builder shall ensure that no water from contaminated soils enter waters of the State.	Construction (Design-Builder)	Upland Soils/Sediment Management and Stockpiling	F.3
401-14	1963	B	Hazardous Materials; Sampling	Prior to offsite disposal at a licensed disposal facility, temporarily stockpiled soils that are determined to be contaminated or the object of a cleanup, shall be fully contained by the Design-Builder in a lined facility and covered. The Design-Builder shall ensure that no water from the contaminated soils stockpile enters waters of the State.	Environmental (Design-Builder)	Upland Soils/Sediment Management and Stockpiling	F.5
401-15	1964	A	Dredging; Hazardous Materials; Solid and Liquid Waste Disposal; Submittal Requirements	If review of the upland or nearshore soils material characterization by Ecology and other jurisdictions indicate that soils are below Dangerous Waste designation limits, the Design-Builder's Soils and Dredged Material Management Plan shall address the following: a. The amount of material that will be managed onsite and the steps that shall be taken to satisfy permitting requirements; b. The amount of material that will be disposed of in a permitted solid waste facility; c. If no permitted solid waste facility is available, a plan will be submitted that details the steps that shall be taken to permit a solid waste facility for disposal of the material; d. Permitting of a new facility shall be in compliance with WAC 173-350 and all other applicable regulations.	Environmental (Design-Builder)	Disposal of Soil	G.1
401-16	1965	A		Upland soils and dredged material that are determined to be suitable for upland disposal shall be disposed of only at upland locations for which the Design-Builder was able to obtain copies of permits and environmental approvals and provided these to WSDOT in accordance with the Standard Specifications and RFP requirements.	Environmental (Design-Builder)	Disposal of Soil	G.2
401-17	1966	A		If sampling results indicate contamination in the soils or dredged material at levels above Dangerous Waste designation limits of 173-303, then the Design-Builder must take steps to manage or dispose of soils and dredge materials accordingly.	Environmental (Design-Builder)	Disposal of Soil	G.3
401-18	1967	B		If field observations and confirmatory field screening with a Photo Ionization Detector (PID) reveal that soil contamination exists at the edges of the excavation at levels above Model Toxics Control Act (MTCA) Method B unrestricted land use cleanup levels, then the Design-Builder will be required to conduct side wall sampling in the areas of question to determine the level of contamination left in place.	Environmental (Design-Builder)	Disposal of Soil	G.4

401-19	1968	A		The Design-Builder shall ensure that all vehicles transporting upland soils be suitably equipped to prevent spillage of soils while in route to the permitted disposal site.	Construction (Design-Builder)	Disposal of Soil	G.5
401-20	1969	A		Work in, over or near the waterbody conducted by the Design-Builder shall be done so as to minimize turbidity, erosion, and other water quality impacts.	Construction (Design-Builder)	Conditions for In-water and Over-water Construction Activities	H.1.a
401-21	1970	A		Machinery and equipment used during construction shall be serviced, fueled, steam cleaned and maintained by the Design-Builder in an upland location, identified within the Design-Builder's SPCCP, in order to prevent contamination to any surface water. Some equipment will not be feasible to move on a regular basis to refuel. In this case, the Design-Builder shall utilize the necessary BMPs to prevent spills to water during refueling.	Construction (Design-Builder)	Conditions for In-water and Over-water Construction Activities	H.1.b
401-22	1971	A		Use of equipment on the beach shall be held to a minimum by the Design-Builder and equipment shall be confined to designated access corridors that minimize impacts to the beach.	Construction (Design-Builder)	Conditions for In-water and Over-water Construction Activities	H.1.c
401-23	1972	B		The Design-Builder shall remove all debris or deleterious material resulting from construction activities to prevent the materials from entering waters of the State and shall dispose of it properly in a permitted upland disposal facility. Concrete rubble, metal debris, and other debris in the construction work corridor that has washed into river areas shall be removed from the project area.	Construction (Design-Builder)	Conditions for In-water and Over-water Construction Activities	H.1.d
401-24	1973	A		The Design-Builder shall survey and delineate all Environmentally Sensitive Areas not permitted for impact with high-visibility construction fencing in order to protect them from disturbance. To avoid impacts to eelgrass, forage fish spawning areas and any other sensitive aquatic macro algae bed, no portion of any pontoon, barge, anchor or float system shall ground in areas that have been delineated as such unless prior approval from the regulatory agencies has been received.	Construction (Design-Builder)	Conditions for In-water and Over-water Construction Activities	H.1.e
401-25	1974	A		The Design-Builder shall ensure that all concrete be poured in the dry, or within confined waters not being dewatered to surface waters, and shall be allowed to cure before contact with uncontrolled surface waters (i.e. the Design-Builder shall not allow waters of the State to come in contact with the concrete structure while the concrete is curing). Wet, uncured concrete in direct contact with the water is toxic to aquatic life.	Construction (Design-Builder)	Conditions for In-water and Over-water Construction Activities	H.1.f
401-26	1975	A		Concrete pumps, tremies or other approved methods of concrete placement shall be used by the Design-Builder. The Design-Builder shall ensure proper containment, de-watering and equip the concrete placement gear with an emergency cut-off valve so that no uncured concrete comes into contact with waters of the State.	Construction (Design-Builder)	Conditions for In-water and Over-water Construction Activities	H.1.g
401-27	1976	A		The Design-Builder shall reshape river bank area depressions created during project activities to protect bank levels upon project completion.	Construction (Design-Builder)	Conditions for In-water and Over-water Construction Activities	H.1.h
401-28	1977	A		The Design-Builder shall conduct project activities to minimize siltation of the river bed.	Construction (Design-Builder)	Conditions for In-water and Over-water Construction Activities	H.1.i
401-29	1979	A		Bridge Construction: The Design-Builder shall protect all inlets and catchments during construction to ensure no conveyance of toxic materials to waters of the State.	Construction (Design-Builder)	Bridge Construction	H.2.c
401-30	1984	B		Prior to removing forms within OHWM, the Design-Builder shall ensure the concrete is completely cured.	Construction (Design-Builder)	Bridge Construction	H.3.d
401-31	1985	A		Creosote treated piling, lumber, or other treated material shall not be used by the Design-Builder on this Project.	Construction (Design-Builder)	Pile Removal and Installation Work (including temporary sheet piles)	H.4.a
401-32	1986	A		When removing piles, direct vibratory pulling shall be the method utilized by the Design-Builder whenever possible to minimize localized turbidity.	Construction (Design-Builder)	Pile Removal and Installation Work (including temporary sheet piles)	H.4.c
401-33	1987	B		The Design-Builder shall implement best management practices for all in-water work (i.e., pile removal, pile driving, armoring, and outfall construction) to ensure that turbidity thresholds per WAC 173-201A and as presented in the Water Quality Monitoring and Protection Plan are met at the applicable points of compliance. If turbidity exceedances occur the Design-Builder shall notify WSDOT immediately and implement corrective actions to prevent additional exceedances.	Construction (Design-Builder)	Pile Removal and Installation Work (including temporary sheet piles)	H.4.d
401-34	1989	A		The Design-Builder shall ensure that wash water from the vehicles delivering concrete be contained and not discharged unless it is discharged to a pH/turbidity treatment system capable of discharging in compliance with State water quality standards.	Construction (Design-Builder)	Conditions for the Transport of Concrete	I.2

401-35	1990	A		The Design-Builder shall submit to Ecology and WSDOT a Temporary Erosion and Sediment Control (TESC) Plan and an SPCC plan for review at least 30 Calendar Days prior to beginning construction.	Construction (Design-Builder)	Conditions for Construction Stormwater	J.3
401-36	1992	A		Water Quality: Discharges from construction and operational activities shall be monitored per the Design-Builder's Water Quality Monitoring Plan approved by Ecology (as required per the NPDES Construction Stormwater General Permit and the NPDES Sand and Gravel General Permit).	Construction (Design-Builder)	Monitoring Conditions	L.1
401-37	1993	B		The Design-Builder shall ensure that in-water work will be performed in accordance with the Project 401 Ecology Water Quality Certification, implementing the in-water work BMPs as required per the 401 Water Quality Monitoring and Protection Plan. In the event of any water quality monitoring exceedances (e.g., turbidity and dissolved oxygen), the Design-Builder shall follow the notification procedures identified in the 401 Water Quality Monitoring and Protection Plan. WSDOT shall be notified of the problem and proposed corrections so WSDOT can notify Ecology. All monitoring of uplands discharges will be conducted by the Design-Builder to ensure compliance with the permit conditions set by Ecology in the NPDES Construction General Permit or the NPDES Sand and Gravel General Permit and associated NPDES monitoring plans.	Construction (Design-Builder)	Monitoring Conditions	L.1
401-38	1994	A		Prior to starting construction, the Design-Builder's Monitoring Plan shall identify all the construction and operational activities at the site that may have a discharge (e.g., dewatering water, construction storm water, operational storm water, etc.) whether to surface water or ground water.	Construction (Design-Builder)	Monitoring Conditions	L.1.a
401-39	1995	B		The Design-Builder shall ensure that all construction storm water discharges will be monitored to meet the requirements of the NPDES Construction General Permit. All process water discharges will be monitored to meet the requirements of the NPDES Sand and Gravel General Permit. In accordance with NPDES requirements, monitoring plans will be developed to ensure compliance. All in-water work and discharges will also meet the requirements of the Ecology 401 Water Quality Certification and 401 Water Quality Monitoring and Protection Plan.	Construction (Design-Builder)	Monitoring Conditions	L.1.b
401-40	1996	A		Prior to starting construction, the Design-Builder's Monitoring Plan shall identify the location of proposed discharge points and require monitoring at each discharge point.	Construction (Design-Builder)	Monitoring Conditions	L.1.c
401-41	1997	B		Deletion unless required by the final NPES permits. Prior to starting construction, the Design-Builder's Monitoring Plan shall include the requirement to sample daily during storm events that exceed 0.25 inches of rainfall within 24 hours or when discharging (e.g. dewatering water, construction, storm water, channel dredging, operational storm water, etc.) whether to surface water or ground water.	Construction (Design-Builder)	Monitoring Conditions	L.1.d
401-42	1998	A		Prior to starting construction, the Design-Builder's Monitoring Plan shall identify the procedures used at the Puyallup River Site for collecting samples, testing, water quality inspections, recording rainfall (e.g., 0.25 inches per 24 hours during a rain event), weather conditions and documenting the results.	Construction (Design-Builder)	Monitoring Conditions	L.1.e
401-43	1999	B		Prior to starting construction, the Design-Builder's NPDES Monitoring Plan shall contain contingency measures for NPDES parameter requirements consistent with the permit conditions set by Ecology in the NPDES Construction General Permit to avoid potential water quality impacts to the Puyallup River. The Design-Builder's 401 Water Quality Monitoring and Protection Plan shall contain contingency measures for Ecology 401 Water Quality Certification requirements (e.g., turbidity and dissolved oxygen) to avoid potential water quality impacts to the Puyallup River. The Design-Builder shall implement contingency measures, as needed and as identified in the plans described above.	Construction (Design-Builder)	Monitoring Conditions	L.1.f
401-44	2000	A		The Design-Builder shall retain the Monitoring Plan onsite during construction activities or within reasonable access to the site and make it immediately available upon request by Ecology.	Construction (Design-Builder)	Monitoring Conditions	L.1.g
401-45	2001	A		The Design-Builder shall update their Monitoring Plan as necessary to adequately represent changes at the Puyallup River Site.	Construction (Design-Builder)	Monitoring Conditions	L.1.h
401-46	2006	B		Any work that is out of compliance with the provisions of the Ecology 401 Water Quality Certification, or conditions causing distressed or dying fish, or any discharge of oil, fuel, or chemicals into state waters, or onto land with a potential for entry into state waters, is prohibited. The Design-Builder shall identify contingency measures and notification protocols if distressed or dying fish are observed in the Project Fish Handling Plan, 401 in-water work Water Quality Monitoring and Protection Plan. If conditions as described above occur, the Design-Builder and WSDOT shall immediately take the following actions: a) Cease operations at the location of the violation or spill, b) Assess the cause of the water quality problem and take appropriate measures to correct the problem and/or prevent further environmental damage, c) Notify Ecology of the failure to comply. All oil spills shall be reported immediately to Ecology's 24-hour Spill Response Team, and within 24 hours of spills or other events to Ecology's Federal Project Manager, and d) Submit a detailed written report to Ecology within five (5) days that describes the nature of the event, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of any samples taken, and any other pertinent information.	WSDOT/Design-Builder	Emergency/Contingency Measures	M.1

401-47	2007	A		The Design-Builder shall have the necessary cleanup materials available and respond to all spills in a timely fashion, preventing their discharge to waters of the State. The Design-Builder shall ensure that all appropriate Project Engineers, construction staff and subcontractors receive appropriate training to assure that spills are reported to WSDOT and responded to appropriately.	Construction (Design-Builder)	Spill Response	M.3.c
401-48	2008	A		This Order does not authorize direct, indirect, permanent, or temporary impacts to waters of the State or related aquatic resources, except as specifically provided for in conditions of this Order.	Construction (Design-Builder)	General Conditions	N.1
401-49	2009	A		This Order does not exempt and is conditioned upon compliance with other statutes and codes administered by federal, state, and local agencies.	Construction (Design-Builder)	General Conditions	N.2
401-50	2010	A		Ecology retains continuing jurisdiction to make modifications hereto through supplemental Order if it appears necessary to further protect the public interest.	Construction (Design-Builder)	General Conditions	N.3
401-51	2011	A		The Design-Builder shall construct and operate the project in a manner consistent with the project description contained in the approved Joint Aquatic Resources Permit Application (JARPA) and any other related permits for the Project.	Construction (Design-Builder)	General Conditions	N.4
401-52	2012	A		If at any time during project construction, the Design-Builder finds buried containers such as drums, or notices any unusual conditions that might indicate the disposal of chemicals or hazardous material, the contractor shall cease operations immediately and notify WSDOT, so WSDOT can contact Ecology's Southwest Regional Hazardous Waste Office at 360-407-6300.	Construction (Design-Builder)	General Conditions	N.5
401-53	2013	A		WSDOT and the Design-Builder shall each have at least one representative onsite, or on-call and readily accessible to the site, at all times while construction activities are occurring that may affect the quality of ground and surface waters of the State, including all periods of construction activities.	Construction (Design-Builder)	General Conditions	N.6
401-54	2014	A		The WSDOT and Design-Builder representatives shall have adequate authority to ensure proper implementation of the Erosion and Sediment Control Plan, as well as immediate corrective actions necessary because of changing field conditions. If the WSDOT or Design-Builder's representative issues a directive necessary to implement a portion of the Pollution Control Plan or to prevent pollution to waters of the State, all personnel onsite, including the Design-Builder and the Design-Builder's employees, shall immediately comply with this directive and contact WSDOT for any non-compliance so WSDOT can contact Ecology.	Construction (Design-Builder)	General Conditions	N.7
401-55	2015	A		WSDOT and the Design-Builder shall provide access to the Puyallup River Site upon request by Ecology personnel for site inspections, monitoring, necessary data collection, or to ensure that conditions of this Order are being met.	WSDOT/Design-Builder	General Conditions	N.8
401-56	2016	A		Copies of this Order and all related permits, approvals, and documents shall be kept on the project site and readily available by the Design-Builder for inspection and reference by the project managers, construction managers and foremen, other employees and contractors of the Design-Builder, and state agency personnel.	WSDOT/Design-Builder	General Conditions	N.9
401-57	2017	A		Any person who fails to comply with any provision of this Order shall be liable for a penalty of up to ten thousand dollars ($10,000) per violation for each day of continuing noncompliance.	WSDOT/Design-Builder	General Conditions	N.10
NMFS-BO-1		D	Pile driving	The Design-Builder shall limit pile driving to a 60 day period within the July 16 and August 31 window for conducting the work in water. Impact pile driving shall be limited to 12 hours per day, during days when driving piles. Impact pile driving shall further be limited to a cumulative total of 68 hours during the 60 day period.			
NMFS-BO-2		D	Underwater Noise Monitoring Plan	The Design-Builder shall provide NMFS with a detailed Noise Monitoring Plan prior to beginning construction activities. The Design-Builder shall monitor the number of pile strikes and underwater sound at a representative number of piles. The Design-Builder shall submit a report of the underwater noise monitoring to NMFS by Physical Completion.			
AMP/UDP-1		D	Procedures for Discovery of Human Skeletal Remains	If human remains are encountered during construction, project excavation within the 30 meter buffer will not commence without approval by the WSDOT Cultural Resource Specialist (CRS). If the elevation of the find is not being monitored pursuant to the monitoring plan, the project will begin monitoring the remainder of project construction. No exposed human remains will be left unattended during work hours.			

AMP/UDP-2		D	Procedures for Discovery of Archaeological Resources	If archaeological resources are encountered during construction, the Design-Builder shall stop work and notify WSDOT. The area of work stoppage (minimum of 30 meters from the discovery) will be adequate to provide for the security, protection, and integrity of the archaeological discovery. Vehicles, equipment, and unauthorized personnel will not be permitted to traverse the discovery site. The discovery of disassociated fish weir stakes do not constitute an unanticipated discovery for this project. To the extent possible, the Design-Builder shall collect the individual fish weir stakes encountered per the Archaeological Monitoring Plan (AMP). The items that could constitute a resource discovery are identified in the AMP, and shall be treated as such by the Design-Builder.			
AMP/UDP-3		D	Archaeological Monitoring Methods	The Design-Builder shall provide sufficient work space and unobstructed visual opportunity for archaeological monitoring during all excavation that has the potential to penetrate the buried historic surface or the native riverbed surface (not including pile driving). Archaeological monitoring is not required at any other depths. Archaeological monitors will be present at the site of excavation if an exposed surface is visible, and periodically monitoring excavated substrate. The archaeological monitor may pause construction periodically as needed for a closer examination of exposed sediments and/or artifacts.			
AMP/UDP-4		D	Contractor Training	The Design-Builder shall participate in a pre-construction meeting to outline environmental commitments, potential violations and fines, and the process for stop-work orders. The Design-Builder shall provide WSDOT with the contractor and equipment operator "tailgate" meeting schedule so that an the archaeological monitor can participate to discuss monitoring requirements, discovery protocols, and types of artifacts that have been found in the Grays Harbor area.			
AMP/UDP-5		D	Contractor Training	The Design-Builder shall work with the WSDOT Cultural Resource Specialist or archaeological monitor to facilitate the implementation of the WSDOT designed cultural resource education program for construction crews.			
AMP/UDP-6		D	Discovery Protocols	If the archaeological monitor is not present when a previously unknown cultural resource is discovered during construction activities, the Design-Builder shall immediately cease all project excavation from 30 meters of the discovery and notify the archaeological monitor or the onsite WSDOT environmental inspector. The Design-Builder shall cease work in the proximity of the discovery and flag the area for easily visible identification. The Design-Builder shall protect the discovery site from vandalism or further disturbance of any kind.			
USFWS-BO-1		D	In-water Pile Installation	The Design-Builder shall use a vibratory pile hammer to the fullest extent practicable when installing steel piles below the MHHW. The Design-Builder shall monitor in-water sound generation and attenuation while installing steel piles with an impact pile hammer.			
USFWS-BO-2		D	In-water Pile Installation Noise Attenuation	The Design-Builder shall conduct impact pile driving operations without the use of a noise attenuation device only when proofing piles in water less than two feet deep, or as necessary to determine baseline SPLs as specified in the Underwater Sound Monitoring Plan.			
USFWS-BO-3		D	In-water Pile Installation Noise Attenuation	The Design-Builder shall use a noise attenuation device consisting of a bubble curtain, or functional equivalent, when impact driving and proofing steel piles in water greater than two feet deep. The Design-Builder shall use a bubble curtain or functional equivalent in accordance with the USFWS Biological Opinion terms and conditions.			
USFWS-BO-4		D	In-water Pile Installation Notification	The Design-Builder shall notify WSDOT for WSDOT to contact USFWS within 24 hours if the hydroacoustic monitoring indicates that the SPLs will exceed the extent of take exempted in the USFWS Biological Opinion. WSDOT and the Design-Builder shall consult with the Service regarding modifications to the proposed action in an effort to reduce the SPLs below the limits of take and continue hydroacoustic monitoring.			
USFWS-BO-5		D	In-water Pile Installation Reporting	The Design-Builder shall submit a monitoring report to WSDOT by March 30 for WSDOT to submit to USFWS by April 30. The monitoring report will include the pile installation and monitoring information as identified in the USFWS Biological Opinion terms and conditions.			
USFWS-BO-6		D	Notification	The Design-Builder shall notify WSDOT immediately, and WSDOT will notify the Service within three working days upon locating a dead, injured, or sick endangered or threatened species specimen. The Design-Builder shall exhibit care in handling sick or injured specimens to preserve biological materials in the best possible state for later analysis of cause of death, if that occurs, and ensure that evidence associated with the specimen is not unnecessarily disturbed.			
401-13	1948	C	Submittal Requirements; Timing Requirements	The signed statements required per Commitment ID #1947 shall be provided to WSDOT within three (3) Calendar days following receipt of final project permits. WSDOT will provide them to Ecology and shall include in this statement the Ecology 401 Water Quality Certification number and project contact.			

GHC-1		D	Soil Stockpile and Solid Waste Removal	The Design-Builder shall ensure that the excavated material to be stockpiled onsite shall consist of clean soils (WAC 173-350-100) and the following excavated materials and debris will be removed from the soils to be placed in the stockpile and shall be properly disposed of in a permitted solid waste facility; metals, plastics, geo-textiles, rubber, tires, and visually identifiable creosote or other chemically treated lumber, concrete, clearing and grubbing, foundations, fences and other structures or obstructions. Large logs shall also be removed from the excavated soils and properly disposed of offsite.			
ROD-1		D	Health and Safety	The Design-Builder will develop a comprehensive health and safety plan. This plan will include procedures for monitoring vapor releases and preventing fires caused by potential methane ignition.			
NPDES-CTA-TS-1		D	Chemical Treatment Compliance for Temp. System	The Design-Builder shall ensure that all chemical treatment is performed in accordance with the Department of Ecology approved Chemical Treatment Authorization for the temporary treatment system under the NPDES Construction General permit.			
City-HRA-1		D	City of Puyallup Haul Road/Detour Agreement	The Design-Builder shall be responsible only for the extra maintenance and repairs of the City of Puyallup's roads or streets occasioned by the project use. Any maintenance and repairs of City roads that are determined to be the responsibility of the Design-Builder shall be made in accordance with Exhibit A Special Conditions of the Municipal Haul Road/Detour Agreement. The Design-Builder shall keep all City streets clear of any dirt or debris that originates from the project site.			
City-SSD-1		D	Project Permit Compliance	The Design-Builder shall ensure that all activity occurring in-water or near water shall comply with requirements as determined by the Department of Fish and Wildlife. The Design-Builder shall obtain all required permits from WDNR, USACE, Ecology, and the City of Puyallup construction permits, and shall ensure that all project activities shall be performed in compliance with OSHA Standards. The Design-Builder shall ensure that construction is in compliance with the Record of Decision issued October 2007.			
City-SSD-2		D	Spills and Fuel Release Cleanup	The Design-Builder shall ensure that all appropriate methods are in place to take care of all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials, spills are contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills shall take precedence over other work.			
City-SSD-3		D	Erosion and Sediment Control	The Design-Builder shall ensure that erosion control through the use of Best Management Practices as required to prevent side casting of fill material on to adjacent properties or into the water. All erosion and sediment control measures shall be in place prior to, during, and after site improvements are completed or when control measures are no longer needed.			
City-SSD-4		D	In-water Equipment Maintenance and Spills	The Design-Builder shall ensure that equipment that enters waterways shall be maintained such that no visible sheen from petroleum products appears within waterways. If a sheen appears around the equipment in the water, the equipment shall be contained within an oil boom and shall be removed from the water, cleaned and/or maintained appropriately, If equipment leaks occur during work, the Design-Builder shall ensure that the equipment is immediately removed from within the waterway to a location where pollutants cannot enter any waterway. The equipment shall not be allowed within the waterway until all leaks have been corrected and the equipment cleaned. Any upland area where leaking equipment is stored will also cleaned/remediated immediately.			
HPA-35	(401-F9)	D	Outfall Installation; Water Diversion and Fish Precautions	The Design-Builder shall install outfalls in the dry or in isolation from the river flow. 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 pump intake 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 the stream through the pump intake.			
HPA-36	(401-F10, 401-F12)	D	Outfall Installation; Splash Pad and Materials	The Design-Builder shall install a sandbag revetment or similar device at the downstream end of the bypass to prevent backwater from entering the work area. Quarry spalls used to create splash pads shall be composed of clean, angular material of a sufficient durability and size to prevent its being broken up or washed away by high flow, high water or wave action. Excess sand, gravel, fill or native materials removed from the site shall be disposed at an upland site such that they do not re-enter surface waters of the State.			
HPA-39	(401-F21, 401-F22)	D	Infrastructure Installation; Sheet Pile; In-water Work; Concrete Forms and BMPs	The Design-Builder shall install the approximately 750 linear feet of temporary steel sheet pile in the dry with a vibratory hammer. Upon completion of the project, all material used in the temporary sheet pile structures shall be removed from the site. If concrete is poured onsite, wet concrete shall be prevented from entering waters of the State. Forms for any concrete structure shall be constructed to prevent leaching of wet concrete. Forms and impervious materials shall remain in place until the concrete is cured.			

HPA-40		D	Infrastructure Installation; Treated Lumber	The Design-Builder shall ensure that 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, Wood Preservation Canada, Southern Pressure Treaters' Association, and Timber Piling Council, dated August 2, 2006, and any current amendments or addenda to it. Current amendments and addenda include but may not be limited to "Amendment #1 CCA Chromated Copper Arsenate", dated October 25, 2006; and "Addendum #1: ACC Acid Chromated Copper", dated February 28, 2007. Sawdust, drillings, and trimmings from treated wood or plastic shall be contained with tarps or other impervious materials and prevented from contact with the beach, bed, or waters of the State. Under no circumstances shall creosote treated piling or lumber be used for project construction.			
HPA-44	(401-F18, 401-F19, 401-F20)	D	Installation of In-water Piling	The Design-Builder shall ensure that all piles installed for the launch channel shall be either steel or untreated wood. Approximately 50 (24 inch diameter) piles shall be placed in the river channel. The use of both vibratory and impact hammer is authorized under the project HPA. If an impact hammer is required to proof or drive steel piles, the following sound attenuation methods shall be required: a) For steel piles, 10 inches in diameter or less, a 6 inch thick wood block shall be installed between the piling and the impact hammer during pile driving operations or a bubble curtain shall be installed around the pile during pile driving operations. b) For steel piles greater than 10 inches in diameter, a bubble curtain shall be installed around the pile for driving operations. c) A bubble curtain or other WDFW approved sound attenuation device shall be used for all impact pile-driving activities (including proofing) on steel piles greater than 10-inches in diameter.			
HPA-45		D		The Design-Builder shall ensure that measures are 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 surface waters. An emergency spill containment kit must be located onsite along with a pollution prevention plan detailing planned fueling, materials storage, and equipment storage. Waste storage areas must be prepared to address prevention and cleanup of accidental spills.			
401-83		D	General Conditions; Submittals and Notifications	The Design-Builder shall ensure that all project submittals, as required per the 401 Water Quality Certification (WQC), are provided to Ecology consistent with the WQC general conditions. All notifications to Ecology shall be performed in accordance with the WQC requirements and include notification a) at least 7 days prior to the onset of initiating work on the project site, b) at least 7 days within project completion, and c) at least 7 days prior to maintenance dredging.			
401-84		D	General Conditions; Changes and Updated Information	The Design-Builder in coordination with WSDOT shall obtain Ecology review and approval before undertaking any changes to the proposed project that might significantly and adversely affect water quality, other than those project changes required by the project Water Quality Certification (WQC). Within 30 days of any updated information, Ecology will determine if the revised project requires a new public notice and Certification or if a modification to the project WQC is required.			
401-85		D	In-water Work Window	The Design-Builder shall ensure that all in-water work is completed within the work window identified in the most current Hydraulic Project Approval (HPA) that WDFW issues for the project. Any project changes that require a new or revised HPA shall be submitted to Ecology for review.			
401-86		D	Water Quality Monitoring; Mixing Zones	The Design-Builder shall monitor water quality for turbidity at the temporary turbidity mixing zone point of compliances as defined in the project Water Quality Certification (WQC); Channel Armoring - 500 ft down current, Pile Removal and Driving - 300 ft down current, and West Ditch Outfall Construction - 100 ft down current. The Design-Builder shall perform additional turbidity monitoring at the following locations; 250 ft for channel armoring, and 150 ft for pile driving.			
401-88		D	Water Quality Exceedances	If turbidity exceedances of the criteria as defined in the project WQC and project Water Quality Monitoring and Protection Plan (WQMPP), at the point of compliance are detected, the Design-Builder shall immediately take action to stop, contain, and take other steps to prevent further violations and otherwise stop the violation and correct the problem. After the event the Design-Builder shall assess the adequacy of the BMPs and update, or improve those used, to reduce and prevent recurrence of the turbidity exceedances. The Design-Builder shall notify WSDOT immediately, such that WSDOT can notify Ecology's Project Manager of any turbidity exceedances detected through water quality monitoring (including visual) within 24 hours of occurrence. The Design-Builder shall assist WSDOT in providing Ecology with the following information at a minimum; a) a description of the nature and cause of the exceedance, b) the period of non-compliance, including precise dates, and when the Design-Builder returned, or expects to return to compliance, c) the steps taken, or to be taken, to reduce, eliminate, and prevent recurrence of the non-compliance, and d) in addition to the 24 hour notification, the Design-Builder shall assist WSDOT in submitting a written report to Ecology that describes the nature of the exceedance, sampling results and location, photographs, and any other pertinent information within 5 days after the exceedance. The report shall also identify what additional BMPs were, or will be implemented to prevent further exceedances.			
401-90		D	Upland Construction Conditions	The Design-Builder shall ensure that all clearing limits, stockpile sites, staging areas, and trees to be preserved shall be clearly marked prior to construction activities and maintained until all work is completed for each project. Construction storm water, sediment, and erosion control BMPs (e.g., filter fences, coir mats, etc.) to prevent exceedances of state water quality standards shall be in place before starting construction at the site. The Design-Builder shall comply with the NPDES Construction Stormwater General Permit (#WAR-124726) issued for the project.			

401-91		D	In-water Construction	In-water construction is defined as all work below Ordinary High Water (OHW). During construction the Design-Builder shall have a boat available at all times for debris retrieval.			
401-93		D	Outfall Installation	The Design-Builder shall ensure that upon completion of the outfall work, all material used in the sandbag revetment or bypass shall be removed from the site and the site returned to pre-project or improved conditions.			
CORPS 404-17		D	In-water Work Window; Notification Requirements; Services	The Design-Builder shall comply with the conditions specified within the USFWS and NMFS Biological Opinions issued for the Project. The Design-Builder shall conduct the authorized activities in the work window as agreed to and documented in writing through consultation by USFWS and/o NMFS in any year the permit is valid. If changes to the originally authorized work window are proposed, the Design-Builder and WSDOT must re-coordinate these changes with the Services and receive written concurrence on the changes. Copies of the concurrence(s) must be sent to the USACE, Regulatory Branch, with in 10 days of the date of the revised concurrence.			
CORPS 404-22		D	General Condition	The Design-Builder shall provide a copy of the USACE 404/10 permit transmittal letter, permit form, and permit drawings to all contractors involved in the authorized work, and a copy of the permit materials shall be maintained in good condition in the project permits file. No activity or its operation may impair reserved tribal rights, but not limited to, reserved water rights and treaty fishing and hunting rights.			
NPDES SW-108		D	Application requirements, S2.A.1.d and e	If the Design-Builder intends to use a BMP selected on the basis of Special Condition S9.C4 ("demonstrably equivalent" BMPs), the applicant must notify Ecology of its selection as part of the NOI. In the event the Design-Builder selects BMPs after submission of the NOI, it must provide notice of the selection of an equivalent BMP to Ecology at least 60 days before intended use of the equivalent BMP. The Design-Builder must notify Ecology regarding any changes to the information provided in the NOI by submitting an updated NOI.			
NPDES SW-109		D	Monitoring requirements, S4	If construction activity results in the disturbance of 1 acre or more, and involves significant concrete work (1,000 cubic yards of poured or recycled concrete over the life of a project) or the use of engineered soils, and storm water from the affected area drains to surface waters of the State or to a storm sewer storm water collection system that drains to other surfaces waters of the State, the Design-Builder must conduct pH monitoring sampling in accordance with Special Condition S4.D.			
NPDES SW-110		D	Monitoring requirements, Pollutant Control	If the project discharges to waters covered by a TMDL or another pollution control plan the Design-Builder shall comply with Special Conditions S8.E.			
NPDES SW-111		D	Control Pollutants; S9.D.9.h	The Design-Builder shall assure that washout of concrete trucks is performed offsite or in designated concrete washout areas only. The Design-Builder shall not wash out concrete trucks onto the ground, or into storm drains, open ditches, streets, or streams. The Design-Builder shall not dump excess concrete onsite, except in designated concrete washout areas. Concrete spillage or concrete discharge to surface waters of the State is prohibited.			
NPDES SW-112		D	Notice of Termination	The Design-Builder shall be aware of the conditions, as stated in S10, for site eligibility for termination of coverage.			