



HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - See appeal process at end of HPA

Southwest
2108 Grand Boulevard
Vancouver, WA 98661
(360) 696-6211

Issue Date: November 10, 2010
Project Expiration Date: February 28, 2011

Control Number: 122114-1
FPA/Public Notice #: N/A

<u>PERMITTEE</u>	<u>AUTHORIZED AGENT OR CONTRACTOR</u>
Columbia River Crossing 700 Washington St Ste 300 Vancouver, WA 98660 360-816-8892 Fax: 360-737-0297	CRC Environmental Coordinator ATTENTION: Steve Morrow 700 Washington St Ste 300 Vancouver, WA 98660 360-816-8892 Fax: 360-737-0297

Project Name: Test Piles for the I-5 Columbia River Crossing

Project Description: Drive temporary test piles into the Columbia River near two of the proposed pier locations for the new Interstate 5 bridge. The piles will be extracted after specific data related to installation is collected.

PROVISIONS

- 1. TIMING LIMITATIONS:** All in-water work shall begin January 1, 2011 and be completed by February 28, 2011.
- 2. NOTIFICATION REQUIREMENT:** The Area Habitat Biologist (AHB) listed below shall receive written notification (FAX or mail) from the person to whom this Hydraulic Project Approval (HPA) is issued (permittee) or the agent/contractor no less than three working days prior to the start of construction activities. The notification shall include the permittee's name, project location, starting date for work, and the control number for this HPA.
- 3.** The applicant shall notify the Area Habitat Biologist listed below if any piles have to be cut and left below the mud line.

PROJECT PLANS:

4. Work shall be accomplished per plans and specifications approved by the Washington Department of Fish and Wildlife entitled JARPA -- Test Pile Program for the Columbia River Crossing (CRC) Project and dated October 29, 2010, except as modified by this Hydraulic Project Approval. A copy of these plans shall be available on site during construction.

EQUIPMENT RELATED:

5. Equipment used for this project shall be free of external petroleum-based products while working in the river. Equipment shall be checked daily for leaks and any necessary repairs shall be completed prior to commencing work activities in the river.



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6. If at any time, as a result of project activities, fish are observed in distress, a fish kill occurs, or water quality problems develop (including equipment leaks or spills), immediate notification shall be made to the Washington Military Department's Emergency Management Division at 1-800-258-5990, and to the Area Habitat Biologist listed below.

7. Extreme care shall be taken to ensure that no petroleum products, hydraulic fluid, chemicals, or any other toxic or deleterious materials are allowed to enter or leach into the river.

PROJECT LOCATIONS

Location #1 Columbia River Vancouver/Portland

WORK START: January 01, 2011				WORK END: February 28, 2011		
WRIA: 28.0001		Waterbody: Columbia River		Tributary to: Pacific Ocean		
1/4 SEC: All	Section: 34	Township: 02 N	Range: 01 E	Latitude: N 45.6167	Longitude: W 122.675	County: Clark
<u>Location #1 Driving Directions</u>						
Take Interstate 5 south to the I-5 bridge over the Columbia River.						

APPLY TO ALL HYDRAULIC PROJECT APPROVALS

This Hydraulic Project Approval pertains only to those requirements of the Washington State Hydraulic Code, specifically Chapter 77.55 RCW (formerly RCW 77.20). Additional authorization from other public agencies may be necessary for this project. The person(s) to whom this Hydraulic Project Approval is issued is responsible for applying for and obtaining any additional authorization from other public agencies (local, state and/or federal) that may be necessary for this project.

This Hydraulic Project Approval shall be available on the job site at all times and all its provisions followed by the person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work.

This Hydraulic Project Approval does not authorize trespass.

The person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work may be held liable for any loss or damage to fish life or fish habitat that results from failure to comply with the provisions of this Hydraulic Project Approval.

Failure to comply with the provisions of this Hydraulic Project Approval could result in a civil penalty of up to one hundred dollars per day and/or a gross misdemeanor charge, possibly punishable by fine and/or imprisonment.

All Hydraulic Project Approvals issued under RCW 77.55.021 are subject to additional restrictions, conditions, or revocation if the Department of Fish and Wildlife determines that changed conditions require such action. The person



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(s) to whom this Hydraulic Project Approval is issued has the right to appeal those decisions. Procedures for filing appeals are listed below.

Requests for any change to an unexpired HPA must be made in writing. Requests for new HPAs must be made by submitting a new complete application. Send your requests to the department by: mail to the Washington Department of Fish and Wildlife, Habitat Program, 600 Capitol Way North, Olympia, Washington 98501-1091; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor.

APPEALS INFORMATION

If you wish to appeal the issuance, denial, conditioning, or modification of a Hydraulic Project Approval (HPA), you may request an informal or formal appeal.

A. INFORMAL APPEALS: WAC 220-110-340 is the rule describing how to request an informal appeal of Washington Department of Fish and Wildlife (WDFW) actions taken under Chapter 77.55 RCW. Please refer to that rule for complete informal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request an informal appeal of that action. You must send your request to WDFW by: mail to the Washington Department of Fish and Wildlife HPA Appeals Coordinator, 600 Capitol Way North, Olympia, Washington 98501-1091; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. WDFW must receive your request within 30 days from the date you receive notice of the decision. If you agree, and you applied for the HPA, resolution of the appeal may be facilitated through an informal conference with the WDFW employee responsible for the decision and a supervisor. If a resolution is not reached through the informal conference, or you are not the person who applied for the HPA, the HPA Appeals Coordinator or designee will conduct an informal hearing and recommend a decision to the Director or designee. If you are not satisfied with the results of the informal appeal, you may file a request for a formal appeal.

B. FORMAL APPEALS: WAC 220-110-350 is the rule describing how to request a formal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete formal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request a formal appeal of that action. You must send your request for a formal appeal to the clerk of the Pollution Control Hearings Boards and serve a copy on WDFW within 30 days from the date you receive notice of the decision. You may serve WDFW by mail to the Washington Department of Fish and Wildlife HPA Appeals Coordinator, 600 Capitol Way North, Olympia, Washington 98501-1091; e-mail to HPAapplications@dfw.wa.gov; fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, you may request a formal appeal within 30 days from the date you receive the Director's or designee's written decision in response to the informal appeal.

C. FAILURE TO APPEAL WITHIN THE REQUIRED TIME PERIODS: If there is no timely request for an appeal, the WDFW action shall be final and unappealable.

ENFORCEMENT: Sergeant Webb (38) P1

Habitat Biologist
David Howe

David.Howe@dfw.wa.gov
360-906-6729

for Director
WDFW

CC: Tom Moats, WDFW



Washington
Department of
FISH and
WILDLIFE

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Peter Birch, WDFW

Anne Friesz, WDFW