



HYDRAULIC PROJECT APPROVAL

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

Issued Date: August 08, 2014
Project End Date: September 19, 2014

Permit Number: 2014-3-5+01
FPA/Public Notice Number: N/A
Application ID: 128

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Kittitas Conservation Trust ATTENTION: David Gerth PO Box 428 Roslyn, WA 98941-0428	Kittitas Conservation Trust ATTENTION: Mitchell Long PO Box 428 Roslyn, WA 98941

Project Name: Gold Creek Pond Experiment

Project Description: Kittitas Conservation Trust will conduct a short duration hydrologic experiment by raising the water surface elevation in Gold Creek Pond to evaluate the impact on up-gradient groundwater wells and stream gages in Gold Creek (Gold Creek Pond Experiment). The hypothesis is that raising the water level of Gold Creek Pond will result in a measurable increase in ground water and surface water elevations up gradient. The primary goal of the experiment is to determine the magnitude of these increases and if they are sufficient to re-wet the channel within the seasonally dewatered reach. KCT is in the second year of the Gold Creek Habitat Assessment and Conceptual Design Project and is currently operating under HPA #130937-01. The experiment would take place between mid-July and mid-September 2014 with a duration of 21 contiguous days (14 Days to fill the pond while maintaining fish passage flow in the outlet channel, 4-5 days to measure and record wse levels upstream of the pond, and 1-2 days to decommission the dam and restore the pond to original wse). Total duration of inundation at 2.5 feet above normal wse will be 6 -7 days. This experiment will mimic the effect of raising the groundwater level at Gold Creek Pond and measure the response up gradient in the dewatered reach of the creek and adjacent floodplain. Based on the 2013 topographical survey of Gold Creek Pond by USFS the water level of Gold Creek Pond could feasibly be raised up to 2.5 ft during the stream dewatering season. Pond levels during the 2013 monitoring season (July - November) were near steady at 2537 ft. There is a topographic low near the foot bridge over the outlet channel and the picnic area (at 2539.5 ft) that limits how high the pond can be raised. A temporary dam with fish way will be installed in the outlet channel that will be used to regulate flow exiting the pond to 1 cfs, causing the Gold Creek Pond to rise.



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PROVISIONS

1. **TIMING LIMITATIONS:** The project may begin August 8, 2014 and shall be completed by September 19, 2014.

GENERAL

2. Work shall be accomplished per attached narrative submitted to Washington Department of Fish and Wildlife (WDFW) with the Hydraulic Project application, except as modified by this Approval.

3. All work related to installing and removing the temporary dam and fishway shall be done under the direct supervision of personnel knowledgeable of Yakima River Basin fish and experienced in identifying redds of salmonids. If spawning fish or redds are observed, the Department field representative shall be notified immediately. Care shall be taken to ensure that fish and redds are not harmed by this construction.

EQUIPMENT AND WORKSITE LIMITATIONS

4. All in-channel work shall be done with hand-held tools.
5. The installation of the temporary dam and fishway may be done in the flowing water (i.e. without using a temporary stream flow bypass around the work site).
6. Installation of the dam and fishway shall be done in a manner which minimizes disturbance to the stream bank, streambank vegetation, and streambed. Excavation of bed material shall be the minimum necessary to install equipment.
7. There shall be no disturbance of large woody debris (LWD), shoreline soils or shoreline vegetation associated with this project.

INSTALLATION OF TEMPORARY DAM, FISHWAY & INSTRUMENTATION

8. The temporary dam shall be installed as per the attached narrative by personnel using hand-held tools.
9. To prevent scouring of the streambank by the fast moving water during closure of the dam, the bank shall be protected with plastic and sandbags or equivalent clean material and the closure point shall be in a sandbagged portion of the dam.
10. The dam construction and the closure of the dam shall be completed gradually so that a flow of water is always passing the dam and the channel downstream of the dam is sufficiently wet to allow fish to move about and escape downstream if they so choose. Great care shall be taken to ensure that fish downstream of the dam are not stranded in de-watered channel locations nor trapped in shallow areas where they are vulnerable to predation.
11. Surface flow shall be maintained throughout the outlet channel at all times. The flow must be sufficient to prevent stranding of fish in the channel.
12. A fishway shall be installed in the dam as per the project plans to allow passage of fish. The fishway may be either of the designs proposed (Denil type or Pool and Weir type).
13. At the completion of data collection for the study, all dam and fishway materials shall be removed from the stream and hauled from the site to an approved disposal location.

SITE RESTORATION

14. Any earthen areas adjacent to the watercourse that have been exposed or disturbed by this project shall be seeded with a suitable erosion control seed mix, and protected from erosion with a weed-free straw mulch or biodegradable erosion control matting within seven (7) days of project completion.



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LOCATION #1:	Site Name: Gold Creek Pond , , WA					
WORK START:	July 14, 2014			WORK END:	September 19, 2014	
<u>WRIA</u>		<u>Waterbody:</u>			<u>Tributary to:</u>	
39 - Yakima (Above Naches R)		Gold Creek			Yakima River	
<u>1/4 SEC:</u>	<u>Section:</u>	<u>Township:</u>	<u>Range:</u>	<u>Latitude:</u>	<u>Longitude:</u>	<u>County:</u>
SE 1/4	15	22 N	11 E	47.3982291	-121.377785	Kittitas
<u>Location #1 Driving Directions</u>						
Take the Hyak Exit off of I-90 and head northwest. Take a right on Lake Mardee Road. Take a left on to NF-144 Road. Take a left onto NF-9080 Road. Park in the Gold Creek Pond parking lot.						

APPLY TO ALL HYDRAULIC PROJECT APPROVALS

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

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

This Hydraulic Project Approval does not authorize trespass.

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

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

All Hydraulic Project Approvals issued under RCW 77.55.021 are subject to additional restrictions, conditions, or revocation if the Department of Fish and Wildlife determines that changed conditions require such action. The person(s) to whom this Hydraulic Project Approval is issued has the right to appeal those decisions. Procedures for filing appeals are listed below.



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MINOR MODIFICATIONS TO THIS HPA: You may request approval of minor modifications to the required work timing or to the plans and specifications approved in this HPA. A minor modification to the required work timing means up to a one-week deviation from the timing window in the HPA when there are no spawning or incubating fish present within the vicinity of the project. You may request subsequent minor modifications to the required work timing. A minor modification of the plans and specifications means any changes in the materials, characteristics or construction of your project that does not alter the project's impact to fish life or habitat and does not require a change in the provisions of the HPA to mitigate the impacts of the modification. Minor modifications do not require you to pay additional application fees or be issued a new HPA. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a minor modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you do not use APPS you must submit a written request that clearly indicates you are seeking a minor modification to an existing HPA. Include the HPA number and a description of the requested change and send by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234, or by email to HPAapplications@dfw.wa.gov. Do not include payment with your request. You should allow up to 45 days for the department to process your request.

MAJOR MODIFICATIONS TO THIS HPA: You may request approval of major modifications to any aspect of your HPA. Any approved change other than a minor modification to your HPA will require issuance of a new HPA. If you paid an application fee for your original HPA you must pay an additional \$150 for the major modification. If you did not pay an application fee for the original HPA, no fee is required for a change to it. If you originally applied for your HPA through the online Aquatic Protection Permitting System (APPS), you may request a major modification through APPS. A link to APPS is at <http://wdfw.wa.gov/licensing/hpa/>. If you do not use APPS you must submit a written request that clearly indicates you are requesting a major modification to an existing HPA. Include the HPA number, check, and a description of the requested change. Send your written request and payment, if applicable, by mail to: Washington Department of Fish and Wildlife, PO Box 43234, Olympia, Washington 98504-3234. You should allow up to 45 days for the department to process your request.

APPEALS INFORMATION

If you wish to appeal the issuance, denial, conditioning, or modification of a Hydraulic Project Approval (HPA), Washington Department of Fish and Wildlife (WDFW) recommends that you first contact the department employee who issued or denied the HPA to discuss your concerns. Such a discussion may resolve your concerns without the need for further appeal action. If you proceed with an appeal, you may request an informal or formal appeal. WDFW encourages you to take advantage of the informal appeal process before initiating a formal appeal. The informal appeal process includes a review by department management of the HPA or denial and often resolves issues faster and with less legal complexity than the formal appeal process. If the informal appeal process does not resolve your concerns, you may advance your appeal to the formal process. You may contact the HPA Appeals Coordinator at (360) 902-2534 for more information.

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



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A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request an informal appeal of that action. You must send your request to WDFW by mail to the 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.

Habitat Biologist Brent.Renfrow@dfw.wa.gov
Brent Renfrow 509-925-1013

 for Director
WDFW