



HYDRAULIC PROJECT APPROVAL

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

Issued Date: June 30, 2017
Project End Date: June 29, 2022

Permit Number: 2017-1-140+01
FPA/Public Notice Number: N/A
Application ID: 11777

PERMITTEE	AUTHORIZED AGENT OR CONTRACTOR
Eco Logical Research Inc. ATTENTION: Stephen Bennett PO Box 706 Providence, UT 84332	

Project Name: Asotin Creek Intensively Monitored Watershed - Restoration Maintenance

Project Description: Eco Logical Research, Inc. has been conducting the Asotin Intensively Monitored Watershed Project (IIMW) since 2008 to test the effectiveness of large woody debris additions at increasing the production of steelhead. The Snake River Salmon Recovery Board in Dayton, WA has supported and coordinated the technical review and funding of the IMW since its inception and continues to provide project oversight and support. We have installed over 650 large woody debris structures called "post-assisted log structures" (PALS) in Charley Creek, North Fork Asotin Creek and South Fork Asotin Creek. We are comparing the abundance, growth, movement, survival, and production of juvenile steelhead in treatment areas (where restoration with wood has been completed) to control areas (where no restoration has occurred). We completed the restoration between 2012-2016. However, now we would like to be able to maintain and reconstruct individual PALS as needed for the duration of the project. Some structures fail or become less effective and maintenance/reconstruction is required to maintain the contrast between restoration sections and control sections. The IMW project is expected to continue through 2024 if funding is available.

PROVISIONS

1. **TIMING LIMITATIONS:** The project may begin Immediately and shall be completed by June 29, 2022.
2. **NOTIFICATION REQUIREMENT:** The Area Habitat Biologist (AHB) listed below shall receive notification 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. Work shall be accomplished per plans and specifications approved by the Washington Department of Fish and Wildlife entitled Asotin Creek IMW JARPA and dated June 30, 2017, except as modified by this Hydraulic Project Approval. A copy of these plans shall be available on site during construction.
4. Disturbance of the bank shall be limited to that necessary to construct the project. Within seven calendar days of project completion, all disturbed areas shall be protected from erosion using vegetation or other means. Within one year of project completion, the banks shall be revegetated with native or other approved woody species. Vegetative cuttings shall be planted at a maximum interval of six feet (on center) and maintained as necessary for three years to ensure 80 percent survival.



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5. Wood posts (untreated) may be driven into the stream bottom to hold the Large Woody Debris (LWD).
6. Large woody debris (LWD) may be placed in the stream as depicted in the plans.
7. Logs placed in the stream should be large in size to prevent moving long distances downstream in high flow events. LWD trees may be anchored securely to the wood posts to prevent substantial movement or their washing away during high water, if desired.
8. Large woody material embedded in the bank or streambed shall be left undisturbed and intact.
9. Under no circumstances shall a blockage to stream flow or fish passage be created.

LOCATION #1:	Site Name: Asotin Creek watershed , Asotin, WA 99402					
WORK START:	July 1, 2017			WORK END:	September 30, 2021	
<u>WRIA</u>		<u>Waterbody:</u>			<u>Tributary to:</u>	
35 - Middle Snake		Asotin Creek North Fork			Asotin Creek	
<u>1/4 SEC:</u>	<u>Section:</u>	<u>Township:</u>	<u>Range:</u>	<u>Latitude:</u>	<u>Longitude:</u>	<u>County:</u>
	16	09 N	43 E	46.341574	-117.055834	Asotin
<u>Location #1 Driving Directions</u>						
From Clarkston, WA take Highway 129 south to Asotin; turn right on Asotin Creek Road and drive ~ 14-15 miles to Charley Creek and junction of North and South Fork Asotin Creeks.						

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.



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

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

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

MINOR MODIFICATIONS TO THIS HPA: You may request approval of minor modifications to the required work timing or to the plans and specifications approved in this HPA unless this is a General HPA. If this is a General HPA you must use the Major Modification process described below. Any approved minor modification will require issuance of a letter documenting the approval. A minor modification to the required work timing means any change to the work start or end dates of the current work season to enable project or work phase completion. Minor modifications will be approved only if spawning or incubating fish are not 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 did not use APPS you must submit a written request that clearly indicates you are seeking a minor modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, and the requestor's signature. 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 did not use APPS you must submit a written request that clearly indicates you are requesting a major modification to an existing HPA. Written requests must include the name of the applicant, the name of the authorized agent if one is acting for the applicant, the APP ID number of the HPA, the date issued, the permitting biologist, the requested changes to the HPA, the reason for the requested change, the date of the request, payment if the original application was subject to an application fee, and the requestor's signature. 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 may email your request for a major modification to HPAapplications@dfw.wa.gov, but must send a check or money order for payment by surface mail. You should allow up to 45 days for the department to process your request.



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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 220-660-460 is the rule describing how to request an informal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete informal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request an informal appeal of that action. You must send your request to WDFW by mail to the HPA Appeals Coordinator, 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. 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 220-660-470 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 HPA Appeals Coordinator, 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. 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.



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Habitat Biologist

Thomas.Schirm@dfw.wa.gov

Tom Schirm

509-382-1266

A handwritten signature in black ink, appearing to read "Thomas B. Schirm".

for Director

WDFW
