



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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February 20, 2015

Mark Stamey
Snohomish County Public Works
3000 Rockefeller Avenue M/S 607
Everett, WA 98201

RE: Water Quality Certification Order #11061 for U.S. Army Corps of Engineers
Public Notice #NWS-2014-183, Smith Island Restoration Project, in Everett,
Snohomish County, Washington

Dear Mr. Stamey:

On February 24, 2014, Snohomish County Public Works submitted a Joint Aquatic Resource Permit Application (JARPA) to the Department of Ecology (Ecology) for a Section 401 Water Quality Certification (401 Certification) under the federal Clean Water Act for the proposed Smith Island Restoration project.

On behalf of the State of Washington, Ecology certifies that the work described in the JARPA and the public notice complies with applicable provisions of Sections 301, 302, 303, 306 and 307 of the Clean Water Act, as amended, and applicable state laws. This certification is subject to the conditions contained in the enclosed Order.

If you have any questions, please contact Rebekah Padgett at (425) 649-7129. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Paul Anderson, Unit Supervisor
Shorelands and Environmental Assistance Program
Northwest Regional Office

PA:rrp:mrw
Enclosure

By certified mail: 7013 2250 0000 1369 9291



cc: Erin Legge, U.S. Army Corps of Engineers
Jamie Bails, Washington Department of Fish and Wildlife
Brenda Werden, Washington Department of Natural Resources
Martha Jensen, U.S. Fish and Wildlife Service
Tom Sibley, NOAA Fisheries
Edwin Moats
Ed Husmann, Snohomish County Farm Bureau
Ward Isom, Sno-Isle 9-12 Project

e-cc: Doug Gresham, Ecology
Chad Yunge, Ecology
Raman Iyer, Ecology
Loree' Randall, Ecology
sueph@psnettech.com
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IN THE MATTER OF GRANTING A)	ORDER #11061
WATER QUALITY)	Corps Reference #NWS-2014-183
CERTIFICATION TO)	Smith Island Restoration Project; Everett,
Snohomish County Public Works)	Snohomish County, Washington.
in accordance with 33 U.S.C. 1341)	
(FWPCA § 401), RCW 90.48.120, RCW)	
90.48.260 and Chapter 173-201A WAC)	

TO: Snohomish County Public Works
 Attn: Mark Stamey
 3000 Rockefeller Avenue M/S 607
 Everett, WA 98201

On February 24, 2014, Snohomish County Public Works submitted a Joint Aquatic Resources Permit Application (JARPA) to the Department of Ecology (Ecology) for a Section 401 Water Quality Certification. A joint public notice regarding the request was distributed by the U.S. Army Corps of Engineers (Corps) for the above-referenced project pursuant to the provisions of Chapter 173-225 WAC on December 5, 2014.

The proposed project would re-establish approximately 350 acres of estuarine wetlands by breaching the existing dike in two locations and constructing a new setback dike. Approximately 300 acres of freshwater wetlands and waters would be impacted permanently (converted, filled, or excavated), and about 56 acres would be temporarily impacted during construction.

The project includes removal and installation of tide gates, construction of access roads, installation of a detention pond with a pump station, creation of a wetland berm over an existing buried pipeline, and construction of a parking lot. Work will be accomplished using standard construction equipment such as excavators, dump trucks, and graders.

The first phase of the project would entail construction of the new dike, toe ditches, storage pond, and pump station. The second phase is associated with restoration activities such as filling ditches, digging starter channels, and the installation of large wood. During the third phase, accumulated sediment would be removed from the mouth of the east tidal channel and the existing dike would be removed; tide gates would then be removed, and channels would be connected to Union Slough. Additional project details are listed below.

Specific project components include:

- Construction of approximately 5,600 linear feet of new setback dike to the west of the existing dike to protect critical public infrastructure.
- Removal of approximately 4,500 to 5,000 linear feet of existing dike and two existing tide gates.

- Lowering of the top elevation and grading of starter channels in approximately 2,400 linear feet of the existing dike.
- Plugging and filling of thousands of feet of existing linear drainage ditch on the waterward side of the proposed dike.
- Creation and enhancement of a dendritic tidal channel network that connects to Union Slough on the waterward side of the proposed dike to support high marsh habitat restoration.
- Installation of large woody debris structures adjacent to the tidal channels and in other strategic areas throughout the site to create edge habitat complexity and maintain channel connection.
- Construction of a new, approximately 9-acre, drainage pond in the northwest corner of the site that collects water from the landward side of the dike and discharges to the east tidal channel and Union Slough.
- Construction of two new tide gates, one that connects the new drainage pond with Union Slough and the other connecting the west tidal channel to the east tidal channel.
- Construction of a new pump station to provide backup to the tide gate gravity discharge during periods of heavy rainfall and high flows in Union Slough.
- Construction of a parking lot north of 12th Street NE to provide access to the City of Everett's trail.

The project is located north of 12th Street NE, on Smith Island, Everett, Snohomish County, Washington, Union Slough, Section 9, 10, 15, and 16, T. 29 N., R. 5E., WRIA 7.

AUTHORITIES:

In exercising authority under 33 U.S.C. § 1341, RCW 90.48.120, and RCW 90.48.260, Ecology has examined this application pursuant to the following:

1. Conformance with applicable water quality-based, technology-based, and toxic or pretreatment effluent limitations as provided under 33 U.S.C. §§ 1311, 1312, 1313, 1316, and 1317 (FWPCA §§ 301, 302, 303, 306 and 307);
2. Conformance with the state water quality standards contained in Chapter 173-201A WAC and authorized by 33 U.S.C. § 1313 and by Chapter 90.48 RCW, and with other applicable state laws; and
3. Conformance with the provision of using all known, available and reasonable methods to prevent and control pollution of state waters as required by RCW 90.48.010.

WATER QUALITY CERTIFICATION CONDITIONS:

Through issuance of this Order, Ecology certifies that it has reasonable assurance that the activity as proposed and conditioned will be conducted in a manner that will meet the applicable water quality standards and other appropriate requirements of state law. In view of the foregoing and in accordance with 33 U.S.C. § 1341, RCW 90.48.120, RCW 90.48.260 Chapter 173-200 WAC and Chapter 173-201A WAC, water quality certification is granted to the Applicant subject to the conditions within this Order.

Certification of this proposal does not authorize the Applicant to exceed applicable state water quality standards (Chapter 173-201A WAC), ground water standards (Chapter 173-200 WAC) or sediment quality standards (Chapter 173-204 WAC). Furthermore, nothing in this certification shall absolve the Applicant from liability for contamination and any subsequent cleanup of surface waters, ground waters or sediments occurring as a result of project construction or operations.

A. General Conditions:

- A1. For purposes of this Order, the term "Applicant" shall mean Snohomish County Public Works and its agents, assignees and contractors.
- A2. For purposes of this Order, all submittals required by its conditions shall be sent to Ecology's Northwest Regional Office, Attn: 401/CZM Federal Project Manager, 3190 160th Avenue SE, Bellevue, WA 98008-5452. Any submittals shall reference Order #11061 and Corps Reference #NWS-2014-183.
- A3. Work authorized by this Order is limited to the work described in the JARPA received by Ecology on February 24, 2014. The Applicant will be out of compliance with this Order and must reapply with an updated application if the information contained in the JARPA is voided by subsequent changes to the project not authorized by this Order.
- A4. Within 30 days of receipt of an updated JARPA, Ecology will determine if the revised project requires a new water quality certification and public notice or if a modification to this Order is required.
- A5. This Order shall be rescinded if the U.S. Army Corps of Engineers does not issue an individual Section 404 and 10 permit.
- A6. Copies of this Order shall be kept on the job site and readily available for reference by Ecology personnel, the construction superintendent, construction managers and lead workers, and state and local government inspectors.

- A7. The Applicant shall provide access to the project site and all mitigation sites upon request by Ecology personnel for site inspections, monitoring, necessary data collection, and/or to ensure that conditions of this Order are being met.
- A8. Nothing in this Order waives Ecology's authority to issue additional orders if Ecology determines that further actions are necessary to implement the water quality laws of the state. Further, Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if additional impacts due to project construction or operation are identified (*e.g.*, violations of water quality standards, downstream erosion, etc.), or if additional conditions are necessary to further protect water quality.
- A9. The Applicant shall ensure that all appropriate project engineers and contractors at the project site have read and understand relevant conditions of this Order and all permits, approvals, and documents referenced in this Order. The Applicant shall provide Ecology a signed statement (see Attachment A for an example) from each project engineer and contractor that they have read and understand the conditions of this Order and the above-referenced permits, plans, documents and approvals. These statements shall be provided to Ecology before construction begins at the project or mitigation sites.
- A10. This Order does not authorize direct, indirect, permanent, or temporary impacts to waters of the state (including wetlands) or related aquatic resources, except as specifically provided for in conditions of this Order.
- A11. Failure of any person or entity to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce its terms.

B. Wetland Conditions:

- B1. The Applicant shall implement the *Critical Area Study, Mitigation Report, and Habitat Management Plan for Smith Island Restoration Project*, revised February 20, 2014 (hereafter called the "Restoration Plan") submitted by the Applicant, or as modified by this Order, or revised and approved by Ecology.
- B2. The Applicant shall get review and written approval from Ecology of any plan changes required if problems arise during construction and planting of the project site.
- B3. The re-establishment of approximately 350 acres of estuarine wetlands includes up to 23.35 acres that shall be set aside for compensatory mitigation commitments, as described in *Mitigation Commitments and Opportunities, Smith Island Restoration Project*, prepared by Snohomish County Public Works, dated February 18, 2015.

- B4. The re-establishment of approximately 350 acres of estuarine wetlands includes up to 10 acres that shall be set aside for potential future mitigation opportunities subject to review and approval by Ecology, as described in *Mitigation Commitments and Opportunities, Smith Island Restoration Project*, prepared by Snohomish County Public Works, dated February 18, 2015.
- B5. The Applicant shall have a wetland professional at the project site to supervise during wetland filling and restoration planting.

Implementation

- B6. If the project cannot be completed within 13 months of the date of this Order, the Applicant shall inform Ecology, in writing, of the status of
- a) Smith Island Restoration Project
- With the:
- b) Reason for the delay.
 - c) Expected date of completion.
- The Applicant shall submit an updated written notification every 12 months thereafter until the Smith Island Restoration Project is completed.
- B7. The Applicant shall ensure that all excess excavated site material is disposed of in an appropriate location outside of wetlands and their buffers at the project site and above the 100-year floodplain.
- B8. The Applicant shall ensure that no material is stockpiled within existing wetlands and their buffers at the project site at any time, unless provided for in the Ecology-approved Restoration Plan.
- B9. The Applicant shall ensure that no construction debris is deposited within existing wetland and their buffers at the project site at any time, unless provided for in the Ecology approved Restoration Plan.
- B10. The Applicant shall not use polyacrylamide at the project site.
- B11. The Applicant shall not use hay or straw on exposed or disturbed soil at the project site.
- B12. Aquatic herbicides can be used or applied only by certified applicators or persons under the direct supervision of a certified applicator, and only for those uses covered by the certified applicator's license category. Applicators are required to be permitted under Ecology's Noxious Weed Control Permit. Applicators shall comply with all conditions of the Noxious Weed Control Permit.

- B13. If weed-barrier fabric is used on the site, the Applicant shall use only permeable, fully biodegradable, non-toxic weed-barrier fabric for entire-site and/or individual plant weed control.
- B14. If seeding is used as a best management practice for temporary erosion control, it must be a seed mix consisting of native, annual, non-invasive plant species.
- B15. The Applicant shall place signs at the project site boundaries, including buffers, every 200 feet to mark the area as a protected site in areas accessible to vehicles and pedestrian traffic.
- B16. Upon completion of site-grading and prior to planting, the Applicant shall submit to Ecology written confirmation, from a surveyor or project engineer, that the finished grades are consistent with the approved plans or subsequent Ecology-approved plan changes. The confirmation should indicate how final elevations were confirmed. The written confirmation can be in the form of an email or signed letter.
- B17. After completing construction and planting of the project site, the Applicant shall submit to Ecology (see A2) an as-built report, including plan sheets, documenting site conditions at Year Zero. The as-built report must:
- a) Be submitted within 90 days of completing construction and planting. Include one hard copy and one electronic file.
 - b) Include the information listed in Attachment B (Information Required for As-built Reports).
 - c) Include documentation of the recorded legal mechanism required in Condition B17.
- B18. Within 90 days of the date the Order was issued, the Applicant shall record a conservation easement for Smith Island Restoration, a copy of this Order, and a site map indicating the location of the 350-acre restoration site. These documents must be recorded with the County Recording Office, Registrar of Deeds, or other official responsible for maintaining records for, or interest in, real property.

Monitoring and Maintenance

- B19. The Applicant shall monitor the project site for a minimum of 10 years. The Applicant shall use the monitoring methods described on pages 40-43 of the Restoration Plan.
- B20. The Applicant shall submit to Ecology (see A2) monitoring reports documenting mitigation site conditions for years 1, 2, 3, 5, 7, and 10. The monitoring reports must:

- a) Be submitted by March 1 of the following year for each monitoring year. Include one hard copy and one electronic file.
 - b) Include the information listed in Attachment C (Information Required for Monitoring Reports).
- B21. The Applicant shall implement the Restoration Plan's contingency measures if the Restoration Plan's goals, objectives, or performance standards are not being met.
- B22. Prior to implementing contingency measures not specified in the Restoration Plan, the Applicant shall consult with and obtain written approval from Ecology for the changes.
- B23. For monitoring years five (5) and ten (10) the Applicant shall use the currently approved federal wetland delineation manual and appropriate regional supplement to delineate all compensatory wetlands and include delineation information (e.g. data sheets, maps, etc.) in the monitoring reports.
- B24. At the end of the monitoring period, the Applicant shall use the 2014 or updated version of "Washington State Wetlands Rating System for Western Washington" to rate all wetlands (except those that have been preserved) and include the information in the monitoring report.
- B25. If the Applicant has not met all conditions and performance standards for the project site at the end of the monitoring period, Ecology may require additional monitoring, additional restoration, or both.
- B26. Until the Applicant has received written notice from Ecology that the Restoration Plan has been fully implemented, the Applicant's obligation under Condition B1 is not met.
- C. Water Quality Conditions:**
- C1. This Order does not authorize temporary exceedances of water quality standards beyond the limits established in WAC 173-201A-210(1)(e)(i).
- C2. The Applicant shall implement the *Water Quality Monitoring Plan, Smith Island Restoration Project*, prepared by Snohomish County Public Works, dated February 18, 2015. Any revisions to this plan shall be submitted to Ecology for review and approval.
- C3. Mitigation and/or additional monitoring may be required if the monitoring results indicate that the water quality standards have not been met.

D. Conditions for Construction Activities:

Upland Conditions:

- D1. Applicant shall obtain and comply with a Construction Stormwater General Permit for this project.
- D2. Construction stormwater, sediment, and erosion control best management practices (BMPs; *e.g.*, filter fences, etc.) suitable to prevent exceedances of state water quality standards shall be in place before starting construction at the site.
- D3. Sediment and erosion control measures shall be inspected and maintained prior to and during project implementation.
- D4. Vegetable-based hydraulic fluid shall be utilized in heavy equipment to the extent practicable.
- D5. Machinery and equipment used during construction shall be serviced, fueled, and maintained upland, unless otherwise approved by Ecology, in order to prevent contamination to any surface water.
- D6. Wash water containing oils, grease, or other hazardous materials resulting from wash down of equipment or working areas shall be contained for proper disposal, and shall not be discharged into state waters or storm drains.
- D7. All construction debris shall be properly disposed of on land so that it cannot enter a waterway or cause water quality degradation to state waters.
- D8. Clean Fill Criteria: Applicant shall ensure that fill (soil) placed for the proposed project does not contain toxic materials in toxic amounts.
- D9. Construction activities landward of the existing dike shall be completed prior to the removal of the existing dike, to the extent practicable, in order to minimize in-water activity.

In-Water Conditions:

- D10. Work in or near the water that may affect fish migration, spawning, or rearing shall cease immediately upon a determination by Ecology that fisheries resources may be adversely affected.
- D11. Dike breaching activities shall be conducted during low tide in order that work can be conducted in the dry to the extent practicable.

- D12. All manmade debris that has been deposited below the Ordinary High Water Line (OHWL) within the construction work area shall be removed and disposed of upland such that it does not enter waters of the state. Concrete rubble, metal debris, and other debris in the construction work corridor that have washed into marine areas shall be removed from the project area.
- D13. Project activities shall be conducted to minimize siltation of the beach area and bed.
- D14. The Applicant shall operate the barge(s) and tug in deep water so as to minimize nearshore propeller wash impacts such as suspension of nearshore sediments.
- D15. Barges and other work vessels shall not be allowed to ground-out during construction.

E. Emergency/Contingency Measures:

- E1. The Applicant shall develop and implement a Spill Prevention and Containment Plan for all aspects of this project.
- E2. The Applicant shall have adequate and appropriate spill response materials on hand to respond to emergency release of petroleum products or any other material into waters of the state.
- E3. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc., shall be checked regularly for drips or leaks, and shall be maintained and stored properly to prevent spills into state waters.
- E4. Any work that is out of compliance with the provisions of this Order, 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. If these occur, the Applicant 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 at 1-800-258-5990, **and** within 24 hours of spills or other events to Ecology's 401/CZM Federal Project Manager at (425) 649-7129 or (425) 649-7000.

- 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.

Compliance with this condition does not relieve the Applicant from responsibility to maintain continuous compliance with the terms and conditions of this Order or the resulting liability from failure to comply.

F. Timing Requirements

- F1. All in-water work shall be completed by the work window identified in the most current Hydraulic Project Approval (HPA) issued for this project. Any project change that requires a new or revised HPA should also be sent to Ecology for review.
- F2. This Order is valid until all compliance requirements in this document have been met.

G. Reporting and Notification Requirement Conditions

- G1. The Applicant shall provide to Ecology's 401/CZM Federal Permit Manager a copy of the final Corps permit within 2 weeks of receipt of the permit. A copy shall be submitted per condition A2 above.
- G2. Applicant shall provide notice to Ecology's 401/CZM Federal Project Manager:
 - At least three (3) days prior to the start of construction.
 - Within 14 days after completion of construction at the project site.Notification, referencing Corps Reference #NWS-2014-183, Order #11061 can take place by telephone to (425) 649-7129 or (425) 649-7000, fax to (425) 649-7098, or in writing.
- G3. If the project construction is not completed within 13 months of issuance of this Order, the Applicant shall submit per Condition A2 a written construction status report and submit status reports every 12 months until construction is complete.

YOUR RIGHT TO APPEAL

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do both of the following within 30 days of the date of receipt of this Order:

File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW STE 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

CONTACT INFORMATION

Please direct all questions about this Order to:

Rebekah Padgett
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008
(425) 649-7129
rebekah.padgett@ecy.wa.gov

MORE INFORMATION

Pollution Control Hearings Board Website

www.eho.wa.gov/Boards_PCHB.aspx

Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board

<http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B>

Chapter 371-08 WAC – Practice And Procedure

<http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08>

Chapter 90.48 RCW – Water Pollution Control

<http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48>

Chapter 173-204 WAC – Sediment Management Standards

www.ecy.wa.gov/biblio/wac173204.html

Chapter 173-200 WAC – Water Quality Standards for Ground Waters of the State of Washington

www.ecy.wa.gov/biblio/wac173200.html

Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington

www.ecy.wa.gov/biblio/wac173201A.html

SIGNATURE



Paul Anderson, Unit Supervisor
Shorelands and Environmental Assistance Program
Northwest Regional Office

February 20, 2015

February 20, 2015

ATTACHMENT A

**SNOHOMISH COUNTY PUBLIC WORKS
SMITH ISLAND RESTORATION PROJECT
Water Quality Certification Order #11061**

**Statement of Understanding of
Water Quality Certification Conditions**

I have read and understand the conditions of Order #11061 Section 401 Water Quality Certification for the Snohomish County Public Works Smith Island Restoration Project. I have also read and understand all permits, plans, documents, and approvals associated with the project referenced in this Order.

Signature

Date

Title

Company

Attachment B
Information Required for As-built Reports
(See Condition B17)

SNOHOMISH COUNTY PUBLIC WORKS
SMITH ISLAND RESTORATION PROJECT
Water Quality Certification Order #11061

Corps Reference #NWS-2014-183

Background Information

- 1) Project name.
- 2) Ecology reference number and the Corps reference number.
- 3) Name and contact information of the person preparing the as-built report. Also include the names of:
 - a) The applicant.
 - b) The landowner (if different than the applicant).
 - c) Wetland professional on site during construction of the compensatory mitigation site.
- 4) Date the report was produced.

The Compensatory Mitigation Project

- 5) Brief description of the **final** compensatory mitigation project with any changes from the approved plan made during construction. Include:
 - a) **Actual** acreage and type(s) (re-establishment, rehabilitation, creation, enhancement, and preservation) of mitigation authorized to compensate for wetland impacts.
 - b) Important dates including:
 - i. Start of project construction.
 - ii. When work on the compensatory mitigation site began and ended.
 - iii. When different activities such as grading, removal of invasive plants, installing plants, and installing habitat features began and ended.
- 7) Description of any problems encountered and solutions implemented (with reasons for changes) during construction of the compensatory mitigation site.
- 8) List of any follow-up actions needed, with a schedule.
- 9) Final site maps (8-1/2" x 11" or larger) of the compensatory mitigation site(s), including the following (at a minimum):
 - a) Geographic location of the site with landmarks;
 - b) Clear delineation of the project perimeter(s);
 - c) Topography (with a description of how elevations were determined);
 - d) Installed planting scheme (quantities, densities, sizes, and approximate locations of plants, as well as the source(s) of plant material);
 - e) Location of habitat features;

f) Location of permanent photo stations.

The final site maps should reflect on-the-ground conditions after the site work is completed. Include the month and year when the maps were produced and, if applicable, when information was collected.

- 10) Photographs of the site at as-built conditions taken from permanent photo stations. We recommend photo pans.
- 11) Copies of any records of deed notifications or conservation easements.

Attachment C
Information Required for Monitoring Reports
(See Condition B20)

SNOHOMISH COUNTY PUBLIC WORKS
SMITH ISLAND RESTORATION PROJECT
Water Quality Certification Order #11061

Corps Reference #NWS-2014-183

Ecology requires the following information for monitoring reports submitted under this Order. Ecology will accept additional information that may be required by other agencies.

Background Information

- 1) Project name.
- 2) Ecology Order number and the Corps reference number.
- 3) Name and contact information of the person preparing the monitoring report. Also, if different from the person preparing the report, include the names of:
 - a) The applicant
 - b) The landowner
 - c) The party responsible for the monitoring activities.
- 4) Dates the monitoring data were collected.
- 5) Date the report was produced.

Mitigation Project Information

- 6) Brief description of the mitigation project, including acreage of Cowardin classes and mitigation type(s) (re-establishment, rehabilitation, creation, enhancement, preservation, upland, buffers).
- 7) Description of the monitoring approach and methods. For each performance standard being measured provide the following information:
 - a) Description of the sampling technique (e.g., monitoring point for soil or hydrology, line or point intercept method, ocular estimates in individually placed plots). If you are using a standardized technique, provide a reference for that method.
 - b) Size and shape of plots or transects.
 - c) Number of sampling locations and how you determined the number of sampling locations to use.
 - d) Percent of the mitigation area being sampled.

- e) Locations of sampling (provide a map showing the locations), how you determined where to place the sampling locations (e.g., simple random sample), and whether they are permanent or temporary.
 - f) Schedule for sampling (how often and when).
 - g) Description of how the data was evaluated and analyzed.
- 8) Summary table(s) comparing performance standards with monitoring results and whether each standard has been met.
 - 9) Discussion of how the monitoring data were used to determine whether the site(s) is meeting performance standards.
 - 10) Goals and objectives and a discussion of whether the project is progressing toward achieving them.
 - 11) Summary, including dates, of management actions implemented at the site(s), for example, maintenance and corrective actions.
 - 12) Summary of any difficulties or significant events that occurred on the site that may affect the success of the project.
 - 13) Specific recommendations for additional maintenance or corrective actions with a timetable.
 - 14) Photographs taken at permanent photo stations and other photographs, as needed. Photos must be dated and clearly indicate the direction the camera is facing. Photo pans are recommended.
 - 15) Vicinity map showing the geographic location of the site(s) with landmarks.
 - 16) Mitigation site map(s), 8-1/2" x 11" or larger, showing the following:
 - a) Boundary of the site(s).
 - b) Location of permanent photo stations and any other photos taken.
 - c) Data sampling locations, such as points, plots, or transects.
 - d) Approximate locations of any replanted vegetation.
 - e) Changes to site conditions since the last report, such as areas of regrading, a shift in the location of Cowardin classes or habitat features, or a change in water regime.
- Include the month and year when each map was produced or revised. The site map(s) should reflect on-the-ground conditions during the most recent monitoring year.