STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
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March 16, 2012

Washington State Department of Transportation
Attn: Barbara Aberle
Southwest Region
P.O. Box 1709
Vancouver, WA 98668-1709

RE: Water Quality Certification Order #8905 for Corps Public Notice No. NWS-2009-1093 to widen SR 502 from one lane in either direction to two lanes in either direction near Battleground, Clark County, Washington

Dear Barb:

On April 8, 2011Washington State Department of Transportation, submitted a Joint Aquatic Resources 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 SR 502 Corridor Widening Project.

The project will widen SR 502 from one lane in each direction to two lanes in each direction. Approximately 11.12 acres of Category I, II, III, and IV wetlands will permanently be filled along the SR 502 corridor. Permanent wetland fill will be mitigated on-site and off-site at the 1) Gee Creek Mitigation Site, in the Gee Creek watershed, 2) Mill Creek North Mitigation Site, in the Mill Creek North watershed, and the 3) Mill Creek Mitigation Complex, 4) Sunset Oaks Mitigation Site, and the 5) Cedars Mitigation Site, in the Mill Creek watershed. In addition, the project will have temporary impacts to 0.24 acre of wetlands, which will be restored after construction.

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 Kerry Carroll at 360-407-7503. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Brenden McFarland
Environmental Review and Transportation Section
Shorelands and Environmental Assistance Program

By Certified Mail

Enclosures

e-cc: Sandra Manning - Corps
Ann Friez, WDFW
Loree' Randall – Ecology
ecyrefedpermits@ecy.wa.gov
Sheila Pendleton-Orme, Ecology

IN THE MATTER OF GRANTING A WATER QUALITY CERTIFICATION TO Washington State Department of Transportation in accordance with 33 U.S.C. 1341 (FWPCA § 401), RCW 90.48.120, RCW 90.48.260 and Chapter 173-201A WAC	)))))))	**ORDER # 8905** **Corps Reference No. NWS-2009-1093** Widen SR 502 from one lane in each direction to two lanes in each direction. The project is located in Clark County, Washington.

TO: Washington State Department of Transportation
Attn: Barbara Aberle
Southwest Region
P.O. Box 1709
Vancouver, WA 98668-1709

On April 8, 2011, Ecology received a Joint Aquatic Resources Permit Application (JARPA) from Washington State Department of Transportation (WSDOT) requesting a 401 Water Quality Certification (WQC). The U.S. Army Corps of Engineers (Corps) issued a public notice for the project on June 2, 2011.

The proposed project entails widening SR 502 corridor to two lanes in each direction with a median treatment separating westbound and eastbound travel. Intersection improvements will occur at NE 29th Avenue, NE 37th Avenue, NE 42nd Avenue, NE 50th Avenue, NE 67th Avenue, NE 72nd Avenue and NE 92nd Avenue. Signals will be added at three intersections and the existing signalized intersection at NE 72nd Avenue will be improved and expanded. Paved shoulders for pedestrians and bicyclists will be constructed along the north and south side of SR 502 for the entire corridor. Crosswalks will be installed at signalized intersections. Permanent impacts to wetlands will be mitigated for at four wetland mitigations sites. The project is located in WRIA 28, Salmon Creek Watershed.

AUTHORITIES

In exercising authority under 33 U.S.C. § 1341, RCW 90.48.120, and RCW 90.48.260, Ecology has reviewed 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 comply with 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 WSDOT to exceed applicable state water quality standards (Chapter 173-201A WAC), ground water quality standards (Chapter 173-200 WAC) or sediment quality standards (Chapter 173-204 WAC). Furthermore, nothing in this certification absolves WSDOT from liability for contamination and any subsequent cleanup of surface waters, ground waters or sediments resulting from project construction or operations.

A. General Conditions

1. In this Order, the term "Applicant" shall mean the Washington State Department of Transportation and its agents, assignees, and contractors.

2. All submittals required by this Order shall be sent to Ecology's Headquarters Office, Attn: Federal Project Coordinator, P.O. Box 47600, Olympia, WA 98504 or via e-mail (preferred), if possible, to the Coordinator assigned to this project. The submittals shall be identified with Order No. 8905 and include the Applicant's name, project name, project location, the project contact and the contact's phone number.

3. Work authorized by this Order is limited to the work described in the JARPA received by Ecology on April 8, 2011, unless otherwise authorized by Ecology.

4. The Applicant 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 this Order.

5. Within 30 days of receipt of any updated information, 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.

6. This Order shall be rescinded if the Army Corps of Engineers (Corps) does not issue a 404 permit.

7. The Applicant shall send (per A.2.) a copy of the final Corps permit to Ecology's Federal Project Coordinator within two weeks of receiving it.

8. The Applicant shall keep copies of this Order 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.

9. 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.

10. 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. Furthermore, 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.

11. The Applicant shall ensure that all project engineers, contractors, and other workers at the project site with authority to direct work 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 signatory that s/he has read and understands the conditions of this Order and the above-referenced permits, plans, documents and approvals. These statements shall be provided to Ecology before construction begins.

12. 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.

13. Failure of any person or entity to comply with the Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

B. Notification Requirements

1. Notification shall be made via phone or e-mail (e-mail is preferred) to Ecology's Federal Project Coordinator. Notifications shall be identified with Order No. 8905 and include the Applicants name, project name, project location, project contact and the contact's phone number.

a. Immediately following a violation of state water quality standards, spill to waters of the state or when the project is out of compliance with any of this Orders conditions.
   i. In addition to the phone or e-mail notification, the Applicant shall 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.
b. At least ten (10) days prior to all pre-construction meetings
c. At least ten (10) days prior to conducting initial in-water work activities for each in-water work window established in the most current HPA.
d. At least seven (7) days prior to conducting Cement Modified Soil (CMS) work in wetlands.
e. At least seven (7) days prior to completing each wetland mitigation site.
f. At least seven (7) days within project completion.

C. Timing

1. This Order is valid until the Applicant meets all its requirements and conditions.

2. In-water work is subject to a fishery closure window determined by Washington Department of Fish & Wildlife's Hydraulic Project Approval (HPA). All in-water work shall be completed within the work window identified in the most current HPA issued for this project.

D. Water Quality Monitoring & Criteria

1. This project is subject to the water quality standards and the criteria as described in WAC 173-201A-200.

2. The Applicant shall submit a Water Quality Monitoring and Protection Plan (WQMPP) to the Federal Project Coordinator for review and approval at least 20 days prior to beginning work activities below the ordinary high water mark, in-water or over-water. **Work is not authorized to begin until approval is received.** At a minimum, the WQMPP shall include:

   a. The names(s) and phone numbers (s) of the Pollution control inspector and the person responsible for on-site monitoring and report;
   b. The BMPs and procedures to be used to protect water quality during specific proposed activities below the ordinary high water mark, in-water or over-water;
   c. A water sampling plan for turbidity (add other parameters as appropriate), which include sample locations and frequency;

d. Sampling locations for turbidity shall include, but are not limited to; background, half the distance to the point of compliance and at the point of compliance, unless otherwise approved by Ecology.
e. A map with numbered or named sampling locations associated with the in-water work activities.
f. Contingencies during in-water work activities.

3. When CMS are placed within 50 feet of wetlands, visual and photo documentation of the wetland area closest to placement shall be conducted per the approved WQMPP.

4. Ecology must approve, in writing, any changes or additions to the WQMPP.

5. Monitoring results shall be submitted monthly to the Ecology Federal Project Coordinator, per condition A.2.

6. Mitigation and/or additional monitoring may be required if the monitoring results indicate that the water quality standards have not been met.

E. Construction

General Conditions

1. The Applicant shall comply with the conditions of the current Construction Stormwater Permit (National Pollutant Discharge Elimination System – NPDES) issued for this project.

2. Within the project limits[1] all environmentally sensitive areas including, but not limited to, wetlands, wetland buffers, and mitigation areas shall be fenced with high visibility construction (HVF) prior to commencing construction activities. Construction activities include equipment staging, materials storage, and work vehicle parking. *Note: This condition does not apply to activities such as pre-construction surveying and installing HVF and construction zone signage.*
    a. If the project will be constructed in stages[2] a detailed description and drawings of the stages shall be sent to Ecology for review at least 20 days prior to placing HVF.
    b. Condition E.2 shall apply to each stage.
    c. All field staff shall be trained to recognize HVF, understand its purpose and properly install it in the appropriate locations.
    d. HVF shall be maintained until all work is completed for each project or each stage of a staged project.

[1] Project limits include mitigation sites, staging areas, borrow sources, and other sites developed or used to support project construction.
[2] A stage is part of a project that has been separated into at least two distinct areas to be built during separate timeframes.

3. All clearing limits, stockpiles, staging areas, and trees to be preserved shall clearly be marked prior to commencing construction activities and maintained until all work is completed for each project.

4. No petroleum products, fresh concrete, lime or concrete, chemicals, or other toxic or deleterious materials shall be allowed to enter waters of the state.

5. All construction debris, excess sediment, and other solid waste material shall be properly managed and disposed of in an upland disposal site approved by the appropriate regulatory authority.

6. Turbid de-watering water associated with in-water work shall not be discharged directly to waters of the state, including wetlands. Turbid de-watering water shall be routed to an upland area for on-site or off-site settling.

7. Clean de-watering water associated with in-water work that has been tested and confirmed to meet water quality standards may be discharged directly to waters of the state, including wetlands. The discharge outfall method shall be designed and operated so as not to cause erosion or scour in the stream channel, banks, or vegetation.

8. All equipment being used below the ordinary high water mark shall utilize bio-degradable hydraulic fluid.

Equipment & Maintenance

9. Staging areas will be located a minimum of 50 feet and, where practical, 200 feet, from waters of the state, including wetlands. If a staging area must be located within 50 feet of waters of the state, then the Applicant shall provide a written explanation and obtain approval from Ecology's Federal Project Coordinator before placing the staging area in the setback area.

10. Equipment used for this project shall be free of external petroleum-based products while used around the waters of the state, including wetlands. Accumulation of soils or debris shall be removed from the drive mechanisms (wheels, tires, tracks, etc.) and the undercarriage of equipment prior to its use around waters of the state, including wetlands.

11. No equipment shall enter, operate, be stored or parked within any sensitive area except as specifically provided for in this Order or allowed in the HPA.

12. 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.

13. Wash water containing oils, grease, or other hazardous materials resulting from wash down of equipment or working areas shall not be discharged into state waters. The Applicant shall set up a designated area for washing down equipment.

14. A separate area shall be set aside, which does not have any possibility of draining to surface waters, for the wash-out of concrete delivery trucks, pumping equipment, and tools.

15. All forms for concrete shall be completely sealed to prevent the possibility of fresh concrete entering waters of the state.

16. All concrete shall be completely cured prior to coming into contact with water.

Culvert & Channel Work

17. All culvert and channel work shall be conducted in the dry or in isolation from stream flow.

18. Stream flow isolation work shall not scour the stream channel or banks of the water body in which the work is being done.

19. To minimize sediment releases into downstream water, water introduced or reintroduced to the channel shall be done gradually and at a rate not exceeding the normal stream flow.

20. Culverts shall be installed to avoid inlet scouring and prevent downstream bank erosion. (See the current WSDOT hydraulics manual for standards)

21. Fill associated with culvert installation shall be protected from erosion to the 100-year peak flow.

Bank Stabilization

22. Prior to returning or introducing stream flow to the de-watered work area, all proposed bank protection measures shall be in place.

23. Placement of rip-rap shall be conducted in compliance with water quality standards for turbidity and WSDOT's *Standard Specifications for Road, Bridge, and Municipal Construction.*

F. Wetlands

1. The Applicant shall mitigate wetland impacts as described in the SR 502 Corridor Widening Final Critical Areas Mitigation Plan (hereafter called the "Mitigation Plan") prepared by WSDOT SW Region, and dated January 2012, or as modified by this Order or revised and approved by Ecology.

2. The Applicant shall submit any changes to the Mitigation Plan in writing to Ecology (see A.2) for review and approval before work begins.

3. The Applicant shall get review and written approval from Ecology of any plan changes required if problems arise during construction and planting of the wetland mitigation site.

4. The Applicant shall have a wetland professional at the wetland mitigation site to supervise during construction and planting.

Implementation

5. Unless otherwise approved by Ecology in writing, the Applicant shall begin the compensatory mitigation project before, or concurrent with, impacting wetlands or Ecology may require additional compensation to account for additional temporal loss of wetland functions.

6. If the mitigation sites cannot be completed within 13 months of the date of this Order, the Applicant shall inform Ecology, in writing, of the status of
   a) SR 502 Corridor Widening project.
   b) Gee Creek Mitigation Site, Mill Creek North Mitigation Site, Mill Creek Mitigation Complex, and Sunset Oaks Mitigation Site.
   With the:
   c) Reason for the delay.
   d) Expected date of completion.
   The Applicant shall submit an updated written notification every 12 months thereafter until the SR 502 Corridor Widening project and the Gee Creek Mitigation Site, Mill Creek North Mitigation Site, Mill Creek Mitigation Complex, and Sunset Oaks Mitigation Site are complete.

7. When necessary, equipment may operated below the OHWM at the wetland mitigation sites, provided the work is consistent with the conditions of this Order.

8. 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 wetland mitigation sites and above the 100-year floodplain.

9. The Applicant shall ensure that no material is stockpiled within existing wetlands and their buffers at the wetland mitigation sites at any time, unless provided for in the Ecology-approved Mitigation Plan.

10. The Applicant shall ensure that no construction debris is deposited within existing wetland and their buffers at the wetland mitigation sites at any time, unless provided for in the Ecology approved Mitigation Plan.

11. The Applicant shall not use polyacrylamide on exposed or disturbed soil at the mitigation sites.

12. The Applicant shall not use hay or straw on exposed or disturbed soil at the mitigation sites, unless it is weed free. If hay or straw is to be used below OHWM, the material must be stabilized during potential flooding events.

13. If weed-barrier fabric is used on the sites, the Applicant shall use only permeable, fully biodegradable, non-toxic weed-barrier fabric for entire-site and/or individual plant weed control. Non-biodegradable plastic weed-barrier fabric shall be used only at the base of individual plants and shall be removed before it starts to break down, before it interferes with plant growth, or before the end of the monitoring period, whichever comes first.

14. If seeding is used at the wetland mitigation sites, the seed mix must contain only native, annual, non-invasive plant species, or be a sterile seed mix.

15. The Applicant shall place signs at the mitigation areas' boundaries, including buffers, every 200 feet to mark the area as wetland mitigation sites.

16. Within 90 days of completing construction and planting of the mitigation sites, the Applicant shall submit to Ecology (see A.2) one hard copy and one electronic file of the final as-built report including maps. The as-built report must:
    a) Document site conditions at Year Zero.
    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 F.17.

17. Within 90 days of completing construction and planting of the Gee Creek Mitigation Site, Mill Creek North Mitigation Site, Mill Creek Mitigation Complex, and Sunset Oaks Mitigation Site the Applicant shall record a Wetlands Notice (see Attachment C: Wetland Notice for Deed Notification). The Notice must be recorded with the County Recording Office, Registrar of Deeds, or other official responsible for maintaining records for, or interest in, real property.

<u>Monitoring and Maintenance</u>

18. The Applicant shall water and maintain all mitigation site plantings so as to meet the Mitigation Plan's performance standards specified in Chapter 6.

19. The Applicant shall monitor the mitigation sites for a minimum of 10 years. The Applicant shall use the monitoring methods described on pages 103-104 of the Mitigation Plan.

20. The Applicant shall submit to Ecology (see A.2) one hard and one electronic copy of monitoring reports documenting mitigation site conditions for years 1, 3, 5, 7, and 10. At a minimum, the reports must contain the information in Attachment D (Information Required for Monitoring Reports). The Applicant shall submit the first monitoring report no later than 24 months after completing each mitigation site's construction and planting.

21. The Applicant shall implement the Mitigation Plan's contingency measures if the Mitigation Plan's goals, objectives, or performance standards are not being met.

22. Prior to implementing contingency measures not specified in the Mitigation Plan, the Applicant shall consult with and obtain written approval from Ecology for the changes.

23. When necessary to meet the performance standards, the Applicant shall replace dead or dying plants with the same species, or an appropriate native plant alternative, during the first available planting season and note species, numbers, and approximate locations of all replacement plants in the subsequent monitoring report.

24. 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.

25. At the end of the monitoring period, the Applicant shall use the August 2004 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.

26. If the Applicant has not met all conditions and performance standards for the mitigation sites at the end of the monitoring period, Ecology may require additional monitoring, additional mitigation, or both.

27. Until the Applicant has received written notice from Ecology that the Mitigation Plan has been fully implemented, the Applicant's obligation under Condition F.1 to mitigate for wetland impacts is not met.

G. Emergency/Contingency Measures

1. The Applicant shall develop and implement a spill prevention and containment plan for this project and shall have spill cleanup material available on site at all times during construction.

2. Work that is out of compliance with the provision of this Order, conditions causing distressed or dying fish, discharges of oil, fuel, or chemicals into state waters or onto land with a potential for entry into state waters, is prohibited. If such work, conditions, or discharges occur, the Applicant shall comply with WSDOT's most current Environmental Compliance Assurance Procedure for Construction Project and Activities, notify the Ecology Project Coordinator per condition B.1.a. and immediately take the following actions:

    a. Cease operations at the location of the non compliance.
    b. Assess the cause of the water quality problem and take appropriate measures to correct the problem and/or prevent further environmental damage.
    c. In the event of a discharge of oil, fuel, or chemicals into state waters, or onto land with a potential for entry into state waters, containment and cleanup efforts shall begin immediately and be completed as soon as possible, taking precedence over normal work. Cleanup shall include proper disposal of any spilled material and used cleanup materials.
    d. Immediately notify Ecology's Regional Spill Response Office and the Washington State Department of Fish & Wildlife the nature and details of the problem, any actions taken to correct the problem, and any proposed changes in operation to prevent further problems.
    e. Immediately notify the National Response Center at 1-800-424-8802, for actual spills to water only.

3. Notify Ecology's Regional Spill Response Office immediately if chemical containers (e.g. drums) are discovered on-site or any conditions present indicating disposal or burial of chemicals on-site that may impact surface water or ground water.

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 all 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 **Pollution Control Hearings Board** 1111 Israel RD SW STE 301 Tumwater, WA 98501	**Department of Ecology** Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 **Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

CONTACT INFORMATION

Please direct all questions about this Order to:

Kerry Carroll
Department of Ecology
P.O. Box 47600
Olympia, WA 98503-7600

360-407-7503
Kstr461@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 34.05 RCW – Administrative Procedure Act**
  http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05
- **Chapter 90.48 RCW – Water Pollution Control**
  http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48

- **Chapter 173.204 Washington Administrative Code (WAC) Sediment Management Standards**
  http://www.ecy.wa.gov/biblio/wac173204.html
- **Chapter 173-200 WAC Water Quality Standards for Ground Waters of the State of Washington**
  http://www.ecy.wa.gov/biblio/wac173200.html
- **Chapter 173-201A WAC Water Quality Standards for Surface Waters of the State of Washington**
  http://www.ecy.wa.gov/biblio/wac173201A.html

SIGNATURE

Mar 16, 2012

Brenden McFarland, Section Manager
Environmental Review and Transportation
Shorelands and Environmental Assistance Program
Headquarters

Date

Attachment A

Water Quality Certification Order #8905
Statement of Understanding

I, _____, state that, I will be involved as a WSDOT employee or an agent or contractor for Washington State Department of Transportation in the SR 502 Corridor Widening Project in Clark County, WA. I further state that I have read and understand the relevant conditions of Washington Department of Ecology **Water Quality Certification Order #8905** and the applicable permits and approvals referenced therein which pertain to the project-related work for which I am responsible.

_____ _____
Signature Date

_____ _____
Company Phone number

_____
Address

_____
City, State, and Zip Code

Anyone who has the authority to direct work needs to sign this statement prior to starting on the job.

Attachment B
Information Required for As-built Reports
(See Condition F.16)

SR 502 Corridor Widening
Water Quality Certification Order # 8905
And
Corps Reference # NWS-2009-1093

Background Information

1) Project name.
2) Ecology docket number and the Corps reference number.
3) Name and contact information for the parties responsible for the mitigation site including:
    a) The applicant.
    b) The landowner.
    c) Wetland professional on site during construction of the compensatory mitigation site.
4) Name and contact information for the party responsible for preparing the report.
5) Who the report was prepared for (name, address, and phone number) {*if different from number 3 above.*}
6) Month and year the report was produced.

The Development (Impact) Site

7) Brief description of the development project (impact site). Include:
    a) Directions to the site.
    b) Month and year construction of the development project started and ended.
    c) Area (acres) and type(s) (rating category, HGM classification, and Cowardin classification) of wetlands that were **actually** impacted by the development project, including temporary impacts.

The Compensatory Mitigation Project

8) Brief description of the **final** compensatory mitigation project with any changes from the approved plan made during construction. Include:
    a) Directions to the site.
    b) Who completed the compensatory mitigation project (name, address, and phone number).
    c) **Actual** acreage and type(s) (re-establishment, rehabilitation, creation, enhancement, and preservation) of mitigation authorized to compensate for wetland impacts.
    d) Important dates including:
        i. Month and year the wetland impacts occurred.
        ii. When work on the compensatory mitigation site began and ended.
        iii. When different activities began and ended such as grading, removal of invasive plants, installing plants, and installing habitat features.
9) Description of any problems encountered and solutions implemented (with reasons for changes) during construction of the compensatory mitigation site.

10) Any changes to the goals, objectives, and performance standards of the compensatory mitigation project.
11) List of any follow-up actions needed, with a schedule.
12) 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.
13) Photographs of the site at as-built conditions taken from permanent photo stations. We recommend photo pans.
14) Copies of any records of deed notification or conservation easements.

Attachment C
Wetland Notice for Deed Notification
(See Condition F.17)

SR 502 Corridor Widening
Water Quality Certification Order # 8905
And
Corps Reference # NWS-2009-1093

Tax Parcel Number: _____

Legal Description: _____

Legal Owner: _____

NOTICE: This property contains wetlands as defined by Chapter 36.70A030(21) RCW, Chapter 90.58.030 (2)(h) RCW and WAC 173-201A-020. The property was the subject of an Ecology action under Chapter 90.48.260 RCW or Chapter 90.48.120(1) RCW.

_____, issued on _____,20___
(Corps federal reference #) (Ecology Docket #)

to_____ for_____.
(Applicant Name) (Project Name)

Restrictions on use or alteration of the wetlands may exist due to natural conditions of the property and resulting regulations. A copy of Ecology's Order and the site map from the final wetland mitigation plan indicating the location of wetlands and their buffers is attached hereto.

EXECUTED this _____ day of _____, 20 ____.

_____

_____

State of Washington)
County of _____)

I certify that I know or have satisfactory evidence that _____
signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

GIVEN under my hand an official seal this _____ day of _____, 20 ____.

_____
NOTARY PUBLIC in and for the state of Washington,
residing at

_____.(Amended by Ord. 11200 § 50 (part), 1996)

Attachment D
Information Required for Monitoring Reports
(See Condition F.20)

SR 502 Corridor Widening
Water Quality Certification Order # 8905
And
Corps Reference # NWS-2009-1093

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

Background Information

1) Project name.
2) Ecology docket number and Corps reference number.
3) Name and contact information of the parties responsible for the mitigation site, including:
   a) The applicant.
   b) The landowner.
4) Name and contact information for the party responsible for the monitoring activities and report.
5) Whom the report was prepared for (name, address, and phone number) {*if different from number 3 above*}.
6) Month and year the monitoring data were collected.
7) Month and year the report was produced.

Mitigation Project Information

8) Brief description of the mitigation project, including:
   a) Directions to the site.
   b) Acreage and type(s) (re-establishment, rehabilitation, creation, enhancement, and preservation) of mitigation authorized to compensate for wetland impacts.
9) Brief description of monitoring approach and methods.
10) A list of the goals and objectives for the mitigation project.
11) Summary table of monitoring data compared with performance standards. Using the monitoring data, describe how the site is developing toward goals and objectives and whether the project is in compliance with performance standards.
12) Summary (including dates) of management actions (maintenance, contingencies, and corrective actions) implemented at the site(s).
13) Summary of any difficulties or significant events that occurred on the site that may affect the ultimate success of the project.
14) Specific recommendations for any additional corrective actions or adaptive management with a time table.
15) Summary of any lessons learned.
16) Site maps (8 1/2" x 11" or larger) of the compensatory mitigation site(s) including the following (at a minimum).

a) Include the month and year when the maps were produced and when information was collected.
b) The geographic location of the site with landmarks.
c) Clear delineation of the project perimeter(s).
d) Species, numbers, and approximate locations of all replanted vegetation.
e) Location of habitat features.
f) Location of permanent photo stations and location of any other photos.
g) Location of sampling locations such as points, lines, or transects.

17) Photographs taken at permanent photo stations (and other photographs as needed) from the most recent monitoring visit, which are dated and clearly indicate the direction from which the photo was taken. We recommend photo pans.