STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
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March 2, 2011

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

RE: Water Quality Certification Order No. 8378 for U.S. Army Corps of Engineers (USACE) Public Notice No. NWS-2010-185-SOD, Salmon Creek Interchange Project in Clark County.

Dear Ms. Aberle:

On October 25, 2010 the Department of Ecology (Ecology) received a Joint Aquatic Resources Permit Application (JARPA) from the Washington State Department of Transportation (WSDOT) for a Section 401 Water Quality Certification (401 Certification) under the federal Clean Water Act for the proposed Salmon Creek Interchange Project.

The project includes expanding the existing interchange at NE 134th Street to allow a direct connection with a new arterial at Northeast 139th Street, improve connections to NE 134th Street, and improve local roadways. The project proposes to permanently impact 4.12 acres of wetlands through excavation or fill. To mitigate for these impacts, WSDOT will use 6.60 acres of created wetland, 0.48 acre of wetland enhancement, and 17.46 acres of wetland preservation at the Cedars Mitigation Site in accordance with the *I-5/Salmon Creek Interchange Project Final Critical Area Mitigation Report*, dated February, 2011, incorporating final USACE and DOE comments 2-22-2011. The Army Corps of Engineers issued a public notice on November 30, 2010 for the proposed 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, 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, Section Manager
Environmental Review and Transportation Section
Shorelands and Environmental Assistance Program

By Certified Mail 7009 1410 0002 4001 1491

Enclosures

e-cc: Scott Smithline, WSDOT
Sheila Pendleton-Orme, Ecology
Sandi Manning, Corps
Loree' Randall – Ecology HQ
Caroline Corcoran, Ecology
Bobb Nolan, 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 # 8378** **Corps Reference No. NWS-2010-185-SOD** Salmon Creek Interchange Project in Clark County, Washington.

TO: Barb Aberle
WSDOT Southwest Region
P.O. Box 1709
Vancouver, WA 98668-1709

On October 25, 2010 the Washington State Department of Transportation (WSDOT) submitted a Joint Aquatic Resources Permit Application (JARPA) to the Department of Ecology (Ecology) requesting a Section 401 Water Quality Certification. The U.S. Army Corps of Engineers (Corps) distributed a joint public notice for the above-referenced project pursuant to Chapter 173-225 WAC on November 30, 2010.

The project entails expanding the existing interchange at NE 134th Street to allow a direct connection with a new arterial at Northeast 139th Street, improve connections to NE 134th Street, and improve local roadways.

The proposed project is located in Water Resource Inventory Area (WRIA) 28 (Salmon-Washougal). Water bodies within the project area include Salmon Creek, Rockwell Creek, Whipple Creek and two tributaries of Whipple Creek. Permanent wetland impacts are associated with this project and will be mitigated for according to the Final Critical Area Mitigation Report dated February 2011. Wetland mitigation includes off-site wetland creation and preservation to meet the mitigation requirements of Ecology. In addition, on-site mitigation will include replanting in all temporary wetland and buffer impact areas.

AUTHORITIES:

In exercising authority under 33 U.S.C. § 1341, 16 U.S.C. § 1456, 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 pre-treatment effluent limitations as provided under 33 U.S.C. §§1311, 1312, 1313, 1316, and 1317 (FWPCA §§ 301, 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 not violate applicable water quality standards and other 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 WSDOT 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 quality standards (Chapter 173-200 WAC) or sediment quality standards (Chapter 173-204 WAC). Furthermore, nothing in this certification shall absolve Washington State Department of Transportation 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 :

1. For purposes of this Order, the term "Applicant" shall mean the Washington State Department of Transportation and its hired contractors.

2. All submittals required by this Order shall be sent to Department of Ecology Attn: Federal Project Coordinator – P.O. Box 47600, Olympia WA 98504-7600 or via e-mail. Notifications shall be made via phone or e-mail, e-mail is preferred. All submittals and notifications shall be identified with Order No. 8378 and include the Applicant's name, project name, project location, the project contact and the contact's phone number.

3. Notification shall be made via phone or e-mail (e-mail is preferred) to Ecology's Federal Project Coordinator in accordance with condition A.2., for the following activities:

    a. Immediately for any work that is out of compliance with the provisions of this Order, and
        i. 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 seven (7) days prior to all pre-construction meetings.
c. At least seven (7) days prior to the onset of initiating work on the project site.
d. At least seven (7) days prior to the onset of initiating work on the mitigation site.
e. At least seven (7) days of completing the mitigation site.
f. At least seven (7) days within project completion.

4. Work authorized by this Order is limited to the work described in the JARPA and supporting documents. 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.

5. 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 an amendment to this Order is required.

6. This Order shall be rescinded if the U.S. Army Corps of Engineers does not issue a Section 404 permit.

7. This Order does not exempt, and is provisional upon, compliance with other statutes and codes administered by federal, state, and local agencies.

8. 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.

9. The Applicant shall provide access to the project site and all associated mitigation sites upon Ecology's request for site inspections, monitoring and data collection to ensure compliance with this Order..

10. Nothing in this Order waives Ecology's authority to issue additional orders if Ecology determines that further actions are necessary to protect water quality. Further, Ecology retains jurisdiction to modify this Order if additional impacts due to project construction or operation are identified.

11. The Applicant shall ensure that all appropriate project engineers, workers 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 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 of each Phase begins at the project. See Attachment A for an example.

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. 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 and Wildlife's Hydraulic Project Approval (HPA). All in-water work shall be completed by the work window identified in the most current HPA issued for this project

C. Equipment and Staging

1. All construction debris and materials temporarily stored on-site shall be placed in a manner that does not adversely affect waters of the state, including wetlands.

2. Staging areas[1], storage areas, stockpile sites[2] will be located a minimum of 50 feet and, where practicable, 200 feet from waters of the state, including wetlands. If a staging area must be located within 50 feet of a water of the state, WSDOT shall notify Ecology's project coordinator, per condition A.2., for written approval prior to placement.

3. Fueling of equipment and vehicles shall not occur within 150 feet of ordinary high water and wetlands unless authorized by Ecology.

4. Fuel hoses, oil drums, oil fuel transfer valves and fittings, etc., shall be maintained in accordance with the current WSDOT "Standard Specifications for Road, Bridge, and Municipal Construction", in the *Spill Prevention, Control and Countermeasure Plan* Section to prevent spills to land or waters of the state.

5. All fueling areas shall be provided with adequate spill containment.

6. Equipment used during construction shall be serviced, fueled, and maintained on upland areas in order to prevent contamination of surface waters.

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[1] Staging area is a location on the project site where materials are brought from off-site or from a stockpile or storage site to an interim location to be cued up for near term or immediate use.
[2] Stockpile site or storage area is a location where large amounts of material are stored for future use on a project.

7. The Applicant shall develop a spill prevention and containment plan for all aspects of this project.

8. The Applicant shall have adequate and appropriate spill response materials on hand to respond to an emergency release of petroleum products or any other material into waters of the state.

9. 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 waters of the state.

10. No equipment shall enter, operate, be stored, or parked within waters of the state, including wetlands and their buffers, unless authorized by Ecology.

11. If authorized, equipment working in or around waters of the state, including wetlands, shall be free of any external petroleum products and its drive mechanisms (wheels, tracks, tires, etc.) shall be pressure-washed to remove accumulations of soil or other materials.

12. Wash water containing oils, grease, or other pollutants shall not be discharged into state waters. WSDOT shall set up a designated area for washing equipment.

13. Cleaning solvents or chemicals used for tool or equipment cleaning may not be discharged to the ground or waters of the state.

D. Construction

1. The Applicant shall comply with and implement the conditions of the National Pollutant Discharge Elimination System Waste Discharge Permit (NPDES Permit) Ecology issued for this project.

2. Within the project limits[3], all environmentally sensitive areas including, but not limited to, wetlands, wetland buffers, and mitigation areas shall be fenced with high visibility construction fence (HVF) prior to commencing construction activities. Construction activities include equipment staging, materials storage, and worker-vehicle parking. *Note: This condition does not apply to activities such as pre-construction surveying and installing HVF and construction zone signage.*

[3] Project limits include mitigation sites, staging areas, borrow sources, and other sites developed or used to support project construction.

a. If the project will be constructed in stages[4] 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 D,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.

3. All non sensitive area vegetation to be preserved shall clearly be marked (by site preservation line or flagging) prior to commencing construction activities.

4. Work in or near waters of the state shall be done in a manner that minimizes turbidity, erosion, and other water quality impacts.

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

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

E. Water Quality and Monitoring

1. This Order does not authorize exceedances of the water quality standards for turbidity beyond the limits established in WAC 173-201A-200.

2. A Water Quality Monitoring and Protection Plan (WQMPP) shall be submitted for review and approval at least 20 days prior to commencing in-water/overwater work activities, including wetlands and ditches. **No in-water/overwater work is 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 reporting.
   b. The BMP's and procedures to be used to protect water quality during all in-water/overwater work.
   c. A water sampling plan for turbidity, p.H. and visible sheen, as appropriate.
   d. A map with numbered or named sampling locations associated with the in-water/overwater activities that require monitoring.
   e. Contingency plan

[4] A stage is part of a project that has been separated into at least two distinct areas to be built during separate timeframes.

3. The Applicant shall notify the Federal Project Coordinator, per condition A.2., immediately following a violation of state water quality, and

    a. 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.

F. Wetland Compensatory Mitigation Conditions

1. The Applicant shall mitigate wetland impacts as described in the Final Critical Area Mitigation Report, I-5/Salmon Creek Interchange Project (hereafter called the "Mitigation Plan") prepared by WSDOT SW Region, and dated February 2011, incorporating final USACE and DOE comments 2-22-2011 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.

5. The remaining area of wetland creation mitigation credit from the Cedars Mitigation Site may be applied to future projects within the Salmon Creek Watershed, as requested by WSDOT. Use of the remaining mitigation credit as compensation for wetland impacts is subject to Ecology review and approval.

6. The Applicant shall submit a final grading plan with current hydrologic data for the Cedars Mitigation Site for review and approval before work begins.

7. The Applicant shall submit a final planting plan for the Cedars Mitigation Site for review and approval before work begins.

Implementation

8. 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.

9. If the mitigation site cannot be completed within 13 months of the date of this Order, the Applicant shall inform Ecology, in writing, of the status of:

    a. I-5/Salmon Creek Interchange Project
    b. Cedars 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 I-5/Salmon Creek Interchange Project and the Cedars Mitigation Site are complete.

10. 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 site and above the 100-year floodplain.

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

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

13. The Applicant shall not use polyacrylamide on exposed or disturbed soil at the mitigation site.

14. The Applicant shall not use hay or straw on exposed or disturbed soil at the mitigation site unless approved by Ecology.

15. If seeding is used at the wetland mitigation site, the seed mix must contain native, annual, non-invasive plant species.

16. If the Applicant chooses to use a non-native seed mix as a temporary erosion control measure during site construction, such as a sterile wheat mix, it must be approved by Ecology.

17. The Applicant shall place signs at the mitigation area's boundaries, including buffers, every 100 feet to mark the area as a wetland mitigation site.

18. Upon completion of site-grading and prior to planting, the Applicant shall submit to Ecology written confirmation that the finished grades are consistent with the approved Mitigation Plan or subsequent Ecology-approved plan changes. Written confirmation can be in the form of a signed letter from the surveyor or project

engineer indicating how final elevations were confirmed and whether those elevations are consistent with the Mitigation Plan.

19. If planting occurs more than 180 days after construction of the wetland mitigation site, the Applicant shall submit to Ecology (see A.2) one hard copy and one electronic file of the first as-built report, including maps, within 90 days of completing construction and a second as-built report within 90 of completing planting.

20. Within 90 days of completing construction and planting of the mitigation site, 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.20.

21. Within 90 days of completing construction and planting of Cedars 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.

Monitoring and Maintenance

22. The Applicant shall water and maintain all mitigation site plantings so as to meet the Mitigation Plan's performance standards described on pages 58 – 63.

23. The Applicant shall monitor the mitigation site for a minimum of 10 years. The Applicant shall use the monitoring methods described on pages 63 – 65 of the Mitigation Plan.

24. 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 24 months after completing the mitigation site construction and planting.

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

26. 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.

27. 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.

28. For monitoring years five (5) and ten (10) the Applicant shall use the 1997or updated versions of the "Washington State Wetlands Identification and Delineation Manual" to delineate all compensatory wetlands and include delineation information (e.g. data sheets, maps, etc.) in the monitoring reports.

29. 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.

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

31. 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 all aspects of this project.

2. 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.

3. 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 such work occurs, the Applicant shall comply with WSDOT's Environmental Compliance Assurance Procedure for Construction Projects and Activities and immediately take the following actions:

    a. Cease operations at the location of the violation.

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 Southwest Regional Spill Response Office at (360) 407-6300, **and** within 24 hours of spills or other events to Ecology's Federal Project Coordinator at (360) 407-7503.
e. Contact the Ecology's Southwest Region Cleanup Program **and** Regional Spill Office at (360) 407-6300 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.
f. 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.

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 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:

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 Hearings Office – Pollution Control Hearings Board
http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B

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

Brenden McFarland, Supervisor
Environmental Review and Transportation
Shorelands and Environmental Assistance Program
Headquarters

3-2-11
Date

Attachment A

Water Quality Certification
Statement of Understanding

I, _____, state that, I will be involved as a Washington State Department of Transportation (WSDOT) employee or an agent, contractor for WSDOT on the Salmon Creek Interchange Project in Clark County, Washington. I further state that I have read and understand the relevant conditions of Washington Department of Ecology **Water Quality Certification Order No. 8378** issued for the project 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

* This statement shall be signed by everyone involved in the project that has the authority to direct work and/or supervise project workers, per condition A.11. in the Water Quality Certification Order.

Attachment B
Information Required for As-built Reports
(See Condition F. 20)

I-5/Salmon Creek Interchange Project
Water Quality Certification Order # 8378
And
Corps Reference # NWS-2010-185-SOD

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.21)

I-5/Salmon Creek Interchange Project
Water Quality Certification Order # 8378
And
Corps Reference # NWS-2010-185-SOD

Tax Parcel Number: _____

Legal Description: _____

Legal Owner: _____

NOTICE: This property contains wetlands as defined by Chapter 36.70A.030(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. 24)

I-5/Salmon Creek Interchange Project
Water Quality Certification Order # 8378
And
Corps Reference # NWS-2010-185-SOD

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 photos were taken. We recommend photo pans.