



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

July 18, 2013

City of Orting  
ATTN: Mr. Mark Bethune  
110 Train Street SE  
Orting, WA 98360

RE: Water Quality Certification Order No. **10043**, Corps Reference No. **NWS-2011-1090**; for the Calistoga Levee Setback Project, City of Orting, Pierce County, Washington.

Dear Mr. Bethune:

On December 20, 2011, the City of Orting 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 Calistoga Setback Levee Project. A revised JARPA was submitted on April 29, 2013. The project will remove portions of the existing levee on the right (east) bank of the Puyallup River between river mile (RM) 19.9 to RM 21.3 and construct a new levee setback approximately 200 to 500 feet from the existing river channel. The project will provide reconnection of 43 acres of riparian floodplain habitat to the influence of the Puyallup River channel.

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 Lori Ochoa at (360) 407-6926. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

Perry J Lund, Unit Manager  
Shorelands and Environmental Assistance Program  
Southwest Regional Office

Enclosure

By Certified Mail 7011 1150 0000 7881 8114

cc: Jacalen Printz, Corps of Engineers  
Linda Storm, EPA  
Shane Phelps, Parametrix, Inc.  
Gina Piazza, WDFW



e-cc: ECY RE FED PERMITS  
Loree' Randall, Ecology/HQ  
Alex Callender, Ecology/SWRO/SEA  
Deb Cornett, Ecology/SWRO/WQ  
Lori Ochoa, Ecology/SWRO/SEA

**IN THE MATTER OF GRANTING A ) ORDER No. 10043**  
**WATER QUALITY ) Corps Reference No. NWS-2011-1090**  
**CERTIFICATION TO ) Calistoga Levee Setback Project, Puyallup River,**  
**The City of Orting ) Orting, Pierce 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: City of Orting  
ATTN: Mr. Mark Bethune  
110 Train Street SE  
Orting, WA 98360

On December 20, 2011, the City of Orting submitted a Joint Aquatic Resource Permit Application (JARPA) to the Department of Ecology (Ecology) requesting a Section 401 Water Quality Certification. A revised JARPA was submitted on April 29, 2013. A Joint Public Notice regarding the request was distributed by the Corps of Engineers on July 26, 2012, for the above-referenced project pursuant to the provisions of Chapter 173-225 WAC.

The City of Orting proposes to remove portions of the existing right (east) bank of the Puyallup River between river mile (RM) 19.9 to RM 21.3 and construct a new levee setback approximately 200 to 500 feet from the existing river channel to reconnect the previously isolated floodplain with the Puyallup River. The project will be conducted in two phases:

Phase I:

- Installation of temporary velocity deflectors during construction,
- Excavation of existing levee,
- Installation of apex jams at upstream end of the two levee islands,
- Installation of toe armor for the temporary stub levee,
- Removal and replacement of existing broken culvert,
- Excavation and installation of new fish-passable culverts.

Phase II:

- Installation of temporary velocity deflectors during construction,
- Excavation of existing levee,
- Installation of bank-roughening jams along the setback levee,
- Installation of toe armor at the connection of the setback levee to the existing levee.

Approximately 7.51 acres of Category II and Category III wetlands will be filled to construct the new setback levee. Mitigation to compensate for wetland impacts will include: 16.76 acres of wetland rehabilitation, 1.30 acres of wetland re-establishment, 1.91 acres of wetland creation, 0.26 acres of fish habitat enhancement, 16.16 acres of re-connected upland floodplain, and 8.09 acres of buffer for a total of 44.48 acres of mitigation.

The proposed project is located along the right-bank of the Puyallup River between river-mile 19.9 and 21.3, Orting, Pierce County, Washington; WRIA 10, Puyallup-White Watershed, in the following sections, township, and ranges:

¼ Section	Section	Township	Range
1, 2, 4, 43	30	19	5
11, 12, 13, 14, 44	31	19	5
11	25	19	4
	37	19	5
	40	19	5

**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 not violate 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:**

1. For purposes of this Order, the term "Applicant" shall mean the City of Orting and its agents, assignees, and contractors.
2. For purposes of this Order, all submittals required by its conditions shall be sent to Ecology's Southwest Regional Office Attn: Federal Permit Manager, P.O. Box 47775, Olympia, WA 98504-7775 or by e-mail to [loch461@ecy.wa.gov](mailto:loch461@ecy.wa.gov). Any submittals shall reference Order No. 10043 and Corps No. NWS-2011-1090.
3. Work authorized by this Order is limited to the work described in the following documents:
  - a. JARPA received by Ecology on December 20, 2011, and as revised in the JARPA received by Ecology on April 29, 2013;
  - b. The *Conceptual Mitigation Plan Calistoga Setback Levee* dated September 2012 and as revised in the Final Mitigation Plan.
  - c. Supplemental Information Volume 1 and Volume 2 submitted to the Federal Permit Manager on June 18, 2013.

The Applicant will be out of compliance with this Order and must reapply with an updated application if the information contained in the JARPA and Supplemental Information is voided by subsequent changes to the project not authorized by this Order.

4. 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.
5. This Order shall be rescinded if the U.S. Army Corps of Engineers does not issue a Section 404 permit.
6. 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.
7. The Applicant shall provide access to the project site upon request by Ecology personnel for site inspections, monitoring, necessary data collection, and/or to ensure that conditions of this Order are being met.
8. 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 or if additional conditions are necessary to further protect water quality.

9. 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 permit, plans, documents, and approvals. These statements shall be provided to Ecology before construction begins at the project site.
10. 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.
11. 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. Water Quality Conditions:**

1. This Order does not authorize temporary exceedances of water quality standards beyond the limits established in WAC 173-201A-200(1)(e).
2. The Puyallup River at this location is classified as "Core Summer Salmonid Habitat" and the criteria of that class apply except as specifically modified by this Order.
  - a. Water Quality Compliance shall not exceed 5NTUs over background turbidity when the background is 50 NTU or less. A 10 percent increase in turbidity is allowed when the background is more than 50 NTU.
  - b. The extent of compliance shall not exceed 300 feet downstream of the source.
3. The Applicant shall submit a Water Quality Monitoring and Protection Plan (WQMPP) to the Federal Permit Manager for review and approval at least 20 days prior to beginning work activities below the ordinary high water mark (OHWM). Work is not authorized to begin until the plan is approved by Ecology. At a minimum, the WQMPP shall include the following information:
  - a. The name(s) and contact information for the person or firm responsible for on-site monitoring and reporting;
  - b. The BMPs and procedures to be used to protect water quality during specific activities proposed below the OHWM;
  - c. A water quality sampling plan for turbidity, which includes sample locations and frequency. (Sampling locations for turbidity shall include, but are not limited to: background (to be taken outside of the area of influence), half the distance to the point of compliance, and at the point of compliance, unless otherwise approved by Ecology);
  - d. A map with numbered or named sampling locations associated with the in-water work activities;

- e. A Contingency plan outlining the steps to be taken if monitoring results indicate an exceedance has occurred. The amount of the exceedance and the reason for the exceedance shall also be reported.
4. Turbidity monitoring results shall be submitted weekly to the 401/CZM Federal Permit Manager per condition A.2, above. The Permit Manager shall be contacted within 24 hours if an exceedance occurs.

**C. Timing Requirements:**

1. This Order shall remain in effect until all of the compliance requirements in this document have been met.
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 by the end of the work window identified in the most current HPA issued for this project. Any project change that requires a new or revised HPA should also be sent to Ecology for review.

**D. Notification Requirements:**

1. The Applicant shall provide a copy of the final Corps Permit to Ecology's Southwest Regional Office Federal Permit Manager, in accordance with condition A.2 above, within two (2) weeks of receipt of the permit.
2. Written notification (FAX, e-mail, or mail) shall be made to Ecology's Southwest Regional Office Federal Permit Manager, in accordance with condition A.2 above, for the following activities:
  - a. At least ten (10) days prior to the onset of in-water work (including wetlands) in each construction season.
  - b. Within ten (10) days after completion of construction for each project season.
  - c. Immediately following a violation of the state water quality standards or any condition of this Order.
3. If project construction is not completed within 13 months of issuance of this Order, the Applicant shall submit a written construction status report. Status reports shall be submitted every 12 months thereafter until project construction is complete.

**NOTE:** These notifications shall include the Applicant's name, project name, project location, the number of this Order, contact name and contact's phone number.

**E. Construction Conditions:**

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

2. All work in and near the water shall be done so as to minimize turbidity, erosion, and other water quality impacts.
3. The project area shall be clearly marked/staked prior to construction. Clearing limits, travel corridors and stockpile sites shall be clearly marked. Equipment shall enter and operate within the marked clearing limits corridors and stockpile areas.
4. Construction stormwater, sediment, and erosion control Best Management Practices (BMPs) intended to trap sediment on site, shall be in place before starting project construction and shall be maintained throughout construction until the site is stabilized.
5. Staging areas will be located a minimum of 50 feet, and where practical, 150 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 Permit Manager before placing the staging area within the setback area.
6. All machinery and equipment used for project construction shall be serviced, fueled, and maintained in a confined area in order to prevent contamination to waters of the state. Fueling areas shall be located a minimum of 100 feet from waters of the state, including wetlands, and shall be provided with adequate spill containment. No petroleum products, chemicals, or other toxic or deleterious materials shall be allowed to enter waters of the state.
7. Wash water containing oils, grease, or other hazardous materials resulting from wash down of equipment shall be contained for proper disposal, and shall not be discharged into waters of the state. The Applicant shall establish a separate contained area for washing down vehicles and equipment which does not have any possibility of draining to surface waters and wetlands.
8. All equipment used below the ordinary high water mark (OHWM) shall utilize vegetable-grade biodegradable hydraulic fluid and shall be checked daily for drips or leaks. Accumulation of soils or debris shall be removed from the drive mechanism (wheels, tires, tracks, etc.) and the undercarriage of equipment prior to its use around waters of the state, including wetlands.
9. No material shall be stockpiled within the OHWM of the river.
10. All construction debris and deleterious material resulting from construction shall be properly contained and disposed of at an approved upland location so that it cannot enter waters of the state.
11. 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.
12. 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.

13. If a turbidity curtain is to be used, installation and removal shall be done in a manner that minimizes the disturbance of the river bed and sediment.
14. Culverts shall be installed and maintained to avoid inlet scouring and to prevent erosion of stream banks downstream of the project area.
15. Re-introduction of water to the river and stream channels shall be done gradually and in stages to minimize the mobilization of sediments and fines to downstream waters.
16. Upon completion of the project, all materials used for temporary bypass, temporary structures (velocity deflectors), or other methods of work area isolation, shall be removed from the site.

#### **F. Wetland Compensatory Mitigation Conditions**

1. The Applicant shall revise the *Conceptual Mitigation Plan for the Calistoga Setback Levee, City of Orting, Washington* (hereafter referred to as the "Mitigation Plan") prepared by Parametrix, dated September 2012 and submit (per Condition A.2. above) the Final Mitigation Plan to the Federal Project Manager for review and approval **at least 30 days prior** to beginning any work at the project site **Work shall not begin** until Ecology approves the Final Mitigation Plan.
2. 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.
3. The Applicant shall have a wetland professional at the wetland mitigation site to supervise during construction and planting.

#### **Implementation**

4. Unless otherwise approved by Ecology in writing, the Applicant shall begin the compensatory mitigation project before, or concurrent with, impacting the wetlands, or Ecology may require additional compensation to account for additional temporal loss of wetland functions.
5. 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. The Calistoga Setback Levee Project;
  - b. The wetland mitigation site construction;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 Calistoga Setback Levee Project and the mitigation site construction are complete.

6. The Applicant shall ensure that all excess excavated material is disposed of in an appropriate location outside of wetlands and their buffers at the mitigation site and is above the 100-year floodplain.
7. 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.
8. 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.
9. The Applicant shall not use polyacrylamide on exposed or disturbed soil at the mitigation site.
10. The Applicant shall not use hay or straw on exposed or disturbed soil at the mitigation site.
11. If weed-barrier fabric is used on the site, the Applicant shall use only permeable, fully biodegradable, non-toxic weed-barrier fabric for the 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.
12. If seeding is used at the wetland mitigation site, the seed mix must contain only native, non-invasive plant species.
13. The Applicant shall place signs at the mitigation site's outer buffer edge using Ecology approved signage.
14. 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 Mitigation Plan or subsequent Ecology-approved plan changes. The confirmation should indicate how final elevations were confirmed. The written confirmation can in the form of an e-mail or signed letter.
15. After completing construction and planting of the mitigation site, the Applicant shall submit to Ecology (per condition A.2. above) 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 completion of mitigation 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 F.16.
16. Within 90 days of the date this Order was issued, the Applicant shall record a conservation easement for the Calistoga Setback Levee Mitigation Site, a copy of this Order, and a site map indicating the location of mitigation site(s) and their buffers. 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**

17. The Applicant shall water and maintain all mitigation site plantings so as to meet the Mitigation Plan's performance standards.
18. The Applicant shall monitor the mitigation site for a minimum of 10 years. The Applicant shall use the monitoring methods described in the Mitigation Plan. Year-one monitoring shall begin at least one year after completion of the mitigation site, including planting.
19. The Applicant shall submit to Ecology (per Conditions A.2. above) monitoring reports documenting mitigation site conditions for years 1, 3, 5, 7, and 10. The monitoring reports must:
  - a. Be submitted by December 31 of each monitoring year. Include one hard copy and one electronic file.
  - b. Include the information listed in Attachment C (Information required for Monitoring Reports).
20. The Applicant shall implement the Mitigation Plan's contingency measures if the Mitigation Plan's goals, objectives, or performance standards are not being met.
21. Prior to implementing contingency measures not specified in the Mitigation Plan, the Applicant shall consult with and obtain written approval from Ecology for the proposed changes.
22. 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.
23. For monitoring years five (5) and ten (10) the Applicant shall use the currently approved federal wetlands 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.
24. 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.
25. If the Applicant has not met all of the conditions and performance standards for the mitigation site at the end of the monitoring period, Ecology may require additional monitoring, additional mitigation, or both.
26. 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 a spill prevention and containment plan for this project, and shall have spill cleanup materials and an emergency call list available on site.
2. 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, including wetlands, or onto land with a potential for entry into state waters, is prohibited. If these occur, the Applicant or operator shall immediately take the following actions:
  - a. Cease operations at the location of the compliance problem;
  - 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 finding distressed or dying fish, the applicant shall collect fish specimens and water samples in the affected area within the first hour of the event. These samples shall be held in refrigeration or on ice until the applicant is instructed by Ecology on what to do with them. Ecology may require analyses of these samples before allowing the work to resume.
  - d. 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.
  - e. Immediately notify Ecology's 24-Hour Spill Response Team at 1-800-258-5990 **and** within 24 hours of spills or other events to Ecology's Federal Project Manager at 360-407-6926.
  - 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.
3. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc. shall be checked daily for drips or leaks, and shall be maintained and stored properly to prevent spills into waters of the state, including wetlands.
4. If at any time during work, the proponent finds buried chemical containers, such as drums, or any unusual conditions indicating disposal of chemicals, the proponent shall immediately notify Ecology using the above phone numbers.

## 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
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel Rd SW STE 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903

## CONTACT INFORMATION

Please direct all questions about this Order to:

Lori Ochoa  
Department of Ecology  
Southwest Regional Office  
P.O. Box 47775  
Olympia, WA 98504-7775  
loch461@ecy.wa.gov

**MORE INFORMATION**

**Pollution Control Hearings Board Website**  
[www.eho.wa.gov/Boards\\_PCHB.aspx](http://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>

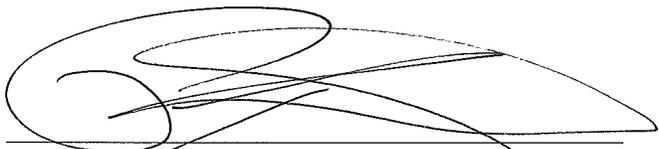
**Chapter 90.48 RCW – Water Pollution Control**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48>

**Chapter 173.204 WAC – Sediment Management Standards**  
[www.ecy.wa.gov/biblio/wac173204.html](http://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](http://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](http://www.ecy.wa.gov/biblio/wac173201A.html)

**SIGNATURE**



Perry J Lund, Unit Manager  
Shorelands and Environmental Assistance Program  
Southwest Regional Office  
Department of Ecology

7/18/2013  
Date

**Attachment A**

City of Orting  
Calistoga Setback Levee Project  
Order # **10043**  
Corps Reference # **NWS-2011-1090**  
Statement of Understanding  
Water Quality Certification Conditions

I, \_\_\_\_\_, state that I will be involved as an agent or contractor for the City of Orting in the construction of the Calistoga Setback Levee Project located between River Mile 19.9 and 21.3, Orting, Pierce County, Washington. I further state that I have read and understand the relevant conditions of the Washington Department of Ecology Water Quality Certification Order #**10043** and the applicable permits and approvals referenced therein which pertain to the project-related work for which I am responsible.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Company



## **Attachment B**

### **Information Required for As-built Reports**

Calistoga Setback Levee Project  
Water Quality Certification Order No. 10043  
And  
Corps Reference No. NWS-2011-1090

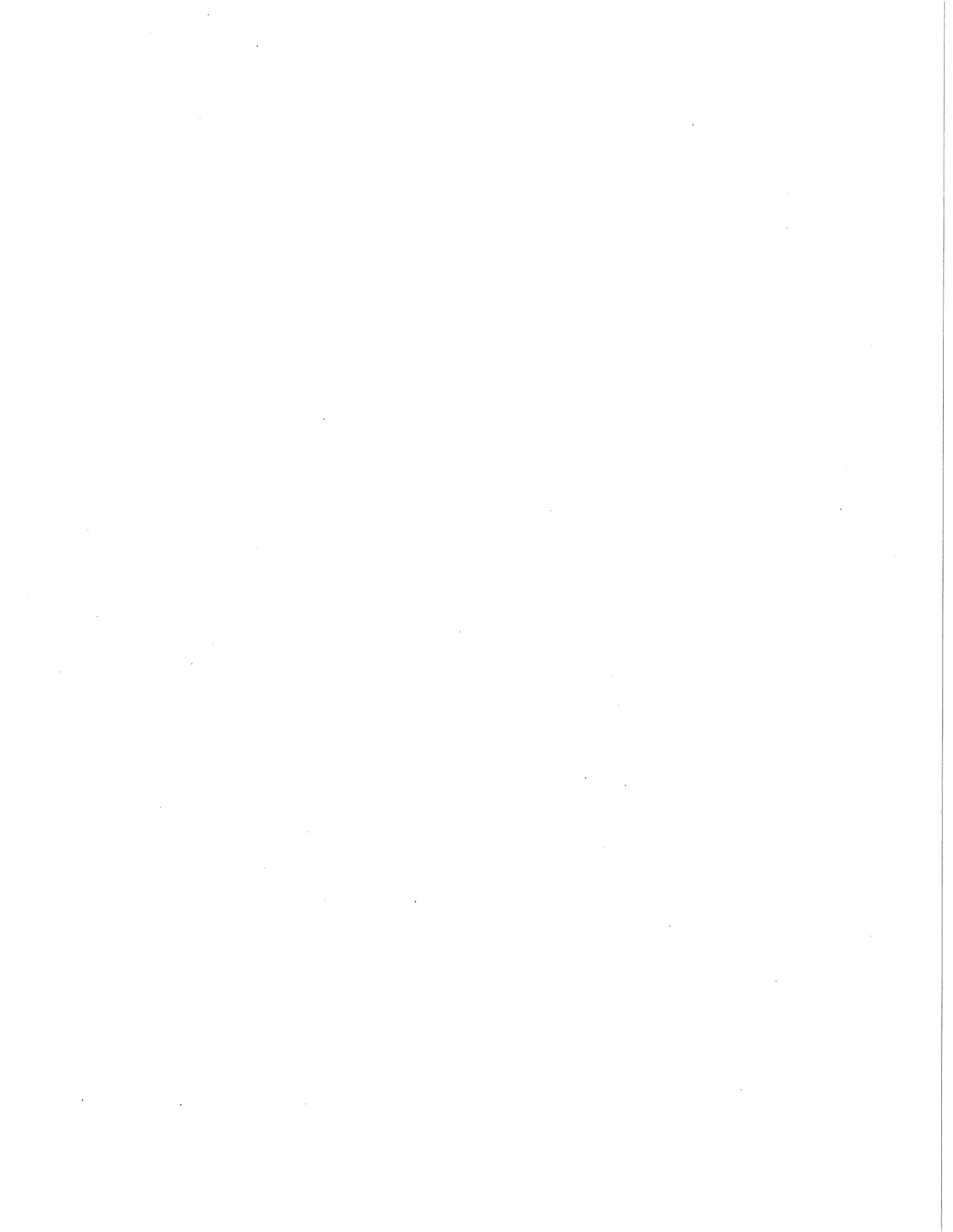
Ecology requires the following information for as-built reports submitted under this Order. Ecology will accept additional information that may be required by other agencies.

#### **Background Information**

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

#### **Calistoga Setback Levee Project Information**

- 5) Brief description of the **final** Calistoga Setback Levee Project with any changes from the approved plan made during construction. Include:
  - a) Description of actual activities completed
  - b) Important dates, including:
    - i. When work on the restoration project began and ended.
    - ii. When different activities such as grading, removal of invasive plants, installing plants, and installing habitat features began and ended.
- 6) Description of any problems encountered and solutions implemented (with reasons for changes) during construction of the site(s).
- 7) List of any follow-up actions needed, with a schedule.
- 8) Vicinity map showing the geographic location of the site(s) with landmarks.
- 9) Site map(s), 8-1/2" x 11" or larger, showing the following:
  - a) Boundary of the site(s).
  - b) Topography (with a description of how elevations were determined).
  - c) Installed planting scheme (quantities, densities, sizes, and approximate locations of plants, as well as the source(s) of plant material).
  - d) Location of habitat features.
  - e) Location of permanent photo stations and any other photos taken.Include the month and year when each map was produced or revised. The site map(s) should reflect on-the-ground conditions after the site work is completed.
- 10) Photographs taken at permanent photo stations and other photographs, as needed. Photos must be dated and clearly indicate the direction from which each photo was taken. Photo pans are recommended.
- 11) A copy of any deed notifications, conservation easements, or other approved site protection mechanism.



## **Attachment C**

### **Information Required for Monitoring Reports**

Calistoga Setback Levee Project  
Water Quality Certification Order No. 10043  
And  
Corps Reference No. 2011-1090

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.
- 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 from which each photo was taken. 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.