



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

March 15, 2013

Pierce County Surface Water Management
ATTN: Mr. Al Zehni
2702 South 42nd Street, Suite 201
Tacoma, WA 98409-7322

RE: Water Quality Certification Order No. **9773**, Corps Reference No. **NWS-2012-0106**;
for the Orville Road Discontinuous Revetment and Riparian Restoration Project,
Pierce County, Washington.

Dear Mr. Zehni:

On February 3, 2012, Pierce County Surface Water Management 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 Orville Road Discontinuous Revetment and Riparian Restoration Project. Orville Road is a major north-south emergency route in the area and the purpose of this project is to protect the two miles of Orville Road that is threatened by the channel migration of the Puyallup River.

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

Enclosures

By Certified Mail 7011 1150 0000 7881 7735



cc: Olivia Romano, Corps of Engineers
Tim Rymer, NOAA
Trish Byers, Pierce County
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. 9773
WATER QUALITY) Corps Reference No. NWS-2012-0106
CERTIFICATION TO) Orville Road Discontinuous Revetment and
Pierce County Surface Water) Riparian Restoration Project, Puyallup River,
Management) 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: Pierce County Surface Water Management
ATTN: Mr. Al Zehni
2702 South 42nd Street, Suite 201
Tacoma, WA 98409-7322

On February 3, 2012, Pierce County Surface Water Management submitted a Joint Aquatic Resource Permit Application (JARPA) to the Department of Ecology (Ecology) requesting a Section 401 Water Quality Certification. A Joint Public Notice regarding the request was distributed by the Corps of Engineers on October 18, 2012 for the above-referenced project pursuant to the provisions of Chapter 173-225 WAC.

The project is proposing to construct 690 feet of setback revetment and 6 in-stream Engineered Log Jams (ELJs) along the left bank of the Puyallup River. The purpose of the project is to protect a two-mile segment of Orville Road, a major north-south emergency route in that area, which is being threatened by the channel migration of the Puyallup River. The revetment will be constructed along the existing bank and will consist of a series of intermittent ELJs which will be spaced approximately ten (10) feet apart. Each ELJ will consist of five (5) to eight (8) dolotimber units, 100 to 160 racking logs, and slash. (Each of the dolotimber units consists of one pre-cast concrete dolo, one Class One Log with rootwad and one Class Two Log, intertwined together.) The proposed ELJ revetment would cover a total surface area of approximately 8,509 square feet of Category II riverine wetlands.

Compensation to mitigate for the wetland impacts will occur on-site and will consist of a combination of 9199 square feet of wetland creation; 39,887 square feet of wetland rehabilitation; and 17,400 square feet of floodplain rehabilitation.

The proposed project is located along the left-bank of the Puyallup River at approximately river-mile 26.9, near Orting, Pierce County, Washington; NW quarter of Section 28, Township 18 North, Range 5 East; WRIA 10, Puyallup-White Watershed.

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, 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 Pierce County Surface Water Management, 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. Any submittals shall reference Order No. 9773 and Corps No. NWS-2012-0106.
3. Work authorized by this Order is limited to the work described in the JARPA received by Ecology on February 3, 2012, the final revised *Water Quality Monitoring and Protection Plan* dated January 31, 2013, the *Orville Road ELJ Setback Revetment Monitoring Plan* dated June 19, 2012, the *Orville Road Engineered Logjam Setback Revetment Second Revised Final Wetland Mitigation Plan* dated March 14, 2013 and in supplemental documentation submitted to the Federal Permit Manager via e-mail on February 7, 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 package 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. The Puyallup River at this location is classified as “Core Summer Habitat” and the criteria of that categorization apply as described in WAC 173-201A-200(1) except as specifically modified by this Order.
2. This Order does not authorize the Applicant to exceed applicable state water quality standards for turbidity as described in WAC 173-201A-200(1)(e). For this project, the following is considered to be an exceedance of the standard:
 - a. 5NTU over background conditions when the background is 50 NTU or less; or a 10 percent increase in turbidity when the background is more than 50 NTU.
3. Water Quality Sampling and Monitoring: The Applicant shall conduct turbidity sampling as outlined in the “Water Quality Monitoring and Protection Plan (WQMPP) Orville Road Protection Project” dated January 31, 2013. Ecology must approve, in writing, any changes to this WQMPP.
4. Sampling for turbidity shall be accomplished using a turbidimeter properly calibrated according to the operator’s manual.
5. Notification of Exceedances: If water quality exceedances are detected outside of the point of compliance, work causing the problem shall cease immediately and the Applicant or the contractor shall assess the problem and take immediate action to stop, contain, correct the problem and/or prevent further water quality turbidity exceedances. If an exceedance occurs, the Applicant shall follow the protocols and notification procedures below:
 - a. Notification of exceedances that are detected through water quality monitoring shall be made to Ecology **within 24 hours of occurrence**. Notification shall be made per Condition A2 above. The Applicant shall, at a minimum, provide Ecology with the following information:
 - i. A description of the nature and cause of exceedance;
 - ii. The period of the exceedance, including exact dates, duration, and times and/or the anticipated time when the Applicant will return to compliance; and
 - iii. The steps taken, or to be taken, to reduce, eliminate, and prevent recurrence of the exceedance.
 - iv. In addition, within five (5) days after notification of an exceedance, the Applicant shall submit a written report to Ecology that describes the nature of the exceedance(s), corrective action taken and/or planned, steps to be taken to prevent a recurrence, photographs, and any other pertinent information.
 - b. Mitigation and/or additional monitoring may be required as a result of the exceedance(s).
6. Reporting: Results of the water quality monitoring shall be documented in daily data sheets and submitted to Ecology weekly during project construction (in accordance with

conditions A.2. above.) (See Attachment E for an example.) At a minimum, the data sheets must include:

- a. Date and Time of Sample;
 - b. Sample Location;
 - c. Turbidity Reading;
 - d. Name of Person collecting sample;
 - e. Weather conditions
7. Mitigation and/or additional monitoring may be required if water quality standards are not met.

C. Timing Requirements:

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

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 Corps 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. At least ten (10) days prior to completing each wetland mitigation site.
 - c. Within ten (10) days after completion of construction for each project season.
 - d. 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 and contact's phone number.

E. Construction Conditions:

1. The effectiveness of the Dolosse shall be monitored per the *Orville Road ELJ Setback Revetment Monitoring Plan* dated June 19, 2012. The Annual reports summarizing the

- data shall be submitted to Ecology for review each monitoring year per condition A.2. above.
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 (BMP's) 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 line shall utilize bio-degradable 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, excess sediment, or deleterious material resulting from project construction shall be properly contained and disposed of at an approved upland location so that it cannot enter waters of the state.
 11. If hog fuel is used to create a temporary access road, a protective, impermeable layer shall first be placed on the substrate prior to placement of the hog fuel.
 12. All materials used for temporary construction access roads and bridges shall be fully removed upon completion of the project and the area restored to natural condition.
 13. Under no circumstances shall a blockage to stream flow or fish passage be created.

F. Wetland Compensatory Mitigation Conditions

1. The Applicant shall mitigate wetland impacts as described in the *Orville Road Engineered Logjam Setback Revetment Second Revised Final Wetland Mitigation Plan* (hereafter referred to as the "Mitigation Plan") prepared by Ann Boeholt; PWS, dated March 14, 2013, or as otherwise modified by this Order or revised and approved by Ecology.
2. The Applicant shall submit any further changes to the mitigation plan in writing to Ecology (per Condition A.2. above) 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 the wetlands or Ecology may require additional compensation to account for additional temporal loss of wetland functions.
6. 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 Orville Road Discontinuous Revetment and Riparian Restoration 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 Orville Road Discontinuous Revetment and Riparian Restoration Project and the mitigation site construction are complete.
7. 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.
 8. 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.
 9. 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.
 10. The Applicant shall not use polyacrylamide on exposed or disturbed soil at the mitigation site.

11. The Applicant shall not use hay or straw on exposed or disturbed soil at the mitigation site.
12. 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.
13. If seeding is used at the wetland mitigation site, the seed mix must contain only native, non-invasive plant species.
14. The Applicant shall place signs at the mitigation site's boundaries, including buffers, every 50-feet to mark the area as a wetland mitigation site.
15. 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.
16. 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.17.
17. Within 90 days of completing construction and planting at the wetland 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

18. The Applicant shall water and maintain all mitigation site plantings so as to meet the Mitigation Plan's performance standards.
19. 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.
20. 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 D (Information required for Monitoring Reports).
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 proposed 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 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.
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 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.
27. Until the Applicant has received written notice from Ecology that the Mitigation Plan has been fully implemented, the Applicant's obligation under Conditions D.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
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 Rd SW STE 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903
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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

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

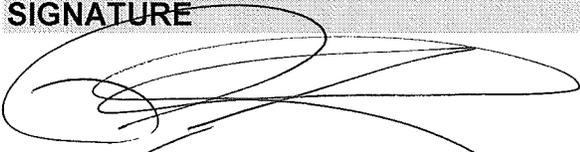
Chapter 90.48 RCW – Water Pollution Control
<http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48>

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

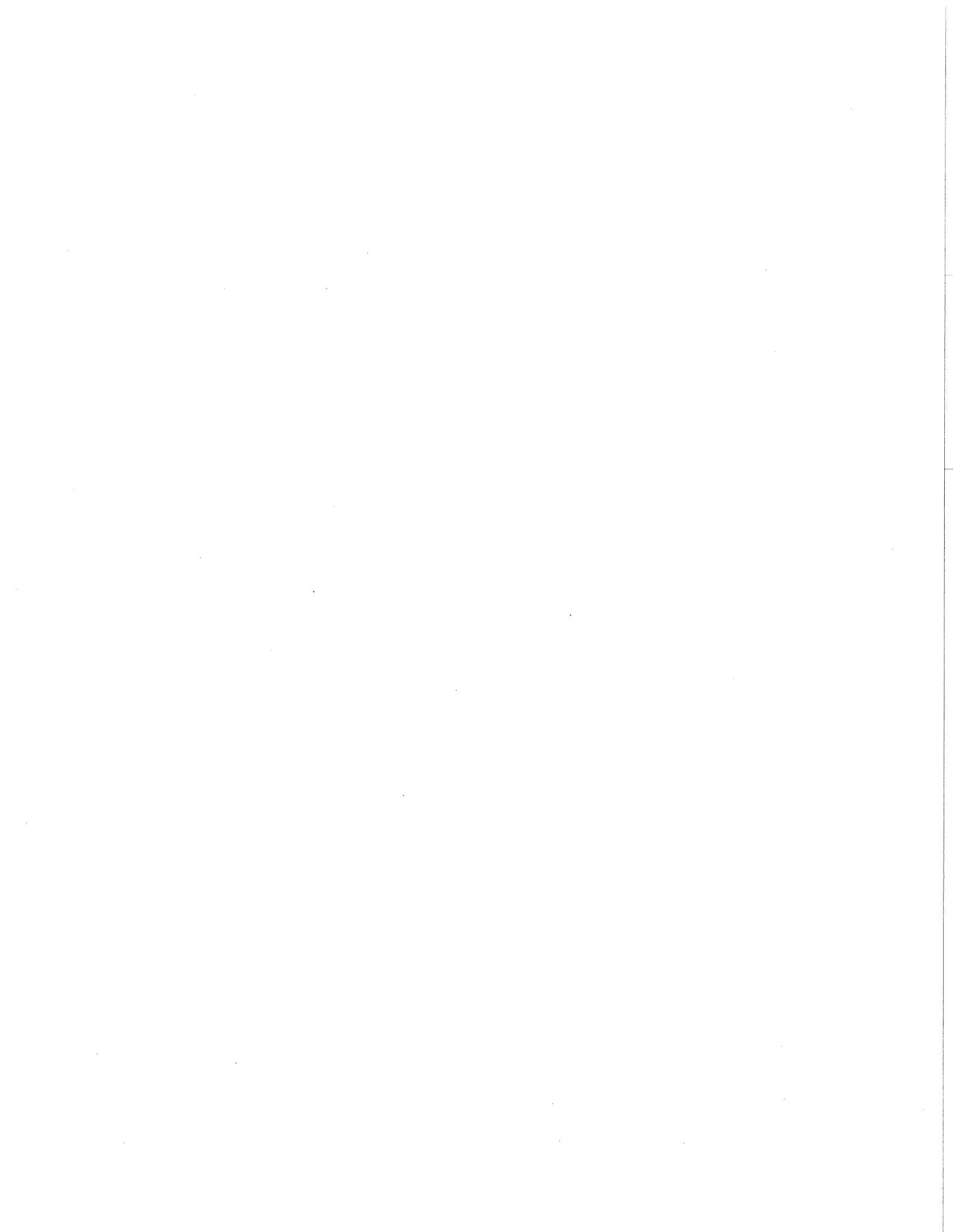
Chapter 173-201A WAC – Water Quality Standards for Surface Waters of the State of Washington
www.ecy.wa.gov/biblio/wac173201A.html

SIGNATURE



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

15 MARCH 2013
Date



Attachment A

Pierce County
Surface Water Management
Orville Road Discontinuous Revetment and Riparian Restoration Project
Order No. **9773**
Corps Reference No. **NWS-2012-0106**
Statement of Understanding
Water Quality Certification Conditions

I, _____, state that, I will be involved as an agent or contractor for Pierce County Surface Water Management with the Orville Road Discontinuous Revetment and Riparian Restoration Project located at river mile 26.9 of the Puyallup River near 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 No. **9773** and the applicable permits and approvals referenced therein which pertain to the project-related work for which I am responsible.

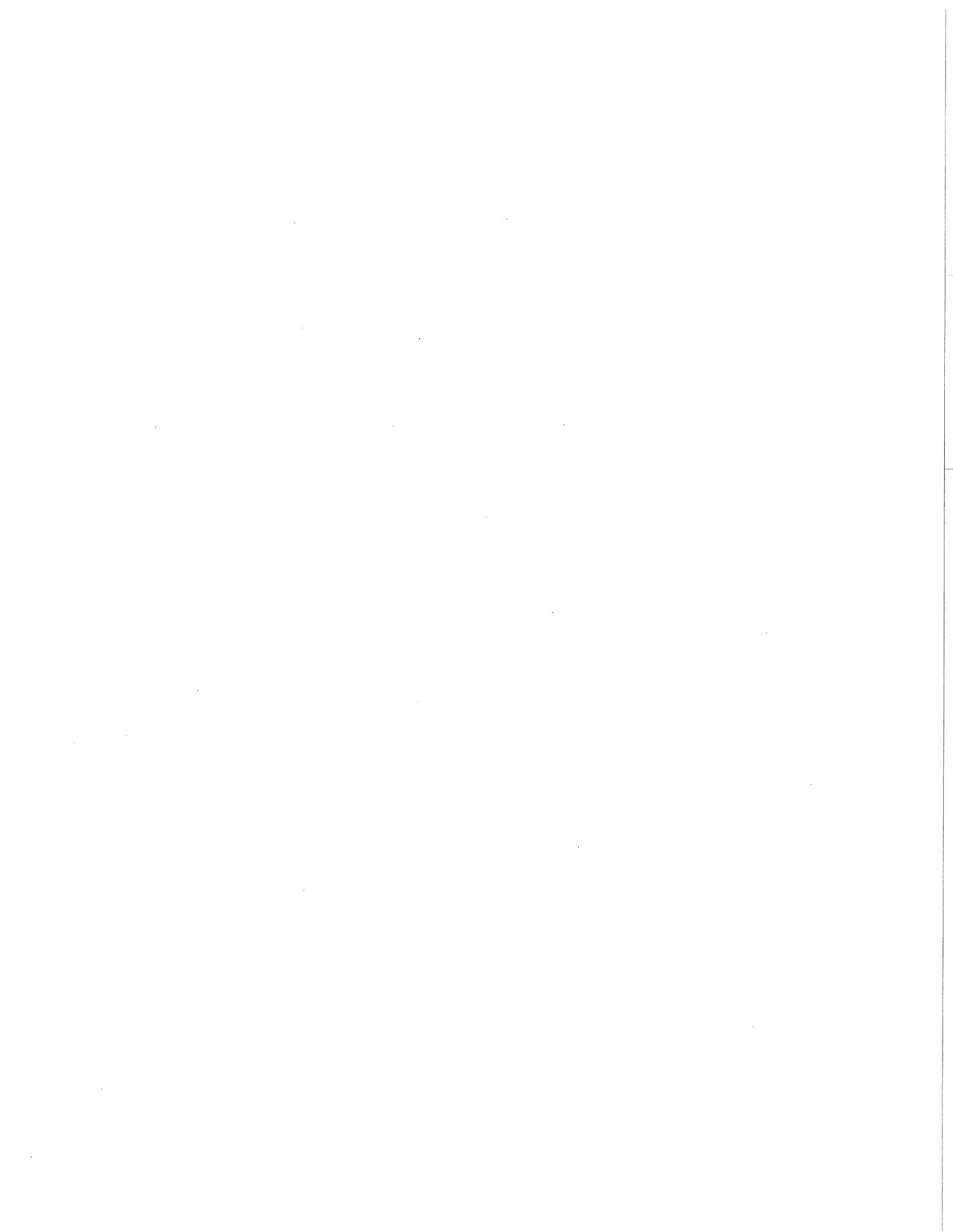
Signature

Date

Title

Phone

Company



Attachment B

Information Required for As-built Reports

Orville Road Discontinuous Revetment and Riparian Restoration
Water Quality Certification Order No. 9773
And
Corps Reference No. NWS-2012-0106

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 mitigation site(s).
- 4) Date the report was produced.

Mitigation Project Information

- 5) Brief description of the **final** mitigation project with any changes from the approved plan made during construction. Include:
 - a) **Actual** acreage of Cowardin classes and mitigation type(s) (re-establishment, rehabilitation, creation, enhancement, preservation, upland, buffers).
 - b) Important dates, including:
 - i. Start of project construction.
 - ii. When work on the mitigation site began and ended.
 - iii. When different activities such as grading, removal of invasive plants, installing plants, and installing habitat features began and ended.
- 6) Description of any problems encountered and solutions implemented (with reasons for changes) during construction of the mitigation 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) Mitigation 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.

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Corps No. NWS-2012-0106,
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- 11) A copy of any deed notifications, conservation easements, or other approved site protection mechanism.

Attachment C
Wetland Notice for Deed Notification

Orville Road Discontinuous Revetment and Riparian Restoration Project
Water Quality Certification Order No. 9773
And
Corps Reference No. NWS-2012-0106

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

Orville Road Discontinuous Revetment and Riparian Restoration Project
Water Quality Certification Order No. 9773
And
Corps Reference No. NWS-2012-0106

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.

