



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

March 28, 2014

Ms. Debbie Knaub  
Public Utility District No.2 of Grant County  
30 C Street Southwest  
Post Office Box 878  
Ephrata, Washington 98823

RE: Water Quality Certification Order No. **10615** for Corps Public Notice No. NWS-2012-945, Frenchman Coulee Recreational Facility Improvement, Grant County, Washington

Dear Ms. Knaub:

On February 15, 2013, the Public Utility District No.2 of Grant County submitted a Joint Aquatic Resources Permit Application (JARPA) to the Department of Ecology (Ecology) for a Section 401 Water Quality Certification (401 Certification) under the federal Clean Water Act for the Frenchman Coulee Recreational Facility Improvement in Grant County, Washington.

The proposed project entails providing boat access at all water levels, ADA accessibility improvements, boat safety improvements, and compliance with the Priest Rapids Project's FERC license at the Frenchman Coulee Recreation Area on the eastern shoreline of the Wanapum Reservoir on the mid-Columbia River at River Mile 424.

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 Jessica Hausman at 360-407-7421. The enclosed Order may be appealed by following the procedures described in the Order.

Sincerely,

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

Enclosure



Ms. Debbie Knaub  
March 28, 2014  
Page 2

by certified mail 7010 2780 0000 2503 3907

cc: Karen Urelius, Corps of Engineers  
Eric Pentico, Washington Department of Fish and Wildlife

e-cc: Damien Hooper, Grant County  
Loree' Randall, Ecology HQ  
[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov)

**IN THE MATTER OF GRANTING A ) ORDER #10615**  
**WATER QUALITY ) Corps Reference No. NWS-2012-945**  
**CERTIFICATION TO ) Boat Launch and float replacement, navigation**  
**Public Utility District No. 2 of Grant ) channel dredging to access the new boat ramp,**  
**County ) south jetty size reduction, streambed**  
in accordance with 33 U.S.C. 1341 ) enhancement with placement of gravel and  
(FWPCA § 401), RCW 90.48.120, RCW ) shoreline plantings, and other recreational site  
90.48.260 and Chapter 173-201A WAC ) improvements at Frenchman Coulee  
) Recreational Area, Grant County, Washington

**TO: Ms. Debbie Knaub**  
**Public Utility District No.2 of Grant County**  
**30 C Street Southwest**  
**Post Office Box 878**  
**Ephrata, Washington 98823**

On February 15, 2013, the Public Utility District No.2 of Grant County submitted a Joint Aquatic Resources Permit Application (JARPA) Revision 2012.1 to the Department of Ecology (Ecology) requesting a Section 401 Water Quality Certification. A joint public notice regarding the request was distributed by the Army Corps of Engineers (Corps) for the above-referenced project pursuant to the provisions of Chapter 173-225 WAC on January 29, 2014.

The proposed project entails providing boat access at all water levels, ADA accessibility improvements, boat safety improvements, and compliance with the Priest Rapids Project's FERC license at the Frenchman Coulee Recreation Area on the eastern shoreline of the Wanapum Reservoir on the mid-Columbia River at River Mile 424, Grant County, Washington. WRIA# 41, Lower Crab.

Description of the proposed in-water work:

**Boat ramp:** Construct a 140 foot long boat ramp, with a new concrete approach apron, two 20 foot wide concrete launch lanes and concrete float abutments. Two existing boat ramps (86 feet long, with one ramp 12 feet wide and the other 46 feet wide) would need to be removed. The new ramp would be constructed on a 12-inch deep prepared gravel foundation. Riprap would be installed around the boat ramp at the toe and along the north and south edges. There would be a net increase of 960 square feet of riprap waterward of the ordinary high water mark (OHWM) that would replace native cobbles, sand, and silt. There would be a net increase of 1181 square feet of new concrete waterward of the OHWM that would replace angular rock and quarry spalls.

**Handling Floats:** The existing floats and two steel piles will be removed. Eight 20 foot long by 8 foot wide aluminum floats supported by seven new 12.75 inch diameter steel pipe piles will be installed above the proposed concrete boat ramp and a small portion of the navigation channel. All floats would be 100% grated, meeting current light penetration standards and ADA requirements.

**Navigation channel:** The navigation channel would be improved by dredging 12,280 cubic yards of material to widen the channel from 40 feet to 50 feet and deepening the channel from an elevation of 570 feet to an elevation of 560.5 feet. Five navigation aids will be installed to mark the navigation channel. These would consist of dayboards mounted on 12.75 inch diameter steel pipe piles.

**Navigation Channel Side Slope Stabilization:** The 2.5:1 side slopes of the enlarged navigation channel will be stabilized with a 1.5 foot thick layer of quarry spalls to protect exposed slopes from waves and currents.

**South Jetty:** The rock jetty will be reduced in size by approximately 300 square feet. Portions of the remaining jetty area will be augmented with suitable substrates to support riparian vegetation.

**Streambed Enhancement for Shoreline Area:** The shoreline area south of the south jetty will be enhanced by placing natural rounded gravel and cobble along a 25 foot wide and 200 foot long portion of the shoreline below OHWM at a 7:1 slope to improve habitat substrates for fish.

**Streambed Enhancement to Remove Fish Stranding Areas:** Dredged material would be placed in the depressions along the river bottom in a 7,500 square foot area adjacent to the south jetty where fish become stranded at lower water levels.

Description of upland work:

**Parking Lot Reconfiguration and New Stormwater Facilities:** The parking lot will be reconstructed and parking spaces closest to the concrete walk will be relocated. The parking lot surface will be repaved with asphalt over a gravel base, and stormwater islands and level spreaders will be installed to treat stormwater runoff from the parking area.

**Picnic Tables and Paths:** Five new picnic tables will be added. The existing path connecting the parking area to Riverstone Resort will be removed. Both paths on the jetties will be removed. A new trail connecting the boat launch area with the Riverstone Resort will be created.

Proposed mitigation to compensate for impacts includes 1,150 square feet of enhanced benthic habitat south of the modified jetty, 1,090 square feet of riparian enhancement plantings throughout the project site, reduction of impervious surface within Shoreline Management areas, and creation of 18,970 square feet of new stormwater handling 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 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 Public Utility District No.2 of Grant County and its agents, assignees and contractors.
2. All submittals required by this Order shall be sent to Ecology's HQ, Attn: Federal Project Coordinator, Post Office Box 47600, Olympia, WA, 98504 or via e-mail (preferred) to [ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov). The submittals shall be identified with Order No. 10615 and include the Applicant's name, project name, project location, the project contact and the contact's phone number.

3. Work authorized by this Order is limited to the work described in the JARPA received by Ecology on February 15, 2013, unless otherwise authorized by Ecology.
4. The Applicant shall obtain Ecology review and approval before undertaking any changes to the proposed project that might significantly and adversely affect water quality, other than those project changes required by this Order.
5. Within 30 days of receipt of any updated information, Ecology will determine if the revised project requires a new water quality certification and public notice or if a modification to this Order is required.
6. This Order shall be rescinded if the U.S. Army Corps of Engineers does not issue a Section 404 and Section 10 permit for the project.
7. The Applicant shall keep copies of this Order on the job site and readily available for reference by Ecology personnel, the construction superintendent, construction managers and lead workers, and state and local government inspectors.
8. The Applicant shall provide access to the project site and all mitigation sites upon request by Ecology personnel for site inspections, monitoring, necessary data collection, and/or to ensure that conditions of this Order are being met.
9. Nothing in this Order waives Ecology's authority to issue additional orders if Ecology determines that further actions are necessary to implement the water quality laws of the state. Furthermore, Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if additional impacts due to project construction or operation are identified (*e.g.*, violations of water quality standards, downstream erosion, etc.), or if additional conditions are necessary to further protect water quality.
10. The Applicant shall ensure that all appropriate project engineers and contractors at the project site have read and understand relevant conditions of this Order and all permits, approvals, and documents referenced in this Order. The Applicant shall provide Ecology a signed statement (see Attachment A for an example) from each project engineer and contractor that they have read and understand the conditions of this Order and the above-referenced permits, plans, documents and approvals. These statements shall be provided to Ecology before construction begins at the project.
11. 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.

12. 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. Water Quality**

This Order does not authorize temporary exceedances of the turbidity standard beyond the limits established in WAC 173-201A-200(1)(e):

- The area of mixing allowed for this project based on the above referenced statute is 300 foot downstream of the activity causing the turbidity disturbance. Turbidity occurring outside that zone that is more than 5 nephelometric turbidity units (NTU) over background when the background is 50 NTU or less, or a 10% increase in turbidity when the background turbidity is more than 50 NTU is a violation of the turbidity water quality standard.

## **C. Construction Conditions**

1. All work in and near the water shall be done so as to minimize turbidity, erosion, and other water quality impacts. Construction stormwater, sediment, and erosion control Best Management Practices (BMP's) suitable to prevent exceedances of state water quality standards shall be in place before starting clearing, filling and grading work and shall be maintained throughout construction.
2. The project shall be clearly marked/staked prior to construction. Clearing limits, travel corridors and stockpile sites shall be clearly marked. Sensitive areas and buffers that are to be protected from disturbance shall be marked so as to be clearly visible to equipment operators. Equipment shall enter and operate within the marked clearing limits corridors and stockpile areas.
3. Prior to initiating construction activities at the site, all appropriate soil erosion and sediment control measures will be installed.

## **D. Dredging and Disposal:**

1. All dredging is to be done using equipment, methods, and Best Management Practices described in the JARPA. Use of any other type of dredge or other methods requires preapproval from Ecology.
2. A copy of the "Dredging and Dredged Material Handling Plan" (as referenced on page 11 of the JARPA) that will be developed by the Contractor shall be submitted to Ecology.

3. Dredging operations shall be conducted in a manner that minimizes the disturbance or siltation of adjacent waters and prevents the accidental discharge of petroleum products, chemicals or other toxic or deleterious substances into waters of the State.
4. While dredging and during barge dewatering operations, a floating turbidity curtain and/or debris boom will be placed around the perimeter of the dredge equipment.
5. The Applicant and contractor will visually monitor for turbidity during dredging operations to ensure compliance with water quality standards.
6. Dredged material shall not be stockpiled on a temporary or permanent basis below the ordinary high water line.
7. During dredging, the Applicant shall have a boat available on site at all times to retrieve debris from the water.
8. The barge shall not be overfilled to the point where dredge material overtops the sidewalls.
9. Caution shall be used when placing material from the bucket onto the barge to limit splash and prevent spillage.
10. The Dredge operator shall pause the bucket at the surface, after its ascent through the water column, to minimize turbidity by allowing free water to drain from the bucket prior to swinging the bucket to the barge.

#### **E. Mitigation and Monitoring**

1. The Applicant shall mitigate wetland impacts as described in the *Mitigation Plan for Frenchman Coulee Recreational Facility Improvement Project* prepared by GeoEngineers, and dated November 30, 2012, or as modified by this Order or revised and approved by Ecology.
2. A status report on the mitigation construction must be submitted to Ecology, 13 months from the date of permit issuance. Annual status reports on mitigation construction are required until mitigation construction is complete.
3. If weed-barrier fabric is used on the site, the Applicant shall use only permeable, fully biodegradable, non-toxic weed-barrier fabric for entire-site and/or individual plant weed control. 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.

#### **F. Timing Requirements**

1. This Order shall remain in effect for a period of 5 years from date of issuance.
2. All in-water work shall be completed by 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.

#### **G. Notification Requirements**

1. The Applicant shall provide written notification (FAX, e-mail or mail) to Ecology's HQ Federal Permit Coordinator in writing at least three (3) days prior to the start of construction at the project site.
2. The Applicant shall provide written notification to Ecology's HQ Federal Permit Coordinator in writing within fourteen (14) days after completion of construction.

NOTE: Notification should be made using all the information required in Condition A2.

#### **H. Emergency/Contingency Measures:**

1. The Applicant shall develop and implement a spill prevention and containment plan for this project and shall have spill cleanup material available on site at all times during construction.
2. Work that is out of compliance with the provision of this Order, conditions causing distressed or dying fish, discharges of oil, fuel, or chemicals into state waters or onto land with a potential for entry into state waters, is prohibited. If such work, conditions, or discharges occur, the Applicant shall take the following actions:
  - a. Cease operations at the location of the non-compliance.
  - b. Assess the cause of the water quality problem and take appropriate measures to correct the problem and/or prevent further environmental damage.
  - c. In the event of a discharge of oil, fuel, or chemicals into state waters, or onto land with a potential for entry into state waters, containment and cleanup efforts shall begin immediately and be completed as soon as possible, taking precedence over normal work. Cleanup shall include proper disposal of any spilled material and used cleanup materials.
  - d. Immediately notify Ecology's Regional Spill Response Office and the Washington State Department of Fish & Wildlife the nature and details of the problem, any actions taken to correct the problem, and any proposed changes in operation to prevent further problems.

- e. Immediately notify the National Response Center at 1-800-424-8802, for actual spills to water only.
3. Notify Ecology's Regional Spill Response Office immediately if chemical containers (e.g. drums) are discovered on-site or any conditions present indicating disposal or burial of chemicals on-site that may impact surface water or ground water.

#### **YOUR RIGHT TO APPEAL**

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

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

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

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

#### **ADDRESS AND LOCATION INFORMATION**

<b>Street Addresses</b>	<b>Mailing Addresses</b>
<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:

Jessica Hausman  
Department of Ecology - Federal Permit Unit  
P.O. Box 47600  
Olympia, WA 98503-7600  
360-407-7421 / jemo461@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 and Land Use Hearings Office – Pollution Control Hearings Board**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**  
<http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Chapter 90.48 RCW – Water Pollution Control**  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=90.48>
- **Chapter 173.204 Washington Administrative Code (WAC) Sediment Management Standards**  
<http://www.ecy.wa.gov/biblio/wac173204.html>
- **Chapter 173-200 WAC Water Quality Standards for Ground Waters of the State of Washington**  
<http://www.ecy.wa.gov/biblio/wac173200.html>
- **Chapter 173-201A WAC Water Quality Standards for Surface Waters of the State of Washington**  
<http://www.ecy.wa.gov/biblio/wac173201A.html>

## SIGNATURE

Dated this 28<sup>th</sup> day of March, 2014 at the Department of Ecology Lacey, Washington



---

Brenden McFarland, Section Manager  
Shorelands and Environmental Assistance Program  
Department of Ecology  
State of Washington



**ATTACHMENT A**

**Public Utility District No. 2 of Grant County  
Frenchman Coulee Recreation Area Enhancement Project  
Water Quality Certification Order #10615**

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

I have read and understand the conditions of Order #10615 Section 401 Water Quality Certification for the Frenchman Coulee Recreational Area Enhancement Project. I have also read and understand all permits, plans, documents, and approvals associated with the Frenchman Coulee Recreation Area Enhancement and particularly the Boat Launch Project referenced in this order.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Company

