



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

September 3, 2010

City of Westport
ATTN: Mr. Randy Lewis
PO Box 505
Westport, WA 98595

RE: Amendment to Order #01SEAHQ-3374 for impacts to wetlands to construct a ballfield and associated facilities at the G.A.R. site in the City of Westport, Grays Harbor County, Washington

Dear Mr. Lewis:

Enclosed is an amendment to the Administrative Order issued on December 20, 2001, for the above referenced project site.

The purpose of this amendment is to update and replace mitigation requirements within the original order in response to the Year 7 Monitoring Report provided by ESA Adolphson.

If you have any questions, please contact Rick Mraz at (360) 407-6221. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,

Paula Ehlers, Section Manager
Shorelands and Environmental Assistance Program
Southwest Regional Office

By Certified Mail 7008 2810 0001 3941 4185

e-cc: Loree Randall, Ecology HQ
Lori Ochoa, Ecology SWRO
Rick Mraz, Ecology SWRO
ecyrefedpermits@ecy.wa.gov



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF GRANTING)
A WATER QUALITY) ORDER #01SEAHQ-3374
CERTIFICATION TO) First Amendment
The City of Westport) Wetland Fill, G.A.R. property,
) City of Westport, Grays Harbor County

TO: The City of Westport
ATTN: Mr. Randy Lewis
PO Box 505
Westport, WA 98595

The Department of Ecology (Ecology) is amending the above-referenced Administrative Order # 01SEAHQ-3374 in response to the results of the Year 7 Monitoring Report. This amendment is issued under the provisions of Chapter 90.48 RCW and Chapter 173-201A WAC.

Administrative Order No. 01SEAHQ-3374 dated December 20, 2001 is hereby amended as follows:

- I. **Condition #2: Project mitigation shall be constructed and maintained as described in the City of Westport G.A.R. Property Wetland Mitigation Plan dated November 2000, is replaced with:**

Project mitigation shall be constructed and maintained as described in Attachment A, Revisions to Westport GAR Ballfield Mitigation Plan – August 2010.

Condition #5: Monitoring and Contingency Plan: Monitoring shall be done as described in the City of Westport G.A.R. Property Wetland Mitigation Plan, Westport, Washington dated November 2000, is replaced with:

Project monitoring shall be conducted as described in Attachment A, Revisions to Westport GAR Ballfield Mitigation Plan – August 2010. Contingency measures shall be implemented per the original plan.

Condition #5 a): A written report describing monitoring results will be submitted to the Department of Ecology the first, third, fifth, seventh and tenth years after completion of the mitigation installation, is replaced with:

Reporting requirements shall be completed as described in Attachment A, Revisions to Westport GAR Ballfield Mitigation Plan – August 2010.

Attachment A, Revisions to Westport GAR Ballfield Mitigation Plan – August 2010 also makes reference to certain sections of the original Order. Where referenced, or where this attachment does not contradict the original Order, those provisions of the original Order remain in effect.

No other conditions or requirements of the above-mentioned order are affected by this amendment.

The Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if it appears necessary to further protect the public interest.

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

Appeal Process:

You have a right to appeal this Order. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the “date of receipt” of this document. Filing means actual receipt by the Board during regular office hours
- Serve your appeal on the Department of Ecology within 30 days of the “date of receipt” of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). “Date of receipt” is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:

The Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903.

Deliver your appeal in person to:

OR
The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey, WA 98503

The City of Westport
Order #01SEAHQ-3374 First Amendment
September 2, 2010

2. To serve your appeal on the Department of Ecology

Mail appeal to:

The Department of Ecology
Appeals Coordinator
P.O. Box 47608
Olympia, WA 98504-7608

OR

Deliver your appeal in person to:

The Department of Ecology
Appeals Coordinator
300 Desmond Dr SE
Lacey, WA 98503

3. And send a copy of your appeal to:

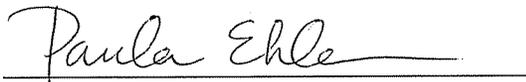
Rick Mraz
Department of Ecology
SWRO
P.O. Box 47775
Olympia, WA 98504

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>

*To find laws and agency rules visit the Washington State Legislature Website:
<http://www1.leg.wa.gov/CodeReviser>*

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Ch. 43.21B RCW.

Dated 9.03.10 at Lacey, Washington.



Paula Ehlers, Section Manager
Shorelands and Environmental Assistance Program
Southwest Regional Office

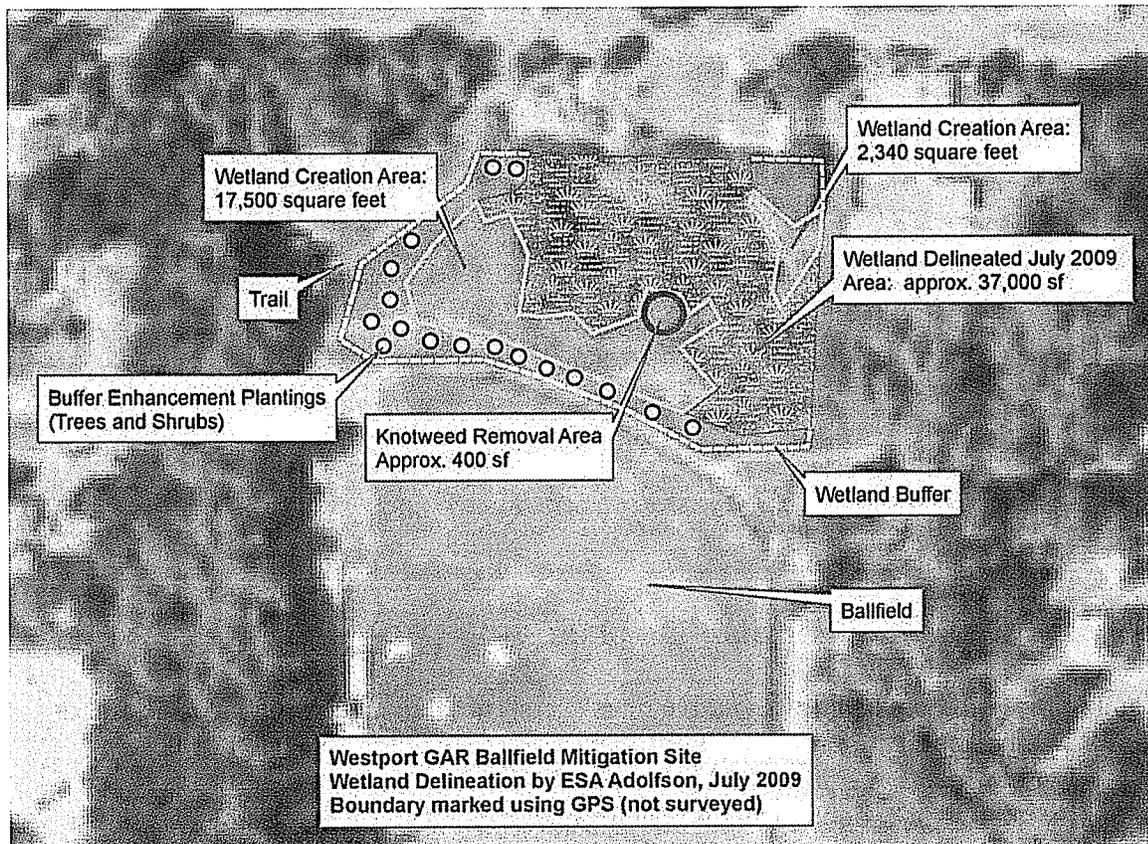
Attachment A

Revisions to Westport GAR Ballfield Mitigation Plan – August 2010

1. Wetland mitigation area:

	Nov. 2000 Plan	June 2010 Revision
Wetland Creation Areas	24,390 sf	2,340 sf (existing created area) + 17,500 sf (new creation area) 19,840 sf total wetland created
Wetland Creation Ratios (based on 9,795 sf impact)	2.5:1	2:1
Wetland Restoration Areas	34,700 sf	34,700 sf (already achieved)

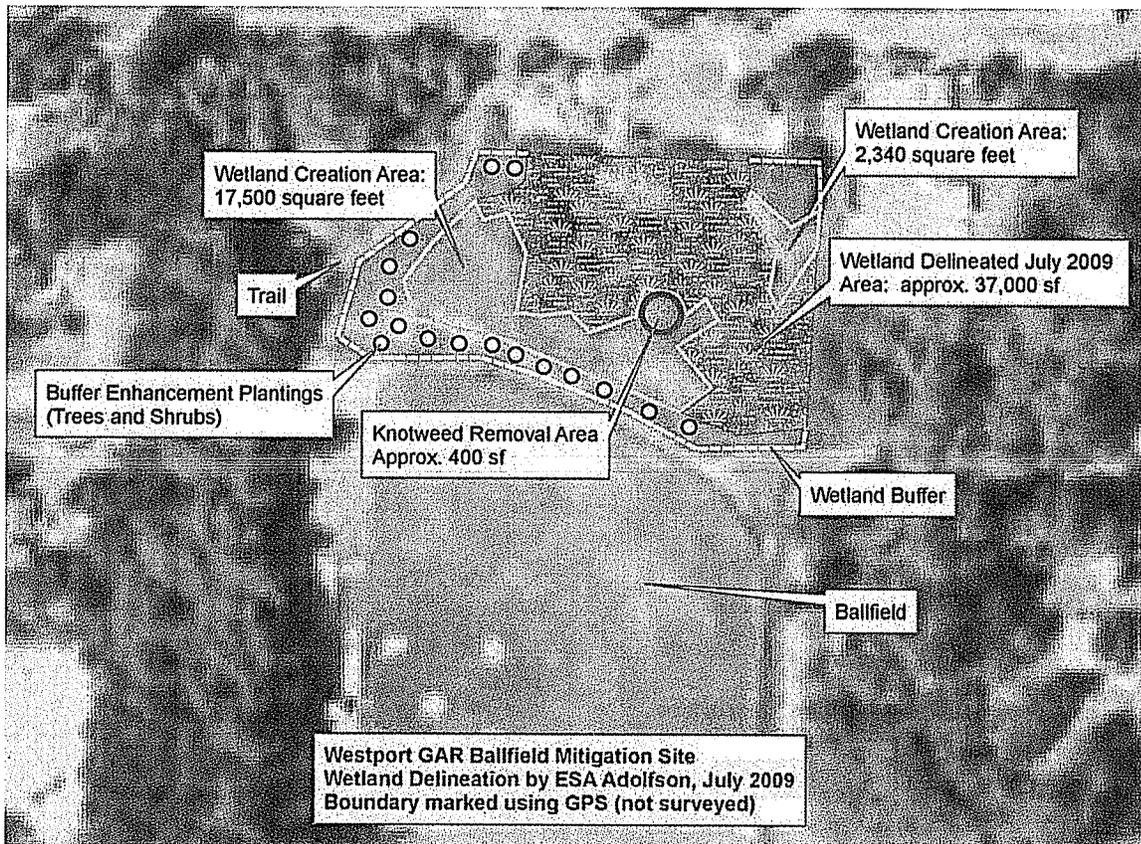
See Figure below for locations of revised wetland creation area.



2. Wetland buffer configuration:

	Nov. 2000 Plan	August 2010 Revision
Wetland Buffer Width	Approx. 50 ft; narrower along north and west sides; bounded by trail on west side, ballfield on south, and private property to north and east	A minimum of 35 feet on south and NW side of wetland; a minimum of 50' on the west side. The site is bounded by trail on west side, ballfield on south, and private property to north and east

See Figure below for revised wetland buffers.



3. Revised wetland buffer planting plan:

The wetland buffer will be planted with native trees and shrubs and a native upland seed mix. The seed mix will be applied to buffer areas that have bare or sparsely vegetated soils.

A total of approximately 50 woody plants will be installed, using species from the list shown below. Plants will be one- or two-gallon, containerized, and obtained from a local nursery. The City will attempt to incorporate all of the species shown below; however, some species may not

be readily available. A list of species installed onsite will be provided with the 2010 monitoring report.

Common Name	Scientific Name
Ocean spray	<i>Holodiscus discolor</i>
Salal	<i>Gaultheria shallon</i>
Shore pine	<i>Pinus contorta</i>
Evergreen huckleberry	<i>Vaccinium ovatum</i>
Pacific wax myrtle	<i>Myrica californica</i>
Snowberry	<i>Symphoricarpos albus</i>
Nootka rose	<i>Rosa nutkana</i>
Tall Oregon grape	<i>Mahonia aquifolium</i>

The seed mix will consist of native species that are adapted to sandy coastal conditions. The exact species will depend on seed availability, but the mix is expected to include sedges (e.g., big-head sedge [*Carex macrocephala*]), grasses (e.g., American dunegrass [*Leymus mollis (x vancouverensis)*]), and herbs (e.g., silky beach peavine [*Lathyrus littoralis*]). The composition of the species mix applied onsite will be included in the 2010 monitoring report.

4. Buffer plant locations:

Woody plants will be installed in the approximate buffer enhancement planting areas shown in the figures above. The actual locations of plants installed onsite, and areas where native seed mix is applied, will be documented in the 2010 monitoring report.

5. Planting plan for wetland creation area:

	Nov. 2000 Plan	August 2010 Revision
Phasing	Two phases of planting in wetland restoration, wetland creation, and buffer areas	One phase of planting in new wetland creation area only. (planting in wetland buffer is addressed separately above)
Plant list	Wide variety of upland and wetland shrubs, trees, and herbs	Species list focused on those known to succeed on this site; tree, shrub, and herb species; <u>plants salvage in the project area will only occur in areas that are excavated for wetland creation</u> (see revised plant list below)

New recommended plant list for wetland creation area; plants will be field-located under supervision of a qualified biologist

Common Name	Scientific Name	Quantity	Size	Source
Trees and Shrubs				
Sitka willow	<i>Salix sitchensis</i>	200	stakes	Cut from existing stock onsite
Hooker willow	<i>Salix hookeriana</i>	200	stakes	Cut from existing stock onsite
Black twinberry	<i>Lonicera involucrata</i>	50	2 gal containerized	Nursery
Sitka spruce	<i>Picea sitchensis</i>	50	2 gal containerized	Nursery
Herbs				
Slough sedge	<i>Carex obnupta</i>	50	Plugs or seed mix	Salvage from onsite; supplement with nursery stock or seed
Baltic rush	<i>Juncus balticus</i>	50	Plugs or seed mix	Salvage from onsite; supplement with nursery stock or seed

6. Performance standards for wetland creation area (19,840 sq. ft.) and wetland buffer area:

	Nov. 2000 Plan	August 2010 Revision
Plant survival	100% after first growing season (wetland and buffer)	80% survival of installed plants each year, through end of monitoring period (wetland and buffer).
Native vegetation cover	Year 2 – 50% Year 3, 4, 5 – 60% Year 5 and beyond – 70% (wetland and buffer)	60% native vegetation cover by end of monitoring period (wetland and wetland buffer)
Hydrology	Soil inundation or saturation during growing season (wetland only)	Soil inundation or saturation, or other field indicators of wetland hydrology, present for at least 14 consecutive days, during growing season throughout the monitoring period (wetland creation area only)
Invasive vegetation	No specific standard	Less than 10% combined cover of gorse, tansy ragwort, and Himalayan blackberry each year (wetland creation area and buffer) Japanese knotweed eliminated (wetland creation area)

7. Monitoring methods and timing:

	Nov. 2000 Plan	August 2010 Revision
Monitoring plots and photo points	11 plots – 6 in wetland and 5 in buffer 8 photo points in wetland and buffer areas	4 plots in wetland creation area 5 plots in buffer (use existing plot locations) Use existing photo points for buffer Add representative photo points for wetland creation area No further monitoring in existing wetland (performance standards have been met)
Monitoring schedule	Year 8 (2010) – casual, twice per year*	Year 8 (2010) – construction observation for new wetland creation area, buffer plantings, etc. (1 site visit)
	Year 9 (2011) – casual, twice per year*	Year 9 (2011) – spring walk-through; fall data plots
	Year 10 (2012) – informal, once per year*	Year 10 (2012) – spring walk-through; fall data plots
	Year 11 (2013) – casual, twice per year*	Year 11 (2013) – spring walk-through; fall data plots
	Year 12 (2014) – casual, twice per year*	Year 12 (2014) – spring walk-through; fall data plots
	Year 13 (2015) – informal, one per year*	Year 13 (2015) – spring walk-through; fall data plots
		Additional monitoring after Year 13 if required by Ecology

* Note:

- Informal monitoring is intensive (complete data plots, collect other data)
- Casual monitoring is less intensive (basically a walk-through, no data plots)

8. Reporting requirements:

Monitoring reports shall be due as stipulated by the original order for years 8, 9, & 10. Additional reports shall be submitted in Year 11 (2013) and Year 13 (2015). Additional monitoring reports may be required if additional monitoring is necessary after Year 13.

Monitoring reports shall evaluate the performance standards listed above under item #6.

