

**Kittitas County Conservation District**  
**Yakima River Side Channel Flood Fence Project**

**ADDENDUM NO. 2**  
**Issued: November 16, 2010**

To All Contract Document Holders:

You are hereby notified of the following changes, deletions, additions, corrections and clarifications to the plans, specifications and other documents comprising the Contract Documents for the Kittitas County Conservation District Yakima River Side Channel Flood Fence project.

**Clarifications**

As discussed at the November 9, 2010 mandatory pre-bid meeting and initially addressed in Addendum No. 1.

- *Can cottonwoods on the island across the side channel be harvested?*

Cottonwoods on the island across the side channel may be a possible source for the live boles. KCCCD consulted with the second landowner (Allen Aronica) and obtained permission to select and harvest live boles from his portion of the island. KCCCD also consulted with Washington Department of Fish & Wildlife to obtain an updated Hydraulic Permit Application (HPA) for this project. The HPA amends the timeline to November 17, 2010 to March 15, 2011 and adds specific provisions to allow fording the side channel and harvesting boles on the island. It should be noted that the total planned number of cottonwood boles are not likely to be available on the island alone and that the contractor should plan to transport boles from other locations on the Acheson property.

**Contract Documents**

**REPLACE Attachment D (Pages 1 through 5) with Attachment 1 of this Addendum.**

*End revisions for Addendum No. 2*

Addendum No. 2 is hereby made a part of the Contract Documents, and its terms and conditions are fully binding on the Contract Document holder. He/she shall acknowledge receipt of Addendum No. 2 on the Proposal Signature Page.

**KITTITAS COUNTY CONSERVATION DISTRICT**

*Anna Lael* (original signature at KCCCD office)

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Anna Lael, District Manager  
Issued November 16, 2010

**Yakima River Side Channel Flood Fence Project  
Addendum No. 2  
November 16, 2010**

**Attachment 1**

WDFW Issued Hydraulics Permit



# HYDRAULIC PROJECT APPROVAL

RCW 77.55.021 - See appeal process at end of HPA

South Central  
1701 South 24th Avenue  
Yakima, WA 98902-5720  
(509) 575-2740

Issue Date: November 15, 2010  
Project Expiration Date: March 15, 2011

Control Number: 119254-2  
FPA/Public Notice #: N/A

<u>PERMITTEE</u>	<u>AUTHORIZED AGENT OR CONTRACTOR</u>
Acheson Ranch LLC ATTENTION: Charles Acheson 3220 Riverbottom Road Ellensburg, WA 98926 509-899-3005 Fax: 509-925-2105	Kittitas Co Conservation District Manager ATTENTION: Anna Lael 607 East Mountain View Avenue Ellensburg, WA 98926 509-925-8585(4) Fax: 509-925-8591

Project Name: Acheson Riparian Restoration Project  
Project Description: Construct Flood Fence and Plant Riparian Area -

Install approximately 250 large, live cottonwood logs to form a flood fence; plant the associated riparian area with woody cuttings and rooted plants of native riparian trees and shrubs. The Flood Fence shall be approximately 750-feet long by 10-feet wide. Portions of the work area lie adjacent to and within shoreline wetlands, including some locations within the ordinary high water mark. The project is funded by USFWS Partners and Mid-Columbia Fisheries Enhancement Group grants.

## PROVISIONS

1. **TIMING LIMITATIONS:** The project may begin November 17, 2010 and shall be completed by March 15, 2011.

### GENERAL

2. Work shall be accomplished per site plan, typical installation drawings and information submitted to Washington Department of Fish and Wildlife (WDFW) with the Hydraulic Project application (JARPA), except as modified by this Approval.

3. Work shall be done in a manner that minimizes discharge of earth and fine sediment to surface waters. Temporary erosion control measures (BMPs) shall be put in place as needed.

### NOTIFICATION REQUIREMENT

4. The permittee or contractor shall notify the Department field office by phone (509) 925-1013, FAX (509) 925-4702 or email to renfrbr@dfw.wa.gov, prior to starting this project. Leave message for Brent Renfrow, District Habitat Biologist. The notification shall include the permittee's name, project location, starting date for work, and the control number for this Hydraulic Project Approval.

### WORKSITE AND EQUIPMENT LIMITATIONS

5. Work shall be done during a period of low river flow, when the soils of the shoreline and shoreline wetlands are firm or frozen.

6. Excavations shall be isolated from surface waters as needed to ensure water quality is not degraded.

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7. Construction shall be done with a trackhoe or equivalent equipment capable of using a stinger to open planting holes and capable of precisely excavating and/or augering large holes for planting of logs for the flood fence. Equipment must also be capable of grappling, lifting and individually placing large logs.

8. Except as noted in provisions 10 through 12 regarding fording of equipment, work shall be done from the bank, with equipment tracks positioned outside of the wetted perimeter.

9. Trucks and equipment shall be clean, inspected frequently and maintained in good working condition such that fuel, lubricants, hydraulic fluid or other harmful materials are not leaked to watercourses, wetlands or the shoreline soils.

## CROSSINGS OF CHANNELS AND WETLANDS

10. Where necessary for equipment access, equipment may ford across or enter dry or frozen channels and wetlands. To the extent practical, fording of channels shall be done at the existing farm fords. Ford crossings shall be done in a manner that does the least damage to the soils and vegetation. If necessary to prevent shoreline damage due to soft soil conditions, ford approaches and the channels and wetlands may be temporarily armored with planks, matting or other suitable material that can be temporarily placed on the shoreline to prevent rutting and soil compaction from equipment, and be subsequently removed to allow site restoration.

11. One round-trip ford crossing of the Yakima River (secondary channel) is authorized for a log skidder for the purpose of obtaining logs from an island, provided: a) the river banks and bed at the crossing site are suitable such that equipment can enter and leave the river without causing significant bank damage, b) the crossing site has been inspected and approved by WDFW, and c) the crossing site and area within 100-feet has been observed for the presence of spawning fish or redds (nest of salmon eggs in river gravel) during the period of coho salmon spawning (November-January) and there are no redds at risk of damage from the use of the crossing site.

12. Within 24-hours of fording equipment across the Yakima River, the ford crossing site shall be observed for presence of spawning fish or redds. If redds or spawning fish are observed, the location shall be marked at the shoreline and the WDFW Habitat Biologist shall be contacted immediately (see contact information in provision 4 above to determine whether additional measures are necessary to protect redds or fish during work. Fording shall be deferred until this determination has been made.

## LOGS OBTAINED FROM ISLANDS IN THE RIVER

13. A portion of the logs for the flood fence may be obtained from an adjacent island provided that the trees shall not be felled into a watercourse, and the harvest and transporting of these logs is done in a manner consistent with Washington Forest Practices rules for shorelines.

14. Logs transported across the Yakima River shall be suspended so that no portion of the log or its limbs drags on the river bed or bank. Care shall be taken to avoid damage to woody vegetation on the river banks.

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## CONSTRUCTION

15. The flood fence shall be constructed of large logs/trees as described in the attached narrative from the JARPA and as shown on the attached site plan and typical drawings.

16. Excavation for the logs and plantings may be done using auger or open trench techniques. Excavation and equipment operation shall be done carefully to minimize the amount of ground/vegetation disturbance. Excavation shall be isolated from surface water by retaining an undisturbed vegetated plug between the excavation and surface water or by installing clean, temporary barriers such as straw bales, as needed to prevent discharge of earth and fines to the water.

17. The flood fence may be constructed with logs placed in augered holes or in open trenches. Regardless of method used, holes shall be backfilled with the excavated material, and soil shall be packed firmly around each log to ensure good log-soil contact. Excess spoil shall be spread on the site and protected from erosion. Spoil shall be placed landward of the ordinary high water line to the greatest extent practicable, and shall not be disposed of in wetlands. Spoils shall not be configured to form a levee or obstruction to the flow of water across the floodplain.

18. Cuttings and rooted stock of native woody plants adapted to river banks (e.g. black cottonwood, shoreline willows, redosier dogwood, etc.) shall be planted in the shoreline area as noted in the JARPA narrative. Cuttings shall be planted to a depth within the fall low flow water table. Native upland plants such as ponderosa pine may be planted where soils and site conditions are suitable.

## SITE RESTORATION

19. All earth areas adjacent to the watercourse which have been exposed or disturbed by this project are to be graded to a stable grade, seeded with a suitable erosion control seed mix which includes native grasses, and protected from erosion with a straw mulch or equivalent within seven (7) days of project completion.

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## NOTES:

a) Removal of trees along the Yakima River is subject to Forest Practice Act rules. Please contact Washington Department of Natural Resources regarding Riparian Management Zones and timber harvest rules.

b) This project is within a Shoreline of Statewide Significance. The Shoreline Management Act stipulates that no more than thirty percent of the merchantable trees within 200 feet of the shoreline may be harvested in any ten year period of time. Please contact the Kittitas County Community Development Services regarding shoreline rules and permits.



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## PROJECT LOCATIONS

### Location #1 Mainstem Yakima River Acheson Riparian R

WORK START: November 17, 2010				WORK END: March 15, 2011		
WRIA: 39.0002		Waterbody: Yakima River		Tributary to: Columbia River		
1/4 SEC: SE 1/4	Section: 27	Township: 17 N	Range: 18 E	Latitude: N 46.9465	Longitude: W 120.5418	County: Kittitas
<u>Location #1 Driving Directions</u>						
From Ellensburg travel west on Umtanum Road Damon School and intersection with Riverbottom Road. Go east on Riverbottom Road to Acheson Farm at 3220 Riverbottom Road. Site access is via the farm roads.						

## APPLY TO ALL HYDRAULIC PROJECT APPROVALS

This Hydraulic Project Approval pertains only to those requirements of the Washington State Hydraulic Code, specifically Chapter 77.55 RCW (formerly RCW 77.20). Additional authorization from other public agencies may be necessary for this project. The person(s) to whom this Hydraulic Project Approval is issued is responsible for applying for and obtaining any additional authorization from other public agencies (local, state and/or federal) that may be necessary for this project.

This Hydraulic Project Approval shall be available on the job site at all times and all its provisions followed by the person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work.

This Hydraulic Project Approval does not authorize trespass.

The person(s) to whom this Hydraulic Project Approval is issued and operator(s) performing the work may be held liable for any loss or damage to fish life or fish habitat that results from failure to comply with the provisions of this Hydraulic Project Approval.

Failure to comply with the provisions of this Hydraulic Project Approval could result in a civil penalty of up to one hundred dollars per day and/or a gross misdemeanor charge, possibly punishable by fine and/or imprisonment.

All Hydraulic Project Approvals issued under RCW 77.55.021 are subject to additional restrictions, conditions, or revocation if the Department of Fish and Wildlife determines that changed conditions require such action. The person(s) to whom this Hydraulic Project Approval is issued has the right to appeal those decisions. Procedures for filing appeals are listed below.

Requests for any change to an unexpired HPA must be made in writing. Requests for new HPAs must be made by submitting a new complete application. Send your requests to the department by: mail to the Washington Department of Fish and Wildlife, Habitat Program, 600 Capitol Way North, Olympia, Washington 98501-1091; e-mail to [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov); fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor.



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## APPEALS INFORMATION

If you wish to appeal the issuance, denial, conditioning, or modification of a Hydraulic Project Approval (HPA), you may request an informal or formal appeal.

A. **INFORMAL APPEALS:** WAC 220-110-340 is the rule describing how to request an informal appeal of Washington Department of Fish and Wildlife (WDFW) actions taken under Chapter 77.55 RCW. Please refer to that rule for complete informal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request an informal appeal of that action. You must send your request to WDFW by: mail to the Washington Department of Fish and Wildlife HPA Appeals Coordinator, 600 Capitol Way North, Olympia, Washington 98501-1091; e-mail to [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov); fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. WDFW must receive your request within 30 days from the date you receive notice of the decision. If you agree, and you applied for the HPA, resolution of the appeal may be facilitated through an informal conference with the WDFW employee responsible for the decision and a supervisor. If a resolution is not reached through the informal conference, or you are not the person who applied for the HPA, the HPA Appeals Coordinator or designee will conduct an informal hearing and recommend a decision to the Director or designee. If you are not satisfied with the results of the informal appeal, you may file a request for a formal appeal.

B. **FORMAL APPEALS:** WAC 220-110-350 is the rule describing how to request a formal appeal of WDFW actions taken under Chapter 77.55 RCW. Please refer to that rule for complete formal appeal procedures. The following information summarizes that rule.

A person who is aggrieved by the issuance, denial, conditioning, or modification of an HPA may request a formal appeal of that action. You must send your request for a formal appeal to the clerk of the Pollution Control Hearings Boards and serve a copy on WDFW within 30 days from the date you receive notice of the decision. You may serve WDFW by mail to the Washington Department of Fish and Wildlife HPA Appeals Coordinator, 600 Capitol Way North, Olympia, Washington 98501-1091; e-mail to [HPAapplications@dfw.wa.gov](mailto:HPAapplications@dfw.wa.gov); fax to (360) 902-2946; or hand-delivery to the Natural Resources Building, 1111 Washington St SE, Habitat Program, Fifth floor. The time period for requesting a formal appeal is suspended during consideration of a timely informal appeal. If there has been an informal appeal, you may request a formal appeal within 30 days from the date you receive the Director's or designee's written decision in response to the informal appeal.

C. **FAILURE TO APPEAL WITHIN THE REQUIRED TIME PERIODS:** If there is no timely request for an appeal, the WDFW action shall be final and unappealable.

**ENFORCEMENT:** Sergeant Sprecher (30) P2

Habitat Biologist Brent Renfrow	509-925-1013		for Director WDFW
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CC: Files

Attachments: Two site maps (aerial photographs), two plan sheet drawings and project narrative from JARPA