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| 50 |  | NOTE:  |     |
| 51 |  | Orange text denotes language that is in current rule.                            |     |
| 52 |  | Blue text denotes language that is in RCW.                                       |     |

1 **220-110-010 Purpose.**

2 It is the intent of the department to provide protection for all fish life through the development  
3 of a statewide system of consistent and predictable rules. The department will coordinate with  
4 other local, state, and federal regulatory agencies, and tribal governments, to minimize  
5 regulatory duplication. Under chapter 77.55 RCW, this chapter establishes regulations for the  
6 construction of hydraulic projects or performance of work that will use, divert, obstruct, or  
7 change the natural flow or bed of any of the salt or fresh waters of the state, and sets forth  
8 procedures for obtaining a hydraulic project approval (HPA). In addition, this chapter  
9 incorporates criteria generally used by the department to review applications and condition,  
10 issue, or deny HPAs.

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1 **220-110-011 Instructions for using chapter 220-110 WAC.**

2 The following sections establish performance and technical standards applicable to all HPAs, as  
3 well as those specific to certain types of work. All projects must meet the standards listed in  
4 WAC 220-110-036XXX—General Requirements for all HPAs, and any of the standards listed in  
5 WAC 220-110-037XXX through 220-110-339XXX that apply to the specific project and location.

6 Activity-specific standards are grouped for convenience by project type, and activity-specific  
7 sections include performance standards and technical standards that must be met for certain  
8 types of activities. Project types other than those specifically identified in Chapter 220-110 may  
9 be proposed and approved. These project types are subject to the performance and technical  
10 standards in Chapter 220-110 that most closely apply as well as additional standards the  
11 department determines are necessary for the protection of fish life.

12 Chapter 220-110 WAC constitutes the minimum performance and technical standards hydraulic  
13 projects must meet. The department may specify additional standards in HPAs.

14 In addition to these rules, the department has developed, and will periodically update, an  
15 extensive set of guidance and other materials to assist applicants with developing hydraulic  
16 projects that will provide for the protection of fish life. Department recommendations included  
17 in guidance are not mandatory, but are based on the department's considerable experience  
18 and expertise with various types of hydraulic projects. Following these recommendations will  
19 maximize the potential for successful hydraulic projects.

1 **220-110-020 Definitions.**

2 As used in this chapter, unless the context clearly requires otherwise:

3 "Abandoning an excavation site" means not working an excavation site for forty-eight hours or  
4 longer.

5 "Adaptive management" means a process of managing, monitoring, evaluating, and  
6 incorporating new knowledge to improve outcomes of future management decisions. Adaptive  
7 management is based on science and the needs of society, and moves forward with action in  
8 the face of uncertainty or limited information.

9 "Aggregate" means a mixture of minerals separable by mechanical or physical means.

10 "Approach velocity" means the component of the local water velocity vector perpendicular to  
11 the face of the screen. The approach velocity is calculated based on the gross screen area not  
12 the net open area of the screen mesh.

13 "Aquatic beneficial plant" means native and nonnative aquatic plants not prescribed by RCW  
14 17.10.010(10) as an aquatic noxious weed, and that are of value to fish life.

15 "Aquatic invasive species" means nonnative species classified by the Washington fish and  
16 wildlife commission under RCW 77.12.020 as prohibited aquatic animal species or regulated  
17 aquatic animal species, and an aquatic noxious weed that is listed on the state weed list under  
18 RCW 17.10.080.

19 "Aquatic noxious weed" means an aquatic weed on the state noxious weed list as prescribed by  
20 RCW 17.10.080.

21 "Aquatic plant" means any aquatic noxious weed and aquatic beneficial plant that occurs within  
22 the ordinary high water line of waters of the state.

23 "Artificial materials" means clean, inert materials that you use to construct diversion structures  
24 for mineral prospecting.

25 "Associated man-made agricultural drainage facilities" means dikes, drains, pumps, drainage  
26 tiles and drainage pipe made by humans that protect land used for agricultural uses.

27 "Bank" means any land surface landward of the ordinary high water line that adjoins a body of  
28 water and contains it except during floods. Bank also includes all land surfaces of islands above  
29 the ordinary high water line elevation of their surrounding water body.

30 "Bankfull" means the elevation on the bank where flooding begins.

31 "Bank protection" means any structure designed and installed to prevent, slow, or control  
32 erosion along streams, in freshwater lakes, in estuaries, or on marine shorelines.

33 "Bed" means the land below the ordinary high water lines of state waters. This definition does  
34 not include irrigation ditches, canals, storm water run-off devices, or other artificial  
35 watercourses except where they exist in a natural watercourse that has been altered artificially.

36 "Bed materials" means naturally occurring material, including, but not limited to, gravel,  
37 cobble, rock, rubble, sand, mud and aquatic plants, that form the beds of state waters. Bed  
38 materials may be found in deposits or bars above the wetted perimeter of water bodies.

39 "Bioengineering" means project designs or construction methods which primarily use live  
40 woody vegetation or a combination of live woody vegetation, rootwads, logs, and specially  
41 developed natural or synthetic materials to establish a complex root grid within the existing  
42 bank which is resistant to erosion, provides bank stability, and maintains a healthy riparian  
43 environment with habitat features important to fish life.

44 "Boat hoist" means a structure placed on the bottom of lakes, streams, or marine waters, or  
45 attached to docks, that raise a boat or personal watercraft from the water.

46 "Bottom barrier or screen" means synthetic or natural fiber sheets of material used to cover  
47 and kill plants growing on the bottom of a watercourse.

48 "Boulder" means a stream substrate particle larger than ten inches in diameter.

49 "Bucking" means the act of processing or cutting trees or logs to length.

50 "Bulkhead" means a vertical or nearly vertical erosion protection structure placed parallel to  
51 the shoreline consisting of concrete, timber, steel, rock, or other permanent material not  
52 readily subject to erosion.

53 "Buoy" means any waterway marker designed to float on the water while anchored in a fixed  
54 position so as to be clearly visible to operators of an approaching vessel.

55 "Chronic danger" means a condition that may be declared by the county legislative authority or  
56 county legislative authority designee in which any property, except for property located on a  
57 marine shoreline, has experienced at least two consecutive years of flooding or erosion that has  
58 damaged or has threatened to damage a major structure, water supply system, septic system,  
59 or access to any road or highway.

60 "Chronic danger HPA" means a written "hydraulic project approval" issued in response to a  
61 "chronic danger".

62 "Chronic maintenance and repair" means maintenance and repair that exceeds expectations of  
63 frequency and magnitude as identified in the initial project.

64 "Classify" means to sort aggregate by hand or through a screen, grizzly, or similar device to  
65 remove the larger material and concentrate the remaining aggregate.

66 "Cofferdam" means a temporary enclosure used to keep water from a work area.

67 "Compensation" means replacing or providing substitute resources or environments.

68 "Compliance monitoring" means the process used to determine whether a hydraulic project is  
69 carried out as specified in the HPA.

70 "Concentrator" means a device used to physically or mechanically separate the valuable  
71 mineral content from aggregate.

72 "Control," with respect to aquatic noxious weeds, means the level of treatment of aquatic  
73 noxious weeds as prescribed by RCW 17.10.010(5).

74 "County legislative authority" means the county commission, council, or other legislative body.

75 "County legislative designee" means a person designated by the county legislative authority to  
76 act on its behalf.

77 "Creviceing" means removing aggregate from cracks and crevices using hand-held mineral  
78 prospecting tools or water pressure.

79 "Cross-section" means a representation of a structure, or portion thereof, and the natural  
80 waterbody features, drawn as if it were cut horizontally to show its interior; often taken at right  
81 angles to the longitudinal axis of the structure.

82 "Department" means the Washington department of fish and wildlife.

83 "Design flood" means a stream discharge of a specific rate and probability that is best suited for  
84 the design of a project to promote the geomorphological evolution of habitat, or to protect  
85 property and structures to a given level of risk.

86 "Design life" means the length of time a structure is expected to function as it was designed,  
87 with each component serving its intended purpose as constructed.

88 "Directional felling" means a method of falling a standing tree which causes it to fall in a specific  
89 predetermined direction. Cables and jacks are commonly used to directionally fall trees.

90 "Diver-operated dredging" means the use of portable suction or hydraulic dredges held by  
91 divers to remove aquatic plants.

92 "Dredging" means removal of bed material using other than hand-held tools.

93 "Early infestation" means an aquatic noxious weed whose stage of development, life history, or  
94 area of coverage makes one hundred percent control and eradication as prescribed by RCW  
95 17.10.010(5) likely to occur.

96 "Ecological integrity" means maintenance of the structure and functional attributes of a  
97 particular locale, including normal variability.

98 "Ecosystem" means a community of organisms in their physical and chemical environment  
99 interacting as a mutually interdependent and competitive unit.

100 "Ecosystem connectivity" means the capacity of the landscape to support the movement of  
101 organisms, materials or energy.

102 "Ecosystem process" means physical processes that control local habitat structure and  
103 composition (e.g. vegetation, substrate), including where habitat occurs and how much is  
104 present. In turn, habitat structure is linked to support [habitat] processes, such as shading or  
105 cover, which are linked to ecological functions.

106 "Effectiveness monitoring" means the process used to determine whether the actions taken  
107 have achieved no-net-loss of the productive capacity of fish habitat.

108 "Emergency" means an immediate threat to life, public or private property, or an immediate  
109 threat of serious environmental degradation, arising from weather or stream flow conditions,  
110 other natural conditions, or fire.

111 "Emergency HPA" means an oral or written "hydraulic project approval" issued in response to  
112 an "emergency".

113 "Entrained" means the entrapment of fish into a watercourse diversion without the presence of  
114 a screen or other fish exclusion device into high velocity water along the face of an improperly  
115 designed screen, or into the vegetation cut by a mechanical harvester.

116 "Equipment" means any device powered by internal combustion; hydraulics; electricity, except  
117 less than one horsepower; or livestock used as draft animals, except saddle horses; and the  
118 lines, cables, arms, or extensions associated with the device.

119 "Eradication" with respect to aquatic noxious weeds means "control."

120 "Established ford" means a crossing place in a watercourse that was in existence and annually  
121 used prior to 1986 or subsequently permitted by the department, and has identifiable  
122 approaches on the banks.

123 "Excavation line" means a line on the dry bed, at or parallel to the water's edge, the distance  
124 from the water's edge to be determined by the department on a site-specific basis. The  
125 excavation line may change with water level fluctuations.

126 "Excavation site" means the pit, furrow, or hole from which you remove aggregate to process  
127 and recover minerals or into which wastewater is discharged to settle out sediments.

128 "Excavation zone" means the area between the "excavation line" and the bank or the center of  
129 the bar.

130 "Expedited HPA" means a written "hydraulic project approval" issued in response to an  
131 "imminent danger".

132 "Extreme low tide" means the lowest level reached by a receding tide during the nineteen-year  
133 National Tidal Datum epoch as adopted by the National Ocean Service.

134 "Farm and agricultural land" means those lands identified as such in RCW 84.34.020.

135 "Filter blanket" means a layer or combination of layers of pervious materials (organic, mineral,  
136 or synthetic) designed and installed in such a manner as to provide drainage, yet prevent the  
137 movement of soil particles due to flowing water.

138 "Fish guard" means a device installed at or near a surface water diversion headgate, or on the  
139 intake of any device used for pumping water from fish-bearing waters, to prevent entrainment,  
140 injury, or death of targeted aquatic species. Fish guards physically preclude fish from entering  
141 the diversion or pump intake and do not rely on avoidance behavior.

142 "Fish habitat" means spawning, juvenile rearing, overwintering, migration or other habitat  
143 which is used by fish during any life stage at any time of the year, including potential habitat  
144 likely to be used by fish if recovered from human-caused or natural disturbances.

145 "Fish habitat enhancement project" means a freshwater or estuarine "hydraulic project" that  
146 will eliminate human-made fish passage barriers, including culvert repair and replacement;  
147 restore an eroded or unstable streambank employing the principle of bioengineering, including  
148 limited use of rock as a stabilization only at the toe of the bank, and with primary emphasis on  
149 using native vegetation to control the erosive forces of flowing water; or that places woody  
150 material or other instream structures that benefit naturally reproducing fish stocks.

151 "Fish ladder" means artificial structures that are used to provide passage through, over, and/or  
152 around artificial barriers. They provide a graduated change in gradient with refuge areas  
153 allowing fish to navigate past the barriers.

154 "Fish life" means all fish species, including but not limited to food fish, shellfish, game fish, and  
155 other nonclassified fish species and all stages of development of those species.

156 "Fish screen" means "fish guard."

157 "Fishway" means any facility or device that is designed to enable fish to effectively pass around  
158 or through an obstruction without undue stress or delay.

159 "Flood gate" means a structure through which water flows freely in one direction but is  
160 prevented from flowing in the other direction to control river flooding.

161 "Flow" means the natural movement of fresh or salt water.

162 "Flow spreader" means a structure to prevent the concentration of flood flow into narrow  
163 erosive channels.

164 "Food fish" means those species of the classes Osteichthyes, Agnatha, and Chondrichthyes that  
165 shall not be fished for except as authorized by rule of the director of the Washington  
166 department of fish and wildlife.

167 "Frequent scour zone" means the area between the wetted perimeter and the toe of the slope,  
168 comprised of aggregate, boulders, or bedrock. Organic soils are not present in the frequent  
169 scour zone.

170 "Freshwater area" means those state waters and associated beds below the ordinary high  
171 water line that are upstream of river mouths including all lakes, ponds, and streams.

172 "Full suspension" means the act of lifting an object so all of its parts are held and transported  
173 above the ground, floor, bed, or riparian vegetation.

174 "Functional grating" means grating or translucent material that is not covered or blocked by  
175 any objects such as structural components, framing wood, flotation tubs, or objects placed on  
176 the surface of the grating.

177 "Game fish" means those species of the class Osteichthyes that shall not be fished for except as  
178 authorized by rule of the Washington fish and wildlife commission.

179 "Ganged equipment" means two or more pieces of mineral prospecting equipment coupled  
180 together to increase efficiency. An example is adding a second sluice to a high-banker.

181 "Gold and Fish pamphlet" means a document that details the rules for conducting small-scale  
182 and other prospecting and mining activities, and which serves as the hydraulic project approval  
183 for certain mineral prospecting and mining activities in Washington state.

184 "Ground lead yarding" means the yarding of logs when full suspension is not used. The logs are  
185 skidded along the ground attached to a cable or grapple, and power source (winch, skidder,  
186 dozer, or yarder).

187 "Habitat" means the physical, biological, and chemical characteristics of a specific unit of the  
188 environment occupied by a specific plant or animal. Habitat is unique to specific organisms and  
189 encompasses all the physiochemical and biological requirements of that organism within a  
190 specific location.

191 "Habitat function" means the natural attributes of a given habitat that support the resources  
192 that rely upon that habitat (e.g. reproduction, refugia, feeding, migration).

193 "Habitat improvement structures or stream channel improvements" means natural or human-  
194 made materials placed in or next to bodies of water to make existing conditions better for fish  
195 life. Rock flow deflectors, engineered logjams, and artificial riffles are examples.

196 "Habitat processes" means the dynamic biogeochemical, biologic, and physical processes which  
197 occur within a given aquatic habitat (e.g., shading, cover, sediment trapping, primary  
198 production), which are linked to habitat functions such as refuge and prey production.

199 "Habitat structure" means the physical attributes of a habitat, for example, substrate type,  
200 aquatic vegetation, riparian vegetation or channel width. Habitat structure is linked to habitat  
201 processes.

202 "Habitat type" means the habitat is unique to specific organisms and encompasses all the  
203 physiochemical and biological requirements of that organism within a specific location.

204 "Hand cutting" means the removal or control of aquatic plants with the use of hand-held tools  
205 or equipment, or equipment that is carried by a person when used.

206 "Hand-held tools" means tools that are held by hand and are not powered by internal  
207 combustion, hydraulics, pneumatics, or electricity. Some examples of hand-held tools are  
208 shovels, rakes, hammers, pry bars and cable winches. This definition does not apply to hand-  
209 held tools used for mineral prospecting. See "hand-held mineral prospecting tools."

210 "Hand-held mineral prospecting tools" means:

211 (a) Tools that you hold by hand and are not powered by internal combustion, hydraulics,  
212 or pneumatics. Examples include metal detectors, shovels, picks, trowels, hammers, pry  
213 bars, hand-operated winches, and battery-operated pumps specific to prospecting; and

214 (b) Vac-pacs.

215 "Hatchery" means any water impoundment or facility used for the captive spawning, hatching,  
216 or rearing of fish life.

217 "High-banker" means a stationary concentrator that you can operate outside the wetted  
218 perimeter of the body of water from which the water is removed, using water supplied by hand  
219 or by pumping. A high-banker consists of a sluice box, hopper, and water supply. You supply  
220 aggregate to the high-banker by means other than suction dredging. This definition excludes  
221 rocker boxes. See Figure 1.

222 "High-banking" means using a high-banker to recover minerals.

223 "High fish passage design flow" means the flow through a structure that is not exceeded more  
224 than ten percent of the time during the months of target fish migration.

225 "HPA" means a "hydraulic project approval".

226 "Hydraulic drop" means an abrupt drop in water surface elevation.

227 "Hydraulic project" means construction or performance of work that will use, divert, obstruct,  
228 or change the natural flow or bed of any of the salt or fresh waters of the state.

229 "Hydraulic project approval" means:

230 (a) A written approval for a hydraulic project signed by the director of the department  
231 of fish and wildlife, or the director's designates; or

232 (b) A verbal approval for an emergency hydraulic project from the director of the  
233 department of fish and wildlife, or the director's designates; or

234 (c) The following pamphlet approvals:

235 (i) A "Gold and Fish" pamphlet issued by the department, which identifies  
236 and authorizes specific minor hydraulic project activities for mineral prospecting  
237 and placer mining; or

238 (ii) An "Aquatic Plants and Fish" pamphlet and any supplemental approvals  
239 to it issued by the department, which identifies and authorizes specific aquatic  
240 noxious weed and aquatic beneficial plant removal and control activities.

241 "Imminent danger" means a threat by weather, water flow, or other natural conditions that is  
242 likely to occur within sixty days of a request for a permit application.

243 "In-water blasting" means the use of explosives on, under, or in waters of the state, or in any  
244 location adjacent to the waters of the state where blasting would have an impact on fish life or  
245 fish habitat.

246 "JARPA" means a "joint aquatic resources permit application".

247 "Job site" means the space of ground including and immediately adjacent to the area where  
248 work is conducted under the authority of an HPA. For mineral prospecting and placer mining  
249 projects, the job site includes the excavation site.

250 "Joint aquatic resources permit application" means a form provided by the department and  
251 other agencies which an applicant submits when requesting a written HPA for a hydraulic  
252 project.

253 "Lake" means any natural or impounded body of standing freshwater, except impoundments of  
254 the Columbia and Snake rivers.

255 "Large woody material" means trees or tree parts that are large enough to provide fish habitat  
256 and to influence stream hydrology and morphology.

257 "Low fish passage design flow" means the two-year seven-day low flow discharge for the  
258 subject basin or ninety-five percent exceedance flow for migration months of the fish species of  
259 concern.

260 "Maintenance" means a planned strategy of treatments to an existing structure and its  
261 appurtenances that preserves the system, retards future deterioration, and maintains or  
262 improves the functional condition of the system (without substantially increasing structural  
263 capacity).

264 "Marina" means a public or private facility providing boat moorage space, fuel, or commercial  
265 services. Commercial services include but are not limited to overnight or live-aboard boating  
266 accommodations.

267 "Marine terminal" means a public or private commercial wharf located in the navigable water  
268 of the state and used, or intended to be used, as a port or facility for the storing, handling,  
269 transferring, or transporting of goods to and from vessels.

270 "Mean annual flood" means the average of all annual flood stages or discharges of record.

271 "Mean higher high water" means the tidal elevation obtained by averaging each day's highest  
272 tide at a particular location over a period of nineteen years. It is measured from the mean  
273 lower low water = 0.0 tidal elevation.

274 "Mean lower low water" means the 0.0 tidal elevation. It is determined by averaging each day's  
275 lowest tide at a particular location over a period of nineteen years. It is the tidal datum for  
276 vertical tidal references in the saltwater area.

277 "Mechanical harvesting and cutting" means the partial removal or control of aquatic plants with  
278 the use of aquatic mechanical harvesters, which cut and collect aquatic plants, and mechanical  
279 cutters, which only cut aquatic plants.

280 "Mechanism of failure" means a physical action or process within the bank that results in bank  
281 erosion.

282 "MHHW" means "mean higher high water".

283 "Mineral prospect" means to excavate, process, or classify aggregate using hand-held mineral  
284 prospecting tools and mineral prospecting equipment.

285 "Mineral prospecting equipment" means any natural or manufactured device, implement, or  
286 animal (other than the human body) that you use in any aspect of prospecting for or recovering  
287 minerals.

288 "Mini high-banker" means a high-banker with a riffle area of three square feet or less. See  
289 Figure 2.

290 "Mini rocker box" means a rocker box with a riffle area of three square feet or less. See Figure  
291 3.

292 "Mining" means the production activity that follows mineral prospecting.

293 "Mitigation" means actions that shall be required as provisions of the HPA to avoid or  
294 compensate for impacts to fish life resulting from the proposed project activity. **OR** any action  
295 taken or not taken to avoid, minimize, rectify, reduce, or eliminate actual or potential adverse  
296 environmental impact

297 "Mitigation banking" means a habitat creation, restoration, or enhancement project  
298 undertaken to act as a bank of credits to compensate for habitat impacts from future  
299 development projects.

300 "MLLW" means "mean lower low water".

301 "Mooring buoy" means a buoy marking the location to secure a boat, ship or other vessel, by  
302 means of cables, anchor chains or mooring lines which are secured to the bed.

303 "Natural channel" means a channel not directly modified by human activity. Note a natural  
304 channel can be influenced by adjacent land use practices and actions.

305 "Natural conditions" means those conditions that arise in or are found in nature. This is not  
306 meant to include artificial or manufactured conditions.

307 "Natural stream processes" means those physical and biological actions that create the stream  
308 channel and flow characteristics of the stream.

309 "No-net-loss" means:

310 (a) Avoidance or mitigation of adverse impacts to fish life; or

311 (b) Avoidance or mitigation of lost habitat functions necessary to sustain fish life; or

312 (c) Avoidance or mitigation of lost area by habitat type, or

313 (d) Avoidance or mitigation of lost ecosystem processes necessary to generate and sustain  
314 habitat type and habitat functions.

315 "OHWL" means "ordinary high water line".

316 "One hundred-year recurrence interval flood" is the annual flood with a one percent chance of  
317 occurring, or being exceeded, in any given year.

318 "Ordinary high water line" means the mark on the shores of all waters that will be found by  
319 examining the bed and banks and ascertaining where the presence and action of waters are so  
320 common and usual and so long continued in ordinary years, as to mark upon the soil or  
321 vegetation a character distinct from that of the abutting upland. Provided, that in any area  
322 where the ordinary high water line cannot be found, the ordinary high water line adjoining  
323 saltwater shall be the line of mean higher high water and the ordinary high water line adjoining  
324 freshwater shall be the elevation of the mean annual flood.

325 "Pan" means an open metal or plastic dish that you operate by hand to separate gold or other  
326 minerals from aggregate by washing the aggregate. See Figure 4.

327 "Panning" means using a pan to wash aggregate.

328 "Performance standard" means a description of the minimally acceptable functioning of a  
329 project or structure. It describes how the project/structure is meant to perform, for example, "a  
330 culvert shall pass all adult and juvenile fish".

331 "Permanent ford" means a ford that is in place for more than one operating season.

332 "Person" means an individual or a public or private entity or organization. The term "person"  
333 includes local, state, and federal government agencies, and all business organizations.

334 "Placer" means a glacial or alluvial deposit of gravel or sand containing eroded particles of  
335 minerals.

336 "Pool" means a portion of the stream with reduced current velocity, often with water deeper  
337 than the surrounding areas.

338 "Portable hoist" means a hoist that is hand carried, wheeled, or floated for installation or  
339 removal.

340 "Power sluice" means "high-banker."

341 "Power sluice/suction dredge combination" means a machine that can be used as a power  
342 sluice, or with minor modifications, as a suction dredge. See Figure 5.

343 "Process aggregate" or "processing aggregate" means the physical or mechanical separation of  
344 the valuable mineral content within aggregate.

345 "Productive capacity" means the maximum natural ability of a habitat to support healthy fish or  
346 grow aquatic organisms upon which fish depend **OR** the maximum capability of habitats to  
347 produce healthy fish, or support or produce aquatic organisms upon which fish depend.

348 "Prospecting" means the exploration for minerals and mineral deposits.

349 "Protection of fish life" means prevention of loss or injury to fish or shellfish, and protection of  
350 the habitat that supports fish and shellfish populations.

351 "Purple loosestrife" means *Lythrum salicaria* and *Lythrum virgatum* as prescribed in RCW  
352 17.10.010 (10) and defined in RCW 17.26.020 (5)(b).

353 "Reach" means the area adjacent to the project site (upstream and downstream in riverine  
354 environments or in the same drift cell in marine environments) that might affect the erosion at  
355 the site or be affected by the bank protection.

356 "Redd" means a nest made in gravel, consisting of a depression dug by a fish for egg deposition,  
357 and associated gravel mounds. See Figure 6.

358 "Rehabilitation" means major work required to restore the structural integrity of a structurally  
359 deficient or functionally obsolete structure.

360 "Repair" means activities typically performed on a structure that is in overall good to fair  
361 condition to restore damaged or worn out structural elements to a state of good repair.

362 "Replacement" means total replacement of a structurally deficient or functionally obsolete  
363 structure with a new structure constructed in the same general location.

364 "Riffle" means the bottom of a concentrator containing a series of interstices or grooves to  
365 catch and retain a mineral such as gold.

366 "River or stream" means "watercourse".

367 "Rocker box" means a nonmotorized concentrator consisting of a hopper attached to a cradle  
368 and a sluice box that you operate with a rocking motion. See Figure 7.

369 "Rotovation" means the use of aquatic rotovators, machines which have underwater rototiller-  
370 like blades, to uproot aquatic plants as a means of plant control.

371 "Saltwater area" means those state waters and associated beds below the ordinary high water  
372 line and downstream of river mouths.

373 "Scientific measurement devices" means devices such as staff gages, tide gages, water  
374 recording devices, water quality testing and improvement devices, and similar structures that  
375 measure and/or record scientific data.

376 "Seagrass" means *Zostera* species, *Ruppia maritima* and *Phyllospadix* species.

377 "Shellfish" means those species of saltwater and freshwater invertebrates that shall not be  
378 taken except as authorized by rule of the director of the department of fish and wildlife. The  
379 term "shellfish" includes all stages of development and the bodily parts of shellfish species.

380 "Simplified HPA" means a written HPA issued for certain low-risk hydraulic projects under a  
381 streamlined application and review process.

382 "Skid log" means a log, or a series of logs, placed perpendicular along a stream bank or other  
383 sensitive area to suspend a log being skidded and prevent damage, plowing, or soil disturbance.

384 "Skid trails" means the transport routes for equipment moving trees, logs, or other material  
385 from the place of felling to a log landing or deck where they are stored or loaded for transport.

386 "Sluice" means a trough equipped with riffles across its bottom, which you use to recover gold  
387 and other minerals with the use of flowing water. See Figure 8.

388 "Spartina" means *Spartina alterniflora*, *Spartina anglica*, *Spartina x townsendii*, and *Spartina*  
389 *patens* as prescribed in RCW 17.10.010(10) and defined in RCW 17.26.020 (5)(a).

390 "Special provisions" means those conditions that are a part of the HPA, but are site- or project-  
391 specific, and are used to supplement or amend the technical provisions.

392 "Spiral wheel" means a hand-operated or battery powered rotating pan that you use to recover  
393 gold and minerals with the use of water. See Figure 9.

394 "Stable slope" means a slope without visible evidence of slumping, sloughing or other  
395 movement. Stable slopes will not show evidence of landslides, uprooted or tilted trees,  
396 exposed soils, water-saturated soils, and mud, or the recent erosion of soils and sediment.  
397 Woody vegetation is typically present on stable slopes.

398 "Stream-bank stabilization" means those projects which prevent or limit erosion, slippage, and  
399 mass wasting, including, but not limited to, bank resloping, log and large woody material  
400 relocation or removal, planting of woody vegetation, bank protection (physical armoring of  
401 banks using rock or woody material, or placement of jetties or groins), gravel removal, or  
402 erosion control.

403 "Suction dredge" means a machine that you use to move submerged aggregate via hydraulic  
404 suction. You process the aggregate through an attached sluice box for the recovery of gold and  
405 other minerals. See Figure 10.

406 "Suction dredging" means using a suction dredge for the recovery of gold and other minerals.

407 "Supplemental approval" means a written addendum issued by the department to an *Aquatic*  
408 *Plants and Fish* pamphlet HPA for approved exceptions to conditions of that pamphlet HPA or  
409 for any additional authorization by the department when required by the pamphlet HPA. See  
410 "hydraulic project approval."

411 "Sweeping velocity" means the component of the water velocity vector parallel to and  
412 immediately upstream of the screen surface.

413 "Tailhold" means an anchor point for cables supporting the boom or tower of a log yarder, or  
414 the yarding cable. Large, stumps, trees, or other heavy equipment are commonly used as  
415 tailholds.

416 "Tailings" means the waste material that remains after you process aggregate for minerals.

417 "Technical provisions" means those conditions that are a part of the HPA and apply to most  
418 projects of that nature.

419 "Technical standard/requirement" means a specification that is directly measurable, for  
420 example "shall not be placed closer than one-hundred fifty feet".

421 "Temporary ford" means a ford that is in place for one operating season.

422 "Tide gate" means a one-way check valve that prevents the backflow of tidal water.

423 "Tight-radius bends" means XXXX

424 "Toe of the bank" means the distinct break in slope between the stream bank or shoreline and  
425 the stream bottom or marine beach or bed, excluding areas of sloughing. For steep banks that  
426 extend into the water, the toe may be submerged below the ordinary high water line. For  
427 artificial structures, such as jetties or bulkheads, the toe refers to the base of the structure,  
428 where it meets the stream bed or marine beach or bed.

429 "Toe of the slope" means the base or bottom of a slope at the point where the ground surface  
430 abruptly changes to a significantly flatter grade.

431 "Unimpeded fish passage" means the free movement of any fish species at any mobile life  
432 stage around or through a natural or artificial barrier.

433 "Unstable slope" means a slope with visible evidence of slumping, sloughing or other  
434 movement. Evidence of unstable slopes includes landslides, uprooted or tilted trees, exposed  
435 soils, water-saturated soils, and mud, or the recent erosion of soils and sediment. Woody  
436 vegetation is typically not present on unstable slopes.

437 "Vac-pac" means a motorized, portable vacuum that you use for prospecting. See Figure 11.

438 "Watercourse" means any portion of a channel, bed, bank, or bottom waterward of the  
439 ordinary high water line of waters of the state, including areas in which fish may spawn, reside,  
440 or pass, and tributary waters with defined bed or banks, which influence the quality of fish  
441 habitat downstream. This includes watercourses which flow on an intermittent basis or which  
442 fluctuate in level during the year and applies to the entire bed of such watercourse whether or  
443 not the water is at peak level. This definition does not include irrigation ditches, canals, storm  
444 water run-off devices, or other entirely artificial watercourses, except where they exist in a  
445 natural watercourse that has been altered by humans.

446 "Water crossing structures" means bridges, culverts, conduits, and fords.

447 "Water right" means a certificate of water right, a vested water right or a claim to a valid vested  
448 water right, or a water permit, under Title 90 RCW.

449 "Waters of the state" means all salt and fresh waters waterward of ordinary high water lines  
450 and within the territorial boundaries of the state.

451 "Water type" means water categories as defined in WAC 222-16-030 of the forest practice rules  
452 and regulations.

453 "Weed rolling" means the use of a mechanical roller designed to control aquatic plant growth.

454 "Wetland" means land transitional between terrestrial and aquatic systems, where the water  
455 table is usually at or near the surface or the land is covered by shallow water. A "sensitive  
456 wetland" is a wetland that includes a particularly sensitive resource, such as a bog or a fen, or  
457 that provides habitat for an endangered, threatened, sensitive, or candidate species.

458 "Wetted perimeter" means the areas of a watercourse covered with flowing or nonflowing  
459 water.

460 "Woody vegetation" means perennial trees and shrubs having stiff stems and bark. Woody  
461 vegetation does not include grasses, forbs, or annual plants.

462 "Yarding" means the act of retrieving and transporting logs attached to a cable yarder. Logs are  
463 typically suspended in the air from chokers attached to a main line, sky line, or slack line during  
464 the yarding process.

465 "Yarding corridor" means a narrow, linear path through a riparian management zone to allow  
466 suspended cables necessary to support cable logging methods.

1 **220-110-030 Procedures—hydraulic project approvals.**

2 A person shall obtain an HPA before conducting a hydraulic project. Activities exempt from  
3 this requirement are listed in WAC 220-110-035XXX and in the activity-specific sections  
4 below.

- 5 (1) The department shall maintain contact information on its internet website of biologists  
6 assigned to issue HPAs and the locations for which they issue HPAs.

7 The following requirements apply to all HPAs:

- 8 (2) The written HPA and any attachments referenced in it, or clear reproductions, shall be  
9 on the project site when work is being conducted and shall be immediately available for  
10 inspection. The permittee, equipment operator(s) and other individuals conducting the  
11 project shall follow all provisions of the HPA.

- 12 (3) A complete written application is required to obtain an HPA unless the project qualifies  
13 for a pamphlet HPA as outlined in WAC 220-110-031XXX, for an emergency HPA as  
14 specified in subsection (xxx) below, or for a modification of an existing HPA as specified  
15 in subsection (xxx) below.

- 16 (4) Any one of the following documents constitute a written HPA application:

17 (a) The current version of a joint aquatic resources permit application submitted to  
18 the department;

19 (b) The current version of a joint aquatic resources permit application, including the  
20 most recent version of the application for streamlined processing of fish habitat  
21 enhancement projects submitted to the department, if applying for streamlined  
22 processing under RCW 77.55.181;

23 (c) The most recent version of a simplified HPA application form developed by the  
24 department, if applying for a simplified HPA for qualifying projects under  
25 subsection (XXX);

26 (d) A forest practice application submitted to and published by the department of  
27 natural resources, if the hydraulic project is part of a forest practice as defined in  
28 WAC 222-16-010; or

29 (e) A public notice under section 10 of the rivers and harbors act of 1899 or section  
30 404 of the clean water act circulated by the United States Army Corps of  
31 Engineers or United States Coast Guard.

- 32 (5) A complete written application for an HPA shall contain:

33 (a) A written application for an HPA that is signed and dated by the applicant,  
34 landowner, and the authorized agent, if one is acting for the applicant;

35 (b) general plans for the overall project;

- 36 (c) complete plans and specifications for all aspects of the hydraulic project that will  
37 use, divert, obstruct, or change the natural flow or bed of any of the salt or  
38 freshwaters of the state;
- 39 (d) complete plans and specifications for the proper protection of fish life, including  
40 any reports assessing impacts and plans to mitigate impacts ;
- 41 (e) a copy of the written notice from the lead agency of compliance with any  
42 applicable requirements of the State Environmental Policy Act, chapter 43.21C  
43 RCW, unless otherwise provided for in chapter 77.55 RCW; and,
- 44 (f) written approval, if proposing a fish enhancement project, by one of the entities  
45 specified in RCW 77.55.181 (b.)
- 46 (6) The applicant, or authorized agent, if one is acting for the applicant, must submit the  
47 complete written application to the Habitat Program's Olympia headquarters office,  
48 unless applying for a hydraulic project that is part of a forest practice as defined in WAC  
49 222-16-010. Application documents shall be mailed to the Department of Fish and  
50 Wildlife, Habitat Program, 600 Capitol Way N., Olympia, Washington 98501-1091; e-  
51 mailed to HPAapplications@dfw.wa.gov; faxed to 360-902-2946; or hand-delivered to  
52 the Natural Resources Building, 1111 Washington Street S.E., Habitat Program, Fifth  
53 floor. The department will not accept applications submitted elsewhere or by third  
54 parties. For a hydraulic project that is part of a forest practice as defined in WAC 222-16-  
55 010, the applicant or authorized agent must submit a forest practice application to the  
56 department of natural resources.
- 57 (a) Document dimensions may not be greater than eleven inches by seventeen  
58 inches.
- 59 (b) If the complete written application submitted by mail or hand delivered to the  
60 department contains more than thirty pages, the applicant or authorized agent  
61 must also submit digital files of all application documents on a CD, DVD, or other  
62 electronic storage media in formats compatible with Microsoft Word, Microsoft  
63 Excel, or Microsoft Access programs or in PDF, TIFF, JPEG, or GIF formats.
- 64 (7) The department shall declare applications submitted to the Habitat Program during  
65 normal business hours received on the date submitted. The department shall declare  
66 applications submitted to Habitat Program after normal business hours received on the  
67 next business day. The department shall declare forest practice applications received on  
68 the date that the department of natural resources publishes the application on its forest  
69 practices application review system website.
- 70 (8) Within ten days of receipt in the department's habitat program headquarters office, the  
71 department shall determine whether the application meets the requirements of this  
72 section and provide written notification to the applicant or authorized agent, if one is  
73 acting for the applicant, of a determination that the application is incomplete. Written  
74 notification shall include a description of information necessary to make the application

75 complete. The department may not further process the application until it receives  
76 additional information sufficient to constitute a complete written application.

77 (9) Additional information submitted to the department by the applicant or authorized  
78 agent, if one is acting for the applicant, in response to a written notification of  
79 incomplete application must be submitted to the Habitat Program's Olympia  
80 headquarters office. The request shall be mailed to the Department of Fish and Wildlife,  
81 Habitat Program, 600 Capitol Way N., Olympia, Washington 98501-1091; e-mailed to  
82 HPAapplications@dfw.wa.gov; faxed to 360-902-2946; or hand-delivered to the Natural  
83 Resources Building, 1111 Washington Street S.E., Habitat Program, Fifth floor. The  
84 department may not accept additional information submitted elsewhere or by third  
85 parties.

86 (10) The department may not process any application that has been incomplete for more  
87 than two years. The department shall provide the applicant with written notification at  
88 the time of application expiration. The applicant or authorized agent, if one is acting for  
89 the applicant, must submit a new application to receive further consideration of the  
90 project.

91 (11) Requests for delay from the applicant or authorized agent, if one is acting for the  
92 applicant, must be in writing, and must be submitted to the Habitat Program's Olympia  
93 headquarters office. The request shall be mailed to the Department of Fish and Wildlife,  
94 Habitat Program, 600 Capitol Way N., Olympia, Washington 98501-1091; e-mailed to  
95 HPAapplications@dfw.wa.gov; faxed to 360-902-2946; or hand-delivered to the Natural  
96 Resources Building, 1111 Washington Street S.E., Habitat Program, Fifth floor. The  
97 department may not accept delay requests submitted elsewhere or by third parties.  
98 [Immediately upon suspending the forty-five day period, the department shall notify the](#)  
99 [applicant in writing of the reasons for the delay.](#) The department may not process any  
100 application for which processing has been delayed for more than two years for any of  
101 the reasons identified in subsection (15) (a), (b), or (c). The department shall provide  
102 the applicant with written notification at the time of application expiration. The  
103 applicant or authorized agent, if one is acting for the applicant, must submit a new  
104 application to receive further consideration of the project.

105 (12) [The department shall issue, upon request, a renewable, five-year HPA for regular](#)  
106 [maintenance activities of a new marina or marine terminal or a marina or marine](#)  
107 [terminal in existence on June 6, 1996 to the conditions approved in the HPA issued for](#)  
108 [its initial construction. Regular maintenance activities are only those necessary to](#)  
109 [restore the marina or marine terminal to the conditions approved in the initial HPA,](#)  
110 [including, but not limited to, dredging, piling replacement, and float replacement. The](#)  
111 [approved HPA shall include a requirement that a fourteen-day notice be given the](#)  
112 [department before regular maintenance activities begin.](#) The applicant or authorized  
113 agent, if one is acting for the applicant, must submit a complete written application as  
114 provided in this section to request this HPA. .

115 (13) HPAs issued in locations covered by a national pollution discharge elimination system  
116 municipal storm water general permit may not be conditioned or denied for water  
117 quality or quantity impacts arising from storm water discharges. An HPA is required only  
118 for the actual construction of any storm water outfall or associated structures.

119 (14) (a) In locations not covered by a national pollution discharge elimination system  
120 municipal storm water general permit, the department may issue HPAs that contain  
121 provisions that protect fish life from adverse effects, such as scouring or erosion of the  
122 bed of the water body, resulting from the direct hydraulic impacts of the discharge.

123 (b) Prior to issuing an HPA issued under this subsection (3XXX), the department must:

- 124 (i) Make a finding that the discharge from the outfall will cause harmful  
125 effects to fish life;  
126  
127 (ii) Transmit the findings to the applicant and to the city or county where the  
128 project is being proposed; and  
129  
130 (iii) Allow the applicant an opportunity to use local ordinances or other  
131 mechanisms to avoid the adverse effects resulting from the direct hydraulic  
132 discharge. The forty-five day requirement for permit issuance is suspended  
133 during the time period the department is meeting the requirements of this  
134 subsection.

135  
136 (c) After following the procedures set forth in (bXXX) of this subsection, the department  
137 may issue an HPA that prescribes the discharge rates from an outfall structure that will  
138 prevent adverse effects to the bed or flow of the waterway. The department may  
139 recommend, but not specify, the measures required to meet these discharge rates. The  
140 department may not require changes to the project design above the mean higher high  
141 water line of marine waters, or the ordinary high water line of freshwaters of the state.  
142

143 (15) Except for simplified HPAs, expedited HPAs, and emergency HPAs, the department shall  
144 grant or deny approval within forty-five calendar days of the receipt of a complete  
145 written application. The department shall approve or reject applications for simplified  
146 HPAs within twenty days of receipt of a complete written application. The department  
147 shall grant approval of expedited HPAs within fifteen days of the receipt of a complete  
148 written application, and shall grant approval of emergency HPAs immediately upon  
149 request. An applicant may defer immediate issuance of an emergency HPA until the  
150 applicant completes project actions and plans necessary to successfully conduct the  
151 emergency action. The forty-five day requirement shall be suspended if:

152 (a) The site is physically inaccessible for inspection;

- 153 (b) The applicant or authorized agent, if one is acting for the applicant, remains  
154 unavailable or unable to arrange for a timely field evaluation of the proposed  
155 project after ten working days of the department's receipt of the application;
- 156 (c) The applicant or authorized agent submits a written request for a delay;
- 157 (d) The department is issuing a permit for a storm water discharge and is complying  
158 with the requirements of this section or
- 159 (e) The department is reviewing the application as part of a multiagency permit  
160 streamlining effort, and all participating permitting agencies and the permit  
161 applicant agree to an extended timeline longer than forty-five calendar days.
- 162 (16) Except for expedited, emergency, and pamphlet HPAs, the department may grant HPAs  
163 for a period of up to five years. The department shall grant expedited HPAs for a period  
164 of up to sixty days, and emergency HPAs for the expected duration of the emergency  
165 hydraulic project. Pamphlet HPAs remain in effect indefinitely until modified or  
166 rescinded by the department. Except for emergency HPAs, which may be modified or  
167 renewed until the emergency declaration authorizing them expires or is rescinded, HPAs  
168 may not be modified or renewed beyond the applicable five year or sixty day periods.  
169 The applicant, or authorized agent, if one is acting for the applicant, must submit new  
170 applications for projects needing further authorization beyond these time periods. The  
171 following types of HPAs shall remain in effect without the need for periodic renewal;  
172 however, the permittee shall notify the department before commencing work each  
173 year.
- 174 (a) Seasonal work that diverts water for irrigation or stock watering purposes; and
- 175 (b) Stream-bank stabilization projects to protect farm and agricultural land if the  
176 problem causing the erosion occurs on an annual or more frequent basis as  
177 demonstrated by the applicant. Evidence of erosion may include, but is not  
178 limited to, history of permit application, approval, or photographs. Periodic  
179 floodwaters by themselves do not constitute a problem that requires an HPA.
- 180 (17) Except for a chronic danger HPA, an expedited HPA, or an emergency HPA, an HPA or  
181 change to an existing HPA shall be denied when, in the judgment of the department, the  
182 project will result in direct or indirect harm to fish life, unless adequate mitigation can  
183 be assured by conditioning the HPA or modifying the proposal. If approval is denied, the  
184 department shall provide the applicant, in writing, a statement of the specific reasons  
185 why and how the proposed project would adversely affect fish life.
- 186 (18) Protection of fish life shall be the only grounds upon which the department may deny or  
187 condition an HPA. Approval of a permit may not be unreasonably withheld or  
188 unreasonably conditioned. The HPA conditions must be reasonably related to the  
189 project, and must ensure that the project provides proper protection for fish life. The  
190 department may not impose conditions that attempt to optimize conditions for fish life  
191 that are out of proportion to the impact of the proposed project.

192 (19) The department may place specific time limitations on project activities in HPAs to  
193 protect fish life. The HPA must contain provisions that allow for minor modifications to  
194 the plans and specifications of the project and to the required work timing without  
195 requiring the reissuance of the permit. Minor modifications to the required work timing  
196 means a minor deviation from the timing window set forth in the HPA when there are  
197 no spawning or incubating fish present within the vicinity of the project.

198 (20) The applicant, or authorized agent, if one is acting for the applicant, may request time  
199 extensions, renewals, or modifications of existing HPAs. Requests shall be in writing,  
200 must be submitted prior to the expiration of the HPA, and may only be submitted to the  
201 Habitat Program's Olympia headquarters office or to the biologist that signed the HPA.  
202 Written requests shall include the name of the applicant, the name of the authorized  
203 agent, if one is acting for the applicant, the control number of the HPA, the date issued,  
204 the permitting biologist, the requested changes to the HPA, the reason for the  
205 requested change, the date of the request, and the requester's signature. Requests  
206 submitted to the Habitat Program's Olympia headquarters office shall be mailed to the  
207 Department of Fish and Wildlife, Habitat Program, 600 Capitol Way N., Olympia,  
208 Washington 98501-1091; e-mailed to HPAapplications@dfw.wa.gov; faxed to 360-902-  
209 2946; or hand-delivered to the Natural Resources Building, 1111 Washington Street S.E.,  
210 Habitat Program, Fifth floor. Requests submitted to the permitting biologists shall be  
211 mailed, faxed, emailed, or hand delivered to the biologist's official duty station. The  
212 department may not accept applications submitted elsewhere or by third parties.

213 (21) The department shall declare requests for time extensions, renewals, or modifications  
214 of HPAs submitted during normal business hours received on the date submitted. The  
215 department shall declare requests submitted after normal business hours received on  
216 the next business day.

217 (22) The department shall approve or deny the request for time extensions, renewals, or  
218 modifications of HPAs within the time frames for the original HPAs set out in subsection  
219 (XXX). Approvals of such requests shall be in the form of a written HPA.

220 (23) Transfer of an HPA to a new permittee requires written request by the original and the  
221 new permittees, or their authorized agents if one is acting for the applicants. The  
222 request shall include:

223 (a) the HPA number;

224 (b) signatures and dates of signatures of both parties; and,

225 (c) a statement that the new permittee agrees to be bound by the conditions in the  
226 HPA.

227 (24) The applicants or authorized agents must submit the transfer request to the Habitat  
228 Program's Olympia headquarters office. The request shall be mailed to the Department  
229 of Fish and Wildlife, Habitat Program, 600 Capitol Way N., Olympia, Washington 98501-  
230 1091; e-mailed to HPAapplications@dfw.wa.gov; faxed to 360-902-2946; or hand-

231 delivered to the Natural Resources Building, 1111 Washington Street S.E., Habitat  
232 Program, Fifth floor. The department may not accept requests submitted elsewhere or  
233 by third parties.

234 (25) The department shall approve or deny the transfer request within the time frames for  
235 the original HPAs set out in this section. Approvals of such requests shall be in the form  
236 of a written HPA. If approval is denied, the department shall provide the applicant, in  
237 writing, a statement of the specific reason(s) why and how the proposed project would  
238 adversely affect fish life.

239 (26) The new permittee shall not conduct any project activities until the department has  
240 issued approval.

241 (27) The department may, after consultation with the permittee, modify an HPA due to  
242 changed conditions. The modification becomes effective immediately upon issuance of a  
243 new HPA unless appealed to the department or the pollution control hearing board as  
244 specified in WAC [220-110-340](#) and [220-110-350](#). For hydraulic projects that divert water  
245 for agricultural irrigation or stock watering purposes, or when the hydraulic project or  
246 other work is associated with streambank stabilization to protect farm and agricultural  
247 land as defined in RCW 84.34.020, the burden is on the department to show that  
248 changed conditions warrant the modification in order to protect fish life.

249 (28) The department may require the permittee to notify the department prior to the start  
250 of construction, upon project completion, or at other times while the permit is in effect  
251 that the department deems necessary. The department may also require the permittee  
252 to provide periodic written reports to assess permit compliance.

253 (29) The department may require contingency plans.

254 The following requirements apply to fish habitat enhancement HPAs:

255 (30) If the department determines that the size or scale of a fish habitat enhancement  
256 project proposed under RCW 77.55.181 raises concerns regarding public health and  
257 safety, or the local government raises concerns during the comment period of adverse  
258 impacts that cannot be mitigated by the conditioning of an HPA, the department shall  
259 reject the application and notify the applicant and local government in writing within  
260 twenty days of receiving the application that the project is inappropriate for streamlined  
261 processing. To be reconsidered for normal permit processing, the applicant or  
262 authorized agent, if one is acting for the applicant, must submit a new complete written  
263 application, or provide written notice to the department that the applicant wishes the  
264 department to accept the application for normal HPA processing.

265 The following requirements apply to chronic danger HPAs:

266 (31) The county legislative authority or county legislative authority designee shall notify the  
267 department, in writing, when it determines that a chronic danger exists. The  
268 department shall issue a chronic danger HPA, upon request, for work necessary to abate

269 the chronic danger by removing any obstructions, repairing existing structures, restoring  
270 banks, restoring road or highway access, protecting fish resources, or protecting  
271 property. Application submittal and processing requirements for chronic danger HPAs  
272 are the same as for those that are not expedited or emergency HPAs, except that  
273 applications for chronic danger HPAs that also satisfy the requirements for fish habitat  
274 enhancement projects identified in RCW 77.55.181 are subject to the review and  
275 approval process for fish habitat enhancement HPAs.

276 (32) The following requirements apply to simplified HPAs: The department may establish a  
277 simplified HPA application and permitting process for qualifying hydraulic projects.  
278 Qualifying projects must:

- 279 (a) present risks to fish life for less than one year and can be fully mitigated by the  
280 performance and technical standards established in chapter 220-110 WAC;
- 281 (b) be located only in areas of low resource risk, or are of such low risk that they can  
282 be permitted in high priority habitat;
- 283 (c) be of low complexity so that the HPA authorizing the project can be worded to  
284 minimize misinterpretation of its provisions, and thus can be permitted without  
285 site-specific conditions;
- 286 (d) be readily described and understood with plans, pictures, and graphics;
- 287 (e) be inspected with sufficient frequency and certainty, either during or after  
288 construction, to ensure compliance;
- 289 (f) meet all of the eligibility requirements described on the application; and,
- 290 (g) be completed in a single work season to avoid impacts to habitat due to  
291 potentially unstable worksite.

292 (33) The department shall grant tribes a ten-day review period upon receipt of each  
293 simplified HPA application prior to approving the application. The simplified HPA  
294 application may be approved prior to the expiration of the review period only when all  
295 interested tribes have provided comment to the department prior to the end of the  
296 review period. When determining whether to approve or reject the application for  
297 simplified HPA, the department shall consider tribal comment regarding project  
298 eligibility.

299 (34) The department shall grant simplified HPAs to all projects that meet the project  
300 eligibility requirements and for which it receives a complete written application. If  
301 necessary to confirm project eligibility, the department may conduct a site visit prior to  
302 approving or rejecting an application for simplified HPA.

303 (35) The department shall reject applications for simplified HPAs in cases where:

- 304 (a) the plans and specifications for the project are insufficient to demonstrate that  
305 fish life will be protected;
- 306 (b) the applicant or authorized agent, if one is acting for the applicant, fails to  
307 complete all elements of the application;
- 308 (c) the proposed project goes beyond the eligibility requirements described in the  
309 project application or cannot meet all of the eligibility requirements in the  
310 application; or,
- 311 (d) the potential impacts from the project pose a high risk to high priority fish  
312 habitats and therefore require compensatory mitigation.

- 313 (36) The department shall provide written notice of application rejection. Applicants may  
314 resubmit the project for consideration by the department under the standard  
315 application process under this section, or may submit a new simplified application for  
316 the project when the rejection was due to failure to complete all elements of the  
317 original application.

318 The following requirements apply to expedited HPAs:

- 319 (37) The department, county legislative authority, or county legislative authority designee  
320 may determine if an imminent danger exists. The county legislative authority or county  
321 legislative authority designee shall notify the department, in writing, if it determines  
322 that an imminent danger exists. In cases of imminent danger, the department shall issue  
323 an expedited HPA, upon request, for work to remove any obstructions, repair existing  
324 structures, restore banks, protect fish life, or protect property.

- 325 (38) The department may issue an expedited written HPA in those instances where normal  
326 processing would result in significant hardship for the applicant, unacceptable  
327 environmental damage would occur, or in the case of imminent danger as described in  
328 subsection (9XXX).

- 329 (39) The provisions of chapter [43.21C RCW](#) are not required for expedited HPAs.

330 (40) The following requirements apply to emergency HPAs:

- 331 (41) The department, county legislative authority, county legislative authority designee, or  
332 governor may declare an emergency or continue an existing declaration of an  
333 emergency where there is an immediate threat to life, the public, property, or of  
334 environmental degradation. A declared state of emergency by the governor under RCW  
335 [43.06.010](#) shall constitute a declaration under this subsection.

- 336 (42) An applicant or authorized agent, if one is acting for the applicant, may request an HPA  
337 authorizing a hydraulic project in response to a qualifying emergency orally or in writing  
338 during business hours from the biologist assigned permitting responsibilities for the  
339 location of the emergency. After business hours, contact the emergency hotline at (360)  
340 902-2537. A complete written application is not required.

- 341  
342 (43) Upon the declaration of an emergency, if requested to do so, the department shall grant  
343 oral approval immediately for a stream crossing, or work to remove any obstructions,  
344 repair existing obstructions, restore streambanks, protect fish life, or protect property  
345 threatened by a stream or a change in stream flow as a result of the identified  
346 emergency. Before starting emergency work the applicant or authorized agent must  
347 obtain oral or written approval from the department. The department shall issue a  
348 written HPA documenting the exact conditions of the oral approval within thirty days.  
349 The provisions of chapter [43.21C](#) RCW, are not required for emergency HPAs.
- 350 (44) Any hydraulic project proposed or conducted under an environmental excellence  
351 program agreement authorized under chapter [43.21K](#) RCW shall be applied for and  
352 permitted under the requirements of chapter [43.21K](#).

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1 **220-110-031 Procedures—pamphlet hydraulic project**  
2 **approvals.**

- 3 (1) In those instances where a hydraulic project is authorized by a pamphlet HPA and  
4 possession of the pamphlet HPA is required by rule, a person shall obtain a pamphlet  
5 HPA issued by the department before conducting the hydraulic project.
- 6 (2) The applicant or authorized agent, if one is acting for the applicant, may submit  
7 requests for pamphlet HPAs to the department verbally or in writing.
- 8 (3) The department may grant exceptions to a pamphlet HPA if the applicant, or authorized  
9 agent, if one is acting for the applicant, applies for an individual HPA for the project as  
10 described in WAC 220-110-030xxx. The applicant, or authorized agent, if one is acting  
11 for the applicant, must submit a written application for an *Aquatic Plants and Fish*  
12 pamphlet supplemental approval to the Habitat Program's Olympia headquarters office.  
13 Application documents shall be mailed to the Department of Fish and Wildlife, Habitat  
14 Program, 600 Capitol Way N., Olympia, Washington 98501-1091; e-mailed to  
15 HPAApplications@dfw.wa.gov; faxed to 360-902-2946; or hand-delivered to the Natural  
16 Resources Building, 1111 Washington Street S.E., Habitat Program, Fifth floor. The  
17 department will not accept applications submitted elsewhere or by third parties.
- 18 (a) The supplemental approval application shall specify the requested exception or  
19 request for additional authorization, and shall include the applicant's name,  
20 address, and phone number. The applicant shall sign and date written  
21 applications.
- 22 (b) The department shall grant or deny a request for a supplemental approval within  
23 forty-five calendar days of the receipt of the request.

24 When a pamphlet HPA is required, the permittee shall have the pamphlet HPA, and any  
25 supplemental approvals to it, on the job site when work is being conducted and shall make  
26 them immediately available for inspection by the department upon request. The permittee,  
27 equipment operator(s) and other individuals conducting the project shall follow all provisions of  
28 the pamphlet HPA and any supplemental approvals to it.  
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1 **220-110-032 Applicability, modification of hydraulic project**  
2 **approval requirements.**

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- (1) All new hydraulic projects must comply with the requirements listed in chapter 220-110 WAC.
- (2) Performance standards or technical provisions in chapter 220-110 WAC applicable to a specific project may be modified or deleted by the department when any of the following is demonstrated:
  - (a) There is no logical application to a project;
  - (b) The applicant provides an alternative plan to the provision that demonstrates that it provides equal or greater protection for fish life;
  - (c) Enforcement of the provision would result in denial of an HPA and there is adequate mitigation to allow the project and achieve no-net-loss of fish life or productive fish or shellfish habitat;
  - (d) The modification or deletion of the provision will not contribute to net loss of fish life;
  - (e) The proposal is part of an approved clean-up action under Model Toxics Control Act; Comprehensive Environmental Response Compensation and Liability Act; or Superfund Amendment and Reauthorization Act; or
  - (f) The performance standards or technical provisions conflict with applicable local, state, or federal regulations that provide proper protection for fish life.
- (3) When an existing structure is repaired or maintained, only the portion subject to the repairs or maintenance shall be required to meet the applicable standards in chapter 220-110 WAC. Repairs necessary to continue the use of the structure beyond its design life require that the structure be evaluated for its suitability and impacts to fish life.
- (4) When an existing structure is rehabilitated or replaced, the entire structure must meet the requirements of chapter 220-110 WAC. This includes removing non-compliant components of the existing structure.
- (5) The requirements listed in chapter 220-110 WAC are intended to provide protection for all fish life by avoiding predictable impacts that may result from various types of hydraulic projects. In cases where impacts from specific projects cannot be avoided by following the requirements listed in chapter 220-110 WAC, compensatory mitigation shall be required for impacts that result from the construction of the structure, as outlined in WAC 220-110-036XXX.

35 (6) The department shall base compensatory mitigation requirements for hydraulic projects  
36 involving the maintenance, repair, rehabilitation, or replacement of existing structures  
37 on the present condition of the structure, including any existing impacts caused by the  
38 structure. The department may not require compensatory mitigation for past impacts.

39 HPAs may also be subject to additional special provisions to address project or site-specific  
40 considerations not adequately addressed by the performance standards or technical provisions,  
41 or to implement management prescriptions developed through watershed analysis.  
42

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1 **220-110-035 Miscellaneous hydraulic projects — permit**  
2 **requirements and exemptions.**

- 3 (1) The installation, by hand or hand-held tools, of oyster stakes, boundary markers, or  
4 property line markers does not require an HPA.
- 5 (2) The act of driving across an established ford does not require an HPA. Driving across  
6 streams or on wetted streambeds at areas other than established fords requires a permit.  
7 Work within the ordinary high water line of state waters to construct or repair a ford or  
8 crossing requires a permit.
- 9 (3) A person conducting a remedial action under a consent decree, order, or agreed order  
10 under chapter 70.105D.090 RCW, and the department of ecology when it conducts a  
11 remedial action, are exempt from the procedural requirements of chapter 77.55 RCW. The  
12 department of ecology shall ensure compliance with the substantive provisions of chapter  
13 77.55 RCW.
- 14 (4) A landscape management plan approved by the department and the department of natural  
15 resources under RCW 76.09.350(2) shall serve as a permit for the life of the plan if fish are  
16 selected as one of the public resources for coverage under such a plan.
- 17 (5) The removal of derelict fishing gear does not require an HPA if the gear is removed  
18 according to the guidelines described in RCW 77.12.865.
- 19 (6) An activity conducted solely for the removal or control of Spartina does not require a  
20 permit.
- 21 (7) An activity conducted solely for the removal or control of purple loosestrife and which is  
22 performed with handheld tools, handheld equipment, or equipment carried by a person  
23 does not require a permit.
- 24 (8) The removal of crab and other shellfish gear does not require an HPA if the gear is removed  
25 under a permit issued under RCW 77.70.500.
- 26 (9) The department may not require a fishway on a tide gate, flood gate, or other associated  
27 man-made agricultural drainage facilities as a condition of an HPA if such a fishway was not  
28 originally installed as part of an agricultural drainage system existing on or before May 20,  
29 2003.
- 30 (10) Any condition requiring a self-regulating tide gate to achieve fish passage in an existing  
31 HPA under this chapter may not be enforced.
- 32 (11) Installation or removal of a portable boat hoist in a lake does not require an HPA, provided  
33 it:
- 34 (a) is not permanently installed;

- 35 (b) does not have armoring or other structures installed for a foundation or protection;
- 36 (c) is not installed or removed using equipment operated below the ordinary high water  
37 line;
- 38 (d) is not installed at the inlet or outlet of any stream;
- 39 (e) does not require any dredging, filling, pile driving, or any other bed modifications  
40 during installation or removal;
- 41 (f) is not modified during or after installation by the addition of docks, ramps, floats, or  
42 other structures that add surface area to the hoist or allow for moorage of additional  
43 watercraft; and
- 44 (g) is not installed in any of the following sockeye-bearing lakes:
- 45 (i) Baker
  - 46 (ii) Osoyoos
  - 47 (iii) Ozette
  - 48 (iv) Pleasant
  - 49 (v) Quinalt
  - 50 (vi) Sammamish
  - 51 (vii) Washington
  - 52 (viii) Wenatchee
- 53 (12) No HPA is required for the installation, maintenance, or removal of scientific instruments  
54 provided all work waterward of the ordinary high water line is conducted by hand or with  
55 hand-held tools, and the project does not include dewatering the worksite, placement of fill  
56 or concrete, or excavation or grading of the streambed or bank. Examples of scientific  
57 instruments include staff gages, tide gages, water recording devices, water quality testing  
58 and improvement devices, and similar structures.

1 **220-110-036 General requirements for the issuance of all**  
2 **hydraulic project approvals.**

3 In addition to the specific requirements listed in WAC 220-110-037XXX through 220-110-  
4 339XXX, the following provisions apply to all hydraulic projects:

- 5 (1) All hydraulic projects shall protect all stages of fish life, and their habitat.
- 6 (2) All work subject to chapter 220-110 WAC must achieve **no net loss** of the habitat's  
7 functions and values to fish life.
- 8 (3) The requirements listed in Chapter 220-110 WAC are intended to provide protection for  
9 all fish life by avoiding predictable impacts that may result from various types of  
10 hydraulic projects. To ensure that fish life is protected, **mitigation actions shall be**  
11 **required as provisions of the HPA to avoid, minimize and compensate for impacts to fish**  
12 **life resulting from the proposed project activity. The type(s) of mitigation required shall**  
13 **be considered and implemented, in the following sequential order of preference:**
- 14 (a) **Avoiding the impact altogether by not taking a certain action or parts of an**  
15 **action;**
- 16 (b) **Minimizing impacts by limiting the degree or magnitude of the action and its**  
17 **implementation by using appropriate technology or by taking affirmative steps**  
18 **to avoid or reduce impacts;**
- 19 (c) **Rectifying the impact by repairing, rehabilitating, or restoring the affected**  
20 **environment;**
- 21 (d) **Reducing or eliminating the impact over time by preservation and maintenance**  
22 **operations during the life of the action;**
- 23 (e) **Compensating for the impact by replacing, enhancing, or providing substitute**  
24 **resources or environments. The use of credits from a mitigation bank or in-lieu**  
25 **fee program as a form of compensation may only occur after the standard**  
26 **sequencing of mitigation negotiations (avoid, minimize, rectify, reduce/eliminate**  
27 **and then compensate) has occurred;**
- 28 (f) **Monitoring the impact and the compensation projects and taking appropriate**  
29 **corrective measures;**
- 30 (g) **In cases where impacts from hydraulic projects cannot be avoided by following**  
31 **the requirements listed in Chapter 220-110 WAC, applicants must provide**  
32 **compensatory mitigation for impacts that result from the project activities;**
- 33 (h) **For projects with potentially significant impacts, a mitigation agreement may be**  
34 **required prior to approval. Replacement mitigation may be required to be**  
35 **established and functional prior to project construction.**

- 36 (4) In cases where compensatory mitigation is required, the department may require the  
37 applicant to submit a mitigation plan. If a plan is required, the compensatory mitigation  
38 must achieve no net loss of fish life. The plan may include the following items:
- 39 (a) Description of existing conditions;
- 40 (b) Description of the location and duration of the proposed project action;
- 41 (c) Description of the alternatives to the proposed project action, and why  
42 they are not appropriate;
- 43 (d) Identification of fish and shellfish species and habitats which will be  
44 affected by the proposed project action;
- 45 (e) Description of the nature, extent, and duration of impacts to result from  
46 the proposed project actions;
- 47 (f) Description of the mitigation actions which shall be taken to achieve a no  
48 net loss;
- 49 (g) Description and map of the location of the proposed project actions and  
50 mitigation;
- 51 (h) Protocols, methods, and a reporting schedule for monitoring the  
52 effectiveness of mitigation measures.
- 53 (i) Monitoring that continues for a duration and at frequency needed to  
54 ensure that the mitigation goals and objectives are met;
- 55 (j) Performance standards to measure whether goals are being reached;
- 56 (k) Contingency plans, including corrective actions that will be taken if  
57 mitigation developments do not meet goals and objectives; and
- 58 (l) Any agreements or other guarantees that the applicant will fulfill  
59 mitigation, operation and maintenance, monitoring, and contingency  
60 plans
- 61 (m) An applicant who proposes a project that includes compensatory  
62 mitigation must document that the project protects fish life, by including  
63 the following in their application for hydraulic project approval:
- 64 (i) All the information required in 4 (a)-(l) above.
- 65 (ii) A technical report describing the assumptions used to design the  
66 project, and site-specific plans and specifications showing how the  
67 project will meet fish life protection requirements.

- 68 (5) In many instances it will take time for habitat to become functional and in some  
69 situations the compensation may not function as anticipated. Therefore, at a minimum,  
70 a compensation ratio of 1.1:1 or greater shall apply.
- 71 (6) When compensatory measures are appropriate under the mitigation priority sequence  
72 above, preferential consideration shall be given to measures that replace the impacted  
73 functions directly and in the immediate vicinity of the impact. However, alternative  
74 compensatory mitigation within the watershed that addresses limiting factors or  
75 identified critical needs for shoreline resource conservation based on watershed or  
76 comprehensive resource management plans applicable to the area of impact may be  
77 authorized. Authorization of compensatory mitigation measures may require  
78 appropriate safeguards, terms or conditions as necessary to ensure no net loss of fish  
79 habitat functions.
- 80 (7) Compensatory mitigation requirements apply to new hydraulic projects and to  
81 rehabilitation, replacement, or chronic maintenance and repair of an existing structure.  
82 When an existing hydraulic structure requires chronic maintenance and repair or is  
83 rehabilitated or replaced, the environmental baseline for purposes of calculating  
84 compensatory mitigation requirements under WAC 220-110-036XXX shall be present  
85 conditions, including any existing impacts resulting from the current structure.  
86 Compensatory mitigation requirements for rehabilitated or replacement structures or  
87 chronic maintenance and repair will apply only to future impacts that will result from  
88 the structure.

1 **220-110-037 General construction provisions.**

2 WAC 220-110-037 sets forth general construction provisions that are applicable to many kinds  
3 of hydraulic projects. WAC 220-110-055XXX through 220-110-339XXX set forth additional  
4 provisions applicable to specific kinds of hydraulic projects. Hydraulic project approvals may  
5 include additional provisions to address site-specific conditions. All provisions determined by  
6 the department to be necessary to protect fish life shall be contained in the HPA.

7 (1) HPAs for routine maintenance.

8 (a) An HPA is required for routine maintenance of structures in, over, or near waters of  
9 the state. The HPA shall contain provisions to prevent or minimize impacts to waters of  
10 the state from maintenance activities.

11 (2) Minimizing disturbance from construction.

12 (a) Use of equipment in or near the water shall be held to the minimum necessary to  
13 construct the project, and shall be confined to specific access and work corridors.

14 (b) Removal of aquatic and riparian vegetation shall be limited to that necessary to gain  
15 access to construct the project.

16 (c) Buffers that exclude construction shall be established and marked around vegetation  
17 that is to remain undisturbed.

18 (d) All disturbed areas shall be immediately protected from erosion.

19 (e) For projects that disturb vegetation, the proponent shall provide a vegetation plan  
20 describing how the disturbed vegetation will be replaced. Disturbed areas shall be  
21 successfully vegetated within one year with native riparian or aquatic species  
22 appropriate to the site. Plantings shall be maintained as necessary for three years to  
23 ensure eighty percent survival. Local sources of plant materials shall be used whenever  
24 practical.

25 (e) Depressions in the substrate created during project activities shall be reshaped to  
26 preproject level or other approved condition upon project completion.

27 (f) Removal of existing or temporary structures shall be accomplished so that the  
28 structure and associated material does not reenter waters of the state. The technical  
29 provisions for construction that are pertinent to deconstruction also apply.

30 (3) Preventing deleterious materials from entering waters of the state.

31 (a) Project activities shall not degrade water quality to the detriment of fish life.

32 (b) Wet concrete and other uncured or dry products containing cement (e.g., grout,  
33 mortar) shall be prevented from contacting waters of the state. Forms or other

- 34 impervious material shall be used to contain and prevent leaching of products  
35 containing cement.
- 36 (c) All debris or deleterious material resulting from construction or as part of the  
37 mitigation for the project shall be removed from the bed, beach area, , or bank and  
38 prevented from entering waters of the state.
- 39 (d) No petroleum products or other deleterious materials shall enter surface waters.
- 40 (e) Operators shall maintain pumps, boat motors, and other equipment in good  
41 condition, without leaks. All equipment used in or around waters shall be clean and  
42 inspected daily prior to use to ensure that the equipment has no fluid leaks. Any  
43 equipment that develops a leak shall be removed from the site immediately and not  
44 used again until it has been adequately repaired.
- 45 (f) A spill response kit must be present on site to contain any potential petroleum or  
46 other hazardous material spill from entering state waters. Operators shall contain and  
47 clean up spills of fuels or other fluids without delay. Absorbent materials must be  
48 available onsite for this purpose.
- 49 (g) Project activities shall be conducted to prevent the delivery of silt or sediment-laden  
50 water to banks, beach areas, beds, or waters of the state.

51 (4) Treated Wood

- 52 (a) Wood treated with creosote or pentachlorophenol may not be used in any hydraulic  
53 project. Wood treated with other preservatives may be used provided it meets industry  
54 post-treatment standards and is sufficiently cured to minimize leaching into the water  
55 or bed.
- 56 (b) Sawdust, trimmings, or drill shavings from treated wood shall be completely  
57 contained with tarps or other methods during installation or removal of structures.

58 (5) Working in the dry.

- 59 (a) When practicable, construction work shall be carried out in the dry. Construction  
60 (and deconstruction) materials shall be stored landward of the OHWL in fresh waters, or  
61 landward of MHHW in marine waters.
- 62 (b) For projects where construction takes place below OHWL or MHHW, the  
63 construction area shall be separated from waters of the state by use of an approved  
64 dike, cofferdam, or similar structure. For projects where the stream is bypassed around  
65 the work site, the applicant shall submit a streamflow bypass plan. The department  
66 shall review the plan and either approve it or work with the applicant to modify it to  
67 properly protect fish life. Temporary bypass or dewatering shall be carried out as  
68 specified in WAC 220-110-120XXX.

69 (c) When it is necessary to dewater a worksite, it shall first be dewatered slowly to allow  
70 fish time to swim out of the area (passive fish removal). The department may approve  
71 seining, electrofishing, or both, depending on site-specific conditions, to remove fish  
72 that remain after passive removal. Captured fish shall be minimally handled, kept in  
73 water, and transferred immediately to a release site downstream. In cases where the  
74 permittee has collected suspected or known exotic or invasive aquatic species from a  
75 location in which their presence has not been previously documented, the permittee  
76 shall immediately cease operations, retain a live specimen, and contact the department.  
77 Operations may not resume without approval of the department.

78 (d) Wastewater from project activities and water removed from within the work area  
79 shall be routed to an area landward of the ordinary high water line to allow removal of  
80 fine sediment and other contaminants prior to being discharged to waters of the state.

81 (e) Areas of disturbed sediment within the work area shall either be removed, or shall  
82 be stabilized with clean material sized to match undisturbed sediments prior to  
83 restoring water flow.

84 (6) Notification of fish kill.

85 If a fish kill occurs or if fish are observed in distress, work activities shall immediately  
86 cease. The department and the Washington military department emergency  
87 management division shall be immediately notified of the problem. Work may not  
88 resume until the Washington department of fish and wildlife gives approval.

89 (7) Noise and pile driving.

90 (a) Peak sound pressure levels from driving piling must not exceed two-hundred six  
91 decibels (re:1μPa).

92 (b) Cumulative sound exposure levels over twelve hours within any twenty-four hour  
93 period must not exceed one-hundred eighty-three decibels (re:1μPa<sup>2</sup>sec).

94 (8) Fill and piling.

95 (a) Fill around piling may only be used when the condition of the substrate prevents the  
96 use of driven piles.

97 (b) Fill material is limited to clean rock and concrete.

98 (c) The total amount of fill used to secure all piles associated with a structure is limited  
99 to the minimum amount necessary to secure the piles.

100 (9) Use of explosives

101 (a) The department may approve the use of explosives only if the applicant  
102 demonstrates certainty that harm to fish life, can be avoided.

- 103 (b) The use of ammonium nitrate-fuel oil mixtures in or near water is prohibited.
- 104 (c) Disturbance to shoreline, streambanks and riparian vegetation shall be limited to  
105 areas identified in plans submitted to and approved by the department.
- 106 (d) Methods to contain and control turbidity and possible slide debris resulting from in-  
107 water blasting shall be in place prior to any blasting. These materials shall not be  
108 dragged on the bed or banks when placing, relocating, or removing them.
- 109 (i) Department approved fish exclusion or containment methods shall surround  
110 the blast site.
- 111 (ii) Blasting shall occur in an area that is physically separated from the  
112 surrounding waters, (e.g., inside a cofferdam).
- 113 (iii) No explosive is to be detonated in or near fish habitat that produces, or is  
114 likely to produce, an instantaneous pressure change (i.e., overpressure) greater  
115 than one-hundred kPa (fourteen and one-half psi) in the swimbladder of a fish.
- 116 (iv) The weight of explosives to be used in each delay will be limited to the  
117 lowest poundage of explosives that can adequately do the job and shall be set  
118 (timing, frequency, location) to minimize shock waves from the explosives.  
119 Timing of explosions shall include micro-second detonation delays.
- 120 (v) All blast holes shall be stemmed.
- 121 (vi) Resulting blast debris shall be removed from the watercourse before it is  
122 rewatered.
- 123 (e) Conduct pre- and post- in-water blasting surveys of fish life using methods approved  
124 by the department.
- 125 (f) Divert or remove fish life from the site to prevent injury, immediately before in-water  
126 blasting, using methods approved by the department.
- 127 (g) A diver shall be on site and available for potential damage assessment following in-  
128 water blasting activities. A written report detailing the results of the evaluation of  
129 project impacts to fish life shall be submitted to the department no later than fifteen  
130 days subsequent to blasting.
- 131 (10) All materials and equipment used in the construction of a hydraulic project shall be free of  
132 aquatic invasive species. Materials and equipment used at the site of a hydraulic project site  
133 at which aquatic invasive species are already established shall be decontaminated so that  
134 no viable aquatic invasive species are transported from the job site.
- 135 (11) The department may allow placement of clean dredged material in areas for beneficial  
136 uses such as beach nourishment or cleanup of contaminated sediments.

1 **220-110-038 Compensatory mitigation monitoring**  
2 **requirements.**

3 (1) These general requirements shall apply, in addition to other monitoring requirements  
4 specified in WAC 220-110 xxx through WAC 220-110-037XXX.

5 (2) The permittee shall monitor to verify they are meeting the terms and conditions of the  
6 mitigation plan or mitigation agreement.

7 (3) Prior to project approval, the applicant may be required to submit a monitoring plan to  
8 assess the performance of a compensatory mitigation project. The department will review the  
9 plan and either approve or modify it. The monitoring plan shall include:

- 10 (a) Name of the qualified professional responsible for monitoring.
- 11 (b) Description of the data to be collected and reported, how often and for what duration  
12 (identify proposed monitoring stations, including transect locations on map).
- 13 (c) Description of the performance standards to measure whether goals are being reached.
- 14 (d) Identification of the assessment tools and/or methods to be used for data collection  
15 monitoring the progress towards attainment of performance standards.
- 16 (e) Description of the format to be used for reporting monitoring data.
- 17 (f) Description of the monitoring schedule.
- 18 (g) A contingency plan the permittee will implement if compensatory mitigation monitoring  
19 shows that the project is not meeting performance objectives.

1 **220-110-039 Adaptive management for the HPA program**

2 (1) Purpose: The department will implement adaptive management of the Hydraulic Project  
3 Approval Program as a means of systematically using monitoring data and other data to  
4 rigorously assess the success of management alternatives and make adjustments that will  
5 improve the effectiveness and efficiency of the Program. Adaptive management will:

6 (a) Quantify the effect of management decisions and permitted activities on the protection  
7 of fish life.

8 (b) Ensure the HPA program is responsive to changing habitat conditions that affect fish life.

9 (c) Improve efficiency in implementing the HPA program.

10 (2) The goals of the adaptive management program are to:

11 (a) Ensure hydraulic projects protect fish life, and unavoidable impacts are minimized and  
12 mitigated.

13 (b) Ensure HPA provisions achieve their intended goals, and that provision requirements on  
14 projects are appropriate and necessary.

15 (c) Improve protection of fish life by adapting to changing conditions over time and  
16 increase relevant information learned through monitoring.

17 (d) Ensure that activities permitted under the HPA authority protect listed and at-risk  
18 species and are compliant with the Endangered Species Act.

19 (e) Understand the cumulative impacts of multiple projects.

20 (3) The department will develop a program to monitor compliance with HPA provisions, the  
21 effectiveness of those provisions for protecting fish life, and the overall effectiveness of the  
22 HPA program. The department may use a risk-based approach to prioritize the monitoring.  
23 Implementation of the monitoring program will depend on funding, time, and staff availability.  
24 The department may implement a phased or stepped monitoring process to ensure better  
25 compliance.

26 (a) The department will conduct compliance monitoring to determine whether the  
27 permittees follow the permit provisions. The department will determine the cause of  
28 non-compliance to determine if education, outreach, or policy/operational changes will  
29 improve compliance.

30 (b) The department will use implementation monitoring to determine whether the  
31 projects were implemented as planned; have both the permittee and the department  
32 done what they said they were going to do?

33 (c) The department will use effectiveness and validation monitoring to measure how well  
34 projects protect fish life.

35 (4) Participants. To achieve the best results, adaptive management must provide a mechanism  
36 for departmental, stakeholder, and tribal involvement. The department will use two groups to  
37 implement adaptive management.

38 (a) Adaptive management committee. The adaptive management committee is comprised  
39 of, but not limited to, staff from the department's science, restoration, and protection  
40 divisions within the habitat program, and the department's regional offices.

41 (b) External stakeholder and tribal sub-committee. The adaptive management committee  
42 will create an *ad hoc* sub-committee when it determines a need for stakeholder and  
43 tribal involvement. The sub-committee will be composed of representatives of the  
44 regulated community, conservation organizations, tribes, counties, cities, state and  
45 federal agencies.

46 (c) The adaptive management committee will ask the external stakeholder and tribal sub-  
47 committee to provide input on policy actions that might:

48 (i) Have a significant impact on HPA applicants, such as in cost or construction time.

49 (ii) Negatively affect the environment or create unintended consequences.

50 (iii) Impose significant changes to standard or current practices.

51 (d) The HPA adaptive committee will review the stakeholder and tribal recommendations.  
52 The involvement of stakeholders and tribes may result in policy, rule or statutory  
53 changes, and may trigger state environmental policy act review.

54 (5) Process.

55 (a) Adaptive management of the HPA program will include the following steps:

56 (i) Identify the problem, including defining the management problem and the system  
57 being managed, identifying the group that can address the problem, and carefully  
58 describing the goals and objectives of the current and proposed management action.

59 (ii) Design and describe proposed management actions in a management plan that  
60 allows needed adjustment during implementation.

61 (iii) Implement the management plan for the selected management actions.

62 (iv) Monitor the management action by collecting data for selected metrics.

63 (v) Assess the effectiveness of the management plan by conducting analyses to compare  
64 measured results with anticipated outcomes related to goals and objectives for the  
65 program or specific management actions. Determine whether the project should  
66 continue with implementation, adjust the implementation, adjust the plan, or declare  
67 success. Monitoring continues.

68 (vi) Continue with the current implementation of the management action if the  
69 assessment concludes that no adjustments are needed to achieve goals and objectives.  
70 Monitoring continues.  
71 (vii) If the program, project, or management action is not meeting goals and objectives,  
72 adjust plan implementation or the plan itself. Monitoring continues.  
73 (viii) The department will declare the management plan successful if monitoring  
74 demonstrates the program or project is consistently meeting the goals and objectives. In  
75 this case, the department will take no further action. Monitoring continues, perhaps  
76 with adjustment.  
77

78 (b) The adaptive management committee will

- 79 (i) Develop and implement plans, including monitoring, for addressing its stated  
80 goals and objectives.
- 81 (ii) Assess and document progress towards meeting each goal and objective.
- 82 (iii) Identify and record obstacles to progress and possible solutions.
  - 83 (A) If a solution does not affect stakeholders, the department must make and  
84 document required changes.
  - 85 (B) If the adaptive management committee determines a solution will affect  
86 stakeholders and tribes, the committee will request collaboration and  
87 review by the external stakeholder and tribal sub-committee.
- 88 (iv) The adaptive management committee will make recommendations for changes  
89 resulting from the process to department management.

90 (6) Reporting. The department must inform stakeholders, tribes and interested parties about  
91 HPA program activities:

- 92 (a) Biennial Report: The adaptive management committee must submit HPA Program  
93 adaptive management changes and updates as part of the biennial reports to the  
94 Governor and Legislature, in accordance with RCW 77.04.120.
- 95 (b) Habitat Conservation Plan Annual Reports: If WDFW has an active Incidental Take  
96 Permit, the adaptive management committee must submit adaptive management  
97 reports, including recommended changes to habitat conservation plan adoption and  
98 implementation, in accordance with the permit.

99 (7) Funding. Funding is essential to implement an adaptive management program. The  
100 department will seek long-term stable funding for the adaptive management program.  
101 Implementing adaptive management may improve efficiency and avoid unnecessary expenses.  
102

1 **220-110-041 Authorized work times in freshwater areas.**

2 (1) The department shall specify authorized work times for hydraulic projects in or adjacent  
3 to freshwater areas when it issues HPAs. When determining the authorized work times,  
4 the department shall consider:

5 (a) the times when salmonid eggs and fry are least likely to be incubating within  
6 Washington state freshwaters;

7 (b) in the case of some large streams, such as the Columbia and Snake Rivers, the  
8 outmigration timing of smolts;

9 (c) the expected impact of construction activities, equipment type and access, life  
10 history stages of all species of fish life present;

11 (d) life history stages of all species of fish life present;

12 (e) presence or absence of spawning habitat and incubating fish at or near the  
13 project site;

14 (f) weather;

15 (g) work site containment;

16 (h) wastewater management;

17 (i) best management practices proposed by the project proponent;

18 (j) mitigation measures volunteered or imposed upon the project; and,

19 (k) other circumstances and conditions.

20 (2) The department shall publish the times when salmonid eggs and fry are least likely to be  
21 incubating with streams on its public website.

1 **220-110-046 (formerly -271) Authorized work times in**  
 2 **saltwater areas.**

3 The department shall specify authorized work times for hydraulic projects in or adjacent to  
 4 saltwater areas when it issues HPAs. The department may permit work waterward of the  
 5 ordinary high water line for the following times, areas, and species.

6 (1) If the surf smelt spawning season for the project location is six months or longer, the  
 7 department may permit work provided:

- 8 (a) The work commences within forty-eight hours after the location is inspected by a  
 9 department representative or biologist trained by the department.
- 10 (b) The inspection follows the protocols in forage fish spawning beach sampling manual.
- 11 (c) The results of the inspection show that no spawning is occurring or has recently  
 12 occurred.
- 13 (d) The project is completed within the time defined by the department.

14 (2) Tidal Reference Areas 1 through 17; March 2 through October 14 for projects in or adjacent  
 15 to Pacific sand lance spawning beds.

16 (3) Tidal Reference Areas 1 through 17; October 15 through May 14 for projects in or adjacent  
 17 to lingcod settlement and nursery areas.

18 (4) Tidal Reference Area 14; October 1 through May 14 for projects in or adjacent to razor clam  
 19 beds.

20 (5) The department may restrict the times for hydraulic work for protection of other species of  
 21 fish or shellfish or if necessary to protect fish life at a particular site.

22 (6) The authorized times and areas for protection of migrating juvenile salmonid, and surf  
 23 smelt and Pacific herring spawning beds are listed in the following table:  
 24

| AUTHORIZED TIMES           |  |                             |                          |
|----------------------------|--|-----------------------------|--------------------------|
| TIDAL<br>REFERENCE<br>AREA | JUVENILE SALMONID<br>MIGRATION FEEDING AND<br>REARING AREAS. | SURF SMELT<br>SPAWNING BEDS | HERRING<br>SPAWNING BEDS |
| 1                          | July 16 – February 15  | —                           | April 1 – January 14     |
| 2                          | July 16 – February 15  | April 1 – June 30           | April 1 – January 14     |
| 3                          | July 16 – February 15  | May 1 – September 30        | April 1 – January 14     |

|   |   |  |                       |
|---|---|--|-----------------------|
| 4 | August 1 – February 15 for all work except dredging<br>September 1 – February 15 for dredging in all areas except Duwamish Waterway<br>October 16 – February 15 for dredging in the Duwamish Waterway upstream of the East and West Waterways | April 15 – September 30  | April 15 – January 14 |
| 5 | August 1 – February 15 for all work except dredging<br>September 1 – February 15 for dredging in all areas except Duwamish Waterway<br>October 16 – February 15 for dredging in the Duwamish Waterway upstream of the East and West Waterways | April 1 – August 31 in all areas except Eagle Harbor and Sinclair Inlet<br>In Eagle Harbor and Sinclair Inlet, authorization is conditional upon inspection, because year-round spawning occurs. | May 1 – January 14    |
| 6 | July 15 – February 15 for all work except dredging<br>September 1 – February 15 for dredging  | March 1 – September 30   | —                     |
| 7 | August 1 – February 15 for all work except in Port Susan and dredging in Port Gardner<br>July 16 – February 14 for all work in Port Susan<br>September 15 – February 15 for dredging in Port Gardner  | Authorization is conditional upon inspection, because year-round spawning occurs   | April 15 – January 31 |
| 8 | July 16 – February 15   | Authorization is conditional upon inspection, because year-round spawning occurs   | April 15 – January 31 |

|    |   |  |   |
|----|---|--|---|
| 9  | July 16 – February 15   | Authorization is conditional upon inspection, because year-round spawning occurs   | April 15 – January 31 south of a line running due west from Governor's point<br>June 15 – January 31 north of a line running due west from Governor's point |
| 10 | July 16 – February 15<br>July 16 – January 15 for all work from Tala Point to the Dungeness River | April 1 – July 31<br>In San Juan Islands, authorization is conditional upon inspection, because year-round spawning occurs | May 1 – January 14  |
| 11 | July 16 – January 15  | March 2 – September 14   | April 1 – January 14  |
| 12 | July 16 – January 15  | March 2 – August 31  | April 15 – February 14  |
| 13 | July 16 – January 15  | February 16 – July 31  | April 15 – January 14   |
| 14 | July 16 – February 15   | October 1 – June 30  | —   |
| 15 | July 16 – February 15   | —  | —   |
| 16 | July 16 – February 15   | —  | March 15 – January 31   |
| 17 | July 16 – February 15   | —  | March 15 – January 31   |

25  
26

1 **220-110-047 (formerly -240) Tidal reference areas.**

2 Tidal reference areas are defined as follows:

3 (1) Tidal Reference Area 1 (Shelton): All saltwater areas in Oakland Bay and Hammersley Inlet  
4 westerly of a line projected from Hungerford Point to Arcadia.

5 (2) Tidal Reference Area 2 (Olympia): All saltwater areas between a line projected from  
6 Hungerford Point to Arcadia and a line projected from Johnson Point to Devil's Head. This  
7 includes Totten, Eld, Budd, Case and Henderson Inlets, and Pickering Passage.

8 (3) Tidal Reference Area 3 (South Puget Sound): All saltwater areas easterly and northerly of a  
9 line projected from Johnson Point to Devil's Head and southerly of the Tacoma Narrows Bridge.

10 (4) Tidal Reference Area 4 (Tacoma): All saltwater areas northerly of the Tacoma Narrows  
11 Bridge and southerly of a line projected true west and true east across Puget Sound from the  
12 northern tip of Vashon Island.

13 (5) Tidal Reference Area 5 (Seattle): All saltwater areas northerly of a line projected true west  
14 and true east across Puget Sound from the northern tip of Vashon Island and southerly of a line  
15 projected true east from Point Jefferson at 47° 45' N. latitude across Puget Sound. This area  
16 includes Port Orchard, Port Madison, and Dyes and Sinclair Inlets.

17 (6) Tidal Reference Area 6 (Edmonds): All saltwater areas northerly of a line projected true east  
18 from Point Jefferson at 47° 45' N. latitude across Puget Sound and southerly of a line projected  
19 true east from Possession Point to Mukilteo and from Foulweather Bluff to Double Bluff.

20 (7) Tidal Reference Area 7 (Everett): All saltwater areas northerly of a line projected true east  
21 from Possession Point to Chennault Beach, easterly of a line projected 5° true from East Point  
22 to Lowell Point, and southerly of the Stanwood to Camano Island Highway. This area includes  
23 Port Gardner, Port Susan, and parts of Possession Sound and Saratoga Passage.

24 (8) Tidal Reference Area 8 (Yokeko Point): All saltwater area westerly and northerly of a line  
25 projected 5° true from East Point to Lowell Point, north of the Stanwood to Camano Island  
26 Highway, and easterly and southerly of Deception Pass Bridge and the Swinomish Channel  
27 Bridge on State Route 20. This area includes Holmes Harbor, Saratoga Passage, Skagit Bay,  
28 Similk Bay, and most of the Swinomish Channel.

29 (9) Tidal Reference Area 9 (Blaine): All saltwater area in Skagit County and Whatcom County  
30 that lies northerly of the Swinomish Channel Bridge on State Highway 536 and westerly and  
31 northerly of Deception Pass Bridge.

32 (10) Tidal Reference Area 10 (Port Townsend): All saltwater area of Puget Sound as defined in  
33 WAC 220-16-210XXX except Hood Canal south of a line projected from Tala Point to  
34 Foulweather Bluff, and except all waters defined in Tidal Reference Areas 1 through 9. Area 10

- 35 includes waters of the San Juan Islands, Admiralty Inlet, the Strait of Juan de Fuca, and  
36 associated bays and inlets.
- 37 (11) Tidal Reference Area 11 (Union): All saltwater area of Hood Canal southerly and easterly of  
38 a line projected from the northern entrance of Lilliwaup Bay to the northern entrance of  
39 Dewatto Bay.
- 40 (12) Tidal Reference Area 12 (Seabeck): All saltwater areas of Hood Canal northerly of a line  
41 projected from Lilliwaup Bay to Dewatto Bay and southerly of a line projected true east from  
42 Hazel Point. This area includes Dabob Bay and Quilcene Bay.
- 43 (13) Tidal Reference Area 13 (Bangor): All saltwater area of Hood Canal northerly of a line  
44 projected true east from Hazel Point and south of a line projected from Tala Point to  
45 Foulweather Bluff. This area includes Port Gamble.
- 46 (14) Tidal Reference Area 14 (Ocean Beaches): All saltwater area between Cape Flattery and  
47 the Oregon border at the mouth of the Columbia River, excluding Grays Harbor and Willapa  
48 Bay.
- 49 (15) Tidal Reference Area 15 (Westport): All saltwater area in Grays Harbor easterly of a line  
50 projected from the outermost end of the north jetty to the outermost end of the south jetty,  
51 and westerly of 123° 59' W. longitude.
- 52 (16) Tidal Reference Area 16 (Aberdeen): All saltwater area in Grays Harbor easterly of 123° 59'  
53 W. longitude and westerly of the State Route 101 bridge across the Chehalis River.
- 54 (17) Tidal Reference Area 17 (Willapa Bay): All saltwater area in Willapa Bay easterly of a line  
55 projected from Leadbetter Point to Cape Shoalwater.

1 **220-110-049 (formerly -250) Saltwater habitats of special**  
2 **concern.**

3 In the following saltwater habitats of special concern, or areas in close proximity with similar  
4 bed materials, specific restrictions regarding project type, design, location, and timing may  
5 apply. The department may determine the location of such habitats by a site visit. In addition,  
6 the department may consider all available information regarding the location of the following  
7 habitats of special concern.

8 (1) Information concerning the location of the following saltwater habitats of special concern is  
9 available on request to the habitat program of the department of fish and wildlife. These  
10 habitats of special concern may occur in the following types of areas:

11 (a) Surf smelt (*Hypomesus pretiosus*) spawning beds are located in the upper beach area  
12 in saltwater areas typically composed of sand and/or small gravel and shell material.

13 (b) Pacific sand lance (*Ammodytes hexapterus*) spawning beds are located in the upper  
14 beach area in saltwater areas typically composed of sand and/or pea gravel.

15 (c) Pacific herring (*Clupea harengus pallasii*) spawning beds occur in lower beach areas  
16 and shallow subtidal areas in saltwater areas. These beds include seagrass, macroalgae,  
17 and other bed materials such as subtidal worm tubes.

18 (d) Rockfish (*Sebastes* spp) settlement and nursery areas are located in kelp beds,  
19 seagrass, macroalgae, and other bed materials.

20 (e) Lingcod (*Ophiodon elongatus*) settlement and nursery areas are located in beach and  
21 subtidal areas with sand, seagrass, subtidal worm tubes, and other bed materials.

22 (f) Olympia oyster (*Ostrea conchaphila*) settlement areas are located in sheltered bays  
23 and estuaries near low tide.

24 (g) Pinto (Northern) abalone (*Haliotis kamtschatkana*) occurs predominantly in kelp  
25 beds; typically in low intertidal and subtidal areas to 30 feet depth, in a wide range of  
26 habitats from sheltered bays to exposed coastlines.

27 (2) Juvenile salmonid (Family Salmonidae) migration corridors, and rearing and feeding areas  
28 are ubiquitous throughout estuarine and shallow nearshore saltwater areas of the state.

29 (3) The following vegetation occurs in or adjacent to many saltwater areas and serves essential  
30 functions in the developmental life history of fish life:

31 (a) Seagrasses (*Zostera* spp, *Ruppia maritima* and *Phyllospadix* spp.);

- 32 (b) Kelp (Order Laminariales);
- 33 (c) Other macroalgae
- 34 (d) Intertidal wetland vascular plants (except noxious weeds), and
- 35 (e) Riparian vegetation

36 (4) The department shall include provisions in HPAs to protect the following geomorphic and  
37 ecological processes, which are necessary to form and maintain saltwater habitats of special  
38 concern.

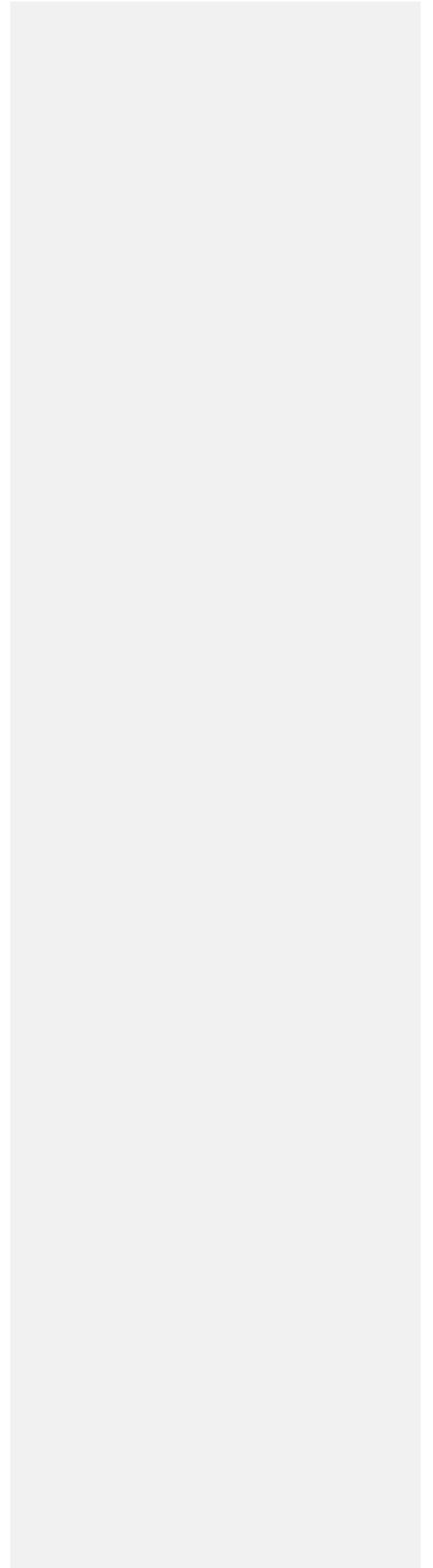
- 39 (a) Sediment supply and transport;
- 40 (b) Bluff erosion and sediment accretion;
- 41 (c) Distributary channel migration;
- 42 (d) Tidal channel formation and maintenance;
- 43 (e) Freshwater input;
- 44 (f) Tidal hydrology;
- 45 (i) Solar Radiation (sunlight); and
- 46 (j) Wind and waves.

1 **220-110-051 Forage fish spawning surveys**

2

3 (placeholder)

DRAFT



- 1 **220-110-052 Seagrass and macroalgae habitat surveys**
- 2
- 3 (placeholder)

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1 **220-110-055 (formerly -050, -223, -280, and -285)**  
2 **[Bulkheads and bank protection]/[Shoreline and stream**  
3 **bank stabilization]**

4 Conformance with other applicable provisions : all projects must meet the standards listed in  
5 WAC 220-110-036XXX—General Requirements for all HPAs, and any of the provisions listed in  
6 WAC 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
7 addition:

8 (1) Design requirements

9 (a) Shoreline and stream bank stabilization projects shall minimize adverse impacts to fish  
10 life through the use of the least impacting alternative type of shoreline stabilization  
11 practicable. In order of priority from least to greatest impact, subject to site-specific  
12 conditions, alternatives include but are not limited to:

- 13 (i) taking no action;
- 14 (ii) upland drainage control;
- 15 (iii) vegetation protection, enhancement, and replacement;
- 16 (iv) relocation of improvements or structures;
- 17 (v) beach nourishment;
- 18 (vi) large woody material placement;
- 19 (vii) biotechnical methods;
- 20 (viii) upland retaining walls;
- 21 (ix) individual rock placement landward of the OHWL;
- 22 (x) bulkheads and rock revetments placed landward of the OHWL;
- 23 (xi) individual rock placement located at the OHWL; and
- 24 (xii) bulkheads and rock revetments located at the OHWL.

25 (b) The department may require **bio-engineering methods of shoreline and stream bank**  
26 **stabilization.**

27 (2) Construction requirements

28 (a) For all shoreline and stream bank stabilization projects,

- 29 (i) Structure elevations shall be established relative to permanent benchmarks  
30 established prior to commencing work on the project. The benchmarks shall be  
31 located, marked and protected to serve as post project reference.
- 32 (ii) Excavated or dredged materials containing silt, clay, or fine grained soil shall  
33 not be stockpiled below the ordinary high water line.
- 34 (iii) All trenches, depressions, or holes created during construction shall be  
35 backfilled prior to inundation. Trenches excavated for footings or placement of  
36 base rock may remain open during construction, however, fish shall be  
37 prevented from entering such trenches.
- 38 (iv) The base of hard armoring structures must be buried to a depth sufficient to  
39 prevent undermining.
- 40 (v) Backfill materials must be clean and free-draining.
- 41 (vi) Structures installed in an emergency situation shall be assessed after the  
42 emergency to assure it is adequately keyed into the bank and of the proper  
43 dimensions. Deficiencies shall be appropriately addressed. This includes the  
44 possibility of removing the emergency structure and replacing with a more  
45 appropriate structure.

46 (3) Stream bank stabilization.

47 In addition to the requirements in subsections (1) and (2), the following provisions apply to  
48 stream bank protection projects.

49 (a) Stream bank stabilization proposals shall include:

- 50 (i) a description of the riverine processes that may be affected by the project, if  
51 known; and
- 52 (ii) drawings that show the project in a reach setting with dominant erosion  
53 processes and existing bank stabilization structures within the reach.

54 (b) All natural habitat features in the project area and below the OHWL that are larger  
55 than twelve inches in diameter including trees, stumps and logs, and large rocks shall be  
56 retained within the reach.

57 (c) Stream bank stabilization work shall be restricted to work necessary to protect  
58 eroding banks.

59 (d) Stream bank stabilization material placement waterward of the ordinary high water  
60 line shall be restricted to that necessary to protect the toe of the bank, or for  
61 installation of mitigation features approved by the department.

62 (e) Stream Bank stabilization material shall not constrict the flow or cause any  
63 measurable increase in backwater elevation.

- 64 (f) The toe shall be designed to protect the integrity of bank stabilization material.
- 65 (g) Bank sloping shall not release overburden material into the waters of the state.  
66 Overburden material resulting from the project shall not enter waters of the state.
- 67 (h) When the project involves threat to infrastructure or safety, use the one-hundred  
68 year recurrence interval peak flow for design calculations. Otherwise, design to flows  
69 that promote the evolution of the channel using natural materials.
- 70 (i) When rock or other hard materials are approved for stream bank stabilization, the  
71 following provisions shall apply:
- 72 (i) The project shall be designed and the rock installed to withstand one-hundred  
73 year recurrence interval peak flows.
- 74 (ii) Bank stabilization and filter blanket material shall be placed from the bank or  
75 a barge.
- 76 (j) Groins shall be designed and installed to redirect flow away from an eroding bank.  
77 New groins shall:
- 78 (i) be sized and spaced so that flood flow energy is dissipated and deposition  
79 occurs between the groins;
- 80 (ii) not be used for mitigation;
- 81 (iii) not be used in tight-radius bends;
- 82 (iv) not exceed fifteen percent of the bankfull channel width, if an impermeable  
83 groin. Permeable groins shall not exceed twenty percent of the bankfull channel  
84 width.
- 85 (v) not exceed the height of the adjacent bank. The crest shall be sloped down  
86 and away from the bank;
- 87 (vi) be keyed into the bank to assure integrity during high flows;
- 88 (vii) be supported by piles installed at a depth determined by a qualified  
89 geotechnical engineer; and
- 90 (viii) when rock is used, be composed of angular rock of which not more than  
91 thirty percent may have a length more than two and one-half times its thickness.
- 92 (k) Avulsion control structures: floodplain terraces
- 93 (i) Floodplain terraces shall be designed to contain the ten-year recurrence  
94 interval peak flow, and to overtop during greater flows.
- 95 (ii) Large woody material or vegetative roughness elements shall be located on  
96 the floodplain approximately perpendicular to the down-valley slope, on either

97 side of banks vulnerable to avulsion (such as tight bends). Roughness elements  
98 shall not be placed at the immediate channel margin.

99 (iii) Large woody material shall be anchored to the floodplain if high shear  
100 stresses are anticipated at flood flows.

101 (l) Avulsion control structures: flow spreaders

102 (i) Flow spreaders may be constructed from rock, soil, wood, live plants (i.e.  
103 cottonwood boles), or vegetated soil berms.

104 (A) Vegetative soil berms shall incorporate fabric to hold soils in place  
105 while vegetation becomes established.

106 (B) Rock or other clean, non-toxic armor material shall be sized and  
107 installed in a manner to protect against scour.

108 (ii) The top of the spreader shall be at or near the elevation of the flood that the  
109 spreader is designed to control, with allowances for increased water elevation  
110 due to backwatering caused by the spreader itself.

111 (iii) Spreaders shall be constructed in series, to prevent stream channel  
112 formation. Spreaders shall be located to prevent water from flowing around the  
113 spreader and scouring.

114 (4) Freshwater lake bank stabilization.

115 In addition to the requirements in subsections (1) and (2), the following technical provisions  
116 apply to freshwater lake stabilization.

117 (a) The toe of the structure shall be placed landward of the ordinary high water line.

118 (b) Rock used for construction shall be composed of clean, angular material.

119 (c) All materials used in the construction shall be the size specified by a qualified  
120 engineer and included in the hydraulic project approval to prevent its being washed  
121 away by high water or wave action.

122 (d) Material that is waterward of the ordinary high water line shall not be used for  
123 backfill.

124 (5) Marine and estuarine shoreline stabilization: general requirements

125 In addition to the requirements in subsections (1) and (2), the following provisions apply to  
126 shoreline stabilization in saltwater areas, except as provided in subsection (6) for single family  
127 residence bulkheads.

128 (a) Shoreline stabilization proposals shall include:

- 129 (i) a description of the shoreline processes that may be affected by the project, if  
130 known; and
- 131 (ii) drawings that show the project in a reach setting with dominant erosion  
132 processes and existing shoreline stabilization structures within the reach.
- 133 (b) All natural habitat features on the beach larger than twelve inches in diameter  
134 including trees, stumps and logs, and large rocks shall be retained on the beach  
135 following construction.
- 136 (c) Project activities shall not occur when the project area including the work corridor,  
137 excluding the area occupied by a grounded barge, is inundated by tidal waters.
- 138 (d) The construction of shoreline stabilization structures shall not adversely impact  
139 seagrasses and kelp.
- 140 (e) The construction shoreline stabilization structures shall not result in a permanent  
141 loss of surf smelt or Pacific sand lance spawning beds, or in the permanent loss of  
142 sediment supply to the beach.
- 143 (f) Intertidal wetland vascular plants (except noxious weeds) adversely impacted due to  
144 construction of shoreline stabilization structures shall be replaced using proven  
145 methodology.
- 146 (g) The waterward face of a new bulkhead adjacent to salt water shall be located at or  
147 landward of the ordinary high water line. Where this is not practicable due to  
148 geological, engineering, or safety concerns, as detailed in an appropriately conducted  
149 analysis performed by a geotechnical, structural, or civil engineer licensed in the state of  
150 Washington, the waterward face of the new bulkhead shall be located only as far  
151 waterward of the ordinary high water line as necessary to excavate for footings or place  
152 base rock for the structure. In addition, the waterward face of any bulkhead shall be  
153 located as close to the toe of the bank as possible.
- 154 (h) The waterward face of a replacement bulkhead adjacent to salt water shall be  
155 located no further waterward than the structure it is replacing. The department may  
156 permit waterward placement of a replacement bulkhead in cases where removal of the  
157 existing bulkhead would result in environmental degradation (e.g., release of  
158 deleterious material) or problems due to geological, engineering, or safety concerns as  
159 detailed in an appropriately conducted analysis performed by a geotechnical or  
160 structural engineer licensed in the state of Washington. Where removal of an existing  
161 bulkhead is not practicable, the replacement or repair bulkhead shall be placed  
162 waterward of and directly abutting the existing structure. The least impacting type of  
163 structure and method of construction shall be used in these instances.
- 164 (i) When stockpiling of sand, gravel, and other coarse material is allowed below the  
165 ordinary high water line, it shall be placed within a designated work corridor waterward

166 of the bulkhead footing or base rock. All excavated or stockpiled material shall be  
167 removed from the beach within seventy-two hours of bulkhead construction.

168 (j) If sand, gravel, and other coarse material are to be temporarily placed where they will  
169 come into contact with tidal waters, this material shall be covered with filter fabric and  
170 adequately secured to prevent erosion and/or potential entrainment of fish.

171 (k) The department may require placement of appropriately sized sand /gravel as  
172 mitigation.

173 (l) The construction of shoreline stabilization structures is prohibited in sea grass beds,  
174 Pacific herring spawning beds, and lingcod and rockfish settlement and nursery areas.

175 (6) Single-family residence bulkheads in saltwater areas.

176 (a) Single-family residence bulkheads in saltwater areas shall not result in the  
177 permanent loss of critical foodfish or shellfish habitat. Critical habitats pertaining are  
178 those that serve an essential function in the developmental life history of fish life.  
179 These habitats include the saltwater habitats of special concern listed in WAC 220-110-  
180 049 XXX. Bulkheads, rock revetments, or other hard armoring are prohibited in  
181 saltwater habitats of special concern, except where essential to protect existing  
182 infrastructure that cannot be removed or relocated.

183 (b) The waterward face of a new bulkhead or rockwall shall be located only as far  
184 waterward as is necessary to excavate for footings or place base rock for the structure  
185 and under no conditions shall be located more than six feet waterward of the ordinary  
186 high water line.

187 (c) To determine if a timing constraint is appropriate for a single family residence  
188 bulkhead project, the department shall consider the construction techniques, location  
189 of the project, and characteristics of habitats that may be affected by the project, and  
190 may include an inspection of the project site to evaluate the particular habitats near the  
191 project. Timing constraints shall be applied on a case-by-case basis for the protection of  
192 critical habitats, including but not limited to migration corridors, rearing and feeding  
193 areas, and spawning habitats, for the proper protection of fish life.

194 When a single family residence bulkhead project may affect more than one critical  
195 habitat, the department shall apply the more protective timing constraint.

196 (d) Because surf smelt spawn over extended time periods, special conditions apply.  
197 Timing conditions to protect surf smelt spawning beds shall be imposed if a bulkhead  
198 project is located on or where it may affect documented surf smelt spawning beds.

199 (i) If the surf smelt spawning season for the project location is less than six  
200 months, the department may specify that construction take place outside of the  
201 spawning season.

202 (ii) If the surf smelt spawning season for the project location is six months or  
203 longer, then the department will permit work only if it commences within forty-  
204 eight hours of inspection by a department representative or biologist who has  
205 been certified by the department for forage fish surveys, and it is determined  
206 that no spawn is present and no spawning is occurring or has recently occurred.

207 (iii) Projects may be further conditioned to require completion within a limited  
208 number of days.

209 (e) During times when waters of the state are closed to protect nearshore juvenile  
210 salmonid migration, rearing, and feeding areas, the department may permit  
211 construction if the bulkhead is located at or landward of the ordinary high water line,  
212 and if all construction work is conducted from the landward side of the project.

213 (7) Jetties and breakwaters.

214 (a) The department may require removable breakwaters in place of permanent  
215 breakwaters.

216 (b) The proponent of a permanent breakwater must:

217 (i) Provide a technical report describing the background and assumptions used to  
218 design the project so that it meets habitat protection requirements, including  
219 salmonid migration corridors in salmonid-bearing waters.

220 (ii) Provide plans that apply the findings in the technical report to the site.

221 (A) Drawings containing plan, profile and cross sections showing existing  
222 conditions and the proposed structure and activities to fully describe  
223 the proposed breakwater.

224 (B) A maintenance plan containing:

225 (I) A commitment to maintain the structure so that it continues  
226 to function as designed.

227 (II) A plan to monitor for alterations to nearshore sediment  
228 supplies and to replace/remove sediments as necessary.

1 **220-110-063 Buoys**

2 Conformance with other applicable provisions: all projects must meet the standards listed in  
3 WAC 220-110-036XXX—General Requirements for all HPAs, and any of the provisions listed in  
4 WAC 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
5 addition:

6 This section applies to the location, placement and maintenance of mooring buoys, marker  
7 buoys, and other similar devices in freshwater and saltwater areas.

8 (1) Design and location

9 (a) Avoid locating buoys in sensitive aquatic habitats such as seagrass, kelp, salt  
10 marshes, shellfish harvesting areas, or known fish spawning areas.

11 (b) Minimize disturbance to submerged aquatic vegetation and the bottom substrate of  
12 the water body.

13 (c) Locate buoys at depths that will allow vessels to remain afloat at the lowest possible  
14 water levels to prevent vessel grounding and propellers from disturbing the bed of the  
15 water body.

16 (2) Placement

17 (a) Buoys shall be anchored securely.

18 (b) Buoys shall be installed so that anchor lines do not drag.

19 (c) Buoys shall be deployed at the location indicated on the site plan submitted and  
20 approved by the department.

21 (d) Installation of embedment style mooring anchors are preferred by the department  
22 over surface style mooring anchors. Mooring anchors shall be adequately sized to  
23 secure vessels or structures and prevent the anchor from shifting or dragging along the  
24 bed of the water body.

25 (3) Construction Material

26 (a) Moorings (including anchors and floats) are to be made of non-toxic material. If  
27 concrete anchors are used, they are to be pre-cast and cured away from water before  
28 use.

29 (b) Flotation for the structure shall be fully contained in a shell that prevents breakup or  
30 loss of the flotation material into the water and is not readily subject to damage by  
31 ultraviolet radiation and abrasion caused by rubbing against dock fixtures, the bed,  
32 and/or waterborne debris.

33 (4) Maintenance

34 (a) Mooring structures should be kept in good repair through a regular inspection.  
35 Derelict or unused floats, lines, chains or cables should be disposed properly.

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(b) Mooring buoys shall be marked with an identification number issued by the department (for example, the HPA control number) or a department of natural resources issued identification number.

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1 **220-110-065 (formerly -060 and -300) Docks (piers, ramps,**  
2 **and floats) and pilings**

3 Conformance with other applicable provisions: all projects shall meet the standards listed in  
4 WAC 220-110-036XXX—General Requirements for all HPAs, and any of the provisions listed in  
5 WAC 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
6 addition:

7 The provisions in this section apply to location, design and construction of docks (piers, ramps,  
8 and floats), whether permanent, seasonal, or temporary, in freshwater and saltwater areas.

9 (1) General.

10 (a) Location and design criteria.

11 (i) Docks, including piers, floats, and ramps shall be designed to avoid or  
12 minimize impacts to fish migration corridors, fish spawning habitat, and fish  
13 nursery and settlement areas.

14 (ii) Docks, including piers, floats, and ramps shall be located a minimum of  
15 twenty-five feet (measured horizontally from the edge of the structure) in all  
16 directions from intertidal vascular plants, seagrass, kelp in saltwater and native  
17 aquatic vegetation in freshwater.

18 (iii) Docks, including piers, floats, and ramps shall be designed and constructed to  
19 allow maximum light penetration.

20 (iv) Docks, including piers, floats, and ramps shall be designed so that no  
21 grounding of the floats occurs.

22 (v) Skirting is prohibited.

23 (b) Materials.

24 (i) Flotation for the structure shall be fully enclosed and contained in a shell  
25 (tub) that prevents breakup, or loss of the flotation material into the water, and  
26 is not readily subject to damage by ultraviolet radiation and abrasion.

27 (c) Pilings.

28 (i) The structure shall use the minimum number of pilings necessary, consistent  
29 with safety and resource protection, using large spans on fewer pilings rather  
30 than small spans on more pilings.

31 (ii) Piles for a new pier shall be spaced no closer than 20 feet apart and shall be  
32 no greater than 10-inches in diameter.

33 (iii) Replacement or new piling can be steel, concrete, recycled plastic or  
34 untreated or treated wood. Wood treated with creosote or pentachlorophenol  
35 shall not be used in any hydraulic project.

36 (2) Saltwater Areas

37 (a) Piers.

38 (i) Piers shall not exceed 6 feet in width.

39 (ii) If the width of the pier is greater than 4 feet (up to 6 feet), it shall have  
40 grating installed on at least 30% of the surface.

41 (iii) If the pier is oriented in a north/south direction the grating shall be installed  
42 along the length of the pier for the entire length. If the pier is oriented in  
43 another direction, the grating shall be installed along the width of the pier,  
44 evenly spaced along the entire length of the pier.

45 (b) Ramps.

46 (a) Ramps shall not exceed 4 feet in width.

47 (b) Ramps shall be constructed entirely of grated material.

48 (c) Floats.

49 (i) Float shall not exceed 8 feet in width.

50 (ii) For a single-family structure, a float shall not exceed 30 feet in length.

51 (iii) For a joint-use structure, a float shall not exceed 50 feet in length.

52 (iv) If the float is positioned perpendicular to the ramp, the float installed to  
53 accommodate the movement of the ramp due to tidal fluctuations shall not  
54 exceed 6 feet in width and 10 feet in length.

55 (v) If the width of the float(s) is 6 feet or less it shall have grating on at least 30%  
56 of the surface. If the width of the float(s) is greater than 6 feet (up to 8 feet) it  
57 shall have grating on at least 50% of the surface. Flotation shall be located under  
58 the solid decked area only.

59 (vi) All grating shall have at least 60% open area. Grating shall be oriented so the  
60 lengthwise opening is in the east-west direction to maximize the amount of light  
61 penetration. Light penetration should not be blocked by any objects on, above or  
62 below the grating.

63 (vii) If anchors are used to hold the float in place, anchor lines shall not rest on  
64 the substrate at any time. Floats may be held in place with lines anchored with a

65 helical screw or “duckbill” anchor, piling, piling with stoppers and/or float  
66 support/stub pilings.

67 (3) Freshwater Areas with anadromous salmonids. A pier, ramp and float design is required for  
68 docks constructed freshwater systems with anadromous salmonids.

69 (a) Piers.

70 (i) The pier shall not exceed 4 feet in width.

71 (ii) Piers shall extend at least forty feet perpendicular from the OHWL.

72 (iii) Piers shall be fully grated.

73 (iv) All grating shall have at least 60% open area. If a pier is oriented in a  
74 north/south direction the grating shall be installed along the length of the pier  
75 for the entire length. If the pier is oriented in another direction, the grating shall  
76 be installed along the width of the pier, evenly spaced along the entire length of  
77 the pier.

78 (v) The bottom of pier shall be at least one and one-half feet above OHW.

79 (b) Ramps.

80 (i) Ramps shall not exceed 4 feet in width.

81 (ii) Ramps shall be fully grated.

82 (iii) The open area of grating shall be at least 60%.

83 (c) Floats.

84 (i) Floats shall not exceed 8 feet in width.

85 (ii) Floats shall not exceed 20 feet in length.

86 (iii) Functional grating shall cover at least 50% of the surface area of floats.

87 (iv) Freeboard height on floats shall be at least 10 inches.

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89 (4) Freshwater areas without anadromous salmonids.

90 The department may authorize either a pier, ramp and float design or a floating dock design for  
91 docks constructed freshwater systems without anadromous salmonids.

1 **220-110-066 Marinas in saltwater areas**

2 Conformance with other applicable provisions: all projects must meet the standards listed in  
3 WAC 220-110-036XXX—General Requirements for all HPAs, and any of the provisions listed in  
4 WAC 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
5 addition:

6 The provisions in this section apply to construction, maintenance, repair, and removal of  
7 marinas and marine terminals in freshwater and saltwater areas.

8 [Mitigation requirement moved to general section.]

9 (1) The construction of marinas is prohibited on or over Pacific herring spawning beds and  
10 lingcod and rockfish settlement and nursery areas.

11 (2) Marinas shall be designed, located, and constructed to avoid adverse impacts to surf smelt,  
12 Pacific sand lance, and rock sole spawning beds, and eelgrass (*Zostera* spp.)

13 (3) Open-type construction, utilizing floating breakwaters and open pile work, shall be used  
14 whenever practicable.

15 (4) Physical modeling, numerical models, or other information that demonstrates adequate  
16 water exchange and circulation may be required.

17 (5) All navigation channels and breaches shall be maintained at or below marina depth to  
18 provide adequate fish passage.

19 (6) Isolated breakwaters beyond the line of extreme low tide shall be constructed of permanent  
20 material. No slope restrictions apply.

21 (7) The following provisions apply to marina construction shoreward of the existing ordinary  
22 high water line:

23 (a) A single entrance may be required.

24 (b) The entire inner shoreline shall be in conformance with bulkheading provisions in  
25 WAC 220-110-280XXX.

26 (8) The following provisions apply to marina construction waterward of the ordinary high water  
27 line:

28 (a) the beach area inside the marina may be protected in accordance with bulkheading  
29 provisions in WAC-220-110-280XXX. Between the elevation of the toe of the bulkhead  
30 and MLLW the beach face shall not exceed a 1.5 feet horizontal to one foot vertical.

31 (b) For a single entrance or breach marina, the breakwater structure shall not exceed a  
32 1.5 feet horizontal to one foot vertical slope inside and outside the marina.

33 (c) The following provisions apply when a marina includes breaches that form shore  
34 breakwaters (jetties) and detached breakwaters:

35 (i) The toe of the shore breakwaters (jetties) may extend seaward to MLLW, but  
36 shall not extend seaward more than 250 feet from MHHW.

37 (ii) The shore breakwaters shall have a minimum slope of 1.5 feet horizontal to 1  
38 foot vertical throughout.

39 (iii) The breaches between the shore breakwaters and the detached breakwaters  
40 shall be not less than 20 feet in width measured at the toe of the slope.

41 (d) Boathouses, houseboats, and covered moorages shall not be located landward of -10  
42 feet MLLW.

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1 **220-110-067 (formerly -224 and -290) Boat ramps, launches,**  
2 **and hoists**

3 (all of the provisions from current 220-110 -224 have moved to general sections)

4 (1) Railway-type boat launches shall be designed to cause minimal interference with tidal  
5 currents and littoral drift.

6 (2) Boat ramps shall be designed and located to avoid adverse impacts to surf smelt, Pacific  
7 sand lance, rock sole, and Pacific herring spawning beds, rockfish and lingcod settlement and  
8 nursery areas, and eelgrass (*Zostera* spp).

9 (3) The side slopes of a boat ramp shall be no steeper than 1.5 feet horizontal to one foot  
10 vertical.

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1 **220-110-070 Water crossing structures**

2 Conformance with other applicable provisions: all projects must meet the standards listed in  
3 WAC 220-110-036XXX – General Requirements for all HPAs, and any of the provisions listed in  
4 WAC 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
5 addition:

6 (1) General requirements for all water crossing structures.

7 (a) To achieve the overall objectives listed in WAC 220-110-010, water crossing structures  
8 must:

9 (i) ensure free and unimpeded fish passage for all species of adult and juvenile fishes;

10 (ii) preserve spawning and rearing habitat;

11 (iii) incorporate mitigation measures as appropriate to achieve no-net-loss of fish  
12 habitat;

13 (iv) preserve or restore natural stream processes; and

14 (v) prevent bed scour and coarsening of the substrate.

15 (b) Road approaches shall be composed of material that, if eroded into the stream, shall not  
16 be detrimental to fish life. They shall also be designed and maintained to minimize direct  
17 discharge of sediment-laden water to the stream channel.

18 (c) If the bed downstream of a proposed water crossing structure is incising, then the water  
19 crossing structure must be designed to accommodate incision to ensure that fish passage is  
20 preserved. If an existing structure is perched, the replacement structure must  
21 accommodate the streambed elevation changes likely to occur.

22 (d) New or replacement water crossing structures shall be located to cross the road  
23 perpendicularly, or as close to perpendicular as practicable.

24 (e) Water crossing construction work shall be isolated from flowing water by an approved  
25 method.

26 (f) Temporary water crossing structures shall remain in place only during the seasonal work  
27 times authorized in the HPA, or for a maximum of one year. If fish passage, spawning, or  
28 incubation would be impacted by the presence of the structure during the one year  
29 maximum, the structure shall be removed prior to the impact occurring.

30 (g) Ditch lines shall be constructed, sloped, and surfaced to prevent the discharge of  
31 untreated sediment and other road surface contaminants to waters of the state.

32 (h) [Placeholder: add a section on culvert removal, such as RMAPs]

- 33 (2) Technical requirements for bridge construction. An HPA is required for construction or  
34 structural work associated with any bridge structure waterward of or across the ordinary  
35 high water line of state waters.
- 36 (a) With the exception of mid-channel piers as specified in (i) and (ii) below, all bridge  
37 elements that may come in contact with waters of the state, including but not limited to  
38 abutments, piers, pilings, sills, foundations, armor rock, riprap, aprons, wing walls, and  
39 approach fills shall be placed landward of lines spaced at least one and two-tenths times  
40 bankfull width apart plus two feet. Pier placement waterward of the ordinary high  
41 water line shall be avoided, where practicable.
- 42 (i) Where mid-channel piers are necessary, they shall be placed on deep  
43 foundations requiring no additional scour protection. The distance between mid-  
44 channel piers, or between a mid-channel pier and the bank, must allow the  
45 passage of ice and debris expected during one-hundred year flood flows or an  
46 approved design flood.
- 47 (ii) Mid-channel construction shall be separated from waters of the state by use  
48 of an approved stream bypass structure.
- 49 (b) Bridges in streams with active floodplains shall have a span wide enough so as not to  
50 increase main channel average velocity by more than 10% higher than the main channel  
51 average velocity in the natural unobstructed channel (outside of the influence of the  
52 bridge or other water crossing structures.) This velocity shall be determined at the one  
53 hundred-year flood flow or an approved design flood.
- 54 (c) Each bridge shall be sized to allow the down-valley meander migration that is expected  
55 to occur during the bridge's lifespan.
- 56 (d) Where there are existing flood control levees at the bridge construction site, or other  
57 infrastructure that is not the property of the bridge owner, the bridge may be designed  
58 to a shorter span than provided for in provisions (a), (b), and (c) with departmental  
59 approval.
- 60 (e) For bridges that are constructed on spread footings, the footings shall be placed  
61 sufficiently below scour depth to prevent undermining without the use of armoring.
- 62 (f) Bridges shall be constructed to pass the one hundred-year peak flow or approved design  
63 flood with consideration of debris likely to be encountered during the design flood, and  
64 so as not to erode or scour the bed, banks, abutments or approach fill both at the bridge  
65 crossing and on adjacent properties. Bed scour shall be limited to no deeper than  
66 prevailing pool depth. Bank erosion shall be limited to no greater than average lateral  
67 bank erosion in the reach containing the bridge.
- 68 (g) Structures containing concrete shall be sufficiently cured prior to contact with water to  
69 avoid leaching.

- 70 (h) Where aggregate or earth type material is used for paving on the bridge or bridge  
 71 approaches, or accumulated on the bridge, curbs or wheel guards shall be installed and  
 72 maintained to prevent the loss of such materials to the stream.
- 73 (i) Bank armoring with quarry rock or concrete associated with bridge design and  
 74 construction shall be limited to that necessary to support abutment and fill slopes at a  
 75 safe angle of repose. Bank armoring shall not be used to reduce bridge span to less than  
 76 that required in provisions (a), (b), and (c).
- 77 (j) For replacement bridges, or bridges that replace culverts, all structural elements  
 78 (including abutments, piers, pilings, sills, foundations, armor rock, aprons, wing walls,  
 79 guide walls, culverts and approach fills) of the old crossing shall be removed, unless  
 80 otherwise determined to not deleteriously affect fish life.

81 (3) Technical requirements for temporary culvert installation.

82 Temporary culverts shall be permitted only for the time of year that avoids the period when  
 83 high stream flows are expected. If a culvert is to remain in place during the time of year when  
 84 high flows are expected, it is no longer considered a “temporary” culvert, and the provisions  
 85 for permanent culvert installation in WAC 220-110-070 (4) XXX apply. Temporary culverts  
 86 shall be designed and installed to pass the flows expected during the time span that they will be  
 87 in place.

- 88 (a) When a temporary culvert will be in place in locations and during times of the year  
 89 where fish passage is a concern, temporary culverts shall provide fish passage. In these  
 90 cases, the temporary culvert installation shall be placed at zero gradient when  
 91 practicable. When it is necessary to place a culvert on a grade, the average velocity shall  
 92 not exceed the values given in Table XXX more than ten percent of the time frame that  
 93 the culvert is in place.

94 Table XXX  
 95 Maximum Velocity Design Criteria for Temporary Culverts

| Culvert Length | Maximum Velocity    |
|----------------|---------------------|
| 10 – 100 ft    | 4.0 feet per second |
| 100 - 200 ft   | 3.0 feet per second |
| > 200 ft       | 2.0 feet per second |

- 96 (b) Temporary culverts that require fish passage shall be countersunk a minimum of 20% of  
 97 the culvert rise at the culvert outlet.
- 98 (c) Disturbance of the bed and banks shall be limited to that necessary to place the culvert  
 99 and any required channel modification associated with it.

- 100 (d) The culvert shall be installed in the dry, or in isolation from stream flow, and fish shall be  
101 removed from the work area as specified in WAC 220-110-037XXX.
- 102 (e) Angular rock or other imported materials used as fill shall be removed from the  
103 watercourse and the site restored to preproject conditions upon removal of the  
104 temporary culvert. Geotextile fabric shall underlay such imported temporary fill to  
105 facilitate its removal.
- 106 (f) Temporary culvert and fill shall be removed, and the disturbed bed and bank areas shall  
107 be reshaped to preproject configuration by the expiration of the permit.
- 108 (g) The temporary culvert shall be removed and the approaches blocked to vehicular traffic  
109 immediately following culvert removal.
- 110 (4) Technical requirements for permanent culvert installation.
- 111 (a) In waters that contain fish habitat, culverts shall be designed and installed so as not  
112 to impede passage of the mobile life stages of any fish species expected in that system.
- 113 (b) To facilitate fish passage, permanent culverts shall be designed to the following  
114 standards:
- 115 (i) Permittee shall install stream simulation culverts unless the permittee can show  
116 that stream simulation is not feasible, or that another design will provide equal or  
117 better protection of fish life. Detailed design plans and supporting information  
118 that address the following design criteria must be included in applications for  
119 stream simulation culverts:
- 120 (A) The width of the bed inside a stream simulation culvert must  
121 equal or exceed one and two-tenths of the bankfull plus two  
122 feet.
- 123 (B) The slope of the bed inside a stream simulation culvert must  
124 not exceed the slope of the upstream channel by more than  
125 twenty-five percent.
- 126 (C) A stream simulation culvert must be embedded below the  
127 adjacent stream channel a minimum of thirty percent of the  
128 culvert rise, and a maximum of fifty percent of the rise. The  
129 top of the footings of bottomless culverts must be embedded  
130 sufficiently below potential scour depth to prevent exposure  
131 of the footing surface.
- 132 (D) The particle size of the sediment placed inside the culvert  
133 must be within twenty percent of the median particle size  
134 found in the adjacent natural streambed. In highly altered  
135 channels, such as those diked or channelized by fill, a reach

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supported by natural process and of appropriate slope and dimensions shall be substituted for the adjacent channel.

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(ii) No slope (zero slope) culvert design may only be used where the slope of the stream channel is three percent or less, the bankfull channel width is eight feet or less, and the culvert length is seventy feet or less. No slope culverts shall meet the following criteria:

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(A) No-slope culverts shall be countersunk a minimum of twenty percent of the culvert rise at the culvert outlet, and up to a maximum of forty percent. Culvert countersink must be filled with streambed material of a size and gradation similar to that found in the adjacent channel at the time of construction unless either of the following conditions can be met:

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(I) The culvert is located in a wetland or where streambed sediment consists of predominantly fine materials and the culvert will be backwatered, or

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(II) Sediment is transported frequently enough and in great enough quantity to fill the culvert rapidly and without harm to the upstream channel.

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(B) The width of the bed inside a no slope culvert at the twenty percent countersink level shall be equal to or greater than the bankfull width of the natural, adjacent channel. In the case of a circular culvert, this means that the diameter of the culvert will be the bankfull width plus twenty-five percent. For box or pipe arch culverts, the span is equal to the bankfull width.

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(C) The inlet of a no slope culvert shall be countersunk not more than forty percent of its rise.

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(D) No slope culverts shall not be installed with a gradient exceeding one-half percent slope.

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(c) Permanent culverts shall be installed to allow the free movement of large woody material, ice, and transported sediment. At a minimum, culverts shall be designed and constructed to pass the one hundred-year recurrence interval peak flow with consideration of wood, ice, and streambed materials likely to be encountered.

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(d) Fill associated with the culvert installation shall be protected from erosion to the one hundred-year recurrence interval peak flow

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(e) The culvert facility shall be maintained by the owner(s), such that criteria stated in Chapter 220-110 WAC are maintained.

- 172 (f) Culvert elevations shall be established relative to permanent benchmarks established  
173 prior to commencing work on the project. The benchmarks shall be located, marked  
174 and protected to serve as post project reference.
- 175 (5) Technical requirements for fords
- 176 (a) Under RCW 77.55.031, [driving a vehicle or operating equipment on or across an](#)  
177 [established ford does not require an HPA.](#)
- 178 (b) Driving a vehicle or operating equipment on or across wetted stream beds at areas other  
179 than established fords requires an HPA. (See WAC 220-110-160 (5) XXX.)
- 180 (c) Constructing or repairing a ford requires an HPA.
- 181 (d) Temporary fords. Temporary fords shall be permitted only for the time of year that  
182 avoids the period when high stream flows or spawning are expected.
- 183 (i) Fords shall be constructed perpendicular to stream flow.
- 184 (ii) Fill associated with the driving surface of a temporary ford shall consist of clean  
185 washed gravel between one-quarter and four inches in diameter.
- 186 (iii) If the natural stream bed is composed of smaller material than gravel, then a  
187 positive separation must be maintained between the watercourse bed and all fill  
188 associated with the ford to ensure that material used in ford construction is  
189 completely recoverable.
- 190 (e) Permanent fords
- 191 (i) Fords shall be constructed perpendicular to stream flow, or as close to  
192 perpendicular as practicable.
- 193 (ii) Fords shall be designed using angular rock, articulating mats, or concrete  
194 structures countersunk to the grade of the watercourse. The prism shall  
195 be designed to withstand overtopping flood events, and natural debris  
196 likely to be encountered during that flood event, without movement.
- 197 (iii) Fords may be considered for a permanent water crossing structure in  
198 watercourses which;
- 199 (A) Are inaccessible due to snow pack, weather, or conditions which  
200 seasonally limit access to the water crossing structure.
- 201 (B) Have extreme seasonal flow variations and low flows during  
202 anticipated ford use.
- 203 (C) Have low bank height and low gradient approaches.
- 204 (D) Have seasonal or intermittent flows.

- 205 (E) Have dynamic floodplains such as alluvial fans.
- 206 (iv) Permanent fords in waters that are potential fish habitat shall be installed  
207 at the bed elevation and channel bed slope without creation of a  
208 hydraulic drop which hinders fish migration.
- 209 (v) The prism of the ford shall be countersunk below the watercourse bed.
- 210 (vi) Fill associated with the driving surface of a permanent ford shall consist  
211 of material that will not attract spawning fish.
- 212 (vii) The driving surface of ford approaches shall be protected from erosion  
213 throughout the life of the ford to ensure that erodible fines do not enter  
214 waters of the state.

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1 **220-110-075 Fishways**

2 Fishways included in this section are fish ladders, weirs constructed for fish passage  
3 management, roughened channels, trap-and-haul operations, and hydraulic design culvert  
4 retrofits.

5 All projects must meet the standards listed in WAC 220-110-036XXX—General requirements for  
6 the issuance of all HPAs, and any of the provisions listed in WAC 220-110-037XXX through 220-  
7 110-339XXX that are applicable to the specific project.

8 (1) In addition, the following provisions apply to all fishways:

- 9 (a) Fishways shall be maintained in an effective condition and continuously supplied with  
10 sufficient water to safely and efficiently pass all ninety percent of adult and juvenile fish,  
11 both upstream and downstream of the obstruction. If sufficient water is not available,  
12 fish must either not be present, not be actively migrating, or must be able to pass safely  
13 without need of a fish passage facility.
- 14 (b) The passage mechanism shall not result in significant migratory delays, or mortality to  
15 fish life due to disorientation, distraction, predation, stress, or injury. Fishways shall also  
16 be designed to prevent fish from leaping out of the structure.
- 17 (c) A plan including a schedule of inspections by the operator of the structure, methods of  
18 inspection, thresholds triggering maintenance activities for the life of the fishway, and  
19 specific contingency alternatives in the event that the structure becomes a barrier to  
20 fish passage shall accompany all fishway design applications and remain on file with  
21 current and future owner(s).
- 22 (d) Fishways shall be inspected for proper function while fish are present, and cleared of  
23 sediment and debris, at a frequency determined by the department. Wood and  
24 sediment retrieved during inspection and maintenance shall be placed downstream of  
25 the fishway. Individuals performing operations or maintenance shall be sufficiently  
26 trained to operate the fishway. In addition, the fishway shall be inspected after flood  
27 events and spring runoff to ensure that the structure is free of ice, debris, and bedload  
28 material.
- 29 (e) If fish life is not present but historically existed in the stream, and fish recovery is  
30 determined to be possible and practical by the department, fishways shall be  
31 constructed that are capable of efficiently passing adult and juvenile fish.
- 32 (f) Passage shall not be provided over natural barriers. The department may grant  
33 exceptions to implement a program to restore native fish species.
- 34 (g) Fishways shall have the capacity to accommodate expected run sizes to prevent  
35 crowding and delay of the migration of fish life.

36 (h) Fishway operations may require shutdown of the facility during high flow events if the  
37 flow exceeds the fish passage design flow. A fishway shall never be inoperable due to  
38 high flows for a period greater than seven days during the migration period for any fish  
39 species. The fishway shall be designed to withstand the maximum expected flow.

40 (i) Fishways shall function for as long as they are in place. The design shall consider site  
41 specific conditions that could affect the function of the fishway, including; meander  
42 migration or vertical change in streambed elevation; debris and bedload movement;  
43 tampering, vandalism and poaching.

44 (j) The fishway shall be designed and constructed to withstand a one hundred-year  
45 recurrence interval flood or an appropriately determined design flow.

46 (k) The applicant is responsible for providing the department, with the permit application,  
47 site and biological information relevant to the specific project, such as information on  
48 species present, hydrology and topography, and existing adjacent structures.

#### 49 (2) Temporary Fishways

50 (a) Temporary fishways shall be installed to provide passage through temporary  
51 obstructions. Fishways may not be required if a barrier exists for such short duration  
52 that it is determined by the department that no lasting impacts to fish life will occur.

53 (b) Temporary fishways may also be approved by the department when permanent  
54 structures are damaged or are under construction, maintenance, or repair, for  
55 enhancement projects, or for seasonal water diversion structures such as irrigation  
56 diversion dams.

57 (c) Temporary fishways shall remain operational for the duration of the temporary  
58 obstruction and shall be maintained and adjusted as necessary to provide efficient  
59 passage of fish life.

#### 60 (3) Fish ladders

61 Fish ladders may be permitted if the fish ladder will enable fish passage at an existing barrier,  
62 but only until the existing barrier structure has reached the end of its design life. Fish ladders  
63 may also be permitted if, due to the nature of the obstruction as a flow control structure or the  
64 slope of the stream, the department determines that a bridge, culvert, or roughened channel is  
65 not practicable. As per WAC 220-110-036XXX, additional mitigation may be required if the fish  
66 ladder cannot pass all fish.

67 Fish ladder design shall be appropriate for the slope of the channel, water surface elevations,  
68 species present, flow regime, and conditions of the channel. All edges and surfaces exposed to  
69 fish must be rounded or ground smooth to the touch, with all edges aligning in a single smooth  
70 plane, to reduce the potential for contact injury. Fish ladders shall be designed with adequate

71 pool volume to provide hydraulic and fish capacity necessary for passage of all adult and  
72 juvenile fish.

73 The following additional provisions apply to fish ladder projects.

74 (a) Entrance

75 (i) Fish Ladder entrance(s) shall provide sufficient streaming attraction flow during high  
76 and low flows, without excessive velocity or turbulence, to ensure fish can locate and  
77 enter the fish ladder without significant delay.

78 (ii) Fish Ladders shall be designed to minimize distractions that lure fish away from the  
79 entrance, and to prevent fish from becoming trapped, injured, or stranded.

80 (iii) Multiple entrances shall be required if a single entrance cannot attract and provide  
81 passage to all adult and juvenile fish. If the project site has multiple zones where fish  
82 accumulate, each zone shall have a minimum of one entrance.

83 (iv) Artificial light may be required to optimize fish passage.

84 (v) Fish Ladder entrance(s) shall be large enough to accommodate all expected debris  
85 and ice without damage or loss of passage efficiency.

86 (vi) The department shall specify the maximum hydraulic drop allowed for the structure  
87 based on the species present.

88 (vii) Entrance pools and transition channels shall provide a stable flow pattern and  
89 uniform velocity to allow fish to pass through the structure unimpeded.

90 (viii) The downstream bed shall be reinforced to prevent scour at the fish ladder outfall.

91 (b) Auxiliary water systems

92 (i) An auxiliary water system (AWS) shall be used that will supply supplementary water  
93 to ensure fish are attracted to the fish ladder.

94 (ii) The diffuser shall be designed to discourage attraction of fish life to it and to protect  
95 fish from injury. Spaces between diffuser bars shall be sized to exclude and prevent  
96 injury to the smallest fish present. The department may require the AWS be screened to  
97 prevent harm to fish life.

98 (iii) A trash rack may be required at the AWS intake

99 (iv) The auxiliary water supply shall not use water from external sources that could  
100 confuse the homing instinct of fish.

101 (c) Exit. The fish ladder exit shall be located and maintained at depths comparable to depths  
102 within the fish ladder.

103 (i) The fish ladder exit shall be located to ensure fish can find currents without excessive  
104 velocity, and orient themselves to the shoreline to guide them upstream.

105 (ii) The fish ladder exit shall be designed so that it is protected from damage by debris.

106 (iii) The exit shall not be located in an area that could threaten fish survival.

107 (4) Weirs for fish passage. This section applies to weirs that partially or fully span a channel and  
108 are used to manage the passage of fish, not to manage water flow. They include weirs in  
109 natural channels used to restore channel bed profiles or dissipate flow energy in pools within  
110 the stream.

111 The following additional provisions apply to weirs for fish passage:

112 (a) Weirs for fish passage shall be designed to control water surface elevation to provide  
113 fish passage over or through an obstruction. They shall also be designed to minimize  
114 impacts to natural channel geometry, such as expanded surface area of impoundments.

115 (b) Weirs shall be sited and operated to ensure continued fish passage for all species  
116 present at all mobile life stages. The department may grant exceptions in cases where it  
117 is implementing a program to restore native fish species or to protect native fish species  
118 from the introduction of non-native fish species and fish passage blockage is part of the  
119 project.

120 (c) Weirs shall be properly anchored for stability.

121 (d) Weirs shall be constructed to provide natural fish passage, such as a cascade. Log weirs  
122 are discouraged.

123 (5) Roughened channels. Roughened channels are specifically designed to facilitate the passage  
124 of fish around abrupt hydraulic drops, through culverts, or at diversion sites for water  
125 withdrawal. The roughened channel typically increases gradient but counters this with  
126 sufficient hydraulic complexity to allow for fish to pass.

127 Roughened channel designs shall be developed by trained engineers, hydrologists, fisheries  
128 biologists, and/or geomorphologists, and approved by the department prior to beginning  
129 construction. They may be required by the department for bypass around an obstruction where  
130 non-leaping fish are present and/or other types of fishways would not be sufficient for  
131 providing fish passage.

132 The following additional provisions apply to roughened channels:

133 (a) Roughened channels must meet the hydraulic requirements of hydraulic culverts found  
134 later in this section, such as velocity, drop, turbulence, and flow requirements.

135 (b) When a roughened channel exploits an existing channel, it shall be designed to minimize  
136 impact on the existing fish life and its habitat in the channel.

137 (c) The roughened channel bed material shall be of a size and gradation to resist erosion at  
138 the design flood and must result in a dense structure that prevents subsurface flow.

139 (d) Channels shall be designed to accommodate passage of all migrating fish species at all life  
140 stages that will access the channel.

141 (6) Trap-and-haul operations

142 (a) Installation and removal of fish traps for trap and haul activities requires an HPA.

143 (7) Hydraulic design

144 The department may permit hydraulic design culverts only to enable fish passage at an existing  
145 barrier until the existing barrier structure has reached the end of its design life, or under  
146 exceptional circumstances where other culvert methods cannot apply. Hydraulic design culverts  
147 do not pass all fish species at all life stages, so additional mitigation requirements consistent  
148 with WAC 220-110-036XXX shall apply.

149 Plans submitted to the department for hydraulic design culverts shall address the following  
150 design criteria:

151 (a) Minimum water depth at any location within a hydraulic design culvert without a natural  
152 bed shall be at least eight-tenths foot. This requirement does not apply to a roughened  
153 channel. **The low flow design, to be used to determine the minimum depth of flow in the  
154 culvert, is the two-year seven-day low flow discharge for the subject basin. Where flow  
155 information is unavailable for the site where the project will be conducted, calibrated  
156 flows from a comparable gauged site may be used, or the depth may be determined by  
157 measuring the depth of the culvert when no water is flowing.**

158 (b) Maximum water velocity shall not exceed the values in Table XX at any point within the  
159 culvert. Maximum water velocity is measured at the high fish passage design flow.

160 Table XX Maximum Velocity Design Criteria for Hydraulic Design Culvert Installation

| Culvert Length | Maximum Velocity    |
|----------------|---------------------|
| 10 – 100 ft    | 4.0 feet per second |
| 100 - 200 ft   | 3.0 feet per second |
| > 200 ft       | 2.0 feet per second |

161 (c) The maximum hydraulic drop within the culvert or at the culvert inlet or outlet shall not  
162 exceed one-half foot.

163 (d) The culvert shall not be designed such that excessive turbulence within the culvert acts as  
164 a barrier to fish passage.

165 (e) Design flow criteria may be modified for specific proposals as necessary to address  
166 unusual fish passage requirements, where other approved methods of empirical analysis  
167 are provided, or where the fish passage requirements of other special facilities are  
168 approved by the department.

169 (f) Culvert design shall include consideration of flood capacity for current conditions and  
170 future changes likely to be encountered within the stream channel, and debris and  
171 bedload passage.

172 (g) To obtain a permit to construct a culvert using the hydraulic design method, a person shall  
173 submit hydrology data and hydraulic design documentation prepared by a licensed  
174 professional engineer that demonstrates compliance with the above criteria to the  
175 satisfaction of the department.

DRAFT

1 **220-110-080 Channel change or realignment**

2 Conformance with other applicable provisions: all projects must meet the standards listed in  
3 WAC 220-110-036 – General Requirements for all HPAs, and any of the provisions listed in WAC  
4 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
5 addition:

6  
7 [Mitigation requirement moved to general section.]  
8

9 Channel changes/realignments are generally discouraged, and shall only be approved where  
10 the applicant can demonstrate benefits or lack of adverse impact to fish life. The following  
11 technical provisions shall apply to channel change and channel realignment projects:

12 When approved, a channel change may occur provided:

13 (1) Permanent new channels shall, at a minimum, be similar in length, width, depth, flood plain  
14 configuration, and gradient, as the old channel. The new channel shall incorporate fish habitat  
15 components, bed materials, meander configuration, and native or other approved vegetation  
16 equivalent to or greater than that which previously existed in the old channel.

17 (2) During construction, the new channel shall be isolated from the flowing stream by plugs at  
18 the upstream and downstream ends of the new channel.

19 (3) Before water is diverted into a permanent new channel, the applicant shall complete the  
20 following actions:

21 (a) Approved fish habitat components, bed materials and bank protection to prevent  
22 erosion shall be in place.

23 (b) Approved fish habitat components shall be installed according to an approved design  
24 to withstand the 100-year peak flows.

25 (4) [Revegetation provisions moved to -037]  
26

27 (5) Diversion of flow into a new channel shall be accomplished by: (a) First removing the  
28 downstream plug; (b) removing the upstream plug; and (c) closing the upstream end of the old  
29 channel.  
30

31 (6) Filling of the old channel shall begin from the upstream closure and the fill material shall be  
32 compacted. Water discharging from the fill shall not adversely impact fish life.  
33

34 (7) The angle of the structure used to divert the water into the new channel shall allow a  
35 smooth transition of water flow.  
36

37 (8) If fish may be adversely impacted as a result of this project, the permittee will be required to  
38 capture and safely move food fish, game fish or other fish life (at the discretion of the  
39 department) to the nearest free-flowing water. The permittee may request the department to  
40 assist in capturing and safely moving fish life from the job site to free-flowing water, and  
41 assistance may be granted if personnel are available.  
42

DRAFT

1 **220-110-105 (formerly -100 and -310) Conduits**

2 Conformance with other applicable provisions: all projects must meet the standards listed in  
3 WAC 220-110-036—General Requirements for all HPAs, and any of the provisions listed in WAC  
4 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
5 addition:

6 [Mitigation requirement moved to general section.]

7 **Stream crossings:**

8 (1) Conduit alignment shall be as nearly perpendicular to the watercourse as possible.

9  
10 (2) The conduit shall be installed at sufficient depth so that subsequent disturbance of the bed  
11 of the watercourse is avoided.

12  
13 (3) If the method used is boring or jacking:

14 (a) Pits shall be isolated from surface water flow;

15  
16 (b) Wastewater, from project activities and dewatering, shall be routed to an area  
17 outside the ordinary high water line to allow removal of fine sediment and other  
18 contaminants prior to being discharged to state waters.

19 (4) If the method used is trench excavation:

20 (a) Trenches shall be excavated in the dry or shall be isolated from the flowing  
21 watercourse by the installation of a cofferdam, culvert, flume, or other approved  
22 method;

23  
24 (b) Plowing, placement, and covering shall occur in a single pass of the equipment;

25  
26 (c) Disturbance of the bed as a result of the plowing operation shall be limited to the  
27 amount necessary to complete the project.

28 (5) Trenches shall be backfilled with approved materials and the bed shall be returned to  
29 preproject condition.

30  
31 (6) Excess spoils shall be disposed of so as not to reenter the watercourse.

32  
33 (7) The conduit approach trench shall be isolated from the watercourse until laying of the  
34 conduit across the watercourse takes place.

35  
36 (8)[Revegetation requirements moved to -037]

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For saltwaters:

(1) Timing restrictions for digging trenches in the beach for the installation of cables, sewer lines, and other utilities may be further restricted to protect other important fish life.

(2) Excavation of trenches within the beach area shall not occur when the project area is inundated by tidal waters.

(3) Trenches excavated for placement of utilities may remain open for limited times during construction, but fish shall be prevented from entering open trenches.

(4) [Fish kill notification moved to general section]

(5) Excavation for and installation of cables, sewer lines, and other utilities shall be conducted with equipment and techniques that minimize adverse impacts to fish and shellfish and their habitats.

(6) Utility lines shall be located to avoid Pacific herring spawning beds, rockfish and lingcod settlement and nursery areas and eelgrass (*Zostera* spp).

(7) Kelp (Order laminariales) and intertidal wetland vascular plants (except noxious weeds) adversely impacted due to excavation or installation activities shall be replaced using proven methodology.

1 **220-110-115 (formerly -130 and -320) Dredging**

2 The requirements of this section do not apply to suction dredging for mineral prospecting,  
3 which is covered in WAC 220-110-202XXX, or to diver operated dredging for aquatic plant  
4 control, which is covered in WAC 220-110-331XXX.

5 Conformance with other applicable provisions: all projects must meet the standards listed in  
6 WAC 220-110-036—General Requirements for all HPAs, and any of the provisions listed in WAC  
7 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
8 addition:

9 [Mitigation requirement moved to general section]

10 Dredging in freshwater areas:

11 (1) Dredging shall not be conducted in fish spawning areas unless it is designed to create or  
12 improve the access or quality of fish spawning areas.

13  
14 (2) During the dredging of a lake or pond, a boom or similar device may be required to contain  
15 floatable materials.

16 (3) Dredged bed materials shall be disposed of at approved in-water disposal sites or upland so  
17 as not to reenter state waters. The department may allow placement of dredged material in  
18 areas for beneficial uses such as beach nourishment or capping of contaminated sediments.

19  
20 (4) Dredging shall be conducted with dredge types and methods that cause the least adverse  
21 impact to fish and shellfish and their habitat.

22  
23 (5) [fish kill notification moved to general section].

24 (6) An hydraulic dredge shall only be operated with the intake at or below the surface of the  
25 material being removed. The intake shall only be raised a maximum of three feet above the bed  
26 for brief periods of purging or flushing the intake system.

27  
28 (7) If a dragline or clamshell is used, it shall be operated to minimize turbidity. During  
29 excavation, each pass with the clamshell or dragline bucket shall be complete. Dredged  
30 material shall not be stockpiled waterward of the ordinary high water line.

31  
32 (8) Upon completion of the dredging, the bed shall not contain pits, potholes, or large  
33 depressions to avoid stranding of fish.

34  
35 Dredging in saltwater areas:

36 (1) In addition to those timing limitations listed in WAC [220-110-271](#), dredge timing may be  
37 further restricted to protect other important fish life.

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(2) [ fish kill notification moved to general section]

(3) A hydraulic dredge shall only be operated with the intake at or below the surface of the material being removed. The intake shall only be raised a maximum of three feet above the bed for brief periods of purging or flushing the intake system.

(4) Each pass of a clamshell dredge bucket shall be complete. Stockpiling of dredged material below the ordinary high water line may be prohibited.

(5) Dredging shall be conducted with dredge types and methods that cause the least adverse impact to fish and shellfish and their habitat.

(6) Dredged bed materials shall be disposed of at approved in-water disposal sites or upland. The department may allow placement of dredged material in areas for beneficial uses such as beach nourishment or cleanup of contaminated sediments.

(7) Dredging shall be conducted to a depth not greater than the channel depth at the seaward end. Dredging to depths greater than the channel at the seaward end may be authorized only in berthing areas and turning basins for commercial shipping purposes.

(8) Dredging is prohibited in herring spawning beds and in rockfish and lingcod settlement and nursery areas.

(9) Kelp (Order laminariales) adversely impacted due to dredging shall be replaced using proven methodology.

(10) Dredging shall avoid adverse impacts to eelgrass (*Zostera* spp).

1 **220-110-120 (formerly Temporary bypass culvert, flume, or**  
2 **channel) Work area isolation, fish removal and exclusion**

3 (1) The least impacting method of temporarily bypassing or excluding water from a work area  
4 that is feasible at the site shall be used. In flowing waters, the department considers culverts,  
5 flumes, or channels that redirect gravitational stream flow to be the least impacting methods.  
6 The department considers pumped diversions more impacting than methods relying on gravity  
7 flow.

8 (2) The temporary bypass or dewatering structure shall be in place prior to initiation of other  
9 work in the wetted perimeter. There shall be no fill associated with temporary bypasses or  
10 dewatering. Immediately upon project completion, and prior to the end of the approved work  
11 window for the project, the temporary bypass or dewatering device shall be removed and the  
12 site returned to preproject conditions.

13 (3) Temporary bypasses or channels shall be installed to pass all flows and debris for the  
14 duration of the project.

15 (4) Fish in the isolated work area shall be safely relocated to the flowing stream pursuant to  
16 WAC 220-110-053.

17 (5) Temporary bypass culverts or flumes

18 (a) Installation of the temporary bypass culvert or flume shall be accomplished as  
19 follows:

20 (i) A sandbag revetment or similar device with a water tight seal shall be installed  
21 at the temporary bypass culvert or flume inlet to divert the entire surface flow  
22 through it.

23 (ii) The revetment shall be placed over an apron of impermeable plastic sheeting  
24 that extends both up and downstream of the point of diversion to control  
25 subsurface percolation of water into the work area.

26 (iii) A sandbag revetment, a berm of clean washed gravel, or similar device shall  
27 be installed in the existing channel upstream of the temporary bypass culvert or  
28 flume outlet to prevent backwater from entering the work area.

29 (b) Upon completion of the project, flow shall be returned to the existing dewatered  
30 channel as follows:

31 (i) The sandbag revetment or similar device in the existing dewatered channel  
32 located upstream of the temporary bypass culvert or flume outlet shall be  
33 removed.

34 (ii) The sandbag revetment or similar device in the dewatered existing channel  
35 located at the temporary bypass culvert or flume inlet shall be removed to divert  
36 the entire flow back to the existing channel.

37 (6) Temporary bypass channels

38 (a) Temporary bypass channels shall be isolated from state waters during excavation of  
39 the channel and during backfilling by leaving bank and bed material at the upstream and  
40 downstream ends of the channel to serve as a plug. These materials shall prevent state  
41 waters from entering the temporary bypass channel during project activities or  
42 backfilling.

43 (b) Bypass channels shall be limited to the minimum distance necessary to complete the  
44 project.

45 (c) Diversion of flow into the temporary bypass channel shall be accomplished as  
46 follows:

47 (i) Remove the downstream plug.

48 (ii) Partially remove the upstream plug to allow one-third to one-half of the  
49 flow down the temporary bypass channel for at least overnight. The existing  
50 channel shall not be allowed to completely dewater.

51 (iii) Remove the rest of the upstream plug once the temporary bypass  
52 channel has flow throughout its entire length.

53 (iv) Replug and securely armor first the upstream and then the downstream  
54 ends of the existing channel with stockpiled material to prevent re-entry of flow  
55 during project activities.

56 (d) Upon completion of work in the old dewatered channel, flow shall be returned to the  
57 dewatered existing channel and blocked from the temporary bypass channel as follows:

58 (i) Remove the downstream plug of the dewatered existing channel.

59 (ii) Partially remove the upstream plug to allow one-third to one-half of the  
60 flow down the dewatered channel for at least overnight. The temporary bypass  
61 channel shall not be allowed to completely dewater.

62 (iii) Remove the rest of the upstream plug once the existing channel has flow  
63 throughout its entire length.

64 (iv) Fill and securely armor the upstream and then the downstream ends of  
65 the temporary bypass channel with stockpiled material to prevent permanent re-  
66 entry of flow.

67 (e) Upon project completion, the temporary bypass channel shall be filled using the  
68 material removed during excavation. Filling of the temporary bypass channel shall begin  
69 from the upstream closure and proceed downstream, and the fill material shall be  
70 compacted.

71 (7) Pumped diversions. Pumping the stream flow around the work area or from inside a coffer  
72 dam.

73 (a) The permittee shall continuously monitor pumps during operation.

74 (b) The permittee shall have backup equipment stored onsite in case of pump  
75 malfunction, and

76 (c) Pumps used for diverting water from a fish-bearing waters shall be equipped with a  
77 fish guard to prevent passage of fish into the device pursuant to WAC 220-110-076.

78 (8) Cofferdams. Cofferdams shall be constructed of clean material such as sand bags, concrete  
79 blocks, sheet piling, plastic sheeting or washed gravels and shall be sized to isolate the work  
80 area from state waters. The coffer dam shall prevent discharge of sediment or harmful  
81 materials from the coffered work area to state waters.

82 (a) Lines discharging to water bodies or wetland areas shall be equipped with a diffusing  
83 device that shall prevent scouring or dislodging of fine sediments from the bank or bed.

84 (b) Any pumped water from excavated areas shall be filtered prior to discharging into  
85 waters of the state.

86 (9) Fish removal and exclusion (placeholder)

87

1 **220-110-140 Gravel removal**

2 Conformance with other applicable provisions: all projects must meet the standards listed in  
3 WAC 220-110-036—General Requirements for all HPAs, and any of the provisions listed in WAC  
4 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
5 addition:

6 [Mitigation requirement moved to general section.]

7 (1) Gravel removal from a watercourse shall be limited to removal from exposed bars and shall  
8 not result in a lowering, over time, of the average channel cross-section profile through the  
9 project area or downstream. Additional removal of bed material, including removal from  
10 wetted portions of the channel, may be authorized where the project is an integral part of a  
11 comprehensive flood control plan approved by the department.

12  
13 (2) An "excavation line" shall be established. "Excavation line" means a line on the dry bed, at  
14 or parallel to the water's edge, the distance from the water's edge to be determined by the  
15 department on a site-specific basis. The excavation line may change with water level  
16 fluctuations.

17  
18 (3) An "excavation zone" shall be defined as the area between the "excavation line" and the  
19 bank or the center of the bar. The "excavation zone" shall be identified by boundary markers  
20 placed by the applicant and approved by the department prior to the commencement of gravel  
21 removal.

22  
23 (4) Excavation shall begin at the excavation line and proceed toward the bank or the center of  
24 the bar, perpendicular to the alignment of the watercourse.

25  
26 (5) Bed material shall not be removed from the water side of the excavation line.

27  
28 (6) Equipment shall not enter or operate within the wetted perimeter of the watercourse.

29  
30 (7) Gravel may be removed within the excavation zone from a point beginning at the excavation  
31 line and progressing upward toward the bank or the center of the bar on a minimum two  
32 percent gradient. It may be necessary to survey the excavation zone upon completion of the  
33 gravel removal operation to ensure the two percent gradient is maintained and that no  
34 depressions exist. When required the survey shall be made at the applicant's expense.

35  
36 (8) Preproject and postproject channel cross-section surveys shall be required for gravel  
37 removal projects for commercial purposes, and may be required as part of a comprehensive  
38 flood control plan approved by the department. The cross-sections shall be referenced  
39 vertically to a permanent bench mark and horizontally to a permanent base line, and shall be  
40 done perpendicular to the high flow channel every one hundred feet through the project area

41 and at cross-sections upstream and downstream at adjacent channel riffles. The preproject  
42 survey information shall be submitted to the department at the time of application for HPA,  
43 and the postproject survey shall be submitted to the department within ninety days of  
44 completion of removal of gravel or the expiration date of the HPA, whichever occurs first.

45

46 (9) At the end of each work day the excavation zone shall not contain pits, or potholes, or  
47 depressions that may trap fish as a result of fluctuation in water levels.

48

49 (10) Stockpiling of material waterward of the ordinary high water line, after the initial bed  
50 disturbance, shall be limited to avoid impacts to fish life. If stockpiling is approved waterward of  
51 the ordinary high water line, the material shall be completely removed prior to the onset of fish  
52 spawning in the vicinity or the typical onset of increasing stream flows. Timing restrictions shall  
53 be determined on a site-specific basis. If the water level rises and makes contact with  
54 stockpiles, further operation of equipment or removal of the stockpiles shall not proceed unless  
55 authorized under a separate HPA issued by the department.

56

57 (11) The upstream end of the gravel bar shall be left undisturbed to maintain watercourse  
58 stability waterward of the ordinary high water line.

59

60 (12) Large woody material shall be retained waterward of the ordinary high water line and  
61 repositioned within the watercourse. Other debris shall be disposed of so as not to reenter the  
62 watercourse.

63

64 (13) Gravel washing or crushing operations shall not take place waterward of the ordinary high  
65 water line.

66

67 (14) [Revegetation requirements moved to general section.]

68 (15) [Managing equipment to prevent loss of petroleum products moved to general section.]

69 (16) The department shall be notified at least five working days before the start of actual gravel  
70 removal, and upon project completion to allow for compliance inspection.

71

1 **220-110-150 Large woody material removal or repositioning**

2 Conformance with other applicable provisions: all projects must meet the standards listed in  
3 WAC 220-110-036XXX General Requirements for all HPAs, and any of the provisions listed in  
4 WAC 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
5 addition:

6 [ Mitigation requirement moved to general section.]

7 (1) Large woody material removal from watercourses shall only be approved where necessary  
8 to address safety considerations, or its removal would not diminish the fish habitat quality of  
9 the watercourse. The department may approve the repositioning of large woody material  
10 within the watercourse to protect life and property or as needed to conduct a hydraulic project.  
11 Repositioned large woody material shall be placed or anchored to provide stable, functional fish  
12 habitat.

13  
14 (2) Large woody material removal shall be conducted by equipment stationed on the bank,  
15 bridge, or other approved structure.

16  
17 (3) Unless otherwise authorized, large woody material shall be suspended during its removal so  
18 no portion of the large woody material or limbs can damage the bed or banks. Yarding corridors  
19 or full suspension shall be required to avoid damage to riparian vegetation. It may be necessary  
20 to cut the large woody material in place, to a size that allows suspension during removal.

21  
22 (4) Where large woody material cannot be suspended above the bed and banks, skid logs or  
23 similar methods shall be used to avoid bank damage. Upon completion of the yarding  
24 operation, skid logs shall be removed in a manner that avoids damage to streambanks and  
25 vegetation, and the bank shall be restored to preproject condition.

26  
27 (5) Smaller limb and bark debris associated with the large woody material shall be removed and  
28 disposed of so as not to reenter the watercourse.

29  
30 (6) Large woody material embedded in a bank or bed shall be left undisturbed and intact except  
31 where authorized for removal.

32  
33 (7) Large woody material removal or repositioning shall be accomplished in a manner which  
34 minimizes the release of bedload, logs, or debris downstream.

35  
36 (8) Depressions created in gravel bars shall be filled, smoothed over, and sloped upwards  
37 toward the bank on a minimum two percent gradient..

1 **220-110-160 Felling and yarding of timber**

2 The following technical provisions shall apply to any felling and yarding of timber for which an  
3 HPA is required (see WAC [220-110-020xxx](#)).

4  
5 [Mitigation requirement moved to general section.]

6  
7 (1) Trees shall not be felled into or across a watercourse, with identifiable bed or banks, except  
8 where authorized in special provisions of an HPA.

9  
10 (2) Trees or logs which enter a watercourse, with identifiable bed or banks, during felling or  
11 yarding shall remain where they enter unless parts or all of the trees or logs are specifically  
12 authorized to be removed.

13  
14 (3) Logs transported across a watercourse, with identifiable bed or banks, shall be suspended so  
15 no portion of the logs or limbs can enter the watercourse or damage the bed and banks.  
16 Yarding corridors or full suspension shall be required to prevent damage to riparian vegetation.

17  
18 (4) Cable tailholds may be placed over watercourses, with identifiable bed or banks, provided  
19 the number of yarding roads is kept to a minimum. When changing roads, the cable shall be  
20 moved around or over the riparian vegetation to avoid damage to the vegetation.

21  
22 (5) If limbs or other small debris enter the watercourse, with identifiable bed or banks, as a  
23 result of felling and yarding of timber, they shall be removed concurrently with each change in  
24 yarding road or within seventy-two hours after entry into the watercourse and placed outside  
25 the 50-year flood plain. Limbs or other small debris shall be removed from dry watercourses  
26 prior to the normal onset of high flows. Large woody material which was in place prior to felling  
27 and yarding of timber shall not be disturbed.

28  
29 (6) Precautions shall be taken to minimize the release of sediment to waters downstream from  
30 the felling or yarding activity. Sediment control devices, including, but not limited to, straw  
31 bales and filter fabric check dams, shall be used as necessary to avoid the release of sediment  
32 downstream. Accumulated sediment shall be removed from above check dams prior to their  
33 removal. The requirement to provide sediment control may be waived where adequate  
34 protection is provided through seasonal restriction of operations.

35  
36 (7) There shall be no skidding or ground lead yarding or equipment operation within flowing  
37 waters in channels with defined bed or banks.  
38

1 **220-110-170 Outfall structures**

2 Conformance with other applicable provisions: all projects must meet the standards listed in  
3 WAC 220-110-036XXX—General requirements for the issuance of all HPAs, and any of the  
4 provisions listed in WAC 220-110-037XXX through 220-110-339XXX that are applicable to the  
5 specific project. In addition:

6 (1) The department may not condition HPAs for storm water discharges in locations covered by  
7 a national pollution discharge elimination system municipal storm water general permit for  
8 water quality or quantity impacts. The HPA is required only for the actual construction of any  
9 storm water outfall or associated structures.

10 (2)(a) In locations not covered by a national pollution discharge elimination system municipal  
11 storm water general permit, the department may issue HPAs that contain provisions that  
12 protect fish life from adverse effects, such as scouring or erosion of the bed of the water body,  
13 resulting from the direct hydraulic impacts of the discharge.

14 (b) Prior to the issuance of an HPA under this subsection, the department must:

15 (i) Make a finding that the discharge from the outfall will cause harmful effects  
16 to fish life;

17 (ii) Transmit the findings to the applicant and to the city or county where the  
18 project is being proposed; and

19 (iii) Allow the applicant an opportunity to use local ordinances or other  
20 mechanisms to avoid the adverse effects resulting from the direct hydraulic  
21 discharge. The forty-five day requirement for HPA issuance under RCW  
22 77.55.021 is suspended during the time period the department is meeting the  
23 requirements of this subsection.

24 (c) After following the procedures set forth in (b) of this subsection, the department  
25 may issue an HPA that prescribes the discharge rates from an outfall structure that will  
26 prevent adverse effects to the bed or flow of the waterway. The department may  
27 recommend, but not specify, the measures required to meet these discharge rates. The  
28 department may not require changes to the project design above the mean higher high  
29 water mark of marine waters, or the ordinary high water mark of freshwaters of the  
30 state.

31 (3) Outfall structure projects shall be located and constructed to minimize adverse impacts to  
32 habitat and shoreline processes, and shall incorporate mitigation measures as necessary to  
33 achieve no-net-loss of productive capacity of fish and shellfish habitat. The following technical  
34 provisions shall apply to outfall structure projects:

35 (a) The outfall structure shall be constructed according to a design approved by WDFW  
36 to prevent the entry of adult or juvenile fish. Refer to WAC 220-110-076XXX on fish  
37 screens.

38 (b) The watercourse bank and bed at the point of discharge shall be protected using  
39 bioengineering methods or other department-approved methods to prevent scouring.

40 (c) Outfalls shall be designed and located so that outflow or any associated energy  
41 dissipaters do not cause loss of fish habitat. The department may require that energy be  
42 dissipated using one or more of the following methods, or other effective method  
43 proposed by the permittee:

44 (i) Existing natural habitat features (large logs, root wads, natural large rocks or  
45 rock shelves, etc.), without degrading these features;

46 (ii) Pads of native plants (shrubs and grasses) and biodegradable fabric;

47 (iii) Imported fish habitat components (large woody material);

48 (iv) Manufactured in-line energy dissipaters, such as a Tee diffuser;

49 (v) Rounded rock energy dissipation pads;

50 (vi) Angular rock energy dissipation pads, if other options are impracticable.

51 (d) The outlet of submerged outfall piping protruding above grade in marine  
52 environments shall extend past the nearshore zone. An outfall pipe or other structural  
53 element that crosses a beach shall be buried an adequate depth to prevent interruption  
54 of longshore sediment drift.

1

2 **220-110-180 Pond construction**

3 Conformance with other applicable provisions: All projects must meet the standards listed in  
4 WAC 220-110-036—General Requirements for all HPAs, and any of the provisions listed in WAC  
5 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
6 addition:

7 [Mitigation requirement moved to general section.] The following technical provisions shall  
8 apply to pond construction projects connected to a watercourse:

9

10 (1) Ponds shall not be constructed within the watercourse.

11

12 (2) Ponds shall be designed, constructed, and screened to prevent the entry of fish unless the  
13 pond will provide beneficial habitat, as determined by the department, in which case free and  
14 unrestricted access shall be provided.

15

16 (3) Pond return flow shall be located to minimize the length of the bypass reach unless the  
17 bypass reach is intended to enhance fish life or habitat.

18

19 (4) Pond construction activities involving diversion of state waters shall be dependent upon first  
20 obtaining a water right. This requirement does not apply to construction of storm water pond  
21 facilities landward of the ordinary high water line.

22

23 (5) The work area shall be isolated from the watercourse during construction of the pond, the  
24 diversion system, and the return flow system.

25

26 (6) [Revegetation requirement moved to general section.]

27

28 (7) Ponds shall be designed and constructed so the outflow temperature is not harmful to fish  
29 life.

30

1 **220-110-190 Water diversions and intakes**

2 A written HPA is not required for emergency water diversions during emergency fire response.  
3 The department shall be notified prior to the diversion, when possible. When prior notification  
4 is not possible, the department shall be notified within twenty-four hours of the diversion. The  
5 hydraulic code cannot be used to limit the amount or timing of water diverted under a water  
6 right. However, construction of structures or placement of devices or other work within waters  
7 of the state which will use, divert, obstruct, or change the natural flow or bed of any of the salt  
8 or fresh waters of the state, or that will utilize any of the waters of the state in order to divert  
9 water pursuant to a water right, requires an HPA. Regulation of water flow from a permanent  
10 irrigation structure by operating valves, or manipulating stop logs, check boards or head  
11 boards, does not require an HPA. Any hydraulic project activity related to a change in the  
12 manner or location of water diversion will require an HPA modification.

13  
14 Persons who have gravel berm dams as the method of diversion permitted by the department  
15 prior to January 1994 shall be allowed to continue to do so consistent with the provisions of an  
16 HPA. The department can, however, condition the approval of gravel berms.

17  
18 Construction or maintenance of fish screens or guards requiring use of equipment requires a  
19 written HPA. Installation of suction hoses or cleaning, adjusting, operating, and maintaining  
20 existing irrigation or stock water diversion structures including intakes or screens without the  
21 use of equipment, may be accomplished without first securing a written HPA. For these  
22 activities, compliance with the provisions of the latest edition of the *Irrigation and Fish*  
23 pamphlet issued by the department is required. The pamphlet shall be on-site and serve as the  
24 HPA. If a fish kill occurs or fish are observed in distress, the project activity shall cease and the  
25 department shall be notified immediately.

Comment [A1]: Note: this is outdated.

26  
27 The following technical provisions shall apply to water diversions:

28  
29 (1) Gravel berm dams shall be constructed of gravels available on site waterward of the  
30 ordinary high water line, or of clean round gravel transported to the site. Bed disturbance shall  
31 be limited to the minimum necessary to achieve the provisions of the water right. No dirt from  
32 outside the ordinary high water line shall be used to seal the dam and no logs or woody  
33 material waterward of the ordinary high water line may be utilized for construction of the dam,  
34 unless specifically authorized.

35  
36 (2) Logs and large woody material may be relocated waterward of the ordinary high water line,  
37 if they block water flow into the ditch or inhibit construction.

38  
39 (3) As long as the applicant or permittee can divert enough water to satisfy the water right, the  
40 diversion dam shall be constructed so that it does not hinder upstream and downstream adult  
41 and juvenile fish passage. If passage problems develop, department personnel may, after

42 consultation, require modification of the gravel berm dam.

43

44 (4) At pump stations, screens and headgate areas, a backhoe or suction dredge may be used to  
45 remove accumulated silts and gravel from the pumping sump. Material removed shall be placed  
46 so it will not reenter state waters.

47

48 (5) Any device used for diverting water from a fish bearing watercourse shall be equipped with  
49 a fish guard to prevent passage of fish into the diversion device pursuant to RCW 75.20.040 and  
50 77.16.220.

51

52 (6) Diversion canals shall be maintained (sediment and debris removal) to provide maximum  
53 hydraulic gradient in the diversion canal in order to minimize the need for work within the  
54 natural watercourse.

55

56 (7) The exercise of project activity associated with diversion of state waters shall be dependent  
57 upon first obtaining a water right.

58

DRAFT

1 **220-110-200 Mineral prospecting**

2 (1) WAC 220-110-201XXX through 220-110-206XXX set forth the rules necessary to protect fish  
3 life that apply to mineral prospecting and placer mining projects. A copy of the current *Gold*  
4 *and Fish* pamphlet is available from the department, and it contains the rules which you must  
5 follow when mineral prospecting under its authority.

6 (2) Alternatively, you may request exceptions to the *Gold and Fish* pamphlet by applying for an  
7 individual written HPA as indicated in WAC 220-110-031XXX. An HPA shall be denied when, in  
8 the judgment of the department, the project will result in direct or indirect harm to fish life,  
9 unless adequate mitigation can be assured by conditioning the HPA or modifying the proposal.  
10 The department may apply saltwater provisions to written HPAs for tidally influenced areas  
11 upstream of river mouths and the mainstem Columbia River downstream of Bonneville Dam  
12 where applicable.

13 (3) Nothing in Chapter 220-110 WAC relieves a person of the duty to obtain landowner  
14 permission and any other necessary permits before conducting any mineral prospecting  
15 activity.

16

DRAFT

1 **220-110-201 Mineral prospecting without timing restrictions<sup>1</sup>.**

2 You may mineral prospect year-round in all waters of the state, except lakes or salt waters.  
3 You must follow the rules listed below, but you do not need to have the rules with you or on  
4 the job site.

5 (1) You may use only hand-held mineral prospecting tools and the following mineral  
6 prospecting equipment when mineral prospecting without timing restrictions:

7 (a) Pans;

8 (b) Spiral wheels;

9 (c) Sluices, concentrators, mini rocker boxes, and mini high-bankers with riffle areas  
10 totaling three square feet or less, including ganged equipment.

11 (2) You may not use vehicle-mounted winches. You may use one hand-operated winch to move  
12 boulders, or large woody material that is not embedded. You may use additional cables, chains,  
13 or ropes to stabilize boulders, or large woody material that is not embedded.

14 (3) You may work within the wetted perimeter only from one-half hour before official sunrise to  
15 one-half hour after official sunset.

16 (4) You may not disturb fish life or redds within the bed. If you observe or encounter fish life or  
17 redds within the bed, or actively spawning fish when collecting or processing aggregate, you  
18 must relocate your operations. You must avoid areas containing live freshwater mussels. If you  
19 encounter live mussels during excavation, you must relocate your operations.

20 (5) Rules for excavating:

21 (a) You may excavate only by hand or with hand-held mineral prospecting tools.

22 (b) You may not excavate, collect, or remove aggregate from within the wetted  
23 perimeter. See Figures 1 XXX and 2 XXX.

24 (c) Only one excavation site per individual is allowed. However, you may use a second  
25 excavation site as a settling pond. Multiple individuals may work within a single  
26 excavation site.

27 (d) You may not stand within, or allow aggregate to enter, the wetted perimeter when  
28 collecting or excavating aggregate.

---

<sup>1</sup> This section has not been altered from the rule as published in 2008, except that the figures have been omitted to make the file a little smaller.

- 29 (e) You must fill all excavation sites and level all tailing piles prior to moving to a new  
30 excavation site or abandoning an excavation site. If you move boulders, you must  
31 return them, as best as you can, to their approximate, original location.
- 32 (f) You may not undermine, move, or disturb large woody material embedded in the  
33 slopes or located wholly or partially within the wetted perimeter. You may move large  
34 woody material and boulders located entirely within the frequent scour zone, but you  
35 must keep them within the frequent scour zone. You may not cut large woody material.  
36 See Figure 2.
- 37 (g) You may not undermine, cut, or disturb live, rooted woody vegetation of any kind.
- 38 (h) You may not excavate, collect, or remove aggregate from the toe of the slope. You  
39 also may not excavate, collect, or remove aggregate from an unstable slope or any slope  
40 that delivers, or has the potential to deliver, sediment to the wetted perimeter or  
41 frequent scour zone. See Figures 3 XXX and 4 XXX.
- 42 (6) Rules for processing aggregate:
- 43 (a) You may stand within the wetted perimeter when processing aggregate with pans;  
44 spiral wheels; and sluices.
- 45 (b) You may not stand on or process directly on redds or disturb incubating fish life. You  
46 may not allow tailings, or visible sediment plumes (visibly muddy water), to enter redds  
47 or areas where fish life are located within the bed.
- 48 (c) You may not level or disturb tailing piles that remain within the wetted perimeter  
49 after processing aggregate.
- 50 (d) You must classify aggregate at the collection or excavation site prior to processing, if  
51 you collected or excavated it outside the frequent scour zone.
- 52 (e) You may process only classified aggregate within the wetted perimeter when using a  
53 sluice.
- 54 (f) The maximum width of a sluice, measured at its widest point, including attachments,  
55 shall not exceed twenty-five percent of the width of the wetted perimeter at the point  
56 of placement.
- 57 (g) You may process with a sluice only in areas within the wetted perimeter that are  
58 composed primarily of boulders and bedrock. You must separate sluice locations by at  
59 least fifty feet. You may not place structures within the wetted perimeter to check or  
60 divert the water flow.
- 61 (h) You may operate mini high-bankers or other concentrators only outside the wetted  
62 perimeter. You may only supply water to this equipment by hand or by a battery-  
63 operated pump with a screened intake. You may not allow visible sediment or muddy

64 water to enter the wetted perimeter. A second excavation site may be used as a  
65 settling pond.

66 (i) Under RCW 77.57.010 and 77.57.070, any device you use for pumping water from  
67 fish-bearing waters must be equipped with a fish guard to prevent passage of fish into  
68 the pump intake. You must screen the pump intake with material that has openings no  
69 larger than five sixty-fourths inch for square openings, measured side to side, or three  
70 thirty-seconds inch diameter for round openings, and the screen must have at least one  
71 square inch of functional screen area for every gallon per minute (gpm) of water drawn  
72 through it. For example, a one hundred gpm rated pump would require at least a one  
73 hundred square inch screen.

74 (j) You may not excavate, collect, remove, or process aggregate within four hundred feet  
75 of any fishway, dam, or hatchery water intake.

76 (k) You may not disturb existing habitat improvement structures or stream channel  
77 improvements.

78 (l) If at any time, as a result of project activities, you observe a fish kill or fish life in  
79 distress, you must immediately cease operations and notify the Washington department  
80 of fish and wildlife, and the Washington military department emergency management  
81 division, of the problem. You may not resume work until the Washington department of  
82 fish and wildlife gives approval. The Washington department of fish and wildlife may  
83 require additional measures to mitigate the prospecting impacts.

1 **220-110-202 Mineral prospecting with timing restrictions<sup>2</sup>.**

2 You may mineral prospect only during the times and with the mineral prospecting  
3 equipment limitations identified in WAC 220-110-206XXX. You must follow the rules listed  
4 below, and you must have the rules with you or on the job site.

5 (1) You may use only hand-held mineral prospecting tools and the following mineral  
6 prospecting equipment when mineral prospecting with timing restrictions:

7 (a) Pans;

8 (b) Spiral wheels;

9 (c) Sluices, concentrators, rocker boxes, and high-bankers with riffle areas totaling ten  
10 square feet or less, including ganged equipment;

11 (d) Suction dredges should have suction intake nozzles with inside diameters of five  
12 inches or less, but shall be no greater than five and one-quarter inches to account for  
13 manufacturing tolerances and possible deformation of the nozzle. The inside diameter  
14 of the dredge hose attached to the nozzle may be no greater than one inch larger than  
15 the suction intake nozzle size. See Figure 1.

16 (e) Power sluice/suction dredge combinations that have riffle areas totaling ten square  
17 feet or less, including ganged equipment, suction intake nozzles with inside diameters  
18 that should be five inches or less, but shall be no greater than five and one-quarter  
19 inches to account for manufacturing tolerances and possible deformation of the nozzle,  
20 and pump intake hoses with inside diameters of four inches or less. The inside diameter  
21 of the dredge hose attached to the suction intake nozzle may be no greater than one  
22 inch larger than the suction intake nozzle size. See Figure 1 XXX.

23 (f) High-bankers and power sluices that have riffle areas totaling ten square feet or less,  
24 including ganged equipment, and pump intake hoses with inside diameters of four  
25 inches or less.

26 (2) The widest point of a sluice, including attachments, shall not exceed twenty-five percent of  
27 the wetted perimeter at the point of placement.

28 (3) The suction intake nozzle and hose of suction dredges and power sluice/suction dredge  
29 combinations must not exceed the diameters allowed in the listing for the stream or stream  
30 reach where you are operating, as identified in WAC 220-110-206XXX.

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<sup>2</sup> This section has not been altered from the rule as published in 2008, except that the figures have been omitted to make the file a little smaller.

31 (4) You may not use vehicle-mounted winches. You may use one motorized winch and one  
32 hand-operated winch to move boulders and large woody material that is not embedded, and  
33 additional cables, chains, or ropes to stabilize them.

34 (5) Equipment separation:

35 (a) You may use hand-held mineral prospecting tools; pans; spiral wheels; or sluices,  
36 mini rocker boxes, or mini high-bankers with riffle areas totaling three square feet or  
37 less, including ganged equipment, as close to other mineral prospecting equipment as  
38 desired.

39 (b) When operating any sluice or rocker box with a riffle area exceeding three square  
40 feet (including ganged equipment), suction dredge, power sluice/suction dredge  
41 combination, high-banker, or power sluice within the wetted perimeter, you must be at  
42 least two hundred feet from all others also operating this type of equipment. This  
43 separation is measured as a radius from the equipment you are operating. You may  
44 locate this equipment closer than two hundred feet if only one piece of equipment is  
45 operating within that two hundred foot radius. See Figure 2 XXX.

46 (c) When operating any sluice or rocker box with a riffle area exceeding three square  
47 feet (including ganged equipment), suction dredge, power sluice/suction dredge  
48 combinations, high-banker, or power sluice outside of the wetted perimeter that  
49 discharges tailings or wastewater to the wetted perimeter you must be at least two  
50 hundred feet from all others also operating this type of equipment. This separation is  
51 measured as a radius from the equipment you are operating. You may locate this  
52 equipment closer than two hundred feet if only one piece of equipment is operating  
53 within that two hundred foot radius. See Figure 2.

54 (6) Under RCW 77.57.010 and 77.57.070, any device you use for pumping water from fish-  
55 bearing waters must be equipped with a fish guard to prevent passage of fish into the pump  
56 intake. You must screen the pump intake with material that has openings no larger than five  
57 sixty-fourths inch for square openings, measured side to side, or three thirty-seconds inch  
58 diameter for round openings, and the screen must have at least one square inch of functional  
59 screen area for every gallon per minute (gpm) of water drawn through it. For example, a one  
60 hundred gpm rated pump would require at least a one hundred square inch screen.

61 (7) All equipment fueling and servicing must be done so that petroleum products do not get  
62 into the body of water or frequent scour zone. If a petroleum sheen or spill is observed, you  
63 must contact the Washington military department emergency management division. You must  
64 immediately stop your activities, remove your equipment from the body of water, and correct  
65 the source of the petroleum leak. You may not return your equipment to the water until the  
66 problem is corrected. You must store fuel and lubricants outside the frequent scour zone, and  
67 in the shade when possible.

- 68 (8) You may work within the wetted perimeter or frequent scour zone only from one-half hour  
69 before official sunrise to one-half hour after official sunset. If your mineral prospecting  
70 equipment exceeds one-half the width of the wetted perimeter of the stream, you must  
71 remove the equipment from the wetted perimeter or move it so that a minimum of fifty  
72 percent of the wetted perimeter is free of equipment between one-half hour after official  
73 sunset to one-half hour prior to official sunrise.
- 74 (9) You may not excavate, collect, remove, or process aggregate within four hundred feet of any  
75 fishway, dam, or hatchery water intake.
- 76 (10) You must not disturb existing habitat improvement structures or stream channel  
77 improvements.
- 78 (11) You may not undermine, move, or disturb large woody material embedded in the slopes or  
79 located wholly or partially within the wetted perimeter. You may move large woody material  
80 and boulders located entirely within the frequent scour zone, but you must keep them within  
81 the frequent scour zone. You may not cut large woody material.
- 82 (12) You may not undermine, cut, or disturb live, rooted woody vegetation of any kind.
- 83 (13) Only one excavation site per individual is permitted. However, you may use a second  
84 excavation site as a settling pond. Multiple individuals may work within a single excavation site.
- 85 (14) You must fill all excavation sites and level all tailing piles prior to working another  
86 excavation site or abandoning the excavation site.
- 87 (15) You may not excavate, collect, or remove aggregate from the toe of the slope. You also  
88 may not excavate, collect, or remove aggregate from an unstable slope or any slope that  
89 delivers, or has the potential to deliver, sediment to the wetted perimeter or frequent scour  
90 zone. See Figures 3 XXX and 4 XXX.
- 91 (16) You may partially divert a body of water into mineral prospecting equipment. However, at  
92 no time may the diversion structure be greater than fifty percent of the width of the wetted  
93 perimeter, including the width of the equipment. You may not divert the body of water outside  
94 of the wetted perimeter.
- 95 (17) You may use materials only from within the wetted perimeter, or artificial materials from  
96 outside the wetted perimeter, to construct the diversion structure by hand. You must remove  
97 artificial materials used in the construction of a diversion structure and restore the site to its  
98 approximate original condition prior to abandoning the site.
- 99 (18) You may process aggregate collected from the frequent scour zone:
- 100 (a) At any location if you use pans; spiral wheels; mini rocker boxes; mini high-bankers;  
101 or sluices or other concentrators with riffle areas totaling three square feet or less,  
102 including ganged equipment.

103 (b) Only in the frequent scour zone or upland areas landward of the frequent scour zone  
104 if you use power sluice/suction dredge combinations, high-bankers, or power sluices  
105 with riffle areas totaling ten square feet or less, including ganged equipment; or sluices  
106 or rocker boxes that have riffle areas totaling more than three, but less than ten square  
107 feet, including ganged equipment. You may not discharge tailings to the wetted  
108 perimeter when using this equipment. However, you may discharge wastewater to the  
109 wetted perimeter provided its entry point into the wetted perimeter is at least two  
110 hundred feet from any other wastewater discharge entry point.

111 (19) You may process aggregate collected from upland areas landward of the frequent scour  
112 zone:

113 (a) At any location if you use pans; spiral wheels; or sluices, concentrators, mini rocker  
114 boxes, and mini high-bankers with riffle areas totaling three square feet or less,  
115 including ganged equipment. You must classify the aggregate at the excavation site  
116 prior to processing with this equipment within the wetted perimeter or frequent scour  
117 zone.

118 (b) Only at an upland location landward of the frequent scour zone if you use power  
119 sluice/suction dredge combinations; high-bankers; power sluices; or rocker boxes. You  
120 may not allow tailings or wastewater to enter the wetted perimeter or frequent scour  
121 zone.

122 (c) Within the wetted perimeter or frequent scour zone with a sluice with a riffle area  
123 greater than three square feet. You must classify the aggregate at the excavation site  
124 prior to processing with a sluice with a riffle area exceeding three square feet.

125 (20) You may use pressurized water only for crevicing or for redistributing dredge tailings within  
126 the wetted perimeter. No other pressurized water use is permitted.

127 (21) You may conduct crevicing in the wetted perimeter, in the frequent scour zone, or  
128 landward of the frequent scour zone. The hose connecting fittings of pressurized water tools  
129 used for crevicing may not have an inside diameter larger than three-quarters of an inch. If you  
130 crevice landward of the frequent scour zone, you may not discharge sediment or wastewater to  
131 the wetted perimeter or the frequent scour zone.

132 (22) You must avoid areas containing live freshwater mussels. If you encounter live mussels  
133 during excavation, you must relocate your operations.

134 (23) You may not disturb redds. If you observe or encounter redds, or actively spawning fish  
135 when collecting or processing aggregate, you must relocate your operations.

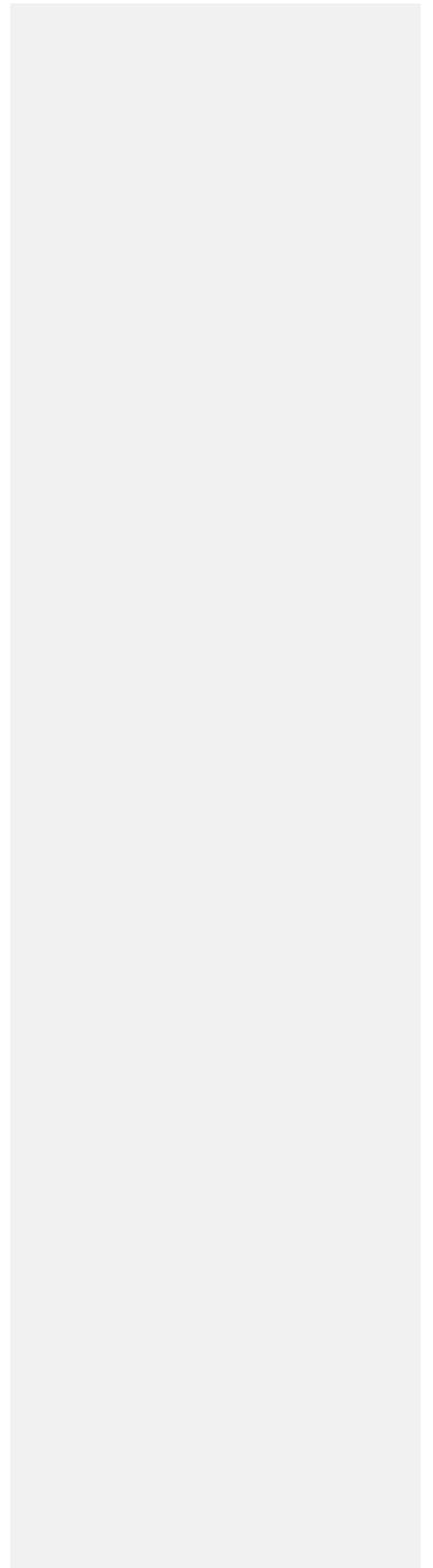
136 (24) If at any time, as a result of project activities, you observe a fish kill or fish life in distress,  
137 you must immediately cease operations and notify the Washington department of fish and  
138 wildlife, and the Washington military department emergency management division of the  
139 problem. You may not resume work until the Washington department of fish and wildlife gives

140 approval. The Washington department of fish and wildlife may require additional measures to  
141 mitigate the prospecting impacts.

DRAFT

- 1 **220-110-203 Mineral prospecting on beaches**
- 2 (placeholder)

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1 **220-110-206 Authorized work times and mineral prospecting**  
 2 **equipment restrictions by specific state waters for mineral**  
 3 **prospecting and placer mining projects**

4 Mineral prospecting and placer mining under WAC 220-110-202XXX shall only occur in the state  
 5 waters, with the equipment restrictions, and during the times specified in the following table.

6 (1) The general work time for a county applies to all state waters within that county, unless  
 7 otherwise indicated in the table.

8 (2) The work time for a listed state water applies to all its tributaries, unless otherwise  
 9 indicated. Some state waters occur in multiple counties. Check the listing for the county in  
 10 which mineral prospecting or placer mining is to be conducted to determine the work time for  
 11 that state water.

12 (3) Where a tributary is listed as a boundary, that boundary shall be the line perpendicular to  
 13 the receiving stream that is projected from the most upstream point of the tributary mouth to  
 14 the opposite bank of the receiving stream. See Figure 1 XXX.

15 (4) Mineral prospecting and placer mining within state waters listed as "submit application" are  
 16 not authorized under the *Gold and Fish* pamphlet. A written HPA is required for these state  
 17 waters.

18 (5) Mineral prospecting using mineral prospecting equipment that has suction intake nozzles  
 19 with inside diameters that should be four inches or less, but shall be no greater than four and  
 20 one-quarter inches to account for manufacturing tolerances and possible deformation of the  
 21 nozzle is authorized only in the listed state waters, and any tributaries to them, unless  
 22 otherwise indicated in the table. The inside diameter of the dredge hose attached to the nozzle  
 23 may be no greater than one inch larger than the nozzle size.

24 (6) Mineral prospecting using mineral prospecting equipment that has suction intake nozzles  
 25 with inside diameters that should be five inches or less, but shall be no greater than five and  
 26 one-quarter inches to account for manufacturing tolerances and possible deformation of the  
 27 nozzle is authorized only in the listed state waters in the following table. The inside diameter of  
 28 the dredge hose attached to the nozzle may be no greater than one inch larger than the nozzle  
 29 size. You may use only mineral prospecting equipment with suction intake nozzle inside  
 30 diameters of four and one-quarter inches or less in tributaries of these state waters. The inside  
 31 diameter of the dredge hose attached to the nozzle may be no greater than one inch larger  
 32 than the nozzle size.

33 AUTHORIZED WORK TIMES AND MINERAL PROSPECTING EQUIPMENT RESTRICTIONS BY  
 34 SPECIFIC STATE WATERS FOR MINERAL PROSPECTING AND PLACER MINING PROJECTS

| Washington Counties and<br>State Waters | Mineral<br>Prospecting Is | State Waters<br>(and tributaries, | State Waters<br>(NOT including |
|---|---------------------------|-----------------------------------|--------------------------------|
|---|---------------------------|-----------------------------------|--------------------------------|

| Water Resource Inventory Area (WRIA) in parentheses | Allowed Only Between These Dates | unless otherwise indicated) in Which You May Use Mineral Prospecting Equipment with a Four and One-Quarter Inch Maximum Suction Intake Nozzle Inside Diameter | tributaries) in Which You May Use Mineral Prospecting Equipment with a Five and One-Quarter Inch Maximum Suction Intake Nozzle Inside Diameter |
|---|----------------------------------|---|--|
| Adams County  | July 1 - October 31              | X   | -  |
| Crab Creek (41.0002)                                | July 16 - February 28            | X   | X  |
| Esquatzel Creek (36.MISC)                           | June 1 - February 28             | X   | X  |
| Palouse River (34.0003)                             | July 16 - February 28            | X   | X  |
| Asotin County                                       | July 16 - September 15           | X   | -  |
| Snake River (35.0002)                               | See below                        | -   | -  |
| Alpowa Creek (35.1440)                              | July 16 - December 15            | X   | -  |
| Asotin Creek (35.1716)                              | July 16 - August 15              | X   | -  |
| Couse Creek (35.2147)                               | July 16 - December 15            | X   | -  |
| Grande Ronde River (35.2192)                        | July 16 - September 15           | X   | X  |
| Tenmile Creek (35.2100)                             | July 16 - December 15            | X   | -  |
| Benton County                                       | June 1 - September 30            | X   | -  |
| Columbia River                                      | See below                        | -   | -  |
| Glade Creek (31.0851)                               | August 1 -                       | X   | -  |

|   |                        |   |   |
|---|------------------------|---|---|
|   | September 30           |   |   |
| Yakima River (37.0002)  | June 1 - September 15  | X | X |
| Amon Creek (37.0009)  | June 1 - September 30  | X | - |
| Corral Creek (37.0002)  | June 1 - September 30  | X | - |
| Spring Creek (37.0205)  | June 1 - September 30  | X | - |
| Chelan County   | July 16 - August 15    | X | - |
| Columbia River  | See below              | - | - |
| Antoine Creek (49.0294) - Mouth to falls at river mile 1.0    | July 1 - February 28   | X | - |
| Antoine Creek (49.0294) - Upstream of falls at river mile 1.0 | July 1 - March 31      | X | - |
| Chelan River (47.0052) - Mouth to Chelan Dam                  | July 16 - September 30 | X | X |
| Colockum Creek (40.0760)                                      | July 1 - October 31    | X | - |
| Entiat River (46.0042) - Mouth to Entiat Falls                | July 16 - July 31      | X | X |
| Entiat River (46.0042) - Upstream of Entiat Falls             | July 16 - March 31     | X | - |
| Crum Canyon (46.0107)   | July 16 - March 31     | X | - |
| Mad River (46.0125)   | July 16 - July 31      | X | - |
| Indian Creek (46.0128)  | July 16 - February 28  | X | - |
| Lake Chelan (47.0052)   | Submit Application     | - | - |
| Railroad Creek (47.0410)                                      | July 16 - September 30 | X | - |

|   |                        |   |   |
|---|------------------------|---|---|
| Stehekin River (47.0508)  | Submit Application     | - | - |
| Twenty-five Mile Creek (47.0195)                                      | July 16 - September 30 | X | - |
| Other Lake Chelan tributaries outside of North Cascades National Park | July 1 - August 15     | X | - |
| Other Lake Chelan tributaries within North Cascades National Park     | Submit Application     | - | - |
| Number 1 Canyon (45.0011)   | July 1 - February 28   | X | - |
| Number 2 Canyon (45.0012)   | July 1 - February 28   | X | - |
| Squilchuck Creek (40.0836) - Mouth to South Wenatchee Avenue          | July 1 - September 30  | X | - |
| Squilchuck Creek (40.0836) - Upstream of South Wenatchee Avenue       | July 1 - February 28   | X | - |
| Stemilt Creek (40.0808) - Mouth to falls                              | July 1 - September 30  | X | - |
| Stemilt Creek (40.0808) - Upstream of falls                           | July 1 - February 28   | X | - |
| Wenatchee River (45.0030) - Mouth to Lake Wenatchee                   | July 1 - July 31       | X | X |
| Beaver Creek (45.0751)  | July 1 - September 30  | X | - |
| Chiwaukum Creek (45.0700)   | July 1 - July 31       | X | - |
| Chiwawa River (45.0759) - Mouth to Phelps Creek                       | July 1 - July 31       | X | X |
| Chiwawa River (45.0759) - Upstream of Phelps Creek                    | July 1 - July 31       | X | - |
| Deep Creek (45.0764)  | July 1 - February 28   | X | - |

|  |                        |   |   |
|--|------------------------|---|---|
| Phelps Creek (45.0875)                                       | July 16 - August 15    | X | - |
| Icicle Creek (45.0474) - Mouth to Johnny Creek               | July 1 - July 31       | X | X |
| Icicle Creek (45.0474) - Upstream of Johnny Creek            | July 1 - July 31       | X | - |
| Fourth of July Creek (45.0525)                               | July 1 - February 28   | X | - |
| Lake Wenatchee (45.0030)                                     | Submit Application     | - | - |
| Little Wenatchee (45.0985) - Mouth to Wilderness Boundary    | July 1 - July 31       | X | X |
| Little Wenatchee (45.0985) - Upstream of Wilderness Boundary | Submit Application     | - | - |
| White River (45.1116) - Mouth to White River Falls           | July 1 - July 31       | X | X |
| White River (45.1116) - Upstream of White River Falls        | July 1 - February 28   | X | - |
| Nason Creek (45.0888)  | July 1 - July 31       | X | - |
| Peshastin Creek (45.0232) - Mouth to Negro Creek             | July 16 - August 15    | X | - |
| Peshastin Creek (45.0232) - Upstream of Negro Creek          | August 1 - February 28 | X | - |
| Ingalls Creek (45.0273) - Mouth to Cascade Creek             | Submit Application     | - | - |
| Ingalls Creek (45.0273) - Upstream of Cascade Creek          | July 16 - February 28  | X | - |
| Negro Creek (45.0323) - Mouth to falls at stream mile 2.9    | Submit Application     | - | - |
| Negro Creek (45.0323) - Upstream of falls at stream mile 2.9 | July 16 - February 28  | X | - |

|                                    |                            |   |   |
|------------------------------------|----------------------------|---|---|
| Ruby Creek (45.0318)               | July 16 -<br>February 28   | X | - |
| Tronson Creek (45.0346)            | August 1 -<br>February 28  | X | - |
| Scotty Creek (45.0376)             | August 1 -<br>February 28  | X | - |
| Shaser Creek (45.0365)             | August 1 -<br>February 28  | X | - |
| Clallam County                     | July 16 -<br>September 15  | X | - |
| Clallam River (19.0129)            | August 1 -<br>August 15    | X | - |
| Dungeness River (18.0018)          | Submit<br>Application      | - | - |
| Independent Creek<br>(18.MISC)     | August 1 -<br>August 31    | X | - |
| Elwha River (18.0272)              | August 1 -<br>August 15    | X | X |
| Hoko River (19.0148)               | August 1 -<br>September 15 | X | - |
| Jimmycomelately Creek<br>(17.0285) | August 1 -<br>August 31    | X | - |
| Lake Ozette (20.0046)              | Submit<br>Application      | - | - |
| Little Quilcene River<br>(17.0076) | July 16 -<br>August 31     | X | - |
| Lake Ozette tributaries            | July 16 -<br>September 15  | X | - |
| Lyre River (19.0031)               | August 1 -<br>September 15 | X | - |
| McDonald Creek (18.0160)           | August 1 -<br>September 15 | X | - |
| Morse Creek (18.0185)              | August 1 -<br>August 15    | X | - |
| Ozette River (20.0046)             | July 16 -<br>September 15  | X | - |

|  |                            |   |   |
|--|----------------------------|---|---|
| Pysht River (19.0113)  | August 1 -<br>September 15 | X | - |
| Quillayute River (20.0096,<br>20.0162, 20.0175)              | August 1 -<br>August 15    | X | X |
| Bogachiel River (20.0162)                                    | Submit<br>Application      | - | - |
| Calawah River (20.0175)                                      | August 1 -<br>August 15    | X | X |
| Salmon Creek (17.0245)                                       | July 16 -<br>August 31     | X | - |
| Sekiu River (19.0203)  | August 1 -<br>September 15 | X | - |
| Snow Creek (17.0219)   | July 16 -<br>August 31     | X | - |
| Sol Duc River (20.0096)                                      | Submit<br>Application      | - | - |
| Lake Pleasant (20.0313)                                      | Submit<br>Application      | - | - |
| Lake Pleasant tributaries                                    | July 16 -<br>September 15  | X | - |
| Sooes River (20.0015)  | July 16 -<br>September 15  | X | - |
| Clark County   | July 16 -<br>September 30  | - | - |
| Columbia River   | See below                  | - | - |
| Lacamas Creek (28.0160) -<br>Mouth to dam                    | August 1 -<br>August 31    | X | - |
| Lacamas Creek (28.0160) -<br>Upstream of dam                 | August 1 -<br>September 30 | X | - |
| Lewis River (27.0168)  | August 1 -<br>August 15    | X | X |
| East Fork Lewis River<br>(27.0173) - Mouth to Lucia<br>Falls | August 1 -<br>August 15    | X | X |
| East Fork Lewis River<br>(27.0173) - Lucia Falls to          | August 1 -<br>February 28  | X | X |

|  |                         |   |   |
|--|-------------------------|---|---|
| Sunset Falls   |                         |   |   |
| East Fork Lewis River (27.0173) - Upstream of Sunset Falls               | August 1 - February 28  | X | - |
| Lake River (28.0020)   | January 1 - December 31 | X | X |
| Burnt Bridge Creek (28.0143)   | August 1 - August 31    | X | - |
| Salmon Creek (28.0059)   | August 1 - August 31    | X | - |
| Whipple Creek (28.0038)  | August 1 - September 30 | X | - |
| North Fork Lewis River (27.0334) - Confluence of East Fork to Merwin Dam | August 1 - August 15    | X | X |
| Cedar Creek (27.0339)  | August 1 - September 15 | X | - |
| North Fork Lewis River (27.0334) - Merwin Dam to Lower Falls             | July 16 - August 15     | X | X |
| Canyon Creek (27.0442)   | July 16 - February 28   | X | - |
| North Fork Lewis River (27.0168) - Upstream of Lower Falls               | July 16 - August 15     | X | X |
| Washougal River (28.0159) - Mouth to headwaters                          | August 1 - August 31    | X | X |
| Columbia County  | July 16 - September 30  | X | - |
| Touchet River (32.0097)  | August 1 - August 15    | X | X |
| Grande Ronde River tributaries (35.2192)                                 | July 16 - August 15     | X | - |
| North Fork Touchet/Wolf Fork (32.0761)                                   | Submit Application      | - | - |
| South Fork Touchet   | Submit                  | - | - |

|   |                        |   |   |
|---|------------------------|---|---|
| (32.0708)   | Application            |   |   |
| Tucannon River (35.0009)  | July 16 - August 15    | X | X |
| Walla Walla River (32.0008) - Mouth to Oregon State line                              | July 16 - September 15 | X | X |
| Mill Creek (32.1436) - Mouth to Oregon State line                                     | August 1 - August 15   | X | - |
| Cowlitz County  | July 16 - September 30 | X | - |
| Chehalis River (22.0190/23.0190) - South Fork Chehalis River - Mouth to Fisk Falls    | August 1 - August 31   | X | X |
| Chehalis River (22.0190/23.0190) - South Fork Chehalis River - Upstream of Fisk Falls | August 1 - August 31   | X | - |
| Columbia River  | See below              | - | - |
| Abernathy Creek (25.0297)   | July 16 - September 15 | X | - |
| Burke Creek (27.0148)   | August 1 - August 31   | X | - |
| Burris Creek (27.0151)  | August 1 - August 31   | X | - |
| Bybee Creek (27.0142)   | August 1 - August 31   | X | - |
| Canyon Creek (27.0147)  | August 1 - August 31   | X | - |
| Coal Creek (25.0340)  | July 16 - September 15 | X | - |
| Clark Creek (25.0371)   | August 1 - August 31   | X | - |
| Cowlitz River (26.0002) - Mouth to barrier dam at river mile 49.5                     | July 16 - August 15    | X | X |

|  |                        |   |   |
|--|------------------------|---|---|
| Coweeman River (26.0003) - Mouth to Baird Creek                  | August 1 - August 31   | X | X |
| Coweeman River (26.0003) - Upstream of Baird Creek               | August 1 - August 31   | X | - |
| Cowlitz River (26.0002) - Tributaries below barrier dam to mouth | July 16 - September 30 | X | - |
| Owl Creek (26.1441)  | July 16 - September 15 | X | - |
| Toutle River (26.0227)   | July 16 - August 15    | X | X |
| North Fork Toutle River (26.0314) - Mouth to Debris Dam          | July 16 - August 15    | X | X |
| North Fork Toutle River (26.0314) - Upstream of Debris Dam       | July 16 - August 15    | X | - |
| Green River (26.0323) - Mouth to Shultz Creek                    | July 16 - September 30 | X | X |
| Green River (26.0323) - Upstream of Shultz Creek                 | July 16 - September 30 | X | - |
| South Fork Toutle (26.0248) - Mouth to Bear Creek                | July 16 - September 15 | X | X |
| South Fork Toutle (26.0248) - Upstream of Bear Creek             | July 16 - September 15 | X | - |
| Tributaries to Silver Lake                                       | July 16 - September 30 | X | - |
| Germany Creek (25.0313)  | July 16 - September 15 | X | - |
| Kalama River (27.0002) - Mouth to Kalama Falls                   | August 1 - August 15   | X | X |
| Kalama River (27.0002) - Upstream of Kalama Falls                | August 1 - August 15   | X | - |
| Lewis River (27.0168) - Mouth to East Fork Lewis                 | August 1 - August 15   | X | X |

| River  |                         |   |   |
|--|-------------------------|---|---|
| North Fork Lewis River (27.0334) - Confluence of East Fork to Merwin Dam | August 1 - August 15    | X | X |
| North Fork Lewis River (27.0334) - Merwin Dam to Lower Falls             | July 16 - August 15     | X | X |
| Mill Creek (25.0284)   | July 16 - September 15  | X | - |
| Schoolhouse Creek (27.0139)  | August 1 - August 31    | X | - |
| Douglas County   | July 1 - September 30   | X | - |
| Columbia River   | See below               | - | - |
| Douglas Creek Canyon (44.0146)   | May 16 - January 31     | X | - |
| Foster Creek (50.0065)   | August 1 - April 15     | X | - |
| McCarteney Creek (44.0002)   | July 1 - February 28    | X | - |
| Pine/Corbaley Canyon Creek (44.0779)                                     | September 16 - April 15 | X | - |
| Rock Island Creek (44.0630)  | July 1 - September 30   | X | - |
| Ferry County   | July 1 - August 31      | X | - |
| Columbia River   | See below               | - | - |
| Kettle River (60.0002)   | June 16 - August 31     | X | X |
| Boulder Creek (60.0130) - Mouth to Hodgson Road Bridge                   | Submit Application      | - | - |
| Boulder Creek (60.0130) - Upstream of Hodgson Road Bridge                | June 16 - February 28   | X | - |
| Deadman Creek (60.0008) -  | Submit                  | - | - |

|  |                           |   |   |
|--|---------------------------|---|---|
| Mouth to SR395 Crossing  | Application               |   |   |
| Deadman Creek (60.0008) -<br>Upstream of SR395   | June 16 -<br>February 28  | X | - |
| Goosmus Creek (60.0254)  | June 16 -<br>February 28  | X | - |
| Toroda Creek (60.0410)   | July 1 -<br>September 30  | X | - |
| San Poil River (52.0004)   | June 16 -<br>September 30 | X | X |
| Granite Creek (52.0099) -<br>Mouth to Powerhouse<br>Dam  | June 16 -<br>September 30 | X | - |
| Granite Creek (52.0099) -<br>Upstream of Powerhouse<br>Dam   | June 16 -<br>February 28  | X | - |
| West Fork San<br>Poil River (52.0192) -<br>Mouth to Deep Creek   | June 16 -<br>September 30 | X | X |
| West Fork San Poil River<br>(52.0192) - Upstream of<br>Deep Creek  | June 16 -<br>September 30 | X | - |
| Gold Creek (52.0197)   | June 16 -<br>February 28  | X | - |
| Franklin County  | June 1 -<br>September 30  | X | - |
| Columbia River   | See below                 | - | - |
| Snake River  | See below                 | - | - |
| Palouse River (34.0003)  | July 16 -<br>February 28  | X | X |
| North bank tributaries of<br>the lower Snake River<br>between Palouse River and<br>the mouth of the Snake<br>River | June 16 -<br>October 31   | X | - |
| Garfield County  | July 16 -<br>September 30 | X | - |

|   |                            |   |   |
|---|----------------------------|---|---|
| Snake River (35.0003)   | See below                  | - | - |
| Alpowa Creek (35.1440)  | July 16 -<br>December 15   | X | - |
| Asotin Creek (35.1716)  | July 16 -<br>August 15     | X | - |
| Deadman Creek (35.0688)   | July 16 -<br>December 15   | X | - |
| Grande Ronde River<br>tributaries (35.2192)                         | July 16 -<br>August 15     | X | - |
| Meadow Creek (35.0689)  | July 16 -<br>December 15   | X | - |
| Tucannon River (35.0009) -<br>Mouth to Panjab Creek                 | July 16 -<br>August 15     | X | X |
| Tucannon River (35.0009) -<br>Upstream of Panjab Creek              | July 16 -<br>August 15     | X | - |
| Pataha Creek (35.0123) -<br>Mouth to Pataha Creek                   | January 1 -<br>December 31 | X | - |
| Pataha Creek (35.0123) -<br>Upstream of Pataha Creek                | July 16 -<br>December 31   | X | - |
| Grant County  | July 1 -<br>October 31     | X | - |
| Columbia River  | See below                  | - | - |
| Crab Creek (41.0002)  | July 16 -<br>September 15  | X | X |
| Grays Harbor County   | July 16 -<br>October 15    | X | - |
| Chehalis River<br>(22.0190/23.0190) - Mouth<br>to Porter Creek      | August 1 -<br>August 31    | X | X |
| Chehalis River<br>(22.0190/23.0190) - Porter<br>Creek to Fisk Falls | August 1 -<br>August 15    | X | X |
| Chehalis River<br>(22.0190/23.0190) -<br>Upstream of Fisk Falls     | August 1 -<br>August 15    | X | - |
| Cedar Creek (23.0570)   | August 1 -                 | X | - |

|  |                         |   |   |
|--|-------------------------|---|---|
|  | September 30            |   |   |
| Cloquallum Creek (22.0501)                     | August 1 - September 30 | X | - |
| Porter Creek (23.0543)                         | August 1 - September 30 | X | - |
| Satsop River (22.0360)                         | August 1 - August 31    | X | X |
| Wishkah River (22.0191)                        | August 1 - October 15   | X | X |
| Wynoochee River (22.0260)                      | August 1 - September 30 | X | X |
| Copalis River (21.0767)                        | August 1 - October 15   | X | X |
| Elk River (22.1333)                            | July 1 - October 31     | X | X |
| Hoquiam River (22.0137)                        | August 1 - October 15   | X | X |
| Humptulips River (22.0004) - Mouth to Forks    | August 1 - September 30 | X | X |
| Humptulips River (22.0004) - Upstream of Forks | August 1 - September 30 | X | - |
| Johns River (22.1270)                          | August 1 - September 30 | X | X |
| Moclips River (21.0731)                        | August 1 - October 15   | X | X |
| North River (24.0034)                          | August 1 - September 30 | X | X |
| Queets River (21.0001)                         | August 1 - August 15    | X | X |
| Quinault River (21.0398)                       | August 1 - August 15    | X | X |
| Raft River (21.0337)                           | August 1 - October 15   | X | X |
| Island County                                  | June 16 - October 15    | X | - |

|  |                           |   |   |
|--|---------------------------|---|---|
| Cavalero Creek (06.0065)                               | June 16 -<br>December 15  | X | - |
| Chapman Creek (06.0070)                                | June 16 -<br>December 15  | X | - |
| Crescent Creek (06.0002)                               | June 16 -<br>December 15  | X | - |
| Cultus Creek (06.0026)                                 | June 16 -<br>March 15     | X | - |
| Deer Creek (06.0024)                                   | June 16 -<br>March 15     | X | - |
| Duguala Creek (06.0001)                                | June 16 -<br>March 15     | X | - |
| Glendale Creek (06.0025)                               | June 16 -<br>December 15  | X | - |
| Kristoferson Creek<br>(06.0062-06.0063)                | May 1 -<br>December 15    | X | - |
| Maxwelton Creek<br>(06.0029)                           | June 16 -<br>December 15  | X | - |
| North Bluff Creek<br>(06.0006)                         | June 16 -<br>March 15     | X | - |
| Old Clinton Creek<br>(06.0023)                         | June 16 -<br>March 15     | X | - |
| Jefferson County                                       | July 16 -<br>October 31   | X | - |
| Big Quilcene River<br>(17.0012) - Mouth to Falls       | July 16 -<br>August 31    | X | X |
| Big Quilcene River<br>(17.0012) - Falls to Forks       | August 1 -<br>February 28 | X | X |
| Big Quilcene River<br>(17.0012) - Upstream of<br>Forks | August 1 -<br>February 28 | X | - |
| Bogachiel River (20.0162)                              | Submit<br>Application     | - | - |
| Chimacum Creek (17.0203)                               | July 16 -<br>September 15 | X | - |
| Donovan Creek (17.0115)                                | July 1 -                  | X | - |

|                                 |                         |   |   |
|---------------------------------|-------------------------|---|---|
|                                 | October 15              |   |   |
| Dosewallips River (16.0442)     | July 16 - August 15     | X | - |
| Duckabush River (16.0351)       | July 16 - August 15     | X | - |
| Dungeness River (18.0018)       | August 1 - August 15    | X | - |
| Elwha River (18.0272)           | August 1 - August 15    | X | X |
| Goodman Creek (20.0406)         | August 1 - September 15 | X | - |
| Hoh River (20.0422)             | August 1 - August 15    | X | X |
| Little Quilcene River (17.0076) | July 16 - August 31     | X | - |
| Queets River (21.0001)          | August 1 - August 15    | X | X |
| Matheny Creek (21.0165)         | August 1 - August 15    | X | - |
| Sams River (21.0205)            | August 1 - August 15    | X | X |
| Quinault River (21.0398)        | August 1 - August 15    | X | X |
| Salmon Creek (17.0245)          | July 16 - August 31     | X | - |
| Skokomish River (16.0001)       | August 1 - August 31    | X | X |
| Snow Creek (17.0219)            | July 16 - August 31     | X | - |
| Tarboo Creek (17.0129)          | August 1 - September 30 | X | - |
| Thorndyke Creek (17.0170)       | August 1 - October 15   | X | - |
| King County                     | July 16 - September 30  | X | - |

|  |                        |   |   |
|--|------------------------|---|---|
| Cedar River (08.0299) - Mouth to Forks                               | August 1 - August 31   | X | X |
| Cedar River (08.0299) - Upstream of Forks                            | August 1 - August 31   | X | - |
| Issaquah Creek (08.0178)   | August 1 - August 31   | X | - |
| Sammamish River (08.0057)  | August 1 - August 31   | X | - |
| Steele Creek (08.0379)   | July 16 - February 28  | X | - |
| Green River (Duwamish River) (09.0001) - Mouth to Sawmill Creek      | August 1 - August 31   | X | X |
| Green River (Duwamish River) (09.0001) - Upstream of Sawmill Creek   | August 1 - August 31   | X | - |
| Lake Washington tributaries (08.LKWA)                                | August 1 - August 31   | X | - |
| Snoqualmie River (07.0219) - Mouth to Snoqualmie Falls               | August 1 - August 15   | X | X |
| Snoqualmie River (07.0219) - Snoqualmie Falls to mouth of South Fork | July 16 - February 28  | X | X |
| Patterson Creek (07.0376)  | July 16 - September 30 | X | - |
| Middle Fork Snoqualmie River (07.0219) - Mouth to Taylor Creek       | July 16 - February 28  | X | X |
| Middle Fork Snoqualmie River (07.0219) - Upstream of Taylor Creek    | July 16 - February 28  | X | - |
| Goat Creek (07.0754)   | July 16 - February 28  | X | - |
| North Fork Snoqualmie River (07.0527) - Mouth to                     | July 16 - February 28  | X | X |

|   |                         |   |   |
|---|-------------------------|---|---|
| Lennox Creek  |                         |   |   |
| North Fork Snoqualmie River (07.0527) - Upstream of Lennox Creek          | July 16 - February 28   | X | - |
| Deep Creek (07.0562)  | July 16 - February 28   | X | - |
| Illinois Creek (07.0624)  | July 16 - February 28   | X | - |
| Lennox Creek (07.0596)  | July 16 - February 28   | X | - |
| Bear Creek (07.0606)  | July 16 - February 28   | X | - |
| Raging River (07.0384)  | August 1 - September 15 | X | X |
| South Fork Skykomish River (07.0012) - Mouth to Sunset Falls              | August 1 - August 15    | X | X |
| South Fork Skykomish River (07.0012) - Upstream of Sunset Falls           | August 1 - August 15    | X | - |
| Beckler River (07.1413) - Mouth to Boulder Creek                          | August 1 - August 15    | X | X |
| Beckler River (07.1413) - Upstream of Boulder Creek                       | July 16 - February 28   | X | - |
| Rapid River (07.1461) - Mouth to Meadow Creek                             | August 1 - August 31    | X | X |
| Rapid River (07.1461) - Upstream of Meadow Creek                          | August 1 - February 28  | X | - |
| Index Creek (07.1264) - Mouth to Mud Lake Creek                           | August 1 - August 31    | X | - |
| Index Creek (07.1264) - Upstream of Mud Lake Creek including Salmon Creek | July 16 - February 28   | X | - |
| Miller River (07.1329) -  | August 1 -              | X | X |

|  |                        |   |   |
|--|------------------------|---|---|
| Mouth to Forks   | August 15              |   |   |
| Miller River (07.1329) - Upstream of Forks                             | August 1 - August 15   | X | - |
| Coney Creek (07.1347)  | July 16 - February 28  | X | - |
| East Fork Miller River (07.1329) - Mouth to Great Falls Creek          | July 16 - August 15    | X | - |
| East Fork Miller River (07.1329) - Upstream of Great Falls Creek       | July 16 - February 28  | X | - |
| Foss River (07.1562) - Mouth to Forks                                  | July 16 - August 31    | X | X |
| East Fork Foss River (07.1562) - Mouth to Burn Creek                   | July 16 - August 15    | X | X |
| East Fork Foss River (07.1562) - Upstream of Burn Creek                | July 16 - February 28  | X | - |
| West Fork Foss River (07.1573) - Mouth to falls at River Mile 2.0      | July 16 - August 31    | X | - |
| West Fork Foss River (07.1573) - Upstream of falls at River Mile 2.0   | July 16 - February 28  | X | - |
| West Fork Miller River (07.1335)                                       | July 16 - February 28  | X | X |
| Money Creek (07.1300) - Mouth to 0.5 mile upstream of Kimball Creek    | August 1 - August 31   | X | - |
| Money Creek (07.1300) - Upstream of 0.5 mile upstream of Kimball Creek | August 1 - February 28 | X | - |
| Kimball Creek (07.1301)  | August 1 - August 31   | X | - |
| Tye River (07.0012) - Mouth to Alpine Falls                            | August 1 - August 31   | X | X |

|  |                           |   |   |
|--|---------------------------|---|---|
| Tye River (07.0012) -<br>Upstream of Alpine Falls                  | July 16 -<br>February 28  | X | - |
| South Fork Snoqualmie<br>River (07.0467)                           | July 16 -<br>February 28  | X | X |
| Denny Creek (07.0517)  | July 16 -<br>February 28  | X | - |
| Tolt River (07.0291) -<br>Mouth to forks                           | August 1 -<br>August 31   | X | X |
| North Fork Tolt River<br>(07.0291) - Mouth to<br>Yellow Creek      | July 16 -<br>September 15 | X | X |
| North Fork Tolt River<br>(07.0291) - Upstream of<br>Yellow Creek   | July 16 -<br>February 28  | X | - |
| South Fork Tolt River<br>(07.0302) - Mouth to dam                  | July 16 -<br>September 15 | X | X |
| South Fork Tolt River<br>(07.0302) - Upstream of<br>Tolt Reservoir | July 16 -<br>February 28  | X | - |
| Yellow Creek (07.0337)   | July 16 -<br>February 28  | X | - |
| White River (10.0031)  | July 16 -<br>August 15    | X | X |
| Greenwater River<br>(10.0122)                                      | July 16 -<br>August 15    | X | X |
| Kittitas County  | July 1 -<br>September 30  | X | - |
| Brushy Creek (40.0612)   | July 1 -<br>February 28   | X | - |
| Colockum Creek (40.0760)   | July 1 -<br>October 31    | X | - |
| Quilomene Creek<br>(40.0613)                                       | July 1 -<br>October 31    | X | - |
| Stemilt Creek (40.0808) -<br>Upstream of falls                     | July 1 -<br>February 28   | X | - |

|   |                           |   |   |
|---|---------------------------|---|---|
| Tarpiscan Creek (40.0723)                                       | July 1 -<br>February 28   | X | - |
| Tekiason Creek (40.0686)  | July 1 -<br>February 28   | X | - |
| Whisky Dick Creek<br>(40.0591)                                  | July 1 -<br>February 28   | X | - |
| Yakima River (39.0002) -<br>Roza Dam to Teanaway<br>River       | August 1 -<br>August 31   | X | X |
| Naches River (38.0003) -<br>Tieton River to Bumping<br>River    | July 1 - August<br>15     | X | X |
| Little Naches River<br>(38.0852) - Mouth to<br>Matthew Creek    | July 16 -<br>August 15    | X | X |
| Little Naches River<br>(38.0852) - Upstream of<br>Matthew Creek | July 16 -<br>August 15    | X | - |
| Pileup Creek (38.0932)  | July 16 -<br>August 31    | X | - |
| Gold Creek (38.MISC)  | July 16 -<br>February 28  | X | - |
| Swauk Creek (39.1157)   | July 16 -<br>September 30 | X | - |
| Baker Creek (39.1157)   | July 16 -<br>September 30 | X | - |
| First Creek (39.1157)   | July 16 -<br>September 30 | X | - |
| Iron Creek (39.1157)  | July 16 -<br>September 30 | X | - |
| Williams Creek (39.1157)  | July 16 -<br>September 30 | X | - |
| Boulder Creek (39.1157)   | July 16 -<br>February 28  | X | - |
| Cougar Gulch (39.1157)  | July 16 -<br>February 28  | X | - |

|   |                           |   |   |
|---|---------------------------|---|---|
| Lion Gulch (39.1157)                                      | July 16 -<br>February 28  | X | - |
| Yakima River (39.0002) -<br>Teaway River to Easton<br>Dam | August 1 -<br>August 31   | X | X |
| Yakima River (39.0002) -<br>Upstream of Easton Dam        | August 1 -<br>August 31   | X | X |
| Cle Elum River (39.1434) -<br>Mouth to Dam                | July 16 -<br>August 31    | X | X |
| Cle Elum River (39.1434) -<br>Upstream of Cle Elum Dam    | Submit<br>Application     | - | - |
| Big Boulder Creek<br>(39.1434MISC)                        | August 1 -<br>February 28 | X | - |
| Camp Creek<br>(39.1434MISC)                               | August 1 -<br>February 28 | X | - |
| Fortune Creek<br>(39.1434MISC)                            | August 1 -<br>August 15   | X | - |
| South Fork Fortune Creek<br>(39.1434MISC)                 | August 1 -<br>February 28 | X | - |
| Howson Creek (39.1434)                                    | July 16 -<br>February 28  | X | - |
| Little Salmon Le Sac Creek<br>(39.1482)                   | August 1 -<br>August 15   | X | - |
| Paris Creek (39.1434MISC)                                 | August 1 -<br>February 28 | X | - |
| Salmon Le Sac Creek<br>(39.1520)                          | August 1 -<br>February 28 | X | - |
| Kachess River (39.1739) -<br>Upstream of Lake Kachess     | Submit<br>Application     | - | - |
| Kachess River (39.1739) -<br>Below Dam                    | July 16 -<br>August 15    | X | X |
| Box Canyon Creek<br>(39.1765)                             | Submit<br>Application     | - | - |
| Mineral Creek (39.1792)                                   | August 1 -<br>August 15   | X | - |
| Lake Keechelus (39.1842)                                  | July 16 -                 | X | - |

|   |                         |   |   |
|---|-------------------------|---|---|
| tributaries                                   | August 15               |   |   |
| Gold Creek (Lake Keechelus) (39.1842)         | Submit Application      | - | - |
| Manastash Creek (39.0988)                     | July 16 - September 30  | X | - |
| Naneum Creek (39.0821)                        | July 16 - September 30  | X | - |
| Taneum Creek (39.1081) - Mouth to I-90        | July 16 - August 31     | X | - |
| Taneum Creek (39.1157) - Upstream of I-90     | July 16 - September 30  | X | - |
| Teanaway River (39.1236)                      | July 16 - August 31     | X | X |
| NF Teanaway River (39.1260)                   | Submit Application      | - | - |
| Umtanum Creek (39.0553)                       | July 16 - September 30  | X | - |
| Wenas Creek, Below Dam (39.0032)              | July 16 - October 15    | X | - |
| Wenas Creek, Upstream of Wenas Lake (39.0032) | July 16 - February 28   | X | - |
| Other Yakima River tributaries not listed     | July 16 - August 31     | X | - |
| Kitsap County                                 | July 16 - October 15    | X | - |
| Anderson Creek (15.0211)                      | August 1 - November 15  | X | - |
| Barker Creek (15.0255)                        | August 1 - September 30 | X | - |
| Big Beef Creek (15.0389)                      | August 1 - August 15    | X | - |
| Big Scandia Creek (15.0280)                   | August 1 - September 30 | X | - |
| Blackjack Creek (15.0203)                     | August 1 - September 30 | X | - |

|                                |                            |   |   |
|--------------------------------|----------------------------|---|---|
| Burley Creek (15.0056)         | August 1 -<br>September 30 | X | - |
| Chico Creek (15.0229)          | August 1 -<br>October 15   | X | - |
| Clear Creek (15.0249)          | August 1 -<br>September 30 | X | - |
| Curley Creek (15.0185)         | August 1 -<br>September 30 | X | - |
| Dewatto River (15.0420)        | August 1 -<br>August 15    | X | - |
| Dogfish Creek (15.0285)        | August 1 -<br>September 30 | X | - |
| Gorst Creek (15.0216)          | August 1 -<br>August 31    | X | - |
| Grovers Creek (15.0299)        | August 1 -<br>September 30 | X | - |
| Johnson Creek (15.0387)        | August 1 -<br>October 31   | X | - |
| Ollala Creek (15.0107)         | August 1 -<br>September 30 | X | - |
| Ross Creek (15.0209)           | August 1 -<br>November 15  | X | - |
| Salmonberry Creek<br>(15.0188) | August 1 -<br>November 30  | X | - |
| Seabeck Creek (15.0400)        | August 1 -<br>August 15    | X | - |
| Steele Creek (15.0273)         | August 1 -<br>September 30 | X | - |
| Tahuya River (15.0446)         | August 1 -<br>August 31    | X | X |
| Union River (15.0503)          | August 1 -<br>August 31    | X | X |
| Klickitat County               | July 15 -<br>September 30  | X | - |
| Alder Creek (31.0459)          | August 1 -<br>September 30 | X | - |

|   |                         |   |   |
|---|-------------------------|---|---|
| Chapman Creek (31.0192)   | August 1 - September 30 | X | - |
| Glade Creek (31.0851)   | August 1 - September 30 | X | - |
| Juniper Canyon Creek (31.0378)                                  | August 1 - September 30 | X | - |
| Klickitat River (30.0002) - Mouth to Klickitat hatchery         | Submit Application      | - | - |
| Klickitat River (30.0002) - Upstream of Klickitat hatchery      | Submit Application      | - | - |
| Little White Salmon River (29.0131) - Mouth to Cabbage Creek    | July 16 - January 31    | X | X |
| Little White Salmon River (29.0131) - Upstream of Cabbage Creek | July 16 - January 31    | X | - |
| Pine Creek (31.0354)  | August 1 - September 30 | X | - |
| Rock Creek (31.0014)  | August 1 - September 30 | X | - |
| Six Prong Creek (31.0465)                                       | August 1 - September 30 | X | - |
| White Salmon River (29.0160) - Mouth to Cascade Creek           | July 16 - August 15     | X | X |
| White Salmon River (29.0160) - Upstream of Cascade Creek        | July 16 - August 15     | X | - |
| Wood Gulch Creek (31.0263)                                      | August 1 - September 30 | X | - |
| Lewis County  | August 1 - September 30 | X | - |
| Chehalis River (22.0190/23.0190) - Mouth to South Fork Chehalis | August 1 - August 15    | X | X |

| River  |                          |   |   |
|--|--------------------------|---|---|
| Chehalis River (22.0190/23.0190) - Upstream of South Fork Chehalis River | August 1 - August 31     | X | X |
| Newaukum River (23.0882) - Mouth to South Fork                           | August 1 - August 31     | X | X |
| Newaukum River (23.0882) - Upstream of South Fork                        | August 1 - August 31     | X | - |
| Skookumchuck River (23.0761)   | August 1 - August 31     | X | X |
| Cowlitz River (26.0002)  | August 1 - August 15     | X | X |
| Cispus River (26.0668) - Mouth to Squaw Creek (26.1010)                  | August 1 - August 15     | X | X |
| Cispus River (26.0668) - Squaw Creek to Chambers Creek                   | July 16 - February 28    | X | X |
| Cispus River (26.0668) - Upstream of Chambers Creek                      | July 16 - February 28    | X | - |
| Yellowjacket Creek (26.0757)   | August 1 - August 15     | X | - |
| McCoy Creek (26.0766) - Mouth to lower falls                             | August 1 - August 15     | X | - |
| McCoy Creek (26.0766) - Upstream of lower falls                          | July 16 - February 28    | X | - |
| Walupt Creek (26.1010)   | Submit Application       | - | - |
| Packwood Lake Tributaries  | August 16 - September 15 | X | - |
| Tilton River (26.0560) - Mouth to North Fork                             | August 1 - September 30  | X | X |
| Tilton River (26.0560) - Upstream of North Fork                          | August 1 - September 30  | X | - |

|  |                         |   |   |
|--|-------------------------|---|---|
| Toutle River (26.0227)                             | August 1 - August 31    | X | X |
| North Fork Toutle River (26.0314)                  | July 16 - August 15     | X | X |
| Green River (26.0323)                              | July 16 - September 30  | X | X |
| Deschutes River (13.0028)                          | July 16 - August 31     | X | X |
| Little Deschutes River (13.0110)                   | July 16 - February 28   | X | - |
| Nisqually River (11.0008) - Upstream of Alder Lake | July 16 - September 30  | X | X |
| Lincoln County                                     | June 16 - February 28   | X | - |
| Columbia River                                     | See below               | - | - |
| Hawk Creek (53.0101) - Mouth to falls              | June 16 - August 31     | X | - |
| Hawk Creek (53.0101) - Upstream of falls           | June 16 - February 28   | X | - |
| Upper Crab Creek (42.0001)                         | June 16 - February 28   | X | - |
| Wilson Creek (43.0020)                             | June 16 - February 28   | X | - |
| Mason County                                       | August 1 - October 15   | X | - |
| Cloquallum Creek (22.0501)                         | August 1 - September 30 | X | - |
| Coulter Creek (15.0002)                            | August 1 - August 31    | X | - |
| Dewatto River (15.0420)                            | August 1 - August 31    | X | - |
| Goldsborough Creek (14.0035)                       | August 1 - October 15   | X | - |
| John Creek (16.0253)                               | August 1 - August 31    | X | - |

|  |                        |   |   |
|--|------------------------|---|---|
| Hamma Hamma River (16.0251) - Mouth to falls   | August 1 - August 31   | X | - |
| Johns Creek (14.0049)                          | August 1 - August 15   | X | - |
| Lilliwaup River (16.0230) - Mouth to falls     | August 1 - August 31   | X | X |
| Lilliwaup River (16.0230) - Upstream of falls  | August 1 - February 28 | X | - |
| Mill Creek (14.0029)                           | August 1 - August 15   | X | - |
| Satsop River (22.0360)                         | August 1 - August 31   | X | - |
| Schaerer Creek (16.0326)                       | August 1 - August 31   | X | - |
| Sherwood Creek (14.0094)                       | August 1 - August 15   | X | - |
| Skokomish River (16.0001) - Mouth to Forks     | August 1 - August 31   | X | X |
| Skokomish River (16.0001) - Upstream of Forks  | August 1 - August 31   | X | - |
| Tahuya River (15.0446)                         | August 1 - August 31   | X | - |
| Twanoh Creek (14.0134)                         | August 1 - October 31  | X | - |
| Union River (15.0503)                          | August 1 - August 31   | X | X |
| Okanogan County                                | July 1 - August 15     | X | - |
| Aneas Creek (49.0243) - Mouth to falls         | July 16 - August 31    | X | - |
| Aneas Creek (49.0243) - Upstream of falls      | July 1 - March 31      | X | - |
| Chewiliken Creek (49.0232) - Mouth to falls    | July 16 - August 31    | X | - |
| Chewiliken Creek (49.0232) - Upstream of falls | July 1 - March 31      | X | - |

|  |                      |   |   |
|--|----------------------|---|---|
| Chiliwist Creek (49.0034) - Mouth to falls                         | July 16 - August 31  | X | - |
| Chiliwist Creek (49.0034) - Upstream of falls                      | July 1 - March 31    | X | - |
| Foster Creek (50.0065)   | July 1 - February 28 | X | - |
| Methow River (48.0007) - Columbia confluence to Twisp River        | July 1 - July 31     | X | X |
| Methow River tributaries between Black Canyon Creek and Gold Creek | July 1 - February 28 | X | - |
| Black Canyon Creek (48.0015) - Mouth to Left Fork                  | Submit Application   | - | - |
| Black Canyon Creek (48.0015) - Upstream of Left Fork               | July 1 - February 28 | X | - |
| Gold Creek (48.0104) - Mouth to Foggy Dew Creek                    | Submit Application   | - | - |
| Foggy Dew Creek (48.0153) - Mouth to Foggy Dew Falls               | Submit Application   | - | - |
| Foggy Dew Creek (48.0153) - Upstream of Foggy Dew Falls            | July 1 - February 28 | X | - |
| Middle Fork Gold Creek (48.0139)                                   | July 1 - February 28 | X | - |
| North Fork Gold Creek (48.0104)                                    | Submit Application   | - | - |
| Crater Creek (48.0177) - Mouth to Martin Creek                     | Submit Application   | - | - |
| Crater Creek (48.0177) - Upstream of Martin Creek                  | July 1 - February 28 | X | - |
| Martin Creek (48.0177)   | July 1 - February 28 | X | - |

|   |                      |   |   |
|---|----------------------|---|---|
| South Fork Gold Creek (48.0105) - Mouth to Rainy Creek        | Submit Application   | - | - |
| South Fork Gold Creek (48.0105) - Upstream of Rainy Creek     | July 1 - February 28 | X | - |
| Rainy Creek (48.0105)   | July 1 - February 28 | X | - |
| McFarland Creek (48.0090) - Mouth to Vinegar Gulch            | Submit Application   | - | - |
| McFarland Creek (48.0090) - Upstream of Vinegar Gulch         | July 1 - February 28 | X | - |
| Methow River tributaries between Libby Creek and Beaver Creek | July 1 - February 28 | X | - |
| Beaver Creek (48.0307)  | Submit Application   | - | - |
| Frazer Creek (48.0309)  | July 1 - February 28 | X | - |
| Lightning Creek (48.0361)                                     | July 1 - February 28 | X | - |
| Middle Fork Beaver Creek (48.0307)                            | July 1 - February 28 | X | - |
| South Fork Beaver Creek (48.0342)                             | July 1 - February 28 | X | - |
| Libby Creek (48.0203) - Mouth to Hornet Draw Creek            | Submit Application   | - | - |
| Libby Creek (48.0203) - Upstream of Hornet Draw               | July 1 - February 28 | X | - |
| Methow River (48.0007) - Twisp River to Goat Creek            | July 1 - July 31     | X | X |
| Methow River (48.0007) - Upstream of Goat Creek               | July 1 - July 31     | X | - |
| Chewuch River (48.0728) - Mouth to Meadow Creek               | July 1 - July 31     | X | X |

|  |                         |   |   |
|--|-------------------------|---|---|
| Chewuch River (48.0728) -<br>Upstream of Meadow<br>Creek                     | July 1 -<br>February 28 | X | - |
| Early Winters Creek<br>(48.1408) - Mouth to Silver<br>Star Creek             | Submit<br>Application   | - | - |
| Early Winters Creek<br>(48.1408) - Upstream of<br>Silver Star Creek          | July 1 -<br>February 28 | X | - |
| Goat Creek (48.1364) -<br>Mouth to 500' upstream of<br>Montana Creek         | Submit<br>Application   | - | - |
| Goat Creek (48.1364) - 500'<br>Upstream of Montana<br>Creek to Roundup Creek | July 1 -<br>February 28 | X | - |
| Goat Creek (48.1364) -<br>Upstream of Roundup<br>Creek                       | Submit<br>Application   | - | - |
| Lost River (48.0592)   | July 16 -<br>August 15  | X | X |
| Twisp River (48.0374)  | July 1 - July 31        | X | X |
| Buttermilk Creek (48.0466)   | Submit<br>Application   | - | - |
| North Creek (48.0674)  | Submit<br>Application   | - | - |
| North Fork Twisp River<br>(48.0691)  | July 1 -<br>February 28 | X | - |
| South Creek (48.0641) -<br>Upstream of Louis Creek                           | July 1 -<br>February 28 | X | - |
| South Creek (48.0641) -<br>Mouth to Louis Creek                              | Submit<br>Application   | - | - |
| South Fork Twisp River<br>(48.0698)  | July 1 -<br>February 28 | X | - |
| Wolf Creek (48.1300)   | Submit<br>Application   | - | - |
| Myers Creek (60.0517)  | July 1 -<br>February 28 | X | - |

|   |                      |   |   |
|---|----------------------|---|---|
| Bolster Creek (60.0517)   | July 1 - February 28 | X | - |
| Ethel Creek (60.0517)   | July 1 - February 28 | X | - |
| Gold Creek (60.0517)  | July 1 - February 28 | X | - |
| Mary Ann Creek (60.0517)  | July 1 - February 28 | X | - |
| North Fork Mary Ann Creek (60.0517)                                       | July 1 - February 28 | X | - |
| Okanogan River (49.0019) - Mouth to Zosel Dam                             | July 1 - August 31   | X | X |
| Antoine Creek (49.0294) - Mouth to velocity gradient at river mile 1.0    | July 1 - February 28 | X | - |
| Antoine Creek (49.0294) - Upstream of falls                               | July 1 - March 31    | X | - |
| Bonaparte Creek (49.0246) - Upstream of falls                             | July 1 - March 31    | X | - |
| Bonaparte Creek (49.0246) - Mouth to Bonaparte Falls at river mile 1.0    | July 1 - February 28 | X | - |
| Loup Loup Creek (49.0048) - Mouth to Loup Loup Falls at river mile 2.4    | July 1 - February 28 | X | - |
| Loup Loup Creek (49.0048) - Upstream of Loup Loup Falls at river mile 2.4 | July 1 - March 31    | X | - |
| Mosquito Creek (49.0321) - Mouth to falls                                 | July 1 - August 31   | X | - |
| Mosquito Creek (49.0321) - Upstream of falls                              | July 1 - March 31    | X | - |
| Nine Mile Creek (49.0516)   | July 1 - February 28 | X | - |
| Omak Creek (49.0138) - Mouth to Mission Falls at river mile 5.4           | July 1 - February 28 | X | - |

|   |                         |   |   |
|---|-------------------------|---|---|
| Omak Creek (49.0138) -<br>Upstream of falls                                   | July 1 - March<br>31    | X | - |
| Salmon Creek (49.0079) -<br>Mouth to diversion                                | July 1 - August<br>31   | X | - |
| Salmon Creek (49.0079) -<br>Upstream of diversion                             | July 1 -<br>February 28 | X | - |
| Similkameen River<br>(49.0325) - Mouth to Enloe<br>Dam                        | July 1 - August<br>31   | X | X |
| Similkameen River<br>(49.0325) - Upstream of<br>Enloe Dam                     | July 1 -<br>October 31  | X | X |
| Sinlahekin Creek (49.0349)<br>- Mouth to barrier dam at<br>Connors Lake       | July 1 - August<br>31   | X | - |
| Cecile Creek (49.0447)  | July 1 -<br>February 28 | X | - |
| Chopaka Creek (49.0357)   | July 1 -<br>February 28 | X | - |
| Toats Coulee Creek<br>(49.0368)   | July 1 -<br>February 28 | X | - |
| Cougar Creek (49.0368)  | July 1 -<br>February 28 | X | - |
| Siwash Creek (49.0284) -<br>Falls to headwaters                               | July 1 - March<br>31    | X | - |
| Siwash Creek (49.0284) -<br>Mouth to falls at river mile<br>1.4               | July 1 -<br>February 28 | X | - |
| Tonasket Creek (49.0501) -<br>Mouth to Tonasket Falls at<br>river mile 1.8    | July 1 -<br>February 28 | X | - |
| Tonasket Creek (49.0501) -<br>Upstream of Tonasket Falls<br>at river mile 1.8 | July 1 - March<br>31    | X | - |
| Tunk Creek (49.0211) -<br>Mouth to falls                                      | July 1 -<br>February 28 | X | - |
| Tunk Creek (49.0211) -  | July 1 - March          | X | - |

|                                     |                            |   |   |
|-------------------------------------|----------------------------|---|---|
| Upstream of falls                   | 31                         |   |   |
| San Poil River (52.0004)            | June 16 -<br>September 30  | X | X |
| West Fork San Poil<br>(52.0192)     | June 16 -<br>September 30  | X | X |
| Gold Creek (52.0197)                | June 16 -<br>February 28   | X | - |
| Toroda Creek (60.0410)              | July 1 -<br>September 30   | X | - |
| Pacific County                      | August 1 -<br>September 30 | X | - |
| Bear River (24.0689)                | August 1 -<br>September 30 | X | X |
| Bone River (24.0405)                | August 1 -<br>September 30 | X | - |
| Chehalis River<br>(22.0190/23.0190) | August 1 -<br>August 15    | X | X |
| Columbia River                      | See below                  | - | - |
| Chinook River (24.MISC)             | August 1 -<br>September 30 | X | X |
| Grays River (25.0093)               | July 16 -<br>September 15  | X | X |
| Naselle River (24.0543)             | August 1 -<br>September 15 | X | X |
| Nemah River (24.0460)               | August 1 -<br>September 30 | X | X |
| Niawiakum River (24.0417)           | August 1 -<br>September 30 | X | - |
| North River (24.0034)               | August 1 -<br>September 30 | X | X |
| Palix River (24.0426)               | August 1 -<br>September 30 | X | - |
| Willapa River (24.0251)             | August 1 -<br>September 30 | X | X |
| Pend Oreille County                 | July 1 - August            | X | - |

|   |                       |   |   |
|---|-----------------------|---|---|
|   | 31                    |   |   |
| Little Spokane River (55.0003)                                  | August 1 - March 15   | X | - |
| West Branch Little Spokane River (55.0439)                      | August 1 - March 15   | X | - |
| Harvey Creek (62.0310) - Mouth to Rocky Fork of Harvey Creek    | August 1 - August 31  | X | - |
| Harvey Creek (62.0310) - Upstream of Rocky Fork of Harvey Creek | July 16 - February 28 | X | - |
| Pend Oreille River (62.0002)                                    | Submit Application    | - | - |
| Big Muddy Creek (62.0279)                                       | August 1 - March 15   | X | - |
| Bracket Creek (62.0815)   | August 1 - March 15   | X | - |
| Calispel Creek (62.0628)  | August 1 - August 31  | X | - |
| Exposure Creek (62.0261)  | August 1 - August 31  | X | - |
| Kent Creek (62.0819)  | August 1 - March 15   | X | - |
| Le Clerc Creek (62.0415)  | August 1 - August 31  | X | - |
| Lime Creek (62.0014)  | August 1 - March 15   | X | - |
| Lodge Creek (62.0859)   | August 1 - August 31  | X | - |
| Lost Creek (62.0322)  | August 1 - March 15   | X | - |
| Marshall Creek (62.0842)  | August 1 - March 15   | X | - |
| Pee Wee Creek (62.0007) - Mouth to falls                        | August 1 - August 31  | X | - |
| Pee Wee Creek (62.0007) -                                       | August 1 -            | X | - |

|  |                           |   |   |
|--|---------------------------|---|---|
| Upstream of falls  | March 15                  |   |   |
| Renshaw Creek (62.0310)  | August 1 -<br>March 15    | X | - |
| Sullivan (O'Sullivan) Creek<br>(62.0074)                         | August 1 -<br>August 31   | X | - |
| North Fork Sullivan Creek<br>(62.0075)                           | August 1 -<br>August 31   | X | - |
| Tributaries of Deep Creek<br>in Pend Oreille County<br>(61.0195) | July 16 -<br>August 15    | X | - |
| Currant Creek (61.0249)  | July 16 -<br>August 15    | X | - |
| Meadow Creek (61.0351)   | July 16 -<br>August 15    | X | - |
| Rocky Creek (61.0364)  | July 16 -<br>August 15    | X | - |
| Silver Creek (61.0195)   | July 16 -<br>August 15    | X | - |
| Smackout Creek (61.0226)   | July 16 -<br>August 15    | X | - |
| Pierce County  | July 16 -<br>August 31    | X | - |
| Chambers/Clover Creek<br>Watershed (12.MISC)                     | July 16 -<br>September 30 | X | - |
| Flett Creek (12.0009)  | July 16 -<br>October 31   | X | - |
| Leach Creek (12.0008)  | July 16 -<br>September 30 | X | - |
| Nisqually River (11.0008) -<br>Mouth to Alder Lake               | July 16 -<br>August 31    | X | X |
| Nisqually River (11.0008) -<br>Upstream of Alder Lake            | July 16 -<br>September 30 | X | X |
| Mashel River (11.0101) -<br>Mouth to Busy Wild Creek             | July 16 -<br>September 30 | X | X |
| Mashel River (11.0101) -<br>Upstream of Busy Wild                | July 16 -<br>September 30 | X | - |

| Creek  |                         |   |   |
|--|-------------------------|---|---|
| Puyallup River (10.0021) - Mouth to PSE Electron Powerhouse Outfall    | July 16 - August 31     | X | X |
| Puyallup River (10.0021) - Upstream of PSE Electron Powerhouse Outfall | July 16 - August 15     | X | X |
| Carbon River (10.0413)   | July 16 - August 15     | X | X |
| Cayada Creek (10.0525) - Mouth to falls about 800 feet upstream        | July 16 - August 31     | X | - |
| Cayada Creek (10.0525) - Upstream of the falls                         | January 1 - December 31 | X | - |
| South Prairie Creek (10.0429)  | July 16 - August 15     | X | - |
| Voight Creek (10.0414) - Mouth to falls at River Mile 4.0              | July 16 - August 31     | X | - |
| Voight Creek (10.0414) - Upstream of falls River Mile 4.0              | July 16 - February 28   | X | - |
| White River (10.0031)  | July 16 - August 15     | X | X |
| Clearwater River (10.0080)   | July 16 - August 15     | X | X |
| Greenwater River (10.0122)   | July 16 - August 15     | X | X |
| Huckleberry Creek (10.0253)  | July 16 - August 15     | X | - |
| West Fork White River (10.0186)  | July 16 - August 15     | X | X |
| Sequalitchew Creek (12.0019)   | July 16 - September 30  | X | - |
| San Juan County  | July 1 - August 31      | X | - |

|   |                         |   |   |
|---|-------------------------|---|---|
| Cascade Creek (02.0057), Orcas Island - Upstream of lower falls                                     | July 1 - February 28    | X | - |
| Cascade Creek (02.0057), Orcas Island, Buck Bay to falls located approximately 300 feet above mouth | July 1 - October 31     | X | - |
| Doe Creek (02.MISC), San Juan Island, Westcott Bay to falls (approximately 250 feet from mouth)     | June 16 - October 15    | X | - |
| False Bay Creek (02.MISC) - San Juan Island; Mouth to lake  | July 1 - October 31     | X | - |
| Glenwood Springs, Orcas Island; direct tributary to Eastsound Bay                                   | July 1 - October 15     | X | - |
| Moran Creek (02.MISC) - Orcas Island; from Cascade Lake delta upstream 1/4 mile                     | July 1 - October 15     | X | - |
| Unnamed Creek (02.0041) - San Juan Island; Mouth to lake  | July 1 - October 15     | X | - |
| Skagit County   | August 1 - September 15 | X | - |
| Granite Creek (04.2313) - Upstream of East Creek  | July 16 - February 28   | X | - |
| North Fork Stillaguamish River (05.0135) - Mouth to Squire Creek                                    | August 1 - August 15    | X | X |
| North Fork Stillaguamish River (05.0135) - Squire Creek to Cascade Creek                            | August 1 - August 15    | X | - |
| North Fork Stillaguamish River (05.0135) - Upstream of Cascade Creek                                | July 16 - February 28   | X | - |
| Samish River (03.0005)  | August 1 -              | X | - |

|   | September 15           |   |   |
|---|------------------------|---|---|
| Skagit River (03.0176/04.0176)  | Submit Application     | - | - |
| Baker River (04.0435) - Mouth to Baker Dam                            | Submit Application     | - | - |
| Cascade River (04.1411)   | Submit Application     | - | - |
| Day Creek (03.1435)   | July 16 - February 28  | X | - |
| Lookout Creek (04.1447)   | July 16 - February 28  | X | - |
| Sibley Creek (04.1481)  | July 16 - February 28  | X | - |
| Day Creek (03.0299) - Mouth to Rocky Creek                            | Submit Application     | - | - |
| Day Creek (03.0299) - Upstream of Rocky Creek                         | August 1 - February 28 | X | - |
| Finney Creek (04.0392) - Mouth to Big Fir Creek                       | Submit Application     | - | - |
| Finney Creek (04.0392) - Upstream of Big Fir Creek                    | July 16 - February 28  | X | - |
| Illabot Creek (04.1346)   | Submit Application     | - | - |
| Sauk River (04.0673) - Mouth to Forks                                 | Submit Application     | - | - |
| Sauk River (04.0673) - Upstream of Forks                              | August 1 - August 15   | X | - |
| Suiattle River (04.0710)  | August 1 - August 15   | X | X |
| Wiseman Creek (03.0280) - Mouth to SR20                               | Submit Application     | - | - |
| Wiseman Creek (03.0280) - Upstream of SR20                            | July 16 - February 28  | X | - |
| South Fork Nooksack River (01.0246) - Mouth to falls at River Mile 30 | August 1 - August 15   | X | X |

|   |                        |   |   |
|---|------------------------|---|---|
| South Fork Nooksack River (01.0246) - Falls at River Mile 30 to Wanlick Creek | July 16 - August 15    | X | X |
| South Fork Nooksack River (01.0246) - Upstream of Wanlick Creek               | July 16 - August 15    | X | - |
| Skamania County   | July 15 - September 15 | X | - |
| Columbia River  | See below              | - | - |
| Cispus River (26.0668)  | August 1 - August 15   | X | X |
| Cispus River (26.0668) tributaries located in Skamania County                 | August 1 - October 31  | X | - |
| East Fork Lewis River (27.0173) - Lucia Falls to Sunset Falls                 | August 1 - February 28 | X | X |
| East Fork Lewis River (27.0173) - Upstream of Sunset Falls                    | August 1 - February 28 | X | - |
| Green River (26.0323) (Tributary of North Fork Toutle River)                  | July 16 - September 30 | X | X |
| Hamilton Creek (28.0303)  | August 1 - August 31   | X | - |
| Hardy Creek (28.0303)   | August 1 - August 31   | X | - |
| Little White Salmon River (29.0131) - Mouth to Hatchery                       | July 16 - August 15    | X | X |
| Little White Salmon River (29.0131) - Hatchery to Cabbage Creek               | July 16 - January 31   | X | X |
| Little White Salmon River (29.0131) - Upstream of Cabbage Creek               | July 16 - January 31   | X | - |
| North Fork Lewis River  | July 16 -              | X | X |

|  |                        |   |   |
|--|------------------------|---|---|
| (27.0168) - Merwin Dam to Lower Falls                      | August 15              |   |   |
| Canyon Creek (27.0442)                                     | July 16 - February 28  | X | - |
| North Fork Lewis River (27.0168) - Upstream of Lower Falls | July 16 - February 28  | X | X |
| Washougal River (28.0159) - Mouth to Stebbins Creek        | August 1 - August 31   | X | X |
| Washougal River (28.0159) - Upstream of Stebbins Creek     | August 1 - August 31   | X | - |
| White Salmon River (29.0160) - Mouth to Cascade Creek      | July 16 - August 15    | X | X |
| White Salmon River (29.0160) - Upstream of Cascade Creek   | July 16 - August 15    | X | - |
| Wind River (29.0023)                                       | August 1 - August 15   | X | X |
| Woodward Creek (28.0298)                                   | August 1 - August 31   | X | - |
| Snohomish County   | July 16 - September 15 | X | - |
| Lake Washington tributaries                                | August 1 - August 15   | X | - |
| Sauk River (04.0673) - Mouth to Forks                      | August 1 - August 15   | X | X |
| Sauk River (04.0673) - Upstream of Forks                   | August 1 - August 15   | X | - |
| Suiattle River (04.0710)                                   | August 1 - August 15   | X | X |
| Snohomish River (07.0012) - Mouth to Highway 9             | August 1 - October 31  | X | X |
| Snohomish River (07.0012) - Upstream of Highway 9          | August 1 - August 15   | X | X |

|   |                         |   |   |
|---|-------------------------|---|---|
| Pilchuck River (07.0125) - Mouth to City of Snohomish diversion dam         | August 1 - August 31    | X | X |
| Pilchuck River (07.0125) - City of Snohomish diversion dam to Boulder Creek | August 1 - September 15 | X | X |
| Pilchuck River (07.0125) - Upstream of Boulder Creek                        | August 1 - September 15 | X | - |
| Skykomish River (07.0012) - Mouth to forks                                  | August 1 - August 15    | X | X |
| Deer Creek (05.0173) - Mouth to stream mile 0.5                             | August 1 - August 31    | X | - |
| Deer Creek (05.0173) - Upstream of stream mile 0.5                          | August 1 - February 28  | X | - |
| North Fork Skykomish River (07.0982) - Mouth to Bear Creek Falls            | August 1 - August 31    | X | X |
| North Fork Skykomish River (07.0982) - Bear Creek Falls to Deer Falls       | August 1 - August 31    | X | X |
| North Fork Skykomish River (07.0982) - Deer Falls to West Cady Creek        | August 1 - February 28  | X | X |
| North Fork Skykomish River (07.0982) - Upstream of West Cady Creek          | August 1 - February 28  | X | - |
| Howard Creek (07.1042)  | July 16 - February 28   | X | - |
| Silver Creek (07.1053) - Mouth to Lake Gulch                                | August 1 - August 31    | X | - |
| Silver Creek (07.1053) - Upstream of Lake Gulch                             | August 1 - February 28  | X | - |
| Troublesome Creek (07.1085)   | August 1 - February 28  | X | - |

|   |                        |   |   |
|---|------------------------|---|---|
| West Fork Troublesome Creek (07.1092)                             | August 1 - August 31   | X | - |
| South Fork Skykomish River (07.0012) - Mouth to Sunset Falls      | August 1 - August 15   | X | X |
| Beckler River (07.1413) - Mouth to Boulder Creek                  | August 1 - August 15   | X | X |
| Beckler River (07.1413) - Upstream of Boulder Creek               | July 16 - February 28  | X | - |
| Rapid River (07.1461) - Mouth to Meadow Creek                     | August 1 - August 31   | X | X |
| Rapid River (07.1461) - Upstream of Meadow Creek                  | August 1 - February 28 | X | X |
| Sultan River (07.0881) - Mouth to Diversion Dam at river mile 9.4 | August 1 - August 15   | X | X |
| Sultan River (07.0881) - Diversion Dam to Elk Creek               | July 16 - February 28  | X | X |
| Sultan River (07.0881) - Upstream of Elk Creek                    | July 16 - February 28  | X | - |
| Wallace River (07.0940) - Mouth to Wallace Falls                  | August 1 - August 31   | X | X |
| Wallace River (07.0940) - Upstream of Wallace Falls               | August 1 - February 28 | X | - |
| Olney Creek (07.0946) - Mouth to Olney Falls                      | August 1 - August 31   | X | - |
| Olney Creek (07.0946) - Upstream of Olney Falls                   | August 1 - February 28 | X | - |
| Snoqualmie River Mouth to Falls (07.0219)                         | August 1 - August 15   | X | X |
| All other Snohomish River tributaries                             | August 1 - August 31   | X | - |
| Stillaguamish River (05.0001) - Mouth to forks                    | August 1 - August 31   | X | X |

|  |                        |   |   |
|--|------------------------|---|---|
| North Fork Stillaguamish River (05.0135) - Mouth to Squire Creek         | August 1 - August 15   | X | X |
| North Fork Stillaguamish River (05.0135) - Squire Creek to Cascade Creek | August 1 - August 15   | X | - |
| North Fork Stillaguamish River (05.0135) - Upstream of Cascade Creek     | July 16 - February 28  | X | - |
| South Fork Stillaguamish River (05.0001) - Mouth to Deer Creek           | August 1 - August 15   | X | X |
| South Fork Stillaguamish River (05.0001) - Upstream of Deer Creek        | August 1 - August 15   | X | - |
| Spokane County   | June 16 - August 31    | X | - |
| Latah Creek (56.0003)  | June 16 - August 31    | X | - |
| Little Spokane River (55.0600) - Mouth to Deer Creek                     | June 16 - August 31    | X | X |
| Little Spokane River (55.0600) - Upstream of Deer Creek                  | June 16 - August 31    | X | - |
| Spokane River (57.0001)  | June 16 - August 31    | X | X |
| Stevens County   | July 16 - August 31    | X | - |
| Columbia River   | See below              | - | - |
| Big Sheep Creek (61.0150)  | July 16 - August 15    | X | - |
| Colville River (59.0002) - Mouth to the Falls                            | July 16 - September 30 | X | X |
| Colville River (59.0002) - Upstream of the Falls                         | July 16 - September 30 | X | X |
| Deep Creek (61.0195)   | July 16 -              | X | - |

|  |                            |   |   |
|--|----------------------------|---|---|
|  | August 15                  |   |   |
| Onion Creek (61.0098)  | July 16 -<br>August 15     | X | - |
| Sheep Creek (59.0861)  | July 16 -<br>September 30  | X | - |
| Lake Roosevelt tributaries<br>from the mouth of the<br>Spokane River to mouth of<br>the Colville River | July 16 -<br>February 28   | X | - |
| Lake Roosevelt tributaries<br>from the mouth of the<br>Colville River north to the<br>B.C. Border      | July 16 -<br>February 28   | X | - |
| Tributaries of Little<br>Spokane River (55.0600)   | June 16 -<br>August 31     | X | - |
| Calispel Creek (62.0628)   | August 1 -<br>August 31    | X | - |
| Other tributaries to the<br>Pend Oreille River in<br>Stevens County                                    | July 1 - August<br>31      | X | - |
| Thurston County  | July 16 -<br>September 15  | X | - |
| Cedar Creek (23.0570)  | August 1 -<br>September 30 | X | - |
| Chehalis River<br>(22.0190/23.0190) -<br>Upstream of Porter Creek                                      | August 1 -<br>August 15    | X | X |
| Skookumchuck River<br>(23.0761) - Mouth to<br>Skookumchuck Reservoir                                   | August 1 -<br>August 31    | X | X |
| Skookumchuck River<br>(23.0761) - Upstream of<br>Skookumchuck Reservoir                                | August 1 -<br>August 31    | X | - |
| Deschutes River (13.0028) -<br>Mouth to Deschutes Falls  | July 16 -<br>August 31     | X | X |
| Deschutes River (13.0028) -<br>Upstream of Deschutes   | July 16 -<br>August 31     | X | - |

|   |                            |   |   |
|---|----------------------------|---|---|
| Falls                                       |                            |   |   |
| Ellis Creek (13.0022)                       | May 16 -<br>September 30   | X | - |
| Little Deschutes River<br>(13.0110)         | July 16 -<br>February 28   | X | - |
| McLane Creek (13.0138)                      | August 1 -<br>October 31   | X | - |
| Percival Creek (13.0029)                    | July 16 -<br>August 31     | X | - |
| Nisqually River (11.0008)                   | July 16 -<br>August 31     | X | X |
| Tributaries of Nisqually<br>River (11.0008) | July 16 -<br>August 31     | X | - |
| Porter Creek (23.0543)                      | August 1 -<br>September 30 | X | - |
| Schneider Creek (14.0009)                   | August 1 -<br>October 31   | X | - |
| Waddell Creek (23.0677)                     | August 1 -<br>September 30 | X | - |
| Woodard Creek (13.0012)                     | July 16 -<br>August 31     | X | - |
| Woodland Creek (13.0006)                    | July 16 -<br>September 30  | X | - |
| Wahkiakum County                            | July 16 -<br>September 15  | X | - |
| Columbia River                              | See below                  | - | - |
| Abernathy Creek (25.0297)                   | July 16 -<br>September 15  | X | - |
| Deep River (25.0011)                        | July 16 -<br>September 15  | X | X |
| Elochoman River (25.0236)                   | July 16 -<br>September 15  | X | X |
| Grays River (25.0093)                       | July 16 -<br>September 15  | X | X |
| Mill Creek (25.0284)                        | July 16 -                  | X | - |

|   |                        |   |   |
|---|------------------------|---|---|
|   | September 15           |   |   |
| Naselle River (24.0543)   | July 16 - September 15 | X | X |
| Skamokawa Creek (25.0194)   | July 16 - September 15 | X | - |
| Walla Walla County  | July 16 - September 30 | X | - |
| Walla Walla River (32.0008) - Mouth to Oregon state line                            | July 16 - September 15 | X | X |
| Mill Creek (32.1436) - Mouth to Oregon state line                                   | August 1 - August 15   | X | - |
| Touchet River (32.0097) - Mouth to Forks  | August 1 - August 15   | X | X |
| North Fork Touchet/Wolf Fork (32.0761)  | Submit Application     | - | - |
| South Fork Touchet (32.0708)  | Submit Application     | - | - |
| Whatcom County  | July 16 - August 15    | X | - |
| Damfino Creek (00.0032)   | July 16 - August 31    | X | - |
| Nooksack River (01.0120)  | July 16 - August 15    | X | X |
| Cascade Creek (02.0057) - Mouth to FR 37  | Submit Application     | - | - |
| Cascade Creek (02.0057) - Upstream of FR 37   | July 16 - February 28  | X | - |
| Middle Fork Nooksack River (01.0339) - Mouth to City of Bellingham Diversion Dam    | July 16 - August 15    | X | X |
| Middle Fork Nooksack River (01.0339) - Upstream of City of Bellingham Diversion Dam | Submit Application     | - | - |

|  |                       |   |   |
|--|-----------------------|---|---|
| North Fork Nooksack River (01.0120) - Mouth to Nooksack Falls          | July 16 - August 15   | X | X |
| North Fork Nooksack River (01.0120) - Upstream of Nooksack Falls       | Submit Application    | - | - |
| Barometer Creek (01.0513)  | July 16 - February 28 | X | - |
| Ruth Creek (01.0531)   | July 16 - February 28 | X | - |
| Swamp Creek (01.0518)  | July 16 - February 28 | X | - |
| Wells Creek (02.0057)  | Submit Application    | - | - |
| Bar Creek (01.0500)  | July 16 - February 28 | X | - |
| South Fork Nooksack (01.0246) - Mouth to Wanlick Creek                 | August 1 - August 15  | X | X |
| South Fork Nooksack (01.0246) - Upstream of Wanlick Creek              | August 1 - August 15  | X | - |
| Samish River (03.0005)   | July 16 - August 15   | X | - |
| Skagit River (03.0176/04.0176)   | Submit Application    | - | - |
| Baker River (04.0435) - Mouth to Baker Lake Dam (04.0435)              | Submit Application    | - | - |
| Baker River (04.0435) - Baker Lake to national park boundary           | Submit Application    | - | - |
| Boulder Creek (04.0499)  | July 16 - February 28 | X | - |
| Park Creek (04.0506) - Mouth to fish passage barrier at river mile 1.6 | Submit Application    | - | - |

|  |                            |   |   |
|--|----------------------------|---|---|
| Park Creek (04.0506) -<br>Upstream of river mile 1.6                     | July 16 -<br>February 28   | X | - |
| Swift Creek (04.0509) -<br>Mouth to Rainbow Creek                        | Submit<br>Application      | - | - |
| Swift Creek (04.0509) -<br>Upstream of Rainbow<br>Creek                  | July 16 -<br>February 28   | X | - |
| Ross Lake<br>(03.0176/04.0176)<br>tributaries                            | Submit<br>Application      | - | - |
| Ruby Creek (04.2199)   | Submit<br>Application      | - | - |
| Canyon Creek (04.2458) -<br>Mouth to Barron Creek                        | Submit<br>Application      | - | - |
| Canyon Creek (04.2458) -<br>Upstream of Barron Creek<br>and tributaries  | October 1 -<br>February 28 | X | - |
| Barron Creek (04.2591)   | October 1 -<br>February 28 | X | - |
| Boulder Creek (04.2478) -<br>Mouth to 300 feet<br>upstream               | Submit<br>Application      | - | - |
| Boulder Creek (04.2478) -<br>300 feet upstream of<br>mouth to headwaters | October 1 -<br>February 28 | X | - |
| Friday Creek (04.2549) -<br>Mouth to 300 feet<br>upstream                | Submit<br>Application      | - | - |
| Friday Creek (04.2549) -<br>300 feet upstream of<br>mouth to headwaters  | October 1 -<br>February 28 | X | - |
| Holmes Creek (04.2473) -<br>Mouth to 300 feet<br>upstream                | Submit<br>Application      | - | - |
| Holmes Creek (04.2473) -<br>300 feet upstream of<br>mouth to headwaters  | October 1 -<br>February 28 | X | - |

|   |                         |   |   |
|---|-------------------------|---|---|
| Mill Creek (04.2504) - Mouth to 300 feet upstream                 | Submit Application      | - | - |
| Mill Creek (04.2504) - 300 feet upstream of mouth to headwaters   | October 1 - February 28 | X | - |
| Nickol Creek (04.2476) - Mouth to 300 feet upstream               | Submit Application      | - | - |
| Nickol Creek (04.2476) - 300 feet upstream of mouth to headwaters | October 1 - February 28 | X | - |
| North Fork Canyon Creek (04.2583) - Mouth to Elk Creek            | Submit Application      | - | - |
| Cascade Creek (05.2584)   | October 1 - February 28 | X | - |
| North Fork Canyon Creek (04.2583) - Upstream of Elk Creek         | October 1 - February 28 | X | - |
| Slate Creek (04.2557) - Mouth to falls at River Mile 0.6          | Submit Application      | - | - |
| Slate Creek (04.2557) - Upstream of falls at River Mile 0.6       | October 1 - February 28 | X | - |
| Granite Creek (04.2313) - Mouth to East Creek                     | Submit Application      | - | - |
| Granite Creek (04.2313) - Upstream of East Creek and tributaries  | October 1 - February 28 | X | - |
| Saar Creek (00.0003)  | August 1 - September 30 | X | - |
| Silesia Creek (00.0042) - Canadian Border to Middle Fork          | July 16 - August 15     | X | - |
| Silesia Creek (00.0042) -   | July 16 -               | X | - |

|  |                         |   |   |
|--|-------------------------|---|---|
| Middle Fork to national park boundary                      | February 28             |   |   |
| Rapid Creek (00.0048)                                      | July 16 - February 28   | X | - |
| West Fork Silesia Creek (00.0044)                          | July 16 - February 28   | X | - |
| Winchester Creek (00.0045)                                 | July 16 - February 28   | X | - |
| Whitman County   | July 16 - December 15   | X | - |
| Snake River (35.0002)                                      | See below               | - | - |
| Alkali Flats Creek (35.0570)                               | July 16 - December 15   | X | - |
| Almota Creek (35.1017)                                     | July 16 - December 15   | X | - |
| Little Almota Creek (35.1018)                              | July 16 - December 15   | X | - |
| Palouse River (34.0003) - Mouth to Palouse Falls           | July 16 - September 30  | X | X |
| Palouse River (34.0003) - Upstream of Palouse Falls        | July 16 - February 28   | X | X |
| Penewawa Creek (35.0916)                                   | July 16 - December 15   | X | - |
| Wawawi Canyon Creek (35.1165)                              | July 16 - December 15   | X | - |
| Yakima County  | June 1 - September 15   | X | - |
| Glade Creek (31.0851)                                      | August 1 - September 30 | X | - |
| Klickitat River (30.0002)                                  | Submit Application      | - | - |
| Yakima River (37.0002/38.0002/39.0002) - Mouth to Roza Dam | June 1 - September 15   | X | X |
| Ahtanum Creek (37.1382)                                    | June 16 - September 30  | X | - |

|   |                        |   |   |
|---|------------------------|---|---|
| North Fork Ahtanum Creek (37.1382)  | Submit Application     | - | - |
| South Fork Ahtanum Creek (37.1382)  | Submit Application     | - | - |
| Naches River (38.0003) - Mouth to Tieton River                              | July 1 - October 15    | X | X |
| Naches River (38.0003) - Upstream of mouth of Tieton River to Bumping River | July 1 - August 15     | X | X |
| Bumping River (38.0998)   | July 16 - August 15    | X | X |
| American River (38.1000)  | Submit Application     | - | - |
| Gold Creek (38.MISC)  | July 16 - February 28  | X | - |
| Kettle Creek (38.1033)  | Submit Application     | - | - |
| Miner Creek (38.1027)   | July 16 - February 28  | X | - |
| Morse Creek (38.1072) - Mouth to SR410 Crossing                             | August 1 - August 15   | X | - |
| Morse Creek (38.1072) - Upstream of SR410 Crossing                          | August 1 - February 28 | X | - |
| Rock Creek (38.MISC)  | July 16 - February 28  | X | - |
| Timber Creek (38.1062)  | August 1 - August 15   | X | - |
| Union Creek (38.1045) - Upstream of 500' above falls                        | August 1 - February 28 | X | - |
| Union Creek (38.1045) - Mouth to 500' above falls                           | Submit Application     | - | - |
| Other American River tributaries not listed                                 | August 1 - February 28 | X | - |

|   |                       |   |   |
|---|-----------------------|---|---|
| Deep Creek (38.MISC)  | Submit Application    | - | - |
| Copper Creek (38.MISC)  | August 1 - August 15  | X | - |
| Cowiche Creek (38.0005) - Mouth to South Fork Cowiche Creek     | July 1 - September 30 | X | - |
| North Fork Cowiche Creek (38.0008)                              | July 1 - February 28  | X | - |
| South Fork Cowiche Creek (38.0031) - Mouth to Reynolds Creek    | July 1 - September 30 | X | - |
| South Fork Cowiche Creek (38.0031) - Upstream of Reynolds Creek | July 16 - October 31  | X | - |
| Granite Creek (38.MISC)   | August 1 - August 15  | X | - |
| Little Naches River (38.0852) - Mouth to Matthews Creek         | July 16 - August 15   | X | X |
| Little Naches River (38.0852) - Upstream of Matthews Creek      | July 16 - August 15   | X | - |
| Crow Creek (38.0858)  | July 16 - August 15   | X | - |
| Nile Creek (38.0692)  | July 16 - October 15  | X | - |
| Rattlesnake Creek (38.0518)                                     | July 16 - August 15   | X | - |
| Tieton River (38.0166) - Mouth to Rimrock Dam                   | July 1 - August 31    | X | X |
| North Fork Tieton River (38.0291) - Below Clear Lake Dam        | Submit Application    | - | - |
| North Fork Tieton River (38.0291) - Upstream of Clear Lake      | July 1 - August 15    | X | - |

|  |                        |   |   |
|--|------------------------|---|---|
| Clear Creek (38.0317)  | July 16 - February 28  | X | - |
| South Fork Tieton River (38.0374) - Below South Fork Falls       | Submit Application     | - | - |
| South Fork Tieton River (38.0374) - Upstream of South Fork Falls | July 16 - February 28  | X | - |
| Indian Creek (38.0302)   | Submit Application     | - | - |
| Tributaries of Tieton River below Rimrock Dam                    | July 16 - February 28  | X | - |
| Umtanum Creek (39.0553)  | July 16 - September 30 | X | - |
| Wenas Creek (39.0032)  | July 16 - October 15   | X | - |
| Other Yakima River tributaries                                   | July 16 - August 31    | X | - |
| Columbia River   | -                      | - | - |
| Mouth to the I-205 Bridge  | August 1 - March 31    | X | X |
| I-205 Bridge to Bonneville Dam                                   | July 16 - September 15 | X | X |
| Bonneville Dam to Snake River                                    | July 16 - February 28  | X | X |
| Snake River to Priest Rapids Dam                                 | July 16 - September 30 | X | X |
| Priest Rapids Dam to Mouth of Crab Creek                         | July 16 - February 28  | X | X |
| Mouth of Crab Creek to Wanapum Dam                               | July 16 - September 30 | X | X |
| Wanapum Dam to the SR 285 bridge in South Wenatchee              | July 16 - February 28  | X | X |
| SR 285 bridge in South Wenatchee to the SR 2                     | July 16 - September 30 | X | X |

|  |                        |   |   |
|--|------------------------|---|---|
| bridge   |                        |   |   |
| SR 2 bridge to one mile downstream of the Chelan River   | July 16 - February 28  | X | X |
| From one mile downstream of the Chelan River to the SR 97 bridge                                 | July 16 - September 30 | X | X |
| From SR 97 bridge to Chief Joseph Dam  | July 16 - February 28  | X | X |
| Chief Joseph Dam to Grand Coulee Dam   | June 16 - March 31     | X | X |
| Grand Coulee Dam to Canadian border  | Submit Application     | - | - |
| All Columbia River tributaries   | See county listings    | - | - |
| Snake River  | -                      | X | - |
| Mouth to Ice Harbor Dam  | July 16 - September 30 | X | X |
| Ice Harbor Dam to Mouth of Clearwater River  | July 16 - March 31     | X | X |
| Mouth of Clearwater River to State Line  | August 1 - August 31   | X | X |
| All Snake River tributaries  | See county listings    | - | - |
| Lakes  | Submit Application     | - | - |
| Salt water   | Submit Application     | - | - |
| All waters within Indian tribal reservation, national park, state park, or wilderness boundaries | Submit Application     | - | - |

35  
36

1 **220-110-213 Beaver dam management**

2 Conformance with other applicable provisions: all projects must meet the standards listed in  
3 WAC 220-110-036XXX—General Requirements for all HPAs, and any of the provisions listed in  
4 WAC 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
5 addition:

6 A request to manage a beaver dam at the same location three times in three years shall trigger  
7 discussions between the proponent(s) and the department to develop a long-term solution.

8 (1) Beaver dam management.

9 (a) The use of explosives in beaver dam management is not allowed.

10 (b) Beaver dam management shall take place when alteration or removal of the dam will  
11 cause the least impact to fish life. The beaver dam shall be removed gradually to  
12 prevent the sudden release of impounded water or sediments.

13 (c) The beaver dam shall be removed with a minimum of disturbance to streambed and  
14 banks. Woody vegetation shall not be removed from the banks.

15 (d) Only material associated with the beaver dam shall be removed. All waste material such  
16 as construction debris, silt, excess dirt or overburden resulting from this project shall be  
17 deposited above the limits of flood water in an approved upland disposal site.

18 (e) If fish will be adversely impacted as a result of this project they must be captured and  
19 safely moved to the nearest free-flowing water.

20 (2) Water leveling devices

21 (a) Water leveling devices must freely pass all mobile fish life stages. Specifically;

22 (i) A minimum depth of eight-tenths foot must be maintained at all times

23 (ii) The maximum velocity shown in Table XXX must not be exceeded more than five  
24 percent of the year.

25 (iii) hydraulic drops must not exceed one-half foot.

26 (b) Pipes conveying water through the dam or connecting any parts of the water leveling  
27 device must be a minimum internal diameter of one foot for streams with resident fish  
28 populations only, and a minimum internal diameter of one and one-half feet for  
29 streams with anadromous salmonids.

30 (c) The structure must remain stable in conditions up to the design flood.

31 (3) Beaver exclusion devices

32 (a) (placeholder)

1 **220-110-331 (formerly -331 through -338) Aquatic plant**  
2 **removal and control technical provisions.**

3 Conformance with other applicable provisions: all projects must meet the standards listed in  
4 WAC 220-110-036XXX—General Requirements for all HPAs, and any of the provisions listed in  
5 WAC 220-110-037XXX through 220-110-339XXX that are applicable to the specific project. In  
6 addition:

7 Certain technical provisions are required depending upon the individual proposal and site  
8 specific characteristics. Additional provisions may be included, as necessary to address site-  
9 specific conditions. Those provisions, where applicable, shall be contained in the HPA  
10 (pamphlet or individual), as necessary to protect fish life. HPAs shall have specific time  
11 limitations on project activities to protect fish life. Information concerning timing shall be  
12 included with the pamphlet HPA. Saltwater provisions may be applied to tidally influenced  
13 areas upstream of river mouths and the mainstem Columbia River downstream of Bonneville  
14 Dam where applicable.

15 Aquatic plants fall into two broad categories: “aquatic beneficial plants” (WAC 220-110-036XXX  
16 (2); RCW 17.10.010 (10)) and “aquatic noxious weeds” (WAC 220-110-020XXX (3); RCW  
17 17.10.010(10)).

18 An activity conducted solely for the removal or control of *Spartina* does not require an HPA.

19 An activity conducted solely for the removal or control of purple loosestrife and which is  
20 performed with hand-held tools, hand-held equipment, or equipment carried by a person when  
21 used does not require an HPA.

22 Any other activity conducted solely for the removal or control of aquatic noxious weeds or  
23 aquatic beneficial plants shall require either a copy of the current *Aquatic Plants and Fish*  
24 pamphlet HPA available from the department or an individual HPA.

25 Aquatic noxious weed control projects may be completed year-round. Control of aquatic  
26 beneficial plants is subject to restrictions on timing as detailed in the Aquatic Plants and Fish  
27 pamphlet HPA or the individual HPA.

28 (1) Aquatic Noxious Weed Early Infestations:

29 (a) The following methods are allowed for eradication of aquatic noxious weed early  
30 infestations:

- 31 (i) Hand removal or control.  
32 (ii) Bottom barriers or screens.  
33 (iii) Diver-operated dredging.

34 (b) The following methods shall not be used to remove aquatic noxious weed early  
35 infestations:

- 36 (i) Weed rollers.
- 37 (ii) Mechanical harvesters and cutters.
- 38 (iii) Rotovators.
- 39 (iv) Dragline or clamshell dredges.

40 (2) Permits by Pamphlet:

41 (a) Aquatic noxious weed management : The following methods of aquatic noxious weed  
42 management are permitted by the *Aquatic Plants and Fish* pamphlet. Section (c), below,  
43 specifies limitations on the pamphlet permit to protect sockeye spawning.

- 44 (i) Hand removal or control.
- 45 (ii) Bottom barriers or screens along fifty percent or less of the applicant's shoreline.
- 46 (iii) Weed rolling an area of 2,500 square feet or less.
- 47 (iv) Mechanical harvesting and cutting.
- 48 (v) Diver-operated dredging.

49 (b) Aquatic beneficial plant management: In some circumstances, small scale removal of  
50 aquatic beneficial plants is permitted by the *Aquatic Plants and Fish* pamphlet. The  
51 pamphlet specifies timing restrictions. Section (c), below, specifies limitations on the  
52 pamphlet permit to protect sockeye spawning.

- 53 (i) Hand removal or control of aquatic beneficial plants to maintain an access for  
54 boating or swimming in a maximum area of 500 square feet.
- 55 (ii) Biodegradable bottom barrier or screen and anchor material along a maximum  
56 length of ten linear feet of the applicant's shoreline.

57 (c) For aquatic plant control projects that rely on the *Aquatic Plants and Fish* pamphlet as  
58 an HPA, a copy of the current pamphlet shall be on the job site at all times. Projects may  
59 incorporate mitigation measures as necessary to achieve no-net-loss of productive capacity  
60 of fish and shellfish habitat.

61 (3) Permits by Individual HPA:

62 (a) Sockeye Spawning Area Protection: Due to potential impacts to sockeye spawning areas,  
63 an individual HPA is required for raking, bottom barriers or screens, weed rolling, or  
64 dredging in Baker Lake and Lakes Osoyoos, Ozette, Pleasant, Quinault, Sammamish,

65 Washington and Wenatchee. If the department authorizes raking, the department may  
66 require mitigation formalized through a written agreement between the applicant and the  
67 department for impacts to the spawning area.

68  
69 (b) Individual HPAs are required for the following methods of aquatic plant management:

- 70 (i) Hand removal or control of aquatic beneficial plants along more than ten linear  
71 feet of the applicant's shoreline.
- 72 (ii) Bottom barrier control of aquatic beneficial plants along more than ten linear  
73 feet of the applicant's shoreline.
- 74 (iii) Bottom barrier control of aquatic noxious weeds along more than fifty percent of  
75 the applicant's shoreline.
- 76 (iv) Diver-operated dredging of aquatic beneficial plants.
- 77 (v) Mechanical harvesting and cutting of aquatic beneficial plants.
- 78 (vi) Weed rolling of any aquatic beneficial plants, or of aquatic noxious weeds in an  
79 area larger than 2,500 square feet.
- 80 (vii) Rotovation.
- 81 (viii) Aquatic plant dredging other than diver-operated dredging.
- 82 (ix) Water level manipulation.

83 (c) For aquatic plant control projects that require an individual HPA:

84 (i) Common provisions for aquatic plant control

85 (A) Existing fish habitat components such as logs, stumps, and large boulders  
86 may be relocated within the watercourse if necessary to properly install  
87 equipment or barriers being used to control aquatic plants. These habitat  
88 components shall not be removed from the watercourse. For hand removal or  
89 control, existing fish habitat components shall not be removed or disturbed.

90 (B) When the selected method of aquatic plant control involves detaching  
91 aquatic noxious weeds from the substrate, removal of detached plants and plant  
92 fragments from the watercourse shall be as complete as possible. Detached  
93 plants and plant fragments shall be disposed of at an upland site so as not to  
94 reenter state waters.

95 (C) Every effort shall be made to avoid the spread of plant fragments through  
96 equipment contamination. Persons or firms using any equipment to remove or

97 control aquatic plants shall thoroughly remove and properly dispose of all viable  
98 residual plants and viable plant parts from the equipment prior to the  
99 equipment's use in a body of water.

100 (ii) Specific methods of control

101 (A) Hand removal or control.

102 (I) Work shall be restricted to the use of hand-pulling, hand-held tools or  
103 equipment, or equipment that is carried when used.

104 (II) Where possible, the entire plant shall be removed when using hand-  
105 pulling for aquatic noxious weeds.

106 (B) Bottom barriers or screens.

107 (I) Bottom barrier or screen and anchor material consisting of  
108 biodegradable material may be left in place. Bottom barrier or screen  
109 and anchor material that is not biodegradable shall be completely  
110 removed within two years of placement to encourage recolonization of  
111 aquatic beneficial plants unless otherwise approved by the department.

112 (II) Bottom barrier or screen material shall be securely anchored with  
113 pea-gravel filled bags, rock or similar mechanism to prevent billowing and  
114 movement offsite.

115 (III) Bottom barrier or screen and anchors shall be regularly maintained  
116 while in place to ensure the barrier or screen and anchors are functioning  
117 properly. Barriers or screens that have moved or are billowing shall  
118 immediately be securely reinstalled or removed from the watercourse.

119 (C) Weed rolling is regulated by the common provisions listed in 220-110-331  
120 (3)(c)(i)XXX.

121 (D) Mechanical harvesting and cutting.

122 (I) Mechanical harvester and cutter operations shall only be conducted in  
123 waters of sufficient depth to avoid bottom contact with the cutter blades.

124 (II) Mechanical harvesters and cutters shall be operated at all times to  
125 cause the least adverse impact to fish life.

126 (III) Fish life that may be entrained in the cut vegetation during  
127 mechanical harvester operations shall be immediately and safely  
128 returned to the watercourse.

129 (E) Rotovation.

- 130 (I) Rotovators shall be operated at all times to cause the least adverse  
131 impact to fish life.
- 132 (II) Rotovation shall not occur in fish spawning areas unless approved by  
133 the department.
- 134 (F) Aquatic plant dredging.
- 135 (I) Dredging shall be conducted at all times with dredge types and  
136 methods that cause the least adverse impact to fish life.
- 137 (II) Upon completion of the dredging, the bed shall not contain pits,  
138 potholes, or large depressions to avoid stranding of fish.
- 139 (III) Plants and plant fragments shall be removed from the dredge slurry  
140 prior to its return to the watercourse. Sediments containing seeds of  
141 invasive plants shall not be returned to the watercourse; instead they  
142 shall be properly disposed of at an upland disposal site.
- 143 (IV) An hydraulic dredge shall only be operated with the intake at or  
144 below the surface of the material being removed. The intake shall only  
145 be raised a maximum of three feet above the bed for brief periods of  
146 purging or flushing the intake system.
- 147 (V) Dredging shall not be conducted in fish spawning areas unless  
148 approved by the department.
- 149 (VI) If a dragline or clamshell is used, it shall be operated to minimize  
150 turbidity. During excavation, each pass with the clamshell or dragline  
151 bucket shall be complete. Dredged material shall not be stockpiled  
152 waterward of the ordinary high water line.
- 153 (G) Water level manipulation.
- 154 (I) Water level manipulation shall be conducted to cause the least  
155 adverse impact to fish life.
- 156 (II) Water level manipulation shall occur gradually and in a controlled  
157 manner to prevent a sudden release of impounded water or sediments  
158 which may result in downstream bed and bank degradation,  
159 sedimentation, or flooding. Water levels shall be drawdown and  
160 brought back up at rates predetermined in consultation with and  
161 approved by the department. Instream flow requirements shall be  
162 maintained as water levels are brought back up.

1 **220-110-340 Informal appeal of adverse administrative**  
2 **actions.**

3 The department recommends that a person aggrieved by the issuance, denial, conditioning, or  
4 modification of an HPA contact the department employee responsible for making the decision  
5 on the HPA before initiating an informal appeal. Discussion of concerns with the department  
6 employee often results in a resolution of the problem without the need for an informal appeal.

7 The department encourages aggrieved persons to take advantage of the informal appeal  
8 process before initiating a formal appeal. However, the informal appeal process is not  
9 mandatory, and a person may proceed directly to a formal appeal under WAC 220-110-350.

10 (1) This rule does not apply to any provisions or conditions in pamphlet HPAs or supplemental  
11 approvals as defined in WAC 220-110-020. A person who disagrees with a provision or  
12 condition in a pamphlet HPA or its supplemental approval may apply for an individual, written  
13 HPA.

14 (2) Any person with standing may request an informal appeal of the following department  
15 actions:

16 (a) The issuance, denial, conditioning, or modification of an HPA; or

17 (b) An order imposing civil penalties.

18 (3) A request for an informal appeal shall be in writing and shall be received by the department  
19 within thirty days from the date of receipt of the decision or order. "Date of receipt" means:

20 (a) Five business days after the date of mailing; or

21 (b) The date of actual receipt, when the actual receipt date can be proven by a  
22 preponderance of the evidence. The recipient's sworn affidavit or declaration indicating  
23 the date of receipt, which is unchallenged by the department, shall constitute sufficient  
24 evidence of actual receipt. The date of actual receipt; however, may not exceed forty-  
25 five days from the date of mailing.

26 (4) A request for informal appeal shall be mailed to the HPA Appeals Coordinator, Department  
27 of Fish and Wildlife, Habitat Program, 600 Capitol Way N., Olympia, Washington 98501-1091; e-  
28 mailed to HPAapplications@dfw.wa.gov; faxed to 360-902-2946; or hand-delivered to the  
29 Natural Resources Building, 1111 Washington Street S.E., Habitat Program, Fifth floor.

30 (5) The request shall be plainly labeled as "Request for Informal Appeal" and shall include the  
31 following:

32 (a) The appellant's name, address, e-mail address (if available), and phone number;

- 33 (b) The specific department action that the appellant contests;
- 34 (c) The date the department issued, denied, conditioned, or modified an HPA, or the  
35 date the department issued the order imposing civil penalties;
- 36 (d) The log number or a copy of the HPA, or a copy of the order imposing civil penalties;
- 37 (e) A short and plain statement explaining why the appellant considers the department  
38 action or order to provide inadequate protection of fish life or to be otherwise unlawful;
- 39 (f) A clear and concise statement of facts to explain the appellant's grounds for appeal;
- 40 (g) Whether the appellant is the permittee, HPA applicant, landowner, resident, or  
41 another person with an interest in the department action in question;
- 42 (h) The specific relief requested;
- 43 (i) The attorney's name, address, e-mail address (if available), and phone number, if the  
44 appellant is represented by legal counsel; and
- 45 (j) The signature of the appellant or his or her attorney.
- 46 (6) Upon receipt of a valid request for an informal appeal, the department may initiate a review  
47 of the department action. If the appellant agrees, and the appellant applied for the HPA,  
48 resolution of the appeal may be facilitated through an informal conference. The informal  
49 conference is an optional part of the informal appeal and is normally a discussion between the  
50 appellant, the department employee responsible for the decision, and a supervisor. The time  
51 period for the department to issue a decision on an informal appeal is suspended during the  
52 informal conference process.
- 53 (7) If a resolution is not reached through the informal conference process, the appellant is not  
54 the person who applied for the HPA, or the appeal involves an order imposing civil penalties,  
55 the HPA appeals coordinator or designee shall conduct an informal appeal hearing. Upon  
56 completion of the informal appeal hearing, the HPA appeals coordinator or designee shall  
57 recommend a decision to the director or designee. The director or designee shall approve or  
58 disapprove the recommended decision within sixty days of the date the department received  
59 the request for informal appeal, unless the appellant agrees to an extension of time. The  
60 department shall notify the appellant in writing of the decision of the director or designee.
- 61 (8) If the department declines to initiate an informal review of its action after receipt of a valid  
62 request, or the appellant still wishes to contest the department action following completion of  
63 the informal appeal process, the appellant may initiate a formal appeal under WAC 220-110-  
64 350. Formal review must be requested within the time periods specified in WAC 220-110-350.

1 **220-110-350 Formal appeal of administrative actions.**

2 The department recommends that a person aggrieved by the issuance, denial, conditioning, or  
3 modification of an HPA contact the department employee responsible for making the decision  
4 on the HPA before initiating a formal appeal. Discussion of concerns with the department  
5 employee often results in a resolution of the problem without the need for a formal appeal.

6 The department encourages aggrieved persons to take advantage of the informal appeal  
7 process under WAC 220-110-340 before initiating a formal appeal. However, the informal  
8 appeal process is not mandatory, and a person may proceed directly to a formal appeal.

9 (1) This rule does not apply to any provisions or conditions in pamphlet HPAs or supplemental  
10 approvals as defined in WAC 220-110-020. A person who disagrees with a provision or  
11 condition in a pamphlet HPA or its supplemental approval may apply for an individual, written  
12 HPA.

13 (2) Any person with standing may request a formal appeal of the following department actions:

14 (a) The issuance, denial, conditioning, or modification of an HPA; or

15 (b) An order imposing civil penalties.

16 (3) As required by the Administrative Procedure Act, chapter 34.05 RCW, the department shall  
17 inform the HPA permittee or applicant, or person subject to civil penalty order of the  
18 department, of the opportunity for appeal, the time within which to file a written request for  
19 an appeal, and the place to file it.

20 (4) A request for formal appeal shall be in writing and shall be filed with the clerk of the  
21 pollution control hearings board (PCHB) and served on the department within thirty days from  
22 the date of receipt of the decision or order. "Date of receipt" means:

23 (a) Five business days after the date of mailing; or

24 (b) The date of actual receipt, when the actual receipt date can be proven by a  
25 preponderance of the evidence. The recipient's sworn affidavit or declaration indicating  
26 the date of receipt, which is unchallenged by the department, shall constitute sufficient  
27 evidence of actual receipt. The date of actual receipt; however, may not exceed forty-  
28 five days from the date of mailing.

29 (5) Service on the department shall be mailed to the HPA Appeals Coordinator, Department of  
30 Fish and Wildlife, Habitat Program, 600 Capitol Way N., Olympia, Washington 98501-1091; e-  
31 mailed to HPAapplications@dfw.wa.gov; faxed to 360-902-2946; or hand-delivered to the  
32 Natural Resources Building, 1111 Washington Street S.E., Habitat Program, Fifth floor.

33 (6) The time period for requesting a formal appeal is suspended during consideration of a  
34 timely informal appeal. If there has been an informal appeal, the deadline for requesting a

35 formal appeal shall be within thirty days from the date of receipt of the department's written  
36 decision in response to the informal appeal.

37 (7) The request for formal appeal shall contain the information required by WAC 371-08-340.

38 (8) The department in its discretion may stay the effectiveness of any decision or order that has  
39 been appealed to the PCHB. The department will use the standards in WAC 371-08-415(4) to  
40 make a decision on any stay request. At any time during the appeal to the PCHB, the appellant  
41 may apply to the PCHB for a stay of the decision or order, or removal of a stay imposed by the  
42 department.

43 (9) If there is no timely request for an appeal, the department action shall be final and  
44 unappealable.

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## **220-110-360 Penalties.**

(1) Under RCW 77.15.300, it is a gross misdemeanor to construct any form of hydraulic project or perform other work on a hydraulic project without having first obtained an HPA from the department, or, violate any requirements or conditions of the HPA for such construction or work.

(2) The department may impose a civil penalty of up to one hundred dollars per day for a violation of any provisions of RCW 77.55.021. The department shall impose the civil penalty with an order in writing delivered by certified mail or personal service to the person who is penalized. The notice shall describe the violation, identify the amount of the penalty, identify how to pay the penalty, and identify informal and formal appeal rights for the person penalized. If the violation is an ongoing violation, the penalty shall accrue for each additional day of violation. For ongoing violations, the civil penalty may continue to accrue during any appeal process unless the accrual is stayed in writing by the department.

(3) If not timely appealed under WAC 220-110-340XXX or 220-110-350XXX, the civil penalty order is final and unappealable. If appealed, the civil penalty becomes final upon issuance of a final order not subject to any further administrative appeal. When a civil penalty order becomes final, it is due and payable. If the civil penalty is not paid within thirty days after it becomes due and payable, the department may seek enforcement of the order under RCW 77.55.291 and 34.05